

**WINNETKA PLAN COMMISSION MEETING MINUTES
MARCH 22, 2023**

Members Present:

Bridget Orsic, Chairperson
Matthew Bradley
Mamie Case
John Golan
Chris Foley
Liz Kunkle

Members Absent:

Jonathan Alt
Layla Danley

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.

Approval of Minutes:

a. February 15, 2023, Special Meeting Minutes

Chairperson Orsic asked for a motion to approve the February 15, 2023, special meeting minutes. Mr. Bradley moved to approve the February 15, 2023, special meeting minutes. The motion was seconded by Ms. Case. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Case, Golan, Foley, Kunkle, Orsic

NAYS: None

NON-VOTING: None

b. February 22, 2023, Regular Meeting Minutes

Chairperson Orsic asked for a motion to approve the February 22, 2023, meeting minutes. Ms. Case made a motion to approve the February 22, 2023, meeting minutes. Mr. Bradley seconded the motion. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Case, Golan, Foley, Kunkle, Orsic

NAYS: None

NON-VOTING: None

c. March 1, 2023, Special Meeting Minutes

Chairperson Orsic asked for a motion to approve the March 1, 2023, special meeting minutes. Mr. Foley moved to approve the March 1, 2023, special meeting minutes. The motion was seconded by Ms. Kunkle. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Case, Golan, Foley, Kunkle, Orsic

NAYS: None

NON-VOTING: None

Public Comments:

No comments were made at this time.

Community Development Report:

Mr. Schoon referred to the North Shore Country Day School special use permit and stated the Village Council would consider it at their April 3, 2023, meeting. He also stated the Village Council would consider the introduction of an ordinance adopting the new Comprehensive Plan. Mr. Schoon stated the Village Council asked for the addition of a goal related to lakefront development and initiatives to study and consider development regulations. Mr. Bradley asked if the consultants' involvement is complete. Mr. Schoon stated once the Plan is adopted, the consultant's contract ends and indicated if they need additional assistance from them, they can use their services or if certain projects require their assistance in connection with a future RFP.

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.**

Ms. Klaassen read the agenda item's description into the record. She then identified the site's location and proposed addition's location, zoning classification and proposed improvements included as part of the project noting the setback for the proposed addition would be conforming to the setback. Ms. Klaassen also stated the applicant is working with the Village Engineer to comply with storm water regulations including the installation of an underground storm water storage tank to manage storm water onsite. She then described the proposed addition's size and mechanical equipment enclosure and referred to renderings of the west elevation and an aerial view. She noted the request required zoning variations with the ZBA providing a recommendation of approval with the ZBA's discussion focusing on the additional impermeable lot coverage in light of the fact that zoning relief was needed for the playground improvement approved last year. Ms. Klaassen informed the Commission the School District put those plans on hold at this time and submitted a letter requesting that approval of the playground improvements be rescinded. She stated the DRB considered the request at their last meeting and recommended approval with the condition that landscaping be provided along the walls of the mechanical equipment enclosure.

Ms. Klaassen stated two public comments were received and were included in the agenda packet. She then stated following the applicant's presentation, public comment and Commission discussion, the Commission may wish to make a motion, a draft is provided on page nos. 29 and 30 of the agenda packet. She then asked if there were any questions. Mr. Foley asked if the playground equipment is not part of this application and Ms. Klaassen confirmed that is correct. No additional questions were raised at this time.

