Presentation in Opposition to Planned Development application PC 17-01:
1000 Lake Street; Albion Residential LLC
August 3, 2017

Joshua Klayman, Brian Hammersley, Laura Stamp

Members of the Plan Commission and community, thank you for your attendance at these meetings as we, together, decide what the future of our village will look like. We thank the Commission for granting us this opportunity to present this independent analysis of the Planned Development application you are now considering.

Our presentation will be made by three members of the coalition that wrote the report *Appropriate Development at 1000 Lake Street: An Independent Citizens' Analysis*, which was previously distributed to the Plan Commission. All three presenters are long-time residents and taxpayers of Oak Park. I'm Joshua Klayman. I'm Professor Emeritus at the U. of Chicago Booth School of Business, with a specialization in managerial judgment and decision making. My colleague Laura Stamp is an educator in the Oak Park public schools and heads the community environmental group known as the Austin Guards.



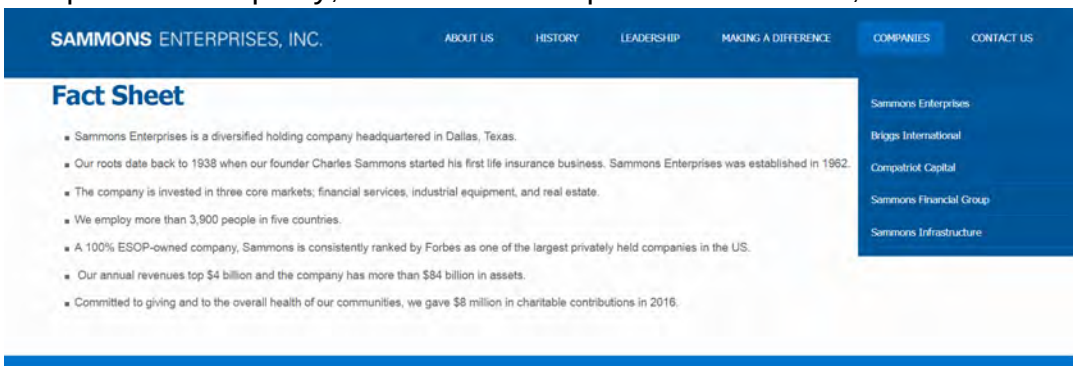
Our colleague, Brian Hammersley, is an architect and coordinator of Oak Park Development Watch. Brian cannot be here tonight, so I will present his section on his behalf.



HAMMERSLEY ARCHITECTURE

Oak Park Development Watch ✓ Joined
722 members · 12 active posts
A common place for all information about upcoming developments in Oak Park. So often we get bits and pieces of the news from our different facebook groups, other resid...

During the last two meetings, you heard a well-prepared, 4 ½ hour marketing pitch from Albion Residential, drawing upon the 85 Billion dollars of assets of Albion's parent company, Sammons Enterprises of Dallas TX,



and their experience in making similar pitches to towns across America. The citizens of Oak Park who oppose the project are restricted to limited public comments and volunteer labor. We must rely on you, Plan Commissioners, to stand for the interests of the customers, visitors, and especially, the residents of Oak Park.

We have been granted just 25 minutes, so we will only be able to touch on some of the key reasons why the Plan Commission should not—indeed must not—approve this proposal. More details, along with data, evidence, and analysis are found in the two written reports we have provided to the Commission.

This Commission is doing an excellent job of examining the details of this proposal. We ask you now **to set down your magnifying glass and pick up your binoculars.** The point is not that this is a flawed execution of a project—The point is that this is the wrong project.

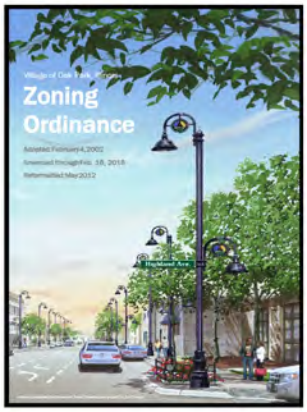
This not just about the bad effects of this project on Austin Gardens, although the damage to Austin Gardens is cause to reject this application.

This is not just about the wishes of Oak Park citizens, although the desire of residents to preserve the character and quality of life of the Village is cause to reject this application.

This is not just about the bad economics of this project, although the hidden, long-term cost of this project for the taxpayers is cause to reject this application.

It is about all of these, <u>and</u> the fact that there are legal requirements for approval of a Planned Development, and this proposal substantively violates nearly <u>all</u> of those requirements.

One key stipulation in the Zoning Ordinance is this:



> 3.9.1.G.5. The burden of providing evidence and persuasion that any planned-development permit meets the standards set forth below shall, in every case, rest with the applicant.

Why put the burden of proof on the developer? Because if this is a mistake, it will be there for the rest of your life, the rest of your children's' lives, the rest of your grandchildren's' lives, and the rest of your great-grandchildren's lives.

Paris, France had a longstanding height limit, too. In 1969, a developer convinced the city to bust those limits and let them erect a massive tower called the Tour Montparnasse.



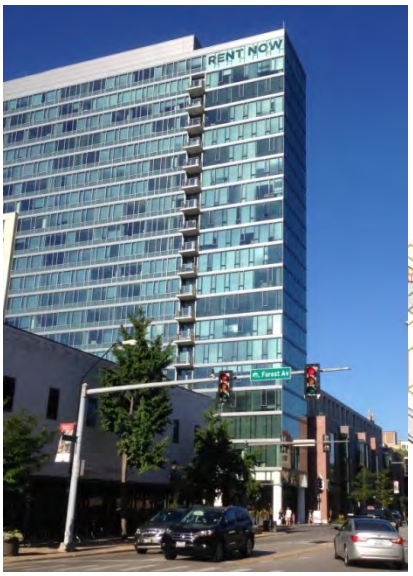
That building is now widely regarded as the most hated building in Paris, and one of the most hated buildings in the world. But there it will stand for centuries.

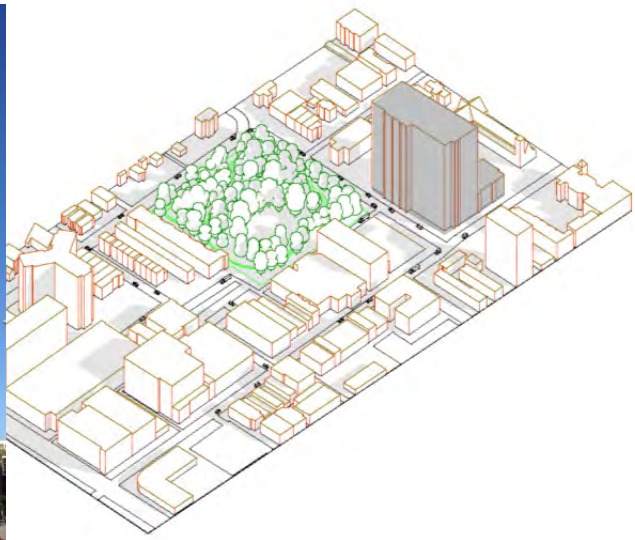
Why are some powerful individuals in Oak Park so set on eliminating Downtown Oak Park as we know it, and putting in its place a corridor of massive glass high-rises, with all of the chain stores you can find in Chicago or Hinsdale or Dallas?

Why are they so sure that they know better than the team of expert architects and urban planners who created the Downtown Oak Park Master Plan and the independent team of experts who confirmed that vision in the Envision Oak Park Comprehensive Plan just a few years ago?

Why are they so insistent that their vision should triumph over the wishes of the residents of Oak Park, who just elected three trustees who expressed their opposition to this transformation of our Village? In our public outreach we have found 80 to 90% of Oak Parkers oppose construction of a new high-rise on this site. And we today present the Commission with documentation of over 3000 signatures on petitions opposing the Albion plan.

Our Mayor complained at a recent Trustee meeting that the Park District had riled up popular opposition to the proposal. But no, what really stirred up opposition to Albion was the appearance of the huge, gray, monolithic wall in the middle of Lake Street commonly known as the Vantage building. That was a wakeup call for many Village residents.





The speed at which this transformation is taking place is nothing short of frightening. The Village's Project Review Team shows 832 dwelling units completed or approved for downtown since 2016.

Residential Greater Downtown Plan =	**1,200 du.**
Various developments (2005-2016)	347 du.
Vantage (Complete)	271 du.
Oak Park Station (Under Const.)	270 du.
Lincoln (Approved)	263 du.
District House (Under Const.)	28 du.
Albion (Proposed)	**265 du.**
TOTAL (if all developed—120%)	**1,444 du.**

That means another 1200 or 1500 additional residents. And most of that has yet to even come on-line.

Does it not make sense to wait and see the effects of those ongoing projects before charging forth with more of the same?

Albion wants to argue that, hey, we already have Vantage and three other big high-rises going up, so why not build some more. But such thinking is explicitly rejected in Village Zoning Ordinances:

> 3.9.1.G.4. Each planned development shall be presented and judged on its own merits. It shall not be sufficient to base justification for approval or denial of a development upon an already existing planned development….

We turn next to the economics of this proposal. Then we will discuss why the Albion proposal fails to meet the legal requirements that would allow its approval. Then, Laura will talk about the human impact of the proposed development.

Albion touts the increased tax revenue that will accrue from its development. This is a common pitch by developers, but one that does not hold up to scrutiny. To talk about increased revenues is to "book" only half the numbers, because additional residents and businesses cost the Village and the School District in the extra services required. The May 30 Appropriate Development report cites

multiple studies by economists and urban planners that unanimously conclude that increased population density does not lead to lower property taxes because, as a Federal Reserve Bank study put it, "people 'simply don't pay for themselves.'"

Even if we take Albion's questionable $815,000 estimate at face value, this project adds about .4% to property tax revenues ad adds about .8% to Village population. Oak Park does not come out ahead. Similarly, the projected sales tax revenue will be offset by the extra cost of Village services to the new retail outlets.

Let's consider the school districts. According to the Village's Project Review Report, we can expect about 30 additional school-aged children. (Albion's lower estimate is not credible.)

Districts 97 and 200 together would, by Albion's figures, receive $498,000. According to the Illinois Board of Education, the 2018 cost of educating those 30 students will be between $446,000 to $700,000, meaning anywhere from a trivial gain to a significant net loss to the Districts.

What if some other, appropriately scaled building were to be built there? District House, a much more appropriately-sized development on Lake Street, cited an estimated tax bill of $720,000. Thus, the increment in taxes for a massive Albion high-rise vs. a site-appropriate building might well be less than one tenth of one percent, with a much greater additional demand on Village services.

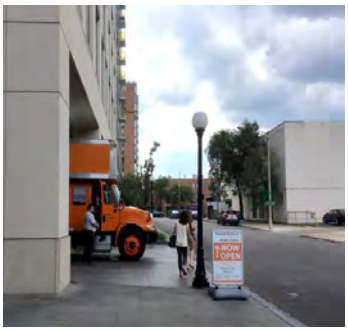
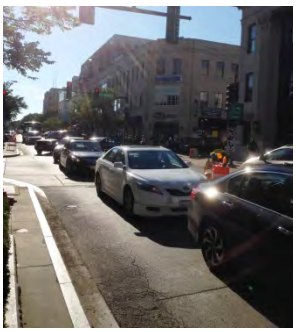
But what about compensating benefits to the community? A so-called "greenway" between two buildings—**less that one tenth of an acre,** bereft of nearly any sunlight, likely a wind tunnel. A "green wall" similarly short on sunlight, bare for half the year. A proposed display of some artwork within the narrow, dark walkway describe above. A bluestone sidewalk. These are not significant benefits to the community.

And what about the promises of monetary contributions? When a developer stands to make tens of millions of dollars on a project, and gets wind of public opposition to it, it is a sound business decision to offer a few percent of the profit to various local groups. Albion apparently hopes that residents will not be offended by the obvious attempt to buy support for an inappropriate project that does not serve the community as a whole. Plus, 40% of the proposed amount is in an escrow fund, with no guarantee it will ever be spent.

