

**ZONING BOARD OF APPEALS MEETING
OCTOBER 11, 2023
7:00 P.M.**

A recording of this meeting is available on the Village of Oak Park Website: <https://www.oak-park.us/your-government/citizen-commissions/commission-tv>

Call to order / Roll Call

PRESENT: Acting Chair Steve Ruszczyk; Members Peter Weismantle, Mas Takiguchi, David Brumirski and Kimberlee Smith

ABSENT: Mark Hansen

ALSO, PRESENT: Paul Stephanides, Counsel; Mike Bruce, Zoning Administrator

QUORUM: The meeting was called to order at 7:03 p.m. and declared that a quorum was present.

Agenda Approval – Motion by Member Brumirski, Seconded by Member Smith. A voice vote was taken and the agenda was approved by a four (4) to zero (0) vote as submitted.

Member Takiguchi joined the meeting at 7:05 pm.

Approval of Meeting Minutes

Motion by Member Smith, Seconded by Member Brumirski to approve the September 6, 2023 Minutes as amended. A voice vote was taken and the September 6, 2023 Minutes were approved by a five (5) to zero (0) vote as submitted.

Non-Agenda Public Comment – None

New Business / Public Hearings and Findings of Facts

Rasheda Jackson, Counsel, swore-in those wishing to testify.

Mr. Bruce read a description of the case as follows:

CALENDAR NUMBER: 15-23-Z The Zoning Board of Appeals (“ZBA”) will conduct a public hearing on an application filed by the Applicant, Tyler McCray, seeking a variance requests for: 1) An increase in the maximum building coverage to 62.7%, where the maximum building coverage allowed is 60% of the lot per Section 4.3 (Table 4-1: Residential Districts Dimensional Standards) of the Oak Park Zoning Ordinance, and 2) An increase in the maximum impervious surface area of the lot to 66.2%, where the maximum impervious surface area allowed is 60% per Section 4.3 (Table 4-1: Residential Districts Dimensional Standards) of the Oak Park Zoning Ordinance to permit a ground floor addition at the northeast corner (there is a proposed second floor addition, but requires no variance) of the existing residential building and a new garage located at the premises commonly known as 600 S. Cuyler Avenue, Oak Park, Illinois, Property Index Number 16-17-109-001-0000 (“Subject Property”), in the R-4 Single-Family Zoning District.

Jose Espejo, Architect of record, spoke on behalf of the Applicant.

Mr. Espejo says that the property during the alteration of the existing building foot print will exceed the building coverage area. The property will undergo considerable exterior and interior alterations to accommodate new floor levels, proposed room dimension and new building height to maintain the original roof lines and style of the building. The additional increase in building coverage area will allow the building to maintain the look and feel of the surrounding area with a modern influence. The increase will provide proper proportions with the window openings and roof lines. The increase will add roughly additional 199 sq. ft. to the building coverage area.

The physical surrounding shape will reduce the rear yard requirements due the expansion of the original building footprint. The new shape of the addition and expansion of the building will affect parts of the lot with the reduction of space for the rear and the repairs to the garage area.

The plight of the owner is due the building coverage and maximum impervious surface requirements, the roof lines and style of the building.

Tyler McCray, property owner, spoke briefly regarding his plans to have a house to accommodate his large family.

Acting Chair Ruszczyk closed the hearing.

Member Smith and Member Brumirski indicated that the Applicant has not stated a hardship. Other Members opined that the hardship is due to modernizing older housing stock to meet today's family needs.

Motion by Member Weismantle to approve the application as proposed. Seconded by Member Takiguchi. The motion received a three (3) to two (2) vote.

Mr. Bruce said that a motion to approve 600 S. Cuyler Avenue shall receive four (4) concurring votes to be approved. The Rules of Procedure indicates that, if the votes of the absent but eligible member, when added to the number voting in favor of the applicant or appellant, would total four (4) or more, the matter shall be postponed to the next meeting of the Board. The meeting was postponed to the next regularly scheduled ZBA meeting to allow Mark Hansen, who was not present at this meeting to review the application, video recording, and then render his decision.

Mr. Bruce read a description of the case as follows:

CALENDAR NUMBER: 12-23-Z The Zoning Board of Appeals ("ZBA") will conduct a public hearing on a special use permit application filed by Driven Car Wash, LLC, Applicant, pursuant to Section 8.3 ("Table 8-1: Use Matrix) and Section 5.4 (Table 5-12: RR District Use Restrictions by Building Type) of the Oak Park Zoning Ordinance to construct and operate an express car wash facility with an accessory drive-through at the property located at 6000-6020 Roosevelt Road, Oak Park, Illinois, Property Index Numbers 16-17-331-024-0000, 16-17-331-025-0000, 16-17-331-026-0000, 16-17-331-032-0000, 16-17-331-033-0000 (Premises") in the RR Roosevelt Road Form-Based Zoning District.

