

MINUTES
MEETING OF THE OAK PARK PLAN COMMISSION
VILLAGE HALL- COUNCIL CHAMBER
August 3, 2017
7:00 p.m.

PRESENT: Chair David Mann; Commissioners Glenn Brewer, Lawrence Brozek, Jeremy Burton, Doug Gilbert, JoBeth Halpin, Greg Marsey and Kristin Nordman

EXCUSED: Commissioner Paul May

ALSO PRESENT: Craig Failor, Village Planner; Jacob Karaca, Plan Commission Attorney
For Applicant: Andrew Yule, Albion Residential; William McKenna, attorney

Roll Call

Chair Mann called the meeting to order at 7:02 p.m. Roll was called. A quorum was present.

Non-Agenda Public Comment

None.

Approval of Minutes

None.

Public Hearing(s)

PC 17-02: 520 South Maple Avenue; Rush Oak Park Hospital; The Applicant seeks approval of a Planned Development for an approximately 55,000 square foot Emergency Room facility addition within the H – Hospital Zoning District with the following allowances: 1.) the development of land located in the H – Hospital Zoning District of more than 30,000 square feet of land area; 2.) reduce front yard setback along Madison Street and Maple Avenue from the required 20 foot building setback to zero feet including relief of any required landscaping; and 3.) an increase in lot coverage above the allowed 80% with a reduction in required open space. NOTE: The Applicant will also participate in the Transportation Commission meeting on July 31, 2017 at 7:00 p.m.; Room 201 (Council Chambers), Oak Park Village Hall, 123 Madison Street, Oak Park, Illinois, 60302.

PC 17-03: 535 Wenonah Avenue; Rush Oak Park Hospital; The Applicant also seeks the following: 1.) an amendment to Special Use Ordinance 1999-O-52 to allow for an expansion of the private surface parking lot at the northwest corner of Monroe Street and Wenonah Avenue; 2.) the rezoning of 535 Wenonah Avenue from R-3 Single Family Zoning District to the H – Hospital Zoning District; and 3.) the vacation of the public alley abutting 535 Wenonah Avenue.

Commissioner Burton moved to continue both applications to September 7, 2017. Commissioner Brozek seconded. A roll call vote was taken:

Burton – yes

Brozek – yes

Halpin – yes

Gilbert – yes

Nordman – yes

Marsey – yes

Brewer - yes

Mann – yes

The motion was approved 9-0.

PC 17-01: 1000 Lake Street; Albion Residential LLC, the Applicant, seeks approval of an 18 story mixed use planned development consisting of approximately 9,500 square feet of first floor commercial space, 265 dwelling units, 235 enclosed vehicular parking spaces, and 265 enclosed bicycle parking spaces. The applicant is requesting an allowance to increase the building height from 80 feet as required in Section 3.9.4 E(1) of the Zoning Ordinance to a height of approximately 199 feet, an allowance to increase density from the allowed 40 dwelling units as regulated in Section 3.8.3 A(1)b of the Zoning Ordinance to 265 dwelling units, and an allowance for setbacks and landscaping along the north property line from a required 10 foot setback to zero feet required in Section 3.8.3 B(2) and along the east property line from a required 5 foot setback to zero feet 3.8.3 B(1). The applicant is requesting no landscaping within the required setback areas 6.4.2 A. *Continued from July 27, 2017*

ALBION PLAT OF SUBDIVISION: The applicant is also seeking a subdivision of land as depicted on the Final Plat of Subdivision titled “Albion at Oak Park” submitted with the planned development application

Chair Mann said they would pick up with public testimony beginning with those in opposition to the application. Commissioner Brewer noted he watched the recording of the last meeting.

Mr. Joshua Klayman presented commissioners with a revision and correction page of a report prepared and distributed previously. He said their analysis was independent and made by three citizens: Laura Stamp, head of the Austin Guards community group; Brian Hammersly, an Oak Park architect and coordinator of the Oak Park Development Watch group and himself. Mr. Klayman said the Plan Commission should not approve the proposal as this was the wrong project. He said it was not only about the damage to Austin Gardens; nor the wishes of Oak Park citizens to preserve the character and quality of life of Oak Park; nor the bad economics of the project. He said it was because the application would not meet the legal requirements to approve a plan development. He presented commissioners with over 3,000 signatures from residents opposing the development. He said the applicant touts additional tax revenue from the development but said the impacts from the development were not factored in. He said the supposed compensating benefits were not significant benefits to the community and the monetary contributions were an attempt to buy support for an inappropriate project.

Mr. Klayman addressed the requirements to approve planned development applications. He said the development did not meet the criteria required to approve the development.

Ms. Laura Stamp said she has spoken with hundreds of Oak Park residents who voiced opposition to this project as she gathered signatures for the petition. She said citizens had two main concerns: another high rise would affect the character of the village and the risks to Austin Gardens. She said the comprehensive plan requires the commission to consider the character of the village when evaluating development; she referenced the comprehensive plan’s parks and open spaces section. She discussed the importance of parks and open space to health and community vitality. She noted features in Austin Gardens like the gardens to attract monarch butterflies and the children’s garden. She said each new development takes away the quality of life in downtown Oak Park incrementally, but no one was looking at the development picture as a whole. She urged commissioners to consider what would be taken away with the development.

Mr. Rob Kleps said Oak Park had more density than Evanston and doesn’t need more traffic congestion from high rises in downtown Oak Park. He said the goals for the board do not include the citizens of Oak Park; residents need a voice and choice in the future of the village. He said residents have petitioned against the development, he challenged the developer and mayor to find half the same amount of residents in favor of the development. He suggested a month long moratorium on high rises in the pipeline so that the developer and mayor can present data that high rises and higher density benefits a community.

Ms. Sarah Grimsley said she has a master's degree in public policy and administration. She said she reviewed the developer's market analysis, traffic study and property taxes. She said the median income was incorrect in the market analysis as they should have used the non-family household median income. She said the development would be unaffordable for non-family households in Oak Park. She said the parking was inadequate due to tandem spaces in the development. She said due to a number of factors including the rate of Cook County assessments, the property taxes captured would be lower than stated. She gave commissioners a copy of her analysis.

Mr. Tim Kelly, 38 Washington Blvd, said the zoning laws protect the village and the property wouldn't qualify if the developer causes its own blight. He said parks are an extension of our back yards and he wondered how much value the park brought to the development; he thinks it's odd that once the building was built it would take away value from the park. He doesn't think the plan commission should give up the park for the development.

Mr. Rick Kuner, 700 S. Euclid block, said people who live and do business in Oak Park rely on the zoning ordinance. He said there were times when the traffic conditions will be worse than KLOA projected. He said the firm was a good firm, but the traffic analysis has limitations as it assumes base conditions like good weather, dry pavement, no accidents, etc. He was also concerned that KLOA made an educated guess in residential trip generation due to proximity to transit. That assumption was based on a 2008 study and it was a long time ago. He said it was hard to believe adding the units won't make traffic worse; he said approving the project would be bad public policy and there will be times traffic will be worse than projected.

Ms. Patricia Skinner, 1033 Ontario St., she urged commissioners to vote no to the proposal. She said she was a proponent of sensible responsible development that complies with laws in place. She said density does not have to be high density. She said the design was not unique to Oak Park as it was a near duplicate structure to one being built at 640 N Wells in Chicago. She said she has concerns about the effects on Austin Gardens including a concern regarding the outside seating for the proposed restaurant. She said the outdoor space will be noisy, disruptive and have a serious economic impact to the Oak Park Festival Theatre. She said Ontario Street was a proposed route for construction traffic and this was a residential street. She said the 80 foot height restriction was reaffirmed by two master plans.

Ms. Susan Schrawing, a resident living next to Austin Gardens, said she doesn't see this as only in regards to Austin Gardens, she sees this as a common sense issue. She said this was more ignoring the master plan; will there be a precedent set for variances for excessive variance relief. She said it was about thoughtful development and giving up piece by piece the identity of a diverse community with affordable housing throughout. She suggested waiting to see the impact of the developments being built. She suggested Forest Avenue was too congested currently.

