



**Applicant:** Oak Park Residence Corporation, c/o Beth Swaggerty,  
21 South Blvd., Oak Park, IL 60302

**Meeting Date:** October 7, 2021

**Owner:** Oak Park Residence Corporation, c/o Beth Swaggerty, 21  
South Blvd., Oak Park, IL 60302

**Case:** PC 21-06

## Planned Development



### 7 Van Buren Street A Residential Planned Development

The Applicant seeks approval of a transit-oriented Planned Development for a six (6)-story residential building with 45 residential rental units and 17 private parking spaces. This development will be a net zero energy building with 20% affordable housing units. The applicant has requested seven (7) allowances from the Zoning Ordinance; height, rear setback reduction, interior side yard setback reduction, parking space reduction, loading zone reduction, lot coverage and lot size (density). The allowances are discussed in more detail later in this report.

#### Property Information

Existing Zoning:	R7 Multiple Family Zoning District
Existing Land Use:	Multiple Family Apartment Building
Property Size:	11,085 Square Feet
Comprehensive Plan:	<i>Envision Oak Park chapters;</i>  4. Land Use & Built Environment, 7. Neighborhood, Housing and Diversity, and 13 Environmental Sustainability
Business District Plan:	Planning Together—Harrison Street and Oak Park Avenue
Surrounding Zoning and Land Use:	NORTH: R-7 / Residential Apartment SOUTH: R-7 / Residential Condominium EAST (across Austin Blvd): City of Chicago / Columbus Park WEST (across alley): R-4 / Single Family Residential
Neighborhood Meeting	The Applicant held their neighborhood meeting on April 13, 2021 after a informal meeting held in 2019.
Historic Preservation	The Applicant met with the Historic Preservation Commission in February and August 2020.

## Analysis

**Submittal:** This report is based on the documents that have been identified in the submitted proposal, which was filed with the Development Customer Services Department in September 2021. The applicant has provided a list of public benefits found at the end of this report. The applicant has also held a neighborhood meeting prior to submitting the application as required by the Zoning Ordinance and has met with the Historic Preservation Commission (see memorandum). The architectural design drawings have also been reviewed by Wight & Co. who supports the design (see memorandum). Representation from the HPC and Wight & Co. will be in attendance at the hearing.

**Description:** The proposed development is located within the R-7 Multiple-Family Zoning District at the southwest corner of Van Buren Street and Austin Boulevard. The development proposal consists of a six-story building with the majority being brick and glass with an attached photovoltaic array of solar panels positioned above the roof and along the south side of the building. The building height, measured at the flat roof level, will be 71 feet—10 inches tall with 45 residential rental apartment units—20 % (9 units) of which will be affordable housing units. The proposal is providing (17) seventeen private parking spaces at the ground-floor level accessed via the abutting alley. The Applicant's request for approval is accompanied by seven (7) allowances to the regulations of the Zoning Ordinance.

**Affordable Housing:** The nine (9) affordable housing units are not required by code for this property, but are being offered as a compensating benefit. Please keep in mind that, in areas that do require affordable housing units, there is a minimum of 10% of the proposed units that are required to be affordable.

## Compliance with the Zoning Ordinance

**Planned Development:** One of the principal objectives of the Zoning Ordinance is to provide for a compatible arrangement of uses of land and buildings that is consistent with the requirements and welfare of the Village. To accomplish this objective, most uses are classified as permitted or special uses in one or more of the districts established by the Zoning Ordinance. However, it is recognized that there are certain uses that, because of their scope, location or specific characteristics, give rise to a need for a more comprehensive consideration of their impact, both with regard to the neighboring land and the Village in general. Such uses fall within the provisions of the Planned Development section of the Zoning Ordinance and shall only be permitted if authorized as a Planned Development.

It is the purpose of Planned Developments to enable the granting of certain allowances or modifications from the basic provisions of the Zoning Ordinance to achieve attractive and timely development in furtherance of the Village's goals and objectives as stated in the Comprehensive Plan. Site-development allowances (i.e., any zoning relief, including any deviation from the Zoning Ordinance provisions for the underlying zoning district) may be approved provided the applicant specifically identifies each site-development allowance and how it would be compatible with surrounding development.

The Oak Park Zoning Ordinance states that Planned Developments should generally be limited to those uses or combination of uses currently permitted in the underlying zoning district. However, an applicant may petition for consideration of a use or combination of uses not specifically allowed in the underlying zoning district, if the Village Board finds that the conditions, procedures and standards are met and that such use or combination of uses is shown to be beneficial to the Village.

Because of the zoning relief being sought and the fact that the gross floor area of the structure is over 20,000 square feet, the development falls under the Special Use—Planned Development requirement and regulations.

TABLE 1

	<i>Allowance Type</i>	<b>Zoning Ordinance</b>	<b>Proposed Request</b>	<i>Need for allowance</i>
1	<b>Height</b>	45 Feet	71 Feet—10 Inches	26 Feet—2 Inches
2	<b>Parking</b>	34 spaces*	17 spaces	17 spaces (50% reduction)
3	<b>Lot Size (Density)</b>	11,085 Sq. Feet (10 units)	35,100 Sq. Feet (45 units)	24,015 Sq. Feet (35 units)
4	<b>Interior Side Yard Setback</b>	10% of Lot Width - 9.05 Feet	8.3 Feet	0.75 Feet
5	<b>Rear Yard Setback</b>	24.5 Feet	1.5 Feet	23 Feet
6	<b>Building Coverage</b>	70%	85.17%	15.17%
7	<b>Loading Dock</b>	1 Required	0 Proposed	1 Loading Dock

The Table above details the requested allowances for the proposed development. The proposed development is meeting all other regulations of the Zoning Ordinance.

### **Allowances**

TABLE 1 and the following text details the requested allowances:

**1. HEIGHT:** Article 4: R-7 Multiple Family Zoning District; Section 4.3 Dimensional Standards—Table 4-1 Residential Districts Dimensional Standards indicates that the maximum height for this zoning district is 45 feet. The Applicant is requesting to construct a 71 foot—10 inch tall building requiring an allowance request for 26 feet—2 Inches. Keep in mind that elevator towers and mechanical areas are exempt from the height calculations. Also exempt from the height calculations are solar panels that are 15 feet above the roof line or less for any building over 40 feet tall. While existing apartment structures in the immediate area are mainly four stories or less, the business district plan “Planning Together” developed by UIC graduate students in collaboration with citizen working groups, suggests that 6-10 story apartment buildings would be appropriate located across from Columbus Park. This plan was adopted by the Village Board in 2003, but still holds some applicability today. The current comprehensive plan which supersedes this plan supports multiple-family development on the subject site and has identified this property as being within a Transit Oriented Development (TOD) Housing Development Focus Area.

**2. PARKING:** Article 10: Off-Street Parking and Loading, Subsection 10.4: Required Off Street Vehicle and Bicycle Parking Spaces: Table 10-2 requires one parking space per dwelling unit for a total of 45 spaces; however village staff has approved a Transportation Management Plan (TMP)\* as allowed in the Zoning Ordinance. An approved TMP allows a 25% reduction of required parking spaces. In turn, this makes the development’s requirement only 34 parking spaces. The TMP supports the TOD concept. It requires less parking, thereby reducing potential traffic while also supporting and promoting public transit use. A further reduction of parking spaces from 34 to 17 encourages public transit useage. The developer has indicated in their TMP, they will seek tenant who would not require personal vehicles. As part of this development proposal, the developer is seeking to vacate a portion of the Van Buren Street right-of-way abutting their proposed building site. This vacation will eliminate five (5) on-street parking spaces. However, if there is a need for additional off-street parking, a few village lots in the immediate area have some available parking spaces. Staff does not encourage the use of on-street parking spaces in this area for the proposed development.

**3. LOT SIZE (DENSITY):** Article 4: R-7 Multiple Family Zoning District; Section 4.3 Dimensional Standards—Table 4-1 Residential Districts Dimensional Standards indicates that, based on the existing lot size, only 10 units can be constructed per zoning. The current apartment building contains 12 dwelling units. The developer is proposing 45 residential dwelling units. However it is possible that one unit may be used as an amenity space. Directly to the north of this property are 2 four-story apartment buildings. The building across Van Buren has about 40 dwelling units and the other building further north has 32 dwelling units, albeit on a larger parcels. Neither of these buildings have any on-site parking spaces. The proposed density is not necessarily out of character with other apartment buildings along Austin Boulevard. All of the mentioned apartment buildings abut single-family residential districts and single-family homes directly west across the public alley.

