

ORIGINAL

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VILLAGE OF OAK PARK ZONING ORDINANCE GRANTING A SPECIAL USE
PERMIT (OAK PARK HOSPITAL) ADOPTED BY THE PRESIDENT AND BOARD
OF TRUSTEES OF THE VILLAGE OF OAK PARK ON DECEMBER 2, 1999.

Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302
(708) 383-6400

DELIVER TO BOX 321

12-20-99
MB

**ORDINANCE AMENDING
THE OAK PARK ZONING ORDINANCE
AND GRANTING A SPECIAL USE PERMIT
(OAK PARK HOSPITAL)**

BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, County of Cook, State of Illinois, in accordance with the Home Rule Powers granted to it under Article VII, Section 6 of the Constitution of the State of Illinois (1970), as amended, as follows:

SECTION 1: That the Oak Park Plan Commission, acting as the hearing body in accordance with the Zoning Ordinance, has considered a petition for rezoning of certain property and issuance of a special use permit pursuant to notice duly published and pursuant to a public hearing held in accordance with said notice.

SECTION 2: That the Plan Commission delivered to the President and Board of Trustees, for the Board's consideration, written Findings of Fact and its Recommendations adopted by the Plan Commission on November 17, 1999 and which are attached hereto as Exhibit A. (hereinafter sometimes referred to as "Plan Commission Report")

SECTION 3: That except as modified in Section 4 of this Ordinance, the President and Board of Trustees hereby adopt the Findings of Fact and Recommendations of the Plan Commission, as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 4: That the President and Board of Trustees modify the following in the Plan Commission Report: 1) That Paragraph 8c of the Findings of Fact is amended by replacing the word "east" with the word "west" as the last word in the Paragraph. 2) That Paragraph 1 of the RECOMMENDATIONS set forth on page 21 of the Plan Commission Report is amended to include the property identified by street address as 620 South Maple.

3) That the term "condition 3" set forth on Line 2 of Recommendation 2 of the RECOMMENDATIONS set forth on page 21 of the Plan Commission's Report is hereby amended to read "condition 4" and 4) that the conditions set forth as part of Recommendation 3 in the Plan Commission Report are hereby amended by changing condition "r" to condition "bb" and by adding conditions "r" through "aa" as follows:

- r) That the Applicants shall develop and implement a Transportation Demand Management Plan ("TDM Plan") for the hospital and new medical office building. The purpose of the TDM Plan is to reduce automobile traffic to and from the hospital and new medical office building through the use of car pooling, flextime, free bus passes and other means. The Applicant shall submit this Plan to the Village Engineer for his/her review and required approval.
- s) Parking in the parking structure shall be marked and reserved for hospital/medical office building employees. The Applicant shall give visitors and patients a priority with regard to the use of the surface lots.
- t) The Applicant shall prepare an updated, comprehensive landscaping and lighting plan in a timely manner and shall present same to the Oak Park Community Design Commission for its review and recommendation to the President and Board of Trustees for final approval by the Board. The Applicants shall abide by the approved plan.
- u) In the event zoning relief is granted to permit the removal of parking from the Wenonah Avenue site to the Harlem Avenue site, the vacant land parcels shall remain as open space and although the zoning will be "H" Hospital, the buildings

remaining on the Wenonah site shall be subject to the "R-3" Single Family zoning requirements of the Oak Park Zoning Ordinance and shall continue to provide a buffer between the hospital and the residential neighborhood to strengthen the neighborhood, preserve open space and protect the existing housing.

If, however, the owners of 75% of the property along the East side of the 500 block of South Wenonah and the Applicants present the Village with a joint written request that the Village consider and approve a proposal for the residential development of all or a portion of the Applicant-owned property along the West side of the 500 block of South Wenonah, including the possible sale by the Applicant of the green space and/or the existing houses owned by the Applicant along the West side of the 500 block of South Wenonah for new residential development and/or continued residential use, the Village will consider and may approve such a proposal without further zoning hearings. No such action may be taken by the Applicants, however, without the joint participation of the requisite number of property owners in the request to the Village and the express written approval of the President and Board of Trustees.

- v) That prior to the demolition of any buildings, the Applicant shall file a certificate from a licensed pest control agency with the Village of Oak Park Health Department and Code Administration that the area is pest free.
- w) That the Applicant shall present a demolition, construction management and mitigation plan to the Village Engineer for his/her approval, which plan calls for the monitoring of same by the Village Engineer.

- x) That in cooperation with area residents, the Applicant shall establish a neighborhood advisory committee composed of not less than five members, including two area residents, one representative of Partners '99, one representative of Oak Park Hospital, and one representative of the Village of Oak Park to meet monthly during construction to discuss items of common concern.
- y) That the Applicant shall pay for the signal preemption at the Madison and Wisconsin signal.
- z) That the Applicant shall work with the Village and area residents to assess opportunities for traffic calming on residential streets near the Hospital.
- aa) That in the event of a conflict between any term or provision contained in conditions "a" through "q" recommended by the Plan Commission and adopted by the President and Board of Trustees and the term or provision set forth in conditions "r" through "z" established by the President and Board of Trustees, the terms and provisions of conditions "r" through "z" shall prevail.
- bb) That in the event the Applicants or their successors fail to comply with one or more of the foregoing conditions and restrictions after 30 days written notice to do so by the Village or its agents, the President and Board of Trustees may thereafter revoke or limit this special use permit; provided, however, that the Applicants or their successors shall be deemed to have complied if they promptly commence a cure and diligently pursue that cure to completion but such cure is not reasonably susceptible to completion within such 30-day period.

SECTION 5: That the Oak Park Zoning Ordinance is amended by changing the

zoning classification of the property identified by the street addresses 618 S. Maple, 620 S. Maple, 622 S. Maple, 613 S. Wisconsin, 617 S. Wisconsin, and 621 S. Wisconsin and legally described as follows:

Lots 4, 5, and 6 in Block 6 and Lots 4, 5, and 6 in Block 7 in W. J. Wilson's Addition to Oak Park, a Subdivision of part of Lot 1 in B. F. Jarvis' Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian (except the West 1/2 of the Southwest 1/4) in Cook County, Illinois.

and the property identified by the street addresses 513 S. Wenonah, 517 S. Wenonah, 521 S. Wenonah, 525 S. Wenonah, 529 S. Wenonah, and 533 S. Wenonah and legally described as follows:

Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and the North 22 feet of Lot 22 in Block 2 in the Subdivision of Block 2 in Wallen and Probst's Addition to Oak Park, a Subdivision of part of Lot 1 in B. F. Jarvis' Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian (except the West 1/2 of the Southwest 1/4) in Cook County, Illinois.

from "R-3" Single Family to "H" Hospital and that the zoning map of the Village of Oak Park be amended accordingly.

