

**APPROVED MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, JANUARY 9TH, 2012 AT 7:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 7:35 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

ABSENT: None

III. AGENDA APPROVAL

President Pope announced that Item B (Consent Agenda) would be addressed before Item A (Regular Agenda). It was moved and seconded to approve the agenda for the meeting. A voice vote was taken and the agenda was approved as amended.

V. CONSENT AGENDA

*All Ordinances and Resolutions adopted herein are
herewith ordered filed in the Office of the Village Clerk*

- B. Resolution 2012-R-10 entitled **RESOLUTION DECLARING A DISTRIBUTION OF \$4,369,113.93 IN TAX INCREMENT REVENUES FROM THE DOWNTOWN OAK PARK TIF DISTRICT TO TAXING DISTRICTS BASED ON UPON 2010 RATES**

APPROVE THE CONSENT AGENDA

It was moved and seconded to approve the item under the Consent Agenda.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The Consent Agenda was approved.

IV. REGULAR AGENDA

- A. It was moved and seconded that a **Motion to Accept the Plan Commission's Recommendations and Findings of Fact as Proposed for 938-954 Lake Street and 170 N. Forest Avenue to Deny the Applicant's Request for an Amendment to Planned Ordinance 2010-0-014** be approved.

1. Brief Overview of Project & Staff Recommendations

Village Planner Craig Failor gave a presentation describing the history of the property and Business Services Manager Loretta Daly explained the timeline of the project to date.

Chief Financial Officer Craig Lesner gave a financial overview, stating that the maximum cost to the Village would be \$8.64 million for reimbursement to the developer for the cost of 300 public parking spaces in the new garage. He discussed several financing options and projected sales tax, property tax and parking revenue generated from the project that would go towards payment of any debt incurred. Mr. Lesner noted that through the remaining life of the TIF, he anticipates generating just over \$5.8 million in property tax revenues that, according to the 2011 agreement, has to be used for the cost of this project. He added that when the TIF ends in 2019, the money that has been coming to the Village to offset the costs of the garage and the project will revert to the taxing bodies within the Village and throughout Cook County that receive property tax revenues.

Parking Services Manager Cara Pavlicek spoke about the garage's current state of disrepair. The cost to extend its life for another seven years would be \$1.3 million; she noted that the Village had invested \$600,000 in improvements in 2003-4 to extend the life through 2011. She also discussed alternate parking arrangements during construction for permit holders.

Village Manager Tom Barwin summarized the project as a collaborative public/private proposal which includes 270 apartments, over 25,000 square feet of retail and 588 public/private parking spaces, of which 300 will be public and owned by the Village. If this project moves forward, it will result in \$81 million in new private investment in Downtown Oak Park, \$1.3 million in new taxes that will be invested in the community, a well as creating 200 construction jobs during the two-plus years of construction and other new jobs once completed.

2. Public Comment

Kevin Murphy, 210 Forest Ave. Mr. Murphy spoke in favor of the Plan Commission's recommendation and noted that the recommended number of units for that site is 180. He added that the zoning ordinance requires a minimum of two on-site parking spaces for every 1,000 square feet of commercial space; further, these are to be provided by the developer, not the Village.

David Barsotti, 195 W. Quincy. Mr. Barsotti discussed the developer and stated that by voting against this project, the Board would show support for the citizens of Oak Park rather than for the developer.

Steve Harris, 225 N. Kenilworth. Mr. Harris asked the Board to deny the variance request, adding that the residents of Oak Park would rather see a development that fits in with the surroundings and enhances the community.

Georgia Parchem, 438 Augusta, representing the 19th Century Charitable Assn. Ms. Parchem spoke in favor of the project and stated that the 19th Century Charitable

Association has an agreement with the developer that provides parking arrangements, financial aid and technical assistance for the organization as well as help in restoring the 19th Century Club building.

Martin Noll, 839 N. Oak Park Ave., representing Oak Park Development Corporation. Mr. Noll was in favor of the project, noting that its inclusion of appropriate residential and commercial density is in line with the Downtown Master Plan. The height and architectural design elements, although points of concern, are not sufficient to overturn the project.

Julianne Kelly, 1134 S. Cuyler. Ms. Kelly asked the Board to support the development, stating that anyone with a property or business interest in the community should view this as a positive addition to the area.

3. Board Discussion

President Pope stated that the three items under consideration by the Plan Commission are the change in use from hotel and residential condominiums to residential rental apartments, including a density allowance to construct up to 270 units, a residential parking allowance reducing the otherwise required parking spaces by 85, and a change in the exterior design and materials for the development. The Village Board has already approved everything else in the original development. He suggested that the discussion be focused on these three items that have come back to the Board from the Plan Commission.

Trustee Lueck discussed the advantages of creating more density in the Downtown Area and noted that there are very few sites available for development to meet the goal of 1,200 residential units called for in the Greater Downtown Master Plan. Trustee Johnson commented that three different levels of density are recommended by the zoning code, the Comprehensive Plan and the Greater Downtown Master Plan and asked for clarification.

Mr. Failor stated that the most recent document, the Greater Downtown Master Plan, takes these other documents into consideration and states that 1,200 units are required to achieve a healthy downtown. With a limited number of sites to develop, some sites may require higher density than others if this goal is to be met. He also noted that the Greater Downtown Master Plan is a guide and should remain flexible.

Trustee Salzman spoke about an article distributed by the EPA regarding density and noted that it is often confused with congestion, which is counterintuitive. More places are within walking distance, reducing the use of automobiles.

Trustee Brewer asked what impact this level of density would have on the schools. Mr. Failor said very little; there are very few school aged children living in developments such as this. More residents will be younger adults or retirees.

Following a discussion about finances, Trustee Johnson asked for clarification regarding what has been referred to as "land giveaway" and "taxpayer subsidy" regarding this project.

Mr. Barwin stated that the bottom line is that the Village must spend a significant amount of money on a parking structure at that location, whether or not this project moves ahead. The recommendation is to replace it at a cost of \$8 to \$9 million. If this agreement goes forward, that cost will result in stimulating \$80 million in private investment. Within the first ten years of this development, the Village will receive \$11 million in tax proceeds once the development is online. That revenue exceeds the original investment for the parking structure. Regarding land ownership, Mr. Barwin stated that the arrangement is that the developer puts the developer's land in, the Village puts the Village's land in, and each invests according to the redevelopment agreement: \$9 million from the Village and \$81 million from the developer, for residential mixed use and parking. The Village will retain complete ownership of the public garage spaces.

President Pope discussed revenue projections. He stated that the TIF agreement that the Village and Districts 97 and 200 signed provides for capture of the revenues on the remaining portion of the TIF subject to the agreement to utilize those dollars to pay for construction of the garage.

Trustee Tucker asked about parking spaces being provided by the developer. Mr. Failor stated that the developer was given an allowance of 288 spaces; one for each residential unit (270) and 18 to be allocated for guest or shared vehicle parking. Those 18 spaces could also be shared with the Village's 300 spaces and possibly be available during the day for shopping and in the evening for residential parking. Details of the shared arrangement have not been determined; this would require a discussion with the developer.

Plan Commission Chair Linda Bolte noted that an additional requirement by the Plan Commission is to use three of the 18 private parking spaces for shared vehicles.

Trustee Lueck commented that the citizens of Oak Park have always subsidized parking for commercial locations downtown as well as other areas and questioned whether this needs to be continued. Those 18 spaces are not going to provide adequate parking for customers, let alone for the workers in those buildings. This will put increased parking demand on the Village. She suggested an amendment that would require the developer to work with the Village to create a shared parking arrangement.

Sertus representative Michael Glazier stated that the redevelopment agreement provides for unified management of the parking facility to help maximize utilization of both portions of the garage. There was a discussion regarding various options of how to administer this arrangement.

The discussion turned to the change in exterior design and materials of the building. Trustee Lueck asked if the original proposal had more reflective glass. Architect Brian Vitale noted that the issue of reflective glass is based on energy modeling with various degrees of reflectivity. The glass selected is somewhere in the middle and is essentially the same glass that's used on 75-80% of buildings of this stature.

4. Board Direction

President Pope clarified that a vote in favor of the motion before the Board would result in the rejection of the application, whereas rejection of the motion would allow for a subsequent vote to approve the application.

The roll call on the vote was as follows:

AYES: None

NAYS: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

ABSENT: None

The motion was defeated.

It was moved and seconded that a Motion to Reject the Plan Commission's Recommendations and Findings of Fact as Proposed for 938-954 Lake Street and 170 N. Forest Avenue to Accept the Applicant's Request for an Amendment to Planned Ordinance 2010-0-014 be approved.

President Pope noted that "and Direct Staff to Prepare the Necessary Documents" should be added to the motion.

The motion was withdrawn.

It was moved and seconded that a **Motion to Reject the Plan Commission's Recommendations and Findings of Fact as Proposed for 938-954 Lake Street and 170 N. Forest Avenue to Accept the Applicant's Request for an Amendment to Planned Ordinance 2010-0-014 and Direct Staff to Prepare the Necessary Documents** be approved.

President Pope noted that both the Plan Commission and staff have provided a significant number of factors to be incorporated into the findings of fact that would come back to the Board in support of moving forward with the application. These issues, or others raised, could be discussed tonight but would be taken up in detail once the ordinance is put before the Board in a couple of weeks.

The trustees and President Pope gave their final thoughts and comments regarding the project.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: None

ABSENT: None

The motion was approved.

ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 12:03 A.M. Tuesday, January 10, 2012.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk