

Plan Commission Meeting – March 9, 2022
Agenda Item 4

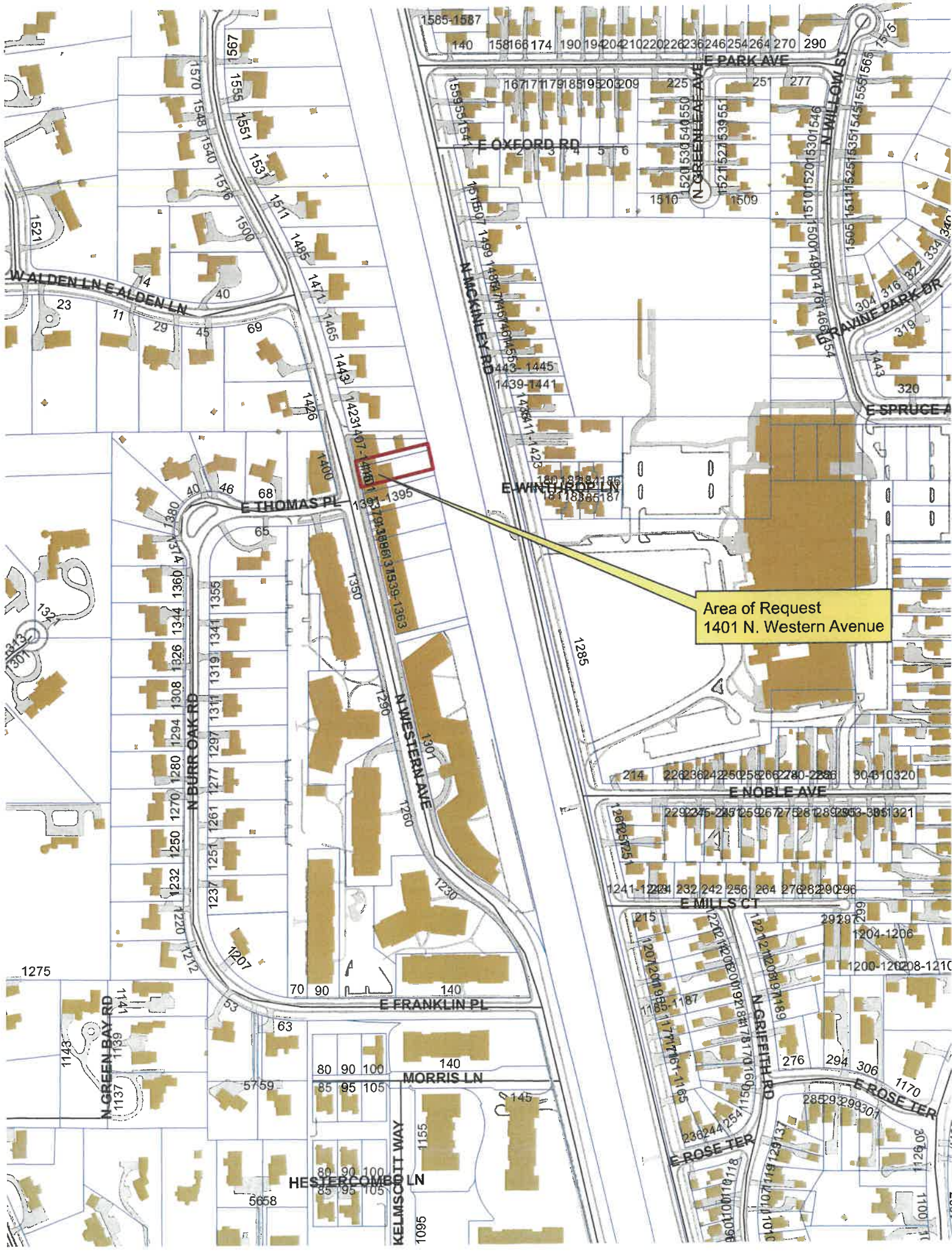
1401 N. Western Avenue
Special Use Permit for a Central Business District Planned Development
Adaptive Reuse of an Office Building for Multi-Family Residential

Vicinity Map
Air Photos
Staff Report
Air Photo
Zoning Map – Surrounding Area
Context Map – Relationship to Larger Central Business District

Materials Submitted by the Petitioner

Application
Statement of Intent
Site Context Plan
Property Survey
Site Plans – Existing and Proposed
Streetscape Conceptual Rendering
Floor Plans and Roof Plan
Elevations
Streetscape Images
Photos – Existing Conditions

Correspondence



Area of Request
1401 N. Western Avenue



Area of Request
1401 N. Western Avenue



Area of Request
1401 N. Western Avenue



STAFF REPORT

TO:	Chairman Dixon and members of the Plan Commission
DATE:	March 9, 2022
FROM:	Catherine J. Czerniak, Director of Community Development
SUBJECT:	1401 N. Western Avenue – Special Use Permit to Authorize a Central Business District Planned Development

<u>Property Owner</u>	<u>Property Location</u>	<u>Zoning District</u>
1401 N. Western Avenue LLC Carmine Speranza 110% 1401 N. Western Avenue Lake Forest, IL 60045	1404 N. Western Avenue East side of Western Avenue, Opposite Thomas Place	B-2 Community Commercial

Contract Purchaser: The Highview Group
Tom Swarthout
778 N. Western Avenue
Lake Forest, IL 60045

Representative: Tom Swarthout

The Plan Commission heard a presentation on this petition, invited public testimony, asked questions and offered comments at the February 9, 2022, meeting. To assure that notification of the petition was published within the required time frame, Commission action on this petition was deferred to the March 9, 2022 meeting. No addition presentation is planned. The Commission, at its discretion can continue to deliberate and should provide the opportunity for any additional public testimony on the petition prior to taking action.

Staff Recommendation

Recommend approval of a Special Use Permit to the City Council authorizing a Central Business Planned Development for property located at 1401 N. Western Avenue.

The following report is repeated from the February staff report on this petition.

Summary of the Request

The contract purchaser proposes to adaptively reuse and expand the existing office building at 1401 N. Western Avenue for multi-family residential. Nine rental residential units are proposed. The footprint of the building will remain the same except that the front façade will be infilled to eliminate the angle element. The addition of a third floor is proposed.

This project is before the Plan Commission for consideration as a Central Business District (CBD) Planned Development. The CBD Planned Development provisions in the Zoning Code, Section 159.114, provide development incentives to encourage projects that provide desired uses and development in the business district. The stated purpose of the CBD Planned Development provisions is:

To allow flexibility to achieve the goals of maintaining a vital business district, preserving the historic character and significance and ensuring that development is consistent with available infrastructure. This provision

provides a process for the Plan Commission and City Council to consider development incentives that vary from the standards in the B-2, B-3 and B-4 districts through the Special Use Permit process.

The petition is requesting a recommendation from the Plan Commission in support of a Special Use Permit approving a CBD Planned Development to:

1. Allow a floor area ratio of up to 1.0 as provided for in the B-2 zoning district for developments approved through the CBD Planned Development process which meet certain criteria as detailed below.
2. Allow a deviation from the strict application of the parking requirements to allow a portion of the site to be “land banked” for additional parking spaces which can be installed to fully meet the parking requirements in the Code, if in the future, additional spaces are needed to meet demand from the residents of the building.

Description of the Property and Surrounding Area

The 1401 N. Western Avenue property is located at the north end of the City’s Central Business District. This area is characterized by multi-family development and a limited amount of small scale office, retail, and service businesses. There has been recent development activity in the area with the redevelopment of the City’s former Municipal Services Facility site for a mix of residential uses; apartments, condominiums and single family homes.

The property in this petition totals 14,042 square feet and is located on the east side of Western Avenue, immediately adjacent to the railroad tracks to the east. The property is developed with a two story office building, designed in a contemporary style, built in the late 1970’s. The building is part of a mixed use area developed with multi-family buildings, small office buildings, and mixed use buildings with retail and service businesses on the first floor and residential uses on the upper floors. The area is a mix of one, two and three story buildings.

Staff Review

❖ Comprehensive Plan

The Comprehensive Plan generally designates the area north of Woodland Road, along Western Avenue, for a mix of multi-family residential and commercial uses with commercial uses limited to the Western Avenue street frontage. Although the area in which the property in this petition is located is not specifically addressed in the Comprehensive Plan, the Central Business District chapter of the Comprehensive Plan in summary states:

- Redevelopment of underdeveloped properties should strengthen the mixed use, pedestrian oriented and historic character of the CBD.
- Streetscape improvements are encouraged to enhance pedestrian links to the CBD.
- Retail should be primarily directed to the area between Deerpath and Wisconsin Avenue.
- Residential development is encouraged above first floor retail and office uses.

The proposed conversion of the office building at 1401 N. Western Avenue to residential use is consistent with the Comprehensive Plan which identifies this area for a mix of uses including multi-family residential. The proposed enhancement to the building modifies the building footprint only slightly as noted above, removing the angled element on the streetscape and infilling that space with a more conventional, masonry front façade commonly found throughout the City’s Central Business District.

Zoning

The 1401 N. Western Avenue property is in the B-2, Community Commercial Business District. The purpose of this district as stated in the Zoning Code, Section, 159.111, is in part as follows:

The B-2 Community Commercial District is oriented toward retail, service businesses and multi-family residential development. All or a significant portion of parking for individual developments is provided on site, no public parking lots are available in this District. The B-2 District is located along Western Avenue at the north and south ends of the Central Business District. There are fewer historic buildings and there is less orientation to pedestrians than in the other business districts.

The proposed use, multi-family, is a permitted use in the B-2 district.

Setbacks. In the B-2 district, a front yard setback of five feet is required. The existing building, at the closest point, is setback five feet from the property line and aligns with the adjacent building to the south. As noted above, the angled portion of the front of the building will be infilled and brought forward to create a consistent front façade of the building. There are no other setback requirements in this district. The building with the proposed modification to the front façade complies with the applicable setback requirements.

Floor Area Ratio. By right, the B-2 district permits a floor area ratio of .50. That is, the square footage of a building is permitted to be 50% of the total square footage of the lot. The existing office building on the site totals 8,776 square feet and exceeds the permitted .50 floor area ratio however, the building was constructed in 1978, prior to the current Code requirements. Through the CBD Planned Development provisions, a floor area ratio of 1.0 may be achieved on properties in the B-2 district through a Special Use Permit as discussed below. This petition requests approval of a 1.0 floor area ratio.

❖ CBD Planned Development

A CBD Planned Development must be considered through the Special Use Permit process. The purpose of the CBD Planned Development provision is described at the beginning of this staff report.

In the B-2 zoning district, the CBD Planned Development provisions allow for an increase in the floor area ratio from .50 to 1.0. Floor area ratio (FAR), rather than the City's Residential Building Scale provisions, governs the size of buildings in the B-2, B-3 and B-4 zoning districts and commercial and multi-family buildings. FAR is the ratio of a building's square footage in relation to the size of the property on which it is located. The 1401 N. Western Avenue property totals 14,021 square feet. There are three access easements that cross the property in a north/south direction, an alley access easement and two utility easements. There is no prohibition in the easements that requires the square footage of the easements to be excluded from the FAR calculation.

If granted, a CBD Planned Development will allow the square footage of the building to be up to 14,021 square feet, an FAR of 1.0, rather than .50 as permitted by right in the B-2 zoning district. As proposed, the expanded building totals 13,906 square feet and complies with a 1.0 FAR limitation.

The CBD Planned Development provisions allow for a reduction in the required number of on site parking spaces however, in this petition, a reduction in the number of spaces is not requested. The required number of parking spaces for the nine residential units, 20 spaces, can be accommodated on the site. Currently, there are 17 parking spaces behind the office building. Fourteen pull-in

spaces and three parallel parking spaces. The parallel spaces are located on the east side of a 20 foot wide alley that runs north/south behind several buildings along the east side of Western Avenue in this area. The area in which the parallel spaces are located, close to the east property line, can accommodate seven pull-in spaces. The petitioner is requesting that the additional three spaces needed to fully meet the parking requirements of the Code be “land banked” and installed only if, after the building is occupied, they are determined to be needed to support tenant and visitor parking.

The existing office building at 8,776 square feet, based on today’s Code, would require 34 parking spaces. The building is currently deficient in parking from a Code perspective but as noted above, the building was constructed prior to current Code regulations. Importantly, office buildings generate a higher traffic volume and if fully occupied, a higher demand for parking than residential units. Staff determined that a traffic study was not needed for this petition given the proposed change in use from a higher intensity use, to a lower one.

In addition to the standard criteria for a Special Use Permit which are addressed later in this staff report, there are additional criteria that must be considered for CBD Planned Developments. The criteria that apply to CBD Planned Developments in the B-2 zoning district are reviewed below.

1. Residential uses must be included in the development above the first floor unless the developer demonstrates that such uses will not further the overall purpose of the zoning district.

This criterion is satisfied. Residential units are proposed on all three floors.

2. If a drive through is proposed, it must be located off site, within a building or constructed to avoid additional curb cuts.

This criterion is not applicable to this development. A drive through is not proposed. No additional curb cuts are proposed.

3. The building and landscape plans have received at least conceptual approval from the Building Review Board.

This criterion is satisfied. On February 2, 2022, the Building Review Board considered this petition at a public hearing and voted unanimously to recommend approval of the design aspects of the building, landscaping, and the requested height variance to the City Council. Height variances are under the purview of the Building Review Board. The Board’s recommendation in support of the petition included several conditions with directed staff to work with the petitioner to address the conditions as final design development occurs. The Building Review Board’s conditions are summarized below.

- Study alternate designs to minimize the potential for visibility of the roof top access stair element and explore other means to access the roof to service the mechanicals.
- Investigate the availability of limestone, as opposed to cast stone, for the window headers, sills, cornice, and coping.
- Develop means to minimize the visual impact of the third floor demising walls using color and or texture.

- Determine an appropriate width for the standing seam metal roof panels based on the scale of the building.

In addition to the above criteria, *one or more* of the following criteria must be satisfied. Criterion six below is fully met.

4. At least 50% of the required parking spaces are located underground or all the parking spaces are located in a parking deck one level of which is constructed below grade.

This criterion is not met. The existing parking lot that is located behind the building will continue to serve the building. If needed, four additional parking spaces will be delineated in the available space along the east side of the site, adjacent to the railroad tracks. Some vegetation will need to be cleared, but the space can easily be converted to accommodate the additional spaces.

It appears that the intent of this criteria is satisfied as follows: 1) a new surface parking will not be constructed as part of this project and 2) existing parking lot is behind the building and not visible from the streetscape.

5. At least 25% of the site is retained as open space.

This criterion is not met. Today, nearly the entire site is impervious surface covered by building or hardscape. With the reconfiguration of the front façade of the building, a consistent planting strip along the front of the building will be added. An internal courtyard, at the northeast corner of the building will be maintained as open space with lawn, plantings, and a paver walkway. Small balconies are proposed on some of the units, although due to the limited size, they will have limited use, the balconies provide the units with a connection to the outdoors.

As an adaptive reuse of the site and given the location of the building near the front property line consistent with the development pattern along Western Avenue, it is difficult to add open space to the site.

6. An increased setback of at least five feet is provided along the streetscape side of the building or a “pocket park” is created with a visual character and pedestrian link to the public street.

This criterion is met. As noted above, the front façade of the existing building is setback five feet from the property line. This setback will be maintained, and a landscape border will be installed between the building and the sidewalk to soften the streetscape.

❖ Special Use Permit

As noted above, a CBD Planned Development, at the discretion of the City, can be approved through a Special Use Permit.

In addition to the criteria specific to a CBD Planned Development as detailed above, the following **findings** are also offered in support of the Special Use Permit.

1. The proposed use will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare. The proposed use of the renovated building for nine apartments, will provide updated housing options in the community. The renovated

building will be brought up to current life safety standards. To provide the necessary life safety elements in the building, the water service to the building will be upgraded offering an incentive to the owners of adjacent buildings to take advantage of the opportunity to achieve economies of scale by upgrading their water services at the same time.

No new curb cuts and no changes to the traffic patterns are proposed. Residential uses generate less traffic than office uses. The proposed adaptive reuse of the building for multi-family units will not generate excessive traffic, noise, odors or light with activity levels similar to those that occur at nearby multi-family buildings located in the area.

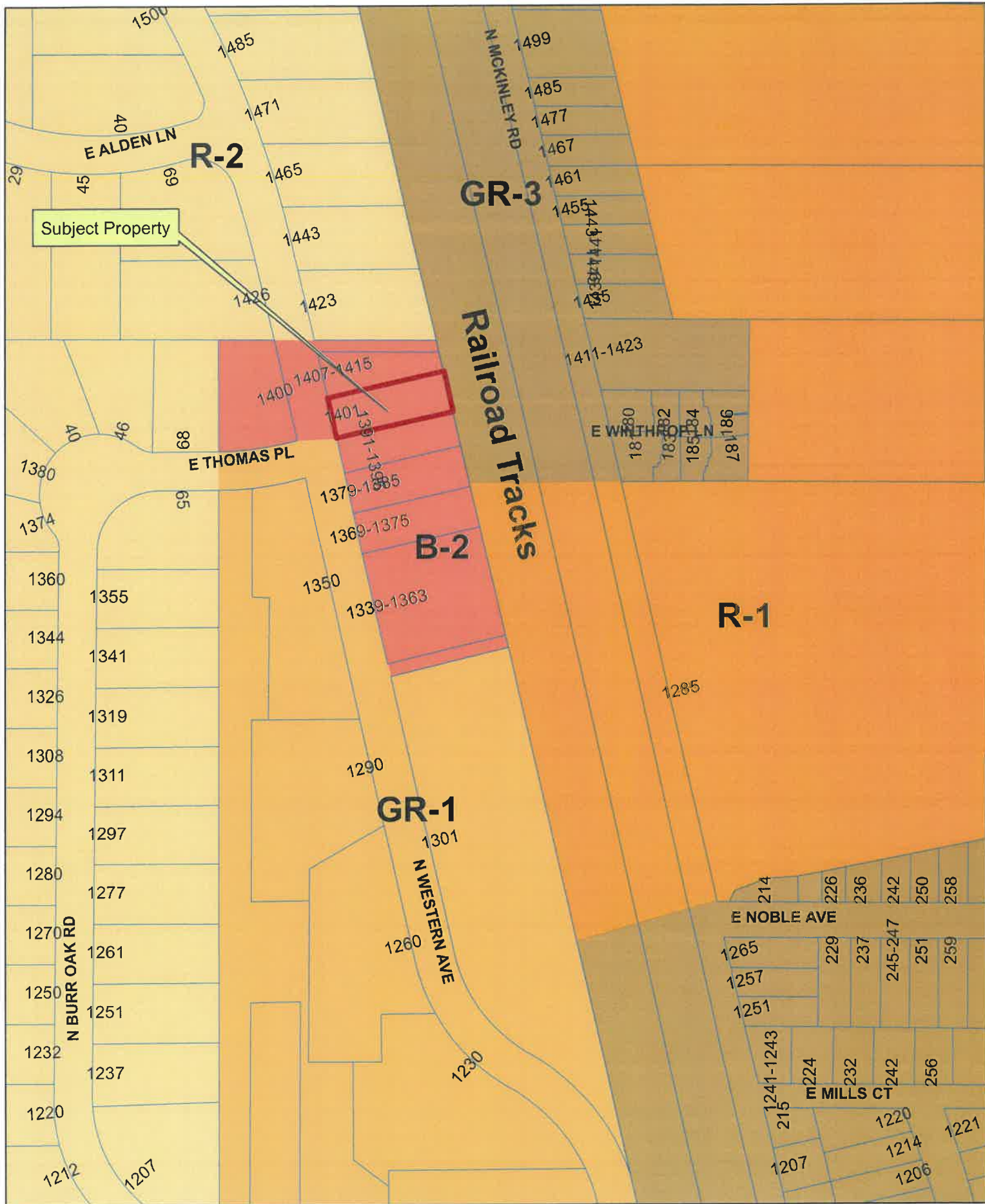
2. The proposed use will not be injurious to the use and enjoyment of property in the immediate vicinity or substantially diminish property values. The site is currently underutilized and not fully occupied as an office building. The property is located at the north end of the business district, in an area where the City hoped to encourage private investment by undertaking a streetscape improvement project in the immediate area in recent years. A significant, multi-million dollar stormsewer upgrade project is planned to get underway in the coming months to benefit this area. The proposed renovation of the building and the addition of new residential units will support property values in the area and may incent additional private investment.
3. The use will not impede the normal and orderly development and improvement of the surrounding properties. The properties in the area are developed. Overtime, additional redevelopment can be expected in this general area. Establishing a pattern of updated, fully Code compliant construction with quality materials and landscaping will not impede further redevelopment and upgrades in this area. The addition of residents within walking distance of local restaurants, retail and service businesses will help to support the continued vitality of the business district.
4. The exterior architectural appearance of the building, the landscaping, hardscape, signage, and overall site has received a recommendation of approval from the Building Review Board.
5. Adequate utilities and roadways exist to support the proposed development. This site is currently developed and served by adequate utilities and roadways.

Public Comment

Prior to the February meeting and again, prior to the March meeting, notice of this public hearing was published in a newspaper with local circulation. Notice was also mailed by the contract purchaser and by the City to surrounding residents and property owners.

The agenda for this meeting was posted at various public locations and on the City's website.

