

Zoning Board of Appeals
Proceedings of the May 29, 2018 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Tuesday, May 29, 2018 at 6:30 p.m., in the Council Chambers at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Zoning Board of Appeals members present: Acting Chairman Mark Pasquesi and Board members Michael Sieman, Nancy Novit, Richard Plonsker, Kevin Lewis and Lisa Nehring

Zoning Board of Appeals members absent: Chairman Louis Pickus

Staff present: Michelle Friedrich, Planning Technician and Catherine Czerniak, Director of Community Development

1. Introduction of Board members and staff, overview of meeting procedures.

Acting Chairman Pasquesi reviewed the role of the Zoning Board of Appeals and asked members of the Board and staff to introduce themselves.

2. Consideration of the minutes from the April 30, 2018 meeting.

The minutes of the April 30, 2018 were approved as submitted.

3. Continued consideration of updates to the Elawa Farm Master Plan. Elawa Farm is located at 1401 Middlefork Drive.

Owner: The City of Lake Forest

Representatives: City Staff and Elawa Farm Tenants

Acting Chairman Pasquesi introduced the agenda item and asked the Board for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner and swore in all those intending to speak.

Ms. Czerniak noted that at the last meeting, the Board reviewed the Master Plan up to the section relating to Private Events. She stated that the Board will now review the remainder of the Plan. She stated that after the Board completes the review, staff will further revise the Master Plan as directed by the Board and based on comments of the various interested parties. She stated that an updated draft of the Plan will be presented to the Board and members of the public for further review and comment at a continuation of the public hearing, at a future meeting. She reviewed the section on Private Events noting the changes made to the site plan to more clearly identify the areas in which private, rental events are permitted. She noted that "primary" private event areas and "secondary" private event areas are identified with the intention that

most of the private rental events will take place in the primary area. She noted that from a life safety perspective, tents cannot be located within 20 feet of a building to assure that adequate ingress and egress is available for buildings and tents. She noted that currently, the life safety requirement is not consistently followed. She stated that no changes are proposed in the Detail of Outdoor Activity Areas section.

Acting Chairman Pasquesi invited public comment.

Joanne Miller, Elawa Farm Foundation, requested that the east end of the Garden be identified as a secondary rental event location.

Katherine Duffy, Middlefork Farm Association, stated concern about allowing private events east of the Hay Barn. She requested clarification on whether wedding guests can walk through the Garden, regardless of where the event is held.

David Brearton, 1070 Farlin Court, stated that the private rental areas need to be located to respect the residential areas. He stated that currently, one of the areas is located only about 100 feet from front doors of residences. He stated that he is not clear on what types of activities will be allowed in those areas. He stated that locating tents to the west of the Wagon Shed is appropriate. He acknowledged that guests at events may walk through the Garden but stated that the neighbors should not have to look at tents from their living rooms.

Hearing no further public comments on this section, Acting Chairman Pasquesi invited further questions from the Board.

In response to questions from Board member Lewis, Ms. Czerniak stated that the Elawa Farm Foundation requested that small wedding ceremonies, with 15 to 20 people, be permitted in the Garden; along, or, at either end of the central path. She acknowledged that this is a point of disagreement noting that the Middlefork Farm residents have requested that private events and ceremonies in the garden be limited or disallowed. She asked the Board for direction on this item noting that private events in the garden, if allowed, could be limited in number, location and size. She clarified that the Paddock is the area just east of the Hay Barn, enclosed by a brick wall. She stated that tents and canopies are permitted in this area as long as they are at least 20 feet away from the building.

In response to questions from Board member Plonsker, Ms. Czerniak stated that the total capacity of the site, at any one time, including the people in any tents that put up on the site, cannot exceed the capacity of the buildings to allow people to be sheltered in the buildings in the event of in climate weather.

Mike Strong, Assistant to the City Manager, stated that a maximum of 200 people are permitted on the site at any one time.

In response to questions from Board member Sieman, Ms. Czerniak confirmed that City parks throughout the community close at dusk. She noted however, that Elawa Farm is not considered a City park, but instead, it is a special use, a community space. She stated that as a special use, the types of activities and how those activities operate, ending times, are governed by the Special Use Permit.

Sally Swarthout, Director of Parks, Recreation and Forestry, confirmed that all parks in Lake Forest, except Forest Park Beach, close at dusk.

Acting Chairman Pasquesi invited further public comments.

Ms. Miller suggested that the secondary areas for private events could allow activities, but not tents. She stated that the Foundation is not requesting the ability to locate tents in the Garden. She stated that the Foundation in the past has requested a tent in the area east of the Hay Barn and west of the Garden, but only for the Foundation's own Farm to Table dinner.

Conner Walsh, 1360 Middlefork Drive, stated he can throw a baseball from his driveway to the area in the Garden identified for private, rental events. He stated that currently, a significant number of wedding ceremonies are held in that area, at the east end of the Garden.

Marilyn Rozsypal, 1027 Aynsley Avenue, stated opposition to allowing private, rental events in, or at the ends of the Garden. She stated that she moved to the Middlefork Farm Subdivision in 2005 and each year she has seen an increase in the number of events held at Elawa Farm. She stated that people attending events at Elawa Farm park in front of her home. She stated that she finds alcohol bottles in her yard. She stated that her family moved to the Middlefork neighborhood because they love the tranquility of the area. She stated that the noise, traffic and music are getting to be too much. She stated that her neighbors are moving out of the area and are losing money on their homes.

Hearing no further public comments, Acting Chairman Pasquesi returned the discussion to the Board.

Board member Lewis suggested that the map more clearly identify the areas where activities are permitted noting that shading in an area, rather than using dots, could more clearly identify the limits of the activity. He suggested that since the Foundation stated that they do not have an interest in tents in the Garden, the Plan should reflect that no tents are permitted in those areas.

Board member Novit agreed generally with the use areas as described. She noted however that if an event is located in a permitted area, guests may still walk through the garden or take photographs in that area.

Acting Chairman Pasquesi suggested that since there seems to be spill over into the areas at the ends of the Garden, it may be appropriate to give some sort of permission for small gatherings in those areas.

Board member Novit commented that when a wedding is held at Elawa Farm, it is reasonable that there will be some guests walking through the Garden. She noted however that there should not be music or other loud noise in that area.

In response to the Board's comments, Ms. Czerniak asked for direction on whether the Master Plan should identify the Garden, or portions of it, as permitted areas for small, private events, or whether the Garden should just be acknowledged as a space that people attending private events, and members of the public, may walk through.

Ms. Miller confirmed that guests at private events and members of the public walk through the Garden and the Foundation does not police the area. She said that ceremonies held in the Garden occur during the daylight, without tents or canopies.

Board member Lewis stated that in his opinion, the draw for those having a private event at Elawa is the views of the surrounding open space which are only available during the day. He stated that the setting is what makes Elawa Farm an attractive venue but that setting is gone after dark. He stated that based on the testimony, the concerns from neighboring residents is not about what happens on the site during the day, but instead, what happens after dark. He suggested that as the discussion continues, the Board should look at the hours of events on the site. He stated that it may be appropriate for events to end at sunset or shortly thereafter.

Board member Nehring commented that if the Garden closes at dusk, similar to City parks, that may help the neighbors.

In response to questions from Board member Sieman, Ms. Czerniak confirmed that limitations on hours can be incorporated into the Special Use Permit and will be enforceable if clearly articulated.

Board member Sieman agreed with Board member Lewis that the areas of conflict seem to revolve around noise, traffic and parking. He agreed that closing the Garden at dusk could alleviate some of the neighbors' concerns. He stated that in his opinion, parking on the neighborhood streets, for private events, is not acceptable. He stated that some limited ceremonies in the Garden may be appropriate without tents or structures, and in an area setback from the neighboring residential properties.

Board member Nehring stated that the Garden is a good place for photos and agreed that any ceremonies permitted in the Garden should be located to minimize impacts on neighbors.

In response to questions from Board member Plonsker, Ms. Miller stated that it would be hard to police the Garden during an event to keep guests out of that area. She stated that the Garden may need to be fenced to keep people out. She noted that enforcing the no smoking regulation at private events is difficult. She acknowledged that cigarette butts are found throughout the site. She noted that the Foundation's heart and soul is the Garden and stated that the Foundation is reluctant to keep people out. She stated that parking is not an issue adding noting that "no parking" signs are put up during an event and if necessary, people park off site and are shuttled to the event. She stated that she was not aware that beer bottles have been found on neighboring properties. She stated that the Foundation would like to stop offering night-time private rental events but stated that the events bring in the revenue needed to keep the Farm open.

In response to questions from Board member Novit, Ms. Miller stated that someone from the Foundation is on site during private events to see that the music is turned off on time and that other rules are followed noting however that monitoring the events can be difficult. She stated that it may be difficult to require events to end by 10 p.m. and still be competitive with other venues that allow events until midnight.

In response to questions from Board member Nehring, Ms. Miller stated that the Garden is a working garden. She confirmed that many people walk through the Garden during private events.

In response to comments from the Board, Ms. Czerniak stated that staff will draft options for the Garden making an effort to reflect the Board's discussion. She stated that the options will be presented for further discussion.

Hearing no further comments on the Private Events section of the Master Plan, Acting Chairman Pasquesi asked staff to review the Common Area section of the Plan.

Ms. Czerniak pointed out the location of the Common Area, along the north side of Elawa Farm, as shown in the draft Plan. She stated that the size of the Common Area is reduced from the current Plan to more accurately reflect the shared use area and the expansion of the parking lot that occurred since the adoption of the original Master Plan. She stated that the parking lot was expanded consistent with the area designated for parking expansion in the Plan. She stated that based on the feedback received, the additional parking has worked well to address the majority of parking needs especially on a daily basis, with the exception of large events. She asked for Board input on whether a provision should be made in the updated Master Plan for further expansion of the parking lot. She stated that neighbors have raised concerns

that expanding the parking lot will add to congestion on the residential streets and increased activity levels at the Farm. She stated that a stand-alone restroom building is planned in this area in the future to more efficiently serve park and Forest Preserve users noting that currently, the only public restrooms in the area are located in the hay barn. She noted that a portion of the park was previously included in the Common Area and was removed to more accurately define the use areas.

In response to questions from Board member Nehring, Ms. Czerniak explained that based on an earlier agreement with the Lake County Forest Preserves District, a parking lot of at least 40 spaces is required on the site for shared use including for those using the Forest Preserves trails.

In response to questions from Board member Sieman, Ms. Czerniak confirmed that the parking lot is intended for people using the park as well. She noted however, that Elawa Park is a neighborhood park intended to primarily serve residents in the immediate area so many users may walk to the park.

In response to questions from the Board, Ms. Swarthout stated that the existing shared parking lot adequately serves Elawa Park. She noted that unlike other neighborhood parks in the community, this park is not regularly programmed for larger activities or events due to the level of activity already occurring in the area, at Elawa Farm. She stated that programming at the park is carefully managed in an effort to be considerate of the neighbors. She stated that if a large event was scheduled at the park, attendees would be shuttled to the park.

Ms. Duffy questioned how the public restroom building will be maintained if it is constructed. She noted that maintenance, security and cleanliness issues will come with a public restroom.

In response to questions from Board member Novit, Mr. Walsh stated that the neighbors oppose further expansion of the parking lot because it will bring more people into the neighborhood.

Mike Calogero, 1029 Jensen Drive, stated he built his house three years ago and stated that the current parking lot is adequate. He stated that the problems experienced in the neighborhood are similar to those at Ravinia during events pointing out that the issue is about safety, especially on Middlefork Drive. He stated that he would be concerned about further expansion of the parking lot and bringing more traffic into the area. He described situations that he has experienced due to congestion in the neighborhood as a result of all of the activities in the area. He stated that expanding the parking lot would not be helpful.

Board member Lewis stated that in his opinion, the Plan should not identify the opportunity for further expansion of the parking lot. He stated that if more than 80 spaces are needed for an event, or combination of events, a shuttle should be used.

Acting Chairman Pasquesi agreed that there does not seem to be a compelling reason to provide for further expansion of the parking lot in the Common Area.

In response to questions from Board member Nehring, Ms. Czerniak confirmed that currently, the Special Use Permit requires off-site parking and a shuttle to be provided for events of over 75 people at Elawa Farm. She stated that consideration could be given to installing no parking signs in some additional areas in the neighborhood but noted that residents may not want parking limited for their own guests.

Board member Lewis noted that in his experience, prior to the parking lot expansion, parking was an issue for park users. He stated that the existing parking lot as expanded, is adequate.

Board member Novit agreed that further expansion of the parking lot is not necessary.

Board member Sieman suggested that the general location of the future restrooms be designated on the Common Area graphic.

David Brearton, 1070 Farlin Court, noted that a port-a-potty is brought to Elawa Park in the summer.

In response to questions from the Board, Ms. Swarthout commented that if a permanent restroom structure is constructed, City staff will clean the restrooms daily as is done at other City parks. She noted that park restrooms are locked after hours. She stated that a restroom structure is provided at most City parks.

Hearing no further comments on the Common Area section of the Master Plan, Acting Chairman Pasquesi asked staff to review the Opportunity Areas section of the Plan.

Ms. Czerniak noted that the reference to additional parking will be deleted based on the Board's discussion. She noted that the reference to specific locations for outdoor classrooms was deleted because the entire Farm is, on occasion, used as outdoor classrooms. She noted that the language was updated to reflect that a greenhouse, as contemplated in the original Master Plan, was added to the site. She noted that as previously discussed by the Board, an expanded area is identified for the Wildlife Discovery Center to provide the opportunity for greater separation from some of the other activities that occur at the Farm and any farm animals, if they are permitted on the site, and to minimize conflicts. She noted that any new structures would require approval by the City Council and funding, not only for construction, but to provide for long term maintenance and use.

Acting Chairman Pasquesi invited public comment on the Opportunity Areas section of the Plan.

Ms. Duffy noted that an earlier committee recommended a new structure for the Wildlife Discovery Center. She noted that more buildings on the site will mean more activity, greater parking demands and more traffic.

In response to questions from Board member Lewis, Ms. Czerniak confirmed that the draft Plan contemplates expanding the Wildlife Discovery Area to the west, into the natural area and identifying the potential for a building for the Wildlife Discovery Center generally in that area in the future. She noted that at the last meeting, the Board discussed limiting the square footage of any new building to the existing space in the farm buildings used by the Wildlife Discovery Center. She stated that some discussion also occurred about how the vacated space would be used by the Foundation and the Foundation noted that in general, the space would be filled by fairly low impact uses.

Board member Lewis suggested that the expansion area for the Wildlife Discovery Center should be better defined. He noted that it may be difficult to build a building in that area since utilities will need to be extended and there may be other challenges.

Ms. Czerniak noted that the Master Plan is intended to identify potential structures that could be permitted in the future but not intended to identify specific locations or details of the structures. She added that Opportunity Areas are just that, opportunities, not requirements. She acknowledged that there may be factors that prevent one or more identified opportunities from ever being realized.

In response to questions from Board member Nehring, Ms. Czerniak agreed to find out the square footage of building space currently used by the Wildlife Discovery Center and reference it in an appropriate manner.

In response to questions from Board member Novit, Ms. Czerniak stated that in the previous Board discussion, the Board expressed preliminary support for allowing farm animals on a limited basis with the potential for temporary structures to support the animals.

Hearing no further comments on the Opportunities Area Section, Acting Chairman Pasquesi asked staff to review the Signage section of the Plan.

Ms. Czerniak stated that since the original Master Plan was adopted, an overall signage plan for Elawa Farm was approved by the Historic Preservation Commission. She stated that the signage plan includes various types of signs used throughout the Farm. She noted however that No Smoking signs were not contemplated in the

approved signage plan and smoking on the site, during private events, is an ongoing issue since smoking is not permitted on City owned properties.

Board member Sieman suggested that identifying a permitted smoking area for private events be considered from a legal and public safety perspective.

Acting Chairman Pasquesi invited public comment on the signage section.

Ms. Fitzsimmons stated that the most beautiful part of Elawa Farm is the garden. She noted the garden is taken care of by volunteers and at times, hired staff, to prepare for private events. She stated that the Foundation makes the garden beautiful and people rent Elawa Farm for weddings because the Garden is beautiful. She stated that if the Foundation could manage the Farm financially, without weddings, it would. She stated that the Foundation prefers to rent the Farm for small, daytime events. She stated that she understands that weddings create an issue for the neighbors. She stated that the Foundation's purpose is to preserve Elawa Farm for the community.

In response to questions from Board member Sieman, Ms. Fitzsimmons stated that the Foundation needs classroom spaces to attract corporate, day time events. She noted that the hay barn is not a desirable space because there is no way to close it off and the restrooms are not conveniently located. She stated that the potting shed has an odor from the reptiles which negatively impacts rentable space. She stated that farm animals would only be brought on to the site in small numbers, for specific events, and will not have odors that impact the building. She noted that the educational programming held at the Farm in the past, involving farm animals, was successful. She stated that some of the space currently occupied by the Wildlife Discovery Center could be used for a small museum to tell the remarkable history of west Lake Forest.

Ms. Duffy noted that at a meeting with the Middlefork Homeowners' Association, the Foundation told the homeowners that a corporate event held over the winter, and another event with a cooking component, were successful and profitable for the Foundation. She noted that the Foundation could hold more day time, corporate events on days when the Wildlife Discovery Center is not open.

Ms. Miller stated that the Wildlife Discovery Center hosts field trips on days that it is not open to the public.

Mr. Carmichael stated that he does not receive complaints about the smell of the Wildlife Discovery Center from anyone except the Foundation. He reviewed the certifications, permits and inspections that are required in order for the Wildlife Discovery Center to remain open noting that Federal inspectors visit the site regularly and the facility would not be permitted to operate if conditions were not in compliance with all requirements. He noted that the Wildlife Discovery Center always receives good marks. He stated that the Wildlife Discovery Center uses only about a

third of the classroom space that is available in the farm buildings. He noted that the Elawa Foundation could use the other classroom spaces. He noted that the Wildlife Discovery Center is open four days a week and field trips occur seasonally, most often in September, October, April and May; on days when the Center is not open. He stated that field trips generate significant revenues for the Center and are important to the financial health of the program. He stated that field trips typically involve one or two buses and directly serve the children of the community and surrounding communities. He noted that the hay barn can be partitioned off with a folding screen.

Ms. Rozyspal, 1027 Aynsley Avenue, agreed that the gardens are beautiful. She stated that the neighbors' concerns are about the gatherings held there. She stated that she does not think that the Middlefork Farm residents will welcome bringing cows into the neighborhood. She stated that she receives emails promoting the events and camps held at Elawa Farm and she said that there is no question that activity at the Farm has grown over the years. She noted that a camp held at Elawa Farm generates four car trips for each child as parents drop off and pick up their children. She stated that her house has lost value because it is next to a banquet hall, a beer garden, a Farmers' Market and a large Holiday Market. She stated that cars are parked everywhere for the big events, time after time. She noted that 200 people at a wedding make a lot of noise.

Hearing no further requests to speak from the public, Acting Chairman Pasquesi thanked all of the interested parties for the questions, insights and comments.

Ms. Czerniak stated that based on the Board's discussion, direction and public comment received, staff will revise the draft Plan and present it for further discussion at a future meeting. She added that staff will also revise the conditions of the Special Use Permit based on the Board discussion and public input.

Hearing no further questions or comments from the Board, Acting Chairman Pasquesi invited a motion,

Board member Nehring made a motion to continue the public hearing and consideration of the petition relating to Elawa Farm.

The motion was seconded by Board member Novit and was approved by a 6 to 0 vote.

5. Public testimony on non-agenda items.

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

6. Additional information from staff.

Ms. Friedrich noted the next meeting is Monday, June 25, 2018.

The meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician