

May 4, 2023

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

Re: Application of David Osta, Anne Frueh, Michael Weik, and Bruno Graziano for Consideration of Amendments to the Village of Oak Park Zoning Ordinance Regarding the H Hospital Zoning District – PC 22-08

Dear President and Board of Trustees:

In October of 2022, David Osta, Anne Frueh, Michael Weik, and Bruno Graziano, of 620 South Wenonah Avenue, 617 South Wenonah Avenue, 626 South Maple Avenue, and 621 South Maple Avenue, respectively (together the “**Applicants**”), submitted an application for consideration amendments to the Village of Oak Park Zoning Ordinance (“**Zoning Ordinance**”) with the Plan Commission (“**Commission**”). The Applicants requested that the Commission consider whether to amend the Zoning Ordinance with regard to dimensional standards in the H Hospital Zoning District (“**Zoning District**”) as set forth in **EXHIBIT A** attached hereto and made a part hereof (together the “**Amendments**”).

Notice and Hearing.

On November 16, 2022, 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, and continuations of the hearing requested by the Applicants and approved by the Commission at open meetings from time to time, the Commission conducted a public hearing on the application on May 4, 2023, 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 Applicants asked the Commission to review whether it is appropriate to make the Amendments to the Zoning Ordinance.
2. The Zoning Ordinance was adopted in its current form in September of 2017 and it has been amended several times since then.
3. The Amendments would reduce maximum building heights and increase building setbacks within portions of the Zoning District, reducing the volume of future building expansions.
4. The Applicants reside on properties in the vicinity of the Zoning District.
5. The Applicants do not own property in the Zoning District.
6. Rush Oak Park Hospital ("**Hospital**") appeared at the hearing.
7. The Hospital owns property in the Zoning District.
8. The Amendments would reduce building heights and increase building setbacks applicable to property owned by the Hospital in the Zoning District.
9. The Hospital objected to the Amendments.
10. The Commission heard testimony regarding the proposed Amendments from the Applicants, the Hospital, their respective witnesses, and members of the public.

Standards.

11. 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.

12. The Commission finds that the Amendments do not satisfy the standards in Subsection 14.1(E)(2), and that approval of the requested Amendments is not appropriate.

13. Specifically, the Commission finds that making the Amendments to the Zoning Ordinance would not promote the public health, safety, and welfare, would not 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 would not further the land planning goals of the Village of Oak Park.

14. The Amendments would reduce the maximum building height and increase building setbacks in a portion of the Zoning District, primarily impacting the Hospital.

15. The Commission noted that the Applicants proposing the Amendments do not own any property in the Zoning District, while the Hospital, which owns and operates Rush Oak Park Hospital in the Zoning District, strenuously objected to the Amendments.

16. The Commission finds that it would be inappropriate to reduce the maximum building heights and increase building setbacks applicable to the Hospital's property in the Zoning District on the specific facts and circumstances presented during the public hearing.

17. The Amendments would significantly reduce the future maximum developable volume in a portion of the Zoning District affecting the Hospital, and that reduction is unreasonable given the interests of the Applicants, the Hospital, and the residential neighborhood in the vicinity of the that portion of the Zoning District.

18. The proposed Amendments would interfere with reasonable future expansions of buildings within the Zoning District, including the Hospital campus.

RECOMMENDATION

Pursuant to the authority vested in it by the statues 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 DENIED by a 7-2 vote, and that the Amendments be made to the Zoning Ordinance not be approved.

This report adopted by a 9 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 4th day of May, 2023.

EXHIBIT A
AMENDMENTS

The Amendments to the Zoning Ordinance are in the attached document, with additions underlined and deletions struck through.

(attached)