ATTACHMENT A

June 5, 2024

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

Re: Application of 427 Madison, LLC for a Special Use Permit to Construct a Six-Unit Three-Story Townhome Development to be located at 427 Madison Street (Calendar No. 06-24-Z)

Dear Village President and Board of Trustees:

On March 25, 2024, 427 Madison, LLC (the "Applicant") filed an application (Calendar No. 06-24-Z) pursuant to Section 8.3 (Table 8.1: Use Matrix) of the Village Zoning Ordinance ("Zoning Ordinance") requesting the issuance of a special use permit to construct a six-unit three-story townhome development to be located at 427 Madison Street, Oak Park, Illinois 60302 ("Subject Property").

A public hearing was held on the application in the Council Chambers of the Oak Park Village Hall, 123 Madison Street, Oak Park, Illinois on June 5, 2024 at 7:00 p.m. The notice and time and place of said public hearing was duly published on April 10, 2024, in the *Wednesday Journal*, a newspaper of general circulation in the Village. Notice was also posted at the Subject Property and letters were mailed by the Applicant to owners of record within 300 feet of the Subject Property, advising them of the application and the public hearing to be held.

FINDINGS OF FACT

The ZBA, having fully heard and considered the testimony of all those present at the hearing who wished to testify and being fully advised in the premises, makes the following findings pursuant to Section 14.2(C)(2), 14.2 (D)(1) and 14.2(E) of the Zoning Ordinance:

1. The Applicant seeks a special use permit pursuant to Section 8.3 (Table 8.1: Use Matrix) of the Zoning Ordinance to construct a six-unit three-story townhome development located in the Madison Street Zoning District at the Subject Property.

The Subject Property.

2. The Subject Property is located at the southwest corner of Madison Street to the north and Elmwood Avenue to the east.

3. The Applicant proposes to construct a six (6) unit three-story townhome development at the Subject Property (the "Proposal").

The Applicant.

4. The Applicant submitted evidence that the Proposal would allow for a successful development of the Subject Property.

5. The Applicant presented evidence that it is ready to move forward with the development of the Subject Property upon the Village's approval of the special use.

6. The ZBA considered the following documents which were submitted into evidence at the time of the Public Hearing, and made part of the Record:

   a. Application for special use permit;
   b. Application for zoning variances;
   c. Responses to the standards for receiving a special use, as conveyed in Section 14.2(E) pursuant to Zoning Ordinance;
   d. Responses to the standards for receiving a variance, as conveyed in Section 14.3(E) pursuant to the Zoning Ordinance;

e. First Floor Plan;
f. Second, Third and Penthouse Level Floor Plans;
g. North Elevations;
h. Location and Zoning Map;
i. Plat of Survey;
j. Schematic Building Section Looking West;
k. Letter from Anna Johnson; and
l. Testimony from Neighbors Prentice Harris and Tisha Lewis.

Compatibility with Surrounding Uses.

7. The character of the neighborhood is commercial and residential.

8. The proposed development will support neighboring commercial establishments and be complementary to adjacent residential uses.

9. The proposed land use is compatible with the surrounding neighborhood and land uses.

Project Review Team.

10. The Village's Project Review Team ("Team") met to review the Applicant's Proposal. The Team consists of staff members from various internal Village departments.

11. The Team is in support of the special use permit application to construct the six-unit townhome development.

The Need for Zoning Relief.

12. An Applicant cannot construct townhomes in the Madison Street Zoning District without a special use permit. *Zoning Ordinance*, Section 8.3 (Table 8.1: Use Matrix).

The Special Use Approval Standards.

13. A special use permit may be granted only if evidence is presented to meet the following approval standards pursuant to Section 14.2 (E) of the Zoning Ordinance:

1. The establishment, maintenance, and operation of the proposed special use will not have a substantial or unduly adverse impact on the neighborhood or endanger the public health, safety, or welfare;

2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity;

3. The special use in the specific location proposed in consistent with the spirit and intent of this [the Zoning] Ordinance, adopted land use policies and the Comprehensive Plan; and

4. The special use meets the requirements for such classification in this [the Zoning] Ordinance.

14. The evidence shows that the proposed townhome development is suitable within the Madison Street Zoning District and is compatible with the surrounding neighborhood.

15. The evidence shows that the proposed townhome development will provide housing that is in the interest of public convenience and will contribute to the general welfare of the community.

16. The special use permit, if approved, shall be conditioned on the Applicant obtaining a revised Land Use Limitation Letter from the Illinois Environment Protection Agency allowing the proposed townhomes to be developed at the Subject Property.

17. The Applicant has provided reasonable assurances that its Proposal will be completed in a timely manner and shall comply with Village building code requirements.

18. The evidence shows that the issuance of a special use permit for the Subject Property is in the best interest of the Village of Oak Park and the Applicant has met the standards pursuant to Section 14.2(E) of the Zoning Ordinance for the permit.

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, the Zoning Board of Appeals, hereby recommends to the President and Board of Trustees pursuant to a vote of 4 - 0, that the special use permit be granted pursuant to Section 8.3 (Table 8.1: Use Matrix) of the Zoning Ordinance for a six-unit three-story townhome development to be located at 427 Madison Street, Oak Park, Illinois, by the Applicant.

This report adopted by a 4 to 0 vote of this Zoning Board of Appeals, this 5th day of June, 2024.