And these must be balanced against well-documented problems of car and truck traffic, wind, and shadowing associated with this building. Evidence for

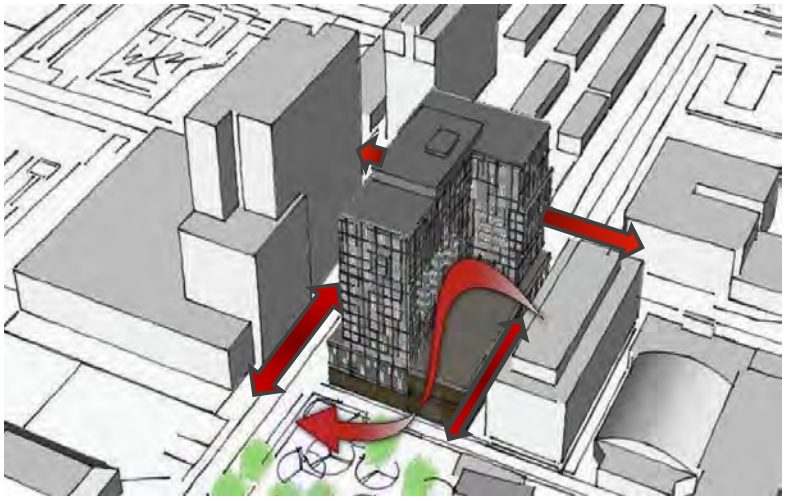
these is provided in the written report, and is even found within Albion's own wind analysis and the Village's own traffic study.

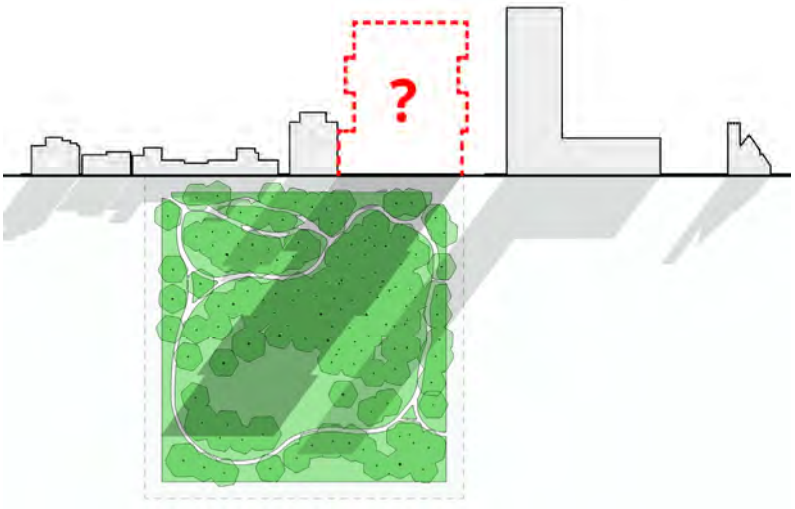


---------- Ontario & Forest ----------

Lake & Marion





In sum: **This project is like a bad pay-day loan**. It promises you quick money up front, you end up paying and paying forever, and the company makes off with a huge profit.

Next, we will talk about how the Albion proposal stacks up against the requirements specified in the Oak Park Zoning Ordinance. We thank our architect-colleague Brian Hammersley for preparing this section of the report.

As our guide, we refer to Article 3.9, sections A through E of the Zoning Ordinance, which addresses Planned Developments. Here, we focus on the criteria specified in Section E. In our written reports, we provide considerably more detail about how this project fails to meet these and other criteria specified in Article 3.9.

E. Through the use of allowances in the planned-development process, the Village seeks to achieve some or all of the following specific objectives:

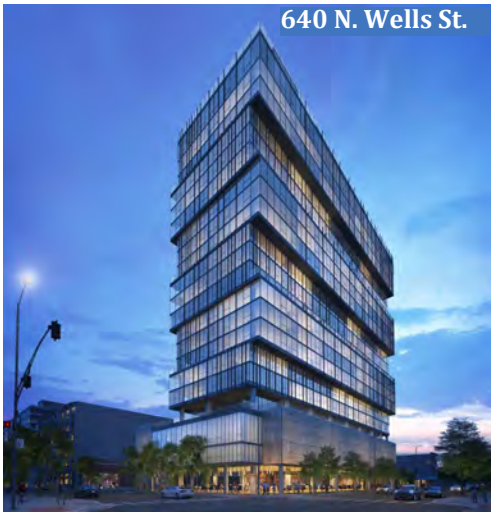
1. Creation of a more desirable environment ... with the use of creative design, landscape, and/or architectural features.

This project is looking to bypass existing setback requirements and build directly to the lot line and does not offer any public amenity on Lake Street. The proposed 'art alley' passage on the west side of the building will be in constant shadow due to its narrow width and adjacent buildings to the west and east. Furthermore, as it is shown in Albion's plans, the exit from this alley into Austin Gardens would not be feasible based on the current location of the new Environment Education Center.

In short, the scheme does not practically work based on what is existing in the park.

2. Enhancement of the existing character and property values of the Village and promotion of the public welfare by ingenious and imaginative designs resulting in a better and more creative use of land.

We do believe that this site should in fact be developed into a new use, but this proposed project hardly reflects either ingenious or imaginative design that is at all site specific. In fact, this project's form and shape hardly take the adjacent park into account at all.



Further, this is a recycled and re-appropriated design put forth by Albion's architect, Hartshorn Plunkard (HPA). JDL Development is currently developing a very similar design at 640 N. Wells. This building is merely a copy.

3. Combination and coordination of the character, the form and the relationship of structures to one another.

The proposed project is woefully out of scale as it relates to surrounding buildings. Albion's myopic attitude regarding what it considers 'surrounding' context seems to only use Vantage and 100 Forest Place as a visual reference.

4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features.

This building makes no effort to preserve or enhance any of the local natural topography, vegetation or geologic features. In fact, it is clear that this building will have a direct and negative impact on the adjacent Austin Gardens. The Park District will elaborate on this point.

5. The beneficial use of open space.

As stated earlier, proposed open space for the project has been relegated to an adjacent alley to the west in between two tall buildings. Albion has requested no setbacks in their proposal, which will in fact encroach upon the remaining public way by exiting building users directly into the public path. Further, this project will actually reduce the value of adjacent open space in Austin Gardens.

6. Promotion of long-term planning … that will allow harmonious and compatible land uses or combination of uses with surrounding areas.

This project proposes to take the entire site and offers no public space whatsoever. Instead of being harmonious and compatible with its surroundings this building will dwarf adjacent buildings, tower over Lake Street, create a canyon on Forest Ave., and cut the sky off from Austin Gardens.

7. Promotion of economic development within the Village.

This is very unlikely to be the case, as we discussed earlier in this presentation and in the written reports. Claims that this development will save businesses from the internet and lower taxes are without foundation.

8. Elimination of blighted structures or incompatible uses through redevelopment, restoration, adaptive reuse, or rehabilitation.

This site needs a new project developed on it, most people agree with this. The Albion project, however, is not a beneficial solution for Oak Park in the short or long term.

9. Preservation and/or enhancement of historical and natural resources.

In addition to dwarfing surrounding buildings and damaging Austin Gardens, this enormous building would be an out-of-scale eyesore immediately adjacent to Oak Park's greatest tourist attraction, the Frank Lloyd Wright Historic District. It is a sad conclusion to a beautiful and historic Forest Avenue and its unoriginal and out-of-place design could have a serious negative impact on surrounding residential real estate values.

The Commission must reject the proposition, no matter how forcefully stated by proponents, that it's Albion or nothing. This is clearly contradicted by the facts—including earlier and new proposals for the site and the fact that there are many successful projects of more appropriate scale in Oak Park, Forest Park, Chicago, and many other communities.





