

ATTACHMENT A

May 5, 2021

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

Re: Application of Real PT, LLC d/b/a The Movement Guild for a Special Use Permit to Operate a Physical Therapy Clinic to be located at 221 Harrison Street (Calendar No. 08-21-Z)

Dear Village President and Board of Trustees:

On March 25, 2021, Real PT, LLC d/b/a The Movement Guild (the "Applicant") filed an application (Calendar No. 09-21-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 physical therapy clinic to be located in the HS Harrison Street Zoning District at 221 Harrison Street, Oak Park, Illinois 60301 ("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 May 5, 2021 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 April 14, 2021, 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 physical therapy clinic located in the HS Harrison Street Zoning District.

The Subject Property.

2. The Subject Property is located on the south side of Harrison Street between Lombard Avenue and Highland Avenue and is located in the HS Harrison Street Zoning District.

3. The Applicant proposes to operate a physical therapy clinic within the existing CrossFit Spero facility at 221 Harrison Street.

The Applicant.

4. The Applicant is the lessee of the Subject Property. Sara Swiatlowski is the owner of the Subject Property and has consented to this filing of this Application.

5. The Applicant submitted evidence that the physical therapy clinic would allow for the successful development of the Subject Property.

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

7. 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); and
- d. Drawings.

Compatibility with Surrounding Uses.

12. The HS Harrison Street Zoning District is intended to accommodate the Oak Park Arts District on Harrison Street.

13. The Harrison Street Zoning District is a unique blend of retail, studio/performance space, and service establishments.

14. The proposed physical therapy clinic will operate inside a fitness center. Therefore, it will not occupy a space that is intended for retail, studio/performance or a service establishment.

Project Review Team.

17. 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.

18. The Team supports the special use application because a physical therapy clinic would draw clients that will patronize other businesses in the area.

The Need for Zoning Relief.

19. An applicant cannot operate a physical therapy clinic in the HS Harrison Street Zoning District without a special use permit. *Zoning Ordinance*, Section 8.3 (Table 8-1: Use Matrix).

The Special Use Standards.

20. A special use permit may be granted only if 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.

21. The evidence shows that the proposed physical therapy clinic is suitable within the HS Harrison Street Zoning District and is compatible with the surrounding neighborhood.

22. The evidence shows that the proposed physical therapy clinic will not have an impact on traffic patterns, pedestrian traffic or area parking.

23. The evidence shows that the proposed physical therapy clinic will provide a service that is in the interest of public convenience and will contribute to the general welfare of the community.

24. Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance requires a special use permit to operate a physical therapy clinic located in the HS Harrison Street Zoning District.

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

26. The evidence shows that the issuance of a special use permit for the Subject Property is in the best interest of the Village of Oak Park 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 5 - 0 , that the special use permit be granted pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance for a physical therapy clinic to be located at 221 Harrison Street, 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 any expansion in the use or change in the tenant, operator or use of the Subject Property will terminate the special use permit; and
2. 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 5 to 0 vote of this Zoning Board of Appeals, this 5th day of May, 2021.