

ORDINANCE

AN ORDINANCE GRANTING MAJOR MODIFICATIONS TO THE PLANNED DEVELOPMENT APPROVED PURSUANT TO ORDINANCE NUMBER 18-386 FOR THE PROPERTIES LOCATED AT 6500-6538 ROOSEVELT ROAD

WHEREAS, on or about December 16, 2022, Dei Cugini, LLC and Berwyn Properties, LLC, (“Petitioners”) filled an application with the Village of Oak Park (“Village”) for major modifications to a planned development granted by the Village of Oak Park on July 23, 2018 in Ordinance 18-386 for the properties commonly known as 6500 Roosevelt Road (“Subject Property”); and

WHEREAS, on November 21, 2022 the Village Board referred the application to the Plan Commission for a public hearing; and

WHEREAS, on December 21, 2022 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 January 5, 2023, the Plan Commission held a public hearing on the Petitioners’ application; and

WHEREAS, the Plan Commission recommended the major modifications be granted with conditions by a vote of seven (7) to zero (0); and

WHEREAS, the Plan Commission adopted its written Findings of Fact and Recommendation on the application at its meeting of January 5, 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 Petitioners’ 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 and Recommendation, 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. Granting of Major Modifications to the Planned Development. The Petitioners' application for major modifications to the planned development to add increased parking spaces and associated landscaping is granted pursuant to the application on file with the Village and the Plan Commission's Findings of Fact and Recommendation, with the exception that delivery trucks/vans shall be prohibited from parking on or at the Subject Property.

Section 4. Ordinance Number 18-386 to Remain in Effect. Except as otherwise provided in this Ordinance, Ordinance Number 18-386 and all other applicable Village regulations and ordinances, including the Village's Zoning Ordinance, shall remain in full force and effect with regard to the Property.

Section 5. 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 Subject 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 6. Agreement to Terms of Ordinance. This Ordinance shall be signed by authorized officers of the Petitioners to signify their agreement to the terms hereof.

Section 7. 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 8. 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 9. 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 6th day of February, 2023, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enya				
Trustee Parakkat				
Trustee Robinson				
Trustee Taglia				
Trustee Wesley				

APPROVED this 6th day of February, 2023.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 6th day of February, 2023.

Christina M. Waters, Village Clerk

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

APPLICANT – DEI CUGINI, LLC

_____ Dated: _____, 2023
By:
Its:

APPLICANT – BERWYN PROPERTIES, LLC

_____ Dated: _____, 2023
By:
Its:

