

**Applicant:**

American House Development, LLC  
One Towne Square—Suite 1600  
Southfield, MI 48076

**Meeting Date: December 5, 2019**

**Case: PC 19-06**

**Owners:**

711: Essex Foley Family, LLLP & 711 Madison Blvd.  
725: Chicago Title Land Trust / Spikes, The Hotel for Dogs,  
Inc.

## Planned Development



### Oak Park Senior Living Community Residential Planned Development

The Applicant seeks approval of a Planned Development for a seven (7) story senior housing community with 174 units (222 beds) comprised of 76 independent living units, 65 assisted living units, and 33 memory care units with the following allowances: 1.) Increase in density, 2.) Increase in height, 3.) A reduction in the rear yard setback, and 4.) An increase in foot-candles (illumination) at the property line.

#### Property Information

Existing Zoning: MS—Madison Street Zoning District

Existing Land Use: Former Car Dealership. Currently used as a health club.

Property Size: 36,590 Square Feet

Comprehensive Plan: *Envision Oak Park chapters;*  
4. Land Use & Built Environment,  
13. Environmental Sustainability

Business District Plan: Madison Street Corridor Plan

Surrounding Zoning and Land Use: NORTH: Across Madison—MS-Madison Street Zoning District (vacant former auto business)  
SOUTH: Across the alley—R3-35 Single Family Residential Zoning District (single family homes)  
EAST: Across Wesley—MS-Madison Street Zoning District (apartment building)  
WEST: MS-Madison Street Zoning District (parking lot and commercial)

## Analysis

**Submittal:** This report is based on the documents that have been identified in the submitted proposal binder, which was filed with the Development Customer Services Department in November 2019. NOTE: The full application is available on the Village's website ([www.oak-park.us](http://www.oak-park.us)). Each required document is listed in each Tab of the binder, but only those tabs requested by the Plan Commission are included for your review.

Under Tab 1, the applicant has statements regarding compensating benefits and public art. You will also find information on the mandatory neighborhood meeting held on February 18, 2019.

Under Tab3.b, the applicant provides their sustainability checklist for the development. They are proposing to use the LEED rating system meeting enough points for certification at 42.

**Description:** The subject site is within the MS –Madison Street Zoning District located on the south side of Madison Street, west of Wesley Avenue. The proposed structure will replace the existing one story commercial building at 711 Madison Street, and the two story commercial building at 725 Madison Street. The proposed building will also be construction on a vacated portion of Euclid Avenue. The street vacation is a companion request with this planned development application. The existing utilities in the Euclid Avenue right of way will be relocated along the western side of the proposed building below a green space. The Village will retain an utility and public access easement. The green space will run from Madison Street south to the public alley at a width of approximately 16.5 feet. This proposal has been reviewed by Wight and Company (the Village's architectural design consultant) who worked with the architect during the process, and it has been vetted through staff's Project Review Team (a multiple disciplinary group consisting of representatives from the Fire, Police, engineering, planning, zoning, historic preservation, forestry, housing, parking, law, business, health and refuse/recycling). The proposed allowances mentioned on the first page and street vacation are detailed later in this report. The proposed structure will be brick veneer and metal panel systems. The applicant will provide samples of the building materials at the public hearing.

## Compliance with the Zoning Ordinance

**Planned Development:** One of the principal objectives of the Zoning Ordinance is to provide for a compatible arrangement of uses of land and buildings that is consistent with the requirements and welfare of the Village. To accomplish this objective, most uses are classified as permitted or special uses in one or more of the districts established by the Zoning Ordinance. However, it is recognized that there are certain uses that, because of their scope, location or specific characteristics, give rise to a need for a more comprehensive consideration of their impact, both with regard to the neighboring land and the Village in general. Such uses fall within the provisions of the Planned Development section of the Zoning Ordinance and shall only be permitted if authorized as a Planned Development.

It is the purpose of Planned Developments to enable the granting of certain allowances or modifications from the basic provisions of the Zoning Ordinance to achieve attractive and timely development in furtherance of the Village's goals and objectives as stated in the Comprehensive Plan. Site-development allowances (i.e., any zoning relief, including any deviation from the Zoning Ordinance provisions for the underlying zoning district) may be approved provided the applicant specifically identifies each site-development allowance and how it would be compatible with surrounding development.

The Oak Park Zoning Ordinance states that Planned Developments should generally be limited to those uses or combination of uses currently permitted in the underlying zoning district. However, an applicant may petition for consideration of a use or combination of uses not specifically allowed in the underlying zoning district, if the Village Board finds that the conditions, procedures and standards are met and that such use or combination of uses is shown to be beneficial to the Village.

Because of the zoning relief being sought and the fact that the gross floor area of the structures is over 20,000 square feet, the development falls under the Special Use—Planned Development requirement and regulations.

