

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 3 ("ZONING DISTRICT REGULATIONS"), SECTION 3.9.8 ("ROOSEVELT ROAD FORM-BASED ZONING OVERLAY DISTRICT"), SUBSECTION M ("USES") OF THE VILLAGE OF OAK PARK ZONING ORDINANCE TO ADD SECOND-HAND STORES ON THE GROUND FLOOR OF MIXED-USE SHOPFRONTS AS A PERMITTED USE

WHEREAS, at its meeting of July 17, 2017, the Board of Trustees of the Village of Oak Park ("Village") referred to the Zoning Board of Appeals for public hearing on the application of Denise Szymcyk ("Petitioner") for a text amendment to Article 3 ("Zoning District Regulations"), Section 3.9.8 ("Roosevelt Road Form-Based Zoning Overlay District"), Subsection M ("Uses") of the Village of Oak Park Zoning Ordinance by adding second-hand stores on the ground floor of mixed-use shopfronts as a permitted use in the Roosevelt Road Form-Based Zoning Overlay District; and

WHEREAS, at a meeting held on August 2, 2017, the Zoning Board of Appeals held a public hearing on the Petitioner's application for the text amendment; and

WHEREAS, notice of the public hearing was published in the *Wednesday Journal* on July 19, 2017; and

WHEREAS, the Zoning Board of Appeals recommended that the text amendment be approved by a vote of six (6) in favor and zero (0) against; and

WHEREAS, the Zoning Board of Appeals adopted its written Findings and Recommendation on the application as its meeting on August 2, 2017, which is attached hereto and incorporated herein as Attachment A; and

WHEREAS, the President and Board of Trustees have received the Findings and Recommendation of the Zoning Board of Appeals with respect to the application for the text amendment; and

WHEREAS, the President and Board of Trustees of the Village have considered the recommendation of the Zoning Board of Appeals and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to grant the text amendment as provided in this Ordinance.

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 Findings of Fact and Recommendation of the Zoning Board of Appeals, together with all reports and exhibits submitted at the public hearing, are hereby incorporated by reference herein and are approved.

Section 3. Zoning Ordinance Amended. Article 3 (“Zoning District Regulations”), Section 3.9.8 (“Roosevelt Road Form-Based Zoning Overlay District”), Subsection M (“Uses”) of the Village of Oak Park Zoning Ordinance is amended by adding the underlined language in Table 1 (“Development Type and Permitted Uses”) to add second-hand stores on the ground floor of mixed-use shopfronts as a permitted use, to read as follows:

Table 11: Development Type and Permitted Use

Category	Development Type								Other Regulations
	One Story Shopfront	Ground floor Mixed Use Shopfront	Upper floor	Commercial	Multi-Dwelling	Townhouse	Civic	Open Space/Parking	
P= Permitted Use; S=Special Use; - = Not Allowed									
Retail									
<u>Second-hand store</u>	-	P	-	-	-	-	-	-	

Section 4. 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 5. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 5th day of September, 2017, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Button				
Trustee Moroney				
Trustee Taglia				
Trustee Tucker				

APPROVED this 5th day of September, 2017.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 5th day of September 2017.

Vicki Scaman, Village Clerk