

The City of Lake Forest
Plan Commission
Proceedings of the September 11, 2019 Meeting

A meeting of the Lake Forest Plan Commission was held on Wednesday, September 11, 2019, at 6:30 p.m., at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Commission members present: Chairman Kehr and Commissioners Michael Freeman, John Dixon, Monica Artmann Ruggles, Jamie Moorhead and Susan Athenson

Commissioners absent: Commissioner 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. Recognition of past Plan Commissioner Guy Berg.

Chairman Kehr recognized outgoing Commissioner Guy Berg for his contributions to the City most recently through his service on the Plan Commission and in the past, his service as a member of both the Building Review Board and Historic Preservation Commission. She highlighted some of the petitions former Commissioner Berg deliberated on during his tenure and noted that his comments relating to design aspects of petitions in particular were very helpful. She presented him with a plaque in appreciation for his time on the Commission.

3. Consideration of the minutes of the June 20, 2019 and July 10, 2019 Plan Commission meetings.

The minutes of the June 20, 2019 were approved with corrections as requested by Commissioner Dixon, Commissioner Douglass and Chairman Kehr.

The minutes of the July 10, 2019 were approved with corrections as requested by Commissioner Athenson.

4. Public Hearing and Action: Continued consideration of a request for approval of Phase 3 of the McKinley Road Redevelopment. Approval of the overall site plan, a plat of consolidation and related approvals. Two buildings are proposed as the final phase of the development, a multi-unit building on the south portion of the site and a duplex (two-unit) building on the north portion of the property.

Property Owner: The City of Lake Forest

Contract Purchaser: 361 Westminster LLC (50% Peter Witmer and 50% Todd Altounian)

Presented by: Peter Witmer, architect

Chairman Kehr introduced the agenda item and 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 by the petitioner.

Mr. Witmer reviewed the discussion that occurred at the June meeting of the Plan Commission. He reviewed the overall site plan noting the location of the third phase of the development. He stated that the first building is about 80 percent occupied and excavation is underway for the second building. He pointed out the expanded open space that extends across the east portion of the second phase and south portion of the third phase. He noted the open space configuration was previously discussed and supported by the Commission. He reviewed the site plan for the third phase noting that two buildings are proposed; a condominium building and a residential duplex. He noted that the duplex is located toward the Westminster street frontage. He reviewed the proposed setbacks for the buildings in the third phase of the development; 15 feet from the east property line, 49 feet from the south property line (the open space), 48 feet from the north property line to the building and 36 feet from the north property line to the front of the porch on the duplex, and a varying distance of 38 feet to 34 feet from the west property line. He stated that the width of the north/south alley will be increased from 17 feet to 20 feet. He stated that the footprint of the condominium building is just over 6,000 square feet, three floors and totals 17,000 square feet. He stated that the duplex totals 3,740 square feet and is two stories with a unit on each floor. He noted that the dimensions are noted on the site plan. He noted that the parking for the third building will be underground consistent with the earlier phases of the project. He explained that one garage is proposed to serve both the condominium and duplex buildings. He stated that a total of 18 underground parking spaces are planned with four units each having three dedicated spaces, and two units each having two dedicated spaces. He stated that some guest parking will be available underground and additional guest parking will be available along the private road. He stated that pedestrian circulation through the site is consistent with the concepts in the Master Plan. He pointed out the sidewalks on both sides of the east/west private street and on the east side of the north/south alley. He noted that consistent with the Master Plan, a pedestrian sidewalk will extend through the green space, to the public library. He stated that public access to the roadways, sidewalks and the green space is authorized through public access easements some of which are already in place and others that will be put in place as the project moves forward. He presented a massing model of the proposed development and the surrounding development to provide a better understanding of how the masses and placement of the buildings relate to each other. He noted that in previous discussions, the Commission discussed the importance of a visual terminus at the east end of the east/west private road. He reviewed the architectural elements proposed at the end of the road including porches and terraces. He noted that the architectural elements on the third building are intended to relate to the first two buildings, but not duplicate them. He stated that some outdoor space is provided for each of the

units in the third building noting that from a marketing perspective, he has heard clearly that outdoor spaces are important to buyers. He added that natural light into the units is also important. He noted that a three story building is important to make the numbers work he noted however that the building is designed as a two story building with a third story integrated into the roof to minimize the appearance of height. He noted that the cornice on the third condominium building lines up with elements of the first two buildings providing a visual link and assuring that the three phases of the project have a connection. He presented a section of the site showing the spatial and height relationships to the neighboring structures. He presented a study of the heights of existing buildings in the area and compared those to the proposed buildings. He reviewed the relationship of the proposed duplex to the condominium building noting that the buildings are 15 feet apart. He stated that the duplex is designed to achieve a residential scale along the streetscape. He reviewed the proposed driveway noting that various driveway configurations were studied including driveway access to the alley and directly to Westminster. He noted that care needs to be taken to provide a functional slope and turning radius for the driveway to allow easy access to the underground garage. He suggested that the Historic Preservation Commission may be helpful in evaluating the most appropriate driveway alternative from a design perspective. He presented an image of the Westminster streetscape as proposed. He presented a perspective looking east from the intersection of McKinley Road and Westminster pointing out that the duplex is not visible from the corner. He provided various sketches from points along the streetscape. He presented the plat of consolidation noting that the plat is a procedural matter since the site is currently two tax parcels. He stated that the planning process to date has been long and thoughtful. He stated that the project has improved as a result of input from the Commission and the neighbors. He stated that he looks forward to further input and refining the plans based on the comments offered. He stated that the residents in the first building really like living there and enjoy the location and walking to train station, businesses and restaurants. He stated that the site is a good location for multi-family residential.

