

Historic Preservation Commission
Proceedings of the November 16, 2022 Meeting

A meeting of the Lake Forest Historic Preservation Commission was held on Wednesday, November 16, 2022, at 6:30 p.m. at the City of Lake Forest City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Historic Preservation Commissioners present: Chairman Maureen Grinnell and Commissioners Elizabeth Dalieri, Jan Gibson, Robin Petit, and Lloyd Culbertson.

Commissioners absent: Commissioner Geoffrey Hanson, one vacant position

City staff present: Catherine Czerniak, Director of Community Development
Kurt Asprooth, City Attorney

1. Introduction of Commissioners and staff, overview of meeting procedures.

Chairman Grinnell reviewed the meeting procedures followed by the Commission and asked the members of the Commission and staff to introduce themselves.

2. Consideration of the minutes of the October 26, 2022 meeting of the Commission.

The minutes of the October 26, 2022 meeting of the Historic Preservation Commission were approved as submitted.

3. Consideration of a request for a Certificate of Appropriateness approving changes to the design aspects of Phase 3 of the McKinley Road Multi-Family Planned Development. The properties included in the petition are addressed as 361 E. Westminster and a portion of 373 E. Westminster.

Property Owners: City of Lake Forest

361 Westminster LLC (Todd Altounian and Peter Witmer)

Project Representatives: Peter Witmer, architect and O'Donnell Callaghan LLC

Chairman Grinnell asked the Commission for any Ex Parte contacts or conflicts of interest.

Commissioner Culbertson stated that while at the site, he exchanged pleasantries with Mr. Witmer. He stated that there was no discussion that impacted his ability to objectively consider the petition.

Hearing no further declarations from the Commission, Chairman Grinnell invited a presentation from the petitioner.

Mr. Witmer presented a plan for the third phase of the McKinley Road Planned Development and reviewed the changes that were made to the plan in response to the Settlement Agreement that was recently approved by the City Council. He noted that the plan, with the modifications, was presented to the Plan Commission last week and noted that the Plan Commission recommended approval of the plan to the City Council. He stated that the modified plan is now presented to the Historic Preservation Commission for evaluation based on the 17 Standards. He stated that the evaluation includes an evaluation of whether the proposed plan is visually compatible with all surrounding objects and spaces, not just those in the Historic District. He stated that the modified plan includes a single family house on Westminster which is compatible with the Westminster streetscape and a condominium building further to the south which is compatible with its surroundings, the two condominium buildings, the Church and the Library. He pointed out that the Standards do not state that compatibility is limited only to the Historic District, but instead, speak to the project in the context within which it is seen. He reviewed the 17 Standards with respect to the proposed single family house noting that the house is proposed at 29.5 feet in height, consistent with the average height of houses along Westminster. He stated that the height of the proposed condominium building is visually compatible, and slightly lower than, the average height of the two existing condominium buildings on McKinley Road and the Library. He presented a streetscape image illustrating the heights of the proposed residence and condominium building in relation to the surrounding buildings. He presented a Westminster streetscape image noting that it shows a conceptual residence on the vacant lot at 373 Westminster which is not part of the planned development and not part of the present request. He noted that the existing condominium buildings reflected in the streetscape images are three stories and the proposed condominium building is two stories. He stated that as measured to the parapet wall, the proposed condominium building is approximately 30 feet tall. He reviewed the proportions of the front facades of existing buildings along Westminster in comparison to the proportions of the front façade of the proposed new residence at 361 Westminster. He stated that the proportions of the front façade of the proposed condominium building are similar to the buildings that it is visually related to including the condominium building at 333 Westminster, the first two buildings in the McKinley Planned Development, and the Library. He reviewed the proportion of the openings on the proposed residence in comparison to those on the existing houses along the streetscape. He stated that the openings reflected on the proposed condominium building are identical to those on the two earlier condominium buildings in the planned development. He explained that the rhythm of solids to voids on the front façade of the proposed residence is expressed with projecting gables and recessed porches similar to other homes along Westminster. He stated that the rhythm of solids to voids on the proposed condominium building is the same as the rhythm of the two existing condominium buildings. He presented a graphic of the spacing between structures along Westminster and noted that there is variation in the spacing of structures with structures on the north side of the street sited more closely together and structures on the south side of the street spaces further apart. He stated that within the development itself, the spacing of structures is intentional to maintain the streetscape and to provide vistas within the development. He stated that the entrances on the third condominium building will be consistent with those on the first two buildings. He stated that the house has an open porch at the front entrance similar to many of the homes in the neighborhood. He stated that a variety

of exterior materials and textures are found on the buildings in the surrounding area. He noted that the proposed condominium building is brick with detailing to generally match the two earlier condominium buildings. He stated that the proposed residence has clapboard siding in keeping with other homes along Westminster. He stated that the proposed residence has pitched roof forms that step down to the lower roof form on the garage similar to other homes in the area. He stated that the proposed condominium building has a flat roof similar to the existing condominium buildings, portions of the Library and some of the homes across the street from the Library. He reviewed a section of the condominium roof and pointed out the landscape screening along the perimeter of the flat roof. He stated that on Westminster, a wall of continuity is established with the siting of the new house in relation to the siting of the 333 Westminster condominium building and the adjacent house. He stated that the proposed house and the future house to the east will conform to the established setback of buildings along the streetscape. He stated that the elevations of the condominium buildings are visually connected and create a visual axis to the Library. He presented a graphic illustrating the height and width of structures along Westminster noting that the proposed residence is similar in dimensions. He stated that the third condominium building relates to the scale of the two earlier condominium buildings in a reduced two story form. He stated that the directional expression of the front elevation of the proposed residence is non-directional in terms of horizontal and vertical forms similar to the other buildings along the street. He stated that the directional expression of the third condominium is identical to the existing condominium buildings. He stated that Standard 12 is not applicable to the project. He stated that one tree is proposed for removal and noted that a landscape plan was provided to the Commission. He stated that the proposed residence and condominium building each reflect a consistent style across all four elevations. He stated that the remaining Standards, 15, 16, and 17 are not applicable to the project.

