

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the May 9, 2022 Special Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, May 9, 2022 at 6:30 p.m., in Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Michael Sieman and Board members Pete Clemens, James Moorhead, Nancy Novit, Ari Bass and Lisa Nehring.

Zoning Board of Appeals members absent: Laurie Rose

Staff present: Catherine Czerniak, Director of Community Development

- 1. Introduction of Board members and staff, overview of meeting procedures - Chairman Sieman**

- 2. Consideration of a request for a recommendation in support of an amendment to the Special Use Permit and the associated Master Plan for Elawa Farm to allow modifications in a portion of the Garden to create a short term gathering space for existing programs offered by the Elawa Farm Foundation. Clarifications and updates are also requested relating to the chicken coop and sound levels for events held entirely within the Hay Barn. The property is addressed as 1401 Middlefork Drive.
Property Owner: The City of Lake Forest
Representative: Laura Calvert, Executive Director of the Elawa Farm Foundation.**

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

Ms. Calvert stated that the intent of the proposed Enabling Garden project is to increase the accessibility and inclusivity of the Garden at Elawa Farm. She briefly reviewed the history of Elawa Farm. She stated that the Elawa Foundation was formed in 2002 to raise funds to preserve and activate the Farm. She stated that today, the Foundation is honed on the educational aspect of its mission and moving away from renting Elawa Farm out for private events. She stated that in 2021 Elawa Farm operated in compliance with the Special Use Permit except for two extra events that were rescheduled from 2020 due to the pandemic. She stated that the Foundation has voluntarily reduced the maximum capacity at events from 200 to 150 people and has hired an event coordinator, a retired police officer to manage events. She noted that today, people with limited mobility have difficulty accessing the Garden. She stated that the Foundation engaged a landscape architect who is also a Horticultural

Therapist, to explore opportunities to enhance the Garden experience. She stated that the Foundation also made efforts to engage the neighbors in early discussions by holding both virtual and on site meetings. She stated that valuable input was offered and helped to shape the proposal as it is presented today. She noted that people with limited mobility and their families are also stakeholders in the discussion. She stated that the project is fully funded. She stated that questions received from the Middlefork Farm Homeowners' Association were addressed at the various meetings, in the materials provided to the Board, and will be addressed in the presentation. She reviewed the site plan noting that the Enabling Garden is intentionally located away from the beehives adding that the bees are essential to the production of the Garden. She pointed out the existing hedge along the north side of the Garden that screens the Garden from Middlefork Drive adding that there may be opportunities to enhance the landscape screening in that area. She noted that grade change from Middlefork Drive and the Garden which drops significantly below the grade of the road. She reviewed the alternate sites considered for the Enabling Garden noting that the beehives, drainage issues and incorporation of the Enabling Garden into the existing Garden all were factors in selecting the location. She reviewed images of sightlines into the Garden from neighboring homes and from Middlefork Drive. She noted that parking on the site will not be impacted by the addition of the Enabling Garden and reviewed the accessible route from the parking lot to the farm buildings and from there, on to the existing central Garden path which will be resurfaced to provide an accessible surface to meet ADA requirements. She stated that originally, a new, accessible path was proposed on the north side of the Garden but was eliminated in response to neighbor concerns. She stated that the Enabling Garden will be used by participants in existing classes and programs so there will be no increase in parking demand because of the Enabling Garden. She stated that the Foundation works to discourage parking on Middlefork Drive and noted that due to the grade change, the Enabling Garden will be difficult to access from Middlefork Drive. She reviewed a detailed plan of the Enabling Garden noting the raised beds, pathways, in ground beds, two stationary benches, and a centrally located pergola. She noted that currently, there is no permanent seating in the garden. She presented a conceptual rendering of the garden. She stated that the pergola is proposed to offer limited shade for those with sensory challenges, for seniors and others who may be sensitive to enjoy the Garden. She stated that the pergola will be constructed using the same wood used for the existing Garden fence. She stated that seasonally, a deciduous vine will be grown on the pergola for a natural aesthetic. She presented an image of posts that were recently installed to indicate the proposed height and location of the pergola. She stated that the existing border around the section of the Garden where the Enabling Garden will be located will be infilled with plantings which will grow to the same height or taller than the pergola. She reiterated that the Enabling Garden is intended as an amenity to be used by existing programs and added that the programs do not occur daily. She stated that normally, there are 10 to 15 people in a program adding that the programs have a maximum capacity of 25 people. She noted that the programs occur over the course of six months of the year, during the

growing season. She stated that about 15 chairs will be set out under the pergola prior to a group gathering in the Enabling Garden adding that they will be removed after use. She stated that the proposed use of the Enabling Garden is consistent with the Permitted Dailey Activities as defined in the current Special Use Permit. She reviewed the frequency, times and number of attendees at classes, programs and tours in 2021. She stated that the Enabling Garden will not be rented to private parties or used for private events, wedding ceremonies, or photo sessions. She stated that there will be no amplified sound in the Enabling Garden.

Ms. Czerniak stated that initially, staff considered the proposed improvements for an Enabling Garden and the activities planned, to be generally consistent with the approvals already in place for the Elawa Farm Garden. She stated however that recognizing concerns expressed by some neighbors and in the letter from the Homeowners' Association Board, and the fact that a structure, the pergola, is planned, this matter is before the Board for consideration as an amendment to the Special Use Permit. She reviewed that a Special Use Permit was initially granted for Elawa Farm in 2010 adding that at that time, there was uncertainty about how the Farm and activity at and around the Farm would evolve. She noted that through subsequent amendments to the Special Use Permit and Master Plan, the permitted uses as well as the limitations on activities has evolved in response to the success of Elawa Farm as a community amenity. She stated that importantly, as a result of comprehensive amendments to the Special Use Permit in 2019, and as a result of a refocusing of the Elawa Farm Foundation on the original educational mission, the number and frequency of private rental events has decreased significantly. She noted that there are several provisions in the current Special Use Permit that support the concept of an Enabling Garden. She acknowledged that a structure in the Garden is not envisioned in the current plan, but is a typical garden element, low profile and open in nature. She noted the intent expressed in the Special Use Permit to maintain open views across the Garden to the barn structures and the prairie beyond. She acknowledged some neighbor's concerns about activities expanding beyond the original intentions and noted that conditions of approval are offered in the staff report for the Board's consideration to limit the expansion of activities in the Enabling Garden beyond the intended use as described in this petition. She stated that this petition is before the Board for information and to allow the Board to hear input from all parties. She stated that Board action on the petition will be scheduled at the next meeting.

In response to questions from Board member Moorhead, Ms. Czerniak confirmed that the Garden, under the current Special Use Permit, is open to the community. She stated that currently, the Garden is used on a short term basis by classes, camps and tours as one component or activity of a larger program. She stated that in the past concerns were raised about weddings and photo sessions occurring in the garden adding that use of the Garden for private rental events is no longer permitted by the Special Use Permit. She stated that she is not aware of any complaints specifically

about participants of classes, camps or tours walking through and gathering in the Garden for short periods of time.

In response to questions from Board member Moorhead, Ms. Calvert confirmed that interior spaces at Elawa Farm and the outdoor exhibits for the Wildlife Discovery Center are all ADA compliant. She stated that at the present time, no portion of the Garden is ADA compliant. She noted that the Elawa Farm Foundation intends to fully fund the ADA improvements proposed as part of this project.

In response to questions from Board member Nehring, Ms. Czerniak confirmed that since the Special Use Permit is before the Board, it seemed prudent to include updates to the provisions pertaining to the chicken coop and amplified sound at the same time.

In response to questions from Board member Clemens, Ms. Czerniak acknowledged that the parking lot at Elawa Farm is used for events and activities that go beyond those offered by the Elawa Farm Foundation. She stated that a City Coordinator meets periodically with all of the Elawa Farm stakeholders; the Forest Preserves District, Lake Forest Open Lands, the Wildlife Discovery Center, representatives of the Middlefork Farm Homeowners' Association and the Elawa Farm Foundation in an effort to coordinate schedules and avoid overbooking activities at Elawa Farm on any particular day or weekend. She confirmed that discussions have occurred about expanding the existing parking lot and preliminary plans have been prepared however, she noted that neighbors have raised concerns about whether expanding the parking lot will simply drive even more traffic to the area. She stated the discussion of parking is separate from the current petition adding that discussions on this topic will continue.

Board member Novit said that she visited Elawa Farm on a Sunday afternoon and the parking lot was full despite the fact that there was no one in the Garden and there were no Elawa Farm Foundation activities going on. She stated that the Foundation is not the only group generating activity in the area.

In response to questions from Chairman Sieman, Ms. Calvert stated that typically eight to ten chickens are kept on site adding that the Foundation is requesting approval to have up to 12 chickens at the Farm. She stated that the chickens are only at the Farm seasonally and are returned to the farm after the season ends.

In response to questions from Board member Bass, Ms. Calvert explained that the main path through the center of the Garden extends from the Hay Barn at the west end, to the east edge of the City property. She stated that the specific material that will be used for the path is still being determined. She stated that there may be a border of low maintenance, native perennials along the path. She clarified that there will only be a single layer of boards on top of the pergola.

In response to questions from Board member Bass, Ms. Czerniak stated that some of the concerns raised in the letter from the Middlefork Farm Homeowners' Association Board appear to refer to some of the private rental events that occurred at the Farm prior to the 2019 amendment of the Special Use Permit. She acknowledged that in 2021, some additional rental events were authorized by the City, over and above those permitted on an annual basis, due to cancellations that occurred due to the pandemic. She stated that the City is aware of the ongoing concern that activities at Elawa Farm will continue to expand. She stated that consideration of how best to address parking congestion at the site are ongoing.

Hearing no further questions from the Board, Chairman Sieman invited public testimony.

Ashley Maentz, 420 Oak Ridge Court, Lake Bluff, stated support for the proposed amendment to the Special Use Permit. She noted her early involvement in Elawa Farm and the Foundation and stated that the original intent of the group was to find a way to preserve and adaptively reuse the farm buildings. She stated that the Elawa Farm Foundation Board and staff have worked hard to further the original objectives in a way that balances the interests of the neighbors. She stated that the current project does not propose the addition of new programs but instead, improves access for participants in existing programs. She encouraged the Board to approve the amendments to the Special Use Permit.

Jesus Cuezzi, 30047 N. Waukegan Road, Lake Bluff, Education Manager at Elawa Farm, he commented on the importance of the making the various programs offered at the Farm more accessible for participants that have challenges. He noted the positive feedback he has received from participants and families about the various educational opportunities offered at Elawa Farm.

Michelle Hirschfield, 462 Heather Lane, stated support for the proposed Enabling Garden. She talked about her family's unique needs. She stated that Lake Forest is special because of how it supports its more vulnerable members, people with special needs. She stated that the Garden will provide experiences that will shape all of the users. She stated that being in nature calms people with sensory issues adding that the Enabling Garden has the ability to make a positive impact and offer an experience to those with special needs that most people take for granted.

Connor Walsh, 1360 Middlefork Drive, President of the Middlefork Farm Homeowners' Association, stated that he is not opposed to the Enabling Garden but noted that he does not feel that the concerns raised in the letter submitted by the Homeowners' Association have been satisfactorily addressed. He noted concern about ongoing maintenance and asked for clarification on the intended use of the Enabling Garden and consideration of the potential for unintended use of the space. He noted that the most recent amendment to the Special Use Permit was the result of a significant

amount of time put in by many parties. He stated that, as a result of the pandemic, he does not believe that the full impact of the current Special Use Permit has been thoroughly tested. He requested that clear parameters be established specifying the type, times, frequency, size, and duration of activities that will be permitted in the Enabling Garden. He expressed a desire for a meaningful conversation with all of the stakeholders before the program for the Enabling Garden is fully developed. He noted that many of the parties involved in discussions about the current Special Use Permit are no longer involved and questioned whether the current and future Elawa Farm Foundation staff intend to abide by the limitations that are in place.

Robin Skinner, 1225 Kennicott, Drive, stated that she is well aware of the opposition and concern some residents have about the Enabling Garden. She noted that she has lived in Middlefork for 21 years and raised two children in the neighborhood. She stated that the evolution of Elawa Farm and the surrounding area has been fantastic resulting in an incredible asset to the neighborhood. She acknowledged the changes that have occurred at Elawa Farm over time adding that each change, in her opinion, has benefitted the neighborhood. She stated that the gardens are spectacular. She acknowledged that updates to Elawa Park have brought more activity to the area but pointed out that as part of the original approvals, a site, adjacent to the park, was reserved for a school. She noted that if a school had been built there, the level of activity in the area would be significantly greater than it is today. She stated that an Enabling Garden may promote interest in food prep or horticulture among young children. She stated that she feels fortunate to have raised her children in a community that offers so many opportunities. She stated that every neighborhood faces some type of issue adding that people have choices in where they purchase a home. She acknowledged that coordination between all parties is needed. She stated that the pergola will weather naturally and blend into the natural space. She stated support for the Enabling Garden and the accessible path.

Andrea Perino, 1240 Kennicott Drive, stated that she is on the Executive Board of Camp Hope Illinois, a summer camp that offers programs for disabled adults and children. She noted that she is also a resident of the Middlefork Farm neighborhood. She stated that she reviewed the letter of objections submitted by the Homeowners' Association and feels that the concerns raised were adequately addressed by the Elawa Farm Foundation. She stated that in her opinion, the Foundation was open to hearing concerns and as a result, made changes to improve the proposed project. She stated that as a homeowner, she supports the Enabling Garden. She stated that she spoke with about 15 Middlefork Farm families and did not hear any opposition to the proposed plan.

Lisa Allen, 1901 Farm Road, stated that the Foundation has the opportunity to do something special, to create a space that helps bring people joy. She stated that she is proud to be a member of the Elawa Foundation and supports the vision that will be

achieved with the Enabling Garden. She stated that the proposed improvements are fully funded.

Lisa Karahalios, 1105 Emmons Court, noted that she has served on the Elawa Garden Board and has been a Middlefork resident for 18 years. She added that her children have taken classes at Elawa Farm. She stated that she is a new member of the Middlefork Farm Homeowners' Board and stated that she hopes that Board is not vilified for bringing concerns to the Zoning Board of Appeals. She stated that her job as a member of the Board is to represent the homeowners, preserve the owners' investments and raise concerns voiced by the residents. She stated that in her opinion, the concerns appear to have been satisfactorily addressed. She stated that although most people support the project, there is still reasonable concern about how it will affect the homeowners and property values. She stated that accountability, consistency and transparency are important in any working relationship.

Hearing no further requests to speak, Chairman Sieman closed the public comment.

In response to questions from Board member Bass, Ms. Czerniak confirmed that a pergola is considered a structure and requires a building permit. She stated that a permit is required for a fence, but for a raised gardening bed.

In response to questions from Chairman Sieman, Ms. Czerniak stated that the reconstruction of the central path with an ADA compliant surface may require a permit if drainage improvements are proposed as part of the project.

In response to questions from Board member Nehring, Ms. Calvert clarified the material that would be used to surface the ADA compliant path up to and within the Enabling Garden. She noted that re-enforcement of the central path will also benefit the volunteers and staff that work in the overall Garden because the current path becomes muddy at times.

In response to questions from Board member Clemens, Ms. Calvert noted that the path will extend east to the steps that lead to the Open Lands' property.

In response to questions from Board member Moorhead, Ms. Calvert explained that the proposed size of the Enabling Garden provides sufficient space for raised beds for education and demonstration and circulation around the beds. She confirmed that she read the emails from the McGovern family. She explained that the area to the west of the Wagon Shed is not identified for gardening and is the only area where rental events and tents are permitted. She added that separating the Enabling Garden from the larger Garden is not a desired approach because it does not offer inclusivity.

In response to questions from Board member Moorhead, Ms. Czerniak stated that parking is regularly discussed with and monitored by the various stakeholders in the area: the Elawa Foundation, neighborhood residents, the Forest Preserves District, Lake Forest Open Lands, the City's Park and Recreation Department and other City staff including the Police Department. She stated that preliminary plans for expansion of the existing parking lot are available but raise concerns among some that a larger parking lot will encourage even more use of the area. She confirmed that the City is continuing to focus on enhancing bicycle connections from east to west, to provide options for accessing Elawa Farm.

In response to questions from Board member Novit, Ms. Czerniak acknowledged that the parking lot is used by various parties, not just by those attending programs or events at Elawa Farm. She stated that the City coordinates regular meetings with the various stakeholders to coordinate manage activity schedules.

In response to questions from Board member Nehring, Ms. Calvert stated that there are currently two accessible spaces in the parking lot. She stated that the Foundation will support additional accessible spaces if it is determined that they are needed in the future.

In response to questions from Board member Bass, Ms. Calvert stated that the Foundation was ready to break ground on the improvements last fall but delayed the project to allow for the required public process. She stated that the construction will take about two to three each for the Enabling Garden and the path. She stated that thought will be given to how to appropriate accommodate construction vehicles.

In response to questions from Board member Clemens, Ms. Calvert stated that there is already irrigation piping in the location where the Enabling Garden is proposed. She stated that there are clever ways to irrigate raised beds and noted that participants in the various programs may also participate by hand watering.

In response to questions from Chairman Sieman, Ms. Czerniak confirmed a five acre school site is still reserved adjacent to Elawa Park. She confirmed that in the past, the Executive Director of the Elawa Arm Foundation, a representative of the HOA, and City staff met on site to test sound levels in the Hay Barn.

Hearing no further questions from the Board, Chairman Sieman invited final comments by the petitioner.

Ms. Calvert thanked the Board for consideration of the petition. She noted that one in five people live with some sort of disability and noted that it is important to make the Enabling Garden a reality for the Lake Forest community.

Chairman Sieman invited final comments from staff.

Ms. Czerniak noted that based on the comments from the Board and public, there appears to be universal support for improving the accessibility of the Garden as long as the permitted use is clearly defined and any conditions of approval, enforced. She stated that staff will prepare findings for the Board's consideration at the beginning of the next meeting on May 23, 2022.

Chairman Sieman invited final comments from the Commission.

Board member Novit applauded the Foundation for restructuring the types of events held at the Farm to comply with the original educational mission more fully. She stated support for the project as proposed and noted that the Elawa Foundation is not the only party generating traffic in the neighborhood. She acknowledged and expressed appreciation for the concerns expressed by the Middlefork Farm Homeowners' Association. She stated that she participated in the 2019 update to the Elawa Farm Special Use Permit and stated that she sees progress made since that time.

Board member Nehring agreed with Board member Novit's comments. She stated support for allowing up to 12 chickens in the chicken coop on an ongoing basis. She stated that accessibility is important for those in the community with mobility challenges. She complimented the Foundation for moving away from allowing the Farm to be used for private parties noting that the private rentals at times have been problematic for the neighbors. She stated support for clarifying the language relating to amplified sound inside the Hay Barn. She stated overall support for the proposed amendments to the Special Use Permit.

Board member Moorhead agreed with the comments of the other Board members. He noted that the goal of complying with ADA requirements and the proposed location of the Enabling Garden make sense. He stated that the proposed improvements do not appear to increase the traffic on Middlefork Drive or the intensity of the use at the Farm. He stated support for the changes as proposed to the provisions relating to amplified sound and chickens. He suggested expanding the language in the Master Plan relating to the Garden to more fully recognize the various uses of the Garden that occur today.

Chairman Sieman agreed with the comments of the other Board members. He stated support for up to 14 chickens and stated support in general for sustainable farming. He noted that he grew up next to the property and has seen the area grow and change into what today is a phenomenal community asset. He noted that he has attended City meetings in the Hay Barn and there was no problem with sound amplification.

Board member Bass suggested that the language relating to amplified sound be further clarified.

Hearing no further comments from the Board, Chairman Sieman invited a motion.

Board member Novit made a motion to continue consideration of the Elawa Farm petition to May 23, 2022 and directed staff to prepare findings consistent with the Board's discussion.

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

4. Public testimony on non-agenda items.

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

5. Additional information from staff.

Ms. Czerniak noted that the next meeting is scheduled for Monday, May 23, 2022.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Catherine Czerniak
Director of Community Development