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DATE: January 6, 2017  
TO: Village of Oak Park  
FROM: Camiros  
SUBJECT: Plan Commission Recommended Changes

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## Recommended Changes to the Public Hearing Draft Zoning Ordinance

This is a summary of Plan Commission recommended changes to the Public Hearing Draft of the Zoning Ordinance following the close of the public hearing on January 5, 2017.

### ZONING MAP

- » Edit to remove right-of-way from designations the DT District
- » Remove the FLW Home and Studio from the I District and rezone as current designation

### ARTICLE 2

- » Add definitions of roof types stated within building height measurement methodology (pitched, mansard, gambrel, flat). Add the following:

**Roof, Flat.** A roof that is not pitched and where the surface of the roof is generally parallel to the ground. A mono-pitched roof, also called a shed roof, is a single-sloping roof surface, and is also considered a flat roof.

**Roof, Mansard or Gambrel.** A two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep. A gambrel roof has vertical gable ends, while a mansard roof is hipped at the four corners of the building.

**Roof, Pitched.** A gable or hip roof having a slope or pitch of at least one foot rise for each four feet of horizontal distance in the direction of the slope or pitch of the roof. A hipped roof is sloped in two pairs of directions compared to the one pair of direction for a gable roof.

- » Add Children's Home definition:

**Children's Home.** A residential facility that provides both long-term residence for and short-term care and services to children up to 18 years of age, who have experienced abuse, neglect, violence, abandonment, and/or are in need of supervised care. A children's home includes counseling for children within the facility and for parents and children not residing at the facility, and offices for the administration of the facility and its associated programs. It may also include day care services as an ancillary function. Children's homes must be appropriately licensed by the Illinois Department of Children and Family Services.

- » Amend Live/Work Dwelling definition to add the following language: "Any area used for commercial space in a live/work dwelling cannot be converted to residential living space if the commercial component is no longer operating."

### ARTICLE 4

- » Within the front setback requirements for residential districts, delete "whichever is greater" from all front setback requirements in all residential districts
- » Within the R-3-35 and R-4 Districts, the interior side yard standard is changed to "5' or 10% of lot width, whichever is less"

## ARTICLE 5

- » Edit the DT District maps in Figures 5-1 and 5-2 to remove right-of-way from designations
- » In Figure 5-2 DT District height, designate three parcels located north and south of Lake St. that allow 125' height within the area of 80' height to 80' height designation
- » Add "RR District" to the tables in Article 5 that pertain to the Roosevelt Road District

## ARTICLE 6

- » Revise Section 6.3.C and Table 6-3 as follows (new language underlined):

### Revised Section: 6.3.C

#### C. Dimensional Standards

1. Table 6-3: H District Dimensional Standards establishes the dimensional standards for the H District. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

2. Additional height restrictions apply to the following geographic areas.

a. From the center line of N Humphrey Avenue (extended) to the west H District property line, buildings may not exceed 50 feet in height.

b. From the center line of Wisconsin Avenue (extended) to the east H District property line, buildings may not exceed 80 feet in height.

Table 6-3: H District Dimensional Standards	
District	H District
Bulk Standards	
Minimum Lot Area	10,000sf
Maximum Building Height	125', unless located within a height restricted area per Section 6.3.C.2
Maximum Lot Coverage	80%
Required Setbacks	
Minimum Front Setback	20'
Minimum Interior Side Setback	20', unless abutting a residential district then 30'; <u>If abutting a residentially zoned property, and located within a height restricted area per Section 6.3.C.2: 50' measured from the property line of the adjoining lot to the interior side</u>
Minimum Corner Side Setback	20'
Minimum Rear Setback	<u>30' measured from the property line of the adjoining lot to the rear;</u> <u>If abutting a residentially zoned property, and located within a height restricted area per Section 6.3.C.2: 50' measured from the property line of the adjoining lot to the rear</u>

## ARTICLE 8

- » Add Tour House to the use matrix as a special use in residential districts with a reference in the use standards column to the accessory use standards in Article 9
- » Add Children's Home as a special use in R-7 District

## ARTICLE 12

- » Correct typo within Section 12.2.B – strike “unit” from planned development

## ARTICLE 13

- » In Section 13.2 (Notice), clarify that in that section only “day” means calendar day. Add language: “For the purposes of this section for notice only, day means calendar day.”
- » In Table 13-1, delete the line in the table related to zoning interpretation. (Zoning interpretation does not require notice.)

## ARTICLE 14

- » In all sections of zoning applications, where the Village Board makes a decision based upon a Plan Commission recommendation, add language that states: “The Village Board may also refer the application back to the Planning Commission for further consideration.”
- » Make the following corrections to typos in Section 14.5 (PD):
  - 14.5-E.1.g: delete “For major planned developments”
  - 14.5-E.2: delete extra “a”
  - 14.5-J.2.a&b: add “up to” before 10%
- » In 14.5-J.2, add the following to the end of minor modifications introduction: “Where such modifications include a threshold of change, the Plan Commission may approve incremental modifications to an approved planned development until such modifications in aggregate exceed such threshold. Any modification that exceeds such threshold whether in a single request or in aggregate, such modification is a major modification.”
- » In 14.5-J.2.g, add the following limitation at the end: “of 10% or ten spaces, whichever is less.”
- » Replace 14.5.I with the following reorganized language, with minor corrections (corrections noted):

### I. Submittal Requirements

Applications for a planned development must be filed with the Zoning Administrator in such form as required by the Village. Notwithstanding a decision to grant a waiver from a submittal requirement, a decision regarding the request for a waiver of an application requirement does not preclude the Plan Commission or Village Board from requesting that same information and/or any additional information it deems applicable for its review of the planned development application. Every application must contain the following information and related data, unless a waiver is granted.

#### 1. Fee

A fee as established by the Village for the application and to defray the costs of providing notice and contracting with independent professionals to review applications as required. The professional costs may include, but are not limited to, engineering, legal fees, traffic analyses, environmental impact studies or analysis, land use design, or other similarly related professional studies. Additional materials may be required during the review of a proposed planned development if determined necessary by the Plan Commission or Village Board.

## **2. Standards**

### **a. Planned Development Standards**

A statement setting forth the reasons demonstrating that the proposed development meets the standards set forth in this Section. This includes a statement regarding the public benefits to be provided, including a compensating benefit(s), a Village improvement, and public art as defined in this section.

### **b. Sustainability Standards**

An evaluation from a third party that demonstrates that buildings and sites meet LEED Certified standards (US Green Building Council); however, LEED certification is encouraged, but not required. An alternate sustainability rating system may be used, subject to approval by the Village.

## **3. Owner Information**

### **a. Contact information**

The names, addresses and phone numbers of the owner(s) of the subject property, or if a trust, the names, addresses, of the beneficiaries, the applicant and all persons known to have a proprietary interest in the subject site and proposed development.

### **b. Title Policy and Affidavit of Ownership**

A current property title policy and an affidavit of ownership is required as proof of ownership.

### **c. Owner Statement**

A statement from the owner, if the owner is not the applicant, approving the filing of the application by the particular applicant.

### **d. Professional Qualifications**

A statement of the professional qualifications and related development experience of applicant and/or applicant's development team.

### **e. Financing**

A statement of proposed financing and evidence of the applicant's ability to accomplish same. At the direction of the Village Board, an economic proforma may be required.

## **4. Property Information**

### **a. Property Restrictions**

The substance of covenants, easements, and other restrictions existing and any to be imposed on the use of land, including common open space, and structures.

### **b. Plat of Survey**

A plat of survey, prepared by a licensed surveyor, with legal description and street address of the subject parcel(s), prepared within the last year or a plat of survey showing current conditions that may be older than one year, prepared by a licensed surveyor.

### **c. Historic Preservation Review**

For any development site(s) that includes structures that are of historical significance, determined through either any historic preservation district or as identified in any plan or study, must be evaluated as to its impact by the proposed development and/or its impact on the proposed development.

## **5. Reports and Studies**

### **a. Environmental Assessment**

Copies of all environmental assessments or impact studies as required by law or a letter from the EPA stating that the site is considered clean by EPA standards.

**b. Village Services Report**

A report on the anticipated demand on all Village and community-wide services including, but not limited to, police, fire, public works, park district, and schools. This report must include a tax impact study indicating all projected tax revenues.

**c. Market Feasibility Report**

A market feasibility report, prepared by a professional real estate consultant or other qualified professional, for all types of proposed land uses within the boundaries of the developed tract, which must include information on unit prices, absorption, and competition.

**6. Traffic and Parking Study**

i. A traffic impact study, prepared by a professional engineer qualified in traffic analysis, showing the proposed traffic circulation pattern, including counts, within and in the vicinity of the area of the development which includes any pending development projects and an analysis which does not include any pending development projects. The location and description of any public and traffic-related public improvements to be installed, including any streets and access easements must also be provided.

ii. A parking impact study, prepared by a professional engineer qualified in parking analysis, showing the estimated parking demand based on proposed uses in relation to existing conditions including any pending development projects for the surrounding area including off-site parking spaces.

