

January 19, 2017

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

**Re: Application of 717 South Boulevard, LLC,
 for a Major Planned Development at 715-
 717 South Boulevard.**

Dear President and Trustees:

On or about September 13, 2016, 717 South Boulevard, LLC by and through its agent, John Schiess, of 400 Ashland Avenue, River Forest, Illinois, (the "Applicants") filed for a mixed-use planned development located at 715-717 South Boulevard (the "Subject Property"). The Applicants seek approval of a Planned Development for a five-story building with fourteen (14) residential rental units, a floor commercial/retail space, and twenty (20) interior parking spaces. The Applicants

have also requested three (3) allowances from the Zoning Ordinance: increased height, increased density, and decreased parking spaces.

On November 30, 2016, a legal notice was published in *The Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park. A notice was posted at the Subject Property and letters were also mailed by the Applicants to taxpayers of record for property within five-hundred (500) feet of the Subject Property, advising them of the proposal and the public hearing to be held.

Pursuant to the legal notice, this Plan Commission conducted a public hearing on the application on December 15, 2016 and continued to January 19, 2017, at which times and places quorums of the members of the Plan Commission were present, the Applicants presented evidence and testimony and members of the public presented evidence and testimony either in favor, against, or neither for or against, the Applicants' proposal.

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

FINDINGS OF FACT

The Subject Property.

1. The proposed development is located within the B1-B2 General Business District between Oak Park Avenue and Euclid Avenue.
2. The proposed development is located at 715-717 South Boulevard, Oak Park, Illinois (the "Subject Property").
3. The Applicants' proposal consists of a five (5) story building faced with brick and aluminum clad windows.
4. The Applicants propose facing the building with an aluminum storefront system to cover the first level of the proposed structure.
5. The proposal also includes fourteen (14) residential condominium units and approximately nine-hundred (900) square feet of first floor retail/commercial space, including twenty (20) parking spaces in the rear of the proposed building, accessing the alley to the south.

6. The Applicants' request for approval is accompanied by three (3) development allowances from the Zoning Ordinance: increased height, increased density, and a reduction in parking, as explained in more detail below.

The Applicants.

7. 717 South Boulevard, LLC is a corporate entity whose partners include Mark Bolun, manager of 717 South Boulevard, LLC and Arthur Gurevich, authorized officer for the corporation.

8. Both Arthur Gurevich and Mark Bolun are partners in the construction company, Jenny Builders, which has completed numerous multi-family and mixed-use buildings throughout the Chicago area.

9. In Oak Park, Jenny Builders purchased the SoHo development and successfully completed it.

10. JCSA is a full service architectural design firm, having over twenty (20) years of experience in the field.

11. John Conrad Schiess, president of JCSA, is licensed to practice architecture in both California and Illinois, and is also a LEED Accredited Professional.

12. As part of their request, the Applicants submitted the following documentation pursuant to the requirements of Section 2.2.7(D)(2) of the Zoning Ordinance for "Major Planned Developments"

1. Petition for Public Hearing, Legal Description and Proof of Ownership, including an affidavit of ownership
 - Certificate of Advisory Review from the Oak Park Historic Preservation Commission, dated June 20, 2016,
2. Affidavit of Notice
3. Application Fee
4. Project Summary
5. Professional Qualifications
6. Proposed Financing
7. Plat of Survey, dated March 12, 2015
8. List and Map of Surrounding Property Owners
9. Restrictions and Covenants
10. Construction Schedule
11. Construction Traffic Schedule
12. Market and Feasibility Report, in letter form from Gloor Realty, Co., dated September 28, 2016
13. Traffic Study, used from the Traffic Impact Study for District House Development prepared by KLOA, dated May 10, 2016
14. No Parking Study submitted, waiver requested by Applicants

15. Village Services: Letters from Police Department (Nov. 17, 2016), Fire Department (Nov. 17, 2016), and Public Works Department (Nov. 21, 2016)
16. Environmental Report, prepared by Anderson Environmental Consulting, Inc., dated December 16, 2016
17. Perspective Drawings
18. Photographs of Surrounding Properties and Buildings
19. Location Map
20. Site Plan
21. Landscape Plan
22. No Detailed Sign Elevations, Applicants have requested a waiver
23. Building Elevations
24. Floor Plans
25. Exterior Lighting Plan
26. Shadow Study
27. Preliminary Engineering Plan, prepared by Greengard, Inc., dated October 4, 2016
28. Greater Downtown Model, scale model to be produced upon approval of Planned Development
29. No Energy Analysis, as Applicants have requested waiver due to conformance with LEED standards
30. No analysis of Historically Significant Properties, as Applicants have requested a waiver
31. Statement on LEED Requirements
32. Statement on Recordation of Plat
33. Neighborhood Meeting Notice
34. Additional design elevations and schematics, presented to the Plan Commission on January 19, 2017, at its request.

