



Village of Winnetka

Village Council Regular Meeting

December 19, 2023 at 7:00 PM
Village Hall
510 Green Bay Road

AGENDA

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Quorum**
 - a. January 2, 2023 Regular Meeting - Cancelled
 - b. January 9, 2023 Regular Meeting
 - c. January 16, 2023 Study Session
 - d. January 23, 2023 Regular Meeting
- 4. Public Comments**
- 5. Reports**
- 6. Establishment of Consent Agenda**
- 7. Approval of Consent Agenda**
 - a. Approval of Village Council Minutes
 - i. November 3, 2023 Budget Review Minutes
 - ii. November 14, 2023 Study Session & Special Meeting
 - iii. November 21, 2023 Regular Meeting
 - iv. December 12, 2023 Special Meeting
 - b. Approval of Warrant List Dated December 1, 2023 - December 14, 2023
 - c. Resolution No. R-106-2023 - Approving The Purchase of A Backhoe Loader (Adoption)
 - d. Resolution No. R-107-2023: Approving Change Order No. 3 with A. Lamp Concrete Contractors, Inc. for the 2023 Street Rehabilitation and Public Improvement Project (Adoption)
 - e. Resolution No. R-108-2023: Extending the Authorization for the Delivery and Carry-Out of Cocktails within the Village (Adoption)

NOTICE

All agenda materials are available at villageofwinnetka.org (Governance > Agendas & Minutes); the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor).

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator, 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3543; T.D.D. 847-501-6041.

- f. Resolution No. R-109-2023 - Approving Closed Session Minutes, Determining the Need to Keep Minutes of Certain Closed Meetings of the Village Council Confidential, and Authorizing the Destruction of Verbatim Recordings of Certain Closed Meetings of the Village (Adopt)
- g. Approval of Amended Village Council Meeting Schedule for 2024

8. Ordinances and Resolutions

- a. Ordinance No. MC-12-2023: Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance Regarding Lot Consolidations (Adoption)
- b. Ordinance No. M-17-2023: Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of a Pickleball Court for an Existing Residence Within the R-2 Single Family Residential District (889 Sheridan Road) (Adoption)
- c. Ordinance No. M-20-2023 - Authorizing The Disposition of Surplus Personal Property Owned By The Village of Winnetka (Introduction/Adoption)
- d. Ordinance No. MC-13-2023: Amending the Text of the Winnetka Zoning Ordinance Regarding Residential Uses in the C-2 General Retail Commercial Zoning District (Introduction)
- e. Ordinance No. M-21-2023 - 808 Oak Street - Special Uses & Variation (Introduction)
- f. Ordinance No. M-22-2023: Granting a Special Use Permit for the Operation of an Event Planning Business Within the C-2 Commercial Overlay District of the Village (962 Green Bay Road) (Introduction/Adoption)

9. Old Business

10. New Business

11. Appointments

- a. Appoint Board of Fire and Police Commission Commissioner
- b. Appoint Landmark Preservation Commission Representative to the Plan Commission
- c. Appoint Plan Commission Representative to the Planned Development Commission

12. Closed Session

13. Adjournment

MINUTES
WINNETKA VILLAGE COUNCIL
Budget Review Meeting
November 3, 2023

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held in the Council Chambers at Village Hall on Friday, November 3, 2023, at 8:30 AM.

- 1) Call to Order. President Rintz called the meeting to order at 8:30 AM. Manager Bahan called the roll. Present: Trustees Kirk Albinson, Robert Apatoff, Tina Dalman, Robert Dearborn, Kim Handler and Bridget Orsic. Absent: None. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Community Development Director David Schoon, Assistant Community Development Director Ann Klaassen, Village Engineer Jim Bernahl, Finance Director Tim Sloth, Assistant Finance Director Dell Duckworth, Fire Chief John Ripka, Deputy Fire Chief Tom Hutchison, Chief of Police Brian O'Connell, Interim Director of Public Works Mark Janeck, Assistant Public Works Director Erik Jensen, Director of Water & Electric Brian Keys, Assistant Director of Water & Electric Nick Narhi and 1 persons in the audience.

- 2) Budget Review Topic:

- a) Budget/CIP Overview/2023 Tax Levy.

Village Manager Rob Bahan provides Council with an overview of the FY 2024 challenges due to inflation, unfunded mandates, identified budget goals to maintain high levels of success and progress, overall considerations for the presented budget, and the history of Council's long-term strategic investments.

Finance Director Finance Director Tim Sloth presents Council with the current economic environment regarding Village revenues, employment, funding/grants, inflation, matters related to financial initiatives and policies, and property taxes.

Prior to developing the budget, staff had to take into account the current economic environment that has since significantly improved after pandemic-related downturns in 2020. When considering the 2024 budget, Mr. Sloth states the considerations that were needed to be attentive towards included the continued uncertainty, inflation, unfunded mandates, ensuring that the budget assumes realistic revenue estimates, and continued monitoring of the economic landscape and that if the economy does falter, the Finance Department will be ready to implement revised financial plans.

Mr. Sloth reviews a summary of the budget/financial policies including the operating expenditures, home rule, utility rates, operating expenses, and ensures commitment to making 100% of statutory contributions for public safety pensions. Mr. Sloth informs Council of the 2024 proposed budget key initiatives and policy issues related to the proposed property tax indicating that it is under PTELL tax cap limits, transition of construction value, utility funding, capital budgets for the stormwater, business district revitalization fund, electric fund, and addresses aging and improved infrastructure.

Mr. Sloth informs Council of the 2024 general fund revenues and key revenue changes in comparison to last years 2023 budget, providing information pertaining to the property tax extension limitation law indicating the existing taxpayer increase at 3.00% - \$97 per year, and indicates the 5-year capital improvement plan and spendings, and capital initiatives.

Trustee Dearborn discusses matters pertaining to the property tax levy increase and commends the work of staff.

b) Public Affairs/Village Manager's Office.

Assistant Village Manager Kristin Kazenas thanks Council for the opportunity to present the Public Affairs and VMO budget. With the Public Affairs Department primarily focusing on Village wide support and Village Council initiatives, the VMO also provides departmental specific operations specific to administration, communications, economic development, and human resources.

Ms. Kazenas reviews the 2023 accomplishments including the success of the Winnetka Music Festival, Farmer's Market, and support provided for local businesses.

Ms. Kazenas reviews the department's goals and objectives and the various key budget items for public affairs, communications, economic development, and human resources.

c) Finance Department.

Finance Director Tim Sloth reviews the consistency of the Finance Departments staffing and informs Council of the departmental functions including financial management practices, safeguarding Village financial and technological assets, IT practices and cybersecurity, continuous improvements on financial strength, maintaining maximum transparency, and providing financial direction and support to other departments.

Mr. Sloth states the Finance Department accomplishments including Affirmed Moody's Aaa (Stable) Rating, GFOA Awards, completed audit with an unqualified audit opinion and a clean management letter, oversight of Village Grant Program, completion of the first-ever cybersecurity tabletop exercise, comprehensive rate analysis and financial planning, and continued support for bidding related services.

Mr. Sloth informs Council of the various 2024 goals and objectives include seeking grant opportunities, safeguarding the Village's financials, preparing and managing the 2025 annual budget and 2023 annual audit, winning the Popular Annual Financial Report award, providing financial analysis to utility funding, and striving to continue winning GFOA budget and audit awards.

Mr. Sloth indicates the 2024 new budget initiatives including the advanced meter reading project, environmentally-friendly green initiative, and provides information regarding the advanced metering infrastructure cost estimates.

Council discusses matters related to the grants and funding, and finance cost operations.

d) Police Department.

Police Chief Brian O'Connell reviews the departments organizational chart and staffing levels.

Chief O'Connell presents the 2023 accomplishments including the HVAC system replacement progress, a negotiated dispatch services agreement with the Village of Glenview, continued progress with the gasoline powered leaf blower ordinance, and the implementation of body-worn cameras.

The Police Department 2024 goals include the continuation of installation of the automated license plate readers, upgrade existing squad car camera systems, establishment of a peer support program, and matters related to staffing and onboarding.

Chief O'Connell provides information related to the Police Department budget consisting of salaries and benefits, operating expenses, capital expenses. In addition, Council is informed of the 2024 key budget items including vehicle replacement, equipment and squad car camera system purchases.

Council discusses budget matters related to training, police operation expenses, community needs, grants/funding, and matters related to the peer support program and ongoing projects.

e) Fire Department.

Fire Chief John Ripka reviews staffing within the Fire Department, congratulating Deputy Chief Hutchison on 35 years of service. Chief Ripka confirms that emergency responses have been consistent ranging from 2,200-2,400 calls per year and provides information regarding fire prevention.

Chief Ripka reviews the 2023 accomplishments consisting of the replacement of an incident command vehicle, advanced cardiac life support training, completion of the training tower repair/maintenance, initiating Village staff and government partners in CPR and Stop the Bleed programs, negotiation of a new collective bargaining agreement with the Winnetka Firefighters Union, boat operations, NIMS ICS certification, Fire Engine purchase, and the establishment of a rate for Fire Inspection Services for Northfield and Glencoe.

Chief Ripka indicates the 2024 goals and objectives including replacement of apparatus bay overhead doors, staffing positions, implementation of GEMT funding reimbursement, and updating the Village EOP and certify plan with Cook County Emergency Management.

Chief Ripka informs Council of the 2024 Fire Department budget consisting of salaries and benefits, operating expenses, capital expenses, revenue estimates, capital projects, and the 20-year Fire Apparatus replacement plan.

Council discusses matters related to budgeting, financial health, staffing and operational changes, budget reserves, and future initiatives.

f) Community Development.

Community Development Director David Schoon briefs Council on the department's functions, staffing, and outside contractors aiding in services provided.

Mr. Schoon informs Council of the 2023 accomplishments including continued completion of phases for streetscape, comprehensive plan adoption, establishing lakefront regulations,

assisting the Landmark Preservation Commission with its approval of the Villages first 20% Historic Density Bonus, and establishing Tala Coffee Roasters at 93 Green Bay Road.

Council is presented the 2024 Goals and Objectives including the implementation of the Comprehensive Plan and Downtown Master Plan, redevelopment of the One Winnetka site, adoption of updated International Building & Fire Code Series, and the continuation of successful departmental functions.

Mr. Schoon briefs Council on the 2024 budgeted expenditures consisting of various costs towards salaries and benefits, legal services, third party services, and expenses relating to other services and supplies. In addition, Council is presented matters related to building permits and its revenues and the 2024 Key Budget items.

Council discusses outside vendors contracted by the Village, budgeting, costs and expenses, Village provided services, staffing, and departmental operations and functions.

i) Business District Revitalization Fund.

Projects for 2024 include: Streetscape (Indian Hill, Hubbard Woods, and Post Office); 93 Green Bay Road site and streetscape improvements, EV charging stations in municipal lots, and PW sidewalk, grates, pavers and various other repairs.

Mr. Schoon reviews the proposed five-year capital improvement plan, funding, and proposed general fund transfer, and grants.

Council discusses Village funds, reimbursements, financial matters related to ongoing Village projects, development, EV charging stations, and cost related matters for Village projects.

g) Public Works Department.

Interim Public Works Director Mark Janeck indicates the primary responsibilities of the Public Works Department consisting of operational needs of refuse collection and disposal, roadway and right-of-way maintenance including snow removal, operation maintenance of the stormwater drainage system and sewer drainage system, public facilities maintenance, and fleet services.

Mr. Janeck briefs Council regarding the 2023 accomplishments consisting of maintenance of the Village's infrastructure, completion of Local 150 Union contract negotiations, equipment purchases, holiday lighting and janitorial contracts, security access system upgrades, implementation of road striping and marking maintenance program, and the initiation of the sign replacement program.

In addition to department accomplishments, the departments 2024 goals and objectives include the maintenance of Village streets, sidewalks and alleys, maintaining the public facilities and landscaping, and the implementation of a customer relationship management system for service request.

Mr. Janeck briefs Council on the capital equipment replacement and the Public Works financial summary consisting of salaries and benefits, services and supplies, total operating expenses, capital outlay, and total department expenses.

Council discusses equipment and maintenance expenses, matters related to budgeting, cost, and expenses, and departmental operations.

i) Refuse Fund.

Assistant Public Works Director Erik Jensen states that refuse is a utility fund, confirming that it is entirely funded through user fees.

Mr. Jensen briefs Council on the refuse fund overview consisting of residential and commercial services, special refuse collections, and annual Spring clean-up.

Key 2023 accomplishments include the transition to 5-day residential service program, continued back-door and curbside pick-up services, recycling collection programs, completion of Spring clean-up, implementation of a composting program, and a refuse truck and scooter purchase under budget.

Key 2024 goals and objectives consist of transitioning the commercial refuse collection program to private haulers, continuing to educate residents about refuse and recycling, and partnering with SWANCC.

Erik Jensen discusses the refuse fund financial summary consisting of revenue, expenses, operating income and expense detail, and overall fund expenses.

Mr. Jensen indicates the current residential and commercial refuse fees.

ii) Fleet Services Fund.

Assistant Public Works Director Erik Jensen states the responsibility for maintaining motorized equipment owned by the Village, including all routine preventative maintenance and repairs.

Key 2023 accomplishments include the completion of 2,099 vehicle service tickets, purchase of a new leaf vacuum, two dump trucks, and a refuse scooter.

Key 2024 goals and objectives consist of continued equipment and vehicle repair and preventative maintenance, preparing bidding specifications and replacement of a dump truck, sidewalk machine, and refuse scooter, staff training related to Automotive Service Excellence and Emergency Vehicle Technician certifications, and consideration, and the transition to new fleet management software and evaluation options.

Erik Jensen discusses the fleet internal services fund financial summary consisting of revenue, expenses, operating income and expense detail, and overall fund expenses.

Council discusses replacement vehicle processes, repair and maintenance expenses, and Village provided services including utilizing SWANCC services.

iii) Sanitary Sewer Fund.

Public Works Director Mark Janeck indicates that the Public Works Department is responsible for the operation and maintenance of the Village's sanitary sewer system.

Key 2023 accomplishments include continued annual video and cleaning maintenance programs, locating and eliminating cross connections that allow cross-contamination to storm sewers, and providing assistance and guidance to property owners.

Key 2024 goals and objectives include the continuation of the annual sewer relining program, award contracts for remaining sanitary sewer infiltration/inflow study and investigation of the Ravines sanitary sewer force main, perform annual cleaning and video inspection maintenance program, perform root intrusion foaming program, and continue providing assistance and guidance to property owners regarding infiltration/inflow and basement backups.

Mr. Janeck briefs Council on the sanitary sewer fund financial summary consisting of revenue, expenses, operating income and expense detail, as well as overall fund expenses.

Council discusses studies, matters related to sewer lineage, maintenance, and funding.

iv) Stormwater Fund.

Public Works Director Mark Janeck indicates the Public Works Department is responsible for the operation and maintenance of the Village's stormwater system.

Key 2023 accomplishments include continued annual cleaning and video inspection, storm sewer repairs and maintenance, and deployment of auxiliary equipment,

Key 2024 goals and objectives include repairs and maintenance operations of the stormwater system, maintenance of ditches, and continue to support the Engineering Department with the Stormwater Master Plan objective.

Engineering Director Jim Bernahl reviews the 2024 goals and objectives consisting of the completion of the Hibbard Stormwater Storage Project, continued completion of the Crow Island Storage Project, advancing the final design and permitting for the West and Southwest Winnetka Stormwater Management Conveyance projects, awarding professional engineering contract for East Side Stormwater Evaluation study, implementation of landfill configuration, and the advancement of the Willow Road reconstruction project.

Mr. Bernahl briefs Council regarding the five-year stormwater program overview, ongoing projects, funding, costs and expenses, and ongoing projects and objectives.

Finance Director Tim Sloth briefs Council regarding the stormwater projects funding plan, cash balance, and cash flow.

Council discusses ongoing projects related to stormwater, concerns related to flooding, funding and expenses.

h) Engineering Department.

Engineering Director Jim Bernahl reviews the department's organizational chart and staffing levels.

Mr. Bernahl briefs Council on the department overviews consisting of project management oversight, preparation of engineering plans and specifications, supervising inspection of public improvements and private construction projects, execute and manage annual construction programs, seeking grant funding, obtaining State and regulatory permits,

oversee the Village's participation in the Community Rating System through FEMA, responding to resident inquiries, managing the Village's GIS program, and overseeing the Village Forestry Division.

Key 2023 accomplishments include the completion of the Elm Street Streetscape Project, parking lot and site improvements at 93 Green Bay Road, construction of the North of Willow Stormwater Storage Project, 2023 Street Rehabilitation Project, replacement of 10,300 SF of the public sidewalk as part of the annual sidewalk replacement program, annual sewer relining program, completion of plan views and inspections, pruned 2,200 Village-owned trees, removal and replacement of Village-owned trees, and completion of landscaping plantings and enhancements at Moffat Mall.

Key 2024 goals and objectives include the continued completion of the 2024 Street Rehabilitation Program, begin construction on Crow Island Storage Project, complete construction on the Hibbard Preserve Wetland Project, award a contract for Professional Engineering assistance and begin developing master plan for East Side Stormwater Improvements, award contract for the next phase of infiltration/inflow investigation for remaining sanitary sewer system. In addition, Mr. Bernahl states the goals and objectives related to grant funding, future stormwater improvements, improvement of Village roadway and pedestrian infrastructure, continue work on the Green Bay Trail, and continue enhancements related to Forestry and landscape initiatives.

Jim Bernahl briefs Council regarding the 2024 budget total, cost projections pertaining to the street rehabilitation program in conjunction with the Water & Electric Department, and the overall financial summary consisting of operating expenses and capital outlay.

i) Water & Electric.

Water & Electric Director Brian Keys presents the department overview indicating that key responsibilities consist of providing residents and businesses within Winnetka with various services including adequate power supplies, improving infrastructure, and providing uninterrupted service. In addition, Mr. Keys provides Council with a staffing overview.

The 2023 department accomplishments include preventative maintenance on the distribution system, installation of a clean agent fire protection system, completion of circuit reconfiguration for the New Trier gymnasium expansion, installation of electric service connections, replacement of underground cables, servicing dispatch requests, and responding to electrical disruptions.

Mr. Keys informs Council of the 2024 goals and objectives regarding upcoming projects such as launching the Automated Metering Infrastructure project, installation of new service connections, performing preventative maintenance programs to maintain reliability of the electric distribution system and to minimize frequency and duration of forced outages of generating units at the Electric Plant, and completion of generating equipment projects.

i) Electric Fund.

Mr. Keys provides information pertaining to the 2024 electric fund related to proposed residential electric rate changes, rate comparison to investor-owned utility, operating expense highlights, and various costs and expenses related to consulting services; wholesale power contract renewal, CAAPP Permit renewal, legal services,

arc flash study, AMI consulting, engineering and system protection/relaying, and environmental permitting and regulatory submittals.

Additionally, Mr. Keys reviews the operating expenses related to the maintenance programs; line clearance, underground utility locating, boiler related expenses, thermography, dry ice cleaning, and substation maintenance expenses and the Electric Plant operating expenses; pond dredging, boiler refractory repair, maintenance of intake pond valve, boiler tube repairs, valve replacement/repairs, replacement of boiler feed pump motor, security improvements, and rebuilding of boiler feed pump.

Council is briefed on the Capital Plan expenses relating to various projects, departmental equipment, repairs and replacement costs.

Council discusses budget components pertaining to costs regarding repairs and replacement of equipment, matters relating to the Illinois Municipal Electric Agency and generators, and budget components for future expenses.

ii) Water Fund.

Water & Electric Assistant Director Nick Narhi states that primary functions of the Water & Electric Department consist of supplying potable water for the health and safety of the Winnetka and Northfield residents and is responsible for the installation and repair of the water distribution system.

Mr. Narhi lists the major 2023 accomplishments including preventative maintenance on the water distribution system, completing preventative maintenance work at the Water Plant, completing water service connections, responding to water main breaks, completing water main replacement projects.

The key goals for 2024 include adhering to regulatory requirements, installations of new service connections, continuation of removing lead service lines as part of the planned and emergent work, preventative maintenance programs for water system reliability, adhering to long-term capital plan, and investing in maintenance and improvements of the Water Plant.

Council is briefed on the summary of the Water Fund and the revenue, expenses, operating income, operating expense details, capital outlay, fund expenses, and fund income. Additionally, Mr. Narhi reviews the capital plan, budgeting, fund balance, proposed rates regarding the Fiscal Year 2024 financials, monthly service charges, and water rate comparisons.

Mr. Narhi provides information regarding operating expenses related to distribution maintenance & repair programs, Water Plant expenses, building expenses, and costs related to consulting services.

Council is briefed on the capital plan; Automated Metering Infrastructure, vehicle replacement, bulk water filling stations, water main replacement, professional services, and lead service line replacement.

Council discusses lead service line replacement matters, water main replacements, Village water rates, water supply, and fund transfers.

- 3) Public Comment.
 - a) Ted Wynnychenko addresses Council regarding Village service and concerns related to the lakefront.
- 4) Adjournment. Trustee Dearborn, seconded by Trustee Apatoff, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 4:18 p.m.

Recording Secretary

**MINUTES
WINNETKA VILLAGE COUNCIL
STUDY SESSION & SPECIAL MEETING
November 14, 2023**

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held at Council Chambers on Tuesday, November 14, 2023, at 7:00 PM.

- 1) Call to Order. President Chris Rintz called the meeting to order at 7:03 PM. Manager Bahan called the roll of the Village Council. Present: Trustees Kirk Albinson, Rob Apatoff, Tina Dalman, Bob Dearborn, Kim Handler, and Bridget Orsic. Absent: None. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Deputy Village Clerk Berina Gradjan, Village Attorneys Ben Schuster and Courtney Willits, Community Development Director David Schoon, Village Engineer Jim Bernahl, and 21 persons in the audience.
- 2) Pledge of Allegiance. Trustee Dearborn led the group in the Pledge of Allegiance.
- 3) Public Comment.
 - a) Alan Simon addresses Council regarding facilitation and housing of migrant families.
 - b) Gale Eisenberg, New Trier Township Supervisor, informs Council of the services that New Trier Township can provide to refugee and migrant families.
 - c) Ted Wynnychenko addresses Council regarding the Bertling-Hill-Woodland pathway vacation.
 - d) Christina Codo addresses Council regarding shoreline protection and matters related to Elder-Centennial.
 - e) Katie Stevens addresses Council on concerns related to public and Park District matters along the lakefront.
- 4) Establishment of the Consent Agenda.

Trustee Dalman seconded by Trustee Handler moved to approve the Establishment of the Consent Agenda. By voice vote, the motion carried.
- 5) Approval of the Consent Agenda
 - a) Approval of Village Council Meeting Minutes
 - i) October 10, 2023 Study Session & Special Meeting
 - ii) October 17, 2023 Regular Meeting
 - b) Approval of Warrant List Dated October 13, 2023 – November 2, 2023
 - c) Resolution No. R-96-2023: Appoint Village Treasurer – 2 Year Term (Adoption)
 - d) Resolution No. R-97-2023: GIS Annual Contract Renewal (Adoption)
 - e) Approval of Village Council Meeting Schedule for 2024

Trustee Dalman seconded by Trustee Apatoff, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Albinson, Apatoff, Dalman, Dearborn, Handler, and Orsic. Nays: None. Absent: None.

6) Lakefront Regulations Discussion

Community Development Director David Schoon indicates that at the September 12, 2023, Village Council study session, Council was provided information regarding descriptions of bluff, steep slope, and current regulations. At the conclusion of the study session, Council directed staff to study zoning and subdivision code amendments regarding newly created lots, the use of the ordinary high water mark, and bluff steep slope regulations.

David Schoon provides information regarding single family residence lot consolidation special use process requirements, application process for proposed plat of consolidation, special use standards, benefits and limitations of the ordinary high water mark, and bluff and steep slope regulations, permitting, appeals and limiting consolidations.

Council addresses matters regarding the uniqueness of ordinary high water marks for individual properties over periods of time, its benefits and limitations, defining of structures and its uses, stipulations regarding sightlines, and defining various terms and language used. In addition, Council discusses the ordinary high water mark regarding individual properties along the lakefront and its unique identifications.

Additionally, Council discusses vegetation and the implementation of certain standards regarding plantings and vegetative state to homeowners.

Public Comment.

Leslie Gramh addresses Council regarding consolidation of lots, retaining wall and table land.

Christin Codo states concerns regarding ADA accessibility and emergency vehicle access.

Ted Wynnychenko addresses Council regarding zoning regulations.

Resident who does not state name addresses Council regarding the use and regulations of structures.

Rob Shrisa addresses Council regarding the permitting process and the ordinary high water mark.

Mary Tritly addresses Council on clarification matters regarding the specificity per individual properties.

Resident who does not state name voices concerns regarding boat house access into the lake and concerns regarding rock piling along the lakefront.

Cynthia Harrold addresses Council regarding landscaping, shoreline protection, and the impacts of the proposed ordinances to lakefront homeowners.

President Rintz suggests investing in appropriate mapping for accurate data usage in order to be able to distinguish geographic scopes.

Village Manager Rob Bahan addresses Council's direction on the notice of a public hearing regarding lot consolidation.

David Schoon confirms that staff will provide more information regarding the ordinary high water mark.

- 7) Closed Session. None.
- 8) Adjournment. Trustee Dearborn, seconded by Trustee Apatoff moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 9:25 pm.

Recording Secretary

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
November 21, 2023**

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held at the Council Chambers on Tuesday, November 21, 2023, at 7:00 PM.

- 1) Call to Order. President Chris Rintz called the meeting to order at 7:01 PM. Village Manager Rob Bahan called the roll. Present: Trustees Kirk Albinson, Rob Apatoff, Robert Dearborn, Kim Handler, and Bridget Orsic. Absent: Trustee Tina Dalman. Also present: Assistant Village Manager Kristin Kazenas, Deputy Village Clerk Berina Gradjan, Village Attorney Peter Friedman, Finance Director Tim Sloth, Assistant Finance Director Dell Duckworth and approximately 3 persons in the audience.
- 2) Pledge of Allegiance. Trustee Apatoff led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) December 5, 2023 Regular Meeting All of the Council members present said they expect to attend.
 - b) December 12, 2023 Study Session All of the Council members present said they expect to attend with the exception of Trustee Dearborn.
 - c) December 19, 2023 Regular Meeting All of the Council members present said they expect to attend.
- 4) Public Comment.
 - a) David Seaman, former park district commissioner, addresses Council regarding Elder and Centennial and Orchard 2020.
 - b) Julie Peterson addresses Council regarding transparency related to elections. President Rintz confirms that the Village is not affiliated with the Winnetka Caucus.
 - c) Theresa Lucas, owner of Good Grapes, addresses Council regarding concerns related to parking and communication between the Village and retail owners.
- 5) Reports:
 - a) Trustees.
 - i) Trustee Handler commends the holiday lighting and thanks staff for their efforts.
 - b) Attorney. No report.
 - c) Manager. No report.
 - d) Village President.

President Rintz addresses draft documents presented to Council by the Winnetka Park District related to the Elder Centennial improvements, and asks the Park District staff to meet with Village staff to review the requirements of the special use permit process before submitting a formal permit application to the Army Corps of Engineers.

6) Establishment of the Consent Agenda.

Trustee Albinson seconded by Trustee Apatoff moved to approve the Establishment of the Consent Agenda. By voice vote, the motion carried.

7) Approval of the Consent Agenda

a) Approval of Warrant List Dated November 3, 2023 – November 16, 2023 in the amount of \$1,946,188.58.

b) Resolution No. R-101-2023: Approving a Fifth Amendment to a License Agreement with New Cingular Wireless PCS, LLC (Adoption)

Trustee Handler seconded by Trustee Albinson, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Albinson, Apatoff, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Dalman.

8) Ordinances and Resolutions.

a) Public Hearing – FY 2024 Village Budget

President Rintz opened the Public Hearing at 7:27 pm.

No public comment.

Finance Director Tim Sloth confirms that the Village Budget must be adopted before the commencement of the fiscal year, and, as part of the process, would require a public hearing to be held. In addition, the FY 2024 budget will be posted on the Village website and will be made available at the Library and Village Hall. The public hearing notice was advertised in the November 9th edition of the Winnetka Talk.

At the November 3rd budget review meeting, the proposed budget was updated with the following changes; changes to the Advanced Meter Reading project timeline and fund reductions, fund adjustments, and adjustments to the property tax levy. Tim Sloth confirms that the Village Budget is balanced and operating expenditures are fully funded by routine annual operating revenues, confirming there is no reliance on fund balance or one-time revenue resources.

Council is informed of the budget totals, information regarding the capital portion of the budget, fund expenses, and rate resolutions for both the general and utility fees adjustments and changes. In addition to updating the rate resolution, additional adjustments were made to the code amendment ordinance regarding building permit fees and bonds and utility fee increases.

Mr. Sloth provides information related to the property tax levy including revenue totals and increases. Staff recommends directing Cook County to implement a loss collection factor of 2%. Council is provided additional information regarding the loss collection factor.

No public comment.

President Rintz closed the Public Hearing at 7:37 pm.

Council discusses concerns related to implementation of the Cook County loss collection factor, budget expenses and revenue, project costs, and matters related to the property tax levy.

Council commends Village staff on their budget presentations.