Chairperson Orsic asked for the applicant's presentation. Brad Goldstein, School District 36 CFO, stated their primary focus is the addition along with interior renovations and then described the improvements. He stated following complaints relating to their composting program, it would be enclosed along with their recycling and regular garbage in the new enclosure. Mr. Goldstein then stated they would come back before the Commission in connection with the playground equipment installation in terms of its location. He introduced the team who are available to answer questions. Mr. Goldstein added their

1 current lunchroom is in the auditorium which takes away valuable space from students and staff with the
2 proposed addition allowing them to address these issues as well as dampen noise and allow space for
3 additional programming. Mr. Goldstein asked if there were any questions.
4

5 Mr. Golan questioned the relocation of the current refuse containers, and Mr. Goldstein described how
6 the refuse area would be contained in the proposed enclosure. He added the school does not currently
7 have a generator and they plan to install generators at all of the schools. Chairperson Orsic questioned
8 the storm water storage tank and its capacity and function. Kevin Camino, Eriksson Engineering, explained
9 how the controlled storm water system would be used.
10

11 Chairperson Orsic swore in those speaking to this matter. She then questioned the proposed landscaping
12 plans. Mr. Goldstein responded they would work with their landscape architect, Katherine Talty, on the
13 landscaping plans which would allow for access to the enclosure.
14

15 Ms. Case asked if the water would spill over once the storage tank is full. Mr. Camino confirmed that is
16 correct and added the storage facility would hold 1,100 cubic feet of water and described the water
17 storage features to be used. Ms. Kunkle identified the current location of the refuse/landfill bins and
18 compost tote containers to be moved into the enclosure. She stated there should be appropriate signage
19 to direct the public to the compost bins. Mr. Goldstein confirmed that is correct. Ms. Kunkle commented
20 the proposed addition is well thought out and needed and asked if there are plans to relocate the native
21 plant garden. Mr. Goldstein responded they do not currently have a location to relocate the garden with
22 plans to reach out to the PTO to determine the best use and placement of the native garden items.
23

24 Mr. Golan referred to page 116 and the letter from the neighbor relating to impermeable lot coverage
25 concerns at the west property line which related to the prior approval. Ms. Klaassen confirmed that is
26 correct. Ms. Kunkle stated if the proposal does not affect the neighboring property similar to that of the
27 playground equipment, she asked if a variance is required for impermeable lot coverage. Mr. Bradley
28 confirmed that is correct and explained the amount of overage granted for the playground project has
29 been eliminated and would be addressed once the playground project is brought back. Mr. Goldstein
30 noted they have been working with Eriksson Engineering to address impervious surface concerns. Mr.
31 Camino informed the Commission they met last year with neighboring residents and Village Engineers
32 when planning the playground equipment project and were made aware of their concerns. Mr. Foley
33 questioned the timing of the project. Mr. Goldstein responded they would break ground once school is
34 out for the year with the goal completion date in the fall of 2024 which would also include work at the
35 Greeley School.
36

37 Mr. Golan asked if the windows have been or will be upgraded. Chairperson Orsic then swore in Justin
38 Hegge, Perkins & Will, who informed the Commission the windows were replaced less than 20 years ago
39 with a few single pane windows remaining.
40

41 Chairperson Orsic asked if there were any comments from the public. No comments were made at this
42 time.
43

44 Chairperson Orsic then called the matter in for discussion. Mr. Bradley summarized the ZBA's discussion
45 relating to their concerns related to impermeable lot coverage and the prior playground equipment
46 installation approval. Ms. Case stated the request is consistent with the current and upcoming
47 Comprehensive Plan and referred to specific standards. She then stated while she sympathized with the
48 neighbors, she is hopeful the applicant will work with the neighbors to find an agreement to address the

1 issues. Mr. Golan stated the project is needed and that the Comprehensive Plan land use map and special
2 use permit standards have been met with the exception relating to adverse impact to neighborhood
3 character. He then referred to the small size of the proposed underground storage tank and asked the
4 applicant if an appropriately sized tank can be installed now. Mr. Camino responded while that is a great
5 idea, until they have an idea where the playground would be located to convey water would be a challenge
6 and they would have to go to a separate facility to service it. He described the proposal as the most cost
7 effective for now. Mr. Schoon noted this area of the community is not part of the Village's current storm
8 water project. Chairperson Orsic commented it is a good project which met the referendum needs and
9 added she hoped the water issue is addressed when the playground placement is reconsidered.

