

January 23, 2020

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

**Re:      Application of AH Oak Park, LLC for a  
Right-of-Way Vacation of Euclid Avenue  
between Madison Street and the East-West  
Public Alley South of Madison Street – PC  
19-06**

Dear President and Trustees:

History of Project.

On or about November 8, 2019, American House Oak Park, LLC, of One Towne Square, Suite 1600, Southfield, Michigan 48346 ("Applicant"), filed an application for approval of the vacation of a portion of Euclid Avenue between Madison Street and the East-West public alley South of Madison Street, as identified in the application ("Subject Property").

The portion of the Village right-of-way to be vacated is approximately sixty-six feet (66') wide (East to West) and one hundred twenty-five feet (125') long (North to South).

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 November 20, 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 December 5, 2019, December 19, 2019 and January 23, 2020, 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 an eight thousand two hundred fifty (8,250) square feet parcel. The Subject Property is located in the MS Madison Street Zoning District. The Subject Property is currently a public right-of-way surrounded to the East and West by property under contract for purchase by the Applicant in the MS Madison Street Zoning District.

#### The Applicant.

2. The Applicant is the contract purchaser of property East and West of the Subject Property, and the Applicant has requested a planned development in a related application for the Subject Property, and the properties at 711 – 725 Madison Street.

#### Requested Approvals – 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 as part of its plans to construct a multi-family residential senior care facility on the Subject Property and on property to the East and West of the Subject Property, which facility 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 19-06.

5. 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.

6. 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.

7. 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 has a contract to purchase the property abutting the Subject Property to the East and West, 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 sixty-six feet (66') by one hundred twenty-five feet (125') portion of the public right-of-way to the Applicant, as the requested Vacation was presented to the Village, and that the Vacation be APPROVED, on the condition that the multi-family residential senior care facility proposed in PC 19-06 be constructed by the Applicant. The Commission authorizes the Chair to sign the Plat of Vacation.

This report adopted by a 8 to 0 vote of  
the Plan Commission, sitting as a Zoning  
Commission, this 23<sup>rd</sup> day of January, 2020.