



# Application for ZONING ORDINANCE TEXT AMENDMENT

YOU MUST PROVIDE THE FOLLOWING INFORMATION: IF ADDITIONAL SPACE IS NEEDED, ATTACH EXTRA PAGES TO THE PETITION.

Name of Applicant(s): David Osta, Anne Frueh, Michael Weik, Bruno Graziano

Address of Applicant(s): 620 Wenonah, O.P.; 617 Wenonah, O.P.; 626 S. Maple, O.P. 621 S. Maple

E-Mail of Applicant(s): David Osta, davidosta@gmail.com  
annefrueh@yahoo.com Phone: 708-267-9352; 847-528-1352;  
mweik@smithweiklaw.com 708-903-0116  
bruno.graziano@att.net 708-415-6061

Precise Wording of Text Amendment: See Attached Redlined changes to Article 6.3

of the Zoning Ordinance, Exhibit 1

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From what Section(s) of the Zoning Ordinance are you requesting an amendment?

Article: 6.3 Section: C.1; C.2 & Tables--See attached Exhibit 1

Article: \_\_\_\_\_ Section: \_\_\_\_\_

Article: \_\_\_\_\_ Section: \_\_\_\_\_

Explain why, in your opinion, the grant of this request will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance or Comprehensive Plan;

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SEE NARRATIVE ATTACHED WHICH IS INCORPORATED AS Exhibit 2

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I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Oak Park for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.

DAVID OSTA  
(Printed Name) Applicant

*David Osta*  
(Signature) Applicant

10/14/2022  
Date

**Applicant's Signature must be notarized**

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
14 DAY OF October, 2022

*Jason Franklin*  
(Notary Public)



Updated September 2017

I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

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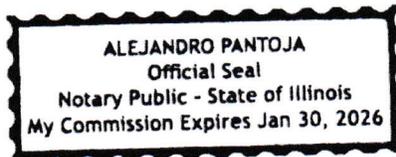
Anne E. Frueh  
(Printed Name) Applicant

Anne E. Frueh      10/12/22  
(Signature) Applicant      Date

**Applicant's Signature must be notarized**

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
12<sup>th</sup> DAY OF October, 2022

Ale Pantoja  
(Notary Public)



Updated September 2017

I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

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Michael Weick

(Printed Name) Applicant

[Handwritten Signature]

(Signature) Applicant

10-13-2022

Date

**Applicant's Signature must be notarized**

SUBSCRIBED AND SWORN TO BEFORE ME THIS

13<sup>th</sup> DAY OF Oct, 2022

[Handwritten Signature: Margaret F. Kenny]

(Notary Public)



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I (we) certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

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Bruno Graziano

(Printed Name) Applicant

Bruno Graziano

(Signature) Applicant

10/13/2022

Date

**Applicant's Signature must be notarized**

State of Illinois  
County of Cook

SUBSCRIBED AND SWORN TO BEFORE ME THIS

13 DAY OF October, 2022

Tammika Lee

(Notary Public)



# Helping Oak Park Hospital Thrive, While Protecting the Neighborhood

*The Applicants, supported in this Application by the Center West Oak Park Neighborhood Association, propose amending the Zoning Ordinance to provide uniform height limits in the Village’s two hospital zones. The 50-foot limit in the West Suburban Hospital zone also would apply to the east and west sides of Rush Oak Park Hospital’s campus adjacent or abutting neighborhood residences. (Current height limits would remain in effect in the footprint of the existing hospital building in the center of campus.) The proposed amendments also include modest increases in minimum setbacks in the Rush Oak Park Hospital zone – a 10-foot increase in the front and corner setbacks and a 20-foot increase in the minimum interior side setbacks.*

## Background and Rationale

Oak Park’s 1990 Comprehensive Plan provided valuable guidance on how the Village should balance the needs of the hospital and the surrounding neighborhood. The Village shall “protect the integrity of land uses in residential areas,” the plan states. To implement this policy, the Village will use zoning district boundaries “to protect residential zones from expansion or replacement by incompatible commercial uses very judiciously.”<sup>1</sup> Similarly, Envision Oak Park states: “All actions should support the maintenance and enhancement of Oak Park’s neighborhoods.”<sup>2</sup> And, as described below, our proposal is consistent with the purposes of the Zoning Ordinance.

The Applicants submit that other municipalities, such as Denver, Colorado, employ graduated setbacks to protect residential neighborhoods. See attached excerpts of the [Denver Zoning Code - Article 4 Urban Edge Neighborhood Context \(denvergov.org\)](#), Exhibit A. The Village of Oak Park can and should use these tools to help protect neighborhoods, as required by the Comprehensive Plan and Envision Oak Park.

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<sup>1</sup> Comprehensive Plan 1990 Village of Oak Park. Page 20.

<sup>2</sup> Envision Oak Park: A Comprehensive Plan for the Oak Park Community, 2014. Page 2.

For more than a century, Rush Oak Park Hospital (“ROPH”) has provided exceptional healthcare, high quality jobs, and economic development to Oak Park and other western suburbs. It is located in the heart of Oak Park’s Center West residential neighborhood. However, since 1990, the year the Comprehensive Plan was adopted, ROPH has bought and bulldozed homes and green space in the 500 block of Wenonah Avenue, the 600 block of Wisconsin Avenue and the 500 and 600 blocks of Maple Avenue, making way for asphalt parking lots and a five-story medical office building. In each case, the Village approved these encroachments over the carefully reasoned concerns of the neighbors, while rejecting alternatives that would have allowed the hospital to grow while mitigating the negative impacts on the neighborhood.

