SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION

AGENDA

September 19th, 2019 - 7:00 P.M.

Edward Barcal Hall - 8820 Brookfield Avenue
Brookfield, IL 60513

I. Call to Order

II. Roll Call

III. Staff Update
Local Planning Initiatives and Updates

IV. Public Hearings
PZC Case 19-07 – Variance for 3518 Oak Avenue

V. New Business
Approval of Minutes

VI. Old Business
PZC Case 19-06 – Final Planned Development for the Linda Sokol Francis Brookfield Public Library at 3541 Park Avenue and 3606 Grand Boulevard
(continued)

VII. Next Meeting
September 26th, 2019

VIII. Public Comment

IX. Adjournment

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708) 485-7344 prior to the meeting. Wheelchair access may be gained through the front (south) entrance of the Village Hall.
VILLAGE OF BROOKFIELD
BROOKFIELD, ILLINOIS 60513

JOURNAL OF THE PROCEEDINGS OF THE
PLANNING AND ZONING COMMISSION

HELD ON THURSDAY, AUGUST 22nd, 2019
IN THE BROOKFIELD VILLAGE HALL

MEMBERS PRESENT: Chairman: Charles Grund; Commissioners: Karen Ann Miller; Todd Svoboda; Christopher Straka; and Mark Weber;

MEMBERS ABSENT: Patrick Benjamin and Jennifer Hendricks

ALSO PRESENT: Elyse Vukelich, Village Planner; Michael Garvey, Village Trustee;

On Thursday, August 22nd, 2019, Chairman Grund called the meeting of the Planning and Zoning Commission to order at 7:03 P.M. Secretary Weber conducted the roll call.

Staff Update
Village Planner Elyse Vukelich stated that the Village was awarded funding from the Community Development Block Grant Program.

Public Hearings

PZC Case 19-06 – Final Planned Development for the Linda Sokol Francis Brookfield Public Library

Motion to open the public hearing by Commissioner Miller, seconded by Commissioner Straka. Motion carries unanimously.

APPLICANT PRESENTATION: Village Planner Elyse Vukelich gave a presentation on the proposed final planned development for the Linda Sokol Francis Brookfield Public Library at 3541 Park Avenue and 3609 Grand Boulevard. She went over an additional variance that the Brookfield Public Library is requesting to increase the size of parking lot signage from 4 square feet to 19.5 and 9 square feet. She also discussed changes made to the site plan since the last preliminary planned development hearing including new signage, right-of-way work changes, ADA spaces, and on-street drop off areas. She also discussed the submitted photometric plan, traffic analysis, and final engineering.

Vukelich concluded that staff recommends approval of the Fin

Dan Pohrte of Product Architecture gave an overview of the major materials that will be included on the new library. Terry Ryan, landscape architect of Jacobs Ryan gave an overview of the landscape

PZC 8/22/19  1 of 5
Ryan stated that they had tried to incorporate more oak trees at the suggestion of Commissioner Miller. Pohrte continued to present renderings of the building including the floor plan. He also discussed the light fixtures and site furniture.

Chairman Grund asked if the window frame color will be the same color as the fin. Mr. Pohrte said that it would be. Chairman Grund also asked about the alternates for the fins.

Commissioner Svoboda asked if the materials were true to scale. Mr. Pohrte stated that the brick size was 90% close to the size and that the metal panels are true to size. Commissioner Svoboda asked about the location of the roof access. He also asked if the colored glass is a decal and Mr. Pohrte responded that it is a film applied to the glass.

Chairman Grund asked about the insulation levels of the metal panels.

Penny Maroney of 3524 Oak Avenue asked about the shape and materials of the roof, stated concerns about the amount of parking, and also stated that she is concerned about the alley between Park and Oak being used as a thoroughfare.

Emily Gron of 9021 Lincoln Avenue asked if there would be specific designated parking for the employees of the library. She stated that she has issues parking in front of her house due to library employees.

