



**RIVER FOREST
ZONING BOARD OF APPEALS
MEETING AGENDA**

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, February 11, 2021 at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

Physical attendance at this public meeting is limited to 36 individuals, with Zoning Board of Appeals officials, staff and consultants having priority over members of the public. Public comments and any responses will be read into the public meeting record. You may submit your public comments via email in advance of the meeting to: Cliff Radatz at cradatz@vrf.us. You may listen to the meeting by clicking here <https://us02web.zoom.us/j/82284295424> or participating in a telephone conference call as follows, dial-in number: 1-312-626-6799 with meeting id: 822 8429 5424. If you would like to participate over the phone, please contact Village Clerk Sara Phyfer by telephone at (708) 714-3557 or by email at cradatz@vrf.us by 12:00 pm on Thursday, February 11, 2021.

- I. Call to Order
- II. Approval of the Minutes from the meeting of the Zoning Board of Appeals on January 14, 2021
- III. Approval of Findings of Fact for the Proposed Variation Request at 346 Park Avenue – Side Yard Setback for a home with an existing non-conforming Side Yard Setback
- IV. Discussion regarding Proposed Text Amendments (Affordable Housing Plan)
- V. Confirmation of Next Meeting – March
- VI. Public Comment
- VII. Adjournment

VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS MEETING MINUTES
January 14, 2021

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, January 14, 2021 in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

Chairman Martin called the public hearing to order at 7:37 p.m.

Upon roll call, the following persons were:

Present: Members Dombrowski, O'Brien, Lucchesi and Chairman Martin.

Absent: Members Schubkegel, Berni, and Smetana

Also Present: Secretary Clifford Radatz and Village Attorney Carmen Forte, Jr.

II. APPROVAL OF NOVEMBER 12, 2020 ZBA MEETING MINUTES

A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to approve the minutes of the November 12, 2020 ZBA meeting as amended.

Ayes: Dombrowski, O'Brien and Martin

Nays: None

Abstain: Lucchesi

Motion passed.

III. APPROVAL OF FINDINGS OF FACT FOR THE PROPOSED ZONING VARIATIONS AT 1134-1136 HARLEM FROM THE MEETING OF THE ZONING BOARD OF APPEALS ON NOVEMBER 12, 2020

A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to approve the Findings of Fact and recommendation.

Ayes: Dombrowski, O'Brien, Lucchesi and Martin

Nays: None

Abstain: Lucchesi

Motion passed.

IV. CONTINUATION OF ZONING VARIATION REQUEST – 346 PARK AVENUE – PUBLIC HEARING

Chairman Martin called the public hearing to order.

Secretary Radatz read the attestation and swore in all parties wishing to speak.

Julie Krueger, property owner/applicant, presented the petition for the zoning variation. Plans for the variation include a 1,700 square foot second floor addition to an existing 880 square foot cottage, and updating of the plumbing, electric, and fire suppression system, bringing the home up to current building code specifications. Ms. Krueger claimed the additions would increase the value of the home and neighborhood and that the addition is within her family budget and cheaper than buying a similar home that is already constructed.

James O'Rourke, attorney for the property owner/applicant for the variation, claimed the request is modest and keeps in character of the neighborhood on Park Ave. Mr. O'Rourke stated that other homes on the block had second stories and similar characteristics. He pointed out that the house next door (348 Park Avenue) is built on the center of its lot, as opposed to on one side with a driveway like other houses on the block, and is therefore closer to the applicant's lot than other houses on the block are to each other. He claimed that this creates a hardship for the applicant because of the setback requirements. He noted that the applicant's lot is substandard because it is five feet ~~shorter~~ narrower than similar lots and that the purpose of the addition is not economic gain but to raise a family in an affordable home. Mr. O'Rourke stated that the addition would comply with Village Code as evidenced by an architectural study which states no impacts would occur to the light entering 348 Park Avenue's window facing his client's property, and there would be a minimal loss of light to 348 Park Avenue overall, when the Village Code only prohibits loss of adequate light. He also noted that some neighbors expressed support for the addition because of the value added to the neighborhood, and that fire suppression systems will eliminate the risk of fire as much as possible. He believes the variation would permit a reasonable use of his client's property.

Jennifer Cappelli, resident of 15 years and owner of 348 Park Avenue, objected to the variation request. She confirmed the supplemental packet she brought had been distributed to the members. Ms. Cappelli stated she already endured construction of a garage at 346 Park Avenue, and claims this went beyond what the variation granted for that project. Additionally, she has a studio with south facing windows, and is concerned about light and fire danger if the variation is granted.

Timothy Okal, attorney with the firm Spina McGuire & Okal, P.C., who represents Jennifer Cappelli, claimed that the applicant has not established hardship because the lot dimensions were known when the property was purchased and the same zoning restrictions existed upon purchase of lot. He claimed the small loss in square footage from a smaller addition would not result in a hardship and that no hardship exists from natural forces or government action. Mr. Okal provided that the elements of a hardship in the Zoning Ordinance are not

satisfied by the applicant. He stated that granting the variation would impact his client's access to light and ability to build additions on her home. He noted that the Zoning Ordinance requires evidence that each element of hardship be met and that the applicant failed to meet that burden in this case. In his opinion, the members cannot recommend variation according to the Zoning Ordinance, and should recommend denial of the variation request.

Ms. Krueger then provided that she did not realize when she purchased her home that the width of the home would impede her ability to add a second story. She also pointed out that, under the Zoning Ordinance, Ms. Cappelli could add second story to home without seeking a variation.

Mr. O'Rourke stated that counsel for Ms. Cappelli is incorrect because the members have discretion, and there is evidence that all elements and conditions of the variation application have been met.

Hearing no further testimony, and no more requests from the applicant for additional time to present additional information or evidence, Chairman Martin closed the public hearing.

Discussion and Deliberation of the Variation Request

Chairman Martin asked if anyone had any comments.

Member O'Brien asked Ms. Krueger if any of her neighbors have moved since the applicant previously requested the variation. Ms. Krueger responded that none of her neighbors have moved.

Chairman Martin noted that it seems that variations for single family occupied homes typically come about because the house no longer suits them. And while he sympathized with the applicant, personal situations do not overcome the standards the members have to apply. He did not see anything significant that changed since the applicant came before the members more than two years ago.

Ms. O'Brien agreed with Chairman Martin's sentiment about nothing changing in the applicant's situation.

Mr. Lucchesi stated that the variation sought is over two feet, which is significant, and that he did not view this as reasonable. He viewed the variation as creating a hardship on the neighbor.

A MOTION was made by Member Dombrowski and SECONDED by Member Lucchesi that the Zoning Board of Appeals recommend to the Village Board of Trustees that the requested variation be granted.

Member O'Brien stated that she did not believe standards 1, 3, 5, 6 and 8 had been met. Chairman Martin stated that he did not believe standards 1, 6 and 8 had been met.

Ayes: Dombrowski
Nays: O'Brien, Lucchesi, Martin
Motion failed.

A MOTION was made by Member Lucchesi and SECONDED by Member O'Brien that the Zoning Board of Appeals recommend to the Village Board of Trustees that the requested variation be denied.

Ayes: O'Brien, Lucchesi, Martin
Nays: Dombrowski
Motion passed.

The Zoning Board of Appeals recommendation to the Village Board of Trustees is that the requested variation not be granted. Chairman Martin explained there will be another chance to address the variation before the Village Board of Trustees and explain the reason for the variation at that time.

V. ADJOURNMENT

A MOTION was made by Member O'Brien and SECONDED by Member Dombrowski to adjourn the meeting at 8:21 p.m.

Ayes: Dombrowski, O'Brien, Lucchesi and Martin
Nays: None
Motion passed.

Respectfully Submitted:

Cliff Radatz, Secretary

Frank Martin, Chairman
Zoning Board of Appeals

Date: _____

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION REGARDING
SIDE YARD SETBACK VARIATIONS RELATED TO A
SECOND FLOOR RESIDENTIAL ADDITION AT 346 PARK AVENUE**

WHEREAS, petitioners Shaun and Julie Krueger (together the “Petitioners”), owners of the property located at 346 Park Avenue in the Village of River Forest (“Property”), requested certain variations from the Village of River Forest’s side yard setback requirements pursuant to Sections 10-9-7 and 10-8-7(C)(2)(b) of the Village of River Forest Zoning Code (“Zoning Ordinance”) related to the construction of a second floor addition on the residence at the Property that would increase the height of the wall with a nonconforming side yard setback, requiring a variation of approximately two feet (2’) for a length of approximately twenty-six feet (26’), and to construct an eave that would encroach into the side yard setback, requiring a variation of approximately one and a half feet (1.5’) (together the “Variations”). The Property is located in the R-2 Single-Family (Detached) Residential Zoning District; and

WHEREAS, the Village of River Forest Zoning Board of Appeals (“Board”) held a public hearing on the question of whether the requested Variations should be granted on January 14, 2021, and was held as required by Section 10-5-4(E) of the Village of River Forest Zoning Ordinance (“Zoning Ordinance”). At the public hearing, all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the Board; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village. In addition, notice was mailed to surrounding property owners; and

WHEREAS, at the public hearing on January 14, 2021, the Petitioners, and their counsel, James O’Rourke, provided information and testimony regarding the requested Variations, testifying, among other things, that the proposed addition will add value to their property and the neighboring properties, that the placement of their home on the lot and proximity to the home at 348 Park Avenue created a hardship that required the Variations be granted; and

WHEREAS, at the public hearing on January 14, 2021, Jennifer Cappelli, of 348 Park Avenue, and her counsel, Timothy Okal, provided information and testimony in opposition to the Variations, noting that the adequate supply of light to her property and use and enjoyment of her property would be affected if the Variations were granted; and

WHEREAS, the Board, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, by a vote of 3 – 1, recommends to the Village President and Board of Trustees that the requested Variations for the Property be DENIED.

NOW, THEREFORE, the Board makes the following findings of fact and recommendations pursuant to Section 10-5-4(E)(2) of the Zoning Ordinance:

FINDINGS OF FACT

1. **The physical surroundings, shape, or topographical conditions of the Property constitute a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out.** The evidence presented at the public hearing did not establish any unique characteristic of the Property that constitutes a specific hardship on the Petitioners. The Petitioners did not prove that a hardship would result if they were unable to obtain the Variations. The Board finds this standard has not been met.

2. **The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of the Village's Zoning Regulations, for which no compensation was paid.** Given its finding on Standard 1 above, the Board finds this standard has not been met, as location of the home on the Property, and the home at 348 Park Avenue, were in the same location prior to the Petitioners' acquisition of the Property.

3. **The conditions of the Property upon which the petition for Variations is based may not be applicable generally to other property within the same zoning classification.** It was noted by the Petitioners at the public hearing that there were more than ten (10) homes on the same street as the Property with similar structure placement configurations, suggesting that the conditions on the Property are not unique, but are instead typical for the area. The Board finds this standard has not been met.

4. **The purpose of the Variations is not based predominately upon a desire for economic gain.** There was no testimony or evidence presented that the Petitioners' desire for the Variations is predominantly for economic gain, but instead to allow for a more aesthetically pleasing addition to the residence on the Property, in which the Petitioners indicated they intend to continue to inhabit. The Board finds this standard has been met.

5. **The granting of the Variations is not detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the Property is located.** A second floor addition built under the Variations will direct shade on the neighbor to the north's southern facing window, at 348 Park Avenue, which would be detrimental to the enjoyment, use, and development value of that property. The Board finds this standard has not been met.

6. **The granting of the Variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values**

within the neighborhood. The shadow study revealed that a neighboring property to the north, at 348 Park Avenue, would receive additional shadows if the Variations were granted and the addition built to the residence on the Property. The additional shadows would impair an adequate supply of light to the neighboring property. The Board finds this standard has not been met.

7. **The granting of the Variations will not unduly tax public utilities and facilities in the area of the Property.** If granted, the Variations would not unduly burden public utilities or facilities in the area of the Property. This Board finds this standard was met.

8. **There are no means other than the requested Variations by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.** The testimony and evidence presented at the public hearing showed that a second floor addition to the residence on the Property may be constructed without the Variations, if the addition is offset from the existing wall that is within the side yard setback. The Board finds this standard has not been met.

RECOMMENDATION

The Board, by a vote of 3-1, for the reasons stated above, recommends to the Village President and Board of Trustees that the proposed Variations for construction to build an addition on the Property in the R-2 Single-Family (Detached) Residential Zoning District be DENIED.

