



## **Economic Development Commission**

**Wednesday, November 18, 2015  
Council Chambers Room**

### **Minutes**

#### **Commissioners Present**

James Persino, Chair  
James Kucienski, Vice Chair  
Myles D. Berman  
Pat McCoy  
Patrick Kaniff  
Nadia Seniuta  
Paul Levine  
James Berger  
Terrence Strauch

#### **Commissioners Absent**

None

#### **Staff Present**

Tim Wiberg, Village Manager  
Timothy M. Clarke, AICP, Community Development Director  
Caleb Miller, Community Development Intern

#### **Others Present**

Jesal Patel, Trustee  
Craig Klatzco, Trustee  
Jacqueline Boland, Executive Director of the Lincolnwood Chamber of Commerce  
David Friedman, Director of Plant Operations, Aperion Care  
Attorney Alan Skidelsky, Skidelsky and Associates, for Aperion Care

#### **1. Call to Order/ Quorum Declaration**

Noting that a quorum of 9 members was present, the meeting was called to order at 8:04AM by Chairman Persino.

#### **2. Minutes Approval**

Chairman Persino asked if any Commissioner had revisions to the draft minutes. Vice Chairman Kucienski indicated that he would like to have the Commission's adopted

statement regarding Binny's Beverage Depot attached to the minutes. Commissioners agreed. Vice Chairman Kucienski then moved to approve the minutes as amended. Motion seconded by Commissioner Berman. Motion approved by voice vote, 9-0.

**3. 4655 Chase Avenue 7c Tax Abatement Request**

Chairman Persino began discussion of this matter by noting that several building permits had been issued earlier this year for the subject property and indicated he believed the central question before the Commission on this matter was whether the applicant met the required "but for" test to qualify for the tax abatement. He asked staff whether a legal opinion should be sought on this matter concerning the permits and the "but for" test. Director Clarke responded by saying he believed this was more of a legislative determination than a legal matter, and that the Commission is charged with providing its determination and recommendation on the request to consent to the 7c tax abatement request.

Director Clarke then introduced the petitioner, David Friedman of Aperion Care, and their attorney, Alan Skidelsky. Mr. Skidelsky agreed with Director Clarke, saying that while permits have been issued, little work has occurred thus far and noted that the petitioner would only be ineligible for the 7c Tax Abatement if they had already occupied the site. He noted that building permits were sought to expedite the matter. He explained that the petitioner had originally sought to expand its current property in Skokie, but the plan was rejected due to inadequate parking.

Mr. Friedman then mentioned that Skokie would be losing 100 jobs. Chairman Persino inquired whether the location in Lincolnwood would employ that number of individuals. Mr. Friedman replied by saying that they currently have 50 to 60 full time employees, but with increased involvement with nursing facilities in the area, they needed additional staff totaling between 75 and 100 people. Because their expansion plans in Skokie were not approved, Aperion Care needed to relocate quickly. Chairman Persino then asked if the site had enough parking. Mr. Friedman indicated that there were 70 off street parking spaces which they believed was more than adequate.

Chairman Persino continued, asking the petitioner whether they would seek a different location outside the Village if they did not receive the tax abatement. Mr. Friedman indicated that they had improved the property enough to sell it if it came to that. He explained that Aperion Care would consider other options if an abatement was not provided, but that it was not certain what the next step would be if this was to occur.

Mr. Skidelsky stated that the overall loss to the Village over five years because of the abatement would be roughly \$158,000. This, he said, was based on the assessed value of the property at \$989,000. Vice Chairman Kucienski expressed concern that these figures

were not completely accurate, to which Mr. Skidelsky replied saying that in his opinion these were the most accurate numbers. Discussion continued regarding the current condition of the property, with Mr. Skidelsky indicating that taxing districts would lose more money if the property remained vacant. Mr. Friedman also indicated that Aperion Care desired to be good neighbors and had reached out to nearby homeowners to advise them about their plans and occupancy of the property. Many of them, he said, had expressed relief. He mentioned that the property had been the site of vandalism and illicit activity, and that its occupancy would be a major improvement to the area. Discussion ensued.

