



## Agenda Item Summary

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### **Submitted By**

David Mann, Plan Commission Chair through 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 Five Story Multiple-Family Residential Building with 48 Dwelling Units at the Property Located at 435-451 Madison Street**

### **Overview**

The Applicant, GLPE, LLC - Michigan Avenue Real Estate Group LLC, has requested the approval of a Special Use Permit for a Major Planned Development for a five (5) story multiple-family residential development with 48 rental units and ground floor ancillary parking spaces with five (5) allowances from zoning district regulations. If approved, a monetary donation for affordable housing opportunities will be provided (see Background for more detail).

### **Recommendation**

The Plan Commission voted to recommend to deny the application by a vote of seven (7) votes to 0, with one (1) abstention.

### **Staff Recommendation**

Staff supports the Plan Commission, however, the Applicant has recently submitted a revised architectural rendering for Village consideration which addresses staff's initial concerns regarding impacts to the residential property adjacently south. The Applicant is requesting that the Village Board consider a proposed design in place of what was submitted in their revised application to the Plan Commission. This new rendering is included with this agenda item under attachments. The full application and revisions can be found on the Village's website here: <https://www.oak-park.us/your-government/citizen-commissions/plan-commission> Click on "Applications for Public Hearing". The application and revised application are also attached to this agenda item.

### **Fiscal Impact**

N/A.

### **Background**

The subject property is within the MS - Madison Street Zoning District located on the south side of Madison Street at Gunderson Avenue (southeast corner of Madison Street and Gunderson Avenue). The proposed structure will replace the existing one story commercial building at 435-451 Madison Street. The proposed

development will be designed using the *Green Globes* sustainability rating system. The proposed development touches on key principles of the Envision Oak Park Comprehensive Plan which helps in the advancement of Oak Park's vision. It fits within the public land use category identified on the Future Land Use Plan. This category, "Corridor Commercial / Mixed Use" supports multi-story, multiple-family structures along Madison Street. The proposed development meets the criteria that requires affordable housing units or a donation be provided. The Comprehensive Plan recognizes the need for integration and diversity relative to housing. While the proposed development will not offer affordable housing within the structure, if approved, the developer will contribute to the affordable housing fund as required (\$500,000) and as a Compensating Benefit, the developer is offering additional funding (\$50,000) that can be used within the Village of Oak Park to advance the community's affordable housing vision. The Applicant requested five (5) allowances from the Zoning Ordinance relative to; 1.) an increase in height from 50 feet to 63 feet, 2.) a density increase from 24 units to 48 units, 3.) a reduction in building setback along the east property line from 25 to 8 feet, 4.) a reduction in landscape buffer along the south property line from 7 feet to 3 feet (this was changed during the revision phase and is no longer necessary), and 5.) a reduction in loading areas from 1 to 0.

### **Alternatives**

1. Deny the Application - See Ordinance Concurring with PC Recommendation
2. Approve the Application - See alternate Ordinance Approving the Application with conditions. Requires 2/3 vote of the Village Board (5 votes).
3. Approve the Application with new design - See alternate Ordinance Approving the Application with conditions - include revised architectural rendering/elevations. Requires 2/3 vote of the Village Board (5 votes).
4. Remand the Application to the Plan Commission for review and recommendation on the revised architectural rendering/elevations.

### **Previous Board Action**

June 15, 2020; The Village Board voted to table this item to allow adjacent neighbors to review and comment on a new redesign of the proposed development at 435 Madison Street.

### **Citizen Advisory Commission Action**

The Oak Park Plan Commission ("Commission") conducted a public hearing on the application on January 9, 2020 and continued the hearing to March 5, 2020, at which times and places a quorum of the members of the Commission were present. The findings of fact review was scheduled for the Plan Commission's April 2, 2020 regular meeting, when the Governor's stay-at-home Order was implemented and was placed on hold.

At the January 9, 2020 meeting, there were four (4) residents who cross-examined the applicant. There were two (2) speakers in support of the application and twenty-two (22) who provided public testimony in opposition. Those opposed were concerned about height, density, design, neighborhood impact, traffic, dog walking, lack of landscaping, driveway impacts to children and lack of commercial. At the end of this hearing, the Commissioners provided direction to the applicant for when they return in March;

1. The commissioners stated that the applicant should revisit the architecture as it wasn't well thought out and is inappropriate next to an historic district.
2. They should reconsider the location of the parking floor entrance/exit - consider Madison access and present what obstacles there may be for using Madison Street - maybe consider a right-in, right-out option. Some commissioners preferred the access on Gunderson vs. Madison Street, but the applicant

needs to deal with it differently.

3. Step back the 5<sup>th</sup> floor on the south side.
4. The project should setback further than 7 feet from the south lot line - there is too much lot coverage.
5. Some were concerned with the height.
6. There needs to be more compensating benefits. The applicant should consider upgrading their energy efficiency offering and provide annual reports on water and energy usage.
7. The applicant should consider a donation to the Oak Park Park District.
8. The applicant should provide information on property taxes and school impacts.

The applicant indicated they would review the requests before they come back on March 5, 2020. The Applicant appeared at the March 5, 2020 hearing with a modified application. This application is posted on the Village website and attached to this agenda item. Each section that was modified is identified as a "Revision" label in red text. At that meeting again four (4) residents cross-examined the Applicant on the revised information. Residents also provided additional public testimony generally covering the same issues as indicated above.

After the presentation by the Applicant on the revisions and hearing the public's comments, the Plan Commission deliberated, asked additional questions and reviewed the Standards for Planned Development. The Plan Commission stated their main concerns for not supporting this application was due to the impacts to the resident to the south and the proposed height of the building. Additional concerns raised was regarding the increased density and they felt there should be more compensating benefits.

Mr. Rich Van Zeyl with Wight and Co. provided an overview of their design-review report to the Plan Commission supporting their design changes to the structure. Their memorandums are included in the agenda item.

The Plan Commission voted zero (0) in favor and seven (7) in opposition with one (1) abstention. Commissioner Gallagher stated the reason he abstained was because he had past experience with the developer.

#### **Anticipated Future Actions/Commitments**

If this matter is remanded back to the Plan Commission, a new recommendation will be placed on a future Village Board Agenda.

#### **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