SECTION 6: That a special use permit be granted to Oak Park Hospital, Partners '99 and their respective successors and assigns, under the provisions of Section 21.2-15 of the Zoning Ordinance to allow construction of an approximately 139,800 square foot medical office building and accessory surface parking lots and the maintenance of designated buffer zones on the Subject Properties legally described on Exhibit B attached hereto and made a part hereof, SUBJECT TO the conditions set forth in the Plan Commission's Recommendation #3 contained in the Plan Commission's Report, attached hereto as Exhibit A, as modified by Section 4 of this Ordinance.

SECTION 7: The Village Clerk is hereby authorized and directed to record this Ordinance, at the Applicants expense, with the Cook County Recorder of Deeds.

THIS ORDINANCE shall be in full force and effect from and after its adoption. The Village Clerk is directed to publish this ordinance in pamphlet form.

ADOPTED this 2nd day of December, 1999, pursuant to a roll call vote as follows:

AYES: Trustees Ebner, Hodge-West, Kostopulos, Kuner, Trapani and Turner and President Furlong

NAYS: None

ABSENT: None

APPROVED by me this 2nd day of December, 1999.

Barbara Furlong
Barbara Furlong
Village President

ATTEST:

Sandra Sokol
Sandra Sokol
Village Clerk

Published by me in pamphlet form this 3rd day of December, 1999.

Sandra Sokol
Sandra Sokol
Village Clerk

November 17, 1999

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

Re: Petition of Oak Park Hospital and Partners '99
for Rezoning, Special Use Permit,
Alley Vacation and Related Relief

Dear Ladies and Gentlemen:

The Petition and Notice. On July 6, 1999, the President and Board of Trustees of the Village of Oak Park referred to the Plan Commission, sitting as a Zoning Commission (hereinafter sometimes referred to as the "Commission"), for public hearing and recommendation, a Petition by Oak Park Hospital, Partners '99 (a joint venture of Healthcare Development Partners L.L.C. and Field Partners L.L.C.) (hereinafter sometimes referred to as "the Applicants"), and Gus Psychogios for rezoning, special use permit, alley vacation and related relief.

On July 14, 1999, legal notice was published in the Wednesday Journal, a newspaper of general circulation in the Village of Oak Park. Letters were also mailed by the Secretary of the Plan Commission to Village water service users in the neighborhood advising them of the proposal and the public hearing to be held:

Pursuant to the legal notice, this Plan Commission commenced the public hearing on the petition on July 29, 1999 at 7:30 p.m. and continued the matter for further hearing

on August 19, 1999; September 2, 1999; September 16, 1999; September 23, 1999; September 30, 1999; October 14, 1999; October 28, 1999; November 11, 1999; and November 17, 1999. A quorum of members of the Plan Commission was present on each of these dates, and any members who voted on this report have either read the transcript or listened to the tape recording of any of the sessions for which they were 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 Applicants.

1. That Oak Park Hospital is a 216-bed, not-for-profit healthcare facility located at 520 S. Maple, Oak Park, Illinois. It is a Catholic institution founded by the Sisters of Misericordia; sponsorship of the hospital was transferred to the Wheaton Franciscan Sisters in 1986. The Hospital is a member of the Rush System for Health and since 1997 Rush-Presbyterian-St. Luke's Medical Center has managed the hospital's operations. There are currently 349 active members of the hospital medical staff. Oak Park Hospital was the first hospital built in Oak Park and has served the healthcare needs of area residents at or near its present location since 1906.

2. That Oak Park Hospital is the owner of the properties which are the subject of this request, with the exception of 613 Wisconsin, which is owned by Gus Psychogios.

3. That Partners '99 is a limited liability company whose sole purpose is to develop and own the properties which are the subject of this request. Partners '99 is a joint venture between two partnerships - Field Partners and Healthcare Development Partners, both of whom have had extensive real estate development experience.

The Subject Properties.

4. That following is a list of the properties which are the subject of this request (collectively sometimes referred to as the "Subject Properties"), their current and requested zoning classifications and their current uses:

<u>Street Address</u>	<u>Current Zoning Classification</u>	<u>Requested Zoning Classification</u>	<u>Current Use</u>
618 S. Maple	R-3	H	SFD
620 S. Maple	R-3	H	SFD
622 S. Maple	R-3	H	SFD
613 S. Wisconsin	R-3	H	SFD
617 S. Wisconsin	R-3	H	2-Flat
621 S. Wisconsin	R-3	H	Vacant
513 S. Wenonah	R-3	H	Vacant
517 S. Wenonah	R-3	H	2-Flat
521 S. Wenonah	R-3	H	Vacant
525 S. Wenonah	R-3	H	Vacant
529 S. Wenonah	R-3	H	SFD
533 S. Wenonah	R-3	H	SFD

Note:

R-3 stands for "R-3" Single Family District

H stands for "H" Hospital District

SFD standards for single-family dwelling

Each of the lots on Maple and Wisconsin are roughly 50' x 170'. The lots on Wenonah are approximately 36' x 125'. Some addresses are double lots.

5. That Partners '99 has contracts to purchase all of the properties, subject to

obtaining the requested zoning relief.

The Requested Zoning and Alley Vacation Relief.

6. That the Applicants have requested that the Subject Properties be rezoned "H" Hospital District.

7. That the Applicants have requested that a special use permit be granted to allow construction of an approximately 139,800 square foot medical office building and accessory surface parking lots on the Subject Properties, with the exception of 622 S. Maple, 621 S. Wisconsin and 533 S. Wenonah, which would be used as homes or as offices for Oak Park Hospital. There are currently homes at 622 S. Maple and 533 S. Wenonah. The Applicants propose to move the existing home at 617 S. Wisconsin, or another home as engineering analyses provide, to the vacant lot at 621 S. Wisconsin or to build a new home at 621 S. Wisconsin with a garage, if the requested zoning relief is granted.

8. That the Applicants propose that all or portions of the following alleys be vacated:

- a) That part of the east/west alley adjacent to the hospital parking lot on the north and 618 S. Maple on the south;
- b) That part of the north/south alley adjacent to 618 and 620 S. Maple on the west and 613 and 617 S. Wisconsin on the east; and
- c) That part of the north/south alley adjacent to 513 to and including 529 Wenonah on the east and land improved with the hospital parking structures on the east.

The Applicants are requesting that the vacated portions of the above alleys be zoned "H" Hospital District.

Existing Zoning and Surrounding Uses.

9. That Oak Park Hospital is located in approximately the center of a roughly

six block area bounded by Madison Street, a primary arterial street on the north; Wenonah, a local residential street on the east; Adams, a local residential street on the south; and Harlem Avenue, a primary arterial street and state highway (Illinois Route 43) on the west.

- a) That the main Oak Park Hospital building is an eight-story structure constructed in the 1960's which adjoins the original six-story hospital building. The hospital entrance is approximately 140 feet north of the intersection of Maple Avenue and Monroe.
- b) That north of the main hospital building are ancillary hospital uses which extend to Madison Street.
- c) That east of the main hospital building is the four-level hospital parking structure followed by single-family dwellings which face Wenonah. There are single-family dwellings south on Wenonah and there are single-family dwellings south of the parking structure along Wisconsin.
- d) That east and north of the main hospital building (and directly north of the parking structure and the single-family dwellings on Wenonah), is a commercial strip of mostly one-story stores, although a three story commercial/three-story multi-family building is located at the southeast corner of Madison and Wisconsin.
- e) That south of the main hospital building is a 128 space surface parking lot followed by one and two family dwellings along Maple and Wisconsin.
- f) That west of the main hospital building are a landscaped vacant parcel, single-family home and the hospital power plant.
- g) That northwest of the main hospital building there are stores along Madison Street.

A copy of the Zoning Map for the roughly six block area is attached as an exhibit; this area contains "C" Commercial, "H" Hospital, "R-7" Multiple-Family and "R-3" Single Family Zone Districts.

Oak Park Hospital's Current Utilization and Healthcare Trends.

- 10. That the evidence indicated that Oak Park Hospital, which has 216 beds, is

currently under-utilized. The president of the hospital testified that the current daily (patient) occupancy of the hospital is about 80 patients, which peaks at about 110 patients a day during the winter months.

11. That the evidence indicated that in the health care industry, there has been a shift from inpatient delivery of care (staying in the hospital for over 24 hours) to outpatient delivery of care (staying in the hospital for less than 24 hours). Predictions from the American Hospital Association are that by the year 2007:

- a) 88% of all health care will be delivered in the outpatient setting;
- b) 90% of all surgical procedures will be in the outpatient setting; and
- c) 85% of all inpatient admissions will come through outpatient referrals.

12. That if Oak Park Hospital is to remain competitive for scarce health care resources, excellent doctors and patients, it must significantly increase its outpatient hospital space, space where people can interact with physicians in close proximity to the hospital.

13. That Oak Park Hospital seeks to increase its outpatient functions in a cost-efficient manner, without duplication of diagnostic and treatment facilities.

The Proposed Medical Office Building.

14. That the Applicants propose to significantly increase the outpatient functions at the hospital campus, and thereby keep Oak Park Hospital viable, by the construction of a 139,800 square foot, five-story office building 225 feet long by 125 feet wide. This building would house approximately 50 physician practices and would also contain an MRI unit. The hospital currently is periodically renting an MRI unit which is housed in a truck trailer. This practice would be eliminated if the proposed building is approved.

15. That the Applicants originally proposed siting the 125' x 225' medical office building on a north-south axis, parallel to Maple Avenue and approximately 80 feet south of the eight-story main hospital. By a unanimous consensus, this Commission rejected siting the proposed building in this way. At the suggestion of this Commission, the Applicants submitted an alternate site plan in which the medical office building is rotated 90 degrees, thereby running on an east-west axis perpendicular to Maple Avenue, as do the residential uses in the area. Thus, the "short" side of the building is parallel to Maple Avenue (a north/south street). This orientation allowed a greater buffer for the residential uses to the south and provided greater access to light and air for the residential uses to the east. This site plan, drawn by the HLM Design and dated 9/27/99 is attached as an exhibit. The Applicants testified that the new building could not cost effectively be sited immediately next to the existing hospital, because there is a linear accelerator (radiology) vault located just south of the main hospital.

The Community's Plan for This Area

16. That the Village's Comprehensive Plan, adopted in 1990 and currently in effect, shows the area bounded by Madison Street on the north, Wenonah on the east, Adams on the south, and Harlem on the west as a Hospital/medical complex development Area. This is the same roughly six-block area which is described in paragraph 9 and shown on the Zoning Map exhibit. As a development area, the plan identifies this area as "most appropriate for future development," 1990 Comprehensive Plan, page 67. (The 1979 Comprehensive Plan also identified this roughly six-block area as a Hospital Medical Complex development area, 1979 Comprehensive Plan, pages 51, 54).

17. That the 1990 Comprehensive Plan states, in part, under Economic

Development Policy number 5 entitled "Retain and increase local employment opportunities":

The five largest employers in Oak Park are non-profit entities, including the Village government and the two school districts. The two largest are the West Suburban Hospital Medical Center and Oak Park Hospital, which anchor the community's health-service industry. That industry serves a wide market and attracts other basic activities such as extended-care facilities, doctors offices, nursing homes and related functions. The economic and professional vitality of health-related facilities is important to the village because it increases the tax base by providing jobs, brings potential spending power into the community, and enhances the village's image. Some expansion of the two hospital complexes may be necessary, which is discussed at policy number six.

1990 Comprehensive Plan, p. 67.

18. That Economic Development policy number six of the 1990 Comprehensive Plan is entitled "Encourage new development and expansion in an orderly manner." The discussion under this policy indicates that because Oak Park is a virtually built-up community with little vacant land available for new development, the Comprehensive Plan does not predict which properties will become available for development, redevelopment or expansion. Instead, the Plan describes only general areas in which new construction or expansion would be most appropriate, (see 1990 Comprehensive Plan, p. 67). The Plan goes on to discuss a development category entitled "Hospital/medical complex development areas":

Oak Park's two hospitals are, of course, major contributors to the village, both socially and economically. The health-services industry is a constantly changing one, and some expansion of the hospital campuses may be necessary. The Development Map sets precise boundaries that limit the scope of expansion during the life of this plan. Those boundaries are larger than the current "H" Hospital zoning district. To extend beyond this zoning district into the larger area designated on the Development Map, the hospital would have to obtain a rezoning, which requires a public hearing and approval by the President and Board of Trustees.

Before granting such a rezoning, the following requirements should be considered:

- The proposal is in accord with a written hospital master plan on file with the Village
- A cost-benefit analysis is prepared demonstrating the probable effects on the tax base, employment opportunities and the delivery of health services
- The proposal will be compatible with the surrounding area, and will be adequately landscaped and screened to maintain the adjacent residential environment;
- The proposal is considered in terms of the goals and objectives and policies of this comprehensive plan

1990 Comprehensive Plan, p. 71.

The Rezoning Request.

19. That there is some confusion about whether the hospital had a "master plan on file with the village" prior to the hearing. There was no written master plan produced which was on file with the Village prior to the hearing. The hospital produced hand drawn architectural plans entitled master plan and dated 1973. It also produced a three-dimensional model of a master plan dated 1980. In any event, the hospital has now filed with the Village two alternate site plans for this project, which are attached as exhibits and which consist of single sheets drawn by HLM Design dated 9/27/99 and 10/28/99 respectively. The hospital has designated these site plans as its current master plan. The president of the hospital testified that the hospital currently has no expansion plans not shown in these site plans.

20. That an analysis of the costs and benefits of the project, the compatibility of the project with surrounding uses, and the goals, objectives and policies of the

Comprehensive Plan were considered by the Commission in its consideration of nine factors which must be considered in a request for rezoning pursuant to Section 24-7-4 of the Zoning Ordinance. These factors are:

- a) The character of the neighborhood. As noted in paragraph 9 (existing uses), the character of the neighborhood is mixed; there are commercial, hospital, single-family and multi-family uses in the area. The main hospital building and parking lot located at 520 S. Maple, a block south of Madison and a block east of Harlem, is partially bordered by residential uses. The hospital has defined this area since 1906.
- b) The extent to which property values are diminished by the particular zoning restrictions; and
- c) The extent to which the removal of the existing limitation would depreciate the value of other property in the area.

The values of the homes in the area of the hospital have since 1906 reflected the presence of the hospital and its related parking and traffic. These homes have been located in a hospital/medical development area for more than twenty years. All properties for which rezoning is sought are owned by the hospital or are under contract. These properties, now used as homes, are more valuable to the hospital as part of its proposed redevelopment plan. Rezoning these properties from "R-3" to "H" will result in different homes bordering a larger "H" district than presently exists. The evidence is inconclusive regarding the extent to which these newly bordering homes or other property in the area would be depreciated due to the proposed

rezoning.

- d) The suitability of the property for the zoned purpose. Because the Subject Properties are adjacent to the hospital campus and are part of the hospital/medical complex development area, they are suitable for "H" zoning.
- e) The length of time under the existing zoning that the property has remained unimproved, considered in the context of land development in the area. Although there are a few vacant parcels among the Subject Properties, this factor is largely inapplicable.
- f) The existing uses and zoning of nearby property. This factor is discussed in paragraph 9 above. The proposed rezoning is generally consistent with other zoning in the area.
- g) The relative gain to the public as compared to the hardship imposed on the individual property owners. The proposed rezoning will allow the hospital to increase the utilization of existing facilities, increase market share and remain viable. Because Oak Park Hospital is the second largest employer in the Village and owns a large medical complex in the Village, the Village has a substantial interest in the health and well-being of Oak Park Hospital. As noted in the 1990 and 1979 Comprehensive Plans, the hospital may have need to expand. The hardship to the residential neighbors is real. The proposed project will increase traffic congestion and noise, affect neighborhood aesthetics and decrease neighborhood housing stock. Some hospital-owned homes will be demolished. However, on balance, the gain to

the public in affording the hospital an opportunity to be viable and competitive in the industry outweighs the hardship to the individual property owners.

h) The extent to which the ordinance promotes the health, safety, morals or general welfare of the public. The rezoning will likely result in significant real estate tax revenues for the Village, as discussed below in the "Special Use" section of this report (see paragraph 23). Helping to keep Oak Park Hospital alive and well by the proposed rezoning significantly promotes the health, safety, morals or general welfare of the public.

i) Where applicable, the goals, objectives and policies presented in the Comprehensive Plan. Portions of the Comprehensive Plan are addressed above. The proposed rezoning furthers the following goals, objectives, policies from Chapter V ("Economic Development") of the 1990 Comprehensive Plan:

Goal 1: To expand the Village's tax base in order to maintain a high level of services, programs and facilities

Objective A: To maximize the potential for establishing tax-generating commercial development and redevelopment

Objective B: To stimulate increased private investment in Oak Park.

Goal 2: To encourage broad range of convenient retail and service facilities to serve Oak Park residents and others

Objective A: To encourage existing businesses to remain and expand, and to attract new businesses that improve the mix of retail and service establishments.

Objective B: To attract a larger proportion of retail purchases from within Oak Park's market area.

Policies: Retain and increase local employment opportunities.
Encourage new development and expansion in an orderly manner.

The Special Use Request - Standards.

21. That assuming the requested rezoning is granted, the Applicants have requested that a special use permit be granted pursuant to Section 21.2-15 of the Zoning Ordinance to allow construction of the medical office building and accessory parking. Section 21.2-15 allows as a special use medical offices and uses accessory to a principal medical service use located on a lot in an "H" District other than the lot on which such principal use is located.

22. That Section 24.8-4 of the Zoning Ordinance sets forth six standards which must be met before a special use is granted. These standards are:

- a) The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community;
- b) The proposed building or use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare;
- c) The proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations;
- d) The proposed building or use complies with the more specific standards and criteria established for the particular building or use in question by Articles 21 and 22 of this Zoning Ordinance;
- e) The proposed building or use has been considered in relation to the goals and objectives of the Comprehensive Plan of the Village of Oak Park; and

- f) There shall be reasonable assurance that the proposed buildings or use will be completed and maintained in a timely manner, if authorized.

23. That as conditioned below, the proposed building or use at the particular location requested is desirable to provide a service or a facility which is in the best interest of the public convenience and will contribute to the general welfare of the community with improved access to high quality primary care physicians and specialists who locate in the new building. The additional physicians and specialists in the medical office building immediately adjacent to the hospital will provide the hospital with the opportunity to flourish in today's competitive health care market by better utilizing its existing diagnostic and treatment facilities for outpatient services and by expanding the types and quality of outpatient and other health care services. The presence of an attractive new development in the existing hospital campus will enhance the delivery of medical services and the stature of the hospital. With roughly fifty physician practices in the new building, there will be significant employment opportunities created. Finally, the medical office building, which will be privately owned by a for-profit venture, will generate real estate tax revenues of approximately \$800,000 - \$1.1 million per year.

24. That as conditioned below, the proposed building or use will not have a substantial or undue adverse impact upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare.

- a) That as conditioned below, the proposed building or use will not have a substantial or undue adverse effect upon adjacent property.

1) Oak Park Hospital is the landmark in this neighborhood and has

been so for the past ninety years. The original hospital building was six stories high; the 1960s addition, which now occupies the main hospital, is eight stories high. The eight-story hospital building is visible from nearly every residential yard in the roughly six-block area comprising the Comprehensive Plan's Hospital/medical complex development area. Many residential neighbors complained about the bulk and five-story height of the proposed medical office building at its proposed location on Maple Avenue, yet the proposed new building will be substantially shorter than the main hospital building and slightly shorter than the original hospital building, with which it will be physically connected by a covered walkway. For reasons of cost, the new building could not be sited immediately next to the existing hospital, because there is a linear accelerator (radiology) vault located just south of the main hospital.

2) By its conditions below, this Commission is requiring significant buffers from the adjoining residential areas. Homes, owned by the hospital, will be retained at 622 S. Maple, 621 Wisconsin and 533 S. Wenonah to provide additional buffering to nearby residential uses. Significant plantings, berming and other landscaping provide additional buffering.

3) The Commission readopts its findings in paragraph 20(b) and (c) in further support of its finding that, as conditioned below, the proposed special use will not have a substantial or undue adverse

effect upon adjacent property.

- b) That as conditioned below, the proposed building or use will not have a substantial or undue adverse effect upon the character of the neighborhood. In support of this finding, the Commission readopts its findings in paragraphs 9, 20(a) and 24(a)(1), (2) and (3).

- c) That as conditioned below, the proposed building or use will not have a substantial or undue adverse effect upon traffic conditions.

1) The Commission has imposed conditions regarding a traffic signal at the intersection of Wisconsin and Madison, a "no left turn" sign at the east/west alley south of Madison Street on Wenonah for northbound traffic, a "do not enter" sign in the east/west alley between Wenonah and Wisconsin (approximately 40' from Wenonah), and a possible traffic diverter on Maple between Adams and Monroe.

2) As for parking, under Village Code, 118 parking spaces are required for the hospital and 282 spaces for the proposed medical office building (total of 400 spaces). These requirements are significantly below industry standards, which would suggest 500 parking spaces for the hospital and 343 spaces for the proposed medical office building (total of 843 spaces). The hospital currently provides 520 spaces on its campus, which can be increased to 548 by restriping the parking structure. The site plan dated 9/27/99 provides an additional 106 parking spaces (total of 654 spaces.) Partners '99 may lease from the hospital whatever additional spaces it needs to

meet the 282 spaces required by the Village Code.

Second Alternate Site Plan dated 10/28/99

3) In the course of these proceedings, a number of residential neighbors suggested that the Applicants should use the roughly 170' x 207' landscaped vacant parcel owned by the hospital at the northwest corner of Maple and Monroe for a surface parking lot, rather than the proposed lot on Wenonah. The Applicants have agreed to apply for rezoning and a special use to use the Maple/Monroe parcel for a 97 space surface parking lot pursuant to a site plan dated 10/28/99 which is attached. If the rezoning and special use for the 97 space Maple/Monroe parking lot is granted, the Applicants stated that they would not develop the Wenonah parcel with hospital uses and would maintain the parcel as residential and/or green space until otherwise directed by the President and Board of Trustees.

- d) That as conditioned below, the proposed building or use will not have a substantial or undue adverse effect upon utility facilities and other matters affecting the public health, safety and welfare. There is no evidence or testimony that the proposed special use would have a substantial or undue adverse effect upon utility facilities. The proposed special use will help Oak Park Hospital, the Village's second largest employer, to remain competitive in its industry and allow it to offer new employment opportunities. The proposed special use will

improve access to high quality health care and increase the Village's tax base.

25. That as conditioned below, the proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations. The hospital has co-existed with its neighbors, both residential and commercial, for over ninety years. The proposed medical office building will be buffered by certain landscaping, some hospital owned houses and other setbacks as shown on the attached site plans.

26. That the proposed building or use complies with the more specific standards and criteria established for the particular building or use in question by Article 21 of the Zoning Ordinance.

27. That the proposed building or use has been considered in relation to the goals and objectives of the Comprehensive Plan of the Village of Oak Park. In support of this finding, the Commission readopts the findings set forth in paragraphs 16 through 18, and 20(i).

28. That as conditioned below, there were reasonable assurances that the proposed building or use will be completed and maintained in a timely manner, if authorized. The Applicants testified that Rush-Presbyterian-St Lukes Medical Center has a 19-year master lease for the entire medical office building which requires full payment of rent from the time the building is constructed or a certificate of occupancy is issued, whether or not it is fully rented. The Applicants testified that the lease includes three, five-year options for Rush to extend the master lease. Rush is the largest academic medical center in Chicago and has over \$700 million in annual revenues. Rush has non-binding

letters of intent from various physician practices for roughly half the office space. A representative of Partners '99 stated that Partners '99 has agreed in its lease with Rush that Partners '99 will not sell the building for the majority of the term of the lease. The evidence indicated that Partners' 99, the developer, is able to construct and complete the project.

The Alley Vacation Requests.

29. That State Statute requires that the corporate authorities (President and Board of Trustees) determine whether the public interest will be subserved by vacating any street or alley or part thereof within their jurisdiction.

