

ORDINANCE

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A MAJOR PLANNED DEVELOPMENT CONTAINING A FOUR-STORY EDUCATIONAL INSTITUTION BUILDING ADDITION AT THE PROPERTY LOCATED AT 201 NORTH SCOVILLE AVENUE

WHEREAS, on or about July 7, 2023, Oak Park River Forest High School District No. 200 ("Petitioner") filled an application with the Village of Oak Park ("Village") for a major planned development for the property commonly known as 201 North Scoville Avenue ("Subject Property"); and

WHEREAS, on July 19, 2023 legal notice of the public hearing was duly published in the *Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park; and

WHEREAS, on August 3, 2023, the Plan Commission held a public hearing on the Petitioner's application; and

WHEREAS, the Plan Commission recommended approval with conditions by a vote of six (6) to zero (0); and

WHEREAS, the Plan Commission adopted its written Findings of Fact and Recommendation on the application at its meeting of August 3, 2023, which is attached hereto and incorporated herein; and

WHEREAS, the President and Board of Trustees have received the Findings of Fact and Recommendation of the Plan Commission with respect to the application; and

WHEREAS, the Village Board finds that the application meets the standards for a planned development major modification set forth in Section 14.1(E)(1); and

WHEREAS, the President and Board of Trustees have determined the Planned Development major modification set forth in the Petitioner's application should be granted by the President and Board of Trustees as it is in the best interests of the Village.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Adoption of Findings of Fact and Recommendation. The Plan Commission's Findings of Fact, together with all reports and exhibits submitted as part of the public hearing, are hereby incorporated by reference herein and are adopted and approved.

Section 3. Approval of a Special Use Permit for a Major Planned Development. The application for a special use permit for a major planned development as submitted by the Petitioner is approved in accordance with the application on file with the Village, including the requested allowances, subject to the conditions set forth in Section 2 above.

Section 4. Revision to Village Zoning Map. The Zoning Administrator is hereby authorized and directed to revise the Official Zoning Map of the Village to reflect the existence and boundaries of the new planned development authorized herein by the special use permit.

Section 5. Planned Development Time Limits. The planned development approved herein is subject to the time limits for the application for a building permit and commencement of construction set forth in Section 14.5 (G)(2-3) of the Village Zoning Ordinance.

Section 6. Sale or Transfer of Property. At least forty-five (45) days prior to any sale or transfer of ownership of the Property, the Petitioner shall provide the Village with the name of any future owner(s) of the Property and proof that the new owner(s) has the financial capabilities to complete the planned development approved herein, which may include the posting of a bond or other surety with the Village. Additionally, any new owner(s) shall be required to provide proof to the Village that the new owner(s) has read and understands this Ordinance and the incorporated Findings of Fact and Recommendation and shall execute a Transferee Assumption Agreement or similar agreement that binds the new owner(s) to the terms of said documents and said agreement shall be subject to the review and approval of the Village Attorney. If the new owner(s) fails to meet the conditions of this Section, the approvals granted herein shall be null and void.

Section 7. Sale or Transfer of Property Prior to the Issuance of a Building Permit. If the Property is sold or transferred at any time prior to the issuance of a building permit for the planned development approved herein, the new owner shall be obligated to reapply for the approvals granted herein, which shall include the public hearing process set forth in the Village's Zoning Ordinance for said approvals.

Section 8. No Authorization of Work. This Ordinance does not authorize the commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

Section 9. Agreement to Terms of Ordinance. As a condition of the special use permit granted herein, this Ordinance shall be signed by an authorized officer of the Petitioner to signify its agreement to the terms hereof.

Section 10. Violation of Condition or Code. Any violation of (i) any term or condition set forth in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall

be grounds for the immediate rescission of the approvals granted pursuant to this Ordinance.

Section 11. Further Extensions Subject to Fees. The planned development approved herein is subject to the time limits set forth in Section 14.5(G)(2/3) of the Village's Zoning Ordinance. If the Petitioner submits a request to extend the applicable time limits for an application for a building permit or completion of the development, the Petitioner shall pay the following fees in order to reimburse the Village for its costs in processing any such extension request(s) and in order to enforce the applicable provisions of the Village's Zoning Ordinance: (1) no fee shall be applicable to the first extension request; (2) if the Petitioner applies for a second extension, the Petitioner shall pay to the Village an additional planned development application fee if such extension is granted; (3) if the Petitioner applies for a third extension request, the Petitioner shall pay to the Village two (2) times the applicable planned development application fee if the extension is granted; and (4) for each extension request thereafter, the Petitioner shall pay to the Village three (3) times the applicable planned development application fee if any further extension is granted.

Section 12. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 13. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

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ADOPTED this 5th day of September, 2023, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

APPROVED this 5th day of September, 2023.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 5th day of September, 2023.

Christina M. Waters, Village Clerk

ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER TO THE CONDITIONS OF THIS ORDINANCE:

PETITIONER – OAK PARK RIVER FOREST HIGH SCHOOL DISTRICT NO. 200

By: Gregory Johnson
Its: Superintendent

Dated: _____, 2023