Appropriate Development at 1000 Lake Street: Part 2

September 29, 2017
(Replaces drafts of July 27 and August 3, 2017)



World's most hated buildings: Tour Montparnasse, Paris
(Wikipedia)

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1. Introduction

1.1 Purpose of this report. On June 2, Part 1 of this report was presented to the Village of Oak Park Trustees, Planner, Manager, and Clerk to provide Village decision makers with an organized and well-documented analysis of plans for development of the Downtown Oak Park area in general, and of the 1000 Lake Street site in particular. In the months following, considerable further information about the proposal was revealed, and a draft of Part 2 of the report was prepared for the Plan Commission hearings.

This Part 2 supplements the earlier, May 30 report, rather than replacing it, presenting new evidence, analysis, arguments, and questions. These reports were prepared by a coalition of volunteers, including business owners, architects, urban planners, business professors, lawyers, sustainability experts, and other professionals, Members of the coalition behind Part 1 of the report conducted further research and analysis of the application and the applicant's presentation. At the hearings and thereafter, considerable new evidence has come to light. This Part 2 of the report presents new evidence and analyses based on information received since the first report was submitted to the Board. These new analyses provide further support for the conclusion reached by the Plan Commission, that the proposal submitted by Albion for Sammons Enterprises of Dallas, TX must not be approved.

The Village has placed severe limitations on its citizens' ability to speak to their elected trustees on this important matter. Although given some opportunity to speak to the Plan Commission, the opportunity to speak to the trustees about developments at those hearings and thereafter is restricted to a total of three 3-minute comments, during which no interaction with trustees is permitted. Trustees have declined to meet with citizens on the issues, at least in part because of advice from the Village Attorney not to do so. Accordingly, the two parts of this report are the only substantial opportunity to present a balanced, up-to-date analysis directly to the trustees.

1.2 Has the proposal changed? From time to time at the Plan Commission hearings, Albion representatives proposed various minor modifications, including reinstating some of the setbacks, and promising some. As the Plan Commission recognized, none of those changes would significantly ameliorate the proposal's shortcomings.

On September 27, a memo from Albion's Andrew Yule to Tammie Grossman proposed yet another small modification. That modification would affect only one of the many problems associated with this project (shading in the southeast part of Austin Gardens), and appears to make only a small change even in that one respect. (The proposal is compared to an imagined alternative that is

incorrectly identified as by-right; the hypothetical alternative still violates many zoning requirements other than height.)

A local architect consulted on the effects of this last-minute modification stated that "The current Albion proposal is a modest improvement, and provides little additional compensating benefits for requested height and density of use variances. …This week's proposed upper floors setback on the north side by Albion is more appropriate for the scale of high-rises in major downtown centers (NYC, Chicago, etc.), not Oak Park." In a town like ours, it is more appropriate to rely on zoning in which "additional height and density is provided in exchange for additional building setback." A typical, compensating setback requirement for a building of the proposed size would be 60 to 80 feet—quite different from the 0, 5, or 10 foot setbacks proposed. The unintended effect of the developer negotiating with individual trustees and commissioners is a haphazard and piecemeal approach that does not yield an effective, coherent design.

The last-minute modification is interesting in another way. During testimony before the Plan Commission, Albion representatives categorically stated that any reduction in height, to any part of the building, would render the project infeasible. (See the August 29 meeting: http://oak-park.granicus.com/MediaPlayer.php?view_id=3&clip_id=819 at 2:49:02.)

It is unclear which, if any, modifications are actually committed to in the proposal before the Board. Regardless, we have examined the different modifications that have been offered at various points, including the last-minute modification of September 27. We find no instance in which the project's impacts are qualitatively changed. Given the massive dimensions of the project, such small modifications would yield little or no amelioration of the impact of the building on the adjacent streets and park, and in some cases (parking, for one example) they actually make matters worse.

1.3 Consistent official and professional opposition. At every juncture, bodies tasked with evaluating the appropriateness of this type of project at this location have concluded that it is a bad idea. That includes the Downtown Master Plan in 2005, the Envision Oak Park Comprehensive Plan in 2014, and now the Plan Commission of the Village of Oak Park. Each of these bodies comprised relevant experts who spent hundreds of person-hours (and in the first two cases, many thousands of dollars) evaluating evidence, speaking with dozens of different stakeholders, and weighing costs and benefits.

At hearings, some proponents incorrectly claimed that Envision Oak Park contradicted the earlier recommendations of the Downtown Master Plan. Because the Village declined to purchase the 1000 Lake St. property for public

use, the latter plan does not include the idea of a plaza on that site. However, in at least 14 different places, Envision Oak Park reconfirms the applicability of the earlier Master Plan, and emphasizes the necessity that new development be consistent with the existing character of downtown and enhance parks and other public spaces. The supporting citations from the Comprehensive Plan are found on Pages 9 – 12 of Part 1 of this report.

It is also misleading to characterize the Plan Commission decision as narrow. Although the final vote was 5 to 4, only one Commissioner (Glenn Brewer) expressed strong support for the proposal. In addition to the five straight "no" votes, two others (Paul May and Lawrence Brozek) indicated they were prepared to support the proposal only with significant modifications and added compensation.

1.4 Clear and growing public opposition. Between the earlier report and now, public opposition to the Albion-Sammons proposal has continued to mount. In May we reported that "petitions opposing the Albion proposal have gathered approximately 1500 signatures." We can now report that there are over 3700 signatures (about 1900 on-line and 1800 on paper), documentation of which, minus 200 recent additions, has been provided to the Village Planner. The Plan Commission reported a ratio of about 10:1 in the e-mails they received, in favor of rejection. Five people signed up to give comments in support of the proposal; 46 against.

This cannot be dismissed as just another NIMBY outburst. The numbers alone make that clear. As a reference point, consider that in the April, 2017 election, the margin between the trustee candidates with the most and least votes was 2,287. But also, an examination of the 1800 printed petitions will show that signers come from all over the Village, in addition to those from other towns who were in Oak Park as employees or as customers.

1.5 Evidence supporting the application is absent or unreliable. The documents and presentations provided by the developer of course do not provide an impartial analysis. They are a marketing campaign—a campaign honed by Albion's parent companies in many communities across the country, and created by well-funded analysts and professional writers. Nevertheless, many of Albion's statements and claims are not backed by any data, or are backed by analyses that are contradicted by experts not in Albion's employ. Much of the time during the Plan Commission hearings was spent on the question of the adequacy and accuracy of the evidence in the Albion application. For a concise summary of these issues, see the August 29 Plan Commission closing statement of the Park District, found here:
http://oak-park.granicus.com/MediaPlayer.php?view_id=3&clip_id=819
from 1:05:50 to 1:28:45.

The applicants and their attorney sought to argue that to the extent that the applicant's evidence was contradicted by other experts, the ensuing uncertainty meant that the application should be approved. However, Village ordinances clearly state otherwise: "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."

There was no disagreement that the proposed building would hurt trees, soil, and vegetation in Austin Gardens, would interfere with the production of solar energy at the Environmental Education Center, and would reduce the Center's value. Disagreement ensued only over the extent of those negative effects. On each of those issues, contradictory evidence was presented by highly credentialed and experienced experts who had conducted careful studies. Their findings must be granted credibility. Later in this report, we will also present further evidence calling into question Albion's claims about wind, traffic, environmental impact, and economics.

1.6 The myth of compensation. Developers commonly offer compensatory benefits in return for allowing developments that otherwise disadvantage the community. In this case, the proposed compensations are inadequate, uncertain, and inappropriate. Inadequate because they represent only a tiny fraction of the profits that Sammons Enterprises will reap from this project (see Plan Commission testimony, August 29) and because non-monetary compensations are miniscule (see Section 7 of this report). Uncertain because Albion often added phrases such as "if the Board requires" to their promises, and because a large part of the monetary compensation is in escrow, with no specifics about the conditions under which it may be released. Inappropriate because, even if the number is raised, allowing Albion to damage a section of Austin Gardens in return for monetary compensation is **tantamount to selling a piece of the park to the developer**. Whether this is legally permissible is beyond the scope of this report. Regardless, it is not proper to do so.

Claims of other benefits, such as tax revenue, also do not stand up to scrutiny (see Section 7 of this report). 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.

1.7 Call to Trustees. Given the depth and consistency of the advice from these dedicated experts, heeding that advice is the wise decision. Given the clear evidence of overwhelming opposition on the part of Oak Parkers, representing those wishes is being a responsible elected official. Given the clear risks of negative impact and the likelihood that those impacts will never be properly compensated, rejecting this application is the prudent path. Oak Park need not, and should not, settle for a dubious, mediocre development that might not

even be "better than nothing." The Board should insist on better: The customers, visitors, and residents of Oak Park deserve better.

2. Alternatives

At Plan Commission hearings and elsewhere, the proposition has been put forth that, essentially, it's Albion or nothing. As with many other statements by proponents, this one was presented without any support, and was generally dismissed by the Plan Commission. Indeed, that proposition is clearly contradicted by the facts. There are already several viable mixed-use and residential properties along Lake Street, on similar sites, that are of an appropriate size, including the District House still under construction.



