

**APPROVED MINUTES - SPECIAL BOARD MEETING
PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK PARK
HELD ON MONDAY, MAY 23rd, 2011 AT 7:00 P.M.
IN THE COUNCIL CHAMBERS OF OAK PARK VILLAGE HALL**

I. CALL TO ORDER

President Pope called the meeting to order at 7:00 p.m.

II. ROLL CALL

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope
ABSENT: None

III. ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF LABOR AND LITIGATION

In compliance with the Open Meetings Act, it was moved and seconded to adjourn to Executive Session for discussion of labor.

IV. RETURN TO OPEN MEETING 7:30PM IN COUNCIL CHAMBERS

PRESENT: Trustees Brewer, Hedges, Johnson, Lueck, Salzman and Tucker; President Pope
ABSENT: None

The Special Meeting reconvened at 7:33 p.m. in Council Chambers.

President Pope stated that the Consent Agenda would be moved to the front of the Agenda.

VI. CONSENT AGENDA

- B. Resolution 2011-R-60 entitled **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WISS, JANNEY, ELSTNER ASSOCIATES, INC., FOR ONGOING CONSULTING ENGINEERING SERVICES AT THE HOLLEY COURT PARKING GARAGE IN AN AMOUNT NOT TO EXCEED \$18,800 AND WAIVING THE BID PROCESS**
- C. Resolution 2011-R-61 entitled **RESOLUTION AUTHORIZING A PARKING LOT LICENSE AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND JOSEPH DOMBROWSKI FOR THE USE OF LOT #116**
- D. **Motion Referring Applications for a Special Use and Zoning Ordinance Text Amendments to the Plan Commission to Hold a Public Hearing for Forest Park National Band and Trust Co. Relative to the Drive -Through Bank Facility with ATM Located at 715 South Boulevard**

APPROVE THE CONSENT AGENDA

It was moved and seconded to approve the items under the Consent Agenda.

The roll call on the vote was as follows:

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

NAYS: None

ABSENT: None

The Consent Agenda was approved.

V. REGULAR AGENDA

- A. **Consideration of Plan Commission's Recommendations and Findings of Fact as Proposed for 820-832 Madison Street & 436 South Grove Avenue (Interfaith "Housing Development") to Approve the Applicants Request for Planned Development Approval and Direct Staff to Prepared the Necessary Documents Continued from the Regular Meeting of May 16, 2011**

President Pope read the names of those who wished to address the Board; there would be testimony from three opposed and three in favor of the project.

Joni Strand, 410 S. Grove Ave. Ms. Strand stated that this project will not address the greater need, both now and in the future, of housing for low-income seniors and individuals with mobility limitations, as suggested by the HPAC Report.

Chris Koertge, 534 S. Grove Ave. Mr. Koertge noted the vacant retail spaces currently on Madison Street and expressed concern that the retail portion of this building also would remain vacant.

Amy Pappageorge, 430 S. Grove Ave. Ms. Pappageorge stated that Interfaith has yet to provide specific information regarding financial support. She added that, although there is 100% opposition to this project from those living on her block, they do support affordable housing that prevents the profiling of a building and avoids stigma.

Jim Schwarber, 732 S. Maple Ave. Mr. Schwarber stated that this project will benefit families by allowing residents with disabilities to live independently but remain near their families. It will also benefit businesses by enabling low-wage employees to live near their jobs, resulting in less absenteeism and turnover as well as more local spending.

Anne Frueh, 617 Wenonah Ave. Ms. Frueh spoke in support of the development, stating that with or without developmental disabilities or physical impairments, it is difficult for young people to support themselves; there is a real need for this type of housing in Oak Park.

Dave Roth, 714 N. Humphrey. Mr. Roth, representing Good Shepherd Lutheran and United Power, stated that this project is very much in line with the Village's Diversity

Statement. He spoke in favor of affordable housing and said that the Plan Commission has made it clear that there is a need for it in Oak Park.

President Pope noted that Village Planner Craig Failor and Plan Commission Chair Linda Bolte would be answering questions from the Board. The area of discussion will be compliance with the Zoning Ordinance; height, density, setbacks, and other physical items.

