



Village of Oak Park

STAFF REPORT

TO: Zoning Board of Appeals

MEETING DATE: November 12, 2025

FROM: Project Review Team

PREPARED BY: Bob Bernhart, Zoning Administrator

P R O J E C T T I T L E

Cal. No.: 23-25-Z

The Zoning Board of Appeals ("ZBA") will conduct a public hearing on an application filed by the Applicant, 427 Madison, LLC, seeking a special use permit from Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance of the Village of Oak Park to construct a four (4) unit, 3-story plus penthouse townhouse development at 427 Madison Street, Oak Park, Illinois, Property Index Number 16-18-206-014-0000 ("Subject Property") in the MS Madison Street Zoning District.

In addition, the Applicant seeks the following variances from the requirements of Table 5-1 of the Zoning Ordinance:

1. A reduction of the rear yard setback from a required 25' to 18'-7.5", inclusive of the alley, along the west lot line; and
2. An increase in maximum height from 35' to 40'.

A P P L I C A N T I N F O R M A T I O N

APPLICANT/OWNER: 427 Madison Street, LLC
427 Madison Street
Oak Park, IL 60302

CONTACT: John Conrad Schiess, Architect
905 Home Avenue
Oak Park, IL 60304

P R O P E R T Y I N F O R M A T I O N

EXISTING ZONING: MS Madison Street Zoning District
EXISTING LAND USE: Vacant lot - former gas station
PROPERTY SIZE: 6,979.68 SF (52.40' x 133.20')
COMPREHENSIVE PLAN: Corridor Commercial/Mixed-Use

SURROUNDING ZONING AND LAND USES:

NORTH: Madison Street followed by Madison Street Zoning District (Jewel-Osco Grocery Store)
SOUTH: Madison Street District (Single-Family Residence)
EAST: Elmwood Avenue followed by Madison Street Zoning District (Two-Story Residence)

WEST: Public Alley followed by Madison Street Zoning District (Multi-Family Residential)

A n a l y s i s

Submittals

This report is based on the following documents, which were filed with the Zoning Administrator – Development Services Department:

1. Application for Special Use;
2. Application for Zoning Variance;
3. Responses to the standards for receiving a special use, as conveyed in Article 14.2 (E);
4. Responses to the standards for receiving a variance as conveyed in Article 14.3 (E);
5. Plat of Survey;
6. Topographic Survey;
7. IEPA Letter;
8. Location and Zoning Map;
9. Proposed Site Plan;
10. Proposed Floor Plans;
11. Proposed Elevations; and
12. Site Photographs.

Description

The Subject Property is a zoning lot approximately 52.40' x 133.20' located at the southwest corner of Madison Street and Elmwood Avenue. The lot is currently vacant. The site was formerly occupied by a gas station. The applicant is proposing to develop the lot with four (4) residential townhome units. The structures would be three stories plus a penthouse, consisting of a garage and family room at ground level, kitchen and living space on the second level, bedrooms on the third level, and a penthouse area with roof access on the fourth level. The garage level consists of two-stall spaces for each townhome. The garages would be accessed from a driveway along Madison Street, and there would be gates for pedestrian access from the east and west.

A previous special use application for six (6) townhomes, with three (3) requested variances, was approved by the Village Board in 2024, and an extension was later approved in 2025. The Applicant has now modified their proposed development to feature fewer units, and the requested relief has been modified to accommodate the new proposal.

C o m p l i a n c e w i t h t h e Z o n i n g O r d i n a n c e

Special Use - Townhomes:

Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance requires a special use permit to allow townhomes in the Madison Street Zoning District.

A Townhouse is defined as follows:

“A structure consisting of three or more dwelling units, which are connected by party walls. A townhouse is designed with no other dwelling or portion of other dwelling, directly above or below, where each unit has a

separate exterior entrance and direct ground level access to the outdoors with no opening between units. A townhouse dwelling does not include two-family or multi-family dwellings. A townhouse is also referred to as single-family attached dwelling. A townhouse dwelling refers to the design of a structure and not the type of ownership of the individual units.”

Special Use

The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use must be evaluated on an individual basis, in relation to all applicable standards of this Ordinance. Such evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner proposed. The recommendation of the Zoning Board of Appeals and decision of the Village Board must make findings to support each of the conclusions listed below.

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 is consistent with the spirit and intent of this Ordinance, adopted land use policies and the Comprehensive Plan.
4. The special use meets the requirements for such classification in this Ordinance.

The Applicant has responded to the above standards in their application.

Variances requested for the proposed development:

In addition, the Applicant seeks two (2) variances from Section 5.3 (Table 5-1: Commercial Districts Dimensional Standards) of the Oak Park Zoning Ordinance (“Zoning Ordinance”) for: 1) a reduction of the rear yard setback from a required 25’ to 18’-7.5”, inclusive of the alley, along the west lot line and 2) an increase in height from a required 35 feet to 40 feet.

The following table and text details the requested allowances relative to the MS Madison Street Zoning Districts Dimensional Standard:

	Bulk Standards	Zoning Ordinance	Proposed	Variance Request
1	Height	35 Feet	40 Feet	5 Feet
2	Setback - Rear Yard - West	25 Feet (inclusive of alley)	18 Feet, 7.5 Inches	6 Feet, 4.5 Inches

In order for the Zoning Board of Appeals to grant a variance, the ZBA must make findings to support each of the following items listed below.

1. The Zoning Board of Appeals decision must make findings to support each of the following:
 - a. The strict application of the terms of this Ordinance will result in undue hardship unless the specific relief requested is granted.

- b. The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
 - c. The plight of the owner is due to unique circumstances inherent to the subject property and not from the personal situation of the owner and has not been created by any person presently having a proprietary interest in the property in question.
2. The Zoning Board of Appeals, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate:
- a. The granting of the variation will not be detrimental to the public health, safety, and welfare in the neighborhood in which the property is located.
 - b. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.
 - c. The proposed variation is consistent with the spirit and intent of this Ordinance and the adopted land use policies.

The Applicant has responded to the approval standards in their application.

In summary, a special use permit is required to construct townhomes in the Madison Street Zoning Districts. In addition, the Applicant seeks variances from the rear yard setback requirement and the maximum height of the townhome buildings. The ZBA will provide a recommendation for the special use permit that will be forwarded to the Village Board. However, approval or denial of the variance requests will be undertaken by the ZBA only. If the Village Board chooses to deny the special use application, the variances, if approved, would become null and void.

C o m p a t i b i l i t y w i t h t h e N e i g h b o r h o o d

The site is physically suitable for the type, density, and intensity of the proposed use. There is a mix of uses (commercial and residential) within the immediate vicinity of the subject property. To the north, directly across Madison Street, is a commercial use (a grocery store). To the east is a two-story residential building. To the west, across the alley, is a multi-family residential development. To the south is a two-story residential building, though the property is zoned MS like the Subject Property. Staff believes that the proposed land use (townhomes) is compatible with the surrounding neighborhood and land uses. The current proposal is also reducing the density/intensity of the same previously approved use while requesting less relief from Ordinance requirements.

G e n e r a l I n f o r m a t i o n

Project Review Team

On October 21, 2025 the Village Project Review Team reviewed the plans submitted by the Applicant. The Team consists of representatives from various departments and divisions within the Village government.

The meeting included discussion regarding assigned addresses, environmental remediation, driveway modifications, on-street parking, landscaping, and parkway trees. No objections to the requests were raised, but a tree species change, revisions to comply with landscaping requirements, and an assessment of the on-street parking impacts of the new/modified curb cut along Madison were requested from the Applicant. The

Applicant subsequently made revisions to comply with the requests. The Team is in support of the special use request and associated variances.

The Subject Property was once developed with a gas station, and due to environmental impacts from this previous use and its underground storage tank, the IEPA reviewed and approved a remedial action plan from the Applicant. Any land use limitations imposed by the IEPA should be removed if the Applicant follows the approved plan.

An environmental indemnity agreement addressing compensation for remediation/cleanup with the Village right-of-way was approved in March 2025, when the previous six-unit development proposal was expected to proceed. The current special use request, if approved, shall be conditioned upon the Applicant working with Village staff to amend the agreement as needed to accommodate any potential changes in the development's ownership structure and future costs related to environmental remediation in the public right-of-way.

End of Report.

c. Applicant
 Zoning Board of Appeals members
 Rasheda Jackson, Zoning Board of Appeals, Attorney
 Mike Bruce, Village Planner
