

## ORDINANCE

### **AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A MAJOR PLANNED DEVELOPMENT CONTAINING A FIVE-STORY PRIVATE PARKING GARAGE LOCATED AT 505 WASHINGTON BOULEVARD**

**WHEREAS**, on or about December 20, 2018 the Petitioner, Fenwick High School, Inc. ("Petitioner"), submitted an application with the Village of Oak Park ("Village") for a special use permit for a major planned development to construct a five-story private parking garage building in the I- Institutional District at the property located at 505 Washington Boulevard ("Property") as more fully set forth in the application; and

**WHEREAS**, on January 17, 2019 and February 7, 2019 the Plan Commission held a public hearing on the application for the special use planned development; and

**WHEREAS**, notice of the public hearing was duly published in the *Wednesday Journal* on January 2, 2019; and

**WHEREAS**, the Plan Commission recommended that the special use planned development be approved for the Subject Property by a vote of eight (8) in favor, none (0) against; and

**WHEREAS**, on February 7, 2019, the Plan Commission adopted its Findings of Fact and Recommendation, which is attached hereto and incorporated herein; and

**WHEREAS**, the President and Board of Trustees have received the Plan Commission's Findings of Fact and Recommendation with respect to the application and hereby adopt and approve said Findings of Fact and Recommendation; and

**WHEREAS**, the President and Board of Trustees have determined that the granting of the special use permit for the major planned development in the Petitioner's application is in the best interests of the Village subject to the terms and conditions set forth in the Plan Commission's Findings of Fact and Recommendation and this Ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, County of Cook, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein as though fully set forth.

**Section 2. Adoption of Findings of Fact and Recommendations.** The Findings of Fact and Recommendation of the Plan Commission, together with all reports and exhibits



submitted at the public hearing, are hereby incorporated by reference herein and are adopted and approved, subject to the conditions set forth herein.

**Section 3. Approval of a Special Use Permit Planned Development.** The Petitioner's application for a special use planned development is approved in accordance with the application on file with the Village, including the requested allowances, subject to the recommendations/conditions as set forth in the "Conditions for Approval of the Planned Development" section of the Plan Commission's Findings of Fact and Recommendation.

**Section 4. Revision to Village Zoning Map.** The Village Planner is hereby authorized and directed to revise the official Village Zoning Map to reflect the existence and boundaries of the new planned development authorized herein by the special use permit.

**Section 5. Planned Development Time Limits.** The planned development approved herein is subject to the time limits for the application for a building permit and commencement of construction set forth in Section 14.5(G) (2)-(3) of the Village Zoning Ordinance applicable to the application.

**Section 6. Sale or Transfer of Property.** At least forty-five (45) days prior to any sale or transfer of ownership of the Property, the Petitioner shall provide the Village with the name of any future owner(s) of the Property and proof that the new owner(s) has the financial capabilities to complete the planned development approved herein, which may include the posting of a bond or other surety with the Village. Additionally, any new owner(s) shall be required to provide proof to the Village that the new owner(s) has read and understands this Ordinance and the incorporated Findings of Fact and Recommendation and shall execute a Transferee Assumption Agreement or similar agreement that binds the new owner(s) to the terms of said documents and said agreement shall be subject to the review and approval of the Village Attorney. If the new owner(s) fails to meet the conditions of this Section, the approvals granted herein shall be null and void.

**Section 7. Sale or Transfer of Property Prior to the Issuance of a Building Permit.** If the Property is sold or transferred at any time prior to the issuance of a building permit for the planned development approved herein to a non-affiliated entity, the new owner shall be obligated to reapply for the approvals granted herein, which shall include the public hearing process set forth in the Village's Zoning Ordinance for said approvals.

**Section 8. No Authorization of Work.** This Ordinance does not authorize the commencement of any work at the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced at the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.



**Section 9. Agreement to Terms of Ordinance.** As a condition of the special use planned development granted herein, this Ordinance shall be signed by an authorized officer of the Petitioner to signify its agreement to the terms hereof.

**Section 10. Violation of Condition or Code.** Any violation of (i) any term or condition set forth in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission of the approvals granted pursuant to this Ordinance.

**Section 11. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 12. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

**ADOPTED** this 4<sup>th</sup> day of March, 2019, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb	✓			
Trustee Andrews	✓			
Trustee Boutet	✓			
Trustee Button	✓			
Trustee Moroney	✓			
Trustee Taglia	✓			
Trustee Tucker	✓			

**APPROVED** this 4<sup>th</sup> day of March, 2019.

  
Anan Abu-Taleb, Village President

**ATTEST**

  
Vicki Scaman, Village Clerk

Published in pamphlet form this 4<sup>th</sup> day of March, 2019.

  
Vicki Scaman, Village Clerk



**ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER TO THE CONDITIONS OF THIS  
ORDINANCE:**

**PETITIONER – FENWICK HIGH SCHOOL, INC.**

Richard A. Padgett

Dated: March 11, 2019

By:

Its:





February 7, 2019

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

**Re:      Application of Fenwick High School for a  
         Planned Development for a Privately Owned  
         Parking Garage at 505 Washington  
         Boulevard – PC 18-11**

Dear 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 a planned development at 505 Washington Boulevard, on property depicted in the application ("Subject Property"), in the I Institutional Zoning District, for a five (5) story, six (6) floor, three hundred fifty (350) space private parking garage.

In conjunction with its application, the Applicant requests the following two (2) allowances from the strict requirements of the Village of Oak Park Zoning Ordinance ("Zoning Ordinance"):

1. Article 6 (Special Purpose Districts) Section 6.2 (I Institutional Zoning District) Subsection 6.2.C. (Dimensional Standards) Table 6-2 (I District Dimensional Standards): Relief is requested from the maximum building height of forty-five feet

(45'), to allow for a building height of sixty-two feet (62') for the proposed parking garage on the Subject Property, requiring an allowance of seventeen feet (17').

2. Article 6 (Special Purpose Districts) Section 6.2 (I Institutional Zoning District) Subsection 6.2.C. (Dimensional Standards) Table 6-2 (I District Dimensional Standards): Relief is requested from the minimum corner side setback of fifteen feet (15'), to allow for a corner side setback of nine feet (9') on the Subject Property along the Scoville Avenue side of the proposed parking garage, requiring an allowance of six feet (6').

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. A notice of the public hearing was posted at the Subject Property and letters were also mailed by the Applicant to property owners for property within three hundred feet (300') of the Subject Property, advising them of the proposal and the public hearing to be held.

Pursuant to legal notice, the Plan Commission ("Commission") conducted a public hearing on the application on January 17, 2019 and February 7, 2019, at which times and place a quorum of the members of the Commission was present. Each voting member of the Commission has listened to a recording of any session(s) for which he or she was absent.

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 an approximately thirty thousand six hundred (30,600) square feet zoning lot located South of Washington Boulevard between East Avenue to the West and Scoville Avenue to the East, and is commonly known as 505 Washington Avenue. The Subject Property is located in the I Institutional Zoning District. The Subject Property is currently improved with a surface parking lot and formerly contained two (2) residential buildings.

2. The Subject Property is surrounded by the following uses: to the North, a private high school operated by the Applicant, which is zoned within the I Institutional Zoning District, and residential dwellings, which are zoned within the R7 Multiple-Family District; to the South, residential dwellings, which are zoned within the MS Madison Street Zoning District; to the East, residential dwellings, which are zoned within the R7 Multiple-Family District; to the West, a private high school operated by the Applicant, which is zoned within the I Institutional Zoning District, and residential dwellings, which are zoned within the R7 Multiple-Family District.

3. The Subject Property is within the boundaries of the Madison Street Corridor Plan, which the Village Board of Trustees approved in 2006.

4. The Applicant is the contract purchaser of the Subject Property.

5. The proposed development will be built at a cost of approximately Thirteen Million Dollars (\$13,000,000).

#### The Applicant.

6. The Applicant operates a private high school on property adjacent to, and in the vicinity of, the Subject Property.

7. The Applicant submitted the documentation required pursuant to Section 14.5.I. of the Zoning Ordinance.

#### The Project.

8. The Applicant proposes to build a five (5) story private parking garage, consisting of six (6) floors in total, with three hundred fifty (350) parking spaces to serve the private high school adjacent to the Subject Property. The Applicant proposed to install landscaping within the corner side setback between the garage and Scoville Avenue.

#### The Requested Site Development Allowances.

9. As part of its planned development, the Applicant seeks two (2) site development allowances, as set forth above in the "History of Project."

#### Envision Oak Park Comprehensive Plan.

10. The Envision Oak Park Comprehensive Plan ("Comprehensive Plan") was adopted by the Village's corporate authorities in September of 2014 after an extensive public input process.

11. The proposed development primarily affects two (2) Chapters within the Comprehensive Plan: Chapter 4, "Land Use & Built Environment," and Chapter 10, "Transportation, Infrastructure and Communication Technologies."

12. The Comprehensive Plan establishes goals and objectives which set the standards for development in the Village of Oak Park, and it discusses the idea of

strengthening the overall quality of the community. Village staff finds that the proposed parking garage fits the goals and objectives of the Comprehensive Plan.

13. In Chapter 4, the Comprehensive Plan discusses opportunities to strengthen the urban fabric by constructing context-sensitive infill development. Village staff finds that the proposed development fits this objective.

14. In Chapter 10, the Comprehensive Plan provides guidance related to multi-modal mobility, connections to other parts of the Chicago region, and telecommunications and technologies critical to quality of life and commercial growth. Additional off-street parking is needed in the vicinity of the Subject Property. Village staff finds that the proposed development will help alleviate some of the off-street parking demands in the vicinity of the Subject Property.

15. Village staff finds that the proposed development follows the Comprehensive Plan.

#### Madison Street Corridor Plan.

16. The purpose of the Madison Street Corridor Plan is to assist in the revitalization of the corridor by envisioning a mix of uses, aesthetic improvements, gateway enhancements, and business retention and recruitment strategies for the corridor. The Plan contains five main components: Inventory Report and Opportunity Analysis, Vision Alternatives, Preferred Vision, Development and Implementation Strategy, and Development Guidelines. The Plan also contains three companion reports, a Market Assessment, an Architectural Historical Survey and a Key Sites Report.

17. The Subject Property is located within Segments 3 and 4 of the Plan, Oak Park Avenue to East Avenue and East Avenue to Ridgeland, which are designated as Accessible Commercial and Retail Districts. According to the Plan, new development will be regulated to mitigate corporate architecture and maintain a pedestrian-friendly environment through this auto intensive segment.

18. Village staff finds that the proposed construction meets the intent of this Plan, as the architecture of the garage compliments and blends in with the historic architecture of the private high school operated by the Applicant adjacent to and in the vicinity of the Subject Property.

Ability of Applicant to Complete Project.

19. The Applicant provided evidence that it has the financial and technical expertise to complete the project.

Compensating Benefits.

20. In return for the Village providing allowances from Village regulations, per Section 14.5.E.2.a. of the Zoning Ordinance, the Applicant must provide compensating benefits which advance the Village's physical, cultural and social objectives, in accordance with the Comprehensive Plan and other approved plans, by having the Applicant provide specific amenities in the planned development. Some of the compensating benefits of the proposed project are:

- a. The parking garage will be built using the Parksmart rating system, the only certification program that defines, measures and recognizes high-performing, sustainable garages. Parksmart complements Leadership in Energy and Environmental Design, a/k/a "LEED," and other certifications, and is administered by Green Business Certification, Inc.

- b. The Madison Street, East Avenue and Scoville Avenue rights-of-way in the vicinity of the Subject Property will be improved in certain locations, and the Applicant will also help defray the cost of new signage along Madison Street, East Avenue and Scoville Avenue.
- c. The alley subject to the Applicant's vacation request in PC 18-11 will be purchased by the Applicant, and the Village will be freed from the costs of future maintenance and improvements to the alley.

#### Public Art As Part Of The Development.

21. Section 14.5.E.2.c. of the Zoning Ordinance requires that an Applicant provide at least one (1) piece of public art as part of the development. A contribution to the Oak Park art fund is also an option. In either case, the scope of the public art or contribution should be in proportion to the square footage of the development upon review and advice by the Village's partner agency the Oak Park Area Arts Council.

22. The Applicant intends to make a donation to the art fund.

#### The Planned Development Standards.

23. Section 14.5(A) of the Zoning Ordinance sets forth the following objectives for planned developments:

Through the use of allowances in the planned development process, the Village seeks to achieve some or all of the following specific objectives:

- 1. Create a more desirable environment than may be possible through strict application of other Village land use regulations with the use of creative design, landscape, and/or architectural features.
- 2. Enhance the existing character and property values of the Village and promotion of the general welfare by ingenious and imaginative designs resulting in a better and more creative use of land.
- 3. Coordinate the character, the form, and the relationship of structures to one another.
- 4. Preserve and enhance of desirable site characteristics such as natural topography, vegetation, and geologic features.