Kim Coughran, Director of the Brookfield Public Library, stated that employees are not supposed to park in areas meant for residents.

Mark McCann of 3510 Park Avenue stated that he believes the library has misled him and his neighbors. He is extremely concerned about the impacts and the traffic generated by the new library. He is upset about the condition of the street and sidewalks on Park Avenue. He believes the traffic impact study that the library submitted is insufficient. He believes the data collection days were a bad choice. He cited guides and best practices from experts in the field of traffic analysis. He ultimately wants to see the library complete a new traffic impact analysis. He stated that he has lost all trust in the library. He will continue to oppose the new development. He also asked why the library isn’t being required to pave the alley.

Dianne Duner of 4905 Forest and President of the Library Board stated that the process to build the new library has taken years and that they have made decisions with care and concern for everyone in the community.

Sandra Baumgardner of 8519 Greenview stated that she feels the new library will match excitement in other parts of the Village. She feels bad that some of the residents feel they have been left out. She went to many of the meetings that the library held regarding community participation. She feels that Park Avenue is a commonly used thoroughfare for library patrons. She hopes that this can be worked out because she feels that Brookfield deserves a new library.
Tammi Czewski of Traffic Analysis & Design wanted to address the comments of Mr. McCann. She stated that they completed a traffic study back in 2012 and that they compared the counts in January of this year to 2012 and they were similar. She said that they are not stating no additional traffic will be generated. There will be additional traffic on Park, but she says it will not be enough to impact the operations of the intersection. She said that conditions of the street are not studied by the traffic impact analysis. She stated that she was out there today and observed similar traffic volumes.

Adam Burghgraef of 4156 Raymond stated that he is sorry that people are upset with aspects of the design. He feels that this building is the result of comments from the Village and residents. He appreciates everyone’s effort and looks forward to the next steps.

Joanie Echanovitch of 3518 Park Avenue asked why the Library cannot complete another traffic study before moving forward. She feels there is a lot of activity at the intersection. She is asking that the condition of the street be considered in the new traffic study.

Tammy Czewski spoke again about Levels of Service and says that even if traffic doubled the intersection would operate acceptably with relatively low delay.

Mark McCann spoke again and cited best practices by the Federal Highway Administration. He feels that the traffic impact analysis violated standards and feels it should be tossed out.

Elsie Radtke of 3532 Harrison stated that she feels Mr. McCann is correct and that there should be another traffic study. She also feels that the traffic study is separate from the condition of the street.

Village Planner Elyse Vukelich stated that the 3500 block of Park Avenue is scheduled to be resurfaced by 2023 and that the sidewalk on Park Avenue will be reconstructed on the length of the library’s site.

Dianne Duner spoke again and stated that best practices are not laws or standards.

Tammy Czewski spoke again and stated that the traffic counts were done during cold weather, but that traffic did increase. She feels that the traffic counts were good and viable for use in this study.

Commissioner Svoboda made a motion to close the public hearing, seconded by Commissioner Miller.

COMMISSIONER DELIBERATION:

Chairman Grund stated that the Commission’s goal is to vote on the variances that the library is asking for. He stated that the materials that the library shared tonight cannot be changed. He re-stated the variances that the library is asking for.

Commissioner Svoboda asked if the pavers in the parkway have been discussed.
Vukelich stated that engineering reviewed this as part of final engineering and that maintenance will be worked out in an agreement.

Commissioner Miller stated that she likes the design of the library and finds it welcoming. She likes the open space that was added. She appreciates the extra effort put into the landscaping to incorporate oak trees. She also encouraged the use of for dark sky lighting and other sustainability features.

Commissioner Straka stated that parking is an issue on the streets of Brookfield, but stated that people can apply for ADA parking spaces.

Commissioner Svoboda thanked the library for their commitment to expecting more than the status quo on this project and that it will benefit the Village.

