



Village of Winnetka

Plan Commission Regular Meeting

March 22, 2023 at 7:00 PM
Winnetka Village Hall Council Chambers
510 Green Bay Road

AGENDA

1. **Call to Order & Roll Call**
2. **Approval of Minutes**
 - a. February 15, 2023, Special Meeting Minutes
 - b. February 22, 2023, Regular Meeting Minutes
 - c. March 1, 2023, Special Meeting Minutes
3. **Public Comments**
4. **Community Development Report**
5. **New Applications**
 - a. **Case No. 23-03-SU: Hubbard Woods Elementary School (1110 Chatfield Road):** An Application submitted by Winnetka Public School District 36 seeking approval of an amendment to existing Special Use Permit approvals that have allowed various structures at 1110 Chatfield Road. The requested amendment would allow construction of an addition on the southwest corner of the existing school building, which is located in the R-4 Single-Family Residential Zoning District. The Village Council has final jurisdiction on this request.
 - b. **Case No. 23-02-SD: 1415 and 1423 Asbury Avenue:** An application submitted Judy Lesnik seeking approval of a Final Plat of Subdivision and zoning variations to allow a two-lot resubdivision of 1415 Asbury Avenue and 1423 Asbury Avenue. The requested zoning variations would permit the existing residence at 1423 Asbury Avenue to (a) observe less than the minimum required side yard setback from the new east property line; and (b) observe less than the minimum required total side yard setback for Proposed Lot 1. The request also requires a finding of "No Material Increased Adverse Impact" for the following existing improvements on Proposed Lot 2 (1415 Asbury Avenue) which (a) exceed the maximum permitted gross floor area; (b) exceed the maximum permitted front yard lot coverage; (c) observe less than the minimum required front yard setback; and (d) do not provide the required building line articulation on the east side building walls. The Village Council has final jurisdiction on this request.

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).

- 6. Old Business**
- 7. New Business**
 - a. April 26, 2023, Regular Meeting - Quorum Check
- 8. Adjournment**

**WINNETKA PLAN COMMISSION
SPECIAL MEETING MINUTES
FEBRUARY 15, 2023**

Members Present:

Bridget Orsic, Chairperson
Jonathan Alt
Matthew Bradley
Mamie Case
Layla Danley
Chris Foley
Liz Kunkle

Members Absent:

John Golan

Non-Voting Members Absent:

Tina Dalman

Village Staff:

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

Call to Order & Roll Call:

The meeting was called to order by Chairperson Orsic at 7:00 p.m. Ms. Klaassen took roll call of the Commission Members present. Chairperson Orsic then outlined how the meeting would proceed and the items to be discussed at the meeting.

Public Comment:

No comments were made at this time.

Community Development Report

Mr. Schoon stated there is no Community Development Report.

Comprehensive Plan:

a. Public Hearing on the Proposed Comprehensive Plan for the Village of Winnetka.

Mr. Schoon stated an amended and revised draft was prepared for the Commission for discussion including proposed language changes from the prior meeting. He stated Scott Freres of The Lakota Group would review the overall process and status. Mr. Schoon then stated with regard to comments and questions regarding certain terms in the Comprehensive Plan, he would go over those.

Scott Freres provided a brief presentation to provide clarification for those in the audience. He reiterated the process was built over a three-year period which included a lot of dialogue pre and post pandemic. Mr. Freres stated he would also discuss the revisions which resulted from last month's discussion and referred to the Implementation chapter which reaffirmed all the Plan's initiatives which they hope to get to this evening. He stated they then planned to have further discussion with the Commission in terms of the Implementation plan specifically related to the initiatives and priorities.

Mr. Freres reviewed the process followed to develop the Plan which included several phases, the first of which included analyzing and engaging the community in conversation and topics of concern. He identified the second phase as the Visioning phase which included crafting language and setting goals and

1 key initiatives. Mr. Freres then stated the last couple of months focused on building the Comprehensive
2 Plan and supporting all of its Initiatives. He described the Comprehensive Plan structure as simple which
3 contained a guiding principle which is supported by Pillars, which he identified. Mr. Freres noted the Pillars
4 are not listed in any specific order and include cross synergy between them. He then stated following the
5 prior meeting, the Commission Members made specific recommendations which include a topic Mr.
6 Schoon would further discuss relating to land use classifications in the Plan and zoning.

7
8 Mr. Freres stated with regard to the main revisions, he referred to the Commission's conversation relating
9 to highlighting community discussions and text language and callouts/side bars to ensure the data was
10 accurate and the relevant topics which were the result of community conversations. He stated they would
11 also discuss the distinction between institutional vs. open space land uses in terms of zoning. Mr. Freres
12 then reiterated the Pillars, Goals and Initiatives do not reflect a level of priority. He stated they also plan
13 to ensure in the discussion of open space that it had the same alignment when mentioned in other Pillars.
14 Mr. Freres then asked if there were any questions or comments. No comments were made at this time.

15
16 Mr. Schoon stated at the last meeting, there were questions raised relating to open space, land use
17 classification of the Plan, and zoning, and Village has also received questions from community members
18 regarding this issue, which would now be addressed in more detail. He stated the Comprehensive Plan
19 identified a series of land uses for the community and where they want to see those land uses in the
20 future. Mr. Schoon noted that the Plan does not call for the land use designation of 99% of the community
21 to change since the community is mostly built out and we don't anticipate much change in terms of land
22 uses, except in the business districts and along portion of Green Bay Road.

23
24 Mr. Schoon then stated they identified the types of uses which fall under each land use category. He
25 stated with regard to the open space land use classification, the Plan is referring to Park District and Forest
26 Preserve lands with structures on them and open park spaces without structures. Mr. Schoon stated in
27 the Plan, open space meant park lands and facilities within the community. He identified the uses shown
28 in green in the illustration as representing park facilities and open space uses and the areas in blue
29 representing institutional uses. Mr. Schoon stated the future land use showed where we want particular
30 land uses in the community; however, how those uses are regulated occurs through zoning. He also noted
31 that open space land uses are allowed in many zoning districts. He then compared the future land use
32 map with the existing zoning map. Using the maps, he noted that these examples show how these land
33 uses fall under different zoning districts.

34
35 Mr. Schoon then explained how uses are allowed by right or as special uses in each zoning district and
36 that special uses are required to meet a specific set of standards. He then used a single-family zoning
37 district to illustrate what uses are allowed by right and as a special use. Mr. Schoon then stated schools,
38 which are an institutional use allowed as a special use, almost always must request significant variations
39 for additions for example. Because of this, the idea was included in the Comprehensive Plan to consider
40 studying those uses to see if the Village wants to create specific regulations for those uses, which can be
41 done in a couple of ways that he identified for the Commission. He noted Village staff previously discussed
42 this idea even before the Comprehensive Plan review came under discussion and stated communities
43 which created a separate institutional zoning district often have a separate open space district, which is
44 why the Plan includes initiatives to consider studying institutional use and open space use zoning
45 requirements at the same time. Mr. Schoon then stated it is up to the Commission whether to continue
46 to include such initiatives in the Plan. He then asked if there were any questions.

47
48 Ms. Kunkle stated in previous discussions relating to introducing the idea of the definition of institutional

1 uses, it was presented as updating the language instead of the current language of public/private and if it
2 is used for certain uses in just Winnetka or also in other communities. Mr. Schoon responded the language
3 is also used in other communities. Mr. Bradley referred to the Green Bay Trail being designated as open
4 space and Slide 2. He asked if the trails in general need to be its own category. Mr. Schoon responded it
5 is considered public parks and recreational space. Mr. Bradley then stated with regard to having zoning
6 standards and districts for institutional uses and open space uses, many of them currently exist in the
7 Village and asked if it related to variation requests relating to special use requests for existing uses and
8 asked how zoning standards would be enforced in open space districts. Mr. Schoon provided examples
9 for the Commission such as the request to allow the height of playground equipment on a public park to
10 exceed what is permitted by the single-family district zoning regulations, which are intended for single-
11 family residential uses. Mr. Bradley then asked if the new specific zoning classification would be on top of
12 existing zoning standards. Mr. Schoon explained for example that new requirements for open space uses
13 could be created for within the single-family district or a new specific district created for open spaces uses,
14 which such properties would then have to be rezoned to meet the zoning district requirements. Mr.
15 Bradley asked if certain types of requests could be approved at the zoning administrative approval level.
16 Mr. Schoon responded it would depend on the new zoning standards that are created. Mr. Bradley then
17 asked if there are other villages which moved institutional uses into the planned development process or
18 a new zoning district. In terms of using the planned development process for institutional uses, Mr.
19 Schoon responded we would have to look at our planned development process differently since we expect
20 public benefit for granting exceptions under the planned development process.

21
22 Chairperson Orsic referred to the open space references and streamlining the process for institutional
23 uses and commented the open space process did not need to be streamlined. Mr. Schoon stated if they
24 decided to study the issue, the Commission and the Village Council would have to decide the process for
25 these uses. Even with the new standards, special use permit approval could still be required. He added
26 the matter would not be studied until they receive Village Council direction and referred to language on
27 page 40 as a further explanation. Chairperson Orsic and Ms. Kunkle suggested adding the wording "study
28 and consider establishing a specific zoning district."

29
30 Mr. Bradley referred to language on page 33 in the Existing Land Use section relating to the "tree streets"
31 and suggested alternative language not limiting it to "tree streets". He referred to page 35 and the
32 reference to the North Shore Country Day School athletic field which is more part of an institutional use
33 and suggested the Green Bay Trail be used as an example instead. Mr. Freres agreed with Mr. Bradley's
34 suggestion.

35
36 Ms. Danley referred to page 35 and the wording under Open Space and asked if the word "Parks" was
37 removed because it was repetitive. Mr. Schoon confirmed that is correct. Ms. Danley then referred to
38 other changes that were made which were not flagged. Mr. Schoon responded only major changes were
39 highlighted, and the other changes made did not change the meaning. Mr. Bradley then referred to page
40 39 and the last sentence of the Special Uses section and suggested simplifying the language as well as
41 language relating to the retail overlay district.

42
43 Chairperson Orsic referred to page 64 and a sentence in Goal 1.4 and suggested revising the language.
44 The Commission Members suggested separating it into two separate Goals, one of institutional uses and
45 one for open space uses. Mr. Foley stated the community would be concerned that there is language in
46 the Plan that is going to adversely affect open spaces and suggested they be separated. He also stated
47 every reference containing open space and institutional use together would need to be changed.
48 Chairperson Orsic stated open space should be designated as open space instead of being designated as

1 residential and the open space designation would be there to protect the space and not fast track any
2 potential development, which is different than institutional use situations which have standards which
3 can be addressed at a more basic level. She also referred to page nos. 81 and 110 where the references
4 should be separated. She suggested wording for a separate Goal relating to open spaces. Mr. Schoon
5 clarified that open space land use designation did include sites with buildings. Ms. Danley also referred to
6 Goal 3.3 on page nos. 110 and 119 which included examples and suggested the language be clarified. The
7 Commission Members discussed removing the words open space from Goal 3.3.

8
9 Chairperson Orsic then referred to page 236 and Goal 1.4 and asked the Commission Members for their
10 comments. Mr. Schoon stated the Commission Members agreed to create separate goals. Chairperson
11 Orsic asked if there were any comments on this section. Mr. Schoon stated in terms of clarification, he
12 asked the Commission Members if they agreed with the alternative language that was provided at the
13 meeting. Mr. Bradley suggested the same language they previously discussed relating to the open space
14 study be added here. The Commission Members agreed with Mr. Bradley's suggestion. Chairperson Orsic
15 asked the Commission Members to review the alternative language on page 2 of the alternative language
16 as well as the second part on page 81. She stated a separate Initiative would be added relating to open
17 space. Mr. Schoon confirmed the Goal would be separated into two separate Goals. Mr. Bradley suggested
18 using the wording religious institutions instead of churches or temples. The Commission Members agreed
19 with Mr. Bradley's suggestion. No additional comments were made at this time.

20
21 Chairperson Orsic asked the Commission Members for any other comments relating to wording in the
22 body of the Plan. Ms. Case referred to page 146 and the high school student reference and stated they
23 discussed removing non-authentic language and suggested removing the paragraph. Ms. Kunkle stated
24 she worked with high school students who have shared similar comments and suggested it should be left
25 in. The Commission Members discussed whether it should be left in. Ms. Case suggested the consultants
26 refine the language so that it did not feel like consultant-speak. Mr. Schoon agreed the language can be
27 reworded. Ms. Case then stated the high school students were interviewed in 2020 and indicated some
28 factors have changed. The Commission Members confirmed they previously discussed the statement that
29 information was reflective of a snapshot in time. Mr. Schoon confirmed a note can be added to the
30 language. Chairperson Orsic referred to page 73 and their previous discussion relating to language in
31 connection with demographic housing options which has changed since the pandemic. She suggested the
32 removal of the wording "Chicago is a more appealing option."

33
34 Chairperson Orsic then referred to page 71 and the previous discussion relating to high vacancy rates
35 which is not accurate. She then identified various vacancy rates in surrounding villages from an MLS
36 search. Mr. Schoon confirmed outdated information would be removed or be updated. Ms. Case
37 suggested that cross referencing between Initiatives should be clarified throughout the Plan. Mr. Schoon
38 asked for those cross references to be provided to him.

39
40 Mr. Bradley referred to the Future Land Use comparison on page 53 and suggested alternative wording.
41 Mr. Schoon responded with regard to land uses, certain areas have been clarified which were previously
42 public or semi-public which have gone into the transportation, communications and utility uses with
43 others going to institutional uses. Mr. Bradley then referred to page 2 relating to the overview and
44 suggested adding a reference to our amazing schools. Ms. Kunkle suggested adding the lakefront to the
45 wording as well. The Commission Members agreed with the suggestions made. No additional comments
46 were made at this time.

47
48 **Public Comment**

1 Chairperson Orsic swore in those speaking to this matter.

2
3 Shawn Scott, Doyle Optics, 565 Chestnut, stated he understood in the Plan that the C-2 designation in the
4 Elm Street Business District was changing to C-1 asked what businesses qualify in the C-1 district. Mr.
5 Schoon responded that the future land use map designated the commercial areas in that District as a
6 mixed-use commercial district and the Plan did not change in the land use designation nor is the zoning
7 changing.

8
9 Charles Dowding, 968 Elm Street, asked for an initiative to be added to conform the 2040 Comprehensive
10 Plan to a current issue being discussed by the Village Council with respect to lakeshore beach access. He
11 stated the draft Plan mentioned several times the importance of access to public land and the lakeshore
12 and there is no initiative which specifically addressed its maintenance or improvement. Mr. Dowding
13 referred to a petition signed by 1,700 residents against armor, stone, breakwater, and louver fences which
14 block beach access and views. He stated following several public meetings, the Park District abandoned
15 plans for a lake fill plant-based fence that blocked beach access and views. Mr. Dowding then referred to
16 several articles relating to lakefront construction and the Village Council held a special meeting with the
17 representatives from the US Army Corp and IDNR. He then referred to the Village's ability to regulate
18 construction within a half mile of the Lake Michigan shoreline.

19
20 Mr. Dowding then referred to the contentious discussions relating to beach and lake construction with
21 several lawsuits being threatened or filed against the Village. He stated he raised the subject of access to
22 the Lakeshore Advisory Commission in 2014 and was told to go away since it is such a contentious subject.
23 Mr. Dowding then stated it should be described in the Plan and asked for Initiative 6.6.5 to be added to
24 Pillar 6 which would read as follows: "Update existing or develop new ordinances to preserve and enhance
25 access to and views of public lands along the Lake Michigan shoreline." He also suggested wording be
26 added to Initiative 6.4 as follows: "The Village will support health and wellness through innovative and
27 diversified recreational learning and cultural opportunities in the public parks, plazas, trails and open
28 spaces."

29
30 Theresa Lucas, owner of Good Grapes, 821 Chestnut Court, stated she attended last month's meeting and
31 referred to the Pillar on business vitality where no changes were made in connection with parking based
32 on the data. She stated business owners' input was not addressed in relation to parking concerns. Ms.
33 Lucas also commented it was upsetting that a letter with 27 signatures from last August opposing losing
34 parking for a proposed public plaza concept did not make it into the draft Plan. She described it as a
35 disconnect with regard to all of those who signed the letter and sent a negative message for all of those
36 who signed it in that there should be collaboration and input from everyone. Ms. Lucas stated she spoke
37 with Mr. Schoon to discuss why there were no modifications and distributed information to the
38 Commission for their review. She then referred to Initiative 2.5.6 relating to off-street parking
39 requirement reductions based on proximity to transit. Ms. Lucas reiterated no business owner wants any
40 reductions in the number of parking spaces. She then referred to the mobility section and stated there
41 are no connections in that Winnetka is not a walkable community. Ms. Lucas referred to the phrase in the
42 Plan that stated Winnetka businesses cannot survive on Winnetka residents alone. She then referred to
43 the Plan's statement to promote downtown as a walk-to destination and described various examples of
44 how that would not work. Ms. Lucas reiterated Winnetka is not a metropolitan area and added what they
45 are proposing would not work in inclement weather. She added the fact that they are attempting to make
46 Winnetka a walkable community is not valid and would not serve to promote businesses.

47
48 Leslie Farmer, 388 Berkeley, stated she is a member of the empty-nester, fast-growing demographic of

1 the Village who patronizes Village businesses. She also stated there are no housing options for seniors
2 looking to downsize or smaller homes for families who want to live in the Village. Ms. Farmer referred to
3 the amount of housing options in several surrounding communities which are not offered in Winnetka.
4 She commented on President Rintz's perception of the Post Office site as being ideal for open lands since
5 the Village is 99% built out and encouraged the consideration of having another park, which she stated is
6 not needed. Ms. Farmer stated a multi-family development would serve several facets of the issues the
7 community faced. She then suggested the Post Office site be developed to accommodate a demographic
8 need of the Village.
9

10 Colleen Root, 326 Woodland Avenue, stated she supported Mr. Dowding's comments and thanked the
11 Commission and consultants for the document's creation. She stated she would like to see comment
12 relating to maintaining lakeshore vista and asked for it to be integrated into the Plan. Ms. Root also
13 thanked the Commission for their discussion of creating a separate zoning standard for institutional uses,
14 and she also referred to page 159 relating to public comment for a marina and restaurants. She asked the
15 Commission to consider the fact that open lands and parks are in residential areas and if there is to be
16 commercialization of park land, there should be careful consideration of how that would occur and to
17 retain the current level of checks and balances in terms of any streamlined authorization. Ms. Root added
18 the Commission should not only study but carefully study and consider the creation of a separate zoning
19 standards for open space.
20

21 Melissa Mizel, 939 Tower Road, questioned the household projection number in the plan. She referred
22 to the school referendum that passed during the last election where it was previously proposed to close
23 one of the five District 36 schools without the knowledge there would be an additional 45 households
24 coming in which would have abbreviated the discussions if had they had known about it. Ms. Mizel added
25 the Commission has meticulously undertaken the editing process and appreciated their documentation
26 of the schools as being excellent and stated there is the ability to document how they excel.
27

28 Pat Collins, 860 Summit Street, referred to Pillar 4 and stated it was not emphasized enough that Winnetka
29 should take immediate steps to reduce its reliance on coal burning as an energy source and the movement
30 to solar energy should be incorporated as an immediate need.
31

32 Chairperson Orsic thanked the public for their comments and stated the next draft would be posted on
33 the website as soon as possible. The Commission Members took a break at this time.
34

35 The Commission then began discussion of the prioritization of the initiatives in the Implementation
36 chapter. Mr. Schoon asked the Commission Members if there were any comments on Pillar 1 in terms of
37 priority of initiatives. Ms. Case referred to Initiatives 1.1.1 and 1.1.2 and questioned whether they should
38 both be medium or high and asked for an explanation for why they are categorized that way. Mr. Bradley
39 questioned if further language could be added to the high, medium, and low categories in terms of long
40 term, with regard to achievability, or whether they could be quickly implemented, etc. Mr. Schoon
41 explained the reasoning behind the determination of the high, medium, and low categorizations. He then
42 suggested Initiative 1.1.1 be made high. The Commission Members discussed whether all three Initiatives
43 should be categorized as high. Mr. Schoon provided the Commission with an explanation of the items
44 which were categorized as high and are interrelated and provided several examples.
45

46 Mr. Alt described the Implementation section as the most important part of the entire process, and it
47 must be achievable. Chairperson Orsic stated their goal is to try to determine what they think the Village
48 would look like in 20 years as a broad vision in terms of shaping items as they come as opposed to giving

1 the Village Trustees specific directions.

2
3 Chairperson Orsic suggested they regroup and for the Commission Members to review the
4 Implementation portion and hold another special meeting. The Commission discussed the
5 implementation plan and agreed that it is more appropriate for the Village Council to determine what the
6 high, medium, and low priorities are, especially since the Council makes the decisions on how resources
7 are spent and distributed.

8
9 Mr. Schoon suggested special meeting dates and start times for the continued public hearing. The
10 Commission Members discussed the action to be taken at their next special meeting.

11
12 Chairperson Orsic asked for a motion to continue the public hearing to March 1, 2023. A motion was made
13 by Ms. Case to continue the meeting to March 1, 2023. The motion was seconded by Ms. Danley. A vote
14 was taken, and the motion unanimously passed, 7 to 0:

15 AYES: Alt, Bradley, Case, Danley, Foley, Kunkle, Orsic

16 NAYS: None

17
18 **New Business:**

19 a. Next Regular Meeting Quorum Check - February 22, 2023.

20 The Commission Members discussed their availability.

21
22 b. Joint Meeting with Village Council Quorum Check - March 14, 2023.

23 The Commission Members discussed their availability.

24
25 **Adjournment:**

26 Chairperson Orsic asked for a motion to adjourn. A motion to adjourn was made by Ms. Kunkle and
27 seconded. A vote was taken, and the motion unanimously passed, 7 to 0:

28 AYES: Alt, Bradley, Case, Danley, Foley, Kunkle, Orsic

29 NAYS: None

30 The meeting was adjourned at 9:35 p.m.

31
32 Respectfully submitted,

33
34 Antionette Johnson

35 Recording Secretary

**WINNETKA PLAN COMMISSION REGULAR MEETING MINUTES
FEBRUARY 22, 2023**

Members Present:

Bridget Orsic, Chairperson
Jonathan Alt
Mamie Case
John Golan
Chris Foley

Members Absent:

Matthew Bradley
Layla Danley
Liz Kunkle

Non-Voting Members Present:

Tina Dalman

Village Staff:

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

Call to Order & Roll Call:

The meeting was called to order by Chairperson Orsic at 7:00 p.m. Ms. Klaassen took roll call of the Commission Members present.

Approval of Minutes:

Chairperson Orsic asked if there were any comments or corrections to be made to the January 25, 2023, meeting minutes or for a motion to approve. A motion to approve the January 25, 2023, meeting minutes was made by Mr. Foley and seconded by Mr. Alt. A vote was taken and the motion unanimously passed, 5 to 0:

AYES: Alt, Case, Golan, Foley, Orsic

NAYS: None

NON-VOTING: Dalman

Public Comment:

No comments were made at this time.

Community Development Report:

Mr. Schoon provided the Commission with an update regarding the 1303-1311 Scott Avenue and 484-488 Elder Lane applications which were approved by the Village Council.

New Applications:

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. The requested amendment would 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 located on the southeast corner of the school campus. The Village Council has final jurisdiction on this request.

Ms. Case disclosed two of her children went to the school and stated her relationship with the school had no bearing on the application. Trustee Dalman also identified her affiliation with the school which would

1 not affect her consideration of the request.

2
3 Ms. Klaassen described the amended special use application presented by North Shore Country Day
4 School to allow construction of building improvements, renovation of the Mac Gym and an addition with
5 the Village Council having final jurisdiction. She then referred to the southeast corner of the site where
6 the construction project would take place and identified the property's location, zoning classification and
7 explained additional uses allowed by Special Use Permit, while also noting the Comprehensive Plan
8 designated the property as appropriate for public and semi-public uses with the applicant's use of the
9 property being consistent with the zoning and the Comprehensive Plan land use designation. She referred
10 to the school's history and previous zoning approvals and described the proposed renovation and
11 construction. Ms. Klaassen also referred to the landscaping which would remain and which would provide
12 a buffer to neighbors to the south with a detailed landscape plan provided by the applicant. She then
13 identified two parking spaces to be removed as part of the project and noted the lost parking spaces
14 would be accommodated onsite. Ms. Klaassen stated a traffic study was conducted which concluded the
15 current traffic management plan functioned effectively with no modifications being recommended. She
16 then stated Village Engineer Jim Bernahl agreed with the study's conclusions and findings as well as the
17 proposed recommendations. Ms. Klaassen noted the proposed addition would comply with the required
18 setbacks and described the uses for the gym addition and entrance. She then referred to renderings of
19 the east and west elevations.

20
21 Ms. Klaassen stated the request was reviewed by the ZBA in connection with GFA and building height
22 zoning variations being requested in terms of the number of stories. She noted that the ZBA did
23 recommend approval of the request. She then stated the DRB also considered a Certificate of
24 Appropriateness for the design improvements and recommended approval. Ms. Klaassen then stated the
25 LPC reviewed the demolition permit application for Leicester Hall and required an HAIS, which is
26 scheduled for consideration by the LPC on March 6. Ms. Klaassen then stated no public correspondence
27 was received by staff relating to the application and that following the presentation, public comment and
28 Commission discussion, a draft motion for the Commission to consider is included in the packet on page
29 nos. 24 and 25. Ms. Klaassen asked if there were any questions.

30
31 Trustee Dalman asked if the new addition would not extend further than Leicester Hall's current footprint
32 and Ms. Klaassen confirmed that is correct and indicated it may be set back an additional four inches. Mr.
33 Golan referred to the amount of impermeable surface and asked if the Commission had to consider any
34 of those calculations. Ms. Klaassen responded engineering plans were included as part of the application
35 which were reviewed by the Village Engineer which have to be in compliance with storm water
36 regulations. Chairperson Orsic asked if there were any other questions. No additional questions were
37 raised at this time.

38
39 Trina Sandschafer of Kaehler Slater Architects stated she has worked with the school and the team since
40 the last school year as well as the community. She then introduced the remainder of the team.

41
42 Tom Flema, North Shore Country Day School Head of School, provided his background to the Commission.
43 He then provided the school's background and mission statement and stated the request would allow
44 them to provide another educational option for the Village members and students. Mr. Flema also
45 described the summer camp program and the school's strategic plan and stated the renovation and
46 addition would serve the JK-12 students and include a wellness program and interscholastic athletic teams
47 and allow them to advance and evolve their programming. He stated Cindy Hooper would explain the
48 campus' evolvement over the years.

1 Cindy Hooper, North Shore Country Day School Director of Operations and Summer Programs Director,
2 provided her background to the Commission and explained the school's prior expansion. She stated the
3 main impetus for the renovation is for safety and referred to the lack of elevators, ADA accessibility and
4 school security. Ms. Hooper stated they considered various locations of where the second gym could be
5 located and described the deficient size of the existing gym. She then explained how alternative locations
6 would not work for the new gym's location and would have resulted in the loss of parking. Ms. Hooper
7 described how the southeast side of the site is optimal in terms of access, security and its proximity to
8 greenspace. She stated discussions began in 2012 and Ms. Sandschafer would further describe the project
9 details.

10
11 Ms. Sandschafer described the location and its proximity to the existing Mac Gym, surrounding buildings
12 and parking. She also described the existing building to be removed noting the addition would include a
13 lot of windows to allow light into the building. Ms. Sandschafer stated the proximity to the neighbors was
14 considered and identified the residential neighbors and greenspace. She referred to illustrations of the
15 existing and proposed addition which would either maintain or increase setbacks on the site. Ms.
16 Sandschafer also identified the connection, the green roof concourse and parking lot. She referred to
17 illustrations providing comparisons of the existing and proposed buildings and described their functions
18 and uses. Ms. Sandschafer also stated the low roof slopes were maintained in order to be in keeping with
19 the residential neighbors and to keep the building height lower. She then referred to the concourse level
20 with the flat green roof and the amount of glass in the proposed building. Ms. Sandschafer identified the
21 primary access point which is ADA accessible and the east elevation facing Church Road with the existing
22 Mac Gym which will be painted to match the existing buildings on the campus and the new Mac Gym. She
23 stated the windows would be installed deliberately on the east side and the proposed landscaping plan
24 would serve to provide a screen for the south neighbors. Ms. Sandschafer then identified the north and
25 south elevations and new gym which would be slightly taller in order to meet regulation heights. She also
26 identified aerial views from the southwest, the natural light and amount of activity on the site as well as
27 the green roof which would be visually appealing to the south neighbors. Ms. Sandschafer stated trees
28 were removed from the east elevation and referred to the existing parking lot and the layering with regard
29 to the landscape plan and described the proposed plant materials.

30
31 Peter Lemmon of Kimley Horn stated with regard to transportation and the plan's parking elements, he
32 stated their role was to consider pickup and drop-off overall and whether any changes would be required
33 and if there would be an impact to those operations. He then referred to an illustration of the existing
34 program which is staggered and incorporated queuing and described how it is managed. Mr. Lemmon
35 described how the parking lot is used by various students, faculty and staff as well as how parking is
36 addressed in the neighborhood during events. He stated in summary, he described the pickup and drop-
37 off system as efficient and stated there are 220 parking spaces on campus and in connection with the loss
38 of two spaces in the north lot, there is a sufficient amount of parking spaces with no impact. Mr. Lemmon
39 then identified areas where overall parking is accommodated and added while parking and access is an
40 important part of the project, as the school continued to look at long-term planning and changes, it should
41 be at the forefront of that.

42
43 Ms. Sandschafer stated she hoped the Commission found the project met the Comprehensive Plan
44 standards and the special use permit standards and asked if there were any questions.

45
46 Chairperson Orsic also asked if there were any questions. No questions were raised at this time.
47 Chairperson Orsic described the presentation as thorough and asked if there was any public comment. No
48 comments were made at this time. Mr. Golan asked if they discussed the plan with the neighbors. Ms.

1 Hooper responded they wrote to the neighbors in December and a neighborhood gathering was hosted
2 with only three attendees who provided positive feedback. She then stated she met with the neighbor
3 directly across from Leicester Hall who while concerned with access and evacuation, noted he was pleased
4 with the proposed plan and shielding.

5
6 Trustee Dalman asked if safety concerns were considered with regard to the types of windows. Ms.
7 Hooper described the impact resistant film and shades which would be used in terms of safety and light
8 shield. Chairperson Orsic asked if other groups would be able to utilize the gym and Ms. Hooper confirmed
9 that is correct and identified others who would use the gym as well as the Park District.

10
11 Ms. Case asked where the administrative offices would be relocated. Ms. Hooper responded a lot of the
12 administrative offices would be decentralized with the new building affording additional office space with
13 some new offices being located in the new building.

14
15 Mr. Golan questioned the construction timeline. Ms. Hooper explained how construction would take place
16 over the timeline which would occur over 12 months. She also stated onsite tent structures would be
17 utilized for some of the school's functions and described offsite facilities to be used.

18
19 Chairperson Orsic then called the matter in for discussion. Mr. Foley stated the special use amendment
20 request would result in a significant campus improvement noting GFA and height would not change the
21 institutional use of the space. He stated the request is consistent with the Comprehensive Plan and special
22 use standards adding he would be in support of the project. Ms. Case agreed with Mr. Foley's comments
23 and identified standard nos. a-f and stated she would be in support of the project. Mr. Golan described
24 the presentation as excellent, concise and well organized which he commented is phenomenal. He also
25 stated with regard to the storm water drainage discussions, if the Village determined it is satisfactory, he
26 is also in agreement. Mr. Golan then stated the request met the special use and Comprehensive Plan
27 standards. Mr. Alt agreed with the comments made and commented the applicant did an amazing job and
28 he is in support of the request. Trustee Dalman commented the applicant did a fantastic job and was
29 sensitive to the neighbors and the Village Council is cognizant of what brings people to Winnetka and
30 described the school as an important institutional use for the Village. She added the request satisfied the
31 Comprehensive Plan and special use standards. Chairperson Orsic also agreed with the comments made
32 and referred to the amount of greenspace which would help alleviate any impact.

33
34 Chairperson Orsic then asked for a motion. Mr. Foley moved to recommend approval of the requested
35 amendment to the existing special use granted by Ordinance M-3-2010 to allow the renovation and
36 expansion of the existing McCarty Gymnasium based on the findings of fact on page nos. 24 and 25.
37 Several Commission Members seconded the motion. A vote was taken and the motion unanimously
38 passed, 5 to 0:

39 AYES: Alt, Case, Golan, Foley, Orsic

40 NAYS: None

41 NON-VOTING: Dalman

42
43 **New Business:**

44 a. March 1, 2023, Special Meeting - Quorum Check.

45 The Commission Members discussed their availability.

46
47 b. March 14, 2023, Special Joint Plan Commission/Village Council Meeting Regarding
48 Comprehensive Plan - Quorum Check.

1 The Commission Members discussed their availability.

2
3 c. March 22, 2023, Regular Meeting - Quorum Check.

4 The Commission Members discussed their availability.

5
6 **Adjournment:**

7 Chairperson Orsic asked for a motion to adjourn. A motion to adjourn was made by Ms. Case and the
8 motion was seconded. A vote was taken and the motion unanimously passed, 5 to 0:

9 AYES: Alt, Case, Golan, Foley, Orsic

10 NAYS: None

11 NON-VOTING: Dalman

12 The meeting was adjourned at 8:10 p.m.

13
14 Respectfully submitted,

15
16 Antionette Johnson

17 Recording Secretary

DRAFT

**WINNETKA PLAN COMMISSION
SPECIAL MEETING MINUTES
MARCH 1, 2023**

Members Present:

Bridget Orsic, Chairperson
Matthew Bradley
Mamie Case
Layla Danley
Chris Foley
Liz Kunkle

Members Absent:

Jonathan Alt
John Golan

Non-Voting Members Present:

Tina Dalman

Village Staff:

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

Call to Order & Roll Call:

The meeting was called to order by Chairperson Orsic at 7:00 p.m. Ms. Klaassen took roll call of the Commission Members present. Chairperson Orsic outlined how the meeting would proceed.

Public Comments:

Chairperson Orsic asked for public comments and swore in those speaking.

Katie Stevens, referred to attempts to buy 260 Sheridan Road several years ago and noted her opposition to storm water going into the lake as well as the maintenance shed on Duke Child's field and attempts to save Dwyer Park from being converted to a commercial use. She then stated she has an issue with regard to lake supervision and informed the Commission she kayaked every day on the lake and described zoning codes instituted by surrounding communities. Ms. Stevens stated lakefront oversight is necessary and asked for the Village to do everything possible to protect it. She also asked for the Commission to continue their efforts in prioritizing lakefront protection as well as other functions they perform. No additional comments were made at this time.

Community Development Report:

Mr. Schoon confirmed there is no Community Development Report.

Comprehensive Plan:

a. (Continued from the February 15, 2023, special meeting) Public Hearing on the Proposed Comprehensive Plan for the Village of Winnetka.

Mr. Schoon stated a continued public hearing is scheduled but he would like to briefly summarize the changes provided to the Commission and respond to the questions received. He identified the most significant change was to separate the open space land use and institutional land use discussion which occurred in several places in the Plan. He also identified changes made to the Vibrant Business Districts Pillar to the Key Demands Considerations page to remove inconsistencies and outdated information as well as additional changes summarized in the staff report. Mr. Schoon then stated on page 85 under

1 Initiative 1.7.1, he corrected a Scribner's scrivener's error and stated the consultants are available to
2 answer any questions which would be followed by public comment. He stated if the Commission is
3 prepared to make a motion, wording for a motion to recommend approval to the Village Council is located
4 on page 3 of the agenda packet. Mr. Schoon noted the recommendation included a sentence regarding
5 deferring prioritization of initiatives as identified in the Implementation section to the Village Council.
6

7 Chairperson Orsic also asked if there were any questions. No questions were raised at this time. She then
8 asked for public comment after first explaining the purpose of a Comprehensive Plan and the evolvement
9 of the plan. She explained that the Plan is a guide for issues that may arise in the future. It is not a
10 mandate or a punch list or a requirement. The Plan is a living document, and we may need to address
11 issues identified in the plan earlier than anticipated or because the world has changed we may not need
12 to address them in the end. Chairperson Orsic stated regarding those who have spoken on issues related
13 to the lakefront or parking in commercial districts, we have heard you. She noted that the plan does
14 identify the need to study such issues. Regarding the regulation of open space land uses and institutional
15 uses, the Plan identifies studying the proper zoning. Chairperson Orsic explained that the Plan does not
16 say what that zoning may be; the zoning may require even stricter oversight. She stated the Plan is based
17 upon common themes we have heard community members want our community to be. Not every idea
18 has been incorporated in the plan, but if you look through this large document you may find that your
19 issue is addressed in some fashion. Chairperson Orsic stated the Plan attempts to address what the
20 community needs to think about in order to be prepared for the next 20 years.
21

22 Chairperson Orsic swore in those speaking to this matter.
23

24 David Loveland, President of The Mews, referred to Goal 8.1 in Pillar 8 and stated their residents are
25 concerned with the impact of any recommendation that may lead to restricting parking on Green Bay
26 Road between Pine Street and Tower Road. He stated the building's residents are mainly older residents
27 and identified their main entrance on Green Bay Road and its use by guests, deliveries, caregivers, etc.
28 Mr. Loveland stated permit parking is no longer given for areas he identified and described parking
29 restrictions for their residents as significant. He stated they need to be careful with regard to providing
30 bikers a safe area to navigate traffic in an area he identified and asked with regard to Initiative 8.1.1
31 relating to conducting a study that residents not be skipped on the Green Bay Road corridor.
32

33 Stuart Cutler of The Mews stated he is concerned that the document seemed to be a philosophical
34 promise or pledge with regard to the way people see the Village's future. He stated if businesses are filled
35 with restaurants and stores, space is needed for vehicles to park, and additional housing is not needed
36 south of the Community House. He commented the Plan seemed to be too liberal and stated a lot of
37 people do not know about the Plan. Mr. Cutler asked for the Commission to be careful in its presentation.
38

39 Theresa Lucas, owner of Good Grapes, stated she has attended many meetings and noted President Rintz
40 stated the Plan is the work plan for the Village Council. She referred to the amount of time the Commission
41 spent on the Plan's wording and asked for the Commission to be appreciative of business owners'
42 livelihood. Ms. Lucas stated she would like to voice her concern relating to the train, bus, bike and walking
43 recommendations and how it fits with year-round customers. She then referred to a Village Council
44 trustee's comments made at the Village Council meeting after the consultants requested additional
45 funding to restart the planning effort after the pause and whether any of the pre-Covid information could
46 be used and the options provided. Ms. Lucas stated the Village Council voted to spend additional taxpayer
47 money on a Winnetka focused plan and stated there did not appear to be a Winnetka business or
48 customer to support the Winnetka specific train, bus, bike and walkable recommendations from a

1 business or customer perspective. She stated they planned to conduct their own customer survey and
2 stated if they plan to go in that direction, there should be data behind the decision. Ms. Lucas added the
3 parking demand has increased over the years with the Plan.
4

5 Stephanie Hochschild, The Bookstall owner, stated she is also concerned with parking and asked for it to
6 be preserved or expanded as part of the Plan. She reiterated business owners are frustrated with the lack
7 of parking which affected businesses, which areas also serve as community gathering spots. Ms.
8 Hochschild then described various events the businesses sponsor for the community. She also stated
9 businesses compete with online shoppers and stated The Bookstall has been in operation for 90 years.
10 Ms. Hochschild stated Winnetka needed to be accessible for all residents and asked the Commission to
11 ask for a parking study and to include in the Plan a statement for there to be no further reduction in
12 parking.
13

14 Jeffrey Liss stated there have been a lot of references to the current Comprehensive Plan and commented
15 it is important to understand what the 2040 Plan is supposed to do which is to serve as a guide. He agreed
16 with the comments made relating to parking and it is not being addressed as a fundamental aspect of the
17 Plan. Mr. Liss referred to the Post Office site and Dwyer Park and stated if there is an additional
18 entertainment area, those who drive to it will not have anywhere to park. He then stated there should be
19 a default in that multi-family use should not be at the detriment of existing parking. Mr. Liss then stated
20 with regard to Green Bay Road, he commented on the proposal of better marking of entrances/exits to
21 the Green Bay Trail. He stated no changes were made in the Plan relating to these items and suggested
22 they be strongly referenced in the Plan before its presentation to the Village Council.
23

24 Ted Wynnynchenko stated there is a lack of acknowledgment in the Plan that the Village owned five to six
25 public beaches in Winnetka and the lack of it being mentioned suggested a decision has been made to
26 give them up. He stated in 1989, he referred to a request to vacate the Elm Street end and the street ends
27 could have provided beautiful opportunities in keeping with the goals of the current Plan which did not
28 come to fruition. Mr. Wynnynchenko stated the current Plan failed to mention the street ends and referred
29 to the dashes in the map identifying public land. He commented the fact the Plan dismissed the idea the
30 Village has a right and ownership interest in six access lakefront points is troubling and identified several
31 public access points which should be acknowledged on the map.
32

33 Ms. Stevens referred to the Village's vision with regard to the maintenance of shed view, storm water not
34 going into the lake and Dwyer Park not being sold for private development. She also stated she discussed
35 with former President Carter the steps it took to make a great leader, one of which was to make a plan,
36 keep a plan and review a plan which has to be adaptable. Ms. Stevens stated they have an opportunity in
37 connection with the power plant and its future and encouraged looking to see what other municipalities
38 do. She also stated with regard to zoning, she asked the Commission to tell the Village they are the
39 oversight and that residential areas should be kept residential describing the Commission as the biggest
40 land stewards.
41

42 Jeffrey Liss referred to his previous comments relating to allowing contextually significant property and
43 whether new moderate construction would be allowed in residential areas and suggested the words
44 "contextually significant" in Goal 1 be defined. No additional comments were made at this time.
45

46 Mr. Schoon stated the Commission is now ready to discuss the Plan, whether any further changes are
47 needed and whether they are ready to make a recommendation to the Village Council. Chairperson Orsic
48 stated a lot of discussion and comments have been received and asked for the Commission's comments

1 in terms of next steps. Mr. Foley described Chairperson Orsic's outline at the meeting outset as helpful
2 and stated he is comforted to know most of what they say in the Plan is worded in terms of studying,
3 evaluating, etc. and the tone between aspirational and being "planful" is the right balance and they are
4 as close as they are going to get in terms of a consensus document.

5
6 Mr. Bradley stated it is important to note the consultant's work during the process and commentary
7 reviewed and described those efforts as being done thoughtfully and comprehensively in terms of seeking
8 input in terms of the Plan exercise. He stated for those who shared views in terms of gaps in the work
9 product, he appreciated those thoughts which were shared. Mr. Bradley then stated in terms of
10 presenting it to the Village Council, for the Implementation section, he referred to the non-mandatory
11 directive language and high, medium and low priorities and the timeline. He stated no one knows in 10
12 years' time where the Village will be and they can only provide a guide for future leaders. Mr. Bradley
13 stated it will be up to the Village Council to make the decisions in terms of the guide are they forwarding.
14 He concluded he is ready to turn the work over to the Village Council with the extraordinary help of the
15 consultants, Village staff and the public comments received. He added while he agreed parking is an issue,
16 they have to consider all aspects of the Village.

17
18 Ms. Case agreed with the comments made and stated she is comfortable with the work the consultants
19 have done noting there would never be agreement on every single point. She stated it is up to the Village
20 Council to make the decisions and go through the document.

21
22 Ms. Danley agreed with the comments made and noted they have heard what the public is saying. She
23 described the process as thoughtful and stated they have been very specific in terms of leaving things
24 open ended to be flexible. Ms. Danley referred to the number of meetings, emails and notices distributed
25 to the community to gauge community involvement and she is ready to send it up to the Village Council.

26
27 Trustee Dalman stated the consultants have done an impressive amount of work which began in 2019 and
28 noted that things are very different now in terms of parking, restaurants, etc. She stated the Village
29 Council had to make a decision whether to rely on the process and the data received by the consultants
30 and it is difficult to predict the Village's future. Trustee Dalman commented she is proud of the
31 Commission's work in providing a road map to help determine the Village's future. She then confirmed
32 there is nothing in the document which would take away the residential designation. Trustee Dalman then
33 stated they understand the concerns relating to parking and the Village Council is mindful of it.

34
35 Ms. Kunkle agreed with most of the comments made and stated she is ready to sign off on it. She
36 commented a lot of people have trouble understanding the document and what it is supposed to do and
37 referred to the environmental issues raised during the discussion. Ms. Kunkle stated those issues are being
38 presented in the Plan to consider. She also referred to the amount of time between drafts which included
39 a lot of new items and specifically referred to the Village's responsibility over the lakefront which is an
40 issue that arose recently. Ms. Kunkle stated they should continue to advocate for items which they feel
41 should go in the Plan, and she agreed with Mr. Wynnichenko's street and beach comments. She then
42 referred to the photo at the end of Pillar 4 in the Sustainability and Climate Action section which she
43 suggested be changed, relating the power plant, as well as replacing the rendering with a photo on page
44 161, together with other minor edits. She concluded she is ready to send the Plan to the Village Council.

45
46 b. Consider Recommendation of Approval of the Proposed Comprehensive Plan for the Village of
47 Winnetka to the Village Council.

48 Chairperson Orsic asked if the Commission sent the Plan to the Village Council, the next step would be to

1 hold a joint meeting with the Village Council. Mr. Schoon confirmed that is correct and there would be
2 the ability to adjust the Plan. Chairperson Orsic stated she agreed with the comments made and she is
3 ready to move the Plan to the next level.
4

5 Chairperson Orsic then asked for a motion regarding the 2040 Comprehensive Plan. Ms. Danley moved to
6 recommend the approval of the proposed Comprehensive Plan to the Village Council. The motion was
7 seconded by Mr. Foley. A vote was taken and the motion unanimously passed, 6 to 0:

8 AYES: Bradley, Case, Danley, Foley, Kunkle, Orsic

9 NAYS: None

10 NON-VOTING: Dalman
11

12 **New Business:**

13 a. March 14, 2023, Special Joint Plan Commission/Village Council Meeting Regarding
14 Comprehensive Plan - Quorum Check.

15 The Commission Members discussed their availability.

16 b. March 22, 2023, Regular Meeting - Quorum Check.

17 The Commission Members discussed their availability.
18

19 **Adjournment:**

20 Chairperson Orsic asked for a motion to adjourn. A motion to adjourn was made by Mr. Bradley and the
21 motion was seconded. A vote was taken and the motion unanimously passed, 6 to 0:

22 AYES: Bradley, Case, Danley, Foley, Kunkle, Orsic

23 NAYS: None

24 NON-VOTING: Dalman
25

26 The meeting was adjourned at 8:15 p.m.
27

28 Respectfully submitted,
29

30 Antionette Johnson

31 Recording Secretary



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MARCH 17, 2023
SUBJECT: HUBBARD WOODS ELEMENTARY SCHOOL - 1110 CHATFIELD ROAD
SPECIAL USE PERMIT (CASE NO. 23-03-SU)

INTRODUCTION

On March 22, 2023, the Plan Commission 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 existing **Special Use Permit** approvals that have allowed various structures on the Subject Property. 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.

As will be discussed later in this report, the Applicant has also submitted a variation application for the following variations, to allow the proposed building addition: (a) roofed lot coverage; (b) impermeable lot coverage; and (c) gross floor area. The Zoning Board of Appeals considered the special use permit and variation requests on March 13, 2023, and recommended by a vote of 7-0, approval of the requested relief for the proposed improvements. Additionally, the Applicant has submitted an application for a Certificate of Appropriateness, which was considered by the Design Review Board (DRB) on March 16, 2023. By a vote of 4-0, the DRB recommended approval of the design of the proposed addition with a condition that landscaping be provided to buffer the walls of the mechanical enclosure.

A sign has been posted on the Subject Property indicating the time and date of the Plan Commission 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 March 2, 2023. As of the date of this memo, staff has received two written comments from the public regarding this application. These comments are provided in Attachment F 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.

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. Subsequent to the ZBA meeting on March 13, 2023, the Applicant submitted a letter rescinding its application for the playground improvements (see Attachment D).

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

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. 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 C.

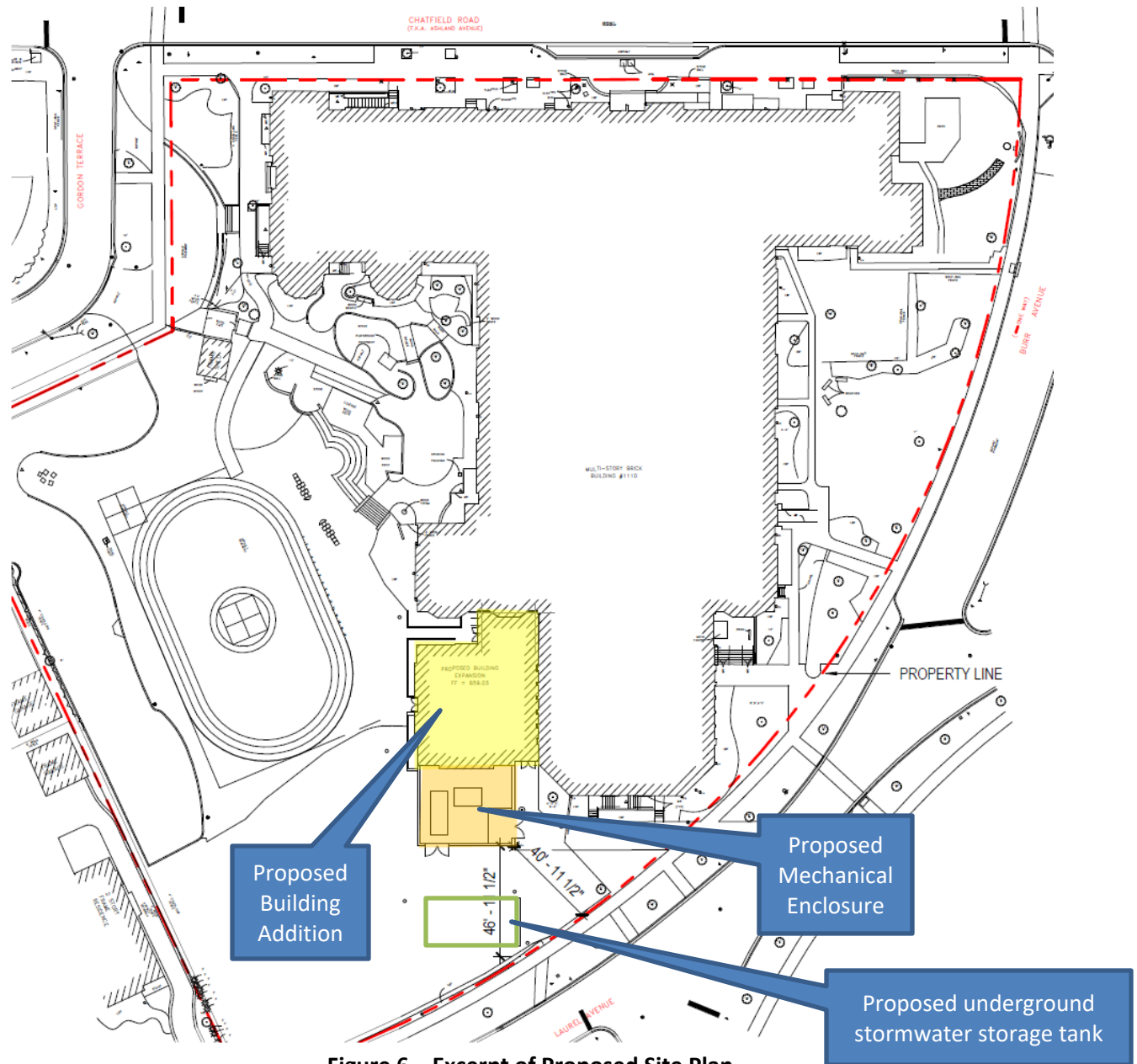


Figure 6 – Excerpt of Proposed Site Plan

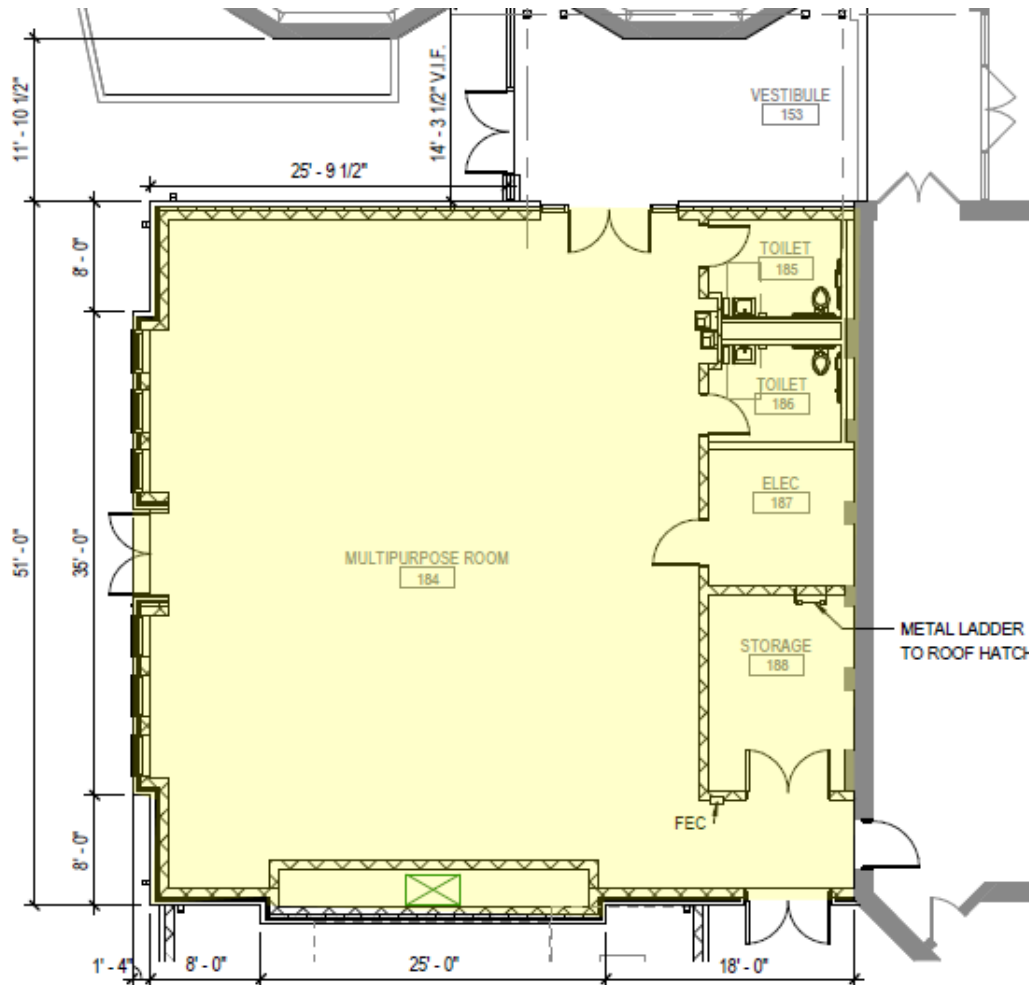


Figure 7 – Excerpt of Proposed Addition Floor Plan

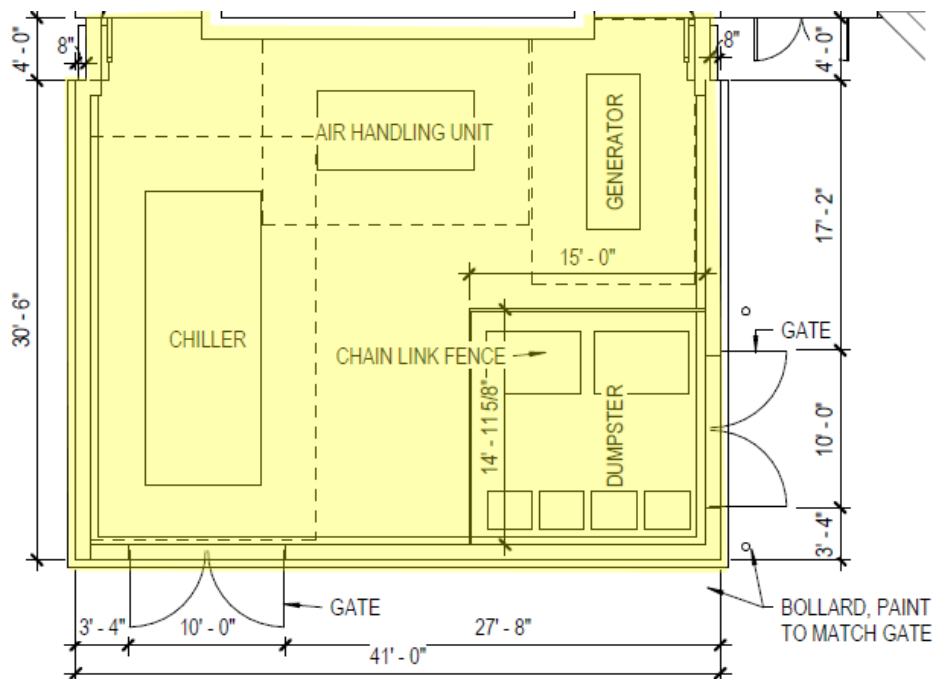


Figure 8 – Excerpt of Proposed Equipment Enclosure Plan



Figure 9 – Rendering of Proposed Addition – West Elevation



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

The Applicant is currently working with Village Engineering staff to comply with the Village stormwater regulations, which includes managing the stormwater on-site. Part of the Applicant's stormwater management plan includes installation of an underground stormwater storage tank located south of the proposed addition (see Figure 6). Figure 11 on the following page represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year flood area.



Figure 11 - GIS Floodplain Map

ZONING RELIEF

Although not part of the Plan Commission’s consideration, it should be noted that three variations are being requested to allow the proposed addition to exceed the maximum permitted (1) roofed lot coverage; (2) impermeable lot coverage; and (3) gross floor area. The existing improvements on the Subject Property are already nonconforming with respect to all three of these zoning regulations.

CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

As previously mentioned, the Zoning Board of Appeals (ZBA) considered the request on March 13, 2023. The sender of one of the comments also spoke at the ZBA meeting and voiced concerns about the additional impermeable lot coverage (ILC) and asked that the location of the playground, along the west property line, which was approved last year, be reconsidered due to its proximity to his property. The written comments included in this report were also provided to the ZBA and Design Review Board.

After hearing from the Applicant and receiving public comment, the ZBA discussed the request. The discussion was primarily focused on the amount of additional ILC being requested, especially given the amount of additional ILC approved in 2022 for the playground improvements. The Applicant informed the ZBA that the playground improvements have been put on hold and that the District will not be moving forward with the plan that was approved last year. The Applicant explained that the District is currently revisiting the playground improvements, which includes looking for solutions to address drainage concerns related to the playground brought up by the neighbors. The ZBA encouraged the Applicant to limit the amount of additional ILC proposed with future projects. Understanding that the proposed addition currently before the ZBA must be reviewed and approved by the Village Engineer to verify compliance with the Village stormwater regulations, by a vote of 7-0, the ZBA recommended approval of the request.

It should be noted that since the Zoning Board of Appeals meeting, the Applicant has submitted a letter requesting that the Village rescind the approvals granted by Ordinance No. M-07-2022 last April for the playground improvements (Attachment D). This in effect will reduce the percentage increase in the amount of impermeable lot coverage that would be approved as part of this current application, should the Council approve the requested relief.

The Design Review Board (DRB) considered Certificate of Appropriateness for the proposed improvements on March 16, 2023. After hearing from the Applicant and discussing the request, by a vote of 4-0, the DRB recommended approval with a condition that landscaping be provided to buffer the walls of the mechanical enclosure; such a landscape plan would be submitted when the Applicant submits for approval of the playground improvements that were deferred from 2022.

The Plan Commission is charged with evaluation Special Uses for consistency with the Comprehensive Plan, as well as the six standards for granting special use permits. One of the objectives of the Comprehensive Plan is to “ensure that commercial, institutional and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood.” The draft recommendation below lists other relevant objectives from the Comprehensive Plan. An excerpt of the Comprehensive Plan is included in this report as Attachment B.

FINDINGS & RECOMMENDATION

The Plan Commission is to consider whether or not the requested amendment to the existing special uses, granted by previous ordinances, to allow construction of an addition to the existing school building on the Subject Property, is consistent with the Village’s Comprehensive Plan and with the Village’s special use permit standards.

Following conclusion of public comment and Commission discussion, the Commission may choose to consider the following motion:

The Plan Commission recommends **approval [denial]** of the requested amendment to the existing special use granted by Ordinance M-07-2022 **to allow construction of an addition to the existing school building on the Subject Property**, based on the following findings of fact:

1. The proposed improvements **are [are not]** consistent with the Comprehensive Plan’s Land Use Map designation of the Subject Property as appropriate for “Public/Semi-Public” development and consistent with the following objectives of Chapter II of the Comprehensive Plan:
 - a. to “Ensure that commercial, institutional and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood”;
 - b. to “Encourage organizations, schools, religious institutions, businesses and citizens in their efforts to beautify the Village”;
 - c. to “Recognize the critical importance of educational, religious and other community institutions to Village residents”;
 - d. to “Engage in a public process that balances institutional goals and minimizes any adverse impact to the character of the adjacent residential neighborhood”; and
 - e. to “Recognize that standards of educational excellence may change with time, thus necessitating changes in physical and financial resources.”
2. The proposed improvements **are [are not]** consistent with the Standards for 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.

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

ATTACHMENTS

- Attachment A: Comprehensive Plan Land Use Map
- Attachment B: Comprehensive Plan Excerpt (Chapter II – Goals and Objectives)
- Attachment C: Application Materials
- Attachment D: Applicant's Letter Requesting Rescission of 2022 Playground Improvements
- Attachment E: 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 F: Public Correspondence

Comprehensive Plan Update: 2020

 Single Family Residential
 Townhouse Residential
 Multi-Family Residential
 Commercial / Retail
 Mixed Use

-  Office
-  Park / Open Space
-  Public / Semi-Public
-  Transportation / Utilities
-  Public Parking
-  Green Bay Road Corridor
-  Planning Sub-Area
-  Unincorporated Area

This base map has been prepared by Thompson Dyke & Associates, Ltd. using AutoCAD files obtained from the Village of Winnetka for properties within the corporate boundaries and supplementing it with additional information from other sources. It is deemed accurate for general planning purposes only.

	Village of Winnetka		Property Line
	Other Municipal Boundaries		Lake / River
	Road		Adjacent Municipality
	Private Road		Pedestrian Tunnel
	Unimproved R.O.W.		Railroad Station
	Railroad		

November 16, 1999

	THOMPSON DYKE & ASSOCIATES, LTD.		
	<i>Lead Planning</i> <i>Landscape Architecture</i> <i>Urban Planning</i>	899 Sheik M-1, Suite 510 Northland, Illinois 60062-0025	Telephone 847.373.6280 E-Mail info@tda-usa.com Fax 847.373.9871

CHAPTER II: VISION, GOALS AND OBJECTIVES

2.1 A 2020 VISION FOR WINNETKA

As a basis for the development of goals, objectives and policies for Winnetka, a vision was developed to convey the desirable characteristics of the Village:

...a village in a natural setting committed to its tradition of residential neighborhoods, citizen involvement, local shops and educational excellence...

2.2 COMMUNITY GOALS

Purpose and Formulation Procedure

Goals and objectives provide the foundation for the Plan recommendations. *Goals* are long-range ideals that set the framework for public policy. *Objectives* are more specific, representing opportunities for achieving goals.

The goals and objectives that follow were prepared for the Village as a whole and are designed to achieve the ideals expressed in the Vision Statement.

Community goals appear below. Objectives designed to support these goals are listed in the remainder of this chapter under each community goal heading. *Goals, objectives and policies relating to the Green Bay Road Corridor and its four business districts appear in Chapter Five.*

Village Character and Appearance: Preserve and enhance those public assets, public lands, natural resources and architecturally significant structures that create the attractive appearance and peaceful, single-family residential character of the Village.

Residential Areas: Preserve a high-quality residential community. Encourage a range of housing types and sizes to meet the needs of residents of all ages.

Local Government: Plan for and provide appropriate government facilities and services that will accommodate the needs of the Village. Encourage a high degree of citizen concern for and participation in local government.

Educational and Community Institutions: Support educational excellence and the enrichment of Winnetka's religious and cultural environment.

Parks, Open Space, Recreation and Environment: Preserve or expand the quantity, quality and distribution of open space and recreational opportunities. Protect the Village's natural features and environmental resources.

Transportation: Provide for safe pedestrian, bicycle and vehicular movement consistent with the scale and peaceful character of the Village.

Growth Management: Limit commercial, institutional and residential development within the Village to minimize potentially adverse impacts on adjacent residential neighborhoods and to prevent the need for significant increases in infrastructure (streets, parking, utilities, sewers) and other community resources (schools, parks, recreational facilities, etc.). Provide for Village expansion via annexation if deemed appropriate.

2.3 VILLAGE CHARACTER AND APPEARANCE

Goal: Preserve and enhance those public assets, public lands, natural resources and architecturally significant structures that create the attractive appearance and peaceful, single-family residential character of the Village.

Objectives

1. Ensure that commercial, institutional and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood.
2. Place overhead utility lines underground along major streets: Willow, Sheridan, Green Bay, Hibbard, Winnetka/Hill, Elm and Tower by 2010. Place other utility lines underground, beginning with parks and open spaces, after the major streets are completed.
3. Recognize the critical role of the Village's historic architecture in defining Winnetka's unique character in public, institutional, commercial and residential areas and encourage its preservation.
4. Require the screening and buffering of off-street parking lots while considering the safety of pedestrians and motorists.
5. Continue to implement and supplement the Village's tree planting program on all public rights-of-way. Encourage tree planting on private property.
6. Encourage landscaping of public and private properties that complements and enhances the mature character of existing plantings and provides a buffer as an alternative to walls and fences.
7. Encourage organizations, schools, religious institutions, businesses and citizens in their efforts to beautify the Village.
8. Strictly enforce the Village's sign regulations and minimize the number of regulatory signs.
9. Encourage and cooperate with METRA to improve the appearance and function of the three train stations in the Village and to improve the appearance of the railroad right-of-way.
10. Encourage and cooperate with PACE to improve the appearance, safety and function of bus stop shelters.

11. Reduce and control light pollution, preserving property rights for natural light and controlling the use and location of artificial lighting.
12. Reduce and control noise pollution.
13. Use high quality design and materials when constructing public improvements. Enhance the beauty of the improvements with appropriate decorative details, artwork or sculpture.

2.4 RESIDENTIAL AREAS

Goal: Preserve a high-quality residential community. Encourage a range of housing types and sizes to meet the needs of residents of all ages.

GENERAL RESIDENTIAL OBJECTIVES

1. Maintain the Village's traditional dwelling density patterns by limiting the scale and density allowed in developments and renovations.
2. Require any new residential development and redevelopment to provide adequate and appropriate landscaping and, where appropriate, to preserve existing vegetation.
3. Encourage residential development that provides an appropriate transition between low-density and higher-density areas.

SINGLE-FAMILY RESIDENCE OBJECTIVES

1. Preserve the predominant defining character of Winnetka as a community for owner-occupied high quality single-family residences. Maintain the proportion of single-family detached housing in excess of 80 percent of the total Village housing units.
2. Retain the character of existing residential neighborhoods. Assure that new construction and additions to existing houses respect the scale of neighboring houses, setbacks, open spaces, parkway trees and the pedestrian orientation of the neighborhoods.
3. Protect residential neighborhoods and homes from the encroachment of incompatible land uses and traffic patterns.
4. Encourage the preservation of older houses that contribute to the character of the neighborhood through additions and improvements as an alternative to new house construction.
5. Maintain the quiet ambience of residential neighborhoods.

MULTIPLE-FAMILY RESIDENCE OBJECTIVES

1. Ensure that multiple-family development provides a variety of housing choices for

residents of all ages.

2. Ensure that the density of multiple-family development provides an appropriate transition to adjacent single-family neighborhoods.
3. Ensure that multiple-family buildings complement adjacent single-family residences in scale and architectural style and that architectural styles complement the historic character of the village.
4. Require that multiple-family development be of high quality materials and design, combined with adequately screened or underground parking and substantial landscaping.
5. Encourage an appropriate number of rental units compatible with the predominantly single-family residential character of the Village.
6. Study the possibility of bringing an assisted-care facility for senior citizens to Winnetka.

2.5 LOCAL GOVERNMENT

Goal: Plan for and provide appropriate government facilities and services that will accommodate the needs of the Village. Encourage a high degree of citizen concern for and participation in local government.

Objectives

1. Encourage local governmental bodies to help implement the community goals and objectives in this document.
2. Maintain and encourage the location of public buildings in the Village Center to provide centralized and convenient services.
3. Maintain and upgrade the Village's infrastructure in keeping with Village character and high community standards.
4. If the water plant and electric plant are no longer needed to provide electric power or water service to the Village, a re-use plan should be drafted for the property to serve public purposes.
5. Ensure that municipal buildings and properties exhibit design excellence that respects the character and enhances the appearance of the Village.
6. Ensure that the closed landfill on Willow Road is effectively managed and attractively landscaped.
7. Encourage on-going study and cooperation to bring the latest telecommunication technologies to the Village, while preserving the Village's appearance.

2.6 EDUCATIONAL AND COMMUNITY INSTITUTIONS

Goal: Support educational excellence and the enrichment of Winnetka's religious and cultural environment.

Objectives

1. Recognize the critical importance of educational, religious and other community institutions to Village residents.
2. Maintain an atmosphere in which diverse cultural, educational and religious organizations may flourish and in which special activities for residents of all ages may be enhanced.
3. Engage in a public process that balances institutional goals and minimizes any adverse impact to the character of the adjacent residential neighborhood.
4. Recognize that standards of educational excellence may change with time, thus necessitating changes in physical and financial resources.
5. Ensure safe and attractive access to educational and community institutions. Pursue improvements that address public safety as well as traffic, congestion and parking.
6. Cooperate with school districts to make school facilities available for other community needs and emphasize this dual use in future planning and design.
7. Encourage the continued vitality of the Winnetka Community House as a community facility for a variety of programs accessible to all residents.
8. Encourage the preservation of the excellent facilities, central location and availability of the Winnetka-Northfield Public Library District resources.

2.7 PARKS, OPEN SPACE, RECREATION AND ENVIRONMENT

Goal: Preserve or expand the quantity, quality and distribution of open space and recreational opportunities. Protect our natural features and environmental resources.

Objectives

1. Increase the amount of property that is designated as public or private open space to preserve the natural character of the community.
2. Provide, where possible, open space (public, semi-public or private) between low-density and higher-density land uses.
3. Preserve and enhance natural features such as ravines, woodlands, bluffs, beaches and the Lake Michigan shoreline.

4. Preserve significant trees and encourage new tree planting on public and private properties to the greatest extent possible.
5. Support the development of recreational facilities to meet the needs of residents of all ages.
6. Engage in a public process that balances institutional goals and minimizes any adverse impact to the character of the adjacent residential neighborhood.
7. Encourage the Cook County Forest Preserve District to improve the natural appearance of the public right-of-way and the property adjacent to Willow Road, Forest Way and Tower Road, west of Forest Way.
8. Foster greater cooperation among all institutions--private and public--in the joint use of their recreational facilities.
9. Encourage the preservation of open space inside and outside the Village.

2.8 TRANSPORTATION

Goal: Provide for safe pedestrian, bicycle and vehicular movement consistent with the scale and peaceful character of the Village.

Objectives

1. Improve major streets, especially their intersections, to enhance traffic flow, safety and appearance, as well as use by pedestrians and bicyclists.
2. Ensure safe, efficient and convenient access to all areas of the Village.
3. Develop comprehensive programs to promote traffic safety and to slow traffic.
4. Explore ways to decrease the flow of regional traffic through the Village.
5. Promote alternatives to motor vehicles such as bicycling and walking.
6. Enhance and expand the Village's bike route system.
7. Restrict "cut-through" truck traffic in residential neighborhoods and regional truck traffic on village thoroughfares.
8. Ensure good condition of streets, curbs and sidewalks.
9. Encourage the maintenance and improvement of a rapid and comfortable commuter service to and from all three Village train stations.
10. Foster improvement in public transportation and cooperate with adjacent communities in anticipating future needs and means.

11. Provide for adequate parking in commercial areas. Require people who work in the commercial districts to park in employee-designated off-street or underground parking areas.
12. Provide adequate off-street or underground parking for Winnetka commuters.
13. Enhance the overall appearance and environmental quality of public rights-of-way, including the railroad right-of-way.
14. Provide ease of access to the Edens Expressway (Interstate 94).

2.9 GROWTH MANAGEMENT

Goal: Limit commercial, institutional and residential development within the Village to minimize potentially adverse impacts on adjacent residential neighborhoods and to prevent the need for significant increases in infrastructure (streets, parking, utilities, sewers) and other community resources (schools, parks, recreational facilities, etc.). Provide for Village expansion via annexation if deemed appropriate.

Objectives

1. Ensure that development proposals minimize the potential adverse impact they might have on residential neighborhoods, including the impact on pedestrian character, on-site parking, traffic patterns, congestion, open space, storm water management and Village infrastructure.
2. Ensure that annexation of properties will not adversely affect the Village's ability to service existing residences and businesses. Continue to review those unincorporated areas within the jurisdictional planning area that draw upon Village services and resources and ensure that any proposed annexation is compatible with the character of the Village.
3. Ensure that the Village keeps informed about neighboring communities' plans for growth, changes in existing infrastructure or for new infrastructure.

ATTACHMENT C

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.

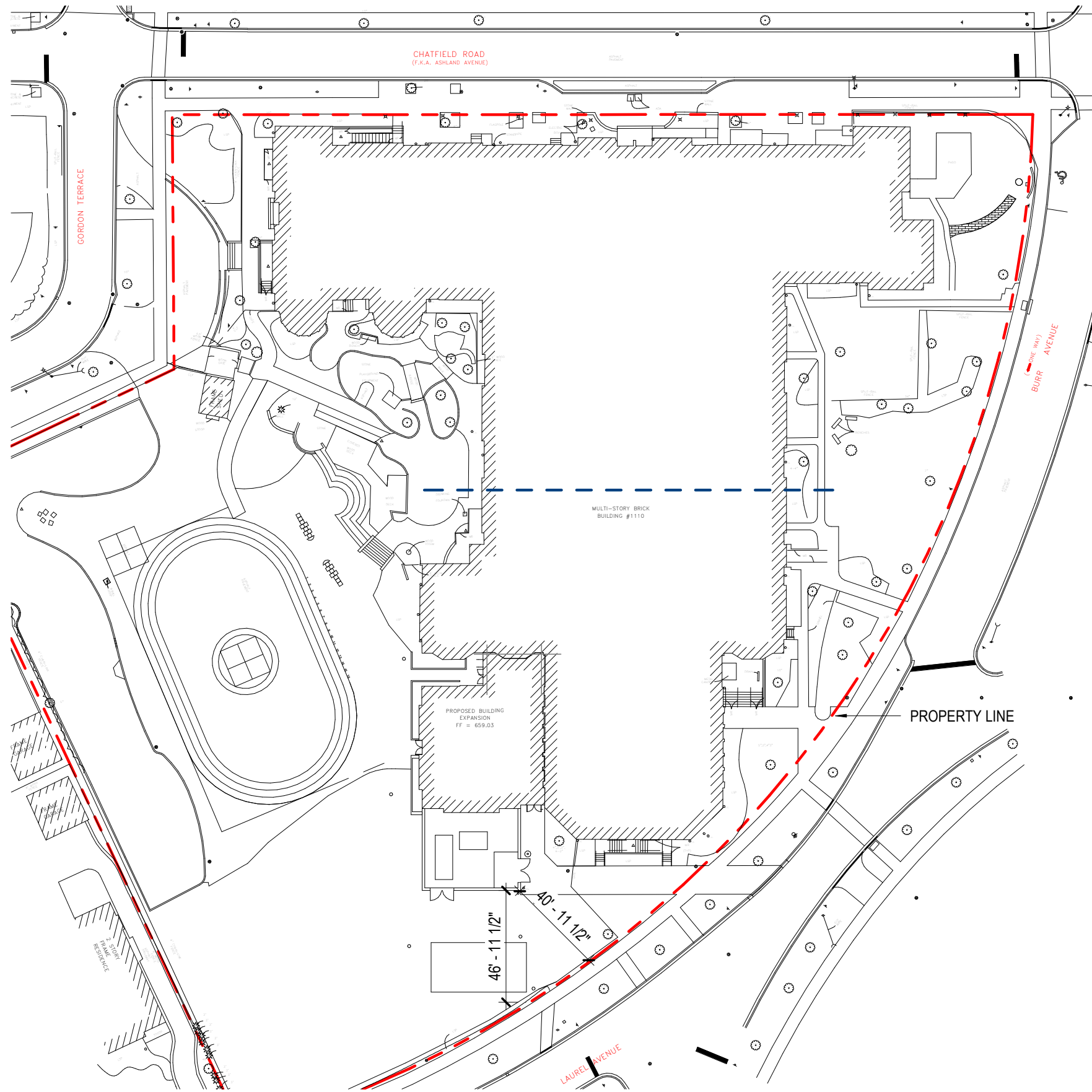
Thank you for your consideration, and we look forward to working with you further on this Project.

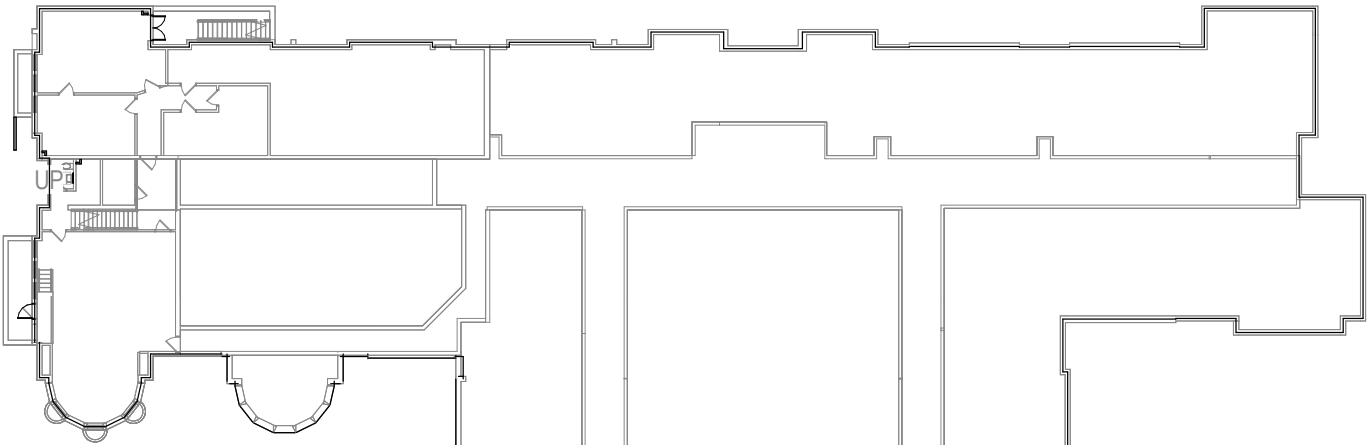
Sincerely,

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'

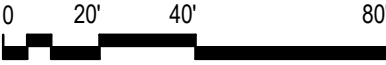
150'-10" + 360'-8" = 511'-6" TOTAL EXPOSED
PERIMETER OF BASEMENT, ABOVE GRADE > 4',
SHOWN IN RED

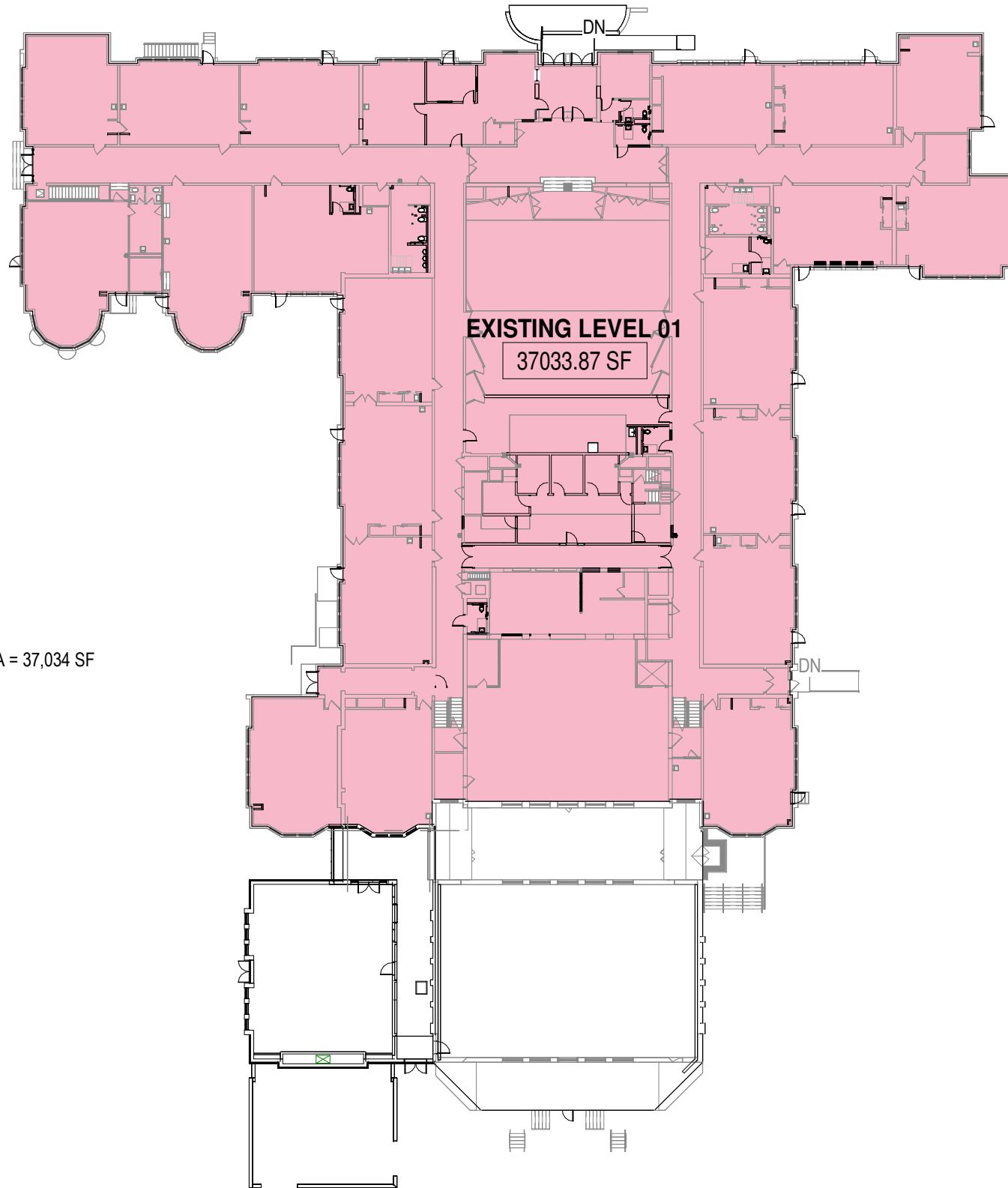
180'-6" LF PERIMETER NOT ABOVE GRADE

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

**EXISTING LEVEL 00
DOUBLE HEIGHT**

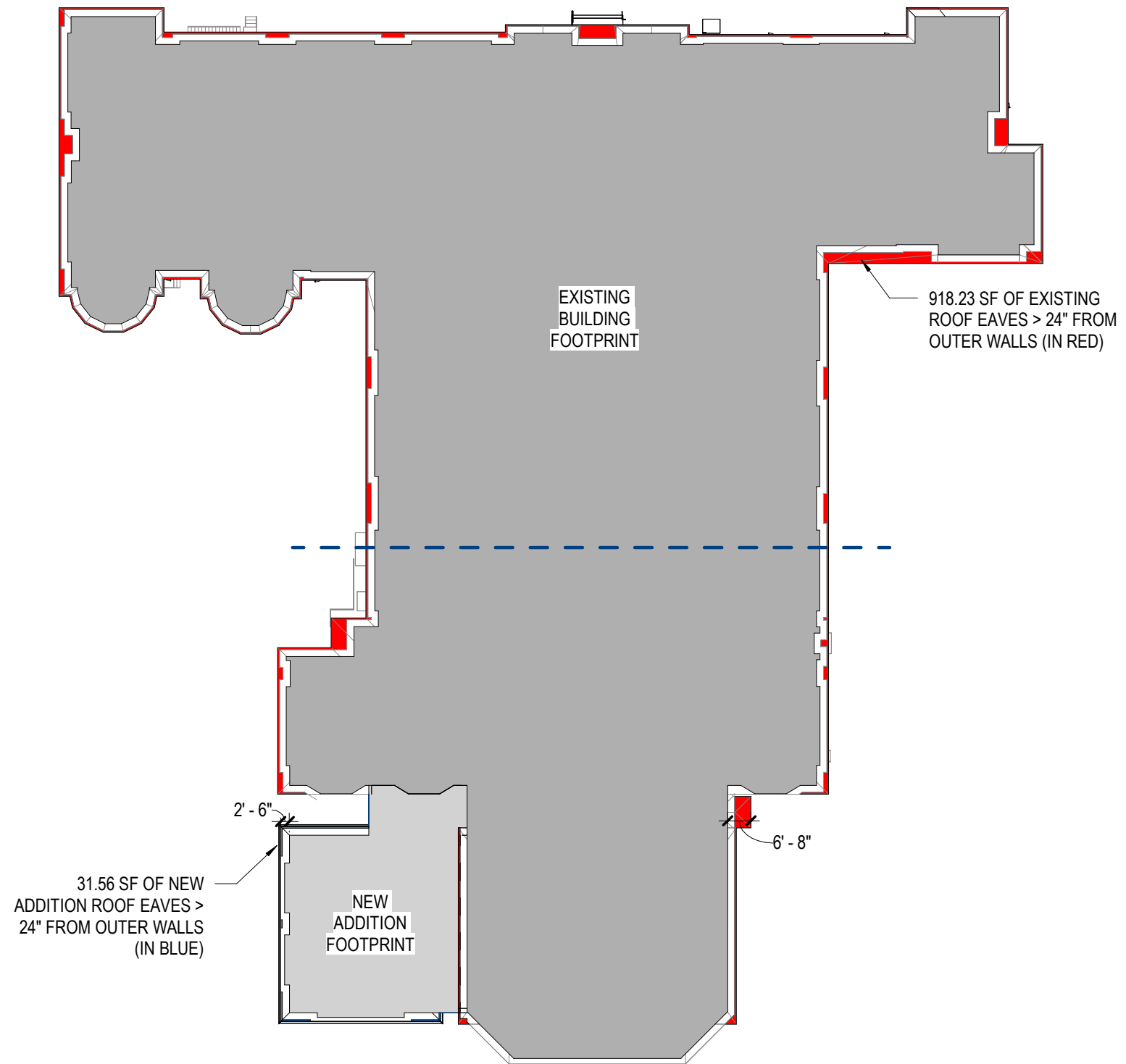
4413.37 SF

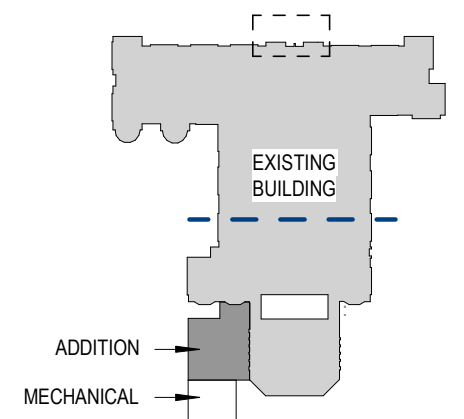
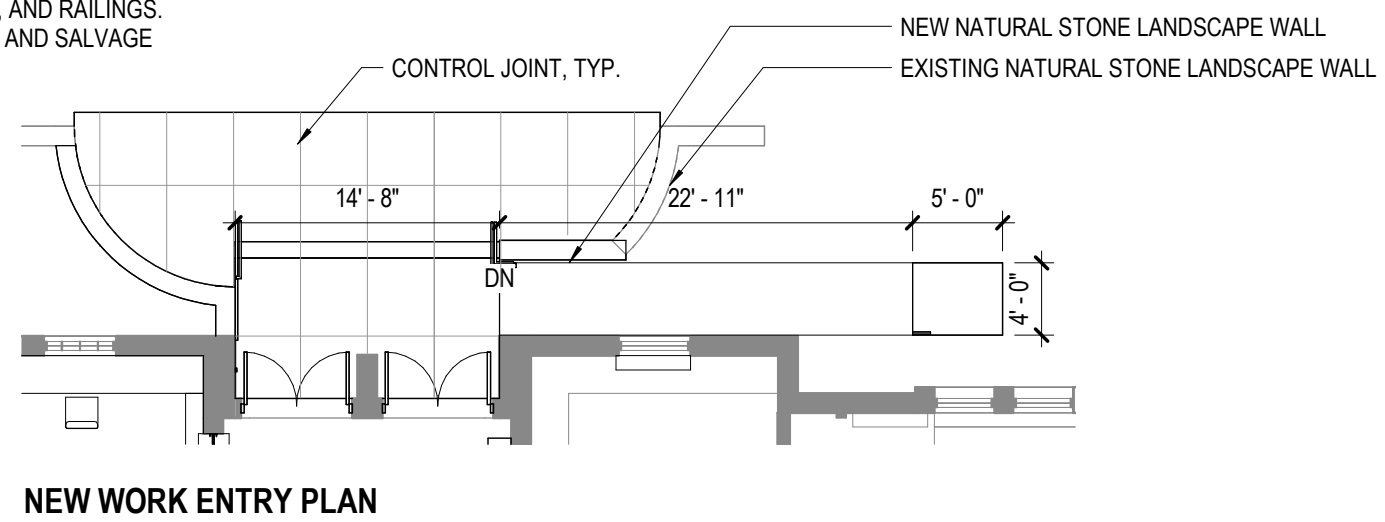
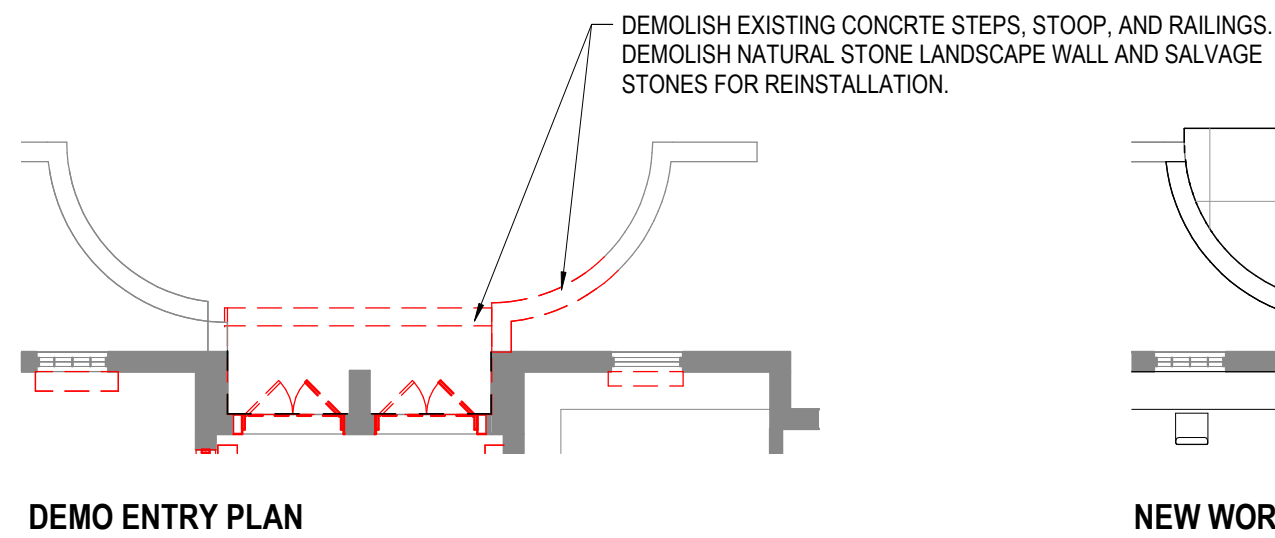
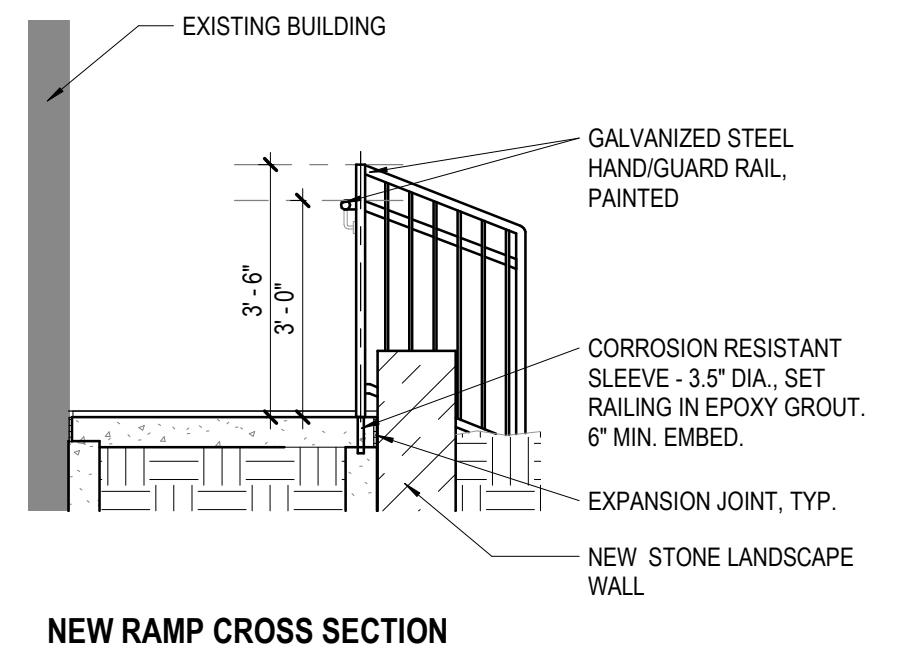
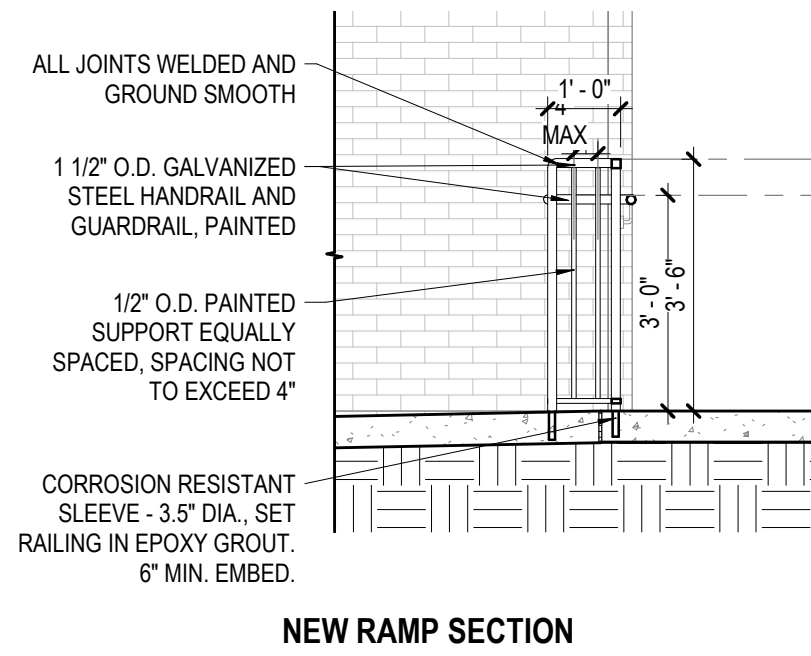
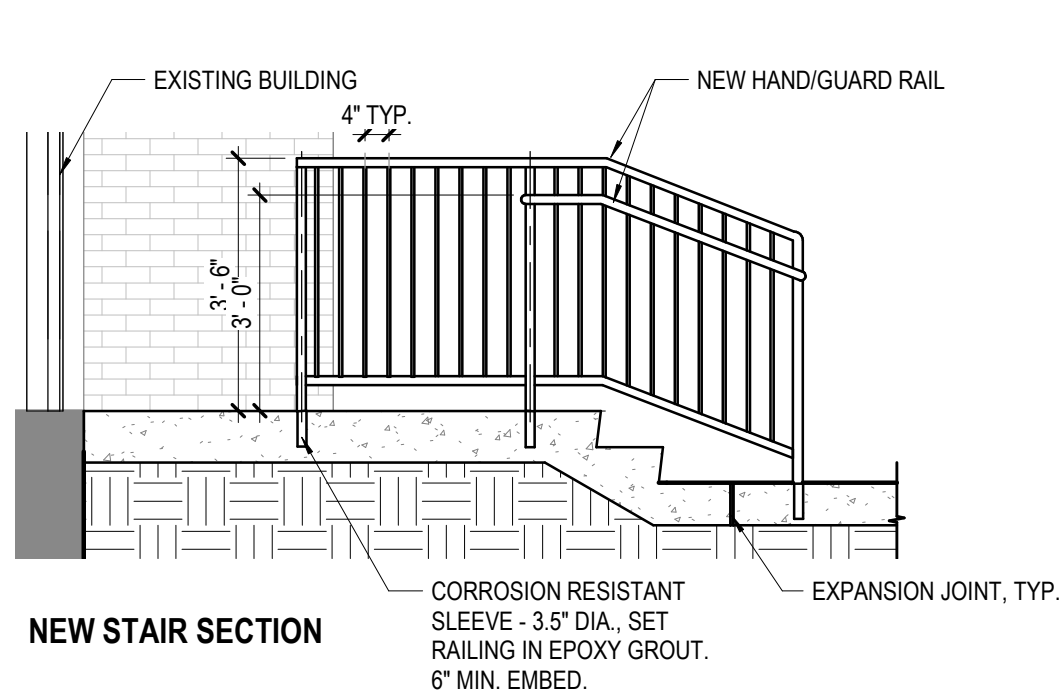


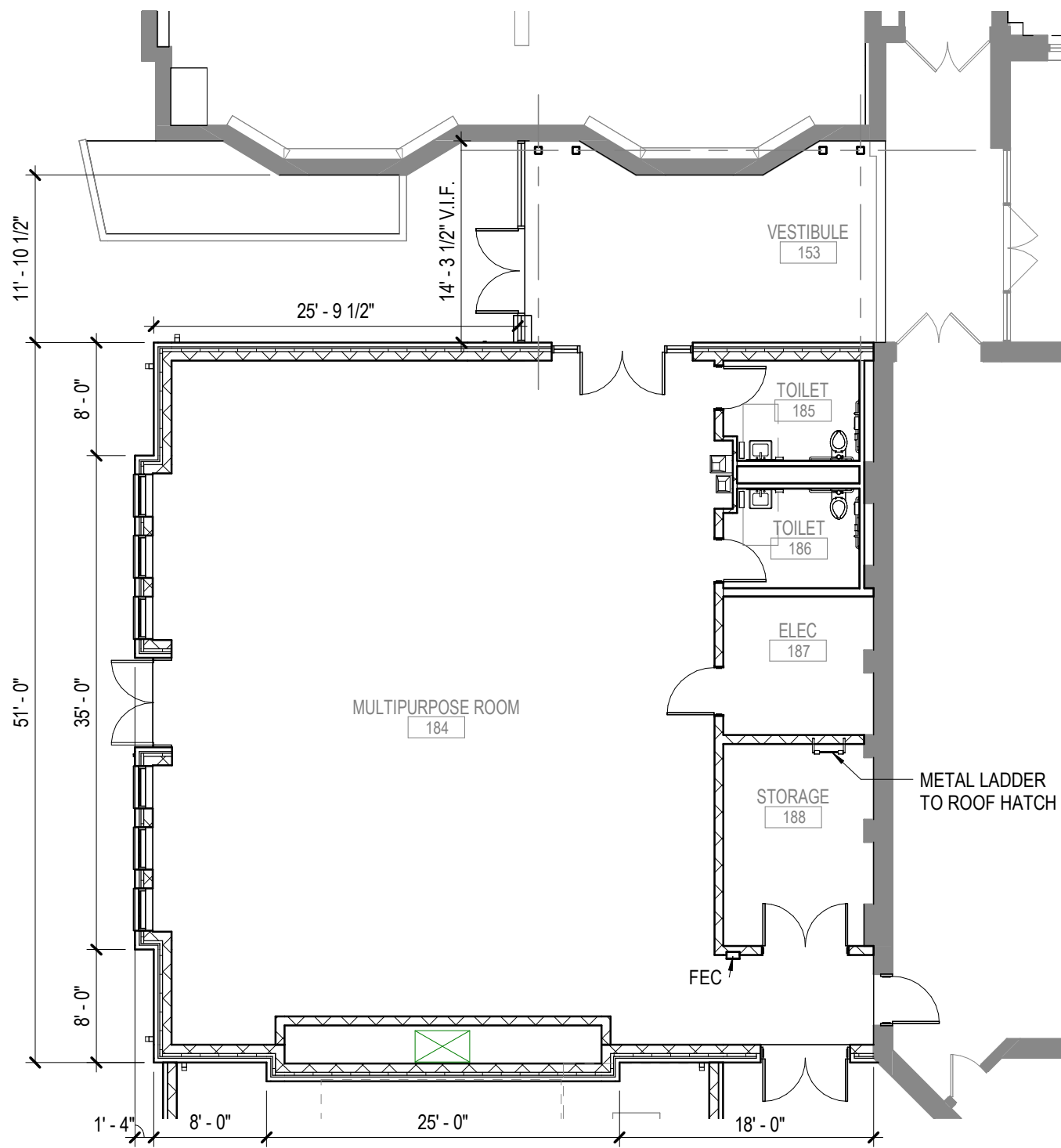


TOTAL FLOOR AREA = 37,034 SF

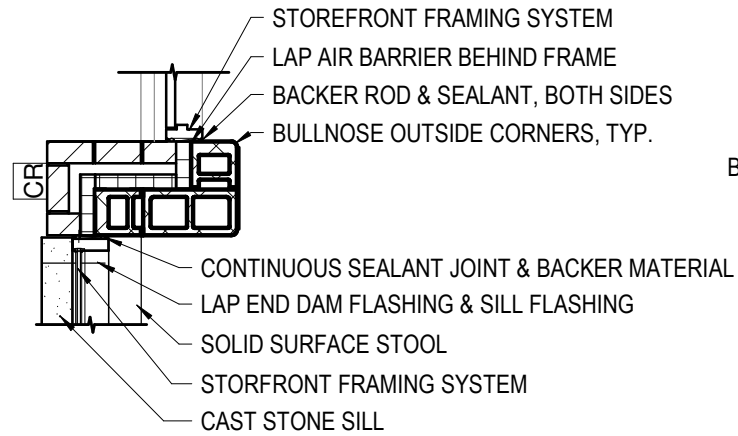




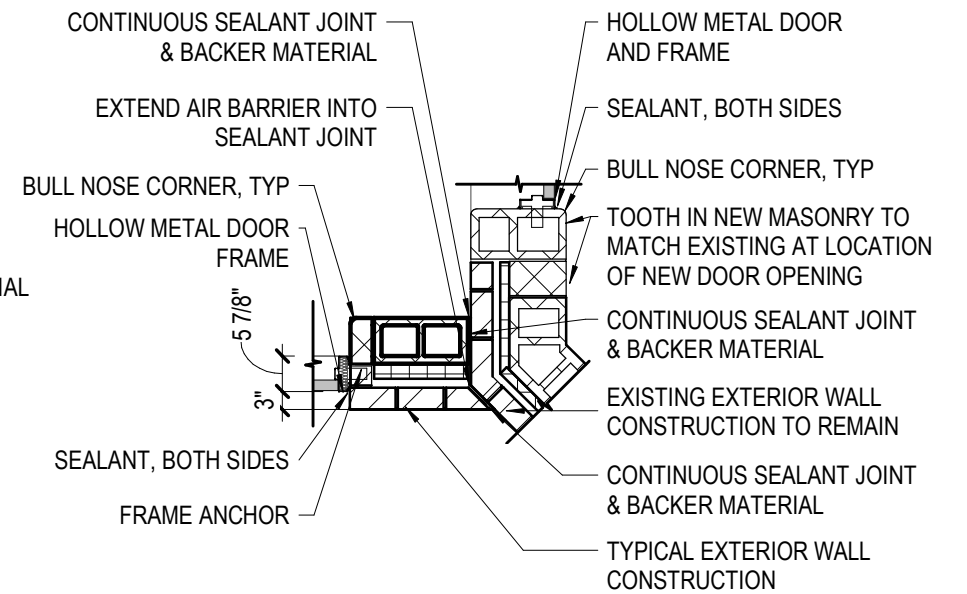




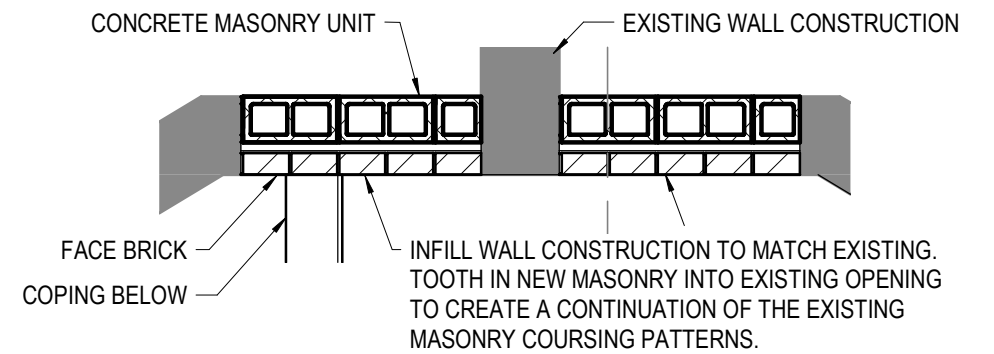
NEW ADDITION PLAN



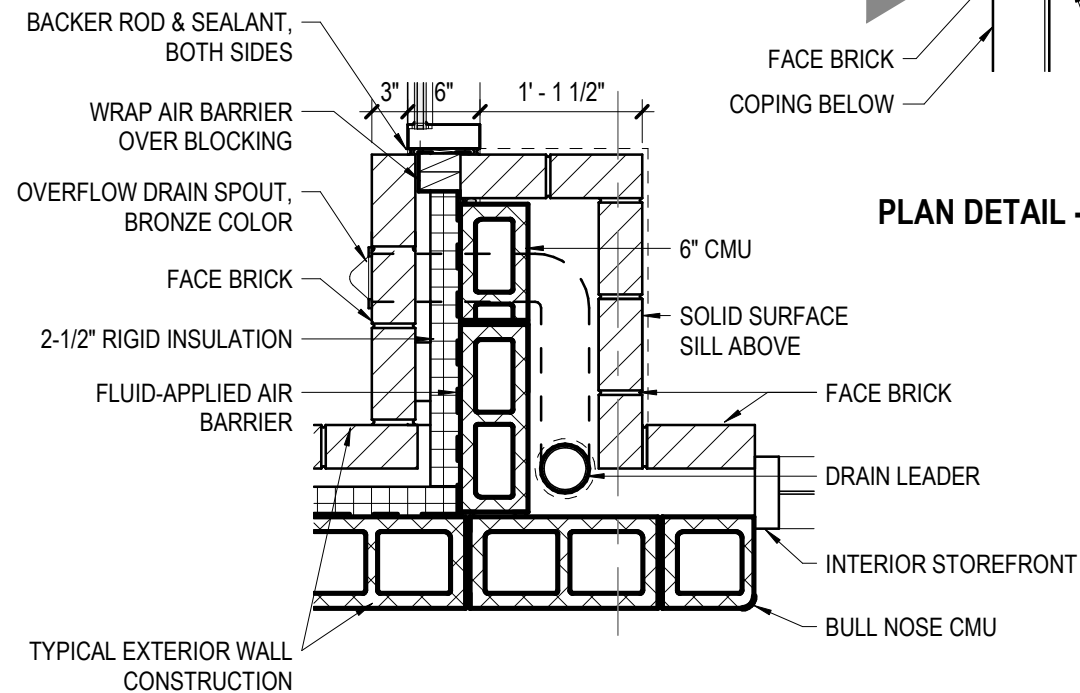
PLAN DETAIL - ADDITION ENTRY



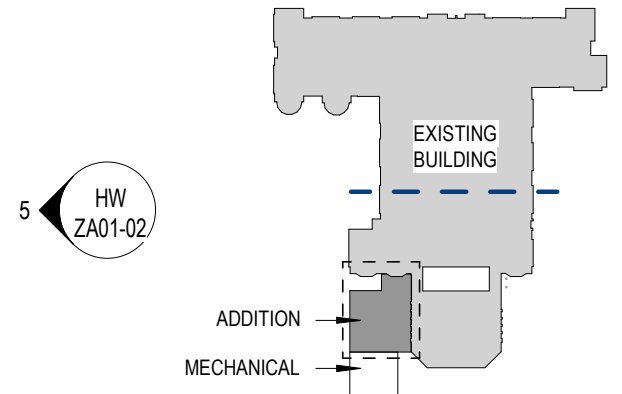
PLAN DETAIL - EXTERIOR JOINT AT NEW / EXISTING

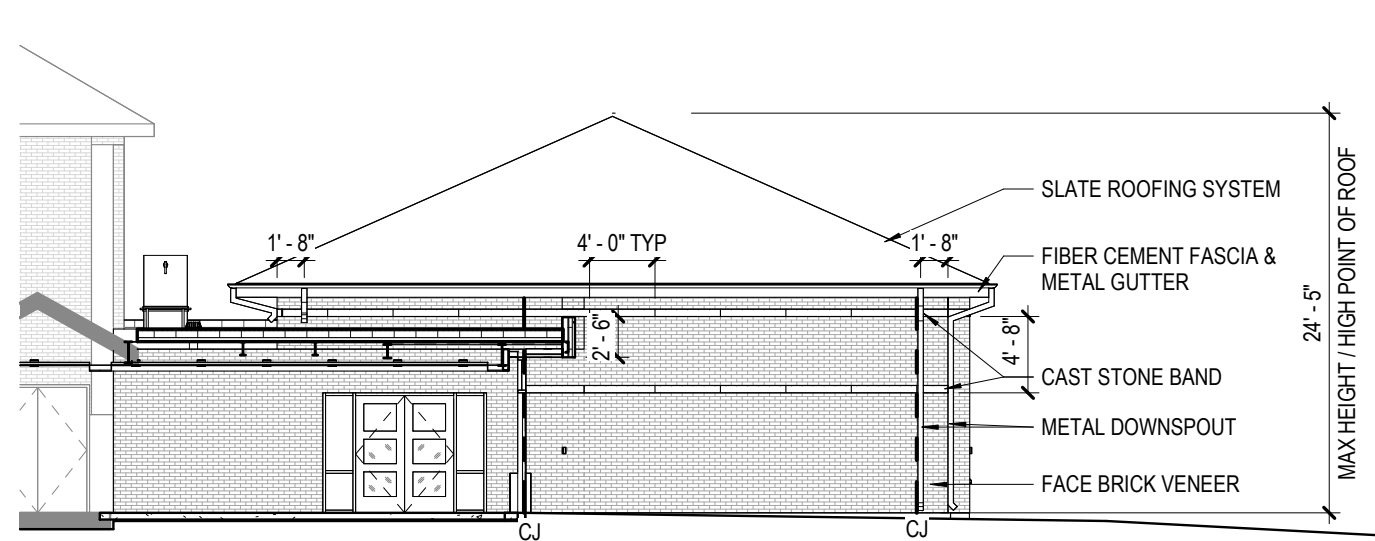


PLAN DETAIL - WINDOW INFILL

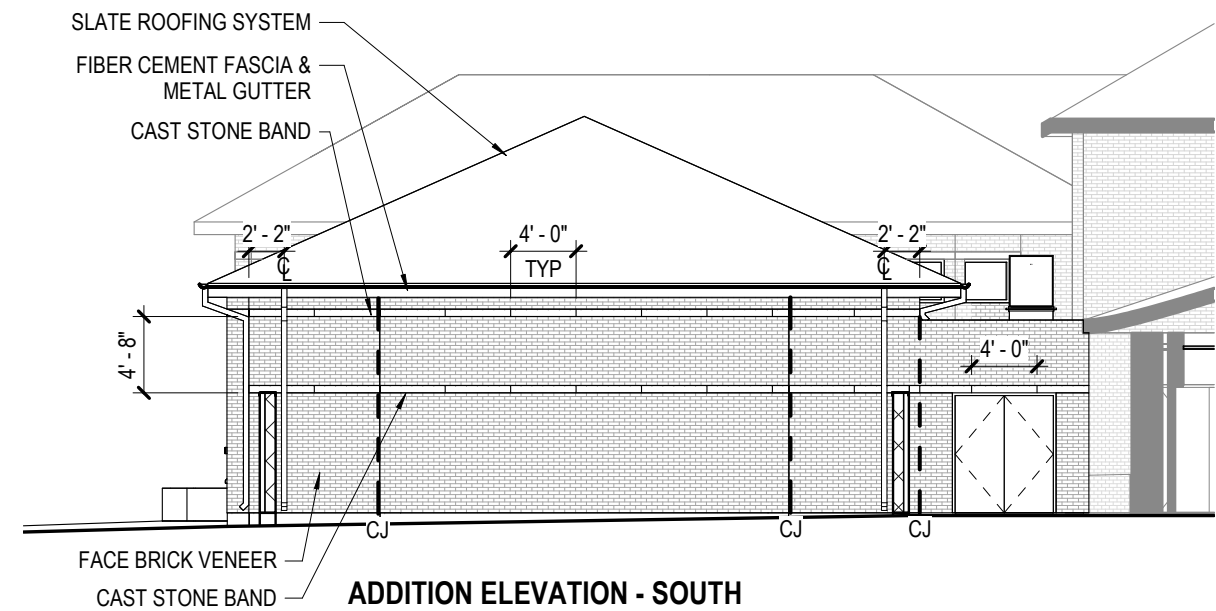


PLAN DETAIL - DRAIN LEADER AT ENTRY

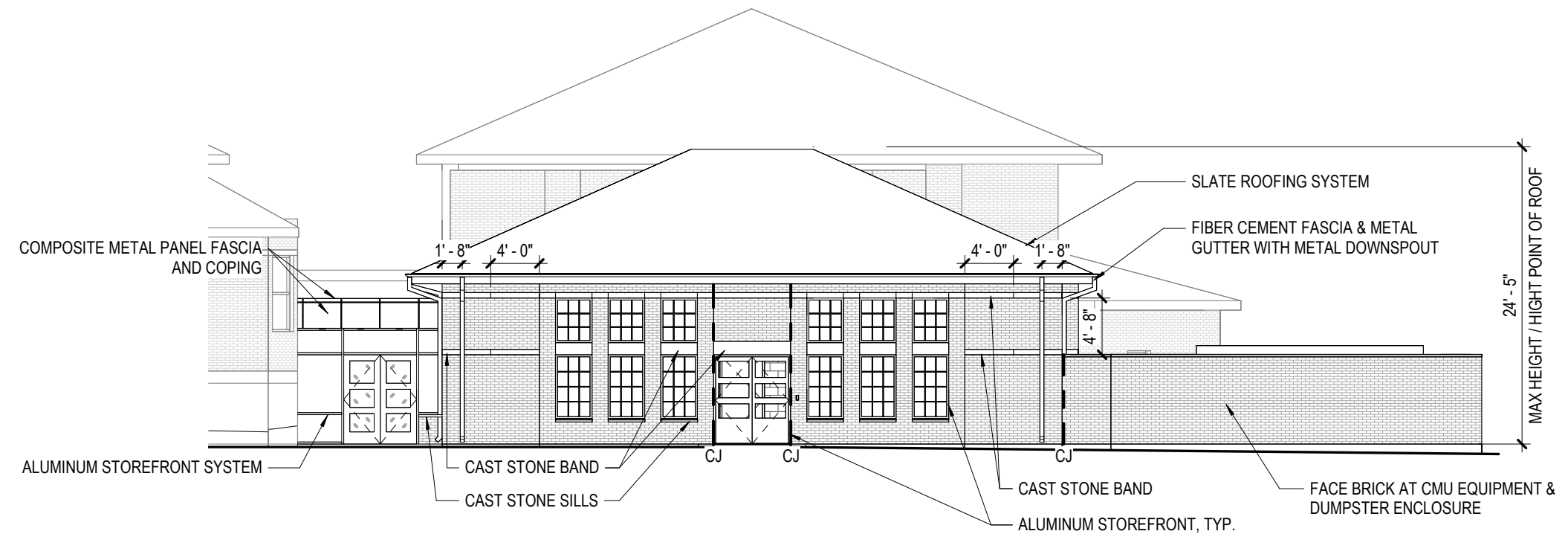




ADDITION ELEVATION - NORTH

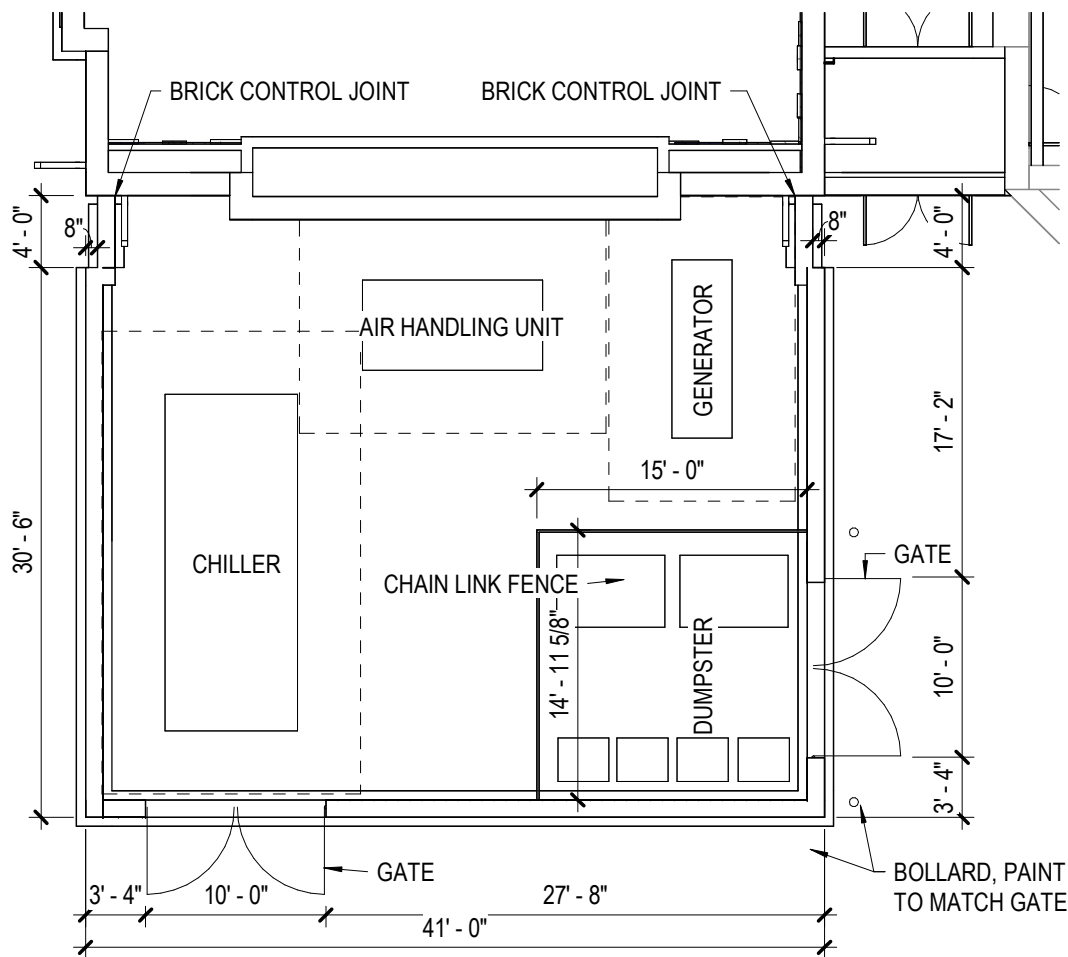


ADDITION ELEVATION - SOUTH

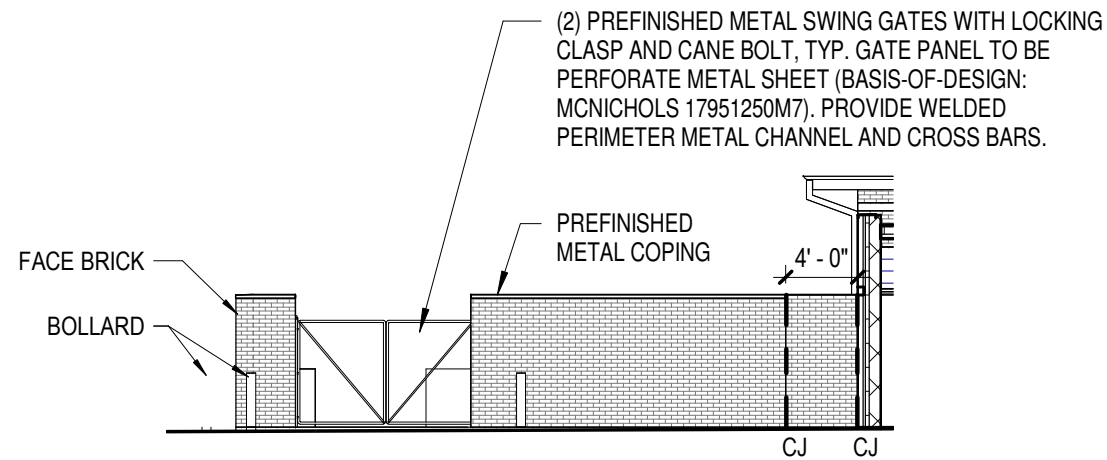


ADDITION ELEVATION - WEST

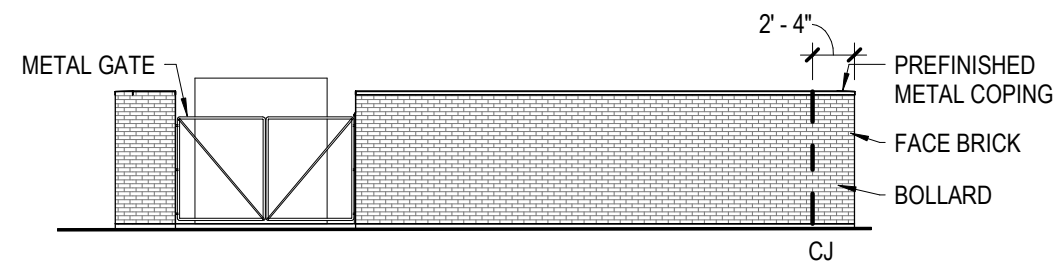




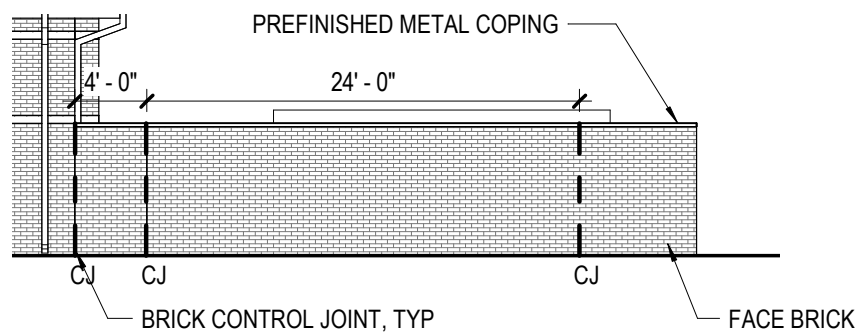
NEW EQUIPMENT ENCLOSURE PLAN



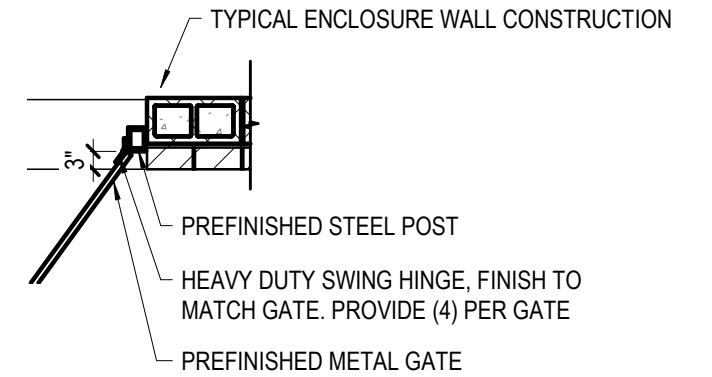
EAST ELEVATION



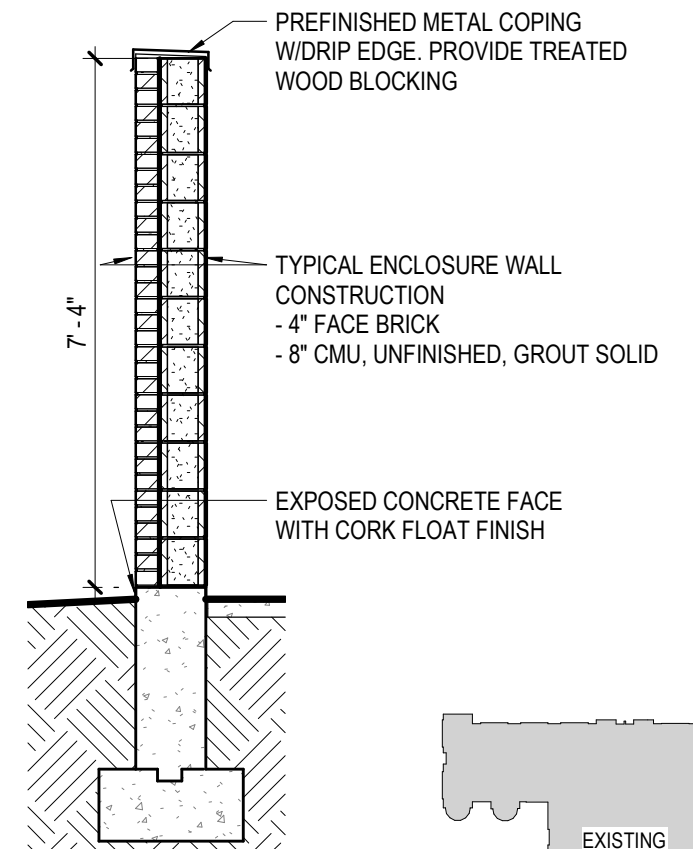
SOUTH ELEVATION



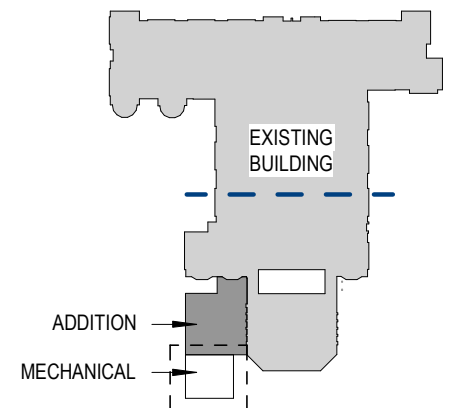
WEST ELEVATION



DOOR CONNECTION DETAIL



WALL SECTION





EXISTING VIEW LOOKING SOUTHEAST



EXISTING VIEW LOOKING NORTHEAST





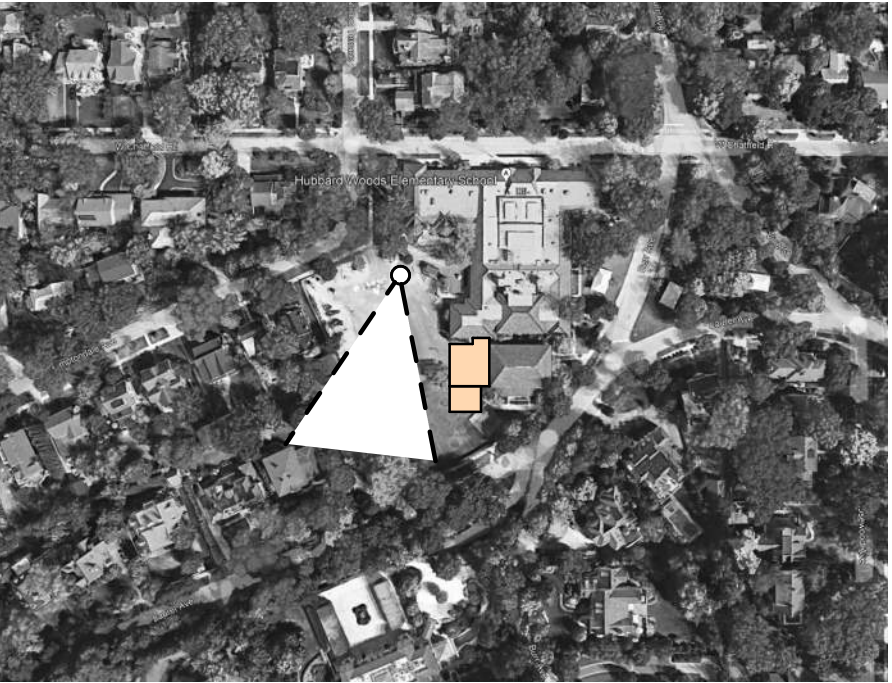
SITE VIEW LOOKING SOUTH



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



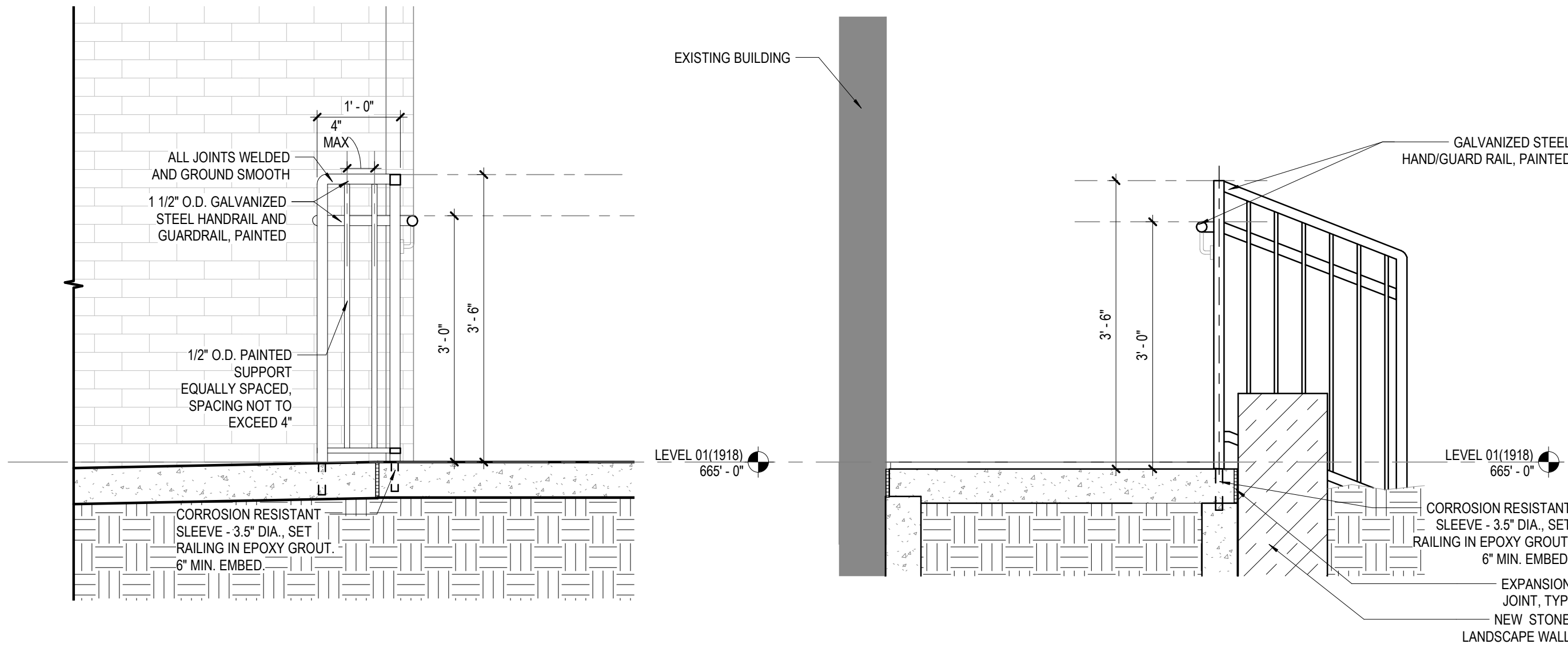
NEW WHITE ALUMINUM STOREFRONT, TO MATCH EXISTING
BASIS OF DESIGN: KAWNEER



NEW IGU WITH SIMULATED DIVIDED LINES, TO MATCH EXISTING

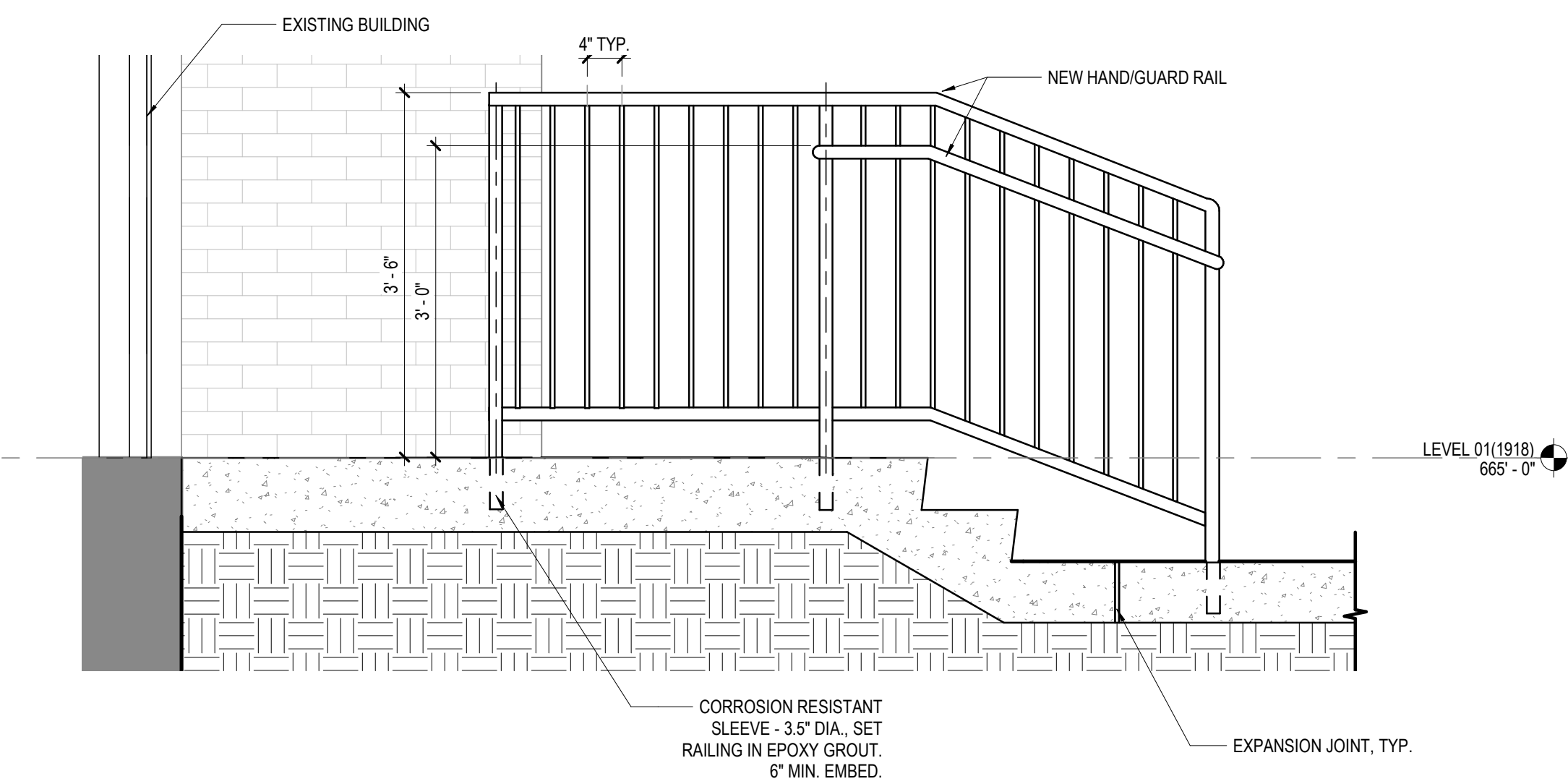




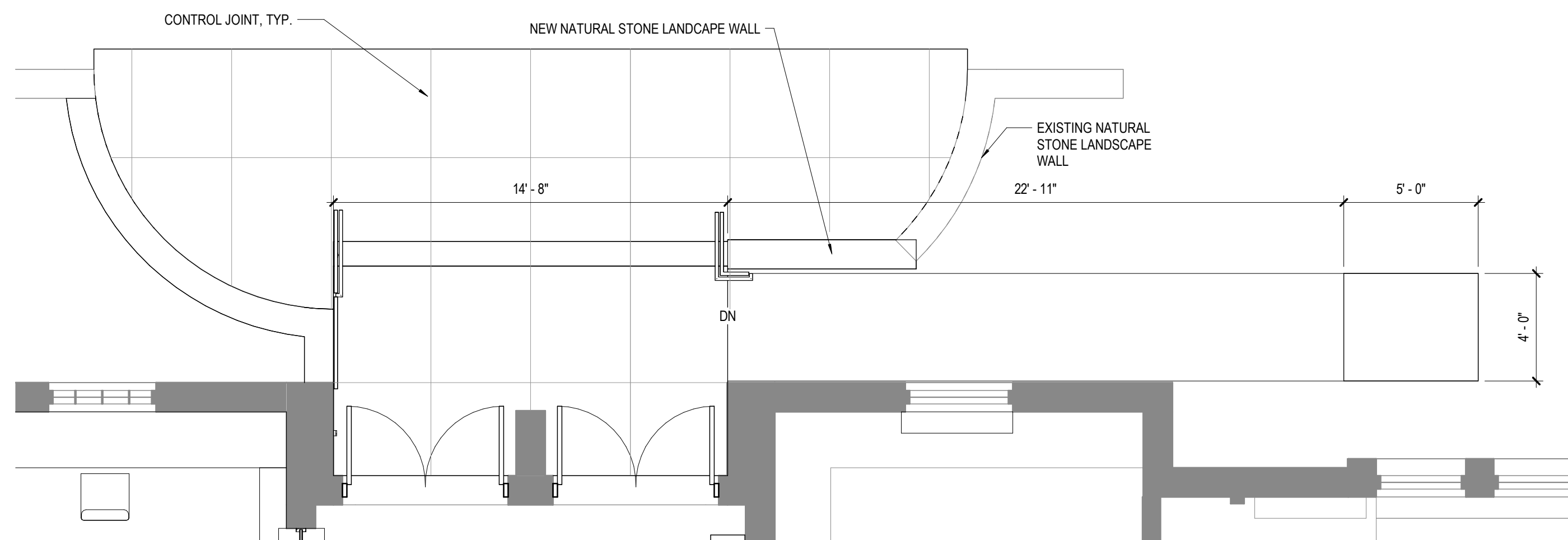


6 SECTION - MAIN ENTRY RAMP
3/4" = 1'-0"

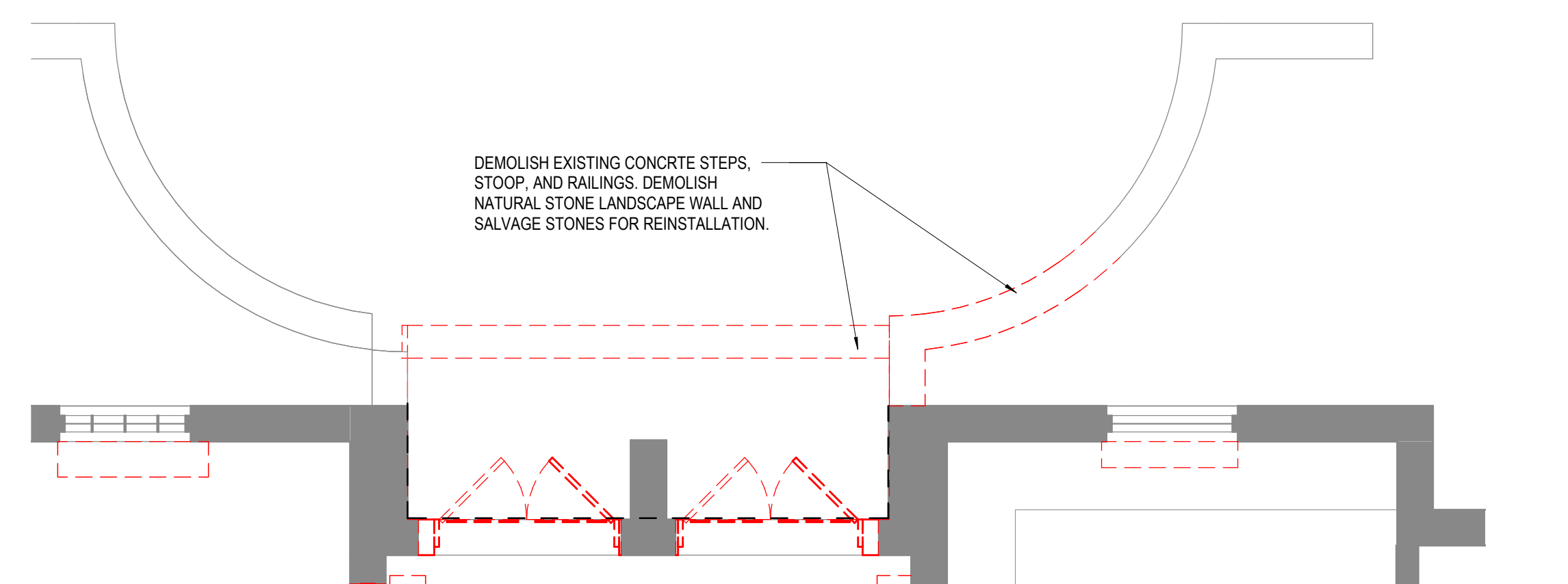
5 SECTION - MAIN ENTRY RAMP, PLANTER
3/4" = 1'-0"



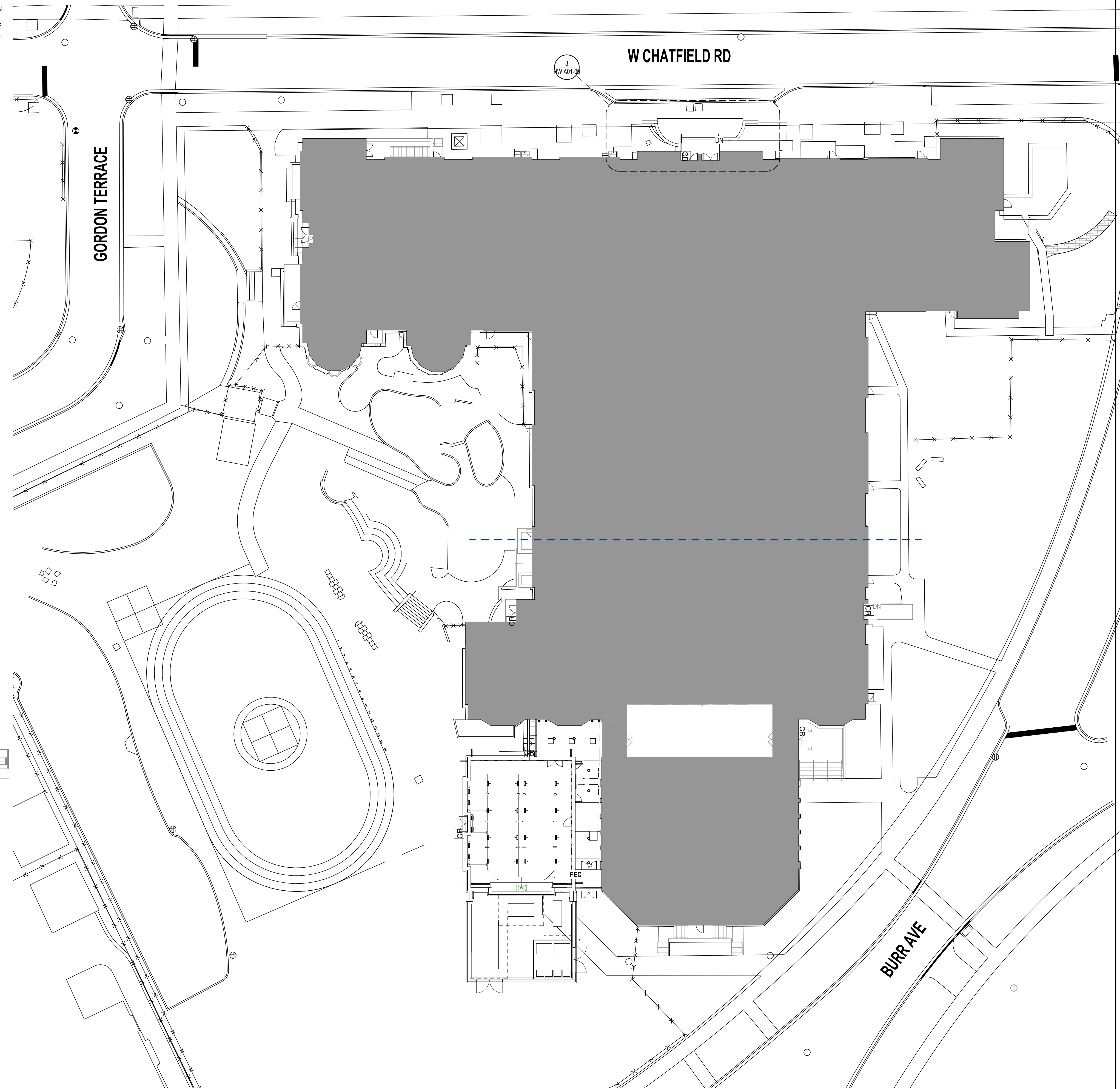
4 ENLARGED SECTION - ENTRANCE STAIR
3/4" = 1'-0"



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
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CEA&A - STRUCTURAL ENGINEERS
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Chicago, Illinois 60606
MEP
MSA - MECHANICAL SERVICES ASSOCIATES
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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

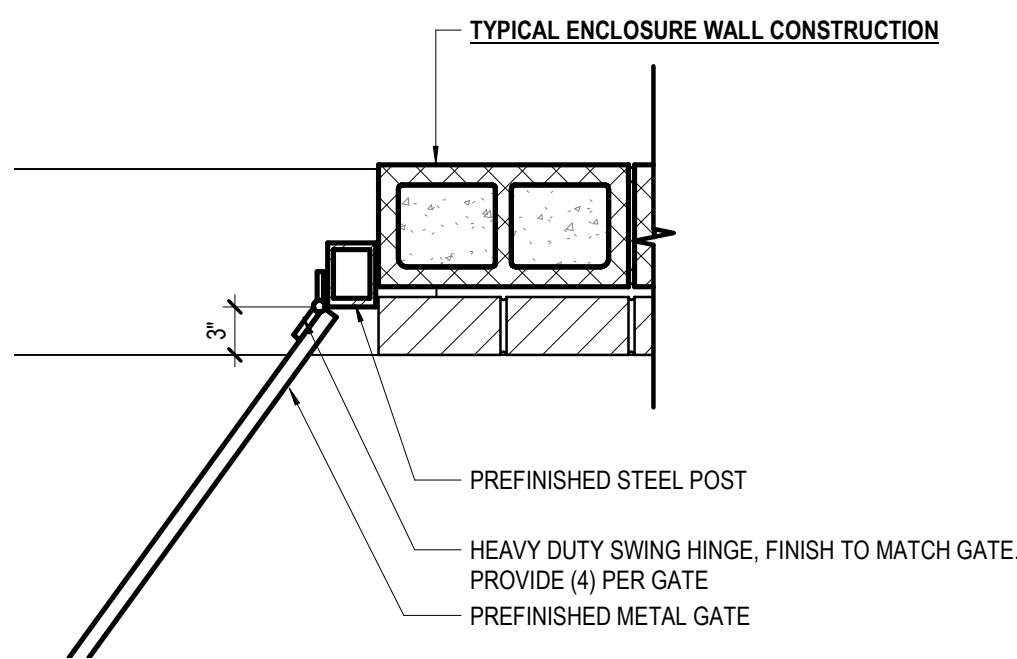
2	BP3 - ADDENDUM #1	02/17/2023
	ISSUE FOR BID - BP3	02/09/2023
	ISSUE FOR BID - BP2	01/12/2023
MARK	DATE	

Job Number 021331.000

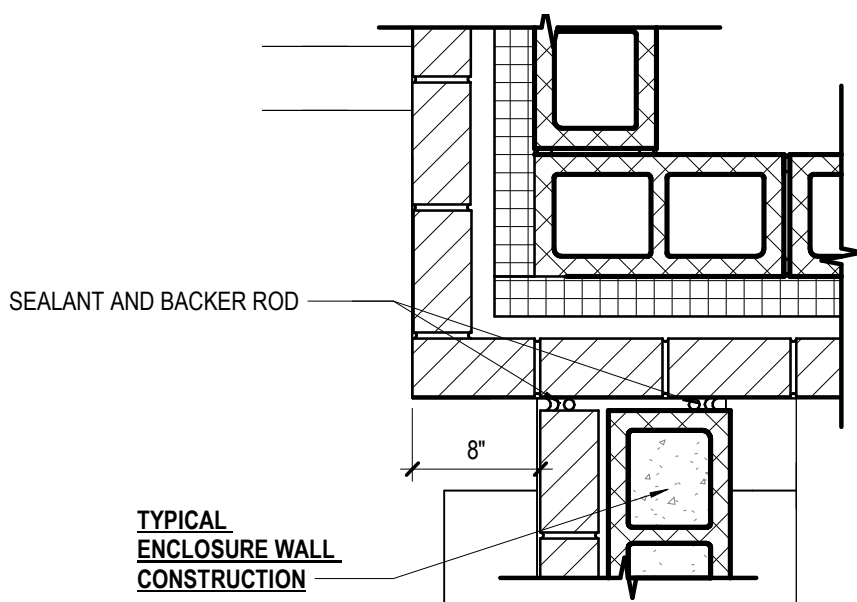
TITLE

ENLARGED EQUIPMENT ENCLOSURE PLAN AND SECTION
SHEET NUMBER

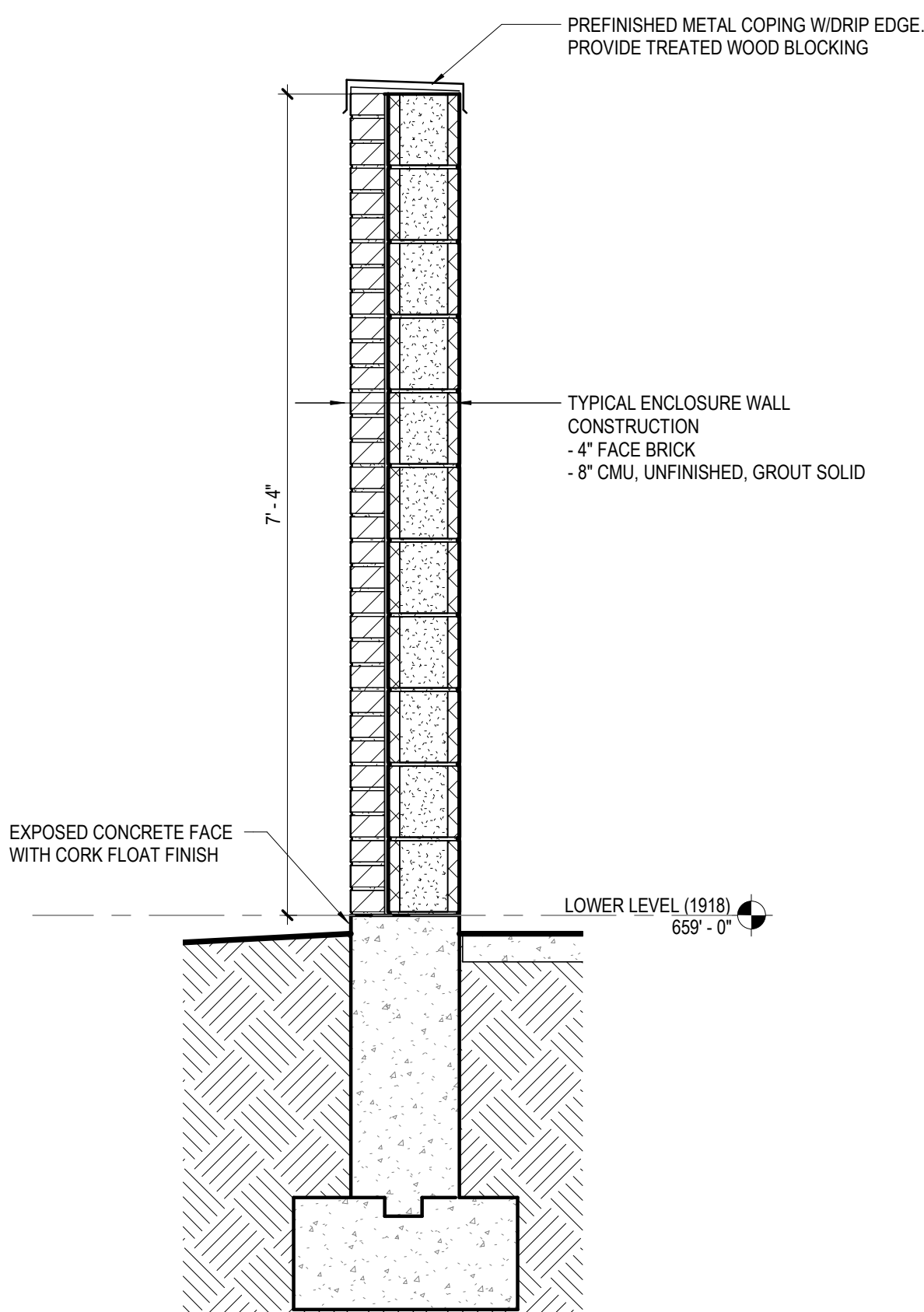
HW
ZA01-02



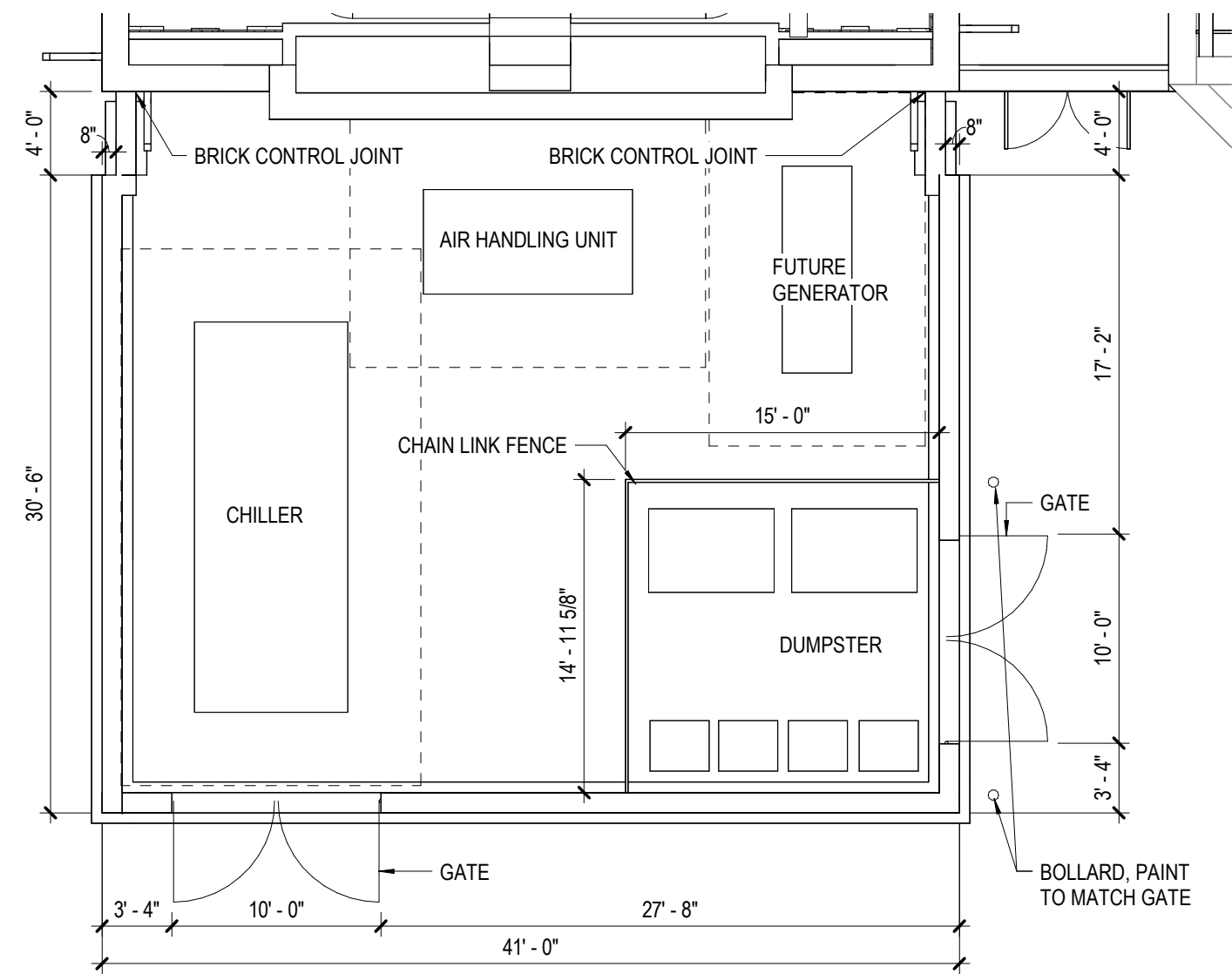
7 ENCLOSURE DOOR CONNECTION DETAIL
1" = 1'-0"



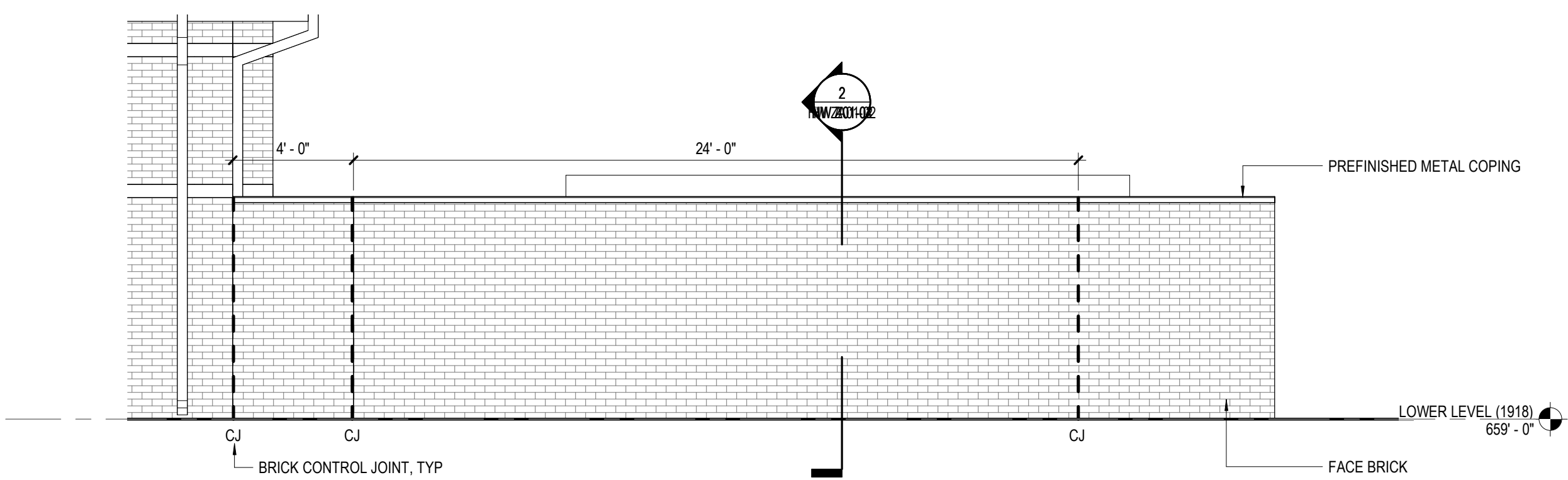
4 ENCLOSURE CONNECTION DETAIL
1" = 1'-0"



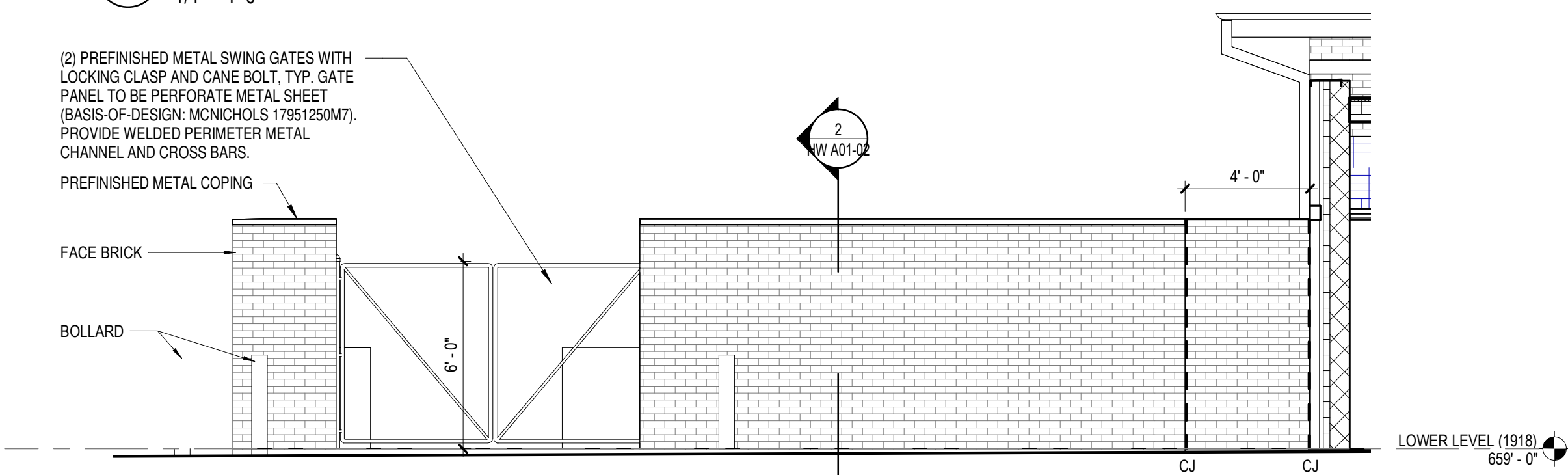
2 ENCLOSURE SECTION
3/4" = 1'-0"



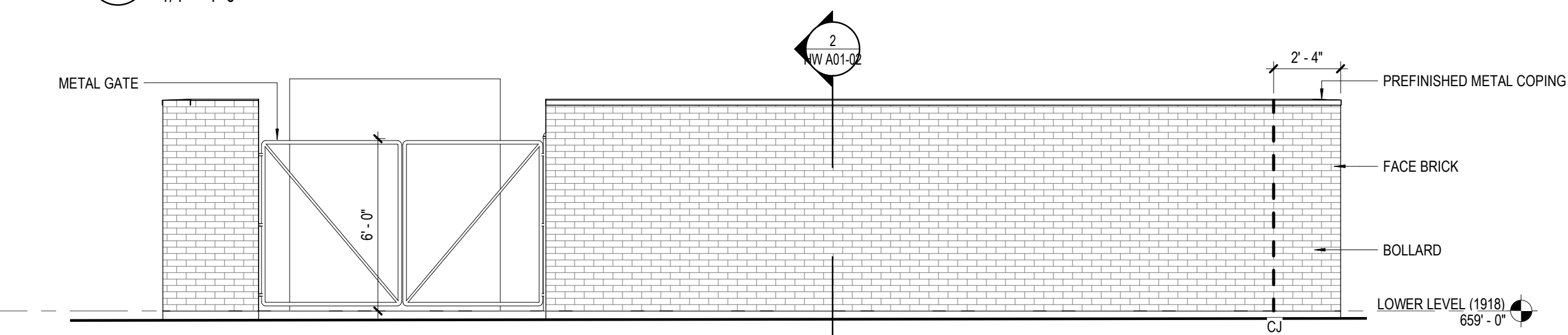
1 ENLARGED EQUIPMENT ENCLOSURE PLAN Copy 2
1/8" = 1'-0"



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

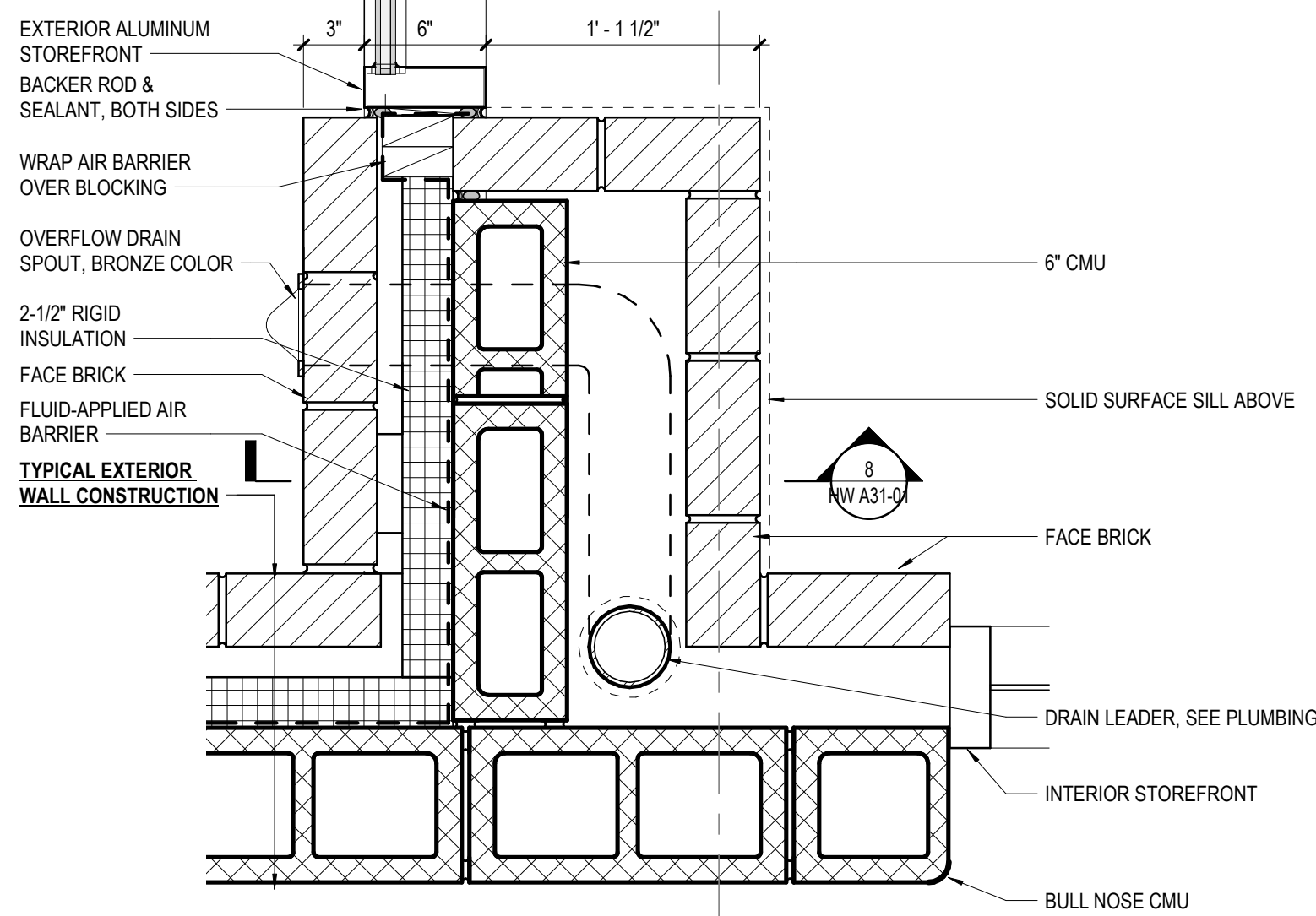


5 ENCLOSURE EAST ELEVATION
1/4" = 1'-0"

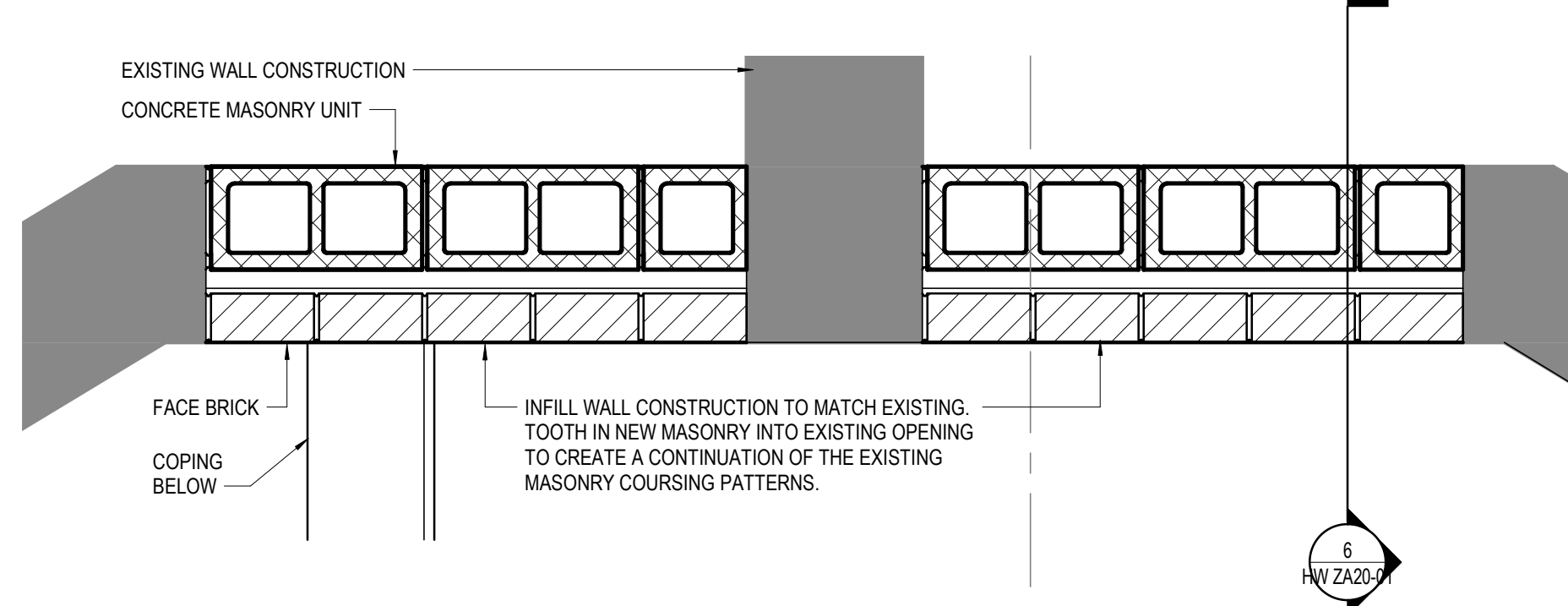


3 ENCLOSURE SOUTH ELEVATION
1/4" = 1'-0"

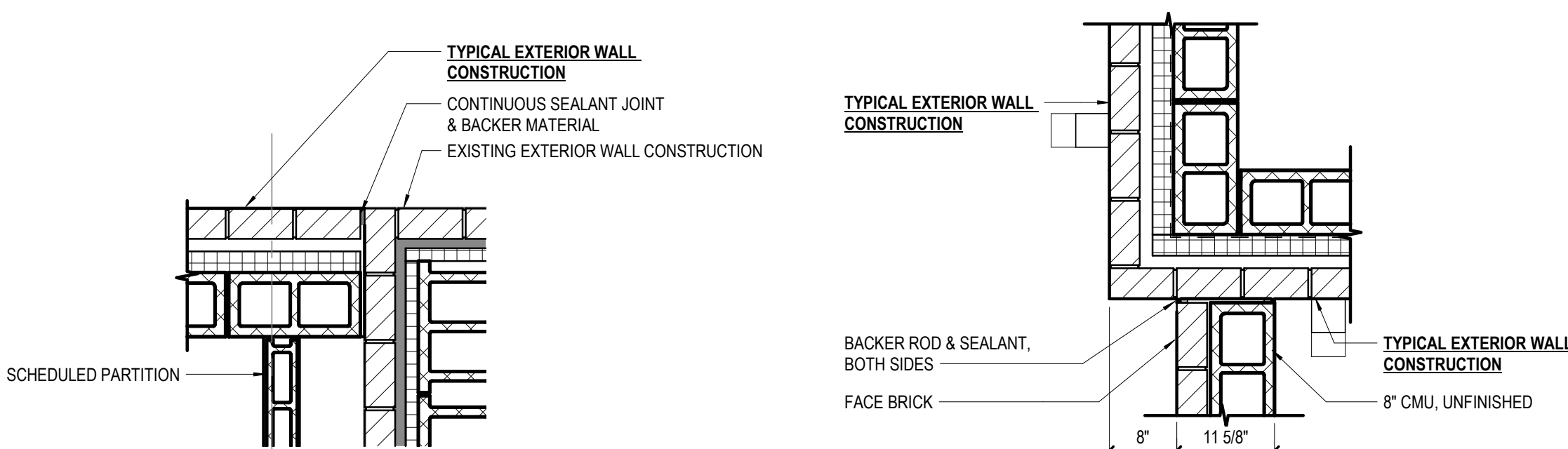
SHEET RELEASED FOR
INFORMATION ONLY



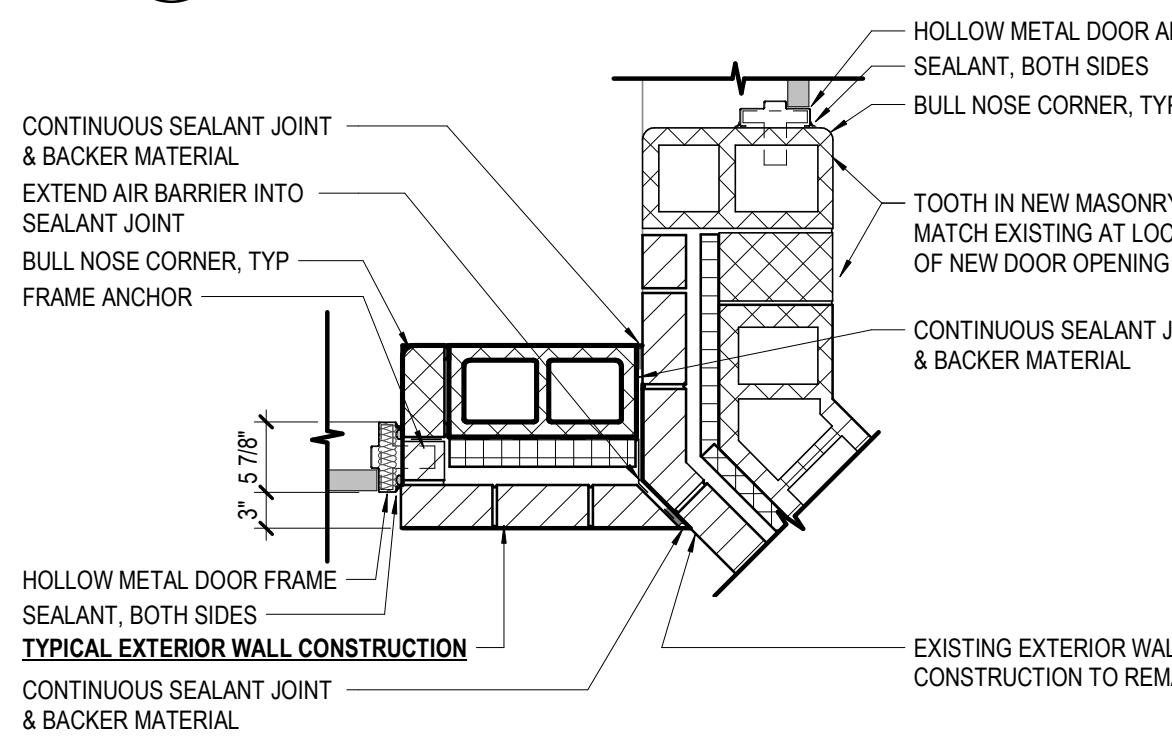
7 PLAN DETAIL - DRAIN LEADER AT ENTRY Copy 2
1 1/2" = 1'-0"



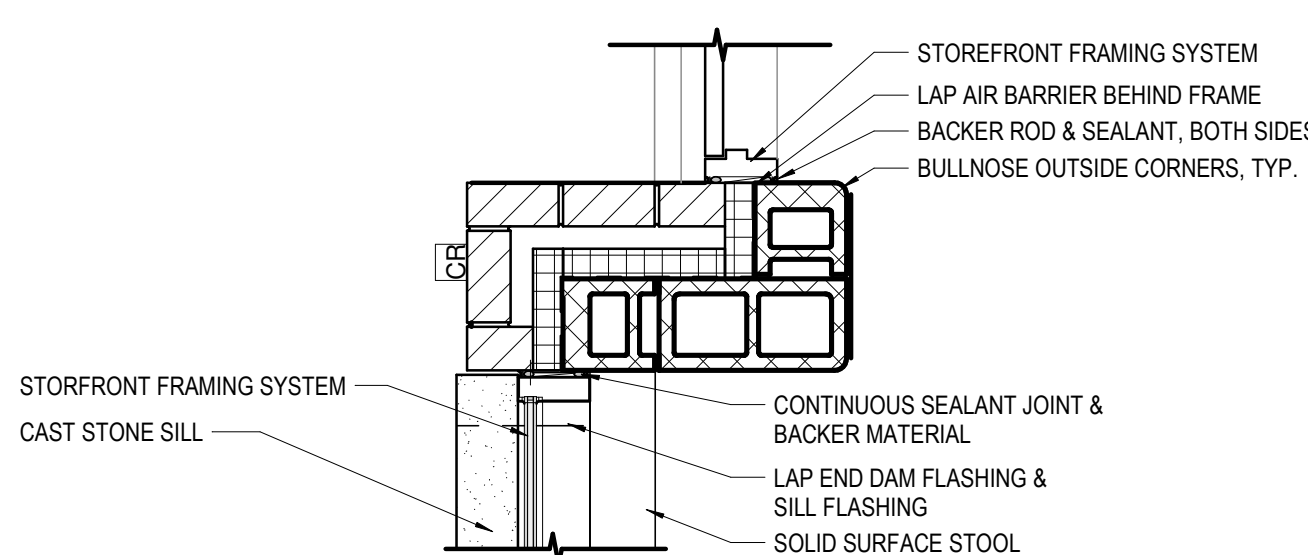
6 PLAN DETAIL - WINDOW INFILL Copy 2
1" = 1'-0"



5 PLAN DETAIL - INTERIOR JOINT @ NEW/EXISTING BLDG Copy 1
3/4" = 1'-0"

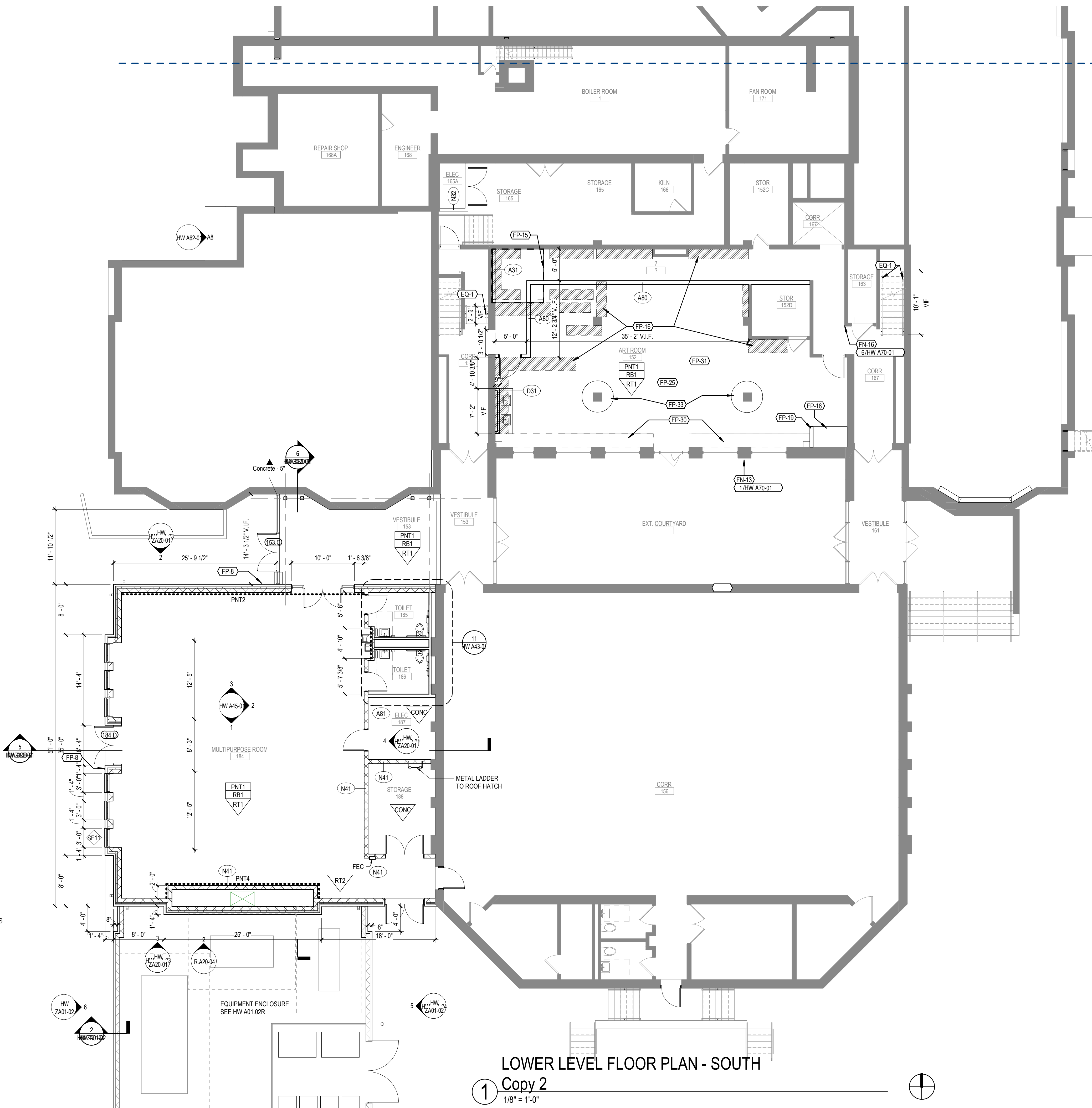


4 PLAN DETAIL - JOINT @ EXT. WALL/ENCLOSURE Copy 2
3/4" = 1'-0"



3 PLAN DETAIL - EXTERIOR JOINT @ NEW/EXISTING BLDG Copy 2
3/4" = 1'-0"

2 PLAN DETAIL - ADDITION ENTRY Copy 2
3/4" = 1'-0"



1 LOWER LEVEL FLOOR PLAN - SOUTH Copy 2
1/8" = 1'-0"

GENERAL NOTES

1. PARTITION TYPES AND FIRE RESISTIVE RATINGS INDICATED ARE TO BE CONTINUOUS FOR THE LENGTH AND HEIGHT OF THE PARTITION.
2. TYPICAL DIMENSIONS ARE TO THE FINISHED FACE OF PARTITION, UNO. PARTITIONS DIMENSIONED TO CENTERLINE OF STUD ARE SO NOTED.
3. LAYOUT PARTITIONS FOR ARCHITECT TO REVIEW FOR DESIGN INTENT. DO NOT PROCEED WITH INSTALLATION OF RUNNERS OR STUDS WITHOUT THIS REVIEW.
4. LOCATE DOORS 4" FROM FACE OF INTERSECTING PARTITION TO INSIDE EDGE OF DOOR FRAME, UNO.
5. THE CONTRACTOR SHALL PATCH AND REPAIR ALL EXISTING AND NEW WALL SURFACES AS REQUIRED PRIOR TO APPLYING FINISHES.
6. WHERE EXISTING WALL BASE OR WALL COVERING HAS BEEN REMOVED, SKIM COAT WALL SURFACE TO MAKE SMOOTH TO MATCH ADJACENT CONSTRUCTION SO AS NOT TO TELEGRAPH THROUGH FOR NEW FINISH.
7. WHERE NEW PARTITION IS A CONTINUATION OF AN EXISTING PARTITION, THE FACE OF THE NEW PARTITION SHALL BE ALIGNED WITH THE FACE OF THE EXISTING PARTITION.
8. WHERE PARTITION IS TO ALIGN WITH THE FACE OF AN EXISTING DRYWALL CORNER OR EDGE, REMOVE THE EXISTING CORNER BEAD, TAPE, APPLY JOINT COMPOUND, AND SAND SMOOTH. NEW AND EXISTING DRYWALL TO BE IN THE SAME PLANE WITH NO VISIBLE JOINTS.
9. OPENINGS IN GYPSUM BOARD FOR ELECTRICAL AND COMMUNICATION RECEPTACLE, PIPING, DUCTWORK, AND OTHER PENETRATIONS SHALL MAINTAIN TIGHT TOLERANCES. EXPOSED EDGES SHALL BE COVERED BY TRIM PLATES OR ESCUTCHEONS.
10. ALL WALLS IN TOILET ROOMS TO BE WATER-RESISTANT GYPSUM BOARD. ALL GYPSUM BOARD CEILINGS PROVIDED IN TOILET ROOMS SHALL BE WATER-RESISTANT GYPSUM BOARD.

11. PARTITIONS NOT DIMENSIONED ARE GENERALLY LOCATED BY ONE OF THE FOLLOWING CRITERIA:
A. CENTERLINE: CENTER OF PARTITION ALIGNS WITH THE CENTER OF GRIDLINE OR OBJECT CENTERLINE (SUCH AS A COLUMN OR MULLION). CENTER THE OVERALL PARTITION WIDTH RATHER THAN STUD WIDTH ON THE LINE.
B. ALIGN LOCATE PARTITION FLUSH WITH FACE OF GYPSUM BOARD, OR OTHER SURFACE INDICATED.
C. MAINTAIN DIMENSIONS NOTED AS "MINIMUM", "CLEAR", OR "HOLD".
12. PROVIDE METAL BACKING PLATES OR SOLID WOOD BLOCKING (FIRE TREATED) IN PARTITIONS FOR MILLWORK, FURNITURE, AND WALL ATTACHED ITEMS. COORDINATE PLACEMENT OF BLOCKING PRIOR TO CLOSING WALLS.
13. SEAL PENETRATIONS IN GYPSUM BOARD CONSTRUCTION ABOVE FINISHED CEILING TO PREVENT SOUNDS LEAKAGE AT ACUSTICAL PARTITIONS AND AT DEMISING PARTITIONS. UNO. PENETRATIONS AND OPENINGS ABOVE CEILING IN EXISTING PARTITIONS SHALL BE FILLED OR SEALED TO MATCH EXISTING WALL CONSTRUCTION.
14. OPENINGS IN RATED WALLS, FLOORS, CEILINGS AND ROOF ASSEMBLIES SHALL BE SEALED WITH A FIRE RESISTIVE JOINT SYSTEM OR PROTECTED WITH A FIRE-RATED CHASE.
15. WHEN UNDIMENSIONED PARTITIONS APPEAR IN CONJUNCTION WITH DOOR OPENINGS, DOOR WIDTH AND DOOR FRAME DETAILS DETERMINE LOCATION OF ADJACENT WALLS AND FRAMES.
16. OPENINGS IN WALLS WHICH ARE ABANDONED DUE TO PLUMBING OR MECHANICAL DEMOLITION AND NEW PENETRATIONS CREATED FOR PLUMBING AND MECHANICAL LINES ARE TO BE ACUSTICALLY SEALED. IF WALL IS A FIRE RATED ASSEMBLY, SEALANT IS TO MATCH HOURLY RATING OF WALL.
17. ALL EXPOSED DUCTWORK AND WIREMOLD IN FINISHED SPACES ARE TO BE PAINTED OR PROVIDED IN A FINISH TO MATCH ADJACENT SURFACE.

FINISH PLAN GENERAL NOTES

1. REFER TO SHEET A64-00 FOR FINISH LEGEND.
 2. TYPICAL FLOOR FINISH TO BE EXISTING TO REMAIN, UNO.
 3. TYPICAL WALL FINISH TO BE EXISTING TO REMAIN, UNO.
 4. TYPICAL WALL BASE TO BE EXISTING TO REMAIN, UNO.
 5. DIMENSIONS, TARGETS, ETC. THAT ARE TYPICAL FOR MANY AREAS ARE NOTED ONLY ONCE.
 6. ALL FINISHES INSIDE COAT AND STORAGE CLOSETS SHALL BE CONSISTENT WITH THE ADJACENT FINISHES. UNO. FLOOR COVERINGS SHALL CONTINUE FROM ADJACENT ROOM INTO CLOSETS.
 7. PROVIDE A FINISH AT ALL AREAS THAT ARE EXPOSED BEHIND MILLWORK, FILE CABINETS, PANELING, ETC. DUE TO REVEALS, JOINTS, END CONDITIONS, ETC.
 8. WALL COVERING SHALL NOT BE APPLIED TO EXTERIOR WALLS. IF DRAWINGS SHOW WALL COVERING ON EXTERIOR WALLS, CONTACT ARCHITECT FOR CLARIFICATION.
 9. SEE ELEVATIONS FOR ADDITIONAL FINISH INFORMATION.
- BASE**
10. NEW WALL BASE SHALL BE INSTALLED ON ALL NEW WALLS AND COLUMNS, UNO.
 11. RESILIENT WALL BASE AT ALL CARPETED AREAS SHALL BE STRAIGHT BASE, UNO. RESILIENT WALL BASE AT ALL HARD SURFACE FLOORS SHALL BE COVED BASE, UNO.
 12. RESILIENT BASE SHALL BE ROLLED TO MINIMIZE JOINTS. BASE CORNER SECTIONS SHALL NOT BE LESS THAN 6 INCHES IN LENGTH AS MEASURED FROM THE CORNER.

- PAINT:**
13. PAINT REVEALS AND FILER PANELS TO MATCH ADJACENT FINISHES, UNO.
 14. PAINT EXPOSED ELECTRICAL RACEWAYS TO MATCH THE ADJACENT WALL SURFACE.
 15. PROVIDE A PRIME PAINT COAT IN UNEXPOSED AREAS COVERED BY MILLWORK, PANELING, AND OTHER FIXED ARCHITECTURAL ELEMENTS UNO.
 16. DOORS TO RECEIVE PAINT SHALL BE PAINTED PNT3, UNO.
 17. HOLLOW METAL FRAMES SHALL BE PAINTED PNT3, UNO.
 18. VISION LITE FRAMES SHALL BE PAINTED PNT3, UNO.
 19. NOT USED
 20. ACCESS PANELS SHALL BE PAINTED TO MATCH ADJACENT SURFACE.
 21. GYPSUM BOARD SOFFITS ABUTTING A WALL SHALL BE PAINTED TO MATCH THE WALL. GYPSUM BOARD SOFFITS NOT ABUTTING A WALL SHALL BE PAINTED TO MATCH ADJACENT GYPSUM BOARD CEILING, IF APPLICABLE. GYPSUM BOARD SOFFITS ADJACENT TO ONLY ACUSTICAL PANEL CEILINGS SHALL BE PAINTED PNT1.
- FLOORING:**
22. FLOORING TRANSITIONS AT DOORWAYS SHALL BE ALIGNED WITH THE FACE OF THE FRAMES STOP FACING THE DOOR.
 23. REFER TO SHEET A64-00 FOR ADDITIONAL INFORMATION ON FLOORING TRANSITIONS.

FLOOR PLAN LEGEND

- DENOTES AREA "NOT IN CONTRACT"
- EXISTING CONSTRUCTION TO REMAIN
- NEW PARTITION
- DOOR TAG (NEW DOOR)
- EXISTING DOOR
- PARTITION TYPE TAG
- PROVIDE SELF LEVELING COMPOUND IN THIS AREA
- MILLWORK
- WALL FINISH (ENTIRE ROOM)
- BASE FINISH (ENTIRE ROOM)
- ACCENT WALL OR ACCENT WALL / BASE FINISH
- FLOOR FINISH TRANSITION
- FLOOR FINISH TAG
- FLOOR FINISH MATERIAL PATTERN DIRECTION
- CONTROL JOINT
- KEYNOTE

NOTE:
ALL EXISTING DOORS AND FRAMES ARE INDICATED
@ 45° ANGLE SWING
ALL NEW DOORS @ 90° ANGLE SWING

FLOOR PLAN KEYNOTES

- <<< Indicates Sheet Keynote on Plan
- EQ-1 PROVIDE NEW METAL HANDRAIL, WALL MOUNTED, PAINT
- FN-13 CLEAN AND PROVIDE EPOXY INJECTION TO FILL, PAINT TO MATCH EXISTING.
- FN-16 REPLACE AND PROVIDE NEW WALL BASE TO MATCH EXISTING
- FP-8 PUSH-BUTTON FOR AUTO DOOR OPERATOR IN EXISTING MASONRY WALL. PATCH/REPAIR FACE BRICK AND INTERIOR WALL FOR RECESSED JUNCTION BOX AND CONDUIT.
- FP-15 AT EXISTING STAIR AND DEPRESSIONED SLAB, PROVIDE 5" CONCRETE SLAB ON GEOFOAM OR CRUSHED GRAVEL FILL, SEE STRUCTURAL FOR SLAB INFILL DETAIL.
- FP-16 PATCH FLOOR AND WALL WHERE CASEWORK WAS REMOVED.
- FP-19 NEW MECHANICAL UNIT, PATCH AND REPAIR ADJACENT PLASTER/GYPSUM BOARD WALL, AND FLOOR FINISH.
- FP-19 REBUILD WING WALL, REPAIR FLOOR AND WALL.
- FP-25 PAINT EXPOSED PIPING IN ENTIRE ROOM
- FP-30 RE-INSTALL EXISTING CASEWORK, PROVIDE NEW PLASTIC LAMINATE COUNTERTOP ON EXISTING CASEWORK, EXISTING BASE CABINET EXPOSED FINISH TO BE PAINTED.
- FP-31 PROVIDE NEW FLOORING AND WALL BASE FOR ENTIRE ROOM
- FP-33 REMOVE AND REINSTALL BENCHES FOR FLOORING REPLACEMENT

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INFORMATION ONLY

ISSUE FOR BID - BP3	02/09/2023
ISSUE FOR BID - BP2	01/12/2023
MARK	DATE

Job Number 021331.000

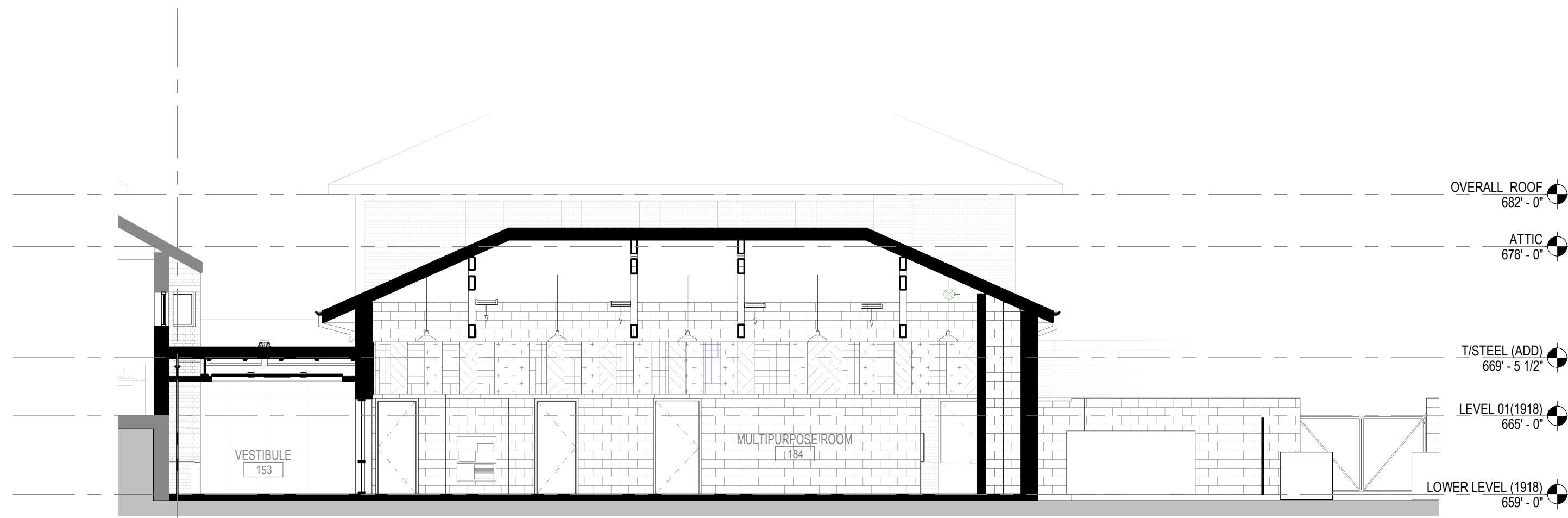
TITLE

LOWER LEVEL FLOOR
PLAN - SOUTH

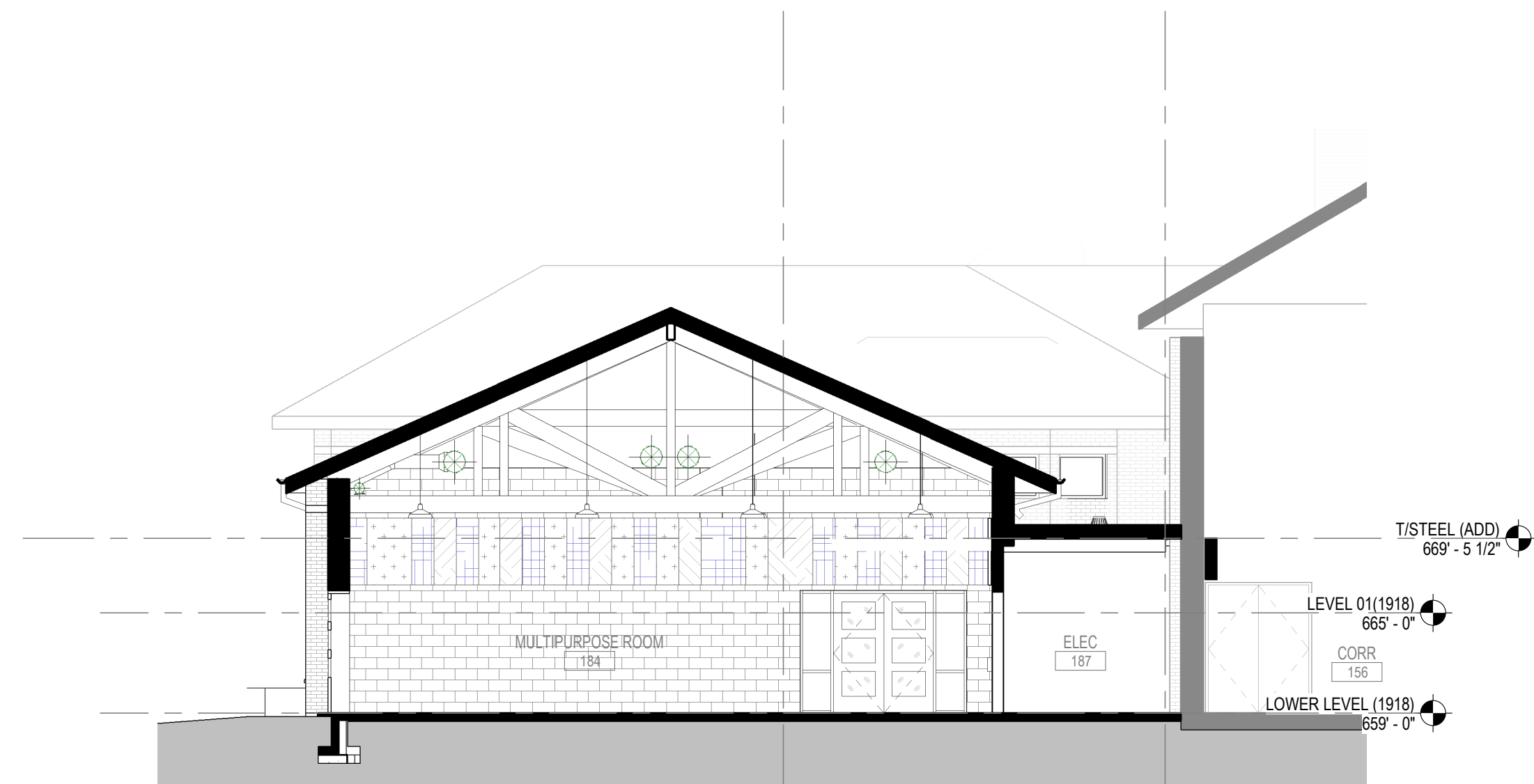
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HW
ZA11-02

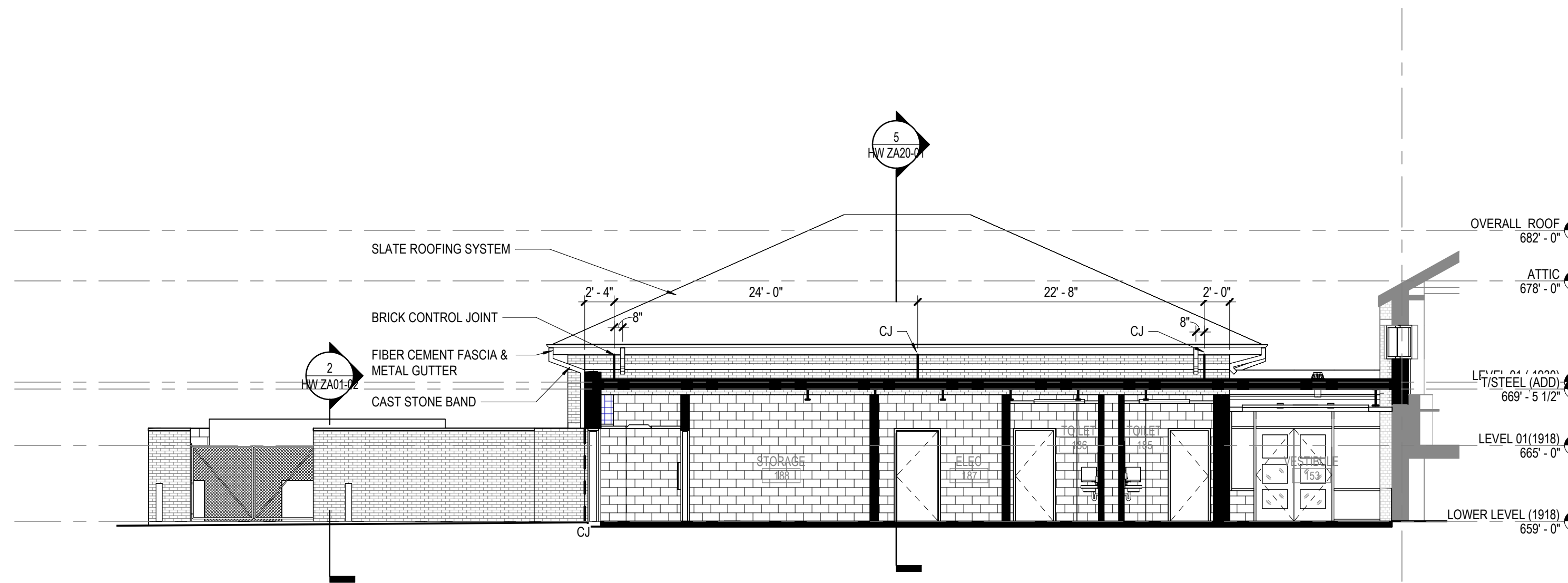
© 2021 Perkins and Will



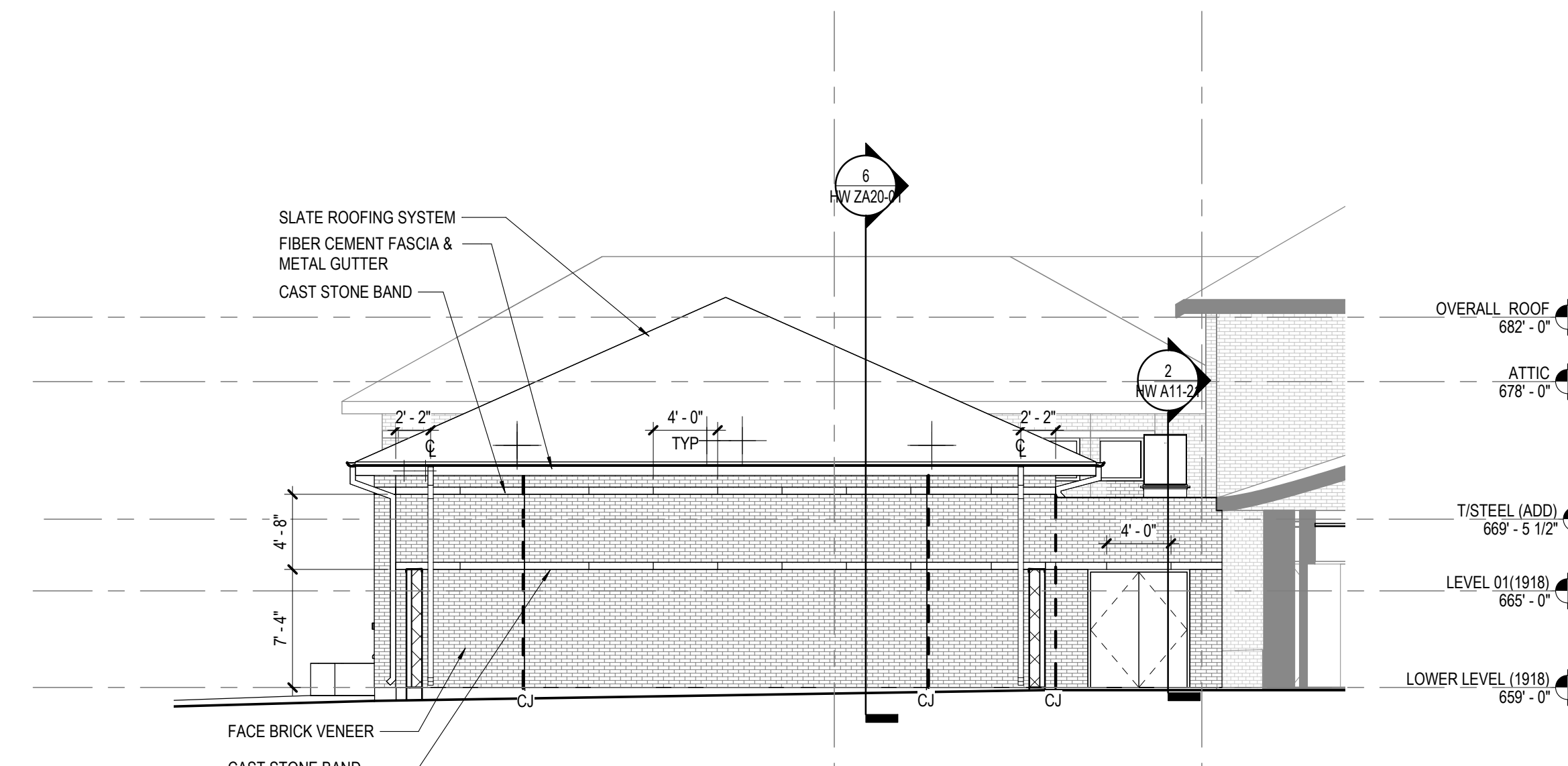
6 BUILDING SECTION - NORTH-SOUTH AT ADDITION Copy 1
1/8" = 1'-0"



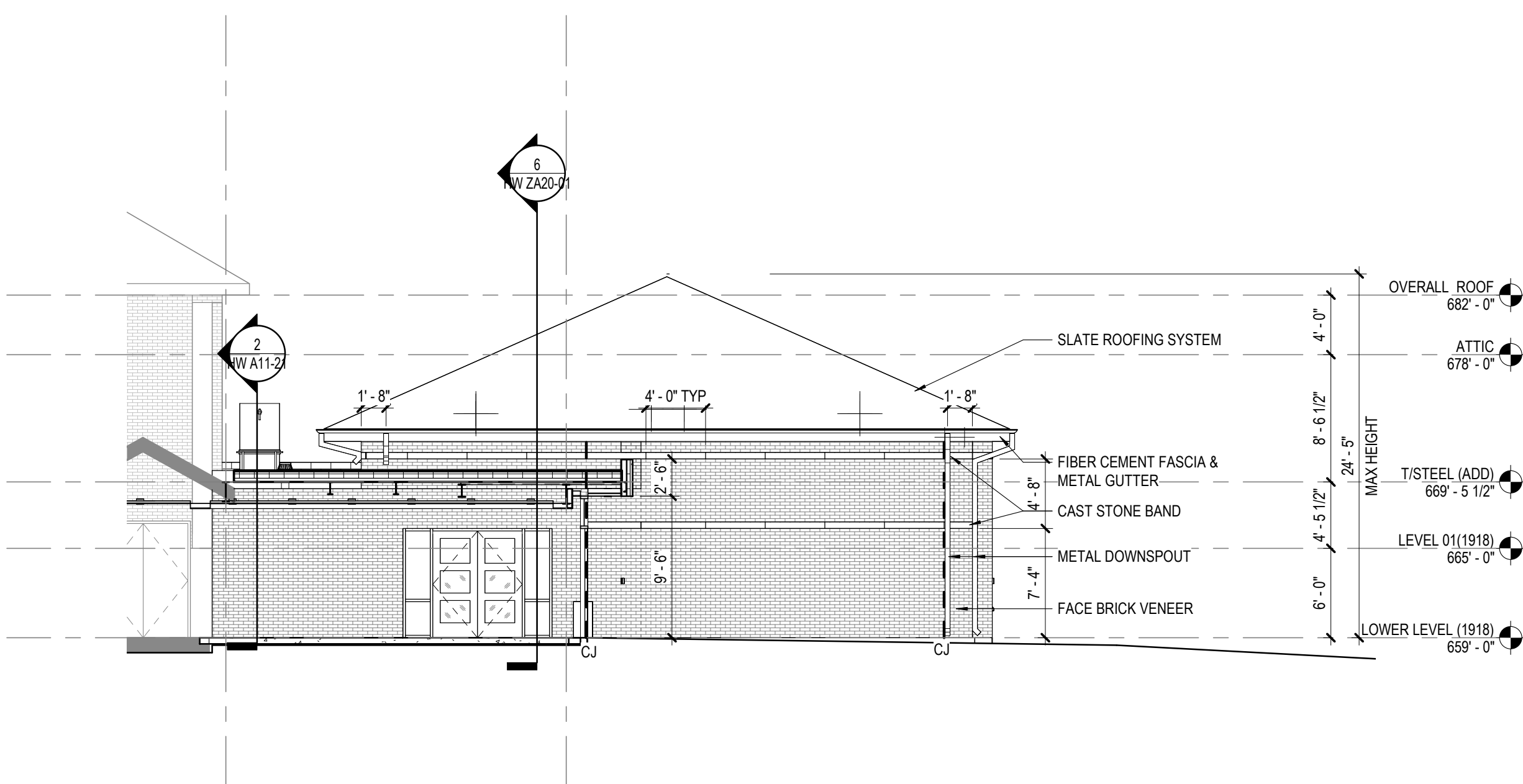
5 BUILDING SECTION - EAST-WEST AT ADDITION Copy 1
1/8" = 1'-0"



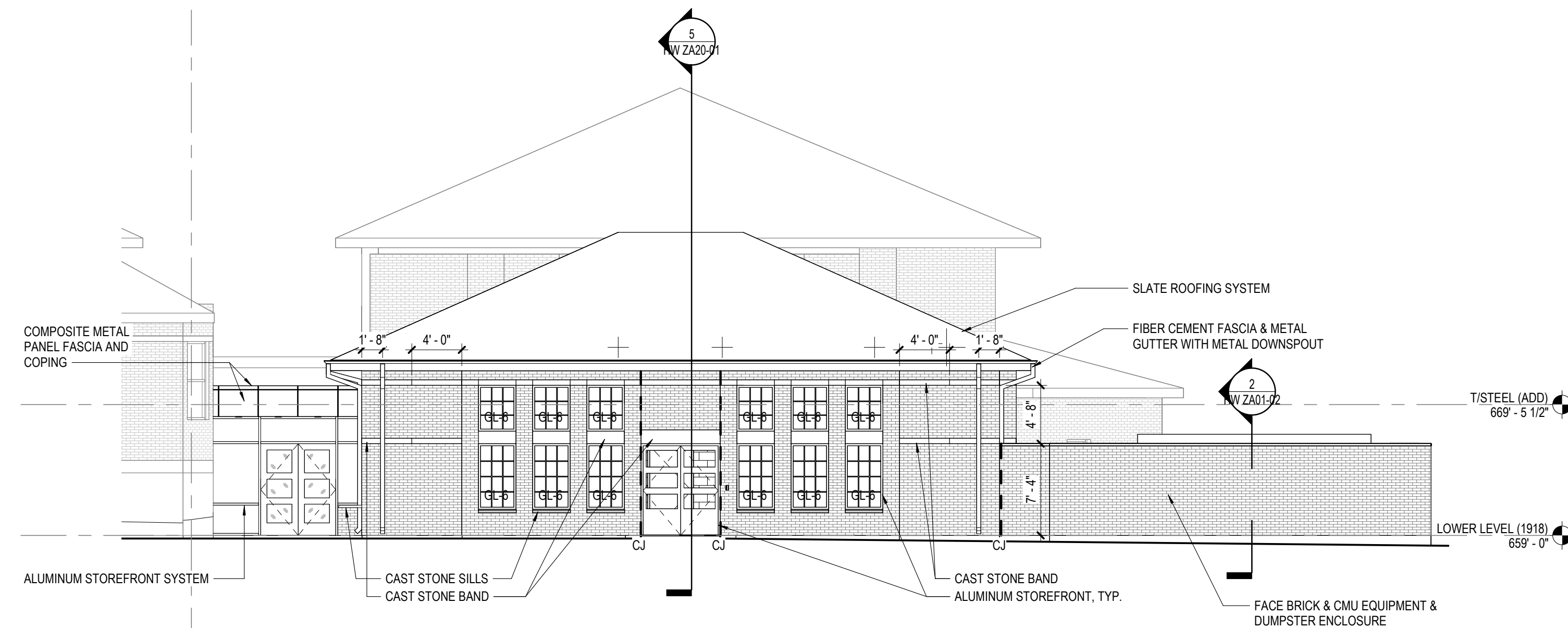
4 ELEVATION - ADDITION, EAST Copy 2
1/8" = 1'-0"



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

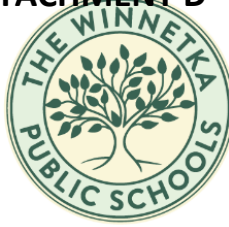


2 ELEVATION - ADDITION, NORTH Copy 2
1/8" = 1'-0"



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

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INFORMATION ONLY



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

Dear David:

This letter shall serve as notice that we are rescinding our application for the Special Use Permit and Variations for Playground Improvements at Hubbard Woods Elementary School that was approved by the Village on April 19, 2022. We did not move forward as planned in the summer of 2022, and do not foresee the ability to move forward with this until the summer of 2024 at the earliest. We understand that the impermeable lot coverage for the overall scope of work for Hubbard Woods, including the new addition will be reduced.

We are reworking the site plans to address the impervious surface issues discussed at the March 12, 2023 Zoning Board of Appeals meeting. We are also evaluating the placement of the playground on the lot in light of the improvements we are making to the property with the addition of a multi-purpose room.

Once we have a plan we will look to begin the process once again. This will likely be sometime next fall. If you have any questions regarding this letter please feel free to reach out to me.

Sincerely,



Brad Goldstein
CFO/CSBO/Treasurer
Winnetka Public Schools District 36

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.

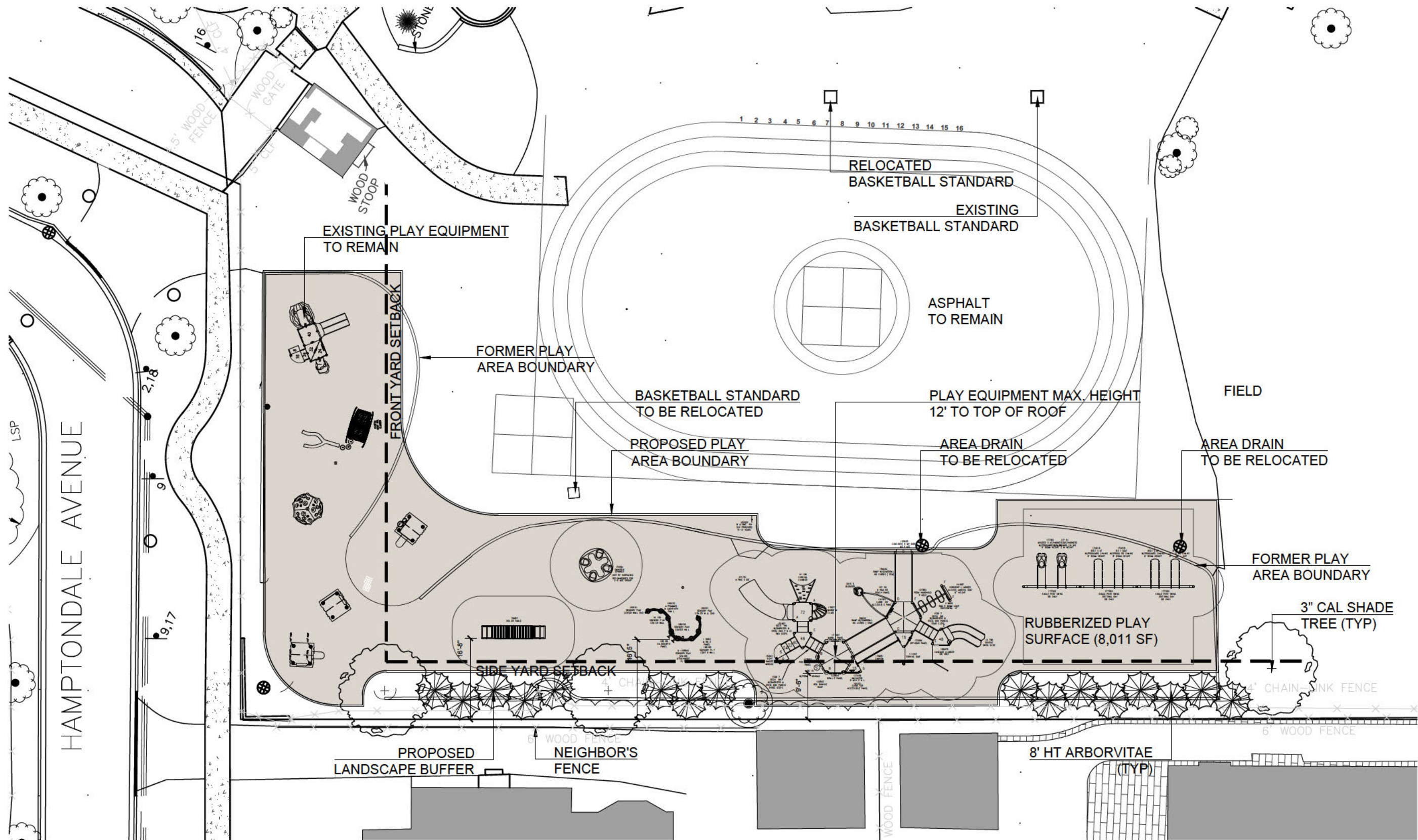
Dated: __, 2022

ATTEST:

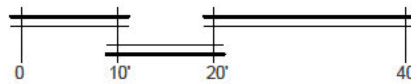
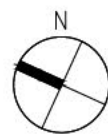
By: __
Its: __

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

By: __
Its: __



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



PLAY AREA IMPROVEMENTS

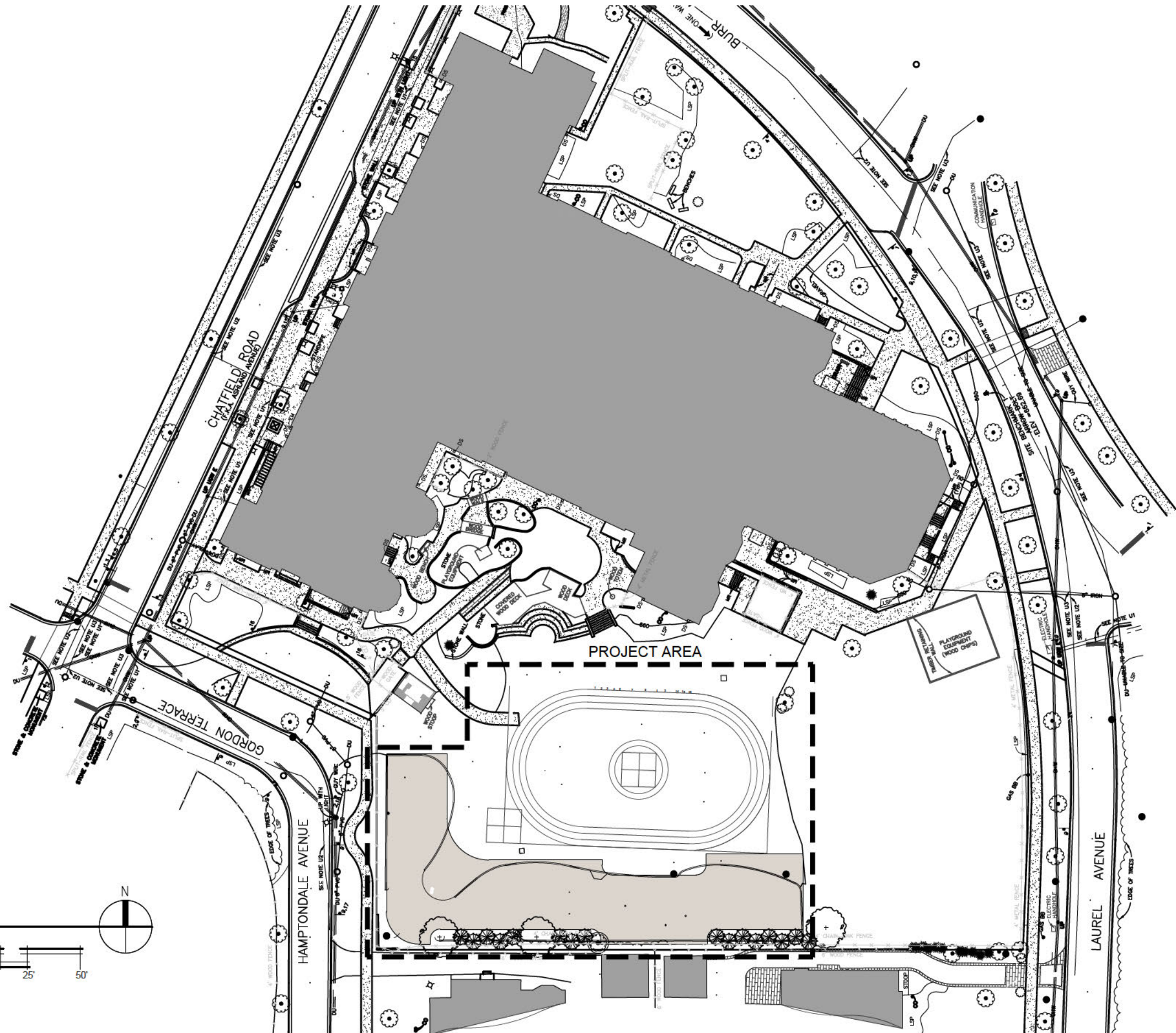
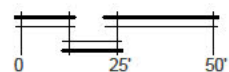
SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

WINNETKA, ILLINOIS

Kathryn Talty
landscape architecture

Winnetka, Illinois 60093
847.612.5154
www.kmtaltydesign.com

DATE: 02-28-22



SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

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DATE:01-28-22



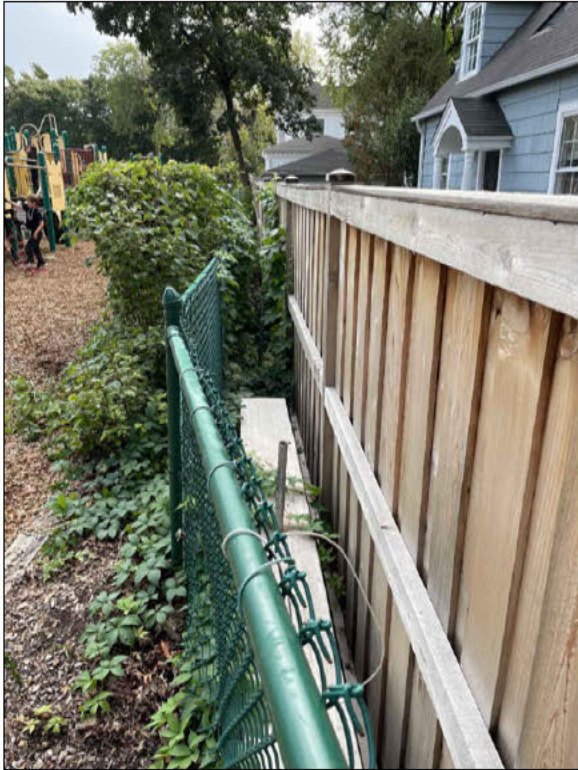
SITE PHOTOS
EXISTING EQUIPMENT TO BE REPLACED



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.**



HUBBARD WOODS
ELEMENTARY SCHOOL
WNN22HUB1-2-1 • 02.09.2022



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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.

{00125954.1}

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: April 26, 2022

ATTEST:

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

By:

Its:



CFO

By:

Its:



Secretary

ATTACHMENT F

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

From: [REDACTED]
To: [Ann Klaassen](#)
Cc: [Planning](#); [Brad Goldstein](#); [Kelly Tess](#)
Subject: Re: 3/13/2023 Agenda - Please see attached PDF Document
Date: Monday, March 13, 2023 4:25:32 PM

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.

In addition, I do have concerns over any increases in impermeable surface, specifically having a rubber surface less than 20 ft from our house is concerning. Please see pictures from the recent rain a few weeks back.









On Monday, March 13, 2023 at 04:04:40 PM CDT, Chad Humphrey <[REDACTED]> wrote:

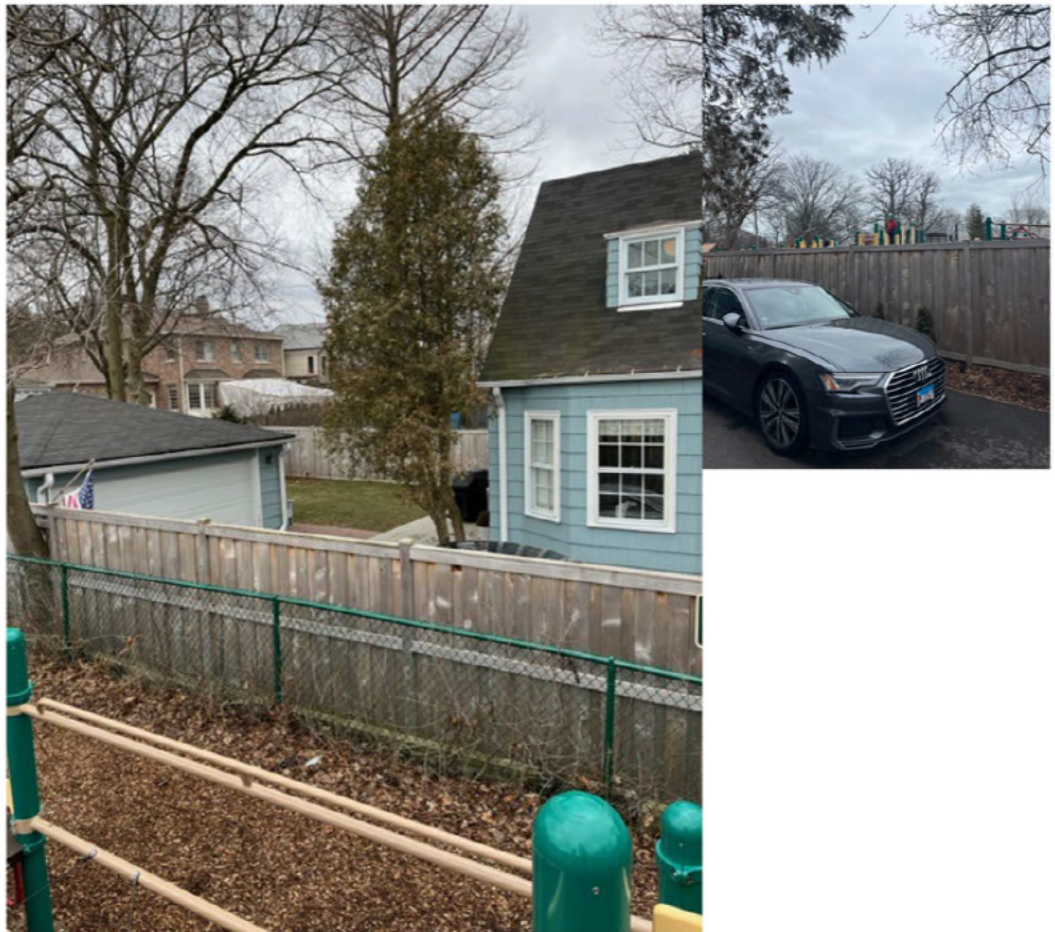
Hi Ann -

I would like to propose that the variance setback from the West Property line be removed and the original setback of 30ft be reestablished for the protection, privacy and safety of the homes that are adjacent to the Hubbard Woods Elementary school.

I know there was previous variances and special use permits approved but given recent events and circumstances I would like to propose the original 30 ft setback be reestablished for the West Property line. Please see the attached for review and explanation of our privacy, property and safety concerns regarding climbing and playground equipment being placed excessively close to the shared property line.

We have previously met with Brad Goldstein and Kelly Tess, expressing our concerns about climbing equipment being so close to not only our property line, but also our house.

- Of 5 District 36 schools, only one shares a direct property line with residents (1138 Hamptondale & 1127 Laurel)
 - Tens of thousands of feet of property line and approximately only 300ft is shared with these residents.
 - These two residents are presented with extraordinary challenges due to the decision and placement of playground equipment excessively close to the property line.
 - Original set back was 30ft and a special use permit allowed it to be 12ft, now set to be less than 8ft.
 - I am not comfortable with equipment so close to our building structures. Twice now I have caught teenagers climbing onto the roof of our garage. We need increased separation and division of our property and that of Hubbard Woods Elementary School.
 - How can the Village of Winnetka require a greater distance set back on a trampoline than the setback we have on school climbing equipment?
 - My wife has felt unsafe and night at times.
 - Eye to eye contact with adult men on over 10' elevated playground equipment, staring into our house in early am hours. Often, they are intoxicated. One can easily view into our Den, Kitchen, Living Room from the climbing equipment.



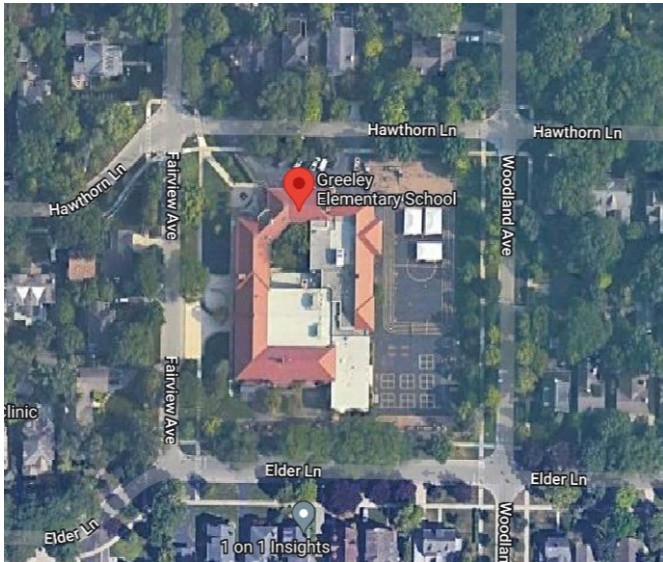




- Of 5 District 36 schools, only one shares a direct property line with residents (1138 Hamptondale & 1127 Laurel)
 - Tens of thousands of feet of property line and approximately 300ft is shared with these residents
 - These two residents are presented with extraordinary challenges due to the decision and placement of playground equipment excessively close to the property line
 - Original set back was 30ft and a special use permit allowed it to be 12ft
 - My wife has felt unsafe and night at times
 - Eye to eye contact with strange men on over 10' elevated playground equipment, staring into our house in early am hours. Often, they are intoxicated.
 - We feel exposed, my youngest child has awoken from disturbances and had increased anxiety over what is happening so close to the house
- All other residents are divided by sidewalk, street and sidewalk
 - Majority have at minimum 100ft between playground equipment and their property
 - 1138 has 12ft from elevated playground equipment to property line
 - 15ft from playground equipment to garage
 - **25ft from playground to front door**
 - 1138 is the only property with visible access into the majority of its backyard
 - Crow Island has equipment less than 25 ft to the school building
- School Playground is used and acts as a congregation point for all hours of the day. We have seen use of Hubbard Woods playground from 7am until 3am, every day of the week.
 - Our dining room, living room, kitchen and den are all visible from elevated playground equipment
- We have been exposed to the following during non-school hours:
 - Being called homophobic slurs while on our own property
 - **Our dog being harassed while in our back yard**
 - Bluetooth speakers being place 15ft from our fence, excessively loud with extreme explicit language
 - Witnessing kids shooting bottle rockets at our house after 1am
 - Our entire family be awoken by intoxicated adults at 2am
 - Again, 12 ft from our fence, 25ft from our front door and building
 - Beer cans thrown over our fence and onto our parked car
 - Individuals have climbed onto our garage
 - Teenagers screaming explicit language numerous times
 - Most recently while having a dinner party in our backyard
 - Ice Pack (poisonous) has been thrown over our fence
 - Marijuana smoke so strong we can smell it from the inside of our house
 - Trash pickup at 6am
 - Snow blowing at 4:30am
 - Playground equipment being used on the weekends as early as 7am
- During school house we have had the following:
 - Rock thrown over our fence, causing damaging to our driveway
 - Balls being thrown at our house, hitting our second story, snowballs hitting our car in our driveway
 - Balls hitting our landscaping



Greeley:



Crow Island



Washburne and Skokie:



Property line background / timeline

We moved into the property in December of 2019. The outside of property was unkept and became our initial project.

- In the Spring of 2022 (during COVID) we addressed the 132' of our East Property line, shared with our neighbor, Hubbard Woods Elementary, School District 36.
 - Constructed a 6 ft fence, highest allowable fence by Winnetka code.
 - Pushed the fence as close as we could to the property line in an effort to eliminate the “dead space” and prevent unwanted growth of weeds and trees.
 - Worked with Steve Saunders as the School’s retaining wall had crumbled and collapsed on to our property.
 - Consulted with Nels Johnson to address the years of unmaintained, wild growth between the shared property line.
 - Met and involved Adam Rappaport
 - Was decided that the trees were mainly Buckthorn and invasive species that needed to be removed. Due to the lack of space for the trees, Nels Johnson expressed a high danger of falling threat to the playground area
 - The School removed two large Maple Tree from the North West Corner of their property at this time



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MARCH 17, 2023
SUBJECT: 1415 & 1423 ASBURY AVENUE – FINAL PLAT APPROVAL
LESNIK RESUBDIVISION II (CASE NO. 23-02-SD)

INTRODUCTION

On March 22, 2023, the Plan Commission is scheduled to hold a public hearing on an application submitted by Judy Lesnik (the “Applicant”), as the owner of the properties located at 1415 Asbury Avenue and 1423 Asbury Avenue, (collectively the “Subject Property”). The Applicant has filed an application seeking the following approvals as part of a Final Subdivision Plat approval to relocate the lot line dividing the two properties:

1. A variation to permit the existing residence at 1423 Asbury Avenue (Proposed Lot 1) to observe less than the minimum required side yard setback from the new east property line;
2. A variation to permit the existing residence at 1423 Asbury Avenue to observe less than the minimum required total side yard setback for Proposed Lot 1;
3. A finding of “No Material Increased Adverse Impact” for the existing improvements at 1415 Asbury Avenue (Proposed Lot 2), which:
 - a. Exceed the maximum permitted gross floor area (GFA);
 - b. Exceed the maximum permitted front yard lot coverage;
 - c. Observe less than the minimum required front yard setback;
 - d. Do not provide the required building line articulation on the east side building walls; and
4. Any other subdivision relief necessary for the Final Plan approval.

The Applicant’s overall plan for the Subject Property also includes construction of a detached garage on each of the proposed lots. Due to the extent of the existing nonconforming GFA on the 1415 Asbury Avenue parcel, the proposed detached garage on that lot requires approval of a zoning variation, for which the Applicant has applied for, in addition of the variations listed above for 1423 Asbury Avenue. Therefore, this application is also subject to review by the Zoning Board of Appeals (ZBA) regarding the side yard setback variations described above and the GFA. The ZBA is scheduled to consider the application on April 10, 2023.

As will be discussed later in this report, in 2020 the Applicant submitted applications for a subdivision and zoning relief to allow the relocation of the lot line dividing the two properties and construction of a detached garage on the 1415 Asbury Avenue parcel. After review and recommendations of approval from the Commission and the ZBA, the Village Council approved the proposed project. The Applicant’s plans in

2020 included the demolition of the existing residence at 1423 Asbury Avenue. Now the Applicant's plans include maintaining the existing residences on both lots. The Applicant is now before the Village requesting approval of resubdivision of the two lots and the zoning relief associated with the proposed lots, as well as the construction of a detached garage at 1415 Asbury Avenue. The Plan Commission is charged with making a recommendation to the Village Council regarding the subdivision, including the requested relief described on the previous page, for the existing improvements.

A mailed notice was sent to property owners within 250 feet in compliance with the Village Code. The hearing was properly noticed in the *Winnetka Talk* on March 2, 2023. As of the date of this memo, staff has not received any written comments from the public regarding this application.

PROPERTY DESCRIPTION

The Subject Property is located on the north side of Asbury Avenue, between Greenwood and Vernon Avenues, is zoned R-5 Single Family Residential and currently consists of two buildable lots each 75 feet in width, measuring 11,932.5 square feet. 1415 Asbury Avenue is improved with a single family residence with an attached garage, built in 1999. 1423 Asbury Avenue is improved with a single family residence, built in 1921, and a detached garage, built in 2005. The existing parcels and improvements are identified below in Figure 1.

The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The current R-5 zoning is consistent with the Comprehensive Plan.

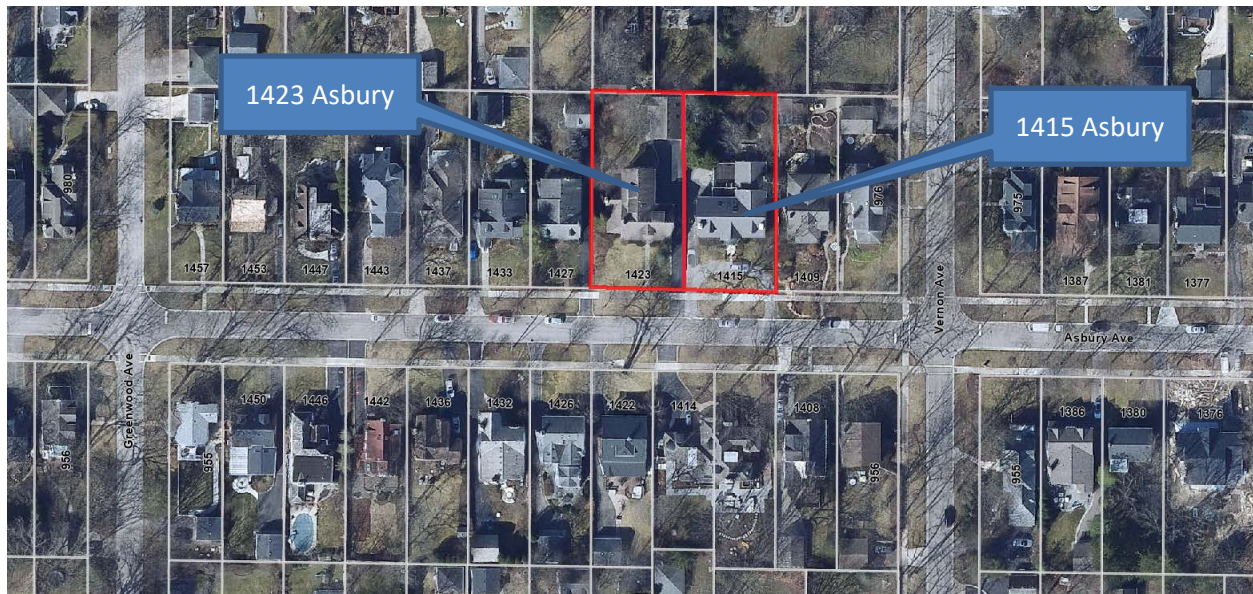


Figure 1 – Existing two lots

PREVIOUS APPROVAL

As previously noted, the Commission first considered an application submitted by the Applicant seeking approval of a Final Subdivision Plat to relocate the lot line dividing the two properties on October 28, 2020, and by a vote of 6-0, recommended approval of the subdivision and associated relief. The Applicant's plan in 2020 to relocate the lot line dividing the two parcels 14.2 feet to the west necessitated removal of the existing residence at 1423 Asbury Avenue. Similar to the current request before the Commission, the previous request required a finding of "No Material Increased Adverse Impact" for existing zoning nonconformities at 1415 Asbury Avenue that would remain. However, zoning relief was

Ultimately, on January 5, 2021, the Village Council adopted Ordinance M-4-2021, approving a Final Plat of Subdivision and granting a variation from the maximum permitted gross floor area for the proposed detached garage at 1415 Asbury Avenue. Given the approved subdivision required the removal of the existing residence at 1423 Asbury Avenue and the Applicant has since decided to maintain the residence, the 2020 subdivision is not effective. For reference, Ordinance M-4-2021 is included in this report as Attachment C.

The Applicant resides at 1415 Asbury Avenue, which she acquired in 2000. Subsequently, the Applicant acquired the adjacent home at 1423 Asbury Avenue in 2016. If approved, the Applicant will demolish the existing detached garage at 1423 Asbury Avenue and resubdivide the two parcels by relocating the lot line dividing the two parcels 8.75 feet to the west. The new lots of record would measure 10,544 square feet (1423 Asbury Avenue – proposed Lot 1) and 13,320 square feet (1415 Asbury Avenue – proposed Lot 2).

Page 3

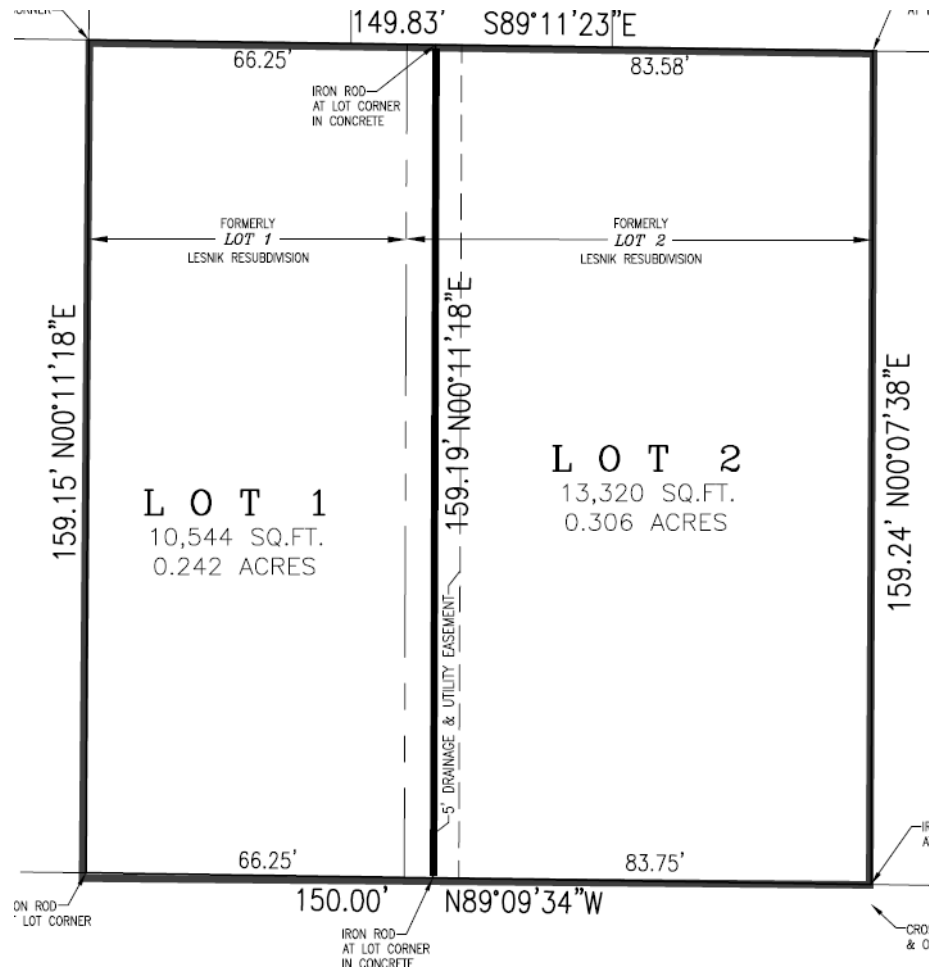


Figure 3 – Excerpt of Proposed Lesnik Resubdivision II Plat

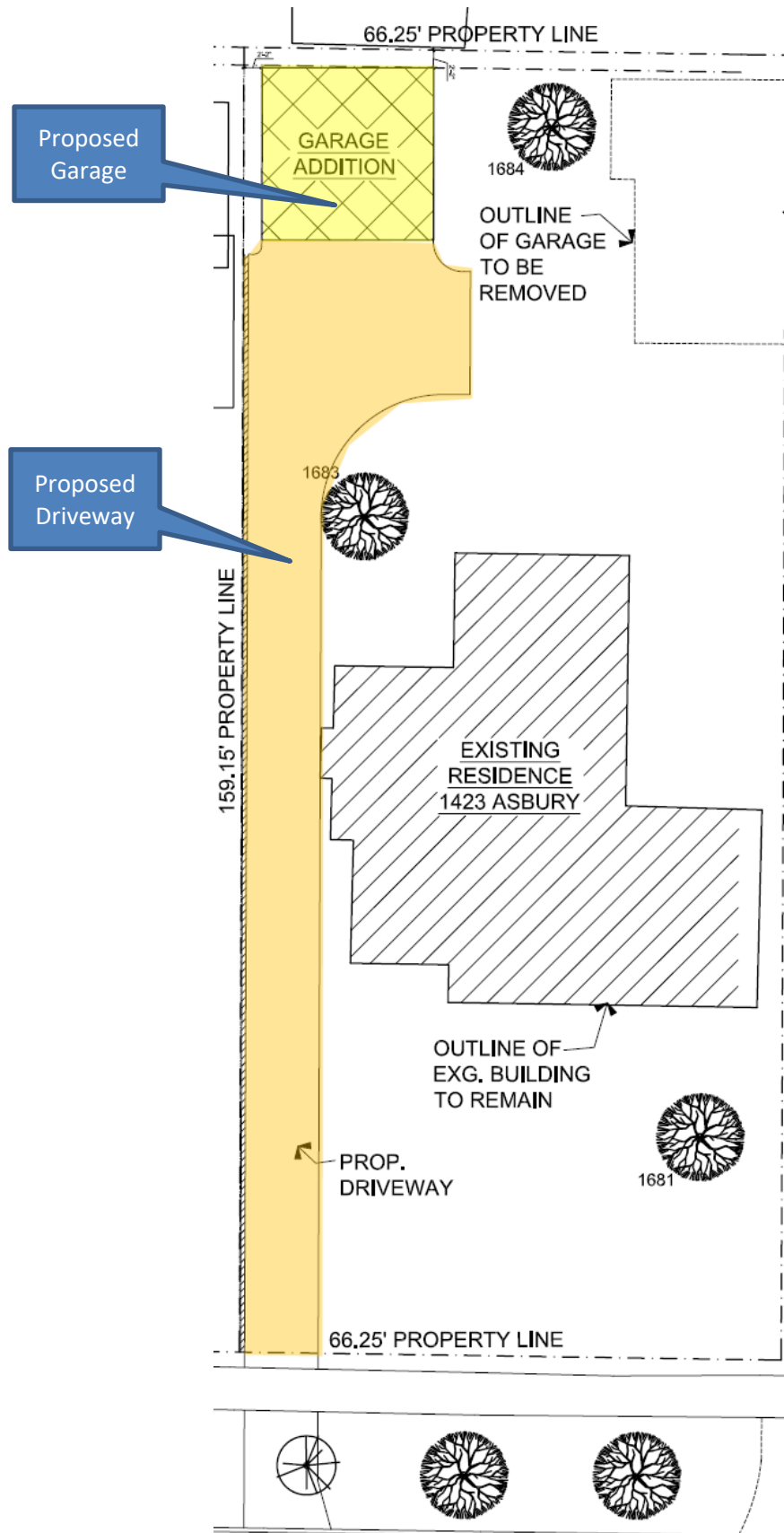


Figure 4 – Excerpt of 1423 Asbury Avenue Proposed Site Plan (Lot 1)

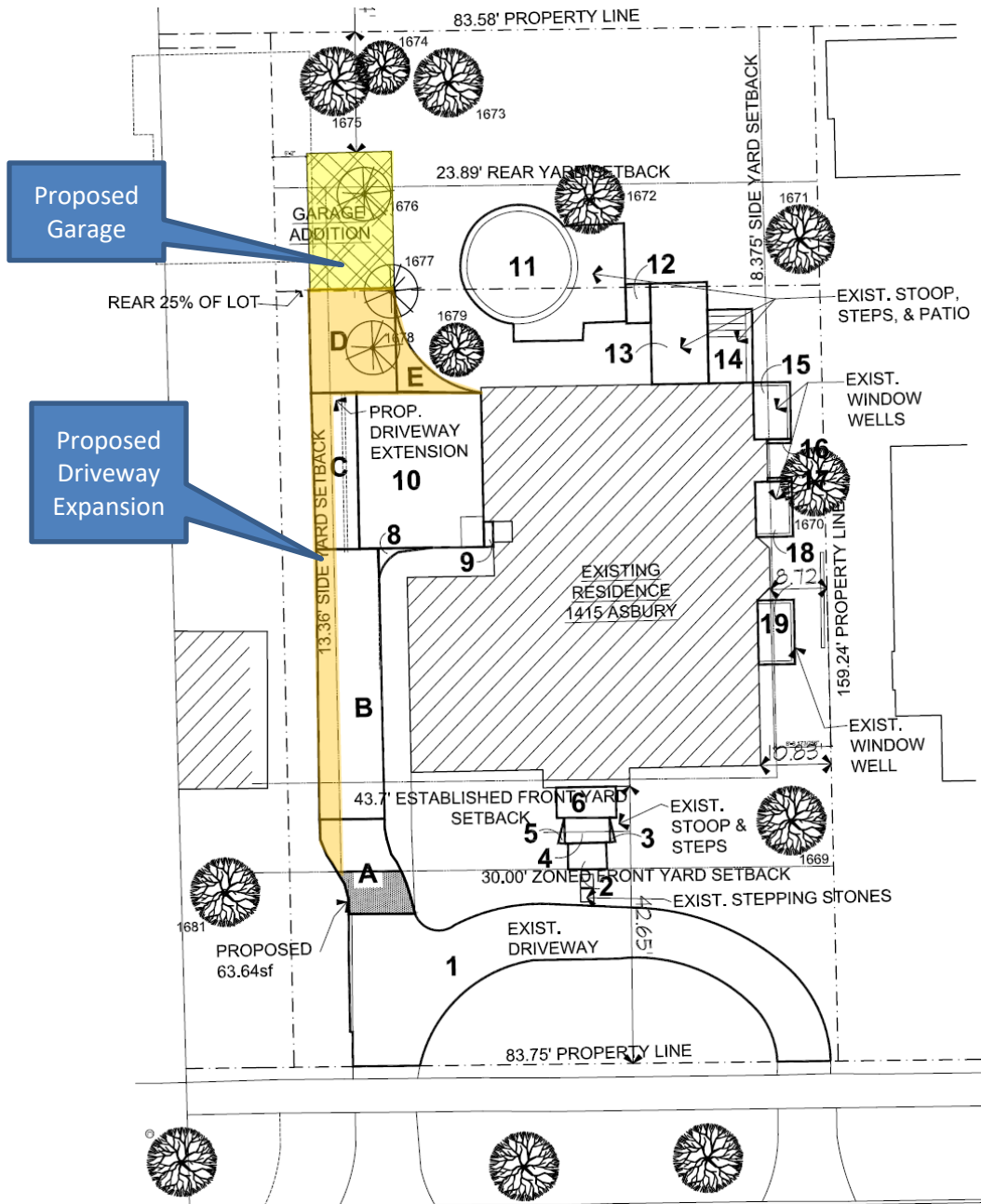


Figure 5 – Excerpt of 1415 Asbury Proposed Site Plan (Lot 2)

DESCRIPTION OF ZONING STANDARDS

The Subject Property is located in the R-5 Single Family Residential zoning district, which is one of five different single family residential zoning classifications in the Village. The R-5 zoning district provides for the densest form of single-family development compared to most other residential zoning districts, with the R-5 zoning district's purpose statement describing the district as demonstrating a "an intense suburban" character.

Residential Zoning Hierarchy

A comparison of the Village's five different residential zoning classifications (Table 1 on following page) shows the hierarchy of zoning standards throughout the Village's residential neighborhoods, ranging from larger "estate" character lots in portions of the Village, to smaller, more intensive developed areas.

Surrounding Zoning

The Subject Property is surrounded by lots that are similarly zoned for smaller lot sizes called for in the R-5 zoning district (minimum lot area of 8,400 square feet), as depicted below in Figure 6.

Table 1 Residential Zoning Hierarchy	R-1 ("estate" character)	R-2 ("small estate" character)	R-3 ("moderately intense" suburban character)	R-4 ("relatively intense" suburban character)	R-5 ("relatively intense" suburban character)
Minimum Lot Area	48,000 s.f.	24,000 s.f.	16,000 s.f.	12,600 s.f.	8,400 s.f.
Minimum Lot Width	150 ft.	100 ft.	75 ft.	60 ft.	60 ft.
Minimum Front Setback	50 ft.	50 ft.	40 ft.	30 ft.	30 ft.
Minimum Rear Setback	50 ft.	25 ft.	25 ft.	25 ft.	25 ft.

Table 1 – Residential Zoning Hierarchy

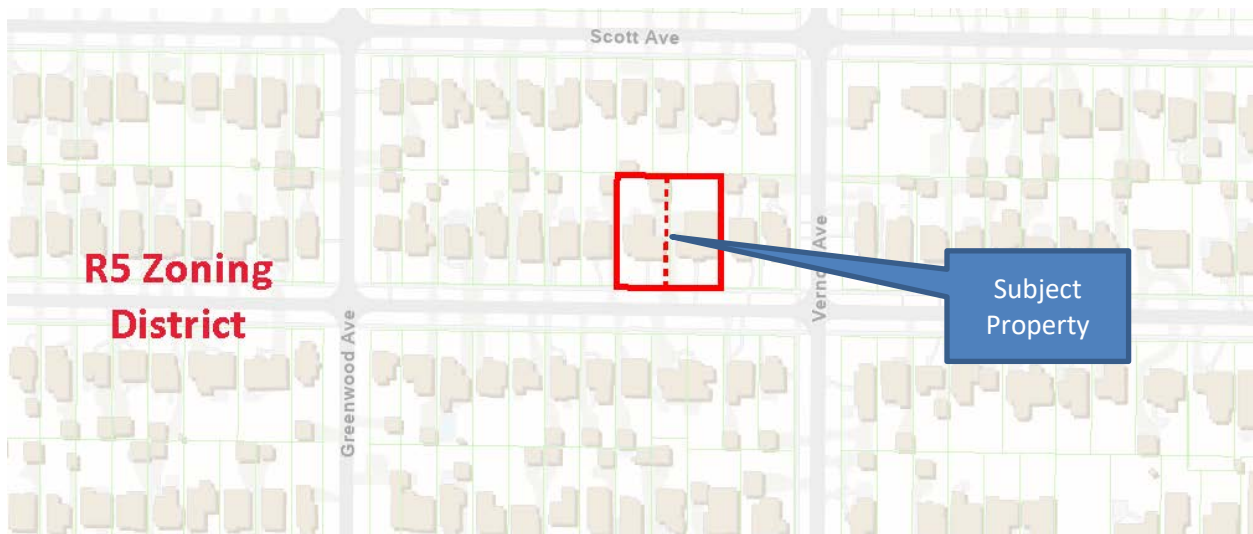


Figure 6 – Area Zoning Map

COMPLIANCE WITH ZONING STANDARDS – LOT SIZE AND DIMENSIONS

All subdivisions are evaluated by staff at the time of application to assure compliance with basic minimum quantitative measures including, but not limited to (a) minimum lot area, (b) minimum lot width, and (c) minimum lot depth.

The proposed *Lesnik Resubdivision II* **fully complies** with minimum lot area, lot width and lot depth requirements as summarized in Table 2 on the following page.

Table 2 R-5 Zoning Standards		Proposed Lot 1 1423 Asbury Avenue	Proposed Lot 2 1415 Asbury Avenue
Minimum Lot Area (Interior lot)	8,400 square feet	10,544 sq. ft. COMPLIES	13,320 sq. ft. COMPLIES
Minimum Lot Width (average)	60 feet	66.23 feet COMPLIES	83.65 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	66.25 feet COMPLIES	83.75 feet COMPLIES
Minimum Lot Depth	120 ft.	159.15 feet COMPLIES	159.19 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries		COMPLIES	COMPLIES

Table 2 – R-5 Zoning Standards

COMPLIANCE WITH ZONING STANDARDS – REQUIRED SETBACKS AND BUILDING SIZE

The allowable size of buildings on a residential lot and the required amount of open space around the buildings is dictated by the Village Zoning Ordinance. As a general rule, the allowable size of buildings and the setback requirements for those buildings change with any modifications to lot dimensions. As a result, staff conducts analyses of proposed lots and the improvements on those lots to determine (a) whether any new zoning nonconformities would be created by the resubdivision and (b) whether there are any existing zoning nonconformities which will remain. In the event of a zoning nonconformity arising out of a proposed subdivision, relief must be granted by both the Plan Commission and Zoning Board of Appeals.

Staff evaluation of the proposed *Lesnik Resubdivision II* is summarized in Tables 3 and 4 on pages 10 and 11 of this report, indicating the extent to which the proposed resubdivided lots comply with (or fall short of) zoning standards. The items highlighted (in yellow) in Table 3 indicates the **creation of a zoning nonconformity**.

Description of side yard setback requirements – Side yard setback requirements are calculated based on a lot's width:

- Lots with an average lot width that is 100 feet or more: The minimum required side yard setback is 12 feet and the total of the two side yards must be at least 30% of the average lot width.
- Lots with an average lot width that is more than 60 feet, but less than 100 feet: The minimum required side yard setback is 10% of the average lot width and the total of the two side yards must be at least 25% of the average lot width.
- Lots with an average lot width of 60 feet or less: The minimum required side yard setback is 6 feet on one side and 8 feet on the other side.

Newly created zoning nonconformity (zoning variations required) – The proposed subdivision has the effect of decreasing the lot width of 1423 Asbury Avenue (Lot 1) to 66.23 feet, resulting in a minimum required side yard setback of 6.62 feet and a total side yard setback requirement of 16.56 feet. **As a**

result, the proposed smaller lot renders the existing 1423 Asbury Avenue residence (which would be setback 2.59 feet from the new east property line and 10.89 feet from the west property line), nonconforming with the new minimum side yard requirement of 6.62 feet and the total side yard setback requirement of 16.56 feet. The existing improvements providing a minimum side yard of 2.59 feet, are deficient with the new requirement by 4.03 feet or 60.88%. Additionally, the existing improvements providing a total side yard setback of 13.48 feet are deficient with the new requirement by 3.08 feet or 18.6%.

The Subdivision standard for variations states “Whenever the land to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of this section [of the Subdivision Code] would result in real difficulties and substantial hardships or injustices, the Plan Commission may vary or modify such requirements so that the owner is allowed to develop the land in a reasonable manner; provided that, public health, safety, welfare and convenience are protected.”

Expansion of existing zoning nonconformity (zoning variation required) – The existing residence at 1415 Asbury Avenue currently consists of approximately 6,980 square feet of GFA, exceeding the maximum permitted GFA of the existing lot area by approximately 3,106 square feet (76.08%). The proposed detached garage would measure 13 feet by 21 feet and be located in the rear quarter of the lot. Due to the GFA allowance that would apply to the proposed detached garage, an increase in the attic GFA allowance as a result of the increase in lot area, and the attached garage allowance that would no longer apply, the net increase in GFA is 158 square feet; bringing the total GFA to 7,139.32 square feet, whereas a maximum of 4,300.51 square feet is permitted on the proposed lot, a variation of 2,838.81 square feet (66.01%). This zoning variation falls under the purview of the Zoning Board of Appeals.

It should be noted that when the existing residence at 1415 Asbury Avenue was constructed in 1999 it complied with the zoning regulations, including the permitted GFA. At that time, the basement area was not included in the GFA as only basements with walls exposed more than 4 feet above grade were included in the GFA. The Zoning Ordinance was amended in late 1999 requiring basements in post-FAR buildings (buildings built since 1989) that have a first floor more than 2.5 feet above grade to be included in the GFA. In this particular case, the first floor is predominately 3.54 feet above grade. Therefore, on the new 1415 Asbury lot that is being created, the entire basement area (approximately 2,461 square feet) is now included in the GFA. That being said, excluding the basement area, the proposed GFA is 4,678.12 square feet, exceeding the permitted GFA of the proposed lot area by 377.61 square feet (8.78%). This is provided as information only, as the Plan Commission is not charged with considering zoning relief for the proposed garage.

Table 3 – Zoning Setback Requirements		<i>Proposed Lot 1 1423 Asbury</i>	<i>Proposed Lot 2 1415 Asbury</i>	<i>Existing Lot 1423 Asbury</i>	<i>Existing Lot 1415 Asbury</i>
SETBACK REQUIREMENTS	Minimum Required Front Yard Setback	30 feet	43.57 feet (average of the block)	30 feet	43.57 feet (average of the block)
	Front yard provided by existing structures	42.46 feet	42.65 feet	42.46 feet	42.65 feet EXISTING NONCONFORMITY
	Minimum Required Side Yard	6.62 feet	8.36 feet	7.5 feet	7.5 feet
	Minimum side yard provided by existing structures	2.59 feet (east) VARIATION OF 4.03 FEET (60.88%)	8.91 feet	10.89 feet (west)	8.91 feet
	Minimum Total Required Side Yards	16.56 feet	20.91 feet	18.75 feet	18.75 feet
	Total side yards provided by existing structures	13.48 feet VARIATION OF 3.08 FEET (18.6%)	27.98 feet	22.89 feet	19.21 feet
	Minimum Required Rear Yard	23.88 feet	23.89 feet	23.88 feet	23.89 feet
	Rear yard provided by existing structures	61.34 feet	54.56 feet	61.34 feet	54.56 feet
	Minimum Rear & Side Setback for accessory structure in rear quarter	2 feet	2 feet	2 feet	2 feet
	Garage setbacks	2.2 feet (rear) 2.2 feet (side)	18.5 feet (rear) 5.2 feet (side)	2.95 feet (rear) 5.76 feet (side)	N/A

Table 3 – Zoning Setback Requirements

Table 4 – Zoning Building Size Requirements		Proposed Lot 1 1423 Asbury	Proposed Lot 2 1415 Asbury	Existing Lot 1423 Asbury	Existing Lot 1415 Asbury
ALLOWABLE BUILDING SIZE	Maximum Allowed Gross Floor Area (GFA)	3,923.8 sq. ft.	4,300.51 sq. ft.	4,202.55 sq. ft.	3,964.4 sq. ft.
	GFA provided by existing & proposed structures	3,654.05 sq. ft.	7,139.32 sq. ft. VARIATION OF 2,838.81 sq. ft. (66.01%)	4,027.86 sq. ft.	6,980.69 sq. ft. EXISTING NONCONFORMITY
	Maximum Allowed Roofed Lot Coverage (RLC)	2,846.88 sq. ft.	3,330 sq. ft.	3,223.19 sq. ft.	2,985.28 sq. ft.
	RLC provided by existing & proposed structures	2,393.36 sq. ft.	3,155.62 sq. ft.	2,674.52 sq. ft.	2,882.62 sq. ft.
	Maximum Allowed Impermeable Lot Coverage (ILC) (50% of lot area)	5,272 sq. ft.	6,660 sq. ft.	5,968.87 sq. ft.	5,970.56 sq. ft.
	ILC provided by existing & proposed structures	4,791.89 sq. ft.	6,376.63 sq. ft.	5,393.21sq. ft.	5,742.62 sq. ft.
	Maximum Allowed Front Yard Lot Coverage (FYLC)	596.25 sq. ft.	752.85 sq.ft.	675 sq. ft.	675 sq. ft.
	FYLC provided by existing improvements	420 sq. ft.	932.73 sq. ft.	420 sq. ft.	932.73 sq. ft. EXISTING NONCONFORMITY

Table 4 – Zoning Building Size Requirements

COMPLIANCE WITH SUBDIVISION CODE STANDARDS

All changes to the configuration of parcels of land are classified as Land Subdivisions under the Village Code and are subject to review by the Plan Commission and approval by the Village Council. As part of that review process, resubdivisions are subject to review for compliance with both the Village Subdivision Code as well as the Zoning Ordinance. According to Section 16.12.010 Minimum land subdivision

standards of the Subdivision Code, subdivisions shall conform with the Comprehensive Plan and with the minimum standards outlined in Section 16.12.010, such as the street system, street and alley widths, lot size, etc. The proposed subdivision complies with the vast majority of the minimum subdivision standards, however, as described below, there are existing improvements that will remain that require relief from the subdivision standards.

Pre-existing zoning nonconformity (finding of No Material Increased Adverse Impact required) – Three existing nonconformities **will remain** on the 1415 Asbury Avenue parcel (Lot 2). The existing residence has a nonconforming front yard setback of 42.65 feet, whereas the required setback is 43.57 feet, the average of the block. Also, the existing improvements at 1415 Asbury Avenue within the minimum required 30-foot front yard required in the R-5 zoning district, consist of 932.73 square feet of front yard lot coverage (FYLC), whereas a maximum of 752.85 square feet is permitted (30% of the minimum required front yard). These two existing nonconformities that will remain are highlighted (in blue) in Tables 3 and 4 on the previous pages.

Additionally, the east side building walls of the existing residence do not provide the required building line articulation. The building permit to construct the home was approved in early 1999, which was prior to adoption of the building line articulation requirement in the current Zoning Ordinance, which now requires the side building walls that face the smaller side yard, on a residence constructed prior to April 1999, be articulated by at least 18 inches when the residence is more than 40 feet long. Pursuant to Section 16.12.010(D) of the Subdivision Code, in the instance of such nonconformities, the Plan Commission must consider the existence of such nonconformities, and *“shall determine whether such nonconformity, in the context of the proposed subdivision, would result in a material increased adverse impact upon the public health, safety or welfare.”*

Tables 3 and 4 also highlight (in green) the existing nonconformities on the existing lots. The degree of nonconforming GFA and front yard lot coverage on 1415 Asbury Avenue will be decreased due to the increase in lot area and lot width of Proposed Lot 2. The third existing nonconformity, the front yard setback, will remain unchanged.

In terms of conformance with the Comprehensive Plan, the proposed subdivision conforms with the Comprehensive Plan as the Land Use Map designates the Subject Property as appropriate for single family residential development, which is the proposed use of the resubdivided lots.

STORMWATER

The proposed subdivision consists of relocating the lot line dividing two properties. As previously mentioned, the Applicant intends to demolish the existing detached garage and driveway at 1423 Asbury Avenue (Lot 1) and construct a new detached garage and driveway. The proposed plan also includes construction of a detached garage at 1415 Asbury Avenue (Lot 2). If the impermeable lot coverage on either lot increases by more than 25%, stormwater detention will be required. The Applicant has submitted a grading plan and is currently working with Village Engineering staff to comply with the Village stormwater regulations.

For reference, Figure 7 on the following page represents the Subject Property’s proximity to the 100-year flood plain. The grey represents the 100-year flood area.



Figure 7 – GIS Floodplain Map

CURRENT CONSIDERATION BY PLAN COMMISSION

The Village Code does not require an applicant to obtain preliminary plat approval as a precondition of final plat approval. In this case, the Applicant has chosen to directly proceed with the final plat review.

In addition to evaluating prescriptive standards of the zoning and subdivision code, consideration of Final Subdivision Plat approval also needs to consider the details of the final plat such as utility easements, final plat formatting and related matters. The Village Water and Electric and Engineering Departments have reviewed the proposed subdivision and are not requiring any utility easements. However, the proposed plat does include a 5-foot drainage and utility easement. The Applicant is working with Village staff to address scrivener's errors in the language of the easement provisions as well as adding a sentence that will require the owner of proposed Lot 2 (1415 Asbury Avenue) to reimburse any cost incurred by the Village to maintain the easement should the owner fail to perform any necessary work or repairs to restore the drainage function within the easement.

PLAT FORMATTING – SIGNATURE BLOCKS

All the necessary signature blocks are provided on the plat of subdivision.

RECOMMENDATION

Following conclusion of public comment and Commission discussion, the Commission may choose to consider the following motion:

The Plan Commission **finds [does not find]**

1. That the proposed Lesnik Resubdivision II Final Plat relocating the lot line dividing 1415 Asbury Avenue and 1423 Asbury Avenue, which requires the following zoning variations for 1423 Asbury Avenue (Lot 1) **meets [does not meet]** the Subdivision Code standards for approving such final plat:
 - a. to allow a minimum east side yard of 2.59 feet, whereas a minimum of 6.62 feet

- is required;
- b. to allow a total side yard setback of 13.48 feet, whereas a minimum of 16.56 feet is required;
- 2. The proposed subdivision **is [is not]** consistent with the Comprehensive Plan's Land Use Map designation of the Subject Property as appropriate for "single family residential" development; and
 - 3. A "*Finding of No Material Increased Adverse Impact upon the public health, safety, or welfare*" with respect to the existing zoning nonconformities for the existing improvements on the 1415 Asbury Avenue parcel (Lot 2):
 - a. the existing improvements consist of 6,980.69 square feet of gross floor area, versus the maximum permitted of 4,300.51 square feet;
 - b. the existing improvements consist of 932.73 square feet of front yard lot coverage, versus the maximum permitted of 752.85 square feet;
 - c. the existing residence observes a front yard setback of 42.65 feet, versus the required front yard setback of 43.57 feet;
 - d. east side building walls that do not provide the required building line articulation of 18 inches.

Based upon these findings, the Plan Commission **recommends [does not recommend]** that the proposed Lesnik Resubdivision II be approved subject to final review and approval of the plat by the Village Attorney prior to recordation of the plat.

ATTACHMENTS

Attachment A: Application Materials

Attachment B: Proposed Plat of Subdivision (Lesnik Resubdivision II)

Attachment C: Ordinance M-4-2021, adopted on January 5, 2021

ATTACHMENT A

Village of Winnetka
SUBDIVISION/CONSOLIDATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS DEPARTMENT OF COMMUNITY DEVELOPMENT

SUBDIVISION APPLICATION

Case No.23-02-SD

Property Information

Site Address: 1415-1423 Asbury

Parcel Identification Number(s) (PIN): 05-18-217-020-0000/05-18-217-019-0000

Property Owner Information

Name: Judy Lesink

Primary Contact: Judy Lesnik

Address: 1415 Asbury

City, State, Zip: Winnetka, IL

Phone No. _____

Email: _____

Date owner acquired property: _____

Architect Information

Name: FWC Architects, Inc.

Primary Contact: Jim Chambers

Address: 2057 - A Green Bay

City, State, ZIP: Highland Park, Illinois 60035

Phone No. (262) 909+4692

Email: jim@fwcarchitects.com

Surveyor Information

Company Name: Doland Engineering, LLC

Primary Contact: Jason Doland

Address: 334 E. Colfax, Suite C

City, State, Zip: Palatine, IL 60067

Phone No. (847) 991-5088 x 113

Email: jdoland@dolandengineering.com

Attorney Information

Name: Samuels & Bernstein

Primary Contact: Calvin Bernstein

Address: 484 Central Ave., Suite 202

City, State, Zip: Highland Park, Illinois 60035

Phone No. (847) 433-1980

Email: cbernstein@sambernlaw.com

Property Owner Signature: _____

Date: 11/21/2022

Law Offices of
SAMUELS & BERNSTEIN

484 Central Avenue, Suite 202
Highland Park, Illinois 60035
(847) 433-1980
Fax: (847) 433-4740

Calvin A. Bernstein
Cbernstein@sambernlaw.com

February 27, 2023

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

Re: Application for Re-Subdivision, 1415-23 Asbury Avenue, Winnetka, Illinois

Dear Department of Community of Development:

Please be advised that I am acting as the representative of the 1415-23 Asbury Avenue, Winnetka, Illinois. A few years back, the owner of these two contiguous homes applied for and received approval to re-subdivide the properties to provide for a larger lot for 1415 Asbury. The reasons for that requests were to assist in the remodel her home, provide for improved turning radius into her garage, and thereafter, to allow for the demolition of the unoccupied home located at 1423 Asbury. After the re-subdivision was approved, signed and recorded, the owner reconsidered her plans. The owner now desires to restore the home at 1423 Asbury rather than demolishing it, and to continue with the renovation of her home at 1415 Asbury. In order to do so, she needs to move the lot line between the properties again. This re-subdivision will allow for the preservation and restoration of the historic home (1423 Asbury) while providing better access and improved living at 1415 Asbury.

Please note that the new lots will be conforming, meeting the minimum standards set forth in the zoning code (except for a few variances that will require ZBA action), subdivision standards and shall also comply with the Comprehensive Plan. After the re-subdivision, both lots' sizes, widths and orientation will comport well with the neighborhood and modifying the lot sizes will not alter the essential character of the street or the neighborhood.

If you have any questions, please contact me

Respectfully,

Calvin A. Bernstein

Enc.

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 23-02-SD

Property Information

Site Address: 1415 Asbury

Owner Information

Name: Judy Lesnik

Address: 1415 Asbury

City, State, ZIP: Winnetka, IL

Email: judylesink@me.com

Primary Contact:

Phone No. (847) 708-3080

Date property acquired by owner:

Architect Information

Name: FWC Architects, Inc.

Primary Contact: Jim Chambers

Address: 2057-A Green Bay Road

City, State, ZIP: Highland Park, IL 60035

Phone No. 847-579-5200

Email: jim@fwcarchitects.com

Attorney Information

Name: Samuels & Bernstein

Primary Contact: Calvin Bernstein

Address: 484 Central Avenue

City, State, Zip: Highland Park, IL 60035

Phone No. 847-433-1980

Email: cbernstein@sambernslaw.com

Nature of any restrictions on property:

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

Property Owner Signature:

Date: 11/11/2022

VILLAGE OF WINNETKA, ILLINOIS

DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 23-02-SD

Property Information

Site Address: 1423 Asbury

VA2022-1240

Owner Information

Name: Judy Lesnik

Primary Contact:

Address: 1415 Asbury

Phone No. (847) 708-3080

City, State, ZIP: Winnetka, IL

Email: judylesink@me.com

Date property acquired by owner:

Architect Information

Name: FWC Architects, Inc.

Attorney Information

Name: Samuels & Bernstein

Primary Contact: Jim Chambers

Primary Contact: Calvin Bernstein

Address: 2057-A Green Bay Road

Address: 484 Central Avenue

City, State, ZIP: Highland Park, IL 60035

City, State, Zip: Highland Park, IL 60035

Phone No. 847-579-5200

Phone No. 847-433-1980

Email: jim@fwcarchitects.com

Email: cbernstein@sambornlaw.com

Nature of any restrictions on property:

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

Property Owner Signature

Date: 11/11/2022

VILLAGE OF WINNETKA
ZBA Application
Letter of Situation and Hardship
Dated: December 21, 2022

RE: 1415 and 1423 Asbury, Winnetka, Illinois

TO: Zoning Board of Appeals

1415 Asbury is the home of Judy Lesnik. Judy purchased 1415 Asbury in 2000 and she has maintained it as her family's home ever since. In 2016, Judy purchased the home next door (1423 Asbury). A few years back, 1423 Asbury sustained significant flood damage. Instead of demolishing that historic home, Judy now desires to restore it to its previous luster and eventually sell it. However, to do so while at the same time renovating and improving her existing non-conforming home at 1415 Asbury, requires us to seek the certain variances as set forth herein.

Renovating and improving 1415 Asbury presents many unique challenges. Although when it was constructed it complied with the existing zoning code, the zoning code was later amended creating the following three (3) now existing non-conformities:

1. Maximum Building Size.
2. Front Yard Setback.
3. Building Line Articulation.

In connection with the restoration of 1423 Asbury and the renovation of 1415 Asbury, Judy desires re-subdivide the properties again to modify the 1415 Asbury's lot area to allow for improved access to her existing garage at 1415 Asbury. Applications are currently on file seeking such a re-subdivision and for zoning variances at 1423 Asbury. If the re-subdivision is approved, the above three (3) existing non-conformities will remain at 1415 Asbury while the variance recently obtained for minimum required side yard relief will no longer be necessary.

1415 Asbury Variance Request

Maximum Building Size – The maximum permitted Gross Floor Area ("GFA") of new proposed 1415 Asbury is 4,300.51 sq. ft. 1415 Asbury's existing GFA is 7,986.43 square feet (under the existing lot size), 3,685.92 sq. ft over the maximum permitted. As proposed, although not changing the previous approved footprint, a variance will still be required due to the lot size modification.

Front Yard Setback – As proposed, no changes are intended so the existing non-conformity will remain unchanged.

Building Line Articulation – Again, as proposed, no changes are intended so the existing non-conformity will remain unchanged.

The improvements among many others that do not require a variance, will update and restore this home to accommodate a modern lifestyle while preserving the vision of the original architect.

Applying the standards set forth in the Code, the Zoning Board of Appeals should be able to make the following findings of fact based upon the evidence submitted herein and at the hearing:

1. Without the variance and the corresponding renovation, the property cannot yield a reasonable return. Without periodic updating, the existing home could lose its value. Currently, the owners are having difficulty entering and leaving the garage. Furthermore, the owner now desires to restore rather than demolish the home at 1423 Asbury which required us to reexamine the lot lines. Since the lot line will change again, certain variance will be required. Failure to update the current non-conforming important home could lead to it not yielding a reasonable return if permitted to be used only under the conditions set forth in the code.
2. Judy's plight is due to unique circumstances. The home is already existing non-conforming. The zoning code changed requiring the basement to be included in the GFA. But for that change, no GFA variance would be required. This situation contains unique challenges and makes it impossible to update the existing-non-conforming home without a variance. No additional footprint is requested over and above what was previously approved and the owner will be eliminating an existing legal non-conforming side yard encroachment. The physical surrounding of how the house is sited and the desire to preserve a historic home drive this request creating the unique situation, and the variations will alleviate the demonstrable and unusual hardship that exists. Furthermore, this hardship is not generally applicable to other property within the same zoning district. But for the site context and zoning change, the owners would be able to renovate the home without seeking a variance.
3. The variations sought herein will not be materially detrimental to the public welfare or injurious to other property in the neighborhood.
4. The home will not impair adequate supply of light and air to adjacent property nor would it increase congestion in the public streets or increase the danger of fire, nor would it endanger the public safety or substantially diminish or impair property values on the neighborhood.
5. This project will not negatively impact the taxable value of the land and buildings throughout the Village, instead it will improve them by making this property more valuable due to it being updated.
6. Since the encroachment and non-conformity already exists and the request does not increase the previously approved building footprint, granting the variances will not alter the essential character of the neighborhood. Finally, the proposed variations are in harmony with the spirit and intent of the code. The public health, comfort and welfare of the community will not be impacted by the improvements sought herein.

In sum, the intent here is to reduce the amount of the existing non-conformity. As

proposed, improving the existing non-conforming home, while at the same time restoring a historic home, helps maintain the essential character of the neighborhood.

1423 Asbury Variance Request

In order to restore 1423 Asbury while improving access to the 1415 Asbury's garage, the following variance is requested:

Side Yard Encroachment — The minimum side yard requirement is 6.625 feet. The combined minimum side yard is 14 feet. As proposed, the existing historic home will encroach 4.025 ft into the minimum side yard and 0.51 feet into the combined side yard setback.

Many of the other improvements needed to restore the home do not require a variance and except for the new garage and the removal of the existing garage, no changes will be made to the existing building footprint. Applying the standards set forth in the Code, the Zoning Board of Appeals should be able to make the following findings of fact based upon the evidence submitted herein and at the hearing:

1. Without the variance and the corresponding renovation, the property cannot yield a reasonable. Restoration of the historic home while same time improving 1415 Asbury requires Judy to seek the variances set forth herein. Failure to restore the existing historic home could lead to it not yielding a reasonable return if permitted to be used only under the conditions set forth in the code.
2. Judy's plight is due to unique circumstances. The historic home was significantly damaged which now requires a total restoration. In order to restore the home while at the same time providing improved access to 1415 Asbury, variances are required. No additional footprint is sought (except for removing and replacing the garage). The physical surrounding of how the house is sited and the desire to preserve a historic home drive this request creating the unique situation, and the variations will alleviate the demonstrable and unusual hardship that exists. Furthermore, this hardship is not generally applicable to other property within the same zoning district. But for the site context and zoning change, the owners would be able to restore the home without seeking a variance.
3. The variations sought herein will not be materially detrimental to the public welfare or injurious to other property in the neighborhood.
4. The home will not impair adequate supply of light and air to adjacent property nor would it increase congestion in the public streets or increase the danger of fire, nor would it endanger the public safety or substantially diminish or impair property values on the neighborhood.
5. This project will not negatively impact the taxable value of the land and buildings throughout the Village, instead it will improve them by making this property more valuable due to it being updated.
6. Granting the variance will not alter the essential character of the neighborhood. Finally, the proposed variation is in harmony with the spirit and intent of the code. The public health, comfort and welfare of the community will not be impacted by the

improvements sought herein.

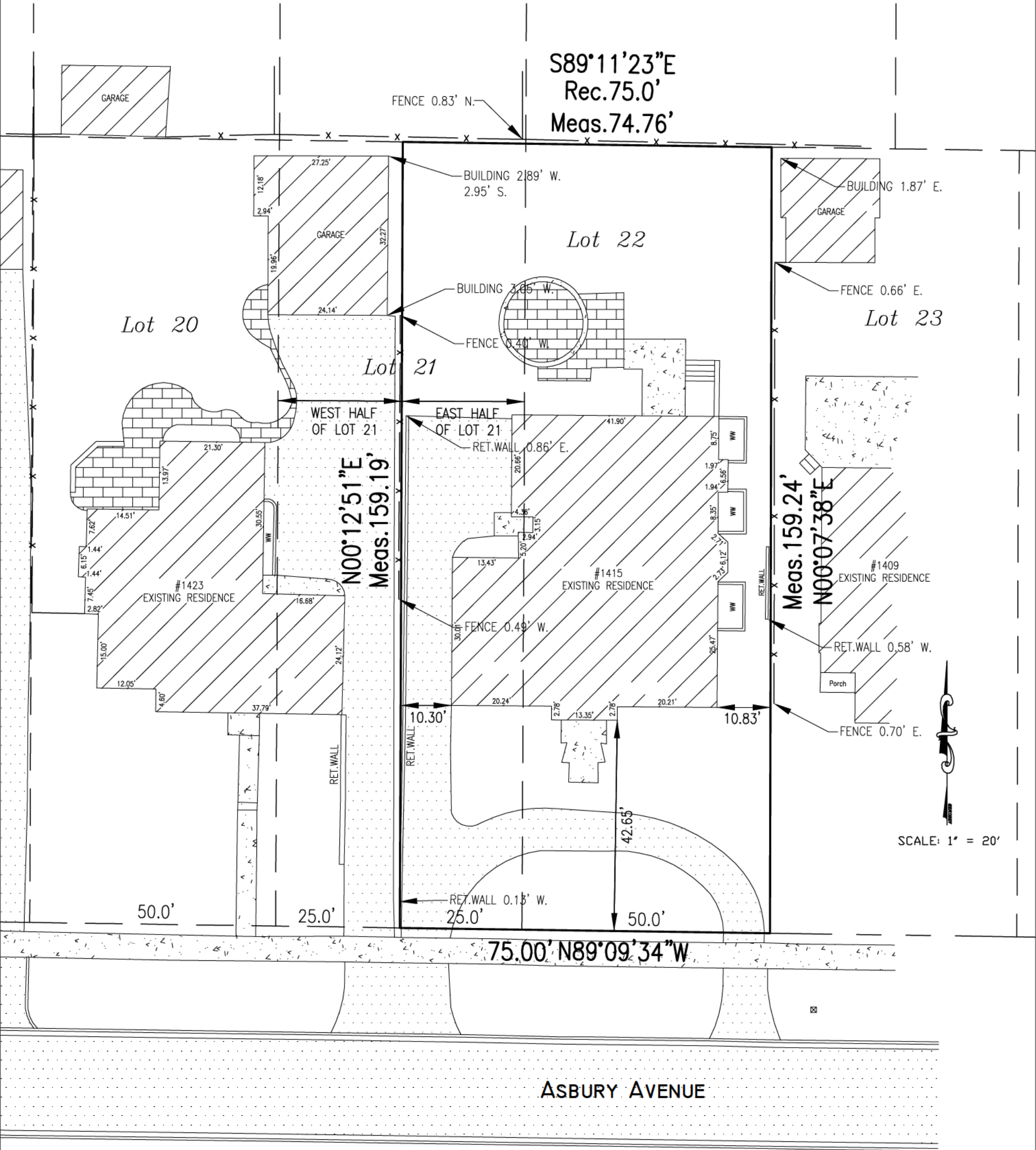
In sum, the intent here is to preserve a historic home. As proposed, improving the existing non-conforming home (1415), while at the same time restoring a historic home (1423) helps maintain the essential character of the neighborhood.

Thank you for considering our request.

PLAT OF SURVEY

-OF-

LOT 22 AND THE EAST HALF OF LOT 21 IN CHICAGO NORTH SHORE LAND CO.'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 17 & 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1891 AS DOCUMENT 3543526, ALL IN COOK COUNTY, ILLINOIS.



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

COMPARE YOUR POINTS BEFORE BUILDING BY THE SAME AND REPORT ANY DIFFERENCES IMMEDIATELY.

CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. REFER TO TITLE POLICY OR VILLAGE ZONING CODE FOR POSSIBLE ADDITIONAL EASEMENTS OR BUILDING LINES NOT SHOWN HEREON.

DOLAND ENGINEERING, LLC
-CIVIL ENGINEERING ~ LAND SURVEYING ~ LAND PLANNING-
334 EAST COLFAX STREET, SUITE C
PALATINE, ILLINOIS 60067
(847) 991-5088
(847) 934-3427 FAX

STATE OF ILLINOIS)
COUNTY OF COOK)SS

I, JASON R. DOLAND, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

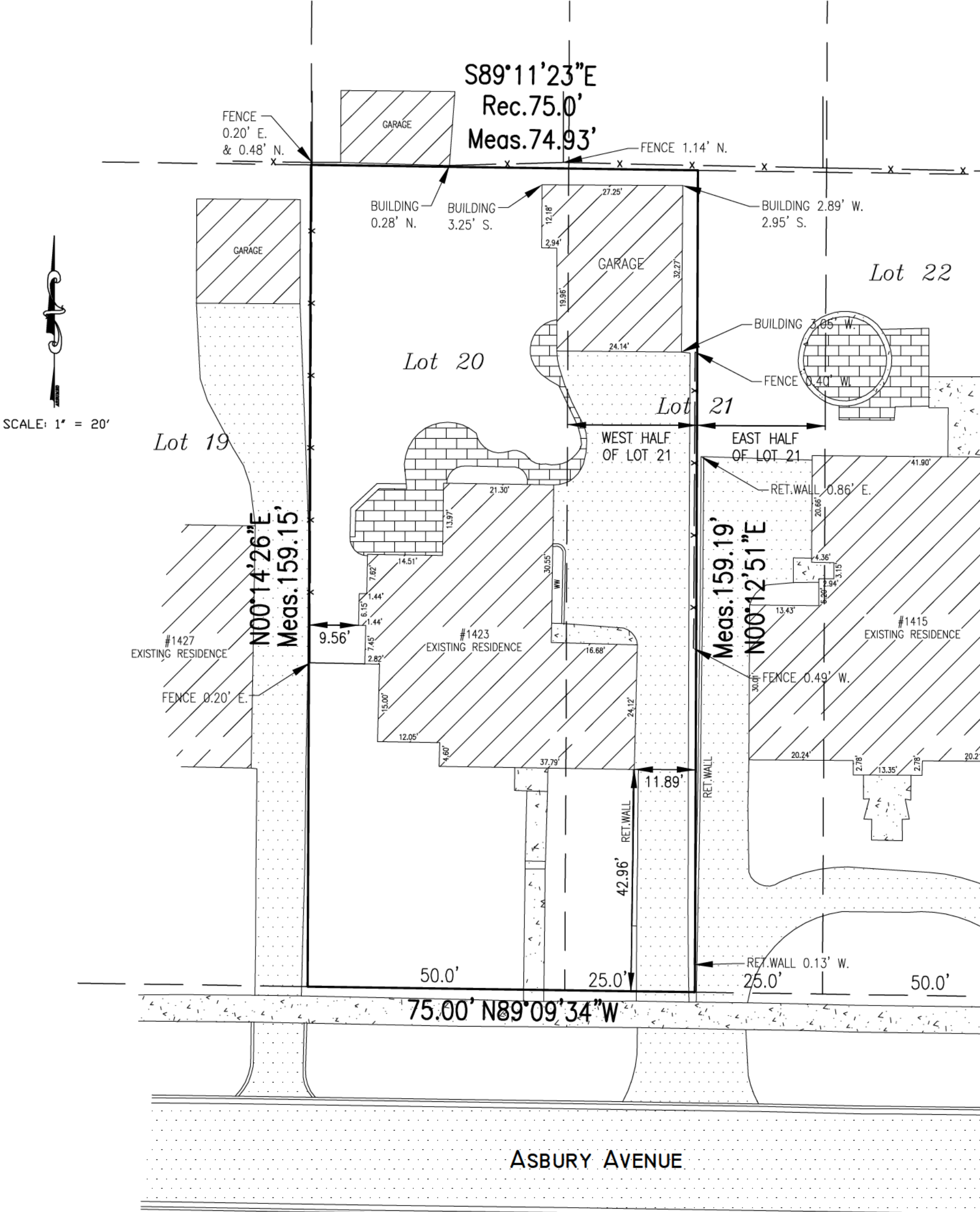
DATED AT PALATINE, ILLINOIS 07/23/19

ILLINOIS PROFESSIONAL LAND SURVEYOR

PLAT OF SURVEY

-OF-

LOT 20 AND THE WEST HALF OF LOT 21 IN CHICAGO NORTH SHORE LAND CO.'S SUBDIVISION, BEING A SUBDIVISION IN SECTION 17 & 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1891 AS DOCUMENT 3543526, ALL IN COOK COUNTY, ILLINOIS.



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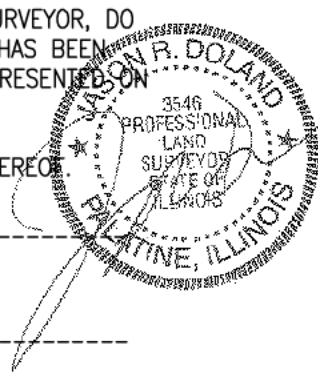
STATE OF ILLINOIS)
COUNTY OF COOK)SS

I, JASON R. DOLAND, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DATED AT PALATINE, ILLINOIS 07/23/19

ILLINOIS PROFESSIONAL LAND SURVEYOR



Grading Plan

OF
1415-23 ASBURY AVENUE, WINNETKA, ILLINOIS

NOTES

- ALL FLOOR DRAINS ARE TO DISCHARGE INTO THE SANITARY SEWER.
- ALL DOWNSPOUTS AND SUMP PUMP DISCHARGE LINE MUST BE CONNECTED TO THE STORM SEWER. INSTALL NEW STORM SEWER SERVICE AS SHOWN.
- PROVIDE SILT FENCE ALONG ALL PERIMETERS OF GRADING AND ALONG ALL DISTURBED AREAS SUBJECT TO EROSION.
- UTILIZE EXISTING WATER SERVICE & SANITARY SERVICE.
- NO OPENCUTTING OF ROADS ARE ALLOWED IN THE VILLAGE OF WINNETKA UNLESS AUTHORIZED BY THE ENGINEERING DIVISION. THE UTILITY SERVICES MUST BE BORED AND/OR AUGURED AND NOTED AS SUCH ON ALL ENGINEERING PLANS.
- DISTANCE BETWEEN TOP OF FOUNDATION AND FINISHED GARDE (EXPOSED FOUNDATION MUST BE BETWEEN 4" TO 8".
- ALL EXISTING UTILITY SERVICES MUST BE DISCONNECTED AT THEIR RESPECTIVE MAIN PRIOR TO THE DEMOLITION OF ANY STRUCTURE. IT IS RECOMMENDED THAT AT THE TIME OF DISCONNECTION OF EXISTING UTILITY SERVICES THAT NEW UTILITY SERVICES SHOULD BE INSTALLED AND STUBBED OUT TO THE VILLAGE RIGHT-OF-WAY.

LEGEND

- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN
- EXISTING CATCH BASIN
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING SPOT ELEVATION
- EXISTING SANITARY MANHOLE
- PROPOSED DRAINAGE FLOW
- EXISTING TREE

LOT AREA = 10,544 S.F.

LOT 1		LOT 2	
LOT AREA = 10,544 S.F.		LOT AREA = 13,320 S.F.	
HOUSE & WW	1,864 S.F.	HOUSE & WW	3,029 S.F.
GARAGE	441 S.F.	GARAGE	273 S.F.
DRIVEWAY	1,600 S.F.	DRIVEWAY	2,230 S.F.
PORCH AREA	243 S.F.	FRONT PORCH	98 S.F.
FRONT WALK	183 S.F.	BACK PATIO	655 S.F.
TOTAL IMPERVIOUS = 4,331 S.F.		TOTAL IMPERVIOUS = 6,285 S.F.	
% IMPERVIOUS = 41.1%		% IMPERVIOUS = 47.2%	

INDEX OF SHEETS

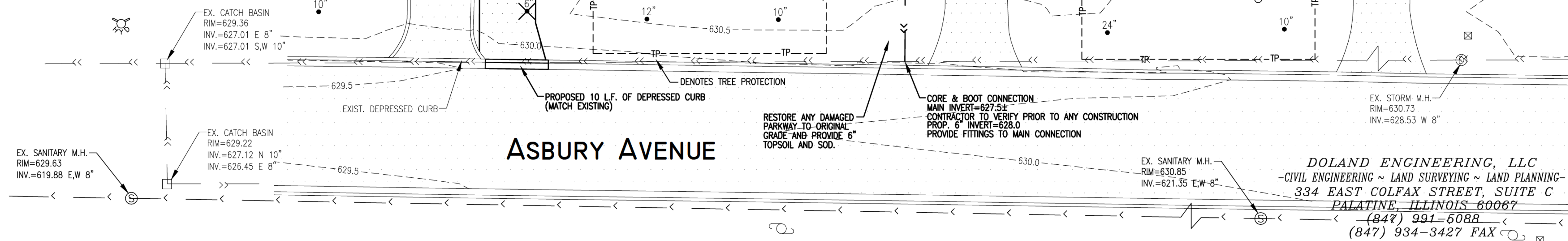
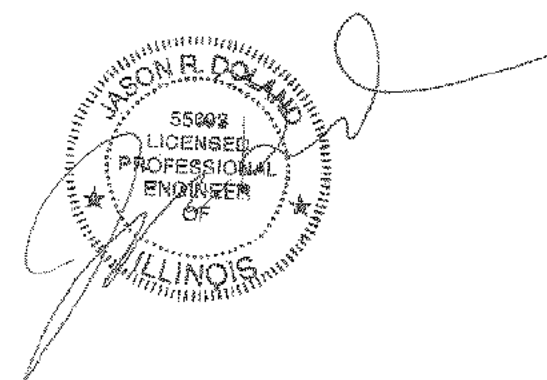
- SHEET 1 - GRADING PLAN
- SHEET 2 - DEMOLITION PLAN
- SHEET 3 - STANDARD DETAILS

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF THE SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATERS DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUB DIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF THE DAMAGE TO THE ADJOINING PROPERTY BECAUSE THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS 7TH DAY OF FEBRUARY, A.D. 2022

OWNER OR ATTORNEY

ENGINEER



DATE: 10/06/22	REVISIONS	
SCALE: 1"=10'	02/07/23	REVISED TO INCLUDE BOTH LOTS
FILE: 1415-23-Asbury		
DEMOLITION PLAN		
SHEET 2 of 3		

Demolition Plan

OF

1415-23 ASBURY AVENUE, WINNETKA, ILLINOIS

LEGEND

- <

EXISTING SANITARY SEWER
- ⊙

EXISTING SANITARY MANHOLE
- W

EXISTING WATER MAIN
- ⊕

EXISTING FIRE HYDRANT
- ⊕

EXISTING B-BOX
- <<

EXISTING STORM SEWER
- EXISTING CATCHBASIN
- ⊙

EXISTING STORM MANHOLE
- ⊙

EXISTING YARD DRAIN
- EXISTING CONTOUR
- ⊕

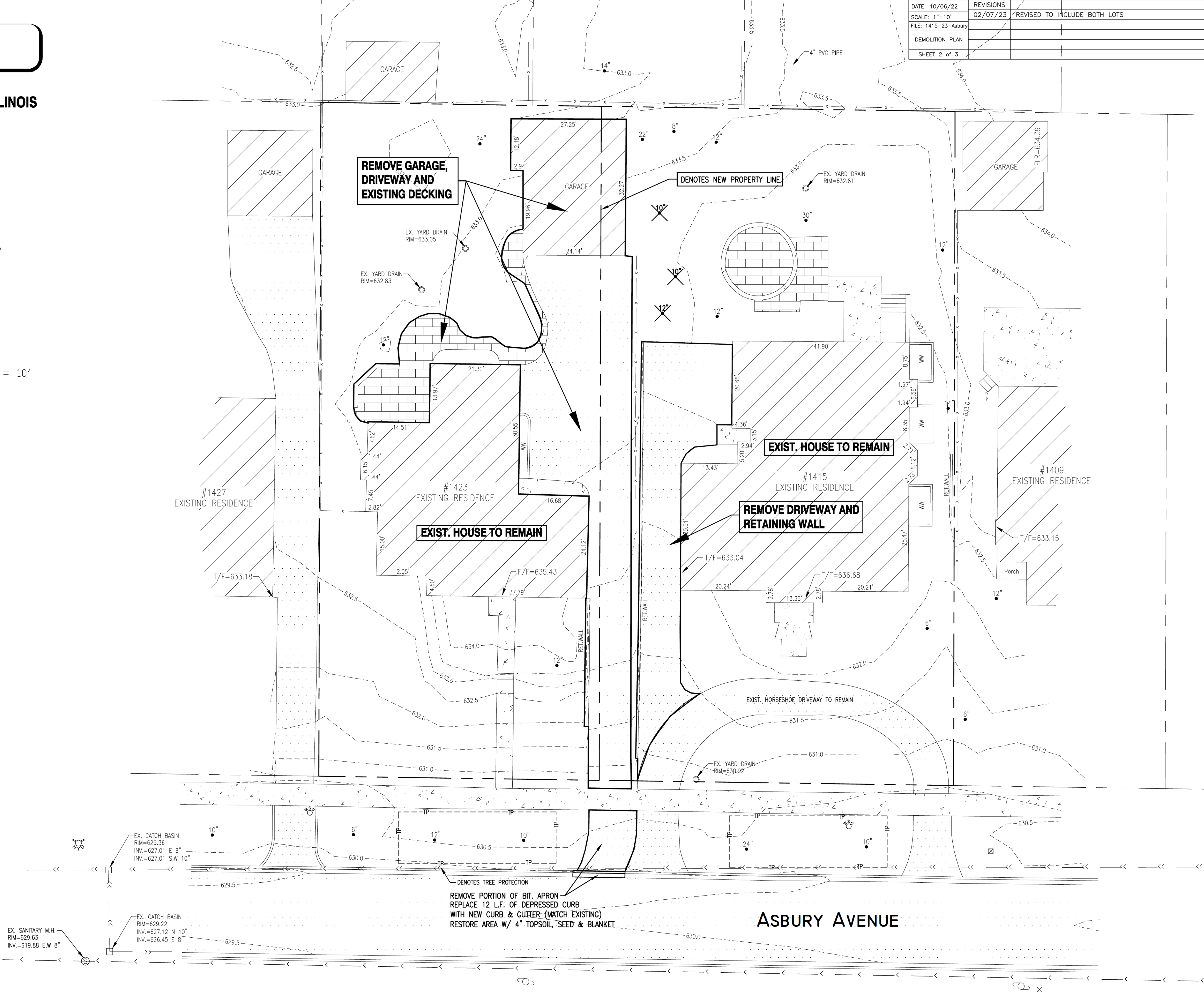
EXISTING UTILITY POLE
- ⊕

EXISTING UTILITY MANHOLE
- x

EXISTING FENCE
- 10"

EXISTING TREE

SCALE: 1" = 10'



PAVEMENT OR 8" MIN. TOPSOIL

MIN. 12" PLUS O.D. OF PIPE

MIN. 18" PLUS PIPE O.D. FOR TRENCHES < 5'
MIN. 26" PLUS PIPE O.D. FOR TRENCHES > 5'

6" MIN.

6" MIN.

BACKFILL TO 12" ABOVE TOP OF PIPE SHALL CONSIST OF IDOT CA-6

4" MIN. IDOT CA-6 BEDDING

UNDERCUT UNSUITABLE AREAS WHERE DIRECTED AND REPLACE WITH IDOT CA-7

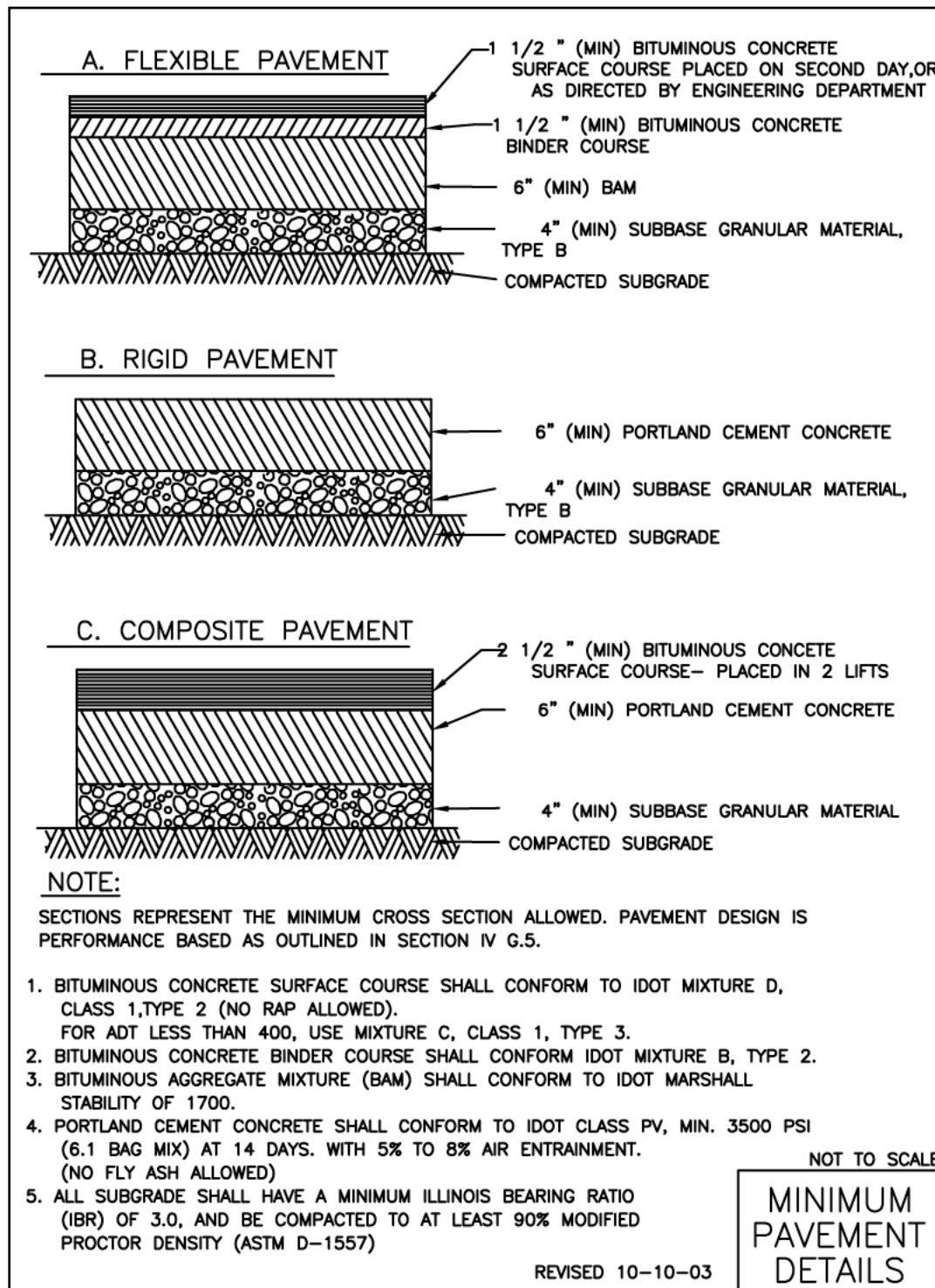
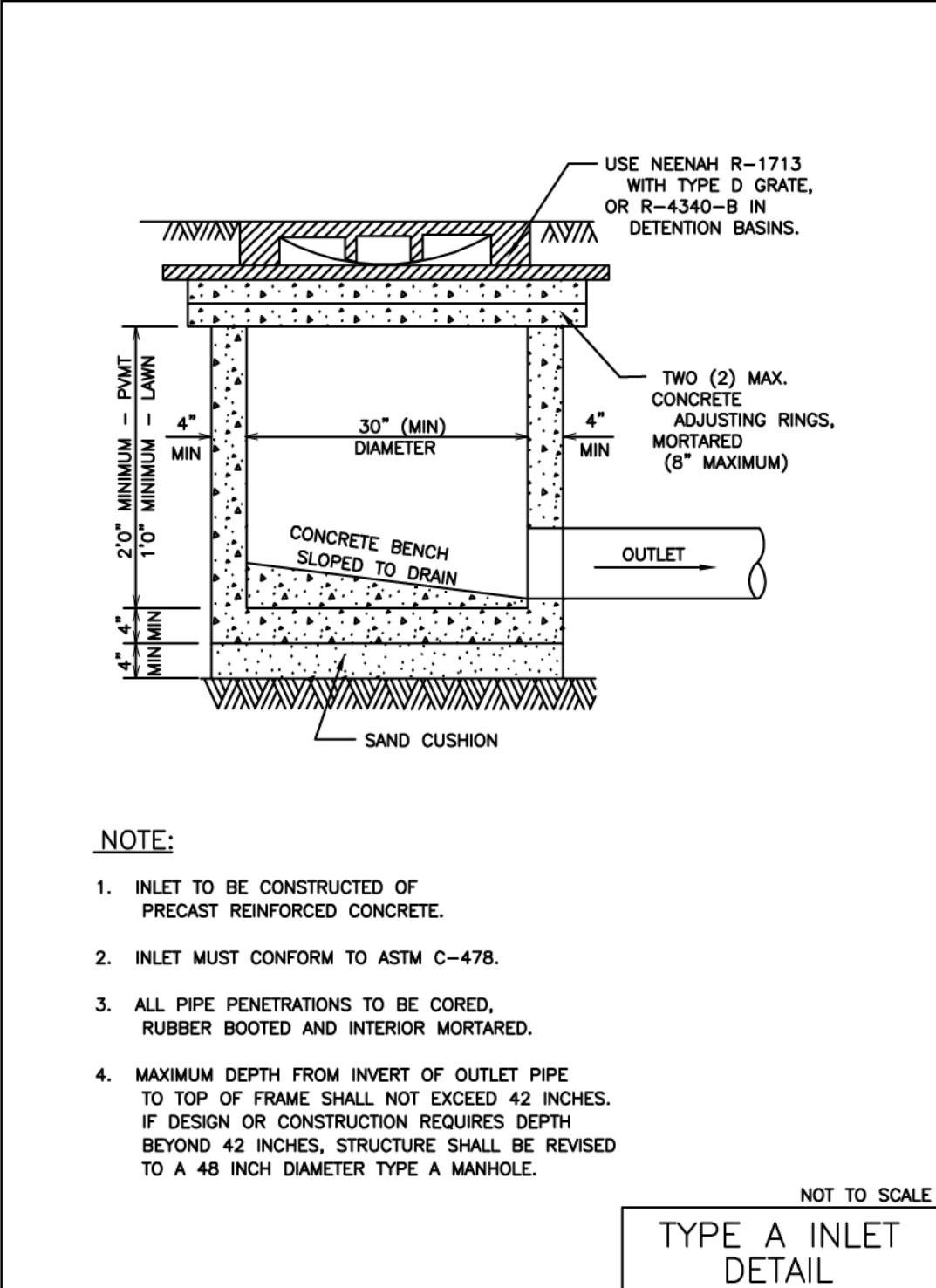
NOTES:

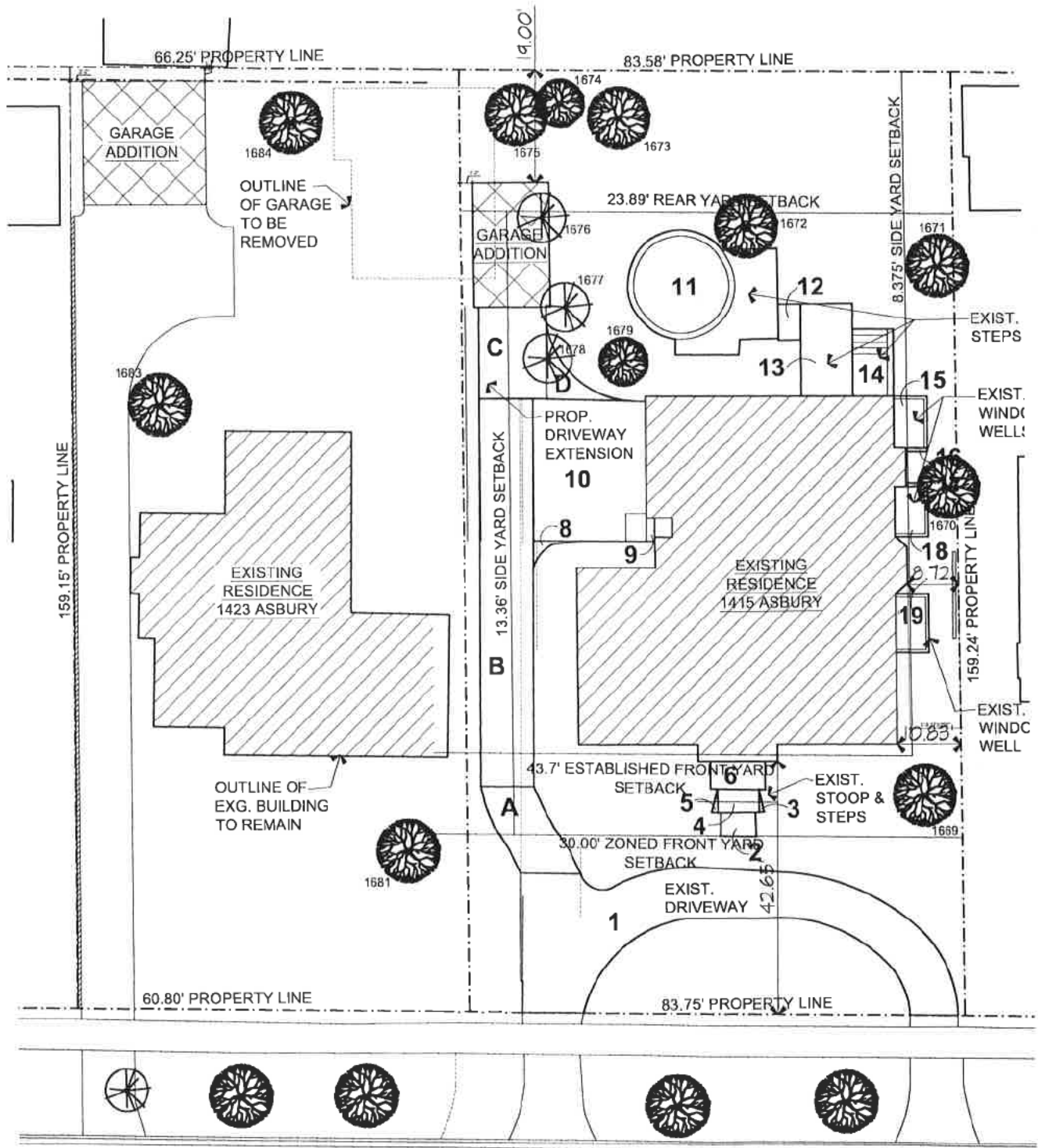
1. TRENCH BACKFILL WITHIN AN EXISTING PAVED SURFACE SHALL CONSIST OF FLOWABLE FILL MEETING IDOT'S SPECIFICATIONS FOR CONTROLLED LOW STRENGTH MATERIAL (CLSM) MIX 1.
2. ALL MATERIALS SHALL BE PROPERLY COMPACTED PER SPECIFICATIONS (INUNDATION OR WATER JETTING NOT ALLOWED)
3. ALL TRENCH EXCAVATIONS SHALL MEET OSHA REQUIREMENTS.

REVISED 5-10-04

NOT TO SCALE

PIPE TRENCH DETAIL





PROPOSED SITE PLAN

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

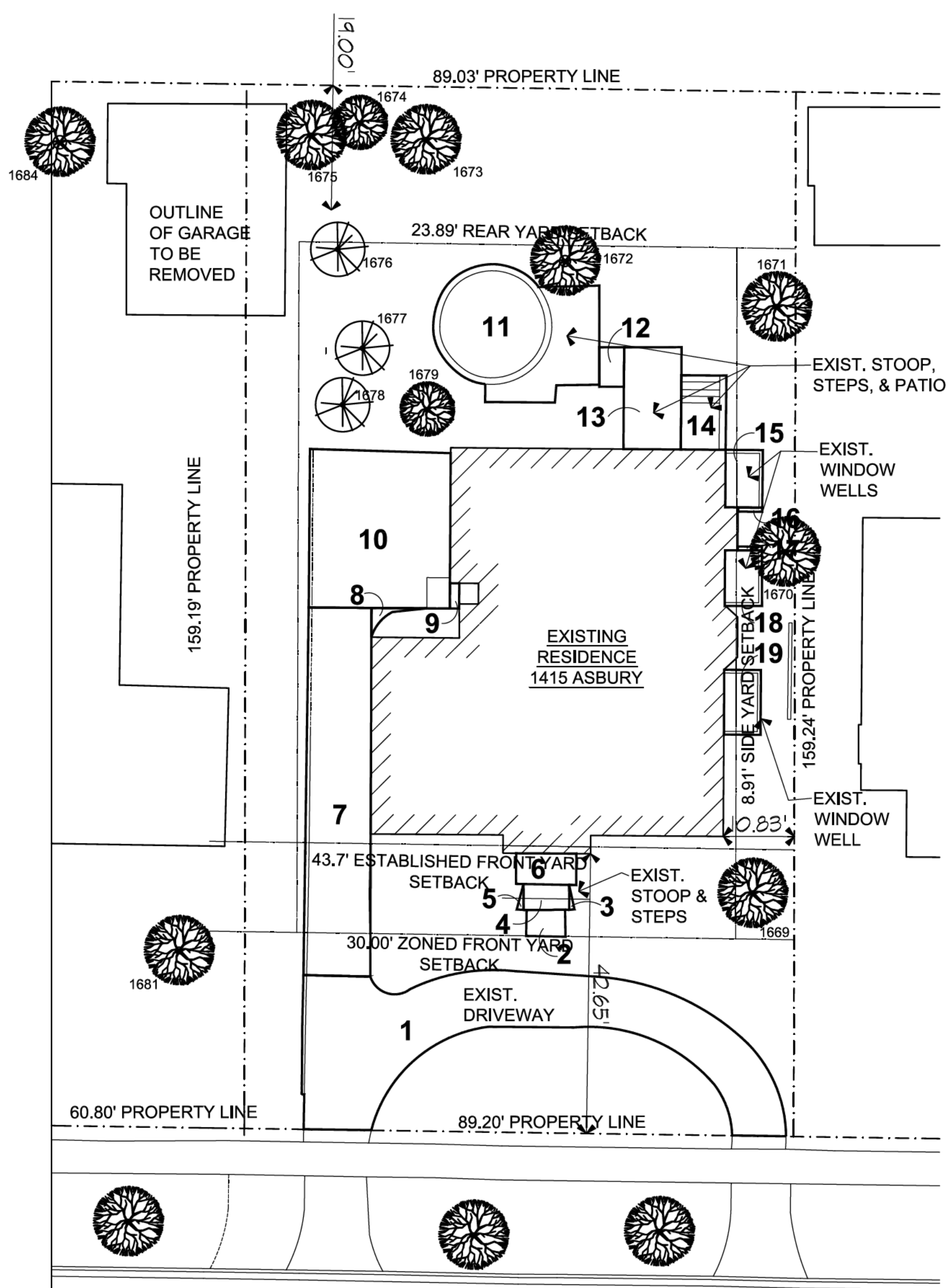


EXISTING TREE TO REMAIN



TREE TO BE REMOVED

COPYRIGHT 2023 FWC ARCHITECTS, INC. ALL RIGHTS RESERVED



 EXISTING TREE TO REMAIN

 TREE TO BE REMOVED



EXISTING SITE PLAN

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

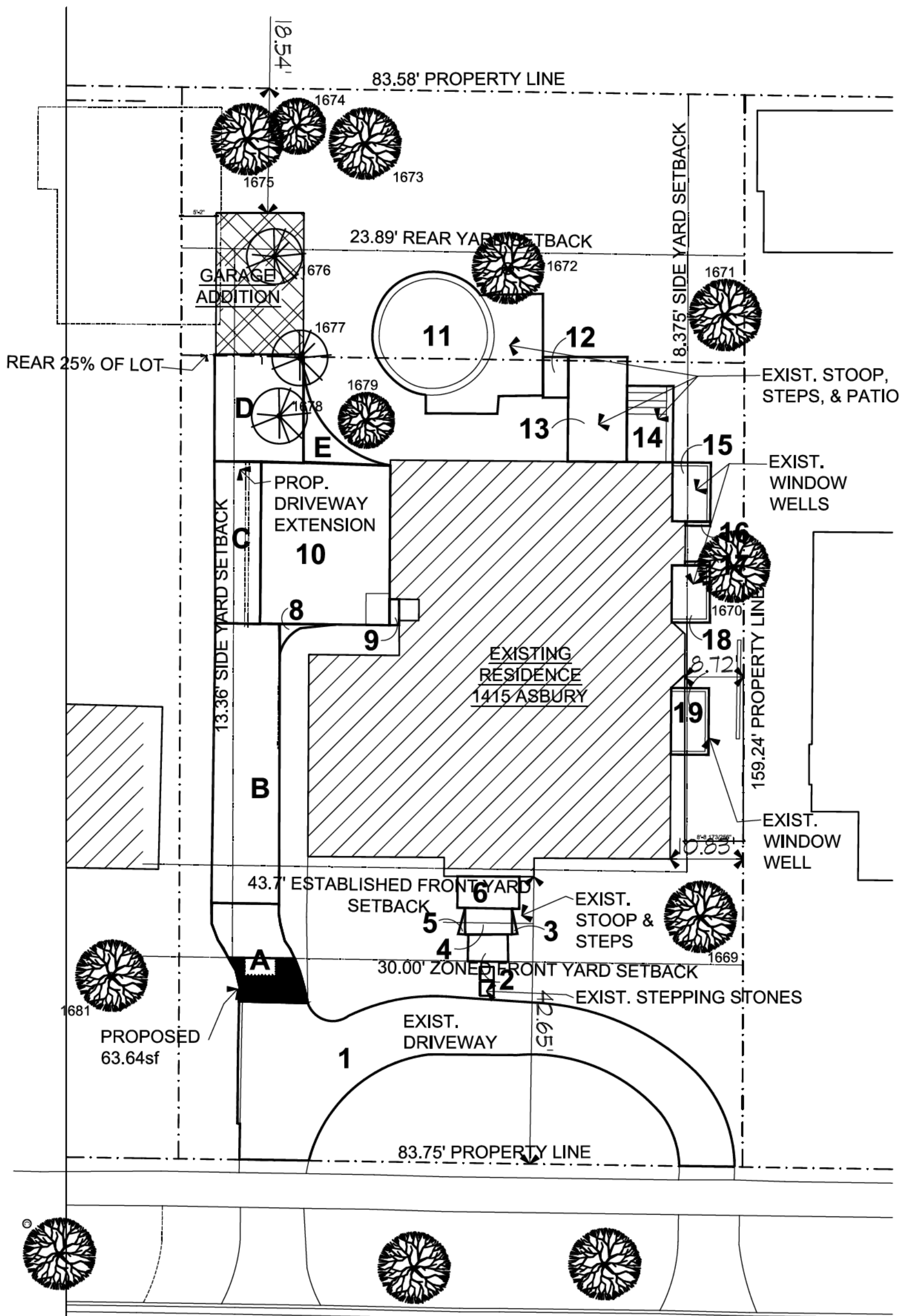


FWC ARCHITECTS, INC.
303 WAUKEGAN AVENUE
HIGHWOOD, ILLINOIS 60040
TEL : (847)579-5200

LESNIK RESIDENCE
Page 156 of 185

A New Remodel for:
Judy Lesnik
1423 ASBURY
WINNETKA, IL 60093

COMM. NO.
DATE:
2/8/23



PROPOSED SITE PLAN

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



EXISTING TREE TO REMAIN



TREE TO BE REMOVED

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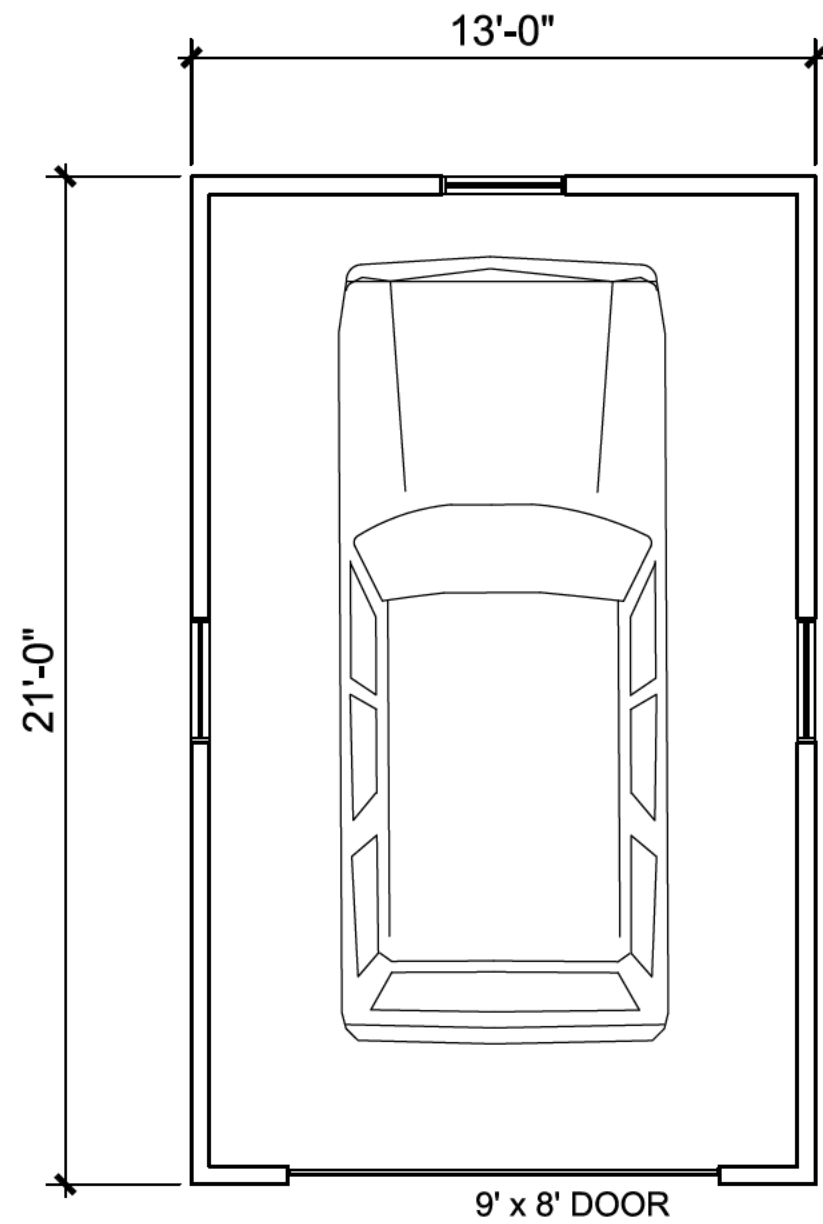
FWC ARCHITECTS, INC.
303 WAUKEGAN AVENUE
HIGHWOOD, ILLINOIS 60040
TEL : (847)579-5200

LESNIK RESIDENCE

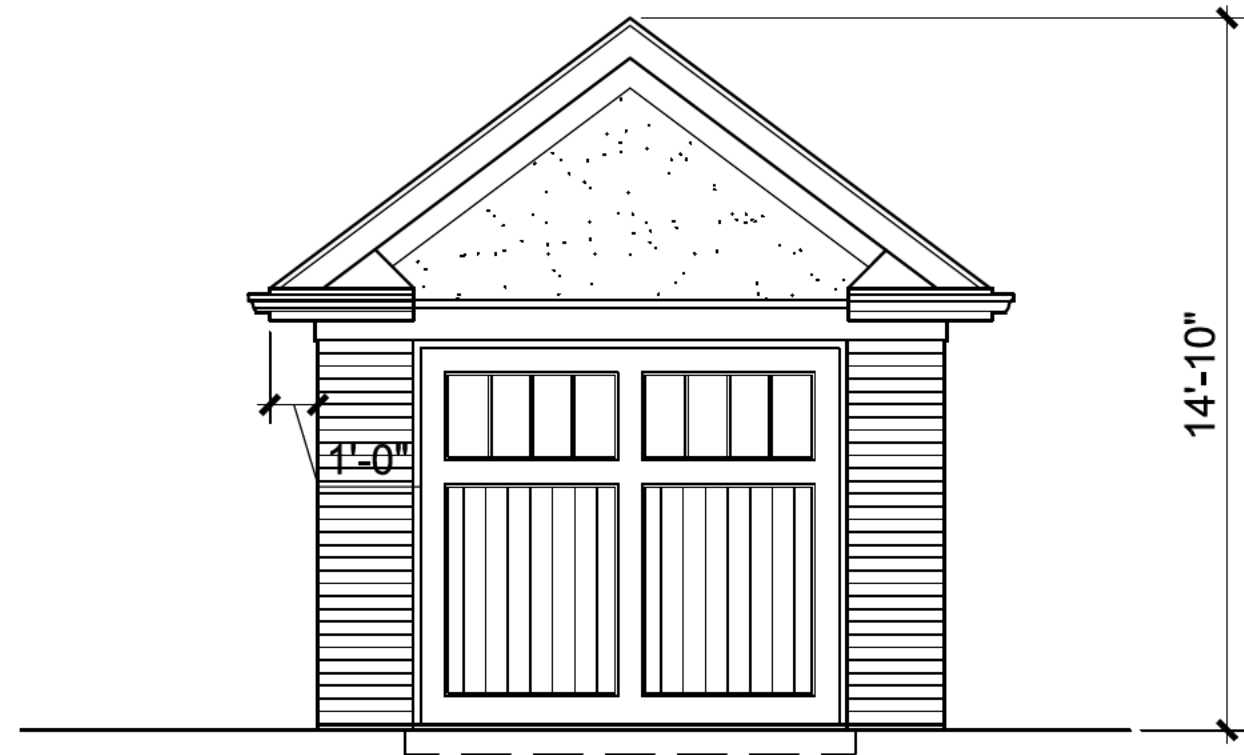
A New Remodel for:
Judy Lesnik
1415 ASBURY
WINNETKA, IL 60093

COMM. NO.
DATE:
2/24/23

	TREE SURVEY 1415 & 1423 ASBURY AVENUE				
TAG#	LOCATION	SPECIES	DBH	CONDITION	NOTES
No Tag	Parkway	Yellow Buckeye	6	Good	
No Tag	Parkway	Freeman Maple	12	Good	
No Tag	Parkway	Blue Beech	9	Fair	
No Tag	Parkway	Burr Oak	55	Good	
No Tag	Parkway	Freeman Maple	9	Good	
No Tag	SE Corner 1409	Elm	19	Poor	Neighbor's property
1669	SE Corner 1415	Magnolia	16	Good	
1670	East of 1415	Norway Maple	13	Good	
1671	1415 backyard, east property line	Mulberry	13	Good	
1672	Center of 1415 backyard	Green Ash	29	Fair	
1673	NW Corner 1415 Backyard	Norway Spruce	11	Good	
1675	NW Corner 1415 Backyard	Red Oak	21	Good	
1674	NW Corner 1415 Backyard	Norway Spruce	11	Good	
No Tag	North of 1415 garage, on neighbor property	Red Maple	13	Good	1418 Scott
1676	1415 backyard, west property line	Norway Spruce	8	Good	
1677	NW Corner of 1415	Norway Spruce	7	Good	
1678	NW Corner of 1415	Norway Spruce	8	Good	
1679	NW Corner of 1415	Norway Spruce	10	Good	
1680	SW Corner of 1415	Redbud	19	Good	
1681	SE Corner 1423	Blue Spruce	14	Fair	
1682	SW Corner 1423	River Birch	15	Poor	
1683	NW Corner of 1423	River Birch	23	Good	Double Trunk
1684	1423 Backyard	Burr Oak	28	Good	



FLOOR PLAN
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

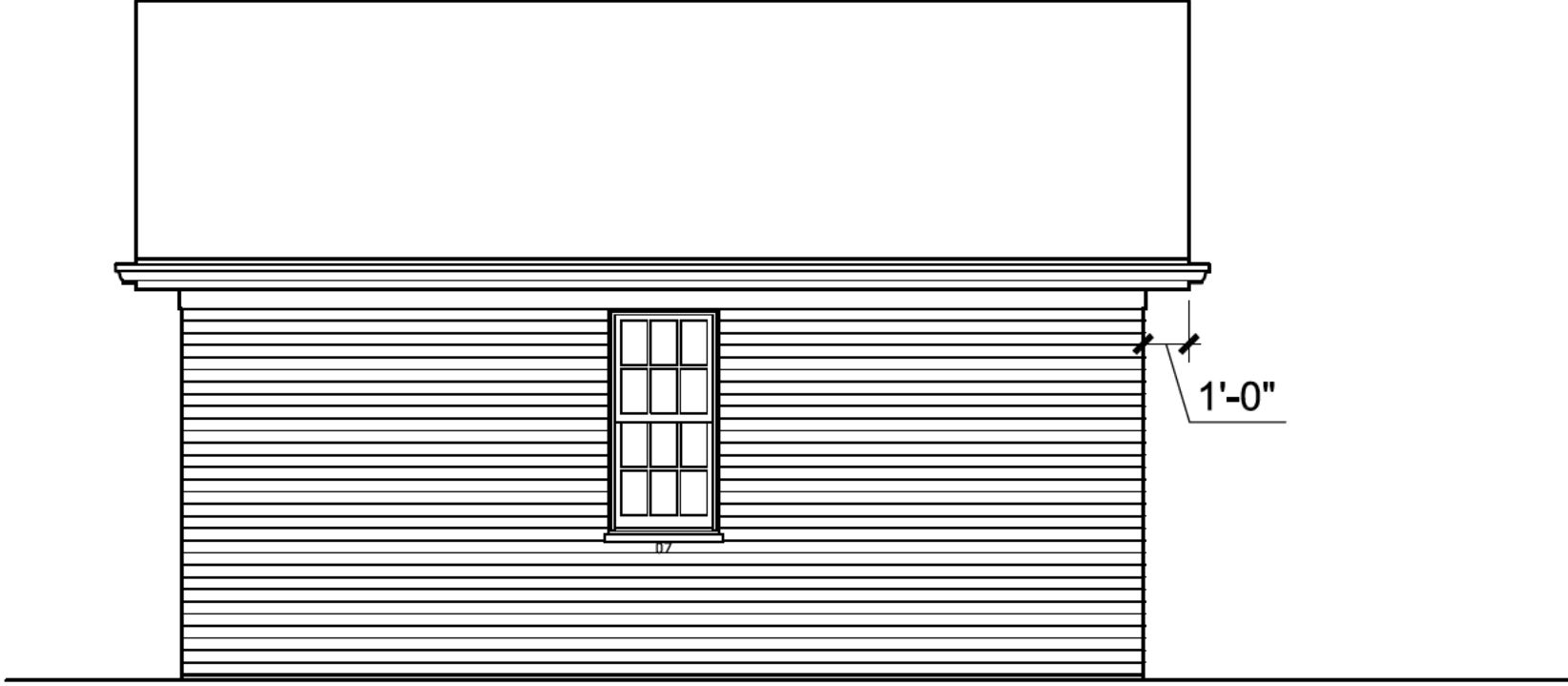
COMM. NO.
DATE:
2/8/23

A New Remodel for:
Judy Lesnik
1423 ASBURY
WINNETKA, IL 60035

**LESNIK
RESIDENCE**

FWC ARCHITECTS, INC.
303 WAUKEGAN AVENUE
HIGHWOOD, ILLINOIS 60040
TEL : (847)579-5200





LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



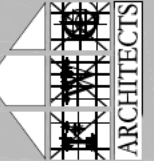
RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

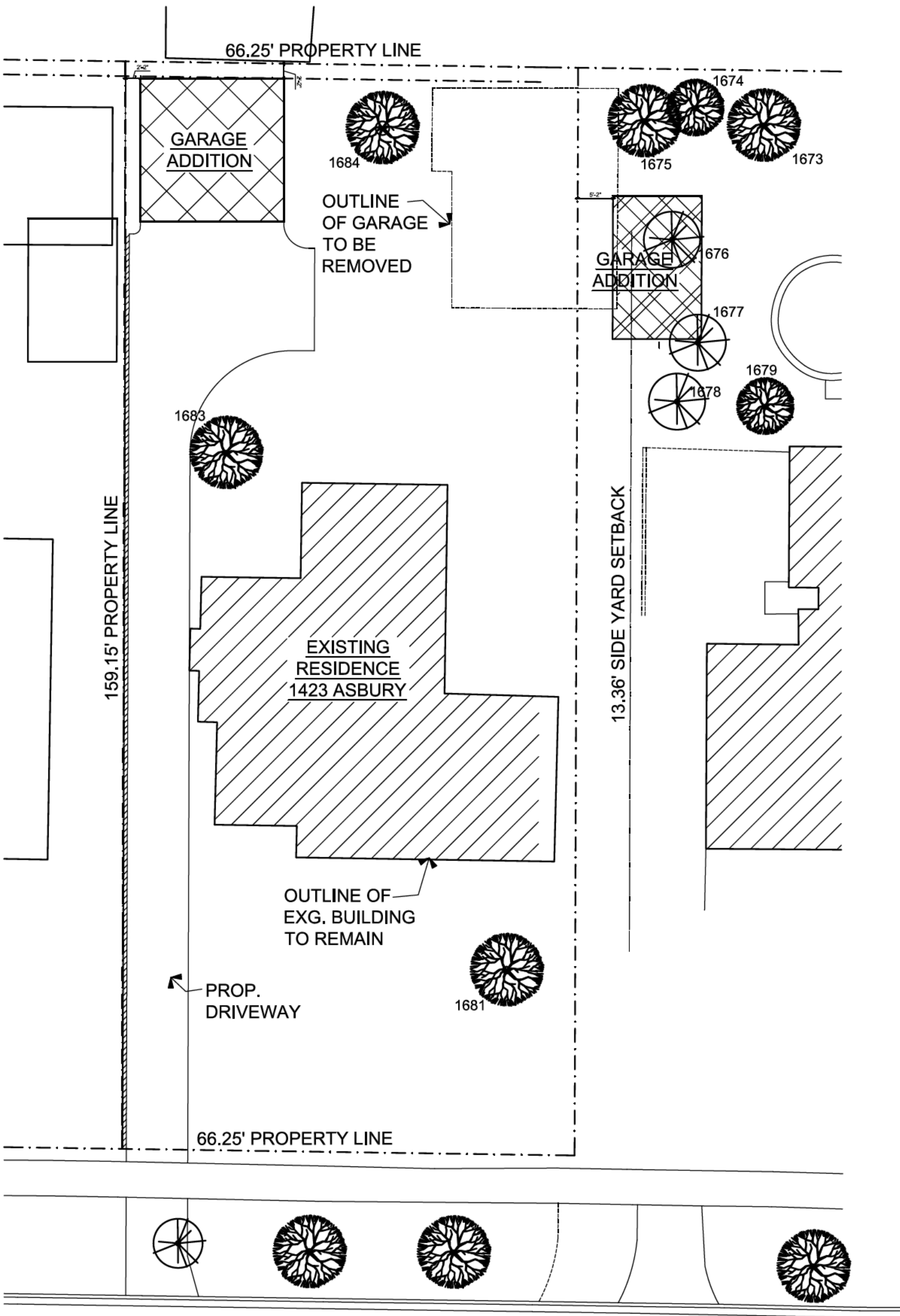
COMM. NO.
DATE:
2/8/23

A New Remodel for:
Judy Lesnik
1423 ASBURY
WINNETKA, IL 60035

**LESNIK
RESIDENCE**

FWC ARCHITECTS, INC.
303 WAUKEGAN AVENUE
HIGHWOOD, ILLINOIS 60040
TEL : (847)579-5200





PROPOSED SITE PLAN
SCALE: 1/16" = 1'-0"

 EXISTING TREE
TO REMAIN

 TREE TO BE
REMOVED

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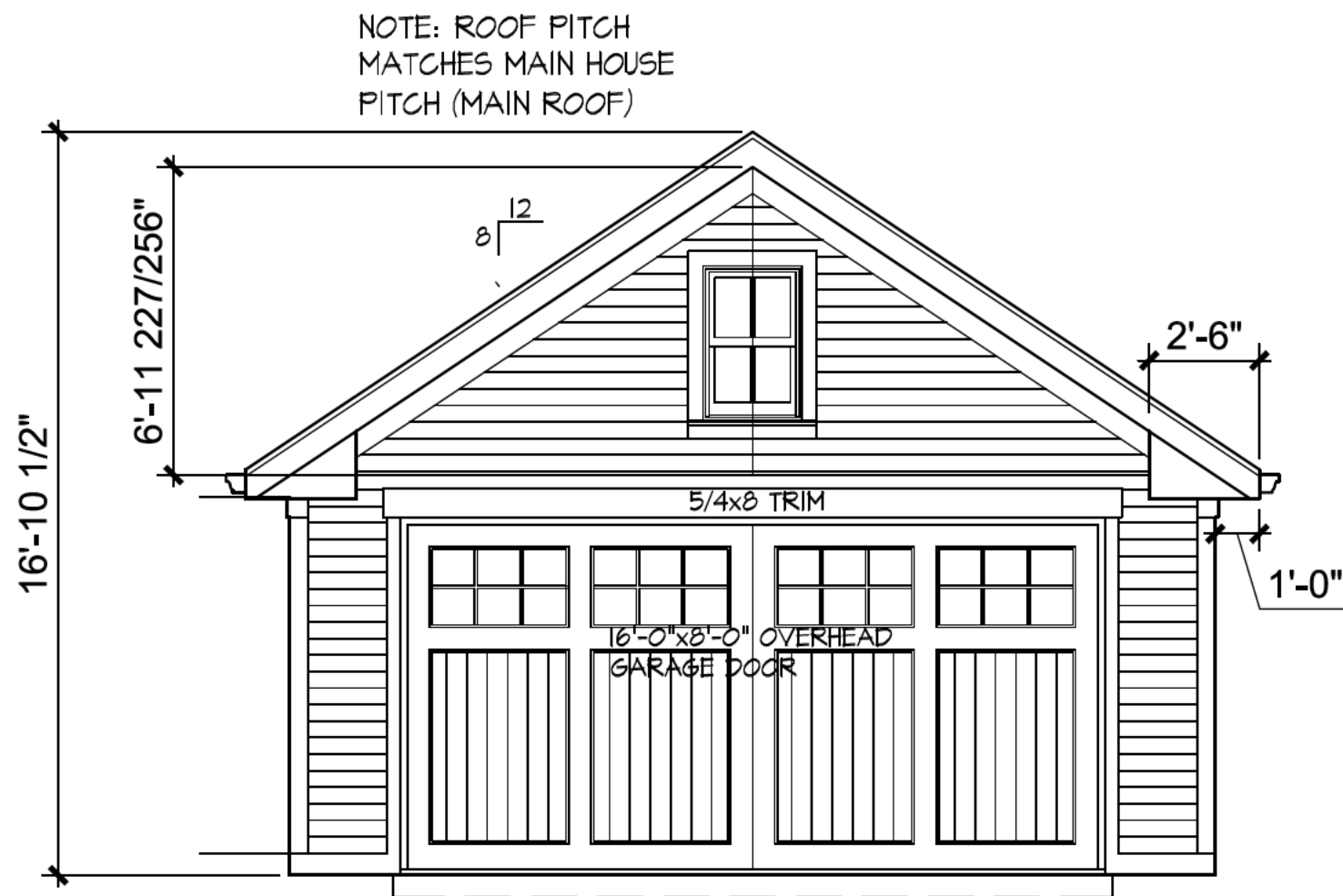


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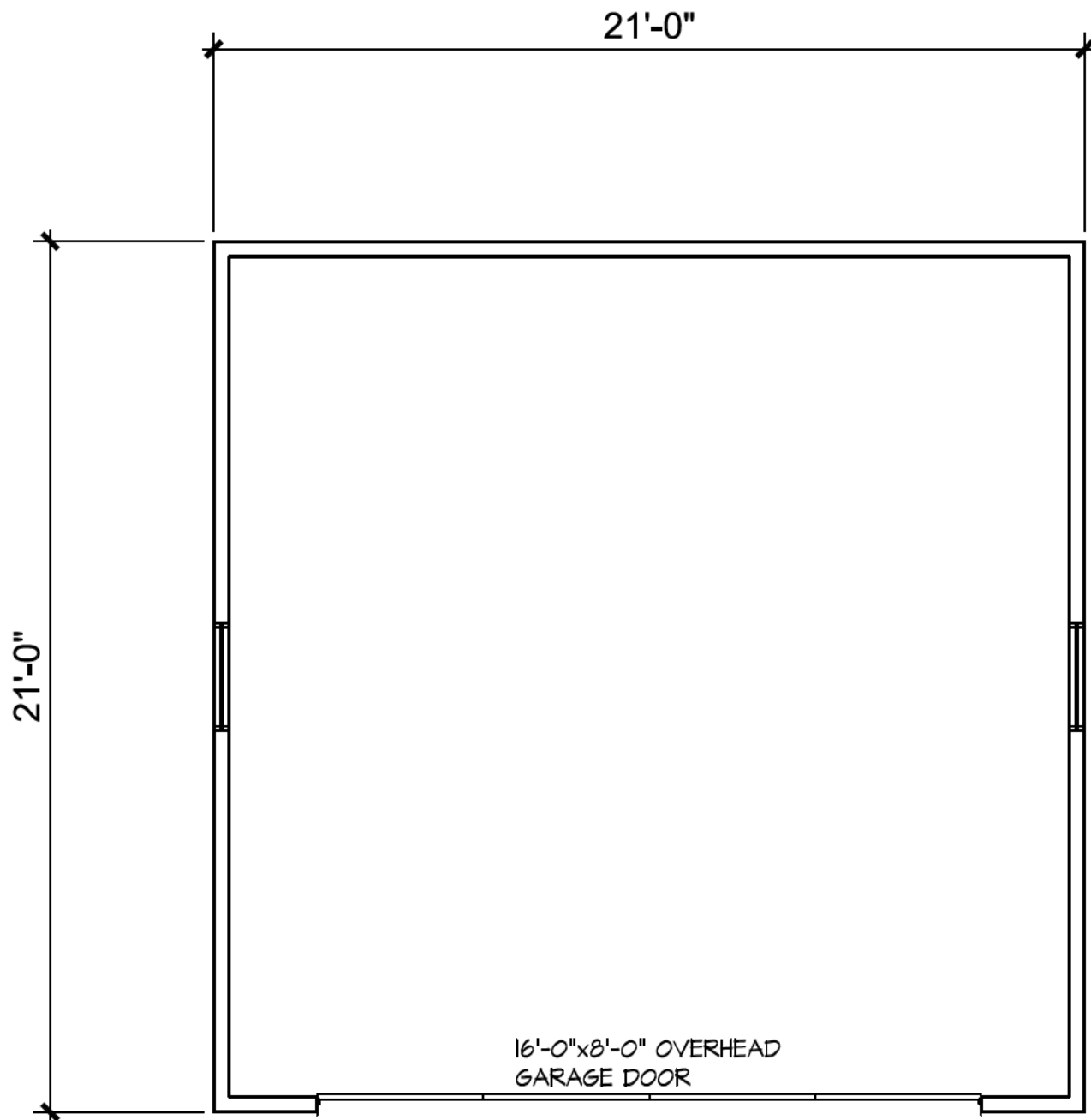
**LESNIK
RESIDENCE**
Page 161 of 185

A New Remodel for:
Judy Lesnik
1423 ASBURY
WINNETKA, IL 60093

COMM. NO.
DATE:
2/8/23



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

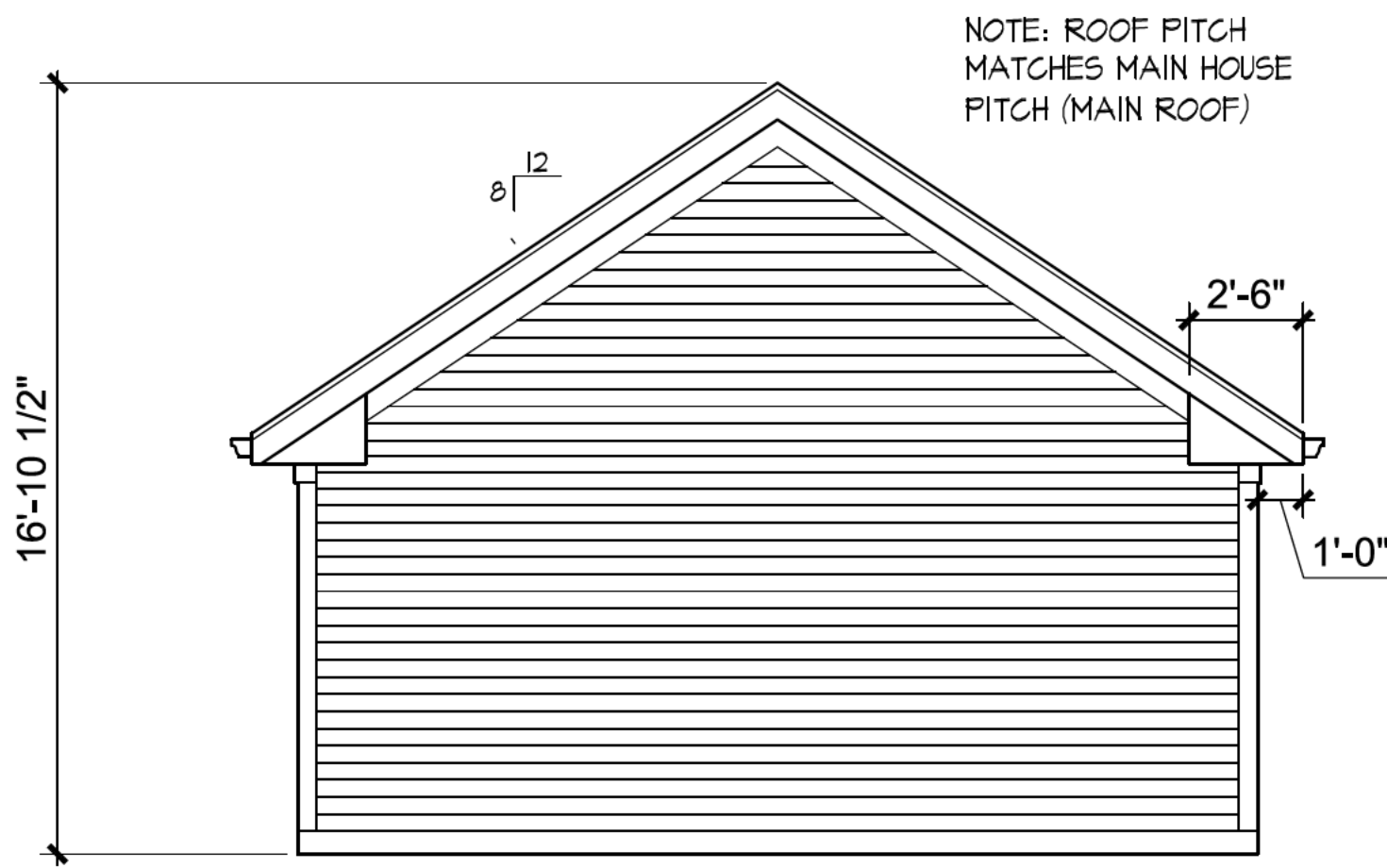


FWC ARCHITECTS, INC.
303 WAUKEGAN AVENUE
HIGHWOOD, ILLINOIS 60040
TEL : (847)579-5200

**LESNIK
RESIDENCE**

A New Remodel for:
Judy Lesnik
1423 ASBURY
WINNETKA, IL 60035

COMM. NO.
DATE:
2/23/23



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



LEFT & RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



FWC ARCHITECTS, INC.
303 WAUKEGAN AVENUE
HIGHWOOD, ILLINOIS 60040
TEL : (847)579-5200

**LESNIK
RESIDENCE**

A New Remodel for:
Judy Lesnik
1423 ASBURY
WINNETKA, IL 60035

COMM. NO.
DATE:
2/23/23

LESNIK RESUBDIVISION II

A RESUBDIVISION OF LOTS 1 AND 2 IN LESNIK RESUBDIVISION, IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDAIN, IN COOK COUNTY, ILLINOIS.

SURVEYOR

STATE OF ILLINOIS)
COUNTY OF COOK)SS

I, JASON R. DOLAND, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOTS 1 AND 2 IN LESNIK RESUBDIVISION, IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDAIN, IN COOK COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PROPERTY IS LOCATED IN WINNETKA, COOK COUNTY, ILLINOIS, WHICH HAS ADOPTED A CITY PLAN, AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE II OF THE ILLINOIS MUNICIPAL CODE, AS HERETOFORE AND HEREFTER AMENDED.

I FURTHER CERTIFY, BASED UPON THE FLOOD INSURANCE RATE MAP No. 17031C0232J, WITH EFFECTIVE DATE OF 08/19/08 THAT SAID PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

I HEREBY PERMIT A REPRESENTATIVE OF THE VILLAGE OF WINNETKA, IL TO RECORD THIS DOCUMENT.

DATED AT PALATINE, ILLINOIS THIS ____ DAY OF _____, 20____

REGISTERED ILLINOIS LAND SURVEYOR

OWNERS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

WE, _____ AND _____, HEREBY CERTIFIES THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON, AND HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN FOR THE USES AND PURPOSES THEREIN SET FORTH.

THIS ____ DAY OF _____, 20____

OWNER'S SIGNATURE ADDRESS:

OWNER'S SIGNATURE ADDRESS:

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK)SS

I, _____, A NOTARY PUBLIC, DO HEREBY CERTIFY THAT

_____, AND _____, OWNERS OF THE PROPERTY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THIS STATEMENT AS HIS FREE AND VOLUNTARY ACT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, 20____

NOTARY PUBLIC

VILLAGE OF BOARD OF TRUSTEES

STATE OF ILLINOIS)
COUNTY OF COOK) SS

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

THIS ____ DAY OF _____, 20____

VILLAGE PRESIDENT, WINNETKA, IL VILLAGE CLERK

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

APPROVED BY THE VILLAGE OF WINNETKA PLAN COMMISSION.

AT A MEETING HELD THE ____ DAY OF _____, 20____

CHAIR SECRETARY

SUBMITTED BY AND RETURN PLAT TO:

VILLAGE OF WINNETKA
DEPARTMENT OF COMMUNITY DEVELOPMENT
510 GREEN BAY ROAD
WINNETKA, ILLINOIS 60093

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, VILLAGE COLLECTOR OF THE VILLAGE OF WINNETKA, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR ANY DEFERRED INSTALLMENTS THEREON THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT OF CONSOLIDATION.

THIS ____ DAY OF _____, 20____

VILLAGE COLLECTOR

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

APPROVED THIS ____ DAY OF _____, 20____ BY THE VILLAGE OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

VILLAGE ENGINEER

WATER AND ELECTRIC DEPARTMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

APPROVED THIS ____ DAY OF _____, 20____ BY THE DIRECTOR OF THE WATER AND ELECTRIC DEPARTMENT OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

WATER AND ELECTRIC DIRECTOR

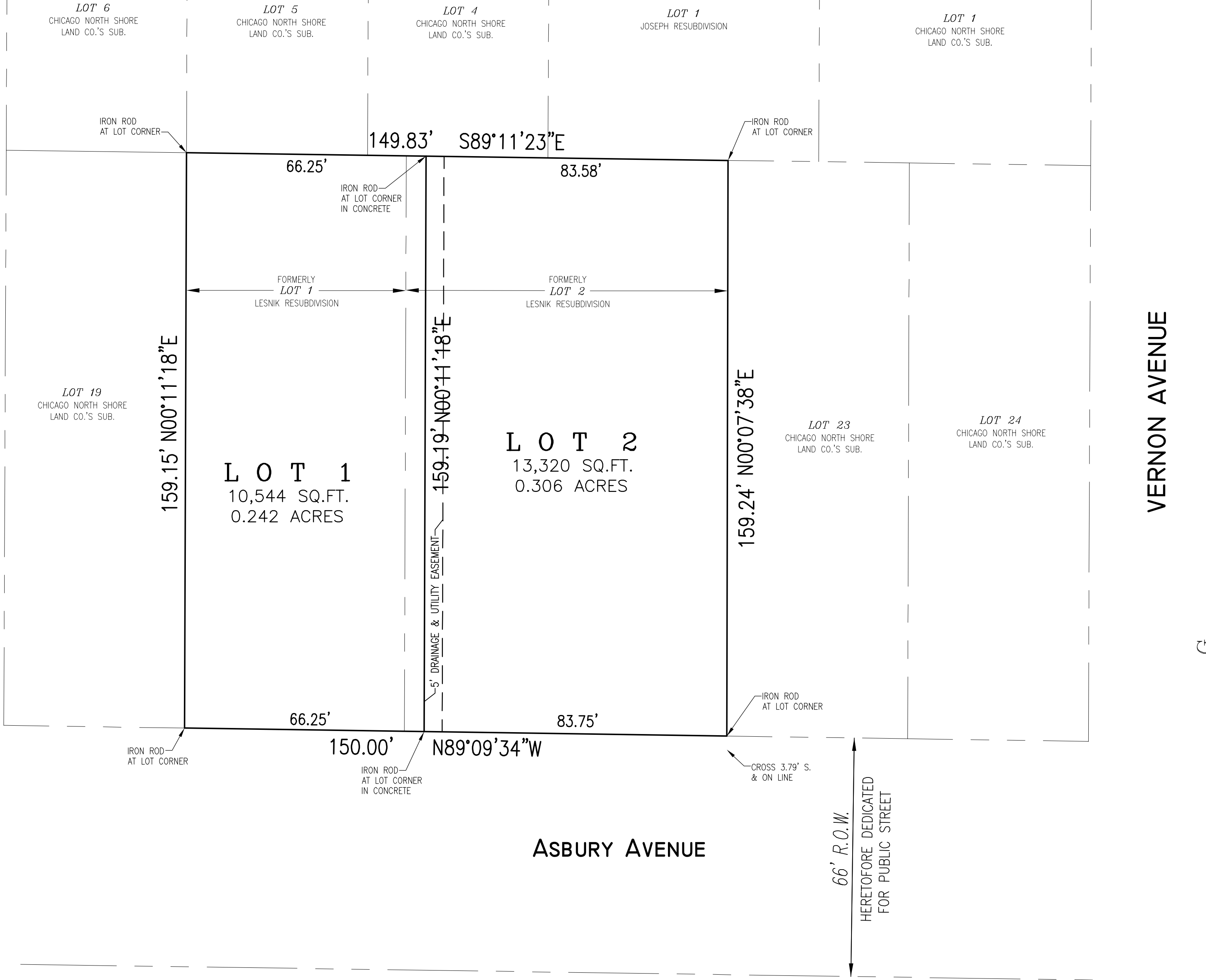
EASEMENT PROVISIONS

A PERMANENT, NON-EXCLUSIVE EASEMENT FOR LOTS 1 AND 2 WITH DRAINAGE IS HEREBY RESERVED FOR AND PROVIDED ON THE WESTERLY 5-FEET OF LOT 2 AS SHOWN HEREON. THIS EASEMENT ON LOT 1 IS FOR THE BENEFIT OF BOTH LOT 1 AND 2.

THE MAINTENANCE OF THIS DRAINAGE EASEMENT IS THE RESPONSIBILITY OF LOT 2. NO ALTERATIONS THAT WOULD OBSTRUCT OR INTERFERE WITH THE DRAIAGE ARE ALLOWED WITHIN SAID EASEMENT. IF THE OWNER OF LOT 2 FAILS TO MAINTAIN THE DRAINAGE, THEN THE VILLAGE SHALL HAVE THE RIGHT, BUT OBLIGATION, TO PERFORM ANY NECESSARY WORK OR REPAIRS TO RESTORE THE DRAINAGE FUNCTION WITHIN THE EASEMENT.

A PERMANENT, NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS AND TO THEIR SUCCESSORS AND ASSIGNS, IN, UPON, ACROSS, OVER, UNDER, AND THROUGH THE AREAS SHOWN BY DASHED LINES AND LABELED "DRAINAGE & UTILITY EASEMENT" ON THE ATTACHED PLAT OF SUBDIVISION FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTION, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING, AND MAINTAINING SWALES, DITCHES, STORM SEWERS, AND ANY AND ALL MANHOLES, PIPES, CONNECTIONS, CATCH BASINS, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATION AS MAY BE REQUIRED FOR DRAINAGE, AND STORM WATER STORAGE IN THE ATTACHED PLAT FOR THE NECESSARY PERSONAL AND EQUIPMENT TO DO ANY OR ALL OF THE ABOVE WORK. THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO SUCH FACILITIES, IN ON, UPON, OR, ACROSS, UNDER OR THROUGH SAID EASEMENTS. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SOME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS, PROVIDED, HOWEVER, THAT SUCH USE OF SAID EASEMENTS SHALL NOT CONFLICT OR INTERFERE WITH THE DRAINAGE IMPROVEMENTS AND ANY CONFLICTS IN USE SHALL BE SUBJECT TO THE APPROVAL OF THE VILLAGE.

ATTACHMENT B



EXISTING PROPERTY P.I.N'S

05-18-217-020-0000
05-18-217-019-0000

OCTOBER 06, 2022
Rev. FEBRUARY 07, 2023
FEBRUARY 24, 2023

PREPARED BY:
DOLAND ENGINEERING, LLC
-CIVIL ENGINEERING ~ LAND SURVEYING ~ LAND PLANNING-
334 EAST COLFAX STREET, SUITE C
PALATINE, ILLINOIS 60067
(847) 991-5088
(847) 934-3427-FAX



VILLAGE OF WINNETKA

Incorporated in 1869

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, do hereby certify that I am the duly appointed, qualified and Deputy Village Clerk of the Village of Winnetka, Cook County, Illinois (the "Village") and as such officer I am the keeper of the official journal of proceedings, books, records, minutes, and files of the Village and of the Council (the "Village Council") thereof.

I do further certify that attached hereto is a full, true, and complete copy of an Ordinance entitled:

ORDINANCE NO. M-4-2021

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND GRANTING A VARIATION FROM THE WINNETKA ZONING ORDINANCE (1415 and 1423 Asbury Avenue)

Adopted by the Winnetka Village Council on January 5, 2021.

I do further certify that the deliberations of the Council on the adoption of said Ordinance were taken openly; that the vote on the adoption of said Ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all of the news media requesting such notice of said meeting; that said meeting was called and held in strict accordance with the provisions of the Open Meetings Act of the State of Illinois, as amended; and that the Council have complied with all of the applicable provisions of said Act, their procedural rules and the Village charter in the adoption of said Ordinance.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the Village this 7th day of 2021.

[SEAL]

By: 
Kristin Kazenas
Deputy Village Clerk

510 Green Bay Road, Winnetka, Illinois 60093

**VILLAGE OF WINNETKA
COOK COUNTY, ILLINOIS**

ORDINANCE NO. M-4-2021

**AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION
AND GRANTING A VARIATION FROM THE WINNETKA ZONING
ORDINANCE
(1415 and 1423 Asbury Avenue)**

PASSED AND APPROVED by the
President and Board of Trustees
of the Village of Winnetka,
Cook County, Illinois, this
5th day of January, 2021.

PUBLISHED IN PAMPHLET FORM
by authority of the President
and Board of Trustees of the
Village of Winnetka, Cook
County, Illinois, this 8th day of
January, 2021.

ORDINANCE NO. M-4-2021

**AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND
GRANTING A VARIATION FROM THE WINNETKA ZONING ORDINANCE
(1415 and 1423 Asbury Avenue)**

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, Judy Lesnik ("*Applicant*"), is the record title owner of the adjoining parcels of real property commonly known as 1423 Asbury Avenue ("*Lot 1*"), and 1415 Asbury Avenue ("*Lot 2*"), each measuring approximately 11,933 square feet, in Winnetka, Illinois, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance (Lots 1 and 2 are, collectively, the "*Subject Property*"); and

WHEREAS, the Subject Property is located within the R-5 Single Family Residential District of the Village ("*R-5 District*"); and

WHEREAS, the Subject Property consists of three lots of record created by the Chicago North Shore Company's Subdivision ("*Prior Plat*"); and

WHEREAS, the Applicant desires to relocate the property line between Lot 1 and Lot 2 approximately 14.2 feet to the west, and resubdivide Lots 20, 21, and 22 of the Prior Plat into two new lots of record ("*Proposed Subdivision*"); and

WHEREAS, the Applicant further desires, upon approval of the Proposed Subdivision, to demolish the improvements on Lot 1, and construct a detached garage in the northwest corner of Lot 2 ("*Proposed Garage*"); and

WHEREAS, pursuant to Section 17.30.040 of the Zoning Ordinance, Lot 2 in the Proposed Subdivision may not exceed 4,523.79 square feet in gross floor area; and

WHEREAS, the Proposed Garage, together with the existing improvements on Lot 2, would total 7,095.56 square feet in gross floor area, in violation of Section 17.30.040 of the Zoning Ordinance; and

WHEREAS, Lot 2 currently has a legal nonconforming front yard setback of 42.65 feet and a legal nonconforming front yard lot coverage of approximately 924.73 square feet (collectively, "*Legal Nonconformities*"); and

WHEREAS, the Applicants filed an application with the Village for: (i) approval of a final plat of subdivision for the Proposed Subdivision ("*Final Plat*"); and (ii) a zoning variation from Section 17.30.040 of the Zoning Ordinance to increase allowable gross floor area of Lot 2 by 2,571.77 square feet ("*Variation*") (collectively, the "*Requested Relief*"); and

WHEREAS, on September 23, 2020, after due notice thereof, the Winnetka Plan Commission held a public hearing on the proposed Final Plat, which public hearing was continued to October 28, 2020; and

WHEREAS, pursuant to Section 16.12.010.D.4 of the Winnetka Village Code, as amended, the Plan Commission determined that the Legal Nonconformities, in the context of the proposed Final Plat, would not result in a material increased adverse impact upon the public health, safety, or welfare; and

WHEREAS, on October 28, 2020, the Plan Commission, by a vote of six members in favor and none opposed, recommended that the Council of the Village of Winnetka ("**Village Council**") approve the Final Plat; and

WHEREAS, on September 14, 2020, after due notice thereof, the Zoning Board of Appeals conducted a public hearing on the Variation, which public hearing was continued until October 12, 2020, and, by a vote of five members in favor and none opposed, recommended that the Village Council approve the Variation; and

WHEREAS, while Lot 2 will remain nonconforming to the Zoning Ordinance, pursuant to Section 16.12.010(D) of the "Winnetka Village Code of 1999," as amended ("**Village Code**"), such nonconformities, in the context of the Requested Relief, will not result in a material increased adverse impact upon the public health, safety or welfare; and

WHEREAS, the Village Council has determined that it is in the best interest of the Village to approve the Requested Relief, subject to and in strict accordance with the terms and conditions of this Ordinance;

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

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

SECTION 2: APPROVAL OF FINAL PLAT. Subject to and contingent upon the conditions set forth in Section 4 of this Ordinance, and pursuant to Sections 16.04.030 and 16.08.010 of the Subdivision Ordinance and the Village's home rule authority, the Village Council hereby approves the Final Plat, prepared by Doland Engineering, LLC, and consisting of one sheet, with a latest revision date of September 23, 2020, attached to and, by this reference, made a part of this Ordinance as **Exhibit B**.

SECTION 3: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, the Variation from Section 17.30.040 of the Zoning Ordinance is hereby granted, 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 Approvals granted by Sections 2 and 3 of this Ordinance are subject to, and contingent upon, compliance by the Applicant with the following conditions:

- A. **Compliance with Subdivision Ordinance.** The approvals granted in Section 2 and 3 of this Ordinance are subject to and conditioned upon compliance with, and the inclusion of all of the information on the Final Plat required by Chapter 16.08 of the Subdivision Ordinance.
- B. **Compliance with Plans.** The development, use, and maintenance of the Proposed Garage on the Subject Property must be in general accordance with the plans prepared by FWC Architects, Inc., consisting of seven (7) sheets, prepared on September 24, 2020, 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), copies of which are attached to, and by this reference, made part of this Ordinance as **Exhibit C ("Plans")**.
- C. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Subdivision 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.
- D. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, Ordinances, 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.

SECTION 5: EXECUTION OF FINAL PLAT. The Village Council hereby authorizes and directs the Village President and the Village Clerk, upon satisfaction of the conditions set forth in Section 4 of this Ordinance, to execute and attest, on behalf of the Village, the Final Plat.

SECTION 6: RECORDATION OF FINAL PLAT. Upon execution of the Final Plat by the Village President and the Village Clerk, as provided in Section 5 of this Ordinance, the Village Clerk is hereby directed to cause the Final Plat to be recorded in the office of the Cook County Recorder of Deeds.

SECTION 7: RECORDATION OF ORDINANCE; 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 their heirs, representatives, successors, and assigns.

SECTION 8: 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 Section 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 Section 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 9: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 10: 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 11: EFFECTIVE DATE.

A. This Ordinance will be in full force and effect from and after its passage and approval as provided by law.

B. The Approvals set forth in Sections 2 and 3 of this Ordinance will be effective only upon: (i) the filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit D** 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; and (ii) the approval and recording of the Final Plat.

C. 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 11.B 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 the Approvals granted in this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this 5th day of January, 2021 pursuant to the following roll call vote:

AYES: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier and Swierk

NAYS: None

ABSENT: None

APPROVED this 5th day of January 2021.

Signed:


Village President

Countersigned:


Village Clerk

Published by authority of the President
and Board of Trustees of the Village of
Winnetka, Illinois, this 8th day of
January 2021.

Introduced: Waived

Passed and Approved: January 5, 2021

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 1:

LOT 20 AND THE WEST 1/2 OF LOT 21 IN BLOCK 22 IN CHICAGO NORTH SHORE LAND CO.'S SUBDIVISION IN SECTIONS 17 AND 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN.

P.I.N. 05-18-217-019-000

Commonly known as 1423 Asbury Avenue, Winnetka, Illinois.

LOT 2:

THE EAST 1/2 OF LOT 21 AND ALL OF LOT 22 IN BLOCK 22 IN CHICAGO NORTH SHORE LAND COMPANY'S SUBDIVISION IN SECTIONS 17 AND 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 05-18-217-020-0000

Commonly known as 1415 Asbury Avenue, Winnetka, Illinois.

EXHIBIT B
FINAL PLAT
(SEE ATTACHED EXHIBIT B)

January 5, 2021

7

M-4-2021

LESNIK RESUBDIVISION

A RESUBDIVISION OF LOTS 20, 21 AND 22 IN CHICAGO NORTH SHORE CO.'S SUBDIVISION, IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SURVEYOR

STATE OF ILLINOIS
COUNTY OF COOK

I, ANDREW B. BILMIRE, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND BOUNDARIES THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1
LOT 20 AND THE WEST HALF OF LOT 21 IN CHICAGO NORTH SHORE LAND CO.'S SUBDIVISION, BEING A SUBDIVISION OF SECTION 17 & 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 18, 1991 AS DOCUMENT 291709, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2
LOT 22 AND THE EAST HALF OF LOT 21 IN CHICAGO NORTH SHORE LAND CO.'S SUBDIVISION, BEING A SUBDIVISION OF SECTION 17 & 18, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 18, 1991 AS DOCUMENT 291709, ALL IN COOK COUNTY, ILLINOIS.

I, FURTHER CERTIFY THAT THE PROPERTY IS LOCATED IN WILMETHIA, COOK COUNTY, ILLINOIS, WHICH HAS ADOPTED A CITY PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY SECTION 32 OF ARTICLE I OF THE ILLINOIS CONSTITUTION, AS HEREINAFTER AND HEREBY REFERRED.

I, FURTHER CERTIFY, BASED UPON THE ALIAS REQUIREMENTS SET FORTH IN 175 ILCS 0/05, WITH EFFECTIVE DATE OF JANUARY 1, 2000, THAT THE PROPERTY DOES NOT LIE WITHIN A SPECIAL PLANNING AREA.

I, FURTHER CERTIFY A REPRESENTATIVE OF THE VILLAGE OF WILMETHIA, I DO RECORD THIS DOCUMENT.

DATED AT WILMETHIA, ILLINOIS THIS ____ DAY OF _____, 20____.

REGISTERED LAND SURVEYOR

OWNERS CERTIFICATE

STATE OF ILLINOIS
COUNTY OF COOK

WE, _____ AND _____, PERSONS CERTIFIED THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON, AND HAVE CAUSED THIS PROPERTY TO BE SURVEYED AND BOUNDARIES AS SHOWN ON THE PLAT HEREON SHOWN FOR THE VEST AND PURPOSES THEREIN SET FORTH.

THIS ____ DAY OF _____, 20____.

OWNER'S SIGNATURE

ADDRESS

OWNER'S SIGNATURE

ADDRESS

NOTARY CERTIFICATE

STATE OF ILLINOIS
COUNTY OF COOK

I, _____, A NOTARY PUBLIC, DO HEREBY CERTIFY THAT

_____ AND _____, OWNERS OF THE PROPERTY

APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT AS HIS FREE AND VOLUNTARY ACT.

WITNESSETH MY HAND AND NOTARY SEAL THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC

VILLAGE OF BOARD OF TRUSTEES

STATE OF ILLINOIS
COUNTY OF COOK

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILMETHIA, COOK COUNTY, ILLINOIS.

THIS ____ DAY OF _____, 20____.

VILLAGE PRESIDENT, WILMETHIA, IL

VILLAGE CLERK

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS
COUNTY OF COOK

APPROVED BY THE VILLAGE OF WILMETHIA PLAN COMMISSION.

AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

CHAIR

SECRETARY

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS
COUNTY OF COOK

I, _____, VILLAGE COLLECTOR OF THE VILLAGE OF WILMETHIA, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID OR UNPAID CHARGES OR UNPAID SPECIAL ASSESSMENTS, OR ANY OTHER FINANCIAL OBLIGATIONS THAT HAVE BEEN APPROPRIATED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT OF CONVEYANCE.

THIS ____ DAY OF _____, 20____.

VILLAGE COLLECTOR

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS
COUNTY OF COOK

APPROVED THIS ____ DAY OF _____, 20____, BY THE VILLAGE OF THE VILLAGE OF WILMETHIA, COOK COUNTY, ILLINOIS.

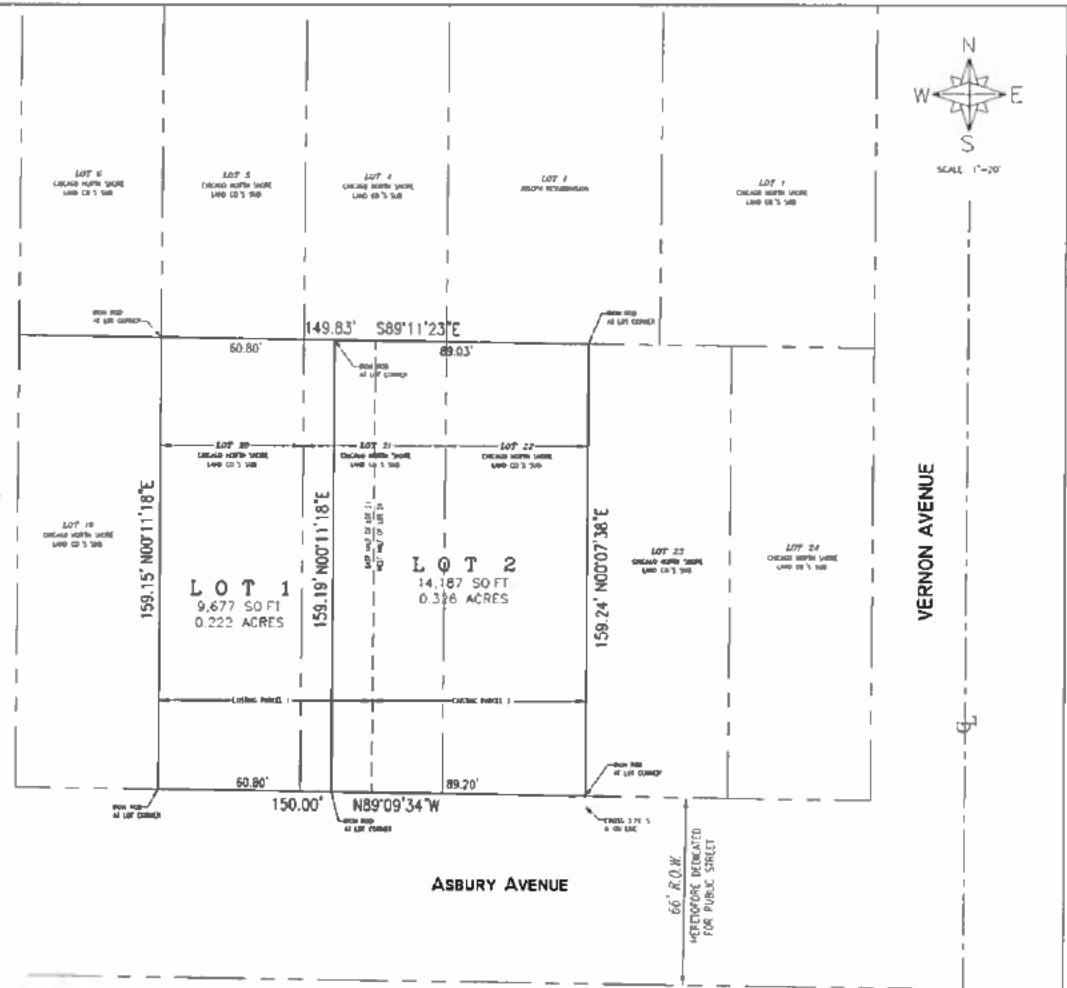
VILLAGE ENGINEER

WATER AND ELECTRIC DEPARTMENT CERTIFICATE

STATE OF ILLINOIS
COUNTY OF COOK

APPROVED THIS ____ DAY OF _____, 20____, BY THE DIRECTOR OF THE WATER AND ELECTRIC DEPARTMENT OF THE VILLAGE OF WILMETHIA, COOK COUNTY, ILLINOIS.

WATER AND ELECTRIC DIRECTOR

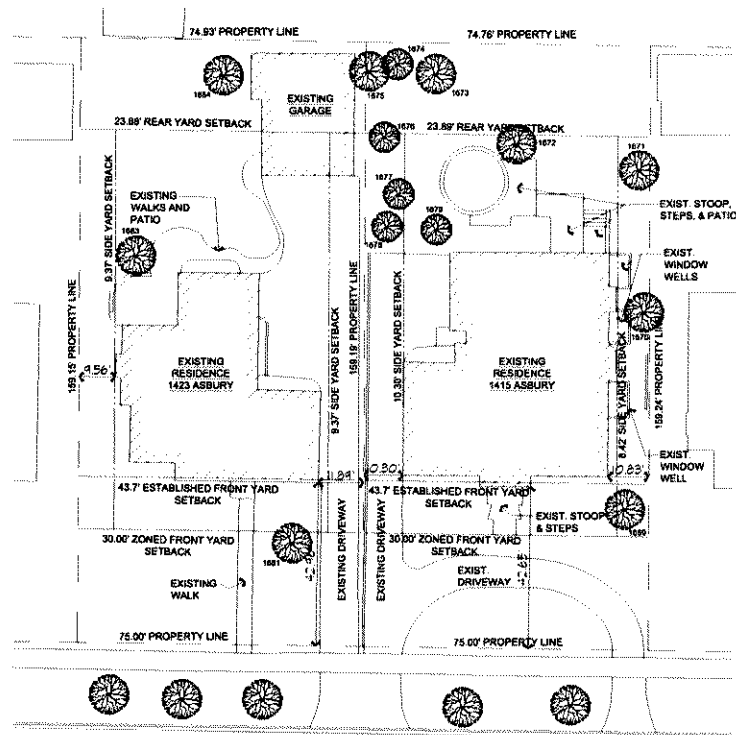


SUBMITTED BY AND RETURN PLAT TO:

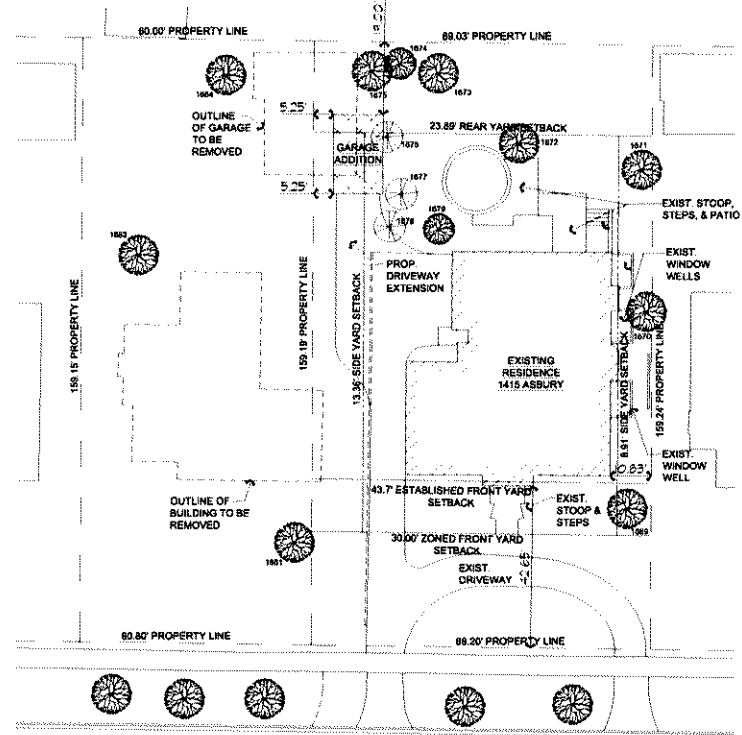
VILLAGE OF WILMETHIA
DEVELOPMENT & COMMUNITY DEVELOPMENT
510 CROWN HILL ROAD
WILMETHIA, ILLINOIS 60091

PREPARED BY
DOLAND ENGINEERING, LLC
CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING
134 EAST COLUMBIA STREET, SUITE C
PRAIRIE, ILLINOIS 60077
(847) 391-1000
(847) 391-1427 FAX
REV. 23, 2019
REV. MAY 1, 2020
REV. JUNE 8, 2020
REV. SEPTEMBER 24, 2020

EXHIBIT C
PLANS OF PROPOSED GARAGE
(SEE ATTACHED EXHIBIT C)



EXISTING SITE PLAN
SCALE: 1" = 16'-0"



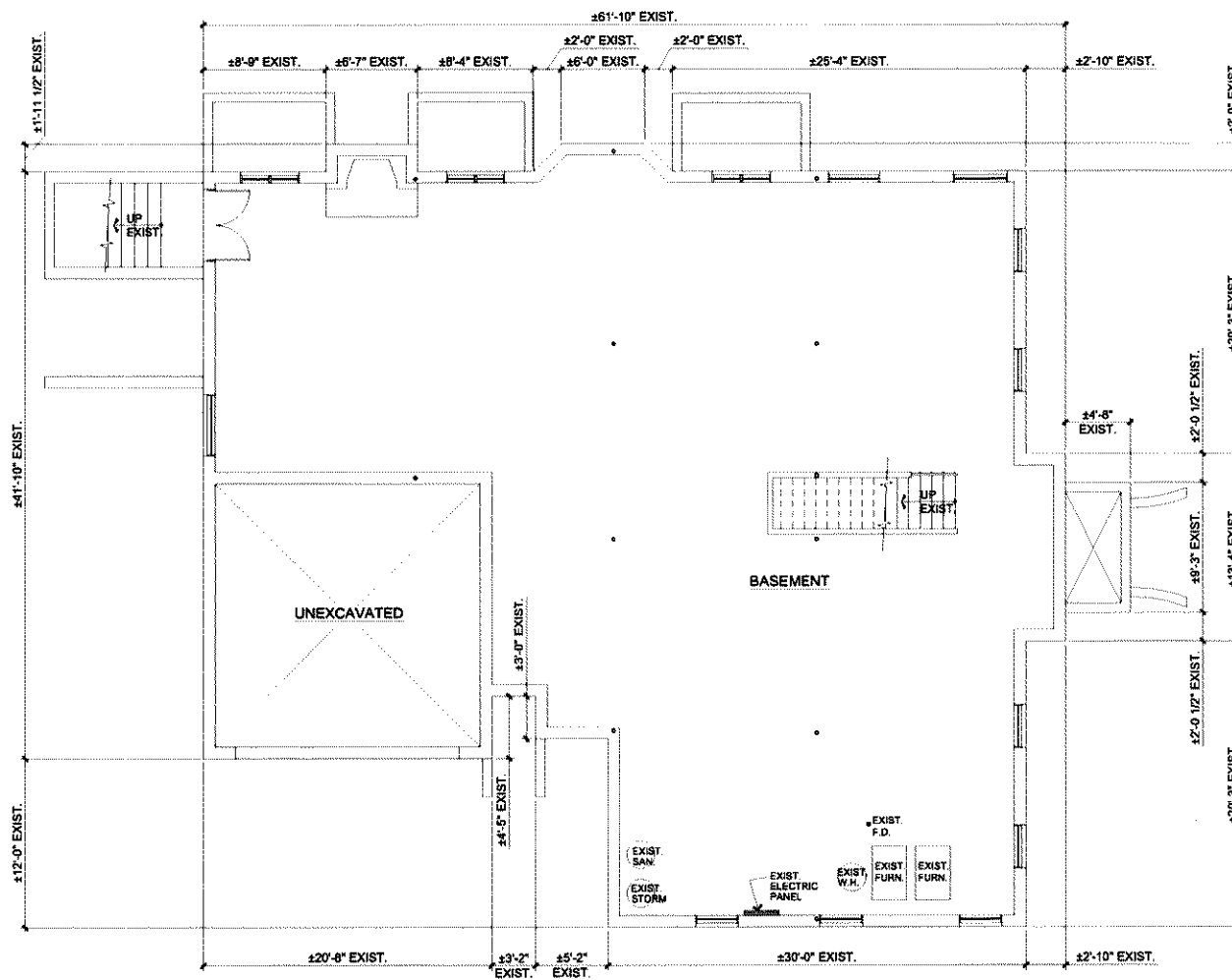
PROPOSED SITE PLAN
SCALE: 1" = 16'-0"

TREE SURVEY 1415 & 1423 ASBURY AVENUE

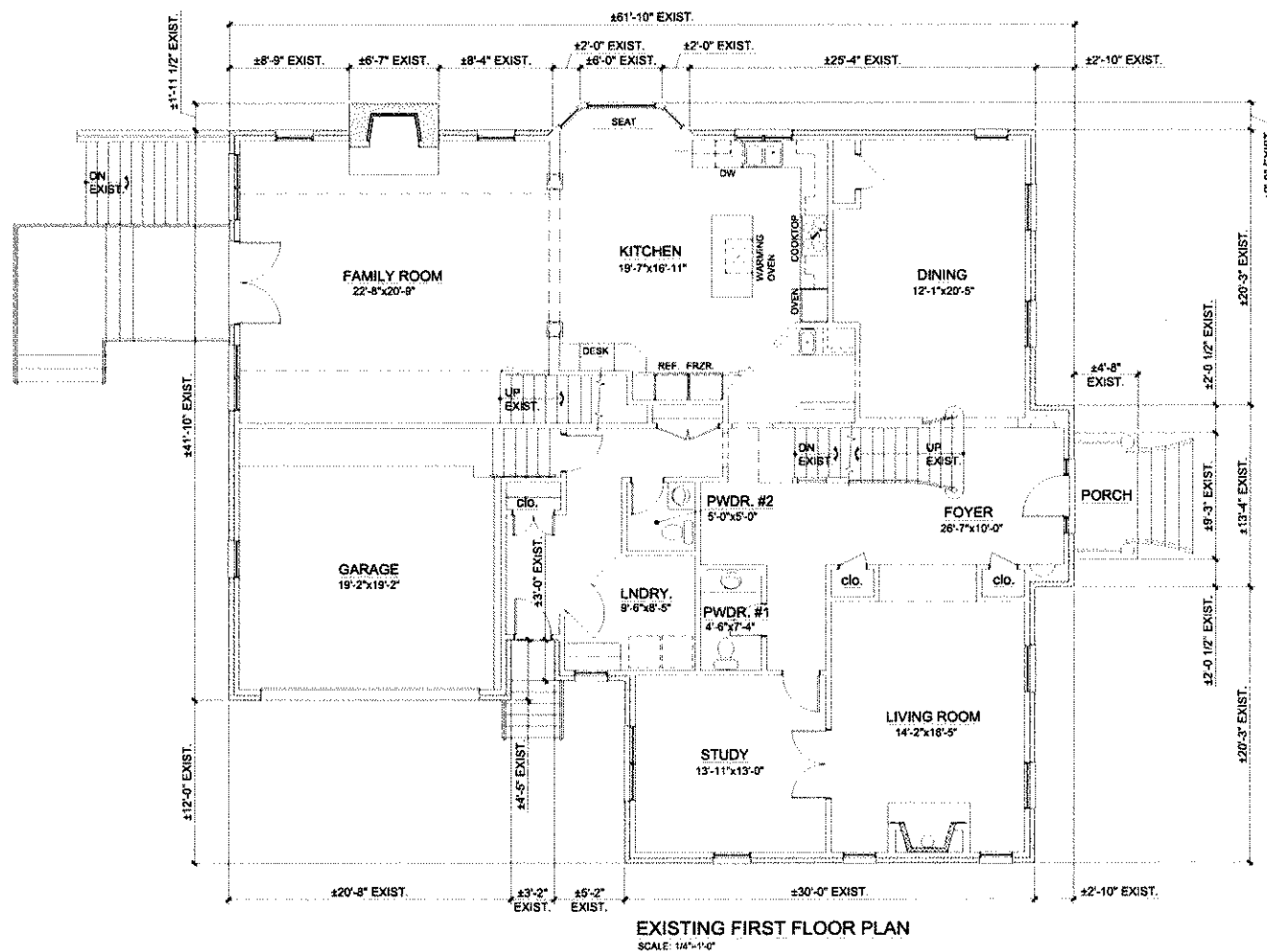
TAG #	Location	SPECIES	DBH	CONDITION	NOTES
No Tag	Parkway	Yellow Buckeye	6	Good	
No Tag	Parkway	Freeman Maple	12	Good	
No Tag	Parkway	Blue Beech	9	Fair	
No Tag	Parkway	Hurt Oak	55	Good	
No Tag	Parkway	Freeman Maple	9	Good	
No Tag	Southeast corner of 1409	Elm	19	Poor	Neighbor's property
1669	Southeast corner of 1415	Magnolia	16	Good	
1670	East of 1415	Norway Maple	11	Good	
1671	1415 backyard, east property line	Mulberry	11	Good	
1672	Center of 1415 backyard	Green Ash	29	Fair	
1673	Northwest corner of 1415 backyard	Norway Spruce	11	Good	
1675	Northwest corner of 1415 backyard	Red Oak	21	Good	
1674	Northwest corner of 1415 backyard	Norway Spruce	8	Good	
No Tag	North of 1415 garage, on neighbor's property	Red Maple	13	Good	1418 Scott
1676	1415 backyard, west property line	Norway Spruce	8	Good	
1677	Northwest corner of 1415	Norway Spruce	7	Good	
1678	Northwest corner of 1415	Norway Spruce	8	Good	
1679	Northwest corner of 1415	Norway Spruce	10	Good	
1680	Southwest corner of 1415	Redbud	19	Good	
1681	Southeast corner of 1421	Blue Spruce	14	Fair	
1682	Southwest corner of 1423	River Birch	15	Poor	
1683	Northwest corner of 1423	River Birch	21	Good	Double Trunk
1684	1423 backyard	Burr Oak	28	Good	

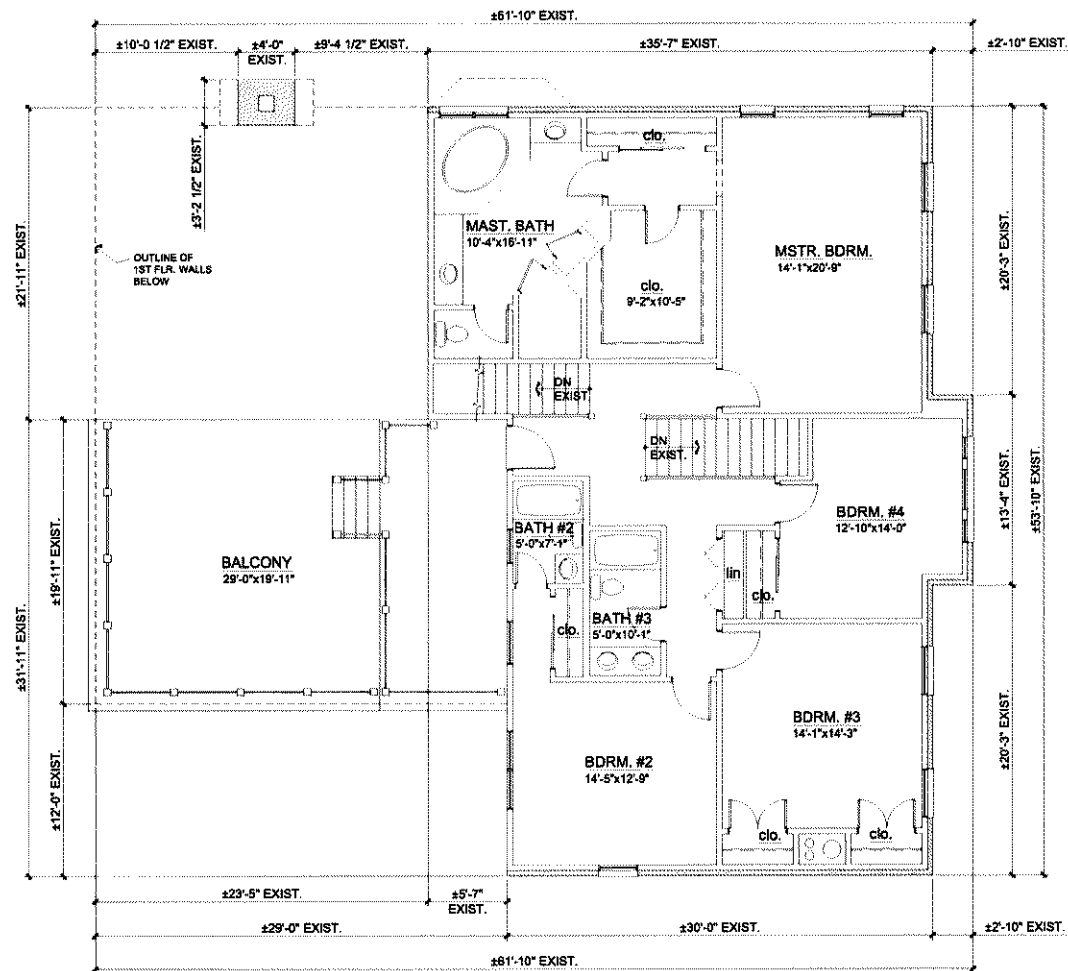
David Conrad Board Certified Master Arborist-0158

Date: 8/13/16



EXISTING FOUNDATION / BASEMENT PLAN
SCALE: 1/4"=1'-0"



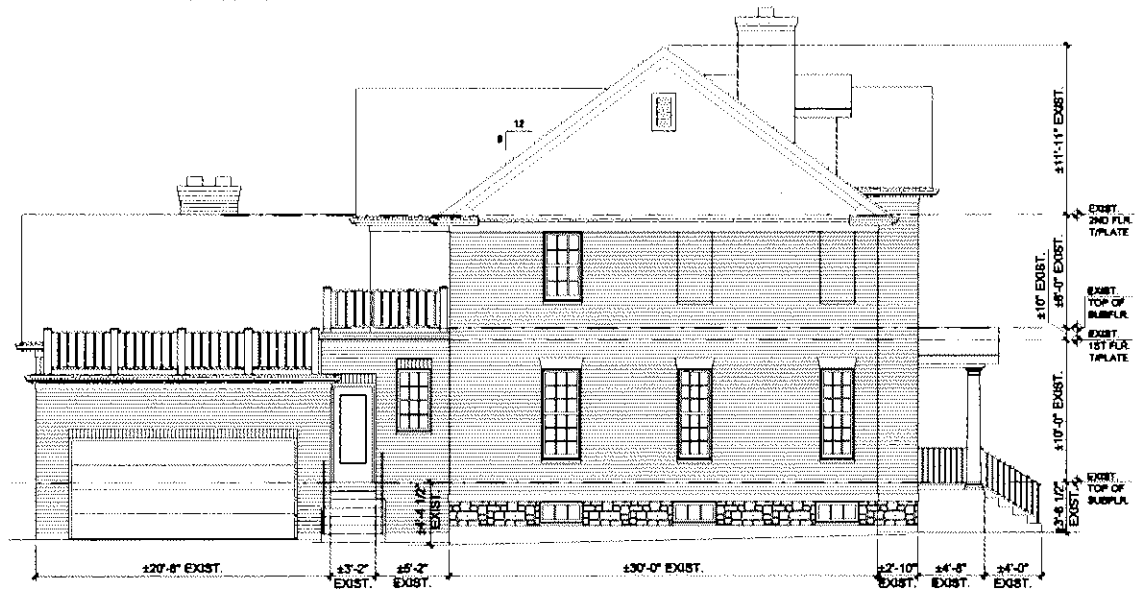


EXISTING SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

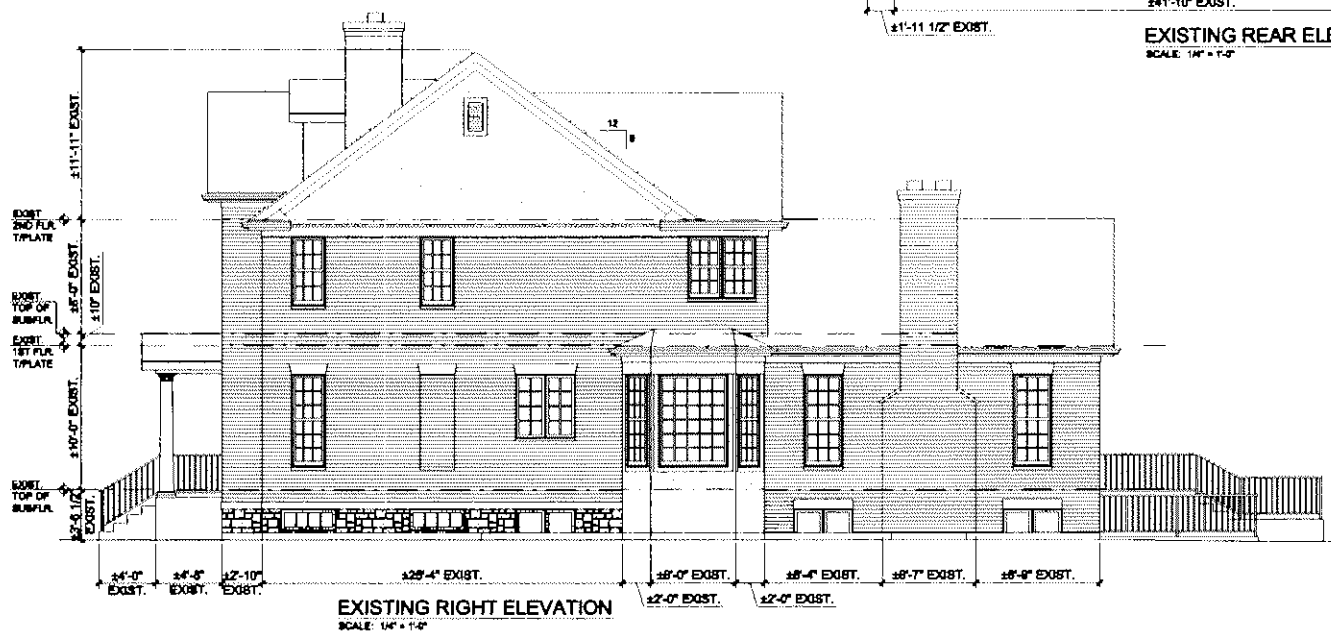




EXISTING FRONT ELEVATION
SCALE: 1/4" = 1'-0"



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



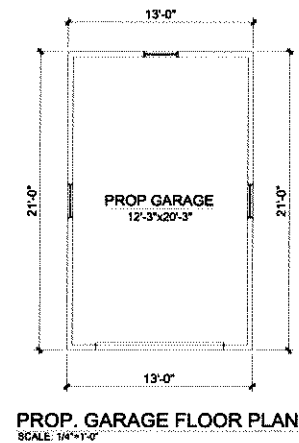
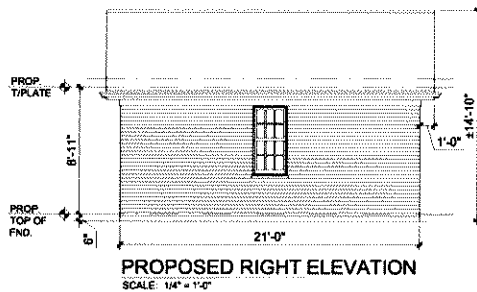
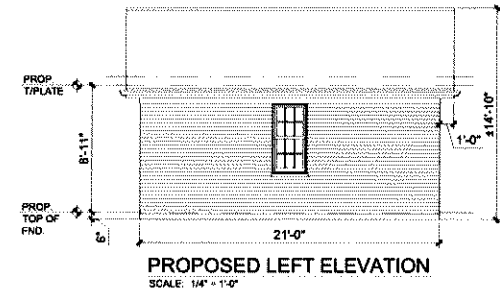
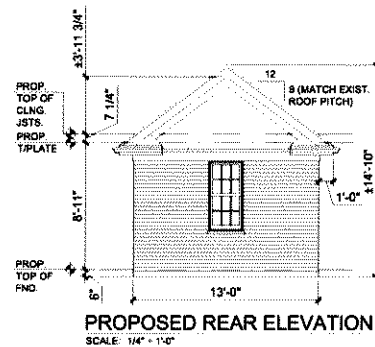
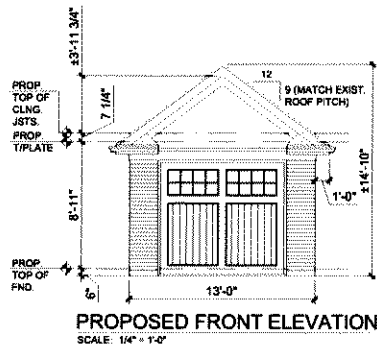




EXHIBIT D

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Judy Lesnik ("**Applicant**"), is the record title owner of the adjoining parcels of real property commonly known as 1423 Asbury Avenue ("**Lot 1**"), and 1415 Asbury Avenue ("**Lot 2**"), each measuring approximately 11,933 square feet, in Winnetka, Illinois, ("**Subject Property**"); and

WHEREAS, the Subject Property consists of three lots of record created by the Chicago North Shore Company's Subdivision ("**Prior Plat**"); and

WHEREAS, the Applicant desires to relocate the property line between Lot 1 and Lot 2 approximately 14.2 feet to the west, and subdivide Lots 20, 21, and 22 of the Prior Plat into two new lots of record ("**Proposed Subdivision**"); and

WHEREAS, the Applicant filed an application with the Village for: (i) approval of a final plat of subdivision for the Proposed Subdivision ("**Final Plat**"); and (ii) a zoning variation from Section 17.30.040 of the Zoning Ordinance to increase the allowable gross floor area for Lot 2 by 2,571.77 ("**Variation**") (collectively, the "**Requested Relief**"); and

WHEREAS, Ordinance M-04-2021, adopted by the Village Council on January 5, 2021 ("**Ordinance**"), approved the Requested Relief; and

WHEREAS, Section 11 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, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant hereby agrees and covenants as follows:

1. The Applicant hereby unconditionally agrees 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 approval of the Final Plat and grant of the Variation 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 hereby agrees 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 approving the Final Plat and granting the Variation.

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: 1/15, 2021

JUDY LESNIK



ATTEST:

By: 
Keith Jacobs

Dated: January 15, 2021