- i. Resolution No. R-98-2023: Adopting the Annual Budget for the Fiscal Year Beginning January 1, 2024 and Ending December 31, 2024 (Introduction)
Trustee Orsic, seconded by Trustee Apatoff, moved to introduce Resolution No. R-98-2023. By voice vote, the motion carried.
 - ii. Resolution No. R-99-2023: Amending General, Building, and Miscellaneous Service Fees (Introduction)
Trustee Handler, seconded by Trustee Dearborn, moved to introduce Resolution No. R-99-2023 By voice vote, the motion carried.
 - iii. Resolution No. R-100-2023: Establishing Rates and Fees Related to Utility Services (Introduction)
Trustee Albinson, seconded by Trustee Apatoff, moved to introduce Resolution No. R-100-2023 By voice vote, the motion carried.
 - iv. Ordinance No. MC-11-2023: Amending Title 15 of the Winnetka Village Code Concerning Building Permit Fees and Bonds (Introduction)
Trustee Handler, seconded by Trustee Dearborn, moved to introduce Ordinance No. MC-11-2023. By voice vote, the motion carried.
- b) Property Tax Levy and Abatement Ordinance
- i. Ordinance No. M-14-2023: 2023 Tax Levy as Amended (Introduction)
Trustee Albinson, seconded by Trustee Handler, moved to introduce Ordinance No. M-14-2023 as amended. By voice vote, the motion carried.
 - ii. Ordinance No. M. 15:2023: Directing Cook County to Apply a Loss Collection Factor to Property Tax Levies Commencing with Fiscal Year May, 2023, and Ending on the Thirtieth Day of April, 2024, and Subsequent Years, for the Village of Winnetka (Introduction)
Trustee Albinson moved to introduce Ordinance No. M-15-2023. There was no second. Motion fails.
 - iii. Ordinance No. M-16-2023: Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principle of and Interest on Taxable General Obligation Refunding Bonds, Series 2020, of the Village of Winnetka, Cook County Illinois (Introduction)
Trustee Dearborn, seconded by Trustee Orsic, moved to introduce Ordinance No. M-16-2023. By voice vote, the motion carried.
- c) Ordinance No. M-17-2023: Adopting the Village of Winnetka's Current Paid Leave and Benefits Policy and Opting Out of the Illinois Paid Leave for All Workers Act (820 ILCS 192/1 et seq.) for all Village of Winnetka Employees (Introduction/Adoption)
- On March 13, 2023, the Illinois Paid Leave for All Workers Act was enacted, establishing a mandatory paid leave standard for all employees in Illinois with limited exceptions. Assistant Village Manager Kristin Kazenas briefs Council regarding the existing benefits package including paid leave policies and states that adopting the act would place undue financial, staffing, and operational burdens on the Village.
- However, due to the Village standing as a home rule municipality, the Village can opt out of the requirements of the Act.

Trustee Apatoff, seconded by Trustee Handler, moved to waive introduction of Ordinance No. M-17-2023. By voice vote, the motion carried.

Trustee Handler, seconded by Trustee Orsic, moved to adopt Ordinance No. M-17-2023. By roll call vote, the motion carried. Ayes: Trustees Albinson, Apatoff, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Dalman.

9) Old Business. None.

10) New Business. None.

11) Appointments:

a) Appoint Trustee Albinson to the Hubbard Woods Streetscape Council Liaison.

Trustee Apatoff, seconded by Trustee Dearborn, moved to appoint Trustee Albinson to the Hubbard Woods Streetscape Council Liaison. By roll call vote, the motion carried. Ayes: Trustees Albinson, Apatoff, Dearborn, Handler, and Orsic. Nays: None. Absent: Trustee Dalman.

12) Closed Session: None.

13) Adjournment. President Rintz asks for call to adjourn. Trustee Dearborn, seconded by Trustee Orsic, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:20 PM.

Recording Secretary

**MINUTES OF A WINNETKA VILLAGE COUNCIL
SPECIAL MEETING**

December 12, 2023

(Approved: _____)

A record of a legally convened Special Meeting of the Council of the Village of Winnetka, which was held in the Council Chambers on Tuesday, December 12, 2023, at 6:00 PM.

- 1) Call to Order. Village President Chris Rintz called the meeting to order at 6:02 p.m. Present: Trustees Robert Apatoff, Kirk Albinson, Tina Dalman, Kim Handler, Bridget Orsic. Absent: Trustee Robert Dearborn. Also Present: Village Manager Robert M. Bahan, Assistant Village Manager Kristin Kazenas, Village Attorney Peter Friedman, and 0 persons in the audience.
- 2) Public Comment. None.
- 3) Closed Session for the Purpose of Discussing Personnel Pursuant to Section 2(c)(1) of the Open Meetings of the Open Meetings Act.
Trustee Dearborn, seconded by Trustee Dalman, moved to adjourn to Closed Session for the Purpose of Discussing Pending Litigation and Minutes of Closed Session Meetings Pursuant to Section 2(c)(11) and Section 2(c)(21) of the Open Meetings Act and to adjourn the Open Meeting automatically and immediately upon the conclusion of the Closed Session without the conduct of any further business or comments. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Albinson, Dalman, Handler, and Orsic. Nays: None. Absent: Trustee Dearborn.

The Council adjourned into Closed Session at 6:03 PM.
- 4) Adjournment. The Special Closed Session meeting ended at 6:45 p.m.

Recording Secretary



Agenda Item Executive Summary

TITLE: Approval of Warrant List Dated December 1, 2023 - December 14, 2023

PRESENTER: Robert M. Bahan

AGENDA DATE: December 19, 2023

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

None.

EXECUTIVE SUMMARY:

The Warrant List Dated December 1, 2023 - December 14, 2023.

RECOMMENDATION:

Consider Approving the Warrant List Dated December 1, 2023 - December 14, 2023.

ATTACHMENTS:

None



Agenda Item Executive Summary

TITLE: Resolution No. R-106-2023 - Approving The Purchase of A Backhoe Loader (Adoption)

PRESENTER: Brian Keys

AGENDA DATE: December 19, 2023

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

The 2024 Water Fund Budget (account #520.60.01-625) contains funding in the amount of \$172,500 for the purchase of a replacement backhoe loader (tractor).

EXECUTIVE SUMMARY:

The Water & Electric Department budgeted for the replacement of an existing backhoe loader used by the Water Fund. The 2006 John Deere 410 backhoe loader (tractor) is used in daily operations to maintain and repair the potable water system. The tractor is also used in winter months for snow removal. The proposed replacement is a 2024 model of the same backhoe loader.

As an alternative to issuance of a bid and seeking more competitive pricing than potentially available by bidding a single backhoe loader, staff requested contract pricing through Sourcewell (formerly known as National Joint Power Alliance, NJPA). Sourcewell is a national public agency committed to cooperative solutions for governmental and educational entities. Through Sourcewell, members have access to contracted products, equipment, and service opportunities. The Village of Winnetka joined in 2010. New Trier High School, District 36, Winnetka-Northfield Library, and the Village of Glenview are also members.

West Side Tractor Sales Co. submitted a quote for the 2024 John Deere 410P backhoe loader under Sourcewell Contract No. 032119-JDC. The backhoe will be fitted with mechanical couplings and hydraulic fittings similar to those used on the other backhoe loader tractor in the Water & Electric Department. This will ensure that the various excavation buckets and hydraulic pavement breakers remain interchangeable between the two tractors. The backhoe loader specifications have been attached for reference.

The introduced FY2024 Water Fund Budget (account #: 520.60.01-625) contains \$172,500 for the replacement of the 2006 backhoe loader. The cost of the proposed backhoe loader tractor is \$177,756.40, which is \$5,256.40 above the budgeted amount for the replacement. This is not expected to impact budget adherence. Upon receipt of the new backhoe loader, the existing backhoe loader will be disposed of through an auction. Staff anticipates securing approval to dispose of the existing backhoe loader through a separate Council action.

Resolution No. R-106-2023, prepared by the Village Attorney, authorizes the Village President and Village Clerk to execute and attest, an agreement with West Side Tractor Sales Co. for the purchase of the new backhoe loader.

RECOMMENDATION:

Consider adopting Resolution No. R-106-2023; Approving The Purchase Of A John Deere 410P Backhoe Loader From West Side Tractor Sales Company in an amount not to exceed \$177,756.40.

ATTACHMENTS:

1. Resolution No. R-106-2023 - Approving the Purchase of a Backhoe Loader

**A RESOLUTION APPROVING THE PURCHASE OF A
BACKHOE LOADER**

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

WHEREAS, the Village of Winnetka ("**Village**") is a member of Sourcewell ("**Sourcewell**"), a municipal national contracting agency for units of local government, and educational and non-profit organizations; and

WHEREAS, the Sourcewell permits units of local governments to purchase commodities and services according to nationally leveraged and competitively solicited purchasing contracts, resulting in significant savings for the Village; and

WHEREAS, the Village Water & Electric Department ("**Department**") has identified the need to replace one 2006 John Deere 410 Backhoe Loader with one 2024 John Deere 410P Backhoe Loader ("**New Tractor**"); and

WHEREAS, Sourcewell sought bids for the award of a contract for the purchase of the New Tractor ("**Purchase Contract**"); and

WHEREAS, Sourcewell secured fixed, per-unit pricing from West Side Tractor Sales Co. ("**West Side**") for the New Tractor; and

WHEREAS, West Side has provided pricing for the Purchase Contract of \$177,756.40; and

WHEREAS, the Village President and Board of Trustees have determined that it will serve and be in the best interest of the Village to purchase the New Tractor from West Side, in the amount of \$177,756.40, in accordance with the Purchase Contract;

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

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

SECTION 2. APPROVAL OF PURCHASE. The Village Council hereby approves the purchase by the Village of a New Tractor from West Side, in the total amount of \$177,756.40, in accordance with the Purchase Contract.

SECTION 3. AUTHORIZATION TO PURCHASE. The Village Council authorizes and directs the Village President, the Village Manager, and the Village Clerk to execute and attest, respectively, on behalf of the Village, all documents approved by the Village Attorney and necessary to purchase the New Tractor from West Side in an amount not to exceed \$177,756.40.

SECTION 4. EFFECTIVE DATE. This Resolution will be in full force and effect from and after its passage and approval as provided by law.

ADOPTED this 19th day of December ,2023, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A



WEST SIDE TRACTOR SALES
1560 N Old Rand Road Wauconda IL 60084
(847) 526-7700



Dan Ristow - Sales Representative - dristow@wstsales.com

November 17, 2023

0
WINNETKA, VILLAGE OF
510 GREEN BAY RD
WINNETKA, IL

2024 John Deere 410 P Backhoe Loader
SOURCEWELL Cooperative Contract 032119-JDC

Please note that this quote is valid for 30 days.

Code	Machine Configuration Description All the prices in the detailed sections are Per machine basis. Qty (1)	Unit Price
17E0T	410 P-tier Backhoe Loader	197,574.00
202	United States	-
351	Translated Text Labels	-
259	English	-
1003	Cab	14,253.00
183E	JDLINK™	-
3009	Autoshift Transmission - Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential	-
4006	John Deere 4.5L - FT4/Stage IV	-
5311	Michelin Radial - 500/70R24 XMCL Rear & 340/80R18 XMCL Front	2,524.00
6154	Dual Batteries with Disconnect, Jump Post, and Engine Block Heater	494.00
6752	Extendible Dipperstick	9,003.00
6577	1250 lb. (567 kg.) Front Counterweight	1,938.00
7002	Auxiliary Hydraulics with One & Two Way Flow (Hammer & Thumb/Swinger)	6,700.00
7028	Pilot Controls, Two Lever, with Pattern Selection	-
7041	Loader Coupler, Three-Function Hydraulics, Single Lever	10,735.00
7800	Less Backhoe Bucket with Bucket Pins	-
7700	Less Coupler - Less Thumb	-
7863	92 in. (2.35 m.) Multi-Purpose Coupler Bucket, 1.31 cu. yd. (1.00 cu. m.)	11,530.00
8096	Premium Mirror Option - Exterior Rear View Mirrors (2) and Front View Mirror (1)	199.00
8109	Sun Visor	102.00
8146	Left Side Console Storage with Cup Holders	87.00
8207	Seat, Cloth Air-Suspension	541.00
8075	Diagnostic Oil Sampling Ports	450.00
8142	LED Light Package	1,133.00
8135	Hydrau XR - Synthetic Hydraulic Fluid	654.00
8062	Backhoe Boom Protection Plate	648.00
8115	MFWD Driveshaft Guard	519.00
List Price		\$ 259,084.00
Discount 41%		\$ 106,224.44
Net Price		\$ 152,859.56

	Custom Jobs Description	Qt	Price
	Factory Freight Destination Wauconda, IL 60084	1	2,021.01
	Dlr provide Pre-Delivery Inspection, Supplies and Fuel Fill	1	1,600.00
	Dealer Provided Delivery	1	600.00
	Labor for field installed kits	1	1,833.47
	Extended Warranty: • Extended 60/3000 Comprehensive Warranty Machine Only	1	5,793.33
	Hand Held Hydraulics	1	354.82
Parts	SERVICE AND TEST CD	1	1,200.00
WR	Wain Roy XLS Coupler	1	1,283.59
WR	Wain Roy XLS 12" Bucket	1	1,097.75
Parts	RAZOR Style LED Markers	1	1,352.67
Parts	BLU-102-1 Boom Mounted LED Worklights	1	993.13
MIDWEST	Install Auto Lube	1	6,767.06
Parts	Hydraulic Fittings to match existing 410	1	-
		1	-
		1	-
Total Price			\$ 24,896.84

Quote Summary (per unit)

Item Description	Prices
Machine Net Price	\$ 152,859.56
Custom Jobs	\$ 24,896.84

Total Net Price Quantity (1)		\$ 177,756.40
		-
		-
Adjusted Net Price		\$ 177,756.40
Less Trade-in		
0		-
0		-
		-
		-

Payoff to Trade

Net Price less Trade-Ins

\$ 177,756.40

Warranty Terms

410 P includes • Full Machine 12 Month -Unlimited Hour Warranty • Extended 60/3000 Comprehensive Warranty Machine Only



Agenda Item Executive Summary

TITLE: Resolution No. R-107-2023: Approving Change Order No. 3 with A. Lamp Concrete Contractors, Inc. for the 2023 Street Rehabilitation and Public Improvement Project (Adoption)

PRESENTER: James Bernahl

AGENDA DATE: December 19, 2023

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

FY2023 budgeted annual program.

EXECUTIVE SUMMARY:

As part of the Village's ongoing infrastructure improvement program, plans and specifications were developed for the 2023 Street Rehabilitation and Public Improvement Program. In addition to the regular scope of work, this contract includes the Village's Hot Mix Asphalt and Portland Cement Concrete Patching Programs.

On January 26, 2023, six sealed bids were opened, and the original and modified bid amounts were based on the reduction of work. After reviewing the bid results, the apparent low bid was submitted by A Lamp Concrete Contractor, Inc. out of Schaumburg, Illinois. On February 7th, 2023 the Village Council approved the contract with A Lamp Concrete Contractors, Inc. for an amount not to exceed \$3,869,448.95.

The FY 2023 Budget contains funding for this project in several line items:

	Budget Amounts
100.35.23-650 (Street Rehabilitation)	\$1,600,000
100.35.23-650 (Additional Pavement Patching)	\$30,000
100.30.22-571 (Street Maintenance)	\$18,000
100.35.01-650 (Sidewalk Replacement)	\$25,000
520.62.41-660 Watermain Replacement (2023 Water Fund)	\$2,197,500
TOTAL BUDGETED AMOUNT:	\$3,870,500

To date, the Village Council has approved two change orders to this contract related to the replacement of lead water service line work; Resolution No. R-81-2023 (September 5th, 2023) & Resolution No. R-102-2023 (December 5th, 2023).

As part of the North of Willow Stormwater Project intergovernmental with New Trier High School (NTHS), the Village agreed to resurface the southern parking lot located off of Willow Road. The resurfacing of the parking lot was necessary as NTHS allowed the Village to use this area as a staging area during improvements on the Duke Childs Field. Proposed improvements included the milling and resurfacing of the asphalt, curbs and sidewalk repairs, and re-striping of parking stalls. Staff coordinated the resurfacing work once NTHS was completed with improvements to the Ball Field.

The pricing received for resurfacing work as part of the annual Street Rehabilitation Program was more favorable than the asphalt pricing received for the North of Willow Project. For this reason, the Village requested that this work be done as part of the Street Rehab Program. Using the competitively bid pay items, the total for this work was \$49,422. Staff is proposing to pay for this additional resurfacing using available funds from the Stormwater Fund; Operations & Maintenance, Account 580.75.01-567. This account has adequate funding capacity available to finalize the project.

Staff is requesting that the Village Council approving resolution R-107-2023; Approving Change Order No. 3 to the contract with A Lamp Concrete Contractors, Inc. for an amount not to exceed \$49,422.

RECOMMENDATION:

Consider adopting Resolution No. R-107-2023; Approving Change Order No. 3 to the contract with A Lamp Concrete Contractors, Inc. for the 2023 Street Rehabilitation Improvement Project for an amount not to exceed \$49,422.

ATTACHMENTS:

1. Resolution No. R-107-2023: Approving Change Order No. 3 with A. Lamp Concrete Contractors, Inc.

RESOLUTION NO. R-107-2023

**A RESOLUTION APPROVING CHANGE ORDER NO. 3 WITH
A. LAMP CONCRETE CONTRACTORS, INC. FOR THE
2023 STREET REHABILITATION AND PUBLIC IMPROVEMENT PROJECT**

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

WHEREAS, on February 7, 2023, pursuant to Resolution No. R-20-2023, the Village entered into a contract ("**Contract**") with A. Lamp Concrete Contractors, Inc. ("**Contractor**") for the 2023 Street Rehabilitation and Public Improvement Project which includes four water main projects being performed in coordination with the street rehabilitation work, as well as the Village's Hot Mix Asphalt and Portland Cement Concrete Patching Programs ("**Scope of Work**"); and

WHEREAS, as part of the water main capital improvement projects, the Village funds a portion of the replacement of the lead service line from the water main to the homeowner's property line for Village-initiated water main projects; and

WHEREAS, on September 5, 2023, the Village Council approved Resolution No. R-81-2023, authorizing a change order to the Contract for Contractor to perform the replacement of lead service lines located on private property for sixteen customers electing to use the Contractor ("**Change Order No. 1**"); and

WHEREAS, on December 5, 2023, the Village Council approved Resolution No. R-102-2023, authorizing a second change order to the Contract for Contractor to perform the replacement of lead service lines located on private property for an additional eight customers electing to use the Contractor ("**Change Order No. 2**"); and

WHEREAS, the Village's North of Willow Project ("**North of Willow Project**") also includes resurfacing work and, proposed improvements to New Trier High School's southern parking lot, including the milling and resurfacing of the asphalt, curbs and sidewalks repairs, and re-striping of the parking stalls ("**NTHS Resurfacing Work**"); and

WHEREAS, the pricing received for the resurfacing work as part of the annual Street Rehabilitation Program was more favorable than the asphalt pricing received for the North of Willow Project; therefore, the Village desires to have the NTHS Resurfacing Work to be performed as part of the Street Rehabilitation Program; and

WHEREAS, the Contractor offered to perform the NTHS Resurfacing Work for an amount not to exceed \$49,422.00 pursuant to a change order to the Contract ("**Change Order No. 3**"); and

WHEREAS, the Village has allocated funds which are sufficient to pay for the NTHS Resurfacing Work; and

WHEREAS, the Village Council has determined that it is in the best interests of the Village and its residents to approve Change Order No. 3 with the Contractor;

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

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

SECTION 2: APPROVAL OF CHANGE ORDER NO. 3. The Village Council approves Change Order No. 3 to authorize the NTHS Resurfacing Work from the Contractor pursuant to the terms of the Contract.

SECTION 3: AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 3. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, Change Order No. 3, or any document necessary to effectuate the intent of this Resolution.

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law by two-thirds of the Trustees.

ADOPTED this 19th day of December, 2023, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

Duke Child's Filed (Willow Road)
Parking Lot - Contract Work + Resurfacing
11/14/2023

COMPLETED

NO.	PAY ITEM	UNIT	QTY	UNIT PRICE	AMOUNT
1	HOT MIX ASPHALT SURFACE REMOVAL	SQYD	2617	2.7	\$ 7,065
2	HOT MIX ASPHALT SURFACE COURSE, MIX C, N50 (2 INCH)	TON	240	115.0	\$ 27,600
3	COMBINATION CONCRETE CURB & GUTTER, R&R , TYP B-6.12	LF	353	28.5	\$ 10,061
4	THERMOPLASTIC PAVEMENT MARKING-LINE, 4" WHITE/YELLOW	FOOT	1626	2.3	\$ 3,789
5	THERMOPLASTIC PAVEMENT MARKING-LETTERS & SYMBOLS	SQFT	75	12.1	\$ 908

TOTAL COST \$ 49,422

NOTE

1 THIS ESTIMATE IS FINAL BASED ON INSTALLED QUANTITIES.



Agenda Item Executive Summary

TITLE: Resolution No. R-108-2023: Extending the Authorization for the Delivery and Carry-Out of Cocktails within the Village (Adoption)

PRESENTER: Brian O'Connell, Kristin Kazenas

AGENDA DATE: December 19, 2023

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

February 12, 2021: Supplemental emergency order was enacted allowing local delivery and carry-out cocktails pursuant to the Village's COVID-19 pandemic emergency declaration.

June 15, 2021: Resolution No. R-64-2021, Extending the Authorization for Delivery and Carry-out of Cocktails was approved by Council, extending the Village authorization until January 1, 2024.

EXECUTIVE SUMMARY:

Local delivery and carry-out of cocktails requires both State and Village authorization.

In response to the COVID-19 pandemic, the State amended the Illinois Liquor Control act and temporarily authorized local delivery and carry-out cocktails until June 1, 2021. On June 2, 2021, Governor Pritzker signed Public Act 102-0008 which extended the State authorization for delivery and carry-out cocktail service until January 1, 2024. On May 31, 2023, Governor Pritzker signed Public Act 103-0004, which extended the State authorization for delivery and carry-out cocktail service until July 31, 2028.

The State Act permits Delivery and Carry-Out Cocktail Service pursuant to various regulations, which include that the cocktail must be: (i) placed in a sealed, tamper evident container; (ii) transferred within the licensed premises, by curbside pickup, or through delivery by an employee of the establishment; (iii) individually labeled; and (iv) placed within the trunk of the vehicle, or in some otherwise not readily accessible location if there is no trunk.

There are currently 17 restaurants with a liquor license that permits delivery and carry out of cocktails. The Police Department has not reported any enforcement related issues since delivery and carry out of cocktails was permitted in February 2021. Therefore, to support local restaurants and residents who have been responsibly following the State and Village regulations related to the delivery and carry-out of cocktails, the Council is asked to consider the attached resolution which extends the Village authorization until August 1, 2028, in conformity with the State authorization.

RECOMMENDATION:

Consider adopting Resolution No. R-108-2023, Extending the Authorization for the Delivery and Carry Out of Cocktails within the Village until August 1, 2028.

ATTACHMENTS:

1. Resolution No. R-108-2023 - Extending Authorization for Delivery and Carry-Out Liquor Service

RESOLUTION NO. R-108-2023

**A RESOLUTION EXTENDING THE AUTHORIZATION FOR THE DELIVERY AND
CARRY-OUT OF COCKTAILS WITHIN THE VILLAGE**

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

WHEREAS, during the COVID-19 pandemic, the Governor signed into law Public Act 101-0631 amending the Illinois Liquor Control Act of 1934 (230 ILCS 5/1-1 *et seq.*) (“*Act*”) to adopt a new Section 6-28.8 of the Act allowing Illinois bars and restaurant to fulfill, subject to local regulation and licensing, carry-out and delivery orders for cocktails (“*Delivery and Carry-Out Cocktail Service*”) until January 1, 2024; and

WHEREAS, the Act permits Delivery and Carry-Out Cocktail Service pursuant to various regulations, which include, without limitation, that the cocktail must be: (i) placed in a sealed, tamper evident container; (ii) transferred within the licensed premises, by curbside pickup, or through delivery by an employee of the establishment; (iii) individually labeled; and (iv) placed within the trunk of the vehicle, or in some otherwise not readily accessible location if there is no trunk; and

WHEREAS, on May 31, 2023, the Governor signed into law Public Act 103-0004 to extend the Delivery and Carry-Out Cocktail Service until August 1, 2028; and

WHEREAS, because the Act’s authorization to allow Delivery and Carry-Out Cocktail Serve has been extended, the Village Council has determined that it is in the best interest of the Village and its residents to extend the Village’s authorization of Delivery and Carry-Out Cocktail Service pursuant to this Resolution;

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

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

SECTION 2: AUTHORIZATION FOR DELIVERY AND CARRY-OUT COCKTAIL SERVICE. Pursuant to the Village’s home rule authority, recipients of Class A, Class A-1, Class A-2, and Class Y liquor licenses (“*Permitted Establishments*”) may provide Delivery and Carry-Out Cocktail Service in the Village provided that they strictly comply with the conditions set forth in Section 3 of this Resolution until August 1, 2028.

SECTION 3: CONDITIONS. The authorizations granted by Section 2 of this Resolution are subject to, and contingent upon, a Permitted Establishment strict compliance with the following conditions:

A. Compliance with Law. A Permitted Establishment providing Delivery and Carry-Out Cocktail Service must comply with all applicable requirements of law, including, without limitation, the requirements in the Liquor Control Act and “Winnetka Village Code.”

B. Department of Commerce Guidelines. A Permitted Establishment providing Delivery and Carry-Out Cocktail Service must comply with all applicable guidelines published by the Illinois Department of Commerce.

SECTION 4: FAILURE TO COMPLY. Upon the failure or refusal of a Permitted Establishment to comply with any or all of the conditions, restrictions, or provisions of this Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Resolution will, at the sole discretion of the Liquor Commissioner, be revoked and become null and void.

SECTION 5: EFFECTIVE DATE. This Resolution will be effective upon passage by the Village Council in the manner required by law, and remain in effect so long as the Act authorizes Delivery and Carry-Out Cocktail Service. In the event that Delivery and Carry-Out Cocktail Service is no longer authorized by the Act or other State law, this Resolution shall automatically and without further action of the Village Council become null and void.

ADOPTED this 19th day of December, 2023, pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Signed

Village President

Countersigned:

Village Clerk



Agenda Item Executive Summary

TITLE: Resolution No. R-109-2023 - Approving Closed Session Minutes, Determining the Need to Keep Minutes of Certain Closed Meetings of the Village Council Confidential, and Authorizing the Destruction of Verbatim Recordings of Certain Closed Meetings of the Village (Adopt)

PRESENTER: Kristin Kazenas

AGENDA DATE: December 19, 2023

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

None.

EXECUTIVE SUMMARY:

Pursuant to Section 2.06 of the Open Meetings Act (OMA) , the Village must create a verbatim recording of its closed session meetings. The primary purposes of the verbatim recording requirement is to (i) assist public bodies in the preparation of their closed session minutes and (ii) to allow the Attorney General or a court to review what was discussed in closed session should someone challenge the authority of a public body to discuss a certain matter in closed session. However, the General Assembly did not intend for public bodies to keep verbatim recordings indefinitely. Section 2.06(c) provides that public bodies may destroy their verbatim recordings 18 months after the meeting at issue provided that the minutes are approved and the Council authorizes their destruction. The Village's longtime practice has been to authorize the destruction of verbatim recordings when eligible to do so. Accordingly, the proposed resolution would authorize the destruction of verbatim recordings that are older than 18 months in accordance with the OMA, approve all minutes of closed meetings of the Village Council that have taken place between September 10, 2019 and July 11, 2023; and determine that a need for confidentiality remains as to certain closed minutes.

RECOMMENDATION:

Consider approval of Resolution No. R-109-2023 Approving Closed Session Minutes, Determining the Need to Keep Minutes of Certain Closed Meetings of the Village Council Confidential, and Authorizing the Destruction of Verbatim Recordings of Certain Closed Meetings of the Village Council.

ATTACHMENTS:

1. Resolution No. R-109-2023 - Approval of Closed Session Minutes

RESOLUTION NO. R- 109-2023

**A RESOLUTION APPROVING CLOSED SESSION MINUTES, DETERMINING
THE NEED TO KEEP MINUTES OF CERTAIN CLOSED MEETINGS
OF THE VILLAGE COUNCIL CONFIDENTIAL, AND AUTHORIZING THE
DESTRUCTION OF VERBATIM RECORDINGS OF
CERTAIN CLOSED MEETINGS OF THE VILLAGE COUNCIL**

WHEREAS, pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* ("**Act**") the Village Council has, from time to time, conducted meetings that that were closed to the public pursuant to the Act (collectively, the "**Closed Meetings**"); and

WHEREAS, pursuant to the Act, the Village has approved and maintained written minutes of all Closed Meetings; and

WHEREAS, pursuant to Section 2.06(c) of the Act, the Village Council has determined that it will serve and be in the best interest of the Village to destroy the audiotaped verbatim recordings of those Closed Meetings that occurred prior to June 19, 2022; and

WHEREAS, pursuant to Section 2.06(d) of the Act, the Village Council has conducted its semi-annual review of all written minutes of the Closed Meetings of the Village Council; and

WHEREAS, the Village Council has determined that the need for confidentiality remains for certain minutes of Closed Meetings and the audiotaped verbatim recordings of Closed Meetings;

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

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

SECTION 2: APPROVAL OF CLOSED SESSION MINUTES. The President and Village Council hereby approve the closed session minutes of the Village Council from meetings that are identified in **Exhibit A** to this Resolution.

SECTION 3: DETERMINATION OF CONFIDENTIALITY. The President and Village Council have determined that a need for confidentiality still exists with respect to the minutes of all Closed Meetings that are identified in **Exhibit B** to this Resolution.

SECTION 4: DESTRUCTION OF VERBATIM RECORDINGS. The President and Village Council authorize and direct the Village Clerk to destroy all verbatim audio recordings of all Closed Meetings held prior to June 19, 2022.

SECTION 5: CONFIDENTIALITY OF VERBATIM RECORDINGS. The President and Village Council affirms that a need for confidentiality remains as to the verbatim audio recordings of all Closed Meetings, which verbatim audio recordings will not be made available for public inspection.

