

October 3, 2019

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

**Re: Application of 6033 North, LLC for a
Planned Development at the Southwest
corner of North Avenue and Humphrey
Avenue, at 6033 North Avenue – PC 19-05**

Dear Trustees:

History of Project.

On or about September 25, 2019, 6033 North, LLC, of 3901 25th Avenue, Schiller Park, Illinois 60176 (“Applicant”), filed a final application for approval of a planned development at the Southwest corner of North Avenue and Humphrey Avenue, at 6033 North Avenue, on property depicted in the application (“Subject Property”), in the NA North Avenue Commercial District, for a multiple family complex with three (3) four (4) story buildings with twenty-four (24) dwelling units in total.

In conjunction with its application, the Applicant requests the following four (4) allowances from the strict requirements of the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”):

1. Article 5 (Commercial Districts) Section 5.3 (Dimensional Standards):
Relief is requested from the lot area per dwelling unit requirement, which allows seventeen (17) dwelling units on the Subject Property, to allow for twenty-four (24)

dwelling units to be located on the Subject Property, requiring an allowance for an additional seven (7) dwelling units.

2. Article 5 (Commercial Districts) Section 5.3 (Dimensional Standards): Relief is requested from the fifteen foot (15') rear yard setback requirement at the West property line, to allow for a one foot (1') rear yard setback at the West property line, requiring an allowance of fourteen feet (14') of required rear yard setback.

3. Article 10 (Off-Street Parking & Loading) Section 10.7 (Required Off-Street Loading Spaces): Relief is requested from the one (1) on-site loading space/berth requirement, to allow for no on-site loading space/berth, requiring an allowance of one (1) required on-site loading space/berth.

4. Article 11 (Landscape) Section 11.7 (Required Parking Lot Interior Landscape): Relief is requested from the one (1) landscape island for each ten (10) parking stalls requirement, to allow no landscape island in the back parking row which has fifteen (15) parking spaces, requiring an allowance of the one (1) required landscape island in the back parking row.

The Application and Notice.

On September 18, 2019, 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 Subject Property and letters were also mailed by the Applicant to property owners for property within three hundred feet (300') of the Subject Property, advising them of the proposal and the public hearing to be held.

Pursuant to legal notice, the Plan Commission (“Commission”) conducted a public hearing on the application on October 3, 2019, at which time 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 Subject Property.

1. The Subject Property is a seventeen thousand four hundred eight (17,408) square feet zoning lot located at the Southwest corner of North Avenue and Humphrey Avenue, and is commonly known as 6033 North Avenue. The Subject Property is located in the NA North Avenue Commercial District. The Subject Property is currently vacant, with a surface parking lot.

2. The Subject Property is surrounded by the following uses: to the North, City of Chicago, mixed-use and vacant lot; to the South, residential uses, which are zoned within the R-4 Single Family Residential District; to the East, commercial uses, which are zoned within the NA North Avenue Commercial District; to the West, commercial uses, which are zoned within the NA North Avenue Commercial District.

3. The Applicant is the contract purchaser of the Subject Property.

4. The Applicant previously obtained a special use permit to build ten (10) townhomes on the Subject Property, but the Applicant was not able to develop the townhomes due to feasibility issues.

The Applicant.

5. The Applicant is a developer of housing.
6. The Applicant submitted the documentation required pursuant to the requirements of Section 14.5.I. of the Zoning Ordinance.

The Project.

7. The Applicant proposes to build three (3) four (4) story multiple family residential buildings, with twenty-four (24) dwelling units in total, with twenty-three (23) on-site parking spaces and the other improvements set forth in the application.

The Requested Site Development Allowances.

8. As part of its planned development, the Applicant seeks four (4) 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 proposed development primarily affects three (3) Chapters within the Comprehensive Plan: Chapter 4, “Land Use & Built Environment,” Chapter 7, “Neighborhoods, Housing and Diversity” and Chapter 13, “Environmental Sustainability.”

11. The Comprehensive Plan establishes goals and objectives which set the standards for development in the Village of Oak Park, 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. Additional

residential use supports and strengthens the community and commercial districts through patronizing of businesses and adding vibrancy to the corridor.

12. In Chapter 4, the Comprehensive Plan discusses opportunities to strengthen the urban fabric by constructing context-sensitive infill development. Village staff finds that the proposed development fits this objective. The Comprehensive Plan also looks to creating appropriate land use transitions, especially those abutting residential uses. Village staff finds that the proposed use fits this objective as well, as the proposed development includes dwelling units that provide a suitable transition to the adjacent residential uses to the South of the Subject Property.

13. In Chapter 7, the Comprehensive Plan seeks to ensure the Village Board's and Village Commissions' commitment to diversity and affordable housing opportunities. With the abundance of vintage housing in Oak Park, new housing that is affordable and accessible increases the opportunity a more diverse population. The proposed development will consist of two (2) bedroom dwellings in two (2) square footage options. Village staff finds that the development does not meet the minimum threshold for requiring affordable housing units.

14. In Chapter 13, the Comprehensive Plan sets out a list of goals and objectives for environmental sustainability opportunities. Since sustainability is increasingly important in our society, the proposed development will be utilizing the Green Globes multiple family rating system. The Applicant will provide proof via a third-party verification that they have achieved those intended points/requirements. At a minimum, the Applicant shall achieve points necessary to achieve one (1) Green Globe.

