



## Agenda Item Summary

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### **Submitted By**

Tammie Grossman, Director of Development Customer Services

### **Reviewed By**

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### **Agenda Item Title**

**An Ordinance Approving a Fourth Amendment to the Redevelopment Agreement for the 700-728 Madison Street Redevelopment Project between the Village of Oak Park, Jupiter Realty Company, LLC, Oak Park Madison Street LLC (Pete's), and AH Oak Park, LLC and Authorizing its Execution**

### **Overview**

On December 10, 2018, the Village Board approved a Redevelopment Agreement for the 700-728 Madison Street Redevelopment Project Consistent with the Oak Park Economic Development Corporation's (Oak Park EDC) recommendation between the Village of Oak Park and Jupiter Realty Company, LLC (Jupiter), Oak Park Madison Street LLC (Pete's) and 711 Madison Senior Living, LLC.

On September 3, 2019, the Village Board approved a First Amendment to the Redevelopment Agreement removing 711 Madison Senior Living, LLC as a party and adding AH Oak Park, LLC.

On November 23, 2020, the Village Board approved a Second Amendment to change the timeline due to Covid-19 Pandemic for Pete's and the concept plan.

On February 22, 2021, the Village Board approved a Third Amendment to amend the timelines for the senior housing project. Due to delays caused by the Covid-19 pandemic, the parties are seeking to amend the Redevelopment Agreement to update the project milestone dates for the Pete's store.

### **Staff Recommendation**

Approve the Ordinance.

### **Fiscal Impact**

The Oak Park EDC provided the attached financial analysis of the proposals.

### **Background**

Due to delays caused by the Covid-19 pandemic, the Oak Park Madison, LLC is seeking to amend the Redevelopment Agreement to update project milestone dates for the opening of the Pete's Fresh Market. The developer has already demolished the existing building and has approved building permit plans for all of the utility relocates such as ComEd, AT&T, Nicor, and the Village water/sewer system to remove those utilities in the Village's Public Right of Way on Euclid Avenue that will be vacated as part of the planned development

ordinance. Due to Covid 19, the utility companies were delayed in designing the utility relocation plans which resulted in delays not attributable to Pete's or the Village. Pete's expects to submit a building permit for the store and parking lot within the next several weeks.

Pete's has received an approved engineering permit for the project. Additionally, they have submitted their final building permit application for the building structure. Pete's is requesting as part of this amendment to close on the Village-owned parking lot within the next thirty (30) days. Pete's needs to close on the Village-owned parcel in order to authorize the relocation of the utilities prior to starting construction of the building. Pete's cannot begin construction of its building until the public utilities are relocated. By authorizing the title transfer sooner, Pete's will be able to get the utilities relocated during the winter months which will enable them to start construction of the new store as soon as the weather allows.

The information below is background regarding the history of the project. Pursuant to State Law, property owned by a Village and located within the boundaries of a TIF District may only be conveyed or sold following public disclosure of all proposals received in response to a competitive Request for Proposal (RFP) process.

Between 2001 and 2005, the Village purchased the properties located at 710-728 Madison for a total of \$2,206,500. After the acquisition and demolition of existing structures, the Village has operated a parking lot on the site. In 2009, the Village entered into a lease with Fenwick High School. In anticipation of a proposed development, the Village did not renew its lease with Fenwick for the 2018-2019 school year.

On September 16, 2018, the Village issued an RFP for the property at 710-728 Madison and on December 5, 2016, Jupiter Realty Company was named the preferred developer. The RDA between the Village and Jupiter, for the 710-728 Madison properties, was never finalized.

Subsequently, on November 2, 2017, the Village acquired the adjacent parcel at 700 Madison (Former CarX) for the purchase price of \$1.2 million. With the addition of the new parcel, staff communicated to Jupiter that a new RFP for the combined parcels would be issued and that their existing preferred developer status would not automatically apply to the new RFP process.

On May 18, 2018, the Village issued a new RFP for the properties on the north side of Madison between Oak Park Avenue and Euclid. On May 25, 2018, the Village issued an amended RFP extending the due date to July 6, 2018, clarifying the Village's potential willingness to allow a cul-de-sac at Euclid Avenue.

