



## RIVER FOREST DEVELOPMENT REVIEW BOARD MEETING AGENDA

A meeting of the River Forest Development Review Board will be held on Thursday, November 18, 2021 at 7:30 P.M. in First Floor Community Room of the Village Hall, 400 Park Avenue, River Forest, Illinois.

*To the extent that attendance may still be limited due to COVID-19 guidelines, Development Review Board officials, staff and consultants will have priority over members of the public. To the extent that the Village is still permitted to allow remote participation, 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: Jon Pape at [jpape@vrf.us](mailto:jpape@vrf.us). You may view or listen to the meeting by participating online or via telephone. Join the meeting at <https://us02web.zoom.us/j/87015218533>, or call (312) 626-6799 and use meeting ID 870 1521 8533. If you would like to participate online or over the phone, please email [jpape@vrf.us](mailto:jpape@vrf.us) by 4:00 PM on Thursday, November 18, 2021 with your name and the last four digits of the phone number you will be using to call in.*

- I. Call to Order/Roll Call
- II. Minutes of the October 21, 2021 Development Review Board Meeting
- III. Application #22-008: Application for Planned Development to relocate an HVAC unit on the north exterior of the Library building that will be enclosed by a masonry wall to utilize interior space for programs.
  - a. Approval of Findings of Fact and Recommendation of the Development Review Board
- IV. Application #22-005: Application for a Major Amendment to an Existing Planned Development to convert additional commercial space to an additional residential unit at 400 Ashland Avenue
  - a. Approval of Findings of Fact and Recommendation of the Development Review Board
- V. Public Comment
- VI. Adjournment

**VILLAGE OF RIVER FOREST  
DEVELOPMENT REVIEW BOARD MEETING MINUTES  
October 21, 2021**

A meeting of the Village of River Forest Development Review Board was held at 7:30 p.m. on Thursday, October 21, 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 meeting to order at 7:30 p.m. Upon roll call, the following persons were:

Present: Members Davis, Fishman, McCole, Yanaki, Chairman Martin

Absent: Members Crosby and Schubkegel

Also Present: Acting Village Administrator Lisa Scheiner, Village Attorney Carmen Forte, Jr. and Village Planning Consultant John Houseal.

**II. Minutes of the August 5, 2021 Development Review Board meeting**

A MOTION was made by Member Fishman and SECONDED by Member McCole to approve the minutes of the August 5, 2021 Development Review Board Meeting.

Ayes: Members Davis, Fishman, McCole, Yanaki, Chairman Martin

Nays: None

Motion Passed.

**III. Minutes of the September 2, 2021 Development Review Board meeting**

A MOTION was made by Member Fishman and SECONDED by Member McCole to approve the minutes of the September 2, 2021 Development Review Board Meeting.

Ayes: Members Davis, Fishman, McCole, Yanaki, Chairman Martin

Nays: None

Motion Passed.

**IV. Minutes of the September 16, 2021 Development Review Board meeting**

A MOTION was made by Member Fishman and SECONDED by Member McCole to approved the September 16, 2021 Minutes of the Development Review Board Meeting.

Ayes: Members Davis, Fishman, McCole, Yanaki, Chairman Martin

Nays: None

Motion Passed.

**V. Application #22-008: Application for Planned Development by the River Forest Public Library to relocate an HVAC unit on the north exterior of the Library building that will be enclosed by a masonry wall to utilize interior space for programs.**

Administrator Scheiner read the admonition and swore in all attendees wishing to speak at both public hearings.

Emily Compton-Dzak introduced herself as the director of the River Forest Public Library. She explained that the Library is requesting approval to install an 8x13 foot air handler unit, a concrete path and space exterior to the north side of the Library building. The Library would also like to place a 16x25 foot, 9-foot-tall masonry enclosure around it and a 1' wide x 42" deep footer.

She explained that the Library would like to pursue this upgrade because the Library's air handler is currently housed in an interior mechanical room. The Library's ultimate goal is to reclaim the 396 sq. ft. mechanical room and remodel it into a multipurpose room for programs, community meetings, and gathering space. The Library currently only has one meeting room which limits the Library's ability to offer multiple programs at one time. This also causes Library staff to routinely deny reservation requests because the room is always in use.

Director Compton-Dzak further described Phase One of the project, which involves replacing the air handler and constructing the masonry enclosure, and raising the sunken floor as well as ceiling and drywall, and plumbing. Phase Two is to complete the interior room remodel and install a family restroom. She noted that the conversion of the interior space triggers the requirement for additional parking spaces, but that the parking lots shared with Roosevelt Middle School and the public parks provide particular challenges in creating additional parking spaces. Therefore, she requested that consideration be given to not require this additional parking.

