

**APPROVED MINUTES  
OAK PARK PLAN COMMISSION  
OAK PARK VILLAGE HALL – COUNCIL CHAMBERS  
May 21, 2009 - 7:00pm**

**PRESENT:** Chairperson Linda Bolte; Commissioners Gary Belenke, Deborah Fausch, Vic Guarino, Gail Moran, Susan Roberts, Steven Rouse. Steve Ruszczyk

**EXCUSED:** Commissioner Mike Quinn

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

**CALL TO ORDER:** Meeting called to order 7:00 pm. Roll called.

Chair Bolte announced that the Village Board had approved the high school application for stadium lights, with certain conditions, including some proposed by this commission.

**FINDINGS OF FACT PC 08-04, North Avenue Condominiums**

**MOTION**

Commissioner Moran moved to approve the Findings of Fact on PC 08-04. Commissioner Guarino seconded the motion.

Some minor corrections were noted by commissioners, and Attorney Martens suggested the addition of a sentence submitted by Commissioner Moran for the purpose of clarification. A roll call vote was taken to approve the Findings of Fact as amended by those eligible.

Commissioner Moran – yes

Commissioner Guarino – yes

Commissioner Ruszczyk – yes

Commissioner Roberts – yes

Chair Bolte – yes

Commissioner Fausch (upon her arrival and her briefing on the Findings Fact) - yes

Motion passed unanimously. This will go before the Village Board on June 1<sup>st</sup>.

**FINDING OF FACT PC 09-02 (Walgreen's – 801 Madison**

Commissioner Moran moved to approve the Findings of Fact with the addition of one sentence. Commissioner Guarino seconded the motion. Discussion followed.

Mr. Failor said that a couple of matters mentioned in the recommendation section should not be left up to the Village Board. He consulted with the Village Engineer, Jim Budrick on bond amounts. Mr. Budrick suggested the amount of \$40,000 (to cover items including the diverter and a traffic study.) As for landscaping, the bond would be 110% of the cost of materials and installation. Figures are to be supplied by the applicant.

Commissioners Moran and Guarino agreed to the amendments to the Findings of Fact.

Commissioner Guarino said he thought there was to be a low level wall at the alley on Oak Park Avenue. Commissioner Fausch said there was discussion about it, but it would cause issues with visibility. Mr. Jay Javor, Midwest Property, explained that there is an issue with the line of sight. He recalled possible discussion of low rails, but not a wall. Mr. Martens suggested that something could be mentioned in the cover letter. Commissioner Guarino agreed. Mr. Javors said he will discuss the possibilities with the Village Engineer.

A roll call vote was taken on the Findings of Fact as amended.

Commissioner Moran – yes

Commissioner Guarino – yes

Commissioner Ruszczuk – yes

Commissioner Roberts - yes

Commissioner Fausch – yes

Chair Bolte – yes

The motion passed unanimously. The application will go before the Village Board on June 1<sup>st</sup>.

**PUBLIC HEARING -**

Chair Bolte outlined the procedure for those present. Mr. Paul Hamer asked if he would be allowed to cross-examine the witnesses. Chair Bolte noted that he had not signed up according to procedure. Chair Martens said this would be up to the commissioners. Commissioners concurred that Mr. Hamer could cross-examine. The commission agreed that in the interest of time, cross-examination would be done after all the witnesses had given testimony. However, commissioners would be able to ask questions that come up during testimony. All those wishing to testify or cross-examine witnesses were sworn in by Attorney Martens.

**APPLICANT TESTIMONY**

**Mary Jo Schuler, 312 North Euclid, Madison-Highland Group**

Ms. Schuler thanked the commission, the Village Board, the neighbors, and the business associations involved, for their time.

Ms. Schuler stated that as a LEED certified commercial property, the proposed development would retain and attract modern businesses, and provide economic stimulus for Madison Street. Ms. Schuler introduced the project architects and members of the development team. She noted they are from Oak Park and have raised their children here. Ms. Schuler said the group has met with neighborhood groups on two or three occasions. She noted that she can not prevent any nuisance brought on by new construction, but assured the commission that the team has lots of expertise in handling issues such as traffic. She said they would remain available for questions throughout the process. Ms. Schuler said the team is excited about this investment in the community, the creation of jobs and revenue, and the enhancement of the Madison Street Corridor, not just the look and feel, but in terms of economic productivity.

**Nevin Hedlund, 7185 Lake Street, River Forest, project architect**

Mr. Hedlund gave a power point presentation. He said there are two LEED accredited architects on the team and that the team qualifies at M/WBE.

