



Application for Public Hearing VARIANCE

YOU MUST PROVIDE THE FOLLOWING INFORMATION: IF ADDITIONAL SPACE IS NEEDED, ATTACH EXTRA PAGES TO THE PETITION.

Name of Business (if Applicable): N/A

Address/Location of Property in Question: 1010 LAKE Street

Property Identification Number(s)(PIN): 16-07-120-064-0000

Name of Property Owner(s): 1010 LAKE OWNER, LLC

Address of Property Owner(s): 121 W. WACKER DR, SUITE 1220 CHICAGO IL 60601

E-Mail of Property Owner(s): JSEYEB @ ASKAMMIVS.COM Phone: 312-332-9920

If Land Trust, name(s) of all beneficial owners: (A Certificate of Trust must be filed.) _____

Name of Applicant(s) (if different than Property Owner): DAVID J. KING

Applicant's Address: 1011 LAKE Street, Suite 313 OAK PARK IL 60301

Applicant's Contact Information: Phone 784450505 E-Mail DAVID @ DKACE.COM

Other: _____

Property Interest of Applicant: Owner _____ Legal Representative _____ Contract Purchaser _____ Other

(If Other - Describe): _____

Property Type: 1 or 2 Family Residential Multiple-Family Commercial Mixed-Use Hospital Institutional

Zoning District: R-1 R-2 R-3(50) R-3(35) R-4 R-5 R-6 R-7

DT (1-2-3) GC HS MS NA NC RR

H OS I

Describe Variance Proposal: TO ELIMINATE ANY REQUIRED OFFSITE PARKING SPACES FOR THE BUILDING

Size of Parcel (from Plat of Survey): 19,235 Square Feet

Adjacent:	Zoning Districts	Land Uses
To the North	<u>OS</u>	<u>OPEN SPACE ZONING DISTRICT</u>
To the South	<u>DT</u>	<u>DOWNTOWN ZONING DISTRICT</u>
To the East	<u>DT</u>	<u>DOWNTOWN ZONING DISTRICT</u>
To the West	<u>DT</u>	<u>DOWNTOWN ZONING DISTRICT</u>

Is the property in question currently in violation of the Zoning Ordinance? Yes No

If Yes, how?

Is the property in question currently subject to any zoning relief? Yes No

If Yes how?

If Yes, please provide relevant Ordinance numbers

Is the subject property located within any Historic District? Yes No

If Yes: Frank Lloyd Wright Ridgeland Oak Park Gunderson

From what Section(s) of the Zoning Ordinance are you requesting approval / relief?

Article: 10.4 Section: REQUIRED OFF-STREET VEHICLE AND BICYCLE PARKING SPACES
 Article Section: TABLE 10-2 (OFF-STREET PARKING REQUIREMENTS)
 Article Section:

Explain why, in your opinion, the grant of this request will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance or Comprehensive Plan;

THE GRANT OF THIS REQUEST IS IN ABSOLUTE HARMONY WITH THE NEIGHBORHOOD AND NOT CONTRARY TO THE INTENT AND PURPOSE OF THE ZONING ORDINANCE OR COMPREHENSIVE PLAN AS NO OTHER OFFICE BUILDING IN THE DOWNTOWN ZONING DISTRICT IS REQUIRED TO HAVE OFF STREET PARKING.

I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Oak Park for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.

DAVID T. KING

(Printed Name) Applicant

David T. King

(Signature) Applicant

10/2/2023

Date

JERB SOMERB

(Printed Name) Owner

JERB SOMERB

(Signature) Owner

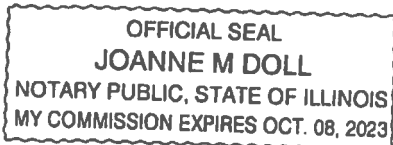
10/2/23
Date

Owner's Signature must be notarized

SUBSCRIBED AND SWORN TO BEFORE ME THIS

2nd DAY OF October, 2023

Joanne M. Doll
(Notary Public)



Updated September 2017

Project Summary

1010 Lake Street (“the Building”) is an 82,836 square foot, 7 story office building located in Oak Park, Illinois. The Building’s tenants are a diverse mix of corporate and medical users that serve the neighboring community. The Building is currently 92% leased and provides 18 parking spaces under the Building to tenants on a reserved, monthly basis. Given the Building’s location in an urban environment, tenants and their guests access the Building by car, ride sharing, public transport, bicycle and foot.

