

**VILLAGE OF RIVER FOREST
PLAN COMMISSION MEETING MINUTES
MARCH 3, 2020**

A meeting of the Village of River Forest Plan Commission was held on Tuesday, March 3, 2020, at 7:00 p.m. in the First Floor Community Room of Village Hall, 400 Park Avenue, River Forest, Illinois.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:01 p.m. Upon roll call, the following persons were:

Present: Commissioners Armalas, Gottlieb, Kirk, Cragan, Fishman and Chairman Crosby

Absent: Commissioner Kilbride

Also Present: Assistant Village Administrator Lisa Scheiner, Village Attorney Carmen Forte, John Houseal, of Houseal Lavigne Associates

2. APPROVAL OF MINUTES – JANUARY 21, 2020

A MOTION was made by Commissioner Gottlieb and SECONDED by Commissioner Cragan to approve the January 21, 2020 meeting minutes of the Plan Commission as amended.

Commissioner Cragan noticed that her name had been misspelled.

Ayes: Commissioners Armalas, Gottlieb, Kirk, Cragan, Fishman and Chairman Crosby

Nays: None

Motion Passed.

3. CONTINUED DISCUSSION REGARDING AFFORDABLE HOUSING PLAN

Chairman Crosby invited the Village’s Planning Consultant, John Houseal, to review the changes that were made to the Affordable Housing Plan.

John Houseal, Houseal Lavigne Associates, reviewed the changes that were made to the report including some phrases that were either removed or reworded to be better stated. He also noted that the language in the sections that address affordable housing need as defined by the Act and as defined by the community were “beefed up”. Mr. Houseal reviewed the possible additional considerations that are included in the revised plan in response to discussions at the last meeting. Those additional considerations included the following:

- (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; and
- (4) Consider amending the Planned Unit Development standards (section 10-19-3) to specifically identify consistency with the goals and policies of the Affordable Housing Plan as a standard of review for Planned Developments.

Mr. Houseal stated that there as some internal debate about item #4 because there is no other planning document in the Village, other than the Comprehensive Plan, that is called out in the Planned Development Ordinance, so this would be a change.

Mr. Houseal stated that the one recommendation made by the Plan Commission at the last meeting that was not included in the revised draft affordable housing plan, was the mandate that would tie the use of TIF expenditures to the provision of affordable housing. He stated that this recommendation, if it proceeds to the Village Board of Trustees, should be outside of the Affordable Housing Plan document as it is not the proper place for TIF expenditure policies.

Assistant Village Administrator Scheiner stated that the TIF Act requires that, in order for something to be a TIF eligible expense, there has to be public benefit. Village Attorney Carmen Forte further explained that there are TIF eligible expenses that can be used toward affordable housing projects including assistance with interest payments and construction costs. TIF is a financing tool but the Affordable Housing Plan is not.

Chairman Crosby asked the Commissioners if there were any other concerns or questions about the changes that have been made.

Commissioner Fishman stated that the change makes sense.

Commissioner Cragan recalled that she asked that data be included regarding River Forest housing and demographics. Mr. Houseal and Ms. Scheiner asked for clarification regarding the data that she would like to have included.

Commissioner Armalas asked if there is state directive that a certain amount of money or a certain percentage of TIF money needs to go toward affordable housing? He said he would like to have reviewed the discussion about the TIF language in the Affordable Housing Plan.

Village Attorney Forte reviewed the provisions of the TIF Act that allow for certain expenses related to affordable housing developments to be TIF-eligible including interest costs and construction costs. He noted that while the benefit goes to the developer, it incents the development of affordable housing.

Commissioner Cragan suggested that the Affordable Housing Plan include language that recognizes that affordable housing is a TIF-eligible expense. Mr. Houseal agreed that that could be included. Commissioner Armalas stated that he thought that was the Commission's recommendation at the previous meeting. Mr. Houseal stated that his take-away was that the Commission wanted to mandate that, if TIF funds were going to be used, they must to be used for affordable housing.