Commissioner Miller made a motion, seconded by Commissioner Straka to approve the Final Planned Development for PZC case 19-06 with one condition:

1) Meet all Village standards and requirements for work in the right of way.

The motion carried 5-0, with Commissioners Hendricks and Benjamin absent.

New Business
No new business.

Old Business
Approval of Minutes with one correction for July 25th, 2019. Motion by Commissioner Straka, seconded by Commissioner Svoboda. Motion carries, 4-0, with Commissioner Miller abstaining and Commissioners Hendricks and Benjamin absent.

PZC Case 19-05 – Sign Code Amendment (continued)

Motion to open the public hearing by Commissioner Straka, seconded by Commissioner Svoboda. Motion carries unanimously.

APPLICANT PRESENTATION: Village Planner Elyse Vukelich went over a list of changes she made to the draft amendment that was discussed at the previous meeting. She mentioned that she consulted with the Village attorney on two questions the commission had. She also has been working with Hancock engineering on a sight triangle illustration.

Commissioner Miller asked if Vukelich could elaborate on the historic sign designation. Vukelich read from the code and explained that this allows an obsolete sign or non-conforming sign that adds character to the community or has a historic value to be offered protection.

Commissioner Weber asked what the difference between a political sign and temporary residential sign is. Vukelich stated that a political sign falls under the category of temporary residential signs.
Commissioner Straka asked about certificates of insurance, which will still be part of the permitting process. He also asked about removal of signs that are deemed to be an immediate hazard.

Commission Svoboda made a motion to close the public hearing, seconded by Commissioner Straka.

COMMISSIONER DELIBERATION:

Commissioner Straka said that he feels all of the comments were incorporated. Chairman Grund asked if this would need to come back to the commission if the Board asked new things. Vukelic said that it would not.

Commissioner Straka made a motion, seconded by Commissioner Miller to approve the Sign Code Amendments PZC case 19-05.

The motion carried 5-0, with Commissioners Hendricks and Benjamin absent.

Adjournment
At approximately 8:41 p.m. there was a motion made by Commissioner Miller to adjourn, seconded by Commissioner Straka. Motion carries, 5-0.

Charles Grund
Chairman
Planning & Zoning Commission
Village of Brookfield
Brookfield, Illinois

/ls
TO: The Village of Brookfield’s Planning and Zoning Commission

HEARING DATE: September 19, 2019

FROM: The Village of Brookfield’s Community and Economic Development Department (CEDD)

PREPARED BY: Elyse Vukelich, Village Planner

TITLE

PZC 19-07 – Variance for 3518 Oak; The applicant is seeking variances for a reduction of lot width and frontage, lot area, and interior side yard setback for the property at 3518 Oak Avenue.

GENERAL INFORMATION

APPLICANT: Reina Salto
1925 S. 49th Ct.
Cicero, IL 60804

APPLICATION/NOTICE: The application has been filed in conformance with applicable procedural and public notice requirements.

PROPERTY INFORMATION

EXISTING ZONING: A-1 Single Family Residential District
EXISTING LAND USE: Vacant, previously a Single Family Home
PROPERTY SIZE: 3,133 Square Feet
PINs: 15-34-401-029-0000

SURROUNDING ZONING AND LAND USES:
North: A-1 Single Family Residential District; Single Family Home
South: A-1 Single Family Residential District; Single Family Home
East: A-1 Single Family Residential District; Single Family Home
West: A-1 Single Family Residential District; Single Family Home
ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Community and Economic Development Department:

1. Application for variations requesting a Public Hearing;
2. Certification of Legal Notice published September 4th, 2019 in the Riverside Brookfield Landmark;
3. Affidavit of mailed notice to property owners within 250 feet of the property indicating the Public Hearing Letters were mailed to surrounding property owners;

PUBLIC COMMENT

No public comments have been submitted to Village Hall in person or by written document as of the writing of this report. Any comments that are submitted after the writing of this report will be presented at the Planning and Zoning Commission public hearing on September 19, 2019.

