

October 27, 2020

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

**Re: Application of the Village of Oak Park for
Consideration of Amendments to the
Village of Oak Park Zoning Ordinance
Regarding Timelines for Approved Planned
Development Permit Submittal and
Construction Phases – PC 20-09**

Dear President and Board of Trustees:

In October of 2020, the Village of Oak Park (“Applicant”), submitted an application for consideration of amendments to the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) with the Plan Commission (“Commission”). The Applicant requested that the Commission consider whether to amend the Zoning Ordinance to modify the timelines for approved planned development permit submittal and construction phases (together the “Amendments”).

Notice and Hearing.

On October 7, 2020, legal notice of the public hearing was published in *The Wednesday Journal*, a newspaper of general circulation within the Village of Oak Park.

Pursuant to legal notice, the Commission conducted a public hearing on the application on October 27, 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

1. The Applicant is the Village of Oak Park.
2. The Applicant asked the Commission to consider whether it is appropriate to make the Amendments to the Zoning Ordinance.
3. The Zoning Ordinance was adopted in its current form in September of 2017 and it has been amended several times since then.
4. The Commission heard testimony regarding the proposed Amendments.

Standards.

5. The following are standards for approval of text amendments in Subsection 14.1(E)(2) of the Zoning Ordinance:

- a. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.
- b. The relative gain to the public, as compared to the hardship imposed upon the applicant.
- c. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
- d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
- e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.
- f. The extent to which the proposed amendment creates nonconformities.
- g. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

6. The Commission finds that the Amendments satisfy the standards in Subsection 14.1(E)(2), and that approval of the requested Amendments is appropriate.

7. The Amendments would allow approved planned development permit holders more flexibility in submitting building permit applications for, and completing construction of, improvements allowed pursuant to planned development permits.

8. Specifically, the Commission finds that making the Amendments to the Zoning Ordinance will promote the public health, safety, and welfare, will make the regulations in the Zoning Ordinance more closely aligned with the intent of the Zoning Ordinance and Comprehensive Plan of the Village of Oak Park, and will further the land planning goals of the Village of Oak Park.

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 application be GRANTED, and that the Amendments be made to the Zoning Ordinance, as set forth in **EXHIBIT A** attached hereto and made a part hereof.

This report adopted by a 7 to 0 vote of
the Plan Commission, sitting as a Zoning
Commission, this 27th day of October, 2020.

EXHIBIT A
AMENDMENTS
(attached)

The following amendments to the Zoning Ordinance are recommended, with additions underlined and deletions struck through.

Article 14 “Zoning Approvals”

Section 14.5 “Planned Developments”

Subsection 14.5.G. “Effect of Approval or Denial and Expiration”

“1. Approval of the planned development by the Village Board authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy, and other required permits. The Zoning Administrator will review applications for these permits for compliance with the terms of the planned development approval. No building permit will be issued for development that does not comply with the terms of the planned development approval.

2. An approval of a planned development by the Village Board becomes be null and void if the recipient does not file an application for a building permit for the proposed development within 12 ~~nine~~ months after the date of adoption of the ordinance approving the planned development.

3. An approval of a planned development by the Village Board becomes null and void if construction ~~has not commenced within 18 months and~~ is not completed within 36 months after the date of adoption of the ordinance approving the planned development.

4. Notwithstanding the above, an approval of a planned development with a phasing plan will expire if construction has not commenced or is not completed in accordance with the terms of that phasing plan.

5. An extension of the time requirements may be granted by the Village Board for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline, whenever practicable.

6. Following approval, the Zoning Administrator will revise the Official Zoning Map to reflect the existence and boundaries of the approved planned development. Designation of a planned development on the Zoning Map is for administrative and reference purposes only and does not indicate a zoning district change. The presence or absence of a planned development on the Zoning Map does not validate or invalidate an approved planned development.”