



## Agenda Item Summary

---

**File #:** ORD 16-101, **Version:** 1

---

### **Submitted By**

Mike Quinn, Zoning Board of Appeals Chairperson through Tammie Grossman, Development Customer Services Director

### **Reviewed By**

LKS

### **Agenda Item Title**

**Concur with the Zoning Board of Appeals' Recommendation and Adopt an Ordinance Granting a Special Use Permit to Operate a Health, Athletic, Recreation and Amusement Facility in the B-4 Downtown Business District at 1136 Lake Street**

### **Overview**

Section 3.1 (Summary Use Matrix) of the Zoning Ordinance of the Village of Oak Park, which relates to permitted uses within the Village of Oak Park, requires a special use permit to allow a health, athletic, recreation and amusement facilities in the B-4 Downtown Business District.

### **Recommendation**

Accept the Zoning Board of Appeals' Findings as to compliance of the proposed special use with the applicable standards and its recommendations, and adopt the proposed Ordinance granting said special use permit

### **Staff Recommendation**

Staff supports the Zoning Board of Appeals

### **Fiscal Impact**

Village cost of public notice.

### **Background**

The proposed tenant space is located at the rear of the building. According to the applicant, Spenga Fitness is a unique fitness franchise that includes one hour classes comprised of 20 minutes of spin, 20 minutes of strength training and 20 minutes of yoga. Small items such as Spenga clothing and bottled drinks would be sold in the fitness studio.

### **Alternatives**

Deny the special use permit, which would not allow the proposed fitness studio at this location.

### **Previous Board Action**

At their July 18, 2016 meeting, the Village Board authorized a referral of the special use to the Zoning Board of Appeals to hold a public hearing.

### **Citizen Advisory Commission Action**

The Zoning Board of Appeals held a public hearing on August 3, 2016. There was opposition to the application. Gale Landers, founder of Fitness Formula Clubs (FFC), spoke in opposition to the application. Mr. Landers indicated that based on the Zoning Code, FFC was not allowed to operate their club on the ground floor. He testified that constructing the club on the second floor dramatically increased the cost of the club. Mr. Landers said that FFC understood that there would be no fitness facilities allowed on the ground floor in the area at street level, and he asked that the Zoning Board of Appeals object to the Spenga proposal.

Please Note: The development that includes the FFC business is subject to a Redevelopment Agreement with the Village which indicates that the Health and Fitness club, at that time, needed to obtain a special use permit. It also states that the Village shall not directly subsidize or finance a private fitness facility for ten years after final occupancy for the Health Club. In June of 2004, the Village Board approved a special use permit for the second and third floors for the health club use.

It should be noted that Spenga Fitness' zoning relief is only for a special use permit to be located in the Downtown District; Spenga is not requesting (first floor) relief from the Transit Related-Retail Overlay District since their proposed location is not within 50 feet of the street line.

The Zoning Board of Appeals ratified their findings of fact on August 3, 2016 by a six (6) in favor and zero (0) against vote. The Zoning Board of Appeals is transmitting a written report of their findings and recommendation to the President and Board of Appeals as incorporated.

### **Anticipated Future Actions/Commitments**

N/A.

### **Intergovernmental Cooperation Opportunities**

Zoning and land use matters are unique to Village government within the corporate limits of Oak Park and therefore, intergovernmental cooperation opportunities do not exist.

### **Performance Management (MAP) Alignment**

A Governance Priority established for the Development Customer Services Department is Land Use Regulations.