The conversation then moved to the possibility of a renewal for the 7c tax abatement if it was granted. Mr. Skidelsky indicated that most tax abatements last a period of more than ten years, but the 7c is effective for initially only five years. He stated his client seeks consideration of a renewal of the 7c tax abatement for an additional 5 year period, making the abatement a 10 year abatement period. Discussion ensued regarding the process for renewal of this tax abatement.

After expressing opposition to a 10-year incentive, Chairman Persino asked the petitioner whether they would accept the 5 year abatement without the option for renewal. Mr. Skidelsky indicated they would agree to those terms. Chairman Persino then expressed his support for recommending the abatement, saying that the loss in revenue was marginal. Discussion ensued.

Hearing no further discussion, Vice Chairman Kucienski moved to recommend a Class 7c Tax Abatement for Aperion Care, subject to a condition that the Village will not grant its consent to a renewal of the tax abatement after the initial five year abatement period. Commissioner Levine seconded the motion. Before voting, Commissioner Berman noted his support for the abatement, but did not want to bind the petitioner from not seeking a future renewal. Roll Call vote, in support of the motion: Strauch, Berger, Levine, Seniuta, Kaniff, McCoy, Kucienski, and Persino. Against the motion: Berman. Motion approved 8-1.

#### **4. Commission Meeting Times**

Chairman Persino initiated discussion, expressing his opinion that the meeting times should remain at 8:00AM, and those meetings should not be televised. He noted the survey of nearby communities' Economic Development Commissions, indicating that none of them televised their meetings, and most of them were held in the morning. He also indicated his surprise that several communities do not have Economic Development Commissions.

Manager Wiberg noted that many of the petitioners before the Commission were business owners and representatives. Many of them, he said, appreciated coming during normal business hours. He stated that evening meetings may hinder some of these individuals from attending meetings, or may cause their attorneys to increase legal fees. Discussion ensued.

Commissioner Strauch noted that the Commission was only a recommending body. Vice Chairman Kucienski added that the Commission's distribution of agendas, packets, and minutes allowed for public involvement and transparency. Trustee Klatzco inquired as to whether members of the community outside the Village government had come to past meetings, to which several Commissioners replied, saying that some citizens have attended prior meetings.

Commissioners then ended the discussion, deciding to continue morning meetings and not going forward with televising them. Because no changes were made, a motion was not necessary.

## **5. Reports**

### **A. Development Updates**

Director Clarke summarized the written development update report. When asked whether the Plan Commission approved sign variances for Binny's Beverage Depot, he responded saying that the sign located on Lincoln Avenue was withdrawn by the petitioner, but the proposed monument sign for Touhy Avenue sign was recommended, along with the special use for the store itself.

### **B. New Business Licenses**

Commissioners reviewed the list of new business licenses issued during the month of October 2015.

## **6. Other Business**

Chairman Persino indicated that he wanted to express his views concerning the new plans being prepared for the Purple Hotel site. He indicated that he was outright opposed to the concept plan put forward by Stark Enterprises due to their inclusion of roughly 360 residential rental units. He expressed concern that the addition of so many new residents would burden Village services. He also indicated that previous plans put forward by North Capital Group did not include any residential units, but did have a hotel, which he indicated was a desired use in the community.

Executive Director Boland then discussed why developers would include residential units on the property. She explained that residential units allowed for 24/7 activity on the site, rather than activity only occurring during regular business hours. She also emphasized the Village's desire to make the property a town center, which would only be enhanced,

she said, if residential units were located on the property. Trustee Patel continued, discussing the Village's need for quality rental housing. He noted that many seniors in the area looking to sell their homes did not want to purchase condos, but rather rent apartments in areas of high activity. Discussion ensued.

Manager Wiberg continued the discussion, adding that the residential units do not replace any commercial space, but are simply located above it. While the plans indicated less commercial space on the property, he said, the difference was marginal. He noted that Stark Enterprises had presented their ideas at a Committee of the Whole meeting, and that a video of it can be found on the Village website.

Hearing no further discussion, Chairman Persino ended the conversation regarding the Purple Hotel site.

**7. Public Forum**

No member of the public desired to address the Commission.

**8. Adjournment**

By consensus, the meeting was adjourned at 9:38AM.

Respectfully Submitted,

---

Caleb Miller  
Community Development Intern