

MINUTES
OAK PARK PLAN COMMISSION
GWENDOLYN BROOKS MIDDLE SCHOOL AUDITORIUM
February 5, 2009 - 7:00pm

PRESENT: Chairperson Linda Bolte; Commissioners Deborah Fausch, Gail Moran, Michael Quinn, Susan Roberts, Steve Ruszczuk and David Sokol

EXCUSED: Victor Guarino

ALSO PRESENT: Craig Failor, Village Planner, Attorney Dick Martens

CALL TO ORDER Meeting called to order AT 7:15 PM. Roll called.

CONTINUATION OF OPEN PUBLIC HEARING

PC 08-03 Special Use and Zoning Text Amendment (Light Standards) The applicant seeks approval of a Zoning Ordinance text to Chapter 3, Article 4, to amend Section **4.5.2AA Light Standards** to allow 100 foot tall light standards for athletic fields in the R-2 Single Family District and R-7 Multiple Family District residential districts as a special use, and Article 3 to amend Section **3.1 Summary Use Matrix** to add the aforementioned use to the reference table. Pursuant to the approval and adoption of Section 4.5.2.AA, the Applicant is also requesting Special Use approval from Section **4.5.2AA** to allow two (2) eight foot tall, one (1) 90 foot tall and one (1) 100 foot tall light standards surrounding their athletic field within the R-2 Single Family District and R-7 Multiple Family District. The Applicant is also requesting one allowance from Section **3.6.5.B.4.a** for the corner side yard setback of a light standard proposed in the southwest corner of the athletic field abutting Linden Avenue at a distance of 4.58 feet where 15 feet is required. The proposed southeastern most light standard is proposed in the west half of the East Avenue right of way proposed for vacation.

The meeting was called to order at 7:10pm. Roll was called.

Applicant Witness – Steven Alstead

Mr. Alstead responded to questions from Mr. Sargis and presented photographs related to traffic on Linden during OPRF football games. The group of photos was submitted into evidence as Objectors' Group Exhibit #33.

There were eight photographs; the first three showed cars violating parking regulations. (Mr. Alstead confirmed these were people attending the games, based on their clothing.) A couple of pictures showed someone picking up the football in the street (where field goals are kicked) and a couple of pictures showed the congestion and tight fit for cars going in both directions on Linden, including one with a person on a bicycle as well. The last one, showed a young girl running out from behind a parked car, where visibility for turning drivers would be blocked due to the cars parked there.

A video was also presented, taken with one camera at East Avenue and Lake and one at Linden and Lake. This showed the tight traffic at game time, some illegal driving maneuvers, jaywalking and kids playing catch in the street on Linden. The video was submitted as Objectors' Exhibit #34 and a summary written up by Mr. Alstead was submitted as Objectors' Exhibit #35.

Mr. Alstead said that Friday night events include recitals and practices at the American Academy of Movement & Music, as well as patronage of various restaurants along Lake. He did not know about the Pilgrim Church parking lot, but felt that drivers might be discouraged from using the main garage it only has one exit, onto Lake.

Mr. Alstead spoke about the time needed for clean-up after games and spoke about previous clean ups using loud leaf blowers, taking about one hour. He said that based on this, cleanup would not be over till about 12:30 am after Friday night games. Mr. Keller objected (leading question) to a question from Mr. Sargis as to how many more staff members would be needed to achieve earlier cleanup.

Mr. Sargis asked about the discrepancy between proposed and actual conditions of use for the south field. Mr. Alstead said one condition of use was a certain amount of landscaping. Mr. Keller objected on the basis of no foundation. Mr. Martens asked where the questioning was going. Mr. Alstead read an article from the Oak Leaves, June 8, 2005 about the landscaping issue. Mr. Alstead felt that while the applicant may have good intentions, things do not happen as planned. Exhibits 33, 34, 35 were entered into evidence without objection.

End of Direct Questioning of Mr. Alstead. No cross examination.

Testimony of Dr. Weininger

Mr. Keller asked Dr. Weininger to comment on previous testimony that if the text amendment were passed it would allow 100' lights anywhere in Oak Park. Dr. Weininger suggested specific language to restrict such lights to the high school stadium,

Regarding the proposal for one light pole in the public right of way, section 14 of the original application asked for vacation of the property. The board approved the request in June 2008, contingent upon approval of the special use permit and the adoption of the text amendment. Therefore the pole would be on school property. The original document, signed by the Village Clerk was submitted to Mr. Failor.

A revised list of conditions as requested by Commissioner Quinn on December 11, 2009, was entered as Applicant Exhibit #19, without objection

In response to Mr. Alstead's testimony on the amount of time needed to clean up after a game, Dr. Weininger said the high school is committed to working with the neighbors. He stated that if a game ends at 9:30pm clean up will be done by 10:30pm or if need be, staff will return on Saturday to complete clean up. Leaf blowers will not be used. The high school has committed turning lights to half or one quarter power for this period. Commissioner Quinn noted that according to Exhibit #19. Games beginning at 7:30 pm

would end by 10:30 pm. Dr. Weininger said he would revise that statement to reflect what he had just stated.

Commissioner Moran asked about games that go into overtime. Dr. Weininger said that most Friday night games do not. Commissioner Moran suggested some language to deal with that exception. Mr. Keller said that the applicant would welcome any suggestions. Commissioner Quinn stated that did not answer his point, to which Mr. Keller responded that the applicant is open to negotiation and discussion of conditions.

Applicant Exhibit #20 was offered into evidence. This was a calendar from August 2008 to October 2008 and from March 2009 to May 2009, showing the practices and games for which the lights would be used. The calendar shows time for light usage based on time of sunset. Practices would not involve clean-up and lights would be on only till 8pm. Only nine games using lights are committed for the fall, three footballs and six other. Lights would be used 63 to 68 days per year. Football games would be the only use for lights after 9pm.

Commissioner Roberts asked about attendance for soccer, field hockey and La Crosse. John Stelzer answered that the average attendance for such games would be 100-300, unless it is a tournament. The loudspeakers are not used for these games, except for tournaments. Most turf sports start at 5:30 and end at 8:30. There would be a small increase in attendance if they began at 5:30 instead of 4:30 pm.

Dr. Weininger spoke about the revised conditions and agreed to a lighting policy which would include the south field as well as the stadium.

Mr. Keller offered a draft of the Athletic Field and Stadium Light Policy as Applicant's Exhibit #22. Mr. Failor said it should be #21, but the exhibit was already marked. Dr. Weininger did not recall whether he had previously discussed the lighting policy with the Commission.

Applicant Exhibit #21, a spreadsheet, showing a comparison of West Suburban Conference Schools, number of field, teams that use them, number of sports, levels, etc." was offered into evidence.

A five minute break was called.

Meeting reconvened. Mr. Keller offered Exhibits 19,20,21,22 into evidence. Mr. Sargis objected on the basis of foundation, but said he would hold off until cross-examination.

Commissioner Quinn asked for clarification on the number of games which would require the use of lights. Dr. Weininger said the proposal is for a maximum of 9 Friday night games. All other games played Monday through Thursday would have the lights off by 8pm. Language in the exhibits was clarified.

Regarding previous testimony by objectors about the amount of energy that would be used by the lights, further research was done with MUSCO. The research shows the cost to be \$2.59 per hour, that rate locked in till 2010. Wattage specifications were discussed.

Dr. Weininger said the sound system would be redesigned, working with a sound engineer. Neighbors would be invited to attend discussions. A budget of \$25,000 has been set aside for consultation and completion of the project.

Regarding objectors' testimony that the high school had existed for 80 years without lights, Dr. Weininger spoke about the mission of the high school and how the field and the stadium contribute to fulfillment of that mission. He stated that to provide a superior education and to be a comprehensive, competitive high school, OPRF can not remain the same as it was 80 years ago. Now the high school has computers, calculators, internet, high tech science labs and artificial turf, among other things. Dr. Weininger stated that brain research shows that physical activity accelerates brain activity. Commissioner Sokol asked for clarification between physical activity and competitive sports. Dr. Weininger said that sports are a co-curricular activity, not taking place during the school day. Most suburban Chicago high schools have both the demand and the interest for turf sports.

Applicant Exhibit #23, an aerial view of the high school and surrounding area in 1926 was presented. Applicant Exhibit #24 was introduced to show how the school has changed over time. Dr. Weininger said there were about 3100 students in the late 70's; there are now 3177.

Dr. Weininger stated that to maintain a comprehensive, competitive program the high school must maintain strong physical education and co-curricular programs, and that competitive athletics cannot be run without lights. Commissioner Roberts stated she did not understand what would be gained with the installation of lights. Dr. Weininger spoke about practices at the school instead of off-site, gaining time for practices and about maximizing use of available green spaces.

Commissioner Ruszczyk asked whether the historical changes at the high school all involved process. Dr. Weininger replied that he did not know. Commissioner Quinn asked how denial of the application would take away from the mission of the school. Dr. Weininger stated that the lights would expand opportunities and allowed that there are differing opinions, but the school feels they are needed.

Cross Examination of Dr. Weininger

Dr. Sargis asked if attendance at the high school since the 70's has been trending downward. Dr. Weininger said that a recent demographic report shows it trending upward again, as families as private school costs become more difficult for many families to handle. In response to questions regarding population decline in Oak Park and River Forest, Dr. Weininger stated he did not have this information. He stated that the projections between now and 2023 are for relative stability, but the projection has already been exceeded.

Addressing the photos showing changes in the neighborhood, Dr. Weininger did not agree that the predominant change was between East and Scoville, but was all over.

Asked by Mr. Sargis what additional night activities have come about with the south field, Dr. Weininger said there were none, and that is why they are here.

Mr. Sargis asked who compiled Exhibit #21, on turf sports. Dr. Weininger stated it was done by the athletic department. Mr. Sargis asked who put it together and how. Mr. Keller objected that the question was without foundation and stipulated that Oak Park has the most sports and levels in the conference.

Mr. Sargis asked if Dr. Weininger could verify Objector's Exhibit #11. Dr. Weininger stated he could not. When asked if he had a basis to object, Dr. Weininger said he could neither object to nor verify the exhibit.

Mr. Sargis asked if OPRF is not ahead of the conference, having the most turf sports and levels. Mr. Keller objected. Mr. Sargis asked, other than the timing of activities would there be anything more to maximize. Dr. Weininger spoke about increased use of the stadium and maximization of play time.

Mr. Sargis asked whether the school has a policy to purchase available space around its location. Dr. Weininger said it does. Mr. Sargis asked if this were partially for buffering and setback from neighbors. Dr. Weininger said expansion is due to increasing enrollment. Mr. Sargis asked if Dr. Weininger did not agree that buffers are important in land planning. Dr. Weininger replied that he is not a land planner, and Mr. Keller objected. The objection was sustained. Mr. Sargis asked why the objection was sustained and Attorney Martens said that an explanation was not required.

Chair Bolte noted the time was 9:35 and asked that the parties move along. Mr. Keller asked whether it could be stipulated that whatever questioning Mr. Sargis was able to finish tonight would be the end of cross examination. Attorney Martens said no, but he encouraged Mr. Sargis to "move along."

Mr. Sargis asked Dr. Weininger if he was familiar with any studies regarding sports and social life of students. Dr. Weininger said he was not.

Noting that Dr. Weininger stated his intention to invite neighbors to discuss sound mitigation, Mr. Sargis asked whether neighbors had been invited yet to such discussion. Dr. Weininger said they had not.

Mr. Sargis asked if the estimate for the revised sound system was based on consultation with a sound specialist. Dr. Weininger said it was based on conversation with an architect.

Asked about the estimate on electric costs, Dr. Weininger repeated the cost would be in place until April 2010.

Mr. Sargis asked if Dr. Weininger prepared Exhibit #22. Dr. Weininger replied he had. Mr. Keller objected. Dr. Weininger recalled at a previous hearing, he was uncertain if any other schools had a board policy on stadium lights. Dr. Weininger looked at the River Forest Park District Study and used part of it in his draft.

Mr. Sargis asked if Dr. Weininger agreed with Mr. Stelzer about minimal attendance at non-football turf sports. Dr. Weininger said he did.