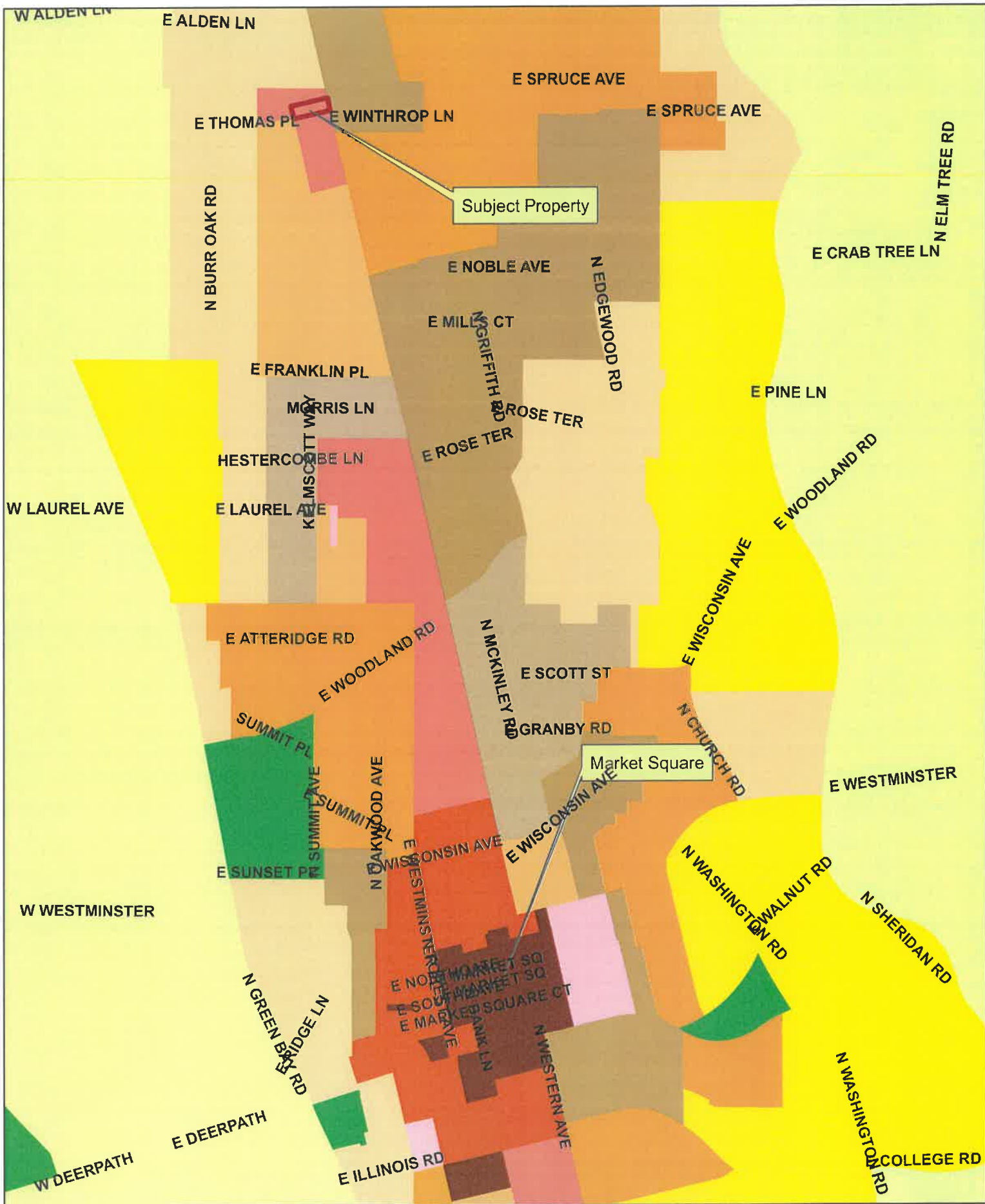
Correspondence received on this petition is included in the Commission's packet. Staff received a phone call from a resident in a neighboring condominium expressing concern about the amount of construction activity that has recently occurred in this area and the construction activity including the storm sewer upgrade project that is planned for the near future.



1401 N. Western Avenue Surrounding Zoning

1 inch = 208 feet





1401 N. Western Avenue Relationship to Business District

1 inch = 667 feet





**Application for Plan Commission Review
Special Use Permit - Central Business District – New Use**

PROPERTY ADDRESS 1401 N. Western ave. **ZONING DISTRICT** B-2

EXISTING USE Office

PROPOSED USE Multi-Family Residential

EXPANSION OF EXISTING USE YES NO X

VARIANCE REQUIRED YES X NO

APPLICANT

Name Tom Szymanski

Address 778 N. Western

Lake Forest

Phone 847-987-8962

Relationship to Property Contract Purchaser
(Owner/Attorney/Representative)

PROPERTY OWNER (if different from applicant)

Name 1401 N. Western, LLC

Address 1401 N. Western

Lake Forest, IL 60045

Phone 847-615-1090

BENEFICIAL INTERESTS

Corporation

Partnership

Trust, land or other

X (see exhibit A)

 (see exhibit B)

 (see exhibit C)

I have read the complete application packet and understand the Special Use Permit process and criteria. I understand that this matter will be scheduled for a public hearing when a determination has been made that my application is complete.

SIGNATURES

Tom Szymanski
Owner

1-18-22
Date

Owner

Date

Applicant

Date

APPLICANT'S REPRESENTATIVES

ARCHITECT ROBERT SHENLOT
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GLENDORA, IL. 60022
PHONE 312-371-0832

ATTORNEY CRANE DIBSON
FIRM DIBSON STRACHAN
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PHONE 847-234-0099

ENGINEER MICHAEL BUCK
FIRM BUCK ENGINEERING
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LAKE FOREST, IL.
PHONE 847-295-5200

BUILDER HIGHVIEW GROUP
FIRM TOM SCARABOAT
ADDRESS 778 N. WESTERN
LAKE FOREST
PHONE 847-987-8962

SURVEYOR ONE ABOVE
FIRM _____
ADDRESS _____
PHONE _____

LANDSCAPE ARCH. _____
FIRM _____
ADDRESS _____
PHONE _____

ARBORIST _____
FIRM _____
ADDRESS _____
PHONE _____

OTHER _____
FIRM _____
ADDRESS _____
PHONE _____

THE HIGHVIEW GROUP, LTD.

Lake Forest, Illinois

January 24, 2022

To the Neighbors of 1401 N. Western Ave,

My name is Tom Swarthout, the contract purchaser of 1401 N. Western Ave, an office building currently owned by Mr. Carmen Speranza. As a like long resident of Lake Forest I have seen the community evolve and change. I believe this area of the business district needs to be revitalized. Market Square was my paper route as a boy and all the second and third floors of the area buildings were occupied as apartments. Over the last numbers of years those spaces have been replaced by office use.

It is our desire to take the 1401 building and completely modify it to high-end apartments. This building was built originally for medical use with 30 individual offices. We believe this location for office use is not appropriate for current or future needs. We intend to convert the existing structure to 9 3-bedroom units adding a third floor. We will completely change the front façade removing the wood siding and replacing it with brick and iron railing details that reflects the high quality design and materials Lake Forest is accustomed to.

When completed, the City will have an updated structure that meets today's codes in life safety, elevator, ADA and energy efficiency. All of those items do not exist in the current building. Traffic also will be reduced with less occupancy at peak traffic times with this residential conversion.

We will be presenting our project in front of the City Plan Commission on February 9th. This meeting's agenda will be available on the City website and on cable that evening. Unfortunately in person meetings are still prohibited due to Covid.

Please contact me at your convenience at 847-987-8962 or my e-mail at Tswarthout@highviewgrouppltd.com with any comments or thoughts you may have.

Sincerely, Tom Swarthout



President, The Highview Group, Ltd.

Attached are photos and sketches of the existing building and proposed replacement elevations, site plan and first floor plan



1401 N. Western Building

Lake Forest, Illinois

City of Lake Forest – Plan Commission

Statement of Intent & Response to Standards of Review

January 21, 2022

SUMMARY STATEMENT

The intent of this project is to adaptively re-use the existing two-story structure and add a third floor. The existing building at 1401 N Western was built in 1980. The two-story office building has sat on the market for roughly four years with little to no commercial interest. The issues at hand are: 1) the current east and west facades are in need of major repair; 2) the building's architectural style is not appealing nor congruent with the timeless, classic aesthetic of Lake Forest's architecture; 3) the location is seen as too remote for commuter accessibility; 4) the building has no ADA access and; 5) the office space layouts are awkwardly partitioned. Pending approvals, the existing building will be purchased by Mr. Swarthout with the intent of converting it into a multi-family residential development offering a mix of two "two bedroom" and seven "three bedroom" apartments which are scarcely available and highly desirable. The existing residential buildings around our site are three-story buildings. Our design includes a proposed third story on top of the existing two-story building. A new façade is proposed with multiple architectural enhancements that will make the building feel distinguished and perceived to be more in line with the preserved architecture standards Lake Forest is so well known for. Repurposed "common brick" will line the exterior street views and be topped with timeless limestone cap. Painted bronze iron balconies will create a rhythm and provide a masterful blend to the historic brick with an eye-catching standing seam bronze painted mansard roof. The new design with a more timeless appeal, will complement the surrounding community and fulfill the interests of the CBD by providing new dwelling units within the district.

The proposed three-story building will have 3 apartment units on each of the 3 floors. The two 3rd floor apartment units which face N. Western ave. will have recessed balconies. The recessed balconies will reduce the overall appearance of bulk for the proposed third floor addition. The total of 13,906 sf will have an F.A.R. of 0.99 which meets the allowable increase to F.A.R. of 1.0 per city of Lake Forest Code Section 159.114.

Variances being requested:

1. F.A.R. increase:

The building is in the B-2 Community Commercial Business District which has a floor area ratio (F.A.R.) of 0.50. We are asking for an increased F.A.R. of 1.0 per the consideration of the Central Business District Planned Development procedures in § 159.114.

2. Height variance:

The maximum height requirement for buildings in the B-2 district is 35'. Our proposed building will exceed this by 2'-2" to roof coping @ 37'-2" and 11'-2" to the roof stair enclosure @ 46'-2" and is set back from the street.

Standards of review:

A CBD Planned Development is considered through the special permit process, so must meet the standard Special Use Permit criteria as well as additional criteria specific to the CBD Planned Development process. Each will be addressed below, along with general requirements for the B-2 District.

Special Use Criteria:

1. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood;

The proposed multi-family residential use is a permitted use in the B-2 District and will not generate excessive traffic, noise, odors, light or after-hours activities. Residential units generate fewer vehicle trips than office uses. Parking is in the rear of the building with an entry point into the building, so there will be little impact on vehicle traffic on N. Western Road.

2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood;

The current site is underutilized. The improvements to the streetscape and the façade of the building will enhance the area and the additional Residential unit density will increase vitality over that of the existing office building.

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district, including in business districts, the special use will not negatively affect the overall character of the area or detract from the primary retail nature of the district;

The proposed residential development will not impede the development of the surrounding properties. The proposed residential development should actually encourage further development in the district.

4. The exterior architectural appearance and functional plan of any proposed structure will not be incompatible with either the exterior architectural appearance functional plan of structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district so as to cause a substantial depreciation in the property values within the neighborhood;

Repurposed "common brick" will line the exterior street views and be topped with timeless limestone cap. Painted bronze iron balconies will create a rhythm and provide a masterful blend

to the historic brick with an eye-catching standing seam bronze painted mansard roof. The new design will complement the existing surrounding masonry buildings.

5. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

The proposed building will utilize the existing parking lot, public alley and facilities. Adequate drainage will be provided. Adequate utilities will be provided for the proposed residential use.

6. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;

With the existing parking lot at the rear of the building, traffic impact on the public streets should be minimal.

7. The special use shall conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council.

The special use shall conform to the applicable regulations of the district.

CBD Planned Development Criteria

1. In the B-2 District, above the first floor, the project shall be entirely residential, or at least 50% of the first floor is occupied by retail uses.

Standard is met. Everything above the first floor is residential.

2. If a drive-through is proposed in any district as part of the development, it is located off site, located within a building or is constructed to avoid the construction of additional curb cuts.

Standard is met. No drive-through is being proposed.

3. The building and landscape concepts have received conceptual approval from the Historic Preservation Commission or the Building Review Board.

Standard not yet met. Currently under review by the Building Review Board.

4. In addition to the above criteria, one of the following must be met: At least 50% of the required parking spaces are located underground or all of the parking spaces are located in parking deck one level of which is constructed below grade, at least 25% of the site is retained as open space, exclusive of parking islands, or an increased setback of at least five feet is provided along the streetscape side of the building or a "pocket park" is created with a visual and pedestrian link to the public street.

Standard met. Building is setback more than 5' from the streetscape. Landscaping will be provided to provide a visually appealing pedestrian experience.

B-2 Community Central Business District

The proposed multi-family development meets the B-2 District's purpose of being "oriented toward retail, service businesses and multi-family residential development." The proposed development also meets the following B-2 District conditions:

1. All business, servicing, processing, displays and storage shall be conducted within completely enclosed buildings.

Condition met. None of these items present.

2. Outdoor storage is permitted only when it is screened from view.

Condition met. Project has no outdoor storage.

3. Outdoor uses, not including storage areas, must be located wholly on private property, shall not impede pedestrian or vehicle circulation, and shall not eliminate or encroach upon required parking spaces.

Condition met. Project has no outdoor uses and will not impeded any pedestrian or vehicular traffic.

4. No manufacturing or assembling shall be permitted

Condition met. Project has no manufacturing or assembling.

5. A certificate of zoning compliance must be obtained consistent with the provisions of § 159.041 prior to any change of use, expansion of uses on a site, and prior to the issuance of a building permit;

Condition will be met.

6. The uses and development shall be consistent with the Comprehensive Plan.

Condition met. Comprehensive plan encourages affordably priced housing in proximity to the CBD and community facilities. Project is in the CBD and located across from Lake Forest High School.

7. Appearance of vacant storefront windows.

Condition met. Project has no storefront windows.



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robertshermiot@gmail.com



SUBJECT PROPERTY

1401 N Western Ave,
Lake Forest, IL

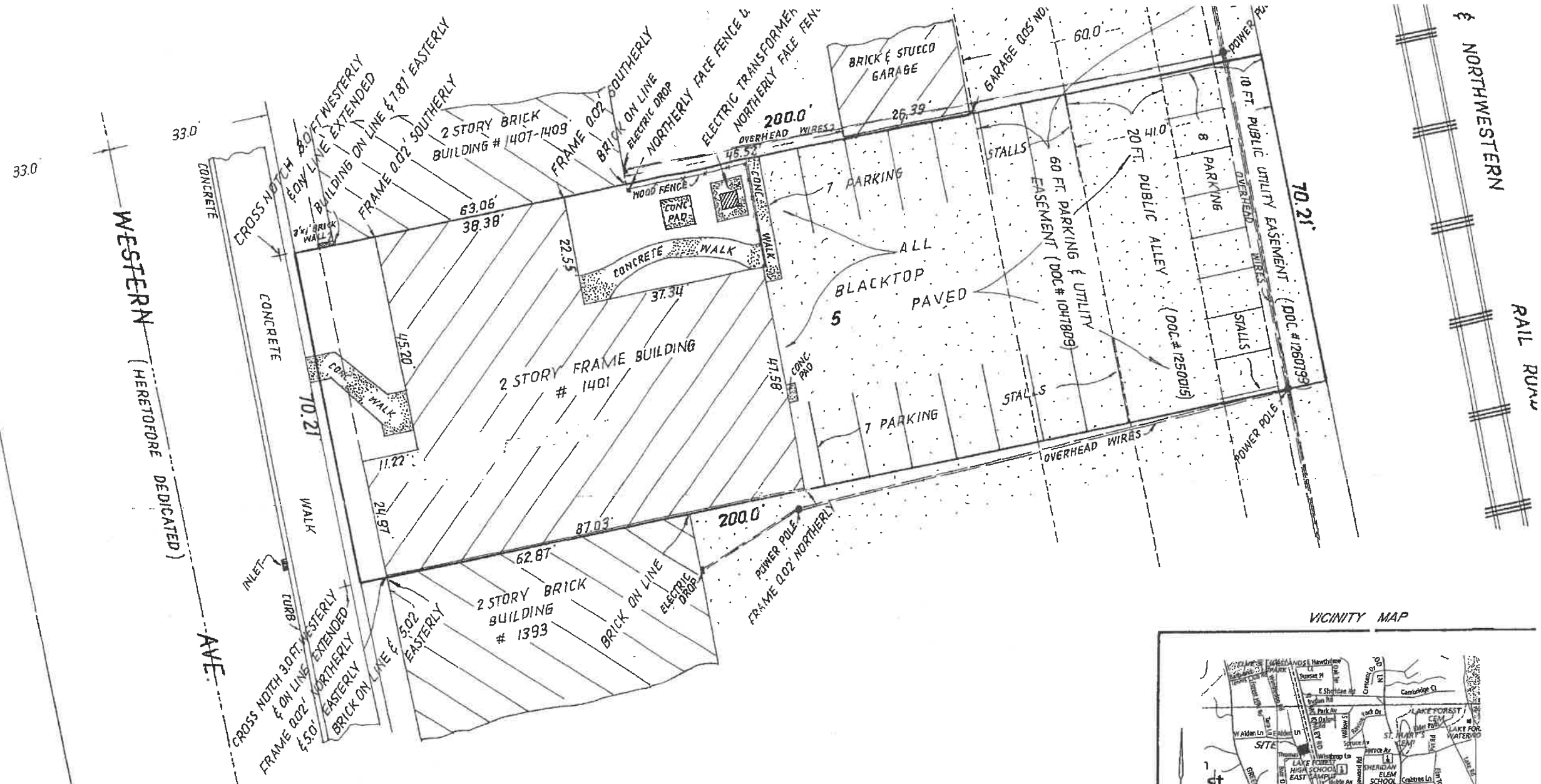
Issue	Rev	Date	By	Description
		11/01/21	RTS	CONCEPTUAL PLANS
		12/20/21	RTS	CLIENT MEETING
		1/06/22	RTS	CLIENT MEETING
		1/12/22	RTS	ZONING MEETING
		1/21/22	RTS	PLANNED DEVELOPMENT

Drawing Title
Neighborhood
Context
Site Plan

A001c
Sheet

These plans, drawings and specifications are the property of Robert Shermiot Architects and any use and/or reuse thereof in part or in whole without the written permission of the Architect is prohibited. Copyright 2022 Robert Shermiot Architects





NOTE :

NOTE :
THE PROPERTY SHOWN HEREON REFLECTS MATTERS OF TITLE AS CONTAINED IN CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE NUMBER GL6101347, EFFECTIVE DATE : MARCH 26, 2003.
AREA DETERMINED TO BE OUTSIDE THE 500 YEAR

THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE " X " (AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN) PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 17097C0188 F. EFFECTIVE DATE : SEPTEMBER 3, 1997.

DIMENSIONS SHOWN HEREON ARE NOT TO BE ASSUMED OR SCALED.

THERE ARE 108 STRIPED PARKING STALLS ON THE PROPERTY SHOWN HEREON WHICH INCLUDES 3 HANDICAP STALLS.

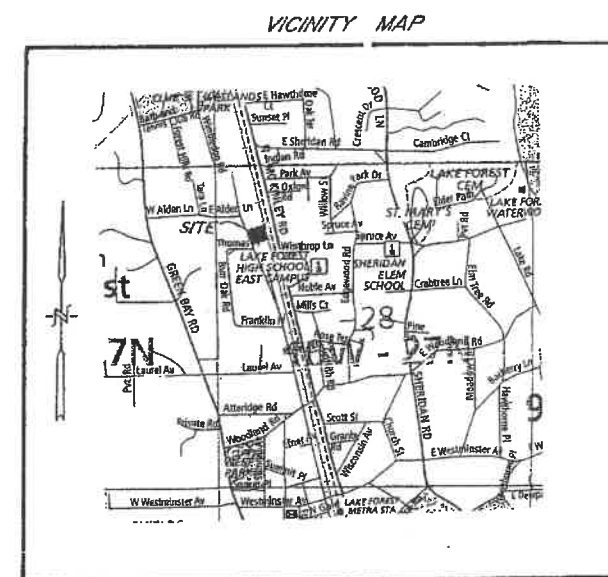
THERE IS NO VISIBLE EVIDENCE OF THE PROPERTY SHOWN HEREON AS BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THE PROPERTY SHOWN HEREON IS COMMONLY KNOWN AS 1401 N. WESTERN, LAKE FOREST, IL.

TOTAL NUMBER OF PARKING STALLS SHOWN HEREON = 22

STATE OF ILLINOIS)
COUNTY OF COOK)

JENS K. DOE PROFESSIONAL LAND SURVEYORS P.C., DOES HEREBY CERTIFY TO : ALL PARTIES OF



2 PROPOSED SITE PLAN
3/32"=1'-0"



Dwvy House.

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robertshemiot@gmail.com



1401 N Western Ave,
Lake Forest, IL

Issue			Description
Rev	Date	By	
	11/01/21	RTS	CONCEPTUAL PLANS
	12/20/21	RTS	CLIENT MEETING
	1/06/22	RTS	CLIENT MEETING
	1/12/22	RTS	ZONING MEETING
	1/21/22	RTS	BUILDING REVIEW BOARD

Drawing Title
Rendering

A500
Sheet

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1 VIEW 1 - LOOKING SOUTHEAST



Divvy House

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Issue		
Rev	Date	Description
11/01/21	RTS	CONCEPTUAL PLANS
12/20/21	RTS	CLIENT MEETING
1/06/22	RTS	CLIENT MEETING
1/12/22	RTS	ZONING MEETING
1/21/22	RTS	BUILDING REVIEW BOARD

Drawing Title
Rendering

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2 VIEW 2 - LOOKING EAST



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11/01/21	RTS	CONCEPTUAL PLANS
12/20/21	RTS	CLIENT MEETING
1/06/22	RTS	CLIENT MEETING
1/12/22	RTS	ZONING MEETING
1/21/22	RTS	BUILDING REVIEW BOARD

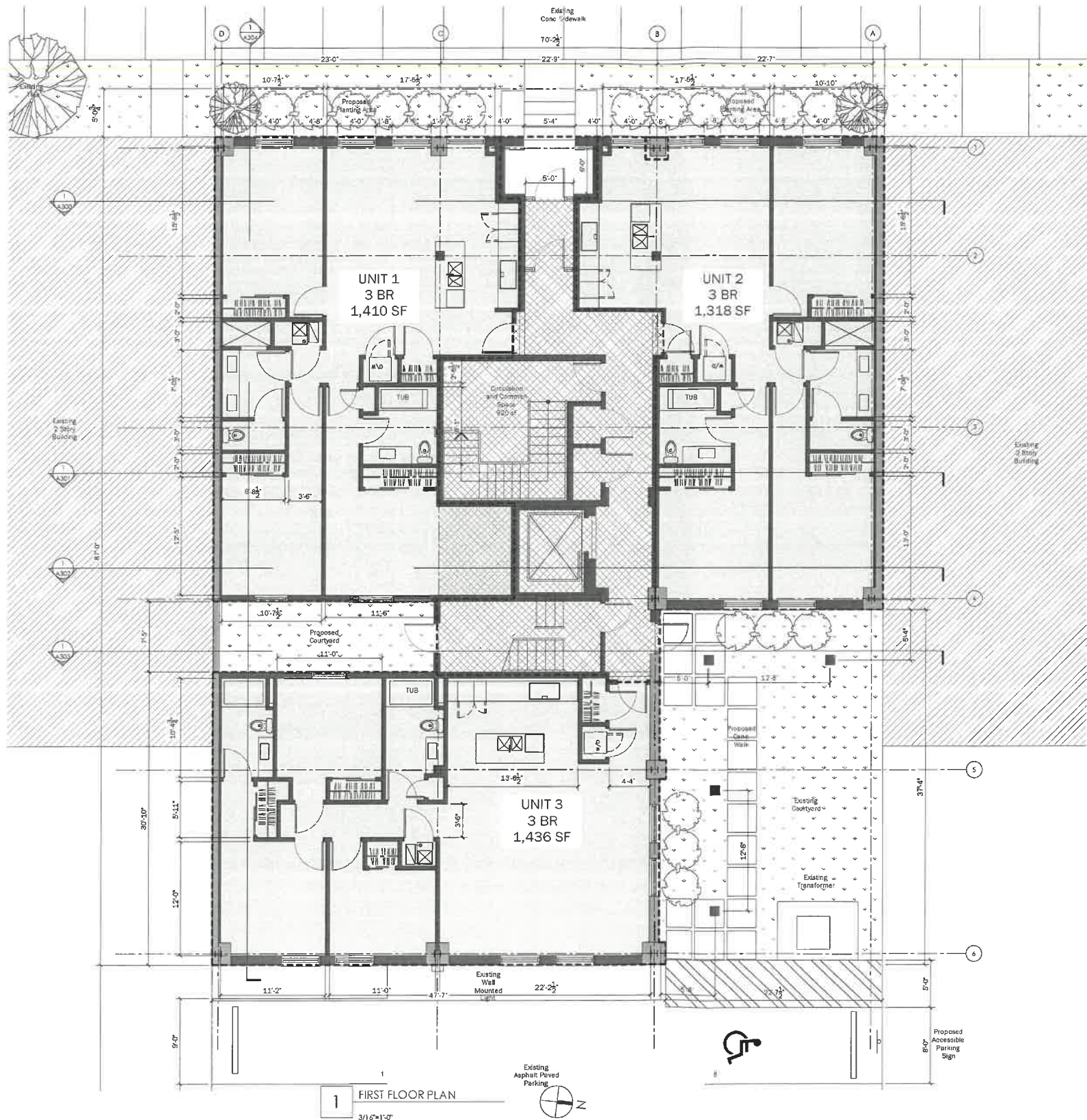
Drawing Title
Rendering

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3 VIEW 3 - LOOKING NORTHEAST



