

**The City of Lake Forest**  
**Building Review Board**  
**Proceedings of February 7, 2019 Meeting**

A regular meeting of the Lake Forest Building Review Board was held on Thursday, February 7, 2019 at 6:30 p.m., at the Municipal Services Building, 800 Field Drive, Lake Forest, Illinois.

Building Review Board members present: Acting Chairman Ross Friedman and Board members, Jim Diamond, James Sykora and Richard Walther

Building Review Board members absent: Chairman Ted Notz, Chris Bires and Fred Moyer

Staff present: Catherine Czerniak, Director of Community Development and Jennifer Baehr, Assistant Planner

**1. Introduction of Board members and staff, overview of meeting procedures – Acting Chairman Friedman**

Acting Chairman Friedman reviewed the role of the Building Review Board and the meeting procedures followed by the Board. He asked the members of the Board and staff to introduce themselves.

**2. Consideration of the minutes of the January 3, 2019 meeting of the Building Review Board.**

The minutes of the January 3, 2019 meeting were approved as submitted.

**3. Consideration of a request for approval of a building scale variance to allow for two additions to the residence at 751 Gardner Lane. A one-story addition is proposed on the west side of the residence and an elevated screen porch is proposed at the rear of the home.**

**Owners: Eric and Meredith Clawson**

**Representative: Scott Streightiff, architect**

Acting Chairman Friedman asked the Board members for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner.

Mr. Streightiff introduced the petition explaining that the project involves an in-law suite and screen porch additions and a building scale variance request. He stated that the property totals 23,850 square feet. He explained that the property is located at the end of Gardner Lane, a short dead-end street. He added that the property has a 30 foot Conservation Easement along the west side of the property. He stated that the residence was built in 1999. He explained that the house is two and half stories with a stone and stucco exterior. He stated that due

to significant grade change on the property, the residence has an exposed basement on the west and south elevations. He noted that the exposed basement contributes to the overall building square footage overage. He added that the current property owners have lived in the home for the past four years. He explained that it has become necessary for Ms. Clawson's mother to move into the house. He stated that the Clawson's are requesting a modest addition to accommodate the space necessary for Ms. Clawson's mother to live reasonably within the residence. He explained that the proposed one-story in-law suite addition is proposed near the southwest corner of the existing residence and is generally hidden from view from Gardner Lane. He noted alternative designs for the addition were explored including a detached structure and a second floor addition over the garage. He noted that the Conservation Easement is intended to be planted to provide screening on the west side of the property between the proposed addition and the nearest home on Cherry Lane. He explained that the addition is designed using materials consistent with the existing residence. He stated that the landscape plan reflects double inch replacement for the Hickory and Oak trees which will be removed to accommodate the addition.

Ms. Baehr explained that based on the lot size, a residence of up to 4,193 square feet is permitted on the property. She confirmed that the residence was built in 1999 and since that time, the building scale Code provisions were amended, and based on the current Code provisions, the existing house is 229 over the allowable square footage. She stated that the exposed basement of the residence contributes 500 square feet to the total building square footage. She added that exposed basements are included in the building scale calculation because they add to the appearance of mass. She stated that the proposed in-law suite addition adds 732 square feet to the first floor and the exposed basement area of the addition adds 218 feet. She explained that the screen porch addition proposed on the rear of the residence totals 184 square feet and is calculated as a design element and does not contribute to the building square footage. She stated that in total, the existing residence with the proposed addition, will be 1,179 square feet, 25% over the allowable square footage. She noted that the house has limited visibility from off of the site due to the location of the lot at the end of a dead end road and the requirement for a 30-foot wide planted Conservation Easement which is intended to mitigate views of the addition from the adjacent street to the west.

Board member Walther observed that the window grille divisions between the existing residence and addition are different. He suggested that a consistent grille pattern be considered.

In response to questions from Board member Walther, Mr. Streightiff confirmed that the windows in the addition will be simulated divided lites. He agreed to consider a pitched roof as opposed to a flat roof over the entry door of the addition. He added it may be possible to use a standing seam metal on a pitched roof over the door.

Board member Walther observed that there is precedent for using a standing seam material since it is found on the rear bay window of the house.

In response to questions from Board member Walther, Mr. Clawson stated that there will be a full, unfinished basement below the addition.

Board member Walther stated that there may be an opportunity to raise the soil to mitigate the appearance of mass of the solid wall and exposed basement along the west elevation of the addition.

In response to questions from Board member Diamond, Ms. Baehr stated that without including the exposed basement in the total building square footage, the residence and proposed addition are still over the allowable square footage for the property by approximately 400 square feet.

Ms. Czerniak added that the existing residence without the addition is 6% over the allowable square footage for the property.

In response to questions from Board member Sykora, Mr. Streightiff stated that ornamental plantings are proposed along the west elevation of the addition to mitigate the appearance of mass. He agreed to consider extending the stone detailing found on the existing residence around the proposed addition.

In response to questions from Acting Chairman Friedman, Ms. Czerniak stated that it is likely that when the residence was built in 1999, it was very close to the maximum square footage permitted for the property based on the building scale calculation methodology in effect at that time. She explained that the revisions made to the building scale Code provisions since the house was built require that exposed basements be counted toward the square footage because of the added appearance of height and mass. She noted that in the case of this property, the exposed basement is located on a side and rear elevation and have minimal visibility from off the site.

Hearing no further questions from the Board, Acting Chairman Friedman invited public comments.

Mr. Clawson commented that he is willing to consider shifting a portion of the addition east to provide articulation to break up the expanse of wall on the west elevation.

Hearing no further public comments, Acting Chairman Friedman invited final comments from the Board.

Board member Walther observed that modifying the footprint of the addition may impact the roof form.

In response to questions from the Board, Ms. Czerniak noted that the final landscape plan will need to reflect re-planting the 30 foot wide Conservation Easement. She noted that layered plantings, of different heights, in a staggered and natural arrangement within the easement will, over time, help to mitigate the appearance of mass of the west elevation.

Board member Walther encouraged the petitioner to find a way to reduce the appearance of mass and height of the addition.

Acting Chairman Friedman stated that the Board has been consistent on limiting building scale variances. He noted however that in this case, the variance appears to be justified. He stated that the site lends itself to an addition and commended the design but cautioned that the Board should remain consistent on building scale variance. He stated that a 28% overage is significant. He recognized that part of the overage is due to the grade change on the site. He stated that during his time on the Board he does not recall the Board granting a variance of this magnitude.

In response to questions from the Board, Ms. Czerniak acknowledged that the proposed square footage overage is significant and requires a variance larger than usually approved by the Board. She noted however that if the Board finds that the unique characteristics of the property or project together satisfy the applicable criteria, the Board has the ability to recommend a variance. She noted the in unique situations, the Historic Preservation Commission has granted very substantial building scale variances due to very unique conditions related to historic properties.

Acting Chairman Friedman stated if the Board votes in support of this significant overage, the minutes should clearly reflect that this property has a number of very unique aspects including the significant grade change on the site, the fact that the house is located at the end of a dead end street, a 30 foot wide conservation area along the entire west property line and the exposed basement which adds considerable square footage but is not visible from the streetscape. He made a motion to recommend approval of the building scale variance as requested and approval of the design of the one-story addition and screen porch. He stated that the motion is based on the findings in the staff report and incorporates the Board's additional findings as detailed above which make this property unique and distinct from others. He added that this recommendation is not intended to establish a precedent in support of large building scale overages. He added that the recommendation is subject to the following conditions of approval.

1. The following modifications shall be made or considered, as noted below, prior to submitting the plans for permit.

- a. The windows on the addition shall be consistent with the existing windows.
  - b. Consideration shall be given to a pitched roof over the entry door of the addition.
  - c. The grade along the west elevation of the addition shall be modified to the extent possible, and foundations plantings shall be added to mitigate the appearance of mass of the addition and the unbroken expanse of wall.
  - d. Consideration shall be given to incorporating stone on the addition to match the stone on the house.
2. Any modifications are made to the plans that were presented to the Board, including those detailed above, either in response to Board direction, or as the result of final design development, the modifications shall be clearly called out on the plan and a copy of the plan originally presented to the Board shall be attached for comparison purposes. Staff is directed to review any changes, in consultation with the Chairman as appropriate, to determine whether the modifications are in conformance with the Board's direction and approval prior to the issuance of any permits.
  3. A final, detailed landscape plan shall be submitted for the areas around the proposed additions and the 30-foot wide Conservation Easement. A minimum of 24 replacement inches for the trees proposed for removal shall be reflected on the plan. The 30-foot-wide Conservation Easement shall be restored and re-established with a variety of native plantings of various types to provide year round screening along the west property line consistent with the original intent of the subdivision. The plan will be subject to review and approval by the City's Certified Arborist. The landscape plan shall be submitted along with the building plans and permit applications.
  4. Details of any exterior lighting that is proposed shall be provided with the plans submitted for permit. Cut sheets of all light fixtures shall be provided and all fixtures shall direct light downward and the source of the light shall be fully shielded from view by the fixture or by sight obscuring glass.
  5. A plan for construction parking and materials' staging shall be submitted for review and will be subject to approval by the City's Certified Arborist, City Engineer and Director of Community Development.

The motion was seconded by Board member Diamond and approved by a vote of 4 to 0.

**4. Consideration of a request for approval of the demolition of the existing office building at 711 McKinley Road and the single family home at 697 McKinley Road and approval of the massing, overall design and exterior materials for a new condominium building. A height variance is also requested in keeping with the approvals for the building to the north. Approval of the hardscape, landscape and exterior lighting concepts is also requested. This project is the second phase of the redevelopment project which is underway on the east side McKinley Road, between Deerpath and Westminster. The address of the proposed condominium building is 705 McKinley Road.**

**Owners and Contract Purchasers: 711 McKinley LLC (Todd Altounian 50% and Peter Witmer 50%) and Church of the Covenants (697 McKinley Road)**

**Representative: Peter Witmer, architect**

Acting Chairman Friedman introduced the project. He asked the Board members for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner.

Mr. Witmer introduced the project, noting that this is the second building of a multi-phase project. He explained that the proposed building massing is very similar to the first condominium building, 723-727 McKinley Road, completed as the first phase of the project. He stated that the second phase building is proposed on the property at 711 McKinley Road and partially located on the property at 697 McKinley Road. He explained that the existing office building and residence on the 711 and 697 McKinley Road properties are both proposed for demolition. He explained that the mechanical equipment for the second and third floor is located on the roof, while the equipment for the first floor is tucked behind the southeast corner of the proposed second phase building. He noted that fencing will be installed around the mechanical equipment. He explained that the west elevation of the second building, facing McKinley Road, essentially mirrors the first building with the exception of a screen porch on the first level and balcony on the south side of the building. He explained that the exterior materials of both buildings will match. He stated that the below grade parking garage has 17 parking spaces and storage space. He explained that the landscape plan for the second building reflects a courtyard for the first floor unit. He stated that the courtyard will be enclosed by a four foot tall metal fence, similar to the design of the railings on the building. He explained that the front courtyard could potentially be shared between two units and in that case, would be divided. He stated that 3'4" tall brick pillars are proposed at the entrance to the development, along McKinley Road and will display the street addresses. He added that the exterior light fixtures will be consistent on both buildings.

Ms. Czerniak stated that the petition is before the Board for consideration of the demolition requests, review of the design of the second condominium building, consider of a height variance for the mechanical penthouse consistent with the

first building and review of the hardscape and landscape plans. She stated that the Board saw the first condominium building in the fall of 2016 over the course of several meetings. She noted that at that time, there was considerable discussion about the McKinley Road streetscape and various architectural styles. She noted that during the course of the Board's review, a Board subcommittee was appointed to meet with the petitioner and staff to work through various massing and design aspects. She stated that with a recommendation from the subcommittee in support of the first building, in December 2016, the Board voted unanimously to recommend approval of the first building and the associated hardscape and landscape plans. She stated that the first building is nearly complete and essentially serves as a "real life" mock-up for the Board at this point in the process. She acknowledged that, as explained by Mr. Witmer, the second building is not identical to the first in that the second building is smaller and has further articulation in the massing particularly on the south elevation. She stated that after lengthy negotiations, the developer and the Church of the Covenants were able to come to an agreement and as a result, the house to the south of the property will be demolished and a portion of the Church property will be sold to the developer to allow the width of the first and second buildings to be consistent. She confirmed that the exterior materials of the second building will match those used for the first. She spoke to the height variance and explained that a variance was granted to allow the first building to be constructed at 40 feet to the top of the parapet. She noted that the penthouse rises another 9 feet above the rooftop. She stated that today, the maximum height permitted in the Central Business District is 35 feet but noted that many of the historic buildings in the area significant exceed 35 feet. She stated that staff recommends approval of the height variance consistent with that granted for the first building. She spoke to the demolition requests noting that the criteria are reviewed in the staff report and appear to be met. She noted that the office building is owned by the petitioners and the single family home is owned by the Church. She explained that the demolition request is before the Board with the consent of the Church under the condition that a demolition permit will not be issued until the property is owned by the petitioner or the Church signs a demolition permit application. She spoke to the landscape plan noting that the landscaping throughout the development will be generally consistent. She stated that a fence is now proposed along the public sidewalk in front of both the first and second building, along McKinley Road. She noted that a fence was neither proposed or approved during the review of the first building. She stated that fence posts have been installed in front of the first building and the City has received some comments from residents expressing concern about the perception that the development is being walled off. She noted that there is a public pedestrian easement through the development and the original intent of the development was to be welcoming and publicly accessible. She offered that if the fence is meant to provide a sense of security for the condominium residents, it could be stepped back from the property line and sidewalk a few feet and embedded in landscaping to avoid the appearance of a fenced streetscape. She noted that the Board received two letters, one from the Lake Forest Preservation Foundation

and the other from a neighboring property owner. She stated that the letter from the Lake Forest Preservation Foundation raised questions about the useable roof top space.

In response to questions from Acting Chairman Friedman, Mr. Witmer reviewed the parking located under the building and the access ramp. He added that the space between the first condominium building and proposed second building is approximately 65 feet.

In response to questions from Board member Sykora, Mr. Witmer confirmed that the green space shown at the east end of the second building will remain as open space.

In response to questions from Board member Walther, Mr. Witmer explained that the 697 McKinley Road property will be purchased from the Church of the Covenants and then, after demolition of the house and restoration of the site, approximately the south half of the parcel will be donated back to the Church. He confirmed that the design of the entrances on the first and second buildings are identical.

In response to questions from Acting Chairman Friedman, Mr. Witmer stated that a third phase of the project is anticipated on the property that was formerly the location of the Lake Forest and Lake Bluff Historical Society. He added that the second building will either be a five or six unit building. He stated that the second building totals approximately 30,000 square feet while the first building totals 60,000 square feet.

In response to questions from Board member Diamond, Mr. Witmer explained that the solid brick parapet wall will be broken up with sections of metal railing. He noted that the height of the parapet wall is 48 inches. He added that the mechanical equipment located on the roof will not be visible.

In response to questions from Board member Walther, Mr. Witmer explained that there will be separate condominium associations for each building and one master association that will be responsible for the private road, alley, landscaping and maintenance of common areas.

In response to questions from Board member Sykora, Mr. Witmer stated that during the first phase of the project they spent a lot of time looking at the context of the site and thinking about how the new buildings should fit into the Central Business District and relate to Market Square. He explained that from the beginning, the buildings were intended to have a bit of an urban, commercial appearance to relate to the historic core of the City. He stated that the phase three building or buildings will be more transitional in nature, "backdrop" buildings.

In response to questions from Board member Diamond, Mr. Witmer stated that there will be nine parallel parking spaces along the street between the buildings



for guests. He reviewed the cantilevered and Juliette balconies proposed on the second building.

Board member Walther suggested that the fence proposed along McKinley Road be shifted closer to the building, behind the row of hedges. He noted that the hedges could be lower than the fence to allow the top portion of the fence to be visible.

In response to Board member Walther's comments, Mr. Witmer stated that there is an historic precedent for a decorative fence along the front property line. He noted that hiding the decorative iron fence behind landscaping will defeat the intent to replicate the historic precedent. He added that the fence is proposed two feet away from the sidewalk and commented that the fence is meant to provide privacy for the first floor unit.

In response to questions from Board member Sykora, Mr. Witmer stated that the fence is proposed on the property line, which is two feet from the sidewalk along McKinley Road.

Acting Chairman Friedman stated that the petitioners and the Board worked hard to execute the first condominium building and now that it is nearly completed, it is clear that the building is an asset to the community. He explained that during the review of the first building he expressed concern about not having a better sense of the overall development. He stated that those concerns remain.

In response to comments from Acting Chairman Friedman, Mr. Witmer explained that further study is needed to understand how the third phase of the project should be developed to fit with the single family residential development to the east and north and to fit with the Westminster streetscape. He added that as a developer, understanding the market and the types of units that people are interested in at that location and time will be important.

Hearing no further questions from the Board, Acting Chairman Friedman invited public comment.

Dr. Josh Wansten explained that he and his wife, Dr. Palit, own the dentistry practice located in the 711 McKinley Road office building. He explained that they have owned the practice for several years, but the practice has been in the community for over 30 years. He stated that as tenants, they have concerns over the proposed demolition of the 711 McKinley Road office building because they do not yet have a new space for their practice. He explained that the redevelopment of the site has caused confusion and questions on the part of their patients. He stated that it has been difficult to give answers to their patients because they have not reached an agreement with the property owner about relocation. Dr. Palit stated that their lease extends until 2025.

Acting Chairman Friedman explained that unfortunately, the Board does not have purview over business relationships. He stated his hope that the property owners and Dr. Wansten and Dr. Palit will come to a mutually acceptable solution.

Doug Donovan 373 Westminster, stated that he is the neighbor east of the development site. He explained that he has experienced negative impacts as a result of the construction of the first building expects that with the second phase of the development now proposed, the impacts will continue.

In response to questions and concerns raised by Mr. Donovan, Ms. Czerniak stated that the City Engineer recently directed that an interim drainage swale be installed west of Mr. Donovan's property to capture runoff from the construction site. She noted that Mr. Donovan suggested landscaping be installed as a buffer for his property during the construction phase, she agreed to work with the developer this spring to establish a buffer with some combination of fencing and landscaping.

Acting Chairman Friedman stated that the parties involved need to be sensitive to the situation. He recommended to the petitioner and Mr. Donovan meet to discuss the issues and work to resolve the conflict. He advised to the parties involved to keep their minds open, and seek mutually beneficial solutions. Hearing no further public comments, Acting Chairman Friedman asked the Board for final comments.

Board member Walther asked that when that the building permit is issued for the second building, the City re-enforce the regulations pertaining to construction activity with the developer as a courtesy to the neighbors.

In response to questions from Board member Walther, Ms. Czerniak stated that the City does not normally become involved in issues between landlords and tenants. She explained that that is a private legal matter.

Board member Diamond commended the first building. He agreed with Acting Chairman Friedman stating that he too is interested in seeing plans for the later phase of the development to understand how all of the components will fit together.

Board member Walther made a motion to recommend approval of the demolition of the structures at 711 and 697 McKinley Road.

The motion was seconded by Board member Diamond and was approved by a vote of 4 to 0.

Board member Walther made a motion to recommend approval of a new condominium building, a height variance to allow the building to

replicate the height of the first building, approval of the exterior lighting, hardscape and landscape plans, and a wrought iron fence no part of which shall exceed four feet, along the McKinley Road frontage of both buildings subject to the following conditions of approval.

1. If any modifications are made to the plans that were presented to the Board, either in response to Board direction, or as the result of final design development, the modifications shall be clearly called out on the plan and a copy of the plan originally provided to the Board shall be attached for comparison purposes. Staff is directed to review any changes, in consultation with the Chairman as appropriate, to determine whether the modifications are in conformance with the Board's direction and approval prior to the issuance of any permits.
2. Any grade change on the site shall be kept to the minimum necessary to provide for adequate drainage and to meet good engineering practices.
3. Details of exterior lighting shall be submitted with the plans for permit. All fixtures shall direct light downward and the source of light shall be fully shielded from view.
4. Prior to the issuance of a building permit, a materials staging and construction vehicle parking plan must be submitted to the City for review and will be subject to the City approval in an effort to minimize and manage impacts on the adjacent buildings, neighborhood, streets and the Church, the Train Station and the Library during construction. On street parking of construction vehicles or contractors is not permitted. It may be necessary for contractors to park off site, in remote parking lots, to avoid congestion on and near the site.
5. Tree Protection Plan – Prior to the issuance of a building permit, a plan to protect the large Elm tree located on the parkway along McKinley Road must be submitted and will be subject to review and approval by the City's Certified Arborist. All possible measures shall be taken to protect and preserve the Elm tree.
6. Prior to the rough framing inspection, a final landscape and hardscape plan, drawn in accordance with the approved grading and drainage plan, and shall be submitted and will be subject to final review and approval by the City Arborist. The Arborist shall verify the following:
  - a. Sufficient foundation plantings are provided to establish a residential character, pedestrian friendly building entrances and to create privacy for first floor residents.

- b. Plantings shall be consistent in character and density with the plantings for the phase 1 building.
7. Prior to the issuance of a Certificate of Occupancy for the building, all landscaping shall be planted consistent with the approved plan or, if planting is not possible due to the time of year, a cash bond in the amount of 110% of the cost of the materials and labor must be posted to assure planting consistent with the approved plant in the next planting season.
8. In addition to number six above, prior to the issuance of a Certificate of Occupancy Permit, a landscape maintenance bond shall be submitted to the City in the amount of 10% of the total cost of the landscaping, materials and labor, to assure replacement of trees or vegetation that die, becomes diseased or fails to thrive during the initial five year maintenance period. The City Arborist shall inspect the plantings each spring and fall for a period of five years after the issuance of a Certificate of Occupancy Permit. (The bond shall be replenished if it is drawn down prior to the end of the five year period.)
9. Photo documentation of the existing buildings showing their presence on the streetscape must be submitted to the City in a digital form for the purpose of documenting the buildings in the City archives.

The motion was seconded by Board member Diamond and approved by a 4 to 0 vote.

#### **OTHER ITEMS**

##### **5. Opportunity for the public to address the Building Review Board on non-agenda items.**

There was no additional public testimony presented to the Board.

##### **6. Additional information from staff.**

No additional information was presented by staff. The

meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Jennifer Baehr  
Assistant Planner