



## Agenda Item Summary

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**File #:** ORD 17-173, **Version:** 1

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### **Submitted By**

David Mann, Plan Commission Chair through Tammie Grossman, Development Customer Services Director

### **Reviewed By**

LKS

### **Agenda Item Title**

**Concur with the Plan Commission's Recommendation and Adopt an Ordinance Authorizing the Vacation of a Certain Portion of an Alley Abutting Harrison Street Between 211 and 213 Harrison Street in the Village of Oak Park, Cook County, Illinois**

### **Overview**

The Applicant is requesting to vacate a small portion (16 feet x 47 Feet) of a public alley between their buildings along Harrison Street for the purposes of providing outdoor dining space.

### **Recommendation**

Accept the Plan Commission's recommendation and adopt the Vacation Ordinance with the stated conditions.

### **Staff Recommendation**

Staff Supports the Plan Commission.

### **Fiscal Impact**

The Village may receive compensation for the vacation of a public right of way. It has been the Village's policy to request two land appraisals for consideration. Attached to this item are two appraisals conducted independently by Grimes Real Estate Services selected by the Village of Oak Park and Property Valuation Services selected by the Applicant. The two appraisals are in the amounts of \$26,000 and \$19,500, respectively. The Village Board has the right to set the price they believe to be appropriate by selecting either appraised value or as in the past averaging the two values. In this case the average would be \$22,750. This average equates to approximately \$30 per square foot of land.

### **Background**

The Plan Commission held a public hearing on November 3, 2016 regarding the alley Vacation. The applicant has requested the vacation of a portion of the alley 16 feet wide by 47 feet long (752 square feet) between 211 and 213 Harrison Street for the use of outdoor seating. The Plan Commission recommends approval but with three conditions:

1. That the Applicant grant back to the Village of Oak Park an unrestricted easement for public path/pedestrian use.
2. That the Applicant grants to the Village an easement for public utilities, and maintenance of any public utilities affected in any way by the proposed public alley vacation.

3. That the vacation of the portion of the public alley not be granted (recorded) until such time as the Applicant secures a specific commercial tenant to the Village.

#### **Alternatives**

1. Approve the alley vacation request as recommended by the Plan Commission.
2. Overturn the Plan Commission's recommendation and deny the alley vacation request.

#### **Previous Board Action**

N/A.

#### **Citizen Advisory Commission Action**

The Plan Commission has recommended unanimous approval of the proposed alley vacation as referenced in the Findings of Fact report.

#### **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 - Community Planning Division is Land Use Regulations.