In addition, the office environment has drastically changed since Covid. There is now flexibility with many office tenants who quite simply do not come into the office every single day. They may come in sporadically, and some only a few days a week & therefore do not require a quarterly parking pass.

The Village of Oak Park’s parking zoning ordinance requires that 1010 Lake Street provide 37 offsite parking space to the Building’s tenants. Prior to the construction of Albion Oak Park adjacent to 1010 Lake Street, the Building utilized 37 surface parking spaces which were occasionally leased to 1010 Lake Street tenants due to the proximity of the surface lot to the Building and convenience of at grade parking. Following the completion of Albion Oak Park, 1010 Lake Street has the right to lease 10 parking spaces from Albion Oak Park per a lease agreement with Albion Oak Park but has never utilized these parking spaces. Given the steady increase in occupancy of the Building following the elimination of the original 37 surface parking spaces with no increase in tenant demand for additional spaces, we are submitting a zoning variance to change the parking requirements for the Building to reflect actual tenant parking demand for tenants of 1010 Lake Street.

Response to Approval Standards

1. The Zoning Board of Appeals decision must make findings to support each of the following:

The strict application of the terms of this Ordinance will result in undue hardship unless the specific relief requested is granted.

Applicant Building Owner Response: The strict application of the terms of the subject Ordinance would result in undue hardship in this case because the Building Owner is being required to lease 27 parking spaces in a nearby parking facility in order to comply with the parking zoning requirements of the building. These parking spaces are in addition to the 10 parking spaces controlled by Building Owner in the residential building next door (Albion Oak Park). For more than 6 years, the Building Owner has made available 37 parking spaces to its tenants, and not a single one of those spaces has ever been used. Therefore, it is clearly the case that there will be no demand whatsoever for those parking spaces going forward, and the Building Owner's obligation to lease spaces will never be used creates an undue and entirely unnecessary hardship.

The cost of 27 spaces at a current quarterly rate of \$262 = \$28,296 per year. With the ever-increasing cost of commercial Real Estate Taxes in Oak Park, building insurance, payroll and other operating expenses, an additional \$28,296 per year is a significant amount to pay for unused parking permits & absolutely creates a hardship.

Further, no other office building in the Downtown Zoning District has or is required to have parking.

- 1) 1144 Lake (Marshall Field's Building) – No Parking
- 2) 1140 Lake (Oak Leaves Building) – No Parking
- 3) 1100 Lake (Shaker Building) – No Parking
- 4) 1101 Lake (Crepas Culichi) – No Parking
- 5) 1011 Lake (Byline) – Has parking, but not required by code
- 6) 137 N. Oak Park (Scoville Square) – No Parking
- 7) 715 Lake (Medical Arts Building) – No Parking

Equity – We talk extensively in Oak Park about fairness/equity. Quite simply, the parking requirement for 1010 Lake is not equitable when comparing to the other office buildings in the Downtown district.

The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Applicant Building Owner Response: The particular physical surroundings of the building have caused the hardship described above. All of the parking spaces that are required to comply with the Ordinance were previously directly next door to the building and were outdoor surface spaces that were easily

accessible by the building's tenants. Now, with the development of Albion Oak Park on the neighboring parcel, the parking spaces are in the Albion Oak Park Building (10 spaces) and in a nearby Village-owned parking garage (27 spaces), thereby making all such spaces very difficult to use. **Also, there is no reason why any tenants would lease parking spaces through the Building Owner when they can lease such spaces directly in the nearby Village-controlled lots.** That was not the case before the development of Albion Oak Park when the physical surroundings allowed for surface parking directly next to the building.

The plight of the owner is due to unique circumstances inherent to the subject property and not from the personal situation of the owner and has not been created by any person presently having a proprietary interest in the property in question.

Applicant Building Owner Response: There is no question that the hardship described above is due to unique circumstances. The fact that such parking spaces were previously easy to use directly next door, and now are not, is a unique circumstance that was created by the further development of the Village's downtown. There is simply a disconnect between the parking requirements that allow the subject building to stay in zoning compliance and the actual historic use of such required parking spaces. As stated, not a single one of the 37 parking spaces that have been made available to tenants of the subject building have been used in over 6 years.

These circumstances have nothing whatsoever to do with a personal situation of the Building Owner, nor has this situation been created in any way by the Building Owner or any person having a proprietary interest in the building. But rather, the circumstances here are being created by the actual, demonstrated fact that the current parking requirements should be inapplicable to this particular building.