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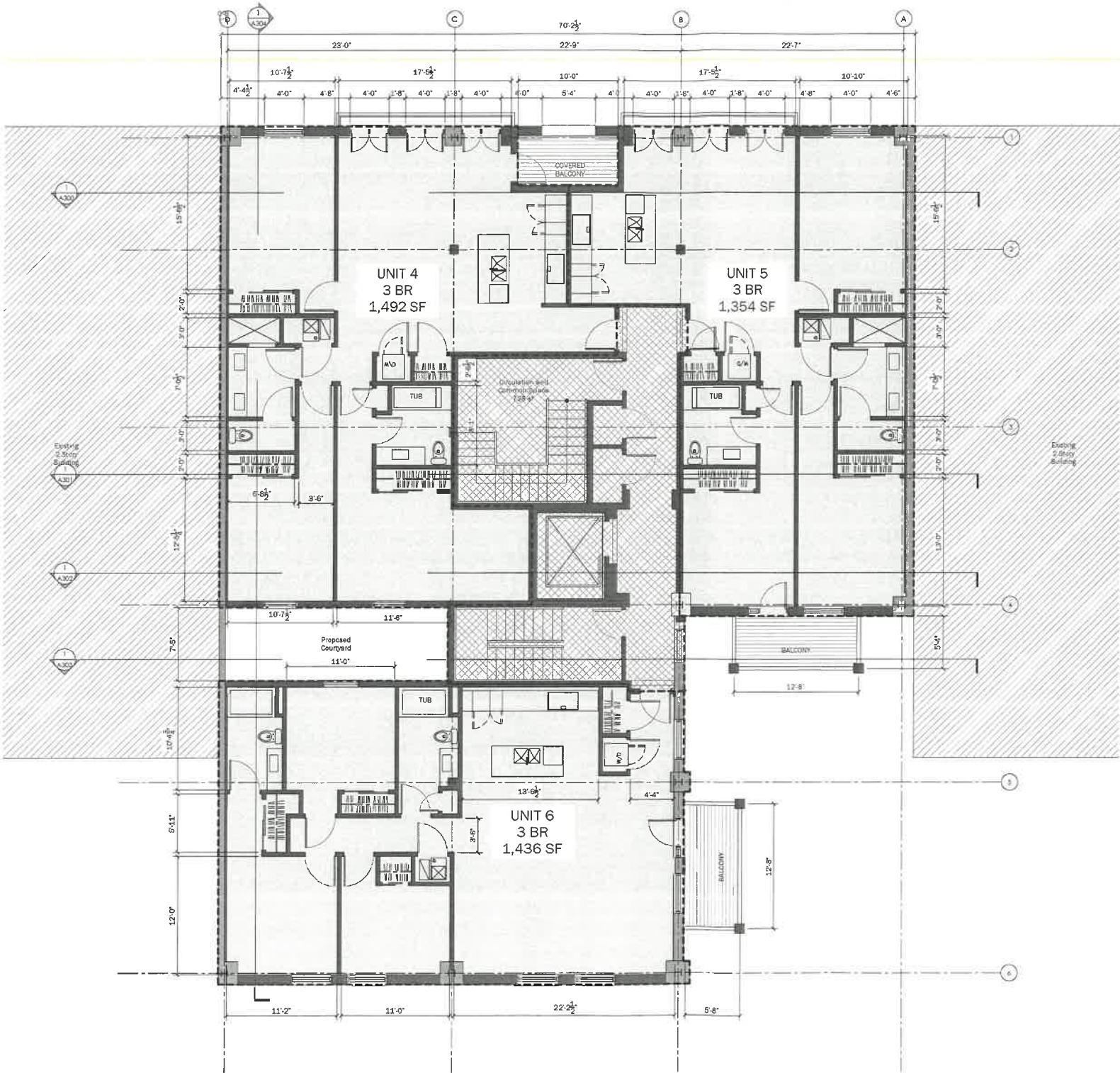
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Issue	
Rev	Date By Description
11/01/21	RTS CONCEPTUAL PLANS
12/20/21	RTS CLIENT MEETING
1/04/22	RTS CLIENT MEETING
1/12/22	RTS TONING MEETING
1/21/22	RTS PLANNED DEVELOPMENT

Drawing Title
First Floor Plan

A100
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1 SECOND FLOOR PLAN
3/16"=1'-0"



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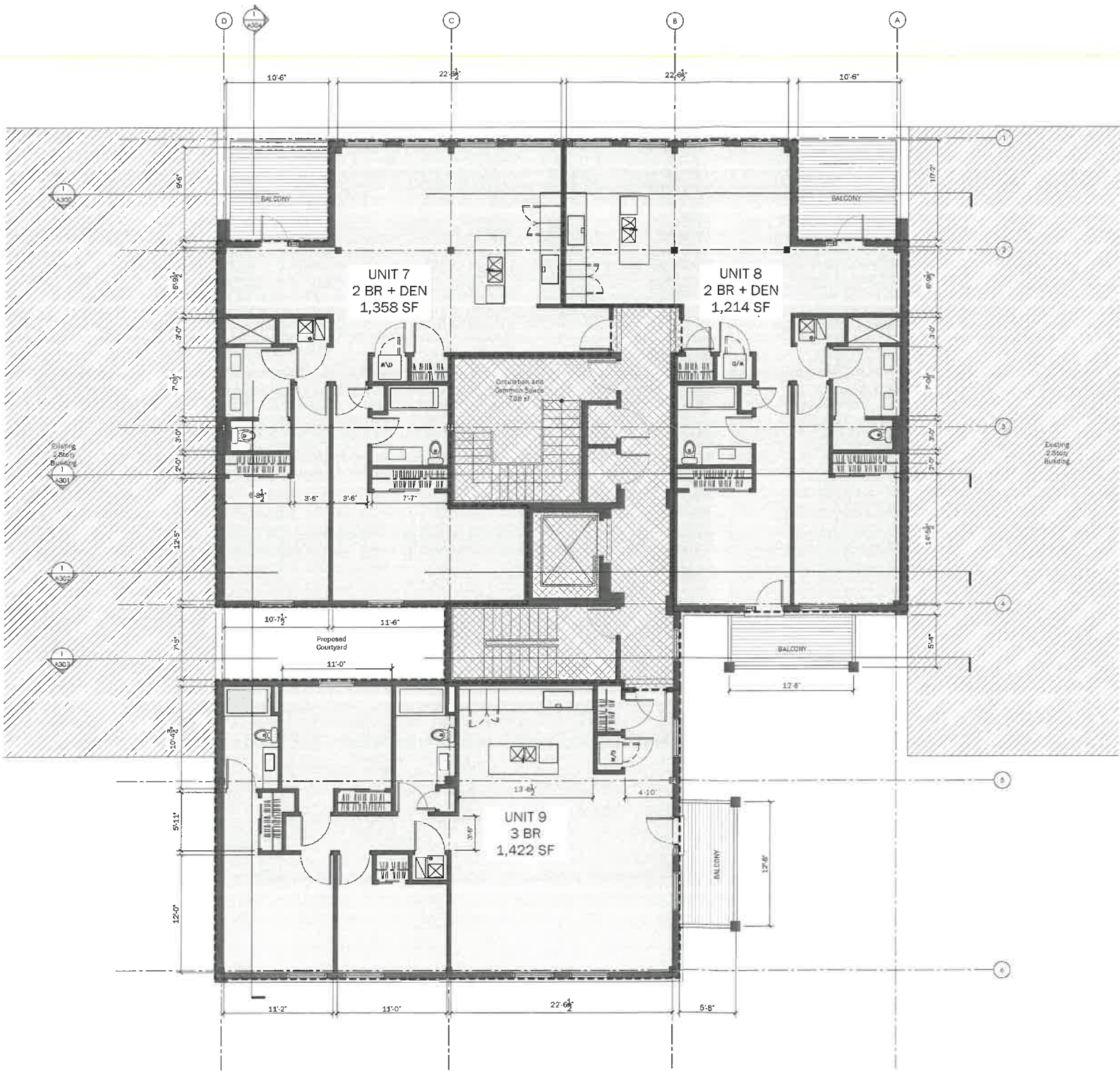
1401 N Western Ave.
Lake Forest, IL

Issue	
Rev	Date By Description
1	11/01/21 RTS CONCEPTUAL PLANS
2	12/20/21 RTS CLIENT MEETING
3	1/04/22 RTS CLIENT MEETING
4	1/12/22 RTS ZONING MEETING
5	1/21/22 RTS PLANNED DEVELOPMENT

Drawing Title
Second Floor
Plan

A101
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1 THIRD FLOOR PLAN
3/16"=1'-0"



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	1	11/01/21	RTS	CONCEPTUAL PLANS
	2	12/20/21	RTS	CLIENT MEETING
	3	1/04/22	RTS	CLIENT MEETING
	4	1/12/22	RTS	ZONING MEETING
	5	1/21/22	RTS	PLANNED DEVELOPMENT

Drawing Title
Third Floor
Plan

A102
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ROOF PLAN



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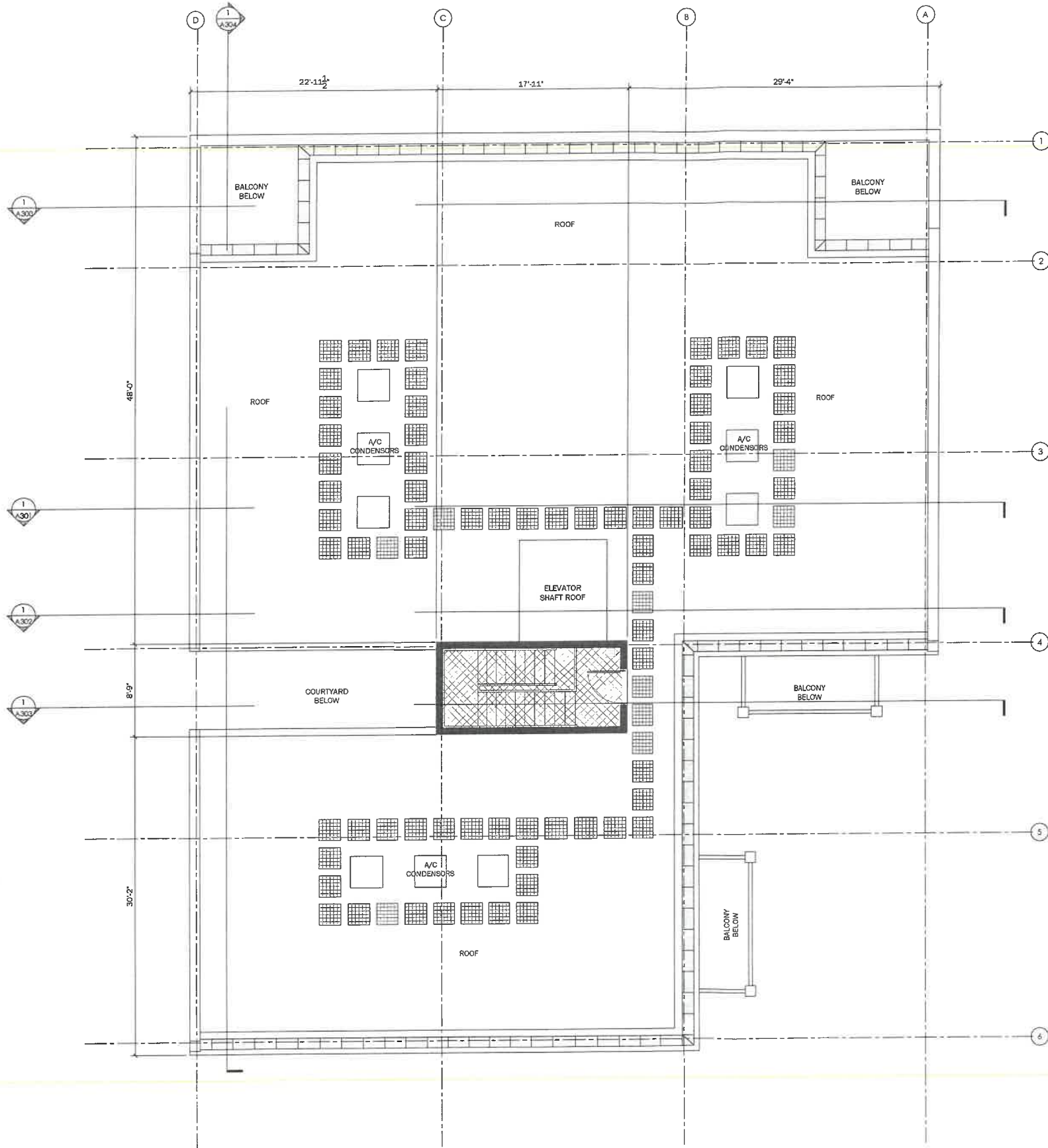
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Issue		
Rev	Date	Description
11/01/21	RTS	CONCEPTUAL PLANS
12/20/21	RTS	CLIENT MEETING
1/06/22	RTS	CLIENT MEETING
1/12/22	RTS	ZONING MEETING
1/21/22	RTS	BUILDING REVIEW BOARD

Drawing Title
Roof Plan

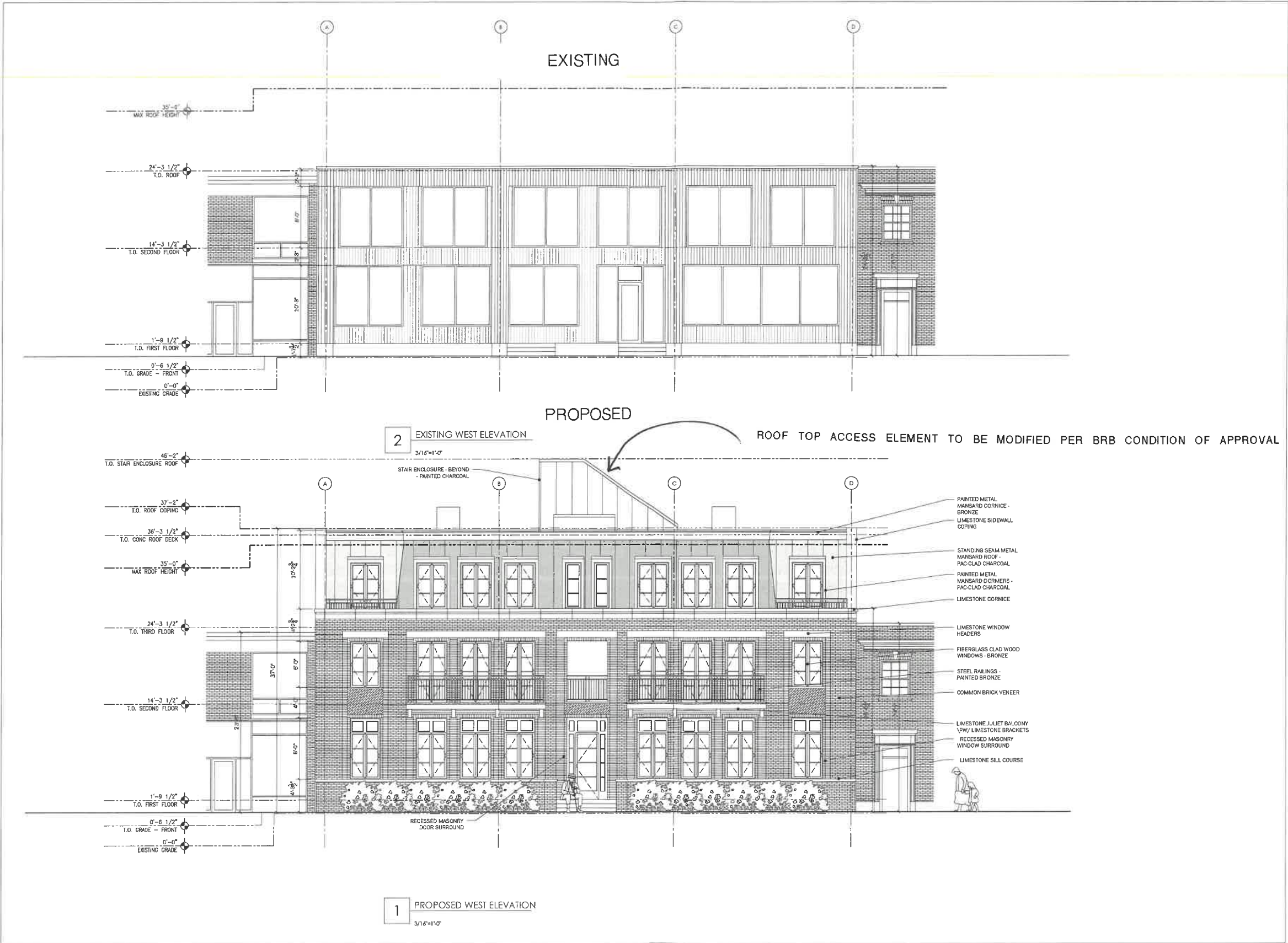
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1 ROOF PLAN
3/16"=1'-0"





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Issue	Rev	Date	By	Description
	11/01/21	RTS		CONCEPTUAL PLANS
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	1/04/22	RTS		CLIENT MEETING
	1/12/22	RTS		ZONING MEETING
	1/21/22	RTS		PLANNED DEVELOPMENT

Drawing Title
West - Front
Elevations

A200
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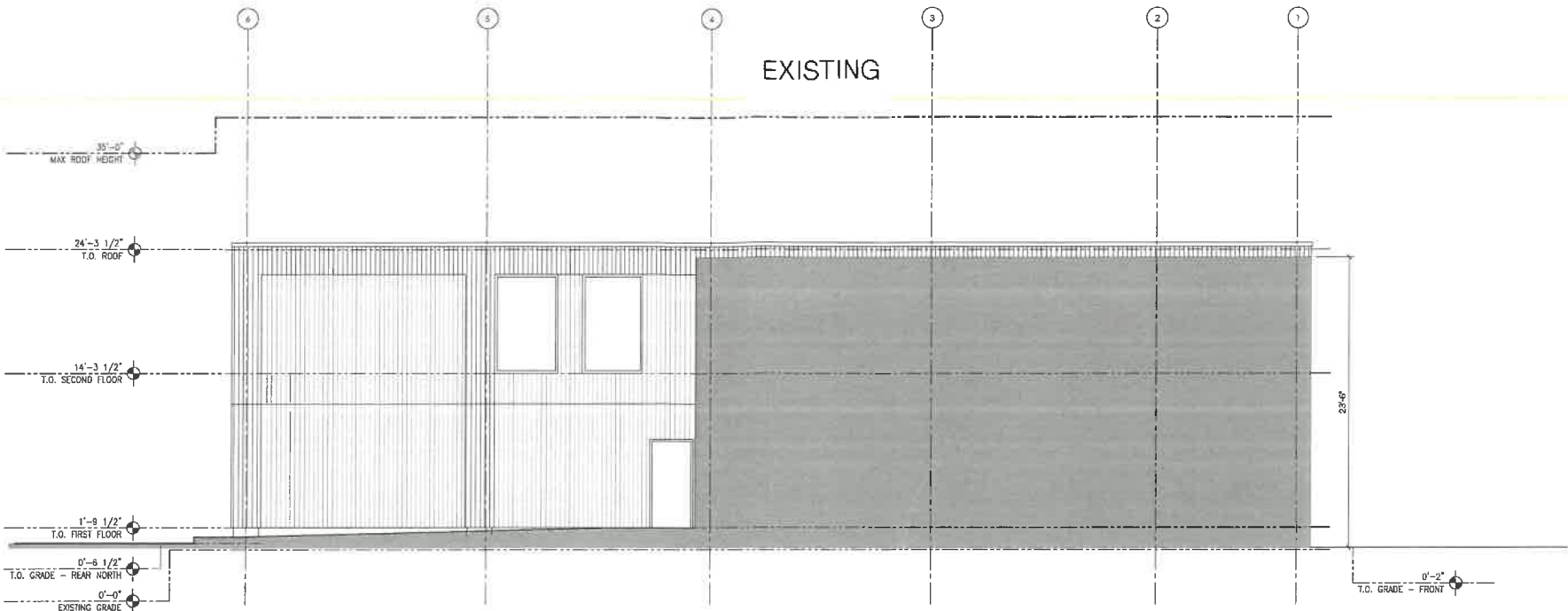
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	12/20/21	RTS		CLIENT MEETING
	1/06/22	RTS		CLIENT MEETING
	1/12/22	RTS		ZONING MEETING
	1/21/22	RTS		PLANNED DEVELOPMENT

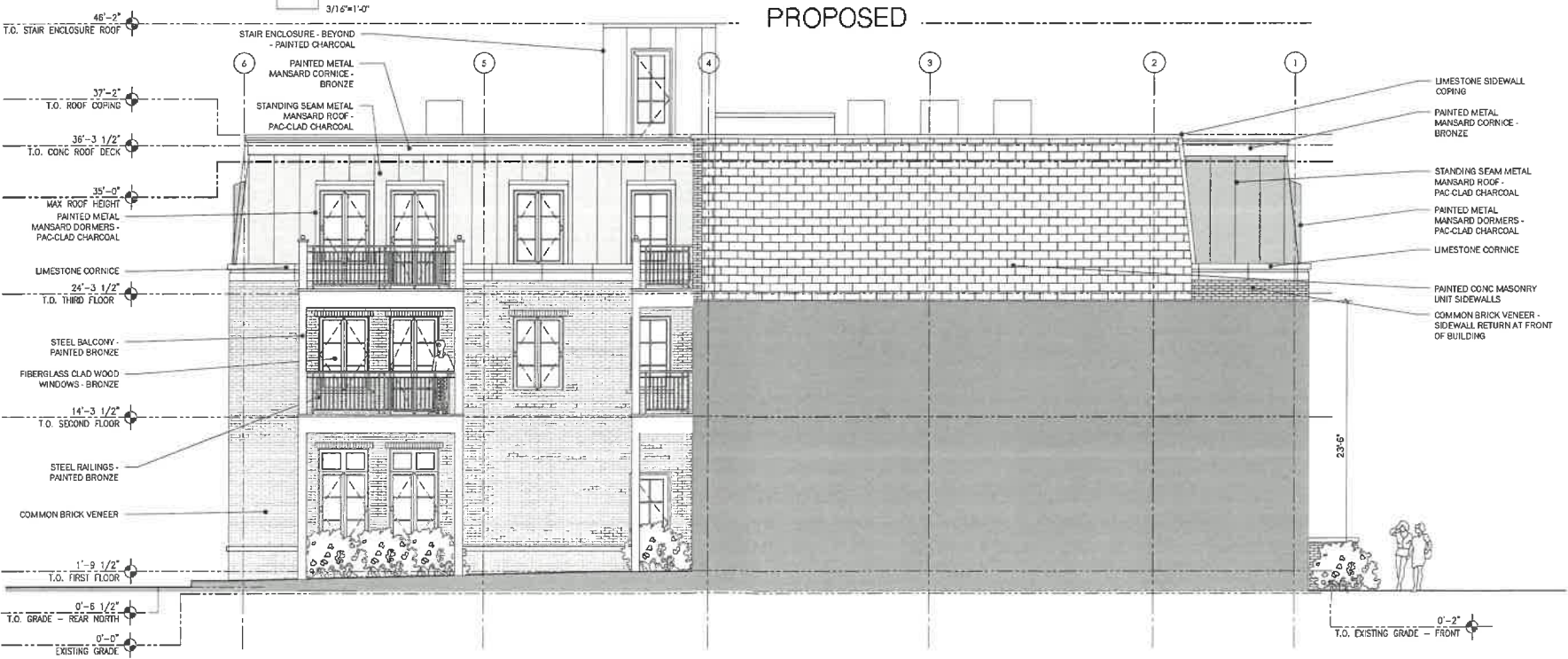
Drawing Title
North - Side Elevations

A201
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2 EXISTING NORTH ELEVATION
3/16"=1'-0"



1 PROPOSED NORTH ELEVATION
3/16"=1'-0"



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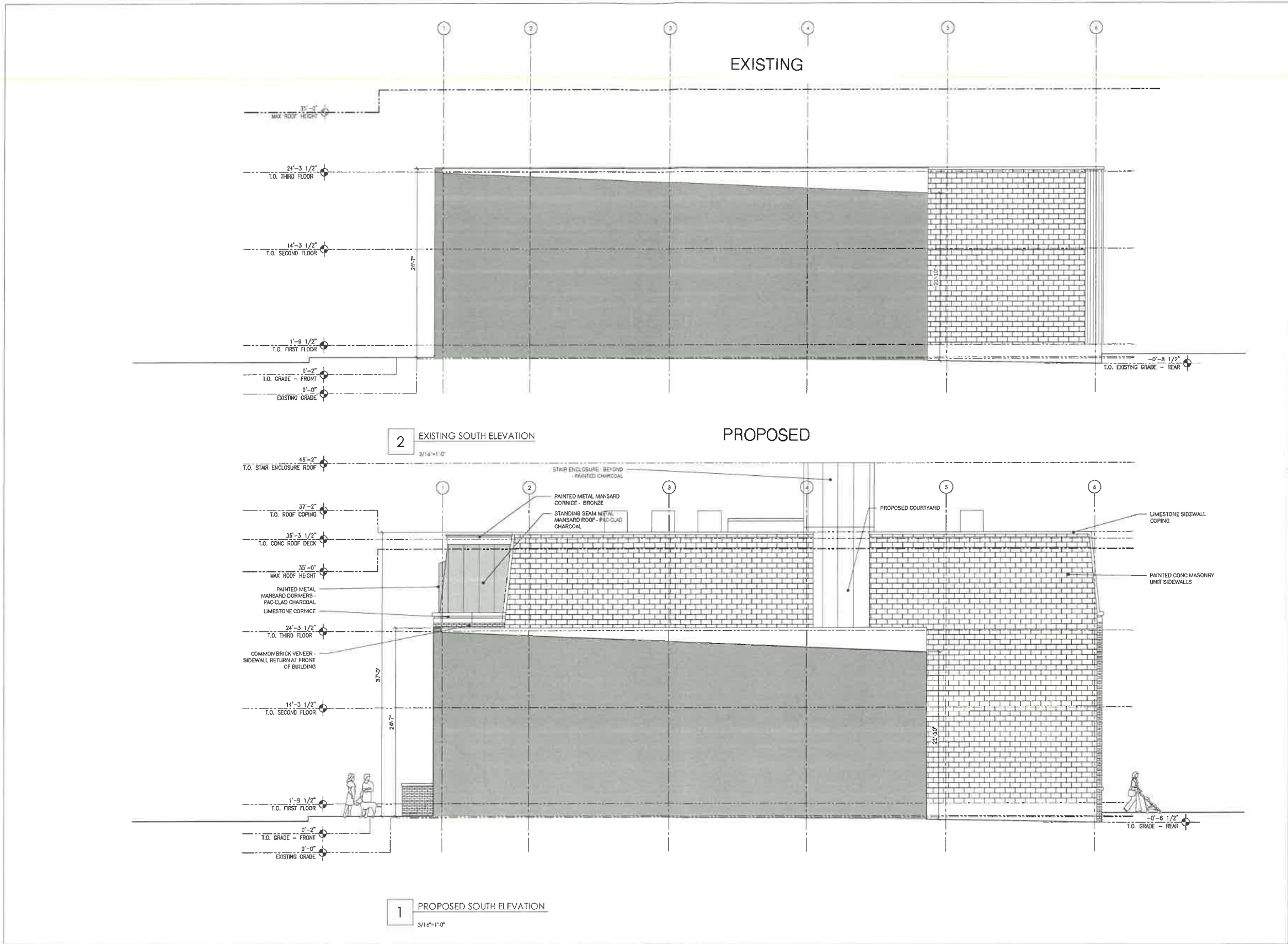
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	1	11/01/21	RTS	CONCEPTUAL PLANS
	2	12/20/21	RTS	CLIENT MEETING
	3	1/06/22	RTS	CLIENT MEETING
	4	1/12/22	RTS	ZONING MEETING
	5	1/21/22	RTS	PLANNED DEVELOPMENT

Drawing Title
South - Side
Elevations

A203
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STREETSCAPE ELEVATIONS



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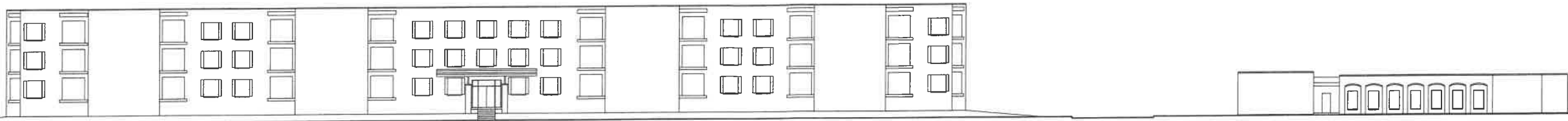
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Issue			
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11/01/21	RTS		CONCEPTUAL PLANS
12/20/21	RTS		CLIENT MEETING
1/06/21	RTS		CLIENT MEETING
1/12/21	RTS		MEETING ZONING
1/21/21	RTS		MEETING BUILDING REVIEW BOARD

Drawing Title
Streetscape
Elevations

A210
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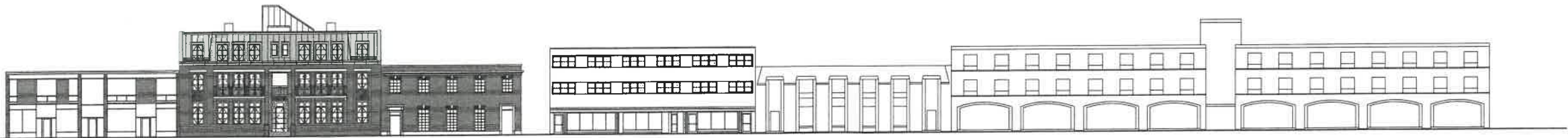
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1350
3-STORY
RESIDENTIAL

1400
1-STORY MEDICAL
BUILDING

2
STREETSCAPE ELEVATION LOOKING WEST
1"=20'



1413-1407
2-STORY
OFFICE

1401
PROPOSED
3-STORY
RESIDENTIAL

1391
2-STORY
OFFICE

1385-1379
3-STORY
MIXED USE

1375-1369
2-STORY
MIXED USE

1363-1339
3-STORY
MIXED USE

1
STREETSCAPE ELEVATION LOOKING EAST
1"=20'



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1 VIEW 1 - LOOKING SOUTHEAST



2 VIEW 2 - LOOKING SOUTHEAST

EXPOSED THIRD FLOOR WALL TO BE TREATED PER BRB CONDITION OF APPROVAL

WITH TEXTURE/COLOR



3 VIEW 3 - LOOKING EAST



4 VIEW 4 - LOOKING NORTHEAST

12/20/21	RTS	CLIENT
1/04/22	RTS	MEETING
1/12/22	RTS	CLIENT
1/21/22	RTS	MEETING
1/21/22	RTS	ZONING
		MEETING
		PLANNED
		DEVELOPMENT

Drawing Title
Renderings

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Photo 1: front, west elevation



Photo 2: rear, partial east elevation



Photo 3: rear, partial east elevation



Photo 4: south elevation



Photo 5: front of building from sidewalk, looking north



Photo 6: front of building from sidewalk, looking south



Photo 7: rear courtyard, looking west



Photo 8: from street, looking northeast at 1401 and adjacent buildings



Photo 9: from street, looking southeast at 1401 and adjacent buildings



Photo 10: apartment building opposite to 1401



Photo 11: looking north up street, 1401 on the right



Photo 12: partial north elevation



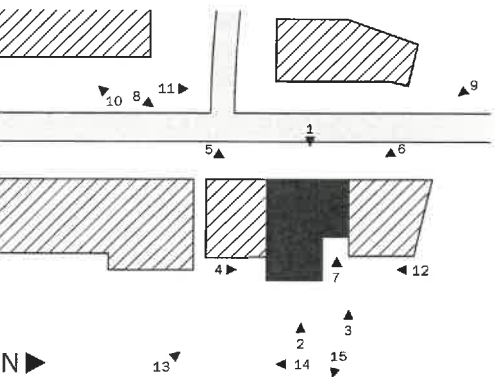
Photo 13: adjacent parking lot behind building, looking northwest



Photo 14: from parking lot behind building looking south



Photo 15: railroad berm and shrubbery behind parking lot, looking east



Keyplan



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1/04/22	RTS	RTS	CLIENT MEETING
1/12/22	RTS	RTS	ZONING MEETING
1/21/22	RTS	RTS	PLANNED DEVELOPMENT

Drawing Title
Photo Board

A800
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Plan Commission Meeting – March 9, 2022
Agenda Item 5

Bunker's on Western – New Restaurant
Special Use Permit – Restaurant Partially within 150' of Residential Zoning

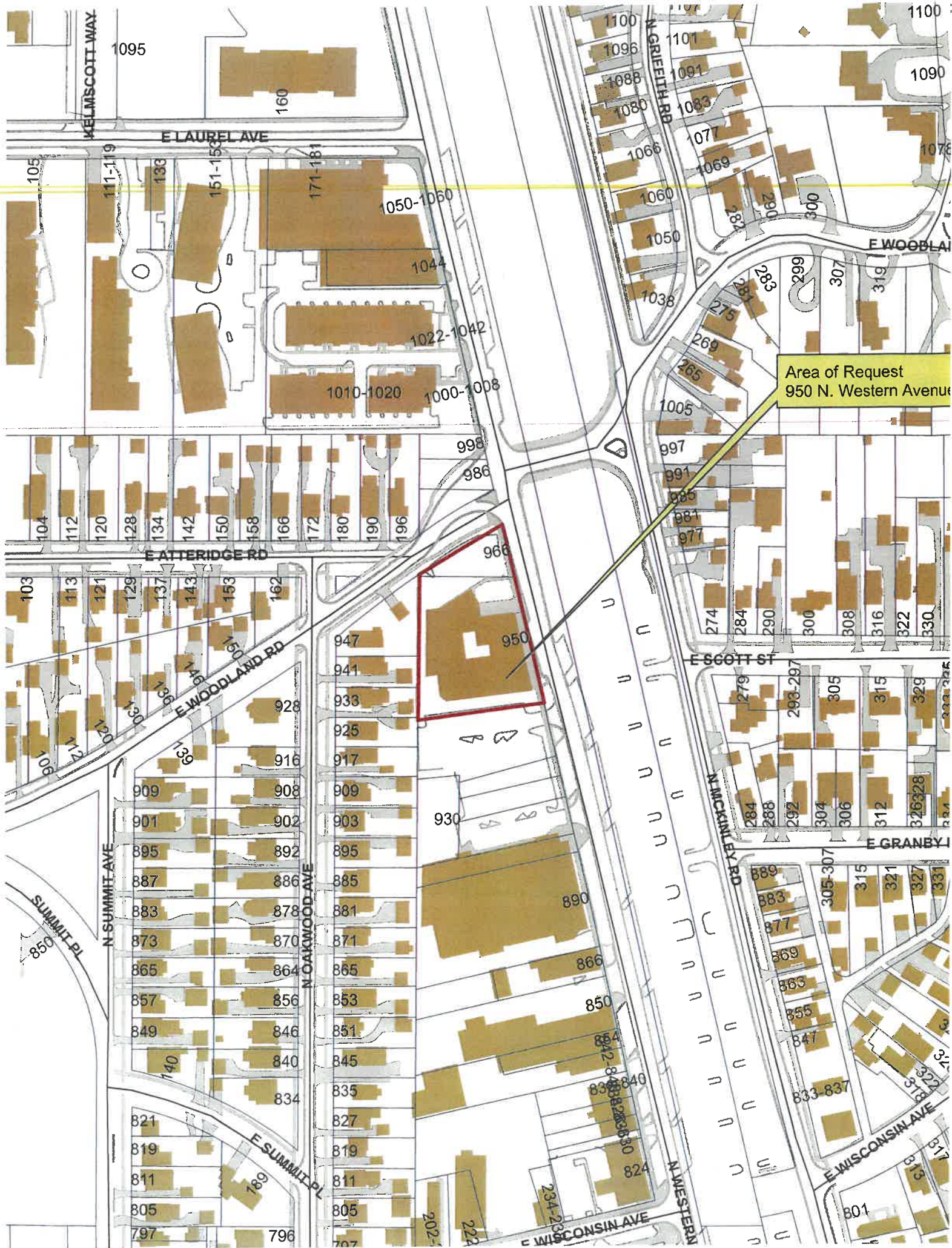
Vicinity Map
Air Photos
Staff Report

Materials Submitted by the Petitioners

Application
Statement of Intent
Site Plan – Location of Tenant Space in Building

- Illustration of 150' Line


Restaurant Floor Plan



Area of Request
950 N. Western Avenue



Area of Request
950 N. Western Avenue

An aerial photograph of an industrial and residential area. A red rectangle highlights a specific building complex. The area includes a large parking lot with many cars, several industrial buildings, and a residential neighborhood with houses. A yellow callout box points to the red-outlined area.

Area of Request
950 N. Western Avenue



STAFF REPORT AND RECOMMENDATION

TO:	Chairman Dixon and members of the Plan Commission
DATE:	March 9, 2022
FROM:	Catherine J. Czerniak, Director of Community Development
SUBJECT:	<i>Special Use Permit – New Restaurant in Westwood Center, 950 N. Western Avenue – Bunker’s on Western</i>

Property Owner

Westwood Center LLC
--Altounian Family 100%-----
13110 W. Rockland Road #1
Lake Bluff, IL 60044

Property Location

950 N. Western Avenue

Zoning District

B-2, Community Commercial

Tenant – Restaurant Owners

Jeff Urso
Joe Knesley

Summary of Request

This is a request for a Special Use Permit to allow a new restaurant to occupy space fronting on Western Avenue, in the Westwood Center commercial development. Westwood Center is a multi-tenant, mixed use development located on the southwest corner of Western Avenue and Woodland Road, in the B-2 Community Commercial District. Over the course of the past few years, the Plan Commission has reviewed various restaurant proposals for Westwood Center including Kuro Bistro, Lucky Duck and Donati’s/Jefe’s all of which were approved and are currently open and welcoming customers on a regular basis. In 2019, the Commission also approved Scouts Restaurant, a sports themed family restaurant and bar, for the space fronting on Western Avenue which is the subject of this petition. Scouts never opened for various reasons including the timing of the approval, shortly before the onset of the pandemic and the resulting impacts on restaurants.

Bunker’s on Western is now proposed for a portion of the space previously approved for Scouts’ Restaurant. Bunker’s on Western is proposed in approximately 3,900 square feet of tenant space, fronting on Western Avenue and located adjacent to the Donati’s and Jefe’s Tacos space to the west. Scouts Restaurant as previously approved, was larger than the restaurant currently proposed, and incorporated both the space that is currently vacant and much of the space currently occupied by Donati’s and Jefe’s Tacos.

The new restaurant that is now proposed, Bunker’s on Western, will be a family friendly, golf themed restaurant and bar. The restaurant will share the existing kitchen with Donati’s and Jefe’s, Tacos. Multi-use kitchens are appearing more frequently as restaurants work to respond to the need to be flexible, offering a variety of options for customers; dine in, take out, delivery, indoor and outdoor dining and a combination dining and recreation experience. Bunker’s will offer open air seating seasonably with the window wall along Western opening to the streetscape and will offer golf simulators, an amenity not available in other restaurants in Lake Forest.

Review Process

Restaurants and bars are permitted outright in the B-2 zoning district except when located within 150 feet of property zoned for residential use. Restaurants proposed within 150 feet of a residential zoning district may only be authorized through a Special Use Permit. The proposed restaurant is located only partially within 150 feet of a residential zoning district. Approximately 1130 square feet of the total 3,900 square feet, are located within 150 feet of a residential zoning district. Therefore, this petition is presented to the Commission for consideration of a Special Use Permit consistent with the Code requirement.

The Special Use Permit process provides for a public hearing before the Plan Commission. The Commission is required to evaluate special use requests for restaurants based on the standard Special Use Permit criteria and on the performance standards that apply specifically to restaurants. The criteria and standards are reviewed later in this staff report. As part of the special use process, the Plan Commission can recommend conditions to the City Council if the Commission determines that approval of the request, with some limitations and requirements, is appropriate. Conditions of approval as part of a Special Use Permit can impose a higher bar for restaurants located within 150 feet of residentially zoned properties than for restaurants located more centrally within the business district. Conditions of approval were established for the restaurants that currently operate in this commercial development to mitigate the impacts of light, noise and general activity on neighboring homes.

Description of the Site and Surrounding Area

Westwood Center, located at the northern end of the City’s Central Business District, has been home to a variety of retail uses, service businesses, restaurants and office tenants over the years. This commercial center is a short walk from the new residential development at Laurel and Western Avenues which includes apartments, condominiums and single family homes. The West Park residential neighborhood is immediately adjacent to Westwood Center to the west and to the north, Regent’s Row, a row house development is located further to the north on Western Avenue. Crystal Point condominiums and other multi-family developments and single family homes are located further north along Western Avenue. To the east, residential neighborhoods are located within a short walk or drive of Westwood Center. In summary, there is a significant population of residents within walking distance of this commercial development providing a strong customer base.

Westwood Center in its entirety was acquired over a year ago by a local family. In past years, the development suffered from a lack of attention to maintenance by the previous owner and as a result, many tenants vacated the development and there were some conflicts with the adjacent residential neighbors. The new owners have completed significant upgrades to the exterior of the building and interior spaces. The new owners are reactivating the center with a mix of tenants to meet the needs of the growing number of residents living in the area, provide services and amenities to the larger Lake Forest community, and attract visitors from outside the community to patronize local businesses.

Westwood Center, like many locations within the City’s linear Central Business District, abuts single family homes. This juxtaposition can create conflicts while at the same time, providing a unique amenity to residents in the neighborhood who are able to walk to restaurants, retail stores and service businesses. Together, the residential neighborhoods and the Central Business District create a character that is uniquely Lake Forest. Establishing operating parameters that allow the adjacent uses to co-exist is facilitated through the special use process.

As with all areas where different types of uses abut each other, there are advantages and disadvantages. The Westwood Center property is zoned for and has a history of commercial use, and the proposed restaurant is consistent with the intent of the B-2 zoning district. The details of how the site operates and is maintained on a daily basis are keys to compatibility with the neighboring uses. There will be conflicts from time to time, staff has encouraged the property owner to keep an open dialogue with neighboring residents and to respond to any issues that may come up in a way that balances the interests of all parties.

Overview of Bunker’s on Western

As noted above, Bunker’s on Western will offer full service dining, “with an experience” in both a casual restaurant and bar configuration. Three golf simulators will be incorporated into the floor plan of the restaurant. Seating for about 100, which includes some outdoor tables along the front of the restaurant on Western Avenue for use in good weather, and additional seating at the bar for approximately 17 people are planned. To maximize the opportunity for an outdoor experience, as noted above, the windows along the Western Avenue storefront will open to provide an indoor/outdoor experience commonly found in many restaurants today.

The ownership of the new restaurant is commonly held with the ownership of Donati’s adjacent to the east providing the opportunity to share the kitchen and avoid the need for additional roof top venting beyond what currently exists.

As currently envisioned, depending on demand, the restaurant will open as early as 7 a.m., serving breakfast and brunch on the weekends. The restaurant will serve lunch and dinner and remain open in the evenings consistent with the hours of other restaurants in the community and consistent with the permitted hours on Lake Forest liquor licenses. The issuance of a liquor license for the new restaurant will occur concurrent with the City Council’s consideration of the Plan Commission’s recommendation on this request for a Special Use Permit.

The location of the proposed restaurant, with frontage on Western Avenue, is away from the residential neighborhoods to the west and north minimizing impact from activity, noise, light and traffic. Deliveries and trash collection will occur consistent with the practices and requirements already in place for the overall development.

Staff Evaluation

Provided below is an evaluation of the **Performance Standards** for restaurants. The Performance Standards, like the special use criteria, are part of the City Code.

Performance Standard - Availability of parking

Westwood Center differs from many other developments and commercial buildings located in the Central Business District because there are a significant number of parking spaces on site. In addition to the surface parking lot on the northern portion of the site, which has 24 spaces, there is parking underneath the building for about 60 cars.