Trustee Brewer asked whether two variances were needed for commercial and residential parking or if this would be just one. Mr. Failor stated that one variance was requested for reduction of parking in general. The residential and commercial parking requirements have been consolidated into one category; the Zoning Code allows for these to be combined for a mixed use building.

Trustee Salzman asked for clarification regarding parking gained by the addition of a cul-de-sac. Village Engineer Jim Budrick stated that the cul-de-sac would require the removal of five trees for the addition of three spaces.

Trustee Johnson asked about the accessibility for future use of the parking lot on Oak Park Avenue and Madison Street. Parking Services Manager Cara Pavlicek said it is recommended that once 60% of the total units accommodate residents with cars, Interfaith should petition the Village to expand the on-street overnight permit parking zone in their area to include spaces on Grove. She added that on-street parking adjacent to the building is considered more desirable for residents than walking across Oak Park Avenue.

Trustee Lueck raised the subject of a diverter as an alternative to the cul-de-sac. She noted that no decision needs to be made until traffic flow data is looked at.

President Pope stated that the proposed variances in height and density are small, but expressed concern about adequate parking in the event of further commercial development in the area.

President Pope referred to the petition for a cul-de-sac on Grove and noted that this contributes to increased home values and could benefit traffic flow and increase parking availability. If this is recommended, it could be completed at the same time as landscaping to create a uniform look. He suggested that this proposal be addressed after other topics this evening.

Trustee Johnson asked about the purpose of a property manager. The applicant indicated that there will be a full-time property manager and a maintenance person on-site during normal business hours and a resident manager after hours.

Ed Solan, Executive Director of the Oak Park Residence Corporation (OPRC), confirmed that the OPRC would have a full-time professional property manager on site during normal business hours, in addition to a full-time maintenance person during those hours. The resident manager would be a tenant who could address any after-hours issues, such as residents getting locked out of their units.

President Pope turned the conversation to the next item, demographics.

Trustee Lueck stated that all who spoke during the public comment portion of the last meeting expressed the need for affordable housing. She noted that this development provides affordable housing with supportive services. The project meets a goal of providing support that low income people may not have access to from family or friends and which may help to improve their life opportunities. She raised the subject of concentrated poverty and noted that a small population of low income residents within a broader context that provides a rich array of social services, transportation and jobs allows these people to be successful and move up the economic ladder.

Trustee Hedges spoke about diversity: a diverse community requires diverse neighborhoods, blocks and buildings. He felt that this building did not meet that requirement. He was not necessarily concerned about a concentration of poverty but about the building being identified in this way.

Trustee Johnson saw this as a diverse building, accommodating not only low-wage workers but also senior citizens and people with disabilities.

Trustee Salzman referred to setting a minimum percentage of residents who live or work in Oak Park, and noted that the applicant would not attach any specific fixed percentage to resident requirements because the project needs flexibility on this topic to secure funding.

Mr. Solan stated that in order to secure funding, the developers will need to negotiate a standard for use that provides a preference but doesn't represent an exclusion. The majority of residents who are admitted to the building will receive the local residency live or work preference, however, there will be a certain percentage of residents who will be admitted into the building who do not currently live or work in the community. They need to remain flexible to have some negotiating ability with the financiers.

Trustee Salzman asked what the background checks would consist of. Mr. Solan said they would include a credit check, interviews with previous landlords and a criminal background check.

Trustee Brewer commented that it is inappropriate to require a developer to do criminal background checks.

President Pope agreed and said that by taking something that the Residence Corporation has indicated as standard procedure and building it in as a requirement raises the issue of requiring this of all other prospective rental developers.

There was a brief discussion regarding the background check policies of both Interfaith and the Residence Corporation. Background checks have been used at other properties to identify areas of possible support or social services which may be needed by an applicant.

President Pope asked if there would be any housing choice vouchers connected to this development. Mr. Solan stated that there would be no project-based Section 8

vouchers attached to this building, although there may be tenant-based vouchers, which are not tied to a particular property.

President Pope summarized the demographic discussion and then turned to questions about economics.