Existing mixed-use and residential developments along Lake Street

In fact, an eight-story, mixed-use project was originally proposed by the owners of the 1000 Lake site in 2014, which was presented to the Historic Preservation Commission. Reporter Timothy Inklebarger wrote in the Wednesday Journal, August 17th, 2016:

> UrbanStreet submitted a proposal to the village of Oak Park in November 2014 to tear down the existing two-story office building at the site and construct an eight-story tower that would include 140 units and 194 parking spaces.
>
> The developer presented the proposal to the Oak Park Historic Preservation Commission Architectural Review Committee in 2014, but by February 2015, [Robert] Burk [a managing partner at UrbanStreet] said the proposal was preliminary and UrbanStreet was looking to possibly add more height to the apartment building.

That proposal was withdrawn before being started, but why? One story, unconfirmed, is that the owner was advised by the Oak Park Economic Development Corporation or Village officials to come back with a taller, larger proposal. Regardless, it is clear that an eight-story project at 1000 Lake was

viable enough to be proposed to the Village.

A recent development in neighboring Forest Park also illustrates that smaller projects are economically viable. Frank Kevil, owner of Kevil's restaurant, situated very close to the Harlem and South Boulevard site now under construction. Mr. Kevil recently closed his restaurant and signed a deal to develop a four- or five-story senior residence on the site. Mr. Kevil told the editor of this report (JK) that the deal was sufficiently profitable to fund his retirement from his restaurant business. Of course, each site is different, but Mr. Kevil's story belies the idea that human-sized developments are no longer viable. Consider also the revitalization of the Madison Street commercial district in Forest Park—accomplished without any high-rises to disrupt the street's character.

Proponents also are fond of describing the current building at 1000 Lake as being abandoned. But it must be pointed out that the building is abandoned because the owners forced the retail businesses there to move out. The evicted businesses were viable at the time, and would be again, in an appropriately-sized building.

It would not make sense for a developer to propose an alternative now, while the Albion proposal is still pending, and the powerful Oak Park Economic Development Commission is so comitted to that plan. Once the possibility is back on the table, owners and developers alike will be motivated to propose a new project, hopefully this time one that is appropriate and appreciated.

3. The Vision for Oak Park

Although there are many issues and much evidence to consider, in this case the devil is **not** in the details. More than anything, a decision about the Albion high-rise represents a decision about the future character and quality of life of Oak Park. As long-time Oak Park resident and architect, Debra McQueen put it:

> It boils down to two very different visions for Oak Park:
>
> 1. A small business-friendly, homegrown, locally controlled village, which maintains at least some of the remaining old buildings and human scale [with]…room for personality, eccentricity, and … an obligation for us to support those local businesses whenever we can, even if it means forgoing cheaper online purchases sometimes.
>
> 2. The second vision… is exactly what the developers are seeing… an opportunity to replace what is existing with their vision of large shiny numbers-created money makers. This building will be sold in a year or two, like Vantage has already.

> … My concern can be illustrated by the Chicago neighborhood of Halsted and North Avenue, where I had my office 25 years ago. Underdeveloped at that time, it has become a mall on steroids that you can drive your car through, thoroughly filled with national chain retailers, franchise restaurants and a MegaCineplex….a place I don't want to go near.
>
> The two visions are irreconcilable. But I would like us to try for some amount of balance, some push back. There is literally no kind of protection for what remains of that [end] of Lake Street, except for historic designation of the Marshall Field building. … The more high rises there are, the more [developers will argue that it is appropriate] to build more.

The transformation has never been properly deliberated as a holistic plan for the future of Oak Park, with the comprehensive community consultation that such a major change deserves. And 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. That means another 1200 or 1500 additional residents. And most of that has yet to even come on-line.

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.**

Source: Project Review Report, p. 7

Note that the total of new dwelling units without Albion is 1179—only 21 short of the stated goal. Does it not make sense to wait and see the effects of those ongoing projects before charging forth with more of the same?

4. Economics

4.1 Effect of increasing population density on revenues and taxes

Property tax increases. Albion's report 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. To book only prospective revenues and not costs is akin to the kind of accounting that got Enron and other companies in grave trouble. The May 30 *Appropriate Development* report cites multiple studies by economists, urban planners, and others, published in professional journals, 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.'"

Specifically, Albion estimates that property taxes from their development will be $815,000. This figure cannot be taken at face value—it is based on many unproven assumptions about occupancy, housing prices, tax rates, etc. It also greatly exceeds the property tax revenues obtained from the Vantage Building, with no apparent justification (see page 4 of Appendix 1 for data). But even if one takes that number literally, it would represent only about 0.4% of Oak Park's $200 million annual property tax levy (including all taxing entities). At the same time, the proposed development would add 265 residential units, which would likely attract at least 400 residents. (Albion's estimate of 375 seems extraordinarily low, and seems to assume that couples will not rent studio and convertible units). This will increase Oak Par's population by about 0.8%. With a 0.8% increase in population vs. a 0.4% increase in property taxes, Oak Park is very unlikely to come out ahead. Similarly, the projected $85,000 in sales tax revenue will be offset by the extra cost of Village services entailed by the added retail units and their customers.

Tax Levies for Government Units Serving Oak Park
2016 Taxes Paid in 2017 (Excluding TIFs and Special Service Areas)

Unit of Government	*2016 Total Levy (Paid in 2017)*	*% of Total Tax Bill for '16*
School District 97	$77,402,999	38.9%
High School District 200	$48,962,736	24.6%
Village of Oak Park	$31,296,770	15.7%
Cook County	$7,390,863	3.7%
Oak Park Library Fund	$8,971,648	4.5%
Water Reclamation District	$5,629,813	2.8%
Triton College District 504	$4,575,957	2.3%
Oak Park Township	$4,686,889	2.4%
Oak Park Park District	$9,068,714	4.6%
Miscellaneous Agencies	$1,109,323	0.6%
Totals	**$199,095,712**	**100.0%**

Source: Oak Park Township Assessor's Office

School District losses. This calculation is particularly salient with regard to schools. Albion estimates that Districts 97 and 200 together would receive $498,000 in tax revenue from their building. According to comparisons with other recent developments, included on page 6 of the Project Review Team Report, we can expect about 30 additional school-aged children. (Albion's lower estimate is not credible, and is not mentioned in the Project Review. The Project Review

instead lists data from similar, existing properties—a much more reliable method, especially considering that many residents choose Oak Park because of its high-quality public schools).

What is the cost of educating 30 additional children? According to the Illinois Board of Education Report Card, we spend $14,000 per D97 student, and $22,000 per D200 student (2015). Assuming 2% inflation, in 2018 those 30 students will therefore cost $446,000 to $700,000, against a projected $498,000 additional revenue. That represents anywhere from a trivial gain to a significant net loss to the Districts.

Alternative plans ignored. Another trick in the Albion analysis is that that projected $900,000 in tax revenue represents a comparison to an imagined vacant lot. If the Village decided to honor the Downtown Master Plans for the site, and create Founders' Square, then perhaps that is appropriate. The Village would still be better off in many ways—including economically. In the case that the Village decides that some other, appropriately scaled building be put there, how much tax revenue will then be generated? Perhaps half of the amount Albion puts forth? 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.

In sum, in terms of revenues, the Albion proposal may be very lucrative for Texas companies Sammons Enterprises and OP Partners, but it is a bad deal for the Village. There is **no net benefit to Oak Park taxpayers** from a development of this scale and type, and indeed a likely **long-term monetary cost**.

4.2 Market analysis and projected revenues

Here, we point to research conducted by Sarah Grimsley, who holds a Master's degree in Public Policy and Administration, with specializations in Urban Policy and Planning and Data Science, and who has worked in government budgeting and financial management for over 10 years. Her analyses are presented in full in Appendix 1 and Appendix 2, which were presented to the Plan Commission in August. Ms. Grimsley's analyses are eye-opening—decision makers are urged to read them in the appendices.

Briefly, she points out that Albion is a luxury apartment building, with rents starting at about $1700 for a studio. Albion used the median household income of $80,196 for households in Oak Park for their analysis. However, U.S. Census data says that the median income of non-family households is $43,547, and, given that the vast majority of the apartments are studios and one bedrooms, it's

more likely that single people would rent them. (The Census defines families as households with at least two individuals related by marriage, birth, or adoption. Individuals and unmarried couples would count as non-family households.) At that income level, the rents are unaffordable. Those who stretch to pay this rent would then have less disposable income to support the downtown businesses.

In public comments, citizens also pointed out that many new apartment buildings surround the new Morgan el stop where the McDonald's and Google headquarters are located, and that the West Loop and Randolph Street are arguably the hottest areas in Chicago for restaurant, living and entertainment options. This calls into question Albion's assumption that single people would want to come to Oak Park and pay luxury rents when they could live downtown and walk to that scene. In addition, at the time of the hearings, there were 46 apartments available of the 270 in the Vantage building, so it is only 84% rented, contradicting the applicants' claims of 95% occupancy. The Albion building will add another 265 units to the 241 from Emerson, 263 from Lincoln (at Harlem & South) and 28 from the District House. This increase in units is 20% above the population goals set by the Village. With 562 units coming up for sale or rent without the Albion building, plus a saturation in apartment buildings in Chicago, does it make sense to build this now?

