



Village of Winnetka

Zoning Board of Appeals Regular Meeting

March 13, 2023 at 7:00 PM
Village Hall Council Chambers
510 Green Bay Road

AGENDA

1. **Call to Order & Roll Call**
2. **Approval of Minutes**
 - a. February 13, 2023, Regular Meeting Minutes
3. **Community Development Report**
4. **New Cases**
 - a. **Case No. 23-03-SU: 1110 Chatfield Road - Hubbard Woods Elementary School:** An application submitted by Winnetka Public School District 36 seeking approval of an amendment to an existing Special Use Permit, which allowed construction of playground improvements at 1110 Chatfield, and zoning variations. The requested amendment would allow construction of an addition on the southwest corner of the existing school building. The variations would permit the proposed addition to exceed (i) the maximum permitted gross floor area; (ii) the maximum permitted roofed lot coverage; and (iii) the maximum permitted impermeable lot coverage. The Village Council has final jurisdiction on this request.
5. **New Business**
 - a. April 10, 2023, Regular Meeting - Quorum Check
6. **Public Comments**
7. **Adjournment**

NOTICE

Public comment is permitted on all agenda items at the meeting. If you wish to provide testimony or comments prior to the meeting, you may provide them one of two ways: (1) by sending an email to planning@winnetka.org; or by sending a letter to Community Development, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093. All agenda materials are available at www.villageofwinnetka.org/agendacenter.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that 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 at 510 Green Bay Road, Winnetka, Illinois 60093, (Telephone (847) 716-3543; T.D.D. (847) 501-6041).

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
FEBRUARY 13, 2023**

Zoning Board Members Present:

Matt Bradley, Chairman
Kate Casale MacNally
Mark Haller
Lynn Hanley
Max Weigandt

Zoning Board Members Absent:

Mike Nielsen
Todd Vender

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community Development

Call to Order & Roll Call:

Chairman Bradley called the meeting to order at 7:00 p.m.

Approval of Minutes:

a. January 9, 2023, Regular Meeting Minutes.

Chairman Bradley asked if there were any comments or corrections to be made to the January 9, 2023, meeting minutes. No comments were made at this time. He then asked for a motion. A motion was made by Ms. Casale MacNally and seconded by Ms. Hanley to approve the January 9, 2023, meeting minutes. A vote was taken and the motion unanimously passed, 5 to 0:

AYES: Bradley, Casale MacNally, Haller, Hanley, Weigandt

NAYS: None

Community Development Report:

Mr. Schoon provided an update with regard to the 484-488 Elder Lane plat of consolidation which the Village Council approved. He stated with regard to the 232 Sheridan Road variations requested, it is be presented to the Village Council next week. Mr. Schoon also stated a public hearing will be held on Wednesday relating to the Comprehensive Plan. Ms. Casale MacNally asked for the status of the property at Linden and Cherry Streets. Mr. Schoon responded he contacted the applicant months ago and due to escalated costs, the applicant is trying to determine how to move forward with the project.

New Cases:

a. Case No. 23-01-SU: 310 Green Bay Road - North Shore Country Day School: An application submitted by North Shore Country Day School seeking approval of an amendment to an existing Special Use Permit, which allowed construction of additions to the Upper School Building, and zoning variations to allow renovation of the existing school gymnasium and construction of an addition to the existing gymnasium consisting of an additional gymnasium and multi-purpose space. The requested amendment would allow renovation of the existing Mac Gymnasium and construction of an addition to the existing gymnasium located on the southeast corner of the school campus. The variations would permit the proposed addition to exceed (i) the maximum permitted gross floor area; and (ii) the maximum permitted building height of 2-1/2 stories. The Village Council has final jurisdiction on this request.

Ms. Klaassen referred to the project location at the southeast corner of the site and identified the Mac Gym noting the property is zoned R-5 single family residential. She also identified surrounding zoning and uses which are permitted by special use permit within the district. Ms. Klaassen stated the applicant's use of the property is consistent with both the zoning ordinance and the Comprehensive Plan land use designation. She provided the property's history and the request to remove Leicester Hall, which is currently being used for administrative offices, as well as the removal of the pool. Ms. Klaassen stated the Landmark Preservation Commission reviewed the request and required an Historic and Architectural Impact Study (HAIS). She also referred to photos of the site and the arbor vitae that would remain to provide a landscape buffer to the residential neighbors to the south, with an additional landscaping buffer being proposed to enhance the existing landscape screening that is currently provided. Ms. Klaassen also identified the west and north building elevations, the areas to be removed and the net increase in gross floor area, as well as the proposed addition and existing gymnasium. She noted two parking spaces would be removed and a Campus Transportation Review was provided by the applicant with the determination that the current traffic management plans functioned effectively and there would be no impact on the campus or neighborhood with the proposed improvement. Ms. Klaassen stated Village Engineer Jim Bernahl agreed with the study's findings and stated the amended special use permit would not result in additional issues around the site recommendation he provided. She described the reasoning for the applicant being required to apply for a special use permit due to its location in a residential area and referred to a table outlining the variation requests for the project. Ms. Klaassen stated the applicant can further address the specifics relating to the proposed addition and its uses. She then referred additional renderings provided by the applicant of the west and south building elevations. Ms. Klaassen noted the Design Review Board considered a Certificate of Appropriateness and recommended approval of the proposed improvements with the Plan Commission scheduled to consider the special use amendment at their next meeting. She added no public comment has been received and asked if there were any questions noting a draft motion is provided in the packet.

Ms. Hanley asked if there is a parking requirement for institutional uses and Ms. Klaassen responded there is not. Chairman Bradley referred to Slide 7 and the existing nonconformities to remain. Ms. Klaassen identified the setback to the Lower School which would remain. Chairman Bradley also asked if existing nonconforming variation requests is incorporated into applications. Ms. Klaassen stated it was not written that way since the existing gym and the proposed addition complies with the setbacks and the nonconforming setback is related to a different building on the campus. She then referred to the zoning matrix and explained how the variations exceed requirements since the school is located in a residential zoning district. Ms. Klaassen noted the proposed addition would conform with front yard setback requirements in consideration of the neighbors and described the use for the proposed addition.

Chairman Bradley asked if the existing nonconformities would remain on Elder Lane. Ms. Klaassen explained that the existing nonconforming setback would remain but the proposed construction would comply with the required setback, and then identified the setback line on the site plan. Mr. Haller questioned whether the proposed 60 foot height is permitted and if 60 feet would be an allowable height for any building on the property. Ms. Klaassen responded yes but it would be limited to 2.5 stories. No additional questions were raised at this time.

Chairman Bradley swore in those speaking to this matter. Trina Sandschafer of Kahler Slater stated they have worked with the school since early 2022 and introduced Tom Flemma and Cindy Hooper of North Shore Country Day School along with the remainder of their team. Tom Flemma introduced himself as the Head of School and described the school's history, their mission and their health and wellness program. He referred to a quote from their strategic plan in 2017 and described key elements from their plan

1 including a comprehensive wellness program and connection. He then described the addition which would
2 service their JK-12 students, faculty, staff, parents and the community at large which would encompass
3 how wellness and fitness has evolved. Mr. Flemma also described other activities which would be
4 incorporated by the addition and the features enhanced with the addition including air quality and HVAC
5 improvements and that the project would also serve to educate the student body. Mr. Flemma then
6 introduced Cindy Hooper.

7
8 Cindy Hooper introduced herself as the school's Director of Operations and described her background,
9 their master planning and prior improvements. She identified several features of the new building which
10 included ADA accessibility. Ms. Hooper then referred to an illustration of the proposed addition and
11 explained how the old gym did not meet their current requirements. She then described proposed
12 alternative locations for the new gym and how those locations would not work. Ms. Hooper further
13 explained how the proposed location worked best for the campus in terms of safety and accessibility.

14
15 Ms. Sandschafer identified the location for the proposed addition and existing buildings, parking, the pool
16 and the Mac Gym among other buildings on the site. She also referred to the site's contextual images
17 identifying green space and residential areas. Ms. Sandschafer noted they would be in compliance with
18 setbacks to be mindful of the neighbors and preserving open space. She also identified the site's various
19 access points with the proposed building slope matching the Mac Gym as well as a connection point
20 between the two buildings and green roof space. Ms. Sandschafer identified the building functions and
21 windows for visibility in terms of light and air. She then referred to various elevation views of the existing
22 and proposed gym buildings as well as those of the other existing buildings. Ms. Sandschafer noted the
23 color scheme would match the existing gray and white coloring of other building throughout the campus.
24 She noted the north elevation would remain unchanged and the south elevation would have a low, sloped
25 roof to match the residential neighbors. Ms. Sandschafer then introduced Scott Freres of The Lakota
26 Group.

27
28 Scott Freres stated there are two key components to the landscape plan which he described as the outside
29 in and the inside out which began with consideration of the neighborhood. He referred to the southern
30 illustration which showed the predominant existing vegetation that would be retained and supported by
31 additional infill plantings and a second layer of arbor vitae. Mr. Freres stated the Church Road frontage is
32 more visible and has been softened with vegetation to soften the building base. He then stated inside the
33 site, they focused on the desire to use plant materials which are native and low maintenance. Mr. Freres
34 also stated on the southern edge of the building, the blank wall was addressed by the installation of
35 columnar English oak trees and low maintenance ground cover. He further described the proposed pallet
36 of planting materials and then introduced Mr. Peter Lemmon.

37
38 Peter Lemmon of Kimley-Horn stated he would address transportation patterns on the site. He referred
39 to the staggered start and end times for students which served to broaden the traffic impact with onsite
40 and on-street pick-up and drop-off traffic queuing being managed by the staff. He stated parking is mostly
41 accommodated onsite and messaging is provided to the community and students in terms of events and
42 planning. Mr. Lemmon stated they observed traffic patterns over several days and times throughout the
43 day noting the management strategies in place are effective. He noted no changes were recommended
44 as part of the plan in terms of impact and concluded the current plan is well run. Chairman Bradley asked
45 if an assessment was done in the summer relating to campers. Mr. Lemmon stated there was not with
46 the primary focus of the study being on the academic school year.

1 Ms. Sandschafer referred to the two zoning ordinance variations for GFA and building height and an
2 amendment to the special use permit being requested in connection with the project. She also referred
3 to the zoning variation and standards and stated their demonstration indicated they met the standards
4 and asked if there were any questions.

5
6 Chairman Bradley then asked the Board if they had any questions. Ms. Casale MacNally asked where the
7 admin functions would move to. Ms. Hooper responded it would be decentralized throughout the
8 campus. Ms. Casale MacNally asked what would happen to the west gym, and Ms. Hooper stated it would
9 remain and would better serve their younger children's programs and would be used for gathering space.
10 Ms. Casale MacNally stated for the 549 students, how many of them would utilize the two main gyms.
11 Ms. Hooper responded approximately 400-450 children. Mr. Flemma added it would depend on the time
12 of day and on the function and outlined the space used by the various grades. Ms. Casale MacNally asked
13 if any signage is being proposed as part of the project. Ms. Sandschafer responded they are considering a
14 small sign on the west side and a larger school logo sign on the east side. Ms. Casale MacNally asked how
15 parking is assigned with the removal of two parking spaces in the student lot on Elder Lane. Ms. Hooper
16 responded spaces are first assigned to seniors, juniors and then to commuters and car poolers. She
17 confirmed there would be 69 student parking spaces.

18
19 Mr. Haller questioned the construction plans, duration, etc. and effect on the neighborhood. Ms. Hooper
20 responded they considered project phasing with the renovation of the Mac Gym being done in phase one
21 during the fall of 2023 lasting 10 months. She then stated the new gym building work would be done
22 following that and further described the work to be done in phase two for a total project construction
23 time of two years. Mr. Haller asked how the construction mechanics would be accommodated with regard
24 to the neighborhood. Ms. Hooper responded in terms of staging, there would be no effect on the
25 neighborhood. Jim Valenti of Valenti Builders referred to the site plan and stated since all of the work
26 would be done on the southeast corner, all of the equipment, workers, etc. would access the site from
27 Green Bay Road. He also stated they planned to discuss plans with the neighbors prior to construction.

28
29 Mr. Haller asked what the overall community uses for the school would be. Ms. Hooper responded they
30 have had a longtime relationship with Troup 20 and the Winnetka Park District among others and
31 described their uses for the campus. Mr. Haller then asked if they discussed the proposed plans with the
32 Elder Lane neighbors. Mr. Flemma responded they began discussions with the neighbors in December and
33 have interacted with them several times a year. He stated two neighbors who live directly across from
34 Leicester Hall reviewed the plans and positive feedback was received from them. Mr. Haller asked if there
35 are other community neighborhood outreach ideas for neighbors to offer them the use of the school
36 property in terms of being a good neighbor. Mr. Flemma referred to the parking lot on Elder Lane and
37 Forest for neighbors who have used the parking lot on the weekends. He added they have made it clear
38 the campus is open for community use and described the playground use by the neighbors and invitations
39 being extended to various school programs to the neighbors. Mr. Haller asked if consideration was given
40 to using Green Bay Road to provide additional capacity for drop-off and pickup. Ms. Hooper confirmed
41 they have considered it and stated the traffic speed on Green Bay Road would make it difficult and would
42 require IDOT approval. She also described the specifics outlined in the traffic study done by Mr. Lemmon.
43 Mr. Haller asked if there was any consideration in doing anything with the power lines. Ms. Hooper
44 responded as part of the work being done, they can inquire about it on that side of campus and they are
45 not at that phase of the project yet.

46
47 Mr. Weigandt stated he did not have any questions. Ms. Hanley stated her biggest concern related to
48 parking and questioned the number of parking spaces. Ms. Hooper responded there would be 218 parking

1 spaces and 8 ADA accessible spaces with only two spaces being lost. Ms. Hanley asked if they foresaw any
2 changes to the weekend activity. Ms. Hooper described current activities and usage on weekends. Ms.
3 Hanley then asked if there would be adequate parking with the new gym. Ms. Hooper explained that the
4 seating capacity in the Mac Gym is for 350 people and the new gym would have bleacher seating for 20
5 people. Ms. Hanley asked if street parking is allowed on weekends and Ms. Hooper confirmed that is
6 correct although they want the streets clear for emergencies with most parking taking place on campus.
7

8 Chairman Bradley referred to the special use permit standard nos. b, d and e, the removal of the
9 administrative building, etc. and referred to the summer programs and camps asking how it would run
10 post construction. Ms. Hooper described how the traditional day camp is currently run for approximately
11 270 children. She then stated they planned to hold sports camps with the new climate controlled gym and
12 described how that programming would be focused. Chairman Bradley questioned how pickup and drop-
13 off would occur. Ms. Hooper described how pickup and drop-off would take place. Chairman Bradley then
14 asked if there are any other major uses planned for the space such as graduation. Ms. Hooper responded
15 it would be moved from being held outdoors back inside in the existing auditorium and the plan is for the
16 new space to accommodate the programs they currently have. Chairman Bradley referred to the variation
17 figures and stated as part of the challenge with such a unique property, there are no limits with regard to
18 GFA that can be meted out for possible future projects. He asked if for the requested 24,000 square feet
19 of GFA, whether any other projects are coming up in relation to the amount of space they have on campus.
20 Mr. Flemma informed the Board they are not looking to continue to grow in any substantial way and
21 referred to their attempts to cluster the building at the southeast corner so as to not affect the amount
22 of open space they have. No additional questions were raised at this time.
23

24 Chairman Bradley asked if there was any public comment. No comments were made at this time. He then
25 called the matter in for discussion. He referred to the zoning standards and variation requests identified
26 in the packet.
27

28 Ms. Hanley stated for the record, there should be planned developments for institutional uses. She stated
29 her only issue is the standard relating to parking for the special use and since there is no parking
30 requirement for institutional uses, they have to take the applicant's word it is adequate. Ms. Hanley
31 commented overall, the new gym addition is thoughtful and well planned and she is in favor of the
32 request. Ms. Casale MacNally stated she is also in favor of the request and trusted the applicant would do
33 everything they say they would do although she is concerned with the amount of GFA creep. She agreed
34 with Ms. Hanley's comments in that they have to consider requests for schools and churches in the same
35 manner as single family residences.
36

37 Mr. Haller stated his concerns are similar, relating to each incremental request and commented the
38 landscaping is very important. He stated future projects should consider what can be given back to
39 alleviate potential concerns. Mr. Haller also stated he is concerned with increased programming relating
40 to the amount of traffic and hoped the applicant can consider ways to do something for the neighborhood
41 to lessen the impact. He then stated he would be in favor of the request. Mr. Weigandt stated he is also
42 in favor of the request and described the request as extremely thorough, although he had the same
43 concerns which were raised. Chairman Bradley described the presentation as thoughtful and stated he
44 appreciated the concern relating to the project's placement. He agreed landscaping is a huge part of the
45 project which would give directly impacted neighbors a sense of privacy and beautification. Chairman
46 Bradley also agreed with the parking concerns raised. He added as they consider the Comprehensive Plan,
47 applications such as this should move in a different direction as opposed to being presented to three
48 different boards.

Chairman Bradley then asked for a motion to recommend approval as indicated on page 17. A motion to recommend approval of the request as outlined on pages 17-19 of the agenda packet was made by Ms. Casale MacNally and seconded by Ms. Hanley. A vote was taken and the motion unanimously passed, 5 to 0:

AYES: Bradley, Casale MacNally, Haller, Hanley, Weigandt

NAYS: None

New Business:

a. March 13, 2023, Meeting - Quorum Check.

The Board Members discussed their availability.

Public Comment.

No comments were made at this time.

Adjournment:

Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley. The motion was seconded by multiple Board members. A vote was taken and the motion unanimously passed, 5 to 0:

AYES: Bradley, Casale MacNally, Haller, Hanley, Weigandt

NAYS: None

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Antionette Johnson

Recording Secretary



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MARCH 8, 2023
SUBJECT: HUBBARD WOODS ELEMENTARY SCHOOL – 1110 CHATFIELD ROAD
SPECIAL USE PERMIT (CASE NO. 23-03-SU)

INTRODUCTION

On March 13, 2023, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Winnetka Public School District 36 (the “Applicant”), as the owner of the property located at 1110 Chatfield Road (the “Subject Property”). The Applicant is proposing construction of an addition to the existing school building on the Subject Property and requests approval of the following relief:

1. Approval of an amendment to an existing **Special Use Permit** that allowed playground improvements. The requested amendment would allow construction of an addition on the southwest corner of the existing school building on the Subject Property, which is located in the R-4 Single-Family Residential Zoning District; and
2. Approval of the following **zoning variations**:
 - a. **Roofed Lot Coverage (RLC)** of 49,531.58 square feet, whereas a maximum of 31,818.25 square feet is permitted, a variation of 17,713.33 square feet (55.67%) [Section 17.30.030 – Intensity of Use of Lot] [Note: The existing improvements currently consist of 46,447.26 square feet of RLC. The proposed addition would add 3,084.32 square feet];
 - b. **Impermeable Lot Coverage (ILC)** of 89,089.21 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 25,452.71 square feet (40%) [Section 17.30.030 – Intensity of Use of Lot] [Note: The site currently contains 86,394.6 square feet of ILC. The proposed improvement would add 2,694.61 square feet]; and
 - c. **Gross Floor Area (GFA)** of 55,333.74 square feet, whereas a maximum of 31,087.79 square feet is permitted, a variation of 24,245.95 square feet (77.99%) [Section 17.30.040 – Maximum Building Size] [Note: The existing improvements currently consist of 48,715 square feet of GFA. The proposed addition would add 6,618.74 square feet].

A sign has been posted on the Subject Property indicating the time and date of the ZBA public hearing. A mailed notice has been sent to property owners within 250 feet of the Subject Property, in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on February 23, 2023. As of the date of this memo, staff has received one written comment from the public regarding this application. The comment is provided in Attachment D of this report.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant or amend a Special Use Permit or to grant a variation to (i) exceed the maximum permitted intensity of use of lot by more than 20% and (ii) allow a pre-FAR building (constructed prior to 1989) to exceed the maximum permitted GFA by more than 10%.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 2.92 acres (127,273 square feet) in size, is located on the south side of Chatfield Road between Gordon Terrace and Burr Avenue and contains Hubbard Woods Elementary School (see Figure 1). The Subject Property has three front yards, with street frontage along Chatfield Road to the north, Burr and Laurel Avenues to the east, and Gordon Terrace and Hamptondale Avenue to the west.

The Comprehensive Plan designates the Subject Property as appropriate for “Public/Semi-Public” uses. The property is zoned R-4 Single Family Residential, and it is bordered by R-4 Single Family Residential to the north, east, and west, and R-2 Single Family Residential to the southeast and southwest (see Figure 2).

In addition to single-family residential uses, the R-4 District allows a limited range of additional uses by Special Use Permit. Allowed Special Uses in the R-4 District include (a) church or temple; (b) public school, elementary and high, or private school having a curriculum equivalent to a public elementary school, public high school or public institution of higher learning; and (c) library.

The Applicant’s use of the Subject Property as a school is generally consistent with the Comprehensive Plan land use designation and the R-4 zoning district.



Figure 1 – Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

Hubbard Woods School was constructed circa 1911. There have been several additions and various other improvements to the school and Subject Property over the years. There are eleven (11) previous zoning cases on file for the Subject Property:

1. In 1927, ZBA Case No. 282 was approved for a front yard setback variation to allow an addition to the school;
2. In 1953, ZBA Case No. 788 was approved for a front yard setback variation to allow an addition to the school;
3. Ordinance M-287-90 was adopted in February 1990 by the Village Council, granting a special use permit and variations to allow construction of an addition on the south side of the existing school building. The approved variations were for (a) GFA; (b) roofed lot coverage; (c) impermeable lot coverage; and (d) front yard setback from Laurel and Burr Avenues;
4. Ordinance M-472-96 was adopted in October 1996 by the Village Council, granting a special use permit and variations to allow a temporary mobile classroom structure and playground improvements. The approved variations were for GFA and roofed lot coverage;
5. Ordinance M-481-96 was adopted in January 1997 by the Village Council, granting a front yard setback variation to allow play equipment;
6. In 1997, ZBA Case No. 97-14-SU was a request to allow a temporary mobile classroom that would have exceeded the maximum permitted GFA. The application was withdrawn;
7. Ordinance M-528-98 was adopted in June 1998 by the Village Council, granting an amendment to a special use permit and variations to allow the construction of three one-story additions to the existing school building. The approved variations were for (a) GFA; (b) roofed lot coverage; and (c) impermeable lot coverage;
8. Ordinance M-578-99 was adopted in June 1999 by the Village Council, granting a front yard setback variation to allow play equipment within the minimum required front yard setback along Hamptondale Avenue;
9. Ordinance M-18-2006 was adopted in August 2006 by the Village Council, granting variations to allow playground improvements, a new storage shed, and an Outdoor Environmental Learning Area. The approved variations were for (a) GFA; (b) roofed lot coverage; and (c) impermeable lot coverage;
10. Ordinance M-5-2017 was adopted in May 2017 by the Village Council, granting a special use permit and a front yard setback variation to allow playground improvements within the minimum required front yard setback along Hamptondale Avenue; and
11. Ordinance M-07-2022 was adopted on April 19, 2022, by the Village Council, granting an amendment to a special use permit, variations, and a certificate of appropriates to allow improvements to an existing playground located on the north and west side of the Subject Property. The approved variations were for impermeable lot coverage and the side yard setback from the west property line. To date, the playground improvements have not been installed.

The Ordinances listed above are included in this report as Attachment C.

Figures 3 through 5 on the following pages are current photos of the site where the improvements are proposed.



Figure 3 – Subject Property – Looking Northeast



Figure 4 – Subject Property – Looking North



Figure 5 – Subject Property – Front Elevation (Chatfield Road) – Looking South

PROPOSED PLAN

The proposed improvements include: (1) a new building addition consisting of a multipurpose room, restrooms, and storage; (2) an exterior mechanical equipment and refuse containers enclosure; (3) interior renovations related to ceiling and HVAC systems throughout the building, bathroom renovations for ADA compliance, new front entry ramp; and (4) security upgrades.

The proposed addition is intended to provide cafeteria space and accommodate before- and after-school childcare for the students. The addition and exterior mechanical enclosure represent an increase in GFA of 6,618 square feet, as well as an increase of 3,084 square feet of roofed lot coverage and 2,694 square feet of impermeable lot coverage. The proposed improvements would be located closest to Laurel Avenue, while providing a conforming setback of 40.96 feet. The mechanical equipment and refuse containers would be enclosed with a solid wall measuring 7.33 in height, with 4-inch face brick on the exterior. The area of the enclosure would be approximately 1,364 square feet. Because the mechanical area is enclosed by the solid wall on two sides, this area (1,364 square feet) is included in the calculation of GFA. The building addition itself would function as one-story but is considered two-stories according to the definition of “Story” in the Zoning Ordinance and would measure 24.42 feet in height. The front entry work is limited to replacement of the front steps and installation of an entry ramp.

An excerpt of the proposed site plan, floor plans, and renderings of the proposed improvements are provided on the next pages as Figures 6 through 10. The complete set of plans are provided in the application materials, which are included in this report as Attachment B.

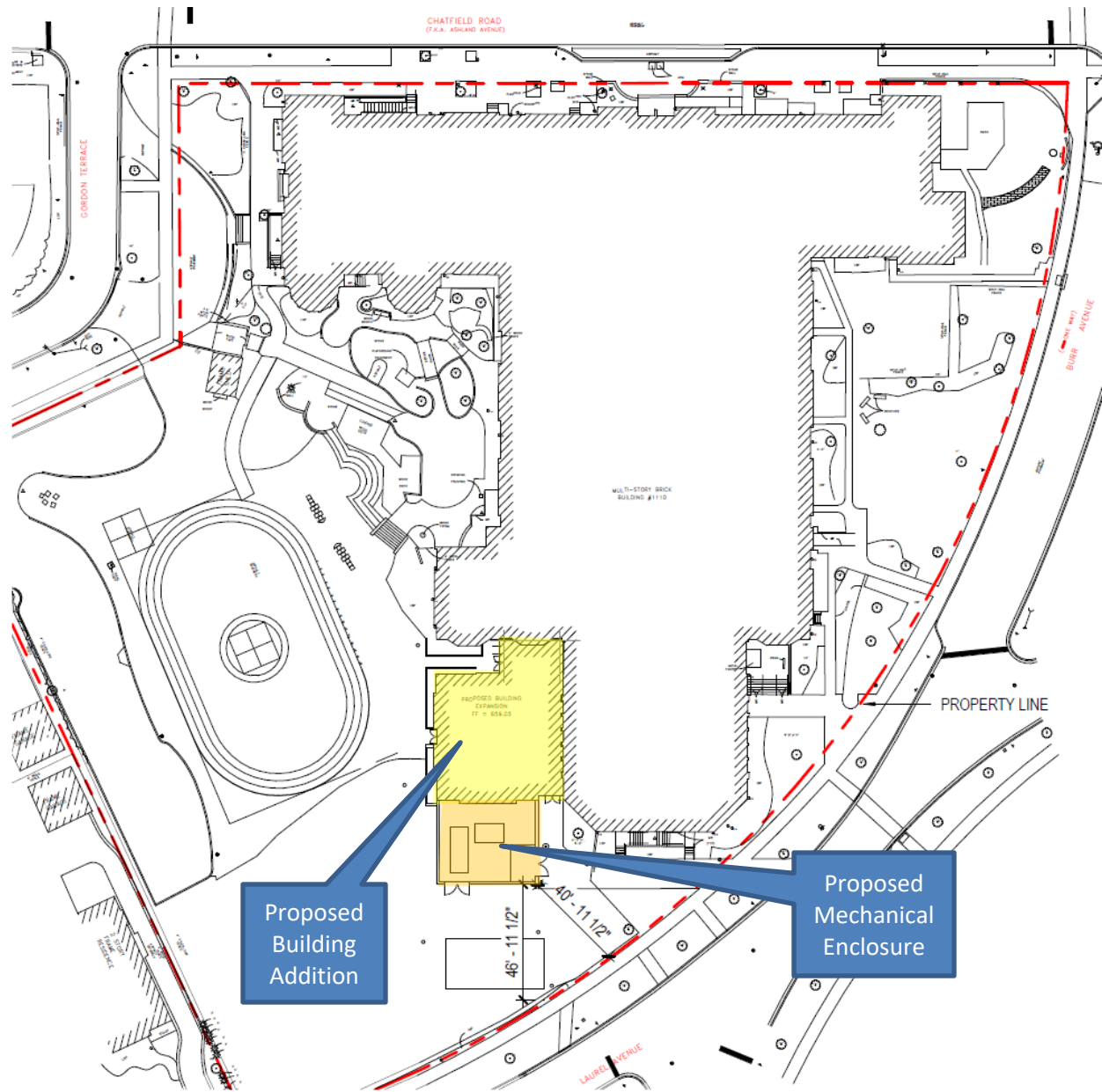


Figure 6 – Excerpt of Proposed Site Plan

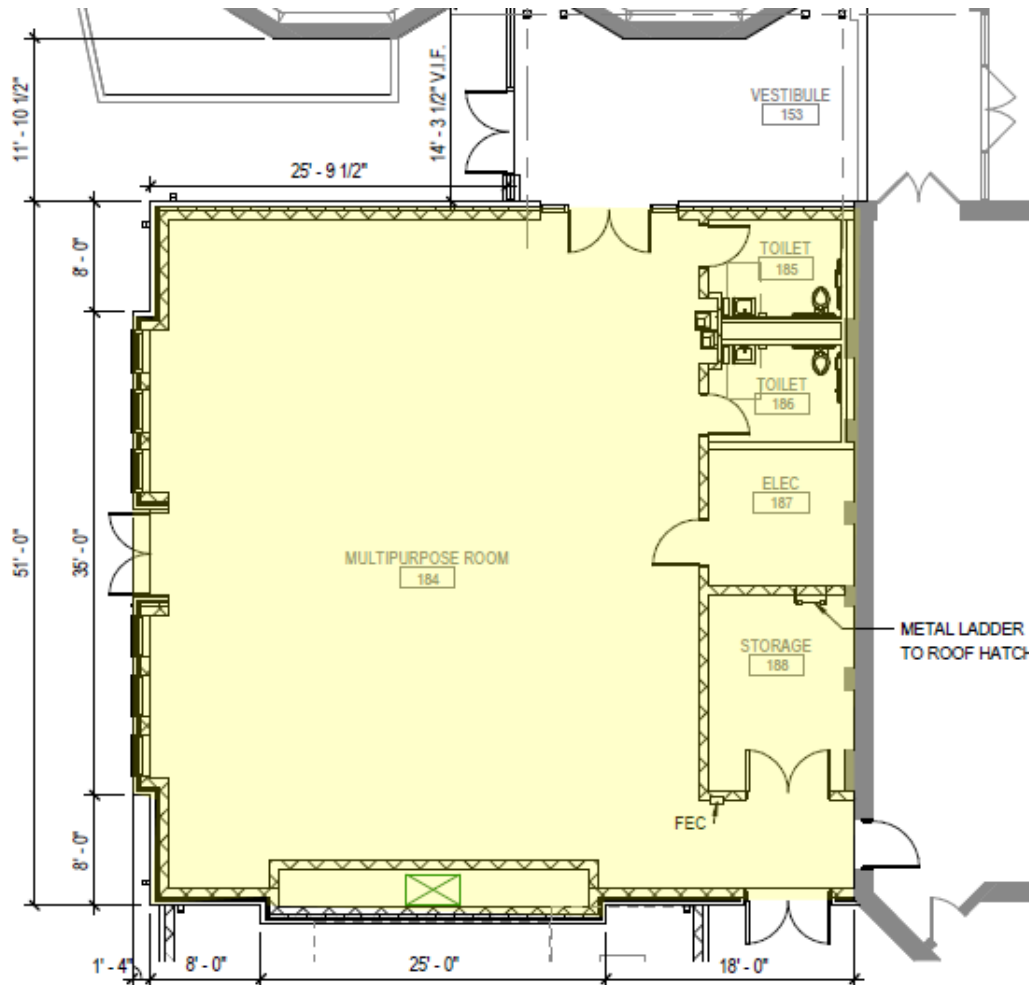


Figure 7 – Excerpt of Proposed Addition Floor Plan

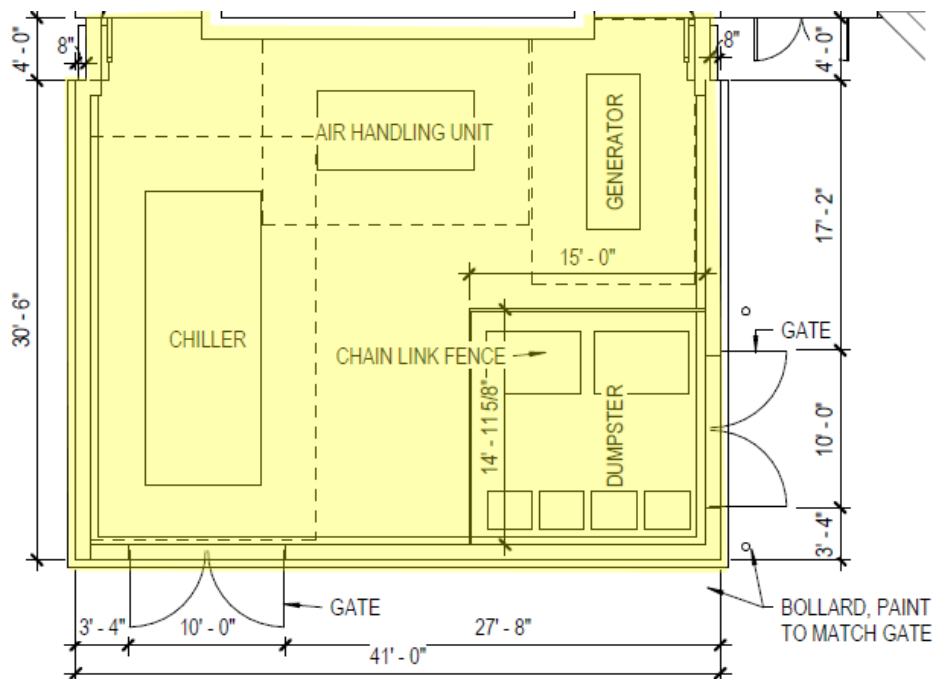


Figure 8 – Excerpt of Proposed Equipment Enclosure Plan



Figure 9 – Rendering of Proposed Addition – West Elevation



Figure 10 – Rendering of Proposed Addition & Equipment Enclosure (Southwest Axonometric)

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, it is worth noting that the Applicant is currently working with Village Engineering staff to comply with the Village stormwater regulations, which includes managing the stormwater on-site. Figure 11 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year flood area.



Figure 7 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvements' compliance with the R-4 zoning district (Attachment A). Three variations are being requested to allow the proposed addition: (1) roofed lot coverage; (2) impermeable lot coverage; and (3) gross floor area.

Roofed Lot Coverage (RLC). The maximum allowed RLC on the Subject Property is 31,818.25 square feet (25% of the lot area). The site currently contains 46,447.26 square feet of RLC, exceeding the maximum permitted RLC by 14,629.01 square feet (45.98%). The increase in RLC with the proposed building addition is 3,084.32 square feet; bringing the total RLC to 49,531.58 square feet, whereas a maximum of 31,818.25 square feet is permitted, a variation of 17,713.33 square feet (55.67%).

Impermeable Lot Coverage (ILC). The maximum permitted ILC in the R-4 District is 50% of the lot area. The maximum allowed ILC on the Subject Property is 63,636.5 square feet. The playground improvements approved in 2022 also required approval of a variation to exceed the maximum permitted ILC as the existing improvements on the site already exceeded the permitted ILC. As detailed in attached Ordinance M-07-2022, an ILC of 86,394.6 square feet was approved in 2022 to allow installation of a rubberized play surface, exceeding the maximum permitted ILC by 22,758.1 square feet (35.76%). The proposed improvements currently before the Board for consideration represent an increase of 2,694.61 square feet of ILC from the ILC approved in 2022; bringing the total ILC to 89,089.21 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 25,452.71 square feet (40%).

Maximum Building Size (GFA). The site currently contains 48,715 square feet of GFA, exceeding the maximum permitted GFA by 17,627.21 square feet (56.7%). The increase in GFA with the proposed building addition and equipment enclosure is 6,618.74 square feet; bringing the total GFA to 55,333.74 square feet, whereas a maximum of 31,087.79 square feet is permitted, a variation of 24,245.95 square feet (77.99%).

CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

The Design Review Board is scheduled to consider a Certificate of Appropriateness for the proposed improvements on March 16, 2023.

The Plan Commission is scheduled to consider the Special Use Permit on March 22, 2023.

FINDINGS

The ZBA is charged with evaluating Special Uses for consistency with the six standards for granting special use permits, as well as the eight standards for granting of zoning variations.

In the attached application materials submitted by the Applicant, the Applicant has provided a statement of justification regarding how the requested Special Use Permit and variations meet the standards for granting the requested Special Use Permit and zoning variations. Does the ZBA find that the requested amendment to an existing Special Use Permit and variations meet the standards for granting such special use and variations; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the requested amendment to the existing special use that allowed playground improvements for the public elementary school on the Subject Property granted by Ordinance M-07-2022 and the following zoning variations: (1) roofed lot coverage; (2) impermeable lot coverage; and (3) gross floor area to allow construction of an addition to the existing school building on the Subject Property, based on evidence in the record, or a public document, and upon the following findings of fact:

1. The proposed building addition is consistent with the Standards for the granting of Special Use Permits, as follows:
 - a. That the establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
 - b. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
 - c. That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
 - d. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
 - e. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided; and
 - f. That the special use in all other respects conforms to the applicable regulations of this and other Village ordinances and codes.
2. The requested zoning variations to allow:
 - a. Roofed Lot Coverage (RLC) of 49,531.58 square feet, whereas a maximum of 31,818.25 square feet is permitted, a variation of 17,713.33 square feet (55.67%) [Section 17.30.030 – Intensity of Use of Lot];

- b. Impermeable Lot Coverage (ILC) of 89,089.21 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 25,452.71 square feet (40%) [Section 17.30.030 – Intensity of Use of Lot]; and
- c. Gross Floor Area (GFA) of 55,333.74 square feet, whereas a maximum of 31,087.79 square feet is permitted, a variation of 24,245.95 square feet (77.99%) [Section 17.30.040 – Maximum Building Size].

are **in harmony** ~~[not in harmony]~~ with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **have been met** ~~[have not been met]~~:

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

[The amendment to the special use for the building addition and the requested variations should only be approved subject to the following conditions...]

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Application Materials

Attachment C: Ordinance M-287-90, adopted February 6, 1990

Ordinance M-472-96, adopted October 8, 1996

Ordinance M-481-96, adopted January 7, 1997

Ordinance M-528-98, adopted June 16, 1998

Ordinance M-578-99, adopted June 15, 1999

Ordinance M-18-2006, adopted August 15, 2006

Ordinance M-5-2017, adopted May 16, 2017

Ordinance M-07-2022, adopted April 19, 2022

Attachment D: Public Correspondence

ATTACHMENT A

ZONING MATRIX

ADDRESS: 1110 Chatfield Road - Hubbard Woods Elementary School

CASE NO: 23-03-SU

ZONING: R-4

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	13,300 SF	127,273 SF	N/A	N/A	OK
Min. Average Lot Width	70 FT	351.92 FT	N/A	N/A	OK
Min. Lot Depth	120 FT	361.65 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	31,818.25 SF (1)	46,447.26 SF	49,531.58 SF	3,084.32 FT	17,713.33 SF (55.67%) VARIATION
Max. Gross Floor Area	31,087.79 SF (1)	48,715 SF	55,333.74 SF	6,618.74 FT	24,245.95 SF (77.99%) VARIATION
Max. Impermeable Lot Coverage	63,636.5 SF (1)	86,394.6 SF	89,089.21 SF	2,694.61 SF	25,452.71 SF (40%) VARIATION
Min. Front Yard (Chatfield/North)	30 FT	4.97 FT	4.97 FT	0 FT	EXISTING NONCONFORMING
Min. Front Yard (Burr/Laurel/East)	30 FT	11.35 FT	11.35 FT	0 FT	EXISTING NONCONFORMING
Min. Front Yard (Gordon Terr./Hamptondale/West)	30 FT	9.33 FT (3)	9.33 FT (3)	0 FT	EXISTING NONCONFORMING
Min. Side Yard (Southwest)	12 FT	9.5 FT (3)	9.5 FT	0 FT	EXISTING NONCONFORMING

NOTES:

(1) Based on lot area of 127,273 s.f.

(2) Variation amount is the difference between proposed and requirement.

(3) Setback to play equipment approved with the adoption of Ordinance No. M-7-2022

ATTACHMENT B

Village of Winnetka
SPECIAL USE PERMIT APPLICATION

VILLAGE OF WINNETKA, ILLINOIS DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION

Case No. 23-03-SU

Property Information

Site Address: 1110 CHATFIELD RD, WINNETKA, IL 60093

Applicant Information

Name: Perkins & Will Inc

Primary Contact: Rick Young

Address: 410 N Michigan Avenue, Ste 1600

City, State, ZIP: Chicago, IL 60611

Phone No. 3127554707

Email: Rick.Young@perkinswill.com

Architect Information

Name: Perkins & Will Inc

Primary Contact: Rick Young

Address: 410 N Michigan Avenue, Ste 1600

City, State, ZIP: Chicago, IL 60611

Phone No. 3127554707

Email: Rick.Young@perkinswill.com

Owner Information

Name: Winnetka School District

Primary Contact: Brad Goldstein

Address: 1235 Oak Street

City, State, ZIP: Winnetka, IL 60093

Phone No. 847-501-2522

Email: bradgoldstein@winnetka36.org

Attorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Applicant Signature: _____

Date: 01/20/2023

Property Owner Signature: _____

Date: 1/20/23

Printed Name of Owner: Brad Goldstein

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 23-03-SU

Property Information

Site Address: 1110 CHATFIELD RD, WINNETKA, IL 60093

Owner Information

Name: Winnetka Public School District 36

Address: 1235 Oak Street

City, State, ZIP: Winnetka, IL 60093

Email: _____

Primary Contact: Brad Goldstein

Phone No. 847-501-2522

Date property acquired by owner: _____

Architect Information

Name: Perkins & Will Inc

Primary Contact: Rick Young

Address: 410 N. Michigan Avenue, Suite 1600

City, State, ZIP: Chicago, IL 60611

Phone No. 312-755-0770

Email: rick.young@perkinswill.com

Attorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: None

Brief explanation of variation(s) requested (attach separate sheet providing additional details):

Small addition on the southwest corner of Hubbard Woods Elementary School.

Variation will impact the maximum gross floor area, maximum roofed lot coverage,
and maximum impermeable lot coverage.

Property Owner Signature: _____

Date: 1-20-23

Date: 1.31.2023

David Schoon, Director

Department of Community Development
Village of Winnetka, IL
510 Green Bay Road
Winnetka, IL 60093

Re: Hubbard Woods Elementary School, Addition & Improvements

Dear David Schoon,

It is our great pleasure to present to you this application for a Special Use Permit, Certificate of Design Appropriateness, and Zoning Variation for Addition and Improvements to the Hubbard Woods Elementary School of Winnetka, IL.

In November of 2022 the Village of Winnetka voted on, and approved, the 2022 Downsized Capital Improvement Plan: Referendum – this referendum included the new addition to the Hubbard Woods Elementary School and the various other improvements that are noted within this application.

The Hubbard Woods Elementary School project (“the Project”) incorporates a new addition with a multi-purpose room and toilet rooms. Interior renovations related to ceilings and HVAC systems throughout the building, miscellaneous cosmetic interior renovation works, bathroom renovations for ADA compliance, a new front entry ramp, and important security upgrades.

The exterior of the new addition will mimic the color and texture of the existing building’s brick walls, cast stone bands, slate roofs, white doors, and windows. The design should fit seamlessly into the fabric of the community, enhancing the students’ experience of the school without visual disruption to the surrounding neighborhood.

The Project abides by the six standards for a Special Use Permit. The elementary school is already an established special use entity in the community at its current location. The Project will not increase enrollment or change the current use of the school, so no traffic should be affected once the Project is complete. New egress doors will be provided at the addition, which will exit out and connect to the existing emergency egress path. New mechanical equipment and a new equipment enclosure will be provided as part of the Project. The Project follows all local ordinances and standards.

Additionally, the Project abides by the eight standards for a Zoning Variation. Beyond the items already mentioned above, the school is owned, and attended, by the Village of Winnetka residents, and the school is a need in the community. The new addition is set far back enough from the property line that it will not impact light or air at the adjacent properties. The Project will follow all regulations and standards related to fire and other hazards.

The district has retained the architecture firm of Perkins&Will for the Project. Perkins&Will is a globally recognized design firm that has won numerous awards for its K-12 Education work. The Perkins&Will K-12 team specializes in designing captivating school environments that

Date: 1.31.2023

Re: Hubbard Woods Elementary
School, Addition &
Improvements

cultivate young minds. The Perkins&Will Chicago office is proud to have the opportunity to develop the Project along with Pepper Construction and local consultants.

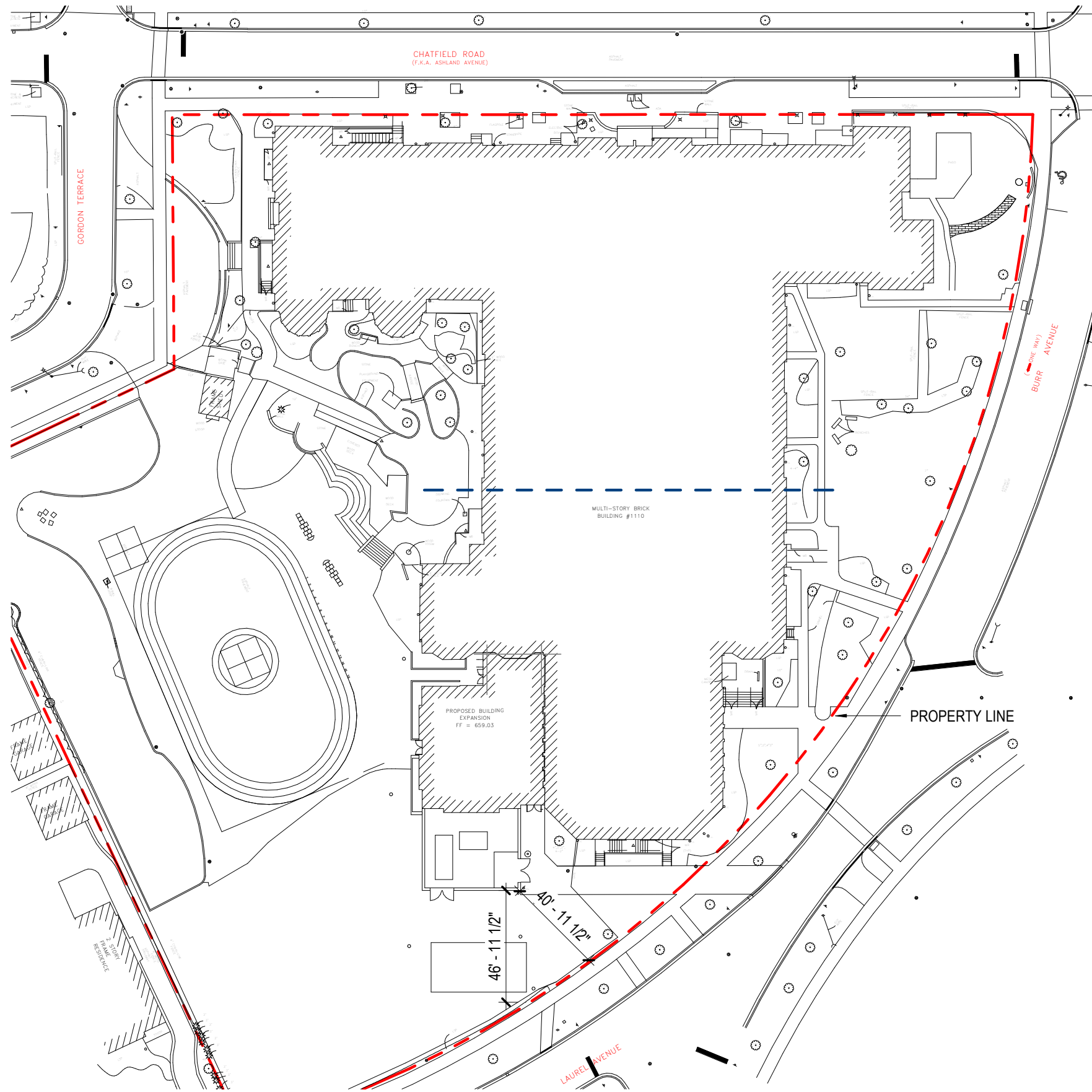
Thank you for your consideration, and we look forward to working with you further on this Project.

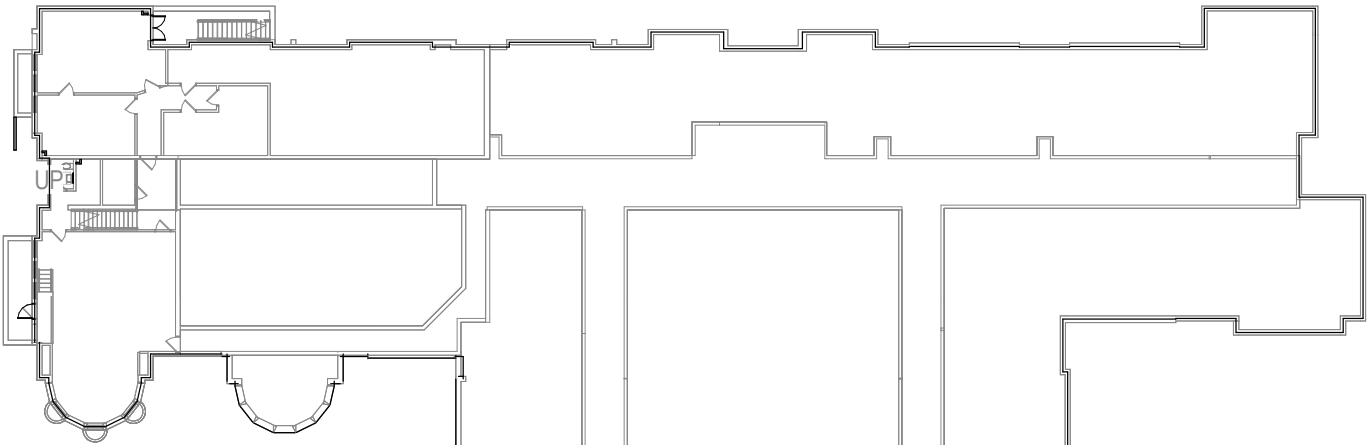
Sincerely,

A black rectangular redaction box covering the signature of Rick Young.

Rick Young
Senior Project Manager, Senior Associate
Perkins&Will







TOTAL FLOOR AREA = 18,198 SF

$18,198 \times (511.5/692) =$
 $18,198 \times .739 = 13,448.322$

13,448 SF LEVEL 00 AREA TO BE
COUNTED IN GFA

ADDITION

850.69 SF

**ADDITION DOUBLE
HEIGHT**

2202.06 SF

**MECHANICAL
EQUIPMENT ENCLOSURE**

1363.92 SF

EXISTING LEVEL 00

2752.05 SF

INTERIOR COURTYARD, 150'-10" EXPOSED PERIMETER ABOVE GRADE > 4'

360'-8" EXPOSED PERIMETER ABOVE GRADE > 4'

150'-10" + 360'-8" = 511'-6" TOTAL EXPOSED
PERIMETER OF BASEMENT, ABOVE GRADE > 4',
SHOWN IN RED

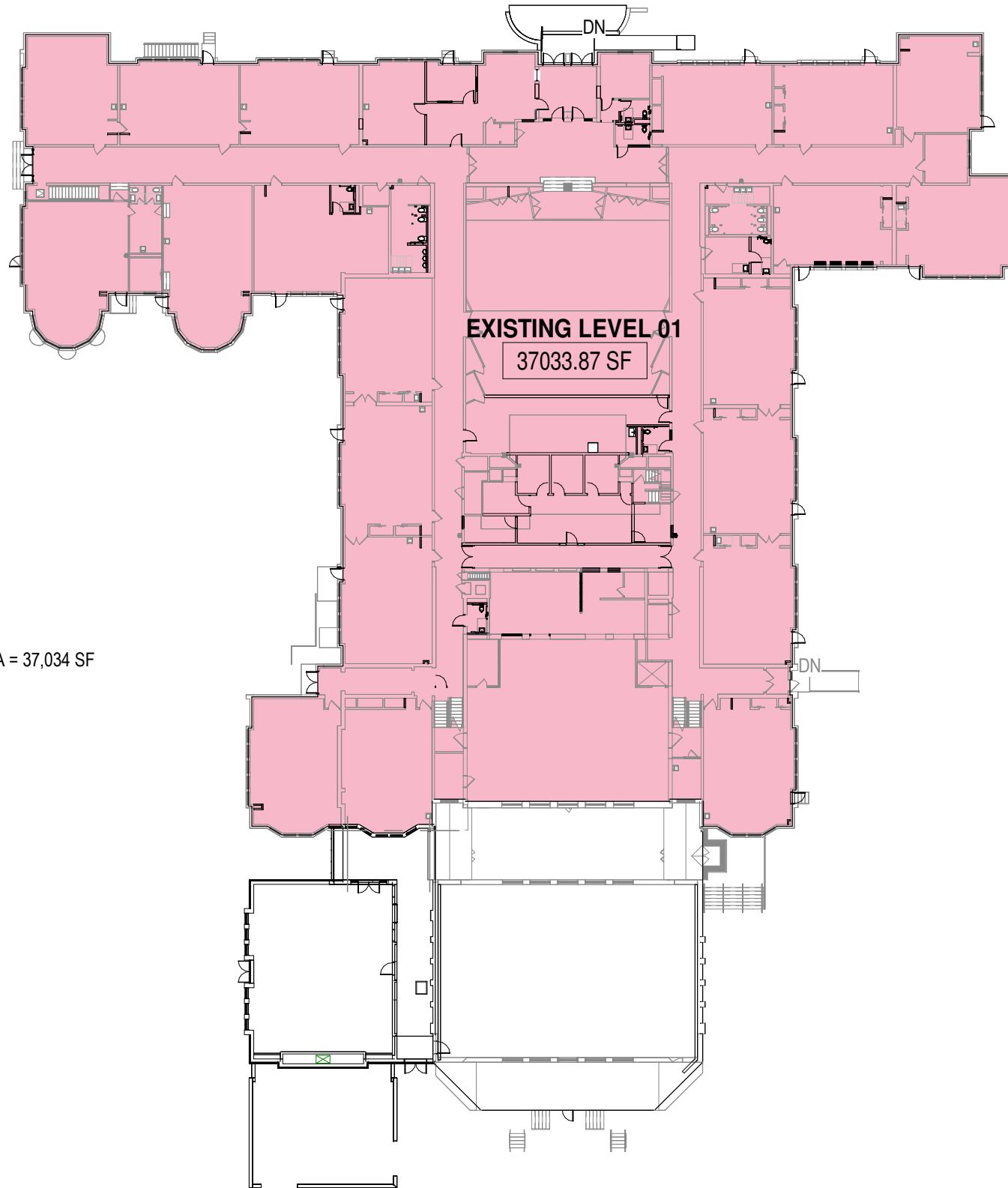
180'-6" LF PERIMETER NOT ABOVE GRADE

511'-6" + 180'-6" = 692'-0" TOTAL BASEMENT
PERIMETER

**EXISTING LEVEL 00
DOUBLE HEIGHT**

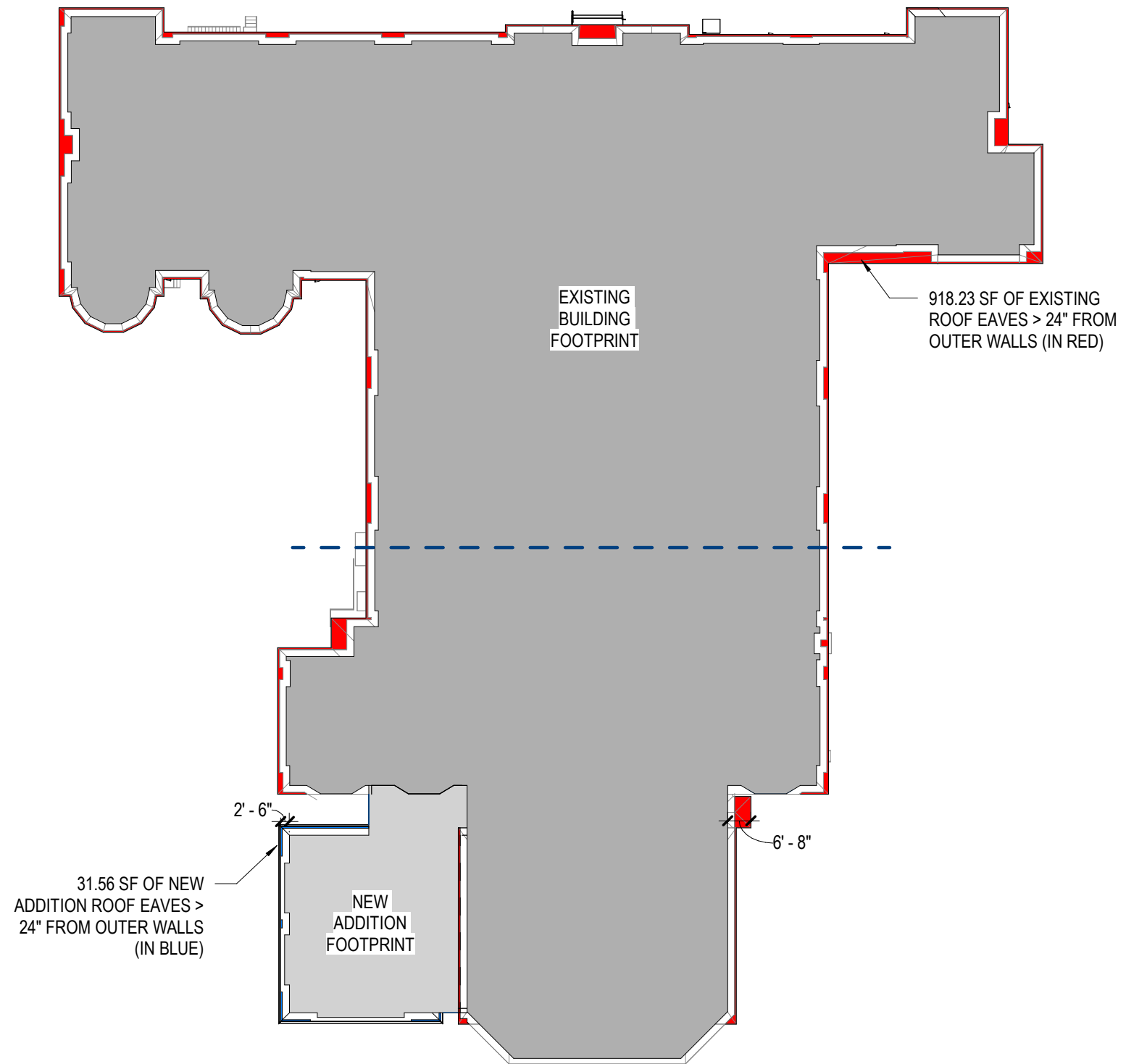
4413.37 SF

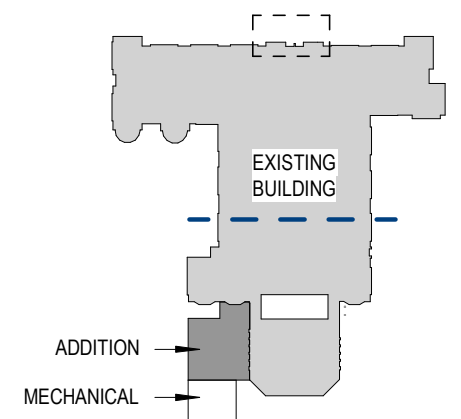
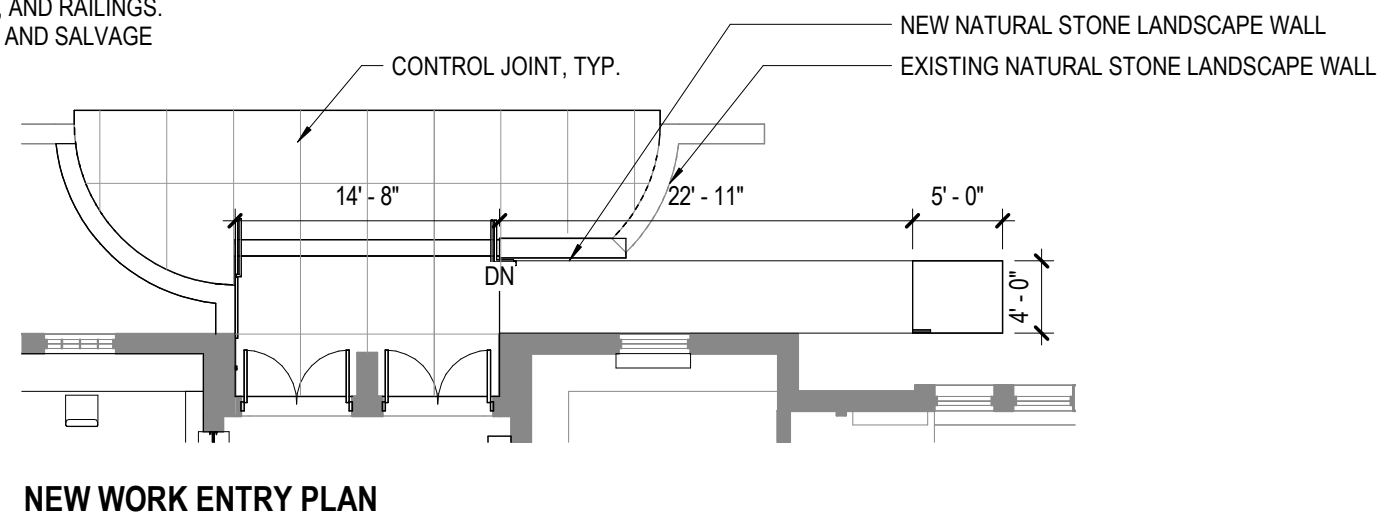
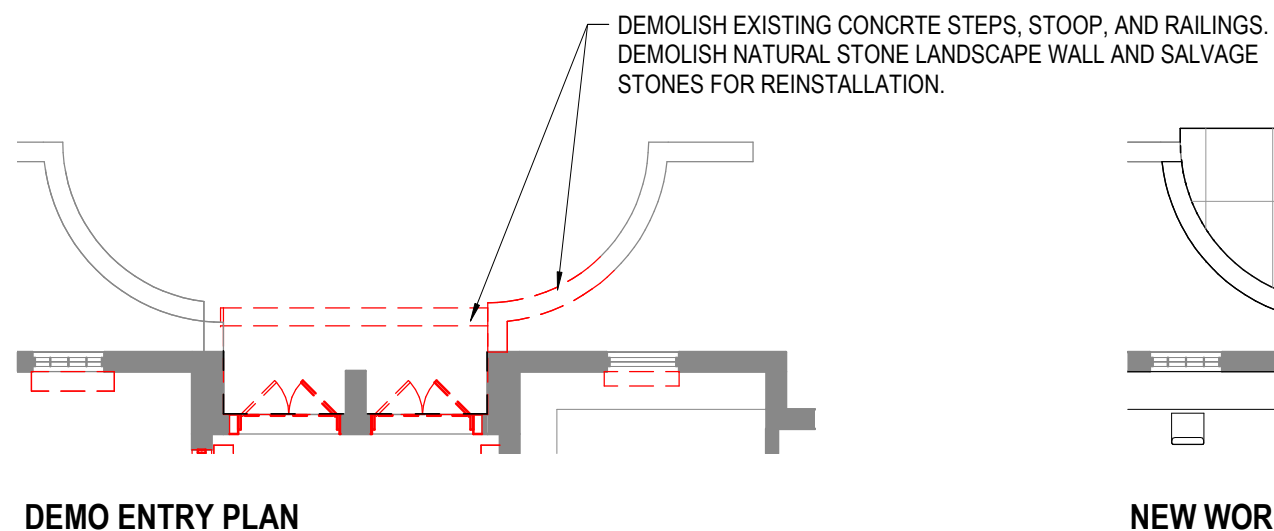
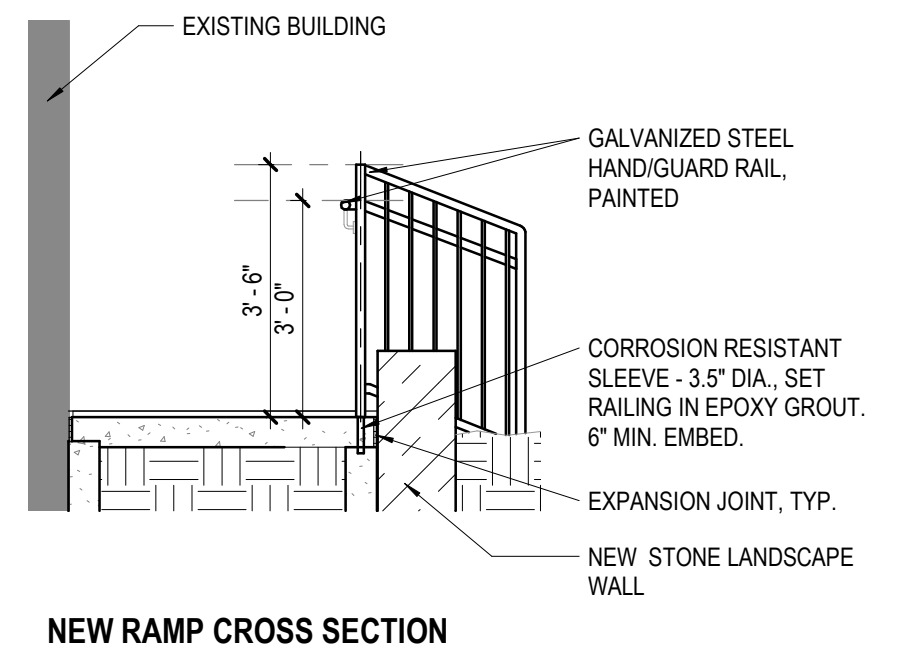
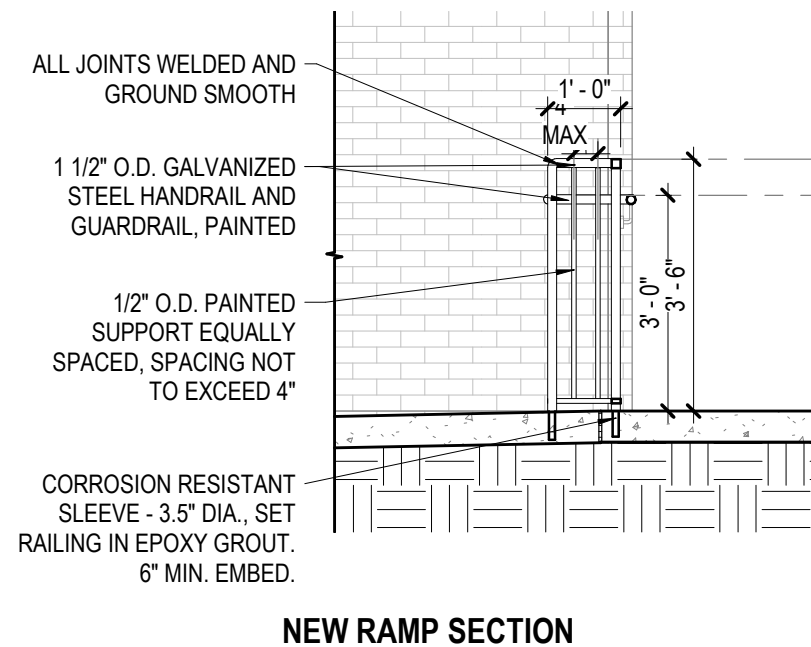
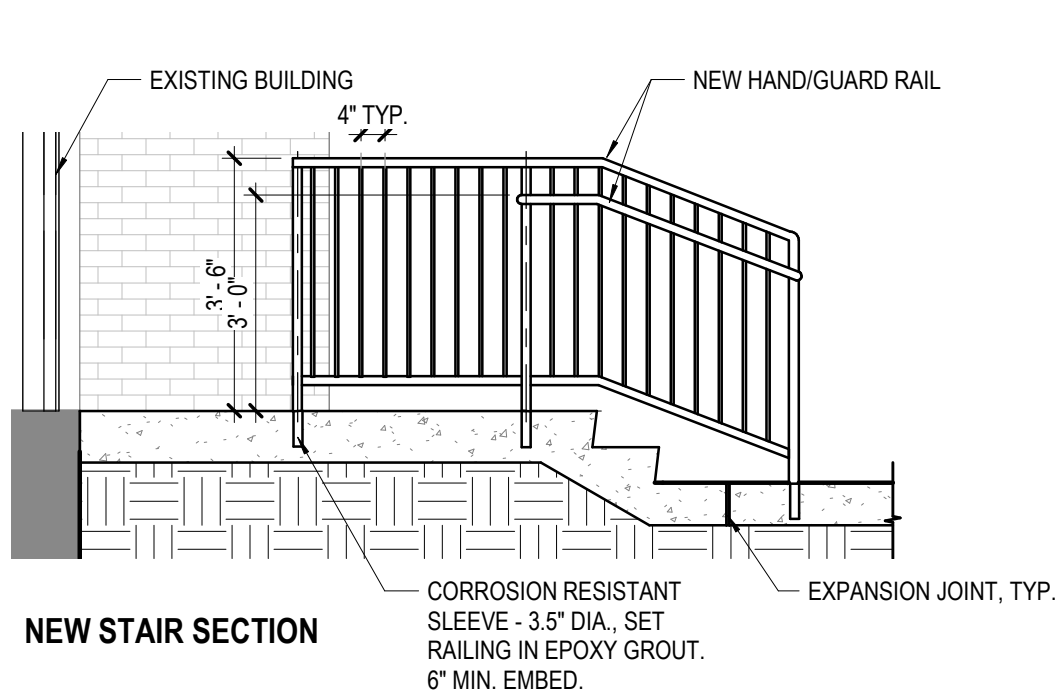


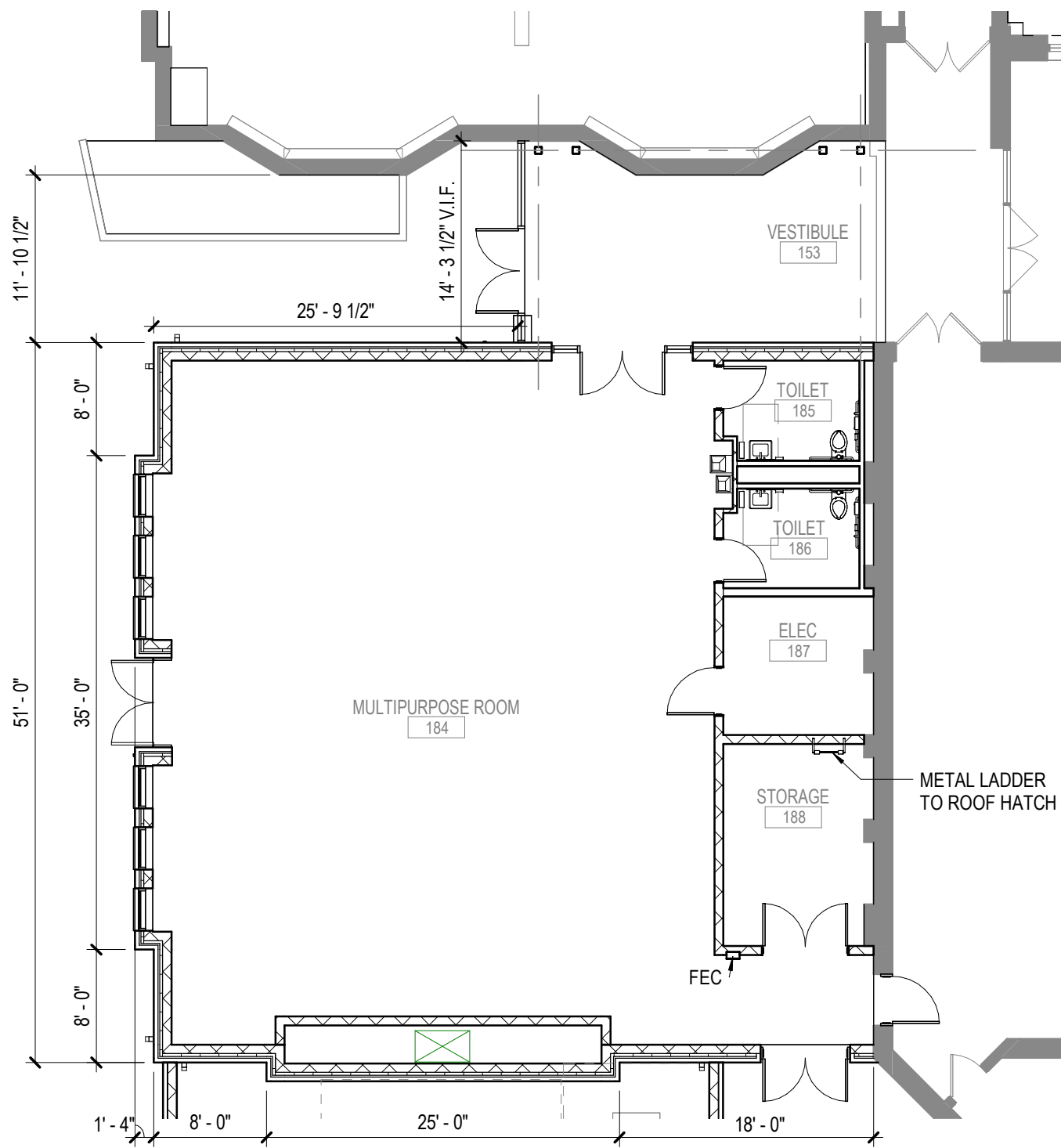


TOTAL FLOOR AREA = 37,034 SF

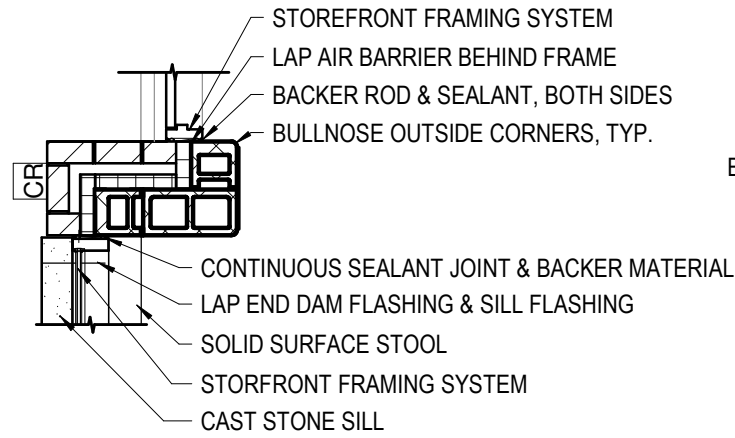




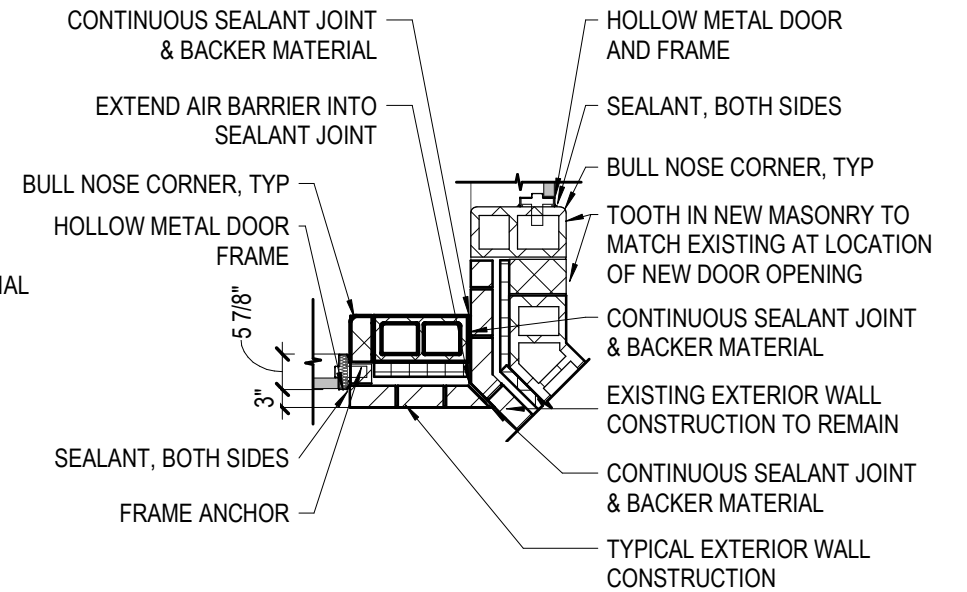




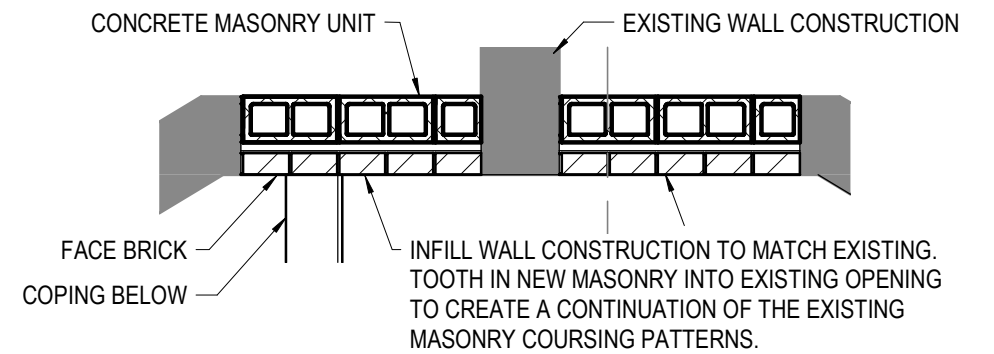
NEW ADDITION PLAN



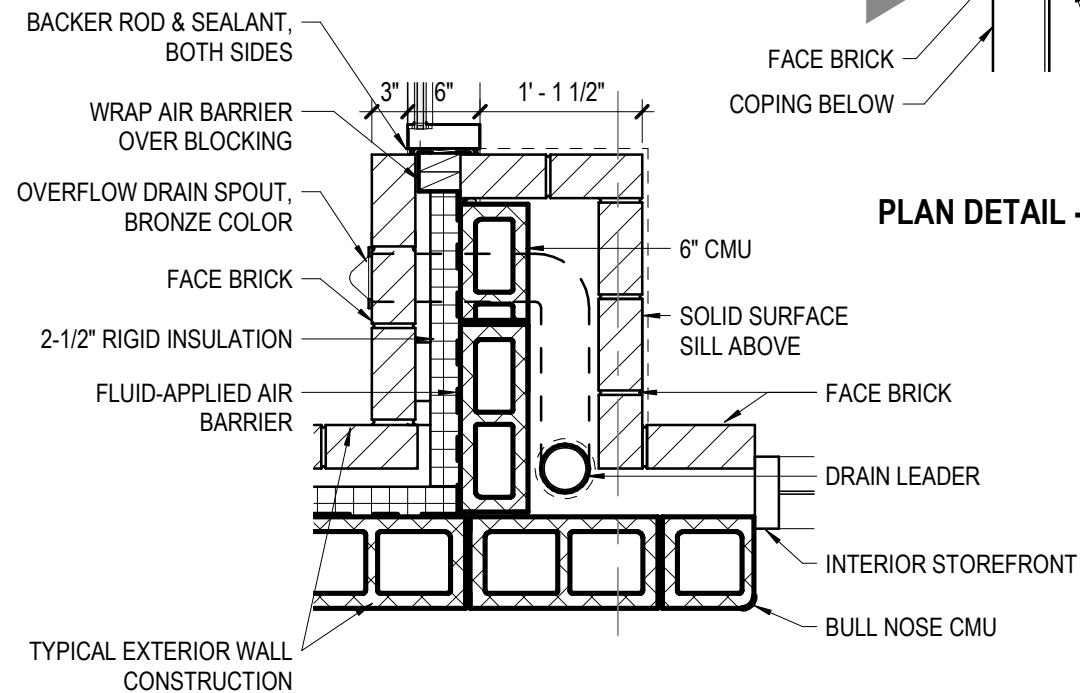
PLAN DETAIL - ADDITION ENTRY



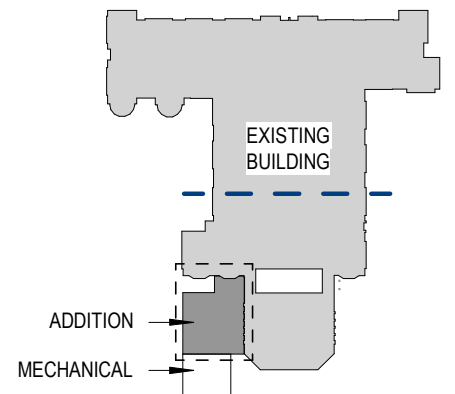
PLAN DETAIL - EXTERIOR JOINT AT NEW / EXISTING



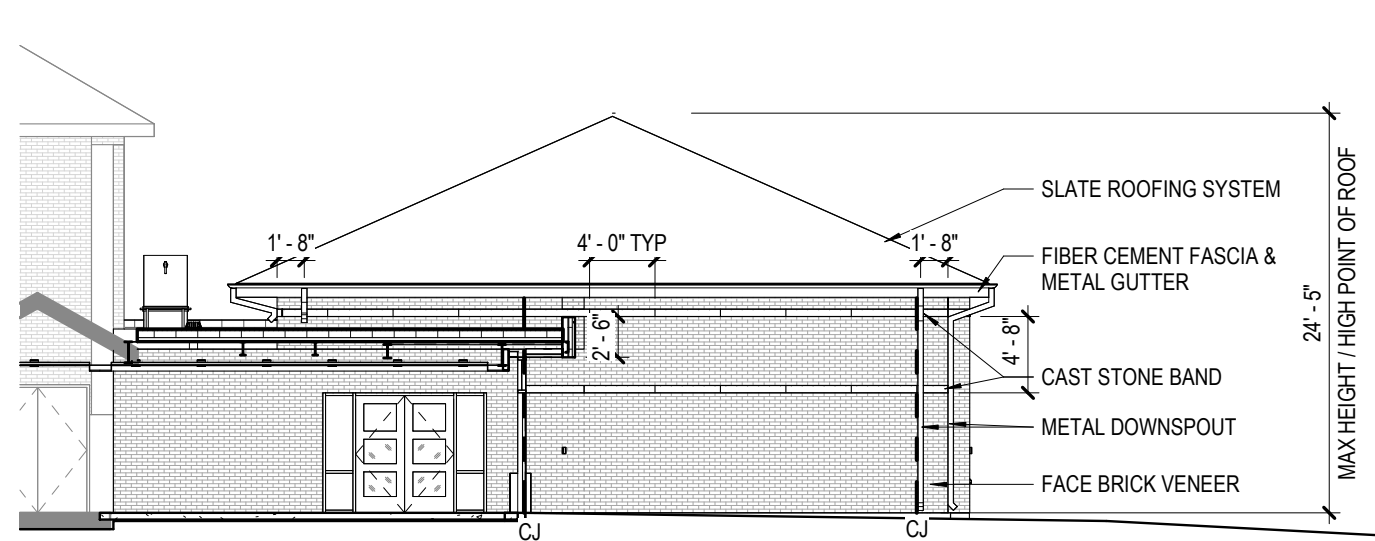
PLAN DETAIL - WINDOW INFILL



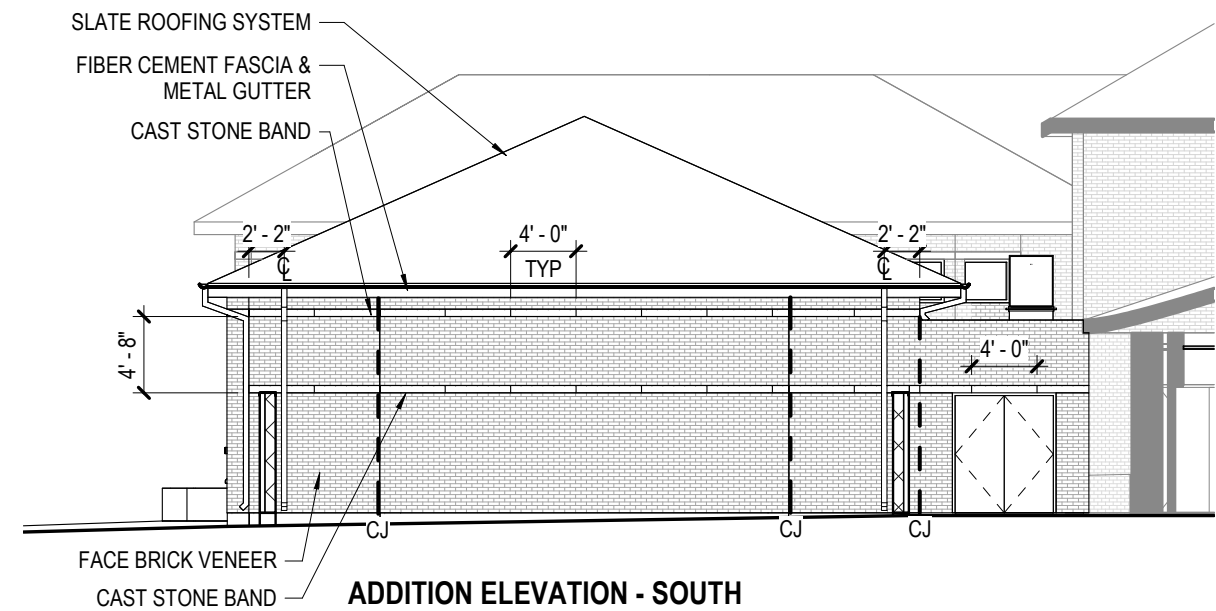
PLAN DETAIL - DRAIN LEADER AT ENTRY



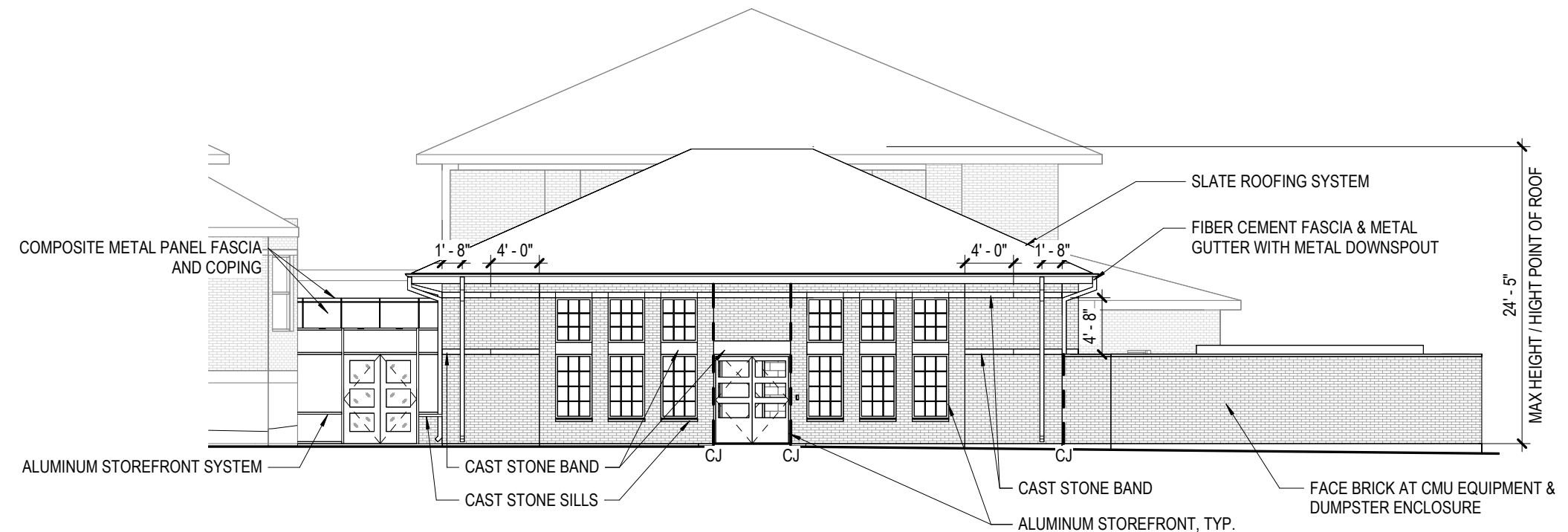
5 HW
ZA01-02



ADDITION ELEVATION - NORTH

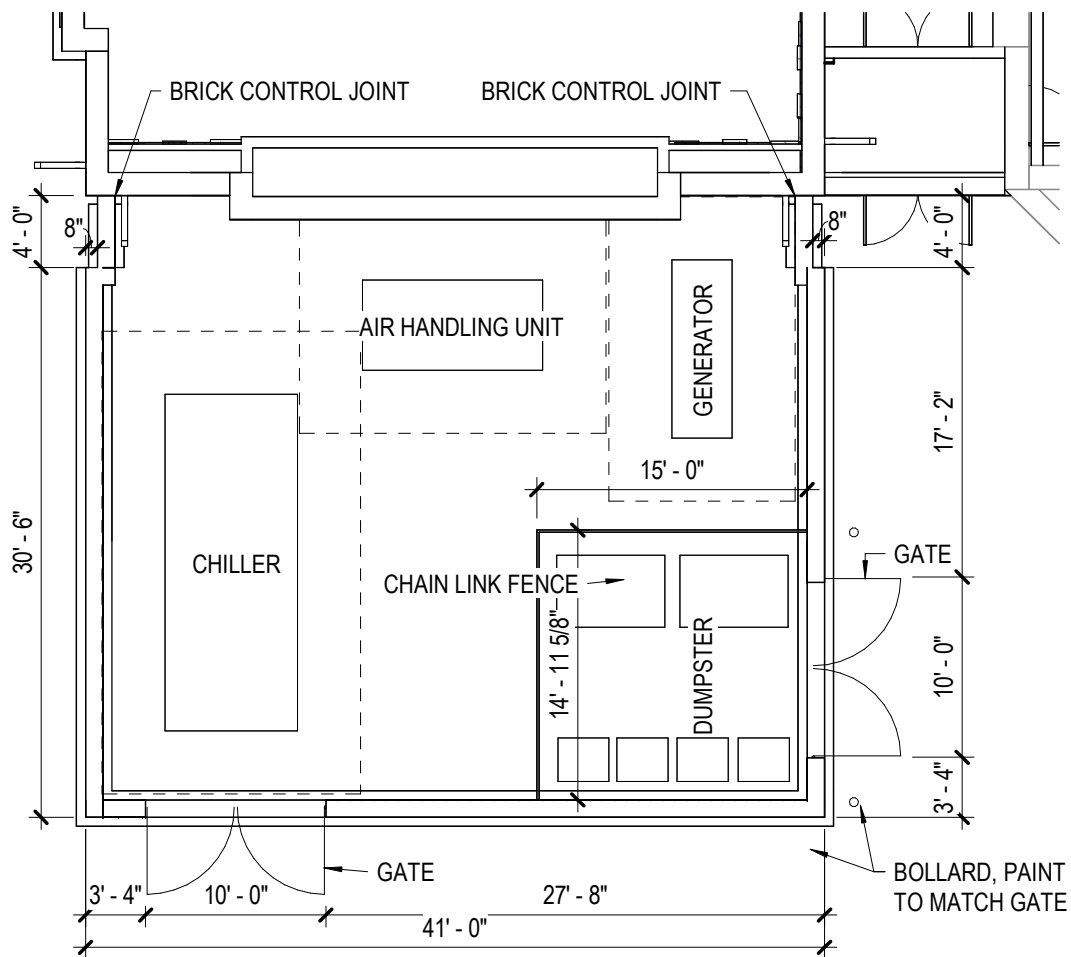


ADDITION ELEVATION - SOUTH

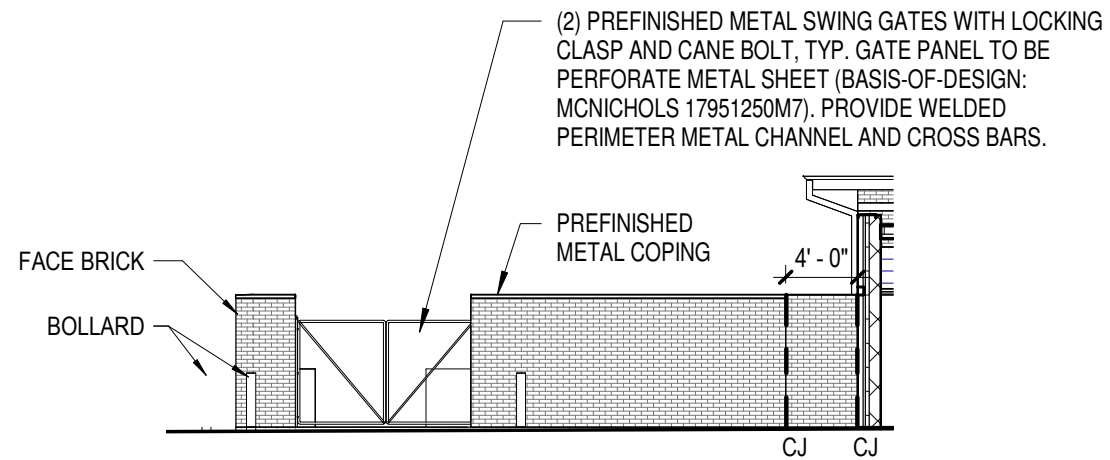


ADDITION ELEVATION - WEST

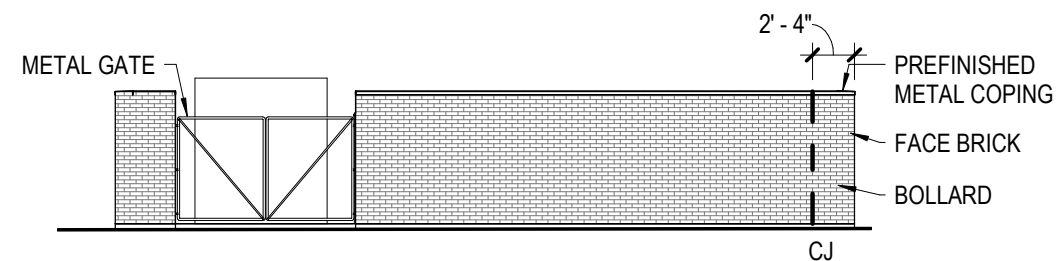




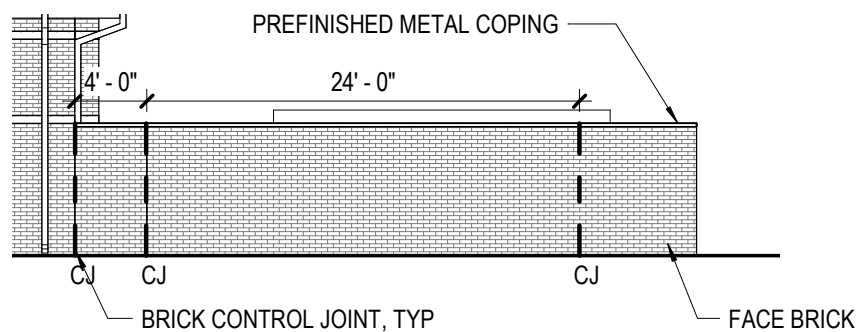
NEW EQUIPMENT ENCLOSURE PLAN



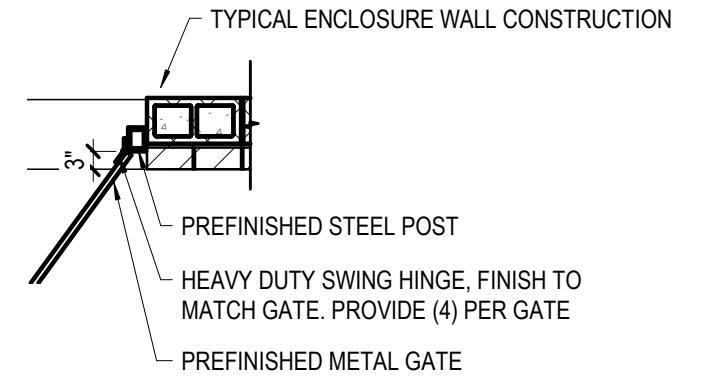
EAST ELEVATION



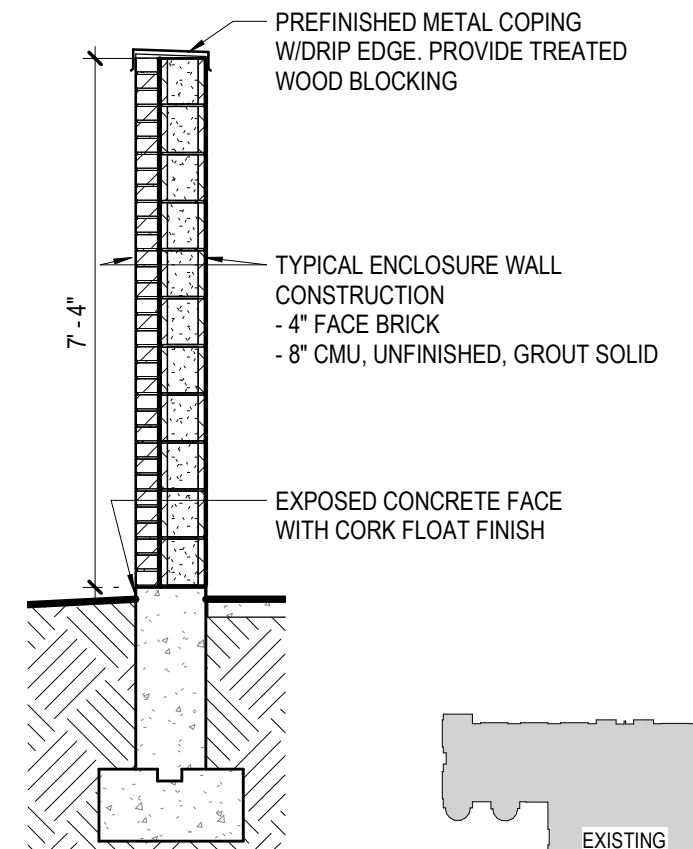
SOUTH ELEVATION



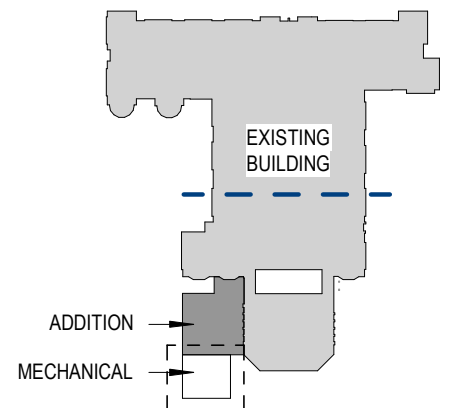
WEST ELEVATION



DOOR CONNECTION DETAIL



WALL SECTION





EXISTING VIEW LOOKING SOUTHEAST



EXISTING VIEW LOOKING NORTHEAST





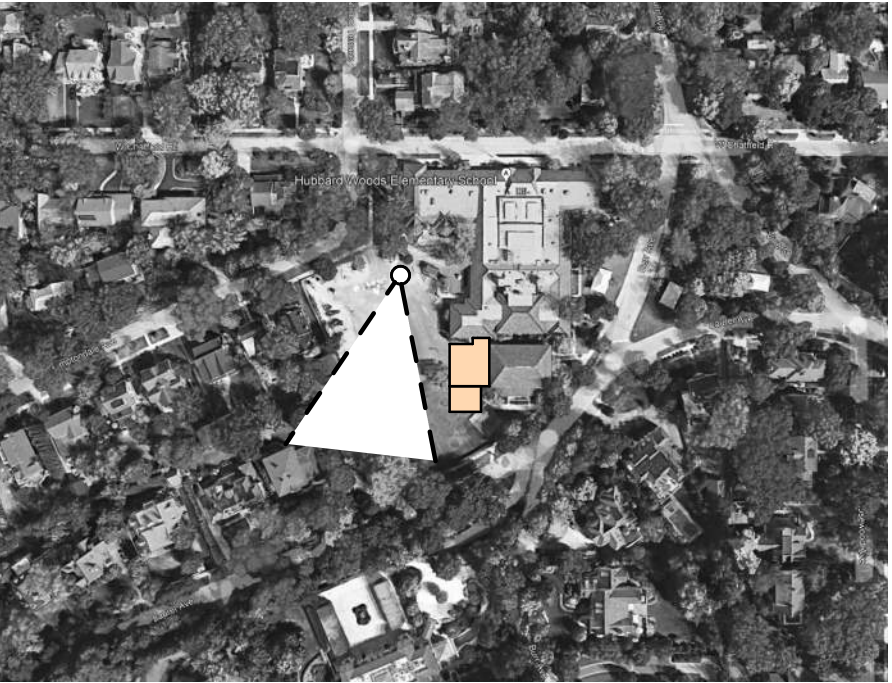
SITE VIEW LOOKING SOUTH



SITE VIEW LOOKING WEST



SITE VIEW LOOKING SOUTHWEST





NEW BRICK, TO MATCH EXISTING
BASIS OF DESIGN: GLEN-GERY 162-M (SHOWN ABOVE)



NEW SLATE ROOF TILE, TO MATCH EXISTING



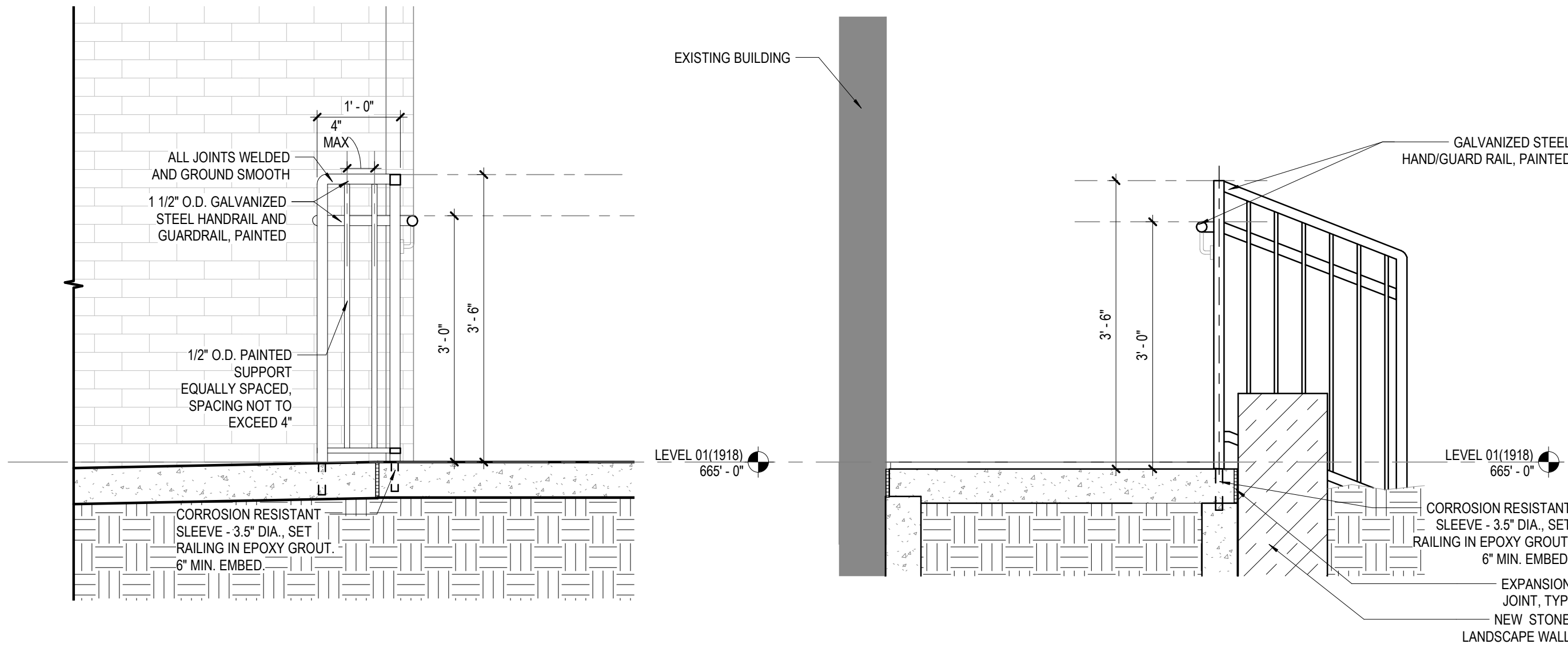
NEW WHITE ALUMINUM STOREFRONT, TO MATCH EXISTING
BASIS OF DESIGN: KAWNEER



NEW IGU WITH SIMULATED DIVIDED LINES, TO MATCH EXISTING

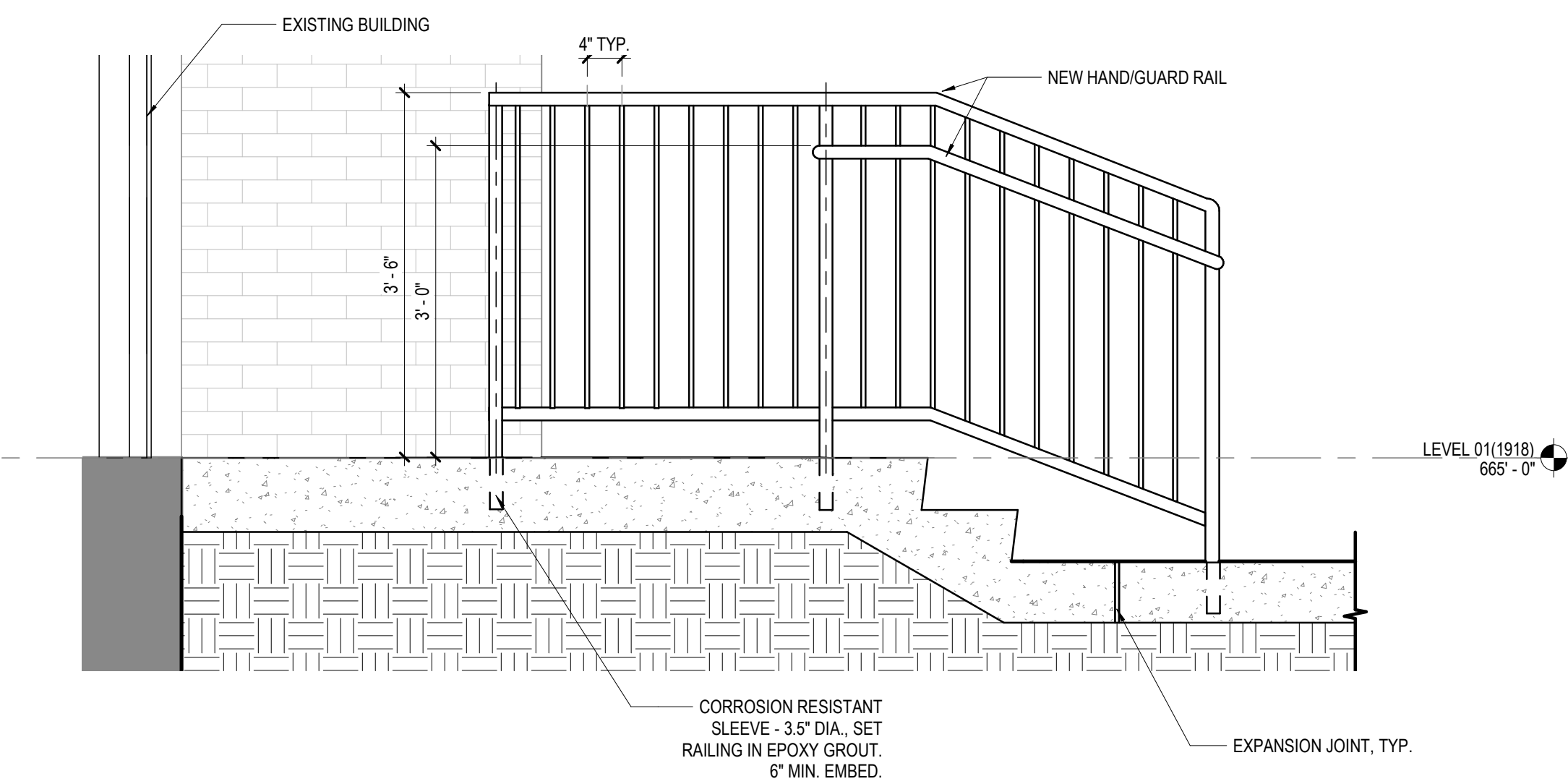




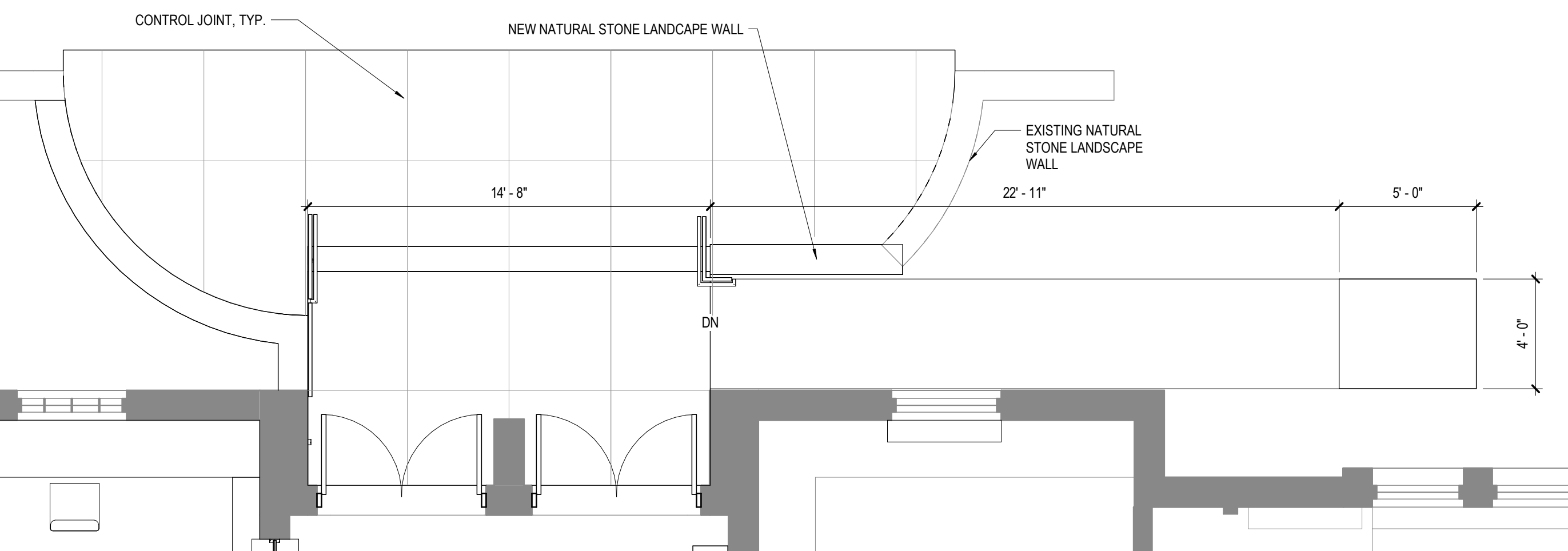


6 SECTION - MAIN ENTRY RAMP
3/4" = 1'-0"

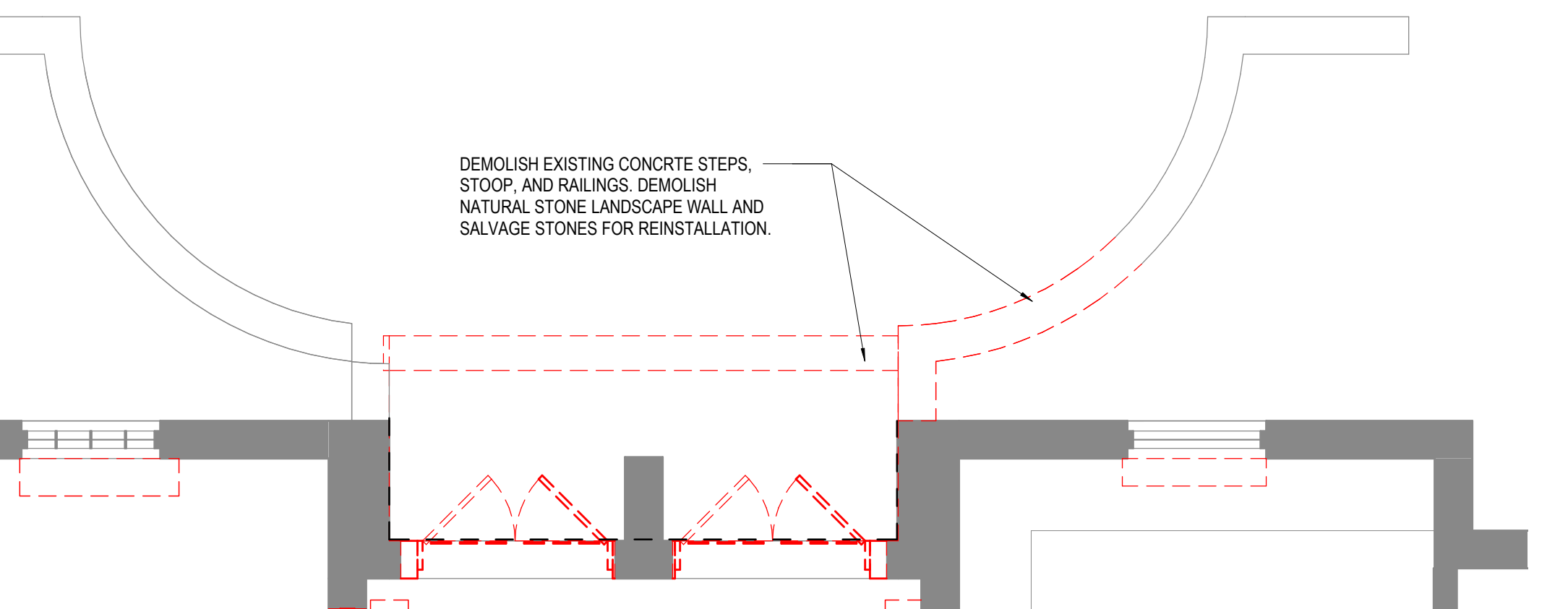
5 SECTION - MAIN ENTRY RAMP, PLANTER
3/4" = 1'-0"



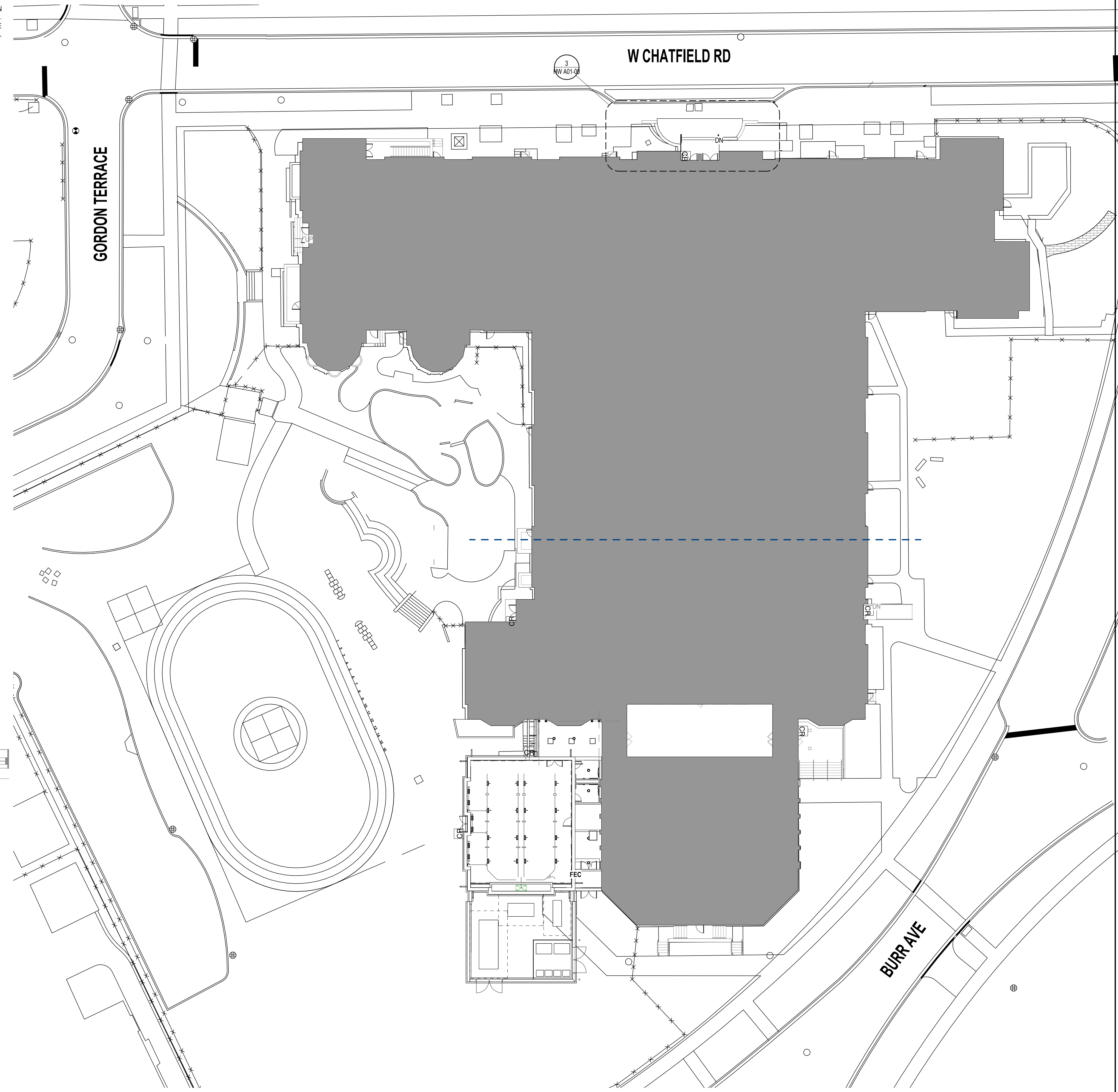
4 ENLARGED SECTION - ENTRANCE STAIR
3/4" = 1'-0"



3 MAIN ENTRANCE - ENLARGED PLAN
1/4" = 1'-0"



2 MAIN ENTRANCE STAIR DEMO PLAN
1/4" = 1'-0"



1 ARCHITECTURAL SITE PLAN
1" = 20'-0"

SHEET RELEASED FOR
INFORMATION ONLY

CONSULTANTS

CIVIL
EEA - ERIKSSON ENGINEERING ASSOCIATES
145 Commerce Drive Suite A
Grayslake, IL 60030
STRUCTURAL
CEA&A - STRUCTURAL ENGINEERS
175 North Franklin Street Suite 410
Chicago, Illinois 60606
MEP
MSA - MECHANICAL SERVICES ASSOCIATES
111 South Virginia Street Crystal Lake, Illinois
60014
SECURITY
Telgian Engineering & Consulting
1020 North Milwaukee Ave, Suite 365,
Deerfield, IL 60015

OWNER

THE WINNETKA PUBLIC SCHOOL DISTRICT 36
1235 Oak Street
Winnetka, Illinois 60093

CONTRACTOR

PEPPER CONSTRUCTION
411 Lake Zurich Road Barrington, IL
60010-3141

PROJECT



2023 CAPITAL IMPROVEMENTS

THE WINNETKA PUBLIC SCHOOL DISTRICT 36

1235 Oak Street
Winnetka, Illinois 60093

THE SKOKIE SCHOOL

CROW ISLAND SCHOOL

CARLETON WASHBURNE SCHOOL

HUBBARD WOODS SCHOOL

GREELEY SCHOOL

KEYPLAN

BP #03 | 2023/02/09

ISSUE CHART

2	BP3 - ADDENDUM #1	02/17/2023
	ISSUE FOR BID - BP3	02/09/2023
	ISSUE FOR BID - BP2	01/12/2023
MARK	DATE	

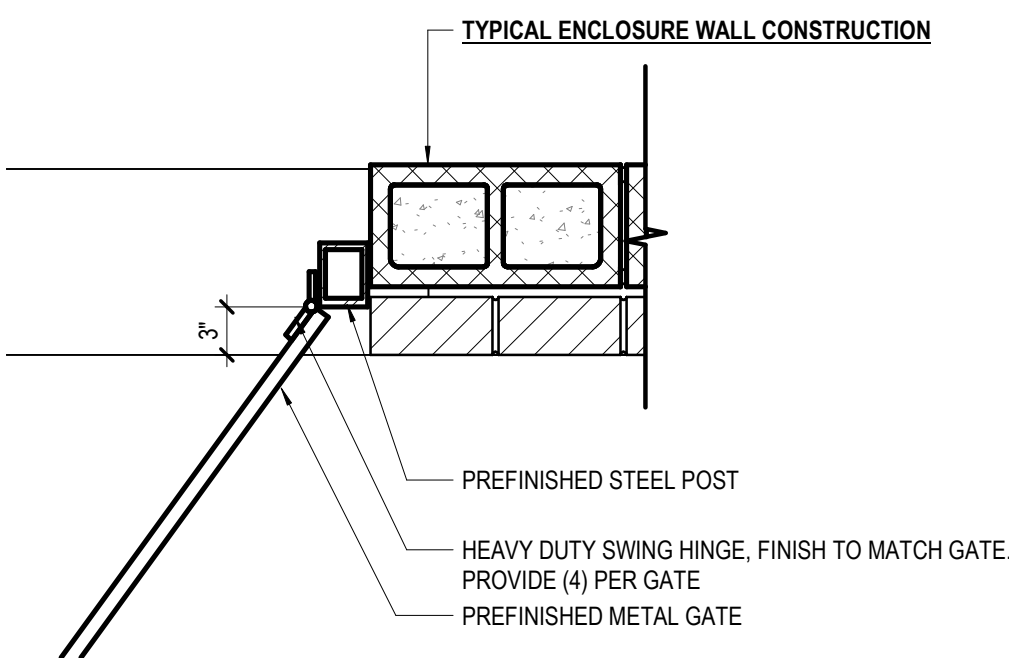
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TITLE

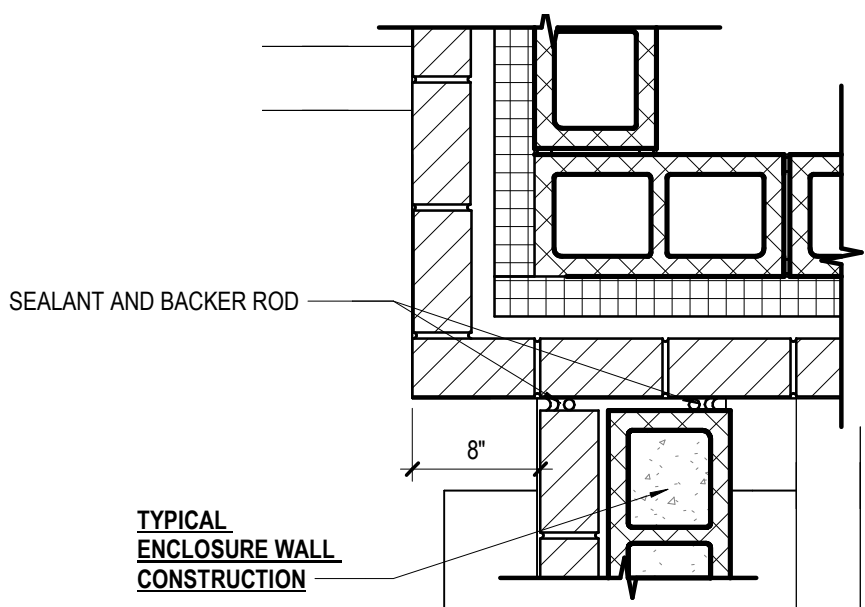
ENLARGED EQUIPMENT ENCLOSURE PLAN AND SECTION

SHEET NUMBER

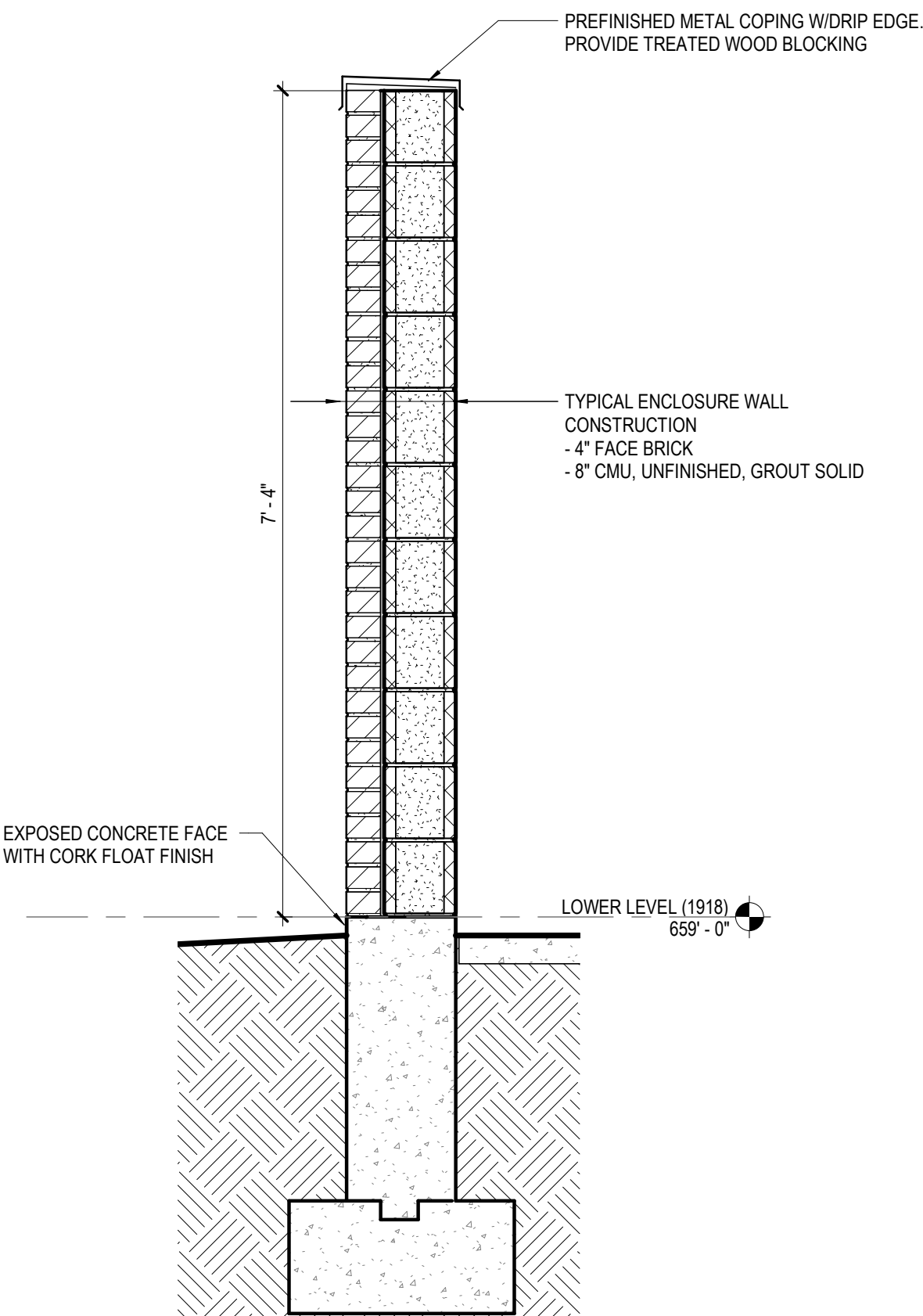
HW
ZA01-02



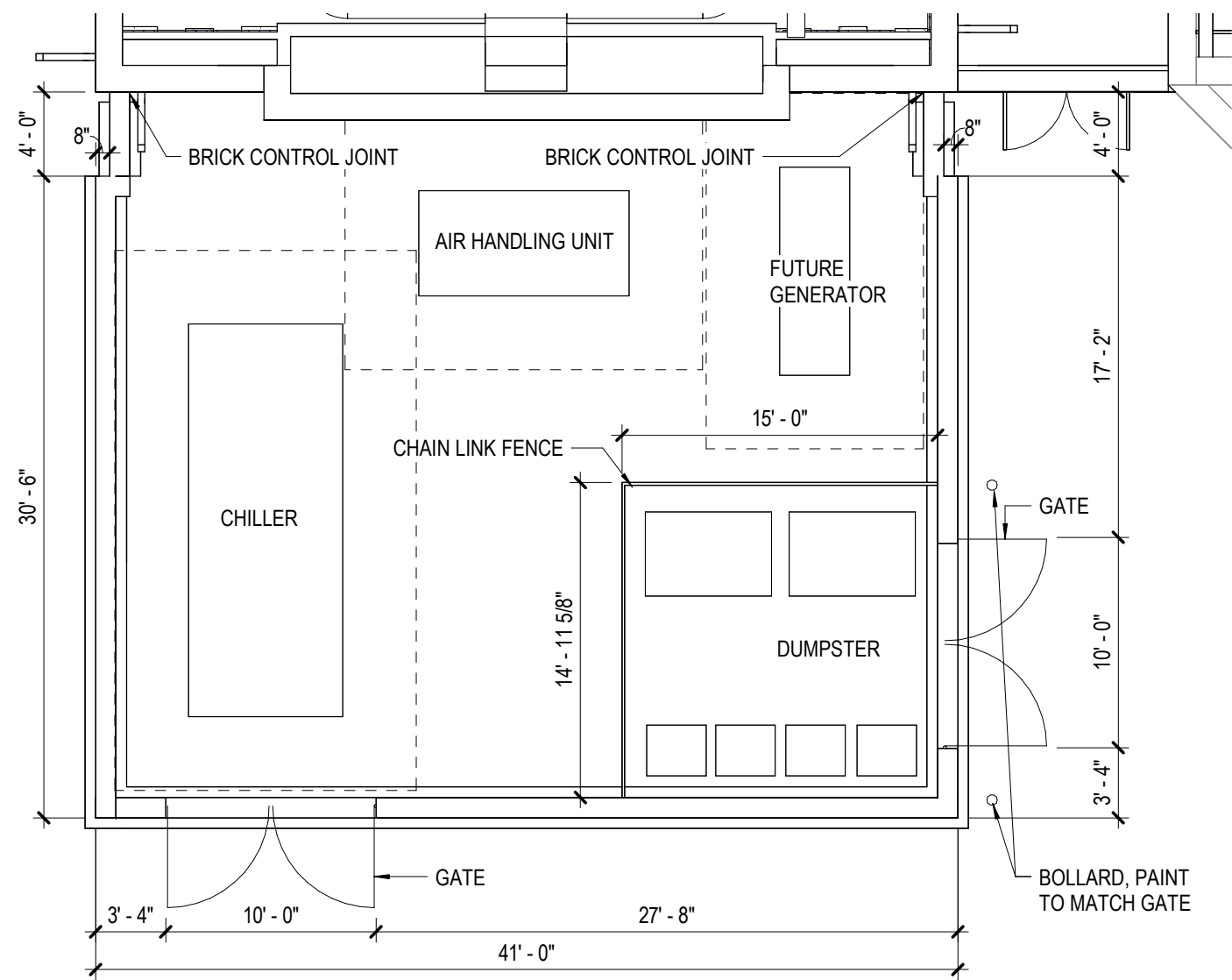
7 ENCLOSURE DOOR CONNECTION DETAIL
1" = 1'-0"



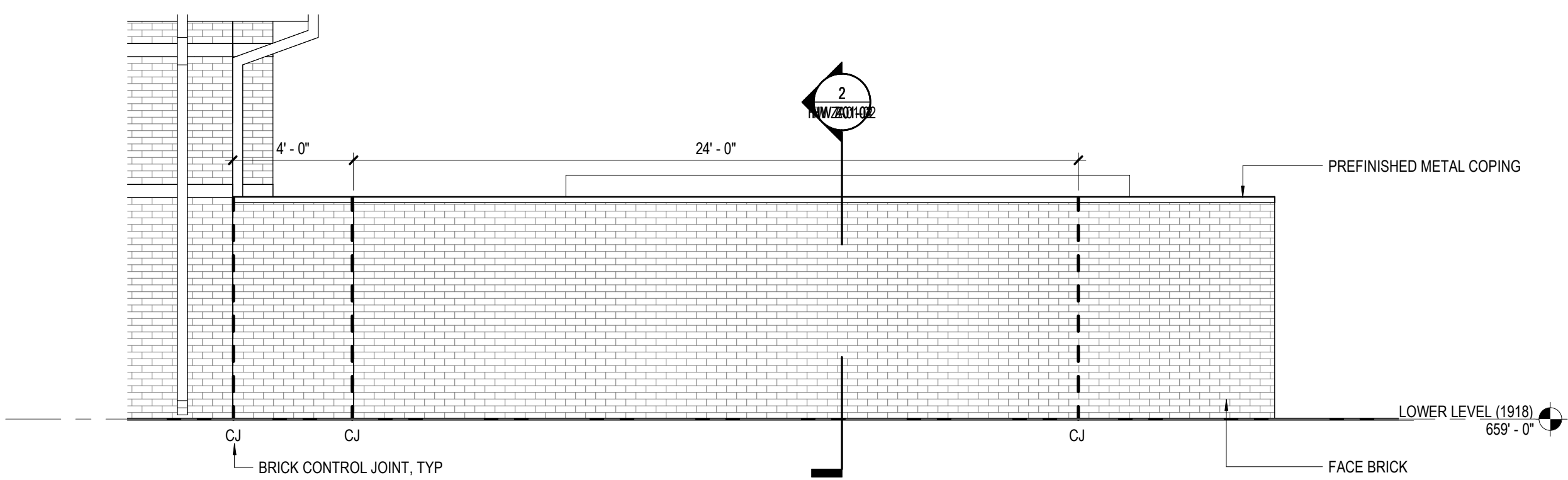
4 ENCLOSURE CONNECTION DETAIL
1" = 1'-0"



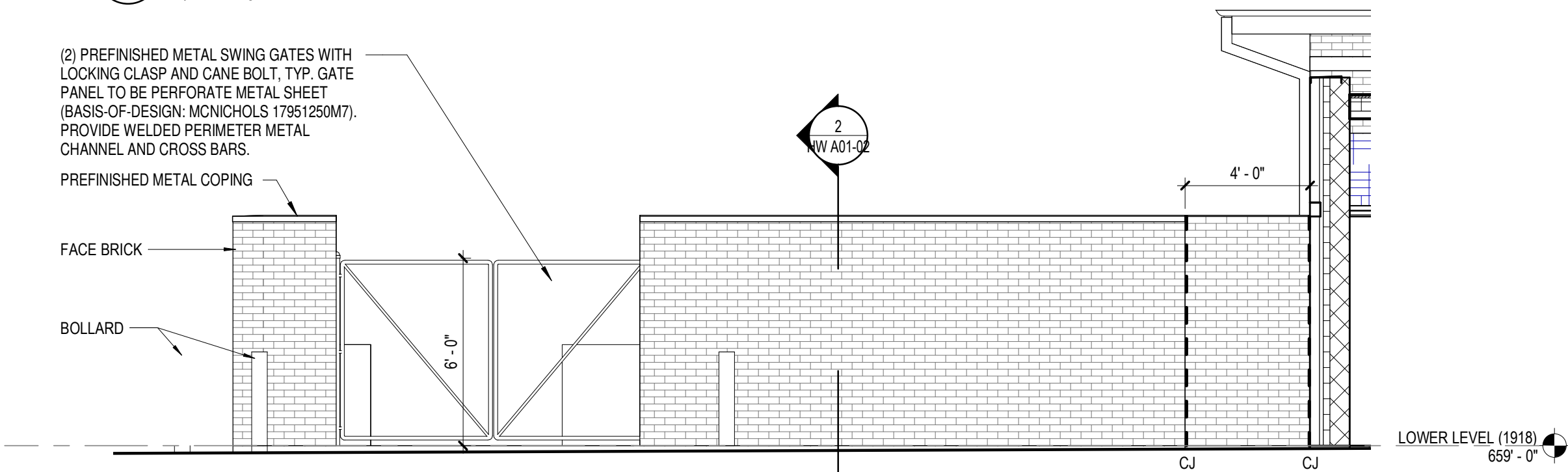
2 ENCLOSURE SECTION
3/4" = 1'-0"



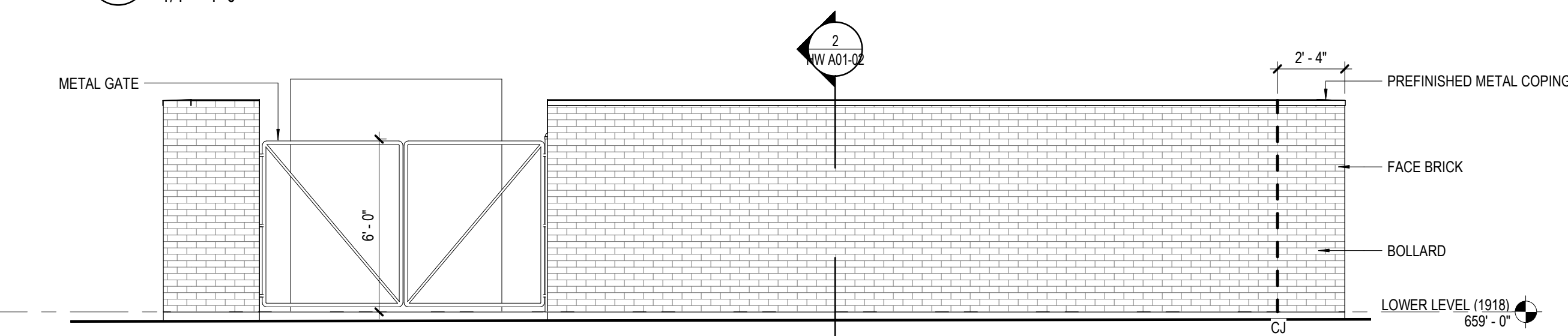
1 ENLARGED EQUIPMENT ENCLOSURE PLAN Copy 2
1/8" = 1'-0"



6 ENCLOSURE WEST ELEVATION
1/4" = 1'-0"

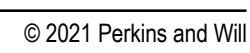


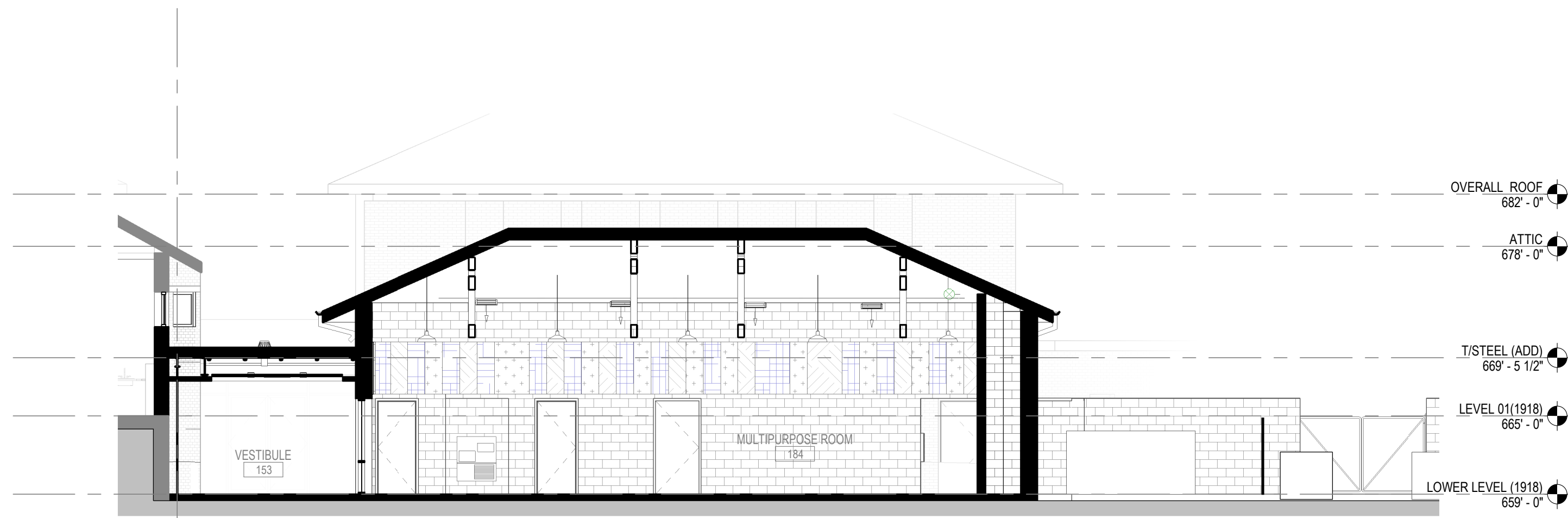
5 ENCLOSURE EAST ELEVATION
1/4" = 1'-0"



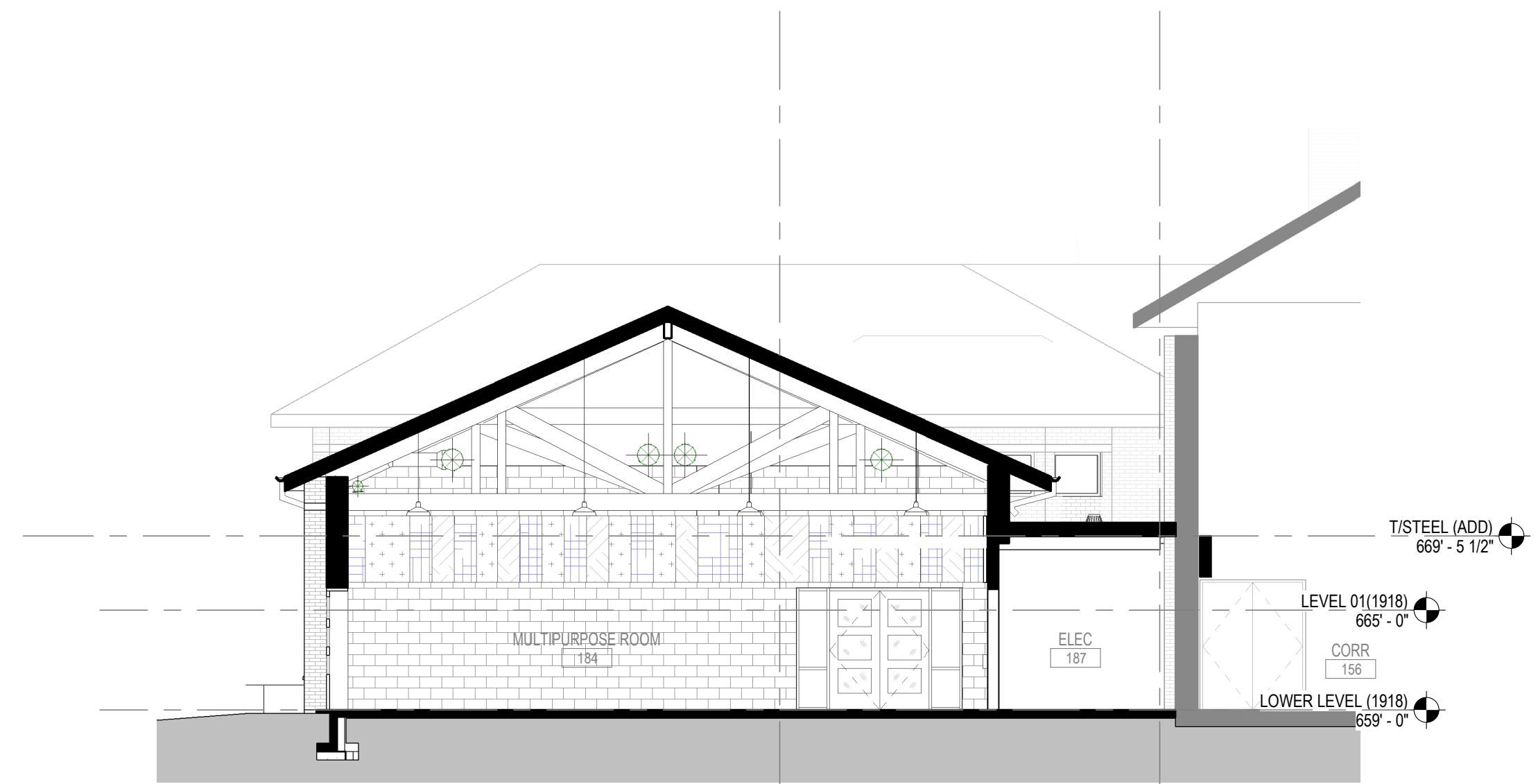
3 ENCLOSURE SOUTH ELEVATION
1/4" = 1'-0"

SHEET RELEASED FOR
INFORMATION ONLY

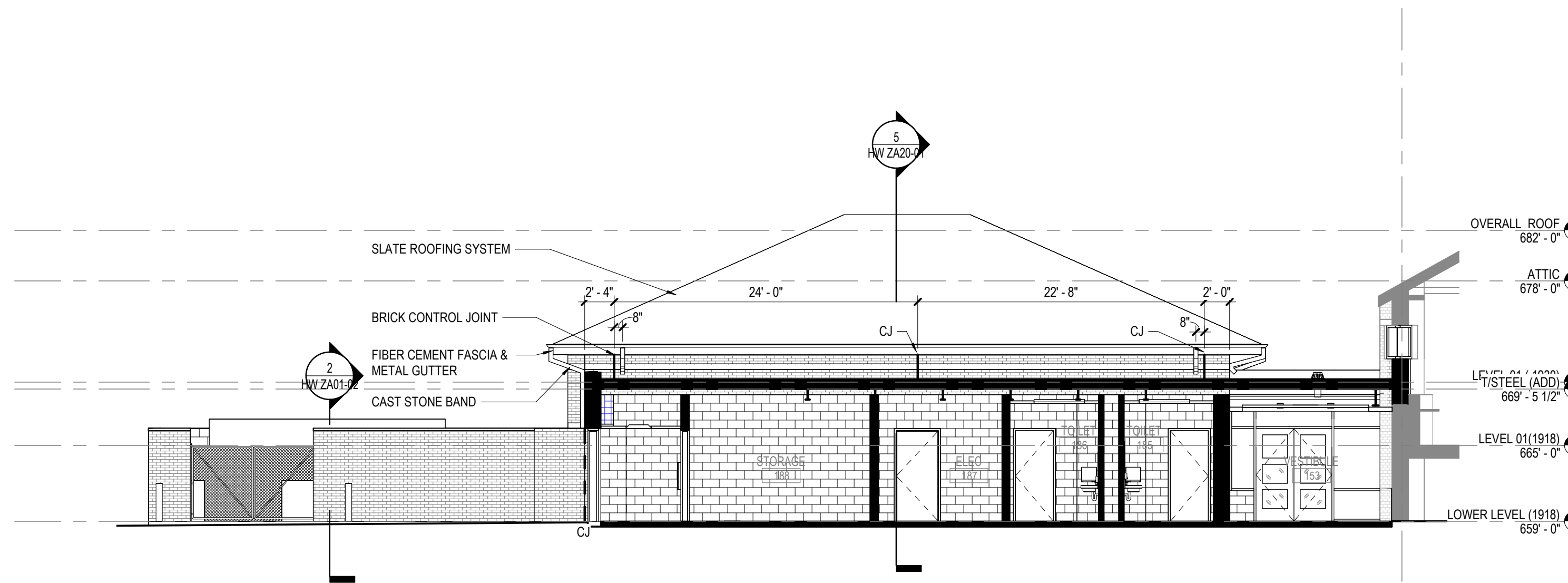




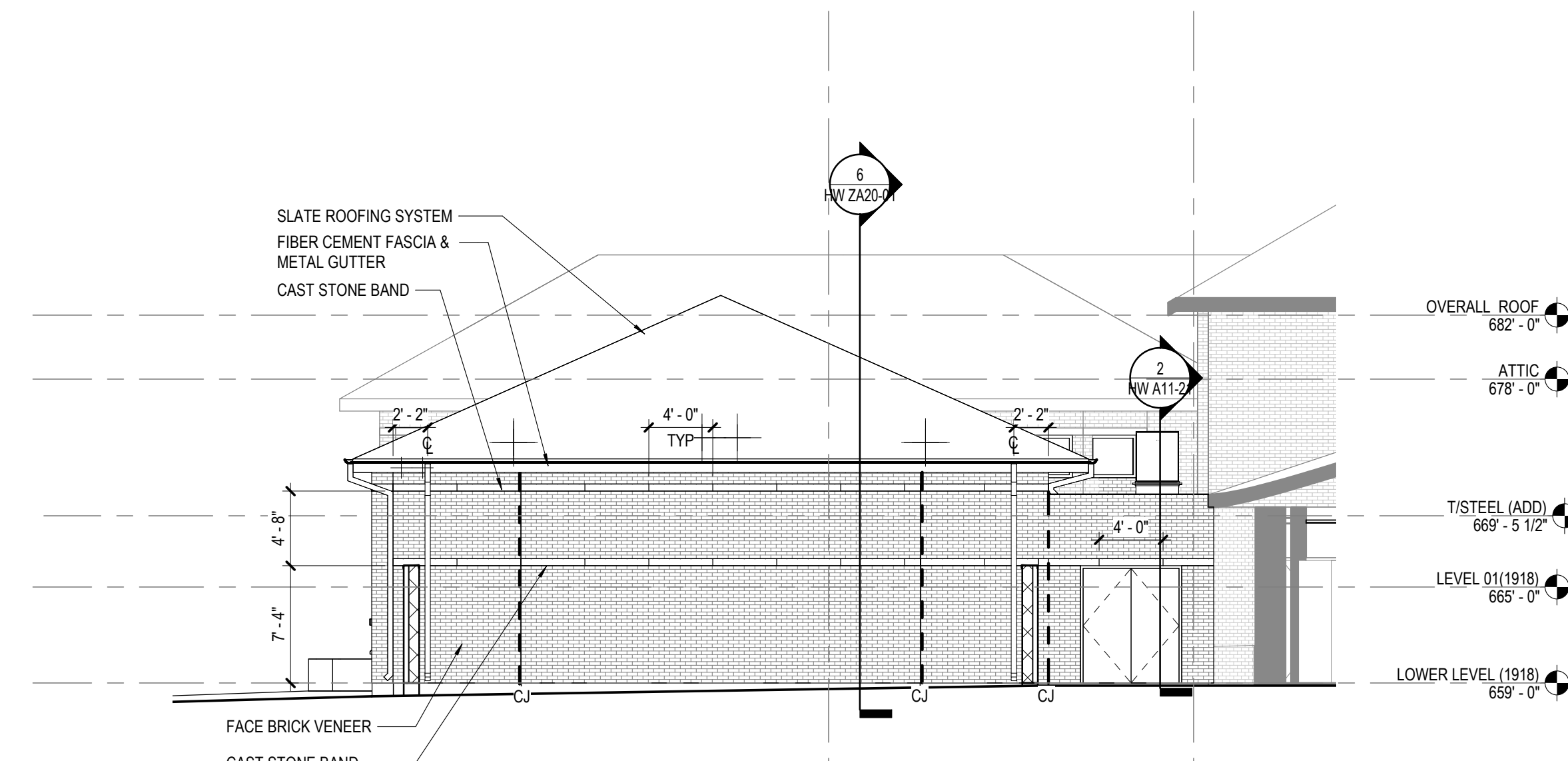
6 BUILDING SECTION - NORTH-SOUTH AT ADDITION Copy 1
1/8" = 1'-0"



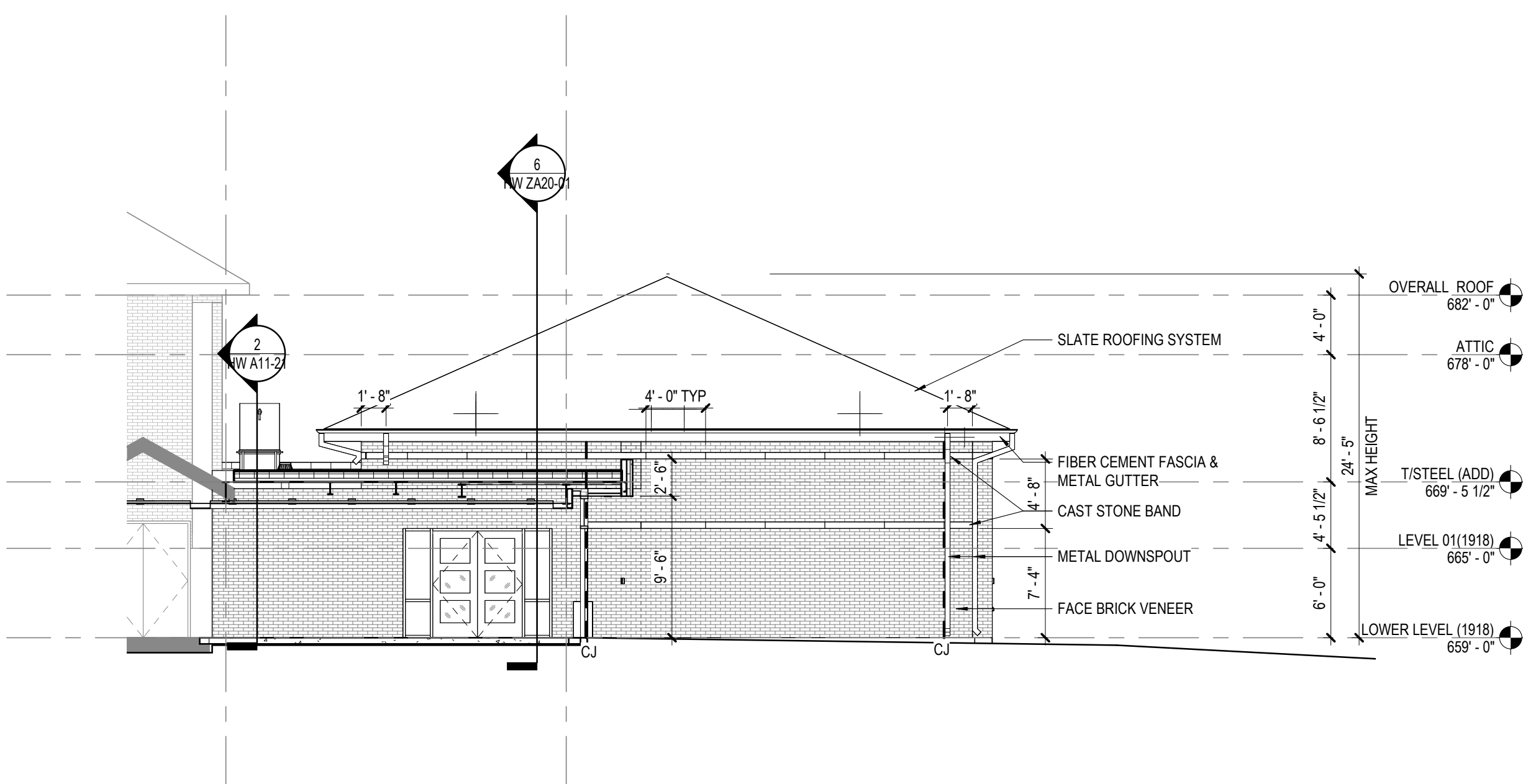
5 BUILDING SECTION - EAST-WEST AT ADDITION Copy 1
1/8" = 1'-0"



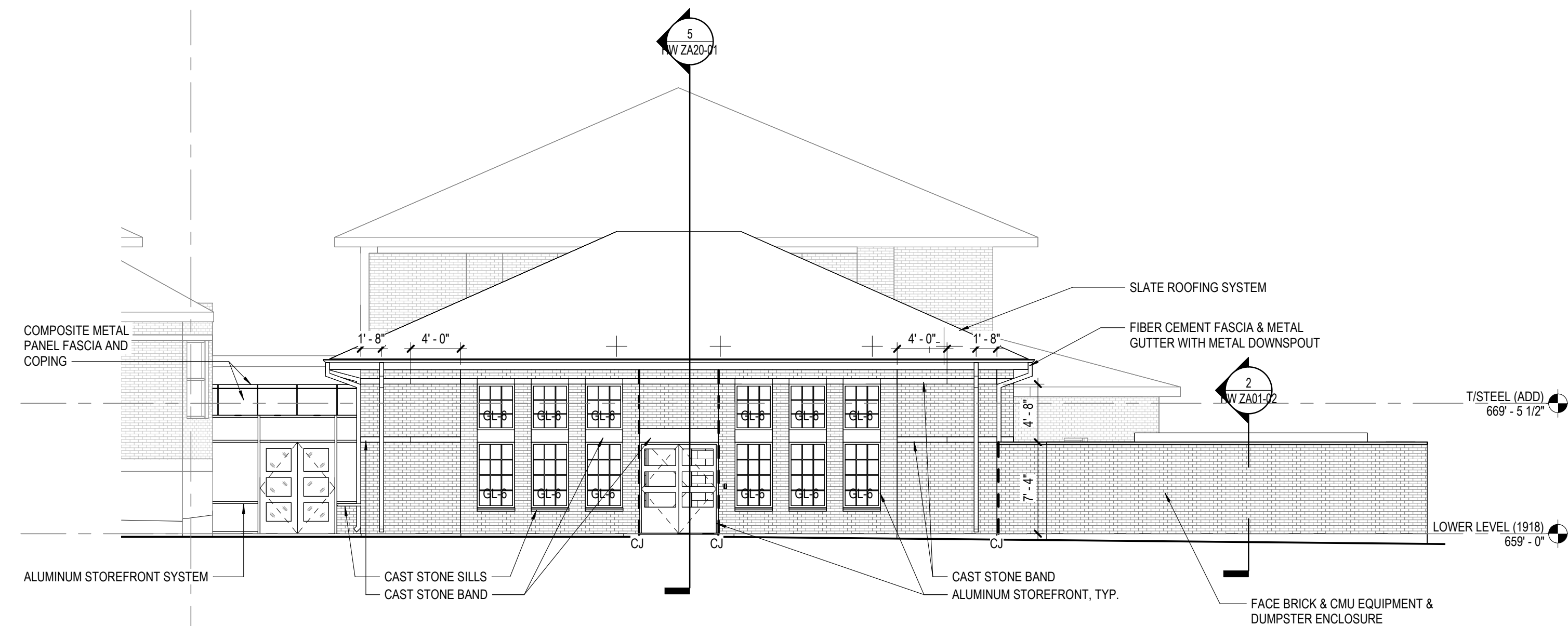
4 ELEVATION - ADDITION, EAST Copy 2
1/8" = 1'-0"



3 ELEVATION - ADDITION, SOUTH Copy 2
1/8" = 1'-0"



2 ELEVATION - ADDITION, NORTH Copy 2
1/8" = 1'-0"



1 ELEVATION - ADDITION, WEST Copy 3
1/8" = 1'-0"

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INFORMATION ONLY

1/15/90

AN ORDINANCE GRANTING A SPECIAL USE PERMIT
UNDER AND VARIATIONS IN THE
APPLICATION OF THE ZONING ORDINANCE
OF THE VILLAGE OF WINNETKA,
COOK COUNTY, ILLINOIS

WHEREAS there has been presented to the Council of the Village of Winnetka, Cook County, Illinois, the request of the owner of the following described real estate:

Lots 1, 2, 3, 4, 5, 12 and that portion Lot 11 described as follows: being East of a straight line produced which intersects the East line of the Northwest Quarter of said Southwest Quarter of said Section 17 at a point 678 feet South of the North line of said Northwest Quarter at an angle with said East line of said Northwest Quarter of 24 degrees and 56 minutes to the Northwest from said East line of said Northwest Quarter all situated in Block 8 of County Clerk's Subdivision of the Southwest Quarter of Section 17, Township 42 North, Range 13, East of the Third Principal Meridian, all in the Village of Winnetka, Cook County, Illinois,

commonly known as Hubbard Woods School, 1110 Chatfield Road, and located in the "A-5" (One-Fourth Acre) Single-Family Residential District provided in the Zoning Ordinance of said Village, for a special use permit covering the expansion of the existing special use and variations under the provisions of the Zoning Ordinance reducing the required set-back of 30 feet from Laurel and Burr Avenues to 12 feet for the distance of the addition, permitting an increase in structural lot coverage from 25% (existing coverage is 32.7%) to 37%, an increase in impermeable surfaces from 50% (existing coverage is 64.3%) to 66%, and an increase in floor area ratio from 33.8% to 39.5%, to permit the construction of an addition to the existing school building in accordance with the plans accompanying the application for special use permit and variations;

WHEREAS there are practical difficulties and particular hardship in the way of carrying out the strict letter of said Zoning Ordinance with respect to said premises in that constructing the addition in a conforming location would substantially diminish and disrupt the existing central playground or require closing Burr Avenue, and performing the construction to the

south of the existing building is the most efficient and least disruptive location for the school and the neighborhood;

WHEREAS said proposed addition will not impair an adequate supply of light and air to adjacent property; will not increase the hazard from fire and other dangers to said property; will not diminish the taxable value of land and buildings throughout said Village; will not increase congestion on the public streets; and will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said Village; and

WHEREAS the Board of Appeals of the Village has conducted a public hearing on said requested variations, on due notice thereof, and has reported to the Council recommending unanimously that the requested special use permit and variations be granted;

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

SECTION 1. That a special use permit under Sections 5a and 13 and variations from the set-back, lot coverage and floor area ratio requirements of Section 5a of the Zoning Ordinance, adopted by the Council of the Village of Winnetka, Cook County, Illinois and now in effect, are granted with respect to the above-described real estate, which is located in the "A-5" (One-Fourth Acre) Single-Family Residential District provided in said Zoning Ordinance and is commonly known as Hubbard Woods School, 1110 Chatfield Road, reducing the required set-back of 30 feet from Laurel and Burr Avenues to 12 feet for the distance of the addition, permitting an increase in structural lot coverage from 25% (existing coverage is 32.7%) to 37%, an increase in impermeable surfaces from 50% (existing coverage is 64.3%) to 66%, and an increase in floor area ratio from 33.8% to 39.5%, to permit the construction of an addition to the existing school building in accordance with the plans accompanying the application for special use permit and variations.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage, approval and posting.

Signed:



President of the
Village of Winnetka

Countersigned:



Village Clerk

Read, ordered engrossed and posted January 16, 1990

Posted January 17, 1990

Passed and approved February 6, 1990

Posted February 7, 1990

**AN ORDINANCE GRANTING VARIATIONS AND A
SPECIAL USE PERMIT FOR THE HUBBARD WOODS SCHOOL**

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is the beneficial owner of the following described real estate (the "Subject Property"):

Plat of Survey of those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No.178081 filed April 27, 1978, in the south west 1/4 of Section 17, Township 42 North, Range 13 east of the 3rd Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5 and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the east line of the north west 1/4 of said south west 1/4 of Section 17, 678.00 feet south of the north east corner of said north west 1/4 of the south west 1/4 of Section 17;

which is commonly known as 1110 Chatfield Road, Winnetka, Illinois, and which is located in the "A-5" (One-Fourth Acre) Single-Family Residential District provided in Section 22.05A of the Winnetka Zoning Ordinance, Chapter 22 of the Winnetka Village Code; and,

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is a body corporate and politic of the State of Illinois and operates a public school known as the Hubbard Woods School on the Subject Property, which is improved with the Hubbard Woods School building; and

WHEREAS, public schools are permitted as special uses in the "A-5" (One-Fourth Acre) Single-Family Residential District, subject to the conditions and requirements pertaining to special uses, as set forth in Section 22.13 of the Winnetka Zoning Ordinance; and

WHEREAS, the Hubbard Woods School has been in continuous operation as a public school since it was constructed on the Subject Property in 1911; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 has filed applications for a special use permit under Section 22.05A(b)2b of the Winnetka Zoning Ordinance, and for variations from the maximum building size of 27,269.60 square feet of gross floor area permitted by Section 22.05A(g) of the Winnetka Zoning Ordinance and from the maximum roofed lot coverage of 31,818.25 square feet permitted by Section 22.05A(f) of the Winnetka Zoning Ordinance, to permit the placement of a 24-foot by 44-foot mobile classroom structure and to provide a 34-foot by 31-foot playground area for a climbing apparatus, in accordance with the plans accompanying the applications for special use permit and variations, thereby increasing the maximum building size to 47,601.29 square feet, which represents a 20,331.69 square foot (74.56%) total increase over the maximum permitted gross floor area, and increasing the maximum roofed lot coverage to 44,382.57 square feet, which represents a 12,564.32 square foot (39.48%) increase over the maximum permitted roofed lot coverage; and

WHEREAS, on August 15, 1996, the Design Review Board considered the proposed improvements and have provided comments to the Zoning Board of Appeals and the Village Council that the color of the temporary classroom should be lighter and that landscaping should be included in the plan; and

WHEREAS, the Board of Education modified the color and landscaping for the proposed improvements pursuant to the recommendations of the Design Review Board, which considered the modifications on September 25, 1996, and determined that a certificate of appropriateness would issue; and

WHEREAS, pursuant to due notice thereof, the Plan Commission and Zoning Board of Appeals met in joint session on September 18, 1996, to hold a public hearing and consider the proposed improvements at the Hubbard Woods School; and

WHEREAS, by the unanimous vote of the either members present at the September 18, 1996, meeting, the Plan Commission found the proposal to be consistent with the Village of Winnetka Comprehensive Plan, but recommended that the proposed use be limited to five years; and

WHEREAS, by the unanimous vote of the six members present at the September 18, 1996, meeting and hearing, the Zoning Board of Appeals recommended that the requested variations be granted, and further recommended that the special use permit be granted, subject to the Council's granting the requested variations and with the stipulations that the use of the temporary classrooms be limited to five years and that the playground equipment be permanently permitted; and

WHEREAS, the temporary classroom structure is necessary for the Board of Education to accommodate an increased enrollment in the least disruptive manner so as to meet the Board of Education's

educational objectives and provide educational programs at the Hubbard Woods School; and

WHEREAS, the Board of Education has established that the additional playground equipment is a necessary and reasonable accessory to its educational programs; and

WHEREAS, the plight of the Board of Education is unique in that it is required by law to provide public education programs within the Village and it must accommodate increased enrollments at the Hubbard Wood School location; and

WHEREAS, the variations, if granted, will not alter the essential character of the locality, in that the Hubbard Woods School is an established use in the neighborhood and the only concerns expressed by the public pertained to the length of time the temporary classroom would be in place, which is unrelated to the building size and lot coverage variations being requested; and

WHEREAS, an adequate supply of light and air to adjacent property will not be impaired, because the temporary classroom will be located within the front building line of the existing building and the west side yard setback will be 89 feet; and

WHEREAS, the hazard from fire and other damages to the property will not be increased, since the temporary classroom will be constructed in accordance with all applicable building codes, including those applicable to the construction of educational facilities, making it no more hazardous than any other construction built according to those codes; and

WHEREAS, the taxable value of land and buildings throughout the Village will not diminish because the temporary classroom structure will accommodate short term population growth and the climbing equipment will be a permanent improvement to the Hubbard Woods School property; and

WHEREAS, the temporary classroom and the climbing equipment will not increase congestion in the public streets; and

WHEREAS, the proposed temporary classroom and climbing equipment will not be detrimental to or endanger the public health, safety, comfort, morals and welfare of the inhabitants of the Village, because the Hubbard Woods School is an established use and the temporary placement of a classroom will enable the Board of Education to accommodate a temporary increase in student enrollment and to fulfill its statutorily mandated mission; and

WHEREAS, the proposed special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity, as the west side yard along side the temporary structure will substantially exceed the minimum required side yard and the temporary classroom will be located within the front building line of the existing school building; and

WHEREAS, the Hubbard Woods School is an established element of the residential area in which it is located and will not impede the orderly development or improvement of other property in the immediate vicinity; and

WHEREAS, adequate parking facilities, utilities, access roads, drainage and other facilities necessary for the operation of the special use exist or will be provided; and

WHEREAS, the special use, when constructed in accordance with the terms and conditions of this ordinance, will conform to the applicable regulations of the Zoning Ordinance and the Winnetka Village Code;

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

SECTION 1: That the Village Council hereby adopts the foregoing preambles to this ordinance as its findings.

SECTION 2: That variations are hereby granted with respect to the Subject Property, which is located in the "A-5" (One-Fourth) Acre Single-Family Residential Zoning District, and which is commonly known as Hubbard Woods School, 1110 Chatfield Road, as follows: (a) a variation of 20,331.69 square feet (74.56%) from the maximum building size of 27,269.60 square feet of gross floor area permitted by Section 22.05A(g) of the Winnetka Zoning Ordinance, resulting in a maximum building size of 47,601.29 square feet; and (b) a variation of 12,564.32 square feet (39.48%) from the maximum roofed lot coverage of 31,818.25 square feet permitted by Section 22.05A(f) of the Winnetka Zoning Ordinance, resulting in a maximum roofed lot coverage of 44,382.57 square feet; said variations being granted to permit the placement of a 24-foot by 44-foot mobile classroom structure and to provide a 34-foot by 31-foot playground area for a climbing apparatus, in accordance with the plans

submitted with the applications for variations and a special use permit, subject to the conditions and limitations hereinafter set forth.

SECTION 3: That a special use permit under Section 22.05A(b)2b of the Winnetka Zoning Ordinance is hereby granted with respect to the Subject Property, which is located in the "A-5" (One-Fourth Acre) Single-Family Residential district, and which is commonly known as Hubbard Woods School, 1110 Chatfield Road, to allow expansion of the existing school facility by the addition of a mobile classroom unit and the addition of a playground area with a permanent climbing apparatus, in accordance with the plans submitted with the application for variations and a special use permit, subject to the conditions and limitations hereinafter set forth.

SECTION 4: That the variations and special use permit hereby granted are conditioned upon the commencement of the proposed construction within twelve (12) months after the effective date of this ordinance.

SECTION 5: That, insofar as they pertain to the mobile classroom unit, the variations and special use permit hereby granted are limited to a period of five years from the date of occupancy of said mobile classroom unit.

SECTION 6: That this Ordinance shall be in full force and effect from and after its passage, approval, and posting.

Passed and approved this 8 day of October, 1996.

AYES: Trustees Meuer, Lanphier, Hilton, Duhl and Holland

NAYS: None

ABSENT: Trustee Darning

Signed:


Village President

Countersigned:


Village Clerk

Read, Ordered Engrossed and Posted October 1, 1996

Posted October 2, 1996

Passed and Approved October 8, 1996

Posted October 9, 1996

F:\RMCJ\WINN\ORDRES\M-472.96

**AN ORDINANCE GRANTING A VARIATION IN THE
APPLICATION OF THE ZONING ORDINANCE OF THE
VILLAGE OF WINNETKA (HUBBARD WOODS SCHOOL)**

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is the beneficial owner of the following described real estate (the "Subject Property"):

Plat of Survey of those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No.178081 filed April 27, 1978, in the south west 1/4 of Section 17, Township 42 North, Range 13 east of the 3rd Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5 and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the east line of the north west 1/4 of said south west 1/4 of Section 17, 678.00 feet south of the north east corner of said north west 1/4 of the south west 1/4 of Section 17;

which is commonly known as 1110 Chatfield Road, Winnetka, Illinois, and which is located in the "A-5" (One-Fourth Acre) Single-Family Residential District provided in Section 22.05A of the Winnetka Zoning Ordinance, Chapter 22 of the Winnetka Village Code; and,

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is a body corporate and politic of the State of Illinois and has operated a public school known as the Hubbard Woods School on the Subject Property, since the construction of the school building in 1911; and

WHEREAS, the Winnetka Village Council has previously adopted Ordinance M-472-96, which granted variations and a special use to allow the placement of a mobile classroom structure on the Subject Property, and to provide a 34-foot by 31-foot playground area for a climbing apparatus; and

WHEREAS, after locating the mobile classroom facility, the Board of Education of Winnetka Elementary School District No. 36 determined that the play structure in the playground area should be further from the mobile unit; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 has filed an application for a variation in the Front Setback requirements of Section 22.05A(h) of the Winnetka Zoning Ordinance, from 30.0 feet to 18.46 feet, resulting in a variation of 11.54 feet (38.47%), to allow the previously permitted climbing apparatus to be located farther away from the mobile classroom unit; and

WHEREAS, the plight of the Board of Education is unique in that: (a) the play equipment is a necessary accessory to the principal use of the Subject Property in meeting the School District's statutory obligations; (b) strict application of the front setback requirements will reduce the amount of space in the already crowded existing play area, despite an increasing student population; and (c) acquiring adjoining properties for expansion of the site is not feasible; and

WHEREAS, the variation, if granted, will not alter the essential character of the locality, in that the Hubbard Woods School is an established use in the neighborhood and the proposed location for the equipment currently serves as a play area on the Subject Property; and

WHEREAS, an adequate supply of light and air to adjacent property will not be impaired, by the proposed variation; and

WHEREAS, the hazard from fire and other damages to the property will not be increased; and

WHEREAS, the taxable value of land and buildings throughout the Village will not be diminished; and

WHEREAS, the climbing equipment will not increase congestion in the public streets since it will not increase the use of the school facilities; and

WHEREAS, the climbing equipment will not be detrimental to or endanger the public health, safety, comfort, morals and welfare of the inhabitants of the Village; and

WHEREAS, the requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; and

WHEREAS, pursuant to due notice thereof, the Zoning Board of Appeals held a public hearing on December 2, 1996, to consider the requested variation and, on the affirmative vote of four of the six

members then in attendance, has recommended that the requested variation be granted;

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

SECTION 1: That the Village Council hereby adopts the foregoing preambles to this ordinance as its findings.

SECTION 2: That a variation from the front yard set back requirements of Section 22.05A(h) of the Winnetka Zoning Ordinance, adopted by the Village of Winnetka, Cook County, Illinois, and now in effect, is hereby granted with respect to the Subject Property, which is located in the "A-5" (One-Fourth) Acre Single-Family Residential Zoning District, and which is commonly known as Hubbard Woods School, 1110 Chatfield Road, to reduce the front yard set back to 18.46 feet from 30.0 feet, resulting in a variation of 11.54 feet (38.47%), to permit the placement of the playground climbing apparatus partially within the required front yard, in accordance with the plans submitted with the applications for the variation.

SECTION 3: That the variation hereby granted is conditioned upon the commencement of the proposed construction within twelve (12) months after the effective date of this ordinance.

SECTION 4: That, except as specifically provided herein, the variations and special use permit granted pursuant to ordinance

M-472-96, and any conditions imposed for those variations and special use permit, shall continue in effect without change.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and posting.

Passed and approved this 7th day of January, 1997.

AYES: Trustees Lanphier, Holland, Darning, Hilton, and Meuer

NAYS: Trustee Duhl

ABSENT: None

Signed:

[REDACTED]
Village President

Countersigned:

[REDACTED]
Village Clerk

Read, Ordered Engrossed and Posted December 17, 1996
Posted December 18, 1996
Passed and Approved January 7, 1997
Posted January 8, 1997

F:\RMCJ\WINN\ORDRES\M-481.96

**AN ORDINANCE GRANTING VARIATIONS AND A
SPECIAL USE PERMIT FOR THE HUBBARD WOODS SCHOOL**

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is the beneficial owner of the following described real estate (the "Subject Property"):

Plat of Survey of those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No.178081 filed April 27, 1878, in the south west 1/4 of Section 17, Township 42 North, Range 13 East of the 3rd Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5 and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the east line of the north west 1/4 of said south west 1/4 of Section 17, 678.00 feet south of the north east corner of said north west 1/4 of the south west 1/4 of Section 17;

which is commonly known as 1110 Chatfield Road, Winnetka, Illinois, and which is located in the "A-5" (One-Fourth Acre) Single-Family Residential District provided in Section 22.05A of the Winnetka Zoning Ordinance, Chapter 22 of the Winnetka Village Code; and,

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is a body corporate and politic of the State of Illinois and operates a public school known as the Hubbard Woods School on the Subject Property, which is improved with the Hubbard Woods School building; and

WHEREAS, public schools are permitted as special uses in the "A-5" (One-Fourth Acre) Single-Family Residential District, subject to the conditions and requirements pertaining to special uses, as set forth in Section 22.13 of the Winnetka Zoning Ordinance; and

WHEREAS, the Hubbard Woods School has been in continuous operation as a public school since it was constructed on the Subject Property in 1911; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 (“Board of Education”) has filed applications for a special use permit under Section 22.05A(b)2b of the Winnetka Zoning Ordinance, and for variations from the maximum building size of 27,269.60 square feet of gross floor area permitted by Section 22.05A(g) of the Winnetka Zoning Ordinance and from the maximum roofed lot coverage of 31,818.25 square feet and maximum impermeable surface of 63,636.50 square feet permitted by Section 22.05A(f) of the Winnetka Zoning Ordinance, to permit the construction of three one-story additions to Hubbard Woods School, in accordance with the plans accompanying the applications for special use permit and variations, thereby increasing the maximum building size to 48,971.00 square feet, which represents a floor area ratio of .3847 and a 21,701.40 square foot (79.6%) total increase over the maximum permitted gross floor area, increasing the maximum roofed lot coverage to 46,019.57 square feet, which represents a 14,201 square foot (44.63%) increase over the maximum permitted roofed lot coverage, and increasing the total impermeable surface to 82,847.57 square feet, which represents a 19,211 square foot increase over the maximum permitted impermeable surface; and

WHEREAS, on April 16, 1998, the Design Review Board considered the proposed improvements and have unanimously determined that a certificate of appropriateness would issue for the proposed additions; and

WHEREAS, pursuant to due notice thereof, the Plan Commission and Zoning Board of Appeals met in joint session on May 18, 1998, to hold a public hearing and consider the proposed improvements at the Hubbard Woods School; and

WHEREAS, by the affirmative vote of eight of the nine members then present, the Plan Commission found the proposal to be consistent with the Village of Winnetka Comprehensive Plan, and recommended that the special use permit be granted; and

WHEREAS, by the affirmative vote of the five members then present, the Zoning Board of Appeals recommended that the requested variations be granted, and further recommended that the special use permit be granted, subject to the Council's granting the requested variations; and

WHEREAS, the building additions are necessary for the Board of Education to accommodate an increased enrollment in the least disruptive manner so as to meet the Board of Education's educational objectives and provide educational programs at the Hubbard Woods School; and

WHEREAS, the plight of the Board of Education is unique in that it is required by law to provide public education programs within the Village and it must accommodate increased enrollments at the Hubbard Woods School location; and

WHEREAS, there are practical difficulties associated with strictly applying the maximum building size and intensity of use of lot provisions of Sections 22.05A(b) and 22.05A(f) to the Subject Property, as student enrollment at Hubbard Woods School has increased and the Board of Education has determined that expanding the school as proposed is the best alternative for accommodating the increased enrollment; and

WHEREAS, the variations, if granted, will not alter the essential character of the locality, in that the Hubbard Woods School is an established use in the neighborhood and the proposed additions represent a minimal increase to the existing building, adding 637 square feet to the lot coverage and 1,302 square feet to the building area; and

WHEREAS, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the applicable zoning regulations, as the sole purpose of the property is to provide for the education of students as required by law; and

WHEREAS, an adequate supply of light and air to adjacent property will not be impaired, as the majority of the proposed additional square footage will be located within the existing building and/or roof lines; and

WHEREAS, the hazard from fire and other damages to the property will not be increased, as the additions will be constructed in accordance with all applicable building codes, including those applicable to the construction of educational facilities, making it no more hazardous than any other construction built according to those codes; and

WHEREAS, there is no evidence that the taxable value of land and buildings throughout the Village will diminish and the proposed classroom additions are intended to benefit the school district; and

WHEREAS, the proposed additions will not increase congestion in the public streets; and

WHEREAS, the proposed classroom additions will not be detrimental to or endanger the public health, safety, comfort, morals and welfare of the inhabitants of the Village, because the Hubbard Woods School is an established use and the additional classroom space will enable the Board of Education to accommodate the increase in student enrollment and to fulfill its statutorily mandated mission; and

WHEREAS, the proposed special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity, as the proposed additions present a relatively minor increase in the size of the school building and are concealed within the existing building footprint; and

WHEREAS, the Hubbard Woods School is an established element of the residential area in which it is located and will not impede the orderly development or improvement of other property in the immediate vicinity; and

WHEREAS, adequate parking facilities, utilities, access roads, drainage and other facilities necessary for the operation of the special use exist or will be provided; and

WHEREAS, the special use, when constructed in accordance with the terms and conditions of this ordinance, will conform to the applicable regulations of the Zoning Ordinance and the Winnetka Village Code;

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

SECTION 1: That the Village Council hereby adopts by reference the foregoing recitals as its findings as if those recitals were fully set forth herein.

SECTION 2: That variations are hereby granted with respect to the Subject Property, which is located in the "A-5" (One-Fourth) Acre Single-Family Residential Zoning District, and which is commonly known as Hubbard Woods School, 1110 Chatfield Road, as follows: (a) a variation of 21,701.4 square feet (79.6%) from the maximum building size of 27,269.60 square feet of gross floor area permitted by Section 22.05A(g) of the Winnetka Zoning Ordinance, resulting in a maximum building size of 48,971.00 square feet; and (b) a variation of 14,201 square feet (44.63%) from the maximum roofed lot coverage of 31,818.25 square feet and of 19,211 square feet from the maximum impermeable surface permitted by Section 22.05A(f) of the Winnetka Zoning Ordinance, resulting in a maximum roofed lot coverage of 46,019.57 square feet, and a total impermeable surface area of 82,847.57 square feet, said variation being granted to permit the construction of three one-story classroom additions to Hubbard Woods School in accordance with the plans dated April 9, 1998 and submitted with the applications for variations and a special use permit, subject to the conditions and limitations hereinafter set forth.

SECTION 3: That a special use permit under Section 22.05A(b)2b of the Winnetka Zoning Ordinance is hereby granted with respect to the Subject Property, which is located in the "A-5" (One-Fourth Acre) Single-Family Residential district, and which is commonly known as

Hubbard Woods School, 1110 Chatfield Road, to allow expansion of the existing school facility by the construction of three one-story classroom additions, in accordance with the plans dated April 9, 1998, and submitted with the application for variations and a special use permit, subject to the conditions and limitations hereinafter set forth.

SECTION 4: That the variations and special use permit hereby granted are conditioned upon the commencement of the proposed construction within twelve (12) months after the effective date of this ordinance.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and posting.

Passed and approved this 16th day of June, 1998.

AYES: Trustees Darning, Duhl, Lanphier, Lien, Hilton and Meuer

NAYS: None

ABSENT: None

Signed:


Village President

Countersigned:


Village Clerk

Introduced: June 2, 1998

Posted: June 3, 1998

Passed and Approved: June 16, 1998

Posted: June 17, 1998

ORDINANCE NO. M-578-99

AN ORDINANCE GRANTING A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA, COOK, COUNTY, ILLINOIS FOR THE HUBBARD WOODS SCHOOL (1110 Chatfield Road)

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is the beneficial owner of the following described real estate (the "Subject Property"):

Lots 1,2,3,4,5,12 and that portion of Lot 11 described as follows: being East of a straight line produced which intersects the East line of the Northwest Quarter (N. W. $\frac{1}{4}$) of said Southwest Quarter (S. W. $\frac{1}{4}$) of said Section Seventeen (17) at a point 678 feet South of the North line of said Northwest Quarter (N. W. $\frac{1}{4}$) at an angle with said East line of said Northwest Quarter (N. W. $\frac{1}{4}$) of 24 degree and 56 minutes to the Northwest from said East line of said Northwest Quarter (N. W. $\frac{1}{4}$), all situated in Block Eight (8) of the County Clerk's subdivision of the Southwest Quarter (S. W. $\frac{1}{4}$) of Section Seventeen (17) of Township forty-two (42) North, Range Thirteen (13) East of the Third Principal Meridian, Village of Winnetka, Cook County, Illinois.

which is commonly known as 1110 Chatfield Road, Winnetka, Illinois, and is located in the R-4 Single-Family Residential District provided in Section 22.05A of the Winnetka Zoning Ordinance, Chapter 22 of the Winnetka Village Code; and,

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is a body corporate and politic of the State of Illinois and operates a public school known as the Hubbard Woods School on the Subject Property, which is improved with the Hubbard Woods School building and accessory structures; and

WHEREAS, public schools are permitted as special uses in the R-4 Single-Family Residential District, subject to the conditions and requirements pertaining to special uses, as set forth in Section 22.13 of the Winnetka Zoning Ordinance; and

WHEREAS, the Hubbard Woods School has been in continuous operation as a public school since it was constructed on the Subject Property in 1911; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 ("Board of Education") has filed an application for a variation from the front setback provision permitted by Section 22.05A(h) of the Winnetka Zoning Ordinance, to permit the replacement of existing playground equipment located in the southwest corner of the Subject Property, in accordance with the plans accompanying the application for variation, to allow a front setback of 11.0 feet along the Hamptondale Road property line, whereas a 30.0-foot setback is required, resulting in a variation of 19.0 feet (63.33%); and

WHEREAS, on March 18, 1999, the Design Review Board considered the proposed improvements and have unanimously determined that a certificate of appropriateness would issue for the proposed upgrading of the play equipment and landscaping; and

WHEREAS, pursuant to due notice thereof, the Zoning Board of Appeals held a public hearing on May 17, 1999 to consider the proposed improvements at the Hubbard Woods School and, by the unanimous vote of the four members then present, the Zoning Board of Appeals has recommended that the requested variation be granted; and

WHEREAS, the Council of the Village of Winnetka have previously considered applications for zoning relief for the Subject Property and have adopted the following ordinances: (a) Ordinance M-472-96, which granted variations and a special use to allow the placement of a mobile classroom structure on the Subject Property, and to provide a 34-foot by 31-foot playground area for a climbing apparatus; (b) Ordinance M-481-96, which granted a front yard setback variation to allow a front setback of 18.46 feet for the climbing apparatus, and (c) Ordinance M-528-98, which amended the special use and granted variations to allow the construction of three one-story additions to the school building; and

WHEREAS, the proposed replacement of the play equipment does not require an amendment to the special use permit; and

WHEREAS, the plight of the Board of Education is unique in that: (a) the play equipment is a necessary accessory to the principal use of the Subject Property in meeting the School District's statutory obligations; (b) the strict application of the front setback requirements would reduce the amount of space in the already crowded existing play area despite an increasing student populations; (c) acquiring adjoining properties for expansion of the site is not feasible; and (d) relocating the playground area to a conforming location would reduce the size of the visual buffer for the adjoining residential properties, reduce green space, impede sight lines necessary for visual supervision of playground activities, and increase the likelihood of classroom disruption due to placing the equipment closer to the school building; and

WHEREAS, the variation, if granted, will not alter the essential character of the locality, in that the Hubbard Woods School is an

established use in the neighborhood, the proposed improvements will replace play equipment currently located in the same area of the Subject Property, and will provide a landscaped buffer between the play area curb and the adjoining residential properties; and

WHEREAS, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the applicable zoning regulations, as the sole purpose of the property is to provide for the education of students as required by law; and

WHEREAS, an adequate supply of light and air to adjacent property will not be impaired, as the tallest decks of the new equipment will be the same height as the tallest decks of the existing equipment; and

WHEREAS, the hazard from fire and other damages to the property will not be increased, because the new equipment will have no wood; and

WHEREAS, there is no evidence that the taxable value of land and buildings throughout the Village will diminish; and

WHEREAS, the proposed renovation of the playground equipment will not increase congestion in the public streets; and

WHEREAS, the proposed playground equipment will not be detrimental to or endanger the public health, safety, comfort, morals and welfare of the inhabitants of the Village, because the new equipment will provide a safer playground, which will be in full compliance with current safety standards and guidelines, will meet accessibility requirements of the Americans with Disabilities Act, will provide additional visual screening for the neighboring properties and will improve stormwater drainage.

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

SECTION 1: That the Village Council hereby adopts by reference the foregoing recitals as its findings as if those recitals were fully set forth herein.

SECTION 2: That a variation is hereby granted with respect to the Subject Property, which is located in the R-4 Single-Family Residential Zoning District, and which is commonly known as Hubbard Woods School, 1110 Chatfield Road, to allow a front setback of 11.0 feet along the Hamptondale Road property line, whereas 30.0 feet are required, resulting in a variation of 19.0 feet (63.33%), to permit the replacement of existing playground equipment located in the southwest corner of the Subject Property, in accordance with the plans submitted with the application for variation, subject to the conditions and limitations hereinafter set forth.

SECTION 3: That the variation is hereby granted conditioned upon the commencement of the proposed construction within twelve (12) months after the effective date of this ordinance.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and posting.

ADOPTED this 15th day of June, 1999, pursuant to the following roll call vote:

AYES: Trustees Aquilino, Dering, Duhl, Lien, and Powell.

NAYS: None.

ABSENT: Trustee Hilton.

APPROVED this 15th day of June, 1999.

Signed:

ss/Louise A. Holland

Village President

Countersigned:

ss/Douglas G. Williams

Village Clerk

Introduced: June 8, 1999

Posted: June 9, 1999

Passed and Approved: June 15, 1999

ORDINANCE NO. M-18-2006

AN ORDINANCE GRANTING A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA COOK COUNTY, ILLINOIS (1110 Chatfield)

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

WHEREAS, pursuant to Article VII, Section 6 of the Constitution of the State of Illinois of 1970, the Village of Winnetka has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers (i) to regulate for the protection of the public health, safety, morals and welfare, (ii) to license, (iii) to tax, and (iv) to incur debt; and

WHEREAS, the Village Council find that establishing standards for the use and development of lands and buildings within the Village and establishing and applying criteria for variations from those standards are matters pertaining to the affairs of the Village; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is the beneficial owner of the following described real estate (the "Subject Property"):

Those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No. 178081 filed on April 27, 1878, in the south west $\frac{1}{4}$ of Section 17, Township 42 North, Range 13 East of the Third Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5, and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the east line of north west $\frac{1}{4}$ of said south west $\frac{1}{4}$ of Section 17, 678.00 feet south of the north east corner of said north west $\frac{1}{4}$ of the south west $\frac{1}{4}$ of Section 17,

commonly known as 1110 Chatfield, Winnetka, Illinois, and located in the R-4 Single-Family Residential Zoning District provided in Chapter 17.16 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 is a body corporate and politic of the State of Illinois and operates a public school known as the Hubbard Woods School on the Subject Property, which is improved with the Hubbard Woods School building and accessory structures; and

WHEREAS, public schools are permitted as special uses in the R-4 Single-Family Residential District, subject to the conditions and requirements pertaining to special uses, as set forth in Section 17.56 of the Winnetka Zoning Ordinance; and

WHEREAS, the Hubbard Woods School has been in continuous operation as a public school since it was constructed on the Subject Property in 1911; and

WHEREAS, the Board of Education of Winnetka Elementary School District No. 36 ("Board of Education") has filed an application seeking the following variations from the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Section 17.30 of the Zoning Ordinance: (a) a variation from the intensity of use of lot provisions of Section 17.30.030 to permit a roofed lot coverage of 45,971.57 square feet, a reduction from the current 46,019.57 square feet, whereas a maximum of 31,818.25 square feet is allowed, a variation of 14,158.32 square feet (44.48%); (b) a variation from the intensity of use of lot provisions of Section 17.30.030 to allow impermeable lot coverage of 76,250.57 square feet, a reduction from the current 82,847.57 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 12,614.07 square feet (19.82%); and (c) a variation from the gross floor area limitations of Section 17.30.040 to allow a gross floor area of 48,715 square feet, a reduction from the current 48,971 square feet, whereas a maximum of 31,087.79 square feet is allowed, a variation of 17,627.21 square feet (56.7%); all being required to make proposed improvements to an outdoor play area that will include replacing a deteriorated storage shed with a new storage shed and an Outdoor Environmental Learning Area at the southeast portion of the outdoor area, and replacing some impermeable surfaces in the play area; and

WHEREAS, the Outdoor Environmental Learning Area will consist of two roofed, open-air structures that will be open on all four sides and will have wood deck floors; and

WHEREAS, one of the new structures will function as a Science and Environmental Center and the other will function as an Art Studio; and

WHEREAS, the new facilities will meet accessibility requirements of the Americans with Disabilities Act; and

WHEREAS, on July 10, 2006, on due notice thereof, the Zoning Board of Appeals conducted a public hearing on the requested variations and, by the unanimous vote of the 6 members then present, has reported to the Council recommending that the requested variations be granted; and

WHEREAS, the Council of the Village of Winnetka have previously considered applications for zoning relief for the Subject Property and have passed the following ordinances: (a) Ordinance M-287-90, which granted variations and a special use for an addition to the school; (b) Ordinance M-472-96, which granted variations and a special use to allow the placement of a mobile classroom structure on the Subject Property, and to provide a 34-foot by 31-foot playground area for a climbing apparatus; (c) Ordinance M-481-96, which granted a front yard setback variation to allow a front setback of 18.46 feet for the climbing apparatus; (d) Ordinance M-528-98, which amended the special use and granted variations to allow the construction of three one-story additions to the school building; and (e) Ordinance M-578-99, which granted a front yard setback variation to allow a front setback of 19.0 feet along Hamptondale road to permit the replacement of playground equipment at the southwest corner of the Subject Property; and

WHEREAS, the proposed playground modifications and Outdoor Environmental Learning Area are not substantial changes to the current special use and therefore do not require an amendment to the special use permit; and

WHEREAS, the plight of the Board of Education is unique, in that: (a) it has a statutory obligation to operate a public elementary school system in the Village; (b) supplementary and accessory educational areas for students need to be provided on the same premises as the Board of Education's existing schools; (c) the proposed changes will reduce the currently nonconforming roofed lot coverage of 46,019.57 square feet by 48 square feet; (d) the proposed changes will reduce the currently nonconforming impermeable lot coverage of 82,847.57 square feet by 6,597 square feet; and (e) the proposed changes will reduce the currently nonconforming gross floor area of 48,971 square feet by 256 square feet; and

WHEREAS, there are practical difficulties and particular hardships in the strict application of the Zoning Ordinance's bulk limitations, in that: (a) the playground, the Outdoor Environmental Learning Area and the storage shed are all necessary accessories to the principal use of the Subject Property in meeting the School District's statutory obligations; (b) the strict application of the roofed lot coverage, impermeable lot coverage and maximum building size limitations would make it impossible for the Board of Education to make any improvements to the Hubbard Woods School educational and recreational facilities; and (c) acquiring adjoining properties for expansion of the site is not feasible; and

WHEREAS, the variation, if granted, will not alter the essential character of the locality, in that the Hubbard Woods School is an established use in the neighborhood, the proposed improvements will replace a deteriorating shed with low-profile structures in the same area of the Subject Property; and

WHEREAS, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the applicable zoning regulations, as the sole purpose of the property is to provide for the education of students as required by law; and

WHEREAS, the requested variations will not impair an adequate supply of light and air because they will have open sides, will be substantially lower than the principal school building, and there are no private properties in close proximity to the proposed additions; and

WHEREAS, the requested variations will not increase the hazard from fire and other dangers to the Subject Property, as the proposed construction will comply with all applicable building and fire protection codes; and

WHEREAS, the requested variations will not diminish the taxable value of land and buildings throughout the Village; and

WHEREAS, the requested variations will not contribute to congestion on the public streets, as the use of the Subject Property will not change; and

WHEREAS, the requested variations will contribute to the general welfare of the inhabitants of the Village by enhancing the educational and recreational facilities at Hubbard Woods School and by improving the accessibility of those facilities.

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

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

SECTION 2: The following variations from the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Section 17.30 of the Winnetka Zoning Ordinance are hereby granted to the Subject Property, commonly known as 1110 Chatfield and located in the R-4 Single-Family Residential District provided in Chapter 1716 of the Zoning Ordinance, Title 17 of the Winnetka Village Code: (a) a variation from the intensity of use of lot provisions of Section 17.30.030 to permit a roofed lot coverage

of 45,971.57 square feet, a reduction from the current 46,019.57 square feet, whereas a maximum of 31,818.25 square feet is allowed, a variation of 14,158.32 square feet (44.48%); (b) a variation from the intensity of use of lot provisions of Section 17.30.030 to allow impermeable lot coverage of 76,250.57 square feet, a reduction from the current 82,847.57 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 12,614.07 square feet (19.82%); and (c) a variation from the gross floor area limitations of Section 17.30.040 to allow a gross floor area of 48,715 square feet, a reduction from the current 48,971 square feet, whereas a maximum of 31,087.79 square feet is allowed, a variation of 17,627.21 square feet (56.7%); all being required to make proposed improvements to an outdoor play area that will include replacing a deteriorated storage shed with a new storage shed and an Outdoor Environmental Learning Area at the southeast portion of the outdoor area, and replacing some impermeable surfaces in the play area, all in accordance with the plans and elevations submitted with the application for variations.

SECTION 3: The variations hereby granted are conditioned upon the commencement of the proposed construction within 12 months after the effective date of this Ordinance.

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

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

PASSED this 15th day of August, 2006, pursuant to the following roll call vote:

AYES: Trustees Abell, Eilers, Ritchell and Tucker

NAYS: None

ABSENT: Trustees Behles and Berger

APPROVED this 15th day of August, 2006.

Signed:

//s//Edmund C. Woodbury

Village President

Countersigned:

//s//Douglas G. Williams

Village Clerk

Introduced: August 1, 2006

Posted: August 2, 2006

Passed and Approved: August 15, 2006

Posted: August 17, 2006

ORDINANCE NO. M-5-2017

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATION FROM THE WINNETKA ZONING ORDINANCE FOR THE CONSTRUCTION AND OPERATION OF PLAYGROUND IMPROVEMENTS WITHIN THE R-4 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

(1110 Chatfield Road)

WHEREAS, Winnetka Public School District No. 36 ("***Applicant***") is the record title owner of that certain parcel of real property commonly known as 1110 Chatfield Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("***Subject Property***"); and

WHEREAS, the Subject Property is improved with buildings and structures known as the Hubbard Woods School ("***School***"); and

WHEREAS, the Applicant desires to construct on the Subject Property certain outdoor playground improvements for use primarily by students at the School (collectively, the "***Proposed Improvements***"); and

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

WHEREAS, in order to be constructed on the Subject Property within the R-4 District, the Proposed Improvements must have, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance ("***Zoning Ordinance***"), a minimum front yard setback of 30 feet from Hamptondale Avenue; and

WHEREAS, the Applicant desires to construct the Proposed Improvements with a front yard setback from Hamptondale Avenue of 9.33 feet; and

WHEREAS, pursuant to Section 17.12.020 of the Zoning Ordinance, the operation of an elementary school is permitted within the R-4 District only with a special use permit; and

WHEREAS, pursuant to Section 17.56.090 of the Zoning Ordinance, no special use may be enlarged or extended by structural alteration of a building or structure without a special use permit; and

WHEREAS, the Applicant filed an application for: (i) a variation from Section 17.30.050 of the Zoning Ordinance to permit the construction of the Proposed Improvements on the Subject Property with a front yard setback from Hamptondale Avenue of 9.33 feet ("***Variation***"); and (ii) a special use permit pursuant to Section 17.12.020 and Chapter 17.56 of the of the Zoning Ordinance to allow the construction of the Proposed Improvements within the R-4 District ("***Special Use Permit***") (collectively, the Variation and the Special Use Permit are the "***Requested Relief***"); and

WHEREAS, on April 10, 2017, after due notice thereof, the Zoning Board of Appeals ("***ZBA***") conducted a public hearing on the Requested Relief and, by the unanimous vote of the four members then present, recommended that the Council of the Village of Winnetka ("***Village Council***") approve the Requested Relief; and

WHEREAS, pursuant to Chapter 17.60 and Chapter 17.56 of the Zoning Ordinance, the ZBA heard evidence and made certain findings in support of recommending approval of the Variation and the Special Use Permit, respectively, which findings are set forth in the ZBA public hearing minutes attached to and, by this reference, made a part of this Ordinance as **Exhibit B**; and

WHEREAS, on March 15, 2017, after due notice thereof, the Plan Commission met to consider whether approval of the Requested Relief is consistent with "Winnetka 2020," the Winnetka comprehensive plan ("***Comprehensive Plan***"), and found, by the unanimous vote of the seven members then present, that approval of the Requested Relief is consistent with the Comprehensive Plan; and

WHEREAS, on March 16, 2017, after due notice thereof, the Design Review Board met to consider the Requested Relief and, by unanimous vote of the six members then present, recommended that the Village Council approve the Requested Relief; and

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

WHEREAS, the Village Council has determined that approval of the proposed Special Use Permit: (i) is consistent with the Comprehensive Plan; and (ii) satisfies the standards for the approval of special use permits set forth in Chapter 17.56 of the Zoning Ordinance; and

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

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

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

SECTION 2: APPROVAL OF SPECIAL USE PERMIT. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, the Special Use Permit is hereby granted, pursuant to Chapter 17.56 and Section 17.12.020 of the Zoning Ordinance and the home rule powers of the Village, to allow the extension of the operation of the School by the construction of the Proposed Improvements on the Subject Property within the R-4 District.

SECTION 3: APPROVAL OF VARIATIONS. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, the Variation from Section 17.30.050 of the Zoning Ordinance to permit a front yard setback of

9.33 feet from Hamptondale Avenue is hereby granted to allow the construction of the Proposed Improvements on the Subject Property, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 4: CONDITIONS. The Special Use Permit granted by Section 2 of this Ordinance, and the Variation granted by Section 3 of this Ordinance are subject to, and contingent upon, compliance by the Applicant with the following conditions:

A **Commencement of Construction.** The Applicant must commence the construction of the Proposed Improvements no later than 12 months after the effective date of this Ordinance.

B **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvements on the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.

C **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.

D **Compliance with Plans.** The construction, development, use, and maintenance of the Proposed Improvements at the Subject Property must be in strict accordance with the following documents and plans, except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards:

1. The "Topographical Map of Part of Hubbard Woods School" prepared by TFW Surveying & Mapping, Inc., consisting of one sheet, and with a latest revision date of November 22, 2016, attached to and, by this reference, made a part of this Ordinance as **Exhibit C**; and

2. The "Project Location Plan" prepared by K M Talty Design, consisting of one sheet, and with a latest revision date of February 10, 2017, attached to and, by this reference, made a part of this Ordinance as **Exhibit D**.

3. The "Site Photos" prepared by K M Talty Design, consisting of one sheet, and with a latest revision date of February 10, 2017, attached to and, by this reference, made a part of this Ordinance as **Exhibit E**.

4. The "Site Plan" prepared by K M Talty Design, consisting of two sheets, and with a latest revision date of February 15, 2017, attached to and, by this reference, made a part of this Ordinance as **Exhibit F**.

5. The "Landscape Structure" plans prepared by NuToys Leisure Products, consisting of four sheets, and with a latest revision date of January 30, 2017, attached to and, by this reference, made a part of this Ordinance as **Exhibit G**.

SECTION 5: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Recorder of Deeds. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 6: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approvals granted in Sections 2 and 3 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approvals granted in Sections 2 and 3 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 7: AMENDMENT OF SPECIAL USE PERMIT. Any amendments to the approvals granted in Sections 2 and 3 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 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.

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

1. Passage by the Village Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and

3. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit H** 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 9.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 16th day of May, 2017, pursuant to the following roll call vote:

AYES: Trustees Cripe, Dearborn, Lanphier, Myers, and Ziv

NAYS: None

ABSENT: None

Signed

s/ Chris Rintz

Village President

Countersigned:

s/Robert M. Bahan

Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this 7th day of May, 2017.

Introduced: Waived

Passed and Approved: May 16, 2017

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No. 178081 filed on April 27, 1878, in the Southwest ¼ of Section 17, Township 42 North, Range 13 East of the Third Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5, and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying Easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the East line of the Northwest ¼ of said Southwest ¼ of Section 17, 678.00 feet South of the Northeast corner of said Northwest ¼ of the Southwest ¼ of Section 17.

Commonly known as 1110 Chatfield Road, Winnetka, Illinois.

EXHIBIT B

APRIL 10, 2017 PUBLIC HEARING MINUTES OF THE ZBA

Zoning Board Members Present: Joni Johnson, Chairperson

Thomas Kehoe

Kathleen Kumer

Mark Naumann

Zoning Board Members Absent: Sarah Balassa

Matthew Bradley

Carl Lane

Village Staff: Michael D'Onofrio, Director of Community Development

Ann Klaassen, Planning Assistant

Case No. 17-05-SU: Hubbard Woods School (1110 Chatfield Road)

Winnetka Public School District 36

Special Use Permit

Modifications of Playground

Variation by Ordinance

Front and Corner Yard Setbacks

Hubbard Woods School (1110 Chatfield Road), Case No. 17-05-SU: Winnetka Public School District 36, Special Use Permit - Modifications of Playground; Variation by Ordinance - Front and Corner YardSetbacks

Mr. D'Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by Winnetka Public School District 36, concerning a Special Use Permit in accordance with Section 17.56.010 of the Winnetka Zoning Ordinance, to permit modifications to the playground, as well as a variation by Ordinance from Section 17.30.050 [Front and Corner Yard Setbacks] of the Winnetka Zoning Ordinance to permit play equipment that will result in a front yard setback of 9.33 ft. from Hamptondale Ave., whereas a minimum of 30 ft. is required, a variation of 20.67 ft. (68.9%).

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

Kathryn Talty stated that she would be presenting this request to the Board as well. She informed the Board that the request represented a similar situation to that at Greeley. She noted that they would be operating within the boundaries of the existing couple of play areas. Ms. Talty then stated that they would be making one minor modification to an area which she identified for the Board in the corner.

Ms. Talty noted that there is a paver area which covered the corner which she identified for the Board along with a couple of benches. She then stated that over time, the pavers are starting to fail. She stated that the best way to treat this area would be to incorporate it into the play space. Ms. Talty then referred to the two play areas which are to be connected which was previously pavers. She stated that meant that they would be adding a border curb in two areas she identified for the Board and removing the existing pavers. Ms. Talty stated that they would also be relocating the benches elsewhere on the site into an undetermined area and making the area wood fiber chips similar to the rest of the play area.

Ms. Talty went on to state that there is one large piece of equipment which matches the existing pieces she identified and that they planned to relocate that piece of equipment into an empty spot which she described as a missing tooth with like size play equipment which would adhere to the older children in the school. She stated that would make the existing space into a younger play area space for the younger children. Ms. Talty stated that they planned to connect the play areas with playhouses or other types of recreational equipment which would transition the younger play space to the older play space and which would allow the older and younger children to migrate in the center of the space.

Ms. Talty noted that they were mindful that there are some existing storm drains in the area which would remain. She identified the area which is entirely an asphalt play space and the lines of the track which exist. Ms. Talty then identified Hamptondale and the existing homes along with a chain link fence. She also informed the Board that they have coordinated with the neighbors and that there are a few that are very happy that these improvements are being proposed. Ms. Talty stated that the thought behind keeping the younger students together in one area makes it easier for the teachers to supervise, but also gives a cuing spot for drop-off and pickup.

Ms. Talty informed the Board that there has been some real thought into the space planning for the proposal and that Beth Carmody has worked with the staff and teachers and that they have had a lot of input. She stated that the equipment would meet everyone's hopes and expectations. Ms. Talty then referred the Board to a rendering and the color pallet and play pieces which would be manufactured by Landscape Structures, which is quality play equipment.

Beth Carmody introduced herself to the Board as the principal at Hubbard Woods. She then stated that the missing tooth was a vintage piece of equipment which was taken out last year and which was a similar sized piece of equipment. Ms. Carmody stated that unlike other schools which have the opportunity to have different play areas, they do not have that type of space at Hubbard Woods and that it is all one big area and that the proposal will help them divide it a little bit for the kindergarten children, especially with the lower equipment for them and which represented a lot of the impetus behind this plan.

Ms. Talty stated that she can provide the Board with more information with regard to the size of the lower equipment. She informed the Board that the peak to the roof of the playhouse is approximately 9 feet tall and another platform with a surround will be more like 7 feet tall. Ms. Talty stated that they would not be proposing any additional landscaping and that there is a lot of existing landscaping on the Hubbard Woods campus.

Mr. Kehoe stated that since they would be taking out some asphalt and replacing it with some woodchips, he asked if that would decrease the amount of impermeable surface.

Ms. Talty confirmed that is correct.

Mr. Kehoe asked if there has been the opportunity to do that at other locations.

Ms. Talty responded that at this point, that represented a good opportunity to do that and is the limit of their construction at this point. She also stated that may be part of a future plan and that there is going to be some water work being done on the campus and that many things are waiting until that is worked out.

Mr. Kurr informed the Board that they are working with the Village and that it is all interdependent on the storm water process and that once that happened, they would look at the hard surface.

Mr. Kehoe questioned the pickup and drop-off.

Ms. Carmody responded that when parents drop the children off, they run in that area and that there would be containment in that area.

Ms. Talty and Mr. Kurr confirmed that it would not change.

Chairperson Johnson asked if there are safety issues with regard to the playground and surface material.

Mr. Kurr stated that it would be the same type of woodchip surface and that it is within the codes of the school. He added that the depth of the woodchips is important in terms of fall safety.

Chairperson Johnson asked where is the asphalt.

Ms. Talty identified the area of asphalt to be removed.

Ms. Kumer asked if there is a requirement for woodchips beneath the equipment.

Ms. Talty responded that there is not under the playhouses and as long as there is not an elevated surface.

Mr. Kurr informed the Board that there are a couple of elements of the structure that are handicap accessible. He also stated that the fact of having one playhouse on a hard surface makes it easier.

Ms. Talty then stated that while the fiber surface is a handicap accessible surface, it would be difficult to navigate for those with mobility issues. She also stated that for those whose mobility issue is temporary such as people using crutches; this allows them the opportunity to play.

Mr. Naumann asked the applicant if they spoke to the homeowner to the west.

Ms. Talty confirmed that they did and that there are no issues.

Chairperson Johnson commented that they like it when it is visually improved.

Ms. Talty referred to the play equipment which would be most proximate to the residence which she identified for the Board. She also stated that there is an existing fence and a shrub border growing in between.

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

Mr. Naumann stated that the request is straightforward and it would be an improvement to the property. He also stated that there would be an improvement in at least one of the zoning variances and that they would be improving drainage a little bit. Mr. Naumann stated that other than that, he had no concerns.

Chairperson Johnson asked Mr. D'Onofrio with regard to the minimum third street front setback

Ms. Klaassen stated that is because there are three streets surrounding the property which are Hamptondale, Chatfield and Laurel, or Burr Avenue.

Mr. Kehoe noted that that this appeared to be an expansion of a nonconforming use.

Mr. D'Onofrio stated that it is not a nonconforming use but a special use which is why it is before the Board tonight.

Mr. Naumann then moved to recommend approval of the request as it relates to the Hubbard Woods' request on the special use and moved to consider the special use standards stipulated on page nos. 8 and 9 in the packet of materials which covered the six points ranging from public health and safety to the injurious impact to those in the immediate vicinity to the establishment of the special use not impeding the development and improvement in the vicinity. He also referred to the considerations for ingress and egress which minimize pedestrian and vehicular traffic congestion and that there would be adequate parking. Mr. Naumann then stated that the special use in all other respects conforms to the regulations and by referencing the adopted points making on page nos. 8 and 9.

Mr. Kehoe and Ms. Kumer seconded the motion. A vote was taken and the motion was unanimously passed.

AYES: Johnson, Kehoe, Kumer, Naumann

NAYS: None

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

Last year, the Hubbard Woods playground lost equipment due to the aging process. The replacement equipment will offer smaller age appropriate pieces. This smaller equipment will give an option to younger students and neighborhood children with emerging physical skills, of an engaging place to imagine, create and play.

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

The new additions to the Hubbard Woods School playground will offer the community a place for little ones to play during off hours. Having this lovely resource near homes in the area will only enhance the appeal to property owners in that the playground will be appropriately maintained and safety measures and guidelines will be followed throughout the installation process. The current plans meet safety regulations and the structures themselves are attractive.

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

The playground location will not be changed, although the fiber play surface area will be slightly increased. The proposed play equipment is in keeping with the type and rough dimensions of the existing equipment but adds more diverse play challenges for a broader age and skill range. The surrounding neighborhood will not be impacted negatively nor will it be intruded upon.

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

The installation of the new playground equipment will in no way impede the normal activities that occur around Hubbard Woods School. The pedestrian and vehicular traffic will remain unchanged by the replacement of the play equipment. Furthermore, the District will use good judgment and decision making as to when the equipment will be installed, ensuring, to the best of its ability, that traffic and sidewalks will not be obstructed for users.

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

The playground project does not require changes to existing parking, roads, drainage or facilities. The District will ensure that any disruption to the neighbors due to the installation of the new equipment will be minimal. The District will provide information to the neighbors regarding the installation process.

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

The school district is obliged to follow the safety rules and regulations stated in school code, which ensures a safe playground for children to enjoy. The District will comply with all Village regulations, ordinances and codes in this process.

Chairperson Johnson then asked for a motion on the variation for the front yard setback.

Mr. Naumann moved to recommend approval of the zoning variation to allow play equipment within the required front yard setback from Hamptondale and to incorporate the stipulations in detail as provided on page nos. 12 and 13.

Ms. Kumer seconded the motion. A vote was taken and the motion was unanimously passed.

AYES: Johnson, Kehoe, Kumer, Naumann

NAYS: None

The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.

The location of the playground will be the same as currently exists, with minimal changes to expand the fiber play surface. The proposed play equipment replaces the existing taller play equipment which will be relocated to an appropriate area on site. The playground is an important factor in the education of our children and must be preserved. The play equipment style is in keeping with the type and rough dimensions of the existing equipment but adds more diverse play challenges for a broader age and skill range. The surrounding neighborhood will not be impacted negatively nor will it be intruded upon.

2. The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.

Due to the limitations of open space on the school campus, it is not practical or cost effective to move the playground location. In addition, the area where the playground is located is small and accented by existing landscape, including mature trees and shrubs.

3. The variation, if granted, will not alter the essential character of the locality.

The plan for the updated play equipment does not exceed the area of the current playground space. Although there will be slightly more fiber play surface space where asphalt and concrete pavers are proposed to be removed. The new proposed play pieces for the Hubbard Woods School playground are in keeping with the character of the play pieces that are being replaced. The structures chosen are aligned with the developmental abilities of a child in kindergarten. The updated playground will continue to offer the community a well maintained resource; a place where young children can play during and after school hours. We believe having this lovely resource near homes in the area enhances the appeal to property owners.

4. An adequate supply of light and air to the adjacent property will not be impaired.

The proposed playground equipment and design consists of predominantly low open structures that have a minimal effect on light or air flow. Following the safety guidelines which require the structures to be properly spaced from piece to piece provides for additional open space. In addition, the equipment is similar to the structures that are being replaced.

5. The hazard from fire and other damages to the property will not be increased.

The school district is obliged to follow the safety rules and regulations stated in school code, which ensures a safe playground for children to enjoy. The District also looks forward to working collaboratively with the Village in addressing its regulations, ordinances and codes in this process. The proposed playground is in compliance with school code safety regulations and the District will ensure it is also in compliance with safety regulations of the Village. In addition, the new equipment will be located a large distance away from any other structures and in the same area where the existing equipment is located.

6. The taxable value of the land and buildings throughout the Village will not diminish.

The new additions to the Hubbard Woods school playground will offer the community a place for little ones to play during and after school hours. We believe having this lovely resource near homes in the area enhances the appeal to property owners in that the playground will be appropriately maintained and available for community use when school is not in session. The proposed plans provide for play structures and a layout that are attractive and a benefit to the community.

7. The congestion in the public streets will not increase.

The installation of the new playground equipment will in no way impede or alter the normal activities or traffic that occurs around Hubbard Woods School. The District will use good judgment and decision making as to when the equipment will be installed ensuring, to the best of its ability, that traffic and sidewalks will not be obstructed for users.

8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

Over the past year the Hubbard Woods School playground has lost play equipment due to the aging process. This new updated play equipment will offer the school and neighborhood children an engaging place to imagine, create, climb, jump, leap and play.

EXHIBIT C

TOPOGRAPHIC MAP OF PART OF HUBBARD WOODS SCHOOL

(SEE ATTACHED EXHIBIT C)

EXHIBIT D

PROJECT LOCATION PLAN

(SEE ATTACHED EXHIBIT D)

EXHIBIT E

SITE PHOTOS

(SEE ATTACHED EXHIBIT E)

EXHIBIT F

SITE PLAN

(SEE ATTACHED EXHIBIT F)

EXHIBIT G

LANDSCAPE STRUCTURE PLAN

(SEE ATTACHED EXHIBIT G)

EXHIBIT H

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Winnetka Public School District No. 36 ("*Applicant*") is the record title owner of the property commonly known as 1110 Chatfield Road in the Village ("*Subject Property*")

WHEREAS, the Applicant desires to construct on the Subject Property certain outdoor playground improvements for use by students; and

WHEREAS, Ordinance No. M-5-2017, adopted by the Village Council on May 16, 2017 ("*Ordinance*"), grants a certain variation from the provisions of the Winnetka Zoning Ordinance and a special use permit to the Applicant to permit the construction of the playground improvements on the Subject Property and the expanded use of the Subject Property for the operation of an elementary school; and

WHEREAS, Section 9 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

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

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

Dated: __, 2017

ATTEST:

By: __

Its: __

WINNETKA PUBLIC SCHOOL DISTRICT NO. 36

By: __

Its: __

ORDINANCE NO. M-07-2022

AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT, VARIATIONS FROM THE WINNETKA ZONING ORDINANCE, AND

A CERTIFICATE OF APPROPRIATENESS FOR THE CONSTRUCTION OF IMPROVEMENTS TO AN EXISTING PLAYGROUND

WITHIN THE R-4 SINGLE FAMILY RESIDENTIAL DISTRICT

(1110 Chatfield Road)

WHEREAS, the Board of Education of Winnetka Public School District No. 36 (“*School District*”) is the record title owner of the property commonly known as 1110 Chatfield Road, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (“*Subject Property*”); and

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

WHEREAS, the Subject Property consists of approximately 2.92 acres, improved with a school building generally located on the east side of the Subject Property, a playground located on the north and west sides of the Subject Property (“*Playground*”), various athletic courts and fields located on the south side of the Subject Property, and accessory structures; and

WHEREAS, the Playground consists of outdoor playground equipment (“*Existing Equipment*”) which is divided between two play areas, one located on the west side of the Subject Property (“*West Play Area*”) and another located on the north side of the Subject Property (“*North Play Area*”), a wood chip-based play surface, and accessory improvements; and

WHEREAS, the School District operates a public school known as Hubbard Woods Elementary School (“*Elementary School*”) on the Subject Property; and

WHEREAS, pursuant to Section 17.16.020 of the Winnetka Zoning Ordinance (“*Zoning Ordinance*”), the operation of an elementary school is not permitted within the R-4 District without a special use permit; and

WHEREAS, on May 16, 2017, the Village Council approved Ordinance No. M-5-2017 (“*Special Use Ordinance*”) granting the School District a special use permit to allow for improvements to the Playground on the Subject Property (“*Special Use Permit*”); and

WHEREAS, the School District proposes to construct improvements to the Playground by: (i) removing the Existing Equipment located in the West Play Area and installing new playground equipment (“*Proposed Equipment*”); (ii) removing the wood chip-based play surface and installing a rubberized play surface across the West Play Area and the North Play Area; and (iii) making other ancillary improvements to the Playground (collectively, the “*Proposed Improvements*”); and

WHEREAS, pursuant to Section 17.56.090 of the Zoning Ordinance, no special use may be enlarged or extended by structural alteration of a building or other structure without amending the special use permit; and

WHEREAS, the School District desires to amend the Special Use Permit to allow for the construction and operation of the Proposed Improvements; and

WHEREAS, pursuant to Section 17.30.030.B of the Zoning Ordinance, the maximum total area of impermeable lot coverage for the Subject Property is 63,636.5 square feet; and

WHEREAS, pursuant to Section 17.30.060 of the Zoning Ordinance, the minimum side yard setback from the west property line of the Subject Property (“*West Property Line*”) to the Proposed Equipment is 12 feet; and

WHEREAS, the School District desires to construct and operate the Proposed Improvements in a manner that will: (i) increase the total area of impermeable surfaces on the Subject Property from approximately 78,383.6 square feet to approximately 86,394.6 square feet; and (ii) decrease the side yard setback from the West Property Line, from approximately 10.5 feet for the Existing Equipment in the West Play Area, to approximately 9.5 feet for the Proposed Equipment in the West Play Area; and

WHEREAS, the School District filed an application for: (i) variations from Sections 17.30.030.B and 17.30.060 of the Zoning Ordinance to permit the construction of the Proposed Improvements (collectively, the “*Variations*”); (ii) an amendment to the Special Use Permit pursuant to Sections 17.16.020 and Chapter 17.56 of the Zoning Ordinance to allow the construction and operation of the Proposed Improvements on the Subject Property within the R-4 District (“*Special Use Permit Amendment*”); and (iii) a certificate of appropriateness pursuant to Section 15.40.010 of the Winnetka Village Code (“*Village Code*”) (the Variations, Special Use Permit Amendment, and Certificate of Appropriateness are, collectively, the “*Requested Relief*”); and

WHEREAS, on March 14, 2022, after due notice thereof, the Zoning Board of Appeals (“*ZBA*”) conducted a public hearing on the Requested Relief and, by a vote of four in favor and none opposed, recommended that the Village Council approve the Requested Relief subject to the conditions set forth in this Ordinance; and

WHEREAS, pursuant to Sections 17.60.040, 17.60.050, and Chapter 17.56 of the Zoning Ordinance, the ZBA heard evidence and made certain findings in support of recommending approval of the Variations and the Special Use Permit Amendment; and

WHEREAS, on March 17, 2022, after due notice thereof, the Design Review Board of the Village met to consider a Certificate of Appropriateness for the Proposed Improvements, and by a vote of four in favor and none opposed, recommended the issuance of a Certificate of Appropriateness for the Proposed Improvements subject to the conditions set forth in this Ordinance; and

WHEREAS, on March 23, 2022, after due notice thereof, the Plan Commission conducted a public hearing on the proposed Special

Use Permit Amendment and, by a vote of six in favor and none opposed, recommended that the Village Council approve the Special Use Permit Amendment; and

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

WHEREAS, the Village Council has determined that approval of the proposed Special Use Permit Amendment satisfies the standards for the approval of special use permits within the R-4 District set forth in Chapter 17.56 of the Zoning Ordinance; and

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

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 1 as the findings of the Village Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: APPROVAL OF SPECIAL USE PERMIT AMENDMENT. Subject to, and contingent upon, the terms and conditions set forth in Section 5 of this Ordinance, the Special Use Permit Amendment is hereby granted, pursuant to Chapter 17.56 and Section 17.16.020 of the Zoning Ordinance and the home rule powers of the Village, to allow the construction and operation of the Proposed Improvements on the Subject Property within the R-4 District.

SECTION 3: APPROVAL OF VARIATIONS. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 5 of this Ordinance, the following variations are hereby granted with respect to the Subject Property, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village:

Area of Impermeable Surfaces. A variation from Section 17.30.030.B of the Zoning Ordinance to permit a total of 86,394.6 square feet of impermeable surface.

Side Yard Setback. A variation from Section 17.30.060 of the Zoning Ordinance to permit a side yard setback of 9.5 feet from the West Property Line.

SECTION 4: APPROVAL OF CERTIFICATE OF APPROPRIATENESS. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 5 of this Ordinance, the Certificate of Appropriateness is granted for the Subject Property, pursuant to Section 15.40.010 of the Village Code and the home rule powers of the Village.

SECTION 5: CONDITIONS. The approvals granted by Sections 2, 3, and 4 of this Ordinance are subject to, and contingent upon, compliance by the School District with the following conditions:

A Commencement of Construction. The School District must commence the construction of the Proposed Improvements no later than 12 months after the effective date of this Ordinance.

B Compliance with Regulations. Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvements and the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.

C Landscaping Buffer. The School District will continue to use their best efforts to fill the landscaping buffer gap between the Proposed Equipment and the West Property Line.

D Compliance with Plans. The development, use, and maintenance of the Proposed Improvements at the Subject Property must be in general accordance with the following documents and plans, except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards:

The Proposed Site Plan prepared by Kathryn Talty Landscape Architecture, consisting of one sheet, and with a latest revision date of February 28, 2022, attached to and, by this reference made a part of this ordinance as **Exhibit B**;

The Proposed Project Location Plan prepared by Kathryn Talty Landscape Architecture, consisting of one sheet, and with a latest revision date of January 28, 2022, attached to and, by this reference made a part of this ordinance as **Exhibit C**;

The Site Photos prepared by Kathryn Talty Landscape Architecture, consisting of one sheet, and with a latest revision date of January 28, 2022, attached to and, by this reference made a part of this ordinance as **Exhibit D**;

The Proposed Equipment List prepared by NuToys Leisure Products, consisting of two sheets, and with a latest revision date of February 9, 2022, attached to and, by this reference made a part of this ordinance as **Exhibit E**;

The Proposed Structure Dimensions prepared by NuToys Leisure Products and Landscape Structures, consisting of one sheet, and with a latest revision date of February 9, 2022, attached to and, by this reference made a part of this ordinance as **Exhibit F**;

The Proposed Equipment Renderings prepared by NuToys Leisure Products and Landscape Structures, consisting of four sheets, and with a latest revision date of February 9, 2022, attached to and, by this reference made a part of this ordinance as **Exhibit G**.

E Continued Effect of Special Use Permit. The Special Use Permit, as amended by this Special Use Permit Amendment, remains in full force and effect; provided, however, that in the event of any conflict between the Special Use Permit and the Special Use Permit Amendment, the provisions of the Special Use Permit Amendment will control.

F 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 School District 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 School District must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.

SECTION 6: RECORDATION; BINDING EFFECT. A copy of this Ordinance shall be recorded with the Recording Division of the Cook County Clerk. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of and are binding upon the School District and each of its heirs, representatives, successors, and assigns.

SECTION 7: 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 Ordinance, in addition to all other remedies available to the Village, the approvals granted in Sections 2, 3, and 4 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approvals granted in Sections 2, 3, and 4 of this Ordinance unless it first provides the School District 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 8: FUTURE AMENDMENT OF SPECIAL USE PERMIT. Any future amendments to the Special Use Permit Amendment granted in Section 2 of this Ordinance that may be requested by the School District 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 9: 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 School District with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit H** 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 School District does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 9.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.

PASSED this 19th day of April, 2022, pursuant to the following roll call vote:

AYES: Trustees Apatoff, Cripe, Dalman, Dearborn, Mancini, and Swierk

NAYS:

ABSENT:

APPROVED this 19 day of April, 2022.

s/Chris Rintz

Village President

Countersigned:

s/Robert M. Bahan

Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this 20 day of 2022.

Introduced: April 19, 2022

Passed and Approved: April 19, 2022

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No. 178081 filed on April 27, 1878, in the Southwest ¼ of Section 17, Township 42 North, Range 13 East of the Third Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5 and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying Easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the East line of the Northwest ¼ of said Southwest ¼ of Section 17, 678.00 Feet South of the Northeast corner of said Northwest ¼ of the Southwest ¼ of Section 17.

Commonly known as 1110 Chatfield Road, Winnetka, Illinois.

PINS: 05-17-307-012-0000, 05-17-307-013-0000, 05-17-307-024-0000

EXHIBIT B

PROPOSED SITE PLAN

(SEE ATTACHED EXHIBIT B)

EXHIBIT C

PROPOSED PROJECT LOCATION PLAN

(SEE ATTACHED EXHIBIT C)

EXHIBIT D

SITE PHOTOS

(SEE ATTACHED EXHIBIT D)

EXHIBIT E

PROPOSED EQUIPMENT LIST

(SEE ATTACHED EXHIBIT E)

EXHIBIT F

PROPOSED STRUCTURE DIMENSIONS

(SEE ATTACHED EXHIBIT F)

EXHIBIT G

PROPOSED EQUIPMENT RENDERINGS

(SEE ATTACHED EXHIBIT G)

EXHIBIT H

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Board of Education of Winnetka Public School District No. 36 (" **School District** ") is the record title owner of the property commonly known as 1110 Chatfield Road in the Village (" **Subject Property** "); and

WHEREAS, the School District proposes to construct improvements to the Playground located on the Subject Property (" **Proposed Improvements** "); and

WHEREAS, Ordinance No. M-07-2022, adopted by the Village Council on April 19, 2022 (" *Ordinance* "), grants to the School District variations from the provisions of the Winnetka Zoning Ordinance, an amendment to a special use permit, and a Certificate of Appropriateness to permit the construction of the Proposed Improvements on the Subject Property (collectively, the “ *Requested Relief* ”); and

WHEREAS, Section 9 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the School District has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the School District does hereby agree and covenant 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 Ordinance.
2. The School District acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The 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 the Requested Relief 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 School District against damage or injury of any kind and at any time.
4. 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 Ordinance granting the Requested Relief for the Subject Property.
5. 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.

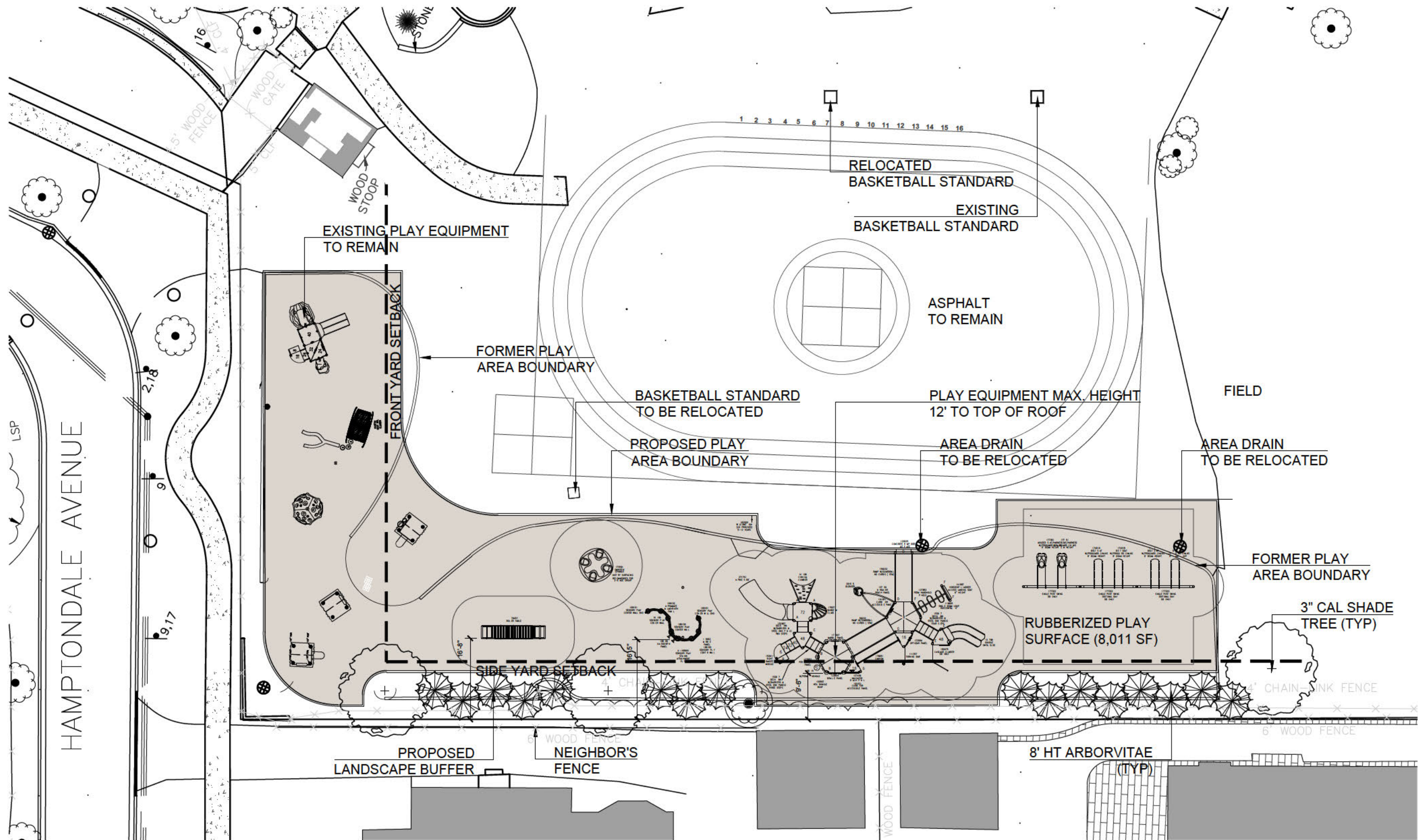
Dated: __, 2022

ATTEST:

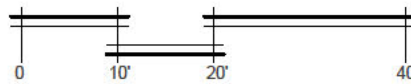
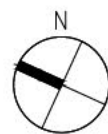
By: __
Its: __

**BOARD OF EDUCATION OF WINNETKA PUBLIC
SCHOOL DISTRICT NO. 36**

By: __
Its: __



SITE PLAN
SCALE: 1" = 20'-0"



PLAY AREA IMPROVEMENTS

SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

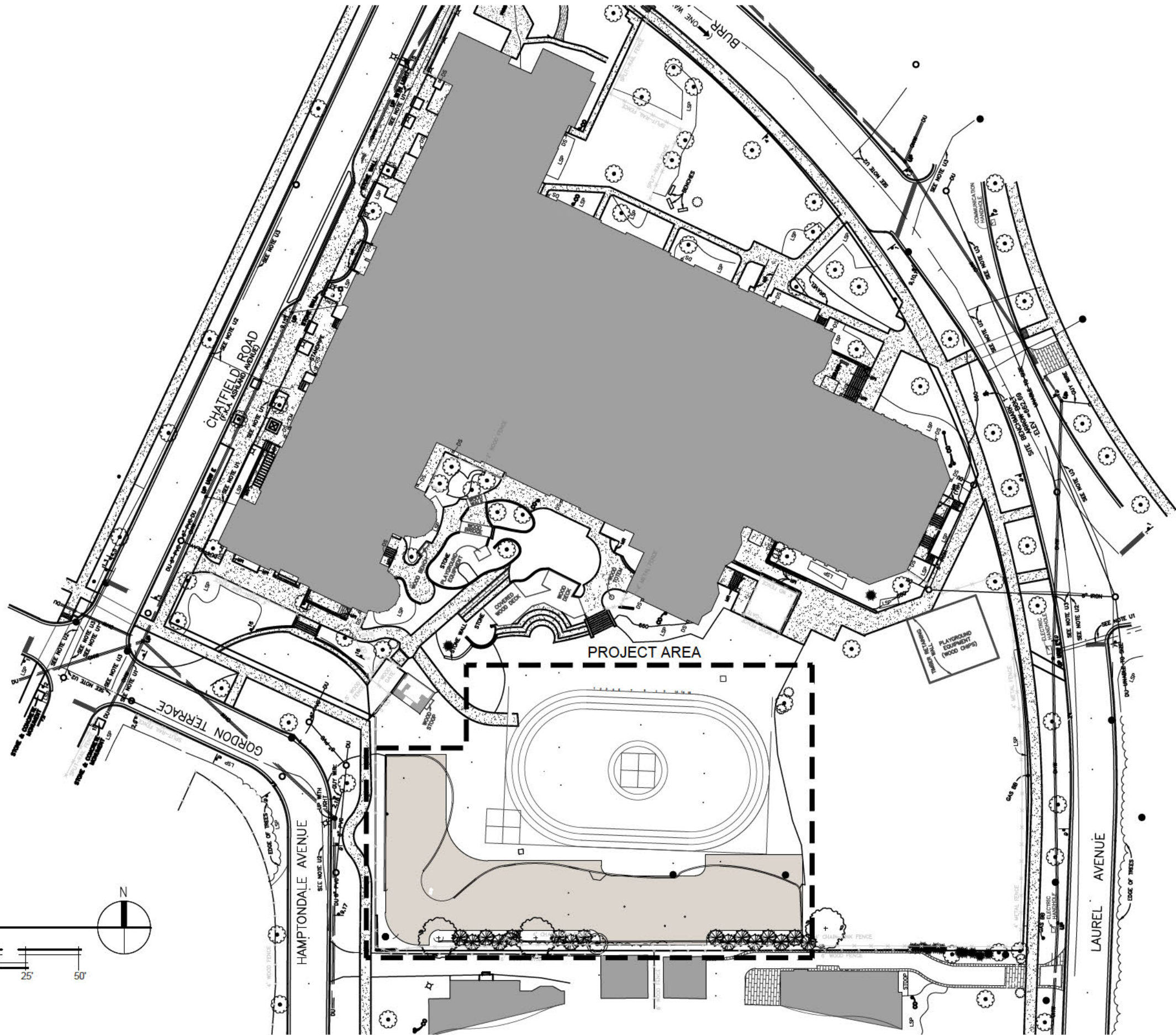
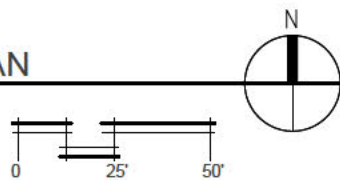
WINNETKA, ILLINOIS

Kathryn Talty
landscape architecture

Winnetka, Illinois 60093
847.612.5154
www.kmtaltydesign.com

DATE: 02-28-22

PROJECT LOCATION PLAN
SCALE: 1" = 50'-0"



PLAY AREA IMPROVEMENTS

SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL



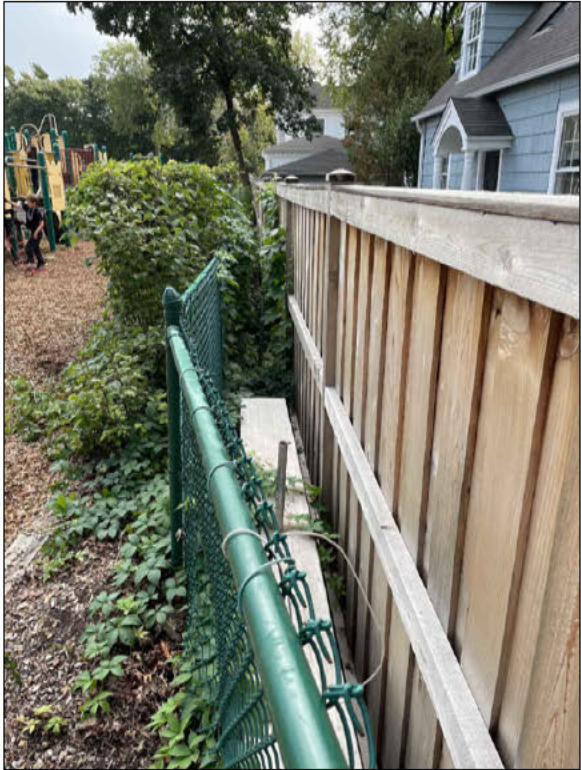
SITE PHOTOS
EXISTING EQUIPMENT TO BE REPLACED



SITE PHOTOS
EXISTING EQUIPMENT TO BE REMAIN



SITE PHOTOS
SITE CONDITIONS





Box 2121
La Grange, IL 60525
708-579-9055
708-579-0109 (fax)
1-800-526-6197

February 9, 2022

**HUBBARD WOODS SCHOOL
WINNETKA, IL
OPTION 1 - REVISED
PLAYBOOSTER COMPONENT SYSTEM**

<u>QTY.</u>	<u>NO.</u>	<u>DESCRIPTION</u>
5-12 Year Olds Play Equipment		
1	120325A	Ramp Berm Exit Plate Concrete Wall
2	156232A	Ramp w/Guardrails w/Curbs Meets ASTM
1	176081A	Canyon Climber
1	150975A	Cascade Climber 48"Dk DB Only
1	143199A	Conical Climber 72"Dk DB
1	152907B	Deck Link w/Barriers Steel end panels 2 Steps
1	152907C	Deck Link w/Barriers Steel end panels 3 Steps
1	152907D	Deck Link w/Barriers Steel end panels 4 Steps
1	156915A	Pod Climber 16"Dk DB Right Mounted Handhold
1	176079A	Sunbeam Climber
1	152911C	Curved Transfer Module Right 48"Dk DB
2	178710A	Hexagon Tenderdeck
1	121948A	Kick Plate 8"Rise
1	111228A	Square Tenderdeck
3	111231A	Triangular Tenderdeck
1	119646A	Tri-Deck Extension
2	191031A	Accessible Panel Curb
1	123844A	Braille Panel Above Deck
1	127953B	Handhold Panel
1	127953A	Handhold Panel Set
1	173567A	Marble Panel Above Deck
2	127439A	Navigator Reach Panel Above Deck
1	173564A	Optigear Panel Above Deck
1	201545A	Blender Spinner DB
1	111357B	Turning Bar Alum DB
1	141887A	Access/Landing Assembly Seat Barrier Left 8"Dk
1	119805A	Single Beam Loop Horiz Ladder 84"
4	111404E	116"Alum Post DB
4	111404D	124"Alum Post DB
2	111404C	132"Alum Post DB
2	111404O	132"Steel Post DB 42" BURY
6	111403F	142"Alum Post For Roof DB
4	111404A	148"Alum Post DB
2	111404J	76"Alum Post DB
4	111404H	92"Alum Post DB

Hubbard Woods School - Option 1 Revised

1	130567A	Hex Shingle Roof
1	271761A	Alpine Slide 72" Deck DB
1	130798A	Double Swirl Slide 48"Dk DB
1	182503C	Welcome Sign (LSI Provided) Ages 5-12 years DB

ALSO:

1	173591A	OmniSpin Spinner Surface Mount
1	176457A	Roller Table DB

3-Panel Sensory Wall

1	168102A	Alphamaze and Labyrinth Panel
1	168108A	Kaleidospin Panel
1	168662A	Marble Panel
3	168100A	Sensory Play Center Wall DB
2	168101A	Sensory Play Center Wall End DB
4	168661A	Sensory Play Station Plate

**New 6-Place Single Post Swing Set
5 Belt Seats and 1 ADA**

4	174018A	Belt Seat Proguard Chains 8' Beam
2	177351A	Molded Bucket Seat (5-12 yrs) w/Harness Proguard Chains 8' Beam
1	177332A	Single Post Swing Frame 8' Beam
2	177333A	Single Post Swing Frame Addtl Bay 8' Beam

****Note: Due to the volatile cost of raw materials, supply chain and labor shortages, prices and lead times can change without notice. Unfortunately, we cannot guarantee or hold prices quoted at this time.**

EXISTING
2-5
EQUIPMENT
TO REMAIN



HURDWOODS SCHOOL
WARRICK, IN
CODE: WARRICK01 - OPTION 1

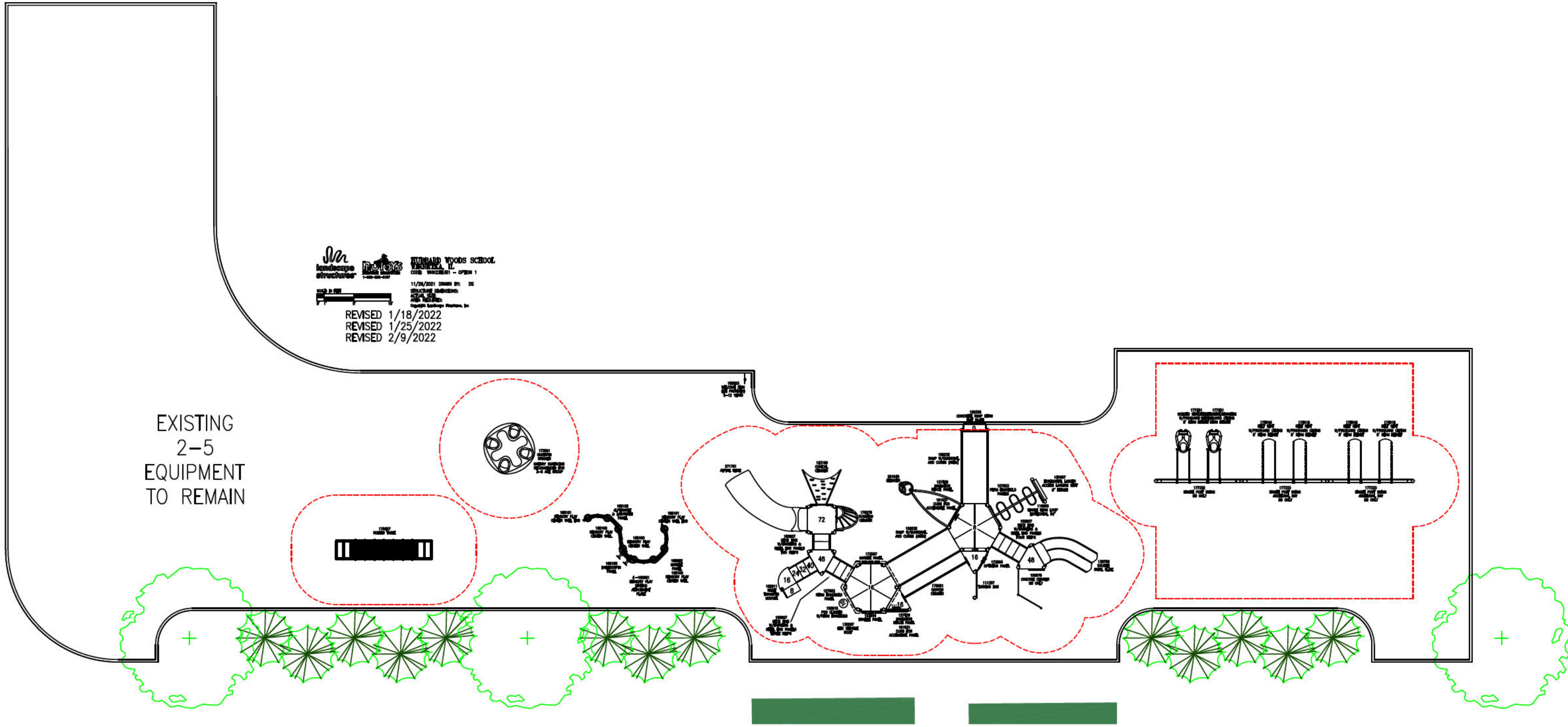


11/28/2021 DRAWN BY: DS
STRUCTURE NUMBER: 1011
DATE: 11/28/21
Copyright: Landscape Structures, Inc.

REVISED 1/18/2022

REVISED 1/25/2022

REVISED 2/9/2022





HUBBARD WOODS
ELEMENTARY SCHOOL
WNN22HUB1-2-1 • 02.09.2022



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HUBBARD WOODS ELEMENTARY SCHOOL

WNN22HUB1-2-4 • 02.09.2022



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EXHIBIT H
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{00125954.1}

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Dated: April 26, 2022

ATTEST:

**BOARD OF EDUCATION OF WINNETKA
PUBLIC SCHOOL DISTRICT NO. 36**

By:

Its:


CFO

By:

Its:


Secretary

ATTACHMENT D

From: [REDACTED]
To: [Planning](#)
Subject: Hubbard Woods School expansion
Date: Friday, March 3, 2023 7:24:59 AM

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.

We've lived at 1152 Chatfield for 23 years. We are fully supportive of the proposed expansion and variations.

Bruce & Laura Linger
1152 Chatfield Road
Winnetka, IL 60093