

The City of Lake Forest
Plan Commission
Proceedings of the November 16, 2023 Meeting

A meeting of the Lake Forest Plan Commission was held on Thursday, November 16, 2023, at 6:30 p.m.

Commission members present: Chairman Dixon and Commissioners Barrett Davie, Jamie Moorhead, and Mark Pasquesi

Commissioners absent: Louis Pickus and Lisa Nehring (One Vacant Position)

Staff present: Catherine Czerniak, Director of Community Development

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

Chairman Dixon introduced the members of the Commission and reviewed the meeting procedures followed by the Commission.

2. Consideration of the minutes of the September 13, 2023 and the October 18, 2023 meetings.

The minutes of the September 13, 2023 Plan Commission meeting were approved with corrections as requested by Commissioner Davie.

The minutes of the October 18, 2023 Plan Commission meeting were approved as submitted.

3. Public Hearing and Action: Continued consideration of a request for approvals related to a redevelopment proposal for property located on the southeast corner of Waukegan and Everett Roads (formerly Pasquesi Home and Garden and a gas station). A multi-family residential building with detached garages, a coffee shop with a drive through, surface parking, and landscaping are proposed. A subdivision with cross easements, Special Use Permits, and variances are requested.

Property Owner: Iosue Investments LLC (Carmine Iosue, Nicole Mertens)
Multi-Family Residential Developer: Greg Van Schaack – Van Wille Homes
(Contract Purchaser – proposed south parcel)

Presented by: Carmine Iosue, Property Owner
Jack Frigo, Real Estate Advisor
Nick Patera, Teska Associates, Inc.

Chairman Dixon asked the Commission for any conflicts of interest or Ex Parte contacts. Hearing none, he swore in all those intending to speak on the petition. He invited a presentation from the petitioner.

Mr. Frigo stated that at the last Plan Commission meeting, three major points were raised: the height of the apartment building, on site circulation, and the overall tightness of the site. He stated that the height of the apartment building was reduced from 54 feet to 49 feet. He compared the height as now proposed to other buildings in the area and noted that the tallest element of the previously approved medical office building was the same height as now proposed for the apartment building. He stated that the overall site plan meets the minimum open space and green space requirements in the Code and the building coverage on the site is less than permitted by the Code. He stated that since the last meeting, some of the turning radii on the site were modified to improve circulation. He noted that although the City Engineer stated that the driveway on the east side of the building is too narrow at 20 feet, it has worked at 18 feet wide for the existing building for 20 years. He stated that the site plan generally complies with the direction in the Comprehensive Plan. He stated that the property owner wants to develop the property now, not in ten years and requested a vote in support of the petition from the Commission. He stated that the development team has confidence in the plan as presented.

Mr. Patera stated that he has worked on developing plans for this site for almost 15 years. He presented the updated site plan noting the areas where the turning radii were adjusted. He pointed out the three entrances to the site and noted that the curbs were widened, and the medians reduced to facilitate turning movements. He noted the location of the loading and short term pick up and drop off area on the north side of the residential building intended to serve the residential building and the coffee shop. He pointed out the elimination of one parking space in front of the 1025 Everett Road building to improve circulation in that area. He stated that an accessible parking space was added. He stated that if needed in the future, the two lane access point from Everett Road to the 1025 Everett Road building can be widened to three lanes. He stated however that in the short term, the petitioner prefers to retain the two lane configuration to preserve a Honey Locust tree. He noted that an outdoor gathering space was added near the northwest corner of the residential building along Waukegan Road. He stated that the area will be landscaped, and benches will be provided. He stated that the area is one of the many public gathering areas that will be provided on the overall site. He presented a plan showing green space around the perimeter of the site and noted that the buildings present themselves to the street, with parking behind. He noted the pedestrian routes through the site and the connections to the public sidewalks. He stated that the site is 27 percent green space.

Mr. Aboona, KLOA, stated that the modified plan assures that the on site circulation can accommodate all types of vehicles including delivery trucks and emergency vehicles. He stated that this was accomplished by adjusting the turning radii and eliminating a couple parking spaces. He stated that the mixed use plan provides a unified site with shared access points to the adjacent public streets. He pointed out that as previously

developed, the gas station and Pasquesi Home and Garden store each had multiple accesses to public streets. He stated that the current plan, reduces the number of access points overall. He stated that parking demand for each of the uses was considered and stated that by sharing parking on the site, the demand of all of the uses can be met. He stated that the office building has peak demand during the day and the residential building will have peak demand in the evenings and on weekends. He stated that in his opinion, the parking on the site is adequate without any off site parking.