30. That Oak Park Hospital is the owner of the properties adjoining all of the alleys or portions of alleys which it proposes for vacation (see paragraph 8 for a description of the proposed alleys).

31. That the vacation of these alleys or portions thereof is necessary or desirable for the development of the proposed medical office building and accessory parking.

32. That the Applicants are requesting that the vacated alleys or portions thereof be zoned "H" Hospital District.

33. That the public interest will be subserved by vacating the proposed alleys or portions thereof. Certain conditions to the alley vacations are set forth below.

Additional Findings.

34. That in the roughly fifty-five hours of testimony and deliberations over ten nights that the Commission has met to hear and consider the Applicants' proposal, the Commission has heard from the Applicants, proponents, objectors, and those who simply wished to testify on the matter. All parties were given a fair opportunity to present

testimony and evidence, ask questions and on November 17, 1999, cross-examine witnesses.

35. That the Applicants' proposal generated controversy, particularly among many residential neighbors in the area, some of whom formed an entity with the acronym R.U.S.H. (Residents United to Save our Homes). The R.U.S.H. group and others who objected have probably provided this Commission with more pages of exhibits than did the Applicants. Frequently the objectors would raise questions about the proposal which members of the Commission would directly ask the Applicants. The objectors were given at least equal (and ample) time to present their views. Both those in favor and those opposed to the application made excellent presentations.

36. That as the Village's Plan Commission, this body often returns to the Comprehensive Plan for the guidance which it may offer. The 1990 Comprehensive Plan states at pages 4 - 5:

Governmental decisions often involve trade-offs between competing interests. The village presents the comprehensive plan to all elected and appointed village bodies to help them make those difficult choices between competing interests and to serve as a guide for decision making. For example, bodies that hear applications for rezonings, variations, or special-use permits should evaluate them not only in terms of specific zoning ordinance standards, but also in terms of how well the proposed action would help attain the goals and objectives of this plan and fulfill its policies.

37. That as set forth in the above findings, this Commission has reviewed not only the Comprehensive Plan, but the specific Zoning Ordinance requirements that pertain to the pending application.

38. That it is in the best interests of the Village of Oak Park that the Subject Properties be rezoned from "R-3" Single-Family to "H" Hospital.

39. That as conditioned below, it is in the best interest of the Village of Oak

Park that a special use be granted for the construction of a medical office building and accessory parking at or near Oak Park Hospital.

RECOMMENDATIONS

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 Plan Commission sitting as a Zoning Commission, hereby recommends to the President and Board of Trustees:

- 1) That the Zoning Ordinance and Map of the Village of Oak Park be amended by changing the zoning classification of the below vacated alley or portions thereof and the properties commonly known as 618 S. Maple, 622 S. Maple, 613 Wisconsin, 617 Wisconsin, 621 Wisconsin, 513 S. Wenonah, 517 S. Wenonah, 521 S. Wenonah, 525 S. Wenonah, 529 S. Wenonah, and 533 S. Wenonah, Oak Park, Illinois (collectively the "Subject Properties") from "R-3" Single-Family Zone District to "H" Hospital Zone District.
- 2) That the rezoning described in condition 1 be effectuated before the alley vacation described in condition 3, so that pursuant to Section 4.2-3 of the Zoning Ordinance, said alleys or portions thereof will become zoned "H" Hospital District.
- 3) That a special-use permit be granted to Oak Park Hospital, Partners '99, and their respective successors and assigns, under the provisions of Section 21.2-15 of the Zoning Ordinance to allow construction of an approximately 139,800 square foot medical office building and accessory surface parking lots on the Subject Properties, with the

exception of 622 S. Maple, 621 Wisconsin and 533 S. Wenonah, SUBJECT TO the following conditions and restrictions:

- a) That except as modified below, the Applicants shall develop the project in substantial conformity with the attached site plan drawn by HLM Design dated 9/27/99 and the renderings and elevations which the Applicants submitted into evidence as Exhibits 1 and 2.
- b) The Applicants shall maintain the three hospital-owned houses on the lots commonly known as 622 S. Maple Avenue, 621 Wisconsin Avenue, and 533 S. Wenonah Avenue, as shown on the 9/27/99 Site Plan, in perpetuity for single family residential purposes unless only a change thereof is specifically approved by the President and Board of Trustees after a public hearing thereon. The Applicants shall move a selected dwelling based on engineering analyses to the vacant lot at 621 S. Wisconsin or build a new dwelling compatible with other houses in the neighborhood and construct a two car garage at 621 S. Wisconsin. The Applicants must maintain the houses in good condition and repair.
- c) That as set forth in finding ²⁴23(c)(3), the Applicants have agreed to apply for zoning relief to permit the 97 space parking lot at Maple/Monroe. In the event such relief is granted, the number of parking spaces in the Wenonah Street parking lot shall be reduced one for one.
- d) That as set forth in finding ²⁴23(c)(3), the Applicants have agreed to apply for zoning relief to permit the 97 space parking lot at Maple/Monroe. Prior to the hearing on that zoning relief, the Applicants shall notify the water service users within two blocks of the Wenonah lot and request input, particularly from those residents near the Wenonah lot, on whether the home at 529 S. Wenonah should be retained, or whether it should be demolished in favor of more green space, if the special use permit for the Maple/Monroe lot is granted.
- e) That as set forth in finding ²⁴23(c)(3), the Applicants have agreed to apply for zoning relief to permit the 97 space parking lot at Maple/Monroe. In the event the Village grants such relief, the Wenonah lot shall be configured in substantial conformity with the * 10/28/99 site plan, or as otherwise modified by the Village Board without further hearings.
- f) That the Applicants shall install landscaping in the parkways of

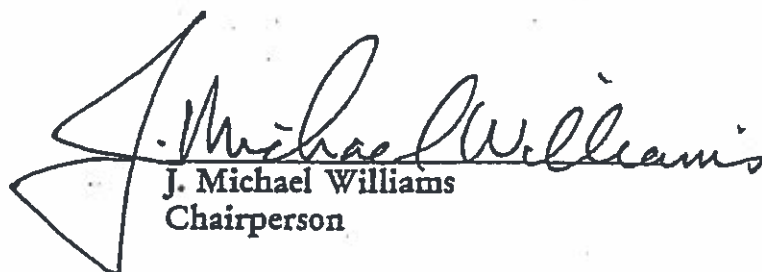
Wenonah Avenue and Wisconsin Avenue as directed and approved by the Village staff.

