

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
September 20, 2016**

(Approved: October 4, 2016)

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, September 20, 2016, 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, William Krucks, Penfield Lanphier, Scott Myers, Christopher Rintz and Kristin Ziv. Absent: None. Also present: Village Manager Robert Bahan, Assistant Village Manager Megan Pierce, Village Attorney Peter M. Friedman, Community Development Director Mike D’Onofrio, and approximately 90 persons in the audience.
- 2) Pledge of Allegiance. President Greable led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) October 4, 2016 Regular Meeting. All of the Council members present indicated that they expect to attend.
 - b) October 13, 2016 Rescheduled Study Session. All of the Council members present indicated that they expect to attend.
 - c) October 18, 2016 Regular Meeting. All of the Council members present indicated that they expect to attend.
 - d) October 20, 2016 Budget Meeting. All of the Council members present indicated that they expect to attend.
- 4) Approval of the Agenda. Trustee Myers, seconded by Trustee Ziv, moved to approve the Agenda. By voice vote, the motion carried.
- 5) Consent Agenda
 - a) Village Council Minutes.
 - i) September 6, 2016 Regular Meeting.
 - b) Warrant List. Approving the Warrant List dated September 2 – 15, 2016 in the amount of \$1,172,425.34.
 - c) Resolution R-47-2016; Authorizing the Purchase of Cable Under a Contract with Wesco (Adoption). A resolution authorizing the purchase of 600 volt secondary cable in an amount not to exceed \$103,777 under a contract with Wesco.
 - d) Resolution R-48-2016: Approving Purchase of Replacement Submersible Pumps (Adoption). A resolution approving the purchase of three replacement sanitary sewer lift pumps from Xylem Water Solutions USA, Inc. for a price not to exceed \$48,729.
 - e) Door Access Control System Replacement at the Public Safety Building and Village Hall. Authorizes the Village Manager to enter into an agreement with Tyco Integrated Security for a replacement door access system for the Public Safety Building and Village Hall.

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

6) Stormwater Report. None.

7) Ordinances and Resolutions.

a) Ordinance No. M-11-2016: 715 Elm Street, Dental Office Special Use Permit (Introduction / Adoption). Mr. D’Onofrio reviewed this request for a special use permit for a dentist office that is relocating from a second floor location across the street. He explained the Plan Commission found the application consistent with standards for the C-2 Overlay District, and he added the applicant has requested a waiver of introduction.

A brief discussion followed, and several Trustees noted more articulation of the Plan Commission’s standards would be helpful going forward. The Council was in favor of retaining the existing business and approving the request and the waiver of introduction.

Trustee Cripe, seconded by Trustee Krucks, moved to waive introduction of Ordinance No. M-11-2016. By roll call vote, the motion carried. Ayes: Trustees Cripe, Krucks, Lanphier, Myers, Rintz and Ziv. Nays: None. Absent: None.

Trustee Ziv, seconded by Trustee Cripe, moved to adopt Ordinance No. M-11-2016. By roll call vote, the motion carried. Ayes: Trustees Cripe, Krucks, Lanphier, Myers, Rintz and Ziv. Nays: None. Absent: None.

b) Resolution No. R-49-2016: Approving a Class B Liquor License for A1.Koh Enterprise Global LLC d/b/a Lakeside Foods (Adoption). Attorney Friedman explained Lakeside Foods was undergoing a change of ownership, and a new liquor license is required for the new owner. He noted approval of the new license is conditioned upon the issuance of a new Food Dealer permit and successful completion of background checks.

Marc Hecht, Spruce Street. Mr. Hecht asked who the new owners are and what their plans for the store are.

Attorney Friedman said the Village has no way of knowing future plans of the new owners. He also confirmed if the nature of the business should change, a new liquor license classification must be approved by the Council.

Trustee Myers, seconded by Trustee Ziv, moved to adopt Resolution No. R-49-2016. By roll call vote, the motion carried. Ayes: Trustees Cripe, Krucks, Lanphier, Myers, Rintz and Ziv. Nays: None. Absent: None.

8) Public Comment. None.

9) Old Business.

a) One Winnetka Preliminary Planned Development (continued). President Greable reviewed the Council’s One Winnetka preliminary planned development application process to-date. He requested the members of the audience refrain from repeating a comment or question that is already a part of the public record, in order to give the Council ample time to deliberate.

Mr. D’Onofrio explained that, in response to the Council’s requests at the July 27 Special Meeting, the developer has submitted renderings of the Lincoln Avenue elevation, an updated traffic study, and a survey of peak traffic times.

David Trandel, Stonestreet Partners. Mr. Trandel thanked the Council for its time and consideration and asked if there were any further questions.

The Trustees asked questions relating to the height changes in the July plan revisions, economic viability, design elements, landscaping around the parking garage, and when the project might be started. Special concern was raised about the safety of the Hadley School's employees, and confirmation was received that the Village is not being asked to provide any funding for the proposal.

Attorney Friedman was requested to draft a development agreement along with any potential approval Ordinance, in light of the many concerns expressed by the community and Council.

Next, President Greable called for public comment.

John McLinden, former Design Review Board Chair and Winnetka resident; Steve Fallick, Chicago; Sherry Molitor, Scott Street; Vickie Hofstetter, Oui Madame; Rob Neumann, 610 Sheridan Road; Mark Madigan, Winnetka; Jim Radler, 57 Warwick; Maria Kurt, French Institute; Debbie Guillod, 1301 Forest Glen; Kate Shapiro, Kid Motion; Terry Franke, 566 Lincoln Avenue. The foregoing audience members spoke in favor of approving the preliminary application.

Louise Holland, 545 Oak Street; Nan Greenough, 500 Maple Street; Juanita Nicholson, 554 Arbor Vitae; David Humphrey, Willow Road; Bob Humphrey, Winnetka; Rhonda Miller, 460 Green Bay Road; Mary Hickey, 740 Sheridan Road; Michael Levitin, 507 Cedar Street; Richard Sobol; Carmen Fosco, 711 Oak. The foregoing audience members spoke against approval of the preliminary application.

Colleen Wunderlich, Director of Foresight at Hadley School. Ms. Wunderlich expressed concerns about the safety for visually impaired people traversing Elm Street in front of the proposed development. The Council requested that the Village, developer and Hadley School work together to devise a safety plan for pedestrians, especially the visually impaired and children.

Mead Montgomery, Old Green Bay Road. Mr. Montgomery asked if the Village knows what the economic impact would be if the project ran into financial trouble in the event of another economic recession.

Louise Holland 545 Oak. Ms. Holland asked if the Fell site demolition request would come before the Landmark Preservation Commission if the project is approved; Attorney Freidman replied in the affirmative.

Jane Dearborn, Arbor Vitae. Ms. Dearborn asked for clarification about commercial traffic ingress and egress. Mr. Trandel said both the Elm Street and Lincoln Avenue exits will have two-way traffic. The 25-foot setback between One Winnetka and 711 Oak was developed with the intent to allow trucks to turn around instead of backing up and creating noise issues.

Next, President Greable asked for Trustee comments and their position on the preliminary application.

Trustee Rintz congratulated President Greable on a thorough preliminary application process, which included over eight hours of public comment, and gave the community most of the summer to examine the project on the Village website and to discuss it. He said the size and location of the project have potential to create a catalytic change in downtown Winnetka. What started out as a horrible deal for the Village was revised so that no public money will be contributed to a private development. The Village's financial consultant, CBRE, brought

a high level of expertise to the process and quantified the benefits to the community. He noted a lot of the concerns expressed, such as performance security, safety, service vehicles, seismic monitoring, etc., can be dealt with in the development agreement. Other issues of concern deal primarily in subjective issues such as design and mass. He pointed out that the Council must necessarily focus on benefits to the community, in the form of \$6.7 million in estimated improvements, including streetscape enhancements on both sides of Elm Street and a public parking garage under Lincoln Avenue. Finally, he said he was in favor of approving the preliminary application.

Trustee Ziv said the proposal has evolved substantially during the preliminary approval process, and the Village got everything it asked for: less height, less underground parking, and streetscape improvements on both sides of Elm Street. In addition, the Village's financial consultant for the project, CBRE, has reported that the benefits are worth \$6.7 million, which does not include intangibles like the revitalization of the Elm Street business district. She explained the Council must weigh costs and benefits to reach a decision in the best interests of the community, adding that she would vote in favor of the preliminary application.

Trustee Krucks, explained that he took direction from the recently completed Downtown Master Plan, which revealed strong community support for vibrant retail, restaurants, and diverse venues, as well as housing alternatives – especially condominiums and townhomes. He noted that all of these things will require new development, and One Winnetka will provide these public benefits: housing choices, retail activity and restaurants. He concluded that bricks and mortar do not make Winnetka great – its people, institutions and schools do, and the Village needs to stay attractive to young people and families. Therefore, he would be in favor of approving the preliminary application.

Trustee Cripe said the question boils down to whether Winnetka is better off with or without approval of the project. He explained that a developer could easily design a bulkier project with less visual appeal without requesting any zoning exceptions. He noted that the Comprehensive Plan embraces the concept of increased density in the downtowns next to the train stations, adding that the revised proposal offers great benefits to Winnetka.

Trustee Lanphier said she has heard support from the community about improving Winnetka's retail base, but she also wanted to think about the project in terms of the advisory board recommendations. She expressed disappointment with the revised plan, since mass was shifted to the east building from the west elevation, and she voiced concern over pedestrian safety issues. She urged the Council to revisit the proposal and do more deliberation, as she felt there is more work to be done. She said if she were to vote on the plan tonight, she would vote no.

Trustee Myers said the Village needs to recognize that the economic world has changed and Winnetka is competing in a very different environment. He explained that while the Comprehensive Plan voices a desire for English Tudor and Georgian Revival architecture, Winnetka does not have a design ordinance and as such cannot dictate architecture. This gave him pause to turn down the application based on design, and he added that variety is encouraged in the Village. He noted that a vote against the preliminary application will result in a significant delay and the site sitting empty for years to come. Taking into account the benefits the Village will accrue, he said he would vote in favor of the proposal.

Trustee Ziv moved to direct the Village Attorney to draft a preliminary planned development ordinance and development agreement. Trustee Krucks proposed an amendment to the motion to include the words: “incorporate the changes suggested by the Trustees tonight.”

Trustee Rintz, seconded by Trustee Krucks, moved to amend the original motion. The Council voted to direct the Village Attorney to draft a preliminary planned development ordinance and development agreement, and to incorporate the conditions and changes suggested by the Trustees. By roll call vote, the motion carried. Ayes: Trustees Cripe, Krucks, Myers, Rintz and Ziv. Nays: Trustee Lanphier. Absent: None.

10) New Business. None.

11) Appointments. None.

12) Reports.

a) Village President. None.

b) Trustees.

i) Trustee Ziv reported on her planned outreach efforts as Outreach & Engagement Program Liaison. Trustee Myers requested that the plan be put on hold until the Council can discuss the matter further. Trustee Lanphier suggested a written description of the proposal be developed for the Council’s review.

c) Attorney. None.

d) Manager. None.

13) Closed Session. None.

14) Adjournment. Trustee Cripe, seconded by Trustee Ziv, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 11:34 p.m.

Deputy Clerk