

**VILLAGE OF RIVER FOREST**  
**ZONING BOARD OF APPEALS MEETING MINUTES**

November 11, 2021

A meeting of the Village of River Forest Zoning Board of Appeals was held at 7:30 p.m. on Thursday, November 11, 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.

Upon roll call, the following persons were:

Present: Members Davis, Lucchesi, Plywacz, Schubekegel, Smetana (via Zoom) and Chairman Martin.

Member Dombrowski arrived at 7:34 p.m.

Absent: None.

Also Present: Secretary Clifford Radatz, Interim Village Administrator Lisa Scheiner (via Zoom), Village Attorney Carmen Forte, Jr.

**II. APPROVAL OF OCTOBER 14, 2021 ZONING BOARD OF APPEALS MEETING MINUTES**

A MOTION was made by Member Plywacz and SECONDED by Member Lucchesi to approve the minutes of the October 14, 2021 Zoning Board of Appeals meeting.

Ayes: Martin, Davis, Lucchesi, Plywacz, Smetana,

Nays: None

Motion Passed.

**III. REQUEST FOR A ZONING VARIATION AT THE PROPERTY 1111 BONNIE BRAE PLACE – OFF-STREET PARKING**

Secretary Radatz swore in all parties wishing to speak.

Shantanu Kamra, owner of 1111 Bonnie Brae, explained that he is requesting a parking zoning variation, in order to demolish an existing frame car garage at the property, because it can only accommodate four cars. He is requesting to build an open parking pad that can accommodate seven cars. The property is a six-flat residential property, and Mr. Kamra

wishes to have six tenants fill the building. However, the existing garage cannot accommodate the parking demands for the property.

Mr. Kamra detailed that the first variance he is requesting is related to the Village's off-street parking requirement, in which each of the 6 apartment units must have 2.5 parking spots. The proposed parking pad will only accommodate 7 spaces for the 6 units, so Mr. Kamra is requesting a variance from the required 15.5 spaces.

Mr. Kamra noted that the second variance he is requesting is to the requirement that 75% of the parking spaces be enclosed. The open parking pad proposed will have no enclosed parking spaces. Each of the six apartments in the building will be assigned a parking space and the seventh spot would be a visitor's parking space. To ensure better privacy for the neighbors, Mr. Kamra stated that he is planning to install a five-foot privacy fence on the northeast side of the parking pad.

Member Plywacz asked what will become of the excess rain water should the green space be removed from the property. He asked if the parking pad would be sloped toward the alley, which Mr. Kamra confirmed. He also asked whether the pad would be asphalt or concrete, and Mr. Kamra noted that it will be an asphalt parking pad.

Member Smetana asked whether any new units are being added to the building. Mr. Kamra noted that he is not adding any additional units nor is he any changing any floorplans in the existing units. Member Smetana asked about the dimensions of the parking spaces. Mr. Kamra noted that the proposed parking spaces conform with the Village Building Code and Zoning Ordinance's requirements for a standard parking space.

Member Plywacz asked where the garbage receptacles will be located. Mr. Kamra noted that the garbage receptacles would be on the southeast side building just south of the electrical pole. The location of the electrical pole requires that the seventh spot only accommodate a compact car. He will have one dumpster and two recycling cans.

Chairman Martin asked when Mr. Kamra first became aware of the potential parking shortage at the property. Mr. Kamra stated that he became aware of the shortage after he closed on the property. Chairman Martin asked how the parking shortage was handled prior to purchase of the building. Mr. Kamra responded that the previous owner owned two adjoining lots to the south that were used for parking by the general public and the residents of the property. He noted that there is no available parking on Bonnie Brae. Chairman Martin asked if Mr. Kamra investigated any alternative sites for parking, including the Concordia University parking garage across the street and the Priory parking lot on the north side of Division. Mr. Kamra noted that Concordia University was unable to provide him any parking for the property. He was unaware of the Priory parking lot.

Chairman Martin asked Mr. Kamra how many of the units will meet the Village standards for affordable housing after the rehabilitation is completed, and if Mr. Kamra was willing to commit that any of the units be affordable as defined by the Village. Mr. Kamra said he did not know, but that he would look into it, if it would help.

Chairman Martin asked Mr. Kamra if he had given any thought to constructing the parking lot out of a permeable material rather than asphalt. Mr. Kamra responded that he is open to a permeable construction and that he would be working with a civil engineer to review this option, if he was awarded the variances.

Chairman Martin asked if the rental units would be marketed as having only one parking space. Mr. Kamra confirmed that he would list the rental units with one parking space.

Chairman Martin commented to the members that it seems that the Board is being asked to bail out the owner after he bought the property because he was unaware of the parking requirements when he bought the building. He considered that the approval should be conditioned upon the parking lot being permeable due to the Village's recent investment in the nearby permeable alley. He also believes that offering the zoning relief should be conditioned on the owner committing that two of the units be affordable housing units, to help with Village's affordable housing goals.

Member Dombrowski asked Secretary Radatz for clarification that the owner is not actually required to make changes to the existing parking garage, and that he could simply keep the garage. Mr. Radatz confirmed that because Mr. Kamra is not increasing the number of units on the property, he does not have to make changes to the number of currently available parking spots if he were to keep the existing parking structure.

Member Dombrowski commented that the proposal would still be a considerable improvement to the existing parking arrangement at the building, as Mr. Kamra is not required to change the existing four-car garage as part of his renovation of the property. He agreed with requiring a permeable surface on the parking lot, but expressed concern with setting other restrictions on the approval, such as requiring a certain number of affordable rental units.

Member Plywacz agreed that the proposal is a net benefit, despite the continued lack of parking.