Ms. Carolyn Sheehan, said the character and charm of Oak Park has changed a lot. She said the current building was not an eye sore and would like it to be repurposed as it was the perfect size for the location. She said she's lived on Lake Street for 14 years and the traffic was very bad. This was the wrong development for this parcel of land. She said Envision Oak Park was done recently with a lot of citizen involvement and was meant to preserve what was beautiful about Oak Park.

Mr. Chris Donovan, 700 block of South Elmwood Ave., said planned developments need to weigh the merits and demerits of a development. He said the signatures of thousands of people against this should be considered. He referenced the Taco Bell proposal on Madison Street and asked the commission to follow that example.

Mr. Marty Bernstein, lives on 700 block of Gunderson, said he has questions for the developer regarding wind speed and why the building needs to be built so tall. He suggested the developer could do a better

job with the design. He wondered why the village was paying the OPEDC if they can't get a developer to build a smaller building.

Mr. Nathan Helsabeck, 1100 block of Gunderson, said many people came to prior meetings to speak against the proposal and weren't able to be there tonight. He said the zoning ordinance height requirement was there to preserve the downtown and it wasn't the residents' responsibility to ensure the developer makes a profit.

Ms. Lorraine Owles, 900 block of Fair Oaks, asked if downtown Oak Park needed more new rental units. She said published accounts that the Vantage building was almost fully leased were not accurate if checked against the Vantage website. She reviewed other rental buildings rates in downtown Oak Park from information on their websites. She said she believed there was market saturation for rental units. She disputed that employees near the Morgan el stop would move to Oak Park as suggested by a previous public comment.

Ms. Karen Brammer, 210 Forest Ave., said the development would increase the traffic on her street and devalue the historic neighborhood. She said her house, the Frank Thomas house designed by Frank Lloyd Wright, was a groundbreaking house: the first prairie house in Oak Park, an original commission on its original site with original woodwork and glass and it deserves to be preserved. She said increasing traffic and congestion on the street puts it in jeopardy as well as the other historic homes on the street.

Ms. Adrian Fisher, 1031 Home Ave., said she is the sustainability coordinator at Triton College. She said she was one of the citizens that helped develop Envision Oak Park. She said the wind problems would not be mitigated only changed; the shadowing would cause gloom in winter; the green features of the building were not environmentally helpful. She said she shares the goal of downtown vitality but the building was too big and would have too many negative effects. She had a number of environmental questions about the building. She suggested other types of buildings that could be built other than apartments and retail.

Mr. Leonard Grossman, vice president of Oak Park Festival Theatre, said he's concerned by wind and shade and the plan to have a restaurant at the southwest corner of the development with outdoor dining. He said the increased noise would be a hindrance to the Festival Theatre productions. He said the Harlem gateway to Oak Park was terrible with no green space or setbacks and this plan was similar. He said we should be adding to the green in downtown instead of giving it away. He asked commissioners to consider the welfare of the park and the welfare of the broader community.

Mr. Doug Kelner, 721 Ontario, said he was skeptical of the developer's studies because they were funded by the developer. He said he doesn't drive on Lake Street due to traffic. He was also on the board of Festival Theatre and was worried about the outdoor dining noise.

Mr. Kevin Murphy, 210 Forest Ave., said the argument that high rise, high density development was needed to sustain the tax base was a fallacy. He said the age group that owns homes has actually grown, but they have fewer children than in the past. Population loss has not caused a tax revenue loss that needs to be solved by high rise developments. He said there were far more restaurants in the village today than in the past; but the business model for the village seems to be a restaurant all along Lake Street with high rises above it to supply the restaurants. He said the board will approve all variances as long as it falls within economic development without consideration of the increase in traffic and density and change in the character of the neighborhood. He said the cumulative impact of development along Lake Street has pushed traffic onto Forest Avenue. He suggested a cul-de-sac on Forest just south of Ontario as a compensating benefit to mitigate the traffic impacts.

Mr. Amir Sheibany said he was concerned about the shadows when Vantage was being built and would like indemnity from the developer to mitigate risks that might be found to be incorrect. He would like the village to provide an alternative to the development.

Mr. Tony Dobrowolski said some of the parking spaces would be designated for 1010 Lake Street and he was concerned parking would not be enough. He said the argument that this was the only development for the parcel was civic blackmail. He said the outdoor dining will endanger the existence of Oak Park Festival Theatre.

Mr. Jason Nudelman said the building was too high for the site and a 6-8 story building was more appropriate. He suggested workforce housing to create more affordable housing.

Chair Mann called for a break at 9:10 p.m. The meeting resumed at 9:19 p.m.

Mr. Bill Wagner said Austin Gardens was a historical site and the focus was the arts, reflection, tranquility and now environmental education. He said to put a building so close will greatly impact the nature of the park. He said the swimming pool, outdoor deck and balconies will cause adverse impacts to the theatre. He said this was not the type of park for this development. He said proponents cite the need for density to support business, but the examples given were from the 1970s and 1980s and current developments have added to density; the development was superfluous and contrary to the goals of the community.

Mr. Mark Nussbaum was presenting for Mr. Tom Basset-Dilley, who was the architect for the Park District's environmental center building. Mr. Nussbaum was the engineer for the center. Mr. Nussbaum gave an overview of the center. He said the reason of the location was to celebrate the beauty of a near native, oak savannah. He said the center was built knowing there would be a building next to it in the future, an 80 foot building. He reviewed the SketchUp model showing shading with an 80 foot building and with the proposed development, side by side. He reviewed the graphs in a presentation. He said there would be a 9.4% reduction in solar in the garden PV cells overall. He said during the growing season there would be a 10.4% reduction. He said this was based on PV data for the year. He said the proposed building would have a significant impact on the PV array and a disastrous impact on the learning garden. He encouraged commissioners to deny the application.

Chair Mann said the Park District would be next and they would be using the time ceded by many speakers.

Ms. Jan Arnold, the Executive Director of the Park District of Oak Park, said the village lags far behind the national average on park space per capita. She noted differences in the Park District's tree database versus the applicant's shade study: she said there were 35 trees in the shade area versus 11 noted in the applicant study. She said Park staff has had conversations with tree experts on shading affecting tree health. She said those experts have said a reduction in sunlight would have negative impact to plants and trees. She said the wind force has increased since the Vantage development. She said the Park District lost four trees in May/ June 2016 due to wind damage. In May 2017 another tree was lost due to wind. She said experts have said reduction in sunlight would lead to root growth loss, which would leave trees susceptible to wind damage. She said maintaining natural grass growth requires a lot of effort in Austin Gardens; with expanding shade area the turf growing conditions will be less desirable. She said the native plants were planted in an area to teach children; with increased shading the area will not be as welcoming or enjoyable. She said the garden on the southeast corner was home to species that require 4 hours of sunlight; a decline in light will make them more susceptible to disease and death. She said the environmental center was built to capture the best sun; they did take into consideration the Vantage building shadowing and possible impacts of an 80 foot building that could be built adjacent to it. She said the new shade would occur during their highest energy production time so impact would be a minimum of 8% up to 14% and would eliminate the net zero consumption status of the building. She said there would be negative impacts to Austin Gardens from this development and the Park District has heard from hundreds of residents about this. She said the Park District would not support the project as presented.

Mr. Paul Aeschleman, Park District board commissioner, reiterated what was said previously and said that the Park District board supports development as long as there were no significant negative impacts to park land.

Mr. Vic Guarino, Park District board commissioner, reiterated the shade model results. He said the reduced sunlight changes would adversely affect the park. He reiterated concerns about an increase in wind speed. He reiterated the solar impact concerns. He said Illinois law allowed for plan commissioners to prohibit development should it hinder solar action on an adjacent building.

Mr. Aeschleman reviewed the requests from the Park District to help mitigate potential impacts. He said the Park District has meant with village staff, Oak Park Economic Development Corporation and the applicant to discuss their points.

Ms. Susan Roberts, 202 Forest Ave, said with the opening of Cooper's Hawk she noticed their delivery trucks do not fit the loading dock and are parking on Forest Avenue. She asked commissioners to require a bay that would fit trucks backing in to unload if they approve the development.

Ms. Carolyn Hayes, lives across from the Vantage building, said she's feeling an impact with all the new residents in the area. She said the proposal would double the number of people and add vehicles. She said she constantly sees people walking dogs in Austin Gardens and this development would add more stress in that regard.

Chair Mann asked for testimony for those neutral about the development.

Mr. Allen Parchem, speaking as a member of the board of the 19th Century Charitable Association, said they had concerns but remain neutral. He said if the development was approved there should be a succession and assignment clause in the ordinance if Albion sells. He said they had concerns about the landscaping of their building due to shading and the winds were vicious.

Chair Mann asked for questions from commissioners. Commissioner Burton noted they received emails both for and against the development.

Commissioner Gilbert asked about the Park District's discussions with the developer. Ms. Arnold said they had three meetings with representatives where they expressed concerns about impacts to Austin Gardens and they requested a fee for monitoring the impacts, possible replacement to plants/trees and solar impact fee. Commissioner Gilbert asked if any alternations occurred after discussions. Ms. Arnold said the green wall was added to the design. Commissioner Gilbert asked about the greenway proposal and if the park would need to be modified. Ms. Arnold said the rain cistern would not be moved and the developer talked about adding lines or directions to the direct entrance, near the 1010 building. A short discussion ensued about how the park was used during the year and impacts to the programming. Ms. Arnold expressed concerns regarding construction traffic and safety.

Commissioner Gilbert asked about dog walking. Ms. Arnold said the more pets the more damage will be done to the turf; dog owners like to think of Austin Gardens as a dog park because it is fenced and officials continuously remind owners to leash dogs. She said there were potential opportunities to mitigate waste scofflaws including DNA testing for dogs.

A short discussion ensued about potential wind increase. Ms. Arnold said her concern was increased shading could weaken roots and cause trees to come down in full, which would happen over time. Commissioner Gilbert asked about the location of the trees that came down. Mr. Chris Lindgren, superintendent of buildings and grounds for the Park District, said two were just west of the

environmental building and two were east of the center. The one in 2017 was on the east side of the property but on the north side of the park.

Commissioner Brozek asked if the Park District would submit its report to the third party consultant hired by the village to review its shade study. Ms. Arnold agreed. Staff said they would look into this.

Commissioner Marsey asked if there was an agreement with the Park District regarding potential landscape impact fees and solar impact fees. Ms. Arnold said there was not an agreement but discussions have taken place. A short discussion ensued regarding insurance and risk for the Park District should tree root systems weaken. Ms. Arnold noted the Park District was insured and didn't believe it would need additional insurance. Commissioner Brozek asked about relocating the garden somewhere in the park. Ms. Arnold said it was something they could explore but it was designed based on the zoning supplied.

Commissioner Marsey asked about relocating solar panels. Ms. Arnold said they could remove the panels, replace the roof and relocate the panels elsewhere. Mr. Mark Birkland, attorney for the Park District, explained the relocation would be somewhere else in the park, not on the center.

Commissioner Gilbert asked about the Master Plan's suggestion to have a public plaza and if the Park District made an effort to purchase the site for that purpose. Ms. Arnold said not to her knowledge. Commissioner Burton asked about the possibility of wind power at the location. Ms. Arnold said they have not looked into it.

Commissioner Marsey asked for more information from the Historic Preservation Commission report. Commissioner Brewer asked for more information about current management techniques on soil and the impacts and costs associated with impacts. Commissioner Gilbert asked for more information on the parking downtown and the parking deductions per the zoning code. Commissioner Halpin asked the developer about stepping back beyond the podium for wind mitigation and also to keep in character of the 19th Century Club. Commissioner Brozek asked for more information regarding a change in the entrance to the lobby.

Commissioners reviewed possible dates for hearing continuance.

Commissioner Burton moved to continue the hearing to August 10 and August 22 if needed. Commissioner Brewer seconded. A voice vote was taken and the motion was approved unanimously.

Adjournment

Commissioner Marsey moved to adjourn. Commissioner Burton seconded. The meeting adjourned at 10:49 p.m.

Angela Schell,
Recording Secretary