Director Compton-Dzak explained that the land occupied by the Library building is leased from the River Forest Park District and the Library has had several meetings with the Park District Board of Commissioners regarding the project. In a memorandum of understanding, the Park District has agreed to allow the Library to act as the interested agent throughout the zoning approval process and the project itself allowing the Library to submit the application, manage meetings and construction, and ultimately maintain the space. The Park District has agreed to renew the Library's lease regardless of whether the project is approved. The new lease would account for the 260 sq. ft. of additional space needed for the project.

Director Compton-Dzak further described the construction of the enclosure. A metal gate will be added to the left side of the enclosure, to provide for access to the air handler unit. She noted that the decibel level of the unit was estimated to be equivalent to the volume of a household refrigerator. She said that the Library hopes to begin construction in January 2022 and complete the project within a few months.

John Houseal, the Village's planning consultant, provided a summary of his review of the application. He noted that the application is consistent with the Village's comprehensive plan. The nature, intensity, and characterization of the Library's use does not change with this application. Collectively, the Library, Park District, and Roosevelt Middle School function as a sort of civic center for the Village. The land use designation of the subject property is public/semi-public, which does not change with this project. The first objective of the application is to continue the high quality services offered by the community. The second objective is to identify potential issues and resolve them.

Houseal stated that there is no zoning relief required with regard to bulk standards or setbacks, as applied to the project. The nearby homes are a great distance from the air unit. Libraries are required to have one parking spot for every 200 ft. of public library space. Moving the internal air handling unit outside would result in approximately 400 square foot of existing space becoming public space, so the Library would need two additional parking spaces. The noise from the unit is nominal and would not negatively affect nearby residents or Library attendees. Trees will be replaced as required by Village Code, and location of the trees will be determined at a later time. The addition will also not impact the nearby park. The only relief the Library needs is approval for site development for the two parking spaces.

Chairman Martin asked for clarification of the schedule of the management plan. Director Compton-Dzak clarified that they are hoping to bid in January, then asked the architect Natalie Clemens to explain the schedule. Clemens confirmed the construction timeline. They will do an alternate bid of timing based on the needs of the Park District, Library, and current labor and material shortages. One of the bids is a spring start date ending before school ends, and a fall start date right after school begins until the end of the year. The Library will decide based on what is best given the labor and material shortages. A permit application for the project will be submitted in November.

Chairman Martin asked how they propose to protect the people playing in the park year-round during construction. Director Compton-Dzak and Clemens explained that the Library will have to coordinate very closely with Roosevelt Middle School and the Park District to minimize disruptions. Chairman Martin suggested that trucks may have to transport concrete before 7:30 am to avoid interference with school activities. He stated that construction will likely not complete by April and waiting to complete the project in the fall would only exacerbate the issue. Director Compton-Dzak said these stipulations can be added to the contract and that when this proposal was shared with the Park District and school, no concerns were raised other than the dates of construction.

Chairman Martin closed the public hearing.

Chairman Martin proposed certain conditions on approval of the project:

1. The addition must be built according to the proposed plans
2. The interior space must be used as the proposed public space

3. The addition must be subject to the lease finalization with the Park District
4. The Library must comply with the Village's landscape ordinance with regard to tree replacement
5. The construction should be based on some agreement with the School District to protect the use of the field, as well as spectators and children.

A MOTION was made by Member McCole and SECONDED by Member Fishman to recommend to the Village Board of Trustees that the planned development be approved subject to the conditions noted above.

Ayes: Members Davis, Fishman, McCole, Yanaki, Chairman Martin

Nays: None

Motion Passed.

**VI. Application #22-005: Application for a Major Amendment to an Existing Planned Development to convert additional commercial space to an additional residential unit at 400 Ashland Avenue**

John Schiess introduced himself as an architect, representing applicant 400 Ashland LLC, the entity that owns the subject property. He explained that some additions were made to their application, which has been awaiting a hearing until some changes could be made to it. Schiess explained that he is asking for a major amendment to an existing planned development with possibly site development allowances for the project. He noted that the building is classified by Cook County for tax purposes as a "2-12" mixed use building in terms of its property taxes. Therefore, this approval would not have an impact on the property taxes already being paid on the property. There is no density or exterior change proposed and the building height would not change. Some exterior windows will be modified. The new unit, which is a studio, will conform to the Village's affordability guidelines. There are five parking spaces on the property, which have been there since the original construction of the building.

Schiess noted that after consulting with Village staff, the proposed plan would require eight parking spaces, so an additional three off-site spaces must be added. Schiess said Byline Bank, a neighbor to the property, was the first and most obvious choice, but the bank was not interested in leasing parking spaces. Schiess also spoke with Fifth Third Bank and other neighboring property owners, but no formal lease has been signed. He noted that the property owner found three overnight spaces in Village-owned parking lots on a month-to-month basis. These spaces are still subject to a waiting list. Schiess stated that the applicant's proposal is that the Board will vote in approval of the project, subject to overnight or 24 hour spaces available in the future when the owner is awarded the spaces from the waiting list.

Administrator Scheiner said the addition of one affordable housing unit would bring the Village closer to its goal of at least 10% affordable housing units in River Forest. She explained that under the Affordable Housing Planning and Appeals Act, the current limit on rent that could be charged to be considered an affordable housing unit would be between

\$800 and \$915 per month. With regard to parking, the Village does have 24-hour parking lots available to rent for \$120 per month. One space in the CVS lot on Thatcher and North Ave, the other is on Lake and Park. There are currently no spots available at the Keystone lot, which has a wait list of 15 vehicles ahead of the property owner. There are certain overnight spaces available but they are not available during the day time. The Village has a very limited number of 24-hour spots, but a great number of overnight spots.

John Houseal, the Village's planning consultant, provided a summary of his review of the application. He noted that when the plan was initially submitted, there were no proposals for off-site parking. The building differs from typical mixed-use buildings because it is one story. Surrounding the subject property are properties in the C-3 Zoning District which are multi-family. The adaptive reuse of the building is based on specific recommendations in the Village's Comprehensive Plan. The building does not require any site development allowances. No zoning relief is needed. As the applicant indicated, this proposal mainly concerns parking for the building and the proximity of the parking spaces. Typically, spaces must be 350' or less from the residence. There must be one parking space for every two proposed employees. Houseal opined that the number of parking spaces approved under the existing planned development should be increased from seven to eight to accommodate the additional residential unit. His recommendation is to preserve the existing five on-site parking spaces and located three off-site and off-street parking spaces, totaling eight parking spaces.

Chairman Martin asked if anyone in the audience would like to address the Development Review Board.

Viktor Jakovljevic, the owner of 400 Ashland, introduced himself as resident of the Village. He explained that this proposal comes from his desire to assist one of his employees who is a single dad. He is willing to rent parking spaces that will automatically renew monthly for his employee.

Schiess noted that it was not until the application was being prepared that the owner realized the prior parking spot leases were not active.

A MOTION was made by Chairman Martin and SECONDED by Member McCole to recommend to the Village Board of Trustees that the proposed amendment to the planned development be approved subject to the following conditions:

1. The renovations must be completed subject to the proposed plans
2. The owner must maintain three off-site 24-hour parking spaces available for the property within 300' of the property, and must certify the existence of leases/licenses for these spaces annually with the Village
3. The property must maintain one affordable housing unit, and must certify with the Village annually the existence of this unit
4. The property owner must comply with all regulations under Section 10-23-4 of the Village Code regarding dedication of school lands or payments of fees in lieu thereof, as applied to the subject property

Ayes: Members Davis, Fishman, McCole, Yanaki  
Nays: Chairman Martin  
Motion Passed.

**VII. Public Comment**

None.

**VIII. Adjournment**

Member McCole made a motion to adjourn, second by Member Davis.

Ayes: Members Davis, Fishman, McCole, Yanaki, Chairman Martin  
Nays: None  
Motion Passed.

Meeting Adjourned at 9:09 p.m.

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**FINDINGS OF FACT AND RECOMMENDATION OF THE  
DEVELOPMENT REVIEW BOARD  
VILLAGE OF RIVER FOREST**

**November 18, 2021**

**RE:** **Planned Development Permit Application – 717 Lathrop Avenue, River Forest, Illinois**

**PETITIONER:** **River Forest Public Library**

**APPLICATION:** **For a Planned Development to relocate an HVAC unit on the north exterior of the Library building that will be enclosed by a masonry wall to utilize interior space for programs at 400 Ashland Avenue, River Forest, Illinois (“Property”)**

**BACKGROUND:** The Property is a parcel of real property in the Village of River Forest (“Village”). The Property is located at Lathrop Avenue within the “civic campus” bound by Oak Avenue on the south, Chicago Avenue on the north, Lathrop Avenue on the west, and Jackson Avenue on the east. The Property is located in the PRI Public Recreational/Institutional Zoning District (“PRI Zoning District”).

The Petitioner proposes to relocate an internal air handler unit to a new outside location on the north side of the Library building. The relocation of the air handler unit to the new outside location will allow the Library to convert the approximately 396 square feet of interior floor area, currently occupied by the air handler unit, into usable/habitable public space for Library patrons. (“Project”). The Petitioner’s initial proposal appeared before the Development Review Board (“DRB”) for public hearing (the “Application”).

**APPLICATION:** The Application seeks one site development allowance (“SDA”) from the Village of River Forest Zoning Ordinance (“Zoning Ordinance”). The Project does not require any SDAs related to building height, lot coverage, setback, and floor-to-area ratio requirements of the PRI Zoning District. The only setback that would be modified is from the north side of the Library to the frontage of Chicago Avenue to the north. That setback changes from approximately 245’ to approximately 234’, which is significantly greater than the required minimum setback of 50’. The Application seeks a SDA related to parking for the Library. The addition of 396 square feet of interior space at the Library would require the additional of two (2) parking spaces, as one (1) parking space is required per the Zoning Ordinance for every two hundred and fifty (250) square feet of public floor area.

