

MINUTES
MEETING OF THE OAK PARK PLAN COMMISSION
Council Chambers, Village Hall
May 4, 2023
7:00 p.m.

A recording of this meeting is available on the Village of Oak Park Website: <https://www.oak-park.us/your-government/citizen-commissions/commission-tv>

PRESENT: Chair Iris Sims, Commissioners; Nick Bridge, Jeff Clark, Paul Beckwith (7:04) and Frank Sullivan, Jon Hale, Jeff Foster, Michael Sturino and Miriam Tamayo.

EXCUSED: None.

ALSO PRESENT: Craig Failor-Village Planner and Gregory Smith-Plan Commission Attorney

Roll Call - Roll was called at 7:03pm. A quorum was present.

Agenda Approval: Motion by Commissioner Foster, Seconded by Commissioner Hale. A voice vote was taken and the agenda was approved unanimously as submitted.

Non-Agenda Public Participation – None.

Approval of Minutes – March 2, 2023: Motion by Commissioner Sullivan, Seconded by Commissioner Bridge. A voice vote was taken and the minutes were approved as submitted, with Commissioners Sturino and Foster indicating abstention.

New Business / Public Hearings & Findings of Fact

Village Planner Failor provided an introduction of the application.

Plan Commission Attorney Gregory Smith provided an overview of the timeline for this application.

Attorney for the Applicant, Matthew Rose, revisited the Applicant’s request for recusal of Plan Commission Chair Iris Sims due to a perceived conflict of interest. Chair Sims indicated that a written response provided previously to the Village of Oak Park Attorney and staff in February 2023, who forwarded the response to both the Applicant’s Attorney and the Rush Oak Park Hospital’s Attorney, stands. In that response, Chair Sims indicated she would not recuse herself from the public hearing as there was no legal basis to do so.

PC 22-08: Zoning Ordinance Text Amendment – H- Hospital Zoning District: The Petitioners seek text amendments to the Oak Park Zoning Ordinance as follows: (1) an amendment to Article 6 (“Special Purpose District”), Section 6.3C(1) to apply the dimensional standards in the H-Hospital Zoning District to all uses within the H-Hospital Zoning District; (2) an amendment to Article 6, Section 6.3C(2) to limit the height restrictions that apply to certain geographical areas and maximum height restrictions within those geographical areas as follows: a building height decrease from 125 feet to 80 feet for the area located east of Harlem Avenue, north of Monroe Street to Maple Avenue to the east; and a building height decrease from 80 feet to 50 feet for the area east of Wisconsin Avenue to the west side of Wenonah

Avenue; and a building height decrease for the area east of Harlem Avenue, south of Monroe Street to the west side of Wisconsin Avenue; and (3) an amendment to Article 6, Section 6.3C (Table 6-3) (“H District Dimensional Standards”) to increase the building setbacks for front yards from 20 feet to 30 feet, interior side yards from 20 feet to 30 feet, those yards abutting residential districts from 30 feet to 50 feet, and corner side yards from 20 feet to 30 feet.

After all the Applicants, Anne Frueh, Davis Osta, Bruno Graziano and Michael Weik introduced themselves, Ms. Anne Frueh, began the presentation. Ms. Frueh reviewed the PowerPoint presentation relative to the Zoning Ordinance text amendment requests in relation to the Envision Oak Park Comprehensive Plan and zoning regulations.

Ms. Frueh introduced the first of two witnesses. Ms. Linda Searl, an advocate of the proposal, is an architect by trade and education and is a former 25-year member of the Chicago Plan Commission. Ms. Searl mentioned her experience on that commission and provided examples of related zoning applications. She felt that the application proposed was in the best interest of the community and that the Hospital should work with the community on their planning.

Ms. Frueh introduced their second witness who resides in the Village, Dr. Rachel Caskey. Dr. Caskey, who attended as an advocate of the proposal, is a professor of medicine and chief of the division of academic internal medicine for UIC. Dr. Caskey focused on current healthcare expansion being low-rise with smaller footprints and more open space. She compared West Suburban Hospital campus design to that of Rush Oak Park Hospital’s campus.

