

MINUTES
OAK PARK PLAN COMMISSION
OAK PARK VILLAGE HALL – COUNCIL CHAMBERS
March 19, 2009 - 7:00pm

PRESENT: Chairperson Linda Bolte; Commissioners Deborah Fausch,
Gail Moran, Susan Roberts, Steve Ruszczyk David Sokol

EXCUSED: Commissioners Vic Guarino and Commissioner Michael Quinn

ALSO PRESENT: Craig Failor, Village Planner, Attorney Dick Martens

CALL TO ORDER: Meeting called to order 7pm. Roll called.

**PC-0804 Planned Development Application (North Avenue Condominiums)
6603-09 North Avenue;** The Applicant seeks approval of a Planned Development for a four (4) story, 18 dwelling unit residential condominium development with ground floor parking. The application contains the following allowance requests from the Oak Park Zoning Ordinance. 1. A 20 foot reduction in the required front yard per section 3.6.3 (B-1) which requires a 20 foot front yard setback; 2.A - 20.25 foot reduction in the required rear yard (to 14 feet 9 inches) per 3.6.3(B-2) which requires a 10 foot interior side yard setback; 4. A 10 foot 5 inch foot increase in the allowable building height to 55 feet 5 inches per 3.8.3(A-2) which restricts the maximum height to 45 feet; 5. A 9% decrease in the required permeable area per 3.6.3(C) where 25% is required leaving 16% open space. 6. A 27% increase in building coverage per 3.6.3 (C) where 45% is allowed, equaling 72% building coverage; 7. A reduction in the number of shrubs and trees along North Avenue per 6.4.2(A); and 8. An increase in density to 18 units where 12 units are allowed per 3.6.3(A-1-b). **OPEN PUBLIC HEARING- Continuation from February 19, 2009.**

Chair Bolte outlined the procedure and rules for public comment. All those wishing to testify in the matter were sworn in by Attorney Martens.

Applicant, John Scheiss, 905 South Home, project architect, appeared on behalf of the property owner/developer. Mr. Scheiss gave a power point presentation to demonstrate the various aspects of the project. The presentation included a google map of the site, a rendering of the project, and a schematic footprint of the proposed building. The project is targeting LEED certification with such features as a vegetated roof and solar reflectivity. Mr. Scheiss addressed issues of drainage on the roof. There would be four public and two private decks. The stair towers would be built to the property line, but the building is set back. Neighboring properties include two with offices; one of those with a residence above; a single family home to the east and a strip mall across North Avenue. The mature trees along the parkway would be kept.

There is a bus stop on the corner. Vehicular access to the building would be through the alley only. Power point slides showed the parking layout, refuse and recycling area,

mechanical system and the sprinkler room. The second and third floor layouts were presented. The two bedroom units will be 1200 square feet; one bedroom units 900 square feet. Mr. Scheiss said that both have generous outdoor living areas, and the interior bedrooms have loft lights. All the units have washers and dryers.

The front elevation was shown and Mr. Scheiss listed materials to be used including masonry, stained wood siding, real stucco metal roofs, Renaissance Limestone for facades, non rusting steel for balconies, thermal glass window for the garage; side elevation includes brick. There will be one frosted window (rubbed glass) because of the proximity to a neighbor in the back.

Mr. Scheiss handed out hard copies of the LEED checklist which did not show up on the screen. The targeted LEED certification is 31 points. (Minimum requirement 26 points.)

Mr. Scheiss went through the zoning analysis and allowances requested.

Lot coverage would involve a reduction from 25% to 16% (adding green space next to neighbor) as residential this would be R7 zoning. A commercial building on this site - B1, B2 require no setbacks.

No relief is requested for ratio of parking to units. The project offers 1.5 spaces per unit.

Permitted building height is 45'. The applicant requests an allowance to 55'5". The height restriction along North Avenue if B1 or B2 is 45', with the exception of churches.

Applicant requests reduction of front yard landscaping to zero, to be compensated with additional landscaping as buffers to adjacent neighbors.

Density – applicant requests to increase number of units from 12 to 18. The applicant pointed out that an 18 unit residential building would have less impact than a (by right) 4 story commercial building. Also, the traffic study shows that this use would lesson traffic impact on neighbors.

