

NOTICE OF CONDITIONAL FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO
REQUEST RELEASE OF FUNDS

5/15/2017

The Aurora Housing Authority
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Phone: (630) 701-9977

These notices shall satisfy separate but related procedural requirements for activities to be undertaken by the Aurora Housing Authority.

REQUEST FOR RELEASE OF FUNDS

On or about June 3, 2017, Aurora Housing Authority will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Housing Choice Voucher program funds under Section 8 (o) (13) of the U.S. Housing Act of 1937 to undertake the following project:

Campana Residences LP. The specific elements of this proposed project are adaptive use of a former manufacturing facility as a mixed-use development to include both residential and commercial/office space. The project involves the redevelopment of a landmark structure listed in the National Register of Historic Places located at 901 N. Batavia Avenue in the City of Batavia.

CONDITIONAL FINDING OF NO SIGNIFICANT IMPACT

Kane County, the Responsible Entity, has conditionally determined that the project will have no significant impact on the human environment provided that the conditions placed on the project regarding historic preservation, comprehensive planning and zoning, transportation and displacement, as stated in the Environmental Assessment, are satisfied. See the Addendum to this Notice, which is attached to and incorporated into this Notice, for more information regarding the conditions placed on Kane County's determination. Therefore, an Environmental Impact Statement under the National Environmental Policy Act (NEPA) of 1969 is not required. The Developer of the project must satisfy the conditions enumerated in the Environmental Review record in order to proceed with this project. Additional project information is contained in the Environmental Review Record (ERR) on file at the Kane County Office of Community Reinvestment, 719 Batavia Avenue, Geneva IL 60134, and may be examined or copied weekdays 8:30 a.m. to 4:30 p.m.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with these determinations or wishing to comment on the project may submit written comments to the Kane County Office of Community Reinvestment. All comments received by June 2, 2017, will be considered by the county prior to submission of a request for release of funds.

RELEASE OF FUNDS

Kane County certifies to HUD that Scott W. Berger, in his capacity as the Director of the Office of Community Reinvestment, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's acceptance of the certification satisfies its responsibilities under NEPA and allows the Aurora Housing Authority to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and Kane County's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if it is on one of the following bases: (a) The certification was not executed by the Certifying Officer of Kane County; (b) Kane County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR part 1504 has submitted a written finding that the project(s) is (are) unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to HUD at 77 West Jackson Boulevard, Chicago IL 60604. Potential objectors should contact HUD to verify the actual last day of the objection period.

Scott W. Berger, Director
Kane County Office of Community Reinvestment

Addendum

Conditions that must be satisfied to have a Finding of No Significant Impact

I. Historic Preservation

Based on Kane County's review of the project plans dated on/before 4/7/2017, Certified Staff have determined that the Campana Residences project will affect property listed in the National Register of Historic Places. The effect, however, will not be adverse, provided the following conditions are satisfied:

1. Condition #1: Project plans must be revised such that all changes requested by IHPA (as outlined in Mr. Rubano's 2/8/2017 email) are made. Additionally, the the new operable windows proposed for installation in the front (east) façade of the northern one-story addition must be removed from the plans. The introduction of these windows would have an adverse affect on two of the building's character-defining features. They would interrupt the long, continuous band of glass block, and they would disturb the otherwise symmetrical balance of the building's front façade. The developer is encouraged instead to use the new framless awning window specified for installation below the glass block in the the center portion of the building.
2. Condition #2: All material submittals requested by IHPA (as outlined in Mr. Rubano's 2/8/2017 email) must be approved by Kane County.

In order to satisfy the above conditions, Evergreen must submit the following items to Kane County for review and approval:

1. A complete set of revised plans incorporating the above-described (or referenced) changes.
2. Building material samples referenced in Mr. Rubano's 2/8/2017 email.
3. Copies of IHPA's written certification recommendation to the National Park Service, and the National Park Service's written certification that the project qualifies for the National Historic Preservation Tax Credit Program.

Upon submission of the above items, Kane County will review them and determine whether they satisfy the conditions. The County will provide written confirmation of its determination.

In the meantime, this Determination of Conformance remains conditional, and no rehabilitation/ construction work may begin on the project prior to the County issuing written confirmation that all conditions have been satisfied. Further, the County may apply additional conditions to this determination, depending on its review of Evergreen's future plans and submittals, and further consultation with IHPA. Any additional conditions will be communicated in writing and will be incorporated into the Section 106 Review Record and Environmental Review Record for the project.

Addendum

II. Comprehensive Plans and Zoning/Transportation

The land development factors require mitigation/final approval from the City of Batavia, which is the land use jurisdiction. Once these factors are addressed to the satisfaction of the City of Batavia, these items will be deemed to have a Finding of No Significant Impact. Evidence of mitigation/final approval will be required as follows:

1. The County must receive evidence of land use/zoning approval of the development plans for the project documenting:
 - a. Zoning and land use classification acceptable to allow for the mix and configuration of uses proposed at the site;
 - b. Parking for the development must meet the requirements of the City of Batavia either as dictated by existing codes or as varied under an approved zoning amendment or site plan approval;
 - c. Pedestrian accessibility and mobility within the site and safe pedestrian connectivity with adjacent parcels and across/within public rights of way;
 - d. Vehicular access and adjacent improvements designed in conformance with the requirements of the City of Batavia and other applicable jurisdictions with authority; and
 - e. Location of telecommunications devices, antennae, equipment and structures.
2. The County will then document evidence of project completion in accordance with said plan approvals.

III. Displacement

The County must receive evidence that existing businesses have been provided notices under the URA requirements and have been provided relocation payments as eligible.