

December 4, 2024

Village President and Board of Trustees
Village of Oak Park
123 Madison Street
Oak Park, Illinois 60302

Re: Application of Emiyuki Ortiz for a Special Use Permit to operate a reception/banquet facility to be located at 6437 North Avenue (Calendar No. 20-24-Z)

Dear Village President and Board of Trustees:

On November 2, 2024, Emiyuki Ortiz (the “Applicant”) filed an application (Calendar No. 20-24-Z) pursuant to Section 8.3 (Table 8-1: Use Matrix) of the Village of Oak Park Zoning Ordinance (“Zoning Ordinance”) requesting the issuance of a special use permit to operate a reception/banquet facility located at 6437 North Avenue (“Subject Property”).

A public hearing was held on the application by the Village of Oak Park’s (“Village”) Zoning Board of Appeals (“ZBA”) in the Council Chambers of the Oak Park Village Hall, 123 Madison Street, Oak Park, Illinois on December 4, 2024 at 7:00 p.m. The notice and time and place of the public hearing was duly published on November 13, 2024, in the *Wednesday Journal*, a newspaper of general circulation in the Village. Notice was also posted at the Subject Property and notices were mailed by the Applicant to owners of record within 300 feet of the Subject Property, advising them of the application and the public hearing to be held.

FINDINGS OF FACT

The Zoning Board of Appeals (“ZBA”) having fully heard and considered the testimony of all those present at the hearing who wished to testify and being fully advised in the premises, makes the following findings pursuant to Section 14.2(C)(2), 14.2(D)(1) and 14.2(E) of the Zoning

Ordinance:

1. The Applicant seeks a special use permit pursuant to Section 8.3(Table 8.1: Use Matrix) of the Zoning Ordinance to operate a reception/banquet facility located in the NA North Avenue Zoning District at the Subject Property.

The Subject Property.

2. The Subject Property is situated along the south side of North Avenue between East Avenue and Fair Oaks Avenue.

3. The Applicant proposes to operate a reception/banquet facility located in the NA North Avenue Zoning District at the Subject Property (the "Proposal").

4. The Applicant estimates that there will be approximately 10-12 cars dropping off/picking up per event, which does not include cars parked in vacant parking spaces in the area.

The Applicant.

5. The Applicant is the owner of the Subject Property.

6. The Applicant submitted evidence that the banquet/reception facility would allow for the successful development of the Subject Property.

7. The Applicant presented evidence that he is ready to move forward with the development of the Subject Property upon the Village's approval of the special use permit.

8. The ZBA considered the following documents which were submitted into evidence at the time of the Public Hearing, and made part of the Record:

- a. Application for Special Use Permit;
- b. Project Summary;
- c. Responses to the standards for receiving a special use, as conveyed in Section 14.2(E) pursuant to the Zoning Ordinance;
- d. Map of Surrounding Properties;

- e. Photos of Surrounding Properties;
- f. Site Plan; and
- g. Plat of Survey.

Compatibility with Surrounding Uses.

9. The character of the neighborhood within the NA North Avenue Zoning District is mainly commercial, but higher density residential and mixed-use development is also encouraged.

10. The Subject Property will be used for small bridal showers, first communions or other small family gatherings. Loud music, smoking/vaping will be strictly prohibited. The Applicant has stated that the proposed hours of operation are daytime and early evening.

11. The Subject Property is small for the proposed use. An “occupancy plan” for the space would be reviewed by the Permit Department to determine the number of persons allowed in the facility at one time.

12. The Subject Property is directly adjacent to a residential district. Constant gatherings with inadequate parking could generate activity and noise that would be incompatible with the residential district.

Project Review Team.

13. The Village’s Project Review Team (“Team”) met to review the Applicant’s Proposal. The Team consists of staff members from various internal Village departments.

14. The Team has concerns about the lack of parking in the surrounding area of the Subject Property. The proposed parking would be street parking fronting other businesses in the area.

15. The proposed reception/banquet facility will be in close proximity to the Cigar

Lounge, a neighboring business that has had parking issues in the past.

16. If approved, Village staff would like the ZBA to place restrictions on the hours of operation of the facility.

The Need for Zoning Relief.

17. An Applicant cannot operate a banquet/reception facility in the NA North Avenue Zoning District without a special use permit. *Zoning Ordinance*, Section 8.3 (Table 8.1: Use Matrix).

The Special Use Approval Standards.

18. A special use permit may be granted only if evidence is presented to meet the following approval standards pursuant to Section 14.2 (E) of the Zoning Ordinance:

1. The establishment, maintenance, and operation of the proposed special use will not have a substantial or unduly adverse impact on the neighborhood or endanger the public health, safety, or welfare;
2. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity;
3. The special use in the specific location proposed is consistent with the spirit and intent of this [the Zoning] Ordinance, adopted land use policies and the Comprehensive Plan; and
4. The special use meets the requirements for such classification in this [the Zoning] Ordinance.

19. The evidence shows that the proposed banquet/reception facility is suitable within the NA North Avenue Zoning District and is compatible with the surrounding neighborhood.

20. The evidence shows that the banquet/reception facility may add to the vibrancy of the neighborhood during daytime and early evening hours.

21. The Applicant has provided reasonable assurances that its Proposal will be completed in a timely manner and shall comply with Village building code requirements.

22. The evidence shows that the issuance of a special use permit for the Subject Property is in the best interest of the Village of Oak Park and the Applicant has met the standards set forth in Section 14.2(E) of the Zoning Ordinance for the permit.

RECOMMENDATION

Pursuant to the authority vested in it by the statutes of the State of Illinois and the ordinances of the Village of Oak Park, the Zoning Board of Appeals, hereby recommends to the President and Board of Trustees pursuant to a vote of ___ - ___, that the special use permit be granted, pursuant to Section 8.3 (Table 8.1: Use Matrix) of the Zoning Ordinance for a banquet/reception facility operated by the Applicant to be located at 6437 North Avenue, Oak Park, Illinois subject to the following condition:

1. The Applicant shall be restricted from operating the facility from 10:00 p.m. to 6:00 a.m. Monday through Saturday.

This report adopted by a ___ to ___ vote of this Zoning Board of Appeals, this 4th day of December, 2024.