**PUBLIC HEARING:** At the duly and properly noticed public hearing before the DRB, testimony was taken and heard by the DRB on the Application on October 21, 2021. All persons testifying during the hearing were sworn prior to giving testimony. All persons wishing to be heard were allowed to engage in cross-examination of the witnesses and provide testimony on their own behalf.

Following the hearing, which included presentations by Petitioner and its agents, reports by various Village staff, and testimony from all who wished to speak, the DRB voted, 5 to 0, to recommend approval of the Application to the Village President and Board of Trustees so long as the conditions set forth below (“Conditions”) are met.



**FINDINGS:** The DRB, based upon the evidence presented at the hearing, and pursuant to Section 10-19-3 of the Village Code, makes the following Findings as to the Application:

**A. The proposed use or combination of uses is consistent with the goals and policies of the comprehensive plan.**

Overall, the Project, as proposed in the Application, is consistent with the goals and objectives of the Comprehensive Plan. The Comprehensive Plan recognizes the value, importance, and overall contributions of the Public Library to the quality of life for the River Forest community. Further, the Comprehensive Plan specifically acknowledges the space limitations of the Library and the need for a larger facility to accommodate the growing demand for services and activity space. With regard to the requested side development allowance related to parking, the Comprehensive Plan specifically states that the Village should work cooperatively with the Library to find solutions to its space and parking problems, likely requiring coordination and cooperation with the Park District and District 90. The DRB members recommend a condition of approval that the reclaimed interior space of the Library be utilized for public meeting space, as the Petitioner indicated it intended to do in the Application. Therefore, based on the evidence presented, the DRB finds that this standard is met, so long as the Conditions are met.

**B. The establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the Village.**

Testimony at the hearing from the Petitioner and the Village's staff demonstrated that the Project would not result in any condition that would be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of residents in the Village. Testimony at the hearing from the DRB members raised concerns regarding the effect of construction traffic and activity on the shared use of the surrounding property by District 90 and Park District users. To address these concerns, the DRB members recommended conditions of approval that the Library develop a plan with the Park District and District 90 to address safety concerns related to this construction activity at the Property, to meet all Village Code requirements for scheduled hours of construction work, and utilize a gate latch system on the HVAC enclosure that can be opened from the interior of the enclosure, so that a person cannot become trapped inside the enclosure. Therefore, based on the evidence presented, the DRB finds that this standard is met, so long as the Conditions are met.

**C. The proposed use or combination of uses will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this zoning title.**

The Project, as proposed in the Application, will positively impact nearby uses, and continue to support the Library as a valuable resource to the Village. The minor addition to the Library building will not negatively impact any hared uses of the nearby property. The HVAC enclosure will match the exterior of the Library building. Therefore, based on the evidence presented, the DRB finds that this standard is met.

**D. The establishment of the proposed use or combination of uses will not impede the normal and orderly development and improvement of surrounding properties for uses or combination of uses otherwise permitted in the zoning district.**

The Project, as proposed in the Application, will not impede the normal and orderly development and improvement of surrounding properties. The use is consistent with other properties in the PRI district. The area surrounding the Property has been developed for several years, and the Project would develop a location that is currently used by the Library and Park District. The DRB members recommended a condition of approval that the Library enter into a new lease for the portion of the Property that contains the HVAC enclosure. The DRB finds that this standard has been met, so long as the Conditions are met.

**E. The proposed use or combination of uses will not diminish property values in the vicinity.**

The surrounding neighborhood has been, by and large, fully developed for a number of years. There was no evidence that the Project, as proposed in the Application, once built, would generally result in diminished property values in the vicinity, and no credible testimony or evidence to the contrary was presented to the DRB. The DRB finds that this standard has been met.

**F. Adequate utilities, road access, drainage, police and fire service and other necessary facilities already exist or will be provided to serve the proposed use or combination of uses.**

The Village's Police Department, Fire Department and Public Works Department are generally satisfied with the Project, as proposed in the Application. There is no indication that utilities serving the Property will be inadequate if the Project is built. Based on the evidence presented, the DRB finds that this standard has been met.

**G. Adequate measures already exist or will be taken to provide ingress and egress to the proposed use or combination of uses in a manner that minimizes traffic congestion in the public streets.**

The Project, as proposed in the Application, does not make changes to the ingress and egress to the Property. Evidence presented by the Petitioner suggested that generally there would be no negative traffic impacts due to the Project. No credible testimony was presented that the Project would unduly burden traffic on the public streets adjoining the Subject Property, or that there would be any additional need for public parking due to the increase in interior space at the Library. Based on the evidence presented, the DRB finds that this standard has been met.

**H. The proposed use or combination of uses will be consistent with the character of the Village.**

The Project, as proposed in the Application, is consistent with the character of the Village and with the zoning district and is compatible with the Property and is consistent with the immediate neighborhood. The DRB concurs with the Village Planner's analysis regarding the compatibility of the Project and the Comprehensive Plan and the compatibility of the Project with the character of the Village. After considering the Application, the materials submitted regarding the Project and testimony from the hearing, the DRB finds that the Project is consistent with the character of the Village. Based on the evidence presented, the DRB finds that this standard has been met.

