

**Village of Forest Park
Memorandum**

TO: Planning and Zoning Commission

FROM: Steve Glinke, Director

SUBJECT: **PCZ 2024-01** 946 Beloit Ave.
Petitioner: Michael Leydervudor dba Harvard Homes Development

DATE OF REPORT: 9 January 2024
DATE OF PZC MEETING: 16 January 2024

PROJECT OVERVIEW: The petitioner is seeking a map amendment and variations to construct a 10-unit townhome development at 946 Beloit Ave.

GENERAL PROPERTY INFORMATION

Applicant’s Name: Michael Leydervudor
Common Property Address: 946 Beloit Ave.
Common Location: On the east side of Beloit Ave. and North side of Harvard St., west of Thomas Ave.
Neighboring Property Land Use(s):
North R-3 High Density Residential
South R-3 High Density Residential
West R-3 High Density Residential
East R-2 Medium Density Residential
Comprehensive Plan Designation: Commercial
Existing Use of Property: Grocery store
Proposed Use of Property: 10-unit townhome development
Existing Property Zoning: B-1
Proposed Property Zoning: R-3
Property Size: 15,500 sq ft

Bulk Area Regulations

Regulation	B-1 Requirement	R-3 Requirement	Existing	Proposed
Front yard setback	20'	18.6'	0'	10'
Rear yard setback	25'	25'	2'	9'- 6"
Side setback (south)	-	5'	0'	16' 3"
Side setback (north)	5'	5'	48'	16' 3"

Regulation	B-1 Requirement	R-3 Requirement	Existing	Proposed
Lot Coverage	80% max	40% max	58%	47%
Lot area/unit	1,250 sf	2,000 sf	na	1,556 sf
Building height	5 stories/60'	5 stories/60'	appx. 18'	3 stories, 33'
Parking	2 per unit	2 per unit	na	2 per unit

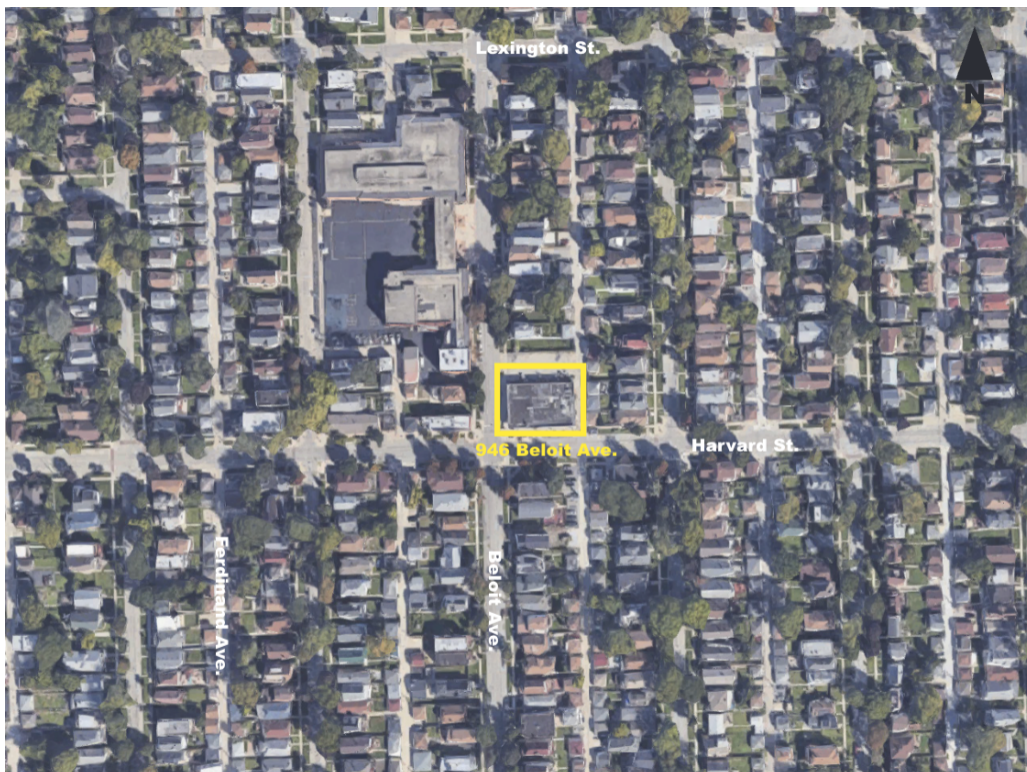
PROJECT DOCUMENTS:

The following documents, submitted by the petitioner, are attached to this report.

1. 946 Beloit Variation Site Plan Approval Application Washington (36 pages, signed 12/6/23)
 - a. Site Plans
 - b. Application

PROJECT DESCRIPTION:

Currently zoned B -1, the site is on the south end of a block comprised mostly of R-3/High Residential District-zoned properties. Immediately surrounding this block is largely R-1/Low Density Residential. The applicant is proposing a map amendment from B-1 to R-3 and is requesting variations from four standards. Multi-family development also requires site plan approval.





STAFF REVIEW:

Village staff have received multiple inquiries and proposals for this site. Rezoning the site to R-3 brings the property more in line with surrounding properties; allowing it to remain B-1 leaves open the possibility of any of the permitted uses in that district. The requested variations are for front yard setback, rear yard setback, lot coverage, and minimum lot area per unit. The property is a corner lot and front yard is defined as the shorter of the two lengths. The lot is just shy of being a square and a strict reading of the ordinance means that Beloit is considered the front yard (despite the orientation of the homes). In the table above, the requirements for B-1 and R-3 are provided to compare to the proposed project and the existing conditions. Most of the development on this block preceded contemporary zoning regulations and would be considered nonconforming in one or more aspects.

Below are the standards for review for the site plan and variations along with proposed conditions of approval. Map amendments do not have standards for review. Townhome developments typically have a homeowners' association; the applicant should provide additional information on how the property will be maintained (e.g., trash collection, snow removal, mail delivery, addressing, and maintenance of landscaping and other features). The applicant should provide a draft declaration of covenants, conditions and restrictions governing the town home association for review.

STANDARDS FOR SITE PLAN APPROVAL:

In reviewing and determining whether to approve or disapprove a site plan, the Planning and Zoning Commission and Village Council shall consider the criteria established in Chapter 7, Site Plans, of the Village of Forest Park Zoning Code. The criteria and staff's evaluation of the applications compliance with those criteria are as follows:

A. The application shall comply with the provisions of this chapter and other ordinances of the village.

The application and submitted materials comply with the requirements.

B. The plan shall be in reasonable conformity with the Comprehensive Plan.

The Comprehensive Plan designates this parcel as Commercial; however, it is likely that at the time of writing the plan in 2014, the site was a viable commercial use without a vision for what might happen once it ceased operation.

C. Reasonable provision shall be made to ensure that development will be served by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers or septic and schools.

The site is well-served by essential facilities and services, in particular access to nearby schools and the street network.

D. Any building or structure shall be reasonably accessible to fire, police, emergency and service vehicles. When deemed necessary for access, emergency vehicle easements shall be provided. The access for fire, police and emergency vehicles shall be unobstructed at all times.

Orientation of the buildings and the central drive aisle accessed by the alley provide access to emergency services.

E. Adequate provision shall be made to ensure the compatibility of the proposed development, including mass, scale, site layout and site design with the character of the surrounding property and the neighborhood.

The mass and scale of the proposed buildings are compatible with surrounding properties where many are in the 3-story range. The addition of green space and landscaping further enhance the character of the area.

F. Open space provided is configured to make that open space usable, functional, and appropriate to the development proposed.

Open space includes both private areas and shared areas and is appropriate for this type of development.

G. Streets and sidewalks shall, insofar as reasonably practicable, provide access and good traffic circulation to and from adjacent lands, existing streets and sidewalks.

The existing sidewalk network is intact and should remain so through and after construction. The proposed project closes existing curb cuts and is fully accessed via the alley, thereby improving

conditions for people using the sidewalk. All auto circulation occurs from the alley and the central drive aisle can accommodate proposed access to individual units.

H. Provision shall be made to ensure that adequate access roads or entrance or exit drives will be provided and will be designed and improved so as to prevent traffic hazards or problems and to minimize traffic congestion in public streets.

See above comments.

I. Adequate provision shall be made to ensure that the vehicular circulation elements of the proposed development will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

See above comments.

J. Adequate water mains and fire hydrants shall be provided in accessible places in accordance with good firefighting and fire prevention practice.

Existing facilities will remain.

K. Adequate provision shall be made for the collection and disposition of all on and off-site storm water and natural water, including, but not limited to, on site drainage retention facilities.

The project complies with required retention.

L. Adequate provision shall be made for the collection and disposition of sanitary sewage.

Same as above.

M. Adequate provision shall be made to avoid an increase in hazard to adjacent property from flood, increased runoff or water damage.

Same as above.

N. Adequate provision shall be made to clean, control and otherwise alleviate contamination or environmental hazards on land when the site is in an area found by the director of public health and safety to be contaminated by a toxic substance or otherwise to contain environmental hazards which are detrimental to the public health, safety and welfare.

If the site is found to be contaminated, adequate provisions will be made to address it.

O. Adequate provision shall be made to avoid glare of vehicular and stationary lights that would affect the established character of the neighborhood, and to the extent such lights will be visible across from any property line, the performance standards for illumination shall be met.

This project will not produce unusual glare on adjoining property from vehicles or stationary lighting fixtures used on the site.

P. Adequate provision shall be made to ensure that the location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site and will not have an adverse effect on any adjacent properties.

No signage is proposed.

STANDARDS FOR VARIATIONS:

1. **General Standard:** *No variation shall be granted pursuant to this section unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection.*

Given the existing zoning ordinance, there exists a practical difficulty in developing townhome and multi-family projects despite the prevalence of them. Several residential properties in close proximity to this project are nonconforming in one or more aspects. While the R-3 District permits townhomes, the zoning ordinance is inconsistent in anticipating lot requirements.

2. **Unique Physical Condition:** *The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.*

The subject property is zoned B-1 in an otherwise residential area with a longstanding commercial use. The ordinance does not provide clear direction on yards and much interpretation on the part of staff was involved in determining them. The project could have proceeded under the B-1 District with a conditional use permit for townhomes, but staff feels strongly that a rezoning to R-3 with townhomes as a permitted use is a better fit over the long term for the neighborhood.

3. **Not Self-Created:** *The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title, for which no compensation was paid.*

A commercial use on this site likely preceded current zoning regulations. The character of surrounding development is largely residential with shopping habits and trends vastly different from the time the B-1 designation was applied. Townhomes are not consistently regulated in the ordinance which frequently requires the requesting of variations.

4. **Denied Substantial Rights:** *The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.*

The requested variations will result in a project that maintains compatibility with the surrounding neighborhood; the application of and ambiguity of yard requirements is unique in this situation.

5. **Special Privilege:** *The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the granting of an authorized variation.*

There is no special privilege being granted; in fact, the practical difficulty is the zoning ordinance itself in its ambiguity towards townhome developments. Under the current ordinance, it is logical that variations may need to be requested under these circumstances.

6. **Title And Plan Purposes:** *The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.*

The proposed development is compatible in terms of size, scale, massing, and height. It helps achieve goals in the comprehensive plan of housing diversity and infill development.

7. **Essential Character of Area:** *The variation would not result in a use or development on the subject property that:*

- a. *Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development or value of property or improvements permitted in the vicinity; or*
- b. *Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. *Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. *Would unduly increase the danger of flood or fire; or*
- e. *Would unduly tax public utilities and facilities in the area; or*
- f. *Would endanger the public health or safety.*

The requested variation would not adversely impact the character of the surrounding neighborhood. Submitted plans depict a project that improves pedestrian conditions, reduces traffic congestion, makes use of existing facilities, and increases open space compared to the existing use.

8. **No Other Remedy:** *There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*

It is possible for the applicant to pursue a conditional use permit and maintain the B-1 designation; however, staff recommended the proposed course of action due to the long-term incompatibility of B-1 at this site.

The project has three distinct requests: 1) map amendment, 2) site plan review, and 3) variations. The Planning and Zoning Commission should vote on the map amendment first. If the motion passes, the other requests may be considered. If the map amendment does not pass, the other requests are moot.

Should the Planning and Zoning Commission wish to recommend approval of the map amendment, a sample motion is provided:

Based on the submitted petition and testimony provided, I move that the Planning and Zoning Commission recommend to the Village Council approval of amending the Forest Park Zoning Map to change the zoning of 946 Beloit from B-1/Neighborhood Shopping District to R-3/High Density Residential District.

