

Approved July 7, 2003

**Special Meeting  
Board of Trustees  
Village of Oak Park  
April 28, 2003 - Room 130 - 9:15 A.M.**

**PRESENT: President Trapani, Trustees Carpenter, Gockel, Johnson, Kostopulos, Milstein and Pope**

**ALSO**

**PRESENT: Village Clerk Sandra Sokol, Village Manager Carl Swenson, Village Attorney Ray Heise (via teleconference) and Development Services Director Mike Chen**

**CALL TO**

**ORDER: The meeting was called to order at 9:15 a.m.**

**The topic of discussion was the possible withdrawal of the Whiteco Planned Development Application. A motion was made by Trustee Kostopulos, seconded by Trustee Johnson, to withdraw the application.**

**Trustee Gockel said he had circulated alternative proposals and was opposed to the motion.**

**In response to a question from Trustee Milstein, President Trapani stated that the citizens would be allowed to speak at the end of the discussion. She stated that Trustee Gockel should speak on the motion without considering the new proposals.**

**Mr. Heise stated that this would be a broad discussion, not a vote on a new proposal. He also said that Trustee Gockel is presenting alternatives, not for voting purposes. The vote is whether or not to withdraw.**

**Trustee Gockel said there must be consistency and the Plan Commission must go through the process tomorrow night. The Commission is responsible for reviewing findings of fact and recommending whether or not to deny the application. The Commission must be allowed to continue the process and submit a recommendation to the Board. He suggested that the next step would be to notify the broad citizen community in May or June. He said the Village is committed to development of the parcel and the best process is to include broad community participation. The motion before the Board is to authorize withdrawal of the application and to continue discussion with Whiteco.**

**Trustee Gockel also said the Plan Commission must approve the findings of fact and open up the process for the RFP. Whiteco can submit a new plan. The new plan**

could be circulated by July 6 to the community, staff and developers. There are deadlines to be met. There is no reason to delay.

Trustee Milstein stated that he would not vote to withdraw but wanted to continue to look for or at alternatives. He said he was opposed to the proposal. He cited an article in the *Wednesday Journal*. Two of the current Village trustees were on the Plan Commission, one voted yes and one voted no. Trustee Milstein commented that he was not opposed to development but felt that citizens must be involved in the process. He said he was opposed to “development by surprise.” The TIF law, the RFP – all occurred in too short of a time period. The perception is that Whiteco has an unfair advantage. The Board is not obligated to Whiteco. The Board is obligated to the citizens. Whiteco can come to the Village and interact with professional staff to come up with a building that will fit. Trustee Milstein said he supported Trustee Gockel one hundred percent.

Trustee Pope said he voted against the approval of the development before the Plan Commission. The concerns were significant regarding height, number of units, density, parking and impact (uses). Also, he had concerns regarding the process and how the development came to be before the Plan Commission and also the economic return to the community of the proposed development.

The issue today is where to go and how to proceed. There seem to be enough votes to withdraw the project and proceed in a negotiated process and attempt to address the concerns of the Board, the Plan Commission and the residents.

There should be discussion to pass the motion with the appropriate conversation along with amendments or additions.

The conversation should be with all members of the community to make sure that the best possible approach will occur. There should be a certain number of public meetings with all the parties, the Village Board and Whiteco. The applicants should hear from the community and citizens as to what kind of development would be best for the community.

We should have four opportunities in six to eight weeks to get input and factor it in. Staff should be directed to look at other relevant practices from other communities and use the best practices.

President Trapani repeated four meetings in eight weeks with the other elements from staff. Trustee Pope responded we need the information as to the economics of the project; looking at the return from comparable developments in other communities.

**President Trapani asked what do you mean by comparable returns, Naperville has TIF money and they used this for a car dealership. Do you mean previous experience with property value and sales? Oak Park, in particular, includes parking and always subsidizes parking. Do you want to see the returns? Trustee Pope said, “Let’s review it with the fee structure as well as the Village’s prospective real estate tax assumptions”.**

**President Trapani inquired about the current value (EAV) of the property which is zero and projected value with the new development. Mike Chen answered that the total value of the project will be \$60 million with garage. President Trapani commented, “So we go from zero to \$60 million”.**

**Trustee Pope stated there could be a broad range of real estate tax benefits. He also said he wants the project to have the best economic return possible.**

**President Trapani said there would be real estate and sales tax benefits as well as parking fees. She urged withdrawing the application and adding certain conditions.**

**Trustee Kostopulos said there are two issues, this project in particular and the planning process. He agreed this project needs professional help with development. Even if they withdraw there are still legal obligations.**

**Trustee Johnson stated he was in favor of the motion. He stated he listened to 45 hours of testimony. The PUD worked as designed. Staff cannot make changes through this process. It had a full airing. A vote to withdraw the application affirms the decision of all five commissioners and the four commissioners who were in favor of the proposal with modifications.**

**Trustee Carpenter also stated she was in favor of withdrawal. She suggested Whiteco return with comments. She spoke about the Downtown Oak Park Development Plan and the Lakota Plan. Regarding the TIF extension, the Lakota Plan should be looked at again. A plan should be made and adhered to.**

**President Trapani said the final plan needs to go to the Plan Commission. As a co-applicant the Village cannot hear it. The information Trustee Pope wants should be included. The Plan Commission will hold hearings and the Village Board should meet with all residents.**

**Trustee Pope said the process should include meeting times to give the Board the opportunity to listen and to engage in community discussion. Whiteco and the Village board should not meet independently. There should be an independent Plan Commission meeting with new notice and hearings. Public opinion is separate and apart.**

**Trustee Pope urged the continuance of conversations with Whiteco to be more responsive and not deal with legal issues. These conversations should precede any filing of a new application.**

**Village Attorney Ray Heise said there cannot be an amendment application for a PUD without an amendment to the development agreement. The Village and Whiteco would have to negotiate an amendment.**

**President Trapani reiterated there were 45 hours of public testimony and in addition we should have more conversations to inform the residents regarding the redevelopment agreement incorporating all the concerns from the residents and the Plan Commission.**

**Trustee Milstein asked if the Lakota Plan was ever adopted. Mike Chen said he found the adoption in the minutes. President Trapani requested that those minutes be distributed to the Board. Trustee Milstein noted that Whiteco did not read the Lakota Plan. He stressed the need for public meetings and for citizen input. He also stated the Board must look at costs and benefits.**

**President Trapani commented that the development of property includes EAV value benefits, real estate taxes which benefit the schools, the Village and the Township and public services. Citizens complain about real estate taxes.**

**Trustee Milstein commented on the TIF and the carve outs. President Trapani described the negotiations with Districts 97 and 200 regarding the TIF carve out. She thought this was a good point to bring up.**

**Trustee Gockel speaking on the motion said we can continue with Whiteco or we can have a competition. There must be a vision. The Lakota Plan is nine years old and Oak Park has changed. This process has been backwards.**

**President Trapani said if the process goes to December or January, the rates which are favorable now may change and not be financially and economically favorable.**

**Trustee Johnson spoke about Downtown Oak Park in comparison to White Plains, New York where mid/highrise developments revitalized their downtown. He said we should look at other options with Whiteco and move forward.**

**Trustee Pope asked about a time frame. Mr. Swenson said there is no time table for the TIF extension. He said this can be addressed in the goal setting session.**

**President Trapani noted we had 45 hours of public comment. There would be a limit of three minutes per speaker.**

**Rose Meyer, 1111 Ontario said tower or no tower, this project should be given a second chance. The project should be started all over again. No plan should be made without public meetings or commission input. This is a new opportunity.**

**Kathryn Jonas, 124 S. East said the project should be started anew and the process opened up. She said the Village did not follow the process and the process must be opened up to compare all proposals. Look at developments which do not want TIF or Village funds.**

**Mila Tellez, 223 S. Grove said impact fees must be considered when doing an economic analysis.**

**Rosalyn Larsen, 615 Forest stated she would like to see something on the site that would not look like another box. It should be a building that we will be proud of.**

**President Trapani noted that architecture is important.**

**Ruth Hamilton, 1111 Ontario expressed concern about traffic on the northeast corner.**

**Barbara Mullarkey, 204 S. Elmwood stated there should be citizen input as well as an environmental impact study. The proposal could include use of new energy sources. She also stated that citizens are concerned about the appearance of “done deals”.**

**Christine Cates liked the idea expressed by Trustee Gockel. She said citizen input is important and instead of rushing this, time must be taken to make the right decision.**

**President Trapani said public comment would now be closed.**

**Trustee Kostopulos said true democracy fosters good architecture and art, like Frank Lloyd Wright architecture.**

**Trustee Milstein talked about property listings and again requested a list of all Village owned properties.**

**President Trapani asked how far back. Trustee Milstein answered eight to ten years; the whole Village, with appraisals. It is important to know how we spend our tax payer dollars.**

**Trustee Pope spoke on the motion, agreeing with Trustee Gockel but saying that realistically the majority wants to withdraw and the Board must agree on how to proceed. The plan for Downtown Oak Park is part of the TIF discussion. The impact is also a vital part of discussion. We are committed to the process as well as the vision of Downtown Oak Park and must go forward.**

**Trustee Kostopulos called the question.**

**President Trapani said the original motion was to withdraw the application and to add Trustee Pope's suggestions to hold a number of meetings over time and provide information to the Board on the economics, parking, comparables, real estate and sales taxes and benefits.**

**Village Attorney Heise stressed that the withdrawal of the Whiteco application must happen quickly and it needs to be negotiated. The motion on the vote must be amended.**

**Trustee Kostopulos moved to amend the motion which was seconded by Trustee Johnson.**

**AYE: Trustees Carpenter, Johnson, Kostopulos, Pope and President Trapani**

**NAY: Trustees Gockel and Milstein**

**Trustee Carpenter moved to adjourn the meeting to a Study Session at 7:30 p.m. this evening, seconded by Trustee Johnson.**

**The meeting adjourned at 10:50 a.m.**

**Respectfully submitted,**

**Sandra Sokol  
Village Clerk**