TABLE 1

	<i>Allowance Type</i>	<i>Zoning Ordinance</i>	<i>Proposed Request</i>	<i>Need for allowance</i>
1	<b>Density (Min. Lot Area)</b>	48 Units	174 Units	126 Units
2	<b>Height</b>	50 Feet	90 Feet	40 Feet
3	<b>Setback – Rear Yard</b>	25 Feet from far side of alley	16 Feet	9 Feet
4	<b>Illumination (Foot-candles)</b>	1.0 Footcandle	6.9 Foot-candles	5.9 Foot-candles

The Table above details the requested allowances for the proposed development and the following text describes them:

1. DENSITY (Minimum Lot Area): **Article 5: Madison Street Zoning District; Section 5.3 Dimensional Standards—Table 5-1 Commercial Districts Dimensional Standards** allows one dwelling unit for each 750 square feet of land. The subject property is 36,590 square feet.  $36590/750=48.8$ . Staff believes the use is a lower impact than a standard apartment or condominium building relative to parking and traffic while still providing a greater pedestrian use of the corridor and patrons for the local businesses. However, the Fire Chief indicated his concern regarding an increased demand on emergency services based on comparable developments in the Village.

2. BUILDING HEIGHT: **Article 5: Madison Street Zoning District; Section 5.3 Dimensional Standards—Table 5-1 Commercial Districts Dimensional Standards** restricts building heights for Multiple Family developments to 50 feet. The Applicant is proposing a height of approximately 90 feet. This structure which is proposed at seven (7) stories along Madison Street and the east and west ends has lower varying heights on the back side adjacent the residential properties. These heights vary from 52 feet, 39 feet, 28 feet and 16 feet. While not exactly the same height, the proposed structure is comparable to the Belmont Village building at the west end of the corridor. The Belmont Village development was approved at a height of 75 feet. Staff supports this request based on the varying heights, step backs on upper levels and façade undulation along Madison Street which mitigates the overall height and massing.

3. SETBACK (Rear Yard): **Article 5: Madison Street Zoning District; Section 5.3 Dimensional Standards—Table 5-1 Commercial Districts Dimensional Standards** requires a 25 foot setback from the rear lot line of the adjacent residentially zoned property to the south across the alley. The proposed setback of sixteen (16) feet is inclusive of the 16 foot wide alley, essentially this creates a zero setback at the rear property line. Staff supports this request based on the varying heights along the alley side coupled with the 16 foot separation from the residential properties to the south.

4. ILLUMINATION (Footcandle): **Article 9: Site Development Standards; Section 9.2 Exterior Lighting, B. Maximum Lighting Requirements** restricts the allowable footcandle at any lot line to one footcandle. The development is built up to the lot lines with the exception of the west building edge. The building is illuminated for security purposes along the periphery of the building. In certain areas, the footcandle readings are higher than others. The highest reading is along the front façade abutting Madison Street. The most impactful lighting along the rear abutting the residential area is low, ranging between 0.5 to 2.8. However the illumination is not greater than 1.0 footcandle along the residential property lines to the south. It appears from the photometric plan, the lighting fixtures are directed downward. If additional cut-offs are necessary for screening from the residents, the Plan Commission may want to make a recommendation in the Findings of Fact report. Staff supports this request as the most intense lighting level is in the front along Madison and lower light levels adjacent the residential uses to the south.

One of the rationale for establishing planned development regulations is the ability to allow flexibility in developments that could foster creativity and provide enhancements of the built environment as well as provide compensating benefits to the community. Any relief sought in this regard must meet the standards set forth in the Zoning Ordinance and must be justified by those standards before consideration of the request can be determined. Each of the above-mentioned allowances work toward a better solution but must be weighed against the standards for special use-planned developments.

## Compliance with the Envision Oak Park Comprehensive Plan

The proposed development mainly affects two recommendation chapters (touches on others) within the Comprehensive Plan. They are chapters 4.) *Land Use & Built Environment* and 13.) *Environmental Sustainability*. The Comprehensive Plan establishes goals and objectives which set the standards for development. The Plan discusses the idea of strengthening the overall quality of the community. The proposed development fits the goals and objectives of the Comprehensive Plan.

Since sustainability is increasingly important in our society, the proposed structure will be utilizing the LEED rating system. The proposed structure will be required to achieve the minimum points necessary to be certified, but via verification by a third party commissioner as the project will not be registered with the USGBC. The applicant has provided a checklist of those sustainable items that will be incorporated into the structure.

The proposed development touches on key principles which help in the advancement of Oak Park's vision as defined. While the proposed use is not specifically identified, it does fit within the public land use category identified on the Future Land Use Plan. This category, "Corridor Commercial / Mixed Use" supports multi-story multiple-family structures along Madison Street.

## Compliance with the Madison Street Corridor Plan

In June 2006, the Village Board of Trustees adopted the Madison Street Corridor Plan. The purpose of the Plan is to assist in the revitalization of the corridor by envisioning a mix of uses, aesthetic improvements, gateway enhancements, and business retention and recruitment strategies for the corridor. The Plan contains five main components: Inventory Report and Opportunity Analysis, Vision Alternatives, Preferred Vision, Development and Implementation Strategy, and Development Guidelines. The Plan also contains three companion reports; Market Assessment, Architectural Historical Survey and Key Sites Report.