Member Lucchesi agreed that there is no feasible way that the owner would be able to fit 15 spots anywhere on the property, and that the alternative is that the owner keeps the existing 4 spaces.

Member Smetana noted that he was in favor of requiring the owner to list the rental units as only having one parking space per unit.

Attorney Forte gave a brief description of the interaction between the Village's Affordable Housing Plan and the discussion of conditions that the members were having with regard to the requested variances. He noted that he believes the affordable housing rate for a two-bedroom, low-rise, multi-family unit was approximately \$1200 to \$1300 per month. He noted that the other conditions that were discussed by the members would be considered fair conditions, including the type of surface of the parking lot and the indication that the potential renters would be notified that one parking space was available per unit.

Mr. Kamra noted that the parking pad would be lit.

Member Smetana noted that the Village supports an objective for all vehicles to be screened away from other properties. This reflects the condition discussed about requiring a wooden privacy fence.

Mr. Radatz noted that the Village has not received any comments from nearby property owners, for review by the members. Mr. Kamra noted that neighbors are in support of this open parking pad. He met with Ms. Pam Kende, the property owner to the north, and that she has indicated her support for the parking lot, as long as a wooden privacy fence was constructed between the parking lot and her property. He also added that the wooden privacy fence would screen all parking spaces from the lot to the building.

Member Plywacz asked if the owner would consider using permeable paver bricks as part of the parking lot surface. Mr. Kamra confirmed that he is willing to construct the parking lot out of concrete with permeable pavers in the middle.

Chairman Martin suggested that that the following conditions be added to the recommendation: 1) that the parking lot is ADA compliant; 2) that the parking lot is made from a permeable surface to match the adjacent alley; 3) that a five-foot high wooden fence along the north boundary of the alley to a point past the last parking space be constructed; and 4) that two of the units in the building meet the Village's standard for affordable housing units.

Attorney Forte expressed concern about the last condition. He noted that because the application is not seeking a variance on the use of the residential units, he does not feel it would be appropriate to include a condition on the use of the building, such as the requirement that a certain number of the units be considered affordable housing units. However, he noted that he believed it would be appropriate to include as a recommendation in the findings that it the ZBA would encourage that two of the units be affordable, and that the owner and the ZBA members had an open discussion with the members on this issue, and that the owner indicated on the record that he was open to this use of the property.

Chairman Martin noted that he would rather have the requirement that two of the units be considered affordable housing units as a condition of approval. He noted that Mr. Kamra is asking the Board to approve a variance of the required 15 parking spaces to 6. He agreed that the previous owners have used the lot to the south for parking and suspects it could still be used for parking as it is currently for sale. He believed that the owner was asking the Village for a big favor, and that it is an opportunity for the Village to work toward its affordable housing goal.

Attorney Forte noted that the Village's Zoning Ordinance section on conditions related to variances may not be interpreted to include working towards an affordable housing goal as a proper condition of a variance on a parking space count, because this condition does not specifically relate to the purpose and objectives of the specific zoning title for variations. While it is notable that here, the owner appears willing to commit to the affordable housing unit restriction, if the owner objected to the condition, it may later be viewed as improper.

Mr. Kamra noted that he is more than willing to make two units in the building affordable, and asks for clarification on how the Village defines affordable housing.

Attorney Forte explains that an affordable housing unit is defined by the Department of Housing and Urban Development, and it is a federal standard based on a percentage of rent paid against a tenant's monthly income. He reiterated his description of the approximate rental rate for a two-bedroom unit. This rate is below market rate for the Chicago area, of which River Forest would be included, and it does not require that a tenant receive any kind of income assistance or have a certain income level.

Chairman Martin asked if Mr. Kamra would be willing to amend his application to state that two of the units will be reserved as affordable housing. Mr. Kamra agreed.

Attorney Forte noted that it will show in the findings and the minutes for the meeting that the applicant had a discussion with the Board regarding affordable housing standards and his committal to two affordable housing units at the property. He noted that the Village can provide more information regarding affordable housing standards to Mr. Kamra, and that the information is also publicly available.

A MOTION was made by Member Dombrowski and SECONDED by Member Plywacz to approve the variances with three conditions: 1) that one parking space be ADA compliant; 2) that the parking lot is constructed from concrete and permeable materials to match the adjacent alley; and 3) that a five-foot high wooden fence along the north boundary of the alley to a point past the last parking space shall be constructed.

Attorney Forte asked for clarification as to whether the ADA requirement condition reflects that one ADA compliant space be required or that the entire parking lot must be ADA

compliant. Mr. Radatz explained that only one ADA compliant space will be required on a lot of that size, and that the elimination of the compact car parking space will free up additional space for the ADA compliant parking space.

Chairman Martin reiterated the three conditions on the recommendation, and noted that the applicant has agreed to amend his application to indicate that two of the residential units would be considered affordable housing units.

Ayes: Smetana, Schubekegel, Plywacz, Dombrowski, Davis, Martin

Nays: Lucchesi

Motion passed.

#### IV. CONFIRMATION OF NEXT MEETING - DECEMBER 9, 2021

Mr. Radatz noted that there are currently no applications for the December meeting.

#### VII. ADJOURNMENT

MOTION to adjourn was made by Member Luchessi and SECONDED by Member Plywacz.

Ayes: Martin, Davis, Lucchesi, Plywacz, Smetana, Dombrowski, Schubekegel

Nays: None.

Motion Passed.

Meeting Adjourned at 8:10 p.m.

Respectfully Submitted:

*Clifford E. Radatz*

Clifford E. Radatz, Secretary

*Gerry Dombrowski*

Gerry Dombrowski, Chair Pro Tem  
Zoning Board of Appeals

Date: *1/13/22*