BACKGROUND

In 2017, the owner of 3518 Oak Avenue applied to add an addition to the single family home on site and rehab the interior of the home. During construction, part of the foundation wall was structurally compromised, and the foundation wall collapsed. A full collapse of the home was stopped by the installation of emergency shoring, however, the house was deemed unsafe and unrepairable. The Village required demolition, and the home was demolished in April 2019.

DISCUSSION

The applicant is requesting three variances from Chapter 62 of the Village Code in order to build a single family home on the now vacant lot at 3518 Oak Avenue. The lot measures 25 feet in width by 125.31 feet in length, with a total lot area of 3,132.5 square feet. The variances requested are detailed in the table below:

<table>
<thead>
<tr>
<th>Variation Sought</th>
<th>Zoning Code Requirement</th>
<th>Proposed</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width and Street Frontage</td>
<td>50 feet</td>
<td>25 feet</td>
<td>-25 feet</td>
</tr>
<tr>
<td>Lot Area</td>
<td>6,200 square feet</td>
<td>3,133 square feet</td>
<td>-3,067 square feet</td>
</tr>
<tr>
<td>Interior Side Yard Setback</td>
<td>5 feet</td>
<td>3 feet</td>
<td>-2 feet</td>
</tr>
</tbody>
</table>

While the site previously contained a single family home, the site is now vacant. The footprint of the previous single family home is detailed in the Plat of Survey submitted by the applicant. The previous single family home had an interior side yard setback of 1.8 feet on the north property line, and 2.7 feet in the south property line. As shown in the table above and on the applicant’s proposed site plan, the applicant is requesting a variance for an interior side yard setback of 3 feet on both property lines. The applicant is requesting a setback closer to the required 5 feet than the previous home had.

The site is located in the A-1 Single Family Zoning District on Oak Avenue between Lincoln and Washington Avenues. As shown below, there are five other homes on the 3500 block of Oak Avenue that sit on lots that measure less than the required 6,200 square feet for the A-1 Single Family Residential District.
Exhibit 2 – 3500 Block of Oak Avenue. Single family homes on lots that measure less than the required 6,200 square feet are outlined in red.

The A-1 Single Family Zoning District only permits three uses: single family homes, small community residences, and large community residences. Because there is no vacant land adjacent to the property, if a variance is not granted for the lot width, frontage, and lot area, the land cannot be built upon.

The Comprehensive Plan lists 3518 Oak as a “Traditional Neighborhood” in its Housing & Neighborhoods map. Goal 2 of the Housing and Neighborhoods chapter is to “Encourage and support the development of diverse housing products at various price points and sizes, including senior and multi-family housing.” (p. 80) The fourth strategy listed for this goal is to “Encourage new development and infill development which is complementary to the scale and character of surrounding residential uses.” Due to the fact that there are five other homes on the block on substandard lots, the approval of these variations could be considered “infill development which is complementary to the scale and character of surrounding residential uses.”
It also should be noted that the applicant has produced a site plan that only requires variances from the width, frontage, lot area, and interior side yard setbacks, but manages to conform to the greenspace requirement, building coverage, and front yard setback (the proposed front yard setback is within 3 feet of adjacent homes’ setbacks).

CONDITIONS FOR APPROVAL OF VARIATIONS
The standards for variation review, section 62-760 of the Village Zoning Procedure, requires all of the following conditions to be met for approval of variations. (Applicant’s responses below with staff comments in italics):

1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity within the same zoning district can be used.

   The width of the lot is 25 feet wide. There are a significant amount of homes in Brookfield on a 25 foot wide lot. There was recently a home on this specific parcel that had to be demolished due to the fault of the contractor. We would like to build a beautiful home on the property that will bring another tax paying resident to the town.

   There are no adjacent lots that the applicant could acquire in order to create a conforming lots. As such, “full use” on a par with other nearby properties is not currently possible.

2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner.

   The lot is vacant and needs a home on it.