Ms. Czerniak said that the McKinley Road Redevelopment project has been before the Plan Commission a number of times; first for discussion of a master plan to guide the overall redevelopment of the area and then for review of each phase as special plans and details were developed and refined. She noted that through the approved master plan, the City Council recognized that the area is transitional in nature, moving from the core of the City's business district to the west, to single family homes to the east. She explained that several years ago, when the former Historical Society planned to expand at its former location, on the property now designated for phase three of the development, the term "Cultural Corridor" was used in discussions about how to create stronger connections and pedestrian links between the Historical Society, the Library and Gorton Community Center. She recalled that rather than expand at this location, the Historical Society, now the History Center, instead relocated a block to the east, closer to Lake Forest College, but still within walking distance of the Library and Gorton Community Center. She noted that the move opened up the opportunity to redevelop the area east of

McKinley Road with a planned, phased residential development incorporating the former Historical Society site into the redevelopment of the three parcels on McKinley Road that were previously developed with unremarkable office buildings. The Council directed that the area be redeveloped for residential use, rather than office, to provide housing options close to the Central Business District and the train station. She reviewed that the building in which the Historical Society was located was owned by the City and was originally constructed as an outbuilding for an estate. She stated that the building had structural, mechanical and water infiltration issues and the west wall of the building was buckling creating a potential hazard. She stated that the Historic Preservation Commission approved the demolition of the building due to its condition and given the fact that its association with the main house of the original estate no longer existed. She reiterated that the City Council determined that it was in the City's best interest to see the City owned parcel incorporated into a larger development and entered into a Purchase/Sale Agreement with the developer of the office parcels and adopted a master plan to guide redevelopment of the area. She noted that the agreement between the City and the developer requires a "swap" of land to assure that some open space and space for some additional parking for the Library is provided on the north side of the Library. She reviewed that the first phase of the development, the first building, is occupied, the second building, is under construction, and the third and final phase of the redevelopment is now before the Commission for review and action. She stated that as presented, the site plan for the third phase of the development is consistent with the master plan in that it proposes multi-family residential, in two buildings that integrate with the earlier phases. She noted that green space is provided near the Library, consistent with the master plan and consistent with the Commission's earlier direction. She stated that the plan achieves the goals of increasing housing opportunities near the Central Business District. She stated that the buildings proposed in the third phase step down visually in massing in an effort to transition from the higher intensity of uses to the west, to the neighborhood to the east and north. She recommended that after hearing additional public comment on the third phase, the Commission provide clear direction to the petitioner on the site plan and its consistency with the concepts of the approved master plan. She suggested that if the Commission determines that the site plan is generally consistent with the master plan, the Commission may want to refer the project to the Historic Preservation Commission for review of the building massing, roof forms, architectural style, exterior materials and conceptual landscape plan.

At the request of Chairman Kehr, Ms. Czerniak read the written comments submitted by Commissioner Douglass who was not able to attend the meeting. The complete text of the letter is included in the record for this petition.

In response to comments from Commissioner Ruggles, Mr. Witmer stated that the condominium buildings will be in separate ownerships each with its own owners' association and each responsible for their own building. He said that there will also be a Master Association of all three buildings which will be responsible for maintaining all of the common areas; the roads and green space.

In response to questions from Commissioner Ruggles, Ms. Czerniak confirmed the zoning setbacks for phase three of the development. She stated that as presented, no variances are requested from the applicable zoning setbacks. She confirmed that the setbacks for the phase three property differ from those for the earlier phases of the project.

In response to questions from Commissioner Ruggles, Mr. Witmer reviewed the various schemes and noted the changes that occurred to the building footprints and the location of the entrance to the underground garage over the course of study to date. He explained that when the development was first being considered, the City owned parcel that fronts on Westminster, the northern portion of what is now being considered as phase three of the development, was not contemplated by the developer as being part of the project and therefore, a building was not shown in that area. He stated that the City determined that it made good sense for the parcel to be incorporated into the development and approached the developer and the parties entered into a Purchase/Sale Agreement. He stated that alternatives locating the driveway between the two buildings, at the front of the building off of Westminster, and near the front of the building with access from the alley were considered. He stated that the building footprints remained generally the same in all of the schemes studied to date and in the site plan now before the Commission. He noted however that locating the entrance to the garage at the front of the duplex building, allowed the buildings to be shifted south, further away from the Westminster streetscape. He noted that the location of the driveway between the two buildings presents some functional problems since access into two separate garages, one under each building, is needed and this requires the driveway to accommodate turns in two different directions. He used the model to explain the different driveway configurations that were studied and discussed the pros and cons of each. He noted that based on the experience with the first building he learned that the width of the ramp to the underground garage does not need to be quite as wide as originally thought. He noted that the volume of activity is low and two full travel lanes on the ramp are not required. He added that a narrower ramp is better from a visual perspective. He stated that a straight driveway ramp from Westminster into the garage, could be even narrower than a ramp that requires a 90 degree turn.

Commissioner Ruggles stated that driveway access directly from Westminster has raised some concerns.

In response to additional questions from Commissioner Ruggles, Mr. Witmer stated that the number of parking spaces in each phase and for the project overall exceed the parking minimums required in the Code. He stated that based on his experience at Regent's Row, the proposed parking will be adequate. He acknowledged that currently, some of the parking spaces in the development are used by contractors working on the second building. He added that the development is close to the train station, within easy walking distance to the Central

Business District and near public parking lots which can accommodate off-site parking for guests attending a party. He acknowledged that the two surface parking spaces proposed just north of the duplex could be eliminated to add green space to the site. He noted that to minimize impacts on the 333 Westminster building, a wider section of roadway is provided at the south end of the north/south street to accommodate a landscape truck and trailer. He noted that one landscape contractor will be responsible for the entire site including the grounds surrounding of all three buildings.

Commissioner Ruggles stated that her initial impression of the current plan is that there is not as much green space as she anticipated based on the master plan. She noted that in the master plan, the north part of the site was left open for a single family home or duplex. She questioned why the footprint of the duplex building is so large.

