

**VILLAGE OF RIVER FOREST  
DEVELOPMENT REVIEW BOARD MEETING MINUTES  
October 26, 2017**

A meeting of the Village of River Forest Development Review Board was held at 7:30 p.m. on Thursday, October 26, 2017 in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

**I. CALL TO ORDER**

The meeting was called to order at 7:30 p.m. Upon roll call, the following persons were:

Present: Members Crosby, Ryan, Fishman, Ruehle, O'Brien and Chairman Martin

Absent: Member Dombrowski

Also Present: Assistant Village Administrator Lisa Scheiner, Village Attorney Greg Smith

**II. APPROVAL OF MINUTES OF THE APRIL 6, 2017 DEVELOPMENT REVIEW BOARD MEETING**

A MOTION was made by Member O'Brien and SECONDED by Member Ruehle to approve the minutes of the April 6, 2017 Development Review Board Meeting.

Ayes: Members Crosby, Ryan, Fishman, Ruehle, O'Brien and Chairman Martin

Nays: None

Motion Passes.

**III. PUBLIC HEARING - Application #17-01 - Amendment to the Planned Development Granted in Ordinance 2883, as Amended by Ordinances 3588 and 3622 - St. Vincent Ferrer Multipurpose Hall (1530 Jackson Avenue)**

Chairman Martin explained the purpose of the hearing, the history of the Planned Development and amendments at this site, and the process that would be followed during the hearing.

Assistant Village Administrator Scheiner swore in all parties wishing to speak.

Nevin Hedlund, Nevin Hedlund Architects, stated that the application is presented because of a misunderstanding on the part of the applicant, St. Vincent, when a major amendment was granted to alter the design of the building and add a mansard roof. Mr. Hedlund stated that the rendering included in that application showed a dark window color and they wrongly assumed that this superseded the text in the ordinance that said the windows should be putty colored. He said they are before the Development Review Board (DRB) with a request that the planned development be amended to allow the dark colored windows to remain.

Mr. Hedlund distributed photographs and displayed a site plan that showed other buildings on campus with dark colored windows. The applicant thought it would be more appropriate for the addition to match the other supporting buildings with the darker colored mullions than the church, which has stone mullions supporting stained glass windows. He said that he and the applicant feel strongly that the dark brown windows that were installed are the right color. In addition to all of the standards that were met the last time, he thinks the color of the windows also meets and fulfills all of the standards required of the application that was approved. Mr. Hedlund said that he would be happy to answer questions.

Member Ryan asked if the applicant considered brown instead of black and if the windows have mullions. Mr. Hedlund stated that it is a dark brown color and that there are mullions.

In response to a question from Member Crosby regarding the color of the windows, Mr. Hedlund said that in the parish center and other areas of the campus windows have been replaced over the years. Some are dark bronze and others have been painted black.

Member Ruehle noted that the windows shown on ancillary buildings are rectangular but the windows on the addition were made to echo the gothic windows of the church. The contrast of the darker window is stark. Member Ruehle also noted that the color of the window was decided for a reason and called out in the conditions of approval.

Mr. Hedlund stated that if the window color was not in the approved text they would have chosen the dark color based on what they thought would look best for the building.

In response to questions from Chairman Martin, Mr. Hedlund confirmed that the dark colored window was included in the initial application, that the applicant had agreed to change it to a stone or putty color, and that it was set out in the DRB's recommendation and in the Ordinance that the Village passed. Chairman Martin noted that it was never changed and Mr. Hedlund agreed. Mr. Hedlund said his point was that when they did make the change to all stone masonry and roof, they wrongly assumed that they could have dark windows. Chairman Marin said there were several conditions set out in the approval and that the applicant did not ask that other conditions were not overturned or changed so he is having a hard time understanding how they could assume that there was a change granted without a change in the Ordinance. Chairman Martin also noted that Mr. Hedlund sat on the DRB as the ex-officio architect for a number of years that during that time it was common to attach conditions to the recommendations to the Village Board. Mr. Hedlund agreed. Chairman Martin stated that what the DRB did with St. Vincent's application was not unique.

Mr. Hedlund commented that the purpose of the process is to ensure high quality projects in River Forest. He said that he thinks that both the original and improved applications more than meet that standard and that having a darker window color still maintains the high quality and looks better.



In response to questions from Village Attorney Smith, Mr. Hedlund stated that the total project cost is a little over \$2,000,000 and that he did not know how much it would cost to replace the existing windows.

Chairman Martin stated that his concern is that it creates a problem for the DRB, Zoning Board and Village if a contractor or an owner completes an installation and asks the Village for permission to let them have it the way it was built instead of the way it was approved. He noted that the applicant is coming in after the fact to get permission for something the Village already said they cannot do.

Mr. Hedlund said that if it were him, he would comment that there has to be some measure of degree and that this is a minor item that looks better as-is.

Chairman Martin stated that windows are important. He recalled the discussion surrounding window mullions at The Promenade townhome development and the developer built it how it was supposed to be built.

Member Ryan said she thinks that Mr. Hedlund took a big risk for his client. She noted that she is working on a project where the incorrect windows were installed by mistake and are being removed.

Mr. Hedlund acknowledged that they did not comply with the Ordinance and that, if his client did not support the existing window color, they would not request the change. However, they prefer the existing color and they are asking for permission to leave them as installed. Chairman Martin noted that the applicant agreed once that it was not the right decision.

Mr. Hedlund stated that St. Vincent's came back to the DRB to ask permission to change to an all stone masonry building with a mansard roof. He said that they would like the DRB to consider this change as an improvement to the project and treat it the same as the other amendment. Member Ruehle noted that the other amendment was requested before the work was executed. In this case the windows have already been installed. Member Ruehle said that this is a request to mitigate damages or costs that St. Vincent's would otherwise incur to comply with the Ordinance.

Mr. Hedlund said that they think the merits of the window change color would be strong enough to support the amendment. Member Ruehle noted that the merits were not strong enough when this was decided before and that it was a condition in the Ordinance.

Mr. Hedlund asked if they jump ahead a year and everyone sees the finishes building, likes it, likes the window color and agrees that it is the right window color, is this really going to be the biggest problem there is? Member Ruehle replied that they cannot poll people in the future as a way to resolve these issues. He noted that the applicant is requesting a change for something that was argued before and failed to succeed.

In response to a question from Member O'Brien, Mr. Hedlund stated that he could not recall when the windows were ordered but they were delivered in mid-summer.

Chairman Martin asked if someone looked at the windows when they were installed. He also asked if the wrong color windows were ordered. Mr. Hedlund stated that the windows that were ordered did not comply with the Ordinance but they were the right windows based on the order that was submitted, which was approved by the applicant.

Village Attorney Smith asked if the windows could be painted to a stone or putty color. Mr. Hedlund responded that they could but it is not as good as having a window color that is factory treated. Member Crosby said that they would have to be sent to a body shop to be powder-coated to avoid maintenance issues.

Chairman Martin noted that the DRB has reports from the Village's police, fire and public works departments, planning consultant and traffic consultant. Assistant Village Administrator Scheiner stated that the Village did not ask the Traffic Consultant to update his report because the scope of the amendment had no impact on traffic flow. Staff authored a joint memo which stated that there would be no impact to Village services as a result of the requested amendment. Assistant Village Administrator Scheiner read a portion of the Village's planning consultant's report, which said, "From a planning perspective, this failure to comply will not materially change the functional aspect of the proposed building. However, failure to comply does have an impact on the visual and architectural compatibility of the building, and is in direct contrast to the intent, direction, and conditions placed on the development by the Development Review Board."

Chairman Martin asked if there were any further questions for Village Staff. Hearing none he asked if anyone else wished to address the Board regarding the application.

Mr. Hedlund summarized his position and asked that the DRB vote in favor of the amendment.

Hearing no further comment Chairman Martin closed the public portion of the hearing.

**IV. DISCUSSION/DELIBERATION & RECOMMENDATION - Application #17-01 - Amendment to the Planned Development Granted in Ordinance 2883, as Amended by Ordinances 3588 and 3622 – St. Vincent Ferrer Multipurpose Hall (1530 Jackson Avenue)**

Member Crosby stated that the point of requiring putty colored windows was that the design and shape of the windows was a gesture toward the sanctuary. He assumed that the installation of the non-compliant windows was an accident and not that they were chosen against the DRB's recommendation. He stated that it concerns him but he is not sure how concerned he should be.

Chairman Martin said that the Village attorney may tell the DRB that the code says each application should be considered independently and does not constitute precedent for other applications. However, in his opinion, if it becomes known that if something is built contrary to what the Village Ordinance says it would create problems for the Village and that that same argument could be made over and over. The Village Attorney agreed that it could be a problem.



Member Ryan stated that she feels badly for the applicant because they rely on their professional to be compliant and they may have assumed that he had taken care of this. She said she does not know what they can do going forward to protect the people running a school, church or business that rely on an outside professional.

Member O'Brien noted that there were seven conditions. She asked what would happen if another issue arises.

Member Fishman said that the applicant did not follow what was recommended and she cannot support the amendment and the impact that granting it would have on the DRB.

Member Ruehle noted that if they had requested the amendment prior to installation of the windows it might be different.

A MOTION was made by Chairman Martin and SECONDED by Member Fishman to recommend to the Village Board of Trustees that the application to amend the existing planned development not be approved.

Ayes: Members Crosby, Ryan, Fishman, Ruehle, O'Brien and Chairman Martin

Nays: None

Motion Passes.

**V. APPROVAL OF FINDINGS OF FACT - Application #17-01 - Amendment to the Planned Development Granted in Ordinance 2883, as Amended by Ordinances 3588 and 3622 – St. Vincent Ferrer Multipurpose Hall (1530 Jackson Avenue)**

Village Attorney Smith stated that draft findings were prepared for the board for both approval and denial of the requested amendment. In light of the Board's vote, he reviewed the findings of fact which note that the changed color of the window mullion has an incongruity in the aesthetics of the new structure with the remaining architecturally significant structures on the property. Member Ruehle suggested that the findings be amended from "structures on the property" to "sanctuary structure on the property".

Chairman Martin said that he is opposed to this amendment because the structure was not completed in accordance with the conditions included in the Ordinance that was approved by the Village Board of Trustees. He stated that it is not in the best interest of the Village Board, DRB, Zoning Board of Appeals, any department of the Village or the Village itself to encourage an applicant to ignore the terms of an Ordinance that was already adopted and then to request a variation after the fact.

Village Attorney Smith agreed to incorporate the changes suggested.

Assistant Village Administrator Scheiner asked if the DRB would like to come back and approve the Findings of Fact at a future meeting or take action during this meeting. Chairman Martin asked that they be circulated and if the Board agrees he will sign them.

Village Attorney Smith noted the DRB can vote to approve the findings subject to the changes that are discussed and then the chairman would be authorized to sign them.

A MOTION was made by Member Ruehle and SECONDED by Member Crosby to approve the findings of fact subject to the changes noted by the Development Review Board.

Ayes: Members Crosby, Ryan, Fishman, Ruehle, O'Brien and Chairman  
Martin  
Nays: None  
Motion Passes.

## VI. PUBLIC COMMENT

None.

## VII. ADJOURNMENT

A MOTION was made by Member O'Brien and SECONDED by Member Fishman to adjourn the meeting of the Development Review Board at 8:09 p.m.

Ayes: Members Crosby, Ryan, Fishman, Ruehle, O'Brien and Chairman  
Martin  
Nays: None  
Motion Passes.

Respectfully Submitted:

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Lisa Scheiner  
Secretary



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Frank R. Martin  
Chairman, Development Review Board

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Date