

February 7, 2019

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

**Re: Application of Fenwick High School for an
Alley Vacation of an East-West Alley
Between East Avenue and Scoville Avenue
South of the Proposed Parking Garage – PC
18-11**

Dear President and Trustees:

History of Project.

On or about December 20, 2018, Fenwick High School, of 505 Washington Boulevard, Oak Park, Illinois 60302 (“Applicant”) filed an application for approval of the vacation of the East-West alley between East Avenue and Scoville Avenue, North of Madison Street, and South of the parking garage proposed as a planned development in PC 18-11, around 505 Washington Boulevard, Oak Park, Illinois as identified in the application (the alley being the “Subject Property”).

The portion of the Village right-of-way to be vacated is approximately fifteen feet (15’) in width (North to South) and three hundred and sixty six feet (366’) long (East to West).

In conjunction with its application, the Applicant requests the Plan Commission (“Commission”) make findings of fact and give a recommendation regarding the request set forth above.

The Application and Notice.

On January 2, 2019, legal notice of the public hearing was published in *The Wednesday Journal*, a newspaper of general circulation in the Village of Oak Park.

Pursuant to legal notice, the Commission conducted a public hearing on the application on January 17, 2019 and February 7, 2019, 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

The Subject Property.

1. The Subject Property is a 5,439 square feet parcel. The Subject Property is located in the I-Institutional Zoning District and MS Madison Street Zoning District. The Subject Property is currently a public alley surrounded by property mostly owned by the Applicant.

The Applicant.

2. The Applicant is the owner and operator of Fenwick High School.

Requested Approvals – Alley Vacation.

3. The Applicant seeks to obtain ownership of the Subject Property from the Village through a vacation (“Vacation”).

4. The Applicant makes this request in advance of realizing a larger campus development in the area generally bound by Washington Boulevard to the North, East Avenue to the West, Scoville Avenue to the East, and Madison Street to the South.

5. The Applicant previously purchased the two (2) condominium buildings to the North of the East half of the Subject Property. The Applicant intends to improve and repave the Subject Property as part of the construction of a parking garage North of the Subject Property, which parking garage is proposed as a planned development and which the Commission is reviewing simultaneously and in conjunction with the Applicant's request for vacation of the Subject Property in PC 18-11.

6. The Applicant intends that the Subject Property continue to be used for utility and access purposes, to ensure that utilities affecting the Subject Property may remain and to ensure that residents to the South of the Subject Property may continue to utilize the Subject Property in the manner they are currently using it, such as for garbage pick-up purposes.

7. During the public hearing there was discussion regarding the Vacation. The Applicant presented information and materials suggesting that the Vacation would serve the public's interest, and that the Vacation would have no negative impact to surrounding property owners, business owners or residents in the area of the Subject Property.

Policy and Procedures.

8. In April of 2000, the Village adopted the "Alley and/or Street Vacation Policy and Procedures." The "Policy Statement" therein states that:

The President and Board of Trustees may vacate a street or alley, or part thereof, by ordinance whenever they determine that the public interest will be subserved by vacating such street or alley, or part thereof. The determination of the President and Board of Trustees in this regard is conclusive, and the passage of such an ordinance shall be sufficient evidence of that determination whether so recited in the ordinance or not. The relief to the public from further burden

and responsibility of maintaining any street or alley, or part thereof, constitutes a public use or public interest authorizing the vacation.

9. After considering the application, the testimony and materials presented at the public hearing, and after deliberating, the consensus of the Commission members was that the Vacation is a reasonable request given that the Applicant owns most of the property abutting the Subject Property, and that relieving the Village of the maintenance obligations relative to the Subject Property would serve the public's interest.

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 public interest would be subserved by vacating the fifteen feet (15') x three hundred and sixty six feet (366') portion of the public alley to the Applicant, as the requested Vacation was presented to the Village, and that the Vacation be APPROVED, with such easements as may be required by the Village President and Board of Trustees.

This report adopted by a 8 to 0 vote of the Plan Commission, sitting as a Zoning Commission, this 7th day of February, 2019.