15. Village staff finds that the proposed development follows the Comprehensive Plan.

Ability of Applicant to Complete Project.

16. 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.

Compensating Benefits.

17. In return for the Village providing allowances from Village regulations, per Section 14.5.E.2.a. of the Zoning Ordinance, the Applicant must provide compensating benefits which advance the Village's physical, cultural and social objectives, in accordance with the Comprehensive Plan and other approved plans, by having the Applicant provide specific amenities in the planned development. Some of the compensating benefits of the proposed project are:

- a. Removal of the curb cut on the Subject Property on North Avenue;
- b. Repair/replacement of North Avenue and Humphrey Avenue right of way;
- c. Installation of parkway trees and grates along North Avenue and trees along Humphrey Avenue; and
- d. The alley to the South of the Subject Property will be improved.

Public Art As Part Of The Development.

18. Section 14.5.E.2.c. of the Zoning Ordinance requires that an Applicant provide at least one (1) piece of public art as part of the development. A contribution to the Oak Park art fund is also an option. In either case, the scope of the public art or

contribution should be in proportion to the square footage of the development upon review and advice by the Village's partner agency the Oak Park Area Arts Council.

19. Upon review and advice of the Oak Park Area Arts Council and approval of the Village Board, the Applicant will install public art at the Subject Property or provided a monetary donation to the Oak Park art fund. The location of the art on the Subject Property and its accessibility to the general public will be mutually determined by the Applicant and the Village.

The Planned Development Standards.

20. 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.

21. 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.

22. During the public hearing, the Commission heard testimony and considered evidence about the proposed development.

23. The Commission finds that the site development allowances requested for the proposed development are appropriate under the Zoning Ordinance because the allowances, if granted, will permit an appropriate project to be built and operated on the Subject Property that will act as a suitable transition from the North Avenue commercial corridor to the residential neighborhood to the South of the Subject Property.

24. Further, the need for the site development allowances is supported by the Applicant's prior attempt to develop the Subject Property with a townhomes project that did not require as many allowances.

25. Further, the Commission concurs with, and incorporates, the findings of Village staff regarding the proposed development.

26. In summary, the Commission finds that by allowing the proposed development at the Subject Property as a planned development satisfies the objectives and standards in Sections 14.5.A. and 14.5.H. of the Zoning Ordinance, and that approval of the requested planned development permit, and associated allowances, is appropriate.

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 planned development be APPROVED, subject to the following conditions:

1. That except as modified below, the Applicant shall develop the project comprised of twenty-four (24) dwelling units and ancillary parking uses in substantial conformity with the Plans and Specifications submitted with its application or subsequently modified in accordance with the Zoning Ordinance. 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 use, on the North Avenue facades of all three (3) buildings, and on the Humphrey Avenue facade of the one (1) building adjacent to Humphrey Avenue, face brick with nominal dimensions of 8" x 4" x 2.25", with an eight foot return on the other sides of the buildings.
3. That the Applicant shall replace the sliding glass doors on the first floor units of each of the three (3) buildings with windows and landscaping, such as planter boxes.
4. That the Applicant shall modify the first floor unit floor plans by reducing the size of the closets and enlarging the bedrooms.
5. That the Applicant shall use the Green Globes sustainability rating system and obtain at least one (1) Green Globe for the project. If the project is not registered with a rating agency, the Applicant must attain verification by a third party reviewer that all certification points have been satisfied for the selected rating system. At the building permit stage, the Applicant shall provide the Village with its Green Globe checklist and details of how the Green Globe rating will be achieved.
6. That the Applicant shall be responsible for any streetscape improvements associated with the project and shall repair any damaged Village right-of-way improvements damaged during construction and the Applicant shall replace all curbs and public sidewalks adjacent to the Subject Property.
7. 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 insure that the landscaping is installed and maintained pursuant to the Landscape Plan.
8. That upon review and advice of the Oak Park Area Arts Council and approval of the Village, the Applicant shall install public art at the planned development site or provide a monetary donation to the Oak Park art fund. The location of the art on the site and its accessibility to the general public will be mutually determined by the Applicant and the Village.
9. That semi-trailer truck traffic is prohibited on Humphrey Avenue south of the abutting alley. 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 his/her review and approval. Construction traffic routes shall be limited to North Avenue and designated streets unless otherwise determined by the Village Engineer.
10. That during construction of the proposed development, 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.

11. That the Applicant shall implement a construction related Communications Plan and provide this information to the Village and surrounding property owners prior to construction.
12. That the Applicant shall insure that all construction debris remains on the Subject Property and is removed on a regular basis. The Applicant shall also use best efforts to mitigate any offsite dust and debris.
13. That the Applicant provides a list of final exterior building, 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.
14. That during construction of the proposed development, the Village designates a staff liaison, with whom the Applicant shall reasonably and timely communicate and cooperate.
15. 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.
16. 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 thirty (30) days written notice by the Village or its agents, the President and Board of Trustees may thereafter revoke or limit this planned development permit, 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 thirty (30) day period.

This report adopted by a 6 to 0 vote of
the Plan Commission, sitting as a Zoning
Commission, this 3rd day of October, 2019.