

MINUTES  
MEETING OF THE OAK PARK PLAN COMMISSION  
VILLAGE HALL- COUNCIL CHAMBER  
January 5, 2017  
7:00 p.m.

PRESENT: Chair David Mann; Commissioners Lawrence Brozek, Jeremy Burton, Mark Gartland (arrived at 7:04pm), Doug Gilbert, JoBeth Halpin, Greg Marsey, Paul May and Kristin Nordman

EXCUSED: None

ALSO PRESENT: Craig Failor, Village Planner; Jacob Karaca, Plan Commission Attorney  
Arista Strungys, Camiros Ltd., Zoning Consultant

**Roll Call**

Chair Mann called the meeting to order at 7:03 p.m. Roll was called. A quorum was present.

**Non-Agenda Public Comment**

None.

**Approval of Minutes**

Commissioner Burton noted a correction on page one. Commissioner Burton moved to approve the minutes from December 1, 2016. Commissioner May seconded. A voice vote was taken and the minutes were approved unanimously with the change.

**Public Hearing(s)**

*A public hearing shall be held by the Plan Commission to consider the application of the Village of Oak Park for a comprehensive update of the Oak Park Zoning Ordinance and Map. Continued from December 1, 2016.*

Chair Mann noted this was a continuance of the public hearing.

Mr. Failor referred commissioners to a memo from Camiros, the zoning consultant, regarding nonconforming properties of single family and two family dwellings located in commercial and business districts; the memo outlined the requirements for those nonconformities as this was missing in the draft prior to this memo. He said another issue the zoning administrator requested be reviewed was the R4 and R3-35 regulations for side yard setbacks. Ms. Strungys suggested a simpler proportional standard, “five feet or 10 percent of lot width, whichever is less”. She said this would protect the larger lots from building out too much. Attorney Karaca said this issue came up in a Zoning Board of Appeals hearing yesterday on a lot that was 25 feet wide but had a five foot side yard setback requirement. Staff asked commissioners for comments or questions on these two items. Chair Mann said they sounded logical and fair.

Mr. Failor said the last item up for discussion was the Hospital District dimensional standards. He said staff had conversations with both hospitals and they had come to an agreement on modifying their height and setbacks. Attorney Karaca clarified the hospitals agreed to not object to changes in the zoning code language. Mr. Failor agreed. Mr. Failor said Rush Oak Park hospital was agreeable to a height restriction east of Wisconsin Avenue “extended” from the 125 feet requirement downsized to 80 feet and a 50 foot setback where property abuts the rear yards of adjacent residential properties. Mr. Failor said West Suburban Hospital was agreeable to reducing the height and setback west of Humphrey Avenue “extended” to a 50 foot height maximum and a 50 foot setback from the rear property lines of abutting

residential. Mr. Failor noted on either side of the streets the zoning would remain the same as the current zoning requirements.

Commissioner Marsey asked about shadow studies for Rush Oak Park hospital. Ms. Strungys said shadow studies were only prepared for West Suburban. Mr. Failor noted most of the shadows from the Rush property would fall on its own property, not in residential areas. Chair Mann said Rush Oak Park abuts residential on the south only. Mr. Failor said there was residential west of Wisconsin Avenue with only two lots abutting a rear or side yard to the south.

Chair Mann opened public comment and asked that comments be limited to the new information presented tonight. Attorney Karaca swore in those wishing to speak.

Ms. Jennifer Misiak, 167 N. Humphrey Ave., said she sent a letter this afternoon and wanted to present another 150 signatures from the neighborhood requesting setbacks of 50 feet and height restrictions of 50 feet next to all residential properties. She said they were also requesting a planned development or other residential standards be put in place that would protect the residential feel of the neighborhood. She provided commissioners copies of images of the West Suburban campus. She said this was a neighborhood of single family homes. She noted in the picture of the Austin façade there was a 14 story tower in the far distance and it showed how massive it was and it was not abutting residential homes. She said neighbors would prefer if anything get rebuilt it would be the nursing college on Erie. She said as the code was written she was concerned about parking and traffic guidelines if there wasn't a public hearing.

Mr. Harold Hering, 422 N. Humphrey Ave., said he has concerns regarding the setback and allowable height. He said he's in opposition to blindly developing and building in residential neighborhoods without looking at the impact to the neighborhood. He said he has volunteered at the Frank Lloyd Wright Home and Trust and it pained him to see some of the development that has occurred in Oak Park as there was a lack of thought and foresight to allow developments to be built without real consideration of issues like aesthetics and height.

Mr. Chris Wyatt, 322 N. Humphrey Ave., said in the shadow analysis his property was the one in shadow almost all of the time. He read aloud the email he sent prior, saying he would like to have the restrictions west of Humphrey be applied to north of Erie Court as well.

Mr. Matt Amenio, 325 N. Humphrey Ave., was a new property owner in the area. He said he would like commissioners to consider pushing the height south and east more towards Austin as there were more multifamily and commercial properties. He said the 125 feet allowance posed a problem to homes near it and affected property values long term. He said he finds it alarming that the village wanted him to keep the historic nature of his home but the zoning affected the character of the entire historic neighborhood.

Chair Mann closed public testimony.

Chair Mann asked commissioners for comments. Commissioner Gilbert addressed the resident's issue on parking requirements and noted parking was covered in section 10 and the hospital would have to meet the requirements or ask for a variance or possibly a planned development. Commissioner Gilbert asked if any new land was included in the hospital zoning. Ms. Strungys said no new land was added.

Chair Mann asked about the historic district overlapping with the hospital district. Mr. Failor said most of it was in the historic district except for the parking garage. Chair Mann noted that the Historic Preservation Commission would review development. Commissioner Gilbert agreed. Commissioner Marsey said this would partially address neighbor concerns regarding development oversight. Chair Mann asked about planned development requirements. Mr. Failor said currently it was 10,000 square feet of

land or building and asking for relief from the zoning code would put it into a planned development. In the new code, it would be 20,000 square foot building and asking for relief.

Commissioner Marsey said the real issue was height and shadow. Ms. Strungys noted the shadow study shows the maximum buildout allowed. Commissioners discussed the shadow study. Commissioner Marsey asked if a way to mitigate homes in perpetual shadow would be to reduce the 125 foot height area to 50 feet. Mr. Failor noted in December there wouldn't be relief but in other scenarios it would provide some relief. Chair Mann noted other hours were not included on the shadow study. Chair Mann noted the current code allowed for 125 feet height on the entire lot. Commissioner May asked about the height of the current parking structure. Mr. Failor said about 35 feet tall. Commissioner Gartland asked about community concerns that had come up back with the emergency room development. Mr. Failor said there was a lot of discussion about vehicular traffic, screening the drop off area, restrictions on sirens on Humphrey Ave., a restrictor on Humphrey so traffic can't go south, an interior bay for ambulances, an historic home was removed and a buffer was placed along the street. Commissioner Burton recalled windows were redone to reduce light spillover.

Chair Mann asked staff if there was discussion regarding continuing the 50 foot height restriction along the top of the parking garage abutting the residential properties to the north. Mr. Failor said in discussion with West Suburban Hospital, they reported no plans to do any building on the site, but if they were to do anything they would add floors to the garage. Mr. Failor noted this was with the current hospital owner and ownership always can change. Commissioner Marsey said neighbors to the garage area would like some procedural protection and suggested restricting the height to give neighbors protection and chance for public hearing. Commissioners discussed variance and planned development procedures. Commissioner Halpin said the area to the north was problematic and suggested keeping a 50 foot height maximum on the north end to give relief to neighbors. Commissioner Burton asked about parking maximums and suggested this would trigger a variance. Ms. Strungys said the code had parking maximums in parking lots but not structures.

Commissioner Brozek suggested commissioners should consider the scale of the surrounding area and would it be correct to have 125 feet tall buildings next to a residential area. Commissioner Gilbert noted the height allowance has been 125 feet tall in the current code for many years. Commissioner Halpin said the height should be restricted. Chair Mann asked about the hospital discussion and restricting the garage. Mr. Failor said the hospital indicated they would object to the height of the garage being restricted. Commissioner Burton asked about the likelihood of a development coming through without asking for relief. Mr. Failor said it has been very rare in the past, in fact, Rush Oak Park hospital will be asking for relief with their new Emergency Room development.

Commissioner Marsey suggested the two options were going back to West Suburban Hospital and asking for more downzoning or looking at the current proposal, which included some downzoning; he agreed with Commissioner Halpin and suggested reducing the height of the garage. Chair Mann asked about the hospital master plan that expires in 2018. Mr. Failor said the master plan allowed for possibly adding a floor to the Emergency Room and adding two floors to the garage. Chair Mann noted there was a high probability the hospital would object to more downzoning. Attorney Karaca said new language would need to be drafted and sent to the hospitals to review. Commissioner May reviewed the shadow study and said the shadow relief would be very minimal if the height was reduced. He said other resident issues, like scale, may be legitimate, but the shadow would be impacted very little.

Commissioner Gilbert said the South and Harlem development allowed a 12 story building adjacent to a residential area. Commissioners debated scaling back the garage portion based on future development. Ms. Strungys said commissioners shouldn't try to predict what development was to come, the zoning should be looked at holistically and traditionally, hospital districts were high use areas. Chair Mann said the hospital was a viable business to Oak Park and they would want to keep it in Oak Park. Commissioner

Halpin said the density at the north end was high and would like to provide relief to neighbors. She moved to add a 50 feet height restriction to the north end of the property between Humphrey Avenue and Austin Boulevard; about a third of the parking garage property. There was no second. Commissioner Burton moved to keep the changes as presented in Camiros' memo. Commissioner Gilbert seconded. A roll call vote was taken:

Burton – yes  
Gilbert - yes  
Halpin - no  
Nordman - yes  
Brozek - no  
Gartland - yes  
May - yes  
Marsey - no  
Mann - yes  
The motion passed 6-3.

Chair Mann asked for a motion on the entire zoning code revisions discussed in the entire public hearing.

Commissioner Halpin noted she did not watch the tape of a prior meeting and would abstain.

Commissioner Nordman noted she did not watch the tape of a prior meeting and would abstain.

Commissioner Gilbert moved to accept the new zoning ordinance with revisions made during the hearing process including the items discussed tonight and at previous meetings and to direct council to prepare findings of fact. Commissioner Brozek seconded. A roll call vote was taken:

Gilbert - yes  
Brozek - yes  
Halpin - abstain  
Nordman - abstain  
Gartland - yes  
Burton - yes  
May - yes  
Marsey - yes  
Mann - yes  
The motion passed 7-0 with two abstentions.

Staff noted the findings of fact would be back to the commission at the February 2, 2017 regular Plan Commission meeting. Chair Mann asked about next steps. Ms. Strungys said the changes would be made and an adoption draft for board review would be posted online. Chair Mann urged commissioners to review it once it was posted. Chair Mann closed the public hearing.

Commissioner Gartland asked how the hospital vote would be incorporated into the findings of fact. Mr. Failor noted the hospital vote was a poll not a final vote on the hearing. Commissioner Marsey said the board should be notified that the hospital discussion took place. Mr. Failor said Camiros would give a presentation on the major changes and this would be a part of it. Commissioner Burton suggested a memo of major issues. Mr. Failor agreed.

#### **Other Business**

Mr. Failor said the next Plan Commission meeting would be January 19, 2017 for the continuance of the planned development public hearing for 717 South Boulevard. Mr. Failor said Rush Oak Park hospital

will be coming before them for their emergency room expansion and also an amendment to its special use. This would be likely in March or April.

**Adjournment**

Commissioner Burton moved to adjourn. Commissioner Halpin seconded. Commissioners congratulated Camiros and staff on the zoning rewrite process. The meeting adjourned at 8:39 p.m.

Angela Schell,  
Recording Secretary