

Polaboff

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,	)	
	)	
Plaintiffs	)	
	)	
v.	)	No. 66C 1459
	)	66C 1460
GEORGE W. ROMNEY and CHICAGO	)	
HOUSING AUTHORITY, et al.,	)	(Consolidated)
	)	
Defendants	)	

RESPONSE OF CHA TO PART II OF THE ORDER ENTERED
UPON CHA ON JANUARY 3, 1972

At the outset, we respectfully point out that CHA is filing this response only because it has been ordered to do so. This response, as well as the response of January 18, 1972 (dealing only with City Council approved sites), is not a waiver by CHA of any of its previous objections. CHA has argued that the method of increasing the supply of public housing contemplated by this Court's January 3 order--that is, by ordering CHA to proceed without regard to action by the Chicago City Council--is the wrong way to try to achieve an expansion of public housing facilities. CHA has previously objected to the contemplated procedure (see our brief of

December 21, 1971, and the transcript of the January 3, 1972 hearing) and renews all of its previous objections.

Attached hereto as Exhibit A is a statement of C. E. Humphrey, executive director of CHA, setting forth the specific CHA staff response to Part II of this Court's January 3, 1972 order.

The timetables set forth in Exhibit A give no consideration to the following contingencies, any one of which may radically alter such timetables in a manner impossible to predict:

(a) Depending upon the plan, if any, ordered implemented by this Court, CHA may or may not seek judicial review. Such judicial review might take anywhere from six months to three years to complete.

(b) The City of Chicago, and the City Council, have not been made defendants for purposes of relief or for any other purpose, in this proceeding. If and when they are brought in, it is conceivable that further hearings, arguments and appeals would have significant effects upon the timetables set forth in Exhibit A. The extent of those effects is impossible to predict.

(c) It may reasonably be anticipated that some of the properties identified in Exhibit A can be obtained through voluntary sale but that others will have to be obtained through condemnation proceedings in the state court. With respect to properties which fall within the latter category, the timetables might be disrupted to a relatively slight extent, if only lower court proceedings are involved, or to a very substantial extent, if review in the Illinois Supreme Court and/or United States Supreme Court is sought on the question of whether such condemnation proceedings are proper. Moreover, it is not possible to predict whether the result in any particular condemnation case would control other condemnation cases.

(d) The potential sources of delay set forth in subparagraphs (a), (b) and (c) hereof are probably the most serious, but not the only, such sources. For example, CHA may encounter difficulty in obtaining title insurance, in obtaining HUD approval for specific projects, or in obtaining zoning approval. None of these difficulties are taken into consideration in the Exhibit A's timetables and any one, or all, could result in additional trials and appeals

in this or in other courts.

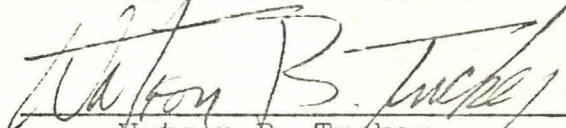
Respectfully submitted,

CHICAGO HOUSING AUTHORITY

By



Patrick W. O'Brien



Watson B. Tucker

231 South LaSalle Street
Chicago, Illinois 60604
ST 2-0600

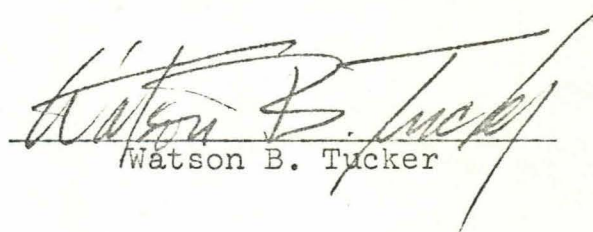
Attorneys for Chicago Housing
Authority

Of Counsel:

Kathryn M. Kula
Mayer, Brown & Platt

CERTIFICATE OF MAILING

The undersigned hereby certifies that on February 2, 1972 he served copies of the foregoing Response of CHA to Part II of the Order Entered upon CHA on January 3, 1972 by handing ~~mailing~~ same, ~~with postage fully prepaid~~, to the attorney for plaintiffs.


Watson B. Tucker

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GAUTREAUX, et al

Plaintiffs,

v.

GEORGE W. ROMNEY and CHICAGO
HOUSING AUTHORITY, et al

Defendants.