In order to meet the purposes of the Zoning Ordinance and better balance the needs of the hospital and the neighborhood, the Applicants respectfully propose amendments to the H Hospital Zoning District. The proposed changes are in harmony with the neighborhood, consistent with the intents and purposes of the Zoning Ordinance and approval standards for amendments to the Zoning Ordinance and the Comprehensive Plan. And, the amendments do not materially impact the needs or rights of the hospital.

In 2017, Village staff requested that West Suburban and ROPH agree to a reduction of maximum heights in specified hospital-owned properties abutting neighborhoods, from 125 feet to 50 feet. West Suburban agreed to 50 feet, but ROPH agreed only to reducing the height to 80 feet on the east side of its campus, leaving the rest of the campus at 125 feet. Attached are slides which depict the current heights for West Suburban and ROPH. See Exhibit B, page 1.

To be fair to both neighborhoods and conform the ROPH H district with the West Suburban Hospital H district, the Village should amend Article 6.3 of the Zoning Ordinance to reduce the maximum height in the ROPH district to 50 feet in areas abutting or adjacent to neighborhoods. Such an amendment is consistent with the aforementioned primary purposes of the Zoning Ordinance and: “To secure adequate light, air, privacy, and convenience of access to property” and “To protect the character and maintain the stability of the Village’s residential and non-residential areas.”<sup>3</sup> The amendment also meets the Zoning Ordinance’s Standards for Text Amendments: It promotes the public health, safety and welfare of the village, is consistent with the Comprehensive Plan, and results in “the relative gain to the public, as compared to the hardship imposed upon the applicant.”<sup>4</sup> (As explained below, the proposed height requirement would provide significant benefits to the neighborhood, with minimal, if any, hardship to ROPH.) The proposed amendments would provide that the height north of Monroe between Harlem and Maple would be 80 feet as that property does not abut and is not adjacent to neighborhood residences. See Exhibit B, page 2.

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<sup>3</sup> Oak Park Zoning Ordinance, Article 1.2 (b) and (d).

<sup>4</sup> Oak Park Zoning Ordinance, Article 14.1 (E) (2)

The proposed 50-foot height limit would include: the west side of ROPH’s campus south of Monroe from Harlem to Maple; the east side of ROPH’s campus north of Monroe from Wisconsin to Wenonah; and, south of Monroe from Harlem to the east side of the ROPH campus. See Exhibit B, page 2. These limited-height areas would not include existing hospital structures between Maple and Wenonah. See Exhibit B. ROPH still could build up to its current heights in the footprint of the existing hospital north of Monroe which, in light of historic property acquisitions described above, is set back far enough from the neighborhood to mitigate negative effects. And, ROPH would retain the ability to seek future variances consistent with the Zoning Ordinance as needs arise.

The proposed amendments also include modest increases in minimum setbacks – a 10-foot increase in the front and corner setbacks and a 20-foot increase in the minimum interior side setbacks. (See Exhibit B, page 3). These changes would scale into the neighborhood and reduce shadows and other negative effects of any new building in the Hospital District. (See Exhibit B, pages 4 & 5)

For convenience, the table below sets forth the facts demonstrating that the proposed amendment satisfies the Approval Standards set forth in the Village Zoning Ordinance:

<b>Approval Standard</b>	<b>Proposed Text Amendment</b>
<p>a. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.</p>	<p>The amendment proposes a stepping down of ROPH hospital buildings into the adjacent residential neighborhood, promoting a transition space between commercial and residential properties. This in turn promotes a more harmonious co-existence among working spaces and residential living and recreational spaces and maintains adequate air and light for residences adjacent to the hospital campus, thus preserving the relative value of the campus and the adjacent residential properties.</p>

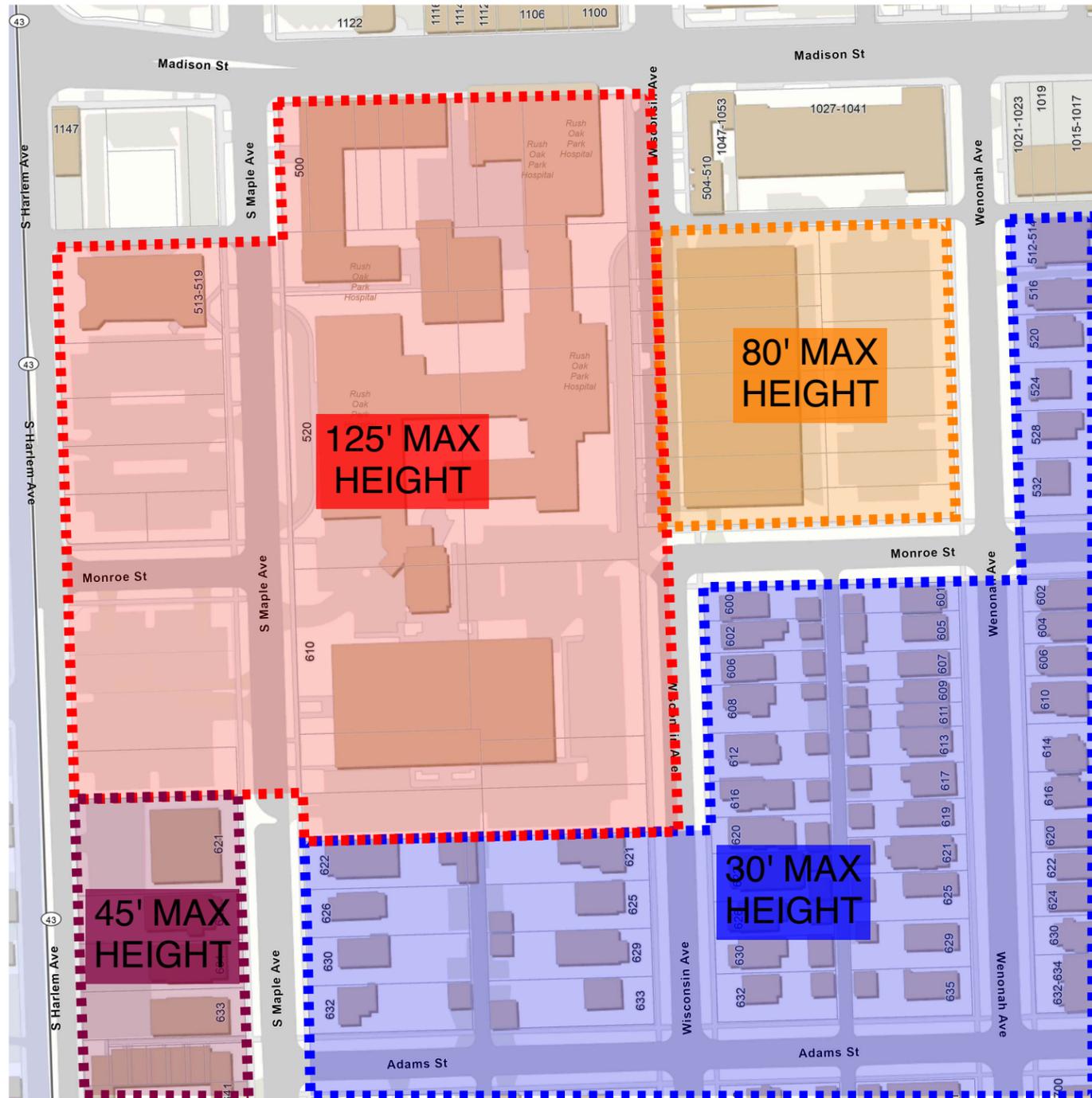
<p>b. The relative gain to the public, as compared to the hardship imposed upon the applicant.</p>	<p>The gain to the public is the promotion of a holistic approach to development in the Village that refrains from impairing the value of either the commercial property or the adjacent residential properties. The Applicants are residential property owners who would benefit from the amendment. Any impact to ROPH as the owner of the parcel subject to the proposed amendment is de minimis given the current decentralization of the delivery of healthcare services towards urgent care clinics, tele-health and other delivery systems that do not require dense commercial development.</p>
<p>c. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.</p>	<p>The proposed amendment would serve the 1990 Comprehensive Plan's mandate to "protect the integrity of land uses in residential areas," by providing a gradual transition between the hospital building, the existing garage and the adjacent residential properties. This transition will preserve air and light to residences and reduce the wind tunnel and canyon effects created by tall buildings next to shorter residences.</p>

<p>d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.</p>	<p>The proposed amendment promotes the purposes of the Ordinance in the following respects:</p> <ul style="list-style-type: none"> <li>• As set forth in a. above, the amendment fosters a holistic development approach that balances the needs of the differently-zoned districts that are adjacent to one another.</li> <li>• As set forth in b. above, the amendment secures light, air and privacy for the residential neighbors without affecting access to the ROPH campus or materially impacting ROPH’S ability to deliver healthcare services.</li> <li>• As set forth in c. above, the amendment promotes the orderly development of commercial properties by establishing a graduated transition between commercial and residential neighbors and striking a balance between commercial and residential character that can come into conflict with one another if careful and thoughtful development is not undertaken. This balanced approach “support[s] the maintenance and enhancement of Oak Park’s neighborhoods.”</li> <li>• The amendment is carefully tailored to conserve the values of both the H- and the R-zoned property in the area and to protect the character and stability of the respective residential and commercial zones.</li> </ul>
<p>e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.</p>	<p>While it is not precisely an error, the ROPH and West Suburban Hospital H Districts have disparate height limitations. Adopting a 50’ height limit for ROPH would make uniform the height limits for both H-Districts in the Village.</p>
<p>f. The extent to which the proposed amendment creates nonconformities.</p>	<p>It is the Applicants’ understanding that the proposed amendment would not create additional non-conformities as the existing hospital and garage structures exceed the existing 80’ height limitation.</p>

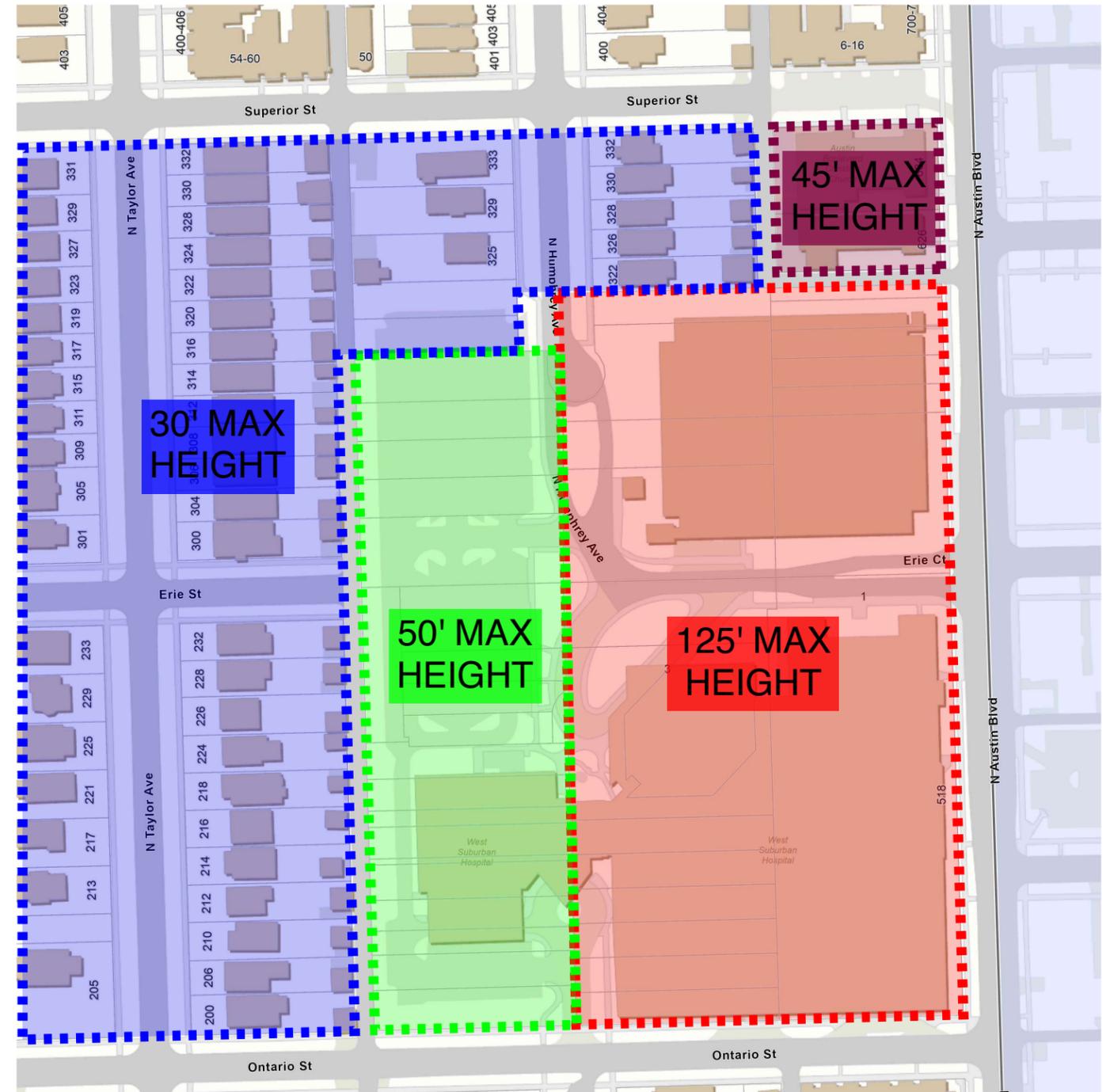
g. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.	The proposed amendment fits into the existing structure and organization of the Ordinance, requiring minimal text changes to the current H-District section.
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# Rush Oak Park Hospital - Setbacks & Height Exhibit

## *Rush vs West Suburban - Height Limits at Same Scale*



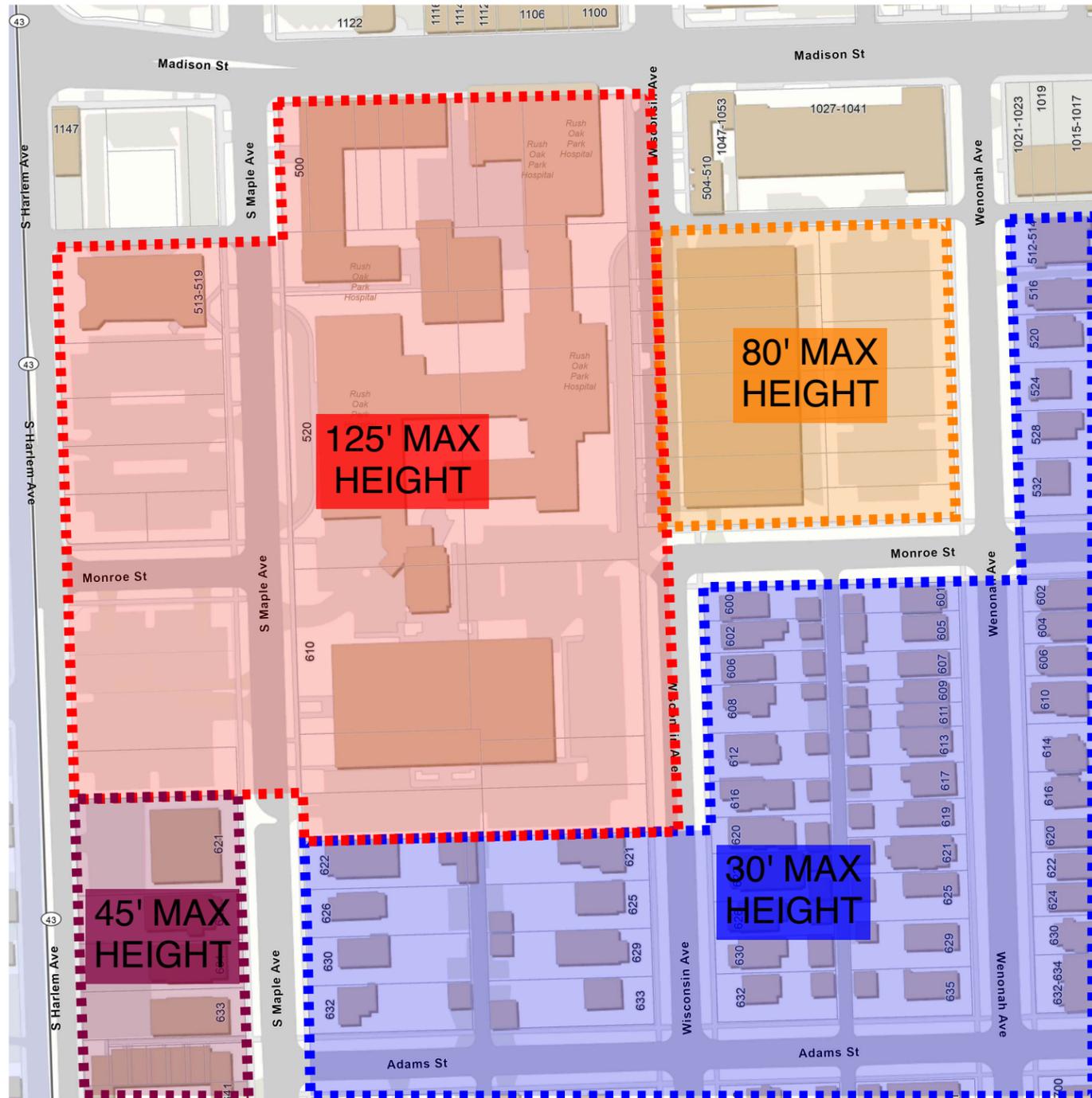
Rush Oak Park Hospital - Existing Height Limits



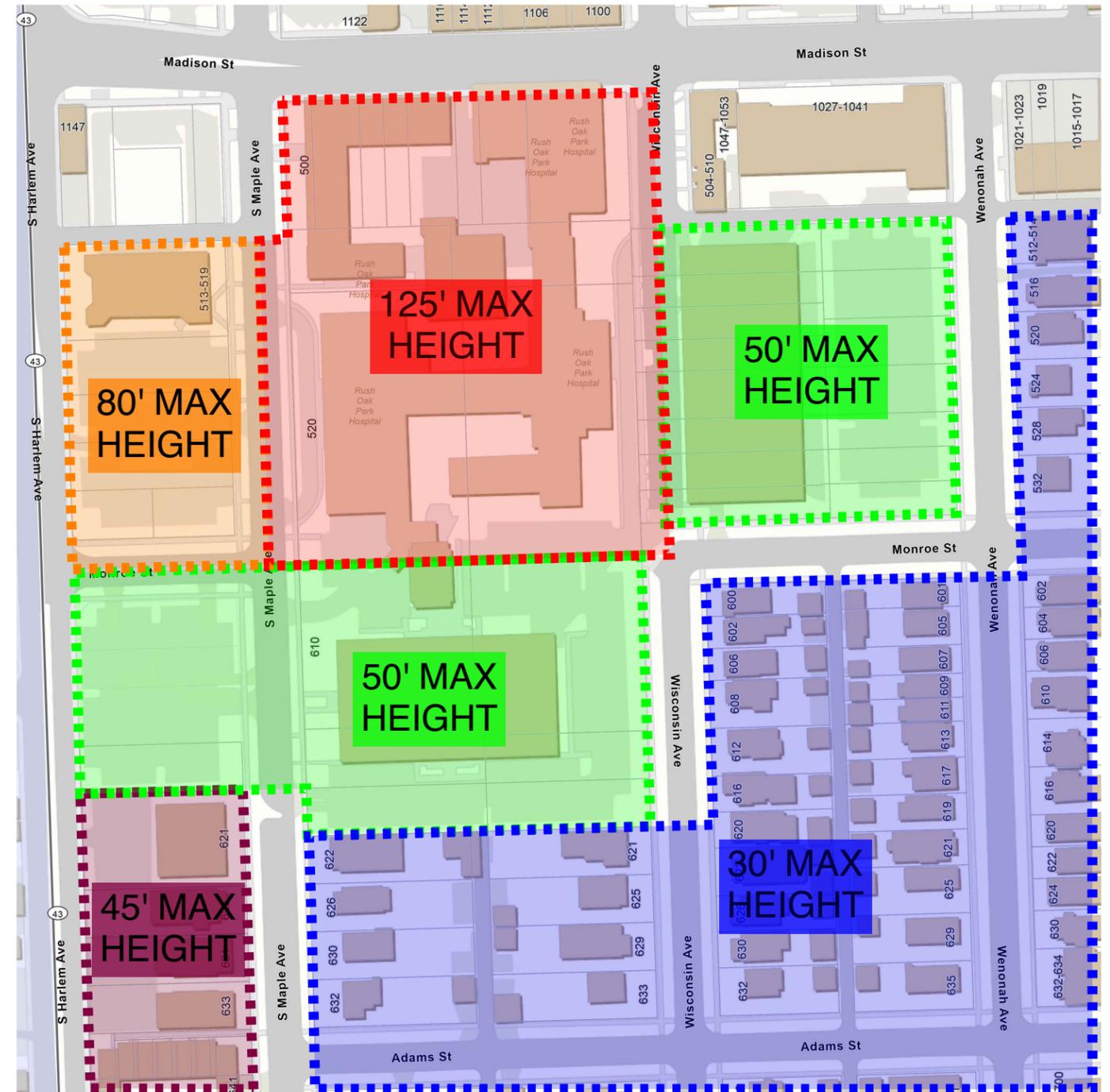
West Suburban Medical Center - Existing Height Limits