Should the Planning and Zoning Commission wish to recommend approval of the site plan, a sample motion is provided:

Based on the submitted petition and testimony provided, I move that the Planning and Zoning Commission recommend to the Village Council approval of the site plan associated with PZC2024-01 subject to the following conditions:

- 1. The site shall be constructed in substantial compliance with the "Project Documents" identified in this report and available in the Department of Public Health and Safety.***
- 2. All construction shall comply with the Building Code of the Village of Forest Park, with final plans subject to review and approval by the Village Engineer and Director of Public Health and Safety.***
- 3. No building permits and no Certificate of Occupancy for the Subject Property shall be issued by the Department of Public Health and Safety to the Owner unless all debts owed to the Village of Forest Park by the Owner have been paid in full prior to the issuance of such permits or certificate.***
- 4. The final covenants, conditions, and restrictions governing the development are subject to review and approval by the Village Attorney and Director of Public Health and Safety.***
- 5. The covenants, conditions, and restrictions governing the development and Plat of Survey shall be recorded at or before issuance of a Certificate of Occupancy.***
- 6. Unit address numbering is subject to approval by the Director of Public Health and Safety.***
- 7. The curb cut on Beloit Avenue shall be closed and the sidewalk repaired/reinstated at applicant's expense.***

8. ***The final landscaping plan and driveway material are subject to review and approval by the Director of Public Health and Safety.***
9. ***The applicant share provide additional information on mailbox locations and type and delivery management.***
10. ***Any violation of the above conditions will result in a violation of the Municipal code of the Village of Forest Park and the owner may be subject to fines for each day said violation exists.***

Based on the submitted petition and testimony provided, I move that the Planning and Zoning Commission recommend to the Village Council approval of the requested variations: a reduction in front yard setback from 18.6' to 10'; a reduction in rear yard setback from 25' to 9'6"; an increase in the maximum lot coverage from 40% to 47%; and a reduction in lot area per unit from 2,000 s.f. to 1,556 s.f. The variations are recommended without conditions acknowledging that the conditions placed on the site plan remain in effect.

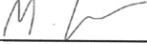
December 8, 2023

Village of Forest Park
517 Des Plaines Avenue
Forest Park, IL 60130

To Whom It May Concern:

I, Michael Leydervuder, contract purchaser of the property located at 946 Beloit Avenue Forest Park, Illinois 60130 have contracted John Conrad Schiess to act as agent authorized to submit, obtain permits, and conduct additional business activities related to the Department of Buildings and Zoning permit process of said property.

Should there be any questions or concerns, please feel free to contact me at Mike@ldevelops.com.

Signature 

Village of Forest Park
Site Plan Approval Application

- ○ An examination of the impacts of the proposed development on available recreational facilities in the village, as well as any proposed mitigation measures.

APPLICATION COVER SHEET

Date Received: _____

A Preapplication Conference with the planning staff is required prior to considering submitting an application for zoning action. The purpose of the Preapplication Conference is to provide the applicant(s) an opportunity to discuss the concept of the proposed subdivision prior to the preparation of detailed plans. The scheduling of a Preapplication Conference does not guarantee approval. Contact the Planning Department at XXX-XXX-XXXX to schedule a Preapplication Conference.

Subject Property Information:

Street Address: 946 BELDIT AVENUE FOREST PARK, IL. 60130
PIN(s): 15-13-410-015, 15-13-410-016, 15-13-410-017, 15-13-410-018
Current Zoning District (circle): R-1 R-2 R-3 B-1 B-2 DBD I-1 I-2
Current Land Use: NEIGHBORHOOD SHOPPING (GROCERY STORE)
Current Property Size: 15,562.50 SQ. FT.
Building size: 8,792.63 SQ. FT.
Parking stalls (total): 21

Proposed Development Information

Proposed Development Name: HARVARD HOMES DEVELOPMENT
Proposed Land Use: MULTI-FAMILY DWELLING UNITS
Proposed Building Size: 7,350 Square Feet 0.168 Acres
Number of building units: 10
Parking stalls (total): 20 INDOOR PARKING (GARAGES)
Proposed Zoning (circle): (NOTE: If proposed zoning is different than existing zoning, additional approvals are required. Please see Planning staff.)

R-1 R-2 R-3 B-1 B-2 DBD I-1 I-2

Village of Forest Park
Variation Application

OWNER'S AFFIDAVIT

I (We) certify that he/she is the owner of legal representative of the subject property and that MICHAEL LEYDERVUDER (Name of petitioner – not the property owner) has been authorized to submit an application for the following action: ZONING RELIEF
Upon the property at: 946 BELDIT AVE FOREST PARK, IL. 60180 and that the proposed work and all related inspections are hereby authorized.

MICHAEL LEYDERVUDER

Name of Petitioner (Applicant)

X / M / L

Signature of Applicant and Date

EDUARDO P. NETLEY

Name of Property Owner/Legal Representative

Eduardo P. Netley

Signature of Property Owner/Legal Representative and Date

NOTARY

STATE OF _____)

COUNTY OF _____)) SS.

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT

MICHAEL LEYDERVUDER
(NAME OF APPLICANT)

is/are personally known to me, that said person(s) appeared before me this day in person and severally acknowledged that he/she/they signed and delivered the forgoing owners authorization above as his/her/their free and voluntary act for the uses and purposes herein set forth.

Given under my hand and Notary Seal, this _____ day of _____, 20____.

Signature of Notary Public

Village of Forest Park
Variation Application

PETITIONER'S AFFIDAVIT


Petitioner acknowledges understanding of application requirements and certifies that application has been completed correctly.

I, MICHAEL LEYDORVUDER, hereby certify that on
5 Day of December, 2023, I
have completely read and understand the submittal requirements for an appearance before the Village of
Forest Zoning Board of Appeals, Plan Commission (if applicable), and Village Council, and that all the
above statements and statements on any documents or drawings submitted herewith are true to the best
of my (our) knowledge and belief.

Location of proposed zoning action: 946 BELMONT AVE.

Project name: HARVARD HOMES DEVELOPMENT

Petitioner Name: MICHAEL LEYDORVUDER

Signature: 

Village of Forest Park
Variation Application

CONTACT INFORMATION continued

Developer Name: MICHAEL LOPEVUDOK
Company: 946 BELoit, LLC.
Address: 3330 DUNDEE RD SUITE C5
City, State, Zip Code: NORTHBROOK, IL. 60062
Phone: 847.602.0520 Fax: —
Email Address: MIKE@LDEVELOPS.COM

Engineer Name: BRAD E. HENSLEY, PE.
Company: LANDMARK ENGINEERING, LLC.
Address: 7808 W 103RD ST
City, State, Zip Code: PALOS HILLS, IL. 60465
Phone: 708.599-3337 Fax: —
Email Address: BHENSLEY@LANDMARKIL80.COM

Landscape Architect Name: JOHN CONRAD SCHUBES
Company: JOHN CONRAD SCHUBES ARCHITECT, LTD.
Address: 905 HOME AVE.
City, State, Zip Code: oak park, IL. 60304
Phone: 708.364.1500 Fax: —
Email Address: JOHN@JCSARCHITECT.COM.

