

Village of Riverwoods
Truth in Taxation Hearing
December 7, 2004

1

In Attendance:
William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
John Norris
William Svatik
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The hearing was called to order at 7:05 PM.

Trustee Svatik moved to postpone the hearing until later in the meeting. Trustee Haber seconded. Motion was carried by voice vote.

The Truth in Taxation Hearing was postponed at 7:10 PM.

Village of Riverwoods
Truth in Taxation Hearing
December 7, 2004

2

The Truth in Taxation Hearing resumed at 9:25 PM.

In Attendance:

William Kaplan
Michael Haber
Bruce Masterson
John Norris
William Svatik
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Sherry Graditor

Trustee Haber moved to resume the Truth in Taxation Hearing. Trustee Tully seconded. Motion was carried by voice vote.

Atty. Huvad explained that we published the notice for the hearing in the paper. State law requires that this hearing happen if our request for a tax increase is over 5%. He reported our proposed extension on the Police Levy for this year is \$388K. Last year we got \$322K. The amount that we are asking for this year is more than 5% from last year. Atty. Siegel added that even though we have filed for the increase, it is not a guarantee that we will get it. Atty. Huvad reported that the tax cap still applies and limits us. We have a one-time chance to pick up the new value from Morgan Stanley. Their value is up \$25M to \$50M with the new construction. The assessed value of the Village was \$309M last year. We could pick up \$30K to \$40K more this year with the increase. We have to ask for the extension this year. Atty. Huvad explained it continues onward from year to year. He told the board he thought we could get \$355K for the Police Department. We have to make sure we do not lose out in any future development.

Trustee Haber moved to close the Truth in Taxation Hearing. Trustee Masterson seconded. Motion was carried by voice vote.

The Hearing closed at 9:30 PM.

Respectfully Submitted,

Village of Riverwoods
Truth in Taxation Hearing
December 7, 2004

Debbie Limer

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

1

In Attendance:
William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
John Norris
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Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 7:10 PM.

Pres. Kaplan told the audience there would be a presentation that would last about one hour. Comments and questions will be taken after the presentation. After the Town Meeting is concluded there will be a Board of Trustees Meeting. Pres. Kaplan introduced Chuck Stewart from Urban Forest Management.

Chuck Stewart thanked everyone for coming. He listed the people who would make the presentations. The first would be Dr. George Ware from the Morton Arboretum. The second will be Steve Swanson the director of the Kennecott Grove National Historic area in Glenview. Following will be Mark O'Leary from Applied Ecological Services. The last speaker will be Pat Glenn, our Village Engineer, who works for Gewalt Hamilton. Chuck reported that we are in the process of discussing the proposed ordinance. The Village already has a tree ordinance on the books and has revised it for better management of the woodlands. He stated that Dr. George Ware is from the Morton Arboretum. He is recognized nationally and is very well respected in his field.

Dr. Ware told the audience he appreciated being at the meeting. He has worked in the field of woodland ecology for 30 to 40 years. He started by explaining that Oak roots are very superficial. The tap roots do not last long. There are actually many trees with two root systems. The root system in the top six inches is vital. If those roots are destroyed, it will destroy the tree. The tap roots provide for uptake of moisture and oxygen. Dr. Ware suggested adding mulch and compost around a tree to trick it into thinking it is in the woods. Mulch and compost are very important for the life of the tree. He started a slide

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

2

show for the trustees and the audience. Dr. Ware explained that the tap roots do not run downward. There would be no oxygen that way. They run sideways. It is very important to respect the top layer. He reported the fine roots are necessary. Some trees can regenerate them; others cannot. A tree is happiest where the roots can spread. Mulch can be used to help regenerate a tree. He explained that Oaks do not have a lot of latitude for tolerance. Oaks when taken out of their environment will slowly go downhill. The top of the tree shows the signs of problems with the health of the tree. Dr. Ware listed the top three Oak species. They are the Burr Oak, the Red Oak, and the White Oak. The Red Oak is not as popular as the others. The Burr Oak and White Oak are good trees, but not a lot are planted. He added that Connor Shaw, a nursery that grows and plants trees, is helping with Oaks. A Swamp White Oak is good in an area that has flat land with a high water table. The leaves stay on longer for good screening. The White Oak is long-lived and easy to transplant.

Dr. Ware told the audience that compaction of the soil is the enemy. In a new construction compaction could last five to ten years. Trees like porous soil for the root system. He suggested that mulching is good for a newly planted tree. It is also good for older trees. The mulch can be applied right over the lawn. He mentioned some serious problems for trees. A wet tree trunk is the root to disaster. Fungi will form. The base of a tree should be dry the majority of the time. Ditching is another killer of the trees. One side of the root system is cut off. Trees need to have a lateral spread. Dr. Ware explained that trees do not always have the lateral spread in the forest. The forest is a system and needs to be regarded as such. Trees need to be able to spread their roots. The trees need to think they are in the woods to survive. Dr. Ware added that the Sugar Maple likes the forest. It may be the future species for perpetuating the forest. Chuck stated that Dr. Ware provided us with basic tree physiology. Trees are happiest in the forest.