The applicant noted that the Comprehensive Plan refers to diversity in residential areas and said that one would not find condos like these for sale. This is a downsizing. Mr. Scheiss said he has worked with two developers and two builders on this site, and that residential was not the first choice. Financially, a medical office building would be more feasible. In order to make the development work there must be 18 units. This is a not-for-profit developer. The bank owns the property and wants to develop it. Two realtors from Pilgrim did a market study showing pricing to go from \$225,000 (lower floor one bedroom) to \$315,000, top floor unit, 2 bedrooms.

Commissioner Sokol asked why larger units are not proposed. Mr. Scheiss said the advice of realtors is there is not enough of a market for those. Mr. Scheiss said the North Avenue Business Association supports the plan.

Mr. Scheiss outlined minor revisions to the planned development, made since the application was submitted. They are:

1. Reduce building length by 5' and increase rear setbacks to 19'9".
2. Relocate loading berth to provide landscape buffer along the south.
3. Add 5' high wrought iron fence with gate along east property line.
4. Add 5' high wrought iron fence with gate along west property line.
5. Remove 4' walk along east property line to allow denser landscaping.

A diagram showing what could be built by code as compared to this plan was shown.

The presentation ended and was followed by commissioner comment and questions.

Commissioner Rusczyk asked about the garbage truck route. Mr. Scheiss said the truck would back in. There are two chutes, one for recycling and one for trash. The waste and recycling haulers have agreements with the condo association and those parties work out any issues.

Mr. Scheiss said the duct fans run automatically by sensors and are not a nuisance. As for traffic flow through the alleys, Mr. Scheiss suggested the neighbors comment on this.

Commissioner Fausch asked about building materials for the façade design. Mr. Scheiss spoke about commonality of materials and about giving the sense that the building sits firmly on the base. The stucco is used to break up the different masses and articulate functions of the building. Mr. Scheiss spoke about the use of warm tones.

Commissioner Roberts felt the stair towers look like cement blocks. Mr. Scheiss said he will look at adding patterns. Commissioner Sokol asked about deliveries in the front. Mr. Scheiss said this would be only for mail and fed-ex.

Commissioner Sokol asked about bicycle storage. Mr. Scheiss said there is outside bike storage but that for LEED it must be inside and covered. He will look into doing this.

Commissioner Sokol asked about the 3' setback for the door. Mr. Scheiss said this is a requirement. Asked about a sliding door, Mr. Scheiss said it might not meet code. Commissioner Sokol said his concern was trash, snow and loitering in the entrance way. In regard to loitering, Mr. Scheiss said security lighting was added and the garage has a window for looking out.

Commissioner Fausch made some suggestions about openings and solid walls in the middle units, loft bedrooms. Mr. Scheiss said he will look at this.

Non-penthouse residents will access the roof by elevator, then one flight of stairs.

Mr. Scheiss said that assessments, according to the realtor, would range from about \$120 to \$180 monthly. (This estimate was corrected in later testimony.) They would be kept low because of efforts to conserve energy. Rainwater will be recaptured and there will be thermal and natural ventilation. The roof will have two or three trees. The only other LEED certified multi-unit building is Whiteco and that does not include a green roof. Mr. Scheiss spoke about the drainage system.

Commissioner Fausch asked if Mr. Scheiss had considered an angle roof on the stair tower. Mr. Scheiss said this was a good idea.

Chair Bolte called for cross-examination by the public.

Ugo Buy – 1205 North East confirmed that the roof height proposal is now 49', reduced from 55'5". He asked about parking space size, which will be 18' by 8'3". Two compact spaces would be 7'3" by 18'. The Village allows for 15% of parking being for compact cars.

Mr. Ugo asked about the proposed building being narrower than by right. Chair Bolte explained that there are different requirements for residential and commercial. Mr. Failor clarified that the area is zoned commercial, but a residential development must follow R7 guidelines unless variances are approved. Commissioner Sokol explained that a commercial building would not be allowed in an R7 zone.

Regarding the height of the building, Mr. Scheiss said that he did take into account the impact on neighbors, and from a design standpoint, has broken down the mass of the building to address that.