Frank Martin
Chairman

Date



Village of River Forest
Village Administrator's Office
400 Park Avenue
River Forest, IL 60305
Tel: 708-366-8500

MEMORANDUM

Date: February 4, 2021

To: Chairman Frank Martin
Zoning Board of Appeals

From: Lisa Scheiner, Assistant Village Administrator

Subj: Proposed Text Amendments – Zoning Board of Appeals

Background: The Village Board of Trustees adopted a Comprehensive Plan which recommended that the Village prepare and adopt an Affordable Housing Plan that meets state requirements pursuant to Public Act 093-0595.

The State of Illinois adopted Public Act 093-0595, the Affordable Housing Planning and Appeals Act of Illinois (referred to as the “AHPAA” and “the Act”), which went into effect on January 1, 2004 and was recently updated in 2013 per Public Act 098-0287. The AHPAA is intended to address the lack of moderately-priced housing that exists in many communities. The Act is premised on a finding that “there exists a shortage of affordable, accessible, safe and sanitary housing in the State”. The Act’s purpose is to “encourage counties and municipalities to incorporate affordable housing within their housing stock sufficient to meet the needs of their county or community.” It requires counties and municipalities with less than 10% affordable housing to adopt a Plan. The Act also provides an appeal procedure for aggrieved developers to seek relief from local decisions that inhibit the construction of affordable housing. According to the Illinois Housing Development Authority’s (IHDA) 2018 report, the Village of River Forest affordable housing share is 9.0%.

As set forth in the AHPAA, the components of an Affordable Housing Plan must include a specification of incentives the Village may provide to encourage the creation of affordable housing. The River Forest Affordable Housing Plan that was adopted by the Village, which has been attached for your reference, also includes possible additional considerations and possible amendments to the Village’s Zoning Ordinance, including:

- (1) Allow for taller and denser development in designated commercial/mixed-use areas, consistent with the recommendations of the Comprehensive Plan, in order to better accommodate possible inclusion of affordable housing as part of new development.

- (2) Explore possible strategies and means with which to preserve and enhance existing affordable housing in the Village, such as possible funding or programs aimed at assisting with upkeep, maintenance, and improvements to identified properties.
- (3) Explore amending the zoning ordinance to accommodate Accessory Dwelling Units (ADU) as a conditional use in the R1 and R2 zoning districts. An ADU is essentially a legal and regulatory term for a secondary house or apartment that shares the building lot of a larger, primary house, either in an accessory or primary structure.
- (4) Consider amending the Planned Development standards (section 10-19-3) to specifically identify consistency with the goals and policies the Affordable Housing Plan as a standard of review.
- (5) It is important to note that TIF funds are eligible for the provision of affordable housing, and when appropriate, the Village should consider leveraging TIF funds to support affordable housing initiatives.

Next Steps: Items 1, 3, and 4 will necessitate amendments to the Zoning Ordinance, which require a public hearing. Staff is preparing an RFP to engage the services of a consultant to assist the Village and Zoning Board of Appeals in recommending text amendments to address items 3 and 4. Item 1 will be followed since revisions to the bulk standards in the Zoning Ordinance are part of a larger discussion. This item will appear on future agendas for your discussion and consideration.

Documents Attached: River Forest Affordable Housing Plan

River Forest, IL
AFFORDABLE HOUSING PLAN

- 1. Introduction**
- 2. The Affordable Housing Need**
- 3. What is “Affordable”?**
- 4. Potential Lands and Buildings for Affordable Housing**
- 5. Incentives**
- 6. The Goal**

1. INTRODUCTION

In August 2003, the State of Illinois adopted Public Act 93-0595, the Affordable Housing Planning and Appeals Act of Illinois (“the Act”). The Act is premised on a finding that there exists a shortage of affordable, accessible, safe and sanitary housing in the State. Its purpose is to “encourage” counties and municipalities to “incorporate affordable housing within their housing stock sufficient to meet the needs of their county or community.” It requires counties and municipalities with less than 10% affordable housing to adopt an Affordable Housing Plan (“Plan”) by April 1, 2005. It also contains an appeal procedure for aggrieved developers to seek relief from local decisions that inhibit the construction of affordable housing.

As set forth in the Act, the components of a Plan include: 1) a calculation of the total number of affordable housing units that are necessary to exempt the local government from the operation of the Act (*i.e.*, the number necessary to bring the percentage of affordable housing units to 10% of the total housing stock); 2) an identification of opportunities for the development of affordable housing in the Village; 3) a specification of incentives the Village will provide to encourage the creation of affordable housing; and 4) a statement of a goal for increasing affordable housing units in the Village.

The Act identifies three alternative goals from which a municipality may select to achieve compliance. The first is to make 15% of all new residential construction or residential redevelopment within the Village affordable. The second is to increase the percentage of affordable housing within the Village from its current level to a level 3% higher. The third is to bring the percentage of affordable housing units in the Village to 10% of the total housing stock.

Context Limitations

If River Forest had large areas of vacant land readily available for residential development, rather than being a fully built out, land-locked community, the Village could more easily implement an affordable housing plan that would achieve the 10% standard set forth in the Act. If large amounts of vacant land yet to be developed existed within the community, the Village could establish that at least 10% of the units must be affordable and implement this standard by adopting land use regulations which would provide a “sufficient number” of affordable units as new development came online. In the marketplace, these land use regulations would be a factor in the valuation of the land, and the cost of providing the affordable housing would be absorbed by landowners on a Village-wide basis.

However, this is not reflective of the existing character and development pattern in River Forest today. The Village is fully developed. Approximately 70% of the Village’s developable land area is zoned R1 and R2, consisting of single-family detached homes that provide the essence of River Forest’s character. Because of this character and other desirable features that have evolved over the Village’s 139-year history, real estate in River Forest, when available, is very expensive. There are few, if any, single family detached homes in River Forest that meet the Act’s definition of affordable housing.

The relatively high value of land in River Forest makes it impractical to achieve the goal of this Plan by creating new affordable single-family detached dwellings. Rather, the only conceivable way of achieving the Plan’s goal is to create new affordable units as part of multi-family and mixed-use development. (In this Plan, the term “multi-family and mixed-use development” refers to a development that includes a number of separate living quarters such as apartments or condominiums.) And finally, appropriate sites in the Village for multi-family and mixed-use development, as established by the Village’s Zoning

Ordinance and Comprehensive Plan, are limited, and the pace of development of multi-family units, even in a receptive financial and regulatory environment, is relatively slow.

This Plan takes these unique circumstances into account. It does not ignore economic realities. The goal of this Plan is recognized as a goal to be pursued in good faith, not a quota to be achieved at all costs.