Ms. Czerniak noted that the petition before the Commission is not a new petition but instead, a presentation of proposed changes to the plan for the third phase of the McKinley Road Planned Development which was previously considered by the Commission. She reviewed that as the Commission is aware, the City Council recently approved a Settlement Agreement with the developer of the McKinley Planned Development in an effort to settle the pending litigation. She stated that the Commission was provided with a copy of the Settlement Agreement for information. She stated that although the provisions of the Agreement are not under the purview of the Commission, the Agreement provides for consideration of and action on the modified plan by the Commission. She stated that the Agreement also provides for Plan Commission review of the modified plan. She stated that the Plan Commission recently considered the modified plan at a public hearing and recommended approval of the plan to the City Council. She stated that the Commission is charged with considering the petition based on the 17 Standards used when considering any plan. She clarified that all zoning aspects of the plan are under the purview of the Plan Commission. She stated that the 17 Standards require review of various design aspects including, but not limited to, architectural details, massing, exterior materials, and the landscaping. She noted that Mr. Witmer reviewed each of the Standards and noted that the Standards are also reviewed in the staff report with respect to

both the proposed residence and condominium building. She confirmed that the plan previously reviewed by the Commission did not include a single family home. She stated that a single family residence is now proposed on the Westminster streetscape so, the third phase of the McKinley Planned Development is now comprised of two buildings, the single family home and a two story condominium building. She stated that under the current plan, the overall planned development, if approved, will be comprised of a total of four buildings, green space and the east-west and north-south roads internal to the site. She stated that the staff report presents findings in support of the modified plan and offers a recommendation for approval of a Certificate of Appropriateness subject to a number of conditions. She noted that several of the recommended conditions are regularly imposed by the Commission and others are specific to this development. She noted that in response to comments in the staff report, the developer presented modifications to the windows in the gable ends which appear to address staff's comments about the appearance of crowding in the gable ends. She stated that a condition requiring submittal of a detailed exterior lighting plan is recommended to allow staff to confirm that all exterior lights are screened from view with fixtures that direct light down. She stated that a condition is recommended requiring exterior lights to be on a timer to turn off no later than 11 p.m. except for motion lights and security lights. She stated that a condition is recommended prohibiting exterior lights on the east elevation of the condominium building except for those required by the Code. She stated that a condition is recommended requiring mechanical equipment to be screened from views from off the site. She stated that the standard condition requiring a construction materials, equipment staging, and contractor parking plan is amplified recognizing the recent construction activity in this neighborhood. She noted that a condition prohibiting construction on Sundays is also included in response to a request from a neighbor. She pointed out that the City Code allows construction seven days a week and acknowledged that there is the balance between pushing to get a project finished and giving the neighbors some relief from construction activity. She stated that the standard condition relating to landscaping is enhanced to specifically require dense landscape screening along the east property line subject to the City Arborist's approval of the species. She stated that in response to public comment, a condition requiring that construction of the house is underway prior to the issuance of a Certificate of Occupancy for the condominium building is recommended. She stated that there is a condition requiring continued efforts to underground the overhead wires and remove the poles along the west side of the site, near the Westminster streetscape. She concluded her comments and reiterated that the Commission's review of the modified plan must be based on the Commission's Standards, not on the zoning aspects of the petition which are under the purview of the Plan Commission.

Commissioner Petit stated that many of the materials normally required for a complete submittal for a petition are missing from the Commission's packet, she references the section of the Code that details submittal requirements. She stated that neither a building scale calculation nor an impervious surface calculation are

provided. She added that the description of exterior materials form, dimensioned floor plans and building sections are not provided for the condominium building. She stated a survey of existing trees on the site was not provided. She stated that the footprints of the proposed buildings are not staked on the site. She stated that given the limited material submitted, in her opinion, the petition is moving too fast. She stated that the Commission is working with a handicap in reviewing the petition. She asked for clarification of whether a new house on the eastern portion of the 373 E. Westminster property is included in the present consideration. She stated that if it is not, the Statement of Intent should be corrected to make that clear.

In response to questions from Commissioner Petit, Mr. Witmer confirmed that a new house on the east portion of the 373 E. Westminster property is not part of the present consideration.

Commissioner Petit stated that the height of the condominium is shown as 33'6". She pointed out that the site slopes significantly and asked what the height of the condominium building is at the northeast corner.

In response to questions from Commissioner Petit, Mr. Witmer stated that the building is 35 feet measured to the top of the penthouse and is 5'6" lower measured at the parapet wall at the edge of the building. He stated that 35 feet is the maximum height allowed by Code for the subject property.

Commissioner Petit stated that considering the condominium building in relation to Standard 2, Proportion of the Front Façade, is tricky because the building has multiple front facades. She stated that the plans presented to the Plan Commission in 2019 also included two buildings and it was noted at that time that the two buildings read as a single large mass. She asked what has changed since the 2019 plan that was rejected. She presented her own study of the streetscape along Westminster.

In response to questions from Commissioner Petit, Mr. Witmer stated that since the 2019 plan was presented, the width of the property at the Westminster streetscape increased by 38 feet allowing a single family home to fit in that area. He noted that Commissioner Petit's illustration reflects the streetscape in elevation, not exactly how it would be seen from the street. He stated that from the street, the top of the condominium building will not be visible above the proposed residence.

Commissioner Petit stated that the proposed house is wider than other homes on the street. She stated that she is not including the 333 E. Westminster building in her study. She stated that the placement of the garage adds to the perceived width and asked whether the garage could be turned to reduce the width along the streetscape.

In response to questions from Commissioner Petit, Mr. Witmer stated that all of the surrounding buildings should be considered in determining whether something is visually compatible, in this case, the 333 E. Westminster building, which is to the west,

should not be ignored. He pointed out that the 333 E. Westminster building is considerably longer and wider than the proposed residence. He explained that because of the site configuration, there are limited options for siting the garage in a manner that does not result in the garage doors facing north, on to the Westminster streetscape, or to the west, toward the alley. He stated that as a result, it is difficult to configure the house to make it appear narrower along the streetscape. He stated that the proposed design works well and creates a motor court at the garage that is functional. He stated that the house that was demolished on the 373 E. Westminster property was about 77 feet wide and a garage adjacent to the end of the house. He stated that in his opinion, the width of the house as proposed is compatible with development in the surrounding area and makes sense.

Commissioner Petit pointed out that as proposed, there is an alley, motor court, driveway to the house, and driveway ramps to the parking under the condominium buildings all within 30 feet of the street. She stated that the hardscape minimizes the size of the lot for the single family home. She questioned whether there are safety concerns with all the activity occurring in a small area. She asked if any thought was given to locating the ramp to the parking under the third condominium building to the south, closer to the ramps for the first two buildings.

In response to questions from Commissioner Petit, Mr. Witmer stated that locating the ramp further south was not considered and explained that due to the grade change, a ramp in that area would need to be longer because of the grade change and would impact the planned open space. He stated that as proposed, the location of the ramp works well, is hidden from most viewpoints, and is aligned with the ramp to the parking for the 333 E. Westminster building. He pointed out that safety is not one of the Commission's standards, but visually, the ramp at the location as proposed makes sense.

Commissioner Petit disagreed with Mr. Witmer's comments and expressed concern about the amount of hard scape and the lack of green space on the site. She stated that she does not have a dimensioned drawing but noted that the west elevation of the building appears to be about 200 feet long. She stated that based on her own study, visually, it appears that the alley is in shadow. She stated that in her opinion, a large building at the end of the east/west road will create an overly crowded appearance on McKinley Road. She stated that with large buildings on all sides, she is concerned the area will become a dark space.

In response to comments from Commissioner Petit, Mr. Witmer pointed out that an entrance to the two story building will be located at the end of the east/west road, between buildings one and two. He stated that to give a sense of scale, the two story building is similar in width to the space between the buildings in Market Square.

Commissioner Petit noted that in Market Square, there are not buildings on both sides of the street, there is a plaza in the center.

Commissioner Petit commented on Standards 3 and 6 noting that they are all related. She stated that a large building, with flat elevations results in a boxy and intimidating appearance. She noted that floor plans are not available, and the elevations of the condominium building are difficult to read. She stated that in her opinion, the condominium building would benefit from more articulation, porches and other similar elements which could help to reduce light spillover. She pointed out that the first floor units have patios, and the second floor units have balconies. She asked if the balconies could be configured more like patios, like the balcony at the east end of the first building in the development. She stated that creating patios for the second floor units could eliminate the need for patios on the roof top and allow a more residential roof form such as a hipped roof. She stated that the third building should blend with the neighboring properties to the east on the historic side of the property.

In response to questions from Commissioner Petit, Mr. Witmer stated that the proposed house is visually compatible to the Westminster streetscape and the proposed condominium building is visually compatible with the other two condominium buildings adding that all three condominium buildings are articulated consistently. He stated that adding roof shapes would create a building that does not fit in with the surroundings.

Commissioner Petit stated that designing the third condominium building to match the first two is the issue. She stated that in 2019, the developer stated to the Plan Commission that the third building was envisioned as being a different architectural style than the first two buildings with the goal of bringing the scale down and creating a transition between the higher density of development on McKinley Road and the neighborhood to the east. She stated that the petitioner also said at that time that the third building would not have roof top patios.

In response to comments from Commissioner Petit, Mr. Witmer stated that those comments were made when a three story building was under consideration. He stated that since that time, the building was reduced to a two story building to better fit the context of the area.

Commissioner Culbertson noted that the footprint of the proposed condominium building differs from the 2016 Master Plan. He asked the petitioner to explain the change from a smaller footprint to a larger one. He stated that the 2016 Master Plan seems to have been acceptable to all parties. He asked for an explanation of any conditions that changed and the motivation for the change to the footprint.

In response to questions from Commissioner Culbertson, Mr. Witmer stated that the 2016 Master Plan was developed just after construction of the first condominium building started and before a Purchase/Sale Agreement was in place with the City. He pointed out that the development evolved noting that the footprint of the second building was modified after land was purchased from the Church to the south. He stated that the

City encouraged negotiations between the Church and the developer to allow the width of the second condominium building to match the first along the streetscape. He stated that similarly, additional land was acquired and added to the third phase of the development. He stated that the changes were approved by the Boards and Commissions. He stated that initially, a three story building was proposed for the third building, instead of a two story building. He stated that after the Purchase/Sale Agreement was in place, further study was conducted on the site and a portion of the 373 E. Westminster property was incorporated into the development site. He stated that the increased footprint resulted from the building moving from three stories to two stories. He added that the need to accommodate parking under the building also drove the footprint of the building. He stated that providing underground parking was a goal of the project from the beginning.

Commissioner Culbertson asked whether a single family home was part of the earlier plan.

In response to questions from Commissioner Culbertson, Mr. Witmer stated that various plans were studied and presented since 2016 with various configurations including duplexes, a single family residence and a single three story tall building with various roof forms.

In response to questions from Commissioner Culbertson about the relevance of the 2016 Master Plan, Mr. Asprooth stated that the 2016 Master Plan is only a guidance document from a zoning perspective. He clarified that the plan approved by the City Council in April 2021 is the governing document and the overall zoning that is in place for the property.

Commissioner Culbertson stated his concerns relate to Standard 10 which speaks to the scale of the structure. He questioned the language used in the staff report and noted that he sees the visual compatibility of the size and mass of the structure in relation to open spaces, windows, door openings, porches, adjacent structures and balconies to the buildings to the west which are part of the McKinley development however, he stated that he does not see visual compatibility with the structures to the east. He noted that the staff report states that the building scale provisions normally applied to single family and duplex dwellings do not apply to this multi-family development and asked for clarification.

Ms. Czerniak stated that the City's Building Scale Ordinance limits the square footage, based on a calculation defined in the Code, for single family homes and duplexes on individual lots. She stated that the Commission is considering the third phase of a planned development. She stated that the planned development was approved by the City Council through a Special Use Permit and the single family home that is proposed is part of this larger development. She stated that the planned development approved by ordinance, establishes a unique approval for the development. She stated that the residence is a unit within the larger planned development.

Commissioner Culbertson noted that others have suggested moving the entrance ramp to the underground garage for the third building to the south, more central to the entire development, to avoid crowding the new residence and to minimize traffic on Westminster. He asked if shifting the ramp could be considered.

Mr. Witmer stated that it would be difficult to locate the ramp at the center of the building adding that if the ramp is located at the south end of the building, the green space would be lost. He pointed out that the neighboring residence to the east has a condition similar to the condition proposed. He stated that locating the ramp as proposed makes the most sense for the site.

Commissioner Culbertson asked staff if the Commission would be able to consider a condition of approving a Certificate of Appropriateness based on some kind of restriction for use of the roof top area during certain hours of the day.

In response to a question from Commissioner Culbertson, Ms. Czerniak stated that "use" is not under the purview of the Historic Preservation Commission. She added that there is no prohibition on outdoor spaces such as terraces, balconies, patios, or rooftop patios in the Zoning Code. She stated that the Commission cannot condition approval on how a space is used. She reviewed that conditions imposed by the Commission often deal with exterior lighting, landscape and design aspects.

In response to a question from Commissioner Culbertson, Mr. Witmer confirmed that there will be a Condominium Homeowner's Association but stated that it is unlikely that the Association will impose limitations on the use of the private roof patios.

Commissioner Dalieri asked whether the underground garages for all three condominium buildings could be configured with a single entrance.

In response to Commissioner Dalieri's question, Mr. Witmer stated that configuring the underground garages in that manner is not possible at this point in the development.

Commissioner Dalieri stated that the condominium building will be visible from Washington Road, between the homes, making the point that the building will be visible from more than just Westminster and from McKinley Road. She asked whether French doors from the condominium units open on to the balconies located at the north end of the east elevation. She asked for more detail about the metal trellises on the rooftop.

In response to questions from Commissioner Dalieri, Mr. Witmer confirmed that French doors open on to the balconies. He stated that the metal elements on the roof top replicate the trellises on the first two buildings. He pointed out that the trellises are shown on the roof plan.

Commissioner Daliere asked why the stone coping shown on the west elevation is not continued on the east elevation.

In response to questions from Commissioner Daliere, Mr. Witmer stated that the stone coping is eliminated from the east elevation for simplification and to reduce the contrast and visual impact of the east elevation as viewed from the homes to the east.

Commissioner Daliere stated that the petitioner commented that there will be slight differences in the ornamentation found on the third building in comparison to the two earlier buildings. She asked for clarification on those changes.

In response to questions from Commissioner Daliere, Mr. Witmer stated that the main change is that on the east elevation, brick soldier courses are proposed instead of limestone headers.

Commissioner Daliere questioned whether the plan presented satisfies Standards 8 and 14. She noted that every home in the Historic District is unique yet the condominium building as proposed is nearly identical to the first two buildings which are designed as warehouses with flat roofs. She noted that the petitioner pointed out other buildings with flat roofs in the area. She noted concern that adding another flat roof building in this area as proposed will create a cluster of buildings with flat roofs. She stated that since the third condominium building is in the Historic District, it should be unique to preserve the special character of the neighborhood. She noted that some Commissioners commented on roof forms and suggested changing the roof shapes to allow the new building to have its own character.

In response to comments by Commissioner Daliere, Mr. Witmer stated that the flat roof on the third condominium building makes it visually compatible with the first two condominium buildings.

Commissioner Daliere stated that in her opinion, in the Historic District, compatibility requires buildings to be different and unique yet have a blended identity. She stated that if the same house is built a number of times, the area is a subdivision, rather than an historic district. She asked if changes could be made to give the third condominium building its own personality and character. She noted that there are three brick condominium buildings on East Laurel Avenue, which are not architecturally significant, but because they are all different, there is variety along the streetscape. She acknowledged that the buildings in the Kelmscott Park development are nearly identical to each other.

In response to questions from Commissioner Daliere, Mr. Witmer pointed out that the building has three individual entrances into the units on the west elevation adding that this feature is a subtle difference from the first two buildings. He stated that the entrances will each have an address posted. He confirmed that the street is wide enough for two cars to pass.

Commissioner Daliere commended the incorporation of the single family residence into the development. She commented that the proposed house is wide and noted that visually, the horizontal siding makes the home appear wider. She questioned whether brick could be added to the north gable to break up the width of the home and tie it into the brick and wood siding found on the surrounding buildings.

In response to Commissioner Daliere's question, Mr. Witmer stated that clapboard siding on all four elevations is historically correct.

Commissioner Daliere acknowledged that there is historic precedent for clapboard siding but noted that there is also an historic precedent for brick. She commented that the roof above the garage appears large and questioned whether a second story could be added above the garage with a window or other element to minimize the appearance of the roof mass.

In response to questions from Commissioner Daliere, Mr. Witmer stated that the garage as proposed steps down from the primary mass of the home. He expressed concern that raising the garage could make the house appear larger.

Commissioner Daliere stated that raising the garage roof could hide views of the condominium building behind it and take advantage of living space that looks out toward the beautiful streetscape. She pointed out that the placement and color of the chimney makes it stand out. She questioned whether the color of the chimney could be muted, and the chimney pushed to the side of the house.

In response to questions from Commissioner Daliere, Mr. Witmer stated that the chimney supports the fireplace as reflected in the floor plan. He stated that the chimney color was selected to match the trim on the house and to distinguish it as masonry, different from the clapboard siding. He pointed out that the house is not symmetrical like a Georgian house in which the fireplaces would be located at either end of the house. He noted that a future owner of the residence will have the flexibility to paint the brick chimney if desired.

Commissioner Culbertson agreed with Commissioner Daliere that the chimney stands out. He asked whether the height of the chimney could be reduced.

In response to Commissioner Culbertson's question, Mr. Witmer stated that the Code requires the chimney to be two feet above the ridge of the roof.

In response to Commissioner Culbertson's question, Ms. Czerniak stated that at the time plans are submitted for permit, City technical staff will complete a review to verify that the chimney satisfies the life safety code requirements.

In response to a question from Commissioner Culbertson, Mr. Witmer confirmed that the chimney is most prominently viewed from the rear of the home. He agreed to lower the chimney if allowed by the technical codes.

Commissioner Dalieri commented that based on the preliminary landscape plan presented, additional landscape screening appears to be needed. She noted that boxwood is proposed adjacent to the home, near the road, and cautioned that boxwood is not salt tolerant. She stated that durable plants and evergreens should be used to provide screening.

Mr. Witmer noted that the boxwood at the other two condominium buildings have done well despite being located along the edge of the road and are one of the endearing qualities of the space. He stated that measures are taken to protect the Boxwood from salt. He stated that the landscaping for the development has been studied in detail.

Commissioner Gibson stated that the Commission is interested in making this a successful development, done correctly. She stated that in her opinion, Standards 4, 7 and 14 are not fully met and suggested that the petitioner consider some changes to address those Standards. She stated that as proposed, the residence is a Colonial Revival style home treated like a farmhouse with elements from New England and from barns. She stated that the house is unusual because it is visible from all sides. She commended the petitioner for modifying the window on the front gable in response to the comment in the staff report. She agreed with Commissioner Dalieri that raising the height of the garage would block views of the condominium building adding that the increased height would allow double hung windows to be used. She stated that the "bonus" windows on the front of the garage are problematic and should be eliminated. She questioned whether the windows with single shutters and could be replaced with smaller six over six windows with shutters on both sides.

In response to questions from Commissioner Gibson, Mr. Witmer stated that the residence is a saltbox type design, a house that would historically have a chicken shed next to it with smaller windows, often with one shutter, because of the scale of the structure. He stated that he is surprised at the suggestion that the height of the garage be increased noting that will add to the appearance of mass of the house. He explained that as viewed from the west, the scale of the garage steps down in a typical manner that occurs on a farmhouse, a central mass with additions built off of it. He stated that he understands the thought process of wanting to hide the condominium building behind the house but noted that landscaping and a large tree in the front of the house will offer screening. He added that because of the perspective, there will only be limited views of the condominium building. He stated that the existing three story buildings condominium buildings and the 333 Westminster building are taller and more visible.

Commissioner Gibson stated that often times Colonial Revival homes are symmetrical.

In response to Commissioner Gibson's comment, Mr. Witmer stated that designing a symmetrical house on this site is challenging because the house is visible from all sides. He stated that it is important not to have the garage door face Westminster, so an auto court is tucked behind the home. He stated that it is impossible to design a Georgian or Colonial house on the site because of the need to have smaller and larger sides. He pointed out that some homes in the surrounding area are symmetrical and others are not.

Commissioner Gibson suggested that if the garage remains at the currently proposed height, the windows on the garage be replaced with windows more in keeping with the style of the home. She suggested replacing the bonus window on the gable end with a vent.

In response to Commissioner Gibson's suggestion, Mr. Witmer agreed to replace the window with a vent noting that the window has no function other than as a design element.

Commissioner Gibson pointed out that two single windows are shown on the east elevation of the house and suggested replacing them with a single double hung window to provide balance across the elevation. She noted that because a floor plan of the house is not available, the location of the windows in relation to the interior is unclear.

In response to questions from Commissioner Gibson, Mr. Witmer reviewed the floor plan noting that the windows are located on the bed wall in the master bedroom adding that given the configuration of the house, there are limited options for a bed wall.

Commissioner Gibson suggested replacing the sliding doors on the rear elevation with French doors which are more elegant and compatible with homes in the Historic District.

In response to Commissioner Gibson's suggestion, Mr. Witmer noted that from a functional perspective, in a smaller house, French doors, although more elegant, are difficult because they swing open. He stated that the sliding doors will have limited if any visibility from off of the site because of fencing and landscaping. He noted that a house across the street has a sliding door to a patio.

Commissioner Gibson stated that the dormers are generally designed correctly but commented that in the Colonial Revival style, dormer windows are usually smaller than the windows as reflected on the plans. She suggested making the front and rear dormers narrower. She explained that the dormer window and the trim around it should be the width of the element below it.

In response to suggestions from Commissioner Gibson, Mr. Witmer stated that the proportion of the wall of the dormer itself has a minimum width. He agreed to consider whether the width could be reduced.

Commissioner Gibson expressed concern about the use of a standing seam metal roof noting that metal has only been approved by the Commission in a few instances, and not at the front of the house. She acknowledged that because of the 4:12 pitch the metal roof may not be able to be replaced with cedar shingle. She stated that there are metal scallops or rectangles that can be used instead of the metal panels. She noted that the metal panels appear barn-like.

In response to comments from Commissioner Gibson, Mr. Witmer agreed to consider using wood shingles if the roof pitch is sufficient to do so.

Commissioner Gibson asked about the dormers on the rear elevations that extend across the metal roof. She pointed out that on the east elevation drawing, the side of the dormer is not visible. She stated that the columns appear very thin.

In response to questions from Commissioner Gibson, Mr. Witmer stated that the dormers extend to the metal roof because of how they fit into the building section. He acknowledged that the side of the dormer should be reflected on the east elevation drawing. He stated that the columns are in keeping with the farmhouse style and are a 6 inch by 6 inch post with a wood cap but agreed to reconsider the width.

Commissioner Gibson asked for clarification on the section provided. She asked if the windows in the dormers are operable and if they can be reached from the interior.

In response to questions from Commissioner Gibson, Mr. Witmer stated that the back of the home is open to the upstairs. He stated that there are three bedrooms on the second floor. He explained that one of the reasons they were able to change the front gable window is because the plan was reorganized to assure that the plan provides for sufficient light and ventilation into the bedrooms. He confirmed that the windows in the dormers are operable and acknowledged that it may be difficult to reach the dormer windows from the lower level. He noted however that the dormer windows allow light into the space and present a consistent appearance from the exterior.

Commissioner Gibson stated that the house in her opinion, has some potential to connect with the other homes on Westminster however, she does not see relationship between the house and the proposed condominium building. She stated that incorporating brick as suggested by Commissioner Daliere might establish more of a relationship between the home and the condominium building. She acknowledged that a brick chimney makes sense on the house but noted that the chimney does stand out. She suggested moving the chimney closer to the main roof line. She asked about the color of the window muntins. She stated that the depth of the trim on the front

elevation appears different than elsewhere. She asked if the columns on the rear elevation are true columns or pilasters.

In response to questions from Commissioner Gibson, Mr. Witmer stated that the muntins are white and he confirmed that all of the trim on the house will be the same dimensions. He confirmed that columns, not pilasters, appear on the porch on the rear elevation of the house.

Commissioner Gibson stated concern about the scale of the condominium building and asked whether it is within the Commission's purview to discuss the scale.

In response to a question from Commissioner Gibson, Mr. Asprooth confirmed that scale is one of the Commission's standards and can be discussed. He noted that the zoning aspects of the development are under the purview of the Plan Commission.

Commissioner Gibson commented on the roof top patios and encouraged consideration of where roof top gardens are appropriate as part of the ongoing study of the Central Business District. She noted that in some areas, roof gardens may be more appropriate. She noted that a previous plan presented a condominium building with a mansard roof and that design was not approved. She stated that she understood that the third building would be different than the first two. She asked if consideration could be given to a building with a hipped roof.

In response to Commissioner Gibson's question, Mr. Witmer stated that a hipped roof will not be considered at this point. He confirmed that various roof forms were studied and presented during the review process.

Commissioner Gibson noted that in the Amberley Woods development, the balconies are recessed into the building to minimize light spillover.

In response to Commissioner Gibson's comment, Mr. Witmer stated that recessing the balconies into the floor plan cannot be considered at this time. He noted that the roof top patios minimize impacts on the neighbors in comparison to balconies.

Commissioner Gibson stated that she was at the Library and heard music from the existing roof top patios.

In response to Commissioner Gibson's comment, Mr. Witmer stated that he is not aware of any complaints about activity or noise related to the existing roof top patios. He noted that the music could have been coming from windows.

Commissioner Gibson stated that she does not oppose the development. She acknowledged that the roof top patio is a use issue not under the purview of the Commission but noted that it is sensitive because it is so overwhelming adding that in her opinion, the issue needs to be addressed. She asked whether design modifications

can be made to add depth to the windows on the condominium building noting that in her opinion, the windows on the first two buildings are not deep enough.

Mr. Witmer stated the intent is for the windows in the third condominium building to match the other buildings.

Commissioner Gibson stated that Standard 14 which relates to compatibility applies to both the house and the condominium building with respect to fitting in to the neighborhood. She noted that changing the roof material on the front of the single family home to wood shingles will help to address Standard 7, Relationship of Materials and Texture.

Chairman Grinnell announced that the Commission will go into recess for ten minutes.

The meeting resumed at 8:35 p.m. and Chairman Grinnell invited public comment.

Reed Dailey, 385 E. Westminster, stated that his property is adjacent to the proposed third phase of the development. He stated that the proposed third building mimics the first two condominium buildings and does not look the same as the homes in the area. He presented the 2016 Master Plan and discussed the importance of scale in the Historic District. He reviewed the various plans presented by the developer in 2016, 2021 and 2022 and pointed out that the scale of the proposed development steps up from what was reflected in the 2016 plan. He stated that in addition to the house now proposed to the north of the condominium building, there will also be a second new house constructed to the east. He stated that there will be 35 windows on the condominium building facing his home. He presented images of what he sees today from his property when looking west at the two existing condominium buildings. He stated that he lost 30 trees on his property and now sees bright lights. He presented an image of what he will see from his house if the third building is constructed. He stated that he intends to propose a two-story garage to block views of the third condominium building if it is built.

John Johnston, 110 Blackthorn Lane, stated that he is speaking on behalf of the Library Board and read a letter that he submitted to the Commission prior to the meeting on behalf of the Library Board. (The letter is included in the record for this petition.) He stated that restoration of the Library dome is proceeding with construction anticipated in the spring.

Heather Strong, 230 N. Mayflower Road, noted that she serves on the Library Board and is involved with the Library dome restoration project. She asked the Commission to consider the proposed development in relation to Standards 1 and 10, height and scale, in relation to the Library. She pointed out that the height of the Library is 48 feet as measured to the very top of the skylight on the dome, an area that is less than 10 feet in diameter. She noted that the entire rotunda is approximately 30 feet by 30 feet so less than 1,000 square feet of the entire 28,00 square foot Library is above 30 feet in height. She noted that most of the Library is under 28 feet in height.

Jeff Torosian, 401 E. Westminster, stated that the 2016 Master Plan contemplated two-story town homes in a smaller footprint with and no rooftop patios in the phase three area. He stated that the development has gotten bigger without a rational reason for the change. He noted that building two in the development got bigger because the developer was able to buy extra land. He stated that the single family home was always contemplated on Westminster as part of the 2016 Master Plan. He stated that in April 2021, the Plan Commission denied the petition and subsequently, the Council approved the zone change to the 38 feet of the property to the east and adjusting the lot line between the two properties. He pointed out that the Council did not approve the monstrosity of the building. He stated that the Commission has three options grant, deny or continue the petition. He stated that approving the petition would be a huge mistake noting that there will be no way in the future to win a challenge to any petition in the Historic District adding that going forward, the City will lose in Court every time. He stated that if the petition is approved, there will be no way for the City to deny a rooftop patio anywhere in the Historic District going forward. He stated that everything about the petition is so obviously not in keeping with the Historic District. He stated that the Commission can deny the petition outright and the petitioner will appeal the denial to the City Council. He stated that the Commission's Standards are non-negotiable which makes Lake Forest different than every other City. He added that if City Council wants to give this property to a developer for free in order to get this project done, the City Council needs to own that decision. He stated that the City Council should not try to pin this decision on the Historic Preservation Commission. He noted that the City Council made it clear that they were not approving the plan or even opining on it but instead, making it the Commission's problem. He stated that if he were in the Commission's position, he would deny the petition and make City Council own the decision. He stated that the last choice the Commission has is probably the best choice, to continue the petition. He stated that the petitioner has had six years to address the neighbors' concerns. He stated that the petitioner does not have it in him and does not have the respect for the Commission or the neighborhood to address the concerns that have been expressed during the discussions: no rooftops, adhere to the footprints in the Master Plan, a two-story building, and a nice appearance. He stated that the best argument that is offered is that no one will see the condominium building with the house in front of it. He stated that the petitioner should return to the Commission with the issues addressed. He stated that the Commission's Standards should be non-negotiable.

Sally Downey, 475 E. Westminster, stated that roof top patios should never be allowed in the Historic District, especially in a residential area. She stated that in November 2016, the developer stated that the roof top patios were defining aspects of the design and were not offered elsewhere in the community. She noted that statement differs greatly from the staff report which states that roof top patios are found on types of buildings throughout the community. She questioned where other roof tops are located. She noted that also in November 2016, the developer stated that the roof top mechanicals will be screened by the parapet walls and that the penthouses will be designed to

disappear along with the roof top living space and will be located on the internal portion of the roof for privacy. She noted that the staff report states that in response to concern about impacts on neighboring properties from the roof top living space, the patios will be centrally located on the roof, away from edge of the buildings. She stated that despite that promise, the penthouse, furniture and umbrellas on the roof are visible. She stated that the leafless trees on the roof do not mask anything. She stated that the staff report states that the penthouses do not qualify as a story but noted that they visually read as a story and can be seen from every direction from blocks away. She stated that the City of Chicago Code and the International Building Code appear to categorize similar spaces as stories. She stated that there are also codes pertaining to egress and fire safety and questioned whether those are met. She stated that the proposed condominium building is in an Historic District and development of any kind must meet the highest of standards. She urged the Commission to not allow a lawsuit or pressure from City lawyers or the worry that the City Council will overturn the Commission keep the Commission from doing its job. She encouraged the Commission to follow the 17 Standards. She noted that in the past, Ms. Czerniak stated that the approval of the first condominium building established a context for future buildings, but did not set a precedent for massing, roof forms, building heights or building design. She noted that in earlier discussions, the developer pointed out that there is a large buffer between the first two buildings and the neighboring homes but agreed that roof top patios on the phase three property may create a privacy issue for neighbors. She asked that no roof top patios be permitted, that the condominium building be reduced in size, that no balconies be permitted on the east side of the building, and a guarantee that the house on Westminster will be constructed. She for the Code language that permits roof top patios and asked for details on the distance between the patio and the penthouse and the edge of the roof on the second building and the proposed distances on the third building. She asked how it will be guaranteed that the roof top patio will remain in the center of the building. She questioned why the roof top patios are not considered an additional story. She asked what rules are in place to assure that the neighbors will not see roof top mechanicals or furniture. She stated that the Commission is the only guardians to protect and preserve the community.

Rommy Lopat, 410 Woodland Road, thanked the Commission for its work. She stated that she has been watching this petition since 2016 when the City decided to sell the two parcels to the developer. She stated that the confidential Purchase/Sale Agreement came to light last year after the developer sued the City and those who testified at the hearings. She stated that in her opinion, the Agreement has many flaws including not putting the property out for bid and offering and allowing up to 14 units in the third phase of the development before a master plan incorporating a third building was approved. She noted that seven or eight condominium units are currently proposed in building three but noted that the units are proposed in two large buildings comprising 25,000 square feet on about 31,000 square feet of property located in an Historic District of beautiful single family homes and crowding up to the elegant 1931 Georgian style Library. She stated that the plan currently presented puts the Plan Commission and the Historic Preservation Commission in the uncomfortable positions of

rejecting the condominium building because of the mass, scale, visual compatibility, roof shape, and materials; and rejecting the house based on at least Standards 8, 10 and 14, while a lawsuit hangs in the balance. She stated that to accept the plan will compromise the Historic Preservation Commission's integrity. She stated that the developer has been told not to make building three identical to the two other condominium buildings. She stated that previously, the developer and staff said that the intent is the building three will appear as though it developed over time. She noted that as presented, it does not. She stated that although she supports a house on Westminster, as proposed, it appears as though it is out of a builder's catalog. She stated that the garage roof on the house should not be raised, instead the condominium building should be lowered. She questioned if the plans submitted are a schematic design for the house and whether more detailed plans will come back before the Commission. She questioned the number of units allowed in the planned development and noted that the staff report presented to the Plan Commission omitted a criterion which states that the development will conform to the GR3 zoning. She added that staff stated that the omission was inadvertent and noted that the density permitted was addressed in the Purchase/Sale Agreement. She stated that she posed the question to staff about the total number of units allowed in the overall development. She stated her hope that the Commission will continue to pursue answers to the many questions that remain. She stated that she intends to assure that the City's reviews are impartial and comprehensive. She asked the Commission to the time necessary to review the many design and compatibility questions. She stated that the Commission should continue the petition to uphold the fair and well-tested Certificate of Appropriateness Standards.

Susan Athenson, President of the Preservation Foundation, stated that the Foundation submitted written testimony. (The letter is included in the record for this petition.) She focused on standards 1, 8 and 10. She requested that the petition be continued to allow the petitioner to design a plan that is compatible with the Historic District.

Jim Opsitnick, 971 Verda Lane, stated that he is on the Preservation Foundation Board but is speaking for himself. He stated that in his opinion, the development tries to fit a square peg in a round hole. He stated that the City has guidelines, and the Commission has Standards. He stated that the proposed development is adjacent to neighbors and is in an Historic District but yet, the petitioner wants to build a modern brick building with many windows looking over private residences. He stated that the City Council may feel that the additional tax revenues generated by the development will be wonderful for the City but noted that people move into the City because of its desirability and livability. He noted that people coming to the community are buying older homes and restoring them to take advantage of the character and historic integrity of Lake Forest. He noted that the current investment that is occurring through that process is adding value to the community. He stated that the proposed project does not enhance the community, it provides living space and provides a good return on investment for the developers but does not visually enhance Lake Forest. He asked that the Commission not vote in support of the petition.

Courtney McGovern, 79 Mayflower Road, agreed with the prior speakers and expressed concern about the decision on this petition establishing a precedent. She stated that it is unfortunate that the City Council changed the zoning to accommodate this development. She stated that she does not see how going forward, any other developer could be precluded from receiving the same approvals. She stated that the City will lose any future court cases. She stated that it is unfortunate given the history of the community and the incredible historic homes.

Hearing no further public testimony, Chairman Grinnell stated that the public hearing portion of the hearing is closed.

In response to a question from Commissioner Culbertson, Ms. Czerniak reviewed that the Commission has the ability to approve, deny or continue the petition. She confirmed that the petition includes the condominium building and the single family residence.

In response to a question from Commissioner Culbertson, Mr. Witmer stated a willingness to consider refinements to reflect some of the changes to the house suggested by the Commission.

Hearing no further questions from the Commission, Chairman Grinnell invited final comments from the petitioner.

Mr. Witmer requested a vote on the petition.

Chairman Grinnell invited final comments from staff.

Ms. Czerniak stated that the technical aspects of the plan will be reviewed for compliance with the building codes at the time full construction plans are submitted for permit as occurs with any petition including any requirements related to roof top patios. She stated that if the applicable technical requirements are not met, permits will not be issued until the plans comply with the code. She stated that any significant design modifications could require further review by the Commission.

In response to questions from Commissioner Culbertson, Mr. Witmer said that they will abide by the conditions in the staff report.

Chairman Grinnell asked the Commission for final comments.

Commissioner Petit stated that based on the limited information provided to the Commission she finds that Standards 5, 7, 8,10 and 11 are not met, or not fully met. She stated that she is disappointed that there is not a willingness on the part of the developer to compromise.

Commissioner Gibson stated that she is not willing to give up on the development and stated interest in working with the petitioner to get it right. She stated that Standard 7 is satisfied with respect to materials. She stated that Standard 1 is a concern noting that most of the Library building is under 28 feet. She stated that views of the Library are important. She stated the condominium building is modern and does not fit with the character of the Historic District. She stated that the non-farmhouse Colonial revival home is not compatible to the streetscape but noted support for a house on the Westminster streetscape. She stated that the house is not compatible to the condominium building and the condominium building is not compatible with the single family homes to the east and north. She stated that the roofline on the house is not correct. She stated that there are too many windows on the condominium building and stated that the details of the fenestration are bothersome. She agreed with the Preservation Foundation that the driveway ramp to the condominium should be moved to the south, away from the single family home. She acknowledged that the driveway configuration may be driven by zoning restrictions but stated that the aesthetics of it are wrong. She stated that the third building should be different from the first two condominium buildings. She stated that the landscape plans show a minimal number of evergreens and none along the east property line. She acknowledged that space is limited but stated that screening is important. She suggested a discussion of the right number of units on the property as suggested by Ms. Lopat.

Commissioner Dalieri agreed with comments made by Commissioners Petit and Gibson. She stated that the Commission's Standards are not met. She stated that it is disappointing and stated that in other situations, if the Standards are not met, the Commission does not grant approval. She stated that the petitioner is not willing to make changes. She stated that the proposed development is in an historic neighborhood so there are additional requirements. She stated that she would not be doing her job if she approves the petition without the Standards being met.

Commissioner Culbertson stated that he is not considering any of the legal issues as it is not in the purview of the Commission. He added that the Commission is strictly bound to consider the appropriateness of the project as measured against the Standards. He stated that it is unfortunate that the condominium building is not consistent with the footprint of the 2016 Master Plan because that plan was acceptable to everyone. He stated that the project evolved over time and got larger. He stated that standard 10, Scale is most problematic. He stated that he believes that the building is compatible with the development to the west but noted that area is not in the Historic District. He stated that there is not a sufficient transition from west to east to achieve compatibility. He stated that in view of the Standards that the Commission is bound to consider and given the fact that the petitioner is not willing to make changes to the plans, he is not in a position to support a Certificate of Appropriateness.

Chairman Grinnell stated that the role of the Commission is to ensure that all interests and concerns of property owners, neighbors, architects, historians, and the community at large are heard and considered. She added that the Commission is charged with

reviewing each petition against the Standards detailed in the City Code. She stated that in her opinion, Standard 10, compatibility, presents the most significant hurdle in this petition. She stated that although there is compatibility with the development to the west, the proposed development is not compatible with development to the east. She stated that compatibility with development to the west was not the expectation or the desire for this site. She acknowledged that there is a great deal of fatigue around this petition and that there may be ramifications going forward but noted that she, as a member of the Commission, is setting aside legal considerations. She acknowledged that there have been many meetings held on this petition and that the petitioner has presented many modifications in response to previous comments. She stated however that with the limited information and time afforded to the Commission to examine all of the possible solutions, and hearing from the petitioner that little can be changed, she is concerned about approving the petition. Hearing no further comments from the Commission, she invited a motion.

Commissioner Culbertson made a motion to deny the Certificate of Appropriateness commenting that since the petitioner has stated no intention to modify the plans further to any substantial degree, there is no value in continuing the matter.

In response to a question from Mr. Asprooth, Commissioner Culbertson confirmed that the motion incorporates the Commission's deliberations as findings with respect to the Standards.

The motion to deny the Certificate of Appropriateness was seconded by Commissioner Gibson and was approved by a vote of 5 to 0.

OTHER ITEMS

5. Opportunity for the public to address the Historic Preservation Commission on non-agenda items.

No testimony on non-agenda items was presented to the Commission.

6. Additional information from staff.

The meeting was adjourned at 9:48 p.m.

Respectfully submitted,

Catherine J. Czerniak
Director of Community Development