**4. SETBACKS/SIDE YARD: Article 4: Commercial Districts, Subsection 4.3 Dimensional Standards: Table 4-1** requires a building setback along the interior side yard a distance equal to 10% of the lot width. With the vacated area added, the lot width is 90.5 feet wide resulting in a required setback of 9.05 feet. The proposal is to reduce the interior side yard setback to 8.3 feet a decrease in setback area by 0.75 feet or nine (9) inches.

**5. SETBACKS/REAR YARD: Article 4: Commercial Districts, Subsection 4.3 Dimensional Standards: Table 4-1** requires a building setback along the rear yard a distance equal to 25 feet or 20% of the lot depth, whichever is less. In this case, the lesser of the two is the 20% of the lot depth, a requirement of 24.5 feet. The developer is requesting a reduction in the rear yard setback to 1.5 feet to accommodate first floor parking and lobby area. The front yard setback requirement along Austin Boulevard has been provided as required. This request is not out of context with a large portion of properties that abut the public alley to the west. The exception being two buildings directly to the south with parking behind the building. All or most of the single-family residential parking garages are close to their rear lot lines abutting the alley as well as the large apartment buildings to the north across Van Buren Street. They are built right up to their rear lot line. It would be advisable that the developer place mirrors at their garage entry/exit for better visibility when exiting the enclosed garage.

**6. BUILDING COVERAGE: Article 4: Commercial Districts, Subsection 4.3 Dimensional Standards: Table 4-1** allows 70% of the lot to be covered with a building. The developer is requesting to increase their lot coverage to 85.17% (which is only 50 sq. ft. greater than the existing building). This increase represents approximately 1,681.6 square feet of land or 15.17% of the zoning parcel. This calculation includes the vacated portion of Van Buren Street. With the increased lot coverage, it still affords an adequate setback along the east property line (front yard) and the south property line (interior side yard abutting the condominium building).

**7. LOADING DOCK: Article 10: Off-Street Parking & Loading, Subsection 10.7 Required Off-Street loading Spaces: Table 10-4:** requires one loading space for multiple-family dwellings over 7,500 square feet of gross floor area. The developer is requesting relief from this provision. Any loading or unloading by residents of the building could be from Van Buren Street or the abutting alley with proper permitting by the Village.

## Compatibility with Surrounding Land Uses

From a land use perspective, this development fits well with the existing surrounding residential land uses as there are multiple family residential uses all along Austin Boulevard and single-family residential uses to the west. The height of this structure, while not maintaining the established height of abutting properties, is supported in part by the *Planning Together* district plan.

## Compliance with the Planning Together District Plan

The *Planning Together* business district plan was adopted by the Village Board in 2003. Even though it was written several years ago, it still remains somewhat relevant and is reflective of the current *Envision Oak Park* comprehensive plan adopted in 2014. The *Planning Together* document suggests that at the Eastern Gateway area—Harrison Street at Austin Boulevard the following; “The beautiful eastward vistas provided by Columbus Park will be captured by residents in high density buildings at the intersection [Austin Boulevard and Harrison Street] and along Austin Boulevard.” It further states, “Density increases of six to ten stories north of Harrison [Street] should be limited to buildings adjacent to Austin [Boulevard].” While the diagram in the Plan depicts an area a few lots to the north of Harrison Street, the concept of taller and higher density buildings fronting Columbus Park between Harrison Street and Van Buren Street seems very compelling from a planning perspective.

## Compliance with the Envision Oak Park Comprehensive Plan

The proposed development mainly affects three recommendation chapters (touches on others) within the *Envision Oak Park Comprehensive Plan*. They are chapters 4.Land Use & Built Environment, 7.Neighborhood, Housing and Diversity and 13. Environmental Sustainability.

The *Envision Oak Park Comprehensive Plan* establishes goals and objectives which set the standards for development. The *Land Use and Built Environment* chapter includes a future land use map that suggests only multiple-family use should be retained or constructed along Austin Boulevard, including the subject property. This chapter also examines opportunities near rail transit stations for housing developments. In fact, the subject property is located within the “Austin/Lombard Blue Line housing focus area”. According to the *Envision Oak Park plan*, “One of the primary goals of the US Department of Housing and Urban Development (HUD), who funded the comprehensive plan, is to establish local policies that support the development of accessible and affordable housing with safe and easy access to transit.” The proposed development for the subject property supports this goal.

