

The Village Report

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Special Edition

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To: Postal Customer
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Marathon Approval is Official

With the purchase by Marathon of 262 acres of land from the Sisters of the Holy Spirit on March 16, 1990, the final piece in the Marathon annexation process has fallen into place. This is a report summarizing how the Village dealt with annexing this 306 acres known as "The Sisters' Parcel" of the Techny land. We believe the annexation agreement is unique in Illinois, and perhaps in the United States, and may serve as a model to control future commercial developments for Glenview and other Villages.

The petitioners, Marathon, initially requested the right to develop 4.5 million square foot corporate office park and a continuing care retirement community. After more than three months of televised public hearings before the Plan Commission and the Village Board a 2.75 million square foot office park was approved.

During these hearings, residents of Glenview and neighboring communities presented concerns about many items including: stormwater run-off and flood control; density and building mass; land use; and perhaps most of all, traffic.

The issue with the greatest community impact was the complex problem of traffic congestion. The petitioner's traffic experts presented extensive testimony providing what the Board believed to be excessively optimistic (i.e. low) projections as to the amount of traffic that would be generated by a development this large. Their ability to mitigate (or reduce) the traffic that would be generated in the future by relying solely on such methods as: ride-sharing, shuttle buses, flextime, etc., was questioned. The Plan Commission reflected this skepticism in their recommendation that the density be drastically reduced from what was originally requested. As the process drew to a close, positions became clear:

- ◆ The Village Board refused to approve more than 2.75 million square feet of office space since that would have generated the maximum amount of traffic our own independent experts determined could be "digested" by the affected intersections.
- ◆ The developer needed 3 million square feet for an economically viable project.

This created a dilemma. If the Village Board accepted the developers proposal, it would lead to unacceptable traffic levels. However, if the Board rejected the proposal, it would have effectively dissolved the IDOT Task Force Agreement (signed by The Techny Fathers, Glenview, Northbrook, and all three Techny developers) which defined, scheduled and funded over \$30 million worth of critically needed area road improvements. While an outright rejection of the proposal might have, at least temporarily, reduced the total *number* of cars on our existing roads, it would have resulted in more *congestion*.

The solution to this dilemma was reached through an innovative agreement between the Village and the developer, which would permit the developer to construct a maximum of 3 million square feet, only if it is demonstrated that "real world" traffic volumes have, in fact, been reduced by 10%. This means that the maximum traffic generated would be less than would otherwise be generated by the 2.75 million square feet that the Board of Trustees found acceptable.

To strongly encourage the developer not just to settle for a 10% reduction, the Board also agreed to let the developer make one future request to build more than 3 million square feet. That request, however, can only be made after traffic has been reduced enough to permit 3

million square feet to be built and occupied and the traffic generated is actually known. After that point, if the traffic generated by 3 million square feet is still even less than it would have been at 2.75 million square feet, the developer would then be able to ask the Board for permission to build additional square footage in an amount that would use up one half of the verified reduction.

The Village Board would have to approve the additional construction and can turn down the request if the total traffic in the area generated by other developments in the region is simply too great to be accommodated by the arterial road system that will be in place at that time. With this approach, the developer has a continuing economic incentive to strive to reduce traffic and the community will continue to receive our benefit of reduced traffic into the future.

The agreement accomplishes the following:

☆ The methodology to monitor the traffic is specified in hard numbers. We have the protection of a cap on traffic rather than relying on hopes and projections.

☆ Future decisions regarding traffic levels will be made in a regional context and not just based on the circumstances of one parcel of property.

☆ There will be substantially less traffic than there would have been under the original Techny Plan (see "Alternative Futures . . ." article on page 2).

☆ It provides a positive economic incentive to the developer to reduce traffic.

☆ An agreement between Kraft, Marathon, Rubloff, the Villages of Northbrook and Glenview, and the Illinois Department of Transportation, to fund road improvements was preserved. This agreement, which has been described as "the most far reaching, public/private partnership ever developed to solve a [regional] transportation

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(Continued from page 1)

problem" has identified \$30 million worth of road improvements programmed for the future in the Willow Road Corridor.