**7. Development Plans**

**a. Site Plan**

A scaled site plan, a minimum scale of one inch equals 40 feet, showing the contour lines, common space(s) and the location, setback, bulk, and lot area coverage and heights of structures, parking spaces, loading areas, garbage pick-up routes, contiguous land uses, natural topographic features, zoning districts, public thoroughfares, transportation routes, and utilities. The site plan must also depict all required street furniture and their locations, such as bicycle racks and/or bicycle storage facilities, light poles, benches, and trash receptacles.

**b. Landscape Plan**

A landscaping plan, prepared by a registered landscape architect or licensed arborist, prepared in the same scale as the site plan, showing the location, size, character, species, and composition of vegetation and other material. The plan must also include a list containing the quantity, species (including common and botanical name), and the size of all plantings. The landscape plan must follow the requirements of this Ordinance.

**c. Engineering Utility Plan**

An engineering plan, prepared by a licensed professional engineer, showing off-site utility improvements required to service the planned development and a report showing the cost allocations for those improvements. The plan must also include the proposed site drainage for the developed tract.

**d. Exterior Lighting Plan**

An exterior lighting plan of the same scale as the site plan showing the location of all exterior lighting proposed for the site. The proposed photometrics (level of illumination) as well as the specific design details of all exterior light sources must be provided including light color, height of light fixtures, and illustration of the design. Screening of the light sources should be addressed in the written summary for the project.

**e. Floor Plans**

Floor plans of all proposed buildings and structures. The drawings must also include a schedule showing the number, type, and floor area of all uses or combination of uses, and the floor area of the entire development. For residential floor plans, a summary table of units, sizes, room types must be included.

**f. Construction Logistics Plan**

Construction traffic and parking schedule indicating the location for the parking of construction vehicles and the anticipated route of construction vehicles, including a communication plan and point of contact posted at the site.

**g. Project Schedule**

Schedule of development showing the approximate date for beginning and completion of each stage of construction of development, including a communication plan and point of contact posted at the site.

**7. Building Elevation Plans**

**a. Shadow Study**

A shadow study, at a minimum, depicting mid-morning and mid-afternoon shadows cast on the following dates; March 20, June 21, September 22, and December 21, corresponding to the first day of each season, for any proposed structure(s) which exceed the underlying zoning district height or setback restrictions.

**b. Building Elevations**

Building elevation drawings illustrating the design and character of the building(s), types of construction, and specified building materials for all sides of the building(s).

**c. Streetscape Elevations**

Streetscape building elevation(s) of the proposed building including all street-facing buildings within the same block or, if a corner lot, those located adjacently across the street or alley.

**d. Sign Elevations**

Detailed sign elevations of the sign face(s) at a scale of not less than one inch equals two feet, and must designate sign design, dimensions, materials, colors, lighting (level of illumination), and written/graphic message.

**e. Model**

For development proposals within the Greater Downtown TIF area, a to-scale physical three-dimensional model of the proposed development as well as an electronic three-dimensional model developed in an acceptable format approved by the Village.

**8. Responsibility to Record**

A statement acknowledging the responsibility of the applicant to record a certified copy of the ordinance granting the planned development with the Cook County Recorder of Deeds and to provide evidence of said recording to the Village within 30 days of passage in the event the proposed planned development is approved by the Village Board.

**ARTICLE 15**

- » Add the following language to address dwellings located in non-residential districts

**New Section 15.2.G**

**G. Single-Family and Two-Family Dwelling Exemption**

A nonconforming single-family and two-family dwelling use in a non-residential district is allowed to continue and must comply with the standards of the R-7 District. A nonconforming single-family and two-family dwelling may be expanded but must meet the standards of the R-7 District. The provisions of item E above regarding discontinuance or abandonment do not apply to such nonconforming single-family and two-family dwellings.

**Section 15.3.E.2 Additional Language (new language underlined):**

2. If a nonconforming single-family or two-family structure is destroyed or damaged by an act of God, regardless of the percent of damage, it may be rebuilt to its original condition before such casualty or loss. A building permit must be obtained for such rebuilding, restoration, repair, or reconstruction within one year of the date of damage or destruction. In the event that the building permit is not obtained within one year, then the structure cannot be restored unless it conforms to all regulations of the district in which it is located. This provision also applies to any nonconforming single-family and two-family dwelling use in a non-residential district.