

Winnetka Village Council
Rescheduled Regular Meeting

Winnetka Police Department
410 Green Bay Road
Tuesday, January 10, 2012
7:30 p.m.

Emails regarding any agenda item are welcomed. Please email rbahan@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 17, 2012, Regular Meeting.
 - b) February 7, 2012, Regular Meeting
- 4) Approval of Agenda
- 5) Consent Agenda
 - a) Village Council Minutes
 - i) December 13, 2011, Study Session.....3
 - b) Warrant Lists Nos. 1731 and 17325
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- 6) Stormwater Update (Oral Report)
- 7) Ordinances and Resolutions
 - a) Ordinance M-1-2012 - Landmark Designation: 545 Oak St. – Introduction.....11
 - b) Ordinance M-2-2012 - Special Use Permit and Zoning Variations: @ Properties, 30 Green Bay Rd. – Introduction.....59
 - c) Resolution R-2-2012 - New Trier Partners – 718-732 Elm Redevelopment: Consent to Proceed with Conditional Purchaser – Adoption.....151
- 8) Public Comment
- 9) Old Business
- 10) New Business
- 11) Reports

12) Appointments

13) Executive Session

14) Adjournment of Rescheduled Regular Meeting

NOTICE

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Videos of the Regular Village Council meetings are televised on Channel 10, Mondays, Wednesdays, and Fridays at 7:00 p.m. Videos of the meeting may also be viewed on the Internet via a link on the Village's web site: www.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, (Telephone (847) 716-3540; T.D.D. (847) 501-6041).

**MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION**

December 13, 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, December 13, 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 in attendance: Village Manager Robert Bahan, Village Attorney Katherine Janega, Finance Director Ed McKee, Public Works Director Steve Saunders, Assistant Community Development Director Brian Norkus, Police Chief Patrick Kreis and approximately 7 persons in the audience.
- 2) Consolidated Dispatch: Manager Bahan and Chief Kreis reported to the Council on discussions which began in 2009 concerning the consolidation of the dispatch centers of the Winnetka, Northfield and Kenilworth police departments. Tom Pavek of Elert and Associates presented the feasibility study prepared by his firm, which recommends that the three communities consolidate their public safety communications operations to improve emergency dispatch services and provide long-term capital expense savings.

Council discussion included comments regarding staffing, cost savings, Next Generation 911 services, grant opportunities and implementation.

Chief Kreis explained that the first step was to formalize an intergovernmental agreement between the communities; planning would begin and implementation would be in the second year.

President Tucker ascertained that there was consensus among the Trustees to accept the staff recommendation to support the findings of the feasibility report, advance the exploratory phases of the project and draft an intergovernmental agreement and implementation details.

- 3) Sanitary sewer evaluation. Public Works Director Steve Saunders reported on the continuing effort to mitigate stormwater flooding and sanitary sewer back up, and stated that staff is proposing a process to identify and address causes of the backups. He described the condition known as inflow/infiltration, which occurs when stormwater enters the sanitary sewer systems, causing the pipes to surcharge and water to backup into unprotected basements. Mr. Saunders proposed a physical assessment of the sewer system (Sanitary Sewer Evaluation Survey or SSES), to evaluate the condition and effectiveness of Winnetka's sanitary system and to monitor the flow of water to the 46 sewer basins in the Village. He added that he has identified three consulting engineering firms with expertise in this type of work and has prepared a draft Request for Proposal for providing an SSES for the Village.

After a short discussion in which Trustee Rintz suggested including a requirement for periodic progress reports in the RFP, the consensus of the Trustees was to authorize

staff to solicit proposals from qualified engineering firms to conduct a Sanitary Sewer Evaluation Survey for the Village.

- 4) METRA Station Coffee Concession. Assistant Director of Community Development Brian Norkus reported on the four proposals staff received for the coffee concession at the Elm Street station, and explained the six different evaluation factors: rental rate, hours of operation, quality of food and beverages, extent of other sundry convenience items offered, staffing and experience in food service and sanitations, and evidence of adequate financial resources. The proposal received from Cafe Francais was rated best all around in 4 of 6 categories and Mr. Norkus asked the Council's approval to negotiate a 2-year lease with a 2-year option for renewal.

The Trustees expressed general approval and the consensus was to move forward with the lease negotiation.

- 5) Public Comment: None.
- 6) Executive Session. None.
- 7) Adjournment. Trustee Greable, seconded by Trustee Kates, 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 9:15 p.m.

Deputy Clerk

AGENDA REPORT

SUBJECT: **Warrant Lists Nos. 1731 and 1732**

PREPARED BY: Robert Bahan, Village Manager

DATE: January 5, 2012

Warrants Lists Nos. 1731 and 1732 are enclosed in each Council member's packet.

Recommendation: Consider approving Warrants Lists Nos. 1731 and 1732.

AGENDA REPORT

Subject: **Lead Service Replacements; Change Order, Rick’s Sewer and Drainage**

Prepared by: Brian Keys, Director Water & Electric

Ref: February 15, 2011 Council Meeting, pp. 13-14
 November 1, 2011 Council Meeting, pp. 6-7

Date: January 5, 2012

In 2007, the Council adopted Ordinance MC-9-2007, which amended Section 13.04.100 of the Village Code to address the allocation of costs for the replacement of lead water service lines (Reference Exhibit A). For residential properties, the Village assumes the cost of replacing the lead service connection between the property line and the main. In the case of non-residential properties, the Village assumes the cost of replacing the lead service between the curb and the main.

Due to the recurrent nature for these services, a bid document was issued to secure contractor resources for the replacement of lead water services on an annual basis. Each bidder provided fixed prices for various units of work and the bid evaluations were based on the estimated annual quantity of work. In February 2011, Rick’s Sewer and Drainage, was awarded a contract in the amount of \$99,058 for lead service replacements during FYE 2012. In November 2011, staff requested an additional \$64,000 of funding which increased the total award to \$163,058.

To date, the contractor has replaced twenty one lead water services during FYE 2012 at a cost of \$154,031 (average cost \$7,335 each). It is anticipated that additional replacements will be required prior to the close of the current fiscal year. Enclosed below is a summary of the lead service replacements.

Fiscal Year	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012 YTD
No. of Services Replaced	12	18	11	22	21
Avg. Cost	\$4,814	\$5,132	\$6,876	\$6,748	\$7,335

Staff is requesting authorization for an additional \$36,675 of funding to replace leaking lead water services. This would increase the total award to Rick’s Sewer and Drainage to an amount not to exceed \$199,733. The FYE 2012 budget (account 52-67-640-303) contained \$130,000 for the replacement of leaking lead water services.

Recommendation:

Consider authorizing the Village Manager to execute a change order with Rick’s Sewer and Drainage in the amount of \$36,765 for the replacement of lead water services through March 31st, 2012 at the unit prices contained in Bid #011-002.

Exhibit A

Excerpt from Village of Winnetka Code, Section 13.04.100 Water Service Connections

D. Allocation of Certain Costs to Village.

1. Service connection breaks caused by Village. In the event a service connection break is caused by work being performed by the Village, its employees, agents or contractors, the Village or such agent or contractor shall, at no cost to the owner, repair the service connection, which may include the replacement of all or part of the service connection.

2. Repairs to service connections in single-family residential districts. In the event of a service connection break in a single-family residential zoning district, as defined in Title 17 of this Code, if the service connection break is located between the main and the property line, and if the roadway is located within one foot of the property line or between the property line and the curb, the Village or its contractor shall repair the portion of the line between the roadway and the main. As part of such work, the Village, in its sole discretion, may relocate the roadway to a location within one foot of the property line, in which case the Village will also supply the roadway at no additional cost to the owner. In the event such service connection break is in a lead service, the Village will assume the cost of replacing that portion of the service connection line from the main to within one foot of the property line.

3. Repairs to service connections in multi-family, commercial and light industrial districts. In the event of a service connection break in a service connection on property located in a multi-family, commercial or light industrial zoning district, as defined in Title 17 of this Code, the Village will assume the cost of repairing or replacing that portion of the service connection line from the Village's water main up to the curb nearest the property being served, regardless of the location of the roadway. If the roadway is located between the building line and the curb, the Village shall have the sole discretion to relocate the roadway to a location closer to the curb, in which case the Village will also supply the roadway at no additional cost to the owner. In the event such service connection break is in a lead service, the Village will assume the cost of replacing that portion of the service connection line from the main to the curb nearest the property being served.

AGENDA REPORT

Subject: Change Order #1: Bid Number 11-018 – Trapp Lane Roadway and Utility Improvements Construction Costs

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

Date: January 4, 2012

Ref: June 7, 2011 Council Meeting

On June 7, 2011, the Village Council awarded a contract to Copenhaver Construction of Gilberts, Illinois, for the Trapp Lane Roadway and Utility Improvement project, in the amount of \$449,886.50. The project consists of the reconstruction of Trapp Lane including the installation of curb and gutter, the construction of a new storm sewer, and water main extension. The project is substantially complete.

During construction, it was necessary to add three Time and Material Lump Sum pay items to handle unforeseen field conditions; clearing of additional brush to facilitate the installation of storm sewers, adjusting a sanitary sewer service line that conflicted with the proposed storm sewer line, and adjusting the grade of existing electric utility structures.

In addition, two contract pay items were identified on the plans and specifications, but were not included in the unit price bid form, which resulted in adding unit prices for 12 PVC Storm Sewer (21 linear feet) and Hot Mix Asphalt Driveway Replacement (1,441.2 square yards). Finally, there were various increases and decreases in the constructed quantities of various pay items required for the proper completion of the project.

These factors result in a total increase of \$53,260.14 in the construction contract amount as summarized below:

Time & Materials #1 (Brush Clearing)	\$759.19
Time & Materials #2 (Sanitary Sewer Service Relocation)	\$3,845.78
Time & Materials #3 (Adjustment of Electric Utility Structures)	\$1,952.12
Storm Sewer PVC SDR 26, 12", 21 FOOT (Missing Pay Item)	\$987.00
Hot Mix Asphalt Driveway, 2", 1441.2 SY (Missing Pay Item)	\$43,236.00
Addition and Deletion of Contract Plan Quantities	\$2,480.05
TOTAL CHANGE ORDER	\$53,260.14

Recommendation:

Consider authorizing Change Order #1 to the Trapp Lane Roadway and Utility Improvements project in the amount of \$53,260.14.

AGENDA REPORT

SUBJECT: Change Order for Primary Cable, The Okonite Company

PREPARED BY: Brian Keys, Director Water & Electric

REF: April 7, 2011 Council Meeting, pp. 11-15
 June 7, 2011 Council Meeting, pg. 75
 October 4, 2011 Council Meeting, pg. 37

DATE: January 5, 2012

The Water & Electric Department issued Bid Number 11-007 for the purchase and delivery of cable for the period of April 1, 2011 through March 31, 2012. Vendors provided unit prices for each of the cables required on the electric system. Bid prices are indexed to the cost of metals.

At the April 7, 2011 Council Meeting, the Village Manager was authorized to award two purchase orders for the procurement of primary and secondary cable. Based on the bid evaluation, the primary cable was awarded to the Okonite Company in an amount not to exceed \$340,248 and the secondary cable was awarded to Wesco in an amount not to exceed \$111,395. The Village Council has since awarded the Okonite Company two change orders; \$69,502 on June 7th and \$69,434 on October 4th, for additional cable.

In order to insure an adequate supply of underground residential distribution (URD) primary cable is available for upcoming projects and through the transition of the bid process and fiscal year, staff is requesting authorization to purchase an additional 3,500 ft. of three phase 1/0 15kV primary cable and 5,500 ft. of the single phase 1/0 15kV cable. This is the smaller sized primary cable that is predominantly used for connections between transformers or switchgear-to-transformer connections. The manufacturing lead-time for this cable is 10-12 weeks.

The requested change order amount is \$81,961. The change order amount includes additional funds for manufacturing length tolerances as noted below.

1/0 15kV PRIMARY CABLE

Additional Quantity Required 3,500 ft. 3 ph. 5,500 ft. 1 ph.	Metals Escalation	Shipping Length Tolerance (5%) & Packaging	Requested Amount
\$78,058.00	\$0	\$3,902.90	\$81,960.90



\$81,961

The FY2011-12 Budget contains \$1,207,500 (account #50-47-640-209) for the purchase and installation of cable. The Village Council has previously approved purchase orders (including change orders) for \$590,579 of cable purchases and \$220,393 of wire pulling services.

Recommendation:

Consider authorizing the Village Manager to award a change order to the Okonite Company in the amount of \$81,961 for the purchase of 15kV 1/0 primary cable at the unit prices bid, subject to the contract conditions.

AGENDA REPORT

SUBJECT: Change Order for Secondary Cable, Wesco

PREPARED BY: Brian Keys, Director Water & Electric

REF: April 7, 2011 Council Meeting, pp. 11-15

DATE: January 5, 2012

The Water & Electric Department issued Bid Number 11-007 for the purchase and delivery of cable for the period of April 1, 2011 through March 31, 2012. Vendors provided unit prices for each of the cables required on the electric system. Bid prices are indexed to the cost of metals.

At the April 7, 2011 Council Meeting, the Village Manager was authorized to award two purchase orders for the procurement of primary and secondary cable. Based on the bid evaluation, the primary cable was awarded to the Okonite Company and the secondary cable was awarded to Wesco in an amount not to exceed \$111,395.

In order to insure an adequate supply of underground secondary cable is available for maintenance, new business projects and the transition of the fiscal year and upcoming bid, staff is requesting authorization to purchase additional quantities of cable. This type of cable is used for connections between a transformer and the customer’s meter pedestal and in streetlight applications.

The requested change order amount is \$61,497. The change order amount includes additional funds for manufacturing length tolerances as noted below.

SECONDARY CABLE

Additional Quantity Required	Metals Escalation	Shipping Length Tolerance (5%) & Packaging	Requested Amount
2,500 ft. of 3-1/c #8 3,000 ft. of 3-1/c 1/0 2,000 ft. of 3-1/c 4/0 500 ft. of 4-1/c 350			
\$58,568.50	\$0	\$2,928.43	\$61,496.93



\$61,497

The FY2011-12 Budget contains \$1,207,500 (account #50-47-640-209) for the purchase and installation of cable. The Village Council has previously approved purchase orders (including change orders) for \$590,579 of cable purchases and \$220,393 of wire pulling services.

Recommendation:

Consider authorizing the Village Manager to award a change order to Wesco in the amount of \$61,497 for the purchase of secondary cable at the unit prices bid, subject to the contract conditions.

AGENDA REPORT

TO: Village Council

PREPARED BY: Ann Klaassen, Planning Assistant

DATE: December 15, 2011

SUBJECT: 545 Oak St. Landmark Nomination
Ordinance No. M-1-2012

On September 19, 2011 the Landmark Preservation Commission (LPC) voted 5-0 to recommend the Village Council designate 545 Oak St. as a Winnetka Landmark. Based upon the adopted System for Evaluation of Landmarks, the property received an overall score of 80.4 points, resulting in a “Unique” rating.

The LPC found 545 Oak St. satisfies the criteria for local landmark designation based upon a variety of factors, most significantly the home’s original design integrity and its association with a historically significant person on the local level, specifically former Village President Louise A. Holland. Furthermore, 545 Oak St., known as the Dr. Paul W. and Eunice Greeley House, is listed on the National Register of Historic Places. A report from the LPC is attached providing full details on all the categories considered by the LPC.

Pursuant to the recommendation of the LPC, Ordinance M-1-2012 designates 545 Oak St. as a Winnetka Landmark. Introduction of the ordinance requires the concurrence of a simple majority of the Council members present.

Recommendation:

Consider introduction of Ordinance M-1-2012, which would designate 545 Oak St. as a local landmark.



REPORT ON PUBLIC HEARING SEPTEMBER 19, 2011

CONSIDERATION OF LANDMARK ELIGIBILITY

Dr. Paul W. and Eunice Greeley House 545 Oak Street, Winnetka

This report is an integral part of the September 19, 2011 Landmark Preservation Commission meeting minutes and the National Register of Historic Places Nomination for the Greeley House prepared by Benjamin Historic Certifications that were prepared separately. It is also compiled based on the submitted application for landmark designation.

Findings of the Commission

Based on the System for the Evaluation of Landmarks contained in the Landmark Preservation Ordinance (see attached rating sheet) 545 Oak St. was rated a “Unique” property with a score of “80.4.”

Architectural Type, Style & Period. The Greeley House was built in 1937 in the Classical Revival style inspired by Greek Revival architecture. The Commission felt that it is an excellent example of late Classical Revival architecture, and unique because it is a literal interpretation of an early 19th century Greek Revival residence. More specifically the Greeley House replicated Dr. Greeley’s family home in upstate New York. According to the report by Benjamin Historic Certifications, written for the Greeley House National Register of Historic Places nomination, it is necessary to classify the residence as Classical Revival in spite of its adherence to the Greek Revival style because of the time period in which it was constructed. Classical Revival Architecture was built well into the 1900’s, whereas Greek Revival architecture implies a building style that was popular between the 1820’s and 1850’s. Its association with Greek Revival architecture makes the Greeley house unusual. In fact, there are only three additional examples of high-style Classical Revival residences in Winnetka besides the Greeley House. Furthermore, the Greeley House is the only residence in Winnetka that is clearly modeled after a Greek Revival house.

Based on these facts, the architectural type, style and period of the home were judged to be “extremely rare,” with a rating of “5.”

Method of Construction. The Greeley House is primarily constructed of brick with some wood, all of which is painted white. It is a variation of the gable front upright and wing subtype, with two

flanking wings. Typical for Greek Revival architecture, the house is symmetrical with a two-story center pavilion and one-story flanking wings on either side. The center entrance is accentuated on either side by projecting bricks and above with an entablature containing a dentil molding made of projecting bricks. Although the house does not have a wide entablature, the gable end is emphasized with a dentil molding of projecting brick. The one-story wings have a projecting gabled roof plane that is supported by four Ionic columns. Above the columns is a simple wood entablature featuring dentil molding.

With regard to rarity in method of construction, the home was judged to be “common” and therefore rated “0.”

Association with a Historical Event, Person, or Cultural Activity. The Greeley House has had three owners. Dr. Paul W. and Eunice Greeley commissioned the home and were the owners until 1960 when Mr. and Mrs. Philip Stone purchased the home. Mr. and Mrs. J. William and Louise A. Holland purchased the home in 1970. As the current owner, Mrs. Holland is the residence’s most long-time owner. Mrs. Holland is a prominent local resident. She has been, and still is, an integral member of many local organizations and groups, most noteworthy were her years as Village Trustee from 1992-1996 and as Village President from 1997-2001.

With regard to association with a historical event, person or cultural activity, the Commission rated the home as a “5,” of “local” significance.

Association with an Architect or Master Builder. The architect for the Greeley House was Frank Polito. Mr. Polito designed a number of residential, institutional, commercial, and educational buildings during his career in Chicago and the surrounding suburbs. Many of the residences designed by Mr. Polito were designed in a historical revival style, the Greeley House was found by Benjamin Historic Certifications to be his only Classical Revival house inspired by Greek Revival architecture.

Mr. Sydney Fiske Kimball is believed to have designed the interior finishes in the dining room of the Greeley House. Though no proof can be found there was a close personal relationship between the Greeleys and Mr. Kimball, he was married to the sister of Eunice Greeley. Also, the interior moldings for the dining room were not included in Polito’s drawings for the home while the rest of the moldings are clearly shown on the plans. Another reason the dining room finishes are believed to have been designed by Mr. Kimball is that the moldings in the dining room are noticeably different from those throughout the other public rooms on the first floor. The dining room features a low-relief molding that is highly stylized with Ionic pilasters evenly spaced along the dining room walls that add an Art Deco feel to the room, whereas the remaining interior spaces feature more formal, classical moldings.

Fiske Kimball began serving as the Director of the Philadelphia Museum of Art in 1925 and retired in 1955. Mr. Kimball was also an advocate for historic preservation. In 1948 he received the Jefferson Presidential Medal for his “tireless devotion” in restoring Thomas Jefferson’s Monticello.

It is also worth noting that the landscaping of the Greeley House was originally designed by the firm of Root & Hollister, a highly regarded landscape firm. Root & Hollister shared an office with Frank Polito in Chicago at the time the Greeley house was built.

The Commission rated the home as a “1,” “architect or builder identified but of no known importance.”

Established or Familiar Visual Feature. The Greeley House sits at the northwest corner of Oak St. and Poplar St. facing south. The Commission agreed that the house is nicely settled on the lot and is architecturally appropriate for the neighborhood. Therefore, the Commission rated the home as a “symbol of a neighborhood or a conspicuous and familiar structure in the context of the entire Village,” warranting a score of “4.”

Originality. The only alteration to the Greeley House was the enclosure of the rear porch in 1974. Given the remarkable integrity of the home, as well as the fact that there have been no alterations to the public spaces or any of the historic detailing, the Commission rated the home’s alterations of design integrity as “excellent,” warranting a score of “5.”

Age of Structure. The Greeley House was constructed in 1937, therefore, the home warrants a score of “2.”

Alteration of Surrounding Properties (View from Property). The homes surrounding the Greeley House are historic themselves, some dating back to 1873, which have not been substantially altered over the years. The landscaping in the area has also remained unaltered. The Commission determined the existing conditions of the surrounding area to be “original,” which warranted a score of “5.”

Alteration of Original Site (View of Property). It is unknown how much of the original landscaping designed by Root & Hollister remains today; however, the original public view of the house itself remains unaltered. The Commission determined the condition of the site to be “original,” which warranted a score of “5.”

Structural Condition. The Commission determined the structural condition to be “good,” which warranted a score of “3.”

Resolution

The Landmark Preservation Commission provides this recommendation of landmark status to the Dr. Paul W. and Eunice Greeley House at 545 Oak Street. They were happy to recommend such an unusual example of Classical Revival architecture that is a literal interpretation of an early 19th century Greek Revival house that maintains remarkable integrity. The Commission found the home to more than satisfy the criteria for local landmark designation.

Based upon these considerations and the System for Evaluation rating of “Unique,” with a score of “80.4,” the Commission unanimously voted to recommend that the Village Council designate the Dr. Paul W. and Eunice Greeley House at 545 Oak Street a local landmark.

SYSTEM FOR THE EVALUATION OF LANDMARKS

TIER 1

<u>CATEGORY</u>	<u>FACTORS</u>	<u>POINT VALUE</u>	<u>WEIGHT*</u>	<u>SCORE</u>
Rarity: Architectural Type, Style and Period	-Extremely Rare	5	<u>1</u>	<u>5</u>
	-Rare	4		
	-Somewhat Rare	2		
	-Common	0		
Rarity: Method of construction and its application	-Extremely Rare	5	<u>1</u>	<u>0</u>
	-Rare	4		
	-Somewhat Rare	2		
	-Common	0		
Association with an Historical Event, Person, or Cultural Activity	-National	5	<u>10</u>	<u>50</u>
	-State, County or Local	5		
	-None	0		
Association with an Architect or Master Builder	-National	5	<u>1</u>	<u>1</u>
	-State, County or Local	5		
	-Architect or builder identified but of no known importance	1		
	-Architect or builder unknown	0		
Established or Familiar Visual Feature	-Symbol of Village as a whole	5	<u>1</u>	<u>4</u>
	-Symbol of a neighbor- hood or a conspicuous and familiar structure in the context of the entire Village	4		
	-A conspicuous and familiar structure in the context of a neighborhood	3		
	-Not particularly conspicuous or familiar	0		

Tier 1 Score 60
(Add Above 5 lines)

*The (or a) category with the highest point value is given a weight of 10. All other categories are weighted 1.

TIER 2

CATEGORY	FACTORS	POINT VALUE		WEIGHT		SCORE
Alteration of (Originality) Design Integrity	-Excellent	(5)				
	-Good	4				
	-Fair	3	x	10	=	<u>50</u>
	-Poor	0				
Age of Structure	-pre-1900	5				
	-1900-1930	3				
	-1931-1950	(2)	x	4	=	<u>8</u>
	-1951 to present	1				
Alteration of Surrounding Properties (View from Property)	-Original	(5)				
	-Minor Alterations	3	x	4	=	<u>20</u>
	-Major Alterations	0				
Alteration of Original Site (View of Property)	-Original	(5)				
	-Minor Alterations	3	x	3	=	<u>15</u>
	-Major Alterations	0				
Structural Condition	-Exceptional	5				
	-Good	(3)	x	3	=	<u>9</u>
	-Fair	1				
	-Deteriorated	0				

Tier 2 Score 102
 (Add Above 5 Lines)
 Avg. Tier 2 Score 20.4
 (Divide Total by 5)

$$\begin{array}{rcl}
 \underline{60} & + & \underline{20.4} \\
 \text{Tier 1 Score} & & \text{Avg. Tier 2 Score} \\
 & = & \underline{80.4} \\
 & & \text{Total Score}
 \end{array}$$

Level of Significance

Total Points	Category
<u>80-94</u>	<u>Unique</u>
65-79	Significant
50-64	Important

LANDMARK PRESERVATION COMMISSION
SEPTEMBER 19, 2011 MEETING MINUTES

Members Present: Louise Holland, Chairperson
Hugh Brower
Susan Curry
Marilyn Garcia
Anne Grubb
Beth Ann Papoutsis

Members Absent: Laura Good

Village Staff: Ann Klaassen, Planning Assistant

Call to Order:

Chairperson Holland called the meeting to order at 7:32 p.m.

Review of Landmark Designation Application: 545 Oak Street

Chairperson Holland recused herself from the discussion of this matter and stated that Ms. Grubb would chair this portion of the meeting.

Chairperson Grubb stated that the request is for the landmark nomination for 545 Oak Street and whether the nomination should be approved or denied. She stated that all of the paperwork is completed very well and that it is very interesting to read about this historic building. Chairperson Grubb then stated that the Commission would vote on the various categories in the System for the Evaluation of Landmarks.

Ethan Holland, 510 Poplar, introduced himself to the Commission as the next door neighbor and that he also grew up in the home.

Chairperson Grubb commented that the home is very gracious with regard to the way it sits on the lot. She then referred to the integrity of the home.

Chairperson Grubb referred to the first category on the System for the Evaluation of Landmarks, which related to the Rarity of the Home, the Architectural Type, Style and Period.

Mr. Brower stated that the study indicated that it is the only Greek revival home in the Village.

The Commission determined that the home is extremely rare (5).

Chairperson Grubb stated that the next category related to Rarity: Method of Construction and its Application. She noted that it is a white brick home. Chairperson Grubb also stated that there was something else in connection with this category that the Commission is to consider, such as how well it was constructed or whether anything had been added to the home.

Ms. Holland stated that white brick construction is common.

The Commission determined that this category rated common (0).

Chairperson Grubb stated that the next category related to Association with a Historical Event, Person or Cultural Activity. She noted the home's association with a former Village President.

The Commission determined that this category rated State, County or Local (5).

Chairperson Grubb stated that the next category related to Association with an Architect or Master Builder. She then referred to Frank Polito as the architect and asked if he is a nationally known architect.

Ms. Holland responded that he is not. She suggested a rating of 1 and that he is an architect of no known importance. Ms. Holland informed the Commission that the home was copied from the home that Dr. Greeley lived in New York. She also stated that the moldings were not in the original plans for the home and that his brother-in-law (Sydney Fiske Kimball) was the curator of Federal Furniture and eventually was the head of the Philadelphia Museum of Art and was revered in Philadelphia in terms of Greek Revival architecture. Ms. Holland stated that while the architect built a lot of homes, he could not be compared to Frank Lloyd Wright.

The Commission determined that this category rated a 1.

Chairperson Grubb stated that the next category related to Established or Familiar Visual Feature. She suggested a rating of 4 and that the home established the neighborhood. Chairperson Grubb also commented that the home is nicely settled on the lot.

The Commission determined that this category rated a 4.

Chairperson Grubb referred to the Tier 1 score.

Ms. Klaassen stated that the Commission has to decide which one is to be given the highest point value, such as the Rarity of the Architectural Type or Association with a Historical Event or Person.

Chairperson Grubb then asked the Commission members for their comments.

A Commission member commented that it is a very important person's home in the community

and that it is very significant that it fit with the architecture. The Commission decided the Association with a Historical Event, Person, or Cultural Activity would be given the most weight in Tier 1.

Chairperson Grubb determined that the Tier 1 score is 60. She then stated that the Commission would review Tier 2 and referred to the first category of Alteration of (Originality) Design Integrity. Chairperson Grubb asked Ms. Holland if there were any alterations to the home.

Ms. Holland stated that the rear porch was altered and that it was enclosed.

Chairperson Grubb suggested a rating of excellent (5).

Several Commission members agreed with Chairperson Grubb's suggestion.

Chairperson Grubb stated that the next category related to the Age of the Structure and noted that the home was built in 1937, which merited a rating of 2.

The Commission determined that this category rated a 2.

Chairperson Grubb stated that the next category related to Alteration of Surrounding Properties (View from Property). She asked the Commission members for their comments.

Ethan Holland stated that there are a lot of old Norway spruce trees and that considering how little distance there is between the properties, it is fairly covered. He reiterated that the trees are extremely old.

Ms. Holland informed the Commission that she could not see the Harney's home at all and that she can see 510 Poplar and 559 Oak Street which dated to 1873 and is located to the west of her home.

The Commission determined that this category rated a 5.

Chairperson Grubb stated that the next category related to Alteration of Original Site (View of Property). She then asked if anything had been changed much.

Ms. Holland confirmed that the only thing which had been changed is the rear porch.

The Commission determined that this category rated a 5.

Chairperson Grubb then stated that the last category related to Structural Condition.

Ms. Holland described the structural condition as good, but not exceptional. She informed the Commission that there was only one steel "I" beam put in the home and that the prior owners cut

the beam to put in a stairway to the basement.

The Commission determined that this category rated a 3.

The Commission determined that the Tier 2 score amounted to 102 and that the final score of 80.4 resulted in a unique category rating.

Chairperson Grubb then asked for a motion to recommend that the Village Council approve the application for local landmark designation for the home at 545 Oak Street.

Multiple commissioners responded simultaneously to accept the motion to recommend the Village Council approve the application for local landmark designation for the home at 545 Oak Street. The motion was also seconded by multiple commissioners.

A vote was taken and the motion was unanimously passed.

AYES: Brower, Curry, Garcia, Grubb, Papoutsis

NAYS: None

RECUSED: Holland



LANDMARK NOMINATION FORM

Thank you for considering landmark status for your property. If you have questions about landmark designation or about this form, please call Ann Klaassen, Community Development Department at Village Hall, telephone: 716-3525.

Please use another piece of paper to answer the questions on this form. If you do not know the answer or if the question does not relate to your property, simply write, "don't know" or "not applicable."

To help you, we have enclosed: How to Research Your House, a page of useful resources for learning more about your property. Both the Community Development Department at Village Hall and the Winnetka Historical Society (phone: 501-6025) can answer many of your questions.

1. Property owner(s) name(s)

LOUISE A. HOLLAND

2. Street Address 545 OAK ST.

3. Property Identification Number (P.I.N.) 05-21-112-012 - 0000

(on your tax bill or can be requested from Community Development, Village Hall)

If available, please attach a plat of survey.

4. How long have you owned this property? 41 YEARS

If you know, list the previous owners of the house and when they owned it. Do you know whether any of the owners had a particular influence on the village's history?

DR. PAUL W. GREELEY & EUNICE GREELEY - 1937- 1960

MR. + MRS. PHILIP STONE¹⁹⁶⁰ - 1970 -



5. Date of construction, if known 1937

In the next section, we ask about information that is important in evaluating landmark requests. For questions that are not relevant, write "none" or "not known."

Please provide sources for your information. Referring to the title and page number of a book is fine. For other documents, it would help to include a photocopy of your source. If the source is Village Hall, simply write what the reference is, for example: "Water hook up - Village Hall."

1. If known, give the name of the architect FRANK POLITO
architectural firm LANDSCAPE ARCHITECT - ROOT & HOLLISTER
designer _____
and/or builder _____

Do you have the original plans? YES

Is the property associated with an historical person or group? Please explain.

INTERIOR MOLDINGS DESIGNED BY W. FISKE KIMBALL, DIRECTOR OF THE PHILADELPHIA MUSEUM OF ART. LOUISE HOLLAND, VILLAGE TRUSTEE & VILLAGE PRESIDENT - 1992-2001

Is the property associated with a notable historic event? If so, explain.

2. Alteration History: Please include current photos of all sides of the house and older photos, if available. The "structure files" at the Winnetka Historical Society, ph: 501-6025 may have older photos in its files.

If known, describe changes made to the outside of the building since it was built. Have important changes been made to the property as viewed from the street in the last fifty years? Please include descriptions of alterations, dates and architects, if known. *Hint: Building permit records at Village Hall are helpful*

PORCH IN THE N.W. CORNER OF HOUSE ENCLOSED. NO CHANGES VIEWED FROM THE STREET

If known, describe changes over the last fifty years to the original property, not including alterations to the building itself. These changes could include subdivision, fences or new structures added to the property. *(Note: Sanborn maps at the Public Works Department at Village Hall are helpful. Also, many buildings in the village have been moved from their original sites. This is worth checking!)*

NO CHANGES - PORCH ENCLOSED 1973

3. Do you have any other information about the property or anecdotes you'd like to share? This information can be based upon hear-say, so long as you tell us that is the source.

LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES
APPLICATION ATTACHED

4. I (We) hereby certify that I (we) am (are) the owner(s) of the property described in the form and wish to make application for designation of this property as a landmark by the Village of Winnetka.

Name(s): LOUISE A. HOLLAND

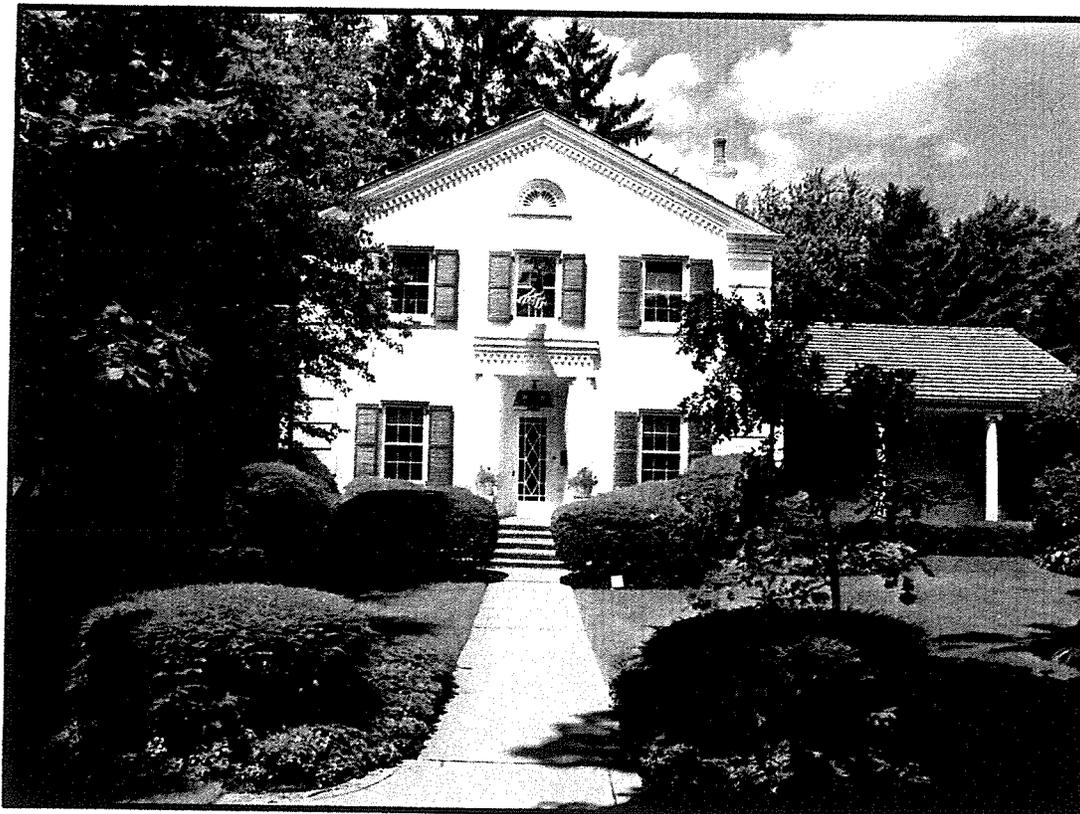
Signature(s): Louise A. Holland

Date: 7/9/11

Phone FAX e-mail

Please forward your completed nomination to:

**Winnetka Landmark Preservation Commission
Village Hall
510 Green Bay Road
Winnetka, Illinois 60093**



545 East Oak Street in Winnetka, Illinois

**National Register of Historic Places Nomination for the
Dr. Paul W. and Eunice Greeley House**

Constructed: 1937

Architect: Frank Polito

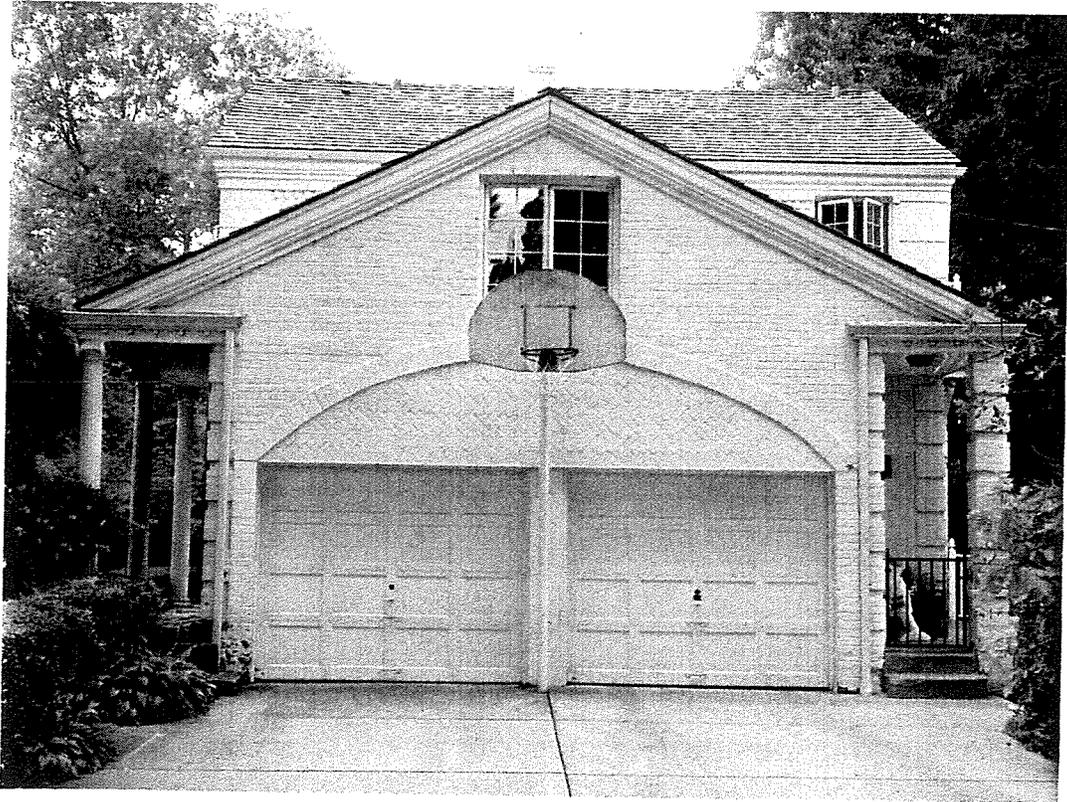
Interior Design of Dining Room: Sydney Fiske Kimball

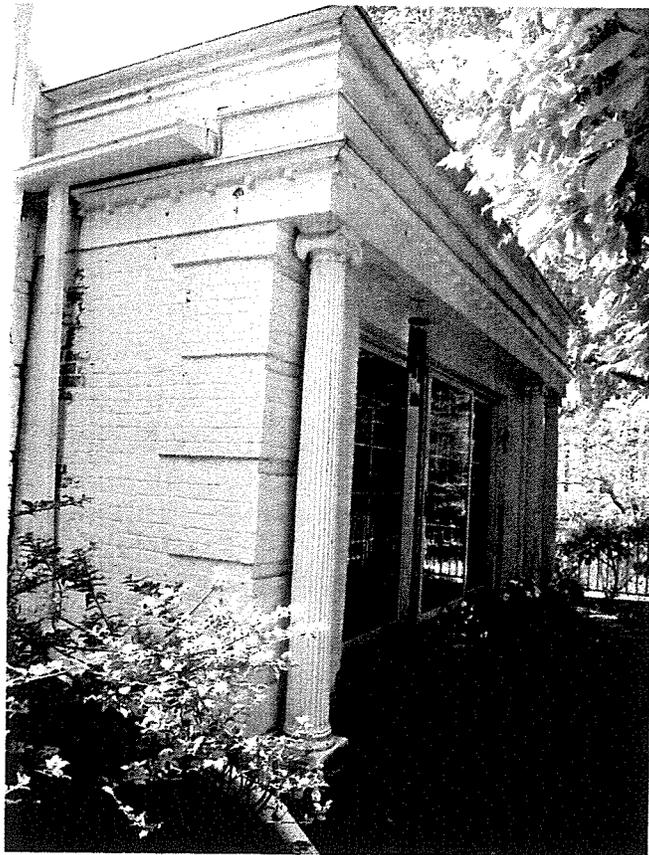
Landscape Architect: Root & Hollister

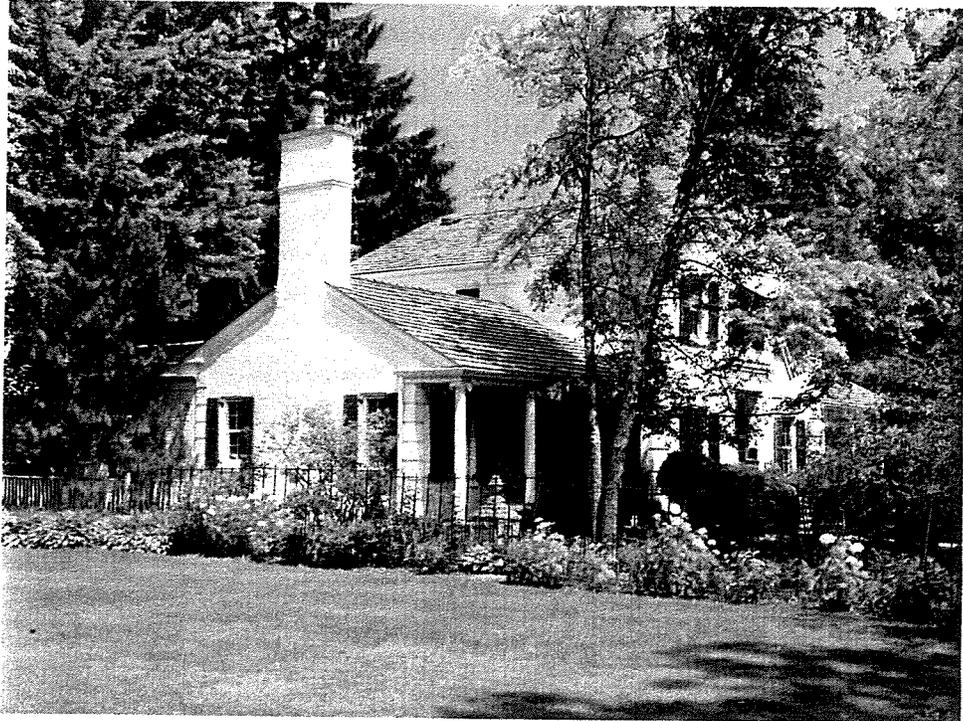
Prepared by: Benjamin Historic Certifications, LLC

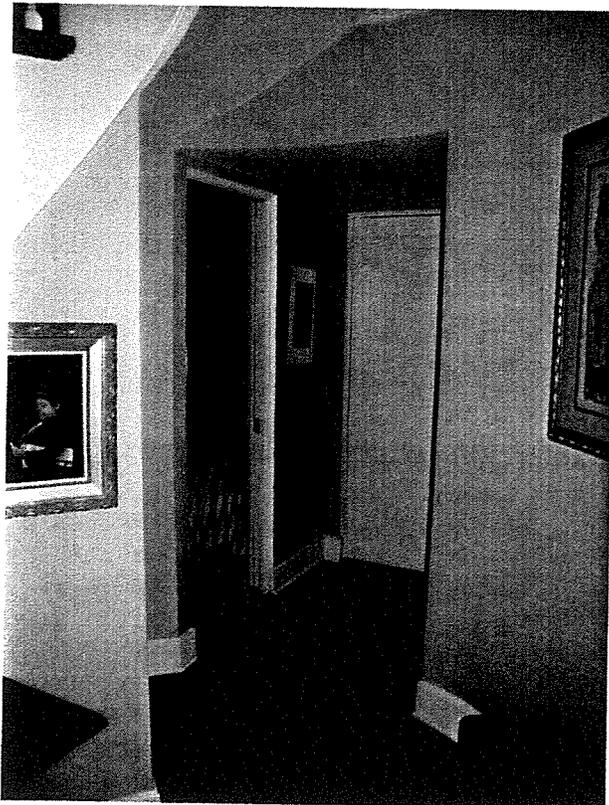
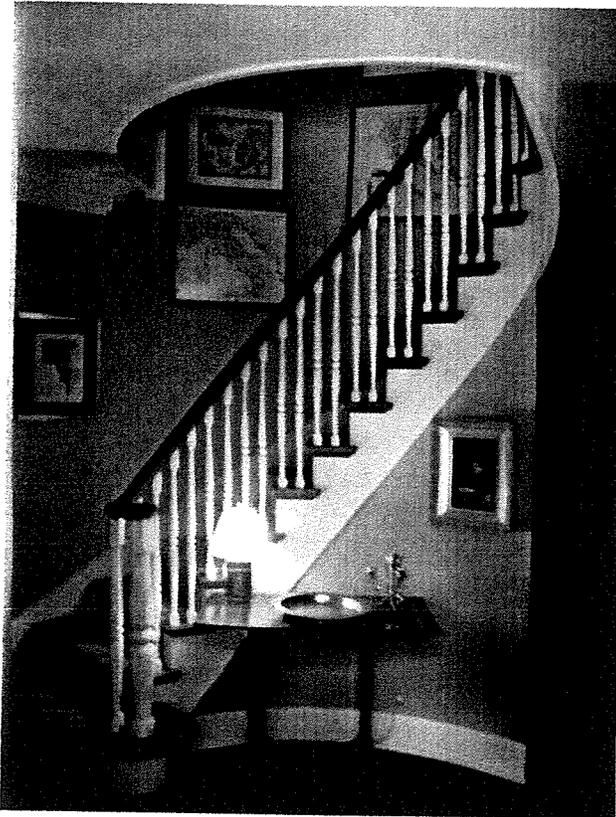
Courtney Gray and Susan Benjamin

October 2010

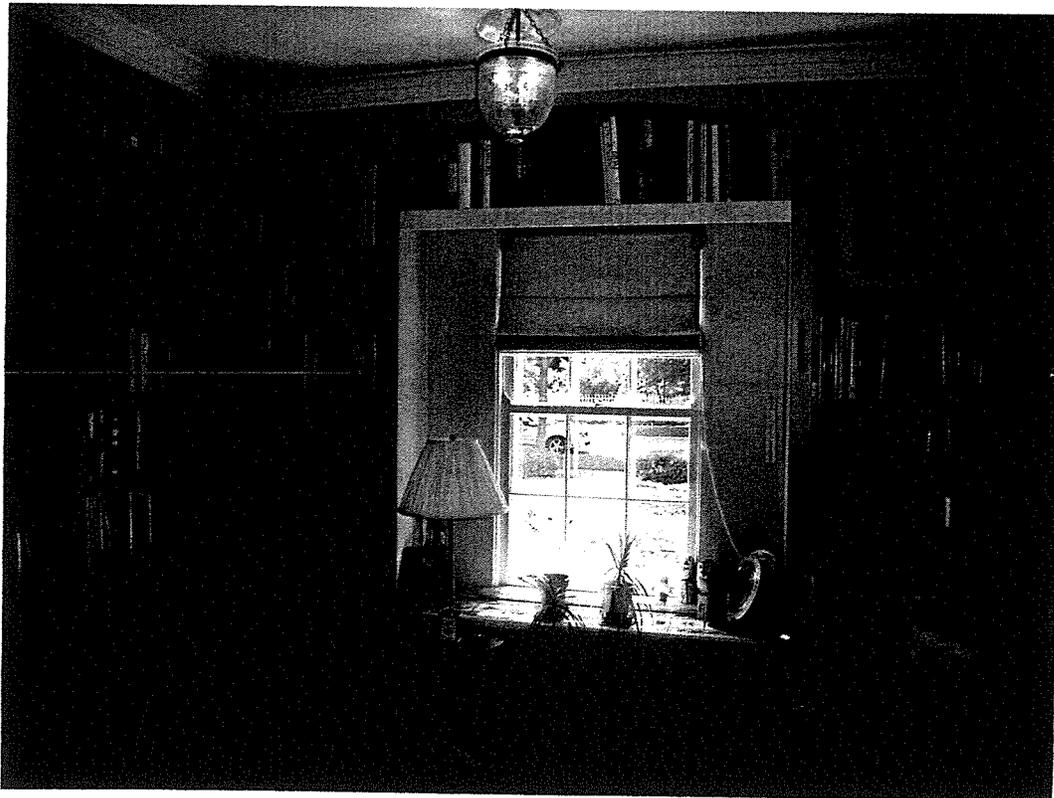


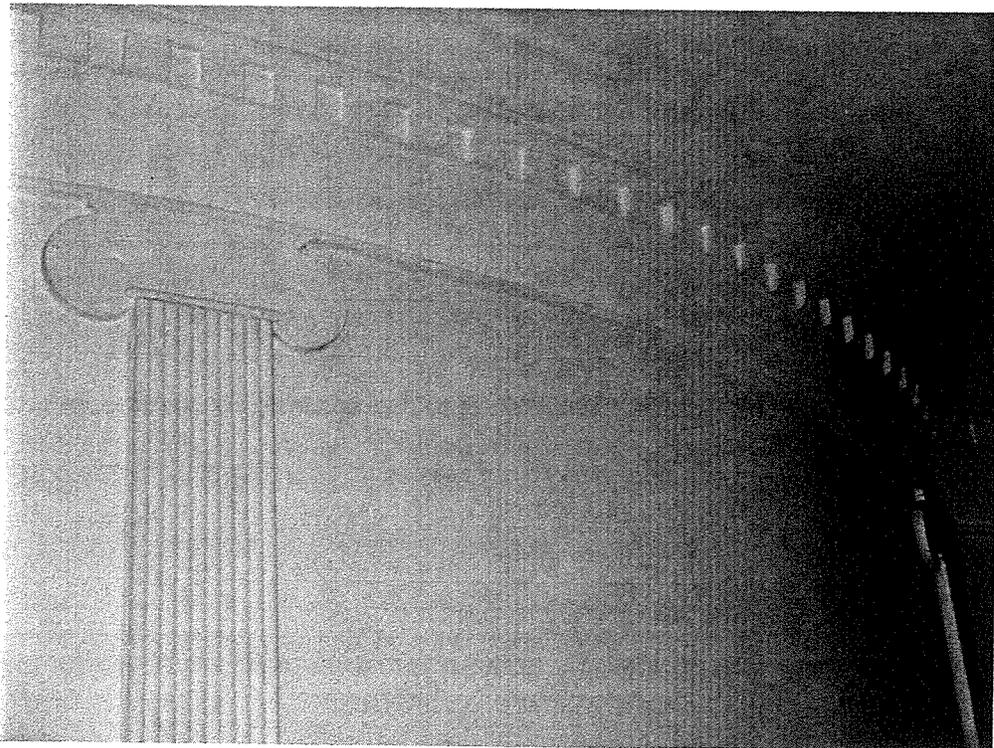


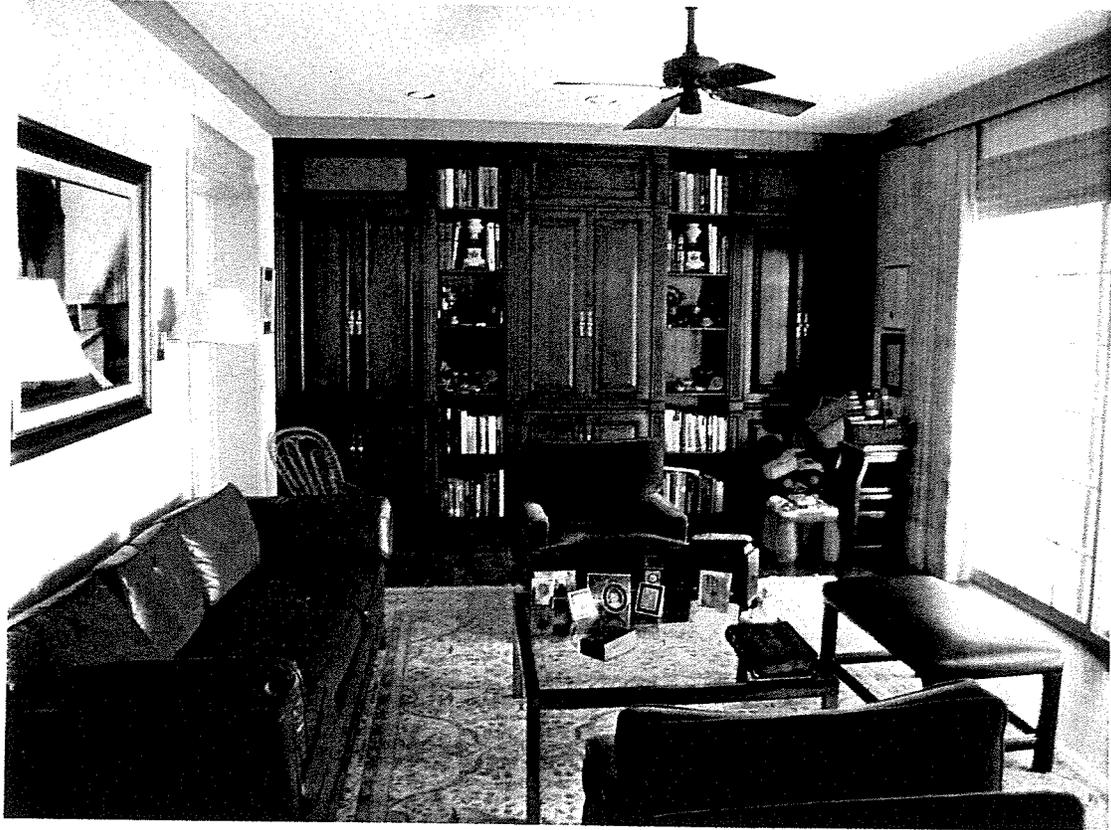


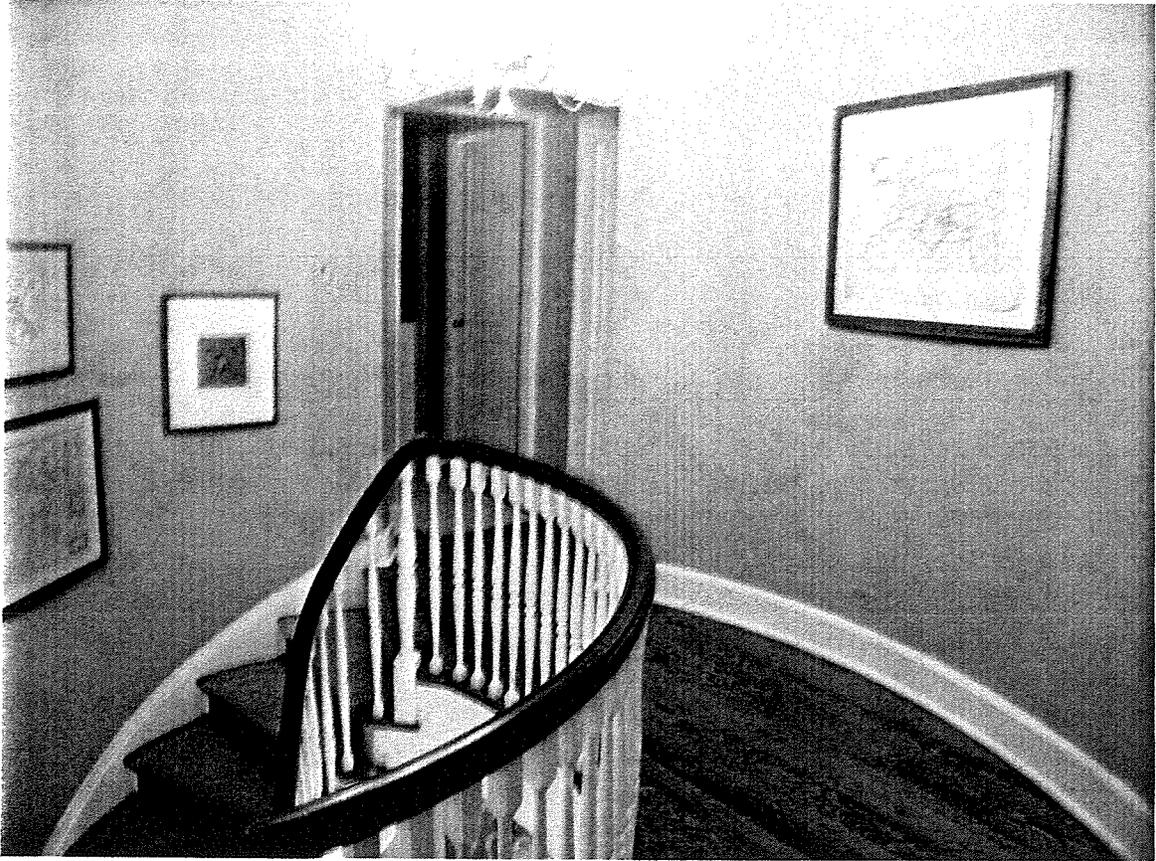












Replica of Ancestral Home

Chicago Daily Tribune (1872-1963); May 30, 1937;
ProQuest Historical Newspapers Chicago Tribune (1849 - 1986)
pg. B12

Replica of Ancestral Home



Dr. and Mrs. Paul Greeley of 509 Cherry street, inetka, have started erecting this residence at the rthwest corner of Oak and Poplar streets from ns by Frank Polito. The exterior design is a replica of the ancestral home of Dr. Greeley in New York state. It will have nine rooms and three baths. Ex- terior walls will be whitewashed brick. Root & Hol- lister are the landscape architects.

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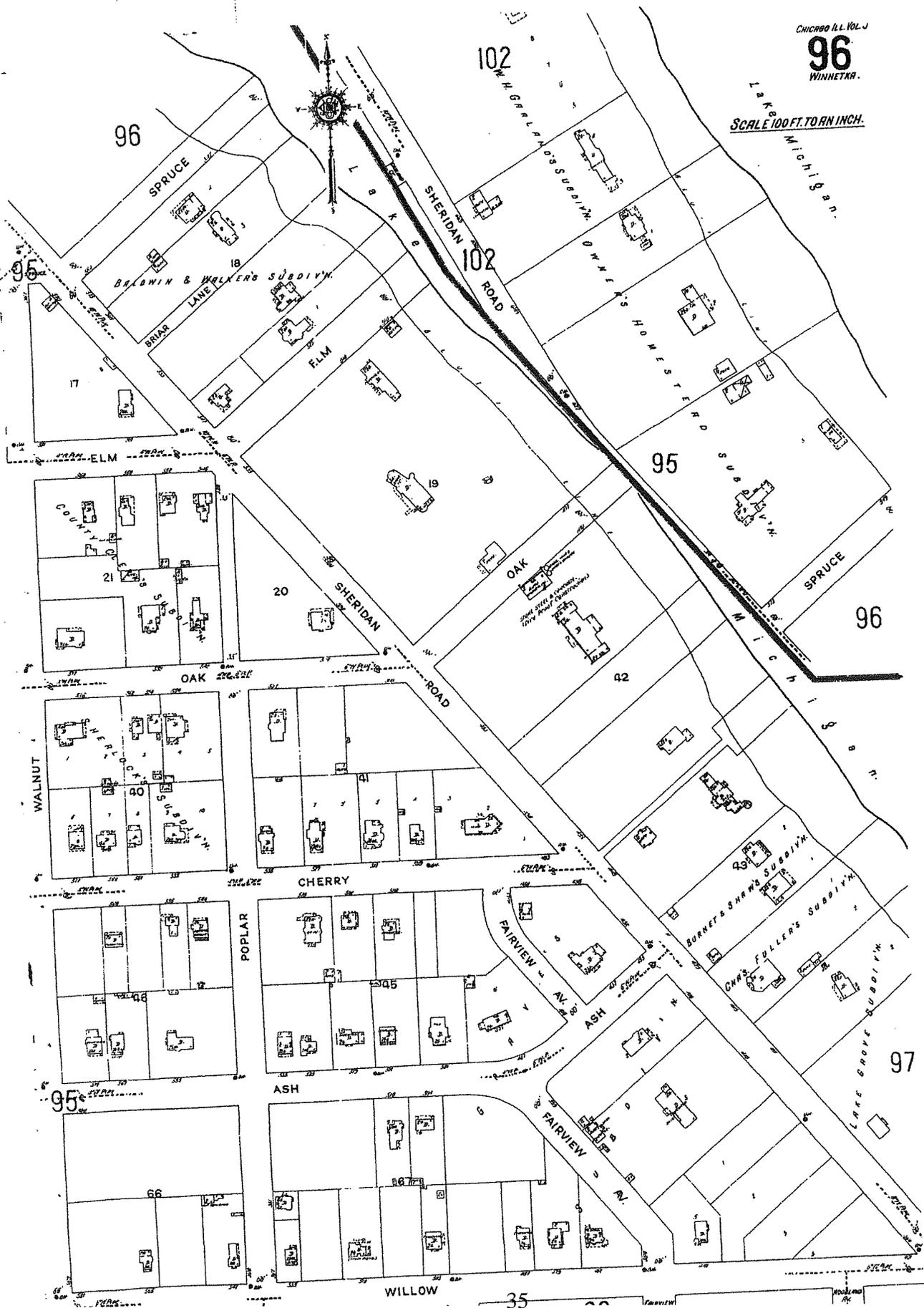
1914

CHICAGO ILL. VOL. J

96
WINNETKA.

SCALE 100 FT. TO AN INCH.

Lake Michigan B.D.



WILLOW

35

97

95

96

96

95

102

108

SPRUCE

BALDWIN & WALKER'S SUBDIV.

LANE

ELM

SHERIDAN ROAD

OAK

SHERIDAN ROAD

OAK

CHERRY

POPLAR

ASH

FAIRVIEW

ASH

FAIRVIEW

BURNET & SHAW'S SUBDIV.

FULLER'S SUBDIV.

LAKE GROVE SUBDIV.

WALNUT

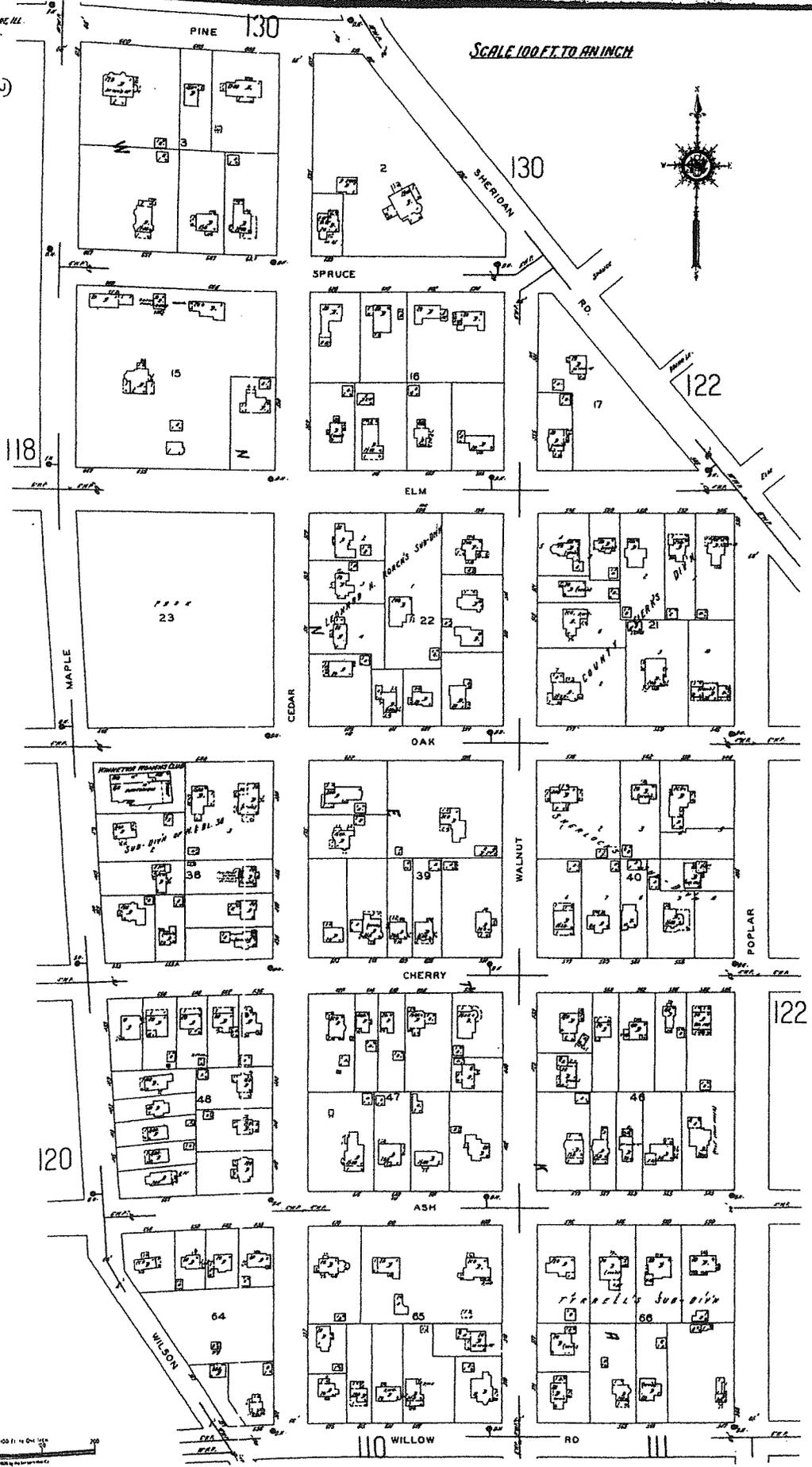
COUNTY

WALNUT

1938

21
66 CHIC. VOL. J)
ANNETKA

SCALE 100 FT. TO AN INCH



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ARCHITECTURE

Frank Polito, Architect, and Sydney Fiske Kimball, Designer

Frank Polito

The architect for the Classical Revival Residence at 545 Oak Street was Frank Polito. Polito designed a number of residential, institutional, commercial, and educational buildings during his prolific career in Chicago. Although many of his houses were designed in a historical revival style, the Greeley residence was found to be the only Classical Revival house inspired by Greek Revival architecture. An article was published in the *Chicago Tribune*, May 30, 1937, titled "Replica of Ancestral Home". It notes that the house replicated Dr. Greeley's family home in upstate New York.⁹⁰

Frank Polito was born in 1911 and educated in Chicago. He graduated from Lane Technical High School, located at Western Avenue and Addison Road, before continuing his education at the Armour Institute (now the Illinois Institute of Technology), where he received his architectural degree.⁹¹ During his career, Polito designed a number of school buildings during the late 1950s and 1960s in Berwyn and Cicero. He also designed several Catholic churches and Parochial schools in Chicago and its northwest suburbs.⁹² In the early part of Polito's career, he occupied an office located at 6 N. Michigan, Chicago, that he shared with Root & Hollister, landscape architects, and Otis & Fuller, architects.⁹³ The group would relocate to Mather Tower, 73 East Wacker Drive, in 1938.⁹⁴ Polito served in the United States Army from approximately 1942 to 1946, requiring him to shutter his practice. However, upon his return to Chicago, Polito reopened his offices in the Lincoln Tower at 75 East Wacker Drive.⁹⁵ In the later part of his career, Frank Polito designed an office in Lincolnwood, Illinois, where he worked for approximately twenty years. Polito shared the office with landscape architect, Ralph Rodney Root after his separation from the partnership of Root and Hollister.⁹⁶ Root and Hollister were engaged as landscape architects for the Dr. Paul W. and Eunice Greeley House at 545 Oak

⁹⁰ "Replica of Ancestral Home." *Chicago Daily Tribune*, May 30, 1937, p. B12.

⁹¹ Phone interview with Fred Polito (Frank Polito's son) on July 20, 2009, conducted by Courtney Gray.

⁹² *Ibid.*

⁹³ "News of the Architects." *Chicago Daily Tribune*, January 2, 1938, p. B6.

⁹⁴ *Ibid.*

⁹⁵ "News of the Architects." *Chicago Daily Tribune*, March 24, 1946, p. 23.

⁹⁶ Phone interview with Fred Polito (Frank Polito's son) on July 20, 2009, conducted by Courtney Gray.

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Street. The Polito family resided in a contemporary, tri-level residence located at 1912 Highland in Wilmette; that house has since been torn down.⁹⁷

Polito received some prominence in the 1930s. His name appeared in the *Chicago Daily Tribune* for the first time in a 1933 article stating that he had received an honorary mention for his submission to a competition held by the Beaux-Arts Institute of Design in New York City.⁹⁸ Two years later, Polito is credited for the design of an apartment building in Evanston that was described as the first new apartment building to be built in that city since 1929. It was built on the southeast corner of Asbury Avenue and Isabella Street (2769 Asbury Avenue) and contained two air-conditioned apartments, with each apartment having a separate entrance, one on each street, to create the feel of a private residence.⁹⁹ The exterior was whitewashed brick with black brick trim. A two-car garage was integrated into the building. The interior of each apartment was arranged, excepting the bathrooms and maid's quarters, off of a circular hall.¹⁰⁰ An additional unusual feature was that the basement was designed as communal space containing a recreational area and fireplace. The building was estimated to cost \$19,000 to construct.¹⁰¹

Just prior to constructing the Greeley residence in Winnetka, Frank Polito designed a white brick house in 1936 for Mr. and Mrs. John Fenn at 864 Boal Parkway in the Village of Winnetka.¹⁰² The house was inspired by French Chateausque architecture and featured a prominent entry tower and a v-shaped plan.¹⁰³ It was quite unlike the house he was to design for Greeley. Later that same year, Polito designed a French Eclectic residence with a tower on 1213 Columbian Avenue in Oak Park. Although the exterior of this house was traditional, the interior was more modern and included a glass wall in the dining room and a paneled game room.¹⁰⁴ In 1938, Polito designed a nine-room brick and stone veneer residence for Daniel Woodhead on Ridge Road in Barrington. It stood atop a hill, a mile from the Barrington Hills Country Club, on a seven-acre tract of land.¹⁰⁵

⁹⁷ Phone interview with Fred Polito (Frank Polito's son) on July 20, 2009, conducted by Courtney Gray.

⁹⁸ "Chicagoan Wins Medal From N.Y. Design Institute." *Chicago Daily Tribune*, October 22, 1933, p. 18.

⁹⁹ "Work Under Way on Evanston's First Apartment in Six Years." *Chicago Daily Tribune*, October 27, 1935, p. 24.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

¹⁰² Fuller, Cindy. "Boal Parkway's First House." *Winnetka Gazette*, Winter 1999. Available on the Winnetka Historical Society Website. <<http://www.winnetkahistory.org/index.php?id=129>> Accessed on July 23, 2009.

¹⁰³ *Ibid.*

¹⁰⁴ "Oak Park Model Home." *Chicago Daily Tribune*, October 11, 1936, p. C16.

¹⁰⁵ "Perched on a Barrington Hilltop." *Chicago Daily Tribune*, January 9, 1938, p. C12.

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Following the *Chicago Tribune* description of the Barrington residence in 1938, Polito's name temporarily disappears from mention in the Tribune. It reappears in a 1946 article that described Frank Polito's three-and-a-half years of service in the United States Army, where he did construction and maintenance work. Once back in Chicago, in 1946, he resumed his prolific architectural practice at 75 E. Wacker Drive.¹⁰⁶ That same year he designed a large Veteran Housing project in Chicago. Once complete, the development consisted of four large apartment buildings containing over 500 units. The project was estimated as costing \$5,385,000 to construct.¹⁰⁷ Additionally the article mentioned Polito's design of twelve houses, which were estimated to cost \$360,000 to build, at Hibbard Road and Lake Street in Wilmette. They were to be built of lannon stone, brick, frame, or a combination of these materials and would have six or seven rooms.¹⁰⁸ A final example of Polito's residential architecture is the house that he designed for Mr. and Mrs. J. Walter Nelson at 2021 Suffolk Road in Northfield in 1949. It was planned as a modern ranch house of white painted common brick with prominent green awnings containing five rooms, two baths, and what was then an unusual feature – a combination kitchen and dining area.¹⁰⁹ It reflected the informal life style that was beginning to be popular after the War.

Frank Polito designed both commercial and industrial structures on the North Shore in the 1950s. One was very small. In 1954, he built a project identified as "Operation Refreshment Stand" that was a permanent refreshment stand constructed at Roemer Little League Baseball Park in Wilmette. Polito at the time was a parent of a little league baseball player.¹¹⁰ Another was substantial. A 1956 article in the *Chicago Tribune* identified Polito as the architect named on a bond proposal in the Cicero School District. The proposal would allocate \$2,250,000 to the School District in order to build new schools and make additions or alterations to existing local elementary schools.¹¹¹ The plan called for one new school and for six schools to be remodeled, modernized, or to have large additions built. Cicero voters approved the referendum in 1956. The entire project laid out in the bond referendum was near completion by November of 1958.¹¹²

¹⁰⁶ "News of the Architects." *Chicago Daily Tribune*, March 24, 1946, p. 23.

¹⁰⁷ Chase, Al. "Big Vet Housing Projects Begun in Chicago Area." *Chicago Daily Tribune*, June 2, 1946, p. SWB.

¹⁰⁸ *Ibid.*

¹⁰⁹ Bargelt, Louise. "Kitchen, Dining Room Combined in Ranch House." *Chicago Daily Tribune*, May 21, 1949, p. 6.

¹¹⁰ "Little League Benefit is Set in Wilmette." *Chicago Daily Tribune*, April 4, 1954, p. N1.

¹¹¹ "Cicero to vote on \$2 ¼ Million School Plans." *Chicago Daily Tribune*, November 1, 1956, p. W7.

¹¹² "Cicero Sets Tour of New School Site: Hold Open House at Woodbine." *Chicago Daily Tribune*, November 23, 1958, p. W1.

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In 1958, Frank Polito was identified as architect for a planned shopping center and forty-unit motel to occupy twenty-seven-acres of land at Rand and Palatine Road in Arlington Heights. The project was to include twenty-six stores, two supermarkets, parking for two thousand cars, a car dealership, and filling station and would cost \$2,000,000 to construct.¹¹³ There is no indication whether this project was completed. The last project of Frank Polito's to be mentioned in the *Chicago Tribune* was St. Matthew's Evangelical Lutheran Church at 9081 Maryland Avenue in Niles, constructed in 1963. The church was built to seat three hundred at a cost of \$110,000.¹¹⁴

Frank F. Polito passed away in April of 1967 at the age of fifty-nine. He was then residing at 1912 Highland Avenue in Wilmette, with his architectural office at 7356 N. Cicero Avenue in Lincolnwood.¹¹⁵ His wife, Alice, a daughter, and his son Fred, survived Polito. Polito was a prolific architect, whose work was predominantly residential. He generally favored historical architecture, often simply and elegantly executed. This is the case in the Greeley House.

Interior Designer of Dining Room: Sydney Fiske Kimball

Sydney Fiske Kimball is believed to have designed the interior finishes in the dining room of the Greeley House. This is not directly mentioned in his writings or records kept at the Philadelphia Museum of Art or on the original plans for the house but is rather the lore that has been passed down over the years with the transfer of ownership. Although it cannot be proven, it is quite likely true, first and foremost because a close personal relationship between the Kimballs and the Greeleys can be established. Kimball's wife, Marie Groebel, was the sister of Eunice Greeley, the original homeowner. In addition, the interior moldings for the dining room were not included in Frank Polito's original drawings for the house, although the rest of the moldings are shown clearly on Polito's plans. Further, the dining room's moldings are distinctly different from those found throughout the remaining first floor public rooms. Whereas the remaining spaces feature a formal, classical molding (that in the living room has triglyphs in the cornice), the dining room features a low-relief molding that is highly stylized, with an almost Art Deco feel to the Ionic pilasters that are evenly spaced along the room's walls. This abstracted feature, and its omission from the plans, suggests that a different designer conceived that ornamental finish.

¹¹³ "Shops, Motel Planned Near Arlington Heights." *Chicago Daily Tribune*, February 22, 1958, p. A5.

¹¹⁴ "Church to be Ready by July." *Chicago Tribune*, March 14, 1963, p. N4.

¹¹⁵ "Obituary: Frank Polito." *Chicago Tribune*, April 9, 1967, p. B22.

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Sydney Fiske Kimball was born in Newton, Massachusetts, on December 8, 1888.¹¹⁶ He received both his Bachelor's and Master's in Architecture from Harvard in 1909 and 1912, respectively. At Harvard, the architecture program focused on classical architecture and formal elements of design and had a tendency to graduate students who went on to teach or apply their architecture skills to writing rather than in practice.¹¹⁷ After graduating, Fiske Kimball taught art and architecture at the University of Illinois and Michigan, receiving his Ph.D. from the University of Michigan in 1915.¹¹⁸ While in the Midwest, Kimball created a plan for the Scottwood Subdivision in Ann Arbor, Michigan, between 1915 and 1917.¹¹⁹

In the spring of 1919, the President of the University of Virginia contacted Fiske Kimball and asked him to act as head of the Art and Architecture Department, with a salary of \$3,000.¹²⁰ As part of the agreement, between 1919 through 1923, Kimball would serve on the architectural design advisory panel for the University.¹²¹ In 1923, Fiske Kimball was appointed the Morse Professor of the Literature of Art of Design.¹²² While at the University of Virginia, in 1922, Fiske Kimball created the campus plan for Woodberry Forest School, a preparatory school for young men, in Madison County, Virginia.¹²³ He is also credited for establishing and serving as head of the Institute of Fine Arts at New York University.¹²⁴ Fiske Kimball would further serve New York University by participating on the architectural design advisory panel from 1924 through 1953, even after having been appointed to Director of the Philadelphia Museum of Art.¹²⁵

¹¹⁶ Fiske Kimball: A Biographical Sketch. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹¹⁷ *Ibid.*

¹¹⁸ "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

¹¹⁹ Fiske Kimball: Other Architectural Designs. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹²⁰ Fiske Kimball: Life and Accomplishments at the University of Virginia, 1919-1923. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹²¹ Fiske Kimball: Other Architectural Designs. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹²² "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

¹²³ Fiske Kimball: Other Architectural Designs. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹²⁴ "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

¹²⁵ *Ibid.*

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Fiske Kimball began serving as the Director of the Philadelphia Museum of Art in 1925.¹²⁶ He and his wife Marie lived on Lemon Hill (adjacent to the Museum and constructed in 1799) from 1927 until 1955.¹²⁷ While acting as Director, Kimball would acquire a breadth of art objects, including paintings, sculpture, furnishings, and artifacts ranging from Pre-Columbian art to modern times. In 1950, Kimball received the \$10,000 Philadelphia Award, which recognized him as the individual who most advanced the interests of Philadelphia for that year.¹²⁸ Fiske Kimball retired as Director in January of 1955 after thirty years of service.¹²⁹ Following his retirement, the Trustees of the Philadelphia Art Museum elected Fiske Kimball as Director Emeritus in March of 1955.¹³⁰

Sidney Fiske Kimball wrote many important books on architecture. They included *Domestic Architecture of the American Colonies and of the Early Republic* (1922), *A History of Architecture* (1918), and *Thomas Jefferson, Architect* (1916). These demonstrated his interest in Colonial architecture and its underlying Classical underpinnings. He also authored *The Creation of the Rococo* (1943) and edited, with Lionello Venturi, *Great Paintings in America: One Hundred and One Masterpieces in Color* (1948).

Fiske Kimball was an advocate for historic preservation, aiding in the restoration of Mount Pleasant, a 1700s Colonial residence with stunning Classical detailing, constructed in Philadelphia's Fairmount Park. The Kimballs lived in the house during their first year in Philadelphia. Additionally he consulted on the restoration campaign for other Colonial houses, including Monticello,¹³¹ Gunston Hall (home of George Mason in Mason Neck, Virginia constructed between 1755 and 1959), Stratford Hall (birthplace of Robert E. Lee in Westmoreland County, Virginia, constructed in 1738), and served on the advisory board for the restoration of Colonial Williamsburg.¹³² In 1948, Kimball received the Jefferson Presidential Medal for his "tireless devotion" in restoring Thomas Jefferson's Monticello.¹³³ Kimball served as President for many years of the American Association of Museum Directors, was a Fellow of

¹²⁶ "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

¹²⁷ Fiske Kimball: Director, Philadelphia Museum of Art. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹²⁸ "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² Fiske Kimball: Preservation. University of Virginia Library <<http://www.lib.virginia.edu/fine-arts/fiske/bio/index.html>> Accessed on February 17, 2008.

¹³³ "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

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the American Institute of Architects, and was Curator of the Art and Manuscript Collections of the American Philosophical Society.¹³⁴

Kimball's wife, Marie Goebel, died in March of 1955, two months after Kimball retired as the Director of the Philadelphia Museum of Art. He traveled to Europe in April of that same year to research baroque architecture. While there he suffered two heart attacks before dying from a stroke at the age of sixty-six in August 14, 1955.¹³⁵

Landscape Architects: Root & Hollister

The firm of Root & Hollister, a highly regarded landscape architecture firm, landscaped the Greeley House. At the time the house was constructed, Root & Hollister shared an office with architect Frank Polito at 6 N. Michigan Avenue in Chicago. Both partners were classically trained, and their designs featured formal layouts and plantings. Hallmarks of the firm's designs were walls, woods, hedges bounded by flowerbeds, and stone borders.¹³⁶ It is presently unknown how much of Root & Hollister's original design still exists at the Greeley Residence.

Ralph Rodney Root was born in Jamestown, New York, on March 15, 1884.¹³⁷ Root would receive his schooling in landscape architecture at Cornell University in New York from 1906 to 1910 before attending the master's program at Harvard in 1910.¹³⁸ Root graduated in 1912 and was subsequently hired by the University of Illinois at Urbana as head of the Landscape Architecture program. He was there until 1918. At the same time, Root began working in the Chicago area, teaching a summer program at Lake Forest College in 1912. He was founder of the Garden Club of Illinois and wrote about North Shore estates in the book *Lake Forest: Art and History Edition* in 1916.¹³⁹ In 1917, Root began working with Noble P. Hollister on various Lake Forest estates, with the assistance of University of Illinois Urban Planning professor, Charles Mulford Robinson. He collaborated with architect David Adler in 1916 and

¹³⁴ "Fiske Kimball, 66, Museum Director." *New York Times*, August 16, 1955, p. 23.

¹³⁵ *Ibid.*

¹³⁶ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

¹³⁷ World War I Draft Registration Card. Card #4938. Submitted September 12, 1918.

¹³⁸ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

¹³⁹ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

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1917.¹⁴⁰ Although Root began sketching estate plans for a planned Garden Club of America's visit to see various North Shore estates in 1917, the tour was delayed until 1919 because of World War I. In 1918, Root's World War I Draft Card identifies his landscape architecture office at 20 East Jackson Boulevard.

In the early 1920s, Root & Hollister worked with David Adler on his design for the William McCormick Blair Estate in Lake Bluff. In March 1921, an article in the "Art and Architecture" section of the *Chicago Daily Tribune*, stated, "...not one inch of the property is lost" and "...landscaping...is one of the most successful pieces of work achieved by the farm (referring to the William McCormick Blair Estate)."¹⁴¹ By 1921, the firm had offices at 8 East Huron Street in Chicago.¹⁴² In 1922, Root & Hollister were commissioned to design a large country club four miles west of Glencoe, Illinois, at Wheeling and Waukegan Roads. In the mid-1920s, the office worked on the Knollwood Club in Lake Forest, laid out by Edward Bennett, A. Watson Armour's Elawa Farm's Garden, the Genessee Depot near Milwaukee, Wisconsin, and the estate of Alfred Lunt and Lynn Fontanne.¹⁴³ Root's success and popularity was substantial; in 1921 the firm's designs were published in three of the ten *Landscape Garden Series* pamphlets. At Chicago's 1933 Century of Progress Exhibition, Ralph Rodney Root served on the Committee of Landscape and Home Architects. This Committee reviewed the models submitted for the American Village, a grouping of gardens and homes in miniature that would be constructed within the Horticultural Building. Each home or lot for the Village would be designed by a different individual or garden club in a ¼ inch to a foot scale for a seventy-five by one-hundred-foot lot.¹⁴⁴ Other members of the committee included Daniel H. Burnham, Jr., Secretary of the Fair; Alfred C. Hottess, a gardening authority from Des Moines, Iowa; Jacob L. Crane Junior, City Planner; August Koch, Chief Florist of the Garfield Park Conservatory; and Jens Jensen, Landscape Architect.¹⁴⁵

In 1941, Root wrote the book *Countourscaping*. From 1939 to 1948, Root & Hollister designed many types of landscapes, including formal, kitchen, and cutting gardens, as well as

¹⁴⁰ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

¹⁴¹ Jewett, Eleanor. "Art and Architecture." *Chicago Daily Tribune*, March 27, 1921, p. F11.

¹⁴² Jewett, Eleanor. "International Poster Exhibit at Institute." *Chicago Daily Tribune*, May 29, 1921, p. F3.

¹⁴³ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

¹⁴⁴ Potter, Paul. "Model Village of Future to be Shown at Fair." *Chicago Daily Tribune*, April 8, 1934, p. 4.

¹⁴⁵ *Ibid.*

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entry courts, stone garden walls and walks, and orchards located throughout Chicago.¹⁴⁶ He worked with Chicago's most significant country house architects. The properties landscaped included: 145 Barberry Street (residence of Mrs. A.A. Carpenter designed by Howard Van Doren Shaw), 955 North Lake Road (residence of Mrs. Charles B. Pike designed by David Adler and Robert Work); and 123 Stonegate Road (residence of Mrs. Francis C. Farwell designed by Arthur Heun).¹⁴⁷ One of Root's later commissions – after Root & Hollister had disbanded their partnership – was for the Winnetka Congregational Church at 725 Vine in Winnetka. The project was to cost \$35,000 and consisted of converting vacant land east of the church into a churchyard and repository for cremated congregants. The landscaping would retain existing trees and shrubbery while the yard would be enclosed with serpentine walks and retaining walls for terraces that permitted the burial of urns or scattering of ashes.¹⁴⁸ After the firm was dissolved, Root continued working closely with architect Frank Polito, sharing an office space in Lincolnwood. He passed away on May 29, 1964 at eighty years old.¹⁴⁹ Unfortunately little information was located on landscape architect Noble P. Hollister.

Architectural Style

The house at 545 Oak Street in Winnetka is an excellent example of late Classical Revival architecture, but unusual because it is a literal interpretation of an early nineteenth century Greek Revival residence. It is necessary to classify the residence as Classical Revival in spite of its adherence to the Greek Revival aesthetic because of the time period in which it was constructed. Classical Revival architecture was built well into the 1900s, (although its popularity steadily decreased as the century progressed), whereas Greek Revival architecture implies a building style that was popular between the 1820s and the 1850s.

Classical Revival architecture became popular after the 1893 World's Columbian Exposition that was held in Chicago. Often referred to as the "White City", the Exposition's main fair grounds were largely composed of monumental Classical buildings, structures that were visited and photographed by thousands of people. Many of the smaller pavilions that were built to resemble houses, such as those representing Ohio, Utah, Nebraska, and Kentucky were

¹⁴⁶ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

¹⁴⁷ Annual Meeting of Lake Forest Garden Club Magazine of 1919.

¹⁴⁸ "Church Plans Garden Like Burial Ground." *Chicago Daily Tribune*, April 8, 1956, p. N12.

¹⁴⁹ Birnbaum, Charles. "Pioneers of American Landscape Design". 2nd Edition. Charlottesville, Virginia: University of Virginia, Fall 2009.

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inspired by Classical architecture. Very likely as a result of the popularity and the mass exposure to the Fair, Classical Revival commercial and institutional buildings dominated architecture for several decades. It was a style particularly well suited to buildings such as banks and art museums, where projecting an image of stability, monumentality and timelessness was important. The style was less frequently applied to homes, but when it was, Classical details were frequently elegantly handled.

Classical Revival detailing found its way into the design of the multitude of structures that were built just after the Fair, through the 1920s and, to a lesser extent, later. Because of its monumental scale, which was appropriate for large structures, the full-blown Classical Revival style, typified by a temple front, with a pediment supported by two-story Doric, Ionic, or Corinthian columns, was less commonly applied to homes. Instead Classical elements were appropriated and applied to a house, sometimes in the form of small front porches with Classical columns or pilasters, sometimes in the form of gable roofs that resemble a pediment, sometimes in the form of a Classical dentiled cornice. In practically all instances, Classical Revival structures are symmetrical.

The Greeley House is unusual, not a typical Classical Revival house. Rather, its design reflects a much earlier interpretation of Classical architecture, one that was practiced in the mid-19th Century and is known as Greek Revival. Greek Revival architecture became popular when builders began turning away from British models and looking for an appropriate architectural language for the United States of America. Until approximately 1820, Americans looked towards England for architectural precedent, and as such many buildings were constructed in the Georgian and later Adam/Federal style.¹⁵⁰ The Classical architecture of the Greek and Roman republics seemed a fitting precedent for a developing democracy. Greek Revival architecture began to be popular for the design of government, educational, and institutional buildings and in some cases for large impressive homes. The style was most prevalent on the east coast, pioneered by such architects as Benjamin H. Latrobe, Robert Mills, and William Strickland.¹⁵¹ Although architects and builders were well versed in Roman architecture by the end of the 17th Century, Greek architecture was relatively unknown until two Englishmen, James Stuart and Nicholas Revett, published measured drawings of the Acropolis in *The Antiquities of Athens*¹⁵² in

¹⁵⁰ Massey, James C. and Shirley Maxwell. "Greek Temples for A Young Republic." *Old House Journal*, May/June 1995, p. 56-61.

¹⁵¹ Susan Benjamin's, architectural historian, notes on Levi Willits House/New Boston Museum.

¹⁵² Kahn, Renee. "Greek Revival." *The Old-House Journal*, May/June 1987, p. 38-44.

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1762 in London.¹⁵³ In 1970, this book reached Philadelphia, where prominent American architects who designed significant buildings read it. Benjamin Latrobe designed the Bank of Pennsylvania for Philadelphia in 1799;¹⁵⁴ William Strickland designed the Second Bank of the United States in Philadelphia in 1819. Thomas U. Walter designed the Girard College for Orphans between 1833-1848 and expanded "Andalusia", the Nicholas Biddle Estate, in 1834-36. He also designed the dome for the United States Capitol. Robert Mills designed several buildings in Washington including the U. S. Department of the Treasury.¹⁵⁵

An interest in Greek Revival architecture was bolstered initially as a result of the War of 1812, when the British burned the President's house and the Capitol Building, resulting in a reconfirmation of anti-British sentiment.¹⁵⁶ Americans were also sympathetic to Greece's fight for independence that occurred between 1821 and 1830, seeing a similarity to their own struggle for independence during the Revolutionary War. Americans would pay homage to Greece and its republican government by adopting the country's architectural style.¹⁵⁷ Greek Revival seemed the natural architectural expression for the new nation as Greece was recognized as the first democracy. The style's symmetry, bold lines and detailing reflected strength and was appropriate for a new nation trying to appear strong and confident to its citizens. The style was also well suited to the technology developed in the Industrial Revolution. Cast iron foundries could mass-produce window grills, roof cresting and porch railings, and the railroad and river systems allowed these materials to be transported nationally.¹⁵⁸

Greek Revival architecture would eventually filter into carpenter's guides and pattern books such as Asher Benjamin's *The Practical House Carpenter* and *The Builder's Guide*. Minard Lefever's *The Modern Builders Guide* and *The Beauties of Modern Architecture* featured plans and patterns.¹⁵⁹ These nationally-distributed books helped increase the popularity of the style, bridging it from public to more popular residential architecture, which it dominated from the 1820s through the 1850s. Settlers spread the style west, which was simplified in its detailing for use by local builders and craftsmen.¹⁶⁰ At the height of the style's popularity, Greek Revival

¹⁵³ Lowe, David. "Greek Revival Architecture in Chicago." *Chicago History*, p. 158.

¹⁵⁴ Kahn, Renee. "Greek Revival." *The Old-House Journal*, May/June 1987, p. 38-44.

¹⁵⁵ Lowe, David. "Greek Revival Architecture in Chicago." *Chicago History*, p. 158.

¹⁵⁶ McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 2004, 157-158.

¹⁵⁷ *Ibid.* p. 184.

¹⁵⁸ Massey, James C. and Shirley Maxwell. "Greek Revival Houses In the Old Northwest Territory." *The Old-House Journal*, pages 37-42.

¹⁵⁹ Susan Benjamin's, architectural historian, notes on Levi Willits House/New Boston Museum.

¹⁶⁰ *Ibid.*

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buildings were not considered revival architecture but rather an innovative and modern national style and were given the moniker of the "National Style" because of their departure from British precedent.¹⁶¹ Due to the style's period of popularity, Greek Revival architecture occurs in all areas of the United States settled by 1860, especially those settled rapidly between the 1830s and the 1850s.¹⁶² This would include all states east of the Mississippi, those bordering its west side, Texas, and isolated areas of the west coast.¹⁶³

Greek architecture is characterized by columns (Ionic, Doric, or Corinthian) that are employed to support a horizontal entablature including a pediment.¹⁶⁴ The form was symmetrical and details could include a frieze, dentil molding, and heavy horizontal lintels. Columns could vary in size, placement and decoration as finances permitted. Occasionally pilasters were substituted for columns.¹⁶⁵ Sometimes a precedent was followed. Sometimes the design elements could be applied to create the appearance of Greek architecture without adhering strictly to precedent.¹⁶⁶ Greek Revival doors were rarely highly ornamental although a multi-paned transom, sidelights, paired columns or pilasters were commonly included.¹⁶⁷

Particularly important Greek Revival buildings were generally composed of stone, while houses were usually built of brick or wood, or sheathed in stucco. If covered in stucco, the exterior walls were frequently scored to create the effect of stone. Most often the building material would be painted white or cream, grey, off-white, yellow, or terra cotta; sometimes there was gilded or polychromatic trim.¹⁶⁸ The style would eventually fall out of favor because of the constraints of the floorplan, which was typically a symmetrical center-hall plan with one or

¹⁶¹ Massey, James C. and Shirley Maxwell. "Greek Revival Houses In the Old Northwest Territory." *The Old-House Journal*, pages 37-42.

¹⁶² McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 2004, p. 182.

¹⁶³ Massey, James C. and Shirley Maxwell. "Greek Revival Houses In the Old Northwest Territory." *The Old-House Journal*, pages 37-42.

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.*

¹⁶⁶ Massey, James C. and Shirley Maxwell. "Greek Temples for A Young Republic." *Old House Journal*, May/June 1995, p. 56-61.

¹⁶⁷ Massey, James C. and Shirley Maxwell. "Greek Revival Houses In the Old Northwest Territory." *The Old-House Journal*, pages 37-42.

¹⁶⁸ Massey, James C. and Shirley Maxwell. "Greek Temples for A Young Republic." *Old House Journal*, May/June 1995, p. 56-61.

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two rooms opening from either side of the hall,¹⁶⁹ and the lack of individuality when the style was strictly adhered to.

In the Midwest, the Greek Revival house was often interpreted by turning a gable-roofed house so that the narrow end becomes a primary façade and a wide horizontal band or deep cornice returns create a pediment. The primary difference between the Greek Revival houses in the north and those in the south is that those in the north often featured gable front roofs while those in the south frequently had full height columns that extend across the façade.¹⁷⁰

The Greeley Residence can be thought of as a variation of the gable front upright and wing subtype, although it has two flanking wings not one. Front gabled Greek Revival residences with wings were most often found in the northeastern United States, particularly in Western New York and Ohio.¹⁷¹ The house from which the Greeley house is modeled is reported to have been located in western New York. Like that house, the center pavilion of the Greeley residence is two-stories tall and three bays wide, with the main entrance in the center of the south (main) elevation's first floor. The house is symmetrical. Although there is no entrance porch, the center is accentuated on either side by projecting bricks and above with an entablature containing a dentil molding made of projecting bricks. There is a rectangular transom above the door and a fanlight in the gable end above the second floor windows. Although the house does not have a wide entablature, the gable end is emphasized with a dentil molding of projecting brick. The flanking wings are a single story with a projecting gabled roof plane that is supporting by four Ionic columns. Above the columns is a simple wood entablature featuring dentil molding. The brick and wood portions of the house and all of its details are painted white.

Landscaping for Greek Revival houses typically featured a formal, manicured garden. For middle or upper middle class houses, the garden would include boxwood hedges, herb gardens, narrow paths and rectangular and symmetrical planting beds.¹⁷² Brick walls or wood fencing also frequently enclosed gardens.¹⁷³ Wood fencing was used to enclose the rear (north)

¹⁶⁹ Massey, James C. and Shirley Maxwell. "Greek Temples for A Young Republic." *Old House Journal*, May/June 1995, p. 56-61.

¹⁷⁰ Massey, James C. and Shirley Maxwell. "Greek Revival Houses In the Old Northwest Territory." *The Old-House Journal*, pages 37-42.

¹⁷¹ McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 2004, p. 180.

¹⁷² McCormick, Kathleen. "Coming Into Their Own: Colonial Revival Landscapes are Being Taken Seriously – Even if They Aren't Authentic." *Historic Preservation*. May/June 1996, p. 110.

¹⁷³ *Ibid*, p. 108.

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lawn of the Greeley Residence. The house does not have a formal, manicured garden rather natural shaped beds surround the north lawn's perimeter.

The Greeley House could be considered part of a small movement that occurred in and around Chicago's North Shore during the 1930s and 1940s, when a handful of Greek Revival inspired residences were constructed. The renewed interest in this historic style was part of an Americana Revival that occurred as a result of national publications and local restoration efforts. In January and February of 1938, two *American Homes* magazine articles were published called "American Home Pilgrimages" that highlighted Greek Revival architecture of northern and central Ohio. A local example of restoration efforts occurred in Geneva, Illinois, between the 1920s and 1940s when Mrs. Edmond Raftery, mother of architect Howard Raftery, spearheaded the redevelopment and preservation of the South River Road area of the community that contained a sampling of Greek Revival residences dating from the 1840s and 1850s.¹⁷⁴ Greek Revival residences constructed around the North Shore during the 1930s and 1940s include: Brushwood Farm, the Edward L. Ryerson summer house, in Deerfield, Illinois, by Ambrose Cramer, constructed in 1942,¹⁷⁵ the residence for Mr. and Mrs. Edison Dick by David Adler in Lake Forest constructed in 1932, and the William Smyth residence at 1000 N. Sheridan Road in Lake Forest designed by Stanley Anderson in 1935.¹⁷⁶ There are no Greek Revival inspired buildings constructed in the Village of Winnetka, with the exception of the Dr. Paul W. and Eunice Greeley House at 545 Oak Street.

Classical Revival Houses in Winnetka

There are three additional examples of high-style Classical Revival residences in Winnetka besides the Greeley House. They are located at 875 Bryant Avenue, 1039 Fisher Lane, and 735 Sheridan Road. The Dr. Paul W. and Eunice Greeley House, however, is the only residence in Winnetka that is clearly modeled after a Greek Revival house.

¹⁷⁴ Coventry, Kim and Arthur Hawks Miller. Walter Frazier and Raftery, Orr & Fairbank Architects: Houses of Chicago's North Shore, 1924-1970. Lake Forest, Illinois: Lake Forest-Lake Bluff Historical Society, 2009.

¹⁷⁵ The Edward L. Ryerson Area Historic District, 21950 North Riverwoods Road, Deerfield, was listed on the National Register of Historic Places in 1996. It is today part of the Ryerson Conservation Area.

¹⁷⁶ Arthur H. Miller, Archivist and Librarian for Special Collections, Lake Forest College, provided this information. The information is based on research for the book he co-authored on Walter Frazier. Coventry, Kim and Arthur Hawks Miller. Walter Frazier and Raftery, Orr & Fairbank Architects: Houses of Chicago's North Shore, 1924-1970. Lake Forest, Illinois: Lake Forest-Lake Bluff Historical Society, 2009.

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The house at 875 Bryant Avenue is an upright and wing Classical Revival residence. It is red brick with white trim. The form is similar to the upright and wing Greek Revival farmhouses of the Mid-nineteenth Century although this house is statelier. Still, because of its asymmetry, the house is decidedly less formal than the residence at 545 Oak Street. It is minimally ornamented with a small entry porch supported by Ionic columns, a return cornice on the upright portion of the house, and flat limestone lintels over the double-hung windows. Unlike the Greeley house, it is not symmetrical.

The house at 1039 Fisher Lane is tall and stately, standing a full two-and-a-half stories. The house is painted white. Its size is imposing, with a two-story entrance porch supported by fluted Ionic columns and topped by a pediment. The porch does not run the full width of the façade. The entrance is more Colonial, flanked by sidelights and topped by a fanlight. The house is large and high-style, grander in scale than the Dr. Paul and Eunice Greeley House. It bears no similarity to the Greek Revival style houses that preceded Classical Revival architecture.

The house at 735 Sheridan Road is also a grand example of Classical Revival architecture with Colonial detailing. The building stands two-and-a-half stories tall and is five bays wide. It is built of red brick with quoining at the corners and has white wood trim. Detailing is Colonial, with the front entrance flanked by narrow sidelights and topped by a fanlight. Its identifying Classical feature is a two-story temple front, with a pediment supported by Ionic columns. There are two one-story wings that serve as porches and are not incorporated into the massing of the house. The scale is closer to the house on Fisher Lane than to the Greeley House at 545 Oak Street.

Conclusion

The house located at 545 Oak Street, built by Dr. Paul and Eunice Greeley, is architecturally significant as an unusual example of a Classical Revival residence that is a literal interpretation of an early-nineteenth century Greek Revival house. There are only a handful of Classical Revival houses in Winnetka, and none resembling 545 Oak. In addition, it has remarkable integrity, with no alterations to the public spaces or any of the historic detailing.

THE VILLAGE OF WINNETKA
Department of Public Works
APPLICATION FOR BUILDING PERMIT
and for Certificate of Occupancy and Compliance

Winnetka, Illinois, MARCH 30, 1937

THE SUPT. OF PUBLIC WORKS;

Application is hereby made for a permit to CONSTRUCT a 2 story
and Basement BRICK VENEER + FRAME SINGLE FAMILY DWELUNG

(TYPE OF BUILDING SUCH AS RESIDENCE, GARAGE, ETC.)
PROPERTY DESCRIPTION—LOT S 103.5 FT. OF ELY 85th R/O Block (21 WINNETKA)
Subdivision COUNTY CLERKS

STREET and NUMBER 545 OAK ST.
DIMENSIONS of BUILDING—Front 75-0 feet. Depth 32-1 ^{IRREG.} OVERALL feet. Height 30-0 feet
NUMBER of ROOMS 8 _{26-0 2.0.}

KIND of MATERIAL BRICK VENEER + FRAME

OWNER DR. + MRS. PAUL W. GREELEY Address 855 HILL ROAD (RES.)
545 LINCOLN (OFF.)

TOTAL COST \$16000

ARCHITECT FRANK POLITO Address _____

BUILDER JOSEPH ROTI Address 904 FULTON ST.

CARPENTER " " Address _____

MASON OMAN " Address _____

SEWER BUILDER JOHN EWING Address _____

PLUMBER " " Address _____

ELECTRICIAN _____ Address _____

REMARKS ZBA. CASE # 557

Application is also made for a Certificate of Occupancy and Compliance to be issued after the completion of the building.

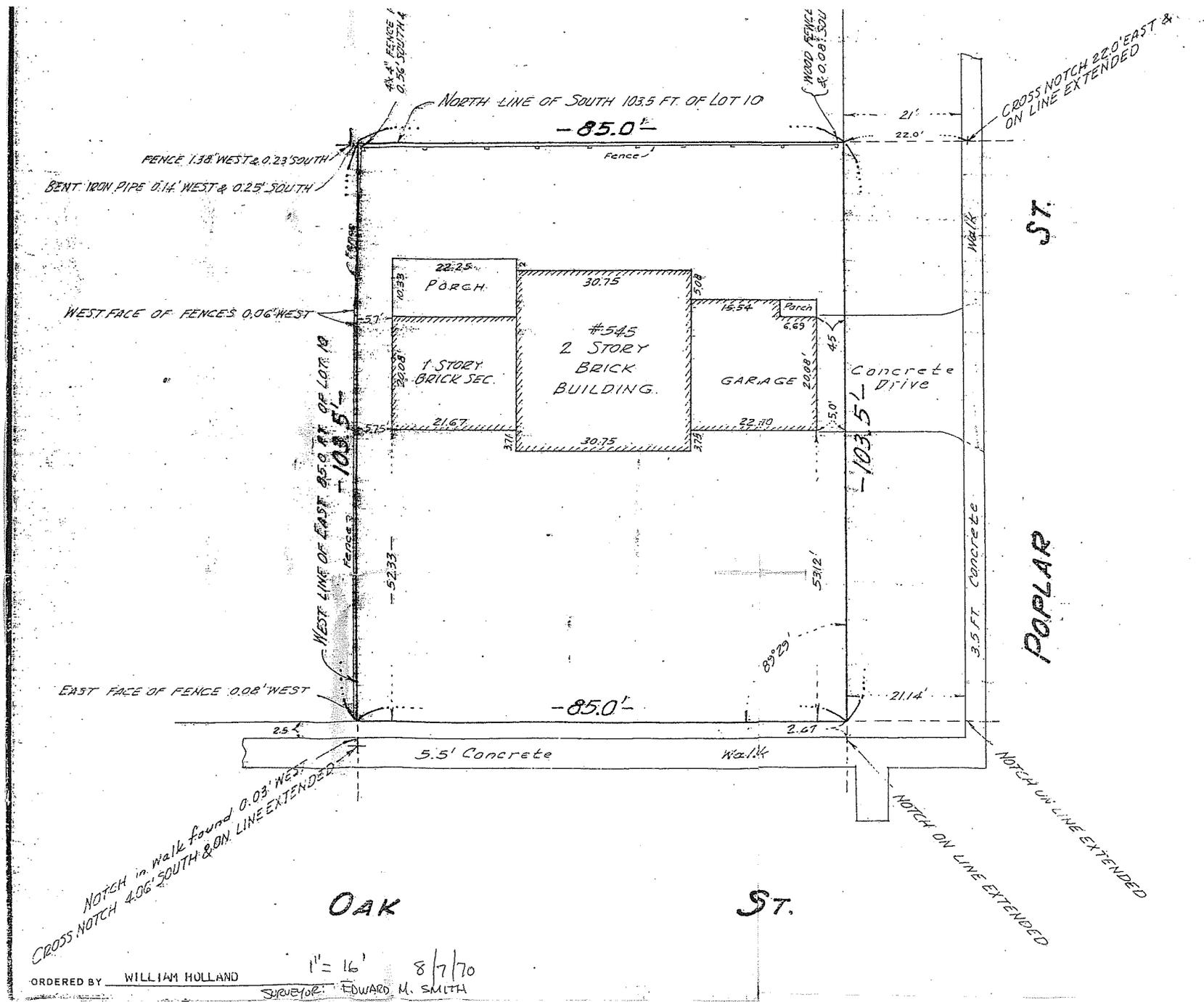
I (OR WE) hereby agree to construct the above described building in accordance with the plat, building plans and specifications submitted herewith, and in strict compliance with all provisions of the Zoning Ordinance, Building Code and Health Regulations of the Village of Winnetka.

Permit Issued APRIL 21, 1937

Building Permit Number 4467

Occupancy Permit Number 2082 _{10/13/37}

SIGNED Emine Greeley
ADDRESS 855 Hill Road



ORDERED BY WILLIAM HOLLAND

1" = 16' 8/7/70
 SURVEYOR: EDWARD H. SMITH

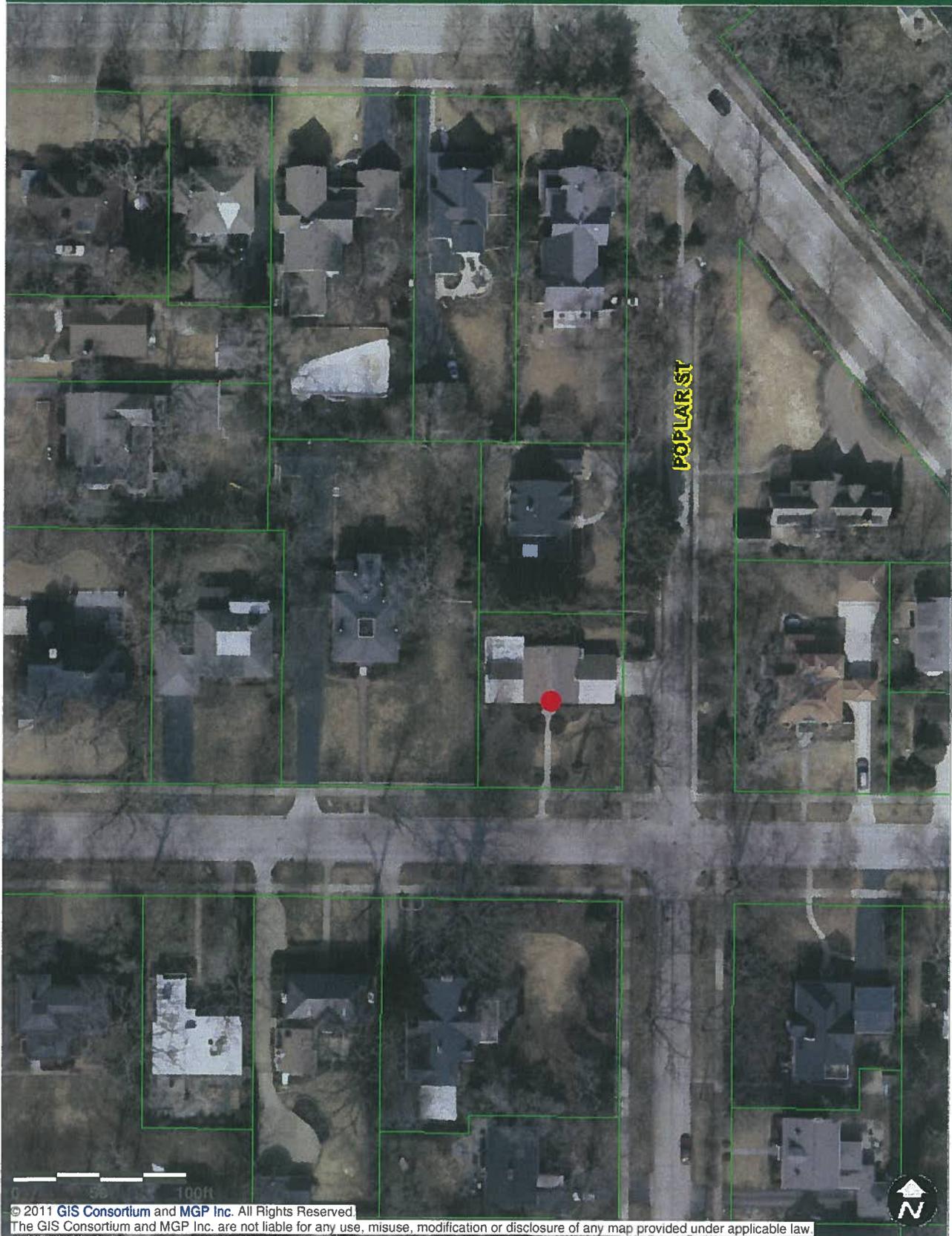


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MapOffice™

545 Oak St.



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ORDINANCE NO. M-1-2012

**AN ORDINANCE
DESIGNATING A LANDMARK
PURSUANT TO CHAPTER 15.64 OF THE
WINNETKA VILLAGE CODE (545 Oak)**

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 the identification, designation and preservation of buildings and structures in the Village that are historically, culturally, and architecturally significant, and the encouragement of the restoration and rehabilitation of those buildings and structures are matters pertaining to the affairs of the Village; and

WHEREAS, Chapter 15.64 of Title 15 of the Winnetka Village Code, titled “Landmark Preservation,” establishes standards and procedures for preserving, protecting, enhancing, rehabilitating and regulating buildings, structures, objects, and places of historical, cultural or architectural importance; and

WHEREAS, the property commonly known as 545 Oak Street, Winnetka, Illinois (the “Subject Property”), is legally described as follows:

The South 103.5 feet of the East 85 feet of Lot 10 in County Clerk’s Division of Block 21 of Winnetka, a subdivision of the North East Quarter of Section 20 and North Fractional Half of Section 21, in Township 42 North, Range 13, East of the Third Principal Meridian; in Cook County, Illinois; and

WHEREAS, the owner of the Subject Property has submitted an application seeking Village of Winnetka landmark designation of the Subject Property, which is known as the Dr. Paul W. and Eunice Greeley House and is listed on the National Register of Historic Places; and

WHEREAS, the owner of the Subject Property is also the current Chairperson of the Landmark Preservation Commission, and accordingly recused herself from the proceedings; and

WHEREAS, pursuant to the provisions of Chapter 15.64 of the Winnetka Village Code (the “Landmark Ordinance”) and notice duly published and sent, the Landmark Preservation

Commission held a public hearing on September 19, 2011, to consider the application for landmark designation and, applying the Village's System for the Evaluation of Landmarks to the information received into the record, gave the home an overall score of 80.4, and a rating of Unique; and

WHEREAS, the Commission found the architectural type, style and period of the home, to be extremely rare in that: (a) the Greeley House is a literal interpretation of an early 19th Century Greek Revival residence, being a replica of the Greeley family home in upstate New York; (b) although the home is classified as Classic Revival Architecture because it was constructed in 1937, it adheres to the Greek Revival style of architecture, which was in vogue in the early to mid-1800's; and (c) the Greeley House is the only residence in Winnetka that is clearly modeled after a Greek Revival house; and

WHEREAS, the Commission rated the local significance of the home a 5, because of the home's three owners, Louise A. Holland, who is the residence's current and most long-time owner, is also an integral member of many local organizations and groups in the Village, including having served as a Village Trustee from 1992-1996, as Village President from 1997-2001, and being a member of the governing boards of such civic organizations as the Winnetka Community House; and

WHEREAS, the Commission gave the home, which is situated on the northwest corner of Oak and Poplar Streets and faces south, a rating of 4 for architectural appropriateness in the neighborhood, and for being a neighborhood symbol or a conspicuous and familiar structure; and

WHEREAS, the Commission gave the home a score of 5 for design integrity, for existing conditions of the surrounding area, and for the condition of the site; and

WHEREAS, pursuant to the findings entered at the September 19, 2011, meeting of the Landmark Preservation Commission, the five members who were then present and qualified to vote, unanimously voted to recommend that the Greeley House, located at 545 Oak Street, be designated a Winnetka landmark, based on the Commission's conclusion that the overall rating of the residence is unique, and that it meets the criteria of the Landmark Ordinance; and

WHEREAS, the Council of the Village of Winnetka have considered the recommendation of the Landmark Preservation Commission and have determined that it is in the best interest of the Village and its residents to accept the findings and recommendation of the Commission and to establish the Greeley House, located at 545 Oak Street, as a designated

landmark, because of its unique architecture, its excellent design integrity and its association with a prominent local resident.

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: The residence located on the property at 545 Oak Street, permanent real estate index number 05-21-112-012-000, is hereby designated a landmark under Section 15.64.070 the Landmark Preservation Ordinance, in accordance with the findings and recommendations of the Landmark Preservation Commission.

SECTION 3: 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 4: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this ___ day of _____, 2012, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2012.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: January 10, 2012

Posted:

Passed and Approved:

Posted:

AGENDA REPORT

TO: Village Council

PREPARED BY: Michael D'Onofrio, Director of Community Development
Katherine S. Janega, Village Attorney

SUBJECT: **M-2-2012 - @properties (26-30 Green Bay Road)**
(1) Special Use Permit
(2) Variations
a. Intensity of Use of Lot
b. Rear Yard Setback

DATE: January 4, 2012

REF: December 20, 2011 Council Agenda, pp. 117-192

The Application and Subject Property

@properties, a real estate sales business with offices at 30 Green Bay Road, has applied for a special use permit and two zoning variations, to allow it to construct a 1,000 s.f. addition at the rear of its existing one-story building at 30 Green Bay Road (Subject Property). Currently, the office has 39 desks for agents and has five full and part time employees. The proposed 20 ft. x 50 ft. addition will accommodate 12 additional agent desks. (See p. 20 for proposed floor plan.) According to the application, no additional full or part time employees will be added as part of this expansion.

Applicable Zoning

The Subject Property is located in the Indian Hill Business District, on the west side of Green Bay Road, south of Winnetka Avenue, and is in the C-1 Limited Retail Commercial District. The C-1 zoning district has a broader range of permitted uses, including professional offices, than does the C-2 General Retail Commercial District. However, as is the case in the C-2 zoning districts (Elm Street and Hubbard Woods), the operation and expansion of real estate offices in the C-1 district require a special use permit. (Attached at the end of these agenda materials is a copy of the table of uses from Section 17.46.010 of the Zoning Ordinance, which lists the uses allowed in the C-1 and C-2 Commercial zoning districts, and indicates whether they are permitted by right or whether they require a special use permit.)

The Village Council grants special uses by ordinance, following hearings and evaluation by the Zoning Board of Appeals (ZBA) and Plan Commission (PC). The ZBA conducts an evidentiary hearing to evaluate the impact of the proposed special use on neighboring uses, as well as the need for the proposed use at the particular location. The ZBA also conducts hearings and makes recommendations on zoning variation requests that accompany special use applications. The PC evaluates special use applications for consistency with the Village's Comprehensive Plan, *Winnetka 2020*. In addition, the Design Review Board (DRB) considers the exterior appearance of the proposed use for consistency with the Village's commercial design guidelines.

Each of the three advisory bodies submits its findings and a recommendation to the Village Council, which makes the final determination as to whether the standards for a special use have been met.

Procedural Background

In April 2010, pursuant to positive recommendations from the ZBA and PC, the Village Council adopted Ordinance M-5-2010, granting a special use permit for @properties to establish a real estate office on the Subject Property. (pp. 72-76). Because the plans submitted with an application are incorporated into the grant of the special use permit, any change to the size of the building requires an amendment to the special use permit. Therefore, as required by the Zoning Ordinance, @properties submitted the special use application now under consideration, seeking approval of its proposed building expansion.

@properties has also applied for two related zoning variations, to permit the building addition to exceed the maximum intensity of use of lot (lot coverage), and to 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. While the existing building and impermeable surfaces cover 4,260 s.f. (81.14%) of the lot, which is less than the maximum allowable lot coverage of 4,725 s.f., the proposed building addition would add a net of 841.6 sq. ft. of impermeable surface, due to the replacement of the existing concrete along the full width of the building with a 5 ft. x 3.32 ft. concrete walk from the new rear door to the public alley. The resulting total lot coverage would be 5,101.6 s.f. (97.17% of the lot area), requiring a variation of 376.6 s.f. (7.97%). The proposed addition would also provide a rear yard setback of 3.32 ft., whereas a setback of 10 ft. is required.

Parking Study

The Zoning Ordinance does not require off-street parking for nonresidential uses located at the street level in the commercial districts. However, although the expanded use itself does not require additional parking, the special use application requires an examination of whether and to what extent the proposed expanded use has an impact on traffic and parking in the immediate vicinity.

Therefore, the Applicant's traffic engineers, KLOA, prepared an updated parking impact study (pp. 28-35), 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 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 there is sufficient on-street parking on Green Bay Road and in the permit parking lot on the east side of Green Bay Road to support the proposed office expansion. Village Engineer Steve Saunders has reviewed the KLOA parking study and prepared a memorandum stating that he concurs with KLOA's method of analysis and conclusions. (p. 27)

Recommendations of Lower Boards

At the PC meeting on October 26, 2011, the nine voting members then present unanimously found the proposed expansion consistent with the Comprehensive Plan. (pp. 45-54) The PC recommended conditional approval of the special use, accepting staff's recommendation that the unused curb-cuts to the north and south of the Subject Property be removed and replaced with a full height curb (as shown in conceptual illustrations on pp. 6-7), which would provide three additional on-street parking spaces and improve the pedestrian character of the district.

The curb-cuts are depicted in Figures 1-3 on the next two pages of this agenda report. Figures 1 and 2 show the current condition in the right-of-way immediately south of @properties, in front of Fitness Revolution at 22 Green Bay Road. 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 used the curb cut and overhead door for deliveries. Figure 3 shows the condition in front of the vacant lot immediately north of @properties. Fields BMW once used this vacant lot for long-term vehicle storage. The owner of the vacant lot has since taken steps to prevent unauthorized parking there, by installing metal pipes in front of the driveway. (Reestablishing the parking on the vacant lot would require a special use permit.)

Village staff sent letters to the property owners with the unused curb-cuts informing them of the specific curb-cut recommendation. (pp. 36-40) At the ZBA hearing November 14, 2011, two of the business owners at 22 Green Bay Road testified in opposition to the expansion of @properties (pp. 55-71), and a petition in opposition to the proposed expansion was also presented. (p. 41) No comment has been received from the owner of the vacant lot north of the Subject Property. In the end, the five ZBA members then present voted unanimously to recommend approval of the special use permit, but voted 3 to 2 to recommend denial of the two variations.

At its meeting on October 20, 2011, the DRB commented favorably on the proposed addition (pp. 42-44).

Ordinance M-2-2012

Because of the negative recommendation of the ZBA, the Village Council considered the application at its December 20, 2011, meeting. Pursuant to the Council's policy direction, the attached draft Ordinance M-2-2012 contains favorable findings, grants the special use permit in accordance with Chapter 17.56, and grants the requested variations from Section 17.46.040 [Intensity of Use of Lot] and Section 17.46.080 [Rear Yard Setback] of the Winnetka Zoning Ordinance. While introduction of M-2-2012 requires the concurrence of the majority of the Village Council members present, passage of the ordinance will require the affirmative vote of a majority of the trustees.

Recommendation:

Consider introduction of Ordinance M-2-2012, granting the special use permit and variations from (i) the maximum permitted intensity of use of lot and (ii) the minimum required rear yard setback, all to permit a building addition to the existing @properties real estate office at 26-30 Green Bay Road.



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)	4,260 SF	841.6 SF	5,101.6 SF	376.6SF (7.97%) VARIATION
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	6.68 FT (66.8%) VARIATION
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.

**AN ORDINANCE
GRANTING CERTAIN VARIATIONS
AND
AMENDING THE SPECIAL USE PERMIT
PREVIOUSLY GRANTED 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 improved with a one-story building that was constructed in 1945; 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, pursuant to Sections 17.40.020(B) and 17.46.010(I) of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, real estate offices are permitted only as special uses in the C-1 Limited Retail Commercial Zoning District; and

WHEREAS, in April of 2010, after being vacant for 12 years, the Subject Property was granted a special use permit by Ordinance M-5-2010, pursuant to which @properties was allowed to locate its real estate offices in the one-story building on the Subject Property; and

WHEREAS, on October 11, 2011, the Village received an application from @Properties (“Applicant”) for a special use permit pursuant to Section 17.40.020(B) of the Winnetka Zoning Ordinance, to allow @Properties to construct a 20-foot by 50-foot addition at the rear of the building in order to provide additional desk spaces in its real estate office; and

WHEREAS, the @Properties has also applied for the following variations: (i) a variation of 376.6 square feet (7.97%) from the Intensity of Use of Lot limitations of Section 17.46.040 of the Winnetka Zoning Ordinance, to allow a lot coverage of 5,101.6 square feet, whereas a maximum of 4,725 square feet is permitted; and (ii) a variation of 6.68 feet (66.8%) from the Rear Yard Setback requirements of Section 17.46.080 of the Winnetka Zoning Ordinance, to allow a rear yard setback of 3.32 feet, rather than the required minimum of 10 feet; and

WHEREAS, on October 26, 2011, on due notice thereof, the Plan Commission convened to consider the requested special use, at which time the nine voting members of the Plan Commission then present unanimously found the proposed special use to be consistent with the Comprehensive Plan and conditionally recommended that the special use be granted; and

WHEREAS, the Plan Commission’s conditional recommendation of approval accepted staff’s recommendation that the unused curb-cuts immediately to the north and south of the Subject Property be removed and replaced with a full height curb, which would provide three additional on-street parking spaces and improve the pedestrian character of the district; and

WHEREAS, on November 14, 2011, on due notice thereof, the Zoning Board of Appeals held a public hearing to consider the special use permit and requested variations, and the five members then present voted unanimously to recommend approval of the special use; and

WHEREAS, the five members of the Zoning Board of Appeals did not make a favorable recommendation regarding the two zoning variations, with three of the five members voting to recommend denial of the variations, on the grounds that the Applicant had not established the existence of a hardship or the inability to obtain a reasonable return from the Subject Property; 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, at the Zoning Board of Appeals hearing, two witnesses who owned a business at 22 Green Bay Road stated their opposition to the application; and

WHEREAS, one of the two witnesses also submitted a petition, that was signed on behalf of nine persons, and that stated that the persons signing are owners, tenants and operators of businesses in Indian Hill who object to the proposed building expansion on grounds relating to concerns about a detrimental impact on neighboring properties and businesses due to (i) increased occupancy and traffic in and out of the building, (ii) increased demand for curbside parking, (iii) increased parking in the public lot on the east side of Green Bay Road, and (iv) increased vehicular traffic; and

WHEREAS, the Applicant has submitted a parking impact study prepared by the traffic engineering firm of Kenig, Lindgren, O'Hara, Aboona, Inc. ("KLOA"), which concluded that an adequate parking supply exists in the vicinity of the Subject Property to accommodate the projected peak demand of five additional spaces, and that the combination of available unoccupied parking spaces on Green Bay Road and in the Green Bay Road public 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;" and

WHEREAS, the Village Engineer reviewed the KLOA study and report and concurred with both its methodology and conclusions; and

WHEREAS, no interested party has presented any credible evidence that either the methodology or the conclusions of the KLOA study and report are incorrect or otherwise flawed; and

WHEREAS, neither the two witnesses nor any of the persons whose signatures were on the petition identified themselves as being owners of property within 250 feet of the Subject Property; and

WHEREAS, several of the signatures on the petition submitted in opposition were signed in a representative capacity by one of the testifying witnesses, and none of the signatures on the petition was signed and acknowledged as provided in Section 17.56.050 of the Winnetka Zoning Ordinance, and

WHEREAS, no other form of opposition or written protest has been received, no other evidence was proffered by the two opposing witnesses, and there were no requests for 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, at the October 20, 2011, meeting of the Design Review Board, that Board considered the consistency of the proposed building modifications with the Commercial Design Guidelines and provided favorable comment on the proposed addition; 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 will allow the modest expansion of the recently renovated building, which will assure the continued occupancy of the once-vacant building and will continue to contribute to the revitalization of the surrounding area; and

WHEREAS, real estate offices are the only office use in the C-1 zoning district that requires a special use permit, and the proposed special use is of a similar character to the other office uses that are permitted as of right; and

WHEREAS, there is no evidence that granting the special use to allow the proposed building expansion will either endanger or be detrimental to the public health, safety, comfort, morals or general welfare, in that the proposed expanded real estate office is no more intense than such permitted uses as barber shops, salons and day spas, animal grooming establishments, and financial institutions and business offices, which generate streams of both pedestrian and vehicular traffic; and

WHEREAS, when the special use is implemented in accordance with the terms and conditions of this Ordinance, the Applicant will have contributed to the restoration of several on-street parking spaces; 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 further improvement to the recently occupied and renovated Subject Property, which will add vitality to the area; and

WHEREAS, when implemented in accordance with the terms and conditions of this Ordinance, adequate measures will 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, there are practical difficulties and unique circumstances related to the strict application of the Zoning Ordinance to the Subject Property in that: (i) the adjacent parcels of property are not available for purchase by the Applicant; (ii) the additional building size and impermeable surface are consistent with the development patterns on the other commercial properties in the immediate vicinity; (iii) the new construction must comply with the Village’s engineering standards and there is no competent evidence in the record that the additional impermeable surface or increased building footprint will create or add to stormwater drainage problems in the Village; (iv) the additional building size is necessary to accommodate the reasonable business needs of the Applicant, which has already invested substantial sums and contributed to the restoration of the Indian Hill business area by moving to the Subject Property and improving and occupying a building that had been vacant for approximately 19 years; and (v) the Village’s Zoning Ordinance reflects the development policy that requires real estate offices to locate in the periphery of the Village’s commercial districts, and denying the requested variations could lead to the further relocation of the Applicant’s offices, either outside of the Village entirely, which would result in a new building vacancy and eliminate a source of patrons for the other businesses in the vicinity, or in another area of the Village that is less desirable for the Village’s land use development purposes; and

WHEREAS, the variations, if granted, will not alter the essential character of the neighborhood, as the one-story addition and the increased building footprint are consistent and compatible with the pattern of development in the immediate vicinity; and

WHEREAS, an adequate supply of light and air to adjacent property will not be impaired, as there are no proximate structures to the proposed addition, the proposed addition is a single story and concerns expressed regarding the second floor window on the adjacent building to the south are related to the side yard setbacks, which are not affected by the requested variations; and

WHEREAS, the hazard from fire or other damages to the Subject Property will not be increased as the proposed improvements will comply with all applicable building code standards, including fire and life safety requirements; and

WHEREAS, there is no evidence that granting the variation from the intensity of use of lot and rear yard setback requirements will add to congestion in the public streets; and

WHEREAS, there is no evidence that the taxable value of land and buildings throughout the Village will not diminish as a result of the variation, and the taxable value of the Subject Property is likely to increase, as the proposed construction is generally an improvement to the Subject Property; and

WHEREAS, there is no evidence that the requested variations will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; 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 District; and

WHEREAS, based on all of the foregoing, and subject to the terms and conditions of this Ordinance, the requested variations are in harmony with the general purpose and intent of the Winnetka Zoning Ordinance, in that they will allow the expansion of a real estate sales office that (i) is located in an area that is consistent with the Village's desired land use and development patterns and (ii) is contributing to the economic viability of the Indian Hill business 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 expansion of the real estate sales office of @Properties by constructing a 20-foot by 50-foot addition at the rear of the building on the Subject Property, as depicted in the plans submitted with the application.

SECTION 3: Pursuant to Section 17.46.010 of the Winnetka Zoning Ordinance, and subject to the terms and conditions hereinafter set forth, the following variations are 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: (i) a variation of 376.6

square feet (7.97%) from the Intensity of Use of Lot limitations of Section 17.46.040 of the Winnetka Zoning Ordinance, to allow a lot coverage of 5,101.6 square feet, whereas a maximum of 4,725 square feet is permitted; and (ii) a variation of 6.68 feet (66.8%) from the Rear Yard Setback requirements of Section 17.46.080 of the Winnetka Zoning Ordinance, to allow a rear yard setback of 3.32 feet, rather than the required minimum of 10 feet, said variations being for the purpose of allowing the expansion of the real estate sales office of @Properties by constructing a 20-foot by 50-foot addition at the rear of the building on the Subject Property, as depicted in the plans submitted with the application.

SECTION 4: The special use permit hereby granted is subject to the following conditions:

A. The unused curb-cuts immediately to the north and south of the Subject Property shall be removed and replaced, at the expense of @Properties, with a full height curb, and the restored areas shall be striped for on-street parking. The specifications, materials, restoration work and striping shall all be subject to the review and approval of the Village Engineer.

B. The vacant lot to the north of the Subject Property shall 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.

C. 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.

D. 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 5: 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.

[Remainder of this page intentionally left blank.]

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

PASSED this ___ day of _____, 2012, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2012.

Signed:

Village President

Countersigned:

Village Clerk

Introduced: January 10, 2012

Posted:

Passed and Approved:

Posted:

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 RENOUN 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 Rourke

Property Address: 30 Green Bay Rd

Home and Work Telephone Number: 312-334-8362

Fax and E-mail: MRourke@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

10/21



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

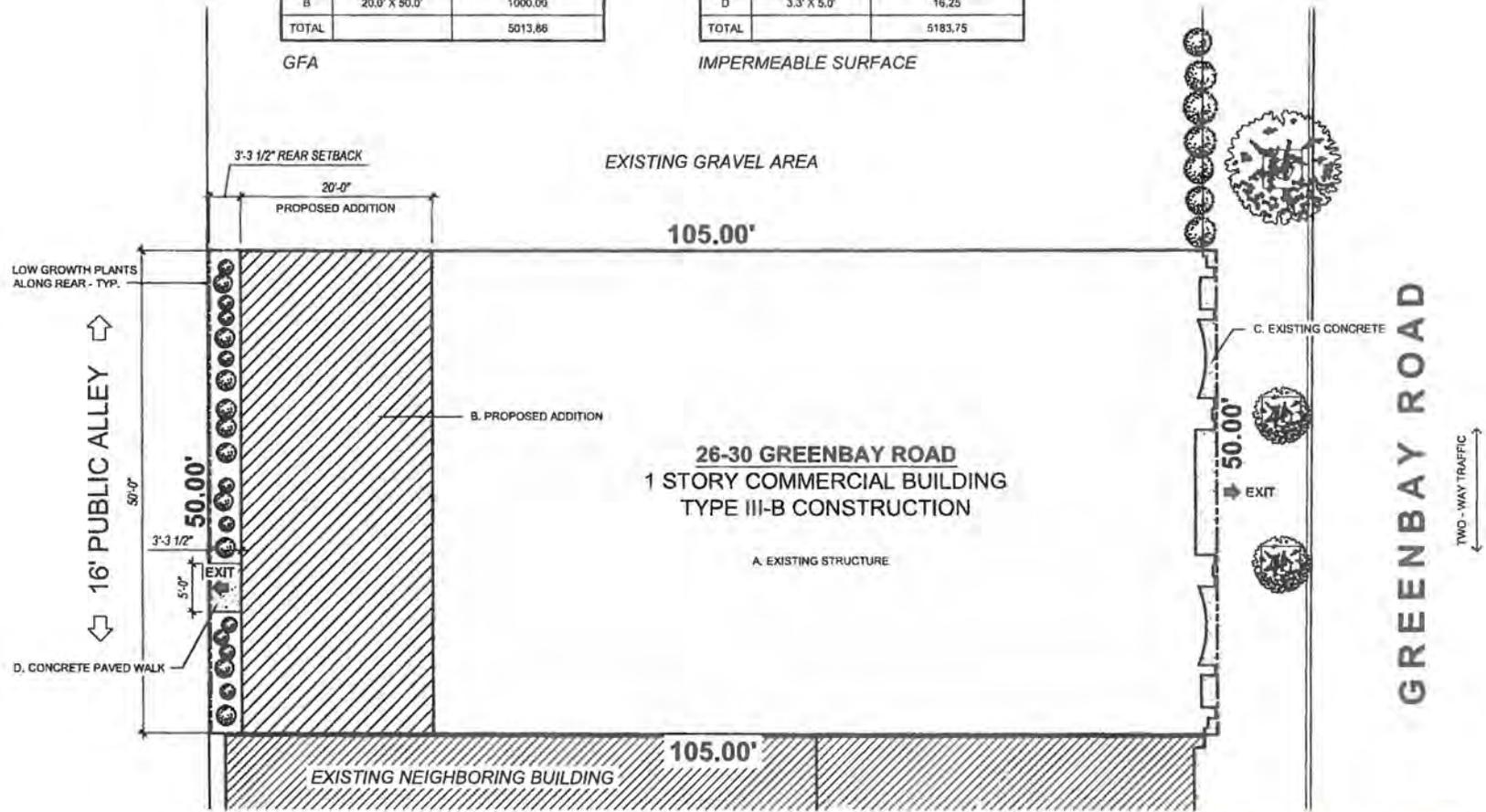


AREA CALCULATIONS		
TAG	DIMENSIONS	GFA
A	90.35' X 50'	4013.88
B	20.0' X 50.0'	1000.00
TOTAL		5013.88

GFA

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

IMPERMEABLE SURFACE



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



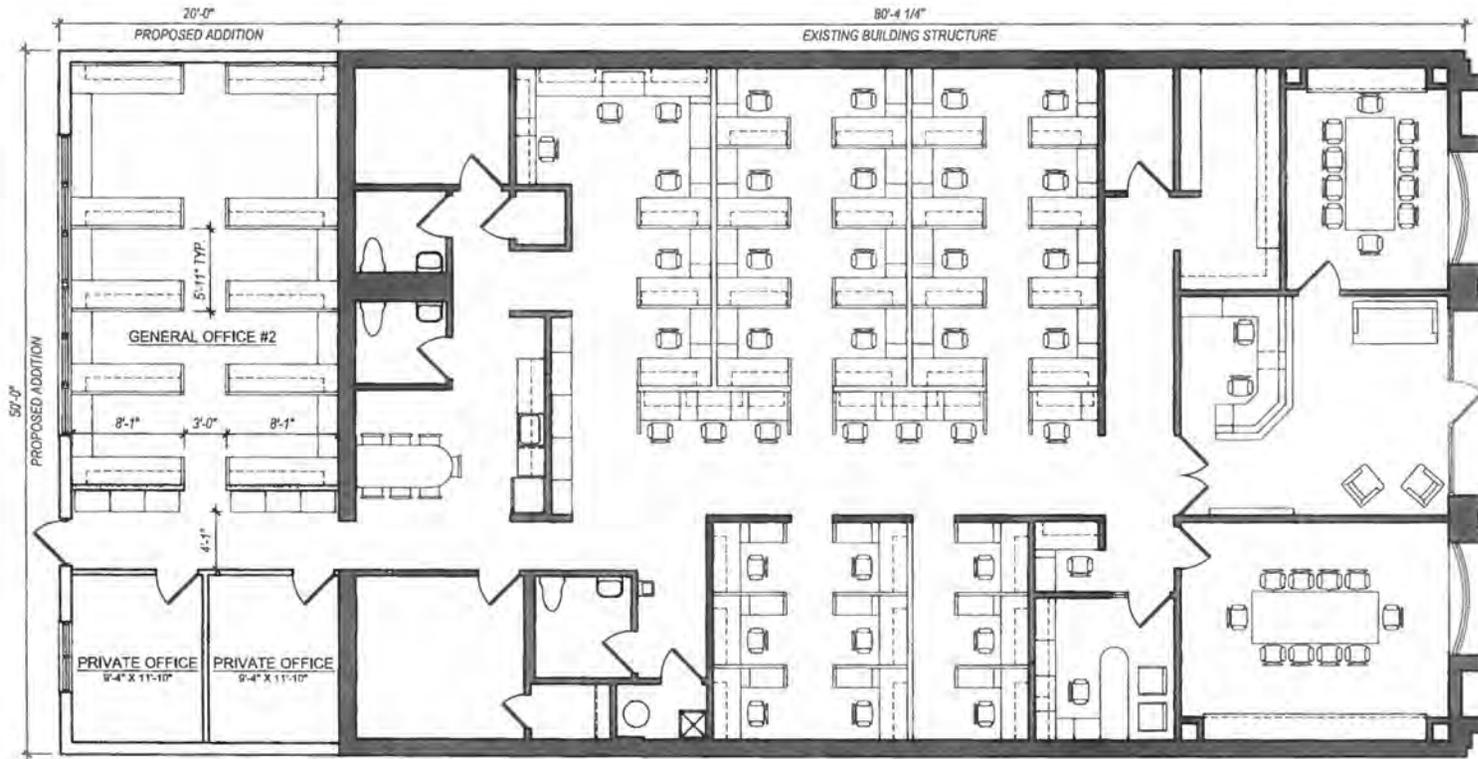
RECEIVED
 OCT 11 2011
 BY: _____



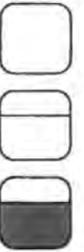
SPACE
 ARCHITECTS + PLANNERS
 26-30 GREEN BAY RD. WINNETKA, IL
 (708) 441-1000



SK1



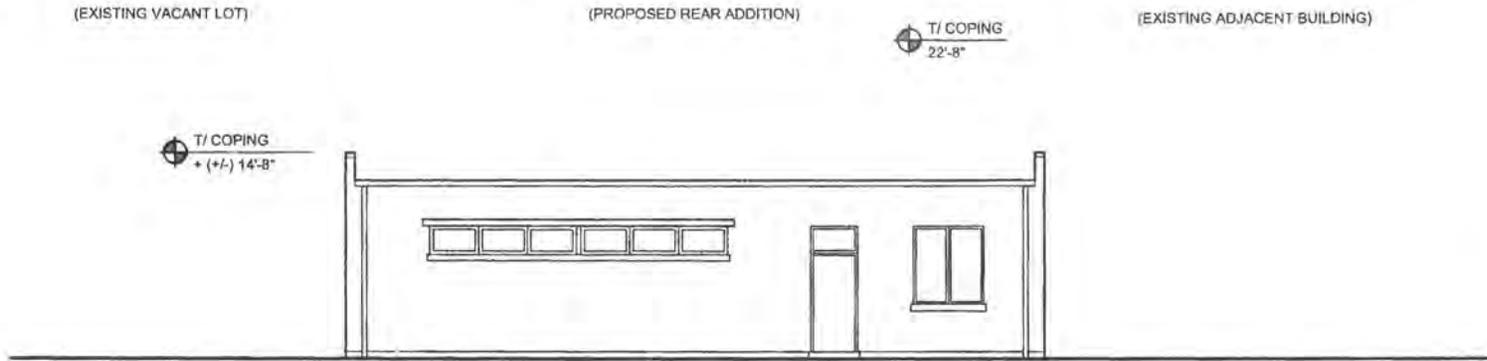
1 FLOOR PLANS
SCALE: 1/8" = 1'-0"



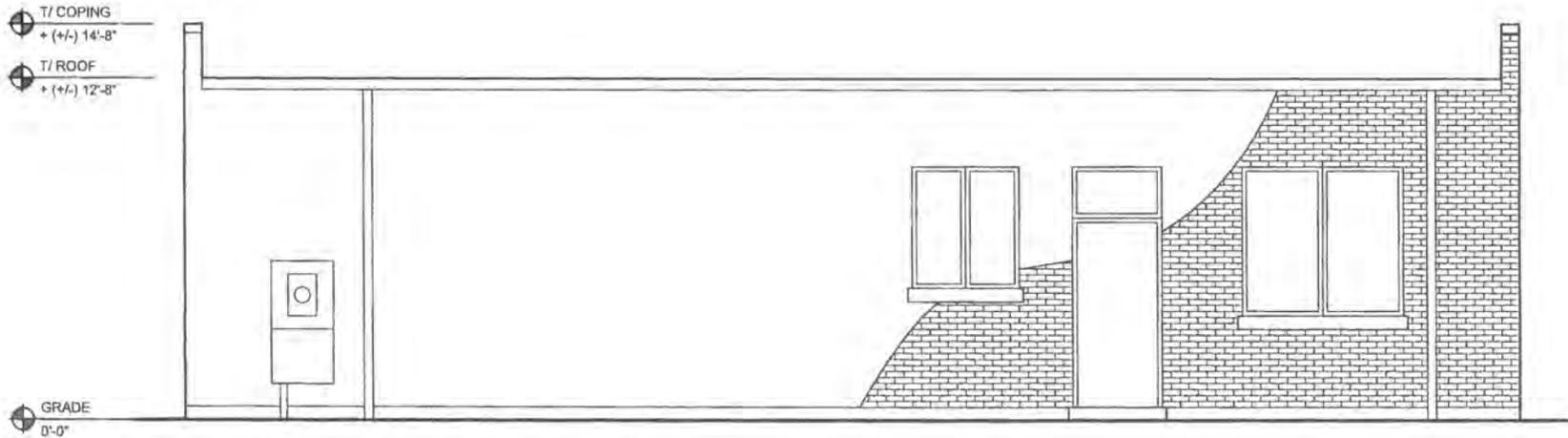
SPACE
ARCHITECTS - PLANNERS
26-30 GREEN BAY RD. WINNETKA, IL
© 2010 SPACE ARCHITECTS, P.C.



SK2



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

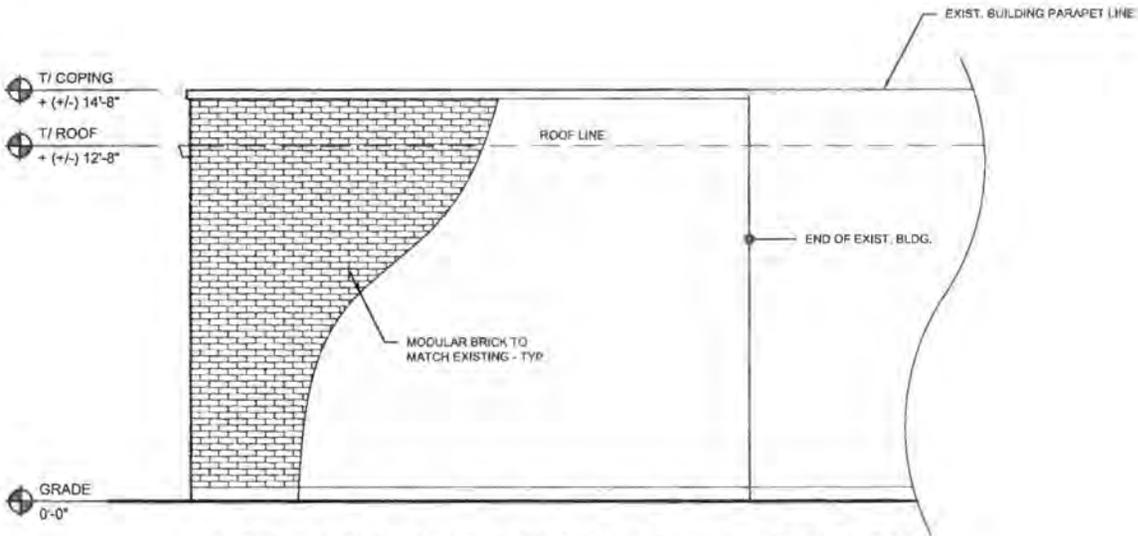


1 EXISTING REAR ELEVATION
SCALE: 1/4" = 1'-0"

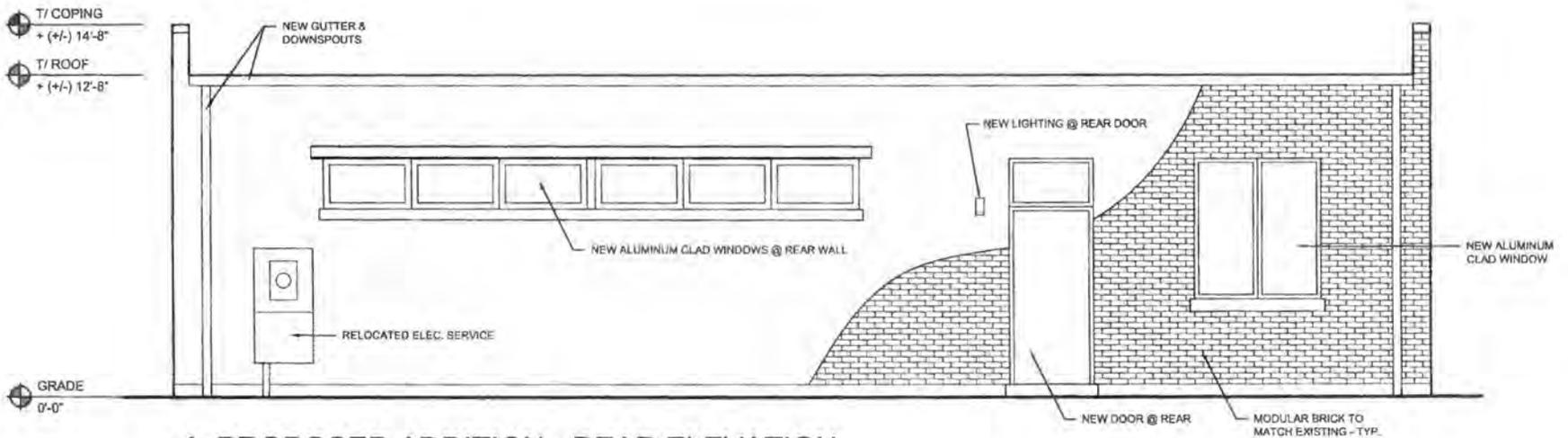


SPACE
ARCHITECTS - PLANNERS
26-30 GREEN BAY RD., WINNETKA, IL
WWW.SPACEARCHITECTS.COM





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
 26-30 GREEN BAY RD. WINNETKA, IL
 (708) 441-1000

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.

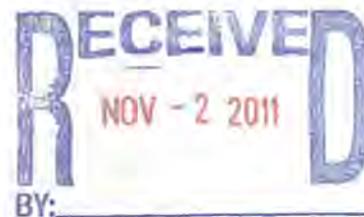
MEMORANDUM TO: Mike Rourke
@ Properties

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.

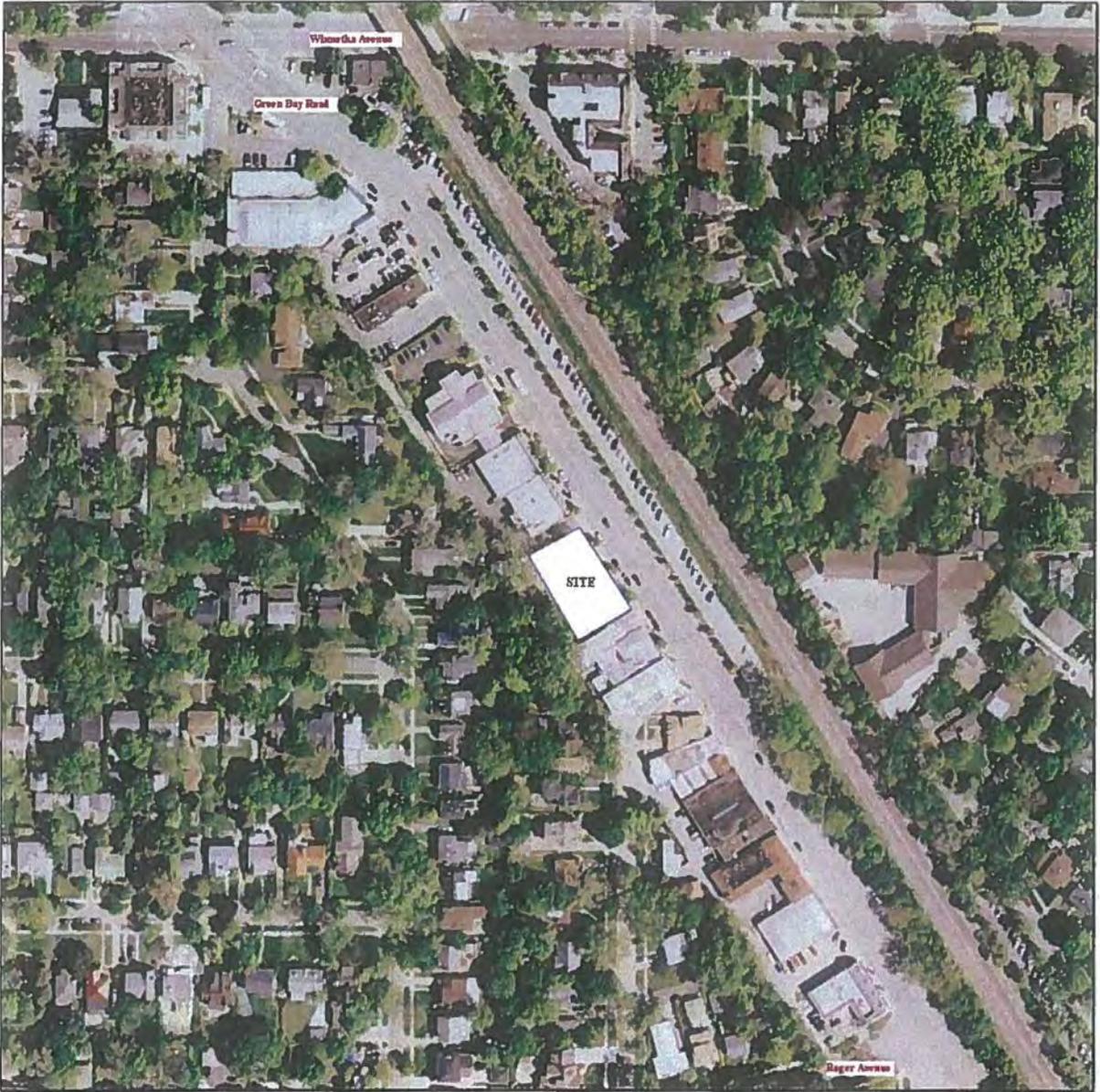
Existing Conditions

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

Table 1

GREEN BAY ROAD ON-STREET PARKING INVENTORY

	East Side of Green Bay Road	West Side of Green Bay Road	Permit Parking Lot	Total Parking
North of Site				
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
South of Site				
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
Permit Lot				
Permit Lot Entrance to Vacant Lot	--	--	21 spaces	21 spaces
Vacant Lot to Permit Lot Exit	--	--	48 spaces	48 spaces
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
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	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
Avg Occupancy	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, 4th 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

2010 Tax Year Information - Payable in 2011				
Tax Year: 2010 Tax Type: Current Tax Volume: 103 PCL: 5-92				
Property Location				
22 GREEN BAY RD WINNETKA, IL 60093-4049				
Mailing Information				
VINCENT COMERCI 3 THE LANDMARK NORTHFIELD, IL 00000-0000				
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	\$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.

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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

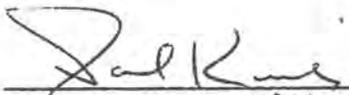
STATEMENT OF OPPOSITION AGAINST THE EXPANSION OF @ PROPERTIES AT 26-30 GREEN BAY ROAD, WINNETKA

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.

RECEIVED
R NOV 14 2011
BY: _____

SIGNED:

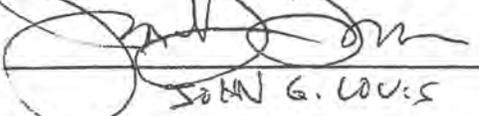
 ADDRESS 22 Green Bay Rd
PAUL KUDALIS

 ADDRESS 20 Green Bay Rd.
PAUL ADAMS

 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 VLAKAKIS

**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.

Minutes adopted 12.12.2011

**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

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 according to the traffic analysis, 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 into the office and on the other hand, they are saying that 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 from the north, if there is no available parking on the west side of Green Bay Road, the traffic report did not take into account whether drivers 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. Ms. Johnson stated that with regard to the west side parking issue, the police need to be more vigilant in enforcing the 90 minute limit. 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 might tip 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 the extra 1,000 square feet is benign 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 of 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

Village of Winnetka, IL Ordinances and Resolutions

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 6th day of April, 2010, pursuant to the following roll call vote:

AYES: Trustees Greable, Johnson, Pedian, Poor, Spinney

NAYS: None

ABSENT: Trustee Rintz

Village of Winnetka, IL Ordinances and Resolutions

APPROVED this 6th 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

Chapter 17.46

**USE, LOT, SPACE, BULK AND YARD REGULATIONS
FOR RETAIL COMMERCIAL DISTRICTS
(Excerpt)**

Section 17.46.010

Table of Uses

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
P = Permitted uses SU = Special uses NO = Not permitted			
A. RESIDENTIAL USES			
Dwelling unit above the ground floor in a commercial building	P	P	P
Dwelling Unit at the ground floor, less than 50 feet from front street line	SU	NO	NO
Dwelling Unit at the ground floor, 50 feet or more from front street line	SU	SU	SU
B. PERSONAL SERVICE ESTABLISHMENTS and CUSTOM CRAFT USES			
Barber shop	P	P	P
Beauty salon or day spa, including nail salons, skin care and related services	P	P	P
Laundry and dry cleaning receiving store (Processing not performed on premises)	P	P	P
Photography studio	P	P	P
Picture framing (retail only)	P	P	P
Printing shop with retail sales component, or mailing and related office services	P	P	P
Shoe or hat repair	P	P	P
Tailor shop or dressmaking establishment	P	P	P
Tanning Salon	SU	SU	SU
Taxidermy shop	P	P	SU
Travel agency	P	P	SU
Upholstery shop and furniture repair/refinishing	P	P	SU
Weight loss clinic / diet center	SU	SU	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
C. GENERAL RETAIL SALES and RELATED SERVICE USES			
Antique store	P	P	P
Apparel store	P	P	P
Apparel rental, not including cleaning	P	P	P
Appliance service, repair or sales	P	P	P
Art, craft, or hobby supply store	P	P	P
Art gallery or studio	P	P	P
Bath supply or accessory store	P	P	P
Bicycle sales service, repair or sales	P	P	P
Book store	P	P	P
Cabinet sales establishment (not including cutting, assembly, etc.)	P	P	P
Camera and photo store	P	P	P
Card /stationery store	P	P	P
China, glassware, ceramic or flatware shop	P	P	P
Coin, stamp, precious metal or similar shop	P	P	P
Computer equipment sales and service	P	P	P
Department or variety store	P	P	P
Drug store	P	P	P
Electrical and household appliance sales and service	P	P	P
Electronics store	P	P	P
Fabric & sewing accessory store	P	P	P
Floor covering store	P	P	P
Florist shop, retail (no on-site greenhouse, outdoor storage, or related horticultural activities)	P	P	P
Furniture and home accessories store	P	P	P
Furrier and fur apparel shop (including storage/repair when incidental to retail)	P	P	P
Garden supply shop	P	P	P
Gift shop, specialty shop or novelty shop	P	P	P
Hardware store	P	P	P
Interior decorating (with retail inventory on display)	P	P	P
Interior decorating service (no retail inventory)	P	P	SU
Jewelry store	P	P	P

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
Leather goods store	P	P	P
Lighting and electrical equipment store (retail)	P	P	P
Luggage store	P	P	P
Musical instrument store, including music lessons when incidental to retail	P	P	P
Newspaper or magazine store	P	P	P
Office supply store	P	P	P
Optical goods store	P	P	P
Paint and wall covering store	P	P	P
Pet shop and supplies (not including animal boarding or kennel services)	P	P	P
Pharmacy	P	P	P
Record, tape and video recording store	P	P	P
Resale shop, secondhand store or rummage shop	P	P	SU
Rummage collection and/or storage	SU	SU	SU
Shoe store	P	P	P
Sporting goods store	P	P	P
Tobacco shop	P	P	P
Toy store	P	P	P
Window covering, drapery or curtain store	P	P	P
D. PLANTS, ANIMALS AND RELATED USES			
Animal grooming establishments	P	P	P
Animal hospital or veterinary clinic (for care and treatment of domestic pets and animals only, and operated completely within a building. (No Boarding permitted, and cannot operate 24 hours)	P	P	SU
Wholesale florist, or commercial greenhouse	SU	SU	SU
E. FOOD PRODUCT USES			
Bakery, retail	P	P	P
Candy/confectionery shop	P	P	P
Convenience food store	SU	SU	SU
Grocery store	SU	P	P
Meat, fish or poultry market	P	P	P
Specialty Food or Beverage Shop	P	P	P

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
F. FOOD AND BEVERAGE SERVICE USES			
Catering establishment with no retail or restaurant component	P	P	SU
Ice cream or frozen desert shop	P	P	P
Restaurant, drive-in	SU	SU	SU
Restaurant, fast food	SU	SU	SU
Restaurant, standard	P	P	P
G. FINANCIAL USES			
Accounting, auditing and bookkeeping services	P	P	SU
Banks without drive through facilities	SU	P	SU
Banks with drive through facilities	SU	SU	SU
Credit Union Office	SU	P	SU
Financial Counseling office	P	P	SU
Income tax service	P	P	SU
Insurance agents or brokers	P	P	SU
Loan or mortgage brokers	P	P	SU
Stock, commodity or security broker	P	P	SU
H. BUSINESS SERVICE USES			
Advertising agency offices	P	P	SU
Building maintenance service offices	P	P	SU
Business machine sales, service or rental	P	P	P
Employment Agency	P	P	SU
Printing shop (with no retail sales component)	P	P	SU
Stenographic & Other temporary Office Employment Service Offices	P	P	SU
I. OFFICE AND PROFESSIONAL USES			
Business association offices	P	P	SU
General offices	P	P	SU
Newspaper offices	P	P	SU
Professional Offices, including architect, attorney, engineer	P	P	SU
Publishing offices	P	P	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
Office of Institution of Religious, Charitable or Philanthropic nature	P	P	SU
Real Estate offices	SU	P	SU
J. MEDICAL AND RELATED USES			
Acupuncture Services	P	P	SU
Chiropractor's Offices	P	P	SU
Dental Office	P	P	SU
Dental Laboratory	P	P	SU
Home Health Care Provider's Offices	P	P	SU
Medical Offices	P	P	SU
Medical Laboratory	P	P	SU
Offices for the fitting, sales and repair of hearing aids, prosthetic appliances and the like	P	P	P
Optical Laboratory	P	P	SU
Psychiatrist's & Psychologist's Office or similar mental health counseling	P	P	SU
K. TRANSPORTATION AND RELATED USES			
Automobile parts accessories store (retail)	P	P	P
Automobile, motorcycle, boat and marine sales and showroom (limited to indoor storage of display models)	SU	P	P
Automobile Service Station (including incidental repair and washing accessory to principal use) subject to being located a minimum of 200 feet from a church, or temple, library, community or parish house, or public or private school or kindergarten	SU	SU	SU
Motor vehicle battery and tire sale & service	SU	SU	SU
Parking Lot	SU	SU	SU
Public Garage (any building used for storage, parking, repair, etc., but not including body and fender shop, an auto laundry, an automotive machine shop, a welding shop, an automobile repainting shop or a shop engaged in the repair or testing of engines)	SU	SU	SU
Railroad passenger station	SU	SU	SU

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
L. MATERIAL SUPPLY AND CONSTRUCTION USES			
Glass and mirror shop	P	P	P
Heating and air conditioning sales <u>and</u> service establishments	P	P	P
Heating and air conditioning service establishments	P	P	SU
Lighting & Electrical sales <u>and</u> service establishments	P	P	P
Lighting & Electrical service establishments	P	P	SU
Roofing sales <u>and</u> service establishments	P	P	P
Roofing service establishments	P	P	SU
Plumbing sales <u>and</u> service establishments	P	P	P
Plumbing service establishments	P	P	SU
M. COMMUNICATION AND PUBLIC UTILITY USES			
Newspaper distribution agencies	P	P	SU
Newspaper home delivery center	NO	SU	SU
Public utility service store or collection office	P	P	SU
Telephone exchange	P	P	SU
N. GOVERNMENTAL USES			
Postal Service pick up stations, retail	P	P	P
Postal service, Distribution service	SU	SU	SU
Parks	SU	SU	SU
O. MISCELLANEOUS USES			
Drive in or drive through uses	SU	SU	SU
Equipment rental	P	P	SU
Fix-it shop	P	P	P
Funeral parlor and undertaking establishment	P	P	SU
Private Open Space	SU	SU	SU
P. CULTURAL, RECREATIONAL AND ENTERTAINMENT USES			
Bowling alley	NO	SU	SU
Health club	NO	SU	SU
Library or reading room	P	P	SU
Ticket agency (amusements)	P	P	P

Table of Uses	C-1 Limited Retail	C-2 General Retail	C-2 Retail Overlay
Q. EDUCATIONAL USES			
Business or commercial school	P	P	SU
Dancing, music, or language academy	P	P	SU
Educational therapy and counseling service	P	P	SU

(MC-4-2009, Added, 05/05/2009)

AGENDA REPORT

SUBJECT: **R-2-2012 – New Trier Partners – Elm Street Redevelopment
Consent to Proceed with Conditional Purchaser**

PREPARED BY: Katherine S. Janega, Village Attorney
Michael D’Onofrio, Director of Community Development

REF: April 28, 2009 Council Agenda, pp. 20 - 153

DATE: January 5, 2012

Factual and Procedural Background

On April 28, 2009, the Village Council adopted Ordinance M-6-2009, granting preliminary approval to New Trier Partners (“NTP”) for a planned development consisting of a four-story mixed-use building that would contain underground parking, first floor commercial space, and 31 residential condominiums on the upper three floors. As preliminarily approved by Ordinance M-6-2009, the proposed building would replace the following structures near the southeast corner of Elm Street and Lincoln Avenue: the building located between the Conney’s Pharmacy and Baird & Warner buildings on the south side of Elm Street east of Lincoln, the two buildings located south of the Phototronics building on the east side of Lincoln Avenue south of Elm Street, and the parking areas located behind the buildings. The development project has commonly been referred to as “the Fell property redevelopment” because the southernmost building of the property that is the subject of the planned development was formerly the location of the Fell clothing store.

Under the Village’s Planned Development regulations, which are set out in Chapter 17.58 of the Village Code, the approval process has two major steps: preliminary approval and final approval. Both the preliminary and final approval processes call for a series of proceedings before the Plan Commission, Zoning Board of Appeals and Design Review Board. Each of the three advisory boards send their findings and recommendations to the Village Council, which takes final action in the form of an Ordinance.

Status of Development

As required by Ordinance M-6-2009, New Trier Partners filed a timely application for final approval, and proceedings were set before the three subordinate boards. In the course of the process, New Trier Partners began exploring alternatives to the condominium units, and requested time from the Plan Commission to allow it to pursue a possible alternative development.

New Trier Partners’ principals then contacted Community Development Director Mike D’Onofrio and, in accordance with Section 17.58.060 of the Planned Development Ordinance, arranged a pre-application conference with him, Assistant Director Brian Norkus, the Village Manager and the Village Attorney to discuss NTP’s preliminary concept for a modified development and to discuss the required procedural steps. Consistent with established practice,

Village staff also informed the Village President that NTP was considering a modified development plan.

As described by NTP in the preliminary discussions, the amended plan would involve new construction that would replace only the buildings and structures on the Elm Street portion of the development site. The new building would have a smaller footprint than was originally proposed, while the existing buildings and structures along Lincoln Avenue (the former Fell Store building, the building immediately to the north, and the related on-site parking), would remain. As with the preliminarily approved plan, the new building would provide first floor commercial space and on-site parking, but the upper three floors would consist of smaller rental apartments rather than the condominium units originally proposed. In addition, NTP proposes to bring in another party, First American Properties, LLC, to which it would transfer the Elm Street parcel for construction if the modified plan were to be approved.

Village staff informed NTP that, based on both Village Code Chapter 17.58 and Ordinance M-6-2009, the Village would consider the type of proposal NTP was describing to be a significant change from the plans that were preliminarily approved by Ordinance M-6-2009. In addition, to preserve the development conditions imposed in Ordinance M-6-2009, Village staff also informed NTP that the Village would treat NTP's modified application as an amendment to the preliminarily approved development plan.

Because of the detailed application materials required by the Planned Development Ordinance, Village staff and NTP agreed that it is in the best interests of both the Village and the developer for NTP and First American to present their proposed new development concept to the Village Council to obtain preliminary comment and determine whether the Council would be receptive to considering the proposed concept. Therefore, the developers' presentation to the Village Council is being treated as an extension of the Section 17.58.060 pre-application.

It is important to note that NTP has not yet submitted an application to amend the proposed planned development and that the pre-application conference does not require complete development details. In addition, because the development concept is before the Village Council as part of the pre-application process, the Council is being asked only to provide preliminary comment on the new development concept. While this comment may include identifying issues that may be of particular concern to the Council and that the Council would want the developers to address in the course of the proceedings should they proceed with an amended application, the Council is not being asked to vote or make any binding finding or decision on the proposed new development concept.

The materials that accompany this Agenda Report are therefore preliminary and conceptual and will be explained further in the course of the developers' presentation at the Council meeting. Should the developers determine to move forward with the proposed new concept, the developers would then prepare the detailed application package required by the Planned Development Ordinance will be Sections 17.58.070 and 17.58.090. As was the case with the initial plan, the amended plan would be subject to consideration at public meetings and

hearings before the Plan Commission, Zoning Board of Appeals and Design Review Board. These subordinate bodies would then forward their recommendations and procedural records to the Village Council for its consideration and action.

However, as explained in the following section, although the amended concept does not require formal action by the Council at this time, the proposed transfer of ownership to First America Properties does.

Resolution R-2-2012

As noted above, NTP proposes to bring in a development partner that would eventually assume ownership of the Elm Street portion of the development site. Section 6 of Ordinance MC-6-2009 sets out various conditions for the final development. Section 6.K, a copy of which follows the text of R-2-2012, pertains to transfers of the developer's interests in the property, and prohibits a transfer such as the one proposed unless the Village Council has given its consent.

Paragraph 4 of Section 6.K requires a transferee to sign a written agreement to be bound to the preliminary approval, final approval and development agreement that will ultimately govern the final development. A transferee must also submit its qualifications and demonstrate its capability of proceeding with the development. (See par. 6 of Section 6.K)

NTP proposes to transfer a portion of the property to First American Properties, LLC. However, because the transfer is contingent on the Village's approving the proposed amended plan, the final documentation of the transfer and the transferee's qualifications cannot yet take place, since requiring full documentation and formally approving the transfer at this point would make the transferee immediately subject to the plan that was approved by Ordinance M-6-2009. However, some Village Council approval and documentation are necessary at this juncture, because, given the phrasing of paragraph 4 of Section 6.K, NTP's moving ahead with First American Properties without some expression of approval from the Village Council could be construed as a violation of paragraph 4 of Section 6.K.

Because the eventual transfer from NTP to First American is subject to contingencies between those two parties, Resolution R-2-2012 does not grant actual approval for the transfer. Rather, it expresses the Council's consent for NTP and First American Properties to proceed with the amended application. At the same time, R-2-2012 fully reserves the Village Council's right to grant or deny approval of the proposed amended development, to require First American to provide all documentation required under Section 6.K, and to impose such other and additional conditions for development as the Council may deem to be appropriate after considering the entire record.

In addition, to avoid any questions as to whether NTP must still move forward with its original plan at the same time it is seeking to amend it, R-2-2012 states that NTP shall not be required to proceed with the development as preliminarily approved while NTP is proceeding in good faith with the amendment application.

Developer's Submittals

Copies of the materials submitted by the developers are attached following the excerpt of Ordinance M-6-2009. Full-size copies of the site plans and elevations will be presented at the Council meeting. The documents are as follows:

- 1) Letter from New Trier Partners' attorney, Steven Elrod, dated November 16, 2011.
- 2) Revised Site and Elevation Plans dated December 15, 2011.
- 3) Statement of First American Properties, LLC, with notarized signature of Chief Operating Officer, Max Plzak, and signed authorization of First American LLC's two managers.
- 4) Certificate of Incumbency, dated December 16, 2011, signed by the managers of First American Properties and acknowledged by a notary public.
- 5) Illinois Secretary of State Certificate of Good Standing for First American Properties LLC, dated December 16, 2011.
- 6) Print-outs of on-line corporate records for First American Properties, LLC.
- 7) Revised Parking Study prepared by KLOA, dated December 22, 2011.

Recommendation:

- 1) Provide preliminary, pre-application comment on proposed amended development concept.
- 2) Consider adopting Resolution R-2-2012, consenting to New Trier Partner's proceeding with an application to amend its proposed planned development, which, if approved, would be conveyed to and constructed by First American Properties, LLC.

**A RESOLUTION
GRANTING ITS CONSENT
FOR THE OWNERS OF THE PROPERTIES COMMONLY KNOWN AS
511 – 515 LINCOLN AVENUE AND 718-732 ELM STREET
IN THE VILLAGE OF WINNETKA
TO PROCEED WITH AN APPLICATION FOR
AN AMENDED PLANNED DEVELOPMENT
WITH FIRST AMERICAN PROPERTIES, LLC**

WHEREAS, NTP-Winnetka, LLC is the owner of the properties commonly known as 511 Lincoln Avenue and 718 – 732 Elm Street in the Village of Winnetka; and

WHEREAS, NTP-Lincoln Avenue, LLC is the owner of the properties commonly known as 513 – 515 Lincoln Avenue in the Village of Winnetka; and

WHEREAS, NTP-Winnetka, LLC and NTP-Lincoln Avenue, LLC, are both wholly owned subsidiaries of New Trier Development, LLC, an Illinois limited liability company; 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, 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, on April 28, 2009, in the exercise of its home rule powers, the Village Council passed Ordinance M-6-2009, granting preliminary approval to NTP-Winnetka, LLC, NTP-Winnetka, LLC, NTP-Lincoln Avenue, LLC, and New Trier Development, LLC, (collectively “New Trier Partners”) for a proposed planned development for the properties commonly known as 511 – 515 Lincoln Avenue, and 718 – 732 Lincoln Avenue in the Village of Winnetka (collectively, the “Subject Property”); and

WHEREAS, the preliminarily approved planned development consists of a four-story mixed-use building that contains underground parking, first floor commercial space, and 31 residential condominiums on the upper three floors, in a single building that would replace all of the buildings and structures currently on the Subject Property; and

WHEREAS, pursuant to Ordinance M-6-2009, New Trier Partners filed a timely application for final approval of the proposed planned development; and

WHEREAS, in the course of the final approval process, New Trier Partners began exploring alternatives to the condominium units, and requested time from the Plan Commission to allow it to pursue a possible alternative development; and

WHEREAS, New Trier Partners now proposes to file an application with First American Properties, LLC, (“First American”), whereby the planned development would be amended to provide for a new building that would replace only the buildings and structures on the Elm Street portion of the Subject Property; and

WHEREAS, the proposed new building would have a smaller footprint than was originally proposed, while the existing buildings and structures along Lincoln Avenue would remain; and

WHEREAS, the new building proposed for the amended plan would provide first floor commercial space and on-site parking, while the upper three floors would consist of smaller rental apartments rather than the condominium units originally proposed; and

WHEREAS, Section 6.K of Ordinance M-6-2009 requires Village Council consent before the ownership of any portion of the Subject Property can be transferred; and

WHEREAS, New Trier Partners and First American have presented preliminary information regarding the qualifications of First American; and

WHEREAS, the ultimate transfer to First American is conditioned upon the Village’s approval of the proposed amended planned development; and

WHEREAS, subject to the conditions set forth in this Resolution, the Village Council have determined that it is necessary and appropriate to give preliminary consent to the proposed transfer of a portion of the Subject Property to First American, so that New Trier Partners and First American can proceed with filing and processing the application to amend the preliminarily approved development.

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: Preliminary Transfer Consent. Subject to the terms and conditions hereinafter set forth, and pursuant to Section 6.K of Ordinance M-6-2009, the Council of the Village of Winnetka (“Village Council”) hereby gives its preliminary consent to allow New Trier Partners and First American Properties, LLC, (“Preliminary Transfer Consent”) to file an application to amend the preliminary development approval previously granted pursuant to said Ordinance M-6-2009 (“Application for Amendment”).

SECTION 3: Terms and Conditions of Preliminary Transfer Consent. The Preliminary Transfer Consent granted herein shall be subject to the following terms and conditions:

- A. **Reservation of Rights – Application for Amendment.** The Village of Winnetka hereby reserves all right and authority to exercise its discretion in considering the Application for Amendment, to grant or deny approval of the Application for Amendment, and to impose such other or additional terms and conditions for the grant or denial of such approval as the Village Council may deem necessary and appropriate under the circumstances.
- B. **Reservation of Rights – Transfer Consent.** The Village of Winnetka hereby reserves all right and authority to make its final determination on the proposed transfer to First American in conjunction with the Village Council’s decision on the Application for Amendment.
- C. **Section 6.K Conditions and Limitations.** All of the conditions and requirements stated in Section 6.K of Ordinance M-6-2009 for the transfer of any rights or interest in the Subject Property or its development remain in full force and effect. Nothing in this Resolution shall be construed as a determination that the Village has waived any of the conditions or requirements for transfer approval under Section 6.K of Ordinance M-6-2009, or that the Village has determined that any or all of such conditions or requirements have been met.
- D. **No Third Party Beneficiaries.** Nothing in this Resolution shall create, or shall be construed or interpreted to create, any third party beneficiary rights.

SECTION 4: Ordinance M-6-2009. All of the terms and conditions of Ordinance M-6-2009 shall remain in full force and effect unless and until such time as the Ordinance has been amended or repealed by another ordinance of the Village Council. Notwithstanding the

foregoing, New Trier Partners shall not be required to continue the proceedings for final approval of the development that was preliminarily approved in Ordinance M-6-2009, so long as it files its Application for Amendment within 45 days after the adoption of this Resolution and proceeds with said Application for Amendment in good faith and with due diligence. In the event the Application for Amendment is denied, New Trier Partners shall have the right to resume the proceedings for final approval of the development as preliminarily approved pursuant to Ordinance M-6-2009.

SECTION 5: Home Rule Powers. This Preliminary Transfer Consent is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 6: This Resolution shall take effect immediately upon its adoption.

ADOPTED this ____ day of _____, 2012, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

Excerpt of Ordinance M-6-2009

SECTION 6: Conditions. The preliminary approval of the Development shall be subject to the following conditions, all of which shall be incorporated into the ordinance granting final approval of the Development and into the Development Agreement required by Section 15.32.080(K) of the Winnetka Village Code:

* * *

K. Successors, Transferees and Release of Transfers.

1. **Binding Effect.** Developer acknowledges, agrees and intends that this Preliminary Approval Ordinance, as well as the subsequent final approval and the Development Agreement required by this Preliminary Approval Ordinance shall inure to the benefit of and shall be binding upon Developer and any and all of its heirs, successors and Permitted Transferees, and the successor owners of all or any portions of the Subject Property, except as otherwise expressly provided in the following paragraphs 2, 3, 4 and 5.
2. **Transfer and Transferee Defined.**
 - a. For purposes of this subsection, the term “transfer” shall be deemed to include any assignment, sale, transfer to a receiver or to a trustee in bankruptcy, transfer in trust, or other transfer or disposition of the Subject Property, or any beneficial interest therein, in whole or in part, by voluntary or involuntary sale, foreclosure, merger, sale and leaseback, consolidation, or otherwise except for Permitted Transfers and Excluded Transfers.
 - b. For purposes of this subsection, neither the restructuring of the Developer’s legal form of business, whether through the formation of a new corporation, limited liability company, partnership or joint venture, nor the addition of shareholders, members, managers, partners or joint venturers shall be considered a transfer under this Section 6.K; provided that (i) such restructuring does not constitute a transfer as defined in the foregoing subparagraph a, (ii) Developer remains in majority ownership and management control of the Subject Property and the Development, (iii) Developer does not transfer any of its rights or responsibilities under this Preliminary Approval Ordinance, the final approval or the Development Agreement, and (iv) Developer remains solely responsible for the construction of the Development and Developer’s performance under this Preliminary Approval Ordinance, the final approval and the Development Agreement.
3. **Excluded Transfers and Excluded Transferees Defined.** The term “transfer” shall not be deemed to include the formation of a condominium

association, or the assignment, transfer, sale or conveyance of a residential unit upon its completion, or the mortgage of any residential or commercial unit, unless such assignment, transfer, sale or conveyance is to the Developer or any person or entity for the benefit of or subject to the control of the Developer, which permitted transfers shall be referred to herein as “Excluded Transfers”. The recipients of such Excluded Transfers shall be known as “Excluded Transferees.”

4. **Transferee Assumption.** To assure that any potential heir, successor, or Permitted Transferee has notice of this Preliminary Approval Ordinance and the obligations created by it, Developer shall agree as follows:
 - a. The final plat of development and the Development Agreement shall be recorded with the Cook County Recorder of Deeds.
 - b. Prior to the transfer of a legal or beneficial interest in all or any portion of the Subject Property to other than an Excluded Transfer to an Excluded Transferee, Developer shall require, the transferee of the Subject Property to execute an enforceable written agreement stating the transferee’s unequivocal agreement to be bound by the provisions of this Preliminary Approval Ordinance, the final approval and the Development Agreement and, in the event that the Development has not been completed at the time of such transfer, to provide the Village with such assurance of the transferee’s ability to meet such obligations as are required pursuant to this Preliminary Approval Ordinance, the final approval and the Development Agreement, as such qualifications are set forth in paragraph 6, below (“Transferee Qualifications”).
 - c. Developer agrees to notify the Village in writing at least 45 days prior to the date on which Developer proposes to transfer a legal or beneficial interest in all or any portion of the Subject Property or the Development, other than with respect to Excluded Transfers described above. Developer shall, at the same time, provide the Village with a fully executed copy of the above required agreement by the transferee to be bound by the provisions of this Preliminary Approval Ordinance, the subsequent approval ordinance and the Development Agreement and the transferee’s proof of Transferee Qualifications. The Village shall promptly review Developer’s request and approve or reject the proposed transfer prior to the proposed date of such transfer, as set out in the Developer’s notice. If the Village determines that the proposed successor or transferee has completed the foregoing requirements, the transfer shall be deemed a “Permitted Transfer” and the Village Council shall adopt a resolution accepting the proposed transferee as a “Permitted Transferee” hereunder, and releasing the liability of Developer or other predecessor obligor to the extent of the Permitted Transferee’s assumption of liability. For purposes of the foregoing, the consent of the Village Council shall not be unreasonably withheld, and the Village’s decision as to whether to so

5. **Prohibited Assignments and Transfers.** It is the express intent of the parties hereto that this Preliminary Approval Ordinance, the final approval and the Development Agreement, and all of the rights and privileges granted pursuant to those instruments, are for the sole and exclusive benefit of Developer. Accordingly, notwithstanding any other provision of this Preliminary Approval Ordinance, and except for a Permitted Transfer or an Excluded Transfer, in the event that Developer, at any time prior to the completion of the Development, does, or attempts to, voluntarily or involuntarily transfer its interests in the Subject Property, in whole or in part, without the prior consent of the Village Council as provided in the foregoing paragraph 4, all of the rights and privileges granted Developer herein, shall, at the option of the Village, become null and void and be of no force or effect, and the Village shall be entitled to stop all work on the Development.

6. **Transferee Qualifications.** For purposes of this Section 6.K, “Transferee Qualifications” shall mean and include that the proposed transferee: (i) has the financial and economic ability of a proposed transferee to meet Developer’s financial obligations under the Preliminary Approval Ordinance, the final approval and the Development Agreement, (ii) demonstrates that it has experience in completing a development reasonably comparable to the Development; (iii) is not currently in personal bankruptcy or in a bankruptcy for any reasonably comparable development; (iv) does not have any pending criminal charges against it; and (v) is not in default or breach of any development agreements to which it may be bound for any reasonably comparable development. The information provided pursuant to this paragraph 6 shall be considered proprietary and shall not be subject to public disclosure unless it is a record maintained by a court or other public body and is generally available to the public as such, or unless such disclosure is required by law.

Holland & Knight

131 South Dearborn Street | Chicago, IL 60603 | T 312.263.3600 | F 312.578.6666
Holland & Knight LLP | www.hklaw.com

Steven M. Elrod
312.578.6565
steven.elrod@hklaw.com

November 16, 2011

Ms. Katherine S. Janega
Village Attorney
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093

Re: 718-732 Elm Street - Preliminary Planned Development

Dear Kathy:

We are looking forward to our scheduled appearance before the Winnetka Village Council on Tuesday December 6, 2011 concerning the above Property and the preliminary approval granted in Ordinance No. M-6-2009. As we discussed, the primary purpose for this appearance is our request for Village Council consent of a proposed transfer of a portion of the Property in accordance with the transfer approval procedures set forth in Sections 6.K.5 and 6.K.6 of the Ordinance.

In our meetings over the past several months with you, the Village Manager, and the Director of Community Development, we outlined the desire of New Trier Partners to convey that portion of the Property fronting on Elm Street to another developer, while retaining ownership of the southern portion of the Property. The proposed transferee is First American Properties, LLC, a well respected, high quality residential developer in the Chicago Metropolitan area.

Because even a proposed or contemplated transfer triggers the approval requirements in Section 6.K of the Ordinance, you required that we appear before the Village Board at this early stage of the process. At the December 6 meeting, First American will present its qualifications to the Village Council and demonstrate compliance with the standards for approval of a transfer detailed in Section 6.K.6 of the Ordinance. We will deliver back up documentation to the Village Staff well in advance of the meeting date so that it can be reviewed and distributed.

As we have discussed, First American's plans contemplate a smaller footprint for the building, with generally smaller residential units. The quality of the architecture and design are not intended to change. The portion of the Property being retained by New Trier Partners will remain part of the planned development, but will not be further developed; rather, it will be subject to the provisions of the C-2 District. You have advised that this proposal would require an amendment to the existing Preliminary Approval; meaning that we will need to commence and complete the preliminary approval process, and receive Village Council approval of an amended preliminary planned development plan, before we can proceed with the final plan

Ms. Katherine S. Janega

Page 2

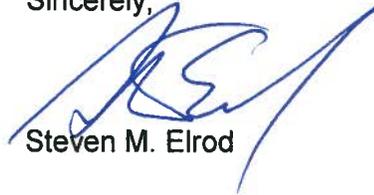
November 16, 2011

approval process. If the Village Council approves the amended preliminary plan, we will have the right to process that plan for final plan approval. If the Village Council does not approve the amended preliminary plan, we will have the right, as we currently have, to process the existing, April 28, 2009 plan for final plan approval.

Finally, we fully understand that an approval by the Village Council of the proposed transfer at the December 6 meeting does not in any way obligate the Village Council to approve the proposed amended preliminary plan.

We look forward to working with you on the transfer and the amendment.

Sincerely,



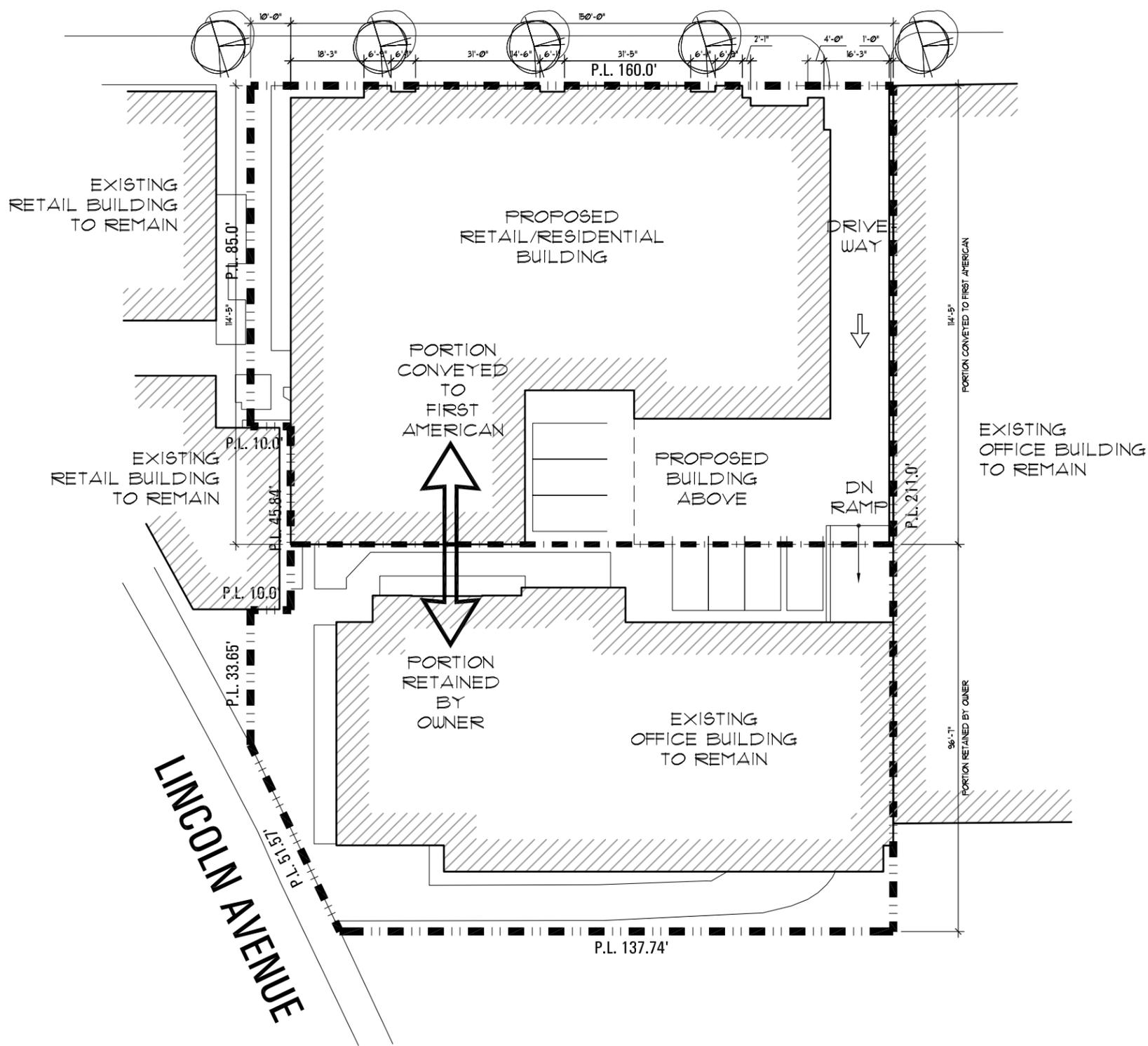
Steven M. Elrod

SME/ljd
Enclosure

cc: Michael Klein
Robert Goldstein
Max Plzak
Debbie Haddad

#10757323_v1

ELM STREET



1 SITE PLAN
SCALE: 1/32" = 1'-0"

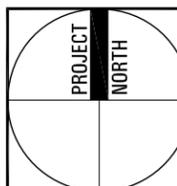
hpa
Hartshome Plunkard Architecture

232 North Carpenter
Chicago IL 60607
P 312 226 4488
F 312 226 4499
www.hparchitecture.com

PLANS AND ALL SPECIFICATION ARE SUBJECT TO REVISION AS DEEMED NECESSARY OR ADVISABLE BY BUILDER, ARCHITECT, OR AS REQUIRED BY LAW.

Elm Street Apartments

Winnetka, Illinois



SCALE
1/32" = 1'-0"
DATE
12.15.2011

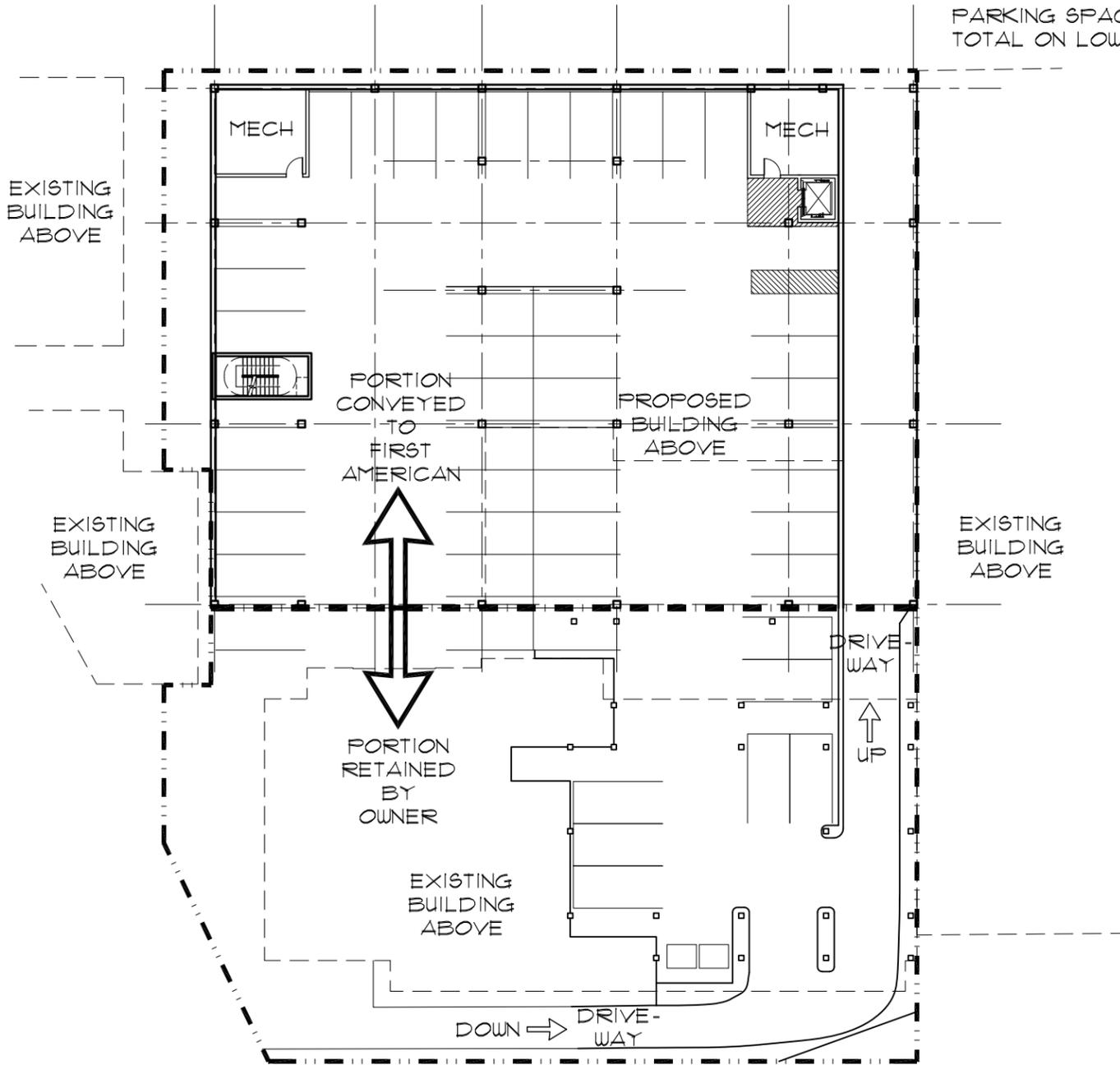
DRAWING
SITE PLAN

SK#
00

LOWER LEVEL/PARKING FLOOR

PARKING SPACES
BENEATH BUILDING: 40 SPACES

PARKING SPACES
TOTAL ON LOWER LEVEL: 50 SPACES



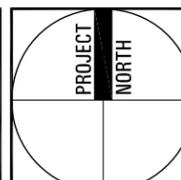
1 LOWER LEVEL/PARKING FLOOR PLAN
SCALE: 1/32" = 1'-0"

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Elm Street Apartments
Winnetka, Illinois



SCALE	1/32" = 1'-0"
DATE	12.15.2011

DRAWING
LOWER LEVEL/
PARKING FLOOR
PLAN

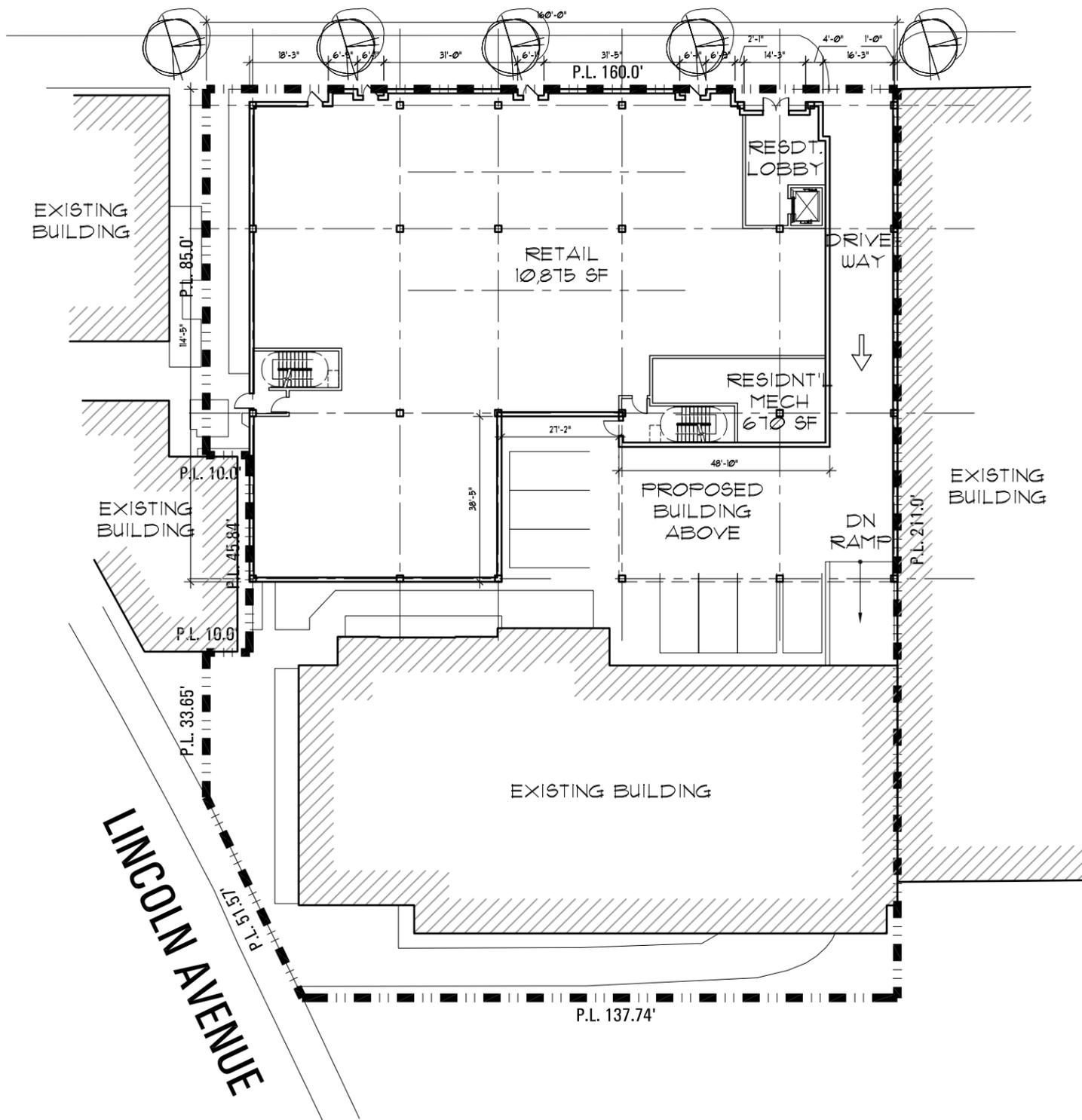
SK#
01

FIRST/RETAIL FLOOR

GROSS AREA: 12,605 SF
 RENTABLE RESIDENTIAL: 0 SF
 RENTABLE RETAIL: 10,875 SF

PARKING ON GROUND LEVEL: 7 SPACES

ELM STREET



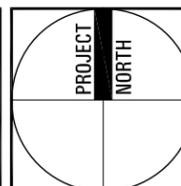
1 FIRST/RETAIL FLOOR PLAN
 SCALE: 1/32" = 1'-0"



PLANS AND ALL SPECIFICATION ARE SUBJECT TO REVISION AS DEEMED NECESSARY OR ADVISABLE BY BUILDER, ARCHITECT, OR AS REQUIRED BY LAW.

Elm Street Apartments

Winnetka, Illinois



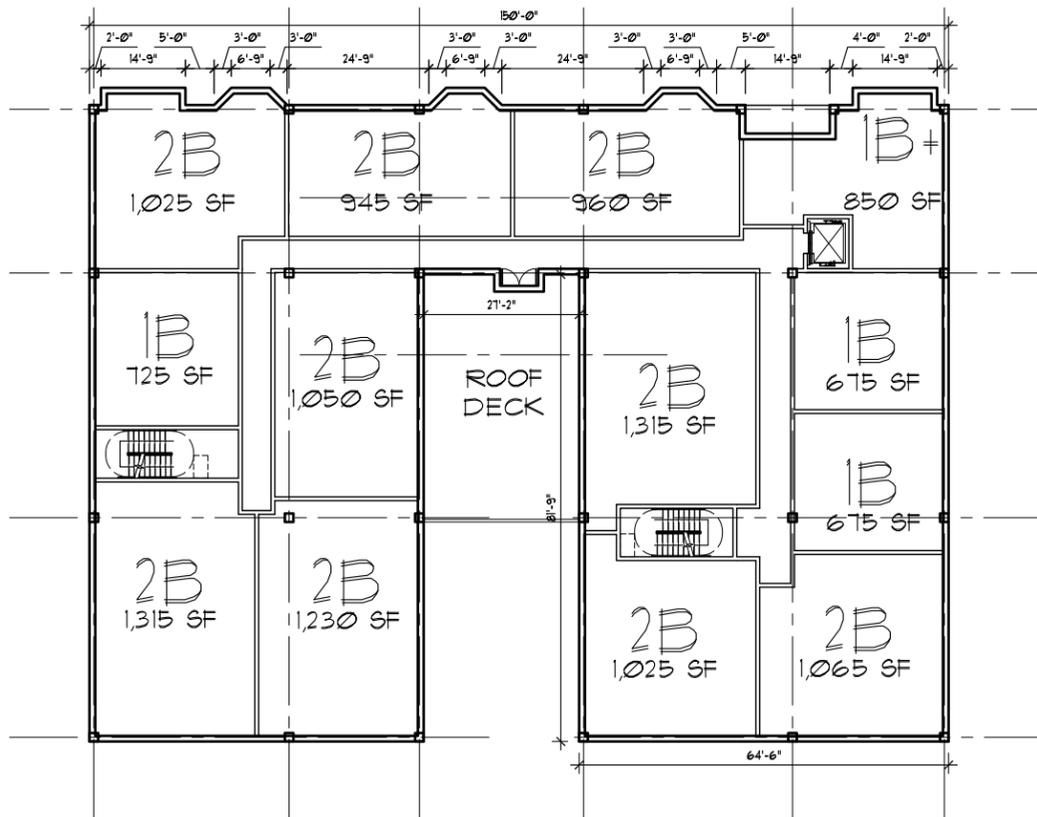
SCALE	1/32" = 1'-0"
DATE	12.15.2011

DRAWING	FIRST/RETAIL FLOOR PLAN
---------	-------------------------

SK#	02
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SECOND & THIRD FLOOR

GROSS AREA: 14,615 SF
 RENTABLE RESIDENTIAL: 12,860 SF
 RENTABLE RETAIL: 0 SF

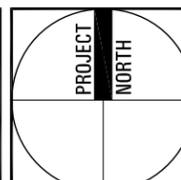


1 2ND AND 3RD FLOOR PLAN
 SCALE: 1/32" = 1'-0"



PLANS AND ALL SPECIFICATION ARE SUBJECT TO REVISION AS DEEMED NECESSARY OR ADVISABLE BY BUILDER, ARCHITECT, OR AS REQUIRED BY LAW.

Elm Street Apartments
 Winnetka, Illinois



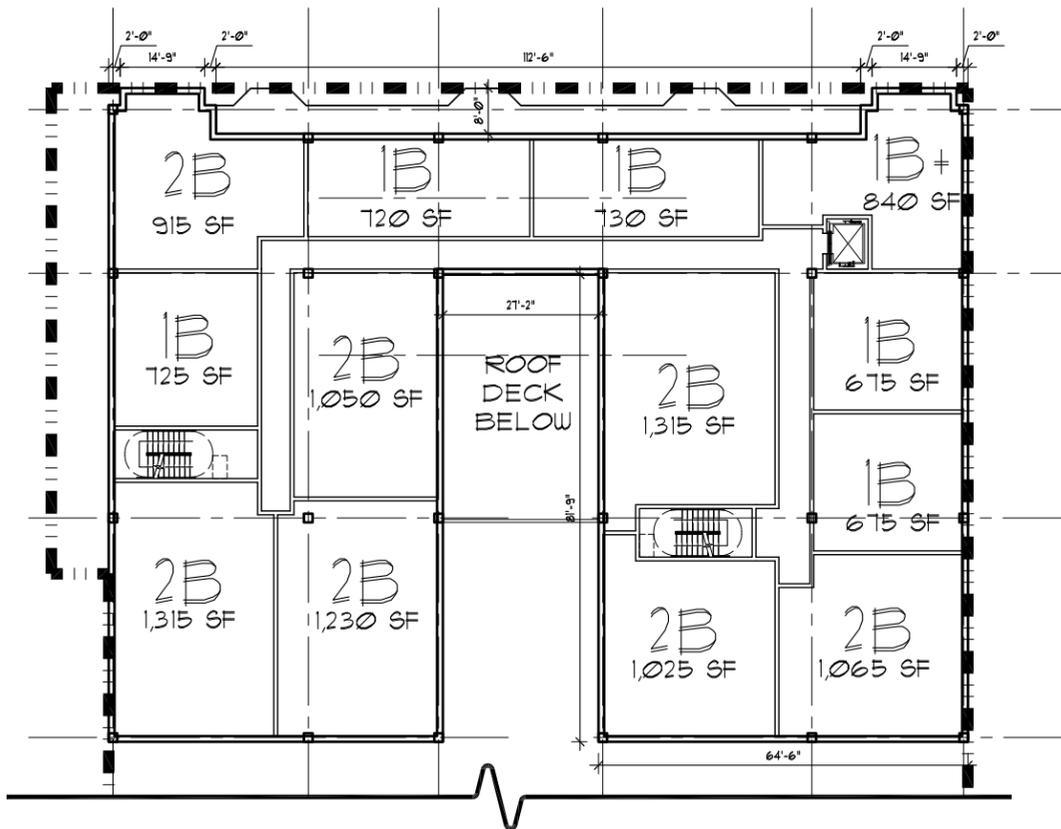
SCALE
 1/32" = 1'-0"
 DATE
 12.15.2011

DRAWING
 2ND AND 3RD FLOORS

SK#
 03

FOURTH FLOOR

GROSS AREA: 14,015 SF
 RENTABLE RESIDENTIAL: 12,300 SF
 RENTABLE RETAIL: 0 SF



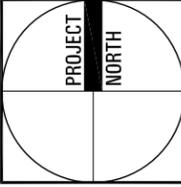
1 FOURTH FLOOR PLAN
 SCALE: 1/32" = 1'-0"

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Elm Street Apartments
 Winnetka, Illinois



SCALE	1/32" = 1'-0"
DATE	12.15.2011

DRAWING	4TH FLOOR
---------	-----------

SK#	04
-----	----

T/PRIMARY GABLED ROOF
EL: 41'-0"

T/4TH FLOOR PARAPET
EL: 35'-0"

T/3RD FLOOR SLAB
EL: 24'-0"

T/2ND FLOOR SLAB
EL: 14'-0"

GROUND LEVEL
EL: 0'-0"



1 NORTH ELEVATION (ELM STREET)
SCALE: 1/16" = 1'-0"

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Hartshome Plunkard Architecture

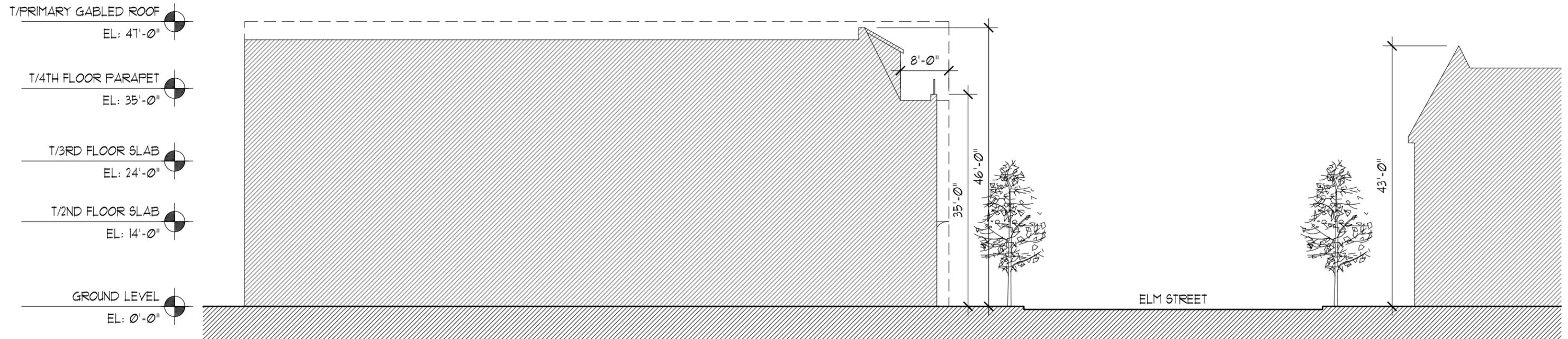
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ELM STREET APARTMENTS

Winnetka, Illinois

	SCALE	DRAWING	SK#
	1/16" = 1'-0"	NORTH ELEVATION (ELM STREET)	05
	DATE		
	12.15.2011		



1 SITE SECTION
SCALE: 1/16" = 1'-0"

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ELM STREET APARTMENTS

Winnetka, Illinois

	SCALE	DRAWING	SK#
	1/16" = 1'-0"	SITE SECTION	06
	DATE		
	12.15.2011		





First American Properties and related companies:

First American Properties is a privately-held real estate investment, development and management company owned by Ronald Benach and Wayne Moretti. Together with a multi-disciplined team of real estate professionals, they have a collective experience of over 90 years in the acquisition, development, construction, leasing and management of a diversified portfolio of commercial properties throughout the greater Chicago area. Our investment focus is entrepreneurial and opportunistic--we seek to develop value-added real estate directly, primarily to hold as income property. Since its inception, First American Properties has developed over four million square feet of multiple product types, including office, industrial, retail, and mixed-use properties worth almost \$1 billion. FAP's current portfolio of owned properties under self-management is in excess of \$320 million.

Our wholly-owned homebuilding affiliate, **Lexington Homes**, is currently active building three townhome communities in the Chicago area and owns several in-fill land sites which are in various stages of entitlement. Over the past 45 years, our principals have built over 25,000 homes in nearly every suburban area of greater Chicago, under the name 3H Homes, Lexington Homes, and Concord Homes—and have been at various times the largest homebuilder in Illinois, delivering as many as 1,300 homes a year.

Our apartment affiliate, **Village Green Companies** has built and currently owns and manages nearly 30,000 units throughout the Midwest, including approximately 2,000 units in downtown Chicago as well as the suburbs. Current development activity includes 188 Randolph Tower in downtown Chicago which will be an historic mixed-use redevelopment containing 313 apartments as well as significant office and retail components.

Our self-storage development arm operates under the name **U-Stor-It** and over the past 15 years has built close to 30 facilities throughout the Chicago area. Nearly all of these developments have been sold to several public storage companies.

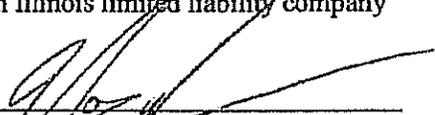
We have worked with a wide variety of institutional equity partners as well as high net-worth individuals, and established very strong relationships with dozens of lending institutions. Our track record has enabled us to assemble a select team of real estate professionals and a broad network of relationships throughout the industry.

First American Properties and its related companies, hereby attest and represent that it meets all of the "Transferee Qualifications" as contained in section 6.K.6 of the Ordinance M-6-2009, Granting Preliminary Approval of an Application for a Planned Development (New Trier Partners) as follows: (i) has the financial and economic ability of a proposed transferee to meet Developer's financial obligations under the Preliminary Approval Ordinance, the final approval and the Development Agreement, (ii) demonstrates that it has experience in completing a development reasonably comparable to the Development; (iii) is not currently in personal bankruptcy or in a bankruptcy for any reasonably comparable development; (iv) does not have any pending criminal

charges against it; and (v) is not in default or breach of any development agreements to which it may be bound for any reasonably comparable development.

By:

First American Properties, LLC,
an Illinois limited liability company



Name: Max Pizak
Title: Chief Operating Officer

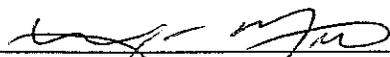
Signed and sworn to before me this
12 day of December, 2011.



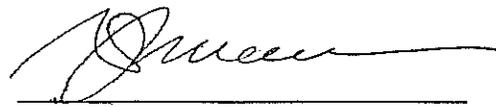
NOTARY PUBLIC



The undersigned are the Sole Managers of First American Properties, LLC ("First American") and hereby state that Max Plzak is the Chief Operating Officer of First American and authorized to make the representations set forth herein.



Wayne Moretti, Manager



Ronald Benach, Manager

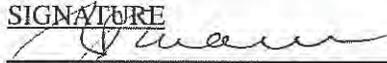
CERTIFICATE OF INCUMBENCY

FIRST AMERICAN PROPERTIES, L.L.C.

The undersigned, Ronald J. Benach and Wayne Moretti, the Managers of First American Properties, L.L.C., a(n) Illinois limited liability company ("Company") are authorized to execute and deliver this Certificate on behalf of the Company.

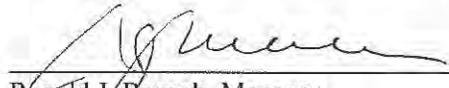
The following persons are, on this date, the Managers or the Chief Operating Officer of the Company. Set forth opposite the name of such Manager or Chief Operating Officer is a genuine specimen of his signature.

NAME
Ronald J. Benach, Manager
Wayne Moretti, Manager
Max Plzak, Chief Operating Officer

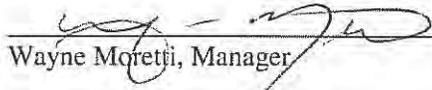
SIGNATURE




IN WITNESS WHEREOF, the undersigned makes this Certification this 16 day of December 2011.



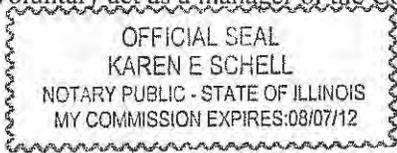
Ronald J. Benach, Manager

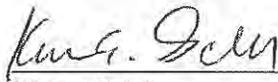


Wayne Moretti, Manager

STATE OF ILLINOIS)
) SS.
COUNTY OF Cook)

On this 16 of December, 2011, before me personally appeared Ronald J. Benach, who being by me duly sworn, did say that he is one of the Managers of First American Properties, L.L.C., an Illinois limited liability company ("Company"), and that said instrument was signed and sealed by him as one of the managers of the Company, as his own free and voluntary act as a manager of the Company, for the uses and purposes therein set forth.

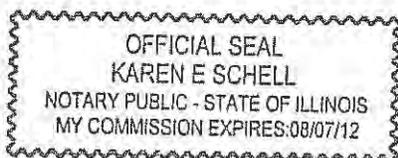




Notary Public
My Commission Expires: 8-7-12

STATE OF ILLINOIS)
) SS.
COUNTY OF Cook)

On this 16 of December, 2011, before me personally appeared Wayne Moretti, who being by me duly sworn, did say that he is one of the Managers of First American Properties, L.L.C., an Illinois limited liability company ("Company"), and that said instrument was signed and sealed by him as one of the managers of the Company, as his own free and voluntary act as a manager of the Company, for the uses and purposes therein set forth.





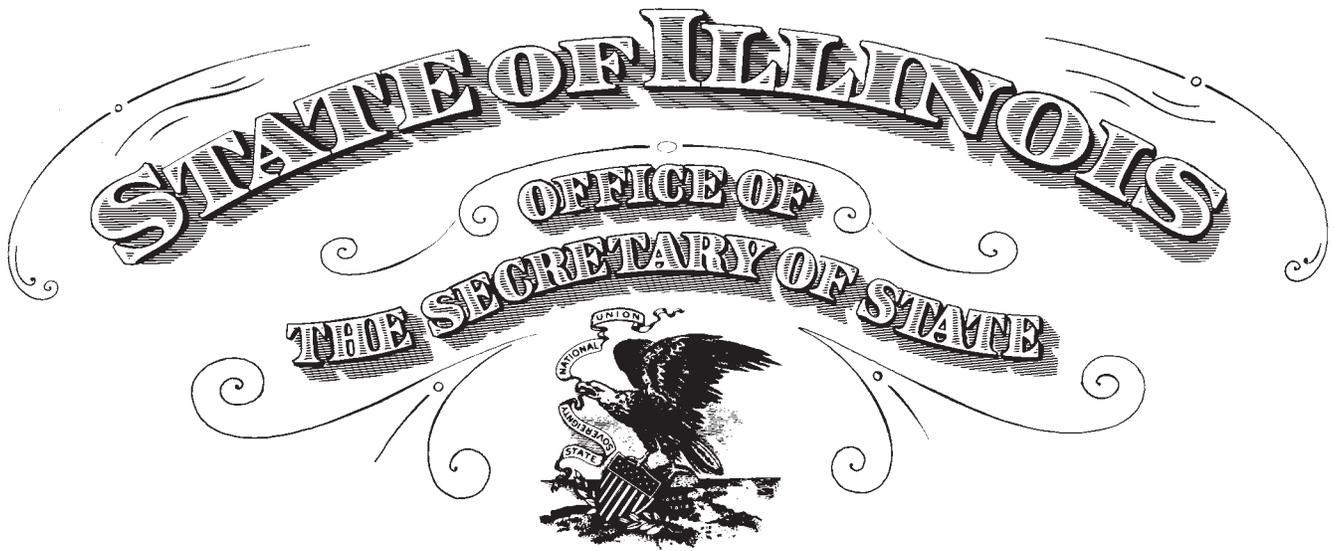
Notary Public
My Commission Expires: 8-7-12

STATE OF ILLINOIS)
) SS.
COUNTY OF Cook)

On this 16 of December, 2011, before me personally appeared Max Plzak, who being by me duly sworn, did say that he is Chief Operating Officer of First American Properties, L.L.C., an Illinois limited liability company ("Company"), and that said instrument was signed and sealed by him as the Chief Operating Officer of the Company, as his own free and voluntary act as Chief Operating Officer of the Company, for the uses and purposes therein set forth.

Karen E. Schell
Notary Public
My Commission Expires: 8-7-12





To all to whom these Presents Shall Come, Greeting:

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that

FIRST AMERICAN PROPERTIES L.L.C., HAVING ORGANIZED IN THE STATE OF ILLINOIS ON APRIL 22, 2003, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A DOMESTIC LIMITED LIABILITY COMPANY IN THE STATE OF ILLINOIS.

In Testimony Whereof, I hereto set
*my hand and cause to be affixed the Great Seal of
the State of Illinois, this 16TH
day of DECEMBER A.D. 2011 .*



Jesse White

SECRETARY OF STATE

Authentication #: 1135001952

Authenticate at: <http://www.cyberdriveillinois.com>



LLC FILE DETAIL REPORT

Entity Name	FIRST AMERICAN PROPERTIES L.L.C.	File Number	00904104
Status	ACTIVE	On	03/21/2011
Entity Type	LLC	Type of LLC	Domestic
File Date	04/22/2003	Jurisdiction	IL
Agent Name	SCN&R REGISTERED AGENT, INC.	Agent Change Date	03/24/2010
Agent Street Address	233 S WACKER DR #7800	Principal Office	1731 N MARLEY ST STE 520 CHICAGO, IL 60614
Agent City	CHICAGO	Management Type	MGR View
Agent Zip	60606	Duration	PERPETUAL
Annual Report Filing Date	03/21/2011	For Year	2011
Series Name	NOT AUTHORIZED TO ESTABLISH SERIES		

[Return to the Search Screen](#)

(One Certificate per Transaction)



LLC MANAGERS

Entity Name	FIRST AMERICAN PROPERTIES L.L.C.	File Number	00904104
Name	Address		
BENACH, RONALD J	101 N MAIN ST STE 16C, CRYSTAL LAKE, IL - 60014		
MORETTI, WAYNE	1731 N MARKET ST STE 520, CHICAGO, IL - 60614		

[BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE](#)

MEMORANDUM TO: Moises Cuckierman
First American Properties, LLC

FROM: Javier Millan
Senior Consultant

Luay R. Aboona, PE
Principal

DATE: December 22, 2011

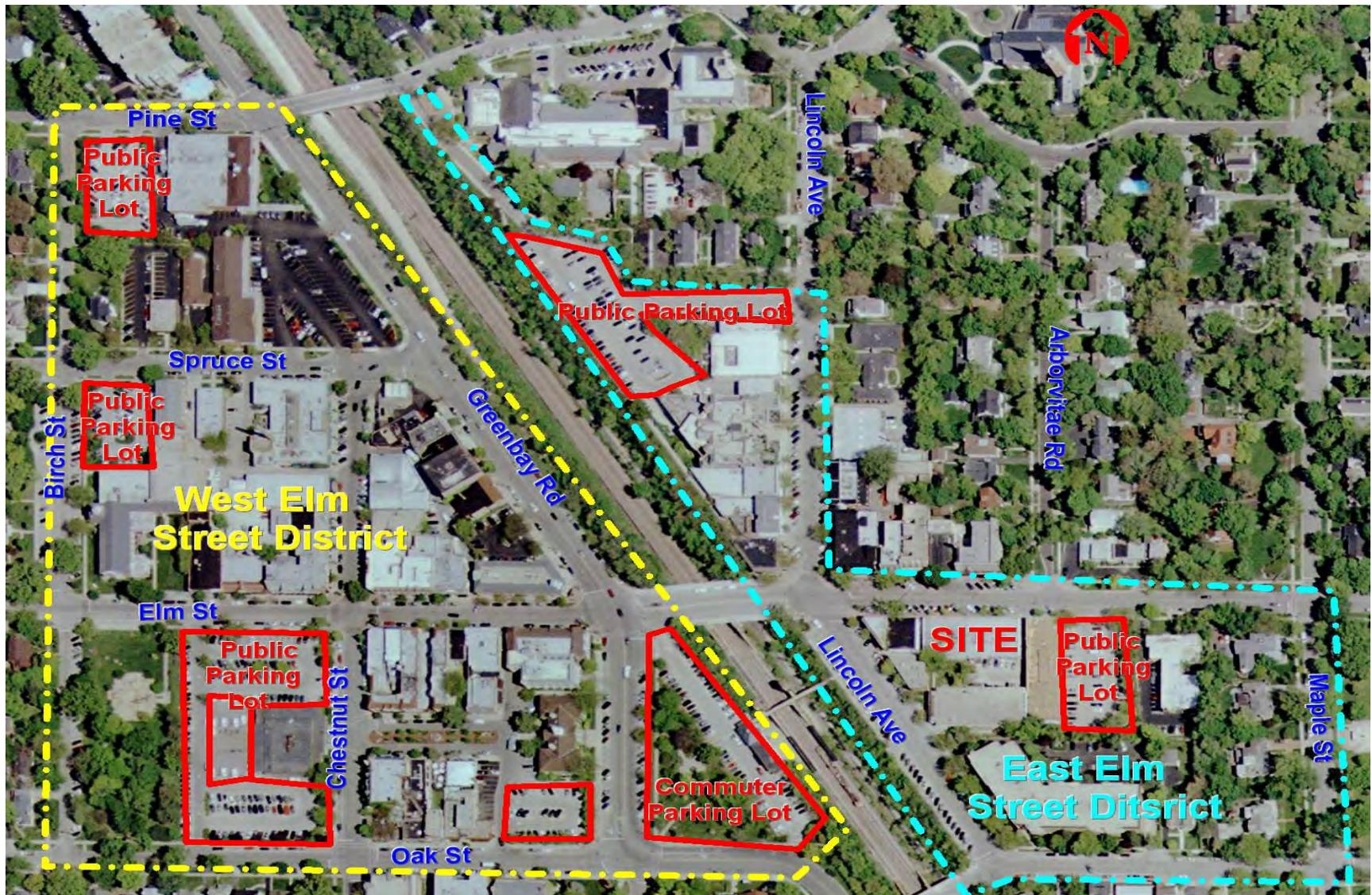
SUBJECT: Parking Study
718-732 Elm Street Mixed Use Development
Winnetka, Illinois

This memorandum summarizes the results of a Parking Study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed mixed-use development to be located on 718-732 Elm Street in Winnetka, Illinois. The site is currently occupied by a building that is partially occupied by small retail stores.

The plans call for developing 39 apartment units and 11,500 square feet of ground floor retail. Underground parking with 39 spaces will be provided for the apartment residents with retail parking demand to be met by available public parking in the vicinity of the site.

Existing Conditions

The site is located in downtown Winnetka within the East Elm Street District. It should be noted that downtown Winnetka is divided into two districts, East Elm Street and West Elm Street. East Elm Street district boundaries are Pine Street to the north, Maple Street to the east, Oak Street to the south and the Metra tracks to the west. The West Elm Street District is located west of the site and its boundaries are Pine Street to the north, the Metra tracks to the east, Oak Street to the south and Birch Street to the west. **Figure 1** shows an aerial view of the site, the East Elm Street District and West Elm Street District.



Aerial View of Site, East Elm Street District and West Elm Street District

Figure 1

Existing Parking Characteristics

Based on discussions with the Village of Winnetka, the downtown area has three parking zones/permits. These are Zone A - Employee Parking, Zone B - Post Office Employee Parking and Zone C - Commuter Parking. In addition, free parking ranging from 90 minutes to four hours is provided throughout the downtown area. It should be noted that, based on discussion with the Village of Winnetka staff, current apartment residents can purchase a Zone C pass (valid for six months) if they need additional parking. Furthermore, residents of the area are allowed to park overnight on the public parking lots.

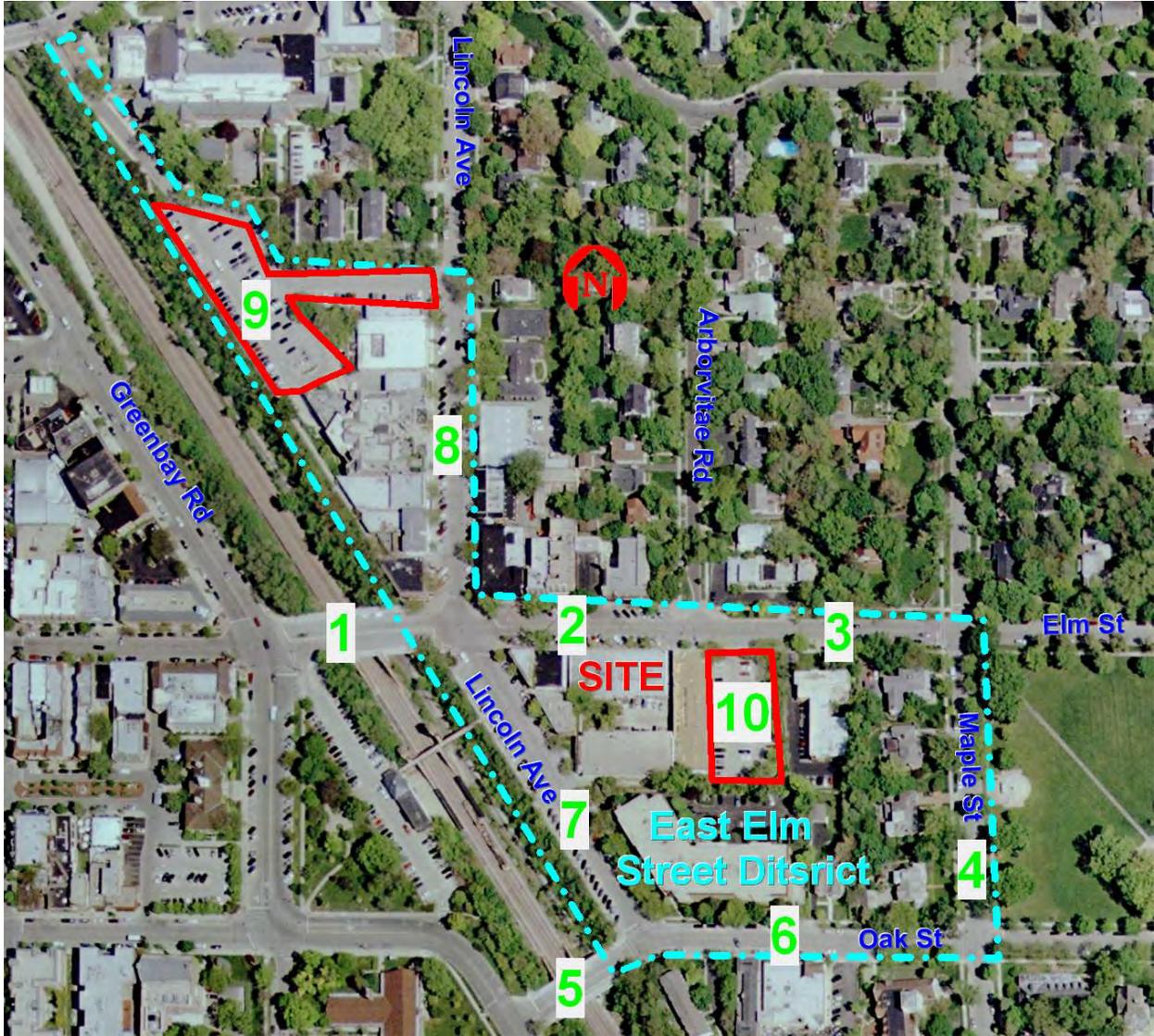
In order to determine the availability of parking within close proximity to the site, a parking survey of the East Elm Street District and the West Elm Street District per block and per side was conducted. The surveys were conducted on Thursday, November 3 and Saturday, November 5, 2011 at 6:00 A.M., 9:00 A.M., 12:00 Noon, 3:00 P.M., 6:00 P.M. and 9:00 P.M. **Figures 2 and 3** show the parking survey locations of the East Elm Street District and the West Elm Street District.

East Elm Street District

The survey area extended from 550 feet north of Elm Street south to Oak Street and from Lincoln Avenue east to Maple Avenue. **Tables 1 and 2** in the Appendix summarize the on-street and off-street parking occupancy data for the weekday and Saturday. The East Elm Street District provides approximately 352 free parking spaces and 135 permit spaces. Approximately 73 of the permit spaces are designated for a Zone C permit.

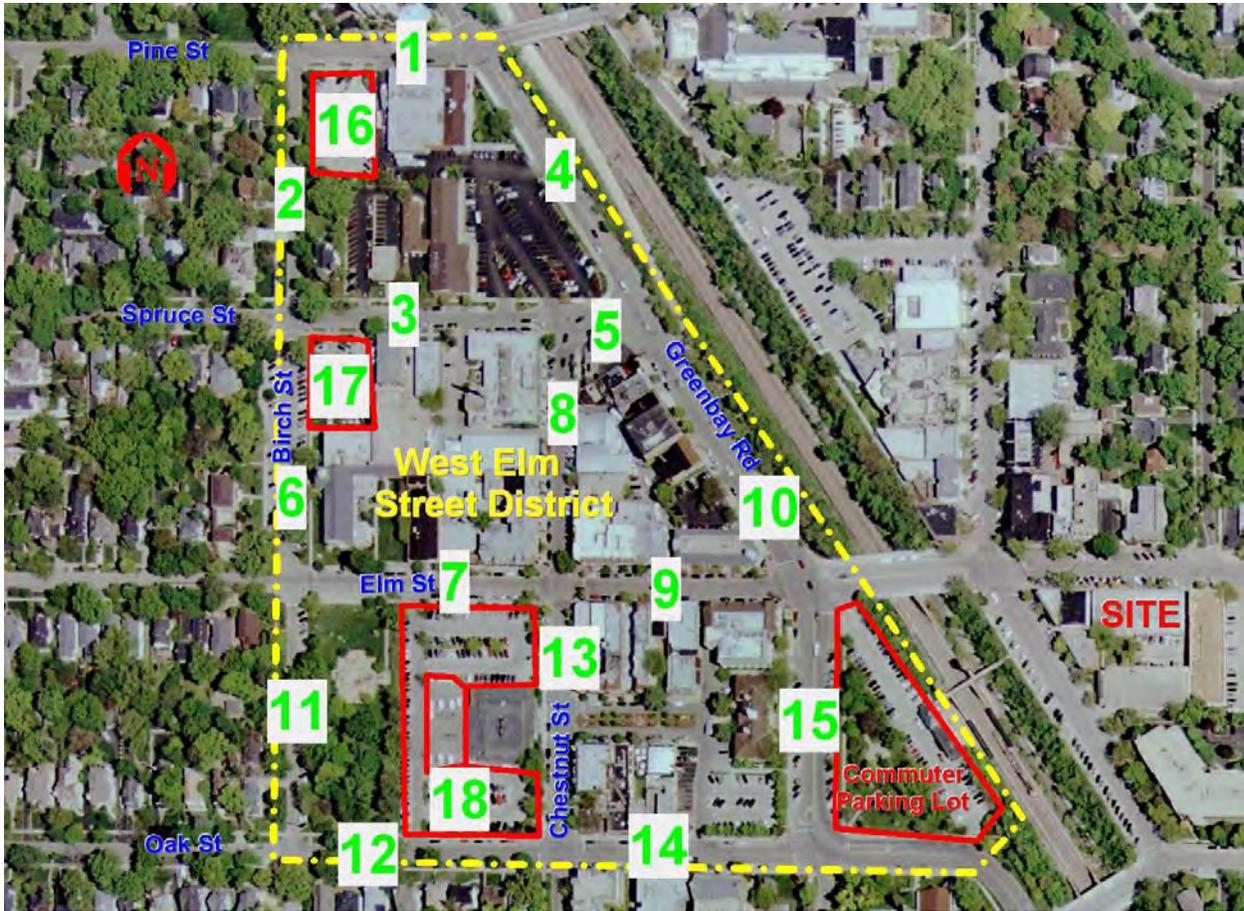
As can be seen from Tables 1 and 2, the East Elm Street District has a peak parking demand on a weekday of 346 parked vehicles (222 free parking spaces and 124 permit parking spaces) occurring at 12:00 P.M. This means that approximately 130 free parking spaces and 11 permit parking spaces are available during 12:00 P.M. These 11 permit parking spaces were designated for a Zone C permit. Inspection of the on-street parking demand on Elm Street between Lincoln Avenue and Maple Street indicated that at 12:00 P.M. there were 29 parking spaces available. Furthermore, approximately 14 off-street parking spaces were available on the public parking lot east of the site.

On Saturday, the peak parking demand also occurred at 12:00 P.M. with 250 parked vehicles (179 free parking spaces and 71 permit parking spaces). As such, approximately 173 free parking spaces and 64 permit parking spaces are available during 12:00 P.M. Approximately 54 parking spaces of the 64 available permit parking spaces were designated for Zone C. Inspection of the on-street parking demand on Elm Street between Lincoln Avenue and Maple Street indicated that at 12:00 P.M. there were 27 parking spaces available. Furthermore, approximately 40 off-street parking spaces were available on the public parking lot east of the site.



East Elm Street District Parking Survey Locations

Figure 2



West Elm Street District Parking Survey Locations

Figure 3



West Elm Street District

The survey area for the West Elm Street District extends from Pine Street on the north to Oak Street to the south and from Birch Street on the west to the Metra tracks on the east. **Tables 3 and 4** in the Appendix summarize the on-street and off-street parking occupancy data for the weekday and Saturday. The West Elm Street District provides approximately 240 free parking spaces and 381 permit spaces. Approximately 143 of the permit spaces are designated for a Zone C permit.

As can be seen from Tables 3 and 4, the West Elm Street District has peak parking demand on a weekday of 420 parked vehicles (172 free parking spaces and 248 permit parking spaces) occurring at 12:00 P.M. thus leaving approximately 68 free parking spaces and 70 permit parking spaces available. On Saturday, the peak parking demand also occurred at 12:00 P.M. with 316 parked vehicles (157 free parking spaces and 159 permit parking spaces). As such, approximately 83 free parking spaces and 159 permit parking spaces are available during 12:00 P.M.

Proposed Development Characteristics and Parking Demand

The proposed mixed-use development will consist of 39 apartment units and 11,500 square feet of ground floor retail. As planned, the development will provide underground parking for the apartment at a one to one ratio with retail parking demand to be met by available public parking in the vicinity of the site.

A review of the Village of Winnetka Zoning Ordinance indicates that a multi-unit residential development should provide two parking spaces per unit and 0.25 parking space per unit for visitor parking. However, surveys conducted by ITE have indicated that the peak parking demand ratio is 1.0 space per dwelling unit. Furthermore and as previously indicated, current apartment residents can purchase a Zone C pass (valid for 6 months) if they need additional parking. In addition residents are allowed to park in the public parking lots overnight.

It should also be noted that the proximity of the site to the Metra station qualifies the project as a Transit-Oriented Development (TOD). By definition, a TOD is a compact, mixed-use development within walking distance of public transportation. TODs are key elements of livable and sustainable communities as they foster attractive lifestyles where housing, jobs, restaurants and entertainment are all in convenient proximity while increasing transit ridership, promoting walking and biking, and reducing automobile use, congestion and emissions.

Best practices with respect to parking policies that are supportive of Smart Growth and TODs include strategies that promote walking, biking and the use of public transit while reducing or eliminating the need for private automobiles. These strategies include the following.

- Incorporate transit-friendly parking design
- Manage/limit the amount of parking provided
- Reserve parking space for carsharing services
- Allow for parking to be shared by multiple uses
- Provide enclosed, secured storage facilities for bicycles
- Unbundle parking by separating parking costs from unit leases, which provides economic incentives for tenants to opt out of parking and make better use of alternative travel modes

Carsharing programs provide participants with convenient and flexible access to centrally-owned and maintained vehicles. Carsharing offers an alternative to individual car ownership which effectively increases the number of users per vehicle and contributes to lower auto ownership rates and reduced parking demand. According to recent North American studies and carsharing member surveys, each carsharing vehicle removes an average of 15 privately-owned cars from the community.

The incorporation of the above-noted strategies into a development is recognized by the U.S. Green Building Council in the form of credits towards LEED certification of the project.

While the Winnetka Zoning Ordinance does not contain provisions for such parking reductions as the above noted cities do, the recognition of the value that these best practices provide towards encouraging alternative modes of travel can be considered in the decision on whether to grant the parking variance. Based on the above, the proposed parking supply of one space per unit will be adequate in meeting the resident's parking demand.

Based on a review of the Institute of Transportation Engineers (ITE) *Parking Generation*, 3rd Edition report, and the Urban Land Institute (ULI) publication *Shared Parking*, 2nd Edition, 11,500 square feet of retail would require anywhere between three and four spaces per 1,000 square foot. This translates into a peak parking demand of approximately 46 parking spaces. Given that the immediate area (East Elm Street District) has in excess of 130 free parking spaces, this projected demand can easily be accommodated by the available on-street parking spaces.

Conclusion and Recommendations

Based on the preceding parking analysis, the following conclusions and recommendations are made:

- The site is ideally situated to take advantage of nearby public transportation options (i.e. Metra), which will effectively lower the site's parking demands.
- The development will provide a total of 39 off-street parking spaces for the proposed apartments and rely on on-street parking for the proposed retail component.
- The parking surveys indicated that adequate on-street parking is available in the immediate area to accommodate the parking needs of the development's retail and guests of the apartment residents. The surveys showed that at least 130 on-street parking spaces within the East Elm Street District were available for use during the peak period of parking occupancy (12:00 P.M.) on a weekday and on a Saturday (12:00 P.M.).
- Parking surveys previously conducted by ITE indicated that the peak parking demand ratio is 1.0 space per dwelling unit, which would suggest that the 1:1 parking ratio proposed for the apartments would be sufficient to accommodate the peak parking demand from the apartment tenants.
- In the unlikely event that additional parking is required by residents of the apartments, consistent with current practice in downtown, permits for Zone C will be available for purchasing and overnight parking is also allowed in the public parking lots.

Draft

APPENDIX

Table 1
 Village of Winnetka East Elm Street District
 On-Street Parking Occupancy Counts

Thursday November 3, 2011

Block No.	Block	Side	Capacity	Parking Regulation	Number of Spaces Occupied					
					6:00 AM	9:00 AM	Noon	3:00 PM	6:00 PM	9:00 PM
1	Elm Street (Green Bay Rd. to Lincoln Ave.)	North	0	No Parking Anytime	0	2	1	1	1	5
		South	0	No Parking Anytime	0	0	0	0	0	0
2	Elm Street (Lincoln Ave. to Arbor Vitae Rd.)	North	12	1-hr parking 8 AM - 6 PM	0	5	8	6	8	1
		South	22	1-hr parking 8 AM - 6 PM	0	14	13	15	12	2
3	Elm Street (Arbor Vitae Rd. to Maple St.)	North	15	1-hr parking 8 AM - 6 PM	0	3	4	3	2	0
		South	8	4-hr parking 8 AM - 6 PM	0	4	3	4	4	1
4	Maple Street (Elm St. to Oak St.)	West	15	No Parking 7-9 AM Monday - Friday	0	1	0	0	41	5
		East	17	No Parking 7-9 AM Monday - Friday	0	2	1	1	0	0
5	Oak Street (Green Bay Rd. to Lincoln Ave.)	North	6	Three minute parking	0	0	0	0	1	0
		South	6	Three minute parking	0	0	0	0	0	0
6	Oak Street (Lincoln Ave. to Maple St.)	North	14	4-hr parking 8 AM - 6 PM	4	13	10	8	1	1
		South	14	2-hr parking 8 AM - 6 PM (12 spaces)/Zone C parking (2 spaces)	0	11	2	2	0	1
7	Lincoln Avenue (Elm St. to Oak St.)	West	43	90 min. parking 8 AM - 6PM (10 spaces)/Zone C parking 8 - 10:30 AM (33 spaces)	27	38	41	39	23	13
		East	32	90 min. parking 8 AM - 6PM (21 spaces)/Zone C parking 8 - 10:30 AM (11 spaces)	3	19	28	24	13	2
8	Lincoln Avenue (Elm St. to Public Lot Access Drive)	West	30	90 min. parking	2	28	26	29	22	11
		East	35	90 min. parking	1	34	35	33	23	14
9	Public Parking Lot (West of Lincoln north of Elm)		69	90 min. parking, 2-hr parking, 4-hr parking	9	41	46	35	17	2
			90	Zone A or C	6	76	79	66	20	8
10	Public Parking Lot (South of Elm St. East of the Site)		62	Zone A or 2-hr parking	13	44	48	37	16	8
Total			490		65	335	345	303	204	74

Table 2
 Village of Winnetka East Elm Street District
 On-Street Parking Occupancy Counts

Saturday November 5, 2011

Block No.	Block	Side	Capacity	Parking Regulation	Number of Spaces Occupied					
					6:00 AM	9:00 AM	Noon	3:00 PM	6:00 PM	9:00 PM
1	Elm Street (Green Bay Rd. to Lincoln Ave.)	North	0	No Parking Anytime	0	0	0	0	0	0
		South	0	No Parking Anytime	0	0	0	0	0	0
2	Elm Street (Lincoln Ave. to Arbor Vitae Rd.)	North	12	1-hr parking 8 AM - 6 PM	1	5	4	4	7	4
		South	22	1-hr parking 8 AM - 6 PM	1	8	18	10	11	11
3	Elm Street (Arbor Vitae Rd. to Maple St.)	North	15	1-hr parking 8 AM - 6 PM	0	4	3	3	3	5
		South	8	4-hr parking 8 AM - 6 PM	0	3	5	3	5	3
4	Maple Street (Elm St. to Oak St.)	West	15	No Parking 7-9 AM Monday - Friday	0	2	1	1	1	0
		East	17	No Parking 7-9 AM Monday - Friday	0	1	1	2	0	0
5	Oak Street (Green Bay Rd. to Lincoln Ave.)	North	6	Three minute parking	0	0	0	0	1	0
		South	6	Three minute parking	0	0	0	0	0	0
6	Oak Street (Lincoln Ave. to Maple St.)	North	14	4-hr parking 8 AM - 6 PM	1	5	4	3	0	0
		South	14	2-hr parking 8 AM - 6 PM (12 spaces)/Zone C parking (2 spaces)	0	4	1	1	0	0
7	Lincoln Avenue (Elm St. to Oak St.)	West	43	90 min. parking 8 AM - 6PM (10 spaces)/Zone C parking 8 - 10:30 AM (33 spaces)	2	3	8	4	7	5
		East	32	90 min. parking 8 AM - 6PM (21 spaces)/Zone C parking 8 - 10:30 AM (11 spaces)	1	3	8	2	4	1
8	Lincoln Avenue (Elm St. to Public Lot Access Drive)	West	30	90 min. parking	2	14	22	18	15	7
		East	35	90 min. parking	7	31	34	17	19	9
9	Public Parking Lot (West of Lincoln north of Elm)		69	90 min. parking, 2-hr parking, 4-hr parking	0	18	52	13	7	17
			90	Zone A or C	3	41	65	34	6	10
10	Public Parking Lot (South of Elm St. East of the Site)		62	Zone A or 2-hr parking	11	20	22	15	7	8
Total			490		29	162	248	130	93	80

Table 3
 Village of winnetka
 West Elm-Street District On-Street Parking Occupancy Counts

Thursday November 3, 2011

Block No.	Block	Side	Capacity	Parking Regulation	Number of Spaces Occupied					
					6:00 AM	9:00 AM	Noon	3:00 PM	6:00 PM	9:00 PM
1	Pine Street (Birch St. to Green Bay Rd.)	North	0	No Parking Anytime	0	0	0	0	0	0
		South	0	No Parking Anytime	0	0	0	0	0	0
2	Birch Street (Pine St. to Spruce St.)	West	0	No Parking Anytime	0	0	0	0	0	0
		East	0	No Parking Anytime	0	0	0	0	0	0
3	Spruce Street (Birch St. to Chestnut St.)	North	5	1-hr parking 8:00 AM - 6:00 P.M.	0	1	5	2	3	2
		South	9	90 min. parking (8:00 AM - 6:00 PM)	2	5	8	6	3	2
4	Green Bay Road (Pine St. to Spruce St.)	West	0	No Parking Anytime	0	0	0	0	0	0
		East	0	No Parking Anytime	0	0	0	0	0	0
5	Spruce Street (Chestnut St. to Green Bay Rd.)	North	0	No Parking Anytime	0	0	0	0	0	0
		South	0	No Parking Anytime	0	0	0	0	0	0
6	Birch Street (Spruce St. to Elm St.)	West	28	Zone A and B permit parking (8:00 AM - 5:00 PM Monday - Friday)	0	2	12	10	4	1
		East	29	4-hr parking (8:00 AM - 6:00 PM)	1	9	10	13	7	2
7	Elm Street (Birch St. to Chestnut St.)	North	15	90 min. parking (8:00 AM - 6:00 PM)	0	6	10	9	5	0
		South	14	90 min. parking (8:00 AM - 6:00 PM)	0	5	8	8	4	0
8	Chestnut Street (Spruce St. to Elm St.)	West	20	90 min. parking (8:00 AM - 6:00 PM)	4	19	20	16	15	9
		East	24	90 min. parking (8:00 AM - 6:00 PM)	3	23	24	15	10	5
9	Elm Street (Chestnut St. to Green Bay Rd.)	North	11	90 min. parking (8:00 AM - 6:00 PM)	0	8	11	7	1	2
		South	13	90 min. parking (8:00 AM - 6:00 PM)	1	11	11	10	5	1
10	Green Bay Road (Spruce St. to Elm St.)	West	14	90 min. parking (8:00 AM - 6:00 PM)	0	11	8	9	5	1
		East	11	No Parking 8:00 - 9:00 AM, 11:00 AM - 1:00 PM, 3:00 - 4:00 PM weekdays/preschool	1	10	11	10	5	1
11	Birch Street (Elm St. to Oak St.)	West	0	No Parking Anytime	0	0	0	0	0	0
		East	35	Zone A and B permit parking (8:00 AM - 5:00 PM Monday - Friday)	0	11	14	12	6	1
12	Oak Street (Birch St. to Chestnut St.)	North	7	Zone A permit parking (8:00 AM - 5:00 PM Monday - Friday)	4	7	6	5	1	0
		South	0	No Parking Anytime	0	0	0	0	0	0
13	Chestnut Street (Elm St. to Oak St.)	West	16	90 min. parking (8:00 AM - 6:00 PM)	3	9	14	4	0	0
		East	10	90 min. parking (8:00 AM - 6:00 PM)	1	7	10	4	5	5
14	Oak Street (Chestnut St. to Green Bay Rd.)	North	12	90 min. parking (8:00 AM - 6:00 PM)/20 min. parking (1 space)	8	5	7	6	3	1
		South	14	90 min. parking (8:00 AM - 6:00 PM)	8	7	9	5	1	0
15	Green Bay Road (Elm St. to Oak St.)	West	25	Zone C permit parking (8:00 AM - 4:00 PM Monday - Friday)	2	19	19	19	14	1
		East	21	Zone A permit parking (8:00 AM - 5:00 PM Monday - Friday)	1	17	13	21	4	1
16	Public Parking Lot (South of Pine St. East of Birch St.)		42	Zone A, B and C permit parking (8:00 AM - 5:00 PM Monday - Friday)	24	37	37	21	12	7
17	Public Parking Lot (South of Spruce St. East of Birch St.)		38	Zone A permit parking (8:00 AM - 5:00 PM Monday - Friday)	1	33	37	30	8	1
18	Public Parking Lot (South of Elm St. west of Chestnut St.)		145	Zone A permit parking (8:00 - 10:30 AM) - 109 spaces/2-hr parking (8:00 AM - 6:00 PM) - 23 spaces/Zone C permit parking (8:00 - 10:30 AM, 2-hr after 10:30 AM) - 13 spaces	60	125	116	112	57	41
Total			558		124	387	420	354	178	84

Table 4
 Village of Winnetka
 West Elm-Street District On-Street Parking Occupancy Counts

Saturday November 5, 2011

Block No.	Block	Side	Capacity	Parking Regulation	Number of Spaces Occupied					
					6:00 AM	9:00 AM	Noon	3:00 PM	6:00 PM	9:00 PM
1	Pine Street (Birch St. to Green Bay Rd.)	North	0	No Parking Anytime	0	0	0	0	0	0
		South	0	No Parking Anytime	0	0	0	0	0	0
2	Birch Street (Pine St. to Spruce St.)	West	0	No Parking Anytime	0	0	0	0	0	0
		East	0	No Parking Anytime	0	0	0	0	0	0
3	Spruce Street (Birch St. to Chestnut St.)	North	5	1-hr parking 8:00 AM - 6:00 P.M.	0	5	3	3	2	4
		South	9	90 min. parking (8:00 AM - 6:00 PM)	0	8	8	8	6	7
4	Green Bay Road (Pine St. to Spruce St.)	West	0	No Parking Anytime	0	0	0	0	0	0
		East	0	No Parking Anytime	0	0	0	0	0	0
5	Spruce Street (Chestnut St. to Green Bay Rd.)	North	0	No Parking Anytime	0	0	0	0	0	0
		South	0	No Parking Anytime	0	0	0	0	0	0
6	Birch Street (Spruce St. to Elm St.)	West	28	Zone A and B permit parking (8:00 AM - 5:00 PM Monday - Friday)	3	14	3	4	1	0
		East	29	4-hr parking (8:00 AM - 6:00 PM)	4	14	12	8	5	5
7	Elm Street (Birch St. to Chestnut St.)	North	15	90 min. parking (8:00 AM - 6:00 PM)	0	2	9	10	1	1
		South	14	90 min. parking (8:00 AM - 6:00 PM)	0	2	10	7	0	0
8	Chestnut Street (Spruce St. to Elm St.)	West	20	90 min. parking (8:00 AM - 6:00 PM)	6	19	20	15	14	15
		East	24	90 min. parking (8:00 AM - 6:00 PM)	4	23	24	17	13	10
9	Elm Street (Chestnut St. to Green Bay Rd.)	North	11	90 min. parking (8:00 AM - 6:00 PM)	2	8	10	7	2	1
		South	13	90 min. parking (8:00 AM - 6:00 PM)	2	8	9	7	2	0
10	Green Bay Road (Spruce St. to Elm St.)	West	14	90 min. parking (8:00 AM - 6:00 PM)	1	10	9	1	0	0
		East	11	No Parking 8:00 - 9:00 AM, 11:00 AM - 1:00 PM, 3:00 - 4:00 PM weekdays/preschool	1	8	8	2	1	0
11	Birch Street (Elm St. to Oak St.)	West	0	No Parking Anytime	0	0	0	0	0	0
		East	35	Zone A and B permit parking (8:00 AM - 5:00 PM Monday - Friday)	0	0	2	2	2	1
12	Oak Street (Birch St. to Chestnut St.)	North	7	Zone A permit parking (8:00 AM - 5:00 PM Monday - Friday)	2	2	2	3	0	1
		South	0	No Parking Anytime	0	0	0	0	0	0
13	Chestnut Street (Elm St. to Oak St.)	West	16	90 min. parking (8:00 AM - 6:00 PM)	4	7	9	9	6	9
		East	10	90 min. parking (8:00 AM - 6:00 PM)	3	5	10	9	7	10
14	Oak Street (Chestnut St. to Green Bay Rd.)	North	12	90 min. parking (8:00 AM - 6:00 PM)/20 min. parking (1 space)	6	6	2	2	2	3
		South	14	90 min. parking (8:00 AM - 6:00 PM)	4	9	1	1	2	0
15	Green Bay Road (Elm St. to Oak St.)	West	25	Zone C permit parking (8:00 AM - 4:00 PM Monday - Friday)	1	5	7	5	0	0
		East	21	Zone A permit parking (8:00 AM - 5:00 PM Monday - Friday)	0	8	8	1	0	0
16	Public Parking Lot (South of Pine St. East of Birch St.)		42	Zone A, B and C permit parking (8:00 AM - 5:00 PM Monday - Friday)	25	31	33	23	14	8
17	Public Parking Lot (South of Spruce St. East of Birch St.)		38	Zone A permit parking (8:00 AM - 5:00 PM Monday - Friday)	3	19	17	12	3	0
18	Public Parking Lot (South of Elm St. west of Chestnut St.)		145	Zone A permit parking (8:00 - 10:30 AM) - 109 spaces/2-hr parking (8:00 AM - 6:00 PM) - 23 spaces/Zone C permit parking (8:00 - 10:30 AM, 2-hr after 10:30 AM) - 13 spaces	54	98	100	73	43	37
Total			558		125	311	316	229	126	112