NO. 66 C 1459

NO. 66 C 1460

(Consolidated)

EXHIBIT A TO THE RESPONSE OF CHA TO
PART II OF THE ORDER ENTERED UPON
CHA ON JANUARY 3, 1972

1. CHA has an approved allocation from HUD for 1,500 units of family public housing.
2. Compliance with Section III B and C of the Court's Order of July 1, 1969, requires the location of 1,300 of the 1,500 unit allocation in the General Public Housing Area (GPHA). Compliance with this requirement will then permit the location of 200 units in the Limited Public Housing Area (LPHA).
3. CHA has previously identified 29 sites, estimated to accommodate 199 family dwelling units, all located in the GPHA. See Response of CHA to Part I of the Order Entered Upon CHA on January 3, 1972, filed with the Court on January 18, 1972.

4. CHA herewith identifies an additional 149 sites estimated to accommodate 1,385 dwelling units. See Attachment No. 1 hereto. Facts pertinent to these sites are as follows:

A. GPHA

(i) No. of Sites: 115; Estimated No. of Units: 1,131.

(ii) All of said sites were submitted by CHA to the City Clerk on March 5, 1971 and have not been approved by the City Council for acquisition by CHA.

(iii) 56 sites, estimated to accommodate 862 dwelling units, require zoning changes.

(iv) On December 10, 1971 and January 6, 1972, CHA inquired of HUD whether HUD would fund a low-rent housing program in Chicago located on sites which have not been approved by the City Council if so ordered by this Court either with or without an express finding that the State statute requiring City Council approval is unconstitutional or is being applied unconstitutionally. See Attachments Nos. 2A and 2B. To date, CHA has received no answer to these inquiries.

B. LPHA

(i) No. of Sites: 34; Estimated No. of Units: 254.

(ii) All of said sites have been approved by the City Council and HUD.

(iii) One site, estimated to accommodate 4 dwelling units, requires zoning changes.

(iv) It is noted that the exact number of units to be placed under construction in the LPHA will be conditioned upon the number of units to be constructed in the GPHA.

5. The timetable for development of the 450 dwelling units on the site at 116th and Torrance is estimated to be three years from the date of HUD approval. See letter dated December 9, 1971 from Commissioner Hill of the Department of Development and Planning of the City of Chicago to Mr. John Waner, Director of the Illinois Area Office of HUD (Attachment 3).

6. With respect to the balance of the sites in the GPHA, it is estimated that after City Council approval or a final Court determination that obviates the requirement of City Council approval of sites, it will take 15 months for completion and occupancy of the first unit and 25 months for completion and occupancy of the last unit where the site has been obtained through voluntary acquisition. However, if condemnation proceedings are necessary, it is estimated that after City Council approval, or a final Court determination which obviates the requirement of City Council approval of sites, it will take 27 months for completion and occupancy of the first unit and 37 months for completion and occupancy of the last unit. See Attachment No. 4.

With respect to the sites located in the LPHA which already have been approved by the City Council, approximately the same timetable would be applicable. However, inception of the initial and intermediary procedures might have to be delayed pending the

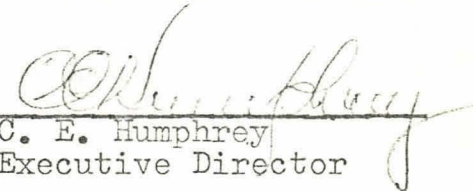
accomplishment of land acquisition of sites in the GPHA, thus delaying the ultimate date for start and completion of construction of units in the LPHA.

The above estimates are based on staff analysis of the time involved in necessary procedures, actions and approvals for land acquisition and construction. However, there are so many variables and unknowns, and many actions and approvals outside CHA's control, the Court should be apprised that the timetable in Attachment No. 4 is CHA staff's best "guesstimate." Many assumptions had to be made, i.e., that HUD will approve all Development Plans within a 4 month period after submission by CHA; that in the event condemnation proceedings are necessary, the only issue involved in the proceedings is the ascertainment of just compensation for the property and no challenge is made to CHA's legal power to condemn; that zoning changes will be accomplished in "routine fashion" in approximately two to three months per parcel.

Respectfully submitted,

CHICAGO HOUSING AUTHORITY

By


C. E. Humphrey
Executive Director

Dated: February 2, 1972

Proposed Sites For Family Housing
Not Heard By City Council

		<u>Census Tract</u>	<u>G L B</u>	<u>No Units</u>	<u>Zoning</u>	<u>Remarks</u>
30)						
31)	4600-4606 S. Western	5808	G	6	C1-2	
32)	3454-3456 W. 47th St.	5804	G	3	C1-1	
33)	3034-3036 W. 47th St.	5809	G	3	B4-1	
34)	3100-3104 W. 47th St.	5809	G	3	B4-1	
35)	4472-4480 S. Archer	5809	G	24	C1-2	
36)	4471-4475 S. Archer	5804	G	6	C2-2	
37)	4601-4605 S. California	5809	G	3	R3	Permit issued
38)	3326-3356 W. 51st St.	6303	G	18	M1-1	
39)						
40)	5202-5210 S. Kedzie Ave.	6303	G	6	B4-1	
41)	5250-5258 S. Kedzie Ave.	6303	G	6	B4-1	
42)	5405-5415 S. Pulaski Ave.	6201	G	5	B4-1	
43)	3700-3708 W. 55th St.	6201	G	9	B4-1	
44)	6235-6243 S. Pulaski Rd.	6501	G	5	B4-1	
45)	7035-7059 S. Pulaski Rd.	6504	G	27	B4-2	
46)	3900-3906 W. 63rd St.	6503	G	9	B4-2	
47)	3538-3556 W. 63rd St.	6604	G	15	C1-1	Permit for Animal Hosp. & Addition
48)	3201-3207 W. 65th Pl.	6605	G	3	B4-1	
49)	7250-7258 S. Central Park	6504	G	6	R3	
50)	7146-7158 S. Ridgeway	6504	G	5	R3	GH. Pk. Dist.
51)	7200-7212 S. Kedzie	6611	G	6	R3	
52)	7249-7259 S. Kedzie	6611	G	6	R3	
53)	8316-8324 S. Kolin	7003	G	2	R2	
54)						
55)	7226-7234 Central Park	6504	G	4	R3	Permit
56)						
57)	4308-4318 W. 63rd St.	6502	G	6	B4-1	
58)	4200-4214 W. 63rd St.	6502	G	9	B4-1	Permit for Bus. & Adm.
59)	4020-4032 W. 63rd St.	6502	G	9	B4-2	
60)	6319-6321 S. Tripp	6503	G	2	R2	
61)	6450-6458 S. Pulaski	6503	G	6	B4-1	
62)						
63)	6000-6004 S. Kolmar	6502	G	4	R3	
64)	5954-5958 S. Kolmar	6502	G	4	R3	

	Census Tract	G L B	No Units	Zoning	Remarks
65A) 3234-3244 W. 59th St.	6309	G	9	R3	
65B) 3246-3256 W. 59th St.	6309	G	9	R3	
66) 3101-3125 W. 51st St.	6304	G	18	C1-1	
67) 5633-5643 S. Kedzie Ave.	6308	G	15	B4-2	
68) 3550-3556 W. 59th Place	6309	G	4	C1-1	
69) 5901-5909 S. Spaulding Ave.	6604	G	6	R3	
70) 5900-5903 S. Sawyer Ave.	6604	G	4	R3	
71) 5901-5913 S. Sawyer Ave.	6604	G	6	R3	
72) 5944-5954 S. Kedzie Ave.	6604	G	9	B4-2	
73) 5953-5959 S. Kedzie Ave.	6604	G	6	B4-2	Developed
74) 6617-6641 S. Kedzie Ave.	6608	G	30	R4	
75) 3141-3145 W. 59th St.	6603	G	4	B4-1	
76) 8503-8515 S. Kolmar	7003	G	3	R2	Permits 8505, 09, 15
77)					
78)					
79) 8523-8535 S. Komensky	7003	G	2	R2	Permits 8525, 29, 33
80) 3545-3553 W. 79th St.	7004	G	6	R3	
81) 3323-3329 W. 79th St.	7004	G	3	R3	
82) 4131-4151 W. 83rd St.	7003	G	6	R2	Developed
83)					
84) 4034-4054 W. 87th St.	7003	G	9	R3	
85) 2910-2954 W. 87th St.	7005	G	30	B4-1	Permit for Ofc. Bldg.
86)					
87) 3033-3039 N. Kedzie Ave.	2107	G	5	B4-1	
88) 2901-2903 N. Fairfield Ave.	2109	G	2	R3	
89) 2702-2704 N. Fairfield Ave.	2203	G	4	B4-1	
90) 2516-2518 Diversey Ave.	2109	G	3	R3	
91)					
92) 3622-3634 N. California Ave.	1607	G	15	R4	
93) 3949-3955 N. Sacramento	0320	G	3	B4-1	
94) 1750-1752 N. Tripp Ave.	2305	G	2	R3	
95) 3110 Logan Blvd.	2205	G	6	R5	
96) 2500-2504 N. Laramie	1907	G	6	B4-2	
97) 4347-4349 W. Wrightwood Ave.	1908	G	4	R3	XTwn
98)					
99) 4901-4909 W. Belmont Ave.	1902	G	6	C1-1	
99) 3541-3543 N. Kolmar Ave.	1612	G	2	R3	Permit B450206

		Census Tract	G L B	No Units	Zoning	Remarks
11)	2250-2252 N. Parkside Ave.	1913	G	2	R3	Developed
12)	2204-2206 N. Knox Ave.	1910	G	2	R3	XTwn
13)	2015-2011 N. Lawler Ave.	1911	G	3	B4-1	2021 has new S.F.
14)	4066-4070 W. Armitage Ave.	1911	G	3	B4-1	XTwn
15)	4603-4613 W. Dickens Ave.	1910	G	5	R2	XTwn
16)	4047-4051 W. Concord Pl.	2502	G	2	R3	XTwn
17)	4834-4838 Cortland	1911	G	3	R3	XTwn
18)	5535-5541 Irving Park Rd.	1507	G	4	C2-1	
19)	5447-5459 Irving Park Rd.	1507	G	6	C2-1	
20)	5421-5443 Irving Park Rd.	1507	G	12	C2-1	
21)	3437-3441 N. Central	1511	G	6	B4-1	
22)	5536-5538 W. Diversey Ave.	1903	G	4	B4-1	
23)						
24)	6622-6628 W. Higgins	1006	G	3	B4-1	
25)	3501-3509 N. Harlem	1710	G	8	C1-1	
26)	7930-7948 W. Belmont	1707	G	12	R4	
27)						
28)	3448-3454 N. Oak Park	1710	G	3	R2	
29)	3632-3644 N. Pioneer	1705	G	5	R2	
30)	7549-7559 W. Irving Park	1704	G	8	B4-1	Developed
31)	7617-7625 W. Irving Park	1704	G	4	C1-1	
32)	4424-4452 N. Harding	1406	G	14	R3	
33)	4853-4861 W. Grace	1508	G	4	R3	Permits for 4857-59
34)	4512-4516 N. Pulaski	1405	G	3	B4-1	
35)	4658-4668 W. Lawrence	1404	G	7	B4-1	XTwn
36)	4102-4112 W. Lawrence	1404	G	6	B2-1	
37)						
38)	4617-4621 N. Milwaukee	1502	G	6	R4	
39)	5547-5559 N. Kedzie	1304	G	15	B4-2	Permit B451174
40)						
41)	5623-5629 N. Kimball Ave.	1303	G	6	R4	
42)	5601-5609 N. Kedzie Ave.	1303	G	15	R4	
43)	5350-5356 N. Kedzie Ave.	1305	G	9	B2-2	Permit B451162
44)	5612-5622 N. Pulaski Rd.	1302	G	8	B2-1	
45)	3311-3325 W. Belmont Ave.	5605	G	4	C1-1	
46)	5921-5913 N. Milwaukee Ave.	1101	G	5	B4-1	Permits Issued
47)						

		Census Tract	G L B	No Units	Zoning	Remarks
38) 5054-5056 N. Lockville		1007	G	1	R2	
39)						
40)						
41)						
42)						
43)						
44)						
45)						
46) 3912-3916 N. Central		1506	G	4	B4-2	
47) 5946-5954 W. Higgins Rd.		1006	G	8	B4-1	
48) 5813-5817 W. Higgins Rd.		1006	G	3	B4-1	Writ of Mandamus
49) 5672-5683 W. Goodman		1104	G	6	R3	
50) 5336-5338 W. Winona		1105	G	2	R3	Permits 446652 & 53
51) 4642-4648 N. Elston		1405	G	8	C1-1	
52) 4555-4557 N. Elston		1405	G	4	C1-1	Deleted CHA
53) 5720-5724 W. Montrose		1504	G	4	R3	
54) 4700-4720 W. Lawrence		1404	G	6	B4-1	XTwa
55) 5447-5449 W. Lawrence		1503	G	4	B4-2	
56) 6200-6218 W. Gunnison		1103	G	9	B2-1	
57) 4942-4946 N. Austin		1103	G	2	R2	

57A)

58)

59)

60)

61)

62)

63)

64)

65)

66)

67)

68)

69)

70)

71)

	<u>Census</u> <u>Tract</u>	<u>G</u> <u>L</u> <u>B</u>	<u>No</u> <u>Units</u>	<u>Zoning</u>	<u>Remarks</u>
172)					
173)					
174)					
175)					
176)					
177)					
178)					
179)					
180)	2745-2749 W. 47th St.	5811	G	4	B4-2
181)					
182)	3300-3302 W. 47th St.	5804	G	3	B4-1
183)	4623-4629 S. Archer Ave.	5804	G	9	C1-2
184)	4726-4732 S. Ridgeway	5704	G	2	R3
185)	See #49				
186)	4157 W. 63rd St.	6503	G	3	B4-1
187)	6400 S. Karlov Ave.	6503	G	1	R2
188)	4426-4430 W. Belmont Ave.	1612	G	6	C1-1
189)	4151-4159 W. Melrose	1613	G	4	R3
190)	2432-2458 N. Central	1906	G	18	B
191)					
192)	4558-4562 Elston Ave.	1602	G	3	C1-1
193)	5460-5462 N. Hagle	1006	G	2	R2
194)	SW Corner Huntington & Melvina	1001	G	9	R2
195)	5045-5049 N. Major	1104	G	2	R3
196)					
197)	6017 Gunnison	1505	G	2	R3
198)					
199)					
200)					
201)					
202)					
203)					
204)					
205)					
206)					
207)					

		<u>Census</u> <u>Tract</u>	<u>G</u> <u>L</u> <u>B</u>	<u>No</u> <u>Units</u>	<u>Zoning</u>	<u>Remarks</u>
108)						
109)	1732-1750 W. 39th St.	5907	G	24	C1-2	
110)	3305-3311 S. Wood	5902	G	3	R3	
111)	3317-3321 S. Wood	5902	G	2	R3	
112)						
113)						
114)						
115)						
116)	10601-10603 S. Lawndale & 10600-10604 S. Millard	7402	G	2	R2	Permit 10600, S.P.
117)	3557 W. 103rd St.	7402	G	2	R2	
118)	10401-10407 S. Lawndale	7402	G	2	R2	
119)	11357-11363 S. Central Pk.	7404	G	6	R2	
119A)	10810 S. St. Louis	7403	G	1	R2	
119B)	11039 S. Drake	7403	G	1	R2	
120)						
121)						
122)						
123)						
124)						
125)						
126)						
127)						
128)						
129)						
130)						
131)						
132)	5150-5158 S. Mulligan	5608	G	3	R2	
133)	5100-5106 S. Melvina	5608	G	4	R2	
134)	5100-5106 S. Merrimac	5608	G	2	R2	
135)	5101-5105 S. Moody	5608	G	2	R2	Developed (18.F.)
136)	5205-5209 S. Austin	5608	G	2	R2	
137)	5100-5104 S. Mayfield	5608	G	1	R2	
138)	5101-5105 S. Mayfield	5608	G	1	R2	
139)	5100-5104 S. Monitor	5608	G	1	R2	

		<u>Census Tract</u>	<u>G L B</u>	<u>No Units</u>	<u>Zoning</u>	<u>Remarks</u>
240)	5101-5107 S. Monitor	5608	G	3	R2	
241)						
242)						
243)						
244)						
245)						
246)	1667 N. Humboldt	2408	G	3	R4	
247)						
248)						
249)						
250)						
251)	5322-5328 W. Division	2507	G	5	B4-1	
252)						
253)						
254)	5255-5257 N. Central	1105	G	4	B2-1	
255)	4015-4019 N. Monticello	1604	G	2	R3	
256)						
257)	3734-3736 W. Irving Park	1604	G	4	B4-1	Permit A445899
258)						
259)						
260)						
261)						
262)						
263)						
264)						
265)						
266)	III. Approved and Programmed					
267)	70th and Harper		L	15	R4	
268)						
269)	IV. Proposed Turnkey					
270)	116th and Torrence		G	450	M3-3	
271)						
272)						
273)						
274)						

Proposed Sites For Family Housing Limited Public Housing Area Approved by City Council					
	Census Tract	<u>L</u> <u>B</u>	No Units	Zoning	Remarks
63) 4942-4954 S. Indiana	3814	L	12	R5	
64) 4332 S. Martin L. King Drive	3809	L	3	R5	
65) 4400 S. Martin L. King Drive	3808	L	3	R5	
66) 4406 S. Martin L. King Drive	3808	L	3	R5	
67) 4435-4437 S. Michigan	3807	L	9	R5	D.U.R.
68) 4515 S. Michigan	3807	L	6	R5	D.U.R.
69) 4542 S. Michigan	3807	L	6	R5	
70) 4401-4409 S. Wabash	3807	L	18	R4	
71)					
72) 4600 S. Drexel Blvd.	3903	L	15	R5	D.U.R.
73) 4614-4616 S. Drexel Blvd.	3903	L	9	R5	D.U.R.
74)					
75) 6156-6158 S. Kenwood	4202	L	6	R5	
76) 6649-6659 S. Ellis	6906	L	18	B4-2	
77) 6702 S. Evans	4212	L	1	R3	
78) 6701-6703 S. Evans	4212	L	2	B4-2	
79) 6500-6502 S. Ingleside	4208	L	6	R4	
80) 6614 S. Ingleside	6906	L	6	R4	
81) 6500-6504 S. Kimbark	4210	L	6	R5	
82) 6509-6519 S. Kimbark	4210	L	12	R5	
83) 6601-6609 S. Woodlawn	6906	L	12	R5	
84) 6632-6634 S. Kimbark	4210	L	6	R5	
85) 6640-6642 S. Kimbark	4210	L	6	R5	
86) 6507-6509 S. Greenwood	4209	L	6	R4	
87) 6510-6512 S. Greenwood	4209	L	6	R4	
88) 6657-6659 S. Greenwood	4209	L	6	R4	
89) 6855-6857 S. Langley	4212	L	2	R3	
90)					
91) 1500-1504 S. Central Park	2911	L	3	R4	
92)					
93)					
94) 3436-3438 W. Greshaw	2905	L	6	R4	D.U.R.
95) 2449-2451 W. Lexington	2827	L	6	R4	
96) 2718-2722 W. Arthington	2719	L	9	R4	
97) 2846-2852 W. Arthington	2718	L	9	R4	
98) 2812-2830 W. Roosevelt Rd.	2902	L	15	C1-3	
99) 2932-2940 W. Roosevelt Rd.	2902	L	6	C1-3	
100) 3300-3308 W. Folk	2716	L	12	R4	
101) 3010 W. Lexington	2717	L	9	R4	
102) 3125 W. Lexington	2717	L	3	R4	
103) 3325 W. Lexington	2716	L	3	R4	
104) 700-706 S. Central Park	2705	L	9	R4	
105) 3039-3045 W. Arthington	2717	L	9	R4	

ATTACHMENT NO. 1
February 2, 1972

December 10, 1971

Mr. John L. Waner
Area Director
Department of Housing and
Urban Development
17 North Dearborn Street
Chicago, Illinois

Re: Gautreaux v. CHA
Case No. 66 C 1450
Gautreaux v. HUD
Case No. 66 C 1560 (Consolidated)

Dear Mr. Waner:

The Plaintiffs in the subject litigation are attempting to obtain an order from the court directing CHA to acquire sites for public housing construction without regard to City Council action. A copy of the Motion filed by Plaintiffs' attorneys is enclosed for your reference.

CHA attorneys are now preparing a response to this Motion. In connection therewith, it is essential that the Authority ascertain whether HUD will agree to finance development plans for sites in the absence of City Council approval if CHA is so ordered by the court. Specifically, will HUD execute an Amendment to the Consolidated Annual Contributions Contract (No. C-246) for construction of public housing on sites where a development plan has been approved by HUD but where the City Council has not consented to acquisition of the sites by CHA as required by State law. Perhaps the question should be put a different way, i.e., will HUD approve a development plan for public housing sites which are acceptable to HUD but which have not been approved by the City Council? Under such circumstances it should be understood that financing costs necessarily must include all attorneys' fees and costs of litigation in connection with the acquisition of the sites in question.

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February 2, 1972

Mr. John L. Warner
Chicago, Illinois
12/10/71
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CHA's response must be on file with the court no later than December 21, 1971. In view of this fact, it is critical that we have your response prior to that date.

Very truly yours,

C. E. Humphrey
Executive Director

CEH:KMK:hn

~~CEH:KMK:hn~~

CC: CO Files
Legal
O'Brien

Via Messenger

January 6, 1972

Mr. John L. Waner, Director
Chicago Area Office
Department of Housing and
Urban Development
17 North Dearborn Street
Chicago, Illinois

Re: Gautreaux v. CHA
Case No. 66 C 1459

Dear Mr. Waner:

Enclosed is a copy of the order signed by Judge Austin in the subject case on January 3, 1972. You will note that in connection with preparation of the plans called for in Sections 1, 2 and 3 of the order, there is a requirement to include a "specific time schedule by which all major steps to and including the completion and renting of housing units thereon are proposed to be accomplished."

Reference is made to the new regulations issued by HUD governing property appraisals dated August 26, 1971, entitled "HUD Appraisals for Low-Rent Public Housing Projects," LEA No. 71-1, Series 7400. These regulations provide for a change in appraisal procedures whereby site appraisals for local housing authorities will now be performed by HUD Area Office staff appraisers rather than by independent appraisers employed by the local authority.

In order to prepare the time schedule called for by the January 3rd order, it will be necessary for us to know how long it will take the HUD Area Office staff appraisers to undertake and complete its appraisals after submission by CHA. We would appreciate a response to this inquiry as promptly as possible as CHA's "plan" required under Section 1 of the order must be filed no later than January 13, 1972.

ATTACHMENT NO. 2B
February 2, 1972

Mr. John L. Waner
Chicago, Illinois
1/6/72
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It would also be appreciated if you would respond to my letter of December 10, 1971 and the inquiry contained therein. Specifically, it is essential that we be advised whether HUD will fund a low-rent housing program in Chicago located on sites which have not been approved by the City Council if so ordered by Judge Austin either with or without an express finding by him that the State statute requiring City Council approval is unconstitutional or is being applied unconstitutionally.

Very truly yours,

C. E. Humphrey
Executive Director

CEH:KMK:hn

Enclosure

cc: CO Files
Legal

Via Messenger 1/7/72

DEPARTMENT OF DEVELOPMENT AND PLANNING

CITY OF CHICAGO

December 9, 1971

Mr. John L. Waner, Director
Illinois Area Office
Department of Housing and Urban
Development
17 North Dearborn Street - 12th Fl
Chicago, Illinois 60601

Dear Mr. Waner:

This is in further reference to our proposed Community Development at 116th and Torrence Avenue. The information contained herein is in response to your letter of December 6, 1971.

1. The Chicago Dwellings Association currently holds an option on portions of the area. However, it is contemplated that we would proceed immediately to designate and acquire the entire area as a Blighted Vacant Area Redevelopment Project, pursuant to the Urban Renewal Consolidation Act of 1961, (Chapter 67-1/2 Ill. Rev. Stat Section 91.103). This would guarantee a rapid acquisition schedule and insure clear titles for the entire area.
2. Consoer-Townsend, consulting engineers to the Department of Urban Renewal, are currently conducting an exhaustive study of public improvements that will be required to bring the site to a marketable condition and to support the proposed development. This study, to be completed by the end of this week, will give us detailed information on existing conditions, corrective action required and cost estimates in respect to soil conditions, public and private utilities and street improvements. Immediately upon your approval of the proposal, we would authorize the preparation of specifications for the letting of contracts to accomplish all necessary improvements.

As previously indicated, park and school facilities will be developed by the Public Building Commission, and public transportation facilities will be provided by the Chicago Transit Authority. All of the public improvements will be scheduled to meet the requirements of a staged development of the housing.

COPY

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DEPARTMENT OF DEVELOPMENT AND PLANNING

CITY OF CHICAGO

Mr. John L. Waner

December 9, 1971

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3. The approximately 3,000 units of housing to be built will include:
 - a. 450 units of low-income housing, utilizing the Turnkey III approach to the maximum extent possible.
 - b. From 1550 to 1800 units of moderate-income housing. Of these approximately one-third are contemplated under the Section 235 sales program, and two-thirds under Section 236. The latter will include a high proportion of low-rise structures in order to facilitate conversion to condominiums, in keeping with the desired emphasis on opportunities for home ownership. Of the total number we anticipate approximately 80 percent that could be converted to condominiums or other forms of home ownership.
 - c. From 750 to 1,000 units of conventionally financed housing utilizing Federal mortgage insurance Sections 203, 207 or 220. These also will include both sales and rental units.

Our market studies indicate an absorption period of up to three years, with the start of construction projected for the spring of 1972. Each stage of development will include a mix of structure types, rental and sales units and a proportionate share of scattered low-income units.

4. Upon your approval of this undertaking, we will proceed immediately to obtain Plan Commission and City Council approval for the acquisition of the area, and for the Redevelopment Plan for the area. It should be noted that HUD procedures require advertised public hearings prior to acquisition or approval of the Redevelopment Plan. The required zoning changes will be instituted as soon as the City has ownership of the land.
5. It is contemplated that the program could be undertaken as a conventional urban renewal project, or as a part of the Neighborhood Development Program. Alternatively we would propose utilizing to the maximum extent possible (a) open space grants for the provision of park and recreational facilities, under the Legacy of Parks Program (b) neighborhood facility grants for the provision of one or more community centers to serve the development and (c) sewer and water grants to assist in the provision of necessary public utilities.

