

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the July 24, 2023 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, July 24, 2023 at 6:30 p.m., in Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Ari Bass and Board members Art Miller, James Moorhead, Mike Adams, Henry Kleeman and Laurie Rose

Zoning Board of Appeals members absent: Board member Pete Clemens

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

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

Chairman Bass reviewed the meeting procedures and asked the members of the Board to introduce themselves.

2. Recognition of past Zoning Board of Appeals Chairman Lisa Nehring.

3. Consideration of the minutes from the May 22, 2023 and June 26, 2023 meetings.

The minutes from the May 22, 2023 and June 26, 2023 meetings were approved.

4. Consideration of a request for a recommendation in support of a variance to allow a rear addition and wall mounted air conditioning unit within the side yard setback at 845 Northmoor Road.

Property Owners: David and Rose Ann Simpson

Representative: Daniel Lesus, architect

Chairman Bass introduced the agenda item and asked for any Ex Parte contacts or conflicts of interest.

Chairman Bass stated that he met the property owner when he visited the site but did not have any substantive discussion about the petition.

Hearing no other declarations from the Board, Chairman Bass invited a presentation from the petitioner.

Mr. Lesus reviewed the property noting that it is developed with a modest home that is smaller than the allowable square footage. He stated that a small addition to the rear of the home is proposed. He noted that the house is approximately seven feet from the property line and was built in compliance with the Code in 1954 which creates the hardship upon which the variance is based. He explained that the addition will expand a bedroom to include a sitting room and will provide more light into the space. He noted that an alternate plan locating the addition on the west side of the house, in compliance with the setback requirements, was explored however, it was determined that the over dig would impact the root system of a 21" Oak tree. He explained that shifting the addition to the east and aligning it with the house, could preserve the root system of the tree adding that preserving the tree is important to the property owners. He stated that no changes are proposed to the floor plan other than a new door to access the new space. He stated that views of the addition from the street and neighboring properties will be limited because of the addition is one-story and screened by a six foot fence along the east side of the property. He stated that the petitioners provided the plans to the neighboring property owners. He stated that the addition steps in about five inches from the existing wall of the house. He pointed out the location of the existing air conditioning unit on the east wall of the home. He acknowledged that the neighbors to the east submitted a letter expressing concerns about the siting of the proposed addition and new air conditioning unit. He stated that the neighboring house to the east is set back a considerable distance from the shared property line. He described the proposed new air conditioning unit noting that it is small. He stated that the existing HVAC system in the house cannot adequately heat or cool the new space. He stated that alternative locations for the new HVAC unit were considered but were found to be problematic for various reasons including causing impacts to the Oak tree.

Ms. Friedrich stated that the modest ranch home was built in 1954 and is non-conforming with respect to the setback along the east property line. She stated that the proposed single story rear addition maintains the same setback as the house along the east property line with a further extension of the eave and a wall mounted air conditioning unit. She stated that a variance is requested to allow encroachment to within five feet of the property line. She noted the addition is sited with the hope that the healthy 21" White Oak tree in the rear yard can be preserved. She stated that the City's Certified Arborist recommended that a pre and post construction treatment plan be required and submitted for review in an effort to preserve the tree. She noted that the letters both in support and in opposition to the requested variance were received and provided to the Board.

In response to questions from Board member Rose, Mr. Lesus stated that if located on the roof, the HVAC space pack unit would be more obtrusive than on the ground. He stated that the unit will be hidden from view and sound proofed with a privacy the fence.

In response to questions from Board member Adams, Mr. Lesus stated that the new space is intended for year round use. He confirmed that the existing HVAC system cannot adequately serve the new space. He stated that the proposed HVAC unit is simpler and cheaper than modifying the existing HVAC system. He explained that the proposed HVAC unit must be four inches off wall and is 11 ¼ inches deep. He noted that the unit will not extend further into the setback than the eave overhang. He stated that the unit will be mounted six inches off the ground. He acknowledged that the eaves around the house vary and stated that the eave on the addition will follow the appropriate design for the rear of the house.

In response to questions from Chairman Bass, Mr. Lesus confirmed that the existing air conditioning unit is an older unit and as a result is likely louder than newer units would be. He stated that he does not know what the level of noise is on the neighbor's property from the existing unit.

In response to questions from Chairman Bass, Mr. Simpson noted that the sound of the fan is audible from the back yard.

In response to questions from Board member Moorhead, Mr. Lesus confirmed that the fence will remain.

In response to questions from Board member Moorhead, Ms. Friedrich stated that the City's Certified Arborist did not have an opportunity to review the alternate site plan suggested by the neighboring property owner.

In response to questions from Chairman Bass, Ms. Friedrich confirmed that the City's Certified Arborist reviewed the site plan presented to the Board by the petitioner and agreed that with appropriate treatment, the Oak tree may be able to survive the construction.

Hearing no further questions from the Board, Chairman Bass invited public comment and swore in those intending on speaking.

Mr. Rodriguez, 859 Northmoor Road, stated that he lives directly east of the petitioners. He stated that he submitted a letter raising some concerns and offering suggestions for ways the project could be accomplished in compliance with the setbacks required in the Code. He stated that the proposed addition impacts the house he is going to build because the addition is adjacent to his home office. He stated that he is an architect and knows there are alternatives that could minimize impacts on his house. He stated the existing fence on the property line is old and does not provide a sound barrier. He requested that the air conditioning unit be located on the other side of the addition. He noted that the house his family intends to build meets the setback requirements.

Mr. Basso stated support for the proposed addition but agreed that there is a way to site it in compliance with the required setbacks. He noted that the mechanical equipment for the type of system proposed can be located up to 200 feet away from the space.

Hearing no further public comments, Chairman Bass invited final questions from the Board.

In response to questions from Board member Kleeman, Mr. Rodriguez stated that there does not appear to be a hardship necessitating the variance adding that the addition can be shifted to meet the setbacks while still achieving the desired design. He noted that the addition will cast a shadow on his property and increase noise impacts due to the proposed location of the additional mechanical equipment. He added that he is concerned about potential light impacts on his property from the proposed addition. He stated that by shifting the addition, his concerns can be partially mitigated. He suggested that a cantilevered foundation around root system of the Oak tree could be used.

In response to questions from Chairman Bass, Mr. Rodriguez stated that he would like to be able to open his windows without noise impacts from the new mechanical equipment.

In response to questions from Board member Rose, Mr. Rodriguez offered to provide a sunlight/shadow study to illustrate the likely impacts on light to his home.

Hearing no further questions from the Board, Chairman Bass invited the petitioner to respond to public testimony.

Mr. Lesus stated that he can also provide a shadow study if requested to do so by the Board. He pointed out that the proposed addition is a single story with the gable running north to south and, as a result, any shadowing should be minimal. He acknowledged that the existing fence will not mitigate all of the additional noise from the mechanical unit. He stated that the addition is located to work with the floor plan of the house. He stated that it may be possible to add some arborvitae along the property line to further mitigate sight and sound impacts.

Board member Adams stated support for the addition at the location proposed in an effort to minimize risk to the tree. He agreed that some additional plantings could be helpful to mitigate impacts on the closest neighbor.

In response to questions from Chairman Bass, Ms. Czerniak stated a second story addition if sited in compliance with the setback, would not require a variance. She stated the maximum building height permitted on the property is 30 feet.

Board member Miller noted that consideration could be given to using a post foundation to minimize impacts on the tree but encouraged following the recommendations of the arborists in an effort to preserve the tree. He stated that the house is a traditional, small house and the petitioner is proposing to save it and upgrade it in a reasonable way, consistent with the neighborhood. He stated that is not unusual for air conditioning units to be located in the setback in the older, smaller lot neighborhoods. He stated that the neighboring house, when constructed, will be 20 feet from the property line providing ample separation distance.

Chairman Bass agreed with Board member Miller. He stated that given the current height of the residence, any additional shadowing on the neighboring homes will be minimal. He stated that in his opinion, the air conditioning unit could be more disruptive than the proposed addition.

In response to questions from Chairman Bass and Board member Kleeman, Mr. Simpson stated that consideration could be given to replacing the existing air conditioning unit with a larger unit but noted that the noise level of a larger unit may be higher.

In response to questions from Chairman Bass and Board member Kleeman, Mr. Lesus reiterated that evergreens can be planted along the fence as a visual and noise buffer.

Board member Moorhead stated that in his opinion, the existing air conditioning unit should not be part of the Board's consideration since it is not the subject of the variance request.

Board members Adams and Kleeman agreed with Board member Moorhead.

Board member Miller noted that a second story could be added up to 30 feet in height in compliance with the setbacks which could have a greater impact on the neighbor. He stated that what is proposed is a modest addition that will have minimal off site impact.

Board member Moorhead stated support for the variance noting that the criteria are satisfied based on his evaluation. He stated that the hardship is in part locating the addition in an attempt to preserve a large tree. He stated that in his view, there is impact on sunlight to the neighboring residence because the addition is a single story and because the proposed neighboring house is 20 feet from the property line.

Board members Kleeman, Adams and Miller stated support for the variance.

Hearing no further comments, Chairman Bass invited a motion.

Board member Moorhead made a motion to recommend approval of a variance from the side yard setback as requested by the petitioner based on the findings in the staff report and incorporating the Board's deliberations as additional findings.

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

5. Consideration of a request for a recommendation in support of variance to allow additions, alterations and a new driveway within the front, corner side and interior side yard setbacks at 845 Maplewood Road.

Property Owners: Tristan and Megan Hoag

Representative: Scott Streightiff, architect

Chairman Bass asked the Board to declare any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner.

Mr. Streightiff stated that 2,800 square foot additions are proposed along with modifications to the existing ranch home. He noted that a similar project was proposed by a previous property owner but never started. He stated that the proposed additions encroach into the setbacks on the north, south and west sides of the property. He stated that a building scale variance is also requested from the Historic Preservation Commission. He reviewed other homes in the neighborhood. He stated that the project proposes the addition of a garage on the west side of the house to buffer the living areas of the home from the Lake Forest College Recreation Center and Sheridan Road. He reviewed some of the alternative designs that were considered. He reviewed the proposed elevations. He noted the row of arborvitae along the south property line which will remain. He stated that entry gates are proposed at the Sheridan Road driveway. He noted that the house will be screened, but not completely hidden from the street with landscaping and fencing in compliance with the Code. He stated that in his opinion, the proposed project will have less impact on the neighborhood than demolition of the house and new construction. He noted that the lot is restrictive because of its configuration.

Ms. Friedrich noted that variances for additions to the home were approved for a prior property owner, but the project was never undertaken. She stated that the petitioners are new owners of the property and propose to modify the house in generally the same manner. She stated that the property is in the R-4 zoning district which requires 50 foot setbacks from the front, corner side, and rear yard setbacks, from Sheridan Road, Maplewood Road, and the east property line. She stated that a 20 foot side yard setback applies to the south property line. She stated that the width of a driveway within the front yard setback along Sheridan Road is limited to 16 feet. She stated that both the addition and the width of the driveway require variances from the front yard setback. She stated that the proposed addition at the west side of the home also encroaches into the corner side yard setback along Maplewood Road as

does the single story addition proposed at the northeast corner of the house. She stated that the existing driveway off of Maplewood Road and the open porch on the north facing elevation currently encroach into the corner side yard setback. She stated an open porch is proposed on the east elevation and encroaches into the required setbacks. She added that the proposed second story addition over the main mass of the existing house encroaches into the setback along the south property line as does the existing house. She stated that the conceptual landscape plan indicates removal of some of the existing plant material and replanting with limited vegetation. She noted that the Historic Preservation Commission recently reviewed the petition and directed that consideration be given to using pervious material for portions of the extensive hardscape. She noted that the Commission also required a detailed landscape plan that demonstrates that a combination of new plantings and fencing will provide some screening of the additional mass created by the additions and increased roof height. She noted that in particular, screening was requested to mitigate view of parked cars and the garage doors from Sheridan Road. She notes that two letters were received from neighbors in support of the project and were provided to the Board.

In response to questions from Board member Moorhead, Mr. Streightiff stated that the house is currently 15 to 17 feet tall at the ridge. He stated the hardship that supports the request for a variance for a driveway wider than 16 feet, the maximum permitted width in the front yard setback is the fact that the private areas of the house are currently located close to Sheridan Road and the College. He stated that the proposed plan locates the garage at the west end of the house to serve as a buffer and as a result, a new driveway off of Sheridan Road is required and must be wide enough to provide for adequate turning movements in and out of the garage. He stated that backing out on to Sheridan Road would not be safe. He added that relocating the garage from the east side of the house to the west moves it away from the neighboring properties.

In response to questions from Board member Rose, Mr. Streightiff confirmed that the property owners are open to considering pervious materials for portions of the driveway.

Board member Miller noted that the corner of Sheridan and Maplewood Roads is a busy intersection adding that a mix of landscaping and fencing will be important to provide screening from headlights. He cautioned that adequate sightlines need to be maintained for vehicles traveling through the area.

In response to questions from Board member Miller, Mr. Streightiff clarified that the new primary bedroom is at the northwest corner of the house. He stated that screening can be accomplished with a variety of evergreens. He stated that the owners intend to remove the buckthorn from the site.

In response to questions from Board member Kleeman, Mr. Streightiff stated that the petitioners do not want a six foot fence at the corner. He acknowledged that the new driveway and garage apron will need to be screened from the property to the south. He stated that screening the garage from views from Sheridan Road will need to be balanced with maintaining safe sightlines. He acknowledged that the pillars and gates will need to be setback a sufficient distance to allow vehicles to pull up completely off of Sheridan Road.

In response to questions from Board member Adams, Mr. Streightiff confirmed that since the site plan was submitted to the Board for the packet, the driveway has shifted north, further from the south property line, and is now proposed between two parkway trees.

Hearing no questions from the Board, Chairman Bass invited public comment, hearing none, he invited final questions and comments from the Board.

Board member Adams stated support for the variances as requested.

Chairman Bass stated support for the variances noting that due to the shape of the lot, the buildable area is very restricted.

Board member Kleeman stated requested variances.

Board member Miller stated that in his opinion, the proposed project will better align the property with the surrounding neighborhood.

Board member Moorhead stated that in his opinion, the variances requested from the front yard setback, along Sheridan Road do not satisfy Criteria #3. He stated that there is adequate space on the east side of the house for an enlarged garage and driveway. He stated that there does not appear to be a hardship necessitating the variances for the garage and driveway as proposed. He stated concern about the increased height of the house due to the second story addition within the required setback impacting light and air to the neighboring home. He acknowledged that the overall project is an improvement to the property but reiterated that he does not see a clear hardship which drives the need for the variances.

Hearing no further questions or comments from the Board, Chairman Bass invited a motion.

Board member Rose made a motion to recommend approval of variances from the front, corner side, and interior side yard setbacks to allow additions and alterations as proposed by the petitioners. She stated that the recommendation is based on the findings as detailed in the staff report and incorporates the Board's discussion as

additional findings. She stated that the motion includes the following conditions of approval.

1. The approval is subject to approval by the Historic Preservation Commission.
2. Pervious materials shall be used for some portions of the parking areas to minimize the expanse of impervious surface on the site.
3. Prior to the issuance of a building permit, a detailed landscape plan must be submitted and will be subject to a determination by City staff that through a combination of fencing and enhanced plantings, significant screening will be provided along the south and west property lines where the encroachments are the most significant. The screening shall provide some screening of parked cars and garage doors from the Sheridan Road streetscape to the extent possible.

The motion was seconded by Board member Kleeman and approved by a vote of 5 to 1.

**6. Consideration of a request for a recommendation in support of amendments to the Special Use Permit for Elawa Farm, 1401 Middlefork Drive. The Elawa Farm Foundation is proposing programs and use of the indoor and outdoor facilities to backfill areas recently vacated by the Wildlife Discovery Center.
Property Owner: The City of Lake Forest
Tenant: Laura Calvert, Elawa Farm Foundation**

Chairman Bass introduced the agenda item and asked for any Ex Parte contacts or conflicts of interest. Hearing none, he noted that he had brief conversation with an Elawa Farm staff member but stated that the petition was not discussed adding that he is able to rule on the petition objectively. He invited a presentation from the petitioner.

Ms. Calvert noted that the City's Wildlife Discovery Center recently left Elawa Farm leaving space that is available for use. She stated that she invited the neighbors to a meeting recently to review the expanded use proposed by the Foundation. She provided an overview of Elawa Farm and the surrounding open spaces areas. She stated that the Foundation is a mission based organization that offers programming that has a low impact on the surrounding neighborhood. She stated that as a not for profit organization, the Foundation needs to generate revenue to support the increased rent that will result from expanding programming into the spaces recently vacated by the Wildlife Discovery Center. She stated that the Foundation offers a variety of educational programs to the public. She stated that currently, there is no place at Elawa Farm for the public to rest and take advantage of limited food and beverage offerings. She stated that the Foundation proposes to add a small farm to table food service area for use by the public during the day. She stated that the

Foundation proposes to bring a limited number of farm animals on to the site to backfill the area where the Wildlife Discovery Center animal enclosures were located, west of the farm buildings and away from the neighboring residents. She stated that approval is requested for a maximum of eight goats, 12 ducks, and 12 chickens. She stated that the animals proposed are quiet and friendly in nature and produce minimal odors. She stated that the Foundation intends to establish a new Visitors' Center in the space that formerly housed the main exhibit of the Wildlife Discovery Center. She described the Foundation's plans to create a "culinary wing" by building a new commercial grade kitchen with cold and dry storage in the former classrooms located to the south of the Hay Barn. She stated that the existing kitchen will remain and be used as a classroom. She noted that the space at the north end of the Hay Barn building will be used as a classroom. She stated that a small hoop house, or green house, is proposed near the animal exhibit area to allow early season plantings adding that the structure will be screened by the existing dogwoods shrubs. She stated that the daytime café will offer counter service for deli type items until 4 p.m. She stated that the café will have seating for about 20 people inside and up to 40 people on an outdoor patio. She stated that the café and the dinners are revenue opportunities for the Foundation. She stated that various types of dinners will be offered to celebrate the food harvested from the garden in different ways. She stated that the dinners will be limited to 60 guests, with seating in the Hay Barn, and will require pre-registration. She stated that over the past three years small dinners have been offered with no complaints adding that the dinners do not require tents or offer music and are most often sold out. She stated the intent to increase the dinner offerings to three to four times per week. She stated that the Garden Market is currently open on Fridays and Saturdays from 8 a.m. to 2 p.m. and noted that going forward, the plan is to open the market on Sundays as well, from 10 a.m. to 2 p.m. She stated that currently, there are no plans for the Caretaker's Cottage noting that if it is used, it will be occupied by a staff member of be used as an office space for staff.

Ms. Czerniak provided a brief overview of how Elawa Farm came to be. She noted that the majority of the farm buildings were preserved in 1998 when 200 acres of property, then in private ownership, were subdivided. She stated that a portion of the acreage was developed with 72 single family homes, and other portions transferred to the Lake County Forest Preserves District, Lake Forest Open Lands Association, and the City. She said that the use of Elawa Farm, a community space, has evolved over time along with the Special Use Permit which allows a unique combination of uses, with some limitations, in a residential zoning district. She stated that in recent years, the size, number, and management of private rental events has been addressed in response to concerns from the neighboring residents. She stated the amendments now proposed are requested by the Elawa Farm Foundation to allow expanded use of the site as described by Ms. Calvert which will back fill the spaces vacated by the Wildlife Discovery Center. She stated that the Foundation's expansion into the vacant spaces eliminates the need to bring a new tenant or tenants to the site. She stated that after

years of experience, the Elawa Farm Foundation has established good practices for managing the site and minimizing impacts on the neighboring property owners.

In response to questions from Board member Miller, Ms. Czerniak stated that the Cottage needs fairly extensive interior work to make it suitable for occupancy. She stated that new use of the cottage is proposed at this time.

In response to questions from Board member Rose, Ms. Calvert confirmed that there is a Foundation event coordinator on site during private rental events who is well versed in the restrictions and parameters of the Special Use Permit. She stated that the restrictions for private events are clearly spelled out in the lease agreements.

Ms. Czerniak confirmed that unlike in years' past, City staff does not regularly receive complaints about private rental events not being managed properly.

In response to questions from Chairman Bass, Ms. Calvert stated that based on the Special Use Permits, six outdoor amplified events are permitted per year. She stated that no changes are proposed to that limitation.

In response to questions from Board member Adams, Ms. Calvert stated that currently, there are 10 chickens located east of the Hay Barn and south of the garden. She stated that the chickens will be moved to the former Wildlife Discovery outdoor animal area and will be joined by a few goats and ducks. She stated that the number of animals proposed is based on the square footage of the outdoor space and feedback from some of the neighbors. She stated that the animals proposed do not have a significant smell.

In response to questions from Board member Moorhead, Ms. Calvert stated that the proposed animals do not present a public health concern. She confirmed that the proposed café and farm to table dinners are intended to generate revenue. She explained that the dinner menus will be posted in advance and the café will have seasonal items for sale. She said that reusable plates and silverware will be used for the farm to table dinners and ideally, the same would occur at the care to remain in line with the Farm's sustainability goals.

In response to questions from Board member Moorhead, Ms. Czerniak stated that the proposed food service is not considered a restaurant but instead, permitted through the Special Use Permit for a community facility.

In response to questions from Chairman Bass, Ms. Calvert stated that all of the goats will be under 200 pounds and will be female or miniature goats.

Hearing no further questions from the Board, Chairman Bass invited public comment and swore in those intending on speaking.

Tracey Beck, 1245 Kennicott Drive, Middlefork HOA President, stated that the Middlefork Farm Subdivision is most directly impacted by Elawa Farm. He stated that the neighborhood values Elawa Farm and thanked the Elawa Foundation and Ms.

Calvert noting that they have a good collaborative relationship. He stated that overall, there is a great deal of activity in the area with the Oak savanna, Elawa Park, Open Lands, the Forest Preserves District, and Elawa Farm, adding that there is a collective impact on the neighborhood. He stated general support for the Foundation's proposal and expressed relief that a new tenant is not proposed to backfill the space vacated by the Wildlife Discovery Center. He noted support for repurposing classrooms and exhibit spaces, for the hoop house, and the farm animals at the proposed location. He noted some concerned with the possible increased activity on the site particularly during the evening hours. He noted concern about the café and dinners evolving into a commercial restaurant bringing in people who otherwise would not visit Elawa Farm. He stated general support for the café, expanded Market hours, and dinners but noted that combined, there will be over 200 events a year. He asked that an end time for Elawa Farm Foundation events be added back into the Special Use Permit. He stated that the increase in field trips from 16 to 25 per year could be problematic but acknowledged that he does not know how frequently field trips occurred in the past.

George Panos, 1105 Cahill Lane, stated that he has lived in the Middlefork Farm Subdivision for 15 years. He stated that Elawa Farm is an attractive feature of the neighborhood, an asset to the community and noted the positive changes that have occurred on the site since 2019. He expressed concern that changes at the site could cause traffic to get out of hand especially on Middlefork Drive. He stated that the Market brings in a great deal of traffic and is advertised on Waukegan Road. He said that it would be nice to have a quiet day on Sunday instead of extending the Market. He stated that the Wildlife Discovery Center did not bring in as much traffic consistently as the Market does. He asked that the café not be advertised on Waukegan Road like a restaurant.

Joe Weiss, 1360 Middlefork Drive, stated that he provided a letter to the Board. He said that he purchased his home across from Elawa Farm about a year ago. He stated that he enjoys looking out the window and seeing a farm. He stated that his home is one of the closest to the Farm adding that he works from the home. He stated that he has not observed problems with traffic but acknowledged that there are cars on Middlefork Drive when the Market is open but added that the impact is limited. He stated that he enjoys seeing weddings at the Farm. He commended Ms. Calvert for her oversight of the Farm. He stated that in his opinion, the café is a good way to support the farm noting that the Botanic Garden offers a similar amenity. He said that people do not go to Elawa Farm for food but will go to the café if they are at the site. He acknowledged the concerns of some of his neighbors but stated that in his opinion, Elawa Farm is an asset to the community.

In response to questions from Board member Moorhead, Ms. Czerniak stated that the Special Use Permit does not currently limit the days the Market can be open, just the hours, from 8 a.m. to 6 p.m. She acknowledged that there are busy days with people

at the Market, at the park, and using the Forest Preserves trails. She stated that discussions are underway about expanding the parking lot to handle the peak activity times.

In response to questions from Board member Moorhead, Ms. Calvert stated that dinners will be limited to 60 guests per evening. She stated that assuming two guests per car, there will be about 30 cars on site during the evenings when dinners are held. She pointed out that the dinners will be in the evenings when no other events are occurring. She stated that there are no plans to advertise the café off of the site other than to the Elawa Farm community through weekly emails and social media. She stated the intent is that when people are in the area for other activities, there will be a place to buy a refreshment or snack.

In response to questions from Board member Rose, Ms. Calvert stated that the farm to table dinners will end at 9 p.m.

In response to questions from Board member Rose, Ms. Czerniak said that a 9:30 p.m. end time for the dinners can be added to the Special Use Permit.

In response to questions from Board member Miller, Ms. Calvert stated that the café will offer light snacks, grab and go salads, soups, and baked goods.

In response to questions from Board member Adams, Ms. Calvert stated that the request to increase the number of field trips from permitted from 16 to 25 will provide additional flexibility. She stated that currently, the food team works Tuesday through Saturday so it is unlikely that dinners will be offered on Sundays or Mondays.

In response to questions from Board member Miller, Ms. Calvert stated that field trips are limited to 30 students at a time adding that they arrive by bus or a smaller van. She stated a small group could come for a tour of the Farm and should not be considered a field trip.

In response to questions from Board member Kleeman, Ms. Calvert said that there will likely be a reduction in the total number of field trips without the Wildlife Discovery Center on site. She stated that the Foundation's mission is educational and explained that to offer more educational opportunities, the Foundation hopes to expand the revenue stream by more food offerings.

In response to questions from the Board, Ms. Czerniak stated that based on the Board's comments an ending time of 9:30 p.m. could be added for the weekly dinners and the maximum number of field trips per year limited to 20. She asked for direction on number of times per week the dinners should be permitted. She cautioned against including specific numbers of people permitted to attend a dinner noting the difficulty in enforcing a limit.

In response to questions from the Board, Ms. Calvert clarified that the Foundation currently offers two farm to table dinners a month adding that the dinners have become an important source of revenue. She stated that the Foundation would like

the flexibility to schedule up to four dinners a week ramping up to that number over time. She stated that limiting the number to three dinners a week is workable.

In response to questions from Board member Rose, Ms. Calvert confirmed that food for the dinners will be cooked on site in a new commercial kitchen that will be built. She stated that the Elawa Farm Foundation receives 15 to 20 percent of the sales from vendors who participate in the Garden Market.

In response to questions from Board member Adams, Ms. Czerniak stated that the adjustment in rent that will be paid to the City for use of the space has not yet been determined. She noted that the rent goes toward the upkeep of the exterior of the building which the City maintains. She confirmed that the Wildlife Discovery Center contributed to maintenance of the buildings.

In response to questions from Board member Miller, Ms. Calvert stated that the dinner guests also get a tour of the property adding that many times, the people at the dinners are contributors to the Foundation.

In response to questions from Chairman Bass, Ms. Calvert stated that dinners will likely be on Tuesdays, Wednesdays, and Thursdays. She stated that it is anticipated that the income from the dinner will be about 15 to 20 percent of the Foundation's annual budget and is a significant revenue opportunity. She stated that based on experience to date, the dinners typically sell out and will be offered all year long.

In response to questions from Chairman Bass, Ms. Czerniak stated that she is not aware of any complaints received about the dinners held to date.

Board member Moorhead stated support for the amendments proposed noting that he was on the Board in 2019 when the discussion was much broader and controversial. He stated that the amendments presented are modest requests. He commended Ms. Calvert for abiding by the 2019 Special Use Permit. He stated support for a 9:30 p.m. ending time for dinners, 20 to 25 field trips per year, and a limit of three dinners per week.

Board member Rose agreed with Board member Moorhead.

Board member Kleeman agreed that a 9:30 p.m. ending time for the dinners should be added to the Special Use Permit along with limiting the dinners to three nights per week. He stated support for up to 25 field trips a year. He stated that the dinner offerings will benefit the Foundation financially.

Board member Miller stated support for allowing dinners on Sundays if desired by the Foundation noting that it could be an opportunity for family dinners in combination with seeing the animals.

Board members Kleeman and Rose agreed with Board member Miller.

Board member Adams agreed with allowing dinners up to three nights a week and allowing up to 25 field trips a year. He stated that in his opinion, dinners should not be

permitted on Sundays to provide the neighbors with certainty that one night a week there will not be activity at Elawa Farm. He stated that is a reasonable accommodation to the neighbors.

Chairman Bass agreed with the comments of the other Board members. Hearing no further comments from the Board, he invited a motion.

Board member Moorhead made a motion to recommend approval of amendments to the Elawa Farm Special Use Permit for Elawa Farm as presented in the staff report with amendments in response to the Board's comments: dinners are permitted three nights a week until 9:30 p.m., and up to 25 field trips are permitted per year. He stated that the motion includes the adoption of the findings detailed in the staff report.

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

5. Public testimony on non-agenda items.

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

6. Additional information from staff.

The meeting was adjourned at 9:11 p.m.

Respectfully submitted,

Michelle E. Friedrich
Planning Technician