2. THE AFFORDABLE HOUSING NEED

As Defined by the Act

The Act defines the need for affordable housing by establishing a standard that 10% of a municipality's total housing stock should be affordable. Municipalities that already meet this standard or achieve it after the effective date of the Act are "exempt" from the Act. In addition, municipalities with populations under 1,000 (almost half of all Illinois municipalities) are exempt.

Non-exempt municipalities must establish a goal to pursue the 10% standard. According to the *Affordable Housing Planning and Appeal Act: 2018 Non-Exempt Local Government Handbook*, River Forest provides only 340 affordable units out of its year-round total units of 3,788, for an overall affordable housing share of 9.0%. This number fails to meet the minimum 10% affordable units of the total housing stock. According to the AHPAA Handbook, River Forest requires an additional 39 affordable units to comply with the 10% standard.

As Defined by the Community

Having affordable housing in River Forest makes our community better for everyone, not just for those living in affordable units. The Village understands the importance of affordable housing in our community to accommodate the needs of current and future residents. Only by providing a full range of housing types at different price points, including the provision of affordable units, can the Village truly meet the housing needs of the community, for people of all ages, incomes, and abilities.

The Village currently provides a wide range of housing types, including single-family detached, single-family attached, duplex, multi-family (apartments and condominiums), senior facilities, and more. Both owner-occupied and rental housing exists in the Village. The Village recognizes the value of providing a diverse range of housing types to meet the needs of residents at all stages of life and across the spectrum of socioeconomic status.

The population of the Village is aging, and some older residents with fixed or diminishing incomes may wish to continue living among their family and friends but in housing commensurate with their means. Non-resident parents of current residents may wish to move to the Village to be close to their adult children during their golden years. Our community also includes persons with disabilities whose incomes and resources limit their housing options. The provision of affordable housing, including integrated supportive housing, can significantly increase the livability of the River Forest community for so many.

Additionally, there are persons with low or moderate incomes who work in the Village and whose residency here would enhance the overall makeup and spirit of our community. While the Village lacks the ability to accommodate all such persons and potential residents with affordable housing needs, it intends to continue to address these needs by increasing the number of affordable units, in the manner set forth in this Plan.

3. What is “Affordable”?

According to the Illinois Housing Development Authority (IHDA) website, affordable rental and owner-occupied units are as follows for the Chicago Metro Area (including River Forest):

Owner Occupied Affordability Chart for Chicago Metro Area

	2018 Income Limit (80% AMI)	Affordable Purchase Price
1 person	\$47,400	\$131,667
2 person	\$54,200	\$150,556
3 person	\$60,950	\$169,306
4 person	\$67,700	\$188,056
5 person	\$73,150	\$203,194
6 person	\$78,550	\$218,194
7 person	\$83,950	\$233,194
8 person	\$89,400	\$248,333

Affordable Rental Units for Chicago Metro Area

	2018 Affordable Rent Limits for HH @ 60% AMI
0 bedroom	\$889
1 bedroom	\$952
2 bedroom	\$1,143
3 bedroom	\$1,320
4 bedroom	\$1,475
5 bedroom	\$1,625

River Forest Housing “Snapshot”

In addition, to information provided by the IHDA as shown above, income and housing information for River Forest is provided in Appendix A: River Forest “Snapshot”. This “snapshot” is intended to provide context for the River Forest community at the time this plan was being developed, based on best available data from the U.S. Census; 2014-2018 American Community Survey 5-Year Estimates.

4. POTENTIAL LANDS AND BUILDINGS FOR AFFORDABLE HOUSING

It is highly unlikely that any new, rehabbed or existing single-family detached home in the R1 or R2 zoning districts would ever meet the definition of “affordable,” unless it were in some way subsidized by government or a not-for-profit entity. Even if there were several such subsidized units, this approach will not effectively address the need for additional affordable housing in the Village and is not the approach adopted by this Plan. Accordingly, this discussion is limited to types of housing that could reasonably include affordable living arrangements.

The best opportunities for creating additional affordable housing are primarily on properties along the Village's perimeter corridors (Madison Street, North Avenue, and Harlem Avenue), and possibly other locations that are designated as appropriate for multi-family and mixed-use development by the River Forest Comprehensive Plan.

Each site that presents itself will require careful review through the Planned Development process, involving a public hearing with the River Forest Development Review Board. Ultimately, any such development would need to be approved by the Village Board of Trustees and would need to be in the community's best interests.

5. INCENTIVES

The Options

Because of the high value of land in River Forest, it is likely that any new ownership or rental units, to be affordable, will be sold or rented at a below-market rate. When affordable housing is sold or rented at a below-market rate, someone must pay the differential. Stated differently, an owner or developer must have an offsetting financial incentive to sell or rent property at a below-market rate. Where will the value come from to compensate the owner or developer for the differential? Before identifying the preferred incentives, it is useful to examine possible sources of this value.

Zoning mandates: The Village could adopt a zoning regulation that requires developers of multi-family buildings to set aside a certain percentage of the units for affordable housing. This would be an extreme form of "incentive." The Village government would incur no cost in this approach. However, there would be a cost. It would be reflected immediately in a lower value for the land covered by the regulations since the development potential has been diminished. The landowner and/or developer would pay the cost.

Zoning bonuses: The Village could provide "zoning bonuses" for buildings incorporating a certain percentage of affordable units. These bonuses would be in the form of relaxations to height, setback, parking, and similar regulations. Again, the Village government would incur no cost in providing this type of incentive. However, the regulations being relaxed were presumably adopted for the protection of the community, especially the neighboring property owners. Allowing more intense development therefore may adversely affect the character of the neighborhood and possibly diminish the value of the neighboring properties, and the neighboring property owners would bear the cost. However, it is possible that "bonuses" could be provided through the Planned Development Process without adversely affecting neighboring properties.

Dedicated taxes and fees: The Village could adopt a tax or a fee, the proceeds of which would be utilized to create financial incentives in the form of subsidies for the development of affordable housing. For example, a "teardown tax" could be levied on the act of demolishing an existing structure and failing to replace it with affordable housing. Other ideas, like dedicated condominium conversion fees, new construction fees, and an increased real estate transfer tax, would have a similar narrow financial impact, focused on individual property owners involved in these activities.

