

August 3, 2016

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

Re: Cal. No. 20-16-Z; Application of Unity Temple for a zoning text amendment, to allow an ancillary building to a church/mosque/temple as a permitted use in the B-1/B-2 Business District.

Dear President and Trustees:

On or about June 23, 2016, Unity Temple Unitarian Universalist Congregation (“Unity Temple” or the “Applicant”) proposed a text amendment to the Zoning Ordinance amending Article 3 (“Zoning District Regulations”), 3.1 (“Summary Use Matrix”) to allow Unity Temple to operate an “ancillary building” as a permitted use in the B-1/B-2 General Business District, and an amendment to Article 9 (“Definitions”) by adding a new definition of “Buildings Ancillary to Church/Mosque/temple to read as follows: “Buildings Ancillary to Church/Mosque/Temple. Buildings operated by a Church, Mosque or Temple which are devoted to recreational or administrative activities or to group activities, other than attending worship services, located on a lot other than that containing the principal church, mosque or temple building.” The Village Board directed this matter to the Zoning Board of Appeals at their July 18, 2016 meeting for review and recommendation via a public hearing process.

Michael Quinn, Chairperson of the Zoning Board of Appeals, originally set Wednesday evening, August 3, 2016, at 7:00 p.m. as the date and hour of a public

hearing to be held in the Council Chambers of the Oak Park Village Hall, Madison Street and Lombard Avenue, Oak Park, Illinois.

The notice of the time and place of said public hearing was duly published on July 20, 2016, in the "The Wednesday Journal," a newspaper of general circulation in the Village of Oak Park, and a sign notifying the passers-by of these proceedings was posted on the Subject Property.

This Zoning Board of Appeals, having fully heard and considered the testimony of all those present at the hearing who wished to testify and being fully advised in the premises, makes the following findings and recommendations to the President and Board of Trustees, pursuant to Section 2.2.2(E) of the Village Zoning Ordinance:

The Proposal.

1. The Applicant, Unity Temple Unitarian Universalist Congregation located at 875 Lake Street, is applying for a Zoning Ordinance text amendment (Ancillary Buildings to a Church) to list it as a permitted use in the B-1/B-2 General Business District, in support of their proposed use of the space at 1019 South Boulevard.

2. The proposal is for Unity Temple to remodel the existing billiard parlor and use the space for the church's administrative offices and Sunday school.

3. According to the Applicant, "The classrooms would also be used as meeting space when necessary for staff and congregation members, committees, etc. Finally, we host meetings for AA/AL Anon, and similar community programs."

4. The character of the neighborhood is generally commercial in nature, the Subject Property being formerly used as a community meeting place, (a billiard parlor), which would not be substantially affected by the change to a ancillary church use..

5. The evidence indicated that the properties in the B-1/B-2 zoning districts would not be substantially affected by the proposed change, in that the scope of likely church ancillary uses would be limited; however, the proposed zoning change would allow more flexibility of property uses for community uses related to churches, mosques and temples.

6. There was no evidence to indicate that the text amendments would diminish the values of the surrounding properties of the Subject Property.

7. The evidence indicated that the planned adaptive reuse of the Subject Property would be well-suited to this particular area in the Village.

8. The evidence indicated that the proposed text amendments would allow the use of a vacant existing structure.

9. As no discernible hardships were shown by the evidence, the evidence indicated that the proposed text amendments would benefit the Subject Property in a comparatively favorable way.

10. The proposed text amendments would promote the health, safety, morals or general welfare of the public by ensuring an adaptive reuse of an existing structure.

11. The members of the ZBA expressed concern of the wide-ranging implications of such a change allowing these ancillary buildings as of right in all B-1/B-2 General Business Districts.

Current Code Provisions.

12. The proposed uses are most similar to “Buildings Ancillary to Church/Mosque/Temples” as currently described in Section 4.5.2 (F) of the Zoning Ordinance under “Authorized Special Uses” as follows:

“Buildings operated by a Church, Mosque or Temple which are devoted to recreational or administrative activities or to group activities, other than attending worship services, located on a lot other than that containing the principal church, mosque or temple building, in R-7 Districts or more-restrictive district shall be permitted as a special use.”

13. This use contemplates allowing a church, mosque or temple to operate via a special use permit ancillary buildings for administrative purposes or group activities in a separate building located in residential districts, wherein the majority of the Village’s religious institutions are located.

14. This proposal, however, plans to operate an ancillary building to Unity Temple in a B-1/B-2 General Business District. In order to allow this use on its property, Unity Temple has proposed a text amendment to the Zoning Ordinance to Article 3 and Article 9.

15. Specifically, Article 3 (“Zoning District Regulations”), 3.1 (“Summary Use Matrix”) would need to be amended to allow the proposed use as a permitted use in the B-1/B-2 General Business District, the zoning classification for the Applicant’s location on South Boulevard. Likewise, Article 9 (“Definitions”) would be modified to include the following definition:

“Buildings Ancillary to Church/Mosque/Temple. Buildings operated by a Church, Mosque or Temple that are devoted to recreational or administrative activities or to group activities, other than attending worship services, located on a lot other than that containing the principal church, mosque or temple building.”

Village Staff Recommendation.

16. Village Staff is in support of this application, stating that the uses that make up this proposed text amendment would be allowed in the subject district, but for the fact that they are associated with a religious organization.

RECOMMENDATIONS

17. Based on the foregoing findings, the Zoning Board of Appeals recommends, by a vote of 4-1-1, that Section 3.1 of the Zoning Ordinance (“Summary Use Matrix”), be amended as follows:

“SUMMARY USE MATRIX

USES ALLOWED BY ZONE DISTRICT																
(P = PERMITTED S = SPECIAL Blank = NOT PERMITTED)																
POD= Perimeter Overlay District TRROD= Transit-Related Retail Overlay District HMOD= Lake Street Building Height and Massing Overlay District MarSOD = Marion Street Overlay District RROD= Roosevelt Road Form-Based Overlay District																
			RESIDENTIAL DISTRICTS									NON RESIDENTIAL DISTRICTS			ADDITIONAL REGULATIONS	
	Use Category															
SPECIFIC USE TYPE	R1	R2	R3	R4	R5	R6	R7	MS	H	B1 B2	B3	B4	C			
Church/Temple/ Mosque – Ancillary Building	S	S	S	S	S	S	S			P				Ancillary buildings are special use in residential districts: See § 4.5.2(F) RROD § 3.9.8(M)(3).		

18. Based on the foregoing findings, the Zoning Board of Appeals recommends, by a vote of 4-1-1, that Article 9 of the Village Zoning Ordinance (“Definitions”) be amended to add a new subsection 9.26 (“Building, Ancillary to Church/Mosque/Temple”), sequentially renumbering the following definitions, accordingly, said new subsection to state as follows:

“9.26 Building, Ancillary to Church/Mosque/Temple

“Buildings operated by a Church, Mosque or Temple that are devoted to recreational or administrative activities or to group activities, other than attending worship services, located on a lot other than that containing the principal church, mosque or temple building..”

This Report ADOPTED by a 4-1-1 vote of the
Zoning Board of Appeals at a public
meeting this 3rd Day of August, 2016.