

January 23, 2020

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

**Re: Application of American House
Development, LLC for a Planned
Development on the South side of Madison
Street West of Wesley Avenue, at 711 – 725
Madison Street – PC 19-06**

Dear Trustees:

History of Project.

On or about September 27, 2019, American House Development, LLC, of One Towne Square, Suite 1660, Southfield, Michigan 48076 (“Applicant”), filed an application for approval of a planned development on the South side of Madison Street West of Wesley Avenue, at 711 – 725 Madison Street, on property depicted in the application (“Subject Property”), in the MS Madison Street Zoning District, for a multi-family residential senior care facility of seven (7) floors with one hundred seventy-four (174) dwelling units in total.

In conjunction with its application, as amended during the public hearing process, 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 minimum lot area per dwelling unit requirement, which

allows forty-eight (48) dwelling units on the Subject Property, to allow for one hundred seventy-four (174) dwelling units to be located on the Subject Property, requiring an allowance for an additional one hundred twenty-six (126) dwelling units.

2. Article 5 (Commercial Districts) Section 5.3 (Dimensional Standards): Relief is requested from the maximum building requirement, which allows a multi-family building height of fifty feet (50') on the Subject Property, to allow for a building with a roof height of seventy-nine feet (79') and a decorative fin height of eighty-two feet (82') to be located on the Subject Property, requiring an allowance of twenty-nine feet (29') for the roof height and thirty-two feet (32') for the decorative fin height.

3. Article 5 (Commercial Districts) Section 5.3 (Dimensional Standards): Relief is requested from the twenty-five foot (25') rear yard setback requirement to the far side of the alley along the South property line, to allow for a sixteen foot (16') rear yard setback at the South property line inclusive of the alley adjacent thereto, requiring an allowance of nine feet (9') of required rear yard setback.

4. Article 9 (Site Development Standards) Section 9.2 (Exterior Lighting): Relief is requested from the one (1) footcandle at any lot line lighting requirement for lighting along Madison Street, up to six and nine-tenths (6.9) footcandles, requiring an allowance of five and nine-tenths (5.9) footcandles.

The Application and Notice.

On November 20, 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 December 5, 2019 and January 23, 2020, at which times and places a quorum of the members of the Commission were 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 thirty-six thousand five hundred ninety (36,590) square feet zoning lot located on the South side of Madison Street West of Wesley Avenue, and is commonly known as 711 – 725 Madison Street. The Subject Property is located in the MS Madison Street Zoning District. The Subject Property is currently improved with a one (1) story commercial building at 711 Madison Street and a two (2) story commercial building at 725 Madison Street.

2. The Subject Property is surrounded by the following uses: to the North, vacant former auto business, which is zoned within the MS Madison Street Zoning District; to the South, single-family residential uses, which are zoned within the R3-35 Single Family Residential District; to the East, multi-family residential uses, which are zoned within the MS Madison Street Zoning District; to the West, parking and commercial uses, which are zoned within the MS Madison Street Zoning District.

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

The Applicant.

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

The Project.

6. The Applicant proposes to build a multi-family residential senior care facility of seven (7) floors with one hundred seventy-four (174) dwelling units in total, with one hundred twenty-five (125) on-site parking spaces and the other improvements set forth in the application.

7. The Applicant has requested that the Village vacate to the portion of Euclid Avenue between Madison Street and the alley South of Madison Street, which request the Commission has considered and taken action on in separate, but related, written findings of fact and recommendation.

8. The Applicant modified its application during the public hearing process, in response to concerns from the Commission and members of the public by reducing the height of the building by nine feet (9'), by reducing the height and bulk of the building along Wesley Avenue and the abutting residential neighborhood, by relocating the trash room access doors to the side yard easement area and by revising the Wesley Avenue right-of-way improvements to include a diverter to stop southbound traffic from the Subject Property from entering the residential neighborhood, but allowing for emergency response access.

The Requested Site Development Allowances.

9. 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.

10. 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.

11. The proposed development primarily affects two (2) Chapters within the Comprehensive Plan: Chapter 4, “Land Use & Built Environment” and Chapter 13, “Environmental Sustainability.”

