

Winnetka Village Council
REGULAR VIRTUAL MEETING

Cisco WebEx
August 4, 2020
7:00 PM

AGENDA

In accordance with social distancing requirements and Governor Pritzker’s Executive Orders 2020-43 and 2020-44, and Section 7(e) of the Illinois Open Meetings Act, the Winnetka Village Council meeting on Tuesday, August 4, 2020 will be held virtually. The meeting will be livestreamed via the Cisco WebEx platform. At least one representative from the Village will be present at Village Hall in compliance with Section 7(e) of the Illinois Open Meetings Act, and the virtual meeting will be simulcast at Village Hall for members of the public who do not wish to view the virtual meeting from another location. Pursuant to Executive Orders 2020-43 and 2020-44 issued by the Governor, the number of people who may gather at Village Hall for the meeting is limited due to the mandated social distancing guidelines. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis.

The public has two options for observing and participating in this virtual Village Council meeting including the ability to provide oral comments during the meeting.

- 1) Telephone (audio only Call 408 418-9388), when prompted enter the Meeting ID – 1267182155 (Please note there is no additional password or attendee ID required)
- 2) Livestream (both audio and video feed) Download the Cisco WebEx meetings app to your smartphone, tablet or computer and then join Meeting ID:1267182155. Event Password: VC08042020

Public comments should be emailed to contactcouncil@winnetka.org. Public comments received by 6:45 p.m. on Tuesday, August 4, 2020 will be read at the appropriate time during the meeting. General comments for matters not on the agenda will be read at the beginning of the meeting under the Public Comment agenda item. Comments specific to a particular agenda item will be read during the discussion of that agenda item. The Village will attempt to have comments received after the meeting has started read at the end of the meeting. Public comment is limited to 200 words or less. Public comments should contain the following information:

- In the subject line – “Village Council Meeting Public Comment”
- Name
- Address (optional)
- Phone (optional)
- Organization or agency representing, if applicable
- General comment or comment on topic of specific agenda item number

All emails received will be acknowledged either during or after the meeting, depending on when they are received. If you do not have access to email, you may leave a message with your public comment at the Village Manager’s office at 847-716-3541 or mail to Village Clerk, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093.

Winnetka Village Council
REGULAR VIRTUAL MEETING

CiscoWebEx
August 4, 2020
7:00 p.m.

AGENDA

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Quorum
 - a) August 11, 2020 Study Session
 - b) August 18, 2020 Regular Meeting
 - c) September 1, 2020 Regular Meeting
- 4) Public Comment
- 5) Reports
- 6) Approval of Agenda
- 7) Consent Agenda
 - a) Approval of Warrant List dated July 17 - 30, 20203
 - b) Resolution No. R-49-2020: Approving a Class A-1 Liquor License for Salsalito Inc. d/b/a Guanajuato (Adoption)4
- 8) Ordinances and Resolutions
 - a) Ordinance No. MC-3-2020: An Ordinance Amending Sign Regulations to Allow Display Case Signs (Introduction and Adoption).....7
 - b) Temporary Tents: Zoning Amendment and Application Approval
 - i) Public Hearing on Text Amendment for Temporary Tents32
 - (1) Ordinance No. MC-4-2020: Amending Regulations to Allow Outdoor Tents for Schools (Introduction and Adoption).....36
 - ii) Resolution No. R-53-2020: Approving Application for Outdoor Tents – School District 36 (Adoption).....39

NOTICE

All agenda materials are available at villageofwinnetka.org (Governance > Agendas & Minutes); the Reference Desk at the Winnetka Library; or in the Manager’s Office at Village Hall (2nd floor). Webcasts of the meeting may be viewed on the Internet via a link on the Village’s web site: <https://www.villageofwinnetka.org/AgendaCenter>.

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, 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3545; T.D.D. 847-501-6041.

- c) Ordinance No. M-11-2020: 1405 Scott Avenue Annexation & Rezoning (Public Hearing, Introduction, and Adoption).....61
- d) Ordinance No. M-12-2020: Delos Therapy Special Use - 547 Lincoln Avenue (Introduction and Adoption)70
- e) Resolution No. R-51-2020: Stormwater Wetland Engineering Services (Adoption).....79
- 9) Old Business:
 - a) Resolution No. R-47-2020: Amendment to Development Agreement and Restrictive Covenants - 630 Pine Lane (To be Deferred to August 18)104
- 10) New Business: None.
- 11) Appointments
- 12) Closed Session
- 13) Adjournment

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Agenda Item Executive Summary

Title: Approval of Warrant List Dated July 17-30, 2020

Presenter: Robert M. Bahan, Village Manager

Agenda Date:

08/04/2020

Consent:

YES

NO

Ordinance

Resolution

Bid Authorization/Award

Policy Direction

Informational Only

Item History:

None.

Executive Summary:

The Warrant List dated July 17-30, 2020 was emailed to each Village Council member.

Recommendation:

Consider approving the Warrant List dated July 17-30, 2020.

Attachments:

None.



Agenda Item Executive Summary

Title: Resolution No. R-49-2020: Approving a Class A-1 Liquor License for Salsalito Inc. d/b/a Guanajuato (Adoption)

Presenter: Marc Hornstein, Chief of Police and Peter Friedman, Village Attorney

Agenda Date: 08/04/2020

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

Consent: YES NO

Item History:

None.

Executive Summary:

Salsalito Inc d/b/a Guanajuato Contemporary Mexican and Tequila Bar desires to open a restaurant at 1003-1005 Green Bay Road. Guanajuato is a full-service restaurant that sells and serves alcoholic beverages incidental and complementary to the sale and service of meals for consumption. Guanajuato also has a counter area where food and liquor will be served. Guanajuato has applied for a Class A-1 liquor license.

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

If approved, Resolution No. R-49-2020 will grant the requested liquor license, subject to the following conditions: (i) completion of the liquor license application background investigation by the police department; (ii) final inspection and approval of the premises; (iii) issuance of a certificate of occupancy for the premises. The resolution will also update the appendix to Chapter 5.09 of the Village Code that sets forth all authorized licenses by classification, which is attached to the Resolution as Exhibit A.

Recommendation:

Consider adopting Resolution No. R-49-2020, Approving and Authorizing a Class A-1 Liquor License for Salsalito, Inc. (1003-1005 Green Bay Road).

Attachments:

- 1) Resolution No. R-49-2020

**A RESOLUTION
 APPROVING AND AUTHORIZING A CLASS A-1
 LIQUOR LICENSE FOR SALSITO INC.
 (1003-1005 Green Bay Road)**

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

WHEREAS, Salsito Inc. (“*Applicant*”) is the lessee of the property commonly known as 1003-1005 Green Bay Road in the Village (“*Property*”); and

WHEREAS, the Applicant desires to operate a restaurant on the Property known as Guanajuato Contemporary Mexican and Tequila Bar (“*Restaurant*”); and

WHEREAS, pursuant to Section 5.09.100 of the Winnetka Village Code (“*Village Code*”), on July 1, 2020, the Applicant submitted an application to the Village for a Class A-1 liquor license (“*Liquor License*”) for the Restaurant; and

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

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

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

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

SECTION 3: AUTHORIZED LIQUOR LICENSES. The Appendix to Chapter 5.09 of the Village Code titled “Authorized Liquor Licenses” is hereby amended to read as follows:

Classification	Number	Licensee
*	*	*
A-1	<u>9 10</u>	Avli Restaurant Little Ricky’s Bad Dog House, LLC (Stacked and Folded) Fred’s Garage, LLC Mino’s, LLC

		Paradise Food Italia, LLC (Tocco) FFMM, Inc. (George Trois & Aboyer) Wild Thing, LLC (Spirit Elephant) MGS Hospitality, LLC (501 Local) <u>Salsito Inc. (Guanajuato Contemporary Mexican and Tequila Bar)</u>
*	*	*

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

- A. Its passage and approval according to law;
- B. Approval of application background investigation for the Restaurant by the Village Chief of Police, or his designee; and
- C. Final inspection approval and issuance of a certificate of occupancy for the Property.

ADOPTED this 4th day of August, 2020, pursuant to the following roll call vote:

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

Signed

 Village President

Countersigned:

 Village Clerk



Agenda Item Executive Summary

Title: Ordinance No. MC-3-2020: An Ordinance Amending Sign Regulations to Allow Display Case Signs (Introduction & Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 08/04/2020

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

Consent: YES NO

Item History:

2/4/20 - The owner of Good Grapes requested that the Council consider allowing display case signs on the exterior of a commercial establishment.

7/21/20 - The Village Council considered Ordinance MC-3-2020 and directed staff to make revisions to the ordinance. https://www.villageofwinnetka.org/AgendaCenter/ViewFile/Agenda/_07212020-168

Executive Summary:

On August 4, the Village Council is scheduled to consider revised Ordinance No. MC-3-2020 amending Chapter 15.60 of the Winnetka Village Code. This is a Village-initiated Code Amendment after the owner of Good Grapes requested that the Council consider allowing businesses to install display case signs on exterior building walls.

At its July 21 Council meeting, the Village Council reviewed Ordinance No. MC-3-2020 as recommended by the Design Review Board. After hearing from members of the public, the Council discussed proposed amendments, and directed staff to prepare revisions to the ordinance.

Attached is a separate staff report summarizing the Council's July 21 discussion as well as changes that have been made to the Ordinance since that meeting.

Recommendation:

Consider waiving introduction of Ordinance No. MC-3-2020 and adopting the Ordinance
OR
consider only introduction of Ordinance No. M-3-2020.

Attachments:

- Staff Report
- Attachment 1 Ordinance MC-03-2020
- Attachment 2: June 18, 2020, DRB Minutes Excerpts
- Attachment 3: Public Comment
- Attachment 4: List of Allowed Uses in the Winnetka Commercial Districts
- Attachment 5: Examples of Display Case Signs



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: JULY 30, 2020
SUBJECT: MC-3-2020 - DISPLAY CASE SIGN TEXT AMENDMENT

INTRODUCTION

On August 4, 2020, the Village Council is scheduled to consider a revised Ordinance No. MC-3-2020, An Ordinance Amending Chapter 15.60 of the Winnetka Village Code Concerning Display Case Signs (Attachment 1). This is a Village-initiated application after the owner of Good Grapes requested at the February 4, 2020, Village Council meeting that the Council consider allowing businesses to install display case signs on the exterior building walls to allow a business to post changeable messages. Attachment 5 includes a variety of examples of wall-mounted display case signs.

JULY 21 VILLAGE COUNCIL CONSIDERATION

At its July 21 Village meeting, the Village Council was presented with Ordinance No. MC-3-2020 as recommended by the Design Review Board (Attachment 2 includes excerpts of the June 18 DRB meeting minutes). The Council also heard from the owner of Good Grapes as well as the Chamber of Commerce President, both of whom expressed support for the Ordinance as drafted.

After hearing from the public, the Council discussed the proposed text amendment. Various Council members expressed the following concerns:

- Some Council members were concerned regarding the potential proliferation of display case signs if all commercial establishments were allowed to have them. They thought only food and beverage related establishments should be allowed such signs. Rather than limit it to just food service establishments, another Council member suggested to allow only “permitted uses” in the commercial districts to display such signs, as the Council was particularly concerned about certain types of office uses (e.g. banks and real estate offices) displaying such signs.
- Council members thought that display case signs must go through an administrative review process by staff (sign permit) but need not go through the design review process.
- A few Council members expressed concerns regarding the maintenance of display case signs, in particular the changeable copy portion of the sign.
- A couple of Council members expressed concerns regarding the lighting impacts of illuminated display case signs.
- A couple of Council members expressed concerns regarding the proposed maximum size for display case signs, which is six square feet.

The Council directed staff to take its concerns into consideration and to return at the next Council meeting with recommended revisions to the ordinance.

Immediately after the July 21 meeting, the Village has received additional written public comment on the proposed code amendments (See Attachment 3).

REVISED ORDINANCE MC-3-2020

Staff has revised Ordinance MC-3-2020 (Attachment 1) taking into consideration Council members comments from the July 21 meeting. The following summarizes how each issue was addressed in the revised ordinance.

Commercial Establishments Allowed Display Case Signs. As previously stated, a number of Trustees expressed concerns regarding the Design Review Board recommendation that all commercial establishments be allowed display case signs. They were concerned about the possibility of a proliferation of display case signs and thought that the original intent was to allow only food and beverage service-related establishments to be allowed such signs. Also as previously mentioned, a suggestion was made by another Council member to consider allowing only “permitted uses” in the commercial districts to display such signs.

Attached is a table listing the allowed uses in the C1 Neighborhood Commercial District, C2 General Retail District, and C2 Commercial Overlay District (Attachment 4). The table notes if the use is allowed as a permitted use (by right), special use, or not permitted. Allowing “permitted uses” in commercial districts to hang display case signs would still allow a number of office uses classified as “permitted uses” in the C1 and C2 districts to install display case signs. A majority of the Council appeared to be concerned about such uses being allowed to have display case signs.

Another approach is to allow a specific set of uses to have display case signs. The current draft ordinance takes this approach. The following categories of businesses as classified by the Zoning Ordinance, whether they are permitted uses or special uses, would be allowed to have display case signs:

- General Retail Sales and Related Service Uses
- Food Product Uses, and
- Food and Beverage Service Uses,

Attachment 4 lists the types of businesses included under each of these categories. Given the original request came from the owner of Good Grapes, it should be noted that business falls under the Food Product Uses category.

The proposed amendment also states that “the changeable copy in the display case shall be used to advertise or provide information about products and services offered by the commercial establishment.”

Administrative Review. The ordinance has been revised to require display case signs to apply for a sign permit so as to undergo administrative review by staff; however, the ordinance still does not require such signs to go through the certificate of appropriateness design review process.

Display Case Signs Lighting & Maintenance.

Section 15.60.130 of the Sign Code already includes general standards for lighting and for maintenance.

In response to concerns regarding display case lighting, the lighting standard has been amended to include the following paragraph:

4. Display Case Sign Light Source. The source of light for any externally illuminated display case sign shall be located, shielded and directed so as to direct the light to the contents of the display case sign only, and shall not be directly visible from any dwelling or public street.

Related to the issue of lighting, a Council member did bring up the idea of allowing display case signs to have LED changeable copy. This idea was also brought up during the DRB discussion of display case signs. Given some DRB members had concerns regarding LED signs, the DRB decided to delay discussion of allowing LED changeable copy until it continues its discussion of the broader issue of allowing internally illuminated signs for other types of signs.

The maintenance section was amended to include additional standards related specifically to the maintenance of the changeable copy:

- G. Sign Maintenance. In addition to complying with all other applicable provisions of this code, all signs and awnings shall be kept and maintained in a safe, neat and orderly condition and appearance, including, without limitation, keeping all changeable copy in a display case sign unfaded, legible, and in a condition that is not worn, torn or shredded. [...] In the event that a sign is not maintained in a safe, neat and orderly condition by the owner, the sign shall be subject to removal.

A related maintenance issue is what occurs with a sign when a business ceases operation. The general standards section of the Sign Code requires that when a business moves from a premises, the business must remove the sign within 10 days from the date the business ceases operating from the space. If the business owner fails to remove the sign, the property owner is responsible for the sign's removal. The section applies to all signs and would apply to display case signs.

Size of Display Case Signs. Though there was some discussion regarding the proposed maximum sign size of six square feet, there was not a clear direction regarding whether the size should be reduced, and if so, to what size. As currently drafted, the maximum size of a display case sign remains at six square feet.

RECOMMENDATION

Given that the Council asked for revisions to the draft ordinance at the July 21 Council meeting, the Council did not vote to introduce the ordinance. At the August 4 meeting, the Council may consider waiving introduction of Ordinance MC-3-2020 and consider adoption of the Ordinance, or consider only introduction of Ordinance MC-3-2020.

ATTACHMENTS

- Attachment 1 Ordinance MC-03-2020, An Ordinance Amending Chapter 15.60 of the Winnetka Village Code Concerning Display Case Signs
- Attachment 2: June 18, 2020, DRB Minutes Excerpts
- Attachment 3: Public Comment
- Attachment 4: List of Allowed Uses in the Winnetka Commercial Districts
- Attachment 5: Examples of Display Case Signs

ORDINANCE NO. MC-3-2020

AN ORDINANCE AMENDING CHAPTER 15.60 OF THE WINNETKA VILLAGE CODE CONCERNING DISPLAY CASE SIGNS

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

WHEREAS, Chapter 15.60 of the Winnetka Village Code, as amended ("*Village Code*"), regulates the erection, enlargement, expansion, alteration, operation, maintenance, relocation, and removal of all signs within the Village that are visible from any street, sidewalk, or public or private common space; and

WHEREAS, Section 15.60.060 of the Village Code prohibits changeable copy signs with only a few exceptions, none of which include display case signs that are permanently attached to the exterior of a building ("*Display Case Signs*"); and

WHEREAS, on June 18, 2020 the Design Review Board of the Village considered an amendment to Village Code to allow Display Case Signs ("*Proposed Amendments*") and voted to recommend that the Village Council adopt the Proposed Amendments; and

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

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

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

SECTION 2: AMENDMENT TO SECTION 15.60.050 OF THE VILLAGE CODE. Section 15.60.050, titled "Definitions," of Chapter 15.60, titled "Signs," of the Village Code shall be amended to read as follows:

"Section 15.60.050 Definitions.

A. Terms Defined in Other Ordinances and Codes. Terms used in this chapter, but not otherwise defined, shall have meanings ascribed to them in the Zoning Ordinance, Building Code or this code.

B. Definitions. For the purposes of this chapter, certain words and phrases are defined as follows:

* * *

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Additions are bold and double-underlined; deletions are struck through

“Display case sign” means a changeable sign attached to the exterior wall of a building, the message of which is communicated by the posting of one or more sheets of paper and not by individual characters, letters, or illustrations.

* * *

SECTION 3: AMENDMENT TO SECTION 15.60.60 OF THE VILLAGE CODE.

Subsection D of Section 15.60.060, titled “Prohibited signs,” of Chapter 15.60, titled “Signs,” of the Village Code shall be amended to read as follows:

“Section 15.60.06 Prohibited signs.

* * *

D. Changeable copy signs, other than gasoline price signs erected at automobile service stations, incidental signs, portable menu board signs displayed in accordance with Section 15.60.080 J, **display case signs in accordance with Section 15.60.120(B)(7)**, and that portion of bulletin board signs erected in accordance with Section 15.60.110(A)(5) of this chapter;

* * *

SECTION 4: AMENDMENT TO SECTION 15.60.120 OF THE VILLAGE CODE.

Subsection B, titled “Regulations,” of Section 15.60.120, titled “Commercial signs,” of Chapter 15.60, titled “Signs,” of the Village Code shall be amended to read as follows:

“Section 15.60.120 Commercial signs.

A. Defined. All signs not included or regulated in Sections 15.60.080, 15.60.090, 15.60.100 and 15.60.110 and not exempt pursuant to Section 15.60.070 shall be deemed to be commercial signs for the purposes of this chapter, regardless of the zoning district in which the signs are located.

B. Regulations. Commercial signs of any type not prohibited by Section 15.60.060 may be displayed, subject to obtaining a permit pursuant to this chapter; provided, they comply with the following regulations and the general standards set forth in Section 15.60.130:

1. Wall Signs and Window Signs.

* * *

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Additions are bold and double-underlined; ~~deletions are struck through~~

- e. For each street exposure the total area of all window signs, wall signs and awning signs other than exempt signs, ~~and~~ permitted directional signs, display case signs, and incidental signs of this section, shall not exceed fifteen (15) percent of the total area of street exposure.

* * *

7. Display case signs on those types of commercial establishments listed as allowed uses in (i) Section 17.46.010(C) General Retail Sales and Related Service Uses, (ii) Section 17.46.010(E) Food Products Uses, and (iii) Section 17.46.010(F) Food and Beverage Service Uses, of the Winnetka Zoning Ordinance, subject to the following limitations:

- a. Only one display case sign is allowed per commercial establishment;
- b. The changeable copy in the display case shall be used to advertise or provide information about products and services offered by the commercial establishment;
- c. Display case signs must be fully enclosed with a transparent front face;
- d. The signs shall (a) project no more than four inches beyond the face of the wall to which it is mounted, (b) be no larger than six square feet measured from outer edge of the case to outer edge of the case, and (c) shall be mounted or hung no more than six feet above grade;
- e. Display case signs are prohibited from using any type of backlit illuminations, and may use external illumination subject to the permitting requirements of Section 15.08.070 of this Code;
- f. Display case signs may not cover or interfere with exterior architectural details or windows of the building to which it is attached; and
- g. Display case signs must either match the primary exterior storefront frame color or be compatible with the

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Additions are bold and double-underlined; deletions are struck through

**overall materials and colors of the building façade design
as determined by the Director.**

SECTION 6: AMENDMENT TO SECTION 15.60.130 OF THE VILLAGE CODE.

Section 15.60.130, titled “General standards,” of Chapter 15.60, titled “Signs,” of the Village Code shall be amended to read as follows:

“Section 15.60.130 General Standards.

All signs permitted by this chapter, whether with or without a permit, shall comply with the following standards:

* * *

B. Illumination.

1. Location and Design of Light Source. The source of light for any externally illuminated sign shall be located, shielded and directed so as not to be directly visible from any dwelling or public street. No receptacle, device, fixture or housing for a light fixture shall project more than three inches into the right-of-way of any public street, sidewalk, parkway, alley or public place (except that such an electrical device more than eight feet above the adjoining sidewalk may project a maximum of twenty (20) inches into a public right-of-way).
2. Location of Externally Illuminated Signs on Building. No externally illuminated signs, whether displayed on a building or as a window sign, shall be displayed above the second floor window sill level of the building.
3. Externally Illuminated Signs Adjacent to Residential Zoning Districts. No externally illuminated sign shall be located within, or within one hundred (100) feet of the boundary of, any residential zoning district, if an illuminated face of such sign is parallel with or at an angle of less than forty-five (45) degrees from the residential zoning district boundary or otherwise has an adverse visual impact on adjacent residential properties; provided that, this restriction shall not apply if the property is in a multifamily zoning district and is not used for residential purposes.
4. **Display Case Sign Light Source. The source of light for any externally illuminated display case sign shall be located, shielded and directed so as to direct the light to the contents of**

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Additions are bold and double-underlined; ~~deletions are struck through~~

the display case sign only, and shall not be directly visible from any dwelling or public street.

* * *

- G. Sign Maintenance. In addition to complying with all other applicable provisions of this code, all signs and awnings shall be kept and maintained in a safe, neat and orderly condition and appearance, **including, without limitation, keeping all changeable copy in a display case sign unfaded, legible, and in a condition that is not worn, torn or shredded.** The owner of a sign shall be responsible for providing such maintenance for freestanding signs. Maintenance shall also require that the ground area, for a distance of not less than ten (10) feet in all directions, be kept free and clean of weeds, trash and other debris. In the event that a sign is not maintained in a safe, neat and orderly condition by the owner, the sign shall be subject to removal.

* * *

SECTION 7: AMENDMENT TO SECTION 15.60.140 OF THE VILLAGE CODE.

Section 15.60.140, titled “Sign permit procedures,” of Chapter 15.60, titled “Signs,” of the Village Code shall be amended to read as follows:

“Section 15.60.140 Sign permit procedures.

- A. Applicability. Any nonexempt sign for which a permit is required shall comply with the procedures established by this section.
- B. Permit Application Requirements. No sign permit application shall be accepted unless it is complete. Application for a sign permit shall be submitted to the Director on forms provided by the Director and shall be accompanied by all applicable fees, deposits and bonds in the amounts set from time to time by resolution of the Village Council. An application for a sign permit shall at a minimum contain or have attached to such application the following information and material, in sufficient detail to illustrate clearly the design for which approval is being sought and its relationship to the structure it serves:
1. Name, address and telephone number of the owner of the property;
 2. Name, address and telephone number of the applicant (owner of the sign);

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Additions are bold and double-underlined; ~~deletions are struck through~~

3. Name, address and telephone number of the sign contractor, and where applicable, the name, address and telephone number of the electrical contractor;
 4. Address or location of building, structure or lot to which, or upon which, the sign is to be attached or erected;
 5. Application for certificate of appropriateness and, where applicable, application for building permit;
 6. Illustrated calculations of the aggregate size of all signs existing on the premises at the time of making such application;
 7. Such other information as the Director or the Board shall require to show full compliance with this chapter;
 8. Ten (10) copies of the following materials or information:
 - a. Drawings showing the position of a proposed sign in relation to adjacent signs, buildings and structures,
 - b. Information, drawings, samples, or other materials regarding the design and size, structural details, materials and colors, and placement on the premises of a proposed sign or sign structure,
 - c. Current color photographs showing existing signs on the premises and adjacent property, and the date that the photographs were taken.
- C. Review of Sign Permit Applications; Requests for Additional Information. Permit applications shall be examined by the Director to determine if the application materials meet the requirements of this code. The Director may request such additional information or clarification as is necessary to complete review of the sign permit application. If it appears that a proposed sign is in compliance with the minimum requirements of this chapter, and with other laws and ordinances of the Village, the Director shall promptly refer the application materials to the Board for consideration of the granting or denial of a certificate of appropriateness.
- D. Issuance of Permit. Except as provided in Section 15.60.150(D) of this chapter, no sign permit shall be issued by the Director prior to the granting of a certificate of appropriateness by the Board, or on appeal by the Village Council as provided for in Section 15.60.150(E) of this chapter.

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Additions are bold and double-underlined; deletions are struck through

E. Display Case Signs. Notwithstanding anything to the contrary in this Section, applicants for a permit to install a display case sign shall not be required to submit an application for, or obtain, a certificate of appropriateness to obtain a sign permit.

SECTION 8: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 9: EFFECTIVE DATE. This Ordinance will be in full force and effect upon its passage and approval in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

{00115879.4}

Additions are bold and double-underlined; ~~deletions are struck through~~

PASSED this ____ of _____, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2020.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2020.

Introduced: _____, 2020

Passed and Approved: _____, 2020

{00115879.4}

Additions are bold and double-underlined; ~~deletions are struck through~~

DRAFT

Winnetka Design Review Board/Sign Board of Appeals
June 18, 2020 Virtual Meeting Minutes - EXCERPTS

Members Present:

Kirk Albinson, Chairman
Paul Konstant
Brad McLane
Maggie Meiners

Members Absent:

Brooke Kelly
Michael Klaskin
Michael Ritter

Village Staff:

David Schoon, Director of Community Development
Brian Norkus, Assistant Director of Community Development
Ann Klaassen, Senior Planner
Christopher Marx, Associate Planner

Case No. 19-39-DR: Display Case Signs. Discussion of amendments to sign regulations to allow display case signs on the exterior of a building.

Mr. Schoon stated a request was received from the owner of Good Grapes for the Village to allow display case signs typically found on the side of a restaurant in a cabinet displaying a menu. He stated the owner would like a similar display case on the side of her building and made the request at a Village Council meeting. The Council was open to the idea and referred the request to the Board to set parameters to allow such a sign. Mr. Schoon stated the Village staff provided the Board with excerpts from the sign regulations noting a display case sign is a changeable copy sign, and currently changeable copy signs are only allowed in certain circumstances such as for a commercial use for gasoline signs, incidental signs and portable menu signs with changeable copy.

Mr. Schoon stated they looked at other communities in considering the amendment and discovered that many of communities have changeable copy sign regulations which can be electronic message boards and signs where the lettering is changed manually for commercial and institutional uses. He noted they were not a lot of examples of where they got specific regarding display case signs. Mr. Schoon noted Wilmette does have a regulation calling it restaurant menu signs and Naperville calls their signs pedestrian wall signs. He also stated Park Ridge has pricing signs and noted that Barrington was the most comprehensive in terms of defining what it is and how it can be used and called their similar sign type - exterior display cases.

Mr. Schoon then stated elements that these communities looked at specifically in terms of a display case sign was its size, ranging from 4 to 6 square feet in area, and one limited their a height to no more than 6 feet from grade. He noted some communities regulated the number of them restricting them to one sign per property and others allowing one per building. Mr. Schoon stated they also regulate how far they can project from the wall given that they are at the pedestrian level. He stated they defined whether it can be illuminated as well as what types of businesses can use them, such as Wilmette limiting them to restaurant menus, while other communities allowing all commercial use to have that type of sign. Mr. Schoon stated some limit what can be posted on the sign such events, services or schedules. He then stated given it is a changeable copy sign, there will be a limit on how often the copy can be changed and there are more specifics with regard to electronic signs. Mr. Schoon also stated a display case sign is generally a printed sign and may change throughout the day in connection with the menus. He stated given that this would go on the wall of the buildings, communities often have a maximum amount of signage allowed on a building façade which they do have in the Village.

Mr. Schoon also stated a table was provided in the staff report including typical paper sizes on someone may have something printed. He then stated they looked at different configurations as to whether there was one of each paper size or a couple or four, how large would they have to be if they were all put together including the space

1 needed for the border edge to come up with the area for those signs. Mr. Schoon stated that information was
2 provided so that if a restaurant used a paper size that can easily be printed and copied, what amount of area
3 would be needed to be used for menus, events, etc. in order for the Board to consider how large of a display case
4 sign would be appropriate.
5

6 Mr. Schoon stated a proposal was put together by the Village staff which is very comprehensive and they are
7 looking for direction from the Board in terms of what businesses should be allowed to have display case signs and
8 what should be the allowed sign dimensions and characteristics. Regarding the size of signs, staff listed 6 feet as
9 that is what the owner of Good Grapes had suggested. Mr. Schoon stated they thought it was appropriate to limit
10 the sign height on the building wall to 6 feet from grade and no more than 4 inches from the building face since it
11 is to be a pedestrian focused sign. He stated an enclosed case is also a typical feature as well as to allow external
12 illumination. Mr. Schoon stated they included language relating to not interfering with the building's architecture
13 or windows and the color needed to match the exterior storefront or for it be compatible in terms of its colors. He
14 informed the Board a lot of communities allowed the sign without a permit or design review process.
15

16 Mr. Schoon stated the proposal would only allow food and beverage uses to have display case signs. He stated
17 they thought it would be appropriate for each business to have no more than one and referred to the multi-tenant
18 buildings in the Village. Mr. Schoon stated given the size of the sign, would be excluded from the maximum
19 amount of signage allowed on walls, windows, and awnings. He stated they felt it should be limited in terms of
20 what it could say such as menus, specials or an event at the establishment. Mr. Schoon stated the last suggestion
21 was to include a limit on how often the sign message could change and suggested two days or it could be left up to
22 the business. He then asked if there were any questions.
23

24 Chairman Albinson proposed that the Board first solicit public comment. Mr. Schoon asked Ms. Dason for
25 comment. Ms. Dason stated she liked the idea and for the business to not have to go through several hoops to be
26 allowed to do it. She also stated she liked the idea of restaurants and for the location be set. Ms. Dason stated it
27 would also help with business advertisement after hours and she would be in support. Mr. Schoon asked the next
28 caller for comment. Theresa Lucas introduced herself as the owner who submitted the request to the Village
29 Council on February 4, 2020. She stated she did not specifically request it to be 6 square feet and suggested that it
30 not be limited to only restaurants. Ms. Lucas stated it would be an inexpensive means of advertisement that could
31 be used year-round. She informed the Board she tried the floor display sign, and there was an immediate jump in
32 business by raising it to be easier to read. Ms. Lucas stated a floor display sign was designed for indoor use and it
33 also blew over. She stated they want to coordinate and joint advertise the stores and restaurants in a manner
34 which is economical, reasonable and would be a better fit for Winnetka since it is more professional looking. Mr.
35 Schoon asked Mr. Lazarre if he had comment. Mr. Lazarre had no comment.
36

37 Chairman Albinson then opened the matter up for deliberation. Mr. McLane commented they have done a good
38 job and liked the fact the Village staff considered what other villages are doing. He stated he also appreciated the
39 framework being laid out for the Board. Mr. McLane then referred to the glass case covering and asked about the
40 digital limit. Schoon responded the code does not currently allow electronic message board signs, but the Board
41 could consider that if it wishes. Mr. McLane then suggested that the signs be allowed to be digital with a limit on
42 the number of times the message could change.
43

44 Ms. Meiners stated she did not like the digital idea and asked if there is a standard display with a paper menu, why
45 would they care how many times it changed. Mr. Schoon stated there did not have to be a limit and the idea is for
46 there to be some level of it being static. Ms. Meiners commented the display cases bother her when they are old
47 looking and she would not comment on a digital display until she saw examples. She also stated while she would
48 be in favor of a display case, it should be allowed on a case by case business relating to the building. Ms. Meiners
49 agreed they can suggest guidelines in terms of maximum area but the other aspects should be considered
50 individually as well as the consideration of example suggestions.
51

52 Mr. Konstant stated there should be strict guidelines on digital signs and internally lit signs would be out of
53 character with the Village. He agreed with having suggestions of four alternatives to be considered and having

1 guidelines which required them to be maintained. Chairman Albinson stated he would be in support of allow
2 display case signs and for review to be at the Village staff level with the use of guidelines as opposed to having an
3 applicant come before the Board. He stated the request represented an opportunity along with their review of the
4 design guidelines and together with the pandemic, it would be an opportunity to help the retail businesses.
5 Chairman Albinson stated with the pandemic potential being here for a period of time, they should build a way to
6 promote businesses and open it up to all businesses to keep communication open with pedestrians. He agreed
7 with the concerns relating to digital signs and thinking in terms of what lies ahead for the world, to explore a
8 provisional, digital amendment and have a trial period. Chairman Albinson suggested they come up with guidelines
9 where in a shutdown, a business can still adjust to the requirements. He then encouraged the Board explore the
10 most cost effective and flexibility options for retail businesses. Chairman Albinson also agreed that display cases
11 need to be maintained.

12
13 Chairman Albinson suggested the Board expedite the recommendations for a traditional display case and ask the
14 Village to draft language to make an amendment to allow for digital signs with a trial period for evaluation. Mr.
15 Schoon stated the Village staff is still working on the internally illuminated sign item and referred to televisions in
16 businesses, which are a form of animated signs, that are not far enough away from the window to meet current
17 regulations. He stated they would be considering that as part of the illuminated sign discussion. Chairman Albinson
18 asked if the Village staff looking for the Board's decision on this item. Mr. Schoon responded they are looking for
19 the Board to make a recommendation to the Village Council at this meeting or a future meeting. Chairman
20 Albinson stated if they can make a recommendation to expedite an amendment to the sign code for display cases,
21 he would be in favor of that. He then referred to page 5 which included the nine points. Mr. Schoon stated points
22 of discussion for the Board related to allow such signs are: (a) how often the sign message can change, (b) whether
23 it should be limited to food and beverage establishments or all businesses should be allowed to have them, (c) to
24 expand what could be displayed in the case, and (d) the sign size. Ms. Meiners commented the recommendations
25 are good to begin with and questioned why businesses other than restaurants would use it. Mr. Schoon suggested
26 it could be used by a bookstore to promote author talks or a salon to list services provided. Chairman Albinson
27 described his experience with J.C. Licht where they could have had such a sign and that it would be applicable for
28 non-food establishments. He stated he would not be concerned with the number of changes a day as long as it is
29 not digital and agreed with Mr. McLane that they should not be narrow in terms of their definition. Ms. Meiners
30 stated the Board is in agreement that it could expand beyond food and beverage, there did not need to be a limit
31 on the number of messages per day and there is interest in exploring digital options in the future. She stated she
32 would be in favor of these two suggestions without the digital aspect.

33
34 Ms. Meiners moved to approve the proposal with the changes of not limiting it to food and beverage and no limit
35 on the number of sign messages per day. Mr. McLane seconded the motion. A vote was taken and the motion
36 unanimously passed.

37 AYES: Albinson, Konstant, McLane, Meiners
38 NAYS: None

David Schoon

From: Theresa <theresa@goodgrapes.com>
Sent: Wednesday, July 22, 2020 3:50 PM
To: David Schoon
Cc: Chris Rintz; Robert Apatoff; Jack Coladarci; Andrew Cripe; bdearborn@winnetka.org; Penfield Lanphier; John Swierk; Brian Norkus; Robert Bahan
Subject: Outdoor Display Box Discussion Follow-Up

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi David,

Thank you for last night's presentation at the Village Council (VC) meeting.

While obvious by sight and much to my embarrassment, everyone at last night's virtual meeting now knows how out of shape I am based on my heavy breathing and fast talking initial comments after running to / from Village Hall and up / down the Village Hall stairs to let Kristen know that I was on the call. Being in a dress and sandals wasn't helpful.

Since Good Grapes isn't a restaurant, I was surprised to hear trustees state that the initial request presented in February was for restaurants only. Hence, I watched the February 4th VC video to confirm that I requested what I believe I requested. While "restaurants" were used as examples, "businesses" was used more often and examples included "Good Grapes, the Book Stall, and other businesses", the challenges of the sandwich boards blowing away, and the positive impacts of moving from a sandwich board to the raised menu display that also blew away. I wasn't thinking of banks when I made my request.

From my perspective, the DRB was underrepresented and underestimated. Many of the questions / comments raised by some trustees were addressed by the DRB. Perhaps sharing the recorded DRB meeting with the trustees would provide clarity on what / why the DRB approved what they did, and equally important, why other requirements were intentionally excluded. From memory, there were only a couple of items not addressed by the DRB:

- 1) Differentiating types of businesses – special use permit vs “standard”,
- 2) Differentiating between businesses in similar categories - a boutique wine retailer in Winnetka that isn't going to cover its windows with large advertisements vs Binny's, and
- 3) Why a business that can have a sandwich board with a handwritten chalk message would be denied a professional display box that is more appropriate for their brand.

As a reminder, the DRB stated that the sign needed to be kept clean and that they didn't know why they should care how many times a day a paper sign is changed.

Perhaps the DRB indicated all businesses because the Village's recommendation of restaurants only which didn't mirror my request and the recommendation didn't include the original request, so I stated that my request was not for restaurants only.

I'm very appreciative of the request that this move forward quickly and with staff review. As a reminder, this request was submitted on February 4th, it didn't make the February 20th DRB meeting, COVID hit, it took months to setup video conferencing resulting in no March or April DRB meetings, the request was not included in the May DRB meeting yet requests submitted in March were included, a request approved in the same June DRB meeting was presented at the July 7th VC meeting, and this request made the July 21st VC meeting. I would have a different view of the duration if it didn't take months to setup video conferencing and the request wasn't skipped over for requests submitted at a later date.

It would be helpful if the Village's prioritization criteria for submitting requests to the DRB and a list of priority order requests were posted on the DRB page.

Theresa

<i>Table of Uses</i>	<i>C-1 Neighborhood Commercial</i>	<i>C-2 General Retail</i>	<i>C-2 Commercial Overlay</i>
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 SERVICES ESTABLISHMENTS and CUSTOM CRAFT USES			
Apparel and shoe repair	P	P	SU
Barber shop, beauty salon, hair salon, or day spa, including nail salons, skin care and related services	P	P	SU
Laundry and dry cleaning receiving store (dry cleaning not performed on premises)	P	P	SU
Photography studio	P	P	P
Picture framing	P	P	P
Shipping, mailing or printing center (may include related office services)	P	P	P
Tanning salon	SU	SU	SU
Taxidermy shop	SU	SU	SU
Travel agency	P	P	SU
Upholstery shop and furniture repair/refinishing	P	P	SU
Weight loss clinic / diet center (not including personal training, fitness studios, or similar forms of physical activity)	P	P	SU
C. GENERAL RETAIL SALES and RELATED SERVICE USES			
Antique store	P	P	P
Apparel, fur, leather goods, jewelry, shoe or accessories store	P	P	P
Apparel, formalwear and tuxedo rental, dry cleaning not performed on premises)	P	P	P
Appliance (household) sales (may include repair when incidental to retail	P	P	P
Art, craft, fabric or hobby supply store	P	P	P
Art gallery	P	P	P
Bath, cosmetic or beauty supply or accessory store	P	P	P
Bicycle, camping, golf or other outdoor leisure or sporting good store	P	P	P
Book, newspaper, magazine, music recording or video recording store	P	P	P
Camera, photography, computer or other customer electronic stores (may include repair when incidental to retail)	P	P	P
Card, gift, stationery or toy store	P	P	P
China, glassware, ceramic or flatware shop	P	P	P

Coin, stamp, precious metal or collectible shop	P	P	P
Drug store or pharmacy	P	P	P
Florist or garden supply shop, retail (shall not include on-site greenhouse, outdoor storage)	P	P	P
Furniture, bedding, cabinetry, drapery, floor covering, lighting, paint and wall covering, plumbing fixture, window covering and similar home accessories store (with provision of incidental design services)	P	P	P
Hardware, department or variety store	P	P	P
Jewelry store	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(may include incidental services such as grooming, but may not include animal boarding or kennel services)	P	P	P
Resale shop, secondhand store, consignment or rummage shop	P	P	SU
Tobacco shop	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, poultry, delicatessen, or other specialty food or beverage store or market (may include catering services incidental to retail services)	P	P	P
F. FOOD AND BEVERAGE SERVICE USES			
Brew pub	NO	P	P
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 (See Section 17.44.030B)	SU	SU	SU
Restaurant, limited service/fast casual	P	P	P
Restaurant, standard	P	P	P
Specialty food and beverage shop with seating	P	P	P
G. FINANCIAL USES			
Accounting, auditing and bookkeeping services	P	P	SU

Bank or credit unions without drive-through facilities	SU	P	SU
Bank or credit unions with drive-through facilities	SU	SU	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 and other temporary office employment service offices	P	P	SU
I. OFFICE AND PROFESSIONAL USES			
Business association office	P	P	SU
Consulting, marketing, advertising, attorney, architect, engineering and similar professional services	P	P	SU
General offices	P	P	SU
Interior design offices	P	P	SU
Newspaper, magazine or other publishing offices	P	P	SU
Office of institution of religious, charitable or philanthropic nature	P	P	SU
Real estate offices	SU	P	SU
J. MEDICAL AND RELATED USES			
Dental, medical or optical laboratory as a principal use	P	P	SU
Home health care provider's offices	P	P	SU
Medical and dental offices	P	P	SU
Offices for the fitting, sales and repair of hearing aids, prosthetic appliances and the like	P	P	P
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 (See Section 17.44.030B)	SU	SU	SU
Motor vehicle battery and tire sale and service	SU	SU	SU
Parking lot as a principal use (See Section 17.44.030B)	SU	SU	SU

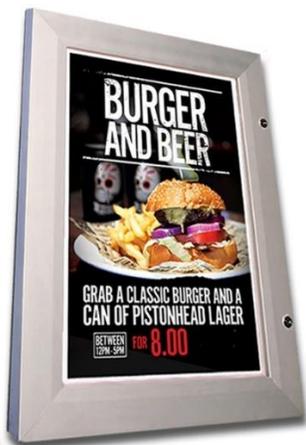
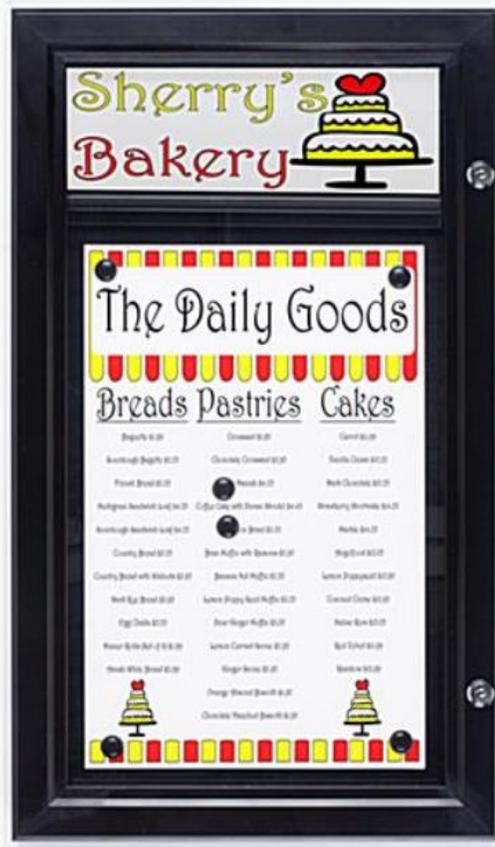
Public garage (any building used for storage, parking, repair, and the like, but not including body and fender shop, and auto laundry, an automotive machine shop, a welding shop, and automobile repainting shop or a shop engaged in the repair or testing of engines) (See Section 17.44.030B)	SU	SU	SU
Railroad passenger station	SU	SU	SU
L. MATERIAL SUPPLY AND CONSTRUCTION USES			
Building repair and maintenance contractors including general contractors, glass, window and mirror, heating and air conditioning, lighting and electrical, roofing and plumbing offices and shops	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			
Artisan or maker space	P	P	SU
Co-working space	P	P	SU
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			
Amusement arcades, with the total square footage of all such arcades located in the Village not to exceed 1,000 gross square feet.	NO	P	NO
Bowling alley	NO	SU	SU
Health club	NO	SU	SU
Library or reading room	P	P	SU
Personal fitness facility	SU	P	SU
Ticket agency (amusements)	P	P	P
Q. EDUCATIONAL USES			
Business or commercial school	P	P	SU
Arts, dancing, music and other artistic activities	P	P	P
Educational services	P	P	SU
Educational therapy and counseling service	P	P	SU

(MC-01-2019, Amended, 04/04/2019; MC-7-2018, Amended, 10/16/2018; MC-2-2015 § 7, Amended, 02/17/2015; MC-4-2009, Added, 05/05/2009)

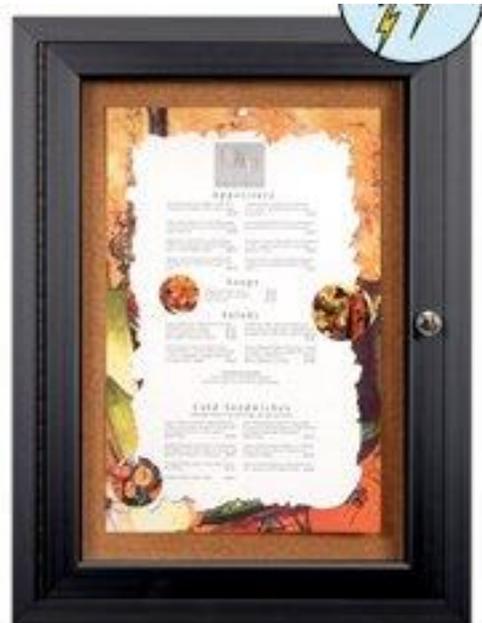
Examples of Wall-Mounted Display Case Signs



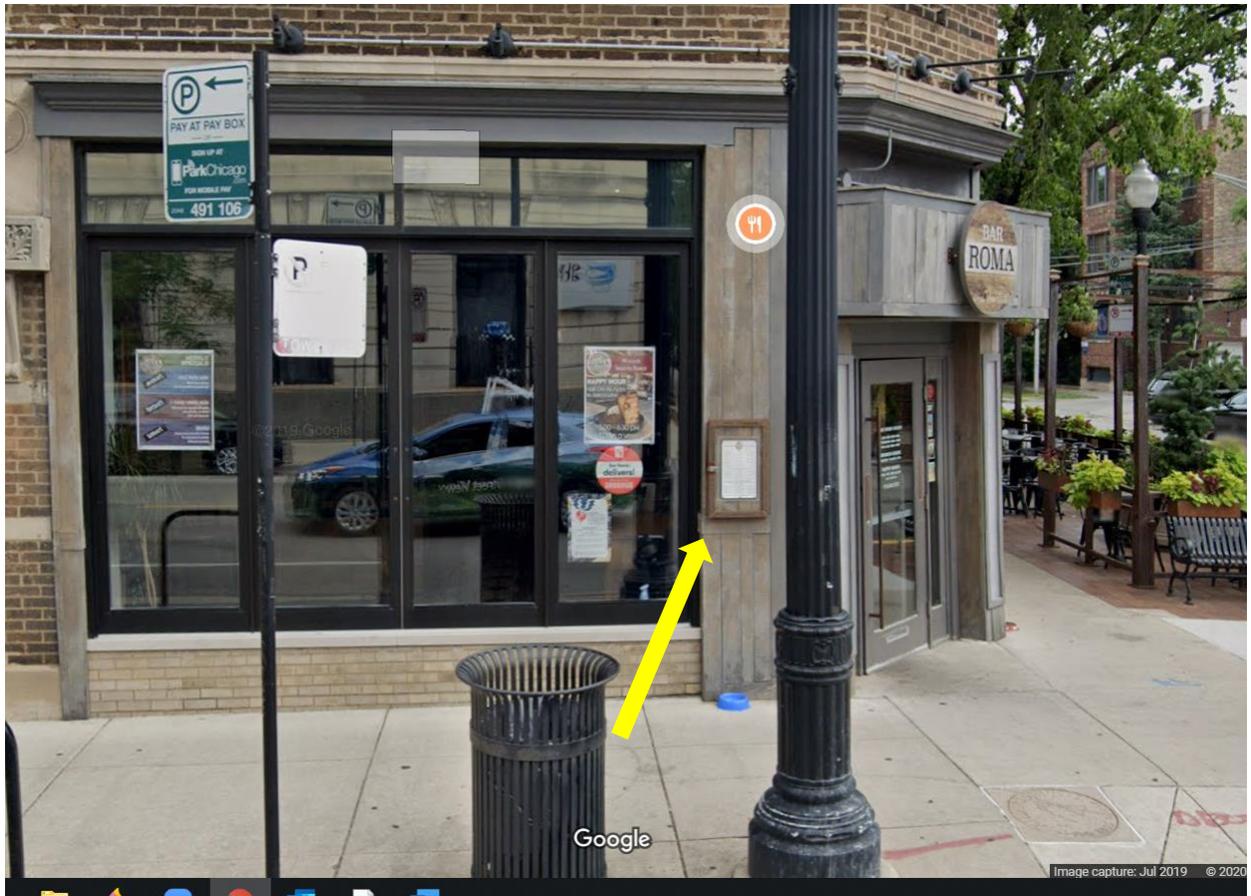
Examples of Wall-Mounted Display Case Signs



Examples of Wall-Mounted Display Case Signs



Examples of Wall-Mounted Display Case Signs





Agenda Item Executive Summary

Title: Temporary Tents Zoning Amendment (Public Hearing, Introduction, & Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 08/04/2020

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

Consent: YES NO

Item History:

None

Executive Summary:

On August 4, the Village Council is scheduled to hold a public hearing and consider introduction and adoption of Ordinance No. MC-4-2020, Amending the Zoning Ordinance to Adopt a New Chapter 17.54 Providing the Use of Temporary Tents by Schools. In addition, the Council will consider Resolution No. R-53-2020, Approving the Erection of Temporary Tents by Winnetka Elementary School District 36. The School District desires to construct and use temporary tents on its own as well as adjacent property during the COVID-19 pandemic to provide a safer school environment and to lessen the risk of the spread of the illness.

The attached staff report provides additional information regarding the request.

Given the School District's intent to have the tents ordered in time for August 20 installation, the ordinance has been placed on the agenda for waiver of introduction and adoption.

Recommendation:

Hold a public hearing and consider waiving introduction and adopting Ordinance No. MC-4-2020.

And consider adoption of Resolution No. R-53-2020

The Ordinance and Resolution would give School District 36 the authority to use temporary tents.

Attachments:

- Staff Report
- Attachment A: Ordinance No. MC-4-2020
- Attachment B: Resolution No. R-53-2020



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: JULY 29, 2020
SUBJECT: ORDINANCE NO. MC-4-2020 - AMENDING ZONING ORDINANCE
PROVIDING FOR THE USE OF TEMPORARY TENTS BY SCHOOLS
RESOLUTION NO. R-53-2020 - APPROVING THE ERECTION AND USE OF
TEMPORARY TENTS BY WINNETKA ELEMENTARY SCHOOL DISTRICT 36

INTRODUCTION

On August 4, 2020, the Village Council is scheduled to hold a virtual public hearing, in accordance with social distancing requirements, Governor Pritzker's Executive Order 2020-44 and Senate Bill 2135, and to consider introduction and adoption of Ordinance No. MC-4-2020, An Ordinance Amending the Winnetka Zoning Ordinance to Adopt a new Chapter 17.54 Providing for the Use of Temporary Tents by Schools (Attachment A). The Council is also scheduled to consider adoption of Resolution No. R-53-2020, A Resolution Approving the Erection and Use of Temporary Tents by Winnetka Elementary School District 36 (Attachment B).

The Winnetka Elementary School District 36 (the "School District") requests approval of specific zoning relief related to the extended use of 23 temporary tents located at:

- a) Carleton Washburne School at 515 Hibbard Road (two tents),
- b) Crow Island School at 1112 Willow Road (five tents),
- c) Greeley School at 275 Fairview Avenue (three tents),
- d) Hubbard Woods School at 1110 Chatfield Road (three tents) and Mann Park located along the east side of Burr Avenue to the east of Hubbard Woods School (two tents), and
- e) The Skokie School at 520 Glendale Avenue Road (5 tents) and a portion of West Elm Park located along the north side of Elm Street to the north of Skokie School (three tents) (collectively referred to as the "Subject Properties").

In response to the COVID-19 pandemic the School District wishes to use temporary tents for outdoor spaces for lessons and to give students and staff the ability to physically distance and experience a break from the classroom environment.

The public hearing on the Zoning Ordinance amendment was properly noticed in the *Winnetka Talk* on April 23, 2020, and a mailed notice was sent to property owners within 250 feet of the Subject Properties in compliance with the proposed Zoning Ordinance text amendment. As of the date of this memo, staff has not received any comments from the public regarding this application.

SCHOOL DISTRICT'S REQUEST

As noted above, the School District requests approval of specific zoning relief related to the extended use of temporary tents. The School District's request is included as Exhibit A to Resolution No. R-53-2020 (Attachment B). The request describes how and when the school district plans to use the tents.

Zoning Ordinance Amendment. The Zoning Ordinance definition of "structure" includes a tent. The Zoning Ordinance makes no distinction between temporary and permanent structures; therefore, all temporary structures are required to comply with their applicable Zoning Ordinance requirements, such as bulk and setback requirements, as well as special use requirements. It should be noted that zoning ordinances often have separate zoning requirements for specific types of temporary uses and structures. Our Zoning Ordinance does not. Given that public and private schools are a special use in single family residential districts, the use of tents would require special use approval. In addition, the tents would be required to meet the applicable lot, space, bulk, and yard setback regulations for the single-family residential districts.

The proposed Zoning Ordinance text amendment (MC-4-2020) would allow schools to use temporary tents and would:

- Establish a process by which the Village Manager could approve the temporary use of tents by schools for up to 14 days, with the ability to grant a 14-day extension.
- Only require temporary tents to comply with the yard setback requirements; they would be exempt from the other lot, space, and bulk requirements. However, the Village Council may approve placement of a tent within a required yard setback.
- Allow the Village Council to grant approval for use of tents for up to 180-days within a 12-month period. This limitation is consistent with adopted building and fire codes.
- Allow the Village to place conditions on its approval and require tents to comply with all applicable requirements.

School District's Specific Request. Resolution No. R-53-2020, would approve the School Districts specific request. The School District currently plans to use the tents:

- Thursday, August 20, 2020 through Friday, November 13, 2020
- Thursday, April 1, 2021 through Friday, June 4, 2021 (if necessary)

The 20' x 30' tents would be used Monday through Friday between 8:00 am and 4:00 pm for outdoor classroom activities. For those tents located on the other side of the street from a school, teachers and staff would assist students cross the streets. The School District is also working with the Village's Fire and Police departments regarding plans of action to deal with emergency situations. The School District has also sent a letter to their neighbors informing them of their plans.

The School District has received approval from the Park District to use a portion of West Elm Park, and Mann Park is School District property.

The location of certain tents at Hubbard Woods School, Mann Park, and Washburn School fall within the minimum required yard setbacks.

WASHBURNE SCHOOL (R-4 DISTRICT)		
	Minimum Requirement	Proposed
Minimum Corner (Front) Yard Setback (Elm)	30 feet	21 feet to sidewalk

HUBBARD WOODS SCHOOL (R-4 DISTRICT)		
	Minimum Requirement	Proposed
Minimum Corner (Front) Yard Setback (Burr/Laurel)	30 feet	15 feet to sidewalk

MANN PARK (R-4 DISTRICT)		
	Minimum Requirement	Proposed
Minimum Front Yard Setback (Vine)	30 feet	24 feet from street
Minimum Corner (Front) Yard Setback (Burr)	30 feet	18 feet from street
Minimum Front Yard Setback (Laurel)	30 feet	24 feet from street

The draft resolution would allow the locations of tents within these required yards. And the resolution would allow the School District to use the tents for a period not to exceed 180 days between the effective date of this Resolution and August 3, 2021.

RECOMMENDATION

After holding the public hearing, the Village Council may consider introduction and adoption of Ordinance MC-4-2020 as well as adoption of Resolution R-53-2020.

ATTACHMENTS

- Attachment A: Ordinance No. MC-4-2020, An Ordinance Amending the Winnetka Zoning Ordinance to Adopt a new Chapter 17.54 Providing for the Use of Temporary Tents by Schools
- Attachment B: Resolution No. R-53-2020, A Resolution Approving the Erection and Use of Temporary Tents by Winnetka Elementary School District 36

ORDINANCE NO. MC-4-2020

AN ORDINANCE AMENDING THE “WINNETKA ZONING ORDINANCE”
TO ADOPT A NEW CHAPTER 17.54 PROVIDING FOR THE
USE OF TEMPORARY TENTS BY SCHOOLS

WHEREAS, the "Winnetka Zoning Ordinance," as amended ("*Zoning Code*"), establishes certain zoning regulations for permitted and special uses within each zoning district; and

WHEREAS, Winnetka Elementary School District 36 desires to construct temporary tents ("*Temporary Tents*") on school and Winnetka Park District premises to facilitate school activities while limiting the health risks to students during the COVID-19 pandemic; and

WHEREAS, the Zoning Code does not currently permit schools to erect temporary tents; and

WHEREAS, the Village desires to amend the Zoning Code to adopt a new chapter providing for school use of Temporary Tents ("*Proposed Amendment*"); and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Code, on August 4, 2020, after due notice thereof, the Village Council held a public hearing to consider the Proposed Amendment to the Zoning Code; and

WHEREAS, the Village Board has determined that adoption of the Proposed Amendment, as set forth in this Ordinance, will serve and be in the best interest of the Village;

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

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

SECTION 2: TEMPORARY USES. The Zoning Code is hereby amended to adopt a new Chapter 17.54, which will hereafter read as follows:

“Chapter 17.54 TEMPORARY USES.

Section 17.54.010 Temporary Tents – Schools.

- A. **A public or private school may erect temporary tents for school use with the approval of the Village Manager for a period not to exceed 14 days, which approval may be extended by the Village Manager for one additional 14-day period, provided that such temporary tents are not erected in any required yard setback on the property.**
- B. **A public or private school may erect temporary tents for school use on any portion of a property, including within a required yard setback, with the approval of the Village Council for a period not to exceed 180**

~~Additions are bold and double underlined; deletions are struck through.~~

days in a twelve-month period.

- C. A school seeking approval from the Village Council pursuant to paragraph 17.54.010.B shall, no more than 30 days, and not less than 15 days, prior to the public meeting at which the Village Council shall first consider such application, send notice by first class mail, postage prepaid, providing notice of the time and place of the Village Council meeting at which the application will be considered, to all persons to whom the latest general real estate tax bills were sent for all property situated within 250 feet of the property on which a temporary tent is proposed to be erected. The failure of any person to receive the written notice issued pursuant to this paragraph shall not affect the jurisdiction of the Village Council authorized to consider the application for a temporary tent. Nor shall the failure of such person to receive such written notice invalidate, impair or otherwise affect the subsequent grant or denial of any application.
- D. All tents erected pursuant to this Section must comply with all applicable regulations contained in the International Fire Code, as adopted in Section 15.08.010 of this Code.
- E. In granting approval for a temporary tent pursuant to this Section, the Village Manager or Village Council may condition such approval on the compliance with conditions to protect the health, safety, and welfare of the users of the tents and the public, and to minimize any adverse impacts the erection or use of the temporary tents may have on neighboring properties.
- F. The erection and use of temporary tents by public and private schools pursuant to this Section shall be exempt from lot, space, and bulk requirements of the applicable zoning district in which the tent is constructed.”

SECTION 3: PUBLICATION. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

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

[SIGNATURE PAGE FOLLOWS]

Additions are bold and double underlined; ~~deletions are struck through.~~

PASSED this ____ day of August, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2020.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2020.

Introduced: _____, 2020

Passed and Approved: _____, 2020

**A RESOLUTION APPROVING THE ERECTION AND USE OF TEMPORARY TENTS
BY WINNETKA ELEMENTARY SCHOOL DISTRICT 36**

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

WHEREAS, on August 4, 2020, the Village approved Ordinance MC-4-2020, adopting a new Section 17.54.010 of the "Winnetka Zoning Ordinance," as amended ("*Zoning Code*"), to allow schools to erect temporary tents for school use with the approval of the Village Council for a period not to exceed 180 days in any 12-month period; and

WHEREAS, Winnetka Elementary School District 36 (“*School District*”) desires to construct temporary tents (“*Temporary Tents*”) on its property and property adjacent to its property during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School District has requested to erect Temporary Tents at the following locations and in a manner described and depicted in Exhibit A to this Resolution:

- A. That portion of the Carleton Washburne School property located at 515 Hibbard Road;
- B. That portion of the Crow Island School property located at 1112 Willow Road;
- C. That portion of the Greeley School property located at 275 Fairview Avenue;
- D. Those portions of the Hubbard Woods School property located at 1110 Chatfield Road and Mann Park located along the east side of Burr Avenue immediately to the east of Hubbard Woods School; and
- E. Those portions of the Skokie School property located at 520 Glendale Avenue and West Elm Park located at 115 Elm Street;

(collectively, “*Tent Locations*”); and

WHEREAS, some of the Tent Locations are within required yard setbacks, which requires approval of the Village Council; and

WHEREAS, the Council of the Village of Winnetka has determined that it is in the best interest of the Village to approve and authorize the issuance of tent permits to allow the School District to erect the Temporary Tents at the Tent Locations;

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

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

SECTION 2: APPROVAL OF TEMPORARY TENTS. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Resolution, approval is hereby granted pursuant to Section 17.54.010 of the Zoning Code and the home rule powers of the Village, to allow the erection and use of the Temporary Tents by the School District at the Tent Locations for school use for a period not to exceed 180 days between the effective date of this Resolution and August 3, 2021.

SECTION 3: CONDITIONS. The approvals granted by Section 2 of this Resolution are subject to, and contingent upon, compliance by the School District with the following conditions:

- A. Compliance with Regulations. The erection, use, and maintenance of the Temporary Tents and the Tent Locations must comply at all times with all applicable federal, State, and Village statutes, laws, regulations, codes, ordinances, and orders, as they have been or may be amended over time;
- B. Operations with Tents. The erection, use, and maintenance of the Temporary Tents must generally comply with the description of use described in the July 27, 2020 letter from the School District included in **Exhibit A**; and
- C. Compliance with Plans. The Temporary Tents must be generally be consistent with the image of the tent and the F3 Brochure Drawing of the tent provided by Anchor Industries, Inc. dated June 24, 2015, included in **Exhibits A**.

SECTION 4: FAILURE TO COMPLY. Upon the failure or refusal of the School District to comply with any or all of the conditions, restrictions, or provisions of this Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Resolution will, at the sole discretion of the Village Council, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Resolution unless it first provides the School District with two weeks advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 5: EFFECTIVE DATE.

- A. This Resolution will be effective only upon the occurrence of all of the following events:
 - 1. Passage by the Village Council in the manner required by law; and
 - 2. The filing by the School District with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit B** attached to and, by this reference, made a part of this Resolution, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Resolution and

to indemnify the Village for any claims that may arise in connection with the approval of this Resolution.

B. In the event that the School District does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 5.A.2 of this Resolution within 30 days after the date of passage of this Resolution by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

ADOPTED this 4th day of August, 2020, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A

**DESCRIPTION OF PROPOSED USE OF TENTS AND DEPICTION OF TENT
LOCATIONS**



1235 Oak Street • Winnetka, IL 60093
phone 847-446-9400 • fax 847-446-9408
Brad Goldstein
Chief Financial Officer/CSBO/Treasurer
bradgoldstein@winnetka36.org

July 27, 2020

Mr. David Schoon
Director
Village of Winnetka-Community Development
510 Green Bay Rd.
Winnetka, IL 60093

Dear Mr. Schoon:

The Winnetka School District 36 is requesting approval to install temporary tents for an extended period of time for outdoor educational purposes for the upcoming school year due to the COVID-19 pandemic. The teachers will utilize the outdoor space for lessons. The outdoor space will give students and staff the ability to physically distance and get a break from the classroom environment. Our plan is to install the tents in mid to late August and to use them into early to early November. If the pandemic continues into the spring, we plan to use them again in the Spring from the beginning of April through the first week of June. We request approval to erect the tents and have them in place during the following periods of time:

- Thursday, August 20, 2020 through Friday, November 13, 2020
- Thursday, April 1, 2021 through Friday, June 4, 2021
-

If during any of this time, it is necessary for us to move to remote learning for all students, the tents would be removed until such time we could once again have in school learning.

The tents will be used during the school day, Monday through Friday between 8:00 am and 4:00 pm. We anticipate 10-12 students in each tent. We plan to provide single desks/tables and chairs for each student, and all items will be brought in after school is over on a daily basis.

Attached are site plans showing the general location of the proposed tents and the number of tents at each location. The image on the following page is a

picture of the proposed tent. Each ten would be 20' x 30', and height of the tent to the top of top of the canopy ridge would be 13' 3 3/8" tall.

The District does not plan to install sides on the tents; the tents would only have the canopy element; thus, no heating or cooling will be provided to the tents. Also, no electricity will be provided to the tents. The tents will be placed either over an existing hard surface or over grass. For tents to be placed over grass, there are no plans to place a temporary hard surface on the ground.

The School District is currently working with the Winnetka Police and Fire departments to address emergency situations as the School District adjusts its operations in response to the COVID-19 pandemic. The School District will regularly monitor the weather and incoming storms. The District will have an emergency response plan for storms. The tents are able to withstand winds up to 30 mph. Between 30 and 50 mph the canopies would need to be removed, and over 50 mph the poles would be removed.



Given the length of time the tents will be up, we understand damage may occur to grass under the tents. Whether it is on our property or others, we will address any damage caused to the grass due to the use of the tents.

As you will note some of the tents will be located across the street from schools. In those circumstances, teachers and staff would assist students with crossing the street.

Attached you will find a letter from the Park District who has agreed to let us use West Elm Park.

We have sent the attached letter to neighbors who are either located across the street from or adjacent to the proposed tents to let them know of the District's plans.

We have done our best to keep the proposed tents out of the required yard setbacks, but given limitations of some of the sites we ask that the Village Council approve the locations of the proposed tents at Hubbard Woods Park, Mann Park, and Washburne School, which will fall within required yard setbacks (See Attachment A - Proposed Tent Yard Setbacks).

The District appreciates the assistance of the Village in addressing this important piece that will allow us to return to in person learning in this school year.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brad Goldstein', with a stylized flourish at the end.

Brad Goldstein, CFO

Attachment A- Proposed Tent Yard Setbacks

Highlighted yard setbacks require zoning relief.

WASHBURNE & SKOKIE SCHOOL – R-4 District		
	Requirement	Proposed
Minimum Front Yard Setback (Hibbard)	30 feet	NA
Minimum Corner (Front) Yard Setback (Elm)	30 feet	21 feet to sidewalk
Minimum Through Lot Setback (Glendale)	30 feet	35 feet to street
Minimum Front Yard Setback (Oak)	30 feet	≥ 50 feet to street

WEST ELM STREET PARK – R2 District		
	Requirement	Proposed
Minimum Front Yard Setback (Glendale)	50 feet	≥ 50 feet to sidewalk
Minimum Corner (Front) Yard Setback (Elm)	50 feet	≥ 50 feet to sidewalk
Minimum Corner (Front) Yard Setback (Spruce)	50 feet	NA
Minimum Rear Yard Setback (West Property Line)	25 feet	≥ 100 feet to lot line

CROW ISLAND SCHOOL – R-2 DISTRICT		
	Requirement	Proposed
Minimum Front Yard Setback (Willow)	50 feet	NA
Minimum Corner (Front) Yard Setback (Glendale)	50 feet	≥ 50 feet to property line
Minimum Front Yard Setback (Mt. Pleasant)	50 feet	≥ 50 feet to property line
Minimum Side Yard Setback (West)	12 feet	30 feet to property line

GREELEY SCHOOL ZONING ANALYSIS – R-4 DISTRICT		
	Requirement	Proposed
Minimum Front Yard Setback (Elder)	30 feet	NA
Minimum Corner (Front) Yard Setback (Fairview)	30 feet	NA
Minimum Through Lot Front Yard Setback (Hawthorn)	30 feet	≥ 50 feet to sidewalk
Minimum Front Yard Setback (Woodlawn)	30 feet	≥ 50 feet to sidewalk

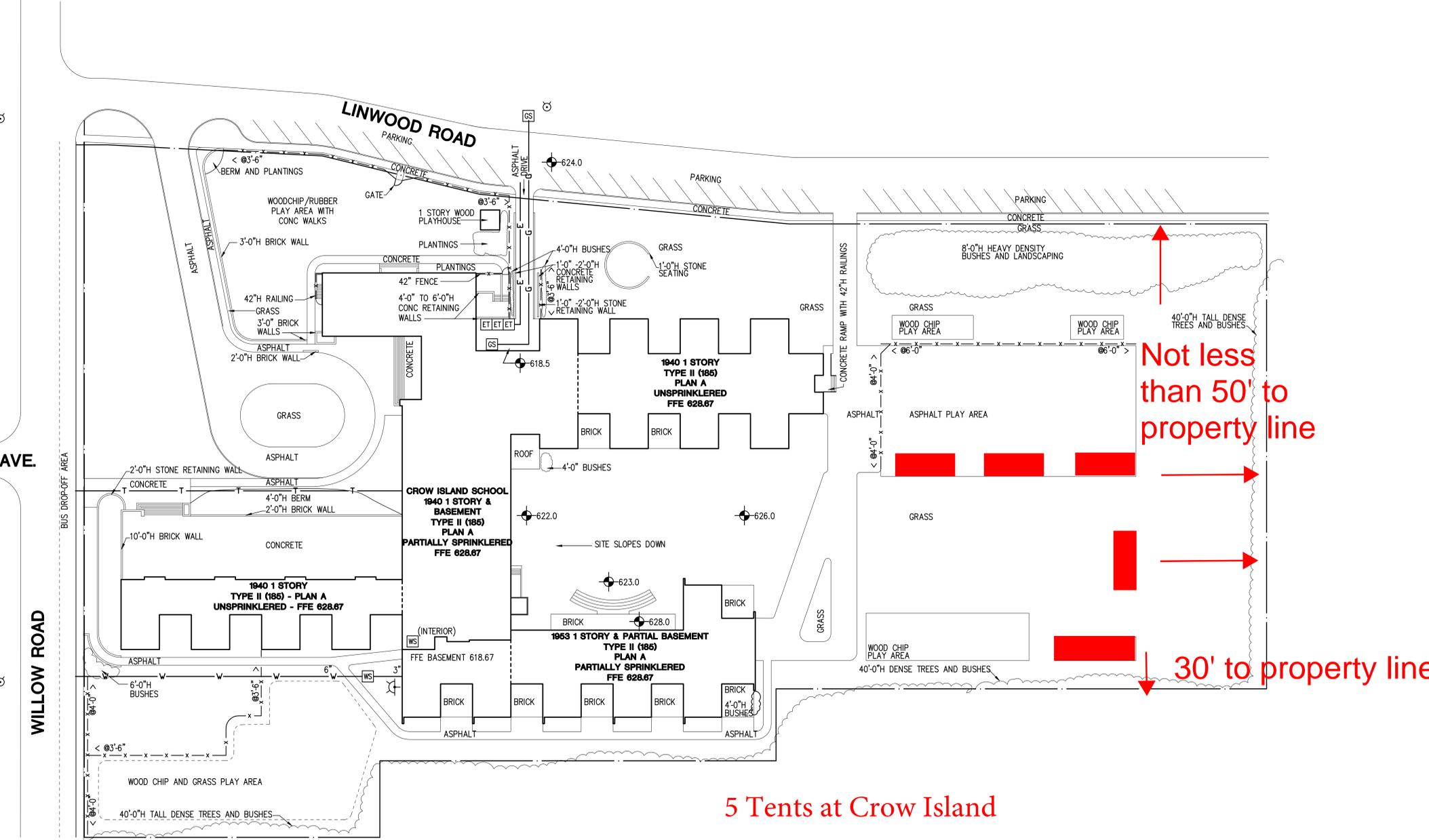
HUBBARD WOODS SCHOOL ZONING ANALYSIS – R-4 DISTRICT		
	Requirement	Proposed
Minimum Front Yard Setback (Chatfield)	30 feet	NA
Minimum Corner (Front) Yard Setback (Burr/Laurel)	30 feet	15 feet to sidewalk
Minimum Front Yard Setback (Hamptondale/Gordon Terrace)	30 feet	≥ 50 feet to sidewalk
Minimum Side Yard Setback (West)	12 feet	≥ 50 feet to property line

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GLENDALE AVE.

WILLOW ROAD

LINWOOD ROAD



SITE PLAN LEGEND

- FIRE HYDRANT
- FIRE STANDPIPE/SIAMESE
- ELECTRIC TRANSFORMER
- GAS SHUTOFF
- WATER SHUTOFF
- 000.00' ELEVATION MARKER
- ELECTRIC LINE
- TELEPHONE LINE
- GAS LINE (WITH SIZE WHERE KNOWN)
- WATER LINE (WITH SIZE WHERE KNOWN)
- FENCE (WITH HEIGHT)

GREEN ASSOCIATES
ARCHITECTURE
CONSTRUCTION SERVICES

ARCHITECT
GREENASSOCIATES, INC.
111 DEERLAKE ROAD, SUITE 135
DEERFIELD, ILLINOIS 60015
847-317-0852 F 847-374-0961

WINNETKA PUBLIC SCHOOL DISTRICT 36 - SAFETY REFERENCE PLANS
WINNETKA PUBLIC SCHOOL DISTRICT 36
1235 OAK STREET
WINNETKA, ILLINOIS 60093

CROW ISLAND SCHOOL - 1112 WILLOW ROAD
SITE PLAN

Not less than 50' to property line

30' to property line

5 Tents at Crow Island

SITE PLAN
T-30'-0"

Drawn AC/JZLA	Checked GWR
Issue Date 05 NOVEMBER 2004	
Revision 1	
Revision 2	
Project Number 1310-200343	
Project Phase	

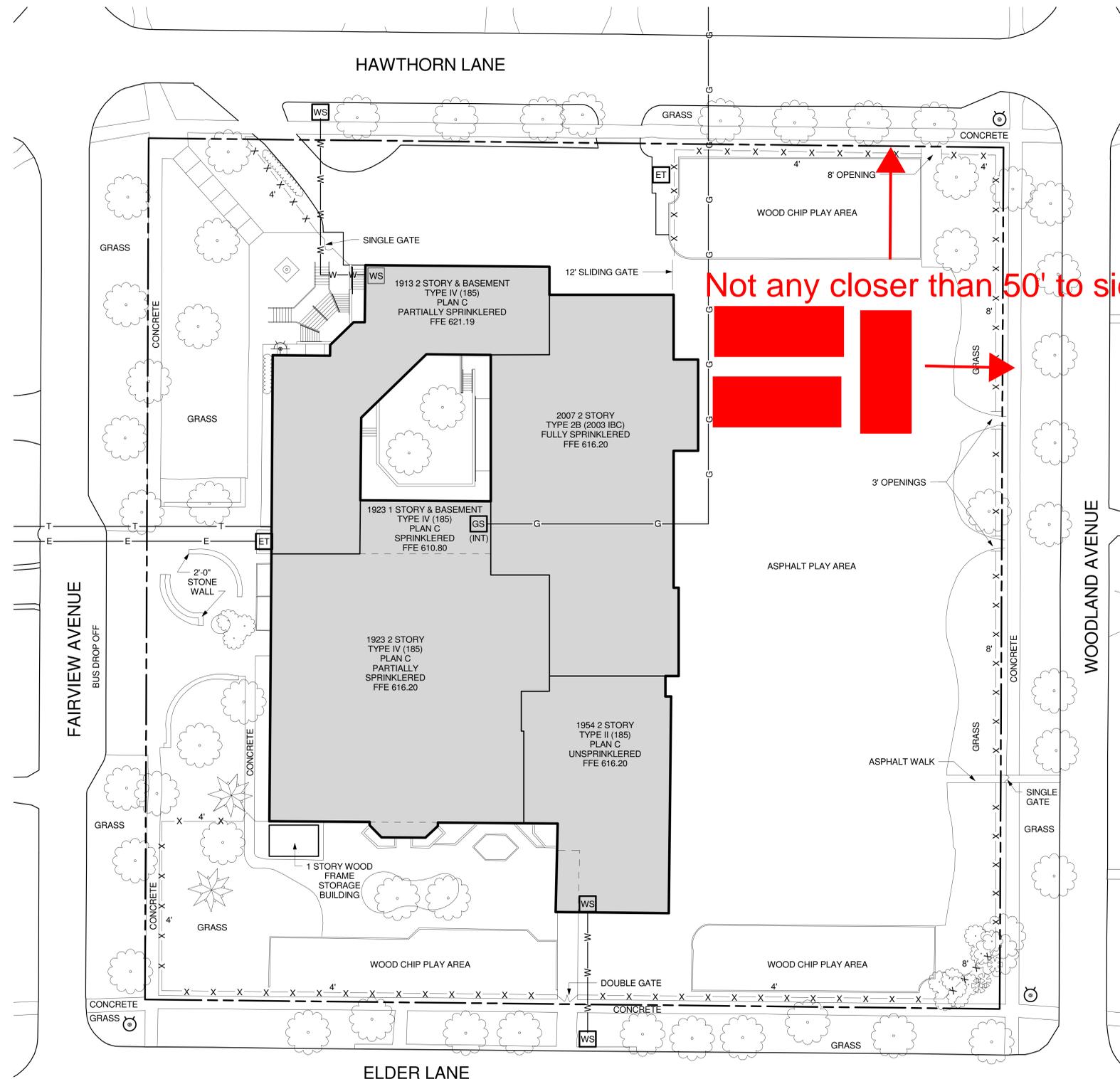
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Agenda Packet P. 47

3 Tents at Greeley School

SITE PLAN LEGEND

- FIRE HYDRANT
- FIRE STANDPIPE
- ELECTRIC TRANSFORMER
- GAS SHUTOFF
- WATER SHUTOFF
- 0.00' ELEVATION MARKER
- E — E — ELECTRIC LINE
- T — T — TELEPHONE LINE
- G — G — GAS LINE (WITH SIZE WHERE KNOWN)
- W — W — WATER LINE (WITH SIZE WHERE KNOWN)
- X — X — FENCE (WITH HEIGHT)



Not any closer than 50' to sidewalk

SITE PLAN
1
1" = 20'-0"
0' 10' 20' 40'

WINNETKA PUBLIC SCHOOL DISTRICT 36 - SAFETY REFERENCE PLANS
 WINNETKA PUBLIC SCHOOL DISTRICT 36
 1235 OAK STREET
 WINNETKA, ILLINOIS 60093
SAMUEL SEWALL GREELEY SCHOOL - 275 FAIRVIEW AVENUE
SITE PLAN

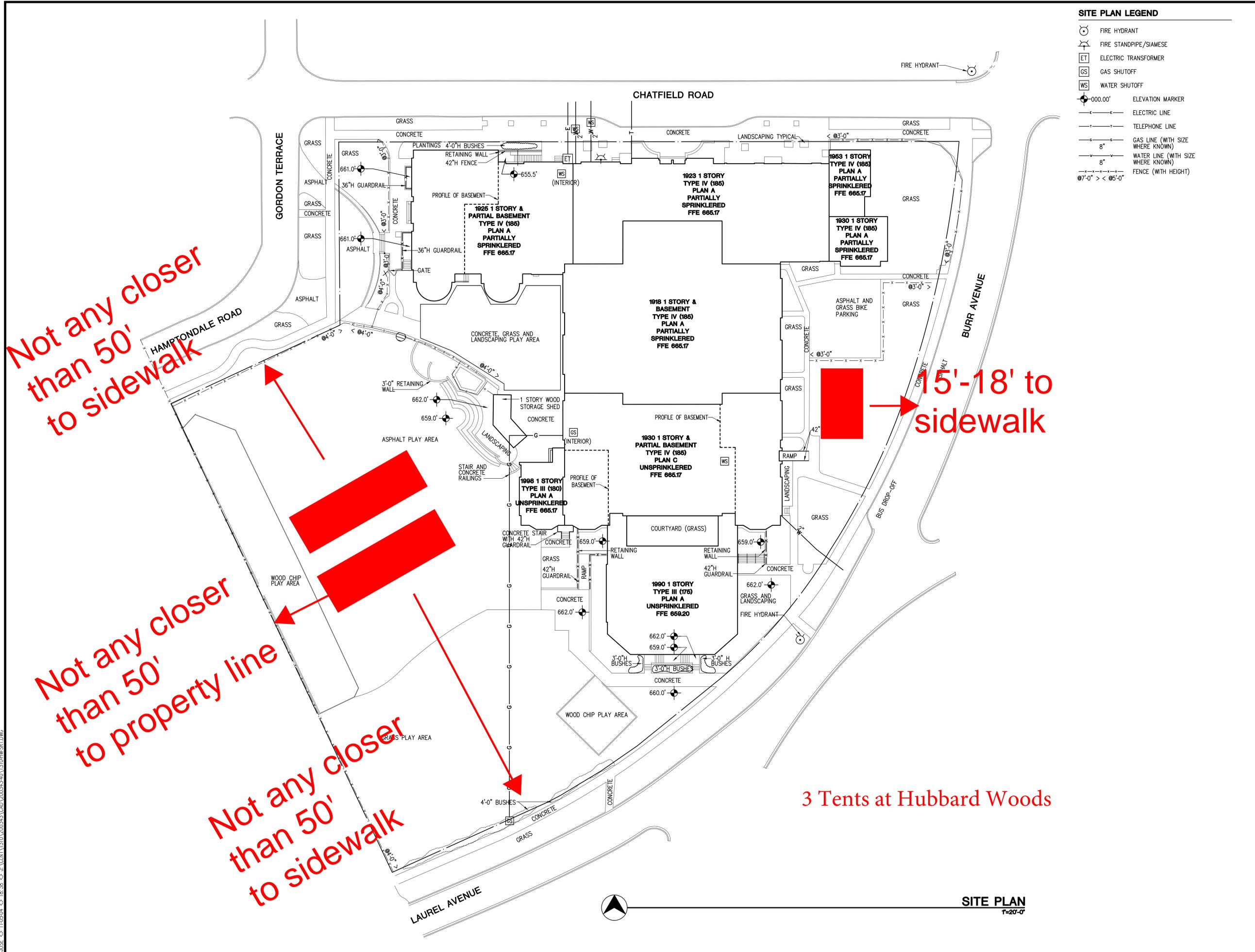
Drawn	Checked	
Author	Checker	
Issue Date		
Issue Date		
Revision Schedule		
Number	Description	Date

Project Number	
Project Number	
Project Phase	
Project Status	
Sheet	

SR.G1

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SITE PLAN LEGEND

	FIRE HYDRANT
	FIRE STANDPIPE/SIAMESE
	ELECTRIC TRANSFORMER
	GAS SHUTOFF
	WATER SHUTOFF
	ELEVATION MARKER
	ELECTRIC LINE
	TELEPHONE LINE
	GAS LINE (WITH SIZE WHERE KNOWN)
	WATER LINE (WITH SIZE WHERE KNOWN)
	FENCE (WITH HEIGHT)

GREEN ASSOCIATES
 ARCHITECTURE
 CONSTRUCTION SERVICES

ARCHITECT
 GREENASSOCIATES, INC.
 111 DEERLAKE ROAD, SUITE 135
 DEERFIELD, ILLINOIS 60015
 847-317-0852 F 847-374-0961

WINNETKA PUBLIC SCHOOL DISTRICT 36 - SAFETY REFERENCE PLANS

WINNETKA PUBLIC SCHOOL DISTRICT 36
 1235 OAK STREET
 WINNETKA, ILLINOIS 60093

HUBBARD WOODS SCHOOL - 1110 CHATFIELD ROAD
 SITE PLAN

Drawn AC/JZLA Checked GWR
 Issue Date 05 NOVEMBER 2004
 Revision 1
 Revision 2
 Project Number 1310-200343
 Project Phase
 Sheet

SR.H1

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 Agenda Packet P. 49

SITE PLAN
 1"=20'-0"

2 Tents in Mann Park

Burr Ave

18' to street

24' to street

31' to street

24' to street

Laurel Ave

Laurel Ave

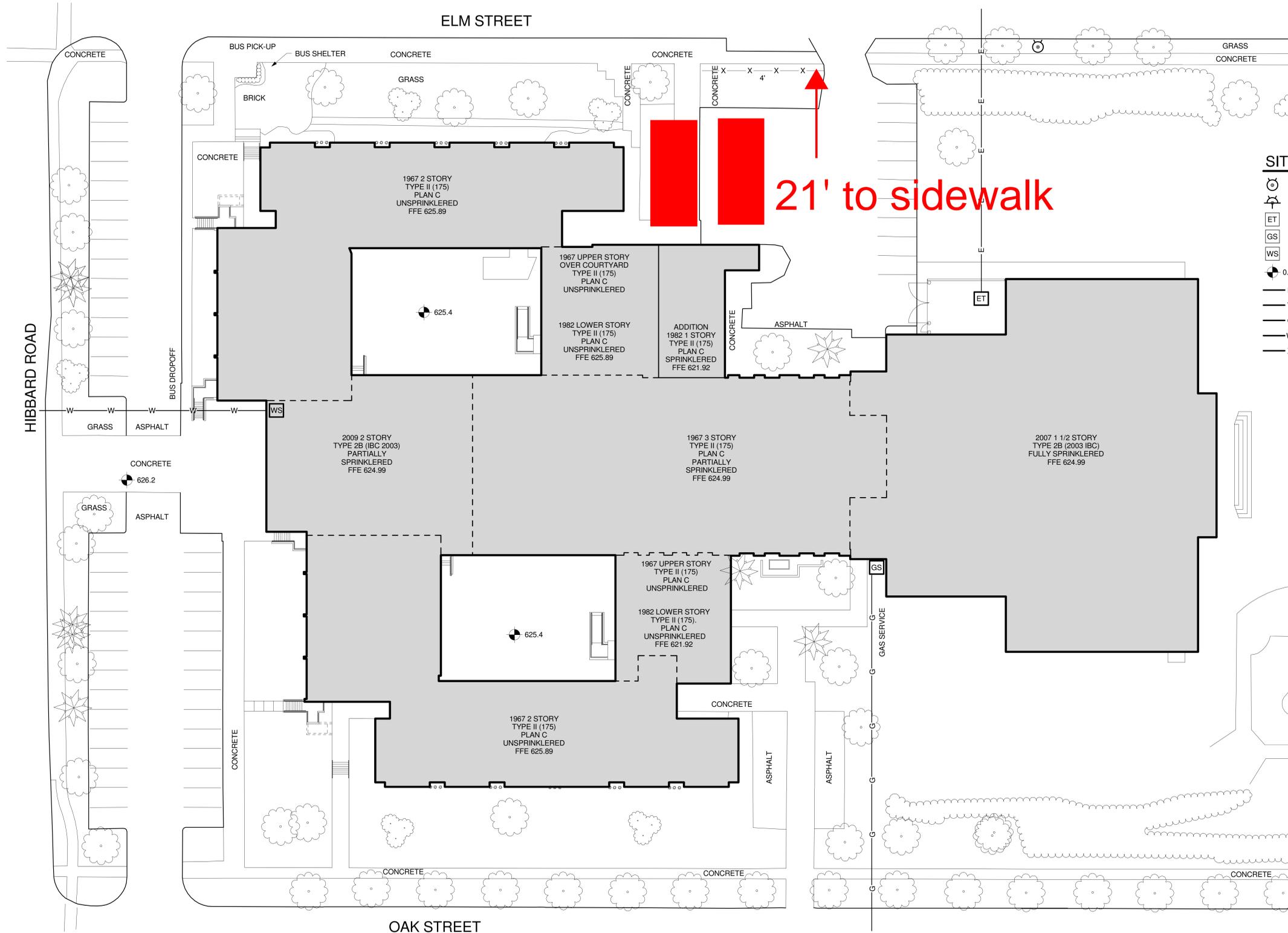
Vine St

Burr Ave

Laurel Ave

Agenda Packet P. 50

2 Tents at Carleton Washburne



SITE PLAN LEGEND

	FIRE HYDRANT
	FIRE STANDPIPE
	ELECTRIC TRANSFORMER
	GAS SHUTOFF
	WATER SHUTOFF
	0.00' ELEVATION MARKER
	ELECTRIC LINE
	TELEPHONE LINE
	GAS LINE (WITH SIZE WHERE KNOWN)
	WATER LINE (WITH SIZE WHERE KNOWN)
	FENCE (WITH HEIGHT)

1 SITE PLAN
 1" = 20'-0"
 0' 10' 20' 40'

Drawn	Checked
Author	Checker
Issue Date	
Issue Date	

Number	Description	Date

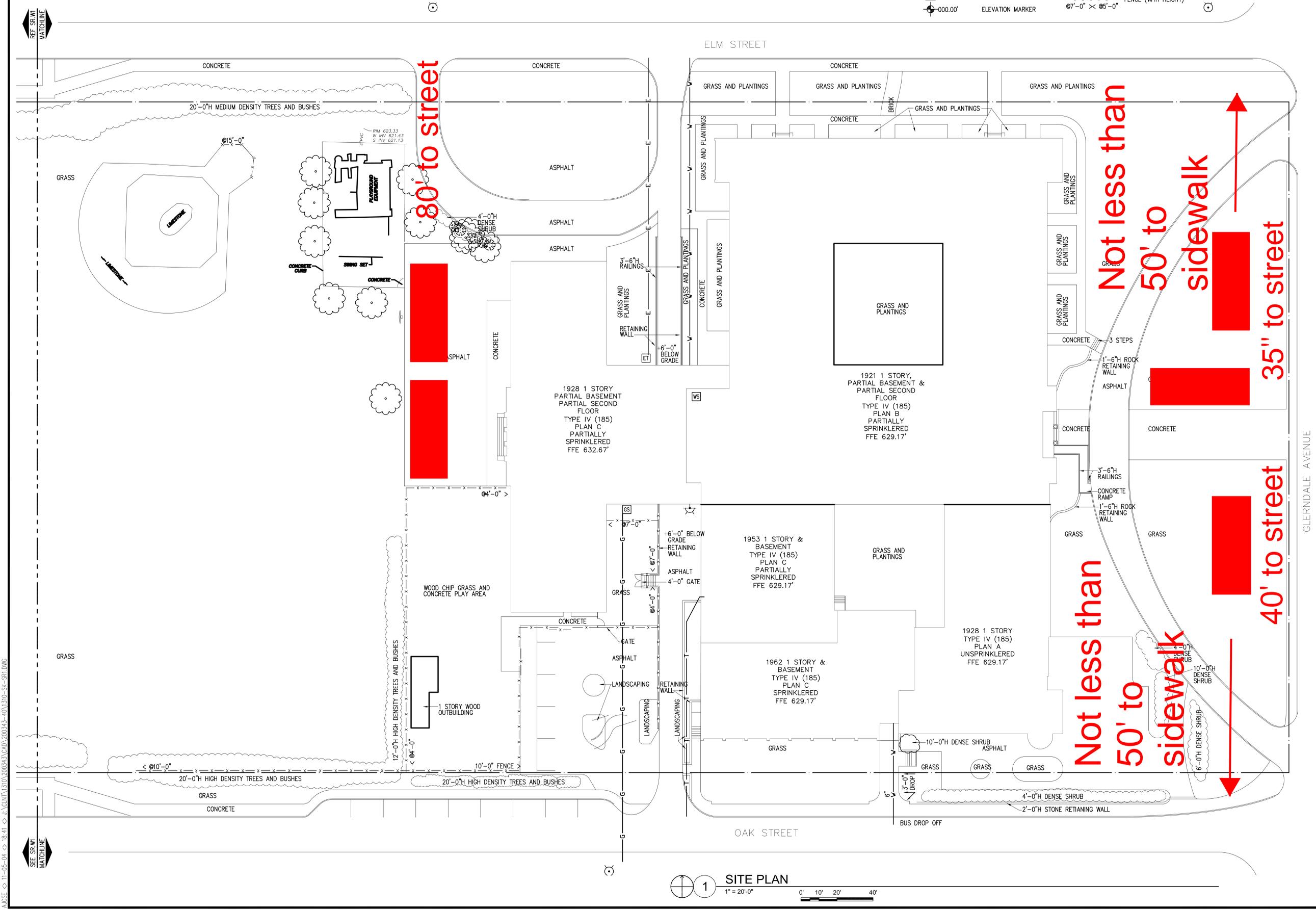
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Project Number	
Project Phase	
Project Status	
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5 Tents at The Skokie School

SITE PLAN LEGEND

- FIRE HYDRANT
- FIRE STANDPIPE/SIAMESE
- ELECTRIC TRANSFORMER
- GAS SHUTOFF
- WATER SHUTOFF
- ELEVATION MARKER
- ELECTRIC LINE
- TELEPHONE LINE
- GAS LINE (WITH SIZE WHERE KNOWN)
- WATER LINE (WITH SIZE WHERE KNOWN)
- FENCE (WITH HEIGHT)



1 SITE PLAN
1" = 20'-0"
0' 10' 20' 40'

3 Tents in West Elm Park

Not any closer than 100' to property line

Not any closer than 50' to sidewalk

Not any closer than 50' to sidewalk

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St

West Elm Park

Elm St

Elm St

Glendale Ave
Glendale Ave





July 20, 2020

Dear District 36 Neighbor,

We are reaching out to let you know of a temporary change to our school campuses starting in August. The District is in the midst of planning for health and safety and educational considerations for the 2020-2021 school year in light of evolving public health guidance and state mandates due to the pandemic. We are currently preparing for scenarios including In-Person Instruction, Hybrid Instruction (60% In-Person & 40% Remote), and Remote Learning. In order to bring students and staff back to campus in the fall, the District is working with the Village and Park District to plan for ventilated Tented Learning Spaces.

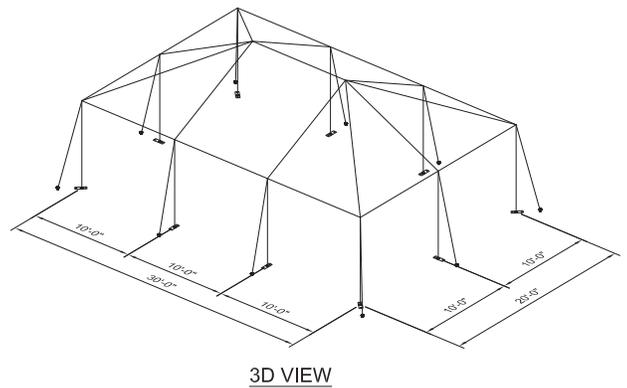
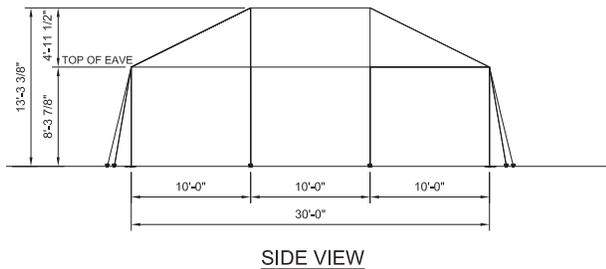
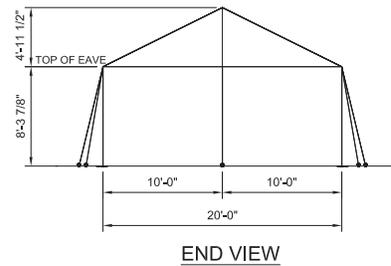
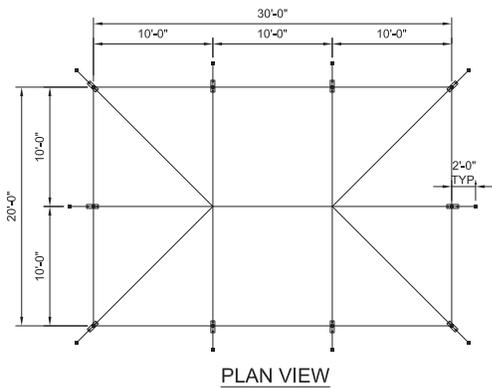
At this time, it is anticipated that if we are able to return to campus in-person, we would utilize tents on our school campuses and adjacent Park District property from approximately August 20 through the end of October. The District has referenced several sources in order to reach this decision, most notably The Harvard T.H. Chan School of Public Health “Schools for Health, Risk Reduction Strategies for Reopening Schools” guide, which recommends moving classes outdoors when possible to maximize social distancing and also states, “holding class outdoors provides the freshest air and most effective dilution of any infectious airborne SARS-CoV-2.” Note that there are no plans to have a speaker system, lights, or electricity in the tents. Enclosed is a photo of what the tents will look like. Dimensions are approximately 20’x30.’ The Village of Winetka, Winnetka Park District, Winnetka Police and Fire Departments are also aware of the timeline and we are working with their leadership to review safety and logistical considerations. We are still finalizing plans with the Village on where the tents will be located on school grounds. Maps will be posted on the District website once locations are finalized.

Thank you in advance for your patience as we plan for accommodating the health and educational needs of our school community, which necessitates planning for a variety of scenarios due to the quickly evolving nature of the COVID-19 pandemic. To monitor updates on our upcoming school year, please visit www.winnetka36.org and view the link to Planning for 2020-2021. We anticipate being able to share a comprehensive plan on the website during the first week in August.

Sincerely,

Kate Hughes
Communications & Community Relations Coordinator





- NOTES:**
- SEE THE IFAI STAKING GUIDE ON OUR WEBSITE (WWW.ANCHORINC.COM) FOR SOIL IDENTIFICATION & PULL-OUT CAPACITY OF STAKES.

- F3 FRAME TENT**
 20' x 30' TENT - 600 SQ. FT.
 • (10) 1" WEB GUY'S WITH RATCHETS
 • (20) 1" x 30" STAKES

* SEE NOTES

Caution:
 Staking or anchoring is the responsibility of the installer. Soil conditions will dictate the number of stakes or anchors required. Do not use this drawing to determine staking requirements. Contact Anchor for Engineering loading data that can be used in conjunction with IFAI methodologies to determine site specific anchoring requirements.

ITEM DESCRIPTION	ITEM NO.						
ANCHOR INDUSTRIES INC.							
F3 BROCHURE DRAWING							
20' x 30' HIP END FRAME W/(1) 10' MID							
1	2/29/2016	DMK	DRAWN BY:	DMK	CHECKED BY:		DRAWING NO.
REV	EC	DATE	BY	APPROVED BY:	ESP	DATE	15-284-1-2
REVISION HISTORY							
						DATE	06-24-2015



Tuesday, July 28, 2020

Mr. Brad Goldstein
Chief Financial Officer/CSBO
The Winnetka Public Schools District 36
1235 Oak Street
Winnetka, IL 60093

RE: School tents at West Elm Park

Dear Brad,

Thank you for the time and consideration you and The Winnetka Public Schools District 36 ("D36") have invested to develop a plan for D36 to create educational space at West Elm Park. The Winnetka Park District ("WPD") is excited about the plan and, in total, the creativity D36 is applying to provide its best-in-class education to its students. A tip of the cap to you, the teachers, the administration, and the board.

Please accept this letter as the WPD's support of D36's plan to place three (3) tents in West Elm Park, with the following guidelines:

- D36 is responsible for identifying the tents which
 - Are of the quality of structure and durability to withstand all weather situations;
 - Provide a defined/marked entrance and exit; and
 - Are appropriate for academic use;
- D36 is fully responsible for any and all injury, disease, virus, or sickness to any student, parent, guardian, aid, faculty member, administrator, or school-authorized visitor using the tents;
- D36 is responsible for working with Joint Utility Locating Information for Excavators, Inc. (JULIE) to properly manage all risk associated with any underground utility line as D36 or its third party service provider digs and/or places tent stakes at West Elm Park;
- D36 will provide for an Illinois State Fire Marshal inspection of each tent;
- D36 will provide the WPD with a certificate of insurance from D36 and from the company erecting each tent, such that each certificate of insurance names the WPD as an additional named insured accordingly;
- The WPD is happy to work with D36 and the Village of Winnetka to ensure all easements are properly considered for the installation and placement of each tent;
- All D36 tents will be appropriately set back from the streets, sidewalks, structures, buildings, and trees in West Elm Park;



- D36 and the WPD will coordinate a schedule that best allows the WPD to cut grass, trim, and blow leaves to not interfere with school being conducted in the tents;
- D36 will correct all damage to grass, bushes, flower beds, structures, and trees in West Elm Park caused by D36's installation of each tent, use of each tent, use of the area around each tent, and take down of each tent.

Please call/email should you have questions or require additional information regarding the WPD's support of D36.

Thank you, Brad, for your teamwork.

Kind regards



John Peterson
Executive Director
Winnetka Park District
540 Hibbard Road
Winnetka, IL 60093
jpeterson@winpark.org
+1.847.501.2074

cc: Dr. Trisha Kocanda, Superintendent, D36

EXHIBIT B

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Winnetka Elementary School District 36 ("***School District***") desires to construct temporary tents ("***Temporary Tents***") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School District submitted applications to erect and use Temporary Tents for a period not to exceed 180-days in a 12-month period at the following locations as depicted in Exhibit A to this Resolution:

- A. That portion of the Carleton Washburne School property located at 515 Hibbard Road;
- B. That portion of the Crow Island School property located at 1112 Willow Road;
- C. That portion of the Greeley School property located at 275 Fairview Avenue; and
- D. Those portions of the Hubbard Woods School property located at 1110 Chatfield Road and Mann Park located along the east side of Burr Avenue immediately to the east of Hubbard Woods School; and
- E. Those portions of the Skokie School property located at 520 Glendale Avenue and West Elm Park located at 115 Elm Street;

(collectively, "***Tent Locations***"); and

WHEREAS, Resolution R-53-2020, adopted by the Village Council on August 4, 2020 ("***Resolution***"), grants approval to the School District for the erection and use of Temporary Tents at the Tent Locations; and

WHEREAS, Section 5 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the School District has filed, within 30 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

NOW, THEREFORE, the School District hereby agrees and covenants as follows:

1. The School District does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.

2. The School District acknowledges that required procedures have been properly followed with respect to the adoption of the Resolution, has considered the possibility of the revocation provided for in the Resolution, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

August 4, 2020
{00116029.1}

R-53-2020

3. The School District acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of approval for the erection of the Temporary Tents and the adoption of the Resolution, and that the Village's approvals do not, and will not, in any way, be deemed to insure the School District against damage or injury of any kind and at any time.

4. The School District represents and warrants that it has received the consent from the owners of all the Temporary Locations not owned by the School District to erect the Temporary Tents thereon.

5. The School District does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting approval to erect the Temporary Tents at the Tent Locations.

6. The School District hereby agrees to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: _____, 2020

ATTEST:

**WINNETKA ELEMENTARY SCHOOL
DISTRICT 36**

By: _____
Its: _____

By: _____
Its: President



Agenda Item Executive Summary

Title: Ordinance No. M-11-2020: 1405 Scott Avenue Annexation & Rezoning (Public Hearing, Introduction, & Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date:

08/04/2020

Ordinance

Resolution

Bid Authorization/Award

Policy Direction

Informational Only

Consent:

YES

NO

Item History:

None

Executive Summary:

On August 4, the Village Council is scheduled to hold a public hearing and to consider introduction and adoption of Ordinance No. M-11-2020, which would approve the annexation and rezoning of the portion of 1405 Scott Avenue (the “Subject Property”) currently located in Glencoe.

On December 4, 2018, the Village Council adopted Resolution No. R-74-2018, approving an Intergovernmental Agreement Pertaining to Certain Parcels of Land Located Partially in the Village of Glencoe and Partially in the Village of Winnetka (the “IGA”). The IGA outlines the terms and process regarding certain parcels of land along Scott Avenue that are located partially in the Village of Glencoe and annexation of those parcels to the Village of Winnetka. The requested annexation and rezoning are consistent with the IGA.

The attached staff report provides additional information regarding the request.

Recommendation:

Hold a public hearing and consider introduction of the ordinance

OR

Given the request is consistent with IGA, consider waiving introduction of the ordinance and adopt ordinance.

Attachments:

Staff Report

Attachment A: Ordinance M-11-2020



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, DIRECTOR
DATE: JULY 29, 2020
SUBJECT: ORDINANCE NO. M-##-2020 – ANNEXATION AND REZONING OF 1405 SCOTT AVENUE

INTRODUCTION

On August 4, 2020, the Village Council is scheduled to hold a virtual public hearing, in accordance with social distancing requirements, Governor Pritzker’s Executive Order 2020-44 and Senate Bill 2135, and to consider introduction and adoption of Ordinance No. M-11-2020, an ordinance approving the annexation and rezoning of that portion of 1405 Scott Avenue (the “Subject Property”) currently located in the Village of Glencoe into the Village of Winnetka (Attachment A).

On December 4, 2018, the Village Council adopted Resolution No. R-74-2018, a resolution approving an Intergovernmental Agreement Pertaining to Certain Parcels of Land Located Partially in the Village of Glencoe and Partially in the Village of Winnetka (the “IGA”). The IGA outlines the terms and process regarding the disconnection of certain parcels of land along Scott Avenue that are located partially in the Village of Glencoe and annexation of those certain parcels to the Village of Winnetka.

CURRENT REQUEST

The Village has received a petition from Tadd H. Chessen (the “Applicant”), as Trustee of the Tadd Howell Chessen Trust dated November 5, 2015, the owner of the Subject Property, to annex that portion of the Subject Property currently located in Glencoe into Winnetka (represented in Figure 1 on the following page). A portion of the Subject Property is currently in Winnetka; the other portion is in Glencoe. The Village of Glencoe approved a disconnection ordinance for the Subject Property on July 16, 2020.

As represented in Figure 2 on the following page, in addition to the Subject Property, there are 10 other properties along the north side of Scott Avenue between Grove Street and Gordon Terrace that remain partially within the Village of Glencoe and partially within the Village of Winnetka. In 2006, the two villages invited property owners to participate in disconnecting part of their lots from Glencoe and annexing these portions into Winnetka. Of the 58 single family lots along that portion of Scott Avenue, 46 of the property owners participated in the disconnections at that time. The previous owner of the Subject Property did not participate, hence the Applicant’s current request before the Council. The most recent annexation in this area occurred in 2019, when the owners of 1311 Scott Avenue disconnected the portion of their lot in Glencoe and annexed it into Winnetka.

The requested annexation also requires a map amendment to rezone that portion of the Subject Property to be annexed into Winnetka to the R-5 Single Family Residential District. This zoning classification is consistent with the other lots in the area (represented in Figure 3 on the following page).



Figure 1 – Subject Property

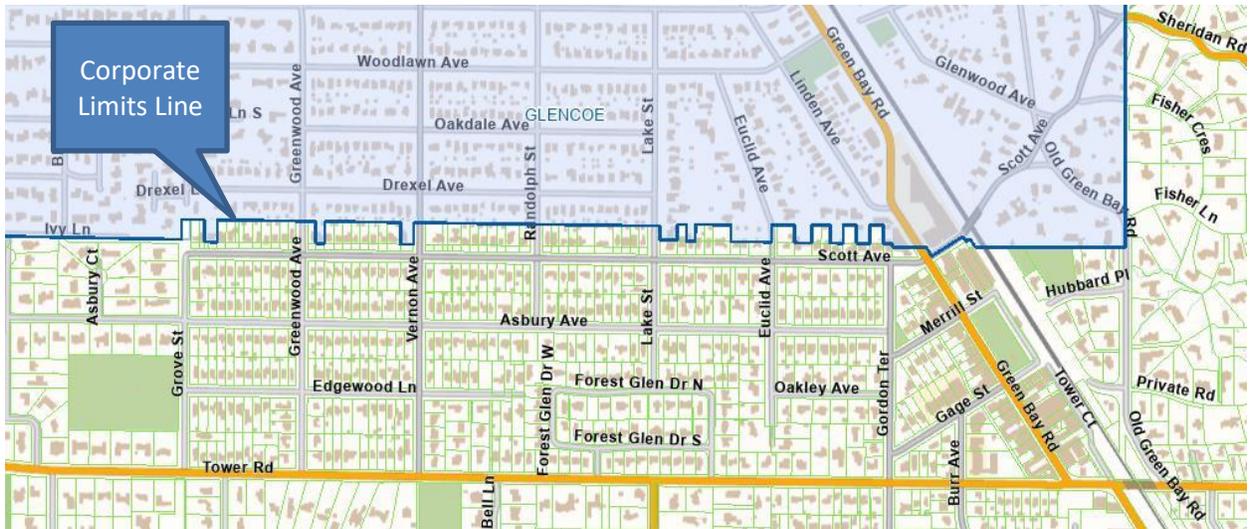


Figure 2 – Corporate Limits Line

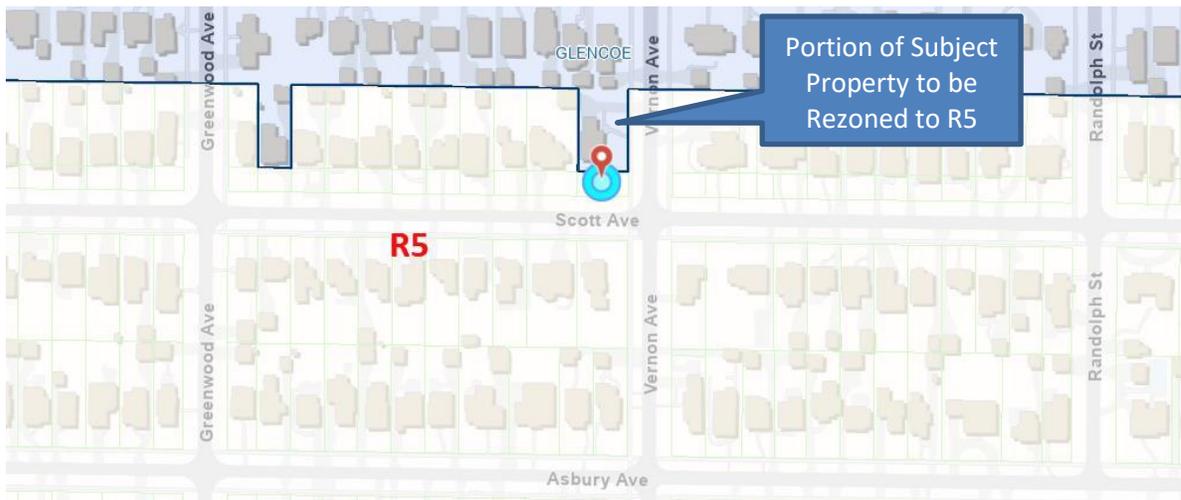


Figure 3 – Zoning Map

RECOMMENDATION

After holding the public hearing, the Village Council may consider introduction of Ordinance M-11-2020. The Ordinance would approve the annexation for that portion of 1405 Scott Avenue currently located in the Village of Glencoe into the Village of Winnetka and the map amendment to rezone that same portion of 1405 Scott Avenue to the R-5 Single Family Residential District. Given that the Council adopted a similar ordinance for 1311 Scott Avenue on February 2, 2019 it may also wish to waive introduction and adopt the ordinance.

ATTACHMENTS

Attachment A: Ordinance No. M-11-2020, An Ordinance Annexing and Rezoning 1405 Scott Avenue

ORDINANCE NO. M-11-2020

**AN ORDINANCE ANNEXING THE PROPERTY AT 1405 SCOTT AVENUE
TO THE VILLAGE OF WINNETKA AND ZONING THE PROPERTY IN R-5 SINGLE
FAMILY RESIDENTIAL ZONING DISTRICT**

WHEREAS, Tad H. Chessen (*“Trustee”*), as Trustee of the Tadd Howell Chessen trust dated November 5, 2015 (*“Trust”*), is the legal and record title owner of a tract of land located at 1405 Scott Avenue in the Village of Glencoe, Illinois (*“Subject Property”*), and legally described on the plat of annexation attached to this Ordinance and, by this reference, incorporated into this Ordinance as **Exhibit A** (*“Plat of Annexation”*); and

WHEREAS, the Subject Property is one of eleven properties that were or are located along the north side of Scott Avenue that are located partially in the Village and partially in the Village of Glencoe (*“Split Lots”*); and

WHEREAS, on December 4, 2018, the Village Council adopted Resolution No. R-74-2018, approving that certain “Intergovernmental Agreement Pertaining to Certain Parcels of Land Located Partially in the Village of Glencoe and Partially in the Village of Winnetka”, whereby, upon request of the affected property owner, the Village of Glencoe (*“Glencoe”*) agreed to consent to the disconnection of the portions of the Split Lots located within the Village of Glencoe and the Village of Winnetka agreed to reimburse the Village of Glencoe for a portion of the real estate tax revenues that the Village of Glencoe would lose from such disconnection and annexation (*“IGA”*); and

WHEREAS, the Trustee desires and proposes to have the Subject Property disconnected from Glencoe and annexed to the Village in accordance with the provisions of Section 7-1-24 of the Illinois Municipal Code, 65 ILCS 5/7-1-24 and the IGA (*“Annexation”*); and

WHEREAS, the Trustee, on behalf of the Trust, filed with the Village a petition requesting the Annexation of the Subject Property signed by the Trustee, who constitutes at least 51 percent of the electors residing within the boundaries of the Subject Property; and

WHEREAS, on July 16, 2020, in accordance with the IGA, the Village of Glencoe adopted an ordinance approving the disconnection of the Subject Property and consenting to the annexation of the Subject Property; and

WHEREAS, all petitions and other documents necessary to accomplish the Annexation have been executed; and

WHEREAS, all notices required by Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1 have been provided; and

WHEREAS, the Village is authorized to annex the Subject Property under Section 7-1-24 of the Illinois Municipal Code; and

WHEREAS, pursuant to Section 7-1-47 of the Illinois Municipal Code, 65 ILCS 5/7-1-147, properties annexed into the Village are classified within the R-1 Single Family Residential District; and

WHEREAS, the Trustee submitted an application to amend Official Zoning Map of the Village of Winnetka (“**Zoning Map**”) to classify the Subject Property within the R-5 Single Family Residential District (“**R-5 District**”) of the Village (“**Proposed Zoning Classification**”); and

WHEREAS, pursuant to Section 17.72.040 of the Winnetka Village Code (“**Village Code**”) and the Village’s home rule power, the Village gave notice of a public hearing by the Village Council to consider the Proposed Zoning Classification by publication in the *Winnetka Current* on July 16, 2020, and by mail to owners of real property located within 250 feet of the Subject Property, which public hearing was held by the Village Council on August 4, 2020; and

WHEREAS, the Village Council heard evidence regarding the Proposed Zoning Classification and has found and determined that the Proposed Zoning Classification of the Subject Property satisfies all of the findings required by Section 17.72.040 of the Village Code; and

WHEREAS, the Village Council of the Village of Winnetka (“**Village Council**”) has found and determined that it is in the best interests of the Village to approve the Annexation and Proposed Zoning Classification as set forth in, and subject to the provisions of, this Ordinance;

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

SECTION 1. RECITALS. The foregoing recitals are hereby incorporated into this Ordinance as findings of the Village Council.

SECTION 2. ANNEXATION. The Subject Property is hereby annexed to the Village of Winnetka.

SECTION 3. APPROVAL OF PROPOSED ZONING CLASSIFICATION. Pursuant to the Village’s home rule power and Section 17.72.040 of the Village Code, the Village Council hereby: (a) approves the Proposed Zoning Classification of the Subject Property, and (b) amends the Zoning Map to classify the Subject Property within the R-5 District.

SECTION 4. RECORDATION AND REPORTING. The Village Clerk is hereby authorized and directed, promptly after the effective date of this Ordinance, to record in the Office of the Cook County Recorder of Deeds and file with the Office of the Cook County Clerk a certified copy of this Ordinance, including the Plat of Annexation, and the affidavits of service of notice required by law. The Village Administrator is hereby authorized and directed to notify the Election Authorities, as defined in Section 7-1-1 of the Illinois Municipal Code, 65 ILCS 5/7-1-1, and the United States Post Office branches serving the Subject Property of the Annexation granted by Section 2 of this Ordinance by registered or certified mail within 30 days after the effective date of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after passage, approval, and publication of this Ordinance in pamphlet form in the manner provided by law; and

PASSED this ____ day of _____, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2019.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this ____ day of _____, 2020.

Introduced: August 4, 2020

Passed and Approved: _____, 2020

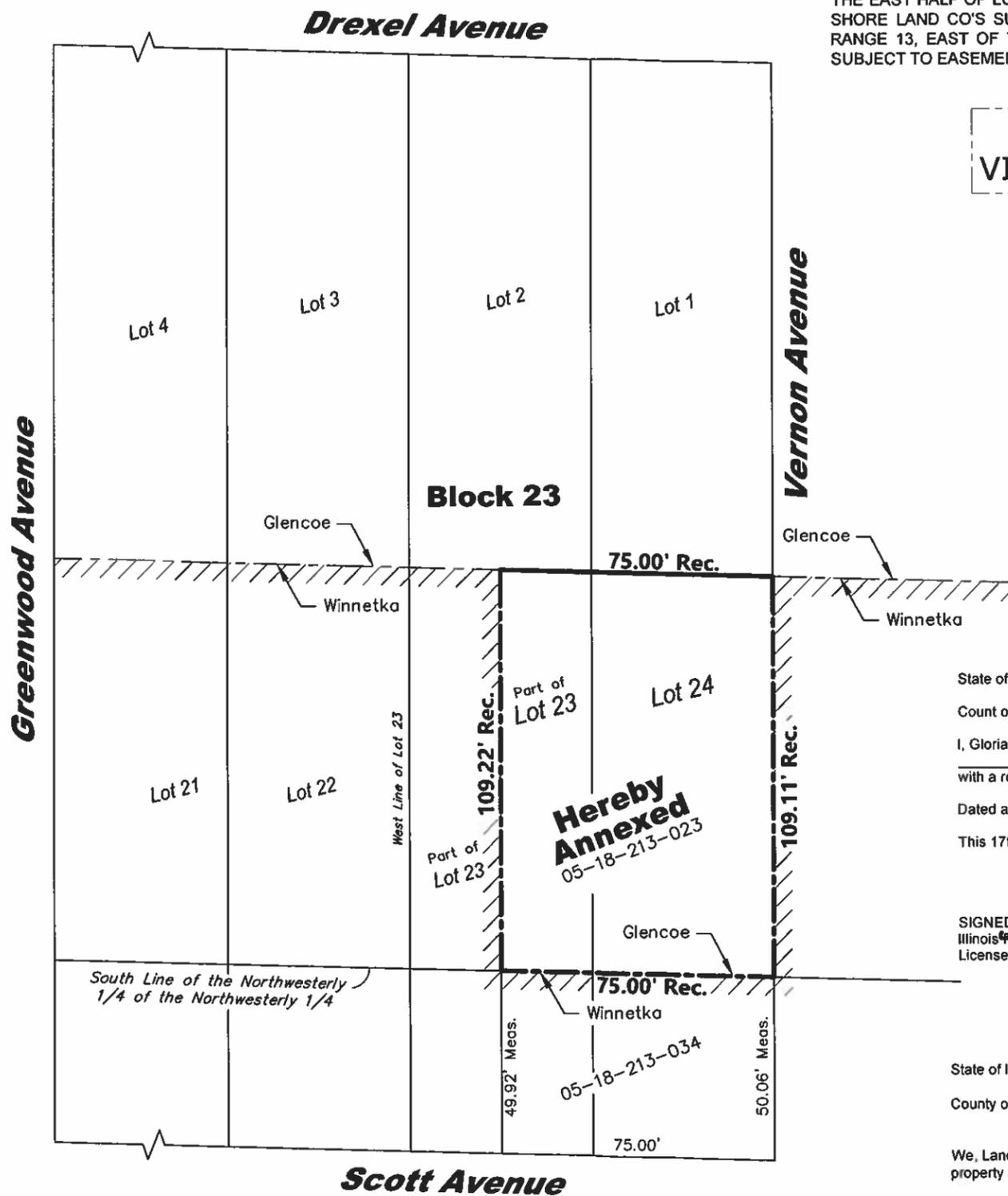
EXHIBIT A
PLAT OF ANNEXATION



PLAT OF ANNEXATION

THE EAST HALF OF LOT 23 AND ALL OF LOT 24 IN BLOCK 23 IN THE CHICAGO NORTH SHORE LAND CO'S SUBDIVISION IN SECTION 8, 17, AND 18, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. SUBJECT TO EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

TO THE
VILLAGE OF WINNETKA



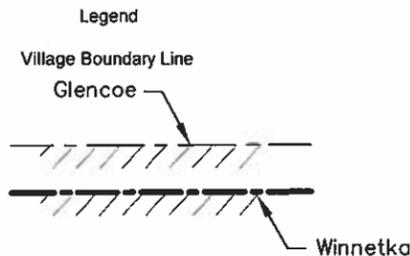
State of Illinois)
)SS
County of Cook)
Annexation approved by Ordinance No. _____ Passed on the
_____ day of _____ 2020

By: _____
PRESIDENT, BOARD OF TRUSTEES, VILLAGE OF WINNETKA

Attest: _____
VILLAGE CLERK

Village Engineer's Certificate
Approved by the Village Engineer of the Village of Winnetka, Cook County, Illinois
on this ___ day of _____, A.D. 20__.

VILLAGE ENGINEER



- Surveyor Notes:
1. Prepared 01-17-2020
 2. Prepared for Tadd Chessen, Property Owner.
 3. Site Address: 1405 Scott Avenue, Winnetka, IL 60093
 4. Pin No.: 05-18-213-023 and 05-18-213-034

Plat Submittal Certificate

State of Illinois)
)SS
County of Lake)

I, Gloria Jean Koter, an Illinois Professional Land Surveyor, do hereby grant permission to _____ to record this plat of annexation and provide this surveyor with a record copy of the same.

Dated and given under my hand and seal at Lake Zurich, Illinois
This 17th Day of January, 2020 A.D.

SIGNED: _____
Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-2020



State of Illinois)
)SS
County of Lake)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found at the time of said survey.

Given under my hand and seal this 17th day of January, A.D. 2020 in Lake Zurich, Illinois:
Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-20



Drawing Revisions	Date
REVISION	

Field Work Completed: N/A
Scale: 1" = 40'
Date: 01-17-2020
Site Address:
1405 Scott Avenue
Winnetka, Illinois

Land Surveying Services, Inc.
1182 Heather Drive
Lake Zurich, Illinois 60047
Ph. (847)847-1079 Fax. (847)847-1279
Professional Design Firm License No. 184-003632

Job Number
LS191346

Sheet Name
PLAT OF ANNEXATION

Sheet Number
PA-1



Agenda Item Executive Summary

Title: Ordinance No. M-12-2020: Delos Therapy Special Use - 547 Lincoln Avenue (Introduction & Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date:

08/04/2020

Consent:

YES

NO

Ordinance

Resolution

Bid Authorization/Award

Policy Direction

Informational Only

Item History:

7/21/20 - Council reviewed the request and provided policy direction to staff.

https://www.villageofwinnetka.org/AgendaCenter/ViewFile/Agenda/_07212020-168

Executive Summary:

On August 4, the Village Council is scheduled to consider Ordinance M-12-2020, granting a Special Use Permit for a Medical Office in the C-2 Commercial Overlay District.

At the July 21 Council meeting, the Council considered the Plan Commission (PC) recommendation regarding an application submitted by Delos Therapy, LLC (the "Applicant") seeking approval of a special use permit to allow a medical pain management treatment office in the Commercial Overlay District at 547 Lincoln Avenue (the "Subject Property"). Given that the PC recommended denial of the request by a vote of 5-3, the Council was scheduled to review the request and provide policy direction regarding whether to approve or deny the request.

At the July meeting, the Council heard from the Applicant and three members of the public who spoke in favor of the request. After discussing the request, the Council found that the proposed medical pain management treatment office would be a welcome addition to the community, and a majority of the Trustees found that the proposed use would be consistent with the purpose and standards for the Commercial Overlay District. By a vote of 5-1, the Village Council directed staff to prepare an ordinance granting the special use permit.

Recommendation:

Consider waiving introduction of Ordinance M-12-2020 and consider adoption of the Ordinance

OR

consider only introduction of Ordinance M-12-2020.

Attachments:

Attachment 1: Ordinance M-12-2020

ORDINANCE NO. M-12-2020

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR THE OPERATION OF A MEDICAL OFFICE
WITHIN THE C-2 COMMERCIAL OVERLAY DISTRICT OF THE VILLAGE
(547 Lincoln Avenue)**

WHEREAS, Delos Therapy, LLC ("*Applicant*"), is the lessee of the property commonly known as 547 Lincoln Avenue, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, 543 Lincoln Avenue, LLC ("*Owner*"), is the record title owner of the Subject Property; and

WHEREAS, the Subject Property is located within the C-2 General Retail Commercial District and the C-2 Commercial Overlay District of the Village (collectively, "*C-2 Commercial Overlay District*"); and

WHEREAS, the Applicant desires to operate a medical office pain management treatment facility at the Subject Property; and

WHEREAS, pursuant to Section 17.44.020 and the table of uses set forth in Section 17.46.010 of the Winnetka Zoning Ordinance ("*Zoning Ordinance*"), the operation of a medical office is not permitted within the C-2 Commercial Overlay District without a special use permit; and

WHEREAS, on February 18, 2020, the Applicant filed an application for a special use permit pursuant to Section 17.44.020.B and Chapter 17.56 of the of the Zoning Ordinance to allow the operation of a medical office at the Subject Property ("*Special Use Permit*"); and

WHEREAS, the Owner of the Subject Property has consented to the application for the Special Use Permit filed by the Applicant; and

WHEREAS, on June 24, 2020, after due notice thereof, the Plan Commission conducted a public hearing on the proposed Special Use Permit and, by a vote of five members in favor, and three opposed, recommended that the Village Council deny the Special Use Permit; and

WHEREAS, the Village Council has determined that approval of the proposed Special Use Permit for the operation of a medical office at the Subject Property satisfies the standards for the approval of special use permits within the C-2 Commercial Overlay District set forth in Chapter 17.56 and Section 17.44.020.B of the Zoning Ordinance and is in the best interest of the Village and its residents;

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

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

SECTION 2: SPECIAL USE PERMIT. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Ordinance, the Special Use Permit is hereby granted, pursuant to Chapter 17.56 and Section 17.44.020.B of the Zoning Ordinance and the home rule powers of the Village, to allow the establishment and operation of a medical office by the Applicant at the Subject Property within the C-2 Commercial Overlay District.

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

- A. **Compliance with Regulations.** The development, use, and maintenance of the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- B. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- C. **Compliance with Plans.** So that the Applicant's use of the Subject Property is consistent with the special use standard that the display windows, facades, signage and lighting be similar in nature and compatible with that provided by retail uses, the development, use, and maintenance of the interior medical office at the Subject Property must be generally consistent with the floor plans submitted by the Applicant and prepared by Linear Architects Inc., consisting of one sheet, a copy of which is attached to and, by this reference made a part of this Ordinance as **Exhibit B**, except for minor changes approved by the Director of Community Development (within his permitting authority) in accordance with all applicable Village codes, ordinances, and standards:

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

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant or the Owner to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the Special Use Permit granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the Special Use Permit granted in Section 2 of this Ordinance

unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may be amended from time to time. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: AMENDMENT OF SPECIAL USE PERMIT. Any amendments to the Special Use Permit granted in Section 2 of this Ordinance that may be requested by the Applicant after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance.

SECTION 7: EFFECTIVE DATE.

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

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

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 7.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this ____ day of August, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2020.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2020.

Introduced: August __, 2020

Passed and Approved: _____, 2020

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

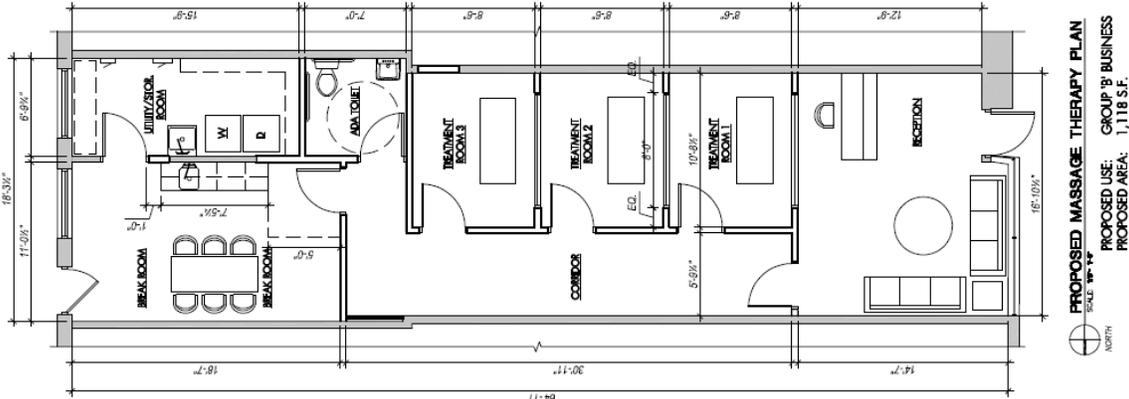
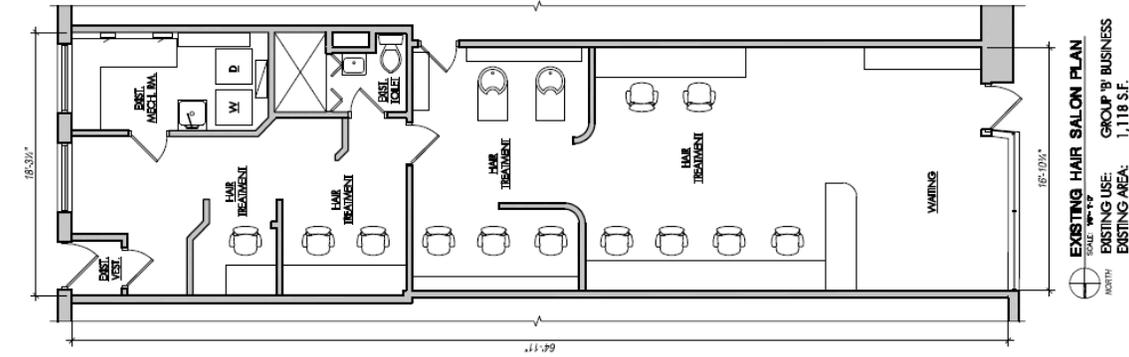
LOT 1 (EXCEPT THEREFROM THE EAST 72 FEET) AND LOT 2 (EXCEPT THEREFROM THE EAST 67 FEET, AND ALSO EXCEPT THEREFROM THAT PART OF LOT 2 AFORESAID DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 2 AFORESAID 67 FEET WEST OF THE EAST LINE OF SAID LOT; THENCE NORTH 30 FEET; THENCE WEST 5 FEET; THENCE SOUTH 30 FEET TO THE SOUTH LINE OF SAID LOT; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT, 5 FEET TO THE POINT OF BEGINNING) IN MCGUIRE AND ORR'S ARBOR VITAE ROAD SUBDIVISION OF BLOCK 4 AND THAT PART OF BLOCK 5 LYING EAST OF THE EAST LINE OF LINCOLN AVENUE IN WINNETKA IN SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as 545-561 Lincoln Avenue, Winnetka, Illinois.

PIN: 05-20-204-010-0000

EXHIBIT B FLOOR PLAN

	LINEAR ARCHITECTS INC. 4849 N. Milwaukee Ave. Suite # 308 Chicago, IL 60630 Tel: 773.628.7273	NOTES:			
				DESCRIPTION: PROPOSED DELOS THERAPY	
				EXISTING & PROPOSED FLOOR PLANS	
				547R N. LINCOLN AVE. WINNETKA, IL 60093	
				Sheet Number: A2.1	
				Drawn: P.K. Project No.: 201910	



- WALL LEGEND**
-  EXISTING CONSTRUCTION TO REMAIN
 -  NEW WALL CONSTRUCTION
 -  EXISTING DOOR TO REMAIN
 -  NEW DOOR, SEE DOOR SCHEDULE

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Delos Therapy, LLC ("**Applicant**"), desires to operate a medical office pain management treatment facility located at 547 Lincoln Avenue in the Village ("**Subject Property**"); and

WHEREAS, 543 Lincoln Avenue, LLC ("**Owner**"), is the record title owner of the Subject Property and consents to the operation of a medical office by Applicant at the Subject Property; and

WHEREAS, Ordinance No. M-12-2020, adopted by the Village Council on _____, 2020 ("**Ordinance**"), grants a special use permit to the Applicant for the operation of a medical office at the Subject Property within the C-2 Commercial Overlay District of the Village; and

WHEREAS, Section 7 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant and the Owner have filed, within 60 days following the passage of the Ordinance, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

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

1. The Applicant and the Owner do hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Applicant and the Owner acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Applicant and the Owner acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of a special use permit for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant or the Owner against damage or injury of any kind and at any time.

4. The Applicant and the Owner do hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the special use permit for the Subject Property.

5. The Applicant and the Owner hereby agree to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: _____, 2020

ATTEST: **DELOS THERAPY, LLC**

By: _____ By: _____
Its: _____ Its: _____

ATTEST **543 LINCOLN AVENUE, LLC**

By: _____ By: _____
Its: _____ Its: _____



Agenda Item Executive Summary

Title: Resolution No. R-51-2020: Stormwater Wetland Engineering Services (Adoption)

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

Agenda Date: 08/04/20

Consent: YES NO

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

Item History:

In August, 2017, the Village and the Forest Preserve District of Cook County ("District") concluded a Memorandum of Understanding outlining points of agreement that will allow the Village to obtain District permission to construct a Stormwater Management Wetland on District property near the intersection of Hibbard Road and Willow Road. This wetland, which will provide 104 acre-feet of total available stormwater storage, is the first and most important part of a long-term plan to provide stormwater relief to portions of western and southwestern Winnetka. The Memorandum with the District requires the Village complete Intergovernmental Agreements for constructing additional stormwater management facilities on open spaces owned by New Trier High School, the Winnetka Park District, and Winnetka School District 36. The Village concluded these various agreements between June 2019 and March 2020. With these agreements in place, the next step is to complete engineering design and permitting for the Hibbard Road Stormwater Management Wetland on District property.

Executive Summary:

Upon the execution of the Intergovernmental Agreements with the Village's sister agencies, Village staff directed Strand Associates, Inc. ("Strand") to develop an estimated full scope of services to provide engineering design and permitting for the Hibbard Road Stormwater Management Wetland project. This stormwater wetland is to be located on a 49+/- acre parcel of District property south of Willow Road and west of Hibbard Road. When complete, it will provide approximately 104 acre-feet of stormwater storage, which is the majority of the overall total stormwater storage needed to bring relief from significant flooding in areas of the Village west of Green Bay Road and south of Tower Road. The project consists of: 1) realigning a linear drainage channel, 2) constructing a stormwater management wetland, 3) reconfiguring the existing Winnetka Avenue pumping station, 4) constructing large inlet culvert systems across Hibbard Road at Sunset Road and across Willow Road west of Hibbard Road, 5) water quality measurement and improvements, 6) permitting and licensing from several agencies, and 7) improvements to the adjacent closed Winnetka landfill to allow disposal of excavated soil from the project. A conceptual representation of the proposed project is shown as Attachment #1. This project is critical to providing any degree of meaningful stormwater relief to western and southwestern Winnetka, because all of the stormwater from these areas of the Village enters the Skokie River at this location. Due to the low and flat topography of these areas and regulatory limits on how much additional flow can be directed into the River, large amounts of storage are a critical component of providing flood relief.

The project design is currently at a conceptual level; significant engineering work must be completed to apply for project permits, obtain final District approval to construct the project, and to prepare plans and specifications necessary to bid and build the project. Village staff and Strand Associates have developed a scope of work to perform all of the necessary engineering work to bring the project to the point where the Village can solicit and award construction bids to build the wetland. The detailed scope of services is shown as Attachment #2 and consists of the following broad areas:

- Intergovernmental Agreement Assistance consisting of developing the necessary water quality plan, data, and metrics needed to satisfy the MOU with the District;
- Preliminary Engineering including surveying, subsurface investigations, preliminary landfill engineering, 30% drawings and specifications, modeling updates, and submittals to the District, US Army Corps of Engineers, and other regulatory agencies;

Executive Summary (continued):

- Final Engineering including preparing 75% drawings and specifications for final District review and comment, final permit submittals, and preparation of final bidding and construction documents;

Strand and Village staff have identified additional services that may arise during the engagement ("if-authorized services") that would be performed pursuant to the agreement ONLY upon authorization of the Village Council. These services include preparation for and attendance at additional meetings not included in the main scope of services, assistance with the Village's public engagement efforts, additional boundary or easement surveying, and potential additional documentation and management to comply with grant requirements. Strand has proposed a fee of \$650,100, with an allowance of an additional \$40,000 for "if-authorized services" as outlined in Attachment #3. The fee breakdown is summarized below:

Services	Storage Project	Landfill Reconfiguring	Permitting	Ancillary
IGA/Water Quality	\$0	\$0	\$0	\$128,677
Prelim. Eng.	\$225,186	\$122,165	\$49,820	\$0
Final Eng.	\$83,008	\$32,406	\$8,825	\$0
"If Authorized"	\$0	\$0	\$0	\$40,000
Totals	\$308,194	\$154,571	\$58,645	\$168,677

The FY 2020 Winnetka Budget includes \$1,982,000 in the Stormwater Fund for engineering of the County and Duke Childs Field stormwater storage projects. While Strand's fee exceeds the estimated line item for engineering for the County project, the work to be done includes some aspects of the Phase II (inlet culverts from Duke Childs) and Landfill Reconfiguration projects, plus design of the entire water quality and monitoring program, so the fee is generally in line with what was estimated, and is well below the current year budget.

Strand Associates has proposed a schedule for the project in which services commence the week of August 3, 2020 and are completed September 1, 2021.

Recommendation:

Consider adoption of Resolution No. R-51-2020 authorizing an Extension of Professional Services pursuant to a Master Professional Services Agreement between the Village and Strand Associates dated February 28, 2017. The extension provides for engineering design services for stormwater management-related improvements associated with Phase I of the Stormwater Alternatives Study for Western and Southwestern Winnetka, specifically the Hibbard Road Stormwater Management Facility Design, for a lump sum fee not to exceed \$650,100. The extension further provides for additional "If-Authorized Services", billed at an hourly rate plus expenses not to exceed \$40,000.

Attachments:

- Attachment #1: Depiction of Project
- Attachment #2: Scope of Engineering Services
- Attachment #3: Fee Proposal
- Attachment #4: Resolution No. R-51-2020

Legend

- Proposed Index Contour
- Proposed Intermediate Contour
- Wet Sedge Meadow
- Upland Meadow
- Wetland/Surface Water

Storm Event	Flood Elevation
Normal Pool	615.00
2-Year	616.98
5-Year	617.89
10-Year	618.57
100-Year	621.28

Storage Vol. =
107.6 ac-ft

**Stormwater
Management
Wetland**

NWL = 615.00

Proposed 12x5
Box Culvert

Proposed 10x5
Box Culvert

Proposed 8x5
Arch Culvert

0 50 100 200
Feet

**CONCEPTUAL LAYOUT
FOREST PRESERVE DISTRICT OF COOK COUNTY
WEST AND SOUTHWEST WINNETKA STORMWATER MANAGEMENT
VILLAGE OF WINNETKA
COOK COUNTY, ILLINOIS**



ATTACHMENT 1

ATTACHMENT 2

SERVICES

Project Information

Services Name: Hibbard Road Stormwater Management Wetland Design

Services Description: Provide engineering design services for stormwater management-related improvements associated with Phase 1 of the Stormwater Alternatives Study for Western and Southwestern Winnetka. The stormwater management related improvements (Project) include the following components:

1. Stormwater Management—A stormwater storage area on Forest Preserve District of Cook County (FPCC) property west of Hibbard Road and south of Willow Road, with a combination of open water, wetlands, wet sedge meadow, and low-profile prairie in accordance with Exhibit 2-B Version 3 Grading Plan in the August 2, 2017, Memorandum of Mutual Understanding (MOU) between the **Village** and FPCC.
2. Winnetka Road Pumping Station—Modification of the existing stormwater pumping station near Winnetka Road on FPCC property to adjust normal water level in the stormwater storage area.
3. Willow Road Culvert—New 12-foot by 5-foot precast concrete culvert pipe under Willow Road between Duke Childs Field and FPCC property.
4. Arch Culvert Modification—New 8-foot by 5-foot precast concrete culvert pipe at the Willow Road and Hibbard Road intersection connecting the existing 8-foot by 5-foot arch culvert to FPCC property and the new Willow Road culvert pipe.
5. Hibbard Road Culvert—New 10-foot by 5-foot precast concrete culvert pipe under Hibbard Road at Sunset Road.
6. Landfill—Placement of excess soil and restoration on the existing **Village** landfill.

Scope of Services

The **Consultant** will perform the following services:

Intergovernmental Agreement Assistance

The following services will be performed for the **Village** to assist in obtaining a final Intergovernmental License Agreement (IGA) between **Village** and FPCC.

1. Assist the **Village** with implementation of a water quality benchmarking program in accordance with the letter to the FPCC dated April 14, 2017, and included in Exhibit 3 of the MOU to include the following:

- a. Perform initial event runoff (first flush) calculations for watersheds upstream of the FPCC property and update concepts for upstream stormwater facilities intended to detain this runoff.
 - b. Perform theoretical calculations for anticipated range of stormwater pollutant reduction from stormwater facilities upstream of the FPCC property in accordance with the United States Environmental Protection Agency Pollutant Removal Performance database.
 - c. Perform WinSLAMM water quality modeling for two watersheds upstream of the FPCC property.
2. Assist the **Village** with implementation of a preconstruction Stormwater Monitoring Program in accordance with the program dated October 2016, included in Exhibit 3 of the MOU, to include the following:
 - a. Wet weather sampling prior to construction of the proposed improvements at three locations on the FPCC property; Willow Road culvert, Sunset Road culvert, and Winnetka Avenue pumping station.
 - b. Sampling for five separate rainfall events over a six-month sampling period, each event producing at least 0.10-inch of rainfall in a six-hour period.
 - c. Sampling will be collected on an hourly basis over a minimum 12-hour period.
 - d. Testing of samples in accordance with eight parameters listed in the October 2016 program.
 3. Provide the **Village** with a report of benchmarking methodology, data, calculations, and stormwater monitoring results.
 4. Attend up to two IGA Assistance progress meetings with the **Village**. Prepare and distribute meeting minutes.

Preliminary Engineering

1. Perform a topographic survey for the Project design including the following:
 - a. Hibbard Road right-of-way from Willow Road to Winnetka Avenue.
 - b. Willow Road from Hibbard Road to the east property line of the Winnetka Public Works building. Survey shall extend to 50 feet outside the right-of-way.
 - c. Approximately 40 acres of stormwater storage area on the FPCC property.
 - d. Approximately 18 acres of **Village** landfill.
 - e. Communicate with private utilities for locates prior to survey and locates during design.
2. Obtain geotechnical information and reporting for subsurface conditions, groundwater level monitoring, and Clean Construction Demolition Debris (CCDD) disposal for the proposed improvements, including the following:
 - a. Up to five soil borings 15 feet deep and four soil borings 30 feet deep in the FPCC stormwater storage area.

- b. Up to three groundwater monitoring locations in the FPCC stormwater storage area to observe groundwater during dry weather and following rainfall. Up to four site visits for observation are included.
 - c. Perform CCDD evaluations for stormwater storage area samples and document findings on LPC-662 or LPC-663 forms, as appropriate.
 - d. Up to six soil borings 50 feet deep at toe of landfill and three soil borings 100 feet deep below top of landfill in the landfill area.
 - e. Prepare a geotechnical report of findings and recommendations for design of the Project.
3. Assist the **Village** with planning for use of the existing landfill to include the following:
- a. Prepare a plan for placement of excess soils on the **Village's** existing landfill as produced during the four phases of the **Village's** Stormwater Alternatives Study.
 - b. Communicate with the **Village** and the **Village's** landfill consultant regarding the landfill plan.
 - c. Assist the **Village** with submittal of the plan to the Illinois Environmental Protection Agency (IEPA) for review and approval. Provide up to two revisions and resubmittals following initial submittal to the IEPA.
 - d. Attend up to two meetings with the **Village** regarding the landfill plan. Prepare meeting minutes and distribute.
4. Prepare 30 percent engineering drawings for the Project to include the following sheets.
- a. Title sheet
 - b. Drawing list, general notes, and legend
 - c. Existing conditions, controls, and benchmarks
 - d. Access plan and limits of disturbance
 - e. Demolition and erosion/sediment control
 - f. Stormwater pollution prevention plan
 - g. Traffic control
 - h. Metropolitan Water Reclamation District of Greater Chicago (MWRD) Drainage Exhibit
 - i. Stormwater storage site grading
 - j. Landfill grading
 - k. Earthwork quantities
 - l. Cross sections along drainageway
 - m. Cross sections over landfill
 - n. Winnetka Road pumping station structural, electrical, and civil details
 - o. Willow Road culvert structural details
 - p. Willow Road arch culvert replacement structural details

- q. Hibbard Road culvert structural details
 - r. Restoration
 - s. General construction details
 - t. **Village** maintenance plan that clarifies the post-construction maintenance plan for planted areas and who is responsible
5. Prepare 30 percent technical specifications to include proposed restoration plantings and materials and 30 percent opinion of probable construction cost (OPCC).
 6. Perform hydrologic and hydraulic modeling updates in accordance with 30 percent engineering. Modeling updates will include the following:
 - a. Summarize highwater levels in comparison to the concept plan highwater levels included on Exhibit 2G of the MOU.
 - b. Summarize floodplain impacts for submittal to Illinois Department of Natural Resources.
 - c. Summarize findings in a brief report.
 7. Provide 30 percent engineering documents to **Village** for review and comment. Meet with **Village**, prepare and distribute meeting minutes, and update engineering documents as appropriate.
 8. Submit updated 30 percent engineering and modeling documents to FPCC for review and comment. Meet with **Village** and FPCC to review documents and discuss comments. Prepare and distribute meeting minutes.
 9. Assist the Village in applying for a United States Army Corps of Engineers (USACE) permit for the stormwater storage area to include the following.
 - a. Develop a narrative explanation of the existing FPCC property conditions, the proposed Project, existing and proposed hydraulics, restoration, and plantings.
 - b. Provide exhibits supporting the proposed Project.
 - c. Attend one presubmittal meeting with the **Village** and USACE.
 - d. Prepare a joint permit application with updated 30 percent engineering documents and provide to **Village** for submittal to USACE.
 - e. Provide up to two revisions and resubmittals following initial submittal to the USACE. If significant Project changes or off-site mitigation is required, these Services shall be provided as If-Authorized Services.
 10. Assist the **Village** in applying for additional environmental permits including the following:
 - a. Illinois Department of Natural Resources (IDNR) joint permit with USACE application.
 - b. IEPA Water Quality joint permit with USACE application.
 - c. IDNR Eco-Cat Initial Determination.
 - d. State Historic Preservation Agency Initial Determination.

11. Attend up to two additional preliminary engineering meetings with **Village**. Prepare and distribute meeting minutes.

Final Engineering

1. Prepare 75 percent engineering drawings, technical specifications, and OPCC based on FPCC and other agency comments from 30 percent submittal.
2. Prepare a draft post-construction review and maintenance program for 75 percent engineering.
3. Provide 75 percent engineering documents to **Village** for review and comment. Meet with Village, prepare and distribute meeting minutes, and update engineering documents as appropriate.
4. Perform hydrologic and hydraulic modeling updates in accordance with 75 percent engineering and summarize changes between 30 percent and 75 percent design.
5. Submit updated 75 percent engineering documents to FPCC for review and comment. Meet with **Village** and FPCC to review documents and discuss comments. Prepare and distribute meeting minutes.
6. Prepare prefinal engineering drawings, technical specifications, post-construction review and maintenance program, and OPCC based on FPCC comments from 75 percent submittal.
7. Provide prefinal engineering documents to the Village for review and comment. Meet with **Village**, prepare and distribute meeting minutes, and update engineering documents as appropriate.
8. Assist **Village** with submittal of final permit applications to the following agencies with prefinal engineering documents:
 - a. MWRD
 - b. IDNR–Office of Water Resources for floodplain impacts
 - c. Illinois Department of Transportation for improvements in Willow Road
9. Update prefinal documents based on MWRD and IDNR comments and submit to FPCC for review and comment. Meet with **Village** and FPCC to review documents and discuss comments. Prepare and distribute meeting minutes.
10. Attend up to two additional prefinal engineering design meetings with **Village**. Prepare and distribute meeting minutes.

If-Authorized Services

The following Services will be performed upon written authorization by the **Village** under separate written scope and fee authorization issued by the **Village**.

1. Attendance at additional meetings beyond those specifically identified above.

2. Assist **Village** with implementation of a public engagement program to include preparation of exhibits and attendance at public meetings.
3. Perform a boundary survey to establish property boundaries for individual parcels and existing easements. Create plats of survey for new easement documents.
4. Provide design services for wetland mitigation not on the Project site, if required by USACE.
5. Assist **Village** with documentation for funding agencies.

Village Responsibilities

1. Assist Consultant by placing at Consultant's disposal all available information pertinent to this Project including previous reports, previous drawings and specifications, and any other data relative to the scope of this Project.
2. Provide access to the site as required for Consultant to perform Services under this Agreement.
3. Guarantee access to and make all provisions for Consultant to enter upon public and private lands as required for Consultant to perform Services under this Agreement.
4. Provide all legal services as may be required for the development of this Project.

Schedule

Services will begin upon execution of this Extension Agreement, which is anticipated the week of August 3, 2020. Services are scheduled for completion on September 1, 2021.

<u>Scope of Services</u>	<u>Hours</u>	<u>Fee</u>	<u>Storage/Culverts</u>	<u>Landfill</u>	<u>Permitting</u>	<u>Ancillary</u>
IGA Assistance						
Water quality benchmarking	300	\$47,002				\$47,002
Stormwater monitoring program	199	\$81,675				\$81,675
Preliminary Engineering						
Topographic survey	150	\$21,012	\$14,890.60	\$6,121.40		
Geotechnical investigations	31	\$90,645	\$64,237.52	\$26,407.48		
Landfill planning and IEPA approvals	181	\$32,556		\$32,556		
30% drawings, specifications, and OPCC	1047	\$178,009	\$126,149.88	\$51,859.12		
30% modeling update	41	\$7,207	\$7,207			
30% submittal to FPCC, meeting, and revisions	112	\$17,922	\$12,700.81	\$5,221.19		
USACE permit application	91	\$47,450			\$47,450	
Additional permit applications	13	\$2,370			\$2,370	
Final Engineering						
75% drawings, specifications, OPCC, and maint. plan	389	\$64,441	\$45,667.49	\$18,773.51		
75% modeling update	25	\$4,168	\$4,168			
75% submittal to FPCC, meeting, and revisions	49	\$8,209	\$5,817.48	\$2,391.52		
Pre-final drawings, specifications, and OPCC	163	\$26,848	\$19,026.41	\$7,821.59		
Permitting	59	\$8,825			\$8,825	
Final engineering	69	\$11,738	\$8,318.38	\$3,419.62		
If Authorized Services		\$40,000.00				\$40,000.00
Engineering Totals	2919	\$690,077.00	\$308,183.57	\$154,571.43	\$58,645.00	\$168,677.00
Construction Estimates Engineering % of Construction		\$5,814,629.14 11.87%	\$4,120,661.14 7.48%	\$1,693,968.00 9.12%	\$40,668.52	

Attachment 4

R-51-2020

A RESOLUTION APPROVING AN EXTENSION AGREEMENT WITH STRAND ASSOCIATES, INC. FOR ENGINEERING DESIGN SERVICES FOR THE STORMWATER MANAGEMENT WETLANDS PROJECT

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

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*, authorize and encourage intergovernmental cooperation; and

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the Village to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, Forest Preserve District of Cook County (“*FPDCC*”) is the owner of the 49-acre parcel located at the northwest corner of Hibbard Road and Winnetka Avenue in unincorporated Cook County, Illinois (“*FPDCC Property*”); and

WHEREAS, after several large-scale, 100-year flooding events occurred in a period of only a few years, leading to significant overland and basement flooding in the Village, the Village desires to make infrastructure and other improvements for managing stormwater to reduce flooding in the Village (“*Stormwater Master Plan*”); and

WHEREAS, in 2015, the Village hired Strand Associates, Inc. (“*Consultant*”) to prepare a stormwater management study and to develop and evaluate managing stormwater in areas within the Village (“*Western Stormwater Alternatives*”); and

WHEREAS, the Consultant determined that the most effective and viable Western Stormwater Alternative would involve partnering with the FPDCC to create a stormwater management wetlands project on the FPDCC Property to allow the Village to store excess stormwater on the FPDCC Property in the event of any large-scale flooding events (“*Stormwater Management Wetlands Project*”); and

WHEREAS, in the spirit of intergovernmental cooperation, the FPDCC desires to take the steps necessary to grant to the Village a license to complete the Stormwater Management Wetlands Project on the FPDCC Property in exchange for the payment of applicable fees and an offsite contribution by the Village pursuant to an agreement from the Village to maintain the Stormwater Management Wetlands Project (“*IGA*”); and

WHEREAS, on August 1, 2017, the Village Council adopted Resolution R-55-2017, approving a Memorandum of Understanding with the FPDCC (“*MOU*”) to memorialize their good-faith intentions to negotiate and eventually enter into an IGA for the construction and operation of the Stormwater Management Wetlands Project that sets forth the rights, responsibilities, and obligations of the FPDCC and the Village; and

{00116051.1}
August 4, 2020

R-51-2020
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WHEREAS, on July 20, 2017, the FPDCC Board of Commissioners unanimously approved the MOU; and

WHEREAS, the MOU required the Village to complete intergovernmental agreements for constructing additional stormwater management facilities on open spaces owned by New Trier High School, the Winnetka Park District, and Winnetka School District 36, which intergovernmental agreements have been entered into by the Village (collectively, “*Stormwater IGAs*”); and

WHEREAS, on February 21, 2017, the Village Council adopted Resolution R-12-2017 approving a Master Services Agreement with the Consultant for engineering services (“*Master Services Agreement*”), which Master Services Agreement provided for terms and conditions that would govern future engineering services performed for the Village by the Consultant; and

WHEREAS, the Consultant has previously provided satisfactory engineering services to the Village; and

WHEREAS, now that the Village has entered into the Stormwater IGAs, the Village desires to retain Consultant to perform engineering design services for the Stormwater Management Wetlands Project to enable the Village to obtain necessary permits, final FPDCC approval to construct the Stormwater Management Wetlands Project, and to prepare plans and specifications necessary to bid and build the Stormwater Management Wetlands Project (collectively, “*Services*”); and

WHEREAS, the Village desires to retain the Consultant to perform the Services for the Village pursuant to an Extension Agreement, which incorporates the terms of the Master Services Agreement for price not to exceed \$650,100 for the Services, plus, at the option of the Village, additional services related to the Stormwater Management Wetlands Project not to exceed \$40,000, including all expenses (“*Extension Agreement*”); and

WHEREAS, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the Extension Agreement with the Consultant for the Consultant to perform the Services;

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

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

SECTION 2: APPROVAL OF EXTENSION AGREEMENT. The Village Council hereby approves the Extension Agreement in substantially the form attached to this Resolution as **Exhibit A** and in a final form approved by the Village Attorney.

SECTION 3: AUTHORIZATION TO EXECUTE EXTENSION AGREEMENT.

The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Extension Agreement after receipt by the Village Clerk of two executed copies of the final Extension Agreement from Consultant; provided, however, that if the Village Clerk does not receive two executed copies of the final Extension Agreement from the Consultant within 60 days after the date of adoption of this Resolution, then this authority to execute and seal the final Extension Agreement will, at the option of the Village Council, be null and void.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this ____ day of _____, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A
EXTENSION AGREEMENT

**VILLAGE OF WINNETKA
EXTENSION OF PROFESSIONAL SERVICES AGREEMENT**

This **EXTENSION OF PROFESSIONAL SERVICES AGREEMENT** ("**Extension Agreement**") is dated as of the ____ day of _____, 20__, and is by and between the **VILLAGE OF WINNETKA**, an Illinois home rule municipal corporation ("**Village**"), and **STRAND ASSOCIATES, INC.** ("**Consultant**") and incorporates by this reference, and is governed by, all the terms and conditions, rights and responsibilities of that certain Master Professional Services Agreement dated February 28, 2017, by and between the Village and the Consultant ("**Master Agreement**").

IN CONSIDERATION OF the recitals and the mutual covenants and agreements set forth in this Extension Agreement and the Master Agreement, and pursuant to the Village's statutory and home rule powers, the parties agree as follows:

SECTION 1. Project Description.

Engineering design services for stormwater management related improvements associated with Phase 1 of the Stormwater Alternatives Study for Western and Southwestern Winnetka, as more fully described in the proposal attached to this Extension Agreement as **Exhibit A** ("**Services**").

SECTION 2. SCOPE OF SERVICES.

A. Services. The Consultant shall provide the consulting services as set forth more fully on the Proposal attached as Exhibit A ("**Services**") and Exhibit B "**Special Provisions**", pursuant to the terms and conditions of this Extension Agreement and the Master Agreement.

B. Commencement; Term. The Consultant shall commence the Services immediately upon receipt of written notice from the Village that this Extension Agreement has been fully executed by the Parties ("**Project Commencement Date**"). The Consultant shall diligently and continuously prosecute the Services until the completion of the Services or upon termination of this Extension Agreement or the Master Agreement by the Village, but in no event shall the Services be completed later than September 1, 2021 ("**Time of Performance**").

SECTION 3. COMPENSATION

For providing, performing and completing all services, Consultant shall be paid at the rates set forth in **Exhibit C**, but not to exceed, in totality, by the end of this Extension Agreement, the amount of \$690,100.

SECTION 4. KEY PROJECT PERSONNEL

The following are deemed "Key Project Personnel" pursuant to Section 4.A of the Master Agreement for the Services to be provided pursuant to this Extension Agreement: Michael Waldron, Mark Shubak, Kelsey Andersen, and Mike Williams.

SECTION 5. GENERAL TERMS

A. Conflict of Interest. The Consultant represents and certifies that, to the best of its knowledge: (1) no elected or appointed Village official, employee or agent has a personal financial interest in the business of the Consultant or in this Extension Agreement, or has personally received payment or other consideration for this Extension Agreement; (2) as of the date of this Extension Agreement, neither Consultant nor any person employed or associated with Consultant has any interest that would conflict in any manner or degree with the performance of the obligations under this Extension Agreement; and (3) neither Consultant nor any person employed by or associated with Consultant shall at any time during the term of this Extension Agreement obtain or acquire any interest that would conflict in any manner or degree with the performance of the obligations under this Extension Agreement.

B. No Collusion. The Consultant represents and certifies that the Consultant is not barred from contracting with a unit of state or local government as a result of: (1) a delinquency in the payment of any tax administered by the Illinois Department of Revenue, unless the Consultant is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax, as set forth in Section 11-42.1-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-42.1-1 *et seq.*; or (2) a violation of either Section 33E-3 or Section 33E-4 of Article 33E of the Criminal Code of 1961, 720 ILCS 5/33E-1 *et seq.* The Consultant represents that the only persons, firms, or corporations interested in this Extension Agreement as principals are those disclosed to the Village prior to the execution of this Extension Agreement, and that this Extension Agreement is made without collusion with any other person, firm, or corporation. If at any time it shall be found that the Consultant has, in procuring this Extension Agreement, colluded with any other person, firm, or corporation, then the Consultant shall be liable to the Village for all loss or damage that the Village may suffer, and this Extension Agreement shall, at the Village's option, be null and void.

C. Authority to Execute.

1. **The Village.** The Village hereby warrants and represents to the Consultant that the persons executing this Extension Agreement on its behalf have been properly authorized to do so by its corporate authorities.

2. **The Consultant.** The Consultant hereby warrants and represents to the Village that the persons executing this Extension Agreement on its behalf have the full and complete right, power, and authority to enter into this Extension Agreement and to agree to the terms, provisions, and conditions set forth in this Extension Agreement and the Master Agreement and that all legal actions needed to authorize the execution, delivery, and performance of this Extension Agreement have been taken.

EXHIBIT A

SERVICES

Project Information

Services Name: Hibbard Road Stormwater Management Wetland Design

Services Description: Provide engineering design services for stormwater management-related improvements associated with Phase 1 of the Stormwater Alternatives Study for Western and Southwestern Winnetka. The stormwater management related improvements (Project) include the following components:

1. Stormwater Management—A stormwater storage area on Forest Preserve District of Cook County (FPCC) property west of Hibbard Road and south of Willow Road, with a combination of open water, wetlands, wet sedge meadow, and low-profile prairie in accordance with Exhibit 2-B Version 3 Grading Plan in the August 2, 2017, Memorandum of Mutual Understanding (MOU) between the **Village** and FPCC.
2. Winnetka Road Pumping Station—Modification of the existing stormwater pumping station near Winnetka Road on FPCC property to adjust normal water level in the stormwater storage area.
3. Willow Road Culvert—New 12-foot by 5-foot precast concrete culvert pipe under Willow Road between Duke Childs Field and FPCC property.
4. Arch Culvert Modification—New 8-foot by 5-foot precast concrete culvert pipe at the Willow Road and Hibbard Road intersection connecting the existing 8-foot by 5-foot arch culvert to FPCC property and the new Willow Road culvert pipe.
5. Hibbard Road Culvert—New 10-foot by 5-foot precast concrete culvert pipe under Hibbard Road at Sunset Road.
6. Landfill—Placement of excess soil and restoration on the existing **Village** landfill.

Scope of Services

The **Consultant** will perform the following services:

Intergovernmental Agreement Assistance

The following services will be performed for the **Village** to assist in obtaining a final Intergovernmental License Agreement (IGA) between **Village** and FPCC.

1. Assist the **Village** with implementation of a water quality benchmarking program in accordance with the letter to the FPCC dated April 14, 2017, and included in Exhibit 3 of the MOU to include the following:

- a. Perform initial event runoff (first flush) calculations for watersheds upstream of the FPCC property and update concepts for upstream stormwater facilities intended to detain this runoff.
 - b. Perform theoretical calculations for anticipated range of stormwater pollutant reduction from stormwater facilities upstream of the FPCC property in accordance with the United States Environmental Protection Agency Pollutant Removal Performance database.
 - c. Perform WinSLAMM water quality modeling for two watersheds upstream of the FPCC property.
2. Assist the **Village** with implementation of a preconstruction Stormwater Monitoring Program in accordance with the program dated October 2016, included in Exhibit 3 of the MOU, to include the following:
 - a. Wet weather sampling prior to construction of the proposed improvements at three locations on the FPCC property; Willow Road culvert, Sunset Road culvert, and Winnetka Avenue pumping station.
 - b. Sampling for five separate rainfall events over a six-month sampling period, each event producing at least 0.10-inch of rainfall in a six-hour period.
 - c. Sampling will be collected on an hourly basis over a minimum 12-hour period.
 - d. Testing of samples in accordance with eight parameters listed in the October 2016 program.
 3. Provide the **Village** with a report of benchmarking methodology, data, calculations, and stormwater monitoring results.
 4. Attend up to two IGA Assistance progress meetings with the **Village**. Prepare and distribute meeting minutes.

Preliminary Engineering

1. Perform a topographic survey for the Project design including the following:
 - a. Hibbard Road right-of-way from Willow Road to Winnetka Avenue.
 - b. Willow Road from Hibbard Road to the east property line of the Winnetka Public Works building. Survey shall extend to 50 feet outside the right-of-way.
 - c. Approximately 40 acres of stormwater storage area on the FPCC property.
 - d. Approximately 18 acres of **Village** landfill.
 - e. Communicate with private utilities for locates prior to survey and locates during design.
2. Obtain geotechnical information and reporting for subsurface conditions, groundwater level monitoring, and Clean Construction Demolition Debris (CCDD) disposal for the proposed improvements, including the following:
 - a. Up to five soil borings 15 feet deep and four soil borings 30 feet deep in the FPCC stormwater storage area.

- b. Up to three groundwater monitoring locations in the FPCC stormwater storage area to observe groundwater during dry weather and following rainfall. Up to four site visits for observation are included.
 - c. Perform CCDD evaluations for stormwater storage area samples and document findings on LPC-662 or LPC-663 forms, as appropriate.
 - d. Up to six soil borings 50 feet deep at toe of landfill and three soil borings 100 feet deep below top of landfill in the landfill area.
 - e. Prepare a geotechnical report of findings and recommendations for design of the Project.
3. Assist the **Village** with planning for use of the existing landfill to include the following:
- a. Prepare a plan for placement of excess soils on the **Village's** existing landfill as produced during the four phases of the **Village's** Stormwater Alternatives Study.
 - b. Communicate with the **Village** and the **Village's** landfill consultant regarding the landfill plan.
 - c. Assist the **Village** with submittal of the plan to the Illinois Environmental Protection Agency (IEPA) for review and approval. Provide up to two revisions and resubmittals following initial submittal to the IEPA.
 - d. Attend up to two meetings with the **Village** regarding the landfill plan. Prepare meeting minutes and distribute.
4. Prepare 30 percent engineering drawings for the Project to include the following sheets.
- a. Title sheet
 - b. Drawing list, general notes, and legend
 - c. Existing conditions, controls, and benchmarks
 - d. Access plan and limits of disturbance
 - e. Demolition and erosion/sediment control
 - f. Stormwater pollution prevention plan
 - g. Traffic control
 - h. Metropolitan Water Reclamation District of Greater Chicago (MWRD) Drainage Exhibit
 - i. Stormwater storage site grading
 - j. Landfill grading
 - k. Earthwork quantities
 - l. Cross sections along drainageway
 - m. Cross sections over landfill
 - n. Winnetka Road pumping station structural, electrical, and civil details
 - o. Willow Road culvert structural details
 - p. Willow Road arch culvert replacement structural details

- q. Hibbard Road culvert structural details
 - r. Restoration
 - s. General construction details
 - t. **Village** maintenance plan that clarifies the post-construction maintenance plan for planted areas and who is responsible
5. Prepare 30 percent technical specifications to include proposed restoration plantings and materials and 30 percent opinion of probable construction cost (OPCC).
 6. Perform hydrologic and hydraulic modeling updates in accordance with 30 percent engineering. Modeling updates will include the following:
 - a. Summarize highwater levels in comparison to the concept plan highwater levels included on Exhibit 2G of the MOU.
 - b. Summarize floodplain impacts for submittal to Illinois Department of Natural Resources.
 - c. Summarize findings in a brief report.
 7. Provide 30 percent engineering documents to **Village** for review and comment. Meet with **Village**, prepare and distribute meeting minutes, and update engineering documents as appropriate.
 8. Submit updated 30 percent engineering and modeling documents to FPCC for review and comment. Meet with **Village** and FPCC to review documents and discuss comments. Prepare and distribute meeting minutes.
 9. Assist the Village in applying for a United States Army Corps of Engineers (USACE) permit for the stormwater storage area to include the following.
 - a. Develop a narrative explanation of the existing FPCC property conditions, the proposed Project, existing and proposed hydraulics, restoration, and plantings.
 - b. Provide exhibits supporting the proposed Project.
 - c. Attend one presubmittal meeting with the **Village** and USACE.
 - d. Prepare a joint permit application with updated 30 percent engineering documents and provide to **Village** for submittal to USACE.
 - e. Provide up to two revisions and resubmittals following initial submittal to the USACE. If significant Project changes or off-site mitigation is required, these Services shall be provided as If-Authorized Services.
 10. Assist the **Village** in applying for additional environmental permits including the following:
 - a. Illinois Department of Natural Resources (IDNR) joint permit with USACE application.
 - b. IEPA Water Quality joint permit with USACE application.
 - c. IDNR Eco-Cat Initial Determination.
 - d. State Historic Preservation Agency Initial Determination.

11. Attend up to two additional preliminary engineering meetings with **Village**. Prepare and distribute meeting minutes.

Final Engineering

1. Prepare 75 percent engineering drawings, technical specifications, and OPCC based on FPCC and other agency comments from 30 percent submittal.
2. Prepare a draft post-construction review and maintenance program for 75 percent engineering.
3. Provide 75 percent engineering documents to **Village** for review and comment. Meet with Village, prepare and distribute meeting minutes, and update engineering documents as appropriate.
4. Perform hydrologic and hydraulic modeling updates in accordance with 75 percent engineering and summarize changes between 30 percent and 75 percent design.
5. Submit updated 75 percent engineering documents to FPCC for review and comment. Meet with **Village** and FPCC to review documents and discuss comments. Prepare and distribute meeting minutes.
6. Prepare prefinal engineering drawings, technical specifications, post-construction review and maintenance program, and OPCC based on FPCC comments from 75 percent submittal.
7. Provide prefinal engineering documents to the Village for review and comment. Meet with **Village**, prepare and distribute meeting minutes, and update engineering documents as appropriate.
8. Assist **Village** with submittal of final permit applications to the following agencies with prefinal engineering documents:
 - a. MWRD
 - b. IDNR–Office of Water Resources for floodplain impacts
 - c. Illinois Department of Transportation for improvements in Willow Road
9. Update prefinal documents based on MWRD and IDNR comments and submit to FPCC for review and comment. Meet with **Village** and FPCC to review documents and discuss comments. Prepare and distribute meeting minutes.
10. Attend up to two additional prefinal engineering design meetings with **Village**. Prepare and distribute meeting minutes.

If-Authorized Services

The following Services will be performed upon written authorization by the **Village** under separate written scope and fee authorization issued by the **Village**.

1. Attendance at additional meetings beyond those specifically identified above.

2. Assist **Village** with implementation of a public engagement program to include preparation of exhibits and attendance at public meetings.
3. Perform a boundary survey to establish property boundaries for individual parcels and existing easements. Create plats of survey for new easement documents.
4. Provide design services for wetland mitigation not on the Project site, if required by USACE.
5. Assist **Village** with documentation for funding agencies.

Village Responsibilities

1. Assist Consultant by placing at Consultant's disposal all available information pertinent to this Project including previous reports, previous drawings and specifications, and any other data relative to the scope of this Project.
2. Provide access to the site as required for Consultant to perform Services under this Agreement.
3. Guarantee access to and make all provisions for Consultant to enter upon public and private lands as required for Consultant to perform Services under this Agreement.
4. Provide all legal services as may be required for the development of this Project.

Schedule

Services will begin upon execution of this Extension Agreement, which is anticipated the week of August 3, 2020. Services are scheduled for completion on September 1, 2021.

EXHIBIT B

SPECIAL PROVISIONS

None

EXHIBIT C

COMPENSATION

Compensation

Village shall compensate the Consultant for Intergovernmental Agreement Assistance, Preliminary Engineering, and Final Engineering Services under this Extension Agreement a lump sum of \$646,200.

Village shall compensate the Consultant for If-Authorized Services under this Extension Agreement on an hourly rate basis plus expenses with a total not-to-exceed fee of \$40,000.



Agenda Item Executive Summary

Title: Resolution No. R-47-2020: Amendment to Development Agreement and Restrictive Covenants - 630 Pine Lane (Adoption)

Presenter: Brian Norkus, Assistant Community Development Director

Agenda Date: 08/04/2020

Consent: YES NO

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

Item History:

In 2007, Village Council approved a three-lot subdivision of the parcel at 630 Pine Lane, with conditions including landmark designation of the 630 Pine Lane as a historic landmark.

On March 19, 2013, at the request of the property owners, the Council approved de-listing 630 Pine Lane property but imposed restrictive zoning covenants on Lot 2, including increased setbacks and reduced building size and height limits which were consistent with size and location of the original 630 Pine Lane residence.

On July 21, 2020, after considering the request to modify certain restrictive zoning covenants, the Council continued is consideration to August 4, to provide the applicant time to provide additional information regarding proposed new construction on the Subject Property.

Executive Summary:

On August 4, the Village Council was scheduled to further consider adoption of Resolution R-47-2020 which, if adopted would modify certain restrictive zoning covenants imposed on 630 Pine Lane (the "Subject Property") in 2013. The request was submitted by Pine Lane LLC through its members Thomas and Suzanne Murphy (the "Applicants"), as owners of the Subject Property. At that time the Applicant and the contract purchaser were to provide information regarding the proposed new construction on the Subject Property and to provide an update regarding their discussions with the neighbors regarding the proposed plans for the site.

The applicant has submitted a sketch site plan for how they plan to develop the site, but based upon information shared with staff, the applicants and contractor purchaser are still in the process of scheduling discussions with the neighbors. Given those discussions have yet to occur, the Council should continue this item to the August 18, Council meeting.

Recommendation:

Consider continuing consideration of Resolution R-47-2020, Amendments to Development Agreement and Restrictive Covenants - 630 Pine Lane, to August 18, 2020.

Attachments:

None.