Mr. Hedlund said that the unique location of Oak Park, between two major airports, will attract business. He said this is a Class A office space development, the first in Oak Park since 1968. It will be completely commercial and retail and spaces will be available for both sale and lease. Leases will be at market rate.

The first level will offer service parking for the public and there will be a parking deck on the second level with assigned parking for occupants of the offices. Retail will include 14,000 square feet on one block and 3,000 square feet on another. The parking lot will include a landscape buffer. 82 of the 150 spaces will be located on the second level. The third and fourth floors will be 21,000 square feet. The fourth floor will feature a two story high space.

Landscaping plans have been discussed with village staff, whose suggestions were incorporated. Tree preservation is included. One tree that is in poor condition will be replaced. Shrubs planted by the Village will be relocated.

**David Fleener, architectural consultant to development team**

Mr. Fleener said the there were two main goals for the building:

- 1) Use of forms and materials should be contemporary, sympathetic to Prairie Style
- 2) Environmental Sustainability

He said there would be a variety of façade, and there would be landscaping on the building and on the roof. He said there would be a typical office area, delineated by

bands of brick and glass. The bottom and top bands will have planters. The plants on the first level would be serviced from windows on the second floor. Non rusting aluminum lattice will be covered with ivy.

Commissioner Roberts asked about the type of occupants being sought. Mr. Fleener said they were looking at medical and health facilities as well as standard office use. The retail businesses would be open at night to bring life to the area.

Mr. Fleener noted that the south side of the building takes advantage of solar energy which would provide enough electricity for lighting.

The entire first floor (parking) is to be covered with metal lattice with wisteria vines.

Commissioner Ruszczyk asked about the setback from the south on Highland. Mr. Fleener said this will be addressed in a further slide.

Commissioner Guarino asked about the plants in the winter. The wisteria will be gone in winter and the ivy will change color. The lattice details were discussed. Commissioner Guarino questioned why lattice was chosen. Mr. Fleener said it would be decorative and would tie the buildings together.

The entire project will have a green roof to absorb storm water and insulate from the heat in the summer (resulting in less air conditioner use.) The roof garden could be used for educational activities by the community.

Mr. Fleener said the cars on the second level would not be visible. It was mentioned that antennas might be seen.

Commissioner Fausch asked about the material of the tower. The applicant replied they are still looking at this, but are considering stone or metal. The tower will hold conference rooms or lobbies to offices.

Commissioner Roberts asked what would qualify this project as Class A. The applicant responded that this classification includes the capacity for electrical, tele-communications power for all computers; air conditioning units with heat recovery. This would be an energy-efficient modern building envelope,

Commissioner Moran asked about LEED points for reduced water usage. The applicant explained that water usage will be reduced and the way the point system works, the point would be given in a related category.

Mechanical units will be located in boxes on the roof. The placement of stairs and elevators will be part of coordinating the tenant mix. There will be entries in the front and back, and retail space entrances will be flexible, to serve tenant needs.

Commissioner Moran said she was happy to see that trees were being saved. She asked if there were to be any public benches. Mr. Hedlund said there would be some benches and also two bicycle racks.

Commissioner Moran expressed concern about lighting in the underpass area. Mr. Hedlund noted this was necessary for safety but it would be respectful of neighbors. Included in the commissioner packets, was a photometric study on the second floor.

Commissioner Rouse asked why there would be no loading bays. Mr. Hedlund said the loading and unloading was addressed in a better way and there would be a management plan with retailers to make sure they do not use Madison Street for this purpose. He said most of the loading and unloading would involve Fed Ex and UPS. As for retail, delivery trucks can pull in to the off-street parking area. Commissioner Moran asked about putting loading on the upper level deck. Mr. Hedlund said this would be difficult for drivers. Commissioner Rouse asked about detail on the loading area. Chair Bolte asked the applicant to provide this. Commissioner Fausch asked about north bound traffic from the alley. Mr. Hedlund said the traffic consultant would answer this when he testified. Commissioner Fausch asked when materials would be decided upon and asked the applicant to provide samples to the commission. Mr. Hedlund said the brick would not be decorated, that they were relying on the windows for fenestration. Possibly there will be stone windowsills. The brick will be a warmish brown-red. Chair Bolte explained that generally, the Findings of Fact include specificity of materials. Commissioner Fausch again asked for samples to be presented.

Commissioner Rouse said it did not seem as if the proposed development is harmonious with the neighborhood. Mr. Hedlund stated that this is a retail commercial development on Madison. He listed the benefits as minimum amount for structure, the setback – the commercial area is set back as far as possible from the residential are. There will also be extensive landscaping. Commissioner Rouse suggested that the applicant show the neighbors how the impact will be softened.