# Rush Oak Park Hospital - Setbacks & Height Exhibit

## *Rush Oak Park Hospital - Existing vs Proposed Height Limits*



Rush Oak Park Hospital - Existing Height Limits



Rush Oak Park Hospital - Proposed Height Limits

# Rush Oak Park Hospital - Setbacks & Height Exhibit

## *Rush vs West Suburban - Existing Setbacks at Same Scale*



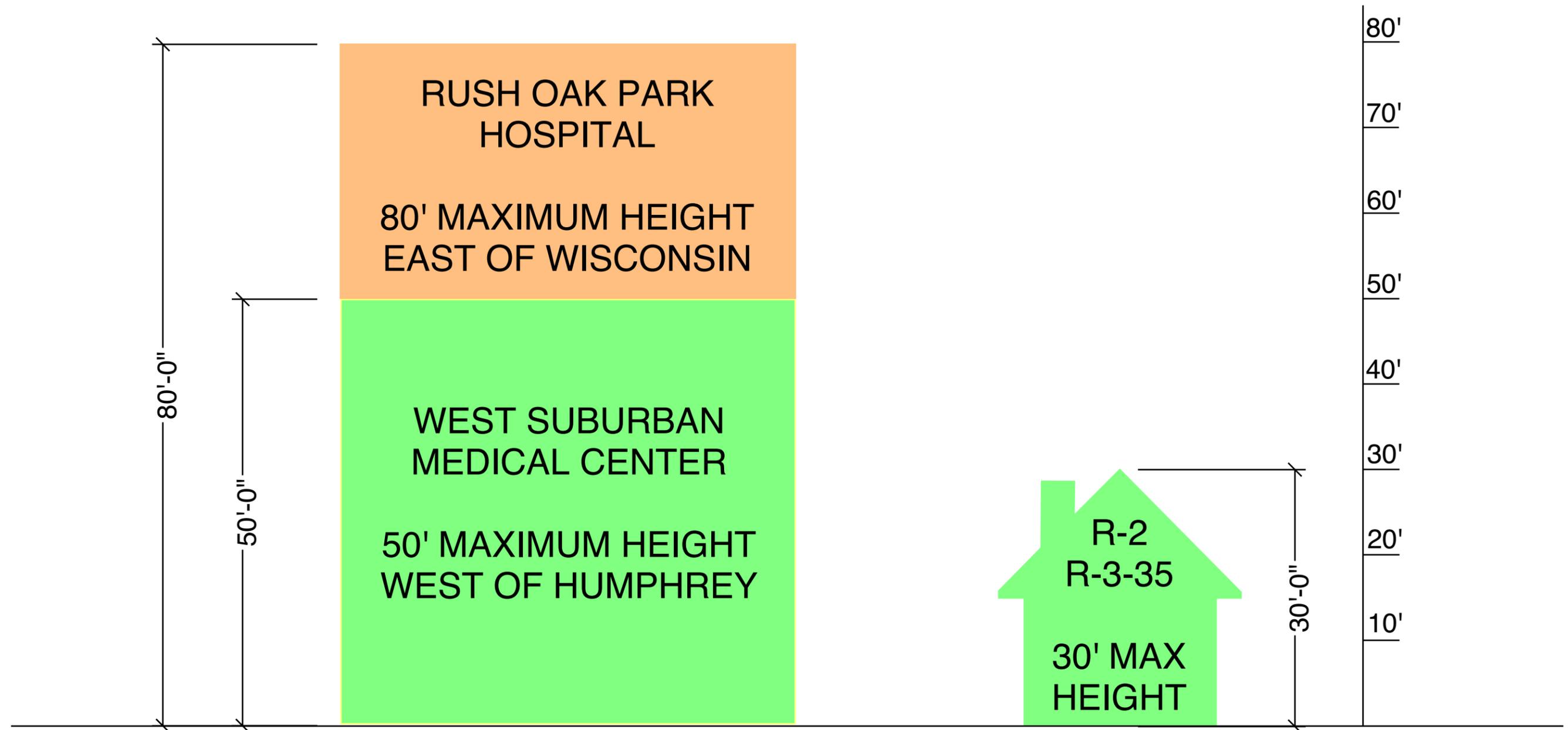
Rush Oak Park Hospital - Existing Setbacks at Parking Lots



West Suburban Medical Center - Existing Setbacks at Parking Lots

# Rush Oak Park Hospital - Setbacks & Height Exhibit

*Rush vs West Suburban - Existing Height Limits at "Height Restricted Areas" (Zoning 6.3.C.2)*

