

**THE CITY OF LAKE FOREST  
CITY COUNCIL AGENDA**  
Monday, March 1, 2021 6:30p.m.

**REMOTE ACCESS MEETING**

Please be advised that all of the City Council members will be remotely attending this Council meeting by electronic means, in compliance with the recent amendments to the Open Meetings Act. The Mayor of the City Council has determined that it is not prudent or practical to conduct an in-person meeting due to the COVID-19 pandemic, and that it is not feasible to have the City Council members or members of the public physically present at the meeting due to the pandemic disaster.

The City will be providing members of the public with various opportunities to watch or attend this meeting, as well as provide public comment at the meeting. For example, members of the public can participate remotely in the meeting by following the public audience link which will provide both video and audio means to attend the meeting.

**Public audience link:**

<https://us02web.zoom.us/j/84342906913?pwd=cTJwNDJQRzILbEM2bFhnL3REM3JUUT09>

Webinar ID: 843 4290 6913

Passcode: 1861

**Public Comment: 847-810-3643**

Honorable Mayor, George Pandaleon

James E. Morris, Alderman First Ward

Jennifer Karras, Alderman First Ward

Melanie Rummel, Alderman Second Ward

Edward U. Notz, Jr., Alderman Second Ward

Jim Preschlack, Alderman Third Ward

Ara Goshgarian, Alderman Third Ward

Raymond Buschmann, Alderman Fourth Ward

Eileen Looby Weber, Alderman Fourth Ward

**CALL TO ORDER AND ROLL CALL**

**6:30 pm**

**PLEDGE OF ALLEGIANCE**

**REPORTS OF CITY OFFICERS**

<b>1. COMMENTS BY MAYOR</b>
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<b>2. COMMENTS BY CITY MANAGER</b>
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- A. Parks & Recreation Programing Update**  
- Sally Swarthout, Director of Parks & Recreation

<b>3. OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL</b>
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Members of the public can provide public comment by calling into the following number during the meeting: 847-810-3643

<b>4. COMMITTEE REPORTS</b>
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## **PROPERTY AND PUBLIC LAND COMMITTEE**

### **1. Consideration of a Recommendation from the Property and Public Lands Committee and the Housing Trust Fund Board. (Consideration of Motion)**

*PRESENTED BY: Alderman Goshgarian, Chairman Property and Public Land Committee*  
*STAFF CONTACT: Catherine Czerniak, Director of Community Development (810-3504)*

**PURPOSE AND ACTION REQUESTED:** The Council is asked to consider recommendations from the Property and Public Lands Committee and the City's Housing Trust Fund Board in support of proceeding with the due diligence necessary to determine the feasibility of developing Senior Cottages on City owned property located on the northwest corner of Everett and Telegraph Roads.

**BACKGROUND/DISCUSSION:** In September, 2018, representatives of the Senior Resources Commission presented a concept to the Housing Trust Fund Board for construction of Senior Cottages. In July, 2019, the City Council approved a motion in support of exploration of the feasibility of constructing Senior Cottages at Grove Campus. Due diligence was completed over the course of several months and ultimately it was determined that as a result of the topography at Grove Campus, extending sanitary sewer to serve a cottage development in the area north of Dickinson Hall would significantly increase the cost of the project and present an ongoing maintenance challenge.

An alternative site is now proposed for the Senior Cottages; the City owned property located on the northwest corner of Everett and Telegraph Roads, see map on **page 17** of the Council packet. Other than the proposed change in location, the other aspects of the Senior Cottage development previously envisioned at Grove Campus remain the same; approximately twelve cottages, funding from various financial partners including grants and tax credits, and oversight of the project and ownership of the cottages by Community Partners for Affordable Housing. The Council previously approved the expenditure of \$350,000 from the City's Housing Trust Fund to support new Senior Cottages and the Lake Forest-Lake Bluff Senior Citizens' Foundation agreed to match the City's contribution. Community Partners for Affordable Housing is pursuing grants at both the County and State levels as well as tax credits to support the project. A requirement of the formal grant applications is an indication of the City's willingness to donate the property for the development dependent upon securing all of the necessary approvals through the public process and confirming the necessary funding.

Importantly, the Council is not being asked to take any formal action approving a new Senior Cottage development or transferring the land at this time. The Council is being asked to indicate conceptual support for a Senior Cottage development on the Everett and

Telegraph Roads site, to authorize the due diligence necessary to determine the feasibility of the project, and to express a willingness to consider donation of the property if the project moves forward. Board and Commission review and ultimately City Council action will be required to approve a Senior Cottage development and to authorize transfer of the land to Community Partners.

**COUNCIL ACTION:** If desired by the City Council, approve a motion in support of proceeding with the necessary due diligence and public review process to allow consideration of the development of Senior Cottages on City owned property located on the northwest corner of Everett and Telegraph Roads and indicating preliminary support for donation of the land if all required approvals and funding is secured

<b>5. ITEMS FOR OMNIBUS VOTE CONSIDERATION</b>
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**1. Approve the Extension of the Mayor's Declaration of a Local State of Emergency until the next City Council Meeting**

STAFF CONTACT, *Jason Wicha, City Manager*

**PURPOSE AND ACTION REQUESTED:** It is requested that the City Council extend the Declaration to the next City Council meeting.

**BACKGROUND/DISCUSSION:** Over the past months, the U.S. Government and the State of Illinois have issued multiple orders declaring a state of emergency over the country and the State of Illinois in order to address the impact from the global pandemic from COVID-19. In order to address the impact this pandemic has had on the City of Lake Forest, Mayor Pandaleon exercised his authority to issue a Declaration of a Local State of Emergency on Saturday, April 4, 2020. At the April 6, 2020 City Council meeting, the City Council extended the Declaration to the next City Council meeting which was February 16, 2021.

In order to ensure that the emergency powers authorized by the local declaration remain in effect where necessary, the Mayor is asking the City Council to further extend the Declaration of a Local State of Emergency until the next City Council meeting that takes place after the March 1, 2021.

**REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
City Council	2/16/2021	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	2/1/2021	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	1/19/2021	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	12/7/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	11/16/2020	City Council Approved the Mayors Declaration until the next City Council Meeting

City Council	11/2/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	10/19/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	10/5/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	9/8/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	8/3/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	7/20/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	6/15/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	6/1/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	5/18/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	5/4/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	4/20/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
City Council	4/6/2020	City Council Approved the Mayors Declaration until the next City Council Meeting
	4/4/2020	Mayor Pandaleon exercised his authority to issue a Declaration of a Local State of Emergency

**BUDGET/FISCAL IMPACT:** N/A

COUNCIL ACTION: Approve the extension of the Mayor's Declaration of a Local State of Emergency until the next City Council Meeting

## 2. Approval of the February 16, 2021 City Council Meeting Minutes

A copy of the minutes can be found beginning on **page 18**

COUNCIL ACTION: Approval of the February 16, 2021 City Council Meeting Minutes.

## 3. Approval of the Check Register for the Period of January 23 – February 19, 2021

STAFF CONTACT: Elizabeth Holleb, Finance Director (847-810-3612)

**BACKGROUND/DISCUSSION:** City Code Section 38.02 sets forth payment procedures of the City. The Director of Finance is to prepare a monthly summary of all warrants to be drawn on the City treasury for the payment of all sums due from the City (including all warrants relating to payroll and invoice payments) by fund and shall prepare a detailed list of invoice payments which denotes the person to whom the warrant is payable. The warrant list detail of invoice payments shall be presented for review to the Chairperson of the City Council Finance Committee for review and recommendation. All items on the warrant list detail

recommended for payment by the Finance Committee Chairperson shall be presented in summary form to the City Council for approval or ratification. Any member of the City Council shall, upon request to the City Manager or Director of Finance, receive a copy of the warrant list detail as recommended by the Finance Committee Chairperson. The City Council may approve the warrant list as so recommended by the Finance Committee Chairperson by a concurrence of the majority of the City Council as recorded through a roll call vote.

The Council action requested is to ratify the payments as summarized below. The associated payroll and invoice payments have been released during the check register period noted.

Following is the summary of warrants as recommended by the Finance Committee Chairperson:

**Check Register for January 23 - February 19, 2021**

	Fund	Invoice	Payroll	Total
101	General	652,756	1,786,171	2,438,928
501	Water & Sewer	77,095	209,315	286,410
220	Parks & Recreation	110,071	391,136	501,207
311	Capital Improvements	209,966	0	209,966
202	Motor Fuel Tax	0	0	0
230	Cemetery	22,447	33,257	55,703
210	Senior Resources	6,739	25,162	31,901
510	Deerpath Golf Course	31,028	2,980	34,008
601	Fleet	89,464	61,050	150,515
416 - 433	Debt Funds	0	0	0
248	Housing Trust	0	0	0
201	Park & Public Land	24,600	0	24,600
	All other Funds	742,923	182,010	924,933
		<b>\$1,967,088</b>	<b>\$2,691,082</b>	<b>\$4,658,170</b>

The amount shown as "All other Funds" includes \$427,136 in medical and dental claim payments in the Self Insurance Fund.

**COUNCIL ACTION:** Approval of the Check Register for the Period of January 23 – February 19, 2021

- 4. Approval of a Recommendation from the Public Works Committee to Award the 2021 Old Elm Parking Lot Low Bid to Schroeder Asphalt Services in the Amount of \$107,747 to Include a 10% Construction Contingency in the Amount of \$10,774 for a total of \$118,521, and Approve the Electric Vehicle (EV) Charging Station Portion of this Project to Winston Electric in the amount of \$22,950, for a Grand Total Project Cost of \$141,471**

STAFF CONTACT: *Robert W. Ells, Superintendent of Engineering (847-810-3555)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and staff recommends approval of the 2021 Old Elm Parking Lot Project to Schroeder Asphalt Services Inc. and the EV Charging Station portion of the project to Winston Electric.

**BACKGROUND/DISCUSSION:** The Old Elm Parking Lot provides 49 parking spaces (48 standard spaces and 1 accessible space) in southeast Lake Forest (Old Elm Rd. & Sheridan Rd.). Its proximity to the Robert McClory Bike Path as well as the Fort Sheridan Metra Station makes this lot popular with cyclists, runners, and Metra commuters alike. This project includes milling off the existing asphalt surface, removal and replacement of deteriorated sections of sidewalk, a stormwater drainage structure upgrade, repaving, and restriping. With an interest of introducing green infrastructure to this parking lot, a water quality drainage structure will replace the existing storm sewer structure immediately downstream of the parking lot, removing hydrocarbons and sediment prior to discharge to the Forest Preserve. In addition to the afore mentioned green infrastructure feature, this lot will now also offer an EV charging station capable of charging two electric vehicles simultaneously.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	02/11/2021	Reviewed & Recommended City Council Approval
Finance Committee	11/9/2020	Included with Capital Plan

**BUDGET/FISCAL IMPACT:** The project was bid in mid-January with the bids opened on February 4, 2021. A total of seven bids were received for the parking lot portion of the project and four proposals for the EV charging station.

Schroeder Asphalt Services Inc. has experience working in Lake Forest and has consistently executed projects of this nature in a satisfactory manner.

If awarded, work on this project is expected to begin in early May and be substantially completed in early June. Upon award of the contract, the Lake Forest Engineering Section will meet with both contractors to coordinate a schedule for both portions of the project. The City's engineering staff will provide oversight through daily inspections.

The Old Elm Lot will remain closed during construction. Motorists that park at the Old Elm Lot will be notified in advance of the start of construction via signage at the entrance. The City website, under Construction Updates, will also provide the details of the construction schedule.

Has City staff obtained competitive pricing for proposed goods/services? **Yes**

Company Name	Dollar Amount Bid
<b>Schroeder Asphalt Services Inc.</b>	<b>\$107,747</b>
Chicagoland Paving Contractors Inc.	\$110,000
Advantage Paving Solutions Inc.	\$114,096
Accu-Paving Co.	\$119,210
Maneval Construction	\$121,114
A Lamp Concrete Contractors Inc.	\$124,029
Peter Baker & Son Co.	\$128,465

EV Charging Station portion of the project

Company Name	Dollar Amount Proposal
<b>Winston Electric Inc.</b>	<b>\$22,950</b>
Gurtz Electric Co.	\$35,000
Connelly Electric	\$35,150
Redav Solutions Inc.	\$41,500

Below is an estimated summary of Project budget:

FY2022 Funding Source	Amount Budgeted	Amount Requested	Budgeted Y/N
Capital Fund 311-3703-478.78-07	\$110,000	\$118,521	Y
Sustainability 311-1103-435.35-40	\$37,500	\$22,950	Y

**COUNCIL ACTION:** Approval of a Recommendation from the Public Works Committee to Award the 2021 Old Elm Parking Lot Low Bid to Schroeder Asphalt Services in the Amount of \$107,747 to Include a 10% Construction Contingency in the Amount of \$10,774 for a total of \$118,521, and Approve the Electric Vehicle (EV) Charging Station Portion of this Project to Winston Electric in the amount of \$22,950, for a Grand Total Project Cost of \$141,471

- 5. Approval of a Recommendation from the Public Works Committee to Award of Bid to the Lowest Responsive and Responsible Bidder, V3 Construction Group for the Ringwood Ravine Project, in the Amount of \$955,590 Plus a 10% Contingency in the Amount of \$95,559 for a total of \$1,051,149**

STAFF CONTACT: *Jim Lockfeer, Public Works Management Analyst (810-3542)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee and City staff requests City Council award of bid to the lowest responsive and responsible bidder, V3 Construction Group, for the Ringwood Ravine Project in the amount of \$955,590 plus a 10% contingency in the amount of \$95,559 for a total of \$1,051,149.

**BACKGROUND/DISCUSSION:** During the spring of 2018, City Water & Sewer Section staff identified a failure of a stone retaining wall on the north side of Ringwood Road, east of Sheridan Road. The retaining wall supports a stormwater culvert that conveys stormwater through the Walden ravine.

On April 4, 2019, Bleck Engineering inspected the headwall and the stormwater culvert at the request of the City. Bleck Engineering's preliminary findings confirmed that multiple portions of the stone retaining wall had collapsed and that a portion of the failed wall fell into the box culvert. The failures have also resulted in a portion of the adjacent ravine slope sliding.

On June 17, 2019, City Council approved of an agreement in the amount of \$44,500 with Bleck Engineering to provide a design for these repairs. As the project design progressed, Bleck Engineering discovered new ravine stormwater erosion on the south side of Ringwood Road that had caused an adjacent ravine slope to fail. In addition, this slope failure caused some channel obstructions.

On December 7, 2020, in an effort to complete a comprehensive repair of this particular ravine area, City Council approved of an \$18,300 change order with Bleck Engineering to incorporate repairs on the south side of the road into the overall project design.

As outlined in the project design, project construction will include repair of the headwall (north side of the road), installation of two riffle pools for stormwater energy dissipation (north side of the road), repair & stabilization of adjacent ravine slopes (both north & south side of the road), lining of entire culvert under the road (both north & south side of the road), and the restoration of project limits with native plant material (both north & south side of the road).

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	2/11/21	Reviewed and Recommended Award of Bid to Lowest Responsive and Responsible Bidder, V3 Construction
City Council	12/7/20	Change Order Approved
Public Works Committee	11/30/20	Reviewed and Recommended Design Change Order to City Council
Finance Committee	11/9/20	Project Reviewed and Change Order Discussed
City Council	6/17/19	Original Design Agreement Awarded
Public Works Committee	6/11/19	Reviewed and Recommended Original Design Agreement to City Council

**BUDGET/FISCAL IMPACT:** On January 26, 2021 the project was publically bid, a mandatory Project pre-bid meeting was held on February 2, 2021, and Project bids were opened February 9, 2021. In total, seven bids were received as outlined below.

Has City staff obtained competitive pricing for proposed goods/services? **Yes**

Company Name	Dollar Amount Bid
Schwartz Construction Group Inc.	\$952,980
<b>V3 Construction Group</b>	<b>\$955,590</b>
Alliance Contractors Inc.	\$966,506
Landmark Contractors, Inc.	\$1,242,566
John Keno and Company, Inc.	\$1,318,735
Campanella & Sons, Inc.	\$1,488,400
Misfits Construction Company	\$1,533,754

Following the review of the apparent low bid, staff discovered that required bid submittal information was missing and incorrectly completed. In reviewing these issues with the City Attorney, it was found that bidding instructions and bid submittal requirements were not submitted, and therefore were found to be non-responsive. The next apparent low bidder, V3 Construction Group has a great deal of local experience in completing ravine and similar bank stabilization projects. V3 Construction Group successfully completed the Rosemary Ravine Project Construction last summer.



Below is an estimated summary of Project budget:

FY2022 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
Capital Improvement Fund 311-3703-467-6726	\$1,400,000	\$1,051,149	Y

If awarded, work for this project is expected to begin in May and will be completed by Mid-November. Upon award, City staff will work with V3 Construction on a final project schedule. As with many CIP projects, a City Engineering Assistant will manage and oversee the project.

**COUNCIL ACTION:** Approval of a Recommendation from the Public Works Committee to Award of Bid to the Lowest Responsive and Responsible Bidder, V3 Construction Group for the Ringwood Ravine Project, in the Amount of \$955,590 Plus a 10% Contingency in the Amount of \$95,559 for a total of \$1,051,149

**6. Approval of a Recommendation from the Public Works Committee to Waive the Bid Process and Award a Contract to Northern Divers U.S.A. for the Water Plant Intake Cleaning Project Included in the FY '22 Budget, in the amount of \$185,000**

STAFF CONTACT: *Dan Martin, Superintendent of Public Works (810-3561)*

**PURPOSE AND ACTION REQUESTED:** The Public Works Committee is recommending City Council authorization to waive the bid process and award a contract for the FY2022 Water Plant Intake Cleaning Project to Northern Divers U.S.A. The proposed cleaning process is a patented system that avoids shutting the plant down during cleaning and does not require removing the chemical feed system running along the entire length of each intake; saving considerable time and cost. If approved by City Council this evening, the proposed intake cleaning is scheduled to commence the first week of May, 2021 and should be completed prior to the high pumpage season.

**BACKGROUND/DISCUSSION:** The two intake pipelines deliver raw water from Lake Michigan into the Water Treatment Plant (WTP) for filtration. The raw water enters the plant by gravity flow. The 24" intake pipeline was constructed in the 1930's and is a sand cast iron pipe. The pipe extends into the lake approximately 2975' and has three inlets that are in a straight line with the pipe. The 42" intake pipeline was constructed in 1974 and is a pre-stressed concrete pipe. The pipe extends into the lake 3900' and there is a "crow's foot" at the end. The "crow's foot" extends to the north and south and each segment is 50' long and 36 inches in diameter. Both pipelines run along the bottom of the lake at an approximate depth of 30 feet.

The last time the entire lengths of both intake lines were cleaned was in 2018 by Northern Divers U.S.A., a professional diving company with a patented cleaning technology. The invented process creates a high pressure vortex using mixed air and water to loosen and remove the accumulated sediment and debris from inside the 24" and 42" diameter intake pipelines and expels the sediment back into Lake Michigan. Northern Divers U.S.A. patented intake cleaning process allows the WTP to stay in operation and can be done without removing/re-placing the chemical feed system estimated to cost over \$350,000. In addition,

this process will improve plant operations, increase capacity, and save operating costs by reducing backwash cycles and using less chemicals.

The intake pipelines are inspected periodically to be sure there are no major collapses or broken chlorine lines and to monitor the level of sediment buildup. The last visual inspection was completed in April 2019. Sediment levels were increasing in a manner consistent with past inspections. Prior to the cleaning in 2018 plant staff performed a high flow pumping test on the intake lines to measure instantaneous turbidity. Test results indicated greater than 100 ntu (nephelometric turbidity units) within 15 minutes of operation. A similar test performed in January 2021 yielded similar results. The increased amount of accumulated sediment on the bottom of the intake becomes a serious issue during peak demand due to the "artificial" turbidity (dirt in the water) that is created. While the turbidity is high, the backwash frequency can double, increasing the water volume needed for the backwash by as much as 20%. The increase backwash cycles cause higher operating costs, a reduction in capacity, and a negative impact on membrane module lifespan. As of January, 2019 all of the six new GE skids have been on-line so it is imperative to continue with this maintenance cleaning prior to the increase in demand.

Northern Divers used their proprietary system to successfully clean the intakes at the North Chicago (2018), Abbott Laboratories (2018), Glencoe Water Plant (2017), Waukegan Water Plant (2013), Great Lakes Naval Base plant (2013) and the Thermal Chicago, Inc. water intakes in Chicago. Additional savings may be achieved in future years by coordinating intake cleaning schedules with neighboring communities, which the City is proactively seeking.

**PROJECT REVIEW/RECOMMENDATIONS:**

Reviewed	Date	Comments
Public Works Committee	1/28/2021	Review and approved request to waive the bid process.

**BUDGET/FISCAL IMPACT:**

Has City staff obtained competitive pricing for proposed goods/services? **No**  
Administrative Directive 3-5, Section 6.11 – Existing Relationship

Northern Divers U.S.A. proposal to clean the intakes pipelines this spring is \$185,000, which is the same amount paid in 2018. Compared to the original intake cleaning of \$268,000 in 2014, an \$83,000 savings is realized in both FY2018 and FY2022. Approximately 30% of the savings (or \$25,000) is a result of the modifications that were made in the raw water intake well to install a by-pass system. As part of the 2015 Algae Pre-Screen project, the necessary piping and valve installations were done to install the by-pass to increase the efficiencies for future intake cleanings. The by-pass significantly reduces the amount of labor and materials needed to attached the series of pumps to each intake pipelines.

After a thorough review and discussion of the cleaning process, the Public Works Committee recommended waiving the bid process and moving forward with Northern Divers U.S.A.

FY2022 Funding Source	Amount Budgeted	Amount Requested	Budgeted? Y/N
Water Fund Capital Improvement	\$185,000	\$185,000	Y

**COUNCIL ACTION:** Approval of a Recommendation from the Public Works Committee to Waive the Bid Process and Award a Contract to Northern Divers U.S.A. for the Water Plant Intake Cleaning Project Included in the FY '22 Budget, in the amount of \$185,000

**7. Consideration of a Professional Services Contract to Provide Surveying and Engineering Services Related to Assessing the Feasibility of the Development of Senior Cottages on the Northwest Corner of Everett And Telegraph Roads**

*STAFF CONTACT: Catherine J. Czerniak,  
Director of Community Development (810-3504)*

**PURPOSE AND ACTION REQUESTED:** Council consideration is requested of a contract with Bleck Engineering for professional services related to surveying and development of preliminary grading, drainage, utility and site plans as part of the due diligence for a potential Senior Cottage development.

**BACKGROUND/DISCUSSION:** As part of the due diligence to assess the feasibility of a Senior Cottage development, surveying and preliminary engineering work is required and site plans need to be developed in preparation for the required public hearings. Bleck Engineering has considerable familiarity with this site as a result of work in the past.

Bleck Engineering has provided a reduction in the contract amount of 15% in support of the development of Senior Cottages to help meet the demand for housing options for seniors in the community.

**BUDGET/FISCAL IMPACT:** The purpose of the Housing Trust Fund is to provide financial resources to further the City's goal of providing a diversity of housing types in the community. These funds are restricted to housing diversity initiatives. The current unencumbered balance in the Housing Trust Fund is \$1,072,119.

Was competitive pricing solicited for the services? No, the contractor was selected based on previous work on and familiarity with the site in an effort to minimize cost. An exception is requested as authorized by Administrative Directive 3-5, Section 6.11 – Existing Relationship.

FY2021 Funding Source	Amount Budgeted	Amount Requested	Budgeted Y/N
Housing Trust Fund	\$350,000	Not to Exceed \$29,000	Yes

**COUNCIL ACTION:** Authorize the City Manager to enter into a Professional Services Contract to provide surveying and engineering services related to assessing the feasibility of the development of Senior Cottages on the northwest corner of Everett and Telegraph Roads

**8. Consideration of an Ordinance Approving a Recommendation from the Building Review Board. (First Reading, and if Desired by the City Council, Final Approval)**

STAFF CONTACT: Catherine Czerniak,  
Director of Community Development (810-3504)

**PURPOSE AND ACTION REQUESTED:** The following recommendation from the Building Review Board is presented to the City Council for consideration as part of the Omnibus Agenda.

**BACKGROUND/DISCUSSION:** 840 S. Waukegan Road – The Building Review Board recommended approval of wall signs for two new restaurants, The Station and Everett Farms, in the Forest Square commercial development in the Waukegan Road/Settlers' Square Business District. No public testimony was presented to the Board on the proposed signage. Comments were offered in support of and expressing excitement for the new restaurants both of which are expected to open this spring. (Board vote: 5 - 0, approved)

The Ordinance approving the petition as recommended by the Building Review Board, with key exhibits attached, is included in the Council packet beginning on **page 22**. The Ordinance, complete with all exhibits, is available for review in the Community Development Department.

**COUNCIL ACTION:** If determined to be appropriate by the City Council, waive first reading and grant final approval of the Ordinance approving the petition in accordance with the Building Review Board's recommendation.

**9. Consideration of an Ordinance Approving a Recommendation from the Historic Preservation Commission. (First Reading and if Desired by the City Council, Final Approval)**

STAFF CONTACT: Catherine Czerniak,  
Director of Community Development (810-3504)

The following recommendation from the Historic Preservation Commission is presented to the City Council for consideration as part of the Omnibus Agenda.

85 E. Westminster – The Commission recommended approval of a building scale variance to allow a small, one story addition to the existing historically significant residence. No public testimony was presented. (Approved 7 – 0)

The ordinance approving the petition, with key exhibits attached, is included in the Council's packet beginning on **page 29**. The Ordinance, with complete exhibits, is available for review in the Community Development Department.

**COUNCIL ACTION:** If determined to be appropriate by the City Council, waive first reading and grant final approval of the Ordinance approving the petition as recommended by the Historic Preservation Commission.

**COUNCIL ACTION:** Approval of the nine (9) omnibus items as presented.

<b>6. OLD BUSINESS</b>
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<b>7. NEW BUSINESS</b>
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**1. Consideration of Recommendations from the Plan Commission and Building Review Board in Support of Redevelopment of the Southeast Corner of Waukegan and Everett Roads with a Mixed Use Development. (First Reading of Ordinances)**

*Presented by: Catherine Czerniak, Director of Community Development  
(810-3504)*

**PURPOSE AND ACTION REQUESTED:** The Council is asked to consider recommendations from the Plan Commission and Building Review Board in support of the redevelopment of the southeast corner of Everett and Waukegan Roads by the losue family. Approval of a Special Use Permit and the design aspects of the project are requested through the approval of two ordinances.

**BACKGROUND AND DISCUSSION:** The property located on the southeast corner of Everett and Waukegan Roads is about one and half acres in size. The property has been vacant for a number of years since Pasquesi Home and Garden and the gas station previously located on the site closed. Previous redevelopment proposals for the site included a retail development with a drug store and more recently, a car wash. In 2019, the losue family acquired the property and after much study, now propose redevelopment of the site in combination with the existing office building to the east which is also owned by the louse family.

The proposed development as recommended by the Plan Commission and Building Review Board includes a three story medical office building in the southwest corner of the property, a small retail building at the northwest corner of the building with a drive thru for a coffee shop, shared parking for the two new buildings and the existing office building, landscaped perimeter buffers for the neighboring residential properties, enhancement of the streetscapes, pedestrian walkways and reduced access points on to the adjacent streets. The development is designed to allow for the dedication of additional right-of-way as may be needed in the future for roadway improvements however, the development is not dependent on those improvements. The property owner is in discussions with various tenants and assuming approval from the City Council, anticipates signing leases soon and beginning construction on the site later this year.

A Special Use Permit is required for the development to authorize a drive thru and professional offices on the first floor in the B-1 District and to grant variances from the parking standards to allow for off site employee parking and from the zoning setback along Waukegan Road to allow a small portion of the office building to encroach up to four feet into the 20 foot required setback. The Plan Commission report is included in the Council packet beginning **on page 41** and provides more detailed information on the proposed development and the Plan Commission's analysis.

The Plan Commission voted 5 to 2 to recommend approval of the Special Use Permit to the City Council. The two dissenting votes were related to preferences to see the site developed without a drive thru, the incorporation of a parking deck into the development, and a reduction in the size of the office building. The Commission heard general support from neighbors for the proposed development.

The Building Review Board voted unanimously to recommend approval of the design aspects of the development subject to some further review of architectural detailing. The final signage, lighting and detailed landscape plans for the development will be subject to further review by the Board and Council action.

The Ordinances approving the Special Use Permit and the overall site and building designs are included in the Council packet beginning **on page 48**.

**BUDGET/FISCAL IMPACT** :This site has been vacant since about 2008. Redevelopment of the site with a medical office building and small retail building will generate increased property taxes, sales tax revenues, building permit revenues and other related fees.

This development is expected to create a visual gateway from the south into the Waukegan Road/Settlers' Square Business District, calling attention to the area. Additional employees, patients and customers coming into the business district will support other retail business and the existing and new restaurants in the area.

**COUNCIL ACTION**: If determined to be appropriate by the City Council, approve first reading of an ordinance granting a Special Use Permit authorizing redevelopment of the property and approving a drive thru for a coffee shop, professional offices on the first floor in the B-1 District and variances to allow off site employee parking and an encroachment of a small portion of the office building into the required setback.

**AND**

If determined to be appropriate by the City Council, grant first reading of an ordinance approving the design aspects of the overall site and building for the losue development.

<b>8. ADDITIONAL ITEMS FOR DISCUSSION/ COMMENTS BY COUNCIL MEMBERS</b>
--

<b>9. ADJOURNMENT</b>
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A copy of the Decision Making Parameters can be found beginning on **page 16** of this packet.

Office of the City Manager

February 24, 2021

The City of Lake Forest is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this

meeting, or who have questions regarding the accessibility of the meeting or the facilities, are required to contact City Manager Jason Wicha, at (847) 234-2600 promptly to allow the City to make reasonable accommodations for those persons.



## THE CITY OF LAKE FOREST

### DECISION-MAKING PARAMETERS FOR CITY COUNCIL, AND APPOINTED BOARDS & COMMISSIONS

*Adopted June 18, 2018*

The City of Lake Forest Mission Statement:

*"Be the best-managed, fiscally-responsible and appealing community and promote a community spirit of trust, respect and citizen involvement."*

The Lake Forest City Council, with the advice and recommendations of its appointed advisory Boards and Commissions, Lake Forest Citizens, and City Staff, is responsible for policy formulation and approval. Implementation of adopted strategy, policy, budgets, and other directives of Council is the responsibility of City Staff, led by the City Manager and Senior Staff. The Mayor and Aldermen, and appointed members of Boards and Commissions should address matters in a timely, deliberate, objective and process-driven manner, making decisions guided by the City of Lake Forest Strategic and Comprehensive Plans, the City's Codes, policies and procedures, and the following parameters:

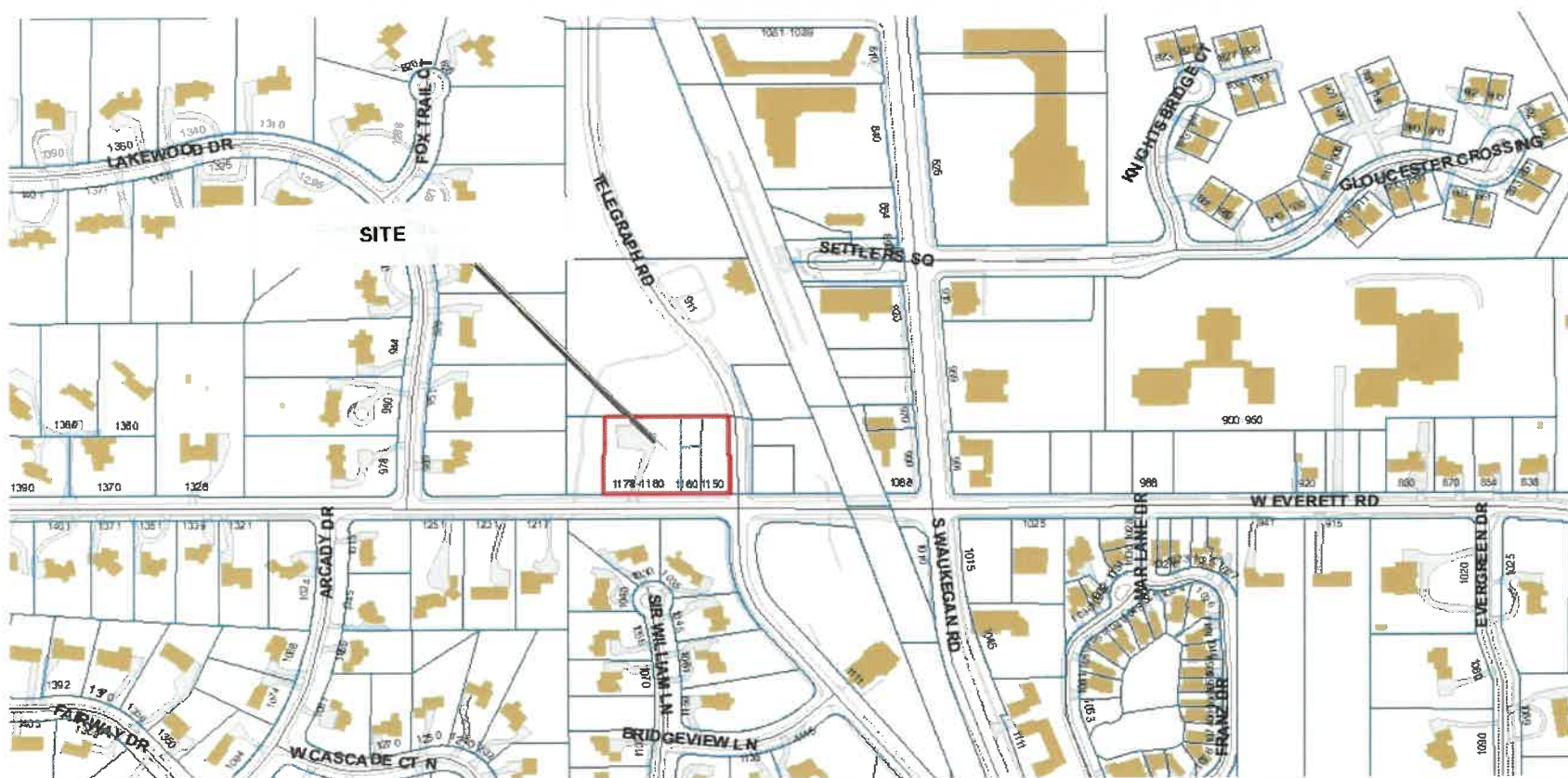
- Motions and votes should comprise what is in the best long-term interests of all Lake Forest citizens, measured in decades, being mindful of proven precedents and new precedents that may be created.
- All points of view should be listened to and considered in making decisions with the long-term benefit to Lake Forest's general public welfare being the highest priority.
- Funding decisions should support effectiveness and economy in providing services and programs, while mindful of the number of citizens benefitting from such expenditures.
- New initiatives should be quantified, qualified, and evaluated for their long-term merit and overall fiscal impact and other consequences to the community.
- Decision makers should be proactive and timely in addressing strategic planning initiatives, external forces not under control of the City, and other opportunities and challenges to the community.

Community trust in, and support of, government is fostered by maintaining the integrity of these decision-making parameters.

*The City of Lake Forest's Decision-Making Parameters shall be reviewed by the City Council on an annual basis and shall be included on all agendas of the City Council and Boards and Commissions.*



## EVERETT/TELEGRAPH ROADS SITE



The City of Lake Forest  
CITY COUNCIL  
*Proceedings of the Tuesday, February 16, 2021*  
City Council Meeting - City Council Chambers  
**REMOTE ACCESS MEETING**

CALL TO ORDER AND ROLL CALL: Honorable Mayor Pandaleon called the meeting to order at 6:30pm, and the City Clerk Margaret Boyer called the roll of Council members.

Present: Honorable Mayor Pandaleon, Alderman Morris, Alderman Karras, Alderman Rummel, Alderman Notz, Alderman Preschlack, Alderman Goshgarian, Alderman Buschmann and Alderman Weber.

Absent: none

**CALL TO ORDER AND ROLL CALL**

**PLEDGE OF ALLEGIANCE** was recited.

**REPORTS OF CITY OFFICERS**

**COMMENTS BY MAYOR**

Mayor Pandaleon made the following statement as required by the Open Meetings Act. In accordance with state statute, Mayor Pandaleon has made a determination that it was not practical or prudent to schedule an in-person City Council meeting because of the COVID-19 pandemic, which is why this February 16, 2021 City Council meeting is being held remotely.

Mayor Pandaleon made a statement honoring former Mayor and friend, Frank Waldeck who served as Mayor from 1978 – 1981. He offered the Council's sympathies to the Waldeck Family. He stated that a Resolution of Sympathy will be heard at the next City Council meeting.

Mayor Pandaleon updated the City Council on the Larry Temple Public Service award, stating the Committee has made adjustments to the nominating period and award presentation. The Committee is currently accepting nominations through August 1, 2021, with a tentative award presentation planned for City Council in either late September or early October 2021. Nomination forms are available on the City of Lake Forest website, or at the front counter at City Hall.

**A. COVID 19 Financial Impact Update**  
**- Elizabeth Holleb, Finance Director**

Mayor Pandaleon introduced Finance Director, Elizabeth Holleb to give a COVID-19 financial impact update. Ms. Holleb gave a brief presentation updating the City Council on current financial trends due to COVID-19. She explained that the City is continuing to outperform the conservative estimates that were made as adjustments to the FY2021 budget. Ms. Holleb highlighted the Municipal Sales Tax Revenue, Income Tax Revenue, Park and Recreation Fund, and the Deerpath Golf Course Fund. Ms. Holleb stated that the Real Estate Transfers have dropped out slightly, as expected during the winter, however, the FY2021 Real Estate Transfer Tax has far exceeded the previous four fiscal years.

#### **COMMENTS BY CITY MANAGER**

City Manager, Jason Wicha made a brief statement about the increased amount of snow the City has seen over the past few days, and stated that crews are seeking public assistance to clear snow off of fire hydrants. He thanked any residents in advance if they were willing to assist the City in the short term.

Additionally, he reported that there is a Special City Council Workshop scheduled for Tuesday, February 23, at 6 p.m.

#### **OPPORTUNITY FOR CITIZENS TO ADDRESS THE CITY COUNCIL ON NON-AGENDA ITEMS**

**Members of the public can provide public comment by calling into the following number during the meeting: 847-810-3643**

#### **COMMITTEE REPORTS**

##### **ENVIROMENTAL SUSTAINABILITY COMMITTEE**

- 1. Request to Conduct a Public Hearing to Consider Amendments to the City of Lake Forest's Plan of Operation and Governance for its Electricity Aggregation Program (Second of Two Hearings)**

Alderman Rummel made a brief statement regarding municipal power supply contracts and electricity aggregation, and how it will positively impact qualified residents, and the overall community.

**COUNCIL ACTION: Conduct a Public Hearing to Consider Amendments to the City of Lake Forest's Plan of Operation and Governance for its Electricity Aggregation Program and open the Public Hearing.**

Alderman Preschlack made a motion to conduct a Public Hearing to Consider Amendments to the City of Lake Forest's Plan of Operation and Governance for its Electricity Aggregation Program and open the Public Hearing, seconded by Alderman Rummel. The following voted "Aye": Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried

##### **\*\*\* OPEN PUBLIC HEARING \*\*\***

The Public Hearing opened at 6:50pm

Assistant City Manager, Mike Strong gave a brief update to the City Council reviewing questions asked during the previous public hearing. He explained how the City has had success with a previous aggregation program when engaged in the program in 2012-2017. Additionally, he discussed the difference between Community Solar and Electricity Aggregation, and residents that could qualify for the separate program options. He stated that the purpose of tonight is not to engage in a contract, but to permit staff to be more flexible and seek out more competitive pricing, that the current plan of governance does not allow. He stated the approval to the Plan of Operations and Governance is on the omnibus agenda this evening.

The City Council had discussion regarding the review process of vendor proposals.

Additionally, there was discussion regarding messaging to residents, when this program is available, and how they can find out if they are qualified to engage in the aggregation program.

**Plan of Operations and Governance for Municipal Aggregation Program**

**COUNCIL ACTION: Close the Public Hearing**

Alderman Morris made a motion to close the Public Hearing, seconded by Alderman Weber. The following voted "Aye": Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

**\*\*\* CLOSE PUBLIC HEARING \*\*\***

The public Hearing closed at 7:11 pm

<b>ITEMS FOR OMNIBUS VOTE CONSIDERATION</b>
---

1. **Approve the Extension of the Mayor's Declaration of a Local State of Emergency until the next City Council Meeting**
2. **Approval of the February 1, 2021 City Council Meeting Minutes**
3. **Approval of a Recommendation from the Parks and Recreation Board to Authorize the City Manager to Enter into a Contract with Landscape Concepts Management for City-Wide Grounds Maintenance Services, for an Amount Not-to-Exceed \$174,359**
4. **Approval of a Recommendation from the Parks and Recreation Board to Authorize the City Manager to enter into a Contract with Mariani Landscape for Grounds Maintenance Services at Forest Park in the Parks FY2022 Budget, for an Amount Not-to-Exceed \$41,911**
5. **Approval of a Parks & Recreation Board Recommendation for Annual Tree Purchasing in the Forestry FY2022 Budget**
6. **Approval of a Recommendation from the Public Works Committee to Approve the Deerpath Water Main Replacement Design Services for a Replacement Watermain, from Ahwahnee Lane to Golf Lane, to Baxter & Woodman Consulting Engineers in the Not-to-Exceed Amount of \$39,000**
7. **Approval of a Recommendation from the Public Works Committee to Approve Design Services for the Replacement of Both the Illinois and Woodland Pedestrian Bridges to Wiss, Janney, Elstner Associates, Inc. in the Not-to-Exceed Amount of \$46,570**
8. **Approval to Renew the Intergovernmental Program Agreement between the City of Lake Forest and the Lake Bluff Park District**
9. **Approval of an Ordinance Amending Chapter 97 of The Lake Forest City Code to Add Provisions Regarding Commercial Activities at City parks and Recreational Properties and Facilities**
10. **Waive First Reading and Grant Final Approval of an Ordinance Adopting an Amended Plan of Operation and Governance for the City's Municipal Aggregation Program**

Mayor Pandaleon asked members of the Council if they would like to remove any item or take it separately.

The City Council had additional discussion on item #3 and #4.

Mayor Pandaleon again asked members of the Council if they would like to remove any item or take it separately. Seeing none, he asked for a motion.

**COUNCIL ACTION: Approval of the ten (10) Omnibus items as presented**

Alderman Preschlack made a motion to approve the ten (10) Omnibus items as presented, seconded by Alderman Rummel. The following voted "Aye": Alderman Morris, Karras, Rummel, Notz, Preschlack, Goshgarian, Buschmann and Weber. The following voted "Nay": None. 8-Ayes, 0 Nays, motion carried.

*Information such as Purpose and Action Requested, Background/Discussion, Budget/Fiscal Impact, Recommended Action and a Staff Contact as it relates to the Omnibus items can be found on the agenda.*

**ORDINANCES**

**OLD BUSINESS**

**NEW BUSINESS**

**ADDITIONAL ITEMS FOR COUNCIL DISCUSSION/COMMENTS BY COUNCIL MEMBERS**

The City Council thanked the Public Works Department for the excellent work they did with snow removal.

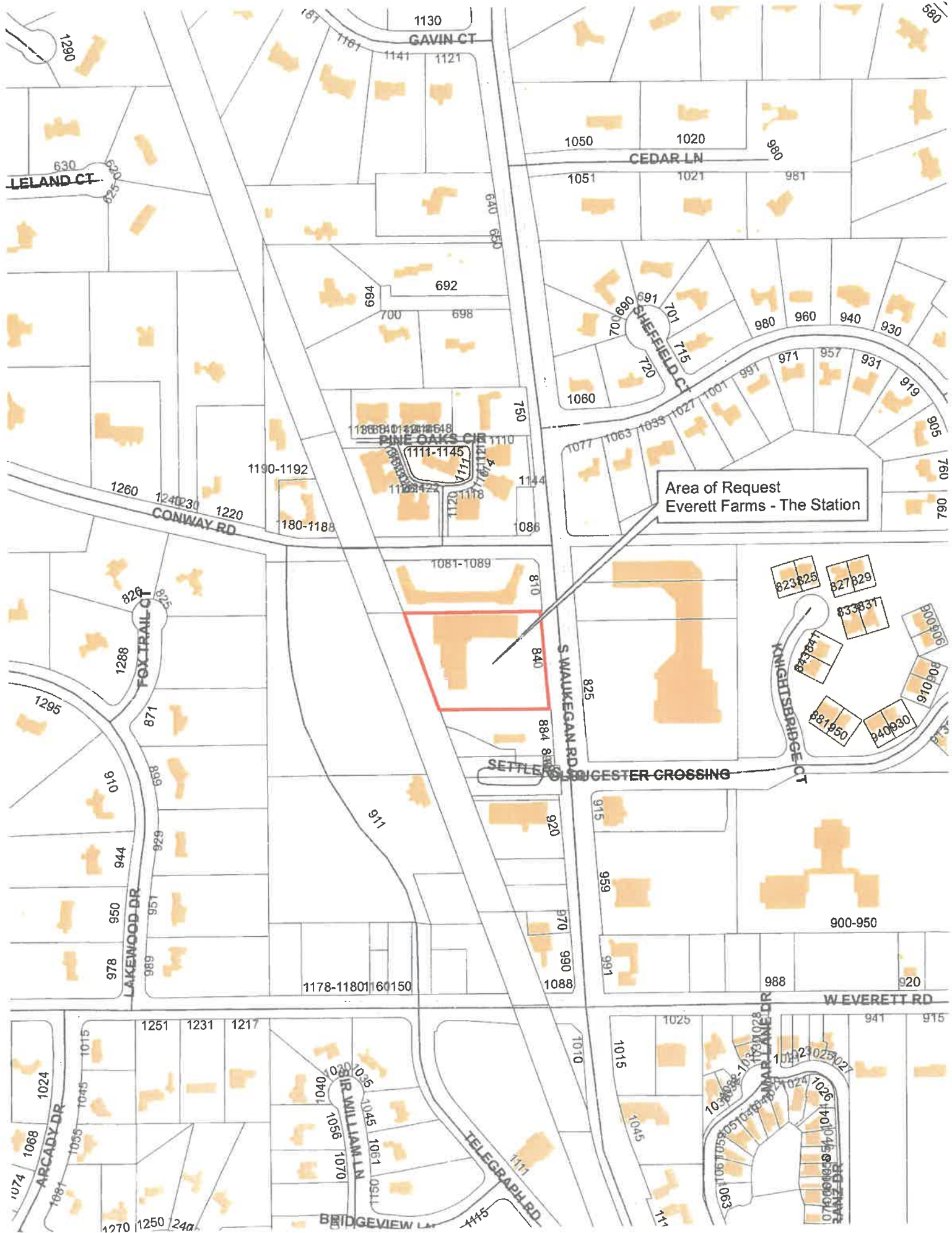
**ADJOURNMENT**

There being no further business Mayor Pandaleon asked for a motion. Alderman Rummel made a motion to adjourn, seconded by Alderman Weber. Motion carried unanimously by voice vote at 7:28 pm.

Respectfully Submitted  
Margaret Boyer, City Clerk

*A video of the City Council meeting is available for viewing at the Lake Forest Library and on file in the Clerk's office at City Hall. You can also view it on the website by visiting [www.cityoflakeforest.com](http://www.cityoflakeforest.com). Click on I Want To, then click on View, then choose Archived Meetings Videos.*





THE CITY OF LAKE FOREST

ORDINANCE NO. 2021- \_\_\_\_

AN ORDINANCE APPROVING SIGNAGE FOR AN EXISTING BUSINESS AT 840 S.  
WAUKEGAN ROAD

**WHEREAS**, GCP Forest Square, LLC (Green Courte Partners, Stephen Douglass) ("**Owner**") is the owner of that certain real property commonly known as 840 S. Waukegan Road, Lake Forest, Illinois and legally described in Exhibit A, attached hereto ("**Property**"); and

**WHEREAS**, the Property is located in the B-1, Neighborhood Business District; and

**WHEREAS**, John des Rosiers ("**Tenant**"), with the consent of the Owner, desires to install wall signage for two new restaurants, The Station and Everett Farms, ("**Improvements**") as depicted on the site plan and architectural drawings that are attached hereto as Group Exhibit B ("**Plans**"); and

**WHEREAS**, the Tenant submitted an application ("**Application**") to permit the construction of the Improvements and was required to present the Plans to the Building Review Board ("**BRB**") for its evaluation and recommendation; and

**WHEREAS**, pursuant to notice duly published, the BRB reviewed and evaluated the Plans at a public hearing held on February 3, 2021; and

**WHEREAS**, the BRB, having fully heard and having considered the evidence and testimony by all those attending the public hearing who wished to testify, made the following findings:

1. the Property is located within the B-1, Neighborhood Business District under the City Code,
2. the Tenant, with the Owners consent, proposes to construct the Improvements as depicted on the Plans,
3. the evidence presented indicates that the construction of the Improvements, if undertaken in conformity with the recommended conditions and the Plans, will meet the design standards and requirements of Section 150.147 of the City Code,

and recommended that the City Council approve the Application and the Plans, subject to the terms and conditions hereinafter set forth; and

**WHEREAS**, the Mayor and City Council, having considered the Tenant's Application to construct the Improvements on the Property, and the findings and recommendations of the BRB, have determined that it is in the best interests of the City and its residents to grant approval to the Application, subject to the terms and conditions hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE: Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

**SECTION TWO: Approval of Application.** Pursuant to Section 150.147 of the City Code, and subject to the limitations therein and the conditions set forth in Section Three of this Ordinance, the City Council does hereby grant approval of the Application to allow the construction of the Improvements on the Property, as more fully depicted on the Plans.



**SECTION THREE: Conditions on Approval.** The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Compliance with Laws. Chapters 150, regarding buildings and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Compliance with the Plans. The Improvements must be developed on the Property in substantial compliance with the Plans.
- D. Fees and Costs. The Owner shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Owner shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City

shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.

- E. Other conditions. The improvements shall be substantially in conformance with the Board's deliberations as reflected on Exhibit C, Notice of Action, attached hereto.

**SECTION FOUR: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council, be of no force or effect if Tenant has not (i) executed and (ii) thereafter filed with the City Clerk, within 60 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit D and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein.

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2021.

AYES: (    )

NAYS: (    )

ABSENT: (    )

ABSTAIN: (    )

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

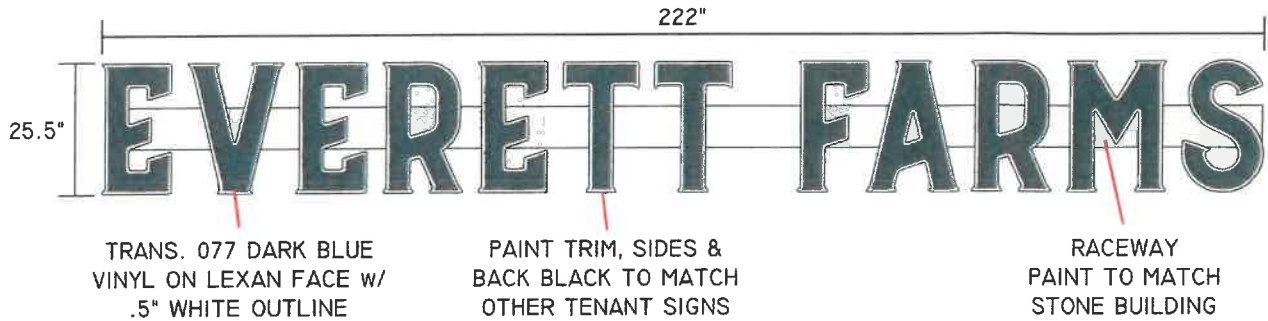
ATTEST:

\_\_\_\_\_  
City Clerk

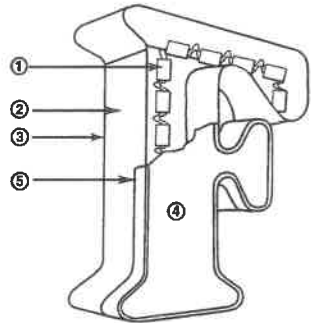
**EVERETT FARMS**  
FARM TO TABLE AMERICAN CAFE

840 SOUTH WAUKEGAN ROAD - LAKE FOREST ILLINOIS

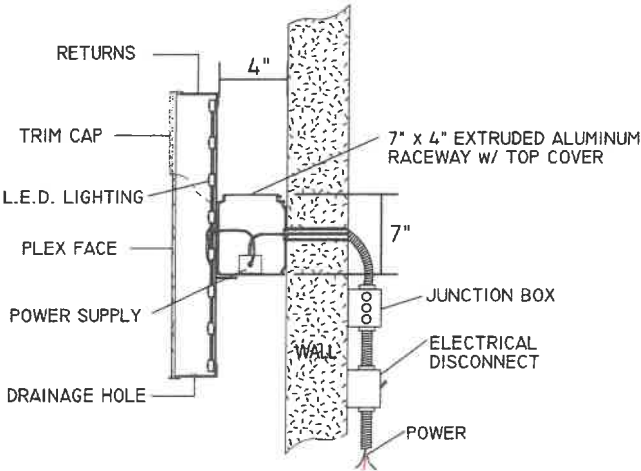
TYPE 1.00 - RACEWAY MOUNTED CHANNEL LETTER SIGN  
(1) SET OF (12) 25.5"(H) RACE-WAY MOUNT LED FACE-LIT CHANNEL LETTERS  
01/26/21 REV 3



FACE: WHITE ACRYLIC PLASTIC WITH DARK BLUE TRANSLUCENT FILM & WHITE OUTLINE.  
LETTER RETURN COLOR: BLACK  
ILLUMINATION: LED - WHITE  
TRIM CAP: BLACK  
BACK OF LETTERS: BLACK



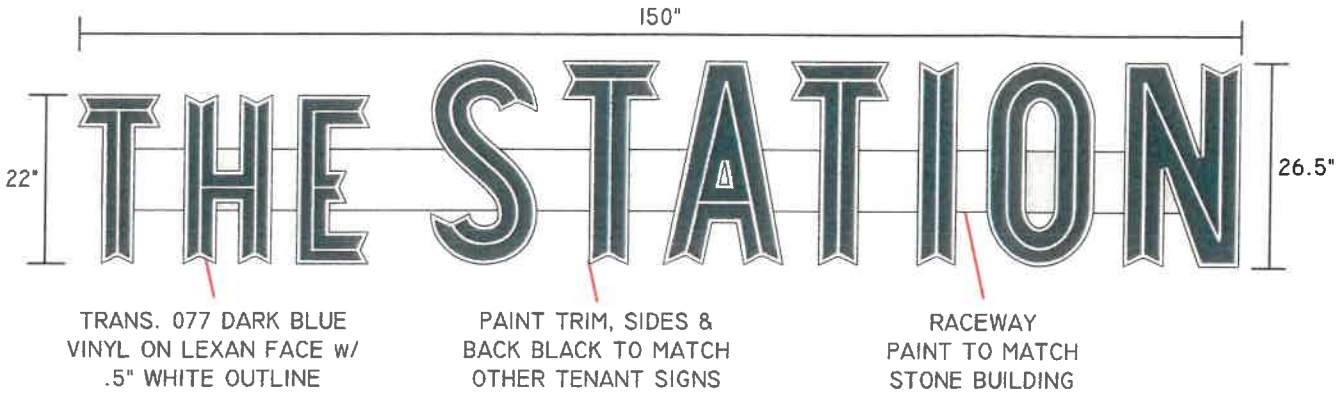
- NOTES:
- ① LED LIGHTING
  - ② .063 ALUMINUM RETURNS
  - ③ .063 ALUMINUM BACKS
  - ④ PLEXIGLASS FACES
  - ⑤ TRIM CAP RETAINER



**THE STATION**  
FAST & CASUAL MEXICAN

840 SOUTH WAUKEGAN ROAD - LAKE FOREST ILLINOIS

TYPE 1.00 - RACEWAY MOUNTED CHANNEL LETTER SIGN  
(1) SET OF (3) 22"(H) & (7) 26.5"(H) RACE-WAY MOUNT LED FACE-LIT CHANNEL LETTERS  
01/27/21 REV 4



PROPOSED

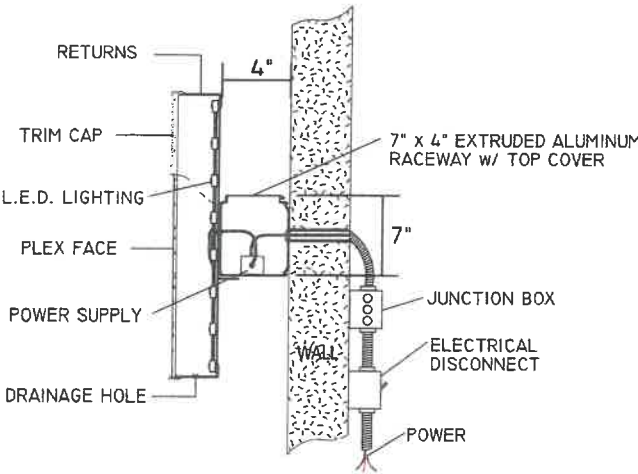
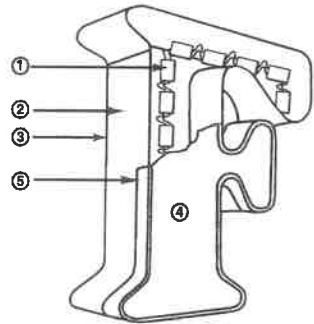
28 SQ.FT. TOTAL SIGNAGE



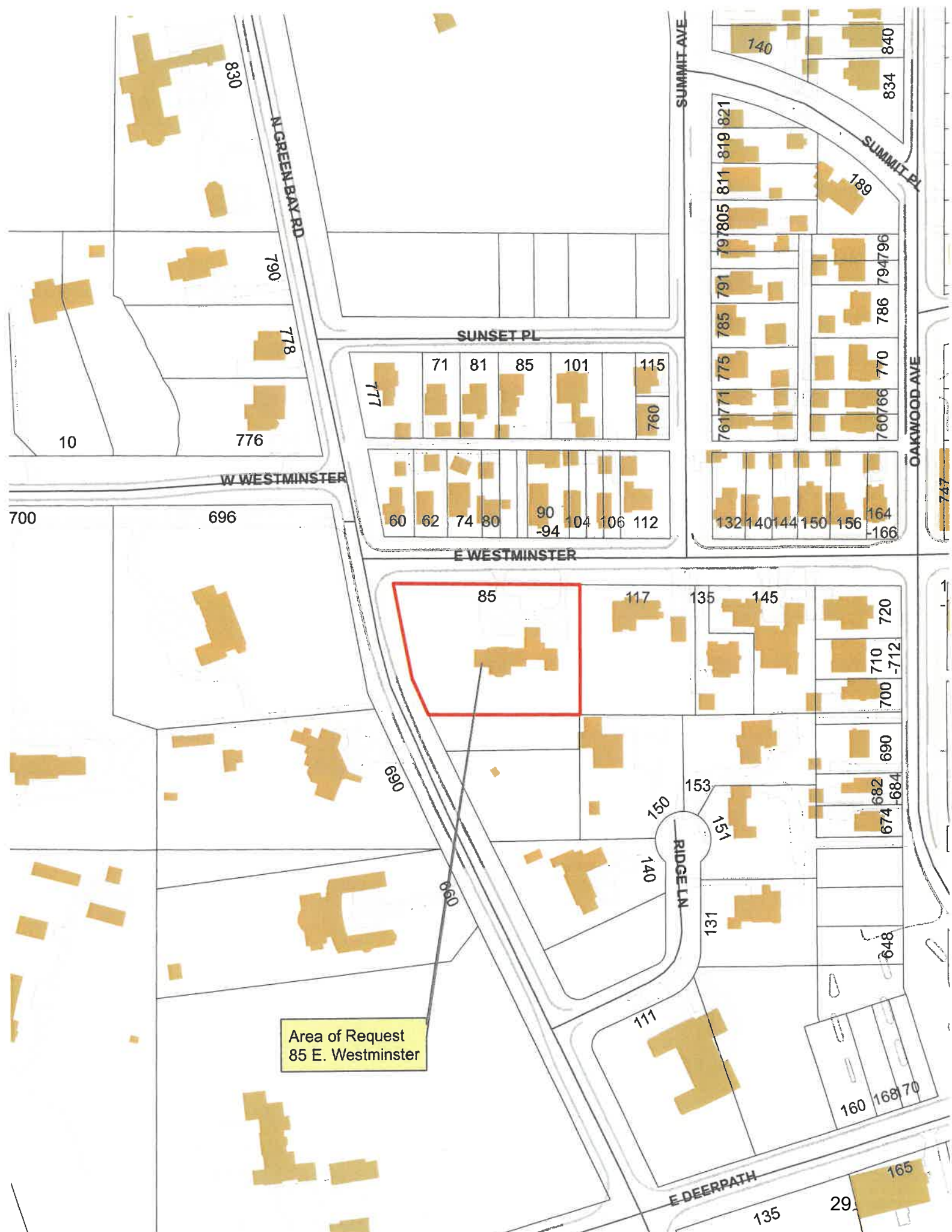
50'0" FRONTAGE

13'6" BOTTOM OF  
SIGN TO GRADE

FACE: WHITE ACRYLIC PLASTIC WITH DARK BLUE  
TRANSLUCENT FILM & WHITE OUTLINE.  
LETTER RETURN COLOR: BLACK  
ILLUMINATION: LED - WHITE  
TRIM CAP: BLACK  
BACK OF LETTERS: BLACK







Area of Request  
85 E. Westminster

THE CITY OF LAKE FOREST

ORDINANCE NO. 2021 - \_\_\_\_

AN ORDINANCE GRANTING A FLOOR AREA EXCEPTION FOR  
THE PROPERTY LOCATED AT 85 E. WESTMINSTER

**WHEREAS**, Anthony and Diane Manno ("**Owners**") are the owners of that certain real property commonly known as 85 E. Westminster, Lake Forest, Illinois and legally described in Exhibit A, attached hereto ("**Property**"); and

**WHEREAS**, the Property has been designated as a Local Landmark or included in a Local Historic District pursuant to Chapter 155 of the City Code; and

**WHEREAS**, the Property is located in the R-2, Single Family Residence Zoning District; and

**WHEREAS**, the Owners desire to construct various improvements, including an addition ("**Improvements**") as depicted on the site plan and architectural drawings that are attached hereto as Group Exhibit B ("**Plans**"); and

**WHEREAS**, in order to construct the Improvements, Section 155.07 of the City Code requires the Owners to obtain a Certificate of Appropriateness ("**CoA**") from the Historic Preservation Commission ("**HPC**");

**WHEREAS**, some of the Improvements as depicted on the Plans would exceed the maximum floor area allowances set forth in Section 150.148(D), which apply to new construction on, or additions and alterations to existing construction on, residential property; and

**WHEREAS**, pursuant to notice duly published, the HPC reviewed and evaluated the Plans at a public hearing held on January 27, 2021; and

**WHEREAS**, the HPC, having fully heard and having considered the evidence and testimony by all those attending the public hearing who wished to testify, made the following findings:

1. the Property is located within the R-2 District under the City Code,

2. Owners propose to construct the Improvements as depicted on the Plans,
3. as depicted on the Plans, the Improvements exceed the maximum floor area allowances set forth in Section 150-148(D) of the City Code,
4. the Improvements are consistent with the design standards in Section 150.147 of the City Code,
5. the Property is located in a local historic district or is designated as a Local Landmark and the Improvements are consistent with the standards in the Historic Preservation Ordinance, and approval of the Improvements as depicted on the Plans would further the purpose of the Historic Preservation Ordinance,
6. the HPC has determined that the Plans qualify for a Certificate of Appropriateness under the standards set forth in Section 155.08 of the City Code;
7. the location, massing and architectural detailing of the Improvements will mitigate the appearance of excessive height and mass of the structures and as a result, the proposed development of the Improvements as set forth on the Plans is in keeping with the streetscape and overall neighborhood,
8. the Improvements are sited in a manner that minimizes the appearance of mass from the streetscape or neighboring residences due to the placement of the existing vegetation. In addition, the proposed Improvements will not have a significant negative impact on the light to and views from neighboring homes.
9. the height and mass of the Improvements will generally be compatible with the height and mass of structures on adjacent lots, buildings on the street and on adjacent streets, and other residences and garages in the same subdivision,
10. the evidence presented indicates that the construction of the Improvements, if undertaken in conformity with this Ordinance, the recommended conditions, and the Plans, will meet the standards and requirements of Sections 150.147 and 150.148 of the City Code,

and recommended that the City Council approve the Application and the Plans and grant an exception to the maximum allowable floor area consistent with the Plans, subject to the terms and conditions hereinafter set forth; and

**WHEREAS**, the Mayor and City Council, having considered Owners' request for exceptions to the maximum floor area requirements set forth in Section 150.148 of the City Code and the findings and recommendations of the HPC, have determined that it is in the best interests of the City and its residents to grant such exceptions, subject to the terms and conditions hereinafter set forth; and

**WHEREAS**, the Mayor and City Council further determine in the exercise of the City's home rule powers that it is in the best interests of the City and its residents to grant Owners' request for exceptions to the otherwise applicable maximum floor area requirements, subject to the terms and conditions hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE: Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

**SECTION TWO: Maximum Floor Area Exception Granted.** Pursuant to Section 155.08 of the City Code, and subject to the limitations therein and the conditions set forth in Section Three of this Ordinance, the City Council does hereby grant an exception to the maximum floor area requirements set forth in Section 150.148(D) of the City Code, as more fully depicted on the Plans, by allowing the Improvements which together with other structures on the Property will have a maximum square footage not to exceed 7,923 square feet, 29% over the allowable square footage.

**SECTION THREE: Conditions on Approval.** The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A. **No Authorization of Work.** This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals



granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

- B. Compliance with Laws. Chapters 150, regarding building, 156, regarding subdivisions, 159, regarding zoning, and 155, regarding historic preservation, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Tree Preservation. The Owners will fully comply with Chapter 99 of the City Code, regarding trees, as it relates to the construction of the Improvements.
- D. Compliance with the Plans. The Improvements must be developed on the Property in substantial compliance with the Plans.
- E. Fees and Costs. The Owners shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Owners shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.
- F. Other Conditions. The improvements shall be substantially in conformance with the Commission's deliberations as reflected on Exhibit C, Certification of Appropriateness, attached hereto.

**SECTION FOUR: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council, be of no force or effect if Owners have (i) executed and (ii) thereafter filed with the City Clerk, within 60 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit D and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein. The City Clerk is hereby directed to record this Ordinance and such agreement and consent with the Recorder of Deeds of Lake County.

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2021.

AYES: (    )

NAYS: (    )

ABSENT: (    )

ABSTAIN: (    )

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2021.

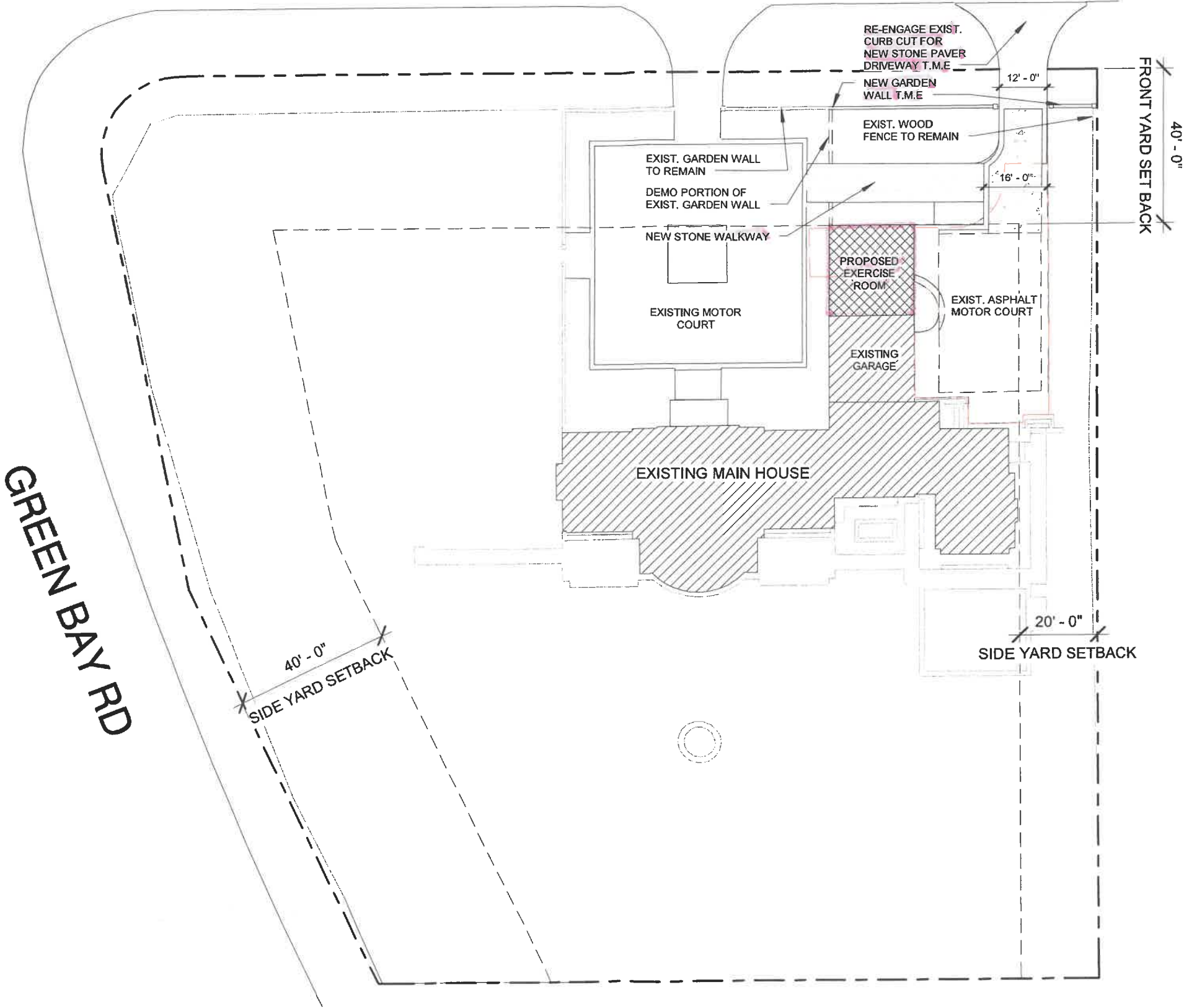
\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

WESTMINSTER AVE

The Plans



Manno Residence  
85 E Westminster Ave  
Lake Forest, IL 60045

EDWARD DEEGAN  
ARCHITECTS  
503 Park Drive #4  
Kenilworth IL 60043  
(847) 906-4110

Proposed Site Plan

SHEET NO.

HPC 02

N  
Site Plan - HPC  
1" = 30'-0"

The Plans



North Elevation  
1/4" = 1'-0"

EDWARD J. DEEGAN  
ARCHITECTS  
STATE OF ILLINOIS  
11/30/20  
Professional Design Firm  
License No. 184.007114

Manno Residence  
85 E Westminster Ave  
Lake Forest, IL 60045

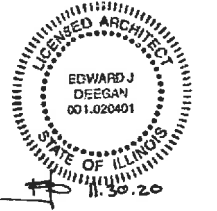
EX, First FF  
EDWARD J. DEEGAN  
ARCHITECTS  
503 Park Drive #4  
Kenilworth IL 60043  
(847) 906-4110

SUBMISSION DATE  
Schematics 11-06-2020  
Budget  
Permit  
Bid  
Construction  
Interiors

North Elevation - Partial

SHEET NO.  
A201  
PROJECT NO. 20.04.10

The Plans



Manno Residence  
85 E Westminster Ave  
Lake Forest, IL 60045

EDWARD DEEGAN  
ARCHITECTS  
503 Park Drive #4  
Kenilworth IL 60043  
(847) 906-4110

Proposed East Elevation

SHEET NO.

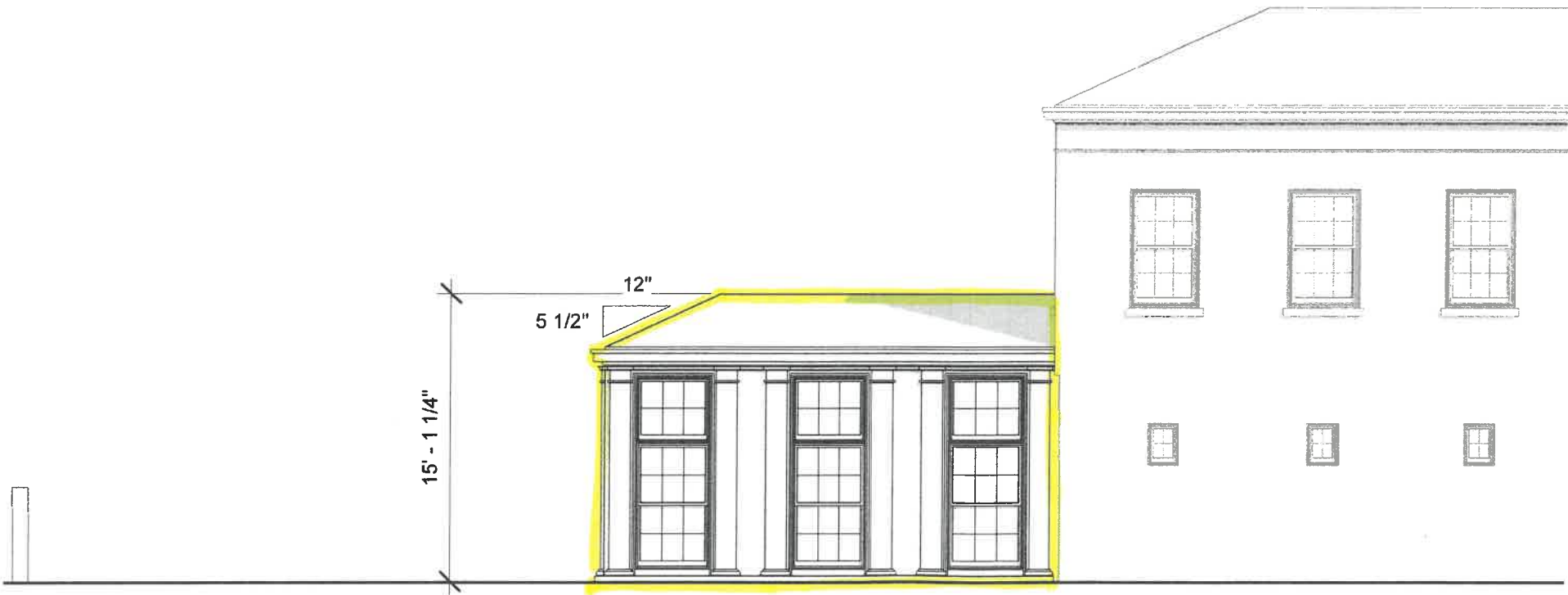
HPC 07



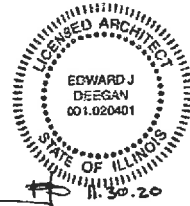
Proposed Partial East Elevation.

1/8" = 1'-0"

The Plans



Proposed Partial West Elevation.  
1/8" = 1'-0"



Manno Residence  
85 E Westminster Ave  
Lake Forest, IL 60045

EDWARD DEEGAN  
ARCHITECTS  
503 Park Drive #4  
Kenilworth IL 60043  
(847) 906-4110

Proposed West Elevation

SHEET NO.

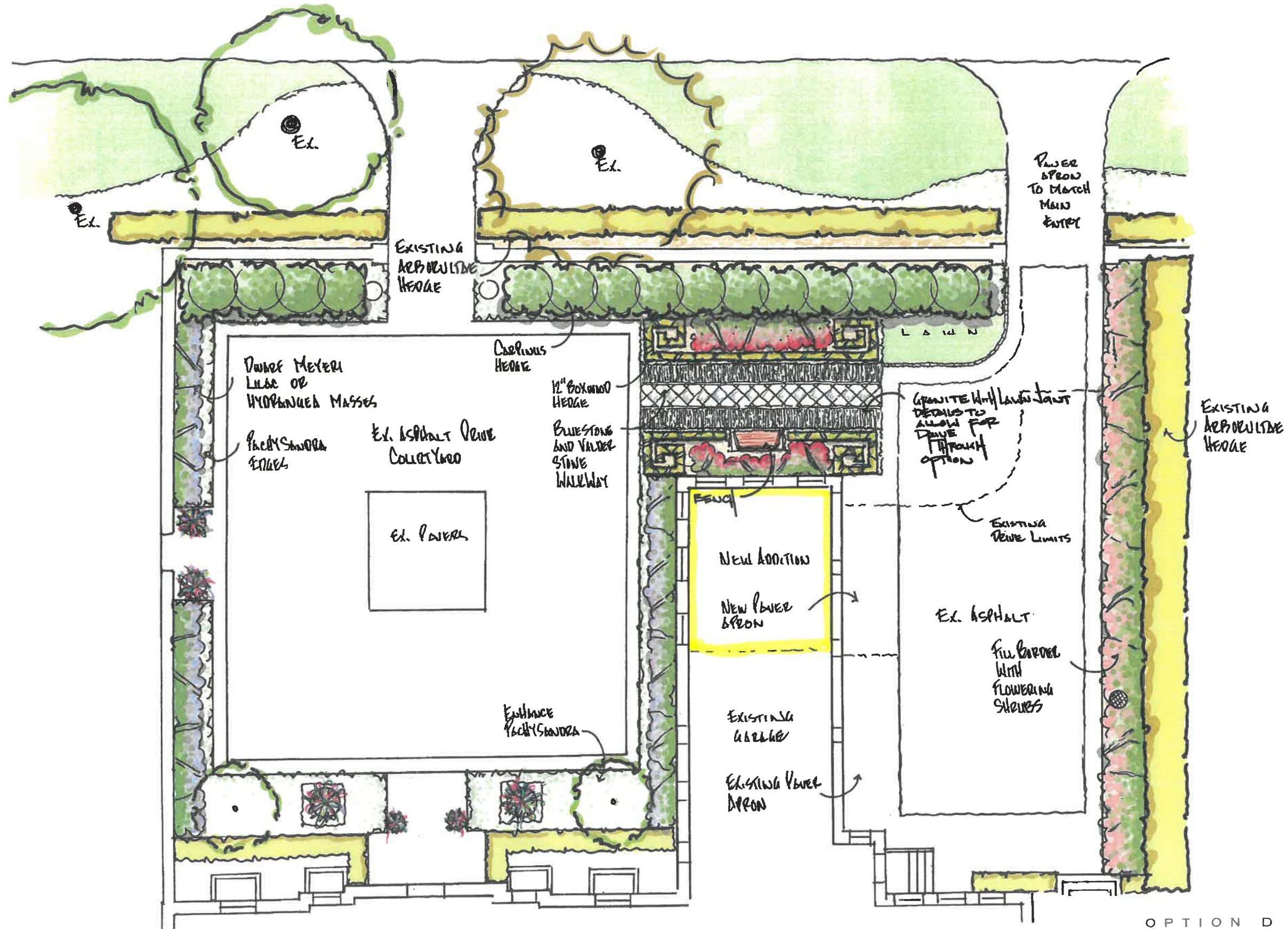
HPC 09



LANDSCAPE DEVELOPMENT PLAN  
**MANNO RESIDENCE**  
85 E. WESTMINSTER + LAKE FOREST, ILLINOIS

GROUP EXHIBIT B

The Plans



OPTION D

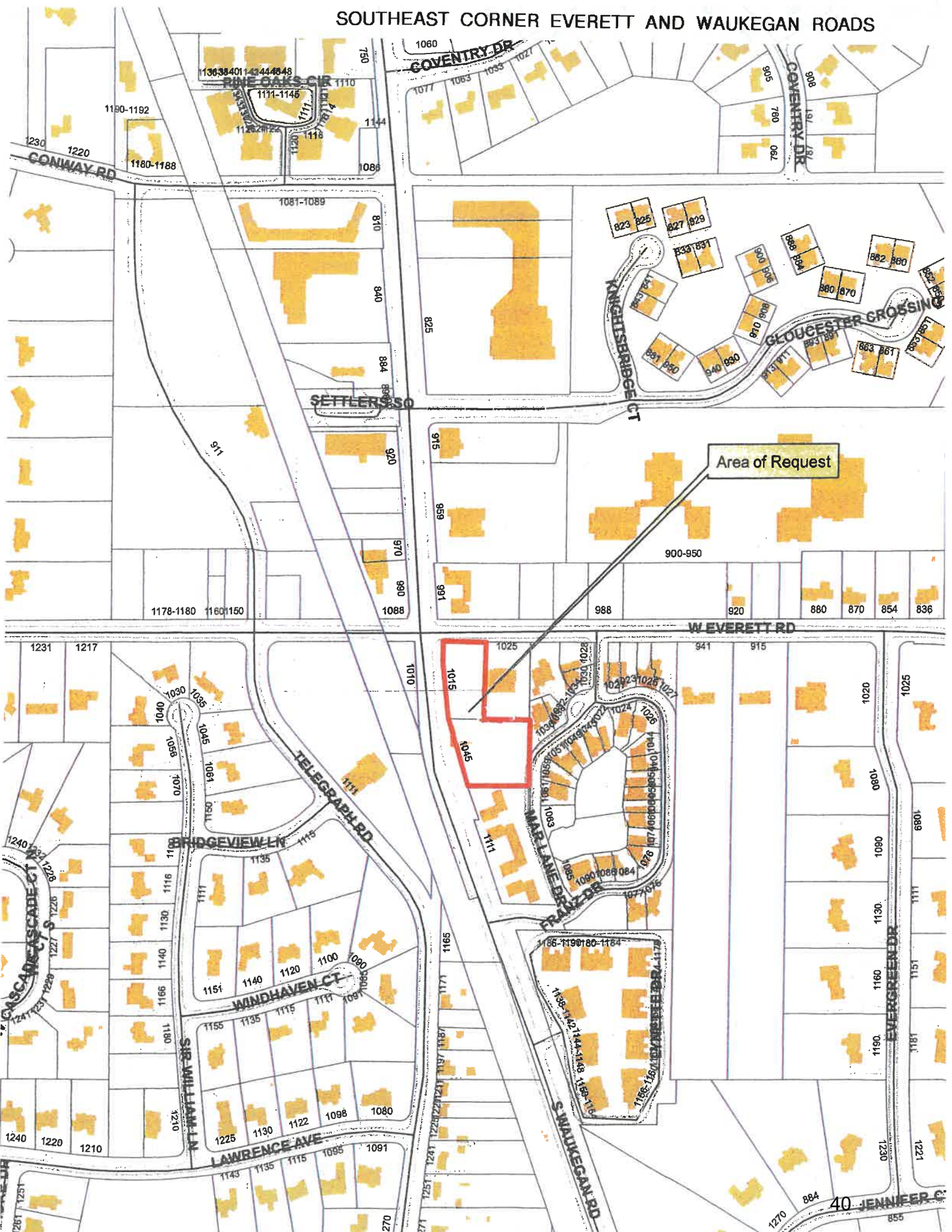
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28270 N. Bradley Rd. Libertyville, IL 60048  
ph. 847. 680. 1207 fx. 847. 816. 1137

CLIENT: MANNO	SCALE: 1/8\"/>
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# SOUTHEAST CORNER EVERETT AND WAUKEGAN ROADS



Area of Request





## PLAN COMMISSION REPORT AND RECOMMENDATION

TO:	Honorable Mayor Pandaleon and members of the Council
DATE:	February 10, 2021
FROM:	Chairman Kehr and members of the Plan Commission
SUBJECT:	<i>New Commercial/Office Development - SE Corner Waukegan and Everett Roads</i>

### **Property Owner**

1015 LLC and 1045 LLC  
Carmin Iosue 65%  
Luke and Nicole Mertens 14%  
Joshua Iosue 7%  
Megan Iosue 7%  
Joseph Iosue 7%

### **Property Location**

Southeast Corner –  
Waukegan/Everett Roads

### **Zoning District**

B-1 – Neighborhood Business  
District

Applicant: Iosue Investments, LLC (Developer)  
1025 W. Everett Road  
Lake Forest, IL 60045

Representative: Jack Frigo, Real Estate Advisor  
Various consultants

### **Summary of the Request**

This is a request for approval of a new development on an approximately one and a half acre site located on the southeast corner of Everett and Waukegan Roads. The petition includes: review of the overall site plan and the proposed uses for conformance with the B-1, Neighborhood Business District and the Comprehensive Plan; consideration of variances from the setback along Waukegan Road for the southwest corner of the building and from parking requirements; and consideration of a Special Use Permit to allow a drive thru for a coffee shop and to permit professional offices on the first floor of a new office building. The Special Use Permit as recommended by the Commission incorporates all of the various approvals requested.

### **Commission Recommendation**

Approve a Special Use Permit based on the findings detailed in the Ordinance presented to the Council along with this report authorizing redevelopment of the southeast corner of the Waukegan and Everett Roads intersection with a small retail building and a three story medical office building and specifically authorizing:

1. Professional offices on the first floor of an office building in the B-1 District.
2. A drive thru facility for a coffee shop.
3. A variance to allow a small portion of the southwest corner of the medical office building to encroach no more than four feet into the required 20 foot setback along Waukegan Road.
4. A variance from the required parking standard of four spaces per 1,000 square feet of building area to allow a parking ratio of 2.87 spaces per 1,000 square feet in combination with off site parking agreements and the availability of a public permit parking lot for employees within walking distance to the site.
5. Approval of the overall site plan.

### **Summary of Plan Commission Review**

In September, 2020, the Plan Commission considered this petition and approved a motion to continue the petition and the public hearing with an indication of overall support for the project and with direction to the petitioner and staff to further detail the plan.

In January, 2021, the Plan Commission considered the detailed site plan and the overall redevelopment proposal. The Commission commended the thanked the petitioners for the careful thought put into developing the plan. The majority of the Commission expressed support for the drive thru, use of the first floor of the office building for professional offices, the parking variance and use of off site employee parking, and the minor setback encroachment. The Commission continued the petition to allow further study and refinement of only two issues: the northern access point on Waukegan Road and the parking area directly north of that access.

After the January meeting, the traffic engineer engaged by the property owner and the City's traffic engineer met, reviewed additional iterations of the plan, and endorsed a revised plan. An extended and planted median was added at the entrance to the site, the parking area was reconfigured to improve circulation and a few parking spaces were added, and impervious pavers were added to aesthetically enhance the area given its visibility from Waukegan Road.

In February, 2021, the Plan Commission considered the refined plan and voted 5 to 2 to recommend approval of the overall development plan as presented and the issuance of a Special Use Permit to the City Council.

### **Background**

The property proposed for redevelopment is about one and a half acres in size and is configured in an L-shape with the narrower portion of the site at the southeast corner of Everett and Waukegan Roads. The southern portion of the site, the bottom of the "L", is wider and borders residential developments to the east and south. Since the Commission last considered a development proposal for this site, the land was purchased by the owner of the adjacent property to the east, the 1025 Everett Road office building. With the parcels now in a single ownership as they were many years ago, the plan is to incorporate two new buildings and the existing office building into a single campus-type development with shared parking and access, green space and pedestrian connections.

Presently, the site is about 80% impervious surface with no significant landscaping along the streetscapes and little buffer from the adjacent residential properties. Redevelopment of this site has long been anticipated and will enhance the southern entrance to Lake Forest and the Waukegan Road/Settler's Square business district and provide increased services to residents in the surrounding areas. The proposed development provides perimeter landscaping, in a 10 foot wide planting bed, to soften the transition between the commercial property and the adjacent residential developments.

### **History**

For many years, this property was owned by the Wilson family and was formerly the site of an Amoco gas station and the Pasquesi garden supply store. Both businesses vacated the site in 2008 and the site has been unoccupied since that time. The gas station building and the underground fuel tanks were removed from the site a number of years ago.

In 2008, the City approved a plan for redevelopment of this site with retail and service businesses. A drug store with a drive thru for a pharmacy was proposed on the southern part of the site, a smaller, multi-tenant commercial building was proposed on the northern end of the site, at the

corner. Due to the economic downturn, the redevelopment of the site as approved in 2008 did not proceed.

In 2011, the property was acquired by IP Properties, the local Stuart family, as a long term investment. In 2015 and 2016, the Plan Commission considered a petition for a gas station, car wash and convenience store on this property. That proposal did not receive approval due to the industrial nature of the use and the potential for off site impacts including noise, lights, traffic congestion and early morning and late night activity.

In 2019, Iosue Investments purchased the property and completed some cleanup of the site including removal of the former Pasquesi garden store building. Mr. Iosue and his partners were the perfect buyers for the site because they have the ability to combine this site with the office parcel to the east which is approximately 30,000 square feet creating an overall development parcel of approximately 2.3 acres. With the larger, combined site, there are opportunities for improved access to the overall site and for the various buildings to share services and amenities.

### **Review of Proposed Site Plan**

The petitioner proposes to construct two new buildings on the site. A three story medical office building on the southern portion of the site and a small commercial building near the corner of Everett and Waukegan Roads. When completed, the overall development site will include two office buildings, one exists on the adjacent site today, and a commercial building intended for a coffee shop.

### **Key Issues**

#### **❖ Comprehensive Plan**

As the City Council is aware, the Comprehensive Plan Chapter pertaining to the Waukegan Road/Settlers' Square Business District was recently updated. This site is identified as an "Opportunity Area" for mixed use development. The proposed development includes offices of varying sizes for predominantly for medical professionals. The plan also includes a small commercial building which is designed for a coffee shop tenant.

The proposed development is consistent with several of the Fundamental Concepts of the Comprehensive Plan for this area.

*Comprehensive Plan: Encourage a balance of different types of commercial uses recognizing that retail and restaurant businesses require support from professional offices, located nearby to add to the customer base.*

*Comprehensive Plan: Provide flexibility; the ability to incorporate various types of uses along Waukegan Road to create synergy and a vital business district.*

The plan as proposed will bring medical professionals, administrative staff and patients into this area. Those coming to the new development are likely to eat lunch, pick up dinner or take advantage of services available in the area before, after or during their work day.

*Comprehensive Plan: Limit uses in the district to those that are low impact non-industrial in nature with respect to noise, lighting levels, late night activity, public safety, congestion, odors, exhaust and mechanical equipment.*

The proposed plan is non-industrial in nature. The uses proposed are primarily daytime uses with some evening activity. The proposed uses do not generate excessive noise or exhaust, all mechanical equipment for the buildings will be fully screened from view.

The Building Review Board will review a detailed lighting plan to verify that all lighting is directed down and on to the site, that light fixtures fully obscure the light source, and that as determined to be appropriate, drop down shields are installed on parking lot lights near the residential property lines. An after hours reduced lighting plan for the overall site and the building will be required to document that lighting levels will be reduced as activity on the site diminishes in the evening and that through the night, only safety and security lighting is in use.

*Comprehensive Plan: Encourage partnerships, collaboration and cooperation among businesses, institutions and professional offices in the district.*

Shared use of parking spaces is an example of cooperation between nearby property owners. Making use of parking that is utilized only on a limited basis to meet the demands from neighboring developments that may operate at other times, encourages pedestrian activity through the area and avoids overbuilding parking overall.

*Comprehensive Plan: Reserve land for future right-of-way dedication as redevelopment occurs along Waukegan and Everett Roads as determined to be necessary by IDOT and the City Engineer to meet future road improvement needs.*

The petitioner has been proactive in communicating with IDOT and the City about potential future roadway improvements. The plan as presented reserves the land needed for future right-of-way.

*Comprehensive Plan: Encourage outlots, close to the streetscape to increase visibility and awareness of the business district.*

Both of the proposed buildings are close to the street and will have a streetscape presence. Although parking on the site will be visible from the roadway, the parking lot will not dominate views of the site. The buildings are designed to attract attention, the smaller commercial building is designed to relate to the more traditional buildings on the north side of Everett Road and the existing office building to the east. The new three story medical office building is designed in a more contemporary style, while still relating to the more traditional buildings through design elements and materials. The medical office building is intended to catch people's attention as they approach the business district from the south and importantly to offer the desired spaces and technology demanded by the health care industry today.

*Comprehensive Plan: Encourage below grade/ low structure parking as redevelopment occurs to meet parking needs. Minimize the expanse of surface parking lots to provide opportunities for increased density and intensity of use.*

Parking under the office building was considered by the petitioner but was determined to not be feasible. Employees will be required to walk to off site parking spaces. In return, there are some expanded opportunities for green space and pedestrian walkways on the site in an effort to achieve the desired campus-like character.

*Comprehensive Plan: Provide transition/ buffer areas for adjacent residential uses. Direct the placement of delivery and trash areas away from neighboring homes.*

Landscape buffer areas are provided along the east and south perimeter of the development site, adjacent to the residential areas. The planting beds are generously sized to support vegetation. A six

foot fence is proposed along the property lines shared with the neighboring residential developments.

Trash collection areas are limited and well screened. Although the trash area for the office buildings is located along the east property line, a vegetative buffer is provided between the trash area and the fence along the property line and importantly, the trash generated by office buildings is low volume and non-offensive. A loading zone is provided along the north side of the new office building, overall deliveries will be limited due to the type of uses in the development.

*Comprehensive Plan: Direct all exterior lighting downward and require fixtures to shield the source of light to avoid off site impacts on adjacent residential properties. Reduce lighting levels after business hours.*

Lighting will be reviewed by the Building Review Board.

The proposed development is consistent with the Comprehensive Plan designation for the property, with the fundamental concepts of the Plan, and with the directives for this particular site.

#### ❖ Zoning

The purpose of the B-1 district as stated in the Zoning Code is as follows:

*The B-1 Neighborhood Business District is designed to accommodate small retail and service businesses required to meet the frequently recurring needs of residents in adjacent or nearby residential areas.*

The proposed mixed use development will add a medical office building to this long vacant corner along with a small commercial building. Both of these uses will add to the overall vitality of the area by attracting employees, patients and customers. The development is on a prominent corner, at the southern entrance to the business district. Development of the site with well designed buildings and a well landscaped streetscape, and with relatively low impact uses, responds to the input heard from the community over the past several years about this site.

The following requirements in the B-1 Zoning District are applicable to this development.

*Setbacks.* Front and corner side yard setbacks of 20 feet are required in the B-1 Zoning District. The development fully complies with the 20 foot setback along Everett Road. It is important to note that the 20 foot setback is measured from the *new* property line as shown on the plan, anticipating the dedication of right-of-way to the City at some future date, to allow increased width of Everett Road.

The small, commercial building at the corner fully complies with the 20 foot setback.

A small portion of the west façade of the medical office building encroaches into the 20 foot setback along Waukegan Road; a small portion of the center element and a portion of a sun shade. A variance is requested. The southwest corner of the medical office building encroaches into the required 20 foot setback slightly, a distance that, at the point of furthest encroachment, does not exceed four feet.

*Lot Coverage.* The B-1 District allows buildings to cover up to 30% of the entire land area. The Code provides for a development bonus allowing coverage of up to 45% through the issuance of a Special Use Permit. The buildings as proposed in this development cover 18% of the entire site.

*Open Space.* The B-1 District requires 15% of the site to be open space. The landscaping will cover 17% of the site. Currently, the site is almost devoid of any landscaping.

*Perimeter Buffering.* The Code does not establish a specific setback distance for parking lots from adjacent residential properties, but does require that the parking lots be adequately screened by landscaping, fencing or both. A landscape strip of 10 feet is planned along the east and south property lines along with a six foot fence.

*Screening of Trash Enclosures.* The trash area is screened from views from off of the site.

❖ **Safe and efficient ingress and egress.**

A Traffic and Parking Study was prepared and reviewed by the City Engineer as noted above.

A total of three access points to the combined 2.3 acre site are proposed.

- A full access is proposed at the southwest corner of the site, on to Waukegan Road. This access will accommodate full turning movements.
- An access with limited turning movements, right in and right out, is proposed between the medical office building and the coffee shop on Waukegan Road. This access is set away from the intersection and is designed to limit access to right in/right out only.
- A third access point is located at the northeast corner of the entire 2.3 acre site. This access point already exists at the entrance to the 1025 Everett Road office building. This access will continue to allow full turning movements and will be the only access to the site from Everett Road. The left turn stacking lane for westbound Everett Road will be elongated in this area, extended to the east to facilitate turning movements into the development site.

Bicycle racks are provided on the site at two locations to support and encourage alternative modes of transportation.

❖ **Parking**

Based on the site plan, 117 parking spaces are provided on the site, six of those are accessible spaces. Based on the Code requirements, 43 additional on site spaces are required.

The petitioner proposes to meet the parking demand through use of off site parking in existing parking lots that are not fully utilized on a daily basis. The petitioner has confirmed with prospective tenants that off site parking, with employees walking a short distance, is acceptable and in fact common at other sites.

Variances from the required number of parking spaces have been granted to other developments in the Waukegan Road/Settler's Square Business District in the past. Conditions of other Special Use Permits require employees of North Shore Medical and Forest Square to park in the public parking lot on the west side of the railroad tracks if sufficient parking is not available for customers on site. Monthly or annual permits are available for the public lots and parking fees can be paid on a daily basis, from a mobile phone, as well. Although remote parking will require employees to walk a block or so, the distance is likely no greater than the distance walked by employees at the hospital from their cars to the building.

Underground parking was considered by the petitioner early in the planning process. However, the cost of underground parking made the economics of the project problematic, achieved only a limited number of parking spaces and impacted the site plan due to the land area needed to provide a ramp with an acceptable slope.

❖ *Drive Thru*

As noted above, the petitioner is requesting approval of a drive thru for the small commercial building near the corner to support a coffee shop. The City Engineer reviewed the Traffic and Parking Study and confirmed that the stacking provided is appropriate for the anticipated coffee shop use. The geometrics of the drive thru were also reviewed and determined to be workable.

The anticipated hours of operation of the drive thru are 5:30 a.m. to 8 p.m.

The Code requires that a drive thru be authorized only through a Special Use Permit.

THE CITY OF LAKE FOREST

ORDINANCE NO. 2021-\_\_\_\_\_

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AUTHORIZING A MIXED USE DEVELOPMENT INCLUDING A DRIVE THRU, PROFESSIONAL OFFICES ON THE FIRST FLOOR OF A MEDICAL OFFICE BUILDING AND ASSOCIATED VARIANCES ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EVERETT AND WAUKEGAN ROADS COMMONLY KNOWN AS 1015 – 1045 S. WAUKEGAN ROAD**

**WHEREAS**, 1015 LLC and 1045 LLC, (Carmen Iosue, Luke and Nicole Mertens, Joshua Iosue, Megan Iosue and Joseph Iosue) ("**Owner/Developer**") intend to redevelop that certain real property located on the southeast corner of Everett and Waukegan Roads and commonly known as 1015 and 1045 S. Waukegan Road, Lake Forest, Illinois and legally described in Exhibit A, attached hereto ("**Property**"); and

**WHEREAS**, the Property is located in the B-1 Neighborhood Business District under the Lake Forest Zoning Ordinance; and

**WHEREAS**, the Property has historically been the site of a gas station, vehicle service and repair shop, and a garden supply retail business with indoor and outdoor merchandise displays; and

**WHEREAS**, the Property has been vacant for more than ten years and cited by many as an eyesore at the south entrance to one of the City's business districts; and

**WHEREAS**, the B-1 District permits a mix of uses, other uses however, including a drive thru and professional offices, are only permitted if approved by the City through the granting of a Special Use Permit; and

**WHEREAS**, the Owner/Developer has filed a petition (the "**Petition**") for a special use permit ("**SUP**") to authorize a drive thru, professional offices on the first floor and approving variances from parking and setback requirements to allow redevelopment



of the site with a three story medical office building and a small retail building to be occupied by a coffee shop (the "**Improvements**"); and

**WHEREAS**, the Petition was filed in accordance with the regulations of Section 159.045, Special Uses, of the Lake Forest Zoning Code; and

**WHEREAS**, the Plan Commission did conduct a properly noticed public hearing on the Petition over the course of three meetings that occurred on September 9, 2020, January 13, 2020 and February 10, 2021 and after having fully heard and having considered the evidence and testimony by all those who wished to testify and after deliberating, voted 5 to 2, to make the following findings and to recommend approval of the "**Proposal**" [being the proposed redevelopment and use of the Property with the Improvements as generally depicted in Exhibit B (the "**Site Plan**")], subject to the terms and conditions of approval hereinafter set forth:

#### Findings

1. The proposed use will not be detrimental to or endanger public health, safety, morals, comfort or general welfare. The proposed uses, a small retail building and a medical office building will not generate excessive traffic, noise, odors, light or after hours activities. Ingress and egress points are located to minimize safety hazards for pedestrians and vehicles. The current plan eliminates several existing curb cuts closest to the intersection. Reducing the number of curb cuts limits the number of potential conflict points for pedestrians and vehicles.
2. The proposed use will not be injurious to the use and enjoyment of property in the immediate vicinity or substantially diminish property values. The site has been an eyesore for an extended period of time. The proposed use is an appropriate transitional use adjacent to the residential neighborhoods to the east and south. The neighboring residential development will be enhanced from the current conditions along the perimeter of the property with the planned installation of a solid fence and 10 foot wide landscaping bed including canopy trees.
3. The use will not impede the normal and orderly development and improvement of the surrounding properties. The majority of properties in the area are developed. The proposed use and site development will enhance the entrance to the Waukegan Road/Settlers' Square Business District and the

overall streetscape creating interest and signaling to passersby that they are entering an active area.

4. The site plan provides for pedestrian pathways through and along the development site. The pedestrian paths are separated to the extent possible from the drive thru and are clearly identified.
5. The drive thru is sited, configured and screened in a manner that is consistent with the character of the area. Perimeter landscaping and enhancements are proposed as part of the development along the drive thru land and at the intersection. The drive thru lane is in part screened by the building. The site design in combination with the planned landscaping serve to minimize the visual impacts of the drive thru on the streetscape.
6. The drive thru as proposed does not interfere with on street traffic. The access points to the overall development are set apart from the drive thru lane.
7. The exterior architectural appearance of the buildings and overall site has been review and endorsed by the City's Building Review Board.
8. Adequate utilizes and roadways exist to support the proposed development. Stormwater management will be improved across the site. Areas of the that currently run off uncontrolled will be directed and managed. The amount of impervious surface on the site will be slightly decreased.

**WHEREAS**, the City Council (i) concurs with the findings of the Plan Commission, (ii) finds that the uses and Improvements included in the Proposal and as authorized herein will satisfy the requirements of Section 159.045(E) of the Zoning Code, and (iii) subject to the terms and conditions herein set forth, finds and determines that it is in the best interests of the City and its residents to approve the Proposal and grant the SUP inclusive of the requested variances as set forth in the Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND THE CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE.** **Recitals:** The foregoing recitals are incorporated into this Ordinance as if fully set forth.

**SECTION TWO.**     **Approval of SUP:** Pursuant to Section 159.045 of the Zoning

Code and subject to the limitations set forth in the City Code and the conditions set forth in Section Three of this Ordinance, the City Council hereby approves the Proposal and grants the SUP authorizing the use and related Improvements on the Property, as more fully depicted on the Site Plan.

**SECTION THREE:**     **Conditions on Approval.** The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A.     No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B.     Compliance with Laws. Chapters 150, regarding building and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property must be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C.     Compliance with the Plans. The Improvements (including on-site landscaping and screening) must be developed on the Property in substantial compliance with the Site Plan; provided, however, that final plans for signage, exterior lighting and landscaping shall be subject to the review and recommendation of the Building Review Board and ultimate approval of the City Council.
- D.     Fees and Costs.  
The Owner/Developer shall be responsible for paying all applicable fees relating to the granting of the approvals set forth herein in accordance with the City Code. In addition, the Owner/Developer (or the successor of Owner) shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose

such lien in the name of the City as in the case of foreclosure of liens against real estate.

E. Use Limitations.

The drive thru shall only be used for a coffee shop type business. Any proposed use for another purpose including, but not limited to, a fast food restaurant or a bank shall be subject to further review and approval by the City through a public review process.

As needed based on parking demand and in order to offer convenient and available on site parking for customers and patients, employee parking shall be directed off site through agreements with nearby private property owners or in the public parking lots on the west side of the railroad tracks through the purchase of permits or payment of daily fees.

F. Improvements and Site Operations

1. The property owner either directly or through the tenants, shall be responsible for assuring that a plan for off site parking is developed. Parking for employees, customers and patients is prohibited on residential streets. The City shall be notified at least 30 days in advance of pending changes to off site parking arrangements.
2. Sightline studies shall be prepared for the ingress and egress points to and from the development and shall be subject to review and approval by the City Engineer with the goal of maximizing pedestrian and vehicle visibility and safety. On an ongoing basis, the property owner shall be responsible for managing vegetation in the areas adjacent to the ingress and egress points to maintain adequate sightlines.
3. A lighting reduction plan shall be provided to the City and will be subject to review and approval by staff to assure that light impacts on neighboring residential properties are minimized especially during after business hours.
4. The final signage, lighting and landscaping plans shall be subject to review by the Building Review Board with particular attention to establishing a streetscape character consistent with the overall business district and mitigating impacts on nearby properties through design elements.

**SECTION FOUR: Amendment to Ordinance.** Any amendments to the terms, conditions, or provisions of this Ordinance that may be requested after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject

to the standards and limitations, provided in Section 159.045 of the Zoning Code, including an amendment to the SUP itself in the manner provided in the Zoning Code and by applicable law.

**SECTION FIVE: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council as set forth in a resolution duly adopted without public notice or hearing, be of no force or effect if Owners have not (i) executed and (ii) thereafter filed with the City Clerk, within 60 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit C and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein. The City Clerk is hereby directed to record this Ordinance and such agreement and consent with the Recorder of Deeds of Lake County.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSENT:

ABSTAIN:

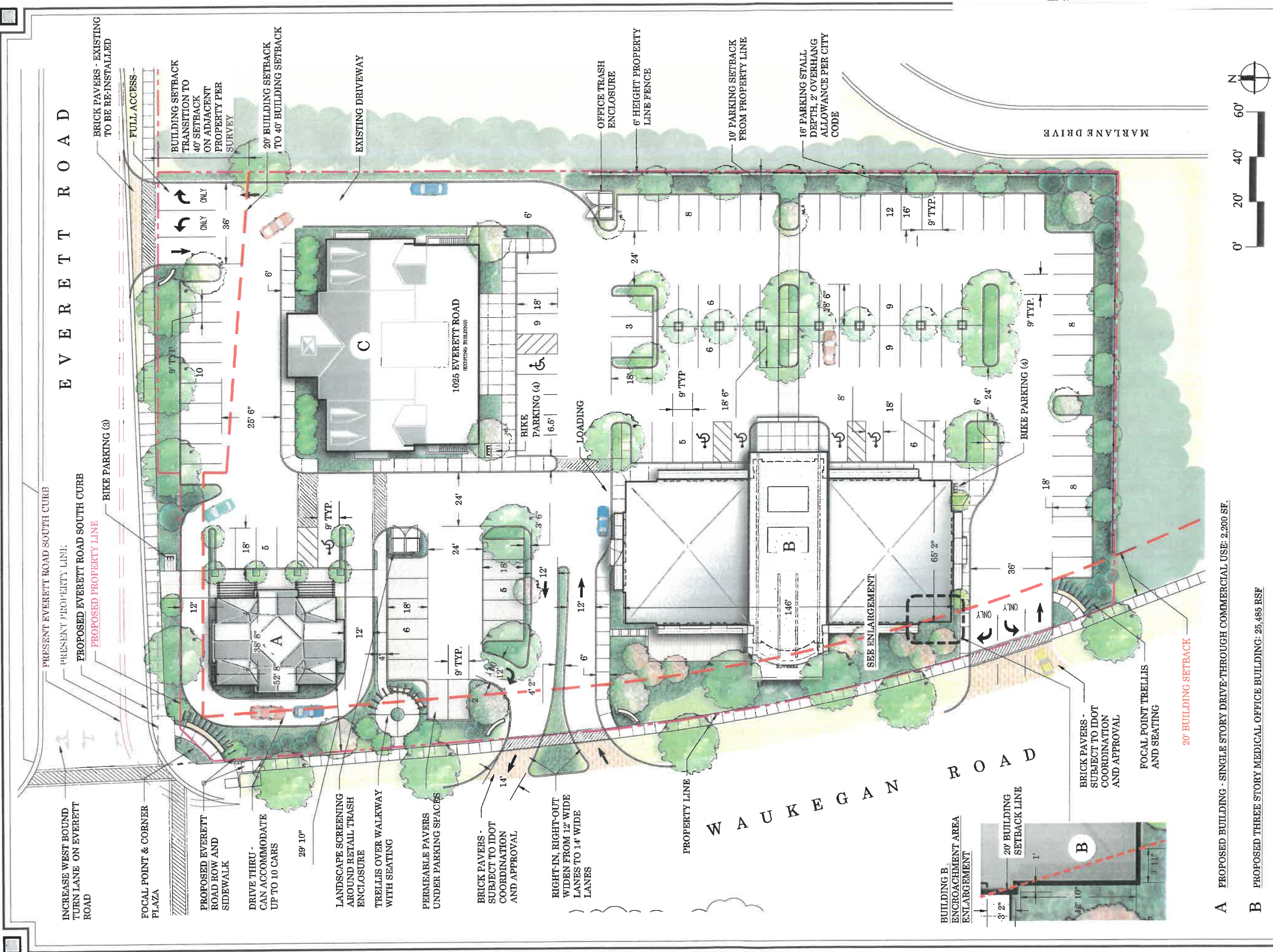
APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk





- A PROPOSED BUILDING - SINGLE STORY DRIVE-THROUGH COMMERCIAL USE: 2,200 SF.
- B PROPOSED THREE STORY MEDICAL OFFICE BUILDING: 25,485 RSF
- C EXISTING TWO STORY BUILDING: 12,317 RSF.

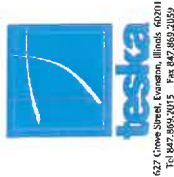
BUILDING A, B AND C TOTAL AREA: 40,002 SF.  
PARKING RATIO 2.9 CARS/1,000 SF.  
PROPERTY AREA: 2.30 ACRES, ZONING B-1  
IMPERVIOUS AREA: 1,908 ACRES ( PREVIOUS IMPERVIOUS AREA 1.99 ACRES)  
LANDSCAPE AREA: 17%

117 PARKING SPACES (6 ADA SPACES + 111 TYP. SPACES)  
(4) ADA PARKING SPACES REQUIRED PER ADA STANDARDS (6) PROVIDED.  
A, B AND C TOTAL PARKING SPACES: 117 SPACES

CONCEPTUAL SITE PLAN  
**EVERETT AND WAUKEGAN ROAD**  
Lake Forest, IL

Iosue Investment, LLC  
1025 Everett Road  
Lake Forest, IL 60045

Jack Frigo  
(847) 940 2200  
Jack@FrigoCompany.com



627 Grove Street, Evanston, Illinois 60201  
Tel 847.860.2015 Fax 847.860.2059

THE CITY OF LAKE FOREST

ORDINANCE NO. 2021- \_\_\_\_

**AN ORDINANCE APPROVING ARCHITECTURAL AND SITE DESIGN AND A HEIGHT VARIANCE FOR THE PROPERTY LOCATED AT 1015 AND 1045 S. WAUKEGAN ROAD**

**WHEREAS**, 1015 LLC and 1045 LLC (Carminé Iosue 65%, Luke and Nicole Mertens 14%, Joshua Iosue 7%, Megan Iosue 7% and Joseph Iosue 7%)(**"Owner"**) are the owners of that certain real property commonly known as 1015 and 1045 S. Waukegan Road, Lake Forest, Illinois and legally described in Exhibit A, attached hereto (**"Property"**); and

**WHEREAS**, the Property is located in the B-1, Neighborhood Business District; and

**WHEREAS**, the Owner desires to construct a medical office building and a retail building including site improvements and landscaping on the property (**"Improvements"**) as depicted on the site plan and architectural drawings that are attached hereto as Group Exhibit B (**"Plans"**); and

**WHEREAS**, the Owner submitted an application (**"Application"**) to permit the construction of the Improvements and was required to present the Plans to the Building Review Board (**"BRB"**) for its evaluation and recommendation; and

**WHEREAS**, pursuant to notice duly published, the BRB reviewed and evaluated the Plans at a public hearing held on January 6, 2021; and

**WHEREAS**, the BRB, having fully heard and having considered the evidence and testimony by all those attending the public hearing who wished to testify, made the following findings:



1. the Property is located within the B-1 Neighborhood Business District under the City Code,
2. Owner proposes to construct the Improvements as depicted on the Plans,
3. the main mass of the building generally complies with the height limitation in the zoning district; the parapet and a limited central element exceed the permitted height and generally conform to the height of limited elements of other buildings in the area,
3. the evidence presented indicates that the construction of the Improvements, if undertaken in conformity with the recommended conditions and the Plans, will meet the design standards and requirements of Section 150.147 of the City Code,

and recommended that the City Council approve the Application and the Plans, subject to the terms and conditions hereinafter set forth; and

**WHEREAS**, the Mayor and City Council, having considered Owner's Application to construct the Improvements on the Property, and the findings and recommendations of the BRB, have determined that it is in the best interests of the City and its residents to grant approval to the Application, subject to the terms and conditions hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAKE FOREST, COUNTY OF LAKE, STATE OF ILLINOIS**, as follows:

**SECTION ONE: Recitals.** The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth.

**SECTION TWO: Approval of Application.** Pursuant to Section 150.147 of the City Code and the City's home rule authority and other statutory powers, and



subject to the limitations therein and the conditions set forth in Section Three of this Ordinance, the City Council does hereby grant approval of the Application to allow the construction of the Improvements on the Property, as more fully depicted on the Plans.

**SECTION THREE: Conditions on Approval.** The approval granted pursuant to Section Two of this Ordinance shall be, and is hereby, conditioned upon and limited by the following conditions, the violation of any of which shall, in the discretion of the Mayor and City Council, render void the approvals granted by this Ordinance:

- A. No Authorization of Work. This Ordinance does not authorize commencement of any work on the Property. Except as otherwise specifically provided in writing in advance by the City, no work of any kind shall be commenced on the Property pursuant to the approvals granted in this Ordinance except only after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Compliance with Laws. Chapters 150, regarding buildings and construction, 156, regarding subdivisions, and 159, regarding zoning, of the City Code, and all other applicable ordinances and regulations of the City shall continue to apply to the Property, and the development and use of the Property shall be in compliance with all laws and regulations of all other federal, state, and local governments and agencies having jurisdiction.
- C. Compliance with the Plans. The Improvements must be developed on the Property in substantial compliance with the Plans, as modified in conformance with the Board's deliberations as reflected on Exhibit C, Notice of Action, attached hereto.
- D. Fees and Costs. The Owner shall be responsible for paying all applicable fees relating to the granting of the approvals

set forth herein in accordance with the City Code. In addition, the Owners shall reimburse the City for all of its costs (including without limitation engineering, planning, and legal expenses) incurred in connection with the review, consideration, approval, implementation, or successful enforcement of this Ordinance. Any amount not paid within 30 days after delivery of a demand in writing for such payment shall, along with interest and the costs of collection, become a lien upon the Property, and the City shall have the right to foreclose such lien in the name of the City as in the case of foreclosure of liens against real estate.

- E. Other conditions. The improvements shall be substantially in conformance with the Board's deliberations as reflected on Exhibit C, Notice of Action – Board Recommendation, attached hereto.

**SECTION FOUR: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law; provided, however, that this Ordinance shall, in the discretion of the City Council, be of no force or effect if Owner has not (i) executed and (ii) thereafter filed with the City Clerk, within 90 days following the passage of this Ordinance, the unconditional agreement and consent, in the form attached hereto as Exhibit D and by this reference made a part hereof, to accept and abide by each and all of the terms, conditions, and limitations set forth herein.

PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2021.

AYES: ( )

NAYS: ( )

ABSENT: ( )

ABSTAIN: (    )

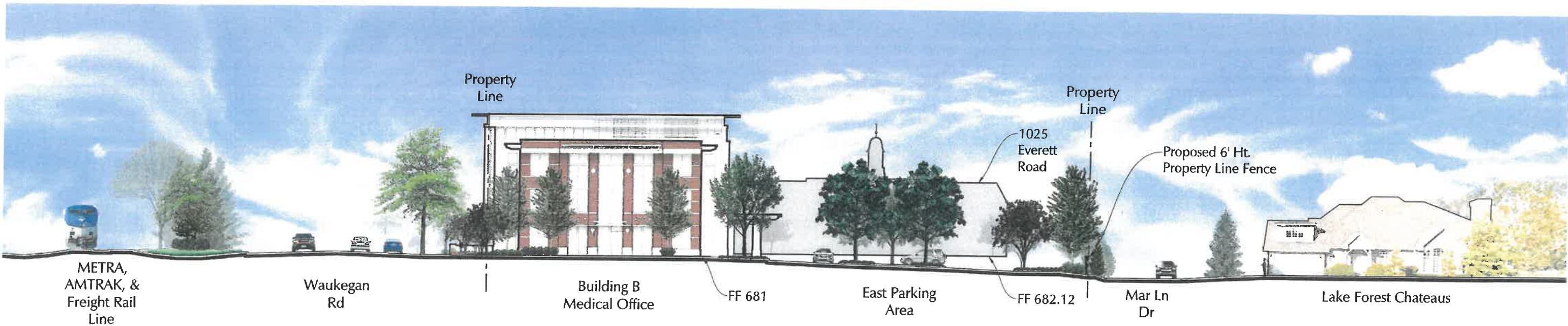
PASSED THIS \_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

The Plans



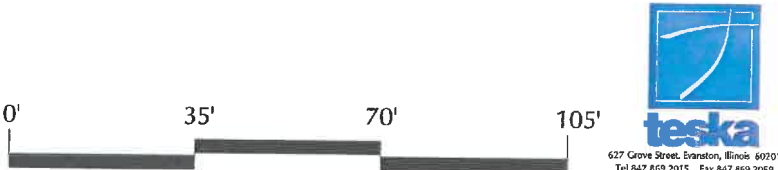
SECTION VIEW LOOKING NORTH (TOWARDS EVERETT ROAD)



SECTION VIEW LOOKING WEST (TOWARDS WAUKEGAN ROAD)

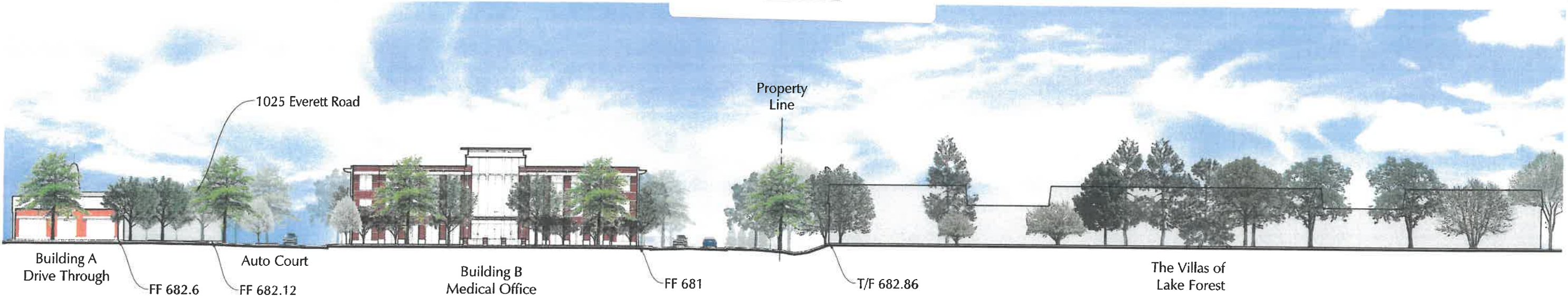
SECTION GRAPHICS  
**EVERETT AND WAUKEGAN ROAD**  
Lake Forest, IL  
December 18, 2020

Iosue Investment, LLC  
1025 Everett Road  
Lake Forest, IL 60045  
Jack Frigo  
(847) 940 2200  
Jack@FrigoCompany.com





The Plans



SECTION VIEW LOOKING EAST (TOWARDS MAR LANE)

SECTION GRAPHICS  
**EVERETT AND WAUKEGAN ROAD**  
Lake Forest, IL  
December 18, 2020


Iosue Investment, LLC  
1025 Everett Road  
Lake Forest, IL 60045  
Jack Frigo  
(847) 940 2200  
Jack@FrigoCompany.com

0'

50'

100'

150'

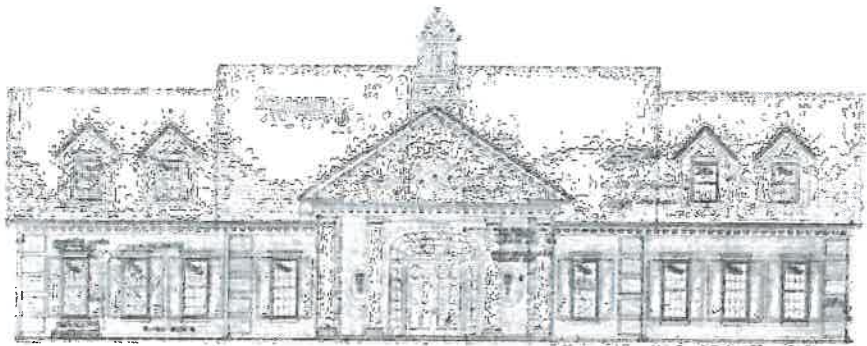


627 Grove Street, Evanston, Illinois 60201  
Tel 847.869.2015 Fax 847.869.2059

The Plans



A: Retail Building



C: 1025 West Everett

EXISTING BUILDING



B: Office Building

Campus Building Elevations



MELICHAR ARCHITECTS  
THE PRACTICE OF FINE ARCHITECTURE

207 EAST WESTMINSTER LAKE FOREST, ILLINOIS 60045  
P 847-295-2440 F 847-295-2451 © 2020 MELICHAR ARCHITECTS

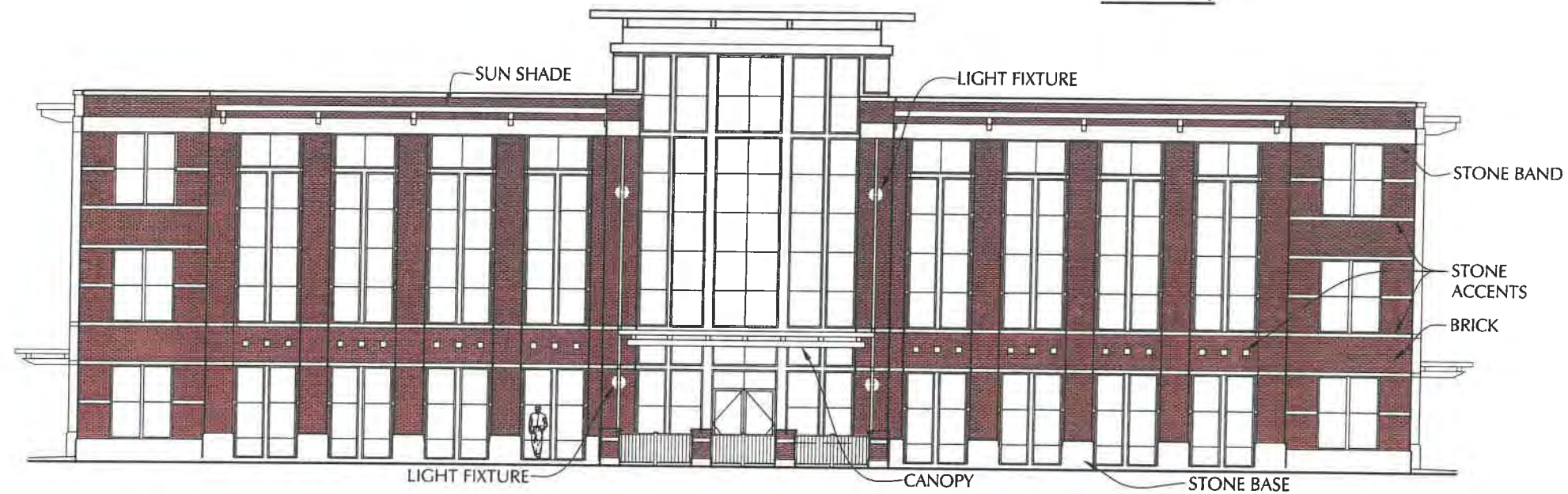
PROPERTY DEVELOPMENT FOR  
IOSUE INVESTMENT, LLC  
AT EVERETT AND WAUKEGAN ROAD  
LAKE FOREST, IL

JOB NO.: 1918

ISSUE DATE: DEC. 18, 2020



## The Plans



BUILDING B - SCHEMATIC WEST (WAUKEGAN ROAD) ELEVATION  
SCALE: 1/16" = 1'-0"



BUILDING B - SCHEMATIC SOUTH ELEVATION  
SCALE: 1/16" = 1'-0"



MELICHAR ARCHITECTS  
THE PRACTICE OF FINE ARCHITECTURE

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P 847-295-2440 F 847-295-2451 © 2020 MELICHAR ARCHITECTS

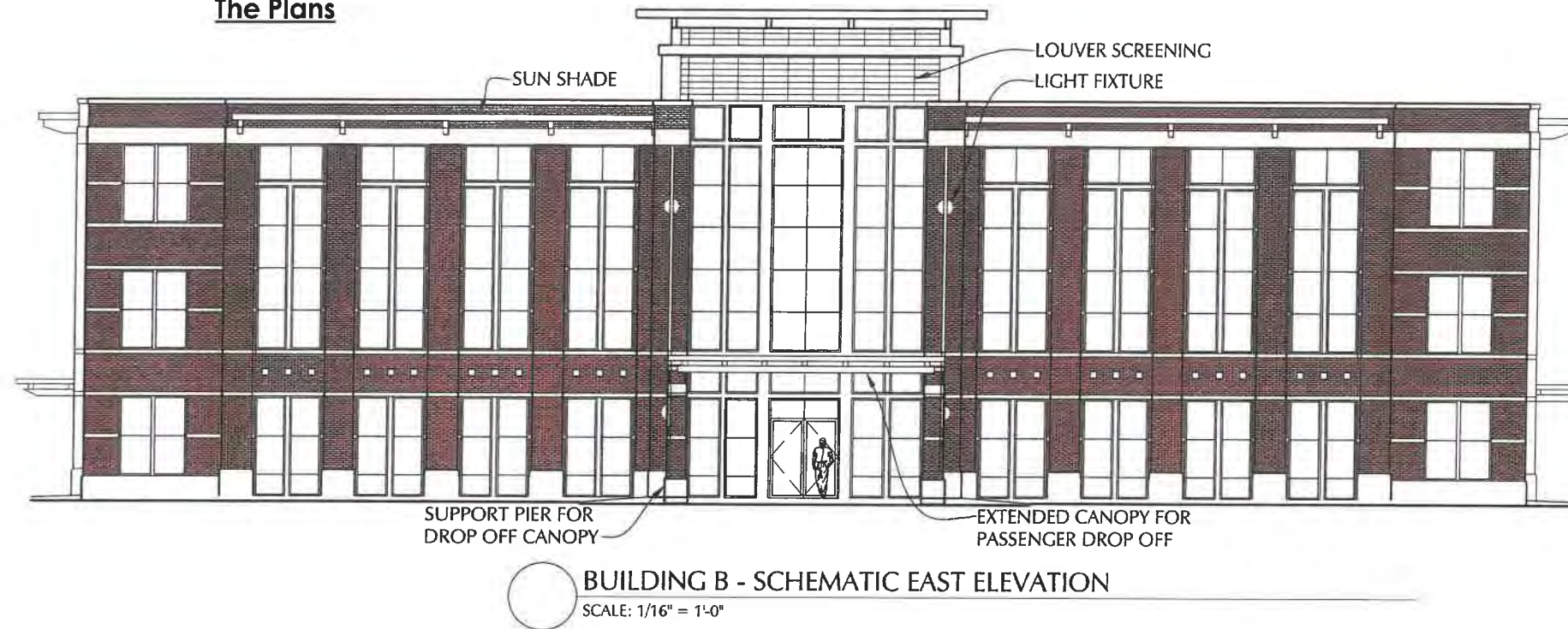
PROPERTY DEVELOPMENT FOR  
IOSUE INVESTMENT, LLC  
AT EVERETT AND WAUKEGAN ROAD  
LAKE FOREST, IL

JOB NO.: 1918

ISSUE DATE: DEC. 28, 2020



The Plans



MELICHAR ARCHITECTS  
THE PRACTICE OF FINE ARCHITECTURE

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PROPERTY DEVELOPMENT FOR  
IOSUE INVESTMENT, LLC  
AT EVERETT AND WAUKEGAN ROAD  
LAKE FOREST, IL

JOB NO.: 1918

ISSUE DATE: DEC. 18, 2020



GROUP EXHIBIT B

The Plans



BUILDING A - SCHEMATIC EAST PERSPECTIVE

Scale: 1/8" = 1'-0"



MELICHAR ARCHITECTS  
THE PRACTICE OF FINE ARCHITECTURE

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PROPERTY DEVELOPMENT FOR  
IOSUE INVESTMENT, LLC  
AT EVERETT AND WAUKEGAN ROAD  
LAKE FOREST, IL

JOB NO.: 1918

ISSUE DATE: DEC. 18, 2020



BUILDING A - SCHEMATIC NORTHEAST PERSPECTIVE  
Scale: 1/8" = 1'-0"



MELICHAR ARCHITECTS  
THE PRACTICE OF FINE ARCHITECTURE

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PROPERTY DEVELOPMENT FOR  
IOSUE INVESTMENT, LLC  
AT EVERETT AND WAUKEGAN ROAD  
LAKE FOREST, IL

JOB NO.: 1918

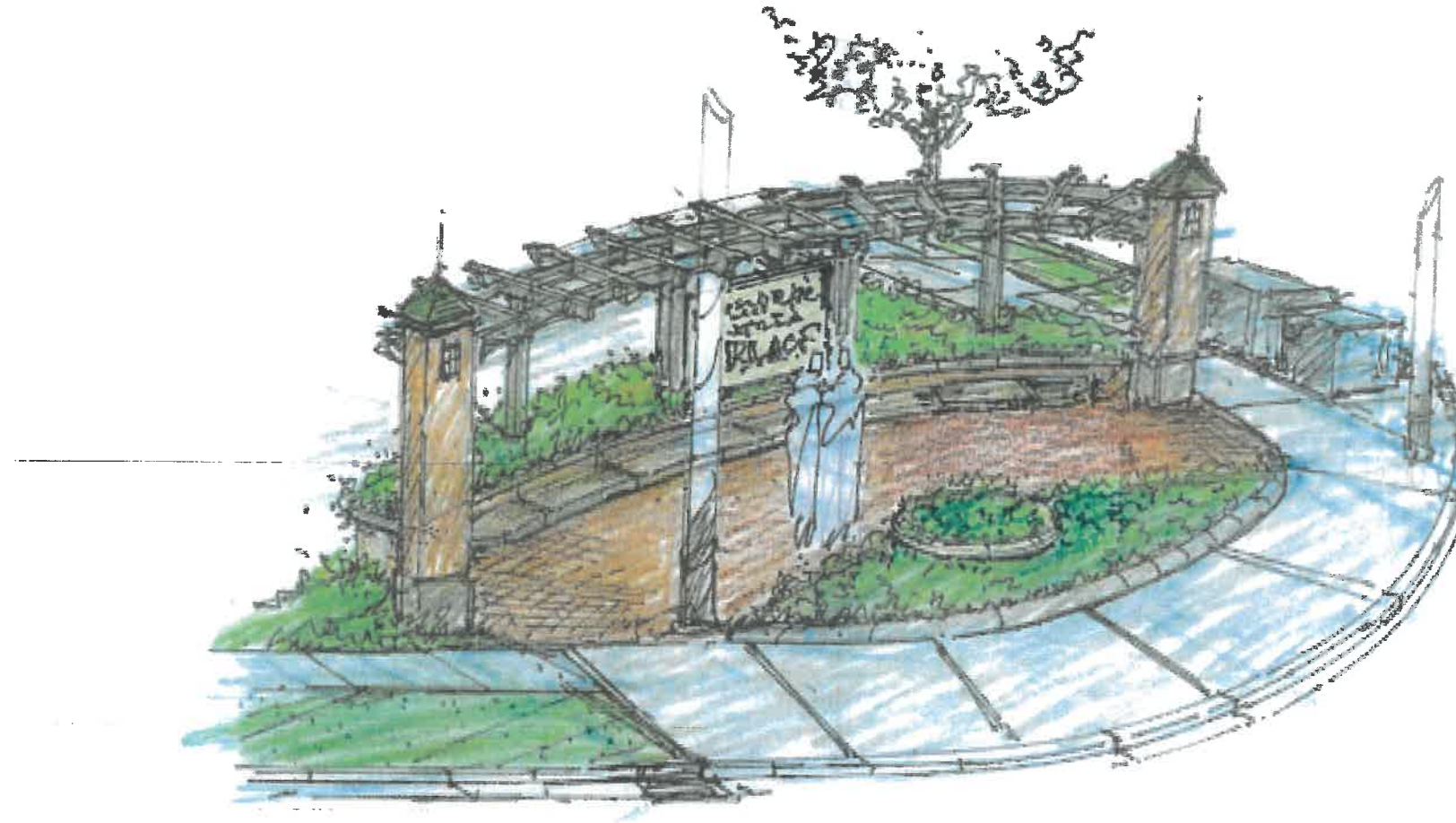
ISSUE DATE: DEC. 18, 2020

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The Plans

This plan is conceptual; all dimensions are to be verified. Materials are represented in their future condition in a more mature state. All designs and ideas contained in these drawings are not to be used as final construction documents by other than MARIANI ENTERPRISES, INC. They are the sole property of MARIANI ENTERPRISES, INC. and are not to be duplicated or put to bid without express written consent. Graphic representations are for illustrative purposes; field adjustments may be made during installation in keeping with the design intent.



2

Focal Point at Corner Plaza - Alternate

SCALE: NTS

# Everett & Waukegan Road

1045 Waukegan Road, Lake Forest

Project No: 20028  
09/02/2020

300 Rockland Road | Lake Bluff, Illinois 60045  
Phone: 847.234.2172 | Fax: 847.234.2754  
[www.marianilandscape.com](http://www.marianilandscape.com)