Village subsidies: The Village could provide financial incentives for the development of affordable housing by direct subsidies. For example, the Village could participate in a project by acquiring property and reselling it to a private developer for multi-family housing that includes affordable housing units.

Because the acquisition cost may be higher than the subsequent resale price (given the affordable housing requirements accompanying the resale), the cost in this case is borne by the taxpayers at large through whatever tax resources the Village utilizes. Techniques with a similar broad cost sharing impact are property tax abatements, financing assistance through municipal bonds or low-cost loans, reduced fees for permits and services (e.g., zoning and building permits, or water/sewer fees), and outright grants.

Subsidies through a not-for-profit entity: The Village could sponsor or assist in the creation of a not-for-profit affordable housing entity that would seek funds from a variety of sources (e.g., grants from private foundations, contributions from individuals and corporations, revolving loans) and either engage in development activities itself or provide incentives for others.

The Preferred Incentives

This Plan adopts the policy of spreading the cost of affordable housing broadly, rather than placing the cost on targeted landowners or those involved in specific activities. Accordingly, this Plan does not adopt ***zoning mandates or dedicated taxes and fees*** as methods for creating incentives for affordable housing. Instead, this Plan adopts zoning “bonuses” as a means of encouraging and accommodating developers to include affordable housing units in new multi-family buildings, as follows:

First, developers coming to the Village with plans for multi-family buildings will need to seek zoning approval of their projects as Planned Developments and will have the opportunity to include affordable housing units in their plans. The Planned Development process, already part of the Zoning Ordinance, provides the Village with a degree of flexibility regarding development standards that may be sufficient to make it attractive for developers to include affordable housing units without diminishing the value of neighboring properties.

Possible Additional Considerations

The Village could also consider the following possible amendments to the Village’s Zoning Ordinance:

- (1) Allow for taller and more dense development in designated commercial/mixed-use areas, consistent with the recommendations of the Comprehensive Plan, in order to better accommodate possible inclusion of affordable housing as part of new development.
- (2) Explore possible strategies and means with which to preserve and enhance existing affordable housing in the Village, such as possible funding or programs aimed at assisting with upkeep, maintenance, and improvements to identified properties.
- (3) Explore amending the zoning ordinance to accommodate Accessory Dwelling Units (ADU) as a conditional use in the R1 and R2 zoning districts. An ADU is essentially a legal and regulatory term for a secondary house or apartment that shares the building lot of a larger, primary house, either in an accessory or primary structure.
- (4) Consider amending the Planned Development standards (section 10-19-3) to specifically identify consistency with the goals and policies the Affordable Housing Plan as a standard of review.
- (5) It is important to note that TIF funds are eligible for the provision of affordable housing, and when appropriate, the Village should consider leveraging TIF funds to support affordable housing initiatives.

6. THE GOAL

The Goal of this Plan

This Plan adopts the goal of bringing the percentage of affordable housing units in the Village to 10% of the total housing stock. This goal will be pursued by: 1) protecting and enhancing the existing affordable housing that currently exists in the Village, primarily the multi-family residential along the Village's perimeter corridors, and 2) concentrating attention on new multi-family and mixed-use buildings and providing developers of such buildings the opportunity of including affordable housing units. While this plan focuses on multi-family and mixed-use buildings, other affordable living arrangements could possibly be added to the Village's housing stock as the number of group homes, accessory living units, and specialized senior housing units increase in the ordinary course to meet a growing need. Overall, it is believed that concentrating on maintaining and improving the existing affordable housing and focusing on new multi-family and mixed-use buildings, in a manner consistent with the Comprehensive Plan and Zoning Ordinance, is a reasonable approach for pursuing the goal of bringing the percentage of affordable housing units in the Village to 10% of the total housing stock.

The Alternative Goals Allowed by the Act

This Plan does not adopt the Act's alternative goal of increasing the affordable housing stock in the Village by 3.0%, for the following reason. This goal would require the Village to increase the affordable housing stock from its current 9% to 12%, or from 340 units to 455 units, or by a total of 115 additional units. The Village can conceive no reasonable way in which this number of new affordable housing units could be provided in the foreseeable future. For example, to increase the number of affordable housing units by 115 in multi-family or mixed-use buildings consisting of 15% affordable units, it would take a total of 766 units in new multi-family buildings to achieve this goal. This number of new units would increase the Village's total housing stock by 20%.

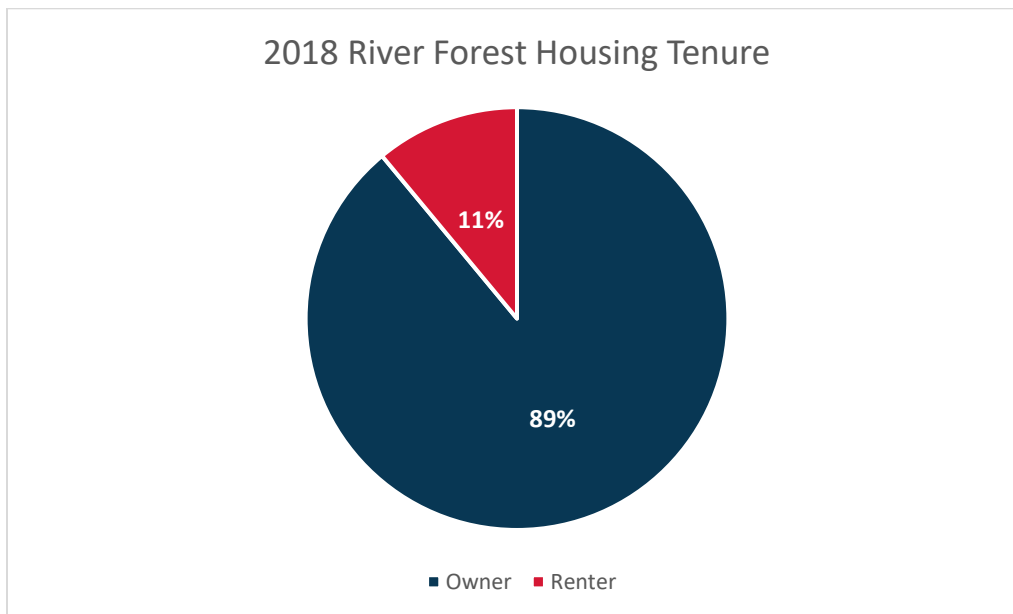
The other alternative goal in the Act, making 15% of all new residential construction or residential redevelopment within the Village affordable, is rejected because of its potential impact on the single-family residential market and the existing economic realities of the land value for single-family residential land in River Forest. The strategy of this plan is to focus on creating the opportunity for affordable housing as a component of multi-family and mixed-use development.

Appendix A: River Forest Housing Snapshot

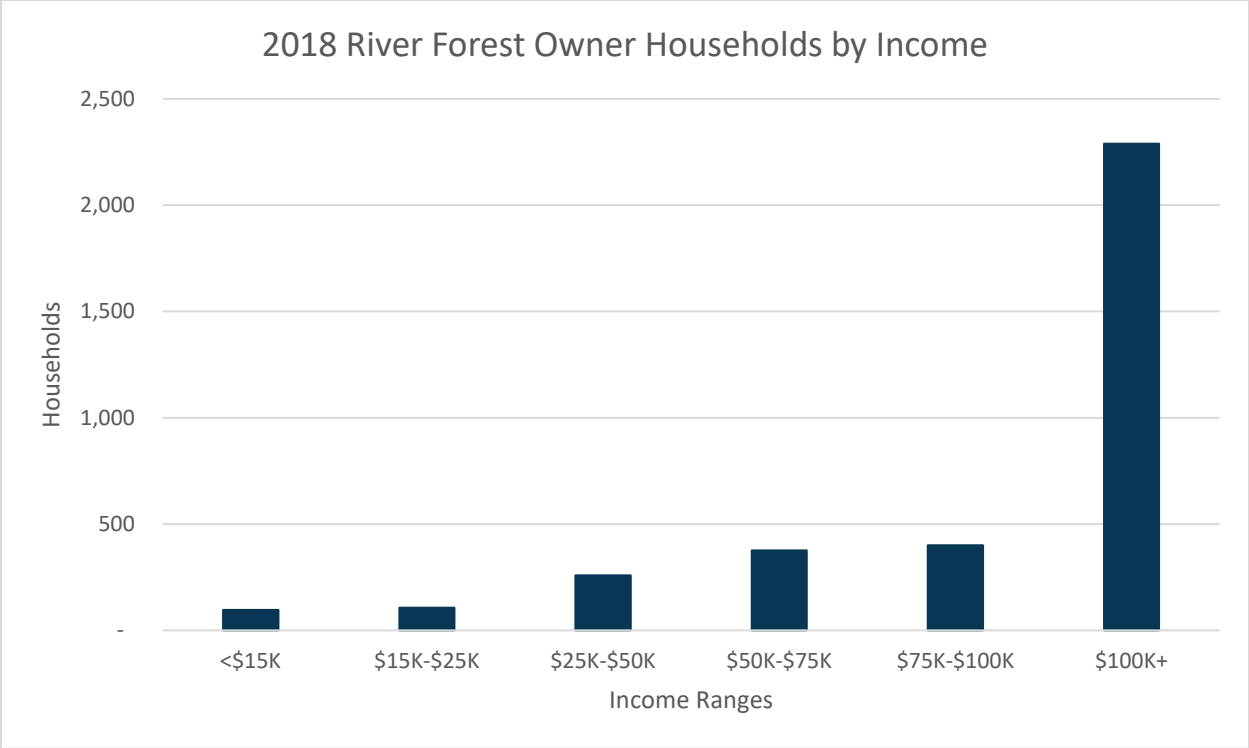
The source of the data provided in this appendix is from U.S. Census; 2014-2018 American Community Survey 5-Year Estimates.

Key Takeaways

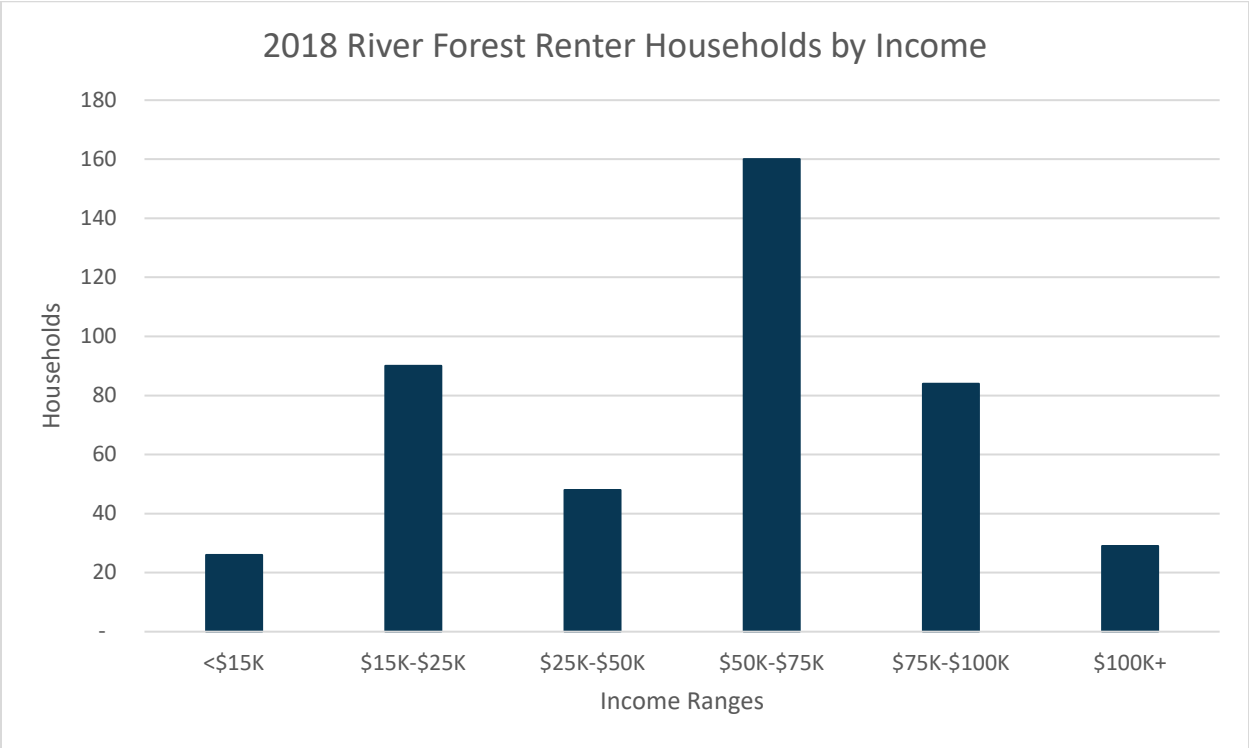
- The Village's total population is 11,064, a total decline of 108 people from 2010.
- Nearly 90 percent of River Forest's households are owner-occupied. Of the 3,528 owner-occupied households, 65 percent earn more than \$100,000 a year.
- Only seven percent of renter households earn \$100,000 annually, whereas 37 percent earn between \$50,000 and \$75,000.
- The majority of the Village's housing stock is single-family detached homes, however it is not a large majority at 66 percent. This suggests that a sizeable portion of owner-occupied housing units are multifamily condominiums.
- The median home value in the Village is \$581,900 with nearly 50 percent of households owning a home valued at \$500,000-\$1 M.
- The median gross rent in River Forest is \$1,182 per month, with 36 percent of households spending \$1,000-\$1,249 each month on rent.
- Owner-occupied households are experiencing an undersupply of market-rate, affordable housing options across nearly all income ranges, except the highest. This indicates that owner-occupied households at the lower income ranges are often spending more than thirty percent of income on housing. This indicates that owner-occupied households at the lowest income range often spends more than thirty percent of income on housing.
- Alternatively, renter households are experiencing a surplus of affordable housing across most income ranges, except for the lowest and highest ranges.



