

ATTACHMENT A

September 7, 2022

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

Re: Application of Jeremy Storey for a Special Use Permit to operate BM Custom, LLC, a vehicle repair shop, to be located at 6212 Roosevelt Road, Oak Park, Illinois (Calendar No. 17-22-Z)

Dear Village President and Board of Trustees:

On June 16, 2022, Jeremy Storey (the “Applicant”) filed an application (Calendar No. 17-20-Z) pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) requesting the issuance of a special use permit to operate a vehicle repair/service – minor business in the RR Roosevelt Road Form-Based District at the property located as 6212 Roosevelt Road, Oak Park, Illinois, 60304 (“Subject Property”).

A public hearing was held on the application by the Village of Oak Park’s (“Village”) Zoning Board of Appeals (“ZBA”) by remote participation on September 7, 2022 at 7:00 pm with live audio available and optional video. The meeting was streamed live and archived online for on-demand viewing at www.oak-park.us/commissiontv as well as cablecast on VOP-TV, which is available to Comcast subscribers on channel 6 and ATT U-Verse subscribers on channel 99. The remote public hearing is authorized pursuant to Section 7(e) of the Open Meetings Act. 5 ILCS 120/7(e). The notice and time and place of the public hearing was duly published on July 13, 2022, in the *Wednesday Journal*, a newspaper of general circulation in the Village. Notice was also posted at the Subject Property and notices were mailed by the Applicant to owners of record

within 300 feet of the Subject Property, advising them of the application and the public hearing to be held.

FINDINGS OF FACT

The ZBA, having fully heard and considered the testimony of all those present at the hearing who wished to testify and being fully advised in the premises, makes the following findings pursuant to Section 14.2(C)(2), 14.2(D)(1) and 14.2(E) of the Village Zoning Ordinance:

1. The Applicant seeks a special use permit pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance to operate a vehicle repair/service – minor business in the Village’s RR Roosevelt Road Form-Based District.

2. The Zoning Ordinance defines “vehicle repair service - minor” as a “business that provides services in minor repairs to motor vehicles, motorcycles, all-terrain vehicles (ATV) vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, replacement tires, realigning and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like.” *Zoning Ordinance*, Section 2.3.

3. Section 8.4(U) (“Vehicle repair/service - Minor and Major”) contains additional requirements for the use as follows:

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than seven days once repair is complete. Only vehicles that have been or are being serviced may be stored outdoors.
2. All repair and service operations must be performed within a fully enclosed building. All equipment and parts must be stored indoors.
3. Vehicle repair/service establishments must be screened along interior side and

rear lot lines with a solid wall or fence, a minimum of five feet and a maximum of six feet in height.

4. No partially dismantled or wrecked vehicle may be stored outdoors on the premises.

5. The sale of used or new automobiles is prohibited.

6. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

The Subject Property.

4. The Subject Property is located at 6212 Roosevelt Road, Oak Park, Illinois, 60304.

The Applicant is the lessee of the Subject Property. Polar Properties, LLC. is the owner of the Subject Property and has consented to the filing of the Application.

5. The Applicant proposes to operate a vehicle repair/service – minor business at the Subject Property (“Proposal”). The business will be limited to repairing interior upholstery, center consoles and flow panels on vehicles.

6. The Subject Property is located within the RR Roosevelt Road Form-Based District. A special use permit is necessary to operation a vehicle repair/service – minor business in the RR Roosevelt Road Form-Based District.

The Applicant.

7. The Applicant submitted evidence that a vehicle repair/service – minor business would allow the successful development of the Subject Property.

8. The Applicant presented evidence that it is ready to move forward with the development of the Subject Property immediately upon the Village’s approval of the special use permit.

9. The ZBA considered the following documents which were submitted into evidence at the time of the Public Hearing, and made part of the record:

- a. Application for Special Use Permit;
- b. Project Summary;
- c. Responses to the Approval Standards for Receiving a Special Use, as conveyed in Section 14.2 (E);
- d. Signed Affidavit of Notice;
- e. Floor Plan; and
- f. Neighboring Residents Letters.

Compatibility with Surrounding Uses.

10. The character of the neighborhood is concentrated retail, office and service uses.

11. A custom interior auto shop that focuses primarily on renewing and customizing interior upholstery, center consoles and flow panels within the existing structure is compatible with other types of uses that exist in the area.

Project Review Team.

12. The Village's Internal Project Review Team ("Team") met to review the Applicant's Proposal. The team consists of staff members from various Village departments.

13. The Team supports the special use application, as long as the vehicle repair business is limited to the repair of interior upholstery, center consoles and flow panels.

The Need for Zoning Relief.

14. An applicant cannot operate a vehicle repair/service – minor business in the RR Roosevelt Road Form-Based District without a special use permit. *Zoning Ordinance*, Section 8.3 (Table 8-1: Use Matrix).

The Special Use Standards.

15. A special use permit may be granted only if each of the following factors are met

pursuant to Section 14.2 (E) of the Zoning Ordinance:

1. The establishment, maintenance, and operation of the proposed special use will not have a substantial or unduly adverse impact on the neighborhood or endanger the public health, safety, or welfare;
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity;
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance, adopted land use policies and the Comprehensive Plan; and
4. The special use meets the requirement for such classification in this [the Zoning] Ordinance.

16. The evidence shows that the proposed vehicle repair/service – minor business is suitable within the RR Roosevelt Road Form-Based District and is compatible with the surrounding neighborhood.

17. The evidence shows that the proposed vehicle repair/service – minor business will provide a service that is in the interest of public convenience and will contribute to the general welfare of the community.

18. Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance requires a special use permit to operate a vehicle repair/service – minor business in the RR Roosevelt Road Form-Based District.

19. The Applicant has provided reasonable assurances that its Proposal will be completed in a timely manner and shall comply with Village building code requirements.

20. The evidence shows that the issuance of a special use permit for the Subject Property is in the best interest of the Village and the Applicant has met the standards pursuant to Section 14.2 (E) of the Zoning Ordinance for the permit.

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, the Zoning Board of Appeals, hereby recommends to the President and Board of Trustees pursuant to a vote of 4 - 0 , that the special use permit be granted pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance to operate a vehicle repair/service – minor business to be located at 6212 Roosevelt Road, Oak Park, Illinois by the Applicant subject to the following conditions and restrictions:

1. The special use permit shall be limited to the Applicant and the use set forth herein, and if there is any expansion in the use or change in the tenant, operator or use of the Subject Property, the special use permit shall terminate;
2. The vehicle repair business shall be limited to renewing and customizing interior upholstery, center consoles and flow panels;
3. The vehicle repair business may not store the same vehicles outdoors on the Subject Property for longer than seven (7) days once a repair is complete. Only vehicles that have been or are being serviced may be stored outdoors;
4. All repair and service operations must be performed within a fully enclosed building. All equipment and parts must be stored indoors;
5. No partially dismantled or wrecked vehicle may be stored outdoors at the Subject Property;
7. The sale of used or new automobiles is prohibited;
8. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way; and
9. In the event that any of the conditions set forth herein shall not be fulfilled at any time in the future, said event shall be deemed a violation(s) of the Zoning Ordinance and the Zoning Administrator shall take appropriate action.

This report adopted by a 4 to 0 vote of this
Zoning Board of Appeals, this 7th day of
September, 2021.