



Agenda Item Summary

File #: MOT 20-003, **Version:** 1

Submitted By

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Reviewed By

LKS

Agenda Item Title

**A Motion to Concur with the Oak Park Economic Development Corporation (Oak Park EDC)
Recommendation to Consider a Modification of Planned Development Timelines and Refer the Applicable
Oak Park Zoning Ordinance Text Amendment to the Plan Commission for Public Hearing and
Recommendation**

Overview

This request was proposed by the Oak Park EDC to review existing timelines for Planned Development Applications found in the Effect of Approval or Denial and Expiration section of the Village's Zoning Ordinance (14.5(G)).

Recommendation

Refer this matter to the Plan Commission

Fiscal Impact

N/A.

Background

The current Zoning Ordinance was re-adopted in 2017 following an extensive multiple-year review and public hearing process. It is common practice for municipalities to evaluate and/or amended Zoning Ordinances from time to time. Periodically, staff finds that certain regulations are either not working as intended, or are confusing and need additional clarification, or need to change with the times. Zoning Ordinance text modifications can be in the form of adding, strengthening, lessening or eliminating regulations, depending on the need.

Per the attached request letter from the Oak Park EDC, upon a referral by the Village Board, a discussion will be conducted with the Plan Commission to determine if the planned development deadlines regarding building permit submittal and the start and end of construction in the Zoning Ordinance are adequate as written or if the timelines should be modified per the Oak Park EDC's recommendation. The recommendation is based on multiple requests for extensions over the past several years. These extension requests have always concluded with an approval by the Village Board. An example of this was when the developer of 715 South Boulevard asked for a delay in the start of construction for seven months due to final plan completion issues. Another example was when the developer for Grove Apartments, located at Madison and Grove, needed an

extension in time for their building permit submittal and asked for an additional six months to submit their final plans. These are just two examples of multiple requests.

Current Zoning Ordinance Regulations; Article 14, Section 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 null and void if the recipient does not file an application for a building permit for the proposed development within (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.

For reference, the online Zoning Ordinance can be found here:

https://www.oak-park.us/sites/default/files/zoning/2019-09-27-oak_park_zoning_ordinance.pdf

Alternatives

1. Do not refer this matter to the Plan Commission. Keep the Zoning Ordinance text as written.
2. Refer this matter to the Plan Commission with a modified request.

Previous Board Action

N/A.

Citizen Advisory Commission Action

N/A.

Anticipated Future Actions/Commitments

This item will return to the Village Board for consideration with a recommendation from the Plan Commission following the public hearing process.

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.