Village of Forest Park
Variation Application

CONTACT INFORMATION

Applicant Information:

Name: JOHN CONRAD SCHIESS TEL 940 BELOIT, LLC.

Company: JOHN CONRAD SCHIESS ARCHITECT, LTD.

Address: 905 HOME AVE.

City, State, Zip Code: OKA PARK, IL. 60304

Phone: 708-364-1500 Fax: —

Email Address: JOHN@JCSARCHITECT.COM

Applicant Relationship to Property (i.e. Owner, Surveyor, Architect, Attorney): ARCHITECT

Owner Information (if different from applicant):

Name: EDWARD P. NUTLEY

Company: ED'S WAY

Address: 940 BELOIT

City, State, Zip Code: FOREST PARK, IL. 60130

Phone: 708 366-0922 Fax: —

Email Address: EDSWAY@GMAIL.COM

Project Staff:

Attorney Name: TBA

Company: _____

Address: _____

City, State, Zip Code: _____

Phone: _____ Fax: _____

Email Address: _____

Builder Name: TBA

Company: _____

Address: _____

City, State, Zip Code: _____

Phone: _____ Fax: _____

Email Address: _____

Narrative

12.26.23

The property at 946 Beloit is a lot of record that measures 125 feet wide by 124 feet deep.

The property is under contract by Michael Leydervuder, a principal in L Develops and 946 Beloit, LLC, the Applicant for this petition. At the time of purchase, the property is improved with a grocery store with 21 parking spaces with a curb-cut and driveway from Beloit. The Applicant has hired John Conrad Schiess Architect, Ltd. to design a 10 unit attached single-family home (Townhome) development on the property. See Site Plan dated 12.8.23 attached to this application.

To construct this development under the current B-1 zone district, variance requests: an approval for a Map Amendment; approval to reduce the Lot square footage per unit; approval to reduce the Lot coverage maximum; front yard setback and the rear yard setback.

Therefore, the request of this Application seeks approval for those variances:

Relief sought – Map amendment from B-1 zoning to R-3 zoning

Relief sought – Lot area per unit from 2,000 SF to 1,556 SF

Relief sought – Lot coverage from 40% required to 47% proposed

Relief sought – Front yard setback from 20 feet to 10 feet

Relief sought – Rear yard setback from 25 feet to 9 feet 6 inches

The Applicant through their architect and various other consultants will provide testimony and evidence to show that the variances sought should be granted.

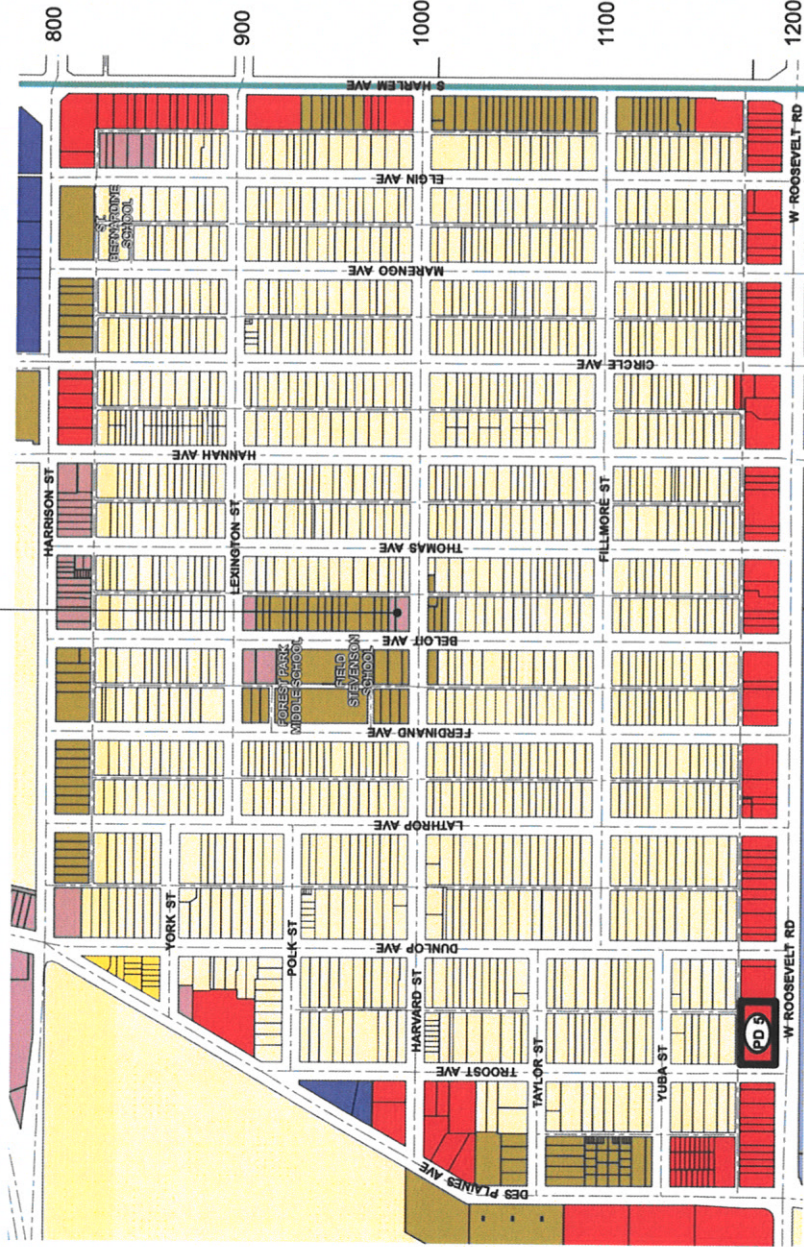
946 Beloit ZONING ANALYSIS

Per Village of Forest Park Zoning Ordinance, Article A. R-3 High Density Residential District LOT AREA: 125' x 124' = 15,562.5 SF DATE : 12.21.2023

SINGLE-FAMILY DISTRICT	SECTION	B-1	R-3 Proposed	COMPLIES	Relief
USE REGULATIONS	9-3AC-1	Rowhouse Dwellings	Rowhouse Dwellings		Relief - Map Amendment
LOT AREA REQUIREMENTS					
BUILDING HEIGHT	9-3 C-1	5 Stories + 60'-0 max. height	3 Stories and 33 feet	√	
INTENSITY OF USE	9-3 C-3	2,000 SF of lot area per Rowhouse	1,556 SF of Lot area Proposed		Relief needed
LOT COVERAGE	9-3 C-2	Maximum lot coverage 40% max allowed	lot coverage of 47% Proposed		Relief needed
VISION CLEARANCE	9-3 C-4	8' from intersection to property lines	8' from intersection to property lines	√	
DWELLING STANDARDS					
MINIMUM UNIT SIZE	9-3C-4.B	800 SF unit minimum size	2,205 SF unit average size	√	
REQUIRED SETBACKS					
FRONT	9-3 C-3 C	20'-0"	10'-0"		Relief
SIDE - NORTH	9-3 A-3 C.1.a	5'-0"	16'-3"	√	
SIDE - SOUTH	9-3 A-3 C.1.c	5'-0"	16'-3"	√	
REAR SETBACK	9-3 A-3 C.3	25'-0"	9'-6"		Relief
PARKING REQUIREMENTS	9-8-02	2 Parking Spaces per Unit	2 Parking Spaces per Unit	√	

LEGEND	
RESIDENTIAL DISTRICT	
	R-1 LOW DENSITY
	R-2 MEDIUM DENSITY
	R-3 HIGH DENSITY
COMMERCIAL DISTRICT	
	B-1 NEIGHBORHOOD SHOPPING
	B-2 COMMUNITY SHOPPING
	DBD DOWNTOWN BUSINESS
INDUSTRIAL DISTRICT	
	I-1 GENERAL INDUSTRIAL
	I-2 LIMITED INDUSTRIAL
	PLANNED DEVELOPMENT
	SEXUALLY ORIENTED BUSINESS OVERLAY DISTRICT
	VILLAGE LIMITS

**LOCATION
946 BELOIT AVENUE**



John Conrad Schiess
 Architect + LEED AP
 905 Home Avenue
 Oak Park Illinois 60304
 tel. 708.366.1500
 john@csarchitect.com

architecture +

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OWNER
946 BELOIT, LLC
 3330 Dundee Rd, Suite C5
 Forest Park, IL 60108
 847.602.0520
 mike@946beloit.com

Issued for ZONING ACTION	Date
12.8.23	

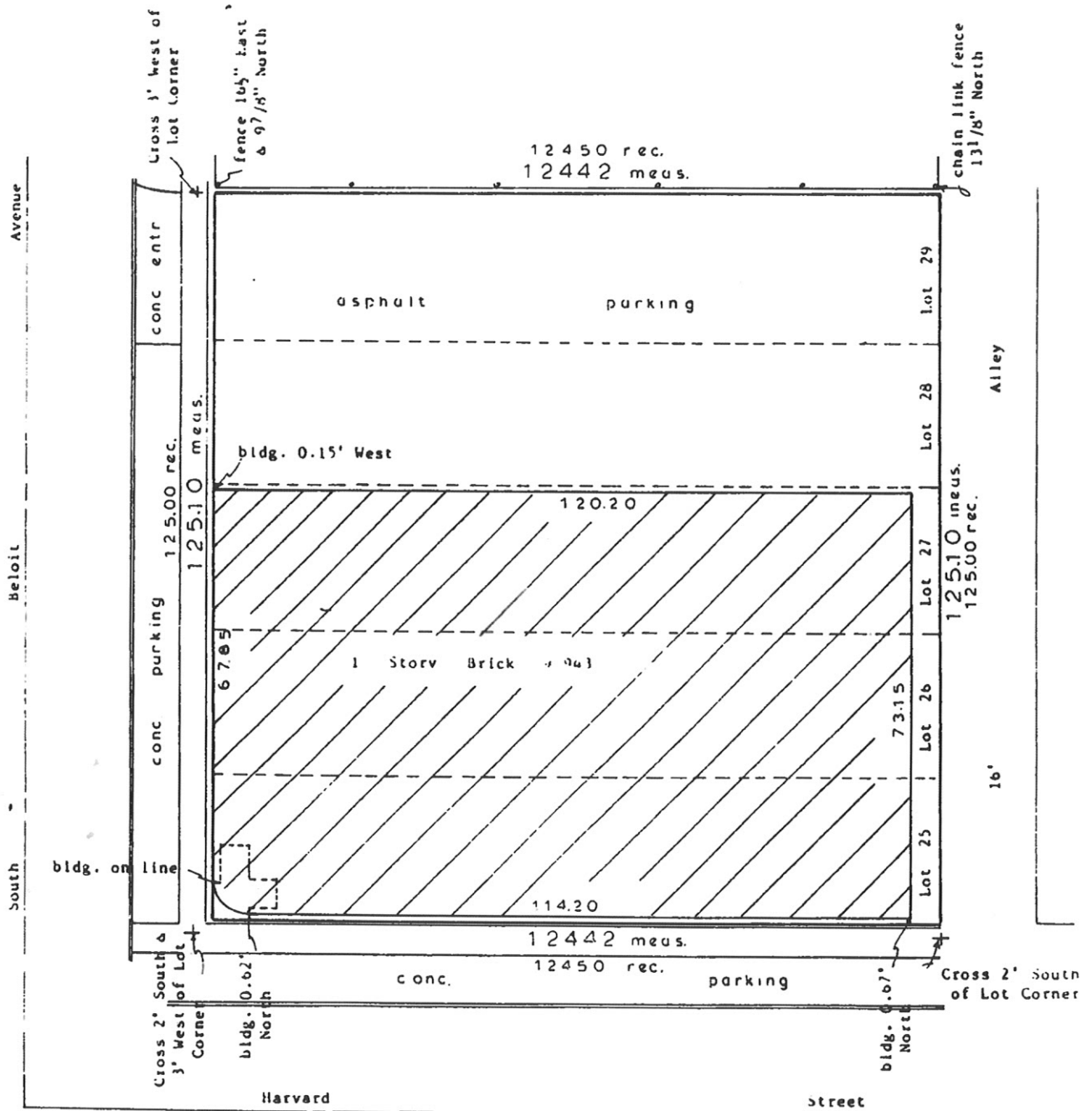
Sheet Title
ZONING MAP

946
 Beloit Avenue
 Forest Park, Illinois
 60130

SK1.0
 Sheet No.

Plat of Survey

lots 25, 26, 27, 28 and 29 in block 10 in Anstatt and Braun's Addition to Harlem, a subdivision of Blocks 2, 10, 11 and 20 in Dunlop's Subdivision of the West half of the Southeast quarter and that part Southeasterly of DesPlaines Avenue of the East 1/3 of the East half of the Southwest quarter, all in Section 13, Township 39 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.



Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 11 1990
 Building Located December 11 1990

STATE OF ILLINOIS }
 COUNTY OF COOK } ss.

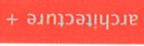
I, STEPHEN J. BALEK, an Illinois Registered Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

HARVARD HOMES DEVELOPMENT

Site Plan Approval and Variation Application



John Conrad Schiess
 Architect + LEED AP
 905 Home Avenue
 Oak Park, Illinois 60304
 tel. 708.366.1500
 john@csarchitect.com



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OWNER:
946 BELOIT, LLC
 3330 Dundee Rd, Suite C5
 Northbrook, Illinois 60062
 mike@idrealest.com

_____	_____
_____	_____
_____	_____
_____	_____

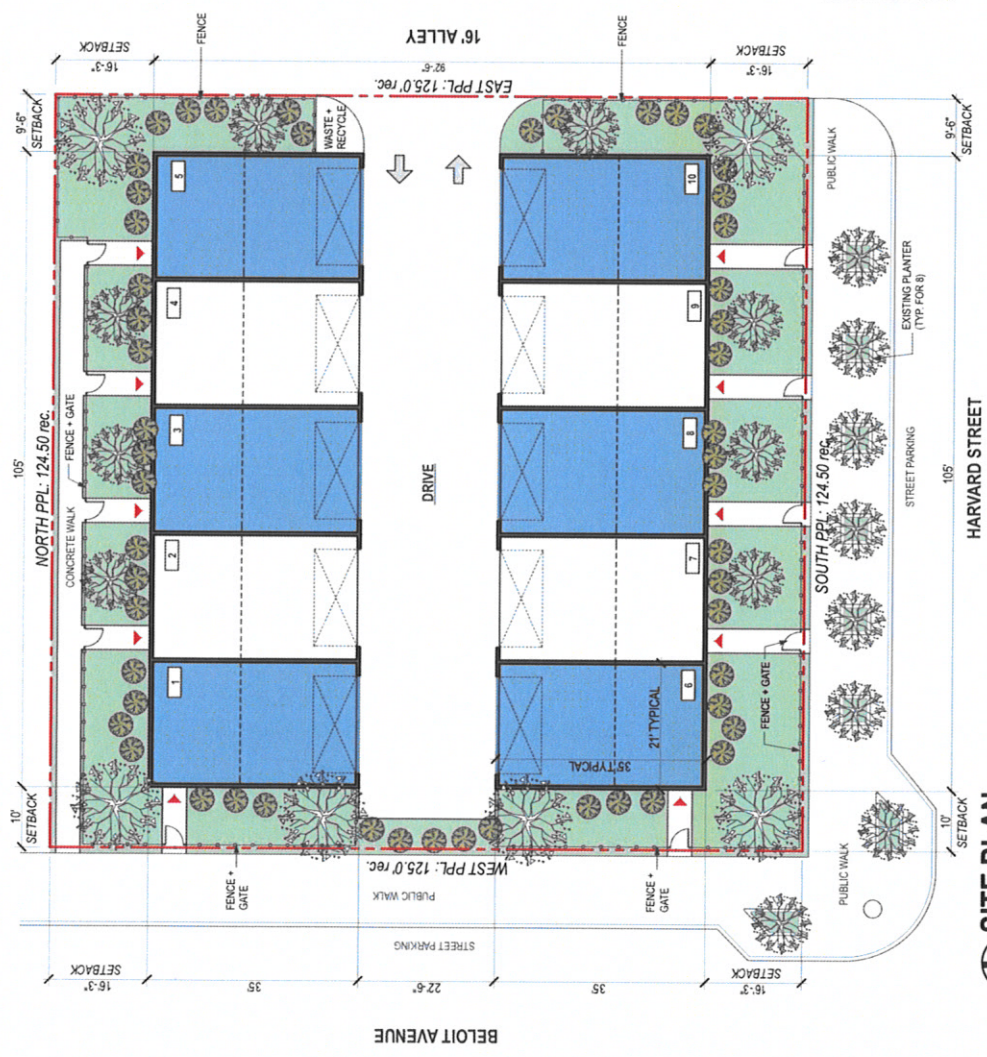
Issued for ZONING ACTION | 12.8.23 | Date

Sheet Title

946
 Beloit Avenue
 Forest Park, Illinois
 60130

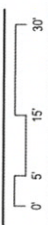
COVER

Sheet No.



SITE DATA:

• LOT AREA	15,562.50 SF
• BUILDING COVERAGE	7,350 SF (47%)
• PERMEABLE AREA	4,377 SF (28%)
• DWELLING UNITS	10
• PARKING	20 (GARAGE)
• BUILDING HEIGHT	33'-0" (3 STORY)



