

Attachment A

October 3, 2018

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

Re: Application of Kindness Creations Intergenerational Preschool for a Special Use Permit to Operate a Day Care Center to be located at 408 S. Oak Park Avenue (Calendar No. 8-18-Z)

Dear Village President and Board of Trustees:

On August 9, 2018, Jaime Moran and Pamela Lawrence (the “Applicants”) filed an application (Calendar No. 22-18-Z) pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) requesting the issuance of a special use permit to operate an intergenerational day care center to be located in the NC Neighborhood Commercial Zoning District at 408 S. Oak Park Avenue, Oak Park, Illinois 60302 (“Subject Property”).

A public hearing was held on the application in the Council Chambers of the Oak Park Village Hall, 123 Madison Street, Oak Park, Illinois on October 3, 2018 at 7:00 p.m. The notice and time and place of said public hearing was duly published on September 12, 2018, in the *Wednesday Journal*, a newspaper of general circulation in the Village. Notice was also posted at the Subject Property and notices were mailed by the Applicants to owners of record within 300 feet of the Subject Property, advising them of the application and the public hearing to be held.

FINDINGS OF FACT

The ZBA, 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 pursuant to Section 14.2(C)(2), 14.2(D)(1) and 14.2(E) of the Village Zoning Ordinance:

1. The Applicants seek a special use permit pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance to operate an intergenerational day care center located in the NC Neighborhood Commercial Zoning District.

The Subject Property.

2. The Subject Property is an irregularly shaped zoning lot approximately 69,785 square feet located at 408 S. Oak Park Avenue, Oak Park, Illinois 60302.

3. The Applicants propose to operate an intergenerational day care center at the Subject Property (the "Proposal"). The center will provide an opportunity for younger and older generations to interact through planned activities housed in the Oak Park Arms building. The proposed day-care center will accommodate approximately 40 children per half day session Monday through Friday.

4. The Subject Property is improved with six-story building (Oak Park Arms) which was originally built as a hotel in 1927.

5. The Applicants propose to lease two classroom spaces and operate the intergenerational day care.

The Applicants.

6. The Applicants submitted evidence that the day care center would allow for the successful development of two tenant spaces at the Subject Property.

7. The Applicants presented evidence that it is ready to move forward with the development of the two tenant spaces within the Subject Property upon the Village's approval of the special use.

8. The ZBA considered the following documents which were submitted into evidence at the time of the Public Hearing, and made part of the Record:

- a. Application for special use permit;
- b. Business Plan;
- c. Responses Approval Standards for Receiving a Special Use, as conveyed in Section 14.2 (E);
- d. Pick-up/drop-off Protocol;
- e. Floor Plan; and
- f. Legal Description.

Compatibility with Surrounding Uses.

9. The character of the neighborhood is commercial and residential.

10. The proposed day care center is near a transportation corridor and would benefit parents and employees of the proposed day care.

11. The proposed day care center is suitable in the NC Neighborhood Commercial Zoning District and compatible with the surrounding neighborhood.

Project Review Team.

12. The Village's Internal Project Review Team ("Team") met to review the Applicants' Proposal. The team consists of staff members from various Village departments.

13. The Team supports the special use application due to Subject Property being an ideal location for the proposed use.

The Need for Zoning Relief.

14. An applicant cannot operate a day care center in the NC Neighborhood Zoning District without a special use permit. *Zoning Ordinance*, Section 8.3 (Table 8-1: Use Matrix).

Approval Standards.

15. A special use permit may be granted only if the recommendation of the ZBA and decision of the Village Board makes findings to support each of the following conclusions pursuant to Section 14.2 (E) of the Zoning Ordinance:

1. The establishment, maintenance, and operation of the proposed special use will not have a substantial or unduly adverse impact on the neighborhood or endanger the public health, safety, or welfare;
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity;
3. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance, adopted land use policies and the Comprehensive Plan; and
4. The special use meets the requirement for such classification in this Ordinance.

16. The evidence shows that the proposed day care center is suitable within the NC Neighborhood Commercial Zoning District and is compatible with the surrounding neighborhood.

17. The evidence shows that the proposed daycare would have little overall impact on traffic patterns, pedestrian traffic or area parking because pick-up/drop-off will be take place within the existing Oak Park Arms parking lot.

18. The evidence shows that the proposed day care center will provide a service that is in the interest of public convenience and will contribute to the general welfare of the

community.

19. Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance requires a special use permit to operate a day care center located in the NC Neighborhood Commercial Zoning District.

20. The Applicants have provided reasonable assurances that its Proposal will be completed in a timely manner and shall comply with Village building code requirements.

21. The evidence shows that the issuance of a special use permit for the Subject Property is in the best interest of the Village of Oak Park and the Applicants have met the standards pursuant to Section 14.2 (E) of the Zoning Ordinance for the permit.

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, the Zoning Board of Appeals, hereby recommends to the President and Board of Trustees pursuant to a vote of 7 - 0, that the special use permit be granted pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Zoning Ordinance for a day care center to be located at 408 S. Oak Park Avenue, Oak Park, Illinois by the Applicants subject to the following conditions and restrictions:

1. The special use permit shall be limited to the Applicants and the use set forth herein, and any expansion in the use or change in the tenant, operator or use of the Subject Property will terminate the special use permit; and
2. In the event that any of the conditions set forth herein shall not be fulfilled at any time in the future, said event shall be deemed a violation(s) of the Zoning Ordinance and the Zoning Administrator shall take appropriate action.

This report adopted by a 7 to 0 vote of this Zoning Board of Appeals, this 3rd day of October, 2018.