

May 6, 2021

President and Board of Trustees
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302

Re: Application of Jeffrey Bergren of Mosaic Counseling and Wellness, LLC for Consideration of an Amendment to the Village of Oak Park Zoning Ordinance Regarding Outpatient Behavioral Health Uses – PC 21-04

Dear President and Board of Trustees:

In April of 2021, Jeffrey Bergren, of Mosaic Counseling and Wellness, LLC, 1590 W. Algonquin Road, # 149, Hoffman Estates, Illinois 60192 (“Applicant”), submitted an application for consideration an amendment to the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) with the Plan Commission (“Commission”). The Applicant requested that the Commission consider whether to amend the Zoning Ordinance to allow an outpatient behavioral health use as a special use in the HS Harrison Street Zoning District (“Amendment”).

Notice and Hearing.

On April 21, 2021, legal notice of the public hearing was published in *The Wednesday Journal*, a newspaper of general circulation within the Village of Oak Park.

Pursuant to legal notice, the Commission conducted a public hearing on the application on May 6, 2021, at which time and place a quorum of the members of the Commission was present.

Having heard and considered the testimony and evidence at the public hearing, the Commission makes the following findings of fact:

FINDINGS OF FACT

1. The Applicant is the contract purchaser of property at 213 – 215 Harrison Street in the Village (“Property”).

2. In addition to requesting the Amendment, the Applicant also applied for a special use ordinance to allow an outpatient behavioral health use at the Property, if the Amendment is approved, in PC 21-05, which the Commission is considering at the same time as the Amendment.

3. The Applicant asked the Commission to review whether it is appropriate to make the Amendment to the Zoning Ordinance.

4. The Zoning Ordinance was adopted in its current form in September of 2017 and it has been amended several times since then.

5. The Commission heard testimony regarding the proposed Amendment.

6. An outpatient behavioral health use is not currently listed as a use in the Zoning Ordinance.

Standards.

7. The following are standards for approval of text amendments in Subsection 14.1(E)(2) of the Zoning Ordinance:

a. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.

b. The relative gain to the public, as compared to the hardship imposed upon the applicant.

c. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

f. The extent to which the proposed amendment creates nonconformities.

g. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

8. The Commission finds that the Amendment satisfies the standards in Subsection 14.1(E)(2), and that approval of the requested Amendment is appropriate.

9. Specifically, the Commission finds that making the Amendment to the Zoning Ordinance will promote the public health, safety, and welfare, will make the regulations in the Zoning Ordinance more closely aligned with the intent of the Zoning Ordinance and Comprehensive Plan of the Village of Oak Park, and will further the land planning goals of the Village of Oak Park.

10. The current land uses in the HS Harrison Street Zoning District are mainly arts-related businesses, restaurants and retail land uses.

11. The proposed outpatient behavioral health use would be a destination use and would enhance the vibrancy of the HS Harrison Street Zoning District because patrons of the use and their family members would visit local restaurants and art galleries.

12. The Amendment would require an applicant for an outpatient behavioral health use in the HS Harrison Street Zoning District to first apply for and receive a special use permit from the Village, allowing for a review of this use along Harrison Street on a

case-by-case basis, and allowing the Village to impose reasonable conditions on the use, if warranted.

RECOMMENDATION

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, and based on the above findings, the testimony and the evidence presented at the public hearing, this Commission, sitting as a Zoning Commission, hereby recommends to the Village President and Board of Trustees that the application be GRANTED, and that the Amendment be made to the Zoning Ordinance, as set forth in **EXHIBIT A** attached hereto and made a part hereof.

This report adopted by a 8 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 6th day of May, 2021.

EXHIBIT A
AMENDMENT

(attached)

The following amendment to the Zoning Ordinance is recommended, with additions underlined.

Use Table Amendment

Article 8 “Uses”

Section 8.3 “Use Restrictions” Table 8-1 “Use Matrix”

TABLE 8-1: USE MATRIX																		
Use	R-1	R-2	R-3 -50 & -35	R-4	R-5	R-6	R-7	DT ¹	HS	GC	MS ¹	NA	NC ¹	RR ¹	OS	I	H	Use Standard § = Section
	*	*	*				*				*				*			
Medical																		
	*	*	*				*				*				*			
<u>Outpatient Behavioral Health</u>									<u>S</u>									