Mr. Hedlund said a variety of cars will be incorporated in the revised rendering. In response to a question from Commissioner Fausch, he stated that the Village requires a certain number of parking spaces.

The variances requested are:

- 1) Height – allowed height is 50'. Proposed height 58'8", parapet 61'2"
- 2) Off-street loading and unloading
- 3) Number of parking spaces is lower than that required by the Village – 2 per 1000'
- 4) A setback at the alley for parking only

Commissioner Moran asked about the marketing plan for retail. Mr. Hedlund stated they are looking at a high-end restaurant, deli, coffee shop and other high-end retail. Commissioner Belenke noted that there are a lot of vacancies currently and asked how the applicant expects to attract high-end businesses to this location. He asked whether construction would begin before the applicant had guaranteed lessors. Mr. Hedlund said

this is a unique project. As for leasing, the top floors can be done in a short period, but generally restaurants need four to six months time.

Commissioner Moran asked if other taxing bodies are looking at space in the development. Mr. Hedlund said that the Park District has expressed interest in moving the gymnastics center there. A presentation was also made to District #97.

Chair Bolte asked what kind of tenants would use the two story area on the east side. Mr. Hedlund said there are two outpatient medical uses proposed, as well as other standard office tenants. If the tenants do not want two stories this can be changed.

Commissioner Rouse asked if the applicant was aware of any developments in Oak Park that do not have loading bays. Mr. Hedlund said this could be researched.

**Bob Hamilton, Hamilton Associate, Vernon Hills, Illinois**, addressed traffic. Mr. Hamilton stated that his company serves nine municipalities, including River Forest. The report presented to commissioners was prepared by Bill Green, who was not available to attend this hearing. He said this development will have a limited traffic impact. One-way limiters would minimize the impact on the adjacent neighborhood to the south. On the north end at Harvey will be Dunkin Donuts whose traffic will be affected by the limiters. He did note that the limiters will also affect the neighbors.

A trip generation, Exhibit 5, was based on office space above, retail below, and a health club. The data was based on a suburban location without nearby public transportation.

Exhibits 6, 7, 8 also related to traffic data. Dunkin Donuts was added to the data. Coming north across Highland, there would be 6 additional trips in the a.m. and 6 in the p.m. On Harvey there would be 20 in the a.m. and 14 in the p.m. Mr. Hamilton said this represented a minor impact. Delivery trucks must come in from the north and exit from the parking area. The vast majority of trips will be to retail. Trucks will be mostly Fed Ex and UPS, except for restaurant deliveries.

Commissioner Rouse asked about the amount of traffic that would be pushed over to Cuyler and to Lombard. Mr. Hamilton said he could look into this. Chair Bolte said she would like the commission to have this data. Chair Bolte also asked for information on delivery schedules, for instance for Bar Louis, Marion Street Cheese Market and Winberie's. Mr. Hedlund said he will gather the information and get it to the commission.

Commissioner Moran asked whether information on complaints about Bar Louie traffic could be obtained from Building and Property Standards of the police department.

Commissioner Roberts asked how many Village parking spots there are currently and what would happen to the people who use those spots. Mr. Hedlund stated there were presently 76 spaces, and the development would provide night parking for residents of multi-family buildings in the area. Commissioner Belenke asked about current use of that lot. Mr. Hedlund said he will look into this and get back to the commission. He said current use includes some 24 hour permit parking, some overnight permit parking, and

some park district vehicles. He added that he understand that the number of spaces must be maintained during the construction period, and the developers will accommodate that.

Commissioner Moran asked about strategy for soil management and storage tanks. Mr. Hedlund said the state provided letters saying that no further remediation is needed for this property. There was previously a tank on the Dunkin Donuts sight. Commissioner Rouse asked about migration and whether a phase one study was done. Mr. Hedlund replied that he would prove the EPA letters for all the parcels.

Commissioner Belenke noted this is a matter of commercial vs. residential needs. He asked about the process, whether the site was secured before the development was designed or visa versa. Mr. Hedlund said the development team was inspired by the Madison Street Corridor Plan. He noted that the plan also meets the goals of Character District 2.

Commissioner Moran said there is a wide variance between the tax analysis of the Village and that of the developer. Mr. Nevin explained that the developer's analysis included increase revenue from the county, the park district and the schools. The Village studies looked only at revenues for the Village. He offered to provide further detail. Commissioner Moran asked Mr. Failor if the statement on the difference in figures was accurate. Mr. Failor said he would check into this.

Commissioner Rouse noted that having the park district as a tenant would decrease tax revenue. Mr. Nevin pointed out that the park district building could be re-developed for use that would bring in tax revenue.

Commissioner Guarino asked if there were any alternative to the use of the bridge over Highland for parking spaces. Mr. Hedlund said this plan allows for a more efficient use of the land. Asked about payment for parking, Mr. Hedlund said the ground floor would have meters and the second floor would be gated with assigned spaces.

At this time, Mr. Fleener summarized LEEDS certification points. The presentation concluded.

At 9pm Chair Bolte called for a ten minute break.

Meeting reconvened at 9:10 pm.

## **CROSS EXAMINATION OF APPLICANT**

**Warren Schmaus, 521 South Highland.** Mr. Schmaus referred to a slide showing the development next to the residential area, and asked about the effect on property values. Mr. Hedlund stated that in other similar developments with active retail and parking for neighbors, values have risen. Chair Bolte asked Mr. Hedlund to provide documentation..

Mr. Schmaus asked why the developer could not build to code, without requesting variances. Mr. Hedlund explained that as part of the P.U.D. process the applicant can ask

for allowances to make a development that will benefit the community. He stated that 74,000 square feet with required parking can not be achieved without allowances.

Mr. Schmaus asked who would be responsible for maintenance. Mr. Hedlund replied that since this would be a green LEED certified building, it must be maintained, and this would be in the best interest of the condo. This will be included in the condo document.

Mr. Schmaus said he would like to see evidence that the development will stimulate the economy and attract tenants.

**David Kralik, 526 South Highland**, recalled a meeting in January where the neighbors felt the development was more Oak Brook than Oak Park. At that time, the architect said he would review the design. Mr. Kralik asked what happened. Mr. Hedlund said these comments were heard, but the developers need to get the response from the Plan Commission on the original plan submitted. They could not present something now that was different than the original proposal. In the future, submissions will show an attempt to respond to concerns expressed by the commission and the neighbors. Chair Bolte said the commission would like to see the notes from that meeting. Mr. Hedlund agreed to provide them.

Commissioner Belenke asked Mr. Kralik what in his opinion would an Oak Park development look like. Mr. Kralik felt the massing in the current plan is too much and does not keep with the architectural values of Oak Park. He said there was no character evident in the design.

Mr. Kralik said that earlier versions of the plan included cul de sacs. Mr. Hedlund explained that the cul de sac process must be initiated by neighbors. He added that he had heard comments from neighbors that it would not be fair to put a cul de sac on one street and not the other. He is still open to cul de sacs on one or both streets, but this is not up to him. Chair Bolte asked if there had been any discussion with the Transportation Commission on this issue. Mr. Failor said a cul de sac would create more traffic on the next street and that both the Fire and Police Departments have indicated that they do not want any more cul de sacs as they prevent access for emergency vehicles. He said the plan was reviewed by the Village Engineer.

Mr. Kralik asked why the bridge would supersede the need for light on the street for the neighbors. Mr. Hedlund stated that the shadow will not be cast on any house and asked whether neighbors would prefer to see the connection lowered. Mr. Kralik said they would prefer to see it eliminated. Mr. Hedlund said they would look at this.

Commissioner Moran asked Mr. Kralik if he did not like the greenery or ivy. Mr. Kralik said that while he understands the need for commercial development on Madison, the parking bridge is a visual distraction.

Mr. Kralik asked if there was consideration of offering free parking for retail, because if there are meters, people will look for street parking, especially those who are dropping off kids to gymnastics. Commissioner Hedlund said the hope was to work with the Village and the neighbors to restrict neighborhood streets to neighbors only, and to put

meters on Madison Street. He said all drop-off would be off-street. Chair Bolte said the parking issues should be discussed by the Transportation Commission. Mr. Failor said there should be a plan for that commission to review. Chair Bolte noted that in the past the commission has required a traffic study be done after a development is in place for six months.

Commissioner Guarino asked when the commission might see the revised plans. Mr. Hedlund replied that he anticipated comments that would require changes be made. (He did not at this time specify a time frame.)

**Mary Bird, 537 South Highland** asked about the height of the wall on the cross way where the cars would be parked. Mr. Hedlund said it was 7' high (3' structure, 4' wall.) Ms. Bird asked if the developers had spoken to the Police Department or Township Youth Services regarding safety. Mr. Hedlund said the structure was designed to meet safety requirements. As for speaking to Youth Services about the height from the ground to the ledge, Mr. Hedlund said it meets code and that he could not design something to ensure that children would not do try to do dangerous things.

Ms. Bird asked who the minority business people were that Mr. Hedlund had referred to. Mr. Hedlund stated that this referred to Mas Takaguchi, and also the use of minority sub-contractors.

Ms. Bird asked if there were a residential component to the development. Mr. Hedlund said this was prohibited.

Ms. Bird asked if there were a contract with the Village when the property was purchased. Chair Bolte stated that this information was not pertinent to the application process. Mr. Hedlund stated that the approval being sought for for commercial and retail only.

Ms. Bird asked about the parking ramp and whether the police department had been consulted on it. Mr. Hedlund said the plan was found compliant by both the police and fire departments.

Ms. Bird asked about the lighting. Mr. Hedlund said the two criteria for the lighting were safety and that it does not reflect light on the neighboring homes.

Ms. Bird asked about security personnel. Mr. Hedlund said there would be a security system involving cameras and monitors. A private security company watches the monitors. The only patrolling of the lot would be to check meters.

Commissioner Moran asked Ms. Bird if there were anything regarding the current parking there that concerned her. Ms. Bird stated that a covered parking lot allows for more activity.

Chair Bolte suggested the condo document could include provisions for security. Mr. Hedlund said the doors would be locked after hours, and that the condo association would develop their own security system.

Ms. Bird asked about the safety of children visiting the roof garden. Mr. Hedlund said visits would be supervised. There would not be open access due to liability concerns. Asked whether there would be walls around the roof, Mr. Hedlund said there would be some sort of proper barriers.

Ms. Bird asked about drop-offs of gymnastic students. Mr. Hedlund said they would be dropped off on the first floor and takes the stairs or the elevator.

Asked about the height of the towers, Mr. Hedlund again stated that the roof height would be 58'8" and the parapet wall 62'2". The unoccupied design element would be 79'.

Ms. Bird asked about the purchase of the house south of the alley. Mr. Hedlund said that was an independent purchase not related to the development. Ms. Schuler clarified that the property is not part of the development plan, and whatever goes in there will not be associated with the development. Mr. Failor noted that the house is in a residential district and there could be no commercial use without submitted and obtaining approval for re-zoning. Were such a request to be made, neighbors would be notified.

Ms. Bird asked Mr. Hamilton if the park district traffic was included in the traffic study. Mr. Hamilton said it was. He agreed to incorporate figures from the gymnastics center as well.

**Paul Hamer, 737 South Lyman, owner of property at 632 South Highland.** Stated he had previously served on several commissions including Transportation and the Cul de Sac Committee. Mr. Hamer asked Ms. Schuler if there were more than four partners. Ms. Schuler stated there were four partners. Mr. Hamer asked about financing. Ms. Schuler said financing was being done through a bank. Mr. Hamer asked about the square foot purchase price of the Marani property and the Village property. Attorney Martens asked how this would be relevant to the standards. Chair Bolte stated that this matter was not in the purview of the commission. Attorney Martens suggested that Mr. Hamer could look this up in public records.

Mr. Hamer asked if all communities have zoning requiring a certain number of parking spaces. Mr. Hedlund replied yes. Mr. Hedlund asked if the requirements vary by community or are AIA standards. Mr. Hedlund said there are no AIA parking standards.

Mr. Hamer asked if Oak Park requires one space per 500 square feet for commercial space. Mr. Hedlund said this was true. Mr. Hamer asked about restaurant parking. Mr. Hedlund said it required one space for per 500 square feet, and that this development meets that requirement.

Mr. Hamer said 82 surface spaces would be lost. Mr. Hedlund stated these are not public spaces, but permitted spaces. Mr. Hamer said there are 24 hour spaces that people depend upon. Mr. Hamer said that 151 spaces will be adequate and three will be provision for 24 hour and overnight parking.

Commissioner Rouse stated for the records, that there are currently 79 spaces.

End of cross-examination by residents.

Commissioner Rusczyk said that the back of the building seems institutional. Mr. Fleener said the design is taking advantage of the southern expose and that solar energy is an important piece.

Commissioner Rusczyk noted that the building has fewer setbacks than the neighboring homes. He asked if there were any thought to having the same setback. Mr. Hedlund stated that the setback meets requirements and noted that Madison Street is supposed to go lot line to lot line.

Chair Bolte said the hearing will be reconvened on June 18<sup>th</sup>. At that time public comments will be heard. Individuals will be allowed to speak for three minutes apiece.

Mr. Failor said the requested materials should be submitted by June 10<sup>th</sup>.

**ADJOURNMENT**

Commissioner Moran moved to adjourn the meeting. The motion was seconded and passed unanimously.

Meeting adjourned at 9:25 pm,

Elizabeth Melara

Recording Secretary