- g) That the project shall be constructed and maintained in substantial conformity with a revised landscape plan which the Applicants are finalizing and which they will present to the President and Board of Trustees in November, 1999 for their review and approval.
- h) That the project shall be constructed and maintained in substantial conformity with a revised lighting plan which the Applicants are finalizing and which they will present to the President and Board of Trustees in November, 1999 for their review and approval.
- i) That the Applicants shall construct the exterior of the medical office building with face brick and limestone as indicated in the renderings.
- j) That the Applicants, their successors, and assigns shall not seek an exemption from real estate taxes on the Subject Properties for so long as this special use permit is in effect.
- k) That during the term of this special use, the Applicants shall provide a local telephone number which interested parties may call to obtain answers to questions about the project and its construction and operation. 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 routine problems regarding traffic, noise, maintenance, and landscaping. With regard to problems of a more serious nature, such person shall report to the chief operating officer of the hospital and shall facilitate and expedite timely decision-making by the Applicants with respect to the concerns of neighbors.
- l) That the Applicants shall re-stripe the parking spaces in the existing parking garage in a manner approved by the Village Engineer to provide the maximum number of spaces. In addition, Partners '99 shall enter into a lease with Oak Park Hospital for a 20-year term for not less than 29 parking spaces in the parking garage. The lease shall provide that all hospital employees shall park their vehicles in the parking garage.
- m) That the Applicants shall engineer and pay for a traffic signal at the intersection of Wisconsin/Madison which must be interconnected with the existing traffic signal at Home Avenue.
- n) That the Applicants shall pay for a "no left turn" sign which the

Village will post at the east/west alley south of Madison Street on Wenonah Avenue for northbound traffic.

- o) That the Applicants shall pay for a "do not enter" sign which the Village will post in the east/west alley between Wenonah and Wisconsin approximately 40' from Wenonah.
 - p) That the Applicants shall post \$50,000 in an interest bearing escrow for five years following completion of the project with the Village of Oak Park for construction of a possible traffic diverter on Maple between Adams and Monroe. In the event that traffic volumes on Adams between Wisconsin and Maple and/or Maple Avenue between Adams and Jackson exceed 1,500 vehicles per day as determined by the Village's Department of Public Works, the Village shall apply the escrow for construction of the traffic diverter on Maple between Adams and Monroe. Any funds not disbursed shall be returned to the Applicants with any accrued interest at the end of the five year term.
 - q) That the Applicants shall pay all costs associated with all off-site traffic improvements including signs, diverters, cul-de-sacs, striping and other traffic, water or sewer improvements attributable to this project as determined by the Village Engineer.
 - r) That in the event the Applicants or their successors fail to comply with one or more of the foregoing conditions and restrictions after 30 days written notice to do so by the Village or its agents, the President and Board of Trustees may thereafter revoke or limit this special use permit; provided, however, that the Applicants or their successors shall be deemed to have complied if they promptly commence a cure and diligently pursue that cure to completion but such cure is not reasonably susceptible to completion within such 30-day period.
- 4) That the following alleys or portions thereof be vacated:
- a) That part of the east/west alley adjacent to the hospital parking lot on the north and 618 S. Maple on the south;
 - b) That part of the north/south alley adjacent to 618 and 620 on the west and 613 and 617 Wisconsin on the east; and
 - c) That part of the north/south alley adjacent to 513 to and including 529 Wenonah on the east and land improved with the hospital parking structure on the west.

SUBJECT TO the Applicants and President and Board of Trustees negotiating just and adequate compensation for the vacated alleys. In the event that the Applicants apply for and are granted a special use for a parking lot at Maple/Monroe, the north/south alley between Wenonah on the east and the hospital parking structure on the west should not be vacated.



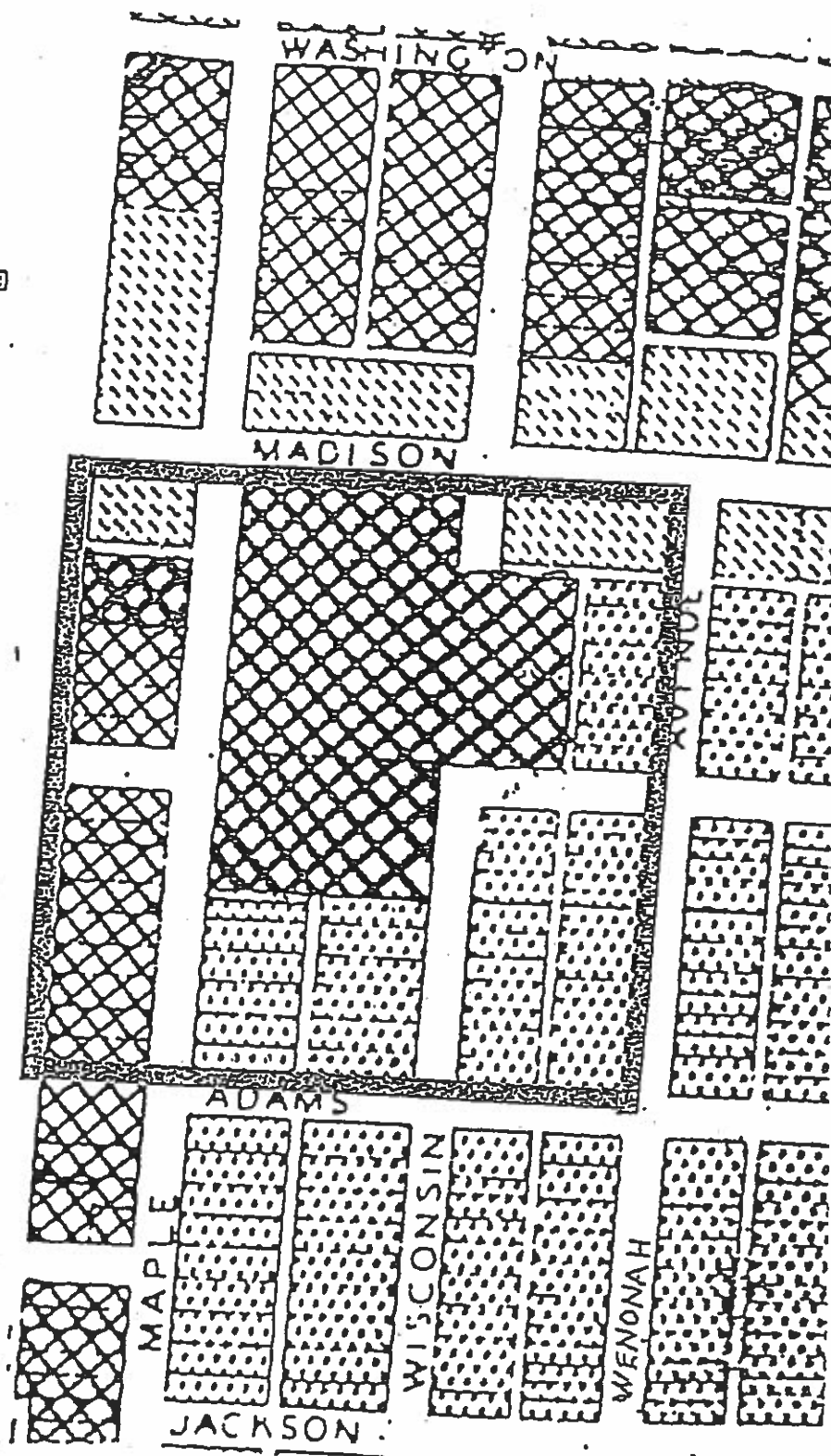
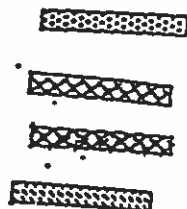
J. Michael Williams
Chairperson

Plan Commission sitting
as a Zoning Commission

This report adopted by a 5 to 4 vote of the Plan Commission sitting as a Zoning Commission this 17th day of November, 1999.

LEGEND

- 'R-3' SINGLE FAMILY
- 'R-7' MULTIPLE FAMILY
- 'H' HOSPITAL
- 'C' COMMERCIAL



Legal Description of Property for Special Use Permit

Lots 4, 5, and 6 in Block 6 and Lots 4, 5, and 6 in Block 7 in W.J. Wilson's Addition to Oak Park, a Subdivision of part of Lot 1 in B.F. Jervis' Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian (except the West 1/2 of the Southwest 1/4) in Cook County, Illinois.

P.I.N. 16-18-110-006-0000
 16-18-110-007-0000
 16-18-110-015-0000
 16-18-110-016-0000
 16-18-110-017-0000
 16-18-110-022-0000

Common Addresses:

618 South Maple Avenue, Oak Park, Illinois 60304
 620 South Maple Avenue, Oak Park, Illinois 60304
 622 South Maple Avenue, Oak Park, Illinois 60304
 613 South Wisconsin Avenue, Oak Park, Illinois 60304
 617 South Wisconsin Avenue, Oak Park, Illinois 60304
 621 South Wisconsin Avenue, Oak Park, Illinois 60304

and

Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and the North 22 feet of Lot 22 in Block 2 in the Subdivision of Block 2 in Wallen and Probst's Addition to Oak Park, a Subdivision of part of Lot 1 in B.F. Jervis' Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian (except the West 1/2 of the Southwest 1/4) in Cook County, Illinois.

P.I.N. 16-18-102-017-0000
 16-18-102-018-0000
 16-18-102-019-0000
 16-18-102-020-0000
 16-18-102-021-0000
 16-18-102-022-0000

Common Addresses:

513 South Wenonah Avenue, Oak Park, Illinois 60304
 517 South Wenonah Avenue, Oak Park, Illinois 60304
 521 South Wenonah Avenue, Oak Park, Illinois 60304
 525 South Wenonah Avenue, Oak Park, Illinois 60304
 529 South Wenonah Avenue, Oak Park, Illinois 60304
 533 South Wenonah Avenue, Oak Park, Illinois 60304

and

Northwest Corner of Lot 12 to the Northeast Corner of Lot 35, and lying North of the Westerly extension of the North line of the South 3 feet of Lot 22 aforesaid all in Block 2 in the Subdivision of Blocks 1 to 9, inclusive in Wallen and Probst's Addition to Oak Park, being a Subdivision of Section 18, Township 39 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois.

and

That part of the North and South 18 foot public alley lying between the East line of Block 6 in W.J. Wilson's Addition to Oak Park, being a Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian and the West line of Block 7 in said W.J. Wilson's Addition to Oak Park, lying South of the Easterly extension of the North line of the South 11.50 feet of Lot 3 in said Block 6, and lying North of a line drawn from the Southeast Corner of Lot 5 in said Block 6 to the Southwest Corner of Lot 5 in said Block 7 all in W.J. Wilson's Addition to Oak Park, being a Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois.

and

The South 11.50 feet of Lot 3 and the North 8.50 feet of Lot 4 in Block 6 in W.J. Wilson's Addition to Oak Park, being a Subdivision in Section 18, Township 39 North, Range 13, East of the Third Principal Meridian dedicated for a 20 foot public alley per document no. 20202115 in Cook County, Illinois.

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, Sandra Sokol

Village Clerk of the Village of Oak Park, in the County of Cook and State of Illinois do hereby certify that the annexed and foregoing is a true and correct copy of that certain Ordinance now on file in my office entitled ORDINANCE AMENDING THE OAK PARK ZONING ORDINANCE AND GRANTING A SPECIAL USE PERMIT (OAK PARK HOSPITAL)

which said Ordinance was passed by the Board of Trustees of the Village of Oak Park at a session held on the 2nd day of December A.D. 1999, and approved by the President of the Village of Oak Park on the 2nd day of December, 1999.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Oak Park was taken by ayes and nays and recorded in the Journal of the Proceedings of the Board of Trustees of the Village of Oak Park and that the result of said vote was as follows, to-wit:

Ayes - - - Trustees: Ebner, Hodge-West, Kostopulos, Kuner, Trapani and Turner
and President Furlong
Nays - - - None
Absent - - - None

I do further certify that the Original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Village of Oak Park this 17th day of December, A.D. 1999.

Sandra Sokol
Village Clerk, Village of Oak Park

Original certification
to Law Dept.