Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council members. Emails for the Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
Tuesday, October 7, 2014
7:00 p.m.

AGENDA

1) Call to Order
2) Pledge of Allegiance
3) Quorum
   a) October 14, 2014 Budget Meeting
   b) October 20, 2014 Budget Meeting
   c) October 21, 2014 Regular Meeting
   d) October 27, 2014 Budget Meeting
4) Approval of Agenda
5) Consent Agenda
   a) Approval of Village Council Minutes
      i) September 9, 2014 Study Session 3
      ii) September 16, 2014 Regular Meeting 9
   b) Approval of Warrant List dated 9/12/2014 to 10/2/2014 14
   c) Water Plant Low Lift Pump, Bid #014-021 15
   d) Ordinance No. M-9-2014: 265, 271 & 277 Poplar Street, Resubdivision and Variations – Adoption 18
6) 2014 Preservation Awards Presentation 53
7) Stormwater Report: None.
8) Ordinances and Resolutions
   a) Ordinance No. M-10-2014: Disposition of Surplus Vehicles and Equipment – Waiver of Introduction/Adoption 56
   b) Ordinance No. MC-8-2014: Fire Code Amendments – Introduction 61
   c) Resolution No. R-28-2014: 1123 Chatfield Road Resubdivision – Adoption 68
9) Public Comment

10) Old Business: None.

11) New Business

a) New Recycling and Trash Receptacles in Commercial Districts 121

12) Appointments

13) Reports

14) Executive Session

15) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Council Information > Agenda Packets & Minutes); the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor).

Broadcasts of the Village Council meetings are televised on Channel 10 and AT&T Uverse Channel 99 every night at 7 PM**.** Webcasts of the meeting may also be viewed on the Internet via a link on the Village's web site: http://winn-media.com/videos/

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3543; T.D.D. 847-501-6041.

MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION

September 9, 2014

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, September 9, 2014 at 7:00 p.m.

1) Call to Order. President Greable called the meeting to order at 7:00 p.m. Present: Trustees Arthur Braun, Carol Fessler, Richard Kates, William Krucks, Stuart McCrary and Marilyn Prodromos. Absent: None. Also in attendance: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Karl Camillucci, Public Works Director Steve Saunders, Director of Community Development Mike D'Onofrio, Assistant Director of Community Development Brian Norkus, and approximately 13 persons in the audience.

2) Water Solutions Project – Final Report: IKE Grant. Mr. Saunders explained that the IKE Grant program is intended strictly for planning, not for implementation purposes. The project output is the development of a process for a scalable and repeatable plan template to engage with neighborhoods in developing small-scale flood reduction programs. Winnetka, as lead agency for the grant application, used the grant funds to engage Baxter & Woodman (B&W) and Teska Associates, Inc. to develop the template.

   Mr. Saunders said the grant requires that the Village adopt the final project plan and report prior to September 30. Once the report is adopted, the Village is free to use the process for implementing neighborhood programs, the location of such programs, and whether it wishes designate any funding for the projects.

   Michael Blue, of Teska Associates, Inc., said the two areas in Winnetka that were chosen to be participants in the project were the Boal Parkway neighborhood and the West Elm Business district. The goal of the project was to secure input from the study areas and use the information to create customized solutions to minor flooding, both for individual homeowners, and for the neighborhood as a whole. The team sent a comprehensive survey to gain an understanding of the area at a very detailed level. Next, two open houses were held to give the community an opportunity to participate, give feedback, and to learn about various flood reduction measures. Participation was greater in the residential study area, with 11 of 17 surveys returned, and good attendance at the workshops. In the commercial district, only one survey was returned, and there was no attendance at the workshops – the time was used instead to brainstorm with staff.

   Mark Phipps, of B&W, explained that the purpose of the second residential workshop was to get feedback on the remedies proposed in the first workshop, where the team presented a matrix of possible solutions. He noted that some of the residents had already invested in some of those solutions. A pumping station was proposed as a larger-scale solution for the whole neighborhood, which would require investment from the community, and possible financial help from the Village.

   Mr. Phipps said solutions proposed for the commercial districts included streetscaping features that would reduce the amount of impervious area; possibly modifying zoning regulations to require stormwater detention for redevelopment projects; and implementing

green infrastructure. Next steps for the Village are: (i) adopt the report and add it as an addendum to the Stormwater Master Plan; (ii) consider supplying funds to neighborhoods for their local stormwater projects and/or apply for grants on behalf of the residents; (iii) evaluate zoning regulations that could affect stormwater management; and (iv) make the Water Solutions Plan available on the Village website.

The Council discussed the process and the draft final report, and there was consensus that the report is very enlightening and should be adopted without further revision.

3. Evaluation of Stormwater Impacts Related to Zoning Provisions. Mr. Saunders said evaluating the Zoning Ordinance for potential impacts to stormwater management was discussed during development of the Stormwater Master Plan. He explained that the project would require a significant amount of planning expertise, in addition to the engineering skill. Changes made to the Zoning Ordinance run the risk of causing unintended impacts to the character of homes and neighborhoods, as well as property rights. Given the success of the IKE Grant project, he recommended engaging Teska Associates for a fee of $22,000 to thoroughly study the ramifications of changing zoning provisions for impermeable surfaces, semi-permeable surfaces, deep basements and detached garages.

   Mr. Saunders noted that once the Council determines to revise the Zoning Ordinance, a broader discussion in the community is triggered, and the Council will need to rely on the best, most effective background information for that discussion. He stated that Winnetka has very tight stormwater development codes, and unlike most communities, the Village applies them to single family structures as well as commercial developments. He explained that a change on a single property can have a cumulative effect that the Village can't foresee. In addition to gathering and evaluating empirical data, Teska would gather community input for Council to consider before potentially amending the Zoning Ordinance.

   Trustee Kates said when the Council adopted the MWRD Watershed Ordinance, staff was asked to provide a review of development provisions that affect stormwater management. He disagreed that outside help was needed with the review; he stated that Teska is not qualified to undertake the project, and he called for staff to provide the review the Council requested.

   Trustee Krucks said the stormwater system was built early in the last century, when homes were smaller and there were fewer of them, as well as more green space on each lot. He added that letters from residents, and engineering reports dating back to 2008, have convinced him that the Zoning Ordinance may be contributing to the overall stormwater problems in the Village. He took issue with the statement in Teska's proposal that "zoning regulations are first and foremost an application of community character," which he interpreted to mean essentially a matter of mere aesthetics. He posited that zoning was created to balance the interests of landowners with welfare of the community at large, and he added that in his experience on the Zoning Board of Appeals (ZBA), most variation requests involved stormwater concerns. He said he did not see the need for a consultant, as the ZBA and Plan Commission are experienced enough to do a thorough examination of the Zoning Ordinance.

   Trustee Fessler acknowledged that the community is very concerned about how development is done and it is an important issue. The Council just reviewed the IKE Grant final report, which was completed at a cost of $200,000, and now a $22,000 proposal to assess

development regulations is being debated. She said a professional review would be preferable to using one group's speculation over another's, and she added that she supports getting technical advice about the impact of potential zoning changes on property owners' rights.

Trustee McCrary noted that while some people are convinced that things like deep basements and garages in the rear quarter contribute to the flooding problem, others take the opposite view. He said he wanted to see data about which viewpoint is correct, and he noted that if the Council is potentially going to make policy that impacts property rights, it makes sense to hire an expert for guidance.

Trustee Prodromos said her home was built with a deep basement 20 years ago, and none of her neighbors have flooded. She said she doesn't like to impinge on what homeowners may do with their homes, and she added that the Village's engineers should be utilized instead of a consultant.

Mr. Saunders strongly encouraged the Council to hire Teska Associates to conduct a thorough review of zoning regulations, which would include community input. He reiterated that the Zoning Ordinance impacts community character and land use as much as it affects stormwater engineering, and he has found through experience that the community shares that viewpoint.

Manager Bahan commented that some priorities would have to be shifted in order to accomplish the development regulation review in-house, as staff time is a limited commodity.

Penny Lanphier, 250 Birch, former Trustee. Ms. Lanphier said she chaired a committee in the early 1990's that reviewed the Zoning Ordinance in an effort to regulate redevelopment. She noted that there wasn't a single ordinance or provision that allowed the creation of really large homes; instead, a number of factors contributed. The process lasted a year and a lot of staff time was used, as well as the knowledge and technical expertise of the community. She stated that property rights issues are overlaid with community goals, and finding the right balance between the two is difficult. She pointed out that it is necessary to look at the Zoning Ordinance as a package, since looking at only one issue results in unintended consequences. For example, her committee recommended encouraging detached garages in the rear quarter as a means of eliminating bulky attached garages at the street-front. The unintended consequence of this was more impermeable surface, which impacts stormwater, especially now that Winnetka is more developed. She agreed that zoning issues have a definitive impact on the character of the community, and they are an important part of the conversation.

Scott Myers, 127 Church, ZBA member and Plan Commission (PC) member. Mr. Myers said a review of zoning regulations needs to be dealt with comprehensively, and he urged engagement of the ZBA, PC and the community in the discussion. He said real data is needed on issues such as deep basements and gravel driveways; Teska and B&W seem well qualified to gather that data; and the Village Manager and Public Works Director can best determine staff workload.

Gwen Trindl, 800 Oak Street, former Village President. Ms. Trindl said she thought there is not enough factual information accumulated about the effects of modifying each of the

development aspects under consideration. She said the Council needs to take into consideration the feelings of residents who believe they have the right to do what they wish with their property.

President Greable asked the Council if it wished to follow the advice of the Village Engineer and engage Teska to study zoning regulations as they relate to stormwater impacts.

Trustees Fessler and McCrary were in favor of doing the Teska study.

Trustees Braun, Prodromos, Kates and Krucks did not support the Teska study.

Mr. Saunders said he had been under the impression that the Council requested more data about other communities and locales, which would be easily and quickly accomplished with the Teska proposal. However, if the Council wished to take a broader approach, then staff could bring back some ideas in the fall.

4) Comprehensive Plan/Downtown Master Planning. Mr. D'Onofrio briefly reviewed the Village's Comprehensive Plan process, which was undertaken in the late 1990's. The process resulted in the creation and adoption of the *Winnetka 2020 Comprehensive Plan* (the Plan) in 1999. The Plan intended future creation of a detailed blueprint which would provide a comprehensive vision for the Village's commercial districts. The issue of a planning effort for the business districts was raised by the Plan Commission in its semi-annual review of the Plan in 2012. As a result, the Urban Land Institute (ULI) was engaged to conduct two Technical Assistance Panels (TAPs) and to provide recommendations for revitalizing Winnetka's commercial districts.

Mr. D'Onofrio explained that a successful business district relies upon cooperation between several stakeholder groups; and eliciting feedback from these groups is one of the central tasks of a downtown plan. Once the stakeholders have agreed upon a vision for the future of the commercial districts, a plan can be created to provide guidance to property owners and developers, and stimulate investment in, and development of, the downtown areas.

Mr. D'Onofrio explained that a finding of the ULI TAP was that the nature of retail shopping has changed dramatically in recent years, and large retail spaces are no longer the norm. A downtown plan needs to not only plan for the businesses of today, it must look forward to plan for the businesses of tomorrow.

Responding to a question from Trustee Krucks, Mr. Norkus explained that the success of a commercial district depends on the perspective of the community, which is why a multi-faceted approach is used to create a master plan. He noted that developers are looking for predictability of process, and a master plan would help provide direction.

Trustee Kates stated that the building owners will ultimately decide who they will lease to, and he added that a professional market analysis should be the first order of business.

Manager Bahan explained that since the market analysis is related to the land use analysis, the two are generally done in tandem, but if the Council decides not to do a full-blown planning process, it may narrow the scope as it sees fit.

Trustee Fessler noted that the issue of business district revitalization has been discussed in the past, yet no progress has been made, and she asked what would be different this time.

Trustee McCrary agreed and asked if there is anyone showing interest in a project involving The Grand parking lot, or leasing the Field's Auto site.

Manager Bahan said Land Rover is trying to find a replacement that would fit their business model before relocating at the end of the year; however, the owners are most likely looking for a use that also fits their revenue needs. He said a downtown master plan would provide information about the best uses for redevelopment and would provide guidelines for developers.

Trustee Braun suggested that the Council come to a decision about the Business Community Development Commission's (BCDC) ULI recommendations.

Trustee Prodromos agreed that the ULI recommendations should be acted upon.

President Greable said he was in favor of a complete master planning process, and then funding some projects in the business districts; and he asked for a list of planning firms.

Trustee Kates asked for some examples of towns that have achieved renewed vibrancy as a result of their master planning process. Mr. D'Onofrio said he would do some research and provide that information, and compile a list of planning firms for President Greable.

The Council discussed undertaking a master planning process, and some of the Trustees were in favor of simply implementing the BCDC and Plan Commission ULI recommendations.

Scott Myers, 127 Church, ZBA and PC member. Mr. Myers said it is difficult to make recommendations on the retail overlay district without knowing the objectives of the Village, and he added that a master plan would be the tool to deliver those goals.

Trustee Braun said he did not disagree, but he questioned waiting for a master plan process to be completed before taking action, in light of the fast-paced nature of change.

Mr. Myers said a problem does not get solved by simply taking quick action. Feedback from the community must be solicited, and a process needs to be put in place that will lead to timely recommendations. Only then, armed with information, should the Council act. He noted that the objective of the retail overlay was to advance the policy of a downtown that encourages small shops and provides for residents' shopping needs. He added that the policy is debatable in the current business environment, and needs to be examined.

Ms. Lanphier said a planning process is a good tool for flushing out information about what needs to be done to improve the business districts. She warned against effecting small changes before conducting a master plan process, as each element affects the others. She expressed concern that although the Council has heard a lot of input from commercial and business owners, there has not been a lot of opportunity for residents to engage.

Ms. Trindl agreed that the building and business owners were given ample opportunity to comment during the ULI TAP process, but that residents were not asked for their input. She cautioned against removing the retail overlay on Lincoln Avenue and Gage Streets, as these areas are starting to make a retail comeback.

The Council asked staff to draft a Request for Proposals for a master planning consultant, and also requested information about how other communities have utilized their master plans.

5) Village-Wide Community Survey: Update. Trustee Fessler said she supported moving forward with the survey as soon as possible. Trustee McCrary concurred and recommended sending the survey without further changes. The rest of the Council, with the exception of Trustee Kates, was in favor of proceeding, and President Greable asked the survey team to proceed with the survey distribution.

6) Public Comment. None.

7) Executive Session. None.

8) Adjournment. Trustee Fessler, seconded by Trustee Prodromos, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 10:50 p.m.

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Deputy Clerk

MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
September 16, 2014

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, September 16, 2014, at 7:00 p.m.

1) Call to Order. President Greable called the meeting to order at 7:02 p.m. Present: Trustees Arthur Braun, Carol Fessler, Richard Kates, William Krucks, Stuart McCrary, and Marilyn Prodromos. Absent: None. Also present: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Peter M. Friedman, Public Works Director Steve Saunders, Assistant Public Works Director Jim Bernahl, Community Development Director Mike D'Onofrio, and approximately 10 persons in the audience.

2) Pledge of Allegiance. President Greable led the group in the Pledge of Allegiance.

3) Quorum.

   a) October 7, 2014 Regular Meeting. All of the Council members present indicated that they expected to attend.

   b) October 14, 2014 Study Session/Budget Meeting. All of the Council members present indicated that they expected to attend.

   c) October 20, 2014 Budget Meeting. All of the Council members present, with the exception of Trustee Fessler, indicated that they expected to attend.

   d) October 21, 2014 Regular Meeting. All of the Council members present, with the exception of Trustee Fessler and possibly Trustee Braun, indicated that they expected to attend.

4) Approval of the Agenda. Trustee McCrary, seconded by Trustee Braun, moved to approve the Agenda. By roll call vote, the motion carried. Ayes: Trustees Braun, Fessler, Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: None.

5) Consent Agenda. Trustee Kates requested that Item 5(c) be removed from the consent agenda and discussed under New Business

   Trustee McCrary, seconded by Trustee Braun, moved to remove Item 5(c) from the Consent Agenda. By roll call vote, the motion carried. Ayes: Trustees Braun, Fessler, Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: None.

   a) Village Council Minutes.

      i) August 19, 2014 Regular Meeting.

      ii) September 2, 2014 Regular Meeting.

   b) Warrant List. Approving the Warrant List dated 8/29/2014 – 9/11/2014 in the amount of $1,467,659.67.

   c) Extend 2013 Holiday Lighting Contract Pricing for 2014 Holiday Lighting Program. This item was removed from the Consent Agenda and discussed under New Business.

d) 2014-15 Salt Purchase – State of Illinois Bid. Approval of the purchase of rock salt at $51.69 per ton from Morton Salt, the State of Illinois low bidder, through the Illinois Cooperative purchasing program contract #PSD 401 7548-01.

e) Resolution R-27-2014: IKE Grant Final Report – Adoption. A Resolution adopting the Water Solution Project as an addendum to the Village's Stormwater Master Plan.

Trustee Fessler, seconded by Trustee McCrary, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Braun, Fessler, Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: None.

6) Stormwater Monthly Summary Report. Mr. Saunders said the IKE Grant project is complete, along with the Northeast Winnetka project. He explained that lessons learned from the project, especially in terms of utility conflicts, led to approximately $1 million in increased budget projections for the Northwest Winnetka project. He noted that the Village's $2 million grant award from the Metropolitan Water Reclamation District will help to offset the increased cost.

During the ensuing discussion, Mr. Saunders stated that MWH has installed the water quality sampling equipment, but will not apply for permits until after Review Point #2 and Council approval. He said sanitary sewer cross-connection investigations are complete, and a report should be ready for the Council in October.

Responding to a question about the effect of illegal cross connections on Elder Beach, Mr. Saunders explained that these are stormwater connections going into the sanitary sewer, which can cause basement sewer backups. The kinds of cross-connections that pollute the beaches are the sewer lines leaking into the storm system or the ground.

Lastly, Mr. Saunders said he would bring information to the Council on the Kenilworth sewer separation project.

7) Ordinances and Resolutions.

a) Ordinance M-9-2014: 265, 271 & 277 Poplar Street, Resubdivision and Variations – Introduction. Mr. D'Onofrio reviewed the resubdivision request, which spans three parcels. Two neighbors at 265 and 277 Poplar propose to demolish the home at 271 Poplar and split the lot, to allow for improvements at 265 Poplar. The three lots are legally nonconforming with respect to lot size, and the resubdivision will bring 265 Poplar into compliance and reduce the nonconformity at 277 Poplar. The applicant is requesting a zoning variation to remain living in the home at 271 Poplar until improvements are finished at the 265 Poplar residence.

The applicant, Dave Bartels, responded to a question about property tax implications by noting that the middle lot was purchased for the sum of $250,000, and the improvements made on the other two lots should nearly offset any lost property tax revenue from demolishing the home at 271 Poplar. He commented that the Zoning process was very smooth, and staff and Board members were very helpful and flexible regarding the variation request.

Harold Nations, 181 Apple Tree Lane and owner of 343 Poplar. Mr. Nations urged the Council to approve the resubdivision and variation request. He commended the Bartels for their willingness to invest in their property and stay in the Village.

The Council briefly discussed the request, and all were in favor of granting the resubdivision and zoning variations.

Trustee Braun, seconded by Trustee Krucks, moved to introduce Ordinance M-9-2014. By voice vote, the motion carried.

8) Public Comment.

Harold Nations, 181 Apple Tree Road. Mr. Nations asked why the Oak Street Bridge is not yet repaired.

Mr. Saunders explained that once the problem was identified, a bid specification package had to be completed, followed by a three-week the bid process. The contractor is in the process of securing the necessary permits from the railroad in order to do the work, and the repairs are expected to begin soon.

9) Old Business. None.

10) New Business.

a) Extend 2013 Holiday Lighting Contract Pricing for 2014 Holiday Lighting Program. Mr. Saunders explained that the Village's holiday lighting program began in the late 1990's. At that time, the Village purchased, installed and maintained the lights, which were left on trees for several years at a time. The program was modified for several reasons: (i) the ability to implement the time-consuming program decreased due to declining staffing levels; (ii) the Environmental & Forestry Commission found an issue with the health of the trees from being wrapped in the lights for long periods; and (iii) keeping the lights functioning was problematic. Therefore, the lighting program was contracted out in 2007.

Mr. Saunders recommended extending the current holiday lighting contract for the 2014 season, since it would be difficult to change the program at this late date. He offered to review alternative lighting schemes with the Council in 2015.

After a brief discussion, the Council concurred with the recommendation to extend the contract for the 2014 lighting season, and to revisit the matter next year.

Terry Dason, Director of the Winnetka-Northfield Chamber of Commerce. Ms. Dason thanked the Council for its support of the business districts, and she commented that the holiday lights make the Village look beautiful.

Trustee Fessler, seconded by Trustee McCrary, moved to extend Bid #013-027 to Landscape Concepts Management in the amount of $47,400, for Holiday Lighting. By roll call vote, the motion carried. Ayes: Trustees Braun, Fessler, Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: None.

b) Bid #014-007: Scott Avenue Parking Structure – Electrical and Energy Efficient Lighting Retrofit. Mr. Saunders explained that improvement of the Hubbard Woods parking structure was recommended in the Urban Land Institute final report. The Village was awarded a grant for $60,000 for a complete lighting retrofit that includes replacement

of the electrical conduit. After reviewing the bid process, he recommended awarding the bid to Arc 1 Electric, the low bidder.

Ms. Dason said business owners in Hubbard Woods are encouraging their clientele to use the parking deck, and the upgrades are much appreciated.

The Council briefly discussed the matter, after which Trustee McCrary, seconded by Trustee Braun, moved to award a contract to Arc 1 Electric in the amount of $136,780, to complete the lighting retrofit improvements at the Scott Avenue parking facility. By roll call vote, the motion carried. Ayes: Trustees Braun, Fessler, Kates, Krucks, McCrary and Prodromos. Nays: None. Absent: None.

c) Street Rehabilitation Program Review. Assistant Public Works Director Jim Bernahl explained that Infrastructure Management Service (IMS) was engaged by the Village in 2011 to analyze Winnetka's road system. Mr. Bernahl said the information gathered will facilitate planning for future pavement management projects, and will also allow staff to plan street rehabilitation five years out, providing opportunity to coordinate with other construction activities.

Mr. Bernahl said the pavement investigation project revealed that surface conditions are very good; however, substructure elements received a lower ranking. The useful roadway life is reduced due to substructure issues. In the future, the Village will need to focus on reconstruction instead of on resurfacing projects. Mr. Bernahl also explained that an IMS budget analysis found that the Village would need to increase the Street Program funding slightly, from the current $1.2 million to $1.5 million, in order to maintain the current rank of 77 (Good).

Mr. Saunders said the Council should contemplate the ranking of the streets and the funding of the street program, as these issues will be discussed during the budget process.

The Council discussed the report, but no action was necessary.

11) Appointments. None.

12) Reports.

a) Village President. President Greable urged residents to read the new *Winnetka Report* that just arrived in the mail.

b) Trustees.

i) Trustee Fessler reported on the status of the Village-wide survey.

ii) Trustee McCrary reported on the last Fire Pension Board meeting.

iii) Trustee Prodromos reported on the most recent Chamber of Commerce meeting.

iv) Trustee Kates said the owners of Orange Leaf, a frozen yogurt store that recently opened in Hubbard Woods, were very complimentary about the assistance received from Village staff to remodel and open for business.

v) Trustee Krucks reported on the Landmark Preservation Commission meeting of the previous night.

c) Attorney. None.

d) Manager. Manager Bahan provided an update about financial statements.

13) Executive Session. None.

14) Adjournment. Trustee Fessler, seconded by Trustee McCrary, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:46 p.m.

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Deputy Clerk

Agenda Item Executive Summary

Title: Warrant List

Presenter: Robert M. Bahan, Village Manager

Agenda Date: 10/07/2014

Consent: ☑ YES ☐ NO

☐ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☑ Informational Only

Item History:

None.

Executive Summary:

The Warrant List for the October 7, 2014 Regular Council Meeting was emailed to each Village Council member.

Recommendation:

Consider approving the Warrant List for the October 7, 2014 Regular Council Meeting.

Attachments:

None.

Agenda Item Executive Summary

Title: Water Plant Low Lift Pump, Bid #014-021

Presenter: Brian Keys, Water & Electric Director

Agenda Date: 10/07/2014

Consent: ☑ YES ☐ NO

☐ Ordinance
☐ Resolution
☑ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

The Water Plant utilizes three pumps to move raw water from the wet well building to the water plant for treatment. Each pump is rated at 8 million gallons per day. On peak summer days, the plant utilizes two of the three pumps to meet demand for potable water. Based on historical performance of the pumps and extended repair times, funding for an additional low lift pump was approved in the 2014 Water & Electric Department budget.

Executive Summary:

Request for Bid #014-021 was issued for the purchase, delivery, and crane installation of a spare low lift pump into the wet well building. The bid document specified an identical replacement pump to the two existing variable speed pumps manufactured by Byron Jackson (Flowserve). The specification was written in this manner to insure that the new pump would also fit the existing pipe configuration and lend to interchangeability of parts.

Upon evaluation of the bids, it was determined that none of the vendors quoted the exact pump specified by staff. The pump assembly used in the existing pumps is no longer manufactured. With assistance from an engineering firm, staff completed a technical review of the least cost replacement pump. The Water & Electric budget, account #520.61.40-625, Water Plant Heavy Machinery, contains $80,000 for the purchase of a low lift pump. Staff is requesting approval to proceed with the purchase of the alternate low lift pump.

Recommendation:

Consider authorizing the Village Manager to award a purchase order to Illinois Pump Inc. in the amount of $69,894.86 for the purchase of a low lift pump in accordance with the terms and conditions of Bid #014-021.

Attachments:

Agenda Report dated October 1, 2014

AGENDA REPORT

SUBJECT: **Water Plant Low Lift Pump, Bid #014-021**

PREPARED BY: Brian Keys, Director of Water & Electric

REF.: October 14, 2013 Budget Presentation

DATE: October 1, 2014

The Water Plant utilizes three pumps to move raw water from the wet well building to the water plant for treatment. Each pump is rated at 8 million gallons per day. On peak summer days, the plant utilizes two of the three pumps to meet demand for potable water. Based on historical performance of the pumps and extended repair times, funding for an additional low lift pump was approved in the 2014 Water & Electric Department budget.

Request for Bid #014-021 was issued for the purchase, delivery, and crane installation of a spare low lift pump into the wet well building. The bid document specified an identical replacement pump to the two existing variable speed pumps manufactured by Byron Jackson (Flowserve). The specification was written in this manner to insure that the new pump would also fit the existing pipe configuration and lend to interchangeability of parts.

The bid notice was published in the Pioneer Press. The following companies submitted bids for the pump.

Company	Manufacturer	Lump Sum Bid
Illinois Pump Inc.	Verti-Line Pump	$69,894.86
Illinois Pump Inc.	Byron Jackson (Flowserve)	$94,894.91
Dahme Mechanical Industries Inc. (1)	Byron Jackson (Flowserve)	$108,888.00
Layne Christensen Company	Ruhr Pumpen	$129,878.00

Note (1): Vendor quote fixed speed motor, not variable speed motor. Proposed pump is not acceptable.

Upon evaluation of the bids, it was determined that none of the vendors quoted the exact pump specified by staff. The pump assembly used in the existing pumps is no longer manufactured. Two bids contained pumps manufactured by Byron Jackson (Flowserve) that vendors viewed as functionally equivalent to the Village's existing pumps. Two bidders also submitted bids for a functionally equivalent pump manufactured by others. With the goal for parts interchangeability no longer available, staff initiated a technical review of the least cost replacement pump. With assistance from Strand Associates, an engineering firm, the alternate pump was evaluated for its

technical qualities. The evaluation determined that the alternate design was acceptable. The pump meets requirements from the bid document such as: pump output, bearing and ring materials, pipe configuration, shaft design, coatings, motor efficiency, and warranty.

The Water & Electric budget, account #520.61.40-625, *Water Plant Heavy Machinery*, contains $80,000 for the purchase of a low lift pump. The bid document indicated that the Village reserved the right to waive any formalities in bidding, or to accept the bid which best serves the interest of the Village. Staff is requesting approval to proceed with the purchase of the alternate low lift pump.

Recommendation:

Consider authorizing the Village Manager to award a purchase order to Illinois Pump Inc. in the amount of $69,894.86 for the purchase of a low lift pump in accordance with the terms and conditions of Bid #014-021.

Agenda Item Executive Summary

Title: Ordinance No. M-9-2014: 265, 271 and 277 Poplar Street, Resubdivision and Variations - Adoption

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 10/07/2014

Consent: ☑ YES ☐ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

Ordinance No. M-9-2014 was introduced at the September 16, 2014 Village Council meeting (see September 16, 2014 Agenda, pp. 194-253).

Executive Summary:

The requests include a proposed resubdivision to reconfigure three lots into two lots as well as two variations. One variation is for a corner (front) yard setback at 277 Poplar, the other is to allow the existing residence at 271 Poplar to remain temporarily during construction of additions to 265 Poplar subsequent to the resubdivision.

The Plan Commission (PC) considered the resubdivision at its meeting on July 23, 2014. The PC voted 8 to 0, with one abstention, to recommend approval of the subdivision with no conditions, acknowledging the proposed increase to lot area brings the lots closer to conformity with zoning regulations and closer to the size of lots in the surrounding neighborhood. In a separate vote, the Commission also unanimously supported the request to temporarily occupy 271 Poplar, subject to the applicant providing surety to guarantee the timely demolition of the residence and restoration of the site, with such surety to be in a form acceptable to the Village Council and Village Attorney.

The Zoning Board of Appeals (ZBA) considered the variations at two separate hearings. At their meeting June 9, 2014, the four members present voted unanimously to recommend approval of the corner (front) yard setback. Secondly, at their meeting August 11, 2014, the four members present voted unanimously to recommend approval of the Permitted Uses variation to allow the existing residence at 271 Poplar to remain temporarily during construction of additions to 265 Poplar.

Recommendation:

Consider adoption of Ordinance No. M-9-2014, granting approval of the proposed resubdivision of 265, 271, and 277 Poplar as well as variations for the corner (front) yard setback at 277 Poplar and to permit the temporary existence of the residence at 271 Poplar to straddle the new lot line created by the approved subdivision.

Attachments:

Agenda Report
Attachment A: Zoning Matrix (277 Poplar)
Attachment B: Ordinance No. M-9-2014

AGENDA REPORT

TO: Village Council

PREPARED BY: Michael D'Onofrio, Director of Community Development

SUBJECT: Ordinance No. M-9-2014:
(1) Resubdivision of 265, 271 and 277 Poplar Street
(2) Variations:
(a) Front and Corner Yard Setbacks
(b) Permitted Uses

DATE: September 22, 2014

REF: September 16, 2014 Council Mtg. pp. 194-253

Introduction

The requests include a proposed resubdivision to reconfigure three lots shown in Figure 1 and two variations. One variation is for a corner (front) yard setback at 277 Poplar, the other is to allow the existing residence at 271 Poplar to remain temporarily during construction of additions to 265 Poplar subsequent to the resubdivision.

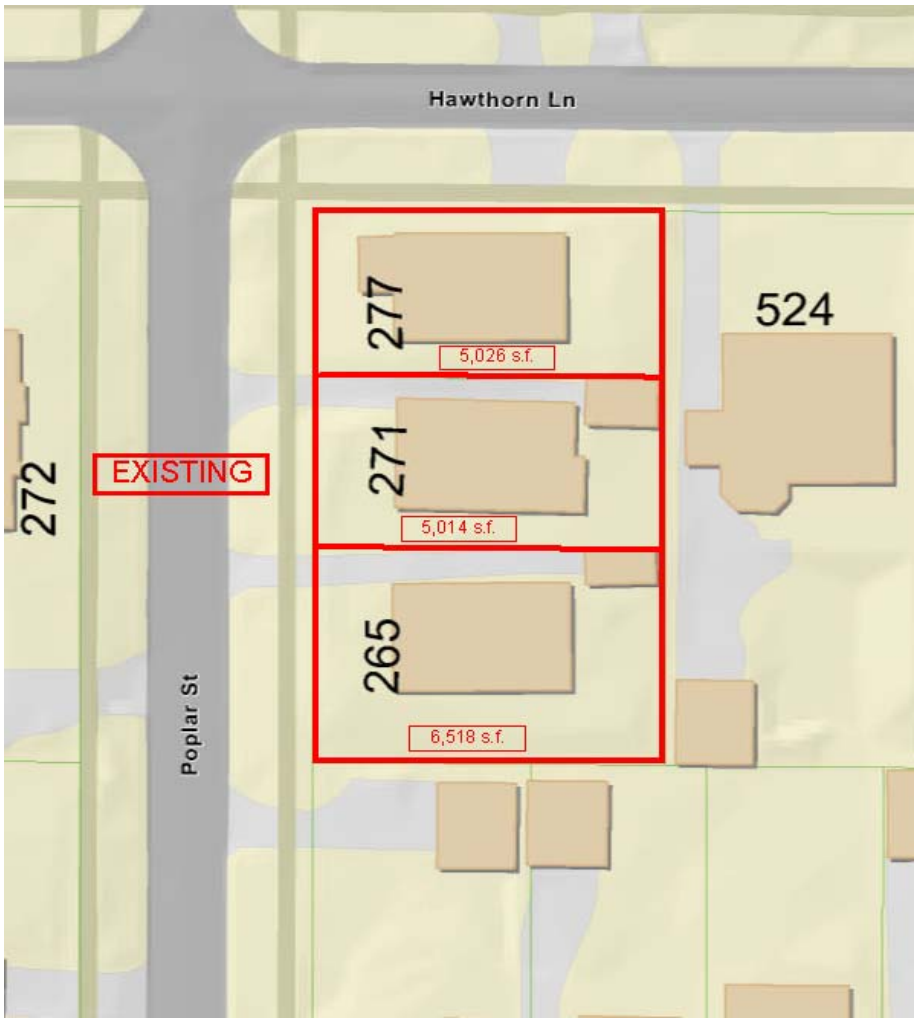


Figure 1 – existing lot areas

The applicants residing at 265 Poplar (David and Elisa Bartels) have acquired the property adjacent to their residence, located at 271 Poplar. Together with the owners of 277 Poplar (Joseph and Lisa McGowan), the applicants are proposing to demolish the 271 Poplar residence and divide the resulting vacant lot between each of their respect lots, as shown in Figure 2.

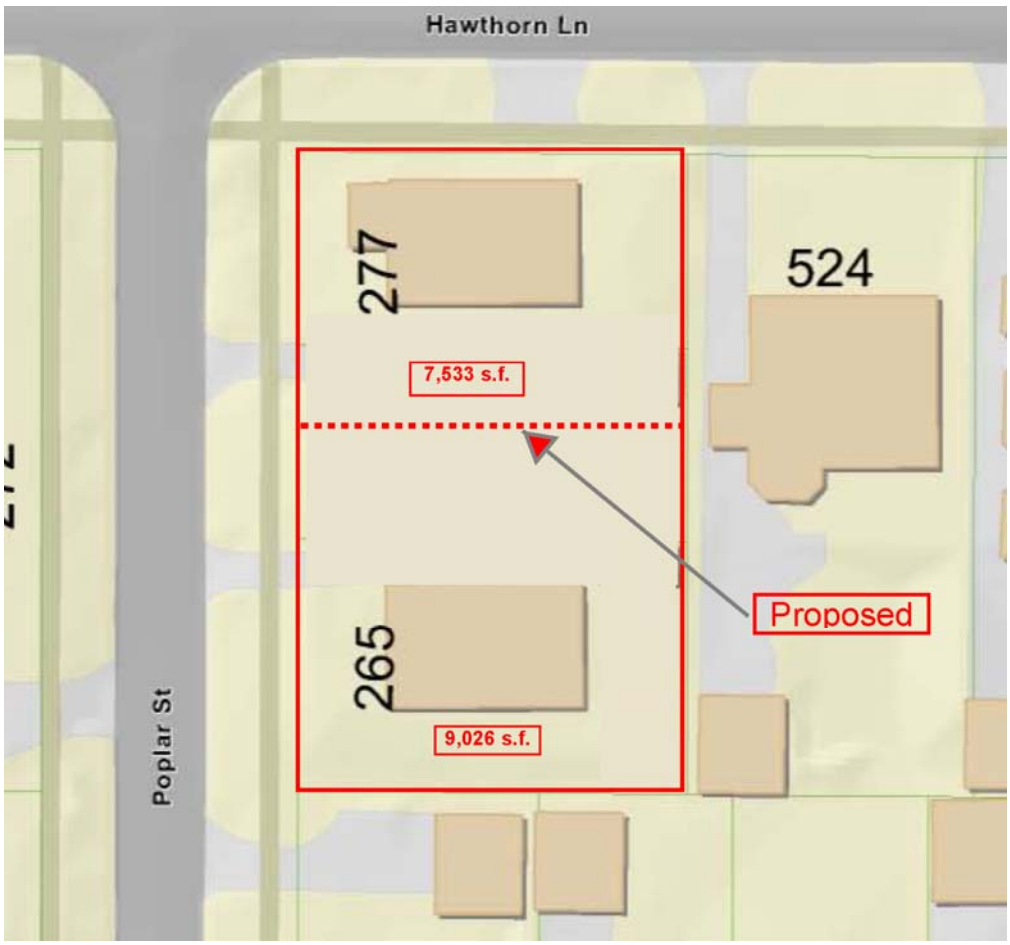


Figure 2 – proposed lot areas

Proposed Resubdivision

The subject parcels currently range in size from 5,014 s.f. to 6,518 s.f., and as such are currently nonconforming with minimum lot area requirements 8,400 s.f. (8,900 s.f. for corner lots).

The subject parcels are located in the R-5 Single Family Residential zoning district, which is one of five (5) different single-family residential zoning classifications in the Village. The R-5 district allows the densest form of single-family development through a combination of smaller minimum lot sizes and smaller building setback requirements than other zoning districts. A comparison of the Village's five (5) different residential zoning classifications (Table 1, on following page) shows the hierarchy of zoning standards throughout the Village's residential neighborhoods.

	Zoning District	*R-1 ("estate" character)*	*R-2 ("small estate" character)*	*R-3 ("moderately intense suburban character)*	*R-4 ("relatively intense suburban character")*	*R-5 ("relatively intense suburban character")*
Minimum Lot area		48,000 s.f.	24,000 s.f.	16,000 s.f.	12,600 s.f.	8,400 s.f.
Minimum Lot width		150 ft.	100 ft.	75 f.t	60 ft.	60 ft.
Minimum Front setback		50 ft.	50 ft.	40 ft.	30 ft.	30 ft.
Minimum Rear yard setback		50 ft.	25 ft.	25 ft.	25 ft.	25 ft.

Table 1 – hierarchy of single-family residential (R) zoning standards

In consideration of the fact that the existing lot sizes are substantially nonconforming with the minimum lot size requirement of the R-5 district (see Figure 1), it is noteworthy that the proposed resubdivision would bring the 265 Poplar lot into conformity with minimum lot area requirements, and would decrease the degree of nonconformity for the smaller parcel to the north at 277 Poplar (see Figure 2).

Description of surrounding neighborhood

The three subject parcels were first platted in 1911, prior to the adoption of the Village's first zoning ordinance in 1922. Figure 3 depicts the location of the subject parcels centrally located within a large area of similarly zoned R-5 properties.

Figure 3 – surrounding zoning

In addition to the existing parcels being nonconforming with minimum lot size requirements, the existing lot sizes are small in comparison to nearby lots throughout the neighborhood. In the same block as the subject parcels, neighboring lots range from 8,200 s.f. to 16,600 s.f. The proposed increases to lot area (9,026 s.f. and 7,533 s.f.) are within the range of neighboring properties.

Compliance with Zoning Standards

The extent to which the proposed subdivision complies with minimum zoning standards is summarized in Table 2 below. All subdivisions are evaluated for compliance with basic minimum quantitative measures including minimum lot area, lot width, and lot depth.

Table 2 – Zoning Compliance Matrix

LOT AREA REQUIREMENTS		North lot (277 Poplar)	South lot (265 Poplar)
Minimum Lot size	8,400 sq. ft. minimum for interior lot 8,900 sq. ft. minimum for corner lot	7,533 s.f. (Existing nonconformity)	9,025 s.f. (Complies)
Minimum Average Lot Width	60 feet for interior lot 70 feet for corner lot	75 ft. (Complies)	90 ft. (Complies)
Minimum Lot Depth	120 feet	100 ft. (Existing nonconformity)	100 feet (Existing nonconformity)

Village subdivision regulations also contemplate that there may be instances where zoning nonconformities may exist in the context of a proposed subdivision, and may continue to exist after a subdivision is approved. In the event of such existing nonconformities, Section 16.12.010.D. of the Subdivision Ordinance requires a determination of whether such existing nonconformity, in the context of the proposed subdivision, will result in a material increased adverse impact upon the public health, safety or welfare. If such a determination is made, the request for subdivision may be denied.

In the case of the proposed subdivision, the two resulting parcels have three existing nonconformities: 1) Despite the proposed increases in lot area, the northerly lot's proposed lot area of 7,533 s.f. remains nonconforming with the minimum lot area of 8,900 s.f. and 2) Both

lots currently measure 100 ft. in depth (east to west), whereas the zoning ordinance requires a minimum lot depth of 120 ft.

Variations

Ordinance No. M-9-2014 grants variations from Section 17.30.050 [Front and Corner Yard Setbacks] and Section 17.12.020 [Permitted Uses] of the Winnetka Zoning Ordinance to permit a nonconforming corner (front) yard setback from Hawthorn Lane for the existing residence at 277 Poplar of 9.84 ft., whereas a minimum of 22.54 ft. is required, a variation of 12.7 ft. (56.34%) that is created by the resubdivision. The variation from Permitted Uses is to allow the existing residence at 271 Poplar to remain temporarily during construction of additions to 265 Poplar subsequent to the proposed resubdivision, whereas only one dwelling unit is permitted on each lot.

Corner (front) Yard Setback

With the proposed subdivision, 277 Poplar would gain 25 ft. in width, creating a lot 75 ft. wide. The increased lot width requires a larger corner (front) yard setback from Hawthorn of 22.54 ft. Currently, the required corner yard setback is 14.05 ft. The existing setback, measured to the excessive eave, is 9.84 ft., which requires a variation of 12.7 ft. (56.34%). The proposed subdivision does not create a nonconforming corner (front) yard; rather it increases the degree of the existing nonconformity.

Permitted Uses

Subject to approval of the proposed subdivision, the owners of 265 Poplar also propose constructing additions to their existing residence together with a new two-car detached garage (depicted generally in Figure 4 below). At this time, no improvements are proposed for the residence at 277 Poplar.

The petitioners are seeking approval for the Bartels to temporarily occupy the soon-to-be demolished residence at 271 Poplar while constructing additions to their residence at 265 Poplar. An attached phasing plan (Exhibit B in Ordinance M-9-2014) prepared by the petitioner's architect explains the proposed phasing of this request. Of particular note is the fact that, upon recordation of the proposed subdivision, the existing residence will literally straddle the new lot line proposed to separate the two lots (albeit temporarily). Section 17.12.020 only allows for one single-family residence on a lot, therefore, the requested variation is necessary to carry out their plan.

Figure 4 – proposed improvements

The Bartels desire to relocate their family temporarily to the 271 Poplar residence versus relocating elsewhere during construction, due to the difficulty in finding a nearby rental during construction, and due to the cost savings offered by the proposed arrangement.

Due to the creation of the temporary encroachment, staff has suggested that, if such an approach were to be considered by the Village, minimum requirements would include the posting of a letter of credit or other form of surety to guarantee the eventual demolition of the 271 Poplar residence. To that end, the applicants have submitted a contract establishing the costs of demolishing the residence and restoring the site, and have agreed in concept to the posting of a cash deposit to secure demolition.

There are no other previous zoning cases for any of the three properties.

The Bartels acquired 265 Poplar in 2008 and 271 Poplar in 2010. The McGowans acquired 277 Poplar in 2002.

Recommendations of Advisory Boards

The Plan Commission (PC) considered the resubdivision at its meeting on July 23, 2014. The PC voted 8 to 0, with one abstention, to recommend approval of the subdivision with no conditions, acknowledging the proposed increase to lot area brings the lots closer to conformity with zoning regulations and closer to the size of lots in the surrounding neighborhood. In a separate vote, the Commission also unanimously supported the request to temporarily occupy 271 Poplar, subject to the applicant providing surety to guarantee the timely demolition of the residence and restoration of the site, with such surety to be in a form acceptable to the Village Council and Village Attorney.

The Zoning Board of Appeals (ZBA) considered the variations at two separate hearings. At their meeting June 9, 2014, the four members present voted unanimously to recommend approval of the corner (front) yard setback (Exhibit C in Ordinance M-9-2014). Secondly, at their meeting August 11, 2014, the four members present voted unanimously to recommend approval of the Permitted Uses variation to allow the existing residence at 271 Poplar to remain temporarily during construction of additions to 265 Poplar (Exhibit C).

Council Consideration and Action

Introduction of Ordinance No. M-9-2014 was approved by the Council at the September 16, 2014 meeting. Adoption of the ordinance requires the concurrence of a majority of the Council.

Recommendation

Consider adoption of Ordinance No. M-9-2014, granting approval of the proposed resubdivision of 265, 271 and 277 Poplar as well as variations for the corner (front) yard setback at 277 Poplar and to permit the temporary existence of the residence at 271 Poplar to straddle the new lot line created by the approved subdivision.

Attachments

Attachment A: Zoning Matrix (277 Poplar)
Attachment B: Ordinance No. M-9-2014

ATTACHMENT A

ZONING MATRIX

ADDRESS: 277 Poplar St.
CASE NO: 14-15-V2
ZONING: R-5

ITEM	REQUIREMENT	EXISTING	PROPOSED	TOTAL	STATUS
Min. Lot Size	8,900 SF	5,018.01 SF	7,521.01 SF	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	70 FT	50.12 FT	75.12 FT	N/A	OK
Max. Roofed Lot Coverage	2,030.67 SF (1)	1,203.5 SF	N/A	N/A	OK
Max. Gross Floor Area	3,008.4 SF (1)	2,180.09 SF	N/A	N/A	OK
Max. Impermeable Lot Coverage	3,760.5 SF (1)	1,647.9 SF	N/A	N/A	OK
Min. Front Yard (Poplar)	30 FT	17.5 FT (2)	N/A	N/A	EXISTING NONCONFORMING
Min. Corner (Front) Yard (Hawthorn)	22.54 FT	9.84 FT (3)	N/A	N/A	**12.7 FT (56.34%) VARIATION**
Min. Side Yard (South)	7.51 FT	13.12 FT (3)	N/A	N/A	OK
Min. Rear Yard (East)	15.02 FT	27.97 FT (3)	N/A	N/A	OK

NOTES:

(1) Permitted s.f. based on proposed lot area of 7,521.01 s.f.
(2) Setback to porch.
(3) Setback to excessive eave.
(4) The existing residence is also considered legal nonconforming with respect to the building line articulation requirement and the fact that the attached garage is below the first floor and facing Hawthorn.

ATTACHMENT B

ORDINANCE NO. M-9-2014

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND GRANTING VARIATIONS IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS (265, 271, AND 277 POPLAR STREET)

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, pursuant to which it has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village; and

WHEREAS, David and Elisa Bartels (collectively, the ***"Bartels"***) own the properties commonly known as: (i) 265 Poplar Street (***"265 Poplar Property"***); and (ii) 271 Poplar Street, (***"271 Poplar Property"***), both in the Village; and

WHEREAS, Joseph and Lisa McGowan (collectively, the ***"McGowans"***) (collectively, the Bartels and the McGowans are the ***"Owners"***) own the property commonly known as 277 Poplar Street (***"277 Poplar Property"***), in the Village; and

WHEREAS, the 265 Poplar Property is legally described as follows:

THE SOUTH 65 FEET OF LOTS 6 AND 7 IN THE RESUBDIVISION OF LOTS 1 TO 7 AND REPLAT OF LOTS 8 TO 14, IN BLOCK 18 IN THE SUBDIVISION OF BLOCKS 18, 21, 22 AND 23 IN JOHN C. GARLAND'S ADDITION TO WINNETKA, BEING A SUBDIVISION OF THE NORTH 120 ACRES OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; and

WHEREAS, the 271 Poplar Property is legally described as follows:

THE 50 FEET NORTH AND ADJOINING THE SOUTH 65 FEET OF LOTS 6 AND 7 IN RESUBDIVISION OF LOTS 1 TO 7, AND REPLAT OF LOTS 8 TO 14 IN BLOCK 18 IN THE SUBDIVISION OF BLOCKS 18, 21, 22, AND 23 IN JOHN C. GARLAND'S ADDITION TO WINNETKA, BEING A SUBDIVISION OF THE NORTH 120 ACRES OF THE SOUTH WEST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; and

WHEREAS, the 277 Poplar Property is legally described as follows:

LOTS 6 AND 7 (EXCEPT THE SOUTH 115 FEET THEREOF) IN THE RESUBDIVISION OF LOTS 1 TO 7 AND REPLAT OF LOTS 8 TO 14 IN BLOCK 18 IN THE SUBDIVISION OF BLOCKS 18, 21, 22, AND 23 IN JOHN C. GARLAND'S ADDITION TO WINNETKA, BEING A SUBDIVISION OF THE NORTH 120 ACRES OF THE SOUTH WEST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; and

WHEREAS, the 265 Poplar Property, the 271 Poplar Property, and the 277 Poplar Property (collectively, the ***"Properties"***) are each located within the R-5 Single-Family Residential Zoning District (***"R-5 District"***); and

WHEREAS, the 277 Poplar Property is an existing nonconforming use because it has a corner yard setback of 9.84 feet, where a corner yard setback of 14.05 feet is required in the R-5 District pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance (***"Zoning Ordinance"***); and

WHEREAS, each of the Properties is a separate lot of record improved with a single-family residence; and

WHEREAS, on April 22, 2014, the Bartels submitted an application to the Village for a proposed final plat of resubdivision (***"Final Plat"***), depicted on **Exhibit A** attached to and, by this reference, made a part of this Ordinance, consolidating the Properties' three adjoining lots of record into two adjoining lots of record: (i) a lot located at the south east corner of the intersection of Poplar Street and Hawthorn Lane comprised of the 277 Poplar Property and a portion of the 271 Poplar Property (***"Lot 1"***); and (ii) a lot located to the south of, and adjacent to, Lot 1 comprised of the 265 Poplar Property and a portion of the 271 Poplar Property (***"Lot 2"***) (collectively, Lot 1 and Lot 2 are the ***"Resubdivided Lots"***); and

WHEREAS, if the Final Plat is approved, the Bartels desire to: (i) construct certain alterations to the single-family residence located on the 265 Poplar Property (***"Work"***); (ii) during the performance of the Work, reside in the single-family residence currently located on the 271 Poplar Property; and (iii) upon completion of the Work, demolish the single-family residence currently located on the 271 Poplar Property (***"Demolition"***); and

WHEREAS, if the Final Plat is approved: (i) the single family residence currently located on the 277 Poplar Property will be located on Lot 1, the single-family residence currently located on the 265 Poplar Property will be located on Lot 2, and, until the Work is completed, the single-family residence currently located on the 271 Poplar Property will temporarily be located partially on Lot 1 and partially on Lot 2, all as depicted on **Exhibit B** attached to and, by this reference, made a part of this Ordinance; and (ii) Lot 1 will have a lot width 25 feet greater than the lot width of the 277 Poplar Property and will continue to have a corner front yard setback of 9.84 feet; and

WHEREAS, Section 17.12.020 of the Zoning Ordinance only permits one dwelling unit on each lot of record in the R-5 District; and

WHEREAS, if the Final Plat is approved, Section 17.030.050 of the Zoning Ordinance would require that Lot 1 have a minimum corner front yard setback of 22.54 feet, increasing the current nonconformity of the corner yard setback of the 271 Poplar Property; and

WHEREAS, on April 26, 2014, Joseph McGowan filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to permit, on Lot 1, the corner yard setback of 9.84 feet, a variation of 12.7 feet (56.34 percent) (***"Corner Yard Variation"***); and

WHEREAS, on July 11, 2014, the Bartels filed an application for a variation from Section 17.12.020 to temporarily permit the single-family residence currently located on the 271 Poplar Property to be located partially on Lot 1 and partially on Lot 2 in addition to the 277 Poplar Property and the 265 Poplar Property, respectively (***"Single Dwelling Unit Variation"***); and

WHEREAS, on July 23, 2014, after due notice thereof, the Winnetka Plan Commission considered and voted, by a vote of eight to zero, with one abstention, to recommend that the Village Council approve the Final Plat; and

WHEREAS, on June 9, 2014, after due notice thereof, the Winnetka Zoning Board of Appeals (***"ZBA"***) conducted a public hearing on the Corner Yard Variation and, after consideration, recommended by a vote of four to zero that the Village Council approve the Corner Yard Variation; and

WHEREAS, on August 11, 2014, after due notice thereof, the ZBA conducted a public hearing and, after consideration, recommended by a vote of four to zero that the Village Council approve the Single Dwelling Unit Variation; and

WHEREAS, pursuant to Sections 17.60.040 and 17.60.050 of the Zoning Ordinance, the ZBA heard evidence and made certain findings in support of recommending approval of the Corner Lot Variation and the Single Dwelling Unit Variation (collectively, the ***"Variations"***), which findings are set forth in the ZBA public hearing minutes attached to and, by this reference, made a part of this Ordinance as **Group Exhibit C**; and

WHEREAS, pursuant to Section 17.60.050 of the Zoning Ordinance, the Village Council has determined that: (i) the Variations are in harmony with the general purpose and intent of the Zoning Ordinance and are in accordance with general or specific rules set forth in Chapter 17.60 of the Zoning Ordinance; and (ii) there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions or regulations of the Zoning Ordinance from which the Variations have been sought; and

WHEREAS, the Village Council has determined that it is in the best interest of the Village to: (i) approve the Final Plat; and (ii) grant the Variations, all subject to and in strict accordance with the terms and conditions of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnetka, as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: APPROVAL OF FINAL PLAT. Pursuant to Sections 16.04.030 and 16.08.010 of the Village Code, the Village Council hereby approves the consolidation of the Properties into Lot 1 and Lot 2 in strict accordance with the Final Plat attached to this Ordinance as Exhibit A. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, on behalf of the Village, the Final Plat, and to record the Final Plat as provided by law.

SECTION 3: APPROVAL OF VARIATIONS. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village, the Village Council hereby grants:

A. A variation to Section 17.30.050 of the Zoning Ordinance to decrease the minimum corner yard setback of Lot 1, from 22.54 feet to 9.84 feet; and

B. A variation from Section 17.12.020 of the Zoning Ordinance to temporarily permit more than one dwelling unit to be located on Lot 1 and Lot 2, specifically: (i) the

single family residence currently located on the 277 Poplar Property to be located on Lot 1; (ii) the single-family residence currently located on the 265 Poplar Property to be located on Lot 2; (iii) and the single-family residence currently located on the 271 Poplar Property to be temporarily located partially on Lot 1 and partially on Lot 2, all as depicted on Exhibit B of this Ordinance.

SECTION 4: CONDITIONS. The approval granted in Section 3 of this Ordinance is subject to and conditioned upon the construction, use, and maintenance of the Resubdivided Lots in compliance with each and all of the following conditions:

A. Commencement and Completion of Construction. The Work must commence within 12 months after the effective date of this Ordinance, and the Work and the Demolition must be completed no later than 24 months after the effective date of this Ordinance.

B. Letter of Credit. The Bartels must furnish the Village with a letter of credit in a form acceptable to the Village Attorney and Village Manager in the amount of $21,150.00 (***"Letter of Credit"***). The Letter of Credit will be effective until: (i) the Bartels complete the Work and the Demolition; and (ii) obtain a certificate of occupancy from the Village to reoccupy the single-family residence currently located on the 265 Poplar Property. If the Bartels fail to complete the Work and the Demolition in accordance with Section 4.A of this Ordinance, the Village reserves the right to perform and complete the Demolition and to recover from the Bartels all costs and expenses, including legal and administrative costs, incurred by the Village for such work. If any amount charged to the Bartels by the Village for the Demolition work is not paid within 30 days after written demand by the Village for payment, the Village shall have the right to draw from the Letter Credit an amount of money sufficient to defray the entire cost of the amount charged to the Bartels.

C. Compliance with Regulations. Except to the extent specifically provided otherwise in this Ordinance, the Work, the Demolition, and the development, use, operation, and maintenance of the Resubdivided Lots must comply at all times with all applicable Village codes and ordinances, as the same have been or may be amended from time to time.

D. Compliance with Plans. Except for minor changes and site work approved by the Director of Community Development or the Village Engineer (for matters within their respective permitting authorities) in accordance with all applicable Village standards, the Work, the Demolition, and the development, use, operation, and maintenance of the Resubdivided Lots must comply with the following documents:

1. The Final Plat, consisting of one sheet, prepared by Geodetic Survey, Ltd., with a latest revision date of June 4, 2014, a copy of which is attached to this Ordinance as Exhibit A.
2. The Phasing Site Plans, consisting of one sheet, prepared by Morgante Wilson Architects, Ltd., a copy of which is attached to this Ordinance as Exhibit B.

SECTION 5: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Recorder of Deeds. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and be binding upon, the Owners and each of their heirs, representatives, successors, assigns, or transferees.

SECTION 6: FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of either of the Owners to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approvals granted in Section 3 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 3 of this Ordinance unless it first provides the Owners with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of such revocation, the development and use of the Property will be governed solely by the regulations of the R-5 District and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 7: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for the amending or granting of variations.

SECTION 8: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage of this Ordinance by the Village Council in the manner required by law;
2. Publication of this Ordinance in pamphlet form in the manner required by law;
3. The filing by the Bartels of the Letter of Credit with the Village;
4. The filing by the Owners with the Village Clerk of a fully executed Unconditional Agreement and Consent, in the form of **Exhibit D** attached to and, by this reference, made a part of this Ordinance, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance; and
5. Recordation of this Ordinance, together with such exhibits as the Village Clerk deems appropriate for recordation, with the office of the Recorder of Cook County.

B. In the event that the Owners do not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 8.A.4 of this Ordinance, within 30 days after the date of final passage of this Ordinance by the Village Council, the Village Council will have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

PASSED this __ day of _____, 2014, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this __ day of _____, 2014.

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this __ day of _____, 2014.

Introduced: September 16, 2014
Passed and Approved: ____, 2014

EXHIBIT A

<u>FINAL PLAT OF RESUBDIVISION</u>

(SEE ATTACHED EXHIBIT A)

EXHIBIT A

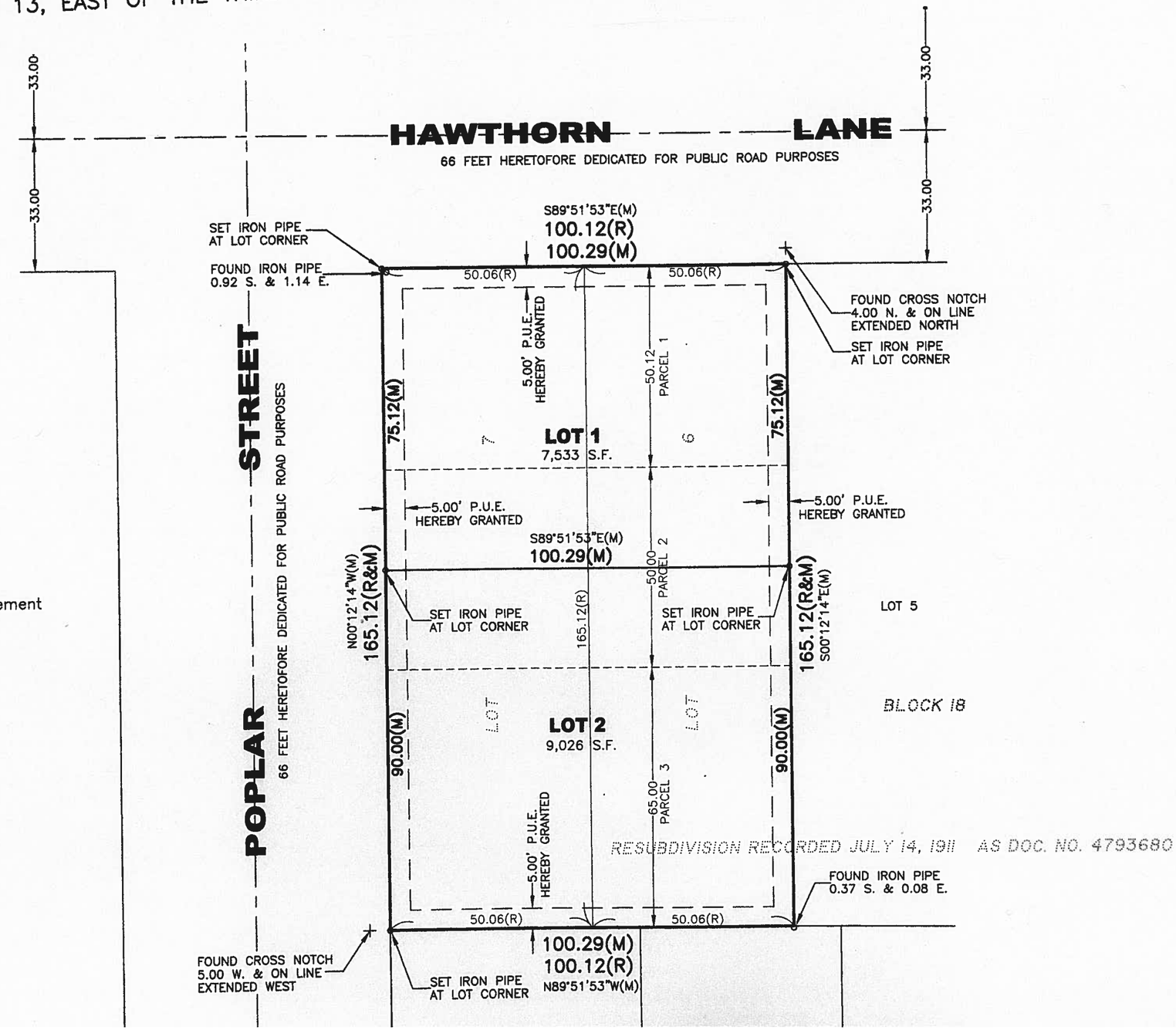
FINAL PLAT OF

WABOZO SUBDIVISION

BEING A SUBDIVISION OF PART OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LEGEND:

(R) = Subdivision Record
(M) = Measured
(D) = Deed
N. = North
S. = South
W. = West
E. = East
P.U.E. = Public Utility Easement



This plat s
Village of
510 Green
Winnetka,
Tel. 1-847-

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County of

I, Thomas
do hereby
this Plat

Dated this

Public Utilit

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EXHIBIT B

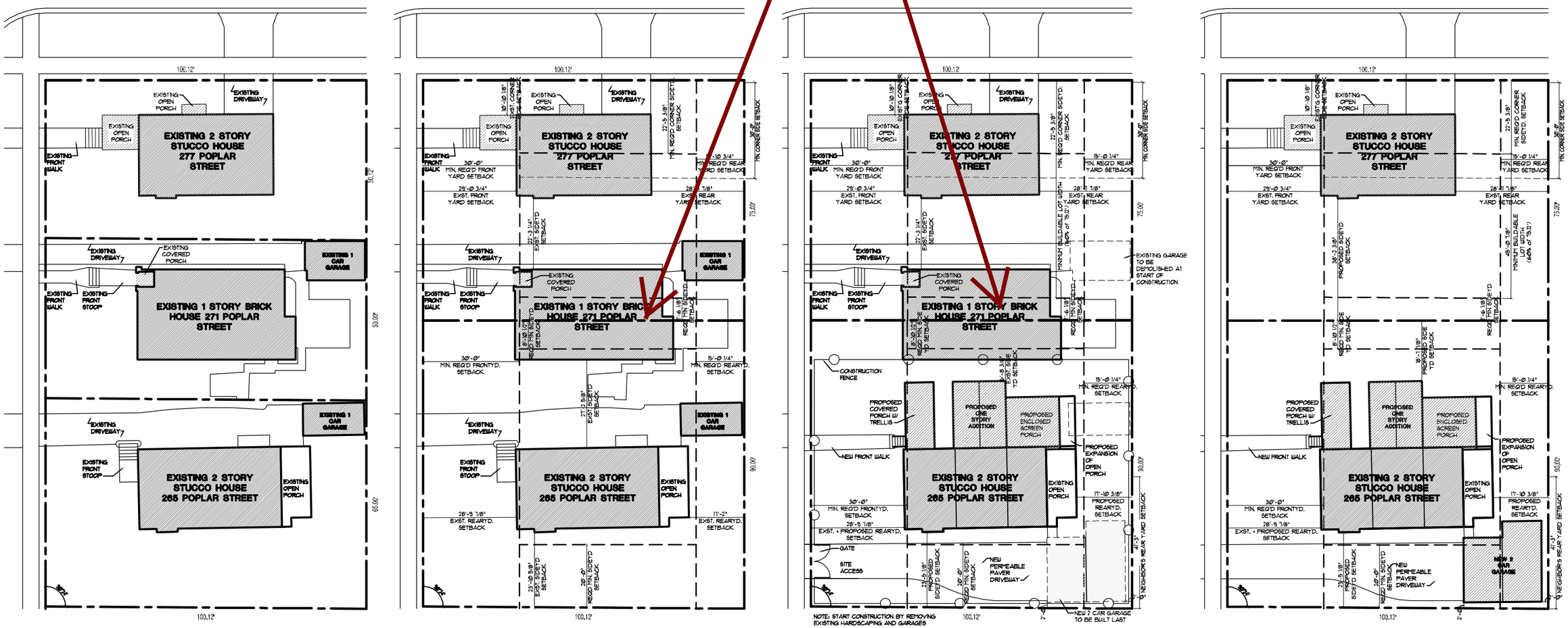
<u>PHASING SITE PLANS</u>

(SEE ATTACHED EXHIBIT B)

EXHIBIT B

Applicant's Phasing plan

Temporary straddling of new lot line



1 EXISTING SITE PLAN
1/32" = 1'-0"

2 PROPOSED SUBDIVISION PLAN
1/32" = 1'-0"

3 PROPOSED CONSTRUCTION SITE PLAN
1/32" = 1'-0"

4 PROPOSED SITE PLAN
1/32" = 1'-0"

MWA
MORGANTEWILSON.COM

MORGANTE·WILSON ARCHITECTS, LTD.
2834 CENTRAL STREET, EVANSTON, IL 60201
PH: 847.332.1001 FX: 847.332.2388

DRAWN BY:
CHECKED BY:
JOB No.: 1335
ISSUED:

THE BARTELS RESIDENCE
265 POPLAR STREET WINNETKA, ILLINOIS

PHASING SITE PLANS

© 2014 Morgante-Wilson Architects, Ltd.

A.1.0

GROUP EXHIBIT C

<u>ZBA MINUTES</u>

(SEE ATTACHED EXHIBIT C)

EXHIBIT C

Minutes adopted 07.14.2014

WINNETKA ZONING BOARD OF APPEALS
EXCERPT OF MINUTES
JUNE 9, 2014

Zoning Board Members Present:	Joni Johnson, Chairperson Chris Blum Andrew Cripe Mary Hickey
Zoning Board Members Absent:	Carl Lane Jim McCoy Scott Myers
Village Staff:	Michael D'Onofrio, Director of Community Development Ann Klaassen, Planning Assistant

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Case No. 14-15-V2:	277 Poplar Street Joseph McGowan Variation by Ordinance 1. Front and Corner Yard Setbacks

277 Poplar Street, Case No. 14-15-V2, Joseph McGowan, Variation by Ordinance – Front and Corner Yard Setbacks

Mr. D'Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by Joseph McGowan, 277 Poplar Street, and Dave and Elisa Bartels, 265 Poplar Street concerning a variation by ordinance from Section 17.30.050 [Front and Corner Yard Setbacks] of the Winnetka Zoning Ordinance to permit a nonconforming Corner (Front) Yard Setback from Hawthorn Lane for the existing residence at 277 Poplar Street of 9.84 feet, whereas a minimum of 22.54 feet is required, a variation of 12.7 feet (56.34%) that is created by the subdivision of the three lots known at 277, 271 and 265 Poplar Street into two lots. As part of the proposed subdivision, the existing residence at 271 Poplar would be demolished.

Chairperson Johnson swore in those that would be speaking on this case.

Mike Shively with Morgante Wilson Architects introduced himself to the Board along with the Bartels. He stated that he assumed that the Board has the plans which were submitted.

Chairperson Johnson asked if the Bartels owned the property.

Mr. Shively stated that he is representing Joseph McGowan, the owner of the property at 277 Poplar Street because Mr. McGowan could not attend the meeting. He confirmed that the Bartels

own the property at 265 Poplar Street and 271 Poplar Street.

Mr. Shively stated that the issue related to subdividing 271 Poplar Street so that portions of that lot go to the other two properties. He stated that the end result would be lot sizes which would be more in keeping with others in the neighborhood. Mr. Shively then stated that the Bartels' lot measured 90 feet and the corner lot measured 75 feet. He indicated that there is a zoning issue in the widening of the corner lot in that it increased the nonconformity of the corner yard setback. Mr. Shively noted that no work is proposed for that home.

Chairperson Johnson asked if there were any questions.

Ms. Hickey asked if they could discuss the matter without the McGowans here.

Chairperson Johnson stated that Mr. Shively is presenting the case on their behalf since his firm is listed on the application. She also referred to a May 8, 2014 letter which she noted was not signed by Mr. Shively and added that the property owner did not have to be here. Chairperson Johnson stated that the Bartels applied as well. She then stated that it is not relevant, but perhaps the Plan Commission may think it is relevant as far as the plans are concerned. She stated that the Board is only concerned with regard to the nonconformity as a result of the resubdivision. Chairperson Johnson stated that she wanted to make it clear if the subdivided property of the McGowans is brought into compliance with the codes and is a larger lot, they did not have any jurisdiction only because it increased the nonconformity because of the lot size increase. She noted that in the agenda report, the Bartels' lot did not have any nonconformities.

Mr. Cripe asked Mr. Bartels if he purchased the home as two lots.

Mr. Bartels confirmed that is correct.

Mr. D'Onofrio stated that the architect is representing the McGowans and that the Bartels are representing themselves.

Chairperson Johnson asked if there were any other questions.

Mr. Cripe referred to the process for the demolition of the home first.

Mr. D'Onofrio stated that it would go through for approval on the demolition regardless. He described it as what comes first, the chicken or the egg and that he did not know if they applied for demolition yet. Mr. D'Onofrio then stated that the subdivision would be conditioned on the removal of the home.

Chairperson Johnson asked if there were any questions in connection with the nonconformity.

Mr. Blum asked Mr. Shively to speak to how the property cannot yield reasonable return. He stated that the letter did not really say why it cannot.

Mr. Bartels referred to the property in between.

Mr. Shively stated that it is their contention that the lots at their current widths are substandard in comparison to others in the neighborhood. He stated that the idea of splitting the middle lot is that the resulting lot sizes would be more in character with the neighborhood as opposed to combining it with the lot next door and ending up with a wide lot on the corner.

Ms. Hickey referred to 25 feet and that it would enhance the backyard which she described as quite narrow.

Mr. Shively agreed that is correct and that it would help everyone.

Ms. Hickey then asked if there is a fence or is it open.

Mr. Bartels responded that it is open.

Mr. Cripe asked what the state of the home to be demolished is and if there was anyone living in it.

Mr. Bartels stated that the occupants would be gone before the home is demolished and that they do own it. He reiterated that the 265 Poplar Street owners own the property at 271 Poplar Street.

Mr. Blum stated that with regard to the taxable value of the land statement, it will not decrease. He then stated that in looking at the variation, he asked how did they consider that. Mr. Blum also asked if they have any information on the impact of taking the middle property off of the tax roll.

Mr. D'Onofrio stated that the variance request is being made because of the subdivision and that it has to do with the corner front setback on 277 Poplar Street. He then stated that home is not going anywhere. Mr. D'Onofrio stated that in connection with what the variation request is specific to, the standards have to address the enlargement of the existing nonconforming setback which is currently at 14.05 feet and that with the subdivision and increase in lot width, it would go to 22.54 feet. He then stated that the taxable value standard is specific to 277 Poplar Street.

Mr. Blum stated that he is fine with that explanation.

Chairperson Johnson asked if there were any other questions from the Board. No additional questions were raised by the Board at this time. She then asked if there were any questions from the audience.

Mr. Shively stated that it would be great for the neighborhood to get the variation and asked the Board if they had any questions for him.

Chairperson Johnson referred to the issue of the driveway nonconformity on Hawthorn. She asked why and if it is a setback issue.

Ms. Klaassen responded that the front-facing attached garage below the first floor level is considered an existing nonconformity.

Mr. Shively stated that while not speaking for Mr. McGowan, he referred to the vision to change

the driveway. He also referred to the current driveway at 271 Poplar Street and that once the property is subdivided, they might switch and build a decent garage which would be more in keeping with the neighborhood.

Chairperson Johnson informed the audience that is more of a factor for the Plan Commission in terms of the subdivision and that any time there is a demolition which would leave vacant land it would be taxed at a lower rate than a lot with a home on it. She then stated that the Board is not to look at it in terms of the variation, but whether the variation would diminish taxable value. Chairperson Johnson indicated that it might be balanced by the improvements to the other two lots. She then called the matter in for discussion. Chairperson Johnson noted that the Board is a recommending body and that the request would go to the Plan Commission and then to the Village Council.

Mr. Blum stated that they have a situation where they have a home existing as is and the setback line is in the middle of the home. He then stated that the reasonable return standard was quickly met in that they cannot have that situation. Mr. Blum also stated that it is unique in that they are assuming that the subdivision would be done and that when they have a property with this issue, a variation would make sense. He stated that with regard to the request altering the character of the locality, there is no issue.

Mr. Cripe stated that given the limited focus of the Board to consider just the variation on 277 Poplar Street and not on the larger issues which may concern other people by the elimination of the property that is not within the Board's scope. He stated that he would be in support of the variation.

Ms. Hickey stated that she is also in support.

Chairperson Johnson then asked for a motion.

Mr. Blum moved to recommend that the request be approved and stated that after hearing the testimony, they found that with regard to reasonable return they have a have situation where the setback ran through the home and that the alternative to tear down the home and relocate it would not be reasonable. He stated that with regard to unique circumstances, he referred to the lot requiring modification under the existing home. Mr. Blum stated that the request would not alter the character of the locality and that there is no indication that it would alter the character of the locality. He then stated that the light and air to surrounding properties could be improved and that with regard to the setback to the street, there is no indication that the adequate supply of light and air would be affected. Mr. Blum state that there would be no hazard from fire and that the taxable value of the land would not be affected. He stated that congestion would not increase and that the public health, safety, comfort, morals and welfare of the Village will not be otherwise impaired and moved to recommend approval of the variation.

Chairperson Johnson added that the increased lot width would bring the lot into compliance with the minimum lot width requirement.

Mr. Blum stated that is fine to add that to the motion.

Chairperson Johnson also noted for the record that any future improvements or alterations would have to meet the zoning requirements and that they are not binding the Village to allow future variations.

Ms. Hickey seconded the motion. A vote was taken and the motion was unanimously passed, 4 to 0.

AYES: Blum, Cripe, Hickey, Johnson
NAYS: None

FINDINGS OF THE ZONING BOARD OF APPEALS

1. The requested variation is within the final jurisdiction of the Village Council.

2. The requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance. The proposal is compatible, in general, with the character of existing development within the immediate neighborhood with respect to architectural scale and other site improvements.

3. There are practical difficulties or a particular hardship which prevents strict application of Section 17.30.050 [Front and Corner Yard Setbacks] of the Winnetka Zoning Ordinance which is related to the use or the construction or alteration of buildings or structures.

The evidence in the judgment of the Zoning Board of Appeals has established:

1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone. The existing home is nonconforming with respect to the corner setback. The proposed subdivision would increase the lot width and subsequently the required corner setback resulting in an increase of the nonconformity. The only alternative is to tear down the residence and rebuild in a conformation location, which is unreasonable.

2. The plight of the owner is due to unique circumstance. Such circumstances must associated with the characteristics of the property in question, rather than being related to the occupants. The existing residence does not comply with the required corner setback from Hawthorn Lane. The proposed subdivision requires approval of the variation because the degree of the nonconformity would be increased based on the increase in lot width.

3. The variation, if granted, will not alter the essential character of the locality. No alterations are proposed for the residence at 277 Poplar St. Therefore, the existing conditions will remain and there will be no alteration to the essential character of the locality.

4. An adequate supply of light and air to the adjacent property will not be impaired. The setback of the existing home will remain the same so there will be no change to the supply

of light and air to the adjacent property.

5. The hazard from fire or other damages to the property will not be increased. No improvements to the residence are proposed at this time.

6. The taxable value of land and buildings throughout the Village will not diminish. The existing nonconformity exists today and there are not changes proposed for the existing residence, therefore the taxable value of land will not diminish.

7. The congestion in the public street will not increase. The structure will continue to be used as a single-family residence. Furthermore, the proposed subdivision and resulting demolition of the adjacent home may in fact decrease congestion.

8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not otherwise be impaired. No evidence was provided to the contrary.

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EXHIBIT C

Minutes adopted 09.08.2014

WINNETKA ZONING BOARD OF APPEALS
EXCERPT OF MINUTES
AUGUST 11, 2014

Zoning Board Members Present:	Carl Lane, Acting Chairman Chris Blum Andrew Cripe Mary Hickey
Zoning Board Members Absent:	Joni Johnson Jim McCoy Scott Myers
Village Staff:	Michael D'Onofrio, Director of Community Development

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Case No. 14-20-V2:	265 Poplar, 271 Poplar and 277 Poplar Street Dave and Elise Bartels and Joseph McGowan Variation by Ordinance 1. Permitted Uses

265, 271 and 277 Poplar Street, Case No. 14-20-V2, Dave and Elise Bartels and Joseph McGowan, Variation by Ordinance - Permitted Uses

Mr. D'Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by Dave and Elisa Bartels, the owners of 265 Poplar and 271 Poplar St., and Joseph McGowan, the owner of 277 Poplar St., concerning a variation by Ordinance from Section 17.12.020 [Permitted Uses] of the Winnetka Zoning Ordinance to allow the existing residence at 271 Poplar St. to remain temporarily during construction of additions to 265 Poplar St. subsequent to the proposed resubdivision of the three lots known as 265 Poplar, 271 Poplar, and 277 Poplar into two lots, whereas only one dwelling unit is permitted on each lot.

Chairman Lane noted that the Board would be using the same standards for granting a variation as they normally would. He added that the Board would be making a recommendation to the Village Council. Chairman Lane then swore in those that would be speaking on this case.

Dave Bartels of 265 Poplar Street introduced himself to the Board and described the request as fairly unusual. He noted that they were here before and talked about what they are trying to do with the subdivision. Mr. Bartels then stated that the reason they are interested in staying at 271 Poplar while the work is being done on 265 Poplar is for a few reasons. He informed the Board that their children are within walking distance from Greeley School and that there would be a minimum disruption on them through this process. Mr. Bartels also stated that they like the neighborhood and the neighbors and that they want to stay as close to the home as possible. He

then stated that as construction is going on, to the extent there are any issues, they would be located right next door. Mr. Bartels informed the Board that his wife is there most of the time.

Mr. Bartels also stated that there are financial concerns and noted that rental homes are not cheap and close enough for their children to walk to school. He stated that there would be a financial benefit in them doing it this way. Mr. Bartels noted that those are the main reasons they are interested in temporarily residing at 271 Poplar while 265 Poplar is being improved. He added that the renovation involved a kitchen renovation which would make it difficult for them to live through the construction process and that they would need to move out with 271 Poplar being the most convenient place for them to go.

Chairman Lane referred to the component of providing the Village with a letter of credit. He asked Mr. Bartels to explain the amount and how it is determined.

Mr. Bartels informed the Board that they received an estimate on the cost to tear down the home and that it would be 100% of that cost which included a fee to the Village. He informed the Board that they offered to do a letter of credit, to put money into an escrow and cash. Mr. Bartels indicated that it would be more cost effective for them to do that and that banks charge for a letter of credit. He also stated that they are open to whatever suggestion is preferred but that it is their preference to give money to the Village to hold. Mr. Bartels then stated that if for some reason something happened, the Village would have the money to tear down the home. He noted that the goal is not to have a structure with a property line going through it. Mr. Bartels stated that they expect the project to be in the 6 to 9 month range and reiterated that they would work with the Village.

Chairman Lane stated that if there is a cash escrow or letter of credit, the bank would make them cash collateralize it anyway. He then asked if they set a deadline to move out.

Mr. Bartels confirmed that is correct.

Mr. D'Onofrio confirmed that the applicants would work with the Community Development Department and Mr. Norkus.

Mr. Cripe asked Mr. Bartels if they looked at the option of a surety bond.

Mr. Bartels responded that they did not and that it would be easiest this way.

Ms. Hickey asked when construction would commence.

Mr. Bartels stated that it would be in the spring with a March project start and that they would move into 271 Poplar through the end of the year.

Ms. Hickey stated that she would like to reiterate Chairman Lane’s comments with regard to having an end date.

Mr. Bartels confirmed that they did.

Mr. D'Onofrio informed the Board that the applicants would be required to put up the letter of credit before the subdivision is recorded. He then stated that once the subdivision is recorded, it is a triggering mechanism. Mr. D'Onofrio reiterated that they would work with the applicants to determine when they anticipate the completion of the project and that they would add several months to that date. He noted that the goal is to complete the project and that they would work with them on the deadline. Mr. D'Onofrio referred to the triggering event to get it to record the subdivision and added that the variation is requesting that there be more than one principal structure on the lot.

Chairman Lane stated that with regard to the reasonable return requirement, he asked what is the incremental cost to the project for the applicants to move to another property and rent it.

Mr. Bartels estimated that it would cost $5,000 month to rent a home and that while he did not know the specific figure, he stated that it is not cheap. He also stated that he did not know what would be on the market in March. Mr. Bartels stated that in 9 months, there would be an additional cost of $45,000 plus the extra months Mr. D'Onofrio estimated be added.
Mr. Blum asked if there were no other plans for the middle structure, if it is not used, would it sit empty.

Mr. Bartels responded that it would and that the home would be torn down absent the variation with the subdivision. He then stated that they plan not to have a structure with a property line running through it.

Chairman Lane asked if there were any other questions. He then asked if there were any unique circumstance comments. No comments were made by the Board at this time. Chairman Lane then asked if there were any comments from the audience. No comments were made by the audience at this time.

Chairman Lane then stated that the first standard is easier for the Board to identify. He referred to the situation of the cost associated with it which would be a substantial amount of money and would impact reasonable return. Chairman Lane also stated that it is vacant property that the applicants already own. He then stated that the unique circumstances standard is less clear to him. Chairman Lane stated that as obvious as it is, the Board still had to apply the standards.

Mr. Cripe stated that the challenging things are the boxes that they have to fill in. He stated that while he is in support of the request, there should be some common sense which should prevail. Mr. Cripe stated that with regard to the unique circumstances issue, he wrestled with what actually is the variation. He stated that once the property is subdivided and recorded, it would be legal.

Mr. D'Onofrio informed the Board that they would not issue a building permit unless they are making the improvements and until the subdivision is recorded.

Mr. Cripe stated that the variation they are dealing with is an amendment to what has already been approved.

Chairman Lane stated that he was thinking the same thing. He added that granting the

subdivision did not create unique circumstances.

Mr. Cripe stated that it addressed adequately that they felt comfortable with regard to the first zoning variation and that this would be an amendment to that. He also stated that he would piggy back on the reasons stated before.

Mr. Blum stated that it made sense and that they have a conflict here with regard to how to get the project done. He noted that this is the first time they have ever had this situation and that in the global context of what they are getting done, there would be a line going through the middle of the property. Mr. Blum also stated that tearing down the home instead of using it seemed unique.

Chairman Lane referred to the fact that they provided that the variance cannot be a unique circumstance.

Ms. Hickey referred to Mr. Cripe's comment with regard to the ordinance saying that the home cannot be used and that they are granting its use. She suggested that they come at it with a common sense approach and stated that she is in agreement with the request.

Chairman Lane stated that he would be comfortable in allowing the Village to structure a time frame and form of legal agreement.

Mr. Blum and Mr. Cripe agreed that would be fine.

Mr. Cripe indicated that he liked the letter of credit approach and that in the alternative; he suggested a surety bond or performance bond which would guarantee that the demolition will occur. He added that the premium would be significantly cheaper than a letter of credit. Mr. Cripe stated that he can suggest a variety of companies for them to use.

Mr. Blum stated that he would be in agreement and that to clarify, to understand that they have a timeline agreement, they covered that.

Chairman Lane asked when would the subdivision get executed.

Mr. D'Onofrio responded that it would be once this issue is decided on and the applicants post the surety bond, letter of credit or cash bond. He indicated that the Village likes a letter of credit and that they would work with them. Mr. D'Onofrio then stated that once they get that that would guarantee that the home would be demolished.

Mr. Blum asked if nothing could happen until this is decided.

Chairman Lane stated that the property can be subdivided, but that the home would be torn down. He referred to the expectation of construction in the spring and asked if there would be a 10 to 12 month timeframe.

Mr. Bartels confirmed that is correct. He added that there is a tenant living there now.

Chairman Lane asked if this variation would be for Mr. Bartels to move in the home and for the tenant to move out.

Mr. Bartels confirmed that is correct. He also stated that if the subdivision is approved right away, it would be for both.

Chairman Lane stated that they would not be providing a place for the tenant, but for the owners to live in the property.

Mr. D'Onofrio stated that in order to keep the request on the right path, he informed the Board that Mr. Bartels needed the extra square footage to make the proposed addition to the home and that he cannot do the project until the subdivision takes place or a different variation would be needed for the addition.

Mr. Blum asked if the subdivision goes through as is and the home is demolished, what is the tenant plan.

Mr. Bartels stated that if they require that the home be demolished upon the subdivision's approval, they would proceed with that process until the tenant is out. He then stated that if the request is approved, there would be a line running through the dwelling with a person living there and confirmed that is what they plan on. Mr. Bartels added that if it did not work, they would have to push the whole thing back and wait.

Mr. D'Onofrio informed the Board that if the applicants were building a new home, it would not be an issue and that the demolition would not be permitted until plans for the new home were ready. He noted that they would not issue a demolition permit for this home until the proposed additions are ready to be approved by the Village. Mr. D'Onofrio noted that what triggered this request did not trigger the demolition requirement and that before they record the subdivision, they want a surety that the home would be demolished.

Chairman Lane asked at what point did the subdivision have to be recorded.

Mr. D'Onofrio responded that in order for there to be a variation, it would have to be perfected within 12 months. He then stated that if the Village Council granted the variation, once there is a surety and the variation is in place, they can record the subdivision which could happen within 30 to 60 days.

Ms. Hickey asked when did the clock start.

Mr. D'Onofrio stated that it would start for the owner to occupy the property. He indicated that they did not see a problem and that the tenant would be out by year end, they can get the variation granted by the September date and would have until September 2015 to demolish the home. Mr. D'Onofrio referred to the Board recommending the approval of the variation to allow two principal structures on one lot of record.

Chairman Lane stated that the purpose of leaving the renter there is different than what was stated

as their request.

Mr. Bartels stated that they plan for the renter to stay until the year end which is on the lease. He stated that the plan is to start the project and move in 271 Poplar which would last approximately one year.

Mr. Blum stated that the applicants have to get their ducks in a row and that they cannot start until everything is approved.

Chairman Lane suggested that they require the variation to be contingent upon the tenant moving out at year end on December 31, 2014. He referred to the issue that it made sense for the tenant to stay. Chairman Lane then asked if there were any other questions.
Mr. Blum agreed that it made sense.

Ms. Hickey stated that she would be comfortable with the proposal with an end date for the tenant.

Chairman Lane then asked for a motion.

Mr. Cripe moved to recommend approval of the variation that two primary structures be permitted on the property even after the subdivision is recorded so long as the residence at 271 Poplar is not tenant occupied after December 31, 2014 and for the variation to be approved to allow the owners to occupy the residence at 271 Poplar while construction is making progress with the expected completion date within one year. He noted that one condition of the variation is to have a surety in a form acceptable to the Village to be provided in the form of a letter of credit, the posting of cash or an actual surety performance bond.

Mr. Cripe stated that the basis for evidentiary findings is as follows. He stated that first, in reviewing the unique situation, in many respects, they are looking at this as a modification of the original variation and therefore incorporate the reasons in support of that variation in support of this one. Mr. Cripe stated that with regard to reasonable return, he referred to the reasons cited in the prior variation and stated that in addition, to note the significant cost associated with requiring a suitable living structure while construction is proceeding. He stated that with regard to unique circumstances, the site is unique as previously cited in the previous variation granted and that the unique situation is analogous to the situation where the demolition permit would not be issued until a Certificate of Occupancy is issued. Mr. Cripe stated that the request would not alter the character of the locality and that they would only be altering the time frame from A to B. He stated that the light and air to the surrounding properties would not be affected and that there would be no hazard from fire. Mr. Cripe stated that the taxable value of the land would not be impaired and that congestion would not increase. He concluded by stating that the public health, safety, comfort, morals and welfare of the Village would not be otherwise impaired.

Chairman Lane stated that for clarification, the amount of the cash collateral should be 150% of the estimates provided in the package.

Mr. Cripe also stated that the letter of credit or surety concept is different and guaranteed the faithful performance of the teardown on or before a certain date. He added that the penalty

amount of the bond is that amount.

Mr. Blum stated that the estimates provided did not include the cost to the Village of the permit and that it was said to be part of that. He added that it was not included in the 150% calculation amount.

The motion was seconded. A vote was taken and the motion was unanimously passed, 4 to 0.

AYES: Blum, Cripe, Hickey, Lane
NAYS: None

FINDINGS OF THE ZONING BOARD OF APPEALS

1. The requested variation is within the final jurisdiction of the Village Council.

2. The requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance. The proposal is compatible, in general, with the character of existing development within the immediate neighborhood with respect to architectural scale and other site improvements.

3. There are practical difficulties or a particular hardship which prevents strict application of Section 17.12.020 [Permitted Uses] of the Winnetka Zoning Ordinance which is related to the use or the construction or alteration of buildings or structures.

The evidence in the judgment of the Zoning Board of Appeals has established:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone. The existing lots at 265, 271, and 277 Poplar are substandard in comparison to what is typical for the neighborhood. In splitting lot 271 and subdividing the properties, the lots become wider and comparable to the neighborhood standard. Furthermore, the building on lot 271 will be demolished, effectively decreasing the density of the resulting lots to be more in keeping with their surroundings.

   The owner of 265 Poplar purchased 271 Poplar to expand and renovate their house and lot, thereby increasing the value of their property and their neighbor's property. By maintaining residence at 271 Poplar during construction, the owners are able to continue their lives in Winnetka where their children attend school. Allowing the family to stay in the residence at 271 Poplar during construction greatly relieves the family from high rental prices necessary to stay in the school district while improvements are made to their house at 265 Poplar.

2. The plight of the owner is due to unique circumstance. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants. This is a unique opportunity for this neighborhood as the owners have two neighboring lots and can make significant improvements to their home, while increasing

the lot size for their neighbor.

3. The variation, if granted, will not alter the essential character of the locality. Upon completion of construction and demolition of the center structure, the variation, if granted, will improve the essential character of the locality by decreasing the density of the lot and its neighboring lots.

4. An adequate supply of light and air to adjacent property will not be impaired. If the variation is granted, the residence at 271 Poplar will be torn down after completion of additions to 265 Poplar. Therefore, the supply of light and air to adjacent property will not be impaired, it may even be increased.

5. The hazard from fire and other damages to the property will not be increased. Upon completion of construction at 265 Poplar and demolition of the 271 Poplar residence, the variation, if granted, will result in a decreased density and an increased distance between structures. Therefore, the hazard from fire and other damages to the property will be decreased.

6. The taxable value of the land and buildings throughout the Village will not diminish. The variation, if granted, will allow for improvements and increased size of the structure at 265 Poplar, thus increasing its property value. The increased lot size at 277 Poplar will result in increased property value due to an increased property size as well. Consequently, an increase in the taxable value of the land and buildings throughout the Village will ensue.

7. The congestion in the public street will not increase. The variation, if granted, will decrease density and therefore decrease the congestion in the public street.

8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not otherwise be impaired. The variation, if granted, will ultimately decrease density, increase taxable property and land values, and transform lots 265 and 277 Poplar to be in keeping with the character of the surrounding neighborhood. Therefore the public health, safety and comfort of the inhabitants of the Village will be improved, and the morals and welfare will not otherwise be impaired.

Adjournment:

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

Respectfully submitted,

Antionette Johnson

EXHIBIT D

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois (***"Village"***)**:**

WHEREAS, (i) David and Elisa Bartels (collectively, the ***"Bartels"***) own the properties commonly known as 265 Poplar Street (***"265 Poplar Property"***) and 271 Poplar Street (***"271 Poplar Property"***), both in the Village; and (ii) Joseph and Lisa McGowan (collectively, the ***"McGowans"***) (collectively, the Bartels and the McGowans are the ***"Owners"***) own the property commonly known as 277 Poplar Street (***"277 Poplar Property"***) (collectively, the 265 Poplar Property, the 271 Poplar Property, and the 277 Poplar Property are the ***"Properties"***), in the Village; and

WHEREAS, Ordinance No. M-9-2014, adopted by the Village Council on _____, 2014 (***"Ordinance"***), grants variations from Sections 17.30.050 and 17.12.020 of the Winnetka Zoning Ordinance, as amended, to permit the resubdivision of the properties, a decreased minimum corner yard setback, and certain zoning lots with more than one dwelling unit located thereon; and

WHEREAS, Section 8.A.4 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Owners have filed, within 30 days following the passage of the Ordinance, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Owners do hereby agree and covenant as follows:

1. The Owners hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Owners acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Owners acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of the variations or adoption of the Ordinance, and that the Village's approval of the variations does not, and will not, in any way, be deemed to insure the Owners against damage or injury of any kind and at any time.

4. The Owners hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the variation.

[SIGNATURE PAGE FOLLOWS]

Dated: _____, 2014

ATTEST: DAVID AND ELISA BARTELS

By: _____ By: _____
Its: _____ Its: _____

ATTEST: JOSEPH AND LISA MCGOWAN

By: _____ By: _____
Its: _____ Its: _____

Agenda Item Executive Summary

Title: 2014 Preservation Awards Presentation

Presenter: Louise Holland, Chairperson of Landmark Preservation Commission

Agenda Date: 10/07/2014

Consent: ☐ YES ☑ NO

☐ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☑ Informational Only

Item History:

None.

Executive Summary:

Every spring the Landmark Preservation Commission accepts nominations for the annual Preservation Awards program and conducts an award presentation at a Village Council meeting in the fall. The Preservation Awards program seeks to honor those construction projects in the village that have helped preserve the history and character of the village. There are three award categories: restoration, rehabilitation, and new construction. Of the eight (8) award winners this year, six (6) are rehabilitation projects and two are restoration projects. Private, commercial, and public properties are eligible. Nominations may be submitted by anyone, but do require the property owner's consent. To qualify, the project must have been completed within the past five (5) years. Only exterior projects are eligible.

Recommendation:

Informational only. No action to be taken.

Attachments:

1) Agenda Report

AGENDA REPORT

TO: Village Council

PREPARED BY: Ann Klaassen, Planning Assistant

DATE: September 22, 2014

SUBJECT: 2014 Winnetka Preservation Awards

Every spring the Landmark Preservation Commission accepts nominations for the annual Preservation Awards program and conducts an award presentation at a Village Council meeting in the fall. The Preservation Awards program seeks to honor those construction projects in the village that have helped preserve the history and character of the village. There are three award categories: restoration, rehabilitation, and new construction. Of the eight (8) award winners this year, six (6) are rehabilitation projects and two are restoration projects. Private, commercial, and public properties are eligible. Nominations may be submitted by anyone, but do require the property owner's consent. To qualify, the project must have been completed within the past five (5) years. Only exterior projects are eligible.

This year the following eight (8) properties are to be presented with awards:

982 Cherry Street (Rehabilitation)
Owners: Zane and Joan Smith
Architect: John Holbert, Holbert & Associates, Chicago

117 DeWindt Road (Rehabilitation)
Owners: John and Dawn Livingston
Architect: John Toniolo and Jeff Harting, GTH Architects, Northbrook

969 Elm Street (Rehabilitation)
Owners: Christopher and Jein Murray
Architect: Stephanie Bryant, Normandy Builders, Hinsdale

910-914 Green Bay Road (Rehabilitation)
Owner: Absolute Equity Winnetka, LLC
Architect: James Kapche, Absolute Architecture, Winnetka

560 Hibbard Road (Rehabilitation)
Owner: Winnetka Park District
Architect: Gary Frank, H. Gary Frank Architects, Winnetka

597 Oak Street (Rehabilitation)
Owners: Douglas and Kim Fear
Architect: Patrick Plunkett, Patrick Plunkett Architectural Design LTD, Hinsdale

978 Euclid Avenue (Restoration)
Owner: Connie Capone
Contractor: Cedar Roofing Company

660 Prospect Avenue (Restoration)
Owners: David and Justine Hourihane
Architect: Julie Gross, Stoneberg Gross Architects, Chicago

Recommendation:

Informational only. No action to be taken.

Agenda Item Executive Summary

Title: Ordinance No. M-10-2014: Disposition of Surplus Vehicles and Equipment (Intro/Adopt)

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 10/07/2014

Consent: [ ] YES [✓] NO

[✓] Ordinance
[ ] Resolution
[ ] Bid Authorization/Award
[ ] Policy Direction
[ ] Informational Only

Item History:

Executive Summary:

From time to time, it is necessary to dispose of vehicles and equipment that are no longer used and useful for the Village. This is generally done through one of the auctions held by the Northwest Municipal Conference (NWMC).

Ordinance No. M-10-2014 authorizes the disposition of two surplus vehicles at the next NWMC live auction, which is scheduled for October 14, 2014. This auction will again be conducted by Manheim Remarketing, pursuant to an agreement with NWMC. Both vehicles - one from the Police Department and one from the Finance Department - are either well past their useful lives or are in such condition that the cost of operating and maintaining them exceeds their value. The ordinance sets out the details for the auction, including minimum pricing, and authorizes surplus that could not be sold at the auction to be disposed of by other methods, such as on-line sales, conveyance to other municipalities, or sale as scrap.

The Village received notice of this auction on September 16, 2014. Given the Village Council's meeting schedule, the standard procedure of introducing and adopting ordinances at consecutive meetings could not produce timely passage of this ordinance to participate in the October 14 auction. Staff is recommending that the Council consider waiving introduction of Ordinance No. M-10-2014 and proceeding directly to adoption.

Recommendation:

Consider a motion to waive introduction of Ordinance No. M-10-2014, titled "An Ordinance Authorizing the Disposition of Certain Surplus Vehicles and Equipment Owned by the Village of Winnetka."

Consider a motion to adopt Ordinance No. M-10-2014, titled "An Ordinance Authorizing the Disposition of Certain Surplus Vehicles and Equipment Owned by the Village of Winnetka."

Attachments:

1) Ordinance No. M-10-2014: "An Ordinance Authorizing the Disposition of Certain Surplus Vehicles and Equipment Owned by the Village of Winnetka."

2) NWMC Fall Auction Announcement

ORDINANCE NO. M-10-2014

AN ORDINANCE
AUTHORIZING THE DISPOSITION OF
CERTAIN SURPLUS VEHICLES AND EQUIPMENT
OWNED BY THE VILLAGE OF WINNETKA

WHEREAS, the Village of Winnetka (***"Village"***) is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the Village's government and affairs and to the public health, safety and welfare; and

WHEREAS, the Village of Winnetka owns: (i) one Dodge Charger vehicle, and (ii) one Ford Taurus vehicle (collectively, the ***"Surplus Property"***), which Surplus Property is described in detail on **Exhibit A** attached to and, by this reference, made a part of this Ordinance; and

WHEREAS, the Council of the Village of Winnetka (***"Village Council"***) has determined that ownership of the Surplus Property is no longer necessary or useful to, or for the best interests of, the Village; and

WHEREAS, the Village is a member of the Northwest Municipal Conference (***"NWMC"***), a corporate organization representing municipalities and townships located within the State of Illinois and Counties of Cook, DuPage, Kane, Lake, and McHenry; and

WHEREAS, the Village Council desires to sell the Surplus Property through an auction conducted by Manheim Remarketing on behalf of the NWMC at 2:00 p.m. on Tuesday, October 14, 2014, at the Manheim Arena, 550 S. Bolingbrook Drive, Bolingbrook, Illinois (***"NWMC Auction"***); and

WHEREAS, the Village Council has determined that it is in the best interests of the Village to dispose of the Surplus Property as set forth in this Ordinance;

NOW, THEREFORE, be it ordained by the Council of the Village of Winnetka as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated as the findings of the Council of the Village Council as if fully set forth herein.

SECTION 2: AUTHORIZATION TO DISPOSE OF SURPLUS PROPERTY. Pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-2, and the Village's home rule authority, the Village Council hereby delares that ownership of the Surplus Property is no longer necessary or useful to, or in the best interests of, the Village. The Village Council hereby authorizes the Village Manager, or his designee, to dispose of the Surplus Property as follows:

A. Through the NWMC Auction, upon such terms as are acceptable to the Village Manager; or

B. If the Surplus Property cannot be disposed of at the NWMC Auction upon terms acceptable to the Village Manager, in a manner to be determined by the Village Manager, in his discretion.

SECTION 3. EXECUTION OF REQUIRED DOCUMENTATION. The Village Manager and the Village Clerk are hereby authorized to execute and attest, on behalf of the Village, all documents necessary to complete the disposition of the Surplus Property authorized pursuant to Section 2 of this Ordinance.

SECTION 4. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance will remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 5. EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this ___ day of October, 2014, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of October, 2014.

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this __ day of ____, 2014.

Introduced: October 7, 2014
Passed and Approved:

EXHIBIT A

SURPLUS PROPERTY

VIN / Serial Number	Dept. ID	Year	Make &Model	Comments	Estimated Value
2B3LA43H48H255150	PD 443	2008	Dodge Charger	98,414 miles; poor condition – hail damaged; purchased 05/01/2008 for $23,430	$ 4,500.00
1FAHP53216A131715	FIN 85	2006	Ford Taurus	Body damage; 4-door sedan; 38,500 miles; poor interior condition; purchased 07/07/2005 for $13,590	$1,800.00

NWMC LIVE FALL SURPLUS VEHICLE & EQUIPMENT AUCTION SET FOR
2:00 OCTOBER 14, 2014
MANHEIM ARENA, BOLINGBROOK

The Northwest Municipal Conference (NWMC) and Manheim Remarketing are pleased to announce that the fall NWMC live auction will be held:

Tuesday, October 14, 2014
2:00 p.m.
Manheim Arena Illinois
200 West Old Chicago Drive
Bolingbrook, Illinois 60440
(I-55 and I-53 Bolingbrook Road)

The NWMC/Manheim agreement provides for additional sales opportunities and methods for NWMC members, streamlines the auction process for buyers and sellers and saves NWMC members time and money in disposing of their equipment while supporting the operations of the organization.

The live NWMC Surplus Vehicle and Equipment auctions are held on a quarterly basis at Manheim Arena in Bolingbrook. Manheim's 140 acre, state-of-the-art facility provides full service auctions for their existing dealer network, the general public and online/simulcast bidders. Please visit: https://www.manheim.com/products/?WT.svl=m_hdr_mnav_products for more information on Manheim's services.

Manheim Field Sales Representative, ***Ms. Chris Hegg*** will be contacting all NWMC members to discuss the program in detail. A few of the advantages to holding the NWMC Auctions at Manheim include:

- Transportation of vehicles to Manheim at any time, 24/7 – no need to store your vehicles until the day prior to the NWMC auction.
- Manheim will provide all drivers on auction day (except for some specialty vehicles); therefore, NWMC members will not incur overtime costs for staff to work at the NWMC Auctions.
- Manheim can arrange to transport vehicles through third party providers at a lower cost (sample pricing attached) than having NWMC members pull employees off the job site.
- Manheim offers a variety of additional services designed to maximize resale value including vehicle condition reports, reconditioning/repair services, dent removal, window replacement, washing, etc.
- Pre-sale inventory listings on Manheim.com are viewed by thousands of potential purchasers
- No NWMC public works facilities will be inconvenienced by hosting the event.

The agreement also provides for year-round Internet auctions through Manheim's Online Vehicle Exchange (OVE) service. This allows NWMC members to remarket vehicles and equipment quickly and easily to Manheim's extensive network of buyers.

For more information, please contact:

Ellen Dayan
NWMC
847-296-9200, ext. 32
edayan@nwmc-cog.org

Christine Hegg
Manheim
708-382-1766
Chris.Hegg@Manheim.com

Agenda Item Executive Summary

Title: Ordinance No. MC-8-2014: Fire Code Amendments- Intro

Presenter: Alan Berkowsky, Fire Chief & Michael D'Onofrio, Community Development Director

Agenda Date: 10/07/2014

Consent: ☐ YES ☑ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

In July 2012, the Village updated its building and fire codes under Ordinance No. MC-4-2012. The update included the adoption of the 2009 International Codes and the 2009 NFPA Life-Safety Code. In conjunction with the Code adoption, several amendments were included in the Ordinance.

Executive Summary:

The purpose of Ordinance No. MC-8-2014 is to remove the additional regulations for BBQ grills in one/two family residences and to update some of the code amendments. These updates include eliminating the amended applicability statement for the NFPA Life-Safety Code in order to use the standard applicability statement found in the model code book. This would be consistent with prior adoptions of this Code. We are also removing a duplicate Code amendment (addressing outdoor fire pits). Lastly, we added "outdoor pizza ovens" to the section that provides regulations for outdoor fireplaces and fire pits.

Recommendation:

Staff recommends introduction of Ordinance No. MC-8-2014, "An Ordinance Amending Chapter 15.16 of Title 15 of the Winnetka Village Code Updating the Fire Prevention and Life Safety Codes."

Attachments:

1) Staff Memo, dated September 17, 2014
2) Ordinance No. MC-8-2014

VILLAGE OF WINNETKA

INTEROFFICE MEMORANDUM

TO: ROBERT BAHAN, VILLAGE MANAGER

FROM: ALAN BERKOWSKY, FIRE CHIEF

MICHAEL D'ONOFRIO, COMMUNITY DEVELOPMENT DIRECTOR

DATE: SEPTEMBER 17, 2014

SUBJECT: FIRE CODE AMENDMENTS: MC-8-2014

Two years ago, the Village adopted the 2009 International Fire Code and 2009 NFPA Life-Safety Code. These Codes are typically reviewed and updated every six years. Since the last adoption by Village Council, a few modifications are necessary.

Over the years, we have amended the section of the Fire Code that addresses outdoor fireplaces, firepits and bonfires. In the last code adoption, BBQ grills were included in this section. The 2009 International Fire Code exempts BBQ grills from being regulated in one/two family dwellings. As written, our current amendment, overrides this exception. We are proposing removing any wording related to BBQ grills in residential settings so that they are not regulated under our municipal code amendments.

We are also adding outdoor residential pizza ovens to this section. Pizza ovens are becoming popular in residential settings and have the same fire hazard concerns as a firepit or outdoor fireplace including floating embers and unwanted burning odors. The restrictions for outdoor pizza ovens in a residential setting will include:

1. They must at least 15 feet from any building
2. The chimney requires a spark arrestor
3. They cannot be operated in a manner that activates a fire alarm or creates hazardous or objectionable conditions.

We also eliminated the requirement for placing these devices fifteen (15) feet from a fence or property line. This requirement was very restrictive for locating an outdoor fireplace or pit in a backyard (maintaining fifteen (15) feet from a structure is the main fire hazard concern). Finally, this code section was inserted in two locations within the Municipal Code Book. We are eliminating one of the two sections.

The NFPA Life-Safety Code has been adopted by the Village for many years. This Code is designed for both new and existing structures (excluding one/two family dwellings). For each use group, there is a section that applies if the building is new and a separate section that takes into account existing building conditions.

This Amendment eliminates Section 15.16.030 – 1.3.1 of the Municipal Code. The wording in the adopted 2009 Life-Safety Code (as written) is adequate for describing the applicability of this Code.

Staff will be present at the October 7 Council Meeting to answer any questions.

ORDINANCE NO. MC-8-2014

AN ORDINANCE
AMENDING CHAPTER 15.16 OF TITLE 15 OF THE WINNETKA VILLAGE CODE
UPDATING THE FIRE PREVENTION AND LIFE SAFETY CODES

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970 and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Chapter 8.08, titled "Fire Safety Code," of Title 8, titled "Health and Safety," of the Winnetka Village Code, as amended (***"Village Code"***), sets forth certain regulations regarding fire safety (***"Fire Safety Code"***); and

WHEREAS, Chapter 15.16, titled "Fire Prevention and Life Safety Codes," of Title 15, titled "Buildings and Construction," of the Village Code adopts by reference and amends: (i) the 2009 edition of the International Fire Code, published by the International Code Council (***"Fire Code"***); and (ii) the 2009 edition of the NFPA 101 Life Safety Code, published by the National Fire Protection Association (***"Life Safety Code"***); and

WHEREAS, the Village desires to amend the Fire Safety Code, the Fire Code, and the Life Safety Code to update and clarify: (i) the Fire Safety Code and Fire Code regulations applicable to outdoor fires, outdoor fireplaces, outdoor pizza ovens, and fire pits; and (ii) the applicability of the Life Safety Code (collectively, the ***"Amendments"***); and

WHEREAS, the Village Council has determined that adopting the Amendments as set forth in this Ordinance is in the best interests of the Village;

NOW, THEREFORE, be it ordained by the President and Board of Trustees of the Village of Winnetka as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth in this Section.

SECTION 2: REPEALER. Section 8.08.030, titled "Outdoor fires; outdoor fireplaces, grills and barbecue pits," of Chapter 8.08, titled "Fire Safety Code," of Title 8, titled "Health and Safety," of the Village Code is hereby repealed in its entirety and reserved for future use.

SECTION 3: AMENDMENTS TO THE INTERNATIONAL FIRE CODE, 2009 EDITION. Section 15.16.020, titled "Amendments to the International Fire Code, 2009 Edition," of Chapter 15.16, titled "Fire Prevention and Life Safety Codes," of Title 15, titled "Buildings and Construction," of the Village Code is hereby amended to read as follows:

"**Section 15.16.020 Amendments to the International Fire Code, 2009 Edition.**

* * *

B. **Amendments.** The following provisions of the International Fire Code, 2009 Edition are amended for adoption by the Village:

* * *

3. **307.4.3 Outdoor fires; outdoor fireplaces; ~~grills~~ <u>outdoor pizza ovens</u> and fire pits.**

a. Outdoor fires in general. All outdoor fires, recreational or otherwise, shall be subject to the following requirements:

i) All outdoor fires shall be under continuous competent supervision.

ii) No outdoor fire, including but not limited to, fires in outdoor fireplaces, ~~grills~~ **<u>outdoor pizza ovens</u>**, fire pits and similar devices, shall be used in such a manner or location that it causes any building fire alarm to activate or that it otherwise creates a hazardous or objectionable condition.

<u>iii) All outdoor pizza ovens must be equipped with a chimney with a spark arrestor installed in good working condition.</u>

b. Outdoor fireplaces, ~~grills~~ **<u>outdoor pizza ovens</u>** and fire pits. All portable outdoor fireplaces, ~~grills~~ **<u>outdoor pizza ovens</u>**, fire pits and similar devices, and all such devices that are permanently installed, shall be located and operated at least fifteen (15) feet from any building~~, fence or property line~~. Notwithstanding the foregoing, the operation of a permanent outdoor fireplace, ~~grill~~ **<u>outdoor pizza oven</u>**, fire pit or similar device that was lawfully installed before July 17, 2012, shall be permitted, provided that such operation complies with the above Section 307.4.3.a.

c. Authority to extinguish. The code official is authorized to order the extinguishment of any outdoor fire that is not in compliance with this code or that otherwise creates a hazardous or objectionable condition.

* * *”

<u>SECTION 4</u>: <u>AMENDMENTS TO THE NFPA 101 LIFE SAFETY CODE, 2009 EDITION</u>. Section 15.16.030, titled "Amendments to the NFPA 101 Life Safety Code, 2009 Edition," of Chapter 15.16, titled "Fire Prevention and Life Safety Codes," of Title 15, titled "Buildings and Construction," of the Village Code is hereby amended to read as follows:

"**Section 15.16.030 Amendments to the NFPA 101 Life Safety Code, 2009 Edition.**

A. **Amendments.** The following provisions of the NFPA 101 Life Safety Code, 2009 Edition are amended for adoption by the Village.

1. **1.1.1 Title.** The NFPA 101 Life Safety Code, 2009 Edition, shall be known as the Life Safety Code of the Village of Winnetka.

2. **1.3 Application.**

~~**1.3.1 Building alterations or construction.** All additions and alterations to existing buildings, and all construction of new buildings, shall comply with the provisions of the Life Safety Code.~~

* * *"

SECTION 5: HOME RULE POWER. This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 6: SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 7: EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage, approval, and publication as provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this_____day of _____, 2014, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2014.

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this ___ day of _____, 2014.

Introduced: _____, 2014

Passed and Approved: _____, 2014

Agenda Item Executive Summary

Title: Resolution No. R-28-2014: 1123 Chatfield Road Resubdivision- Adoption

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 10/07/2014

Consent: ☐ YES ☑ NO

☐ Ordinance
☑ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

No previous action.

Executive Summary:

The request proposes to divide the existing single parcel measuring 31,050 square feet, into two lots measuring 14,490 square feet and 16,560 square feet. The subject parcel is located in the R4 zoning district which requires a minimum lot area of 12,600 square feet (13,300 for corner lots). The proposed subdivision fully conforms with zoning requirements.

The Plan Commission considered the re-subdivision at its meeting on August 27, 2014. The Plan Commission voted 8 to 1, with one abstention, to recommend approval of the subdivision, subject to imposing of conditions which would (a) protect mature trees during redevelopment of the two lots, (b) minimize disruption to pedestrians by prohibiting certain driveways, and (c) manage construction parking and deliveries to avoid conflicts with the adjacent Hubbard Woods School.

Resolution No. R-28-2014, would approve the subdivision with the following condition of approval as recommended by the Plan Commission:

1. A restrictive covenant increasing the required rear yard setback of both Lot 1 and Lot 2, from the standard of 25 feet to 85 feet;
2. A restrictive covenant prohibiting the construction of detached garages on both Lot 1 and Lot 2;
3. A restrictive covenant prohibiting the construction of any driveway or curb cut along the Chatfield Road frontage of Lot 1;
4. A construction parking plan must be developed in cooperation with the with Police Department and subject to approval by the Community Development Director;
5. A construction delivery schedule must be developed in cooperation with the Police Department and subject to approval by the Community Development Director; and
6. A five-foot utility easement must be provided along the southerly and westerly lot lines.

Recommendation:

Consider adoption of Resolution No. R-28-2014, granting approval of the proposed Adamczyk Fine Homes Subdivision of 1123 Chatfield Road.

Attachments:

Agenda Report
Attachment A: Resolution No. R-28-2014
Attachment B: Subdivision Application
Attachment C: Excerpt of August 27, 2014 PC Minutes (draft)
Attachment D: Written communications received
Attachment E: Lot area analysis
Attachment F: Required setbacks
Attachment G: Applicant's site development schematic
Attachment H: Tree locations
Attachment J: Comparison of tree locations to building area & resulting restrictive covenant recommendation

AGENDA REPORT

Subject: Resolution R-28-2014: Adamczyk Resubdivision of 1123 Chatfield Road

Prepared by: Brian Norkus, Assistant Director of Community Development

Date: September 29, 2014

I. Introduction

The attached subdivision request proposes to subdivide the existing single parcel at 1123 Chatfield Road, measuring 31,050 square feet, into two lots. As proposed, the subdivision would result in a south lot (*Lot 1*) measuring 70 feet in width and 14,490 square feet in area; the proposed north lot (*Lot 2*) would measure 80 feet in width with an area of 16,560 square feet.

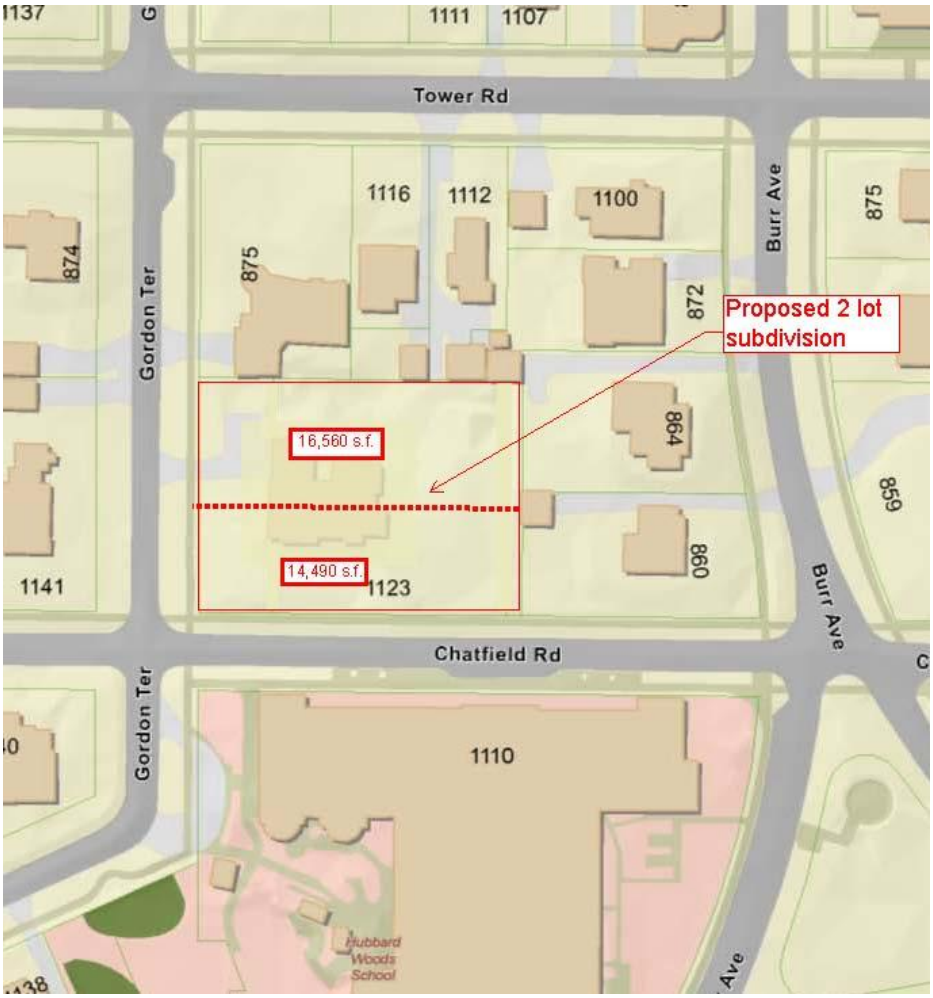


Figure 1 – proposed subdivision

Property owners Laird & Margaret Vernon have owned the subject property since 1992, and have entered into a contract with purchaser George Adamczyk, a homebuilder. Mr. Adamczyk has submitted the proposed subdivision application as contract purchaser with the cooperation of the current property owners.

The subject parcel is a corner lot located in the **R-4** zoning district (see *Figure 2* below), which requires a minimum lot area of 12,600 square feet for interior lots and a lot area of 13,300 for corner lots. The R-4 Zoning District requires a minimum lot width of 60 feet (70 feet for corner lots). As proposed, the division of 1123 Chatfield Road complies with minimum lot area and minimum lot width requirements.

Figure 2 - zoning map

Attachment E provides additional detail on the surrounding neighborhood, depicting the lot area of surrounding parcels within the R-4 zoning district. Neighboring lots are primarily smaller in area; lots with a nonconforming lot area (75% of the neighborhood) are highlighted in red. It is noteworthy that only 25% of neighboring lots (11 lots) shown on *Attachment E* comply with minimum lot area requirements of the R4 District.

The extent of nonconforming lot sizes within the neighborhood is attributable to the fact that the neighborhood was first developed in the early 1900's under what was then a minimum lot area of one-sixth of an acre (7,260 square feet).

Compliance with Zoning Standards

Minimum lot width, depth and area

All subdivisions are evaluated for compliance with basic minimum quantitative measures including minimum lot area, lot width, and lot depth. As stated previously, the proposed subdivision is fully compliant with minimum lot area, width and depth requirements, detailed in *Table 1* below.

Table 1 – minimum lot area, width and depth

Item	Requirement	Proposed Lot 1 *(south)*	Proposed Lot 2 *(north)*
LOT AREA REQUIREMENTS			
Minimum Lot size	13,300 sq. ft. minimum for corner lot	14,490 sq. ft. *(Complies)*	
	12,600 sq. ft. minimum for interior lot		16,560 sq. ft. *(Complies)*
Minimum Average Lot Width	70 feet for corner lot	70 ft. *(Complies)*	
	60 feet for interior lot		80 ft. *(Complies)*
Minimum Lot Depth	120 feet	207 feet *(Complies)*	207 feet *(Complies)*
Minimum rectangular area	16335 sq. ft.	Complies	Complies

Density limits for proposed lots

The proposed two-lot subdivision, if approved, would allow two new homes, sized at a maximum of 4,603 square feet of Gross Floor Area (south lot), and 5,173 square feet of GFA (north lot). In comparison, the existing single lot is allowed a total Gross Floor Area of 8,956 square feet.

Maximum lot coverage, impermeable surfaces and Gross Floor Area are detailed further in *Table 2* below.

Table 2 – Density limits for proposed lots

Item	Requirement	Proposed Lot 1 *(south)*	Proposed Lot 2 *(north)*
LOT COVERAGE AREA LIMITATIONS			
Maximum Building Lot Coverage (Lot 1)	4,140 sq. ft. (25%)	New residence must comply	
Maximum Building Lot Coverage (Lot 2)	3,622 sq. ft. (25%)		New residence must comply
GROSS FLOOR AREA LIMITATIONS			
Maximum Gross Floor Area (Lot 1)	4,603 sq. ft.	New residence must comply	
Maximum Gross Floor Area (Lot 2)	5,173 sq. ft.		New residence must comply

Setbacks

Table 3 outlines the required setbacks for each lot, which vary based on the zoning district a property is located in, and based on the dimensions of a lot. Because setbacks play a substantial role in defining the character of resulting development, they are also depicted graphically in *Attachment F,* with the allowable building area highlighted.

The applicant has submitted a conceptual *Site Development Plan* (*Attachment G*), depicting the possible scale of development, and general location of buildings. While the Site Development Plan shown on *Attachment G* is not binding, it is helpful in evaluating the subdivision by its depiction of the potential scale of development resulting from the proposed subdivision.

Table 3 - required setbacks

Item	Requirement	Proposed Lot 1	Proposed Lot 2
SETBACK AND YARD AREA REQUIREMENTS - LOT 2 (north lot)			
Minimum front setback *(west)*	30 feet		Must comply
Minimum rear yard *(east)*	25 feet		Must comply
Side Yard Requirements			
* Minimum	8 feet		Must comply
* Total	20 feet		Must comply
SETBACK AND YARD AREA REQUIREMENTS - LOT 1 (south lot)			
Minimum front setback *(west)*	30 feet	Must comply	
Minimum corner setback *(south)*	21 feet	Must comply	
Minimum side yard *(north)*	7 feet	Must comply	
Minimum Rear Yard *(east)*	25 feet	Must comply	

Other review factors

Applicants for resubdivision are also required to submit a plat of survey showing existing trees in order to allow consideration of the potential impact to trees protected under the Village's tree protection code. *Attachment H* highlights trees 8" or greater in diameter, together with allowable building area under the zoning ordinance.

The identified location of trees within the "buildable area" of the lots allows for consideration of measures which may minimize tree removal, such as alternative lot configurations, restrictive covenants or modifications to zoning setback requirements. *Attachment J* highlights an area of fourteen (14) protected trees within the buildable area of the proposed lots.

II. Plan Commission recommendation

The Plan Commission considered the resubdivision at its meeting on August 27, 2014. Several members of the Hubbard Woods School community were present at the Plan Commission meeting expressing concern about resulting impact of construction on vehicular traffic and pedestrian safety. Minutes to that meeting are included as *Attachment C.*

In addition, the Plan Commission considered the location of numerous mature trees on the site. In evaluating the request the Commission acknowledged that the applicant's site development plan serves to protect several large trees, highlighted in *Attachment H*. In light of the fact that the site development plan is not binding, the Plan Commission considered possible restrictive covenants to assure the preservation of as many mature trees as possible.

The Plan Commission voted 8 to 1 (with one abstention) to recommend approval of the requested subdivision, subject to the following conditions:

1. Minimize interruption of the public sidewalk on Chatfield Road and preservation pedestrian safety through incorporation of a restrictive covenant on the final plat, prohibiting any curb cut or driveway along the Chatfield Road frontage of Lot 1;

2. Preserve mature trees on the subject property by imposing a restrictive covenant on the final plat, increasing the minimum rear yard setback from the standard requirement of 25 feet to 85 feet, on Lot 1 *and* Lot 2;

3. Preserve mature trees on the subject property by imposing a restrictive covenant on the final plat, prohibiting construction of a detached garage on Lot 1 *and* Lot 2;

4. Minimize disruption to neighborhood and school traffic patterns by requiring that the applicant submit a parking plan for construction crews, with the plan to be developed in cooperation with the Winnetka Police Department and subject to approval by the Community Development Director;

5. Minimize disruption to the neighborhood and school traffic patterns by requiring that the applicant submit a delivery schedule that schedules deliveries to avoid peak traffic periods, with the schedule to be developed in cooperation with the Winnetka Police Department and subject to approval by the Community Development Director;

6. Incorporation of a 5-foot utility easement along the south and west lot lines as requested by the Village Water and Electric Department.

Council Consideration and Action

In light of the Plan Commission's favorable recommendation, the attached Resolution R-28-2014 has been drafted to grant the requested resubdivision.

Recommendation

Consider adoption of Resolution R-28-2014, which would grant approval of the proposed Adamczyk Subdivision of 1123 Chatfield Road, subject to conditions recommended by the Plan Commission.

Attachments

Attachment A: Resolution R-28-2014
Attachment B: Subdivision Application
Attachment C: Excerpt of August 27, 2014 PC Minutes (draft)
Attachment D: Written communications received
Attachment E: Lot area analysis
Attachment F: Required setbacks
Attachment G: Applicant's site development schematic
Attachment H: Tree locations
Attachment J: Comparison of tree locations to building area & resulting restrictive covenant recommendation

RESOLUTION NO. R-28-2014

A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION
(1123 CHATFIELD ROAD)

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, George Adamczyk (***"Applicant"***) is the contract purchaser of the property commonly known as 1123 Chatfield Road in the Village (***"Property"***), which Property is legally described in **Exhibit A** attached to and, by this reference, made a part of this Resolution; and

WHEREAS, the Property is located within the R-4 Single-Family Residential Zoning District (***"R-4 District"***); and

WHEREAS, the Property is a single lot of record improved with a single-family residence; and

WHEREAS, on June 18, 2014, the Applicant submitted an application to the Village for a proposed final plat of resubdivision (***"Final Plat"***), which Final Plat depicted on **Exhibit B** attached to and, by this reference, made a part of this Resolution; and

WHEREAS, the Final Plat proposes to divide the Property's single lot of record into two adjoining lots of record (***"Subdivided Lots"***); and

WHEREAS, the proposed Subdivided Lots comply with the lot width, lot depth, and lot area regulations of Title 17 of the Winnetka Village Code (***"Village Code"***); and

WHEREAS, if the Final Plat is approved, the Applicant desires to demolish the existing single-family residence on the Property and construct one new single-family residence on each of the Subdivided Lots (***"Work"***); and

WHEREAS, on August 27, 2014, after due notice thereof, the Winnetka Plan Commission held a public hearing on the proposed Final Plat and voted, by a vote of eight to one, with one abstention, to recommend that the Village Council approve, subject to certain conditions, the Final Plat; and

WHEREAS, the Village Council has determined that it is in the best interest of the Village to approve the Final Plat, subject to and in strict accordance with the terms and conditions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Winnetka, Cook County, Illinois, as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: APPROVAL OF FINAL PLAT. Subject to and contingent upon the conditions set forth in Section 3 of this Resolution, pursuant to Sections 16.04.030 and 16.08.010 of the Village Code, the Village Council hereby approves the division of the Property into the two Subdivided Lots in strict accordance with the Final Plat.

SECTION 3: CONDITIONS. The approval granted in Section 2 of this Resolution is subject to and conditioned upon compliance with each and all of the following conditions prior to the recordation of the Final Plat:

A. The Applicant must cause restrictive covenants approved by the Village Attorney to be set forth on the Final Plat, which restrictive covenants must restrict the use and development of the Subdivided Lots as follows:

i. No curb cuts and driveways will be constructed and installed along the portions of the Subdivided Lots fronting Chatfield Road;

ii. The minimum rear yard setback for both of the Subdivided Lots will be 85 feet; and

iii. No detached garage will be constructed on any portion of the Subdivided Lots.

B. The Applicant must grant to the Village Water and Electric Utility five-foot utility easements along the south and west lot lines of the Subdivided Lots and depict these utility easements on the Final Plat.

C. The Final Plat must comply with, and must include or be accompanied by all information required by, Chapter 16.08 of the Village Code.

D. The Applicant must, in consultation with the Village Police Department, develop and prepare the following documents, which must be approved in writing by the Community Development Director:

i. A parking plan for parking by all persons who will travel to the Subdivided Lots for the purpose of performing the Work; and

ii. A delivery schedule for all deliveries that will be made to the Subdivided Lots in connection with the performance of the Work.

SECTION 4: EXECUTION OF FINAL PLAT. The Village Council hereby authorizes and directs the Village President and the Village Clerk, upon satisfaction of the conditions set forth in Section 3 of this Resolution, to execute and attest, on behalf of the Village, the Final Plat.

SECTION 5: RECORDATION OF FINAL PLAT. Upon execution of the Final Plat by the Village President and the Village Clerk, as provided in Section 4 of this Resolution, the Village Clerk is hereby directed to cause the Final Plat to be recorded in the office of the Cook County Recorder.

SECTION 6: EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and approval according to law.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this ___ day of October, 2014, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Adopted: October __, 2014

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT B

<u>FINAL PLAT</u>

Attachment B - Subdivision Application

CASE NO. _____

APPLICATION FOR LAND SUBDIVISION
WINNETKA PLAN COMMISSION

Owner Information: Name, Address, Telephone, Fax & Email

Laird Earl Vernon + Margaret Lee Vernon
1123 Chattfield, Winnetka 60093 206-612-1031
lairdevernon@gmail.com

Surveyor Information: Name, Address, Telephone, Fax & Email

CURRENT: MORRIS ENGINEERING
510 S. LINCOLN
LILSE, IL 60532 (630-271-0770 SURVEY@ECNIL.COM)

SUBDIVISION: GREEN GARD, INC
111 BARCLAY BLVD
LINCOLNSHIRE, IL 60069
(847.634.3883 JSADOSKI@GREENGARDINC.COM)

Architect Information: Name, Address, Telephone, Fax & Email

B. Rust Architecture + Design, 319 S. Naperville Rd. #200 Wheaton, IL 60187
847.924.9031 brant@brantrust.com

Attorney Information: Name, Address, Telephone, Fax & Email

GREG BRAUN
1601 SHERMAN
EVANSTON, IL 60201
(GBRAUN@MYREALLOW.COM)

Date Property Acquired by Owner November 30, 1992

Note: This application must be accompanied by a written narrative summary of the proposed subdivision together with associated improvements.

Signature: Laird Vernon by [signature] attorney in fact

Date: 6/18/14

RECEIVED
JUN 18 2014
BY: ~~Agenda Packet P. 81~~

Narrative Description of Proposed Subdivision

Description of Subdivision Proposal

This proposal is to subdivide an existing 150' x 207' lot located at 1123 Chatfield within the R-4 district. The subdivision of this lot would yield two lots measuring 70.00' x 207' at the corner (70' minimum average corner lot width) and an interior lot measuring 80.00' x 207' (60' minimum average interior lot width).

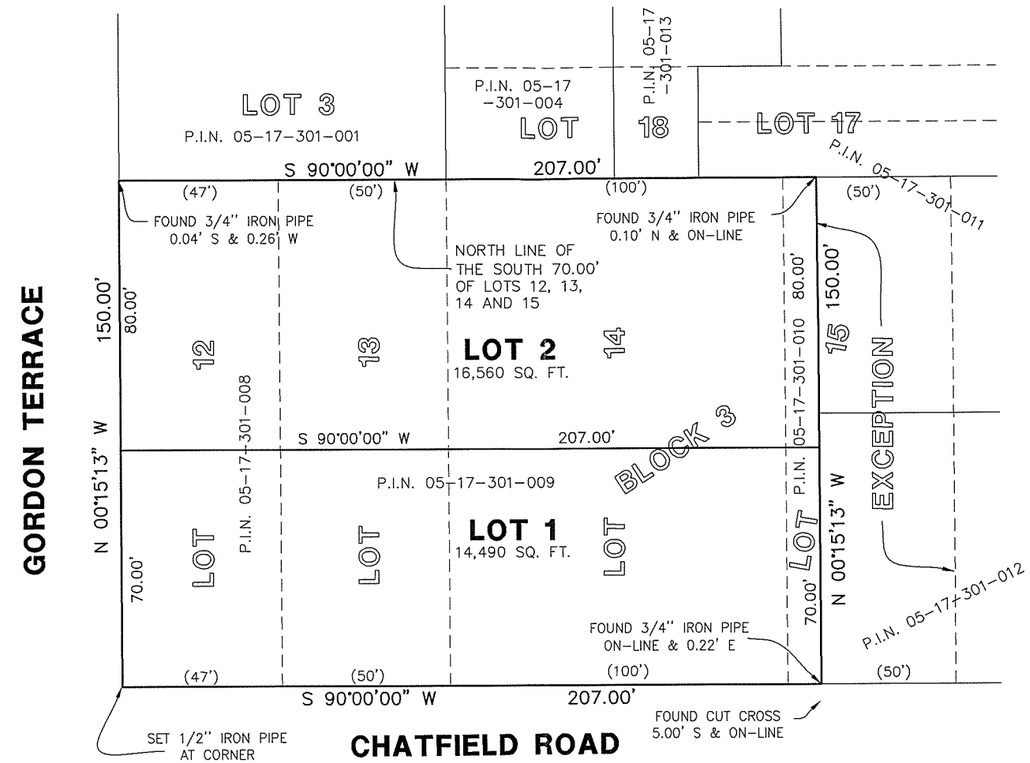
Objective of Subdivision Proposal

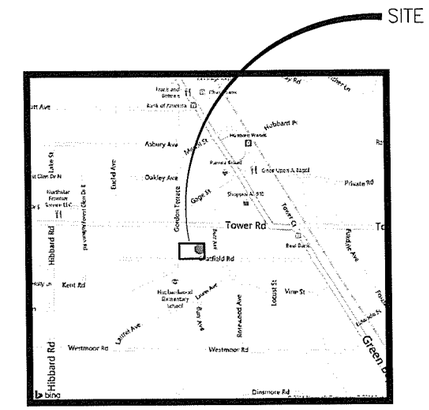
1. The existing home on the property suffers from physical and functional obsolescence, needing to be replaced by new construction. However, the 150 by 207 parcel supports a home which would be radically over-scaled and inconsistent with the neighboring homes. Consequently, from both a land use and economic perspective, a sub-division of the parcel in to two (still) generous sized lots is optimal.
2. The existing home orients toward Hubbard Woods School, which causes it to compete with the school over pedestrian and vehicular traffic. (Although the current drive is located on Gordon Terrace, the address for deliveries and unfamiliar visitors remains Chatfield). Reorienting the future homes to Chatfield will eliminate this competition with the school on Chatfield.
3. Currently, school children and parents are not physically buffered from the domestic activity of the Property. Orienting the homes toward Chatfield, and placing the drive of the southernmost home on the north end of the property, allows for the creation of a substantial privacy buffer between the homes and the school both in the form of decorative iron fencing and substantial landscaping. This will eliminate the possibility of a child, dog, ball or other normally occurring back-yard event from making its way onto the Chatfield sidewalk or street. Parents in their vehicles and on foot, tending to their children, will no longer run the potentiality of interaction with the children, adults, toys and pets of the Property.
4. Attached garages are intended for each of the new homes, eliminating the need for detached garages that would invite the future possibility of a drive installed on Chatfield.

5. As the lot depth of 207 is very deep, and with no future detached garages are intended for Chatfield, the open air space in the rear yard of the new homes will be a permanent visual benefit to the one story Hubbard Woods School.
6. As the corner side yard will be held to the width minimum (its depth creates an overall lot size substantially over the minimum requirement), the smaller of the two homes will be the home placed nearest to the Hubbard Woods School. This will graduate the scaling from the one story Hubbard Woods School to the rather beautiful talk Victorian Home immediately to the north of the subject property—making for the most graceful transition.
7. The intent of the architecture, like all Adamczyk homes, is to compliment and support the indigenous architecture of the area. As this is a highly pedestrian based area, front porches are contemplated for both homes to enhance the sense of connectedness of these homes to the neighboring homes and parents passing to and from school.

FINAL PLAT OF ADAMCZYK FINE HOMES RESUBDIVISION

OF PART OF LOTS 12, 13, 14 AND 15 IN BLOCK 3 IN THE COUNTY CLERK'S DIVISION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.





LOCATION MAP
NOT TO SCALE

N

OWNER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF _____ }

THIS IS TO CERTIFY THAT _____ IS OWNER OF THE LAND DESCRIBED AS _____ RESUBDIVISION AND LEGALLY DESCRIBED HEREIN, AND HAS CAUSED THE SAME TO BE SURVEYED AND RESUBDIVIDED AS INDICATED HEREIN, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THIS IS TO ALSO CERTIFY THAT AS OWNER OF THE PROPERTY DESCRIBED AS ADAMCZYK FINE HOMES RESUBDIVISION AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME, HAVE DETERMINED TO THE BEST OF OUR KNOWLEDGE THE SCHOOL DISTRICTS IN WHICH EACH OF THE FOLLOWING LOTS LIE.

SCHOOL DISTRICTS	LOT NUMBERS
ELEMENTARY SCHOOL DISTRICT NO. 36 NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT NO. 203	ALL LOTS

DATED THIS _____ DAY OF _____, A.D. 20____.

_____
SIGNED

_____
ATTEST

_____
ADDRESS

_____

NOTARY CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF _____ }

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT _____ OF THE _____, DID PERSONALLY APPEAR BEFORE ME THIS DAY AND ACKNOWLEDGE THAT THEY DID SIGN THE HEREON DRAWN PLAT AS THEIR FREE AND VOLUNTARY ACT.

GIVEN MY SIGNATURE AND SEAL DATED THIS _____ DAY OF _____, A.D. 20____.

_____
NOTARY PUBLIC

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

APPROVED BY THE PLAN COMMISION OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____A.D. 20____

BY: _____
PLAN COMMISSION CHAIR

ATTEST: _____
SECRETARY

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

APPROVED BY THE PRESIDENT AND VILLAGE COUNCIL OF THE VILLAGE OF WINNETKA, COOK COUNTY ILLINOIS.

DATED THIS _____ DAY OF _____A.D. 20____

BY: _____
VILLAGE PRESIDENT

ATTEST: _____
VILLAGE CLERK

SURVEYORS NOTES:

1. THE BEARINGS SHOWN ON THIS PLAT ARE ON AN ASSUMED BASIS.
2. THIS PLAT OF RESUBDIVISION IS BASED UPON A BOUNDARY SURVEY PREPARED BY GREENGARD INC. ON JUNE 18, 2014.
3. EXISTING IMPROVEMENTS NOT SHOWN.
4. THE HEREON DESCRIBED PROPERTY IS SUBJECT TO AN EASEMENT AGREEMENT FILED JULY 25, 1969 AS DOCUMENT LR2463393 AND AS DISCLOSED BY ENCROACHMENT AGREEMENT RECORDED AUGUST 15, 1945 AS DOCUMENT 13573277. SEE DOCUMENT FOR PARTICULARS.

PUBLIC WORKS DIRECTOR CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

APPROVED BY THE DIRECTOR OF PUBLIC WORKS OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____A.D. 20____

BY: _____
PUBLIC WORKS DIRECTOR

DIRECTOR OF FINANCE CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

I, _____, FINANCE DIRECTOR OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR ANY DEFERRED INSTALLMENTS THEREON THAT HAVE BEEN APPORTIONED AGAINST THE TRACT INCLUDED IN THIS PLAT OF RESUBDIVISION.

DATED THIS _____ DAY OF _____A.D. 20_____.

BY: _____
DIRECTOR OF FINANCE

COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

APPROVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____A.D. 20____

BY: _____
COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR

WATER AND ELECTRIC DEPARTMENT CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF COOK }

APPROVED BY THE DIRECTOR OF WATER AND ELECTRIC DEPARTMENT OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____A.D. 20____

BY: _____
WATER AND ELECTRIC DIRECTOR

SURVEYORS CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF LAKE }

THIS IS TO STATE THAT WE GREENGARD, INC., UNDER THE SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR HAVE SURVEYED AND RESUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 70.00 FEET OF LOTS 12, 13, 14 AND THE SOUTH 70.00 FEET OF LOT 15 (EXCEPT THE EAST 40 FEET THEREOF) IN BLOCK 3 IN THE COUNTY CLERK'S DIVISION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

THE ABOVE DESCRIBED TRACT IS LOCATED WITHIN ZONE X (OTHER AREAS) DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 17031C0251J, WITH A MAP REVISED DATE OF AUGUST 19, 2008 AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

JOSEPH R. SADOSKI 3316 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS LINCOLNSHIRE, ILLINOIS

DATED THIS_____DAY OF_____, A.D. 20 ____.

GREENGARD, INC.
111 BARCLAY BLVD., SUITE 310
LINCOLNSHIRE, ILLINOIS 60069-2906

_____
JOSEPH R. SADOSKI
ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11/30/14.

PERMISSION TO RECORD

THE UNDERSIGNED HEREBY AUTHORIZES THE VILLAGE OF WINNETKA AND/OR ITS DESIGNATED AGENTS TO RECORD SAID RESUBDIVISION PLAT WITH THE OFFICE OF THE COOK COUNTY RECORDER OF DEEDS ON BEHALF OF THE UNDERSIGNED.

JOSEPH R. SADOSKI 3316 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS LINCOLNSHIRE, ILLINOIS

THIS _____ DAY OF _____, A.D._____.

GREENGARD, INC.
111 BARCLAY BLVD., SUITE 310
LINCOLNSHIRE, ILLINOIS 60069-2906

_____
JOSEPH R. SADOSKI
ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11/30/14.

GENERAL NOTES:

1. DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
2. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.

Drawing File: J:\60117\Dwg\Survey\60117-PS.dwg Jul 18,2014-4:18pm

DRAWN BY:	DATE:	REVISIONS	
DRAWN BY:	DATE:	REVISIONS	

DESIGNED BY: AN DATE: 07-16-14
CHECKED BY: JRS DATE: 07-17-14
DRAWN BY: DATE:

GREENGARD, INC.
Engineers • Surveyors • Planners
111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615
PHONE: 847-634-3883 E-MAIL: 2310@GREENGARDINC.COM
FAX: 847-634-0687 ILL. REGISTRATION NO. 184-000995

SCALE: 1"=30'
DRAWING No. 60117
SHEET 1 OF 1

1123 CHATFIELD ROAD – WINNETKA, ILLINOIS

PLAT OF RESUBDIVISION

Attachment C - Plan Commission Draft minutes

WINNETKA PLAN COMMISSION
MEETING MINUTES
AUGUST 27, 2014

Members Present:	Tina Dalman, Chairperson Caryn Adelman Jan Bawden Jack Coladarci Paul Dunn Louise Holland Matt Hulsizer Keta McCarthy Scott Myers John Thomas
Members Absent:	John Golan Jeanne Morette
Non-voting Members Absent:	Richard Kates
Village Staff:	Michael D'Onofrio, Director of Community Development

Call to Order:

The meeting was called to order by Chairperson Dalman at 7:30 p.m.

Chairperson Dalman stated that the first item on the agenda related to the adoption of the July 23, 2014 meeting minutes. She then asked if there were any questions or concerns.

Mr. Thomas stated that he submitted corrections and stated that on page nos. 18 and 19, there appeared to be a lot of information missing.

A motion was made and seconded to postpone the approval of the July 23, 2014 meeting minutes until the next meeting. A vote was taken and the motion was unanimously approved.

Consideration of Proposed Adamczyk Subdivision of 1123 Chatfield Road

Mr. D'Onofrio stated that he would provide the Commission with a few comments in connection with their role. He stated that in addition to the minimum requirements, the Commission can also consider the neighborhood context when evaluating the subdivision request. Mr. D'Onofrio stated that in the handout on Exhibit A, it showed the lot areas of each of the 44 neighboring parcels in the R-4 zoning District. He then informed the Commission that with regard to the areas identified in red or green, the green areas show the lot areas which are in conformance with

the minimum lot size and the red areas show the lots which are not in conformance with the minimum lot size requirement in the R-4 District. Mr. D'Onofrio added that 25% or 11 lots of the 44 parcels currently comply with the minimum lot size requirements. He noted that there are many lots in this district which are substandard with regard to size.

Mr. D'Onofrio also stated that in the packet of information is the size evaluation criteria. He then identified the compliance matrix on page nos. 7, 8 and 9 in the materials. Mr. D'Onofrio informed the Commission that the first section on page 7 detailed how the proposed lots comply with the lot area and width requirements. He then stated that section 2 on page 8 showed density limits. Mr. D'Onofrio indicated that while there are no plans to date, the information is to show what the requirements are. He noted that before a permit is issued, the applicant would have to provide data and calculations to make sure that the minimums are not exceeded. Mr. D'Onofrio then stated that section 3 identified the required setbacks for the particular lots. He stated that the Commission was given some development concepts and showed what the required yard setbacks are for lots 1 and 2. Mr. D'Onofrio added that one of the lots is a corner lot and one is an interior lot which would have different setback requirements.

Mr. D'Onofrio stated that the applicant was asked to submit on Attachment C a concept plan of the development schematic. He indicated that it would be beneficial for the Commission to understand how the lots are proposed to be developed. Mr. D'Onofrio also stated that while the footprint may alter somewhat, the Village staff felt it was important for the Commission to see what the orientation of the lots would be. He then referred to the driveways off of Gordon Terrace and that the homes were pushed toward the front and west of the property. Mr. D'Onofrio stated that with regard to Exhibit D, since it is a very mature lot with a number of mature trees, in connection with the tree removal requirements, they asked the applicant, because of the tree preserve ordinance, to show what the vegetation on the property is. He added that they were color coded green for the trees. Mr. D'Onofrio reiterated that there is quite a bit of vegetation on the lot and lot of mature trees on the property. He then stated that with regard to Exhibit E, they had the applicant overlay the proposed homes on the lots to show the impact on tree removal. Mr. D'Onofrio added that all of the trees in green measure 8 caliper inches or greater. He stated that concluded his overview of the project and referred to the Village staff's recommendations.

Chairperson Dalman asked if there were any questions.

Ms. McCarthy asked with regard to new development, is this the idea only.

Mr. D'Onofrio confirmed that is correct.

Ms. McCarthy then asked if it would be with the restrictive covenants such as the setback plan shown on the handout.

Mr. D'Onofrio informed the Commission that the recommendation is for that above and beyond the required setbacks and that the Village staff made that recommendation. He also stated that they attempted to show the Commission the vegetation on the property and down the road how it

might be.

Mr. Myers asked if the applicant would be required to replace the trees with regard to the number of caliper inches.

Mr. D'Onofrio confirmed that is correct and stated that it is part of the tree preserve requirement.

Ms. Adelman asked if they lost a 36 inch tree, would they be required to put in 3 or 4 trees. She also asked if the orange area represented the Village staff's or the applicant's drawing.

Mr. D'Onofrio responded that with regard to Exhibits E and F, the orange footprint is what the developer provided. He added that Exhibit C represented the footprint provided by the developer.

Mr. Thomas asked if they make plans, are they to come back to the Village or ZBA to show how they are in compliance with the various items. He stated that since these are preliminary, he described them as guesstimates.

Mr. D'Onofrio stated that the Commission can make any recommendations to the Village Council or they can agree with the Village staff's recommendation on the 85 foot setback to save the grove of trees which would become part of the approval of the subdivision. He informed the Commission that when the applicant submitted plans, they would have to comply with the subdivision ordinance and would not have to back to the various boards for review. Mr. D'Onofrio also stated that the plan is to give people an idea of how the home and driveway would be cited.

Chairperson Dalman stated that to clarify, in connection with whatever the recommendation is and what is adopted by the Village Council, the process is that the developer would come in with plans to seek a building permit and that if it conformed with the code and any restrictions the Village Council adopted as part of the subdivision, then it would go through the building permit review process. She also stated that if the developer sought to vary the setbacks, it would have to go through the ZBA and public hearing process for the opportunity to review and comment. Chairperson Dalman then stated that within the purview of the code, it would go through the building review process as of right. She then asked if there were any questions. Chairperson Dalman asked with regard to the rear setbacks, if any structures are allowed in the rear setbacks and if they could have sheds, play structures, etc. located there.

Mr. D'Onofrio informed the Commission that one of the Village staff's recommendations is to prohibit a detached garage in the rear yard, but that a shed is much smaller. He then stated that if there is concern with regard to anything encroaching that area, the Commission can make the recommendation for the prohibition of any permanent structure whether it is a shed, patio, etc. Mr. D'Onofrio noted that the Village staff's main concern was with a detached garage.

Chairperson Dalman stated that with regard to the rear setback, she assumed that the developer anticipated that with the proposed attached garage. She then asked if there was any conversation

with the developer with regard to the rear setback proposal.

Mr. D'Onofrio responded that he has not been privy with regard to those discussions but noted that the Commission can ask the developer who is present.

Chairperson Dalman commented that it would make sense for the developer to present any additional information. She also stated that they see that the neighbors are present and that she would like to disclose that she is a parent at the Hubbard Woods School and knew the area well. Chairperson Dalman stated that it would be good to anticipate that there would be handling of construction traffic during school hours and for the applicant to address the Village staff recommendations and whether they are in agreement with them.

George Adamczyk of Adamczyk Homes and Interiors informed the Commission that they have been in business for 25 years as of June 20, 2014 and that they have over 25 years of building in Winnetka more than the other suburbs. He noted that they have completed 150 projects, a 1/3 of which are in Winnetka. Mr. Adamczyk then stated that they have done more renovations and have had more published renovations, as well as have had an award winning renovation of which they are proud. He stated that renovation is a big deal to them and that it is also a big deal to him in that they are very concerned about indigenous architecture. Mr. Adamczyk commented that he loved Hubbard Woods and has done a lot of work on Asbury and Scott and that currently, the home at 1248 Scott is a home they have done which is more fitting with the community.

Mr. Adamczyk then stated that when they had the opportunity to purchase the property and in putting it under contract, there are several issues. He stated that first, the size of the existing property is significantly larger than the others around it. Mr. Adamczyk then stated that after the subdivision, there would be two lots which would measure in the upper 1 out or 10 or 10% with regard to the lot sizes in the area. He also stated that there are only two homes on the map which exceed the lots' size after the subdivision.

Mr. Adamczyk stated that second, when you look at the existing home and found it nonfunctional and obsolete, it would either be torn down now or later and that you can see the property supporting a home which measured 10,000 square feet which would overwhelm others in the area. He also stated that it could have a 400 square foot detached garage. Mr. Adamczyk indicated that there would be a lot more latitude with regard to the way it could be built and commented that he did not think that would be appropriate. He then stated that the home as it existed faced Chatfield which he commented is not the best plan. Mr. Adamczyk stated that you can see from the timing of the first three lots which were then consolidated into one lot and that the school was later built, he described it as a hodge podge with regard to the manner in which it came to be. He stated that he believed that there should be no homes which face the school and that what should be between the residences and the school is a substantial landscape buffer or park like setting which is fenced off. Mr. Adamczyk stated that their focus is to change the orientation on Chatfield. He stated that when they designed the two lots, they thought about the one story school and the very beautiful Victorian home which is located north of the subject property and which he described as a tall home. Mr. Adamczyk then stated that with proper planning, they could graduate the scale and put the smaller home on the corner with a larger

home on the interior with the Victorian home at the end.

Mr. Adamczyk also stated that the proposed plan would get the driveways as far away as possible from the school. He stated that with regard to the way in which the corner lot was planned, he described it as not optimal planning from a development point of view. Mr. Adamczyk referred to the home facing Chatfield with garage access off of Chatfield and stated that if that is not the case, the second goal would be to put the driveway on the wider end of the property and place the driveway closer to the corner and that they did not want to do that either. He stated that with regard to Gordon Terrace, two homes facing Gordon Terrace would enhance the streetscape. Mr. Adamczyk then stated that Gordon Terrace did not have the kind of strength like that north of Tower Road and that it did not feel like a proper, normal street.

Mr. Adamczyk then stated that there are a number of concerns with regard to the building permit, the existing home, etc., that from a big picture point of view, he stated that Winnetka has a very strong history and that it is very thoughtful and forward thinking in terms of its regulations. He stated that it is very difficult for builders in Winnetka and that there are lot of rules. Mr. Adamczyk then commented that the rules made sense from a drainage point of view and referred to the absorption of water and the forestry and international building codes, life safety, fire, energy conservation and other things which the existing home did not have.

Mr. Adamczyk stated that with regard to construction in this location, he realized that they are extremely concerned. He stated that while they have the good fortune of a large property, with the Village's approval, they can work out a material parking plan such as doing temporary paving which would allow them to keep trucks and employees off of the street. Mr. Adamczyk also stated that they can easily contract the vendors to deliver materials off of school hours. He added that deliveries are not a frequent activity and that managing deliveries is a lot easier than it seemed.

Mr. Adamczyk then stated that with regard to the Village staff's recommendations, they met with Mr. Norkus and stated that they felt the building the homes in the way they hope to with attached garages and leaving open space in the backyard would be a benefit to the school. He also stated that he had a hard time believing someone would purchase the existing home and that he did not see that happening. Mr. Adamczyk stated that even if it did, the chances of building an addition in the rear yard would be high. He also stated that a restrictive driveway not on Chatfield made an enormous amount of sense. Mr. Adamczyk then stated that with regard to the rear yard setback, it made sense and that it is nice to know that in 100 years when the trees mature, it would be done with a covenant that is not still in existence. He concluded by stating that with regard to the absence of a detached garage, they are in agreement with that recommendation.

Chairperson Dalman asked the Commission if they had any questions.

Ms. Bawden stated that she is very concerned with regard to vendor traffic and deliveries no matter where they are in the area. She then asked when did they anticipate starting construction and whether it would be during the school year.

Mr. Adamczyk stated that there is planning and permitting to be done and that he imagined that they may start in the spring or late spring and that by the time there is full blown construction, it would probably be the summer time. He then stated that in the early winter, there is only deconstruction of homes. Mr. Adamczyk informed the Commission that they would hand take it apart and donate the home materials which would be recycled and reused. He described it as a non-invasive process.

Ms. Bawden asked if terms of staging construction, did they see building both homes at the same time.

Mr. Adamczyk responded that they want to get it done as quickly as possible and that to build both homes at the same time would be much more efficient. He also stated that if they built two homes at the same time on the same site, it would be like building one home.

Chairperson Dalman asked if there were any other questions.

Mr. Myers asked if on the construction site, would they be willing to have their workforce park elsewhere.

Mr. Adamczyk confirmed that is correct and stated that it would not be a problem. He then stated that the only factor is that not every subcontractor can accomplish that and that some of them have a lot of their parts in their vans. Mr. Adamczyk also stated that for the carpenters, etc., they can be put somewhere else. He stated that they did not want to pass problems onto other neighbors. Mr. Adamczyk noted that the lot is big and that they would find a way to accommodate 80-90% of the parking there. He noted that the highest parking demand during construction would last between 2 to 3 weeks which he estimated is the only time that offsite parking would be needed.

Mr. Myers asked Mr. D'Onofrio if parking is allowed on Gordon Terrace during school hours.

The audience responded never.

Mr. Thomas asked if parking is allowed on Chatfield.

Chairperson Dalman confirmed that is correct and stated that teachers park there. She then suggested that they think about parking by McDonald’s, drop off their tools and walking to the site.

Mr. D'Onofrio indicated that they have done that before with other construction sites where if they are near public parking, to find a way to accommodate them. He then referred to the Joseph A. Bank remodeling and that the workers parked in the Scott Avenue lot.

Mr. Thomas referred to interference with teachers parking and that during construction, he referred to homes going up on Sheridan Road near Ash and that the whole block has been filled with workers, cars and trucks steadily for two years. He stated that with regard to any concerns

in connection with trucks and cars, he did not believe Mr. Adamczyk and that there is a history that the workers would need the trucks with tools nearby. Mr. Thomas then stated that one possibility would to build a temporary parking lot on the east side of the lot.

Chairperson Dalman referred to trees in that location. She then stated that she had a couple of thoughts and that since there are a lot of residents here, she referred to the biggest concern and noted that she worked for a home building company and is familiar with the situation, the biggest impact would be the concrete trucks. Chairperson Dalman stated that she has seen on Asbury and Scott three to four trucks lined up. She suggested that they think about scheduling work on Saturdays and referred to those who would have the biggest impact even if it is for a short period of time. Chairperson Dalman also described it as an intense period of time. She then stated that even though construction with regard to the heavy duty portions would occur during the summer, the school and Park District maintain camps at Hubbard Woods and suggested that they keep that in mind.

Mr. Adamczyk stated that on Saturday, there is a lot of residential traffic. He then stated that the teacher [in-service] day may be a great day even though it is sporadic, they can pour on that day.

Ms. Adelman informed the Commission that she is a resident of Hubbard Woods and that she lived on the corner of Westmoor and Laurel. She described the area as a third world country for the past five years and that with regard to traffic patterns, there have been two to three homes taken down on Westmoor, one of which is next to the school and the other one across from the school. Ms. Adelman described it as a real traffic pattern mess for the surrounding streets. She stated that there is an impact not only on the traffic flow, but that the roadways are destroyed. Ms. Adelman stated that there is no way people can take their children to school. She then referred to the conventions of workers who start at 7:00 a.m. Ms. Adelman stated that it has become a culture of construction in the neighborhood. She also stated that she noticed that depending on who the residential owners are, they are able to block off their own streets. Ms. Adelman suggested that the Village put up signs which indicate no parking. She then stated that on the other hand, if two nice homes are put up instead of a McMansion, she would be somewhat comfortable with that.

Mr. Adamczyk agreed that is an important point. He stated that it is very true that the construction methods of the early 20th century resulted in homes which had a fundamental 100 year use of life and that even those homes need to be replaced. Mr. Adamczyk then stated that the cost of renovation required to bring the home up to code is almost impossible. He stated that with regard to the homes which are replacing them, in terms of technology and code requirements, they last a lot longer. Mr. Adamczyk also stated that the new homes would have every aspect of life safety, fire, energy impact and structural drainage which would result in better, more enduring homes. He agreed that the parking concerns are a great deal. Mr. Adamczyk then stated that with regard to using public spaces, allowing more parking on the site while building is a good idea.

Chairperson Dalman stated that the Commission is to see whether the proposal meets the legal standards and approve a recommendation to the Village Council. She stated that while no one

liked construction in the neighborhood, the Commission is legally bound to look at the four corners of the code and neighborhood consistency issues.

Ms. McCarthy stated that first, it would be great to solve the parking issue. She agreed that it would be difficult to get in and out of the street on a private road during construction. Ms. McCarthy then referred to one home on a large lot and that the owners indicated that they could park on the grass which they should do. She then referred to the problem of parking next to trees and that the trees can be damaged. Ms. McCarthy also referred to kindergarten pickup in the middle of the day which represented another concern with regard to safety.

Chairperson Dalman stated that kindergarten pickup and drop-off could take place on Gordon Terrace.

Mr. Adamczyk stated that a half hour before school started until a half hour after school ended would be the only windows to allow deliveries and that they would avoid the midday entirely.

Ms. Holland noted that she is the chairperson of the LPC and that she disagreed with the comments made and stated that homes in the Village which are renovated last well into 100 years. She asked Mr. Adamczyk if they considered building a home on lot 2 to the north and donating lot 1 to District 36.

Mr. Adamczyk responded that the current owner would not be thrilled with that. He stated that once they get through this, they can start researching and looking into a land conservancy easement of 6 feet of the southernmost portion of the corner lot. Mr. Adamczyk referred to a park like setting with benches which he referred to as a rating garden. He then stated that economically, builders make a lot of money and that they would not acquire the property if they did not do the math to maximize allowable construction. Mr. Adamczyk commented that a conservancy easement made sense and that with regard to the way in which the site would be developed, he stated that what would be good for the school would also be good for the homes. He added that they can fill the entire side yard with plants and landscaping which would provide a good buffer for the school and the homes.

Ms. Holland stated that would only work with an easement for the prospective buyer to continue the vegetation. She referred to a history of donations of property in the Village which have created wonderful parks in the Village.

Mr. Adamczyk stated that the seller would have to donate the lot in economic terms.

Mr. Hulsizer informed the Commission that he lives on a one way street with neighborhood construction and that they agreed to do things early in the morning. He stated that the problem is that in the winter, the workers drive to lunch, etc. and that there would be traffic. Mr. Hulsizer also stated that they had a person working for them to direct traffic. He asked Mr. Adamczyk if they would be open to reimbursing District 36 if a person is hired to direct traffic and redirect their flow during school hours.

Mr. Adamczyk stated that the problem is that they would not be moving in and out during school time. He reiterated that the workers would start at 7:00 a.m. and finish at 5:00 or 6:00. Mr. Adamczyk stated that is what happens when not planning on bad days. He stated that scenario may only relate to deliveries.

Mr. Hulsizer asked Mr. Adamczyk if they would be open to the idea of reimbursing the school.

Mr. Adamczyk responded with reluctance that it is not going to be used and that they would be administering traffic which is not related to them.

Mr. Thomas asked Mr. D'Onofrio if the Village staff was given a group of recommendations that would, if accepted, the Commission would vote yes or no on based on the traffic flow during school hours. He then stated that to say that they cannot do it, there are other areas of the Village that involve trucks. Mr. Thomas stated that in his view, the Commission should spend time talking about the Village staff's recommendations.

Mr. D'Onofrio stated that the request is for a subdivision to build two smaller homes. He then stated that it is extremely probable that if the request is not approved, there would be one big home built with the same square feet and that it would involve the same process. Mr. D'Onofrio added that there would be construction no matter what.

Chairperson Dalman indicated that is a very valid point. She then stated that the public would provide their comments and then the Commission would close the matter for discussion.

Mr. Coladarci noted that there is not sworn testimony.

Chairperson Dalman stated that she would like to encourage people with regard to the fact that there is a full agenda, if the point has been made point that they have heard in connection with construction traffic, to limit their comments to items which were not made.

Daniel Ryan introduced himself to the Commission as the principal of the Hubbard Woods School. He stated that they try to be good neighbors and respectful of construction going on near Hubbard Woods. Mr. Ryan stated that there is an issue of safety. He informed the Commission that they enjoy the lovely environment of homes which give wonderful green space. Mr. Ryan then stated that it is important that they notice the traffic pattern and that Hubbard Woods has nearly 300 children, half of which are dropped off and picked up on Chatfield which is a one way street. He also stated that the other half are picked up on the south side of the school. Mr. Ryan stated that the northwest corner is a very landlocked area and that with regard to traffic going toward Gordon Terrace, there is also Hamptondale and the other side of Chatfield which exit on Gordon Terrace. He then referred to the kindergarten drop-off on Gordon Terrace for two hours every day for a total of eight pickups.

Mr. Ryan referred the Commission to the memorandum from their chief financial officer. He noted that teachers show up at 7:00 a.m. and park there. Mr. Ryan also referred to the window of 7:00 a.m. to 5:00 p.m. which would be encroached. He then stated that he would like for the

Commission to think carefully with regard to construction which would impede the safety of the children. Mr. Ryan added that there is already traffic flow which while difficult, would become worse. He stated that they children cannot go far away from the school and that he appreciated the Commission's consideration.

Ms. McCarthy asked if a majority of the teachers park on Burr.

Mr. Ryan responded that Chatfield is the primary place.

Mr. Hulsizer stated that they know that with regard to construction for this or any other buyer, he asked if there were things they thought about which would make the situation better.

Mr. Ryan responded that a traffic director would help. He noted that there is a limited area as to where the traffic could go and that they would still be stuck. Mr. Ryan added that there is no exact route at this time.

Mr. Myers asked if deliveries were restricted to Saturday and 5:00 p.m. to institute days with the workforce parking at McDonald's.

Mr. Ryan informed the Commission that there is only one institute day for the entire year. He then stated that in connection with deliveries, after school there are sports programs which go until 4:30. Mr. Ryan stated that there is a narrow window. He reiterated that the issue is construction traffic on a tight avenue of traffic. Mr. Ryan added that they would try to work it out and that the safety of the children is important.

Mr. Myers asked with regard to after school activities which last until 4:30 p.m., what percentage of parents and staff are gone.

Mr. Ryan responded that by 4:15 to 4:30 p.m., they are gone. He added that while a major amount of traffic is gone, they close at 3:45 p.m. and have close to 300 children leaving the school.

Claudia Miquelon, 875 Gordon Terrace, commented that she hated it. She then referred to the trees. Ms. Miquelon stated that when they bought their home, it was because of the beautiful setback from Tower Road and the fact that it is quiet with a lot of privacy. She stated that they are concerned about that. Ms. Miquelon also stated that the whole neighborhood would change and that it would not be possible to keep the tree canopy and landscaping.

Ms. Miquelon referred to the talk about drainage and stated that there are issues on their street. She stated that the trees absorb water and that she hoped that the plan would result in the equivalent amount would get absorbed in the yard. Ms. Miquelon then stated that concrete did not absorb water. She also stated that whatever the regulations are, there should be some equivalent for the absorption of water so that there would be no more issues in the future.

Ms. Miquelon stated that second, they re-landscaped their backyard and planted based on the tree

canopy. She then stated that when you look at the footprint such as having the driveway close to her home, while it would allow privacy for her, there are mature trees now which provide a canopy for her home and a noise barrier. Ms. Miquelon added that you can hear the children in the yard, but it is noisy and that would be gone for her. She reiterated that she is concerned with noise and that the landscape will have to change. Ms. Miquelon stated that she is also concerned with construction and traffic and that you cannot drive on Burr. She stated that they should recognize that the homes are beautiful and that you cannot keep the nature of the trees unless there are serious construction restrictions.

Mr. Myers asked Mr. D'Onofrio to recap what the storm water retention requirements are.

Mr. D'Onofrio informed everyone that any new subdivision would have to contain water on their property as well as accept water tributary to the property prior to any improvement. He also stated with regard to that any new impermeable surface, they would have to provide drainage and or storage to accommodate the existing and proposed improvements done through the storm sewers. Mr. D'Onofrio stated that the property would have to hold for water for a period of time. He also stated that the code required that there be no exacerbation of what is there and for the overdesign for what the maximum coverage on the lot would be versus what might be designed for in the future.

Chairperson Dalman asked if there were any other questions.

Tom Niessen, 874 Gordon Terrace, stated that he has lived in his home for 19 years and raised two children in Hubbard Woods. He informed the Commission that they have known the applicants for years and that he has been privy to their thinking. Mr. Niessen then stated that it would be premature to subdivide the property and that there is no fundament alright to subdivide in this world. He informed the Commission that the property owner rejected many offers over many years and that now, they have left and that the property has not sold as they wanted. Mr. Niessen then stated that he appreciated what the contractor said and commented that he sounded like a reasonable guy. He stated that the market will eventually tell itself and that the owners will have to lower their price. Mr. Niessen stated that it has only been a few months and that the owners moved in March.

Mr. Niessen stated that if it did not go through and there is no subdivision, there is one other avenue which would be to lower the price. He commented that the lot is beautiful and that there has been a lot of landscaping over the years and that there are great trees. Mr. Niessen commented that he would hate to see those go and that the subdivision would destroy that. He then referred to the issue about the taxation of impermeable property. Mr. Niessen stated that the Village is going to promote through taxation and asked what is the underlying policy. He then stated that if they do not want more pavement, the subdivision would create more of that. Mr. Niessen also stated that trees would be removed from the property.

Mr. Niessen went on to state that with regard to vehicles, he referred to Chatfield to Burr to Gordon Terrace and stated that some teachers are there at 7:00 a.m. and before. He added that there are vehicles in every available space there. Mr. Niessen also stated that teachers park on

Vine and Chatfield and west to Chatfield. He indicated that he could not see how one extra truck would have room to enter that area. Mr. Niessen then stated that they all have landscapers, FedEx deliveries, etc. and described the school as a special place. He stated that there would be chaos with the subdivision and going through construction. Mr. Niessen then stated that there is a safety concern and referred to people walking to school and that during the summer, they are using the playground. He indicated that it sounded like a done deal and that he did not know what they could do and asked the Commission to vote against the request and have the owner test the market. Mr. Niessen reiterated that there is absolutely no right to subdivide and that they should take a stand and say no. He concluded by stating that the subdivision would really impact the neighborhood and the school and that they should consider that.

Marsha Adelman, 1141 Chatfield, informed the Commission that she has lived in Winnetka for 40 years. She then stated that in all of that time, she has never seen a project have more of an impact on more people. Ms. Adelman stated that they have had Chatfield teardowns and that the trucks go and come. She described it as localized and stated that this would affect those coming to school. Ms. Adelman then stated that with regard to the park easement, there is already a park-like setting which she described as absolutely gorgeous. She described it as a beautiful home and that the subdivision would destroy the whole look of the corner. Ms. Adelman then referred to children walking and stated that they would have three driveways to cross instead of two. She also stated that in connection with the idea of paving part of the lot for trucks, paving would not be good for the trees. Ms. Adelman added that the neighborhood did not need the subdivision and that there would be more vehicles and people coming in and out and that she hoped that the Commission would think about that and that she appreciated their consideration.

Bruce Linger, 1152 Chatfield, informed the Commission that he has lived in Winnetka for 20 years. He commented that the home could be great with updates. Mr. Linger then referred to the comments made with regard to construction and disruption. He then stated that the homes would have to be redone and that with regard to new homes, construction is the reality of life. Mr. Linger stated that he is speaking for the neighborhood in terms of the longer term impact. He referred to the late email which was sent to the neighbors and that he would like to speak to the developer's comments.

Mr. Linger then stated that with regard to the Chatfield entrance, he described it as disingenuous in terms of kindness to the neighborhood and moving the driveways to Gordon Terrace. He stated that in connection with the school, there is no way to put one or two driveways onto Chatfield without destroying the school traffic flow or parking. Mr. Linger then stated that currently, there are three driveways for the children to cross and that there would be more of a chance for backup and an accident. He also stated that in connection with the home, the Vernons' home is the sister home to his and that they were all done at the same time. Mr. Linger informed the Commission that the third home was built at the same time as the Johnson's. He also stated that he did a renovation of his home eight years ago which took one year. Mr. Linger commented that his home looks like a 100 year old home and that 80% of it is new.

Mr. Linger also stated that he would like to point out that for $800,000 for a home in 15 years, they spent $1 million on renovation and that the home appraised far over that amount. He

referred to the saying that you cannot make money on renovation as not true. Mr. Linger stated that it is about how much profit the seller would make on the home and that the subdivision would result in a profit for the developer. He then stated that they would still profit by putting in the work and selling the property.

Mr. Linger then stated that with regard to a McMansion, the property is next to the school and that it is not going to happen that they are going to get a $3 million home out of it since it is a congested street with a lot of activity and a loud school and playground. He stated that if they did not accept a lower price, the home could be renovated, the trees would remain and that the neighborhood would not lose its character. Mr. Linger described it as a great neighborhood with a great feel. He then informed the Commission that he has never read the Comprehensive Plan until today and referred to an important point in it relating in part to a subdivision altering the historic rhythm of homes along the street and stated that they are dealing with that here. Mr. Linger concluded by asking the Commission to go beyond the rules and consider the benefit for the neighborhood and an alternative option for the seller.

Chairperson Dalman described it as a difficult decision. She noted that they have the subdivision plan which meets all of the code requirements. Chairperson Dalman also stated that it met the standards for subdivision approval.

Mr. Linger stated that a vast majority did not have a conforming lot size and described it as a weak excuse. He then stated that with regard to density, the subdivision would make the area more dense which he commented did not make sense. Mr. Linger added that he is ready to take the risk of having a McMansion since it would not work.

Mr. Myers asked Mr. Linger if he is asking the Commission even though the request meets all of the standards that the Village set, to balance the look and feel of communities and property rights, that for two rectangular lots which more than meet the total square footage for the R-4 District, and that the developer is willing to meet additional requirements such as delivery traffic times, etc., he still wanted the Commission to take away the owner's property rights. He stated that as long as the application met the standards the Village set, they have a right to the subdivision. Mr. Myers then stated that he understood the concerns with regard to how the request would hurt the look and feel of the neighborhood. He then stated that they need the audience to see if there is something that the Commission is missing.

Mr. Linger stated that in 20 years, the trees are huge and cannot be duplicated. He also referred to the economic impact. Mr. Linger then stated that he understood how the request followed the letter of the law, but that there should be latitude, judgment and common sense.

Ms. McCarthy asked if the subdivision would go to any other boards besides the Commission and if there were other hurdles. She referred to the Commission being the first step in the process and noted that they have an advisory role.

Mr. Linger indicated that they want to make their case early and often.

Chairperson Dalman stated that she wanted to make sure that the record reflected that Mr. Linger submitted a letter.

Ms. Adelman stated that in connection with the environment, when there is a teardown of an older home, there are concerns with asbestos, lead and other things which are released into the environment. She asked how would they be contained.

Mr. D'Onofrio responded that a demolition permit would be required as part of that development and that they would get the permit from Cook County who would then determine how the asbestos would be treated which would take place before the demolition.

Ms. Adelman added that since it is close to the school, they have to make sure that it is contained.

Mr. D'Onofrio reiterated that before a permit is issued, the county would have to issue the demolition permit approval and then it would be the county's responsibility to verify.

Chairperson Dalman stated that there is only a certain facility where the materials would go.

Ms. Holland asked if the request would be presented before the LPC.

Mr. D'Onofrio responded that is correct with regard to the demolition permit, but not for the subdivision. He informed the Commission that when an applicant makes an application for a demolition, the permit goes before the LPC and that the subdivision would go to the Village Council.

Ms. Holland referred to the findings that the Commission is to go through like the ZBA.

Mr. D'Onofrio stated that there are a number of standards which are part of a subdivision, but that most of them do not apply because they are talking about a number of issues which are associated with a larger subdivision. He indicated that they can go through them if the Commission would like as part of their consideration.

Beth Dustman, 1195 Hamptondale, stated that she has lived there for one year and that she would like to speak to the proposal. She informed the Commission that the existing home suffered from physical and functional obsolescence. Ms. Dustman then stated that with regard to the statement that the lot cannot support a large home, she questioned why not and described that as a false statement. She stated that it would not overshadow others in the neighborhood.

Chairperson Dalman stated that she would like to clarify that development is part of this proposal.

Ms. Dustman then stated that the existing home is oriented toward the school and competed with the school over pedestrian traffic and that it has an address which she described as being unfamiliar on Chatfield. She stated that there have been deliveries there for 80 years and is not a

reason for subdivision. Ms. Dustman then stated that while she did not know the school's opinion, she lived across from New Trier. She stated that the school may not suffer if the home was divided on Chatfield or Gordon Terrace and that she believe the lots were subdivided on Chatfield originally, which she stated she asked of the ZBA. Ms. Dustman referred to the hardship on the school if there are two driveways on Chatfield.

Ms. Dustman stated that the issue is not zoning, but a parking restriction issue. She then stated that if there are two homes on Chatfield facing the school, that would eliminate four to six parking spaces for the teachers. Ms. Dustman stated that parking has always been an issue in the Village and that it may affect the value that the builder can get for the home. She stated that they have to look at the facts and that historically, at the Village, she referred to Gene Greable's statement with regard to Winnetka subdividing lots and recombined lots. Ms. Dustman stated that they should not rush to a decision and should also consider the safety of the neighborhood, children and drainage issues. She concluded by stating that there are no new sewer systems on Chatfield.

Mr. D'Onofrio informed the Commission that according to when the property was first subdivided, in 1878, it showed that there were several lots for this lot and that over time, there was not a formal consolidation of this lot. Mr. D'Onofrio then stated that over time, it become one lot because it did not require subdivision or consolidation in prior years and that it was done without Village approval which is not the case anymore. He informed the Commission that they have had lots consolidated and subdivided and that they cannot sell off a portion without a formal subdivision.

Ms. Dustman stated that there are other options.

Mr. Coladarci stated that in terms of people's comments, he is on the side of preserving old homes and commented that new homes kill the architectural interest of the Village. He also stated that he renovated his home which dated to 1905. Mr. Coladarci then stated that the Commission is limited as to how to influence the plan before them in terms of stopping or changing it. He stated that if the law is met, they have to say that they find that it met the legal parameters. Mr. Coladarci stated that they do not make the laws and that their interpretation of the standards is limited. He indicated that he would rather see the home stay and renovated and that he would not like for there to be two homes for the reasons that the neighborhood said.

Mr. Coladarci then stated that there have been very valid criticisms of the plan, but that the seller has the right to sell the land and that the builder has the right to build if they follow the law. He commented that unfortunately, this will screw up the neighborhood. Mr. Coladarci stated that he assumed that the builder would build the largest home possible on each lot and that it would be a shame to lose a very attractive home and the aesthetical aspect. He then stated that other than what the Village staff has recommended, the Commission is limited as to what they can do and can answer questions that the neighborhood has. Mr. Coladarci stated that they cannot tell the owner they cannot subdivide the property since it meets the law. He added that the risk is that if they were to say no to the subdivision, the owner can sell the property at a lower price, tear down the home and that a bad, cheap home can be constructed. Mr. Coladarci then stated that

the profit margin provided to the builder is what they want to get and reiterated that there is no way they can say they cannot sell the land if there is the legal right to do it.

Chairperson Dalman asked if there were any other comments.

Georgie Geraghty introduced herself to the Commission as the president of the Hubbard Woods PTO, and that he lived at 661 Blackthorn which is a 100 plus year old home. She stated that she felt for the Commission and that they are to follow the letter of the law. Ms. Geraghty then stated that the biggest concern she would like to raise to the Commission is the fact that she is not confident they have perfect information.

Ms. Geraghty stated that with regard to the facts, she would be speaking on behalf of a number of parents. She informed the Commission that she sought input from the police since the traffic problems are so serious. Ms. Geraghty referred to a police survey which was done last year and that the impetus is that there is a bottleneck all down on Tower Road. She informed the Commission that it is the opinion of the parents that the decision to subdivide the property would put two driveways on the street instead of one which would all cause delays which would multiply all the way. Ms. Geraghty reiterated that he contacted the police who are very involved with traffic.

Ms. Geraghty then stated that another concern related to the ability of emergency vehicles to access the school and referred to a particular playground. She asked if there are contingency plans for emergency vehicles during construction. Ms. Geraghty stated that she has also heard the developer talk about deliveries not occurring during school hours. She referred to the school activities which take place until 4:30 p.m. and that they are activities which also start earlier at 8:00 a.m. Ms. Geraghty then referred to the statement that the delivery window would realistically be a half hour before 7:00 to 7:15 a.m. and after 4:30 to 5:00 p.m.

Ms. Geraghty also stated that another concern for the Commission to keep in mind is that there is no sidewalk on the other side of Gordon Terrace. She stated that if there is a subdivision and driveways are added, the children would have no choice since there is no sidewalk on the other side of the street. Ms. Geraghty informed the Commission that there is a crossing guard on that corner where the children are guided. She stated that another driveway would result in an additional chance for an accident.

Ms. Geraghty informed the Commission that construction is currently going on on Rosewood and Vine and referred to the problems coming down Rosewood. She then stated that in the winter, there are many days when the entire street is blocked with delivery trucks. Ms. Geraghty informed the Commission that parents are not comfortable letting children walk to school because of construction. She indicated that she recognized the difficulty with construction and encouraged the Commission to spend more time with Mr. Ryan and the representatives of District 36 to understand the traffic patterns and the impact of construction on the school. Ms. Geraghty then stated that if traffic is rerouted at the expense of District 36, the staff and taxpayers would bear the burden.

Ms. Geraghty then stated that with regard to the rights of property owners, she referred to the costs which result from this construction. She stated that a unique factor in connection with the property they are dealing with is that it affects a major intersection where hundreds of people drive every day. Ms. Geraghty stated that there are no other options under the current plan and if they proceed, she stated that she found it hard to believe the applicant's position with regard to the traffic patterns and that the taxpayers would pay the brunt. She suggested that they explore what the alternatives would be which she described as far and few. Ms. Geraghty also stated that people are just funding out about this and that a lot more parents would have been in attendance if there had been more advance notice. She concluded by stating that her comments reflect their concerns.

Erin Donaldson informed the Commission that she serves on the PTO of Hubbard Woods and lives at 1182 Chatfield. She noted that she did not receive a letter and that the rest of the cul-de-sac had no idea about this. Ms. Donaldson then stated that Mr. Geraghty made most of her points. She stated that there is already construction on Chatfield and informed the Commission that a home was razed two weeks ago and that there was a 15 month permit. Ms. Donaldson also stated that currently on their street, there are 12 children below the age of 10 who walk to school. She stated that there is one sidewalk on the north side of the street and that there are a lot of children in that area. Ms. Donaldson also stated that there are four children who have severe allergies and that the point made with regard to the emergency vehicles is very relevant. She informed the Commission that she is nervous about the safety of the children and that there are 20 children on the cul-de-sac west of Gordon Terrace.

Carol Hunt of Baird & Warner Winnetka stated that she represented the Vernons. She stated that first, she would like to inform the Commission that she has been a resident of Winnetka for 25 years and that her first home at 1025 Oak is still standing. Ms. Hunt noted that she renovated the home. She stated that she then moved to 699 Locust. Ms. Hunt then stated that she is very familiar with the community and the comments made. She added that her father grew up on Walden. Ms. Hunt stated that when she moved in 1984, there were conventions of renovated homes.

Ms. Hunt then stated that she never thought about land value. She stated that then, there would be a tear down race and that the land is valuable. Ms. Hunt referred to not only Chatfield, but all along the North Shore, homes are getting older and are hard to renovate since it is more expensive to renovate a home than to build new. She informed the Commission that the Locust home was torn down and that there was a similar situation. Ms. Hunt stated that she has seen both sides of saving a home and tearing it down.

Ms. Hunt stated that in terms of the market, she informed the Commission that she has been in the business for over 30 years and is seeing that people want new construction with younger people moving in. She described them as a generation which wanted to do everything quickly. Ms. Hunt then stated that dual income families do not have time for renovation. She indicated that is the reality of where the market is going. Ms. Hunt noted that she is a proponent of keeping homes if she can. She then stated that when they take a listing, it is not put in as a home and land, but they see it as a home they are trying to sell for what it is.

Ms. Hunt also stated that with regard to the home on Chatfield, there were less than normal showings on the home at a price point of $1,750,000 and that the price as reduced to $1,699,000. She informed the Commission that one family was interested and were planning a major renovation. Ms. Hunt stated that after the inspection and when the architect said that it can be done, but to get to where they want in terms of the code and bringing the home up to the standards with regard to plumbing wiring, etc., it would have been very costly and that they decided not to purchase the home. She informed the Commission that they tried very hard to keep the home but that the market is not responding to it. Ms. Hunt then stated that they approached Mr. Adamczyk since there was no activity and that they picked him out of all of the builders. She indicated that he has done the most with historic homes in terms of keeping them if they can. Ms. Hunt reiterated that they pursued trying to find a keeper of the home, but that they found that there was no interest. Ms. Hunt added that they are very mindful of the school and traffic. She concluded by stating that if the home is saved, it would require major renovation and that they would be dealing with quite a bit of construction traffic regardless.

Chairperson Dalman informed the audience that due to the hour, they do not want to cut off public comment. She noted that they have heard the impact on neighbors with regard to the construction traffic. Chairperson Dalman stated that the Commission wanted the opportunity to discuss the comments made.

Lynn Alshire, 890 Greenwood, informed the Commission that they have construction. She also stated that she grew up on Chatfield and Burr and that she is a child of construction. Ms. Alshire then stated that she walked everywhere and nothing happened to her during construction. She also stated that she drove as a teen during construction and parked on Westmoor and survived. Ms. Alshire stated that for it, it has been a two year process minimum. She then stated that to deny the request for a two year period of inconvenience but which would result in two beautiful homes with new families. Ms. Alshire referred to the fact that there is only one driveway. She also stated that for anyone living there, they would be safe drivers who would be looking out for the others' children. Ms. Alshire indicated that she realized that it is nightmare. She then stated that with regard to parking, her husband walked to the train. Ms. Alshire stated that with regard to asking someone to walk a block or two, there would be two new families and better economics for it. She added that in connection with the trees, she loved them and that on the Ryan's property, there is a garden walk every year and that they have huge trees. Ms. Alshire concluded by stating that it is possible.

Chairperson Dalman asked if there were any other comments.

A presenter in the audience informed the Commission that his wife wrote a letter which he distributed to the Commission.

Chairperson Dalman asked if there were any other comments.

Suzanne Alshire, 1155 Chatfield, informed the Commission that she lived for 40 years in the Village and has gone through a lot of construction. She also stated that she remodeled an old

home. Ms. Alshire then stated that the property rights of an individual to do what they want are paramount here without question. She then referred to a map in the handout which showed 31,050 square feet and other figures and that there were three homes in that space. Ms. Alshire indicated that she did not see it as a huge problem. She informed the Commission that they raised six children with no problems. Ms. Alshire then stated that with regard to the question of if there would be a bottleneck on Gordon Terrace, why not move the children exiting to Burr going north. She also stated that with regard to the safety of the children, her children walked with no problem. Ms. Alshire referred to an accident on Burr when a home was built and a painter who fell through the skylight and died. She added that Mr. Adamczyk handled the questions with regard to deliveries and suggested that they try to work it out any time there is construction.

Chairperson Dalman asked if there were any other comments. No additional comments were made by the audience at this time. She then asked Mr. Adamczyk if he would like to respond.

Mr. Adamczyk informed the Commission that he thought that the comments were thoughtful and that he would like to set the straight. He then stated that with regard to the difficulty between parking and traffic, it has been his experience with construction that parking is the problem. Mr. Adamczyk indicated that for the deliveries and sometimes visits to the property, the preponderancy is parking related issues. He referred to parking not being allowed on Gordon Terrace and that driving through on Gordon Terrace would have no impact on parking. Mr. Adamczyk stated that he agreed that renovation is construction and that to differentiate one as being more noble than the other is not the case.

Mr. Adamczyk then stated that with regard to the trees, they would not be killing or removing trees and stated that there would be more trees when they are done than are there today. He described the young trees to be installed aging for 200 years and compared them to those standing and that they would not lose those there which are now. Mr. Adamczyk informed the Commission that the foresters in the Village are mindful of trees and that he is 100% confident that it would be a very responsive process.

Mr. Adamczyk stated that with regard to drainage, the existing home was built without a drainage plan and that their plan for drainage is far superior to what is there today, which he commented is important. He then stated that with regard to traffic, they planned to solve the traffic issue by making it a parking lot. Mr. Adamczyk referred to the fact that this school is nestled in a residential area which he commented is not the very best of modern planning. He stated that to take away the rights of the owners is not very responsive or fair.

Mr. Adamczyk stated that with regard to renovation, there is no guaranty in connection with the trees because the owner has the right to build an addition. He also referred to the attempts to bring buyers to the home who purchased something else. Mr. Adamczyk stated that if they want a park behind, a park can be made. He noted the thought put into the subdivision laws which he commented are more restrictive than zoning. Mr. Adamczyk stated that the rules were set before and if the guidelines are wrong that need to be addressed, they are not changing the rules after the fact when the subdivision request complied with the rules. He informed the Commission that he

loved to renovate and that if someone wanted to buy the home and they were to renovate it, he would be all for it. Mr. Adamczyk described that alternative as an economic disaster and a tax burden on residents supporting it. He also stated that there is a saturation issue and referred to the point of the matter as to why they are looking at the density of other homes and that the request is not in conflict with the character of the neighborhood. Mr. Adamczyk concluded by stating that the subdivision would bring the property close to the character of the neighborhood, not further.

Chairperson Dalman stated that the Commission would now close public comment.

Mr. D'Onofrio stated that Chapter 16, point 12 of the Village code which he stated outlined the design standards for subdivisions. He indicated that some of them did not apply such as the street system which did not apply, as well as the second standard relating to streets and alleys which did not apply. Mr. D'Onofrio also stated that the third item relating to blocks did not apply and that in Section D, it referred to the lots which would be created here. He then identified the nine standards which may or may not relate to the requested subdivision.

1. all lots created by the land subdivision shall comply with all standards of the zoning ordinance;

2. all side lots lines shall be approximately perpendicular to street lines;

3. all lots created by any plan for land subdivision shall meet lot area requirements of the zoning ordinance;

4. no plan for land subdivision shall be approved if it results in the creation of one or more lots having side lot lines abutting rear lot lines;

5. all lots created by any plan for land subdivision shall met the lot depth requirements of the zoning ordinance; and

6. all lots created by any plan for land subdivision shall meet all yard and setback requirements of the zoning ordinance.

Mr. D'Onofrio noted that there is one other standard with regard to easements which says where alleys provided, easements which are not less than 5 feet in width shall be provided along the side and rear lot line along each side of lot lines where necessary for the extension of any public utilities.

Mr. Hulsizer asked how did the owner purchase the home and how did they own it.

A woman in the audience stated that it was a separate family.

Mr. Thomas stated that he saw no reason under the rules, regulations, policies and procedures for the Commission to deny the petition and that he would recommend to the Village Council to

move ahead with the provisos the Village staff recommended. He then stated that saying that the property owner has no right to subdivide is nonsense as long as the request met the requirements. Mr. Thomas also stated that the developer made a point about parking versus traffic. He stated that parking has been a disaster for years and that the traffic would be stiffer than the developer suggested while it is true that the men would work from 7:00 a.m. to 5:00 or 6:00 p.m. and that there would be a lot of in and out. Mr. Thomas stated that they cannot do anything about that. He then stated that while he sympathized with those speaking, he cannot find a reason other than to approve the request.

Mr. Myers stated that he generally agreed with Mr. Thomas' comments that the request would be following the rules they are accountable to and that he would recommend approval of the request. He indicated that the Commission did have the ability to set additional conditions and that he agreed with those set by the Village staff, especially given the physical presence of the school. Mr. Myers also stated that the builder added reasonable extra effort in connection with ensuring the safety of the children. He indicated that there are a variety of things to consider.

Mr. Myers stated that first, prior to going to the Village Council, the builder should develop a traffic plan for construction that restricts their workforce from parking to a location east of the site and not on Chatfield, as well as define how it would be enforced. He stated that second, all deliveries should occur either 30 minutes before 7:30 a.m. or not before one hour after school is over. Mr. Myers stated that third, they should consider the existing construction on Chatfield and that they would be adding to an already congested traffic condition. He also stated that he would recommend to the Village Council to ask for input from the police department on the traffic plan and flow and to ask the police to recommend how to best protect pedestrian traffic during construction and to work with the school such as what was done by the principal at the school.

Mr. Hulsizer stated that he is a big proponent of property rights. He stated that one thing that the applicant commented on is that the school is laid out in a terrible area and that he is sympathetic. Mr. Hulsizer stated that the property was purchased knowing that the school was there. He stated that they should respect the school asserting its rights with regard to securing safe passage for the children. Mr. Hulsizer noted that he is here on behalf of the school which is why the school has a representative on the Commission. He then stated that the law is clear and that should the request get approved, he reiterated that the school needed to assert its rights with regard to secure passage for the children. Mr. Hulsizer also stated that he would like to see the school being comfortable with the development plan. He concluded that whether they agree with renovation or build a home, it will happen and that they should figure out a plan which makes the children's commute safer.

Mr. Myers stated that before the Village Council, the plan should be jointly presented with the school.

Chairperson Dalman stated that the Commission can make that recommendation to the Village Council.

Ms. McCarthy suggested that they include a restrictive covenant increasing the rear yard to 85 feet.

Ms. Bawden stated that she agreed with the comments such as tweaking Mr. Myers' parking suggestion and to say to require it to be onsite parking. She indicated that there is ample room for four vehicles on the property and that if they did not fit, for them to use public parking.

Chairperson Dalman stated that they are not experts on trees.

Ms. Bawden stated that looking at the plan, where the garage would have been, there are no trees there. She stated that alternative would lock vehicles on that property from 7:00 a.m. to 5:00 p.m. and require them to stay there. Ms. Bawden then stated that they have addressed the aspect of traffic and parking.

Mr. Adamczyk agreed that would be fine.

Ms. Bawden also stated that with regard to deliveries, she lived on a narrow street which is two way and that it should not be. She informed the Commission that she has been living with construction for over three years and that the property took deliveries at 10:00 and 11:00 in the evening. Ms. Bawden also stated that the street cannot support semi-trucks. She asked if it is possible to get the big deliveries as far away from the school traffic as possible.

Mr. Adamczyk stated that there is a rule against that in Winnetka.

Mr. D'Onofrio confirmed that there is a limitation that no work occur past 7:00 p.m.

Ms. Bawden then stated that she felt for the neighbors and that she has experienced both sides of the problem. She added that renovation would be just as horrible and that it happened everyone.

Ms. Adelman stated that with regard to the trees, it is not a sufficient answer to say there would be more trees. She stated that she would like to see a plan as to how many trees would be affected, removed and protected. Ms. Adelman also stated that she would like for Hubbard Woods to stay wooded.

Chairperson Dalman asked if the trees are part of the building renovation plan.

Mr. D'Onofrio confirmed that is correct and that a tree escrow was put up. He informed the Commission that it complied with the forestry requirements.

Chairperson Dalman asked if there was no authority for the Commission for them to come back for trees.

Mr. D'Onofrio responded that it would be handled administratively.

Ms. Holland referred to the latitude that the Commission has and stated that otherwise,

development and zoning which is not perfect would go right to the Village Council. She stated that the latitude that the Commission has is whether this is good for the Village and she stated that she cannot in good conscious say this would be good for the Village. Ms. Holland also stated that it would not be good for Hubbard Woods, the school and that the proposal is not good for the neighbors. She stated that while they do not want to take away the rights of the developer, there are other ways to address the property. Ms. Holland stated that in her opinion, the Commission is to look at all of the other areas which affect Winnetka which is they are here. She stated that she would exercise that latitude and be the one vote to deny the application. Ms. Holland also stated that while she did not look at the 2020 Comprehensive Plan, she stated that she is sure that there is something there related to subdivisions. She concluded by stating that this is where there have to be overriding other considerations and that it rested with the Commission.

Chairperson Dalman asked if there were any other comments. She then stated that she is very conflicted and that her children walk to Hubbard Woods and she also worried about the Washburn and Skokie School students. Chairperson Dalman commented that this is very hard and that on the one hand, they are not the ZBA and do not have variation standards which would give more latitude to look at the neighborhood affected. She added that she wished that this was that sort of application and that they would have more discretion of reviewing those sorts of applications.

Chairperson Dalman noted that the subdivision request met the nine standards. She then stated that one thing that it is not in conflict with is the other existing neighborhood factor and the problem is that the map made it very clear. Chairperson Dalman stated that it is a dense neighborhood and the fact that the request would make it more dense is not right or fair and described it as the cards they were dealt. She then stated that she felt for those in the Hubbard Woods community but that the Commission had no choice but to follow the conditions and recommend approval and referred to Mr. Myers' proposal and other suggestions as part of the subdivision approval or Building Department approval. Chairperson Dalman noted that they would not get involved with the trees. She stated that they would put that to the Village staff to work hard on those issues and encourage that as part of the condition process.

Mr. D'Onofrio stated that they would discuss with the Village attorney the best way to go about it. He stated that it can be made a condition on the approval of the subdivision and that it would be affiliated with the building permit. Mr. D'Onofrio noted that the request would go to the Village Council as a recommendation and that if they want to make it a condition of the building permit, that would be the appropriate place to put it.

Chairperson Dalman asked if the condition is tied to the subdivision, would they lose control. She stated that they have heard loud and clear that any change would impact the neighborhood. Chairperson Dalman then asked for a motion.

Mr. Thomas moved that the Commission recommended approval to the Village Council the approval of the subdivision request of 1123 Chatfield as presented, subject to (a) the provision of electric utility easements as outlined in the agenda report, as well as (b) incorporation of a

restrictive covenants increasing rear yard setbacks to 85 feet, (c) a restrictive covenant prohibiting detached garages, and (d) a restrictive covenant prohibiting driveways or curb cuts along Chatfield Road, all as outlined in the Commission's agenda report.

Mr. Thomas further moved that approval be subject to (e) the applicant submitting a parking plan for construction crews and (f) an agreement limiting deliveries during heavy traffic periods, with such plans to be developed in collaboration with the Police Department and subject to approval by the Community Development Director.

It was noted that contractor parking may be able to be provided in the Village lot fronting on the south side of Tower Road.

Mr. Dunn and Mr. Coladarci seconded the motion.

A vote was taken and the motion was passed, 8 to 1, with one abstention.

AYES: Bawden, Coladarci, Dalman, Dunn, Hulsizer, McCarthy, Myers, Thomas
NAYES: Holland
ABSTAIN: Adelman

Mr. D'Onofrio stated that he would let everyone know with the principal and when the request would go to the Village Council and indicated that it may be before October.

Wrap Up of Plan Commission Recommendations for Commercial Zoning Amendment

Mr. Thomas suggested either moving this item to the next meeting date or in the alternative, hold a special meeting.

Mr. D'Onofrio indicated that he would consult with the Village Manager and board president.

Chairperson Dalman stated that they want to make sure they are not holding up the Village Council. She added that the item can be handled quickly at the next meeting.

Ms. Adelman asked with regard to the Public Meetings Act, are they not supposed to respond to everyone in connection with email.

Mr. D'Onofrio informed the Commission that they are not technically having meetings via email and that they should not "respond to all" in email conversations.

The Commission did not discuss this agenda item.

Public Comment

No additional public comment was made at this time.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Antionette Johnson

Attachment D - written communications received

August 27, 2014

Winnetka Plan Commission
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093

Re: 1123 Chatfield Proposed Subdivison

Dear Commission:

I'm writing to express opposition to this proposed subdivision. Our family lives nearby at 1152 Chatfield, where we've resided for approximately 15 years.

With the helpful assistance of Brian Norkus, Assistant Director of Community Development, I've reviewed the package that you have received in advance of your meeting tonight, and I've also been directed to other resources such as the zoning ordinance and the 1999 Comprehensive Plan for the Village of Winnetka.

As you are aware, it appears the proposed subdivision complies with zoning provisions for this subject property in regards to lot size and street frontage. Nonetheless, I believe the Commission should factor in the following additional considerations:

A. As noted the August 19, 2014 memo from Mr. Norkus to the Commission, the subject property contains a large number of trees. Mr. Norkus is spot on with his recommendation in regard to a restrictive covenant regarding building towards the rear of the two proposed lots. I would suggest, though, that this fails to address that fact that many of the trees on the property are very substantial, large trees, with many exceeding 12 or 15 inches in diameter, that are valuable neighborhood and community assets that can not be replicated through replacement trees or the paying of fees. Given the proposed layout of two residences and hardscapes, many of these trees will be removed. The property has a beautiful canopy – really a treasure that is not readily found among other homes in the community - that will be severely reduced through the construction of two new homes and related hardscape. Remodeling and enhancing the existing home would not have nearly the same destruction to the neighborhoods tree stock. I would urge the Commission to closely examine, with the assistance of the Village Forrester, the scale, size, and quantity of large trees prior to approving any subdivision.
B. The construction and subsequent day to day living activities from two homes, with two families/owners, rather than a single home, will clearly contribute to greater vehicle traffic on a street (Gordon Terrace) that already is overwhelmed during the school day with parents, teachers, and staff. The neighborhood is presently traffic congested during the school year, and this only exacerbates the

situation. Additionally, two curb cuts rather than one on a sidewalk – twice the resident car activity - that serves as primary to and from school route for all children and families living north and west of the school poses a greater safety issue during their walk or bicycle ride to school. Last, one additional consideration is that Gordon Terrace and Chatfield, site of the subject property, also seem to be frequently used as a "drive around" for the sometimes congested intersection of Tower and Green Bay roads, further contributing to an already heavily trafficked neighborhood.

C. Two homes, rather than a single home, with the resulting hardscape, certainly lead to greater impermeable surfaces and contribute greater water runoff. Approval of this plan would not be consistent with the Village's desire to better manage water and flooding issues in an already dense neighborhood. I would refer the Commission to the planned site location of the proposed two new homes, with the extended driveways and parking area – a great deal of hardscape and non-permeable surfaces are proposed.

D. As noted in the 1999 Comprehensive Plan, and I quote, "Subdivisions cause concern where....rectangular corner lots are divided into two square lots, and...". Further, the Plan states "These types of subdivisions alter the historic rhythm and orientation of the houses along street frontages." The proposal clearly changes the historical character of this block and intersection, creates greater bulk in a neighborhood that already suffers from a large number of non conforming sized lots with single family homes, and is not consistent with the Plan's objectives to better manage bulk and density concurrent with the reality that homes and neighborhoods need to evolve to meet current needs and expectations.

E. In the "Narrative Description of the Proposed Subdivision" provided by the co-applicant – the developer – I would argue there is factual inaccuracy. In the developers statement, their Objective 1 is clearly not the case, and we have first hand knowledge, as I will explain. Our home was constructed at nearly the same time by what we believe to be the same builder and architect. Our residence originally shared many of the same design, appearance and functionality of the subject residence. Approximately eight years ago, we undertook a substantial, nearly year long renovation and expansion of our house to bring the home up to current standards and living expectations. Our project included a nearly entire tear out of the exiting interior, and we added a large family room and expanded kitchen. I also point to a similar residence as ours and the subject, also built at same time by same persons, located nearby at 1195 Hamptondale, where a prior owner undertook a substantial renovation rather than knock down or subdivide. There are two key results that the Commission should consider in regards to our experience. First, we maintained the architectural integrity of the original property with minimal disruption to the lot and trees. Neighbors and guests continue to compliment us on the results we achieved, both inside and outside the home. Granted, this was expensive and time consuming, but I would suggest the Commission come see our home to assess first hand what can be done with the subject property with proper construction and investment. Second, from an economic perspective, our total cost (original purchase cost plus cost of renovation/expansion) is less than the current appraised FMV, which was updated

as recently as this month. We are "in the black". The point is that it's really developers greed that is driving their request/proposal – not sound community management or their (developer and prior resident) inability to sell the property either "as improved" or "as is" for reasonable return on their capital. There no financial imperative that states that a beautiful, well maintained, older home situated on an exceptionally well treed lot in a prime neighborhood is "obsolete" – as proven by us and the prior owners of 1195 Hamptondale. The decision really comes down to "larger profit" vs. "reasonable profit". As a footnote, it's interesting to note that the prior resident of the subject property, Mr. Vernon, would claim to us and neighbors more than once that his home was designed by noted architect George Maher – we've never investigated this for our own home. But it does seem odd for the Village to not desire to maintain these beautiful homes when the opportunity arises in a sound and reasonable fashion.

In closing, I believe there are a number of viable reasons for the Commission to vote no on the proposal. And, if there are any doubts, I suggest you visit the subject property, and I would be glad to host you at our home to show you how this can be done in way that is both financially attractive for the owner and beneficial to community.

Best regards,

Bruce S. Linger
1152 Chatfield Road
Winnetka, IL 60093
Cell 847 691 5701
Email linger1152@gmail.com

8/24/14

Sadly, another vintage property is slated for possible subdivision/demolition. Neighbors were notified of this consideration a few weeks ago.

The property is a beautifully landscaped lot where the value of mature trees alone is inestimable. It has been listed for sale since March. The land will likely be completely razed and replaced with 2 homes. This will greatly increase the impermeable surface area in that location.

With recent concerns about water runoff contributing to flooding, perhaps the village would consider a tax credit to preserve the green space as is. A tax credit would likely expedite sale of the property alleviating the burden of the seller and potentially obviating the need for subdivision.

The home is located directly across the street from Hubbard Woods School on Chatfield. Computer aerial views demonstrate the wooded nature of the lot. Two homes mean 2 driveways and 2 garages in that current location. Subdividing, destroying countless trees, and paving over permeable space seems counterintuitive when flooding is such a problem. Our green spaces are dwindling and cannot be replaced.

It is hypocritical for the village to allow this subdivision while it is promoting individual taxation of impermeable space. This is an opportunity for the village to intervene with some tax relief to help preserve this lovely location and not contribute to the "paving over" of Winnetka.

Diane and Tom Nissen Diane Nisson Tom Nissen

MARCIA + JIM ADELMAN

Marcia + Jim Adelman

THE WINNETKA PUBLIC SCHOOLS
DISTRICT 36

1235 Oak Street • Winnetka, IL 60093
phone 847-446-9400 • fax 847-446-9408
Susan Pingitore, Ed.D., *Chief Financial Officer*
susanpingitore@winnetka36.org

August 27, 2014

TO: Mr. Mike D'Onofrio, Director of Community Development
Members, Village of Winnetka Plan Commission

FROM: Susan Pingitore, Ed.D., Chief Financial Officer/CSBO

RE: Adamczyk Subdivision, 1123 Chatfield

As the Chief Financial Officer for The Winnetka Public Schools, it is my duty to consider community proposals from the lens of safety for students and staff.

The proposed subdivision, directly across the street from Hubbard Woods School, with the ultimate construction of two homes on this site poses a significant safety concern for students and staff with the potential to exacerbate an already tenuous situation.

As you may know, Chatfield is a one-way street going west during school hours. All of the westbound traffic from Hubbard Woods School can only access Tower Road by using Gordon Terrace. Gordon Terrace is also the only access to Tower for Hamptondale as well. Essentially this means that Gordon Terrace serves as the only link out of the area for two streets in addition to the traffic Gordon generates with residents of that street.

There are eight times each day when students and families use these streets for school traffic: morning arrival, morning kindergarten arrival and dismissal, afternoon kindergarten arrival and dismissal, lunch dismissal and arrival, and afternoon dismissal. Each arrival and dismissal time has a school bus using the street in addition to traffic from cars driven by parents and staff. The streets become clogged with motorists, walkers, bus traffic, and all of the traffic one might expect when moving several hundred people in and out of a small area with narrow streets.

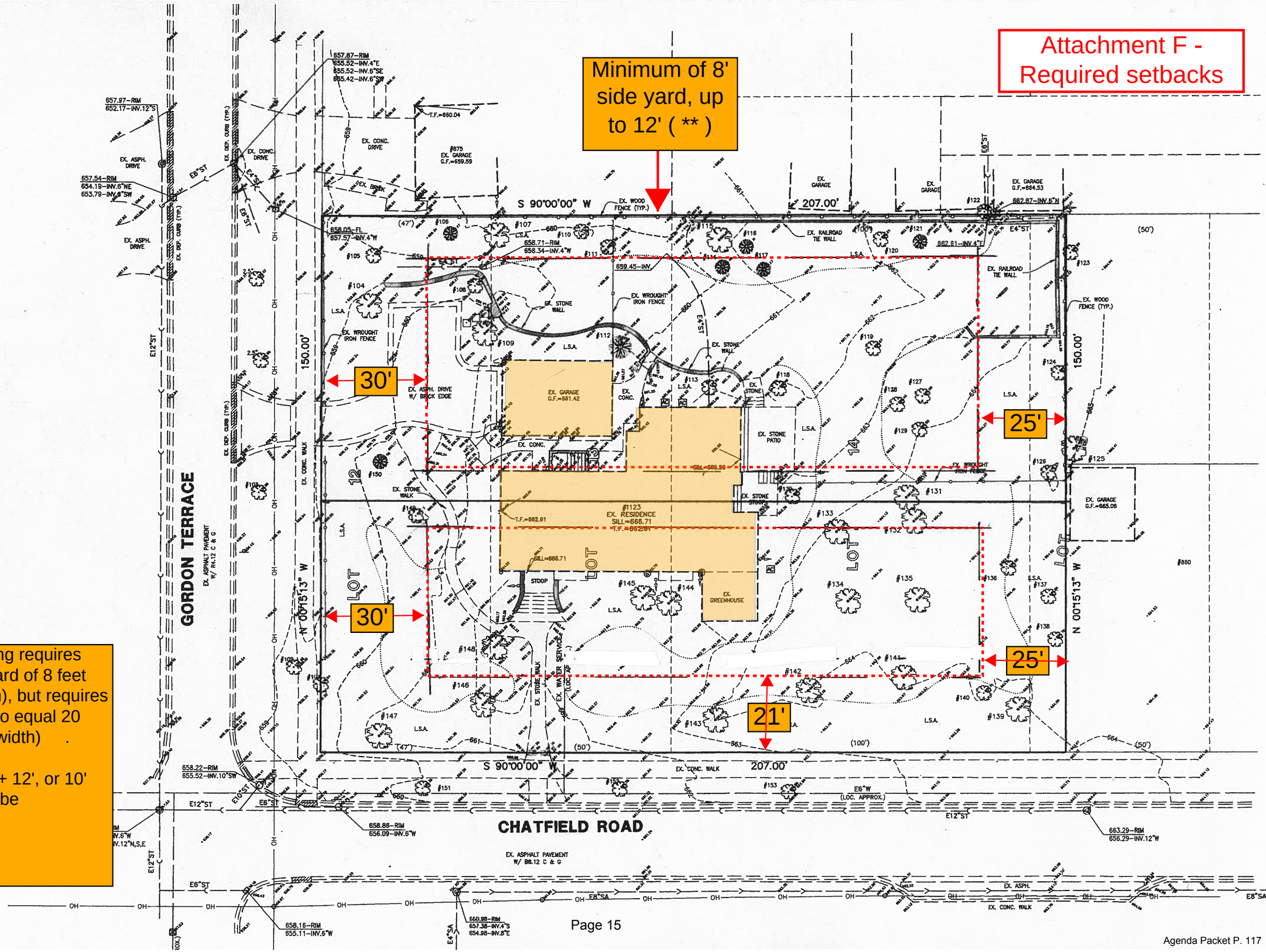
The addition of construction traffic to the streets is troublesome because it will add to the congestion, reduce the number of parking spaces available to parents and staff, and potentially block the street at various times during the day.

Equally concerning is what would happen if there were a need to bring in police, fire, or ambulance service into this area during one of the dismissal times.

I ask that the Plan Commission consider the safety of the Winnetka children and families served by Hubbard Woods School in evaluating this project. These students and families must look to your careful consideration of traffic and safety when deciding whether to recommend approval of this subdivision.

Attachment E - lot area analysis

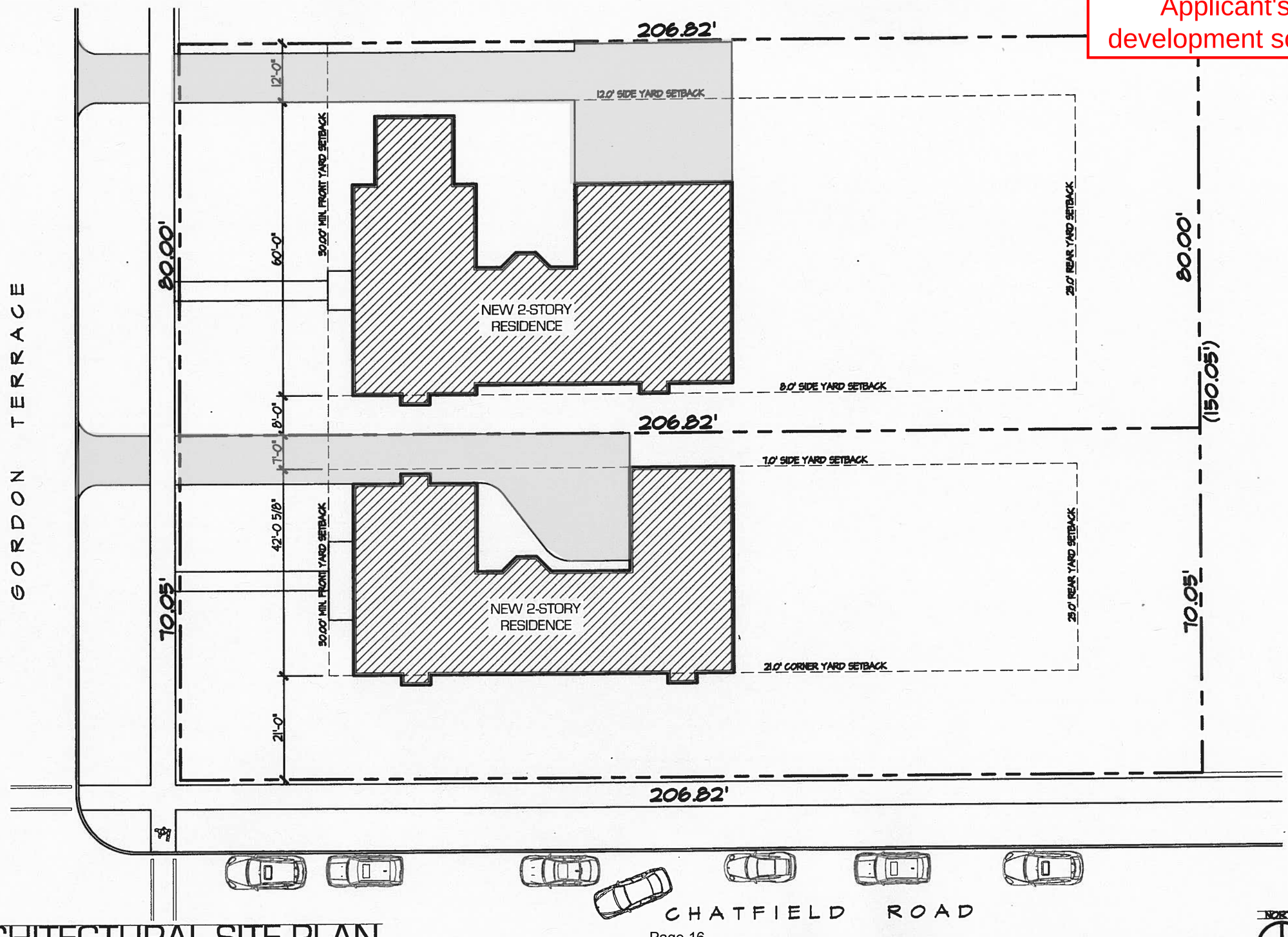
Attachment F - Required setbacks



(**) NOTE: Zoning requires minimum side yard of 8 feet (10% of lot width), but requires total side yards to equal 20 feet (25% of lot width) .

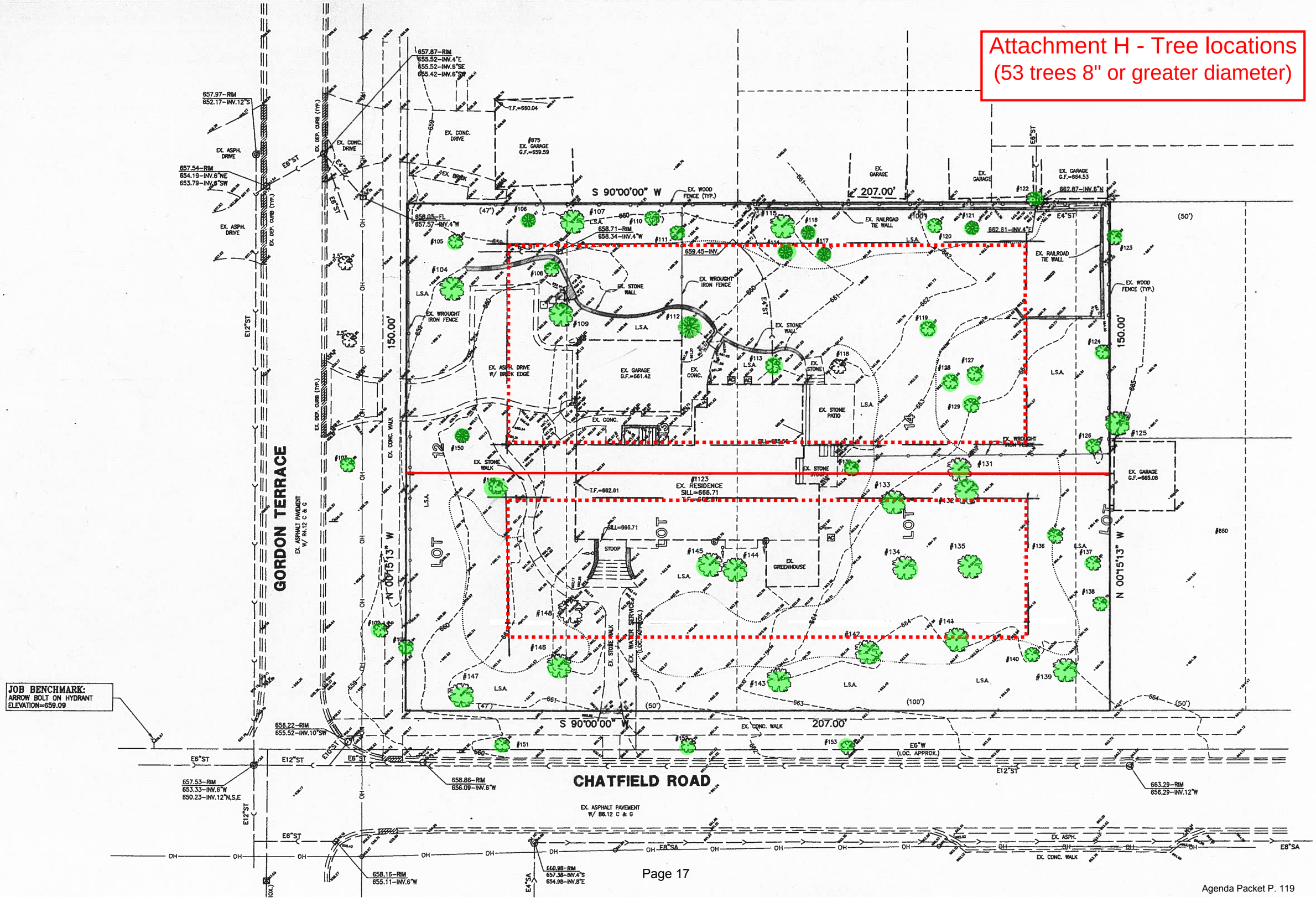
For example, 8' + 12', or 10' +10' would both be conforming.

Attachment G - Applicant's site development schematic



ARCHITECTURAL SITE PLAN

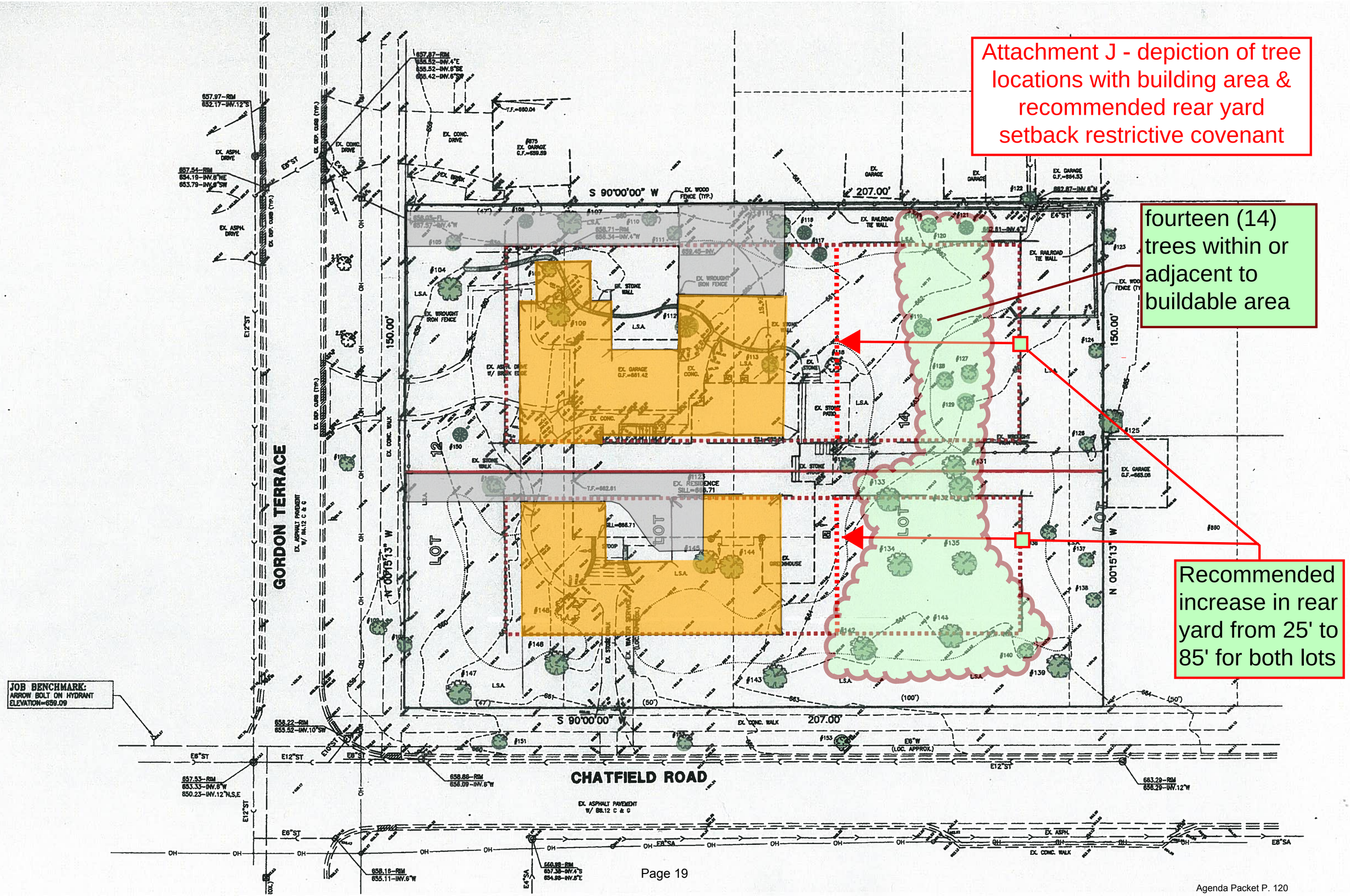
Attachment H - Tree locations
(53 trees 8" or greater diameter)



Attachment J - depiction of tree locations with building area & recommended rear yard setback restrictive covenant

fourteen (14) trees within or adjacent to buildable area

Recommended increase in rear yard from 25' to 85' for both lots



Agenda Item Executive Summary

Title: New Recycling and Trash Receptacles in Commercial Districts

Presenter: Charlotte McGee, Environmental and Forestry Commission

Agenda Date: 10/07/2014

Consent: [ ] YES [✓] NO

[ ] Ordinance
[ ] Resolution
[ ] Bid Authorization/Award
[✓] Policy Direction
[ ] Informational Only

Item History:

August 6, 2013 Council Meeting
2014 Budget Item

Executive Summary:

In an effort to encourage, build upon and increase recycling in Winnetka, the Environmental and Forestry Commission (EFC) proposes to install outdoor recycling and trash receptacles throughout the Village's commercial districts.

Following an August 2013 proposal during the annual lower board and commission update, last year's Village Council voted to include a budget line item in 2014 for the purchase of 25 sets of trash and recycling units. The Council directed staff and EFC to purchase and install a demonstration set of containers for evaluation prior to purchasing all of the budgeted sets. In August 2014, that set was acquired and installed on Spruce Street outside of Starbucks Coffee. The EFC now seeks approval to spend the approved funds on the remaining receptacles.

The 25 sets of containers were budgeted at a total cost of $55,000. Estimated pickup and maintenance costs for the receptacles are provided, as well as a list of proposed locations. The EFC also proposes to implement an educational component of the program, which would include additional signage and a public relations effort relying on local press, the Village website, the Village newsletter and social media.

Recommendation:

Consider authorizing staff to proceed with purchasing 25 sets of recycling and trash receptacles to be installed throughout the Village's commercial districts.

Attachments:

Agenda Report
1. Photograph of Demonstration Container Set Located on Spruce Street
2. List of Proposed Locations
3. Program Educational Plan
4. Program Rollout and Annual Cost Breakdown
5. August 6, 2013 Village Council Meeting Minutes

Agenda Report

Subject: New Recycling and Trash Receptacles in Commercial Districts

Prepared By: Charlotte McGee, Environmental and Forestry Commission

Date: October 7, 2014

Goal

Encourage, build upon, and increase recycling efforts in Winnetka and increase our streetscape appeal by installing high quality, outdoor recycling and trash receptacles in our commercial districts.

Background

Winnetka's residential commitment to recycling is evident when you realize that through curb side collection from 2008 to 2013 (last complete year of data collection) residents have diverted 16,621 tons from landfills and saved the Village $944,809 in tipping fees, which are not paid on recyclables. Commercial recycling was first introduced in the Village in 2010 when a total of 189 tons were collected and $10,374 was saved in tipping fees. In 2013 those numbers were 268 tons collected and $15,418 saved. We believe that the next logical step to continue this financially viable and environmentally friendly trend is to install outdoor recycling receptacles in our commercial districts.

Following an August 2013 proposal during the Environmental and Forestry Commission's annual lower board and commission update, last year's Village Council voted to include budget line item for 2014 for 25 sets of trash and recycling units (30 gallons each) at a cost of $ 55,000. Attached is a photograph of a trial set that has been installed on the Spruce Street side in front of Starbucks Coffee. Public Works staff has been regularly inspecting/emptying the container and recording findings. Attached you will also find a list of the 25 proposed locations and cost breakdown.

At this meeting we are seeking approval to spend these previously allocated funds in the 2014 budget so that we may bring curbside recycling to our business districts.

Roll Out Costs

Cost:	25 trash receptacles @ $1,030 each	$25,750
	25 recycling receptacles @ $1,170 each	$29,250
	Total capital investment	$55,000

Annual Labor Cost for Recycling 1x/wk. Picks Up $5,171.13

This number is based on the labor costs (driver and runner) per minute, multiplied by the number of minutes (service and transit) to empty each unit, multiplied by the number of receptacles, multiplied by 52. See attached for details.

Annual Material and Incidental Reoccurring Cost $906.20

Bio bags/Liners $356
Repairs and maintenance (1% of cost) $550.00

Total Annual Cost $6,077.33

We are aware that the success of such a program relies in large part to proper education, especially when it comes to asking people to change their habits. Our plan includes step-by-step "how to" signs for the top of each recycling can, a strong public relations effort relying on local press, the Village website, the Village Newsletter and social media. Please see attached for details.

Recommendation:

Consider authorizing staff to proceed with purchasing 25 sets of recycling and trash receptacles to be installed throughout the Village's commercial districts.

Attachments:

1. Photograph of trial container set located on Spruce Street
2. List of Proposed Locations
3. Program Educational Plan
4. Program Rollout and Annual Cost Breakdown
5. August 6, 2013 Village Council Meeting Minutes

25 Proposed Locations

Subject to evaluation

Elm Street West

NE corner of Elm & Chestnut
SW corner of Elm & Chestnut
North side of Elm – between Birch & Chestnut
South side of Elm – midblock between Chestnut and GBR
Behind Village Hall – back door to Lake Side Foods
NW corner of Elm & GBR
West side of Chestnut – midblock between Elm & Oak
West side of Chestnut – midblock between Elm & Spruce
SW corner of Chestnut & Spruce
SE corner of Linden & Oak

Elm Street East

NE corner of Elm & Lincoln
West side of Lincoln – midblock between Elm & entrance to WCH parking lot
East side of Lincoln across from WCH parking lot
South side of Elm – between Lincoln & Love's Yogurt

New Trier Campus

Woodland Ave at NT side entrance
Indian Hill train station
Bus stop on GBR in front of train station

Hubbard Woods

NW corner of GBR & Gage
SE corner of GBR & Gage
West side of GBR – between Tower & Gage
West side of GBR – between Gage & Merrill
Hubbard Woods train station
SW corner of GBR & Scott
South side of Scott – at the bridge
South Side of Tower at GBR near parking lot

Education Plan for Proper Use of New Outdoor Recycling Containers

1) Custom made decals for the top of each unit. Will contain following wording:

   Recyclables Only
   Glass – Empty all liquid
   Plastics #1-#5 or #7 – Empty all liquid then
   look for number on the bottom
   Newspapers

2) Press coverage:

   Winnetka Talk
   Winnetka Current
   Winnetka Patch

3) Create on-line coverage:

   Village Website
   Public Works page
   WEFC page
   Village Newsletter

4) Presentations to schools:

   Hubbard Woods
   Crow Island
   Greeley
   Skokie
   Washburne
   New Trier

5) Create presence on social media:

   Facebook posts
   Instagram

Recycling Receptacles Collection Service Costs One Time Weekly

Labor costs

Units Serviced (Recycle Only) Annual	Service Time 3 minutes per unit Annual	Transit Time (collection Only) Annual	Transit Time (Transport Only) Annual	Total Minutes Annual	Labor cost Driver + Runner	Labor Cost Total Annual
1300 (25X52)	3900 (1300X3)	650 (25x52 x .5)	38 (2X19)	4588	*1.1271 per minute	$5,171.13

*Total cost benefit /combined cost includes Maintenance Worker and Temporary Service Runner.

Material and Incidental Reoccurring costs

Material Bio Bags/Liners Annual	Repairs and Maintenance 1%	Material Costs Reoccurring Annual
$356.20	$550.00	$906.20

Receptacle/Material Initial

Scarborough Line Trash Receptacle Initial $1030 Each	Scarborough Line Recycle Receptacle Initial $1170 Each	Scarborough Line Receptacle Cost Total
$25,750.00	$29,250.00	$55,000.00

Cost Summary

Labor cost Annual	Material Annual	Receptacles
$5,171.13	$906.20	$55,000.00

report, identify any significant initiatives that will need Council consideration and request Village funds if applicable.

i) Bill Krucks, Plan Commission Chair: Mr. Krucks said the Commission's only task currently is a review of Appendix 6 of the Comprehensive Plan, as an exploration of voluntary design guidelines is dormant at this time. The Commission recommends streamlining the process for special use applications, and it would like the opportunity to update Chapter 5 of the Comprehensive Plan.

ii) Terry Dason, Business Community Development Commission member and Chamber Executive Director: Ms. Dason reviewed significant policy considerations that the BCDC is interested in working on: (i) Post Office site redevelopment; (ii) review of ULI recommendations; (iii) creating a strategy for improved communication with businesses; (iv) developing a brand for the Village; (v) drawing people into the Village for shopping and recreation; (vi) implementing a wayfinding signage program; (vii) enhancing promotion of Village-wide events; (viii) expanding the Floral Program; and (ix) continuing with the "listen and learn" sessions.

President Greable said it would make sense for the BCDC and Plan Commission to work together on the ULI recommendations, and he asked for a budget request from the Commission in advance of the Council's upcoming budget meetings.

Trustee Kates requested that notice be given in advance of the "listen and learn" sessions so that interested Trustees may attend.

iii) Joni Johnson, Zoning Board of Appeals Chair: Ms. Johnson commented that building activity in the Village has been consistent over the past 13 years. She requested Council authorization to update the ZBA's rules and regulations and asked the Village to explore the feasibility of compressing the special use process by combining the meetings of the ZBA and PC for special use requests.

President Greable asked Attorney Janega to do some research to determine if Ms. Johnson's suggestion was possible.

iv) Chuck Dowding, Interim Chair of Environmental & Forestry Commission: Mr. Dowding said the EFC anticipates a role in implementing the Stormwater Master Plan, and he presented the Commission's proposed project to put recycling receptacles in the Hubbard Woods and Elm Street business districts.

The Council recommended also putting recycling cans in the Indian Hill business district, and suggested that addressing issues around the Emerald Ash Borer is also part of the EFC's mission.

v) Louise Holland, Landmark Preservation Commission Chair: Ms. Holland reviewed the major cases heard by the LPC in the past year, as well as some ongoing projects. The Commission recommends increasing the demolition permit delay for historic structures from 2 to 6 months, as the number of demolitions of these homes, especially Edwin Clark homes, is increasing. The only recommendation with a budget impact is the suggestion to rent a trolley for a landmark tour, at an estimated cost of $900.