In response to a question from Commissioner Cragan regarding whether zoning changes would be covered under zoning mandates, Chairman Crosby and Mr. Houseal agreed that language would be placed on page 6 under possible additional considerations as its own recommendation. The Commission agreed that that would be the appropriate way to approach it.

Commissioner Cragan asked that the Affordable Housing Plan include the data they received during public comments at the previous meeting regarding housing affordability and housing cost burdens in River Forest. She noted that River Forest residents have a higher cost burden for housing and the data provides a snapshot and highlights the need for the plan beyond the State's requirements that it be adopted.

Chairman Crosby asked where they would go with that data.

Mr. Houseal said he wants to verify the data that was provided and noted to the Commission that it is required to use the data provided by the State in the Affordable Housing Plan. Some people choose to live in River Forest knowing that they may be required to spend a higher percentage of their income to live here. He also noted that 30% is not the only standard for determining housing affordability and there are some that suggest 35-40% is appropriate. He noted that the Commission would have to reach consensus that 30% is the standard by which to determine housing affordability.

Commissioner Armalas asked how the data would be used in the Plan. Commissioner Fishman said she does not understand and is not sure why it is important that this information be in the plan.

Commissioner Cragan explained that it seems like they are building or valuing affordable housing for someone else but, if the data is shown, they realize it's for all of them and that affordable housing effects everyone, not just certain households in River Forest.

Commissioner Fishman said she does not see that data living in this Plan.

Commissioner Armalas asked what time period the snapshot would capture. Commissioner Cragan said the snapshot current be current data or a recent year that shows the status of housing affordability and cost burden in River Forest.

Chairman Crosby said the ability to trust that other data makes him nervous and the Affordable Housing Plan is based on the specific data that the State has provided. He asked whether the Plan would be revised if other data is introduced that agrees or conflicts with the State mandated data.

Commissioner Cragan stated she understands the Commission must rely on the State's data and does not believe they could mistrust the U.S. Census data.

Mr. Houseal and Ms. Scheiner described the availability of HUD guidelines, possible data sets from the Census Bureau's American Community Survey, how those estimates are derived, whether the conclusions the Commission seeks can be extrapolated from that data, and asked how that data would impact or be informative to the overall affordable housing policy statement. Mr. Houseal noted that the American Community Survey data is not as actionable as the data provided by the State for the purposes of creating the Affordable Housing Plan.

Commissioner Gottlieb asked if the Plan could include a short statement that reflects that sentiment. Mr. Houseal discussed possible wording and reiterated that there is not consensus on other data sources and how that data will impact the Affordable Housing Plan if it varies from what the state requires the Village to use. The Village is required to have a plan to increase the number of affordable housing units from 9% to 10%.

Suzanne Haraburd, 633 Bonnie Brae Place, shared her personal experience in needing affordable housing and how she was able to find it and send her children to River Forest schools. She said her son is also benefitting from affordable housing. She thanked Commissioner Cragan for bringing up people in River Forest and how it's effecting them. She urged the Commission to modify the plan to include the following:

- Amend the Comprehensive Plan to establish a policy of preserving affordable housing;
- Include census data, even if it's from the American Community Survey;
- Adopt effective incentivized inclusionary zoning;
- Require that at least 15% of dwelling units in all new developments that include multi-family housing be affordable to households of modest incomes; and
- A precise policy for TIF Districts to maintain affordable existing multi-family and single family housing or replace it with new affordable units in new developments in the TIF Districts on a one-to-one basis.

Daniel Lauber, 7215 Oak, reminded the Plan Commission of the data that he provided at the previous meeting, its source, and how it identified housing costs and cost burdens to renters and property owners in River Forest. He said they received the draft Affordable Housing Plan the Thursday prior to the meeting, which was hardly adequate time to review it. He said that, in housing, they look at median data, not average data. Mr. Lauber said that he has prepared a lot of Affordable Housing Plans and that housing affordability data is often included in the Plan. He also noted that, for homeownership, housing cost estimates and affordability data include the mortgage, property tax payments, and condominium association fees.

