

May 28, 2020

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

Re: Application of GLPE, LLC, a limited liability company controlled by Michigan Avenue Real Estate Group, LLC, for a Planned Development on the South side of Madison Street East of Gunderson Avenue, at 435 – 451 Madison Street – PC 19-08

Dear Trustees:

History of Project.

On or about December 23, 2019, GLPE, LLC, a limited liability company controlled by Michigan Avenue Real Estate Group, LLC, of 1259 West Madison Street, Chicago, Illinois 6067 (“Applicant”), filed an application for approval of a planned development on the South side of Madison Street East of Gunderson Avenue, at 435 – 451 Madison Street, on property depicted in the application (“Subject Property”), in the MS Madison Street Zoning District, for a multi-family residential development of five (5) floors with forty-eight (48) dwelling units in total.

In conjunction with its application, as amended during the public hearing process, the Applicant requests the following five (5) 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 twenty-four (24) dwelling units on the Subject Property, to allow for forty-eight (48) dwelling units to be located on the Subject Property, requiring an allowance for an additional twenty-four (24) dwelling units.

2. Article 5 (Commercial Districts) Section 5.3 (Dimensional Standards): Relief is requested from the maximum building height 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 sixty-three feet (63') to be located on the Subject Property, requiring an allowance of thirteen feet (13').

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 East property line, to allow for an eight feet (8') rear yard setback at the East property line inclusive of the alley adjacent thereto, requiring an allowance of seventeen feet (17') of required rear yard setback.

4. Article 11 (Landscape) Section 11.8 (Buffer Yard Requirements): Relief is requested from the seven feet (7') landscape buffer required where a multiple-family dwelling abuts a single family, two-family or townhouse dwelling where there is no alley present, to allow for a three feet (3') landscaped buffer on the South lot line, requiring an allowance of four feet (4').

5. 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.

The Application and Notice.

On December 25, 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 of 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 Oak Park Plan Commission ("Commission") conducted a public hearing on the application on January 9, 2020 and March 5, 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 an eighteen thousand five hundred sixty-two (18,562) square feet zoning lot located on the South side of Madison Street East of Gunderson Avenue and is commonly known as 435 – 451 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 with an auto repair shop and an upholstery shop.

2. The Subject Property is surrounded by the following uses: to the North, a grocery store, which is zoned within the MS Madison Street Zoning District; to the South,

single-family residential uses, which are zoned within the R3-50 Single Family Residential District; to the East, vacant lots, which are zoned within the MS Madison Street Zoning District; to the West, 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 residential 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 building of five (5) floors with forty-eight (48) dwelling units, with forty-eight (48) on-site parking spaces and the other improvements set forth in the application.

7. The Applicant modified its application during the public hearing process, in response to concerns from the Commission and members of the public by moving the garage entry from Gunderson Avenue to Madison Street, by changing the architectural elevations of the building and by incorporating a mural wall in the Northwest corner of the building. The Applicant did not reduce the height of the building, reduce the number of dwelling units in the building or increase the size of the yard between the building and the residence to the South of the building.

The Requested Site Development Allowances.

8. As part of its planned development, the Applicant seeks five (5) 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. The Comprehensive Plan also looks to creating appropriate land use transitions, especially those abutting residential uses.

13. Village staff believes that the Applicant’s proposed residential use is compatible and consistent with the surrounding land uses, but the massing of the proposed structure is too large, too tall and too close to residential properties and a residential neighborhood to the South and East.

14. 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 Village's Inclusionary Housing Ordinance requires covered residential developments to either provide ten percent (10%) or more affordable dwelling units or to make a cash payment to the Village's Affordable Housing Fund in lieu of providing affordable dwelling units.

15. The proposed planned development is a covered residential development under the Village's Inclusionary Housing Ordinance. The Applicant does not plan to include affordable dwelling units, but would make a cash payment in lieu thereof to the Village's Affordable Housing Fund.

16. 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 rating system, and the proposed development will earn at least the number of points needed to be considered certified. The Applicant would provide proof via a third-party verification that they have achieved those intended points/requirements.

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. The proposed use does not specifically meet the Corridor Plan for this location, however, appropriately sized residential development have become important to the vibrancy of the Corridor.

Ability of Applicant to Complete Project.

21. The Applicant provided evidence that it has the financial and technical expertise to complete the project. Members of the Applicant’s team appear to have undertaken projects of similar or greater financial and technical complexity.

Compensating Benefits.

22. In return for the Village providing allowances from Village requirements, 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. According to the Applicant, some of the compensating benefits of the proposed project are:

- a. An additional voluntary contribution of Fifty Thousand and No/100 Dollars (\$50,000.00) to the Village’s Affordable Housing Fund, in

addition to the required payment of Five Hundred Thousand and No/100 Dollars (\$500,000.00); and

- b. Outdoor seating.

Public Art As Part Of The Development.

23. 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.

24. The Applicant stated that it would, upon review and advice of the Oak Park Area Arts Council and approval of the Village Board, install public art at the Subject Property. The Applicant stated that 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 or the Oak Park Area Arts Council.

The Planned Development Standards.

25. 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.
26. 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.

27. Section 14.5.E.1. of the Zoning Ordinance sets forth the following standards for site development allowances:

Allowances from district regulations may be granted for planned developments, if the Plan Commission and Village Board find that such exceptions:

1. Enhance the overall merit of the planned development.
2. Promote the objectives of both the Village and the development.
3. Enhance the quality of the design of the structures and the site plan.
4. Enable the development to offer environmental and pedestrian amenities.
5. Will not cause such an adverse impact on neighboring properties so as to outweigh the benefits of the development.
6. Are compatible with adopted Village land use policies.
7. Provide a public benefit to the Village, as described in Section 14.5.E.2. of the Zoning Ordinance.

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

29. Extensive and persuasive testimony from residential neighbors of the Subject Property showed that the proposed structure is too tall, too dense and too close to adjacent residential properties and a residential neighborhood to the South and East.

30. The Commission finds that the site development allowances requested for the proposed development regarding the number of dwelling units, building height, rear

yard setback and side yard landscape buffer are not appropriate under the Zoning Ordinance because the allowances, if granted, will permit an inappropriately massive, dense, tall and positioned project to be built and operated on the Subject Property, which is adjacent to residential properties and a residential neighborhood to the South and East that would be negatively impacted by such a dense and tall building in too close of a proximity.

31. The proposed project is too dense and too tall for the proposed location, and is too close to the residential properties to the South and East, and the Applicant has not proven that the project is appropriate given the residential neighborhood to the South and East.

32. In summary, the Commission finds that by allowing the proposed development at the Subject Property as a planned development does not satisfy the objectives and standards in Sections 14.5.A., 14.E. and 14.5.H. of the Zoning Ordinance, and that approval of the requested planned development permit, and associated allowances, is not 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 DENIED with a 0-7-1 vote.

This report adopted by a 7 to 0 vote with 1 abstention of the Plan Commission, sitting as a Zoning Commission, this 28th day of May, 2020.