Ms. Anne Frueh reviewed the standards for Zoning Ordinance text amendments.

Mr. David Osta provided a photographic tour of the Rush Oak Park Hospital campus and surrounding area and the West Suburban Hospital campus and surrounding area.

Ms. Anne Frueh provided some historical context on the Rush Oak Park Hospital garage application and process.

Mr. Mike Weik provided an overview of a November 16, 2016 plan commission meeting where the agenda item was a review of the draft zoning ordinance rewrite. At this point the Rush Oak Park Hospital attorney questioned the relevancy of this information. Chair Sims allowed the applicant to continue. Mr. Weik continued with discussed the changes to the Hospital zoning district from the Zoning Ordinance re-write process. Mr. Weik spoke to the 1999 Special Use permit process and outcome.

Village Planner Failor provided an overview of key points in the staff’s report.

Questions ensued from the Plan Commission members regarding regulations on certain hospital campus parcels, the existing special use restrictions and ability to develop on the southwestern most parcel within the campus area. The Plan Commission then asked questions of the applicant and their witnesses regarding proposed restrictions for the northeastern most parcel, reason for creating nonconformity of some of the existing buildings and they questioned the witnesses on their ability as the Applicant’s witnesses.

Cross Examination of the Applicant.

Attorney, Richard Friedman, representing Rush Oak Park Hospital questioned all four of the Applicants; Frueh, Osta, Graziano, and Weik. He asked about their profession, whether they were experts in zoning or planning, what was the preserved detriment to their property as the zoning currently exists, what is the advantage of the zoning change relative to their property, when they moved to their current residence, and perceived traffic issues now and what might occur after the text amendment, if zoning changes are approved. Attorney Friedman questioned the two witnesses for the Applicants, relative to whether or not they were paid witnesses, if they were resident of the Village, and since they were not paid witnesses, what their reasons for attending the proposed text amendment hearing were. Both indicated they were advocates for the Applicants.

Public Testimony.

Mr. Jim Ritter was supportive of the application. He is a resident near the Hospital at Monroe and Wenonah Streets. He referenced all the past development by the hospital where they did not engage the residents until it was too late.

Mr. Peter McDermont, 625 S. Maple Ave. was supportive of the application. He mentioned the purchasing of homes in the neighborhood to create a larger campus was seen as a negative. He stated that there is more noise and more litter in the neighborhood. The Hospital was behaving like an institution and not part of the community.

Ms. Tina Richardson, 612 Wisconsin Ave. was supportive of the application. She focused on the height of the existing buildings and what could be allowed in the future would not be acceptable.

Mr. Dave Mosner, Lake and Harvey Streets, was opposed to the application. He mentioned the fact that Rush Oak Park Hospital serves more than just Oak Park. An increase in their capacity is positive for the Village as a whole. He stated that, if he were to guess, the neighbor's tax assessments did not go down due to the proximity of the Hospital campus. In fact, they probably went up like the rest of Oak Park.

Mr. John McElwain, 1046 N. Grove, was opposed to the application. He stated that the Hospital is a blessing to the community. They need to make changes to stay relative.

Attorney Richard Friedman, was allowed additional time to present Rush Oak Park Hospital's position on the application as they would be foremost impacted by the proposed Zoning Ordinance text amendment. Attorney Friedman stated that he believes the Applicants have no standing on their requests. In fact, he didn't recall any request ever like this one. He said this would be precedence setting and should not be allowed. He indicated that the application was prematurely based on speculation of what might be developed. No development plans have been created by the Hospital.

Mr. George Kissel, Architect representing Rush Oak Park Hospital testified as a paid expert witness for Rush Oak Park Hospital. He stated that the proposed text amendments would be a burden on the Hospital creating a reduction in their potential with no public benefit. He indicated that the Zoning Ordinance text amendments would create nonconforming structures and that the application fails to meet the standards for Zoning Ordinance text amendments.

