



## Agenda Item Summary

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**File #:** ORD 18-432, **Version:** 1

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### Submitted By

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

### Reviewed By

LKS

### Agenda Item Title

**\* Concur with the Plan Commission's Recommendation and Adopt an Ordinance Granting a Special Use Permit for a Major Planned Development Containing a Four-Story Mixed Use Building at the Property Located at 801 South Park Avenue**

### Overview

The applicant (The Community Builders) is proposing to construct a four-story mixed use residential and commercial building with associated parking. The planned development application can be found here: [≤ https://www.oak-park.us/your-government/citizen-commissions/plan-commission ≥](https://www.oak-park.us/your-government/citizen-commissions/plan-commission)

### Recommendation

The Plan Commission unanimously recommends approval of this application.

### Staff Recommendation

Staff supports the Plan Commission's recommendation.

### Fiscal Impact

N/A.

### Background

The proposed development is located within the NC Neighborhood Commercial District specifically the southwest corner of Oak Park Avenue and Van Buren Street. The subject site is currently a vacant gravel lot - a former gas station. The development proposal consists of a modern-style multiple use development with 35 apartment units, 2 live/work units, and commercial space on the ground floor with private parking behind. The architectural design for this development has been reviewed by Wight and Co. (the Village's architectural design consultant) who worked with the developer throughout the process. This project was 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 Applicant's request for approval is accompanied by five (5) allowances to the regulations of the Zoning Ordinance. These allowances are: 1.) Density: 16 dwelling units allowed - 37 dwelling units proposed. 2.) Height: 45 feet allowed - 48 feet proposed. 3.) Parking: 37 spaces required -23 parking spaces proposed. 4.) Bicycle Parking: eight (8) of the ten (10) required to be protected -two (2) will be located outside the building, and 5.) Landscape Buffer Yard: Seven (7) foot deep yard required - four (4) foot - six (6) inch deep

yard at the northwest corner, provided and zero (0) along the interior side extending from the loading space to the southwest corner.

### **Alternatives**

Generally there are three alternatives to Plan Commission recommendations:

1. Approve the application as recommended.
2. Deny the application.
3. Approve the application with modified conditions.

### **Previous Board Action**

N/A.

### **Citizen Advisory Commission Action**

The Plan Commission opened the public hearing for this application on September 6, 2018. The hearing was continued to a special meeting date of September 20, 2018 with a final hearing date and finding of fact approval on October 4, 2018. At the September 6, 2018 hearing, the Plan Commission the applicant presented their planned development proposal for 801 S. Oak Park Avenue. Staff provided an overview of the staff report and Mr. Floyd Anderson presented the architectural design review. After a few questions by the Plan Commission, the hearing was opened to public comment. Public comment continued through the majority of the special meeting on September 20th. The prevailing commentary about this development by the public at the September 6th meeting was in opposition with thirteen (13) residents against and one (1) speaking in favor. At the September 20 special meeting it was a bit more even with eighteen (18) in opposition, sixteen (16) in support and one (1) neutral.

In general those in opposition stated as their reasoning for not supporting the application was because of: 1. Density (should not exceed zoning regulations), 2. unit size too small, 3. building height (should not exceed zoning regulations), 4. lack of parking, 5. traffic congestion, 6. concentration of poverty, 7. not Oak Park Values, 8. south side not as important as north side, 9. lack of income diversity, 10. too many people living in the units, 11. it would be akin to failed housing projects in Chicago - e.g. Robert Taylor Homes, 12. its warehousing of low income persons in south Oak Park, 13. safety regarding crossing Oak Park Avenue at Van Buren, 14. architecture doesn't fit into neighborhood, 15. there are no buildings in the area of this scale and size, 16. these affordable units should have been in the larger residential developments in Downtown Oak Park, 17. the Village is too quick to develop this site, 18. should consider other options for development, and 19. property tax for this development will not support the community's tax base.

In general those in favor stated as their reasoning for supporting the application was because of: 1. Adds to diversity, 2. adds affordable housing options, 3. inclusion, 4. zoning allowances are common and appropriate - allows better development, 5. property values will not be lowered in the area, 6. it will generate additional property taxes, 7. there is a current housing crisis, 8. development will increase value of homes, 9. shows OP as a welcoming community, 10. perfect location for public transit, 11. not Ida B. Wells development, 12. commercial draw, 13. low impact to schools, 14. too many homeless kids in OPRF school system now, 15. district plan calls for a development of this size, 16. outstanding developer (TCB), 17. perfect density for transit-oriented location, 18. the public hearing process is part of the zoning ordinance also, 19. good integration, 20. parking in line with development, 21. stair step to ownership, 22. not out of character for neighborhood, 23. more parking spaces required than other communities for this use, 24. not a concentration of poverty, and 25.

high quality affordable housing.

At their October 4, 2018 hearing, the Plan Commission continued questioning the applicant and began their deliberations. The Commission questioned the possibility of widening the abutting 14 foot wide alley to the west, discussed massing of the building in relation to abutting residential properties, the applicant's AMI (Area Median Income) configuration and who would be served in the building. The applicant and the opposition's representative provided closing statements. The applicant provided a rebuttal to the oppositions statements. The opposition speaker reiterated some of the concerns raised in the public testimony stated above.

With their approval of the Findings of Fact report, the Plan Commission placed their standard conditions and some development-specific conditions with their recommendation of approval. The Findings of Fact report is attached to this agenda item. However one specific condition needs to be brought to the Board's attention. The applicant's request to reduce a portion of the required landscape buffer to 4.5 feet from the required 7 feet along their west property line was specifically identified in their legal notice for the public hearing. The Plan Commission is suggesting that the landscape buffer be removed in lieu of creating a wider vehicular maneuvering area abutting the already tight alley.

This development-specific condition in particular is a request that the applicant explore the potential of allowing designated pull-over bypass areas on and along the west edge of their property abutting the alley. The abutting alley is 14 feet wide and does not allow for easy two-way traffic. The neighbors raised this as a current concern and indicated that it would be exacerbated with the new development. A good length of the western edge at the south end of the development site will be a driveway apron and loading area - both of which will be unencumbered flat surfaces. The pull-over bypass opportunity can be accommodated there. The northern portion along the west property line up to the public sidewalk along Van Buren (northwest corner of their property) where a 4.5 foot wide landscape buffer between the alley and on-site parking is proposed is more difficult. The Plan Commission suggested that the applicant explore the removal of this 4.5 foot wide landscape buffer which could accommodate an additional pull-over bypass area. If this can be accommodated, almost the entire length of the development site can allow for a wider maneuvering area for cars. The exception would be if the existing utility pole (mid-property) remains. This would still create a pinch point for vehicular traffic. The applicant has indicated that they do not have the funding necessary to remove or relocate the pole and underground the multiple utility lines.

Another condition to be aware of is the Plan Commission recommended that the applicant review the massing of the building, in particular the northwest corner to see if it can be redesigned to allow more light to the abutting single-family residence to the west.

The Plan Commission reviewed all applicable standards, objectives and goals for the record with a unanimous vote to support the application.

#### **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.