The spaces in the surface lot and in the underground garage are shared by all the tenants in the building. Most businesses in the development, particularly the second floor office tenants, are daytime businesses so in the evenings, most of the spaces on the site will be available for customers of the restaurants. Public parking for customers is also available on both sides of Western Avenue. Currently, in the evenings, the Western Avenue parking spaces in the immediate area are unused except for the spaces closer to the entrance to Jewel. Employee

permit parking is available on the east side of the railroad tracks, no permits are required for parking in these lots in the late afternoons and evenings.

Importantly, given the convenient location, it is expected that some customers, from the surrounding residential areas, will walk to the restaurant.

The City will monitor the need for designated pick up spaces along Western Avenue and, if appropriate add or remove signage as the demand for these types of spaces ebbs and flows.

The owners of Westwood Center will be responsible for advising all tenants that the on site parking, both the surface parking and underground parking, is intended for customers first and foremost, not employees. During peak customer hours, the building management must require employees of all the businesses in Westwood Center to park in the Central Business District employee parking lot on the east side of the railroad tracks. Westwood Center has a distinct advantage over many other businesses in the Central Business District because employees will have only a short walk along Woodland Road, under the lighted viaduct, to the off site employee parking lot on McKinley Road, east of the railroad tracks.

No employee or customer parking is permitted on streets in the adjacent residential neighborhoods. Community Development staff will work with the property and business owners and the City’s Police Department to assure that parking for Westwood Center does not occur on residential streets. With the available parking on the site, on Western Avenue and in the parking lot on the east side of the railroad tracks; parking in adjacent residential neighborhoods has not been an issue in the past. If parking by employees or customers of the restaurants, offices or other businesses in Westwood Center does occur on residential streets, the City will act promptly to stop that activity. This staff report includes a recommendation prohibiting employee and customer parking on residential streets.

Performance Standard – Building Review Board Approval

No exterior alterations are proposed as part of this petition. If the proposed signage for the business does not conform to previous approvals for the building, Building Review Board review will be required.

Performance Standard – Issuance of a Liquor License

The City Council has jurisdiction over issuing liquor licenses and determining whether businesses should or should not be permitted to serve or sell alcohol. As noted above, an application for a liquor license will be considered by the City Council concurrent with the Special Use Permit. The issuance of a liquor license is not under the purview of the Plan Commission.

Liquor licenses granted by the City Council establish hours during which liquor can be sold. Most liquor licenses allow the sale of alcohol between the hours of 11 a.m. and midnight although some licenses permit the sale of alcohol earlier in the morning.

Performance Standard – Ventilation Systems

The City Code requires the installation of high quality air filtration systems and ventilation systems for all restaurants. No new kitchen equipment or ventilation systems are planned to serve the new restaurant.

The Code requires the submittal of confirmation of regular maintenance and cleaning of the ventilation systems in restaurants to the City on an ongoing basis.

Performance Standard – Amplified Sound

No amplified outdoor sound is permitted by the Code. Since this restaurant is proposed to have windows along Western Avenue that open to provide an indoor/outdoor space, sound levels will need to be monitored to assure that there are no noise impacts on the surrounding residential neighbors. City staff will work closely with the restaurant owners to monitor sound levels and make immediate adjustments is needed.

Performance Standard – Schedules for deliveries and trash pickup

Hours for deliveries to restaurants and trash pickup for the overall Westwood Center development are limited to 7 a.m. to 6 p.m. The owners of the new restaurant stated that deliveries and trash pickup will follow current schedules and will be within the permitted hours. Deliveries will be made on the south side of the building or through the front door, off Western Avenue.

Although the Performance Standards in the Code do not specifically address deliveries *from* the restaurant to customers. Delivery and pickup services will likely be offered by the new restaurant. There is a direct stairway from the new restaurant space to the below grade parking garage. The alley will not be used by deliver drivers for staging or pickups. The north/south portion of the alley is immediately adjacent to the rear yards and private spaces of adjacent homes and in the past, activity in the alley, staging for deliveries, resulted in complaints from neighboring residents. Staging the drivers in the parking garage minimizes the potential for impact on neighboring property owners.

Customer pickups will occur in front of the restaurant, on Western Avenue.

The trash from the restaurant will be housed in the alcove provided for a dumpster located on the south side of the building. Per City Code, trash and grease must be kept in a closed container. Trash will be collected no less than three times a week, more frequently if needed.

Performance Standard – Minimizing impacts on single family homes: light, noise, traffic

The proposed restaurant will be in an existing commercial building. Delivery trucks and other users of the alley shall only enter the alley *from* Woodland Road and *exit* on to Western Avenue to minimize the impact of headlights and noise on the neighborhood. The building owner shall provide appropriate signage and is responsible for enforcement. As noted above, conditions are proposed at the end of this report prohibiting the use of the alley as a staging area for deliveries or a break area for employees from any of the businesses at Westwood Center. Various conditions of approval as recommended at the end of this report are proposed to minimize impacts on the adjacent residential neighborhood.

Provided below is an evaluation of the **Criteria for Special Use Permits** in the City Code.

Special Use Permit Criteria #1: The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The proposed restaurant is consistent with other uses in the Central Business District and is not unlike other uses that are in proximity to the residential neighborhoods that border the full length of the City’s business. In general, the business and residential uses have been able to co-exist for many years. Issues do come up at various locations from time to time and efforts are made to resolve them by working with all parties to assure that both the residential neighborhoods and the business district thrive.

The continued operation of Westwood Center as an upgraded and fully occupied commercial development, with increased attention to operations and maintenance, will not be detrimental to or endanger public health, safety, morals, comfort or general welfare.

Special Use Permit Criteria #2: The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and will not substantially diminish and impair property values within the neighborhood.

The proposed new restaurant is consistent with the commercial nature of the Westwood Center development and consistent with the type of uses that have existed at this location in the past. The proposed use, if operated consistent with the recommended conditions of approval, will not be injurious to the use and enjoyment or value of properties in the immediate area. Importantly, the restaurant operators are experienced, and known and respected in the community. The proposed restaurant will be an amenity to the neighboring residential area and will add vitality to the City’s business district.

Consistently, resident surveys have indicated an interest in bringing new restaurants into the City’s business district. In addition, the City’s Strategic Plan places a high priority on encouraging new businesses to bring increased activity into the City’s core and support property values throughout the community.

Special Use Permit Criteria #3: The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. In business districts, the special use will not negatively affect the overall character of the area or detract from the primary retail nature of the district.

The surrounding area is already developed. The proposed restaurant will likely help to attract other tenants to Westwood Center to provide options and meet the needs and interests of the growing residential population located within walking distance of this commercial development. The proposed restaurant will add to the vitality of the Central Business District and offer an additional dining option in the City’s core area. The proposed restaurant, if operated consistent with the proposed conditions of approval, will not negatively affect the overall character of the area and will support and enhance the business district.

Special Use Permit Criteria #4: The exterior architectural appearance and functional plan of any proposed structure will not be incompatible with existing buildings, sites, the larger neighborhood or district so as to cause a substantial depreciation in the property values.

No new buildings are proposed. Exterior renovations to the building have recently been completed after review by the Building Review Board.

Special Use Permit Criteria #5: Adequate utilities, access roads, drainage and or necessary facilities have been or are being provided.

Adequate utilities and other infrastructure are in place to serve the new restaurant which will be in an existing commercial development.

Special Use Permit Criteria #6: Adequate measures have been or will be taken to provide ingress and egress.

This is an existing commercial site. No changes are planned to the location or configuration of the curb cuts. The alley is designated for one-way travel, allowing entry to the alley from the north and exit on to Western Avenue, into the commercial district, rather than into the residential neighborhood.

Special Use Permit Criteria #7: The special use shall conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the City Council as part of the Special Use Permit.

As recommended, the Special Use Permit for the proposed restaurant will allow operation of the restaurant in a manner consistent with the regulations of the B-2, Community Commercial Business District. No variances from the regulations of the district are requested and the recommended conditions of approval will put operating parameters in place for the new restaurant and the overall Westwood Center.

Correspondence and Public Testimony

Notice of this petition was provided in accordance with the Code requirements. A legal ad was published in a newspaper with local circulation. Notices of the public hearing were mailed to residents in the surrounding area by the petitioner and by the City. The agenda for this meeting was posted at public locations and on the City’s website.

Staff Recommendation

Based on the findings presented above, recommend approval of a Special Use Permit to authorize **Bunker’s on Western** to locate and operate in Westwood Center at 950 N. Western Avenue. The following conditions are recommended recognizing the location of the restaurant partially within 150 feet of properties zoned for residential use.

Conditions pertaining to the overall Westwood Center Site (from previous approvals)

1. Perimeter fencing, retaining walls and landscaping at the north and west boundaries of the site shall be regularly inspected and maintained by the property owner. The fence must remain sturdy and in a full upright position, with all fence panels in place and in good condition. The retaining wall must remain in a solid and sturdy condition; any loose materials must be replaced. Landscaping along Woodland Road must be maintained in good condition and replaced as necessary, subject to the determination of the City’s Certified Arborist, to provide substantial screening along the fence.
2. Vegetation along the public sidewalk on Woodland Road must be kept trimmed and may not obstruct or endanger pedestrian or bicycle traffic on the sidewalk.
3. Use of the alley on the south and west sides of the building shall be limited as follows:

- The alley shall be used only for deliveries, trash pick-up and by emergency and security vehicles.
 - No parking, standing or staging of vehicles, other than for the purposes noted above, is permitted.
 - No portion of the alley shall be used as a drive thru or staging area for pick up by individuals, delivery services or by restaurant delivery personnel.
 - No gathering, loitering or smoking in the alley is permitted.
 - A sign shall remain posted stating that deliveries and trash pickup is permitted only between the hours of 7 a.m. and 6 p.m., on weekdays.
4. The property owner is responsible for establishing parking policies that give priority to customer parking, rather than employee parking, on the site. The property owner is responsible for monitoring parking activities and working with all the tenants on an ongoing basis to assure compliance with the policies. The policies shall address the following:
- a. Employees shall park off site in the Central Business District employee parking lot on McKinley Road during peak customer times.
 - b. No employee parking shall be permitted on Western Avenue.
 - c. No parking by employees or customers shall be permitted on residential streets.

Conditions Specific to Bunker’s on Western

5. Signage, if not consistent with the previously approved signage for the overall building, shall be subject to review and approval by the Building Review Board.
6. Documentation of maintenance and inspection of the ventilation system must be submitted to the City on a regular basis after installation and after the opening of the restaurant.
7. Delivery drivers, if any, shall queue in the underground garage. No delivery drive access or staging shall occur in the alley.
8. All outdoor seating shall be vacated no later than 30 minutes after the business closes. No gathering in the courtyard by customers or employees is permitted after hours.
9. No outdoor speakers are permitted. During times when the windows are open along Western Avenue creating indoor/outdoor space, sound levels shall be regularly monitored to assure that any amplified sound from inside the restaurant is not audible on any residentially zoned property.
9. During peak hours, the restaurant owners are responsible for assuring regular monitoring of the parking lots and neighboring residential streets to verify that parking is occurring consistent with the established policies and to take corrective action if necessary.
10. The property owners and restaurant owners are responsible for informing and directing employees and customers to appropriate parking areas. As necessary, the owners shall inform City staff of recurring parking or circulation issues on the site and corrective action shall be taken.



**Application for Plan Commission Review
Special Use Permit - Central Business District - New Use**

PROPERTY ADDRESS 950 N. Western Ave **ZONING DISTRICT** _____

EXISTING USE Restaurant

PROPOSED USE Restaurant

EXPANSION OF EXISTING USE YES NO

VARIANCE REQUIRED YES NO

APPLICANT

Name Jeff Oeso

Address 920 Burris Ave

LAKE BLUFF IL 60041

Phone 847-533-2963

Relationship to Property Tenant
(Owner/Tenant/Attorney)

PROPERTY OWNER (if different from applicant)

Name Westwood Center, LLC

Address Altounian Family

13110 W. Rockland Rd #1

Phone 847-234-8600

BENEFICIAL INTERESTS

Corporation

Partnership

Trust, land or other

X (see exhibit A)

____ (see exhibit B)

____ (see exhibit C)

I have read the complete application packet and understand the Special Use Permit process and criteria. I understand that this matter will be scheduled for a public hearing when a determination has been made that my application is complete.

SIGNATURES

Jennifer Altounian 2.21.2022
Owner Date

Owner
[Signature]
Applicant

Date
2/22/22
Date
8/04

[Type here]

EXHIBIT "A"

TENANT
CORPORATE OWNERSHIP

Please list the names and addresses of all officers and directors of the Corporation and all shareholders who own individually or beneficially 5% or more of the outstanding stock of the corporation. In addition, this application must be accompanied by a resolution of the Corporation authorizing the execution and submittal of this application.

NAME <u>Jeffrey URSO</u> ADDRESS <u>920 Burns Ave</u> <u>LAKE BLUFF, IL 60044</u> OWNERSHIP PERCENTAGE <u>50</u> %	NAME <u>Joseph Knesley</u> ADDRESS <u>534 BAIL</u> <u>LAKE BLUFF, IL 60044</u> OWNERSHIP PERCENTAGE <u>50</u> %
NAME _____ ADDRESS _____ _____ OWNERSHIP PERCENTAGE _____ %	NAME _____ ADDRESS _____ _____ OWNERSHIP PERCENTAGE _____ %
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Dear City of Lake Forest

My name is Jeff Urso, founder of Donati's Pizza, and along with a life- long friend of mine Joe Knesley (the owner of Chief's Pub), I have collaborated to create something to enhance the dining experience in Lake Forest. Joe and I were both raised in Lake Forest/ Lake Bluff, and coincidentally, we are both raising our families of 3 boys each here in town. We love our community, and our life's work has been creating and reinvesting in our community through restaurants.

We are happy to announce that we intend to open a new restaurant at 950 N Western Ave. "Bunker's" will be an experience-driven restaurant highlighted by golf simulators, open-air concept seating, and a family friendly atmosphere. We will have a 3900 sq foot dining room that will attach to our current kitchen in the Donati's/ Jefe's unit, for a combined space of 6300 sq feet. Donati's will continue to operate independently, but will also serve as the kitchen for Bunker's. The three front bay windows on Western Ave will be open in the warmer months, and we plan on having 8 tables on Western Ave sidewalk. Our three Golf Simulators will not only serve the avid golfer, but also create an experience for a family to have a night out to teach, learn, and have fun together throughout the year. We intend to have just over 100 seats and a 17 person bar to serve our guests. We will open daily as early as 7am for golfers, and we will serve brunch on weekends. We will close based on our liquor license stipulations, but overall, we intend to keep in line with other restaurants in downtown Lake Forest.

With so many new additions coming to Lake Forest over the next year, we want to continue to contribute and enhance that trend. The Altounian Family has been a great partner throughout our journey in Lake Forest. Joe at Chiefs and I at Donati's couldn't be happier to work with a family that shares the same values. When the commercial property owners, business operators, and the City are all on the same page, we can all be successful ! We believe the end result will surely be a "hole in one" for all residents to enjoy and take advantage of.

We hope the City of Lake Forest will consider approving our request so we can start to work on our next community project.

Respectfully,

A handwritten signature in dark ink, appearing to be a cursive combination of the names Jeff Urso and Joe Knesley. The signature is fluid and stylized, with a large loop at the beginning and a long, sweeping tail.

- Jeff Urso and Joe Knesley

Back round information of the operators.

Joe and I were raised in Lake Forest/ Lake Bluff and graduated from the high school in 2003 and 2002. We have spent much of our adult lives operating restaurants in Lake Forest/ Lake Bluff.

Joe is a full time North Chicago Fireman, and the along with his wife Jenna own and operate Chiefs Pub. Joe has three sons and lives in Lake Bluff. Chiefs opened in 2007 and Joe has spent the last few years revamping Chiefs from its early days when his father opened it. Chief's typically has fundraisers, host team parties and is the home of LFHS events all the time.

I own and operate Donati's Pizza, Jefe's Tacos and Puck's Pub. I have been in the restaurant business for nearly 25 years. Our company mission has been to have meaningful impact in our community through restaurants. I too have been raising my family in Lake Bluff and my 3 sons are avid hockey players. If you don't catch us at a restaurant you can typically find us at the Winter Club watching the boys on the ice.

Joe and I feel that we are part of a new generation of restaurateurs that reinvest in the community they serve. Keeping the restaurant first class is beyond important to us. We want something our family, friends and neighbors all can be proud of.

Thank you so much!

Please consider approving

A handwritten signature in black ink, appearing to read "Joe & Jenna", written in a cursive style.

Other noters

Scope of Restaurant:

Donati's Pizza/Jefe's Tacos opened in May of 2021. Originally, we intended , planned, and built the space for a brewery or a large establishment to open alongside for which we would serve food. We reevaluated the space, and have decided to open a Golf Simulator full service restaurant. The food will include typical Pub style food like burgers, chicken sandwiches, appetizers and pizza from Donati's. The idea is simple, Donati's would continue to run an independent business, but will also use our kitchen and staff to serve the new space. So even though this is an expansion of Donati's with common ownership, it will be a different corporation.

The new space will include 3 Golf simulators; this is a growing trend across the country. Restaurants are becoming experience driven instead of just being places to eat.

Parking Plan:

With one of the best parking lots in Lake Forest, we will utilize the North top lot, the underground parking garage, and the street parking. Our business operates at its peak when all the other non-restaurant businesses in the area are closed.

We will request that the City makes the 4 front Western Ave spots designated specifically for 10min carry-out. This will allow customers to get carry-out, pick up dry-cleaning or grab a quick gift card at any other businesses.

Staffing:

We plan on only adding another 6-8 staff members ti peak shifts and 4 to non-peak hours. Since the kitchen, management and delivery crew are already working, we will have a low impact on adding human or car traffic to the building; staff will park in off site city lots.

Hours of operation:

The Golf aspect will be available during the hours typical for Golf Clubs and Simulator businesses, it can start as early as 7am. We will offer Brunch on weekends. Our current (Donati's) operation runs 7 days a week from 10am-10pm. Because we would like to maximize business in the summer months, we will ask for the maximum allowable liquor license to stay open. We will rarely stay open that late, though.

Both Chief's and Puck's Pub typically close by 10 pm (winter) or 11 pm during the week and just after midnight on busy weekends.

Trash and other Deliveries:

We currently have Groot for refuse. Food deliveries will remain on the same schedule we currently have. Liquor deliveries are always after 9am on weekdays only.

Impact on Neighborhood:

Lake Forest has made some great moves in the last couple years. Residents previously often left Lake Forest to go to Highwood, Libertyville, Lake Bluff and many other suburbs because Lake Forest had limited to offer in dining and experiences. Often times, the existing restaurants would fill up and residents had no choice. With a new steak house opening soon and LE Colonel this year. Chiefs, Authentico, Francescas, and Deer Path Inn all thriving, Lake Forest has now not only become a great area for restaurants and residents to enjoy but a destination for other near by suburbs.

As more and more Suburbs urbanize their communities and attract families to move into, restaurants are the key to creating the experience.

We feel this will be another asset to the community and both Joe and I will continue to run it first class and work with our neighbors, residents and the City to becoming the best we can be, because after all this is our community too

Pedestrian Walkway:

We plan on having 8x 4-person tables lined up down the sidewalk adjacent to Western Ave, this will not impede any flow for pedestrians. We will remove the furniture for non-patio seating season.

Signage:

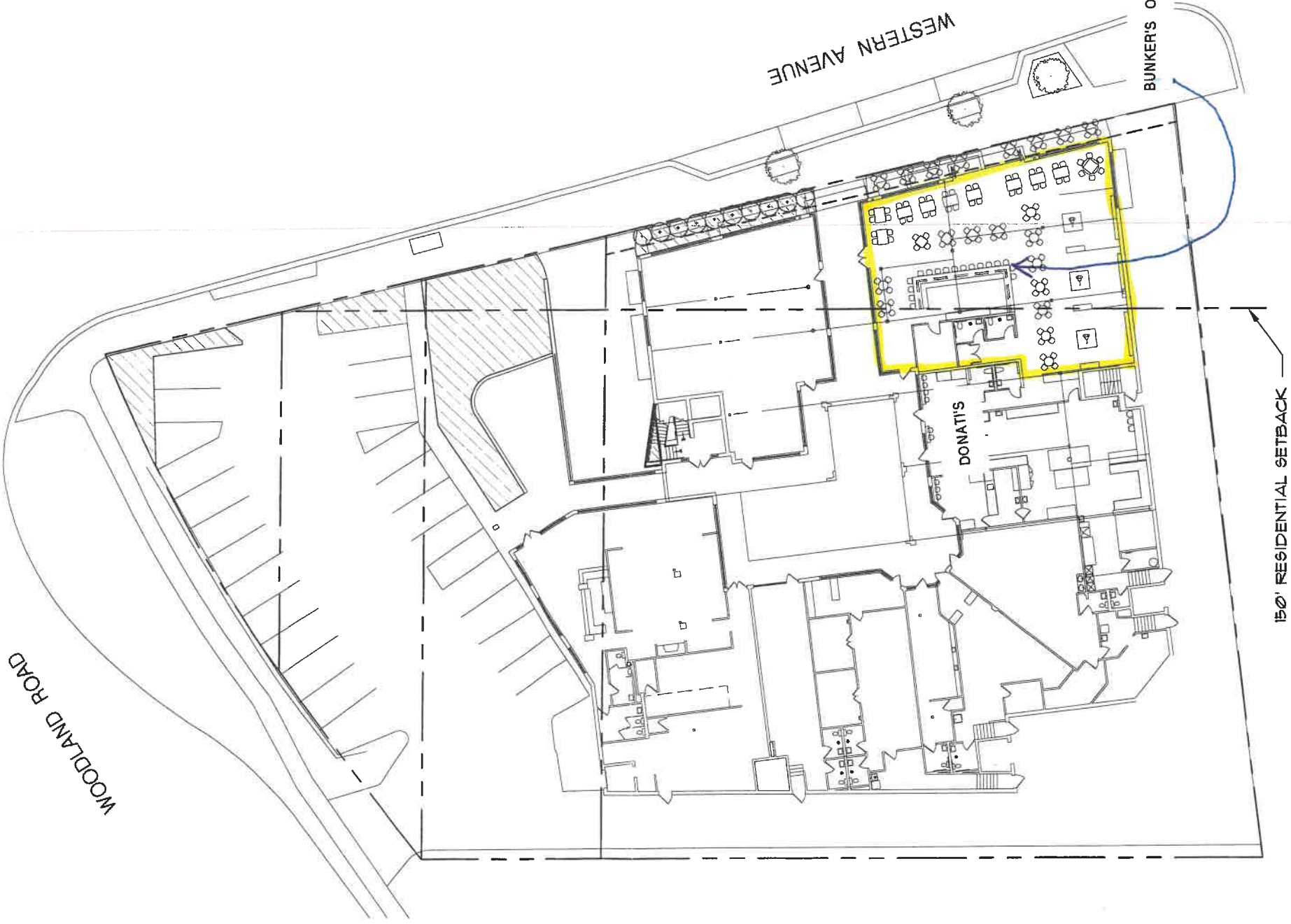
Our signage will conform with City of Lake Forest and Property owners requirements.

Noise:

Since we are more than 150 feet from residential, and we are the furthest point east of the building, it should mitigate any noise pollution to the neighborhood. Our open windows will be seasonal, and should have less noise impact than other outdoor seating that is closer to homes.

Exhaust:

We are not adding any new exhaust, all kitchen space is existing and operational. Our exhaust in our kitchen space is the furthest east of the building as well as it exhausts out on the second story vs the other restaurants on the first floor.

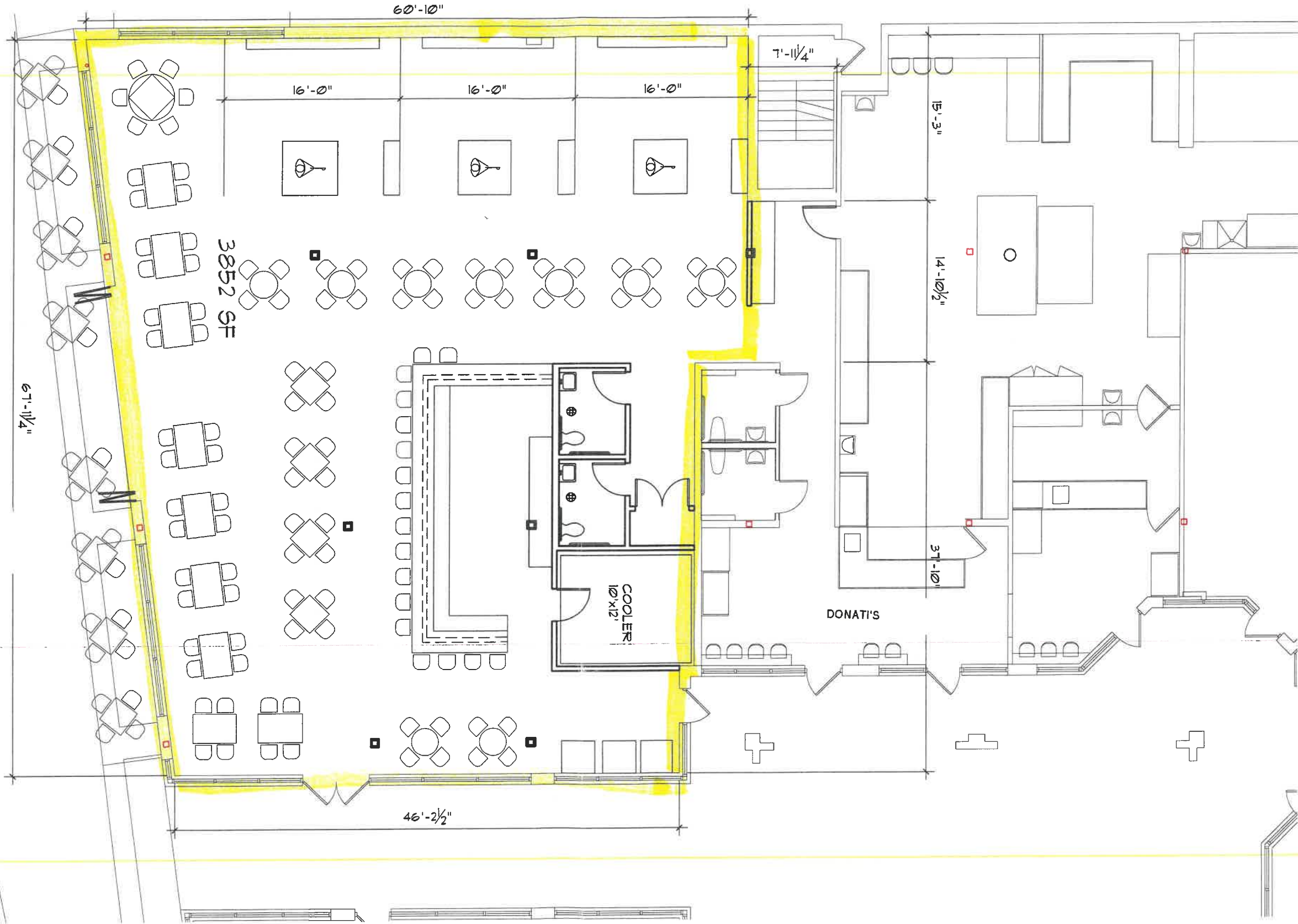


WESTWOOD CENTER
SITE PLAN
202.02.16
SCALE: 1" = 30'-0"



Witmer & Associates
Architecture and Interior Design
witmerandassoc.com

WESTERN AVENUE



WESTWOOD CENTER
FIRST FLOOR PLAN
Feb 16, 2022 SCALE: 1/8" = 1'-0"

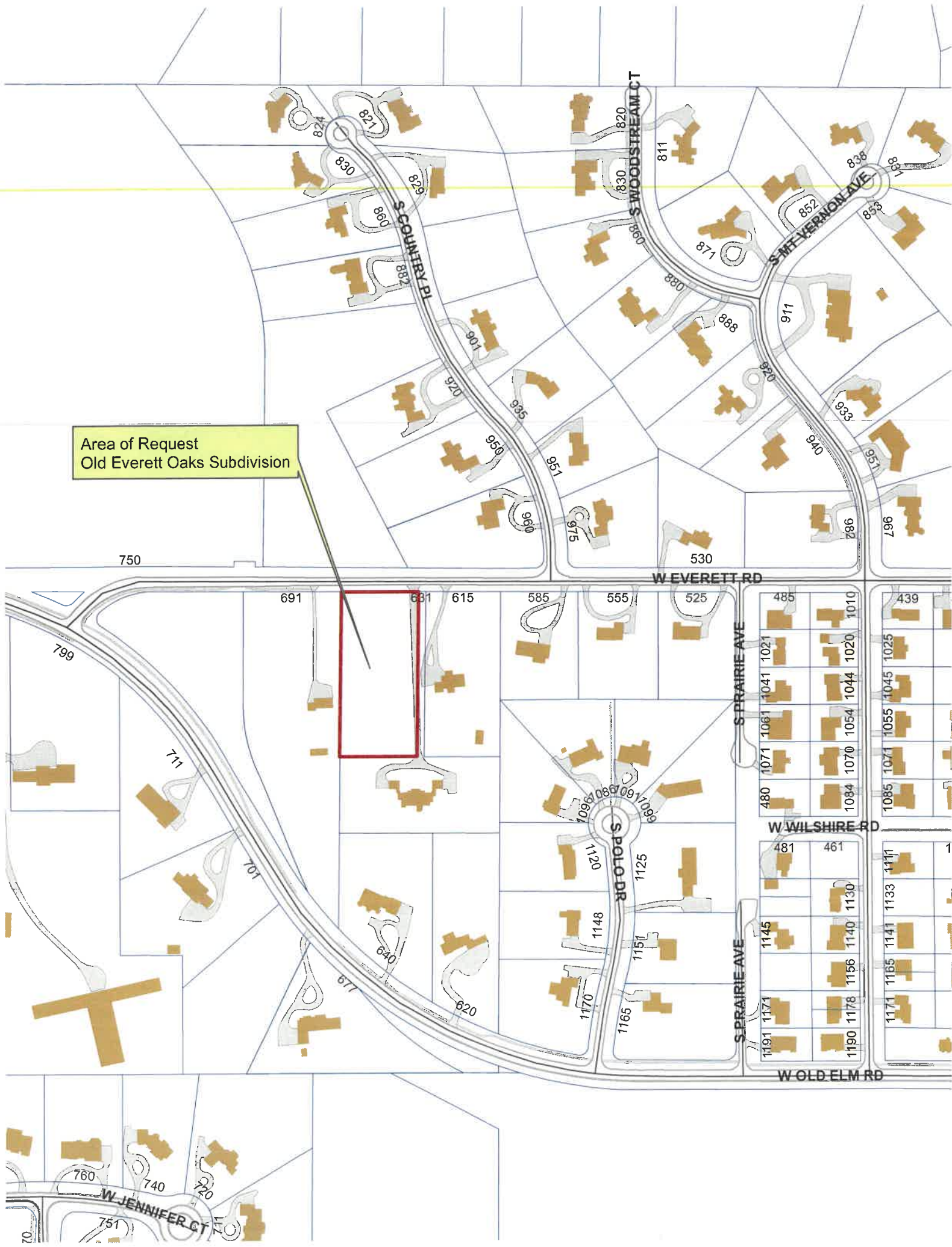
Plan Commission Meeting – March 9, 2022
Agenda Item 5

Zone Change Request
Parcel Located Between 615 and 691 W. Everett Road

Vicinity Map/Air Photos
Staff Report
Subdivision Map
DeMarie Subdivision (Condemnation Area Highlighted)
Zoning Map
Floodway/Flood Plain Indicator Map

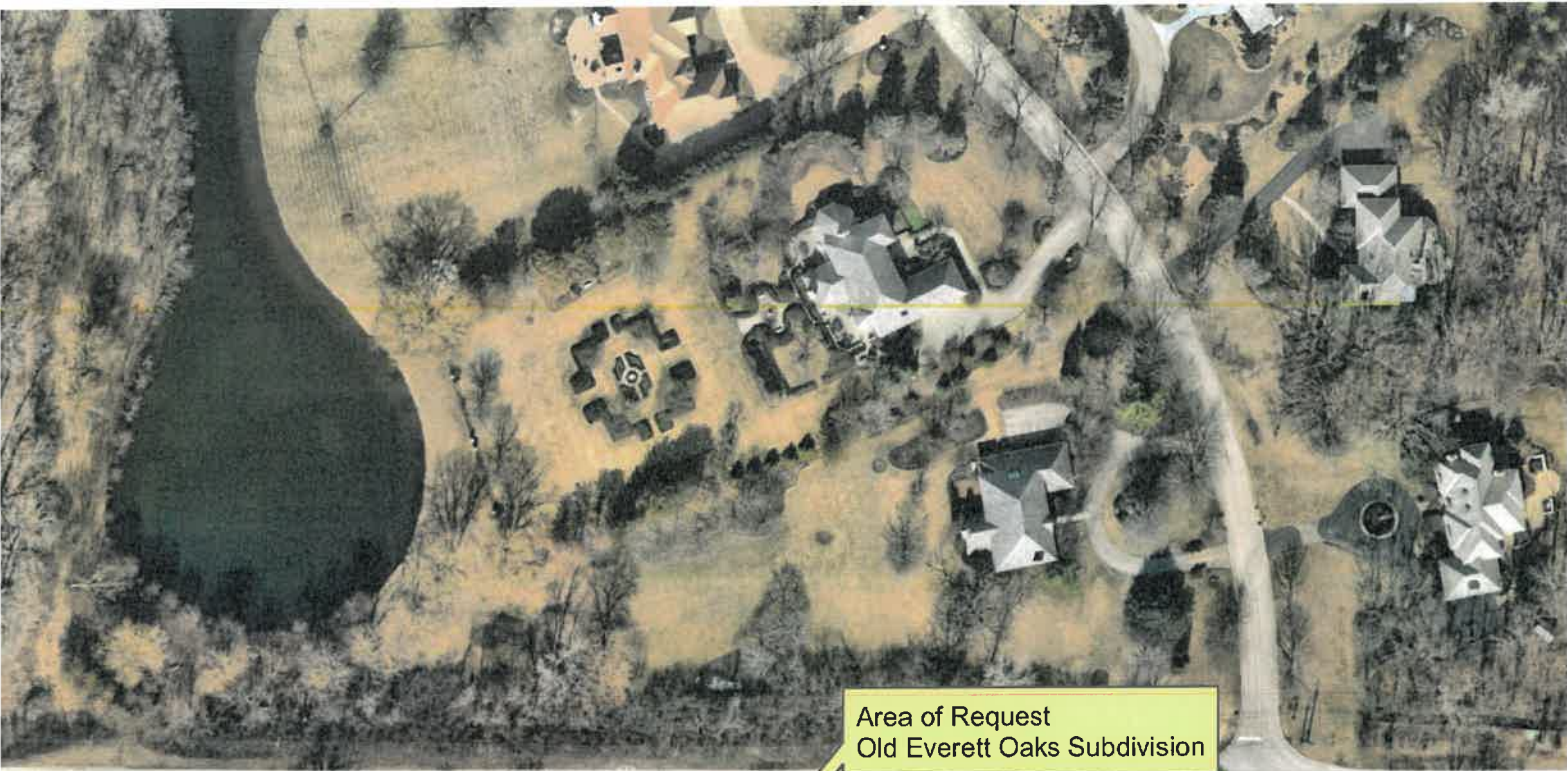
Materials Submitted by Petitioner
Application
Statement of Intent
Preliminary Plat of Subdivision

Area of Request
Old Everett Oaks Subdivision



Area of Request
Old Everett Oaks Subdivision





Area of Request
Old Everett Oaks Subdivision





Revised

Memorandum

TO: Chairman Dixon and Members of the Plan Commission

FROM: Catherine Czerniak, Director of Community Development

DATE: March 9, 2022

SUBJECT: Preliminary Consideration and Input on a Zone Change Request
Parcel located between 615 and 691 W. Everett Road

This petition is presented to the Commission for preliminary discussion and direction. The petitioner is requesting a zone change for a two acre parcel from R-5 zoning with a minimum lot size of three acres, to R-2 with a minimum lot size of 20,000 square feet. A subdivision is also proposed however, the subdivision is configured based on the proposed R-2 zoning. The proposed subdivision is not in conformance with the R-5 zoning. Recognizing that the threshold issue is the zoning request, prior to investing additional time and money in a detailed review of the proposed subdivision by the City Engineer, outside agencies as may be necessary and the Commission, direction on whether the requested zone change appears to satisfy the applicable criteria is a prudent approach.

No Commission action is requested on the zone change at this time, if the Commission indicates general support of the zone change, an in depth review of the proposed subdivision will be completed and the zone change, along with a detailed report on the proposed subdivision will be returned to the Commission for a formal public hearing and action. Action on the zone change would only occur concurrently with action on the subdivision.

Description of the Property and Background

The two acre property proposed for rezoning and subdivision is located on the south side of west Everett Road, to the east of the junction of Everett and Old Elm Roads. The property is between two properties that front on west Everett Road addressed as 615 and 691 W. Everett Road, and partially in front of the house at 631 W. Everett Road. The western portion of the property is in the Floodway, the remainder of the property is in the Flood Plain (Flood Hazard) Zone. The developer intends to work with FEMA to complete a map amendment process to mitigate the flood designation on the property and address any compensatory storage that may be required. The property is wooded and currently, there are no improvements on the property.

Background

The two acre parcel that is the subject of this request was created in 1977 through the Frank DeMarie Subdivision. The property is Lot 1 of the DeMarie five lot subdivision and is the only remaining undeveloped parcel. Lots 2 through 5 of the DeMarie Subdivision are all developed with one single family home each. For information, a copy of the plat of the DeMarie

Subdivision is included in the Commission's packet. Lot 1 today is held in common ownership with Lot 3. Lot 3 is a lot in depth, accessed by a driveway that extends the full length, along the east side of Lot 1, the parcel proposed for subdivision. This driveway, with improvements, would become a private road providing access to the four proposed lots and the existing home to the south.

The property that is the subject of this request is presently zoned R-5 as are the other four lots that were created by the DeMarie Subdivision, the properties addressed as 615 and 631 W. Everett Road, and 620 and 640 Old Elm Road. The nonconforming status of these lots results from a Judgement Order issued by the Court in conjunction with the City's condemnation of the southern portion of the property for Old Elm Road in 1973. (See annotated map included in the Commission's packet.) The Court ordered that the City of Lake Forest grant "relief from the zoning otherwise applicable to the real estate of the Defendant immediately adjacent to and contiguous to the property so taken, allowing said Defendant to subdivide said real estate into five lots of not less than two acres each." Essentially the Court preserved the underlying density of the property as part of the compensation to the then owners, Alexander and Frances Izzo.

The five existing lots in the DeMarie Subdivision are legal nonconforming lots with respect to the minimum lot size required by the R-5 District because of the Court Order and as documented by the plat for the DeMarie Subdivision that was recorded in subsequent years.

Surrounding Area

The general area is a mix of zoning districts including various residential districts as detailed below, the OA Open Area District, and further to the west, commercial zoning along Waukegan Road. A Zoning Map is included in the Commission's packet for reference.

- The immediate area of the property that is the subject of this request is zoned R-5, this district requires a minimum lot size of three acres. However, as noted above, the R-5 zoned parcels in this area do not conform to the R-5 lot size minimum because of condemnations for roadways that occurred in the early 1970's. The zoning in the area was never changed to reflect the development that occurred.
- Beyond the R-5 area, there are several neighborhoods of R-4 properties. R-4 requires a minimum lot size of 60,000 square feet or about an acre and a half. The R-4 zoning is located to the east, northeast and southwest of the area of this request.
- Extending a bit further out, to the east, the Lake Forest Heights Subdivision is zoned R-2 which requires a minimum lot size of 20,000 square feet or about half an acre. The Lake Forest Heights Subdivision is about 900 feet to the east of the subject property, as measured along the frontage of Everett Road. To the northwest of this property, on the north side of Everett Road, across the drainage channel, there is another area of R-2 zoning.
- Open Area Zoning is applied to the preserved open land corridor located along the West Skokie Drainage Channel. The open land parcels are owned by various entities including the City, Lake Forest Open Lands Association and the Forest Preserves District.

Most of the properties in the area are developed with single family homes on the various sizes of lots found in the zoning districts noted above. The property immediately west of the subject property, immediately adjacent to the drainage channel is not developed and is encumbered by the Floodway and may be challenging to develop.

Evaluation of Zone Change Request

As noted above, the threshold issue in this petition is the requested zone change. The proposed four lot subdivision is predicated on approval of rezoning of the property to R-2. Zone changes must be evaluated based on the criteria as detailed in the Code.

Section 159.044 Amendments

(2) Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Plan Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

- a) The zoning classification of the property within the general area of the property in question.
- b) Existing uses of property within the general area of the property in question.
- c) The suitability of the property in question to the uses permitted under the existing zoning classification.
- d) The trend of development, if any, in the general area of the property in question, including changes, if any which have taken place in present zoning classification.
- e) That there are chances of changing conditions in the applicable area of the amendment, or in the City generally, that make the proposed amendment reasonably necessary to the promotion of the public health, safety or general welfare.

Staff comments on each of the criteria are provided below.

- a) The zoning classification of the property within the general area of the property in question.

As noted above, various zoning classifications are found in this general area. In fact, the area is unusual in that there are properties of various sizes near each other. The zoning classification presently applied to the subject parcel and the immediately surrounding parcels is not consistent with the current lot size.

Throughout the community, zoning districts are generally consolidated with transition areas that shift from larger to smaller lots and from higher to lower intensity development or uses. In this case, although R-2 zoning is found in this general area, the proposed rezoning of this two acre parcel would create a pattern of mixed zoning, moving from smaller lots to larger lots, back to smaller lots, and then back to larger lots. Interspersing developments of smaller lot zoning within larger lot zoning is not a standard practice in Lake Forest.

- b) Existing uses of property within the general area of the property in question.

The properties in the surrounding area are developed with single family homes. This petition proposes to develop the property with four single family homes. The distinction is that homes

closest to the subject property are developed on larger lots than would be permitted by the R-2 zoning.

- c) The suitability of the property in question to the uses permitted under the existing zoning classification.

Assuming the floodway and flood plain issues can be addressed to the satisfaction of FEMA, the property is appropriate for residential development and is currently zoned for single family development, currently for one home.

The configuration of the property under an R-2 zoning scenario will result in homes sited in a linear fashion, north to south, creating an awkward condition with the property immediately to the east which is developed with a single family home and rear yard. The proposed homes, under the R-2 zoning district, would impact the privacy of the existing house and rear yard at 615 W. Everett Road. A more comprehensive approach to rezoning in this area could, over the long term, eliminate the juxtaposition of four new homes all along the side yard of the neighboring home.

- d) The trend of development, if any, in the general area of the property in question, including changes, if any which have taken place in present zoning classification.

The trend of development in this area is from smaller residential lots away from the drainage channel to larger lots closer to the drainage channel. No recent zone changes have occurred in this general area.

- e) That there are chances of changing conditions in the applicable area of the amendment, or in the City generally, that make the proposed amendment reasonably necessary to the promotion of the public health, safety or general welfare.

Prior to the pandemic, the demand for larger lots, acre and a half and greater, was waning. Demand for smaller lots with newer homes appeared to be more prevalent. However, during the pandemic, the housing market in Lake Forest has been strong with increased interest in larger lots.

If the subject property is rezoned to R-2 and developed with four lots of approximately 20,000 square feet, it is likely that a similar request for a zone change may be submitted for the property to the east at some time in the future since the conditions surrounding that property would change significantly. The challenge at that time will be that the private road serving the four lots on the parcel now before the Commission will be at capacity. Private roads are permitted to serve a maximum of five lots. This limitation will make it difficult, if not impossible, to develop the adjoining property consistent with what is now proposed in this petition.

Comprehensive Plan

The Comprehensive Plan designates the property in this petition for “Estate Residential” that is, development on lots of an acre and a half in size or larger. An update of the Comprehensive Plan is in progress. During that update, this area and similar areas where development potential exists may be reconsidered.

Request for Commission Input

As noted at the outset of this memorandum because the requested zone change is the threshold issue for this petition, Commission input and direction on the requested change from the R-5 zoning to R-2 zoning. The preliminary subdivision plat is included in the Plan Commission's packet to illustrate what might be achieved under the R-2 zoning however, pending Commission input on the proposed zone change, engineering reviews have not yet been fully completed on the subdivision. In depth discussion and evaluation of the subdivision itself is not requested at this time except as it relates to deliberations on the zone change request.

Based on Commission discussion and direction on the zone change, staff will work with the petitioner to determine next steps on this petition.

SUBDIVISION MAP

MOORE, ALBERT

NYRENS

TEICHS

RIDGEWOOD

W WHITEHALL LN

WHITEHALL MEADOWS

SERAFINE ACRES

RIDGELAND

WOODLAND CREEK MANOR

COUNTRY PLACE

KEN RIDGE ESTATES

YORE, THOMAS F ESTATES

W EVERETT RD

MILDRED INSERRA

FRANK DEMARIE

POLO GROUNDS

MENDINO, JOSEPH A

JOHN M. DENTON

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AREA OF REQUEST

EVERGREEN PHASE 2

OLD ELM EST

Frank DeMarie Subdivision

that part of the east 418.30 feet of the south west 1/4 of the north west 1/4 of Section 8, Township 13 North, Range 12 East of the 3rd Principal Meridian, City of Lake Forest, Lake County, Illinois, lying northerly of the northerly right-of-way line of County Highway 52 according to the plat thereof recorded as Document No 1308560 on June 28, 1966

scale 1 inch = 60 feet
graphic scale in feet

Original of 1st AUG 11 1977
1857231

All dimensions shown unless it is otherwise noted are given in feet and decimal parts thereof. Lots 1, 2 and 3 have been created and are subject to future special assessments for the construction of storm sewerage and paving improvements in Everett Road as required by the subdivision ordinance of the City of Lake Forest. The frame shown on Lot 2 is not to be used as a dwelling unit.

for
Mr. Frank DeMarie
969 West Everett Road
Lake Forest, Illinois

from the office of
James Anderson Company
Engineers and Surveyors
596 North Western Avenue
Lake Forest, Illinois

State of Illinois
County of Lake

I, James Anderson Company Inc., as an Illinois Registered Land Surveyor do hereby certify that we have surveyed and plotted the property described in the caption of this plat. We do further certify that we have personally monumented the corners of each of the five lots hereby created and that this plat is a correct representation of the surveying and staking of the subdivided property. We further certify that a part of the property covered by this plat of subdivision is situated within 500 feet of a surface stream or watercourse survey, a tributary area of 4.40 acres or more. We also certify that the property included in this plat of subdivision is within the corporate limits of the City of Lake Forest which has adopted an official City plan and is subject to the special powers authorized by Division 12 of Article II of the Municipal Code of the State of Illinois dated at Lake Forest, Illinois this 28th day of June, 1977.

James Anderson Company Inc.
by James Anderson
President of said Company and as
Illinois Registered Land Surveyor No. 175

attest Carl E. Borden
as Assistant Secretary Treasurer of said Company
and as Illinois Registered Land Surveyor No. 35163

(corporate seal)



State of Illinois
County of Cook

I, the State Trust and Savings Bank, a State banking corporation with trust powers under the laws of the State of Illinois, as Trustee under an agreement dated November 28, 1950, and known as Trust No. 94556, do hereby certify that it is the legal owner as such Trustee of the property described in the caption of this plat and that it is as such Trustee has caused said property to be surveyed, subdivided, staked, plotted and delineated as herein shown for the purpose of having this plat recorded as provided by law. In witness whereof, said State Trust and Savings Bank, as such Trustee, has caused this governing certificate to be executed by its duly authorized officers and its corporate seal to be hereunto affixed this 28th day of June, 1977.

State Trust and Savings Bank as Trustee,
as authorized and duly appointed or personally
by R.A. Jasic
President

attest William A. Jasic
Assistant Vice President
Title of officer

(corporate seal)

State of Illinois
County of Cook

I, William A. Jasic, a Notary Public in and for the County of Cook in the State of Illinois, do hereby certify that R.A. Jasic, personally known to me to be the Vice President of the State Trust and Savings Bank, and William A. Jasic, personally known to me to be the Assistant Vice President of said State Trust and Savings Bank, whose names are subscribed to the foregoing certificate of ownership appeared before me this day in person and duly acknowledged that as such Vice President and as such Assistant Vice President they did sign and deliver said certificate as officers of said State Trust and Savings Bank, and did cause the corporate seal of said State Trust and Savings Bank to be hereunto affixed as their free and voluntary act and as the free and voluntary act of said State Trust and Savings Bank, as Trustee as aforementioned for the purpose and use therein set forth given under my hand and notarial seal this 28th day of June, 1977.

William A. Jasic
Notary Public

My notarial commission expires on APR 28 1979

(notarial seal)

State of Illinois
County of Lake

I, Grace Mary Stern, County Clerk of the County of Lake in the State of Illinois, do hereby certify that I find no unpaid current general taxes, no delinquent general taxes, no unpaid forfeited taxes, no redeemable tax sales, and no delinquent special assessments against the property included in this plat of subdivision. I do further certify that I have reviewed all statutory notices due the County of Lake in connection with the annexed plat dated at Moline, Illinois this 13th day of July, 1977.

Grace Mary Stern
County Clerk of said County of Lake

(County Clerk's seal)

reviewed by the Lake County Plat Committee this 14th day of July, 1977

John L. Bolen
Chairman

State of Illinois
County of Lake

I, Robert D. Anderson, Collector of the City of Lake Forest, Lake County, Illinois, do hereby certify that I have examined the special assessment records of said City and that I find that all deferred delinquencies, tax liens, or outstanding unpaid special assessments relating to the property included in this plat of subdivision have been paid. I do further certify that I have reviewed all statutory notices due the City of Lake Forest in connection with the annexed plat dated at Lake Forest, Illinois, this 24th day of June, 1977.

Robert D. Anderson
Collector of said City of Lake Forest

approved by the Plan Commission of the City of Lake Forest, Lake County, Illinois, this 13th day of June, 1977

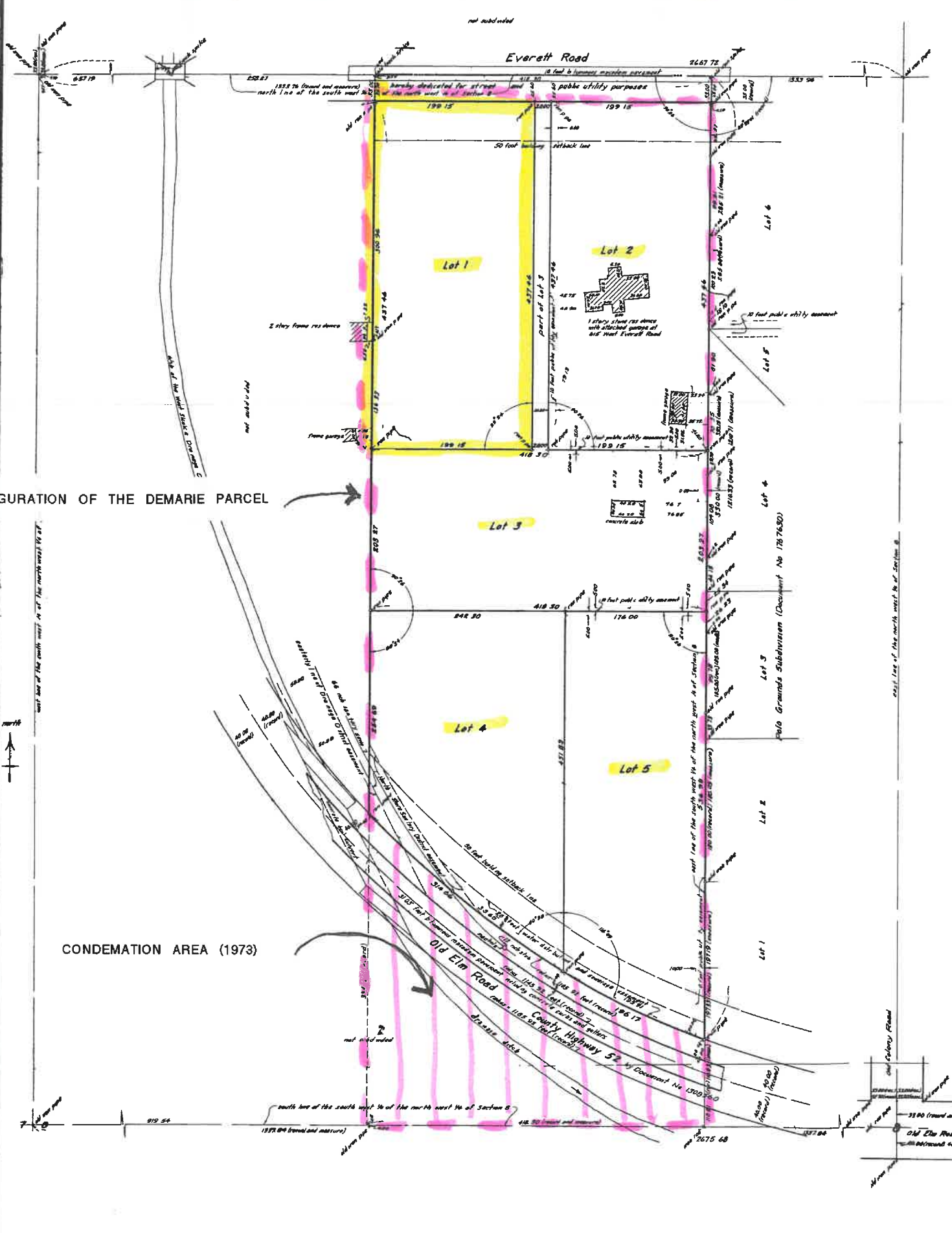
James P. Peterson
Chairman of said Plan Commission

approved and accepted by the Council of the City of Lake Forest, Lake County, Illinois, this 18th day of June, 1977

James P. Peterson
Mayor of said City of Lake Forest

attest John J. Lusk
City Clerk

JAMES ANDERSON CO.
Office Record
Order No. 11783
Notes in Book 6312, page 28
Date June 28, 1977
File No. 16-2-238
revised on June 28, 1977



ORIGINAL CONFIGURATION OF THE DEMARIE PARCEL

CONDEMNATION AREA (1973)

ZONING MAP

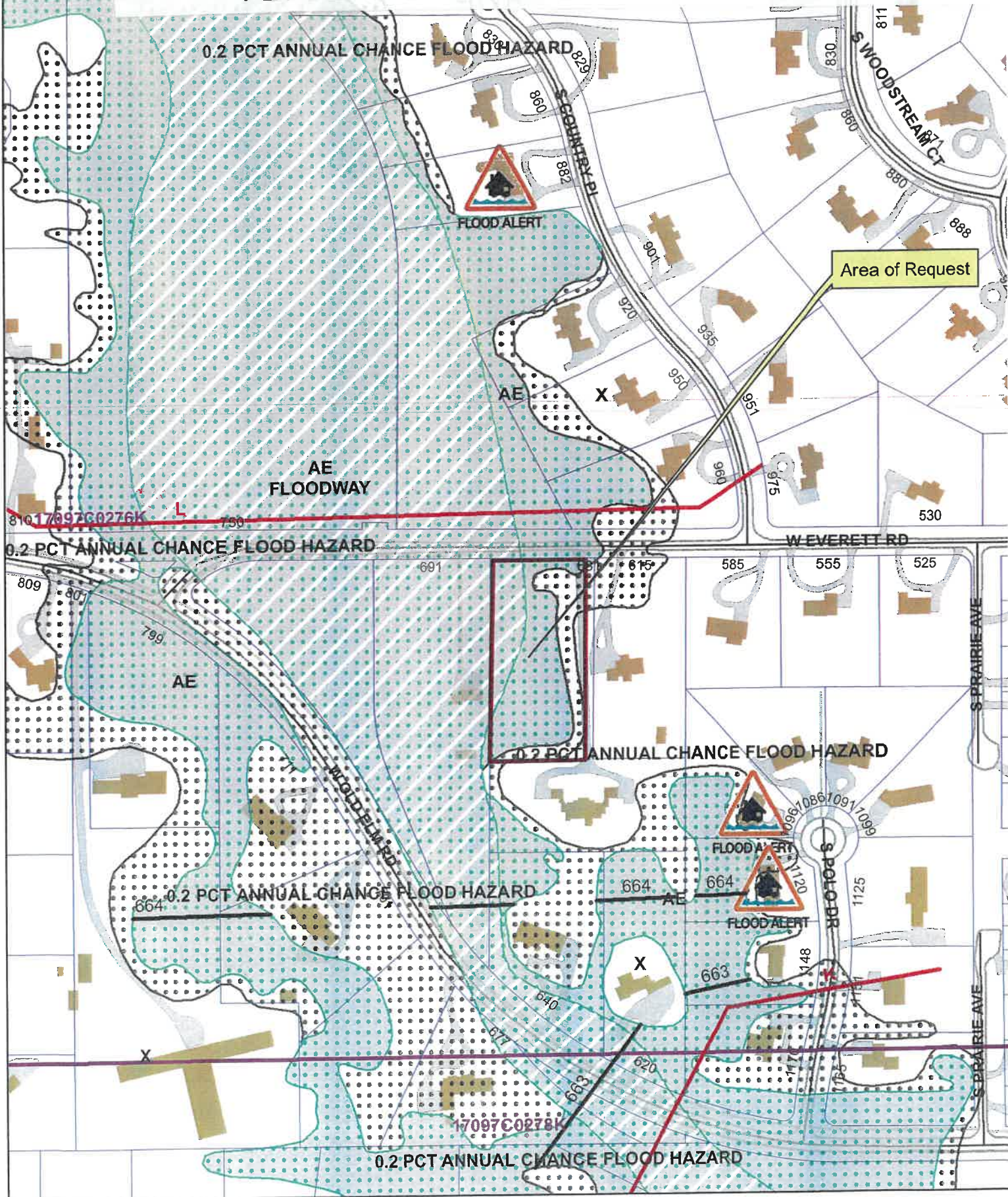
The map displays several zoning districts: **R-2** (pink), **R-4** (yellow), **R-5** (light green), and **OA** (dark green). A red rectangle in the **R-5** zone is labeled "Area of Request".

Streets shown: W WHITEHALL LN, S COUNTRY PL, S WOODSTREAM CT, W EVERETT RD, S PRAIRIE AVE, W WILSHIRE RD, W OLD ELM RD, S KATHRYN LN, W JENNIFER CT, S EVERGREEN DR, S POLO DR, S MT VERNON AVE, S SOLD COLONY RD.

Other features: Lot numbers are provided for many parcels. A large green area labeled "OA" is located in the upper left and lower right. A red rectangle in the **R-5** zone is labeled "Area of Request".



FLOODWAY/FLOOD PLAIN INDICATOR MAP



Floodway and Floodplain



Material Submitted by the Petitioner



**THE CITY OF LAKE FOREST
ZONE CHANGE APPLICATION**

APPLICANT

Name Joseph A. Passalino

Address 631 W. Everett Road

Lake Forest IL 60045

Phone 847 652 8133

E-mail jpassalino@gmail.com

Relationship to Property Owner/Attorney
(Owner/Attorney/Representative/Contract Purchaser)

PROPERTY OWNER (if different from applicant)

Name _____

Address _____

Phone _____

E-mail _____

BENEFICIAL INTERESTS

Corporation _____

(see exhibit A)

Partnership _____

(see exhibit B)

Trust, land or other _____

(see exhibit C)

Address of Property TBD; currently Lot 1, Frank DeMarie Subdivision

Existing Zoning R-5

Requested Zoning R-2

Developed _____ or Vacant Land ☒

Brief description of proposed development: OLD EVERETT OAKS SUBDIVISION
Subdivision of existing 2 acre lot into 4 x 1/2 acre lots

I have read the complete application packet and understand the Subdivision process and criteria.
I understand that this matter will be scheduled for a public hearing when a determination has been made
that this application packet is complete and accurate.

SIGNATURES

Joseph A. Passalino
Owner

January 7, 2022
Date

Joseph A. Passalino
Applicant

January 7, 2022
Date

APPLICANT'S REPRESENTATIVES

ENGINEER <u>Harlan Doland / Kolo Kamike</u>	WETLAND CONSULTANT _____
FIRM <u>IMEL</u>	FIRM _____
ADDRESS <u>4850 Grand Avenue</u> <u>Gurnee IL 60031</u>	ADDRESS _____
PHONE <u>847 430 4805</u>	PHONE _____
LAND PLANNER _____	TRAFFIC CONSULTANT _____
FIRM _____	FIRM _____
ADDRESS _____	ADDRESS _____
PHONE _____	PHONE _____
ATTORNEY <u>Joseph A. Passalino</u>	LANDSCAPE ARCH. _____
FIRM _____	FIRM _____
ADDRESS <u>5101 Washington Street</u> <u>Gurnee IL 60031</u>	ADDRESS _____
PHONE <u>847 652 8133</u>	PHONE _____
ARBORIST <u>Alan Van Landuyt</u>	PRESERVATION CONSULTANT _____
FIRM <u>Van Landuyt Landscape, Inc.</u>	FIRM _____
ADDRESS <u>520 Majestic Court</u> <u>Gurnee IL 60031</u>	ADDRESS _____
PHONE <u>847 514 7363</u>	PHONE _____

OLD EVERETT OAKS SUBDIVISION--STATEMENT OF INTENT

Applicant submits this Statement of Intent as part of his Applications to Re-zone and Subdivide Lot 1, Frank DeMarie Subdivision.

The name of this new proposed subdivision: OLD EVERETT OAKS

Rationale behind this name: The property lies along Everett Road, which locals sometimes call this section of Everett Rd, "Old Everett Road", as it was originally the only east to west road from Ridge Rd until Old Elm Road was cut through east to west from Ridge Rd running roughly parallel to the south...the OAKS part refers to the forest of native oak trees on these properties.

OLD EVERETT OAKS SUBDIVISION SITE DESCRIPTION:

The existing Frank DeMarie subdivision (subdivided circa 1977, formerly a 6 + acre single parcel) is a small three lot subdivision comprising three 2-acre lots (subject Lot 1, Lot 2 & Lot 3) located along the south side of Everett Road just east of the north tributary of the Chicago River (Skokie Ditch) & west of Lake Forest Heights subdivision.

Subject Lot 1 is a 2.0 acre lot (87,120 sf) with 199.15 feet of frontage along Everett Road (east to west) and 437.46 feet of depth (from Everett Rd north), and is located along the west side of the existing driveway/access to Lot 3, DeMarie subdivision.

Lot 3 is a lot-in-depth of 2.15 acres (body of lot is 2.0+ acres, with additional 0.15 acres being the 20 ft wide x 437.46 feet deep access drive to the body of Lot 3). The petitioner owns & resides on a relatively new large custom 8,000 sf home on this Lot 3, which he built in 2001 and has occupied since, which address is 631 W Everett Road.

Lot 2 is a 2.0 acre lot (87,120 sf) identical in size & configuration to subject Lot 1, running along the east side of the existing driveway/access to Lot 3. Petitioner does not own this Lot 2, which contains two older dwellings, an older circa 1950 small ranch house with a small rental outbuilding, formerly a garage, on the rear of the lot. The address of Lot 2 is 615 W. Everett Road.

Subject Lot 1 has never been touched, improved or developed to date; it therefore contains a variety of large mature trees, primarily oaks, with some ash, cherry & Lindens, several of which trees are dead and will consequently be removed (see site plan for locations of dead trees), plus the usual complement of buckthorns. Due to a 1997 change in the FEMA insurance flood plain maps of the lot, which somewhat arbitrarily raised the base flood plain elevation (BFE) of the area, the existing elevation of much of Lot 2 is slightly under this BFE, rendering it legally unbuildable, although, having lived there for over 20 years, Applicant has not observed any noticeable flooding or even puddling on this lot even after very heavy rains. In any case, however, to render this property buildable, a certain site remediation in the form of filling & cutting earth work, thereby creating a dry detention area along the west portion, the lower side, of the lot to include addition of a small storm sewer, will be required in order to procure a Letter of Amendment from FEMA allowing the lot to be made buildable; refer to the engineering/site plans & Stormwater Detention Report enclosed with these applications for details on this site work.

The Frank DeMarie subdivision has been and is currently zoned R-5 residential for some reason, even though each lot therein does not meet the minimum 130,000 sf lot size technically required under R-5 zoning; hence, this subdivision is currently nonconforming under R-5 zoning; it should be zoned R-4, which requires minimum 60,000 sf lot sizes (up to 130,000 sf lot sizes), as Lots 1 & 2 are each 87,120 sf (2.0 acres) while Lot 3 is over 95,000 sf (2.0 + acre body of the lot plus an extra approx. 8,750 sf for the 20 ft wide access from Everett Road to the body of lot 3).

RE-ZONING & SUBDIVISION OF LOT 2:

As owner of Lot 2 (and Lot 3) of the DeMarie subdivision, Applicant proposes to re-zone Lot 1 from R-5 to R-2 residential zoning (requiring minimum 20,000 sf lots) & subdivide the 2.0 acre Lot 2 into four (4) equal size lots of one-half (1/2) acre, or 21,780 sf, each (marked Lots 1 through 4, north to south, on the site plans). Though this endeavor will require a relatively costly upfront investment, including the cost of obtaining the Letter of map amendment, remedial site work, and city & school district impact fees, Applicant strongly believes, based upon experience and ongoing analysis of market trends in this particular area and Lake Forest generally, that this will be the only truly viable way to make this Lot 1 buildable desirable and marketable and improve its value, and also the value of the adjoining lots, given certain consistent trends in the local market.

By re-zoning Lot 1 to one-half acre R-2 lots, the homes to be built on these lots would be a maximum of 4,089 sf plus a 600 sf garage, likely 3,000 to 4,000 sf homes plus 3-car garages. The rationale and benefits behind this re-zoning/subdivision are several-fold;

First, the market for large 2-acre lots in Lake Forest is no longer what it once was. Applicant purchased several large lots, designed, built & sold a half dozen large spec residences in Lake Forest (including his own home on Lot 3 with its long 500 ft driveway) from 2000 to 2005, fortunately temporarily escaping this end of the development business before the residential real estate market crash or downturn starting in 2007. Since that major downturn, during which larger residential properties plummeted at least a third or more in value, and have not yet recovered to their pre-2007 levels even today, some 15 years later, the market for vacant lots has concomitantly deteriorated as well. Over the past few years, with the cost of construction zooming upwards, the market for vacant lots, particularly large ones requiring the more costly construction of large houses, has further deteriorated, to the point where it is very difficult, almost impossible, to sell such lots, at any price, even substantially discounted prices. For example, one of the large 1.5 acre lots which Applicant purchased in 2000, located in Adlers Glen subdivision in northwest Lake Forest, which was the one lot of the four he purchased which he never built on or sold, has been on the market for sale on & off for the past 15 years (recently taken off the market), with zero offers, despite several substantial price reductions, to the point where Applicant likely can't even sell it for what he paid for the lot in 2000 (about \$330,000); in contrast, of the other three 1.5 acre lots Applicant purchased at that time for similar prices, he built & sold two spec houses on two of these lots, and sold one of the very similar lots for \$605,000 in 2005 or 2006, thus indicating that the market for such good sized vacant lots in this west part of town has gone down basically in half since then.

Given this scenario, Applicant believes that the market for smaller one-half acre lots is now much more favorable than for larger 1 to 2 acre lots, especially given the tremendous inflation in the cost of construction experienced over recent years. Given the inflated cost of construction, many buyers find that buying an existing home, even in this new up market, is a better value than building new, which has become almost prohibitive for many buyers, and one of the main reasons Applicant has been unable to sell his last Adlers Glen lot. On the other hand, with the pandemic, the residential market in general and locally has skyrocketed over the past couple years as many people seek to flee Chicago & large urban areas to safer havens such as Lake Forest, pushing up home prices substantially. By way of example, petitioner just completed & sold two in-fill 3,000+ sf townhomes in the Lake Forest Chateau subdivision less than half mile west of subject Lot 1 for much higher prices than anticipated, both sales within a week or two of each other with virtually no time on the MLS. Thus it would appear that the market for smaller newly-built residences has gone up substantially both in terms of speed of sale and prices. In contrast, the market for large homes on large lots, depressed and moribund for many years, while since covid bringing more buyers into the market allowing owners to at least sell their homes, the sales prices for such larger residences have not really even yet caught up to pre-2007 price levels. Young people, and even older people, during and post-pandemic, seem to be leaving the cities for Lake Forest and other quasi-suburban communities, where the quality of life is increasingly perceived to be so much more desirable in terms of health risks, crime levels, population densities & other pandemic related factors, thereby systemically flipping the residential market; many of these people, younger buyers and also older ones, especially those coming out of the city, used to smaller places, do not seem to want large lots requiring lots of maintenance & upkeep, not to mention higher property taxes, but prefer smaller homes on smaller lots, which require less upkeep and lower property taxes. By way of example, the recent buyers of these Lake Forest Chateau townhomes which Applicant completed last fall both sold their homes in the city and bought here for the principal stated purpose of fleeing the problems in urban neighborhoods these days in favor of a healthier lifestyle here. In addition, demographic trends of smaller families due to couples getting married later (and less often) thereby having children later in life also tend to favor smaller residences. This is the general and local market trend which, given these demographic trends, may very well continue for years to come. The history of adjacent Lot 2 corroborates this point, as follows:

Lot 2 of the DeMarie subdivision, a mirror image lot to subject Lot 1, had been on the market more or less continuously from the time petitioner purchased & built their home on Lot 3 in 2001, with no offers until very recently. The list price for Lot 2 started at over \$1M twenty years ago and finally sold late in 2021 for around \$500,000+; this Lot 2 also includes a small rental dwelling in back. Applicant believes the new owners just moved in to the main home after some cosmetic updating. He does not know the new owners' future intentions for this Lot 2, but it would appear that since they purchased it to live in it, and also have a small rental dwelling in back, that they would likely not wish to subdivide this lot for the foreseeable future. However, Applicant would not object if they sought to do so at some point, and it is likely a typical educated homeowner would not object to the re-zoning & subdivision of subject Lot 1, as this can only increase the value of their property as Lot 1 is improved with new quality homes. Applicant and real estate brokers alike had reckoned, along with the former long-time owner of Lot 2, that this property, a large wooded parcel of 2 acres with such a small older home (circa 1950) with much deferred maintenance never updated inside or out, would be bought by a builder/developer with the idea of tearing down the house in order to build a large new home

consistent with Applicant's home and the size & zoning of the lot (which would support a home of over 8,700 sf under the applicable LF bulk ordinance criteria for a 2-acre parcel). For the 20 years plus since Applicant and his family have lived here, this did not happen, much to Applicant's disappointment given the substantial investment he put into his Lot 3, an 8,000 + sf home plus two attached garages. In any case, this story of Lot 2 supports Applicant's contention that the days of large lots & homes, at least in this particular part of town, are by now clearly long gone. The bottom line here is that the Frank DeMarie subdivision, despite comprising three large 2-acre lots (with the sole exception of Applicant's Lot 3) has not been improved or developed in a manner remotely consonant with its current R-5 (or, effectively R-4) zoning classification; the facts are clear, that this size lot with a correspondingly large house have become increasingly less desirable over the past 15 years, especially since the 2007 housing market crash and lingering downturn, and, with current demographic trends of smaller families and the desire for less costly easier living residences, this trend will likely continue for our lifetimes.

Given the foregoing view, and the specific location of Lot 2 in west Lake Forest, it would appear that 1/2 acre lots, while certainly still decently sized, would prove a good idea whose time has come. These lots would support new homes of up to 4,000 sf plus 3-car garages, which would be really nice size moderate properties at more affordable prices given today's inflated construction costs; the estimated price of such a residence would be in the range of \$1M to \$1.4M in value, a price point which is difficult to find in Lake Forest, where homes under \$1M, such as Whispering Oaks and Lake Forest Heights (just to the east of Lot 2), sell quickly and easily. Local realtors generally agree that the price points in Lake Forest go from under \$1M to \$1.4M & up, with the middle ground fairly scarce, but very desirable for many potential buyers. Also, as the local real estate community might add, given the current scarcity of home inventories in Lake Forest, especially new construction, this Old Everett Oaks development has the earmarks for success. Looking at the location of Lot 2, one-half acre lots would provide a rather seamless transition from the 3,000 sf homes on basically one-third acre lots in Lake Forest Heights (R-1 zoning), petitioner's former neighborhood of 13 years just to the east of Lot 2, and the larger residential properties immediately to the west such as Evergreen subdivision. Some leading lights in the local area will say that, for the good of the commercial activity of the west side, the west side of Lake Forest could really benefit from increased density; hence, small subdivisions like Old Everett Oaks might prove very beneficial to the community.

Conclusion: the time is now right, perhaps overdue, for 1/2 acre lots at this west side location.

POSSIBLE RE-ZONING OF LOT 2 AND/OR LOT 3—NOT APPROPRIATE NOW:

Lot 2--Applicant has no control over Lot 2 at this time as he does not own it. The very recent new owners of Lot 2 have just moved in after apparently working on some deferred maintenance issues on the home. As Applicant has not yet even had the pleasure of making their acquaintance, he does not know their future intentions regarding Lot 2, other than assuming since they bought it for over half million as is, did some cosmetic repairs and moved in, to reside there is their intention for the foreseeable future. So, since they just moved into the main dwelling as their primary residence after the cost of dealing with some deferred maintenance, and given that the back dwelling is still being rented for income, they likely would not wish to subdivide their property at this time, especially given the heavy upfront costs of doing so, including the

substantial impact fees required. However, if Applicant's application to re-zone & subdivide Lot 1 is approved, it would be relatively easy to subdivide Lot 2 into ½ acre lots and add it to the Old Everett Oaks Subdivision at some point in the future for any homeowner or, more likely, builder/developer, as the way will already have literally been paved, so to speak. Moreover, at present a new owner with presumably little or no development or construction background or experience might naturally and prudently wish to take a wait-and-see approach to see how the new Lot 1 subdivision develops; likewise with the City, perhaps.

Lot 3—Although Applicant does own and control Lot 3, re-zoning and/or subdividing Lot 3 would not make sense at this time or any other time in the foreseeable future, for the following reasons.

Applicant purchased Lot 3 and custom designed and built in 2000/2001 what an impartial observer might agree is a beautiful classic large relatively new home of over 8,000 sf plus two attached garages on a 2.15 acre lot, and Applicant plans to continue to reside there for the foreseeable future. Given the relatively new status and quality of this improvement, the likelihood of Applicant or any future purchaser of tearing down this home is slim to none, as it would make no financial sense, not to mention deemed a sin by some. Since Applicant has spent very significant funds starting in 2000 to improve Lot 3 in accordance with R-5 (or R-4) building standards in terms of size and quality, not to mention incurring the cost of maintaining this large home and paying the taxes for over 20 years, Lot 3 is not a "tear down" type of property. Hence it would make no sense, financial or otherwise, for Applicant to re-zone and/or subdivide Lot 3 at this time or for the foreseeable future. Since Lot 3 is not a tear down, and will not be for our lifetimes, Applicant respectfully notes that even re-zoning without subdividing would make no sense, especially given the upfront \$22K city impact fees which would be due upon approval (unless such city impact fees were waived); perhaps the day will come, if the home is not properly maintained, that it would make sense to re-zone and subdivide Lot 3 and tear it down, but that would be far in the future. In the meanwhile, this should not be a factor in whether Lot 1 is re-zoned and subdivided, as Lot 1 is also physically in a better location for subdividing, for the following reasons. In contrast with Lot 1, re-zoning Lot 3, being the lot-in-depth, would provide certain difficult challenges in providing access to any newly subdivided lots there, as additional new east to west road would have to be built from the T-intersection at the front of Lot 3 to access four subdivided lots there. Subdividing Lot 1 poses no access issues, in contrast, as the drive to lot-in-depth Lot 3 already runs along the full length of Lot 1, making it a relatively simple matter of widening the drive and cut in access to each new lot of Lot 1, north to south, fronting along this drive.

Bottom line here is that Applicant believes it would be prudent to start with one of the lots in this DeMarie subdivision for re-zoning & subdivision, if nothing else than to see how this subdivision progresses given its real potential as outlined herein. As a Minor Subdivision this will be a lot less complicated for Applicant as the developer and for the City to accomplish than dealing with more than one DeMarie lot. Lot 2, for example, could be rather easily re-zoned and subdivided at some future date if the Lot 1 subdivision proves successful. Lot 3 could also be re-zoned at a far later date if that would make sense given the finished quality of this Lot 3.

In short, the petitioner is willing and able, financially and experience-wise, to handle seeing this Lot 1 subdivision through, and asks no one else for help in doing so. He is just asking you for

the opportunity to make his vision of what this neighborhood could be into a reality, to pave the way to progress, a win/win situation for all concerned, the City, the school districts, the neighbors and petitioner's family.

REZONING & SUBDIVISION WILL INCREASE PROPERTY VALUES & HENCE LOCAL PROPERTY TAXES

The 2021 assessed valuation of subject Lot 1 is \$89,955, with a corresponding full fair cash value of \$269,892. Compare this with the 2021 assessed valuations for two vacant lots Applicant's family owns in nearby Lake Forest Heights, on Breckenridge & Prairie (in the neighborhood just to the east), each about 1/3 acre, with 2021 assessed valuations of \$82,189 and \$78,900, with corresponding full fair cash values of \$246,592 and \$236,724, respectively. Comparing the assessed valuations & corresponding full fair cash values for this 2-acre parcel with these 1/3 acre parcels shows their values to be nearly the same, per the West Deerfield assessor. Now, extrapolating what the assessed valuations & corresponding full fair cash values of each of these proposed 1/2 acre lots, which are about 1.5 times larger than these 1/3 acre lots, results in an estimated assessed valuation of approx. \$120,000 for these 1/2 acre lots, and a corresponding estimated full fair cash value of over \$350,000 per 1/2 acre lot, which is far higher than the current 2021 full fair cash value of about \$270,000 for Lot 1 at 2 acres. Thus it seems obvious that subdividing the subject Lot 1 may very well result in a substantial, potentially 5-fold, increase in assessed valuations & full fair cash values compared with this same property as the existing 2-acre parcel, thereby substantially increasing the local tax base and the amount of property taxes, to the benefit of the city, local school districts & the other local taxing bodies.

In addition, with upfront payment of nearly \$22,000 in City impact fees for each lot of the subdivision immediately upon subdivision approval, and another approximately \$20,000 in school impact fees upon issuance of each building permit, the Old Everett Oaks Subdivision will increase the coffers of the City and the local elementary and high school districts in the amount of approximately \$170,000, not to mention the additional property taxes engendered thereby.

Some local experts in community development might also point out that the West side of Lake Forest could do with a bit more density in order to help the local shops and restaurants thrive. With the high school district impact fees on each lot helping cover educating more kids, more families living here would make for an even healthier, more vibrant community.

DEVELOPMENT PLANS:

As part of the subdivision process, Applicant will grant an access easement on his existing driveway in favor of these four proposed 1/2 acre lots and expand the size & improve the driveway to make it into a street or lane (Old Everett Lane) to provide the required access to all the lots. Applicant will also put in place a homeowners' association for the primary purposes of joint maintenance of this new street or lane and joint maintenance of the storm sewer improvements to be installed under the back yards of the four lots, to include Covenants, Conditions and Restrictions and By-Laws for this Old Everett Oaks Subdivision. Included in these CCR's & by-laws will be appropriate conditions & restrictions regarding the size & style of homes to be built for the primary purpose of ensuring that these lots are improved with quality

homes with good curb appeal for the benefit of the homeowners, their neighbors and the community at large.

As part of this subdivision, Applicant will be requesting a minor variance with respect to the front corner setback of lot 1 of the proposed subdivision, the one abutting Everett Road, which lot is technically a corner lot which under R-2 zoning requires a 40 foot side setback on the corner side, requesting this side setback on the street side to be the same as the normal side setback for R-2, 12 feet, or no more than a 25 to 30 foot side setback. The reason for this variance is that without it the building pad would be only about 57 ft wide (vs. 85 feet wide for the other lots, all 55 ft deep), severely limiting the size of this home vis-à-vis the others. Mitigating this smaller side setback is the fact that this lot will, like the other lots, be built with the front facing east along Old Everett Lane and the garage on the north side, in the case of lot 1 the garage facing Everett Rd, which sideloader garage will effectively require 25 to 30 feet of drive in front of the garage doors to accommodate turning entry into & out of the garage stalls, so that this north side Everett Rd setback will in practice be about 30 feet from the home for most of the depth of the house. In addition, there will be plenty of landscape screening along Everett Rd for privacy purposes, and the front of the home thereon will face east along Old Everett Lane.

After completing the proposed remediation of subject Lot 1 to make it buildable as herein described, and the consequent hopefully approval of the proposed re-zoning & subdivision, Applicant plans to submit for permit to build single family homes on one or possibly two of the four lots to jumpstart the development and establish the proper architectural tone of the new neighborhood. Although architectural styles may vary to some degree, the idea will be to build similar sized homes of 3,000 to 4,000 sf with complementary traditional classic exteriors and traditional interiors in a transitional style between traditional and contemporary to accommodate modern lifestyles. The brand-new townhomes which the owner very recently completed and sold in the Lake Forest Chateau subdivision less than 1/2 mile to the west were built with a similar philosophy and sold immediately upon completion.

Applicant may wish to either hold the remaining lots until the first one or two are built, or list them for sale either outright or as a custom home package, depending upon what happens with construction costs and the evolving real estate market.

Question: One might ask why the owner of a 2.15 acre property with a 8,069 sf quality custom home, only 20 years old, would welcome smaller lots with smaller homes right in front of his large property, and outlay significant funds to make this happen?

Answer: "As is", the owner's property can almost be considered an "island of luxury" in an "empty sea", given that the other two lots in the DeMarie subdivision are either vacant (with little prospect of being improved given its current situation) or vastly under-improved in comparison. Creating a wonderful small new neighborhood with quality-built, architecturally pleasing brand new construction homes of \$1M plus values, although smaller in size, can only increase the value of all adjacent properties, including the owner's own...a rising tide lifts all boats...

PRO FORMA FINANCIAL STATEMENT

Applicant is a commercial and residential developer with over 33 years experience in Lake County. He has developed, built and still owns nine commercial (office and/or retail buildings totaling over 275,000 sf leasable area) and has purchased, built and sold at least eight residences in Lake Forest, the most recent being two townhomes in nearby Lake Forest Chateau subdivision. Fortunately for Applicant, he grew up learning the building business thanks to his father, another Joe Passalino, who built & sold many dozens of beautiful homes in Lake Forest over many years.

Applicant plans to fund the upfront cost of the Old Everett Oaks Subdivision, including site work, engineering fees, subdivision fees, city impact fees, FEMA letter of map amendment fees and any other costs required in subdividing, and the cost of building any homes on these lots, using personal funds and/or bank loans with the lots as collateral. Applicant owns Lot 1 and also Lot 3 (his personal residence) free and clear without any current debt and has the financial resources, including ready bank financing, to complete this process without financial difficulty.

The upfront costs to subdivide this property can be itemized as follows:

City Fees: Total \$97,090, comprising the following fees: Plan Commission fees for Zoning Change (\$3,328) & Tentative Plat of Minor Subdivision (\$2,184); legal notice publication (\$130); escrow deposit to cover 3rd party review costs of City (\$5,000); City Impact fees (\$21,612 per lot x 4 lots, or \$86,448) Engineer's estimate of Probable Cost (Site work incl 10% contingency): \$234,560

Hence, the estimated cost to subdivide totals \$331,650.

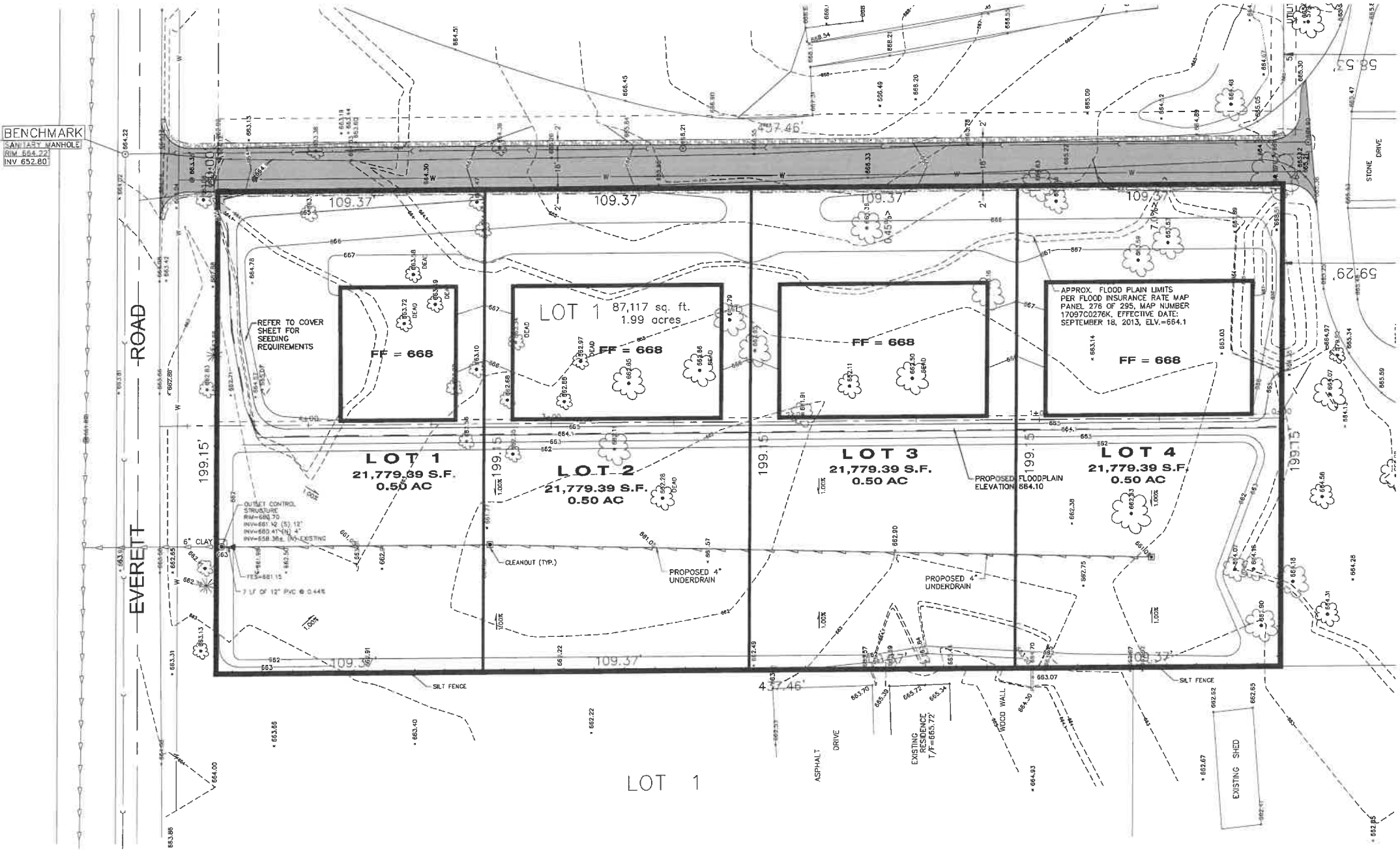
Upon subdivision approval after completion of site work, Applicant plans to build a custom and/or spec home on at least one of the subdivided ½ acre lots, most likely starting with Lot 4 on the subdivision plat (furthest from Everett Road, closest to Lot 3 of existing DeMarie subdivision), to set the proper architectural/quality tone for Old Everett Oaks Subdivision (after all, Applicant lives in the back lot and therefore has every incentive to develop a quality neighborhood to protect his large investment in his residence there). At the same time one or more of the subdivided ½ acre lots may be listed for sale, depending on market factors at the time.

Timeline:

Applicant hopes to have his applications to re-zone and subdivide the property approved this year, 2022, with the City's due cooperation, of course, as well as its FEMA letter of map amendment completed in 2022, such that the site work can begin right away upon these approvals, hopefully by late summer or fall of 2022. In any event, Applicant plans to begin site work immediately upon obtaining such approvals, and to submit for building permit on at least one of the subdivided lots at the same time or right after the site work has been inspected and approved, such that building the first house of the subdivision can begin as soon as legally permissible. Applicant is currently working on homebuilding plans for at least one lot to be ready to go upon approval of Old Everett Oaks Subdivision.

Applicant's market research indicates that new construction homes of between 3,000 sf and 4,000 sf in Lake Forest are selling quickly in today's market for about \$350 psf, thus putting the Old Everett Oaks homes at values of over \$1M to \$1.4M. As stated earlier in this report, this price point is very attractive to those buyers seeking new construction, as evidenced by Applicant's quick sale of two nearby 3,000 sf townhome units within days of completion last fall, for over \$1M each. Vacant subdivision lots would be valued at over \$300K each here. Please note that Old Everett Oaks Subdivision, neatly tucked in off Everett Road similar in look and feel to some successful minor subdivisions along the west side of Ridge Road to the north of Everett Rd; and being tucked in neatly off the road with only 4 additional homes, it will have little if any traffic, or other impact, on the immediate neighborhood, but will instead enhance the overall prevailing country ambience.

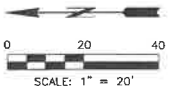
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LEGEND
PROPOSED HMA
PAVEMENT (STANDARD
DUTY)

STAGE STORAGE TABLE				
ELEV	AREA (sq. ft.)	DEPT H (ft)	AVG END INC. VOL. (cu. ft.)	AVG END TOTAL VOL. (cu. ft.)
661.05	344.87	N/A	N/A	0.00
662.00	35,453.78	0.95	17004.36	17004.36
662.22	36,463.78	0.22	7910.93	24915.29 = 0.57 AC-FT

COMPENSATORY STORAGE CALCULATIONS	
FILL BELOW 100 YEAR FLOOD ELEV. 664.1	465.09 C.Y.=0.29 AC-FT
COMPENSATORY STORAGE REQUIRED 1.2(558.11 C.Y.) = 558.11 C.Y.	558.11 C.Y.=0.35 AC-FT
DETENTION REQUIRED	0.19 AC-FT+0.35 AC-FT=0.54 AC-FT
DETENTION PROVIDED	24915.29 CU.FT=0.57 AC-FT



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Drawn By: WS
Checked By: HMD
Date: 12/29/21
C-3
Sheet 3 of 4

REVISIONS
No. DESCRIPTION DATE

OLD EVERETT OAKS SUB. - SITE GRADING PLAN
THE CITY OF LAKE FOREST, ILLINOIS
SITE PLAN SHEET