Chris Jenks, owner of Driven Car Wash introduced himself. Chris Niro introduces himself to the Board. Chris Jenks started the presentation. Mr. Jenks says that we have four facilities operating and two under construction. We are proposing an express car wash facility meaning we only work on the exterior of the car. He discusses other amenities of the facility. He talks about the Mission Statement of Driven Car Wash, team core competencies, notable community partnerships and discusses ecofriendly practices by Driven Car Wash.

Chris Niro talks about Oak Park's Nuisance Ordinance. He presents a sound study by Shiner Acoustics and details the findings of the sound study relative to the proposed façade by Driven Car Wash. He

indicates that equipment (blowers) will be located within the building which will further reduce the noise emanating from the facility. He says that there will be a three-quarter enclosure next to the exit. The conversation continued regarding the noise study and how the proposed façade of the facility will reduce the noise decibels coming from the car wash substantially.

Mr. Niro talks about the proposed site plan, bailout lane, landscaping and the use of native species in the landscape plan. He says that thirty cars can be accommodated on the site at any time. No traffic will be discharged onto the alley and Humphrey Avenue. Mr. Niro talks about the façade. Due to the façade, no zoning variance are required and the proposal meets the Roosevelt Rd Form Based Code. Mr. Niro says that the turning radius has been studied and will not be an issue for entering the facility from Roosevelt.

Mr. Niro talks about the Traffic Study's conclusion, storm water management, noise mitigation, traffic mitigation and an illumination study that Driven Car Wash completed. Mr. Niro discusses the special use permit standards. He says that no intercoms or speakers will be used. Lights are turned off at the end of the day and the facility will close at 8 pm.

Acting Chair Ruszczyk asks if there would be deliveries to the site. Mr. Niro answered that trash will be removed from the property two times per week. If deliveries are required, no vehicle larger than a van would be used. A discussion ensued about the material make up for the proposed façade.

Acting Chair Ruszczyk asked if anyone wanted to speak in opposition to the application.

Joseph Rihami talked about safety issue relative to kids and people walking on the street vs the proposed use.

Kevin Leebroderick, 1160 S. Humphrey Avenue, says that he was unaware of the meeting. He said he saw the sign posted. Mr. Leebroderick has concerns about traffic exiting the facility and driving up Humphrey Avenue. He says that he does not understand the noise study. He says that the vacuum stations and the dryers will be loud and that traffic would get worse. He says that this is not a destination it is a pit stop and that is not what we want here.

Chris Donovan says that his concern is the redevelopment of Roosevelt Rd. What happened to Taco Bell? How did we get a car wash from that? This use is not pedestrian friendly. A car wash is not a gateway and please over rule this proposal.

Pastor of St George Church in Berwyn says that at times of the day Roosevelt backs up to Ridgeland Avenue. Traffic is bad on the Weekend. Children cross the street and thus there is a safety issue on Roosevelt. A car wash is not a good fit for this property.

Yazen Fakhouri, Director of Youth Programs for St George Church says that there are church events seven days a week. This development does not invest long term in Oak Park. Please consider it as convenience-based use. There is no benefit to Oak Park.

Jeff Pasika says that there are three rows of cars going in but only one going out. This plan does not work. Too much traffic. He feels that the traffic study is not correct. The plan does not work. I encourage the Village to do their own traffic study. I am also concerned about security. This area has a high crime rate already. People will hang out there and cause a nuisance.

Rick Whitehurst says that I am concerned about parking. He feels people will park on Humphrey and detail their cars after they have been washed. This will bring trash and loitering.

Acting Chair Ruszczyk asks if there is anyone not in favor nor opposed.

Chris Donovan says that this would be the third car wash in the area. We have a saturation issue for car wash facilities in the area.

Adib Shaheen, says that there is a lot of traffic on Austin to get to the freeway. This proposal will complicate that fact.

The Applicant was given an opportunity to rebut and close.

Chris Jenks says that KLOA (Traffic Engineers) worked closely with Jill Juliano from the Village to ensure that the traffic study was accurate and complete.

Regarding traffic and noise, Chris Jenks says that with the proposed façade, the decibels will be down to approximately 58 decibels. He says relative to church and children, we want to partner with the community. He says relative to over saturation, he argues that there is a huge gap between number of car wash facilities available and professional services desired. Mr. Jenks says that at peak hours there will be approximately 80 cars per hour. We can handle 30 cars at one time so this will not be an issue.

Acting Chair Ruszczyk closed the hearing.

The ZBA discusses that the facility is well designed to mitigate traffic and noise. 24 car stacking is enough to deal with traffic. The Shriner Acoustic Report shows that the design of this car wash is better than other facilities in existence.

Motion by Member Weismantle to draft a positive Recommendation to the Village Board with a condition that the facility shall not open before 8 am. Seconded by Member Brumirski. The motion was approved by a five (5) to zero (0) vote.

Motion by Member Weismantle to approve a draft Recommendation with the 8am start time. Seconded by Member Brumirski. The motion was approved by a five (5) to zero (0) vote.

Other / Old Business – The ZBA Members discussed the Racial Equity Assessment questionnaire.

The meeting was adjourned.