The Preferred Vision component of the Plan is the outcome of the public input, steering committee, and Village Board review process. This component incorporates three Character Districts with detailed nodes, and one Transportation Option, one Streetscape and Open Space option, and one Land Assembly Option.

In this particular case, the subject site is located within Segments 3&4; Oak Park to Ridgeland Avenue which is designated as an *Accessible Commercial and Retail District*. This district is focused on existing uses, auto oriented uses and national chain uses. While the proposed use does not specifically meet the plan for this location, this corridor has changed dramatically over the past 13 years to where all residential use developments have become important to the vibrancy of the corridor and with the understanding that commercial uses cannot be sustained for the full 1.5 mile stretch.

## Compatibility with Surrounding Land Uses

The project site within the MS—Madison Street Zoning District is abutting residential uses to the south across the alley and commercial further north across Madison Street; multiple-family residential to the east across Wesley Avenue, and parking lot / commercial use to the west. The proposed residential use is compatible and consistent with the surrounding land uses. The massing of the proposed structure is large, but with step backs from Madison Street on the upper floors and various levels of height in the rear, the building massing is lessened and therefore more compatible with the surrounding area.

## Traffic & Parking

The Applicant's traffic consultant and village engineering staff will be in attendance at the public hearing. Recently the Village undertook a redesign of Madison Street with the inclusion of bicycle lanes, reduced travel lanes and floating parking areas. The applicant has been working with this design and has based their traffic patterns on the new right-of-way configuration. The Applicant has also been working with staff's traffic engineers and the developer of the property across Madison Street to ensure alignment of driveways, traffic lights, turning bays, etc., to ensure there are no conflicting or confusing traffic movements between developments nor with the regular street traffic patterns. The Applicant has provided a full report on traffic and parking factors associated with this project. Please see Tab 7a/b. Page 17 begins their Traffic Analysis and Recommendation section. Page 24 has list of conclusions from their study of the area.

## Plat of Vacation

This street vacation plat requires Plan Commission review. The applicant has included an application for the right-of-way vacation located in the last tab within the Planned Development binder. The vacation will create a need to cul-de-sac Euclid Avenue south of the east west alley. The Application provides a detail of the cul-de-sac and proposed landscaping. The Planned Development Application also provides a rendering of a view looking north from the proposed cul-de-sac. All of the existing utilities within the right-of-way will be relocated west of the proposed building beneath an open green area. This open area will provide landscaping and public access to Madison Street via an extension of the Euclid Avenue sidewalk.

Plan Commission approval can take the form of a motion authorizing the Plan Commission Chair to sign the Plat. Upon Plan Commission approval, the plat will be forwarded to the Village President and Board of Trustees for final determination.

## Redevelopment Agreement

**History:** Pursuant to State Law, property owned by a municipality and located within the boundaries of a TIF District may only be conveyed or sold following public disclosure of all proposals received in response to a competitive Request for Proposal (RFP) process. Between 2001 and 2005, the Village purchased the properties located at 710-728 Madison. After acquisition and demolition of existing structures, the Village has operated a parking lot on the site. In 2009, the Village entered into a lease with Fenwick High School. In anticipation of a proposed development, the Village did not renew its lease with Fenwick for the 2018-2019 school year. On September 16, 2018, the Village issued an RFP for the property at 710-728 Madison and on December 5, 2016, Jupiter Realty Company was named the preferred developer. The RDA between the Village and Jupiter, for the 710-728 Madison properties, was never finalized. Subsequently, on November 2, 2017, the Village acquired the adjacent parcel at 700 Madison (Former CarX). With the addition of the new parcel, staff communicated to Jupiter that a new RFP for the combined parcels would be issued and that their existing preferred developer status would not automatically apply to the new RFP process. On May 18, 2018, the Village issued a new RFP for the properties on the north side of Madison between Oak Park Avenue and Euclid. On May 25, 2018, the Village issued an amended RFP extending the due date to July 6, 2018, clarifying the Village's potential willingness to allow a cul-de-sac at Euclid Avenue. The Oak Park Economic Development Corporation reviewed the submissions to the revised RFP and presented a recommendation to enter into a redevelopment agreement with Jupiter to combine the Village owned parcel at Oak Park and Madison with the property located at 644-640 Madison to partner with Pete's Fresh Market to build a grocery store and the property located at 725 and 711 Madison to construct a Senior Living Facility.

It was anticipated at that time that both of the developers for the grocery store development and the senior housing development will need to submit applications for a planned development that will be reviewed by the Plan Commission. The Redevelopment agreement between the developer and Village was to assign responsibilities for the development and set land use expectations. This redevelopment agreement should have no bearing on the Plan Commission's review of this application.

## **End of Report**

Staff is in support of the proposed development for the reasons mentioned and discussed throughout this report.

### **Copies:**

Greg Smith (KT&J,) Plan Commission Attorney

Susan Buchanan, Village Trustee—Plan Commission Liaison

Tammie Grossman, Development Customer Services Director