



## Agenda Item Summary

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### **Submitted By**

Tammie Grossman, Director of Development Customer Services

### **Reviewed By**

LKS

### **Agenda Item Title**

**An Ordinance Waiving and Suspending the Village of Oak Park's Right-of-Way Obstruction Permit Fee and Parking Meter Obstruction Fee for the Construction of the Planned Development Located at 715-717 South Boulevard**

### **Overview**

On March 6, 2017, the Village Board approved an Ordinance granting a special use permit for a major planned development containing a mixed use multiple story building with residential, commercial and parking uses at the property located at 715-717 South Boulevard. The Village is seeking to amend Condition #8, page 24 of the Findings of Fact states that construction truck traffic be limited to Oak Park Avenue and South Boulevard and not in any alley adjacent to the property. Since this is a Village requirement, staff is requesting that the Village Board waive the fees for removal of the parking meters which is necessary in order to not have construction traffic in the alley.

### **Recommendation**

Adopt the Ordinance.

### **Staff Recommendation**

Same as above.

### **Fiscal Impact**

The Village will lose parking revenue of approximately \$10 per day for each meter removed and \$10 per day for the right-of-way obstruction permit fee.

### **Background**

The subject property is located at 715-717 South Boulevard. Previously the Village Board approved a financial institution with a drive thru in September 2011. The property has set vacant for several years. The developer is proposing to construct a five-story mixed use development consisting of 14 residential condominium units, approximately 800 square feet of first floor commercial space, and 20 private enclosed parking spaces on the ground floor. As part of the planned development ordinance, the applicant was granted three allowances from the Zoning Ordinance; height, density and parking.

The Village recently installed a new green alley behind 715-717 South Boulevard. Normally, construction is

usually accomplished by the developer by blocking the alley during the construction process. However, due to the Village just completing the green alley and the number of businesses and residents that need access to the alley, the Plan Commission requested Condition #8, page 24 of the Findings of Fact which states that construction truck traffic be limited to Oak Park Avenue and South Boulevard and not in any alley adjacent to the property.

In order for the developer to be in compliance with this condition, the developer needs to remove the parking meters directly in front of the construction site for an 12-18 month duration. The Village's fee ordinance requires the developer to reimburse the Village \$10 per day for each meter during the construction period and a \$10 per day right-of-way obstruction permit fee for a total of \$20. Since the Village is imposing the limitation on the use of the alley, staff supports a waiver of the fees during this time period. Staff will work with the developer to ensure that the spaces are out of commission for the shortest period of time.

### **Alternatives**

An alternative, would be to only charge the developer for the lost parking revenue which is approximately \$10 per day and not the additional \$10 per day for the right-of-way obstruction permit. However, Village staff does not support this charge since the Village is imposing the condition of not using the alley.

### **Previous Board Action**

On March 6, 2017 the Board concurred with the Plan Commission's Recommendation and Adopt an Ordinance Granting a Special Use Permit for a Major Planned Development containing a Mixed Use Multiple Story Building with Residential, Commercial and Parking Uses at the Property Located at 715-717 South Boulevard.

On October 17, 2016, the Village Board referred the application to the Plan Commission for public hearing.

### **Citizen Advisory Commission Action**

The Plan Commission, with a 7-0 vote, has recommended approval of the proposed development with conditions as referenced in the Findings of Fact report. There were three individuals who provided testimony. Their comments were largely due to concerns about, height, density, traffic relative to loading and parking. The Plan Commission discussed each of these concerns and additional aesthetic concerns. Mr. Richard Van Zeyl, Wight Co.,- Village hired design consultant, provided a review of the architectural design by stating that they support the design in general but had issue with the balconies overhanging South Boulevard and a few other design elements. The Applicant responded to all of the Plan Commission and design consultant's review items with revised drawings for the January hearing. The Applicant will continue to work with the public art review body on their contribution to public art.

### **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.