COPY

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DEPARTMENT OF DEVELOPMENT AND PLANNING

CITY OF CHICAGO

Mr. John L. Waner

December 9, 1971

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Cost estimates to date indicate total costs of the following magnitudes:

- a. Acquisition of the site - \$3,000,000;
- b. Site improvements - streets, including water and
sewers - \$4,500,000
Storm sewers - \$2,500,000
Upgrading land for development - \$6,000,000
- c. Neighborhood facilities - \$1,000,000
- d. Parks and open space - \$2,000,000
- e. Schools - \$3,000,000

6. Appropriate clearances by the Environmental Protection Agency and NIPC will be undertaken upon formal initiation of the project.

We hope the foregoing information will assist you in your review and consideration of the proposal.

Sincerely,

LEWIS W. HILL
Commissioner

cc: Charles Swibel
cc: R. G. Zundel
C. Livermore
M. Murphy
Central File

COPY

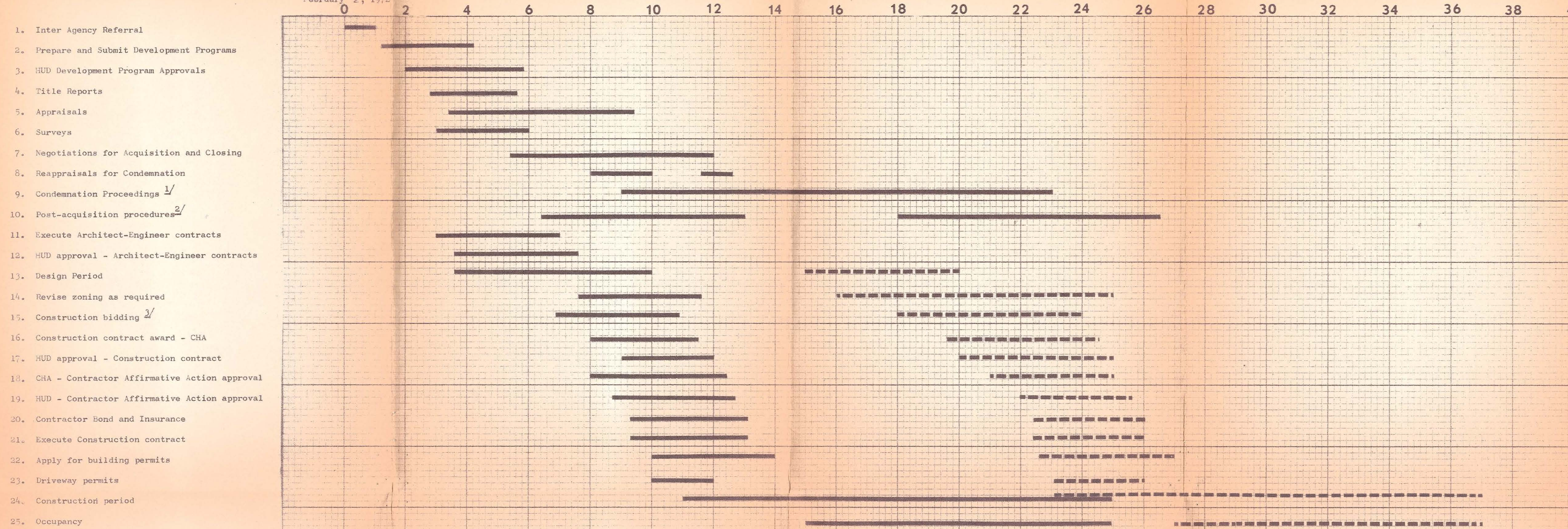
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ATTACHMENT NO. 4

PHASE - 2

Acquisition and Development Procedures for Family Housing Units

ATTACHMENT NO. 4
February 2, 1972



^{1/} Estimated time may vary by reason of legal challenges, Court's Calendar and number of Trials as to ascertainment of compensation.

^{2/} Secure title report covering judgment; consolidate parcels into one guaranty policy for the project being developed. (This is required for attorney's opinion on title, for preparation of declaration of trusts, vacations and dedications of streets and alleys where necessary, grant of easements to utilities, etc.)

^{3/} Allow 2 weeks for cost reduction negotiations.

--- Estimated time table for completion if condemnation is necessary

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,

Plaintiffs

V.

GEORGE W. ROMNEY and CHICAGO
HOUSING AUTHORITY, et al.,

Defendants

NO. 66 C 1459

NO. 66 C 1460

(Consolidated)

RESPONSE OF CHA TO PART II OF
THE ORDER ENTERED UPON CHA ON
JANUARY 3, 1972

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