



# Village of Oak Park

## STAFF REPORT

**TO:** Zoning Board of Appeals

**REVIEW DATE:** December 1, 2021

**FROM:** Project Review Team

**PREPARED BY:** Mike Bruce, Zoning Administrator

### PROJECT TITLE

Cal. No. 21-21-Z: 1140 Lake Street, Azim Hemani, Holiday Inn Express and Suites Hotel

The Applicant, Azim Hemani and Salim Hemani, seeks a special use permit from Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance of the Village of Oak Park, which section requires a special use permit for hotels/motels uses located in the DT Downtown District, to operate a 68-room Holiday Inn Express and Suites at the property commonly known as 1140 Lake Street, Oak Park, Illinois, Property ("Subject Property") in the DT Downtown Zoning District.

### APPLICANT INFORMATION

**APPLICANT:** Azim Hemani  
5219 N. Harlem Avenue  
Chicago, IL 60656

**PROPERTY OWNERS:** Azim and Salim Hemani  
5219 N. Harlem Avenue  
Chicago, IL 60656

### PROPERTY INFORMATION

**EXISTING ZONING:** DT Downtown Zone District  
**EXISTING LAND USE:** Mixed-Use Commercial/Office  
**PROPERTY SIZE:** 99.845' x 192.30' (19'200.193 square feet)  
**COMPREHENSIVE PLAN:** Mixed-Use

#### SURROUNDING ZONING AND LAND USES:

**NORTH:** DT Downtown Zone District—*Public Parking Structure*

**SOUTH:** DT Downtown Zone District—1143 Lake Street (*Retail-Use Building*)

**EAST:** DT Downtown Zone District/PD—1128-1130 Lake Street (*1-Story Retail-Use Building*)

**WEST:** DT Downtown Zone District-1030 Lake Street (*5-Story Commercial Building*)

## **A n a l y s i s**

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### **Submittals**

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

1. Application for Special Use Permit;
2. Response to the Standards Article 14.2 (E);
3. Lake Street Cover Sheet;
4. Lake Street Elevation;
5. Basement Plan;
6. Hotel Entrance Plan-First Floor Plan;
7. Second Floor Plan;
8. Upper Floor Plan;
9. New Sixth Floor Plan;
10. Plat of Survey; and
11. Signage, projecting and wall.

### **Description**

The Subject Property is a nineteen thousand two hundred (19,200 SF) square foot zoning lot, with approximately one-hundred feet (100') of frontage along Lake Street. The lot is located in the DT-Downtown Zoning District which is divided into three sub districts. The property is located within the DT-1 Downtown Central Sub-District. This sub district covers the most intensely developed portion of the Downtown, emphasizing an active, lively mixed-use environment with retail and entertainment located on the ground floor along the street, and a variety of uses above, including residential.

The building has been divided into three separate units (1140, 1136 and 1134 Lake). Nando's Peri-Peri Restaurant and MedMen (retail cannabis establishment) are located on the ground floor in the front. There are two commercial units located in the rear of the building also on the ground floor. Finally, there are four levels of office space located above grade.

The Applicants, Azim Hemani and Salim Hemani, applied for a special use permit in 2019 to redevelop the Subject Property as a hotel, with commercial space on the first floor, converting the existing four upper levels from office space to hotel suits and adding three additional floors onto the front half of the building also dedicated to hotel suits for a total of 98 units. By an Ordinance dated November 17, 2019, the Village Board granted the special use permit requested by the Applicants. The Applicant did not apply for a building permit within one year of the date of approval, and the special use permit expired.

The Applicant now submits a new application for a special use permit and proposes to redevelop the Subject Property as a hotel, with commercial space on the first floor, converting the existing four upper levels from office space to hotel suits and adding one additional floor onto the front half of the building also dedicated to hotel suits for a total of 68 units pursuant to their plans and elevations submitted into evidence.

## **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**

The Applicant seeks a special use permit from Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance of the Village of Oak Park, which section requires a special use permit for hotel/motel uses located in the DT Downtown District, to operate a hotel/motel (Holiday Inn Express and Suites) at the premises commonly known as 1140 Lake Street, Oak Park, Illinois.

### **Parking:**

The Applicant is not requesting an allowance for parking as the proposal meets the Zoning Ordinance requirement. The following is an explanation of how the proposal meets the Zoning Ordinance requirements for parking. Table 10.2: Off-Street Vehicle and Bicycle Parking Requirements establishes that a hotel use shall provide one (1) parking space per 1.5 rooms. In this case, a 68-room hotel would be required to provide 46 off-street parking spaces per the Zoning Ordinance. The existing building does not feature any off-street parking spaces. Section 10.1 (B) of the Zoning Ordinance establishes the following:

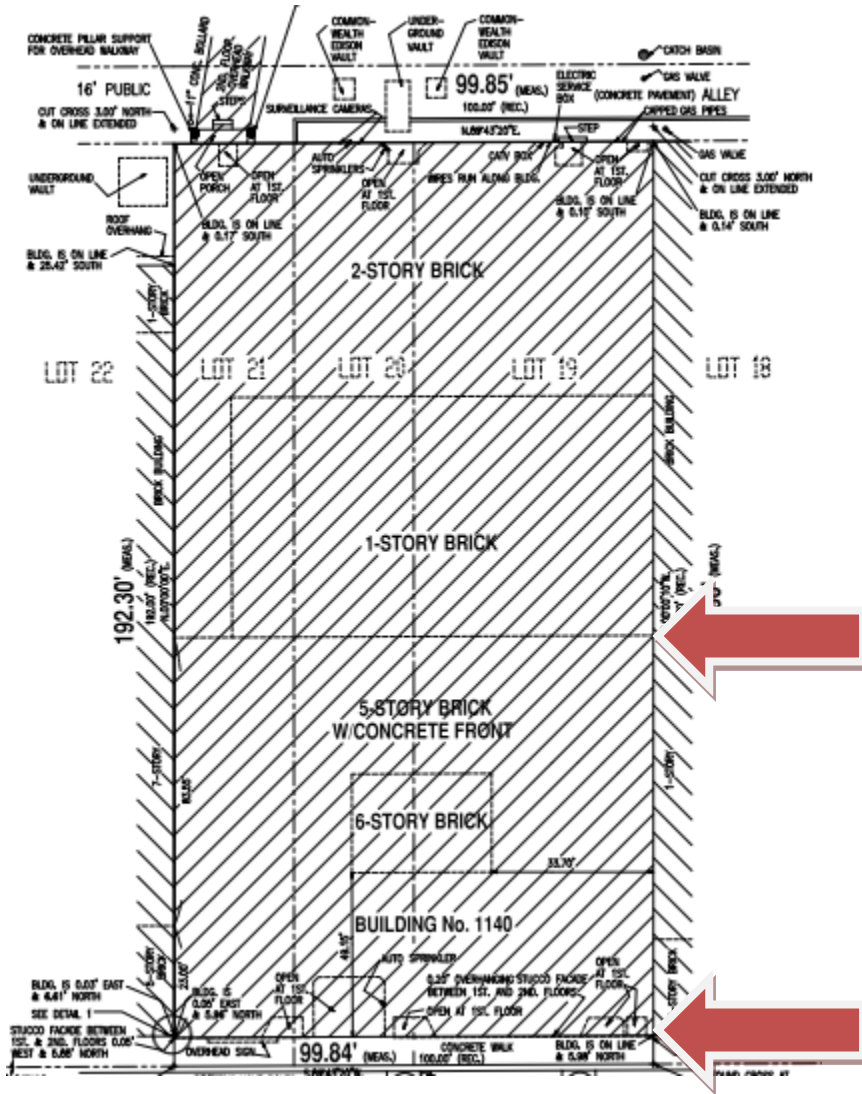
“Existing structures as of the effective date of this Ordinance that currently do not provide the required amount of parking due to lack of sufficient space on the lot are exempt from off-street vehicle parking requirements regardless of any change in use or a change in intensity of use,..”

The existing structure was built with no parking and thus the existing structure does not require parking as it is grandfathered with no off-street parking. However, the construction of an additional floor is subject to the parking requirements of Article 10 of the Zoning Ordinance. Section 10.5 (B) entitled *Exemptions and Reductions from Parking* subsection (2) requires the following:

“In the DT-1 District, floor area equal to twice the area of the lot is subtracted from the gross floor area of a building and such reduced gross floor area is used to determine the number of off-street parking spaces required.”

As stated above, the proposal features the addition of one (1) new floor, adding approximately 8,025 square feet of floor area. Pursuant to Section 10.5 (B) (2) above, the floor area used to determine the number of off-street parking spaces for the proposed addition is equal to twice the area of the lot (19,200 sf x 2 = 38,400 square feet) shall be subtracted from the gross floor area of the addition (8,025 sf – 38,400 sf). A negative number indicates that there is no off-street parking required for the addition of one floor based on the exemptions and reductions from the parking requirements of Section 10.5 in the DT-1 District. In short, the proposed hotel is exempt from providing any off-street parking spaces.

The Zoning Board of Appeals, following the hearing, shall transmit to the Village Board a written report of its findings as to compliance of the special use approval standards listed in Section 14.2 (E) (Approval Standards) and giving its recommendation to either approve, approve with conditions or denial of the special use.



A 1-story addition is proposed only over the front half of the existing building which is the 5-story portion of the building as indicated above by the red arrows.

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 following conclusions:

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 approval standards within their application.

### **Compliance with the Greater Downtown Master Plan**

The Greater Downtown Master Plan ("Plan") was adopted by the Village Board on March 21, 2005, as an update to the Central Business District Master Plan approved in 1994. The Plan focuses on revitalizing retail, reducing traffic congestion, improving transit usage, providing additional open space and enhancing pedestrian environment. The Plan acknowledges the fact that Lake Street, between Harlem and Kenilworth Avenue, is one of the primary retail streets in the Village of Oak Park. The Plan identifies "Ground Floor Retail" as a Retail Development Standard". This standard provides:

Successful retail streets are not interrupted by inappropriate uses. To maintain a vibrant retail atmosphere, continuous edge-to-edge storefronts are required. Inappropriate uses that disrupt the retail corridor should be discouraged (i.e. real estate offices and banks).

To this end the plan suggests "relocating non-retail ground-floor uses to other sites downtown and replacing them with retail uses over time."

The proposed hotel is not in conflict with the Greater Downtown Master Plan as the use would not be located on the ground floor and thus would not compete for retail space. In fact, the hotel would provide increased tax revenue, capital investment and support Oak Park tourism-related activities as well as guest's spending money on dining, shopping, recreation and transportation in the downtown.

### **Compliance with the Future Land Use Plan of the Comprehensive Plan**

"The Future Land Use Plan identifies the appropriate location of different types of development in Oak Park. Oak Park is a built-out community with a well-established land use pattern. The Future Land Use Plan aims to build upon existing investment and strengthen it in order to meet a broader set of community objectives. The Future Land Use Plan includes 11 distinct use categories. These categories describe the nature of uses throughout the village. The proposal is located in the Downtown Mixed-Use area.

Downtown Mixed-Use areas include multi-story development with a variety of uses, including retail, office, and residential. These areas include Oak Park's largest scale development, and are pedestrian-oriented. Uses in these areas cater to residents, but also attract visitors from other communities. A hotel use is in line with the future land use plan of the Village's Comprehensive Plan.

## **C o m p a t i b i l i t y   w i t h   S u r r o u n d i n g   L a n d   U s e s**

The character of the neighborhood is concentrated retail, office and service uses. The downtown area is an appropriate location for a hotel because the pre-existing infrastructure and development patterns can support the proposed hotel use. The one-story addition will be constructed close to the public sidewalk in line with pre-existing structures adjacent to it. The height of the building will be in conformance with the Zoning Ordinance requirement for buildings fronting on Lake Street. The massing and aesthetics of the additional floor will be compatible and consistent with the surrounding buildings and uses. For the above stated reasons, the proposal should be compatible with the surrounding land uses.

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

### **Project Review Team**

The Project Review Team consists of representatives from various departments and divisions within the Village government. Staff is supportive of a hotel use at this location.

*End of Report.*

- c.      Applicant  
         Zoning Board of Appeals members  
         Rasheda Jackson, Zoning Board of Appeals Attorney  
         Craig Failor, Village Planner