

Regular Meeting  
**WINNETKA VILLAGE COUNCIL**  
**Police Department**  
**410 Green Bay Road**  
Winnetka, Illinois 60093  
December 20, 2011  
7:30 p.m.

Emails regarding any agenda item are welcomed. Please email [ContactCouncil@winnetka.org](mailto: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 to the Flag
- 3) Quorum
  - a) **January 3, 2012 - rescheduled**
  - b) January 10, 2012, Rescheduled Regular Meeting
  - c) January 17, 2012, Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
  - a) Village Council Minutes
    - i) November 1, 2011, Regular Meeting.....3
    - ii) November 8, 2011, Study Session .....8
    - iii) November 15, 2011, Regular Meeting.....10
  - b) Warrant Lists Nos. 1729 and 1730 .....15
  - c) Ordinance M-17-2011: Approving Plat of Annexation for 7 Indian Hill – Adoption.....16
  - d) Resolution R-33-2011: Approving Plat of Consolidation, 7 Indian Hill – Adoption.....21
  - e) Microsoft Office 2010 Software Upgrade .....32
- 6) Stormwater Update .....36
- 7) Ordinances and Resolutions
  - a) Ordinance MC-6-2011: Amendments to Liquor License Regulations – Adoption.....51
  - b) Ordinance M-18-2011: 2011 Tax Levy – Adoption.....60
  - c) Ordinance M-19-2011: 2011 Tax Abatement – Adoption.....103
  - d) Ordinance M-20-2011: Tax Levy: SSA # 3 – Adoption.....105
  - e) Ordinance M-21-2011: Tax Levy: SSA # 4 – Adoption.....109
  - f) Ordinance M-22-2011: Tax Levy: SSA # 5 – Adoption.....113

- 8) Public Comment
- 9) Old Business
- 10) New Business
  - a) Policy Direction: @ Property.....117
- 11) Reports
- 12) Appointments
- 13) Executive Session
- 14) Adjournment

**NOTICE**

All agenda materials are available at [villageofwinnetka.org](http://villageofwinnetka.org) (*Council > Current Agenda*), the Reference Desk at the Winnetka Library, or in the Manager’s Office at Village Hall (2<sup>nd</sup> floor).

Videos of the Regular Village Council meetings are televised on Channel 10, M-W-F-Sa-Su at 7:00PM, and on Channel 18 M-F-Su at 7:00AM or 7:00PM. Videos of meetings may also be viewed on a link at the Village’s web site: [villageofwinnetka.org](http://villageofwinnetka.org)

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 – Liz Rosenthal, at 510 Green Bay Road, Winnetka, Illinois 60093, 847.716.3540; T.D.D. 847.501.6041.

**MINUTES  
WINNETKA VILLAGE COUNCIL  
REGULAR MEETING  
November 1, 2011**

(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, November 1, 2011, at 7:30 p.m.

- 1) Call to Order. President Tucker called the meeting to order at 7:32 p.m. Present: Trustees Arthur Braun, Gene Greable, Bill Johnson, Richard Kates, Chris Rintz and Jennifer Spinney. Absent: None. Also present: Village Manager Robert Bahan, Village Attorney Katherine Janega, Public Works Director Steve Saunders, Director of Community Development Mike D'Onofrio, Director of Water & Electric Brian Keys, Finance Director Ed McKee, Fire Chief Alan Berkowsky, and approximately 17 persons in the audience.
- 2) Pledge of Allegiance. President Tucker led the group in the Pledge of Allegiance.
- 3) Quorum.
  - a) November 8, 2011, Study Session. All of the Council members present indicated that they expected to attend.
  - b) November 15, 2011, Regular Meeting. All of the Council members present indicated that they expected to attend.
- 4) Approval of the Agenda. President Tucker announced that Warrant list #1724 had been removed from the consent agenda for a separate vote. Trustee Johnson, seconded by Trustee Spinney, moved to approve the Agenda. By roll call vote. the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None.
- 5) Consent Agenda
  - a) Village Council Minutes.
    - i) October 11, 2011, Study Session.
  - b) Warrant Lists Nos. 1723. Approves Warrant List #1723, in the amount of \$542,885.10. Warrant List #1724 was removed from the consent agenda for discussion under New Business.
  - c) Change Order: Lead Service Replacement. Authorizes the Village Manager to execute a change order with Rick's Sewer and Drainage in the amount of \$64,000 for the replacement of lead water services through March 31, 2012, at the unit prices contained in Bid #011-002.

Trustee Johnson, seconded by Trustee Spinney, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None.
- 6) Stormwater Update. Mr. Saunders reported that a recent meeting between the Village, the Illinois Department of Natural Resources (IDNR) and the Metropolitan Water Reclamation District (MWRD) had gone well, with neither agency expressing any significant concerns about the proposed tunnel project. He added that both agencies indicated a willingness to

work with the Village to advance the project, and that a joint permit process would be undertaken with the IDNR, the Illinois EPA and Army Corps of Engineers. He said the results of the soil boring tests should be received in the next few weeks.

Mr. Saunders reviewed the progress that has been made on the issue to-date and also reviewed a matrix that explained the steps needed to get each project to the design stage. He asked the Council for more specific direction about the level of protection for the Spruce Street Outfall and Tower Manor/Foxdale projects, and how they will be funded.

Manager Bahan reported that the Village has scheduled meetings with elected officials at the state and federal level, since Winnetka will need political support as it navigates the requirements of the various regulatory agencies that are involved in approving the proposed tunnel project.

Mr. Saunders had a brief discussion with the Council and answered their questions.

Tim Foley, 165 DeWindt, urged the Council to put in the biggest pipe that could be built, as it would be a Village-wide asset which would enhance property values.

President Tucker encouraged residents to email the Council at [stormwatercomments@winnetka.org](mailto:stormwatercomments@winnetka.org) to give their opinions on the issue.

7) Ordinances and Resolutions.

- a) Ordinance MC-7-2011: Commercial/Mixed Use Property Maintenance Code – Introduction. Trustee Arthur Braun recused himself and stepped down from the dais.

Attorney Janega reported that, as discussed at the September 6, 2011, Council meeting, she and Community Development Director Mike D’Onofrio had met with Trustees Kates and Rintz to review concerns that were raised by the Council at that meeting. She related that she and Mr. D’Onofrio then made further amendments to reflect the discussion with Trustees Kates and Rintz, circulated the revised draft ordinance to those two Trustees for their review and comment, and made further refinements based upon their feedback.

Attorney Janega then explained the provisions of the revised draft and how they attempt to address key issues raised by the Council. She reiterated that the draft under consideration is not a residential property maintenance code, that it has always excluded single-family zoning districts and homes, and that it also excludes residential condominium buildings, townhomes and one- and two-family homes.

Attorney Janega reviewed the latest round of revisions she had made to reflect the most recent discussions and direction from the Council.

There was a lengthy discussion about the language in the draft ordinance, after which the public was invited to comment.

Cicely Clark Michalak, 351 Ridge and Chair of the BCDC; Brendan Saunders, Interfaith Housing at 614 Lincoln; Marc Hecht, 1096 Spruce; and Katie Siegenthaler, 491 Hawthorn, gave comment in favor of passing the commercial property maintenance code.

Jim Sayegh, Winnetka Galleria, said he was against this version of the property maintenance code because it includes commercial condominiums in mixed use buildings such as the Galleria, since residential unit owners are part owners of the common

elements and should not be held responsible for common elements in the commercial units.

Trustee Rintz commented that this is the Council's sixth look at the commercial property maintenance code, and that a lot of time and effort has been invested in what is usually a very simple instrument to prevent the loss of rental properties. He said he was in favor of voting to introduce the ordinance, not spending more time in discussions.

Trustee Johnson said the issue is one of giving staff a tool to get code violations fixed and not one of affordable housing.

After more Council discussion, Attorney Janega asked for direction on the policy issue of whether to include commercial condominiums.

Trustees Rintz and Johnson said they were in agreement with the ordinance as drafted.

Trustee Spinney said she was concerned about the large number of residents who are opposed to the ordinance and with the amount of time being spent on the issue, and she added that she does not see the property maintenance code as an affordable housing issue.

Trustee Greable said he would want the commercial condominiums excluded.

Trustee Kates said he was concerned about the volume of emails to the Council accusing them of ignoring the Caucus and he added that residents need to be engaged in discussion so they can learn about what they are objecting to.

It was decided that the ordinance would be introduced and the Council would work with Attorney Janega on the policy concerns.

Trustee Rintz, seconded by Trustee Johnson, moved to introduce Ordinance MC-7-2011. By roll call vote, the motion carried. Ayes: Trustees Rintz, Johnson, Spinney, Greable, Kates. Nays: None. Absent: None. Abstain: Trustee Braun.

8) Public Comment and Questions.

David and Bridgette Misiak, 192 Church, appealed to the Council for a tree deposit refund for their now bank-owned home at 47 Indian Hill.

President Tucker pointed out that the Code does not contain a hardship provision.

Attorney Janega explained that the dilemma is that the property is no longer with the Misiaks and there would be nothing that secures planting of the replacement trees if the deposit were refunded. She said the Village could take a letter of credit from the Misiaks in lieu of the deposit, but that the Code does not contain a provision to simply refund the deposit, but cautioned against waiving a requirement under the code.

The Council directed Attorney Janega to secure collateral from the Misiaks as discussed in order to refund the tree deposit.

Mr. Sayegh asked the Council to resurrect the issue of streetscape, as the sidewalks in the commercial districts need to be repaired, and he also asked for a loosening of restrictions in the C-2 Retail Overlay District to allow for uses such as yoga studios and medical spas on first floors.

9) Old Business. None.

10) New Business.

- a) Identity Theft Prevention Policy Report. Mr. McKee asked if there were any questions or comments about his agenda report.

Trustee Braun suggested that the Village work with phone companies to prevent phone numbers from being transferred.

- b) 2011 Property Tax Levy Analysis. Mr. McKee reported that he was proposing a 2.8% increase, which is the same as last year's levy increase and he pointed out that Winnetka's portion of a typical resident's property tax bill is 13.3% of the total. He explained that the only notable difference for the upcoming year is the substantial amount of funding that could be needed for stormwater improvements.

There was a discussion about how taxes are collected and Mr. McKee explained that the tax levy ordinance must be introduced at the first meeting in December and adopted at the next Council meeting in order to file the levy with Cook County on deadline.

The Council directed Mr. McKee to use his projected numbers for the discussion at introduction after he assured them that they could make amendments if they so desire before the ordinance is adopted.

- c) Warrant Lists Nos. 1723 and 1724.

Trustee Johnson, seconded by Trustee Spinney, moved to approve Warrant List 1724, in the amount of \$653,838.67, subject to the condition that Warrant No. 0049062, legal fees to Rosenthal, Murphey, Coblenz & Donahue, in the amount of \$2,247.55, be held until further direction by the Council. By roll call vote, the motion passed. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None.

11) Reports

- a) Village President. President Tucker reported that she had recently attended the Metropolitan Mayors Caucus meeting and participated in a conference call with Congressman Dold regarding HR674. She also announced that there would be a Veterans Day observance on November 11<sup>th</sup> at the Winnetka Club and a ribbon cutting for Round Table Books on Lincoln Avenue on November 18<sup>th</sup>.

- b) Trustees.

- i) Trustee Greable reported on the most recent Plan Commission meeting.
- ii) Trustee Johnson reported on the most recent Environmental & Forestry Commission meeting.
- iii) Trustee Rintz reported on a meeting of the Village Hall Technical Committee to discuss the progress on the Village Hall rehabilitation.
- iv) Trustee Kates reported on the last meeting of the Police Pension Board, commenting that the committee members are very dedicated.

- c) Attorney. None.

- d) Manager. Manager Bahan reported that he is working with Mr. McKee on a general report for stormwater financing for discussion at the next Study Session. Trustees Kates

and Greable asked for outside experts to work with Manager Bahan and Mr. McKee, and Manager Bahan recommended Speer Financial, the Village's financial consultant.

- 12) Appointments. President Tucker announced the appointment of Jack Coladarci to the Plan Commission for a full term, effective immediately. Trustee Johnson, seconded by Trustee Spinney, moved to approve the appointment. By voice vote, the motion carried.
- 13) Executive Session. None.
- 13) Adjournment. Trustee Johnson, seconded by Trustee Spinney, moved to adjourn the meeting. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None. The meeting adjourned at 11:20 p.m.

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Recording Secretary

**MINUTES  
WINNETKA VILLAGE COUNCIL STUDY SESSION**

**November 8, 2011**

(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, November 8, 2011, at 7:30 p.m.

- 1) Call to Order. President Tucker called the meeting to order at 7:35 p.m. Present: Trustees Arthur Braun, Gene Greable, Bill Johnson, Richard Kates, and Jennifer Spinney. Absent: Trustee Chris Rintz. Also in attendance: Village Manager Robert Bahan, Village Attorney Katherine Janega, Finance Director Ed McKee, and approximately 3 persons in the audience.
- 2) Discussion: Stormwater Bond Issuance and Financing. Mr. McKee said he would recommend against issuing bonds until the scope of the stormwater projects are better defined, as there is a significant carrying cost to issuing the bonds at this time. He explained that it is difficult to project interest rates in the future, but that current rates are where they were a year ago. He then introduced the Village's financial consultant, Kevin McCanna from Speer Financial.

Mr. McCanna reviewed background information about the history of Speer in Winnetka, pointing out that his firm does more than twice as much bond rating business as any other financial firm in Illinois. He also reviewed some information about interest rates to illustrate that while rates move in cycles, the difference year-to-year is negligible. Hereviewed examples of recent bond sales by agencies such as the Lake County Forest Preserve District and the City of Aurora, and he discussed the bidding process, which now includes internet bidding.

Mr. McCanna explained that the Council must decide when it expects to need money, stating that if funds are needed in the spring, a tax levy for a bond issue can be filed until the last day of February. He said waiting until later in the spring or early summer to file will delay collection of the funds until the beginning of the next calendar year.

The Council had a thorough question-and-answer and discussion period with Mr. McCanna and clarified the following points:

- A mix of funding is a viable method, keeping in mind the level of complexity in administering the programs
- Funding that only utilizes tax revenue does not capture tax-exempt institutions; tax caps could prevent these institutions from passing all of the increased costs of a stormwater utility to taxpayers
- If a stormwater utility is desired, it is best to move quickly, as it is necessary to show six to eight months of collections to prove the revenue stream is dependable
- It will be better if the Village makes a decision about which revenue stream it wants to use before approaching the rating agencies, as this will help them in the management rating category
- The Village will not lose its Triple A rating by issuing debt
- Unfunded pension liabilities will not affect the bond issuance, as no changes in GASBY rules will have an effect

- There is no downside to judicious use of the reserves to fund some of the projects

President Tucker asked if there were any comments from the audience.

Mitch Wywiorski, 1042 Westmoor, urged the Council to do a study regarding the financing for stormwater projects and to communicate the results to residents as soon as possible.

Marc Hecht, 1096 Spruce, said he does not think it is necessary to hire an outside project manager, and he urged the Council to show their confidence in the capabilities of Village staff. He also asked the Council to abandon the idea of hiring lobbyists or public relations experts, to avoid giving the impression that the Village operates in any way that is not out in the open and above-board.

Bill Doyle, 251 White Oak Lane, asked when the soil testing will be done and what the project could ultimately cost, and said he disagreed that there is no need for a project manager, as the project will be very complex and expensive.

Manager Bahan said the proposed tunnel project is in a class by itself and that there are smaller ones that can be refined and started and overseen by staff. He added that once shovels are in the ground, outside staff can be hired as needed.

There was some further Council discussion and clarification, after which Manager Bahan said staff would continue to pursue project viability and cost and report back to the Council. He noted that the results of the soil borings are needed to progress with the funding discussion, as there cannot be an assumed project cost until that information is known.

Manager Bahan also reported that the next meeting has been targeted for a follow-up affordable housing discussion on the revised Plan Commission recommendations for inclusionary zoning and other related policies.

- 3) Executive Session. Trustee Braun moved to adjourn into Executive Session for the purpose of discussing collective bargaining, personnel matters, sale or purchase of securities investments or investment contracts, and pending and probable litigation, pursuant to Sections 2(c)(2), 2(c)(1), 2(c)(7) and 2(c)(11) respectively, of the Illinois Open Meetings Act. Trustee Johnson seconded the motion. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, and Spinney. Nays: None. Absent: Trustee Rintz. The Council adjourned into Executive Session at 9:45 p.m.

The Council reconvened into Regular Session at 10:32 p.m. Present: President Tucker, Trustees Braun, Greable, Kates, Johnson, and Spinney. Nays: None. Absent: Trustee Rintz. Also present: Village Manager Rob Bahan and Village Attorney Katherine Janega.

- 4) Adjournment. Trustee Spinney, seconded by Trustee Johnson, moved to adjourn the meeting. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, and Spinney. Nays: None. Absent: Trustee Rintz. The meeting adjourned at 10:33 p.m.

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Recording Secretary

**MINUTES  
WINNETKA VILLAGE COUNCIL  
REGULAR MEETING  
November 15, 2011**

(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, November 15, 2011, at 7:30 p.m.

- 1) Call to Order. President Tucker called the meeting to order at 7:31 p.m. Present: Trustees Arthur Braun, Gene Greable, Bill Johnson, Richard Kates, Chris Rintz and Jennifer Spinney. Absent: Village Manager Robert Bahan. Also present: Acting Village Manager Liz Rosenthal, Village Attorney Katherine Janega, Community Development Director Mike D'Onofrio, Assistant Community Development Director Brian Norkus, Public Works Director Steve Saunders and approximately 40 persons in the audience.
- 2) Pledge of Allegiance. President Tucker led the group in the Pledge of Allegiance.
- 3) Quorum.
  - a) December 6, 2011, Regular Meeting. All of the Council members present indicated that they expected to attend.
  - b) December 13, 2011, Study Session. All of the Council members present indicated that they expected to attend.
- 4) Approval of the Agenda. President Tucker announced that the agenda would be amended to move Item #8, Public Comment, after Item #10, New Business, and she clarified that neither coach houses nor the commercial property maintenance code are on the agenda for discussion. Trustee Braun, seconded by Trustee Johnson, moved to approve the Agenda as amended. By roll call vote. the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None.
- 5) Consent Agenda
  - a) Village Council Minutes.
    - i) October 18, 2011, Regular Meeting.
  - b) Warrant Lists Nos. 1725 and 1726. Approving Warrant List No. 1725 in the amount of \$1,016,731.04, and Warrant List No. 1726 in the amount of \$679,807.93.
  - c) Wire Pulling: Bid #011-012. Authorizing the Village Manager to award a change order to Western Utility Contractors.

Trustee Braun, seconded by Trustee Johnson, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None.
- 6) Stormwater Update. Mr. Saunders reviewed handouts describing the tunnel project and showing a proposed matrix of the project timeline. He reported on the meetings between Village officials and various elected officials, the Union Pacific Railroad, public utilities along the path of the proposed tunnel, and regulatory agencies that will need to approve project. He said the results of the soil boring tests could be finished by early December, and

that staff is working on a critical path chart for the tunnel project to help the Council make informed decisions. Lastly, he announced that funds for the Village's Backflow Prevention program have been expended and he would be coming to the Council in December to request additional funding for the program.

President Tucker reminded residents that they could send their comments about the stormwater projects to an email box the Village has created:  
[stormwatercomments@winnetka.org](mailto:stormwatercomments@winnetka.org).

7) Ordinances and Resolutions.

- a) Ordinance MC-6-2011: Amending the Village Code as it Pertains to Liquor License Eligibility and the Service of Alcoholic Beverages at the Winnetka Park District's Golf Facility – Introduction. Attorney Janega reviewed new provisions dealing with liquor licensees who continually fall out of compliance with the Village's ordinances and are repeatedly delinquent on their Village accounts. She also reviewed provisions that were requested by the Park District to modify its Class P liquor license classification to allow the sale of alcoholic beverages at the golf course "halfway house."

There was a thorough discussion about the proposed amendments, and a suggestion was made to revise the language dealing with the removal of alcoholic drinks from the "halfway house." Attorney Janega said she would review the draft ordinance with the Park District before the Ordinance is brought to the Council for adoption to ensure that the provisions accurately reflect their request.

Marc Hecht, 1096 Spruce, spoke against expanding the Park District's liquor license, as he believes it sets a bad example to the youth who frequent the Park District facilities.

After a further discussion, Trustee Spinney stated that the service of alcohol on golf courses is a fact of life, that the Winnetka Park District needs to remain competitive, and that she trusts the Park District ensure that minors are not being served.

Trustee Braun, seconded by Trustee Spinney, moved to introduce Ordinance MC-6-2011. By voice vote, the motion carried.

8) Public Comment and Questions. Public comment on non-agenda items was moved to the end of the meeting.

9) Old Business. None.

10) New Business.

- a) Follow-up Discussion on Affordable Housing Issues. President Tucker repeated that there would be no review of coach house policy or discussion of the commercial property maintenance code at this meeting. She said the topic of affordable housing deserves thoughtful discussion and the Plan Commission deserves appreciation and respect for their diligent, hard work.

Mr. Norkus reviewed the progress on the issue of affordable housing since the Plan Commission submitted their report last April, which included additional study and recommendations on four topics: (i) inclusionary zoning; (ii) required number of affordable units; (iii) payment in lieu; (iv) incentives to developers; (v) local preferences for inclusionary zoning; and (vi) a moratorium on conversions of residential units to

office units. He said the Plan Commission had determined that deed restrictions and covenants are preferable to a housing trust fund and community land trust, to avoid problems with administering such programs.

After Mr. Norkus concluded his review of the history of the affordable housing issue to-date, President Tucker asked if there were any comments from the audience.

Margaret Posner; 959 Tower Manor, Carol Fessler, 1314 Trapp Lane; Joe Reinert, 854 Prospect; Robert Leonard, 1065 Spruce; Gerald Scully, 845 Foxdale; Jim Sayegh, Winnetka Galleria; Lynn Pappas, 461 Hill; Bill Sick, 565 Sheridan; Bob Mucci, 1040 Tower; Mary Kirchhoefer, 126 DeWindt; Adrienne Sassaman, 1005 Oak; and Carry Buck, 609 Sheridan; appealed to the Council to heed the Caucus Survey and not to expand the Village's affordable housing plan.

Gail Schechter, Executive Director, Interfaith Housing; Jack Hains; Mark Kurensky, 1088 Pine; Bernie McKee, 315 Fairview; Jen McQuet, 528 Maple; Anne Airey, WIN; Nancy Pred, 1417 Sunview; Joseph Shank, 455 Chestnut; asked the Council to implement some of the Plan Commission's recommendations and to update the Village affordable housing plan.

Becky Hurley, Chair of the Plan Commission and 1027 Spruce, said she understood that the economic times are painful for everyone, and that seniors in particular are struggling, not so much because of high taxes, but because there is a lack of housing in their income range. She pointed out that the Plan Commission's report recommends little or no government structure to keep costs down and instead recommends tools like inclusionary zoning, which is shown to increase tax revenue. She commented that the email chains spreading fear and misinformation influenced the discourse on the issue and added that claims about dirty tricks and secret agendas deeply offended her. She asked the Council to use their best judgment and reminded them that the Plan Commission undertook the study at the request of the 2006 Village Council. Lastly, she noted that the Comprehensive Plan calls for more diverse and affordable housing in the Village, and if Plan Commission's recommendations are going to be ignored by the Council, she called on the Council to amend the Comprehensive Plan and repeal the existing affordable housing plan.

Trustee Kates said the Council is just evaluating the issue and is not ignoring any Caucus survey results, and he noted that he attended the Plan Commission meetings and the League of Women Voters forum on affordable housing. He said in light of the divisiveness the issue is causing in the community that he is in favor of bringing the matter to a conclusion and he added that a property maintenance code and easing restrictions on coach houses are not affordable housing issues.

Trustee Rintz said the label "affordable housing" is not only confusing, but is an oxymoron for Winnetka, and he added that the issue should be discussed in terms of preserving housing diversity in the Village. He stated that the inclusionary zoning requirements do not affect individual homeowners, and not one initiative recommended by the Plan Commission requires funding from the Village or adds to the property tax burden.

Trustee Johnson said both Trustees Kates and Rintz made some excellent points and that there are a lot of gray areas to the issue. He pointed out that the Village's share of the property tax bill is just over 13% of the total, and that all Village services come from that amount. He said his concern with affordable housing is unintended consequences, and he added that he did not see a commercial property maintenance code or coach house amendments as being part of the affordable housing issue.

Trustee Spinney said she appreciated the hard work of the Plan Commission and comments from her fellow Trustees and the audience, adding that there are good points on both sides of the issue which make it difficult to come to a decision.

Trustee Greable said he was weighted in favor of the people who answered the Caucus Survey and that while there is no consensus in the community, he would go with the survey results. He said he was in favor of coming to a conclusion on affordable housing at this time, and he observed that a referendum question on the issue will be on the ballot in March.

Trustee Braun said he came to the U.S. because he was told it was the best country in the world, and that he had stayed and raised his children and thrived here. He observed that in other countries questions like this are frequently decided by violent means and he was impressed to watch the decision-making process unfold in Winnetka. He said he would go with the majority of respondents of the Caucus Survey, as he believes that is what he was elected to do.

Trustee Kates read a resolution he had drafted with the intent of ending the expansion of affordable housing.

Attorney Janega explained that the matter was not on the agenda for action and that proper public notice must be given before the Council can take such action. She also cautioned against the wording used in Trustee Kates' proposed resolution and she pointed out that a resolution cannot overrule the affordable housing policies that have previously been set by ordinance. She noted that the Village's Amended Affordable Housing Plan currently contains no standards for affordability, and that it would be more useful to get policy direction from the Council before deciding on an appropriate formal action.

After a brief discussion, all of the Trustees, with the exception of Trustee Rintz, were in favor of passing a resolution at the next meeting that would end discussion about affordable housing.

#### 11) Reports

- a) Village President. President Tucker reported on the Veterans Day Observance, the Hadley School's Veterans' Initiative, welcomed Round Table Books to the Village and invited residents to the tree lighting on December 2<sup>nd</sup> at Station Park.
- b) Trustees.
  - i) Trustee Greable reported on the last Chamber of Commerce meeting.
  - ii) Trustee Spinney reported that BCDC Chair Cicely Clark Michalak has requested to step down and that Jason Harris will be the new chair.
- c) Attorney. No report.

d) Manager. No report.

11) Appointments.

a) President Tucker announced the appointment of Jason Harris to replace Cicely Clarke Michalak as Chair of the Business Community Development Commission, effective immediately. Trustee Spinney, seconded by Trustee Kates, moved to approve the appointment. By voice vote, the motion carried.

12) Executive Session. Trustee Braun moved to adjourn into Executive Session to discuss Personnel Matters and Review or Discussion of Claims, Loss or Risk Management Information, pursuant to Sections 2(c)(1) and 2(c)(12) respectively, of the Illinois Open Meetings Act. Trustee Spinney seconded the motion. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None. The Council adjourned into Executive Session at 10:40 p.m.

The Council reconvened into Regular Session at 11:20 p.m. Present: President Tucker, Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None. Also present: Acting Village Manager Liz Rosenthal and Village Attorney Katherine Janega.

13) Adjournment. Trustee Braun, seconded by Trustee Rintz, moved to adjourn the meeting. By roll call vote, the motion carried. Ayes: Trustees Braun, Greable, Kates, Johnson, Rintz and Spinney. Nays: None. Absent: None. The meeting adjourned at 11:21 p.m.

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Recording Secretary

## AGENDA REPORT

SUBJECT:           **Warrant Lists Nos. 1729 and 1730**

PREPARED BY:     Robert Bahan, Village Manager

DATE:              December 16, 2011

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Warrants Lists Nos. 1729 and 1730 are enclosed in each Council member's packet.

**Recommendation:** Consider approving Warrants Lists Nos. 1729 and 1730.

## AGENDA REPORT

**SUBJECT:** Ordinance M-17-2011 - Annexation of southerly portion of 7 Indian Hill Road, and Resolution R-33-2011 – consolidating annexed land into a single parcel

**PREPARED BY:** Brian Norkus, Assistant Director of Community Development

**DATE:** December 14, 2011

**REFERENCE:** December 6, 2011 Council agenda, pp 64-74

The subject property at 7 Indian Hill Road is along the southernmost boundary of the Village, with the southerly portion of the lot (approximately 2,800 square feet) lying outside the Village's corporate limits, in unincorporated Cook County (see attached area map).

The owner of 7 Indian Hill Road has applied for and received a building permit for a new single-family residence on that parcel. As a condition of permit approval the applicant has prepared and filed the attached **Plat of Annexation**, to bring the southerly portion of the lot into the Village corporate limits and **Plat of Consolidation**, which merges the newly-annexed land together with the area to the north, into a single new Lot.

Approval and filing of the two documents assure that the entire parcel is subject to the Village's land development regulations, and achieves compliance with Section 13.52.080 of the Winnetka Building Code which requires the owner to consolidate the lot into a single lot of record.

The plat of consolidation has been reviewed by the Director of Community Development, the Director of Water & Electric, the Village Engineer, and the Village Collector. The plat of Consolidation has been modified at the request of the Water and Electric Department to include (a) a 5-foot utility easement along the north and west lot lines, (b) a 10-foot easement along the south lot line, and (c) a 25-foot easement along the easterly lot line.

Ordinance M-17-2011 was introduced by the Council at its December 6, 2011 meeting.

Council adoption of both Ordinance M-17-2011 and Resolution R-33-2011 will allow the filing of both the Plat of Annexation and Plat of Consolidation with the Cook County Recorder.

### **Recommendation:**

Consider a motion to (1) adopt Ordinance M-17-2011, approving the **Plat of Annexation** for 7 Indian Hill Road; and (2) to adopt Resolution R-33-2011 approving the 7 Indian Hill **Plat of Consolidation**.

**AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS  
PURSUANT TO SECTION 7-1-8 OF THE ILLINOIS MUNICIPAL CODE**

**WHEREAS**, Section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, establishes a procedure for the annexation of territory contiguous to a municipality pursuant to a written petition signed under oath by at least 51% of the property owners of the territory proposed to be annexed and by at least 51% of the electors residing therein; and

**WHEREAS**, the Village of Winnetka (“Village”) has received a petition for annexation from the owner of the following parcel of property (“Subject Property”):

All that part of Lot 3 in Owner's Subdivision of Lot 1 in Indian Hill Subdivision No. 1 of part of Sections 21 and 28, Township 42 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded December 19, 1922, as in Book 174 of Plats, Page 20, as Document 7751931, bounded and described as follows: Beginning at a point on the South line of said Section 21, 700 feet East of the Southwest corner of said Section, said point being at an angle in the East line of said Lot 3 and running thence North along the East line of said Lot 3 156.40 feet to an angle point in said East line; thence West parallel with the South line of said Section 21, 164.08 feet; thence Southerly in a straight line 179.94 feet more or less to a point in the South line of said Lot 3, 116.75 feet Easterly of, as measured along the chord, the Southwest corner of said Lot 3; thence Easterly along the Southerly line of said Lot 3, 176.94 feet as measured along the chord, to a point in the Southerly line of said Lot 3, which point is at the intersection of a line drawn South at right angles from a point in the North line of said Lot 3, being also the South line of Section 21, 25 feet East of the East line of Lot 3 hereinbefore described, and thence Northwesterly 35.02 feet more or less to the place of beginning, in Cook County, Illinois; excepting therefrom that part thereof lying North of the South line of said Section 21;

PIN 05-28-100-011-0000

and

**WHEREAS**, the Subject Property is the southern parcel of two contiguous parcels of property located in an area known as the Indian Hill Subdivision, which parcels are owned by the Petitioners and are developed as a single parcel with one single-family residence with a common street address of 7 Indian Hill Road, Winnetka, Illinois; and

**WHEREAS**, the Subject Property is located in a part of the Indian Hill Subdivision that is in unincorporated Cook County, although the remaining parcel that forms 7 Indian Hill Road is located entirely within the corporate limits of the Village of Winnetka; and

**WHEREAS**, the entire northern property line of the Subject Property, which is formed by a portion of the south line of Section 21 and the north line of Section 28, is fully contiguous to the south property line of the main body of the property commonly known as 7 Indian Hill Road, Winnetka, Illinois; and

**WHEREAS**, Petitioner desires to formally consolidate the two parcels that form 7 Indian Hill Road into a single lot of record, which cannot be accomplished unless the Subject Property is first annexed to the Village; and

**WHEREAS**, Petitioner, 7 Indian Hill Road, LLC, is the sole owner of the Subject Property; and

**WHEREAS**, no voters reside on either the Subject Property or the other parcel that, with the Subject Property, forms the parcel jointly and commonly known as 7 Indian Hill; and

**WHEREAS**, the Village provides all municipal services to the property commonly known as 7 Indian Hill Road, including the Subject Property, although the Subject Property is not presently subject to the levy of real property taxes by the Village; and

**WHEREAS**, the Council of the Village of Winnetka (“Village Council”) find and determine that that all petitions, documents, and other necessary legal requirements are in full compliance with the applicable statutes of the State of Illinois, specifically Section 7-1-8 of the Illinois Municipal Code; and,

**WHEREAS**, the 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**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety and welfare of its citizens; and

**WHEREAS**, the Village Council find and determine that the annexation of territory to the Village is a matter pertaining to its government and affairs; and

**WHEREAS**, the Village Council find that it is in the best interests of the Village of Winnetka and its citizens that the Subject Property be annexed to the Village of Winnetka; and

**NOW, THEREFORE**, the Council of the Village of Winnetka do ordain:

**SECTION 1:** That the foregoing recitals, findings and determinations set forth in the preamble to this Ordinance are hereby adopted as the legislative findings and determinations of the Village of Winnetka and are incorporated into the text of this Ordinance by this reference as if stated fully herein.

**SECTION 2:** That the following described territory:

All that part of Lot 3 in Owner's Subdivision of Lot 1 in Indian Hill Subdivision No. 1 of part of Sections 21 and 28, Township 42 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded December 19, 1922, as in Book 174 of Plats, Page 20, as Document 7751931, bounded and described as follows: Beginning at a point on the South line of said Section 21, 700 feet East of the Southwest corner of said Section, said point being at an angle in the East line of said Lot 3 and running thence North along the East line of said Lot 3 156.40 feet to an angle point in said East line; thence West parallel with the South line of said Section 21, 164.08 feet; thence Southerly in a straight line 179.94 feet more or less to a point in the South line of said Lot 3, 116.75 feet Easterly of, as measured along the chord, the Southwest corner of said Lot 3; thence Easterly along the Southerly line of said Lot 3, 176.94 feet as measured along the chord, to a point in the Southerly line of said Lot 3, which point is at the intersection of a line drawn South at right angles from a point in the North line of said Lot 3, being also the South line of Section 21, 25 feet East of the East line of Lot 3 hereinbefore described, and thence Northwesterly 35.02 feet more or less to the place of beginning, in Cook County, Illinois; excepting therefrom that part thereof lying North of the South line of said Section 21;

having a PIN 05-28-100-011-0000, and being depicted on the Plat of Annexation appended to this Ordinance as Exhibit A and made a part hereof, is hereby annexed to the Village of Winnetka, Cook County, Illinois.

**SECTION 3:** That the Village President is hereby authorized and directed to sign, and the Village Clerk to attest, the Plat of Annexation that is appended to this Ordinance.

**SECTION 4:** That the Village Clerk is hereby directed to record with the Cook County Recorder, and to file with the Cook County Clerk, a certified copy of this Ordinance, together with the accurate map of the Subject Territory, as depicted on the Plat of Annexation appended to this Ordinance as Exhibit A.

**SECTION 5:** That the Village President and Village Clerk are hereby authorized and directed to take such other steps as may be necessary to effectuate the annexation of the Subject Territory in accordance with the terms of this Ordinance.

**SECTION 6:** That this Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

**SECTION 7:** That this Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

\_\_\_\_\_  
Village President

Countersigned:

\_\_\_\_\_  
Village Clerk

Introduced: December 6, 2011

Posted: December 7, 2011

Passed and Approved:

Posted:

**RESOLUTION NO. R-33-2011**

**A RESOLUTION GRANTING APPROVING  
A PLAT OF CONSOLIDATION  
(7 Indian Hill Road LLC Consolidation)**

**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, pursuant to which it has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village; and

**WHEREAS**, the Council of the Village of Winnetka (“Village Council”) find that establishing standards for the use, development and subdivision of land within the Village is a matter pertaining to the affairs of the Village; and

**WHEREAS**, the Village of Winnetka (“Village”) has received a petition for annexation from the owner of the following property (“Subject Property”), which is commonly known as 7 Indian Hill, in the Village of Winnetka:

All that part of Lot 3 in Owner's Subdivision of Lot 1 in Indian Hill Subdivision No. 1 of part of Sections 21 and 28, Township 42 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded December 19, 1922, as in Book 174 of Plats, Page 20, as Document 7751931, bounded and described as follows: Beginning at a point on the South line of said Section 21, 700 feet East of the Southwest corner of said Section, said point being at an angle in the East line of said Lot 3 and running thence North along the East line of said Lot 3 156.40 feet to an angle point in said East line; thence West parallel with the South line of said Section 21, 164.08 feet; thence Southerly in a straight line 179.94 feet more or less to a point in the South line of said Lot 3, 116.75 feet Easterly of, as measured along the chord, the Southwest corner of said Lot 3; thence Easterly along the Southerly line of said Lot 3, 176.94 feet as measured along the chord, to a point in the Southerly line of said Lot 3, which point is at the intersection of a line drawn South at right angles from a point in the North line of said Lot 3, being also the South line of Section 21, 25 feet East of the East line of Lot 3 hereinbefore described, and thence Northwesterly 35.02 feet more or less to the place of beginning, in Cook County, Illinois;

PIN 05-21-321-032-0000

PIN 05-28-100-011-0000

and

**WHEREAS**, the Subject Property comprises two separate parcels, which are divided by a portion of the south line of Section 21 (the “Section Line”), with that part of the Subject Property

lying north of the Section Line having a PIN of 05-21-321-032-0000, and that part of the Subject Property lying south of said Section Line having a PIN of 05-28-100-011-0000; and

**WHEREAS**, the existing lot configuration of the Subject Property dates back to the creation of “Indian Hill Subdivision No. 1” in 1916, which pre-dates the Village of Winnetka’s zoning and subdivision regulations; and

**WHEREAS**, at the time the application for consolidation was filed, the portion of the Subject Property lying south of the Section Line was located outside of the corporate limits of the Village of Winnetka, in unincorporated Cook County; and

**WHEREAS**, the southern portion of the Subject Property has since been annexed to the Village of Winnetka, pursuant to Ordinance M-17-2011; and

**WHEREAS**, pursuant to the proposed Plat of Consolidation, the north and south portions of the Subject Property be consolidated into a single lot of record that will remain commonly known as 7 Indian Hill and will be legally described as follows:

Lot 1 of 7 Indian Hill LLC Consolidation of all that part of Lot 3 in Owner's Subdivision of Lot 1 in Indian Hill Subdivision No. 1 of part of Sections 21 and 28, Township 42 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded December 19, 1922, as in Book 174 of Plats, Page 20, as Document 7751931, bounded and described as follows: Beginning at a point on the South line of said Section 21, 700 feet East of the Southwest corner of said Section, said point being at an angle in the East line of said Lot 3 and running thence North along the East line of said Lot 3 156.40 feet to an angle point in said East line; thence West parallel with the South line of said Section 21, 164.08 feet; thence Southerly in a straight line 179.94 feet more or less to a point in the South line of said Lot 3, 116.75 feet Easterly of, as measured along the chord, the Southwest corner of said Lot 3; thence Easterly along the Southerly line of said Lot 3, 176.94 feet as measured along the chord, to a point in the Southerly line of said Lot 3, which point is at the intersection of a line drawn South at right angles from a point in the North line of said Lot 3, being also the South line of Section 21, 25 feet East of the East line of Lot 3 hereinbefore described, and thence Northwesterly 35.02 feet more or less to the place of beginning, in Cook County, Illinois;

and

**WHEREAS**, the Subject Property is located in the R-1 Single-Family Residential Zoning District provided in Chapter 17.28 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

**WHEREAS**, the proposed consolidation complies with the basic quantitative standards established by the Zoning Ordinance, including minimum lot area, lot depth and lot width; and

**WHEREAS**, the proposed consolidation does not create any new non-conformities; and

**WHEREAS**, the Plat of Consolidation has been reviewed by the Director of Community Development, the Director of Water and Electric, the Village Engineer, and the Village Collector; and

**WHEREAS**, the Water and Electric Department requested that the Plat of Consolidation be amended to include (a) a 5-foot utility easement along the north and west lot lines, (b) a 10-foot easement along the south lot line, and (c) a 25-foot easement along the easterly lot line; and

**WHEREAS**, the revised Plat of Consolidation attached hereto as Exhibit A contains all of the changes recommended by Village staff; and

**WHEREAS**, the proposed consolidation in all other respects meets the requirements of Title 16 of the Winnetka Village Code and all other applicable ordinances.

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

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

**SECTION 2:** The Village Council hereby accepts and approves the Plat of Consolidation prepared and signed by David R. Bycroft, an Illinois Land Surveyor, titled “7 Indian Hill LLC Consolidation,” on August 23, 2011, a copy of which plat is attached hereto as Exhibit A.

**SECTION 3:** The Village President is hereby authorized to sign, and the Village Clerk to attest, the approval of the Village of Winnetka set forth on said Plat of Consolidation, and they shall thereafter be authorized to take such other and further steps as may be necessary to execute and record said plat.

**SECTION 4:** This Resolution is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

[Remainder of this page intentionally left blank.]

**SECTION 5:** This Resolution shall be in full force and effect immediately upon its adoption.

**ADOPTED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Signed:

\_\_\_\_\_  
Village President

Countersigned:

\_\_\_\_\_  
Village Clerk

**Exhibit A**

Plat of 7 Indian Hill Road LLC Subdivision, as prepared and signed by David R. Bycroft, an Illinois Land Surveyor, titled "7 Indian Hill LLC Consolidation," on August 23, 2011.

**EXHIBIT A**  
**PLAT OF ANNEXATION**

# PLAT OF ANNEXATION TO THE VILLAGE OF WINNETKA

ALL THAT PART OF LOT 3 IN OWNER'S SUBDIVISION OF LOT 1 IN INDIAN HILL SUBDIVISION NO. 1 OF PART OF SECTIONS 21 AND 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF RECORDED DECEMBER 19, 1922, AS IN BOOK 174 OF PLATS, PAGE 20, AS DOCUMENT 7751931, BOUNDED AND DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 21, 700 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION, SAID POINT BEING AT AN ANGLE IN THE EAST LINE OF SAID LOT 3 AND RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID LOT 3 156.40 FEET TO AN ANGLE POINT IN SAID EAST LINE; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 21, 164.08 FEET; THENCE SOUTHERLY IN A STRAIGHT LINE 179.94 FEET MORE OR LESS TO A POINT IN THE SOUTH LINE OF SAID LOT 3, 116.75 FEET EASTERLY OF, AS MEASURED ALONG THE CHORD, THE SOUTHWEST CORNER OF SAID LOT 3; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 3, 176.94 FEET AS MEASURED ALONG THE CHORD, TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 3 WHICH POINT IS AT THE INTERSECTION OF A LINE DRAWN SOUTH AT RIGHT ANGLES FROM A POINT IN THE NORTH LINE OF SAID LOT 3, BEING ALSO THE SOUTH LINE OF SECTION 21, 25 FEET EAST OF THE EAST LINE OF LOT 3 HEREINBEFORE DESCRIBED, AND THENCE NORTHWESTERLY 35.02 FEET MORE OR LESS TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART THEREOF LYING NORTH OF THE SOUTH LINE OF SAID SECTION 21.

Commonly known as: 7 Indian Hill Road North, Winnetka, , Illinois.

State of Illinois }  
County of Cook } ss.

Approved by the Water & Electrical Department Director of the the Village of Winnetka, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

By: \_\_\_\_\_  
Water and Electrical Department Director

State of Illinois }  
County of Cook } ss.

Approved by the President and Board of Trustees of the the Village of Winnetka, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Village President, Winnetka, Illinois Clerk

FOR DETAILS OF THIS ORDINANCE NO. \_\_\_\_\_ SEE \_\_\_\_\_

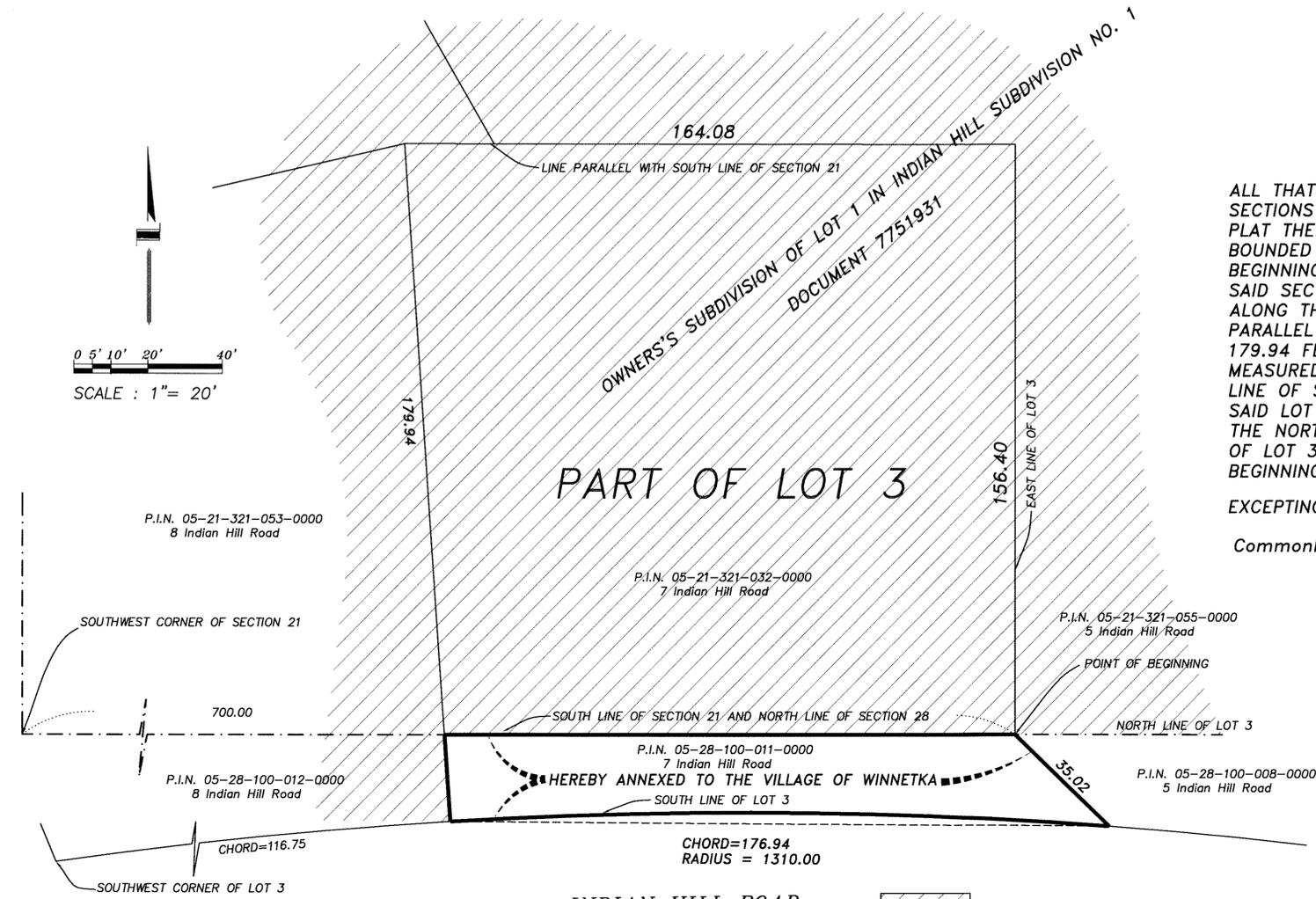
SUBMITTED BY AND RETURN PLAT TO:

\_\_\_\_\_  
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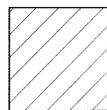
FILE NO. 11-59

for:  
7 Indian Hill Road, L.L.C.  
90 Lakewood Drive  
Glencoe, Illinois

from the office of:  
Norman Toberman and Associates  
2340 South Arlington Heights Road  
Suite 620  
Arlington Heights, Illinois  
847-439-8225



INDIAN HILL ROAD



HATCHED AREA INDICATES PRESENT LIMITS OF THE VILLAGE OF WINNETKA

OWNERS CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF COOK } ss.

This is to certify that the undersigned is the legal owner of the land described on the annexed plat, and that he has caused the same to be surveyed and annexed as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

Dated this 24<sup>th</sup> day of August, AD. 2011

*Leigh R. Gignilliat*  
Leigh R. Gignilliat, Manager

NOTARY CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF COOK } ss.

I, *Mary M. Simon*, a Notary Public in and for said County, in the state aforesaid do hereby certify that *Leigh R. Gignilliat* personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 24<sup>th</sup> day of August, AD. 2011.

*Mary M. Simon*  
Notary Public

State of Illinois }  
County of Cook } ss.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011, by the Village Engineer of the Village of Winnetka, Cook County, Illinois.

By: \_\_\_\_\_  
Village Engineer

State of Illinois }  
County of Cook } ss.

Approved by the Community Development Director of the Village of Winnetka, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

By: \_\_\_\_\_  
Community Development Director

State of Illinois }  
County of Cook } ss.

I, David Bycroft, an Illinois Professional Land Surveyor, do hereby certify that I have prepared the plat hereon drawn from previous plats and records for Annexation purposes as shown on the plat hereon drawn.

dated at Arlington Heights, Illinois, this 21st day of July, 2011

by *D.R.B.*  
as Illinois Professional Land Surveyor No. 2846



All dimensions hereon shown unless it is otherwise noted are given in feet and decimal parts thereof.

Design Firm #184005910

PETITION FOR ANNEXATION TO THE VILLAGE OF WINNETKA

TO: The President and Board of Trustees of the Village of Winnetka, Cook County, Illinois

THE UNDERSIGNED PETITIONER RESPECTFULLY STATES UNDER OATH:

1. Petitioner, 7 Indian Hill Rd., LLC, is an Illinois Limited Liability Corporation, and is the sole owner of 7 Indian Hill Rd., Winnetka, Illinois, (7 Indian Hill Road), the legal description of which is as follows:

ALL THAT PART OF LOT 3 IN OWNER'S SUBDIVISION OF LOT 1 IN INDIAN HILL SUBDIVISION NUMBER 1 OF PART OF SECTIONS 21 AND 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 19, 1922 IN BOOK 174 OF PLATS, PAGE 20, AS DOCUMENT 7751931, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 21, 700 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION, SAID POINT BEING AT AN ANGLE IN THE EAST LINE OF SAID LOT 3 AND RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID LOT 3, 156.4 FEET TO AN ANGLE POINT IN SAID EAST LINE; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 21, 164.08 FEET, THENCE SOUTHERLY IN A STRAIGHT LINE 179.94 FEET MORE OR LESS TO A POINT IN THE SOUTH LINE OF SAID LOT 3, 116.75 FEET EASTERLY OF, AS MEASURED ALONG THE CHORD, THE SOUTHWEST CORNER OF SAID LOT 3; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 3, 176.94 FEET AS MEASURED ALONG THE CHORD TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 3 WHICH POINT IS AT THE INTERSECTION OF A LINE DRAWN SOUTH AT RIGHT ANGLES FROM A POINT IN THE NORTH LINE OF SAID LOT 3 BEING ALSO THE SOUTH LINE OF SAID SECTION 21, 25 FEET EAST OF THE EAST LINE OF LOT 3 HEREINBEFORE DESCRIBED AND THENCE NORTHWESTERLY 35.02 FEET MORE OR LESS TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.  
Pin #: 05-21-321-032-0000 and 05-28-100-011-0000.

2. The subject property is the southernmost parcel of two contiguous parcels of property, located in an area known as the Indian Hill Subdivision, which parcels are owned by the Petitioner and are developed as a single with one single-family residence with the common street address of 7 Indian Hill Road, Winnetka, Illinois.
3. The Subject Property is located in a part of the Indian Hill Subdivision in unincorporated Cook County.
4. The second parcel that constitutes the remainder of 7 Indian Hill Road is located within the corporate limits of the Village of Winnetka.
5. The northern property line of the Subject Property is fully contiguous to the south property line of the second and northern parcel (the main body of the property); constituting 7 Indian Hill Road.
6. Petitioner desires to formally consolidate the two separate lots of record, constituting 7 Indian Hill Road, into a single lot of record, which cannot be accomplished unless the Subject Property is first annexed to the Village of Winnetka.
7. There are no voters who currently reside on either parcel of 7 Indian Hill Road.
8. Subject Property itself is vacant.
9. Subject Property is the front yard of 7 Indian Hill Road.

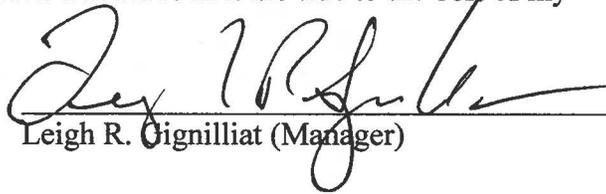


10. The foregoing statements are true to the best of Petitioner's knowledge, information and belief.

FOR ALL OF THE FOREGOING REASONS, PETITIONER RESPECTFULLY REQUESTS that the Subject Property be annexed to the Village of Winnetka, pursuant to section 7-1-8 of the Illinois Municipal Code, 65 ILCS 5/7-1-8, for the reasons set forth in this Petition.

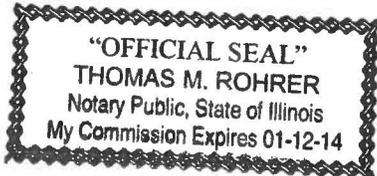
Dated this 18<sup>th</sup> day of October, 2011.

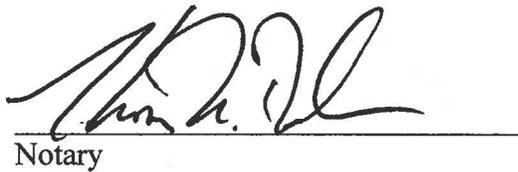
I, the undersigned state on oath that I am the manager of 7 Indian Hill Rd., LLC, which is the sole owner of record of the above described 7 Indian Hill Road, that there are no registered electors at 7 Indian Hill Road, and that I have read the foregoing petition and that the statement made in it are true to the best of my knowledge and information.

  
Leigh R. Gignilliat (Manager)

STATE OF ILLINOIS        )  
  )SS  
COUNTY OF COOK        )

Signed and sworn to before me by Leigh R. Gignilliat on the 18<sup>th</sup> day of October, 2011



  
Notary

My commission expires on 1-12-14



Subject parcel -  
7 Indian Hill Rd

Subject parcel -  
Unincorporated area

# 7 INDIAN HILL ROAD, L.L.C. CONSOLIDATION

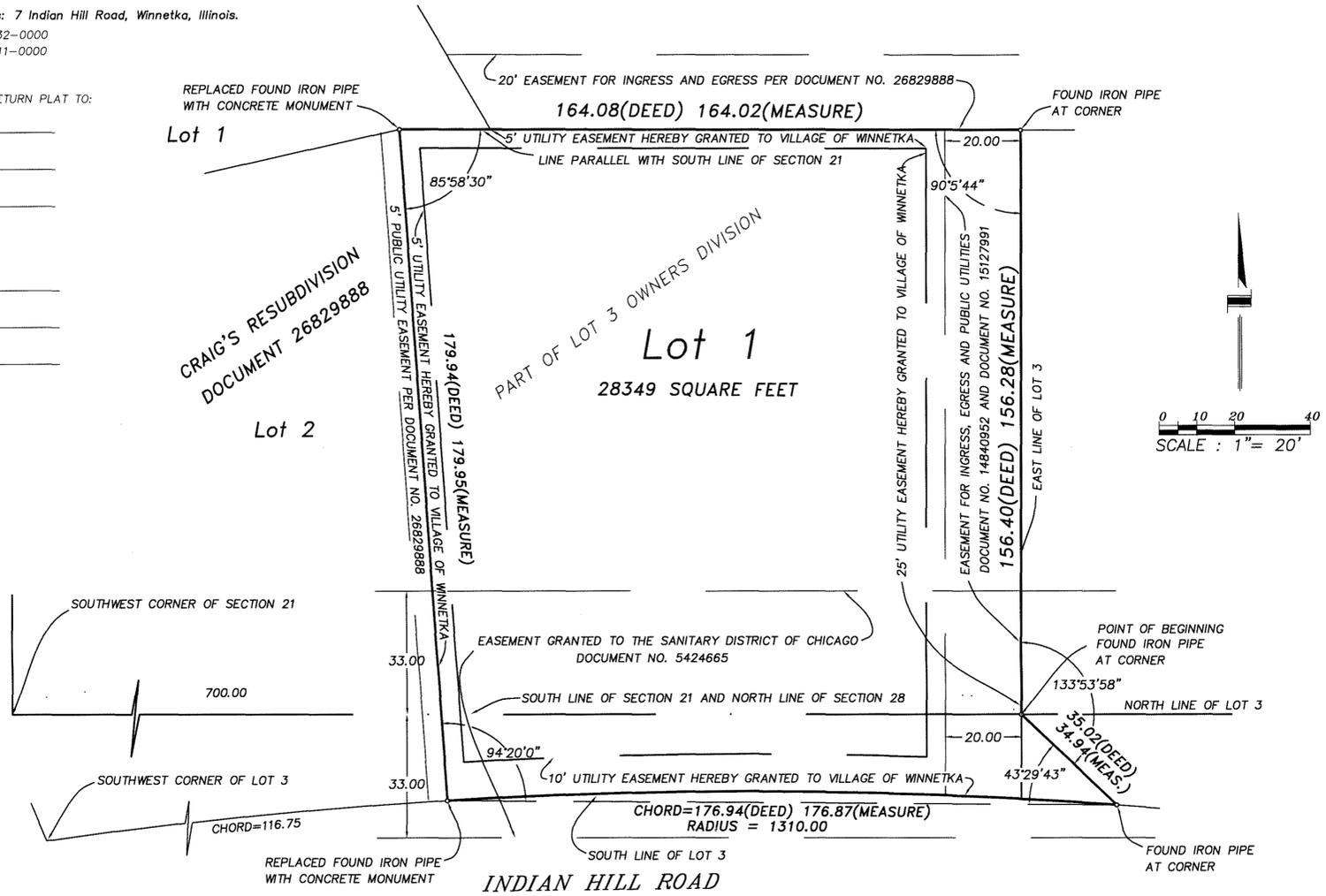
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ALL THAT PART OF LOT 3 IN OWNER'S SUBDIVISION OF LOT 1 IN INDIAN HILL SUBDIVISION NO. 1 OF PART OF SECTIONS 21 AND 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF RECORDED DECEMBER 19, 1922, AS IN BOOK 174 OF PLATS, PAGE 20, AS DOCUMENT 7751931, BOUNDED AND DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 21, 700 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION, SAID POINT BEING AT AN ANGLE IN THE EAST LINE OF SAID LOT 3 AND RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID LOT 3 156.40 FEET TO AN ANGLE POINT IN SAID EAST LINE; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 21, 164.08 FEET; THENCE SOUTHERLY IN A STRAIGHT LINE 179.94 FEET MORE OR LESS TO A POINT IN THE SOUTH LINE OF SAID LOT 3, 116.75 FEET EASTERLY OF, AS MEASURED ALONG THE CHORD, THE SOUTHWEST CORNER OF SAID LOT 3; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 3, 176.94 FEET AS MEASURED ALONG THE CHORD, TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 3 WHICH POINT IS AT THE INTERSECTION OF A LINE DRAWN SOUTH AT RIGHT ANGLES FROM A POINT IN THE NORTH LINE OF SAID LOT 3, BEING ALSO THE SOUTH LINE OF SECTION 21, 25 FEET EAST OF THE EAST LINE OF LOT 3 HEREINBEFORE DESCRIBED, AND THENCE NORTHWESTERLY 35.02 FEET MORE OR LESS TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Commonly known as: 7 Indian Hill Road, Winnetka, Illinois.  
 P.I.N. 05-21-321-032-0000  
 P.I.N. 05-28-100-011-0000

SUBMITTED BY AND RETURN PLAT TO:

SEND TAX BILL TO:



STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.  
 Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011, by the Village Engineer of the Village of Winnetka, Cook County, Illinois.

By: \_\_\_\_\_  
 Village Engineer

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.  
 Approved by the Community Development Director of the Village of Winnetka, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

By: \_\_\_\_\_  
 Community Development Director

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.  
 Approved by the Water & Electrical Department Director of the the Village of Winnetka, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

By: \_\_\_\_\_  
 Water and Electrical Department Director

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.  
 Approved by the President and Board of Trustees of the the Village of Winnetka, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
 Village President, Winnetka, Illinois Clerk

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.

I, \_\_\_\_\_, Village Collector of the Village of Winnetka, Illinois, do hereby certify that there are no delinquent or unpaid current or forfeited special assessments, or any deferred installments thereon that have been apportioned against the tract of land included in this plat of consolidation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, AD. 20\_\_\_\_

By: \_\_\_\_\_  
 Village Collector

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.

To the best of our knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, adequate provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices as to reduce the likelihood of damage to the adjoining property because of the construction of this subdivision.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, AD. 20\_\_\_\_

By: \_\_\_\_\_ By: \_\_\_\_\_  
 Engineer Owner or Attorney

### UTILITY EASEMENT PROVISIONS

AN EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF WINNETKA FOR PUBLIC UTILITIES, IN, UPON, ALONG, OVER AND UNDER THOSE PARTS OF THE LOT INDICATED ON THIS PLAT AND MARKED "UTILITY EASEMENT", TO INSTALL, CONSTRUCT, LAY, MAINTAIN, OPERATE, RELOCATE, RENEW AND REMOVE NECESSARY EQUIPMENT FOR PUBLIC UTILITY PURPOSES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS FROM THE EASEMENT, AND THE RIGHT TO TRIM AND REMOVE SUCH TREES, BUSHES, SHRUBS AND LANDSCAPING AS MAY BE REQUIRED INCIDENTAL TO THE INSTALLATION AND MAINTENANCE OF UTILITY FACILITIES. THE EASEMENT MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, WOODEN FENCES AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF THE EASEMENT, BUT NO PERMANENT BUILDINGS OR STRUCTURES OTHER THAN DRIVEWAY AND SIDEWALK SURFACES SHALL BE PLACED ON THE EASEMENT.

### OWNERS CERTIFICATE

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.

This is to certify that the undersigned is the legal owner of the land described on the annexed plat, and that he has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title therein indicated.

Dated this 24<sup>th</sup> day of August, AD. 2011  
  
 Leigh R. Gignilliat, Manager

### NOTARY CERTIFICATE

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.

I, Mary M. Simon Notary Public in and for said County, in the state aforesaid do hereby certify that Leigh Gignilliat personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered the annexed plat as their own free and voluntary act for the uses and purposes therein set forth.  
 Given under my hand and Notarial Seal this 24<sup>th</sup> day of August AD. 2011.

Mary M. Simon  
 Notary Public

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
 COUNTY OF COOK } SS.

This is to certify that I, David R. Bycroft, an Illinois Land Surveyor, have surveyed and resubdivided the property described in the caption of this plat.

As shown by the annexed plat which is a correct and true representation of said survey and resubdivision all distances are shown in feet and decimal parts thereof.

I further certify that the foregoing property falls within the Corporate limits of the Village of Winnetka, which has adopted an Official Comprehensive Plan.

I further certify that no part of said property is situated within a "Flood Hazard Area" as per the National Flood Insurance Program, Flood Insurance Rate Map, Map No. 17031C0253J, revision date August 19, 2008.

Given under my hand and seal at Arlington Heights, Illinois  
 this 23<sup>rd</sup> day of August AD. 2011.

David R. Bycroft  
 Illinois Professional Land Surveyor No. 2846

Prepared by:  
 David R. Bycroft  
 2340 South Arlington Heights Road  
 Suite 620  
 Arlington Heights, Illinois  
 (847) 439-8225

Professional Design Firm #184005910



EXPIRES  
 11-30-2012

## AGENDA REPORT

Subject: Office 2010 Software Upgrade  
Prepared by: Ed McKee, Finance Director   
Date: December 1, 2011  
Reference: None

The Village utilizes the Microsoft Office suite of products as our standard for personal computing needs.

The Village currently operates under the 2003 version of this software. The Village should upgrade to the 2010 software so that the software can continue to be supported by Microsoft.

If the Village selects to not upgrade, the software may become unstable and will be increasingly vulnerable to infiltration and attack. Making the upgrade at this time will avoid the serious risk that security vulnerabilities that are unknown at this time cause problems for the Village after support is no longer available.

The 2010 software has additional capabilities that would be helpful from a network administration perspective as well as provide some features that will benefit some of our employees who utilize more advanced capabilities.

I have attached a portion of the proposal from the Village's network vendor, Prescient Solutions, on this item. This is a sole source purchase from CDW at government pricing rates in the amount of \$47,990.65.

This purchase will be funded out of the Data Processing Fund. The budget account 63.90.530.106 contains \$43,500 for this purchase. The additional \$4,490.65 (\$47,990.65 purchase price - \$43,500 budget amount) will be paid for by other items in the budget that will cost less than projected.

**Recommendation:** Authorize the Village Manager to sign a purchase order with CDW in the amount of \$47,990.65 to acquire Microsoft Office 2010 software for the Village.



## 1 Overview

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The Village of Winnetka has been using Microsoft Office 2003 for their office productivity software for the past six years. During this time, Microsoft has released two new adaptations of this productivity software. In accordance with Microsoft's [Support Lifecycle policy](#), Microsoft office 2003 will no longer be supported after April 8, 2014. The current version of Microsoft Office being used by the Village also has presented a number of compatibility issues and roadblocks for future IT projects.

**Goals:** Install Microsoft office 2010 on all Village computers. Train the Village staff on the new functions and features of Microsoft office 2010.

**Assumptions:** Prescient, with assistance from the Village's onsite IT staff, will install Microsoft Office 2010 at no additional service charge within the framework of the current agreement. The Village of Winnetka is responsible for any associated costs for the Microsoft office 2010 software, licenses, and training.

## 2 Transition Team

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The following people will be involved in the implementation:

Implementation Role	Who
IT Resource (Install software and support it)	Bill Roessler
IT Resource (Install software and support it)	Zach Wood
Training instructor	Cathy Horwitz

## 3 Transition Plan

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### 3.1 Overview

The implementation of Office 2010 will be broken down into three phases. The phased approach was chosen so that we can logically break up the transition. Each phase will include tasks and time frames associated with them.



### **3.2 Phase 1 – Communication to Department Heads**

Initial communication email will be sent to the Village Department heads with the description of the project and reasoning behind the upgrade. The email will also ask for the department heads to provide feedback on when the upgrade will occur and when training classes need to be provided for their respective departments.

### **3.3 Phase 2 – Scheduling and Training**

After reviewing feedback from the department heads, Bill Roessler and Zach Wood will create a timeline for training provided to each department. The Village will then work with a third party vendor (Cathy Horwitz) to schedule training classes to be conducted in the Village training room. An email communication including a training timeline and installation dates for each department will be sent to Village employees along with any Microsoft online resources to help with the transition.

### **3.4 Phase 3 – Installation and Support**

The last phase of the implementation is to perform the installation of the Microsoft Office 2010 Software. The project will be completed within Prescient's normal engagement with the Village of Winnetka. The installation period should last no longer than two weeks (or four on-site days for Prescient at the rate of two days per week).

### **3.5 Pricing**

Currently CDW-G is the only vendor that provides Select volume licensed software from Microsoft for the State and Local Governments of Illinois. The Village's current CDW-G representative has provided a quote for 145 activations and one License of Microsoft 2010 professional plus.

Refer to the Appendix A at the end of this document CDW-G price quote.



		CDWG.com   800.594.4239	OE400SPS
<b>SALES QUOTATION</b>			
		<b>QUOTE NO.</b>	<b>ACCOUNT NO.</b>
		CLHD032	4035826
		<b>DATE</b>	
		11/23/2011	
<b>BILL TO:</b> BILL ROESSLER 510 GREEN BAY RD		<b>SHIP TO:</b> VILLAGE OF WINNETKA Attention To: BILL ROESSLER 510 GREEN BAY RD	
Accounts Payable WINNETKA, IL 60093-2552		WINNETKA, IL 60093-2552 Contact: Zach Wood	
Customer Phone #847 716 3503		Customer P.O. # CLHD032	
<b>ACCOUNT MANAGER</b> JOHN SACHASCHIK 866.339.5849		<b>SHIPPING METHOD</b> Electronic Drop Ship	<b>TERMS</b> Request Terms
		<b>EXEMPTION CERTIFICATE</b> GOVT-EXEMPT	
<b>QTY</b>	<b>ITEM NO.</b>	<b>DESCRIPTION</b>	<b>UNIT PRICE</b>
145	2077260	MS SLD OFFICE PRO PLUS 2010 Mfg#: MLD-79P-03586 Contract: Illinois Microsoft LAR Agreement CM32595580 Electronic distribution - NO MEDIA	330.97
			<b>EXTENDED PRICE</b>
			47,990.65
		<b>SUBTOTAL</b>	47,990.65
		<b>FREIGHT</b>	0.00
		<b>TAX</b>	0.00
		US Currency	
		<b>TOTAL</b>	47,990.65

CDW Government  
230 North Milwaukee Ave.  
Vernon Hills, IL 60061  
Phone: 847 371 5000

Fax: 312-705-9144

Please remit payment to:  
CDW Government  
75 Remittance Drive  
Suite 1515  
Chicago, IL 60675-1515

## **Agenda Report**

**Subject:**                   **Stormwater Update – December 20, 2011**

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

Date:                         December 16, 2011

Attached are two documents detailing progress made to date and future actions in response to the July 2011 flooding event. The first document is an updated version of the “Stormwater and Sanitary Sewer Improvements – Schedule of Activities”, outlining implementation steps based on policy direction given by the Council, and the status of action on those steps. Updated items from the December 1 version are marked in red. This provides the Council and interested citizens with a detailed picture of where we are, and activities to be undertaken in the next few months.

Of note, staff and representatives from Christopher Burke Engineering met with representatives from the Illinois Environmental Protection Agency in Springfield on December 15 to review the project and discuss permit requirements. The project was reasonably well received and the permit requirements were provided. While the permit will require significant work and time to obtain, there do not appear to be any insurmountable obstacles. The Village will be required to screen the stormwater for floatables (i.e. trash), Total Suspended Solids (i.e. sedimentation), Biological Oxygen Demand (BOD, a measure of total bacteria and other nutrients like fertilizers and phosphorus) and Oils and Greases. The Village will likely need to perform sampling of existing stormwater flows in all of the areas that would be tributary to the tunnel project to determine a water quality baseline against which treatment and quality improvements could be measured.

The second item is the detailed soil boring report for the preliminary soil borings along the proposed Willow Road Tunnel Project route. The soil borings indicated no rock present, and also indicated that the soils are primarily dry, stiff, silty clays or dense sand, which do not pose any impediments to the project.

**Recommendation:**  
Informational Report.

**STORMWATER AND SANITARY SEWER IMPROVEMENTS**

**SCHEDULE OF ACTIVITIES**

15-Dec-11

Red = Updated since last report

<b>Spruce Street Outlet Improvements</b>	
<b>Activity</b>	<b>Status</b>
Identify Protection Levels - Determine what protection level to be provided to Tower/Foxdale and Sheridan/Maple areas.	Council discussion needed.
Identify Funding Sources - Determine how to fund these two projects.	Council discussion needed.
Design Engineering Proposals- Obtain fee proposals to complete design plans, specifications, and bidding documents.	Draft proposal received from CBBEL. Obtain fee proposals from other firms?
Permitting - Obtain appropriate permits from MWRD and US Army Corps	<b>Discussed project with MWRD and DNR. No prohibitions identified. Met with Army Corps. No prohibitions identified. Met with IEPA December 15. Permit requirements and water quality standards identified. No prohibitions identified. Water quality and anti-degradation permits will be required.</b>

<b>Greenwood Avenue Area Improvements</b>	
<b>Activity</b>	<b>Status</b>
Additional Engineering Evaluation - Evaluate whether improvements address all problem areas in watershed.	Review recent survey results to identify possible areas of watershed in need of additional evaluation
Identify Protection Levels - Determine what protection level to be provided to project areas.	Council discussion needed.
Identify Funding Sources - Determine how to fund this project.	Council discussion needed.
Utility Location - Identify major utility facilities in project area to test for conflicts.	Utility locate requests sent to AT&T, Comcast, North Shore Gas. MWRD information received.
Forest Preserve Coordination - Coordinate with Forest Preserve regarding additional outfall to flood control pond.	Pending further evaluation of proposed improvements
Secondary Cost Review - Obtain independent cost review of project.	Pending further evaluation of proposed improvements
Design Engineering Proposals- Obtain fee proposals to complete design plans, specifications, and bidding documents.	Pending further evaluation of proposed improvements

<b>Tunnel Project</b>	
<b>Activity</b>	<b>Status</b>
Soil Borings - Evaluate subsurface soil conditions along proposed route of tunnel.	<b>Contract awarded to TSC. Soil borings completed - no unsuitable soils or rock encountered. Report provided.</b>
Utility Location - Identify major utility facilities in project area to test for conflicts.	Utility locate requests sent to AT&T, Comcast, North Shore Gas. MWRD, Electric, Water, Comcast information received. North Shore Gas information received.
Railroad Coordination - Obtain information from Union Pacific Railroad concerning engineering and real	Initial contact made with UP Railroad. Received permit requirements for utility crossings. No major hurdles identified.
Regulatory Agency Meetings	<b>Discussed project with MWRD and DNR. No prohibitions identified. Met with Army Corps. No prohibitions identified. Met with IEPA December 15. Permit requirements and water quality standards identified. No prohibitions identified. Water quality and anti-degradation permits will be required.</b>

Meetings with State and Federal legislators	President Tucker, Trustee Rintz, Manager Bahan and Director Saunders met with U.S. Rep. Dold, State Rep. Biss, and State Rep. Gabel to brief them on tunnel project and discuss areas where legislative support may be needed. Project was well received. Meeting with Sen. Schoenberg scheduled for 11/16.
Critical Path Plan - CBBEL to provide fee proposal for critical path plan to complete tunnel project.	CBBEL to prepare critical path after initial meetings with MWRD and regulatory agencies
Willow Road Rehabilitation Coordination	Meeting held with Willow Road project consultant to coordinate Willow Road project with tunnel.
Secondary Cost Review - Obtain independent cost review of project.	
Identify Funding Sources - Determine how to fund this project.	Council discussion needed.

**Bulk Pricing for Property Assessments**

Activity	Status
Identify suitable firms to provide pricing.	Staff research in December/January timeframe
Negotiate pricing with several firms	Staff research in December/January timeframe
Publicize program.	

**Property Protection Seminar**

Activity	Status
Publicize IAFSM pamphlet via Winnetka Report, e-Winnetka, Village website.	Link on website. Published in Winnetka report November.
Identify resources for presenters.	Staff research in December/January timeframe
Explore value of joint presentation with other municipalities.	Staff research in December/January timeframe
Identify suitable location for seminar.	Staff research in December/January timeframe
Schedule and publicize seminar.	

**Sanitary Sewer Evaluation Study**

Activity	Status
Additional flooding data survey	1,046 responses received as of 10/18/2011
Evaluate survey data	Ongoing evaluations by staff and Trustee Kates. Data will be used to fine-tune project recommendations for Greenwood and Tunnel projects, and to develop Sanitary Sewer Evaluation Study.
Hold pre-proposal discussions with qualified engineering firms.	<b>Presented to Village Council 12/13/2011. Staff authorized to proceed with RFP.</b>
Discuss survey results and study strategy with Village Council	<b>Presented to Village Council 12/13/2011. Staff authorized to proceed with RFP.</b>
Develop RFP	<b>Draft RFP complete. Proposals due January 20, 2012.</b>
Evaluate RFP Responses	January-February 2012
Council awards contract	January-February 2012

**Detention Projects**

Activity	Status
Detailed coordination with Park District	Coordination discussions complete pending decision of tunnel vs. detention
Detailed coordination with School District	Discussions pending decision of tunnel vs. detention
Detailed coordination with New Trier	Initial meetings held. Further discussions pending decision of tunnel vs. detention
Detailed coordination with Forest Preserve	Discussions pending decision of tunnel vs. detention

**Financing**

Activity	Status
Discussion of stormwater financing and bond issuance.	Council discussed at November 8 Study Session

Local Office  
December 12, 2011



**TESTING SERVICE CORPORATION**

*Local Office:*

457 E. Gundersen Drive, Carol Stream, IL 60188-2492  
630.653.3920 • Fax 630.653.2726

*Corporate Office:*

360 S. Main Place, Carol Stream, IL 60188-2404  
630.462.2600 • Fax 630.653.2988

Mr. Steven M. Saunders  
Village of Winnetka  
1390 Willow Road  
Winnetka, Illinois 60093

RE: L-77,832  
Willow Road Storm Sewer  
Lake Michigan Outlet  
Winnetka, Illinois

Dear Mr. Saunders:

This report presents results of a preliminary soils exploration performed in connection with the proposed construction of a storm sewer under Willow Road in Winnetka, Illinois. These geotechnical services have been provided in accordance with TSC Proposal No. 47,968 dated October 28, 2011, and the attached General Conditions, incorporated herein by reference.

The proposed project consists of improvements to the storm water drainage system in areas of the Village of Winnetka. This will include construction of an 8-foot diameter storm sewer to be constructed by open-trench and tunneling methods, connecting portions of western Winnetka to Lake Michigan.

**Field Investigation and Laboratory Testing**

Four (4) soil borings were drilled along Willow Road to assist in determining the feasibility of constructing the 8-foot storm water management tunnel (to be constructed by open-cut methods in some areas) from western Winnetka to Lake Michigan. The borings were laid out in the field by TSC at the approximate locations selected by others. Reference is made to the enclosed Boring Location Plan for the drilling layout, ground surface elevations at the borings also being shown. The elevations were provided to us by the Client.

The borings were drilled to depths ranging from 20 to 40 feet below existing grade, or approximately 5 to 8 feet below the proposed invert elevation of the sewer. They were drilled and samples taken in accordance with currently recommended American Society for Testing and Materials specifications. Soil sampling was performed at 2½ to 5-foot intervals. The samples were taken in conjunction with the Standard Penetration Test (SPT), for which driving resistance to a 2" split-spoon sampler (N value in blows per foot) provides an indication of the relative density of granular materials and consistency of cohesive soils. Water level observations were made during and following completion of drilling operations.

Soil samples were examined in the laboratory to verify field descriptions and to classify them in accordance with the Unified Soil Classification System. Laboratory testing included water content determinations for all cohesive soil types. An estimate of unconfined compressive strength was obtained for all cohesive soils using a calibrated pocket penetrometer, with actual measurements of unconfined compressive strength performed on representative samples of native clay soils. Dry unit weight tests were also run on specimens of cohesive fill.

Reference is made to the enclosed boring logs which indicate subsurface stratigraphy and soil descriptions, results of field and laboratory tests, as well as water level observations. Definitions of

descriptive terminology are also included. While strata changes are shown as a definite line on the boring logs, the actual transition between soil layers will probably be more gradual.

**Discussion of Test Data**

All of the borings were drilled on the existing pavement of Willow Road. Borings 1 and 2 drilled to the west of Green Bay Road encountered approximately 8 to 9 inches P.C. concrete at the surface, underlain by about 4 inches granular base materials. Borings 3 and 4 drilled to the east of Green Bay Road encountered approximately 4 to 5 inches bituminous concrete at the surface, underlain by about 7 to 11 inches crushed stone base materials. The pavement thicknesses were estimated from the disturbed sides of the augered holes and should be considered approximate. Pavement cores should be taken if more accurate thicknesses are required.

Fill materials were encountered underlying the pavement section in Borings 1 - 3, extending to depths of about 3 to 4 feet below existing grade. The fill consisted primarily of silty clay in Boring 1, silty clay and medium to fine sand layers in Boring 2, and clayey sand in B-3. The pavement section in Boring 4 was underlain by a firm medium to fine sand deposit (possible fill) that extended to a depth of 5½ feet. This granular soil type exhibited SPT N values of 14 to 16 blows per foot.

Native soils below the above described fill and firm medium to fine sand materials consisted of stiff to hard silty clays that extended to the bottom of the boreholes. These low to medium plasticity cohesive soils exhibited unconfined compressive strengths ranging from 0.8 to 4.5+ tons per square foot (tsf), typically exceeding 1.5 tsf, at water contents between 14 and 24 percent.

The majority of the borings were “dry” both during and upon completion of drilling operations. The only exception was Boring 4 where free water was first encountered at a depth of 18 feet, the water level remaining at the same approximate depth upon completion of field operations (i.e. after auger removal and prior to backfilling the hole).

**Analysis and Preliminary Recommendations**

A previously discussed, the proposed drainage improvements include an 8-foot (96-inch) diameter storm sewer to be constructed by open-trench and tunneling methods, connecting portions of western Winnetka to Lake Michigan. Four (4) soil borings were drilled along Willow Road to assist in determining the feasibility of constructing this structure. The following table summarizes the boring locations, ground surface elevations, and proposed invert elevation and depth below existing grade at each boring.

Boring Number	General Location	Approximate Ground Surface Elevation	Proposed Sewer Invert	
			Depth (Feet)	Elevation
1	Near Willow Road & Birch Street	633.0	22.3	610.7
2	Near Willow Road & Green Bay Road	638.0	33.0	605.0
3	Near Willow Road & Walnut Road	619.0	15.8	603.2
4	Near Willow Road & Sheridan Road	613.0	15.0	598.0

Based on the proposed invert depths/elevations, the proposed sewer/tunnel will be located within native clays soils in all of the borings. The clay soils were typically in a very tough to hard condition, the exception being Boring 2 where they were in a stiff (medium) to tough condition within and above the tunneling zone. Free water was not encountered for the full depth of Borings 1 - 3, with free water being only found in Boring 4 at a depth of about 3 feet below the proposed invert depth / elevation.

The soil borings have revealed the presence of native clay soil basically from the ground surface to the proposed tunnel invert that are conducive for tunneling. Based on the results of the borings, groundwater is also not expected to be a problem due to both the practically impervious nature of the clay soils as well as water observations made in the borings. While serious groundwater problems are not expected at the boring locations, it should be noted that the borings were spaced up to approximately 2000 feet apart. Therefore, it is possible that different soil and groundwater conditions may be encountered between these locations. In this regard, the cohesive glacial till soils as encountered by the borings often contained sand seams/layers that may produce significant amounts of water.

In regards to tunneling, the relatively high unconfined compressive strengths revealed by the borings which generally exceeded 1.5 tsf (i.e. undrained shear strengths,  $S_u$ , in excess of 1.5 ksf) indicate a firm ground condition in which heading may be advanced without initial support. However, tunnel face stability should be carefully evaluated in the area of Boring 2 due to the presence of marginal strength clay soils below a depth of about 17 feet below existing grade (approximate Elevation 621), i.e. within and above the tunneling zone. In this regard, it should be noted that it is the responsibility of the tunneling contractor to evaluate tunneling means and methods.

In regards to open-cut methods, the very tough to hard cohesive soils which predominate at the boring locations will generally stand, at least temporarily, on relative steep slopes. However, this represents a short-term condition, and blocks of soil will frequently fall into apparently stable excavations. To the extent that laborers will work in the excavation, protection against cave-ins must be provided. Protective measures should include the use of safety trench boxes, sheeting and bracing, or other appropriate methods. In this regard, the contractor must be responsible for meeting OSHA requirements, local regulations and/or project specifications with the respect to the safety of his work force.

The soils at the proposed pipe invert levels consisted of tough to very tough native silty clay at the boring locations. These cohesive soils will provide a stable/firm base for pipe installation and backfill support as well as an adequate factor of safety against basal heave.

Groundwater problems are not anticipated due to in large part to the cohesive nature of the soils encountered by the borings. However, the accumulation of run-off water or seepage at the base of excavations should still be expected to occur during trench excavation and site work. The Contractor should be prepared to remove these accumulations by pumping from strategically placed sumps.

### **Closure**

The analyses and preliminary recommendations submitted in this report are based upon the data obtained from the four (4) soil borings performed at the location shown on the Boring Location Plan. This report does not reflect and variations which may occur between this boring and the project site, the nature and extent of which may not become evident until during the course of construction. If

variations are then identified, recommendations contained in this report should be re-evaluated after performing on-site observations.

Please call if there are any questions in regard to this matter or if we may be of further service.

Respectfully submitted,

TESTING SERVICE CORPORATION



Alfredo J. Bermudez  
Registered Professional Engineer  
Illinois No. 062-046608



Charles R. DuBose, P.E.  
Vice President

AJB:CRD:ab  
Enc.



## TESTING SERVICE CORPORATION

# GENERAL CONDITIONS

## Geotechnical and Construction Services

**1. PARTIES AND SCOPE OF WORK:** If Client is ordering the services on behalf of another, Client represents and warrants that Client is the duly authorized agent of said party for the purpose of ordering and directing said services, and in such case the term "Client" shall also include the principal for whom the services are being performed. Prices quoted and charged by TSC for its services are predicated on the conditions and the allocations of risks and obligations expressed in these General Conditions. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the services ordered by Client are adequate and sufficient for Client's intended purpose. Unless otherwise expressly assumed in writing, TSC's services are provided exclusively for client. TSC shall have no duty or obligation other than those duties and obligations expressly set forth in this Agreement. TSC shall have no duty to any third party. Client shall communicate these General Conditions to each and every party to whom the Client transmits any report prepared by TSC. Ordering services from TSC shall constitute acceptance of TSC's proposal and these General Conditions.

**2. SCHEDULING OF SERVICES:** The services set forth in this Agreement will be accomplished in a timely and workmanlike manner. If TSC is required to delay any part of its services to accommodate the requests or requirements of Client, regulatory agencies, or third parties, or due to any cause beyond its reasonable control, Client agrees to pay such additional charges, if any, as may be applicable.

**3. ACCESS TO SITE:** TSC shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as a result of its services or the use of its equipment; however, TSC has not included in its fee the cost of restoration of damage which may occur. If Client desires or requires TSC to restore the site to its former condition, TSC will, upon written request, perform such additional work as is necessary to do so and Client agrees to pay to TSC the cost thereof plus TSC's normal markup for overhead and profit.

**4. CLIENT'S DUTY TO NOTIFY ENGINEER:** Client represents and warrants that Client has advised TSC of any known or suspected hazardous materials, utility lines and underground structures at any site at which TSC is to perform services under this agreement.

**5. DISCOVERY OF POLLUTANTS:** TSC's services shall not include investigation for hazardous materials as defined by the Resource Conservation Recovery Act, 42 U.S.C. § 6901, et seq., as amended ("RCRA") or by any state or Federal statute or regulation. In the event that hazardous materials are discovered and identified by TSC, TSC's sole duty shall be to notify Client.

**6. MONITORING:** If this Agreement includes testing construction materials or observing any aspect of construction of improvements, Client's construction personnel will verify that the pad is properly located and sized to meet Client's projected building loads. Client shall cause all tests and inspections of the site, materials and work to be timely and properly performed in accordance with the plans, specifications, contract documents, and TSC's recommendations. No claims for loss, damage or injury shall be brought against TSC unless all tests and inspections have been so performed and unless TSC's recommendations have been followed.

TSC's services shall not include determining or implementing the means, methods, techniques or procedures of work done by the contractor(s) being monitored or whose work is being tested. TSC's services shall not include the authority to accept or reject work or to in any manner supervise the work of any contractor. TSC's services or failure to perform same shall not in any way operate or excuse any contractor from the performance of its work in accordance

with its contract. "Contractor" as used herein shall include subcontractors, suppliers, architects, engineers and construction managers.

Information obtained from borings, observations and analyses of sample materials shall be reported in formats considered appropriate by TSC unless directed otherwise by Client. Such information is considered evidence, but any inference or conclusion based thereon is, necessarily, an opinion also based on engineering judgment and shall not be construed as a representation of fact. Subsurface conditions may not be uniform throughout an entire site and ground water levels may fluctuate due to climatic and other variations. Construction materials may vary from the samples taken. Unless otherwise agreed in writing, the procedures employed by TSC are not designed to detect intentional concealment or misrepresentation of facts by others.

**7. DOCUMENTS AND SAMPLES:** Client is granted an exclusive license to use findings and reports prepared and issued by TSC and any sub-consultants pursuant to this Agreement for the purpose set forth in TSC's proposal provided that TSC has received payment in full for its services. TSC and, if applicable, its sub-consultant, retain all copyright and ownership interests in the reports, boring logs, maps, field data, field notes, laboratory test data and similar documents, and the ownership and freedom to use all data generated by it for any purpose. Unless otherwise agreed in writing, test specimens or samples will be disposed immediately upon completion of the test. All drilling samples or specimens will be disposed sixty (60) days after submission of TSC's report.

**8. TERMINATION:** TSC's obligation to provide services may be terminated by either party upon (7) seven days prior written notice. In the event of termination of TSC's services, TSC shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses. The terms and conditions of these General Conditions shall survive the termination of TSC's obligation to provide services.

**9. PAYMENT:** Client shall be invoiced periodically for services performed. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to in writing for valid cause within sixty (60) days at the rate of twelve (12%) per annum (or the maximum interest rate permitted by applicable law, whichever is the lesser) until paid and TSC's costs of collection of such accounts, including court costs and reasonable attorney's fees.

**10. WARRANTY:** TSC's professional services will be performed, its findings obtained and its reports prepared in accordance with these General Conditions and with generally accepted principles and practices. In performing its professional services, TSC will use that degree of care and skill ordinarily exercised under similar circumstances by members of its profession. In performing physical work in pursuit of its professional services, TSC will use that degree of care and skill ordinarily used under similar circumstances. This warranty is in lieu of all other warranties or representations, either express or implied. Statements made in TSC reports are opinions based upon engineering judgment and are not to be construed as representations of fact.

Should TSC or any of its employees be found to have been negligent in performing professional services or to have made and breached any express or implied warranty, representation or contract, Client, all parties claiming through Client and all parties claiming to have in any way relied upon TSC's services or work agree that the maximum aggregate amount of damages for which TSC, its officers, employees and agents shall be liable is limited to \$50,000 or the total amount of the fee paid to TSC for its services performed with respect to the project, whichever amount is greater.

In the event Client is unwilling or unable to limit the damages for which TSC may be liable in accordance with the provisions set forth in the preceding paragraph, upon written request of Client received within five days of Client's acceptance of TSC's proposal together with payment of an additional fee in the amount of 5% of TSC's estimated cost for its services (to be adjusted to 5% of the amount actually billed by TSC for its services on the project at time of completion), the limit on damages shall be increased to \$500,000 or the amount of TSC's fee, whichever is the greater. This charge is not to be construed as being a charge for insurance of any type, but is increased consideration for the exposure to an award of greater damages.

**11. INDEMNITY:** Subject to the provisions set forth herein, TSC and Client hereby agree to indemnify and hold harmless each other and their respective shareholders, directors, officers, partners, employees, agents, subsidiaries and division (and each of their heirs, successors, and assigns) from any and all claims, demands, liabilities, suits, causes of action, judgments, costs and expenses, including reasonable attorneys' fees, arising, or allegedly arising, from personal injury, including death, property damage, including loss of use thereof, due in any manner to the negligence of either of them or their agents or employees or independent contractors. In the event both TSC and Client are found to be negligent or at fault, then any liability shall be apportioned between them pursuant to their pro rata share of negligence or fault. TSC and Client further agree that their liability to any third party shall, to the extent permitted by law, be several and not joint. The liability of TSC under this provision shall not exceed the policy limits of insurance carried by TSC. Neither TSC nor Client shall be bound under this indemnity agreement to liability determined in a proceeding in which it did not participate represented by its own independent counsel. The indemnities provided hereunder shall not terminate upon the termination or expiration of this Agreement, but may be modified to the extent of any waiver of subrogation agreed to by TSC and paid for by Client.

**12. SUBPOENAS:** TSC's employees shall not be retained as expert witnesses except by separate, written agreement. Client agrees to pay TSC pursuant to TSC's then current fee schedule for any TSC employee(s) subpoenaed by any party as an occurrence witness as a result of TSC's services.

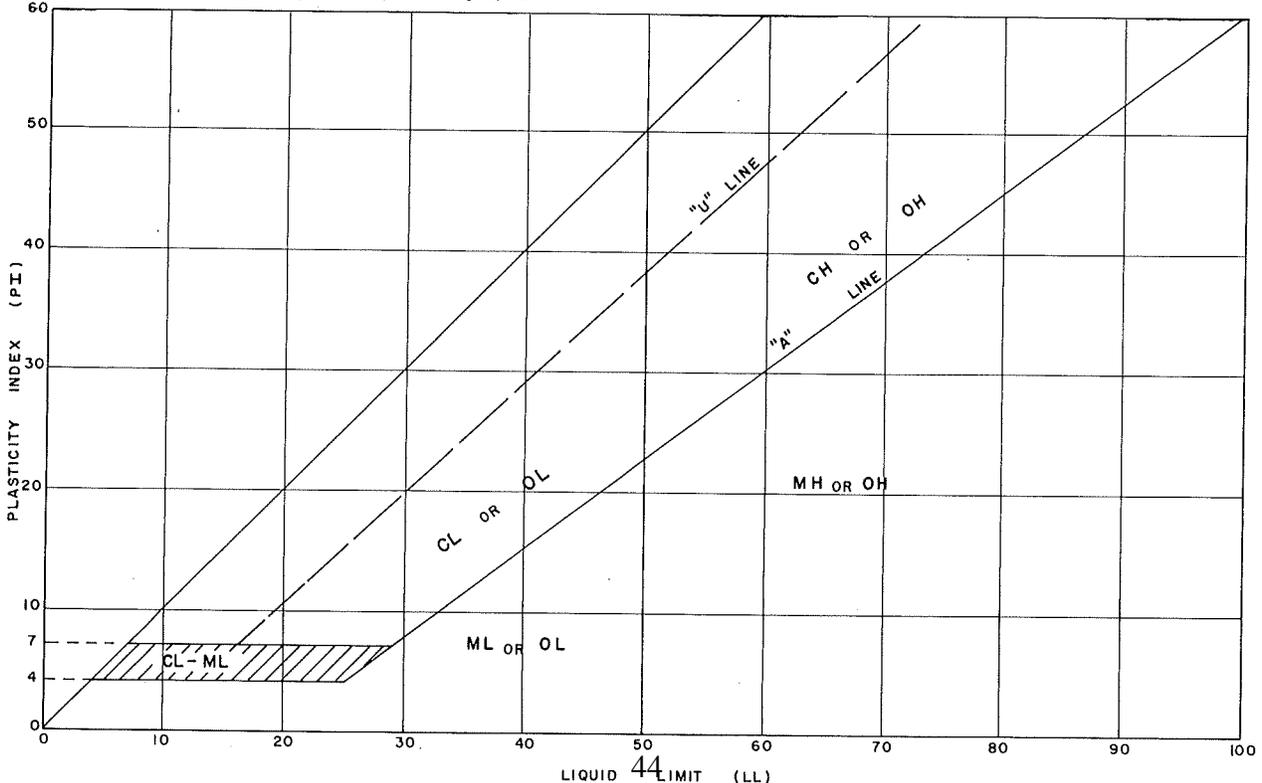
**13. OTHER AGREEMENTS:** TSC shall not be bound by any provision or agreement (i) requiring or providing for arbitration of disputes or controversies arising out of this Agreement or its performance, (ii) wherein TSC waives any rights to a mechanics lien or surety bond claim; (iii) that conditions TSC's right to receive payment for its services upon payment to Client by any third party or (iv) that requires TSC to indemnify any party beyond its own negligence. These General Conditions are notice, where required, that TSC shall file a lien whenever necessary to collect past due amounts. This Agreement contains the entire understanding between the parties. Unless expressly accepted by TSC in writing prior to delivery of TSC's services, Client shall not add any conditions or impose conditions which are in conflict with those contained herein, and no such additional or conflicting terms shall be binding upon TSC. The unenforceability or invalidity of any provision or provisions shall not render any other provision or provisions unenforceable or invalid. This Agreement shall be construed and enforced in accordance with the laws of the State of Illinois. In the event of a dispute arising out of or relating to the performance of this Agreement, the breach thereof or TSC's services, the parties agree to try in good faith to settle the dispute by mediation under the Construction Industry Mediation Rules of the American Arbitration Association as a condition precedent to filing any demand for arbitration, or any petition or complaint with any court. Paragraph headings are for convenience only and shall not be construed as limiting the meaning of the provisions contained in these General Conditions.

**TESTING SERVICE CORPORATION  
UNIFIED CLASSIFICATION CHART**

CRITERIA FOR ASSIGNING GROUP SYMBOLS AND GROUP NAMES USING LABORATORY TESTS <sup>a</sup>				SOIL CLASSIFICATION	
				GROUP SYMBOL	GROUP NAME <sup>b</sup>
COARSE-GRAINED SOILS more than 50% retained on No. 200 sieve	GRAVELS More than 50% of coarse fraction retained on No. 4 sieve	CLEAN GRAVELS Less than 5% fines <sup>c</sup>	$C_u \geq 4$ and $1 \leq C_c \leq 3$ <sup>e</sup>	GW	Well graded gravel <sup>f</sup>
			$C_u < 4$ and/or $1 > C_c > 3$ <sup>e</sup>	GP	Poorly graded gravel <sup>f</sup>
		GRAVELS WITH FINES More than 12% fines <sup>c</sup>	Fines classify as ML or MH	GM	Silty gravel f,g,h
			Fines classify as CL or CH	GC	Clayey gravel f,g,h
	SANDS 50% or more of coarse fraction passes No. 4 sieve	CLEAN SANDS Less than 5% fines <sup>d</sup>	$C_u \geq 6$ and $1 \leq C_c \leq 3$ <sup>e</sup>	SW	Well-graded sand <sup>i</sup>
			$C_u < 6$ and/or $1 > C_c > 3$ <sup>e</sup>	SP	Poorly graded sand <sup>i</sup>
		SANDS WITH FINES More than 12% fines <sup>d</sup>	Fines classify as ML or MH	SM	Silty sand g,h,f
			Fines classify as CL or CH	SC	Clayey sand g,h,f
FINE-GRAINED SOILS 50% or more passed the No. 200 sieve	SILTS & CLAYS Liquid limit less than 50%	Inorganic	$PI \geq 7$ and plots on or above "A" line j	CL	Lean clay k,l,m
			$PI < 4$ or plots below "A" line j	ML	Silt k,l,m
		Organic	$\frac{\text{Liquid limit - oven dried}}{\text{Liquid limit - not dried}} < 0.75$	OL	Organic clay k,l,m,n Organic silt k,l,m,o
	SILTS & CLAYS Liquid limit 50% or more	Inorganic	P I plots on or above "A" line	CH	Fat clay k,l,m
			P I plots below "A" line	MH	Elastic silt k,l,m
		Organic	$\frac{\text{Liquid limit - oven dried}}{\text{Liquid limit - not dried}} < 0.75$	OH	Organic clay k,l,m,p Organic silt k,l,m,q
Highly organic soils		Primarily organic matter, dark in color, and organic odor		PT	Peat

- a. Based on the material passing the 3-in (75-mm) sieve.
- b. If field sample contained cobbles and/or boulders, add "with cobbles and/or boulders" to group name.
- c. Gravels with 5 to 12% fines require dual symbols  
 GW-GM well graded gravel with silt  
 GW-GC well graded gravel with clay  
 GP-GM poorly graded gravel with silt  
 GP-GC poorly graded gravel with clay
- d. Sands with 5% to 12% fines require dual symbols  
 SW-SM well graded sand with silt  
 SW-SC well graded sand with clay  
 SP-SM poorly graded sand with silt  
 SP-SC poorly graded sand with clay
- e.
- $$C_u = D_{60}/D_{10} \quad C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$$
- f. If soil contains  $\geq 15\%$  sand, add "with sand" to group name.
- g. If fines classify as CL-ML, use dual symbol GC-GM, SC-SM.
- h. If fines are organic, add "with organic fines" to group name.
- i. If soil contains  $\geq 15\%$  gravel, add "with gravel" to group name.

- j. If Atterberg Limits plot in hatched area, soil is a CL-ML, silty clay.
- k. If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel" whichever is predominant.
- l. If soil contains  $\geq 30\%$  plus No. 200, predominantly sand, add "sandy" to group name.
- m. If soil contains  $\geq 30\%$  plus No. 200, predominantly gravel, add "gravelly" to group name.
- n.  $PI \geq 4$  and plots on or above "A" line.
- o.  $PI \geq 4$  or plots below "A" line.
- p.  $PI$  plots on or above "A" line.
- q.  $PI$  plots below "A" line.



# TESTING SERVICE CORPORATION

## LEGEND FOR BORING LOGS



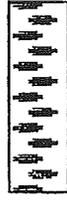
FILL



TOPSOIL



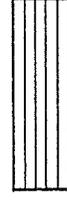
PEAT



GRAVEL



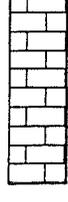
SAND



SILT



CLAY



DOLOMITE

### SAMPLE TYPE:

SS = Split Spoon  
 ST = Thin-Walled Tube  
 A = Auger

### FIELD AND LABORATORY TEST DATA:

N = Standard Penetration Resistance in Blows per Foot  
 Wc = In-Situ Water Content  
 Qu = Unconfined Compressive Strength in Tons per Square Foot  
 \* Pocket Penetrometer Measurement; Maximum Reading = 4.5 tsf  
 γD = Dry Unit Weight in Pounds per Cubic Foot

### WATER LEVELS:

▽ While Drilling  
 ▽ End of Boring  
 ▼ 24 Hours

### SOIL DESCRIPTION:

#### MATERIAL

BOULDER  
 COBBLE  
 Coarse GRAVEL  
 Small GRAVEL  
 Coarse SAND  
 Medium SAND  
 Fine SAND  
 SILT and CLAY

#### PARTICLE SIZE RANGE

Over 12 inches  
 12 inches to 3 inches  
 3 inches to ¾ inch  
 ¾ inch to No. 4 Sieve  
 No. 4 Sieve to No. 10 Sieve  
 No. 10 Sieve to No. 40 Sieve  
 No. 40 Sieve to No. 200 Sieve  
 Passing No. 200 Sieve

#### COHESIVE SOILS

<u>CONSISTENCY</u>	<u>Qu</u>
Very Soft	Less than 0.3
Soft	0.3 to 0.6
Stiff	0.6 to 1.0
Tough	1.0 to 2.0
Very Tough	2.0 to 4.0
Hard	4.0 and over

#### COHESIONLESS SOILS

<u>RELATIVE DENSITY</u>	<u>N</u>
Very Loose	0 - 4
Loose	4 - 10
Firm	10 - 30
Dense	30 - 50
Very Dense	50 and over

#### MODIFYING TERM

Trace  
 Little  
 Some

#### PERCENT BY WEIGHT

1 - 10  
 10 - 20  
 20 - 35

PROJECT **Willow Road Storm Sewer, Lake Michigan Outlet, Winnetka, Illinois**



CLIENT **Village of Winnetka, Winnetka, Illinois**

BORING **1** DATE STARTED **12-5-11** DATE COMPLETED **12-5-11** JOB **L-77,832**

ELEVATIONS  
 GROUND SURFACE **633.0**  
 END OF BORING **603.0**

WATER LEVEL OBSERVATIONS  
 ▽ WHILE DRILLING **Dry**  
 ▽ AT END OF BORING **Dry**  
 ▽ 24 HOURS

DISTANCE BELOW SURFACE IN FEET	LENGTH RECOVERY	SAMPLE		N	WC	Qu	γ <sub>DRY</sub>	DEPTH	ELEV.	SOIL DESCRIPTIONS
		NO.	TYPE							
0								0.7	632.3	8" P.C. Concrete **
								1.0	632.0	4" Crushed Stone **
		1	SS	12	11.0	2.25*	119.1			FILL - Gray silty CLAY, little sand and gravel, trace crushed stone, moist (CL)
5		2	SS	22	14.1	7.10 4.5+*				
		3	SS	23	17.7	8.68 4.5+*				
10		4	SS	20	17.2	4.5+*				Hard brown and gray silty CLAY, little sand and gravel, moist (CL)
15		5	SS	14	17.9	4.08 4.25*				
20		6	SS	13	18.2	3.75*		18.0	615.0	Very tough brown silty CLAY, little sand and gravel, moist (CL)
25		7	SS	10	18.3	2.77 2.5*		23.0	610.0	Very tough gray silty CLAY, little sand and gravel, moist (CL)
30		8	SS	12	19.8	2.0*				End of Boring at 30.0'
35										* Approximate unconfined compressive strength based on measurements with a calibrated pocket penetrometer. ** Approximate thicknesses determined by flight auger methods SPT Hammer = CME Automatic
40										

Division lines between deposits represent approximate boundaries between soil types; in-situ, the transition may be gradual.

DRILL RIG NO. **315**

PROJECT **Willow Road Storm Sewer, Lake Michigan Outlet, Winnetka, Illinois**



CLIENT **Village of Winnetka, Winnetka, Illinois**

BORING **2** DATE STARTED **12-5-11** DATE COMPLETED **12-5-11** JOB **L-77,832**

ELEVATIONS  
 GROUND SURFACE **638.0**  
 END OF BORING **598.0**

WATER LEVEL OBSERVATIONS  
 ▽ WHILE DRILLING **Dry**  
 ▽ AT END OF BORING **Dry**  
 ▽ 24 HOURS

DISTANCE BELOW SURFACE IN FEET	LENGTH RECOVERY	SAMPLE		N	WC	Qu	γ <sub>DRY</sub>	DEPTH	ELEV.	SOIL DESCRIPTIONS
		NO.	TYPE							
0								0.8	637.2	9" P.C. Concrete **
								1.1	636.9	4" Crushed Stone **
		1	SS	21	12.5	1.75*	117.5			FILL - Brown and gray silty CLAY, little sand and gravel, moist (CL)
		A			16.5			3.0	635.0	FILL - Brown medium to fine SAND, trace gravel, moist (SP)
		2	SS	6	23.7	2.25*		4.0	634.0	Very tough gray silty CLAY, trace sand and gravel, trace organic, moist (CL)
5		B						5.5	632.5	
		3	SS	18	16.4	6.73 4.50+*				
		4	SS	15	17.7	3.75*				Hard to very tough brownish-gray silty CLAY, little sand, trace gravel, moist (CL)
10										
		5	SS	13	18.1	4.08 3.75*				
15								17.0	621.0	
		6	SS	7	22.2	0.75*				Stiff brownish-gray to gray silty CLAY, little sand, trace gravel, very moist (CL)
20										
		7	SS	6	22.3	0.89 0.75*				
25								27.0	611.0	
		8	SS	12	19.3	1.75*				Tough gray silty CLAY, little sand, trace gravel, moist (CL)
30										
		9	SS	8	17.0	1.91 1.5*				* Approximate unconfined compressive strength based on measurements with a calibrated pocket penetrometer.
35										** Approximate thicknesses determined by flight auger methods
		10	SS	10	19.6	1.5*				SPT Hammer = CME Automatic
40										

Division lines between deposits represent approximate boundaries between soil types; in-situ, the transition may be gradual.

End of Boring at 40.0'

TSC 77832.GPJ TSC\_ALL.GDT 12.7.11

DRILL RIG NO. **315**

PROJECT Willow Road Storm Sewer, Lake Michigan Outlet, Winnetka, Illinois



CLIENT Village of Winnetka, Winnetka, Illinois

BORING 3 DATE STARTED 12-2-11 DATE COMPLETED 12-2-11 JOB L-77,832

ELEVATIONS  
 GROUND SURFACE 619.0  
 END OF BORING 599.0

WATER LEVEL OBSERVATIONS  
 ▼ WHILE DRILLING Dry  
 ▼ AT END OF BORING Dry  
 ▼ 24 HOURS

DISTANCE BELOW SURFACE IN FEET	LENGTH RECOVERY	SAMPLE		N	WC	Qu	γ DRY	DEPTH	ELEV.	SOIL DESCRIPTIONS
		NO.	TYPE							
0								0.4	618.6	5" Bituminous Concrete **
								1.3	617.7	11" Crushed Stone **
		1	SS	11	15.8					FILL - Brown clayey SAND, trace gravel, moist (SC)
5		2	SS	10	16.0	4.92 4.5+*				Hard brownish-gray silty CLAY, little sand and gravel, moist (CL)
		3	SS	16	16.2	4.59 4.5+*				
		4	SS	23	15.8	4.5+*		8.0	611.0	
15		5	SS	12	16.4	3.21 3.0*				Hard to very tough gray silty CLAY, little sand and gravel, moist (CL)
		6	SS	10	16.4	2.75*				
20		End of Boring at 20.0'								
25		* Approximate unconfined compressive strength based on measurements with a calibrated pocket penetrometer.								
		** Approximate thicknesses determined by flight auger methods								
		SPT Hammer = CME Automatic								
30										
35										
40										

Division lines between deposits represent approximate boundaries between soil types; in-situ, the transition may be gradual.

DRILL RIG NO. 256

PROJECT Willow Road Storm Sewer, Lake Michigan Outlet, Winnetka, Illinois



CLIENT Village of Winnetka, Winnetka, Illinois

BORING 4 DATE STARTED 12-2-11 DATE COMPLETED 12-2-11 JOB L-77,832

ELEVATIONS  
 GROUND SURFACE 613.0  
 END OF BORING 593.0

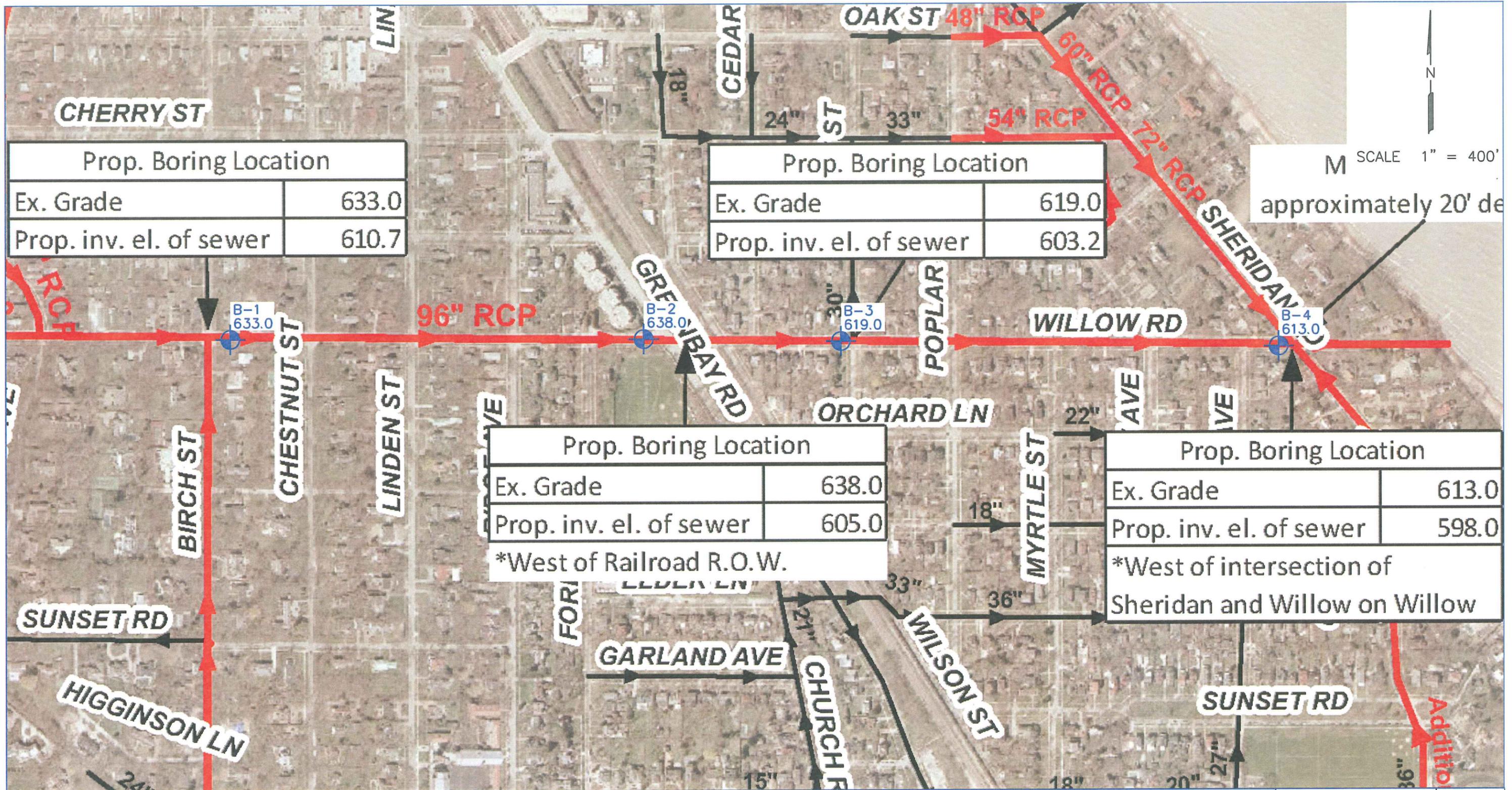
WATER LEVEL OBSERVATIONS  
 ▽ WHILE DRILLING 18.0'  
 ▽ AT END OF BORING 18.0'  
 ▽ 24 HOURS

DISTANCE BELOW SURFACE IN FEET	LENGTH RECOVERY	SAMPLE		N	WC	Qu	γ DRY	DEPTH	ELEV.	SOIL DESCRIPTIONS
		NO.	TYPE							
0								0.3	612.7	4" Bituminous Concrete **
								0.9	612.1	7" Crushed Stone **
		1	SS	16	8.8					Firm brownish-gray medium to fine SAND, moist (SP) [Possible Fill]  Hard to very tough gray silty CLAY, little sand and gravel, moist (CL)
		2	SS	14	14.3					
5		3	SS	15	15.9	3.67 4.25*		5.5	607.5	
		4	SS	16	16.0	4.79 4.5+*				
10		5	SS	12	16.9	3.25*				
15		6	SS	9	19.1	2.76 3.0*				
20										End of Boring at 20.0'
25										* Approximate unconfined compressive strength based on measurements with a calibrated pocket penetrometer.
30										** Approximate thicknesses determined by flight auger methods
35										SPT Hammer = CME Automatic
40										

Division lines between deposits represent approximate boundaries between soil types; in-situ, the transition may be gradual.

TSC 77832.GPJ TSC\_ALL.GDT 12/12/11

DRILL RIG NO. 256



Prop. Boring Location	
Ex. Grade	633.0
Prop. inv. el. of sewer	610.7

Prop. Boring Location	
Ex. Grade	619.0
Prop. inv. el. of sewer	603.2

Prop. Boring Location	
Ex. Grade	638.0
Prop. inv. el. of sewer	605.0

Prop. Boring Location	
Ex. Grade	613.0
Prop. inv. el. of sewer	598.0

\*West of Railroad R.O.W.

\*West of intersection of Sheridan and Willow on Willow

M SCALE 1" = 400'  
approximately 20' de

LEGEND  
 SOIL BORING LOCATION

BORING LOCATION PLAN  
 WILLOW ROAD STORM SEWER  
 LAKE MICHIGAN OUTLET  
 WINNETKA, ILLINOIS



TESTING SERVICE CORPORATION  
 457 EAST GUNDERSEN DRIVE  
 CAROL STREAM, ILLINOIS 60188

DRAWN BY: TRP	PAGE NO.
CHECKED BY: AJB	1 OF 1
JOB NO. : L-77,832	
DATE: 12-09-11	

## AGENDA REPORT

**SUBJECT:** MC-6-2011 – Amendments to Liquor License Regulations:  
1) Delinquent Accounts and Applicant Eligibility  
2) Park District License Request

**PREPARED BY:** Katherine S. Janega, Village Attorney

**REFERENCE:** March 22, 2011 Council Agenda, pp. 201 – 207  
November 15, 2011 Council agenda, pp. 7 – 18

**DATE:** December 16, 2011

Ordinance MC-6-2011, which was introduced at the November 15, 2011, Village Council meeting, addresses two issues pertaining to the Village’s Liquor License regulations. (WVC Chapter 5.09)

The first issue concerns liquor license renewals and the impact of delinquent accounts, *e.g.*, unpaid utility bills, on a licensee’s eligibility for license renewal. After initial discussion of this issue at the March 22, 2011, Village Council meeting, it was suggested that the Village Code be amended to provide more clarity regarding a licensee’s obligation to maintain eligibility throughout the life of a license, and the impact that loss of eligibility has on the status of a license.

The second issue stems from the Winnetka Park District’s request that the Village allow the service of alcoholic beverages at the “Halfway House” on the Park District’s Golf Course.

Action on the licensing issue at this time will enable the Village to apply the new provisions to licenses that will be issued for both the 2012 calendar year and the 2012-13 fiscal year. Similarly, action on the Park District’s request will allow the expanded service to fall within the scope of the Park District’s Class P license for the 2012-13 fiscal year.

### **Licensing Requirements and Delinquent Accounts**

When dealing with violations of regulatory Code provisions and delinquent accounts, the Village has consistently pursued two goals, regardless of the type of account or the type of infraction. First, the Village seeks compliance with the applicable Code provisions. Second, the Village works with the customer in an effort to avoid the drastic measure of terminating a utility service or shutting down a business. In the context of liquor licensing, the Village’s practice has been for the Village Manager and Finance Director, with the knowledge and consent of the Village President (who is also the Local Liquor Commissioner), to attempt to work out a payment plan with any delinquent licensee, just as they would with any other delinquent utility account. Because the payment plan can spread past-due payments over as much as 12 months, the licensee’s utility service can be maintained, and a business that has encountered cash flow problems can remain open as it catches up.

In isolated instances, however, a licensee and/or utility customer has been chronically delinquent, and it is that scenario that generated the suggestion that the Liquor Code be

tightened. Ordinance MC-6-2011 attempts to address chronic delinquents through the following amendments to the Village Code:

**Section 2:** Amends the definition of “delinquent account” in Village Code Section 1.04.140(A) to include failure to maintain payments pursuant to a payment plan. As Subsection A is now worded, a customer who has entered into a payment plan could claim that the account is no longer delinquent, even if the customer is not in compliance with the payment plan. This amendment would close the gap in the current definition.

**Sections 3, 6 and 7:** Amends the fee provisions in Chapter 5.04 (“Licenses and Permits Generally”) and Chapter 5.09 (Liquor Control Regulations) to require payment of fees at the time an application is submitted, rather than allowing an applicant to wait until the last minute before a current license is about to expire, and to require proof that all accounts are current before an application will be accepted for processing. This places the responsibility for being current squarely with the applicant, and avoids the kind of last-minute procedural maneuvers that have occurred with certain licensees.

**Section 8:** Amends Section 5.09.160 to include the requirement that an applicant for a license renewal shall not have any delinquent accounts, as defined in the amended Section 1.04.140.

**Section 10:** Amends Section 5.09.280 to include loss of eligibility as grounds for suspension, revocation or nonrenewal of a license. It should be noted that this amendment will not alter the hearing requirements for suspensions, revocations and nonrenewals.

The above sections of Ordinance MC-6-2011 also make minor technical amendments to the affected provisions, by reorganizing some of the provisions and replacing some of the arcane phrasing with wording that is more easily understood by an ordinary citizen.

### **Park District Request for License Expansion**

Section 4, 5 and 9 of Ordinance MC-6-2011 pertain to the expanded scope of the Class P liquor license. The amended scope of the Class P licenses would allow the Park District to serve alcoholic beverages at the Halfway House on the Golf Course, in response to the Park District’s August 24, 2011, request.

As explained in the Park District’s request, this type of service “is readily available at most every public golf facility in the area except Winnetka,” and the Park District desires to remain competitive. As noted at the time of introduction, the Police Department has confirmed that there have been no incidents related to the service of alcohol at the Golf Course in the time that such service has been available.

Section 4 of MC-6-2011 amends the scope of the Park District resolution that is required for the Park District’s Class license application. Sections 5 of MC-6-2011 amends Section 5.09.100(N) of the Village Code, which contains the definition of the Class P license. Pursuant to discussion at the time of introduction, to avoid delay or interference with the flow of golfers through the course, Section 5 has been further amended so that a golfer could carry an alcoholic beverage away from the Halfway House as he or she proceeds through the remainder of the golf course. It should be noted that this revision also states that the beverages cannot be taken to the parking lot, sidewalk, or other Park District activity centers.

Section 9 of MC-6-2011 amends Section 5.09.205(G), which pertains to the sale of liquor without full meals, since it is presumed that service at the Halfway House would primarily be beverage service.

**Recommendation:**

- 1) Consider amending Ordinance MC-6-2011, as indicated in the attached revised draft.
- 2) Consider adopting Ordinance MC-6-2011, as amended, to amend various provisions of the Village Code as it pertains to licensing requirements, and to amend Chapter 5.09 of the Village Code as it pertains to licensing requirements and the Class P license.

**AN ORDINANCE  
AMENDING VARIOUS PROVISIONS OF  
CHAPTERS 1.04, 5.04 AND 5.09 OF THE WINNETKA VILLAGE CODE  
AS THEY PERTAIN TO LIQUOR LICENSE ELIGIBILITY  
AND THE SERVICE OF ALCOHOLIC BEVERAGES  
AT THE WINNETKA PARK DISTRICT'S GOLF FACILITY**

**WHEREAS**, the Illinois Liquor Control Act of 1934, 235 ILCS 5/1-1 *et seq.*, provides statutory authority for the local licensing and regulation of the sale and service of alcoholic beverages within the Village of Winnetka; and

**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, with the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare of the Village of Winnetka and its citizens; and

**WHEREAS**, the Village Council find that establishing classifications of licenses for the retail sale and service of alcoholic beverages and packaged liquors, and establishing the terms and conditions for such licenses are matters pertaining to the affairs of the Village; and

**WHEREAS**, Chapter 1.04 of the Winnetka Village Code establishes regulations for the payment of fees to the Village and

**WHEREAS**, Chapter 5.04 of the Winnetka Village Code establishes general regulations for the licensing of businesses within the corporate limits of the Village; and

**WHEREAS**, Chapter 5.09 of the Winnetka Village Code establishes local regulations for the sale of alcoholic beverages within the corporate limits of the Village; and

**WHEREAS**, the Village Council find that it is in the best interests of the health, safety morals and general welfare of the Village of Winnetka that various provisions of Chapters 1.04, 5.04 and 5.09 of the Winnetka Village Code be amended to clarify the Village's regulations pertaining to the impact of delinquent accounts on the eligibility to obtain a liquor license; and

**WHEREAS**, the Winnetka Park District has submitted a request to the Village Council seeking to expand the scope of liquor service at the Park District's Golf Facility to include the Halfway House; and

**WHEREAS**, the Village Council have determined that it is in the best interests of the health, safety and general welfare of the Village and its residents to grant the Park District's request, subject to certain conditions, so that the Golf Facility may remain competitive with other golf facilities in the area.

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

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

**SECTION 2:** Subsection A of Section 1.04.140, "Delinquent Accounts" of Chapter 1.04, of Title I of the Winnetka Village Code, "General Provisions," is hereby amended to provide as follows:

A. Delinquent Account Defined. For purposes of this section, any account that is not current and for which the person owing the account has not entered into and remained in compliance with an enforceable payment plan pursuant to subsection C of this section, shall be considered to be a delinquent account. Such accounts shall include, but not be limited to, accounts with unpaid water and electric fees, accounts with unpaid fees for false alarms, accounts with unpaid parking tickets, accounts with unpaid license or permit fees, and accounts with unpaid late fees or collection charges.

**SECTION 3:** Subsection A of Section 5.04.050, "Fees," of Chapter 5.04, "Licenses and Permits Generally," of Title 5 of the Winnetka Village Code, "Business Licenses and Regulations," is hereby amended to provide as follows:

A. Payment. The fees required for licenses and permits shall be set from time to time by resolution of the Village Council and shall be paid at the time the application is ~~made submitted~~. No application for a license or permit shall be accepted for processing unless the required fee has been paid in full.

**SECTION 4:** Subsection L of Section 5.09.070, "Application for License," of Chapter 5.09, "Liquor License Regulations," of Title 5 of the Winnetka Village Code, "Business Licenses and Regulations," is hereby amended to provide as follows:

L. For applications for a Class P license, a certified copy of the ordinance or resolution adopted by the Winnetka Park District authorizing the sale of alcoholic beverages at the Halfway House and at the food service facility in the clubhouse of the Winnetka Park District Golf Course.

**SECTION 5:** Subsection N of Section 5.09.100, "Classification of Licenses," of Chapter 5.09, "Liquor Control Regulations," of Title 5 of the Winnetka Village Code, "Business Licenses and Regulations," is hereby amended to provide as follows:

N. Class P License. The Class P license authorizes the Winnetka Park District to engage in the retail sale and service of alcoholic beverages, at the “Halfway House” and in conjunction with the operation of the food service facility located in the clubhouse of the Winnetka Park District Golf Course, to persons the attendants at the food service facility those facilities reasonably believes to be at the Winnetka Park District Golfing Facilities for the principal purpose of engaging in golfing activities, subject to the following terms and conditions:

~~1. The sale and service of alcoholic beverages in the clubhouse shall be incidental and complementary to the sale and service of food in the clubhouse food service facility and shall be, for consumption only in the clubhouse food service area, of the clubhouse, provided such sales and service are incidental and complementary to the sale and service of food. Subject to the terms and conditions of this subsection, food and liquor may be served at a counter, bar or waiting area within the clubhouse food service facility. Subject to the provisions of Section 5.09.205 of this chapter, such incidental and complementary the sales and service of alcoholic beverages at the clubhouse food service facility may include the occasional service of alcoholic beverages alone. All sales and service of alcoholic beverages pursuant to the Class P license shall be 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 persons the attendant at the food service facility reasonably believes to be at the Winnetka Park District Golfing Facilities for the principal purpose of engaging in golfing activities.~~

~~2. The sale and service of alcoholic beverages at the Halfway House shall be permitted. Alcoholic beverages served at the Halfway House, provided that no alcoholic beverages may be taken from the Halfway House for consumption in any other part of the Winnetka Park District Golf Course Facility. Food and liquor may be served at a counter or bar at the Halfway House. Subject to the provisions of Section 5.09.205 of this chapter, the sale and service of alcoholic beverages at the Halfway House may include the occasional service of alcoholic beverages alone.~~

~~3. Food and liquor may served at a counter, bar or waiting area within the clubhouse food service facility, provided that The the percentage of the total space available that is allocated to counter, bar and waiting area service in the clubhouse food service facility shall not exceed ten (10) percent of the total space of the food service facility that is accessible to patrons.~~

~~4. No alcoholic beverages shall be removed from the clubhouse or Halfway House for consumption on any Winnetka Park District property other than the Winnetka Park District Golf Course. For purpose of this provision, the Winnetka Park District Golf Course shall include the Golf Course’s clubhouse and Halfway House facilities, but shall exclude all other areas of the Park District’s facilities, including other buildings and activity centers, parking lots and exterior walkways.~~

~~5. 3.—The sale of alcoholic beverages pursuant to the Class P liquor license shall be permitted only during the months of April through October.~~

**SECTION 6:** Section 5.09.110, “License Fees,” of Chapter 5.09, “Liquor License Regulations,” of Title 5 of the Winnetka Village Code, “Business Licenses and Regulations,” is hereby amended by adding a new subsection C, which shall provide as follows:

C. Payment of Fees. All license fees shall be paid at the time the application is submitted to the Village. No application for a license or permit shall be accepted for processing unless the required fee has been paid in full.

**SECTION 7:** Section 5.09.120, “Payment and Disposition of Fees,” of Chapter 5.09, “Liquor License Regulations,” of Title 5 of the Winnetka Village Code, “Business Licenses and Regulations,” is hereby amended to provide as follows:

**Section 5.09.120 Payment and Disposition of Fees**

All fees for Class A, Class A-1, television rider, packaged meal rider, Class B, Class D, Class D-1, Class E, Class E-1 or Class P licenses issued under this chapter shall be paid to the Village ~~on or before April 1<sup>st</sup> of the year for which such license is to be issued in full at the time the license application is submitted.~~ In the event the license applied for is denied, the fee shall be returned to the applicant. ~~If the license is granted, then the fee shall be deposited in the general corporate purposes fund or in such other fund as shall have been designated by the Village Council by motion, resolution or ordinance.~~

**SECTION 8:** Section 5.09.160, “License Renewals,” of Chapter 5.09, “Liquor License Regulations,” of Title 5 of the Winnetka Village Code, “Business Licenses and Regulations,” is hereby amended to provide as follows:

**Section 5.09.160 License Renewals.**

A. Any Class A, Class A-1, television rider, packaged meal rider, Class B, Class D, Class D-1, Class E, Class E-1, Class E-2 or Class P licensee ~~may be subject to renewal~~ his or her license upon its expiration, subject to the following conditions and limitations; provided

1. ~~he or she~~ The licensee shall not have any delinquent accounts with the Village, as defined in Section 1.04.140 of this Code;

2. The licensee ~~is then eligible~~ shall continue to meet the same eligibility requirements as if applying for an original ~~application to receive a~~ license; ~~and~~

3. ~~the~~ The premises for which ~~such the~~ license renewal is sought are suitable for such purpose; ~~and~~

4. ~~Such~~ The renewal of any license ~~renewal~~ shall not be construed as a vested right and nothing in this chapter shall prevent the Village President and Trustees from decreasing the number of licenses that may be issued within the Village; ~~and~~

5. All applications for the renewal of a liquor license shall include a statement describing all work on or alterations to the licensed premises during the term of the current license.

B. Sidewalk restaurant rider licenses are not subject to renewal and each application for a sidewalk restaurant rider license shall be considered de novo, regardless of whether the applicant has previously held such a license.

**SECTION 9:** Section 5.09.205, “Service of Alcoholic Beverages without Service of Full Meals,” of Chapter 5.09, “Liquor License Regulations,” of Title 5 of the Winnetka Village Code, “Business Licenses and Regulations,” is hereby amended to provide as follows:

**Section 5.09.205 Service of alcoholic beverages without service of full meals.**

From time to time, any Class A, Class A-1, Class E-1 or Class P licensee may serve alcoholic beverages without serving a full meal to the person being served (“liquor-only” service), provided the following conditions are met:

A. The area for liquor-only service shall be segregated from the remaining portion of the restaurant and shall be identified in a seating plan submitted to the Local Liquor Control Commissioner for his approval.

B. Liquor-only service is prohibited on all public sidewalks.

C. Liquor-only service is permitted in outdoor seating areas, provided the outdoor seating area is located entirely on private property and is part of the licensed premises.

D. No more than 20% of the restaurant’s seating capacity shall be used for liquor-only service, and at least 80% of the restaurant’s seating capacity shall be dedicated to full meal service.

E. All liquor-only service shall comply with the limitations of hours of service established in Section 5.09.250 of this Chapter.

F. The total amount of all alcoholic beverage sales by any licensee, including liquor-only sales, shall at all times be incidental and complementary to the sale of complete meals or food products, as specified in the licensee’s license classification.

G. The extent of liquor-only service at the Halfway House on the Winnetka Park District Golf Facility may predominate over the sale and service of alcoholic beverages with food at that location, provided that liquor only sales at the Halfway House and at the clubhouse food service facility, when combined, shall be incidental and subordinate to the sale and service of food at those two locations, taken as a whole.

**SECTION 10:** Subsection A of Section 5.09.280, “Revocation, Suspension and Nonrenewal of License,” of Chapter 5.09, “Liquor License Regulations,” of Title 5 of the Winnetka Village Code, “Business Licenses and Regulations,” is hereby amended to provide as follows:

A. Authority of Local Liquor Control Commissioner. The Local Liquor Control Commissioner may revoke, suspend or refuse to renew any license issued in this Village, and cause any fees paid on such license to be forfeited, for any violation of this chapter or any state law pertaining to the sale of alcoholic liquor, for the licensee’s loss of eligibility

~~for a license under any provision of this chapter or state law, or for the violation of~~ any applicable rules or regulations established by the Local Liquor Control Commissioner or the State Commission, ~~or for the failure to pay any license fee, or for the failure to pay~~ any state, local or other tax imposed on alcoholic liquor or the sale of alcoholic liquor, or whenever it shall be determined by the Local Liquor Control Commissioner that an officer, director or manager or other employee of any licensee under this chapter has violated any provision of this chapter while engaged in the course of his or her employment or while on the premises described in such license.

**SECTION 10:** This Ordinance is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

**SECTION 11:** This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

\_\_\_\_\_  
Village President

Countersigned:

\_\_\_\_\_  
Village Clerk

Introduced: November 15, 2011

Posted: November 16, 2011

Passed and Approved: December 20, 2011

Posted:

## **AGENDA REPORT**

Subject:                   **Ordinance M -18- 2011        2011 Tax Levy Ordinance**  
                                 **Ordinance M -19- 2011        2011 Tax Abatement Ordinance**  
                                 **Ordinance M – 20 – 2011      SSA 3 Tax Levy Ordinance**  
                                 **Ordinance M – 21 – 2011      SSA 4 Tax Levy Ordinance**  
                                 **Ordinance M – 22 – 2011      SSA 5 Tax Levy Ordinance**

Prepared by:                Ed McKee, Finance Director

Reference:                    2011 / 2012 Budget Hearings  
                                  November 1, 2011 Council Meeting  
                                  December 6, 2011 Council Meeting

Date:                            December 13, 2011

### **Executive Summary:**

The Village of Winnetka is primarily a residential community that pays for many traditional municipal services with property tax revenues.

At the November 1<sup>st</sup> Council Meeting, the budget and property tax levy was reviewed. Staff was directed to prepare the 2011 property tax levy with a projected 1.5% increase for existing tax payers and a projected 1.3% to be generated from new development. At the December 6<sup>th</sup> Council Meeting, the staff reviewed the tax levy again and the Council introduced the ordinances reflecting a 2.8% increase in the regular portion of the Village tax levy. There were also three special service area property tax levies started for the first time for the 2011 property tax year.

The following chart compares property taxes paid in 1997 versus 2010. It assumes a \$14,877 property tax bill in 1997 and a \$25,946 property tax bill in 2010. Over this long time frame, the Village had the second lowest property tax increase.

It is important to remember that the Village's property taxes are the largest and most stable revenue source for the general fund and are used to pay for most of the traditional municipal services (police, fire, public works, etc.). The Village has continued to abide by the non-home rule property tax rules. The 2010 property tax levy was \$372,877 or 2.8% higher and still have been within the non-home rule entity limit.

**Comparison of Property Taxes Paid  
Typical Taxing Districts in Winnetka  
2010 Versus 1997**

10.31.2011

	1997 *			2010 **			Increase in Taxes Paid	% Change
	Tax Rate	Taxes Paid	%	Tax Rate	Taxes Paid	%		
Winnetka Public Schools	2.723	\$4,712	31.67%	2.432	\$10,317	39.76%	\$5,605	119.0%
New Trier High School	1.967	\$3,404	22.88%	1.474	\$6,253	24.10%	\$2,849	83.7%
Village of Winnetka	1.481	\$2,563	17.23%	0.817	\$3,466	13.36%	\$903	35.2%
Cook County	1.028	\$1,779	11.96%	0.474	\$2,011	7.75%	\$232	13.0%
Winnetka Park District	0.445	\$770	5.18%	0.271	\$1,150	4.43%	\$380	49.4%
Water Reclamation District	0.451	\$780	5.24%	0.274	\$1,162	4.48%	\$382	49.0%
All Others	<u>0.502</u>	<u>\$869</u>	<u>5.84%</u>	<u>0.374</u>	<u>\$1,587</u>	<u>6.12%</u>	<u>\$718</u>	<u>82.6%</u>
<b>Total</b>	<b>8.597</b>	<b>\$14,877</b>	<b>100.00%</b>	<b>6.116</b>	<b>\$25,946</b>	<b>100.00%</b>	<b>\$11,069</b>	<b>74.4%</b>
Consumer Price Index - U	158.600			215.949	13 Year Increase in CPI >>			36.2%
CPI Index (December, 13 years)	1996			2009	Annual Geometric Mean >			2.4%

On a \$20,000 total property tax bill, the Village receives 13.36% of those dollars or \$2,672. A 1.5% increase on the Village portion of the property tax bill equates to \$40.

The total shown in the property tax levy ordinance reconciles with the amount residents will actually pay in property taxes as reflected on the Property Tax Levy Calculations worksheet as follows:

Amount Shown in Tax Levy Ordinance	\$13,800,546
Plus: 5% loss and cost on \$132,285 P&I	6,614
Less: Abatement Ordinance Reduction	<u>(334,760)</u>
2011 Tax Levy to be Paid by Taxpayers	\$13,472,400

Attached is a schedule of Special Service Area Financing and the information presented to the Council on December 6, 2011 as background information.

Staff will be available at the Council Meeting to answer any questions.

**Recommendation:** Consider Adoption of Ordinance M – 18 - 2011 Levying Taxes for the Year 2011 in the amount of \$13,800,546.

Consider Adoption of Ordinance M - 19 – 2011 Abating the Tax Heretofore Levied for the Year 2011 (Series 2003 Bonds) in the amount of \$334,760.

Consider Adoption of Ordinance M - 20 – 2011 Levying Taxes for Special Service Area 3, Trapp Lane for the Year 2011 in the amount of \$35,700.

Consider Adoption of Ordinance M - 21 – 2011 Levying Taxes for Special Service Area 4, Elm, Oak, Locust, Rosewood for the Year 2011 in the amount of \$4,991.

Consider Adoption of Ordinance M - 22 – 2011 Levying Taxes for Special Service Area 5, Elm, Oak, Rosewood, Glendale for the Year 2011 in the amount of \$4,240.

**Village of Winnetka**  
**Schedule of Special service Area Financing**  
**Interest Rate**

11.23.11

4.00%

	SSA #3 Trapp Lane	SSA # 4 Elm, Oak, Locust, Rosewood	SSA # 5 Elm, Oak Rosewood, Glendale
	est cost	final cost	final cost
SSA Principal Amount for Homeowners	\$ 255,000.00	\$ 20,795.00	\$ 17,664.00
Limit in Ordinances Approving SSA	\$ 315,947.50	\$ 37,000.00	\$ 40,312.50
Term of Repayments in Years	10	5	5
<b>Debt Retirement Schedule</b>			
<b>2011 Tax Levy</b>			
Beginning Principal	\$ 255,000.00	\$ 20,795.00	\$ 17,664.00
Interest @ 4%	\$ 10,200.00	\$ 832.00	\$ 707.00
Principal repaid	\$ 25,500.00	\$ 4,159.00	\$ 3,533.00
Interest and Principal for YR	\$ 35,700.00	\$ 4,991.00	\$ 4,240.00
Ending Principal	\$ 229,500.00	\$ 16,636.00	\$ 14,131.00
<b>2012 Tax Levy</b>			
Beginning Principal	\$ 229,500.00	\$ 16,636.00	\$ 14,131.00
Interest @ 4%	\$ 9,180.00	\$ 665.00	\$ 565.00
Principal repaid	\$ 25,500.00	\$ 4,159.00	\$ 3,533.00
Interest and Principal for YR	\$ 34,680.00	\$ 4,824.00	\$ 4,098.00
Ending Principal	\$ 204,000.00	\$ 12,477.00	\$ 10,598.00
<b>2013 Tax Levy</b>			
Beginning Principal	\$ 204,000.00	\$ 12,477.00	\$ 10,598.00
Interest @ 4%	\$ 8,160.00	\$ 499.00	\$ 424.00
Principal repaid	\$ 25,500.00	\$ 4,159.00	\$ 3,533.00
Interest and Principal for YR	\$ 33,660.00	\$ 4,658.00	\$ 3,957.00
Ending Principal	\$ 178,500.00	\$ 8,318.00	\$ 7,065.00
<b>2014 Tax Levy</b>			
Beginning Principal	\$ 178,500.00	\$ 8,318.00	\$ 7,065.00
Interest @ 4%	\$ 7,140.00	\$ 333.00	\$ 283.00
Principal repaid	\$ 25,500.00	\$ 4,159.00	\$ 3,533.00
Interest and Principal for YR	\$ 32,640.00	\$ 4,492.00	\$ 3,816.00
Ending Principal	\$ 153,000.00	\$ 4,159.00	\$ 3,532.00
<b>2015 Tax Levy</b>			
Beginning Principal	\$ 153,000.00	\$ 4,159.00	\$ 3,532.00
Interest @ 4%	\$ 6,120.00	\$ 166.00	\$ 141.00
Principal repaid	\$ 25,500.00	\$ 4,159.00	\$ 3,532.00
Interest and Principal for YR	\$ 31,620.00	\$ 4,325.00	\$ 3,673.00
Ending Principal	\$ 127,500.00	\$ -	\$ -

Village of Winnetka  
 Schedule of Special service Area Financing  
 Interest Rate  
 Calculation of Budget Amounts for 2011/12

11.23.11

4.00%

	SSA #3 Trapp Lane	SSA # 4 Elm, Oak, Locust, Rosewood	SSA # 5 Elm, Oak Rosewood, Glendale
	est cost	final cost	final cost
SSA Principal Amount for Homeowners	\$ 315,947.50	\$ 37,000.00	\$ 40,312.50
Limit in Ordinances Approving SSA	\$ 315,947.50	\$ 37,000.00	\$ 40,312.50
Term of Repayments in Years	10	5	5

Debt Retirement Schedule

2011 Tax Levy			
Beginning Principal	\$ 315,947.50	\$ 37,000.00	\$ 40,312.50
Interest @ 4%	\$ 12,638.00	\$ 1,480.00	\$ 1,613.00
Principal repaid	\$ 31,595.00	\$ 7,400.00	\$ 8,063.00
Interest and Principal for YR	\$ 44,233.00	\$ 8,880.00	\$ 9,676.00

**AN ORDINANCE LEVYING TAXES FOR THE YEAR 2011**

**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, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

**WHEREAS**, on March 22, 2011, the Council of the Village of Winnetka (“Village Council”) adopted Resolution No. R-3-2011, which budgeted \$30,215,243.00 to meet the expenses and liabilities of the Village for general corporate purposes, refuse collection and disposal, debt service principal and interest, and retirement fund contributions for the fiscal year beginning April 1, 2011, and ending March 31, 2012; and

**WHEREAS**, pursuant to page 12 of the budget approved on March 22, 2011, the Village Council has made its preliminary estimate of the 2011 levy, estimating that it is necessary to raise Thirteen Million Eight Hundred Thousand Five Hundred Forty Six Dollars (\$13,800,546.00) by taxation of taxable property within the Village for general corporate purposes, for refuse collection and disposal, for debt service principal and interest and for retirement fund contributions for the fiscal year beginning April 1, 2011, and ending March 31, 2012; and

**WHEREAS**, at its November 1, 2011, meeting, the Village Council directed the staff to present a 2011 property tax levy for consideration at the December 6, 2011, Village Council meeting, said property tax levy to be in the amount of Thirteen Million Eight Hundred Thousand Five Hundred Forty Six Dollars (\$13,800,546.00), as was estimated to be necessary to be raised by taxation of taxable property within the Village for general corporate purposes, for refuse collection and disposal, for debt service principal and interest and for retirement fund contributions for the fiscal year beginning April 1, 2011, and ending March 31, 2012; and

**NOW, THEREFORE**, the Council of the Village of Winnetka do ordain:

**SECTION 1:** That the foregoing recitals are hereby adopted as the findings of the Council of the Village of Winnetka, as fully set forth herein.

**SECTION 2:** That in order to meet the expenses and liabilities of the Village of Winnetka for the fiscal year beginning April 1, 2011, and ending March 31, 2012, for general

corporate purposes, for refuse collection and disposal, for debt service principal and interest and for retirement fund contributions, there is hereby levied upon all of the taxable property within the corporate limits of the Village of Winnetka subject to taxation for the current year, as assessed and equalized for the year 2011, the sum of Thirteen Million Eight Hundred Thousand Five Hundred Forty Six Dollars (\$13,800,546.00), which is to be collected from the levy of the Village of Winnetka for the year 2011 for all purposes heretofore budgeted, the total of which has been ascertained and is as indicated in the following Summary of 2011 Property Tax Levy under the column labeled "Amount to Be Raised by Tax Levy," and as set forth in detail in the 2011 Property Tax Levy Report, which is attached as Exhibit A and is incorporated herein by reference.

[Remainder of this page intentionally left blank.]

**2011 TAX LEVY SUMMARY**

<b>General Fund</b>	<b>Amount Budgeted</b>	<b>Amount To Be Raised By Tax Levy</b>
<b>For General Corporate Purposes</b>		
Public Affairs	\$ 298,470	\$ 90,000
Manager's Office	\$ 589,926	\$ 280,000
Finance Department	\$ 1,828,102	\$ 800,000
Public Safety	\$ 6,213,014	\$ 3,670,000
Fire Safety	\$ 4,505,410	\$ 2,260,000
Community Development	\$ 1,560,940	\$ -
Public Works	\$ 3,855,914	\$ 2,315,000
Capital Expenses	\$ 3,014,760	\$ 717,173
General Fund Transfers	\$ 1,860,000	\$ -0-
<b>Totals for General Fund</b>	<b>\$ 23,726,536</b>	<b>\$ 10,132,173</b>
<b>For Debt Service Principal and Interest</b>		
G.O. Refunding Bonds (2003)	\$ 356,498	\$ 334,760
G.O. Bonds (1999, includes loss and cost)	\$ 143,899	\$ 132,285
<b>Totals for Debt Service Principal and Interest</b>	<b>\$ 500,397</b>	<b>\$ 467,045</b>
<b>For Refuse Collection and Disposal</b>	<b>\$ 2,365,460</b>	<b>\$ 1,100,000</b>
<b>Totals for Refuse Fund</b>	<b>\$ 2,365,460</b>	<b>\$ 1,100,000</b>
<b>For Retirement Fund Contributions</b>		
For Police Pension Fund	\$ 1,681,350	\$ 992,534
For Fire Pension Fund	\$ 1,941,500	\$ 1,108,794
<b>Totals for Retirement Fund Contributions</b>	<b>\$ 3,622,850</b>	<b>\$ 2,101,328</b>
<b>Total Amount Budgeted</b>	<b>\$ 30,215,243</b>	
<b>Total Amount of Levy</b>		<b>\$ 13,800,546</b>

**SECTION 3:** That there is hereby certified to the County Clerk of Cook County, Illinois, the several sums above, constituting said total amount, and the total amount of Thirteen Million Eight Hundred Thousand Five Hundred Forty Six (\$13,800,546), which is the total amount the Village of Winnetka requires to be raised by taxation for the current fiscal year of the Village, and that, on or before the time required by law, the Village Clerk shall file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois, whereupon it shall be the duty of said County Clerk to levy taxes for the year 2011 on all properties subject to taxation within the Village of Winnetka, in accordance with the provisions of this Ordinance.

**SECTION 4:** This Ordinance is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

**SECTION 5:** This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

Countersigned:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

Introduced: December 6, 2011

Posted: December 7, 2011

Passed and Approved:

Posted:

Exhibit A

## 2011 Property Tax Levy Detail Report

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
10-20-530-101	HISTORICAL MUSEUM - CONTRACTUAL SERVICES	9,000	0
10-20-530-102	LEGAL-CONTRACTUAL SERVICES	44,000	20,000
10-20-530-103	SURETY BONDS & INSURANCE-CONTRACT SERV	46,000	20,000
10-20-530-105	SUNDRY EXPENSE-CONTRACTUAL SERVICES	150,000	50,000
10-20-540-105	SUNDRY EXPENSE-COMMODITIES	49,470	0
10-20-511-150	EOC	0	0
10-20-512-150	EOC	0	0
10-20-530-150	EOC	0	0
10-20-540-150	EOC	0	0
	TOTAL FOR: PUBLIC AFFAIRS	298,470	90,000

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TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: OPERATING EXPENSE: MANAGER'S OFFICE -----			
10-21-511-102	LEGAL EXPENSE - REGULAR SALARIES	259,500	60,000
10-21-512-102	LEGAL EXPENSE - OVERTIME	0	0
10-21-522-102	LEGAL EXPENSE - HEALTH INSURANCE	24,816	0
10-21-523-102	LEGAL EXPENSE - RETIREMENT EXPENSE	55,590	0
10-21-530-102	LEGAL EXPENSE - CONTRACTUAL SERVICE	232,420	0
10-21-540-102	LEGAL EXPENSE - COMMODITIES	0	0
10-21-511-106	ADMINISTRATION-REGULAR SALARIES	363,000	170,000
10-21-512-106	ADMINISTRATION-OVERTIME SALARIES	1,000	0
10-21-530-106	ADMINISTRATION-CONTRACTUAL SERVICES	77,900	50,000
10-21-540-106	ADMINISTRATION-COMMODITIES	20,540	0
10-21-530-107	Tuition Reimbursement	20,000	0
	TOTAL FOR: MANAGER'S OFFICE	589,926	280,000
----- GENERAL FUND: OPERATING EXPENSE: FINANCE DEPARTMENT -----			
10-22-511-106	ADMINISTRATION-REGULAR SALARIES	1,060,780	800,000
10-22-512-106	ADMINISTRATION-OVERTIME SALARIES	24,000	0
10-22-521-106	ADMINISTRATION-WORKER'S COMPENSATION	24,000	0
10-22-522-106	ADMINISTRATION - HEALTH INSURANCE	198,528	0
10-22-523-106	ADMINISTRATION - RETIREMENT EXPENSE	299,400	0
10-22-524-106	LIABILITY INSURANCE	8,004	0
10-22-530-106	ADMINISTRATION-CONTRACT SERVICES	180,858	0
10-22-540-106	ADMINISTRATION-COMMODITIES	23,010	0
10-22-550-106	ADMINISTRATION-VEHICLE	4,272	0
10-22-530-107	TRAINING-CONTRACTUAL SERVICES	5,250	0
	TOTAL FOR: FINANCE DEPARTMENT	1,828,102	800,000

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TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: OPERATING EXPENSE: PUBLIC SAFETY -----			
10-26-511-106	ADMINISTRATION - SALARIES REGULAR	565,152	500,000
10-26-512-106	ADMINISTRATION - SALARIES OVERTIME	0	0
10-26-515-106	ADMINISTRATION - SALARIES SICK CASHED IN	17,423	0
10-26-521-106	ADMINISTRATION-WORKER'S COMPENSATION	40,000	0
10-26-522-106	ADMINISTRATION-HEALTH INSURANCE	446,688	0
10-26-523-106	ADMINISTRATION-RETIREMENT EXPENSE	1,156,441	0
10-26-524-106	LIABILITY INSURANCE	75,000	30,000
10-26-530-106	ADMINISTRATION-CONTRACTUAL SERVICES	42,250	20,000
10-26-540-106	ADMINISTRATION-COMMODITIES	10,225	0
10-26-511-107	TRAINING-SALARIES	7,775	0
10-26-512-107	TRAINING-OVERTIME SALARIES	11,800	10,000
10-26-530-107	TRAINING-CONTRACTUAL SERVICES	42,625	30,000
10-26-540-107	TRAINING-COMMODITIES	36,125	10,000
10-26-530-117	EMERGENCY 911 - CONTRACTUAL SERVICES	10,000	0
10-26-511-118	PUBLIC SERVICE OFFICERS - SALARIES REGULAR	193,752	170,000
10-26-512-118	PUBLIC SERVICE OFFICERS - SALARIES OVERTIME	1,000	0
10-26-515-118	PUBLIC SERVICE OFFICERS - SALARIES SICK CASHE	0	0
10-26-516-118	PUBLIC SERVICE OFFICERS - SALARIES HOLIDAY	0	0
10-26-530-118	PUBLIC SAFETY OFFICERS-CONTRACTUAL SERVICES	50,990	30,000
10-26-540-118	PUBLIC SAFETY OFFICERS-COMMODITIES	9,090	0
10-26-511-119	GENERAL & CRIMINAL RECORDS - SALARIES REGULAR	176,956	150,000
10-26-512-119	GENERAL & CRIMINAL RECORDS - SALARIES OVERTIM	6,200	0
10-26-515-119	GENERAL & CRIMINAL RECORDS - SALARIES SICK CA	0	0
10-26-516-119	GENERAL & CRIMINAL RECORDS - SALARIES HOLIDAY	1,913	0
10-26-530-119	GENERAL & CRIMINAL RECORDS-CONTRACT SERVICES	112,590	80,000
10-26-540-119	GENERAL & CRIMINAL RECORDS-COMMODITIES	19,460	0
10-26-530-120	IDENTIFICATION RECORDS-CONTRACT SERVICES	0	0
10-26-540-120	IDENTIFICATION RECORDS-COMMODITIES	0	0
10-26-511-121	COMMUNICATIONS - SALARIES REGULAR	335,478	300,000
10-26-512-121	COMMUNICATIONS - SALARIES OVERTIME	10,000	0
10-26-515-121	COMMUNICATIONS - SALARIES SICK CASHED IN	0	0
10-26-516-121	COMMUNICATIONS - SALARY HOLIDAY	9,565	0
10-26-530-121	COMMUNICATIONS-CONTRACTUAL SERVICES	120,700	100,000
10-26-540-121	COMMUNICATIONS-COMMODITIES	64,100	0
10-26-530-122	DETENTION & CUSTODY OF PRISONERS-CONTRACT SER	1,000	0
10-26-540-122	DETENTION & CUSTODY OF PRISONERS-COMMODITIES	1,500	0
10-26-511-123	INVESTIGATIONS - SALARY REGULAR	240,548	220,000
10-26-512-123	INVESTIGATIONS - SALARIES OVERTIME	49,900	0
10-26-515-123	INVESTIGATIONS - SALARIES SICK CASHED IN	0	0
10-26-516-123	INVESTIGATIONS - SALARIES HOLIDAY	4,734	0
10-26-530-123	INVESTIGATIONS-CONTRACTUAL SERVICES	35,200	0
10-26-540-123	INVESTIGATIONS-COMMODITIES	13,670	0
10-26-511-124	UNIFORMED PATROL - SALARIES REGULAR	1,611,376	1,580,000
10-26-512-124	UNIFORMED PATROL - SALARIES OVERTIME	94,200	70,000
10-26-515-124	UNIFORMED PATROL - SALARIES SICK CASHED IN	26,850	0
10-26-516-124	UNIFORMED PATROL - SALARIE HOLIDAY	35,947	30,000

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
10-26-530-124	UNIFORMED PATROL-CONTRACTUAL SERVICES	5,400	0
10-26-540-124	UNIFORM PATROL-COMMODITIES	72,950	0
10-26-511-125	SCHOOL CROSSING GUARD-REGULAR SALARIES	0	0
10-26-540-125	SCHOOL CROSSING PROTECTION-COMMODITIES	500	0
10-26-530-126	EMERGENCY MANAGEMENT-CONTRACT SERVICES	9,600	0
10-26-540-126	EMERGENCY MANAGEMENT-COMMODITIES	3,000	0
10-26-530-127	POLICE VEHICLES-CONTRACTUAL SERVICES	3,000	0
10-26-540-127	POLICE VEHICLES-COMMODITIES	4,500	0
10-26-550-127	PATROL VEHICLES-VEHICLE EXPENSE	235,167	200,000
10-26-530-128	SOCIAL WORK-CONTRACTUAL SERVICES	42,000	30,000
10-26-530-129	STATION MAINTENANCE-CONTRACT SERVICES	130,154	110,000
10-26-540-129	STATION MAINTENANCE-COMMODITIES	6,000	0
10-26-530-130	SAFETY-CONTRACTUAL SERVICES	7,020	0
10-26-540-130	SAFETY-COMMODITIES	5,500	0
10-26-511-131	COMMUNITY SERVICE-REGULAR SALARIES	0	0
10-26-512-131	COMMUNITY SERVICE-OVERTIME SALARIES	0	0
10-26-540-131	COMMUNITY SERVICE-COMMODITIES	0	0
	TOTAL FOR: PUBLIC SAFETY	6,213,014	3,670,000

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: OPERATING EXPENSE: FIRE SAFETY -----			
10-28-511-106	ADMINISTRATION-SALARIES REGULAR	310,323	290,000
10-28-515-106	ADMINISTRATION-SALARIES SICK CASHED IN	35,000	0
10-28-522-106	ADMINISTRATION-HEALTH INSURANCE	37,224	0
10-28-523-106	ADMINISTRATION-RETIREMENT EXPENSE	19,829	0
10-28-530-106	ADMINISTRATION-CONTRACTUAL SERVICES	80,652	50,000
10-28-540-106	ADMINISTRATION-COMMODITIES	22,900	0
10-28-550-106	ADMINISTRATION-VEHICLE	700	0
10-28-512-107	TRAINING-SALARIES OVERTIME	37,600	0
10-28-530-107	TRAINING-CONTRACTUAL SERVICES	22,900	0
10-28-540-107	TRAINING-COMMODITIES	5,500	0
10-28-530-121	COMMUNICATIONS-CONTRACTUAL SERVICES	153,400	130,000
10-28-540-121	COMMUNICATIONS-COMMODITIES	4,500	0
10-28-512-126	EMERGENCY MANAGEMENT-SALARIES OVERTIME	500	0
10-28-530-126	EMERGENCY MANAGEMENT-CONTRACT SERVICES	1,500	0
10-28-540-126	EMERGENCY MANGEMENT-COMMODITIES	3,000	0
10-28-530-129	STATION MAINTENANCE-CONTRACTUAL SERVICE	100,700	70,000
10-28-540-129	STATION MAINTENANCE-COMMODITIES	8,350	0
10-28-540-130	FOREIGN FIRE TAX	60,000	0
10-28-511-131	COMMUNITY SERVICE, REGULAR SALARIES	0	0
10-28-512-131	COMMUNITY SERVICE-OVERTIME SALARIES	3,000	0
10-28-530-131	COMMUNITY SERVICE-CONTRACTUAL SERVICE	500	0
10-28-540-131	COMMUNITY SERVICE-COMMODITIES	450	0
10-28-511-132	LIFE SAFETY/FIRE PREVENTION-REGULAR SALARIES	39,400	0
10-28-512-132	LIFE SAFETY-SALARIES OVERTIME	3,900	0
10-28-530-132	LIFE SAFETY-CONTRACTUAL SERVICES	1,600	0
10-28-540-132	LIFE SAFETY-COMMODITIES	6,970	0
10-28-511-133	FIREFIGHTING - SALARIES REGULAR	1,537,208	1,480,000
10-28-512-133	FIREFIGHTING - SALARIES OVERTIME	45,255	30,000
10-28-514-133	FIREFIGHTING-SALARIES SICK	85,850	30,000
10-28-515-133	FIREFIGHTING-SALARIES SICK CASHED IN	0	0
10-28-516-133	FIREFIGHTING - SALARIES HOLIDAY	54,101	20,000
10-28-521-133	FIREFIGHTING-WORKER'S COMPENSATION	48,000	0
10-28-522-133	FIREFIGHTING-HEALTH INSURANCE	246,852	0
10-28-523-133	FIREFIGHTING-RETIREMENT EXPENSE	963,554	0
10-28-524-133	FIREFIGHTING-PERSONNEL LIABILITY	18,000	0
10-28-530-133	FIRE FIGHTING-CONTRACTUAL SERVICES	42,845	20,000
10-28-540-133	FIRE FIGHTING-COMMODITIES	46,400	20,000
10-28-550-133	FIRE FIGHTING-VEHICLE	60,617	30,000
10-28-511-134	AMBULANCE-SALARIES REGULAR	246,114	90,000
10-28-512-134	AMBULANCE-SALARIES OVERTIME	27,200	0
10-28-514-134	AMBULANCE-SALARIES SICK	24,000	0
10-28-515-134	AMBULANCE-SALARIES SICK CASHED IN	0	0
10-28-516-134	AMBULANCE-SALARIES HOLIDAY	8,662	0
10-28-522-134	AMBULANCE-HEALTH INSURANCE	37,224	0
10-28-524-134	AMBULANCE-PERSONNEL LIABILITY	12,000	0
10-28-530-134	AMBULANCE SERVICE-CONTRACTUAL SERVICES	28,630	0

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
10-28-540-134	AMBULANCE SERVICE-COMMODITIES	11,500	0
10-28-550-134	AMBULANCE SERVICE-VEHICLE	1,000	0
	TOTAL FOR: FIRE SAFETY	4,505,410	2,260,000

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: OPERATING EXPENSE: COMMUNITY DEVELOPMENT -----			
10-29-511-135	COMMUNITY DEVELOPMENT, REG SALARIES	838,500	0
10-29-512-135	COMMUNITY DEVELOPMENT, OVERTIME	0	0
10-29-521-135	COMMUNITY DEVELOPMENT-WORKER'S COMPENSATION	12,000	0
10-29-522-135	COMMUNITY DEVELOPMENT - HEALTH INSURANCE	124,080	0
10-29-523-135	COMMUNITY DEVELOPMENT - RETIREMENT EXPENSE	180,900	0
10-29-524-135	LIABILITY INSURANCE	7,000	0
10-29-530-135	COMMUNITY DEVELOPMENT-CONTRACTUAL SERVICES	386,800	0
10-29-540-135	COMMUNITY DEVELOPMENT-COMMODITIES	10,060	0
10-29-550-135	COMMUNITY DEVELOPMENT-VEHICLE	1,600	0
	TOTAL FOR: COMMUNITY DEVELOPMENT	1,560,940	0

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: OPERATING EXPENSE: PUBLIC WORKS -----			
10-30-511-106	ADMINISTRATION-REGULAR SALARIES	364,794	320,000
10-30-512-106	ADMINISTRATION-OVERTIME SALARIES	2,000	0
10-30-521-106	ADMINISTRATION-WORKER'S COMPENSATION	100,000	0
10-30-522-106	ADMINISTRATION-HEALTH INSURANCE	217,140	200,000
10-30-523-106	ADMINISTRATION-RETIREMENT EXPENSE	359,339	0
10-30-524-106	LIABILITY INSURANCE	18,000	0
10-30-530-106	ADMINISTRATION-CONTRACTUAL SERVICES	80,000	60,000
10-30-540-106	ADMINISTRATION-COMMODITIES	15,000	0
10-30-530-107	TRAINING-CONTRACTUAL SERVICES	11,000	0
10-30-540-107	TRAINING-COMMODITIES	14,000	0
10-30-511-131	COMMUNITY SERV, REGULAR SALARIES	0	0
10-30-512-131	COMMUNITY SERVICE, OVERTIME	0	0
10-30-530-131	COMMUNITY SERVICE-CONTRACTUAL SERVICES	0	0
10-30-540-131	COMMUNITY SERVICE-COMMODITIES	0	0
10-30-550-131	COMMUNITY SERVICE-VEHICLE	0	0
10-30-511-135	COMMUNITY DEVELOPMENT - SALARIES	0	0
10-30-512-135	COMMUNITY DEVELOPMENT - OVERTIME	0	0
10-30-530-135	COMMUNITY DEVELOPMENT-CONTRACTUAL SERVICES	0	0
10-30-540-135	COMMUNITY DEVELOPMENT-COMMODITIES	0	0
10-30-550-135	COMMUNITY DEVELOPMENT-VEHICLE	0	0
10-30-511-136	ENGINEERING, REGULAR SALARIES	184,230	155,000
10-30-512-136	ENGINEERING, OVERTIME	3,000	0
10-30-530-136	ENGINEERING-CONTRACTUAL SERVICES	75,000	50,000
10-30-540-136	ENGINEERING-COMMODITIES	2,000	0
10-30-511-137	SERVICE YARDS, REGULAR SALARIES	0	0
10-30-512-137	SERVICE YARDS, OVERTIME	0	0
10-30-530-137	SERVICE YARDS-CONTRACTUAL SERVICES	79,000	40,000
10-30-540-137	SERVICE YARDS-COMMODITIES	12,000	0
10-30-511-138	STREET MAINT, REGULAR SALARIES	660,512	600,000
10-30-512-138	STREET MAINTENANCE, OVERTIME	20,000	0
10-30-513-138	STREET MAINTENANCE-VACATION SALARIES	0	0
10-30-514-138	STREET MAINTENANCE-SICK SALARIES	0	0
10-30-515-138	STREET MAINTENANCE-SALARIES SICK CASHED IN	0	0
10-30-516-138	STREET MAINTENANCE-HOLIDAY SALARIES	0	0
10-30-530-138	STREET MAINTENANCE-CONTRACTUAL SERVICES	96,000	30,000
10-30-540-138	STREET MAINTENANCE-COMMODITIES	83,000	0
10-30-550-138	STREET MAINTENANCE-VEHICLE	223,440	200,000
10-30-530-139	PAVEMENT RECONSTRUCTION-CONTRACTUAL SERVICES	0	0
10-30-540-139	PAVEMENT RECONSTRUCTION-COMMODITIES	0	0
10-30-511-140	DRAINAGE, REGULAR SALARIES	117,718	80,000
10-30-512-140	DRAINAGE, OVERTIME	16,000	0
10-30-513-140	DRAINAGE-VACATION SALARIES	0	0
10-30-514-140	DRAINAGE-SICK SALARIES	0	0
10-30-516-140	DRAINAGE-HOLIDAY SALARIES	0	0
10-30-530-140	DRAINAGE-CONTRACTUAL SERVICES	58,500	30,000
10-30-540-140	DRAINAGE-COMMODITIES	32,000	0

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
10-30-511-141	SNOW REMOVAL & ICE CONTROL, REG SALARIES	0	0
10-30-512-141	SNOW REMOVAL & ICE CONTROL, OVERTIME	45,000	20,000
10-30-530-141	SNOW REMOVAL & ICE CONTROL-CONTRACTUAL SERVIC	7,000	0
10-30-540-141	SNOW REMOVAL & ICE CONTROL-COMMODITIES	141,250	100,000
10-30-511-142	PUBLIC PROPERTY, REGULAR SALARIES	0	0
10-30-512-142	PUBLIC PROPERTY, OVERTIME	500	0
10-30-530-142	PUBLIC PROPERTY-CONTRACTUAL SERVICES	283,500	180,000
10-30-540-142	PUBLIC PROPERTY-COMMODITIES	30,000	0
10-30-511-143	FORESTRY, REGULAR SALARIES	152,991	75,000
10-30-512-143	FORESTRY, OVERTIME	10,000	0
10-30-530-143	FORESTRY-CONTRACTUAL SERVICES	337,000	175,000
10-30-540-143	FORESTRY-COMMODITIES	4,000	0
10-30-530-144	STREET SWEEPING-CONTRACTUAL SERVICES	1,000	0
10-30-510-145	DAMAGES-SALARIES	0	0
10-30-530-145	DAMAGES-CONTRACTUAL SERVICES	0	0
10-30-540-145	DAMAGES-COMMODITIES	0	0
10-30-550-145	DAMAGES-VEHICLE	0	0
	TOTAL FOR: PUBLIC WORKS	3,855,914	2,315,000
	GENERAL FUND TOTAL OPERATING EXPENSE	18,851,776	9,415,000

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- GENERAL FUND: CAPITAL: PUBLIC AFFAIRS -----			
10-20-640-100	PUBLIC IMPROVEMENTS-CAPITAL	250,000	0
10-20-640-104	G.O. BONDS PRINCIPAL & INTEREST-CONTRACT SERV	334,760	0
	TOTAL FOR: PUBLIC AFFAIRS	584,760	0
----- GENERAL FUND: CAPITAL: FINANCE DEPARTMENT -----			
10-22-640-106	ADMINISTRATION - CAPITAL	25,000	0
	TOTAL FOR: FINANCE DEPARTMENT	25,000	0
----- GENERAL FUND: CAPITAL: PUBLIC SAFETY -----			
10-26-640-119	GENERAL & CRIMINAL RECORDS-CAPITAL	0	0
10-26-640-120	IDENTIFICATION RECORDS-CAPITAL	0	0
10-26-640-121	COMMUNICATIONS - CAPITAL	250,000	0
10-26-640-123	INVESTIGATIONS - CAPITAL	0	0
10-26-640-124	UNIFORMED PATROL-CAPITAL	0	0
10-26-640-127	POLICE VEHICLES - CAPITAL	0	0
10-26-640-129	STATION MAINTENANCE-CAPITAL	75,000	0
10-26-640-130	SAFETY - CAPITAL	0	0
	TOTAL FOR: PUBLIC SAFETY	325,000	0
----- GENERAL FUND: CAPITAL: FIRE SAFETY -----			
10-28-640-106	ADMINISTRATION - CAPITAL	0	0
10-28-640-107	TRAINING-CAPITAL	0	0
10-28-640-121	COMMUNICATIONS - CAPITAL	0	0
10-28-640-126	EMERGENCY MANAGEMENT-CAPITAL	0	0
10-28-640-129	STATION MAINTENANCE-CAPITAL	0	0
10-28-640-130	FOREIGN FIRE TAX	0	0
10-28-640-133	FIREFIGHTING-CAPITAL	60,000	0
10-28-640-134	AMBULANCE SERVICE - CAPITAL	0	0
	TOTAL FOR: FIRE SAFETY	60,000	0
----- GENERAL FUND: CAPITAL: COMMUNITY DEVELOPMENT -----			
10-29-640-135	COMMUNITY DEVELOPMENT - CAPITAL	0	0
	TOTAL FOR: COMMUNITY DEVELOPMENT	0	0
----- GENERAL FUND: CAPITAL: PUBLIC WORKS -----			
10-30-640-106	ADMINISTRATION - CAPITAL	0	0
10-30-640-137	SERVICE YARDS-CAPITAL	0	0
10-30-640-138	STREET MAINTENANCE - CAPITAL	60,000	0
10-30-640-139	PAVEMENT RECONSTRUCTION - CAPITAL	1,100,000	717,173
10-30-640-140	DRAINAGE - CAPITAL	750,000	0
10-30-640-141	SNOW REMOVAL & ICE CONTROL-CAPITAL	0	0

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
10-30-640-142	PUBLIC PROPERTY - CAPITAL	110,000	0
10-30-640-143	FORESTRY - CAPITAL	0	0
10-30-640-144	STREET SWEEPING - CAPITAL	0	0
	TOTAL FOR: PUBLIC WORKS	2,020,000	717,173
	GENERAL FUND TOTAL CAPITAL	3,014,760	717,173
----- GENERAL FUND: TRANSFERS: TRANSFERS OUT -----			
10-31-700-403	OTHER OPERATING TRANSFERS	1,860,000	0
	TOTAL FOR: TRANSFERS OUT	1,860,000	0
	TOTAL FOR FUND: GENERAL FUND	23,726,536	10,132,173

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- G. O. DEBT SERVICE: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
30-20-500-180	BOND PAYMENT	441,000	420,000
30-20-500-181	INTEREST PAYMENT	59,397	47,045
30-20-500-182	BOND ISSUE EXPENSES	0	0
	TOTAL FOR: PUBLIC AFFAIRS	500,397	467,045
	G. O. DEBT SERVICE TOTAL OPERATING EXPENSE	500,397	467,045
	TOTAL FOR FUND: G. O. DEBT SERVICE	500,397	467,045

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- SSA 3 TRAPP LANE: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
31-20-500-180	BOND PAYMENT	31,595	25,500
31-20-500-181	INTEREST PAYMENT	12,638	10,200
31-20-500-900	CONSTRUCTION	510,000	0
	TOTAL FOR: PUBLIC AFFAIRS	554,233	35,700
	SSA 3 TRAPP LANE TOTAL OPERATING EXPENSE	554,233	35,700
----- SSA 3 TRAPP LANE: TRANSFERS: PUBLIC AFFAIRS -----			
31-20-700-403	OTHER OPERATING TRANSFERS	510,000	0
	TOTAL FOR: PUBLIC AFFAIRS	510,000	0
	TOTAL FOR FUND: SSA 3 TRAPP LANE	1,064,233	35,700

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- SSA #4 Locust to Rosewood: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
32-20-500-180	BOND PAYMENT	7,400	4,159
32-20-500-181	INTEREST PAYMENT	1,480	832
32-20-500-900	CONSTRUCTION	0	0
	TOTAL FOR: PUBLIC AFFAIRS	8,880	4,991
	SSA #4 Locust to Rosewood TOTAL OPERATING EXP	8,880	4,991
----- SSA #4 Locust to Rosewood: TRANSFERS: PUBLIC AFFAIRS -----			
32-20-700-403	OTHER OPERATING TRANSFERS	0	0
	TOTAL FOR: PUBLIC AFFAIRS	0	0
	TOTAL FOR FUND: SSA #4 Locust to Rosewood	8,880	4,991

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- SSA #5 Rosewood to Glendale: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
33-20-500-180	BOND PAYMENT	8,063	3,533
33-20-500-181	INTEREST PAYMENT	1,613	707
33-20-500-900	CONSTRUCTION	0	0
33-20-500-901	MISCELLANEOUS	0	0
	TOTAL FOR: PUBLIC AFFAIRS	9,676	4,240
	SSA #5 Rosewood to Glendale TOTAL OPERATING E	9,676	4,240
----- SSA #5 Rosewood to Glendale: TRANSFERS: PUBLIC AFFAIRS -----			
33-20-700-403	OTHER OPERATING TRANSFERS	0	0
	TOTAL FOR: PUBLIC AFFAIRS	0	0
	TOTAL FOR FUND: SSA #5 Rosewood to Glendale	9,676	4,240

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- REFUSE FUND: OPERATING EXPENSE: COLLECTION -----			
56-81-520-106	ADMINISTRATION - PERSONNEL COSTS	0	0
56-81-521-106	ADMINISTRATION-WORKER'S COMPENSATION	102,000	40,000
56-81-522-106	ADMINISTRATION-HEALTH INSURANCE	86,856	0
56-81-523-106	ADMINISTRATION - RETIREMENT EXPENSE	116,026	0
56-81-524-106	LIABILITY INSURANCE	17,000	0
56-81-511-500	COMMERCIAL COLLECTION-SALARIES	0	0
56-81-512-500	COMMERCIAL COLLECTION-OVERTIME	0	0
56-81-513-500	COMMERCIAL COLLECTION-VACATION SALARIES	0	0
56-81-514-500	COMMERCIAL COLLECTION - SICK SALARIES	0	0
56-81-516-500	COMMERCIAL COLLECTION-HOLIDAY SALARIES	0	0
56-81-511-501	RESIDENTIAL COLLECTION-REGULAR SALARIES	474,111	300,000
56-81-512-501	RESIDENTIAL COLLECTION-OVERTIME SALARIES	35,000	0
56-81-513-501	RESIDENTIAL COLLECTION-VACATION SALARIES	0	0
56-81-514-501	RESIDENTIAL COLLECTION-SICK SALARIES	0	0
56-81-516-501	RESIDENTIAL COLLECTION-HOLIDAY SALARIES	0	0
56-81-530-501	RESIDENTIAL COLLECTION-CONTRACTUAL SERVICES	108,000	55,000
56-81-540-501	RESIDENTIAL COLLECTION-COMMODITIES	36,000	0
56-81-550-501	RESIDENTIAL COLLECTION-VEHICLE	209,807	135,000
56-81-511-502	SPECIAL COLLECTION-REGULAR SALARIES	0	0
56-81-512-502	SPECIAL COLLECTION-OVERTIME SALARIES	0	0
56-81-513-502	SPECIAL COLLECTION-VACATION SALARIES	0	0
56-81-514-502	SPECIAL COLLECTION - SICK SALARIES	0	0
56-81-516-502	SPECIAL COLLECTIONS-HOLIDAY SALARIES	0	0
56-81-511-503	YARD WASTE COLLECTION-REGULAR SALARIES	0	0
56-81-512-503	YARD WASTE COLLECTION-OVERTIME SALARIES	0	0
56-81-513-503	YARD WASTE COLLECTION-VACATION SLARIES	0	0
56-81-514-503	YARD WASTE COLLECTION-SICK SALARIES	0	0
56-81-530-503	YARD WASTE COLLECTION-CONTRACT SERVICES	0	0
56-81-540-503	YARD WASTE COLLECTION-COMMODITIES	10,000	0
	TOTAL FOR: COLLECTION	1,194,800	530,000
----- REFUSE FUND: OPERATING EXPENSE: DISPOSAL -----			
56-82-512-504	DISPOSAL-OVERTIME SALARIES	0	0
56-82-530-504	DISPOSAL-CONTRACTUAL SERVICES	415,080	320,000
	TOTAL FOR: DISPOSAL	415,080	320,000
----- REFUSE FUND: OPERATING EXPENSE: RECYCLING & COMPOSTING -----			
56-83-530-505	RECYCLING-CONTRACTUAL SERVICES	226,000	160,000
56-83-540-505	RECYCLING-COMMODITIES	0	0
56-83-530-506	COMPOSTING-CONTRACTUAL SERVICES	105,000	60,000
	TOTAL FOR: RECYCLING & COMPOSTING	331,000	220,000

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TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- REFUSE FUND: OPERATING EXPENSE: LANDFILL MONITORING -----			
56-84-511-507	MONITORING-REGULAR SALARIES	0	0
56-84-512-507	MONITORING-OVERTIME SALARIES	0	0
56-84-530-507	MONITORING-CONTRACTUAL SERVICES	118,000	30,000
56-84-540-507	MONITORING-COMMODITIES	2,500	0
	TOTAL FOR: LANDFILL MONITORING	120,500	30,000
----- REFUSE FUND: OPERATING EXPENSE: DEPRECIATION -----			
56-85-500-400	DEPRECIATION	135,000	0
	TOTAL FOR: DEPRECIATION	135,000	0
	REFUSE FUND TOTAL OPERATING EXPENSE	2,196,380	1,100,000
----- REFUSE FUND: CAPITAL: COLLECTION -----			
56-81-640-106	ADMINISTRATION - CAPITAL	0	0
56-81-640-508	COLLECTION EQUIPMENT-CAPITAL	0	0
	TOTAL FOR: COLLECTION	0	0
----- REFUSE FUND: CAPITAL: LANDFILL MONITORING -----			
56-84-640-510	MONITORING WELLS - CAPITAL	0	0
	TOTAL FOR: LANDFILL MONITORING	0	0
	REFUSE FUND TOTAL CAPITAL	0	0
----- REFUSE FUND: TRANSFERS: COLLECTION -----			
56-81-700-403	OTHER OPERATING TRANSFERS	0	0
	TOTAL FOR: COLLECTION	0	0
----- REFUSE FUND: TRANSFERS: ADMINISTRATIVE CHARGES -----			
56-86-700-401	PAYMENTS IN LIEU OF TAXES	42,000	0
56-86-700-402	ADMINISTRATIVE CHARGES	127,080	0
	TOTAL FOR: ADMINISTRATIVE CHARGES	169,080	0
	TOTAL FOR FUND: REFUSE FUND	2,365,460	1,100,000

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- POLICE PENSION FUND: OPERATING EXPENSE: POLICE PENSION -----			
80-95-500-801	GENERAL & ADMINISTRATIVE	131,350	0
80-95-500-802	BENEFITS & REFUNDS	1,550,000	992,534
	TOTAL FOR: POLICE PENSION	1,681,350	992,534
	POLICE PENSION FUND TOTAL OPERATING EXPENSE	1,681,350	992,534
	TOTAL FOR FUND: POLICE PENSION FUND	1,681,350	992,534

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- FIRE PENSION FUND: OPERATING EXPENSE: FIRE PENSION -----			
81-96-500-801	GENERAL & ADMINISTRATIVE	121,500	0
81-96-500-802	BENEFITS & REFUNDS	1,820,000	1,108,794
	TOTAL FOR: FIRE PENSION	1,941,500	1,108,794
	FIRE PENSION FUND TOTAL OPERATING EXPENSE	1,941,500	1,108,794
	TOTAL FOR FUND: FIRE PENSION FUND	1,941,500	1,108,794

To: Village Council  
 From: Ed McKee, Jr., Finance Director  
 Date: October 26, 2011  
 Re: 2011 Property Tax Levy Analysis

**Executive Summary:**

The Village of Winnetka is primarily a residential community that pays for many traditional municipal services with property tax revenues. Additionally, the Village operates several utility funds where users pay for those costs with rates that reflect the Village's costs.

The Village's share of a typical Winnetkan's total property tax bill has declined 22.5% from 17.23% in 1997 to 13.36% today. This reduction was achieved through careful management of expenses, including reducing the number of employees from 178 in 1989 to 154 in 2012. Over the last 13 years, the Village's property taxes have grown slightly less than the rate of inflation. The following chart that shows how property taxes would be allocated among the taxing districts in 1997 and 2010 for a hypothetical tax payer whose 1997 property tax bill of \$14,877 grew to \$25,946 in 2010:

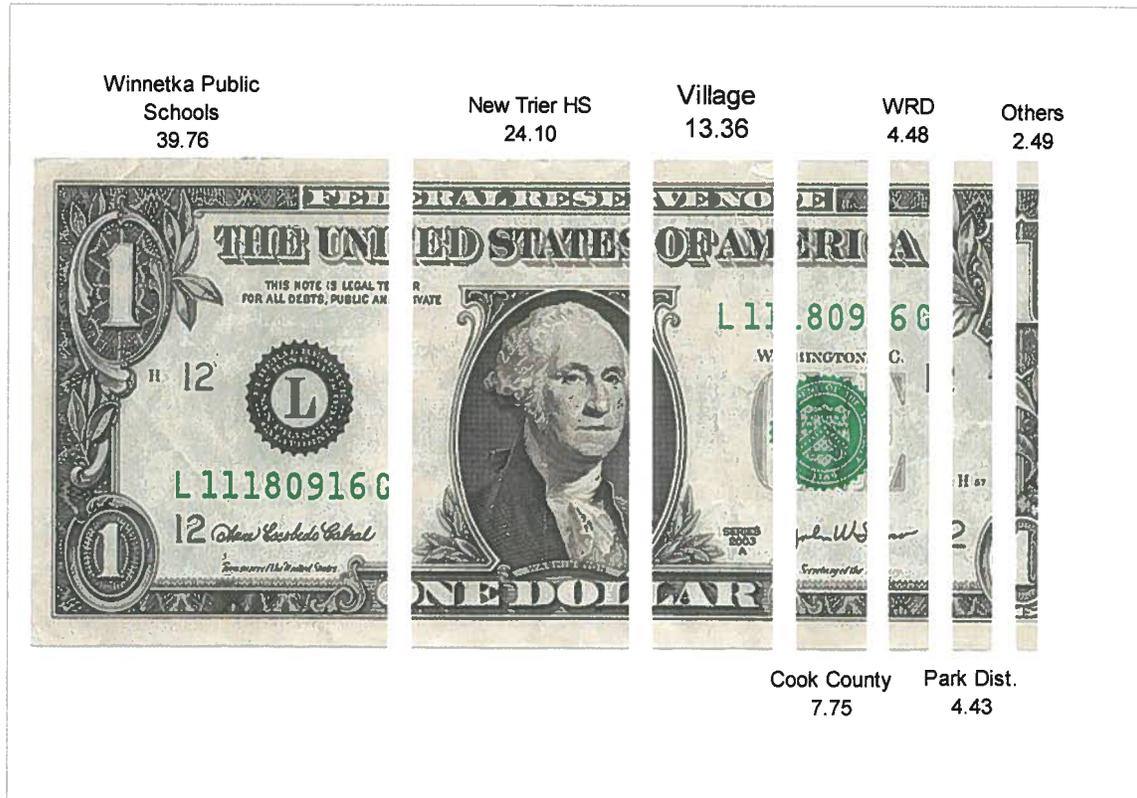
**Comparison of Property Taxes Paid  
 Typical Taxing Districts in Winnetka  
 2010 Versus 1997**

10.26.2011

	1997 *			2010 **			Increase in Taxes Paid	% Change
	Tax Rate	Taxes Paid	%	Tax Rate	Taxes Paid	%		
Winnetka Public Schools	2.723	\$4,712	31.67%	2.432	\$10,317	39.76%	\$5,605	119.0%
New Trier High School	1.967	\$3,404	22.88%	1.474	\$6,253	24.10%	\$2,849	83.7%
Village of Winnetka	1.481	\$2,563	17.23%	0.817	\$3,466	13.36%	\$903	35.2%
Cook County	1.028	\$1,779	11.96%	0.474	\$2,011	7.75%	\$232	13.0%
Winnetka Park District	0.445	\$770	5.18%	0.271	\$1,150	4.43%	\$380	49.4%
Water Reclamation District	0.451	\$780	5.24%	0.274	\$1,162	4.48%	\$382	49.0%
All Others	0.502	\$869	5.84%	0.374	\$1,587	6.12%	\$718	82.6%
<b>Total</b>	<b>8.597</b>	<b>\$14,877</b>	<b>100.00%</b>	<b>6.116</b>	<b>\$25,946</b>	<b>100.00%</b>	<b>\$11,069</b>	<b>74.4%</b>

Consumer Price Index - U      158.600      215.949    13 Year Increase in CPI >>    36.2%

Below is a graph that depicts how much of each property tax dollar is received by the various taxing districts, with the Village receiving 13.36 cents of every dollar:



Pensions have received more attention in the press recently, though the Village has been reporting on this liability and the impact during our budget process for more than eleven years. As of March 31, 2011, the Village's pension liability is estimated at \$91 million with \$60 million in pension assets. This equates to a 66% funded ratio and \$31 million unfunded liability. Over time, the Village has contributed \$786,000 more than the actuarially determined amounts.

From a budget standpoint, there is some strength in select revenues such as building permits and a slight rebound in sales taxes. However, some revenues are struggling, such as shared revenues from the state and interest income which has declined significantly as interest rates have fallen. There remains a risk that the State will reduce municipal revenues legislatively as they address the State's poor financial condition.

The Village has also kept many of the fees unchanged for many years to help keep the cost to the homeowners down. Utility fees are adjusted when needed to fund operations and capital needs.

Because of the Village's conservative financial policies (adopting a reasonable budget, reducing staff when possible, and carrying significant cash reserves) we have weathered the financial stresses well compared to other municipalities. In absolute terms, however, the outlook remains guarded.

From a capital investment perspective, the Village is looking at various storm water improvements. The Council will need to define the scope of the projects to be implemented and how they will be financed.

From a budget perspective, staff will be proposing a storm water fund in the 2012/13 Village Budget to account for significant storm water improvements. The creating of a storm water fund does not in itself require an increase in property taxes or user fees. It does, however, give the Village an opportunity to account for storm water expenses in one area and is the most transparent way for the Village to show the community how we are addressing this important issue.

While the Village Staff has not proposed an increase in the property tax levy to fund storm water improvements, that is an option the Council may elect to utilize. Additionally (or alternatively), the Council may elect other means to finance storm water improvements such as user fees, special service areas, etc. to pay for these improvements.

The proposed 2011 property tax levy provides additional dollars for operating needs only and does not generate any additional dollars for storm water improvements.

If the Village were non-home rule, the 2011 property levy would be limited to the percentage increase in the CPI – U for calendar 2010 (+1.5%) plus any growth in the tax base from new development. For the 2011 property tax levy, it is estimated that the Village can increase property taxes 2.5% to 3.1% (1.5% increase in the CPI and a 1.0% to 1.6% increase from new development) and still remain within the property tax caps. The proposed 2.8% Village property tax increase will cost a tax payer with a \$20,000 total property tax bill \$40 more per year (see note 1).

### **Current Year Analysis:**

The Council and staff developed a framework in November 2005 to evaluate property tax revenue requests for the Village. The primary objective is to keep property taxes low over the long term without compromising the ability to complete capital projects on a pay as you go method. The main factors considered in setting the property tax levy are 1) budget strength (as measured in terms of revenues matching expenses), 2) cash balances, 3) projected capital, and 4) pension funding. A higher rating allows for a lower property tax levy amount without compromising the Village's financial health.

A score of 1 to 10 is assigned each category. A score of 1 indicates the financial position is very weak and expenses/capital projects should be eliminated and / or revenues increased. A ranking of 10 indicates strong operating revenues, solid reserves, and properly funded pension liabilities which would allow operations to continue without any significant tax or fee increases.

While the preliminary 2012 budget projection indicates flat revenues, staff understands the Council’s direction to limit tax and fee increases for homeowners. The overall financial rating of 30 for 2011 falls at the high end of the moderate financial category. In addition to supporting the staff’s property tax recommendation, the moderate financial category would also support modest service reductions and / or revenue increases.

Below is a summary of the ratings for the various factors used in suggesting a property tax levy amount for the Village:

Factor	2011	2010	2009	2008	2007	2006
Budget Projections	8	8	8	8	8	8
Cash Reserves	10	10	10	10	9	9
Projected Capital ##	8	8	8	8	8	8
Pension Funding	4	4	4	6	6	6
Total	30	30	30	32	31	31

## The 2011 property tax levy column assumes no more than \$5 million is used for stormwater projects in the 2012/13 budget.

The following scale is used in evaluating the property tax levy. A rating of 30 for 2010 suggests the Village should capture all of the inflationary increase and all of the new development increase as explained below:

Score/ Finances are ...	Tax Levy Recommendation	Because the tax levy should...
35 – 40 Very Strong	Maintain same dollar amount, consider new development \$’s	Be gradually reduced in real dollars consistent with the Village’s needs.
31 -34 Strong	Capture new development \$’s and some or all of the inflation increase.	Be increased somewhat to offset the impact of inflation on costs.
<b>26 – 30 *</b> <b>Moderate</b>	<b><i>Capture new development \$’s, all of the inflation increase, and consider modest service reductions and / or other revenue increases.</i></b>	<b><i>Be increased to offset inflation and stabilize revenues for operational and capital needs.</i></b>
21 – 25 Weak	Capture new development \$’s, all of the inflation increase, and consider noticeable service reductions and / revenue increases.	Be increased to offset inflation and stabilize revenues for operations and capital needs. Additional increases possible to rebuild revenues.
20 and Below Very Weak	Capture new development \$’s, all of the inflation increase, and consider significant service reductions and / revenue increases.	In addition to the reasons under “Weak”, consider additional increases to rebuild cash balances.

The methodology used by the Council in the past would suggest a property tax levy increase of 2.8%.

I have added a second column to the following chart to illustrate what changes would be needed if the Village were to issue \$10,000,000 of storm water debt. This column assumes that the principal and interest cost on these bonds is \$700,000 per year for 20 years (see note #2). I have also assumed that the property tax levy for these bonds is phased in over a two year period to lessen the impact on tax payers in any one year.

If the storm water bonds were issued as explained above, there would be an additional \$71 of property taxes in 2011 (\$111 - \$40 = \$71) to pay for one half of the principal and interest expense. In 2012, an additional \$71 increase (\$142 in total dedicated to storm water bonds annually) would be needed.

	%	Non Home-Rule Maximum @ 2.8%	%	Non Home-Rule 2.8% + Debt
2010 Property Taxes		\$ 13,105,359		\$ 13,105,359
<b>Amounts Paid by Existing Residents Under Each Option</b>				
Inflationary Increase	1.5%	\$ 196,580	1.5%	\$ 196,580
1/2 \$10mm Storm Debt Service		\$ -	2.7%	\$ 350,000
Existing Taxpayer Increase	1.5%	\$ 196,580	4.2%	\$ 546,580
<b>Increase on \$20,000 Tax Bill</b>	<b>1.5%</b>	<b>\$ 40</b>	<b>4.2%</b>	<b>\$ 111</b>
0.0203%				

<b>Total Tax Levy Summary</b>				
2010 Property Taxes		\$ 13,105,359		\$ 13,105,359
Plus: Inflationary Increase	1.5%	\$ 196,580	1.5%	\$ 196,580
New Development Increase	1.3%	\$ 170,461	1.3%	\$ 170,461
1/2 Storm Debt Increase			2.7%	\$ 350,000
<b>Total 2011 Property Taxes</b>	<b>2.8%</b>	<b>\$ 13,472,400</b>	<b>5.5%</b>	<b>\$ 13,822,400</b>

It is important to remember that the Village's property taxes are the largest and most stable revenue source for the general fund and are used to pay for most of the traditional municipal services (police, fire, public works, etc.).

Attached as supporting information are the following items:

Item	Page #
Comparison of Property Taxes Paid 2010 versus 1997	7
Property Tax Calculations	8
Tax Levy History	9
General Fund Budget Projections	10 - 11
General Fund Cash Projections	12
Pension Asset and Liability History	13 - 14

Staff will be available at the Council Meeting to present this material, answer questions, and make whatever changes are deemed appropriate to set the 2011 property tax levy amount.

**Recommendation:**

Consider setting the 2011 property tax levy at \$13,472,400, a projected \$40 increase for an existing tax payer with an annual \$20,000 total property tax bill. The overall percentage increase in the levy with new development is estimated at 2.8%.

*Footnote 1: The increase for a typical homeowner was calculated as follows:*

	Suggested Amount
Current Property Taxes	\$ 20,000
Village Portion (13.36%)	\$ 2,672
% Increase paid #	1.5%
Dollar Increase	\$ 40

# assumes new development increases the tax base by 1.3%.

*Footnote 2: The cost of issuing \$10,000,000 of debt:*

Principal amount	\$	10,000,000
20 year 3.5% interest rate factor		7%
Annual Principal and Interest	\$	700,000

**Comparison of Property Taxes Paid  
Typical Taxing Districts in Winnetka  
2010 Versus 1997**

10.26.2011

	1997 *			2010 **			Increase in Taxes Paid	% Change
	Tax Rate	Taxes Paid	%	Tax Rate	Taxes Paid	%		
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Winnetka Park District	0.445	\$770	5.18%	0.271	\$1,150	4.43%	\$380	49.4%
Water Reclamation District	0.451	\$780	5.24%	0.274	\$1,162	4.48%	\$382	49.0%
All Others	<u>0.502</u>	<u>\$869</u>	<u>5.84%</u>	<u>0.374</u>	<u>\$1,587</u>	<u>6.12%</u>	<u>\$718</u>	<u>82.6%</u>
<b>Total</b>	<b>8.597</b>	<b>\$14,877</b>	<b>100.00%</b>	<b>6.116</b>	<b>\$25,946</b>	<b>100.00%</b>	<b>\$11,069</b>	<b>74.4%</b>
Consumer Price Index - U	158.600			215.949	13 Year Increase in CPI >>		36.2%	
CPI Index (December, 13 years)	1996			2009	Annual Geometric Mean >		2.4%	

\* 1997 Property taxes paid in March and August 2008.  
 \*\* 2010 Property taxes paid in March and August 2011.

# Village of Winnetka

## Property Tax Levy Calculations

10.24.2011

<u>Tax Levy Category</u>	Column A <b>2010 Extended Tax Levy</b>	Column B <b>2011 Proposed Tax Levy</b>	Column C (Column B - A) <b>Dollar Change</b>	C/A*100 <b>Percent Change</b>
<b>General Fund:</b>				
Corporate	\$9,411,820	\$10,132,173	\$720,353	7.7%
FICA/Social Security	\$180,000	\$0	(\$180,000)	-100.0%
IMRF	\$375,000	\$0	(\$375,000)	-100.0%
Sub Total General	\$9,966,820	\$10,132,173	\$165,353	1.7%
<b>Other Funds:</b>				
Police Pension	\$959,387	\$992,534	\$33,147	3.5%
Fire Pension	\$940,074	\$1,108,794	\$168,720	17.9%
<b>Storm Water Utility</b>			\$0	
Refuse Utility	\$1,100,000	\$1,100,000	\$0	0.0%
Debt Service - Resurfacing 1999	\$139,078	\$138,899	(\$179)	-0.1%
<b>Debt Service - Stormwater 2011</b>			\$0	
<b>Total Village-wide Tax Levy</b>	<b>\$13,105,359</b>	<b>\$13,472,400</b>	<b>\$367,041</b>	<b>2.8%</b>
<b>Less: Projected New Development</b>				
@ 1.3%, (0.3% less than 10 yr. av.)		(\$170,370)	(\$170,370)	-1.3%
<b>Existing Tax Payer Increase</b>	<b>\$13,105,359</b>	<b>\$13,302,030</b>	<b>\$196,671</b>	<b>1.5%</b>

### Increase Based on Total Property Tax Bill

Total Property Taxes Paid 100.00%	Other Taxing Distr. 86.64%	Village 13.36%	1.50% of Village
\$10,000	\$8,664	\$1,336	\$20
\$15,000	\$12,996	\$2,004	\$30
\$20,000	\$17,328	\$2,672	\$40
\$26,000	\$22,526	\$3,474	\$52
\$40,000	\$34,656	\$5,344	\$80

## Village of Winnetka Tax Levy History

	Non-Home Rule Calculations				Actual Levy		\$'s Less Than NHR Limit	
	CPI Increase	New Develop.	Total	Max. Levy Possible (Excludes SSA's)	Actual Levy	% From PY	\$'s Under Max. This Year	\$'s Under Max. Cumulative
				\$8,980,481				
2001 Actual	3.4%	1.5%	4.9%	\$9,419,625	\$9,419,625	4.9%		
2002 Actual	1.6%	1.3%	2.9%	\$9,694,132	\$9,694,132	2.9%		
2003 Actual *	2.4%	1.2%	3.6%	\$10,047,643	\$10,047,643	3.6%		
2004 Actual	2.5%	2.0%	4.5%	\$10,496,453	\$10,496,453	4.5%		
2005 Actual **	3.3%	1.8%	5.1%	\$11,031,772	\$10,969,000	4.5%	\$62,772	\$62,772
2006 Actual	3.4%	1.9%	5.3%	\$11,616,456	\$11,435,181	4.2%	\$181,275	\$244,047
2007 Actual	2.5%	1.8%	4.3%	\$12,115,964	\$11,972,591	4.7%	\$143,373	\$387,420
2008 Actual	4.1%	1.9%	6.0%	\$12,842,922	\$12,535,303	4.7%	\$307,619	\$695,039
2009 Actual	0.1%	1.2%	1.3%	\$13,009,880	\$12,748,403	1.7%	\$261,477	\$956,516
2010 Actual	2.7%	0.9%	3.6%	\$13,478,236	\$13,105,359	2.8%	\$372,877	\$1,329,393
<b>2011 Proposed Tax Levy ***</b>	<b>1.5%</b>	<b>1.3%</b>	<b>2.8%</b>	<b>\$13,855,627</b>	<b>\$13,472,400</b>	<b>2.8%</b>	<b>\$383,227</b>	<b>\$1,712,620</b>
Average '01-'10	2.6%	1.6%	4.2%		Proposed Incr.	2.8%		
					New Develop.	-1.3%		
					Net Increase	1.5%		

\* The 2003 CPI amount of 1.9% plus a 0.6% increase for a fire pension change outside of the tax cap totals the 2.5% shown.

\*\* In 2005, the Village became home rule which removed tax caps. The Max. Levy Possible column reflects the maximum property tax levy the Village could receive if we were still operating under tax caps.

\*\*\* The 2011 CPI increase, based on the cal. 2010 CPI change is 1.5%.

Village of Winnetka  
General Fund Budget Projections  
In Millions of Dollars

10.24.2011

	A		B	C				
	2013 Projected Budget	% Change (A vs. B)	2012 10.24.11 Estimate	2012 Budget	2011 Audit	2010 Audit	2009 Audit	2008 Audit
<b>Revenues:</b>								
Property Tax	\$ 12.23	1.9%	\$ 12.00	\$ 11.86	\$ 11.27	\$ 11.69	\$ 10.70	\$ 10.01
Permits	\$ 1.30	-13.3%	\$ 1.50	\$ 1.29	\$ 2.00	\$ 1.50	\$ 1.54	\$ 1.53
Payment in Lieu of Taxes	\$ 1.34	3.9%	\$ 1.29	\$ 1.29	\$ 1.34	\$ 1.38	\$ 1.32	\$ 1.42
Transfers	\$ 1.84	1.7%	\$ 1.81	\$ 1.81	\$ 1.84	\$ 1.82	\$ 1.78	\$ 1.72
Sales Tax	\$ 1.10	0.0%	\$ 1.10	\$ 1.10	\$ 1.23	\$ 1.18	\$ 1.30	\$ 1.50
Income Tax	\$ 1.00	7.5%	\$ 0.93	\$ 0.93	\$ 0.94	\$ 0.99	\$ 1.18	\$ 1.14
Telecom. Tax	\$ 0.65	0.0%	\$ 0.65	\$ 0.72	\$ 0.67	\$ 0.72	\$ 0.73	\$ 0.73
Services	\$ 1.07	1.9%	\$ 1.05	\$ 1.05	\$ 0.98	\$ 0.93	\$ 0.92	\$ 0.82
Natural Gas Tax	\$ 0.45	0.0%	\$ 0.45	\$ 0.48	\$ 0.44	\$ 0.46	\$ 0.70	\$ 0.62
Interest **	\$ 0.18	0.0%	\$ 0.18	\$ 0.18	\$ 0.28	\$ 0.42	\$ 0.55	\$ 0.65
All Others	\$ 1.50	0.0%	\$ 1.50	\$ 1.63	\$ 1.79	\$ 1.97	\$ 1.18	\$ 2.04
<b>Total Revenues</b>	<b>\$ 22.66</b>	<b>0.9%</b>	<b>\$ 22.46</b>	<b>\$ 22.34</b>	<b>\$ 22.78</b>	<b>\$ 23.06</b>	<b>\$ 21.28</b>	<b>\$ 22.18</b>
<b>Expenses:</b>								
Operations #	\$ 19.42	3.0%	\$ 18.85	\$ 18.85	\$ 18.61	\$ 18.56	\$ 17.84	\$ 17.06
Transfers Out (in) ***	\$ 1.05	-32.7%	\$ 1.56	\$ 1.86	\$ 1.02	\$ (1.28)	\$ 0.90	\$ 4.80
<b>Operations total</b>	<b>\$ 20.47</b>	<b>0.3%</b>	<b>\$ 20.41</b>	<b>\$ 20.71</b>	<b>\$ 19.63</b>	<b>\$ 17.28</b>	<b>\$ 18.74</b>	<b>\$ 21.86</b>
<b>Margin from Operations</b>	<b>\$ 2.19</b>	<b>6.8%</b>	<b>\$ 2.05</b>	<b>\$ 1.63</b>	<b>\$ 3.15</b>	<b>\$ 5.78</b>	<b>\$ 2.54</b>	<b>\$ 0.32</b>
Capital *	\$ 2.40	0.0%	\$ 2.40	\$ 3.01	\$ 2.10	\$ 2.19	\$ 2.34	\$ 2.40
<b>Net Margin, After Capital</b>	<b>\$ (0.21)</b>		<b>\$ (0.35)</b>	<b>\$ (1.38)</b>	<b>\$ 1.05</b>	<b>\$ 3.59</b>	<b>\$ 0.20</b>	<b>\$ (2.08)</b>

# 2013 based on 2.5% increase in operations + \$100k for police and fire pensions.

\* The Village anticipates \$2.4 million annually for routine capital.

\*\* Assumes \$20.0 m balance @ 1.50% earnings rate.

\*\*\* 2008 amount includes \$800k for refuse (Downtown Red.\$2.5m & Facilities \$1.5m excluded).

2010 includes \$750k for refuse and \$825k for streetscape. 2011 includes \$550k for refuse and \$2.85m to close Streetscape Fu  
2012 amount includes refuse \$550k, Village Hall \$500k, Water Fund Loan \$300k, SSA3 Trapp Ln \$510k. Estm. assumes no w  
2013 amount includes refuse \$550k, Village Hall \$500k.

Points Earned for Revenues and Operating Expenses  
(maximum 5 points each)

**Proposed Schedule:**

Revenues (Estimated as a % of Budget)	< 92%	92-94	94-96	<b>96-97%</b>	<b>98-102%</b>	>102%
Points Assigned *	0	1	2	3	4	5

Operating Expenses (Estimated as a % of Budget)	< 98%	<b>98-102%</b>	102-104%	> 105%
Points Assigned *	5	4	2	0

\* Points assignment calculated as:

2011 estimated revenue points	\$ 22.46	estm. /	\$ 22.34	budget =	101%
2011 estimated expense points	\$ 20.41	estm. /	\$ 20.71	budget =	99%

Total

Village of Winnetka  
 General Fund Cash Projections  
 In Millions of Dollars

10.24.2011

	Budget FYE 2011	Proj. FYE 2012
Cash Balance 4/1/2011	\$ 19.86	
Adjustments:		
Deposits	\$ (1.57)	
A/P and Reserved Amounts	\$ (1.14)	
Undesignated Cash	\$ 17.15	\$ 16.80
Estimated Revenues	\$ 22.46	\$ 22.66
Estimated Operating Expenses	\$ 20.41	\$ 20.47
Est. Contribution From Operations	\$ 2.05	\$ 2.19
Estimated Capital **	\$ (2.40)	\$ (2.40)
Estimated Cash-Flow For Year	\$ (0.35)	\$ (0.21)
Undesignated Cash 3/31	\$ 16.80	\$ 16.59
Ending Cash as a % of Operating Expenses and Capital Expenses	82%	81%

\*\* Estimated at the historical norm of about \$2.4 million per year.

Points Earned for Cash Balances

Projected 2012 Ranking:

Cash as a % of Operating expenses	< 15%	16 - 25%	26%-45%	46%- 65%	> 66%
Points Assigned	0	3	6	9	10

Projected 3/31/2012 cash as a percent of policy maximum:

Policy Maximum	
6 months Operating Expenses	\$ 10.2
Cash needed to Fund Pensions at 90% (estm.)	\$ 22.2
Policy Maximum	\$ 32.4

Projected balance as a % of Maximum 51%

**Village of Winnetka  
Pension Asset and Liability History  
In Millions of Dollars**

9.1.2011  
by: em

13

Fiscal Year Ended Data	Total				Police Pension - 6.25%				Fire Pension - 6.25%				IL. Municipal Retirement - 7.5%			
	Assets	Liabilities	Diff.	% Fund.	Assets	Liabilities	Diff.	% Fund.	Assets	Liabilities	Diff.	% Fund.	Assets	Liabilities	Diff.	% Fund.
<b>2011</b>	<b>\$ 60.00</b>	<b>\$ 91.36</b>	<b>\$ (31.36)</b>	<b>66%</b>	<b>\$ 20.38</b>	<b>\$ 29.63</b>	<b>\$ (9.25)</b>	<b>69%</b>	<b>\$ 18.82</b>	<b>\$ 28.88</b>	<b>\$ (10.06)</b>	<b>65%</b>	<b>\$ 20.80</b>	<b>\$ 32.85</b>	<b>\$ (12.05)</b>	<b>63%</b>
2010	\$ 58.97	\$ 90.79	\$ (31.82)	65%	\$ 18.90	\$ 28.78	\$ (9.88)	66%	\$ 17.80	\$ 28.12	\$ (10.32)	63%	\$ 22.27	\$ 33.89	\$ (11.62)	66%
2009	\$ 53.75	\$ 85.34	\$ (31.59)	63%	\$ 16.05	\$ 26.89	\$ (10.84)	60%	\$ 15.13	\$ 26.29	\$ (11.16)	58%	\$ 22.57	\$ 32.16	\$ (9.59)	70%
2008	\$ 62.40	\$ 80.72	\$ (18.32)	77%	\$ 18.24	\$ 23.94	\$ (5.70)	76%	\$ 16.86	\$ 25.01	\$ (8.15)	67%	\$ 27.30	\$ 31.77	\$ (4.47)	86%
2007	\$ 57.84	\$ 76.29	\$ (18.45)	76%	\$ 17.16	\$ 22.54	\$ (5.38)	76%	\$ 15.84	\$ 24.06	\$ (8.22)	66%	\$ 24.84	\$ 29.69	\$ (4.85)	84%
2006	\$ 53.53	\$ 69.40	\$ (15.87)	77%	\$ 16.26	\$ 20.03	\$ (3.77)	81%	\$ 14.95	\$ 21.62	\$ (6.67)	69%	\$ 22.32	\$ 27.75	\$ (5.43)	80%
2005	\$ 51.78	\$ 64.87	\$ (13.09)	80%	\$ 15.85	\$ 18.83	\$ (2.98)	84%	\$ 14.49	\$ 19.78	\$ (5.29)	73%	\$ 21.44	\$ 26.26	\$ (4.82)	82%
2004	\$ 48.74	\$ 61.54	\$ (12.80)	79%	\$ 14.40	\$ 18.11	\$ (3.71)	80%	\$ 13.33	\$ 18.55	\$ (5.22)	72%	\$ 21.01	\$ 24.88	\$ (3.87)	84%
2003	\$ 49.41	\$ 57.04	\$ (7.63)	87%	\$ 15.54	\$ 16.80	\$ (1.26)	93%	\$ 14.04	\$ 17.89	\$ (3.85)	78%	\$ 19.83	\$ 22.35	\$ (2.52)	89%
2002	\$ 46.52	\$ 54.37	\$ (7.85)	86%	\$ 15.22	\$ 16.44	\$ (1.22)	93%	\$ 13.78	\$ 16.92	\$ (3.14)	81%	\$ 17.52	\$ 21.01	\$ (3.49)	83%
2001	\$ 43.40	\$ 50.36	\$ (6.96)	86%	\$ 14.86	\$ 15.36	\$ (0.50)	97%	\$ 13.43	\$ 15.51	\$ (2.08)	87%	\$ 15.11	\$ 19.49	\$ (4.38)	78%
1980	\$ 3.25	\$ 12.46	\$ (9.21)	26%	\$ 1.32	\$ 3.89	\$ (2.57)	34%	\$ 1.42	\$ 4.36	\$ (2.94)	33%	\$ 0.51	\$ 4.21	\$ (3.70)	12%
2001 - 2011 Change	\$ 16.60	\$ 41.00	\$ (24.40)	-21%	\$ 5.52	\$ 14.27	\$ (8.75)	-28%	\$ 5.39	\$ 13.37	\$ (7.98)	-21%	\$ 5.69	\$ 13.36	\$ (7.67)	-14%
% Change	43%	87%	310%		39%	98%	2083%		42%	90%	405%		47%	76%	140%	

1980 amounts taken from 1981 CAFR.

Police and Fire investment assumptions, prior to 2006 - 7.0%, 2007 - 2009 - 6.50%, 2010 - 6.25%.

Points Earned for Pension Funding (10 point maximum)

Combined % Funded ***	< 60%	<b>60 - 69%</b>	70 - 79%	80 - 89%	90-100%	> 100%
Points Assigned	2	<b>4</b>	6	8	9	10

For Police and Fire Pension Funds:

\* In 2007 the assumed rate of return was reduced from 7.0% to 6.5%.

In 2010 the assumed rate of return was reduced from 6.5% to 6.0%.

In 2011 the assumed rate of return was increased from 6.0% to 6.25%.

To fund all three pension plans at the 90% level would require \$ 22.22 million.

	100%	90%
Assets	\$ 60.00	\$ 60.00
Liabilities	\$ 91.36	\$ 82.22
Difference	\$ (31.36)	\$ (22.22) \$ (9.14)

**ORDINANCE NO. M-19-2011**

**AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED  
FOR THE YEAR 2011 TO PAY THE PRINCIPAL OF AND INTEREST ON  
\$3,190,000 GENERAL OBLIGATION REFUNDING BONDS  
(SALES TAX ALTERNATIVE REVENUE SOURCE), SERIES 2003,  
OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS**

**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, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

**WHEREAS**, the Council of the Village of Winnetka, Cook County, Illinois (the “Village Council”), by Ordinance Number M-1-2003, adopted on the 7<sup>th</sup> day of January, 2003 (the “Ordinance”), did provide for the issue of \$3,190,000 General Obligation Refunding Bonds (Sales Tax Alternate Revenue Source), Series 2003 (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds: and

**WHEREAS**, the Village will have the Pledged Sales Tax Income (as defined in the Ordinance) in the appropriate fund pursuant to the Ordinance for the purpose of paying the principal of and interest on the Bonds up to and including December 1, 2012; and

**WHEREAS**, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2011 to pay the principal of and interest on the Bonds be abated.

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

**SECTION 1: Abatement of Tax.** The tax heretofore levied for the year 2011 of Three Hundred Thirty-Four Thousand Seven Hundred Sixty Dollars (\$334,760.00) in Ordinance Number M-1-2003 to pay the principal of and interest on \$3,190,000 General Obligation Refunding Bonds (sales Tax Alternate Revenue Source), Series 2003, of the Village of Winnetka, Cook County, Illinois, is hereby abated in its entirety.

**SECTION 2: Filing of Ordinance.** Forthwith upon the adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of the County of Cook, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2011 in accordance with the provisions hereof.

**SECTION 3: Home Rule.** This Ordinance is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

**SECTION 3: Effective Date.** That this Ordinance shall be in full force and effect from and its passage, approval, and posting.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

Countersigned:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

Introduced: December 6, 2011

Posted: December 7, 2011

Passed and Approved:

Posted:

**AN ORDINANCE  
LEVYING TAXES FOR THE YEAR 2011  
FOR VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS  
SPECIAL SERVICE AREA NO. 3**

**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, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

**WHEREAS**, Village of Winnetka Special Service Area No. 3 has been established pursuant to Ordinance M-6-2011, adopted by the Council of the Village of Winnetka (“Village Council”) on April 20, 2010, and Ordinance M-13-2010, adopted by the Village Council on July 20, 2010, to provide for certain special services within the territory described in said ordinances, such special services consisting of the construction of a storm sewer, the reconstruction and repaving of Trapp Lane, the construction of a cul-de-sac at the terminus of Trapp Lane and the construction of related appurtenances (“Special Services”), all in conjunction with the dedication of Trapp Lane as a public right of way; and

**WHEREAS**, the Village Council have determined that, in the interest of the health, safety and welfare of the Village and its residents, it is appropriate to adopt an ordinance levying taxes within Special Service Area No. 3; and

**WHEREAS**, the construction of the improvements in Special Service Area No. 3 are substantially complete with an estimated total project cost for the Special Services provided to Special Service Area No. 3 of Two Hundred Fifty-Five Thousand Dollars (\$255,000.00); and

**WHEREAS**, the total term of repayment of the project costs for Special Service Area No. 3 is 10 years and the 2011 Tax Levy is for Year One of Ten; and

**WHEREAS**, the Village Council have determined that the total amount to be raised by the levy of taxes on taxable property within Special Service Area No. 3 for principal and interest on the cost of providing such Special Services for the fiscal year beginning April 1, 2011, and ending March 31, 2012 is Thirty-Five Thousand Seven Hundred Dollars (\$35,700.00).

**NOW, THEREFORE**, the Council of the Village of Winnetka do ordain:

**SECTION 1:** That the foregoing recitals are hereby adopted as the findings of the Council of the Village of Winnetka, as fully set forth herein.

**SECTION 2:** That in order to meet the cost of principal and interest on the cost of providing the above-described Special Services within Special Service Area No. 3 for the fiscal year beginning April 1, 2011, and ending March 31, 2012, there is hereby levied upon all of the taxable property within Village of Winnetka Special Service Area No. 3 subject to taxation for the current year, as assessed and equalized for the year 2011, the sum of Thirty-Five Thousand Seven Hundred Dollars (\$35,700.00), which is to be collected from the levy of the Village of Winnetka for the year 2011 for the purposes heretofore budgeted, the total of which has been ascertained and is as indicated in the following Summary of 2011 Property Tax Levy under the column labeled "Amount to Be Raised by Tax Levy," and as set forth in detail in the 2011 Property Tax Levy Report, which is attached as Exhibit A and is incorporated herein by reference.

**SECTION 3:** That there is hereby certified to the County Clerk of Cook County, Illinois, the several sums above, constituting said total amount, and the total amount of Thirty-Five Thousand Seven Hundred Dollars (\$35,700.00), which is the total amount the Village of Winnetka requires to be raised by taxation to meet the costs of principal and interest for Special Service Area No. 3 for the current fiscal year of the Village, and that, on or before the time required by law, the Village Clerk shall file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois, whereupon it shall be the duty of said County Clerk to levy taxes for the year 2011 on all properties subject to taxation within Village of Winnetka Special Service Area No. 3, in accordance with the provisions of this Ordinance.

**SECTION 4:** Each provision of this Ordinance is severable. If any provision of this Ordinance or the application of any provision of this Ordinance to any person or circumstance is held invalid, then the remainder of this Ordinance and the application of the provisions of this Ordinance to other persons or circumstances shall not be affected thereby and shall remain valid, enforceable and otherwise in full force and effect.

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

**SECTION 6:** This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

Countersigned:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

Introduced: December 6, 2011

Posted: December 7, 2011

Passed and Approved:

Posted:

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- SSA 3 TRAPP LANE: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
31-20-500-180	BOND PAYMENT	31,595	25,500
31-20-500-181	INTEREST PAYMENT	12,638	10,200
31-20-500-900	CONSTRUCTION	510,000	0
	TOTAL FOR: PUBLIC AFFAIRS	554,233	35,700
	SSA 3 TRAPP LANE TOTAL OPERATING EXPENSE	554,233	35,700
----- SSA 3 TRAPP LANE: TRANSFERS: PUBLIC AFFAIRS -----			
31-20-700-403	OTHER OPERATING TRANSFERS	510,000	0
	TOTAL FOR: PUBLIC AFFAIRS	510,000	0
	TOTAL FOR FUND: SSA 3 TRAPP LANE	1,064,233	35,700

**AN ORDINANCE  
LEVYING TAXES FOR THE YEAR 2011  
FOR VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS  
SPECIAL SERVICE AREA NO. 4**

**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, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

**WHEREAS**, Village of Winnetka Special Service Area No. 4 has been established pursuant to Ordinance M-2-2011, adopted by the Council of the Village of Winnetka (“Village Council”) on April 26, 2011, and Ordinance M-13-2011, adopted by the Village Council on September 6, 2011, to provide for certain special services within the territory described in said ordinances, such special services consisting of the construction of a storm sewer and a new concrete alley, and the construction of related appurtenances (“Special Services”) in the single family residential area consisting of properties bounded by Elm Street, Oak Street, Locust Street, and Rosewood Avenue; and

**WHEREAS**, the Village Council have determined that, in the interest of the health, safety and welfare of the Village and its residents, it is appropriate to adopt an ordinance levying taxes within Special Service Area No. 4; and

**WHEREAS**, the construction of the improvements in Special Service Area No. 4 has been completed and the total project cost for the Special Services provided to Special Service Area No. 3 is Twenty Thousand Seven Hundred Ninety-Five Dollars (\$20,795.00); and

**WHEREAS**, the total term of repayment of the project costs for Special Service Area No. 4 is five years and the 2011 Tax Levy is for Year One of Five; and

**WHEREAS**, the Village Council have determined that the total amount to be raised by the levy of taxes on taxable property within Special Service Area No. 3 for principal and interest on the cost of providing such Special Services for the fiscal year beginning April 1, 2011, and ending March 31, 2012 is Four Thousand Nine Hundred Ninety One Dollars (\$4,991.00).

**NOW, THEREFORE**, the Council of the Village of Winnetka do ordain:

**SECTION 1:** That the foregoing recitals are hereby adopted as the findings of the Council of the Village of Winnetka, as fully set forth herein.

**SECTION 2:** That in order to meet the cost of principal and interest on the cost of providing the above-described Special Services within Special Service Area No. 4 for the fiscal year beginning April 1, 2011, and ending March 31, 2012, there is hereby levied upon all of the taxable property within Village of Winnetka Special Service Area No. 4 subject to taxation for the current year, as assessed and equalized for the year 2011, the sum of Four Thousand Nine Hundred Ninety One Dollars (\$4,991.00), which is to be collected from the levy of the Village of Winnetka for the year 2011 for the purposes heretofore budgeted, the total of which has been ascertained and is as indicated in the following Summary of 2011 Property Tax Levy under the column labeled "Amount to Be Raised by Tax Levy," and as set forth in detail in the 2011 Property Tax Levy Report, which is attached as Exhibit A and is incorporated herein by reference.

**SECTION 3:** That there is hereby certified to the County Clerk of Cook County, Illinois, the several sums above, constituting said total amount, and the total amount of Four Thousand Nine Hundred Ninety One Dollars (\$4,991.00), which is the total amount the Village of Winnetka requires to be raised by taxation to meet the costs of principal and interest for Special Service Area No. 4 for the current fiscal year of the Village, and that, on or before the time required by law, the Village Clerk shall file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois, whereupon it shall be the duty of said County Clerk to levy taxes for the year 2011 on all properties subject to taxation within Village of Winnetka Special Service Area No. 4, in accordance with the provisions of this Ordinance.

**SECTION 4:** Each provision of this Ordinance is severable. If any provision of this Ordinance or the application of any provision of this Ordinance to any person or circumstance is held invalid, then the remainder of this Ordinance and the application of the provisions of this Ordinance to other persons or circumstances shall not be affected thereby and shall remain valid, enforceable and otherwise in full force and effect.

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

**SECTION 6:** This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

Countersigned:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

Introduced: December 6, 2011

Posted: December 7, 2011

Passed and Approved:

Posted:

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- SSA #4 Locust to Rosewood: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
32-20-500-180	BOND PAYMENT	7,400	4,159
32-20-500-181	INTEREST PAYMENT	1,480	832
32-20-500-900	CONSTRUCTION	0	0
	TOTAL FOR: PUBLIC AFFAIRS	8,880	4,991
	SSA #4 Locust to Rosewood TOTAL OPERATING EXP	8,880	4,991
----- SSA #4 Locust to Rosewood: TRANSFERS: PUBLIC AFFAIRS -----			
32-20-700-403	OTHER OPERATING TRANSFERS	0	0
	TOTAL FOR: PUBLIC AFFAIRS	0	0
	TOTAL FOR FUND: SSA #4 Locust to Rosewood	8,880	4,991

**AN ORDINANCE  
LEVYING TAXES FOR THE YEAR 2011  
FOR VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS  
SPECIAL SERVICE AREA NO. 5**

**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, pursuant thereto, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including the power to tax; and

**WHEREAS**, Village of Winnetka Special Service Area No. 5 has been established pursuant to Ordinance M-3-2011, adopted by the Council of the Village of Winnetka (“Village Council”) on April 26, 2011, and Ordinance M-14-2011, adopted by the Village Council on September 6, 2011, to provide for certain special services within the territory described in said ordinances, such special services consisting of the construction of a storm sewer and a new concrete alley, and the construction of related appurtenances (“Special Services”) in the single family residential area consisting of properties bounded by Elm Street, Oak Street, Glendale Avenue, and Rosewood Avenue; and

**WHEREAS**, the Village Council have determined that, in the interest of the health, safety and welfare of the Village and its residents, it is appropriate to adopt an ordinance levying taxes within Special Service Area No. 5; and

**WHEREAS**, the construction of the improvements in Special Service Area No. 5 has been completed and the total project cost for the Special Services provided to Special Service Area No. 3 is Forty Thousand Seventeen Thousand Six Hundred Sixty-Four Dollars (\$17,664.00); and

**WHEREAS**, the total term of repayment of the project costs for Special Service Area No. 5 is five years and the 2011 Tax Levy is for Year One of Five; and

**WHEREAS**, the Village Council have determined that the total amount to be raised by the levy of taxes on taxable property within Special Service Area No. 5 for principal and interest on the cost of providing such Special Services for the fiscal year beginning April 1, 2011, and ending March 31, 2012 is Four Thousand Two Hundred Forty Dollars (\$4,240.00).

**NOW, THEREFORE**, the Council of the Village of Winnetka do ordain:

**SECTION 1:** That the foregoing recitals are hereby adopted as the findings of the Council of the Village of Winnetka, as fully set forth herein.

**SECTION 2:** That in order to meet the cost of principal and interest on the cost of providing the above-described Special Services within Special Service Area No. 5 for the fiscal year beginning April 1, 2011, and ending March 31, 2012, there is hereby levied upon all of the taxable property within Village of Winnetka Special Service Area No. 5 subject to taxation for the current year, as assessed and equalized for the year 2011, the sum of Thousand Two Hundred Forty Dollars (\$4,240), which is to be collected from the levy of the Village of Winnetka for the year 2011 for the purposes heretofore budgeted, the total of which has been ascertained and is as indicated in the following Summary of 2011 Property Tax Levy under the column labeled "Amount to Be Raised by Tax Levy," and as set forth in detail in the 2011 Property Tax Levy Report, which is attached as Exhibit A and is incorporated herein by reference.

**SECTION 3:** That there is hereby certified to the County Clerk of Cook County, Illinois, the several sums above, constituting said total amount, and the total amount of Four Thousand Two Hundred Forty Dollars (\$4,240.00), which is the total amount the Village of Winnetka requires to be raised by taxation to meet the costs of principal and interest for Special Service Area No. 5 for the current fiscal year of the Village, and that, on or before the time required by law, the Village Clerk shall file a certified copy of this Ordinance with the County Clerk of Cook County, Illinois, whereupon it shall be the duty of said County Clerk to levy taxes for the year 2011 on all properties subject to taxation within Village of Winnetka Special Service Area No. 5, in accordance with the provisions of this Ordinance.

**SECTION 4:** Each provision of this Ordinance is severable. If any provision of this Ordinance or the application of any provision of this Ordinance to any person or circumstance is held invalid, then the remainder of this Ordinance and the application of the provisions of this Ordinance to other persons or circumstances shall not be affected thereby and shall remain valid, enforceable and otherwise in full force and effect.

[Remainder of this page intentionally left blank.]

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

**SECTION 6:** This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 20<sup>th</sup> day of December, 2011, pursuant to the following roll call vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** this 20<sup>th</sup> day of December, 2011.

Signed:

Countersigned:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

Introduced: December 6, 2011

Posted: December 7, 2011

Passed and Approved:

Posted:

TAX LEVY REPORT  
FISCAL YEAR 2012, SORTED BY PROGRAM

ACCOUNT NUMBER	DESCRIPTION	BUDGETED AMOUNT	AMOUNT TO BE RAISED BY TAX LEVY
----- SSA #5 Rosewood to Glendale: OPERATING EXPENSE: PUBLIC AFFAIRS -----			
33-20-500-180	BOND PAYMENT	8,063	3,533
33-20-500-181	INTEREST PAYMENT	1,613	707
33-20-500-900	CONSTRUCTION	0	0
33-20-500-901	MISCELLANEOUS	0	0
	TOTAL FOR: PUBLIC AFFAIRS	9,676	4,240
	SSA #5 Rosewood to Glendale TOTAL OPERATING E	9,676	4,240
----- SSA #5 Rosewood to Glendale: TRANSFERS: PUBLIC AFFAIRS -----			
33-20-700-403	OTHER OPERATING TRANSFERS	0	0
	TOTAL FOR: PUBLIC AFFAIRS	0	0
	TOTAL FOR FUND: SSA #5 Rosewood to Glendale	9,676	4,240

## AGENDA REPORT

**TO:** Village Council

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

**SUBJECT:** 30 Green Bay Rd., @ properties  
(1) Special Use Permit  
(2) Intensity of Use of Lot  
(3) Rear Yard Setback

**DATE:** December 2, 2011

The petitioner, @ properties, is requesting approval of a Special Use Permit in accordance with Section 17.56 and variations by ordinance from Section 17.46.040 [Intensity of Use of Lot] and Section 17.46.080 [Rear Yard Setback] of the Winnetka Zoning Ordinance to permit a building addition to the existing real estate office in the C-1 Limited Retail Commercial District that would result in lot coverage of 5,255.24 s.f., whereas a maximum of 4,725 s.f. is permitted, a variation of 530.24 s.f. (11.22%) and a rear yard setback of 3.32 ft., whereas a minimum of 10 ft. is required, a variation of 6.68 ft. (66.8%).

@ properties is proposing to construct a one-story addition measuring 20 ft. x 50 ft. at the rear of the existing one-story building. The attached floor plan (p. 20) illustrates how the additional 1,000 s.f. would accommodate 12 additional agent desks. Currently, the office has 39 desks for agents and has five full and part time employees. According to the application, no additional full or part time employees will be added as part of this expansion.

Real estate offices and their expansion are subject to evaluation by the Zoning Board of Appeals, Plan Commission and Village Council as a Special Use. Every Special Use must be evaluated for its impact upon neighboring uses and the public need for such use at the particular location. The subject property is located in the Indian Hill Business District within the C-1 Limited Retail Commercial District. The other commercial districts in the Village (Elm Street, Hubbard Woods) are zoned C-2. The C-1 district is differentiated from the C-2 district in that it permits a broader range of uses by right, including professional offices; however, a real estate office is a Special Use.

In addition to the Special Use, zoning variations are required to permit the building addition to exceed the maximum permitted intensity of use of lot (lot coverage) and provide a reduced rear yard setback. The zoning ordinance allows 90% of the lot to be occupied by the principal building, accessory buildings and all other impermeable surfaces. The existing building and impermeable surfaces cover 4,413.64 s.f. (84.07%) of the lot, which complies with the maximum permitted lot coverage of 4,725 s.f. To accommodate the addition at the rear of the building, the existing concrete along the full width of the building would be removed and a new concrete walk measuring 5 ft. x 3.32

ft. would be added from the new rear door to the public alley. In total the lot coverage would be 5,255.24 s.f. (100.1%), a net increase of 841.6 s.f., requiring a variation of 530.24 s.f. (11.22%). Also, the proposed addition would provide a rear yard setback of 3.32 ft., whereas a setback of 10 ft. is required.

According to the zoning ordinance, off-street parking is not required for nonresidential uses located at the street level. Therefore, the expansion of the existing use does not require additional parking. As part of the application an updated parking impact study was prepared by KLOA, Inc. (pgs. 28-35). The purpose of the updated study was to determine the availability of public parking along Green Bay Rd. on a weekday and on a Saturday to meet the peak parking needs of the proposed office expansion. According to KLOA's study, the existing office generates a peak parking demand of 17 parking spaces on a weekday and 12 parking spaces on a Saturday. The 12 additional desks would create an additional demand of five parking spaces on a weekday and four on a Saturday. KLOA concluded that sufficient parking exists on Green Bay Rd. and in the permit parking lot east of Green Bay Rd. to support the proposed office expansion. Village Engineer Steve Saunders has reviewed the parking study by KLOA and concurs with their method of analysis and conclusions, his memorandum is attached (p. 27).

At the October 26, 2011 Plan Commission (PC) meeting, the members present unanimously found the proposed expansion consistent with the Comprehensive Plan (pgs. 45-54). The PC recommended conditional approval of the SUP, accepting staff's recommendation that the unused curb-cuts to the north and south of the subject site be removed and replaced with a full height curb (as shown in conceptual illustrations on pgs. 6-7). Figures 1-3 on pages 4 and 5 of the agenda report depict the unused curb-cuts in front of the properties lying immediately south and north of @ properties. Figures 1 and 2 depict the current condition in the right-of-way in front of Fitness Revolution at 22 Green Bay Rd., located immediately south of @ properties. Village records indicate this curb-cut was last used with any regularity approximately 18-19 years ago for a former tenant, the Kenilworth Grocery, which last used the curb cut and overhead door for deliveries. Figure 3 depicts the condition to the north, in front of the vacant lot immediately north of @ properties. At one time the vacant lot was used for long term vehicle storage for Fields BMW. The property owner has since taken steps to prevent unauthorized parking on the lot by installing metal pipes in front of the driveway. It should be noted that reestablishing the parking on the vacant lot requires consideration and approval of a Special Use Permit. Removing the unused curb cuts will provide three additional on-street parking spaces and will improve the pedestrian character of the district.

Village staff sent letters to the property owners with the unused curb-cuts informing them of the specific curb-cut recommendation (pgs. 36-40). At the Zoning Board of Appeals (ZBA) public hearing November 14, 2011, testimony was provided by two of the business owners at 22 Green Bay Rd. opposing the expansion of @ properties. A petition in opposition to the expansion of @ properties was also presented to the ZBA (p. 41). Please see the minutes of the ZBA meeting for the detailed testimony (pgs. 55-71). Comment from the owner of the vacant lot north of @ properties has not been received.

At its meeting October 20, 2011 the Design Review Board commented favorably on the proposed addition (pgs. 42-44).

The Zoning Board of Appeals voted 5 to 0 to recommend approval of the Special Use Permit and voted 3 to 2 to recommend denial of the variations at their meeting November 14, 2011.

In April 2010 the Village Council adopted Ordinance M-5-2010 approving the Special Use Permit for @ properties to establish the existing real estate office (pgs. 72-76). The ZBA and PC both recommended approval of the original Special Use Permit in 2010.

The building was constructed in 1945. Since that time several interior remodeling permits have been issued.

Given the ZBA did not provide a favorable recommendation for the zoning variations, the application is before the Village Council for policy direction.

**Recommendation**

Provide policy direction.



**Figure 1**



**Figure 2**



**Figure 3**





**ZONING MATRIX**

**ADDRESS: 30 Green Bay Rd. (@ properties)**  
**CASE NO: 11-23-SU**  
**ZONING: C-1**

ITEM	REQUIREMENT	EXISTING	PROPOSED	TOTAL	STATUS
Min. Lot Size	N/A	5,250 SF	N/A	N/A	OK
Max. Roofed Lot Coverage	N/A (1)	N/A	N/A	N/A	OK
Max. Impermeable Lot Coverage	4,725 SF (2)	4,413.64 SF	841.6 SF	5,255.24 SF	<b>530.24 SF (11.22%) VARIATION</b>
Max. Gross Floor Area	N/A (3)	N/A	N/A	N/A	OK
Min. Front Yard (East)	Maximum of 3 FT	0 FT	N/A	N/A	OK
Min. Side Yards	If provided, at least 3 FT	0 FT	0 FT	N/A	OK
Min. Rear Yard (West)	10 FT	23.32 FT	3.32 FT	N/A	<b>6.68 FT (66.8%) VARIATION</b>
Building Height	35 FT / 2.5 Stories	14.67 FT / 1 Story	14.67 FT / 1 Story	N/A	OK

**NOTES:**

- (1) In the C-1 Zoning District, a roofed coverage limitation of 60% of the lot area applies only to upper (second or third) floors, that are used partially or wholly for residential purposes. No residential occupancies exist or are proposed.
- (2) 90% of lot area.
- (3) Density limitation of 32 units/acre not applicable as no residential occupancies are proposed.

September 21, 2011

Mr. Brian Norkus  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

RE: @properties proposed office expansion  
26-30 Green Bay Rd  
Winnetka, IL

Dear Mr. Norkus:

I am enclosing the special use permit application for our proposed real estate office expansion at 26-30 Green Bay Road. The overwhelmingly favorable response to our new office in Winnetka has facilitated the need for an expansion of the building. We are proposing to expand the building by 1000sf or roughly 20 x 50. This expansion will necessitate a variance for lot coverage, about equal to our neighbors building on the West.

We have concluded an updated traffic study for the property conducted by KLOA and copies of this report are attached. The conclusion of the report is that it shows enough availability for the proposed expansion.

It is our desire to be placed on the October agenda, if possible. To that extent, please contact me if there is any additional information you require to process this application.

If you should have any questions, do not hesitate to contact me @ 312-334-8362

Sincerely,



Michael Rourke  
Vice President – Commercial Development



CASE NO. 11-23-SU

APPLICATION FOR SPECIAL USE

Name of Applicant @ PROPERTIES

Property Address 30 Green Bay Road

Home and Work Telephone Number 847-881-0200

Fax and Email 847-881-1300 MRoueke@ATPROPERTIES.COM

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

RAMIEL KENOUN RAMIEL@SPACEARCHPLAN.COM

SPACE Architects + Planners

689 N. Milwaukee Ave Chicago, IL 60642

312-829-6666 (F) 866-607-8172

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

John Lovestrand ASKJohn@ATPROPERTIES.COM

30 Green Bay Rd 847-881-0200 (C)

Winnetka, IL 60093 847-881-1300 (F)

Date Property Acquired by Owner April 2010

Nature of Any Restrictions on Property \_\_\_\_\_

Explanation of Special Use Requested To expand current

office space by 1000 sf.

OFFICE USE ONLY

Special Use Requested under Ordinance Section(s) \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Date: \_\_\_\_\_



Stated below, in detail, is how the proposed Special Use for the proposed @properties office at 26-30 Green Bay Rd. meets the following standard. Under the terms of the C-1 Zoning Ordinance, no Special Use Permit shall be granted unless it is found:

1. That the establishment, maintenance, and operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;

*The Applicant hereby states the Special Use will not be detrimental to or endanger the public health, safety, comfort, moral or general welfare. With over 1100 real estate agents, @properties is one of the largest, independently owned real estate brokerage companies in the United States. Known throughout the Chicagoland area, @properties offices are an integral part of the community, supporting numerous community events and charitable causes throughout the year.*

2. That the Special Use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity.

*The Applicant hereby state the Special Use will not be substantially injurious to the use and enjoyment of the other property in the immediate vicinity which are permitted by right in the district of concern, nor diminish or impair the property values in the immediate vicinity. In fact, just the opposite is true. @properties is making a substantial investment in expanding the building which in turn will help support property values in the area.*

3. That the establishment of Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;

*The Applicant hereby states that the establishment of Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern. As stated in the attached traffic study, there currently exists plenty of available parking for applicants intended use. With today's advanced technology, real estate agents spend less time in the office and more time working out of their homes or in the field. The office has become a place of support for the agents, where they come to pick up marketing information and materials but not necessarily work.*

4. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways;

*The Applicant hereby states that adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways; The attached traffic study addresses this in detail and indicates that there is plenty of available public parking during Applicants proposed hours of use. In fact, the Applicant's intended use will more than likely result in less parking being used than another applicant who may occupy the premises.*

5. That adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided.

*The Applicant hereby states that adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided. If approved, only 1000 sf of building will be added to the existing structure. Therefore the existing utilities, drainage and improvements are sufficient for Applicant's intended use.*

6. That the Special Use in all other respects conforms to the applicable regulations of this and other village ordinances and codes.

*The Applicant hereby states that the Special Use in all other respects conforms to the applicable regulations of this and other village ordinances and codes. Ultimately, the final determination will be made by the Village staff but the Applicant is confident that the proposed Special Use is within Village guidelines for this district.*

**Respectfully Submitted,**

@properties, as owner

  
\_\_\_\_\_

Michael P. Rourke, its authorized agent

\_\_\_\_\_  
September 20, 2011

618 W. Fulton Chicago, IL 60661  
Address

CASE NO. 11-23-SU

APPLICATION FOR VARIATION  
WINNETKA ZONING BOARD OF APPEALS

Owner Information:

Name: @PROPERTIES c/o Michael Rowke

Property Address: 30 Green Bay Rd

Home and Work Telephone Number: 312-334-8362

Fax and E-mail: MROWKE@ATPROPERTIES.COM

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

Space Architect and Planners

659 N. Milwaukee

Chicago, IL 60657

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

John E Lovestrano

30 Green Bay Rd

Winnetka, IL 60093

Date Property Acquired by Owner: 4/2010

Nature of Any Restrictions on Property: \_\_\_\_\_

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

WE REQUEST A LOT COVERAGE  
VARIATION to ALLOW the CONSTRUCTION of A 20x50  
ADDITION to the property @ 30 Green Bay Rd.

OFFICE USE ONLY

Variation Requested Under Ordinance Section(s): \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Date: \_\_\_\_\_



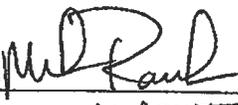
**STANDARDS FOR GRANTING OF ZONING VARIATIONS**

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.

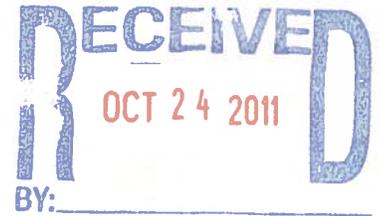
**NOTE:** The Zoning Board of Appeals or the Village Council, depending on which body has final jurisdiction, must make a finding that a practical difficulty or a particular hardship exists in order to grant a variation request.

Property Owner's Signature:  Date: 10/11/2011  
*AS Agent*

(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.**

October 20, 2011



Ms. Ann Klaassen  
Village of Winnetka  
510 Green Bay Rd  
Winnetka, IL 60093

RE: @properties variation request  
30 Green Bay Rd

Dear Ann:

In conjunction with our application for a zoning variation at 30 Green Bay Rd, I have detailed below my responses as to why the zoning regulations clearly demonstrate a practical difficulty for our office.

1. *The property in question cannot yield a reasonable return if permitted to be used only under conditions allowed by regulations in that zone.* Due to the initial success of the @properties office at 30 Green Bay Road, it has become necessary to provide more space to allow for this growth. The inability to expand the office would present a hardship in our ability to successfully recruit new agents and continue to grow the business.
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 situation is unique and the owner looked at expanding the building vertically but the initial review determined that the cost would be prohibitive given all of the upgrades that would need to be done and the impact to the existing layout of the first floor. The only economically viable alternative is to expand off the back.
3. *The variation, if granted, will not alter the essential character of the locality.* The contemplated expansion is at the rear of the building and will not alter the character of the locality. The adjacent building to the south is already built to the property line and the parcel to the north is a vacant lot. Directly behind the building is a 16' public alley and a vacant triangular piece of land. From the back of our proposed addition to the residential fence to the west would still be approximately 60 feet.
4. *An adequate supply of light and air to the adjacent property will not be impaired.* As outlined above, except for one window to the south, an adequate supply of light and air to the surrounding properties will not be impacted. The Owner will work with the Village and the adjacent building owner to minimize any impact to the 8' x 8' foot rear window.
5. *The hazard from fire and other damages to the property will not be increased.* Nothing in the proposed expansion would indicate that the hazard from fire and other damages to the property would be increased.

6. *The taxable value of the land and buildings throughout the Village will not diminish.* The approval of this variance will not diminish the value of the land and buildings throughout the Village, if anything, it would enhance the values.
7. *The congestion in the public street will not increase.* The Applicant has conducted a traffic study that indicates that there is ample parking in the area and that the congestion in the public street will not increase. This study has been confirmed by the Village engineer. The Applicant will continue to work with its agents to insure that they purchase parking permits for the lot across the street and park their vehicles in that lot.
8. *The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not otherwise be impaired.* The Applicant will continue to strive to be a good neighbor and support businesses in the community and will use best efforts to make sure the public health, safety, comfort, morals and welfare of the inhabitants of the Village will not otherwise be impaired.

Sincerely,

@properties



Michael P. Rourke



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The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law.

5812 W. HIGGINS AVENUE  
CHICAGO, ILLINOIS 60630



# MM SURVEYING CO., INC.

PROFESSIONAL DESIGN FIRM No. 184-003233

## ALTA/ACSM Land Title Survey OF

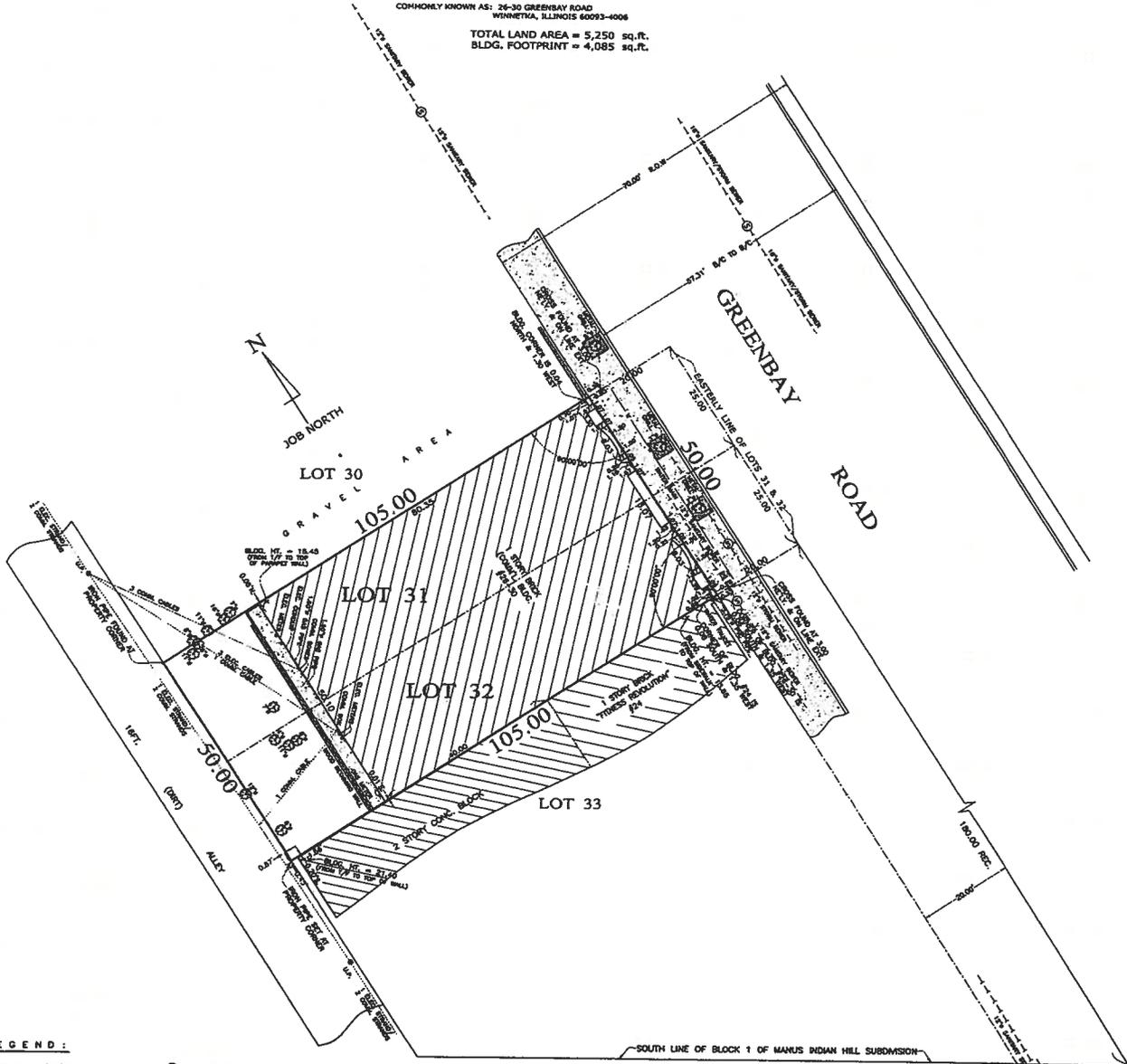
PHONE: (773)282-5900  
FAX: (773)282-9424

LOTS 31 AND 32 (EXCEPT THE NORTHEASTERLY 20 FEET THEREOF) IN BLOCK 1 IN MANUS INDIAN HILL SUBDIVISION OF PARTS OF THE NORTH 1/2 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 22, 1932 AS DOCUMENT 7550573, IN COOK COUNTY, ILLINOIS.

P.I.N. 05-28-103-045-0000 & 05-28-103-046-0000

COMMONLY KNOWN AS: 26-30 GREENBAY ROAD  
WINNETKA, ILLINOIS 60093-4006

TOTAL LAND AREA = 5,250 sq.ft.  
BLDG. FOOTPRINT = 4,085 sq.ft.



**LEGEND:**

- |                             |  |
|-----------------------------|--|
| --- SANITARY LINE           | ⊙ - SEWER MANHOLE                                |
| --- STORM LINE              | ⊙ - CATCH BASIN                                  |
| --- WATER LINE              | ⊙ - WATER MANHOLE                                |
| --- GAS LINE                | ⊙ - CONAL MANHOLE                                |
| --- CONCRETE PAVEMENT       | ⊙ - ELECTRIC MANHOLE                             |
| B-B - BACK OF CURB          | ⊙ - GAS VALVE                                    |
| R.O.W. - RIGHT OF WAY       | ⊙ - WATER VALVE                                  |
| --- CHAIN LINK FENCE        | ⊙ - FIRE HYDRANT                                 |
| --- IRON FENCE              | ⊙ - CENTER LINE                                  |
| --- WOOD FENCE              | ⊙ - TREE w/DIAMETER                              |
| --- UTILITY POLE w/WIRES    | ⊙ - PARKING STALL COUNT                          |
| ⊙ - LIGHT POST/WALL LIGHT   | ⊙ - INLET  |
| ⊙ - ELECTRIC PAINT MARK     | COMB - COMMUNICATION (TELEPHONE, INTERNET, ETC.) |
| ⊙ - WATER PAINT MARK        | EXT. - EXTENDED                                  |
| ⊙ - GAS PAINT MARK          | T/F - TOP OF FOUNDATION                          |
| ⊙ - CONAL(GAS) PAINT MARK   |  |
| --- CONCRETE PARKING BUMPER |  |

**RECEIVED**  
OCT 11 2011  
BY: \_\_\_\_\_

**FLOOD CERTIFICATION (PER FEMA 15498)**  
THE PROPERTY DESCRIBED ABOVE IS NOT IN A SPECIAL FLOOD HAZARD AREA. FLOODING ON PROPERTIES IS FLOODED BY STATE OF ILLINOIS. COUNTY NAME: WASHINGTON, ILLINOIS. COMMUNITY NUMBER: 171773. PANEL NUMBER: 0204. MAP NUMBER: 125110023. EFFECTIVE DATE: AUGUST 18, 2008. FLOOD ZONE: 1. BASE FLOOD ELEVATION FROM FEMA (LEFT): 62.6 ROAD 1928.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES FIGS. 12.2(A), 7.6(7), 7.6(A), 10.116, OF TITLE 12, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS LAND SURVEYOR REGISTERED IN THE STATE OF ILLINOIS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

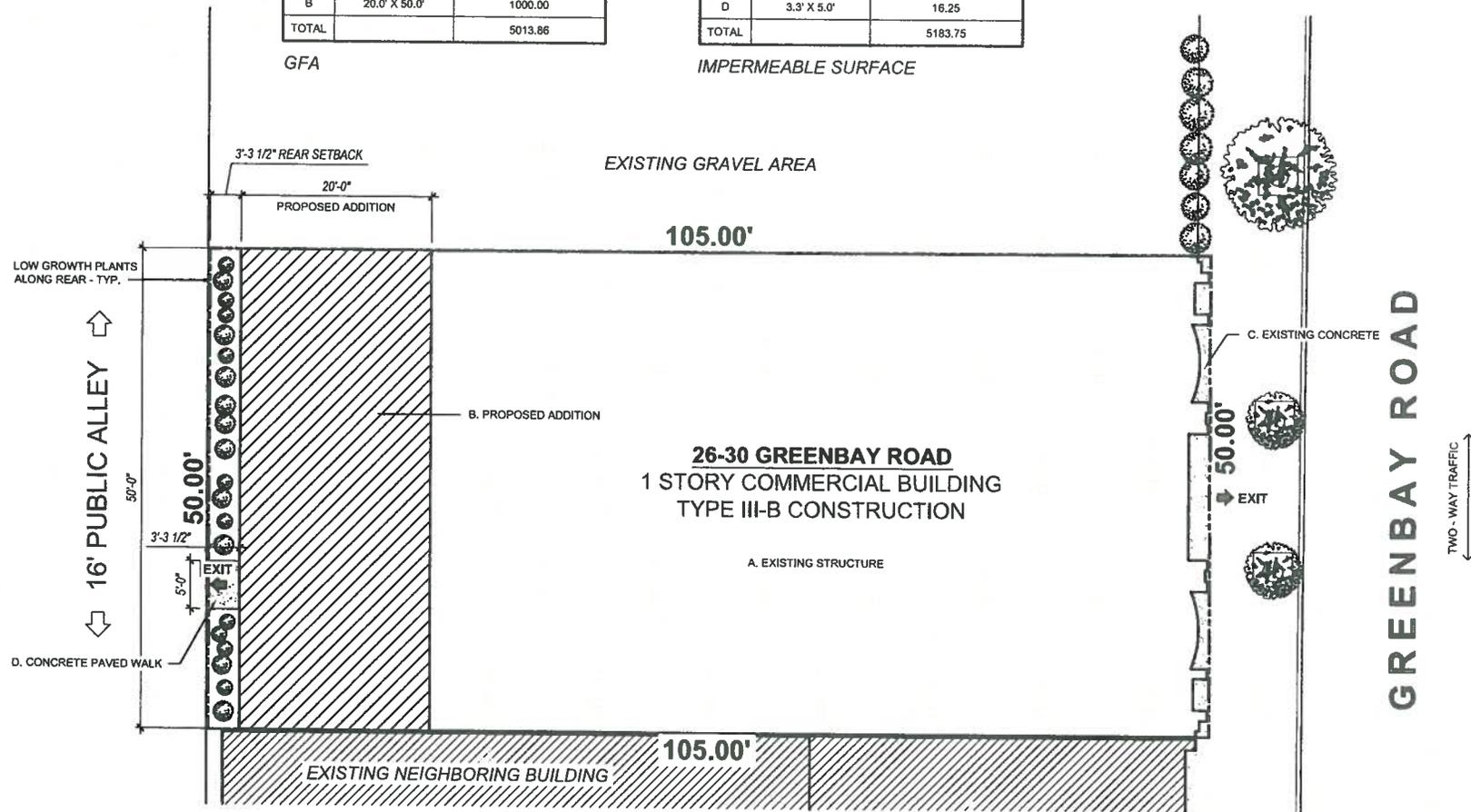
DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
REGISTRATION NO. 35-3758  
LIC. EXP. 11/30/2010

Order No. 75948  
Scale: 1 inch = 16 FEET  
Field Completion Date: 27 NOVEMBER 2009  
Ordered by: DHR INTERNATIONAL

VICINITY MAP

AREA CALCULATIONS		
TAG	DIMENSIONS	GFA
A	80.35' X 50'	4013.86
B	20.0' X 50.0'	1000.00
TOTAL		5013.86

AREA CALCULATIONS		
TAG	DIMENSIONS	GFA
C	VARIES	153.64
D	3.3' X 5.0'	16.25
TOTAL		5183.75



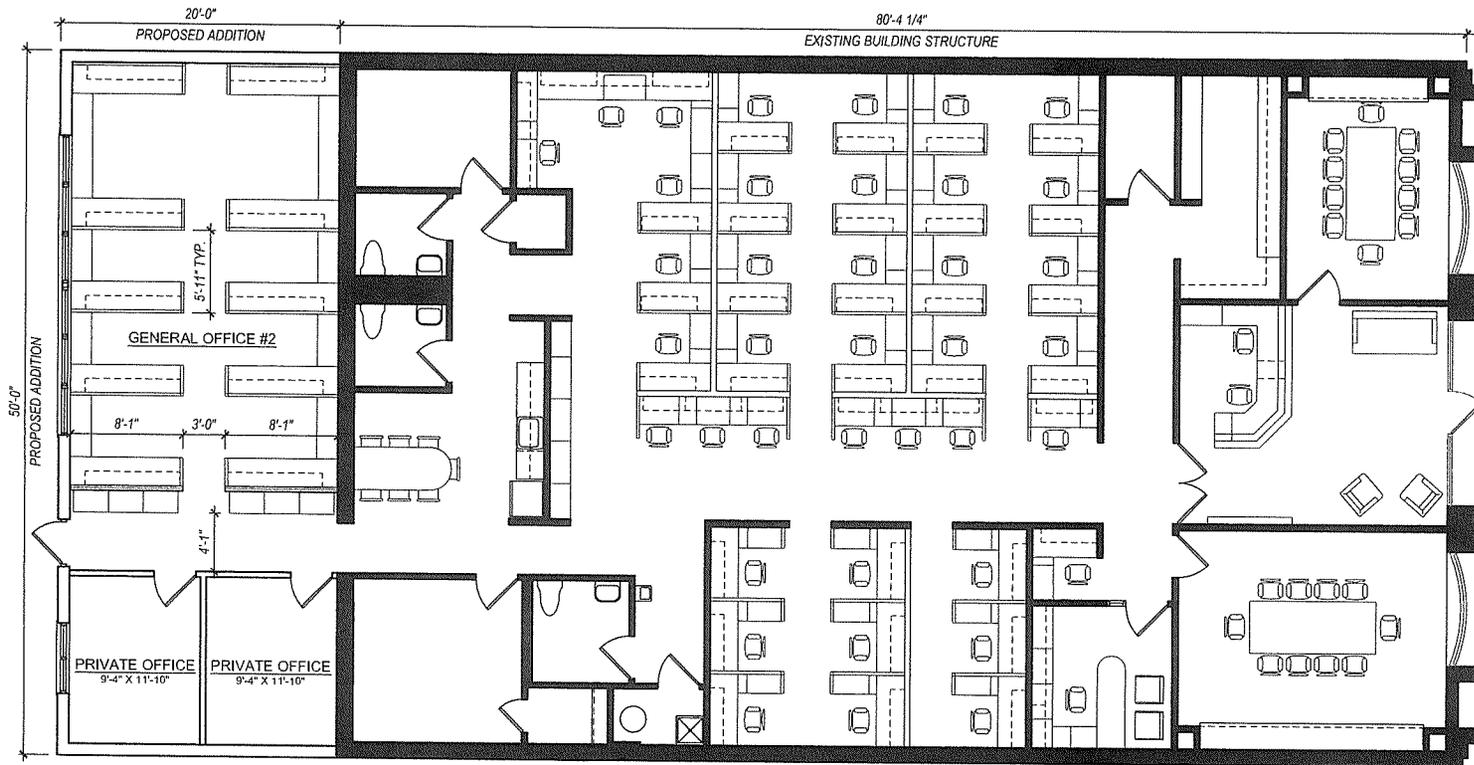
**1 PROPOSED ADDITION - SITE PLAN**  
SCALE: 1/4" = 1'-0"



**RECEIVED**  
OCT 11 2011  
BY: \_\_\_\_\_

SPACE ARCHITECTS + PLANNERS  
26-30 GREEN BAY RD, WINNETKA, IL  
© PROPERTIES - ADDITION

SK1



**1 FLOOR PLANS**  
SCALE: 1/8" = 1'-0"

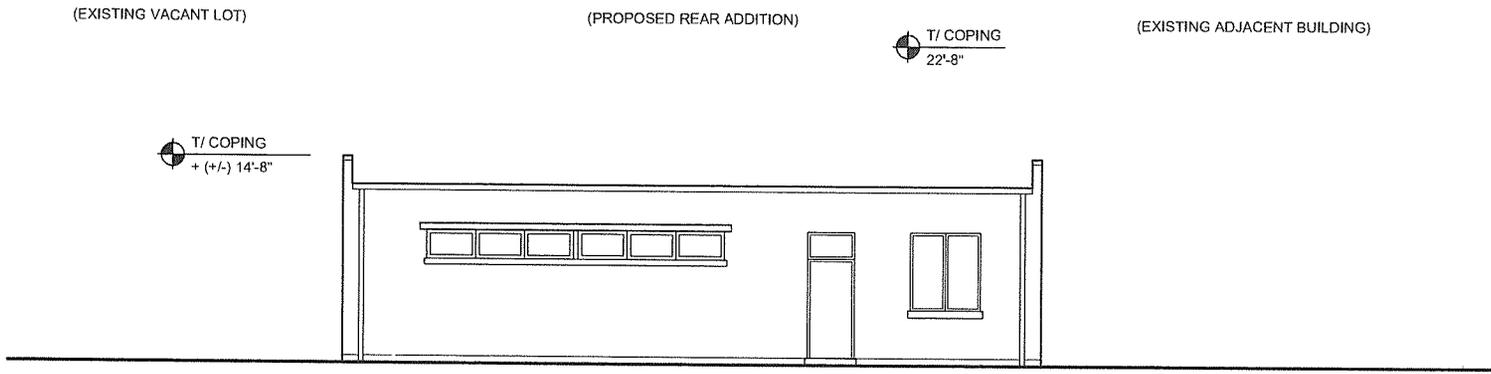


**SPACE**  
ARCHITECTS & PLANNERS  
WINNETKA, ILLINOIS

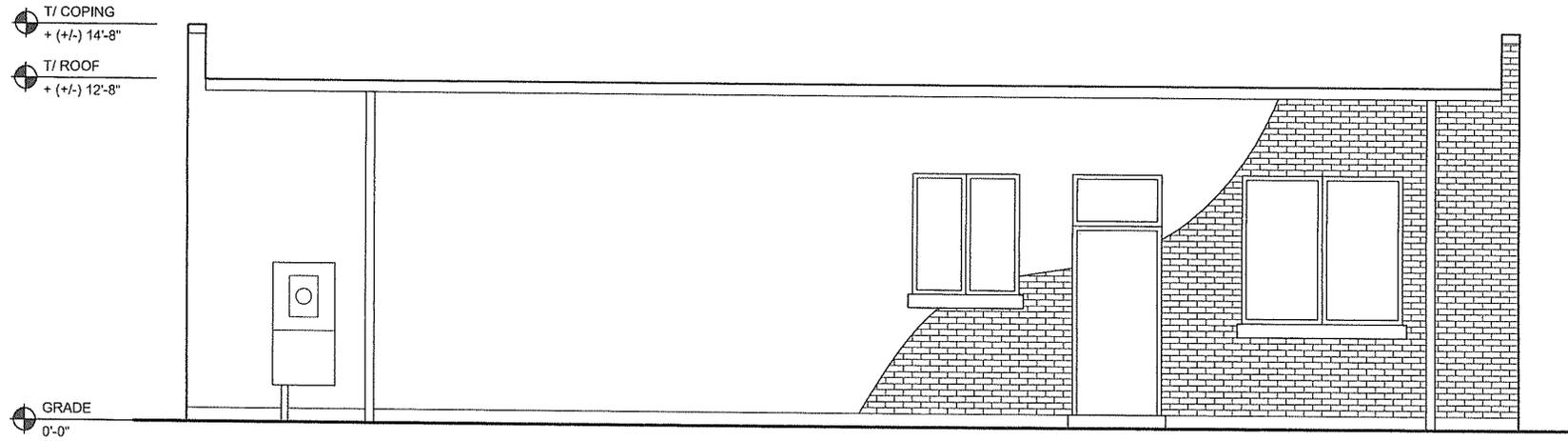
**@ PROPERTIES - ADDITION**  
26-30 GREEN BAY RD., WINNETKA, IL  
(GRAPHIC) - UNLESS NOTED OTHERWISE



**SK2**



**2 PROPOSED ADDITION - ALLEY ELEVATION**  
SCALE: 1/8" = 1'-0"

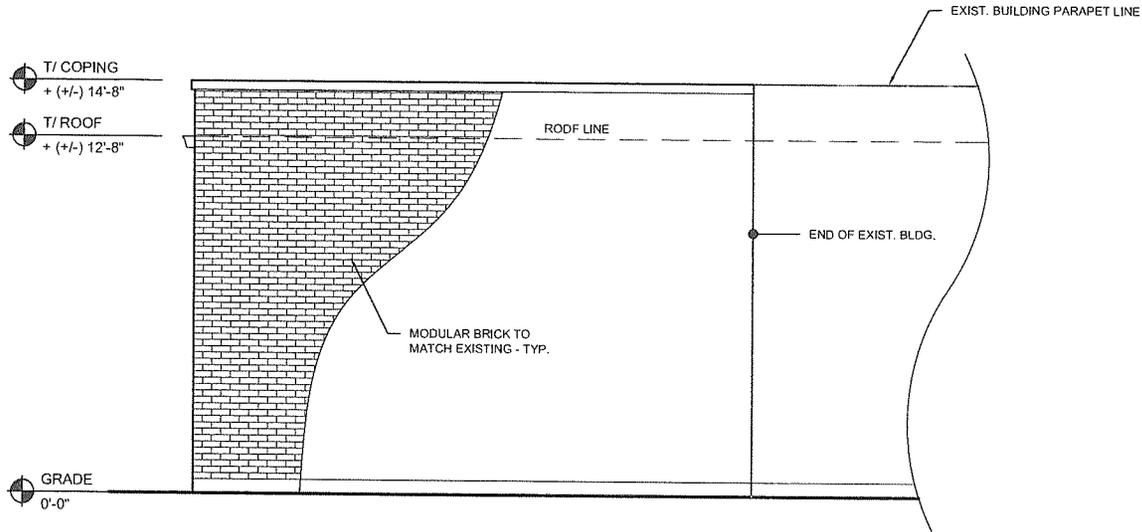


**1 EXISTING REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

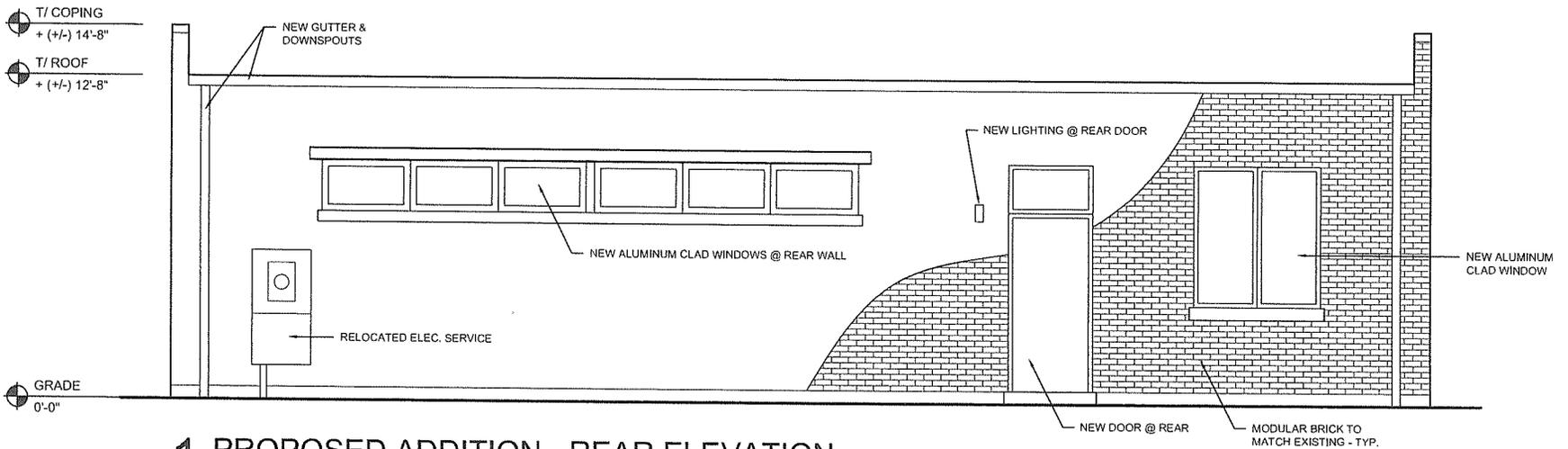


**SPACE**  
ARCHITECTS - PLANNERS  
26-30 GREEN BAY RD. WINNETKA, IL  
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**2 PROPOSED ADDITION - SIDE ELEVATION**  
 SCALE: 1/4" = 1'-0"  
 TYPICAL @ BOTH NORTH & SOUTH ELEVATIONS



**1 PROPOSED ADDITION - REAR ELEVATION**  
 SCALE: 1/4" = 1'-0"



**SPACE**  
 ARCHITECTS - PLANNERS  
 1220 GREEN BAY RD. WINNETKA, IL  
 (708) 441-1100

**IG PROPERTIES - ADDITION**  
 26-30 GREEN BAY RD. WINNETKA, IL  
 (708) 441-1100



**SK4**

North Building Elevation



West Building Elevation



West Building Elevation



West Building Elevation (looking south)



# Memorandum

**To:** Jillian Morgan, Community Development Department  
**From:** Steven M. Saunders, Director of Public Works/Village Engineer  
**Date:** November 10, 2011  
**Re:** Special Use Permit Application Parking Study Review: 26-30 Green Bay Rd.

---

@ Properties North Shore has submitted a request for a Special Use permit to expand their existing office building at 26-30 Green Bay Road in Winnetka. The proposed expansion will provide an additional 1,000 square feet with room for an additional 12 desks for agents. One of the standards the applicant must meet to obtain a Special Use permit is demonstrating that sufficient parking exists in the vicinity of the proposed Special Use to support the proposed use. @ Properties has submitted a parking study prepared by KLOA, Inc., a traffic engineering firm, for the proposed offices at 26-30 Green Bay Road.

This parking study updates a 2009 study, which approached the analysis by first evaluating the parking inventory in the vicinity of the site, and then by evaluating actual use of the nearby spaces to calculate average and peak parking demand, for both a weekday and a weekend.

The updated study evaluates that an additional 12 desks creates an additional demand of five spaces on a weekday and four spaces on a weekend in the vicinity of the site. Based on the parking vacancy counts contained in both the 2009 study, and the 2011 update, ample spaces exist to accommodate this additional demand. Even in the unlikely event that the 12 additional desks generate a demand for 24 additional spaces (one employee and one customer per desk – a figure not suggested nor supported by the headcount data) there is sufficient parking capacity to handle the additional demand.

KLOA has concluded that sufficient parking exists to support the proposed Special Use. I have reviewed this study and concur with both the method of analysis and the conclusions. It is my opinion that sufficient parking exists to support the proposed Special Use.

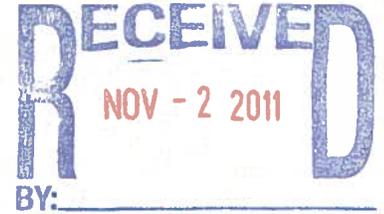
MEMORANDUM TO: Mike Rourke  
@ Properties

FROM: Javier Millan  
Senior Consultant

Luay Aboona, PE  
Principal

DATE: March 23, 2011 - Revised November 2, 2011

SUBJECT: Proposed Expansion to @ Properties Brokerage Office  
26-30 Green Bay Road  
Winnetka, Illinois



At your request, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) has conducted an updated parking impact study for the proposed 1,000 square feet expansion of the existing @ Properties Northshore brokerage office building located at 26-30 Green Bay Road in Winnetka, Illinois. The existing brokerage office has approximately five full and part time employees and approximately 39 desks for agents. Under the proposed expansion plan, the @ Properties Northshore office will add approximately 10-12 desks and cubicles for agents. No additional full or part time employees will be added as part of the expansion. The purpose of this updated parking study is to determine the availability of public parking along Green Bay Road on a weekday and on a Saturday to meet the peak parking needs of the proposed expansion.

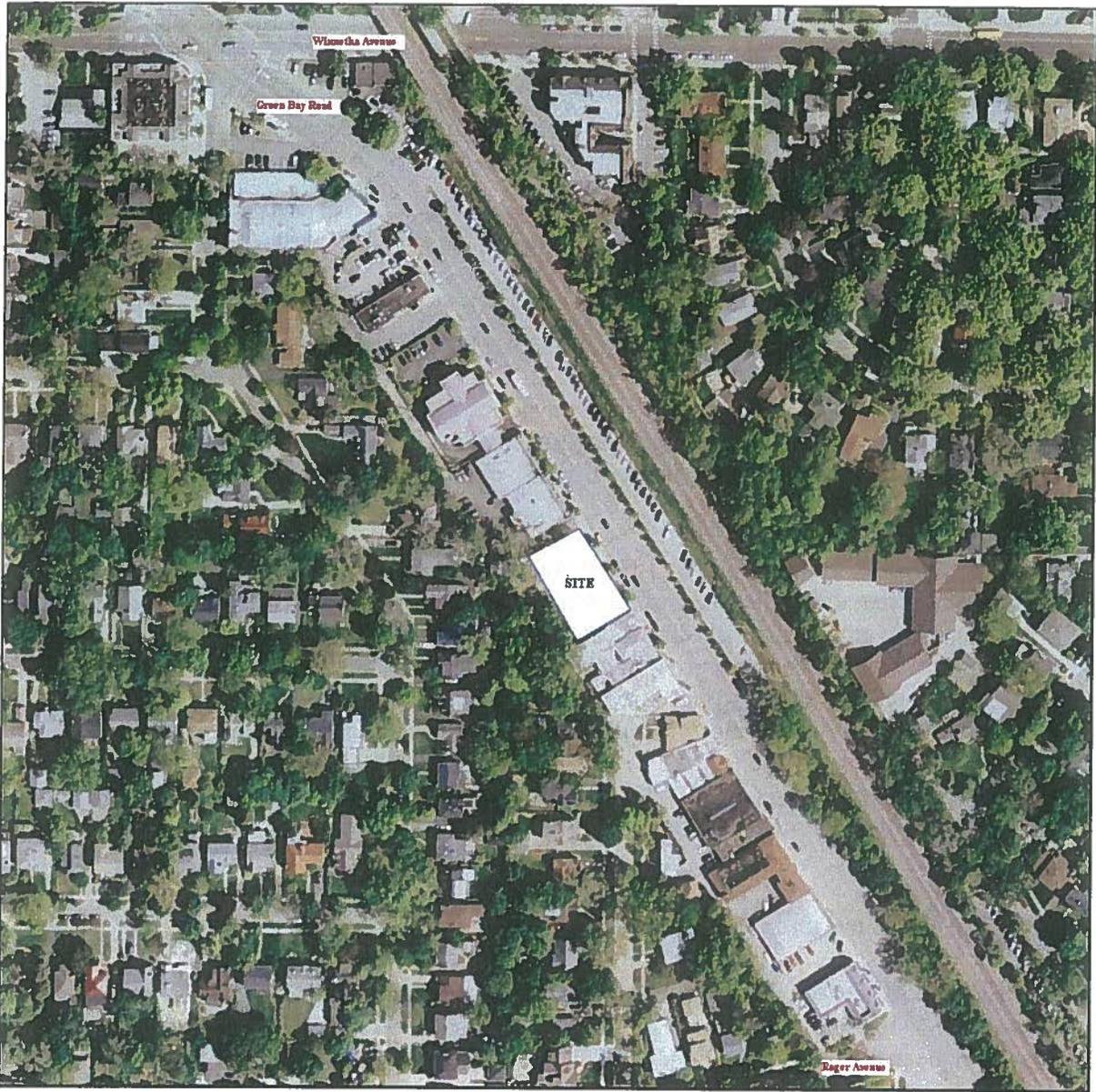
### Existing Conditions

Green Bay Road between Winnetka Avenue and Roger Avenue provides on-street parking on both sides of the road. Parking on the west side of the road is limited to 90 minutes. From 642 Green Bay Road and south the restriction is from 8:00 A.M. to 5:00 P.M.

Parking on the east side of Green Bay Road is also limited to 90 minutes from Roger Avenue north to 44 Green Bay Road except on Sundays and Holidays. From 44 Green Bay Road north to Winnetka Avenue, parking is limited to 2 hours from 9:00 A.M. to 6:00 P.M. with no parking allowed from 8:00 to 8:45 A.M. on School days.

A permit parking lot is located between Green Bay Road and the railroad tracks. The lot provides angled parking spaces and is a "Zone A" permit parking for the employees in the area from 8:00 A.M. to 5:00 P.M. Monday through Fridays.

**Figure 1** shows an aerial view of the Green Bay Road study segment and **Table 1** shows the number parking spaces provided along Green Bay Road.



**Aerial View of Site and Study Area**

**Figure 1**

Table1  
**GREEN BAY ROAD ON-STREET PARKING INVENTORY**

	East Side of Green Bay Road	West Side of Green Bay Road	Permit Parking Lot	Total Parking
<b>North of Site</b>				
Vacant Lot to 48 Green Bay Road	10 spaces	10 spaces	--	20 spaces
48 to 64 Green Bay Road	10 spaces	4 spaces	--	14 spaces
64 Green Bay Road to Land Rover Dealer	7 spaces	--	--	7 spaces
Permit Lot Exit to 62 Green Bay Road	--	7 spaces	--	7 spaces
<b>South of Site</b>				
30 Green Bay Road to Permit Lot Entrance	10 spaces	9 spaces	--	19 spaces
Permit Lot Entrance to 628 Green Bay Road	10 spaces	9 spaces	--	19 spaces
628 to 614 Green Bay Road	10 spaces	10 spaces	--	20 spaces
614 Green Bay Road to Roger Avenue	5 spaces	--	--	5 spaces
<b>Permit Lot</b>				
Permit Lot Entrance to Vacant Lot	--	--	21 spaces	21 spaces
Vacant Lot to Permit Lot Exit	--	--	<u>48 spaces</u>	<u>48 spaces</u>
Total Parking	62 spaces	49 spaces	69 spaces	180 spaces

In order to determine the availability of parking in the area, a parking survey was conducted along Green Bay Road from Winnetka Avenue south to Roger Avenue as well as the permit parking lot between Green Bay Road and the railroad tracks. The surveys were conducted on Tuesday, February 22, 2011 from 10:00 A.M. to 5:00 P.M. and on Saturday February 19, 2011 from 10:00 A.M. to 3:00 P.M. In addition to the parking counts, KLOA, Inc. obtained an hourly head count of the number of people (employees, agents and clients) at the 26-30 Green Bay Road office during the same days the parking surveys were conducted. **Table 2** shows the hourly head count on Tuesday and Saturday. **Tables 3** and **4** show the parking demand in the area (in half hour increments) for Tuesday and Saturday. It should be noted that the Village of Winnetka corporate limits extend slightly south of the permit lot entrance drive. The Village of Kenilworth begins at this point. Based on the survey, approximately 41 on-street parking spaces out of the 180 spaces (including the permit lot) are located within the Village of Kenilworth corporate limits.

Table 2  
 HOURLY HEAD COUNT AT 26-30 GREEN BAY ROAD

Date and Time	Employee	Agent	Client	Total
Tuesday February 23, 2011				
10-11 A.M.	2	1	0	3
11 A.M. - Noon	4	5	0	9
Noon - 1 P.M.	2	9	1	12
1-2 P.M.	3	6	0	9
2-3 P.M.	2	12	2	16
3-4 P.M.	3	14	0	17
4-5 P.M.	2	10	0	12
5-6 P.M.	6	5	0	11
Saturday February 19, 2011				
10-11 A.M.	1	1	0	2
11 A.M. - Noon	4	3		7
Noon - 1 P.M.	4	5	3	12
1-2 P.M.	1	3	3	7
2-3 P.M.	1	3	6	10
3-4 P.M.	1	4	0	5

Table 3  
**EXISTING ON-STREET PARKING OCCUPANCY (TUESDAY, FEBRUARY 22, 2011)**

Parking Area	3SW	2SW	1SW	1NW	2NW	3NW	3NE	2NE	1NE	1SE	2SE	3SE	4SE	A	B	C	D	E	F	G	Total
<b>Inventory</b>	10	9	9	10	4	7	7	10	10	10	10	10	5	10	10	10	10	10	10	9	180
10:00 a.m.	0	7	7	6	2	5	4	2	2	6	6	6	4	8	10	10	9	3	6	5	108
10:30 a.m.	0	8	7	5	3	4	3	1	2	7	5	7	5	8	10	10	9	3	7	5	109
11:00 a.m.	0	6	5	7	1	4	3	1	0	7	3	7	5	9	10	10	9	4	7	4	102
11:30 a.m.	1	7	7	7	2	4	4	1	0	7	5	7	4	9	10	10	10	4	7	4	110
12:00 p.m.	1	8	7	6	2	2	4	1	3	7	6	6	5	9	10	10	10	4	7	6	114
12:30 p.m.	2	8	6	7	2	3	3	2	5	6	6	6	5	9	9	8	9	4	9	5	114
1:00 p.m.	0	7	5	5	2	4	4	1	3	6	5	6	5	10	9	6	10	5	10	5	108
1:30 p.m.	1	5	7	7	2	4	5	1	2	6	6	6	5	10	8	7	10	5	10	5	112
2:00 p.m.	0	5	6	7	2	4	4	2	5	7	6	6	5	10	9	8	10	6	10	5	117
2:30 p.m.	0	6	8	7	2	4	3	4	8	9	7	8	4	10	10	8	10	6	9	5	128
3:00 p.m.	1	5	7	8	1	2	3	2	8	8	4	9	5	9	10	8	10	6	10	6	122
3:30 p.m.	0	5	5	7	1	4	3	3	5	7	7	6	3	9	10	8	10	7	9	8	117
4:00 p.m.	0	6	7	6	1	3	3	3	6	7	6	5	4	8	9	7	9	8	9	7	114
4:30 p.m.	0	5	6	7	1	3	3	0	4	7	4	5	4	5	6	8	8	6	9	8	99
5:00 p.m.	0	7	7	6	1	3	2	2	4	6	5	3	3	3	5	8	7	8	9	9	98
<b>Avg Occupancy</b>	0	6	6	7	2	4	3	2	4	7	5	6	4	8	9	8	9	5	8	6	111

**Legend**

North of Site

1NE = 26-30 Green Bay Rd to 48 Green Bay Rd  
 1NW = 26-30 Green Bay Rd to 48 Green Bay Rd  
 2NE = 48 Green Bay Road to 62 Green Bay Rd  
 2NW = 48 Green Bay Rd to 64 Green Bay Rd  
 3NE = 62 Green Bay Road to Exit from Angled Lot  
 3NW = 64 Green Bay Rd to Land Rover Dealer

South of Site

1SE = 26-30 Green Bay Rd to Permit Lot Entrance  
 1SW = 26-30 Green Bay Rd to 644 Green Bay Rd  
 2SE = Permit Lot Entrance to 628 Green Bay Rd  
 2SW = 644 to 626 Green Bay Rd  
 3SE = 628 to 614 Green Bay Rd  
 3SW = 626 Green Bay Rd to Roger Ave  
 4SE = 614 Green Bay Rd to Roger Ave

Permit Lot Spaces starting at the north end =

A (spaces 1-10)  
 B (spaces 11-20)  
 C (spaces 21-30)  
 D (spaces 31-40)  
 E (spaces 41-50)  
 F (spaces 51-60)  
 G (spaces 61-69)

Table 4  
EXISTING ON-STREET PARKING OCCUPANCY (SATURDAY, FEBRUARY 19, 2011)

Parking Area	3SW	2SW	1SW	1NW	2NW	3NW	3NE	2NE	1NE	1SE	2SE	3SE	4SE	A	B	C	D	E	F	G	Total
Inventory	10	9	9	10	4	7	7	10	10	10	10	10	5	10	10	10	10	10	10	9	180
10:00 a.m.	0	4	3	5	3	3	5	2	2	2	4	2	0	7	5	0	3	2	4	7	63
10:30 a.m.	1	5	3	6	3	4	6	2	1	3	5	2	0	7	5	0	3	2	4	8	70
11:00 a.m.	1	5	6	5	2	4	5	1	4	0	4	2	0	5	6	1	2	1	5	7	66
11:30 a.m.	0	6	5	5	3	4	4	3	4	1	5	1	0	7	6	1	3	1	5	8	72
12:00 p.m.	1	4	5	7	2	2	4	4	1	1	5	1	0	9	6	1	4	1	3	7	68
12:30 p.m.	1	4	4	6	1	3	3	4	1	2	3	1	0	8	1	1	4	1	3	7	58
1:00 p.m.	1	3	6	5	2	3	3	2	4	3	4	2	0	8	1	1	4	1	3	7	63
1:30 p.m.	0	3	3	6	3	2	3	2	1	2	5	1	0	8	1	1	4	2	2	7	56
2:00 p.m.	0	5	3	6	3	2	3	1	1	1	4	1	0	8	2	0	4	1	2	7	54
2:30 p.m.	1	4	4	7	1	2	3	1	2	1	5	1	0	8	2	0	4	0	2	6	54
3:00 p.m.	1	4	3	6	1	1	3	2	2	1	5	1	0	8	2	0	4	0	3	6	53
Avg Occupancy	1	4	4	6	2	3	4	2	2	2	4	1	0	8	3	1	4	1	3	7	62

**Legend**

**North of Site**

1NE = Vacant Site to 48 Green Bay Rd  
 1NW = Vacant site to 48 Green Bay Rd  
 2NE = 48 Green Bay Road to 62 Green Bay Rd  
 2NW = 48 Green Bay Rd to 64 Green Bay Rd  
 3NE = 62 Green Bay Road to Exit from Angled Lot  
 3NW = 64 Green Bay Rd to Land Rover Dealer

**South of Site**

1SE = Vacant Site to Permit Lot Entrance  
 1SW = Vacant Site to 644 Green Bay Rd  
 2SE = Permit Lot Entrance to 628 Green Bay Rd  
 2SW = 644 to 626 Green Bay Rd  
 3SE = 628 to 614 Green Bay Rd  
 3SW = 626 Green Bay Rd to Roger Ave  
 4SE = 614 Green Bay Rd to Roger Ave

**Permit Lot Spaces starting at the north end =**

A (spaces 1-10)  
 B (spaces 11-20)  
 C (spaces 21-30)  
 D (spaces 31-40)  
 E (spaces 41-50)  
 F (spaces 51-60)  
 G (spaces 61-69)

As can be seen from Table 3, the area has a peak parking demand on a weekday of 128 parking spaces occurring at 2:30 P.M. The average parking demand on a weekday is 111 parking spaces. On Saturday, the peak parking demand occurred at 11:30 A.M. with 72 parked vehicles. The average parking demand on a Saturday is 62 parking spaces.

Based on Table 1 and assuming that all of the employees and agents drive a vehicle, the existing brokerage office generates a peak parking demand of 17 parking spaces on a weekday and 12 parking spaces on a Saturday. This translates into a peak parking demand of 0.43 parking spaces per desk on weekday and 0.3 parking spaces per desk on a weekday.

### **Proposed Expansion Analysis**

Based on the proposed plan, the existing @ Properties Northshore brokerage office will expand its facility by 1,000 square feet to provide an additional 10-12 desks and cubicles for agents. No additional full or part time employees will be added as part of the expansion. As such and based on the calculated peak parking demand per desk, the provision of 12 additional desks will create an additional parking demand of five parking spaces on a weekday and approximately four on a Saturday.

As can be seen from Table 3, the peak parking demand occurred at 2:30 P.M. with a total of 128 occupied parking spaces or 71 percent of available spaces. During this time period, 70 of the 111 on-street parking spaces were occupied while 58 out of the 69 off-street parking spaces were occupied. The availability of 52 on-street/off-street parking spaces during this peak time and more during other times of the day will be more than adequate to meet the projected demand of five additional spaces by the proposed expansion. This translates into a parking occupancy in the adjacent area of approximately 74 percent thus leaving 47 parking spaces still available to customers and other businesses along the Green Bay Road study area. It should be noted that as a comparison, the Institute of Transportation Engineers (ITE) Parking Manual, 4<sup>th</sup> Edition, indicates that the projected peak parking demand for a general office building with 12 employees would be approximately 10 vehicles. Based on the above and a review of Table 2, even if the parking demand of the proposed expansion is 10 vehicles, this potential additional parking demand as well as the demand of other businesses can be accommodated by the existing off-street and on-street parking spaces along Green Bay Road.

On Saturday, the peak parking demand was observed to be 72 spaces or 40 percent occurring at 11:30 A.M. leaving 108 spaces available to accommodate the potential parking demand of four additional parking spaces as well as the demand of other businesses along the Green Bay Road study area.

Given the parking study area was approximately 880 feet north 710 feet south of the site, KLOA, Inc. further inspected the availability of parking within 300 feet of the site (26-30 Green Bay Road). Based on the parking survey, there is an average of 28 and 39 unoccupied parking spaces within close proximity of the site on a weekday and on Saturday respectively. As such and as previously stated, the potential additional parking demand by the proposed expansion can easily be accommodated by the existing off-street and on-street parking spaces along Green Bay Road.

## **Conclusion**

In conclusion, the parking study indicates that adequate parking supply exists in the vicinity of the proposed @ Properties brokerage office to accommodate the projected peak demand of five additional spaces. The combination of available unoccupied parking spaces on Green Bay Road and in the parking lot will ensure that the parking needs of the proposed office use as well as other vacant storefronts along Green Bay Road will be met.

Rourke Proposed @ Properties Brokerage Office - 26-30 Green Bay Road in Winnetka March 23 2011 Revised 11-2-2011 jm lra



---

# VILLAGE OF WINNETKA

*Incorporated in 1869*

*Assistant Director of Community Development*  
(847) 716 - 3522

November 7, 2011

Taxpayer of Record  
444 Hibbard Rd.  
Wilmette, IL 60091

Dear Mr. Kondelis:

I am writing to advise you that an application for Special Use Permit has been filed by the owner of a neighboring property adjacent to your vacant land on Green Bay Road. @ Properties has petitioned the Village of Winnetka for a Special Use Permit together with zoning variations, to allow for expansion of their existing facilities at 30 Green Bay Road, adjacent to your vacant land on Green Bay Road.

A notice of public hearing was mailed several days ago, for a hearing before the Zoning Board of Appeals, on Monday, November 14, 2011 at 7:30 pm. An additional copy of that notice of is attached.

The Winnetka Plan Commission has recommended that @ Properties be required to close an unused curb cut in the public right-of-way in front of your property on the public right-of-way (as depicted in the attached photos) in order to re-capture on-street parking and mitigate the additional parking demands brought by their expansion.

Comments regarding the application for Special Use Permit, including the recommended closure of the curb cuts, are welcome and may be provided at the Public Hearing, or in writing.

Final consideration and approval of the requested expansion is subject to review by the Winnetka Village Council.

Sincerely,

Brian Norkus  
Assistant Director of Community Development

---

Community Development Department  
510 Green Bay Road, Winnetka, Illinois 60093



Click icon to send page to printer



**Office of Cook County Treasurer - Maria Pappas**

**Cook County Property Tax & Payment Information**

Printed copies of this information may not be used as a tax bill.  
 Payments must be submitted with original tax bill.

Property Index Number (PIN): 05-28-103-042-0000

2010 Tax Year Information - Payable in 2011				
Tax Year: 2010 Tax Type: Current Tax Volume: 103 PCL: 5-90				
Property Location				
34 GREEN BAY RD WINNETKA, IL 60093-4006				
Mailing Information				
TAXPAYER OF 444 HIBBARD RD WILMETTE, IL 60091-2952				
Exemption Information				
Homeowner Exemption Received: NO Senior Citizen Exemption Received: NO Senior Freeze Exemption Received: NO				
Tax Payment Information				
Installment	Tax Amount Billed	Tax Due Date	Last Payment Received	Date Received
1st	\$1,368.29	04/01/2011	\$1,368.29	04/01/11
2nd	\$1,501.21	11/01/2011	\$1,501.21	11/01/11
Balance Due:	<input type="text" value="\$0.00"/>			
<i>The balance due, including any penalty, is as of: 11/7/2011 Payments processed are posted through: 11/4/2011</i>				

Printed copies of this information may not be used as a tax bill.  
 Payments must be submitted with original tax bill.



# VILLAGE OF WINNETKA

*Incorporated in 1869*

*Assistant Director of Community Development*  
(847) 716 - 3522

November 7, 2011

Vincent Comerci  
3 Landmark  
Northfield, IL 60093

Dear Mr. Comerci:

I am writing to advise you that an application for Special Use Permit has been filed by the owner of a neighboring property adjacent to your vacant land on Green Bay Road. @ Properties has petitioned the Village of Winnetka for a Special Use Permit together with zoning variations, to allow for expansion of their existing facilities at 30 Green Bay Road, adjacent to your property at 20-22 Green Bay Road.

A notice of public hearing was mailed several days ago, for a hearing before the Zoning Board of Appeals, on Monday, November 14, 2011 at 7:30 pm. An additional copy of that notice of is attached.

The Winnetka Plan Commission has recommended that @ Properties be required to close an unused curb cut in the public right-of-way in front of your property on the public right-of-way (as depicted in the attached photos) in order to re-capture on-street parking and mitigate the additional parking demands brought by their expansion.

Comments regarding the application for Special Use Permit, including the recommended closure of the curb cuts, are welcome and may be provided at the Public Hearing, or in writing.

Final consideration and approval of the requested expansion is subject to review by the Winnetka Village Council.

Sincerely,

Brian Norkus  
Assistant Director of Community Development

---

Community Development Department  
510 Green Bay Road, Winnetka, Illinois 60093



Click icon to send page to printer



**Office of Cook County Treasurer - Maria Pappas**

Cook County Property Tax & Payment Information

Printed copies of this information may not be used as a tax bill.  
Payments must be submitted with original tax bill.

Property Index Number (PIN): 05-28-103-048-0000

<b>2010 Tax Year Information - Payable in 2011</b>				
Tax Year: 2010 Tax Type: Current Tax Volume: 103 PCL: 5-92				
<b>Property Location</b>				
22 GREEN BAY RD WINNETKA, IL 60093-4049				
<b>Mailing Information</b>				
VINCENT COMERCI 3 THE LANDMARK NORTHFIELD, IL 00000-0000				
<b>Exemption Information</b>				
Homeowner Exemption Received: NO Senior Citizen Exemption Received: NO Senior Freeze Exemption Received: NO				
<b>Tax Payment Information</b>				
Installment	Tax Amount Billed	Tax Due Date	Last Payment Received	Date Received
1st	\$10,509.37	04/01/2011	\$10,509.37	03/18/11
2nd	\$4,748.48	11/01/2011	\$4,748.48	10/23/11
Balance Due:	<input type="text" value="\$0.00"/>			
<i>The balance due, including any penalty, is as of: 11/7/2011 Payments processed are posted through: 11/4/2011</i>				

Printed copies of this information may not be used as a tax bill.  
Payments must be submitted with original tax bill.



---

# VILLAGE OF WINNETKA

*Incorporated in 1869*

*Assistant Director of Community Development*  
(847) 716 - 3522

November 7, 2011

Fitness Revolution  
22 Green Bay Road  
Winnetka, IL 60093

I am writing to advise you that an application for Special Use Permit has been filed by the owner of a neighboring property adjacent to your vacant land on Green Bay Road. @ Properties has petitioned the Village of Winnetka for a Special Use Permit together with zoning variations, to allow for expansion of their existing facilities at 30 Green Bay Road, adjacent to your business at 22 Green Bay Road.

A notice of public hearing was mailed several days ago, for a hearing before the Zoning Board of Appeals, on Monday, November 14, 2011 at 7:30 pm. An additional copy of that notice of is attached.

The Winnetka Plan Commission has recommended that @ Properties be required to close an unused curb cut in the public right-of-way in front of your property on the public right-of-way (as depicted in the attached photos) in order to re-capture on-street parking and mitigate the additional parking demands brought by their expansion.

Comments regarding the application for Special Use Permit, including the recommended closure of the curb cuts, are welcome and may be provided at the Public Hearing, or in writing.

Final consideration and approval of the requested expansion is subject to review by the Winnetka Village Council.

Sincerely,

Brian Norkus

Assistant Director of Community Development

---

Community Development Department  
510 Green Bay Road, Winnetka, Illinois 60093

# STATEMENT OF OPPOSITION AGAINST THE EXPANSION OF @ PROPERTIES AT 26-30 GREEN BAY ROAD, WINNETKA

We, the owners, tenants and operators of businesses in the Indian Hill commercial district along the west wide of Green Bay Road in Winnetka, oppose the proposed expansion of the offices of @ Properties for the reasons that:

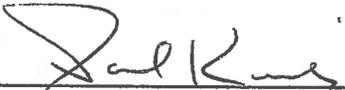
- (1) the addition will increase the number of desks and seats available in the building at 26-30 Green Bay Road and permit an corresponding increase in the number of brokers and agents working in the building as well as the number of clients visiting without increasing off-street parking;
- (2) this increase in people will result in an increased demand for on-street curbside street parking along Green Bay Road between Brier Street on the north and Roger Avenue on the south and for permit parking in the village's permit lot on the east side of Green Bay;
- (3) curbside parking along Green Bay Road is already limited and at times completely unavailable;
- (4) permit parking in the village lot east of Green Bay Road and south of Winnetka Road is near or at capacity;
- (5) the impact on existing businesses, their employees and customers will be substantial and to their detriment; and,
- (6) there is no public need, special or otherwise, for this expansion.

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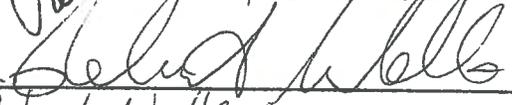
BY: \_\_\_\_\_

SIGNED:

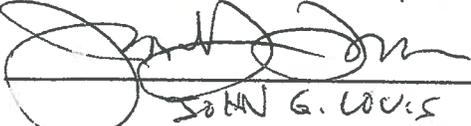
 ADDRESS 22 Green Bay Rd  
PAUL RUDALIS

 ADDRESS 20 Green Bay Rd  
PAUL C. ARMSTRONG

 ADDRESS 42 Green Bay Rd  
JEFFREY S. DREES D.O.S.

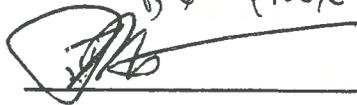
 ADDRESS 18 Green Bay Rd.  
Robert Wells

VINCENT COMERCI ADDRESS 22 + 24 GREEN BAY RD  
BY JOHN LOUIS BY PROXY

 ADDRESS 22 + 40 GREEN BAY ROAD.  
JOHN G. LOUIS

FRANK KESSEL ADDRESS 46 GREEN BAY RD.  
BY PROXY JOHN LOUIS

KASH YAMADA ADDRESS 50 GREEN BAY RD  
BY PROXY JOHN LOUIS

 ADDRESS 44 GREEN BAY RD  
JOHN VLAHAKIS

**DRAFT**

**Winnetka Design Review Board/Sign Board of Appeals  
October 20, 2011**

**Members Present:**

John Swierk, Chairman  
Bob Dearborn  
Brooke Kelly  
Janet Shen  
Peggy Stanley

**Members Absent:**

Cindy Gavin

**Village Staff:**

Brian Norkus, Assistant Director of Community  
Development  
Jill Morgan, Planning Technician

**Call to Order:**

Chairman Swierk called the meeting to order at 7:46 p.m.

**Comment to Village Council Regarding Special Use Permit Application for Expansion of an Existing Real Estate Office at 30 Green Bay Road (@ Properties)**

Mike Rourke of @ Properties introduced himself to the Board along with the architect, Ramiel Kenoun. He stated that the request is for a proposed addition to the building and informed the Board that they have a 4,000 square foot building. Mr. Rourke stated that the business has experienced a nice amount of growth since they opened a year ago and that they would like to expand with a 20 foot x 50 foot addition on the back of the building which would be simple brick with aluminum clad windows. He then referred to the brick samples to match. Mr. Rourke also stated that on the north wall, a parapet is proposed to keep it all brick to the opening and that it would be different visually than the north side. He then asked if there were any other questions.

Chairman Swierk asked if there would be no alley access.

Mr. Rourke confirmed that there would not.

Mr. Norkus informed the Board that there is a platted, unimproved alley. He stated that the area was an original subdivision from the turn of the last century and that they planned for an alley. Mr. Norkus stated that Kenilworth was not interested in having an alley and that it was never improved.

Chairman Swierk asked if there is a home on the other side of the alley.

Mr. Norkus confirmed that is correct and stated that there is more than an alley's width separating the building adjoining to the home. He stated that there is a triangle shaped property on the other side of the alley and that the nearest home is located at least 60 feet away. Mr. Norkus confirmed that the homeowners have been notified of this meeting and subsequent meetings. He stated that some neighbors called and were satisfied by the one story addition.

Mr. Dearborn stated that one is here. He asked if it would be less than 25% glass on the back.

Mr. Rourke referred the Board to a photograph of the existing condition and stated that it would be less.

Mr. Kenoun informed the Board that the windows would be higher and shorter. He also stated that they would be lowering the window line since it would interfere with the cubicles.

Mr. Rourke stated that the south windows would interfere with the south office.

Mr. Norkus stated that he called to the Board's attention their responsibility and that it is for the Board to decide whether it is important.

Mr. Dearborn referred to whether the neighbors felt that there would be too much wall and that there are no neighbors present.

Mr. Norkus indicated that the neighbors may feel that windows are not a desirable thing.

Mr. Rourke noted that there would be an 8 foot fence along the back.

Mr. Dearborn asked if you can see the brick on the north side from the road.

Mr. Kenoun stated that it can be seen slightly. He also stated that a site visit was done and that they were given samples which were an identical match to the existing brick.

Mr. Rourke stated that their intent is to make it look like one uniform building.

Ms. Stanley referred to the variance with regard to lot coverage.

Chairman Swierk stated that issue is not before the Board. He then asked if there were any comments.

Ms. Morgan informed the Board that the last 4 items were outlined in terms of what the Village Council is looking for from the Board to evaluate the request, as follows:

1. Whether the proposed external architectural features and site improvements are appropriate to and compatible with the character of the immediate neighborhood;

2. Whether the proposed external architectural features and site improvements are appropriate to and compatible with adopted Village plans for and improvements in the immediate neighborhood;
3. Whether the proposed external architectural features and site improvements are consistent with applicable Village design guidelines; and
4. The probable effect of the proposed external architectural features on the integrity of the immediate vicinity.

Chairman Swierk confirmed that all four items are not an issue. He then moved to state that the Board addressed recommendation nos. 1 through 4 and that they are acceptable to the Board.

Mr. Dearborn then moved to issue a Certificate of Appropriateness to approve the proposal for the extension at 30 Green Bay Road to construct a one story addition to the rear of the building. He noted that the Board addressed in full the issues under its purview as outlined by Ms. Morgan in the summary and found them to be consistent with the Village design guidelines.

Ms. Kelly seconded the motion. A vote was taken and the motion was unanimously passed.

AYES: Dearborn, Kelly, Shen, Stanley, Swierk  
NAYS: None

**DRAFT**

**WINNETKA PLAN COMMISSION  
MEETING MINUTES  
OCTOBER 26, 2011**

**Members Present:**

Becky Hurley, Chairperson  
Jan Bawden  
Chuck Dowding  
Paul Dunn  
Louise Holland  
Joni Johnson  
Midge Powell  
John Thomas  
Susan Whitcomb

**Non-voting Members Present:**

Gene Greable

**Members Absent:**

John Golan  
John Iberle  
John Jansson

**Village Staff:**

Brian Norkus, Assistant Director of Community  
Development  
Jillian Morgan, Planning Technician

**Call to Order:**

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

**Comment to Village Council and Zoning Board of Appeals Regarding Special Use Permit Application for Consistency with Winnetka 2020 Comprehensive Plan - Proposed Expansion of Real Estate Office Use Within C-1 Zoning District at 26-30 Green Bay Road**

Mike Rourke introduced himself to the Commission as a vice president and stated that he would present the request on behalf of @ Properties, along with the architect, Ramiel Kenoun. He stated that they are seeking from the Commission a recommendation to allow for an addition which measured 20 feet x 50 feet to the existing building. Mr. Rourke stated that approximately one year ago, they rehabbed the building which measures 4,000 square feet. He informed the Commission that business has been good and that they need to expand the facility. Mr. Rourke noted that the requested variance is a Zoning Board of Appeals issue and that they are looking for a variance in terms of lot coverage and rear yard setback.

Mr. Rourke stated that the building is unique in that there is a public alley located immediately behind the property. He also stated that the adjacent building to the south goes back to the lot

already. Mr. Rourke stated that with regard to the alley to the west, he referred to the building to the south and the vacant lot to the north. He stated that they are requesting consideration to allow for the expansion.

Mr. Rourke went on to state that the lot had been discussed in connection with parking with regard to their first application as well as with this application. He stated that for both applications, they conducted a traffic study which indicated that there is adequate parking. Mr. Rourke indicated that it is their hope that the Village will support the request. He informed the Commission that their agents have purchased numerous parking passes for the parking lot located across the street and that the office managers enforce parking. Mr. Rourke also stated that the Village engineer agreed with the traffic study which was done when the office had been open for 7 months. He noted that there would not be any additional full time staff added as a result of the expansion and that the proposed expansion would contain approximately 10-12 desks and two private offices.

Mr. Rourke stated that given the parking ratios they experience currently which use 40% of the desks that they have, they anticipate that another four to five parking spaces would be used on Green Bay Road. He also stated that given the traffic study and its review and approval of the findings by the Village engineer, there is adequate parking on Green Bay Road.

Mr. Rourke then stated that in the packet of materials, there is a recommendation or consideration be given to the current depressed curbed areas which are within 200 to 300 feet of parking. He stated that they planned to recapture those which no longer service existing uses. Mr. Rourke noted that it would help everyone and the businesses within the area by increasing the amount of parking and that although three [parking spaces] seemed minimal, they do not exist now. He then asked the Commission if they had any questions or comments.

Chairperson Hurley asked the staff if they had anything to add beyond the materials in the packet.

Mr. Norkus stated that he had nothing in addition to the packet to add. He commented that it speaks well and that it would be fine for the Commission to discuss.

Ms. Johnson asked Mr. Norkus, because the matter would be presented to the Zoning Board of Appeals, she would not be voting, but would participate in the discussion. She then referred to the special use sign in the front of the building and stated that while she did not read it, she asked whether it provided notice of the Commission meeting.

Mr. Norkus stated that notice would be given to the Zoning Board of Appeals and that a notice was mailed to the neighbors for this meeting and the Design Review Board meeting.

Ms. Johnson stated that it did not state that the Design Review Board would review the request.

Mr. Norkus informed the Commission that they already did and provided favorable comment.

He noted that the Design Review Board's primary consideration is to assure that there would be a good match to the existing brick color on the building.

Ms. Johnson stated that she assumed that the back end of the building to the south is a nonconforming use.

Mr. Norkus indicated that it extended into the rear yard setback and confirmed that building is nonconforming.

Ms. Johnson then stated that with regard to the public alley to the west, she asked if vehicles can drive on it.

Mr. Norkus confirmed that no alley existed in the legal sense and that it is not a physical alley. He informed the Commission that when the area was originally platted when Green Bay Road and the commercial properties were first laid out in the subdivision, a provision was made for the alley to extend to the immediate west of the Green Bay Road commercial parcels. Mr. Norkus stated that only a portion of that block actually received a physical alley and that the southerly 250 to 300 feet of Winnetka is an unincorporated area which did not receive a physical alley. He added that the deeded alley is owned by the Village, but was not improved as such.

Ms. Johnson referred to the proposed conditions on page 5 of the materials.

Mr. Norkus stated that is the intent.

Ms. Johnson stated that with regard to the applicant, when they came before the Commission in January 2010, they stated that there would be weekly meetings with the entire staff offsite.

Mr. Rourke noted that they have one hour onsite meeting and that they are not always the same day.

Ms. Johnson asked for clarification on page 15 in connection with the reference to the property to the west having a lot coverage variance when they actually meant the property to the south.

Mr. Rourke confirmed that is correct.

Ms. Johnson stated that since the KLOA representative is not present, she referred to the last paragraph on page 7 of the traffic study which stated that there is additional parking within 300 feet of the site. She asked if it did not include whether it was included in the formal parking analysis or if it is outside of the analyzed area. Ms. Johnson then referred to page 22 of the agenda packet.

Ms. Holland arrived at the meeting at this time.

Mr. Rourke indicated that he did not know, but that he can find out.

Ms. Johnson also stated that in the first paragraph, the peak in demand was noted both at 10:00 a.m. and 2:30 p.m. on Tuesday and asked if one was incorrect.

Chairperson Hurley confirmed that is a typographical error.

Ms. Johnson stated that it should be corrected to read 2:30 p.m.

Chairperson Hurley stated that she is comfortable that Steve Saunders looked over the request. She stated that she would like to point out that she is very comforted by the expectation of another four to five parking space demand.

Mr. Rourke stated that based on the current usage, there would be four to five additional spaces on Green Bay Road.

Chairperson Hurley stated that [the traffic study] concluded that even if there were 12 [additional] desks, it would generate 24 parking spaces. She asked if there were any comments.

Mr. Dunn asked with regard to the curb cut restoration, if it is located in the right-of-way.

Mr. Norkus confirmed that is correct.

Mr. Dunn then asked if the property owners knew of it and whether they are in favor.

Mr. Norkus stated that they were not made aware based on this evening's meeting and that they planned to bring them into the process. He also stated that since it is within the right-of-way and that there is an abandonment of the curb cuts, rather than make a recommendation of this nature, he consulted with Mr. Saunders who agreed with his suggestion. Mr. Norkus stated that the property owners of the abutting property have not yet been made directly aware of this component of the agenda report.

Mr. Dunn asked if they object, what is their position then.

Mr. Norkus stated that he envisioned that the Village Council is the body to rule on whether it is advisable to close either of the curb cuts off or not.

Chairperson Hurley asked if the northern curb cut would not block the south driveway to Captain Nemo's.

Mr. Norkus stated that it would not and that it would work as depicted in the graphics in the report and that it is conceptual in nature. He stated that there would be a final design and what they build would have to be within the standards of the Village engineer. Mr. Norkus also stated that in general, narrowing the driveway and eliminating the abandoned portion of it immediately to the south would make the Captain Nemo's alley function better in that it would be more well defined than it is currently.

Mr. Dowding asked if the absence of “No Parking” signs is reflective of any legal abandonment.

Mr. Norkus noted that there is a sign advising that the driveway not be locked. He stated that while there is no sign similar to that on the south, that property owner erected pipes in order to keep vehicles from parking there. Mr. Norkus stated that if they were to start parking there, that would represent a different problem in that it would be illegal parking. He also stated that closing the curb cut would eliminate the likelihood that someone would park there without the Commission’s prior approval.

Chairperson Hurley indicated that was the concern of the Commission last time with regard to that becoming an informal parking lot.

Mr. Dowding asked with regard to the existence of the alley right-of-way, how wide is it.

Mr. Rourke confirmed that it is 16 feet wide.

Mr. Dowding then asked if the setback for the majority of the property owners to the west would be 19 feet.

Mr. Rourke stated that it is 60 feet from the back of the proposed expansion to the west fence.

Mr. Dowding stated that there are two issues which are the alley and the triangular parcel of land. He asked who are the owners.

Mr. Norkus confirmed that it is the same owner as the vacant lot to the north of the applicant.

Ms. Johnson stated that in the minutes, there were discussions after the applicant purchased the property where they attempted to negotiate with that property owner and were not successful. She stated that Landrover previously parked vehicles there.

Mr. Dowding referred the triangular piece of land to the west and asked if it can be accessed without going across the alley.

Chairperson Hurley stated that if it is the same owner to the north, they adjoin. She stated that the Commission will look at the standards as they relate to special use applications. Chairperson Hurley stated that while they can recommend changes to curb cuts regardless of ownership, she is not sure what else related to the applicant.

Mr. Greable stated that it would cut into the sidewalks on Village property. He asked the applicant to say as part of the condition of granting this proposed addition of 1,000 square feet of business space, that they want them to pay for the right-of-way improvements which are owned by the Village. Mr. Greable stated that while the applicant agreed that would be fine, he asked what is the cost.

Mr. Rourke indicated that he had a rough idea when he first saw the photographs of the extent.

Mr. Greable stated that the Commission needed to know the cost since it would be in the public right-of-way. He stated that it is a matter of fairness and that if you went down the street for curbs and sidewalks, the question is who should pay for it. He indicated that he was very pleased to see an additional business go into the C-1 district. Mr. Greable stated that from a trustee standpoint, he would like to see more businesses there.

Chairperson Hurley commented that she was also glad to see this petition come. She noted that the property had been vacant for 12 years and described it as a difficult property. Chairperson Hurley then referred to the recent BP Amoco project where they were in the right-of-way and that the Village agreed to pay for bollards and sidewalk work.

Mr. Norkus commented that BP Amoco represented a good example of a project where conditions were imposed and that the request was to improve the existing building which contained a convenience store within the shell of the building. He referred to the issues raised by the Commission, the Design Review Board and the Zoning Board of Appeals with regard to the function of the site, in particular, vehicle and pedestrian safety. Mr. Norkus stated that even though the convenience store nature of the request did not drive the fact that pedestrians are less safe, the Commission imposed conditions to address the goal of the Village of the pedestrian environmental of the business district. He also stated that for this applicant, where the boundaries were extended a bit, it suggested the ability here since it is directly adjacent to address the issue closely related to the proposed expansion since it would provide an additional five vehicles in the business district. Mr. Norkus stated that in the Comprehensive Plan, there is one finding in particular, finding no. 7 on page 9, which addressed the specific notion of dealing with looking at the parking supply in general and stressed the importance of available parking for retail use. He stated that it related to what the additional three on-street parking spaces would provide a balance to the five additional vehicles which they are likely to see and the fact that it is valuable to supporting retail business in that area.

Mr. Norkus then referred to the muffler shop which was turned into a pizza restaurant and the fact that they became very excited. He stated that in that case, the restaurateur paid for a significant amount of improvement to the public right-of-way, including curb cuts. Mr. Norkus also stated that it goes with the redevelopment process as viewed by the Comprehensive Plan and the Community Development Department.

Ms. Johnson stated that she disagreed with Mr. Greable's comments and that if the applicant has the money to do the addition, it would be reasonable to impose conditions even though they do not know the cost.

Mr. Greable disagreed and stated that it is a fairness issue.

Ms. Johnson stated that it is a parking issue and that the applicant would be increasing the demand and use of a finite amount of parking. She also stated that there would be a parking

challenge despite the results of the traffic report. Ms. Johnson stated that the Village should talk to Fitness Revolution which may own the abandoned driveway to see if they want to contribute. She commented that it is reasonable if the applicant agreed and that it is not a question of fairness.

Mr. Rourke stated that while he appreciated the Commission's dialog and described it as a very constructive parking issue. He agreed that there should be give and take and commented that they have been a good neighbor to the other retail there. Mr. Rourke stated that it also went back to Chairperson Hurley's point that the building had been vacant for some time and that if not them, then who. He then referred to the peak of 15 to 18 in the numbers for 4,000 square feet and that there are four to five vehicles per thousand [square feet]. Mr. Rourke stated that if it represented a condition of approval, they would take a look at the numbers and respond at the Zoning Board of Appeals meeting as to what the consideration might be.

Ms. Powell asked Mr. Norkus what is the status of the alley.

Mr. Norkus responded that the alley was addressed in the Comprehensive Plan in that there is a desire to have an alley at some point which continued behind all the way through to \_\_\_\_more (?) Lane in Kenilworth. He then referred the Commission to the map on page 1 and stated that the area has challenges and that the right yard bisected the alley. Mr. Norkus stated that despite the Comprehensive Plan, he is not sure of the likelihood that the alley would be improved in the near future. He also stated that the proposed expansion would not encroach on the alley footprint.

Chairperson Hurley commented that she was quite pleased to see this business come in.

Ms. Powell stated that they have to protect the present retailers in the area.

Chairperson Hurley also stated that vitality feeds upon itself. She stated that part of being a good neighbor is to contribute to the infrastructure when reasonable. Chairperson Hurley then asked if the Commission as a whole agree with recommending the curb cut and sidewalk improvements, although the matter is going to the Village Council for final approval.

The Commission members agreed with Chairperson Hurley's recommendation.

Ms. Johnson asked with regard to 15 minute parking spaces, if any consideration was given if the curb cut improvement is made to put one 15 minute parking space on the west side.

Mr. Norkus informed the Commission that he suspected that the Indian Hill business district changed the nature of business from years ago. He commented that it would be a good idea to give a fresh look for the appropriateness of the parking signs there and whether a parking space is to be designated for shorter term parking. Mr. Norkus stated that an informal suggestion be made from the Village staff and comment through the Commission for that to be done. He stated that they would deal with it at the Village staff level.

Chairperson Hurley asked if there were any other comments. No additional comments were made by the Commission at this time. She then suggested that the Commission review the findings.

**Findings of the Winnetka Plan Commission Regarding Consistency of the 26-30 Green Bay Rd. (@ Properties) Special Use Permit with the Village of Winnetka Comprehensive Plan**

After considering the application, the Commission makes its findings as follows,

Chapter II - Vision, Goals and Objectives

1. The proposed special use is consistent with the Objective to "Ensure that commercial, institutional, and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood." [Village Character and Appearance: Objective #1 page 2-2].
2. The proposed special use is consistent with the Objective to "Limit commercial, institutional and residential development within the Village to minimize potentially adverse impacts on adjacent residential neighborhoods and to prevent the need for significant increases in infrastructure (streets, parking, utilities, sewers) and other community resources (schools, parks, recreational facilities)". [Growth Management: Goal; page 2-7].
3. The proposed special use is consistent with the objective to "Ensure that development proposals minimize the potential adverse impact they might have on residential neighborhoods, including the impact on pedestrian character, on site parking, traffic patterns, congestion, open space, storm water management and Village infrastructure." [Growth Management: Objective #1; page 2-7].
4. The proposed special use is consistent with the Goal to "Provide for a wide range of office/service and retail commercial land uses and development within the existing business districts in the Corridor." [Green Bay Road Corridor: Commercial Development and Multiple Family Land Use Goals Objectives and Policies; page 5-4].
5. The proposed special use is consistent with the Goal to "Promote a strong community identity and opportunities to interact while building a healthy commercial tax base. Provide a broad range of goods and services so that Winnetka residents can satisfy most of their ordinary shopping requirements in the Village and so that non-residents will come to the Village for specialty goods and services;" [Business Districts: Goals and Objectives and Recommendations; page 5-8].
6. The proposed special use is consistent with the objective to "Maintain the

essential quality, viability and attractiveness of Winnetka's business districts while encouraging new economic development consistent with the character of the Village and the individual business districts"; [Business Districts — Objectives and Recommendations: Economic Vitality; page 5-8].

7. The proposed special use is consistent with the objective to "Ensure that new development does not decrease public parking supply, particularly on street parking that supports retail use"; [Business Districts — Objectives and Recommendations: Commercial Development and Multiple Family Land Use; page 5-10].

The Commission determined that this finding is consistent along with a condition to be imposed.

8. The proposed special use is consistent with the objective to "Guide any redevelopment of the Indian Hill Business District so as to preserve the residential character of the adjacent neighborhood." [Business Districts- Indian Hill Business District Planning Sub-Area - Objectives and Recommendations: Commercial Development and Multiple Family Land Use; page 5-20].

## RESOLUTION

NOW THEREFORE BE IT RESOLVED that the Winnetka Plan Commission finds that the proposed Special Use Permit application for the property at 26-30 Green Bay Road is consistent with the Village of Winnetka Comprehensive Plan.

Date: October 26, 2011

Chairperson Hurley asked if there were any comments on the conditions and referred to page 5 in the packet of materials.

Mr. Norkus referred the Commission to the second to last paragraph as follows:

“Staff recommends that consideration be given to imposition of a condition of approval, requiring the applicant to remove the existing depressed curbs and replace with a full height curb (together with incidental sidewalk work) as shown in the conceptual illustrations below. Final approval of plans for work in the right-of-way will be subject to review by the Village engineer.”

Mr. Norkus confirmed that the illustrations as shown referred to those on page nos. 6 and 7 in the packet of materials.

The Commission agreed that is fine.

Chairperson Hurley stated that the Commission would be recommending that the findings are consistent and to recommend approval with that condition.

A vote was taken and the motion was passed by a vote of eight in favor and none opposed with one abstention.

Mr. Norkus then informed the Commission that there is a typographical error in the report and that the address stated in the resolution should be corrected.

A vote was again taken and the motion was unanimously passed by a vote of eight in favor with one abstention.

**DRAFT**

**WINNETKA ZONING BOARD OF APPEALS  
NOVEMBER 14, 2011**

**Zoning Board Members Present:** Joe Adams, Chairman  
Joni Johnson  
Bill Krucks  
Carl Lane  
Scott Myers

**Zoning Board Members Absent:** Mary Hickey  
Jim McCoy

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

**Agenda Items:**

**Case No. 11-23-SU:** 30 Green Bay Rd.  
@ Properties  
Special Use Permit: To allow the expansion of the  
existing real estate office (@ Properties) in the C-1  
Limited Retail Commercial District  
Variations by Ordinance  
1. Intensity of Use of Lot  
2. Rear Yard Setback

**Minutes of the Zoning Board of Appeals  
November 14, 2011**

**Call to Order:**

Chairman Adams called the meeting to order at 7:30 p.m.

**30 Green Bay Rd., Case No. 11-23-SU: @ Properties - Special Use Permit: To allow the expansion of the existing real estate office (@ Properties) in the C-1 Limited Retail Commercial District; Variations by Ordinance: (1) Intensity of Use of Lot and (2) Rear Yard Setback**

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Mr. D’Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by @ Properties, 618 W. Fulton, Chicago, IL for the property located at 30 Green Bay Rd., concerning a Special Use Permit in accordance with

Section 17.56 and variations by ordinance from Section 17.46.040 [Intensity of Use of Lot] and Section 17.46.080 [Rear Yard Setback] of the Winnetka Zoning Ordinance to permit a building addition to the existing real estate office in the C-1 Limited Retail Commercial District that would result in lot coverage of 5,255.24 square feet, whereas a maximum of 4,725 square feet is permitted, a variation of 530.24 square feet (11.22%) and a rear yard setback of 3.32 ft., whereas a minimum of 10 ft. is required, a variation of 6.68 ft. (66.8%).

Chairman Adams swore in those that would be speaking on this case.

Michael Rourke stated that he would present the request to the Board on behalf of the applicant, @ Properties. He stated that they are requesting two variances for lot coverage and the rear yard setback to construct an addition to the existing building. Mr. Rourke indicated that they would like to add 1,000 square feet and that the proposed addition would measure 20 feet x 50 feet. He referred to the plans included in the packet of materials and informed the Board that there was a lot of discussion before the Design Review Board and the Plan Commission which focused on parking. Mr. Rourke added that the traffic consultant is also present which supplied the traffic study and that either he or the consultant can answer any questions.

Mr. Rourke stated that at the Plan Commission meeting, the Village staff suggested that a recommendation to approve the proposed addition be made with a condition on recapturing three parking spaces in the depressed curbs on Green Bay Road. He stated that he was not aware of the cost at that time and that it was made as more of a suggestion. Mr. Rourke informed the Board that he looked into the potential financial exposure of that suggestion and that subject to the Board's approval; they would be fine with incurring the cost to recapture three parking spaces in the public way which are depressed curbs and making them three additional parking spaces. He then asked the Board if they had any questions.

Chairman Adams stated that the request for a Special Use Permit to allow the real estate office at this location was presented to the Board a year ago.

Mr. Rourke confirmed that their initial application was in January 2010 and concluded in February 2010.

Chairman Adams referred to the applicant's previous testimony with regard to how many people are in the office and asked if things have changed.

Mr. Rourke commented that fortunately, business has been good and that they have had the ability to attract agents successfully. He stated that the plans show a number of desks which are consistent with the testimony from 2010 and that they planned to add two additional offices and 10 to 12 seats. Mr. Rourke stated that the nature of the business is short term in that the agents are in and out of the office. He also stated that a lot of the agents have acquired permits for parking in the lot across the street. Mr. Rourke informed the Board that the office manager enforced it as much as possible. He added that there is also 90 minutes of parking on the west side of Green Bay Road. Mr. Rourke stated that it has become necessary for them to consider the expansion to accommodate their growing business.

Ms. Johnson asked with regard to conforming alternatives, why the agents can't share desks.

Mr. Rourke responded that they already do and that there are 80 agents in that office. He added that they do have teams that share desks.

Ms. Johnson stated that at one time there was testimony at the prior hearing and in connection with the traffic analysis that on Tuesday, there is a peak of 17 employees, agents and clients. She stated that there was also testimony that on Saturday, there is a peak of 12 people in those same categories.

Mr. Rourke stated that they currently have 39 desks.

Ms. Johnson asked if with 80 agents, there are desks which are vacant.

Mr. Rourke informed the Board that people come in the office throughout the day and that there is rotation during the day. He indicated that it is important for the agents to have as much of their own space as much as to team up.

Ms. Johnson stated that there was testimony that they would treat the desks so that anyone can use them.

Chairman Adams indicated that he thought that there was going to be a "hotel concept."

Chairman Adams then swore in Mike Golden, 975 Pine Street.

Mr. Golden stated that the concept for the office is a blend of the traditional and hoteling concept. He stated that there is a variety of people at different production levels and that the higher producing agents demand their own space and their own desk. Mr. Golden stated that there are other agents who are part-time who may come in the office once every two weeks. He also stated that there are virtual agents who only come in the office to pick up forms. Mr. Golden informed the Board that the amount of licenses is now higher since there are Highland Park agents in their office and that they have had more attraction than they anticipated in the marketplace which resulted in a demand for more desks.

Mr. Myers asked Mr. Golden to first break down the number of high producers and second, he asked how many agents would be moving to Highland Park when that office opened.

Mr. Golden estimated that 20 agents would be going to Highland Park. He informed the Board that they have a license count of over 100 and that a lot of them are Highland Park agents. Mr. Golden then stated that with regard to the high producers, he did not have the exact numbers and stated that between 10% and 15% are the higher producers, 30% are moderate producers, between 30% and 40% are somewhat producing agents and that 10% are non-producing at all.

Ms. Johnson suggested that if they were to remove the partitions and have an open floor plan similar to that at Koenig & Strey on Chestnut and Elm, there would be more space without having to do an addition.

Mr. Golden stated that would not work and that they are very efficient in terms of the use of the existing space. He stated that the average size of the desks is smaller than those in other offices. Mr. Golden also stated that if there was an open floor plan, it would be too loud.

Mr. Myers asked if currently they have space for 40 to 50 separate agents.

Mr. Golden stated that is correct if every seat was occupied. He also stated that out of all of the offices in the network, he has never been in an office when it is fully occupied, even in the downtown office. Mr. Golden stated that the nature of the business is to have 10% to 20% in the office.

Mr. Myers stated that he is sympathetic to help people grow their businesses and that he understood that if only a small percentage of the space is occupied with 80 agents and that he understood the match for additional space.

Mr. Golden informed the Board that the space would also allow it to be sectioned for training, would allow them to gain more agent desks and to bring more people in and grow the office. He stated that modern agents will only work for them with dedicated desks. Mr. Golden stated that 20 to 25 years ago, they were a brand name office and had local advertising only and that everyone had their own desks. He stated that the world has changed and that because of technology, the agents still demand their own space and that the agents would not work for them if they felt as if they did not have space for them.

Ms. Johnson stated that on the one hand, they say the agents are not coming and on the other hand, they are saying that not all of the desks are full. She commented that Mr. Golden is undercutting their argument.

Mr. Golden did not agree with Ms. Johnson's comment and stated that agents want their own dedicated space. He stated that for a million dollar producer, that agent would want their own space.

Ms. Johnson asked if it would be cost prohibitive to add on to the building vertically and asked the applicant if that was considered when they purchased the building and sought a special use permit.

Mr. Golden stated that they did not.

Ms. Johnson then stated that they are proposing to add 1,000 square feet and that in the zoning matrix, the Village staff referred to 841 square feet. She asked if the difference is attributable to removing the concrete strip.

Mr. D'Onofrio confirmed that is correct.

Ms. Johnson then referred to page 18 of the site plan and referred to the amount of impermeable lot coverage as a result of the proposed addition and that the zoning matrix noted 5,255 square feet. She asked what is the reason for that discrepancy.

Ms. Klaassen responded that the existing building lot coverage was taken directly from the plat of survey as certified by the surveyor and that the 5,255 square foot figure included building coverage and impermeable lot coverage.

Ms. Johnson stated that since the Plan Commission meeting on which she is a liaison member from the Zoning Board, notice was given to the adjoining property owners with regard to the potential curb cut removal and asked if there were any objections.

Mr. D'Onofrio stated that there have been no responses unless those objecting are here now.

Chairman Adams asked if there were any other comments.

Mr. Lane stated that he would like comment with regard to the window on the adjacent south property. He stated that the applicant has indicated that they would work with the Village and asked how they planned to deal with that.

Mr. Rourke stated that they have had a conversation with the Village plan examiner, who had concerns with regard to fire rating, and confirmed that they planned to work with the adjacent property owner. He indicated that there is no definite plan at this time and that they have not spoken to the adjacent property owner.

Mr. Lane referred to the vacant lot and the alley and asked if it is a dirt alley.

Mr. D'Onofrio informed the Board that the vacant lot is privately owned.

Ms. Johnson informed the Board that at the Plan Commission meeting, Brian Norkus indicated that the Village had planned to improve the public alley, but had not done so. She stated that even if the applicant did the addition, it would not impact the Village's ability to develop the alley in the future.

Chairman Adams asked if there were any comments. No additional comments were made Board members at this time. He noted that the Board would be making a recommendation to the Village Council and suggested that between now and the final meeting before the Village Council, that the applicant makes progress in resolving the issue with the neighbor. Chairman Adams then asked if there were any comments from the audience.

Chairman Adams then swore in John Louis of 22 Green Bay Road and 40 Green Bay Road.

Mr. Louis informed the Board that there is a petition containing nine signatures of property owners in Indian Hill who are adamantly opposed to the proposed expansion. He noted that there are line items which are outlined. Mr. Louis informed the Board that he has been a business owner in Indian Hill for 22 years. He stated that when the applicant proposed to take the space, they warned that there would be a negative impact on parking and that the applicant's parking has dominated the area. Mr. Louis stated that for the first time in 22 years, their clients are parking two blocks away. He added that it is important to note that while it is not all of the time, it occurred often enough to be a concern.

Mr. Louis stated that when they spoke a year ago, all of the businesses were down 15 to 20%. He stated that when the economy recovers, they would be negatively impacted by the applicant wanting to expand in terms of parking domination. Mr. Louis stated that while they do have permanent parking on the east side of Green Bay Road, it is dominated by the applicant. He stated that the applicant represented one business and that there are 15 businesses there with the applicant dominating parking.

Mr. Louis stated that two to three years ago when they took the space, it was suggested strongly that they purchase the adjacent vacant lot which is privately owned and that they made an attempt. He indicated that it is imperative that if the applicant is to expand, they need to buy that lot. Mr. Louis noted that as land owners, the other businesses would lease some of that property from them. He stated that it is important to note that the owner of 22 Green Bay Road has given him power of attorney and that property owner is adamantly opposed to the applicant adjoining his building and to do what they can to stop it.

Mr. Louis stated that it should also be noted that the lot in the back floods and that there is currently 100 square feet of standing water. He commented that the property needed treatment and that the land owner does not take care of it. Mr. Louis commented that it made sense to the Village approval for that property to be sold as a parking lot and that it would give them freedom to park for their customers without hindrance. He described the applicant as very aggressive and that with 15 to 20 new brokers from other companies, the trend will continue. Mr. Louis stated that they need to consider the neighbors and the fact that parking is very important to their success. He concluded by stating that he had no sympathy for the applicant's argument that they cannot grow the business.

Ms. Johnson stated that to put a parking lot there assuming the applicant could purchase it; a special use permit would be needed.

Mr. Louis confirmed that is correct. He also stated that there is no parking for that vacant space to be used for retail.

Mr. Myers asked if there is difficulty for the employees walking blocks away or the customers.

Mr. Louis responded that it is difficult for the customers. He also stated that the permitted parking lot is full on a regular basis and commented that it is a big problem.

Ms. Johnson asked Mr. Louis even if the applicant was only to park in the permitted lot, would that not help.

Mr. Louis confirmed that is correct.

Mr. Myers asked Mr. D'Onofrio if surveying of the parking lot's usage is done.

Mr. D'Onofrio stated that it is not surveyed by the Village and that a parking and traffic study was submitted by the applicant which is required as part of the special use process.

Chairman Adams stated that KLOA submitted a parking study to counter what Mr. Louis is saying.

Mr. Louis described the traffic report as ridiculous and that it had no value to him. He also stated that a two day assessment cannot be made and that it is not fair to them. Mr. Louis added that after 22 years, he can provide a detailed report on parking.

Mr. Krucks asked Mr. Louis to identify the businesses represented by the petition.

Mr. Louis identified Paul Kondalis of 22 Green Bay Road, Paul Armstrong of 20 Green Bay Road, Dr. Jeffrey Dreebin of 42 Green Bay Road, Robert Wells of 18 Green Bay Road, Vincent Comerci of 22 and 24 Green Bay Road, himself, Frank Keisel of 46 Green Bay Road, Kash Kamada of 50 Green Bay Road and John Vlahakis of 44 Green Bay Road. He indicated that he has not heard from Captain Nemo's owner. He added that Fitness Revolution is also part of the petition.

Chairman Adams asked if there were any other comments.

Chairman Adams then swore in John Sitt (sp?).

Mr. Sitt introduced himself to the Board as a 25% owner of Fitness Revolution and stated that he agreed with Mr. Louis' comments totally. He also stated that in connection with the curb cuts and driveway, he identified it as the current location for the dumpster and that the garbage men may have a problem unless it is relocated. Mr. Sitt stated that otherwise, he described parking as a total nightmare for the staff and their clients. He stated that they have clients between 6:00 a.m. and 7:00 a.m. and from 9:00 p.m. to 10:00 p.m. and that during peak hours, there is a problem parking.

Chairman Adams asked Mr. Sitt approximately how many agents do they see going into the @ properties office.

Mr. Sitt responded that he did not know and stated that four or five years ago, there was no issue with parking. He stated that currently from 10:00 a.m. and 3:00 p.m., you have to circle a lot to find parking and that their 6 to 7 employees park in the lot.

Mr. Myers asked Mr. Sitt regardless of whether the Board allowed the additional space, the applicant could bring more agents in. He referred to the opportunity to do more sharing. Mr. Myers stated that even if the Board said no to the request, there could be more agents and asked Mr. Sitt for his reaction.

Mr. Sitt stated that the issue mostly related to parking. He indicated that expansion is great for any business, but that in the planning of expansion, they need to be accommodating. Mr. Sitt stated that 12 agents would need a lot of space.

Mr. Lane asked Mr. Sitt if he felt they were losing business due to the lack of parking.

Mr. Sitt stated that there have definitely been complaints.

Mr. Lane asked Mr. Louis if he felt that they would lose business.

Mr. Louis stated that they have been hearing complaints from clients and that they have not lost business yet.

Chairman Adams asked if there were any other comments.

Ms. Johnson asked Mr. D'Onofrio with regard to 90 minute parking, do they have police records of ticketing.

Mr. D'Onofrio stated that records are not kept by location of where the ticketing occurred.

Mr. Louis stated that the limits are not being enforced.

Mr. Sitt stated that the limits are enforced for the lot, but that he had no idea if it is done for street parking.

Chairman Adams swore in John Vlahakis, 44 Green Bay Road.

Mr. Vlahakis stated that for the gallery on Lincoln, enforcement is punctually checked, but not on Green Bay Road since the service officer cannot park there.

Mr. Lane stated that the traffic study was based on two days on Tuesday, February 22, 2011 and Saturday, February 19, 2011. He then asked if they felt that the traffic study was sufficient which only included two days. Mr. Lane also asked what they propose is reasonable.

Mr. Louis stated that the traffic study was done during the winter and that it would have been sufficient to ask people such as himself who have been in the area for 22 years.

Mr. Lane stated that there is a purpose for the traffic study process and that it is not based on hearsay and comments.

Mr. Louis stated that a photograph was taken of the street with four vehicles which is not representative of reality.

Mr. Myers asked Mr. Golden if it is his testimony that 20 people from the Highland Park office do not really use the office.

Mr. Golden responded not on a regular basis. He also stated that he would like to clarify that they do not do closings in the office. Mr. Golden stated that the volume of traffic that the neighbors are seeing is staff and agents going in and out. He also stated that they do not hold weekly meetings in the office and that for training, they use the Winnetka Community House and that the Lake Forest office is already open.

Mr. Rourke stated that they have heard that traffic and parking is sensitive to everyone. He stated that the building had been primarily vacant for 10 to 12 years and if not them occupying the space, then who. Mr. Rourke also stated that the headcount showed a peak of 17 people in 4,000 square feet of space and that their type of use is at the low end of demand since a retail or restaurant use could be higher. He added that they realize that there is a parking demand, but that relative to what type of use could be in 4,000 square feet of space, he described them as average.

Chairman Adams swore in Javier Millan, the KLOA consultant.

Mr. Myers referred to whether two days' worth of observation provided a good representation and whether more days of observation would have provided a greater probability of recognizing the complete profile of the community. Mr. Myers then asked Mr. Millan how many days would increase a probable 90% clear view.

Mr. Millan informed the Board that they avoided counts on Mondays and Fridays since the results can be skewed. He stated that there may be a long weekend and that the days typically used by the state and other municipalities are Tuesdays, Wednesdays and Thursdays which give an average volume. Mr. Millan stated that they used Tuesday as one of the normal high days for the facility. He stated that roughly speaking, if there were 70 parking spaces, the next day, there would be a lower amount of parking spaces available and that the amount would stay within a certain range. Mr. Millan indicated that there would still be the same results if the other days were used.

Mr. Myers stated that in terms of seasonality, he referred to the use of February from a real estate point of view versus May through October.

Mr. Golden informed the Board that the high season is the spring market and that from January through May, they would see 65% of their business. He stated that February is the heart of the season when the market is heating up and that February, March and April result in the highest counts with slower volume in the summer.

Mr. Lane asked if they do house tours.

Mr. Golden confirmed that they do and that it drove traffic up. He added that generally, Tuesday is the heaviest day of the week.

Ms. Johnson stated that Green Bay Road is a four lane street with a double line. She stated that coming north, there is no available parking on the west side of Green Bay Road and that the traffic report did not take into account those who are willing to make an illegal u-turn to get to a parking space on the east side. Ms. Johnson stated that the tables indicate that parking on the east side of the street is less utilized. She also stated that it is a busy street and that people would have to fight four lanes of traffic to get to a business on the west side of the street. Ms. Johnson referred to whether that should be taken in account in the traffic analysis and that it is not noted anywhere in the report. She suggested that it should be a footnote.

Mr. Millan stated that because the businesses are on the west side of the street, that side represented prime parking. He then stated that to the south, there is parking either on the east side and that people may do an illegal u-turn to get to the west side. Mr. Millan stated that when you look at the report, the study area was shrunken to a radius closer to the site. He stated that they wanted to know what would happen in close proximity to the site. Mr. Millan also stated that they took into account the shrunken study area to 300 feet from the site. He noted that Kenilworth is slightly south to the parking lot entrance and that they went to 628 Green Bay Road on the south and 48 Green Bay Road to the north. Mr. Millan stated that when they used the 300 foot area, when people are shopping, the prime space is 300 feet to the door. He noted that a car length is 16 feet and that a parking space measured 19 feet.

Mr. Rourke stated that south on Green Bay Road is not as popular with businesses.

Mr. Krucks asked that since they observed parking two days in February, they cannot say with certainty that it is representative during the other times of the year. He also stated that consideration should be given that it may be the holiday weekend.

Mr. Millan stated that in the summer, other business may be higher.

Mr. Golden stated that they cannot say with certainty unless they made observations every day. He informed the Board that there is a small amount of staff in the office on Saturday.

Chairman Adams asked if there were any other comments.

Mr. Myers asked Mr. Golden if they engaged in conversation with the other businesses in order reach an agreement in terms of the usage of parking spaces and how many agents park across the street versus within 300 feet.

Mr. Golden stated that they did not and that some businesses appreciate them there such as the restaurants. He noted that Marco Roma and Captain Nemo's get business from them. Mr.

Golden also informed the Board that they purchased permits for their employees and that they encourage the agents to do the same thing. He stated that traffic and the usage of the space is good for the Village and that while they are not attempting to hurt business on the street, they are trying to be reasonable.

Chairman Adams then called the matter in for discussion. He noted that the Board is to discuss the special use and variations.

Mr. Myers stated that he is sympathetic and that he would take the traffic study as a good representation. He stated that they could ask for additional days and that unfortunately, they are in a period of the year which is lower for real estate. Mr. Myers stated that would not be a reasonable request and that they may only get a marginally more accurate representation.

Mr. Myers stated that on the weekdays there is a fair amount of usage of parking spaces in the 300 foot area. He stated that with regard to the group of businesses which signed the petition, he is sympathetic to their concerns and that they are dealing with a change in perception from a neighborhood where there was always easy parking since there was little traffic. Mr. Myers stated that the question for the Board is what is a reasonable request of the customers or employees which would not adversely affect business. He commented that he hoped that the neighborhood and businesses grow to make greater usage. Mr. Myers described the request as reasonable and that he understood that current businesses are saying there is an effect, but that he did not think it is adverse in terms of being substantially injurious, which is a standard that the Board is being held to. He also stated that they have not heard testimony that it had or will be substantially injurious by the addition of space and that it is not unreasonable to ask someone to walk 1½ blocks to a business in the area.

Mr. Lane stated that there are two separate sets of standards to be considered. He stated that he agreed with Mr. Myers' comments. Mr. Lane stated that while the study is not perfect, with any consultant, the more study which is done, the more accurate it will be. He stated that the Board should rely on the prior experience and information provided. Mr. Lane also indicated that two days of observation is reasonable and that clearly, there are parking spaces available, especially on Saturday. He stated that there was the same conclusion as at the last Board meeting with regard to the parking study.

Mr. Lane then stated that with regard to pushing back towards the alley, there is a special and unique situation since the alley is not used. He also stated that the Village has no issue with ultimately paving the alley and using it if they had to, which represented a unique circumstance. Mr. Lane then stated that with regard to reasonable return, without the addition, he is not sure if it would apply to the building in general versus the business and that he understood the testimony as to what agents want and that it made sense to him for the agents to want space and want their own desk. He suggested that they look at the previous testimony which stated that there were 9 to 10 people and what the averages are in the results currently.

Mr. Lane stated that he is generally in favor of the request and that he is sympathetic to the other business owners. He stated that he asked and got an answer with regard to the potential effect on business in that it would be inconvenient and represent a change in expectations. Mr. Lane indicated that he would like to see the applicant spend more time and work with the neighboring businesses and that the window may be covered and that they need to deal with it. He also suggested that there be definite plans to work with them before a decision like this is made.

Mr. Myers noted that in the documents, the applicant stated that they planned to work with them.

Mr. Lane stated that while he is generally in favor of the request, he had difficulty with regard to reasonable return.

Ms. Johnson stated that while she had no problem with the special use, she had difficulty with regard to reasonable return, the hardship and unique circumstances. She stated that the agents want their own desk regardless of how much they use it and that it is not an absolute barrier to them to accommodate growth. Ms. Johnson also stated that there has been no evidence to the contrary. She stated that it is hard to see why the applicant needed to add all those desks when they have few people in the office and few clients there.

Ms. Johnson then stated that on the other hand, the applicant did improve the area and are recapturing three parking spaces on the west side of Green Bay Road. She also noted that the applicant agreed to pay for curb cut restoration and that the three parking spaces represent a major factor since they have not been used in 20 years on the south. Ms. Johnson stated that with regard to the east side parking issue, the police need to be more vigilant in enforcing the 90 minute limit. She also stated that while the amount of parking is not as pure as the analysis suggested, she stated that there are more creative ways. Ms. Johnson then stated that the applicant can get reasonable return without adding 1,000 square feet and that the promise of the applicant to restore curb cuts tipped the balance. She concluded by stating that with regard to the special use, she had no problem with the standards.

Mr. Krucks stated that he is sympathetic to the complaints of the residents and business owners with regard to parking, especially parking which is taken by employees. He also stated that he agreed with the observation that there is inconsistent enforcement by the police department in Indian Hill. Mr. Krucks then stated that the hardship requirement has not been met and that there may be hardship only with regard to the applicant's business plan.

Chairman Adams stated that he agreed with the comments made and that he is in favor of the special use permit and that the business is already there. He stated that the request is problematic in connection with adequate parking which related to the fifth requirement. Chairman Adams stated that the Board must rely on the Village expert analysis of the traffic study and that the study was done at the busiest time of year for the business.

Chairman Adams stated that with regard to the variation, he is troubled in connection with reasonable return. He then stated that he supported the fact that the property had been empty for

a long time and that the applicant has done a nice job of bringing it back and bringing more traffic to the area. Chairman Adams indicated that he is not convinced that the applicant cannot yield reasonable return. He asked if there were any other comments.

Ms. Johnson stated that she would like to point to two items in connection with the variation request. She stated that they have said that the extra 1,000 square feet is benign for the application since it is not a restaurant or other noisy operation. Ms. Johnson stated that on the other hand, the business does not generate tax revenue for the Village. She referred to the difficult and strict application of the variance standards which she commented are hard to meet. Ms. Johnson also stated that there has been no contrary evidence. She then stated that there could be conforming alternatives such as the agents sharing the desks more or to carve the space differently inside.

Chairman Adams then asked for a motion to approve the special use and a different motion for the variations.

Mr. Myers moved to recommend approval of the special use and referred to page nos. 10 and 11 in the packet of materials as rationale for recommending approval of the special use. He again moved to approve the special use permit and enter into the record the findings included on page nos. 10 and 11 in the packet of materials as follows:

1. The Applicant hereby states the Special Use will not be detrimental to or endanger the public health, safety, comfort, moral or general welfare. With over 1,100 real estate agents, @ properties is one of the largest, independently owned real estate brokerage companies in the United States. Known throughout the Chicagoland area, @ properties offices are an integral part of the community, supporting numerous community events and charitable causes throughout the year.
2. The Applicant hereby states the Special Use will not be substantially injurious to the use and enjoyment of the other property in the immediate vicinity which are permitted by right in the district of concern, nor diminish or impair the property values in the immediate vicinity. In fact, just the opposite is true. @ properties is making a substantial investment in expanding the building which in turn will help support property values in the area.
3. The Applicant hereby states that the establishment of the Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern. As stated in the attached traffic study, there currently exists plenty of available parking for the applicant's intended use. With today's advanced technology, real estate agents spend less time in the office and more time working out of their homes or in the field. The office has become a place of support for the agents, where they come to pick up marketing information and materials but not necessarily work.

4. The Applicant hereby states that adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways; The attached traffic study addresses this in detail and indicates that there is plenty of available public parking during the applicant's proposed hours of use. In fact, the applicant's intended use will more than likely result in less parking being used than another applicant who may occupy the premises.
5. The Applicant hereby states that adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided. If approved, only 1,000 square feet of building will be added to the existing structure. Therefore the existing utilities, drainage and improvements are sufficient for the applicant's intended use.
6. The Applicant hereby states that the Special Use in all other respects conforms to the applicable regulations of this and other Village ordinances and codes. Ultimately, the final determination will be made by the Village staff but the applicant is confident that the proposed Special Use is within Village guidelines for this district.

Mr. Lane seconded the motion.

A vote was taken and the motion was unanimously passed, 5 to 0.

AYES: Adams, Johnson, Krucks, Lane, Myers

NAYS: None

### **Standards for Granting Special Uses**

The standards for granting special uses are set both by statute and by Village Code. Section 17.56.010 requires that special uses be permitted only upon evidence that they meet standards established by the applicable classification in the zoning ordinances. Conditions "reasonably necessary to meet such standards" are specifically authorized. Section 17.56.010 establishes the following standards for granting special use permits:

- That the establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
- That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;

- That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
- That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
- That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided;
- That the special use in all other respects conforms to the applicable regulations of this and other Village ordinance and codes.

### **Imposition of Conditions**

Special use permits are frequently referred to as “conditional use permits,” because an essential element of all special uses is the imposition of conditions designed to offset the negative impact of the use proposed.

The recommendation from the Zoning Board of Appeals may include recommended stipulations, restrictions, or conditions that it considers necessary “to assure the protection of the public health, safety, comfort, morals, or general welfare.”

The Village Council is not bound by the recommendation of the Zoning Board of Appeals and retains the discretion to grant, deny, or modify the special use application. The Zoning Ordinance specifically authorizes the Council to apply stipulations, conditions, or restrictions as the Council itself deems necessary to assure the protection of the public health, safety, comfort, morals, or general welfare. The Village Council may also require evidence and guarantees that it deems necessary to assure compliance with the stipulations, conditions, or restrictions imposed. The guarantees are often in the form of recorded restrictive covenants.

Following are examples of typical conditions imposed for the issuance of special use permits:

- provide additional off-street parking
- upgrade area utilities
- provide landscaping, fences, and/or other visual elements to screen the more negative aspects of the special use from view or to serve as a buffer between the special use and adjoining residential uses
- provide secure fencing to make hazardous areas of the proposed use inaccessible.

Just as the relief granted by a zoning variation should be related to the hardship claimed, there must be a nexus between the conditions imposed for a special use and a defined negative impact or public need that arises as a result of the special use. This requirement is found in the statutory and ordinance provisions that require that the stipulations, conditions, or restrictions be only those that are “necessary” to protect the general public or to assure compliance with zoning and other regulations. The necessity addressed by the conditions need not be an absolute necessity. Courts that have interpreted this provision have construed it to mean what is “expedient” or “reasonably convenient” to the public welfare. Some courts have found that the conditions imposed must bear a “real and substantial” relation to the public health or general welfare.

Chairman Adams then asked for a motion with regard to the requested variations.

Mr. Myers stated that he would be in favor of granting the request.

Mr. Krucks stated that he would oppose the variation request.

Ms. Johnson stated that she would also oppose the variation request.

Chairman Adams again asked for a motion.

Ms. Johnson moved to recommend denial of the request for the intensity of use of lot and rear yard setback because the applicant has not established that they cannot get reasonable return without the approval of the variations and that there has been no evidence of hardship or practical difficulty which would deprive the applicant the reasonable use of the property without the variations. She stated that with regard to the findings, the property can yield a reasonable return and that there are no unique circumstances established which are associated with the character of the property as opposed to the occupants. Ms. Johnson stated that the request did meet standard nos. 3 through 8 although standard no. 4 with regard to adequate light to adjacent properties has not been resolved with the Village or the property owner.

Mr. Krucks seconded the motion. A vote was taken and the motion was passed, 3 to 2.

AYES: Adams, Johnson, Krucks

NAYS: Lane, Myers

### **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 not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance. The proposal is not 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 no practical difficulties or a particular hardship which prevents strict application of Section 17.46.040 [Intensity of Use of Lot] and Section 17.46.080 [Rear Yard Setback] of the Winnetka Zoning Ordinance which is related to the use or alteration of the building.

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

1. The property can yield a reasonable return if permitted to be used only under the conditions allowed by the zoning regulations. No evidence of hardship or practical difficulty was provided that establishes the applicant would be deprived a reasonable return without the approval of the Intensity of Use of Lot and Rear Yard Setback variations.
2. The plight of the applicant is not due to unique circumstances which are related to the property, but are more related to the applicant's business plan.
3. The variations, if granted, will not alter the essential character of the locality. The proposed one-story addition is compatible, in general, with the character of the existing commercial development in the immediate neighborhood.
4. An adequate supply of light and air to adjacent property may be impaired by the proposed variations, as there are proximate structures to the proposed addition. Any issues with the second floor window on the adjacent building to the south must be resolved with the applicant, neighboring property owner, and the Village in order to ensure compliance with the building code.
5. The hazard from fire or other damages to the property will not be increased as the proposed improvements shall comply with building code standards, including fire and life safety requirements.
6. The taxable value of land and buildings throughout the Village will not diminish. The proposed construction is generally an improvement to the property.
7. Congestion in the public streets will not increase.
8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired.

**VILLAGE OF WINNETKA M-ORDINANCES / 2010 / ORDINANCE NO. M-5-2010  
ORDINANCE NO. M-5-2010**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A REAL ESTATE OFFICE WITHIN THE C-1 LIMITED RETAIL COMMERCIAL ZONING DISTRICT (26-30 Green Bay Road)

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

**WHEREAS**, the Council of the Village of Winnetka (“Village Council”) find that establishing standards for the use and development of lands and buildings within the Village and establishing and applying criteria for variations from those standards are matters pertaining to the affairs of the Village; and

**WHEREAS**, @Properties, is the owner of the following described real estate (the “Subject Property”), which is commonly known as 26-30 Green Bay Road:

Lots 31 and 32 (except the Northeasterly 20 feet thereof) in Block 1 in Manus Indian Hill Subdivision of parts of the North ½ of Section 28, Township 42 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded June 22, 1922 as Document 7550571, in Cook County, Illinois; and

**WHEREAS**, the Subject Property is located in the Indian Hill business district, on the west side of Green Bay Road, in the C-1 Limited Retail Commercial Zoning District provided for in Chapter 17.40 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

**WHEREAS**, the Subject Property is improved with a one-story building that was constructed in 1945; and

**WHEREAS**, the Subject Property has been vacant for 12 years, and is bounded on the north by a vacant lot and on the south by a strength training clinic; and

**WHEREAS**, pursuant to Section 17.40.020(B) of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, certain uses are permitted only as special uses in the C-1 Limited Retail Commercial Zoning District; and

**WHEREAS**, uses that are permitted as special uses in the C-1 Limited Retail Commercial Zoning District are enumerated in Chapter 17.46 of the Winnetka Zoning Ordinance; and

**WHEREAS**, on December 28, 2009, @Properties (“Applicant”) filed an application for a special use permit pursuant to Section 17.40.020(B) of the Winnetka Zoning Ordinance, to allow a real

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estate sales office to occupy the space at 26-30 Green Bay Road; and

**WHEREAS**, the stated purpose of the proposed special use is to allow @Properties to remodel the existing space for use as a real estate office for a staff of nine full and part-time employees and agents; and

**WHEREAS**, on January 27, 2010, on due notice thereof, the Plan Commission convened to consider the requested special use, at which time the ten members of the Plan Commission then present unanimously found the proposed special use to be consistent with the Comprehensive Plan and recommended that it be approved; and

**WHEREAS**, on February 8, 2010, on due notice thereof, the Zoning Board of Appeals held a public hearing to consider the special use permit and the five members then present unanimously voted to recommend approval of the request; and

**WHEREAS**, the separate proceedings before the Zoning Board of Appeals and the Plan Commission both included questioning of the Applicant by members of the Zoning Board of Appeals and the Plan Commission; and

**WHEREAS**, no owners of property located within 250 feet of the Subject Property filed written objections, submitted any evidence, or requested an opportunity to cross-examine witnesses at either the Zoning Board of Appeals hearing or the Plan Commission meeting; and

**WHEREAS**, the proceedings of the Zoning Board of Appeals and Plan Commission conformed with all requirements of their procedural rules, the Winnetka Village Code and applicable statutes of the State of Illinois; and

**WHEREAS**, special uses granted pursuant to Section 17.40.020(B) are subject to the conditions and requirements set forth in Chapter 17.56 of the Winnetka Zoning Ordinance; and

**WHEREAS**, the proposed special use would allow the renovation of a vacant building and would contribute to the revitalization of the surrounding area; and

**WHEREAS**, @Properties, the business for which the special use is being sought, has been in business since 2000 and has offices in Evanston and Chicago; and

**WHEREAS**, the proposed special use will neither endanger nor be detrimental to the public health, safety, comfort, morals or general welfare in that the proposed real estate office will be replacing another office that was previously housed in the building; and

**WHEREAS**, the proposed special use will not either substantially diminish or impair property values in the immediate vicinity, nor will it impede the normal and orderly development and improvement of other property in the immediate vicinity for uses permitted by right in the zoning district in that area, in that (i) the area is already developed, (ii) there are a variety of other uses in the vicinity and (iii) the proposal will result in the renovation an existing vacant space, which

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will add vitality to the area; and

**WHEREAS**, adequate measures have been taken to provide ingress and egress in a manner that minimizes pedestrian and vehicular traffic congestion in the public ways, in that the renovated space will continue to use the existing streets, sidewalks and access routes to the Subject Property; and

**WHEREAS**, subject to the terms and conditions of this Ordinance, adequate parking, utilities, access roads, drainage and other facilities necessary for the operation of the special use already exist; and

**WHEREAS**, the proposed special use in all other respects conforms to the applicable zoning regulations and other applicable Village ordinances and codes; and

**WHEREAS**, the proposed special use is consistent with the *Winnetka 2020* objective to “ensure that commercial, institutional, and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood;” and

**WHEREAS**, the proposed special use is consistent with the *Winnetka 2020* objectives to: (a) “limit commercial, institutional and residential development within the Village to minimize potentially adverse impacts on adjacent residential neighborhoods and to prevent the need for significant increases in infrastructure and other community resources;” and (b) “ensure that development proposals minimize the potential adverse impact they might have on residential neighborhoods, including the impact on pedestrian character, on-site parking, traffic patterns, congestion, open space, storm water management and Village infrastructure;” and

**WHEREAS**, the proposed special use is consistent with the *Winnetka 2020* goal to “provide for a wide range of office/service and retail commercial land uses and development within the existing business districts in the Corridor;” and

**WHEREAS**, the proposed special use is consistent with the *Winnetka 2020* objective to “maintain the essential quality, viability and attractiveness of Winnetka’s business districts while encouraging new economic development consistent with the character of the Village and the individual business districts;” and

**WHEREAS**, the proposed special use is consistent with the *Winnetka 2020* objective to: (a) “ensure that new development does not decrease public parking supply, particularly on-street parking that supports retail use;” and (b) “guide any redevelopment of the Indian Hill Business District so as to preserve the residential character of the adjacent neighborhood;” and

**WHEREAS**, based on all of the foregoing, and subject to the terms and conditions of this Ordinance, the proposed special use satisfies the standards for special uses set forth in section 17.56.010 of the Winnetka Zoning Ordinance and the additional standards of Chapter 17.46 that apply to requests for real estate office uses within the C-1 Limited Retail Commercial Zoning

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District.

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

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

**SECTION 2:** Pursuant to Section 17.46.010 of the Winnetka Zoning Ordinance, and subject to the terms and conditions hereinafter set forth, a special use is hereby granted to the Subject Property, commonly known as 26-30 Green Bay Road, Winnetka, Illinois, and located in the C-1 Limited Retail Commercial Zoning District provided in Chapter 17.40 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, to allow the real estate sales office of @Properties, as depicted in the plans submitted with the application.

**SECTION 3:** The special use permit hereby granted is subject to the following conditions:

- A. The vacant lot to the north of the Subject Property will not be used for parking purposes by visitors or real estate agents unless and until @Properties acquires title to the vacant lot and obtains a special use to permit from the Village of Winnetka for a surface parking lot on that property.
- B. The stipulations, conditions and restrictions set forth in the foregoing Section 3 of this Ordinance may be modified or revised from time to time by the Village Council following public notice and hearing, following the procedures specified in Section 17.56 of the Winnetka Village Code for processing special use applications.
- C. In addition to the foregoing, the special use granted pursuant to this Ordinance shall be subject to expiration or termination as provided in Section 17.56.010 (J) of the Winnetka Zoning Ordinance.

**SECTION 4:** This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

**SECTION 5:** This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

**PASSED** this 6<sup>th</sup> day of April, 2010, pursuant to the following roll call vote:

AYES: Trustees Greable, Johnson, Pedian, Poor, Spinney

NAYS: None

ABSENT: Trustee Rintz

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**APPROVED** this 6<sup>th</sup> day of April, 2010.

Signed:

s/Jessica B. Tucker

Village President

Countersigned:

s/Douglas G. Williams

Village Clerk

Introduced: March 16, 2010

Posted: March 17, 2010

Passed and Approved: April 6, 2010

Posted: April 9, 2010