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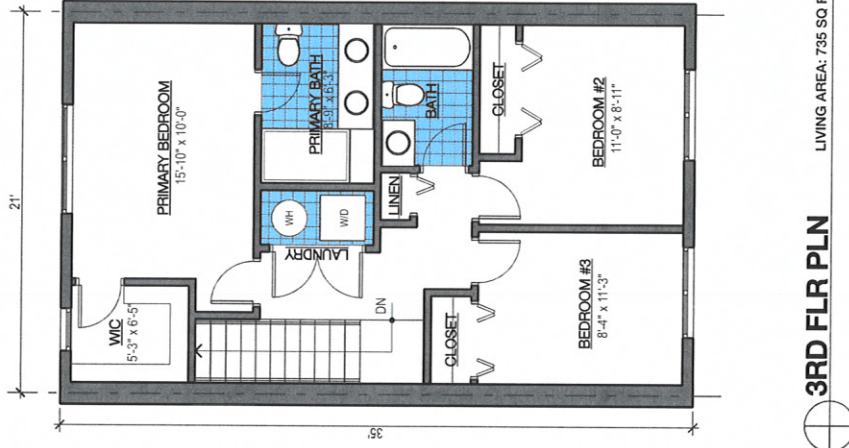
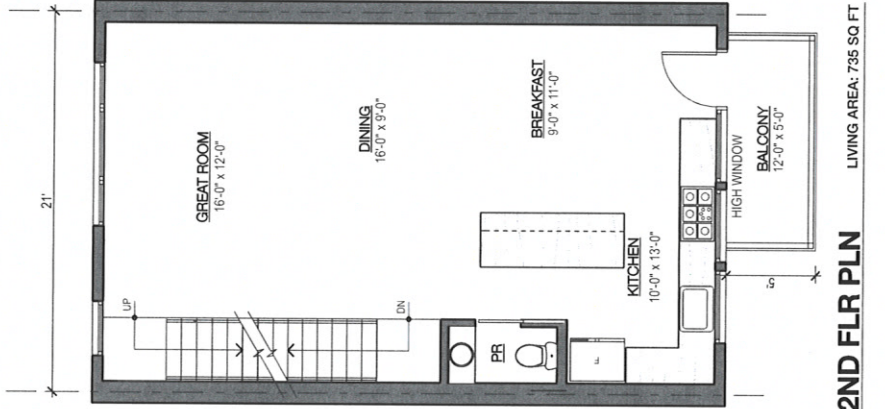
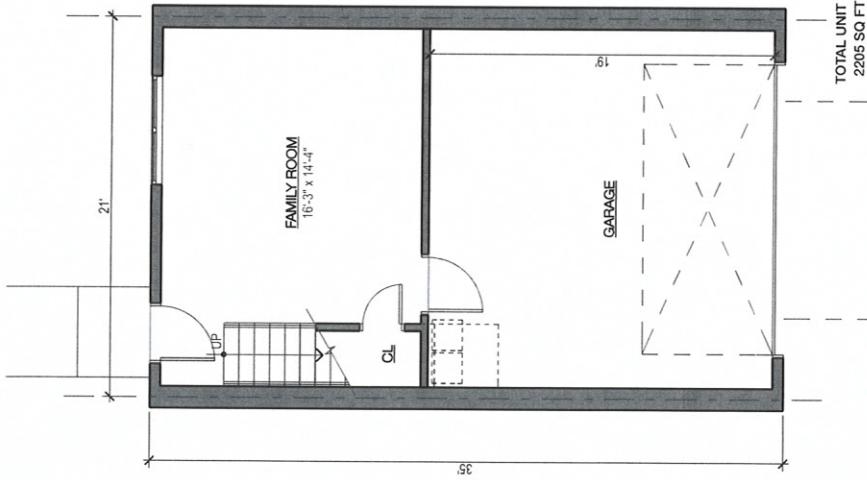
OWNER:
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Issued for ZONING ACTION	12.8.23
Date	

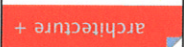
Sheet Title
SITE PLAN

946
Beloit Avenue
Forest Park, Illinois
60130

SK1.1
Sheet No.



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946
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Sheet Title
FLOOR PLANS
SK1.2
Sheet No.

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	12.8.23



WEST ELEVATION
NTS



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946
Beloit Avenue
Forest Park, Illinois
60130

Sheet Title
ELEVATIONS
SK2.2
Sheet No.

9-7-9: STANDARDS FOR SITE PLAN APPROVAL:

Applicant's responses are in Blue Text.

- A. The application shall comply with the provisions of this chapter and other ordinances of the village.

Based on the application materials submitted and testimony to be provided at the Plan Commission hearing, the Applicant believes that the application is complete and complies with the provisions of chapter 9 and other ordinances of the Village of Forest Park.

- B. The plan shall be in reasonable conformity with the comprehensive plan.

Based on the Site Plan submitted and initial review by Village staff, the Applicant believes that the Site Plan complies with the comprehensive plan of the Village of Forest Park.

- C. Reasonable provision shall be made to ensure that development will be served by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers or septic and schools.

The Applicant has engaged Fishback Transportation consultants to review the essential public facilities including highways, streets and parking spaces and refuse collection. They will testify that the development will not have a negative impact on these.

The Applicant has engaged Landmark engineering to review the drainage structures, refuse disposal, water and sewers or septic. They have determined that these services are adequate and will testify that the development will not have a negative impact on these.

- D. Any building or structure shall be reasonably accessible to fire, police, emergency and service vehicles. When deemed necessary for access, emergency vehicle easements shall be provided. The access for fire, police and emergency vehicles shall be unobstructed at all times.

The Applicant has engaged Fishback Transportation consultants to review the developments' access to fire, police, emergency and service vehicles. They will testify that the development will not have a negative impact on these vehicles.

- E. Adequate provision shall be made to ensure the compatibility of the proposed development, including mass, scale, site layout and site design with the character of the surrounding property and the neighborhood.

Based on the drawings submitted and based on the zoning analysis submitted, the Applicant believes the proposed development is compatible in mass, scale, site layout and site design with the character of the surrounding property and the neighborhood. Specifically, the mass is in scale since the development is not asking for any height relief and that, other than the two setbacks, the development respects the setbacks to neighboring properties. In terms of site layout, the access to the development's parking is through the public alley – like all surrounding residential properties.

- F. Open space provided is configured to make that open space usable, functional, and appropriate to the development proposed.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that the open space provided is configured to make that open space usable, functional, and appropriate to the development proposed. See private yards and green space for individual townhomes.

- G. Streets and sidewalks shall, insofar as reasonably practicable, provide access and good traffic circulation to and from adjacent lands, existing streets and sidewalks.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that the streets and sidewalks shall, insofar as reasonably practicable, provide access and good traffic circulation to and from adjacent lands, existing streets and sidewalks. Further, the traffic consultant, Fishback, will provide testimony to attest to the Applicant's beliefs.

- H. Provision shall be made to ensure that adequate access roads or entrance or exit drives will be provided and will be designed and improved so as to prevent traffic hazards or problems and to minimize traffic congestion in public streets.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that provisions have been made to ensure that adequate access roads or entrance or exit drives will be provided and will be designed and improved so as to prevent traffic hazards or problems and to minimize traffic congestion in public streets. Further, the traffic consultant, Fishback, will provide testimony to attest to the Applicant's beliefs.

- I. Adequate provision shall be made to ensure that the vehicular circulation elements of the proposed development will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate provisions have been made to ensure that the vehicular circulation elements of the proposed development will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel. Further, the traffic consultant, Fishback, will provide testimony to attest to the Applicant's beliefs.

- J. Adequate water mains and fire hydrants shall be provided in accessible places in accordance with good firefighting and fire prevention practice.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate water mains and fire hydrants are in place in accessible places in accordance with good firefighting and fire prevention practice. However, after plan review by the Forest Park Fire Department, if any modification or addition to the facilities is required, the Applicant will direct their consultants to make the necessary adjustments.

- K. Adequate provision shall be made for the collection and disposition of all on and off site storm water and natural water, including, but not limited to, on site drainage retention facilities.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate provision shall be made for the collection and disposition of all on and off site storm water and natural water, including, but not limited to, on site drainage. The Applicant further believes based on knowledge of Cook County's storm water management policies, that retention is not necessary.

