

July 5, 2018

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

**Re: Application of Berwyn Properties, LLC for a
Vacation of a Portion of Scoville Avenue
North of Roosevelt Road and South of the
Alley Adjacently North – PC 18-06**

Dear President and Trustees:

History of Project.

On or about May 21, 2018, Berwyn Properties, LLC, of 6501 Roosevelt Road, Berwyn, Illinois 60402 (“Applicant”) filed an application for approval of the vacation of a portion of Scoville Avenue North of Roosevelt Road and South of the alley adjacently North, in Oak Park, Illinois, identified in the application (the portion of Scoville Avenue requested to be vacated being the “Subject Property”).

The portion of Scoville Avenue proposed to be vacated is approximately sixty-six feet (66’) in width (East to West) and one hundred twenty-four and ninety-eight hundredths feet (124.98’) feet long (North to South).

In conjunction with its application, the Applicant requests the Plan Commission (“Commission”) make findings of fact and give a recommendation regarding the request set forth above.

The Application and Notice.

On May 23, 2018, legal notice of the public hearing on the application was published in *The Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park, and at least fifteen (15) days prior to the public hearing legal notice was mailed by regular mail to property owners abutting the Subject Property.

Pursuant to legal notice, the Commission conducted a public hearing on the application on June 7, 2018 and July 5, 2018, 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

The Subject Property.

1. The Subject Property is an approximately eight thousand two hundred forty-eight (8,248) square feet parcel. The Subject Property is located in the RR – Roosevelt Road Zoning District. The Subject Property is currently a public through street bordered on the East and West side by property owned by the Applicant.

The Applicant.

2. The Applicant is the owner of 6530-32 Roosevelt Road and 6500-28 Roosevelt Road, Oak Park, Illinois 60304 (“Commercial Properties”).

Requested Approvals – Street Vacation.

3. The Applicant seeks to obtain ownership of the Subject Property from the Village through a vacation (“Vacation”).

4. The Applicant makes the Vacation request along with an application before the Plan Commission to consolidate and redevelop the Subject Property and the Commercial Properties with a planned development, as set forth in the application in Plan Commission docket 18-06.

5. The Subject Property bisects the Commercial Properties from North to South.

6. The Applicant must own the Subject Property in order to create contiguity between the Commercial Properties to allow for their consolidation and for the planned development proposed in Plan Commission docket 18-06 to occur.

7. During the public hearing there was discussion regarding the Vacation. The Applicant presented information and materials suggesting that the Vacation would serve the public's interest and that the Vacation would have no negative impact to surrounding property owners, business owners or residents in the area of the Subject Property.

8. Evidence was presented that the Vacation would benefit the public interest by eliminating commercial through traffic on Scoville Avenue to the residential neighborhood to the North of the Subject Property and by creating an aesthetically pleasing barrier for the adjacent residential neighborhood from commercial properties and Roosevelt Road.

Policy and Procedures.

9. In April of 2000, the Village adopted the "Alley and/or Street Vacation Policy and Procedures." The "Policy Statement" therein states that:

The President and Board of Trustees may vacate a street or alley, or part thereof, by ordinance whenever they determine that the public interest will be subserved by vacating such street or alley, or part thereof. The determination of the

President and Board of Trustees in this regard is conclusive, and the passage of such an ordinance shall be sufficient evidence of that determination whether so recited in the ordinance or not. The relief to the public from further burden and responsibility of maintaining any street or alley, or part thereof, constitutes a public use or public interest authorizing the vacation.

10. After considering the application, the testimony and materials presented at the public hearing, and after deliberating, the consensus of the Commission members was that the Vacation is a reasonable request given that the Applicant owns the Commercial Properties to the East and West of the Subject Property, and that relieving the Village of the maintenance obligations relative to the Subject Property would serve the public's interest.

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 public interest would be subserved by vacating the 66' x 124.98' portion of Scoville Avenue to the Applicant, as the requested Vacation was presented to the Village, and that the Vacation be APPROVED.

This report adopted by a 7 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 5th day of July, 2018.