5. Applicability of zoning laws

Vantage is no precedent. Albion points to the recently constructed Vantage building and other nearby high-rise buildings under construction or approved, with the argument (to simplify slightly), "if they can build one, why can't we?" Regrettably, the Village's Project Review Team echoes this fallacious argument (see, e.g., Tables 1, 2, and 3 on p. 3). However, such justifications are explicitly forbidden by 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 except to the extent such development has been approved as part of a site plan.

This paragraph is clearly intended as a defense against exactly the kind of cascade of decisions that Debra McQueen described (p. 8, above): The more high rises there are, the more [developers will argue that it is appropriate] to build more. The logical result of such a cascade is the complete transformation of the character of an area, with each step easier than the last, without any responsible decision-making about whether such a transformation is preferable, viable, or in keeping with the wishes of the community.

Height is only one of the problems. Much attention has focused on the height of the Albion tower. That is indeed an important aspect of why the proposed development is inappropriate. However, it is by no means the only one. Indeed, the Albion application asks for release from **five different zoning requirements**.

At the same time that the Albion high-rise would be 2.5 times the allowable height, it would also be 6.63 times as dense as permitted, by number of residential units. A zoning-compliant building would allow 40 units, in place of the requested 265. The result would be a population density well above the level recommended in the Comprehensive Plan.

The application entails massive deviations from both the height and density requirements that represent well-established values for the appropriate and viable residential density in Downtown.

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TABLE 1—Albion
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	Allowance Type	**Zoning Ordinance**	**Proposed Request**	*Need for allowance*
1	**Height**	80 Feet	199 Feet	109 Feet
2	**Density**	40 Dwelling Units	265 Dwelling Units	225 Dwelling Units
3	**Setback—Corner Side**	5 Feet	0 Feet	5 Feet
4	**Setback—Rear**	10 Feet	0 Feet	10 Feet
5	**Landscape**	5 Feet along East lot line 10 Feet along North lot line	0 Feet 0 Feet	5 Feet 10 Feet

6. Quality of life and appeal of Downtown

6.1 Health and value of Austin Gardens

The Plan Commission spent many hours in consideration of the damage that the Albion proposal would inflict on Austin Gardens. This report will not attempt to review that issue in detail. The topic is covered in the earlier report of May 30, and extensively in testimony before the Commission. In nearly every case, independent analyses challenge those presented by Albion, finding negative effects to be more severe than reported. Here will only discuss the significance of some of the key points that emerged during or following the hearings.

Shade: Austin Gardens and beyond.

In its consideration of the effects of shade from its proposed high-rise, Albion focuses on one particular aspect, namely shade at tree-crown level during growing season. That is of course the thin slice of the picture that shows the least effect. Yet that omits a whole range of other times and places that are just as relevant. Those include consideration of the more extensive shading at ground level, and shading during all the months from late autumn and early spring, during which the shade from the Albion and Vantage constructions will stretch nearly the full length of the park. Affected trees are more prone to disease, which can then spread beyond the immediately affected area.

Increased shading has effects well beyond the tree-crown level. Shading is more widespread at ground level, where ground temperatures and freeze-thaw cycles will be affected, affecting the health of the park's broader ecosystem. Trees and other plantings are affected by shade at lower levels and during months of tree dormancy. For example, the amount of daily sunlight during early spring helps to determine when trees and other plantings emerge from dormancy. Longer shade translates into a shorter growing season. The Plan Commission hearings also included extensive expert testimony regarding the potential deleterious effects to the park's soil ecology, which would have follow-on effects on vegetation and on usability.

The Park District of Oak Park gave compelling testimony that the building would irreparably damage Austin Gardens. Their shade studies show that 35 trees would be affected, including 14 memorial trees (trees donated in memory of loved ones), in contrast to Albion's estimate of 11 trees. Already, the Park District attributes the loss of five trees to increased wind from the Vantage building. Albion's own wind studies show increased wind in the southeast corner of the park, the exact part that is being affected right now. In addition, the children's garden, located right outside the preschool classroom, would have to be relocated somewhere else to receive adequate sunlight, thereby losing the accessibility that is necessary for young children. The increased wind and shade would compromise the preschool as well, making the classroom site less desirable in the morning during fall, winter and spring. The native garden would also lose the sunshine necessary for the blooms that are habitat and food for endangered pollinators.

The award-winning Austin Gardens Environmental Education Center was built after carefully considering the site with the shade from the Vantage building and a potential zoning-compliant eight-story building. Existing conditions allow for a net-zero energy designation with the solar panels and geothermal energy generation. If the Albion building is allowed, the solar panels will be compromised. The building was designed to show residents how energy

efficiency can be achieved, so this would be a significant loss to the community. It was revealed during the hearings that **no viable alternatives are known for relocating the solar panels** to return them to their intended effectiveness.

Albion seeks to promote its proposal by claiming that the destruction caused by its tower would be little worse than that created by an 80-foot-tall building built lot-line to lot-line. But such a building would not, in fact, be Zoning Code compliant. The 80-foot limit is only one applicable code—and Albion know this because it has requested three to five different allowances (depending on the version), including elimination of required setbacks, elimination of landscaping, and—most significantly—a **563% increase in residential density**, which is zoned at a maximum of 40 units.

Furthermore, the width of a double loaded corridor residential building is functionally limited to around 60'. So on this 170'x 200' lot, if you follow the Zoning Code, many different designs and configurations are possible, but they would likely not be more than 4 stories, or else there may be a single 60' wide tower no more than 7 stories, and obviously there is room on the lot to move it to where it would impact Austin Gardens less.

Furthermore, Mark Burkland, attorney for the Park District, made a compelling case that Albion's shade and wind studies were conducted by experts who did little research at the actual site. The shade study was based on observation of the trees in February, before the trees leafed out. The wind study was based on the expert's previous experience, with no models made of the buildings and no actual measurements of wind made at the site. The solar study was also called into question, as the solar expert did not have the placement of the Environmental Education Center in the right place, which would affect the measurement of the amount of sun it receives on the solar panels. The Park District also called in the director of Millennium Park who testified on the detrimental effects of shade on the soil biome. These effects would take at least a year to study conclusively.

Nor is sunlight only for plants or solar panels. People are entitled to enjoy Austin Gardens even during winter months, when sunlight can make a major difference in conditions there (e.g., persistence of ice on walks) as well as the appeal of the park. A special consideration is that Austin Gardens is the one park that is easily accessible to the seniors who reside at Brookdale, who use it extensively all throughout the year.

The effects of a 200-foot tower extend beyond the park as well, blocking sunlight to other nearby buildings. The Vantage building, for example, has cut sunlight by as much as two hours a day from houses behind it on Ontario Street, residents

there report. The Albion building would have similar effects, just slightly to the west.

Festival theatre

Another issue that emerged during hearings, which was not considered earlier, is the effect of the proposed building on the Festival Theatre. There will be balconies facing Austin Gardens as well as an outdoor pool and terrace on the 5th floor. Personnel from Festival Theater explained how the increased traffic and noise from Cooper's Hawk at Vantage is already competing with their shows and expressed concern that the noise from these other amenities could spell the end of outdoor summer performances from the oldest outdoor Equity theater in the state of Illinois.

6.2 Traffic and parking

Traffic around this building is still a major concern. This affects nearby residents, and also deters people from elsewhere in Oak Park and in other towns from patronizing Downtown businesses (see evidence in the Comprehensive and Master plans.) Albion's traffic projections use "Base Conditions," (good weather, no work zone activity, good visibility, etc.) for their analysis. They did not do a Sensitivity Analysis, which asks what if their projections are wrong. We are already living with the poor planning choices from the Vantage building, where a restaurant was built without a loading bay big enough for the delivery trucks. Trucks park on Forest Ave. for up to two hours, creating a one-lane street and hazardous conditions for drivers and pedestrians. The proposed Albion building will have two loading zones. One is on Forest Avenue, just opposite the Vantage loading docks, thus further restricting passage there. The other, Albion testified, would be in the alley between the building and Austin Gardens, requiring delivery trucks to make three-point, back-up turns in a narrow alley that is also proposed as an access route to Austin Gardens, including for children attending programs at the Environmental Education Center. Plan Commissioners pointed out the dangers involved.

Lake Street traffic congestion. The May 30 report pointed out that the Master and Comprehensive plans call for attention to reducing traffic along Lake Street, because a congested "main street" discourages people from outside the local area from coming here to shop, eat, or purchase services. There is now even more solid evidence that the proposed development would do just the opposite, increasing traffic on Lake Street, and nearby residential streets.

Albion's own traffic study states it has included Oak Park Station, but the new Station Street (between Lake Street and North Boulevard) is not included in any of the traffic study street diagrams (pp. 22-25 of their report), and we found no

mention of it in the report. The addition of an intersection at Station Street (a.k.a. Maple Street) and Lake Street will add yet more delay to east- and westbound Lake Street traffic. This is due not only to the addition of yet another intersection along Lake Street, but also to the very close spacing of busy intersections between Marion Street and Harlem Avenue.

A quick snapshot of traffic congestion in downtown Oak Park can be found in the Level of Service (LOS) criteria on p. 27 of the Albion report, and the accompanying LOS and Delays provided at each intersection on pp. 28-36. Note the significant amount of roadway that is listed at the LOS D, E and F. What do those levels mean for drivers?

> **D**: approaching unstable flow. …. Freedom to maneuver within the traffic stream is much more limited and driver comfort levels decrease. … Minor incidents are expected to create delays. [An example is] a functional urban highway during commuting hours.
>
> **E**: unstable flow, operating at capacity. Flow becomes irregular and speed varies rapidly because there are virtually no usable gaps to maneuver in the traffic stream and speeds rarely reach the posted limit. …. Any incident will create serious delays. Drivers' level of comfort become poor.
>
> **F**: forced or breakdown flow. Every vehicle moves in lockstep with the vehicle in front of it, with frequent slowing required. Travel time cannot be predicted, with generally more demand than capacity. (https://en.wikipedia.org/wiki/Level_of_service; accessed 7/21/17).

KLOA's remedy for traffic congestion is to simply add 2 seconds for each green light along Lake Street. This makes it sound like an easy fix to a minor problem. But no evidence is provided that this will be an effective solution, and it ignores the fact that the Village has already sought to remediate current traffic problems by adjusting Lake Street traffic signals as best they can.

Moreover, just as the Albion report shows only income and ignores costs with regard to tax revenue, here too the report books only one half of the equation. Adding 2 seconds to intersections along Lake Street must also mean delaying north- and southbound traffic the same amount at those same intersections. Traffic problems are merely sent to other, even smaller, streets.

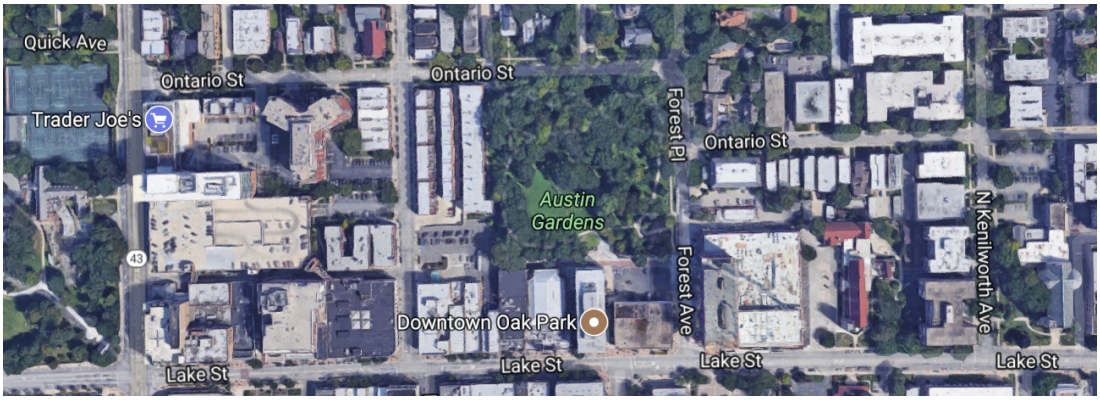
Regrettably, this pattern is familiar. Every traffic report for every proposed high-rise development projects minimal impact, remedied by traffic signal modification. The Project Review Team Report, which mainly just reiterates information from Albion's marketing material, identifies Albion's traffic analysis as

significantly over-optimistic. For example:

> The developer's model shows Marion Street operating at a LOS C with 31.2 seconds of delay vs. our model showing LOS D with 52.8 seconds of delay in the future condition. The developer's model shows the Kenilworth Avenue intersection delay at 41.1 seconds verses the Village's model at 52 seconds (both still LOS D). (p. 5)

While no single development is responsible for traffic congestion, the overall cumulative effect is significant. Increment by increment, roads become impassible, and people avoid coming to Downtown.

Traffic beyond Lake Street. Another shortcoming of the traffic analysis is that it focuses attention on Lake Street, without adequately considering the effects on traffic on neighboring streets, which are primarily residential. Consider, for example, Forest Avenue and Ontario Street, just north of Lake Street.



As Lake Street becomes more congested between Forest and Harlem, more drivers choose to bypass that stretch by using Forest Avenue and Ontario Street to travel between Lake Street and Marion Street or Harlem Avenue. More will also think of turning north on Kenilworth to Ontario. Even now, service trucks have begun using the narrow, residential stretch of Ontario east of Forest. And a home-owner who lives along Ontario Street between Forest and Marion gave this report:

> I just sat on my front porch which faces Ontario directly across from Austin Gardens. In 10 minutes, I counted 47 cars whizzing past [during] 10 minutes starting at 9:07 PM on a Thursday evening. That is 4.7 cars every minute! That is pretty dense traffic for a residential street that is not a main artery [at 9 in the evening].

Similarly, homeowners along North Marion Street, which is residential between Ontario Street and Chicago Avenue, report increasing through-traffic in that segment, and residences along North and South Boulevards will also likely be

affected by diverted traffic. Longer lights on north-south streets and increased Lake Street traffic will only make these conditions worse.

Note also that personal vehicles are not the only issue. Traffic considerations must also include the increased number of waste-disposal and service vehicles. And people are increasingly using on-line services such as Amazon to shop, which means increased traffic from delivery vehicles.

Inadequate parking. Another factor that limits the success of businesses and services is parking. Parking in downtown Oak Park is already a limiting factor, as is availability of parking spaces for nearby renters and owners whose home does not include private off-street parking. An Albion-sized development will increase the inconvenience of parking in the area. Originally Albion proposed 198 private parking spaces for the 265 units (plus 37 for the businesses at 1010 Lake St.). At the last Plan Commission meeting, this total number was decreased by 35 when Albion redesigned the garage to include a mezzanine lounge, and the Sept. 27 modification reduces it further. In addition, the parking consultant, KLOA, based their parking provision ratios on single stalls, instead of taking into account tandem spaces - where 126 spaces can only be assigned to 63 unique residences. The availability of parking spaces to individual residences is 51% during the day and 65% at night, both below the auto ownership of rental units within ¼ mile of a train station (0.70 vehicles). And this only takes into account resident ownership, not the parking need of guests or of visitors to the retail spaces.

We have heard the rationale that many residents will choose not to own cars, but will instead use their bicycles and public transport. Where is the actual evidence for that? Will residents take public transportation to the grocery store? To the Harrison Arts District? Will they take Uber to visit their relatives in Wisconsin? How many of them will in fact have two vehicles?

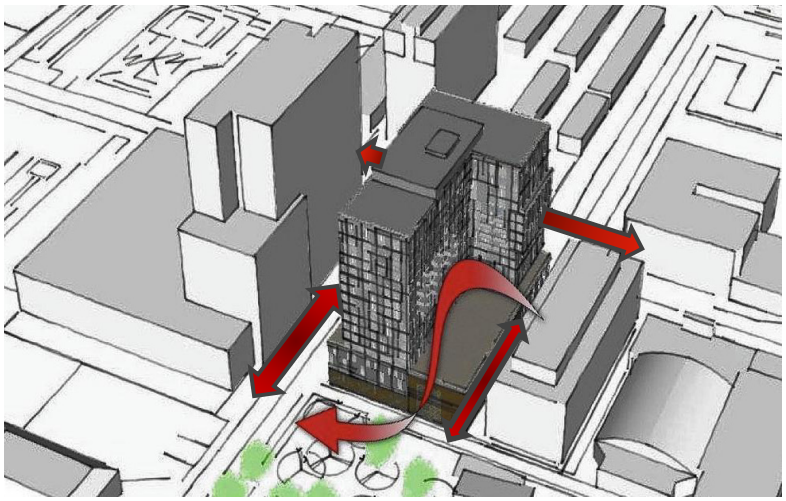
It is a matter of speculation that residents will have fewer vehicles per person than in the past. The U.S. Department of Transportation's 2015 report, Beyond Traffic 2045, notes the possibility of decreased use of vehicles, but concludes that "In 2045, most of us will probably still use personal vehicles to get to work and to go about our daily tasks" (p. 23). The report also warns that increased online shopping "may also increase truck traffic in urban areas as goods are delivered to residences." (p. 19).

Parking needs go beyond residents and shoppers: Service vehicles also require parking, and more residents means more service vehicles. Current residents near the Lake and Forest site already complain that plumbers, painters, etc. cannot find places to park their vehicles during work projects. For any package- or equipment-based service, parking in a garage blocks away is not viable.

For further data and information about traffic and parking analyses, see page 3 of Appendix 1, page 1 of Appendix 2, and pages 2-3 of Appendix 3.

6.3 Wind

Testimony from Dr. Hanqing Wu, an expert hired by Albion further confirmed that the new building will have serious net negative impacts on wind at pedestrian level, the magnitude of which cannot be fully predicted. The figure below graphically summarizes those wind patterns that would be worsened.



7. Compensations for the community

As pointed out in the May 30 report, "Oak Park is unusual in that it has no regulatory structure that requires developers to compensate the Village … for the increased need for facilities to serve a larger population."

The proposed contributions by the developer to the Village are so trivial as to be laughable—or insulting.

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 has proposed to do this, apparently hoping that residents will not be further offended by the obvious attempt to buy support for a project that does not serve the community as a whole. Some of the recipients of this minor largesse are worthy, pro-social organizations; others serve the developers' own interests (e.g., the Chamber of Commerce). In either case, the effect is to pressure the named organizations to support the project, while providing Albion

and its parent companies with the kind of friendly face that businesses routinely spend money to cultivate. This is an offer that should be refused: It does not compensate for an inappropriate development that the community will pay for for a century or two.

So-called "greenway." The Albion report touts the creation of a pedestrian greenway as a compensatory amenity. This so-called greenway would run along the west side of the building from Lake Street to the alley behind the lot. It would total **less than one tenth of an acre**. It will be bereft of nearly any sunlight, with no visual amenities along the building—just a blank wall. It will be a dark walkway that dead-ends at the alley. It has little value or purpose as a public amenity or as a compensation for environmental degradation. Again, the minor proposed modifications to the alley, even if implemented, cannot change this into an actual public green space.

The "green wall" in Albion's proposal lacks sunlight, would require as much as 7 years to reach full height, and would be completely, or largely, bare from autumn through spring.

Rotating art program. This is a proposed display of some artwork within the narrow, dark, and likely windy walkway describe above. This cannot be considered a serious contribution to the arts in Oak Park.

Bluestone sidewalk. This is not a contribution to the community—it is an amenity designed to make the building look more up-scale, thus increasing rentals and the sale price of the building. This is not a gift to the community.

In sum: Now that further details are known, it is even more clear now than it was on May 30: For all the disadvantages this project entails, there is very little in way of compensating benefits for the community that will bear the long-term costs of this project in quality of life and economic security.

8. Final Conclusions: An Albion-sized development must be rejected

In conclusion, we would like to quote from a column published in the Wednesday Journal, May 16, 2017 by Dr. Antony Wood, an advocate of density development, but not of this development:

> As the executive director of the Chicago-based nonprofit, the Council on Tall Buildings and Urban Habitat (CTBUH), the international association that exists to disseminate best-practice information on skyscrapers and ratify their height/"tallest" status globally); an architect; a professor of architecture at the Illinois Institute of Technology; and most pertinently, a

resident of Oak Park (I live three blocks north of the proposed Albion development), I would like to offer perhaps a unique perspective on the Albion project, and other high-rise projects in the village.

I moved my family to Chicago from the UK 11 years ago to take up the role with CTBUH/IIT, and Oak Park was the obvious choice for our home life, largely because of its fantastic physical environment. I have lived in half a dozen countries and traveled extensively across all seven continents and, in comparison to many places around the world, I think some Oak Parkers don't truly realize what an exceptional place this is! The blend of fantastic one-off houses of all styles and expressions, beautiful well-kept yards, extensive parks and gardens — not to mention the walkability and facilities at our disposal — make this place close to utopian, especially when compared to a typical American suburb. Unfortunately, however, our main street(s) pale into utter insignificance in comparison to this "suburban" charm. Actually, it is worse than this — much of the recent modern development is a gross embarrassment.

…What I suspect many of my neighbors and fellow Oak Parkers are reacting to in the case of Albion, however, is not necessarily a blanket rejection of height/density on that site, but the rejection of a complete lack of creativity or quality in the massing, design and expression of this project. In my opinion, the Albion proposal (and several other recent projects) do not even come close to accurately being described as "architecture" in the progressive sense of the word. They are 100 percent commercially driven, banal boxes whose only purpose is to generate a maximum financial return for the developer.

…It is just so depressing to see the onslaught of low-effort commercial architecture (to which downtown Chicago is also guilty) taking hold in Oak Park, destroying the essence of what makes the place unique — and in the face of so much architecture that really is special.

… The sad thing, not yet realized by some developers, is that, in the same way "sustainability" has moved away from "tree-hugging" to mainstream and even financially lucrative in many businesses over the last decade or two, such an embrace in innovation and quality in modestly-tall buildings would bring its own financial reward, and attract occupiers or residents (and likely from a much wider field) who value those qualities.

... Oak Park seems too eager with its begging bowl, grateful to accept any development proposal that "luckily" comes our way, on the basis that it will increase taxes/revenue? The view needs to be much more long-term than this for if we continue on this path, those who really have a

> choice will not want to live here in another 20 years, for what makes us special will have become impaired — or very likely lost.
>
> Oh, Oak Park, we can, and should, do much better. …

Dr. Wood's full column can be found at
http://www.oakpark.com/News/Articles/5-16-2017/This-is-about-commercially_driven,-banal-boxes/

Each new inappropriate 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. Bit by bit, incrementally negative impacts are accruing, and the sum total is not being accounted for in any review.

We close with this call from Oak Park homeowner Suzanne Andriukaitis,

> In your planning, please consider the detrimental effects of turning the Village of Oak Park into a magnet for luxury high rise buildings. Surely you realize that this is not what attracted the vast majority of current Oak Park residents to take up residence in this tranquil, integrated, family oriented, tree lined village filled with gorgeous well maintained single family homes designed by a multitude of famous and near famous architects.

Appendix 1: Market analysis

Public Hearing Comments, Sarah Grimsley, MPPA, Resident
Proposal: Albion Residential
Component: Market Analysis

Albion's market analysis doesn't use the income measure most applicable to its proposed renter demographics. While the median household income of all households in Oak Park is $80,196, the median income of non-family households is $43,547*. [The Census defines families as households with at least two individuals related by marriage, birth, or adoption. Individuals and unmarried couples would count as non-family households.] Since the renter demographic targets primarily individuals, families are not likely to live in these residences, making the median non-family income most relevant. The median non-family income is well below the income required to rent a studio without being rent-overburdened ($55.K - $66.K), so more than half of Oak Park's current non-family households would not be able to afford a studio in the proposed building.

Housing surveys performed by Fannie Mae show young renters would like to own homes, but are limited by student loan debt and the inability to save for a downpayment. The Joint Center for Housing Studies of Harvard University published a study on America's rental housing, and found new multifamily units are unaffordable to most renter households, and an increased number and range of individuals are rent-overburdened (where over 30% of their income goes to housing). The Harvard study found between 2001 and 2014, "the median income for households in the top quintile was up 3.1 percent, but their median monthly housing costs jumped 19.8 percent over this period". The Albion market analysis states "homeownership rates [are] steadily declining towards historic lows". Together, this suggests unaffordable rents, and the subsequent increase in rent-burdened households, are contributing to the decline in homeownership rates. The Albion rents are unaffordable, and will make it harder for renters to save and transition to Oak Park housing ownership. In addition, rent-burdened households have less disposable income to spend, impacting local business and sales tax revenue. For these reasons, the unaffordable rents in the Albion proposal are not to the benefit of Oak Park and its residents.

** US Census – Income in the Past 12 Months (in 2015 Inflation-Adjusted Dollars) – 2011 – 2015 ACS 5-Year Estimates*

Due to high rents, residents need to make between $55.K and $66.K a year, to rent a studio without being rent-overburdened ($26 - $32 / hour, full time). A renter is cost-overburdened when they pay more than 30% of their income towards rental costs.

From Market Analysis

Unit Type	# of Units	Unit Square Feet		Rent	
		Min	Max	Min	Max
Studios	75	440	550	1,386	1,650
Convertibles	74	625	680	1,663	1,816
One Bedrooms	66	745	935	1,872	2,525
Two Bedrooms	46	930	1,365	2,646	3,494
Three Bedrooms	4	1,400		3,640	4,000

Required Salary to not be Rent Overburdened

Unit Type	Yearly Rent		Required Salary		Rate / Hr – Full Time	
	Min	Max	Min	Max	Min	Max
Studios	16,632	19,800	55,440	66,000	$26.65	$31.73
Convertibles	19,956	21,792	66,520	72,640	$31.98	$34.92
One Bedrooms	22,464	30,300	74,880	101,000	$36.00	$48.56
Two Bedrooms	31,752	41,928	105,840	139,760	$50.88	$67.19
Three Bedrooms	43,680	48,000	145,600	160,000	$70.00	$76.92

Public Hearing Comments, Sarah Grimsley, MPPA, Resident
Proposal: Albion Residential
Component: Market Analysis

Their market analysis points to homeownership rates steadily declining towards historic lows. Two housing surveys by Fannie Mae, one specifically on younger renters, indicates renters would like to buy, but don't think they can afford the down payment – and students loans are delaying home ownership. Also taking into account Harvard's study on rental housing, I suggest the unaffordability of rents – and subsequent increase in rent-burdened households – is contributing to the decline in homeownership rates - and specific to this proposal, will make it harder for renters to save and transition to Oak Park housing ownership.

The market analysis states "Oak Park posted modest rent growth during 2016 pushing average effective rents to $1,320 per month". The average rate is for all sized units, and is lower than the minimum price for an Albion studio. Due to the small size of the Albion units, it is unlikely for units to be shared (to divide the rent burden). *Note the average unit size (741 SF) is lower than all, but Jeff Jack Apartments.*

The Joint Center for Housing Studies of Harvard University published a study on America's Rental Housing. They found most new multifamily units are unaffordable to most renter households. Their analysis on affordability shows an increased range of households are rent overburdened, where more than 30% of their gross income is used on housing costs.

"While lower-income renters saw the sharpest drop in real incomes, higher-income renters faced the largest increases in housing costs. For example, the median household income for renters in the bottom quintile fell 9.9 percent between 2001 and 2014, while their median monthly housing costs rose 6.2 percent. In contrast, the median income for households in the top quintile was up 3.1 percent, but their median monthly housing costs jumped 19.8 percent over this period." (pg 26)

"[C]ost-burdened renter households rose from 14.8 million in 2001 to a new record of 21.3 million in 2014. Of these households, 11.4 million had severe burdens (paying more than 50 percent of income for housing), well above the 7.5 million recorded in 2001. (pg 26)

I urge everyone to read the full Harvard study, which discusses other demographics and trends for renter households, rent, and the housing stock.

Fannie Mae Housing Surveys
http://www.fanniemae.com/resources/file/research/housingsurvey/pdf/nhsmay2014presentation.pdf#page=10
http://www.fanniemae.com/resources/file/research/housingsurvey/pdf/july2016-topicanalysis-presentation.pdf

Joint Center for Housing Studies of Harvard University
http://www.jchs.harvard.edu/sites/jchs.harvard.edu/files/americas_rental_housing_2015_web.pdf

Public Hearing Comments, Sarah Grimsley, MPPA, Resident
Proposal: Albion Residential
Component: Parking Analysis, KLOA

The Consultant's parking provision ratios are based on single stalls, instead of taking into account tandem spaces - where 126 spaces can only be assigned to 63 unique residences. The availability of parking spaces to individual residences is 51% during the day and 65% at night, both below the auto ownership of rental units within ¼ mile of a train station (0.70 vehicles). Please note, this only takes into account resident ownership, not the parking need of guests. Similar ratios are produced when analyzing the floor plans.

Proposed Parking Supply, from KLOA

	Day	Night
Single Resident Stalls	135	172
Tandem Resident Stalls	63	63
Flex spaces (9am-5pm)	37	
Total Spaces	235	235
KLOA's Ratio, includes Tandem Stalls	84%	100%
Ratio based on Unique Residences		
Single Resident Stalls	135	172
Units	265	265
Ratio	**51%**	**65%**

Proposed Parking, Floor Plans

	Day	Night
Single Resident Stalls	133	170
Tandem Resident Stalls (112/2)	56	56
Flex spaces (9am-5pm)	37	
Other (ADA, Shared)	9	9
	235	235
Ratio based on Unique Residences		
Single Resident Stalls	133	170
Units	265	265
Ratio	**50%**	**64%**

Public Hearing Comments, Sarah Grimsley, MPPA, Resident
Proposal: Albion Residential
Component: SB Friedman Property Tax Projection

The amount of property taxes that will be generated by the proposed structure, may not be as significant as SB Friedman suggests. In 2016, the Vantage building parcels (5) were billed $351.K in taxes, and they have a significantly larger footprint than the Albion building. Albion's tax estimate exceeds this by $578.K. Vantage was recently reassessed, but given they filed an appeal in 2016 and will likely appeal 2017, their final 2017 tax bill is yet to be determined. The Chicago Tribune recently reported the assessor's office typically undervalues high priced properties, so the actual assessed value may be lower than SB Friedman used in their analysis. Tax revenue will also depend on whether taxing bodies increase their levies, and on the equalization factor. Assuming those are the same, the tax rate would go down and less property tax captured than stated.

Vantage Tax Bills (2016)

PIN	2016 Tax Bill
16-07-121-017-0000	129,195
16-07-121-018-0000	37,006
16-07-121-019-0000	35,432
16-07-121-020-0000	76,294
16-07-121-040-0000	73,628
Total	351,555

Source: Cook County Treasurer

SB Friedman's Property Tax Estimate	930,000
Albion estimate exceeds Vantage taxes	**578,445**

Appendix 2: Follow-up on parking and market analysis

Distinguished members of the Planning Commission,

I had the pleasure of providing public testimony on August 3rd about the Albion proposal, and would like to provide additional comments, as a result of new testimony provided by Albion on August 10th.

To provide a more complete explanation of my expertise - in addition to my Masters of Public Policy and Administration (spec in Urban Policy and Planning), I've completed a specialization in data science. My Master's thesis included statistical analysis of US Census data (decennial census and ACS), and research on property taxes. I've worked in government budgeting and financial management for over 10 years – at the local and federal levels. My work has included financial review of proposals and development of a space cost model.

I thank you for your consideration of my additional comments and analysis.

Sarah Grimsley

1. In response to the Commissioner's questions about parking, Albion's representative, Andrew Yule, stated millennials – their target demographic - don't have cars because "they don't have money. […] their net worth is documented at plus or minus, the range of $10 thousand dollars." (archived video from 8/10/17, 3:23:25)

In my public testimony, I spoke about the unaffordability of rents in the Albion proposed development, and the high number of cost-burdened renter households. This leads to decreased disposable income, and inhibits millennials from saving for a downpayment to own a home. I also provided the appropriate income measure for the millennial target demographic ($43.5K for a non-family household, instead of $80.2K).

In his public testimony, Andrew Yule clearly demonstrates he is aware of the lack of disposable income, and low assets of their target demographic. This calls into question the market feasibility of this project, and suggests Albion's market feasibility report is flawed at best (intentionally misleading at worst), because it relies on the broader demographics of all Oak Park households.

I reassert, the unaffordable rents are not to the benefit of Oak Park and its residents – because they limit disposable income, and make it harder for renters to transition to home ownership.

2. In response to Albion's redesign of the property, by setting back the residential floors 5 feet along Forest, Lake, and the alley: The setbacks are beneficial to mitigate wind, but we would benefit from an updated unit mix table (market feasibility report) to understand how they plan to absorb the estimated 28,600 SF reduction across residential floors (~2,200 SF per floor). This is equivalent to losing 52 of the largest (550 SF) studios, 42 of the largest (680 SF) convertibles, or 30 of the largest (935 SF) one bedrooms. If they plan to reduce the size of all units, or remove amenities, it would be good to understand how this would impact rental price.

Assumptions and Calculation: The floor plan shows 13 floors (5 – 17) with residential units, and 200 feet as the length between property lines along Forest, and 150 feet along Lake and the alley. The tower appears to span 2/3 of the length along the alley. Since the original plan built to the property

line, I estimate the 5 foot setbacks will reduce each floor by 2,200 SF, for a total reduction of 28,600 SF on residential floors.

Reduction across residential floors (SF), due to 5 foot setbacks

Length	Calculation	Total (SF)
Along Forest	200 feet P.L. x 5 foot setback	1,000
Along Lake	150 feet P.L. x 5 foot setback	750
Along alley	150 feet P.L x 2/3 x 5 foot setback	500
Less corner – Forest and Lake	5 feet x 5 feet	-25
Less corner – Forest and alley	5 feet x 5 feet	-25
Total per floor		2,200
Total reduction across residential floors	2200 SF x 13 residential floors	28,600

3. Analysis of average rent per square foot (PSF) and unit size

When discussing the average rent PSF for rentals in the west loop, Albion's representative stated a figure of $3.50 per square foot. This is unsupported, based on Albion's market analysis. Only 2 of the 11 buildings had a rent PSF over $3.00 (max of $3.20).

For buildings near the proposed development, the average asking rent per square foot is $2.06 for Oak Park Place, $2.12 for Oak Park City Apartments, $2.03 for 100 Forest Place, and $2.49 for Vantage. My calculations, based on Albion's unit mix (see table, below), show the average rent PSF for the Albion proposal is $2.73, *before taking into account the 5 foot setbacks*. This is unevenly applied across units – where studios bear a higher rent PSF ($3.07).

The average unit size for the four Oak Park buildings (840 – 923 SF) is between 89 and 172 SF greater than the average unit size for the proposed development (751 SF), *before the 5 foot setbacks*.

When incorporating the 5 foot setbacks, if Albion retains the same number of units by decreasing their size, but maintains rents, the rent PSF will increase to $3.19. The rent PSF for a studio will likely exceed this, but can't be calculated without updated information from Albion. The average unit size would decrease by 107 SF, to 644 SF.

The high rent and low SF makes the Albion proposal less desirable for renters, than existing Oak Park buildings. (Note: $1,320 is the average rent for Oak Park apartments, per Albion's market feasibility report.)

In addition to the unaffordable rents limiting tenant's disposable income, the small size of the units will limit resident's ability to store goods and furniture in their apartments – leading to a decrease in purchases and/or an increase in storage costs (further decreasing disposable income). Due to the limited space and income / assets of millenials, the sales tax revenue generated may be overstated (village service section).

Unit Mix from Albion's Market Feasibility Report

Unit Type	# of Units	Unit Square Feet		Rent	
		Min	Max	Min	Max
Studios	75	440	550	$1,386	$1,650
Convertibles	74	625	680	$1,663	$1,816
One Bedrooms	66	745	935	$1,872	$2,525
Two Bedrooms	46	930	1,365	$2,646	$3,494
Three Bedrooms	4	1,400		$3,640	$4,000

Average rent per square foot

Unit Type	Average for One Unit		Average x # of Units		Average Rent Per SF
	SF	Rent	SF	Rent	
Studios	495.0	$1,518.00	37,125	$113,850	$3.07
Convertibles	652.5	$1,739.50	48,285	$128,723	$2.67
One Bedrooms	840.0	$2,198.50	55,440	$145,101	$2.62
Two Bedrooms	1,147.5	$3,070.00	52,785	$141,220	$2.68
Three Bedrooms	1,400.0	$3,820.00	5,600	$15,280	$2.73
Total			199,235	$544,174	$2.73

If setbacks reduce unit SF, but not cost

Less SF reduction (setbacks)	-28,600		
Revised Total	170,635	$544,174	$3.19

Appendix 3--Wind, traffic, population, business mix

To: Village of Oak Park Board of Trustees

From: Kevin M. Murphy, 210 Forest Avenue

Date: September 28, 2017

Re: Albion Planned Development – Issues and Impacts

Since July of 1989, my wife and I, along with our five children, have resided at 210 Forest Avenue on the Ontario "curve" directly across from Austin Gardens. We vehemently oppose the proposed Albion Planned Development and urge the Trustess to concur in the recommendation of the Plan Commission, vote "NO" and reject the Albion petition.

The Proposed Albion Building Will Exacerbate the Wind Impacts of the Vantage Building

On July 27, Albion presented the testimony of Hanqing Wu, its wind and microclimate consultant. The Wednesday Journal mistakenly reported (on both its website and front page) that Mr. Wu had opined, "Building Will Block Most Winds". The Journal's report completely misunderstands and egregiously misrepresents the testimony of Mr. Wu. The Trustees must not be misled by the Journal's erroneous report or similarly misunderstand the substance of Mr. Wu's testimony.

Both in his direct presentation and in response to questioning by the commissioners, Mr. Wu addressed the likely impact of the proposed Albion building upon the current "wind tunneling" on Forest Avenue caused by the Vantage Building. Mr. Wu testified that, only when the wind is from the West, the proposed Albion Building would lessen the wind tunneling effect now caused by the Vantage Building. When the wind is from the South or Southwest, or from the North or Northwest, however, Mr. Wu testified that the addition of the Albion building would *exacerbate* the wind tunneling currently caused by the Vantage Building. He stated that wind directions vary throughout the year, but he did not directly address the question of what percentage of time the Albion Building would mitigate the wind tunneling problem, and what percentage of time it would exacerbate that current problem. Of course, winds from the Northeast, East and Southeast do not strike the Forest Avenue face of the Albion Building so as to generate wind tunneling along Forest Avenue, but the Northeast and Southeast winds would strike the Forest Avenue face of the Albion Building and so generate additional wind tunneling that we do not currently experience.

Mr. Wu stated that his opinions are based upon official wind data collected at O'Hare International Airport. Attached hereto is a summary of the data concerning the seasonal variations in wind speed and wind direction at O'Hare Airport, available online at:
htt s: weathers ark.com/ 146513 Avera e-Weather-at-Chica o-O&°o2339·Hare-International-

Airport-Illinois-United-States-Year-Round. This is the same source data that Mr. Wu relied upon for his report. This data demonstrates that the *average* wind speed varies from a low of 4.5 mph in early August to a high of 7.4 mph in mid-January, a difference of less than 3 mph. Wind direction also varies throughout the year, as Mr. Wu stated. No matter what time of year, however, the wind always comes from either the North, East or South a substantial majority of the time, and as much as 80% of the time during much of the year. In no season of the year does the wind come predominantly from the West, or even close. Accordingly, if the proposed Albion Building were to be built, then the current wind tunneling along Forest Avenue from the Vantage Building would be exacerbated whenever the wind is from the South, Southwest, North or Northwest (which is the majority of the time) and would only be mitigated during those limited time periods when the wind is from the West. Of course, when the wind is from the Northeast or Southeast, we would then experience additional wind tunneling as those winds strike the face of the new Albion Building. As for Austin Gardens, Mr. Wu testified that, no matter from which direction the wind might come, the impacts on the Southeast corner of the park would become worse if the Albion Building were to be constructed.

Contrary to the Wednesday Journal headline, the proposed Albion Building will ***not*** "block most winds". In fact, it will make the impact of most winds worse, as demonstrated by Mr. Wu's testimony and the relevant wind data.

Parking Impacts of the Proposed Albion Building

As the Albion petition and testimony to date make clear, Albion proposes to provide parking spaces for only a fraction of the building's residential tenants, and no parking at all for the visitors to those tenants or for the employees and patrons of the commercial uses of the building. In response to questions about the inadequacy of parking, Albion suggests that any excess parking demands to be generated by the building can be accommodated either by the public parking spaces currently available in the Vantage property across the street or in the Holly Court garage nearly half a mile away. Setting aside the significant question of whether the taxpayers should be constructing and supplying parking capacity for private developers, this suggestion is a preposterous "solution" to the parking demands generated by the Albion project.

I reside at 210 Forest Avenue. Ever since the very day that the Cooper's Hawk restaurant opened in the Vantage Building this summer, I have personally observed employees of that restaurant parking their own cars on the 200 block of Forest Avenue, walking down the street in their restaurant garb, and returning to their cars many hours later at the end of their shifts. The same is true of a great many Cooper's Hawk patrons (as evidenced by their conversation and the Cooper's Hawk coffee cups I pick up from the street and lawn), and likely true of visitors to Vantage residents as well. Despite the testimony regarding current availability of public parking in the Vantage property, these employees, patrons and visitors are not parking in the garage but choosing instead to park on our street, perhaps because of the cost. They are certainly not

parking in the Holly Court garage and walking half a mile to Cooper's Hawk, and that distance will not seem any shorter in the winter.

If the employees, patrons and visitors of the Vantage building are not parking in the public spaces now available in that property, why should anybody assume that the employees, patrons and visitors of the Albion building will park in those spaces? To suggest that any of them will be parking in the Holly Court garage is sheer fantasy. How can the Albion developers and tenants (commercial or residential), or the Village staff, insure that the parking demands that will certainly be generated by this building for employees, patrons and visitors will be met somewhere other than on Forest Avenue?

Traffic Impacts on Forest Avenue and Ontario Streets

Albion offers a "traffic impact study" prepared by KLOA. Just like the traffic impact study previously prepared by KLOA for the Vantage development, nowhere in that study does KLOA give any consideration whatsoever to the impact of traffic upon the residents of Forest Avenue and Ontario Street or upon the users of Austin Gardens situated along those streets. Residential and recreational impacts are completely outside the scope of KLOA's concern. The KLOA study only addresses the potential impact of traffic *upon traffic itself*, and specifically the impact upon queue lengths and delays at traffic intersections.

As clearly set forth in Section 5 of the KLOA study, Traffic Analysis and Recommendations, KLOA determines the traffic capacity of any given street solely by reference to the ability of intersections along that street to accommodate traffic flow. That traffic flow, or "Level of Service", is quantified in terms of the average number of seconds that vehicles must wait at any particular intersection. KLOA suggests that a "D" Level of Service is "acceptable", with the average vehicle delayed as much as 35 seconds at stop signs ("unsignalized intersections") and 55 seconds at stoplights ("signalized intersections"), even though "progression is ineffective" and vehicles are often unable to make it through the intersection in a single traffic light cycle.

How does this KLOA traffic capacity analysis apply to Forest Avenue and Ontario Street? Based upon unidentified and undated traffic counts taken well before the opening of the Vantage development, much less the Emerson and other new developments that will be pumping substantial additional volumes of traffic into Downtown Oak Park and further exacerbating the problems along Lake Street, KLOA states that Forest and Ontario carry an Average Daily Traffic volume of 3,900 vehicles. One can assume that almost all of that traffic (except for those random trucks that rumble through illegally every night!) occurs in the sixteen hours between 6:00 a.m. and 10:00 p.m., which means an *average* of more than four vehicles every minute or one every 15 seconds. Of course, the busier hours of the day see many more vehicles than that average. According to the unspecified traffic timing data referenced by KLOA, this volume of

traffic (and presumably any increased volumes in the future) is deemed acceptable *from a traffic perspective* because those vehicles are not delayed, on average throughout the day, any longer than 17 seconds in any one direction at the stop signs controlling the intersections of Ontario Street with either Marion Street or Forest Avenue (if they stop at all!).

From KLOA's *traffic* perspective, increased traffic volume on Forest and Ontario would not become "unfavorable" until the average delays at those stop signs exceed 35 seconds. Can you imagine the volume of traffic backed up at those stop signs throughout the day in order for the *average* delay to be more than 35 seconds? The KLOA analysis suggests that future development in the immediate area could more than double the Average Daily Traffic volume on Forest and Ontario to greater than 8,000 vehicles and still be "acceptable", according to KLOA's traffic perspective. Clearly, the factors considered and the methodology employed by KLOA in its traffic impact study completely ignore the impacts of all this traffic upon the residents of these streets and the users of Austin Gardens.

The traffic already generated by the existing Planned Developments at Harlem and Ontario and at Lake and Forest, as well as the incessant bypassing of the increasingly intolerable traffic congestion along Lake Street, has already had undeniable and substantial adverse impacts upon the residences and the park, regardless of how long those vehicles wait at the stop signs. The traffic impact has gotten worse since the Vantage Building has opened, and it will get significantly worse when other Downtown Oak Park developments are completed in the near future. The residential and commercial uses proposed by Albion will clearly add to those adverse impacts. As demonstrated here, KLOA only addresses the potential impact of traffic upon traffic itself. Neither KLOA nor Albion concern themselves at all with the impact of traffic upon the residents, but the Village Board must be concerned about and address that undeniable adverse impact.

The Whiteco/Holley Court and Vantage developments include 470 residential units and 1,801 parking spaces. Albion now proposes to add another 265 residential units and 235 parking spaces. All of those garages and loading docks front on Forest Avenue and Ontario Street which are an attractive alternative to the congested traffic on Lake Street and Harlem Avenue. The cumulative volume and impact of all those cars and trucks on our streets will become significantly worse. Downtown Oak Park wants these new high rises and residents for the benefit of the Lake Street businesses. They should take the additional traffic as well. The Village has installed dozens of cul de sacs all over Oak Park in order to preclude traffic generated by commercial districts from utilizing residential streets. If the Board decides to approve yet another high rise development at Forest and Lake, the only meaningful compensating benefit to the impacted residents of Forest Avenue and Ontario Street would be to install a cul de sac on Forest Avenue just south of the Ontario intersection, as depicted on the attachment to these written comments, in order to mitigate the undeniable impacts upon the area residents.

Regarding Population

Several who have commented in support of the Petition argued that Oak Park has lost population and taxpayers over the years, and that high-rise, high-density developments are necessary in order to replace that population and restore the tax base. Despite its superficial appeal, this argument is a fallacy. Census data indicates that Oak Park population declined from 62,511 in 1970 to 52,080 in 2015. What segment of the population was here in 1970 that is no longer here today? Virtually all of the residences that were standing and occupied by taxpaying adults in 1970 are still standing and occupied by taxpaying adults today. There are no vacant lots or empty houses, and every one of them receives a tax bill from the County.

In fact, the number of Oak Park residents between the ages of 35 and 65 *increased* from 21,122 in 1970 to 23,054 in 2015. This age cohort continues to own homes in Oak Park and send their kids to Oak Park schools, and they are paying substantially higher taxes to do so. Such residents simply have far fewer children today than they did in 1970; but children do not pay property taxes. The reduction in family size has not reduced the tax revenues collected by the County or the Village. Population loss has not caused a tax revenue problem that needs to be solved by high-rise developments.

Regarding Restaurants

Despite the reduction in Oak Park's population, and specifically the decline in the number of children, there are far more restaurants in Oak Park today than there were in 1970, and exponentially more meals being served in those restaurants. Nevertheless, the business model for the Village appears to be a restaurant in every Lake Street storefront, with sidewalk seating all the way from Harlem to East Avenue and beyond, and high rises above all those restaurants in order to provide patrons for them. Is this to be the vision for Oak Park? Do we welcome the height and density and traffic simply so that we can have another restaurant?

Reductio ad Absurdum

The Planned Development standards and process have been reduced to an absurd charade. Our experiences with the Whiteco and Vantage developments demonstrate that no amount of additional height, density or traffic is enough for the Board to find any adverse impact upon the use, enjoyment or character of the surrounding neighborhood. Conversely, any little "extra" offered by the developer is deemed to be a sufficient compensating benefit. Accordingly, the Board approves any requested variances that promote the overriding objective of economic development, which is entirely equated with more property to tax and more people to spend money. Every additional floor and every additional unit necessarily provides more property to tax and more people to spend money. Therefore, every requested exceedance of the height and density limitations is approved. This logical tautology renders the zoning limitations a cruel joke and the planned development process a complete waste of time for us all.

Wind

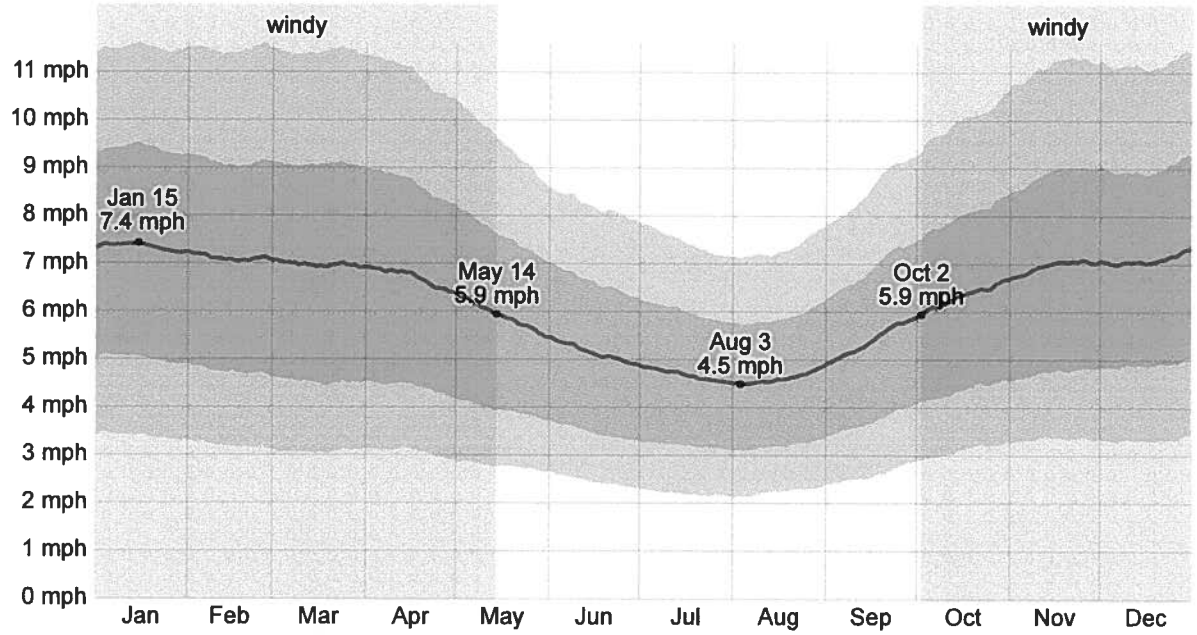
This section discusses the wide-area hourly average wind vector (speed and direction) at 10 meters above the ground. The wind experienced at any given location is highly dependent on local topography and other factors, and instantaneous wind speed and direction vary more widely than hourly averages.

The average hourly wind speed at Chicago O'Hare International Airport experiences mild seasonal variation over the course of the year.

The windier part of the year lasts for 7.4 months, from October 2 to May 14, with average wind speeds of more than 5.9 miles per hour. The windiest day of the year is January 15, with an average hourly wind speed of 7.4 miles per hour.

The calmer time of year lasts for 4.6 months, from May 14 to October 2. The calmest day of the year is August 3, with an average hourly wind speed of 4.5 miles per hour.

Average Wind Speed

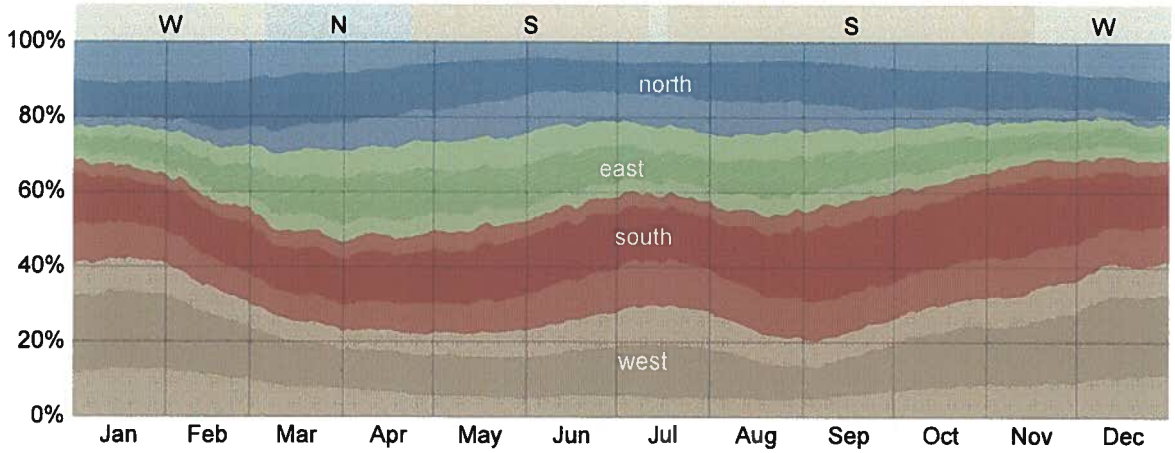


The average of mean hourly wind speeds (dark gray line), with 25th to 75th and 10th to 90th percentile bands.

The predominant average hourly wind direction at Chicago O'Hare International Airport varies throughout the year.

The wind is most often from the north for 1.6 months, from March 5 to April 23, with a peak percentage of 30% on March 8. The wind is most often from the south for 2.6 months, from April 23 to July 11 and for 4.0 months, from July 17 to November 16, with a peak percentage of 36% on September 7. The wind is most often from the west for 6.0 days, from July 11 to July 17 and for 3.6 months, from November 16 to March 5, with a peak percentage of 30% on July 12.

Wind Direction



*The percentage of hours in which the mean wind direction is from each of the four cardinal wind directions (north, east, south, and west), excluding hours in which the mean wind speed is less than **1 mph**. The lightly tinted areas at the boundaries are the percentage of hours spent in the implied intermediate directions (northeast, southeast, southwest, and northwest).*