Mr. Lauber reviewed deficiencies in the Plan, including a reference to limiting affordable housing to 15% to 20%. He said he finds language in the Plan to be insulting to his neighbors to the north that live in a modestly priced condominium development. He asked if the Commission is suggesting that this building or set of buildings is a disaster that should be in River Forest?

Mr. Houseal responded that the Affordable Housing Plan does not say that something is a disaster because it is affordable. He invited Mr. Lauber to comment on the sentence so it could be addressed, but said that language is not in the Plan.

Chairman Crosby asked Mr. Lauber not to sensationalize it.

Mr. Lauber suggested that the Commission remove any suggestions that a development for modest incomes is undesirable. He said “spirit of the community” at the bottom of page 2 should be diversity, not spirit of the community. He said he also has a concern about the best interest language on page 4 under what is affordable. He thinks that needs to be clarified.

Mr. Lauber urged the Plan Commission to remove the section under incentives that describes zoning mandates because, as described, they constitute an illegal taking of property without just compensation under the 5th amendment.

Mr. Lauber continued that zoning bonuses are really talking about incentivized inclusionary zoning and he thinks that a better tone can be created by talking about it that way. The paragraph in the Affordable Housing Plan under Zoning bonuses that states, “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 possible diminish the value of the neighboring properties, and the property owners would bear the cost” should be removed because it is unsubstantiated. On page 4 of his memo he provides several sources that show and have found consistently that affordable housing does not reduce property values and, in some instances, increases them. He provided the citations and has offered to provide PDF copies of studies that confirm it. He said the language in the Plan sets a negative tone and that a citation should be provided for the assertion made.

Mr. Houseal stated that the language to which Mr. Lauber is referring is on page 5 of the draft Plan, but clarified that it does not say that affordable housing can adversely impact property values. He said the Plan talks about relaxing zoning standards for height, setback, parking or bulk to create a physical structure that can impact adjacent property owners. Mr. Houseal said it says nothing about affordable housing lowering property values of adjacent properties. He noted that he is willing to discuss anything in the Plan, but that he would not let someone mischaracterize what is in it to the point of being inaccurate. Mr. Houseal said the last three statements Mr. Lauber made are simply not in the Affordable Housing Plan and he would wholeheartedly disagree with Mr. Lauber’s characterizations.

Mr. Lauber said he would disagree with Mr. Houseal’s characterizations and the tone of the Plan acts as if affordable housing is a burden that the Village begrudgingly accepts. He said that, if this Village can adopt an ordinance that welcomes undocumented immigrants to River Forest, then it can adopt an Affordable Housing Plan that is welcoming to people of modest incomes. Mr. Lauber also said he is concerned that no one seems to remember all the data he provided at the last meeting.

Chairman Crosby asked him to wrap up his comments

Mr. Lauber concluded by saying that the Affordable Housing Plan would be enhanced and much more effective if it were to include the four recommendations that he hoped would be in there and were read aloud by Ms. Haraburd. He reiterated her recommendations.

Chairman Crosby thanked Mr. Lauber for his comments.

Russ Wenzloff, 7214 Oak, discussed his long tenure at his property and the history of the affordability of the units. He said he hopes that anything new coming down the pike will allow people in his position to afford to live in River Forest.

Lydia Manning, 755 William Street, advocated for the older adults in River Forest and encouraged the Village to be intentional about the kind of language that is included in the plan that is age-friendly and goes beyond aging in place. She noted that the Age-Friendly Ad Hoc Committee was recently created. She encouraged the Village to explore accessory dwelling units and co-housing in creative and innovative ways to keep our elders here and aging in place in an affordable manner beyond just the reduction of property taxes.

