

The City of Lake Forest
Plan Commission
Proceedings of the January 9, 2019 Meeting

A meeting of the Lake Forest Plan Commission was held on Wednesday, January 9, 2019, at 6:30 p.m., at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Commission members present: Chairman Kehr and Commissioners Michael Freeman, Monica Ruggles, Guy Berg, Remo Picchietti and Susan Athenson

Commissioners absent: Stephen Douglass

Staff present: Catherine Czerniak, Director of Community Development

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

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

2. Consideration of the minutes of the December 12, 2018 Plan Commission meeting.

The minutes of the December 12, 2018 Plan Commission meeting were approved as submitted.

3. Public Hearing and Action: Consideration of a request for approval of the tentative and final plat for a 2-lot re-subdivision of Lot 3 in the Conway Park at Lake Forest Subdivision. A hotel was recently approved for a portion of the site, Lot 3A. Lot 3B is planned for development with an office building in the future. A variance from the five acre minimum lot size in the OR-2 zoning district is requested. The property is located on the west side of Field Drive and is addressed as 200 Field Drive.

Property Owner: Laurel Avenue Lake Forest Limited Partnership (Trillium Investments, Inc. 1%, Gary Janko 79%, Janko Financial Group, LLC 7%)
Presented by: Jim Purinton, Janko Group

Chairman Kehr asked the Commission to declare any conflicts of interest or Ex Parte contacts. Hearing none, she stated that in the past, she had a business relationship with the Janko Group but noted that relationship no longer exists and she no longer has a conflict of interest. She swore in all those intending to speak and invited a presentation from the petitioner.

Mr. Purinton, the Janko Group, stated that re-subdivision of Lot 3 in the Conway Park Subdivision is proposed. He noted that the existing lot is just over nine and a half acres and is located on the west side of Field Drive, in Conway Park and is the site of previously approved Hyatt Place Hotel. He stated that construction of the hotel is

scheduled to start later this year. He stated that two lots are proposed, the larger totaling just over six acres and the other totaling about three and a half acres. He noted that the larger lot is adjacent to the Tollway and the smaller lot, the hotel site, fronts on Field Drive. He stated that the larger lot will be developed in the future with an office building of up to 105,000 square feet. He stated that both lots are sized to fully accommodate the uses proposed with the exception of a shared curb cut and driveway to avoid the need for two curb cuts and additional hardscape on the property. He stated that a variance is requested from the five acre minimum lot size adding that all other applicable Code provisions will be met. He confirmed that site and building design approvals for the proposed Hyatt Place have already been granted by the City. He noted that in addition to requiring approval from the City, projects in Conway Park require approval from the Conway Park Owners' Association. He stated that the Owners' Association requested that approval of subdivision of the property be sought at this time, prior to the construction of the hotel. He commented that the corporate businesses located in Conway Park enthusiastically support the hotel and have been waiting for one for over twenty years. He stated that the variance request, to allow a smaller lot than allowed by right in the OR-2 zoning district, is based on a very unique situation. He stated that there are very few vacant sites remaining in Conway Park and noted that the market will not likely support a second hotel in Conway Park in the foreseeable future. He noted that the City Council supported the hotel by providing a short period of exclusivity for the Hyatt Place Hotel in terms of limiting economic incentives for other hotels for a specified time period. He stated that the request for a variance will not be generally applicable to other properties because of the unique set of circumstances surrounding the proposed development.

Ms. Czerniak confirmed that a hotel has been anticipated in Conway Park since development of the park was envisioned over 20 years ago. She stated that although numerous discussions have occurred over the years with various hotel developers, the Janko Group was the first group to bring a solid proposal forward to the City. She confirmed that the Building Review Board considered the design aspects of the hotel site and building, and the City Council granted final approval of the hotel and, as noted by Mr. Purinton, approved an economic incentive agreement in support of the hotel. She explained that the variance from the minimum lot size in the OR-2 zoning district is based on the hotel use, a use that is unique in the office park. She note that Lot 3 is about nine and a half acres, almost, but not quite, large enough to accommodate two five acre lots as permitted by the zoning district. She stated that the nature of a hotel of the type proposed necessitates a smaller lot in order to maximize the ultimate buildout of the entire site. She stated approval of the resubdivision at this time is important to the Conway Park Owners' Association despite the fact that the plat will not be recorded until substantial progress is shown on the hotel development. She stated that the subdivision provides the assurance that the rest of the parcel will be available over the long term for further buildout of the office park with another office building. She stated that findings in support of the variance and the plat of subdivision are provided in the staff report along with recommended conditions of approval.

In response to a question from Commissioner Freeman, Ms. Czerniak explained that the Building Review Board reviewed the site plan, the architectural design of the building, exterior materials, landscaping, signage and lighting. She confirmed that the Building Review forwarded a unanimous recommendation in support of the project to the City Council, and the City Council approved the project by ordinance.

In response to questions from Commissioner Athenson, Ms. Czerniak confirmed that the Building Review Board recommended approval of the conceptual landscape plan adding that further detailing and enhancement of landscape plans normally occur as the site and building begin to take shape. She stated that the Conway Park Owners' Association reviews the landscape plan and the on site plantings in addition to the City.

Commissioner Athenson observed that by reducing the lot size, the opportunity for green space and plantings on the hotel property is limited. She asked that from a landscaping perspective, the hotel site be consistent with the character of Conway Park.

In response to questions from Commissioner Athenson, Ms. Czerniak stated that two of the remaining developable parcels in Conway Park are located on the east side of Field Drive, at the north end of Conway Park, and are owned by Abbott. She stated that those parcels are approved for development with buildings that are generally consistent with the Abbott building which is currently located between the two parcels. She added that there is one additional parcel in Conway Park, adjacent to the Tollway Oasis, but noted that a large berm is located on that parcel and development will be challenging. She confirmed that based on the due diligence completed to date, it appears that only one hotel will be located in Conway Park over the long term. She confirmed that the original Annexation Agreement for Conway Park contemplated and permitted a hotel in the park however, there was no mandate that a hotel be constructed.

Commissioner Picchiatti stated support for the subdivision and the hotel.

In response to questions from Commissioner Picchiatti, Mr. Purinton reviewed the site plan noting the location of the shared curb cut and driveway access which will provide access to both the hotel and the future office building.

In response to questions from Commissioner Ruggles, Ms. Czerniak confirmed that the Lake Forest Graduate School was also determined to be a unique use in the office park, and, like the hotel, an amenity for the office uses in the park. She stated that a lot size variance may have been granted to the Graduate School but stated that she would need to review City records to confirm the size of the lot. She confirmed that a multi-tenant office building is located behind, to the north of, the Graduate School. She confirmed that both the office parcel and the hotel parcel

created through the proposed subdivision will have some visibility from the Tollway. She stated that the importance of each use having a strong presence on the Tollway is a marketing and economic decision for the developer.

In response to questions from Chairman Kehr, Mr. Purinton confirmed that the Conway One and Two office buildings, to the south of the property proposed for resubdivision, are both multi-tenant buildings. He stated that at this time, it is not known whether the future office building on this site will house a single user or multiple tenants. He stated that a four to one parking ratio is proposed, higher than the parking ratio found at some of the other office buildings in the office park. He stated that if a single user steps forward for the office building, there may be the opportunity to construct some parking under the building. He confirmed that the buildings are sited so both have visibility from the Tollway. He pointed out that the office building is sited perpendicular to the Tollway to allow unobstructed views to the hotel. He stated that the shared driveway and single curb cut are required by the Conway Park Owners' Association.

In response to questions from Chairman Kehr, Ms. Czerniak stated that staff will work with the developer and the Conway Park Owners' Association to determine at what point there is sufficient certainty that the hotel will move forward to allow the plat of resubdivision to be recorded.

Chairman Kehr stated that she would assume that "substantial completion" means that the building is complete. Hearing no further questions from the Commission, Chairman Kehr invited public testimony. Hearing none, she invited final comments from the Commission.

Commissioner Athenson commented that another hotel is needed in Lake Forest and will be a welcome addition in Conway Park. She stated that it appears that careful consideration was given to the proposed subdivision adding that given the nearly built out nature of Conway Park, the precedent of granting a variance to allow a lot that is smaller than the minimum lot size in the zoning district does not appear to be problematic.

Commissioner Berg stated support for the proposed subdivision.

Chairman Kehr noted that the hotel itself has already received approval from the Building Review Board and City Council. She commented that the subdivision now proposed appears to be a mechanism for creating an appropriately sized lot for the hotel. Hearing no further comments from the Board, she invited a motion.

Commissioner Freeman made a motion to recommend approval of the tentative and final plat of re-subdivision of Lot 3 in the Conway Park Subdivision into two lots, one of which is smaller than the five acre minimum lot size. He noted the motion incorporates the findings in the staff report which detail the unique nature of the

proposed use. He stated that the motion in support of approval also incorporates the following conditions.

1. Prior to recording the plat the City must receive written approval of the resubdivision from the Conway Park Owners' Association, the controlling body for Conway Park.
2. Before the plat is recorded, certainty that the hotel project is moving forward must be provided to the satisfaction of the City.
3. The final plat of subdivision shall meet all applicable requirements to the satisfaction of the City Engineer and the Director of Community Development.
4. Prior to recording all applicable fees at that time must be paid prior to the recording.

The motion was seconded by Commissioner Picchiatti and approved by a vote of 6 to 0.

4. Public Hearing and Action: Consideration of a request for approval of the tentative and final plat of condominium for the first condominium building in the Laurel and Western Avenues development. The plat of condominium delineates the individual units and the common areas in the building the construction of which is nearing completion. The building is located west of Western Avenue, between Laurel Avenue and Franklin Place and is addressed as 1155 Kelmscott Way. No changes to the development as previously approved are proposed.

Property Owner: Kelmscott Park Condos LLC (Focus Kelmscott LLC 10%, CL IV REO USA LLC 90%)

Presented by: Kendall Lettinga, Vice President Sales and Marketing, Focus Development

Chairman Kehr asked the Commission to declare any conflicts of interest or Ex Parte contacts. Hearing none, she swore in all those intending to speak and invited a presentation from the petitioner.

Ms. Brower, Senior Development Manager for Focus Development, requested approval of the plat of condominium for the first condominium building in the Kelmscott Park, Laurel and Western Avenues development. She stated that the plat defining each unit must be recorded before closings can occur. She stated that the first closings are scheduled for mid to late February.

Ms. Czerniak explained that plats of condominiums can only be prepared after construction of the building is substantially complete because the plat defines the limits of each unit. She stated that consideration of the plat of condominium happens at the end of the development process, sometimes several years after the original development approvals are granted by the City. She said that the City

Code requires consideration of a plat of condominium by the Plan Commission, at a public hearing. She stated that in effect, approval of the plat of condominium is a formality because the overall development approvals were previously granted and the building constructed. She stated that the plat of condominium delineates each unit to be held in private ownership, common elements such as hallways and outdoor grounds, and limited common areas such as parking spaces and storage units. She confirmed that the plat of condominium must be recorded before sales of the units can proceed. She stated that the staff report presents findings in support of the plat of condominium.

In response to a question from Commissioner Athenson, Ms. Czerniak stated that the City's Police Chief serves as the City Marshall and Collector and signs plats of various types.

Hearing no other questions from the Commission, Chairman Kehr asked for an update on sales activity at Kelmscott Park.

Ms. Brower stated that twelve condominium units are under contract with the first closings anticipated in mid to late February.

Chairman Kehr invited public testimony. Hearing none, she invited final questions, comments and a motion from the Commission

Commissioner Freeman made a motion to recommend tentative and final approval of the plat of condominium to the City Council subject to the following conditions.

Prior to recording the Plat of Condominium with Lake County, the following conditions shall be satisfied:

1. The plat and Declaration document shall be subject to final review and approval by the Director of Community Development, City Engineer and City Attorney.
2. All applicable fees must be paid in full.

The motion was seconded by Commissioner Picchietti and approved by a vote of 6 to 0.

5. Public Hearing and Action: Consideration of adoption of an updated Zoning Map. No zone changes are proposed as part of this periodic update of the City's Official Zoning Map.

Presented by: City staff

Chairman Kehr asked the Commission for any conflicts of interest or Ex Parte contacts. Hearing none, she swore in all those intending to speak and invited a presentation from staff.

Ms. Czerniak explained that State Statutes require adoption of an updated, official zoning map periodically. She stated that the periodic adoption of the zoning map incorporates any zone changes approved by the City Council since the last adoption of the zoning map. She stated that zone changes do not occur often because the City is almost a built out. She stated that the zoning map that is before the Plan Commission for consideration reflects the one zone change that has occurred since the Official Zoning Map was last adopted by the City Council in 2016. She stated that the zone change was considered by the Plan Commission and approved by the City Council in conjunction with the approval of The Preserve at Westleigh Subdivision, a subdivision of property owned by Lake Forest Open Lands Foundation. She pointed out the property as highlighted on the map that is before the Commission noting that it is located on the north side of Westleigh Road, west of Ridge Road. She noted that the portion of the 22 acre site that will remain in the ownership of Lake Forest Open Lands Foundation will likely be rezoned to Open Area at some time in the future however, the entire parcel is today zoned R-4 to achieve the density approved through the Planned Preservation Subdivision. She stated that the staff report serves as findings in support of the recommendation to approve the updated zoning map.

In response to questions from Commissioner Berg, Ms. Czerniak confirmed that the zone change that was approved for the parcel on which the Oak Knoll Woodlands Subdivision is located was incorporated into the 2016 zoning map update. She noted that looking forward, rezoning of properties owned by Lake Forest Open Lands and the Lake County Forest Preserves District from residential to open space are anticipated.

In response to a question from Commissioner Freeman, Ms. Czerniak confirmed that the change reflected on the updated map was previously approved by the Plan Commission and City Council in conjunction with the Special Use Permit approving the Preserve at Westleigh Subdivision. She confirmed that the change reflected on the map now before the Commission is consistent with the Commission's and the City Council's prior actions. She confirmed that the map now presented incorporates the previously approved zone change as required by the State Statutes into the City's Official Zoning Map.

In response to questions from Commissioner Athenson, Ms. Czerniak explained that the City does not have a special zoning district for community institutions like schools, churches, private clubs, the Historical Society, the college, and the hospital. She explained that those uses are permitted as special uses in residential zoning districts and require approval through a public process. She noted that the review process acknowledges that many of the community's institutional uses are located in established single family residential neighborhoods and provides an opportunity for public discussion about how best to create compatibility between different uses. She stated that the high school properties are governed by the State Board of Higher Education and are not subject to many of the local review processes. She confirmed that through the Comprehensive Plan update, zoning changes may be

recommended and if so, any proposed changes will be considered through a public hearing process and if approved, incorporated into a future zoning map update.

Hearing no further questions from the Commission, Chairman Kehr invited public testimony. Hearing no requests to speak, she invited final questions, comments and a motion from the Commission.

Commissioner Picchietti made a motion to recommend approval of the updated Official Zoning Map.

The motion was seconded by Commissioner Freeman and approved by a vote of 6 to 0.

6. Additional public comment on non-agenda items

There was no testimony presented on non-agenda items.

7. Additional information from staff.

The Commission approved the Plan Commission Meeting Schedule for 2019.

The meeting was adjourned at 7:16 p.m.

Respectfully submitted,

Catherine Czerniak
Director of Community Development