Half of that money will come directly from the private developers through the payment of highway impact fees. Should this agreement have broken down, this region could have faced the possibility of several million square feet of office space being built by Rubloff and Kraft with no requirement in place to actually handle the funding for such improvements.

The annexation agreement with its exhibits (copies are available at the Library), addresses numerous other areas of concern such as:

✓The developer is required to donate a 10 acre park to the Glenview Park District, the location and configuration of which are to be worked out with the Park District within the next three years.

✓There are major restrictions on the amount, location and size of both office and industrial buildings which will ensure that even buildings that are industrial in nature will contain at least 25% of office space and be subject to the same rigorous requirements as pure office buildings.

✓All will be subject to the requirements of the Village Appearance Code. They will also be subject to protective covenants which will bind all future tenants to an additional layer of aesthetic control over the building design, materials, siting, landscaping, etc.

✓Special setback restrictions have been imposed on critical parcels in proximity to neighboring residential zones.

✓Not only will the flood prevention capabilities of the Techny Reservoirs not be reduced, their capacity will, in fact, be increased. Marathon has also agreed to install special remote reading devices at the reservoirs allowing the Village to more closely monitor the status of water levels in the reservoirs.

✓Developer is required to pay 100% of the cost of all public improvements associated with the project including water mains, sewer lines, roadway networks, signalization, etc. The Village has offered tax exempt financing to fund many of these improvements, the debt responsibility for which, however, remains solely their obligation, not Glenview taxpayers'.

✓We have joined with the Village of Northbrook in adopting parallel provi-

sions obligating both developers (Rubloff and Marathon) to: creating a traffic management association; its continued and permanent staffing; maintaining flextimes; creating user-friendly designs to facilitate bus service; creating shuttle buses, etc., the purpose of which is to reduce the amount of traffic generated from the development. In addition, Glenview is working with both Northbrook and Northfield to secure a commuter train station to serve the Techny area.

Finally, the Village Board recognizes that the issue of traffic is not one that can be dealt with on a site-by-site, or even a street-by-street basis. On the contrary, the Board is committed to developing a proactive strategy which will, to the extent possible, reduce negative impacts of traffic on residential neighborhoods.

As such, a traffic consultant has been retained to work with Village to prepare specific proposals to mitigate both congestion and cut-through traffic throughout the Village. We believe a comprehensive approach to this problem, rather than street-by-street "bandaids" will prove most effective and we look forward to the presentation of these proposals later this year.

Alternative Futures - The "What If" Game

Question: If there was a plan drawn up for this area some years ago, why didn't Glenview just stand on the old plan and refuse to approve anything else?

Answer: Aside from a host of legal and other issues, there is one main reason. The Marathon plan as defined and limited by the annexation agreement, will generate 80% less traffic!

The "Original" Techny Plan

Attitudes have changed dramatically since the first Techny Agreement was signed. Fifteen years ago, corporate office buildings were widely viewed in a positive light as a means to reduce the homeowners' tax burden. Today, for many people, they carry negative connotations of traffic congestion.

The original Techny Agreement was founded on the principle of ensuring that adequate tax base would be developed on the parcels to provide equitable revenues for all the jurisdictions that would be serving the 1,200 acres. As a result, the

plan was heavily salted with revenue-producing land uses which tend to be intensive land uses in terms of their impact on their neighbors. Uses such as "offices" or "office and research" were given a high profile priority. In fact, the Plan's development standards section went so far as to require developers to build the office and commercial areas *first* before residential districts were constructed!

It is impossible to recreate a purely "original" Techny plan because of changing circumstances. Some examples:

1. **The Joint Public Works Facility:** The original 1975 Plan was revised by the Techny Area Joint Planning Commission (TAJPC) in 1980. A presumption was made that a joint Public Works facility for the participating municipalities might be built on the site. That did not occur as individual Villages pursued construction of individual Public Works facilities.

2. **The Junior College:** At one time a Junior College was suggested on the







parcel. The construction of Oakton Community College on Central Road made that proposal moot.

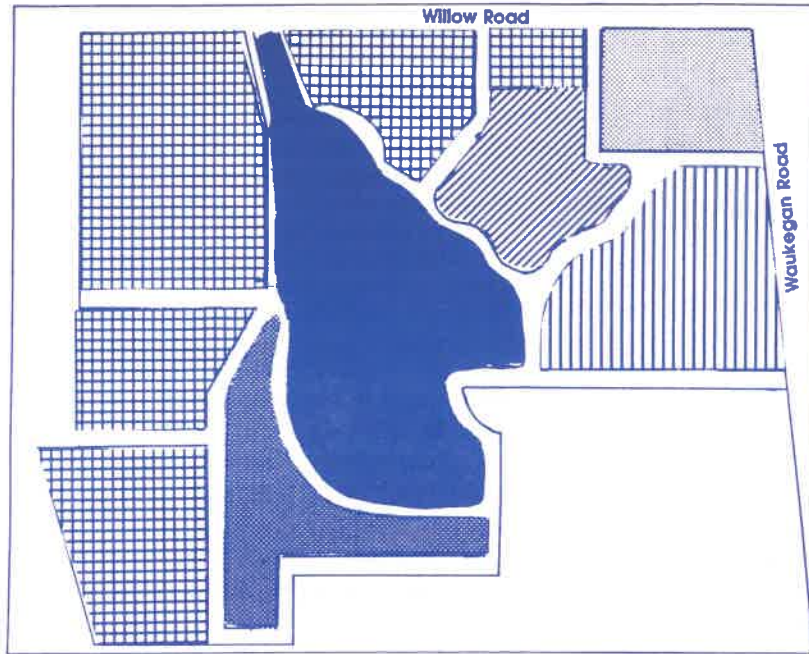
3. **The size of the Sister's Parcel:** The TAJPC was forced to make assumptions as to how much land the Sisters were likely to retain when the land was developed. Those assumptions ranged up to 34 acres. As it has turned out, the Sisters have decided to retain 20 acres. Therefore, the 14 acre difference has been distributed to adjacent land uses.

4. **Technical Changes:** Other changes included recalculation of the detention area acreage as well as fine-tuning sizes of various sub-parcels as more accurate survey information became available.

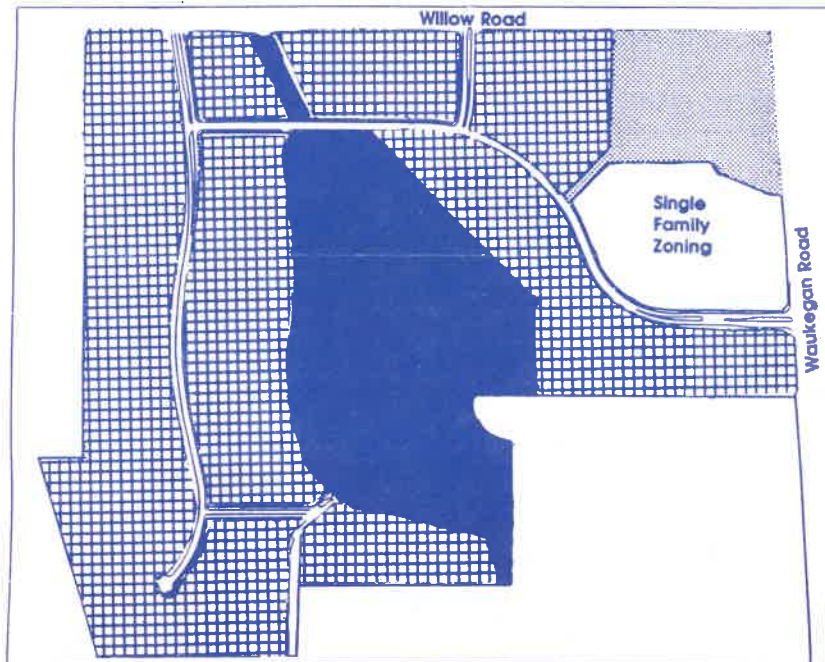
Generally, the site plan, found below, reflects our best estimate of what might have happened if the Techny agreement were carried out in its purest sense. It should be noted that the residential land uses anticipated in the agreement identi-

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- KEY**
-  Medium Density Multi-Family
 -  High Density Multi-Family
 -  Office
 -  Convent
 -  Detention
 -  Park



Approved Marathon Plan



(Continued from page 2)

sified specific, permitted densities. The "High Density Multi-Family" called for 15 dwelling units per acre and the "Medium Density Multi-Family" specified 9 units per acre.

The Approved Marathon Plan

The approved Marathon plan is a reduced and simplified version of the land use plan approved by the Village as part of the annexation agreement with Marathon and The Sisters. It should be noted that the 23 acre parcel identified as "Single Family" may be incorporated into the office park at some future date or, developed as a continuing care retirement community or some other land use. How-

ever, any alternative development is severely restricted in regard to traffic generation in that it may add no more than 200 cars in total to the morning and evening rush hours. In addition, the developer will be donating a 10 acre park to the Glenview Park District, the site for which has not been chosen and, as such, could not be identified on the site plan.

What Happens?

A cursory review of these scenarios reveals some surprising findings. For example, the original Techny Agreement anticipated the construction of office uses within the confines of the then existing Village zoning ordinance, which remains substantially unchanged. Application of

the zoning ordinance, without any variances, could result in excess of 11 million square feet of office space being constructed on the land originally identified for office and related uses. This far exceeds even the wildest expectations (or fears) regarding development of this parcel. Also included in the mix would have been over 400 medium and high density multi-family dwelling units making it the largest multi-family residential development in Glenview. The last item was a 45 acre park which, although differently configured, would be about the size of Flick Park in Glenview.

All of these land uses would have generated more traffic from Glenview's 306

(Continued on page 4)

Traffic Mitigation Methodology - What's so Unique?

One aspect of the Marathon annexation agreement which has been referred to as "unique" and "the first of its kind", is a special exhibit which directly ties the petitioner's ability to construct actual buildings with the actual number of cars those buildings will generate.

This approach was initially discussed by the Plan Commission during its consideration of the Marathon Agreement. When the matter finally got to the Board of Trustees, it became clear the Board would not approve a development based upon the traditional mathematical compromise which makes up many such negotiations. Also, it was not content to rely on the "good faith efforts" of future tenants to maintain the continuing commitment of man-hours, resources and enthusiasm that is necessary to make such programs as ride-sharing, flextime, shuttle buses, etc., work consistently.

The Board, therefore, defined the para-

meters, and directed that an implementation methodology be developed. In its final consideration of Marathon, a proposal was offered and ultimately fine-tuned right at the public meeting between the developer and the Board of Trustees resulting in what is called the Traffic Mitigation Methodology (TMM). It is unique because:

1. It relies on telemetry systems which will give continuous actual traffic counts of all traffic entering and exiting the site in question, around the clock, on an hour-by-hour basis. As such, it doesn't rely on manual counts or 'guesstimates', or little rubber hoses stretched across the entrances.

2. It is flexible enough to provide lead time for the developer to be able to market the property. Because it is incremental in nature, it allows time to build confidence between the developer and the Village throughout the build-out

process. While the developer must be able to project the number and size of buildings and sites he has to sell, the community has to know that construction can be halted if the traffic generated gets out of hand.

3. From the developer's viewpoint, it is sufficiently objective and removed from the vagaries of the political arena to make it reliable enough to be "bankable". At the final step, however, only the Board can approve construction over the 3 million square feet limit, and then only within strict limits.