Ms. Scheiner stated that the Commission also received written statements in advance of the meeting from Mr. Lauber, Ms. Rubin and Mr. Carmody letter, which have all been distributed to the Plan Commissioners.

Judith McDevitt, 411 Ashland, said she lives in one of the smaller affordable units in her building. She said appreciates the thoughtful way the Village goes about formulating its policies and listening to everyone. She has concerns about preserving existing affordable housing and thinks that it is very important to include the recommendation that any such affordable housing be preserved in the TIF Districts. She said the Village and schools have taken steps to ensure that everyone is welcome here and the Village's housing policies should reflect that.

David Brent, 1533 William, is the President of the Condo Association. He stated the owners have been exploring the possibility of selling the condominium building to someone who would use the property in whatever way they saw fit. The ongoing discussion about affordable housing has come to their attention and they believe their building could be used for that purpose. He said they have sent a letter to Eric Palm, Village Administrator.

Janice Brent, 1533 William, said that 100% of the 16 current condominium owners want to sell, however, if a developer is not interested in their building the units may turnover. She asked whether the Village could buy the building and then rent it out to people for affordable housing. Assistant Village Administrator Scheiner replied that she would have to defer to the attorney on the legality of it and that the policy decision is within the discretion of the Village Board of Trustees. She noted that she would pass their comments along to the Village Administrator.

There were no further public comments.

4. RECOMMENDATION TO THE VILLAGE BOARD OF TRUSTEES TO ADOPT AFFORDABLE HOUSING PLAN

The Commission reviewed the changes that they requested to the plan, which include:

- Adding a reference regarding TIF-eligible expenses related to Affordable Housing
- Adding contextual housing data from the American Community Survey
- Inclusion of integrated supportive housing in addition to age-friendly co-housing in the section “Affordable Housing as Defined by the Community.”

There was a brief discussion regarding the language in the Affordable Housing Plan and Comprehensive Plan regarding the preservation of existing affordable housing.

Commissioner Armalas stated he does not think the Village should require developers to replace affordable housing units that are demolished with new units on a one to one basis. He stated that the TIF Districts are likely to reduce the number of affordable housing units.

Chairman Crosby described that proposed developments will go through the Planned Development process before the Development Review Board and affordable housing can be discussed on a case by case basis.

Mr. Houseal noted that the Development Review Board reviews proposed developments in relation to the Comprehensive Plan, which calls the preservation and provision of affordable housing. Mr. Houseal noted that, while the Affordable Housing Plan does not mandate the units, it does mandate the discussion at the time development is being considered.

Commissioner Armalas suggested that Mr. Houseal modify language that it might be desirable to limit the number of affordable units to 15 to 20% on the bottom of page 2. There was a brief discussion regarding this language. Commissioner Gottlieb suggested that the “for example” clause be removed.

Commissioner Armalas noted that he was particularly struck by the letter from Opportunity Knocks and described some of his personal experiences and observations regarding individuals with special needs. There was a brief discussion regarding the addition of language for affordable housing needs for young, independent adults with disabilities. Mr. Houseal noted that language would be added to page 3.

Commissioner Gottlieb stated that language be added to describe the benefit of affordable housing to those will use it and those that do not. Mr. Houseal stated that he would modify the section regarding the need for the community.

Chairman Crosby suggested that the Commission reconvene to consider the changes they are seeking. There was a brief discussion regarding the next meeting of the Plan Commission, which was scheduled for April 7, 2020 at 7:00 p.m.

There was also a brief discussion regarding distribution of Plan Commission meeting packets relative to the Open Meetings Act and the Village’s practices to exceed the Open Meetings Act requirements.

5. PUBLIC COMMENT

There was no further public comment.

6. ADJOURNMENT

A MOTION was made by Commissioner Gottlieb and SECONDED by Commissioner Armalas to adjourn the Plan Commission meeting at 8:36 pm.

MOTION PASSED by voice vote.

Respectfully Submitted:

Lisa Scheiner, Secretary

David Crosby, Chairman

Plan Commission