The *Neighborhood, Housing and Diversity* chapter of the Plan seeks to sustain and broaden diversity and integration throughout the Village. Among other opportunities, the Plan speaks to boards and commissions reflecting the communities commitment to diversity and affordable housing. The proposed mixed-income housing proposal will blend affordable housing units with market rate housing units creating an integrated housing option within the Village; one that is in a transit-oriented development (TOD) area.

The *Environmental Sustainability* chapter focuses on multiple environmental goals and objectives. The proposed development exceeds the applicable expectations. With this development, the developer is proposing to construct a nationally leading-edge sustainable building. In lieu of pursuing formal LEED certification, this project is designed to and will achieve the more rigorous Passive House Institute US - PHIUS+ Certification and will also achieve Zero-Energy Building performance. Ongoing performance monitoring will be conducted in accordance with the Performance Monitoring/Verification Plan found in the application.

The Comprehensive Plan is guided by Five Guiding Principles; Diversity, Urban Sustainability, Respect for Oak Park’s History and Legacy, Collaboration and Cooperation, and Thriving Neighborhoods. The proposed development touches on each of these principles which helps in the advancement of Oak Park’s vision as defined by the Village citizens.

## Public Benefits

### Compensating Benefits :

1. **Affordability – Consistent with the mission of the Oak Park Residence Corporation, 20% of the units (9 units in total) in this development will be affordable.**
2. **Design –** This building will feature high-quality compelling architectural design as a showcase for Oak Park’s continuing commitment to architectural excellence. It will also include a compelling pedestrian colonnade providing a visual link that will serve to connect and strengthen the ties between the Oak Park and Austin communities and the natural environmental jewel that is Columbus Park.
3. **Economic Development and Geographic Expansion of Investment –** This building will result in substantial new investment in the residential building stock of southeastern Oak Park, and specifically along Austin Boulevard constituting the first multifamily investment in 50 years along this important gateway corridor.
4. **Sustainability –** This will be the most significant Net Zero Energy building in the upper Midwest. It will be a national model.

### Village Improvements:

1. **Street Vacation:** We will acquire 15 feet of public property including some right of way to the north of the

existing property line. We will compensate the Village for this acquisition at a market rate price to be determined by an appraisal conducted in accordance with the Village's established and directed procedure.

**2. Sidewalk Expansion:** We will expand the publicly accessible sidewalk area as part of a colonnade to be established on the north side of the new development. This sidewalk area will continue to be maintained by us going forward. A public access easement will be provided.

**3. Curb and Alley Adjustments:** We will reconfigure the curb line and radius into the alley in accordance with Village direction to reflect changes in the expansion of the width of the sidewalk commensurate with the street vacation.

**4. Street Resurfacing:** We will resurface the portion of the street designated as a construction staging area following the completion of construction.

**5. Compensation for Impacts:** We will compensate the Village for impacts due to any temporary loss of parking due to the development.

#### Public Art:

The developer will identify, commission, and install a piece of public art or sculpture either:

**1) on site; or 2) in an appropriate off-site location within the immediate vicinity-possible options could include:**

**a. Along the Harrison Street Arts District corridor.**

**b. Across the street along Austin Blvd in Columbus Park.**

NOTE: **Bold** text indicates meets Zoning Ordinance requirement. Not in bold are additional benefits to the community separate of those listed in the Zoning Ordinance.

## Van Buren Street Vacation (partial)

The developer is proposing to vacate a portion of Van Buren Right-of-Way adjacently north of the subject property. Without this vacation, the proposed development would not be able to be constructed as designed. The proposed vacated area is 15 feet wide by a length of 122.52 feet, the depth of the subject parcel. This vacation will be subject to appraisal, compensation and Village Board approval. The vacation area currently contains five (5) on-street parking spaces that too will be compensated for by the developer.

This item will require a separate motion by the Plan Commission.

#### End of Report

The Village Staff is in support of this development with the identified considerations.

#### Copies:

Gregory Smith (KT&J,) Plan Commission Attorney

Susan Buchanan, Village Trustee—Plan Commission Liaison

Tammie Grossman, Development Customer Services Director

Project Review Team