Existing mixed-use and residential developments along Lake Street



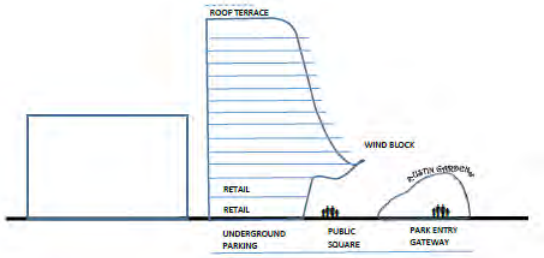


Illustration of a creative alternative at 1000 Lake Street: Courtesy Michael Iversen

The question before the Commission is not "is this better than nothing" (which it is not), but "is this the best plan for this site (which it definitely is not, in the short or long term).

Let us also point out that the Zoning Ordinance also specifies that

> 3.9.1.I. Standards for Review: Comprehensive Plan Standards. The proposed use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan…

and that

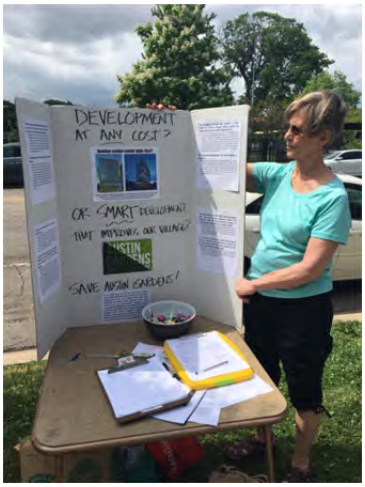
> 3.9.4.A. The purpose of the Downtown - Lake Street Building Height and Massing Overlay District is to protect the unique and representative character of the existing Village streetscape and prevent the construction of buildings which would be disruptive and incompatible with the character of both the street and the Village.

This current scheme is a missed opportunity to create a useful and beautiful project that would benefit Oak Park residents economically and socially for years to come.

A truly innovative and creative design for this particular location should activate not only the site, but the surrounding areas as well. This design should interact directly with Austin Gardens as opposed to just towering over it. We degrade the overall architectural and property value here in Oak Park with projects like these.

Oak Park is a village known for its great architecture, so we have a responsibility to this Village to maintain that standard of excellence in the built work that happens here.

We now turn Laura Stamp, Oak Park resident, science teacher in District 97 and founder of the Austin Guards, who will discuss the human and environmental impacts of this proposed development.



Since January, when Albion made their proposal public at the meeting at 19th Century Club, I have talked to hundreds of Oak Park residents about this development. My first attempt at gathering petition signatures was on one of the coldest evenings of the year, in January, when I stood in front of Lake Theater. My pens kept freezing, but people were so grateful for my efforts that they gave me their own pens. But I'm not alone—many people have voiced their opposition to this project.





And then we planned an event in March that brought 500 people to Austin Gardens attended on a sunny, crisp spring day to show how much this park means to them.



As I talk to people, there are two main themes to the concerns that they share: another high rise will severely affect the character of our village and we need to save Austin Gardens. Josh has spent some time talking about the effects of another high-rise so I will address the concerns about Austin Gardens and the character of our village.

The 2014 comprehensive plan guides this process. I refer you to this page, as it implores us to consider the future and learn from the mistakes of the past. And to consider the character of the village as we seek development.

Celebrating History

Objective 5.2.4. Promote the complete history of Oak Park, including its buildings, cultural "icons", and other aspects, as a way of both celebrating accomplishments and learning from missteps of previous generations.

History is a defining aspect of any community. Today's environment is a result of actions, projects, and policies that may have been established years or even decades ago. It is important that Oak Park residents, staff, elected officials, and others understand as fully as ~~possible the history of the community. This will~~ provide the foundation for understanding the valued characteristics of the village, but will also demonstrate some of the missteps that may have been made along the way. Village government can partner with boards and commissions, residents, and other local entities to develop information that is available for citizens to understand the evolution of Oak Park and the potential impacts of today's actions on future generations.

It is important that Oak Park residents, staff, elected officials and others understand as fully as possible the history of the community. . . to understand the evolution of Oak Park and the potential impacts of today's actions on future generations.

How does this small park reflect the character and values of our village? What did the comprehensive plan say about parks:

Parks, open spaces, and environmental features are critical in defining the character of Oak Park, and they are also the most costly assets to lose since they can take so long to replace.