**I. Development of the proposed use or combination of uses will not materially affect a known historical or cultural resource.**

No historical or cultural resources have been identified in the area surrounding the Project, as proposed in the Application. Based on the evidence presented, the DRB finds that this standard has been met.

- J. The design of the proposed use or combination of uses considers the relationship of the proposed use or combination of uses to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use or combination of uses on adjacent property.**

The Project, as proposed in the Application, is appropriate in massing, scale and other respects in relation to the Property, as minimal changes to the exterior of the Property will occur, and the Property will only be minimally enlarged. The design of the Project is complimentary to the surrounding area and to the Library's pre-existing building. Overall, the DRB finds that the Project, as proposed in the Application, will still result in no adverse impacts on adjacent properties and the neighborhood. Based on the evidence presented, the DRB finds that this standard has been met.

- K. The design of the proposed use or combination of uses promotes a safe and comfortable environment for pedestrians and individuals with disabilities.**

The evidence presented established that pedestrians and individuals with disabilities will not be put at risk by the Project. There are no expected pedestrian impacts resulting from the Project. No credible testimony was presented at the hearing demonstrating that there was any risk to pedestrians or individuals with disabilities based upon the improvements requested for approval in the Application. Based on the evidence presented, the DRB finds that this standard has been met.

- L. The applicant has the financial and technical capacity to complete the proposed use or combination of uses and has made adequate provisions to guarantee the development of any buffers, landscaping, public open space, and other improvements associated with the proposed use or combination of uses.**

The Petitioner has the financial and technical capacity to complete the Project, as proposed in the Application. Evidence presented at the hearing and in the Application demonstrates the Petitioner's financial and technical feasibility to complete the Project. No negative impacts are expected on buffers, landscaping, public open space, and other improvements associated with the Application. The DRB members recommend a condition of approval that the Library meet the Village's landscaping ordinance with regard to the removal and replacement of any trees on the Property. Based on the evidence presented, the DRB finds that this standard has been met, so long as the Conditions are met.

- M. The proposed use or combination of uses is economically viable and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the Village, except to the extent that such burden is balanced by the benefit derived by the Village from the proposed use.**

There was no evidence that the Project, as proposed in the Application, would burden the Village's financial operations. The Petitioner produced evidence that the construction and operation of the Project are economically viable. The DRB finds that there is no evidence the proposed uses in

the Project will increase the burden on Village services, the Village's tax base, or other economic factors that affect the financial operations of the Village. Based on the evidence presented, the DRB finds that this standard has been met.

**N. The proposed use or combination of uses will meet the objectives and other requirements set forth in Section 10-19-3.**

The Project, as proposed in the Amended Application, meets the objectives and other requirements of Section 10-19-3, for the reasons set forth above. Based on the evidence presented, a majority of the DRB finds that this standard has been met, so long as the Conditions are met.

**O. The application meets the additional standards for multi-family housing in Section 10-19-3(O), except to the extent site development allowances have been granted.**

Section 10-19-3(O) does not apply to this Project.

**SUMMARY OF RECOMMENDATION:** Based upon the foregoing findings, a majority of the DRB, by a vote of 5 to 0, recommends to the President and Board of Trustees that the Board approve the Application, including the site development allowance that would not require the Petitioner to create two (2) additional parking spaces, subject to the following Conditions, that:

1. The Project shall be developed in accordance with the plans in the Application as presented to the DRB at the hearing.
2. All landscaping proposed and installed at the Property shall comply with the Village Code and be approved by the Village, including the removal and replacement of trees on the Property.
3. Prior to a building permit being issued by the Village and construction on the Project commencing, the Petitioner shall enter into a new lease with the Park District that includes the use of portion of the Property that will house the HVAC enclosure.
4. The Petitioner shall utilize the reclaimed interior space of the Library as public meeting space.
5. No construction materials for the Project shall be stored any parkway or Village sidewalk, or any other public way or property maintained by the Village.
6. The Petitioner shall develop a plan along with the Park District and District 90 to address safety concerns related to Project construction activity at the Property
7. The Petitioner shall meet all Village Code requirements for scheduled hours of construction work at the Property.
8. The Petitioner shall utilize a gate latch system on the HVAC enclosure that can be opened from the interior of the enclosure, so that a person cannot become trapped inside the enclosure.

Signed: \_\_\_\_\_

Frank Martin, Chairman  
Development Review Board  
Village of River Forest

Dated: \_\_\_\_\_

**FINDINGS OF FACT AND RECOMMENDATION OF THE  
DEVELOPMENT REVIEW BOARD  
VILLAGE OF RIVER FOREST**

**November 18, 2021**

**RE:** **Planned Development Permit Application for Amendment – 400 Ashland Avenue, River Forest, Illinois**

**PETITIONER:** **400 Ashland, LLC**

**APPLICATION:** **For an amendment to an existing Planned Development to add an additional residential unit to an existing mixed-use building at 400 Ashland Avenue, River Forest, Illinois (“Property”)**

**BACKGROUND:** The Property is a .194 acre parcel of real property in the Village of River Forest (“Village”). The Property is located at the northwest corner of Ashland Avenue and Central Avenue in the C-3 Central Commercial Zoning District.

The current planned development permit for the Property, which was approved by the Village Board in 2013, allows a portion of the Property to be utilized as a one-bedroom residential unit, while the remainder of the Property serves as commercial office space for various tenants.

The Petitioner proposes to amend the current planned development permit by removing a portion of the existing commercial space at the Property and construct a studio residential unit, to be rented at affordable rental rates (“Project”). The Petitioner’s application was first set for consideration before the Development Review Board (“DRB”) on July 7, 2021, and was continued several times, from August 5, 2021 to October 21, 2021, when it appeared before the Development Review Board for public hearing (the “Application”).

**APPLICATION:** The Application seeks the following site development allowances (“SDA”) from the Village of River Forest Zoning Ordinance (“Zoning Ordinance”):

|   | <b>Zoning Ordinance</b> | <b>Proposed</b>  | <b>SDA Requested</b> |
|---|-------------------------|--|----------------------|
| <b>Total Parking Spaces Required</b>  | 12                      | 8  | 4 spaces             |
| <b>Total Parking Spaces Required under Current Planned Development Permit</b> | 9                       | 7 (and received under the current Planned Development Permit) <sup>1</sup> | 2                    |

<sup>1</sup> The Petitioner does not currently have seven (7) parking spaces for the Property, as the previous lease for two (2) off-site parking spaces is no longer in effect. Therefore, the Petitioner does not meet the terms of the current Planned Development Permit with regard to required parking at the time of application for a major amendment.

**PUBLIC HEARING:** At the duly and properly noticed hearing, testimony was taken and heard by the DRB on the Application on October 21, 2021. All persons testifying during the hearing were sworn prior to giving testimony. All persons wishing to be heard were allowed to engage in cross-examination of the witnesses and provide testimony on their own behalf.

Following the hearing, which included presentations by Petitioner and its agents, reports by various Village staff, and testimony from all who wished to speak, the DRB voted, 4 to 1, to recommend approval of the Application to the Village President and Board of Trustees so long as the conditions set forth below (“Conditions”) are met.

**FINDINGS:** The DRB, based upon the evidence presented at the hearing, and pursuant to Section 10-19-3 of the Village Code, makes the following Findings as to the Application:

**A. The proposed use or combination of uses is consistent with the goals and policies of the comprehensive plan.**

Overall, the Project, as proposed in the Application, is consistent with the goals and objectives of the Comprehensive Plan. Specifically, the DRB finds that the Project, as proposed in the Application, will help to provide a desired affordable housing unit to the Village, in the Village’s Central Commercial District. Further, the adaptive reuse of the commercial building is a desirable alternative to demolition of the building and construction of a new residential building at the Property. The DRB members recommended as a condition of approval of the Project that the Petitioner annually certify that the new residential rental unit is an affordable unit as defined by federal guidelines.

Based on the evidence presented, a majority of the DRB members find that this standard is met, so long as this condition is met.

**B. The establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the Village.**

Testimony at the hearing from the Petitioner and the Village’s staff demonstrated that the Project would not result in any condition that would be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of residents in the Village. Testimony at the hearing from the DRB members raised concerns regarding parking issues around the Property, and the fact that the Petitioner does not meet the current terms of the Planned Development Permit for the Property with regard to parking. Concern was raised by Village staff and DRB members that the Petitioner would not be able to secure the minimum amount of off-site parking spaces as recommended by the Village’s planning consultant and Village staff. To address these concerns, the DRB members recommended a condition of approval that three (3) off-site parking spaces could be secured by the Petitioner within 300’ of the Property.

A majority of the DRB finds that this standard is met, so long as this condition is met. A minority of the DRB finds that this standard has not been met.

**C. The proposed use or combination of uses will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this zoning title.**

The Project, as proposed in the Application, will positively impact nearby uses as multi-unit residential buildings are abundant in the surrounding area. That being said, DRB members exhibited concern about the lack of parking near the Property, and the adverse effect that adding another dwelling-unit on the Property would have on already minimal street parking in the surrounding area. Based on the evidence presented, and recommendations from the Village Planner that residents and employees requiring parking on-site at the Property or nearby, the DRB finds that the Project, as proposed in the Application, will not diminish the use or enjoyment of permitted uses on other property in the vicinity, as long as certain conditions are met. Therefore, a majority of the DRB finds that this standard has been met, so long as the Condition is met that the Petitioner secure and maintain three (3) off-site parking spaces for use solely by residents or employees of the Property on a twenty-four (24) hour basis, and yearly certify to the Village that these off-site spaces are currently under an active lease or license. A minority of the DRB finds that this standard has not been met, given that the Petitioner does not currently have any off-site parking as required by its current Planned Development Permit, and that the addition of another residential unit to the Property will negatively impact the current parking situation for the neighboring properties.