10
11 Chairperson Orsic then asked for a motion. Ms. Case moved to recommend approval of the requested
12 amendment to the existing special use granted by Ordinance M-07-2022 to allow construction of an
13 addition to the existing school building on the existing property. Mr. Golan seconded the motion. A vote
14 was taken and the motion unanimously passed, 5 to 0:

15 AYES: Case, Golan, Foley, Kunkle, Orsic

16 NAYS: None

17 NON-VOTING: Bradley

18
19 **b. Case No. 23-02-SD: 1415 and 1423 Asbury Avenue: An application submitted Judy Lesnik seeking**
20 **approval of a Final Plat of Subdivision and zoning variations to allow a two-lot resubdivision of 1415**
21 **Asbury Avenue and 1423 Asbury Avenue. The requested zoning variations would permit the existing**
22 **residence at 1423 Asbury Avenue to (a) observe less than the minimum required side yard setback from**
23 **the new east property line; and (b) observe less than the minimum required total side yard setback for**
24 **Proposed Lot 1. The request also requires a finding of "No Material Increased Adverse Impact" for the**
25 **following existing improvements on Proposed Lot 2 (1415 Asbury Avenue) which (a) exceed the**
26 **maximum permitted gross floor area; (b) exceed the maximum permitted front yard lot coverage; (c)**
27 **observe less than the minimum required front yard setback; and (d) do not provide the required**
28 **building line articulation on the east side building walls. The Village Council has final jurisdiction on this**
29 **request.**

30 Ms. Kunkle noted for the record she would recuse herself from the discussion due to her affiliation with
31 the applicant and neighbors involved. She then left the room. Ms. Klaassen described the application
32 seeking final plat of subdivision approval and zoning variations to allow a two lot resubdivision. She then
33 identified the property's location, zoning classification and noted in 2020, an application was submitted
34 by the applicant to allow the relocation of the lot line dividing the two lots and construction of a detached
35 garage with the plans including the removal of the 1423 Asbury residence which was approved by the
36 Village Council. Ms. Klaassen stated the applicant decided to keep the home at 1423 Asbury; therefore,
37 the prior approval no longer stands. She described the two existing lots' width and identified the proposed
38 new lot line's location and lot size noting the subdivision's compliance with lot area, width and depth and
39 that the subdivision would create two new zoning nonconformities which she identified. Ms. Klaassen
40 referred to an illustration of the proposed site improvements at 1423 Asbury, which comply with the
41 zoning regulations and explained the existing improvements at 1415 Asbury do not comply with several
42 zoning regulations, but the degree of nonconformity would be reduced for the front yard lot coverage and
43 GFA with the lot line changes.

44
45 Ms. Klaassen stated with regard to storm water regulations, they are required to manage the storm water
46 on-site and noted that a preliminary grading plan has been provided by the applicant and they are working
47 with Village Engineering staff to comply with the Village storm water regulations. She referred to
48 additional language to be added to the easement on the plat of resubdivision relating to the drainage

1 function. Ms. Klaassen stated the ZBA would review the variations at their next meeting. She noted one
2 comment was received from an adjacent neighbor which was provided to the Commission. Ms. Klaassen
3 then stated following the applicant's presentation, public comment and Commission discussion, the
4 Commission may wish to make a motion, a draft motion is provided on page nos. 140 and 141 of the
5 agenda packet and asked if there were any questions.

6
7 Mr. Foley asked for a further explanation of how GFA would be affected and Ms. Klaassen responded the
8 request would result in a decrease in the degree of nonconformity for the existing GFA and front yard lot
9 coverage, but the garage variation for 1415 Asbury would be needed regardless due to the extent of the
10 nonconforming GFA at 1415 Asbury. Ms. Case referred to the side yard setback and driveway and asked
11 if it would remain in its current location. Ms. Klaassen referred to the yellow area in the illustration which
12 identified a new driveway along the west property line of 1423 Asbury and referred to the additional area
13 and explained how it related to the easement and common lot line. Chairperson Orsic referred to requests
14 for two car garages and asked what the Village's opinion in terms of increasing garage sizes from two to
15 three cars is. Ms. Klaassen responded each request is considered independently and referred to the
16 previous discussion relating to the two car garage at 1415 Asbury in terms of the difficulty accessing it.
17 Ms. Klaassen stated a garage with a capacity of four vehicles is allowed if GFA and lot coverage
18 requirements are met.

19
20 Chairperson Orsic asked for the applicant's presentation and swore in those speaking to this matter. Cal
21 Bernstein, the attorney representing the applicant, referred to the prior 2020 discussion relating to the
22 existing garage at 1415 Asbury which functioned as a one car garage and the purchase of 1423 Asbury in
23 order to solve the garage access difficulty. He stated the garage size was significantly reduced upon
24 hearing the ZBA's comments. Mr. Bernstein stated the existing garage at 1423 Asbury is large and would
25 be replaced with a traditional two car garage at the northwest corner of the site.

26
27 Mr. Bernstein stated the prior plans included removing 1423 Asbury which was significantly damaged
28 noting the Landmark Preservation Commission identified historic elements relating to the home. He
29 stated the applicant then decided to renovate 1423 Asbury and create better access to 1415 Asbury. Mr.
30 Bernstein stated an HAIS for 1423 Asbury was done and then identified the original lot sizes and explained
31 the changes to the lot sizes approved in 2020 and that they now want to move the lot line to make 1423
32 Asbury larger by 6 feet with 1415 Asbury being reduced. Mr. Bernstein stated with regard to the
33 standards, they are trying to preserve the home as opposed to building a new home and there are
34 substantial hardships for both properties relating to moving the lot line and garage access. He stated the
35 request is consistent with the Comprehensive Plan and there would be no other changes to 1415 Asbury
36 except for GFA for the one car additional garage discussed in 2020.

37
38 Jim Chambers, FWC Architects, explained the reasoning for the driveway placement in order to improve
39 access to the existing attached garage. He stated in working with the Village Engineer and considering
40 surface drainage requirements, they would provide a 5 foot swail which required them to move the
41 driveway further east. Mr. Chambers also explained the reasoning for the new garage's location. Mr.
42 Bernstein referred to the letter received from the neighbor and stated they planned to address the two
43 points raised.

44
45 Mr. Golan asked if the 1423 Asbury home had been renovated and Mr. Bernstein stated it has not. Mr.
46 Chambers added the driveways between the two properties are not shared. Mr. Bernstein informed the
47 Commission the plan consisted of demolishing and constructing the new garage at the time of the home's
48 renovation noting the home has been empty for five years. Don Scott, contractor for the project, stated

1 only the upstairs furnace is working and the water has been turned off with them having been in the
2 permitting process since last year. Mr. Bernstein also stated there are significant issues with regard to
3 1415 Asbury with both properties being significantly improved. He stated plans are in place for both
4 properties and the current issues have to be resolved before they are allowed to continue.

5
6 Mr. Golan stated he is reluctant to approve the setback issue which related to the swale. Mr. Chambers
7 explained the reasoning which is due to the requirement that one property cannot rely on draining from
8 an adjacent property which required them to address drainage on each property. Mr. Bernstein stated
9 they are not allowed to install the swale over both property lines. He stated in an effort to preserve the
10 home and deal with the driveway issue, it related to how the driveway line was drawn. Mr. Golan asked
11 if the swale not being allowed to straddle two property lines is a Village code or the engineer's
12 recommendation. Mr. Schoon responded in terms of the Village's storm water requirements; you have to
13 maintain storm water on your property with drainage to the storm water system. He stated the applicant
14 stated the swale is being designed to direct storm water on each property.

15
16 Mr. Bradley referred to the previous request and approval which included the demolition of one of the
17 properties. He commented for any application which would benefit from photos of the driveway and
18 garage, this is the one due to the existing obscene garage's design. Mr. Bradley stated the overage is
19 mitigated by having the two car garage installed in the property's rear with the side yard setback issue
20 being the fact that the home is not supposed to be there after it was to be demolished. He stated the
21 eastern wall of the dilapidated home would not allow them to move the lot line enough to make the
22 driveway workable in terms of the 1423 Asbury garage access. Mr. Bradley stated he is more concerned
23 with the neighbor's concerns to the west at 1427 Asbury.

24
25 Ms. Case referred to the 1415 Asbury variation which she commented is huge and stated if the
26 Commission approved this request, she is concerned with setting precedent. Mr. Bradley described the
27 existing garage as perpendicular and stated there is no other similar situation. Ms. Case asked if the
28 addition to the existing driveway would solve the garage access concerns. Mr. Bernstein stated the reason
29 the home is so far over GFA requirements is due to its construction in 1999 which conformed to the
30 ordinance at the time and as a result of Zoning Ordinance changes, the entire lower level now counted
31 toward GFA. Ms. Klaassen referred the Commission to page 136 which stated excluding the basement
32 area, the proposed GFA exceeded the permitted amount of the new lot by 8.7%.

33
34 Chairperson Orsic asked if there would be green space between the new driveway and the next door
35 neighbor. Mr. Bernstein explained their resolution to address the neighbor's concern is to split the
36 driveway and curve it slightly to create green space. He added the existing curb cut to the east would be
37 abandoned and re-landscaped. Chairperson Orsic referred to the amount of hardship for the 1427 Asbury
38 neighbor. Mr. Bernstein stated the new driveway plans were developed this afternoon after the
39 neighbor's letter was received. Chairperson Orsic referred to the concerns raised in connection with the
40 neighbors' fence which slightly encroached into the 1423 Asbury lot. Ms. Klaassen referred to the plat of
41 survey showing the encroachment and Grading Plan on page no. 152. The Commission Members and
42 applicant discussed the fence location and curb cut along with the solutions reached.

43
44 Mr. Golan stated he is concerned with issues which would result in terms of precedent and allowing such
45 a small setback. Ms. Klaassen informed the Commission there are other properties which have a setback
46 smaller than this. Ms. Case stated if the home were removed, it would solve all of the issues. Ms. Klaassen
47 noted that any future improvements to the home or site would have to comply with the required setbacks,
48 including the minimum side yard setback of 6.62 feet from the east property line. Mr. Bernstein stated

1 the appearance would not change over its current condition since both homes would remain.

2
3 Mr. Foley then stated since the distance between the homes would not change, he would be in favor of
4 the request which would be an improvement. Mr. Bernstein stated new construction is expensive now
5 and the proposal is the most cost effective approach which is a win-win. Mr. Golan agreed with Mr. Foley's
6 comments and the additional grassy area would make it look less compressed than it is now. He also
7 stated any new construction on the lot would have to conform to the setbacks and described it as a unique
8 circumstance. Mr. Golan then stated he would be in favor of the request.

9
10 Chairperson Orsic then asked for a motion. Mr. Foley moved to approve the request as indicated on page
11 nos. 140 and 141 of the agenda packet. Mr. Golan seconded the motion. A vote was taken and the motion
12 unanimously passed, 4 to 0:

13 AYES: Case, Golan, Foley, Orsic

14 NAYS: None

15 NON-VOTING: Bradley

16 RECUSED: Kunkle

17
18 **Old Business:**

19 No comments were made at this time.

20
21 **New Business:**

22 a. April 26, 2023, Meeting – Quorum check.

23 The Commission Members discussed their availability.

24
25 **Adjournment:**

26 Chairperson Orsic asked for a motion to adjourn. Mr. Bradley moved to adjourn. The motion was seconded
27 by Ms. Case. A vote was taken and the motion unanimously passed, 5 to 0:

28 AYES: Bradley, Case, Golan, Foley, Orsic

29 NAYS: None

30 NON-VOTING: None

31 The meeting was adjourned at 8:50 p.m.

32
33 Respectfully submitted,

34
35 Antionette Johnson

36 Recording Secretary