**ATTACHMENT A**

July 22, 2015

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

Re: Application of Fenwick High School, for a Special Use Permit for an Accessory Parking Lot to be located at 516, 520 and 544 Madison Street, Cal. No. 08-15-Z.

Dear President and Trustees:

On or about June 29, 2015, Fenwick High School, as sole member of 516 W. Madison, LLC, 520 West Madison, LLC, and 544 West Madison, LCC, being three (3) Illinois limited liability companies, of 505 West Washington Boulevard, Oak Park, Illinois

60302 (the "Applicant"), filed an application for issuance of a special use, pursuant to Sections 4.5.2(P) and 6.3 of the Village of Oak Park Zoning Ordinance (the "Zoning Ordinance"), authorizing the use of an off-street parking lot, and requesting relief from Sections 3.9.6(G), 6.4.3, and 6.4.4 of the Zoning Ordinance, regarding requirements that off-street parking be located behind buildings, as well as the waiver of certain landscaping required around the perimeter and the interior of off-street parking lots. The off-street parking lot is proposed as a temporary use for the property commonly known as 516, 520 and 544 West Madison Street, Oak Park, Illinois (the "Subject Property").

On July 20, 2015, the Village President and Board of Trustees referred the matter to the Zoning Board of Appeals (the "Board"), pursuant to the authority conferred by Section 2.2.3(C) of the Zoning Ordinance, to hold the required public hearing and to make a recommendation regarding this matter to the Village Board of Trustees.

A public hearing was scheduled for July 22, 2015, at 7:00 PM in the Council Chambers of the Village Hall, 123 Madison Street, Oak Park, Illinois, for the hearing on the application.

Notice of the time and place of that public hearing was published on July 1, 2015, in the "Wednesday Journal," a newspaper of general circulation in the Village of Oak Park. A notice was posted at the Subject Property and letters were also mailed to owners of record within five hundred (500) feet of the Subject Property as provided by the Applicant, advising them of the proposal and the public hearing to be held. The Board held the hearing at such time and place, at which a quorum of this Board was present.

Having heard and considered the testimony and evidence received at the public hearing, the Board makes the following findings:

## FINDINGS OF FACT

The Subject Property.

1. The Subject Property is a lot of approximately 25,596 square feet with no improvements thereon, located at 516, 520 and 544 Madison Street, Oak Park, Illinois.

2. The Subject Property on the north side of Madison Street, and is situated between East Avenue to its west and Scoville Avenue to its east.

3. The Subject Property is located in the C Commercial District, and with properties also within the C Commercial District to the west, east, and south, and with a property within the R-7 Multiple Family District to the north.

4. The Applicant requests a special use to operate an off-street parking lot on the Subject Property, and requesting relief from Sections 3.9.6(G), 6.4.3, and 6.4.4 of the Zoning Ordinance, regarding requirements that off-street parking be located behind buildings, as well as the waiver of certain landscaping required around the perimeter and the interior of the off-street parking lot.

5. The Applicant submitted the following documents, which were filed with the Development Customer Services Department, and were entered into the record before the Board at the July 22, 2015, public hearing:

a. Application for Special Use

b. Case Description

c. Special Use Standards

d. Satellite Image of Subject Property

e. Line Drawing of Subject Property with Parking Schematic

f. Renderings of Subject Property

g. Staff Report

6. Two members of the public appeared at the public hearing to speak about the Applicant's proposal. In summary, members of the public stated as follows regarding the Application: they expressed concern regarding the Applicant's acquisition of properties in the area, concern regarding the landscaping waivers, and concern regarding the lack of bicycle improvements.

7. The Subject Property is located within the area of the Madison Street Overlay District (the "MSOD") and the Madison Street Corridor Plan (the "MSCP").

8. The purpose of the MSOD is to ensure development within the Madison Street corridor is consistent with the MSCP.

9. The MSCP identifies the area around the Subject Property as being in the center of the Madison Street corridor.

10. The MSCP contains "Vision Alternatives," which set forth specific development opportunities within the Madison Street corridor.

11. Vision Alternative C in the MSCP states that a development opportunity in the area around the Subject Property that "Fenwick School obtains frontage on Madison Street to increase its visibility and connectedness to surrounding commercial uses that are patronized by the many athletes and spectators that are drawn to its outstanding gymnasium and natatorium facilities."

12. The Subject Property, prior to the recent demolition of the structures thereon, was previously used as a storage facility for the Applicant, a laundromat, and an automobile repair facility.

The Proposed Off-Street Parking Lot.

13. The Applicant proposes to build a temporary off-street parking lot on the Subject Property with 65 car parking spaces and approximately 6-8 bus parking spaces.

14. The lot would have ingress and egress to and from East Avenue.

15. The lot would not be behind a building.

16. The lot would have a landscape buffer 30 inches wide along both the Madison Street frontage of the Subject Property and the East Avenue frontage of the Subject Property.

17. The lot would not have a fence around it.

18. The lot is temporary in that it would be used until further development of the Fenwick High School campus is complete, at which time the Applicant is considering removal of the lot, and converting the Subject Property into an open space for pedestrians as part of a master campus plan.

Compatibility With Surrounding Land Uses.

19. The Subject Property is currently vacant, other than a structure on 516 West Madison Street, the structures thereon recently being demolished. The structure on 516 West Madison Street will be demolished in the near future.

20. The neighboring land uses are Fenwick High School to the north, service-retail to the east, retail to the west, and service-retail to the south.

21. The proposed use would serve some of the parking needs of Fenwick High School, and would result in fewer vehicles being parked on the streets in the vicinity of Fenwick High School.

22. There is a need for additional off-street parking in the vicinity of the Subject Property, and fewer vehicles parked on the street would lessen the problems associated with the lack of on-street parking in the area.

Envision Oak Park – The Comprehensive Plan.

23. The proposed parking lot primarily affects two (2) recommendation chapters within the Comprehensive Plan: (1) Land Use and Built Environment; and (2) Transportation, Infrastructure, and Communication Systems.

24. Within both chapters, the Comprehensive Plan establishes goals and objectives that set the standards for development.

25. The Comprehensive Plan encourages strengthening commercial districts as well as ensuring that the land use impacts of parking are efficiently managed.

26. As with the MSCP, the Comprehensive Plan supports the expansion of parking in areas where additional parking is needed.

The Need for Zoning Relief.

27. The Applicant cannot operate an off-site parking lot on the Subject Property without a special use. (Zoning Ordinance, Sections 4.5.2(P) and 6.3.)

The Special Use Standards.

28. A special use may be granted and the applicable district regulations modified only if evidence is presented to meet the following standards pursuant to Section 2.2.3(D) of the Zoning Ordinance:

a. The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community;

b. The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;

c. The proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations;

d. The proposed building or use complies with the more specific standards and criteria established for the particular building or use in

question by Sections 2.2.7 (Planned Development Procedures) and 4.5 (Special Uses) of the Zoning Ordinance;

e. The proposed building or use has been considered in relation to the goals and objectives of the Comprehensive Plan; and

f. There shall be reasonable assurance that the proposed buildings or use will be completed and maintained in a timely manner, if authorized.

29. The evidence indicated that the temporary off-street parking lot is necessary and desirable and would add off-street parking in an area of the Village that needs additional off-street parking.

30. As conditioned below, the evidence indicated that the lot will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities or other matters affecting the public health, safety and general welfare.

31. The evidence indicated that the lot will permit and encourage the development and use of neighboring property in accordance with applicable district regulations, in that additional off-street parking in the vicinity of the Subject Property will allow additional on-street parking opportunities for neighboring properties.

32. The evidence indicated that the more specific standards and criteria in Sections 3.9.6(G), 6.4.3, and 6.4.4 of the Zoning Ordinance, regarding requirements that off-street parking be located behind buildings, and landscaping required around the perimeter and the interior of the off-street parking lot, would not be met. The evidence indicated that the Applicant requested waivers of these requirements, and that given the temporary nature of the lot, waiver of these requirements is appropriate.

33. The evidence indicated that the proposal furthers certain parking goals of the Comprehensive Plan in that the proposed use provides additional off-street parking.

34. The evidence indicated reasonable assurance by the Applicant that its proposal will be constructed and completed in a timely manner if authorized. If the requested special use permit is granted, the Applicant expects to commence construction soon, having already submitted plans to the Village for review, and will comply with the Village's building code.

35. As conditioned below, the evidence indicated that the issuance of a special use permit allowing the temporary parking lot on the Subject Property is in the best interest of the Village.

## RECOMMENDATIONS

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, this Board, sitting as a Zoning Commission, by a vote of 5 to 0, hereby recommends to the President and Board of Trustees that a special use permit be granted to the Applicant, Fenwick High School, as sole member of 516 W. Madison, LLC, 520 West Madison, LLC, and 544 West Madison, LCC, being three (3) Illinois limited liability companies, of 505 West Washington Boulevard, Oak Park, Illinois 60302, pursuant to Sections 4.5.2(P) and 6.3 of the Zoning Ordinance, authorizing the use of an off-street parking lot, and waiving strict compliance with Sections 3.9.6(G), 6.4.3, and 6.4.4 of the Zoning Ordinance, regarding requirements that off-street parking be located behind buildings, as well as the waiver of certain landscaping required around the perimeter and the interior of the off-street parking lot, SUBJECT TO the following conditions and restrictions:

1. That on the Subject Property a 5 foot landscape buffer consisting of grasses and no trees along Madison Street be placed, and a 30 inch landscape buffer of grasses and no trees along East Avenue be placed, except for permitted access points to and from the Subject Property, and no fence shall be required.

2. That the special use granted for an off-site parking lot shall expire ten (10) years from the date of approval by the Board of Trustees, if not earlier rescinded, revoked, terminated or otherwise ended.

3. That: (i) the curb-cut on the Subject Property at 544 West Madison Street onto Madison Street be removed, (ii) that the curb-cut on the Subject Property at 520 West Madison Street be removed after completion of the structure on 516 West Madison Street, leaving only one curb-cut on the Subject Property at 516 West Madison Street to Madison Street, for school bus access, and (iii) that the south curb cut at 544 West Madison Street be removed, leaving only one curb cut on the Subject Property to East Avenue, at the north end of 544 West Madison Street.

4. That on the Subject Property trees be added at the northwest and southwest corners of 544 West Madison Street property.

5. That this special use shall be limited to the current use and Applicant, and any expansion in the use or change in the owner, operator or use of the Subject Property shall terminate this special use; and

6. That in the event that any of these conditions and restrictions shall not be fulfilled at any time in the future, said events 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 Commission, this 22nd day of July, 2015.