The Oak Park EDC reviewed the submissions to the revised RFP and presented a recommendation to enter into a redevelopment agreement with Jupiter to combine the Village-owned parcel at Oak Park and Madison with the property located at 644-640 Madison to partner with Pete's Fresh Market to build a grocery store and the property located at 725 and 711 Madison to construct a Senior Living Facility.

### **Alternatives**

Refer the matter back to the Oak Park EDC for additional information and/or further review.

### **Previous Board Action**

On September 6, 2016, the Village Board directed staff to issue an RFP for the Village-owned parcel at the corner of Madison and Oak Park Avenue (710-728 Madison).

On December 5, 2016, the Village Board approved a motion to designate Jupiter Realty Company, LLC (Jupiter) as the preferred developer for the redevelopment of 710-728 Madison Street as recommended by the Oak Park EDC and directed staff to negotiate a redevelopment agreement.

On September 5, 2017, the Village Board authorized the purchase of 700 Madison, Oak Park, Illinois.

On May 7, 2018, the Village Board approved a motion to direct the issuance of an RFP for 700 - 728 Madison. A draft document was submitted to the Village Board for comment and amendments were made.

On October 1, 2018, the Village Board approved a resolution for an independent contractor agreement with Delta Demolition, Inc. for the demolition of 700 Madison Street, in an amount not to exceed \$141,425.

On October 29, 2018, the Village Board approved a motion to name Jupiter as the preferred developer and directed staff to negotiate a redevelopment agreement consistent with that recommendation.

On December 10, 2018, the Village Board approved a Redevelopment Agreement for the 700-728 Madison Street Redevelopment Project Consistent with the Oak Park Economic Development Corporation's (Oak Park EDC) Recommendation Between the Village of Oak Park and Jupiter Realty Company, LLC (Jupiter), Oak Park Madison Street LLC (Pete's) and 711 Madison Senior Living, LLC.

On September 3, 2019, the Village Board approved a First Amendment to the Redevelopment Agreement for the 700-728 Madison Street Redevelopment Project Between the Village of Oak Park and Jupiter Realty Company, LLC (Jupiter), Oak Park Madison Street LLC (Pete's) and AH Oak Park, LLC.

On February 3, 2020, the Village Board Concurred with the Plan Commission's Recommendation and Adopted An Ordinance Granting a Special Use Permit for a Major Planned Development Containing a Seven Story Senior Living Facility at the Property Located at 711-725 Madison Street and Authorized the Vacation of a certain portion of Euclid Avenue between and abutting 711 and 725 Madison Street.

On November 23, 2020, the Village Board adopted the Second Amendment to the Redevelopment Agreement for 700-728 Madison Street Redevelopment Project Between the Village of Oak Park and Jupiter Realty Company, LLC (Jupiter), Oak Park Madison Street, LLC (Pete's) and AH Oak Park, LLC to amend project milestones and the project concept plan.

On February 16, 2021, the Village Board concurred with Plan Commission's Recommendation and Adopted An Ordinance Granting a Special Use Permit for a Major Planned Development Containing a Commercial Building (Pete's Fresh Market) with 220 Parking spaces at the property located at 640-728 Madison Street and authorized the vacation of a certain portion of Euclid Avenue located between Madison Street and the East-West alley North of Madison Street and a certain portion of Madison Street between Oak Park Avenue and Wesley Avenue.

On February 22, 2021, the Village Board approved a Third Amendment to the Redevelopment Agreement for the 700-728 Madison Redevelopment Project between the Village of Oak Park, Jupiter Realty Company, LLC (Jupiter), Oak Park Madison LLC (Pete's), and AH Oak Park, LLC which amended the project milestones in the

Redevelopment Agreement for the senior housing project.

**Citizen Advisory Commission Action**

Both of the developers completed the Planned Development process before the Plan Commission.

**Anticipated Future Actions/Commitments**

N/A

**Intergovernmental Cooperation Opportunities**

N/A