Dr. Dino Rumaro, CEO for Rush Oak Park Hospital started by stating that the Hospital will not go forward with the proposed plans for the parking garage at Monroe and Wenonah. He spoke to the 1999 Special Use permit process, staff needs, and indicated that no plans have been prepared or submitted for

review. He felt that there would be a negative impact on the Hospital if the Zoning Ordinance text amendments were approved. Dr. Rumaro stated that the Hospital met with the neighbors on several occasions and were asked to continue dialogue. He emphasized that there is not enough land for a low-rise development. He asked that Rush Oak Park Hospital be allowed to develop a campus facility plan first.

The Plan Commission asked questions regarding parking, parking garages and inpatient vs outpatient development relative to height requirements as the Applicant's witness, Dr. Caskey, indicated low-rise medical facilities were planned in many Chicago suburban locations.

Cross Examination by the Applicant

Applicant's Attorney Matthew Rose, stated that the Applicants did have standing to pursue this request based on the Zoning Ordinance language. Attorney Rose ask Mr. Kissel if he was a paid professional witness, if he knew what a permitted use was, if there were any known development plans the Hospital was working on, if there would be any impact on medical care if the text amendment were approved, if the nonconforming building would become legal nonconforming, and if Rush Oak Park Hospital could seek their own Zoning Ordinance text amendments.

Summary by the Applicant.

Mr. Bruno Graziano stated that their desire is not to put Rush Oak Park Hospital out of business or stop them from developing. He indicated that the neighbors want more say earlier in the process, small modification of their proposed text amendments would be fine, and that they were supportive of essentially withdrawing their proposal to modify the Zoning Ordinance text relative to accessory structure regulations.

Summary by the Objectors.

Rush Oak Park Hospital's Attorney Richard Friedman stated that if the Applicants are suggesting changing their application, then a new hearing and responses to the standards must occur.

Rebuttal by the Applicant.

Mr. Weik stated that they would agree to approval with conditions. Rush Oak Park Hospital needs to develop a strategic plan and should make comparisons with West Suburban Hospital's campus. He indicated there would be no impact to current uses if the Zoning Ordinance text amendments were approved. He felt their requests were not unreasonable and there would be no harm to the Hospital at this time.

Plan Commission Deliberation.

The Plan Commissioners discussed the idea of better dialogue between Rush Oak Park Hospital and the neighbors, two commissioners were sympathetic with the neighbors on the east side of the campus, some commissioners were not supportive of a private property owner dictating what another private property owner can do, it was stated that older developed sites will evolve, better transparency is needed, the request is highly unusual and will set a bad precedent if approved, the argument by the applicant is not persuasive, staff should review zoning regulations regularly, support for previous

changes to the campus zoning were stated, there was a concern regarding violating property rights if this text amendment were to be approved, the proposal is consistent with the Zoning Ordinance and Envision Oak Park Comprehensive Plan recommendations, standards have not been met, and there is now new leadership at Rush Oak Park Hospital.

Chair Sims asked for a motion. Commission Hale made a motion to Deny this application, Seconded by Commissioner Foster with the following roll call vote:

Hale – Yes
Foster - Yes
Sturino – Yes
Tamayo – Yes
Sullivan – Yes
Beckwith – No (Commission Beckwith supported the height decrease for the northeastern parcel)
Bridge – No (Commission Bridge supported the height decrease for the northeastern parcel)
Clark – Yes
Chair Sims – Yes

Motion passed to recommend Denial of the Application with a 7-2 vote.

Chair Sims asked for a motion to approve the Findings of Fact report. Commission Hale made a motion to approve the Finding of Fact report, Seconded by Commissioner Clark with the following roll call vote:

Hale – Yes
Foster - Yes
Sturino – Yes
Tamayo – Yes
Sullivan – Yes
Beckwith - Yes
Bridge – Yes
Clark – Yes
Chair Sims – Yes

Motion passed with a 9-0 vote.

Adjournment: The meeting was adjourned at 11:52 p.m. Motion by Commissioner Sullivan, Seconded by Commissioner Clark. A voice vote was taken and the meeting was adjourned.

Prepared by: Craig Failor, Village Planner-Staff Liaison