**D. The establishment of the proposed use or combination of uses will not impede the normal and orderly development and improvement of surrounding properties for uses or combination of uses otherwise permitted in the zoning district.**

The proposed additional residential unit at the Property, as proposed in the Application, will not impede the normal and orderly development and improvement of surrounding properties. The use is consistent with other properties in the C-3 Zoning District. The area surrounding the Property has been developed for several years, and the Project would develop a location that is currently used in a commercial nature. A majority of the DRB members find that this standard has been met.

**E. The proposed use or combination of uses will not diminish property values in the vicinity.**

The surrounding neighborhood has been, by and large, fully developed for a number of years. There was no evidence that the Project, as proposed in the Application, once built, would generally result in diminished property values in the vicinity, and no credible testimony or evidence to the contrary was presented to the DRB. A majority of the DRB members find that this standard has been met.

**F. Adequate utilities, road access, drainage, police and fire service and other necessary facilities already exist or will be provided to serve the proposed use or combination of uses.**

The Village's Police Department, Fire Department and Public Works and Development Services Department are generally satisfied with the Project, as proposed in the Application. There is no indication that utilities serving the Property will be inadequate if the Project is built. Based on the evidence presented, a majority of the DRB members find that this standard has been met.



**G. Adequate measures already exist or will be taken to provide ingress and egress to the proposed use or combination of uses in a manner that minimizes traffic congestion in the public streets.**

The Project, as proposed in the Application, does not make changes to the ingress and egress to the Property. Evidence presented by the Petitioner suggested that generally there would be no negative traffic impacts due to the Project. No credible testimony was presented that the Project would unduly burden traffic on the public streets adjoining the Subject Property. Testimony at the hearing raised concerns about increased demand for parking on the nearby streets at the Property. Village staff suggested, and the DRB agreed, that a condition be included that the Petitioner secure and maintain three (3) off-site parking spaces for use solely by residents or employees of the Property on a twenty-four (24) hour basis, and yearly certify to the Village that these off-site spaces are currently under an active lease or license. Based on the evidence presented, a majority of the DRB members find that this standard has been met, as long as this Condition is met. A minority of the DRB finds that this standard has not been met, given that the Petitioner does not currently have any off-site parking as required by its current Planned Development Permit, and that the addition of another residential unit to the Property will negatively impact the current parking situation for the neighboring properties.

**H. The proposed use or combination of uses will be consistent with the character of the Village.**

The multi-family residential use proposed in the Project, as proposed in the Application, is consistent with the character of the Village and with the zoning district and is compatible with the Property and is consistent with the immediate neighborhood. The DRB concurs with the Village Planner's analysis regarding the compatibility of the Project and the Comprehensive Plan and the compatibility of the Project with the character of the Village. After considering the Application, the materials submitted regarding the Project and testimony from the hearing, the DRB finds that the Project is consistent with the character of the Village. Based on the evidence presented, a majority of the DRB members find that this standard has been met.

**I. Development of the proposed use or combination of uses will not materially affect a known historical or cultural resource.**

No historical or cultural resources have been identified in the area surrounding the Project, as proposed in the Application. Based on the evidence presented, a majority of the DRB members find that this standard has been met.

**J. The design of the proposed use or combination of uses considers the relationship of the proposed use or combination of uses to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use or combination of uses on adjacent property.**

The Project, as proposed in the Application, is appropriate in massing, scale and other respects in relation to the Property, as minimal changes to the exterior of the Property will occur, and the Property will not be enlarged. The design of the Project is complimentary to the surrounding area. Overall, the DRB finds that the Project, as proposed in the Application, will still result in no adverse impacts on adjacent properties and the neighborhood. Based on the evidence presented, a majority of the DRB members find that this standard has been met.

**K. The design of the proposed use or combination of uses promotes a safe and comfortable environment for pedestrians and individuals with disabilities.**

The evidence presented established that pedestrians and individuals with disabilities will not be put at risk by the Project. There are no expected pedestrian impacts resulting from the Project. No credible testimony was presented at the hearing demonstrating that there was any risk to pedestrians or individuals with disabilities based upon the improvements requested for approval in the Application. The Petitioner noted that the new residential unit will be compliant with the Americans with Disabilities Act. Based on the evidence presented, a majority of the DRB members find that this standard has been met.

**L. The applicant has the financial and technical capacity to complete the proposed use or combination of uses and has made adequate provisions to guarantee the development of any buffers, landscaping, public open space, and other improvements associated with the proposed use or combination of uses.**

The Petitioner is an experienced developer and has the financial and technical capacity to complete the Project, as proposed in the Application. Evidence presented at the hearing and in the Application demonstrates the Petitioner's financial and technical feasibility to complete the Project. No negative impacts are expected on buffers, landscaping, public open space, and other improvements associated with the Application. Based on the evidence presented, a majority of the DRB members find that this standard has been met.

**M. The proposed use or combination of uses is economically viable and does not pose a current or potential burden upon the services, tax base, or other economic factors that affect the financial operations of the Village, except to the extent that such burden is balanced by the benefit derived by the Village from the proposed use.**

There was no evidence that the Project, as proposed in the Application, would burden the Village's financial operations. The Petitioner produced evidence that the construction and operation of the Project are economically viable. The DRB finds that there is no evidence the proposed uses in the Project will increase the burden on Village services, the Village's tax base, or other economic factors that affect the financial operations of the Village. The Petitioner noted that the property tax classification for the Property will not change if the residential unit is added to the Property. The DRB recommends in the Conditions that the Petitioner must comply with all regulations under Section 10-23-4 of the Village Code regarding dedication of school lands or payments of fees in lieu thereof, as applied to the Property. Based on the evidence presented, a majority of the DRB members find that this standard has been met, so long as this condition is met.

**N. The proposed use or combination of uses will meet the objectives and other requirements set forth in Section 10-19-3.**

The Project, as proposed in the Application, meets the objectives and other requirements of Section 10-19-3, for the reasons set forth above. Based on the evidence presented, a majority of the DRB finds that this standard has been met, so long as the Conditions are met. A minority of the DRB finds that this standard has not been met because the Petitioner is seeking a SDA to reduce the number of required parking spaces off-site the Property to an amount that will adversely affect the public parking available near the Property. Based on the evidence

presented, a majority of the DRB finds that this standard has been met. A minority of the DRB members find that this standard has not been met.

**O. The application meets the additional standards for multi-family housing in Section 10-19-3(O), except to the extent site development allowances have been granted.**

The Project, as proposed in the Application, does not meet the additional standards for multi-family housing in Section 10-19-3(O) of the Zoning Ordinance. The total number of parking spaces and land area fall under the additional standards in Section 10-19-3(O) of the Zoning Ordinance. Village staff suggested, and the DRB agreed, that a condition be included that the Petitioner secure and maintain 3 off-site parking spaces for use solely by residents or employees of the Property on a 24-hour basis, and yearly certify to the Village that these off-site spaces are currently under an active lease or license. Based on the evidence presented, a majority of the DRB members find that this standard has been met, as long as this Condition is met. A minority of the DRB members find that this standard has not been met.

**SUMMARY OF RECOMMENDATION:** Based upon the foregoing findings, a majority of the DRB, by a vote of 4 to 1<sup>2</sup>, recommends to the President and Board of Trustees that the Board approve the Application, including the site development allowance, subject to the following Conditions, that:

1. The Project shall be developed in accordance with the plans in the Application as presented to the DRB at the hearing.
2. All landscaping proposed and installed at the Property shall comply with the Village Code and be approved by the Village.
3. Prior to a permit being issued and construction commencing, the Petitioner shall secure and maintain three (3) off-site parking spaces for use solely by residents or employees of the Property on a 24-hour basis. The Petitioner shall submit an annual affidavit of compliance with this condition to the Zoning Administrator on January 15 of each year after the Project receives a final certificate of occupancy from the Village, and the Petitioner shall provide information and materials as may be requested by the Zoning Administrator to confirm compliance with this condition.
4. To ensure standard A in Section 10-19-3 of the Zoning Ordinance is met, and to ensure that the Petitioner's commitment in the Application to rent the studio apartment in the Project at an affordable rental rate is met, the Petitioner shall not rent the studio apartment for more than the most recently available "Affordable Rent Limit" for a "0 Bedroom" unit in the Chicago Metro Area as published by the Illinois Housing Development Authority, which, as of the effective date of this Ordinance, is Nine Hundred Fifty Five and No/100 Dollars (\$955.00) per month. This apartment affordable rent restriction shall be in effect for ten (10) years from the date the Project receives a final certificate of occupancy from the Village. The Petitioner shall submit an annual affidavit of compliance with this condition to the Zoning Administrator on January 15 of each year after the Project receives a final certificate of occupancy from the Village, and the Petitioner shall provide information and materials as may be requested by the Zoning Administrator to confirm compliance with this condition.

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<sup>2</sup> Chairman Martin voted no, finding that Standards B, C, G, N and O were not met.

5. The Village shall not waive the Petitioner's required contribution of funds or land to the local school districts, as required under Section 10-23-4 of the Village Zoning Ordinance.
6. No construction materials for the Project shall be stored any parkway or Village sidewalk, or any other public way or property maintained by the Village.

Signed: \_\_\_\_\_  
Frank Martin, Chairman  
Development Review Board  
Village of River Forest

Dated: \_\_\_\_\_