In response to questions from Commissioner Ruggles, Mr. Witmer stated that when the elevators and stairways are removed, the footprint of the duplex building is approximately 3,000 square feet. He said that the square footage may be able to be reduced slightly adding that in his experience, units with less than 2,800 square feet can be difficult to sell. He stated a willingness to explore reducing the size of the duplex in order to provide more meaningful green space on the site. He pointed out that locating the ramp near the front of the building takes advantage of the grades. He noted that the north end of the site is the lowest point so, as a result, the ramp only needs to be about five feet deep reducing the mass of the walls needed to support the ramp. He spoke to the at-grade patio proposed for the first floor unit at the south end of the building. He stated that because it is at-grade, it will not visually interrupt the green space. He noted that buyers are very interested in private outdoor spaces associated with the units. He stated that the connection piece between the condominium building and the duplex is intended to provide outdoor spaces for the adjacent units but agreed that it does not work well from a visual or functional perspective. He explained that the goal is to provide functional outdoor spaces for the units, patios or terraces wider than five feet, to accommodate a table. He explained that the current plans minimize exterior outdoor space on the east side of the building, facing the neighbors. He noted that there is a terrace at the second floor on the east side, to break up the mass of the building, but there are no terraces at the third floor level. He stated that the front porch on the duplex building could be modified to avoid encroaching into the setback along Westminster.

In response to questions from Commissioner Dixon, Mr. Witmer confirmed that the duplex building is set back 48 feet from the north property line and the front porch, 36 feet. He stated that the distance between the two buildings is 15 feet, a little more than the distance of two side yard setbacks of six feet. He stated that landscaping can be added to screen the connection piece. He confirmed that the driveway access to the underground garage could come off of the alley, rather than directly off of Westminster. He stated that the green space at the south end of

phase three is approximately 49 feet by 87 feet. He noted that the adjacent green space in phase two is a little smaller, about 50 feet by 80 feet. He noted that the green space overall is approximately the same size as the Greensward in Market Square. He noted that the duplex building is proposed at about seven feet taller than the single family home to the west. He stated that a flat roof could be used on the duplex building to bring the height down noting that there is no living space under the roof however, he explained that the larger roof form is proposed to achieve better proportions and for compatibility with the single family homes along the street.

Commissioner Freeman reviewed that the Plan Commission held a public hearing and discussed the master plan at public meetings in 2016, prior to the City Council's approval. He stated that his recollection is that the Commission looked at "boxes" on the site plan and considered the overall density. He acknowledged that in the master plan, the condominium building in the third phase of the development was longer because it extended further south into what is now proposed as green space. He stated that the original green space was anticipated to be configured in a more north/south direction, however, the City Council, as is their purview, determined that some of the land area should be transferred to the City to provide additional parking on the north side of the Library. He stated that to retain the same amount of green space, the Commission directed that the southern portion of phase three become part of the green space thereby pushing the condominium building northward. He stated that although no "box" was shown on the north end of the third phase of the development, there was a notation on the plan that the area was anticipated for development with a single family home or duplex. He stated that at that time, it was not known whether the site would be developed as a stand-alone parcel or incorporated into the larger development. He stated that one of the concepts discussed was developing the third phase with one long row of townhomes, like Regents Row, from one end to the other. He noted that in that scenario, it was envisioned that the north unit could turn the corner and be oriented to the street. He stated that in his opinion, the plan for the third phase of the development as now presented is generally consistent with the overall vision of the master plan noting that the site is walkable and provides connections to off site destinations. He noted however that the density of the third phase is reduced to seven units from the 14 units permitted by the earlier approvals. He stated that he continues to have concerns about the massing of the buildings but acknowledged that the Historic Preservation Commission may be better able to address that aspect of the project. He also noted that since the early discussions, the importance of having a building with architectural interest at the east end of the road, as viewed from McKinley Road, was discussed. He suggested that the Historic Preservation Commission carefully consider the architectural elements on the south portion of the east façade of the third condominium building. He stated that he walked the site extensively and noted that the area would benefit from undergrounding the remaining utility wires located on the 333 Westminster property.

In response to Commissioner Freeman's comments and questions, Mr. Witmer stated that all of the utilities on the development site have been put underground. He stated that prior to the underground work occurring, the owners of the 333 Westminster property were approached but at that time, were not interested in expanding the project to include the utility wires located on poles on that property. He stated that the best time to do that work was in conjunction with the work that has already been completed. He reiterated that the parking spaces proposed at the front of the phase three duplex building can be eliminated or if it is determined that they are needed, they could be screened by landscaping. He stated that his preference is to remove the parking spaces noting that the appearance and functionality of the alley and sidewalk will be improved.

Commissioner Freeman noted that the underground garage is preferred as opposed to the row house concept which potentially would require the location of multiple garages fronting on the alley. He stated that the underground garage makes the site walkable. He noted however that he does not believe that the Commission anticipated having the driveway for the condominium units exit directly on to Westminster.

In response to comments and questions from Commissioner Freeman, Mr. Witmer agreed to study the driveway location further with the goal of locating it on the alley. He acknowledged that the residents of the 333 Westminster building would prefer that the driveway to the underground garage take access directly from Westminster.

In response to a question from Commissioner Freeman, Ms. Czerniak confirmed that the location of the driveway to the underground garage as it relates to the public street and surrounding properties is appropriate for Plan Commission discussion. She added that the design aspects of the driveway are also appropriate for discussion by the Historic Preservation Commission.

In response to questions from Commissioner Moorhead, Mr. Witmer explained that the area some have referred to as phase four is the north portion of phase three as now proposed. He stated that the site is too tight to develop the remaining parcel in two phases and as a result, phase three is proposed to build out all of the remaining land as the final phase of the project. He confirmed that the alley will be vacated by the City and maintenance will be the responsibility of the owners of the condominium buildings. He confirmed that public access on the road, alley, sidewalks and green space will be granted by easements. He explained that the site is too tight to position the door to the underground garage facing west. He stated that there is not sufficient space to provide the necessary turning radius. He added that locating the ramp completely inside the building adds significant mass to the building. He stated that locating the ramp between the buildings pushes the duplex building closer to the Westminster streetscape. He stated that the best option appears to be pushing the building as far back from Westminster as possible with a front (north) facing garage door that is well screened from the streetscape

and the driveway access off of the alley, at the front of the building, to provide for the required turning radius. He confirmed that the building as now proposed has a larger footprint than the building previously located on the site. He confirmed that a civil engineer will be preparing grading and drainage plans for review by the City Engineer. He stated that stormwater runoff will be managed consistent with applicable regulations and will avoid negative impacts on neighboring properties.

In response to questions from Commissioner Moorhead, Ms. Czerniak confirmed the City Council approved development of the overall site with a planned development which allows the overall density that is permitted to be spread across the site consistent with the approved master plan subject to approvals of detailed site plan for each phase. She stated that overall, the development site could accommodate about 35 units.

In response to questions from Commissioner Athenson, Ms. Czerniak confirmed that discussions about the Master Plan occurred at public meetings. She stated that some type of development was always contemplated on the north end of the site on which the Historical Society was previously located. She acknowledged that during the discussions some parties stated a preference for keeping some or all of the City owned parcel as green space however, the approved master plan anticipates the north end of the parcel being developed.

In response to questions and comments from Commissioner Athenson, Commissioner Freeman stated that there was significant discussion about what the development on the easternmost parcel, the third phase of the development, would look like. He stated that the master plan recognized that the City owned property would be developed despite the fact that at that time, it was not known whether the parcel would be developed as a stand-alone parcel or as part of the larger development. He acknowledged that the master plan did not reflect a “box” on the northern part of the property but pointed out that there was a notation indicating the intent for the portion of the parcel fronting on Westminster to be developed with a single family home or duplex. He noted that the site is intended to be transitional in nature given its location between two different types of uses.

Commissioner Athenson expressed concern that in the area where she expected a single family home or duplex and green space, two large buildings are proposed adjacent to the neighboring homes.

In response to questions from Commissioner Athenson, Ms. Czerniak confirmed that the master plan that was recommended by the Plan Commission reflects a multi-family building in the third phase of the development. She said that the northern portion of the City owned parcel was not yet part of the developer’s project at the time the master plan was approved however, the plan as approved anticipated a single family home or duplex in that area. She confirmed that the third phase of the project is intended to provide a transition between the more intense uses to the west and single family homes to the east.

Chairman Kehr pointed out that the final configuration of the open space came about as a result of the discussions about the second phase of the development. She stated that because of some changes that occurred in the footprint of the phase two building, the open space was extended further east on to the southern part of the third phase of the development.

Commissioner Athenson stated that the density of the development has increased incrementally through the process. She stated that the density is greater than originally anticipated, and the buildings are larger and as a result, the development places a burden on the neighborhood. She stated that the combination of the McKinley Road redevelopment and the subdivision of the Swift property down the block will change the character of the historic neighborhood. She stated that the area was previously dominated by historic buildings but now, will instead be dominated by newly constructed large buildings. She stated that the two proposed developments will bring more traffic to the area. She suggested that a single family home with green space be constructed on the north portion of the phase three property.

In response to Commissioner Athenson's comments, Mr. Witmer noted that previously, the area was developed with three office buildings which did not offer first class office space. He stated that the project started with the purchase of two of the office parcels, and then the third. He explained that from there, it made sense to incorporate the City parcel to the east into the project since the Historical Society was relocating and the City had determined that the building on the site should be demolished. He stated that in the end, the City determined that it made sense to incorporate the entire City owned parcel, extending to Westminster, into the redevelopment project to achieve a unified residential development on the site. He stated that the development project has been years in the planning stages. He acknowledged that as planning and design development progressed, and detailed plans developed, some refinements and modifications were made. He stated however that he believes that the project is very consistent with the original intentions for the property. He stated that many, many options have been studied. He acknowledged that the property that fronts on Westminster could be developed with a single family home but questioned whether that approach makes sense in the context of the overall redevelopment of the area. He noted that four new single homes are planned just to the east of the site, on the Swift property which is located wholly within an established residential neighborhood. He stated that rather than build another single family home fronting on Westminster, in a transition area, it makes more sense to build a transition housing type, the type of units that buyers have expressed interest in, close to the Central Business District. He stated that throughout the planning process, he has tried to be sensitive to the surrounding neighbors and has worked to find ways to appropriately integrate the new development with the existing development on all sides.

Commissioner Freeman confirmed that discussions about the redevelopment of this area go back a number of years and included many public hearings. He added

that it is important at this point in the process to factually recall the past discussions and actions.

In response to questions from Commissioner Athenson, Ms. Czerniak explained that consolidating the two existing tax parcels into one is a procedural matter. She stated that the property is proposed for development as a whole and will be in a single ownership so creating a single parcel, as was done in the first phase of the project, makes sense and avoids future confusion. She stated that from a development perspective, consolidating the two parcels does not alter what can be constructed on the site. She confirmed that a Purchase/Sale Agreement, essentially a contract to sell the property to the developer, is in place. She confirmed that the sale of the property has not yet occurred and the property remains in the ownership of the City.

