

October 6, 2022

President and Board of Trustees
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302

**Re: Application of Oak Park Commons
Cohousing, LLC for a Planned Development
on the South side of Madison Street East of
Carpenter Avenue, at 839 Madison Street –
PC 22-05**

Dear Trustees:

History of Project.

On or about September 15, 2022, Oak Park Commons Cohousing, LLC, of 106 South Oak Park Avenue, Suite 205, Oak Park, Illinois 60302 (“Applicant”), filed an application for approval of a planned development on the South side of Madison Street East of Carpenter Avenue, at 839 Madison Street, on property depicted in the application (“Subject Property”), in the MS Madison Street Zoning District, for a multi-family residential development of five (5) floors with twenty-four (24) dwelling units, twenty-seven (27) parking spaces and nine hundred twenty (920) square feet of commercial space.

In conjunction with its application, the Applicant requests the following one (1) allowance from the strict requirements of the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”):

Article 5 (Commercial Districts) Section 5.3 (Dimensional Standards) Table 5-1 (Commercial Districts Dimensional Standards): Relief is requested from the maximum building height requirement, which allows a building height of fifty feet (50') on the Subject Property, to allow for a building with a height of fifty-eight feet three inches (58' 3"), requiring an allowance of eight feet three inches (8' 3"), for about three-quarters (3/4) of the building's depth.

The Application and Notice.

On September 21, 2022, legal notice of the public hearing was published in the *Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park. A notice of the public hearing was posted at the Subject Property and letters were also mailed by the Applicant to property owners for property within three hundred feet (300') of the Subject Property, advising them of the proposal and the public hearing to be held.

Pursuant to legal notice, the Plan Commission ("Commission") conducted a public hearing on the application on October 6, 2022, at which time and place a quorum of the members of the Commission were present.

Having heard and considered the testimony and evidence at the public hearing, the Commission makes the following findings of fact:

FINDINGS OF FACT

The Subject Property.

1. The Subject Property is an eleven thousand five hundred twenty-seven (11,527) square feet zoning lot located on the South side of Madison Street East of Carpenter Avenue, and is commonly known as 839 Madison Street. The Subject Property

is located in the MS Madison Street Zoning District. The Subject Property currently has a surface parking lot.

2. The Subject Property is surrounded by the following uses: to the North, across Madison Street, a mixed use residential building, which is zoned within the MS Madison Street Zoning District; to the South, across an alley, single-family residences, which are zoned within the R-3-35 Single-Family Residential Zoning District; to the East, a surface parking lot, which is zoned within the MS Madison Street Zoning District; to the West, across Carpenter Avenue, a commercial building, which is zoned within the MS Madison Street Zoning District.

3. The Applicant is the owner of the Subject Property.

The Applicant.

4. The Applicant is a developer of property in the Village.

5. The Applicant submitted the documentation required pursuant to the requirements of Section 14.5.I. of the Zoning Ordinance.

The Project.

6. The Applicant proposes to build a mixed use multi-family residential building of five (5) floors, with twenty-four (24) dwelling units, twenty-seven (27) ground floor parking spaces and nine hundred twenty (920) square feet of ground floor commercial space.

The Requested Site Development Allowance.

7. As part of its planned development, the Applicant seeks one (1) site development allowance, as set forth above in the "History of Project."

Envision Oak Park Comprehensive Plan.

8. The Envision Oak Park Comprehensive Plan (“Comprehensive Plan”) was adopted by the Village’s corporate authorities on September 15, 2014 after an extensive public input process.

9. The proposed development primarily affects three (3) Chapters within the Comprehensive Plan: Chapter 4, “Land Use & Built Environment,” Chapter 12, “Economic Health and Vitality,” and Chapter 13, “Environmental Sustainability.”

10. The Comprehensive Plan establishes goals and objectives which set the standards for development in the Village of Oak Park, and it discusses the idea of strengthening commercial districts in the Village as well as the symbiotic relationship between economic development and the overall quality of the community.

11. In Chapter 4, the Comprehensive Plan discusses opportunities to strengthen the urban fabric by constructing context-sensitive infill development. The Comprehensive Plan also looks to creating appropriate land use transitions, especially those abutting residential uses.

12. The Comprehensive Plan discusses the idea of strengthening commercial districts as well as the symbiotic relationship between economic development and the overall quality of the community. The Comprehensive Plan supports the idea of encouraging a mix of uses and businesses which will assist in diversifying the community’s tax-base and providing a variety of choices to consumers and residents. The Comprehensive Plan discusses the active pursuit of businesses that address unmet gaps in the local market demand. The future Land Use map supports more commercial/mixed use development that caters to residents, but also attracts visitors from other

communities. Village staff finds that the proposed development fits these recommendations.

13. Chapter 12 of the Comprehensive Plan sets out the Village's goals regarding economic health and vitality. The Village's goals in these areas are to ensure that economic vitality is spread through the Village, to ensure that the Village remains a "business friendly" environment, to expand and promote business support services, to diversity and stabilize the Village's tax base and to position the Village as a destination for shopping, dining, entertainment and culture.

14. As noted above, regarding Chapter 4 of the Comprehensive Plan, Village staff finds that the proposed mixed use development will help diversify and stabilize the Village's tax base. Village staff finds that the proposed development fits these recommendations.

15. In Chapter 13, the Comprehensive Plan sets out a list of goals and objectives for environmental sustainability opportunities.

16. With this development, the Applicant is proposing to construct a building on the Subject Property that meets the National Green Buildings Standard Silver rating. The Applicant will provide proof to the Village via a third-party verification that they have achieved those requirements.

17. Village staff finds that the proposed development follows the Comprehensive Plan.

Madison Street Corridor Plan.

18. In June of 2006, the Village Board of Trustees adopted the Madison Street Corridor Plan ("Corridor Plan"). The purpose of the Corridor Plan is to assist in the

revitalization of the corridor by envisioning a mix of uses, aesthetic improvements, gateway enhancements, and business retention and recruitment strategies for the corridor. The Corridor Plan contains five main components: Inventory Report and Opportunity Analysis, Vision Alternatives, Preferred Vision, Development and Implementation Strategy, and Development Guidelines.

19. The Preferred Vision component of the Corridor Plan is the outcome of the public input, steering committee, and Village Board review process. This component incorporates three Character Districts with detailed nodes, and one Transportation Option, one Streetscape and Open Space option, and one Land Assembly Option.

20. In this particular case, the Subject Property is located within Segment 2, between Oak Park Avenue and Home Avenue. This area is designated as Neighborhood Oriented and Mixed Use, with a desire for buildings with ground floor retail and upper floor residential or office. Village staff finds that the proposed development fits the recommendation well.

21. Village staff finds that the proposed development follows the Corridor Plan.

Ability of Applicant to Complete Project.

22. The Applicant provided evidence that it has the financial and technical expertise to complete the project.

Compensating Benefits.

23. In return for the Village providing an allowance from Village regulations, per Section 14.5.E.2.a. of the Zoning Ordinance, the Applicant must provide compensating benefits which advance the Village's physical, cultural and social objectives, in accordance with the Comprehensive Plan and other approved plans, by having the

Applicant provide specific amenities in the planned development. Some of the compensating benefits of the proposed project are:

- a. The Applicant will provide the Village a three foot (3') deep easement along the full width of the Subject Property facing Madison Street in order to provide a wider sidewalk for pedestrians.
- b. Sidewalks, curbs and alleys impacted by the development will be rebuilt, including along Madison Street and Carpenter Avenue, and the abutting alley to the South of the Subject Property.

Public Art As Part Of The Development.

24. Section 14.5.E.2.c. of the Zoning Ordinance requires that an Applicant provide at least one (1) piece of public art as part of the development. A contribution to the Oak Park art fund is also an option. In either case, the scope of the public art or contribution should be in proportion to the square footage of the development upon review and advice by the Village's partner agency the Oak Park Area Arts Council.

25. Upon review and advice of the Oak Park Area Arts Council and approval of the Village Board, the Applicant will install public art at or around the Subject Property or provided a monetary donation to the Oak Park art fund. The location of the art on or around the Subject Property and its accessibility to the general public will be mutually determined by the Applicant and the Village and is proposed in the application to be mural-type installations on each side of the street-facing walls of the building on Madison Street and Carpenter Avenue.

The Planned Development Standards.

26. Section 14.5.A. of the Zoning Ordinance sets forth the following objectives for planned developments:

Through the use of allowances in the planned development process, the Village seeks to achieve some or all of the following specific objectives:

1. Create a more desirable environment than may be possible through strict application of other Village land use regulations with the use of creative design, landscape, and/or architectural features.
2. Enhance the existing character and property values of the Village and promotion of the general welfare by ingenious and imaginative designs resulting in a better and more creative use of land.
3. Coordinate the character, the form, and the relationship of structures to one another.
4. Preserve and enhance of desirable site characteristics such as natural topography, vegetation, and geologic features.
5. Maximize the beneficial use of open space.
6. Promote long-term planning pursuant to a site plan that will allow harmonious and compatible land uses or combination of uses with surrounding areas.
7. Promote economic development within the Village.
8. Eliminate blighted structures or incompatible uses through redevelopment, restoration, adaptive reuse, or rehabilitation.
9. Preserve and/or enhance historical and natural resources.

27. Section 14.5.H. of the Zoning Ordinance sets forth the following standards for planned developments:

1. The proposed development and the use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan and has been considered in relation to any other plans adopted by the Village Board.
2. The establishment, maintenance, or operation of the use or combination of uses will not be materially detrimental to or endanger the public health, safety and welfare of the Village.

3. Adequate utilities, road access, parking, drainage, police and fire service, and other necessary facilities already exist or will be provided to serve the proposed development, including access for fire, sanitation, and maintenance equipment.

4. Adequate ingress and egress to the planned development site already exists or will be provided in a manner that adequately addresses additional traffic congestion in the public streets and promotes a safe and comfortable pedestrian environment.

5. The proposed use or combination of uses will not substantially diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses that are permitted by the Zoning Ordinance of the Village.

6. The proposed design and use or combination of uses will complement the character of the surrounding neighborhood.

7. The applicant has the financial and technical capacity to complete the proposed use or combination of uses.

8. The proposed development is economically feasible and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the Village, except to the extent that such burden is balanced by the benefit derived by the Village from the proposed use.

28. During the public hearing, the Commission heard testimony and considered evidence about the proposed development.

29. The Commission finds that the site development allowance requested by the Applicant for the proposed development is reasonable and appropriate under the Zoning Ordinance because the site development allowance, if granted, will permit an appropriate development to be built and operated on the Subject Property.

30. The Commission finds that the proposed development meets the standards for a planned development in the Zoning Ordinance and furthers the goals of Comprehensive Plan.

31. Further, the Commission concurs with, and incorporates, the findings of Village staff regarding the proposed development.

32. In summary, the Commission finds that allowing the proposed development at the Subject Property as a planned development satisfies the objectives and standards in Sections 14.5.A. and 14.5.H. of the Zoning Ordinance, and that approval of the requested planned development permit, and associated allowance, is appropriate.

RECOMMENDATION

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, and based on the above findings, the testimony and the evidence presented at the public hearing, this Commission, sitting as a Zoning Commission, hereby recommends to the President and Board of Trustees, by a vote of 6 to 0, that the planned development be APPROVED, subject to the following conditions:

1. That except as modified below, the Applicant shall develop the project comprised of a mixed use in substantial conformity with the Plans and Specifications submitted with its application or subsequently modified by the Plan Commission. The final architectural plans shall be sealed by the architect of record. The Landscape Plan shall provide for the preservation, care and maintenance of the landscape materials.

2. That the Applicant shall use the acceptable sustainability rating system NGBS (National Green Building Standard) approved by the Village. Silver certification is proposed and if the project will not be registered with the NGBS, the Applicant must attain verification by a third-party reviewer that all certification points have been satisfied.

3. That upon review and advice of the Oak Park Area Arts Council and approval of the Village Board, the Applicant shall install public art at the planned development.

4. That the Applicant shall require unified window treatments for all condominium units in the Project's Condominium Declaration.

5. That semi-trailer truck traffic is prohibited on Carpenter Avenue, except adjacent the development site. The Applicant shall submit its route for construction traffic, its plan for construction parking, and its demolition and construction schedule to the Village Engineer for his/her review and approval. Construction traffic routes shall be limited to Madison Street and designated streets unless otherwise determined by the Village Engineer.

6. That during construction of the proposed development, the Applicant shall post a conspicuous sign providing a local phone number for the construction manager which interested parties may call to obtain answers to questions about the project and its construction. Such telephone number shall be staffed during normal business hours, Monday through Friday, except legal holidays, by a person with authority to address and remedy problems, including, but not limited to, traffic, noise, maintenance and landscaping.

7. That the Applicant shall implement a construction related Communications Plan.

8. That the Applicant shall work with Village staff to develop a parking plan for construction workers and are responsible for posting signs as directed by the Village. The Applicant is responsible for communicating the plan with all construction workers,

implementing the plan at the Applicant's cost and enforcing that plan. At any point if the plan is not being adhered to, the Village has the ability to issue a stop work order on the project.

9. That the Applicant shall insure that all construction debris remains on the Subject Property and is removed on a regular basis. The Applicant shall also use best efforts to mitigate any offsite dust and debris.

10. That the Applicant provides a list of final exterior building, landscaping and design materials to be approved by the Village prior to building permit submittal, as detailed in the presentation to the Plan Commission and approved by the Village Board of Trustees.

11. That during construction of the proposed development, the Village designates a staff liaison, and an owner's representative as provided in the Redevelopment Agreement, with whom the Applicant shall reasonably and timely communicate and cooperate.

12. The Applicant shall record with the Cook County Clerk's Recording Division the Planned Development Ordinance, Findings of Fact and plans within thirty (30) days after Village Board approval.

13. That in the event the Applicant or its successors or assigns fails to comply with one or more of the foregoing conditions and restrictions after 30 days written notice by the Village or its agents, the President and Board of Trustees may thereafter revoke or limit this planned development provided, however, that the Applicant or its successors shall be deemed to have complied if they promptly commence a cure and diligently pursue

that cure to completion where such cure is not reasonably susceptible to completion within such 30 day period.

This report adopted by a 6 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 6th day of October, 2022.