12. 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.

13. 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.

14. The Applicant's 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.

15. 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 LEED rating system. The Applicant will provide proof via a third-party verification that they have achieved those intended points/requirements.

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

Madison Street Corridor Plan

17. In June of 2006, the Village Board of Trustees adopted the Madison Street Corridor Plan ("Corridor Plan"). The purpose of the Corridor 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 Corridor Plan contains five main components: Inventory Report and Opportunity Analysis, Vision Alternatives, Preferred Vision, Development and Implementation Strategy, and Development Guidelines.

18. The Preferred Vision component of the Corridor 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.

19. In this particular case, the Subject Property is located within Segments 3 and 4 of the Corridor Plan, Oak Park Avenue 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.

20. While the proposed use does not specifically meet the Corridor Plan for this location, this corridor has changed dramatically over in the thirteen (13) years since the Corridor Plan was adopted 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 mile and a half mile stretch.

21. Village staff finds that the proposed development follows the Corridor Plan.

Ability of Applicant to Complete Project.

22. 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.

23. 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. Create a cul-de-sac South of the Subject Property, should the portion of Euclid Avenue between Madison Street and the alley South of Madison Street be vacated to the Applicant;
- b. Repaving the public alley to the South of the Subject Property;
- c. Installation of greenspace to the West of the Subject Property and creation of public access in that area;
- d. Participation in streetscape improvements in the Madison Street Corridor; and
- e. Installation of a diverter and traffic modifying improvements on Wesley Avenue.

Public Art As Part Of The Development.

24. 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.

25. 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.

26. 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.

27. 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.

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

29. 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 Madison Street commercial corridor to the residential neighborhood to the South of the Subject Property.

30. Further, the need for the site development allowances is supported by the need for multi-family residential senior care facilities in the Village.

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

32. 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, with a six (6) in favor and two (2) opposed vote, 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 one hundred seventy-four (174) multi-family residential senior care dwelling units and ancillary parking uses in substantial conformity with the Plans and Specifications submitted with its application as 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 the LEED sustainability rating system and obtain a certification rating for the project. If the project is not registered with a rating agency, the Applicant must attain verification by a third party reviewer, who shall be approved by the Village, 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 LEED checklist and details of how the certification rating will be achieved.
3. That the Applicant shall be responsible for any streetscape improvements associated with the project, and any required in the Redevelopment Agreement between the Applicant and the Village ("RDA"), and shall repair any damaged Village right-of-way improvements damaged during construction, and the Applicant shall replace all curbs, alleys and public sidewalks adjacent to the Subject Property.

4. 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.
5. That upon review and advice of the Oak Park Area Arts Council and approval of the Village Board, 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.
6. That six (6) to twelve (12) months after eighty-five percent (85%) occupancy of the planned development, the Applicant shall meet with Village staff after holding a meeting with interested neighbors to determine their concerns with traffic and parking issues, if any, generated by the project. The Applicant shall review traffic and parking concerns generated by the project, including the Wesley Avenue diverter, at these meetings with neighbors and Village staff. If these post construction traffic and parking meetings yield Village staff recommendations that any measures should be taken to correct any unforeseen traffic or parking issues that have been caused by the project, the Applicant shall implement said recommendations within six (6) months after the study has been completed.
7. That the Applicant shall require unified window treatments for all units.
8. That semi-trailer truck traffic is prohibited on Euclid Avenue south of the abutting alley and Wesley 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 Madison Street and designated streets unless otherwise determined by the Village Engineer.
9. 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.

10. That the Applicant shall implement a construction related Communications Plan and provide this information to the Village and surrounding property owners prior to construction.
11. 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.
12. That the Applicant meets all timing requirements stated in the RDA.
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. The Applicant shall also provide cut sheets of proposed exterior wall lighting along Madison Street and street side canopy designs for Village review prior to building permit submittal.
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. That 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 the 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 8 to 0 vote of
the Plan Commission, sitting as a Zoning
Commission, this 23rd day of January, 2020.