



Agenda Item Summary

File #: ORD 17-270, **Version:** 1

Submitted By

David Mann, Chair of Plan Commission and Tammie Grossman, Development Customer Services Director

Reviewed By

LKS

Agenda Item Title

(*)Concur with the Plan Commission's Recommendation and Adopt an Ordinance Denying a Special use Permit for a Major Planned Development Containing a Mixed Use Multiple Story Building with Residential, Commercial and Parking Uses and Associated Allowances at the Property Located at 1000 Lake Street

Overview

Albion Residential seeks approval of a transit-oriented Planned Development in conformance with the Envision Oak Park Comprehensive Plan for an eighteen-story building with 265 residential rental dwelling units, 9,500 square feet of first floor commercial/retail space, 265 private bicycle parking stalls, and 235 private enclosed parking spaces. The applicant has requested four allowances from the Zoning Ordinance; height, density, setbacks, and landscaping. The Plan Commission is recommending denial of the application. Staff is recommending the Village Board overturn their recommendation and approve the Planned Development Special Use application.

Under a separate agenda item, Albion Residential is also seeking approval of a Plat of Subdivision in order to subdivide the north surface parking lot from the 1010 Lake Street parcel and consolidate it with the 1000 Lake Street property. The Plan Commission is recommending approval of the Plat of Subdivision application.

Recommendation

The Plan Commission is recommending denial of this application with a 5-4 vote as outlined in their Findings of Fact report attached hereto. A super-majority vote by the Village Board is required to overturn a negative recommendation by the Plan Commission as stated in Article 2.2.7 C(2) of the former Village Zoning Ordinance, of which this application shall adhere.

Staff Recommendation

Staff recommends that the Village Board approve the Planned Development with modifications noted in the attached memorandum from Director Grossman dated September 28, 2017 and thereby overturn the Plan Commission's recommendation of denial. Staff's support for the application is consistent with the staff recommendation to the Plan Commission prior to and during the public hearing process.

A full staff report is attached detailing the recommendation of staff. Staff supports the proposal based on recommendations established in our Envision Oak Park Comprehensive Plan, and letters of support from various business districts who believe this and other such development will enhance their district vitality and

tax base.

The *Envision Oak Park Comprehensive Plan* was adopted by the Village Board in September 2014 after an extensive public input process which, among other business districts, included a review of the Greater Downtown District Plan (GDTMP). The proposed development mainly affects four recommendation chapters (touches on others) within the Comprehensive Plan. They are chapters 4. Land Use & Built Environment, 7. Neighborhood, Housing and Diversity, 12. Economic Health & Vitality, and 13. Environmental Sustainability. The Comprehensive Plan establishes goals and objectives which set the standards for development. This Comprehensive Plan discusses the idea of strengthening commercial districts as well as the symbiotic relationship between economic development and the overall quality of the community. The Plan supports the idea of encouraging a mix of uses and businesses which will assist in diversifying the community's tax-base and providing a variety of choices to consumers as public outreach indicated a concern for high tax rates and excessive Village government spending. The Plan encourages transit-oriented development with all types of housing. The future Land Use map supports more commercial/mixed use development that caters to residents, but also attracts visitors from other communities. The proposed development fits these recommendations.

The Envision Oak Park Comprehensive Plan notes that it should not supersede individual business district plans, UNLESS, it is explicitly noted. In this case, the Comprehensive Plan and GDTMP recommendations differ for the subject site. In Chapter 4 (pgs. 60/61) of the Comprehensive Plan, it explicitly identifies the subject site as a *Transit Area Housing Development Opportunity Site* for a potential mixed-use development with ground floor retail and upper floor multiple family residential that is consistent in character to other developments in Downtown Oak Park. The proposed development follows this recommendation relative to land use and character which is consistent with several similar current and proposed buildings in DTOP (i. e. Vantage, 100 Forest Place, The Emerson, Oak Park Apartments, Lincoln Apartments (approved), and Brookdale Retirement Community). The 2014 *Envision Comprehensive Plan* did not incorporate the suggested Founder's Square identified in the GDTMP for the subject property.

Fiscal Impact

The action of the Village Board does not appropriate any Village funds.

Background

Albion Residential seeks approval of a transit-oriented Planned Development in conformance with the Envision Oak Park Comprehensive Plan for an eighteen-story building with 265 residential rental dwelling units, 9,500 square feet of first floor commercial/retail space, 265 private bicycle parking stalls, and 235 private enclosed parking spaces. The applicant has requested four allowances from the Zoning Ordinance; height, density, setbacks, and landscaping. The proposed development will replace an existing vacant two-story commercial building and surface parking lot. The Plan Commission is recommending denial of the application. Staff is recommending the Village Board overturn their recommendation and approve the Planned Development Special Use application.