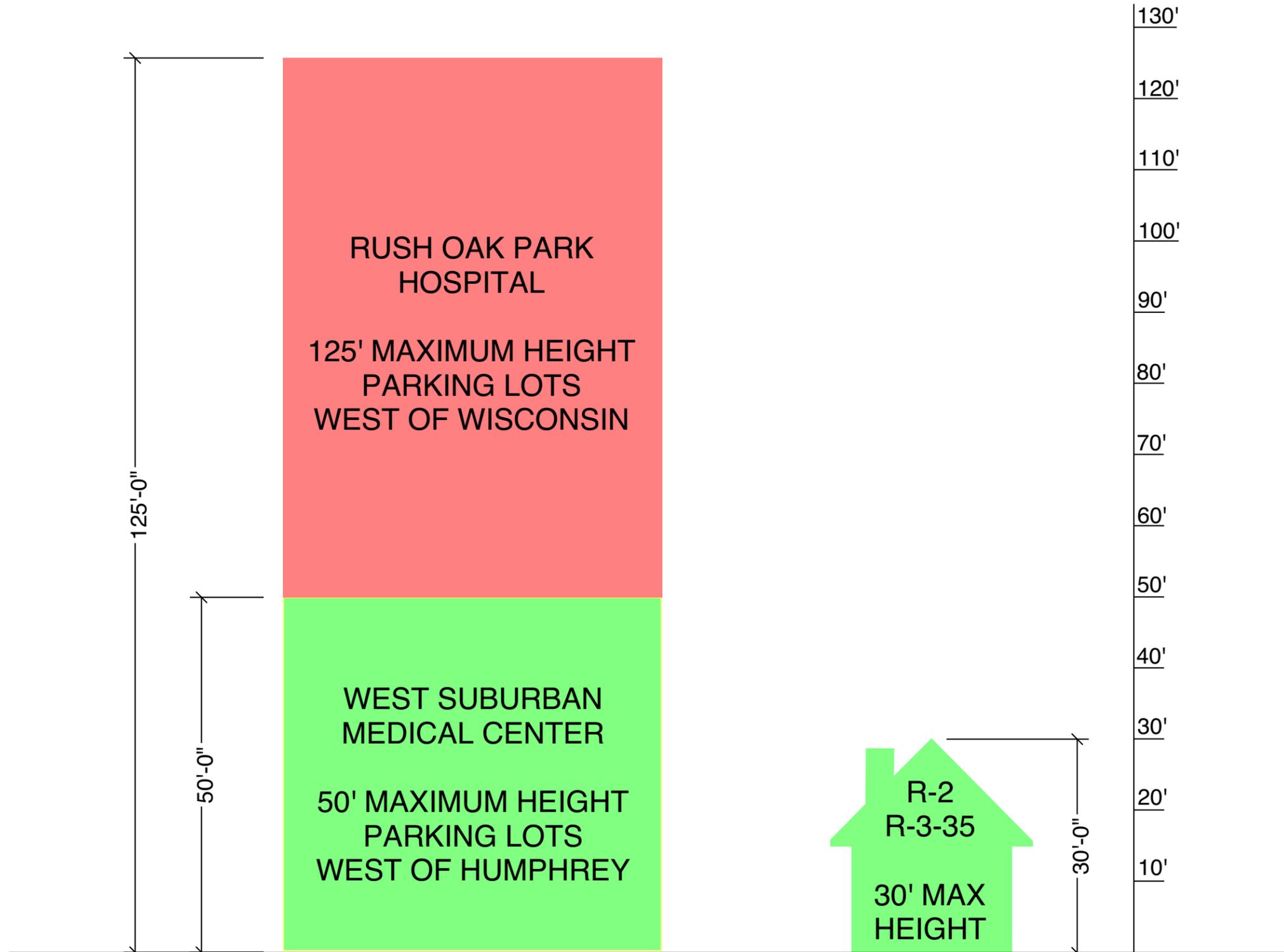


ROPH "H" District: 80'-0" Maximum Height  
West Sub "H" District: 50'-0" Maximum Height

R-3-35: 30'-0" Maximum Height (Residential)  
R-2: 30'-0" Maximum Height (Residential)

# Rush Oak Park Hospital - Setbacks & Height Exhibit

*Rush vs West Suburban - Existing Height Limits at Parking Lots Next to Residential Properties*



## GENERAL (1 OF 2)

HEIGHT	E-CC-3, -3x
Stories (max)	3
Feet (max)	45'
Stories/Feet, with incentives (max)	4/55'
Height Exceptions	See Section 10.12.1 See Section 4.3.7.1

SITING	E-CC-3, -3x Option A	E-CC-3, -3x Option B
<b>RESTRICTION</b>	na	Allowed only if Street Level GFA is greater than 20,000 sf
<b>REQUIRED BUILD-TO</b>		
A Primary Street (min build-to % within min/max range)	50% 0'/80'	na
Build-to Exceptions and Alternatives	See Sections 4.3.7.2 and 4.3.6.1	na
<b>SETBACKS</b>		
Primary Street (min)	0'	0'
Side Street (min)	0'	0'
Side Interior (min)	0'	0'
B Side Interior, adjacent to Protected District (min)	10'	10'
Rear (min)	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'
Setback Exceptions and Encroachments	See Sections 4.3.7.3 and 4.3.7.4	
<b>PARKING</b>		
C Surface Parking between building and Primary Street/ Side Street		Allowed/Allowed
D Surface Parking Screening		See Division 10.5
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present	See Section 4.3.7.6
Vehicle Access, all other permitted uses	Access determined at Site Development Plan	

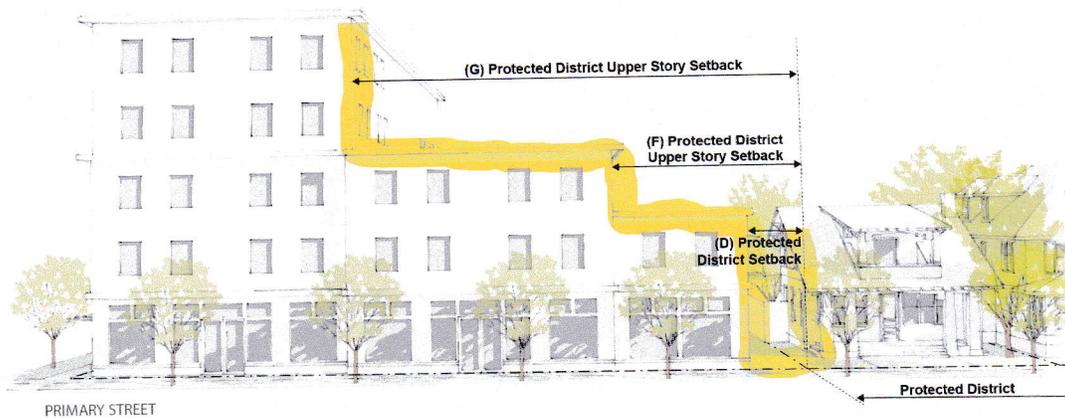
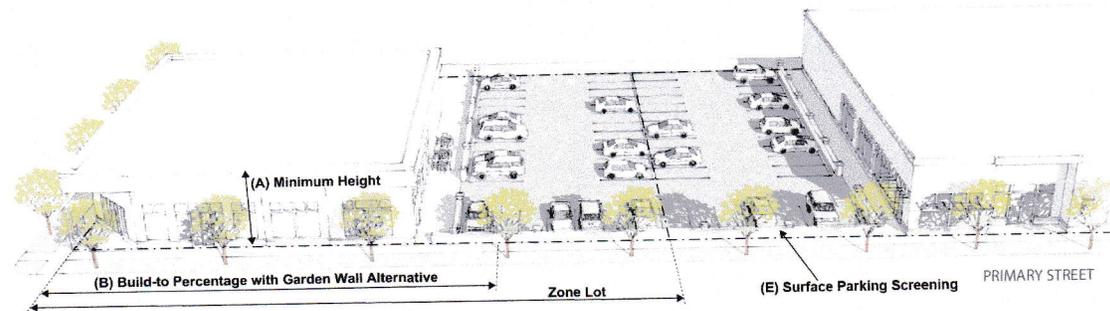
DESIGN ELEMENTS	E-CC-3, -3x Option A	E-CC-3, -3x Option B
<b>BUILDING CONFIGURATION</b>		
E Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/ Rear, no alley and Side interior (min)	15'/25'	15'/25'
<b>STREET LEVEL ACTIVATION</b>		
F Transparency, Primary Street (min)	40%	40%*
	Residential Only Buildings: 30%	Residential Only Buildings: 30%*
G Transparency, Side Street (min)	25%	25%*
Transparency Alternatives	See Section 4.3.6.2	
H Pedestrian Access, Primary Street	Pedestrian Connection	

USES	E-CC-3, -3x
	All permitted Primary Uses shall be allowed within this building form. See Division 4.4

\*Applies only to street-facing portions of building facade located within 80' of the Primary and/or Side Street  
See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

**N. Shopfront**

*Not to Scale. Illustrative Only.*



Text Amendment: ROPH H Zone

6.3 H HOSPITAL ZONING DISTRICT

A. Purpose Statement

The H Hospital Zoning District is intended to accommodate major health care facilities, and their expansion, located within the Village.

B. Uses

Article 8 lists permitted and special principal uses and temporary uses for the H District

C. Dimensional Standards

1. Table 6-3: H District Dimensional Standards establishes the dimensional standards for the H District. These regulations apply to all uses within the H District ~~each district unless a different standard is listed for a specific use.~~
2. Additional height restrictions apply to the following geographic areas.
  - a. From the centerline of N Humphrey Avenue (extended) to the west H District property line, buildings may not exceed 50 feet in height.
  - b. From the centerline of Wisconsin-Harlem Avenue (extended), north of Monroe Street, to the east side of Maple Ave buildings may not exceed 80 feet.
  - c. From the centerline of Wisconsin Ave. to the east H District property line, buildings may not exceed 580 feet in height.
  - d. From the centerline of Harlem Avenue (extended), south of Monroe Street, to the centerline Wisconsin Ave, buildings may not exceed 50 feet in height.

Table 6-3: H District Dimensional Standards (ROPH)	
H District	
Bulk Standards	
Minimum Lot Area	10,000sf
Maximum Building Height	125', unless located within a height restricted area per Section 6.3.C.2
Maximum Lot Coverage	80%
Required Setbacks	
Minimum Front Setback	<u>320'</u>

Table 6-3: H District Dimensional Standards (ROPH)	
H District	
Minimum Interior Side Setback	<u>320'</u> , unless abutting a residential district, then <u>530'</u> If abutting a residentially zoned property, <del>and located within a height restricted area per Section 6.3.C.2:</del> 50' measured from the property line of the adjoining lot to the interior side
Minimum Corner Side Setback	<u>320'</u>

Exhibit 1

Minimum Rear Setback	30' measured from the property line of the adjoining lot to the rear;  If abutting a residentially zoned property, <del>and located within a height restricted area per Section 6.3.C.2:</del> 50' measured from the property line of the adjoining lot to the interior side
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Table 6-3: H District Dimensional Standards (WEST SUBURBAN HOSPITAL)

H District	
Bulk Standards	
Minimum Lot Area	10,000sf
Maximum Building Height	125', unless located within a height restricted area per Section 6.3.C.2
Maximum Lot Coverage	80%
Required Setbacks	
Minimum Front Setback	20'

Table 6-3: H District Dimensional Standards (West Suburban Hospital)

H District	
Minimum Interior Side Setback	20', unless abutting a residential district, then 30'  If abutting a residentially zoned property, and located within a height restricted area per Section 6.3.C.2: 50' measured from the property line of the adjoining lot to the interior side
Minimum Corner Side Setback	20'
Minimum Rear Setback	30' measured from the property line of the adjoining lot to the rear;  If abutting a residentially zoned property, and located within a height restricted area per Section 6.3.C.2: 50' measured from the property line of the adjoining lot to the interior side

Exhibit 1

# RECEIPT OF PAYMENT

**Receipt Number:** 2022027171  
**Receipt Date:** 10/14/2022 12:00:00 AM  
**Date Paid:** 10/14/2022  
**Full Amount:** \$675.00  
**Invoice Number:** CV30933  
**Transaction ID:**

<b>Payment Details:</b>	<b>Payment Method</b>	<b>Amount Tendered</b>	<b>Check Number</b>
	Credit Card	\$675.00	

**Amount Tendered:** \$675.00  
**Change / Overage:** \$0.00  
**Contact:** David Osta, Address:620 Wenonah Avenue, Phone:(708) 267-9352

## FEE DETAILS:

<b>Fee Description</b>	<b>Reference Number</b>	<b>Amount Owing</b>	<b>Amount Paid</b>
420 - Amendment Fee	PL202200039	\$675.00	\$675.00