- L. Adequate provision shall be made for the collection and disposition of sanitary sewage.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate provision has been made for the collection and disposition of sanitary sewage. However, after plan review by the Forest Park Engineering Department, if any modification or addition to the facilities is required, the Applicant will direct their consultants to make the necessary adjustments.

- M. Adequate provision shall be made to avoid an increase in hazard to adjacent property from flood, increased runoff or water damage.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate provision has been made to avoid an increase in hazard to adjacent property from flood, increased runoff or water damage. However, after plan review by the Forest Park Engineering Department, if any modification or addition to the facilities is required, the Applicant will direct their consultants to make the necessary adjustments.

- N. Adequate provision shall be made to clean, control and otherwise alleviate contamination or environmental hazards on land when the site is in an area found by the director of public health and safety to be contaminated by a toxic substance or otherwise to contain environmental hazards which are detrimental to the public health, safety and welfare.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate provision has been made to clean, control and otherwise alleviate contamination or environmental hazards on land when the site is in an area found by the director of public health and safety to be contaminated by a toxic substance or otherwise to contain environmental hazards which are detrimental to the public health, safety and welfare. However, after review of the applicant's Phase One documents by the Forest Park Director of Public Safety, if any modification or addition to the facilities is required, the Applicant will direct their consultants to make the necessary adjustments.

- O. Adequate provision shall be made to avoid glare of vehicular and stationary lights that would affect the established character of the neighborhood, and to the extent such lights will be visible across from any property line, the performance standards for illumination shall be met.

Based on the drawings submitted, and specifically the Site Plan, the Applicant believes that adequate provision has been made to avoid glare of vehicular and stationary lights that would affect the established character of the neighborhood, and to the extent such lights will be visible across from any property line, the performance standards for illumination shall be met. However, after review of the applicant's Lighting Plan documents by the Forest Park Director of Public Safety, if any modification or addition to the facilities is required, the Applicant will direct their consultants to make the necessary adjustments.

- P. Adequate provision shall be made to ensure that the location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site and will not have an adverse effect on any adjacent properties. (Ord. O-44-02, 8-12-2002; amd. Ord. Ord. O-24-05, 6-13-2005; O-20-22, 5-9-2022)

The Applicant does not believe that this provision is not applicable since the development does not anticipate any modification of traffic controls or exterior signage. Any exterior lighting is covered under Item "O" of these standards and the Applicant's response stands.

Standards for Zoning Variance

Applicant's responses are shown in blue text.

1. General Standard: How will carrying out the strict letter of the provisions of Title 9, Zoning Regulations, of the Village Code create a particular hardship or practical difficulty? Explain why the variation is necessary for residents, the neighborhood, or the community-at-large.

As stated in the Applicant's narrative, the resulting variance requests are necessary for the development to be successful.

The variance is requested in this application is necessary to align the current condition of the property, a commercial property zoned B-1 that is surrounded by R-3 and R-2 residential zones. Once aligned, the property will be harmonious with other neighboring properties. The beneficiaries of this action will be residents, the neighborhood and the community-at-large.

2. Unique Physical Condition: Describe how the subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot. Physical conditions might include the presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property.

The applicant has submitted a survey and site data that shows this property as a 125 foot by 124 foot parcel. This parcel is unique in the area since all other nearby lots are configured roughly either 25 feet wide by 125 feet deep or 50 feet wide by 125 feet deep. That is its physical condition This unique lot area configuration sets it apart and creates challenges in the development of the parcel as a whole.

3. Not Self-Created: Describe how the aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title, for which no compensation was paid.

The Applicant did not create the hardship. At this point in the process, the Applicant is a contract purchaser of the property and therefore has no right nor ability to impact the parcel's lot size, zone district nor any other zoning metric.

4. Denied Substantial Rights: Describe how carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

The Applicant and their consultants will show evidence that other developments are similarly improved – number of units, number of bedrooms, bathrooms, lot coverage and side yard setbacks.

Therefore, if the variance request not approved, the Applicant would be denied substantial rights that are commonly enjoyed by other property owners in the area.

5. Special Privilege: Describe how the alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the granting of an authorized variation.

The Applicant, through this application, merely seeks the same privileges that of similar properties enjoy – to construct a new townhome development on a property.

The Applicant will present evidence of similar properties that enjoy similar benefits which the Applicant seeks through this variance request.

6. Title and Plan Purposes: Describe how the variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.

The comprehensive plan calls for this area to be primarily for residential uses and the current zoning for the 900 block of Beloit is primarily within the R-3 zone district. See the attached zoning map for the Village of Forest Park.

The proposed use would be in greater harmony with the residential nature of the current uses in the area.

7 Essential Character Of Area: Describe how the variation would not result in a use or development on the subject property that: (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development or value of property or improvements permitted in the vicinity; or (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or (c) Would substantially increase congestion in the public streets due to traffic or parking; or (d) Would unduly increase the danger of flood or fire; or (e) Would unduly tax public utilities and facilities in the area; or (f) Would endanger the public health or safety.

Enjoyment, use and Property Values: The Applicant and their consultants, specifically a licensed professional real estate consultant, will present evidence that neighboring properties will not be negatively impacted by the granting of the requested variances. And, the applicant will present testimony that shows that the proposed development will allow property owners in the area to continue to enjoy their property and use their property after the development is completed.

Light and Ventilation: The proposed development property is compliant with the north side yard setback requirement and since the proposed development is compliant with building height requirements, now therefore the question of adequate light and vent is not applicable.

Traffic: The proposed request for variance will not have a negative impact on traffic flow. The current use is as a neighborhood grocery store. The proposed use is of a 10 unit townhouse development. The Applicant's traffic consultant will provide a report and give detailed testimony showing that the number of trip generations is will not have a negative impact to roadways in the area.

Flooding: The property is not listed as being with in a flood zone – see FEMA map

Public Utilities: There is no evidence that granting the variation will have an unduly taxes or has a negative impact on utilities and facilities since the use - residential use stays the same – single family.

Water supply and sanitary sewer capacity to the subject property have ben reviewed by the Applicant's engineering consultant. They will submit documents that attest to the fact that the development will not have a negative impact.

Health and Safety: The proposed development will be compliant with building codes and ordinances including the requirement for an automatic sprinkler system.

Additionally, the proposed improvements will have the following safety features:

- New code compliant connections to water and sewer

- New code compliant connections to electric + gas

8. No Other Remedy: Describe how there is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Upon a reasonable assessment of the evidence provided and that testimony that will be provided, it should be clear that there is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.