STATEMENT OF IMPORTANCE

Parks, open spaces, and environmental features offer critical links to Oak Park residents; links to nature in an otherwise urban context; links to the community's history and those who shaped it; links to an active and healthy lifestyle; and links to its identity as a place of harmony between the natural and built environments. Parks, open spaces, and environmental features are critical in defining the character of Oak Park, and they are also the most costly assets to lose since they can take so long to replace.

VISION STATEMENT

The vision statement describes Parks, Open Space, and Environmental Features as they exist in Oak Park in 2030.

Parks, open spaces, and environmental features are a distinctive element of Oak Park's neighborhoods, commercial districts, and public spaces. Parks and open spaces host a broad range of recreational and educational opportunities. They are used by residents of all ages and abilities for sports, activities, reading, quiet walks in nature, instruction, and general recreation. They are also a testing ground for innovative

Page 82

(The Comprehensive Report itself set aside that sentence about parks to be highlighted in blue; this is an image of that page of the report.)

We are all extremely concerned about Austin Gardens and the effect of the building on its trees. And that concern is still valid; despite Albion's assurances, we know that the building **will impact** and **irreversibly change** the park that we know today. So why should we care? There will still be a park. Some trees will be different. The grass won't grow in parts of it. There will be a wall on the south end of the park, but it will have some green stuff on it. And when we want some respite from our cabin fever on a winter day, we'll have a much shorter time to grab some sun in our park, but it will still exist. So why do we need to fight so hard to protect this little park? Why do we care?

Here's why we care:

<u>Links to an Active and Healthy Lifestyle</u>

National Park and Recreation standards suggest that we should have 500 acres of parkland for our population but we have only 82. Every bit of open space is precious.



People of all ages visit Austin Gardens. Residents of nearby Brookdale, a community for senior citizens, regularly walk the paths of the park. Toddlers and teens run through the park, climbing trees, finding bugs and exploring natural areas. Spending time in green spaces has been proven to lessen the symptoms of ADHD for children. Physicians are literally prescribing "forest baths" for people now, recognizing that a walk through trees, listening to birds and leaves in the wind, can be a beneficial mental and physical health treatment.

Nearly 40 years of research evidence confirms that **nearby nature, including parks, gardens, the urban forest and green spaces, support human health and wellness.** The research about active living and opportunities to avoid chronic diseases (such as diabetes, heart disease and respiratory problems) is particularly relevant to large parks . . . *But, equally as important is the role of small parks and nature spaces for health.*



And it's not just during the summer that people enjoy the park. We are a hardy people, out there enjoying it all year long. The shade from an 18 story building would not just affect activities in the

summer. Deep shade thrown by a building in the winter would make this park colder and darker at a time when access to sunshine is especially important for both physical and mental well-being.

Links to Nature in an Otherwise Urban Context

> Goal 6.5 Maintain and Enhance Oak Park's Urban Forest. Trees are one of the defining characteristics of Oak Park. . .trees complement the built environment *to create an idyllic setting that is truly unique.* Policies and projects related to sustaining Oak park's tree canopy should reflect four primary goals; longevity, health, diversity and total tree canopy. The following objectives describe ways Village government can maintain its urban forest and ensure that it is resilient to disease, climate change *and other local* or global influences. (p. 90, Comprehensive Plan)

The north side of Austin Gardens may be the only part of Oak Park that has not changed since the Kettlestrings settled here. Some of the trees in the woodland area are over 100 years old.



In Illinois, only 0.1% of native prairie remains, 99.9% has been destroyed. Since the 1990's, the population of monarch butterflies has decreased 80% in their wintering grounds in Mexico, In Austin Gardens, we have small pockets of precious, rare ecosystems. Right next to the environmental center, in the southeast corner of the park, are garden beds planted with sun-loving native plants that are thriving. And there is a monarch butterfly, enjoying some nectar on milkweed. That photo was taken **in Austin Gardens.**

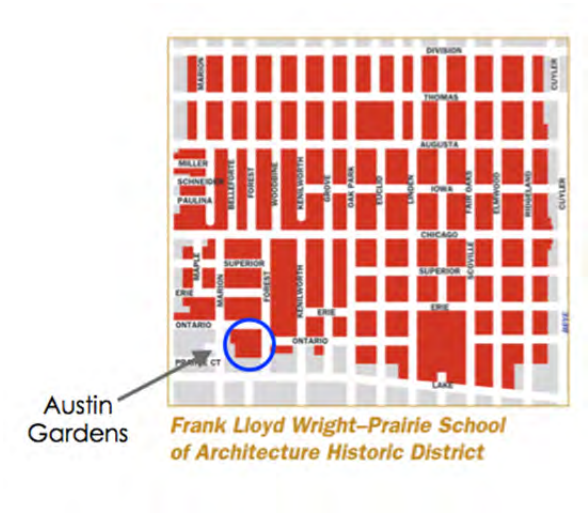


Oak Park recently took the pledge to be a monarch-friendly city. With the Albion building, this garden, which was planted with the expectation of an 80-foot, zoning-compliant building at 1000 Lake Street, will be threatened. To get blooms like this, at least 7-9 hours of sunlight is necessary. With the Albion shading, this corner will be drastically impacted, unable to produce the flowers necessary to

provide habitat for these critically endangered creatures. In addition, Albion's wind study showed that the wind in this part of the park will increase. And what will be the effect of the delivery trucks and increased traffic on the air quality of this part of the park?



The southeast corner is also home to another, somewhat rare ecosystem: the children's garden. As part of the environmental center's programming, there are several raised beds for kids to grow vegetables. Without the sunlight they need, these gardens, and this educational opportunity, will not be available to our kids.



Links to the Community's History and Those Who Shaped It

The land for Austin Gardens was given to Oak Park by the Austin family in 1947. Given that the rich history of Oak Park is what draws many people to visit every year, it is foolish to endanger that heritage by putting a high rise where it will seriously compromise the health of the park and put a wall between downtown and the Frank Lloyd Wright district.

What Do Residents Say?

Many of 3000 people who signed petitions on-line talked about their concern for Austin Gardens and the environment of our village. These are a few examples.

Annette Donlin, Oak Park, IL, Feb 16, 2017: **Oak park gets its charm from its old homes, old trees, scattered neighborhood parks, history and "secret" charms that one stumbles upon while walking through the village. Austin gardens is one of those charms.** It seems to me our "village" is slowly turning into a city. Since when did a village have architecture of modern 10+ stories high? Austin gardens is part of our original village. It is like a mini forest in the middle of our town. A sanctuary for animals, trees, plants and people. Let's stop with all the development and stop to consider what beauty lies in the historical pieces already in place in our community.

Timothy Sullivan, Oak Park, IL, Mar 30, 2017: Austin Gardens is an irreplaceable part of the fabric of Oak Park. We should not put it at risk for the sake of lining a developer's pockets and greed. What makes Oak Park a special place? More thought needs to be put into that by the board. **What do we lose when we build all of these large developments?**

Robin Joyce, Oak Park, IL, Mar 8, 2017: I am signing this petition because **this little space of green is important to me. I enjoy walking through its green shady splendor.** I often sit for a while to read a book on one of the benches. And I enjoy looking to find flowers as an early sign of spring. The area is an oasis for the public surrounded by paved built upon land. Please do not put another high rise here.

Austin Gardens is considered the jewel of Oak Park's parks by many residents. Let's not destroy the character of Oak Park or its natural heritage, but demand a development that is truly innovative, forward-thinking and complementary to Oak Park's heritage and our future.

<u>In conclusion</u>

Each new development takes away a part of the quality of life in downtown Oak Park. It is the **cumulative effect** of all developments **that is negatively impacting downtown Oak Park**, but each development is evaluated individually in solitude. For example, the Whiteco development built over a very nice and secluded pocket park behind the Hoppe Building, which included wonderful evergreen trees, benches and a meandering walk. Gone. Now a portion of Austin Gardens will be in even more shade than cast by the Vantage Building. **Bit by bit, incrementally negative impacts are accruing**, and the sum total is not being accounted for in any review. --Michael Iversen, Oak Park