SECTION 6: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 19th day of December, 2023, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

Signed:

Village President

Countersigned:

Village Clerk

EXHIBIT B

APPROVAL OF CLOSED SESSION MINUTES OF THE VILLAGE COUNCIL

September 10, 2019	January 25, 2022
September 17, 2019	February 1, 2022
October 15, 2019	February 15, 2022
January 7, 2020	March 10, 2022
January 14, 2020	April 12, 2022
February 4, 2020	July 12, 2022
February 18, 2020	July 19, 2022
March 3, 2020	August 2, 2022
March 10, 2020	September 13, 2022
October 28, 2020	September 20, 2022
December 1, 2020	October 6, 2022
January 21, 2021	November 15, 2022
January 26, 2021	December 6, 2022
February 9, 2021	January 3, 2023
April 13, 2021	January 31, 2023
June 8, 2021	February 7, 2023
September 9, 2021	February 21, 2023
September 21, 2021	March 21, 2023
October 12, 2021	July 11, 2023
October 19, 2021	
November 9, 2021	
November 16, 2021	
November 23, 2021	

EXHIBIT B

CLOSED MEETINGS FOR WHICH A NEED FOR CONFIDENTIALITY EXISTS

November 8, 2011	June 7, 2016
February 14, 2012	June 30, 2016
March 8, 2012	August 2, 2016
March 13, 2012	August 16, 2016
March 20, 2012	October 4, 2016
April 17, 2012	November 15, 2016
June 12, 2012	December 6, 2016
October 16, 2012	December 13, 2016
November 8, 2012	February 7, 2017
June 4, 2013	March 21, 2017
September 3, 2013	May 16, 2017
October 8, 2013	May 24, 2017
January 21, 2014	June 6, 2017
March 26, 2014	July 11, 2017
October 7, 2014	August 1, 2017
November 18, 2014	November 21, 2017
December 16, 2014	December 5, 2017
January 13, 2015	December 12, 2017
February 17, 2015	January 9, 2018
March 3, 2015	March 6, 2018
March 17, 2015	April 10, 2018
April 9, 2015	July 17, 2018
April 14, 2015	August 21, 2018
April 21, 2015	September 25, 2018
May 19, 2015	November 8, 2018
June 2, 2015	January 8, 2019
June 16, 2015	January 8, 2019
June 30, 2015	February 5, 2019
July 7, 2015	March 5, 2019
September 15, 2015	March 19, 2019
November 17, 2015	April 25, 2019
December 1, 2015	April 30, 2019
January 19, 2016	May 14, 2019
February 2, 2016	June 4, 2019
February 16, 2016	June 11, 2019
March 8, 2016	August 6, 2019
April 5, 2016	September 10, 2019
April 19, 2016	September 17, 2019
May 3, 2016	October 15, 2019

EXHIBIT B

**CLOSED MEETINGS FOR WHICH A NEED FOR CONFIDENTIALITY EXISTS –
CONTINUED**

January 7, 2020	January 25, 2022
January 14, 2020	February 1, 2022
February 4, 2020	February 15, 2022
February 18, 2020	March 10, 2022
March 3, 2020	April 12, 2022
March 10, 2020	July 12, 2022
October 28, 2020	July 19, 2022
December 1, 2020	August 2, 2022
January 21, 2021	September 13, 2022
January 26, 2021	September 20, 2022
February 9, 2021	October 6, 2022
April 13, 2021	November 15, 2022
June 8, 2021	December 6, 2022
September 9, 2021	January 3, 2023
September 21, 2021	January 31, 2023
October 12, 2021	February 7, 2023
October 19, 2021	February 21, 2023
November 9, 2021	March 21, 2023
November 16, 2021	July 11, 2023
November 23, 2021	



Agenda Item Executive Summary

TITLE: Approval of Amended Village Council Meeting Schedule for 2024

PRESENTER: Kristin Kazenas

AGENDA DATE: December 19, 2023

CONSENT: Yes

ITEM TYPE: Consent Agenda

ITEM HISTORY:

November 14, 2023 - Council approved the Annual Meeting Notice for 2024.

EXECUTIVE SUMMARY:

After approval of the 2024 Annual Village Council meeting schedule on November 14, 2023, Council determined that a revised January 2024 Village Council meeting schedule would be beneficial since the first regularly scheduled Council meeting was planned for January 2, the day after the New Year's holiday. The attached amended meeting schedule highlights the change in the January meetings.

RECOMMENDATION:

Consider approval of an amended Village Council Meeting Schedule for 2024.

ATTACHMENTS:

1. 2024 Annual Meetings Notice-Amended 2023.12.19

VILLAGE OF WINNETKA
OPEN MEETINGS ACT NOTICE
AMENDED SCHEDULE OF REGULAR MEETINGS FOR 2024

Pursuant to the provisions of the Illinois Open Meetings Act, notice is hereby given of the Schedule of Regular Meetings of the various public bodies of the Village of Winnetka for the year 2024.

The following boards and commissions meet in the Council Chambers of the Winnetka Village Hall, 510 Green Bay Road, Winnetka, Illinois, at 7:00 p.m., on the dates shown, except as otherwise indicated:

Village Council – Regular Meeting	1 st and 3 rd Tuesday of each month *Except below
Village Council – Study Sessions	2 nd Tuesday of each month
Plan Commission	4 th Wednesday of each month, except: 3 rd Wednesday in November and December
Zoning Board of Appeals	2 nd Monday of each month
Design Review Board/Sign Board of Appeals	3 rd Thursday of each month
Environmental & Forestry Commission	2 nd Wednesday of each month
Landmark Preservation Commission	1 st Monday of each month, except: 3 rd Monday in January and September
Board of Fire and Police Commissioners	3 rd Thursday of April and October at 5:00 p.m., Village Hall conference room
Planned Development Commission	1 st Wednesday of each month, except: 3 rd Wednesday in July and October

¹ The Village Council meetings scheduled in January will be held as follows due to the January 1 holiday:

- a. The Regular Village Council meeting scheduled on January 2 will be held on January 9.
- b. The Village Council Study Session meeting scheduled on January 9 will be held on January 16.
- c. The Regular Village Council meeting scheduled on January 16 will be held on January 23.

² The Regular Village Council meeting scheduled on March 19 will be held on March 21 due to the General Primary Election.

³ The Regular Village Council meeting scheduled on November 5 will be held on November 7 due to the General Election.

The **Police Pension Fund** board meets at the Police Department, 410 Green Bay Road, on the 4th Thursday of January, April, July and October at 8:30 AM

The following boards and commissions meet at the Winnetka Fire Department, 428 Green Bay Road, at the dates and times indicated:

Firefighters Pension Fund Board	2 nd Wednesday of February, May, August and November; at 3:00 PM
Foreign Fire Insurance Board	3 rd Monday of January, March, May, July, September, and November at 7:30 AM

Agendas: Agendas can be found on the Village of Winnetka website, villageofwinnetka.org, or at Village Hall on the first floor public bulletin board.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that persons with disabilities who require certain accommodations or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator, the Assistant Village Manager, at 510 Green Bay Road, Winnetka, Illinois 60093 (telephone: 847-716-3543; T.D.D.: 847-501-6041).



Agenda Item Executive Summary

TITLE: Ordinance No. MC-12-2023: Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance Regarding Lot Consolidations (Adoption)

PRESENTER: David Schoon

AGENDA DATE: December 19, 2023

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

- 11-14-23 - Village Council conducted a study session regarding bluff steep slope regulations & creation of large lots through consolidation process.
- 12-5-23 - Village Council held public hearing and approved introduction of MC-12-2023 – An Ordinance Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance Regarding Lot Consolidations

EXECUTIVE SUMMARY:

On Tuesday, December 19, 2023, the Village Council is scheduled to consider adoption of Ordinance No. MC-12-2023, Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance Regarding Lot Consolidations (**Attachment 1**).

The Village Manager of the Village of Winnetka has applied for the Village Council to consider amending Title 16, Subdivision, and Title 17, Zoning, of the Winnetka Code of Ordinances (“Ordinance Amendments”) requiring special use permit approval for certain multiple lot consolidations. The proposed ordinance would require special use approval to consolidate any number of lots that results in a lot in a single-family residential district that is greater than two times the minimum required lot size for the lot in question or two times the minimum required average lot width for the lot in question. The purpose of the ordinance would be to ensure that the proposed lot would not be inconsistent with the general lot size, the average lot width, or the character of properties located adjacent to or on the same block face of the subject lot.

At its December 5, 2023, meeting, the Village Council held a public hearing on the proposed ordinance. After hearing from members of the public and discussing the ordinance, the Village Council approved the introduction of the ordinance.

RECOMMENDATION:

The Council is scheduled to consider adoption of Ordinance No.MC-12-2023; Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance Regarding Lot Consolidations

ATTACHMENTS:

1. Ordinance No. MC-12-2023: Amending Title 16 of the Winnetka Village Code and Chapters 17.30 and 17.50 of the Winnetka Zoning Ordinance

**AN ORDINANCE AMENDING TITLE 16 OF THE WINNETKA VILLAGE CODE AND
CHAPTERS 17.30 AND 17.50 OF THE WINNETKA ZONING ORDINANCE
REGARDING LOT CONSOLIDATION**

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

WHEREAS, Section 16.12.010 of the “Winnetka Village Code”, as amended (“*Village Code*”), regulates land subdivision standards for lots within the Village (“*Lot Regulations*”); and

WHEREAS, the Village’s lot size requirements and lot width requirements for single-family residential zoning districts are contained in Chapter 17.30 of the “Winnetka Zoning Ordinance,” as amended, (“*Zoning Ordinance*”) and the procedures and standards for special uses are contained in Chapter 17.56 of the Winnetka Zoning Ordinance; and

WHEREAS, in order to minimize construction in the Village that may alter the scale and character of the neighborhood, the Village Council desires to amend the Lot Regulations and the Zoning Ordinance to require a special use permit for certain multiple lot consolidations (“*Special Use Requirement*”); and

WHEREAS, to implement the Special Use Requirement, the Village Manager submitted an application for (i) amendments to the Lot Regulations (“*Proposed Subdivision Code Amendments*”) and (ii) text amendments to Sections 17.30.010, 17.30.020, and 17.56.120 of the Zoning Ordinance (“*Proposed Zoning Code Amendments*”); and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Ordinance, the Village gave proper notice of a public hearing by the Winnetka Village Council to consider the Proposed Zoning Code Amendments by publication in the *Chicago Tribune* on November 20, 2023; and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Ordinance, on December 5, 2023, after due notice, the Village Council held a public hearing to consider the Proposed Zoning Code Amendments; and

WHEREAS, pursuant to its home rule powers and all other applicable law and authorities, the Village Council finds and determines that it is in the best interests of the Village and its residents to adopt the Proposed Subdivision Code Amendments and Proposed Zoning Code Amendments to implement the Special Use Requirement, as set forth in this Ordinance;

NOW, THEREFORE, the Council of the Village of Winnetka ordains as follows:

SECTION 1. RECITALS. The recitals above are incorporated into this Section as the findings of the Village Council, as if fully set forth in this Section.

SECTION 2. AMENDMENT TO SECTION 16.12.010 OF THE VILLAGE CODE.

Subsection D, titled “Lots”, of Section 16.12.010, titled “Minimum land subdivision standards,” of Chapter 16.12, titled “Design Standards,” of Title 16, titled “Subdivisions,” of the Village Code shall be amended by adding a new Paragraph 10 to Subsection D, which new Paragraph 10 shall be as follows:

“Section 16.12.010 Minimum land subdivision standards.

Subdivisions shall conform with the Comprehensive Plan and with the following minimum standards:

* * *

D. Lots.

* * *

10. Consolidations. The consolidation of any number of lots that results in a lot that is greater than two times the minimum lot size for the lot in question as established in Section 17.30.010 of the Zoning Ordinance or greater than two times the minimum average lot width for the lot in question as established in Section 17.30.020 is only permitted by a special use permit granted pursuant to Chapter 17.56 of the Zoning Ordinance. This Subsection (D)(10) only applies to Single-Family Residential Districts as set forth in the Zoning Ordinance.”

SECTION 3. AMENDMENT TO SECTION 17.30.010 OF THE VILLAGE ZONING ORDINANCE. Section 17.30.010, titled “Lot Area, Shape and Dimensions,” of Chapter 17.30, titled “Lot, Space, Bulk and Yard Regulations for Single-Family Residential Districts,” of Title 17, titled “Zoning,” of the Village Zoning Ordinance shall be amended by adding a new Subsection H to Section 17.30.010, which new Subsection H shall be as follows:

“Section 17.30.010 Lot Area, Shape and Dimensions.

* * *

H. Large Lot Consolidations. The consolidation of any number of lots that results in a lot that is greater than two times the minimum lot size for the lot in question as established in Section 17.30.010 of the Zoning Ordinance is only permitted by a special use permit granted pursuant to Chapter 17.56 of the Zoning Ordinance.”

SECTION 4. AMENDMENT TO SECTION 17.30.020 OF THE VILLAGE ZONING ORDINANCE. Section 17.30.020, titled “Lot Width and Street Frontage,” of Chapter 17.30, titled “Lot, Space, Bulk and Yard Regulations for Single-Family Residential Districts,” of Title 17, titled “Zoning,” of the Village Zoning Ordinance shall be amended by adding a new Subsection F to Section 17.30.020, which new Subsection F shall be as follows:

“Section 17.30.020 Lot Width and Street Frontage.

* * *

- F. Large Lot Consolidations. The consolidation of any number of lots that results in a lot that is greater than two times the minimum average lot width for the lots in question as established in Section 17.30.020 of the Zoning Ordinance is only permitted by a special use permit granted pursuant to Chapter 17.56 of the Zoning Ordinance.”**

SECTION 5. AMENDMENT TO SECTION 17.56.065 OF THE VILLAGE ZONING ORDINANCE. Section 17.56.065, titled “Plan Commission Proceedings,” of Chapter 17.56, titled “Special Uses,” of Title 17, titled “Zoning,” of the Village Zoning Ordinance shall be amended as follows:

“Section 17.56.065 Plan Commission Proceedings.

- A. Jurisdiction. Except as provided in Sections 17.56.067, 17.58.080 and 17.58.100, the Plan Commission shall conduct public hearings regarding all special use applications received by the Village and shall have exclusive jurisdiction to conduct public hearings regarding special use applications received by the Village for properties located within the C-2 ~~Retail~~ **Commercial** Overlay District, **and special use applications received by the Village for large lot consolidations pursuant to Sections 17.30.010H and 17.30.020F.** No board or commission of the Village other than the Plan Commission shall, before the Village Council's review and decision in accordance with Section 17.56.070 of this Zoning Ordinance, conduct a public hearing, hold a meeting, or otherwise review special use applications for properties located within the C-2 ~~Retail~~ **Commercial** Overlay District; provided, however, that the Planned Development Commission shall, in accordance with Section 17.56.067 and Chapter 17.58 of this title, conduct public hearings regarding all applications for a planned development and applications for special uses that are filed concurrently with an application for a planned development, whether or not the proposed planned development is located within the C-2 ~~Retail~~ **Commercial** Overlay District. **No board or commission of the Village other than the Plan Commission shall, before the Village Council’s review and decision in accordance with Section 17.56.070 of this Zoning Ordinance, conduct a public hearing, hold a meeting, or otherwise review special use applications required for large lot consolidations pursuant to Sections 17.30.010H and 17.30.020F; provided, however, that if the special use application also includes a zoning variation request on the subject lot, the Zoning Board of Appeals will continue to have jurisdiction over the zoning variation request as provided in Chapter 17.60.”**

SECTION 6. AMENDMENT TO SECTION 17.56.120 OF THE VILLAGE ZONING ORDINANCE. Section 17.56.120, titled “Standards for Granting of Special Use Permits,” of Chapter 17.56, titled “Special Uses,” of Title 17, titled “Zoning,” of the Village Zoning Ordinance shall be amended by adding a new Subsection E to Section 17.56.120, which new Subsection E shall be as follows:

“Section 17.56.120 Standards for Granting of Special Use Permits.

* * *

- E. Additional Considerations and Standards for Granting Special Uses for Large Lot Consolidations. In considering a request for a special use permit pursuant to Section 17.030.010H or Section 17.030.020F, the Village Council may consider such factors as, without limitation, the extent to which the proposed special use would be inconsistent with the general lot size, average lot width, or character of properties located adjacent to or on the same block face of the subject lot. In granting a special use permit required pursuant to Section 17.030.010H or Section 17.030.020F, the Village Council may impose certain conditions, including without limitation, any one or more of the following conditions, which are in addition to those authorized by Section 17.56.070: (i) the installation of additional landscaping on the lot; (ii) an increase in any minimum required yard or yards on the lot beyond what is otherwise required by the Zoning Ordinance; (iii) a restriction on the maximum gross floor area on the lot; (iv) a restriction on the maximum roofed lot coverage on the lot; (v) a restriction on the maximum total area of impermeable surfaces on the lot; (vi) a requirement to provide preliminary conceptual plans as are reasonably necessary to evaluate the proposed special use request; and (vii) restrictions to mitigate the impact of construction activity.”**

SECTION 7. EFFECTIVE DATE. This Ordinance will be in full force and effect upon passage, approval, and publication of this Ordinance in pamphlet form in the manner provided by law.

{SIGNATURE PAGE FOLLOWS}

PASSED this 19 day of December 2023, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2023.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of ____, 2023.

Introduced: December 5, 2023

Passed and Approved: _____, 2023



Agenda Item Executive Summary

TITLE: Ordinance No. M-17-2023: Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of a Pickleball Court for an Existing Residence Within the R-2 Single Family Residential District (889 Sheridan Road) (Adoption)

PRESENTER: David Schoon

AGENDA DATE: December 19, 2023

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

12-5-2023: Village Council approved introduction of Ordinance No. M-17-2023, Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of a Pickleball Court (889 Sheridan Road)

EXECUTIVE SUMMARY:

On December 19, 2023, the Village Council is scheduled to consider adoption of Ordinance No. M-17-2023, an Ordinance Granting a Variation from the Winnetka Zoning Ordinance to Allow Construction of a Pickleball Court for an Existing Residence within the R-2 Single Family Residential Zoning District (**Attachment 1**). The Ordinance is in response to an application submitted by First Nations Bank Trust #1933 (the "Applicant") as the owner of the property located at 889 Sheridan Road (the "Subject Property").

The Applicant is requesting approval of a zoning variation to allow construction of a pickleball court within the minimum required corner yard setback of 50 feet from the south property line along Tower Road on the Subject Property.

At the December 5, 2023, meeting, the Village Council heard from the Applicant regarding its request. After hearing from the Applicant, the Council discussed the application and approved a motion to introduce Ordinance No. M-17-2023 with the condition that the court be relocated as much as possible out of the required corner yard setback. In response to the Council's comments, the Applicant has provided the attached narrative along with two options explored by the Applicant for the revised location of the pickleball court (**Attachment 2**). The Applicant's narrative explains why it prefers Option 1, which represents the largest increase in the setback. In Option 1, the proposed pickleball court would provide a corner yard setback of 21 feet, compared to the 13 feet originally proposed by the Applicant.

The ordinance has been amended to reflect the proposed pickleball court would provide a setback of 21 feet, whereas a minimum of 50 feet is required, a variation of 29 feet (58%).

RECOMMENDATION:

Council will consider adoption of Ordinance No. M-17-2023; Granting a Variation from the Winnetka Zoning Ordinance to Allow the Construction of a Pickleball Court for an Existing Residence Within the R-2 Single Family Residential District.

ATTACHMENTS:

1. Ordinance No. M-17-2023: Granting a Variation to Allow the Construction of a Pickleball Court (889 Sheridan)
2. December 12, 2023, Letter and Site Plan Options Provided by Applicant

**AN ORDINANCE GRANTING A VARIATION FROM THE
WINNETKA ZONING ORDINANCE TO ALLOW THE CONSTRUCTION
OF A PICKLEBALL COURT FOR AN EXISTING RESIDENCE WITHIN
THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT
(889 Sheridan Road)**

WHEREAS, First Nations Bank Trust #1933 ("*Applicant*") is the record title owner of the parcel of real property commonly known as 889 Sheridan 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 approximately 1.42 acres in area and located within the R-2 Single Family Residential District of the Village ("*R-2 District*") and is improved with a single-family residence; and

WHEREAS, the Applicant desires to construct a pickleball court on the Subject Property ("*Proposed Pickleball Court*"); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance ("*Zoning Ordinance*"), the minimum required corner yard setback for the Subject Property is 50 feet; and

WHEREAS, to construct the Proposed Pickleball Court on the Subject Property, the Applicant filed an application for a variation from Section 17.30.050 to allow a corner yard setback of 13 feet from the south property line along Tower Road ("*Variation*"); and

WHEREAS, on November 13, 2023, after due notice thereof, the Zoning Board of Appeals ("*ZBA*") conducted a public hearing on the Variation and, by a vote of four members in favor and two opposed, recommended that the Council of the Village of Winnetka ("*Village Council*") approve the Variation; and

WHEREAS, on December 5, 2023, the Village Council considered the Variation, and requested that the Applicant relocate the Proposed Pickleball Court as much as possible out of the required corner yard; and

WHEREAS, the Applicant adjusted the location of the Proposed Pickleball Court on the Subject Property and thus amending its application for a variation from Section 17.30.050 to allow a corner yard setback of 21 feet from the south property line along Tower Road ("*Amended Variation*"); and

WHEREAS, pursuant to Section 17.60.050 of the Zoning Ordinance, the Village Council has determined that: (i) the Amended 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 provision or regulation of the Zoning Ordinance from which the Variation has been sought; and

WHEREAS, the Village Council has determined that approval of the Amended Variation for the Subject Property within the R-2 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 VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Amended Variation from Section 17.30.050 of the Zoning Ordinance to allow the construction of the Proposed Pickleball Court on the Subject Property 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 3: CONDITIONS. The Amended Variation granted by Section 2 of this Ordinance is 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 Pickleball Court 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 Pickleball Court and 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 development, use, and maintenance of the Proposed Pickleball Court on the Subject Property must be in strict accordance with the plans prepared by Cage Civil Engineering, consisting of one sheet, with a latest revision date of December 12, 2023, and H. Gary Frank Architects AIA. LTD, consisting of one sheet, with a latest revision date of October 11, 2023, copies of which are attached

to, and by this reference, made part of this Ordinance as **Exhibit B (“Plans”)**, except for minor changes and site work approved by the Director of Community Development or the Director of Engineering (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

SECTION 4: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk Recording Division. 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 5: 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 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 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 6: 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 7: 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 8: 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 C** attached to and, by this reference, made a part of this Ordinance to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to

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

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.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 December, 2023, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2023.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this _ day of _____,
2023.

Introduced: December 5, 2023

Passed and Approved: _____, 2023

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

All that part of Lots 1 to 3 of Chandler's Subdivision, being a Subdivision of Block 15 of Hubbard Estate Subdivision, in the Northeast Fractional Quarter of Section 17, Township 42 North, Range 13, East of the Third Principal Meridian, as per Plat thereof recorded as document number 5849038, bounded and described as follows, to wit: Beginning at a point in the Easterly line of Sheridan Road (being the Westerly line of said Chandler's Subdivision) 30 Feet Southerly from (measured at right angles to) the Northerly line of said Chandler's Subdivision; running thence Northeasterly in a straight line to a point 36 Feet Southeasterly from (measured at right angles to) the said Northerly line of said Chandler's Subdivision at a point 180 Feet (as measured along said Northerly line of said Chandler's Subdivision) from the Easterly line of Sheridan Road; thence Northeasterly in a straight line to a point 51 Feet from (measured at right angles to) the said Northerly line of said Chandler's Subdivision at a point 255 Feet (as measured along said Northerly line of said Chandler's Subdivision) from the Easterly line of Sheridan Road; thence Northeasterly in a straight line to a point 55 feet from (measured at right angles to) the said Northerly line of said Chandler's Subdivision, at a point 357.5 Feet (measured along said Northerly line of said Chandler's Subdivision) from the Easterly line of Sheridan Road; thence Southeasterly in a straight line to a point on the Northerly line of said Lot 2 of said Chandler's Subdivision 370 feet (as measured along said Northerly line of said Lot 2) from the Easterly line of Sheridan Road; thence Southeasterly in a straight line to a point 3 Feet due North of a point in the North line of North Avenue (being the South line of said Chandler's Subdivision) said point in North Avenue being 468 Feet East (measured along the North line of said North Avenue) of the Northeast corner of Sheridan Road and North Avenue; thence South in a straight line a distance of 3 Feet to the North line of North Avenue; thence West along said North line of North Avenue a distance of 468 Feet to the point of intersection of North line of North Avenue with the Northeasterly line of Sheridan Road; thence Northwesterly along the Northeasterly line of Sheridan Road to the place of beginning, all in Cook County, Illinois.

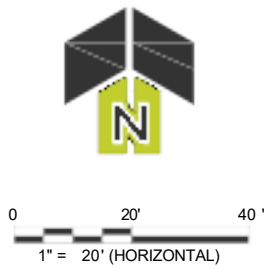
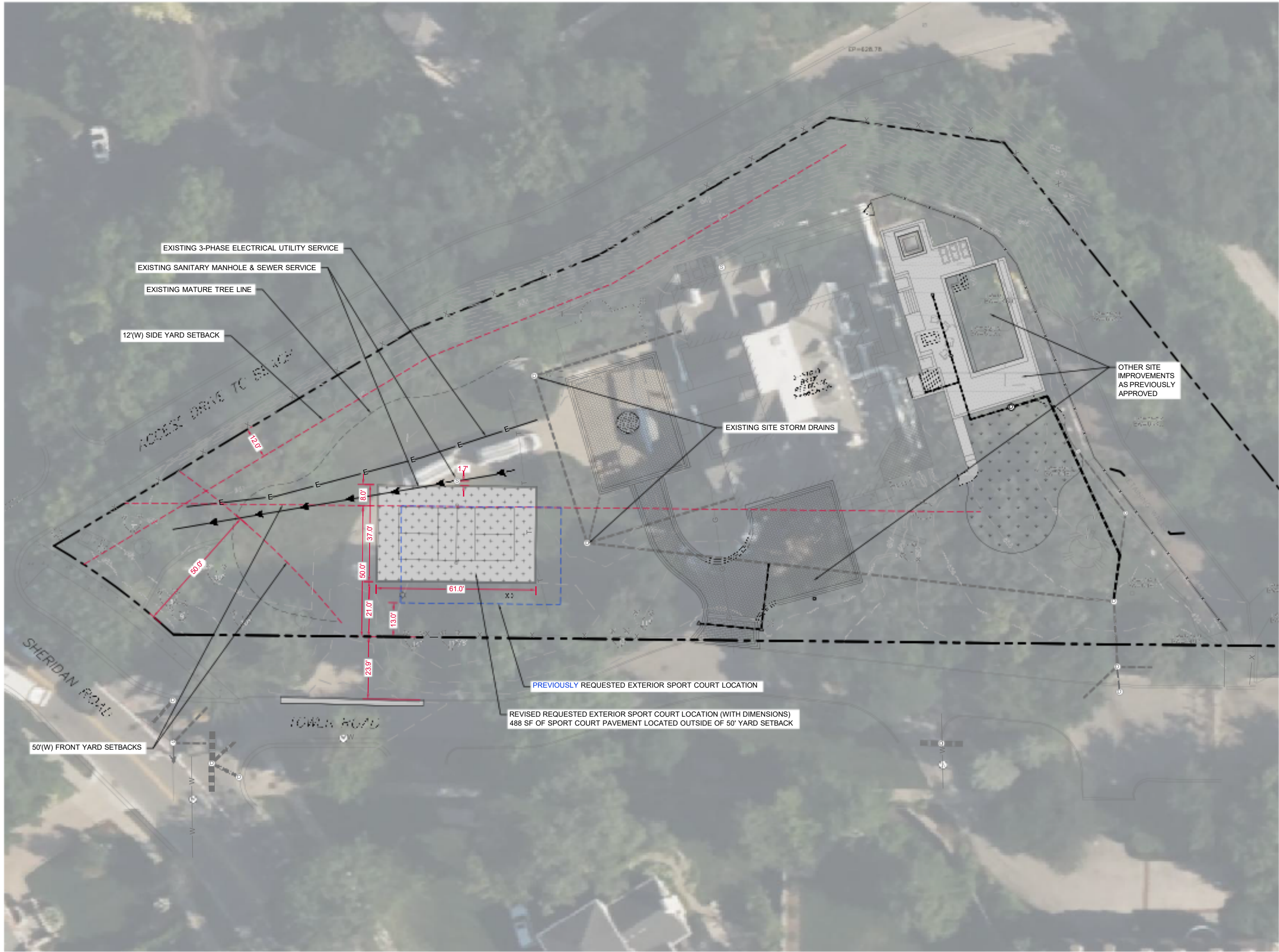
Commonly known as 889 Sheridan Road, Winnetka, Illinois.

PIN: 05-17-203-041-0000

EXHIBIT B

PLANS

(SEE ATTACHED EXHIBIT B)



2200 CABOT DRIVE
SUITE 325
LISLE, IL 60532
P: 630.598.0007
WWW.CAGECIVIL.COM

CAGE
CIVIL ENGINEERING

REVISIONS

NO.	DESCRIPTION	DATE

THIS DESIGN AND THESE DRAWINGS ARE THE PROPERTY OF CAGE ENGINEERING, INC. NO PART OF THIS WORK MAY BE REPRODUCED WITHOUT PRIOR WRITTEN PERMISSION FROM CAGE ENGINEERING, INC.

889 SHERIDAN ROAD
WINNETKA, IL

PROJ NO: 220082
ENG: MPS/AJB
DATE: 12/07/2023

SHEET TITLE
SPORT COURT
SETBACK
EXHIBIT
(OPTION 1)

SHEET NUMBER
EX-1
1 OF 2



101123	
RESIDENCE	
889 SHERIDAN RD.	
889 SHERIDAN RD. WINNETKA	
H. GARY FRANK ARCHITECTS AIA, LTD	
525 Chestnut Street Winnetka, IL 60093	
Office 847 501 4212	
contact@hgaryfrankarchitects.com	
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EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, First Nations Bank Trust #1933 ("**Applicant**") is the record title owner of the parcel of real property commonly known as 889 Sheridan Road in Winnetka, Illinois ("**Subject Property**"); and

WHEREAS, the Subject Property is approximately 1.42 acres in area and located within the R-2 Single Family Residential District of the Village ("**R-2 District**") and is improved with a single-family residence; and

WHEREAS, the Applicant desires to construct a pickleball court on the Subject Property ("**Proposed Pickleball Court**"); and

WHEREAS, to construct the Proposed Pickleball Court on the Subject Property, the Applicant filed an application for a variation from Section 17.30.050 to allow a corner yard setback of 21 feet from the south property line along Tower Road ("**Variation**"); and

WHEREAS, on December 5, 2023, the Village Council considered the Variation, and requested that the Applicant relocate the Proposed Pickleball Court as much as possible out of the required corner yard; and

WHEREAS, the Applicant adjusted the location of the Proposed Pickleball Court on the Subject Property and thus amending its application for a variation from Section 17.30.050 to allow a corner yard setback of 21 feet from the south property line along Tower Road ("**Amended Variation**"); and

WHEREAS, Ordinance No. M-17-2023, adopted by the Village Council on December __, 2023 ("**Ordinance**"), grants the Amended Variation; and

WHEREAS, Section 8 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 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 grant of the Amended Variation 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 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 granting the Amended Variation 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: _____, 2023

ATTEST:

FIRST NATIONS BANK TRUST #1933

By: _____



December 12, 2023

Ann Klaassen
Assistant Director
Village of Winnetka
Community Development Department
510 Green Bay Road
Winnetka, IL 60093

RE: Draft Ordinance No. M-17-2023
889 Sheridan Road Pickleball Court
Revised Court Location Narrative

Ann,

Pursuant to discussions held during the Regular Meeting of the Village Council on December 5, 2023, CAGE Engineering, Inc. (CAGE) is reaching out to you regarding the requested zoning variation which would allow for the construction of a new pickleball court within the required 50-foot corner yard setback of the property located at 889 Sheridan Road. As was requested by several members of the Village Council during the meeting, we have investigated potential alternate locations that would result in the new court surface being located outside of the required setback to the extents practicable, with the revised location being achieved by some combination of translating and rotating the court to the north as necessary to increase the distance between the court and the Tower Road public right-of-way. It is noted that the originally-proposed location of the court – which was previously presented to both the Village Council and the Plan Commission – provided a minimum setback of 13 feet to the Tower Road right-of-way line and resulted in the entirety of the 37-foot-wide by 61-foot-long court being located within the required 50-foot setback.

Attached to this narrative are two (2) exhibits demonstrating alternative locations for the court that have been prepared, which can be briefly described as follows:

- Option 1: The court has been shifted to the north by a distance of 8 feet – thereby increasing the minimum setback provided to 21 feet – and to the west by approximately 10 feet. The westward shift is to allow for the center of the court to be aligned with the existing sanitary manhole structure in the yard, which provides the greatest distance from the structure to the playing area for safety purposes while minimizing the separation from the court to the manhole structure at approximately 24 inches. This orientation provides the greatest overall distance from the court to the Tower Road right-of-way line, and results in approximately 21% of the court surface being located outside of the 50-foot corner yard setback. When considering the additional distance (approximately 24 feet) from the property line to the Tower Road curblin, the court would be set back approximately 45 feet from the public roadway.

- Option 2: The court has been shifted to the north by a distance of 2 feet – thereby increasing the minimum setback provided to 15 feet – and rotated by approximately 15 degrees counterclockwise. The 15-degree angle is such that the court would be aligned parallel/perpendicular to the existing vehicular driveway to the east, and the 2-foot northward shift results in approximately 24 inches of separation between the manhole structure and the court surface. This orientation results in approximately 26% of the court surface being located outside of the 50-foot corner yard setback. When considering the additional distance (approximately 24 feet) from the property line to the Tower Road curblin, the court would be set back approximately 39' from the public roadway.

While the property owner is accepting of either option moving forward, Option 1 would be preferable due to the increased minimum setback from the property line, thereby providing a greater buffer from the court to the public right-of-way that would provide increased screening and reduce the effect of potential noise that would be generated by use of the court. Given the unique topographic constraints of the site which are preventative to the court being placed in a location that would be fully compliant with the zoning ordinance (as has previously been discussed length, but generally consists of the existing steep grade and dense landscape screening extending further into the property than the required setback along the north property line, maintaining a safe distance from the court to the existing heavily-trafficked Tower Beach access road, and conflicts with existing electric and sanitary utility structures in the center of the yard), it is the opinion of the applicant that the proposed location of the court is ideal for the property and surrounding neighborhood in question and meets the necessary standards for the requested variation.

We appreciate the Village's continued assistance regarding this matter. Should you have any questions or comments regarding this matter, please do not hesitate to contact me either via telephone at (847) 849-7726 or via email at abruder@cagecivil.com.

Sincerely,
CAGE ENGINEERING, INC.



Aaron J. Bruder, PE
Director of Engineering – Illinois

CC: Joe Papanicholas
Gary Frank



REVISIONS

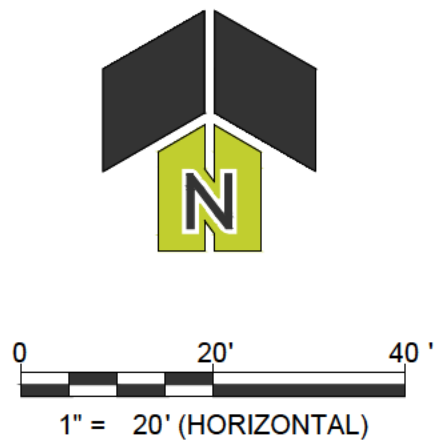
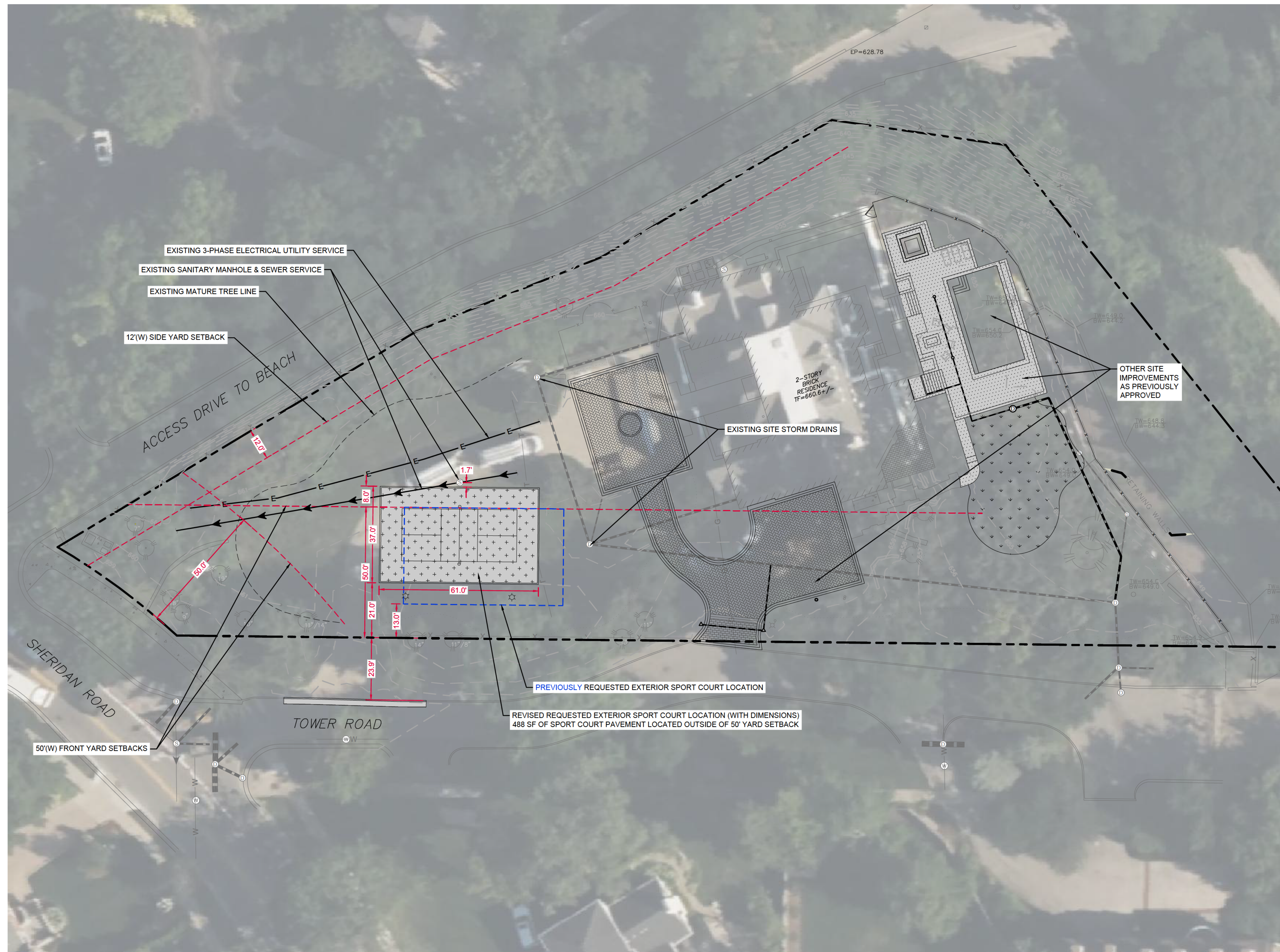
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889 SHERIDAN ROAD
889 SHERIDAN ROAD
WINNETKA, IL

PROJ NO: 220082
ENG: MPS/AJB
DATE: 12/07/2023

SHEET TITLE
SPORT COURT
SETBACK
EXHIBIT
(OPTION 1)

SHEET NUMBER
EX-1
1 OF 2





REVISIONS

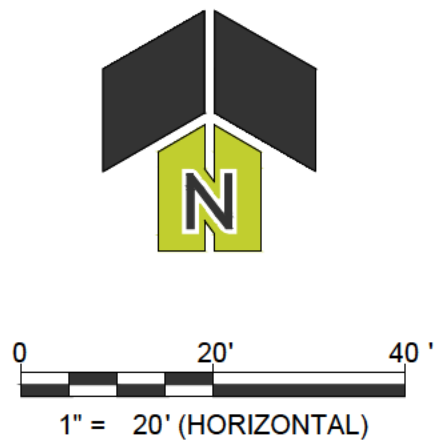
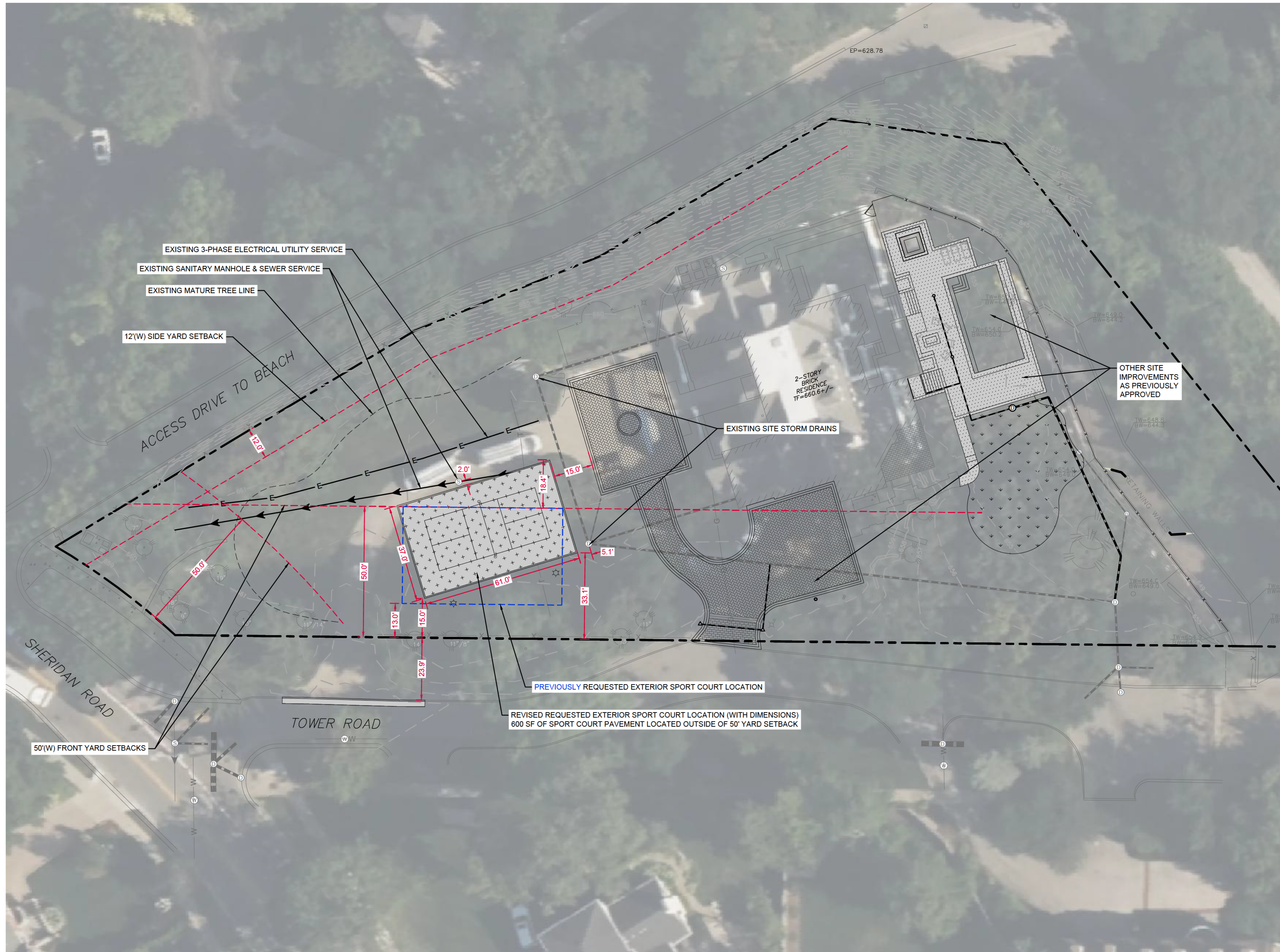
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889 SHERIDAN ROAD
889 SHERIDAN ROAD
WINNETKA, IL

PROJ NO: 220082
ENG: MPS/AJB
DATE: 12/07/2023

SHEET TITLE
SPORT COURT
SETBACK
EXHIBIT
(OPTION 2)

SHEET NUMBER
EX-2
2 OF 2





Agenda Item Executive Summary

TITLE: Ordinance No. M-20-2023 - Authorizing The Disposition of Surplus Personal Property Owned By The Village of Winnetka (Introduction/Adoption)

PRESENTER: Brian Keys

AGENDA DATE: December 19, 2023

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

None

EXECUTIVE SUMMARY:

During the calendar year, the Village of Winnetka's operating departments have material and equipment that have reached the end of their useful lives, are not capable of re-use, or no longer useful to the Village. The Water & Electric Department routinely monitors the condition of its equipment and retires equipment such as transformers, meters, switchgear, and cable as it becomes obsolete or too costly to repair, or when it becomes unsuitable for further use due to factors such as its size, short length, mechanical damage or electrical failure. The Police Department gains possession of items of abandoned, lost, stolen, or illegally-possessioned personal property and transfers custody of this personal property to the Village pursuant to Section 3 of the Illinois Law Enforcement Disposition of Property Act, 765 ILCS 1030/3.

In addition to those items routinely disposed of by the Water & Electric Department and the Police Department, staff is also requesting approval to dispose of saws, roll off boxes, a pump, walk behind trencher, loader backhoe, bicycles, and taser equipment. The Police Department has upgraded their taser equipment and the listed cartridges, holsters and handles are not compatible with the new equipment. The loader backhoe will be held until the new loader backhoe arrives in 2024. A detailed listing of these items and the associated VIN/serial number, when applicable, is listed on Exhibit A of the Ordinance.

Ordinance No. M-20-2023, prepared by the Village Attorney, authorizes the Village Manager, or his designee, to dispose of such items of Surplus Property deemed to be no longer necessary or useful to the Village during the 2024 calendar year in a manner to be determined by the Village Manager, in his discretion. The ordinance also authorizes the Village Manager and Village Clerk to execute and attest, all documents necessary to complete the disposition of the Surplus Property.

RECOMMENDATION:

Consider introduction of Ordinance No. M-20-2023, titled "An Ordinance Authorizing the Disposition of Surplus Personal Property Owned by the Village of Winnetka."

ATTACHMENTS:

1. Ordinance No. M-20-2023 - Authorizing the Disposal of Surplus Personal Property Owned by the Village of Winnetka

**AN ORDINANCE
AUTHORIZING THE DISPOSITION OF
SURPLUS PERSONAL PROPERTY
OWNED BY THE VILLAGE OF WINNETKA**

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

WHEREAS, the Village has identified (i) equipment and materials owned by the Village and used by the Village Water and Electric, Public Works, and Police Departments that have reached the end of their useful lives, are not capable of re-use by the Village, and are no longer necessary or useful to, or for the best interests of, the Village; and (ii) items of abandoned, lost, stolen, or illegally-possessioned personal property in the custody of the Village pursuant to Section 3 of the Illinois Law Enforcement Disposition of Property Act, 765 ILCS 1030/3, which items of personal property have reached the end of their useful lives, are not capable of re-use by the Village, and are no longer necessary or useful to, or for the best interests of, the Village (collectively, "***Surplus Property***"); and

WHEREAS, the Village Council desires to authorize the Village Manager to dispose of the Surplus Property; and

WHEREAS, as part of its disposal, the Village has identified some of the Surplus Property, specifically tasers, that can be transferred to the Village of Wilmette Police Department for productive use; and

WHEREAS, the Village Council has determined that it is in the best interests of the Village to authorize the Village Manager to dispose of the Surplus Property as set forth in this Ordinance;

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

SECTION 1: RECITALS. The recitals in this Ordinance are incorporated as the findings of the Village Council as if fully set forth in this Section.

SECTION 2: AUTHORIZATION TO DISPOSE OF SURPLUS PROPERTY. Pursuant to the Village's home rule authority, the Village Council authorizes the Village Manager, or the Manager's designee, to (i) dispose of the Surplus Property listed in **Exhibit A** attached to this Ordinance in a manner determined by the Village Manager, in the Manager's discretion; (ii) dispose of the tasers listed in **Exhibit A** to the Village of Wilmette Police Department; and (iii) deem any item owned by the Village as Surplus Property provided that it meets the definition of Surplus Property set forth in this Ordinance that the Village may possess during the remaining portion of the 2023 calendar year, in a manner to be determined by the Village Manager, in the Manager's discretion.

SECTION 3: EXECUTION OF REQUIRED DOCUMENTATION. The Village Manager and the Village Clerk are authorized to execute and attest, on behalf of the Village, all

documents necessary to complete the disposition of the Surplus Property authorized pursuant to Section 2 of this Ordinance.

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

PASSED this ____ day of January, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of January, 2024.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees of
the Village of Winnetka, Illinois,
this ____ day of _____, 2023.

Introduced: December 19, 2023

Passed and Approved: January ____, 2024

EXHIBIT A

SURPLUS PROPERTY

Description	VIN # or Serial #	Department (Vehicle #)
Giant Bicycle	GK397403	Police Department (Unit #437)
Giant Bicycle	D15K01593	Police Department (Unit #434)
Giant Bicycle	D17K00280	Police Department (Unit #435)
KHS Bicycle	U11101222	Police Department
Taser X2 Handle	X30007YCY	Police Department
Taser X2 Handle	X30007YD8	Police Department
Taser X2 Handle	X30007YMP	Police Department
Taser X2 Handle	X30007YYT	Police Department
Taser X2 Handle	X30007YY4	Police Department
Taser X2 Handle	X30007YXN	Police Department
Taser X2 Handle	X30007YE6	Police Department
Taser X2 Handle	X30007YC4	Police Department
Taser X2 Handle	X30007YDD	Police Department
Taser X2 Handle	X3000FETY	Police Department
Taser X2 Handle	X30007YN8	Police Department
Taser X2 Handle	X30007YY0	Police Department
Taser X2 Handle	X30007YVK	Police Department
Taser X2 Handle	X30007YF5	Police Department
Taser X2 Handle	X30007Y75	Police Department
Taser X2 Handle	X30007YCR	Police Department
Taser X2 Handle	X30007YEN	Police Department
Taser X2 Handle	X30007YWP	Police Department
Taser X2 Handle	X300013HX	Police Department
Taser X2 Handle	X300013DW	Police Department
Taser X2 Handle	X300012XR	Police Department
Taser X2 Handle	X300012YT	Police Department
Taser X2 Handle	X300013NW	Police Department
Taser X2 Handle	X300013P1	Police Department
Taser X2 Handle	X30000ARV	Police Department
Taser X2 Handle	X300013NP	Police Department
Taser X2 Handle	X300035A7	Police Department
Taser X2 Handle	X300013F6	Police Department
Taser X2 Handle	X300013K5	Police Department
Taser X2 Handle	X30000AP9	Police Department

Taser X2 Handle	X3000AWC	Police Department
Taser X2 Handle	X300013RX	Police Department
Taser X2 Handle	X30000AVE	Police Department
Taser X2 Handle	X300012XD	Police Department
Taser X2 Handle	X30000AVY	Police Department
Taser X2 Handle	X30000AVT	Police Department
Taser X2 Handle	X300000ATO	Police Department
Taser X2 Handle	X300000EF5	Police Department
Taser X2 Handle	X300000AT8	Police Department
Taser X2 Handle	X300013H8	Police Department
Taser X2 Handle	X300013E3	Police Department
Taser X2 Handle	X30007YYE	Police Department
Taser X2 Handle	X30007YXK	Police Department
Taser X2 Handle	X3000FEWD	Police Department
Taser X2 Handle	X30007YP1	Police Department
Taser X2 Handle	X30007YW0	Police Department
Taser X2 Handle	X30007YXD	Police Department
Taser X2 Handle	X30007YXP	Police Department
Taser X2 Handle	X30007YDE	Police Department
Taser X2 Handle	X30007YC1	Police Department
(61) 25 ft. Smart cartridges For Taser X2	N/A	Police Department
(80) Blue training cartridges for Taser X2	N/A	Police Department
(22) Blackhawk holsters for Taser X2	N/A	Police Department
(14) New batteries for Taser X2	N/A	Police Department
(18) Used batteries for Taser X2	N/A	Police Department
Mueller Hydraulic Pipe Cutter	N/A	Water & Electric
Hipotronics CF60/25 Cable Thumper	CF60-1012	Water & Electric
Cable Splicing cart	N/A	Water & Electric
Clemco Model 1028 Sand Blaster	14505	Water & Electric
Target Pro 65 walk behind concrete saw	N/A	Water & Electric
Ditch Witch 1630 Trencher	1J1117	Water & Electric
Cable Take Up trailer	N/A	Water & Electric (Unit #89)
Stanley CO23 walk behind hydraulic saw	1240	Water & Electric
Husqvarna 2100 CD chainsaw	N/A	Water & Electric
(2) Echo CS3450 chainsaws	N/A	Water & Electric
(2) McCulloch ProMac 700 chainsaws	N/A	Water & Electric
(2) McCulloch ProMac 1000 chainsaws	N/A	Water & Electric

(2) Stihl 021 chainsaws	N/A	Water & Electric
Stihl MS201T chainsaw	N/A	Water & Electric
Stanley CS04 hydraulic saw	N/A	Water & Electric
McCulloch SuperPro60 chainsaw	N/A	Water & Electric
(2) Stihl TS350 Super partner saws	N/A	Water & Electric
2006 John Deere Loader Backhoe	T0410GX957784	Water & Electric (Unit #152)
Crisafulli portable pump	13920	Public Works
Leaf machine (Giant Vac)	N/A	Public Works (Unit #107)
Flo-Trend Filter Box	CF-446	Public Works
Box Plow for Backhoe	HSS4212	Public Works
Wasau Plow previously used on Unit #13	N/A	Public Works
MB Sidewalk tractor	1M9AC132EH849074	Public Works (Unit #42)
Husqvarna	20102201842	
Champion air compressor	N/A	Public Works
Roll off box, 5 yard box	N/A	Public Works
Roll off box , 5 yard box	N/A	Public Works



Agenda Item Executive Summary

TITLE: Ordinance No. MC-13-2023: Amending the Text of the Winnetka Zoning Ordinance Regarding Residential Uses in the C-2 General Retail Commercial Zoning District (Introduction)

PRESENTER: Ann Klaassen

AGENDA DATE: December 19, 2023

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

8-1-2023: Village Council considered a request by 808 Oak Street, LLC (the “Applicant”) to amend the Zoning Ordinance to allow in the C-2 General Retail Commercial Zoning District residential uses on the ground floor that are less than 50 feet from the front street line.

EXECUTIVE SUMMARY:

On December 19, 2023, the Village Council is scheduled to consider introduction of:

- Ordinance No. MC-13-2023, An Ordinance Amending the Text of the Winnetka Zoning Ordinance Regarding Residential Uses in the C-2 General Retail Commercial Zoning District (**Attachment 2**); and
- Ordinance No. M-21-2023, An Ordinance Granting Special Use Permits, a Variation from the Winnetka Zoning Ordinance, and a Certificate of Appropriateness for the Construction of a New Multifamily Residential Building within the C-2 General Retail Commercial Zoning District (808 Oak Street (**Attachment 3**)).

The Ordinances are in response to applications submitted by the Applicant, as the prospective buyer of the property located at 808 Oak Street (the “Subject Property”). The Applicant proposes construction of a new four-story multifamily building with ground floor parking and three condominium units above on the Subject Property. The Subject Property is owned by Bartnell Ltd., who has authorized the Applicant to submit applications requesting approval of the following:

1. Approval of a **Text Amendment** to the Zoning Ordinance to allow residential uses in the C-2 General Retail Commercial Zoning District (the “C-2 District”), on the ground floor that are less than 50 feet from the front street line, as a special use;
2. Approval of the following **Special Use Permits** to allow:
 - a. A residential use in the C-2 District, on the ground floor and less than 50 feet from the front street line; and
 - b. Off-street parking at street level on the Subject Property; and

3. Approval of a zoning variation to allow a front yard setback of 30.33 feet, whereas the maximum front yard setback shall be no more than 3 feet, a variation of 27.33 feet.

Attached is a staff memo summarizing the request and the advisory boards/commission recommendations for the project (**Attachment 1**). Both the Design Review Board and the Zoning Board of Appeals each unanimously recommended approval of the application. The Plan Commission also recommended approval by a vote of 3-1.

Meeting minutes of the advisory boards/commission meetings are provided in **Attachment 5**. Also attached is the public correspondence received concerning the proposed development (**Attachment 6**).

RECOMMENDATION:

Given the Plan Commission recommendation was not unanimous, the Council will consider only introduction of Ordinance No. MC-13-2023 and Ordinance No. M-21-2023.

ATTACHMENTS:

1. Village Council Staff Memo - 808 Oak Street
2. Ordinance No. MC-13-2023: Amending the Text of the Zoning Ordinance Regarding Residential Uses in the C-2 General Retail Commercial District
3. Ordinance No. M-21-2023: Granting Special Use Permits, a Variation, and a Certificate of Appropriateness for a New Multifamily Building
4. 808 Oak Street Proposed Plans and Renderings
5. DRB, ZBA, and PC Meeting Minutes
6. Public Correspondence



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: DECEMBER 12, 2023
SUBJECT: 808 OAK STREET – NEW MULTIFAMILY RESIDENTIAL BUILDING
TEXT AMENDMENT, SPECIAL USE PERMITS, AND VARIATION (CASE
NO. 23-13-TX)

INTRODUCTION

On December 19, 2023, the Village Council is scheduled to consider introduction of:

- Ordinance MC-13-2023, An Ordinance Amending the Text of the Winnetka Zoning Ordinance Regarding Residential Uses in the C-2 General Retail Commercial Zoning District (**Attachment 2**); and
- Ordinance M-21-2023, An Ordinance Granting Special Use Permits, a Variation from the Winnetka Zoning Ordinance, and a Certificate of Appropriateness for the Construction of a New Multifamily Residential Building within the C-2 General Retail Commercial Zoning District (808 Oak Street (**Attachment 3**).

The ordinances are in response to applications submitted by the 808 Oak Street, LLC (the “Applicant”), as the prospective buyer of the property located at 808 Oak Street (the “Subject Property”). The Applicant proposes construction of a new four-story multifamily building with ground floor parking and three condominium units above on the Subject Property. The Subject Property is owned by Bartnell Ltd., who has authorized the Applicant to submit applications requesting approval of the following:

1. Approval of a **Text Amendment** to the Zoning Ordinance to allow residential uses in the C-2 General Retail Commercial Zoning District (the “C-2 District”), on the ground floor that are less than 50 feet from the front street line, as a special use;
2. Approval of the following **Special Use Permits** to allow:
 - a. A residential use in the C-2 District, on the ground floor and less than 50 feet from the front street line; and
 - b. Off-street parking at street level on the Subject Property; and
3. Approval of a **zoning variation** to allow a front yard setback of 30.33 feet, whereas the maximum front yard setback shall be no more than 3 feet, a variation of 27.33 feet.

On August 1, 2023, the Village Council considered a request by the Applicant to amend the Zoning Ordinance to allow, in the C-2 General Retail Commercial Zoning District, residential uses on the ground floor that are less than 50 feet from the front street line. In essence, the text amendment would allow a purely residential building within the C-2 District. Upon receipt of a request to amend the text of the Zoning Ordinance the Village Council designates a body to conduct a public hearing and to provide a recommendation to the Council. At the meeting in August, the Council was receptive to the text

amendment and the proposed plan presented by the Applicant and designated the Plan Commission and Zoning Board of Appeals to hold the public hearing on the text amendment. A complete copy of the materials for the August 1, 2023, Village Council meeting can be found at the following weblink: <https://winnetkail.portal.civicclerk.com/event/479/overview>.

Both the Plan Commission and the Zoning Board of Appeals held public hearings on the request. The Design Review Board also considered an application for a certificate of appropriateness for the design of the proposed development. Details regarding the advisory boards/commission considerations are provided later in this report.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.14 acres in size, is located on the south side of Oak Street, between Chestnut Street and Green Bay Road/Linden Street and is currently vacant (see Figures 1 and 3). It is worth noting that the Subject Property is only 33.5 feet in width and has ingress/egress easements which provide vehicular access to Chestnut Street (see Figure 2). Because the lot area is less than 10,000 square feet, redevelopment of the Subject Property does not require approval of a planned development, nor may the Applicant request planned development approval.



Figure 1 – Subject Property



Figure 2 – Private Alley Accessing 800, 808 and 812 Oak Street

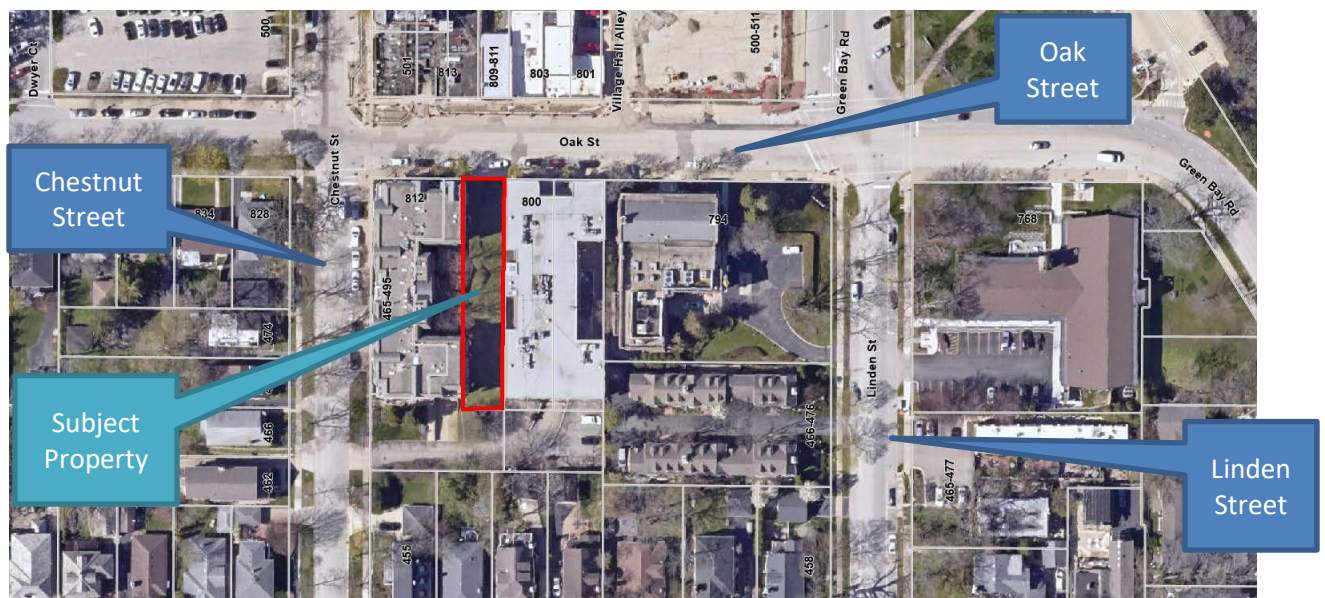


Figure 3 – GIS Aerial Map



Figure 4 – Subject Property with Neighboring Properties

The property is zoned C-2 General Retail Commercial, and it is bordered by C-2 General Retail Commercial (the “C-2 District”) to the north, east, and west, and B-1 Multifamily Residential to the south. As shown in Figure 5, it is not located within the Commercial Overlay District.

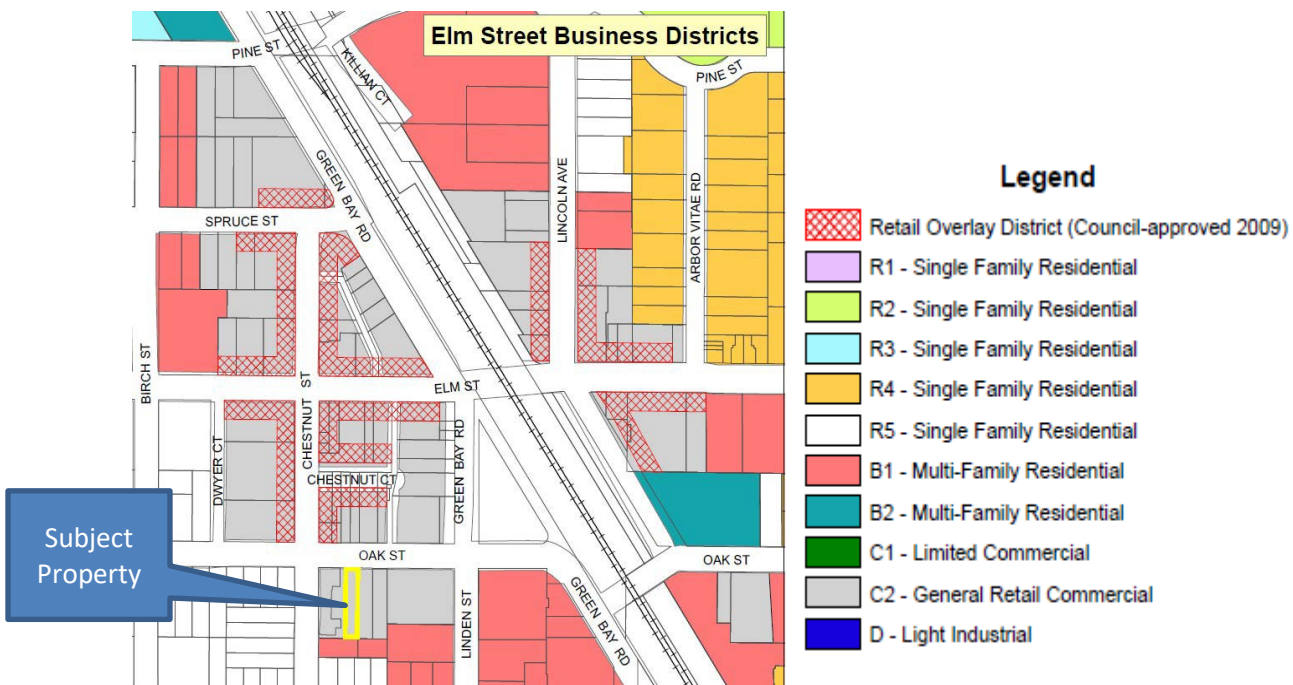


Figure 5 – Zoning Map

The Comprehensive Plan designates the Subject Property as appropriate for commercial and mixed-use land uses as shown below in Figure 6. The Subject Property is in a commercial area with mixed-use buildings that contain offices on the ground floor and residences above, restaurants, and other commercial uses in the immediate vicinity. The Land Use Plan Map designates the properties to the north, east and west as appropriate for “commercial and mixed-uses” and the properties to the south, as appropriate for “single family residential uses”.



Figure 6 – Comprehensive Plan Land Use Map

In addition to the Comprehensive Plan Future Land Use Map, the Winnetka Futures 2040 Plan contains vision statements and goals that are relevant to the proposed application, including the following:

Quality Livable Neighborhoods Vision Statement: A community of connected neighborhoods with safe, pedestrian-oriented streets, tree-lined parkways, and a variety of well-maintained housing offerings to meet the needs of all its residents and create a unique and powerful sense of place.

Goal 1.2: The Village will continue to explore housing diversity and address the housing gap to provide a supply that supports changing demographic needs and ensures a variety of product types, options, and costs available to seniors, empty nesters, families, and young residents.

Goal 1.6: The Village will encourage multi-family unit development in and near the downtown commercial districts.

Vibrant Business Districts Vision Statement: A community with a strong commitment to supporting and enhancing its unique, walkable, mixed-use business districts, which serve both as the community’s commercial and social centers.

Goal 2.3: The Village will continue to encourage the highest-quality design, materials, and maintenance for building exteriors, landscaping, and signage in the commercial districts and along the Green Bay Road corridor.

Mobility and Connectivity Vision Statement: A progressive community with forethought in developing safe and efficient local and regional mobility connections for all through public transportation, regional trails and pedestrian and bike friendly neighborhood street networks.

Goal 8.4: The Village will continue to support quality transit service and encourage increased ridership.

Goal 8.5: The Village will manage its parking assets to support the success of its business districts while balancing parking location and supply with the needs of the distinctive walkable and transit-oriented character that is uniquely Winnetka.

RECENT SUBDIVISION APPROVAL

On July 20, 2021, the Village Council adopted Resolution R-65-2021, a resolution granting a plat of subdivision (Bartnell's Subdivision – 800-808-812 Oak Street). The plat of subdivision cleaned up ownership lines between three property owners that owned portions of the two existing lots of record. See Figures 7 and 8, which compare the previous lots of record with the three new lots of record.



Figure 7 – Lot Configuration Prior to Subdivision

Section 17.46.010 Table of uses.

<i>Table of Uses</i>	<i>C-1 Neighborhood Commercial</i>	<i>C-2 General Retail</i>	<i>C-2 Commercial Overlay</i>
P = Permitted uses SU = Special uses NO = Not permitted			
A. RESIDENTIAL USES			
Dwelling unit above the ground floor in a commercial building	P	P	P
Dwelling unit at the ground floor, less than 50 feet from front street line	SU	NO	NO
Dwelling unit at the ground floor, 50 feet or more from front street line	SU	SU	SU

Table 1 – Table of Uses for Commercial Zoning Districts (Section 17.46.010)

The Applicant's proposed development does not include any commercial space at the ground level. At the ground level located within 50 feet of the front street line is a lobby and driveway/parking for the residential units above. In essence, the building is solely a multi-family residential building, which the C-2 District currently does not allow.

The Applicant is requesting that residential uses be allowed as a special use in the C-2 District when such uses are located on the ground floor and less than 50 feet from the front street line. Table 2 below represents the Applicant's proposed amendment to the Table of Uses in Section 17.46.010 of the Zoning Ordinance.

<i>Table of Uses</i>	<i>C-1 Neighborhood Commercial</i>	<i>C-2 General Retail</i>	<i>C-2 Commercial Overlay</i>
P = Permitted uses SU = Special uses NO = Not permitted			
A. RESIDENTIAL USES			
Dwelling unit above the ground floor in a commercial building	P	P	P
Dwelling unit at the ground floor, less than 50 feet from front street line (See Section 17.44.030.B.5 for additional standards for the C-2 District)	SU	NO <u>SU</u>	NO
Dwelling unit at the ground floor, 50 feet or more from front street line	SU	SU	SU

Table 2 – Proposed Amendment to Section 17.46.010 Table of Uses

Section 17.44.030, Development Standards, of the Zoning Ordinance provides additional development standards for certain special uses. These standards focus on automobile service stations, parking lots,

public parking garages, and fast-food restaurants. With its original application, the Applicant suggested that the following standard be added:

- “5. Dwelling Units at the Ground Floor in the C-2 General Retail Commercial District. Dwelling units and their accessory parking facilities shall comply with the following standards:
- The proposed lot shall be along the south side of Oak Street between Chestnut Street and Green Bay Road/Linden Street.
 - The width of the lot makes it physically impractical to provide both a commercial space within 50 feet from the street lot line and to provide any portion of the number of required parking spaces.”

The Applicant identified a specific area within the C-2 District where it found that a purely multi-family building may be appropriate. The area is on the southern edge of the Elm Street Business District. On this block face, mixed use buildings with commercial space on the ground floor are located on both sides of the Subject Property, and the AT&T building is located on the far east end of the block face. On the following maps, the gray areas without the red cross hatch are areas in the community that are zoned C-2 General Retail Commercial but are not located in the Commercial Overlay District. When considering the Applicant’s request, the Council may also wish to consider C-2 District areas that others may make a similar text amendment request. That is a C-2 zoned property that is also not located in the Commercial Overlay District, and which is located on the periphery of a business district and has a narrow lot width. As noted later in this staff report, in response to ZBA member’s comments, the Applicant agreed to an amendment to its text amendment request.



Figure 9 – C-2 General Retail Commercial District

PROPOSED PLAN

If the Applicant's proposed text amendment is approved, it intends to acquire the Subject Property and construct a four-story residential condominium building with three single-floor units. Each unit would contain three bedrooms and measure approximately 3,767 square feet. The ground floor would consist of six (6) enclosed parking spaces, a residential lobby, elevator, two staircases, and a trash enclosure. The second, third, and fourth floors would each have one residential unit.

The enclosed parking would be accessed from Oak Street, utilizing an existing curb-cut. Vehicular traffic would be one-way, with vehicles entering from Oak Street and exiting the building via private alley and ingress/egress easements onto Chestnut Street. The entry into the parking garage would be recessed approximately 30 feet from the front lot line in order to: (i) minimize the visual impact of a garage door facing the street; (ii) allow passage of light and air to the neighboring building to the west; and (iii) allow vehicles to pull off of Oak Street and wait for the garage door to open while on-site rather than in the street or on the public sidewalk. It is worth noting that at least two on-street parking spaces, on the south side of Oak Street, would be eliminated to provide access to the site.

Excerpts of the proposed site plan, floor plans, and building elevations, as well as renderings of the proposed building are provided on the following pages as Figures 10 through 19. The complete set of plans are provided in **Attachment 4**.

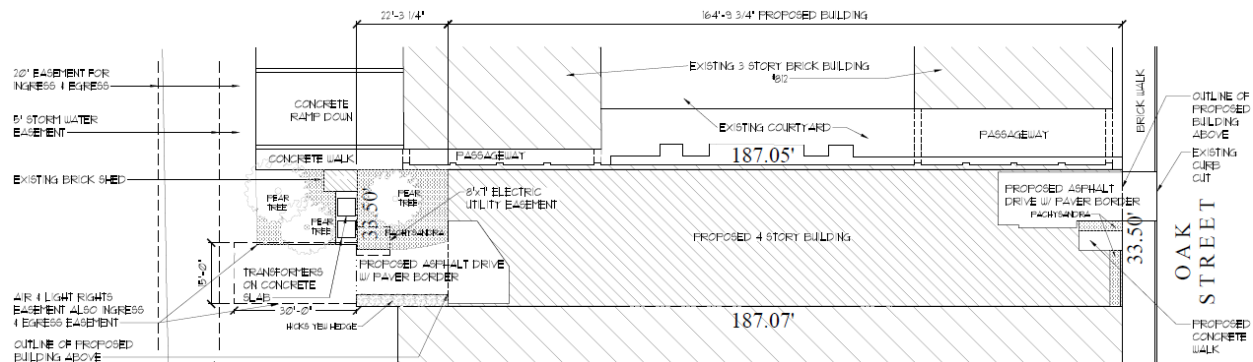


Figure 10 – Site Plan

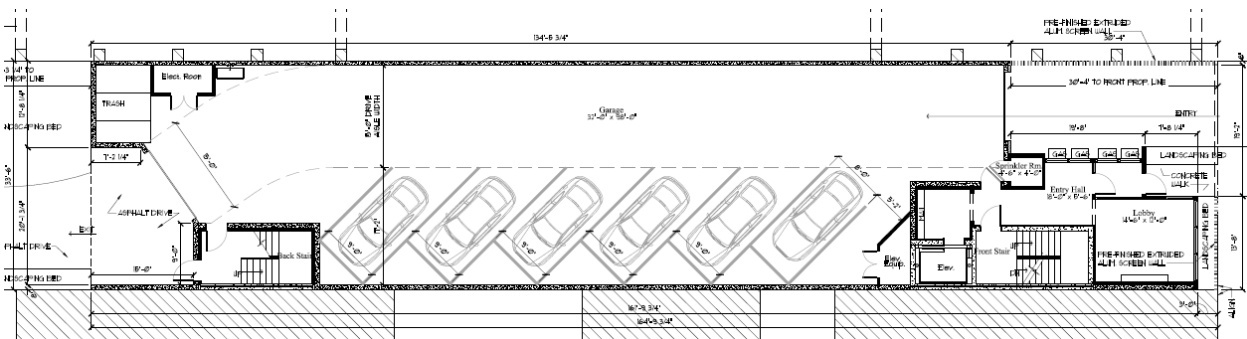


Figure 11 – Ground Floor Plan

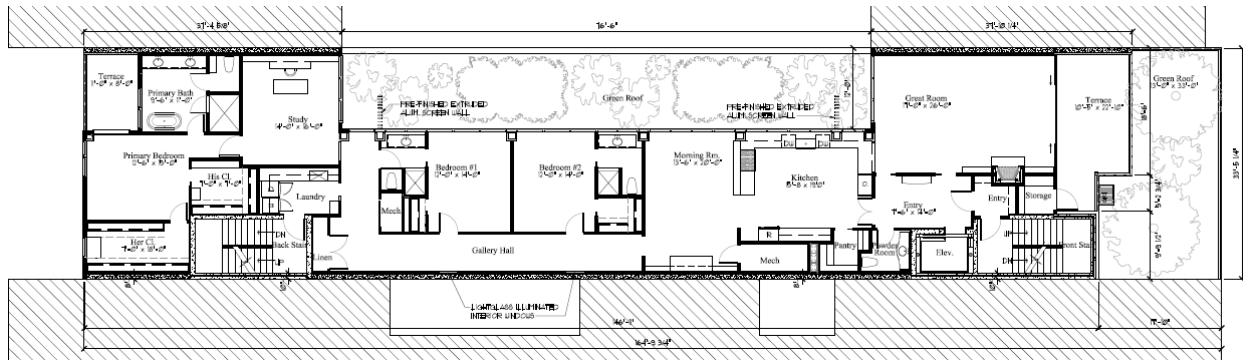


Figure 12 – Second Floor Plan

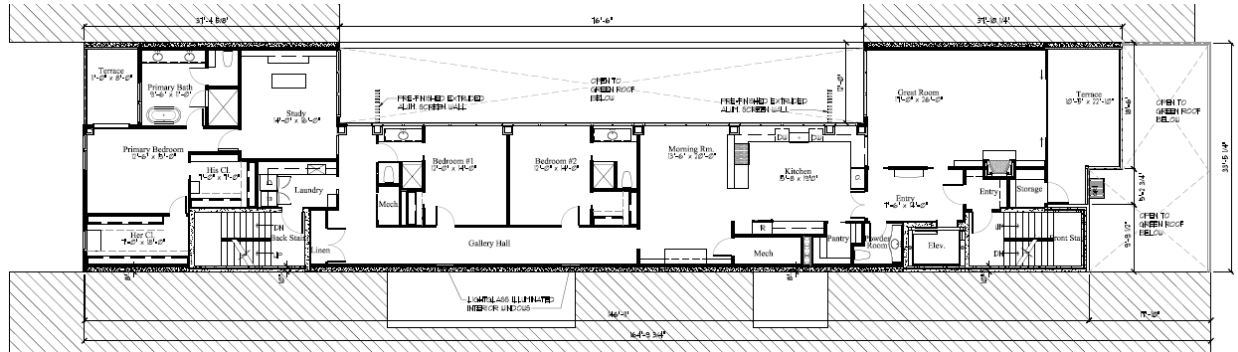


Figure 13 – Third and Fourth Floor Plan



Figure 14 – Front Building Elevation – Oak Street



Figure 15 – Rear Building Elevation – Private Alley



Figure 16 – Rendering of Front Elevation (Oak Street)

The exterior wall finish of the proposed building would consist of board formed concrete. The front elevation would also have a decorative pre-finished aluminum screen wall consisting of vertical louvers in Bone White. The railings on the balconies would be in the same material, color, and vertical pattern. The screen wall would be located on the front property line, with the ground floor level setback 3 feet from the screen wall to allow for a landscape bed between the screen wall and the front wall of the residential lobby. The upper stories are then setback 13 feet from the front of the building with the garage door setback 30 feet.

The west elevation would have an interior courtyard on the upper floor levels. The ground floor level would extend to the west property line, while the second floor would have a green roof measuring approximately 12 feet by 76.5 feet in the general center of the west elevation that would be open to the floors above. There would be two pre-finished aluminum screen walls in the courtyard that would extend approximately 5 feet from the interior wall and extend the full height of the building. The interior courtyard and screen walls are identified in Figures 17 and 18. A green roof is also proposed on the second-floor level at the front elevation; this feature is illustrated in the rendering included as Figure 16. The Applicant has provided landscape plans, an excerpt of which is provided in Figure 20. Plantings on the green roof would include, but not be limited to, a single-stem flowering crab apple, boxwoods, heuchera 'green spice' and 'palace purple', and liriopse. The building would be setback more than 20 feet from the rear property line, allowing for a landscaped area as required by the Zoning Ordinance.



Figure 17 – Rendering of West Elevation



Figure 18 – Rendering of Interior Courtyard (looking north)



Figure 19 – Rendering of Rear Elevation

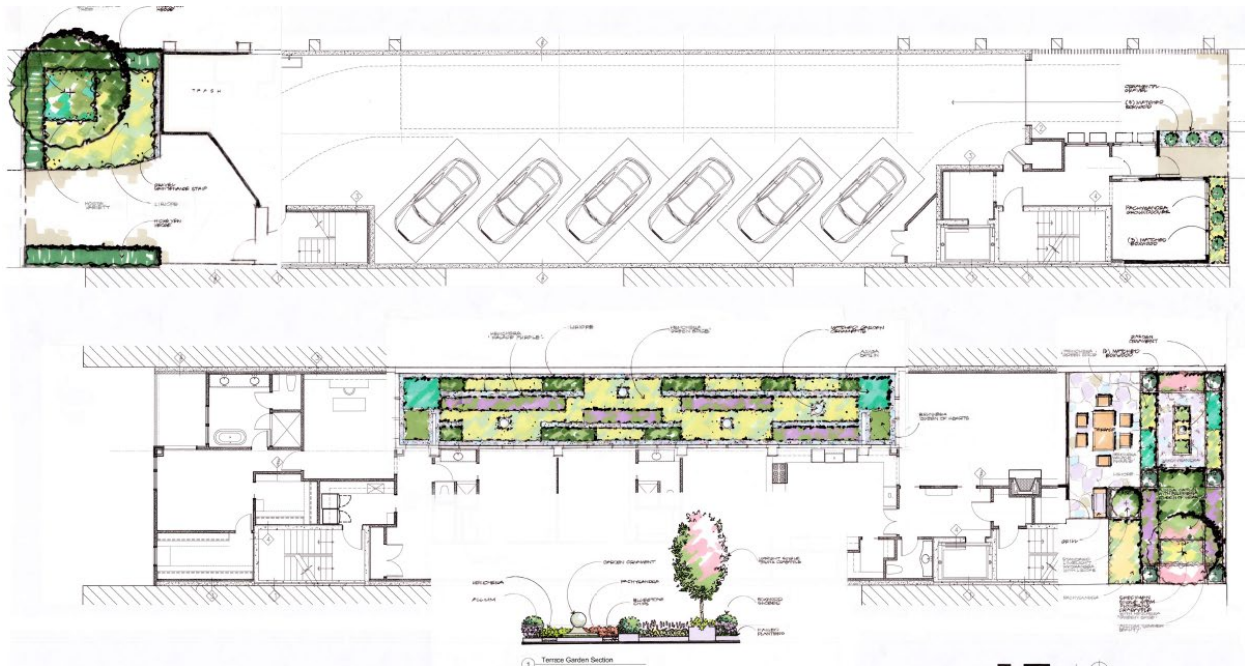


Figure 20 – Landscape Plans

The air conditioning compressors would be located on the roof, towards the rear of the building. The Applicant has not indicated any screening of these compressors. The plans identify the refuse and recycling containers to be located within the parking garage, at the rear of the building.

Development of the Subject Property will require the provision of stormwater detention at a volume to accommodate a 100-year storm event assuming 100% impermeable lot coverage, which is allowed under the zoning. The Applicant is working with an engineering firm to address stormwater management and has provided a letter explaining their approach, which currently includes a detention system below the garage floor. The letter from the Applicant's engineer can be found in the application materials included in the November 29, 2023, Plan Commission agenda packet found here <https://winnetkail.portal.civicclerk.com/event/781/files/2700>. Director of Engineering, James Bernahl, has reviewed their initial approach and has provided the Applicant comments. The Applicant will be required to submit engineering plans when a building permit application is submitted to verify compliance with the Village stormwater regulations.

REQUESTED ZONING RELIEF

In addition to the text amendment and special use permits being requested, one zoning variation for the front yard setback is being requested to allow the development on the Subject Property.

Front Yard Setback. The maximum front yard setback shall be no more than three (3) feet; the Applicant proposes the building to be setback 30'-4" (30.33 feet) along a portion of the Oak Street property line to accommodate the recessed garage entry.

The purpose of a maximum front yard setback in the commercial districts is to create a more consistent storefront wall as one walks along the street level of a commercial district. Having buildings setback too far from the pedestrian sidewalk breaks up this continuity. However, there may be instances where varying from this requirement may not have a negative impact given the design of the development in the context of the neighborhood and other uses in the immediate vicinity.

Special Use – Location of Off-Street Parking. In order to encourage below-grade parking, the Zoning Ordinance requires off-street parking located at street-level to receive approval of a special use permit. As previously noted, the proposed parking would be provided on the ground floor level within the interior of the building accessed from a one-way driveway off Oak Street.

For reference, the proposed residential units on the second, third, and fourth floors would all have three bedrooms. The Zoning Ordinance requires a minimum of two (2) parking spaces per three-bedroom unit. Therefore, the proposed development requires six (6) off-street parking spaces for the residential units. As proposed, the garage would provide six (6) at-grade parking spaces, in compliance with the zoning regulations.

Special Use – Residential Uses in the C-2 General Retail Commercial District. As previously noted, the Applicant has requested a text amendment to the Zoning Ordinance to allow residential uses in the C-2 District on the ground floor that are less than 50 feet from the front street line, as a special use. The Subject Property is located on the fringe of the C-2 District, with mixed-use, multi-family and single-family residential uses in the immediate vicinity. The Applicant’s proposed development does not include any commercial space on the ground level. Rather, the proposed plan includes a lobby and driveway/parking for the residential units above, within 50 feet of the front street line.

Currently, residential uses are allowed by right in the C-2 District when located above the ground floor in a commercial building and as a special use when located on the ground floor but 50 feet or more from the front street line.

ADVISORY BOARDS/COMMISSION REVIEW

Beginning in September 2023, the Design Review Board, Zoning Board of Appeals, and the Plan Commission began respective reviews of the Applicant’s project. A complete copy of the materials reviewed by each board or commission can be found at the following weblinks:

- September 21, 2023, Design Review Board Meeting
 - <https://winnetkail.portal.civicclerk.com/event/621/overview>
- October 16, 2023, Design Review Board Meeting
 - <https://winnetkail.portal.civicclerk.com/event/773/overview>
- November 13, 2023, Zoning Board of Appeals Meeting
 - <https://winnetkail.portal.civicclerk.com/event/630/overview>
- November 29, 2023, Plan Commission Meeting
 - <https://winnetkail.portal.civicclerk.com/event/781/overview>

Attached with the Council’s agenda materials for this item are:

- DRB, ZBA, and PC Meeting Minutes (**Attachment 5**)
- Public Correspondence Received (**Attachment 6**)

The following is a summary of the review and recommendations by the Design Review Board, Zoning Board of Appeals, and the Plan Commission regarding the proposed development and the approvals requested.

The Design Review Board (DRB) considered a Certificate of Appropriateness for the proposed building on September 21, 2023. In addition to hearing from staff and the Applicant, the DRB also heard from seven (7) members of the public, consisting of the property manager for both the 800 Oak and 812 Oak buildings located immediately east and west of the proposed development, as well as unit owners of the 812 Oak

condominium project located to the west. Representatives of the 800 Oak building expressed concerns regarding: (a) the impact the development will have on the two window wells on the west side of the 800 Oak building; (b) the vents on the west wall of the 800 Oak building that may also be impacted; and (c) location of parking at grade rather than subsurface. The 812 Oak unit owners expressed concerns regarding: (a) impact of development on the trees in their courtyard; (b) the height of the first-floor wall in relation to their courtyard; (c) the design being contextual with the adjacent buildings and the Village in general; and (d) pedestrian safety with vehicles accessing the site off Oak Street.

After hearing from the public and the Applicant, the DRB discussed the proposed building. Though DRB members found the building design more contemporary in nature, the members found the proposed design to be attractive and compatible with buildings in the area with one exception. The DRB members found the vertical slats at the street level incompatible with the desire to have a pedestrian-focused building orientation at the street level. They found that the street level treatment could be more compatible with the storefronts in the commercial district. At the Applicant's request, the DRB continued the item to the October DRB meeting to provide the Applicant with time to respond to the Board's comments.

In response to the comments at the September DRB meeting, the Applicant submitted a written explanation describing the design approach, along with updated renderings reflecting the vertical slats were spaced further apart than illustrated in the previous renderings. The Applicant's architectural plans do not provide the dimensions of the individual slats nor the spacing between the slats. Additionally, the Applicant provided precedent images of similar façade treatments with a variety of slat sizes and spacing between the slats. The renderings included in this report are the updated renderings that were also provided to the DRB for its second consideration of the design in October.

After hearing from staff and the Applicant regarding the revised renderings and the design approach explaining the vertical slats, the DRB heard from five (5) members of the public, consisting of the property manager for both the 800 Oak and 812 Oak buildings, residents of the 812 Oak building, and a resident in the immediate neighborhood. The members of the public all expressed concern that that proposed building is not consistent with the Village Design Guidelines. After hearing from the public, the DRB discussed the project. The members found the updated renderings very helpful to understand the visibility that would be provided on the front elevation even with the vertical slats. Ultimately, by a vote of 4-0, the DRB recommended approval.

The Zoning Board of Appeals (ZBA) considered the text amendment, special use permits, and the variation request for the proposed building on November 13, 2023. In addition to hearing from staff and the Applicant, the ZBA also heard from three (3) members of the public, consisting of the property manager for both the 800 Oak and 812 Oak buildings, as well as a unit owner of the 812 Oak condominium building and a resident of the 800 Oak building. The concerns expressed by the public were regarding the driveway and pedestrian safety, the compatibility of the design of the proposed building with neighboring buildings, and the impact of construction on the adjoining buildings. After hearing from the public, the ZBA discussed the project. A ZBA member expressed concerns that the proposed text amendment language may be too narrow (allowing such uses only along the south side of Oak Street between Chestnut Street and Green Bay Road/Linden Street) and too vague ("physically impractical"). The ZBA subsequently recommended, by a vote of 6-0, approval of an amended text amendment to allow "Dwelling unit at the ground floor, less than 50 feet from the street line, in the C-2 District as a special use, on lots that are no wider than 35 feet." Prior to voting on the recommendation, Village staff shared with the Board that there appears to be only three lots, including the Subject Property, that are no wider than 35 feet in the C-2 District. The other two lots are on Lincoln Avenue. At the ZBA meeting, the Applicant agreed to the ZBA's recommended change to the proposed text amendment.

The Plan Commission (PC) considered the text amendment and special use permits for the proposed building on November 29, 2023. After hearing from the Applicant, one member of the public, who is the property manager for both the 800 Oak and the 812 Oak properties, the Commission discussed the request. Commission members were supportive of the text amendment and special use requests; however, Commission members commented that the building design was not necessarily their taste, but they understand the building design is the purview of the Design Review Board. The Commission then recommended, by a vote of 3-1, approval of the request as presented. (Five members were present; however, Member Bradley, the ZBA representative was not a voting member, because this item also appeared before the ZBA). The one Commission member voting not to recommend approval continued to express concerns regarding the compatibility of the design with other buildings in the area and the community.

RECOMMENDATION

Given the Plan Commission recommendation was not unanimous, the Council will consider only introduction of Ordinances MC-13-2023 and M-21-2023.

ATTACHMENTS

- Attachment 2: Ordinance MC-13-2023, An Ordinance Amending the Text of the Winnetka Zoning Ordinance Regarding Residential Uses in the C-2 General Retail Commercial Zoning District
- Attachment 3: Ordinance M-21-2023, An Ordinance Granting Special Use Permits, a Variation from the Winnetka Zoning Ordinance, and a Certificate of Appropriateness for the Construction of a New Multifamily Residential Building within the C-2 General Retail Commercial Zoning District (808 Oak Street)
- Attachment 4: 808 Oak Street Proposed Plans and Renderings
- Attachment 5: DRB, ZBA, and PC Meeting Minutes
- Attachment 6: Public Correspondence

**AN ORDINANCE AMENDING THE TEXT OF THE WINNETKA ZONING
ORDINANCE REGARDING RESIDENTIAL USES IN THE C-2 GENERAL RETAIL
COMMERCIAL ZONING DISTRICT**

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

WHEREAS, 808 Oak Street LLC, an Illinois limited liability company ("***Applicant***"), is the prospective buyer of the parcel of real property commonly known as 808 Oak Street 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 located within the C-2 General Retail Commercial Zoning District of the Village ("***C-2 District***") measures approximately 0.14 acres in size, and is currently vacant; and

WHEREAS, the Applicant desires to redevelop the Subject Property and construct a new, four-story multi-family building, which building is proposed to include: (i) ground-floor parking; and (ii) three single-level, three-bedroom residential units on the second, third and fourth floor of the proposed building (collectively, the "***Proposed Improvements***"); and

WHEREAS, pursuant to Section 17.46.010 and the Winnetka Zoning Ordinance ("***Zoning Ordinance***"), a residential dwelling unit or its accessory functions on the ground floor that is less than 50 feet from the front street line is not permitted in the C-2 District; and

WHEREAS, to permit construction of the Proposed Improvements, pursuant to Section 17.72.040 the Applicant filed an application for a text amendment to Sections 17.46.010 and 17.44.030 to allow residential uses in the C-2 District, on the ground floor that are less than 50 feet from the front street line, as a special use ("***Proposed Text Amendment***"); and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Ordinance, the Village gave proper notice of a public hearing by the Zoning Board of Appeals to consider the Proposed Text Amendment by publication in the *Winnetka Talk* on October 26, 2023; and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Ordinance, on November 13, 2023, after due notice thereof, the Zoning Board of Appeals held a public hearing to consider the Proposed Text Amendment, and by a vote of six in favor and zero opposed, recommended that the Village Council approve the Proposed Text Amendment; and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Ordinance, the Village gave proper notice of a public hearing by the Plan Commission to consider the Proposed Text Amendment by publication in the *Winnetka Talk* on November 9, 2023; and

WHEREAS, on November 29, 2023, after due notice thereof, the Plan Commission conducted a public hearing on the Proposed Text Amendment by a vote of three in favor and one opposed, recommended that the Village Council approve the Proposed Text Amendment; and

WHEREAS, pursuant to its home rule powers and all other applicable law and authorities, the Village Council finds and determines that it is in the best interests of the Village and its residents to adopt the Proposed Text Amendment, as set forth in this Ordinance;

NOW, THEREFORE, the Council of the Village of Winnetka ordains as follows:

SECTION 1. RECITALS. The recitals above are incorporated into this Section as the findings of the Village Council, as if fully set forth in this Section.

SECTION 2: AMENDMENT TO SECTION 17.46.010 OF THE ZONING ORDINANCE. Section 17.46.010, titled “Table of uses,” of the Village Zoning Ordinance is amended to read as follows:

<i>Table of Uses</i>	<i>C-1 Neighborhood Commercial</i>	<i>C-2 General Retail</i>	<i>C-2 Commercial Overlay</i>
P = Permitted uses SU = Special uses NO = Not permitted			
A. RESIDENTIAL USES			
Dwelling unit above the ground floor in a commercial building	P	P	P
Dwelling unit at the ground floor, less than 50 feet from front street line (<u>See Section 17.44.030.B.5 for additional standards for the C-2 District</u>)	SU	NO <u>SU</u>	NO
Dwelling unit at the ground floor, 50 feet or more from front street line	SU	SU	SU

SECTION 3: AMENDMENT TO SECTION 17.44.030 DEVELOPMENT STANDARDS OF THE ZONING ORDINANCE. Section 17.44.030, titled “Development standards,” of the Village Zoning Ordinance is amended to add a new subsection (5) which new subsection 17.44.030 will read as follows:

“Section 17.44.030 Development Standards

- A. General Development Standards. The development standards for all uses in the C-2 General Retail Commercial District shall be as provided in Chapter 17.46 of this code.

- B. Additional Development Standards for Certain Special uses. In addition to complying with all other applicable standards, the following special uses shall also be subject to the specific criteria set forth herein.

* * *

5. **Dwelling Units at the Ground Floor, less than 50 feet from the front street line, in the C-2 General Retail Commercial District.**
The lot for such a use shall be no wider than 35 feet.”

SECTION 4. 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 are to remain in full force and effect, and are to 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 5. PUBLICATION. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

SECTION 6. EFFECTIVE DATE. This Ordinance will be in full force and effect upon its passage, approval, and publication in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this 19 day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2024.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this _ day of _____,
2024.

Introduced: December 19, 2023

Passed and Approved: _____, 2024

AN ORDINANCE GRANTING SPECIAL USE PERMITS, A VARIATION FROM THE WINNETKA ZONING ORDINANCE, AND A CERTIFICATE OF APPROPRIATENESS FOR THE CONSTRUCTION OF A NEW MULTIFAMILY RESIDENTIAL BUILDING WITHIN THE C-2 GENERAL RETAIL COMMERCIAL ZONING DISTRICT (808 OAK STREET)

WHEREAS, 808 Oak Street LLC, an Illinois limited liability company ("***Applicant***"), is the prospective buyer of the parcel of real property commonly known as 808 Oak Street 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 located within the C-2 General Retail Commercial Zoning District of the Village ("***C-2 District***") measures approximately 0.14 acres in size, and is currently vacant; and

WHEREAS, the Applicant desires to construct on the Subject Property a new, four-story multi-family building, which building is proposed to include: (i) ground-floor parking; and (ii) three single-level, three-bedroom residential units on the second, third and fourth floor of the proposed building (collectively, the "***Proposed Improvements***"); and

WHEREAS, pursuant to Section 17.46.110.G of the Zoning Ordinance, a parking lot at street level is not permitted within the C-2 District without a special use permit; and

WHEREAS, pursuant to Section 17.46.030 of the Zoning Ordinance, the Subject Property front yard setback shall be no more than three feet; and

WHEREAS, to permit construction of the Proposed Improvements, the Applicant filed an application for: (i) a special use permit pursuant to Section 17.46.010 and Chapter 17.56 of the Zoning Ordinance to allow construction of a residential building in the C-2 District, on the ground floor and less than 50 feet from the front street line; (ii) a special use permit pursuant to Sections 17.46.110.G and Chapter 17.56 of the Zoning Ordinance to allow the construction and operation of a street-level parking lot within the C-2 District (collectively, the "***Special Use Permits***"); (iii) a variation from Section 17.46.030 of the Zoning Ordinance to permit a front yard setback of 30.33 feet ("***Variation***"); and (iv) a certificate of appropriateness pursuant to Section 15.40.010 of the Village Code ("***Certificate of Appropriateness***") (collectively, the "***Requested Relief***"); and

WHEREAS, on September 21 and October 16, 2023, after due notice thereof, the Winnetka Design Review Board ("***Design Review Board***") conducted public hearings to consider the Certificate of Appropriateness for the Proposed Improvements; and

WHEREAS, on October 16, 2023, the Design Review Board, by a vote of four in favor and zero opposed, recommended the Village Council approve the Certificate of Appropriateness; and

WHEREAS, on November 13, 2023, after due notice thereof, the Zoning Board of Appeals conducted a public hearing on the proposed Special Use Permits and Variation and, by a vote of six in favor and zero opposed, recommended that the Village Council approve the Special Use Permits and Variation; and

WHEREAS, on November 29, 2023, after due notice thereof, the Plan Commission conducted a public hearing on the proposed Special Use Permits, and, by a vote of three in favor and one opposed, recommended that the Village Council approve the Special Use Permits; and

WHEREAS, 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 Permits satisfies the standards for the approval of special use permits within the C-2 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 C-2 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 PERMITS. Subject to, and contingent upon, the terms and conditions set forth in Section 5 of this Ordinance, the Special Use Permits are hereby granted, (i) pursuant to Section 17.46.010 and Chapter 17.56 of the Zoning Ordinance, and the home rule powers of the Village, to allow construction of a residential building in the C-2 District, on the ground floor and less than 50 feet from the front street line and (ii) pursuant to Chapter 17.56 and Section 17.46.110.G of the Zoning Ordinance and the home rule powers of the Village, to allow the construction and operation of a street-level parking lot by Applicant on the Subject Property within the C-2 District.

SECTION 3: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms and conditions set forth in Section 5 of this Ordinance, the Variation from Section 17.46.030 of the Zoning Ordinance to allow the construction of the Proposed Improvements on the Subject Property are 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: APPROVAL OF CERTIFICATE OF APPROPRIATENESS. Subject to, and contingent upon, the terms and conditions 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 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 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. 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, 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 development, use, and maintenance of the Proposed Improvements on 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 Engineering (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards:
 - 1. The Proposed Site Plan prepared by Konstant Architecture & Planning, consisting of one sheet, and with a latest revision date of September 15, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit B**;
 - 2. The Proposed Floor Plans prepared by Konstant Architecture & Planning, consisting of five sheets, and with a latest revision date of September 15, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit C**; and
 - 3. The Proposed Elevations prepared by Konstant Architecture & Planning, consisting of four sheets, and with a latest revision date of September 15, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit D**.

SECTION 6: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk Recording Division. 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 7: 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, 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 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 8: 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 9: 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 10: 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 E** 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

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 10.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.

C. The approvals granted in Section 2, 3, and 4 of this Ordinance shall not take effect until the Applicant provides the Village Community Development Director of evidence, in the form of a written title report issued by an Illinois title insurance company, that fee simple title to all of the Subject Property has been conveyed by the Owner to the Applicant.

[SIGNATURE PAGE FOLLOWS]

PASSED this 19 day of December, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2024.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this _ day of _____,
2024.

Introduced: December 19, 2023

Passed and Approved: _____, 2024

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 2 IN BARTNELL'S RESUBDIVISION BEING A SUBDIVISION OF THE EAST
½ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13,
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

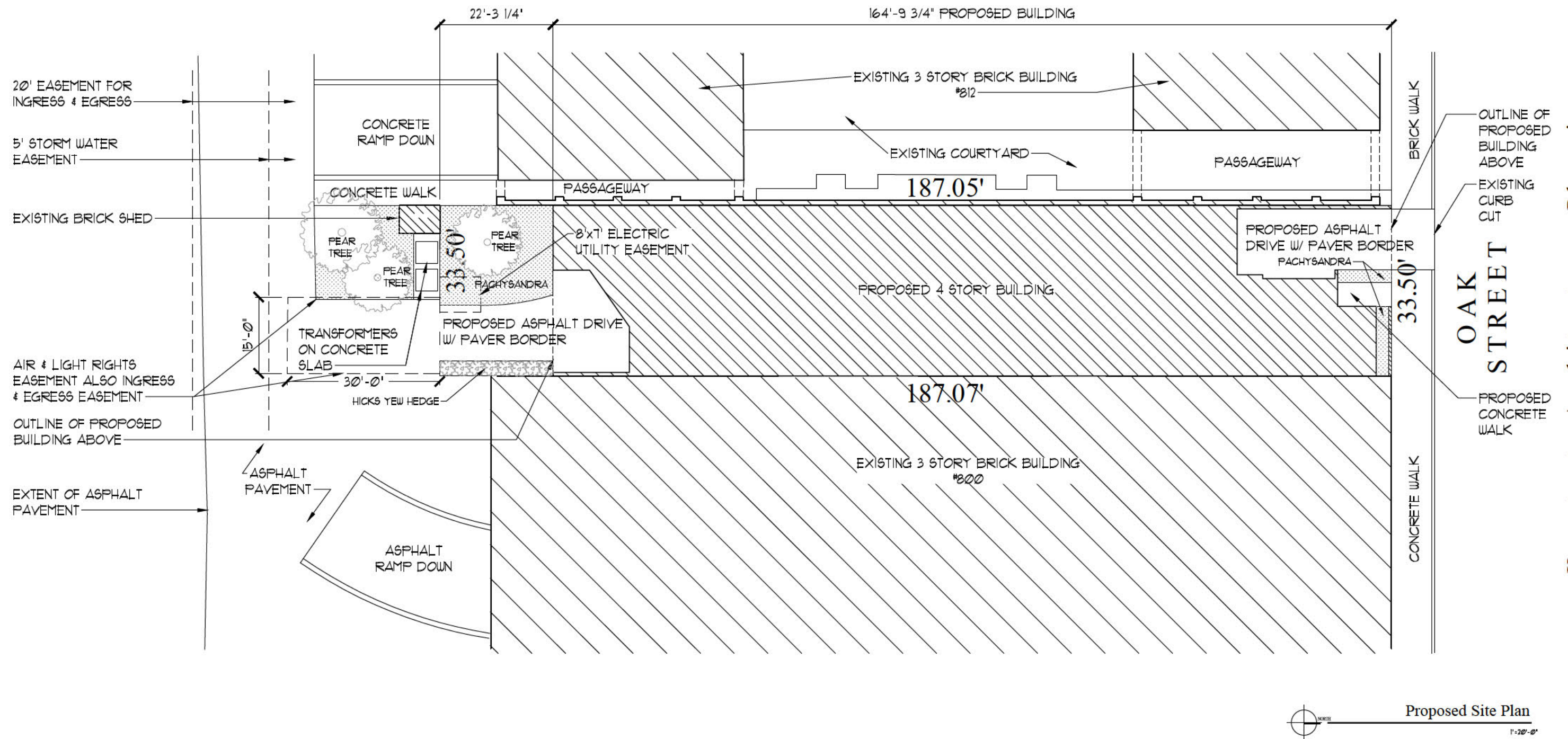
Commonly known as 808 Oak Street, Winnetka, Illinois.

PIN: 05-20-217-002-0000

EXHIBIT B

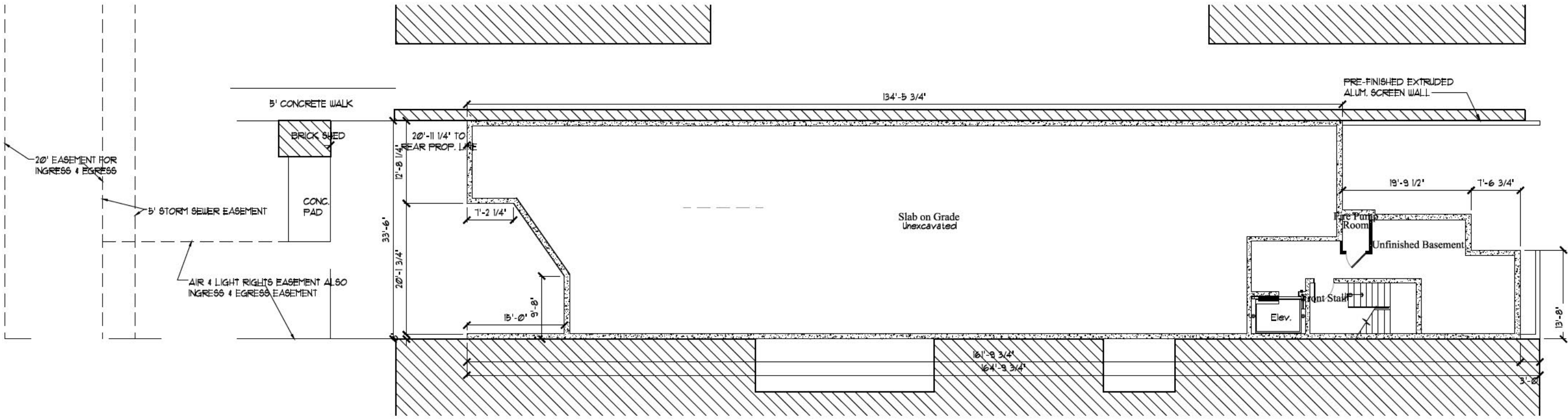
PROPOSED SITE PLAN

(SEE ATTACHED EXHIBIT B)



Konstant Architecture & Planning
5300 Golf Road Skokie, Illinois 60077 847.967.6115
808 Oak Street
Winnetka, IL

EXHIBIT C
PROPOSED FLOOR PLANS
(SEE ATTACHED EXHIBIT C)



WALL TYPES:

DESCRIPTION

- W-1

EXTERIOR STAIR WALL (2 HR FIRE RATED & LOAD BEARING)-
10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING
WALL PANELS (1.5" R-13.5 PHENOLIC INSULATION)
- W-2

EXTERIOR NORTH STAIR WALL:
10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING
WALL PANELS (R-13.5) WITH 'RIEDER' 13mm GLASS FIBER REINFORCED
CONCRETE CLOSED JOINT WALL PANELS ON METAL FRAMING
DECOUPLED FROM THE STRUCTURE WITH ATTACHMENT OVER
SELF-ADHERED (WRB) AND AIR BARRIER MEMBRANE
- W-3

EXTERIOR UNIT WALL (2 HR FIRE RATED & LOAD BEARING):
8" THICK PRECAST LOAD BEARING WALL PANELS
WITH INTERIOR BUILD-OUT: 5/8" THICK GYPSUM BOARD
ON 3 5/8" METAL STUD FRAMING, 16" O.C. WITH
R-20 CLOSED CELL SPRAY FOAM INSULATION IN STUD CAVITIES
- W-4

INTERIOR STAIR WALL:
8" THICK PRECAST LOAD BEARING WALL PANELS
WITH INTERIOR BUILD-OUT: 5/8" THICK GYPSUM BOARD
ON 1 5/8" METAL STUD FRAMING, 16" O.C.
- W-5

8" THICK PRECAST LOAD BEARING WALL PANELS WITH
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM THE STRUCTURE
WITH ATTACHMENT OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE
- W-6

EXTERIOR UNIT WALL (NON-FIRE RATED):
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM STRUCTURE WITH
ATTACHMENT BRACKETS OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE ON 5/8" THICK EXTERIOR GYPSUM BOARD
- W-7

INTERIOR STAIR AND ELEVATOR SHAFT WALL (2 HR FIRE RATED):
(2) LAYERS 5/8" THICK GYPSUM BOARD EACH SIDE OF 3 5/8", 25 GA.
METAL STUD FRAMING, 16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN
STUD CAVITIES
- W-8

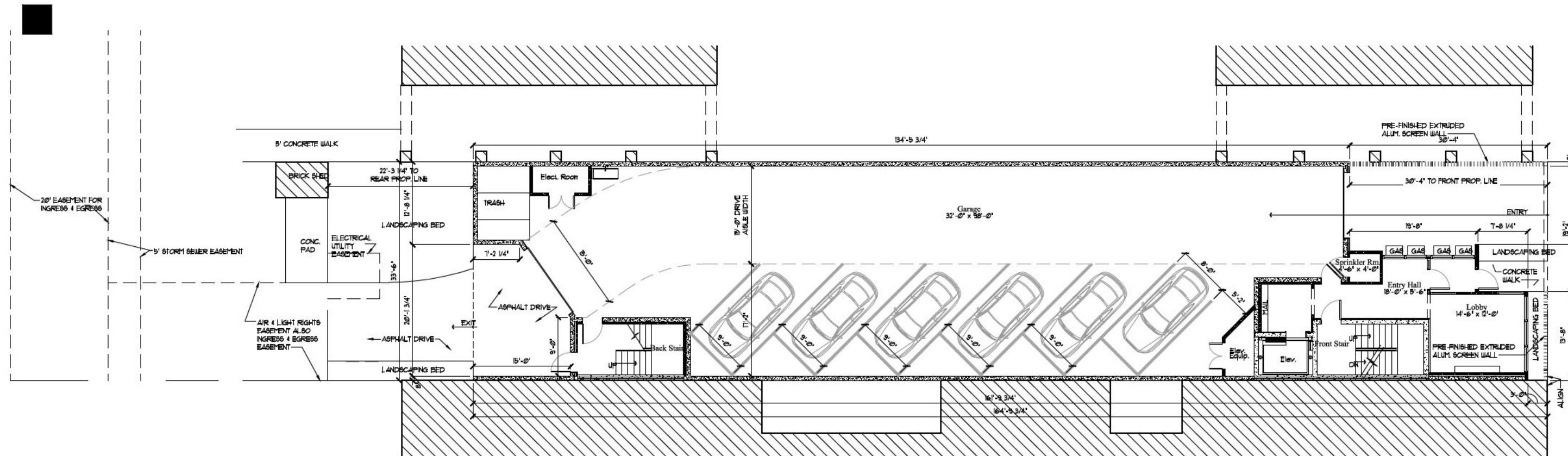
TYPICAL INTERIOR PARTITION:
5/8" THICK GYPSUM BOARD EACH FACE OF 3 5/8", 25 GA. METAL STUDS,
16" O.C.
- W-9

TYPICAL INTERIOR PARTITION WITH ACOUSTICAL INSULATION:
- W-10

INTERIOR MECHANICAL ROOM PARTITION (1 HR FIRE RATED):
5/8" THICK GYPSUM BOARD EACH FACE OF 3 5/8", 25 GA. METAL STUDS,
16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN STUD CAVITIES
- W-11

PREFINISHED THERMAL BROKEN ALUMINUM DOOR, WINDOW, AND WALL
SYSTEMS WITH LOW E INSULATED GLASS AS MANUFACTURED BY
'ELVIAL'

Basement Plan
1/16" = 1'-0"



WALL TYPES:

DESCRIPTION

- | | |
|---|---|
| <p>W-1 EXTERIOR STAIR WALL (2 HR FIRE RATED & LOAD BEARING)-
10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING
WALL PANELS (15T" R-13.5 PHENOLIC INSULATION)</p> <p>W-2 EXTERIOR NORTH STAIR WALL:
10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING
WALL PANELS (R-13.5) WITH 'RIEDER' 13mm GLASS FIBER REINFORCED
CONCRETE CLOSED JOINT WALL PANELS ON METAL FRAMING
DECOUPLED FROM THE STRUCTURE WITH ATTACHMENT OVER
SELF-ADHERED (WRB) AND AIR BARRIER MEMBRANE</p> <p>W-3 EXTERIOR UNIT WALL (2 HR FIRE RATED & LOAD BEARING):
8" THICK PRECAST LOAD BEARING WALL PANELS
WITH INTERIOR BUILD-OUT: 5/8" THICK GYPSUM BOARD
ON 3 5/8" METAL STUD FRAMING, 16" O.C. WITH
R-20 CLOSED CELL SPRAY FOAM INSULATION IN STUD CAVITIES</p> <p>W-4 INTERIOR STAIR WALL:
8" THICK PRECAST LOAD BEARING WALL PANELS
WITH INTERIOR BUILD-OUT: 5/8" THICK GYPSUM BOARD
ON 1 5/8" METAL STUD FRAMING, 16" O.C.</p> <p>W-5 8" THICK PRECAST LOAD BEARING WALL PANELS WITH
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM THE STRUCTURE
WITH ATTACHMENT OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE</p> | <p>W-6 EXTERIOR UNIT WALL (NON-FIRE RATED):
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM STRUCTURE WITH
ATTACHMENT BRACKETS OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE ON 5/8" THICK EXTERIOR GYPSUM BOARD</p> <p>W-7 INTERIOR STAIR AND ELEVATOR SHAFT WALL (2 HR FIRE RATED):
(2) LAYERS 5/8" THICK GYPSUM BOARD EACH SIDE OF 3 5/8", 25 GA.
METAL STUD FRAMING, 16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN
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5/8" THICK GYPSUM BOARD EACH FACE OF 3 5/8", 25 GA. METAL STUDS,
16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN STUD CAVITIES</p> <p>W-11 PREFINISHED THERMAL BROKEN ALUMINUM DOOR, WINDOW, AND WALL
SYSTEMS WITH LOW E INSULATED GLASS AS MANUFACTURED BY
'ELVIAL'</p> |
|---|---|

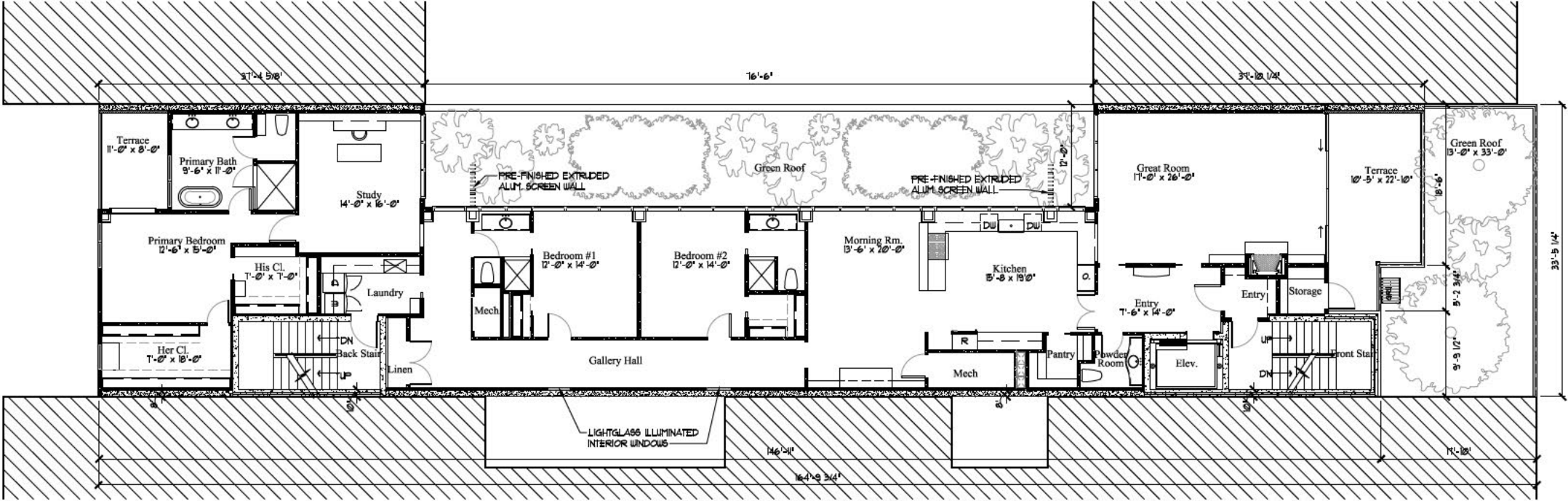
Date: 09.15.23

Konstant Architecture Planning

5300 Golf Road Skokie, Illinois 60077 847-967-6115

808 Oak Street
Winnetka, IL

A1.1
Job No: 1805



Second Floor Plan

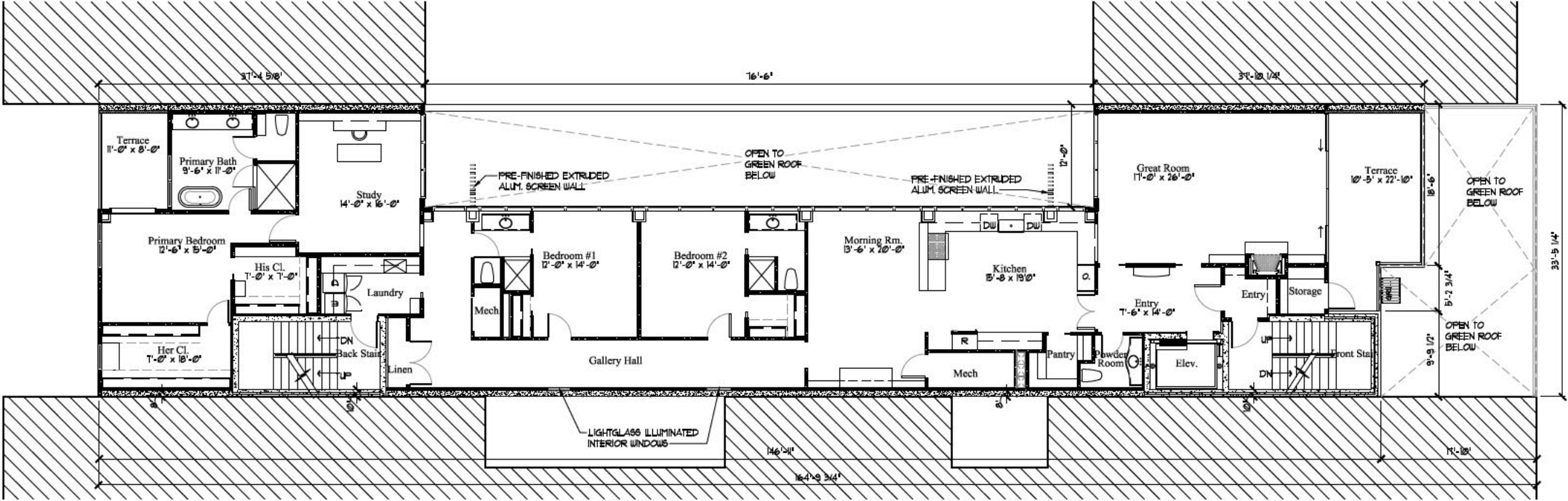
1/16" = 1'-0"

WALL TYPES:

DESCRIPTION

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WITH INTERIOR BUILD-OUT: 5/8" THICK GYPSUM BOARD
ON 1 5/8" METAL STUD FRAMING, 16" O.C.
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'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM THE STRUCTURE
WITH ATTACHMENT OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE

- W-6 EXTERIOR UNIT WALL (NON-FIRE RATED):
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM STRUCTURE WITH
ATTACHMENT BRACKETS OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE ON 5/8" THICK EXTERIOR GYPSUM BOARD
- W-7 INTERIOR STAIR AND ELEVATOR SHAFT WALL (2 HR FIRE RATED):
(2) LAYERS 5/8" THICK GYPSUM BOARD EACH SIDE OF 3 1/2", 25 GA.
METAL STUD FRAMING, 16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN
STUD CAVITIES
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5/8" THICK GYPSUM BOARD EACH FACE OF 3 1/2", 25 GA. METAL STUDS,
16" O.C.
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- W-10 INTERIOR MECHANICAL ROOM PARTITION (1 HR FIRE RATED):
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16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN STUD CAVITIES
- W-11 PREFINISHED THERMAL BROKEN ALUMINUM DOOR, WINDOW, AND WALL
SYSTEMS WITH LOW E INSULATED GLASS AS MANUFACTURED BY
'ELVIAL'



WALL TYPES:

DESCRIPTION

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10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING
WALL PANELS (15T" R-13.5 PHENOLIC INSULATION)
- W-2

EXTERIOR NORTH STAIR WALL:
10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING
WALL PANELS (R-13.5) WITH 'RIEDER' 13mm GLASS FIBER REINFORCED
CONCRETE CLOSED JOINT WALL PANELS ON METAL FRAMING
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- W-3

EXTERIOR UNIT WALL (2 HR FIRE RATED & LOAD BEARING):
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ON 3 5/8" METAL STUD FRAMING, 16" O.C. WITH
R-20 CLOSED CELL SPRAY FOAM INSULATION IN STUD CAVITIES
- W-4

INTERIOR STAIR WALL:
8" THICK PRECAST LOAD BEARING WALL PANELS
WITH INTERIOR BUILD-OUT: 5/8" THICK GYPSUM BOARD
ON 1 5/8" METAL STUD FRAMING, 16" O.C.
- W-5

8" THICK PRECAST LOAD BEARING WALL PANELS WITH
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM THE STRUCTURE
WITH ATTACHMENT OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE
- W-6

EXTERIOR UNIT WALL (NON-FIRE RATED):
'RIEDER' 13mm GLASS FIBER REINFORCED CONCRETE CLOSED JOINT
WALL PANELS ON METAL FRAMING DECOUPLED FROM STRUCTURE WITH
ATTACHMENT BRACKETS OVER SELF-ADHERED (WRB) AND AIR
BARRIER MEMBRANE ON 5/8" THICK EXTERIOR GYPSUM BOARD
- W-7

INTERIOR STAIR AND ELEVATOR SHAFT WALL (2 HR FIRE RATED):
(2) LAYERS 5/8" THICK GYPSUM BOARD EACH SIDE OF 3 5/8", 25 GA.
METAL STUD FRAMING, 16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN
STUD CAVITIES
- W-8

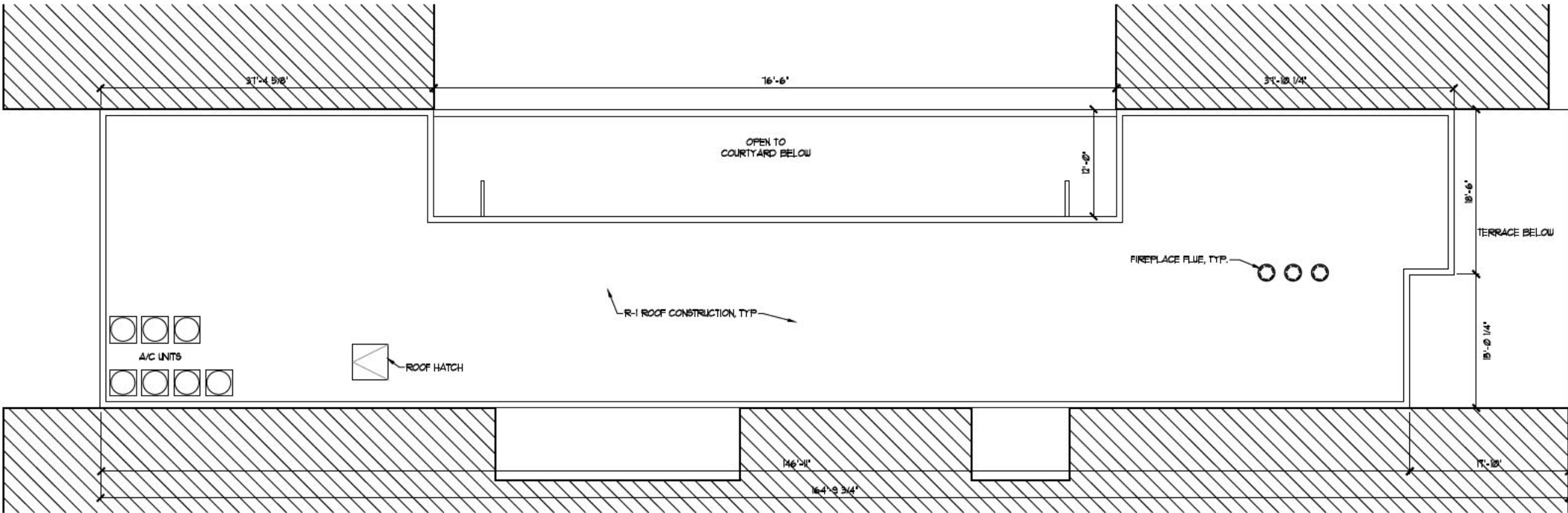
TYPICAL INTERIOR PARTITION:
5/8" THICK GYPSUM BOARD EACH FACE OF 3 5/8", 25 GA. METAL STUDS,
16" O.C.
- W-9

TYPICAL INTERIOR PARTITION WITH ACOUSTICAL INSULATION:
- W-10

INTERIOR MECHANICAL ROOM PARTITION (1 HR FIRE RATED):
5/8" THICK GYPSUM BOARD EACH FACE OF 3 5/8", 25 GA. METAL STUDS,
16" O.C. WITH 3 1/2" MINERAL WOOL INSULATION IN STUD CAVITIES
- W-11

PREFINISHED THERMAL BROKEN ALUMINUM DOOR, WINDOW, AND WALL
SYSTEMS WITH LOW E INSULATED GLASS AS MANUFACTURED BY
'ELVIAL'

Third and Fourth Floor Plan
1/16" = 1'-0"



ROOF CONSTRUCTION:

DESCRIPTION

R-1 TYPICAL ROOF CONSTRUCTION

- 60-MIL FULLY ADHERED SINGLE PLY T.P.O. ROOF MEMBRANE SYSTEM
- 1/4" THICK COVER BOARD
- 3 LAYER POLYISO INSULATION BOARDS WITH STAGGERED JOINTS 8.4" THICK (R-49 MIN.) WITH TOP LAYER TAPERED (1/4" /FT.)
- 8' P.C. CONCRETE STRUCTURAL DECK

R-2 TYPICAL ROOF CONSTRUCTION

- GROWTH MEDIA WITH 4'-8" SOIL DEPTH
- MIRADRAIN G4' OR EQUAL COMPOSITE FILTER FABRIC, WATER RETENTION AND DRAINAGE BOARD
- 40 MIL ROOT BARRIER
- 3 LAYER 'XPS' RIGID INSULATION BOARDS W/ STAGGERED JOINTS 9" THICK (R-49 MIN.)
- 60-MIL FULLY ADHERED SINGLE PLY T.P.O. ROOF MEMBRANE SYSTEM
- SLOPED CONCRETE TOPPING (1/4"/FT.) TO ROOF DRAINS
- 8' P.C. CONCRETE STRUCTURAL DECK

RT-1 ROOF TERRACE: UNINSULATED

- 2cm PORCELAIN PAVERS
- ADJUSTABLE PAVES SUPPORT PEDESTALS
- 1/8" THICK PROTECTION BOARD
- 60-MIL FULLY ADHERED SINGLE PLY TPO ROOF MEMBRANE
- SLOPED CONCRETE (1/4"/FT.) TO ROOF DRAINS
- 6' THICK P.C. CONCRETE STRUCTURAL DECK

RT-3 TYPICAL GREEN ROOF: 'EXTENSIVE' MEDIUM DEPTH SYSTEM-UNINSULATED

- GROWTH MEDIA WITH 4"-8" SOIL DEPTH
- MIRADRAIN G4 OR EQUAL COMPOSITE FILTER FABRIC, WATER RETENTION AND DRAINAGE BOARD
- 40 MIL ROOT BARRIER
- 1/8" THICK PROTECTION BOARD
- 60 MIL FULLY ADHERED T.P.O. ROOF MEMBRANE SYSTEM
- SLOPED CONCRETE TOPPING (1/4"/FT.) TO ROOF DRAINS
- 8' P.C. CONCRETE STRUCTURAL DECK

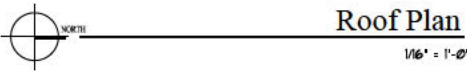
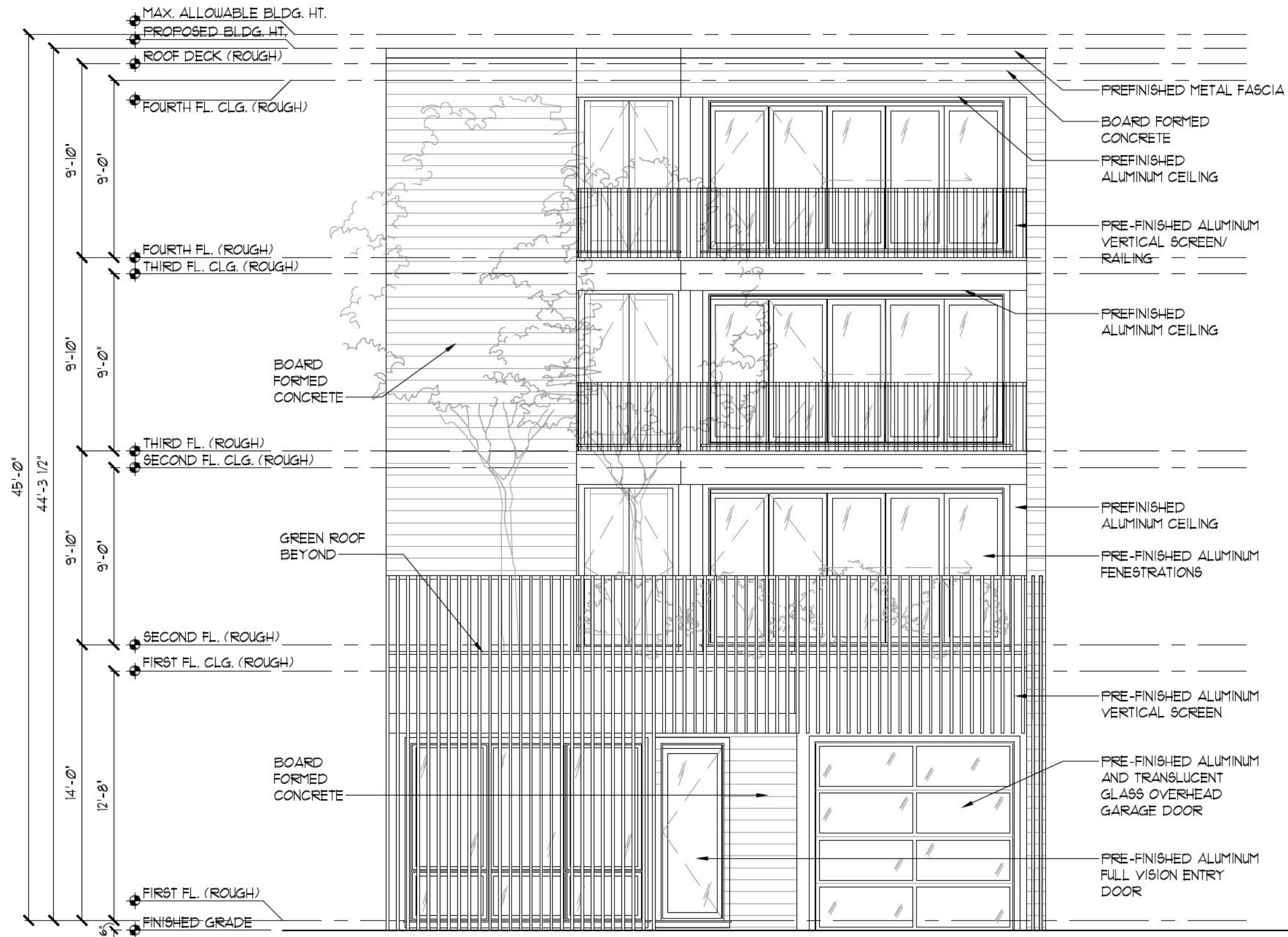


EXHIBIT D

PROPOSED ELEVATIONS

(SEE ATTACHED EXHIBIT D)



North Elevation

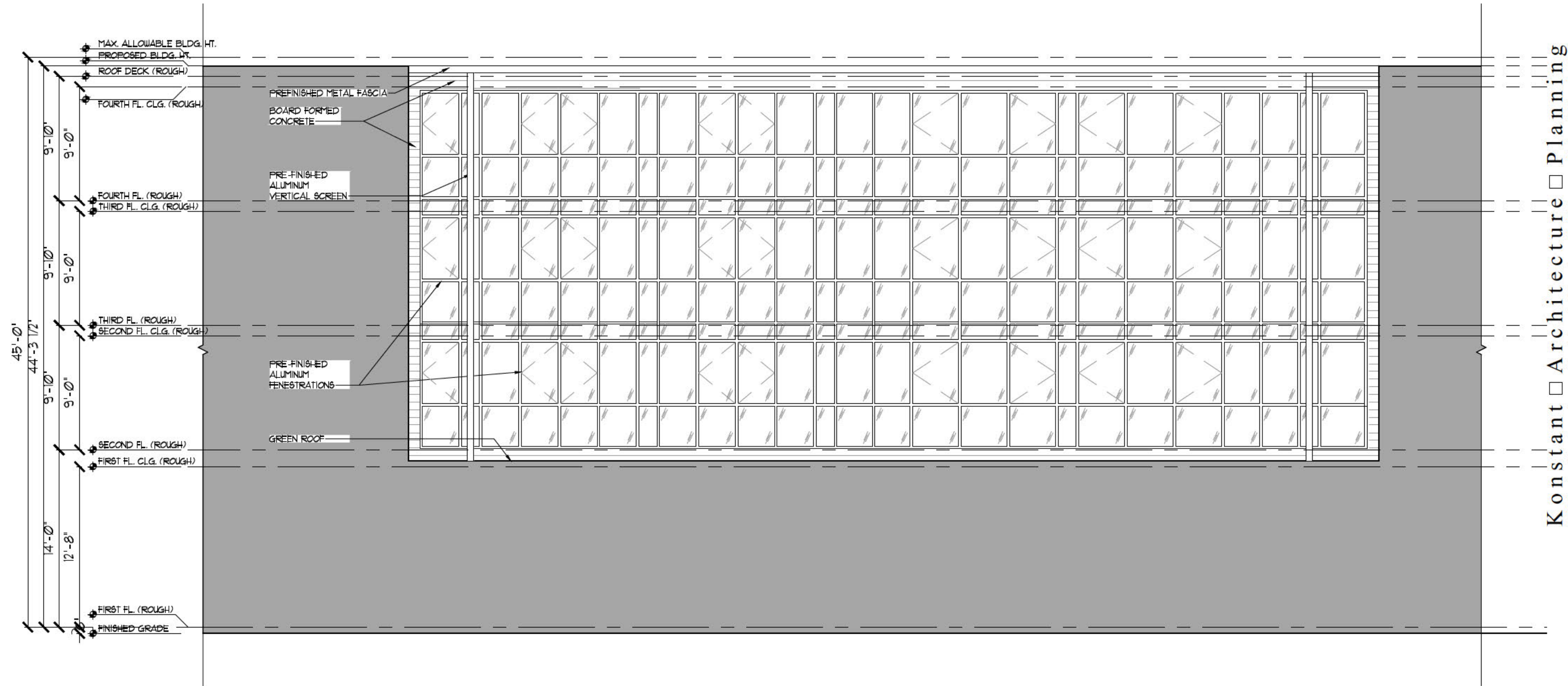
3/16"=1'-0"

Konstant Architecture Planning
5300 Golf Road Skokie, Illinois 60077 847-967-6115
808 Oak Street
Winnetka, IL



South Elevation

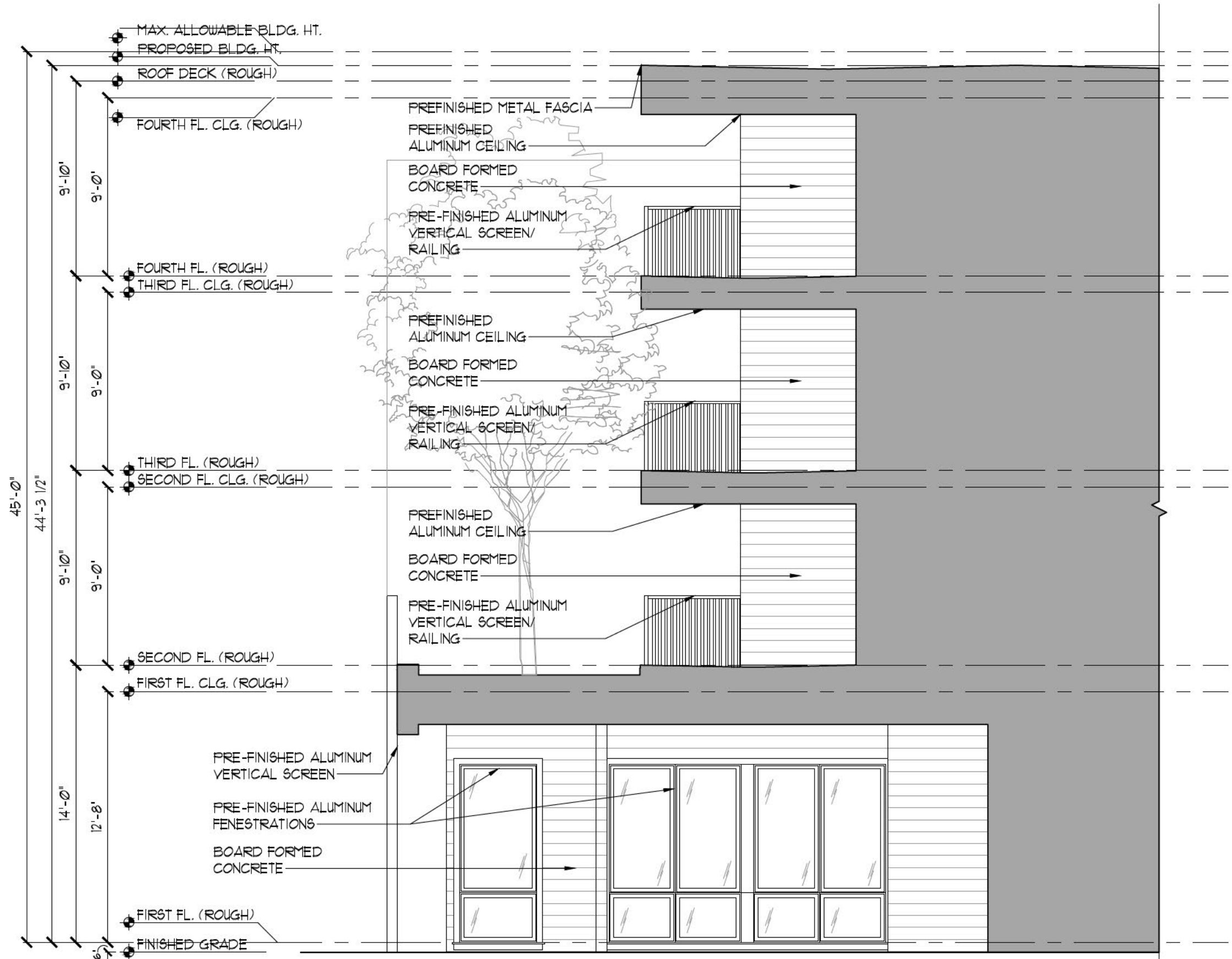
3/16"=1'-0"



West Courtyard Elevation

1/8"=1'-0"

Konstant Architecture Planning
5300 Golf Road Skokie Illinois 60077 847-967-6115
808 Oak Street
Winnetka, IL



West Entry Elevation

3/16"=1'-0"

Date: 09.15.23

Konstant Architecture Planning
 5300 Golf Road Skokie, Illinois 60077 847-967-6115
 808 Oak Street
 Winnetka, IL

EXHIBIT E
UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, 808 Oak Street LLC, an Illinois limited liability company ("***Applicant***"), is the prospective buyer of the parcel of real property commonly known as 808 Oak Street 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 located within the C-2 General Retail Commercial Zoning District of the Village ("***C-2 District***") measuring approximately 0.14 acres in size and is currently vacant ("***Existing Building***"); and

WHEREAS, the Applicant desires to redevelop the Subject Property and construct a new, four-story multi-family building, which building is proposed to include: (i) ground-floor parking; and (ii) three single-level, three-bedroom residential units on the second, third and fourth floor of the proposed building (collectively, the "***Proposed Improvements***"); and

WHEREAS, to permit construction of the Proposed Improvements, the Applicant filed an application for: (i) a special use permit pursuant to Section 17.46.010 and Chapter 17.56 of the Zoning Ordinance to allow construction of a residential building in the C-2 District, on the ground floor and less than 50 feet from the front street line; (ii) a special use permit pursuant to Sections 17.46.110.G and Chapter 17.56 of the Zoning Ordinance to allow the construction and operation of a street-level parking lot within the C-2 District (collectively, the "***Special Use Permits***"); (iii) a variation from Section 17.46.030 of the Zoning Ordinance to permit a front yard setback of 30.33 feet ("***Variation***"); and (iv) a certificate of appropriateness pursuant to Section 15.40.010 of the Village Code ("***Certificate of Appropriateness***") (collectively, the "***Requested Relief***"); and

WHEREAS, Ordinance No. M-21-2023, adopted by the Village Council on _____, 2024 ("***Ordinance***"), grants the Requested Relief; and

WHEREAS, Section 10 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 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 grant of the Requested Relief for the Subject Property or its adoption of the Ordinance, and that the Village's approvals are not, and will not be, in any way, 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 granting the Requested Relief 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: _____, 2024

ATTEST:

808 OAK STREET, LLC

By: _____

By: _____

Its: _____

Its: _____

A New Construction
for Residences at
808 Oak Street
Winnetka, IL

DRAWING CONTENTS:

A 0.0 Index Sheet - Site Plan & Notes

Architectural Drawings:
Prepared by: Konstant Architecture & Planning
Contact info: Thomas E. Lybrook P: 847.967.6115
License #: 001-014820

- A 1.0

Basement Plan
- A 1.1

Ground Level Floor Plan
- A 1.2

Second Floor Plan
- A 1.3

Third and Fourth Floor Plan
- A 1.4

Roof Plan
- A 2.0

North Elevation
- A 2.1

South Elevation
- A 2.2

West Courtyard Elevation
- A 2.3

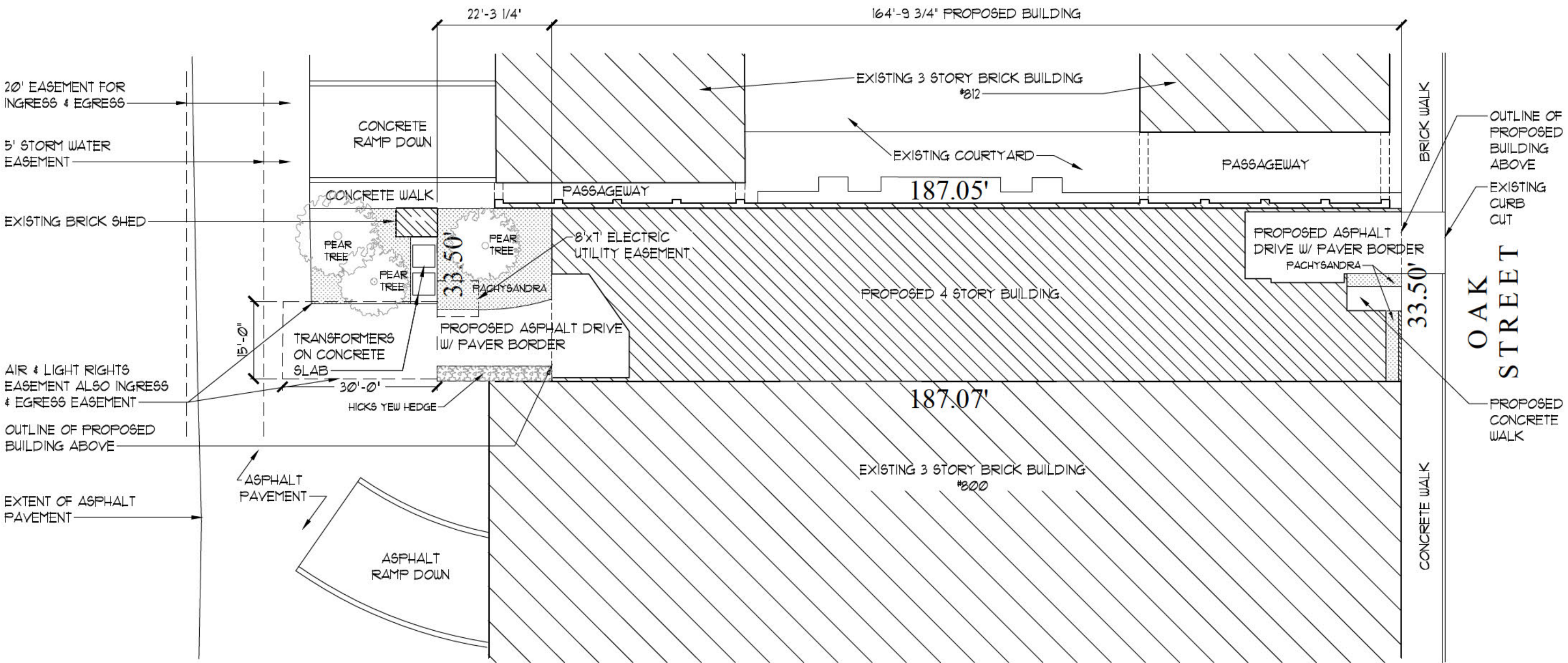
West Entry Elevation

E 1.0 Ground Floor Electrical Plan

Date: 09.15.23

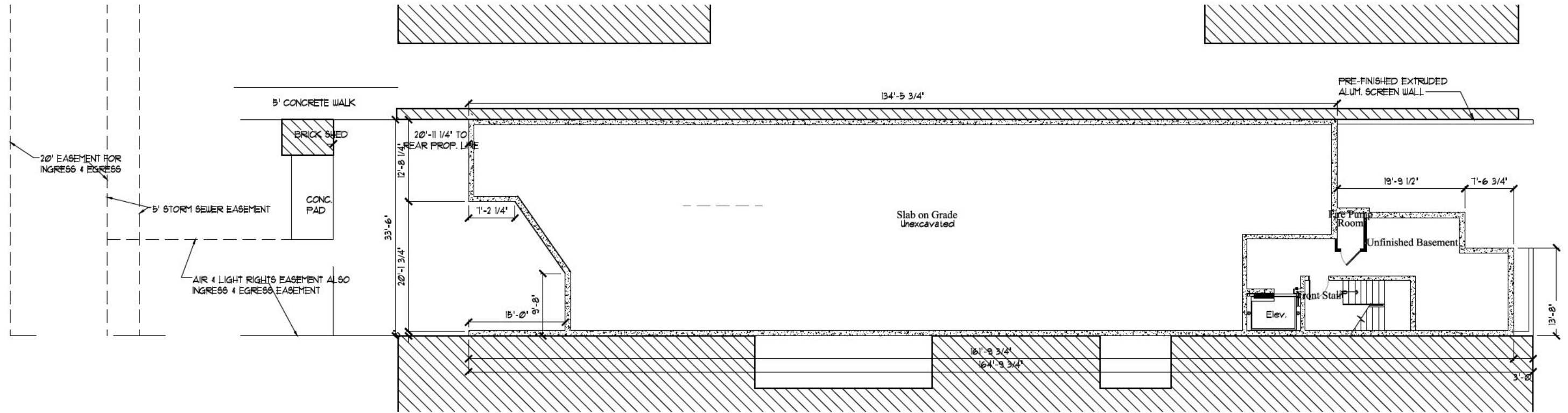
Konstant Architecture & Planning
5300 Golf Road Skokie Illinois 60077 847-967-6115