5. Maximize the beneficial use of open space.
6. Promote long-term planning pursuant to a site plan that will allow harmonious and compatible land uses or combination of uses with surrounding areas.
7. Promote economic development within the Village.
8. Eliminate blighted structures or incompatible uses through redevelopment, restoration, adaptive reuse, or rehabilitation.
9. Preserve and/or enhance historical and natural resources.

24. Section 14.5(H) of the Zoning Ordinance sets forth the following standards for planned developments:

1. The proposed development and the use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan and has been considered in relation to any other plans adopted by the Village Board.
2. The establishment, maintenance, or operation of the use or combination of uses will not be materially detrimental to or endanger the public health, safety and welfare of the Village.
3. Adequate utilities, road access, parking, drainage, police and fire service, and other necessary facilities already exist or will be provided to serve the proposed development, including access for fire, sanitation, and maintenance equipment.
4. Adequate ingress and egress to the planned development site already exists or will be provided in a manner that adequately addresses additional traffic congestion in the public streets and promotes a safe and comfortable pedestrian environment.
5. The proposed use or combination of uses will not substantially diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses that are permitted by the Zoning Ordinance of the Village.
6. The proposed design and use or combination of uses will complement the character of the surrounding neighborhood.
7. The applicant has the financial and technical capacity to complete the proposed use or combination of uses.



8. The proposed development is economically feasible and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the Village, except to the extent that such burden is balanced by the benefit derived by the Village from the proposed use.

25. During the public hearing, the Commission heard testimony and considered evidence regarding the proposed development.

26. Testimony focused on the need for off-street parking in the vicinity of the Subject Property for the staff and students of the Applicant's private high school, to alleviate difficulties with on-street parking in the area.

27. The Commission finds that the height of the proposed parking garage is appropriate under the Zoning Ordinance because the height will not exceed the existing buildings of the private high school operated by the Applicant in the vicinity of the Subject Property, and the additional height will allow the Applicant to reduce on-street parking demands in the area of the Subject Property.

28. The Commission finds that the reduction in the corner side setback for the proposed parking garage is appropriate under the Zoning Ordinance based on the alignment of the garage with the existing building's setbacks and the installation of a new landscape buffer within the Scoville Avenue setback area.

29. The Commission finds that the right-of-way improvements proposed by the Applicant will enhance pedestrian safety.

30. Further, the Commission concurs with, and incorporates, the findings of Village staff regarding the proposed development.

31. In summary, the Commission finds that by allowing the proposed development at the Subject Property as a planned development permit, including the

five (5) story, six (6) floor, private parking garage with three hundred fifty (350) spaces, satisfies the objectives and standards in Sections 14.5.A. and 14.5.H. of the Zoning Ordinance, and that approval of the requested planned development permit, and associated allowances, is appropriate.

### **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 President and Board of Trustees that the planned development be APPROVED, subject to the following conditions:

1. The Applicant shall develop the project comprised of a five (5) story, six (6) floor, private parking garage with three hundred fifty (350) spaces in substantial conformity with the Plans and Specifications submitted with its application or subsequently modified in accordance with the Zoning Ordinance. The final architectural plans shall be sealed by the architect of record. The Landscape Plan shall provide for the preservation, care and maintenance of the landscape materials.
2. That the Applicant shall use the Parksmart sustainability rating system, with no less than the sustainability measures identified in the application. . The Applicant must attain verification either through the Parksmart rating system or by a third party reviewer that all identified points has been satisfied.
3. That the Applicant shall be responsible for payment of crosswalk improvements on Washington Boulevard and any driveway apron modifications which shall be approved by the Village Engineer.
4. That upon review and advice of the Oak Park Area Arts Council and approval of the Village Board, the Applicant shall install public art at the planned development site or provided a monetary donation to the Oak Park art fund. The location of the art on the site and its accessibility to the general public will be mutually determined by the Applicant and the Village.
5. That six (6) to twelve (12) months after substantial completion of the development, the Applicant shall meet with Village staff after holding a meeting with interested neighbors to determine their concerns with traffic and parking issues, if any, generated by the development. The Applicant

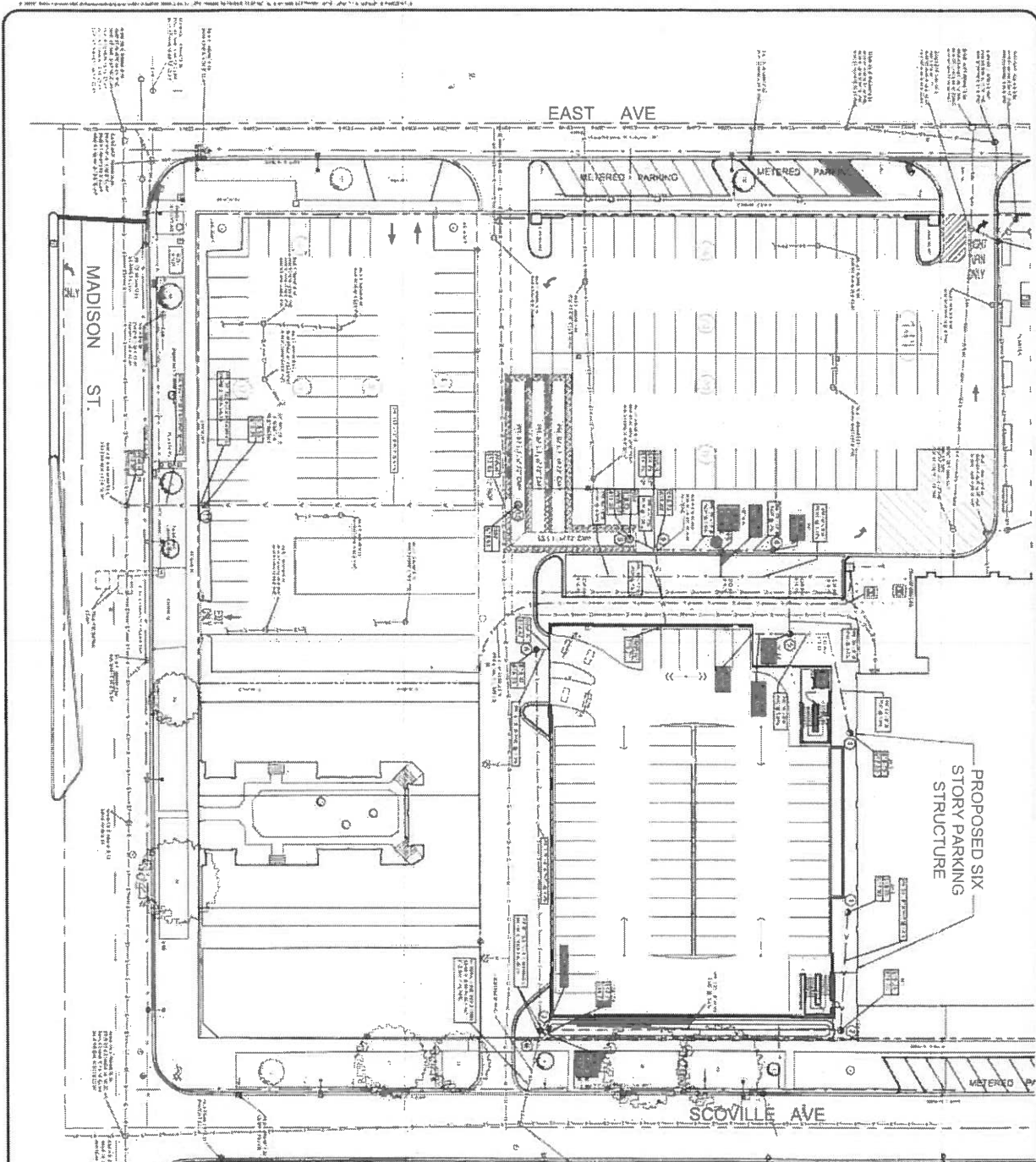
shall review traffic and parking concerns generated by the development at these meetings with neighbors and Village staff. If these post construction traffic and parking meetings yield Village staff recommendations that any measures should be taken to correct any unforeseen traffic or parking issues that have been caused by the development, the Applicant shall implement said recommendations within six (6) months after the study has been completed.

6. That semi-trailer truck traffic is prohibited on Washington Boulevard. The Applicant shall submit its route for construction traffic, its plan for construction parking, and its demolition and construction schedule to the Village Engineer for his/her review and approval. Construction traffic routes shall be limited to Madison Street and designated streets unless otherwise determined by the Village Engineer.
7. That during construction of the development, the Applicant shall post a conspicuous sign providing a local phone number for the construction manager which interested parties may call to obtain answers to questions about the development and its construction. Such telephone number shall be staffed during normal business hours, Monday through Friday, except legal holidays, by a person with authority to address and remedy problems, including, but not limited to, traffic, noise, maintenance and landscaping.
8. That the Applicant shall implement a construction related Communications Plan.
9. That the Applicant shall insure that all construction debris remains on the Subject Property and is removed on a regular basis. The Applicant shall also use best efforts to mitigate any offsite dust and debris.
10. That the Applicant provides a list of final exterior building, landscaping and design materials to be approved by the Village prior to building permit submittal, as detailed in the presentation to the Plan Commission and approved by the Village Board of Trustees.
11. That during construction of the proposed development, the Village designates a staff liaison, with whom the Applicant shall reasonably and timely communicate and cooperate.
12. The Applicant shall implement the KLOA, Inc. recommendations in the February 1, 2019 report in regard to improvements on the Subject Property.
13. Because (4) four on-street parking spaces are being removed to improve traffic flow, the Applicant shall provide four (4) onsite parking spaces for

the Village's overnight parking permit holders, until such time these parking spaces are restored on-street.

14. The Applicant shall record with the Cook County Recorder's Office the Planned Development Ordinance, Findings of Fact and plans within thirty (30) days after Village Board approval.
15. That in the event the Applicant or its successors or assigns fails to comply with one or more of the foregoing conditions and restrictions after thirty (30) days written notice by the Village or its agents, the President and Board of Trustees may thereafter revoke or limit the planned development provided, however, that the Applicant or its successors shall be deemed to have complied if they promptly commence a cure and diligently pursue that cure to completion where such cure is not reasonably susceptible to completion within such thirty (30) day period.

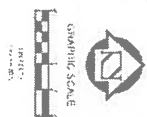
This report adopted by a 8 to 0 vote of  
the Plan Commission, sitting as a Zoning  
Commission, this 7<sup>th</sup> day of February, 2019.



**FOR PERMIT**

STRUCTURE SCHEDULE			
ITEM NO.	DESCRIPTION	QTY	UNIT
1	CONCRETE	10,000	CU YD
2	STEEL	100	TON
3	ASPHALT	10,000	CU YD
4	PAVING	10,000	CU YD
5	LANDSCAPING	10,000	CU YD
6	UTILITIES	10,000	CU YD
7	CONCRETE	10,000	CU YD
8	STEEL	100	TON
9	ASPHALT	10,000	CU YD
10	PAVING	10,000	CU YD
11	LANDSCAPING	10,000	CU YD
12	UTILITIES	10,000	CU YD

**NOTE:**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ILLINOIS CONSTRUCTION CODE AND THE ILLINOIS ENGINEERING AND SURVEYING ACT.



**FOR PERMIT**

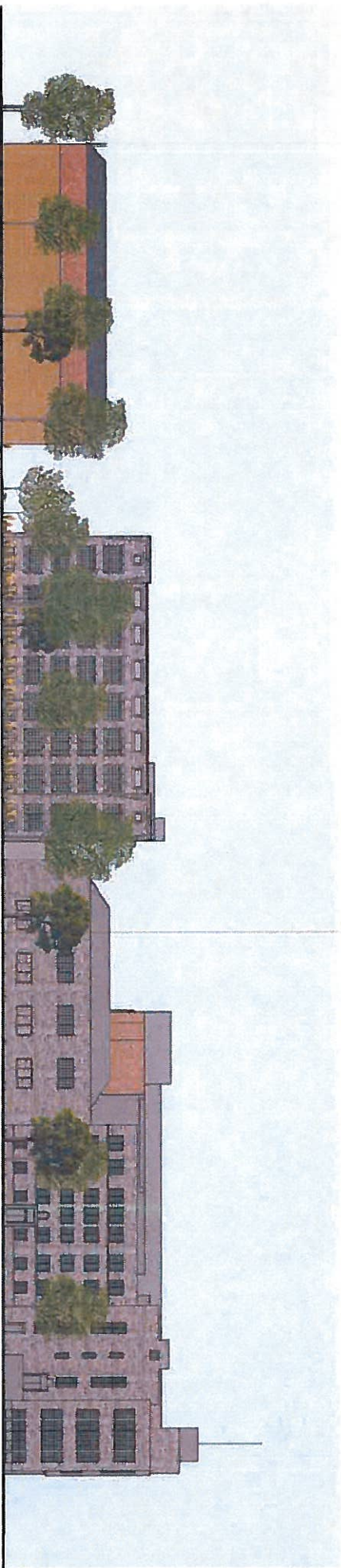
**PARKING STRUCTURE**  
**FENWICK HIGH SCHOOL**  
**505 WASHINGTON BLVD, OAK PARK, IL**  
**UTILITY SHEET**

**Joseph A. Schudt & Associates**  
 8436 ENTERPRISE DRIVE, BLOOMINGTON, IL 61710  
 PHONE: 708-720-1000 www.jaschudt.com FAX: 708-720-1005









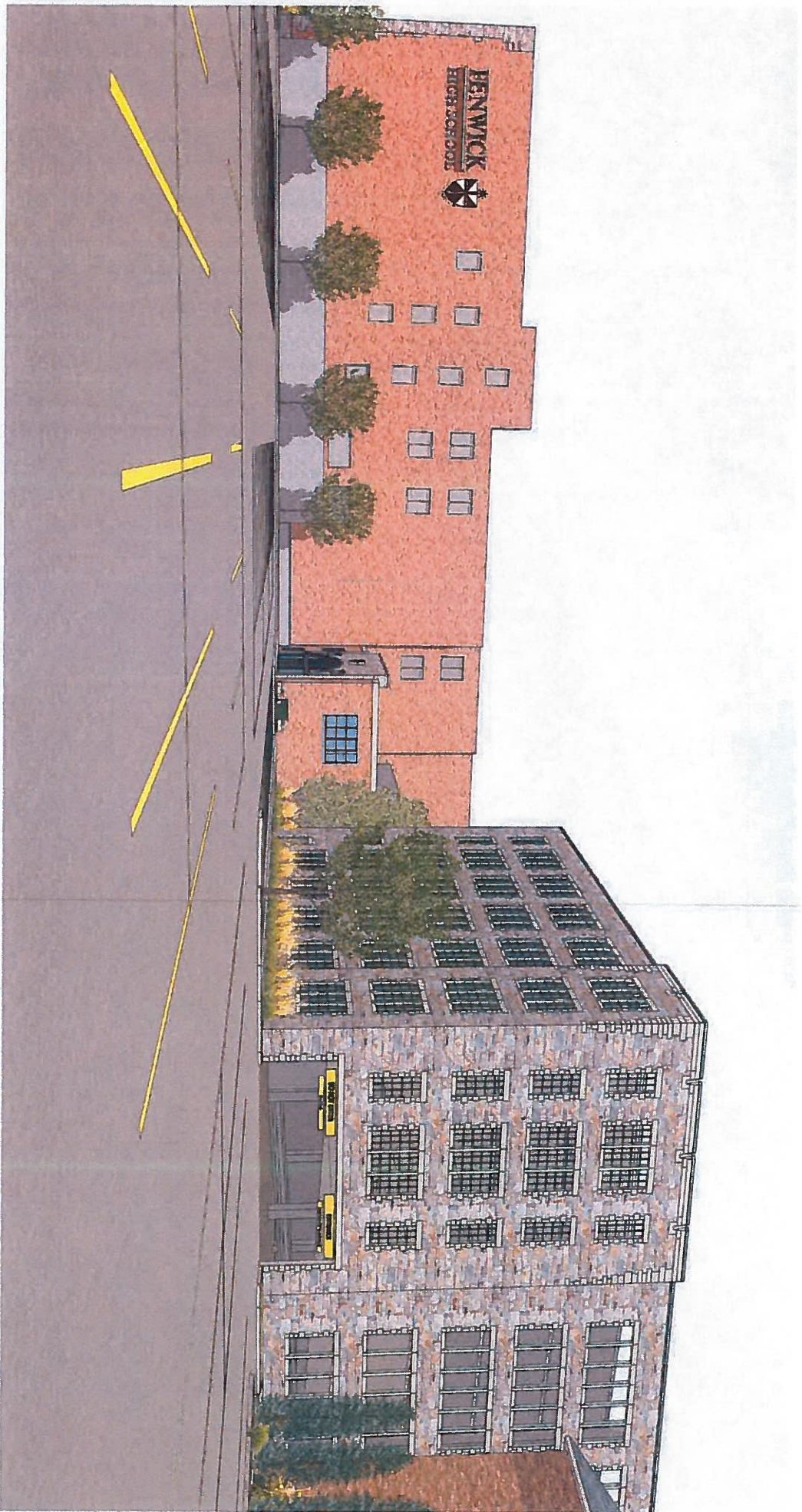






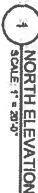










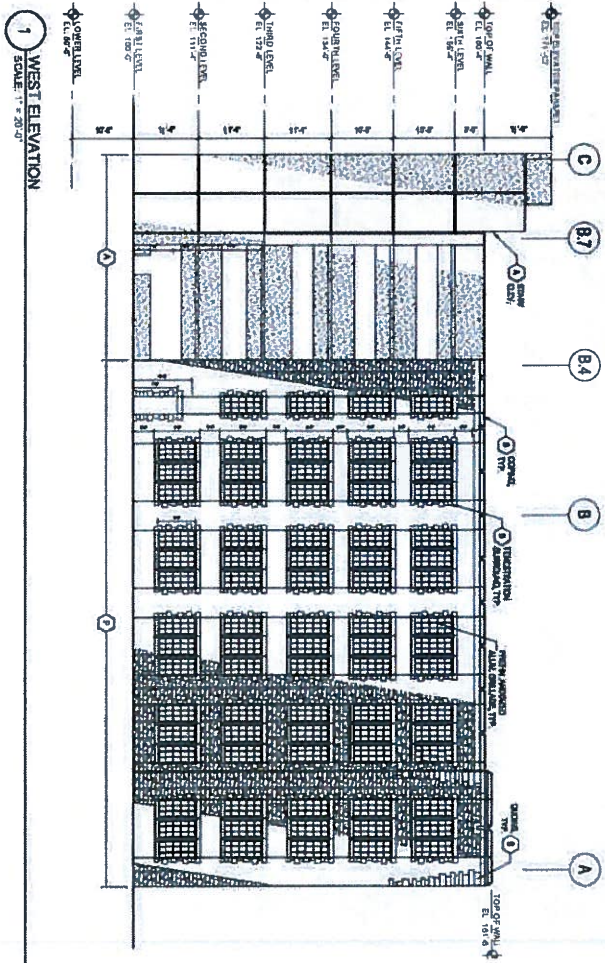


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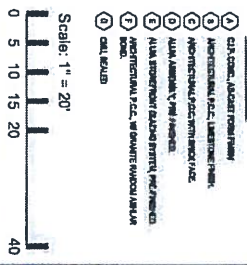
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**NEW PARKING GARAGE FOR FENWICK HIGH SCHOOL**  
AT 505 WASHINGTON BLVD., OAK PARK, ILLINOIS 60302



**1 WEST ELEVATION**  
SCALE: 1" = 20'-0"



DESIGNED BY		DRAWN BY	
J. J. J. J.		J. J. J. J.	
CHECKED BY		DATE	
J. J. J. J.		J. J. J. J.	
PROJECT NO.		SHEET NO.	
J. J. J. J.		J. J. J. J.	
DATE		PROJECT TITLE	
J. J. J. J.		NEW PARKING GARAGE FOR FENWICK HIGH SCHOOL	
PROJECT LOCATION		PROJECT NO.	
AT 505 WASHINGTON BLVD., OAK PARK, ILLINOIS 60302		J. J. J. J.	
DATE		PROJECT TITLE	
J. J. J. J.		NEW PARKING GARAGE FOR FENWICK HIGH SCHOOL	
PROJECT NO.		SHEET NO.	
J. J. J. J.		J. J. J. J.	
DATE		PROJECT TITLE	
J. J. J. J.		NEW PARKING GARAGE FOR FENWICK HIGH SCHOOL	

**EX-8F3**

AT 505 WASHINGTON BLVD., OAK PARK, ILLINOIS 60302

# EX-8F2



**ONLY BEHALD**

Scale: 1" = 20'

0 5 10 15 20

40