Mr. Sargis asked which other schools had been contacted about lights. Mr. Keller objected that this was beyond the scope of direct examination. Attorney Martens asked Mr. Sargis how this question would help the commission. Mr. Sargis said it related to commitment. The objection was sustained.

Dr. Weininger confirmed that fall, Friday night games would number 9 and there would be 6 in the spring. Mr. Sargis asked if Dr. Weininger was aware that other schools that got permission for a certain number, exceeded that number. Mr. Keller objected that this was beyond the scope of direct examination. Objection sustained.

Related to Mr. Marsh's testimony that MUSCO did not make recommendations on what time lights would go on, Mr. Sargis asked if Dr. Weininger were aware of any other recommendations. Mr. Keller objected this was beyond the scope of direct examination. The objection was sustained.

Mr. Sargis asked whether there had been discussion with the athletic department regarding the use of lights for practice. Mr. Keller objected that this was beyond the scope of direct examination. The objection was overruled. Dr. Weininger said there had been discussion in terms of safety. Depending on daylight, cloudiness, etc., the lights might be needed on some days. He did not know about the River Forest Park District lights in this regard. As for turning on lights in late winter, Dr. Weininger specified that he had referred to late October and that late winter means March.

Dr. Weininger said the high school is committed to working with neighbors and the police department on questions of traffic and safety, though no discussion has been held to date with the police.

Asked how often turf sports start on time, Dr. Weininger said they usually do, but sometimes buses are late. Dr. Weininger stated the high school has not done a test run on clean up time.

Mr. Sargis asked if 300 fans at a turf sport would make noise. Mr. Keller objected on the basis of irrelevance. The objection was overruled. Dr. Weininger said they would make noise. Asked whether non-football turf sports typically take two to two and a half hours, Dr. Weininger said this is not black and white.

Asked who prepared Exhibit #20, sunset times, Dr. Weininger said it was done by a number of people at the school. He did not know whether they consulted with other schools.

Asked about turning on lights during a game, Dr. Weininger noted that this is done in professional sports.

A request to allow Terrie Lieber to cross-examine the witness was turned down, because as a member of April, she is represented by Mr. Sargis who had his opportunity to cross-examine. It was noted that this issue had come up before and should be understood.

Mr. Tyma, not an April member, then cross examined Dr. Weininger. In response to the first question, Dr. Weininger said he did not know whether the high school will get consultation from the same vendor who will supply the sound system.

Mr. Tyma asked if the property in the photo, Ontario to Erie and East to Linden was acquired by the high school through the power of government. Dr. Weininger said he did not know. Dr. Weininger agreed that the high school owns property from Lake to Ontario between East and Scoville, and from Lake to the el tracks. Dr. Weininger said the stadium was built about 80 years ago. He clarified the difference in costs of operating stadium lights to those on the south field. Dr. Weininger did not know for a fact that the area to be lit in the stadium was smaller than that of the south field.

End of Cross Examination by Mr. Tyma. Applicants Exhibits 19, 20-, 21, 22, 23 & 24 were offered into evidence. Mr. Sargis objected to # 20 and #21, both on the basis lack of foundation and hearsay. There was no objection to the rest of them. Mr. Sargis said Ms. Lieber had two questions. Chair Bolte said she could not ask them.

Mr. Sargis offered into evidence the March 2006 minutes of the Board of Education meeting. Mr. Keller objected on the basis of relevance and that he had not seen them. Mr. Sargis also wanted to submit information from the River Forest Park District. Mr. Failor said this information came in through the applicant. Mr. Keller said he did not believe this was applicable. Chair Bolte said it would be entered into evidence as Commission Exhibit #2.

Mr. Sargis spoke about a discrepancy in the MUSCO auto cad drawing. Mr. Keller objected due to lack of basis. Chair Bolte said the commission requested the information and will decide whether it is to be included.

Chair Bolte said the meeting would be adjourned until February 19th. Mr. Keller said he would be out of the country but could submit his closing argument in writing. After some discussion it was decided to reconvene on Monday, February 9th at 7pm at Village Hall, for purposes of closing. Deliberations may begin then or on the 19th.

The meeting adjourned at 10:20 pm.

Liz Melara

Recording Secretary