

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Community Development Director

Re: ACTION RE: PETITION FROM GENERAL CAPITAL ACQUISITIONS, LLC. – REQUESTING A PUBLIC HEARING DESIGN EXCEPTION FOR THE PROPOSED MIXED-USE DEVELOPMENT LOCATED AT 1905 S. WEBSTER AVENUE, PARCELS AL-50-10 & AL-50-9-3 (current vacant Webster Mall property)

Date: 27 January 2022

General Capital Acquisitions, LLC. (GenCap) has requested a public hearing design exception request for the proposed mixed-use building development at 1905 S. Webster Avenue. A representative will be present at the meeting to talk about the project and answer any questions.

Site Plan and Design Review Process

A public hearing design exception request is being requested to allow for an additional building story on the proposed mixed-use building, remove the requirement for a 15' step-back from the street on the fourth and fifth stories, and allow for close to 50% of the ground floor space on Webster Avenue to be occupied by resident amenities. The proposed development parcel is zoned MX1 District, which allows for four stories by right and a fifth building story with approval by the Plan Commission and Village Board through the public hearing design exception process (Section 475-1107 of the village ordinances). Design exceptions must be processed concurrently with site plan applications

The intent of the design exception process is “to authorize the granting of relief from strict compliance with the regulations when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The exception provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation's intended purpose and consistency with the Comprehensive Plan.”

Approval of a design exception must be based on whether:

1. The requested design exception is consistent with the general intent statement of § 475-1107B;
2. The requested design exception is consistent with the Comprehensive Plan and any adopted area plan; and
3. The requested design exception will not result in any adverse impacts on other properties in the area beyond those impacts ordinarily expected through implementation of the regulations.

Staff Comments and Recommendation

Staff recommends approval of the design exception for the additional story and removal of the step-back requirement because no mention of story height is allowed in the Comprehensive Plan for this area, there is no directly adjacent residential uses (R1 or R2), and the zoning code specifically grants the Plan Commission and Village Board the ability to allow an additional story through this process. Staff also recommends allowing 50% of the ground floor on Webster Avenue to be occupied with resident amenities, as long as the space is still designed so that commercial could go in the space if desired in the future.

Plan Commission reviewed the requests at the January 24, 2022 meeting and recommended approval of all requests by the Village Board.

The Village Board is asked to review the petition and schedule a public hearing for the design exception request for the proposed mixed-use building development at 1905 S. Webster Avenue. Conditions or reasons for not approving, if any, should be provided in the motion. The earliest a public hearing could be approved for is March 1, 2022.