

Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
Tuesday, January 5, 2016
7:00 p.m.

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

AGENDA

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Quorum
 - a) January 12, 2016 Study Session
 - b) January 19, 2016 Regular Meeting
 - c) February 2, 2016 Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
 - a) Approval of Village Council Minutes
 - i) December 8, 2015 Study Session.....3
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 - b) Approval of Warrant List Dated December 11 – December 30, 201510
 - c) Ordinance No. MC-7-2015: Liquor Ordinance Amendments – Adoption11
 - d) Bid #014-003; Utility Line Clearance (Tree Trimming)17
- 6) Stormwater Report: None.
- 7) Ordinances and Resolutions
 - a) Ordinance No. M-1-2016: 470 Poplar Street, Variations for Attic Addition – Introduction / Adoption.....20
 - b) Ordinance No. M-2-2016: Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka – Introduction.....58
 - c) Resolution No. R-1-2016: Approving a Class A-1 Liquor License for Bad Dog House, LLC d/b/a Stacked and Folded – Adoption61

- 8) Public Comment
- 9) Old Business: None.
- 10) New Business: None.
- 11) Appointments
- 12) Reports
- 13) Executive Session
- 14) Adjournment

NOTICE

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

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

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

**MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION**

December 8, 2015

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, December 8, 2015 at 7:00 p.m.

- 1) Call to Order. President Greable called the meeting to order at 7:00 p.m. Present: Trustees Andrew Cripe, Carol Fessler, William Krucks, Stuart McCrary, Scott Myers and Marilyn Prodromos. Absent: None. Also in attendance: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Director of Community Development Mike D’Onofrio, Assistant Director of Community Development Brian Norkus, and 3 persons in the audience.
- 2) Downtown Master Plan: Teska Associates Status Report. Ms. Pierce reviewed the process that led to the engagement of Teska Associates to craft Winnetka’s Downtown Master Plan, and she introduced Teska’s Project Planner, Erin Cigliano, and Project Principal, Michael Blue.

Ms. Cigliano explained that project formally began in October, with a walking tour prior to a public joint kick-off meeting of the Steering Committing and Working Groups. The appearance and character of the downtowns was the focus of the walking tour, and Teska gleaned information from the participants’ comments that will help drive future discussions about downtown revitalization.

Ms. Cigliano said since that initial meeting, the Steering Committee and individual Working Groups have met on October 26 to discuss existing downtown conditions, and on November 30 to discuss results of a market analysis. Other completed outreach projects include:

- Creation of an interactive Downtown Master Plan website, to assist the public with following progress and offering comments.
- On October 24, Teska set up a display to gather input at the Halloween on Ice event at the skating arena.
- On November 16, the Village and Teska hosted a public visioning workshop at North Shore Country Day School.
- Interviews with a wide-ranging selection of Winnetka stakeholders were conducted on October 30 and November 6.
- During the month of November, ideas were gathered from the community via two chalk idea boards set out in the Elm and Hubbard Woods business districts.
- An informational brochure was designed and inserted into the 4th quarter *Winnetka Report*, which was mailed to each Winnetka postal customer.

Mr. Blue explained that Teska is gaining an understanding of the challenges faced by each district, as well as community desires and market-supported opportunities. Next, he distributed worksheets related to an exercise aimed at procuring the Council’s input to help develop a vision statement for each of Winnetka’s commercial districts.

The following points surfaced during the discussion:

Elm Street District:

- Strong effort must be made to engage the community and gather public input.
- Some buildings in the district are dilapidated and uninviting, due to age and lack of investment in commercial properties. In light of this, the historic architectural roots may need re-evaluation.
- Busy families can't get all their shopping needs met in the Village; therefore, they may have little reason to visit the commercial districts.
- The stores are typically small with limited selections, and modern shoppers are used to more physical space and varieties of goods.
- Winnetkans spend a lot of money eating out and need more local restaurants.
- What is Winnetka's brand to attract people?
- How important is the Tudor style and two-to-three story scale of the buildings?
- What areas and regulations are sacrosanct and can't be touched? Where is there room to bring in something new?
- Are there regulations preventing retailers from moving into Winnetka?
- Should the downtowns be changed to appeal to the wider community, and not just residents?

Hubbard Woods District:

- Village cannot regulate who landlords rent their space to – important to set expectations.
- Some savvy retailers not only sell via brick and mortar stores, but are also using the internet.
- Hubbard Woods has a boutique, upscale character.
- The speed of traffic along Green Bay Road may encourage motorists to just pass through.
- Wayfinding signs are needed for the parking structure on Scott Avenue.
- Small retailers may lack sophistication of national chains (merchandizing, supply chains) – what can the Village do to provide resources to help them succeed? Success attracts success.
- What is the significance of the Hubbard Woods Park renovation?

Indian Hill District:

- Should the area be left for New Trier High School students, or revitalized to appeal to nearby condominium owners?
- It is a main gateway to Winnetka, and as such, needs attention. A gateway claims the town's boundaries.
- How important is it to create a gateway in this area?
- Examine ways to add more parking, as it is in high demand; this would help the neighborhood around New Trier.
- Signs and wayfinding are important.

In conclusion, Mr. Blue explained that people tend to be resistant to change, and the Downtown Master Plan process will assess the tolerances of the community. Boundaries will be tested to uncover the core of what cannot be changed, and identify what can be transformed to bring vitality to the business districts.

- 3) Public Comment. Kristin Ziv, Arbor Vitae. Ms. Ziv said the strip mall located just north of Scott Avenue on Green Bay Road is unsightly, and she suggested working with Glencoe to transform this northern gateway to Winnetka, to make it more attractive and appealing.
- 4) Executive Session. None.
- 5) Adjournment. Trustee McCrary, seconded by Trustee Prodromos, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 9:28 p.m.

Deputy Clerk

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
December 15, 2015**

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, December 15, 2015, at 7:00 p.m.

- 1) Call to Order. President Greable called the meeting to order at 7:01 p.m. Present: Trustees Andrew Cripe, Carol Fessler, William Krucks, Stuart McCrary, Scott Myers and Marilyn Prodromos. Absent: None. Also present: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Village Attorney Peter M. Friedman, Director of Community Development Mike D'Onofrio, Police Chief Patrick Kreis, Public Works Director Steve Saunders, and approximately 8 persons in the audience.
- 2) Pledge of Allegiance. President Greable led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) January 5, 2016 Regular Meeting. All of the Council members present, except Trustee Krucks, indicated that they expect to attend.
 - b) January 12, 2016 Study Session. All of the Council members present indicated that they expect to attend.
 - c) January 19, 2016 Regular Meeting. All of the Council members present, except Trustee Fessler, indicated that they expect to attend.
- 4) Approval of the Agenda. Trustee Fessler, seconded by Trustee Krucks, moved to approve the Agenda. By voice vote, the motion carried.
- 5) Consent Agenda
 - a) Village Council Minutes.
 - i) December 1, 2015 Regular Meeting.
 - b) Warrant List. Approving the Warrant List dated November 25 – December 10, in the amount of \$1,119,805.36.
 - c) Resolution No. R-44-2015; Approving an Easement Agreement for the Relocation and Maintenance of a Water Main at 94 Woodley Road – Adoption. A resolution approving an easement agreement for the relocation and maintenance of a water main at 94 Woodley Road.
 - d) Resolution No. R-45-2015: Department Head Salary Resolution – Adoption. A resolution approving the salaries of Department Heads effective April 1, 2015.
 - e) Resolution No. R-46-2015: Village Manager Salary Resolution – Adoption. A resolution approving changes in the base salary of the Village Manager.
 - f) Resolution No. R-47-2015: GIS Service Provider Agreement – Adoption. A resolution entering into an agreement for GIS services with Municipal GIS Partners, Inc. in an amount not to exceed \$58,391.60

- g) Vehicle Purchase: Suburban Purchasing Cooperative, Contract #124A. An authorization to purchase a 2016 Ford Explorer from Bredeman Ford under Suburban Purchasing Contract #124A; and to dispose of Fire Department vehicle #73, a 2002 GMC Yukon through the trade-in process.
- h) Mini-Excavator Purchase; NJPA Contract 042815-CEC. An authorization for the Village Manager to award a \$67,462 purchase order to Atlas Bobcat for the purchase of a mini-excavator, using National Joint Power Alliance pricing.
- i) Cable Bids, Bid #015-026. An authorization for the Village Manager to award a \$59,142 purchase order to The Okonite Company for the purchase of primary cable; and an authorization for the Village Manager to award a \$48,817 purchase order to Wesco for the purchase of secondary cable. Both purchases subject to stated bid conditions.

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

- 6) Stormwater Monthly Summary Report. Mr. Saunders reported that the Northwest Winnetka project is complete and the contract is being closed out. Paperwork for the outstanding \$500,000 of \$2 million in funding from the Metropolitan Water Reclamation District is being finalized; funds are expected to be disbursed shortly. He noted Strand Associates has confirmed previous stormwater models for southwestern Winnetka, and is in the process of uploading the modeling to its proprietary software for final evaluation. Strand is also working on some very preliminary concepts, and making plans for the first set of public meetings in January, 2016.

Trustee Myers suggested sending individual letters to residents about the public meeting with Strand. Trustee Fessler said she assumed the Village wants initial feedback from the people who experienced flooding, as opposed to a broader community discussion conversation that will come later.

Mr. Saunders explained the Village is working to balance the desire for the broader community to provide feedback, as all residents will ultimately fund any final approved project, and he confirmed that Staff will weigh the best ways to provide notice to residents.

7) Ordinances and Resolutions.

- a) Ordinance No. M-26-2015: 850 Green Bay Road, Core Power Yoga, Special Use Permit – Introduction / Adoption. Mr. D’Onofrio reviewed this request for a yoga studio in this space located in the C-2 General Commercial District. He explained the yoga studio falls under the Zoning Ordinance’s definition of a health club, which is only permitted as a special use in this district. He reviewed the parking study, which the Village Engineer concurs with, and added that the Plan Commission and Zoning Board of Appeals each voted unanimously to recommend approval of the request. He noted the Council may waive introduction of the Ordinance by unanimous vote, and proceed to adoption if it so desires.

Trustee Krucks, seconded by Trustee Prodromos, moved to waive introduction of Ordinance No. M-26-2015. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

Trustee Fessler, seconded by Trustee Prodromos, moved to adopt Ordinance No. M-26-2015. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

- b) Ordinance No. MC-7-2015: Liquor Ordinance Amendments – Introduction. Attorney Friedman reviewed draft amendments to the Liquor Ordinance, based on two requests the Village has received: (i) the owner of a new restaurant at the former D’s Haute Dogs has requested approval of a liquor license; however, the seating capacity precludes the space from meeting current Code provisions; and (ii) the owner of Café Aroma has requested permission to serve alcohol starting at 9:00 AM for brunch, instead of the current 11:00 AM starting time.

After asking the Police Chief a few questions and ascertaining approving the changes will not set a precedent that would allow a bar to open in the Village, the Council expressed approval of the proposed amendments to the Liquor Ordinance.

Trustee Prodromos, seconded by Trustee Krucks, moved to introduce Ordinance No. MC-7-2015. By voice vote, the motion carried.

- c) Resolution No. R-48-2015: Approving a Class B Liquor License for Mrs. Green's Natural Market – Adoption. Attorney Friedman explained the Subject Resolution is required in order to approve a liquor license for this new full service grocery store that expects to open its doors in January, 2016.

Trustee Myers, seconded by Trustee McCrary, moved to adopt Resolution No. R-48-2015. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

- d) Resolution No. R-49-2015: Five-Year Curbside Recycling Contract with Lakeshore Recycling Systems – Adoption. Mr. Saunders explained that the Village has been exploring the option of partnering with the Village of Glencoe for a joint recycling contract. After reviewing responses to a Request for Proposals for the collection and processing of recyclable materials in both Villages, a program was identified. Staff is recommending awarding a contract to Lakeside Recycling Systems, as they offer an advantageous price, excellent references and demonstrated customer service. In addition, recycling routes would be synchronized with refuse routes, to minimize disruption to residents. the new contractor would begin work in Winnetka in March, 2016.

After the Council asked a few questions, there was consensus to move forward with the new joint recycling contract.

Trustee Fessler, seconded by Trustee McCrary, moved to adopt Resolution No. R-49-2015. By roll call vote, the motion carried. Ayes: Trustees Cripe, Fessler, Krucks, McCrary, Myers and Prodromos. Nays: None. Absent: None.

8) Public Comment.

Glenn Weaver, 574 Lincoln. Mr. Weaver thanked the Village for allowing him to operate a pop-up store in vacant space in his commercial building.

Kristin Ziv, 605 Arbor Vitae. Ms. Ziv said District 36 passed a nearly 5% tax hike in anticipation of a tax freeze by the State of Illinois, and she called for coordination among the taxing bodies in Winnetka so the public is aware of potential large tax increases being proposed.

9) Old Business. None.

10) New Business. None.

11) Appointments. None.

12) Reports.

a) Village President. None.

b) Trustees.

i) Trustee McCrary reported on the most recent Landmark Preservation Commission meeting.

ii) Trustee Myers reported on the most recent Environmental & Forestry Commission meeting.

c) Attorney. None.

d) Manager. Manager Bahan said the State has enacted legislation to disburse local government revenues, and that the funds will be received shortly.

13) Executive Session. None.

14) Adjournment. Trustee Myers, seconded by Trustee Krucks, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:23 p.m.

Deputy Clerk



Agenda Item Executive Summary

Title: Approval of Warrant List

Presenter: Robert M. Bahan, Village Manager

Agenda Date: 01/05/2016

Consent: YES NO

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

Item History:

None.

Executive Summary:

The Warrant List dated December 11 - 30, 2015 was emailed to each Village Council member.

Recommendation:

Consider approving the Warrant List dated December 11 - 30, 2015.

Attachments:

None.



Agenda Item Executive Summary

Title: Ordinance No. MC-7-2015: Liquor Ordinance Amendments (Adoption)

Presenter: Patrick L. Kreis, Chief of Police and Peter M. Friedman, Village Attorney

Agenda Date: 01/05/2016

Consent: YES NO

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

Item History:

December 15, 2015 - Introduction (Regular Meeting, Agenda pages 108-113)

Executive Summary:

The Village has received an application for a Class A-1 liquor license from forthcoming restaurant establishment "Stacked and Folded." Stacked and Folded plans to have seating for a total of eight (8) patrons by seating four (4) at a counter and four (4) at tables. The current A-1 liquor license requires that the total space available to patrons that is allocated to a counter shall not exceed ten (10) percent of the total space of the premises accessible to patrons.

The Village has also received a request from a current Class A liquor license holder to amend the hours of service during which sales of alcohol are permitted. Section 5.09.250 of the Village Code currently allows Class A, D, E, and P liquor license holders to begin serving alcoholic beverages at 11:00a.m. The above-mentioned liquor license holder is open for breakfast and lunch only, and therefore would like consideration to serve alcoholic beverages beginning at 9:00a.m.

The Village Attorney prepared a draft proposed amendment that would allow restaurants with a total seating capacity of 20 seats or less to be exempt from the Waiting Area Restriction. The Village Attorney also prepared a draft proposed amendment that would allow Class A, D, E, and P liquor licence holders to begin serving alcohol beverages at 9:00a.m which is attached for consideration by the Village Council.

At the December 15, 2015 regular meeting, Ordinance No. MC-7-2015 was introduced, discussed, and considered by the Council.

Recommendation:

Consider adoption of Ordinance No. MC-7-2015 - Amending the liquor control regulations to exempt from the Waiting Area Restriction restaurants with a total seating capacity for patrons of 20 seats or fewer; and to amend the Hours of Service applicable to certain types of establishments.

Attachments:

1) Ordinance No. MC-7-2015

ORDINANCE NO. MC-7-2015

**AN ORDINANCE AMENDING THE WINNETKA VILLAGE CODE
REGARDING THE CLASS A-1 LIQUOR LICENSE CLASSIFICATION AND
THE PERMITTED HOURS OF SERVICE BY LIQUOR LICENSEES**

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

WHEREAS, Chapter 5.09 of the Winnetka Village Code ("*Village Code*") regulates the sale of alcoholic beverages within the Village ("*Liquor Control Regulations*"); and

WHEREAS, the Liquor Control Regulations require, among other things, any establishment that desires to sell alcoholic beverages within the Village to first obtain a license from the Village; and

WHEREAS, Section 5.09.100 of the Liquor Regulations establishes various liquor license classifications that authorize the sale of alcoholic beverages by certain types of establishments, subject to conditions; and

WHEREAS, Section 5.09.100.B of the Liquor Regulations establishes the Class A-1 License classification ("*Class A-1 License*"), which authorizes the retail sale of alcoholic beverages by restaurants at a counter, bar, or waiting area, subject to the condition, among others, that that the total space available to patrons that is allocated to any lounge or waiting area in which a bar or counter is located may not exceed 10 percent of the total space of the premises accessible to patrons ("*Waiting Area Restriction*"); and

WHEREAS, Section 5.09.250 of the Liquor Regulations sets forth the hours during which establishments licensed under the Liquor Regulations are permitted to sell or serve alcoholic beverages ("*Hours of Service*"); and

WHEREAS, the Village Council desires to amend: (i) Section 5.09.100 of the Liquor Regulations to exempt from the Waiting Area Restriction restaurants with a total seating capacity for patrons of 20 seats or fewer; and (ii) Section 5.09.250 of the Village Code to amend the Hours of Service applicable to certain types of establishments ("*Proposed Amendments*"); and

WHEREAS, the Village Council has determined that adoption of the Proposed Amendments as set forth in this Ordinance is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

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

SECTION 2: CLASSIFICATION OF LICENSES. Section 5.09.100, titled “Classification of Licenses,” of Chapter 5.09, titled “Liquor Control Regulations,” of Title 5, titled “Business Licenses and Regulations,” of the Village Code is hereby amended to read as follows:

“Section 5.09.100 Classification of Licenses.

* * *

B. Class A-1 Licenses. Class A-1 licenses shall duplicate Class A licenses in all regards, except that Class A-1 licenses shall additionally authorize the service of food or liquor at a counter, bar or waiting area, subject to the following conditions:

1. Except as provided in section 5.09.205 of this Chapter, the counter, bar or waiting area shall be restricted to patrons who have been seated by the restaurant's host or hostess.

2. The percentage of the total space available to patrons that is allocated to any lounge or waiting area in which a bar, counter or shelf or any substitute for such bar, counter or shelf will be located, shall not exceed ten (10) percent of the total space of the premises accessible to patrons; provided, however, that this Section 5.09.100.B.2 does not apply to restaurants with a total seating capacity for patrons of 20 seats or fewer.

3. The sale and service of alcoholic beverages under a Class A-1 license may also include sidewalk service of alcoholic beverages for consumption by customers seated at tables at a sidewalk restaurant that has been permitted by the Village Council, subject to the conditions set forth in section 5.09.105 of this chapter.

4. The hours of service shall be as provided in section 5.09.250 of this chapter.

* * *

SECTION 3: HOURS OF SERVICE. Section 5.09.250, titled “Hours of service,” of Chapter 5.09, titled “Liquor Control Regulations,” of Title 5, titled “Business Licenses and Regulations,” of the Village Code is hereby amended to read as follows:

“Section 5.09.250 Hours of service.

A. Restaurants and Specialty Restaurants. The sale and service of alcoholic beverages by a restaurant or specialty restaurant under any "A" Classification license, and the consumption of alcoholic beverages under such licenses, shall be permitted only during the following hours, unless the license specifically limits the days or hours of such sales and service:

1. For indoor service and service in private outdoor seating areas:

- a. Not before ~~11:00~~ 9:00 a.m. any day.
- b. Not after midnight any day.
- c. On January 1st, restaurants and specialty restaurants may remain open for indoor service until 2:00 a.m., provided that all sales and service of food and alcoholic beverages shall cease at 1:00 a.m., and no additional patrons shall be admitted after that time.

2. For sidewalk service as defined in section 5.09.010 of this chapter:

- a. Not before ~~11:00~~ 9:00 a.m. on any day
- b. Not after 11:00 p.m. on Friday and Saturday.
- c. Not after 10:00 p.m. on Sunday through Thursday.

B. Full-service grocery stores. The sale of alcoholic liquor by a full-service grocery store under a Class B license shall be permitted only during the regular business hours of such grocery store, but not before 7:00 a.m. or after 10:00 p.m.

C. Special events. The sale and service of alcoholic beverages by a civic, fraternal, service or charitable not-for-pecuniary-profit organization under a Class C license, and the consumption of alcoholic beverages under such license, shall be permitted only on the dates and during the hours specified in the license. The sale, service and consumption of liquor may begin on or after the hour of 11:00 a.m. of one day and may continue until 2:00 a.m. of the following day, subject to the following limitations:

1. Between the hours of 11:00 a.m. of one day and 2:00 a.m. of the following day, for any or all of the days specified in the license if the alcoholic beverages are sold and consumed indoors in a fixed, permanent structure.

2. Between the hours of 11:00 a.m. of one day and 2:00 a.m. of the following day, for any or all of the days specified in the license, if the alcoholic beverages are sold in a tent or comparable temporary or movable structure, for consumption at tables and chairs located within such tent or structure, provided the sale or consumption of alcoholic beverages is incidental and complementary to the sale and consumption of other foods.

3. Between the hours of 11:00 a.m. and 10:00 p.m. of each day or days specified in the license if the alcoholic beverages are sold or consumed outdoors, or in a tent, booth, concession stand, or other such temporary or movable structure, provided the sale, service or consumption of alcoholic beverages is incidental and complementary to the sale and consumption of other foods.

4. The sale, service and consumption of alcoholic beverages shall be prohibited between the hours of 2:00 a.m. and 11:00 a.m. of any day.

D. Specialty Limited food products stores. The sale or service of beer or wine under a Class E or Class E-1 license shall be permitted only during the regular business hours of such store, but not before ~~11:00~~ 9:00 a.m. or after 8:00 p.m. Notwithstanding the foregoing, the licensed business may be open for the sale of food and packaged products until 10:00 p.m. on Friday and Saturday, and until 8:00 p.m. on all other days of the week.

E. Specialty beverage store. The sale or service of fine wine, imported beer or domestic craft beer with food shall be limited to the hours between ~~11:00~~ 9:00 a.m. and 8:00 p.m. Notwithstanding the foregoing, the licensed business may be open for the sale of food and packaged products from ~~11:00~~ 9:00 a.m. to 10:00 p.m. on Friday, from 9:00 a.m. to 10:00 p.m. on Saturday, and from ~~11:00~~ 9:00 a.m. to 8:00 p.m. on all other days of the week.

F. Park District Golf Facilities. Alcoholic beverages may be sold and served pursuant to a Class P license between the hours of ~~11:00~~ 9:00 a.m. and 7:30 p.m., of any day the Winnetka Park District Golfing Facilities are open for golfing activities and the food service facility at the clubhouse is in operation. The sale of alcoholic beverages at the Halfway House shall not be permitted if the Winnetka Park District Golf Course is not open for business.

G. All liquor licensees shall cease the sale and service of alcoholic beverages and shall remove all partially consumed alcoholic beverages and serving containers for such beverages by the times required for their respective license classifications, as provided in this section 5.09.250.”

SECTION 4: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this ____ day of _____, 2015, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2015.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2015.

Introduced: December 15, 2015

Passed and Approved: _____, 2015



Agenda Item Executive Summary

Title: Bid #014-003; Utility Line Clearance (Tree Trimming)

Presenter: Brian Keys, Director of Water & Electric

Agenda Date: 01/05/2016

Consent: YES NO

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

Item History:

The Village of Winnetka issued Bid #014-003 for the cyclical trimming of trees near overhead power lines and emergency storm assistance. At the February 18, 2014, Village Council Meeting, the Village Manager was authorized to execute a purchase order with Asplundh Tree Experts. At the February 3, 2015, the Village Council authorized the Village Manager to extend the contract at the second year bid prices bid by the contractor.

Executive Summary:

The current agreement with Asplundh Tree Expert Company is scheduled to end on March 31, 2016. The Village has an option to extend the contract for a third year based on rates submitted by the contractor.

Staff is recommending acceptance of the third year unit prices submitted by Asplundh Tree Expert Company. Asplundh Tree Expert Co. has performed line clearance for the Water & Electric Department in a satisfactory manner during the last five years.

The FY 2016 budget (account #500.42.30-567) contains \$150,000 for line clearance work.

Recommendation:

Consider authorizing the Village Manager to execute a purchase order to Asplundh Tree Expert Co. in an amount not to exceed \$150,000, based on the third year unit pricing contained in Bid #014-003.

Attachments:

Agenda Report dated December 23, 2015
Exhibit A: Schedule of Prices for Utility Line Clearance

AGENDA REPORT

Subject: Bid #014-003; Utility Line Clearance (Tree Trimming)

Prepared by: Brian Keys, Director Water & Electric

Ref: October 27, 2015 Budget Meeting
 February 3, 2015 Village Council Meeting, pp. 58-60
 February 18, 2014 Village Council Meeting, pp. 17-19

Date: December 23, 2015

The Village of Winnetka issued Bid #014-003 for the cyclical trimming of trees near overhead power lines and emergency storm assistance. At the February 18, 2014, Village Council Meeting, the Village Manager was authorized to execute a purchase order with Asplundh Tree Experts. At the February 3, 2015, the Village Council authorized the Village Manager to extend the contract at the second year bid prices bid by the contractor. The current agreement with Asplundh Tree Expert Company is scheduled to end on March 31, 2016. The Village has an option to extend the contract for a third year based on rates submitted by the contractor.

The bid document required contractors to provide rates for each classification of worker and equipment used on an hourly basis for normal work hours and during after hour situations. Rates were also requested for two additional years with annual renewals at the Village’s option. Exhibit A contains the unit prices for labor and equipment as bid by each company in each year for the three years. Third year labor rates are as follows:

Labor Rates for Utility Line Clearance (Year #3) – Normal Working Hours

	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.
Crew Leader	\$49.67	\$74.00
Trimmer	\$45.32	\$72.00
Apprentice Trimmer	\$39.67	\$72.00
Groundman	\$30.80	\$72.00
General Foreman	\$50.01	\$74.00

Staff is recommending acceptance of the third year unit prices submitted by Asplundh Tree Expert Company. Asplundh Tree Expert Co. has performed line clearance for the Water & Electric Department in a satisfactory manner during the last five years. No safety incidents occurred during this period. In addition, the contractor continues to identify additional vegetation hazards such as diseased trees and/or dead limbs outside the trimming area for further review by staff.

The FY 2016 budget (account #500.42.30-567) contains \$150,000 for line clearance work.

Recommendation:

Consider authorizing the Village Manager to execute a purchase order to Asplundh Tree Expert Co. in an amount not to exceed \$150,000, based on the third year unit pricing contained in Bid #014-003.

Exhibit A

SCHEDULE OF PRICES FOR UTILITY LINE CLEARANCE DURING NORMAL WORK DAY

Personnel	4/1/14 to 3/31/15		4/1/15 to 3/31/16		4/1/16 to 3/31/17	
	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.
Crew Leader	\$47.28	\$70.00	\$48.46	\$72.00	\$49.67	\$74.00
Trimmer	\$43.14	\$68.00	\$44.22	\$70.00	\$45.32	\$72.00
Apprentice Trimmer	\$37.76	\$68.00	\$38.70	\$70.00	\$39.67	\$72.00
Groundman	\$29.32	\$68.00	\$30.05	\$70.00	\$30.80	\$72.00
General Foreman	\$47.60	\$70.00	\$48.79	\$72.00	\$50.01	\$74.00

Equipment

Pick Up Truck	\$9.25	\$10.00	\$9.25	\$10.00	\$9.71	\$10.00
Trim Truck with 2 power saws	\$10.00	\$12.00	\$10.00	\$12.00	\$10.50	\$12.00
Chipper	\$4.75	\$10.00	\$4.75	\$10.00	\$4.99	\$10.00
Aerial Device with hydraulic tools and 1 gas power saw	\$16.00	\$15.00	\$16.00	\$15.00	\$16.00	\$15.00
Extra power saw	No Charge					

SCHEDULE OF PRICES FOR UTILITY LINE CLEARANCE AFTER NORMAL WORK HOURS

Personnel	4/1/14 to 3/31/15		4/1/15 to 3/31/16		4/1/16 to 3/31/17	
	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.	Asplundh Tree Expert Co.	Nels J. Johnson Tree Experts Inc.
Crew Leader	\$64.46	\$95.00	\$66.07	\$95.00	\$67.72	\$98.00
Trimmer	\$58.43	\$90.00	\$59.89	\$90.00	\$61.39	\$98.00
Apprentice Trimmer	\$50.57	\$90.00	\$51.83	\$90.00	\$53.13	\$98.00
Groundman	\$38.23	\$90.00	\$39.19	\$90.00	\$40.17	\$95.00
General Foreman	\$67.95		\$69.65		\$71.39	

Equipment

Pick Up Truck	\$9.25	\$12.00	\$9.25	\$12.00	\$9.71	\$12.00
Trim Truck with 2 power saws	\$10.00	\$12.00	\$10.00	\$12.00	\$10.50	\$12.00
Chipper	\$4.75	\$12.00	\$4.75	\$12.00	\$4.99	\$12.00
Aerial Device with hydraulic tools and 1 gas power saw	\$16.00	\$15.00	\$16.00	\$15.00	\$16.80	\$15.00
Extra power saw	No Charge					



Agenda Item Executive Summary

Title: Ordinance No. M-1-2016: 470 Poplar Street, Variations for Attic Addition (Introduction/Adoption)

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 01/05/2016

Consent: YES NO

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

Item History:

None.

Executive Summary:

The request is for variations from Sections 17.30.040 [Maximum Building Size] and 17.30.060 [Side Yard Setback] of the Winnetka Zoning Ordinance to permit an attic addition that would result in a gross floor area of 3,663.55 s.f., whereas a maximum of 3,150 s.f. is permitted, a variation of 513.55 s.f. (16.3%) and a north side yard setback of 5.8 ft., whereas a minimum of 6 ft. is required, a variation of 0.2 ft. (3.33%).

The proposed addition would consist of finished attic space and add 217.85 s.f. of calculable gross floor area (GFA). There is no proposed expansion to the footprint of the residence or impermeable lot coverage. It should be noted the existing residence (3,445.7 s.f.) exceeds the maximum permitted GFA by 295.7 s.f.

In addition to the GFA variation, the proposed addition requires relief from the side yard setback regulations. The addition would be a vertical expansion of the nonconforming north building wall.

The Zoning Board of Appeals considered the application at its meeting on November 16, 2015. With a vote of 6 to 1, the Board recommended approval of the variation request.

Recommendation:

Consider introduction of Ordinance No. M-1-2016, granting variations from the maximum building size and side setback regulations to allow the construction of an attic addition.

Or

Consider waiving introduction of Ordinance No. M-1-2016 and consider adoption, granting variations from the maximum building size and side setback regulations to allow the construction of an attic addition.

Attachments:

- Agenda Report
- Attachment A: Zoning Matrix
- Attachment B: Ordinance No. M-1-2016
- Attachment C: GIS Aerial Map
- Attachment D: Variation Application

AGENDA REPORT

TO: Village Council

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

SUBJECT: 470 Poplar St., Ord. M-1-2016
(1) Maximum Building Size
(2) Side Yard Setback

DATE: December 14, 2015

Ordinance M-1-2016 grants variations from Sections 17.30.040 [Maximum Building Size] and 17.30.060 [Side Yard Setback] of the Winnetka Zoning Ordinance to permit an attic addition that would result in a gross floor area of 3,663.55 s.f., whereas a maximum of 3,150 s.f. is permitted, a variation of 513.55 s.f. (16.3%) and a north side yard setback of 5.8 ft., whereas a minimum of 6 ft. is required, a variation of 0.2 ft. (3.33%).

The variations are being requested in order to expand the attic. The proposed addition would consist of finished attic space and add 217.85 s.f. of calculable gross floor area (GFA). There is no proposed expansion to the footprint of the residence or impermeable lot coverage. It should be noted the existing residence (3,445.7 s.f.) exceeds the maximum permitted GFA by 295.7 s.f.

In addition to the GFA variation, the proposed addition requires relief from the side yard setback regulations. The addition would be a vertical expansion of the nonconforming north building wall. As identified on the attached plat of survey, the existing residence is setback 5.8 ft. from the north property line, whereas a minimum setback of 6 ft. is required.

The property is located on the west side of Poplar St. between Oak St. and Cherry St. in the R-4 Single Family Residential District.

The residence was built in 1958. Subsequent building permits were issued in 1963 to add a dormer and in 1988 to remodel the residence, add the north bay window and shed. The petitioners acquired the property in 2005.

There are no previous zoning cases for this property.

Recommendation of Advisory Board

The Zoning Board of Appeals considered the application at its meeting November 16, 2015. With a vote of 6 to 1, the Board recommended approval of the variation request.

Recommendation

Consider introduction of Ord. M-1-2016, granting variations from the maximum building size and side setback regulations to allow the construction of an attic addition.

Or

Consider waiving introduction of Ord. M-1-2016 and consider adoption, granting variations from the maximum building size and side setback regulations to allow the construction of an attic addition.

Attachments

Attachment A: Zoning Matrix

Attachment B: Ordinance M-1-2016

Attachment C: GIS Aerial Map

Attachment D: Variation Application

ZONING MATRIX

ADDRESS: 470 Poplar St.

CASE NO: 15-29-V2

ZONING: R-4

ITEM	REQUIREMENT	EXISTING	PROPOSED	TOTAL	STATUS
Min. Lot Size	12,600 SF	7,875 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	60 FT	56.25 FT	N/A	N/A	EXISTING NONCONFORMING
Max. Roofed Lot Coverage	2,126.25 SF (1)	1,961.13 SF	0 SF	1,961.13 SF	OK
Max. Gross Floor Area	3,150 SF (1)	3,445.7 SF	217.85 SF	3,663.55 SF	513.55 SF (16.3%) VARIATION
Max. Impermeable Lot Coverage	3,937.5 SF (1)	3,333.82 SF	0 SF	3,333.82 SF	OK
Min. Front Yard (Poplar/East)	30 FT	29.66 FT	N/A	N/A	EXISTING NONCONFORMING
Min. Side Yard (North)	6 FT	5.8 FT	5.8 FT	N/A	0.2 FT (3.33%) VARIATION
Min. Remaining Side Yard (South)	8.06 FT	5.59 FT	8.97 FT	N/A	EXISTING NONCONFORMING
Min. Rear Yard (West)	21 FT	58.86 FT	N/A	N/A	OK

NOTES:

(1) Based on lot area of 7,875 s.f.

**AN ORDINANCE GRANTING VARIATIONS
FROM THE WINNETKA ZONING ORDINANCE
FOR THE CONSTRUCTION OF A NEW ATTIC
WITHIN THE R-4 SINGLE FAMILY ZONING DISTRICT
(470 Poplar Street)**

WHEREAS, Michael and Kelly Finnerty (collectively, "*Applicant*"), are the record title owners of the parcel of real property commonly known as 470 Poplar Street in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, the Subject Property is improved with a single family residence ("*Building*"); and

WHEREAS, the Applicant desires to replace the existing attic and roof of the Building with a new attic and roof ("*Proposed Improvement*"); and

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

WHEREAS, pursuant to Section 17.30.040 of the Winnetka Zoning Ordinance ("*Zoning Ordinance*"), the gross floor area of the Building may not exceed 3,150 square feet; and

WHEREAS, pursuant to Section 17.30.060 of the Zoning Ordinance, the Building must have a side yard setback of at least six feet; and

WHEREAS, the existing Building has a legal nonconforming gross floor area of 3,445.7 square feet and a legal nonconforming side yard setback of 5.8 feet; and

WHEREAS, pursuant to Section 17.64.060 of the Zoning Ordinance, a legal nonconforming building may not be enlarged or added to so as to create an additional nonconformity or increase the extent or degree of any existing nonconformity; and

WHEREAS, construction of the Proposed Improvement on the Subject Property would cause: (i) the gross floor area of the Building to be 3,663.55 square feet, in violation of Section 17.30.040 of the Zoning Ordinance; and (ii) the side yard setback to remain 5.8 square feet, in violation of Section 17.30.060 of the Zoning Ordinance; and

WHEREAS, to permit construction of the Proposed Improvement, the Applicant filed an application for variations from: (i) Section 17.30.040 of the Zoning Ordinance to permit the gross floor area of the Building to be 3,663.55 square feet; and (ii) Section 17.30.060 of the Zoning Ordinance to permit the side yard setback to be 5.8 feet (collectively, "*Variations*"); and

WHEREAS, on November 16, 2015, after due notice thereof, the Zoning Board of Appeals (“**ZBA**”) conducted a public hearing on the Variations and, by a vote of six in favor and one opposed, recommended that the Council of the Village of Winnetka (“**Village Council**”) approve the Variations; and

WHEREAS, pursuant to Chapter 17.60 of the Zoning Ordinance, the ZBA heard evidence and made certain findings in support of recommending approval of the Variations, which findings are set forth in the ZBA public hearing minutes attached to and, by this reference, made a part of this Ordinance as **Exhibit B**; and

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

WHEREAS, the Village Council has determined that approval of the Variations for the construction of the Proposed Improvement on the Subject Property within the R-4 District is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

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

SECTION 2: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Variations from Sections 17.30.040 and 17.30.060 of the Zoning Ordinance to permit the construction of the Proposed Improvement on the Subject Property are hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 3: CONDITIONS. The Variations granted by Section 2 of this Ordinance are subject to, and contingent upon, compliance by the Applicant with the following conditions:

- A. **Commencement of Construction.** The Applicant must commence construction of the Proposed Improvement no later than 12 months after the effective date of this Ordinance.
- B. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvement, the Building, and the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.

- C. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- D. **Compliance with Plans.** The development, use, and maintenance of the Proposed Improvement on the Subject Property must be in strict accordance with the following documents and plans, except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards: the plans prepared by William Murphy Architect, Ltd., consisting of four sheets, and with a latest revision date of October 7, 2015, a copy of which is attached to and, by this reference, made a part of this Ordinance as **Exhibit C.**

SECTION 4: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Recorder of Deeds. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approvals granted in Section 2 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 7: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance

shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 8: EFFECTIVE DATE.

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

1. Passage by the Village Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and
3. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit D** attached to and, by this reference, made a part of this Ordinance to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this ____ day of _____, 2016, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2016.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2016.

Introduced: January 5, 2016

Passed and Approved: _____, 2016

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

The South 60 Feet of Lot 5 and South 60 Feet of Lot 4 (except that part of the North 10 Feet of the South 60 Feet of Lot 4, lying West of the East 12 ½ Feet of said Lot 4) all in Sherlock's Subdivision of Block 40 in Village of Winnetka, a subdivision of the Northeast Quarter of Section 20, and the North Half of Fractional Section 21, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 470 Poplar Street, Winnetka, Illinois.

EXHIBIT B

PUBLIC HEARING MINUTES OF THE ZBA

**WINNETKA ZONING BOARD OF APPEALS
NOVEMBER 16, 2015
EXCERPT OF MINUTES**

Zoning Board Members Present: Joni Johnson, Chairperson
Chris Blum
Mary Hickey
Thomas Kehoe
Kathleen Kumer
Carl Lane
Mark Naumann

Zoning Board Members Absent: None

Village Staff: Michael D’Onofrio, Director of Community
Development
Ann Klaassen, Planning Assistant

Village Attorney: Karl Camillucci

Agenda Items:

Case No. 15-29-V2: 470 Poplar Street
Michael and Kelly Finnerty
Variations by Ordinance
1. Maximum Building Size
2. Side Yard Setback

470 Poplar Street, Case No. 15-29-V2, Michael and Kelly Finnerty, Variations by Ordinance (1) Maximum Building Size and (2) Side Yard Setback

Mr. D’Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by Michael and Kelly Finnerty concerning variations by Ordinance from Sections 17.30.040 [Maximum Building Size] and 17.30.060 [Side Yard Setback] of the Winnetka Zoning Ordinance to permit an attic addition that would result in a gross floor area of 3,663.55 s.f., whereas a maximum of 3,150 s.f. is permitted, a variation of 513.55 s.f. (16.3%) and a north side yard setback of 5.8 ft., whereas a minimum of 6 ft. is required, a variation of 0.2 ft. (3.33%).

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

Kelly Finnerty introduced herself to the Board as the homeowner who has lived in Winnetka since 1998 and in the home for 10 years.

William Murphy introduced himself to the Board as the architect on the project. He stated that the Board should have the packet of information which in the showed the existing conditions and proposed conditions. Mr. Murphy then stated that what they are trying to do is to solve some of the recurring problems they have with the shallow roof with no overhang.

Mr. Murphy informed the Board that the home is substantial in size based on what is permitted and that the FAR is already 9% over the amount allowable. He stated that to do anything to the roof to steepen the pitch as well as the side yard would be into the required setback. Mr. Murphy indicated that they are attempting to steepen the roof and extend the overhang on the low side of the gable roof form and to continue the pattern of what is there now with dormers to add visual interest and that the result is the request. He stated that they would be adding 7% of FAR over the allowable amount on top of the 9% which is there.

Mr. Murphy noted that the home is sited low on the ground plain. He stated that they are also trying, as the roof pitch is increased, to make that finished space which is presently a low lying attic with the ability to stand in the middle only. Mr. Murphy also stated that the basement is low to the ground with no windows. He stated that the request represented the opportunity to have extra space which is habitable and which would satisfy light and vent requirements.

Mr. Murphy then stated that with regard to the standards, in a nutshell, they are trying to stay consistent with the patterns of the homes in the community as well as with the home as it is. He informed the Board that they would be within the height limits with the proposal and would be keeping the gable form to allow the same light extending north to south to remain as is. Mr. Murphy added that the dormers would be brought in toward the middle of the roof for volume and would have no impact to the left and right. He then asked the Board if they had any questions.

Chairperson Johnson also asked the Board if they had any questions.

Ms. Hickey asked Mr. D'Onofrio if in the zoning matrix, did these get switched around and referred to the minimum side yard to the north.

Ms. Klaassen stated that the north side yard is existing nonconforming as well as the total side yards. She stated that the addition is a vertical expansion of the nonconforming wall upwards.

Mr. Murphy stated that there would be a continuation of the same north wall.

Mr. Lane asked the applicants to explain in more detail the issue with ice buildup and why they want to pitch the roof.

Mr. Murphy informed the Board that the low side of the existing roof intersected the wall and that the gutter was hung to that edge. He then stated that in the winter, when snow melted down the roof, it would freeze at the low side and described the ice damn as phenomenal. Mr. Murphy

also stated that it expanded back up the roof and would find its way into the building. He stated that in connection with the opportunity of the overhang, it would let all of that be downstream of the building so that it cannot climb back up. Mr. Murphy added that it is cold on both sides.

Ms. Finnerty informed the Board that it is not just in the winter and that when there are big rains, it leaked through the living room into the children's bedroom as well as into the family room. She indicated that it literally poured into one of the rooms in the master suite area.

Mr. Lane asked if it is an overhang issue or a slope issue.

Mr. Murphy responded that it is both. He stated that the shallow slope held more snow and that the overhang terminated at the edge of the home which meant that there is no overhang. Mr. Murphy stated that the proposed design solution would be an extension of that roof as a bit of an overhang.

Mr. Lane questioned whether the slope of the room is abnormal compared to other homes.

Mr. Murphy stated that it is low slung compared to other older homes in the community and on the same street.

Mr. Blum asked what is the pitch.

Mr. Murphy responded that it is 4:12.

Chairperson Johnson asked if the roof is the same roof when they bought the home.

Ms. Finnerty stated that it is not and that they attempted to solve the problem and reroof by adding some kind of ice and water shield which she stated had no effect. She informed the Board that they had the roofer back out approximately 5 years ago quickly after they moved in and saw the problem.

Chairperson Johnson asked why was it built that way.

Mr. Murphy stated that it is his understanding that it was the style of the day although it is not that old of a home. He also stated that there was no extension on it and that he is not sure why.

Mr. Blum stated that his understanding of the information was a little difficult and questioned whether the extension would help. He referred to the ice damn which formed when the cold hits. Mr. Blum also asked if the roof of the home would be warm.

Mr. Murphy stated that it would be insulated. He also stated that on the underside of the roof, there would be a sheeting spray formed with R49 insulation so that there is no thermal difference as it is today. Mr. Murphy added that the overhang would help with the rest of the area as well. He stated that a roof with no overhang is not how they design things today.

Ms. Finnerty added that they do have their gutters cleaned out several times a year.

Mr. Murphy stated that if there is a problem, the water being out beyond the walls is the primary advantage of overhangs. He stated that it is the inherent challenge that the design provides.

Mr. Lane asked how much of additional GFA would the dormers represent.

Mr. Murphy responded none and that there is an allowance for dormers which would be designed to stay well within the requirements. He stated that is why there would be two and that they would be 5½ feet wide.

Mr. Lane asked if 218 square feet is the typical amount of square footage.

Mr. Murphy stated that it would result in a taller volume.

Mr. Lane then asked the applicants if they would fix the roof and not do the buildout on the third floor.

Mr. Murphy responded that the budget hopefully allowed for both. He informed the Board that the furnace is in the attic. Mr. Murphy stated that they would be insulating and finishing that train of thought on that floor level which is eventually a necessity of the home itself. He indicated that they would be working from two directions including the basement.

Mr. Lane asked Mr. D'Onofrio if the square footage counted regardless of whether they did the build out.

Mr. D'Onofrio confirmed that is correct.

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

Mr. Lane stated that he would like to approve the request and would like for the applicants to fix the home. He stated that it sounded like an issue they are trying to resolve. Mr. Lane then stated that however, he is having trouble with satisfying the reasonable return requirement here in that they have a livable home which is already over on GFA. He stated that they would also be getting additional attic space. Mr. Lane agreed that they needed to solve the issue of the roof slope which is not at the right level and that he did not know what the alternative is. Mr. Lane stated that he is in a quandary here but the applicants have not met the standard.

Mr. Blum stated that he agreed with the interest of being successful and that there is a maximum built home on a small lot. He stated that what they have here is an issue which is different than what the Board is used to seeing. Mr. Blum agreed that there is an actual problem here and that he is trying to understand how a zoning issue is a fix like that and that with rain too, it seemed like there is a leak situation but that the applicants explored that. He then stated that he had no good answer for Mr. Lane.

Ms. Kumer stated that her question is whether it is a maintenance issue. She referred to the leak issue being explored and that whether the slope would fix the issue is where she is unclear.

Mr. Blum questioned if they were to fix the roof and have it insulated and redid the fascia by the gutter, would the problem go away.

Mr. Lane stated that the applicants testified that they have to do the slope and overhang.

Mr. Kehoe stated that he had no comments.

Mr. Naumann stated that he would be in favor of the request and that it looked to be a fundamental design deficiency only to be corrected.

Ms. Hickey stated that she would be in favor of the request and that the hardship is that there is a nonconforming existing issue and that the home is on a smaller lot. She also referred to the fact that Mr. Murphy said if they were to go up, they would be allowed to.

Mr. Murphy agreed that they can make it inches taller, but that they are not. He also stated that they would be raising it up where FAR increases whether it is finished or not.

Ms. Hickey added that the applicants are not being extravagant in their request and that it would be respectful to the home. She reiterated that she is in favor of the request.

Mr. Murphy informed the Board that the height is just shy of 31 feet.

Chairperson Johnson asked if the home to the south is higher.

Mr. Murphy noted that the home to the north is an older home at 2½ stories and that other home is taller as well.

Chairperson Johnson referred to the concern with regard to the property which had new construction and that it seemed taller as well. She asked the Board if they had any other questions.

Mr. Blum asked that if the dormers do not add to GFA, if they add to the perception of the home with the roof, the dormers would add more bulk.

Ms. Hickey indicated that it would break it up.

Mr. Blum referred to whether there is a consensus if they were to do it without dormers in order to keep bulk down.

Mr. Lane stated that there is a reason to give a bonus but that they do not count it.

Chairperson Johnson asked if the dormers would be on the west side and that there are no neighbors there.

Ms. Finnerty confirmed that is correct. She informed the Board that there are neighbors across the street with a similar home with dormers.

Chairperson Johnson added that because it is an undersized lot, there are not a lot of options. She also stated that with regard to whether they are dealing with extending a nonconformity or creating one, she did not know the solution. Chairperson Johnson added that she did not know whether that would work or not and that otherwise, the applicants would not spend money on it and that she is in favor of the request. She then asked for a motion.

Mr. Naumann moved to recommend the approval of the zoning variations for 470 Poplar and to cite page nos. 6 and 7 which are comprehensive in supporting the standards in detail for the request.

Ms. Hickey seconded the motion. A vote was taken and the motion was passed, 6 to 1.

AYES: Blum, Hickey, Johnson, Kehoe, Kumer, Naumann

NAYS: Lane

FINDINGS OF THE ZONING BOARD OF APPEALS

1. The requested variations are within the final jurisdiction of the Village Council.
2. The requested variations are in harmony with the general purpose and intent of the Winnetka Zoning Ordinance. The proposal is compatible, in general, with the character of existing development within the immediate neighborhood with respect to architectural scale and other site improvements.
3. There are practical difficulties or a particular hardship which prevents strict application of Sections 17.30.040 [Maximum Building Size] and 17.30.060 [Side Yard Setback] of the Winnetka Zoning Ordinance which is related to the use or the construction or alteration of buildings or structures.

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

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone. If the setback and floor area limits are strictly followed, any alterations to the existing deficient roof and eave condition would not be permitted without variation given the existing legal nonconforming side setback and floor area. The proposed project provides a solution to the eave deficiency with a minimal floor area increase that is concealed under a visually quiet roof line, and atop the existing side walls. The resultant attic volume becomes a habitable half-story, another common feature of homes in the community, which will enhance the utility and value of the property. The current attic space is not habitable, and the basement does not allow for natural light and ventilation because the existing first floor structure is close to grade level.
2. The plight of the owner is due to unique circumstances. Such circumstances must be

associated with the characteristics of the property in question, rather than being related to the occupants. The undersized lot area for the R-4 District, the irregular lot shape, position and original house layout are unique to this site, predate current zoning criteria, and pose a unique challenge to correcting the eave deficiency. The extents of the existing legal nonconforming setback and floor area condition are minimal, not apparent to – nor impacting neighboring properties. There is no economically viable cure to the existing legal nonconformity, or to correcting the eave deficiency, without zoning relief. Demolishing the house is not economically viable, nor desirable in the community.

3. The variations, if granted, will not alter the essential character of the locality. The existing setback and proposed new roof replacement is consistent with the locality, and provides an architectural enhancement with the incorporation of the dormers.
4. An adequate supply of light and air to the adjacent property will not be impaired. Light and air to the north and south neighboring properties will remain the same with the gable roof design and side walls in the same position. The ridge is slightly higher, while the eave line of the new overhang is slightly lower than the existing gable roof.
5. The hazard from fire and other damages to the property will not be increased. The hazard from fire and other damages will be decreased. The proposed new roof replacement and ½-story attic will have an interior finish of fire-resistive gypsum board on the walls and roof (the current wood framing is exposed).
6. The taxable value of land and buildings throughout the Village will not diminish. The taxable value of the land and buildings throughout the Village should be maintained by the proposed project, with the preservation of the existing open space on the lot continuing to benefit the neighborhood, and solving a building deficiency without changing or increasing the building's footprint.
7. The congestion in the public street will not increase. There will be no change to the public street traffic with the proposed new roof replacement, extension of the north sidewall or floor area increase.
8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not otherwise be impaired. There will be no change to public health, safety, comfort, morals, and welfare of the inhabitants of the Village with the proposed new roof replacement, extension of the north sidewall or floor area increase.

EXHIBIT C

PLANS

EXHIBIT D

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Michael and Kelly Finnerty (collectively, "**Applicant**"), are the record title owners of the property commonly known as 470 Poplar Street in the Village ("**Subject Property**")

WHEREAS, the Applicant desires to construct a new attic and roof on an existing residence located on the Subject Property; and

WHEREAS, Ordinance No. M-1-2016, adopted by the Village Council on _____, 2016 ("**Ordinance**"), grants variations from the provisions of the Winnetka Zoning Ordinance to the Applicant to permit the construction of the new attic and roof on the existing residence located on the Subject Property; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of the variations for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.
4. The Applicant does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the variations for the Subject Property.
5. The Applicant hereby agrees to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and

Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: _____, 2016

ATTEST: **MICHAEL FINNERTY**

By: _____
Its: _____

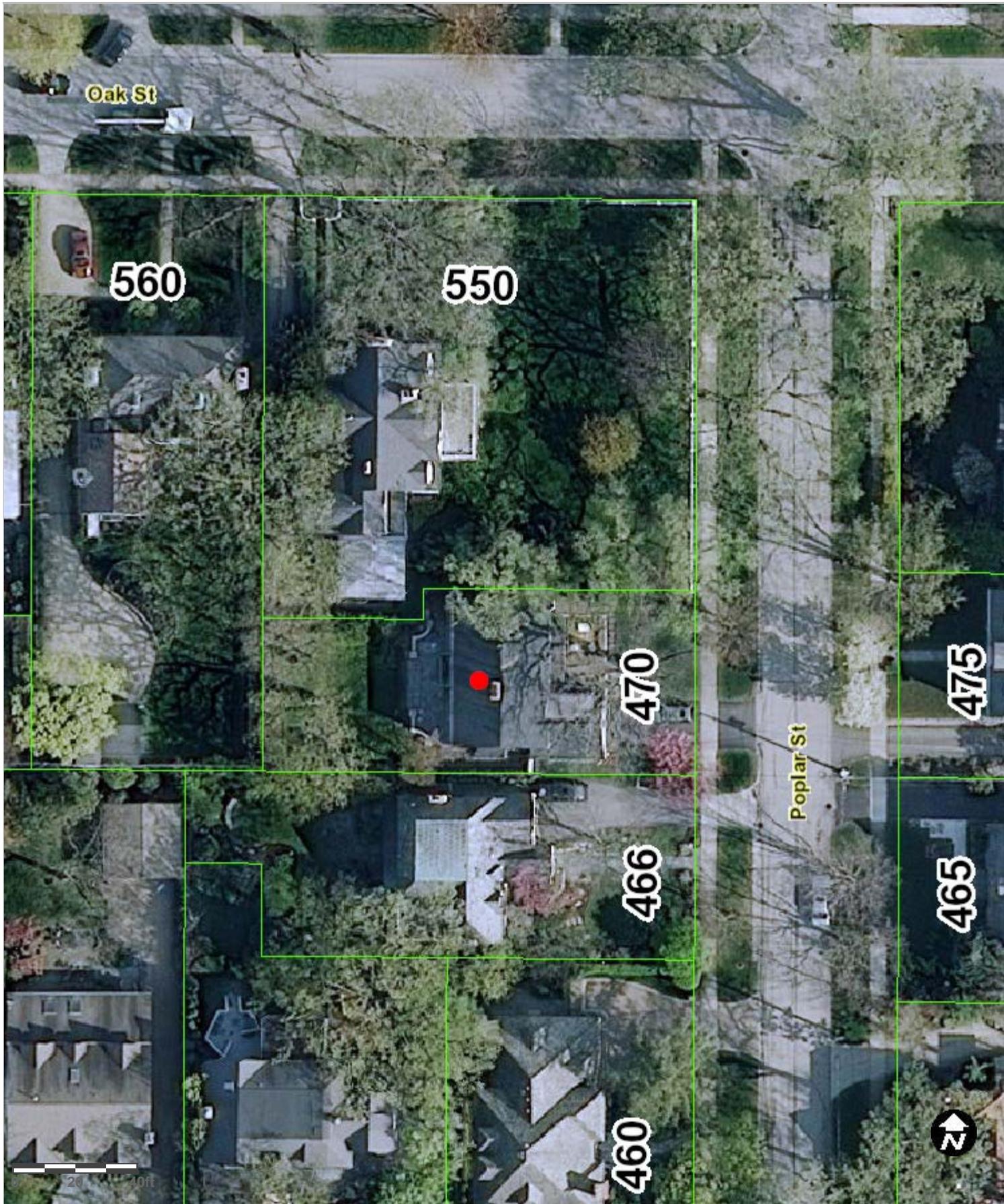
By: _____
Its: _____

ATTEST: **KELLY FINNERTY**

By: _____
Its: _____

By: _____
Its: _____

ATTACHMENT C



CASE NO. 15-29-V2

APPLICATION FOR VARIATION
WINNETKA ZONING BOARD OF APPEALS

Owner Information:

Name: Kelly and Michael Finnerty

Property Address: 470 Poplar Street

Home and Work Telephone Number: [REDACTED] / [REDACTED]

Fax and E-mail: [REDACTED]

Architect Information: Name, Address, Telephone, Fax & E-mail:

William Murphy Architect Ltd

410 S. Michigan Ave Ste 813

Chicago IL 60605 T: 312 461 9442

E: wmurphyarch@msn.com

Attorney Information: Name, Address, Telephone, Fax & E-mail:

NONE

Date Property Acquired by Owner: April 11 2005

Nature of Any Restrictions on Property: _____

Explanation of Variation Requested:
(Attach separate sheet if necessary)

Please refer to separate letter
submitted by architect.

OFFICE USE ONLY

Variation Requested Under Ordinance Section(s): _____

Staff Contact: _____ Date: _____



BY: _____
VA-2015-961

STANDARDS FOR GRANTING OF ZONING VARIATIONS

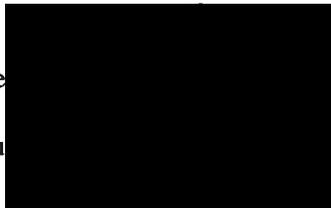
Applications must provide evidence and explain in detail the manner wherein the strict application of the provisions of the zoning regulations would result in a clearly demonstrated practical difficulty or particular hardship. In demonstrating the existence of a particular difficulty or a particular hardship, please direct your comments and evidence to each of the following items:

1. The property in question can not yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstance. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.
3. The variation, if granted, will not alter the essential character of the locality.
4. An adequate supply of light and air to the adjacent property will not be impaired.
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

For your convenience, you will find attached examples of general findings, for and against the granting of a variation, which have been made by the Zoning Board of Appeals and Village Council in prior cases.

NOTE: The Zoning Board of Appeals or the Village Council, depending on which body has final jurisdiction, must make a finding that a practical difficulty or a particular hardship exists in order to grant a variation request.

Property Owner's Signature



Date:

10-7-15

(Proof of Ownership is required)

Variations, if granted, require initiation of construction activity within 12 months of final approval. Consider your ability to commence construction within this 12 month time period to avoid lapse of approvals.

WILLIAM MURPHY
ARCHITECT, LTD.

Application for Zoning Variation

October 7, 2015

Finnerty Residence Roof Replacement
470 Poplar Street
Winnetka, Illinois 60093

Introduction of Proposed Project:

The project is for removal of the existing gable roof & unfinished Attic on the 2-story frame house, and replacement with a new gable roof & finished Attic space. The existing roof has no eave overhang, and this basic design deficiency is a constant maintenance issue. The new roof will provide a small eave overhang to alleviate annual ice dams & resultant leaks along the east & west walls. The proposed new wood siding & trim at the gable ends, and asphalt shingle roofing are very similar to the existing house style. The new dormers proposed are a design feature common on homes in the community.

The lot area (7,875 sf) is significantly less than the R-4 District minimum lot area (12,600 sf). The allowable GFA is 3,150 sf. The existing Floor Area is 3,403 sf, 8% or 253 sf over the allowable. The existing north wall setback is 5.80', and 6.0' is required. The Variation seeks relief from the north Side Setback to allow for a new wall at the Attic level in the same position, while altering the roof. The Variation also seeks relief from the Gross Floor Area limit, with a proposed GFA of 3,577 sf, 13.5% or 427 sf over the allowable. The increase in Floor Area is 174 sf, which results from extending the roof for an overhang at the east & west eaves, and providing an improved roof slope. The ridge height with the steeper slope still conforms to the maximum height limit of 31'-0", and the increased floor area does not change the Roofed Lot Coverage (2,126 sf maximum, 1,853 sf existing to remain) nor Impervious Coverage (3,938 sf maximum, 3,271 sf existing to remain).

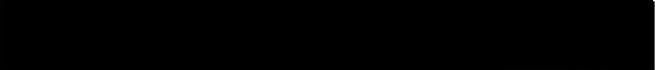
Standards for Granting of Zoning Variation:

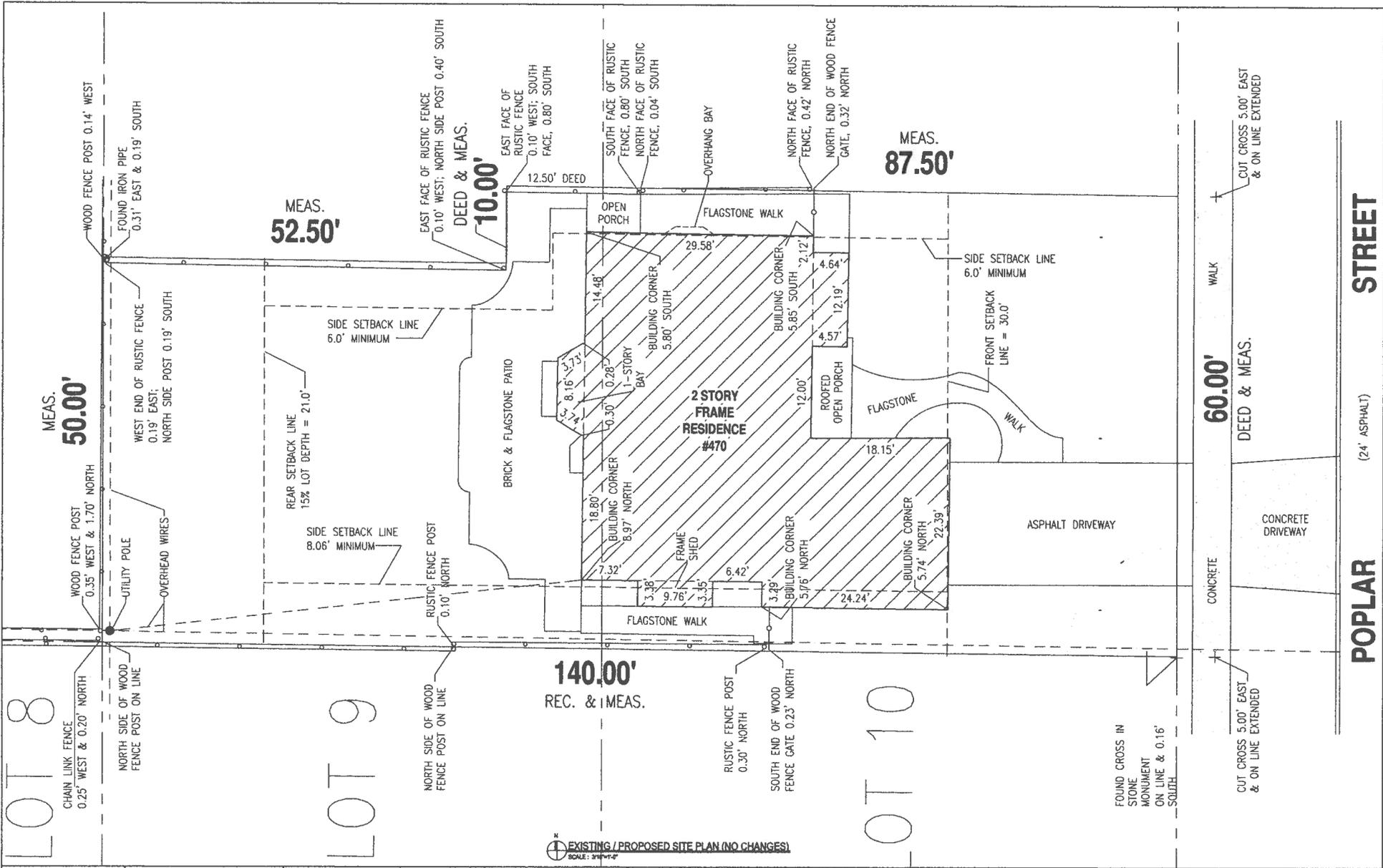
1. The property can not yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone: If the setback and floor area limits are strictly followed, any alterations to the existing deficient roof & eave condition would not be permitted without variation given the existing legal non-conforming side setback and floor area. The proposed project provides a solution to the eave deficiency with a minimal floor area increase that is concealed under a visually quiet roof line, and atop the existing side walls. The resultant Attic volume becomes a habitable half-story, another common feature of homes in the community, which will enhance the utility & value of the property. The current Attic space is not habitable, and the Basement does not allow for natural light & ventilation because the existing 1st Floor structure is close to grade level.

WILLIAM MURPHY
ARCHITECT, LTD.

2. The plight of the owner is due to unique circumstances: The undersized lot area for the R-4 District, the irregular lot shape, position & original house layout are unique to this site, predate current zoning criteria, and pose a unique challenge to correcting the eave deficiency. The extents of the existing legal non-conforming setback & floor area condition are minimal, not apparent to- nor impacting neighboring properties. There is no economically viable cure to the existing legal non-conformity, nor to correcting the eave deficiency, without zoning relief. Demolishing the house is not economically viable, nor desirable in the community.
3. The variations, if granted, will not alter the essential character of the locality: The existing setback and proposed new roof replacement is consistent with the locality, and provides an architectural enhancement with the incorporation of the dormers.
4. An adequate supply of light & air to the adjacent property will not be impaired: Light & air to the north and south neighboring properties will remain the same with the gable roof design and side walls in the same position. The ridge is slightly higher, while the eave line of the new overhang is slightly lower than the existing gable roof.
5. The hazard from fire and other damages to the property will not be increased: The hazard from fire & other damages will be decreased. The proposed new roof replacement & 1/2-story Attic will have in interior finish of fire-resistive gypsum board on the walls & roof (the current wood framing is exposed).
6. The taxable value of the land and buildings throughout the Village will not diminish: The taxable value of the land & buildings throughout the Village should be maintained by the proposed project, with the preservation of the existing open space on the lot continuing to benefit the neighborhood, and solving a building deficiency without changing or increasing the building's footprint.
7. The congestion in the public street will not increase: There will be no change to the public street traffic with the proposed new roof replacement, extension of the north sidewall or floor area increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not be impaired: There will be no change to public health, safety, comfort, morals, and welfare of the inhabitants of the Village with the proposed new roof replacement, extension of the north sidewall or floor area increase.

Sincerely,


William C. Murphy, Jr.
William Murphy Architect, Ltd.

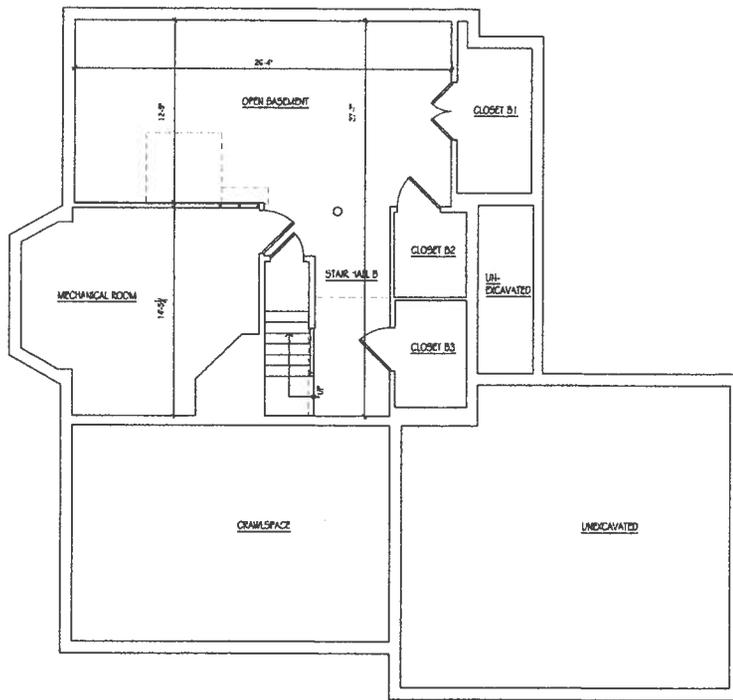


WILLIAM MURPHY ARCHITECT, LTD.
c. 8915
419 South Michigan Avenue - Suite #112
Chicago, Illinois 60605 T: 312.467.1942
WWW.MURPHYARCHITECT.COM

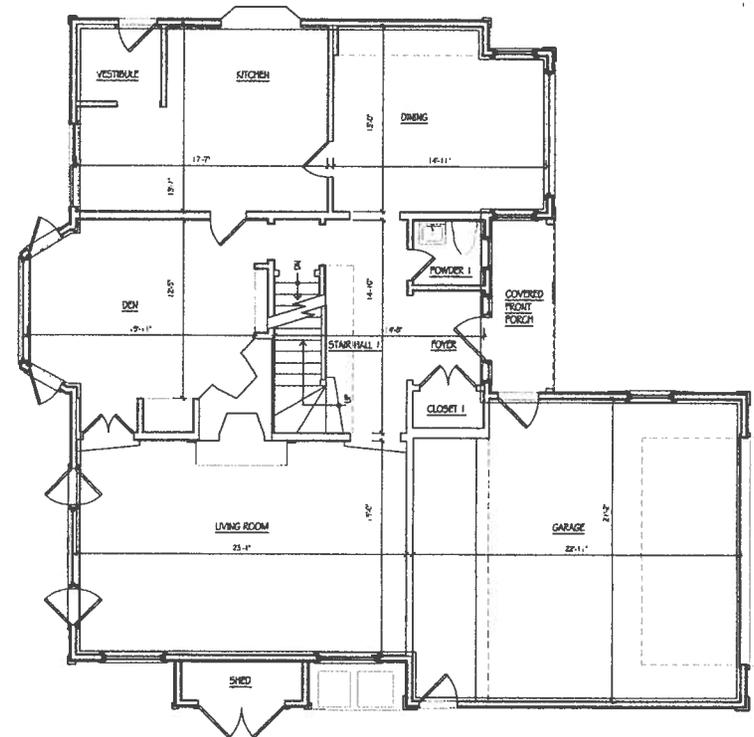
William C. Murphy, Jr.
Illinois License No. 001-012908 Expiration Date: 11.30.16
I hereby certify that I am a duly licensed professional architect in the State of Illinois and I am responsible for the preparation of this plan and I am responsible for its compliance with the provisions of the Illinois State Board of Architecture Act.

FINNERTY RESIDENCE REMODEL AND ROOF REPLACEMENT
470 Poplar Street
Winnetka, Illinois 60093

PROJECT NUMBER	3015.13
EXISTING & PROPOSED SITE	
A.1	
SHEET NUMBER	
30.07.2015	ISSUE FOR ZONING VARIATION REVIEW



N
 BASEMENT PLAN - EXISTING
 SCALE: 1/4"=1'-0"



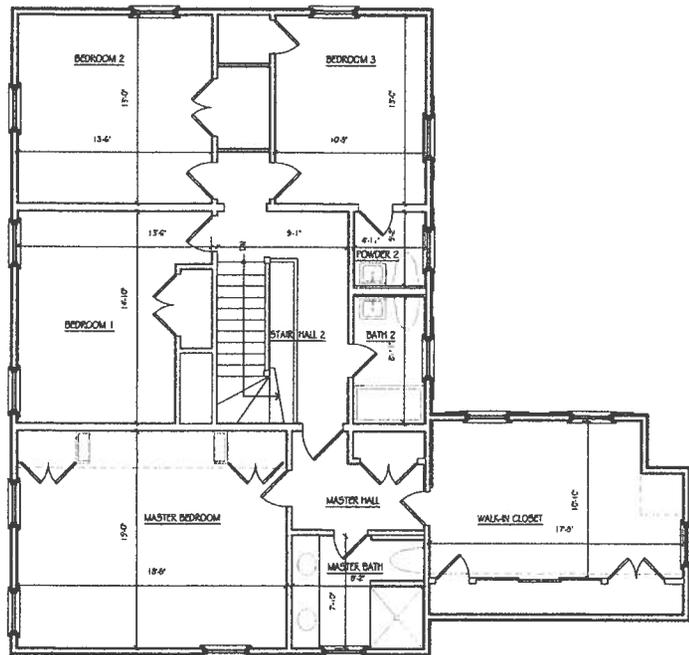
N
 1st FLOOR PLAN - EXISTING
 SCALE: 1/4"=1'-0"

WILLIAM MURPHY
 ARCHITECT, LTD.
 c. 2015
 410 South Michigan Avenue, Suite #12
 Chicago, Illinois 60605 T: 312.461.0442
 WWW.MURPHYARCHITECTS.COM

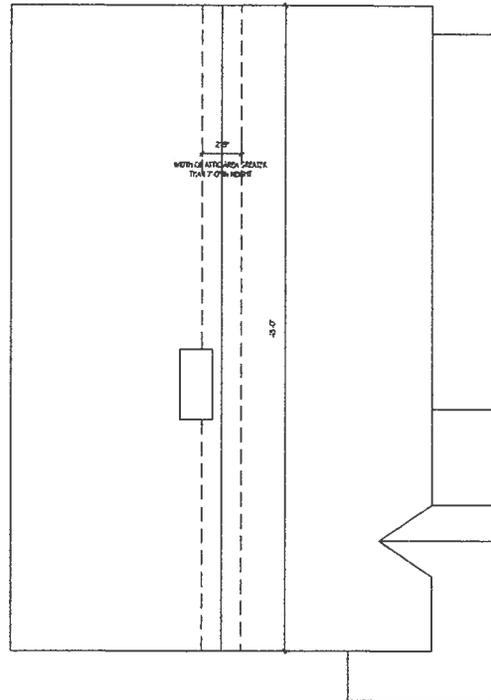
William C. Murphy, Jr.
 Illinois License No. 001-012508 Expiration Date: 11.30.15
THIS DOCUMENT IS THE PROPERTY OF WILLIAM MURPHY ARCHITECTS, LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF WILLIAM MURPHY ARCHITECTS, LTD.

FINNERTY RESIDENCE REMODEL AND ROOF REPLACEMENT
 470 Poplar Street
 Winnetka, Illinois 60093

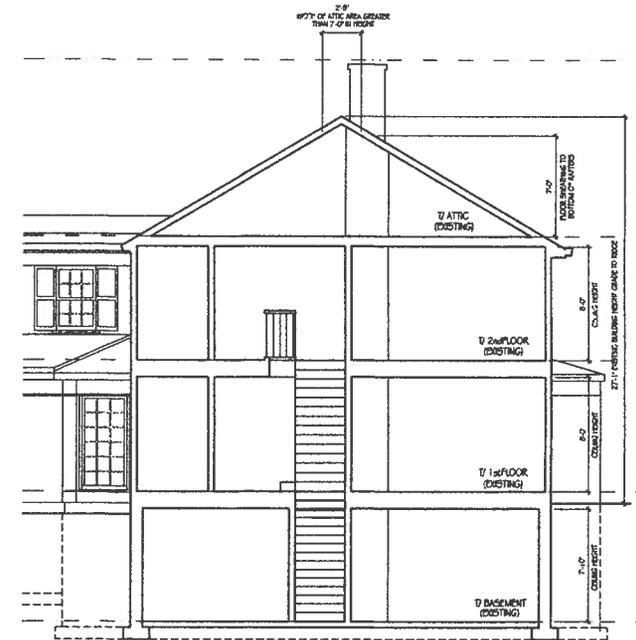
PROJECT NUMBER	2015.13
EXISTING FLOOR PLANS	
	A.2
	SHEET NUMBER
30.07.2015	ISSUE FOR ZONING VARIATION REVIEW



N
2ND FLOOR PLAN - EXISTING
SCALE: 1/4"=1'-0"



N
ATTIC PLAN - EXISTING
SCALE: 1/4"=1'-0"



N
BUILDING SECTION - EXISTING
SCALE: 1/4"=1'-0"

WILLIAM MURPHY
ARCHITECT, LTD.
c. 2015
410 South Michigan Avenue, Suite #13
Chicago, Illinois 60605 773.326.1942
WMURPHYARCH@GMAIL.COM

William C. Murphy, Jr.
Illinois License No. 001-012908 Expiration Date: 11.30.15
I am a registered architect in the State of Illinois. I hereby certify that I am the author of the design and content of the drawings and specifications herein and that I am a duly licensed architect in the State of Illinois.

FINNERTY RESIDENCE REMODEL AND ROOF REPLACEMENT
470 Poplar Street
Winnetka, Illinois 60093

PROJECT NUMBER	2015.13
EXISTING FLOOR PLANS	
A.3	SHEET NUMBER
10.07.2015	ISSUE FOR ZONING VARIATION REVIEW



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 c. 2015
 410 South Michigan Street, Suite 813
 Chicago, Illinois 60605 773.463.9442
 WY@MURPHYARCH.COM

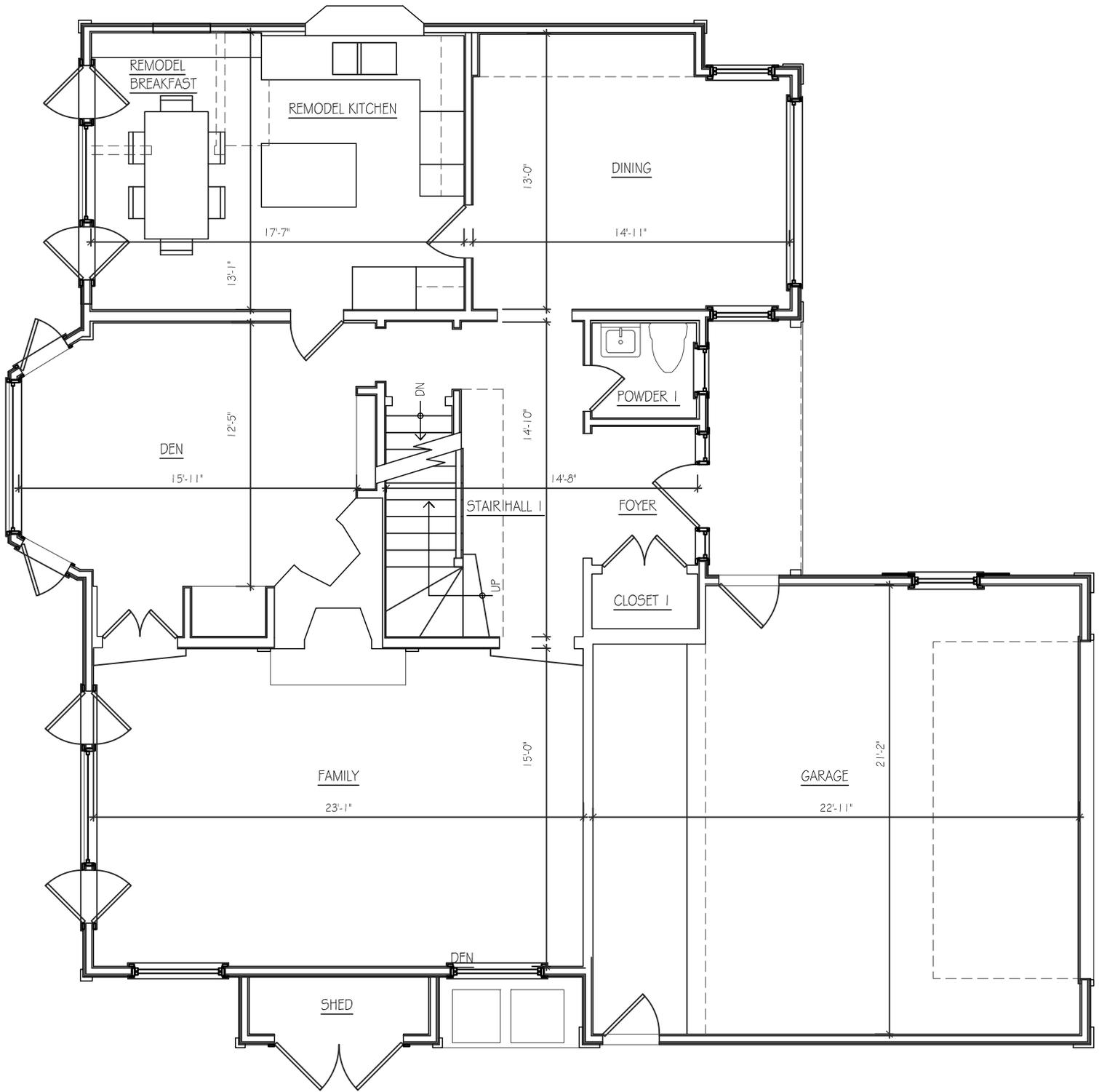
FINNERTY RESIDENCE REMODEL AND ROOF REPLACEMENT
 470 Poplar Street
 Winnetka, Illinois 60093

PROJECT NUMBER	2015.11
EXISTING ELEVATIONS	
A.4	SHEET NUMBER
10.07.2015	ISSUE FOR BIDDING VAGA FROM REVIEW

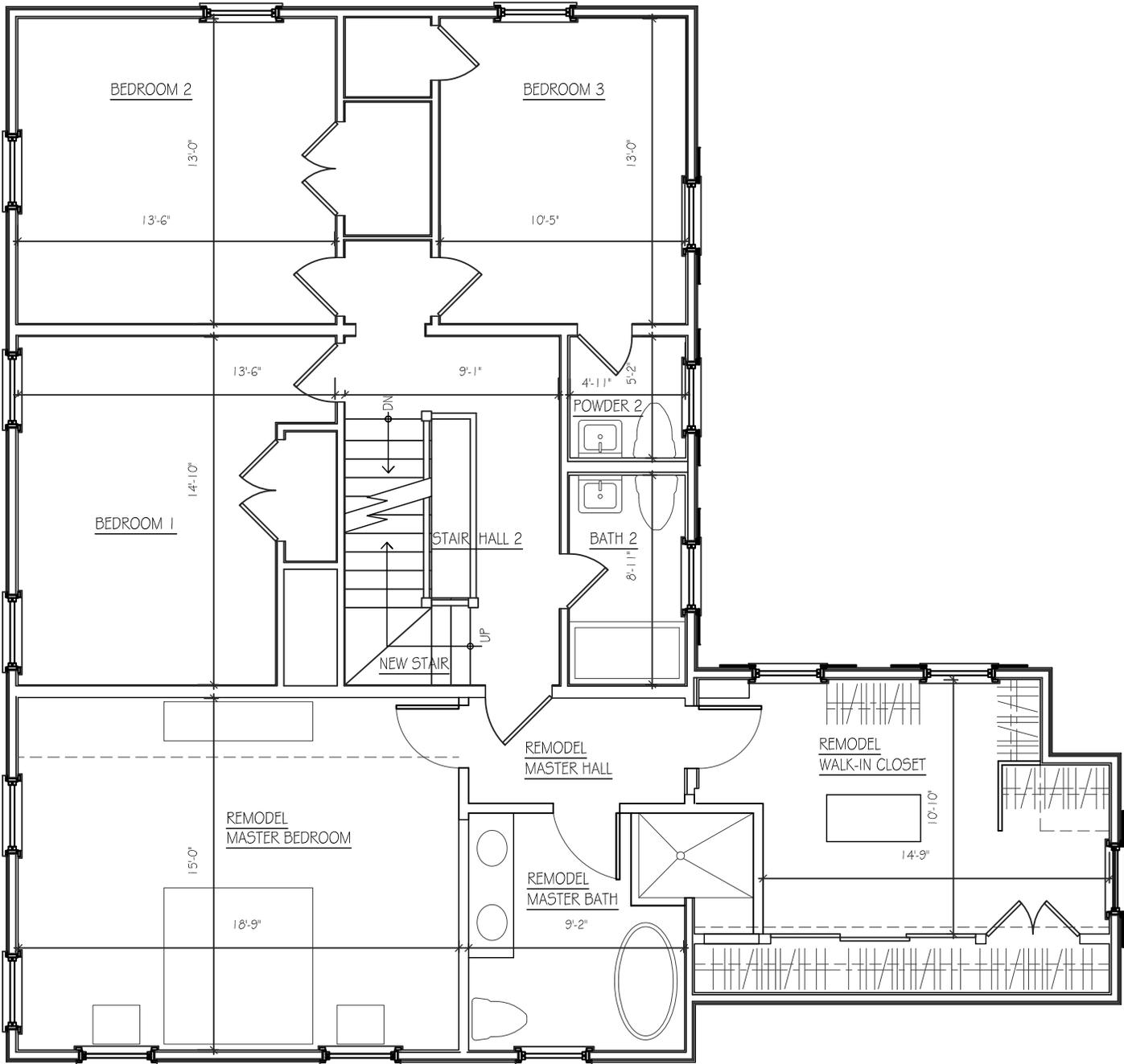


BASEMENT PLAN - PROPOSED (NO CHANGES)

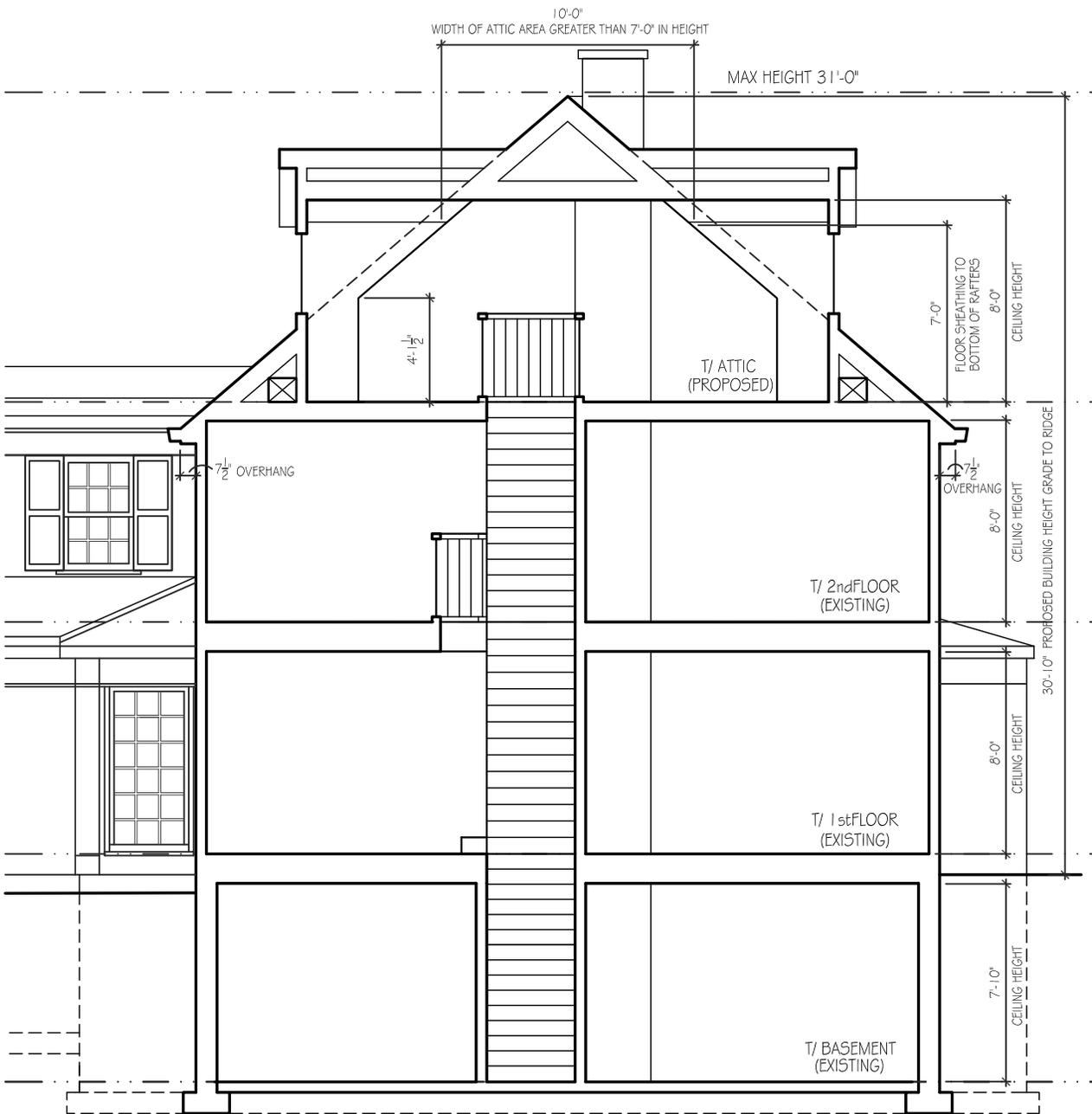
SCALE: 1/4"=1'-0"




1st FLOOR PLAN - PROPOSED
 SCALE: 1/4"=1'-0"

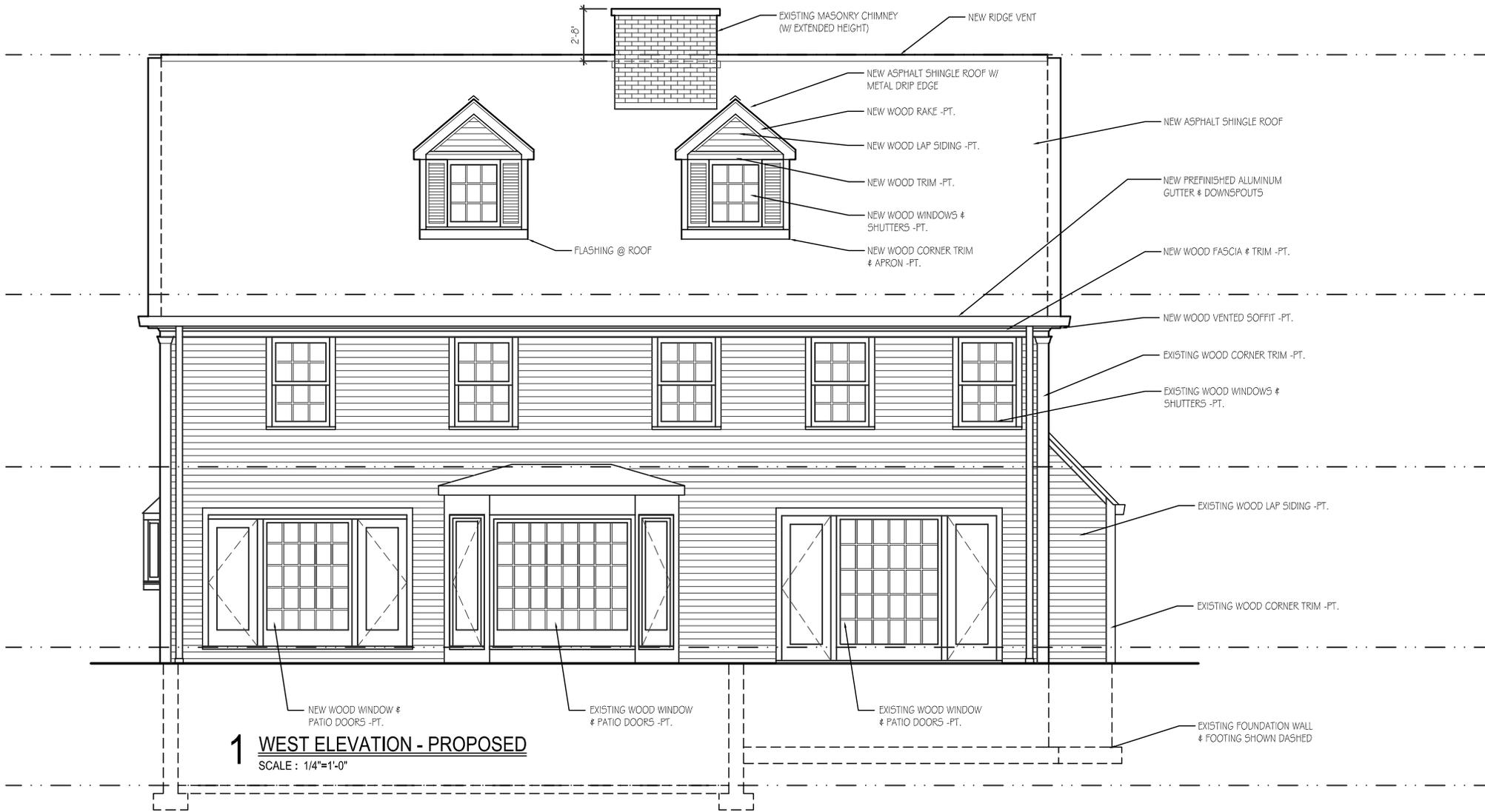


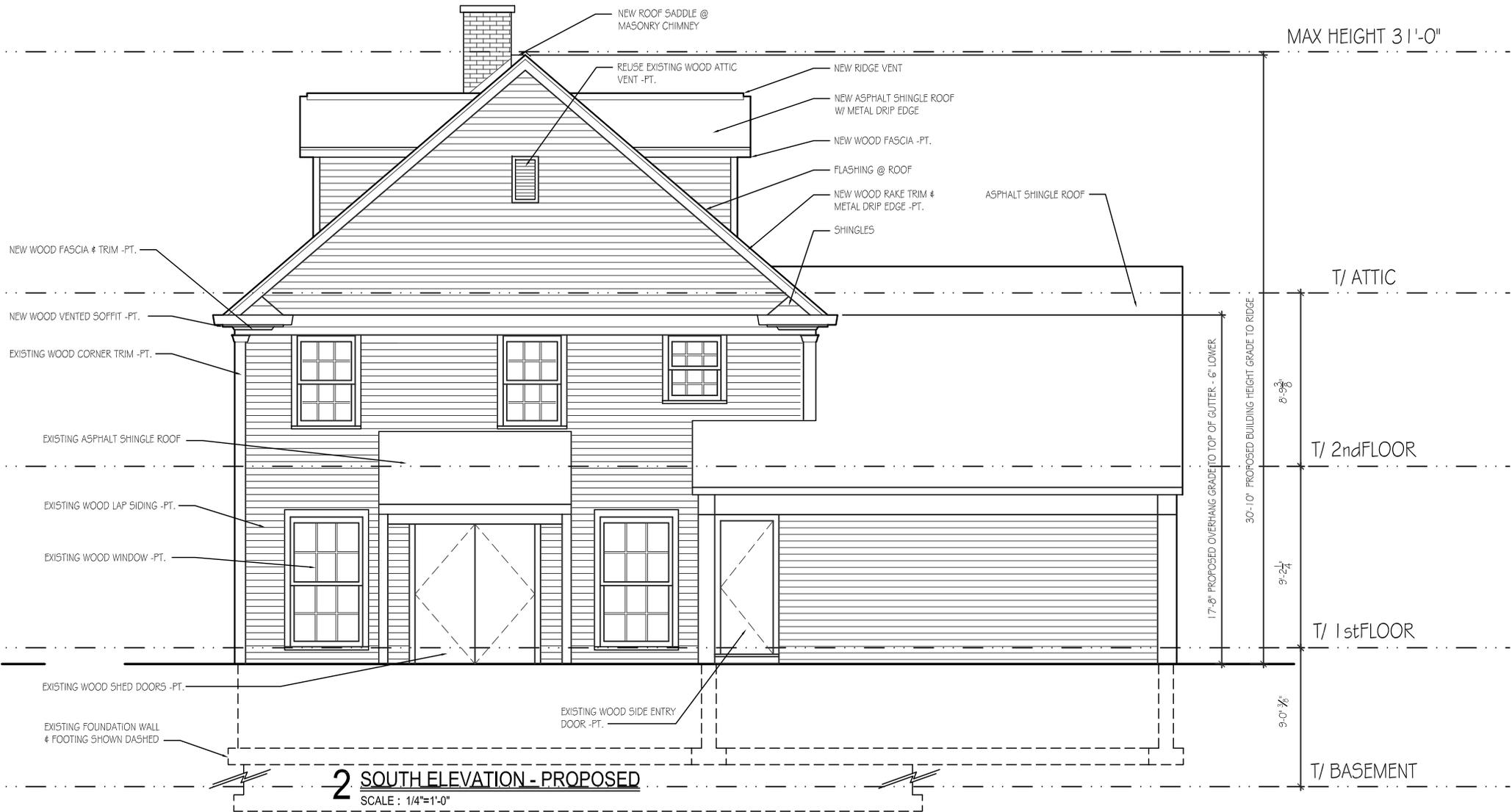

2nd FLOOR PLAN - PROPOSED
 SCALE: 1/4"=1'-0"

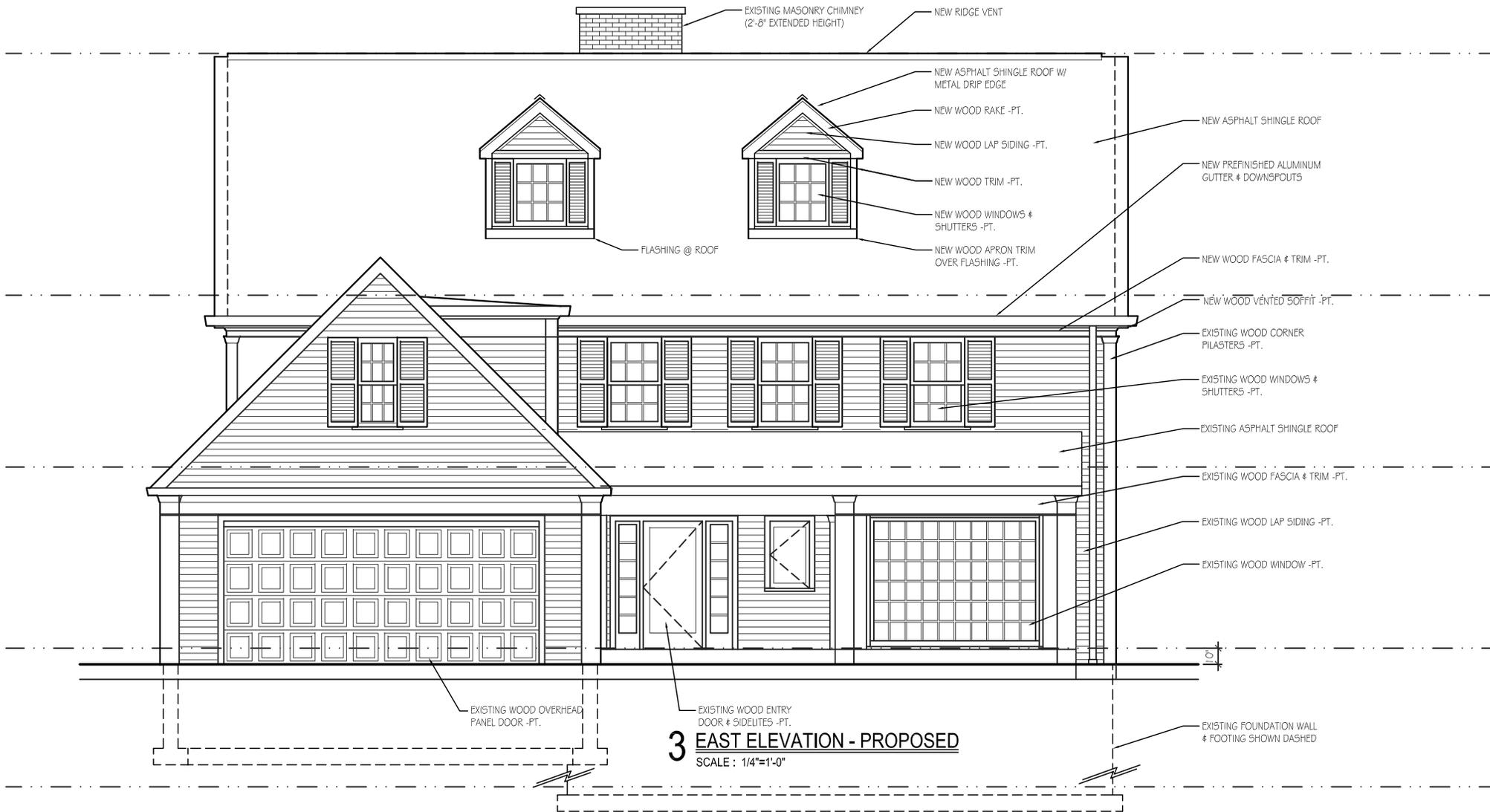


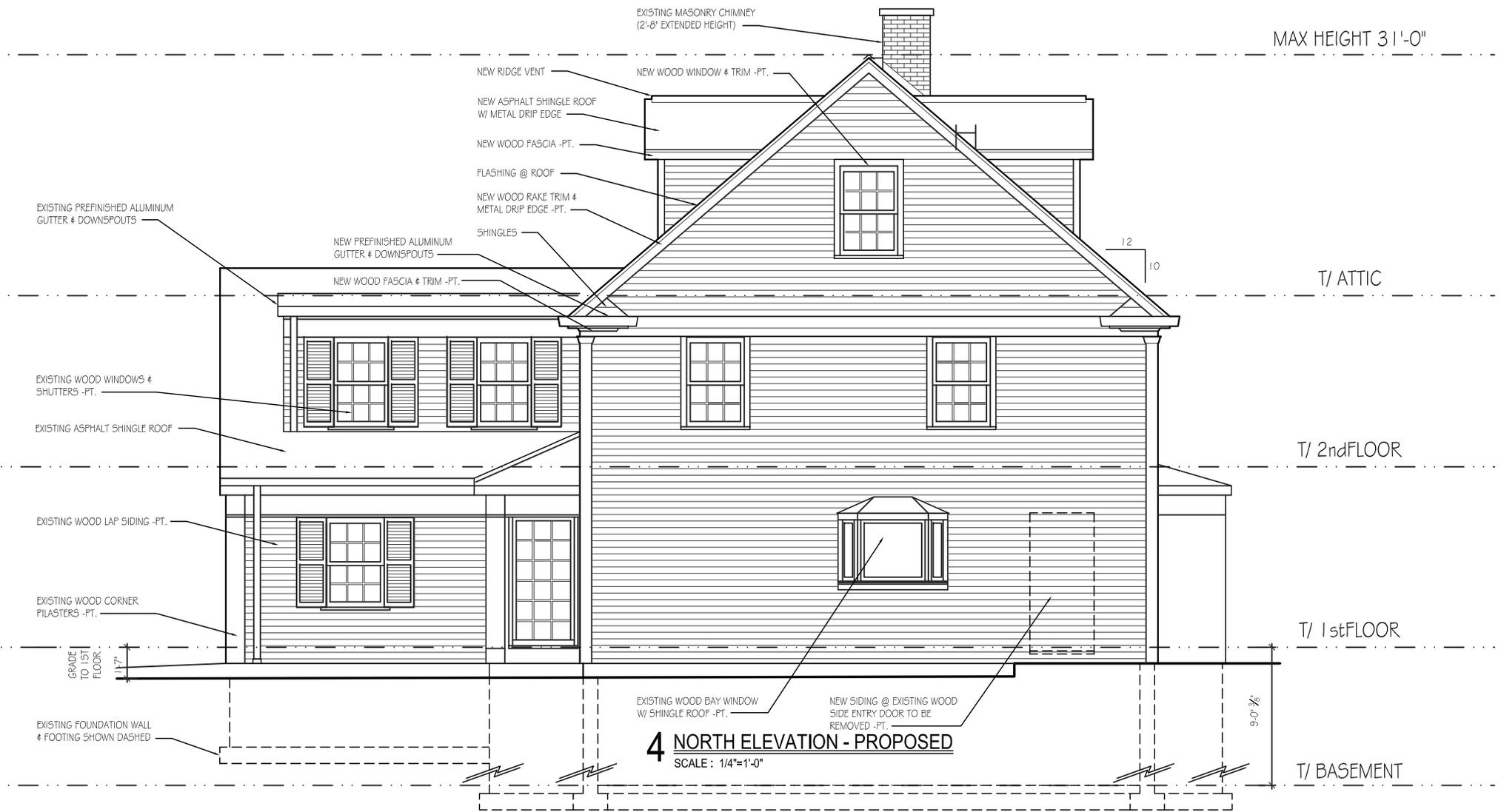
BUILDING SECTION - PROPOSED

SCALE: 1/4"=1'-0"









MAX HEIGHT 31'-0"

T/ ATTIC

T/ 2ndFLOOR

T/ 1stFLOOR

T/ BASEMENT

4 NORTH ELEVATION - PROPOSED
SCALE: 1/4"=1'-0"



Agenda Item Executive Summary

Title: Ordinance No. M-2-2016: Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka (Introduction)

Presenter: Brian Keys, Director of Water & Electric

Agenda Date: 01/05/2016

Ordinance

Resolution

Bid Authorization/Award

Policy Direction

Informational Only

Consent: YES NO

Item History:

None

Executive Summary:

During the calendar year, the Village of Winnetka's Water & Electric Department and Police Department have materials and equipment that have reached the end of their useful lives, are not capable of re-use, or no longer useful to the Village.

The Water & Electric Department routinely monitors the condition of its equipment and retires equipment such as transformers, meters, switchgear, and cable as it becomes obsolete or too costly to repair, or when it becomes unsuitable for further use due to factors such as its size, short length, mechanical damage or electrical failure.

The Police Department gains possession of items of abandoned, lost, stolen, or illegally-possessed personal property and transfers custody of this personal property to the Village pursuant to Section 3 of the Illinois Law Enforcement Disposition of Property Act, 765 ILCS 1030/3.

Ordinance No. M-2-2016 authorizes the Village Manager, or his designee, to dispose of such equipment during calendar year 2016.

Recommendation:

Consider introduction of Ordinance No. M-2-2016, titled "An Ordinance Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka."

Attachments:

1) Ordinance No. M-2-2016

**AN ORDINANCE
AUTHORIZING THE DISPOSITION OF
SURPLUS PERSONAL PROPERTY
OWNED BY THE VILLAGE OF WINNETKA**

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

WHEREAS, from time to time during each calendar year: (i) equipment and materials owned by the Village and used by the Village Water and Electric Department reach the end of their useful lives, are not capable of re-use by the Village, and are longer necessary or useful to, or for the best interests of, the Village; and (ii) the Village Police Department gains possession of items of abandoned, lost, stolen, or illegally-possessioned personal property and transfers custody of this personal property to the Village pursuant to Section 3 of the Illinois Law Enforcement Disposition of Property Act, 765 ILCS 1030/3, which personal property is not necessary or useful to, or for the best interests of, the Village (collectively, (i) and (ii) are “*Surplus Property*”); and

WHEREAS, the Village Council desires to authorize the Village Manager to dispose of Surplus Property that is not necessary or useful to, or for the best interests of, the Village during the 2016 calendar year; and

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

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

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

SECTION 2. AUTHORIZATION TO DISPOSE OF ELECTRIC AND POLICE SURPLUS PROPERTY. Pursuant to the Village’s home rule authority, the Village Council hereby authorizes the Village Manager to deem any item of Surplus Property, as defined in this Ordinance, that the Village may possess during the 2016 calendar year to be no longer necessary or useful to, or for the best interests of, the Village, if the item: (a) has reached the end of its useful life; (b) will be retired from service by the Village and cannot be re-used by the Village for any useful purpose; or (c) is not of a type that can be used by the Village for any useful purpose. The Village Council hereby authorizes the Village Manager, or his designee, to dispose of such items of Surplus Property deemed to be no longer necessary or useful to, or for the best interests of, the Village by the Village Manager during the 2016 calendar year in a manner to be determined by the Village Manager, in his discretion.

SECTION 3. EXECUTION OF REQUIRED DOCUMENTATION. The Village Manager and the Village Clerk are hereby authorized to execute and attest, on behalf of the

Village, all documents necessary to complete the disposition of the Surplus Property authorized pursuant to Section 2 of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this ___ day of _____, 2016, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of January, 2016.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this ___ day of _____, 2016.

Introduced: January 5, 2016

Passed and Approved: _____



Agenda Item Executive Summary

Title: Resolution No. R-1-2016: Approving a Class A-1 Liquor License for Bad Dog House, LLC d/b/a Stacked and Folded (Adoption)

Presenter: Patrick L. Kreis, Chief of Police and Peter M. Friedman, Village Attorney

Agenda Date: 01/05/2016

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

Consent: YES NO

Item History:

December 15, 2015 - Introduction (Regular Meeting, Agenda pages 108-113)

Executive Summary:

Bad Dog House, LLC d/b/a Stacked and Folded desires to open a restaurant at 551 Lincoln Avenue. Stacked and Folded is a full-service restaurant that sells and serves alcoholic beverages incidental and complementary to the sale and service of meals for consumption. Stacked and Folded also has a counter area where food and liquor will be served. Stacked and Folded has applied for a Class A-1 liquor license.

A Class A-1 liquor license authorizes the retail sale and service of alcoholic beverages by restaurants, but only when such sales and service are incidental and complementary to the sale and service of meals for consumption only on the premises where sold, provided that patrons may be served alcoholic beverages while waiting to be seated when no tables are available. The Class A-1 license shall additionally authorize the service of food or liquor at a counter, bar or waiting area, subject to certain conditions.

If approved, Resolution No. R-1-2016 will grant the requested liquor license, and will also update the appendix to Chapter 5.09 of the Village Code that sets forth all authorized licenses by classification, which is attached to the Resolution as Exhibit A.

Recommendation:

Consider adopting Resolution No. R-1-2016, "Approving and Authorizing Class A-1 Liquor License for Bad Dog House, LLC (551 Lincoln Ave)."

Attachments:

- 1) Resolution No. R-1-2016

RESOLUTION NO. R-1-2016

**A RESOLUTION
APPROVING AND AUTHORIZING A CLASS A-1
LIQUOR LICENSE FOR BAD DOG HOUSE, LLC.
(551 Lincoln Avenue)**

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

WHEREAS, Bad Dog House, LLC (“*Applicant*”), is the lessee of the property commonly known as 551 Lincoln Avenue in the Village (“*Property*”); and

WHEREAS, the Applicant desires to operate a restaurant on the Property known as Stacked and Folded (“*Restaurant*”); and

WHEREAS, pursuant to Section 5.09.100 of the Winnetka Village Code, on November 3, 2015, the Applicant submitted an application to the Village for a Class A-1 liquor license (“*Liquor License*”) for the Restaurant; and

WHEREAS, the Council of the Village of Winnetka (“*Village Council*”) has determined that it is in the best interest of the Village to approve and authorize the issuance of the Liquor License to the Applicant for the Restaurant;

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

SECTION 1: RECITALS. The Village Council hereby adopts the foregoing recitals as its findings, as if fully set forth herein.

SECTION 2: APPROVAL AND AUTHORIZATION OF LIQUOR LICENSE. The Village Council hereby approves and authorizes the issuance of the Liquor License to the Applicant for the Restaurant.

SECTION 3: AMENDMENT TO AUTHORIZED LIQUOR LICENSES. Pursuant to Section 5.09.030 of the Village Code, the Village Council hereby amends the Appendix to Winnetka Village Code Chapter 5.09 to read as set forth in **Exhibit A** attached to and, by this reference, made a part of this Resolution.

SECTION 4: EFFECTIVE DATE. This Resolution will be in full force and effect from and after

- A. Its passage and approval according to law; and

B. Approval of final inspection of the Restaurant by the Village Chief of Police, or his designee.

ADOPTED this 5th day of January, 2016, pursuant to the following roll call vote:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A

APPENDIX TO WINNETKA VILLAGE CODE CHAPTER 5.09

Authorized Liquor Licenses

Classification	Issued	Licensee
A	4	Kyoto Michael Little Lan's Café Aroma
A-1	6	Avli Restaurant Taste on Chestnut Little Ricky's Mirani's O'Neils Bad Dog House, LLC (Stacked and Folded) Trifecta Grill/The 21 Club
A-2	0	
A-3	0	
A-4	0	
A-5	0	
B	3	Grand Food Center Lakeside Foods Mrs. Green's of Winnetka, Inc.
C	Unlimited	Issued on an event-by-event basis
D	2	Acute Angle Wines Good Grapes
E	0	
E-1	10	Bake 425
E-2	1	Good Grapes
F	1	Starbucks
P	1	Winnetka Park District
Wine Station Rider	1	Trifecta Grill/The 21 Club

[Deleted language is struck through; **inserted language is double underlined.**]