Under a separate agenda item, Albion Residential is also seeking approval of a Plat of Subdivision in order to subdivide the north surface parking lot from the 1010 Lake Street parcel and consolidate it with the 1000 Lake Street property. The Plan Commission is recommending approval of the Plat of Subdivision application.

Albion Residential submitted an application after staff review and comment for a Planned Development located on the privately owned commercial property within the B-4 Downtown Business District (former zoning classification) with no subsidy request. The applicant followed the submittal requirements for a planned development application by meeting with the neighborhood ahead of submitting the application and with proper notification for all steps of neighbor notice requirements through the public hearing process. The subject property is the former Lytton's Department Store site where a vacant two-story building now exists as well as the surface parking lot adjacently north which is located on the 1010 Lake Street lot.

The proposed eighteen story building is to be clad with glass, brick, stone, and metal panels with accents and to be surrounded by bluestone sidewalk along Lake Street and Forest Avenue incorporating parkway improvements with trees and site amenities. They are also proposing to improve their privately-owned walkway between 1000 and 1010 Lake Street with decorative sidewalks and landscaping as a gateway to Austin Gardens. The applicant will meet with the Oak Park Area Arts Council (Public Art Advisory committee) to discuss public art options as part of this application and in particular within the walkway from Lake Street to Austin Gardens. They have committed to working with the Arts Council, Frank Lloyd Wright Trust and Visit Oak to make sure that they have a rotating art program. The walkway improvement also includes the granting of a public access easement between Lake Street and the public alley /Austin Gardens to the north to allow public use and activity. In addition, the Applicant has proposed monetary donations to various organizations.

Albion Residential has met with the Historic Preservation Commission in early July where a memorandum was provided to the Plan Commission (see attachment). The architectural design was reviewed by the Village's architectural design consultant firm of Wight & Co. (see attachment).

Alternatives

1. Deny the application as recommended by the Plan Commission.
2. Overturn the Plan Commission's recommendation and Approve the application as submitted (this requires a super-majority vote by the Village Board per Article 2.2.7 C(2) of the former Zoning Ordinance). This can be done with or without modifications to the application, as long as such modifications are less than the allowance established in the application for a Planned Development.
3. Postpone for additional information.
4. Remand the application to the Plan Commission for further consideration and recommendation.

Each alternative is established under the former Zoning Ordinance dated February 4, 2002 which governs this application.

Previous Board Action

June 19, 2017 - Village Board referral of the Planned Development Application to the Plan Commission.

Citizen Advisory Commission Action

The Plan Commission conducted a public hearing on the application commencing on July 11, 2017, and continuing on July 27, 2017, August 3, 2017, August 10, 2017, August 22, 2017 and August 29, 2017. The Plan Commission received over 200 emails from the public, the majority of which were not in favor of the application. They heard public testimony from 40 out of 78 individuals who signed up to speak, the majority of which were not in support of the application. Those who signed up to speak and didn't was because they either relinquished their time to someone else who wished to speak longer than the allotted five minutes or

were unable to return to a subsequent meeting. One objector provided the Plan Commission with signed petitions obtained either in person or online of over 2,000 signatures in opposition to the development. The Plan Commission received only one (1) timely cross-examination form from the Park District of Oak Park's attorney.

The Plan Commission received additional studies, beyond that required with the application, from the applicant which were prepared in advance due to public concerns raised regarding perceived wind speeds along Forest Avenue and within Austin Gardens as well as Shadow/Shading impact studies on perceived shade impacts to Austin Garden's vegetation and Educational Center which houses solar panels atop its roof.

At the last meeting, immediately before deliberations, the Plan Commission requested further review and refinement of the architectural design, which the applicant could not accommodate on such short notice.

The Park District provided information to the Plan Commission countering the expert's reports of the Applicant's relative to wind, shading, and soil and vegetation health impacts.

Based on all the information heard and read, the Plan Commission deliberated and determined, by a majority of the Plan Commission, that the application did not meet the standards the application was required to meet. The vote was five (5) in opposition, four (4) in support.

Anticipated Future Actions/Commitments

N/A.

Intergovernmental Cooperation Opportunities

Zoning and land use matters are unique to Village government within the corporate limits of Oak Park and therefore, intergovernmental cooperation opportunities do not exist.

Performance Management (MAP) Alignment

A Governance Priority for the Development Customer Services Department is Land Use Regulations.