Plan Commission Meeting – June 20, 2019
(Meeting re-scheduled from June 13, 2019)
Agenda Item 6 - INFORMATION AND INPUT ONLY

McKinley Road Redevelopment – Phase 3

Staff Memo
Vicinity Map

Background Materials
Context Map
Master Plan for Redevelopment
- Conceptual Site Plan (2016)
- Development Parameters – Plan Commission Recommendations
Phase 2 Plan – Approved
- Plan Commission Minutes from Phase 2 Discussion
Illustration of Green Space
Pedestrian Connections Plan
Correspondence

A copy of this packet is available for review in the Community Development Department and on the City’s website, www.cityoflakeforest.com
Background Information
McKinley Road - Redevelopment Recommendations
As Modified by the Plan Commission on August 17, 2016

Overall Redevelopment Site
Access/Connectivity (walking, biking, vehicular)
- Promote walkability.
- Provide safe and welcoming pedestrian linkages to the site – make walking and biking safe and inviting for residents of the new development.
- Provide for safe access through the site to the Library.
- Minimize potential conflict points for vehicles and pedestrians/bicycles.
- Limit curb cuts on to McKinley Road.
- Consider a road system that benefits the larger area and serves the new development and existing development in a coordinated manner.
- Consider hardscape materials that slow traffic, add aesthetic value, and create a distinctive neighborhood.
- Consider variances from street standards (width, materials, curbs) if necessary to create a unique development.

Open Space/Public Realm
- Incorporate meaningful open spaces that relate to and serve as an amenity to the new buildings and to surrounding existing development.
- Enhance the streetscapes – limit curb cuts, provide inviting sidewalks, lighting consistent with the Central Business District and landscaping consistent with the landscape dominate streetscapes throughout the community.
- Streetscape character should be of high quality and consistent with the overall character of the Central Business District and surrounding neighborhoods.
- Require underground parking.
- Avoid use of the area for large surface parking lots.
- Incorporate opportunities for some shared parking throughout the redevelopment area.

Aesthetics/Visibility
- Encourage building massing that is respectful and secondary to historic Market Square, the Church on the corner of Deerpark and McKinley Road and the Library.
- Buildings should not exceed three stories. Consider a mix of two-story, two and a half story and three story buildings.
- Recognize that due to the topography change on the property from west to east, some leeway in building height may be necessary.
- Organize buildings along the streetscape to achieve a coordinated, intentional manner, avoid a fragmented streetscape appearance.
- Recognize the prominence of the McKinley Road streetscape as a counterpart to Market Square and as the buffer between the Central Business District and the single family neighborhoods to the east.
- Take advantage of view corridors: to the towers at Market Square, to the train depot, to the Library dome, to the Howard Van Doren Shaw Church.
- Require high quality architectural designs in a manner consistent with the significant historic buildings in this area.
- Require high quality exterior building materials, consistent with the City's adopted Design Guidelines.

Land Use
- Support residential uses and community uses in the area.
- Discourage commercial and office uses east of the railroad tracks.
- Encourage some variety in housing types and housing types that have the potential to attract residents of various ages.

Transition/Buffers
- Assure that the design provides appropriate buffers between the new buildings and existing uses.
- Consider operational and logistical needs of the Library, the Church and the existing condominium building in the design of the overall site plan.

City Property
- Encourage incorporation of the City site in the larger redevelopment area.
- Avoid isolating the City owned parcel for future, incremental development.
- Recognize that the City parcel and/or the adjacent City right-of-way, the alley, are critical to provide for well-designed circulation through the redevelopment area.
- Consider the use of the City property, or some portion of it, to improve circulation on the Library site, to provide for overflow parking and to provide green space to soften and buffer the north side of the Library.
Excerpt
The City of Lake Forest
Plan Commission
Proceedings of the March 13, 2019 Meeting

A meeting of the Lake Forest Plan Commission was held on Wednesday, March 13, 2019, at 6:30 p.m., at City Hall, 220 E. Deerpath, Lake Forest, Illinois.

Commission members present: Chairman Kehr and Commissioners Michael Freeman, Monica Ruggles, Guy Berg, Stephen Douglass and Susan Athenson

Commissioners absent: Commissioner Remo Picchietti

Staff present: Catherine Czerniak, Director of Community Development

****

4. Public Hearing and Action: Consideration of a request for approval of the tentative and final plat of resubdivision and overall site plan for the second phase of the McKinley Road Redevelopment. The second phase of the development is proposed on property currently addressed as 711 McKinley Road and a portion of the property currently addressed as 697 McKinley Road. Property Owners/Contract Purchasers: 711 McKinley LLC (Todd Altonian 50%, Peter Witmer 50%), Church of the Covenants (697 McKinley Road)

Chairman Kehr asked the Commission to declare any conflicts of interest or Ex Parte contacts. Hearing none, she swore in all those intending to speak and invited a presentation by the petitioner.

Mr. Witmer stated that since the last meeting, they have made some changes in response to the Commission’s questions and discussion and talked with the neighbors. He noted that the issues raised at the last meeting included a request to consider expanding the green space, maintaining a visual terminus at the east end of the road, looking at pedestrian access to and through the site, providing dimensioned plans, illustrating the relationship of the buildings to those at Regent’s Row, conducting a sun study and talking with the neighbors. He presented a revised site plan explaining that expanding the green space toward the Library is not consistent with the Library’s wishes or the need for additional parking spaces. He stated that approach is also not consistent with the initial idea for the development. He stated that instead, the green space is proposed to be expanded by having it extend across phase two and three of the development. He presented a plan illustrating the proposed expanded green space and a graphic comparing the size of the green space to the Greensward in Market Square. He presented a conceptual building envelope for the phase three building noting that with the expanded green space, the phase three building will still provide the opportunity to locate an architectural element at the terminus of the road. He reviewed a model of the proposed development and the surrounding area. He presented bird’s eye
images of the development in the context of the surrounding area. He stated that rather than a stockade fence near the open space, a lower open, metal fence is now proposed. He presented renderings of the proposed phase two building from various perspectives. He presented a plan of pedestrian pathways and connections to and through the site and reviewed the alignment of the pedestrian paths with the stairway from the train station. He reviewed a graphic comparing the scale, proportions and driveway width of the phase one and two buildings with those of the Regents Row development. He noted that the proposed phase two building is not as long as the first building or as long as the Regents Row buildings. He reviewed the square footage and layout of the units on each floor and reviewed a plan of the below grade garage. He presented a study of the sunlight that will reach the green space at different times of day and at different times of the year. He noted that since the last meeting, he has talked with the neighbors about ways to mitigate the impact of construction including steps that can be taken to redirect drainage from the site. He stated that the construction staging area will be moved south on the site, away from the streetscape. He stated that a separate construction entrance will be added to keep construction vehicles off of the north/south roadway that is used by residents of the phase one building. He stated that the Westminster streetscape will be landscaped and fenced on a temporary basis to make the area appear less like a construction site. He stated that an interim grading and drainage plan will be submitted to the City for review and approval by the City Engineer prior to the issuance of a building permit. He stated that the neighbors requested the opportunity to be involved in discussions about phase three of the project early in the design phase and he agreed to do that. He stated that at the last meeting, there was a fair amount of discussion about a fence on top of the retaining walls adjacent to the parking ramp. He showed an image of the proposed metal railings. He noted that in response to a question about the roof of the penthouse on the phase one building raised at the last meeting, he stated that adjustments will be made on the second building to insure that the roof is flat. He reviewed the plat of subdivision which is presented to the Commission for action.

Ms. Czerniak stated that the petition is before the Commission for a recommendation on the plat of subdivision. She stated that since the last meeting, staff has looked more closely at the alignment of this plan with the previously approved master plan and confirmed that the plan is in close alignment with the approved plan. She noted that the proposed use is exactly what was contemplated and the overall layout is consistent with the plan. She noted that the property and the building are a little wider as a result of successful negotiations with the Church and the ability to acquire 20 feet of the Church property. She noted that discussions with the Church were specifically encouraged by the City Council. She noted that the open space on phase two is generally the size reflected in the master plan adding that as now presented, the plan contemplates expanding the green space to the east on to a portion of the phase three area. She stated that from the staff perspective, the plan for the second phase of the development is consistent with the master plan. She stated that unlike the Amberley Woods property for which a specific site plan was approved through an Annexation,
Development and Settlement Agreement and adoption of an Ordinance, the master plan in this case is intended to establish only a general framework for how the development is intended to take shape. She stated that the master plan clearly contemplates dedication of a small portion of land to the Library site to square it off and provide the opportunity for additional parking on the level portion of the Library site. She stated that with respect to phase three of the development, a condition is included in the staff report recommending that the City Council direct the Plan Commission to reconsider and refine the master plan and development parameters for that area given the transitional nature of the parcel and the fact that the area has expanded to include the parcel that fronts on Westminster. She stated that residents in the area will be notified of those early meetings adding that the developer has committed to reaching out to the neighbors as well to discuss early concepts for the phase three area. She stated that a condition requiring submittal of an interim grading and drainage plan for the construction staging area is also included in the staff report.

Chairman Kehr invited questions from the Commission to the petitioner or staff.

In response to questions from Commissioner Athenson, Ms. Czerniak stated that the phase three area is anticipated for development rather than open space. She noted that the Purchase, Sale Agreement for the parcel contemplates that the site will be available for development with a residential use. She acknowledged that agreements can always be changed. She stated that the transfer of a small parcel of land, for Library parking, was included in the master plan.

In response to questions from Commissioner Athenson, Mr. Witmer stated that it is his understanding that the Church does not have any immediate plans for the 20 foot strip of land which will be retained by the Church but wants the ability to use the property, as part of the larger site, in the future. He confirmed that the Building Review Board recommended approval of the design aspects of the second building. He agreed to give consideration to whether a fence, or just landscaping, should be used to separate the green space and the parking. He noted that the landscape plan will be refined as the site development proceeds.

Commissioner Athenson stated that her reference to Regents Row was not about the size of the building, but more about the architectural style which is more residential than the building now proposed. She stated that Regents Road has clipped ceilings, is two and a half stories, and is subordinate to other buildings in the Central Business District as opposed to three stories with a walkout terrace like the proposed building which reaches almost four stories. She stated concern about the massiveness of the building and its relationship to Market Square, the Library and the Church. She acknowledged that the building was approved by the Building Review Board.

In response to questions from Commissioner Ruggles, Ms. Czerniak confirmed that as presented, the expanded open space would be part of the phase three approvals.
She stated that the Plan Commission will have oversight over the phase three plan. She confirmed that as part of the Commission’s early review for the third phase, more specific development parameters could be developed around building footprints, heights, setbacks and focal points.

In response to questions from Commissioner Ruggles, Mr. Witmer stated that the fence along the south property line is proposed at 42 inches to allow for visual connectively to the Library.

In response to questions from Commissioner Freeman, Ms. Czerniak confirmed that the sale of the City property to the developer is based on the assumption that the property will be developed for multi-family residential use. She confirmed that when the third phase comes back to the Commission for discussion, more information about the intended development, as documented in the Purchase, Sale Agreement, will be provided.

In response to questions from Commissioner Freeman, Mr. Witmer confirmed that the fence along the Library property line will be kept low and will have an opening for a pedestrian walkway. He stated that an access path for emergency vehicles is not needed through the open space area.

Chairman Kehr thanked the petitioner and staff for responding to the questions and requests from the last meeting. Hearing no further questions from the Commission, Chairman Kehr invited public testimony.

Mr. Donovan noted that he submitted a letter detailing the impacts of the recent construction on his home including diminished property values and drainage. He stated that he brought in his own engineering firm to better understand the drainage impacting his property. He acknowledged that he has had numerous communications with the developer and City staff adding that he is encouraged by the cooperative efforts. He stated that some grading changes in the construction staging area occurred without proper approvals in the past. He reiterated that corrective action seems to be planned but stated that there are still uncertainties as to how the project will evolve from a construction standpoint and in relation to the approved master plan. He stated that the prior construction caused detrimental impacts to his property and his family. He asked the Commission to defer action on the current petition until corrective action is taken and future direction is clearer.

Chairman Kehr noted that her understanding is that the City Engineer will continue to be involved in the review of the interim drainage and grading plan, and its implementation, to insure that off-site impacts are minimized.

In response to questions from Commissioner Athenson, Ms. Czerniak reviewed that the City will require an interim grading and drainage plan specifically for the construction staging area. She explained that the plan will be reviewed and will be subject to the approval of the City Engineer. She stated that if desired, a meeting
can be scheduled with the City Engineer, Mr. Donovan, and his engineer. She stated that any improvements required by that plan such as inlets, swales or berming, will need to be completed before the issuance of a building permit for the second building. She added that the City is committed to looking at whether there are other off-site improvements, away from the construction site, that may offer a benefit recognizing that Mr. Donovan’s property is located in somewhat of a bowl and receives water from various directions.

Chairman Kehr noted that review of the interim drainage and grading plan should be incorporated into the conditions if this petition moves forward.

In response to a question from Commissioner Athenson, Mr. Donovan noted that his concerns are detailed in his letter.

In response to questions from the Commission and Mr. Donovan, Mr. Witmer stated a commitment to continuing to work with Mr. Donovan to address his concerns. He stated that any interim improvements required by the City Engineer will need to be installed prior to the issuance of the building permit. He stated that he has walked the site with Mr. Donovan and talked very specifically about some ideas that will be incorporated into the plan and specific actions that will be taken.

Chairman Kehr commented that it appears that all parties are willing to work together in good faith and encouraged them to do so.

In response to questions from Chairman Kehr, Mr. Witmer stated that the shell of the building will take about 10 to 12 months to complete and the interior buildout, four to six months beyond that. He stated that the interior buildout will depend in part on how quickly the units are sold. He noted that they are still building out a few of the interiors of the first building. He stated that the noisy activity, the outside activity, should be completed within a year. He confirmed that there are some buyers lined up for units in the second building. He stated that with respect to the third phase, the intent is to start talking with the neighbors right away to hear ideas and concerns. He confirmed that he gave careful thought to the expanded open space and its impact on the third phase of the project before suggesting it.

In response to questions from Chairman Kehr, Catherine Lemmer, Executive Director of the Library, stated that the Library Board has been advancing discussions for about two and a half years about redevelopment of the Library to serve the community long into the future. She stated that all of the concepts envision the Library going up or underground, not further to the north on the current site.

Hearing no further comments, Chairman Kehr invited final comments from the Commission.

Commissioner Berg stated support for the extension of the green space and location of an architectural element at the east end of the road.
Commissioner Ruggles stated support for the staff recommendation and for recommending to the City Council that the Commission be directed to revisit the concepts and development parameters for the third phase of the development. She stated that she too supports the extension of the green space noting that it will enhance the development. She commended the overall design and massing of the second building. She stated her hope that consideration of the third phase will return to the Commission soon for discussion.

Commissioner Douglass stated that the petitioner did a good job answering the questions raised by the Commission at the last meeting. He agreed that it would be helpful for the Commission to discuss phase three before a plan is developed.

Commissioner Athenson thanked the petitioner for the information provided. She stated support for expanding the green space but noted that she is not in favor of a building in the phase three area but instead, would like to see the entire parcel remain as green space. She stated that at this time, there is too much uncertainty about what will happen in the phase three area. She stated support for the pedestrian pathways through the development from various directions. She encouraged the City to look at the pedestrian crossing on Deerpath, in front of the Library to insure that it is properly marked and well lighted noting that Library employees and patrons use the upper Gorton parking lot and cross Deerpath at that location. She added that the cross walk is not regularly plowed and can be dangerous. She stated that the second building as proposed impacts the character of the neighborhood and is not consistent with the guidelines in the master plan. She stated that the building is too tall and too massive. She stated that the Library looks like a converted warehouse as opposed to appearing more residential in nature, like Regents Row. She stated that the building will be a significant change in the neighborhood and will dominate the Library and Church. She stated that is not what was intended by the master plan.

Hearing no further comments from the Commission, Chairman Kehr invited a motion.

Commissioner Freeman made a motion to recommend approval of the plat of resubdivision for the second phase of the McKinley Road Redevelopment to the City Council subject to the following conditions of approval.

1. Recommend approval of the Plat of Resubdivision for the second phase of the McKinley Road Redevelopment to the City Council subject to the following conditions of approval.

Prior to recording the Plat of Condominium with Lake County, the following conditions shall be satisfied:
a. The plat shall be subject to final review and approval by the Director of Community Development and City Engineer. (All owners of record must sign the plat prior to recording.)

b. All applicable fees must be paid in full prior to recording of the plan.

2. Recommend that the City Council direct the Plan Commission to review and refine the concepts and development parameters for Phase 3 of the development and to the extent possible, without disclosing confidential terms of the contract, recommend density and open space parameters for the Commission's consideration.

3. The City Engineer is directed to review the construction staging area prior to and throughout construction of phase two.

Ms. Czerniak agreed to provide details of the Purchase, Sale Agreement to the Commission at the time phase three is reviewed, to the extent legally possible.

The motion was seconded by Commissioner Douglass and approved by a 5 to 1 vote with Commissioner Atherson voting nay for the reasons she previously stated.
Market Square green space comparison
Correspondence
June 10, 2019

Catherine J. Czerniak,
Director of Community Development
800 Field Drive
Lake Forest, IL 60045

Dear Cathy:

Thank you for your recent email and for taking the time to assist us with the McKinley development corrective action plan. We understand that Lake Forest Engineering will work with our engineer to address the impacts that have been brought to us by the McKinley development demolition and construction activities.

I had multiple meetings with the developers Todd Altounian and Peter Witmer after the March 2019 Plan Commission and thought we had arrived at a number of agreed details to assure an adequate corrective action. Unfortunately, these details were not included in the McKinley submission to Lake Forest the week of May 26, 2019, which we found out about last week. I was able to put together initial detail omissions with our Engineer on June 6th. These details pertain to what was previously agreed or discussed between Mr. Altounian and Mr. Witmer, their Engineer, my Engineer, and me, but not reflected in the McKinley week of May 26, 2019 submission.

We had attempted to gather these considerations to prepare for the June 13, 2019 upcoming Plan Commission fact finding meeting. I understand that date is now June 20, 2019. They are initially as follows:

- Silt fence should be extended south long the entire property line to ensure it intercepts the entire disturbed area (i.e. East property line of entire development lot).
- The new construction access road and parking area are to be asphalt instead of stone to reduce runoff residue from the limestone and also improve aesthetics of the lot.
- The steel construction fence referenced West of the construction drive/park area will also be provided along the East of area to fully protect green space, add security for neighboring boundaries, and address invasive contractor activities at shared private property boundaries to East. This fence will further serve as tree protection for the mature tree located at the east property junction that has not been protected to
date. This fence was shown on the Construction Staging Plan by Witmer and Associates dated March 6 as presented to the March 2019 Plan Commission.

- Eliminate bend in new storm sewer.
- Sod (not seed) shall be used to restore all disturbed areas
- No attempt was made to restore the terrace that existed previously near and around the existing mature tree on the east property line and North of the demolished historic district City building.
- A detailed landscape plan and/or plant list should be provided specifying what will be used for the temp landscape buffer shown along the east property line. Taller plantings such as arbor vitae should be included to provide sufficient visual screening.

We continue to seek an understanding of how the ever increasing erosion damage to our home of almost two years including standing water and mud to our driveway entrance and backyard and the necessary remediation of the alteration of surface water drainage onto our property will be addressed. We intend to have our Engineer meet, as you suggested, with the Lake Forest Engineer to communicate details regarding a future action plan and to explore broader remediation to avoid similar future events.

I would ask that this letter be provided to the Plan Commission as part of the fact finding process. I have included a still photo of the video which I previously shared with you and your staff as an example of the running water conditions we have been forced to live with as a result of the McKinley development. If the developers are going to provide information to the Plan Commission, we would ask for the opportunity to have questions directed to them on how they propose to address these continuing problems. Thank you again for your help in this continuing situation.

Sincerely,

Douglas Donovan