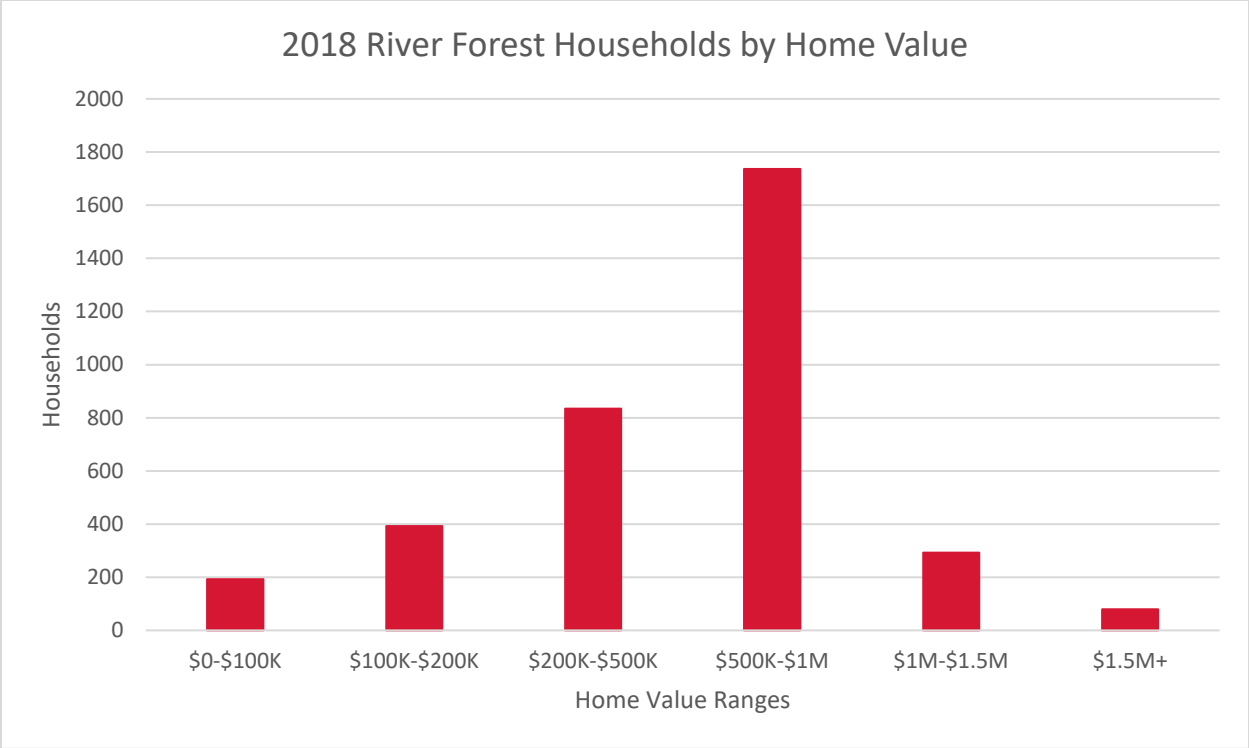
Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates



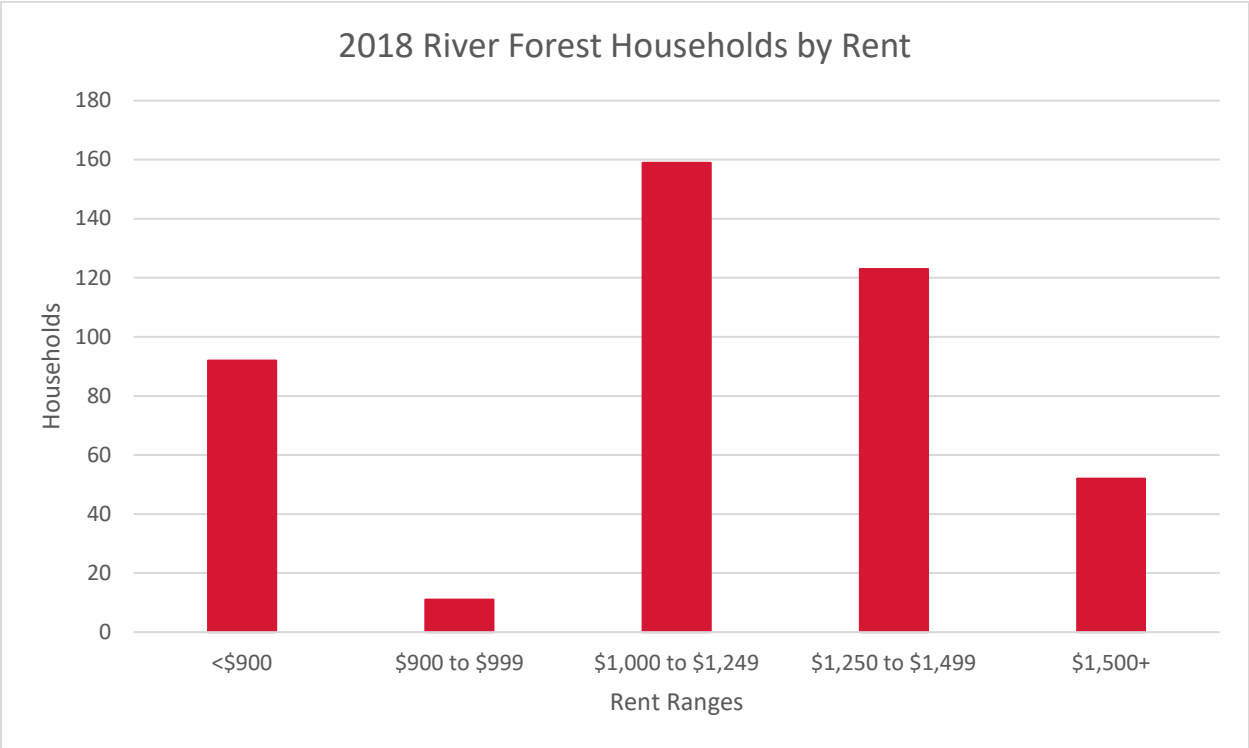
Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates



Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates



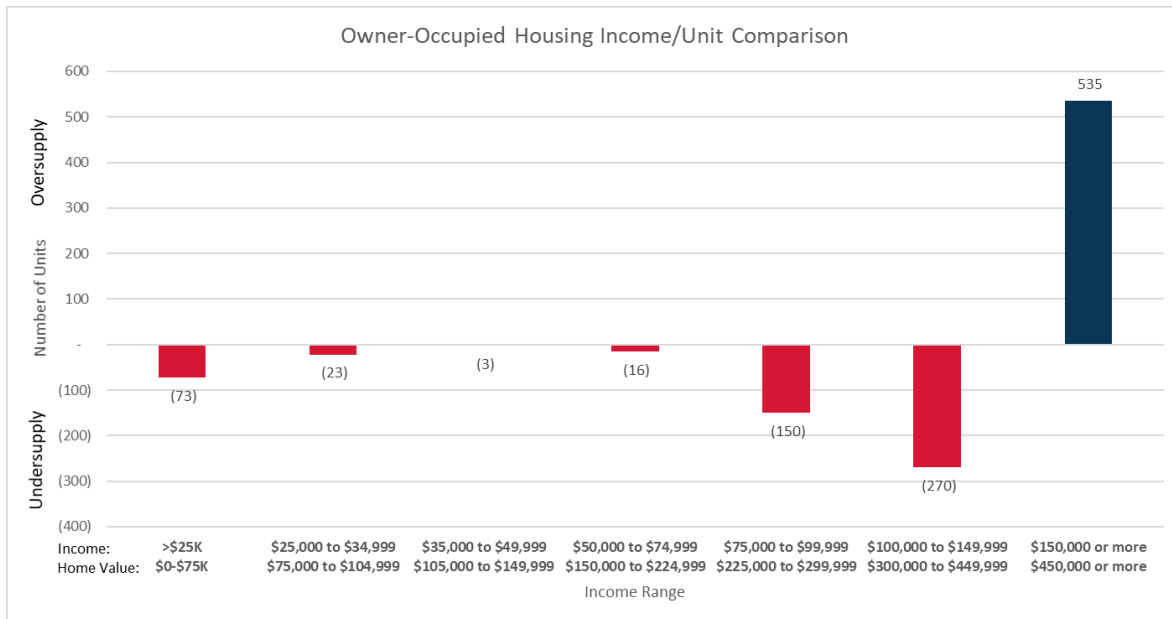
Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates



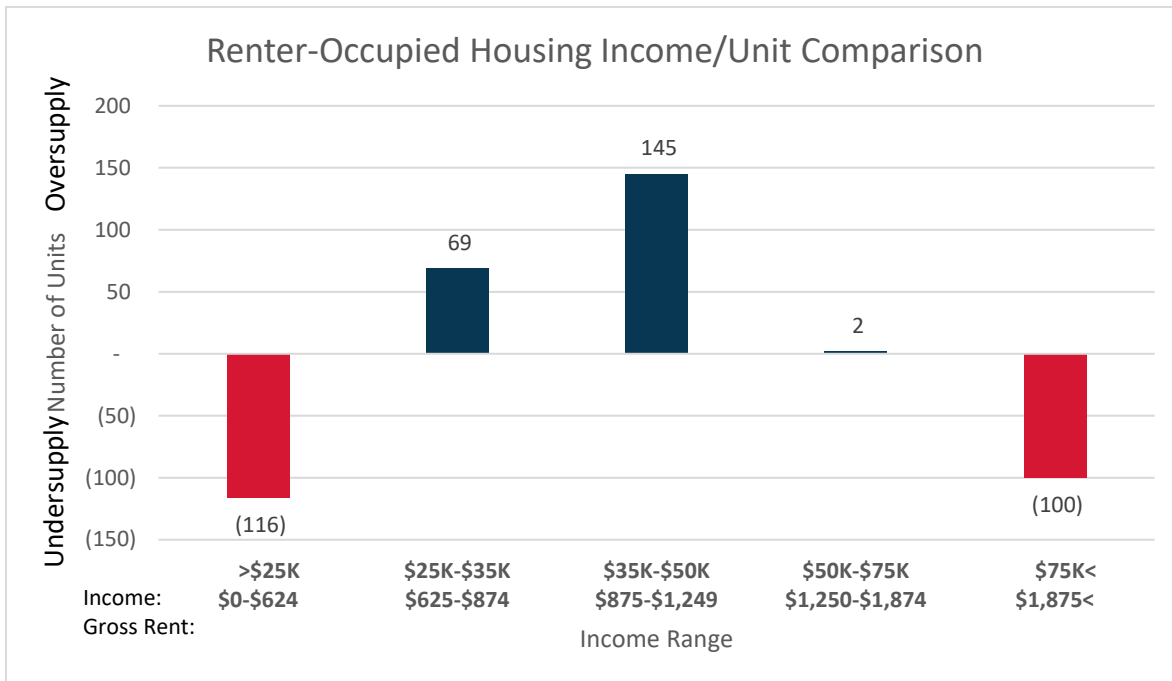
Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates

Housing Cost Burden

For this analysis, an established benchmark of thirty percent of income allotted to housing is utilized in determining the relationship between cost and income (for both renters and owners). This relationship is used to determine the number of “affordable housing units” in the Village. The Department of Housing and Urban Development (HUD) established the 30-percent standard as a means of examining affordable housing needs across the country.



Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates



Source: U.S. Census; 2014-2018 American Community Survey 5-Year Estimates; Houseal Lavigne Associates