



Agenda Item Summary

File #: MOT 17-199, **Version:** 1

Submitted By

Tammie Grossman, Development Customer Services Director

Reviewed By

LKS

Agenda Item Title

A Motion to Refer to the Zoning Board of Appeals for Public Hearing an Application for a Text Amendment to add Second Hand Stores as a Permitted Use in the Roosevelt Road Form Based Zoning Overlay District

Overview

Referral of a Zoning Ordinance text amendment application to amend Section 3.9.8 (M) (3) (Table: 11: Development Type and Permitted Uses) of the Zoning Ordinance of the Village of Oak Park, which section identifies certain uses that are restricted by building type, to allow Second Hands Goods Dealers on the ground floor of a mixed-use shop front building, where they are currently not permitted.

Staff Recommendation

Staff supports a referral of this text amendment application to the Zoning Board of Appeals for the purpose of holding a public hearing thereon pursuant to Section 2.2.2 (E) of the Zoning Ordinance.

Fiscal Impact

Village cost for public notice and updating the existing Zoning Ordinance to reflect the proposed amendment.

Background

The Subject Property is located at the northwest corner of Roosevelt Road and Kenilworth Avenue. The Roosevelt Road Zoning District (RR District) includes all businesses and commercial zoned properties that are adjacent to or front on Roosevelt Road. The RR District is divided into three form-based zones. The Subject Property is located within the RR-P Pedestrian-Oriented District, which is "intended to preserve, protect and enhance existing pedestrian shopping areas located along Roosevelt Road."

The Subject Property is improved with a mixed-use shop front building development type. "Mixed-Use shop front buildings allow for ground-floor retail and upper-story residential or office uses. The ground-floor space should be flexible enough to accommodate all types of retail, restaurants, office or entertainment uses." Table: 11: Development Type and Permitted Uses identifies certain uses that are restricted by building type. In this case, a mixed-use shop front building type is prohibited from containing a secondhand goods dealer use. Therefore the petition is to amend the Zoning Ordinance to allow a secondhand goods dealer use on the ground floor of a mixed-use building type

Alternatives

The Village Board may refer this application to any appointed or elected commission or committee, including but not limited to the Plan Commission, for the purpose of holding a public hearing thereon pursuant to Section 2.2.5 of the Zoning Ordinance.

Previous Board Action

N/A.

Citizen Advisory Commission Action

N/A.

Anticipated Future Actions/Commitments

The Zoning Board of Appeals, following the hearing, shall transmit to the Village Board a written report of its findings and the President and Board of Trustees may pass the proposed amendment with or without change, or may reject it, or may refer it back to the hearing commission or committee for further consideration.

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.