Trustee Lueck noted that the retail portion of the development is competing with many other vacant spaces in a poor economy and said that at some point an alternate use may need to be considered.

Trustee Tucker asked Perry Vietti of the Interfaith Development to explain the financing strategy and use of tax credits. Mr. Vietti explained that four to five sources of financing will be needed, which is typical for affordable housing developments. In most of these developments, the low-income tax credit is a key source of funding, with IRS tax credits to investors. He stated that in general, financially strong entities with large federal tax liability usually purchase these credits.

Trustee Salzman asked Business Services Manager Loretta Daly if she would be involved in recruiting for the retail space. Ms. Daly replied that Business Services as well as the Oak Park Development Corporation will support any recruitment efforts, through services of the Village. She added that, although it may currently be difficult to recruit retail developers, this is also very viable for other commercial uses and can be built out appropriately for individual developers.

Trustee Johnson stated that the Madison Street Corridor Plan requires commercial space on the first floor. He concurred with Ms. Daly, stating that the focus of this space should be commercial and not specifically retail.

President Pope commented that whatever the use, it should be consistent with what's been identified in terms of what an optimal, desirable use mix would be along that portion of the Madison Street corridor.

Trustee Hedges spoke regarding the ability to put something into the agreement that would ask the developer not to object to taxes.

Trustee Johnson stated that there were already 21 conditions on this proposal. He suggested that they allow the tax process to work without adding conditions.

President Pope referred to the Plan Commissions Findings of Fact Recommendations.

It was moved and seconded to approve **The Findings of Fact as Presented by the Plan Commission to the Village Board.**

It was moved and seconded to approve **Removal of Number 3 (in reference to requiring criminal background checks) from the Conditions of the Plan Commission.**

The requirement of criminal background checks by the developer was discussed.

The roll call on the vote was as follows:

AYES: Trustees Brewer, Johnson and Lueck
NAYS: Trustees Hedges, Salzman and Tucker; President Pope
ABSENT: None
The motion was defeated.

It was moved and seconded to approve **Amendment of Number 3 to Read as Follows: In accordance with standard practices for supportive housing and with the applicant's own standards, the applicant shall require and conduct a written criminal background check for all residents prior to signing any lease with the potential resident.**

The roll call on the vote was as follows:
AYES: Trustees Hedges, Salzman and Tucker; President Pope
NAYS: Trustees Brewer, Johnson and Lueck
ABSENT: None
The motion was approved.

President Pope raised the subject of the cul-de-sac and stated that this would be the only compensating benefit to residents in the area.

Trustee Lueck said that the residents should go through the proper procedure within the Village in order to build a cul-de-sac; it should not be tied into this project.

Trustee Hedges agreed and noted that allowing this may set a precedent.

Trustee Salzman stated that he would be willing to consider it if it can be done at a reduced cost and without removing as many trees, as it appears there's a demand for this on that block.

Trustee Brewer commented that he would be willing to entertain it at a later time if it is determined to be needed as a result of increased traffic. To approve it now would send the message that the Village based it on a perceived problem that may not exist, or on some characteristic that makes this property different than other property in the Village.

Regarding Number 14, Trustee Lueck noted that the sentence regarding bioswales should be removed, as they will not be used.

It was moved and seconded to approve **Amendment of Number 14 by removing the Following: The Subject Property's landscaping shall include bioswales (low vegetated ditches that carry and filter storm water) around the parking lot consistent with the Community Design Recommendations.**

A voice vote was taken and the motion was approved.

The Trustees thanked all who are involved with this project and made brief comments regarding the development.

The roll call on the vote was as follows:
AYES: Trustees Brewer, Johnson, Lueck, Salzman and Tucker; President Pope

NAYS: Trustee Hedges

ABSENT: None

The motion was approved.

VII. ADJOURN

It was moved and seconded to adjourn the meeting. A voice vote was taken and the motion was approved. The meeting adjourned at 11:55 P.M. Monday, May 23, 2011.

SUBMITTED AND RECORDED IN THE OFFICE OF:

By: MaryAnn Schoenneman
Interim Deputy Village Clerk

Teresa Powell, Village Clerk