

The City of Lake Forest
Zoning Board of Appeals
Proceedings of the January 22, 2024 Meeting

A regular meeting of the Lake Forest Zoning Board of Appeals was held on Monday, January 22, 2024 at 6:30 p.m., in Lake Forest, Illinois.

Zoning Board of Appeals members present: Chairman Ari Bass and Board members Pete Clemens, James Moorhead, Mike Adams and Henry Kleeman

Zoning Board of Appeals members absent: Art Miller and Laurie Rose

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

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. Consideration of the minutes from the December 11, 2023 meeting.

The minutes of the December 11, 2023 meeting were approved with one correction as requested by Chairman Bass.

**3. Consideration of a request for a recommendation in support of variances from the south property line to house farm animals. The structures are proposed west of the Elawa Farm Cottage, in the area previously use for animal displays by the Wildlife Discovery Center. Elawa Farm is located at 1401 Middlefork Drive.
Property Owner: The City of Lake Forest
Representative: Laura Calvert, Executive Director, Elawa Farm Foundation**

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

Ms. Calvert stated that an update to the Special Use Permit for Elawa Farm was recently approved to allow a limited number of farm animals to be housed at the farm, in the outdoor area where the Wildlife Discovery animals were previously located. She stated that a zoning variance is requested to allow three small farm buildings and the related enclosures to encroach into the 200 foot setback required for farm buildings that house animals. She reviewed the proposed site plan noting that goats, ducks, and chickens will be located in the area west of the Garderner's

Cottage. She pointed out that the buildings and fenced enclosures are located a significant distance from any neighboring homes. She reviewed the site plan and noted that the goat barn as proposed is 50 feet from the south property line and generally aligned with the cottage. She stated that the duck and chicken coops are 21 feet from the south property line. She pointed out that Lake Forest Open Lands owns the property to the south and it will remain preserved open space. She stated that she shared the plans with Open Lands' representatives and no concerns were raised. She presented images of the proposed farm structures and stated that they are designed to allow the animals to be kept humanely. She stated that the paths around the enclosures will be gravel and will meet ADA requirements. She stated that the fence around the enclosures will be five feet tall. She said that the chicken coop that is currently located south of the gardens, on the east side of the Hay Barn will be moved to this area, near the goat barn and duck coop.

Ms. Friedrich confirmed that a recent update to the Special Use Permit for Elawa Farm authorized a limited number of farm animals to be kept on site. She stated that a variance is required because the three small buildings proposed to house the farm animals will be located within 200 feet of the south property line. She noted that the Code requires farm buildings that house animals to be located 200 feet away from property lines. She pointed out that the building locations as proposed are in the area where Wildlife Discovery animals were located. She stated that the goat barn is proposed no closer than 53 feet to the south property line and the duck and chicken coops are proposed no closer than 21 feet to the south property line. She stated that the nearest home is over 500 feet away from the proposed farm buildings.

In response to the questions from Board member Moorhead, Ms. Calvert stated that the types of animals that will be brought to the site are specifically selected to minimize odors. She stated that the manure will be composted and hauled away. She stated that a dwarf breed of goats will be brought to the site. She explained that "goat yoga" entails goats crawling on top of people practicing yoga.

In response to a question from Board member Clemens, Ms. Calvert stated that the goat barn will be prefabricated steel adding that this approach is cost effective.

In response to questions from Chairman Bass, Ms. Calvert confirmed that the fence height is adequate to protect the animals during the day and said that the goats will be put in the barn at night.

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

Board member Moorhead stated support for the variances noting that the applicable criteria appear to be satisfied. He stated that the farm animals will be a nice addition to the farm and a community asset.

Board members Kleeman and Clemens, and Chairman Bass stated support for the variances as requested.

Board member Adams agreed noting that the farm animals will be located in the area where animals were previously kept.

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

Board member Moorhead made a motion to recommend approval of variances to allow three small farm structures that will house a limited number of farm animals to be located in the area previously occupied by Wildlife Discovery Center animals. He noted that the variances will allow the goat barn to encroach no closer than 53 feet to the south property line and the duck and chicken coops to encroach no closer than 21 feet to the south property line consistent with the site plan submitted to the Board. He stated that the recommendation is based on the findings as detailed in the staff report which are adopted by the Board as part of the motion.

The motion was seconded by Board member Adams and approved by a vote of 5 to 0.

4. Continued consideration of a request for a recommendation in support of updates and amendments to the Special Use Permit for Gorton Center, 400 E. Illinois Road. The updates are intended to align the Special Use Permit with current activities at Gorton and to establish some parameters for activities recognizing the adjacency to residential properties.

Property Owner: The City of Lake Forest

Tenant: Gorton Center

Gorton Center Representative: Amy Wagliardo, Executive Director

Chairman Bass introduced the agenda item and asked for any Ex Parte contacts or conflicts of interest. Hearing none, he invited a presentation from the petitioner.

Andrew Trees, Chairman of Gorton Center Board, introduced the petition and the updates since the last meeting. He noted that the modifications to the proposal are meant to be responsive to the Zoning Board's questions.

Ms. Wagliardo reviewed the Gorton Center's mission and vision statement. She stated that in response to the Board's request at the previous meetings, copies of the newsletters and postcards announcing events at the Gorton Center in 2023 are included in the Board's packet. She noted that the documents provide a good overview of the types of events that are held regularly at the Gorton Center. She reviewed the tasks and responsibilities of the Gorton Center staff and noted that they are trained on how to handle events with alcohol and how to address attendees that

have had too much to drink. She stated that all required liquor licenses are obtained for events sponsored by the Gorton Center as well as private rental events. She confirmed that trained Gorton Center staff are on site during all events taking place in the building and on the site. She stated that if there are problems with rental events or with vendors, they are put on a list and not permitted to hold future events. She stated that a rider detailing the conditions of use is attached to every rental agreement. She noted that Gorton Center produces 100s of events a year. She explained that Gorton Center has peer organizations across the country that they block book artists with. She noted that these peer organizations are also utilized to determine if artists are a good fit for Gorton Center. She noted that in addition to the Gorton Center contract, there are contracts from the artists. She noted that there are many onsite staff during these events, include technical staff, concessions staff, porters and the event coordinator. She stated that the Gorton Board is supportive of continuing investment in the Stuart Community Room adding that technical improvements in the sound system are planned to mitigate sound from the Stuart Room. She stated that the Gorton Center is interested in exploring with the City, the owner of the property and building, opportunities to further mitigate sound possibly through replacement of the windows.

Ms. Czerniak confirmed that since the Board's last discussion of this petition, the Gorton Center provided additional information and the proposed conditions were refined in response to public testimony and Board comment. She pointed out that the current Special Use Permit, approved by the City in 1998, does not include any conditions of approval or limitations on use. She stated that both Gorton and the Special Use Permit process have evolved since 1998 and said that as a result, a review of the Special Use Permit and an update is appropriate at this time. She pointed out that the Elawa Farm Special Use Permit has been updated several times in response to evolving activities at the farm and in the interest of balancing the needs of all stakeholders. She stated that during the pandemic, Gorton Center shifted to outdoor events to allow community members to gather in a safe manner. She noted that although the number of outdoor events has declined since the peak during the pandemic, some outdoor activities are continuing because of community interest. She reviewed the history of the Gorton site and building noting that it was originally constructed as a school. She stated that the community has rallied on two occasions to ensure that the historic building is preserved and remains available for community use. She stated that the Gorton Center, a non-residential use adjacent to a residential neighborhood, is similar to other non-residential uses throughout the community which are permitted in residential zoning districts through Special Use Permits including private clubs, the College, Churches, schools, Elawa Farm, Ragdale, and Grove Campus. She acknowledged that the uses and conditions as proposed may not strike a perfect balance or satisfy any party fully. She noted however that as recommended, the amended Special Use Permit establishes some parameters and limitations on use where today there are none. She reiterated that Special Use Permits can be reviewed and updated as needed. She noted that recommended conditions of approval are detailed in the staff report along with findings in support of the petition.

In response to questions from Board member Adams, Ms. Wagliardo confirmed that currently, private rental events in the Stuart Room must end by midnight.

In response to questions from Board member Adams, Ms. Czerniak confirmed that a condition of approval is recommended that during private rental events, the doors and windows of the Stuart Room must remain closed.

In response to questions from Board member Adams, Ms. Wagliardo stated that if 15 outdoor events were approved, it would meet the needs of Gorton Center. She clarified that not all of those events are amplified events. She noted that there are outdoor events, such as Safety Town, that is not amplified. She noted that some of the events are amplified, but are daytime events and do not go past 7 p.m.

In response to questions from Chairman Bass, Ms. Wagliardo stated that outdoor movie events are expensive but noted that they are enjoyed by the community. She noted that there is a beautiful theatre inside the building where movies are also shown without the added expense of bringing in screens. She stated that the Gorton Board desires to continue to do outdoor events, but at a level below the number of outdoor events offered during the pandemic. She stated that some events lend themselves to being held outside and have become annual community traditions.

In response to questions from Board member Moorhead, Ms. Czerniak confirmed that the terrace replacement will be subject to the Historic Preservation Commission's review. She stated that the Commission will also review a conceptual landscape plan for the area associated with the terrace. She stated that staff can also explore opportunities for enhancing the landscaping along the north property line but noted that space is limited and drainage through the area will need to be considered. She stated that building permits will be needed for most interior alterations depending on the scope of the work. She stated that City staff will continue discussions with Gorton Center representatives about potential improvements to the sound system and windows in an effort to mitigate off site sound impacts.

In response to questions from Board member Moorhead, Ms. Wagliardo confirmed that the Gorton Center's capital budget is shared with the City and plans for improvements are discussed with City staff.

In response to questions from Board member Kleeman, Ms. Wagliardo confirmed that she along with Board members have reviewed the conditions recommended by City staff and stated that the conditions as presented provides sufficient flexibility and are acceptable.

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

Mary Sanders, 391 E. Deerpath, stated that the terrace outside of the Stuart Community Room should be used as an emergency exit only, not as a terrace. She stated that there are drainage issues near the terrace and on the north side of the building because the 1990's building addition was built on an area that was historically a ravine. She stated that noise from Gorton is increasing because of more events adding that she has a video of a past event that conveys the sound levels outside the building. She stated that the noise is impactful to the neighbors. She suggested that outdoor events be held somewhere else, off of the site. She stated that the Gorton Center is not reaching out to neighbors.

Mr. Trees noted there is a strong show of support for Gorton Center and the community events that are offered. He noted that there are many members of the public in the audience that may speak in support for the Gorton Center Special Use Permit.

Hearing no further public comment, Chairman Bass asked for a staff response to public testimony.

Ms. Czerniak noted that the Gorton building was originally an elementary school, a community use that generates noise and activity. She stated that Gorton is located in a transition area, adjacent to residential neighbors, but also adjacent to a public parking lot, McKinley Road a well-traveled street, the railroad tracks, and is adjacent to the Central Business District. She stated that amending the Special Use Permit to specify the permitted uses and establish some conditions of use, neither of which are detailed in the current Special Use Permit, is in the best interest of all parties. She commented that like all special uses in the community, lessons are learned from events that may not go as planned and acknowledged that as the Gorton Center has experimented with outdoor events, there is now more awareness of what works and the limitations that may be needed to balance the interests of various parties.

Chairman Bass returned the discussion to the Board and invited final questions and comments.

Board member Moorhead stated support for the proposed amendments to the Special Use Permit for the Gorton Center noting that as recommended, the amendments put some guard rails around the activities at the site where today there are none. He stated that he finds that the Special Use Permit criteria are satisfied. He stated that the Gorton Center is an asset to the community. He reiterated that if further refinements to the Special Use Permit are necessary, it can be returned to the Board for further review as occurred with the Elawa Farm Special Use Permit.

Board member Adams agreed that the Special Use Permit can be brought back to the Board in a year or two if it is determined that further review and amendment is necessary. He agreed that as proposed, the conditions establish parameters for

activities at Gorton unlike the current Special Use Permit which establishes no limitations.

Chairman Bass agreed with the comments of the other Board members.

In response to questions from Chairman Bass, Ms. Czerniak stated that replacing the windows in the Stuart Room is not part of the planned and budgeted terrace replacement project. She added that the terrace project will address drainage issues on the north side of the building and will include some landscaping. She stated that going forward, the acoustic benefit of replacing the windows in the Stuart Room can be explored and if appropriate, included in future budgets.

In response to questions from Board member Adams, Ms. Czerniak stated that at Elawa, the outdoor events are over at 10 p.m. on weekdays and 11 p.m. on weekends and there is no specific end time for indoor, non-amplified events.

Board member Kleeman stated support for the amendment to the Special Use Permit subject to the conditions offered in the staff report. He stated that the Gorton Center is a tremendous asset to the community. He added that if Gorton still operated as a school, there would be noise and activity similar to that which occurs at a community center.

In response to questions from Board member Clemens, Ms. Requa, rental coordinator at the Gorton Center, stated that music at private rental events must be turned off by 11 p.m. and the space must be vacated by midnight.

Chairman Bass observed that the impact of noise and frequency of private rental events in the Stuart Community Room and the Nagel Room seem to be a greater concern to the neighbors than the outdoor events.

In response to a question from Board member Clemens, Ms. Sanders stated that the noise level is worse if the doors and windows in the Stuart Community Room are open. She stated that the loud bass is a problem.

Board member Adams stated that Condition 8 requires an event manager on site seems to address this issue.

Ms. Czerniak stated there is a recommended condition of approval that the doors and windows remain closed.

Board member Moorhead requested that in Condition 6 the terrace and landscaping improvements be reviewed by the Historic Preservation Commission.

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

Board member Moorhead made a motion to recommend approval of the amendment to the Special Use Permit for Gorton Center, 400 E. Illinois Road. He stated that the recommendation is based on the site plan submitted to the Board and incorporates the findings as detailed in the staff report which are adopted by the Board as part of the motion. He stated that the recommendation includes the following conditions.

1. Parking. Employee, tenants, and users of Gorton Center should be directed to park in the on site lot or in the public City owned parking lots in the area, to the north and to the west. Parking on neighboring residential streets is not permitted.
2. End time. Private rental events in the Stuart or Nagel Rooms shall end by midnight. Loitering in the parking lot after events is not permitted. No overnight activity is permitted in the building without prior authorization from the City.
3. Indoor Amplified Sound*. When feasible, sound systems installed in spaces at the Gorton Center should be used for private events instead of large speakers brought in by vendors. Current technology allows rooms to be equipped with multiple, smaller speakers to distribute sound evenly throughout the room without the need for excessive volumes to mitigate noise outside the building and impacts on neighboring residents. (As future upgrades occur at the Gorton Center, consideration should be given to enhancing the sound system in the Stuart room.)
 - a. During activities and events, windows on the north wall of the Stuart room and the doors at and near the northwest corner of the building in the Stuart and Nagel Rooms, shall remain closed to mitigate noise impacts on neighboring residents to the north. (In addition, the building is climate controlled, and the efficiency of the system is enhanced by keeping the windows and doors closed.)
 - b. No amplified sound* is permitted on the outdoor terrace off of the Stuart and Nagel Rooms.
 - c. In compliance with the City Code, sound levels and bass levels shall be kept at reasonable levels to minimize impacts beyond the property lines.

4. Outdoor Amplified Sound. No more than 15 outdoor evening events with amplified sound* are permitted to be held on the site on an annual basis. Amplified* events shall end no later than 10 p.m. and shall not be held on consecutive evenings except that outdoor movies may be held on consecutive evenings up to four times a year with each consecutive night counting as one. Clean up should be completed by 10:30 pm and no loitering on the site is permitted after that time.
 - a. To the extent possible, outdoor speakers should be directed to the northwest to minimize noise impacts on neighboring residential properties.
 - b. In compliance with the City Code, sound levels and bass levels shall be kept at reasonable levels to minimize impacts beyond the property lines.
5. Entering/Exiting the Building. The entrances on the west and south facing elevations only shall be used for deliveries, setup for activities, and for employee, patron, and event attendee ingress and egress.
6. Capacity. The posted capacity of specific areas of the building and the overall capacity of the building as established by City Life Safety Officials based on applicable Code limitations shall not be exceeded. The Historic Preservation Commission shall review the terrace and landscaping improvements.
7. Smoking. No smoking is permitted in the building or outside within 25 feet of any part of the building or neighboring residential properties. This prohibition includes the terrace and corridor on the north side of the building adjacent to the residential properties to the north.
8. Event Management. A Gorton Center employee, designated as an Event Manager, shall be on site for the duration of all private rental events and until all guests, hosts and service providers have left the site. The Event Manager shall be responsible for assuring that all conditions of the SUP are adhered to including, but not limited to room capacity, noise levels, assuring that windows and doors remain closed, proper doors are used for entering and exiting the building, enforcing smoking limitations, and assuring that gathering or loitering in the parking lot or around the building is not occurring.
9. Temporary Stage. Seasonally, a temporary stage or platform may be erected along the south property line, near the driveway exit to Illinois Road. To the extent possible, the stage, or at least any speakers on the stage,

should be angled slightly to the northwest to minimize noise impacts on the surrounding residential neighborhood.

10. Signage. Any new signage shall be subject to review and approval by the City with the exception of temporary signage for specific events which may be put in place on the day of events.

11. Temporary Lighting. Lighting for evening events shall be shielded and directed away from neighboring homes.

* For the purposes of this SUP, "amplified sound" is defined as music, voices, or pre-recorded sound that is ongoing continuously or intermittently for a period of 30 minutes or longer the volume of which is increased through electronic means that make it audible at or beyond the property lines.

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

Ms. Friedrich stated that the next meeting of the Board is scheduled for February 26th.

The meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Michelle Friedrich
Planning Technician