

March 1, 2018

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

**Re: Application of Erik Stegemann, as agent for
Centre Physical Therapy, LLC for
Consideration of an Amendment to the
Allowable Uses in the HS Harrison Street
Zoning District to Allow a Physical Therapy
Clinic as a Special Use – PC 18-03**

Dear President and Board of Trustees:

In February of 2018, Erik Stegemann, as agent for Centre Physical Therapy, LLC, of 939 W. North Avenue, Suite 750, Chicago, Illinois 60642 (“Applicant”), submitted an application for consideration of an amendment to the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) with the Plan Commission (“Commission”). The Applicant is a potential tenant of 207 Harrison Street, Oak Park, Illinois (“Subject Property”). The Applicant requested that the Commission consider whether to amend the Zoning Ordinance to allow a physical therapy clinic as a special use in the HS Harrison Street Zoning District.

Notice and Hearing.

On February 14, 2018, legal notice of the public hearing was published in *The Wednesday Journal*, a newspaper of general circulation within the Village of Oak Park.

Pursuant to legal notice, the Commission conducted a public hearing on the application on March 1, 2018, at which time and place a quorum of the members of the Commission was present.

Having heard and considered the testimony and evidence at the public hearing, the Commission makes the following findings of fact:

FINDINGS OF FACT

1. The Applicant is Erik Stegemann, as agent for Centre Physical Therapy, LLC.

2. In its application, the Applicant asked the Commission to consider whether it is appropriate to amend the allowable uses in the HS Harrison Street Zoning District to allow for physical therapy clinics to be added as a special use, in Section 8.3, Table 8-1 of the Zoning Ordinance.

3. The Applicant has also requested, in a separate, but related application, PC 18-04, being heard by the Commission at the same time, that a special use permit be granted for the Applicant's operation of a physical therapy clinic at the Subject Property, if the text amendment requested in the application is granted.

4. The Zoning Ordinance does not permit physical therapy clinics in the HS Harrison Street Zoning District, Section 8.3, Table 8-1 of the Zoning Ordinance.

5. The Commission heard testimony regarding the proposed addition of physical therapy clinics as a special use in the HS Harrison Street Zoning District.

6. The purpose of the HS Harrison Street Zoning District is, per Subsection 5.1(C) of the Zoning Ordinance:

The HS Harrison Street Zoning District is intended to accommodate the Oak Park Arts District on Harrison Street spanning approximately nine blocks west from Austin Boulevard. The HS District addresses the area's unique blend of retail, studio/performance space, and service establishments, and reinforces the small-scale, walkable urban neighborhood character of the district.

7. The Commission recalled that during the Zoning Ordinance amendment process, a focus toward permitting arts-related businesses, restaurants and retail land uses was central for the HS Harrison Street Zoning District.

8. The Commission noted that the proposed physical therapy clinic's impact is closely related to that of a personal service establishment, which is a permitted use in the HS Harrison Street Zoning District.

9. A personal service establishment is defined in Section 2.3 of the Zoning Ordinance as:

A business that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, dry cleaners, and tailors. Personal service establishments do not include currency exchanges and pay day loan establishments that exchange common currencies, sell money orders, issue cashiers checks, and cash checks as its principal business activity, or provide loans to individuals in exchange for receiving personal checks or the original title to the borrower's motor vehicle as collateral respectively.

Standards.

10. The following are standards for approval of text amendments in Subsection 14.1(E)(2) of the Zoning Ordinance:

a. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.

b. The relative gain to the public, as compared to the hardship imposed upon the applicant.

c. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

f. The extent to which the proposed amendment creates nonconformities.

g. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

11. The Commission finds that that allowing physical therapy clinics as a special use in the HS Harrison Street Zoning District satisfies the standards in Subsection 14.1(E)(2), and that approval of the requested text amendment is appropriate.

12. Specifically, the Commission finds that allowing physical therapy clinics as a special use in the HS Harrison Street Zoning District will allow for the operation of businesses that will become destinations and would enhance the vibrancy of the HS Harrison Street Zoning District where clinic patrons can visit local restaurants and art galleries.

13. The Commission finds that physical therapy clinics are appropriate under the standards for text amendments in Subsection 14.1(E)(2) of the Zoning Ordinance, and that such use is similar in many ways to personal service establishments, which are permitted in the HS Harrison Street Zoning District, further confirming the appropriateness of physical therapy clinics as a special use in the HS Harrison Street Zoning District.

RECOMMENDATION

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, and based on the above findings, the testimony

and the evidence presented at the public hearing, this Commission, sitting as a Zoning Commission, hereby recommends to the Village President and Board of Trustees that the application be GRANTED, and that physical therapy clinics be added as a special use ("S") in the HS Harrison Street Zoning District in Section 8.3, Table 8-1 of the Zoning Ordinance, under the "Medical" heading in Section 8.3, Table 8-1 of the Zoning Ordinance.

This report adopted by a 5 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 1st day of March, 2018.