Mr. Antonovich, Antonovich Architects, compared the previously approved medical office building to the multi-family residential building now proposed. He noted that the buildings are almost the same height and pointed out that the mansard roof proposed on the residential building encloses the mechanical equipment.

Mr. Frigo stated that with respect to traffic, a multi-family residential building is estimated to generate 860 fewer vehicle trips per day than the previously approved medical office building. He reiterated that the seven existing curb cuts on the site will be reduced to three adding that merging the three previous development sites together unifies ingress and egress and allows for shared parking. He stated that the plan was developed by a world class architect and landscape architect and objected to concerns raised about the aesthetics of the development. He stated that in his opinion, the fundamentals of the plan work well.

Ms. Czerniak stated that there is no question that there is widespread support for redevelopment of the property. She noted however that each time a plan is presented for the property, the challenges of the site become clearer. She reviewed that access to the site is limited and will need to meet current IDOT requirements. She noted that the parcel configuration narrows with the angle of Waukegan Road and pointed out the siting of the existing office building limits some options for the site. She stated that the site is prominent and important to the Settler's Square Business District, and it is important to assure that whatever is developed on the site is successful and does not result in ongoing problems. She stated that the current site plan is tight, and parking does not meet applicable standards either in the number or size of the spaces. She stated that sharing parking between the office and residential uses is problematic because of uncertainties about the demand from each use at any particular time. She questioned how the shared parking would be managed on an ongoing basis. She questioned whether residents in the multi-family building would be limited in the number of vehicles they could have on site. She acknowledged the parking agreements with St. Patrick's Church and St. Mary's Primary School and pointed out that the Code requires that in order to support a variance from the required on site parking, covenants need to be in place to assure that the parking agreements would transfer to a future owner of the off site property. She stated that although the Church and school are expected to be long term uses, there is no guarantee that ownership for one or both of the properties will not change in the future. She stated that the City Engineer noted that the parking spaces are 16 feet in length instead of 18 feet which will result in either narrowing of the travel lanes or encroachment into the landscape areas. She noted

that the previously approved plan provided for a single lane drive through for the coffee shop. She stated that Starbucks requires a double lane drive through which creates pressure on other aspects of the site plan. She noted that the on site circulation is circuitous requiring Starbucks customers to travel through the office and residential portion of the property which, as currently designed, are tight. She stated that the residential density proposed on the site exceeds residential densities found throughout the area. She stated that no four story buildings are located in or around the Settler's Square Business District. She stated that staff does not recommend approval of the plan in its current form. She stated that the petitioner has requested a vote from the Commission and in light of that request, findings in support of a denial of the petition are provided in the staff report. She stated that continuation to allow consideration of scaling down the overall development, to more fully conform to applicable Code requirements, is also an option.

In response to questions from Commissioner Davie, Mr. Frigo confirmed that the property owner is willing to cooperate in dedicating land for additional right of way on the south side of Everett Road adding that this arrangement has been in place and has not changed throughout the discussion of the project. He stated that the driveway on the east side of the existing 1025 office building cannot be expanded to 24 feet because of existing constraints. He stated that the project traffic engineer is comfortable with the limited width of the driveway. He acknowledged that the shorter stalls do not comply with the applicable standards but comply with the minimum length permitted in the Code. He said that the front or rear of vehicles can overhang into the perimeter landscaped areas. He stated that the Losue family has a 10 year agreement with St. Mary's Primary School to use parking spaces on the north side of Everett Road. He confirmed that rent is paid for the spaces. He stated that employees will be required to park off site after redevelopment of the site occurs. He acknowledged that currently, employees of the 1025 Everett Road building are permitted to park on the vacant portion of the site. He stated that 15 additional parking spaces are available on the St. Patrick's Church property and noted that there are 500 parking spaces in the commuter parking lot near the train station on the west side of Waukegan Road and the railroad tracks. He stated that Starbucks employees, residents of the apartment building, and their visitors will all park on the site rather than off site.

In response to questions from Commissioner Moorhead, Mr. Frigo stated that if the residential apartment building is sited to comply with the setbacks, parking would be lost. He acknowledged that if the building was reduced in size, the zoning setbacks could be met. He noted however that with a smaller building, the residential units would need to be smaller, less gracious, and less desirable. He acknowledged that fewer units could be built but noted that the project needs a certain number of units to be feasible. He questioned what the hardship to the community is if a variance is granted.

Commissioner Moorhead stated that it appears that the current or prior property owners have created the need for the variance. He stated that the variance criteria

specifically state that the need for a variance cannot be the result of actions or decisions by a current or past property owner.

Mr. Frigo stated that the site is challenging. He agreed that the property owner is creating the need for a variance in order to allow the project to be successful.

In response to questions from Commissioner Moorhead, Mr. Frigo noted that the main mass of the roof as proposed on the multi-family residential building is about two feet taller than the approved medical office building. He stated that the massing of the two buildings is almost identical. He stated that 32 units are required to make the project financially viable. He stated that a four story building is required to provide space for enough units to allow the project to go forward. He stated that to date, the property owner has invested millions of dollars in the property. He stated that at the request of Starbuck's, various modifications were made to the site plan. He stated that a residential developer stepped forward to allow redevelopment of the site to go forward adding that the project is not viable with a 35 foot height limitation. He stated that the property cannot be developed the way the petitioner wants to develop it without variances.

In response to questions from Commissioner Moorhead, Mr. Patera explained that the occupied space in the multi-family residential building as proposed is at the gutter line. He stated that the roof element shields the mechanical equipment to allow the building to fit in with the character of the area. He stated that the building is designed with bays and articulation instead of a flat roof with exposed mechanical equipment for aesthetic reasons.

In response to questions from Commissioner Moorhead, Mr. Aboona stated that the most recent IDOT data on daily traffic counts is from 2021 adding that it is intended as a reference for overall traffic in the area. He stated that the study is based on pre-Covid data and real time observations. He stated that traffic counts for this petition were conducted at his direction in July, on a Saturday. He acknowledged that traffic counts on other days would be different due to traffic related to church or school activity. He stated that typically, traffic counts are not done on Sundays because traffic overall is lower. He stated that there may be a slight increase in traffic in the morning during school hours but noted that the evening peak for traffic is after schools are out. He stated that during the peak hours, he observed no Amtrak trains and noted that freight trains pass through the area on an unscheduled, irregular basis. He stated that the average customer wait time at Starbucks is four minutes and forty-four seconds adding that the time frame is being reduced with mobile orders. He stated that in designing drive throughs, the goal is to get as much stacking as possible to avoid spillage on to drive aisles and the roadway. He stated that he believes that as designed, the drive through is adequate.

In response to questions from Commissioner Moorhead, Mr. Frigo confirmed that the area of the landscape beds which vehicles will overhang is included in the calculation for landscape and green space areas.

Mr. Van Schaack stated that he is puzzled by the staff comment that the proposed density is too high. He stated that a residential use is a lower density use than a medical office building use. He stated that in his experience, the proposed parking is adequate for the multi-family residential building. He stated that in his opinion, it would be a travesty to build the previously approved medical office building on the site.

Hearing no further questions from the Commission, Chairman Dixon invited public comment.

Beth Teich, 1077 Franz Drive, stated that she has lived in the area for over 50 years and has attended many Commission meetings. She stated that she has watched polo fields and corn fields disappear in west Lake Forest as the zoning was changed to allow smaller and smaller lots. She stated that developments have occurred in a way that has preserved the country feel of the area with green spaces, ponds, wide setbacks, and curving streets. She stated that a four story building on a parcel of a limited size as proposed is not in keeping with the character of the area and will provide minimal open space. She stated that the proposed development will have a negative impact on the community as a whole and will likely lead to other large scale developments in the area.

Sandy Carson, 1180 Lynette in Colony Square, stated that the site is challenging for development as demonstrated by the fact that the site has sat vacant for 15 years. She stated that the Commission previously approved a medical office building of about the same height. She stated that the empty lot looks horrible. She stated that the developer appears willing to work with the City to address the tightness of the site and try to make this development work. She stated that in her opinion, a Starbucks is better than an empty lot.

Jill Kaz, 1045 Mar Lane, stated concern about traffic congestion and safety. She stated that at dismissal time for St. Mary's Primary School, traffic backs up on Everett Road, east of Waukegan Road. She noted that there are no sidewalks in the Lake Forest Chateau development and increased cut through traffic will be problematic when the residents of the 32 new apartment units figure out that they can avoid backups at the intersection by cutting through the neighboring development.

Ronald Buresi, 1036 Mar Lane, stated that his home is right up against the property on which the Acute Care building is located. He stated that expanding the existing driveway to the east, toward his property, will essentially but the driveway in his backyard and could impact the viability of the evergreens that provide some privacy for this house.

Hearing no further public comment, Chairman Dixon invited follow up questions from the Commission. Hearing no further questions from the Commission, he invited final comments from the petitioner.

Mr. Frigo clarified that the east driveway will be expanded toward the building, not to the property line. He stated that the existing retaining wall will remain at its current location. He stated that they have made a case that the project complies with the Comprehensive Plan and generally with the zoning requirements. He stated that granting the variances requested is necessary to allow further investment in the property and in order for the new development to make an architectural statement that will benefit the community in the long term. He requested that the Commission vote on the petition.

Chairman Dixon invited final comments from staff.

Ms. Czerniak clarified that the density referenced in the staff report was related to residential densities in the surrounding area. She stated that the development as presented proposes 24 units per acre. She noted the density of several nearby developments: Lake Forest Chateau (to the east) 4.5 units per acre, the Villas (to the south) 12.3 acres, Colony Square (south of the Villas) 5.8 units per acres, and Woodcreek Courts (east of Sunset) 1.89 units per acre. She acknowledged that based on standards for medical office buildings and the peak times observed at the existing Acute Care facility, medical offices can generate significant traffic. She acknowledged that the previously approved medical office building may have been problematic with respect to traffic she noted however that the employees for that building were going to park off of the site limiting on site traffic. She stated that although the uses individually are appropriate for the site, it is the combination of parking and circulation needs for the proposed uses together that results in the need to request multiple variances that make the current plan difficult to support in its current configuration. She noted that although the green space on the site technically meets the Code requirements, the Code speaks to continuous open space rather than narrow strips dispersed throughout the site. She stated that landscaping in the areas adjacent to the parking stalls will need to be kept low if vehicles are intended to overhang those areas diminishing the opportunity for landscaping to provide a buffer of any height for adjacent residential uses to the east and south. She stated that no other building in the business district comes close to a full four story height. She acknowledged that some buildings have decorative tower elements that rise to the proposed height. She stated that the intent of the Comprehensive Plan is to encourage development that is compatible with the surrounding area and development that will not create problems going forward. She stated that staff cannot support the plan as currently presented.

Commissioner Davie stated support for a mixed use development on the site.

In response to questions from Commissioner Davie, Mr. Frigo stated that the development team has studied the site in every way possible and worked with the traffic consultant to try to make the circulation work as well as possible. He stated that the alternative is that there are three properties that could be individually developed. He stated that by combining the properties, a better plan is achieved. He stated that the staff comments cannot be addressed in a way that allows the plan to still meet the needs and desires of the owner and developer. He stated that wider drive aisles or

larger parking stalls will reduce the number of parking spaces on the site and will not meet the needs of the proposed uses. He stated confidence that the plan as presented is workable adding that they are not willing to revise the plan further.

Commissioner Pasquesi stated that he would like nothing more than to approve the plan adding that he is tired of seeing the site vacant. He stated however that there are a number of issues with the current plan that are not acceptable. He stated that although looking at each use on the site individually they may appear to work, there is a compounding effect of the uses in combination. He stated support for multiple uses and buildings on the site but stated that he cannot vote to support the plan as presented. He stated that the circulation on the site is problematic and stated that he believes that as presented, the development could create significant traffic issues on Everett and Waukegan Rodas. He proposed continuing consideration of the petition to allow further refinement but stated that he understands if the petitioner wants a vote from the Commission.

Commissioner Moorhead agreed with Commissioner Pasquesi's comments and stated that he is not able to support the petition as presented. He stated that with respect to the request for variances to allow the residential building to exceed the allowable height and encroach into the setback, it does not appear that the hardship standards are met. He stated that the need for the variances derive from the petitioner's desired development and are not the result of changes to the zoning on the property over time. He stated that he can appreciate that the owner and developer want to achieve a specific financial return but clarified that does not qualify as a hardship. He stated that something can be developed on the property in conformance with the height and setback limitations. He noted that the Comprehensive Plan chapter that relates to this area prioritizes first floor retail, below grade parking, and the use of pervious surface to minimize stormwater runoff. He noted that the priorities in the Comprehensive Plan are not met with the current plan. He noted that the City Engineer has raised continuing concern about the technical aspects of the proposed development adding that the Code requires the City Engineer to determine that the proposed development will not create adverse impacts on or off the site. He stated that having current traffic counts would be helpful in lieu of from a Saturday in July. He noted that there appear to be pedestrian crossings in the drive thru area, near the ingress and egress, which can be a safety issue. He stated that based on the available information, there will be about seven and a half hours of vehicles moving through the drive through each day. He stated that there has not yet been convincing evidence presented to demonstrate that the site can appropriately accommodate delivery trucks, semi-trucks for move in/out, garbage trucks, and deliveries for food or items ordered online. He stated that to allow off site parking to satisfy the Code requirement, the agreement must be recorded on the property deed. He noted that the Church and school properties are not owned locally but owned by the Archdiocese. He stated that the future of those parcels is not certain over the long term. He stated concern that the landscape buffer is being counted as part of the parking spaces and also as green space. He noted that this double counting adds to the congestion of the entire development. He questioned what makes the apartment building a luxury building noting that there is a delivery zone

adjacent to the building, only one elevator, and no amenities such as balconies or a fitness center both of which are advertised as being offered in the Kelmscott Park apartments. He stated that there appears to be a disconnect between what is understood as luxury in the community and what is proposed. He noted that 49 feet for the full mass of the building is distinguishable from the same height for a small mechanical enclosure. He stated that the height of the previously proposed medical office building is not a relevant comparison to the current proposal.

Chairman Dixon stated that in response to the concern raised by the neighbors, the City should consider opportunities to address cut through traffic in the Lake Forest Chateau development whether the proposed development moves forward or not. He noted that in the presentation, the petitioner made the point that the building height was reduced somewhat from the plan presented at the last meeting. He stated that in his opinion, the building height is not as much of an issue as the concerns about parking and the configuration of the overall site. He acknowledged that even if parking is not available for employees working at the site on the Church and school properties in the future, the City parking lot provides an off site parking option. He noted however that he is not enthusiastic about off site parking and the potential need to shuttle employees and the related potential safety issues. He stated that that site is tight and, in his opinion, the issue of how to accommodate moving trucks larger than a box truck has not been addressed. He reiterated that the petitioner should strongly consider further study and refinement of the plan to address the issues raised. He stated that the Commission is likely willing to continue consideration of the petition. He encouraged the petitioner to reduce the overall intensity of the development proposed on the site. He stated that he understands that the petitioner is trying to create a gateway to the City on a site that has been unsightly for 15 years but noted that the current proposal is too much for the site. He reiterated that there is strong support for a mixed use development of the right scale on the property and acknowledged that some compromises will need to be made on both sides to achieve a successful development. He stated however that the plan must be workable for the long term and cannot create negative off site impacts. He asked whether the petitioner would be amenable to conducting further study and refinement of the plan to address the concerns raised.

In response to Chairman Dixon, Mr. Frigo asked for a brief recess to allow the petitioner to consult with the development team.

Chairman Dixon agreed and recessed the Commission at 7:58 p.m.

Chairman Dixon reconvened the meeting at 8:03 p.m.

Mr. Frigo stated that after discussion, the petitioner has determined that modifications cannot be made to address the concerns raised by the Commission and City staff. He stated that the development team has confidence in the plan. He stated that a multi-family residential development is the lowest intensity use that could be developed on the site. He stated that the team is disappointed in the comments offered by the

Commission and would like to move the petition forward to the Council. He asked that the Commission vote on the petition.

Chairman Dixon stated that the petitioner has a professional team that is highly regarded. He noted that the Commission also has a professional team comprised of City staff and the City Engineer which they rely on to provide evaluation and guidance on the petitions presented. He stated that in this case, the Commission and the petitioner are in a position to agree to disagree. He invited a motion.

Commissioner Pasquesi made a motion to recommend denial of the request for a Special Use Permit, variances, and site plan approval based on the fact that the overall project including the request for a Special Use Permit for the drive through in combination with variance requests related to the number of parking spaces on the site, the size of the parking spaces, building height, and zoning setbacks do not meet the applicable criteria in the determination of the Commission. He stated that the motion is based on the findings in the staff report which are adopted by the Commission and incorporates the deliberations of the Commission as additional findings.

The motion was seconded by Commissioner Davie and was approved by a vote of 4 to 0.

3. Additional public comment on non-agenda items

There was no additional public comment presented on non-agenda items.

4. Additional information from staff.

The Commission approved the 2024 calendar as presented.

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Catherine Czerniak
Director of Community Development