In response to questions from Chairman Kehr, Mr. Witmer reviewed the locations of the proposed patios and terraces. He stated that on the west elevation, outdoor spaces are provided for units on all three floors. He stated that on the south elevation, there is one at grade patio for the first floor unit. He stated that on the east elevation, outdoor spaces are provided for the first and second floor units noting that the terraces for the second floor units are located to help break up the appearance of mass of the building. He stated that there are no terraces facing east on the third floor units. He stated that there are large trees on the neighboring property to the east which will help to screen the building. He stated that new landscaping is planned along the east side of the building but will need to be sensitive to the lack of sun in that area due to the heavy tree cover, and accommodating a drainage swale if needed. He confirmed that as proposed, the duplex on Westminster will be set back further from the street than the existing construction fence and further than the neighboring home to the west. He stated that the duplex will not be set back as far as the house to the east. He stated that the ramp, in the location now proposed, will need to go down about five feet to reach the underground garage. He stated that landscaping, including a hedge row, is planned to mitigate views of the ramp to the extent possible. He confirmed that the thought is to construct the duplex out of brick like the buildings in the earlier phases. He noted that there are many brick homes along the Westminster streetscape. He described the entrance to the duplex noting that some modifications may be possible if the surface parking spaces near the duplex are eliminated. He acknowledged that further refinement of the building design is needed once the Commission is comfortable with the site plan. He confirmed that the alley will be widened to 20 feet.

Chairman Kehr suggested that the Historic Preservation Commission consider the entrance ramp to the garage and consider how to minimize the appearance of the ramp from the streetscape. She asked the developer to consolidate the dimensions on to a single site plan for easy reference.

In response to questions from Commissioner Athenson, Ms. Czerniak confirmed that the front of a property is defined as the side having the narrowest frontage on a public street regardless of the location of the front door.

Hearing no further questions from the Commission, Chairman Kehr invited comments from the public.

Steve Hurst, 485 E. Westminster, stated that a number of neighbors who live east of the property met and prepared the letter that was provided to the Commission. He read the letter. (The full letter is included in the record for this petition.) He noted concerns and questions about drainage, screening of the property from the streetscape, consistency of the building height and mass with applicable regulations, whether vacation of the alley adds to the allowable mass of the building, ownership of the property, incorporation of green space, provision of a pedestrian connection to the Library, traffic from the McKinley Road and Swift property developments, and impacts on the narrow streets in the neighborhood and the Westminster railroad crossing. He stated that he is not opposed to development but opposed to the scope of the development as now proposed. He stated that more time is needed to consider the proposed development and the neighborhood impacts. He stated that sixteen neighbors signed the letter. He stated that overall, the neighbors are concerned about all that is happening in the neighborhood.

John Hershberger, 333 E. Westminster #1B, stated that residents in his building have expressed concerns about the traffic in the alley, particularly due to the construction activity. He acknowledged that making the alley wider will help to mitigate the concerns. He stated that the windows in his unit will look out over the duplex so he is interested to understand how the building will look. He stated that the proposed height of the duplex seems appropriate. He stated support for more green space.

Mike Lardino, 351 E. Westminster, stated that he lives in the small house just to the west of the alley, on Westminster. He stated that construction activity has impacted his family on a daily basis with noise, dirt and trash. He stated that he bought his house five years ago and now the neighborhood is changing, not for the better.

Jeff Torosian, 401 E. Westminster, stated that he lives two doors east of the proposed duplex. He stated that he and his wife signed the letter referenced by Mr. Hurst. He stated that he shares many of the concerns raised by others and the concerns about project scope creep as described by Commissioner Athenson. He stated that the neighbors have attended various meetings and participated in the process. He stated that neighbors were supportive of removing the office buildings, but are not in favor of the project as it is evolving. He stated that the site plan has changed since the earlier meetings noting in particular the change in the location of the ramp to the underground garage. He stated that locating the driveway to the underground garage on Westminster is a significant change to the historic

neighborhood. He stated that a driveway into the development from Westminster was never contemplated and never approved. He stated that the current proposal is a single building, not a duplex and a multi-family building. He noted that the buildings are connected and not consistent with the master plan. He stated that the properties do not need to be combined and stated that two buildings are intended by the master plan. He stated that the building footprint proposed for the duplex is too big on the streetscape. He stated that he is not opposed to development, but opposes the project as proposed.

Sally Downey, 475 E. Westminster, provided a list of the addresses of residents who signed the letter referenced by Mr. Hurst. She stated that the area should be looked at holistically given the amount of change proposed in the area. She stated that she is not within the required notice area for the McKinley Road redevelopment, but was added to the interested parties list so she could be informed. She stated that some people who are not in the immediate area of the property are not aware of the project. She stated that she is not opposed to development, but opposes the scope creep of the project. She noted that the plan continues to change noting that the driveway was moved to Westminster and the developer considered extending the development to the east, on to the neighboring single family residential project. She stated that the developer does not need to build anything on the northern portion of the property, fronting on Westminster. She stated that the developer should find a way to make the project work without developing that area. She stated that she built a house on Westminster and followed the standards. She asked the Commission to take its time in reviewing the project. She encouraged the developers to meet with the neighbors.

Patrick Corsiglia, 418 E. Illinois Road, stated that he purchased a unit in the first building of the McKinley Road development project and is the president of the condominium association. He expressed sympathy for the neighbors who are enduring the construction activity. He noted that there are twelve or thirteen couples in the first building who all love living there. He stated that this development of three or four buildings has allowed Lake Forest residents, many of whom have second houses elsewhere, to remain in the community. He stated that the building offers single floor living and underground parking and the ability to walk to restaurants, Starbucks, the Fresh Market and Jewel. He stated that the development offers a huge benefit to a significant part of the community. He encouraged the Commission to think carefully before making changes that could prevent the buildout of the development from proceeding. He stated that the green space located in the southeast corner is a huge benefit to the residents of the development and can be enjoyed by other residents as well. He stated that there are two sides to the discussion about the development.

Doug Donovan, 373 E. Westminster, stated he and his wife have been residents of Lake Forest for the last 24 years, raised their children here and participated actively in the community. He stated that he requested and received the staff report earlier in the day and has been scrambling to prepare himself for the meeting. He echoed

the concerns raised by other neighbors and stated appreciation for the communication between the neighbors. He stated that this project is significant for the community and deserves careful consideration and sufficient time for review. He stated that the Commission has a copy of his email in which he raised a number of questions. He said that he and his wife have followed and been engaged in the process of this petition as it has been before various Boards, Commissions and the City Council. He stated that he engaged his own engineer and met with the City Engineer and City staff. He said that some of his questions have been addressed, but others remain open. He stated that the current proposal is different than the development that was contemplated by the 2016 Master Plan. He questioned why he could not buy the property to the west of him from the City for green space next to his property. He stated that the neighborhood would like additional green space. He stated that the plan presented is a major deviation from the master plan without any conversation. He stated that as a result, he has no choice but to object to the plan presented as part of a hasty process. He questioned the reason for the consolidation of the parcels and questioned whether appropriate processes were followed to allow the parcel on Westminster to be incorporated into the larger development. He questioned why the building scale regulations are not applicable to the project and questioned why the two buildings are joined together. He questioned why a zoning variance would be granted to allow the porch of the duplex to encroach into the required setback from Westminster. He questioned whether the sale of the property is contingent on granting variances or making exceptions to requirements. He questioned how the property can be absorbed into the project while it is still in the ownership of the City. He questioned how the project can be approved by the City if the City still owns the property questioning whether a conflict exists. He questioned whether including the alley in the development allows the development to be larger than it otherwise might be. He stated that the phase three building has continuously shifted to the north noting that originally, it was aligned with the footprint of the Historical Society building which was previously located on the site. He noted that the height of the building should be called out as exceeding the allowable height and requiring a variance. He stated that his property sits at a lower grade and as a result, the height of the building west of his house is exacerbated. He stated that drainage has been partially addressed by a temporary swale that was constructed on the staging area. He stated that the current plan proposes a behemoth structure in an area that previously was a green space. He stated that his home will be in a shadow with little natural light and more artificial light. He expressed concern about traffic impacts. He stated that the project as proposed does not reflect the character he found when he moved to the community.

Reed Daily, 385 Westminster, noted that he experiences impact from the construction activity occurring next to his property. He stated that he has mature trees on his property which will screen the development in the summer, but will be bare in the winter months. He asked whether he could request additional plantings to screen the building. He stated that he is new to the community and new to owning a house. He questioned where people in the new development will walk

their dogs. He questioned where delivery trucks will park in the new development noting that he receives deliveries from Amazon two to three times a day and others do as well.

Jenny Bilski, 403 E. Westminster, stated that she grew up in Vernon Hills and never expected, when she moved to Lake Forest, to see the historic district developed with condominium buildings. She asked the Commission to think about what is happening to the historic district. She stated that the height of the building with a third story in the roof, will dwarf the houses to the east.

Hearing no further requests to speak, Chairman Kehr invited a response to public testimony from staff.

Ms. Czerniak noted that in addition to careful review of the drainage plan for each phase of the McKinley Road redevelopment by the City Engineer, a review and update of the comprehensive stormwater study for the entire community was recently completed. She stated that this study will assist the City Council in prioritizing areas of the community where improvements or upgrades are needed to existing stormwater infrastructure. She stated that she is unsure whether infrastructure improvements are planned for the larger Westminster area. She stated that for the McKinley Road project, the City Engineer will ensure that all of the requirements of the Lake County Watershed Development Ordinance are satisfied before issuing permits to allow site work for the final phase of the project to proceed. She stated that if the Commission finds that the site plan now presented is generally consistent with the approved master plan, the Historic Preservation Commission will review the design aspects of the project including the architectural details, massing, roof forms, exterior materials, hardscape and landscape. She stated that the Historic Preservation Commission will consider any request for a height variance. She confirmed that currently, the City still owns the property located to the east of phases one and two of the redevelopment project, and owns the alley. She stated that the alley will be vacated and maintenance will become the responsibility of the Master Condominium Association. She stated that a public access easement will be recorded over the alley as was done with the new east/west road. She confirmed that the building scale provisions in the Code do not apply to commercial, multi-family or multi-building projects that are approved as planned developments. She noted the Kelmscott Park development on Laurel and Western Avenues as an example. She confirmed that the location of the ramp to the underground garage is appropriate for Plan Commission discussion and direction adding that the design aspects of the ramp will be considered by the Historic Preservation Commission. She stated that the number of parking spaces in the overall development exceed the Code requirements and the development is intended to be a pedestrian friendly environment.

Chairman Kehr recalled that the traffic study that was completed by a consultant hired by the petitioners early in the development review process confirmed that

residential development of the site would generate less traffic than offices uses on the property.

In response to questions from Chairman Kehr and Commissioner Dixon, Ms. Czerniak confirmed that the traffic study was reviewed by City Engineer who confirmed that the study was based on complete data and presented fact based conclusions. She stated that the study contemplated a residential density higher than what is currently proposed.

In response to questions from Commissioner Moorhead, Ms. Czerniak confirmed that as a stand-alone parcel in the GR-3 District, the site could be developed with single family homes or duplexes. She stated that both office and multi-family uses are permitted outright in the Office District which is the zoning on the parcels in the earlier phases of the development.

In response to questions from Commissioner Ruggles, Ms. Czerniak reviewed the applicable setbacks and confirmed that if the land that is currently proposed as phase three of the development is developed as stand-alone parcels, the setbacks would be calculated differently. She explained that because of the long, narrow configuration of the City property, the City Council determined that the property would offer greater community benefit if it was incorporated into the larger development.

Chairman Kehr invited a response to public testimony from the petitioner. Mr. Witmer stated that he had no further comments.

Chairman Kehr asked the Commission to consider whether the plan for the third phase of the development adheres to the master plan. She stated that the plan appears consistent in that it provides open space on the site, underground parking and offers residential options within walking distance to the Central Business District. She stated that the development as proposed will have fewer units than originally anticipated which will result in fewer vehicle trips and originally anticipated.

Commissioner Freeman referenced the 2016 Master Plan that was included in the Commission's packet. He stated that his recollection of the plan and process is clear. He stated that throughout the process, the Commission has taken the concerns of the neighbors into account. He stated that this project presented an opportunity for the City to develop a parcel that was empty for decades. He stated that he finds it hard to understand how the parcel is now attractive for development with a single family home. He stated that the sales of the units in the new development demonstrate that the development is meeting a demand in the community. He acknowledged that the condominium building in the third phase of the project was pushed in a northerly direction to provide for green space north of the Library. He noted that in the future, with changes proposed on the Library site, he can envision the green space being used by Library patrons and residents. He stated that the development as now presented is the result of negotiations that

occurred over a long period of time. He stated that in comparing the plan now presented with the master plan, it is clear that there has not been scope creep on the project. He stated that the City Council made a decision to enter into a contractual relationship with the petitioner because of the way in which the plan came together. He stated that to come back now, three years later, and reject the earlier decisions is a disservice to the community. He stated that as volunteers, he and the other Commissioners have no vested interest in the petition other than to do the right thing to the entire City. He stated disappointment that the process is being mischaracterized. In response to Chairman Kehr's request, he stated that he finds the plan to be generally consistent with the 2016 Master Plan adding that the parties should be able to rely on the previous approvals. He noted that the three office buildings that were previously located on McKinley Road were not attractive. He suggested that the plan be sent to the Historic Preservation Commission for review and direction on various issues. He acknowledged that he did not envision a driveway directly off of Westminster. He encouraged reconsideration of the driveway location and encouraged location off of the alley. He stated that the plan, as further refined, should come back before the Commission for a recommendation before being forwarded to the City Council.

Commissioner Ruggles stated that she too recalls the early discussions of the project. She stated that in her opinion, part of the development conforms to the approved master plan and part does not. She noted that the second building got larger and extends further to the east than reflected on the master plan. She stated that in response to that change, the green space was extended further east, across the southern portion of phase three, and the multi-family building in phase three got shorter and shifted to the north. She stated that she expected the third building to be two stories in height, not three. She stated that she is not concerned with the footprint of the third building, but with the overall mass of the building. She stated that on the north portion of the phase three parcel, she expected a detached single family home or duplex, with green space around it, not a building that is interconnected with the multi-family building. She recommended that the duplex building be reconsidered with an eye toward aligning the building scale and proportions with the existing homes on the street.

In response to comments from Commissioner Freeman, Commissioner Ruggles clarified that she is concerned about the mass of the building, not with the number of units. She suggested that the third multi-family building could be two and a half stories, rather than three. She encouraged further study of the driveway in an effort to achieve a scheme that removes the driveway from Westminster.

Chairman Kehr noted that the Commission expressed interest in architectural elements at the south end of the west elevation of the third multi-family building to create visual interest at the terminus of the east/west road. She added that it is important that the driveway be functional, with appropriate turning radii acknowledging the challenge presented by the narrow configuration of the phase three parcel.

Commissioner Freeman agreed with Commissioner Ruggles that the mass of the duplex appears large. He stated however that the parking solution presented, providing underground spaces for both the condominiums and the units in the duplex, eliminating the need for above grade garages and driveways, is creative and a good approach. He agreed that the driveway should not be on Westminster. He stated that in his opinion, preserving the green space on the southern portion of the site, near the Library, is important for the future. He cautioned that the units should remain large enough to be attractive to the buyers who are moving into the development.

Commissioner Dixon stated support for the setback distance of the duplex as proposed adding that he would not like to see the duplex moved closer to Westminster. He agreed that the petitioner should be directed to solve the driveway issue by finding a way to locate it off of the alley. He agreed that it is important to recall the past discussions and how this project came to be. He noted that a decision was made to relocate office uses to the west side of the railroad tracks, away from the residential neighborhoods. He added that a decision was also made to consolidate the properties on the east side of McKinley Road that were in four separate ownerships into one development site to assure a coordinated and carefully thought out development rather than four or five separate developments each developed by different owners. He acknowledged that concerns about the current plan remain along with concerns about impacts from the daily construction activity. He stated that the ongoing nuisance concerns about construction activity must be addressed to the extent possible. He stated that refinements should continue to be made to the plan to address drainage, the streetscape, building height and massing, and traffic. He noted that the number of units proposed is less than originally contemplated and many of the occupants will likely only live in Lake Forest part of the year, easing traffic concerns.

Chairman Kehr noted that relocating the driveway off of Westminster will not only benefit the streetscape but will also be safer for children in the neighborhood. She suggested consideration of extending the building over a portion of the ramp.

Commissioner Moorhead agreed with relocating the driveway away from Westminster noting that there is only one house on this block of Westminster that has front facing garage doors visible from the street. He stated that he is interested in seeing the traffic study since he was not on the Commission at the time it was provided in the packet. He stated that he agrees with the points in Commissioner Douglass' letter. He noted that given the different zoning districts, it is appropriate for the buildings in phase three of the development to step down from the mass and height of the buildings in the earlier phases of the development, in the office zoning district.

Chairman Kehr acknowledged that the construction activity has been wearing on the neighbors with the various phases of the project. She noted that careful

consideration will need to be given to construction staging during the third phase of the project. She stated that the construction fence that was installed has been helpful to mitigate the impacts. She stated that long term benefits for the overall community will cause some pain along the way.

Commissioner Athenson stated that nothing in Lake Forest happens by accident because the community is very determined to protect the historic neighborhood character. She stated that new development must be managed to ensure that it is compatible with the existing character of the community. She reiterated that this area is experiencing a significant amount of change. She stated that the plan presented differs from the master plan noting that both buildings in the third phase are larger than anticipated. She said that it appears that the developers are trying to squeeze too much on to the site. She stated that the building on the north end is not compatible in scale with the neighboring homes. She stated that the duplex building should appear as a single family home. She stated that the Library, Church and Market Square will be subordinate to the new, larger buildings. She stated that a solution should be sought that satisfies all parties. She suggested that the north end of the property be developed with a single family home with green space around it, or no building at all. She stated that the third multi-family building should be reduced in size and the driveway located on the alley. She suggested that a wider setback be provided on the east side of the property. She encouraged the developer to meet with the neighbors. She stated that the building scale regulations should apply to the duplex or single family home at the north end of the site.

Chairman Kehr pointed out that the third multi-family building is shorter than the building reflected on the master plan. She noted that the third building steps down from the height of the buildings in the first two phases but is designed to relate to the buildings in some ways. Hearing no further comments from the Commission, she invited a motion.

Commissioner Athenson stated that there are many open issues and suggested that the petition be continued to allow further modification and input from the neighbors.

Commissioner Freeman made a motion to continue consideration of the petition with the understanding that the Commission endorses the site plan as presented and finds that it generally conforms to the approved Master Plan and the McKinley Road Redevelopment Parameters. He stated that the motion includes the following recommendations to the Historic Preservation Commission in an effort to try to bring the project to a conclusion out of respect for the construction activity that the neighbors are enduring.

- Consider ways to reduce the overall size of the duplex building and the appearance of mass to allow it to better relate to the single family homes along the street.

- Consider ways to reduce the appearance of height of the third condominium building, the building was originally envisioned as two or two and half stories in height.

He added that it is not the Plan Commission's intent to tie the hands of the Historic Preservation Commission.

Commissioner Ruggles expressed concern about the Historic Preservation Commission reviewing the petition given the open items from the Plan Commission's point of view. She stated that she has very strong concerns about the size of the duplex building and worries that it will not be scaled down enough to satisfy the Plan Commission.

Commissioner Athenson agreed that it may be premature to encourage review by the Historic Preservation Commission.

Commissioner Freeman withdrew his previous motion. He made a new motion to continue consideration of the petition with the understanding that the Commission endorses the site plan as presented and finds that it generally conforms to the approved Master Plan and the McKinley Road Redevelopment Parameters with the following exception:

- The overall building mass is inconsistent with the notion that the third phase of the development is intended to provide a transition between the larger condominium buildings to the west and the single family homes to the north and east. Specifically, the duplex building is too large and the condominium building appears too tall.

The motion was seconded by Commissioner Dixon and approved by a vote of 5 to 1 with Commissioner Athenson voting nay for the reasons she previously stated.

Commissioner Freeman made a motion recommending that the Historic Preservation Commission review the buildings and associated hardscape and the landscape plan with a focus on two areas:

- Locating the driveway entrance off of the alley, rather than off of Westminster, in a manner that minimizes visibility from the streetscape.
- Appropriate architectural elements and detailing and visual interest particularly at south end of the west elevation to serve as a terminus to the east/west street.

The motion was seconded by Commissioner Moorhead and was approved by a vote of 5 to 1 with Commissioner Athenson voting nay for the reasons she previously stated.

Commissioner Freeman made a motion to direct the petitioner to continue to refine the petition, prepare necessary documents and seek review by the Housing Trust Fund Board as appropriate (conditions 2, 5 and 6 in the staff report).

The motion was seconded by Commissioner Dixon and approved by a vote of 5 to 1 with Athenson voting nay for the reasons she previously stated.

The Commission agreed to extend the meeting to 11:15 p.m., 15 minute past the mandatory adjournment time.

5. Public Hearing and Action: Continued consideration of a request for approval of the tentative plat of the Margaret M. and Hampden M. Swift Memorial Subdivision. Four single family lots are proposed. The property is currently addressed as 770 Washington Road and is located on the west side of Washington Road between Westminster and Walnut Avenue.

Property Owner: Swift Family

Presented by: Michael Adelman, attorney

Consideration of this agenda item was postponed due to the lateness of the hour.

6. Public Hearing and Action: Consideration of Code Amendments to Sections 159.002 Rules and Definitions and 159.003 Interpretation of the City's Zoning Code to address recent legislation pertaining to on Recreational Cannabis.

Presented by: City staff

Chairman Kehr introduced the agenda item and asked the Commission to declare any conflicts of interest or Ex Parte contacts.

Commissioner Freeman recused himself due to the potential for an appearance of a conflict due to his fiduciary responsibility to his employer. He stepped down from the dais.

Hearing no future recusals, Chairman Kehr invited a presentation from staff.

Ms. Czerniak stated that the agenda item is before the Commission at the direction of the City Council and in response to the passage of House Bill 1438 by the State legislature in May, 2019. She noted that the Bill was signed into law by the Governor and will allow recreational cannabis businesses and use beginning January 1, 2019. She stated that the City Council had a very brief discussion about the new legislation and decided that Lake Forest should not be out in front on this issue and directed City staff to work with the City Attorney to prepare the necessary Code amendments to take advantage of the "opt out" provision offered by the legislation. She stated that the Code amendments are now presented to the Plan Commission for a formal public hearing. She noted that for clarity, the City Attorney recommended amendments to various sections of the Code. She noted that the laws relating to recreational cannabis are likely to evolve over the coming months and years and, in the future, it may be appropriate for the City to revisit the Code provisions relating to cannabis but for now, the proposed amendments prohibit all types of cannabis businesses, dispensaries, lounges, cultivation centers and

transporters within the City of Lake Forest. She noted that City staff is participating and will continue to participate on the Lake County Task Force relating to this topic.

Commissioner Dixon made a motion to accept the amendments as proposed.

The motion was seconded by Commissioner Ruggles.

In response to questions from Commissioner Athenson, Ms. Czerniak stated that the proposed amendments only speak to recreational cannabis. She stated that the Code does not currently permit medical cannabis businesses in the City.

Chairman Kehr invited public comment, seeing no members of the public in attendance, she closed the public hearing and called for a vote on the motion offered by Commissioner Dixon.

The Commission voted 5 to 0 to recommend approval of the Code amendments as proposed.

7. Additional public comment on non-agenda items

There was no testimony presented on non-agenda items.

8. Additional information from staff.

No additional information was presented by staff.

The meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Catherine Czerniak
Director of Community Development