As for funding, Mr. Scheiss said there is no pre-sale requirement and no public funding. Occupancy limits are based on the number of square feet for bedrooms. The 1.5 parking spaces per unit have been shown to be marketable. Buyers will get one space and may purchase an additional one. Asked why the Village waste haulers would not be used, Mr. Scheiss said the Village do not pick up garbage from condo buildings. Private haulers must be hired.

Although there is no restriction on leasing or sub-leasing units, Mr. Scheiss felt such activity would not be likely.

The exhaust from the garage will go into the alley. This exhaust is more diluted than that which would come from a single idling car.

Asked about assessments again, Mr. Scheiss corrected the estimated cost to be between \$180 and \$200 per month. This would cover all common area maintenance and future reserves. Real estate taxes might be around \$6,000.

Mr. Buy spoke about the number of unsold Whiteco units. Commissioner Sokol clarified that those are rental units. Mr. Buy spoke about difficulty of other building selling units. Mr. Scheiss said that would not be a problem here.

End of cross-examination.

Chair Bolte called for a break at 9:20 pm. Hearing reconvened at 9:30 pm.

Public Comment

David Lau, 1201 N. East, spoke about the neighborhood being largely residential, the number of small children in the area, the quietness presently, and his fear that the layout of the balconies in particular, has a potential for partying, noise problems.

Glen Low, 1231 N. East, second residence to the south, said there had been no discussion of increased traffic and the lack of parking in the area. When the building has visitors they will park on the side streets. This will affect home prices. Also, demand for other housing in the area might go down. Right now there are houses in that area that have been on the market for a long time. He worried about noise during the duration of construction as it would interfere with children's naps.

Commissioner Ruszczuk asked Mr. Low if there is an unreasonable number of cars parking in that area now. Mr. Low said there is, citing two to three cars parked in front of his house any time of the day.

Chair Bolte said that Mr. Failor has a construction study and a traffic study available..

Craig Wyatt, 1234 N. East, across the alley from the proposed development, spoke about when there was a business in this location. It was noisy and busy, and often cars would double park. He felt this would be a welcome improvement. He has tried to sell his home for the last three years. The property, as is now, has been a deterrent. Mr. Scheiss has met with neighbors and taken their concerns under consideration.

Chair Bolte asked Mr. Wyatt about commercial vs. residential. Mr. Wyatt said he would prefer residential, noting that a business could go right up to the property line.

Janice Smith, 1219 N. East, has lived in the area for 21 years. She likes the quiet and said nearby businesses are discreet. She noted that when cul de sacs were put in along North Avenue, her street could not have one. More traffic would be bad because of so many little children in the area. Even now there have been close calls in the alley. She felt 27 more cars would be unnerving. She was surprised that the height allowance for North Avenue was so high and felt it should be lowered. She was concerned with property values.

Mary Schraufnagel, 1215 Columbian, opposed the proposed development because it was too large and too dense. With 18 homes on her block, this would double the number. She felt it should be built to R7 code. She also was concerned that this would triple the number of cars going down the alley, and worried about the impact on sewers. She wondered if granting allowances would not set precedent and said this would change the flavor of the neighborhood.

Lee Madden, 6601 North Avenue, residence on second floor, medical practice on first floor. Ms. Madden said that when the business Port Au Chico was there, alley traffic was terrible. North Avenue needs improvement and this would be a beginning. This building would put more “eyes on the street.” Although she is not happy with the size of the building, it is preferable to commercial.

Charlotte Buy, 1205 N. East, addressed parking issues and lack of privacy in her backyard. She said there are three foreclosures and two properties for sale on her block, so more property is not needed. She worried about property values, and the effect on Mann School, which is already at capacity with full day kindergarten. This would be the tallest building in the area. She was also concerned about the garbage truck backing down the alley.

Commissioner Rusczyk asked the route of the Village garbage truck Ms. Buy said it goes down East Avenue and turns right. She was concerned about the inability of the private hauler truck to make the turn. She said visitors will park in front of her home and wondered why the parking could not be located under the building.

Commissioner Rusczyk asked if current restrictions do not limit people parking in front of her house. She said restrictions are not enforced. She wondered if a cul de sac could be installed. Ms. Buy said when she moved there, there was a neighborhood feeling. Being on a border block makes it difficult.