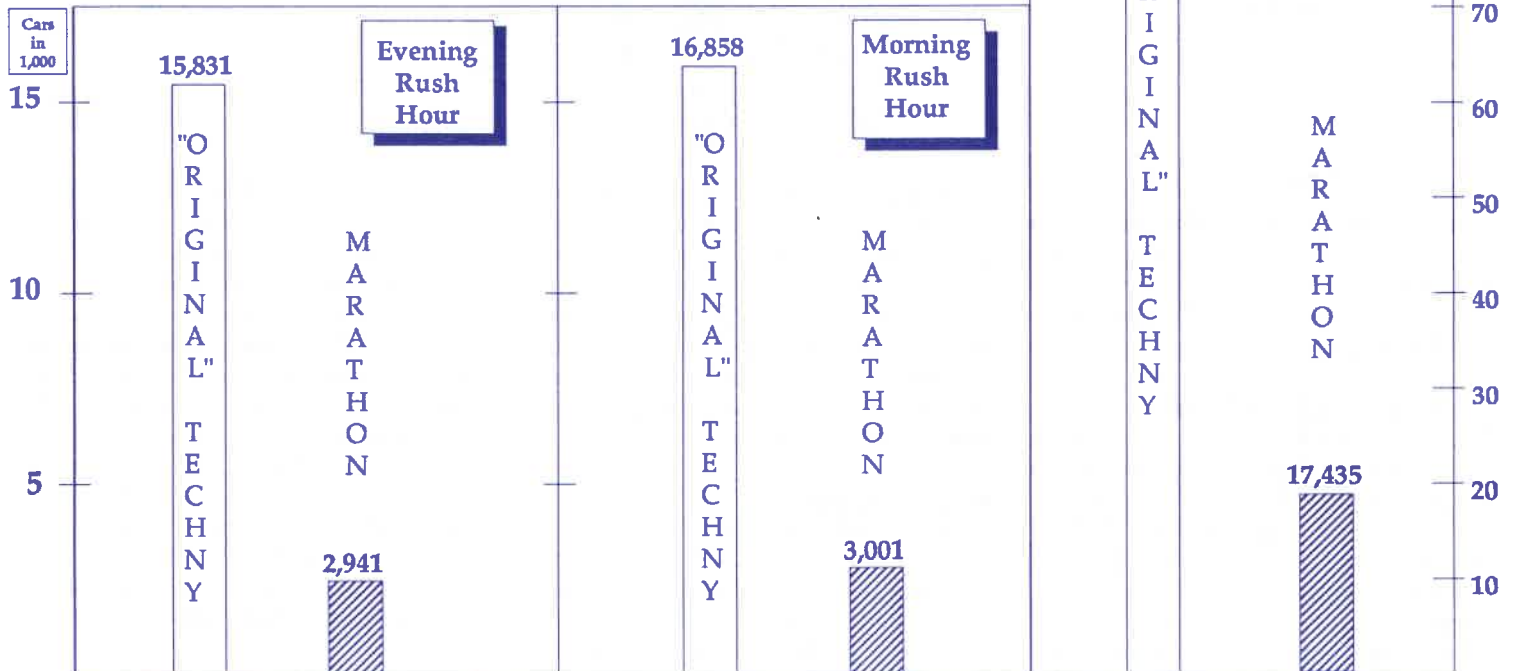
4. It protects the Village through the denial of building permits. The Village Government has the specific authority to deny building permits above the initial buildout level before traffic problems occur, rather than the more traditional approach of granting an approval and hoping for the best.

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acres than is currently anticipated from the entire 1,200 acres of the Techny land (e.g. Glenview, Northbrook and Northfield) at full development!

As the bar graphs demonstrate, under any measurement of traffic (total week day, morning rush hour, evening rush hour) the Marathon development will have significantly less traffic impact on the community than if, over the years, we had "gotten our wish" and the Techny area developed "according to plan."

Traffic Generation Comparison



Sources: Benes Engineering analysis dated Feb. 14, 1990; T.A.J.P.C. Land Use Plan dated Jan. 1975, Rev., Feb. 1980; The Trip Generation Manual, Institute of Transportation Engineers, 4th Ed., Sept. 1987; Traffic Study for North Shore Business Park, Barton-Ashman Assc., June 1989.