Chuck Stewart introduced Steve Swanson of Kennecott Grove National Historic Area. He handles management of the woodlands. Mr. Swanson reported he has been at the Grove in Glenview for 26 years. The Grove is a functioning system. In 1979 it reminded him of Ryerson. It is run publicly and privately; both groups work well together. He explained the best ways to protect the assets are to work together. They worked for 10 years on the environmental ordinance now on the books. It has been in place for 15 years; and it still works well. They work with homeowners to help them with their issues. Mr. Swanson told the audience there are 100 to 200 year old Oaks in the Grove. They were having problems with no regeneration because of invasive species. There was too much shade. They need to make sure the area functions and regenerates. There was opposition to the ordinance. Things have been worked out over time, and the relationship with neighbors is now fabulous. They offer things like tax breaks, education, and buckthorn removal. He stated they want to keep the forest. What they are doing works well. Mr. Swanson explained that the neighbors actually wanted more restrictions. They want to

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

3

keep the forest intact. There is a 25 foot buffer around each house that the homeowner can use regardless of the size of the property. The rest has to stay natural. This is a big asset to the owners. The newer developments that are going in cluster the homes. That allows for less impact. He added that a lot of people want this kind of lifestyle. Chicago Wilderness is an organization that supports this type of thing. There are a lot of organizations out there to help with this kind of endeavor. Mr. Swanson stated he is amazed at how beautiful the woods are without buckthorn.

Chuck Stewart introduced Mark O'Leary from Applied Ecological Services in Schaumburg. Mr. O'Leary explained they are the first village with a Biodiversity Plan. Their main goal was to protect open space, restore, and expand the ecological systems. They have a policy to work together to maintain and improve Schaumburg. Schaumburg wanted a plan. They wanted to find green sites. They wanted to set up goals and carry them out. Mr. O'Leary highlighted the plan. The first was to inventory all green space, public and private. Then they determined the restoration sites. Conservation developments, both public and private, were set aside. There was a plan established to link green spaces. Mr. O'Leary pointed out that Riverwoods has a great opportunity for that already. The next point was to find funding for the plan. Schaumburg is 81% developed. Riverwoods has so much to work with. Schaumburg is trying to rebuild. Riverwoods should save what they have. The next step was to prioritize the sites. They looked for native species. Mr. O'Leary stated they are already working on restoration. They have only 12 high priority sites. Motorola is one of the big ones. Motorola has a lot of turf grass, but it can be rebuilt. They have found in the floodplain areas the ecological quality of the sites are low. This is a good opportunity. Mr. O'Leary told the audience Schaumburg has made a guidebook to help with the endeavor for both its private and corporate residents.

Mr. O'Leary stated that he has been involved with Prairie Crossings in Grayslake. It is a residential development that uses common open space and clustering to lessen impact. They try to use the surrounding area to improve and infiltrate the storm water detention. Roots are important with that. Prairie plants can have roots 10 to 15 feet deep. That helps to keep the soil in place and provides channels for water. Roots on turf grass only run about 4 to 6 inches deep. He highlighted a few Best Management Practices (BMP). The first would be a prairie swale rather than a storm sewer. He added that is working in Riverwoods right now. Another BMP is to maximize infiltration using natural landscaping. Mr. O'Leary explained that the plan has to make sense financially, culturally, and ecologically. Schaumburg has lost so much; Riverwoods is in a great place.

Trustee Graditor left the meeting at 8:00 PM.

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

4

Chuck highlighted other ordinances in other communities as well as definitions to explain what is going on elsewhere. He discussed the current ordinance in Long Grove. They have very specific definitions that include soil types, permitted uses, special uses, and prohibited uses. He gave a list of communities that are working on similar issues.

Pat Glenn, Village Engineer, introduced himself to the audience. He works for Gewalt Hamilton. He explained that he was asked to look at a couple of issues. We wanted to put some numbers to the hydrology issue that affects the woodlands. We also wanted to look at woodland versus turf grass, and put some rain variables into that. He stated, for those who are interested, he used Technical Reference 55. The storm water model was done on a two acre site using woodland and grass. He explained that in the Village there are two types of soils. In south Riverwoods the soil is moderately absorptive. In all the other areas the soil is impermeable. There were four models to run. We used different magnitudes of storms. The first was a one-year event which would last about three hours and produce

1- inches of rain. The second was a 100 year event which would last four days and produce about 7 inches of rain. We looked at quantity of run off and rates. Pat explained there was a huge difference between woodland and turf in the three hour event. The largest difference was in the absorptive soils. The differences were from 200% to 300%.

Pat Glenn wanted to go over the impact of the removal of the proposed 30% of woodlands. He used a R1 teardown lot as an example. It would start off as a typically heavily wooded lot. He showed a 30% removal of woodland. In his example there was still room for a 4,500 square foot building footprint, driveway, tennis court, swimming pool, largest accessory building allowed, and landscaping. He pointed out it is a very intense use. All of that would fit with the allowed 30% removal.

Chuck asked Dr. Ware to speak on the issue of compatibility of trees and lawn. Dr. Ware emphasized lawn replacement with mulch. It is a better environment and one way to make the change. He would encourage mulch around a new tree. The crowns of new trees grow 2 _ to 3 times faster than trees that do not have mulch around them. He added it is hard to decide what good trees to plant. It looks as if Ash Bore is coming this way.

Chuck asked Mark O'Leary to comment on how to delineate good woodlands. Mr. O'Leary stated it is easy to see from the ground. It should be done by specifying the high quality trees. It is also important to find the right mixture of canopy and understory and get rid of trashy buckthorn and box elder.

Roger Lewan of 989 Saunders told the board government grows and grows. He questioned where the money is going to come from. He questioned how this ordinance will lower his

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

taxes. Chuck explained that some communities have set up conservation easements. The easement is taxed at a lower rate. It is a State level law.

Mike Karpeles of 1606 East Course wanted to know if there was a significant difference in run off with the permeable soil with turf grass versus woodland. Pat stated there was a larger difference in run off rates with the permeable soil. Mr. Karpeles wanted to know if there was a difference with the impermeable soil. Pat reported that there was. The difference was usually double. The more permeable soil had a difference of 200 to 300% with the lower rainfall amounts. Mr. Karpeles asked Mr. O'Leary how long it took to set up the Schaumburg Ordinance and if there was any litigation. Mr. O'Leary stated it took six months to write, and six months to review. He explained it is a plan not an ordinance, and there has been no litigation.

Leslie Reichenbach of 1390 Woodland wanted to know if it was a good idea to take the removal of leaves from other parts of a property and put them into the woodland areas. She also asked about the impact of deer on a healthy woodland area. Dr. Ware stated it does not take long for the decomposition of leaves. It is a good idea to shred the leaves with a mower first. He added it does take work to turn over a compost bed. Chuck stated he suggests shredding the leaves, bagging them, and then spreading them. He added we have studied the deer management component for years. We leave the management of deer to the Forest Preserve.

Ellen McKnight of 2550 Duffy wanted to know how to keep the woodlands healthy to regenerate. She would like guidance as a homeowner. She does know about the Buckthorn Removal Program. She questioned if the deer are going to eat the Oaks. Chuck stated there are several things to do. The things that help are repellents, dogs, and fences. We have planted Oaks at the Village Hall. Some have fencing; some do not. We are waiting to see what happens in the spring.

Sue Auerbach of 460 Portwine asked the board to consider the degraded woodlands in this ordinance. They can be regenerated. It is important to be careful on how to define "woodlands." She questioned if a resident has already removed a large amount of the woodlands, can he or she be told no more can be removed. We need to try to keep the woodlands contiguous. Ms. Auerbach questioned the cost of the engineering studies to make this work. Pres. Kaplan stated there will be no studies. The issue will be addressed when an owner comes in for a permit. At that time an inspection will be done. The owner pays all the costs associated with the permit. Chuck explained that the trigger to look at the property will come with the application for a permit. The baseline will be determined when the permit is applied for. The degraded level of the woods is a key component. We need to protect the indigenous soils. Dr. Ware added half of a functional tree is underground.

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

6

Leroy Anderson of 2690 Duffy mentioned the Lake County Ordinance dealing with tree removal. The ordinance is not concerned about trees with a diameter less than three inches. He questioned why residents are not allowed to cut down trees with a diameter less than two inches. Chuck stated he has worked on 100's of developments in Lake County. We have worked with that ordinance. Lake County is constantly tweaking the ordinance. They are differentiating between mature and young woodlands. They are delineating and defining woodlands by sizes. We are identifying components we think are important.

Dr. Marcus Hester of 1683 Saunders told the board and audience he had had a meeting about this ordinance at his office. He wanted to go on the record that he loves trees. He suggested that residents go on the website RiverwoodsHO.com for a different opinion. He added we should protect trees. Mr. Hester stated he questions the methodology. He believes in less restrictions, tax incentives, and education. He suggested using different alternatives.

Tom Bojarski of 1380 Indian Trail asked about different opinions and education. He questioned, rather than an ordinance, if there are other ways to take care of the issues without spending a lot of money. Pres. Kaplan explained this came about because of the teardowns. Developers are clearing the understory and putting in turf grass from one end of the lot to the other. That is the reason for the ordinance. It is not because of the residents. People are coming in whom we cannot educate because they do not live here. He stated that is why we are doing this.

Edmond Russ of 65 Treasure Lane told the board he came here because of the woodlands. We need to protect our assets. He is not a fan of governmental regulations, but he sees the need for this. He stated he applauds the Board of Trustees for their actions.

Kenny Ashman of 2801 Orange Brace told the audience he is running for Village Trustee. He thought the presentation was great. We need a protection ordinance. It is a travesty to knock down the woodlands. We do not want a Mr. T; nor do we want the Village name changed to "River." He wanted an explanation for the 30% figure. In the proposed ordinance the Village makes the assessment of the woodlands. He wanted to know if there is any resident due process procedure. He also wanted to know if the board would consider a referendum on this issue. Pres. Kaplan stated there have been great discussions on the 30% figure. We looked at what is being built now. The average is about 4,500 to 5K square foot homes and we took all of other uses for a one acre lot. It will all fit in the 30% figure. He added we want residents to be able to build what they want. No one should be hurt financially with this ordinance. Chuck explained that for the woodland inventory the builder prepares the delineation and gives it to the Village. It is done the same way for the wetlands. It is then reviewed by the Village. The information is

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

7

generated by the applicant. Mr. Ashman wanted to know if there is due process. Atty. Huvard reported we would have to provide an appeal process to the Village Board. In his experience the minor disagreements are easily solved. There has not been a problem with wetlands determination. Pres. Kaplan explained that doing this in this manner is better than a one-line referendum. It is better to discuss the issues as we are. He added we can do a referendum if that is what the residents want.

Spencer Lucole of 2650 Duffy told the board he had economic concerns. He read a paragraph he had written to the board. He felt that the ordinance was discriminatory. Pres. Kaplan explained that he felt Mr. Lucole's numbers were wrong. Trustee Masterson stated his numbers were off. He explained that the numbers start from what is wooded now, not the entire lot. Pres. Kaplan told Mr. Lucole he would be happy to go over the numbers to his specific lot.

Gregory Mancuso of 450 Greenbriar stated he is happy for the forum. He feels property rights are important. He does not want to see the value of his property degraded. He is in favor of the Woodland Ordinance. Riverwoods is a unique location. We have seen the value of the woodlands with Thorngate. The supply of woodlands is diminishing. With the rules of supply and demand, the values will increase. He stated he feels his property will increase in value, but he cannot do it alone. He is influenced by what is done around his home. Mr. Mancuso told the board he has a right to not have the value of his home decreased by the neighbors. This issue is important for the health and welfare of the community. Wooded areas prevent flooding. That diminishes the mosquito count. The woodlands filter the water that goes into the aquifer. That is good for those residents on well water. The woodlands make the surrounding areas cooler. Mr. Mancuso stated we have an opportunity right now to preserve or destroy. He told the board he is in favor of the ordinance. A protective ordinance benefits everyone

Mr. Paunescu of 720 Ringland told the board that education is very useful. He is a developer and a real estate broker. He felt this ordinance would increase the value of the property. He felt there was enough buildable area on a lot to expand or build as the resident desires. He stressed that the education program needs to be in place.

Cheryl Whidman of 2600 Deerfield Road, a resident of 24 years, told the board residents have talked about the intrusion of government. This is really about public policy. We are residents of the Upper Des Plaines River Basin. Prairie and savanna are part of our environment. There is an economic cost to flooding. No one talks about the cost of having FEMA come out. There is a quantitative difference between woodlands and non woodlands. Trees do better in the woodlands. She questioned why we do not have an inventory of the woodland. It is our most precious asset. It has a monetary value. Ms. Whidman added that we are starting to see a greater value to property with woodlands

Village of Riverwoods
Town Meeting Regarding Woodland Protection
December 7, 2004

8

especially with Environmental Economists. She questioned if the Village will do an inventory. Pres. Kaplan stated “no.” The inventory of a specific property will be done with an application for a permit. To do an inventory would cost the Village money, and thus the residents.

Carol Lieberman of 406 Greenbriar questioned if there were funds to apply for in order to do a survey for overall policy. Pres. Kaplan reported the State is very short on funds. Ms. Lieberman read part of an article written by Anna Quinlan on “Conservation Efforts on Urban Sprawl” in Newsweek Magazine. She told the board we need to seek and support the fight of urban sprawl.

George Gill of 1375 Woodland Lane stated he appreciates what the board is doing. He is a fan of the woodlands, but he is not sure he agrees with the plan. There are so many opinions. He challenges the Village to collect facts. He questioned how many acres of woodlands have been lost. He questioned the percentage change. He wanted to hear the hard facts of the problem. He stated the residents need to know how bad the situation is. There should be some fact digging for problems and risks. He commented that he did not know if the housing values would go up or down. There should be some better research on that. He compared the situation in Schaumburg to the situation in Riverwoods. Schaumburg’s situation was dire. They needed dramatic, immediate action. Pres. Kaplan explained that we are not waiting for the situation to become dire. It could be too late if we wait that long. We are trying to prevent a major problem. He stated that he has been in real estate for 48 years. Schaumburg used to have a lot of trees. Chuck Stewart has told us Riverwoods is changing. We have lost a lot of woodlands. Chuck reported he has worked with the Village since 1976. He perceives a change in the woodlands. We need to make an effort to address the issue. This is an opportunity. If the woodlands go away, they are not coming back. He explained that he works with 15 communities. Riverwoods is a forward thinking community. Last spring, on Arbor Day, a representative from the DNR (Department of Natural Resources) told him she had never seen another community in Illinois like Riverwoods. Pres. Kaplan stated we are not passing this tonight. There will be discussions at the next meeting. He suggested that the residents attend the meeting. There will be a vote in the next 30 to 45 days.

Trustee Haber moved to adjourn the Town Meeting. Trustee Masterson seconded. The Town Meeting was adjourned at 9:20 PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Continued Public Hearing – Regarding Approval of the
Milwaukee Avenue Tax Increment Finance Development
November 16, 2004

1

In Attendance:

William Kaplan
Sherry Graditor
John Norris
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Morry Weinstein

Absent:

Bruce Masterson

Minutes taken by Debbie Limer

The Public Hearing was called to order at 8:00 PM.

Atty. Huvad told the board that Bob Teska was here tonight. He had developed the redevelopment plan for the TIF. He is here to be part of the formal Public Hearing. Atty. Huvad handed out the criteria for the redevelopment plan. He explained that numbers one through five are applicable to the proposed development. Clerk Stanger swore in Mr. Teska. Mr. Teska explained that he is here to testify about the TIF on Milwaukee Avenue. The report is dated July 13, 2004. The proposed area is compliant with the State of Illinois TIF Redevelopment Act. The first issue is to determine eligibility. The area must meet the requirements of a blighted area. Mr. Teska stated there are five factors that make this a blighted area. It consists of an unused quarry. The area has an unused disposal site. It has periodic flooding. The area exceeds the minimum size requirement. The last factor is the EAV. The proposed TIF area EAV has grown at a rate that lags behind the surrounding area. The surrounding area EAV has grown 36% in the last five years. The proposed TIF area has only grown by 17% in the same amount of time. Mr. Teska stated another issue to the eligibility is that the area is not subject to growth by investments and it is not likely to have any investors. The area has been unimproved for over 24 years. The 37 acres have been for sale for a long time. The area is unfeasible economically without an overall plan, under the control of a municipality.

Mr. Teska explained the redevelopment plan was developed to be consistent with the Comprehensive Plan. In the Comprehensive Plan it is anticipated that this area will be

Village of Riverwoods
Continued Public Hearing – Regarding Approval of the
Milwaukee Avenue Tax Increment Finance Development
November 16, 2004

2

developed. The uses in the redevelopment plan are consistent with the Comprehensive Plan. He added that no housing will be displaced. There will be minimal negative fiscal impact. School districts will benefit. The TIF will be done in 23 years. S.B. Friedman analyzed the costs and revenues in the redevelopment plan. They provided us with the numbers that were used. The one additional requirement to the redevelopment plan will be the details of the annexation. Atty. Siegel pointed out that this piece of land would probably not be developed without a TIF. Mr. Teska stated that he agreed with that statement. Atty. Siegel added that the incremental revenue will cover the cost of development. There will be no general taxation. This will not cost the residents of Riverwoods anything in the way of taxes.

Atty. Huvad stated we should continue this Public Hearing until December 21st. Trustee Graditor moved to continue the Public Hearing until December 21st. Trustee Haber seconded. The motion was carried by voice vote.

The Public Hearing adjourned at 8:10PM.

Respectfully Submitted,

Debbie Limer

1

Village of Riverwoods
Continued Public Hearing – Regarding Approval of the Milwaukee Avenue
Tax Increment Finance Redevelopment
November 2, 2004

In Attendance:

William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
John Norris
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

William Svatik
Paul Tully

Minutes taken by Debbie Limer

The Public Hearing was called to order at 8:00 PM.

Atty. Huvad told the board we are still negotiating and working on the site plan. The Plan Commission cannot finish their Public Hearings without the site plan. We cannot finish the annexation agreement until the Plan Commission is done with their Public Hearings. He added that we want to hear more testimony from Bob Teska. He suggested we continue the Public Hearing until November 16th and get the testimony on record. Trustee Norris moved to continue the Public Hearing until November 16th at 8PM. Trustee Masterson seconded. Motion was carried by voice vote.

The Public Hearing was adjourned at 8:02PM

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Continued Public Hearing – Regarding Approval of the Milwaukee Avenue
Tax Increment Finance Redevelopment
October 5, 2004

1

In Attendance:

William Kaplan
Sherry Graditor
Michael Haber
John Norris
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Morry Weinstein

Absent:

Bruce Masterson
William Svatik

Minutes taken by Debbie Limer

The Public Hearing was called to order at 8:00 PM.

Atty. Huvad told the board he wanted to give them the latest update on the TIF. The next Plan Commission meeting will be on October 28th. There are several proposals before the Plan Commission. He explained that the TIF for the 37 acres cannot be done until the property is annexed. We have to continue this hearing until the property is annexed. There is some new testimony to hear tonight. He passed out the Joint Review Board report. Atty. Huvad stated that Tony Smith, our consultant, from S. B. Friedman is here tonight. He is going to present some financial analysis, proposed improvements, projection of the tax increment, and feasibility.

Mr. Smith explained that the TIF will be adopted in 2004. That will make 2005 “Year 1.” The TIF has a 23 year life span. The improvements are an eligible cost. The base value of both parcels of land in 2003 was \$600K. The proposed development program is for around 320K square feet. Mr. Smith stated that he used tax comparables to determine the amount of taxes per square foot. He used similar uses in similar areas. He explained that a big box retailer generates less tax than a restaurant. Listed on the attached report is the reasonable equalized value per square foot for each use. He estimates the development will be up and running in 2006 to 2007. He figured the EAV will increase 3% a year. That is a conservative estimate. He also assumed a constant tax rate.

Mr. Smith stated that in 2027 there will be an estimated \$23M in revenue. In present day dollars that is \$11.7M. Atty. Huvad explained that we could issue bonds using the

Continued Public Hearing – Regarding Approval of the Milwaukee Avenue
Tax Increment Finance Redevelopment
October 5, 2004

present day value when the tenants are signed up and ready to go. The community could issue conduit bonds only coming from the TIF. We could issue bonds up to 60% of the present value. The developer would like us to consider issuing bonds for the use of the larger tenants. We can hold onto them or refund them after the tenant is up and running. The developers are looking for flexibility and want the bonds as early as possible. Atty. Huvard added the bonds are refunded after the tenants are in and open for business. After the annexation is complete and they line up uses, we will issue the bonds.

Trustee Tully told the board we have been told a gas station on the corner is the most fruitful use. According to the report handed out by Mr. Smith, a restaurant would be a better choice. Pres. Kaplan pointed out there is a difference between real estate taxes and sales taxes. Trustee Tully asked where the numbers come from. Mr. Smith stated tax comparables. Sales tax has a direct benefit to the Village. The Village gets the majority of it. The Village sees very little of the real estate taxes. Atty. Huvard stated the sales tax on a gas station is much higher than a restaurant. BP is looking at the proposed station to be a high volume service station.

Trustee Tully moved to continue the Public Hearing until November 2nd at 8PM. Trustee Norris seconded. Motion was carried by voice vote.

The Public Hearing adjourned at 8:25PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Plan Commission Public Hearing
July 8, 2004

1

In Attendance:

Linda Dunn
Joan Becker
Kristine Ford
Larry Kanar
Ron Pankau
David Zehren
William Kaplan
Bruce Huvad
Pat Glenn
Russ Kraly

Absent:

David Ritter

Minutes taken by Debbie Limer

The Public Hearing was called to order at 7:40PM.

Atty. Huvad asked everyone present for the 37 acre Public Hearing to introduce themselves. The group was as follows: Joshua Silverglade from The Equitable Group, Jonathan Berger from The Equitable Group, Richard Klawiter from Piper Rudnick, Tracy Richard from Manhard Consulting, and Edward Benes from Manhard Consulting. Atty. Huvad read the Public Hearing notice for the 37 acres. He explained all of the area will have to be rezoned. Not all of the 37 acres is in the Village. We will have to adopt a text amendment to the current Zoning Ordinance. This development is much more complex than what is addressed in the Zoning Ordinance. We set up the mixed use planned development in 2000 with this project in mind, but we will still need the text amendment. Some of the issues will include imperious surface ratio. Right now the guideline is set at .6. We are going to look at set backs for parking and buildings. At the Shoppes of Riverwoods we allowed parking closer to Milwaukee in order to provide a large buffer for the residential area behind the shops.

Atty. Huvad handed out an updated time line. He explained that Bob Teska is working on the redevelopment plan. He has a vision of the project. The first hearing is tonight and there will be more. Atty. Huvad told the commissioners he hopes the plan is ready for the public in a day or two. The hearing on the redevelopment plan will be September 21st. We have to set up the Joint Review Board before the hearing. All taxing bodies have a right to be represented on the Joint Review Board. There could be 10 to 12 people on that board. Atty. Huvad explained they will work as an advisory body. The budget will be presented in the redevelopment plan. The Joint Review Board will meet a few times. They will present a report to the Board of Trustees. A negative vote from the Joint Review Board will require a higher majority vote from the Board of Trustees.

Village of Riverwoods
Plan Commission Public Hearing
July 8, 2004

2

Atty. Huvard stated when the redevelopment plan is approved; it will designate the boundary area for the TIF. It authorizes the TIF to pay for the project. Atty. Huvard outlined the area being discussed for the TIF. It will be the 37 acres and the Riverwood Inn parcel. That parcel is five acres. The total TIF will be about 42 acres. The Joint Review Board will have meetings within in the timeline. The Village has to annex a portion of the 42 acres, 37 acres to the Village. There will be a hearing on the annexation with the Board of Trustees. After the hearing the Board of Trustees can annex the property. The Annexation Hearing cannot happen unless we address all of the zoning issues. Atty. Huvard reported the Plan Commission must recommend and review any special uses. Everyone will be here before the Plan Commission in August and September. We need to consider the zoning before the annexation. The mixed use plans for both parcels will need to be addressed and approved. That will include addressing buffers, landscaping, traffic analysis, and other issues. Atty. Huvard told the commissioners we will want to get the Plan Commissioner perspective on the mixed use. Once we get to the final plan then it goes to the Board of Trustees for approval. He added we will probably not have the final plan before the property is annexed.

Atty. Huvard stated we want to make sure we are on the right track with this whole process. It will be set up so that the petitioner does not have to be the final developer. He stressed we want to make sure we have this project adequately proposed for the Village and the developer. Broad concepts have been discussed by the developer, Village Forester, Village Engineer, and Village Planner. Atty. Huvard told the commissioners everyone understands we are at the beginning of the process. He wanted to stress the principles and let the commissioners know that we will need the opinions of the Plan Commission members. This will most likely be a big box development. The property lends itself to that type. Those are the tenants who have expressed an interest. The proposed 160K square foot home improvement store sets the ground work. Retail is favorable for the site. If it is handled well, there will be nice tax income on the property. The height limit for the site is 45 feet. Nothing that has been proposed exceeds that.

Atty. Huvard explained there will be no direct negative impact on the surrounding residential neighborhoods. The significant neighbor is Brentwood. Our key concern for them is to provide a good set back. Atty. Huvard pointed out we have asked for a wider set back than is shown on the plan. The site is not in the floodplain, but it is higher than Brentwood. A major concern is the general view of the development. We are looking for a green buffer. He pointed out Colonial Courts does not meet our new expectations. Federal Life, CCH, and Discover are good developments in terms of green buffers. We would like the 37 acres to look like these developments. Atty. Huvard stated we suggested a 50 foot buffer on Milwaukee with some intrusions for buildings, but not for parking. There are some constraints on the drive through use such as a bank or pharmacy. The set back for the buildings is established at 60 feet. Access on Deerfield Road will be with a traffic signal. That new street will be village owned and will have attractive landscaping. Big trucks will access the site from Milwaukee on the south end of the site. Our goal is to keep as much traffic from Deerfield Road as possible. We want attractive parking and have suggested island parking. Chuck Stewart has given us feedback on that.

He does not feel that is the right answer. It is hard to maintain and usually only includes a sapling or two. He has suggested the spine street concept. The idea is to divide the site. There can be walkways and paths. There would be trees on both sides of the street.

Atty. Huvard explained we will require high quality architecture. We are suggesting masonry. There are no specific details on that yet. He told the commissioners there is a potential for \$5M to \$15M in TIF assistance. We are providing a huge potential to help support this project. It is very unlikely that we would be able to develop this land without the TIF. The property was a land fill, and to build on a land fill is very involved. He added we want to help out, but we also want to see our input for the property in the final plan. We need to work with the developer to come up with a mutually agreeable plan.

Bob Teska told the commissioners that the Lake County and IDOT requirements will necessitate us to dedicate additional right of way. Storm water management is very important on the site. There has been a substantial area set aside for storm water. He explained we want the detention areas to be park-like. He added all of the consultants have had several meetings.

Atty. Huvard swore in all of the people present who were to add to the presentation including the representatives of the Village. Richard Klawiter told the Plan Commission he represented the ownership. He wanted to walk the commissioners through the plan. It is a very challenging site. There are significant constraints in working with the land fill site. A lot of the TIF money will go to preparing the site. He added that they are operating on good faith that we can get this done. This is a private/public partnership. The meetings have been very fruitful. The design principles have been discussed and focused on. He explained that the developer needs flexibility and the Village has very high standards. We all need to work together. August 5th is the next hearing, and he hopes to make good progress between now and then. Mr. Klawiter told the commissioners they will address all of the Village's concerns. He reported the Village has not commented on the current plan. This is the developer's best attempt up to this point. He added that Joshua Silverglade and Jonathan Berger are very committed to the project. They are principled and good listeners.

Tracy Richard told the commissioners changes have been made to the plan. More details have been added. There is less access off of the main road, and they are proposing to add more walkways. He pointed out changes to the plan on the map. There is a 30-foot buffer with Brentwood. Atty. Huvard stated that the aerial photos of Brentwood show that it extends back farther than we thought. The service drive is going to be an issue. Mr. Richard reported there may be some trees already there that would be kept and added to as a part of the buffer. Some uses need more parking. That is a need that will have to be considered. He added they have already tried to address some of the landscape issues. . They are trying to look at the Village requirements. Commissioner Pankau indicated that the Forest Preserve is on the east side of the property. There are paths in the Forest Preserve. Mr. Richard explained that they have shown connections to those paths. He was not sure if they match up exactly. Atty. Huvard stated we will have to work with

Village of Riverwoods
Plan Commission Public Hearing
July 8, 2004

4

Brentwood for the easement. He would like to get bike traffic in using the paths rather than the street. We do not want to have too much parking or too little. He added we are at the beginning of the process for parking issues. Chair Dunn pointed out that the Home Depot in Deerfield does not have adequate parking spaces for oversized trucks. She wanted that issue to be noted. Mr. Richard stated they can plan for that in the lumber area. Bob Teska asked about truck access. Mr. Richard pointed out there will be gated access into the yard around the building. Atty. Huvard questioned if it was possible to provide all of the truck access on Milwaukee Ave. There will be a lot of truck traffic. Pat Glenn added there are load limits on Deerfield Road; Milwaukee Road may be the only option. Mr. Richard indicated the truck traffic through the site can be modified. Commissioner Zehren pointed out as the plan is now the truck access goes along Brentwood. Mr. Richard stated the plan can be modified. Atty. Huvard suggested flipping the office use and the retail use.

Commissioner Zehren asked how far this development is from the Des Plaines River. Atty. Huvard stated it is far from the River. He discussed the ideas for the Northwest corner of the site. It is the current Riverwood Inn site. They are looking at an upscale BPAmoco station, a service station/food mart, a bank, and a small restaurant or small office. Commissioner Ford explained that restaurant parking is an issue. We want to make sure the parking is sufficient. We do not want to see too many restaurants lined up and not enough parking to sustain them. Atty. Huvard explained we want to think of the things we want to see and highlight our guiding principles. Chair Dunn stated she wants to see the gated area switched around, the office area switched with the retail, and the storm water detention to be dry most of the time. She expressed her disappointment with the detention at the Shoppes of Riverwoods. Pat Glenn explained that there are some issues to be cleaned up with the detention at the Shoppes of Riverwoods. The water level should be lower. Storm water is important, but it will not like it is at the Shoppes of Riverwoods. Mr. Richard stated they will try to make the detention downhill. Commissioner Becker added that she liked the park-like idea of the detention. She does not like how it looks at the Shoppes of Riverwoods. She suggested as much landscaping as possible. This will be the entrance to Riverwoods. It should be attractive and not an asphalt experience. Mr. Richard explained that if the storm water detention is in the front of the property, they lose valuable retail space. Commissioner Becker stated the development should be an asset to the community.

Mr. Richard wanted to know if the commissioners would prefer natural plantings to corporate looking landscaping in the detention areas. Commissioner Becker indicated that natural planting is more useful for detention. Chair Dunn reported there are five ingress and egress locations. Atty. Huvard added there are only two traffic lights. Mr. Richard stated those two lights are predetermined for us. Atty. Huvard explained that he had prepared a text amendment. It amends the uses of the mixed plan development. He has made adjustments to it. The owners of the Riverwood Inn will be here August 5th. Commissioner Ford wanted to know if the buildings will have a consistent look. Jonathan Berger stated there will be consistency; everyone wants that. Bob Teska asked how that will be achieved. Mr. Berger responded design standards. Atty. Huvard indicated it will

Village of Riverwoods
Plan Commission Public Hearing
July 8, 2004

5

be a challenge to achieve continuity with such different types of uses. We have not talked about materials yet; we want them to be harmonious. Bob Teska told the commissioners each owner will want to use their own materials for recognition. We may want covenants for architectural uses.

Commissioner Ford asked about signage. Mr. Klawiter stated they are working on putting together ideas for signage. Atty. Huvad added we will have to be concerned about visibility. Commissioner Ford reported one concern may be working against another. Commissioner Zehren commented that we want an integrated look. Bob Teska stated the landscape theme is important also. Chair Dunn explained that applies to both properties. Atty. Huvad told the commissioners the actual uses, the big box stores, will drive the development of the site. We need uses that will generate sales tax revenue. He added we would like an upscale restaurant or retail also. Commissioner Kanar suggested having retail on the first floor and office space on the second floor of the building marked "retail office building." Chair Dunn stated she is looking forward to shopping in Riverwoods.

Commissioner Pankau moved to continue the Public Hearing to August 5th.
Commissioner Kanar seconded. Motion was carried by voice vote.

The meeting returned to regular session 9:15PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Public Hearing
Appropriations Ordinance
March 2, 2004

1

In Attendance:
William Kaplan
John Norris
Sherry Graditor
William Svatik
Bruce Masterson
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The public hearing was called to order at 8:00 PM.

Atty. Siegel explained that the Public Hearing for the Appropriations Ordinance is required by State statute. The Ordinance is not a commitment to spend; it is an authorization to spend money, based on the Tax Levy Ordinance figures. The large numbers listed are not a direct representation of a plan to spend.

Trustee Haber arrived at 8:02PM.

There were no public or board comments.

The Public Hearing was closed by voice vote at 8:05PM

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Plan Commission
Public Hearing
January 8, 2004

1

In Attendance:

Linda Dunn
Joan Becker
Kristine Ford
Larry Kanar
Ron Pankau
David Ritter
David Zehren
William Kaplan
Bruce Huvad
Pat Glenn
Russ Kraly

Minutes taken by Debbie Limer

The public hearing was called to order at 8:00 PM.

Chair Dunn told the commissioners the reason for the public hearing is to discuss the hotel site. Atty. Huvad explained there was a notice published in the Deerfield Review about the public hearing. The discussion is whether or not to add a text amendment for a special use of a "destination restaurant." We are considering this Special Use in the vacant hotel site. Chuck Burns is the owner of the site. Atty. Huvad directed the commissioners to the second page of the text amendment. The proposed addition is underlined. He explained that Morgan Stanley had negotiated for a higher density than what is normally allowed in the O & R1 district. We gave them a special use within the O & R1 district. Smaller parcels became an issue. We did not know what to do in the O & R1 district. We set up the "office compatible" district. A hotel is a good compliment to that and is in the right area. We also set up the small office development which became the Korman Lederer project. The issue tonight is the third or letter "C" of the text amendment. Atty. Huvad explained the other half of the hotel site is very hard to market as a hotel. It is not foreseeable to have another hotel. There are other businesses interested. We are concerned about getting a mid-scale restaurant. A German company is interested in putting in a Bavarian Garden type restaurant. They want it to resemble a Bavarian beer hall. There is no proposal yet; they want to know if we are interested.

Atty. Huvad explained the Village would like to see an up-scale restaurant. He did research on J. Alexanders. Some of their distinctive features are a stand alone building, 200 seat capacity, food products made from scratch, and a wine list. We want something supportive of the office workers in the area. Atty. Huvad stated years ago the board did not want a stand alone restaurant. There was a concern the restaurant would go out of business. We want quality in the building and design. Atty. Huvad told the commissioner Chuck Burns is here to discuss the issues. Chuck Burns explained he bought the land 3 years ago for a Holiday Inn. The economy and 9/11 had changed everything, and the hotel industry is in a slump. He reported that last May they were

Village of Riverwoods
Plan Commission
Public Hearing
January 8, 2004

2

ready for construction, but the bank rejected their offer, and they lost the franchise. That was the end of a hotel in the site. He told the commissioners that after the sale sign went up he got 30 phone calls. There have been people interested in condos, a funeral home, and office space. The problem with offices is the high vacancy level and there is not enough room in that space. Mr. Burns stated a group from Germany called about a Bavarias Garten. They want something bigger than we can put in, but they would consider consolidating. There is a concern about the outdoor festivals. They have already talked to CCH about parking issues. He added they were originally looking at Wheeling, but that is no longer happening. Mr. Burns told the commissioners he feels the best use is a restaurant. It will help the hotel. The increase in hotel taxes will help the Village. He added Pres. Kaplan, Atty. Huvad, and Russ have been very helpful.

Commissioner Pankau stated he is concerned about the noise of the music. Hans Bavarian Lodge was a problem. Mr. Burns told the commissioners we can not have that kind of a problem with the hotel so close by. Commissioner Pankau added there would also be noise problems for Thorngate. Mr. Burns explained they plan to have the music in a tent. Chair Dunn informed him that was how Hans Bavarian Lodge had their outdoor events; the noise was still a problem. Commissioner Pankau suggested talking to the owners. He liked the idea, but was concerned about the noise. Chair Dunn stated we can change the text amendment to add a restaurant, but it may not be that type (Bavarian with outdoor entertainment) of restaurant. Atty. Huvad explained we can put in qualifications and restrictions. Commissioner Becker wanted to know if there has been interest from other restaurants or retail. Atty. Huvad pointed out we do not want to put in retail. It is inconsistent with the office use. A strip mall is not compatible. Chuck Burns informed the board he got a faxed proposal for retail. It would be a strip mall with food service. He stated he did not think it would be acceptable. There are no other restaurants, but he did talk to a restaurant broker. The broker offered to list the site. If the special use is approved, he will pursue it. There is no written offer from the Bavarias Garten yet. Atty. Huvad stated they are proposing little shops inside the restaurant. It would be a theme concept.

Chair Dunn told the commissioners the site is three acres. Honore Frumentino stated J. Alexanders is on 2.4 acres. She added she likes the restaurant idea, but not the beer garden concept. Parking is the key. The market is there. It needs to be a restaurant with a track record. Commissioner Pankau stated he agrees with the restaurant comments. Chair Dunn pointed out that we can work on the wording even after it is accepted. Atty. Huvad reported it is hard to define what we mean. The commissioners all felt "destination restaurant" was a good description. Mr. Burns explained he wants a good quality restaurant that brings in traffic for the hotel. The German group wants to come in at the end of January. If they are willing to change a few things, he wanted to know if the commissioners wanted them to come in. Atty. Huvad stated that is premature. We cannot react until we see their proposal. Commissioner Ford questioned how we approach a restaurant we are interested in. Commissioner Kanar stated there are brokers who

Village of Riverwoods
Plan Commission
Public Hearing
January 8, 2004

3

specialize in restaurants. Mr. Burns told the commissioners he has put an ad in a restaurant magazine. He wanted to be proactive and help the hotel. Commissioner Ritter moved to close the public hearing. Commissioner Ford seconded. Motion was carried by voice vote.

The public hearing closed at 8:40PM.

Respectfully Submitted,

Debbie Limer