Requested Waivers and Allowances.

13. The Applicant has requested waivers of four (4) application requirements: (1) Parking Study; (2) Historically Significant Properties, because this requirement is inapplicable to the Subject Property; (3) Energy Analysis, because the Applicants intend to meet LEED standards, and because such a geothermal analysis on this size property is not feasible; and (4) LEED Requirements, because the Applicants propose to meet the necessary LEED points without actual certification from or registration with the USCBC, but instead having a qualified, independent third-party commissioner verify that the proposal has achieved the necessary LEED points.

14. The Applicant also requests three (3) separate allowances in its proposal: (1) Height; (2) Density; and (3) Decrease in required parking spaces.

Height Allowance Request.

15. Section 3.8.1 A(2) of the Zoning Ordinance (B1-B2 General Business District height regulations) limits the height of all buildings and structures to forty-five (45) feet.

16. The Applicants request an allowance, as part of the proposed planned development, to construct a sixty (60) foot tall building, requesting an additional fifteen (15) feet, or thirty-three percent (33%).

17. Pursuant to the Zoning Ordinance, elevator overruns do not count towards overall building height, as the Zoning Ordinance defines building height for this building to the flat roof of the top floor, which is proposed to be sixty (60) feet. (Section 7.2.3.)

18. The additional height on this development site has minimal impact the neighboring properties relative to shadows cast and the height of the building.

19. The height of the proposed building fits within the established heights within the surrounding area.

20. Additionally, after meeting with the Village of Oak Park Historical Review Commission, the Applicants revised the proposal to set back the top floor of the building so that the impact of the additional height would be lessened.

Density Allowance Request.

21. Section 3.8.1 A (b) B1-B2 of the Zoning Ordinance (General Business District Intensity of Use regulations) require a building that contains a combination of ground floor uses and multiple family above to meet the following:

- a) Not more than three thousand (3,000) square feet of land for the first two (2) dwelling units; and
- b) an additional seven-hundred (700) square feet of land for each dwelling unit in excess of two (2).

22. Based on the Subject Property's size of nine-thousand (9,000) square feet, the development would only be allowed to have ten (10) dwelling units as of right.

23. The Applicants request the Village to allow fourteen (14) dwelling units, an increase of four (4) dwelling units, or forty percent (40%).

24. The Subject Property is situated within a transit-oriented area where higher density mixed use developments should be more acceptable.

Parking Space Reduction Allowance Request.

25. Section 6.2.2(D) of the Zoning Ordinance (Number of Required Off-Street Parking Spaces chart) indicates that two (2) parking spaces are required for each 3-bedroom or greater dwelling unit.

26. The Applicant's proposed development would have fourteen (14) dwelling units, thus requiring a total of twenty-eight (28) parking spaces for the residential component.

27. Additionally, one (1) parking space is required for each five-hundred (500) square feet of commercial/retail space.

28. The Applicants' proposal consists of approximately nine-hundred (900) square feet of commercial/retail space, thus requiring two (2) parking spaces.

29. The proposed development would provide a total of twenty (20) parking spaces.

30. The Applicants request relief for three (3) fewer parking spaces, or a reduction of fifteen percent (15%).

31. The Applicants' proposal would require thirty (30) total parking spaces, but the Subject Property is located in an area with a twenty-five percent (25%) credit afforded by the Zoning Ordinance.

32. Thus, the baseline for the Applicant is twenty-three (23) total parking spaces.

33. Additionally, the Subject Property is located within a transit-oriented area, has a Divvy bike station across the street, has public street parking spaces abutting it, and has a public parking garage nearby, thereby minimizing the need for the Applicant to provide all twenty-three (23) required spaces.

Historic Preservation Commission Review.

34. On June 9, 2016, the Applicants met with the Village of Oak Park Historic Preservation Commission ("HPC") to review the design of the proposal and its context to the surrounding areas.

35. On June 20, 2016, the HPC issued an opinion to the Applicants that: (1) the fifth floor setback was a positive step in the design; (2) the retail/commercial

space on the first floor fit with the character of the area; and (3) that the Applicants' consideration of improved fenestration on the proposal was a positive step.

Commission's Suggested Design Changes.

36. After the first part of the public hearing on December 15, 2016, the Commission expressed certain desired changes to the Applicants, regarding the following design issues:

- a) Size, height and design of the balconies on the North Elevation;
- b) Definition and setback of the header panels on the North Elevation;
- c) Clear glass on the North Elevation;
- d) Excessive size of the north parapet;
- e) Unmatching storefronts with neighbors; and
- f) Desired continuous belt coursing.

37. Additionally, the Plan Commission wanted to ensure that it saw and approved of the exact materials that the Applicants would use on the project.

38. In response, for the January 19, 2017, continued public hearing, the Applicants provided a new design, along with modified floor plans, elevations and schematics.

Architectural Design and Review.

39. The Village of Oak Park's architectural consultant, Floyd D. Anderson of Wight & Company, provided a memorandum dated October 6, 2016, that critiques the original proposed building elevations, with the following observations:

- a) The banding is not obvious enough and should be emphasized;
- b) The balconies detract from the manner in which the building fits into the Subject Property surroundings and should be minimized or completely removed.
- c) The second floor apartments may be lacking in desirability if other taller buildings are built surrounding the Subject Property.

40. After the Applicants resubmitted the new designs for the January 19, 2017, public hearing, Mr. Anderson submitted a revised memorandum stating his opinion of the new designs:

We find the revisions to the design accurately reflect the changes requested by the Commission and suggested by our team in the previous review of the project. In particular, the modifications to the balconies and parapet height on the north elevation creates a more appropriate street wall and avoids setting a precedent of allowing projecting balconies on future projects in the Village. We assume the architect will present material boards indicating the color palette will be presented at the next meeting for further review and approval by the Plan Commission. Also, it should be noted that the non-architectural solutions, such as condominium bi-law restrictions on bicycles and grills on balconies and truck traffic in the alley will be handled separately by the village.

Compliance with the Envision Oak Park Comprehensive Plan.

41. The newly-adopted Envision Oak Park Comprehensive Plan (the "Comprehensive Plan") establishes the objectives that set the standards for development within various areas of the Village.

42. The Comprehensive Plan is driven by Five Guiding Principles; Diversity, Urban Sustainability, Respect for Oak Park's History and Legacy, Collaboration and Cooperation, and Thriving Neighborhoods. The Applicants' proposal touches on each of these principles, helping to advance the Village's vision as defined by the Village citizens through the Comprehensive Plan.

43. The Applicants' proposal mainly implicates four (4) specific chapters (touches on others) within the Comprehensive Plan:

- a) Chapter 4 "Land Use & Built Environment"
- b) Chapter 7 "Neighborhood, Housing and Diversity"
- c) Chapter 12 "Economic Health & Vitality" and
- d) Chapter 13 "Environmental Sustainability."

44. The Comprehensive Plan stresses strengthening commercial districts as well as encouraging the symbiotic relationship between economic development and the overall quality of the community.

45. The Comprehensive Plan also supports the idea of encouraging a mix of uses and businesses that would help diversify the community's tax-base and provide a variety of consumer choices.

46. The Comprehensive Plan also encourages the active pursuit of businesses to address unmet gaps in local market demand.

47. The Plan encourages transit-oriented development with all types of housing.

48. In conjunction with these goals, the Future Land Use map supports more commercial/mixed use developments, which are thought to not only cater to residents, but also attract visitors from other communities. The proposed mixed-use development fits these recommendations. Additionally, sustainability is increasingly important, and highlighted in the Comprehensive Plan. The proposed development will at a minimum meet the LEED Certified points, striving to meet the Village's goals and objectives in new development.

Compliance with the Greater Downtown Master Plan.

49. The Subject Property is located within the Greater Downtown Master Plan ("GDTMP") area, adopted by the Village Board in March 2005. The GDTMP includes the Downtown Oak Park District, the Pleasant District and the Hemingway District. The Subject Property is within the Hemingway District.

50. The Village adopted the GDTMP not only to provide recommendations to enhance the long term retail and residential vibrancy of the district, but also to provide some degree of certainty of the direction of future development.

51. The GDTMP provides for a potential build-out capacity by 2020, which identifying new retail, office, residential, cultural, parking, and rehabbed retail and office development. The GDTMP encourages realistic and economically feasible development, finding it fundamental to attract investors.

52. The GDTMP fundamentally attempts to fulfill the community's goals and reflect the guiding principles established by the community. These fundamental

concepts aim to: Revitalize Retail, Reduce Traffic Congestion, Improve Transit Usage, Provide Additional Open Space, and Enhance the Pedestrian Environment.

53. The GDTMP Land Use Framework diagram does not address the Subject Property other than possible renovation of the street.

54. Generally, however, the framework promotes a mix of uses, both vertically and horizontally. Mixed use buildings with housing on upper floors support the retail uses and relate to nearby transit services.

55. The GDTMP categorizes South Boulevard near the Subject Property as a "secondary retail street," which is appropriate for adjacent retail, residential and other commercial uses.

56. A successful secondary retail street requires disciplined compliance with fundamental public realm requirements, such as: on-street parking, a walkable length (five minutes or 1/4 mile), a comfortable pedestrian environment with sidewalks, landscaping and street furniture.

57. The Applicants' proposal meets these public realm requirements.

58. However, the Applicants' proposed commercial space is only 900 square feet, not necessarily large enough to support a practical retail option.

59. The proposed mixed use is compatible with the surrounding area and helps toward the anticipated density for the greater downtown area.

Parking, Traffic and Other Concerns.

60. PARKING: In addition to the twenty (20) private parking spaces, there would be available on-street parking spaces abutting the development site, a public parking garage across the elevated tracks to the north which is easily accessible for any overflow parking demand, permit parking or overnight parking needs, and a Divvy public bicycle station across the street.

61. The Applicants have asked for a waiver of providing a parking study. Staff supported the request due to the size of the development and options mentioned above.

62. TRAFFIC: Due to the relatively low density of the proposed development, there will be low traffic impact to the surrounding area. The Traffic

Study consists of a Trip Generation Assessment that shows a very low number of vehicles entering and exiting the subject site in the morning and evening peak times. Therefore staff did not feel a full traffic study was warranted.

63. Staff has concluded that the proposed development not have a traffic impact to the area. Intersections in the immediate area will remain at an acceptable level of service.

64. HOUSING: The Homes for a Changing Region report adopted by the Village Board in 2012 states the following regarding Future Residential Needs:

"We also note the potential to develop more upscale housing which can meet the needs of families with incomes exceeding \$75,000. Transit oriented housing may represent the real opportunity here. Although, these households may prefer to minimize housing expenses and save their money for other things."

65. The report further references Housing Demand by Type of Unit:

"When we combine our projections for new owner-occupied and rental housing in the future, we get a clearer picture of Oak Park's demand for additional housing units by type in 2030. What emerges is a "balanced housing" profile with demand for about 250 additional single family, 72 townhome and 847 multifamily homes between now

and 2030. This demand can be accommodated by filling existing vacancies, redevelopment or new construction.”

66. The Applicants’ proposal is in line with these categories and fulfills a portion of the demand anticipated before 2030.

Public Art.

67. The Applicants have not yet met with Oak Park Arts Council, but will work with that body to ensure a mutually agreeable design, scale and location for the public art associated with this planned development request.

Compensating Benefits.

68. In return for the Village providing allowances from Village regulations, the Applicants must provide compensating benefits which advance Oak Park’s physical, cultural and social objectives (in accordance with the Envision Oak Park Comprehensive Plan and other approved plans) by having the Applicants provide specific amenities in the planned development. The compensating benefits which that accrue to residents of the area or to the community as a whole would be:

- a. Development of a vacant area on South Boulevard, continuing the setback wall and providing another ground level commercial/retail space.
- b. Improvements and/or reconstruction of the public sidewalk abutting the subject property.
- c. Coordinate with the Oak Park Arts Council to paint mini-murals approximating 60 lineal feet along the southern wall of the Metra embankment.
- d. Increased tax base to the Village and community.

Conditions for Approval of the Planned Development.

69. The Plan Commission proposed including the following conditions on any approval of the Applicant's proposed planned development:

(1) That except as modified below, the Applicants develop the project comprised of multi-family residential use, retail/commercial use, private parking accessory to the foregoing uses, in substantial conformity with the Plans and Specifications submitted with their application. The Landscape Plan/vegetative roofing plan shall provide for the preservation, care and maintenance of the landscape and vegetative materials.

Additionally, the Applicants shall face the north façade of the structure with modular bricks substantially the same colors in the same façade locations as shown to the Plan Commission on January 19, 2017. The modular brick exterior materials shall continue to wrap around the front of the building to the sides, to the next logical break in the design, so

that there is no unnatural transition between the modular brick on the north façade and the larger-scale utility brick to be used on the other three façades.

(2) That the Applicants engage a third-party commissioner to ensure and verify to Village Staff that the proposal meet the benchmark number of points for LEED certification requirements.

(3) That upon review and advice of the Oak Park Arts Council, the Applicants provide public art at the planned development acceptable to the Village Board. The location of the art on the site and its accessibility to the general public will be mutually determined by the Developer and the Village.

(4) That the Development include indoor bicycle storage and parking.

(5) That the Development include as a part of its condominium declaration that no grills and or storage of bicycles or other personal items be allowed on the balconies.

(6) That the Development include as a part of its condominium declaration that no semi-trailer truck traffic be allowed in any adjacent alley.

(7) That the Applicants shall have the affirmative duty to make the Village aware of, and give the Village the opportunity to review, the condominium declaration documents and language referenced in Conditions 4, 5 and 6 above, prior to recordation, in order to ensure compliance.

(8) That construction truck traffic be limited to Oak Park Avenue and South Boulevard, and not in any alley adjacent to the Subject Property. The Applicants shall submit their proposed 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.

(9) That during construction of the proposed development, the Applicants post a conspicuous sign providing a local phone number 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.

(10) That the Applicants implement a construction-related Communications Plan. During construction of the proposed development, the Village will designate a staff liaison with whom the Applicants shall reasonably and timely communicate and cooperate.

(11) That the Applicants ensure that all construction debris remains on the Subject Property and is removed on a regular basis. The Applicants shall also use best efforts to mitigate any offsite dust and debris.

(12) That the Applicants have nine (9) months from the date of approval of the planned development to submit building permit applications to the Village; eighteen (18) months from the date of

approval of the planned development to begin construction; and thirty-six (36) months from the date of approval of the planned development to complete construction.

(13) That the Applicants provide a list of exterior building, landscaping and design materials to be approved by the Village Staff, as detailed in their application and their submittals to the Plan Commission during the public hearing. The Applicants shall construct the project using the materials approved by the Village Board for the portions or areas of the project designated by the Village Board.

(14) That in the event the Applicants or their respective successors or assigns fail to comply with one or more of the foregoing conditions and restrictions after ninety (90) 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 Applicants or 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 90-day period.

The Planned Development Standards.

70. Section 3.9.1(I) of the Zoning Ordinance sets forth the following numbered standards, which were met by the Applicant here:

A. Comprehensive Plan Standards.

The proposed 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.

B. Municipal Services Standards.

1. The establishment, maintenance, or operation of the use or combination of uses will not be materially detrimental to or endanger the public health, safety, or general welfare of the residents of the Village.
2. Adequate utilities, road access, drainage, police and fire service and other necessary facilities already exist or will be provided to serve the proposed use or combination of uses, including access for fire, sanitation, and maintenance equipment.
3. Adequate ingress and egress to the proposed 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.

C. Vicinity Standards.

1. 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.

2. The proposed use or combination of uses will not have a substantial or undue adverse effect upon property values in the vicinity.
3. The proposed design, use or combination of uses will complement the character of the surrounding neighborhood.

D. Economic Development Standards.

1. The Applicant has the financial and technical capacity to complete the proposed use or combination of use.
2. The proposed use or combination of uses 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 extent that such burden is balanced by the benefit derived by the Village from the proposed use.

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 Plan Commission, sitting as a Zoning Commission, hereby recommends, by a vote of 8-0, to the President and Board of Trustees that the planned development, as presented to the Village, be GRANTED to the Applicants, their successors and assigns, under the provisions of the Zoning Ordinance to permit construction of the proposed planned development at the Subject Property.

This report adopted by an 8-0 vote of
the Plan Commission, sitting as a Zoning
Commission, this 19th Day of January, 2017.