

**APPROVED MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON THURSDAY, AUGUST 4TH, 2011 AT 5:30 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 5:44 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer (5:45), Hedges, Johnson, Lueck and Tucker; President Pope

ABSENT: Trustee Salzman

III. AGENDA APPROVAL

President Pope stated that Approval of Minutes would be removed from the agenda, as they were approved at a prior meeting. It was moved and seconded to approve the agenda for the meeting as amended. A voice vote was taken and the agenda was approved.

IV. PUBLIC COMMENT

Paul Hamer, 325 N. Forest. Mr. Hamer discussed why he was not in favor of municipality-developer partnerships.

**V. CITIZEN COMMISSION APPOINTMENTS, REAPPOINTMENTS, REMOVAL,
RESIGNATION AND CHAIR APPOINTMENTS**

It was moved and seconded to concur in the following appointment by President Pope:

Civic Information Systems Commission

Appointment of John Shuler, as Chair, with a term to expire August 4, 2014

A voice vote was taken and the appointment was approved.

VI. REGULAR AGENDA

- A. It was moved and seconded that Ordinance 2011-0-52 entitled **ORDINANCE AUTHORIZING EXECUTION OF A FOURTH COMPREHENSIVE AMENDMENT TO THE REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND LAKE STREET INVESTORS, LLC FOR THE NORTHEAST CORNER OF LAKE STREET AND FOREST AVENUE** be adopted.

David Barsotti, 1109 Holley Ct. Mr. Barsotti stated that the public is entitled to know who the other investors are for this project and commented that this developer may not successfully complete the project.

President Pope read aloud a memo from Legal Consultant Ray Heise summarizing the elements which differ from the original approved Planned Development Ordinance. Those items that required consideration from the Plan Commission are requests for parking and density allowances, changes in façade design, fenestration and materials and a shift in alignment of the paired towers, as well as the change from hotel and condominium residential use with a pool to apartment residential use with an expanded green roof. The allowances for setbacks, height and lot coverage remain unchanged.

Sertus principal Michael Glazier introduced Brian Vitale, Architectural Design Director of Gensler in Chicago. He spoke about his firm and gave a presentation describing the proposed changes to the building.

Trustee Lueck noted that the Board was told that only two changes would be required by the change in use; the elimination of the rooftop pool and the alignment of the two towers because of the change in roof. The building had been voted on and approved the way it was. What was being presented was an entirely different architectural concept than what the previous architect offered. She asked why these changes were being proposed. Mr. Glazier replied that functionally the design is the same. The detailing is not dramatically different and added that breaking up the design enhances its appearance.

Trustee Johnson commented that the change is dramatic. He expressed unease regarding the view of the residential side with the randomness and color of the window design; he stated that it was difficult to visualize the finished project.

Trustee Johnson asked about public parking. Mr. Vitale indicated that the underground and first two levels would accommodate the public, with additional parking above the second level for residents.

Trustee Hedges asked if the Plan Commission and someone trained in architecture would be reviewing the new design. President Pope stated that there would be an opportunity for the Village to retain an architectural consultant to provide a third-party perspective.

There was a discussion regarding the materials, including the specific type of brick being used, architectural concrete and color of glass. President Pope stated that only high-quality materials should be used.

Trustee Brewer asked if the mix of units would still be studio, one-bedroom and two-bedroom, as the recommendations from the Tracey Cross Study indicated otherwise. Mr. Glazier stated that, although no three-bedroom units are planned, one and two-bedroom variations with dens are included.

Trustee Brewer asked how long it would take to reach 95% occupancy, which is the typical rate in Oak Park among larger buildings. Mr. Glazier noted that higher rental rates may prolong reaching a higher occupancy rate.

President Pope asked when this project will be underway; Mr. Glazier estimated construction beginning the first half of 2012. He added that the project would take 18 to 24 months to complete.

President Pope asked when leasing would begin. Mr. Glazier replied that finished lower floors may be leased while the upper floors were still being completed if those floors have a certificate of occupancy. He expected this to occur some time in 2013, with stabilized occupancy by 2015.

Discussion of financing and rental rates followed.

Trustee Hedges exited the meeting.

Trustee Tucker referred to liens filed against Sertus for another development and asked if any pending litigation against them, if decided on favorably, would affect this project. Mr. Glazier stated that no contingent liability can be created from a dispute on another project that could adversely affect this one as they are separately capitalized.

Discussion of the terms of garage demolition and construction followed. Village Manger Tom Barwin stated that the Village would pay 20% of the estimated \$250,000 cost of the demolition and any costs above \$250,000 which would occur if unknown obstructions to the new structures are found. He noted that these costs would be necessary whether the Sertus project proceeds or not.

If the project proceeds, the developer will add residential and retail to the combined site, contributing a significant new property tax base to the tax rolls and new residents to support the local economy. The only other additional Village cost is staff time related to quality control of the project. He added that if the project does not proceed, the Village would be responsible for a maximum of \$350,000 to reimburse the developer for his architectural time, professional staff time, and fees associated with advancing the project.

Trustee Johnson stated that the financial contribution from the Village will pay for public parking only. Mr. Barwin noted that although the Village is not covering any of the costs of the 288 private parking spaces associated with the residential units, they will permanently own the 300 parking spaces in the garage.

President Pope summarized that the Village is giving the developer the right to use the air above the land that the Village currently owns, and the developer is giving the Village the right to use the air above the land that the developer currently owns to configure a garage that is more efficient so that the cost per space for both the developer and the Village is lower than it otherwise would be.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustees Hedges and Salzman

The ordinance was adopted.

- B. It was moved and seconded that a **Referral to the Plan Commission to Hold a Public Hearing for an Amendment to the Lake and Forest Planned Development Ordinance 2010-0-14 Relative to a Change in Use and Parking** be approved.

David Barsotti, 1109 Holley Ct. Mr. Barsotti stated that in light of these modifications, this development should be treated as a new project and not as an amendment.

Kevin Murphy, 201 Forest Ave. Mr. Murphy commented that these changes are very significant and ask if the Zoning Ordinance should be changed for this property.

President Pope re-read the memo from Mr. Heise.

Legal Consultant Richard Friedman clarified that what is before the Board right now is the referral of the amendment to the Plan Commission. The amendment, which changes many factors of the existing development, needs a thorough reevaluation by the Plan Commission. They will have to consider the proposal as it exists now with the increased number of units, new use and the removal of a hotel in making their recommendation back to the Board.

Trustee Lueck questioned the benefit to the Village in the change of use. If the hotel was the compensating benefit, what is that compensating benefit now? Trustee Tucker also noted that the Plan Commission agreed to the zoning variations, such as height, based on the promise of a hotel and asked if the developer would have received a height variance if the original proposal had been for apartments.

President Pope reiterated that the allowances for setbacks, height and lot coverage that have already been approved remain unchanged.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: Trustees Hedges and Salzman

The motion was approved.

VII. ADJOURN

It was moved and seconded to adjourn. A voice vote was taken and the meeting adjourned at 8:45 P.M., Thursday, August 4, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk