

Winnetka Village Council
STUDY SESSION
Village Hall
510 Green Bay Road
Tuesday, December 9, 2014
7:00 PM

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AGENDA

- 1) Call to Order
- 2) Downtown Master Plan Follow-Up2
- 3) Special Use Permit Process.....19
- 4) Public Comment
- 5) Executive Session
- 6) Adjournment

NOTICE

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Agenda Item Executive Summary

Title: Downtown Master Plan Follow-Up

Presenter: Mike D'Onofrio, Director of Community Development

Agenda Date: 12/09/2014

Consent: YES NO

- Ordinance
- Resolution
- Bid Authorization/Award
- Policy Direction
- Informational Only

Item History:

The Village Council discussed the idea of conducting a downtown master plan at its September 9, 2014 meeting. The Council directed staff to prepare a draft Request for Proposal.

These materials were previously provided to the Council at the November 11, 2014 Study Session.

Executive Summary:

At the September 9, 2014 Village Council meeting, there was a discussion concerning a Downtown Master Plan (Plan). The impetus for considering a downtown plan came as a result of two previous actions. The first action related to the Urban Land Institute Technical Assistance Panel (ULI TAP) process, during which ULI recommended that the Overlay District be eliminated. This recommendation along with several others – commercial parking and building height – was reviewed by the Business Community Development Commission (BCDC), Plan Commission and Zoning Board of Appeals (ZBA). Whereas the BCDC made a number of recommendations concerning the Overlay District – modifying uses and eliminating properties from the district - both the Plan Commission and the ZBA recommended that no changes should be made to the Overlay District. Rather, both bodies recommended that the Village conduct a downtown master plan prior to any changes being made to the Overlay District. The second action was taken by the Village Council at a strategic planning session in July 2014, during which the Council identified downtown master planning as a short-term goal to be further discussed.

At the conclusion of the September 9 meeting, Council requested Staff to prepare a draft Request for Proposal (RFP) for a downtown master Plan (Attachment A). The RFP was drafted after staff examined RFPs from other municipalities which have recently gone through planning processes. Staff also incorporated a number of items, such as background, purpose and goals, scope of work, etc., which are specific to Winnetka. The RFP contains eight sections, ranging from introduction and background information, to outlining nine specific tasks that will be done as part of the Plan (Scope of Work), to submission requirements, and ending with the evaluation and selection criteria to be used in selecting a consultant for the Plan.

Recommendation:

Provide policy direction on whether to proceed with the RFP process for engaging a consultant to develop a Downtown Master Plan.

Attachments:

Agenda Report
Attachment A - Draft Request for Proposal – Downtown Master Plan

AGENDA REPORT

SUBJECT: Downtown Master Plan – Draft Request for Proposal

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

DATE: November 6, 2014

REF: September 9, 2014 Village Council meeting, pp. 172-231

Introduction

At the September 9, 2014 Village Council meeting, there was a discussion concerning a Downtown Master Plan (Plan). The impetus for considering a downtown plan came as a result of two previous actions. The first action related to the Urban Land Institute Technical Assistance Panel (ULI TAP) process, during which ULI recommended that the Overlay District be eliminated. This recommendation along with several others – commercial parking and building height – was reviewed by the Business Community Development Commission (BCDC), Plan Commission and Zoning Board of Appeals (ZBA). Whereas the BCDC made a number of recommendations concerning the Overlay District – modifying uses and eliminating properties from the district - both the Plan Commission and the ZBA recommended that no changes should be made to the Overlay District. Rather, both bodies recommended that the Village conduct a downtown master plan prior to any changes being made to the Overlay District. The second action was taken by the Village Council at a strategic planning session in July 2014, during which the Council identified downtown master planning as a short-term goal to be further discussed.

Draft Request for Proposal

At the conclusion of the September 9th meeting, Council requested Staff to prepare a draft Request for Proposals (RFP) for a downtown master plan (Attachment A). In preparing this RFP, the first step Staff took was to determine which municipalities had recently done similar types of plans and review the RFP's associated with those plans. The review showed the format used by other municipalities, the scope of work required and criteria frequently used to evaluate the RFP. The second step Staff took was to develop a goals and purpose section. This section is aimed at describing the expected outcomes of the Plan. The final step was to clearly delineate the scope of work for the Plan. This portion of the RFP includes the identification of nine (9) specific tasks which will be required. These tasks are as follows:

Agenda Report
Downtown Master Plan

1. *Data Collection - Existing Conditions*
2. *Community Input – Visioning*
3. *Market Analysis*
4. *Land Use – Overall Recommendations & Site Specific Opportunities*
5. *Parking and Transportation*
6. *Infrastructure*
7. *Regulatory Review*
8. *Implementation Strategies*
9. *Final Report and Adoption*

It should be noted that for each of these tasks, a deliverable is identified. For example, the Market Analysis deliverable is a stand-alone market analysis. For additional details on each of these tasks and associated deliverables, see Attachment A.

After concluding the three previously described steps, Staff then drafted the Plan RFP. The RFP is broken out into eight (8) sections, and includes the following:

- I. *Introduction*
- II. *Background Information*
- III. *Goals and Purpose*
- IV. *Scope of Work*
- V. *Submission Requirements*
- VI. *Project Timeframe*
- VII. *Evaluation Criteria and Selection*
- VIII. *Exhibits*

For additional details on these sections, see Attachment A.

As mentioned in the September 9 agenda report, two actions should be taken prior to a RFP being issued. First, the purpose and goals of the Plan need to be delineated. Staff has identified a list of potential purposes under Section III of the RFP; this list could serve as a starting point for this discussion. The second action is to establish a group (described as a Working Group in the RFP draft) that will oversee the development of the Plan. The agenda report identified three potential groups who might assume that role: 1) Village Council; 2) Plan Commission; or 3) a combination of representatives of the Village Council, advisory boards/commissions, commercial property owners, retailers and other public entities (such as the Park District, Library and Community House).

During the September 9 discussion, Staff was also asked to address two additional issues. First, Council requested a list of consulting firms that have conducted downtown master plans. Staff is familiar with a number of consulting firms who perform this type of work, but believes it will be able to provide a more concise list of consultants, best suited to the true nature of the work, once the Council determines the scope of the Plan.

The second issue was a request for Staff to identify communities who have successful downtowns. Staff will be able to discuss the results of its survey of communities who have successful downtowns at the November 11th meeting.

Recommendation

Provide policy direction on whether to proceed with the RFP process for engaging a consultant to develop a Downtown Master Plan.

Attachments

Attachment A, Draft Request for Proposal – Downtown Master Plan

DRAFT

REQUEST FOR PROPOSAL – DOWNTOWN MASTER PLAN

I. Introduction

The Village of Winnetka (Village) is soliciting proposals from qualified multi-disciplinary teams (Consultant) to provide professional services associated with development of a Downtown Master Plan (Plan) for Winnetka's three commercial business districts. The Plan will be considered an update to the Winnetka 2020 Comprehensive Plan which was adopted in 1999.

II. Background Information

Picturesquely situated on the shore of Lake Michigan, just 16 miles north of Chicago, Winnetka is made up of tranquil tree-shaded streets and family-oriented neighborhoods, as well as three quaint in-town business districts that are home to a variety of shops and businesses. The Village's vision statement describes Winnetka as "...a village in a natural setting committed to its tradition of residential neighborhoods, citizen involvement, local shops and educational excellence..."

Winnetka, chartered in 1869, is home to 12,422 residents, with a household median income of \$203,995. It adopted its first comprehensive plan in 1921 which was written by Edward H. Bennett, who also co-authored the *1909 Plan of Chicago* with Daniel Burnham. Winnetka is 3.9 square miles in size; approximately 5% of the land area is located in the commercial districts.

With respect to its downtown, the Village is comprised of three separate commercial districts. All three districts are connected by Green Bay Road which is a state-owned and regulated arterial road. Following is a description of each of the districts.

Indian Hill

The Indian Hill district is bounded by Sunset Road on the north, the Village boundary with Kenilworth on the south, Church Road on the west and the Union Pacific Railroad on the east. The predominant uses in this area include New Trier High School, Indian Hill Park, a railroad station and low-density commercial facilities. Individual uses include a convenience store, banks, restaurants, public parking lots, multi-family residential, medical and real estate offices.

Whereas buildings in the district range in size from 1 to 3 ½ stories, the majority are one-story, low density, commercial buildings. The district is very linear, with all the commercial buildings located on the west side of Green Bay Road. With respect to traffic, Green Bay Road is a four lane road, with on-street parking on both sides of the street, south of Winnetka Avenue (on-street parking is not allowed north of Winnetka Avenue). On average 4,400 vehicles/day drive thru the district on Green Bay Road.

The district includes approximately 37,000 s.f. of commercial space. As for zoning, the district is zoned C-1 Commercial, Limited Retail.

East/West Elm

The East/West Elm district is considered the central business district of the Village. Green Bay Road and the Union Pacific Railroad divide the district. The district extends from Pine Street on the north, to Oak Street on the south, to Maple Street, on the east and Birch Street on the west. The predominant uses in the district include public buildings – village hall, public library, Post Office, and a railroad station -- Winnetka Community House, public open space, public parking lots, multi-family residential, retail and service-related uses. Individual uses include grocery stores, a variety of retail shops, banks, restaurants, public parking lots, medical, professional and real estate offices.

Buildings range in size from 1 to 4 stories. A significant amount of buildings in the district include first floor retail uses, with residential units (apartments) above. The district is served off Green Bay Road and Elm Street, with a bridge on Elm Street connecting east and west sides of the district; there also is a pedestrian bridge at the Elm Street train station that links the two sides of the district. It should be noted that the railroad tracks are below grade and therefore the train activity does not interfere with traffic between the two sides of the district.

The district is zoned C-2 General Commercial. However, a substantial portion of the district (52%) is included in a zoning overlay district. The intent of this Retail Overlay district is to:

“...encourage retailing of comparison shopping goods and personal services compatible with such retailing on ground floor in order to encourage a clustering of such uses, to provide for a wide variety of retail shops and expose such shops to maximum foot traffic, while keeping such traffic in concentrated (yet well distinguished) channels throughout the district, and permitting as a special use other commercial uses only to the extent that they meet certain additional requirements.”

The district includes 368,000 s.f. of leasable commercial space, with approximately 153,000 s.f. of that total comprising retail space. With respect to vehicular traffic, an average of 14,000 vehicles/day drive thru the Green Bay Road and Elm Street intersection. In 2014, the Village Council directed its advisory boards to study the purpose and impact of the Overlay District, which resulted in recommendations regarding both its uses and boundaries.

Hubbard Woods

The Hubbard Woods district extends from Scott Street on the north to Chatfield Road on the south, from the Union Pacific Railroad on the east and Gordon Terrace to the west. The predominant uses in the district include Hubbard Woods Park, a railroad station, a church and school, multi-family residential, retail and service-related uses,

and public parking, including a two level parking deck located at the northeast corner of the district. Individual uses include furniture and houseware stores, restaurants, clothing stores, professional and medical offices, multi-family residential and a bank.

Buildings in the district range in size from 1 to 3 ½ stories. As with the East/West Elm district, the district is zoned C-2 General Commercial, with a substantial portion of the district (62%) also being in the Overlay District. The district includes 214,000 s.f. of leasable commercial space, with approximately 118,000 s.f. of that space comprising retail space. As for vehicular traffic, an average of 9,500 vehicles per day travel thru Hubbard Woods on Green Bay Road.

III. Goals and Purpose

The goal of the Plan is to create a vision and an actionable plan for the Village's three commercial districts. Furthermore, a successful downtown depends on cooperation and understanding between property owners, tenants, the Village and users of the downtown. More specifically, the purpose of the plan is to accomplish the following:

1. The Plan will be a tool to inform current and future stakeholders about the Village's vision and goals for the future of the commercial districts;
2. The Plan will assist the Village Council in identifying and prioritizing public investment initiatives in the commercial districts;
3. The Plan will provide marketplace data regarding retail service, commercial and residential capacity of the three commercial districts to assist with strategy and policy development.
4. The Plan will assist developers in gaining an understanding of the type, scale, design and location of development that the Village would like to see;
5. The Plan will establish a development framework for site-specific re-development opportunities;
6. The Plan will develop policies related to the Village's role in economic development activities; and
7. The Plan will establish a basis for land use and zoning policies reflecting community desires while at the same time understanding marketplace realities.

In order to achieve the goals, it will be necessary to undertake a collaborative process that engages the stakeholders associated with the commercial districts. It is anticipated that the process will culminate in a Plan that reflects the needs and desires of the community and helps direct future decision making as it is related to the orderly growth and development of the commercial districts. Furthermore, the Plan will provide a framework for the development of future public policy pertaining to redevelopment,

infrastructure improvements and enhancements, and development of cultural resources in the commercial districts.

IV. Scope of Work

In the late 1990's, the Village engaged in a village-wide Comprehensive Plan process; ultimately adopting the Winnetka 2020 Comprehensive Plan in 1999. The *2020 Comprehensive Plan* dedicated a chapter to a review of the Village's commercial areas. While the *Winnetka 2020 Plan* did address the commercial districts through the formulation of general recommendations, it was acknowledged by the Plan Commission that a more thorough planning process should follow, which would establish a detailed and coordinated vision for the Village's commercial districts.

More recently, the call for a more detailed plan for the Village's commercial districts came from the Plan Commission in October, 2012, during its semi-annual review of the *2020 Plan*. As part of its review the Plan Commission made the following two recommendations;

Recommendation 1 - engage the Urban Land Institute (ULI) to conduct a Technical Assistance Panel (TAP). The goal of engaging a TAP was to have ULI members study the Village in order to provide recommendations as to how it might improve the commercial business climate. In 2013, two ULI TAPs were convened, with their results published in the fall of 2013.

Recommendation 2 - build upon the ULI study, by engaging in a "Master Planning Process." Specifically it recommended: "...engaging a team of planning professionals (land use, market & economic analysis, traffic & civil engineering, and zoning experts) specifically focused on creating a detailed master plan for Winnetka's business districts, including a 'road map' for pursuing the various public policy and legislative actions necessary to lay the ground work to ultimately implement the plan."

This RFP is the first step in proceeding with Recommendation 2. For a number of years, particularly with the downturn of the economy in the late 2000's, there has been a desire to improve the Village's retail business climate. Over the past ten years, the Village has taken a number of actions in an attempt to improve the retail environment. These have ranged from small projects such as replacing brick paver crosswalks, to large ones such as examining redevelopment possibilities for the Post Office site. One of the outgrowths of the project-by-project nature of this approach is the fact that without a larger plan in place to serve as a guide, the impact of these projects has not accomplished the desired goal of creating vibrant commercial districts.

It should be noted that in addition to assistance and input from village staff, a Downtown Master Plan Working Group (Working Group) will be established. The role of the Working Group will be to oversee the development of the Plan. It is anticipated the Working Group will be made up of elected officials, members of advisory boards/commissions, commercial property owners, merchants, residents, Chamber of Commerce, etc.

In order to develop the Plan, the Consultant will be required to undertake a number of activities. Below is the identification of the seven (7) tasks which the Consultant will need to conduct. Along with the identification of the task, there is an explanation of each, as well as a corresponding deliverable.

Task 1 – Data Collection – Existing Conditions

The Consultant, with assistance from Village staff, will work to assess existing land use, streetscape, parking, transportation and urban design conditions. This part of the Plan will require an existing conditions assessment of the entire Plan area that will identify existing land uses, parcels, buildings (including size, location and use), zoning, etc.

The Consultant will review the current Zoning Ordinance, 2020 Comprehensive Plan, Urban Land Institute Technical Assistance Panel (ULI TAP) Report (2013), Commercial District Parking Study (Rich and Associates, 2006) and Commercial Districts Master Streetscape and Wayfinding Plan (2007).

Deliverables: The Consultant will provide to the Working Group a draft Existing Conditions Report to the Village for review. Based on the review comments, the Consultant, will revise if necessary and provide a final Existing Conditions Report.

Task 2 Community Input – Visioning

Prior to developing a downtown plan, it is necessary to determine what the Village – residents, retailers, service providers, commercial property owners, shoppers from neighboring communities – wants its commercial districts to be. The goal with this component is to acquire data from various sources which in turn will be used in developing and shaping the Plan.

Whereas the Village is open to suggestions from the Consultant as to the method for receiving community input, it will require the following:

- The Consultant, with assistance from Village staff, will identify stakeholders that will be interviewed. Potential stakeholders would include elected officials, commercial property owners, business owners, developers who own property in the downtown, residents and institutional

users (schools, park district, library, etc.). The Consultant will conduct interviews with a minimum of 15 community stakeholders.

- An initial meeting with Village representatives (1 meeting).
- Periodic (monthly) meetings with Working Group during Plan development (12 meetings). Two additional meetings to review final draft of the Plan.
- Two public input sessions as part of *Task 2 – Community Input-Visioning* (2 meetings).
- Present Plan update, draft and final plan to the Village Council (4 meetings).
- Establish and maintain a Plan website. Also, develop other means of communicating with the public, i.e. phone apps, message boards, etc.

Deliverables: The Consultant will provide a report summarizing the results of the community input, including who was interviewed, what type of public input was obtained and the ideas, or visions which came out of the input.

Task 3 -Market Analysis

A significant component of the Plan will be a market analysis. This analysis will provide the type of data that is a necessary component of future planning and economic development activities. More specifically, it will allow for an understanding of the existing market in the Village, as well as to provide data on what the potential market might be. Not only will this type of analysis provide data on economic development, but it will be useful in crafting future zoning and land use policies. It is anticipated that the analysis will assess retail, restaurant, entertainment, office and residential markets.

The Consultant, along with the Village, will interview a minimum of three firms who would be responsible for conducting the Market Analysis.

The Consultant will provide a market analysis that provides the following:

- Accurately describe existing land uses, demographic data and real estate markets in and around the study area;
- Identify an appropriate mix of uses of an appropriate scale that is consistent with the commercial districts; and
- Identify development needs and opportunities within the commercial districts.

The market analysis should incorporate the following types of data:

- Absorption rates for retail, office and residential uses;

- Pricing for new development (land costs, leasing rates, parking construction costs, etc.); and
- Identification and analysis of leasing costs (cost/s.f., taxes, etc.);
- Retail leakage; and
- Existing land values and residential rent/ownership costs.

Deliverables: The Consultant will provide a draft stand-alone Market Analysis for the Village to review. Based on Village review comments, the Consultant will revise if necessary and provide a final Market Analysis.

Task 4 - Land Use – Overall Recommendations & Site Specific Opportunities

The Village is unique in that it has three distinct commercial districts. Each district has its own differentiating characteristics, while at the same time sharing certain common traits. One of the anticipated results of the Plan will be to distinguish the individual strengths of each district, yet at the same time knit them together in such a fashion as to create a “Winnetka downtown experience.”

Whereas there are district-wide land use issues, there are also a number of existing commercial sites which are under-utilized, or have obsolete improvements on them. In recent years, two of these properties – the Post Office site and the Fell property (southeast corner of Elm Street and Lincoln Avenue) – have been the subject of redevelopment studies or planned development proposals. Given these sites, as well as others in the Village, this task of the Plan must consider a number of specific sites (up to four) and examine their capacity for redevelopment. The analysis of these sites should include recommendations on future land use options, including density, uses, parking regulations, etc. and an economic analysis to support the development potential of these sites. Specific project areas will be chosen from the following sites:

- Post Office site (Chestnut Street & Elm Street)
- Fell site (Lincoln Avenue & Elm Street)
- Former Boris’ Café and M&L Hot Dog stand (966-972 Green Bay Road)
- Grand Foods parking lot (Green Bay Road & Spruce Street)
- Indian Hill parcels related to auto uses

The Working Group along with Village staff will provide direction to the Consultant as to which project areas will be studied.

Deliverables: The Consultant will provide to the Working Group a draft land use plan, including all three districts. Additionally, the Consultant will provide the Working Group with one draft concept plan for each of the project areas, as identified above. The plans for the individual project areas should include the

following: 1) a written description of the proposed development plan; 2) identification of uses; 3) building(s) density, height, setbacks; 4) parking; and 5) economic viability analysis of each project area. Based review comments on the draft plans by the Working Group, the Consultant, will revise if necessary and provide a final land use plan as part of the Plan report.

Task 5 - Parking and Transportation

The commercial districts draw people by foot, bicycle, train, bus and car. Given the multi-model nature of transportation in the commercial districts, the Plan needs to address all forms of transportation. Not only do they need to be examined individually, but the Consultant must also study how they interact with each other and their collective impact on the districts.

Over the past eight years, the Village has engaged in several parking and transportation plans. In January 2006, the Village had a commercial parking district study done by Rich and Associates. In 2007, the Village completed the Commercial District Master Streetscape and Wayfinding Plan, led by the Lakota Group and Spaceco Inc. In addition to this plan focusing on traditional streetscape components and signage, a significant portion of the plan focused on parking improvements and street geometrics. Finally, in 2014, the Village has reviewed its commercial parking district regulations and will be amending its zoning ordinance to address several parking-related concerns.

The Consultant will be familiar with existing traffic, circulation and access in the commercial districts. It will examine the current parking availability both in Village-owned parking facilities and on-street parking areas in order to determine where there are parking shortages and surpluses. The Consultant will examine potential improvements that would serve to connect the three commercial districts. Finally, the Consultant will develop recommendations to improve the bicycle and pedestrian environment, such as sidewalk enhancements, mid-block crossings, pedestrian plazas, bicycle lanes, etc.

Deliverables: Provide to the Working Group for their review a stand-alone parking and transportation report. The report should include maps identifying the following; 1) traffic and parking counts; 2) average daily trips for roads in the districts; and 3) identification of all on and off-street parking areas, including type of parking (commuter, employee, shopper, etc.) and associated time limitations. The report should also include a narrative communicating potential strategies for improving parking and transportation amenities.

Task 6 - Infrastructure

Infrastructure includes a number of items, all of which play a part in providing a foundation for enhancing the commercial districts. Some of the infrastructure includes below-grade utilities (water mains and electric power) that are never seen, but if not adequately sized, or in poor condition, will affect future development. Other infrastructure is still rather utilitarian in nature, but at the same time, either adds to or detracts from the look of the commercial districts, especially visible items such as street lights and sidewalks.

As mentioned previously, in 2008 the Village had a Commercial Districts Master Streetscape and Wayfinding Plan prepared. This plan identified a number of streetscape improvements that could be made, ranging from installation of new brick paver sidewalks, to pedestrian lighting, to street furniture location and style. The Consultant should evaluate this plan and identify which parts of it might be implemented.

In developing an Infrastructure plan, the Consultant should include the following:

- Public utilities – water mains, electric, storm sewers, parking lots;
- Streetscape – sidewalks, lighting, on-street parking, landscaping, street furniture;
- Storefront facades;
- Wayfinding signage; and
- Technology amenities (Wi-Fi hot spots).

Deliverables: Provide to the Working Group a draft report identifying what infrastructure improvements should be made. Based on review comments on the draft plans by the Working Group, the Consultant will revise if necessary and provide a final infrastructure narrative as part of the Plan report. The report should also include maps identifying existing utilities and location of proposed infrastructure improvements.

Task 7 - Regulatory Review

The ULI TAP recommended a number of changes to the Village Code. Beginning in late 2013, some of the recommended regulatory changes were either made (liquor license classifications and process), or are in the process of possibly being amended (Overlay District, building height and parking). In order to consider additional changes to the regulatory environment, the Consultant will review the following regulations:

- Commercial signage;
- Zoning ordinance;
- Overlay District; and
- Commercial Design Guidelines.

The Consultant's review should determine if other regulations might be amended in order to enhance the commercial district environment. The regulatory review will not entail a complete re-write of the regulations, but rather a more limited review with a series of recommendations aimed at identifying issues that may need additional study.

Deliverables: Provide to the Working Group a draft written report recommending which regulatory areas need further review and study. Based on review comments on the draft plans by the Working Group, the Consultant will revise if necessary and provide a final infrastructure narrative as part of the Plan report.

Task 8 - Implementation Strategies

By pursuing the activities associated with the Plan, it is expected that the Consultant will recommend a number of implementation strategies. It is anticipated that these strategies could include those of an administrative nature, such as amendments to the commercial district zoning regulations; or they may be more project specific, such as implementation of a wayfinding signage program.

The Consultant must develop strategies that provide a framework and realistic timeframes for implementing the Plan. The Consultant will need to describe and illustrate the strategies, starting from existing conditions and continuing through implementation. Also to be included, as appropriate, is a prioritization of strategies, identification of stakeholders, cost estimates, phasing, etc.

Deliverables: Provide to the Working Group for their review, a draft Implementation Strategies Report. Based on review comments of the draft Report, the Consultant will revise if necessary and provide a final report as part of the Plan.

Task 9 – Final Report and Adoption

Upon completion of *Tasks 1 – 7*, the Consultant will prepare a draft Plan Report including the deliverables identified for each task. This draft will be reviewed by the Working Group. Based on review comments of the draft Report, the Consultant will revise if necessary. The resultant Plan will be forwarded to the Village Council for its consideration for final approval and adoption. This Task

will include two (2) meetings with the Working Group and two (2) meetings with the Village Council.

Deliverables: Provide a draft report (25 hard copies and one digital copy) to the Working Group. Provide a final plan. If necessary, based on Village Council comments, revise the plan and submit 25 copies and one digital copy of the final Plan.

V. Submission Requirements

1. Proposal information shall be presented, to the extent possible, in a manner corresponding to, and identified by, the section or subsection titles stated in this RFP.
2. To be considered complete, Proposals must address the questions raised, and provide a complete response to the information requested, in the various Sections of this RFP. Each consultant must submit the information listed below:
 - a. Letter of intent reflecting the Consultant’s understanding of the project.
 - b. Statement of Qualifications - Provide a summary of the Consultant’s background, capabilities, experience and qualifications. Include a synopsis of similar assignments and projects of comparable work during the last five years. Provide the same information for any sub-consultants.
 - c. Names, addresses and responsibilities of key personnel participating in the project. Include resumes for key personnel.
 - d. Clearly specify which personnel will work on various aspects of the project. Include designation of project principal and project manager. Specify any other ongoing projects to which the workgroup is already committed and would be performing at the same time as work for the Village of Winnetka.
 - e. Provide a project timeline, including an estimated date of completion, with a breakdown of the number of hours required per task and cost per task. Provide hourly rates for all personnel involved in the project.
 - f. Provide a description of the type and level of support the Consultant will require/expect from the Village for each project phase.
 - g. Names, addresses, email addresses and telephone numbers of a minimum of three (3) references for similar projects.
 - h. Description of the Consultant’s approach to the project and a proposed work plan.

VI. Project Timeframe

1. Timeframe Proposal and Review Process
 - (Date to be determined)RFP Release
 - (30 days after RFP Release) RFP Responses due by 11:00 am

- (15 – 30 days after Responses due)..... Internal review of Responses
- (15 days after internal review).....Interviews
- (7 days after interviews)Negotiations with Consultant(s)
- (Date to be determined) Village Council approval

2. Proposal Submission – Time and Manner

- a. Proposals will be accepted until 11:00 am on _____, 2015. Proposals submitted after that date and time will not be considered. The ultimate responsibility for the delivery of the Proposal rests solely with the Consultant. The Village will make no exception to the submission deadline based upon postal or other delivery served delays, even when untimely delivery of the Proposal was no fault of the Consultant.
- b. Proposals shall be sealed and marked “Proposal: Downtown Master Plan for the Village of Winnetka” and delivered to:

Nick Mostardo
Purchasing Agent
Village of Winnetka
510 Green Bay Rd.
Winnetka, IL 60093
- c. Proposals sent by fax or e-mail will not be accepted.
- d. Proposals shall be bound in one (1) single document.
- e. A total of ten (10) printed copies of the Proposal shall be submitted. The Village shall not be obligated to return any Proposals or materials submitted.
- f. Proposals shall also be submitted in electronic format (pdf).
- g. Proposals may be withdrawn at any time prior to the final submission date by sending written notification of its withdrawal. The Consultant may thereafter submit a new Proposal prior to the final submission date; or submit written modification or addition to a proposal prior to the final submission date. Modifications offered in any other manner, oral or written, will not be considered. A final proposal cannot be changed or withdrawn after the time designated for receipt, except for modifications requested by the Village after the date of receipt or following interviews.

VII. Evaluation Criteria and Selection

The Village will be the sole and final judge of the merits of the Proposals submitted. The Proposals will be evaluated by the following criteria:

1. Compliance with the RFP requirements.
2. Consultant understanding and familiarity with the Village’s needs, goals, objectives, the work involved and the nature of the Plan.

3. Previous experience and capabilities in comparable projects and the Consultant's technical experience with comprehensive and downtown planning.
4. A demonstration of the ability to provide creative solutions in developed communities which are implemented and accepted by the community.
5. The specific approach the Consultant takes for the project. Although the Village has identified the scope of services required, in some cases the Consultant is provided leeway toward the approach and methodology of the services. The Consultant shall become familiar with the previous Village downtown planning efforts and documents. The Proposal should reflect a specific approach and outline of the project.
6. Past record of performance on projects with other governmental agencies, including such factors as control of costs, quality of work and ability to meet schedules.
7. Capacity of the Consultant to perform within the specified time frames.
8. Qualifications of the individuals and sub-consultants who will have direct involvement with the tasks of this project.
9. Overall proposed cost.

The Village anticipates that the entire project will be completed in ten (10) to twelve (12) months.

VIII. List of Exhibits

1. 2020 Comprehensive Plan, Chapter V, Green Bay Road Corridor & Business Districts Issues and Recommendations
2. Village of Winnetka Zoning Ordinance, Chapters 17.40, C-1 Limited Retail Commercial District and 17.44, C-2 General Retail Commercial District
3. Zoning District Maps, including 2010 District Overlay Map
4. Village of Winnetka Commercial District Parking Study
5. Village of Winnetka Commercial Districts Master Streetscape and Wayfinding Plan
6. ULI TAP Report, Winnetka Commercial Districts
7. ULI Shopper Survey Results
8. 512 Chestnut Street Post Office Lease (2014)
9. Final Ad Hoc Committee Report on the Post Office Site (2007)
10. 2014 Village Citizen Survey Results (Anticipated 2015)
11. Compliance Affidavit



Agenda Item Executive Summary

Title: Special Use Permit Process

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 12/09/2014

Consent: YES NO

<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Bid Authorization/Award
<input checked="" type="checkbox"/>	Policy Direction
<input type="checkbox"/>	Informational Only

Item History:

None

Executive Summary:

As an outgrowth of the Urban Land Institute Technical Assistance Panel (ULI TAP), recommendations were made to streamline or revise existing regulations including the Special Use Permit (SUP) regulations and process. Additionally, in July 2014, the Village Council, when discussing a SUP for a clothing consignment store, asked Staff to provide recommendations on what changes it believes should be made to the SUP regulations. The Business Community Development Commission (BCDC), also in its review of the Overlay District, made a number of recommendations concerning Special Uses in the Overlay District. Finally, the Zoning Board of Appeals (ZBA), along with the Council, has suggested that the SUP process be streamlined. All these suggestions have culminated with the Village Attorney and Staff preparing a report compiling the information which the ULI, BCDC, ZBA and Village Council asked to be examined.

To assist the Council in conducting its review and analysis, the Village Attorney and Staff have identified and provided data on the issues related to SUP regulations and process. This report contains six sections identifying items associated with regulations and process and include the following:

- I. Existing SUP regulations – identification of the uses allowed either by right, or as a SUP in the commercial zoning districts, as well as the current uses in those districts.
- II. SUP applications from 2004 - 2014 – during the past ten years, 45 applications have been made for SUP; Staff has provided details and analysis of all of these applications.
- III. SUP process – Staff has provided a Gantt chart which identifies the steps and associated time frames for each stage of the process.
- IV. SUP process in other municipalities – the Village Attorney reviewed neighboring municipalities SUP processes.
- V. Streamlining the SUP – the Village Attorney identified three alternatives that might be considered in changing the SUP process.
- VI. Potential amendments to uses – Staff has presented possible amendments which could reclassify certain types of uses from SUP to permitted uses.

Recommendation:

1. Provide policy direction on streamlining the Special Use Permit process by considering joint meetings, streamlining review jurisdictions and SUP triggers.
2. Provide policy direction on proposed amendments to existing Special Uses including personal service, educational, construction related, financial service and medical and related uses.

Attachments:

Agenda Report
Attachment A – Table of Uses
Attachment B – C-2 Overlay District Special Uses
Attachment C – SUP Applications 2004 - 2014
Attachment D – VOW SUP Process Gantt Chart
Attachment E – Agenda Report, Retail Overlay District Regulations
Attachment F – Existing Uses & Size
Attachment G – Summary of Neighboring SUP Regulations

AGENDA REPORT

SUBJECT: Special Use Permit Process

PREPARED BY: Michael D'Onofrio, Director of Community Development
Peter Friedman, Village Attorney

DATE: December 3, 2014

Introduction

As an outgrowth of the Urban Land Institute Technical Assistance Panel (ULI TAP), recommendations were made to streamline or revise existing regulations including the Special Use Permit (SUP) regulations and process. Additionally, in July 2014, the Village Council, when discussing a SUP for a clothing consignment store, asked staff to provide recommendations on what changes it believes should be made to the SUP regulations. The Business Community Development Commission (BCDC), also in its review of the Overlay District, made a number of recommendations concerning Special Uses in the Overlay District. Finally, the Zoning Board of Appeals (ZBA), along with the Council, has suggested that the SUP process be streamlined. All these suggestions have culminated with the Village Attorney and Staff preparing a report compiling the information which the ULI, BCDC, ZBA and Village Council asked to be examined.

To assist the Council in conducting its review and analysis, the Village Attorney and Staff have identified and provided data on the issues related to SUP regulations and process. This report contains six sections identifying items associated with regulations and process and include the following:

- I. Existing SUP regulations – identification of the uses allowed either by right, or as a SUP in the commercial zoning districts, as well as the current uses in those districts.
- II. SUP applications from 2004 - 2014 – during the past ten years 45 applications have been made for SUP; Staff has provided details and analysis of all of these applications.
- III. SUP process – Staff has provided a Gantt chart which identifies the steps and associated time frames for each stage of the process.
- IV. SUP process in other municipalities – the Village Attorney reviewed what other neighboring municipalities SUP processes are.
- V. Streamlining the SUP – the Village Attorney identifies three alternatives that might be considered in changing the SUP process.
- VI. Potential amendments to uses – Staff have identified possible amendments which could reclassify certain types of uses from SUP to permitted uses.

I. Current SUP Regulations

In the Zoning Ordinance, Section 17.46.010 Table of Uses lists the uses allowed in the C-1, C-2 and Retail Overlay District (See Attachment A, Table of Uses). There are 145 uses listed in the table, including residential, personal service establishment, retail sales, food and beverage, financial, offices, medical, transportation, educational, governmental and recreational categories.

The 145 uses fall into one of three types: (1) P – Permitted Uses; (2) SU – Special Uses; and, (3) NO – Not Permitted. There are 69 Special Uses in the Table of Uses which are identified in Attachment B, C-2 Overlay District Special Uses. Additionally, there are three other columns of information. The first is annotated with a Y (yes) or N (no) identifying if there is currently this type of use in the Overlay District. If there is a Y in this column, then one of the two remaining columns will be marked with an “X” denoting whether it is an approved SUP, or allowed as a legal non-conforming use. A legal non-conforming use is a business that was in existence prior to the adoption of regulations making a Special Use. For example the BMO Bank at Elm St. and Green Bay Rd. was in operation before the property was put in the Overlay District.

In analyzing the data Staff determined the following:

- Of the total of 69 Special Uses allowed in the Overlay District, 18 of the uses currently exist in the district.
- The 18 types of uses include approximately 20-25 individual businesses. For example, there are several banks and health clubs in those individual types of uses.
- Approximately half of the uses have obtained a SUP and the other half are legal nonconforming uses.

II. SUP Applications 2004 – 2014

In order to gain a better understanding of the SUP process and regulations, historical perspective is important. From 2004 to 2014, a total of 45 SUP applications were made. This figure includes all SUP, whether they were for uses located in the Overlay District, required due to being located in residentially-zoned district, or the type of use that requires a SUP regardless of its location. (See Attachment C, SUP Applications 2004 – 2014).

There are several facts about these 45 SUP applications that need to be highlighted. First, of that total, 13 applications were either denied or withdrawn. Second, of the remaining 32 applications, they fall into one of four following categories:

1. *SUP required due to location in residentially zoned districts.* These uses fall under the category of public/quasi-public uses, in that they are associated with schools (including pre-school thru high school, both public and private), the Winnetka Park District and the Winnetka Community House. In the past ten years, 14 of these uses have been approved.

2. *SUP required for health club facilities.* In the past ten years, seven of these facilities have been approved.
3. *SUP required for uses in the Overlay District.* In the past ten years, six of these uses have been approved.
4. *SUP for other Uses not included above.* This includes SUP in Indian Hill, cell towers and a Planned Development. In the past ten years, four of these uses have been approved.

Before discussing the disposition of the applications which were approved, it should be noted that four of the 45 applications were denied outright and another nine were withdrawn.

Taking into account the case data described above several conclusions can be drawn:

- Of the 45 SUP applications made, almost 50% (22) were associated with public/quasi-public institutional uses that were located in residential districts.
- There were a total of 11 applications made for SUP in the Overlay District during the past ten years representing approximately 25% of all SUP applications. Of these 11, three, (two real estate offices and an “unspecified” Special Use) were denied. Two additional SUP applications were withdrawn and included a proposed private school and an “unspecified” Special Use. The remaining six applications for SUP’s in the Overlay District were approved.
- There were seven SUP applications made for health club facilities. All seven of these applications were approved, comprising 16% of all the SUP applications filed.
- Four SUP applications were made for uses outside of the Overlay District, yet still required approval of a SUP, representing 9% of all SUP applications. These included a real estate office in Indian Hill (2 applications), a service station in Hubbard Woods and a cell tower, also in Hubbard Woods.
- If all the data described above is annualized, an average of 4.5 SUP applications are submitted likely as follows:
 - 1 SUP application will be for a use in the Overlay District
 - 2 SUP applications will be associated with public and quasi-public uses in residentially-zoned districts.
 - 1 SUP application will be for a health club
 - 0.5 SUP application will be for commercial uses in non-Overlay commercial districts, or planned developments.

III. SUP Process

The process for obtaining a SUP requires multiple reviews and approvals. Each SUP must be reviewed by the ZBA, Plan Commission and Village Council. In the case where there will be exterior improvements – new façade, landscaping, signage, etc. – the application must also be reviewed by the Design Review Board (DRB). Whereas there is no exact timeframe for approval of a SUP, the process at a minimum will take approximately 8 -9 weeks. Staff has drafted a chart reflecting the process steps and generally associated timeframes (Attachment D, VOW Special Use Process Gantt Chart).

IV. SUP Process in Other Municipalities

One of the issues raised by the Council and the ZBA was the SUP approval process itself, and specifically, how other municipalities process SUP applications. The Village Attorney subsequently surveyed Glencoe, Glenview, Highland Park, Kenilworth, Lake Forest, Northbrook, Northfield, and Wilmette. (See Attachment G, Summary of Neighboring SUP Regulations). The results show that in these communities (i) plan commissions and the zoning boards of appeals generally do not have overlapping jurisdictions and do not review the same petitions, and (ii) both zoning boards and plan commissions have jurisdiction over special use permits, but those jurisdictions are specifically set forth in the respective codes.

For example, in Glenview, Highland Park, Northbrook, and Northfield, it is the Plan Commission only that hears SUP applications. Even in those communities (Kenilworth and Lake Forest) where the Plan Commission and ZBA hear SUP applications, both bodies do not hear the same applications. In Kenilworth, the Plan Commission hears SUP in the business district, while the ZBA hears SUP in all other areas of the Village. In Lake Forest, the Plan Commission generally hears SUP for new developments and other applications in specifically identified zoning districts, while the ZBA considers SUP for existing developments and in any zoning district not specifically under the SUP jurisdiction of the Plan Commission.

These structures from neighboring communities differ significantly from the current SUP process set forth in the Winnetka Zoning Ordinance, pursuant to which both the ZBA and Plan Commission hear all SUP applications, regardless of the location of the proposed SUP and regardless of whether the proposed SUP is a new development or an existing establishment.

V. Streamlining the SUP Process

There are three general alternatives that the Council should consider if it desires to change the existing SUP process.

1. Joint Meetings.

There is a general perception that joint meetings of the ZBA and the Plan Commission are not authorized or proper under Illinois law. That is not correct. However, as explained below, even though they may be allowed, joint meetings are generally not recommended.

The key case on joint meetings is the Illinois Supreme Court's decision in *Klaeren v. Village of Lisle*, 202 Ill 2d 164, 781 N.E.2d 223 (2002). In *Klaeren*, landowners living adjacent to a proposed Meijer development challenged the procedure by which the Village of Lisle approved the development. Specifically, Lisle used the uncommon procedure of a joint hearing of its zoning board of appeals, plan commission and board of trustees to hear evidence on the requested annexation, annexation agreement, rezoning and special use permits. Over 500 people attended the public hearing. The mayor of Lisle presided at the hearing, allowing the petitioners to make a full presentation of their case but setting a two-minute time limit on all speakers from the audience – a limitation that prevented a citizen

group from making a prepared presentation on behalf of 2,000 residents who had signed a petition. The mayor also barred citizens from presenting poster board exhibits as evidence. Moreover, the mayor prohibited any of the citizens from cross-examining any of the petitioner's witnesses. The Village ultimately granted the requested relief and the residents sued.

Significantly, the residents did not challenge the substance of the Village's zoning decisions. Rather, the basis for their zoning challenge was that the public hearing process did not afford them an adequate opportunity to be heard. The trial court, appellate court and Supreme Court properly criticized the specific procedures that the Village employed at the hearing. However, none of these courts ruled that joint meetings are prohibited under Illinois law. They are not.

All that said, joint meetings are rarely utilized because of two key issues. First, joint meetings are by their nature ad hoc. The Winnetka Village Code does not set "regular" joint meetings of the ZBA and Plan Commission. Any joint meeting of these two bodies would have to be a special meeting, taking place on a night other than the regularly scheduled meeting time for one or both of these bodies. This would likely create significant scheduling issues given the total of 16 members that serve collectively on both bodies (9 members of the Plan Commission and 7 members of the ZBA).

Second, joint meetings are procedurally cumbersome. For each joint meeting, each body must provide public notice of its meeting. A roll call must be made of each body at the commencement of the meeting. A quorum of each body must be present (5 for the Plan Commission; 4 for the ZBA). Separate minutes must be kept for each body. A determination would have to be made of which member of which body would chair the joint meeting. And finally, each of the bodies may have to weigh or require different evidence or testimony because of the specific standards that may apply to their respective reviews.

2. Applicable Reviewing Bodies.

As the survey (Attachment G) demonstrates, it is a standard practice for municipalities to either assign one body to hear all SUP applications or, if plan commission and ZBA will both hear SUPs, to specifically designate the jurisdiction of each of various types of potential SUPs. Avoiding overlapping jurisdictions eliminates the need for two separate hearings and two separate reviews by two different lower bodies regarding the same application.

3. Reduction in SUP Triggers.

Without the need for structural changes to ZBA and Plan Commission jurisdictions or meeting protocols, the most straightforward method of addressing concerns regarding the SUP process is to evaluate and determine whether there are uses or activities that do not need to trigger the SUP process. The Council has the authority not only to remove a special use requirement, but also to add restrictions that would apply to permitted uses. These types of

amendments often provide the necessary protections for particular uses without necessitating a full-blown public hearing process. Obviously, the determination of whether to make these types of changes to the Zoning Code is a policy decision for the Council to make. Based on the data collected and the recommendations from the BCDC, the Council can evaluate the following uses to determine whether they should be subjected to the SUP public hearing process.

VI. Potential Amendments to Uses

One of the BCDC recommendations associated with the Overlay District was to allow the reclassification of certain types of uses from Special Uses to Permitted Uses. Specifically, it recommended that the uses which fall into one of the five following categories be permitted by right (currently allowed as SUP only), with the condition that size be limited to 3,000 s.f.

1. Personal Service Uses (includes fitness studios and personal training facilities)
2. Educational Uses
3. Construction-Related Uses (includes architects, interior design services and home builders)
4. Financial Service Uses (not including banks)
5. Medical and Related Uses

The BCDC's report to the Village Council identified recommended changes and the rationale behind them (See Attachment E, Agenda Report, Retail Overlay District Regulations).

As part of its review of this item with the BCDC, Staff put together an analysis of existing businesses that fall into these five categories (See Attachment F, Existing Uses & Size). As summarized below, this data reveals that average size of these uses, by category, is significantly smaller than the 3,000 s.f. standard recommended by the BCDC. Furthermore, collectively the average size of all 52 identified uses totals only 1,528 s.f.

1. Personal Service Uses – 1,580 s.f.
2. Educational Uses – 1,790 s.f.
3. Construction-Related Uses – 1,750 s.f.
4. Financial Service Uses – 1,100 s.f.
5. Medical and Related Uses – 1,460 s.f.

After analyzing this data, Staff has several comments. First, with respect to Personal Service Uses, there is adequate data to conclude that Fitness Facilities (which fall under the category of Health Club), should be permitted by right, and not as a SUP. This recommendation is based on the fact that all seven SUP applications made for this use over the past 10 years have been approved. Second, as for the other four types of uses identified – educational, construction-related, financial services and medical – the pattern is not clear. The Village Council will need to weigh whether the remaining four types of uses, some or all, should be permitted by right at this time, or conduct additional review through the downtown master planning process. Finally, based on the data, Staff is recommending that if size limitations are imposed, for the proposed

five uses in the Overlay District that it be limited to a maximum of 2,500 s.f. This recommendation is based on the data which reveals that whether by individual use type, or all use types collectively, the size of the space ranges from 900 s.f. to 2,170 s.f. with the average size being 1,170 s.f.

Recommendation

1. Provide policy direction on streamlining the Special Use Permit process by considering joint meetings, streamlining review jurisdictions and SUP triggers.
2. Provide policy direction on proposed amendments to existing Special Uses including personal service, educational, construction related, financial service and medical and related uses.

Attachments

- Attachment A – Table of Uses
- Attachment B – C-2 Overlay District Special Uses
- Attachment C – SUP Applications 2004 - 2014
- Attachment D – VOW SUP Process Gantt Chart
- Attachment E – Agenda Report, Retail Overlay District Regulations
- Attachment F – Existing Uses & Size
- Attachment G – Summary of Neighboring SUP Regulations

ATTACHMENT A

Winnetka, IL Village Code

Title 17 ZONING / Chapter 17.46 USE, LOT, SPACE, BULK AND YARD REGULATIONS FOR RETAIL COMMERCIAL DISTRICTS / Section 17.46.010 Table of uses.

Section 17.46.010 Table of uses.

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
P = Permitted uses SU = Special uses NO = Not permitted			
A. RESIDENTIAL USES			
Dwelling unit above the ground floor in a commercial building	P	P	P
Dwelling unit at the ground floor, less than 50 feet from front street line	SU	NO	NO
Dwelling unit at the ground floor, 50 feet or more from front street line	SU	SU	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
B. PERSONAL SERVICES ESTABLISHMENTS and CUSTOM CRAFT USES			
Barber shop	P	P	P
Beauty salon or day spa, including nail salons, skin care and related services	P	P	P

Winnetka, IL Village Code

Laundry and dry cleaning receiving store (processing not performed on premises)	P	P	P
Photography studio	P	P	P
Picture framing (retail only)	P	P	P
Printing shop with retail sales component, or mailing and related office services	P	P	P
Shoe or hat repair	P	P	P
Tailor shop or dressmaking establishment	P	P	P
Tanning salon	SU	SU	SU
Taxidermy shop	P	P	SU
Travel agency	P	P	SU
Upholstery shop and furniture repair/refinishing	P	P	SU
Weight loss clinic / diet center	SU	SU	SU
C. GENERAL RETAIL SALES and RELATED SERVICE USES			
Antique store	P	P	P
Apparel store	P	P	P
Apparel rental, not including cleaning	P	P	P
Appliance service, repair or sales	P	P	P
Art, craft, or hobby supply store	P	P	P
Art gallery or studio	P	P	P
Bath supply or accessory store	P	P	P
Bicycle sales service, repair or sales	P	P	P
Book store	P	P	P

Winnetka, IL Village Code

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
C. GENERAL RETAIL SALES and RELATED SERVICE USES (Cont'd)			
Cabinet sales establishment (not including cutting, assembly, and the like)	P	P	P
Camera and photo store	P	P	P
Card / stationery store	P	P	P
China, glassware, ceramic or flatware shop	P	P	P
Coin, stamp, precious metal or similar shop	P	P	P
Computer equipment sales and service	P	P	P
Department or variety store	P	P	P
Drug store	P	P	P
Electrical and household appliance sales and service	P	P	P
Electronics store	P	P	P
Fabric and sewing accessory store	P	P	P
Floor covering store	P	P	P
Florist shop, retail (no on-site greenhouse, outdoor storage, or related horticultural activities)	P	P	P
Furniture and home accessories store	P	P	P
Furniture and fur apparel shop (including storage / repair when incidental to retail)	P	P	P

Winnetka, IL Village Code

Garden supply shop	P	P	P
Gift shop, specialty shop or novelty shop	P	P	P
Hardware store	P	P	P
Interior decorating (with retail inventory on display)	P	P	P
Interior decorating service (no retail inventory)	P	P	SU
Jewelry store	P	P	P
Leather goods store	P	P	P
Lighting and electrical equipment store (retail)	P	P	P
Luggage store	P	P	P

	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
Table of Uses			
C. GENERAL RETAIL SALES and RELATED SERVICE USES (Cont'd)			
Musical instrument store, including music lessons when incidental to retail	P	P	P
Newspaper or magazine store	P	P	P
Office supply store	P	P	P
Optical goods store	P	P	P
Paint and wall covering store	P	P	P
Pet shop and supplies (not including animal boarding or kennel services)	P	P	P
Pharmacy	P	P	P

Winnetka, IL Village Code

Record, tape and video recording store	P	P	P
Resale shop, secondhand store or rummage shop	P	P	SU
Rummage collection and/or storage	SU	SU	SU
Shoe store	P	P	P
Sporting goods store	P	P	P
Tobacco shop	P	P	P
Toy store	P	P	P
Window covering, drapery or curtain store	P	P	P
D. PLANTS, ANIMALS AND RELATED USES			
Animal grooming establishments	P	P	P
Animal hospital or veterinary clinic (for care and treatment of domestic pets and animals only, and operated completely within a building (no boarding permitted, and cannot operate 24 hours)	P	P	SU
Wholesale florist, or commercial greenhouse	SU	SU	SU
E. FOOD PRODUCT USES			
Bakery, retail	P	P	P
Candy / confectionery shop	P	P	P
Convenience food store	SU	SU	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
E. FOOD AND BEVERAGE SERVICE USES (Cont'd)			

Winnetka, IL Village Code

Grocery store	SU	P	P
Meat, fish or poultry market	P	P	P
Specialty food and beverage shop	P	P	P
F. FOOD AND BEVERAGE SERVICE USES			
Catering establishment with no retail or restaurant component	P	P	SU
Ice cream or frozen desert shop	P	P	P
Restaurant, drive-in	SU	SU	SU
Restaurant, fast food	SU	SU	SU
Restaurant, standard	P	P	P
G. FINANCIAL USES			
Accounting, auditing and bookkeeping services	P	P	SU
Banks without drive-through facilities	SU	P	SU
Banks with drive-through facilities	SU	SU	SU
Credit union office	SU	P	SU
Financial counseling office	P	P	SU
Income tax service	P	P	SU
Insurance agents or brokers	P	P	SU
Loan or mortgage brokers	P	P	SU
Stock, commodity or security broker	P	P	SU
H. BUSINESS SERVICE USES			
Advertising agency offices	P	P	SU

Winnetka, IL Village Code

Building maintenance service offices	P	P	SU
Business machine sales, service or rental	P	P	P
Employment agency	P	P	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
H. BUSINESS SERVICE USES (Cont'd)			
Printing shop (with no retail sales component)	P	P	SU
Stenographic and other temporary office employment service offices	P	P	SU
I. OFFICE AND PROFESSIONAL USES			
Business association office	P	P	SU
General offices	P	P	SU
Newspaper offices	P	P	SU
Professional offices, including architect, attorney, engineer	P	P	SU
Publishing offices	P	P	SU
Office of institution of religious, charitable or philanthropic nature	P	P	SU
Real estate offices	SU	P	SU
J. MEDICAL AND RELATED USES			
Acupuncture services	P	P	SU
Chiropractor's offices	P	P	SU

Winnetka, IL Village Code

Dental office	P	P	SU
Dental laboratory	P	P	SU
Home health care provider's offices	P	P	SU
Medical offices	P	P	SU
Medical laboratory	P	P	SU
Offices for the fitting, sales and repair of hearing aids, prosthetic appliances and the like	P	P	P
Optical laboratory	P	P	SU
Psychiatrist's and psychologist's office or similar mental health counseling	P	P	SU

	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
Table of Uses			
K. TRANSPORTATION AND RELATED USES			
Automobile parts accessories store (retail)	P	P	P
Automobile, motorcycle, boat and marine sales and showroom (limited to indoor storage of display models)	SU	P	P
Automobile service station (including incidental repair and washing accessory to principal use) subject to being located a minimum of 200 feet from a church, or temple, library, community or parish house, or public or private school or kindergarten	SU	SU	SU
Motor vehicle battery and tire sale and service	SU	SU	SU
Parking lot	SU	SU	SU

Winnetka, IL Village Code

Public garage (any building used for storage, parking, repair, and the like, but not including body and fender shop, and auto laundry, an automotive machine shop, a welding shop, and automobile repainting shop or a shop engaged in the repair or testing of engines)	SU	SU	SU
Railroad passenger station	SU	SU	SU
L. MATERIAL SUPPLY AND CONSTRUCTION USES			
Glass and mirror shop	P	P	P
Heating and air conditioning sales <u>and</u> service establishments	P	P	P
Heating and air conditioning service establishments	P	P	SU
Lighting and electrical sales <u>and</u> service establishments	P	P	P
Lighting and electrical service establishments	P	P	SU
Roofing sales <u>and</u> service establishments	P	P	P
Roofing service establishments	P	P	SU
Plumbing sales <u>and</u> service establishments	P	P	P
Plumbing services establishments	P	P	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
M. COMMUNICATION AND PUBLIC UTILITY USES			
Newspaper distribution agencies	P	P	SU

Winnetka, IL Village Code

Newspaper home delivery center	NO	SU	SU
Public utility service store or collection office	P	P	SU
Telephone exchange	P	P	SU
N. GOVERNMENTAL USES			
Postal service pick up stations, retail	P	P	P
Postal service, distribution service	SU	SU	SU
Parks	SU	SU	SU
O. MISCELLANEOUS USES			
Drive-in or drive-through uses	SU	SU	SU
Equipment rental	P	P	SU
Fix-it shop	P	P	P
Funeral parlor and undertaking establishment	P	P	SU
Private open space	SU	SU	SU
P. CULTURAL, RECREATIONAL AND ENTERTAINMENT USES			
Bowling alley	NO	SU	SU
Health club	NO	SU	SU
Library or reading room	P	P	SU
Ticket agency (amusements)	P	P	P
Q. EDUCATIONAL USES			
Business or commercial school	P	P	SU
Dancing, music, or language academy	P	P	SU
Educational therapy and counseling service	P	P	SU

ATTACHMENT B

<u>C-2 OVERLAY DISTRICT SPECIAL USES</u>	<u>In Overlay District</u>	<u>App'd as SUP</u>	<u>Non-Conforming</u>
Dwelling unit (on ground floor, 50 ft. or more from front street line)	Y	X	
Tanning salon	N		
Taxidermy shop	N		
Travel agency	Y		X
Upholstery shop and furniture repair/refinishing	Y		X
Weight loss clinic/diet center	N		
Interior decorating service (no retail inventory)	Y		X
Resale shop, secondhand store or rummage shop	Y	X	X
Rummage collection and/or storage	N		
Animal hospital or veterinary clinic	N		
Wholesale florist, or commercial green house	N		
Convenience food store	N		
Catering establishment with no retail or restaurant component	N		
Restaurant, drive-in	N		
Restaurant, fast food	N		
Accounting, auditing and bookkeeping services	N		
Banks without drive-through facilities	Y		X
Banks with drive-through facilities	Y	X	
Credit union office	N		
Financial counseling office	N		
Income tax service	N		
Insurance agents or brokers	Y		X
Loan or mortgage brokers	N		
Stock, commodity or security broker	N		
Advertising agency offices	N		
Building maintenance service offices	N		
Employment agency	N		
Printing shop (with no retail sales component)	N		
Stenographic and other temporary office employment service offices	N		
Business association office	N		
General offices	N		
Newspaper offices	N		
Professional offices, including architect, attorney, engineer	N		
Office of institution of religious, charitable or philanthropic nature	N		
Real estate offices	Y	X	X
Acupuncture services	N		
Chiropractor's offices	N		
Dental office	N		
Dental laboratory	N		
Home health care provider's offices	N		
Medical offices	N		
Medical laboratory	N		
Optical laboratory	N		
Psychiatrist's and psychologist's or similar mental health counseling	N		
Automobile service station	Y	X	
Motor vehicle battery and tire sale and service	N		
Parking lot	Y	X	
Public garage	N		
Railroad passenger station	Y		X
Heating and air conditioning service establishments	N		
Lighting and electrical service establishments	N		
Roofing service establishments	N		
Plumbing service establishments	Y	X	
Newspaper distribution agencies	N		
Newspaper home delivery center	N		
Public utility service store or collection office	N		
Telephone exchange	N		

C-2 OVERLAY DISTRICT SPECIAL USES

	<u>In Overlay District</u>	<u>App'd as SUP</u>	<u>Non-Conforming</u>
Postal service distribution service	N		
Parks	Y		X
Drive-in or drive-through uses	N		
Equipment Rental	N		
Funeral parlor and undertaking establishment	N		
Private open space	N		
Bowling alley	N		
Health club	Y	X	
Library or reading room	Y		X
Business or commercial school	Y		X
Dancing, music, or language academy	Y		X
Educational therapy and counseling service	N		
TOTAL	69 (18 Y & 51 N)	8	12

08/11/2014

ATTACHMENT C

SUP APPLICATIONS 2004 -2014

Applications denied

1. Jean Wright Real Estate, 559 Chestnut St.- Expansion of a real estate office
2. North Hermitage Building Trust, 906-908 Green Bay Rd. – Unspecified SUP
3. Coldwell Banker, 572 Lincoln Ave. – New real estate office
4. New Trier H.S., Duke Childs Field – Baseball netting

Applications withdrawn

1. Elm Street Metra Station, 754 Elm – Renovation of train station
2. Willow Wood Pre-School, 470 Maple – Playground renovations
3. Winnetka Park District, 939 Green Bay – Hubbard Woods shelter
4. Willow Wood Pre-School, 684 Oak – Playground renovations
5. North Hermitage Building Trust, 906-908 Green Bay Rd. – Unspecified SUP
6. French Institute – Spanish School, 503 Chestnut – New school
7. New Trier H.S., 385 Winnetka – School expansion
8. School District 36, Crow Island School – Parking lot expansion
9. School District 36, Greeley School – Playground renovations

It should be noted that of the 13 cases that were either denied, or withdrawn, four – Jean Wright Real Estate, Coldwell Banker, and North Hermitage Building Trust twice – were located in the Overlay District.

Factoring out the 13 cases that were denied or withdrawn, it leaves 32 SUP applications that were approved over the past 10 years. These cases can be broken down into four categories. The first and largest group is those uses that required a SUP due to the fact that they were uses located in residentially zoned districts. Furthermore, they fall under the category of public/quasi-public uses, in that they include uses associated with schools (including pre-school thru high school, both public and private), the Winnetka Park District and the Winnetka Community House. Following is the 14 approved SUP's that fall into this category:

1. Winnetka Park District, 490 Hibbard – Paddle tennis facility
2. Winnetka Community Nursery School, 800 Pine – Playground renovations
3. Winnetka Park District, Crow Island Woods – Park renovations
4. School District 36, Washburne School – School addition
5. School District 36, Greeley School – School addition
6. Winnetka Park District, 490 Hibbard – Expansion of paddle tennis facility
7. School District 36, Washburne School – School addition
8. Winnetka Park District, 1390 Willow – Service center building
9. Winnetka Park District, Indian Hill Park – Playground renovations
10. North Shore Country Day School, 310 Green Bay – School addition
11. Winnetka Park District, Village Green – Playground renovations
12. Winnetka Park District, 540 Hibbard – Tennis Center and Service Center improvements
13. Winnetka Park District, 540 Hibbard – Skokie Playfield improvements
14. Winnetka Community House, 620 Lincoln – Playground renovations.

The second category of uses includes health clubs. Health clubs are allowed as a Special Use anywhere in the C-2 Commercial District. In the past ten years, seven of these facilities have been approved and include the following:

1. Super Slow, 1013 Tower Ct.
2. Curves, 723 Elm
3. Fitness Together, 546 Lincoln
4. Pilates, 906-908 Green Bay
5. Spynergy, 813 Oak
6. Definition Fitness, 552-554 Lincoln
7. Exercise Coach, 854 Green Bay

The third category of uses is SUP's that were required due to being located in the Overlay District. Following is the list of the six approved SUP's which fall into this category.

1. North Shore School of Rock, 896 Green Bay – commercial music school
2. Absolute Equity, 910 Green Bay Rd – residential dwelling unit on first floor
3. Medical Pediatrics, 564 Lincoln - medical office
4. Packard Associates, 925-931 Green Bay – surface parking lot
5. Conlon Real Estate, 565 Lincoln – real estate office
6. KMK Consignment, 561½ Lincoln Ave – resale store

The fourth and final category of SUP's includes those that do not fall into one of the three previously listed categories, but still required approval of a SUP. This includes the following five cases:

1. AT&T, 874 Green Bay – Cell tower
2. New Trier Partners, Lincoln & Elm – Planned Development
3. @properties, 26-30 Green Bay – Real estate office in C-1 Commercial District
4. @properties, 26-30 Green Bay – Expansion of a real estate office in C-1 Commercial District
5. BP Amoco, 1025 Tower Rd. – Automobile service station

ATTACHMENT D

VOW Special Use Process Gantt Chart

Task ID	Task Name	Start	Finish	Duration (working days)	Dec 2014					Jan 2015				Feb 2015				Mar 2015			
					11/30	12/7	12/14	12/21	12/28	1/4	1/11	1/18	1/25	2/1	2/8	2/15	2/22	3/1	3/8	3/15	3/22
1	Applicant submits complete application	12/1/2014	12/10/2014	8d	█																
2	Staff reviews application & prepares legal notice	12/11/2014	12/17/2014	5d						█											
3	Publish legal notice in local newspaper	12/24/2014	12/24/2014	1d										█							
4	Prepare agenda materials for first advisory board meeting; Zoning Board of Appeals	12/26/2014	1/5/2015	7d						█											
5	If required, prepare agenda materials for Design Review Board	1/8/2015	1/15/2015	6d						█											
6	Conduct first advisory board hearing: ZBA	1/12/2015	1/12/2015	1d										█							
7	Prepare agenda materials for second advisory board hearing: Plan Commission	1/13/2015	1/21/2015	7d						█											
8	Conduct Design Review Board meeting	1/15/2015	1/15/2015	1d										█							
9	Conduct second advisory board hearing: PC	1/28/2015	1/28/2015	1d										█							
10	Produce minutes of all applicable advisory board meetings	1/13/2015	2/18/2015	27d						█											
11	Direct Village Attorney to draft ordinance	2/19/2015	2/25/2015	5d										█							
12	Prepare Council agenda packet materials	2/19/2015	2/25/2015	5d										█							
13	Publish meeting notice & Council agenda packet	2/26/2015	2/26/2015	1d										█							
14	Village Council introduces ordinance	3/3/2015	3/3/2015	1d														█			
15	Village Council adopts ordinance	3/17/2015	3/17/2015	1d														█			

Supplemental Information:

- **Re #1:** Staff works with applicant during this time period to achieve a complete and acceptable application. The finish date here must be met for all other dates to be feasible.
- **Re #3:** The legal notice must not be more than 30 days nor less than 15 days before the hearing.
- **Re #4:** The first hearing is based on the next closest advisory board meeting that meets the legal notification. The PC meets on the 3rd Wednesday of each month. The ZBA meets the 2nd Monday of each month.
- **Re #5:** In cases where there are exterior improvements, the DRB will consider the Certificate of Appropriateness for the project. The DRB meets on the 3rd Thursday of each month.
- **Re #14/15:** The ordinance must be introduced and adopted as separate actions.

ATTACHMENT E

AGENDA REPORT

TO: Village Council

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

SUBJECT: Retail Overlay District Regulations

DATE: April 3, 2014

Introduction

As part of the ULI TAP report it was recommended that one area to be examined was the Retail Overlay District (Overlay District). The TAP report recommended that the Village should consider revising or eliminating the Overlay District. This recommendation was made based on ULI's belief that: "The nature of successful retail today is a blend of shops and services, and Winnetka, with its high median income is ideally suited for it." As with the building height and parking regulations, the Village Council tasked the BCDC with reviewing the Overlay District.

The BCDC examination of the Overlay District focused on two components (1) the specific uses subject to the Special Use Permit process, and (2) the Overlay District boundaries. In conducting its review the BCDC began with the premises that both boundaries and uses are closely related and bear examination side-by-side, versus looking at each as separate subjects. For example, the extent to which Overlay District boundaries are contracted may reduce the need to liberalize certain uses. The inverse is also true, as liberalizing use limitations would suggest less aggressive modification to mapped Overlay District boundaries.

Background

The Overlay District, which includes significant portions of the Hubbard Woods, East and West Elm business districts, was established in the late 1980's. The desire to create such a district was largely a reaction to the proliferation non-retail uses, real estate offices in particular, in the commercial districts. The fear at that time was that the retail base of the Village would be eroded by the expansion of service related, non-retail uses in the core of the commercial district.

The goal of the Overlay District is best defined in the Purpose Statement of the C-2 Commercial Zoning District - Retail Overlay District – which states:

Portions of the C-2 (General Retail) Commercial District shown in the shaded areas of the Official Village of Winnetka Zoning Map and referred to in this chapter as the C-2 Overlay District are subject to regulations that encourage retailing of comparison shopping goods and personal services compatible with

such retailing on ground floor in order to encourage a clustering of such uses, to provide for a wide variety of retail shops and expose such shops to maximum foot traffic, while keeping such traffic in concentrated (yet well distinguished) channels throughout the district, and permitting as a special use other commercial uses only to the extent that they meet certain additional requirements.

The Overlay District remained unchanged from its inception in the late 1980's until 2009. In 2006 the BCDC initiated a review of the Overlay District based on concerns that parcels outside of the district might be prime redevelopment sites. As a result of the BCDC review and subsequent study by the Plan Commission, on May 5, 2009 the Village Council adopted Ordinance MC-4-2009 amending the Overlay District regulations. Following is a synopsis of the modifications made to the regulations.

- Reduced the restriction on first floor uses within the Overlay District, from 100 feet to 50 feet.
- Modifications were made to the use categories. This included eliminating use types no longer in existence (i.e. telegraph offices), clarifying or expanding existing uses (i.e. "Beauty Salon" use was expanded to include "... day spa, including nail salons, skin care and related services") and, adding a limited number of new uses (i.e. weight loss clinic/diet center, tanning salon, printing shop, convenience food store).
- Expanded the district boundaries (banks at Elm and Green Bay, Amoco station, etc.).
- Contracted district boundaries (area around Oak and Chestnut).

BCDC review and recommendations

The BCDC in developing its recommendations felt a combined approach of making targeted map amendments with strategic revisions to use limitations was the most appropriate method of accomplishing the goals of the Overlay District. Beginning last December, the BCDC spent all or parts of its last five meetings discussing the Overlay District. Following are a series of recommendations being made by the BCDC. The first five recommendations are proposed modifications to the uses. The second set of recommendations includes proposed changes to the Overlay District boundaries.

PROPOSED USE MODIFICATIONS

- 1. Personal Services Establishments** – Under Section 17.46.010.B of the Zoning Ordinance (Table of Use, Personal Service Establishments), uses such as fitness studios, weight loss clinic/diet center, personal training facilities, etc., are allowed only as Special Uses.

Recommendation #1 – Allow fitness studio, weight loss clinic/diet center, personal training, or similar uses to be permitted uses and limit size to 3,000 s.f.

BCDC Recommendation – Overlay District
April 3, 2014

There are several factors behind the rationale for this recommendation. First, in recent years the trend has been that these types of uses have become popular and are being located in commercial districts. To that point, there are six of these types of facilities currently in operation in the Hubbard Woods and Elm Street business districts. Second, with the exception of one of the facilities (Spynergy), the other five have been approved under the Special Use process. Furthermore, dating back at least 12 years, no Special Use request for such a type of establishment has been denied. Third, these types of personal service establishments, if permitted by right, are consistent with one of the ULI recommendations which are that these types of uses will bring additional traffic into the business districts.

The rationale behind the 3,000 s.f. size limitation is threefold. First, the Zoning Ordinance has long allowed “complementary service businesses” by right, within the Overlay District. These originally included beauty salons and later extending that definition to include specific related categories, including skin care, nail salons and day spas. The BCDC believes the case can be made that the uses in the proposed change would be an extension of those types of complementary businesses. Second, the five existing fitness related facilities range in size from 980 to 2,170 s.f. and the BCDC believes that the 3,000 s.f. maximum would accommodate any of these uses, as well as allow for size flexibility for these types of uses in the future. At the same time the proposed maximum is still low enough so not to have a negative impact on parking.

It needs to be pointed out that even with the proposed recommendation a Special Use for the larger personal service establishments would be required. The rationale here is that a larger facility could have a negative impact, in terms of the size of a facility, hours of operation, and/or parking demand.

- 2. Educational Uses** – Under Section 17.46.010.Q of the Zoning Ordinance (Table of Uses, Educational Uses) educational therapy and counseling services are allowed as a Special Use.

Recommendation #2 – Allow educational therapy and counseling services to be a permitted use and limit size to 3,000 s.f.

The BCDC rationale behind this recommendation has to do with the particular importance placed on education in the Village and surrounding communities, which in turn creates a demand for these types of services. Second, there are three such facilities currently in the Overlay District and range in size from 1,300 to 2,200 s.f. all of which bring traffic into the commercial areas. Finally, as is the case with *Recommendation #1*, the 3,000 s.f. limitation would allow for size flexibility in the future either for moderate expansion of existing facilities, or new facilities.

- 3. Construction Related Uses** – Under Section 17.46.010.C, I & L of the Zoning Ordinance, (Table of Uses, General Retail Sales & Related Service Uses, Office and Professional Uses, Material Supply and Construction Uses) certain construction related uses are permitted, with certain conditions. For example, construction uses such as HVAC, electrical, roofing and plumbing businesses are permitted by right, as long as there is a “sales” component to the business. The same goes for interior decorating businesses. However, architects, landscape architects and home builders are either not permitted at all, or allowed only as a Special Use.

Recommendation #3 – Allow architects, interior design services (without retail merchandise) and home builders, as a permitted use and limit size to 3,000 s.f.

The rationale behind this recommendation is based on several factors. First, there are currently 12 businesses in operation that fall under construction related uses, four of which are in the Overlay District. Second, the current required sales component for a number of the uses is somewhat limited in that it does not provide any standard as to the amount of sales. Third, these types of uses will generate traffic in the commercial districts in that they represent the type of activity and services residents and consumers desire in the village. Finally, as is the case with *Recommendation #1*, the 3,000 s.f. limitation would allow for size flexibility in the future for these types of uses.

- 4. Financial Services** – Under Section 17.46.010.G of the Zoning Ordinance (Table of Uses, Financial Uses), financial service uses are only allowed in the Overlay District as Special Use.

Recommendation #4 – Allow the following financial services uses as permitted uses – accounting and bookkeeping, financial planning, income tax services, insurance sales, loan or mortgage brokers, and stock/commodity/security brokers – and limit size to 3,000 s.f.

The rationale behind this recommendation was that these are the types of uses that will generate traffic in the commercial districts. Second, there are currently 11 financial service businesses, excluding banks, in the three commercial districts and range in size from 500 to 3,000 s.f. Again the BCDC believes that these types of uses will generate activity and traffic that is beneficial to the commercial district.

This recommendation would still require approval of a Special Use for any banks.

- 5. Medical and Related Uses** – Under Section 17.46.010.J of the Zoning Ordinance (Table of Uses, Medical and Related Uses), medical and dental offices are only allowed as Special Uses in the Overlay District.

Recommendation #5 – Allow medical and dental offices as a permitted use and limit size to 3,000 s.f.

The primary rationale behind this recommendation is that medical and dental offices would bring additional traffic to the commercial districts. This change would also impose a maximum size limit of 3,000 s.f. This limitation is being recommended in that it is consistent with the existing medical and dental offices which range in size from 400 to 3,000 s.f. Additionally, by limiting the size, it will limit the impact on parking. Furthermore, if larger medical or dental clinics want to locate in the Overlay District, they would have to go thru the Special Use process.

Summary of Proposed Use Modifications

In making its recommendations related to use modifications the BCDC took into consideration several factors. First, as recommended by the ULI, it was critical to promote uses that would generate activity and traffic that would be beneficial to all businesses in all the business districts. Second, it was important to understand today's retail and service markets, yet creates an environment where the next generation of these types of next generation uses can be accommodated in the Village's business districts. Finally, the BCDC had to balance the demands of tomorrow's uses with existing businesses that have created the business environment that is so unique to Winnetka.

PROPOSED BOUNDARY MODIFICATIONS

Along with the recommendations related to uses, the BCDC also examined the Overlay District boundaries. In arriving at its recommended boundary changes the BCDC considered a number of areas where the boundaries might be amended. This included 16 specific areas in the Hubbard Woods and Elm Street business districts. These areas are identified on the attached Maps #1 and #2. As a result of its review and discussion the BCDC has recommended a number of changes to the boundaries which are summarized below by commercial district, as well as identified graphically on Maps #3 and #4.

Hubbard Woods

1. *Remove 1043 – 1049 Tower Rd.* Existing businesses Girlfriends (nail salon) and North Shore Shoe Clinic. These properties were added to the Overlay District in 2009 with adoption of Ord. MC-4-2009. This area includes approximately 1,600 s.f. in the Overlay District. The rationale in recommending removal is that this property does not front on Green Bay Rd and the pedestrian traffic does not wrap around from Green Bay Rd. on to Tower Rd.

2. *Remove 1046 – 1062 Gage St. (Gage St., east of Green Bay Rd.).* Existing businesses include Excellent Cleaners, Prufrock Floral, Bellows Shop, Once Upon a Bagel, Stitches and Willow Boutique. This area includes approximately 3,700 s.f. This area is recommended for removal because it does not front along Green Bay Rd and therefore pedestrian traffic does not wrap around from Green Bay Rd. on to Gage St. Finally, this area is not visible from Green Bay Rd.

East Elm

1. *Remove 511 – 515 Lincoln Ave.* This includes two currently vacant buildings, the former Fell clothing store, and former Marian Michael clothing store. This area contains approximately 3,400 of s.f. in the Overlay District. This area is being recommended for removal due to it being located south of Elm St. and the fact that there is no retail across the street (railroad cut is along west side of Elm St.).
2. *Remove 554 – 572 Lincoln Ave. (west side of Lincoln Ave north of Little Ricky’s).* Existing businesses in this area include Homemade Pizza, Spa Nail City, Oui Madame, Your Loss Your Gain, TJ Cullen Jewelers, Anthony Perry Designs and Round Table Books. This area contains approximately 7,500 s.f. in the Overlay District. The BCDC recommended removal of this area due to a significant vacancy rate in the East Elm District and one solution to reducing it, would be to open it up to non-retail related uses.
3. *Remove 545 – 551 Lincoln Ave (east side of Lincoln Ave. north of Café Aroma).* Existing businesses in the area include Mark Beard LTD, former D’s Haute Dogs, Orrington Jewelers, Optique, Flee Bags, Sara Campbell, Conlon Real Estate, J. McLaughlin, M. Stefanich Antiques and Donald Stuart. This area contains approximately 4,400 s.f. in the Overlay District. The same rationale for removal identified for the west side of Lincoln Ave. holds true here.

West Elm

1. *Remove 809 - 821 and 810 Chestnut Court.* This includes both the north and south sides of Chestnut Court. Existing businesses include Bella Day Spa, Hair Couture, as well as portions of the former Gray women’s clothing store and Lakeside Foods. These two areas contain approximately 6,700 s.f. in the Overlay District. The rationale in recommending removal of this area is that first there is limited vehicular traffic in the area and with the exception of a portion of Lakeside Foods, it is populated with non-retail uses.
2. *Remove 844 Spruce St and 566 Chestnut St.* This includes the south side of Spruce St. 50 feet west of Chestnut St to the west boundary of the Overlay District – 852 Spruce St. Existing business in this area include Savocchi Glass and Glenn Klauke CPA. Also included is the 1,300 s.f. northwest corner of the Laundry Mall. In total this area contains contain approximately 3,500 s.f in the Overlay District. The BCDC recommended removal of this area, first due to the

fact that there is limited pedestrian traffic that wraps around Chestnut St. on to Spruce Street. Second, there is no retail frontage across the street along the north side of Spruce St.

Summary of Recommended Boundary Changes

Overall the BCDC examined 16 areas, in the three business districts, that it thought might be candidates for removal from the Overlay District. At the conclusion of its review it is recommending that seven areas be taken out of the Overlay District. The areas include both small geographic areas, such as 1043 – 1049 Tower Rd (1,600 s.f.), and larger parcels like both sides of Lincoln Ave., north of Elm St. (11,900 s.f.). Its rationale for removal includes factors such as creating pedestrian traffic, proximity to other retail, and vacancy rates. All told, the BCDC is recommending that 30,800 s.f. be removed from the Overlay District. This represents a reduction of 9.5% reduction in the overall size of the Overlay District.

Recommendation:

- (1) Provide policy direction on the BCDC’s recommendations concerning the Retail Overlay District uses and boundaries;
- (2) Consider referring some, or all, of the BCDC’s recommendations to the Plan Commission to evaluate for consistency with the Plan Commission’s land use goals and objectives, including the 2020 Comprehensive Plan.

ATTACHMENT F

EXISTING USES

03/31/2014

Fitness Facilities**

	<u>District</u>	<u>Size (s.f.)</u>
Athletico*	HW	2,170
Exercise Coach*	HW	2,170
Slow Movement*	HW	1,300
Fitness Together	EE	1,760
Definition Fitness*	EE	1,100
Spynergy*	WE	980
Total Square Footage		9,480
Ave. Size		1,580

Educational

	<u>District</u>	<u>Size</u>
Adams School of Driving*	HW	1,855
Christian Science Reading Room	WE	1,320
French Institute*	WE	2,200
Total Square Footage		5,375
Ave. Size		1,790

Construction Related

	<u>District</u>	<u>Size</u>
Robbins Architecture*	HW	600
Benvenutie & Stein	HW	1,500
Adamczyk	HW	900
VJ Killian	HW	2,300
A Perry Design & Build	EE	1,270
Bratchi Plumbing*	WE	2,500
H. Gary Frank Architecture*	WE	900
Absolute Architecture*	HW	1,900
Susan Isono Design*	HW	500
North Shore Builders*	HW	6,000
Jeannie Balsm Inc.*	HW	1,600
Liaison Studio*	WE	530
Total Square Footage		20,500
Ave. Size		1,710

*Outside the Overlay District

** Allowed as a Special Use only

<u>Financial Services</u>	<u>District</u>	<u>Size</u>
Bank of America*	HW	5,000
Private Bank	HW	3,600
No. Shore Comm. Bank/Wintrust Wealth Mgmt.*	EE	7,800
Toft Investments*	EE	555
Baird*	WE	3,500
Chase Bank	WE	15,000
BMO Harris	WE	31,350
CitiBank	WE	2,260
Howard Waitzman CPA, Capial Financial Group, Pilot Assessment, Ender Capital, Greenspire Capital, Raymond James, First Benefits, GJ Dalen Commod.*	WE	3,500
Charles Schwab*	WE	3,540
Glen Klauke CPA*	WE	480
Chase Bank*	WE	2,200
Archambault & Assoc. CPA*	WE	500
Total Square Footage		79,285
Ave. Size (Non-banks ave. size is 1,100 s.f.)		6,100

<u>Medical Office</u>	<u>District</u>	<u>Size</u>
M.Waldon LCSW*	HW	285
Doctors Offices (914 GB Rd)*	HW	450
Hubbard Woods Dental Group*	HW	4,250
Dr. Scott DDS*	HW	1,200
McArthur Dentist*	HW	1,530
Dr. Robt. Fulanvoich*	EE	385
Winnetka Dental Clinic*	EE	800
Dr. R. Franzia*	EE	3,065
S. Clark, MD*	EE	600
Elm St. Pediatrics*	EE	2,850
J. Parks, MD*	EE	555
Medial Office (545 Lincoln)*	EE	555
Medial Office (545 Lincoln)*	EE	555
M. Gaynor DDS*	EE	650
Stone & Skowron DDS*	EE	1,300
A to Z Chiropractic*	EE	650
Dr. Ford DDS*	EE	2,775
City Kids Dental North Shore*	EE	2,775
465 Chestnut (former Dr. Warga DDS)*	WE	2,445
K. Barth Denstist*	WE	1,845
Alexander Oral Surgery*	WE	1,525
North Grove Internal Medicine*	WE	1,050
Total Square Footage		32,095
Ave. Size		1,460

*Outside the Overlay District

ATTACHMENT G

SUMMARY OF NEIGHBORING SUP REGULATIONS

	<u>PC and ZBA Hold Hearing on Same Relief?</u>	<u>Which Body Hears SUP?</u>
Glencoe	No	Zoning Commission (different than PC)
Glenview	No	Plan Commission
Highland Park	No	Plan Commission
Kenilworth	No. Plan Commission and Architectural Commission both have role in reviewing PUDs. Plan Commission holds hearing, and Architectural Commission reviews application.	Both Plan Commission and Zoning Board of Appeals hear SUPs in different circumstances, but jurisdiction does not overlap (ZBA hears SUPs in all districts other than business; PC hears SUPs in business districts).
Lake Forest	No - both hear SUP applications, but jurisdiction does not overlap.	Both Plan Commission and Zoning Board of Appeals hear SUPs in different circumstances, but jurisdiction does not overlap (PC: new developments and certain zoning districts; ZBA: existing developments not including zoning districts over which PC has SUP jurisdiction).
Northbrook	No	PC
Northfield	No	PC
Wilmette	No. Both have jurisdiction over text and map amendments, but Village Board refers each matter to one body or the other.	ZBA