



## Agenda Item Summary

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**File #:** MOT 20-051, **Version:** 1

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### **Submitted By**

Tammie Grossman, Development Customer Services Director

### **Reviewed By**

LKS

### **Agenda Item Title**

**A Motion to Refer to the Plan Commission for Public Hearing and Recommendation Text Amendments to the Oak Park Zoning Ordinance to Allow Service-Retail Uses on the Ground Floor of Buildings in the Village's DT - Downtown Zoning Districts Pursuant to the Recommendation of the Oak Park Economic Development Corporation (Oak Park EDC)**

### **Overview**

This request was proposed by the Oak Park EDC to allow certain non-retail and non-personal service land uses within the first 50 feet of the street line at grade level where such restrictions currently apply within Greater Downtown Area; specifically in the DT-1: Downtown Central Sub-District -DTOP and the DT-2: Hemingway Sub-District.

### **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.

In February of this year, the Village Board referred a text amendment request to the Plan Commission for their review of modifications to the Planned Development timeline requirements relative to the length of time allowed for project completion. This text amendment has been on hold, but will accompany this new request, if the Board so chooses to refer it to the Plan Commission.

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 additions to the current land use list for those uses

allowed within the first 50 feet are appropriate in the Downtown Zoning Districts. The Oak Park EDC recommendation is based on multiple inquiries for non-retail or non-personal service land uses over the years and more recently during the pandemic.

Our current Zoning Ordinance regulations for Article 8: Uses, subsection 8.3 Use Restrictions state the following:

#### 8.3 Use Restrictions

Certain use restrictions apply to the following districts and/or geographic areas.

##### **A. DT District**

The use restrictions of this section apply to the DT-1 and DT-2 Sub-Districts.

1. Only uses that are listed as permitted or special within the “retail” category of Table 8-1 for the DT District are allowed within the first 50 feet of the street lot line at grade level or on the ground floor of any building, with the following exceptions:

- a. Personal service establishment is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.
- b. Live performance venue is allowed at ground level or on the ground floor within the first 50 feet of the street lot line.
- c. Design studio with retail is allowed at ground level or on the ground floor within the first 50 feet of the street lot line.
- d. Specialty food service is only allowed at grade level or on the ground floor if it maintains a retail and/or restaurant component.
- e. This restriction also applies to temporary uses with the following exceptions: temporary pop-up business and temporary real estate sales office/model unit are permitted at ground level or on the ground floor within the first 50 feet of the street lot line
- f. Work Lounge is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.

2. Other uses allowed within the DT District in any other category are permitted at grade level or on the ground floor if they are located more than 50 feet from a street lot line.

3. No provision of this section eliminates the need for a special use permit if the use is listed as a special use in Table 8-1.

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](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.