   The hardship is the result of a change in the Village code requirements after the lot was created.

3. That there is no other 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 property.

   There are not, building a new home on the lot where a home was for the past 100 years is the plan.

   Because the property is surrounded by privately owned lots with single family homes, the owner of the property is unable to purchase or annex additional yard to add to this property in order to make it compliant with the Village Code. A reasonable use of the property would be single family homes on lots smaller than those currently allowed by the code, but that conform to the surrounding area.

4. That the variation sought will not impair an adequate supply of light or air to adjacent property.

   It will not.

   The applicant has not requested variations from the Village’s side yard setback, height, and green space requirements. Therefore, proposed project would not impair the supply of light or air to adjacent properties.
5. **That the variation sought will not unreasonably diminish the values of adjacent property.**

Facts show that new construction homes raise the value of neighboring properties.

*The variations sought do not diminish the values of adjacent properties. Considering a single family home was on this lot previously, it is unlikely that adjacent properties would see lower property values as a result of a new construction home.*

6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety.

It will not.

*Once again, because a single family home was on this lot previously it will not increase congestion beyond what already existed.*

7. That the variation is in harmony with the general purpose and intent of this ordinance.

Yes, the variation is to build a beautiful, luxury single family home on the property and bring more homeowners to town.

*The general purpose and intent of the Village Code as it pertains to this application is to protect the neighborhood character, health, safety, and welfare of the area. If the proposed variations were to be approved, the project would maintain the harmony of neighborhood as well improve the health safety and welfare.*

**RECOMMENDATIONS**

Staff recommends consideration of the variance as requested. If Commissioners are in agreement with the applicant’s responses to the standards of review, the Commission can vote to recommend approval of the proposed variations to the Village Board of Trustees.

If Commissioners vote to recommend approval, staff anticipates the Planning and Zoning Commission recommendation to be reviewed by the Committee of the Whole on October 14, 2019 by subsequent vote by the Village Board on October 28, 2019.
Applicant Information:

1. Name and Phone Number of contact person for application process
   Peina Salto
   708-294-2600
   PeinaSalto4@gmail.com

2. Petitioner's Name
   Christian Fischer

3. Petitioner's Address
   14300 S Town Center Dr. Homewood, IL 60439

Property Information:

9. Common Street Address
   3518 Oak Ave, Brookfield, IL 60513

10. Legal Description
    Lot 16 in block 16 in Grossdale Subdivision of the Southeast
    Quarter of Section 34 Township 39 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois

11. Permanent Tax Index Number (PIN)
    15-34-401-029-0000

12. When did the owner acquire the property?
    2017

13. Is the petitioner in the process of purchasing the property? Yes ______ No ______
    If so, is the purchase contingent on approval of variance? Yes ______ No ______

14. Is your property use presently (check one): Conforming ______ Non-conforming ______

15. If the property is a non-conforming use, please explain: Vacant Lot ______
16. Surrounding Zoning and Land Use:

<table>
<thead>
<tr>
<th></th>
<th>Zoning District</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>A-1</td>
<td>Single Family</td>
</tr>
<tr>
<td>South</td>
<td>A-1</td>
<td>Single Family</td>
</tr>
<tr>
<td>East</td>
<td>A-1</td>
<td>Single Family</td>
</tr>
<tr>
<td>West</td>
<td>A-1</td>
<td>Single Family</td>
</tr>
</tbody>
</table>

**Zoning Variance Application, continued**

17. What is the Zoning Classification of the subject property?  
   A-1 Single Family

18. List the variance(s) you are requesting:  
   See attached.
   
   (1) Section 62-75 Variance requested to reduce lot width and frontage
   
   (2) Section 62-75 Variance requested to reduce area of 3,133
   
   (3) Section 62-75 Variance requested to reduce interior side yard setback

19. What is the proposed use of or improvement to the property?  
   TO BUILD A NEW SINGLE FAMILY

20. Is the building for (Check one): Personal Use___ Rental___ Resale___

Please provide responses for the standards for granting zoning variances (attached).

Any person who shall knowingly make or cause to be made, or conspire, combine, aid or assist in, agree to, arrange for, or in any way procure the making of a false or fraudulent application, affidavit, certificate, or statement, shall be guilty of a misdemeanor as provided by statute by the State of Illinois.

Petitioners Signature

8/14/2019

Date

Owner’s Signature (or authorized agent)

8/19/19

Date
Letter of Intent
In Support of Request for Variance
3518 Oak Ave, Brookfield, Illinois 60513

This Letter of Intent is in support of my request for a variance in:

1. Lot Width and Frontage of 25 feet (Difference of -25 feet, code requires 50 feet)
2. Lot Area of 3,133 square feet (Difference of -2,967 square feet, code requires 6,100 square feet)
3. Interior Side Yard Setback of 3 feet (Difference of -2 feet, code requires 5 feet)

This lot was formerly occupied by a single family home, due to subcontractor malpractice the foundation collapsed into itself during the process of remodeling. The hardship was not self imposed and the plans were approved. I have the intent to buy this lot from the seller and build a property upon it. The proposed property while not in accordance with the current zoning parameters will not diminish the value of the adjacent property. It will be a positive addition to an already beautiful neighborhood. The new structure will have similar dimensions to properties that was once there before and the ones around it. It will not invade the space of the adjacent properties. I have worked greatly and in harmony with the Village of Brookfield in recent years. I would love to maintain and grow that relationship for the benefit of all. For reference on my past work in Brookfield please see:

1. 4119 Park Ave, Brookfield, Illinois 60513
2. 4308 Maple Ave, Brookfield, Illinois 60513

Best Regards,

Reina Salto
STANDARDS FOR GRANTING ZONING VARIANCES
The Village of Brookfield’s Zoning Code (Chapter 82, Section 62-760)

1. The hardship alleged as the basis for the variation must be derived from difficulties pertaining to the property itself which prevent full use of the property of the same extent other properties in close proximity in the same zoning district can be used;

   The width of the lot is 25' Wide. There are a significant amount of homes in Brookfield on a 25' wide lot. There was recently a home on this specific parcel that had to be demolished due to the fault of the contractor. We would like to build a beautiful home on the property that will bring another tax paying resident to the town.

2. The hardship alleged as the basis for a variation must not be self-created or self-imposed by the applicant or his agent nor by unauthorized and unpermitted acts of any prior owner;

   The lot is vacant, it needs a home on it.

3. That there is no other 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 property;

   There are not, building a new home on the lot where a home was for the past 100 years is the suffice plan.

4. That the variation sought will not impair an adequate supply of light or air to adjacent property;

   It will not

5. That the variation sought will not unreasonably diminish the values of adjacent property;

   Facts show that new construction homes raise the values of neighboring properties.

6. That the variation sought will not unreasonably increase congestion in the public streets or otherwise endanger public safety;

   It will not

7. That the variation is in harmony with the general purpose and intent of this ordinance.

   Yes the Variation is to build a beautiful luxury single family home on the property and bring more homeowners to the town.
AFFADAVIT OF OWNERSHIP

COUNTY OF _____________ )

) SS

STATE OF ILLINOIS )

I, (print name) Christian Fischer, under oath, state that I am (check one):

Ø the sole owner of the property

X an owner of the property

Ø an authorized officer for the owner of the property

commonly described as (full address): 3518 Oak Ave, Brookfield

and that such property is owned by (print owner's name) Christian Fischer

as of this date.

(Signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

6th DAY OF August, 2019

(Notary Public)
LOT: 3132.5 SF
MAX LOT COVERAGE: 35% (1096 SF)
1090.6 SF PROPOSED
MIN GREEN SPACE: 40% (1253 SF)
1342 SF PROPOSED (INCLUDING U/ DECK & EXTERIOR STAIRS)