

January 5, 2023

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

Re: Application of Dei Cugini, LLC and Berwyn Properties, LLC for an Amendment for a Major Modification to a Planned Development granted in Ordinance 18-386 on the North side of Roosevelt Road West of Gunderson Avenue at 6500 Roosevelt Road – PC 22-09

Dear Trustees:

History of Project.

On or about December 16, 2022, Dei Cugini, LLC and Berwyn Properties, LLC, both of 6501 Roosevelt Road, Berwyn, Illinois 60402 (together the “**Applicant**”) filed an application for approval of an amendment for a major modification to a planned development granted by the Village of Oak Park (“**Village**”) President and Board of Trustees on July 23, 2018 in Ordinance 18-386 (“**Planned Development**”) on the North side of Roosevelt Road West of Gunderson Avenue at 6500 Roosevelt Road, on property depicted in the application (with the new property proposed to be added to the Planned Development being the “**New Property**,” and with the New Property and the property subject of the Planned Development collectively being the “**Property**”). The Applicant requests expansion of the existing parking lot permitted in the Planned Development to the West onto the New Property, to construct solar panels on top of the

office building on the Property, to construct freestanding solar panels across over parking spaces on the Property, and to allow eight (8) delivery trucks to park on the New Property ("**Project**"), applicant which was amended during the public hearing process.

In conjunction with its zoning application, the Applicant requests the following seven (7) allowances from the strict requirements of the Village Zoning Ordinance ("**Zoning Ordinance**") for the Project:

1) Article 5.4 (RR District Dimensional and Design Standards) Section G.1 (Parking Placement): Relief is requested from the five foot (5') rear yard setback requirement to one foot (1') for parking spaces along the North property line.

2) Article 10.3 (Off-Street Parking Design Standards) Section B.2 (Access): Relief is requested from the requirement to provide internal pedestrian circulation in the parking lot. There is no dedicated pedestrian circulation in the parking lot.

3) Article 10.3 (Off-Street Parking Design Standards) Section G (Landscape and Screening): Relief is requested from the requirement that all parking lots and structures must be landscaped in accordance with Article 11. Landscaping has been reduced due to the proposed construction of freestanding solar panels as well as the proposed parking lot.

4) Article 11.7 (Required Parking Lot Interior Landscaping) Section A: Relief is requested from the requirement to provide landscape islands between every ten (10) parking spaces. The two diamond shaped tree planters on the Property will remain, but the trees will be removed in order to allow the installation of freestanding solar panels as well as for the proposed parking lot.

5) Article 11.7 (Required Parking Lot Interior Landscaping) Section C: Relief is requested to eliminate the requirement to terminate rows of parking stalls with a landscape island.

6) Article 11.7 (Required Parking Lot Interior Landscaping) Section B: Relief is requested to reduce the amount of parking lot landscape coverage from ten percent (10%) to seven and four-tenths percent (7.4%) due to the installation of freestanding solar panels.

7) Article 10 (Off-Street Parking and Loading) Subsection B (Non-Residential Uses) 2.e: Relief is requested from the requirement that off-street parking on the Property be for a building or use being served within the boundaries of the Village, to allow eight (8) delivery trucks to be parked on the West border of the New Property. The delivery trucks would be used for delivery of product manufactured in the City of Berwyn, not the Village.

The Applicant modified its requests pursuant to the direction of the Plan Commission (“**Commission**”) as discussed in these findings and recommendation.

The Application and Notice.

On December 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 Property and letters were also mailed by the Applicant to taxpayers of record for property within three hundred feet (300’) of the Property, advising them of the proposal and the public hearing to be held.

Pursuant to legal notice, the Commission conducted a public hearing on the application on January 5, 2023, at which times and place a quorum of the members of

the Commission was 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 Property.

1. The Property is a sixty-six thousand nine hundred six (66,906) square feet zoning lot West of Gunderson Avenue on the North side of Roosevelt Road. The New Property is a two thousand five hundred (2,500) square feet zoning lot portion of the Property located East of East Avenue on the North side of Roosevelt Road. The Property is located in the RR-Roosevelt Road Zoning District. The Property is currently improved with an office building and a parking lot, as permitted by the Planned Development, and vacant space on the New Property.

2. The Property is surrounded by the following uses: to the North, residential dwellings, which are zoned within the R-4 Single Family Zoning District; to the South, distribution, food processing and office uses, which are zoned within the City of Berwyn C-2 Zoning District; to the East, multiple-family dwellings, which are zoned within the RR-T Roosevelt Road Zoning District; to the West, single story retail uses, which are zoned within the RR-T Roosevelt Road Zoning District.

3. The Property is within the boundaries of the Roosevelt Road Corridor Plan ("**Corridor Plan**"), which the Village Board of Trustees approved in March of 2005.

4. The Applicant is the owner of the Property.

The Applicant.

5. The Applicant is an affiliate of Turano Baking Company.

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

The Project.

7. For the Project, the Applicant proposes to expand the existing parking lot permitted in the Planned Development to the West onto the New Property, to construct solar panels on top of the office building on the Property, to construct freestanding solar panels across over parking spaces on the Property, and to allow eight (8) delivery trucks to park on the New Property.

The Requested Site Development Allowances.

8. As part of its application, the Applicant seeks seven (7) site development allowances, as set forth above in the “History of Project.”

Envision Oak Park Comprehensive Plan.

9. 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.

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

11. The Comprehensive Plan establishes goals and objectives which set the standards for development, 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. Village staff finds that the Project fits these goals and objectives of the Comprehensive Plan.

12. The Comprehensive Plan suggests that economic vitality should be spread throughout the Village. Roosevelt Road has not experienced much commercial development. Village staff finds that the Project would further enhance the Property and the area around it, and would expand economic vitality along Roosevelt Road.

13. Village staff finds that the Project follows the Comprehensive Plan.

Corridor Plan.

14. The purpose of the Corridor Plan was to analyze conditions along the Roosevelt Road corridor in Berwyn and Oak Park, to identify goals in keeping with the communities' desires, and to develop a series of recommended actions designed to meet specific objectives.

15. While the Corridor Plan recommends mixed use through-out, it breaks the corridor down into subareas, including: auto-mobile-oriented, pedestrian-oriented and industrial-oriented.

16. The Property falls within the industrial-oriented subarea. This subarea has objectives relative to transportation, urban design and land use.

17. A transportation objective is to ensure a continuous pedestrian-friendly experience is maintained. With the streetscape improvement in 2012 and the proposed fencing and landscaping in the application, Village staff finds that this objective will be achieved.

Ability of Applicant to Complete Project.

18. The Applicant provided evidence that it has the financial and technical

expertise to complete the project. Members of the Applicant's team have undertaken projects of equal or greater financial and technical complexity.

The Planned Development Standards.

19. 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.

20. 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.

21. The Commission finds that allowing the Project to be constructed and operated the Property as an amendment to the Planned Development satisfies the objectives and standards in Sections 14.5(A) and (H) of the Zoning Ordinance, and that approval of the requested amendment to the Planned Development, and associated allowances, is appropriate.

22. The Commission concurs with, and adopts, the findings of Village staff

regarding the Project set forth above.

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 that the amendment to the Planned Development requested by the Applicant be APPROVED, subject to the following conditions:

1. That except as modified below, the Applicant shall develop the Project comprised of an office 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 be responsible for any streetscape improvements which shall be required as identified in site and engineering plans.
3. That the Applicant shall provide the Village with a bond, letter of credit or other security acceptable to the Village in an amount of 110% of the cost of landscape materials and installation, to ensure that the landscaping is installed and maintained pursuant to the Landscape Plan.
4. That semi-trailer truck or construction traffic is prohibited on Scoville Avenue. 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 review and approval. Construction traffic routes shall be limited to Roosevelt Road and designated streets unless otherwise determined by the Village Engineer.
5. That during construction of the Project, 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.

6. That the Applicant shall implement a construction related Communications Plan.
7. That the Applicant shall insure that all construction debris remains on the Property and is removed on a regular basis. The Applicant shall also use best efforts to mitigate any offsite dust and debris.
8. That the Applicant provides a list of final 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.
9. That during construction of the Project, the Village designates a staff liaison, and an owner's representative, with whom the Applicant shall reasonably and timely communicate and cooperate.
10. The Applicant shall record with the Cook County Recorder's Office the Planned Development Ordinance, Findings of Fact and plans within thirty (30) days after Village Board approval.
11. 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.
12. Prior to the issuance of any certificate of occupancy for the Project, the Village light pole removed in the vicinity of the New Property shall be replaced, as directed by the Village, at the sole cost and expense of the Applicant.
13. That the proposed alley access drive and gate located in the northwest quadrant of the Property shall be used as a secondary exit only. The access drive and gate width shall not exceed a maximum of 12 feet wide measured at the property line. A "left-turn-only" sign shall be posted at the gate. Delivery trucks / vans shall be prohibited from using the alley access drive and gate.

This report adopted by a 7 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 5th day of January, 2023.