Ugo Buy, 1205 N. East, commended the architect and developer for taking on this project in these hard economic times. He was concerned about garbage collection in the tight alley. He felt that building within the codes would be defensible, but this project would be a dangerous precedent. It is not what the neighbors want. This would be the tallest building between Harlem and Austin on North Avenue. It would change the character of the neighborhood.

Applicant Summary

Nr. Scheiss felt the neighbors raised good points. He noted that early in the process he sent out mailer to neighbors and has reached out for dialog. Some of those neighbors – Don Finnegan (who wrote a letter of support), Lee Madden and Craig Wyatt, have been in touch with him through the process. Mr. Scheiss has made changes in response to concerns. He has shown a willingness to work with neighbors. The nature of planned development is that it does not fit in. A by rights development would offer no landscaping, no green roof, etc.

As for traffic, the previous use created an incredible “nightmare” with much more impact than what is planned. Six additional units will have less impact. Residential use is better than commercial, including for property values. The property is zoned B1, B2. Commercial use would have much more impact.

As for garbage pickup, Mr. Ray Strong, with whom Mr. Scheiss has worked before, has assured him that the truck can go eastbound on the alley and back in. As for the truck beeper noise, that is per state law. As for impacting Village services, the project was

reviewed by the Village Engineer. The rainwater capture will be better in terms of sewer impact. One and two bedroom buyers do not always have school age children. There would be an additional \$60,000 in real estate taxes over the previous use. The project is not R7 compliant, not only for financial reasons, but also for features such as green space, vibrancy, LEED certification must be taken into account. The question is whether this is better than a right to build project.

Commissioner Comment/Questions

Commissioner Ruszczyk asked Mr. Failor how this fits into the North Avenue study. Mr. Failor said the 1996 study does not anticipate residential, but does state that consideration should be given to the impact of multi-family on the corridor. The study does not say whether such an impact would be good or bad.

Commissioner Fausch noted that the staff report does not see an issue with no commercial use on the ground floor. Mr. Failor said North Avenue is a long street, and can not be completely filled with retail. In some pockets, residential is ok and goes toward creating a pedestrian atmosphere.

Commissioner Ruszczyk asked whether the application will be changed to reflect the lowered height. Chair Bolte said this will be under conditions in the Findings of Fact. Attorney Martens noted that height can always be dropped. He said this would be up to the commission.

Chair Bolte asked for a simple sketch with the lower height and with different textures as suggested by Commissioner Fausch.

Commissioner Moran asked about recommendations for the blank wall. Mr. Failor said the applicant could be asked to come up with ideas for more articulation.

Commissioner Fausch said there should be more specificity on materials to be used.

Chair Bolte asked the applicant for line drawings plus sample materials.

Commissioner Sokol said while he is sympathetic to the neighbors' concerns, any kind of development brings more traffic. He stated it is not good to have an empty lot and no tax income. A two story would not be feasible financially. He said he could not see how a blighted, vacant lot would be better than a slightly higher condo building. The Comprehensive Plan says height should be on arterial streets. If the commission disapproves this application, the lot will stay empty.

Commissioner Fausch said she would wait to comment until new drawings are in. Commissioner Roberts asked whether the drawings would have anything to do with variances. Chair Bolte explained that part of the approval of allowances is the look, the feel, the "whole package." She would like to see bicycle storage.

The following were requested of the applicant: information , demonstration of bike storage, alternate design for door, pattern on stair tower and cutting mass, more

articulation on blank wall, garbage pickup diagram, lower building height, building materials, color palette, size, shape of windows on middle unit and entrance and in front, and the design element of parking area

Mr. Failor felt it sounded like the commission would be ok with the proposed use. Mr. Martens said the whole package must be approved. Commissioners Moran and Fausch said they would be inclined to approve. Commissioner Ruszczyk wanted to wait for further information. Commissioner Sokol said he had already stated his opinion.

Continuation of hearing

After some discussion the continuation was scheduled for April 2nd at 7pm.

Commissioner Moran said she had a clarification on minutes. Approval of minutes was postponed until the next meeting.

Adjournment

A motion was made, seconded and passed to adjourn.

Meeting adjourned at 10:35pm.

Liz Melara,

Recording Secretary