

The City of Lake Forest
Plan Commission
Proceedings of the May 8, 2024 Meeting

A meeting of the Lake Forest Plan Commission was held on Wednesday, May 8, 2024, at 6:30 p.m.

Commission members present: Chairman John Dixon and Commissioners Barrett Davie, Jamie Moorhead, Mark Pasquesi, Louis Pickus, Lisa Nehring, and Paul Thomas

Commissioners absent: None

Staff present: Abigail Vollmers, Senior Planner, and Catherine Czerniak, Director of Community Development

1. Introduction of Commissioners and staff and review of meeting procedures.

Chairman Dixon introduced the members of the Commission and reviewed the meeting procedures followed by the Commission.

2. Consideration of the minutes of the February 15, 2024 meeting.

The minutes of the February 15, 2024 Plan Commission meeting were approved as submitted.

3. Preliminary Information and Input: The property addressed as 1310 Lake Road and 1235 Elm Tree Road is a single zoning lot and was originally part of a larger estate. Preliminary information will be presented on a vision for the property going forward. Questions and input from the Commission and members of the public are invited. No action is requested from the Commission at this time.

Property Owner: Elm Tree Road, LLC (Stephen Bent)

Applicants: Ethan Meers and Marion Rice

Presented by: Nate Lielasus, architect

Chairman Dixon asked the Commission for any conflicts of interest or Ex Parte contacts. Hearing none, he swore in all those intending to speak on the petition. He stated that no action is requested from the Commission at this time and invited an informational presentation from the petitioner.

Mr. Meers stated that he grew up in Lake Bluff and currently lives in Chicago. He stated that he and his family have been using the tennis house, which is owned by his stepfather, as a weekend and summer home for the past 10 years. He stated that many members of his family grew up in the community.

Ms. Rice stated that she also grew up in the community and currently lives in Lake Bluff. She stated that her family would like to continue to spend time at the property that is currently owned by her stepfather. She stated that she is committed to the property and to the community.

Mr. Lielasus stated that the property was originally part of the Kersey Coates Reed Estate. He stated that Mr. Meers and Ms. Rice's stepfather has a long family connection with the property dating back to the 1930's. He stated that the main residence which is still located on the east side of Lake Road across from the property that is the subject of this request, was built in 1931-32 followed by the tennis house. He stated that the main residence replaced an earlier estate residence located on the property. He stated that the cottage which remains on the subject property was an original farmhouse which was reclad in brick and remodeled by David Adler. He stated that the carriage house also remains from the former estate and was also reclad in brick and remodeled. He stated that the garden on the subject property was also part of the estate and has been well maintained adding that the current owner, Mr. Bent, has been an incredible steward of the property. He stated that Mr. Bent acquired the property from his uncle, John Reed, several years ago, prior to Mr. Reed's death, and now would like to pass the property on to his stepchildren. He stated that the tennis house is not occupied on a full time basis and the cottage and carriage house are rented out noting that one of the tenants is a caretaker for the property. He stated that as the property is passed on, Mr. Meers would like to take ownership of the west side of the property and all of the structures and use it during the summer and on weekends and continue to rent the apartment above the garage to a caretaker. He stated that Ms. Rice is interested in the east portion of the property noting that she has a deep connection to the garden where her wedding reception was held. He noted that Ms. Rice and her family can ride their bicycles to the property from their home in Lake Bluff to picnic and enjoy the space. He acknowledged that there are challenges in moving the property into the future. He stated an understanding of the interest in keeping the property intact but noted that parts of the estate have been subdivided off in the past. He stated that to make the desired transition from Mr. Bent to his stepchildren possible, each of the new owners need to have individual property rights. He stated that because of the history of the property, many aspects of the property today are nonconforming with current Code requirements and explained that on behalf of Mr. Meers and Ms. Rice, he is exploring how to achieve splitting the ownership of the property into two separate parcels. He noted that the structures on the property do not conform to the steep slope setback or zoning setbacks. He stated that the structures exceed the allowable square footage for the entire site largely due to the tennis house and specifically, the tennis court. He stated that if the square footage of the tennis court itself is deducted from the total square footage, the existing structures would comply with the allowed square footage. He stated that going forward, Mr. Meers would like to continue to use the property as his family is currently using it, as a weekend and summer retreat. He stated that Ms. Rice would like to continue to use the garden and expand the garden features. He pointed out that currently, the access to the entire property is from Lake Road but noted that there is a gate along Elm Tree Road and the intent is to construct a driveway to allow vehicle access to the property, through the gate, from Elm Tree Road. He

stated that providing more convenient access and parking near the tennis house is an important consideration. He acknowledged that subdividing off the garden is a challenge because the Code does not permit improvements on a residential property without a primary residence. He stated that the desired subdivision of the property would separate the garden from all of the structures. He stated that a portion of the garden improvements are within the steep slope setback. He stated that the entire property is unique, and the current owner is ready to hand the property over to his heirs, it is just a question of how to do so in a manner that provides future development rights to each parcel.

Ms. Czerniak agreed that the property is unique due to the various structures, the garden and garden structures, the relationship of the improvements on the property to the ravine, and the fact that the entire parcel was part of a larger estate. She confirmed that no Commission action is requested at this time but instead, the presentation is informational, and questions, challenges, ideas, and concerns are invited at this early point in the planning process from the Commission, the surrounding neighbors, and members of the public. She stated that specifics of the request that may be presented to the Commission in the future and the approval process have not yet been fully thought through. She noted that the property is in the Historic Residential Preservation and Open Space Overlay District and as a result, the Planned Preservation Subdivision process applies to the property. She reviewed that the Overlay District provides the Commission with some flexibility with respect to Code requirements as long as the permitted underlying density is adhered to, as well as the ability to place conditions and parameters on the property as part of any approvals granted. She stated that through a Special Use Permit, the Overlay District is intended to preserve and protect historic and natural resources. She noted that through the Special Use Permit process, the existing nonconforming conditions on the property may be able to be acknowledged. She stated by definition of the Code, the property today is a single zoning lot despite the fact that the zoning lot is comprised of three tax parcels. She stated that it is a single zoning lot because the parcels together constitute a single use, with improvements that cross the various parcel lines, and the parcels are all in a single ownership and have been for decades. She added that as currently configured, all of the tax parcels together are needed to support the existing improvements from building square footage and zoning setback perspectives. She noted that currently, a single access drive from Lake Road serves the site. She invited comments and questions to help inform and guide future discussions about the property with the petitioners and the City Attorney. She pointed out that historically, the Reed family members, including the current owner, Mr. Bent, have been very good stewards of the property.

Chairman Dixon invited questions from the Commission.

In response to questions from Commissioner Nehring, Mr. Lielasus stated that a new driveway from Elm Tree Road would be extended from the road, through the property, to the Carriage House. He pointed out that since the existing driveway would be on the garden parcel, separate access for the west parcel would be required.

In response to questions from Commissioner Moorhouse, Mr. Lielasus stated that the intent is to sensitively remodel the tennis house including the addition of a full kitchen, to make it more useable as a single family home. He stated that in the future, there may be interest in connecting the Cottage and Carriage House to each other and/or to the tennis house and possibly adding a garage, pool, and pool house. He stated that if the family decides to move to the property and use it as more than a weekend and summer home, more improvements may be desired. He stated on the east side of the property, there is a desire to expand the garden and possibly add a wall along Lake Road. He stated that a tree survey has not yet been done to determine the quality and health of the trees. He confirmed that the calculations necessary to determine the location of the steep slope setback have been completed.

In response to a question from Commissioner Moorhead, Ms. Czerniak stated that staff does not yet have all of the information necessary to determine the buildable area and allowable square footage. She stated that if the property is ultimately subdivided, different setbacks will apply than those currently applicable to the existing single zoning lot.

In response to questions from Commissioner Pickus, Mr. Lielasus reviewed the tax parcels as currently configured. He stated one option is to follow the lines of the existing tax parcels to subdivide the property.

In response to questions from Commissioner Pickus, Ms. Czerniak reviewed the standard zoning setbacks in the R-4 District and noted that the steep slope setback could exceed the standard side yard setback. She clarified that the Plan Commission has purview over density, lot configuration, lot size, and setbacks. She stated that the Historic Preservation Commission has purview over any changes proposed to the structure, garden, and any requests for variances from the allowable square footage.

In response to questions from Commissioner Davies, Ms. Czerniak stated that if some or all of the property is sold to a developer, there could be a lively discussion if demolition of one or more of the historic structures or the garden was proposed. She stated that the City Code has protections for unique properties such as this one but depending on what is proposed for the site, the discussion could become contentious.

In response to questions from Commissioner Thomas. Mr. Lielasus stated that at this time, there are no plans to build a residence on the east portion of the property. He stated that it is unclear what parameters would apply if the property is reconfigured into two separate lots. He acknowledged that although Mr. Meers and Ms. Rice intend to remain as stewards of the property over the long term, it is important to consider future potential for the property and important to consider the impact any limitations might have on the future value of the property. He stated that looking forward, there may be a desire to build a small house near Lake Road on the garden parcel while maintaining the integrity of the garden.

In response to questions from Commissioner Nehring, Mr. Lielasus acknowledged that it may appear strange to separate the fountain from the garden and noted that various options for configuring the property are being considered. He stated that the goal is to not create a complex property line. He noted that following the existing tax parcel line which bisects the west end of the garden may make the most sense. He stated that the two properties would be in "friendly ownership" with cooperation between the parties. He stated that the existing garages may not be suitable for some of today's vehicles. He stated that to address the vision of a future house on the east parcel, various scenarios were explored. He confirmed that establishing the opportunity to construct a house on the east parcel is important. He noted that a house could be located along Lake Road, to the east of the garden.

In response to a question from Commissioner Nehring, Mr. Lielasus stated that there is no intention to subdivide off the open space to the south of the tennis house. He stated that open space would remain with the tennis house. He stated that the privacy provided for the tennis house by the arborvitae along Elm Tree Road is important to Mr. Meers. He stated that the driveway would be installed in the opening in the arborvitae.

In response to a question from Commissioner Nehring, Ms. Czerniak confirmed that the entire property and all of the structures and the garden are in the Historic District and any proposed changes are under the purview of the City's Historic Preservation Commission.

Hearing no further questions from the Commission, Chairman Dixon invited public comment.

Jan Gibson, 59 Franklin Place, stated that she is speaking on behalf of the Lake Forest Preservation Foundation. She stated that the Foundation submitted a letter that was distributed to the Commission. She stated that the Foundation generally opposes subdivision of estate properties but noted that in this case, the original estate property was subdivided years ago locating the support functions and amenities for the estate on a separate parcel. She stated that the challenge is how to preserve the historic character of the estate. She encouraged the Commission to refer the petition to the Historic Preservation Commission for early input on how best to preserve the historic integrity of the site. She suggested that increased protections could be offered through a Landmark Designation going beyond the protection offered by the City's Historic District. She noted that easements on aspects of the property could offer further protection. She stated that the Historic Preservation Commission will be able to offer advice on this unique property.

Hearing no further requests to speak from the public, Chairman Dixon invited a response to public comment from the petition.

Bill Bickford, the applicants' advisor, suggested that the matter be brought back to the Commission with proposed property lines and setbacks delineated. He stated that they

will discuss further with the applicants what they want to achieve. He stated that the intent is to preserve the historic integrity of the site.

Chairman Dixon invited final questions or comments from the Commission.

In response to a question from Commissioner Moorhead, Mr. Lielasus stated that he is not aware of any covenants or restrictions on the property.

In response to questions from Commissioner Moorhead, Ms. Czerniak confirmed that any subdivision of property requires a public hearing before the Plan Commission as set out in the subdivision chapter of the City Code.

Chairman Dixon stated that based on the Commission's comments so far, there does not appear to be resistance to working with the petitioner toward a workable solution. He stated however that there is not yet sufficient information to understand fully what is being requested, what approvals or exceptions would be required or could be achieved, and the appropriate process for consideration. He noted that the Commission has seen creative solutions for other properties that balance the property owners' interests with preservation and the community's interests. He noted that there are many factors to be considered including the ravine, zoning setbacks, and the historic structures. He stated that the Commission will ultimately need to see detailed plans for what is proposed or desired in the short and longer term. He stated that in his opinion, it is premature to send the matter to the Historic Preservation Commission for input. He recognized the owner for having been a wonderful steward of the property and stated his appreciation for the informational presentation to familiarize the Commission with the issues, opportunities, and challenges going forward. He encouraged the petitioner to continue to work with the City and the neighbors to find a solution that makes sense and considers the interests of all parties. He added that consideration will need to be given to how drainage is handled if additional hardscape is added to the site to avoid negative impacts to the ravine or other properties.

Commissioner Pasquesi agreed that the petition should remain with the Plan Commission until more work is done and more information is available. He stated an interest in exploring creative solutions before seeking input from the Historic Preservation Commission.

Commissioner Nehring thanked the current owner for being a good steward of the property. She agreed that it is premature to seek input from the Historic Preservation Commission.

Commissioner Davie stated that all parties are interested in finding a workable solution. He stated that the petition presents an opportunity to preserve and protect the property over the long term. He stated that determining the proper process will be important to make efficient use of everyone's time. He stated that although it may be premature at this time, the discussions should not get too far down the road before involving the Historic Preservation Commission.

Commissioner Dixon thanked the petitioners and stated that the Commission is interested to see the plans as they develop and will have further discussion at that time.

4. Public Hearing and Action: Consideration of adoption of an updated Zoning Map. No zone changes are proposed as part of this periodic update, the readoption of the Zoning Map incorporates all zone changes approved since the last update.

Presented by: City Staff

Chairman Dixon asked the Commission for any conflicts of interest or Ex Parte contacts. Hearing none, he invited a presentation from staff.

Ms. Czerniak stated that periodically, the City is required to adopt an updated Official Zoning Map which incorporates all zones changes that have occurred since the adoption of the last official map. She clarified that this action does not rezone any properties, but instead, simply acknowledges the recent zone changes that were approved by the City Council based on recommendations from the Plan Commission. She stated that two recent zone changes are incorporated into the updated Official Zoning Map:

- R-4, Single Family Residence, to OA, Open Area – City of Lake Forest Recreation Center. (approved 2023)
- R-1, Single Family Residence, to GR-3, General Residence – portion of 373 E. Westminster. (approved 2021)

She asked the Commission for a motion in support of adoption of the updated Official Zoning Map.

Hearing no questions from the Commission, Chairman Dixon invited public comment. Hearing none, he invited final questions or comments from the Commission. Hearing none, he closed the public hearing and invited a motion.

Commissioner Pasquesi made a motion to recommend approval of the updated City of Lake Forest Official Zoning Map to the City Council.

The motion was seconded by Commissioner Pickus and approved by a vote of 7 to 0.

5. Additional public comment on non-agenda items

There was no additional public comment presented on non-agenda items.

6. Additional information from staff.

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Catherine Czerniak
Director of Community Development