808 Oak Street
Winnetka, IL



Proposed Site Plan
1"=20'-0"

Konstant Architecture & Planning
5300 Golf Road Skokie, Illinois 60077 847.967.6115
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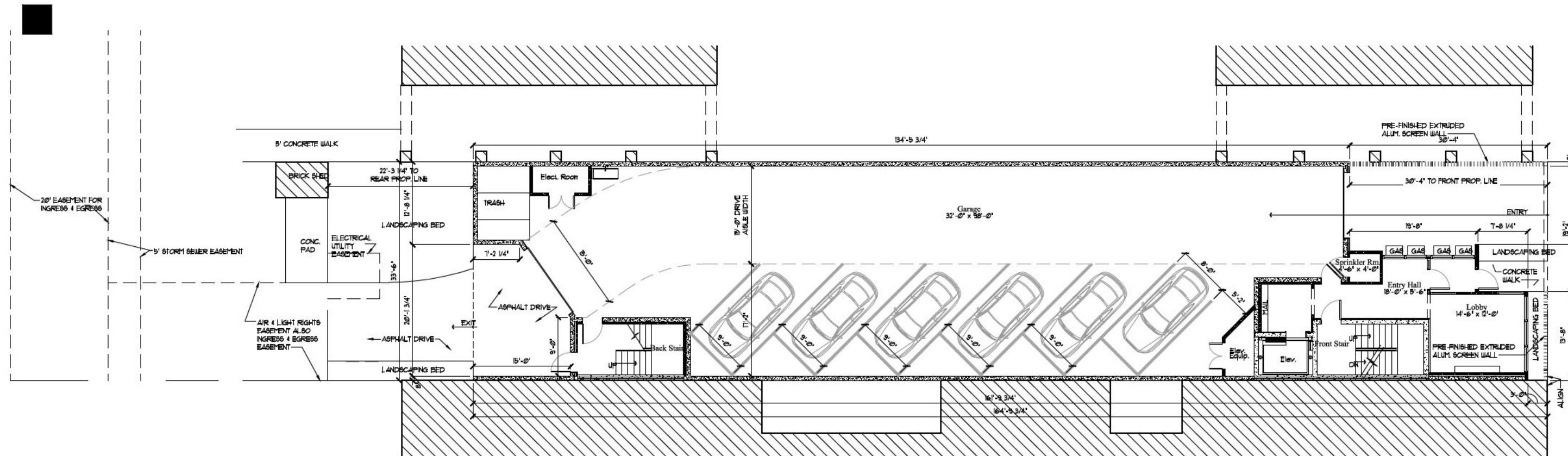


WALL TYPES:

DESCRIPTION

- W-1 EXTERIOR STAIR WALL (2 HR FIRE RATED & LOAD BEARING):
10' THICK PRECAST INSULATED COMPOSITE LOAD BEARING WALL PANELS (1.5" R-13.5 PHENOLIC INSULATION)
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- W-4 INTERIOR STAIR WALL:
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Date: 09.15.23

WALL TYPES:

DESCRIPTION

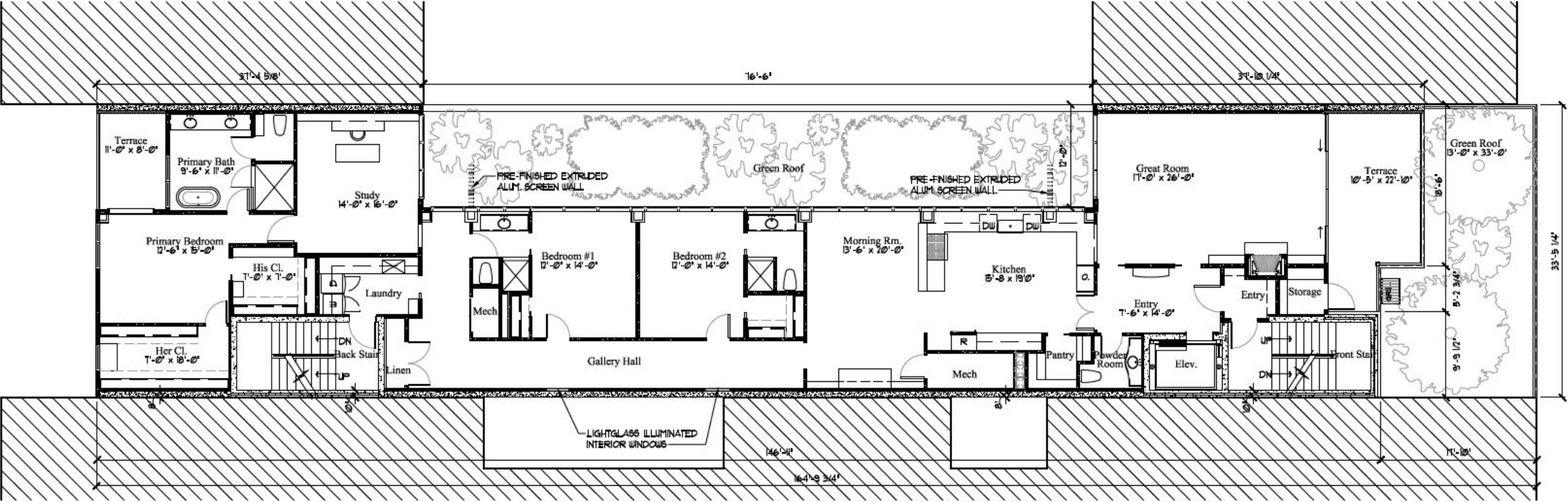
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|---|---|
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|---|---|

Ground Level Floor Plan
 1/16" = 1'-0"

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 5300 Golf Road
 Skokie, Illinois 60077
 847-967-6115

808 Oak Street
 Winnetka, IL

A1.1
 Job No: 1805



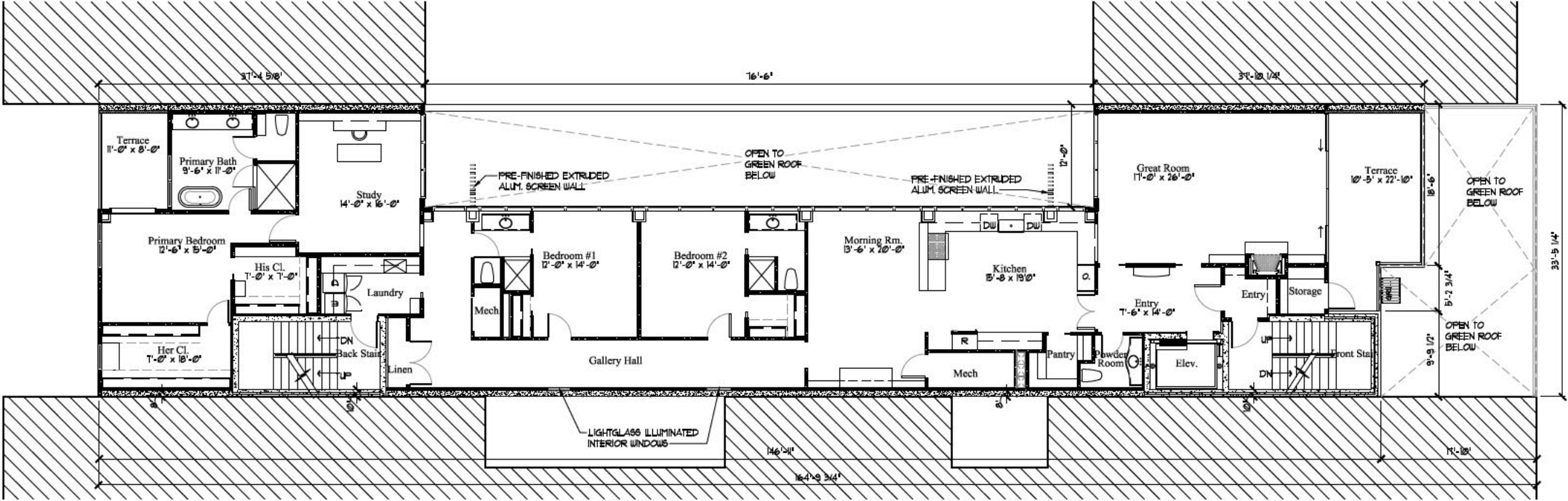
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Second Floor Plan
1/16" = 1'-0"



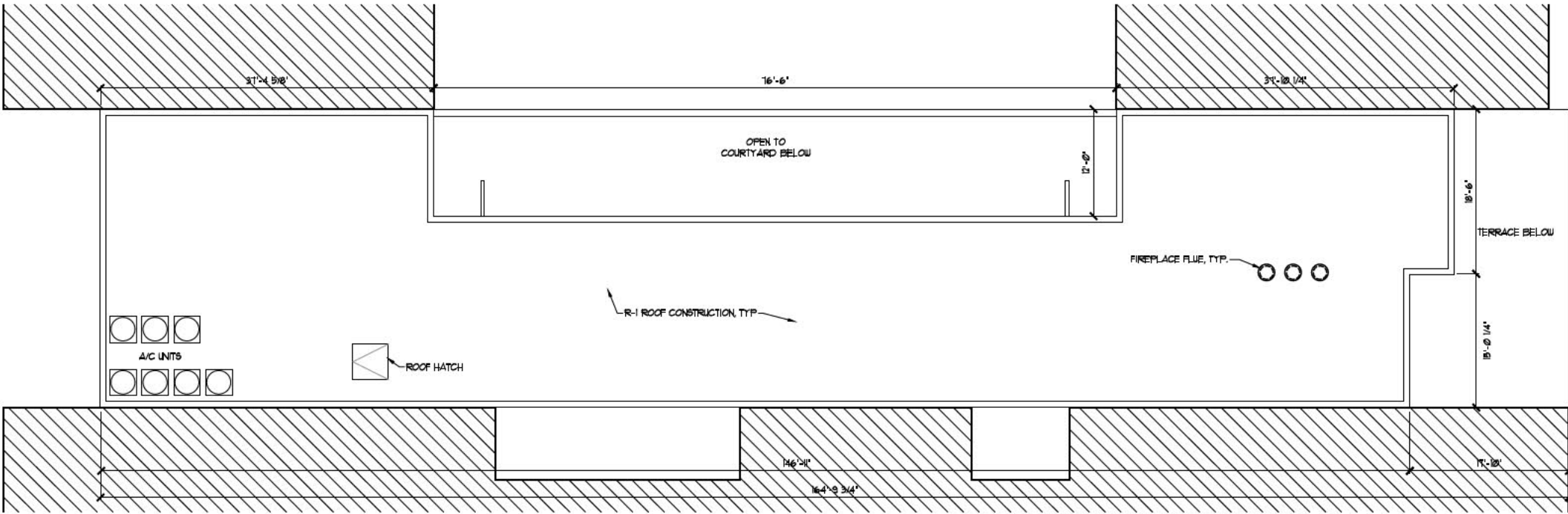
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Third and Fourth Floor Plan
1/16" = 1'-0"



ROOF CONSTRUCTION:

DESCRIPTION

R-1 TYPICAL ROOF CONSTRUCTION

- 60-MIL FULLY ADHERED SINGLE PLY T.P.O. ROOF MEMBRANE SYSTEM
- 1/4" THICK COVER BOARD
- 3 LAYER POLYISO INSULATION BOARDS WITH STAGGERED JOINTS 8.4" THICK (R-49 MIN.) WITH TOP LAYER TAPERED (1/4" /FT.)
- 8' P.C. CONCRETE STRUCTURAL DECK

R-2 TYPICAL ROOF CONSTRUCTION

- GROWTH MEDIA WITH 4'-8" SOIL DEPTH
- MIRADRAIN G4' OR EQUAL COMPOSITE FILTER FABRIC, WATER RETENTION AND DRAINAGE BOARD
- 40 MIL ROOT BARRIER
- 3 LAYER 'XPS' RIGID INSULATION BOARDS W/ STAGGERED JOINTS 9" THICK (R-49 MIN.)
- 60-MIL FULLY ADHERED SINGLE PLY T.P.O. ROOF MEMBRANE SYSTEM
- SLOPPED CONCRETE TOPPING (1/4"/FT.) TO ROOF DRAINS
- 8' P.C. CONCRETE STRUCTURAL DECK

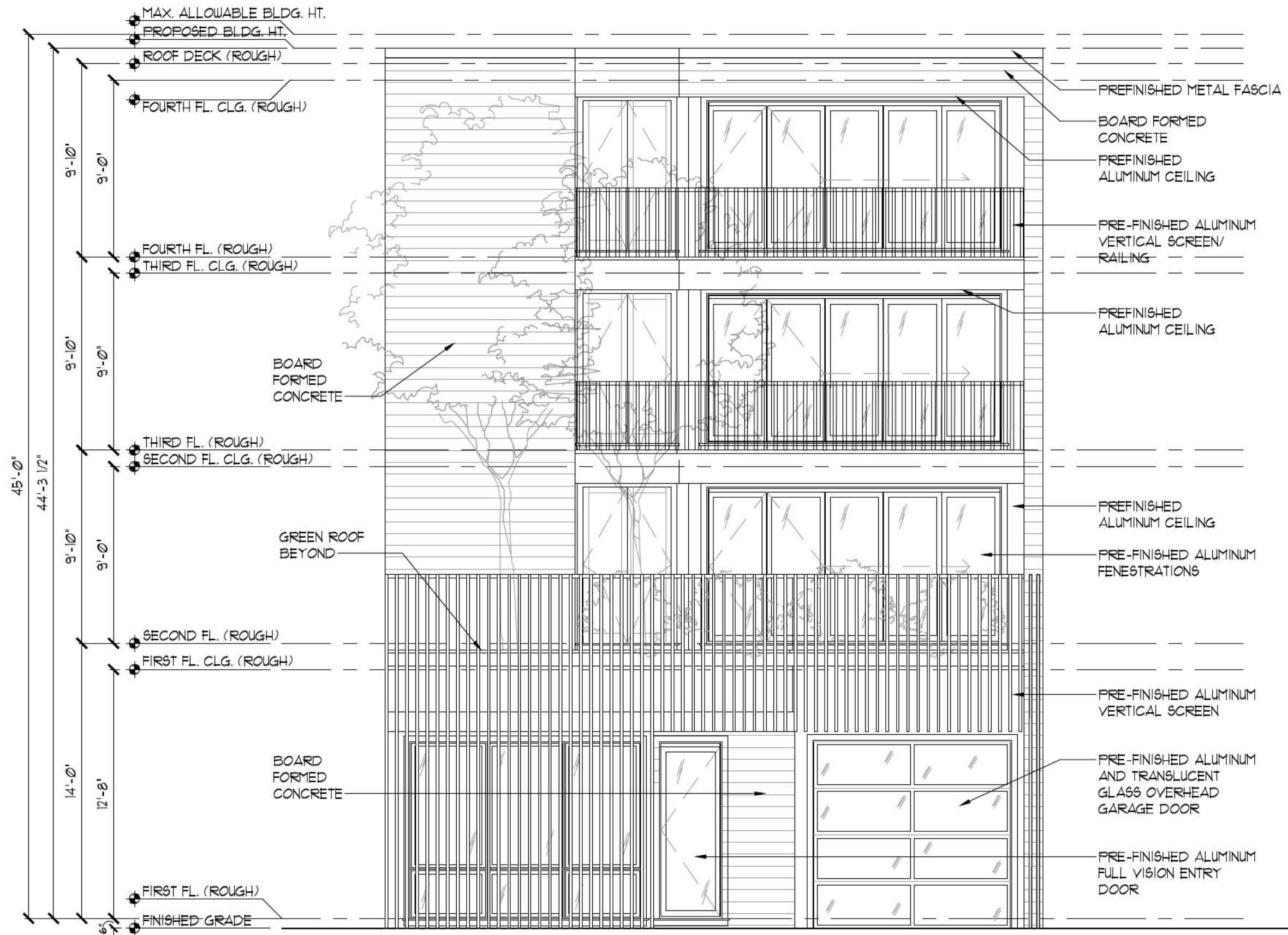
RT-1 ROOF TERRACE: UNINSULATED

- 2cm PORCELAIN PAVERS
- ADJUSTABLE PAVES SUPPORT PEDESTALS
- 1/8" THICK PROTECTION BOARD
- 60-MIL FULLY ADHERED SINGLE PLY TPO ROOF MEMBRANE
- SLOPED CONCRETE (1/4"/FT.) TO ROOF DRAINS
- 6' THICK P.C. CONCRETE STRUCTURAL DECK

RT-3 TYPICAL GREEN ROOF: 'EXTENSIVE' MEDIUM DEPTH SYSTEM-UNINSULATED

- GROWTH MEDIA WITH 4"-8" SOIL DEPTH
- MIRADRAIN G4 OR EQUAL COMPOSITE FILTER FABRIC, WATER RETENTION AND DRAINAGE BOARD
- 40 MIL ROOT BARRIER
- 1/8" THICK PROTECTION BOARD
- 60 MIL FULLY ADHERED T.P.O. ROOF MEMBRANE SYSTEM
- SLOPED CONCRETE TOPPING (1/4"/FT.) TO ROOF DRAINS
- 8' P.C. CONCRETE STRUCTURAL DECK

Roof Plan
1/16" = 1'-0"



North Elevation

3/16"=1'-0"

Date: 09.15.23

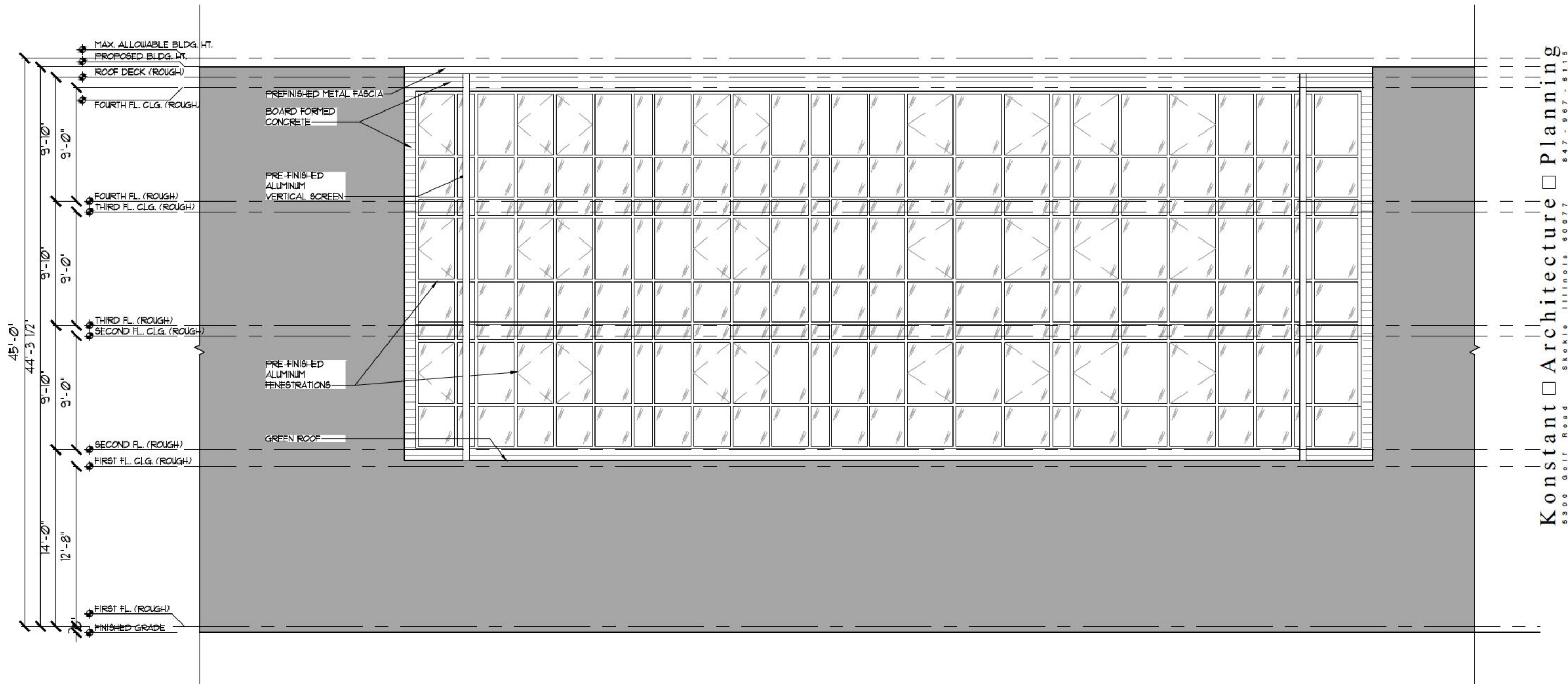
Konstant Architecture Planning
5300 Golf Road Skokie, Illinois 60077 847-967-6115

808 Oak Street
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South Elevation

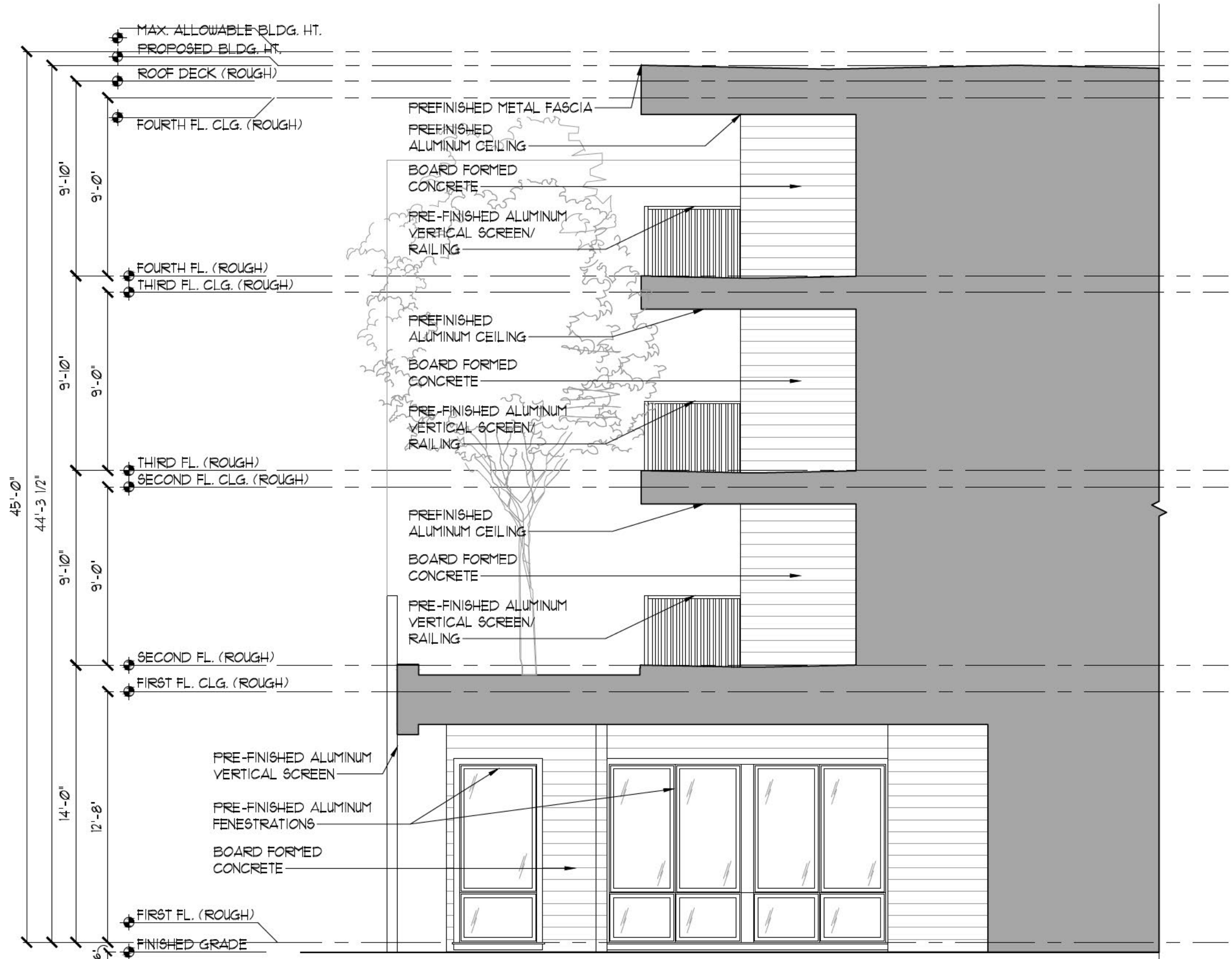
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Konstant ☐ Architecture ☐ Planning
5300 Golf Road Skokie Illinois 60077 847-967-6115
808 Oak Street
Winnetka, IL

West Courtyard Elevation

1/8"=1'-0"



West Entry Elevation

3/16"=1'-0"

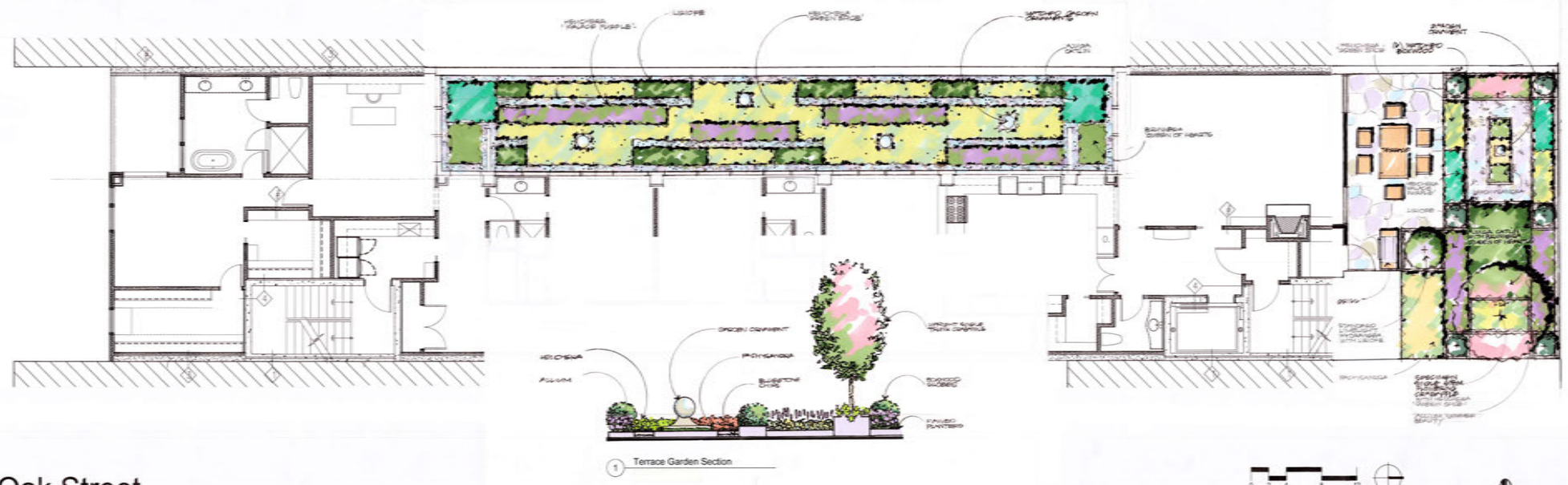
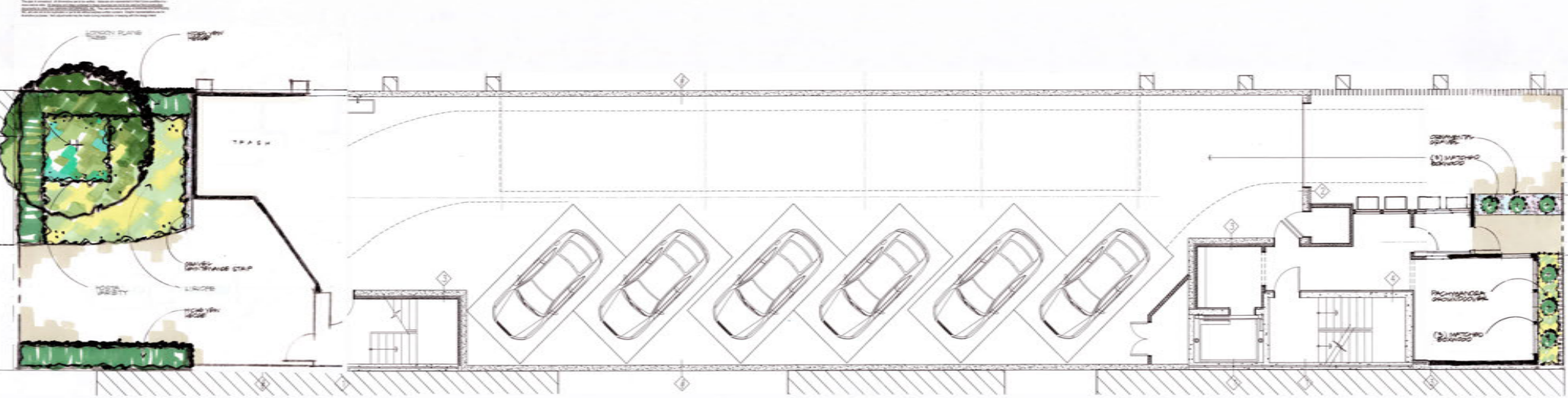
Date: 09.15.23

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808 Oak Street
Winnetka, IL

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1 Terrace Garden Section



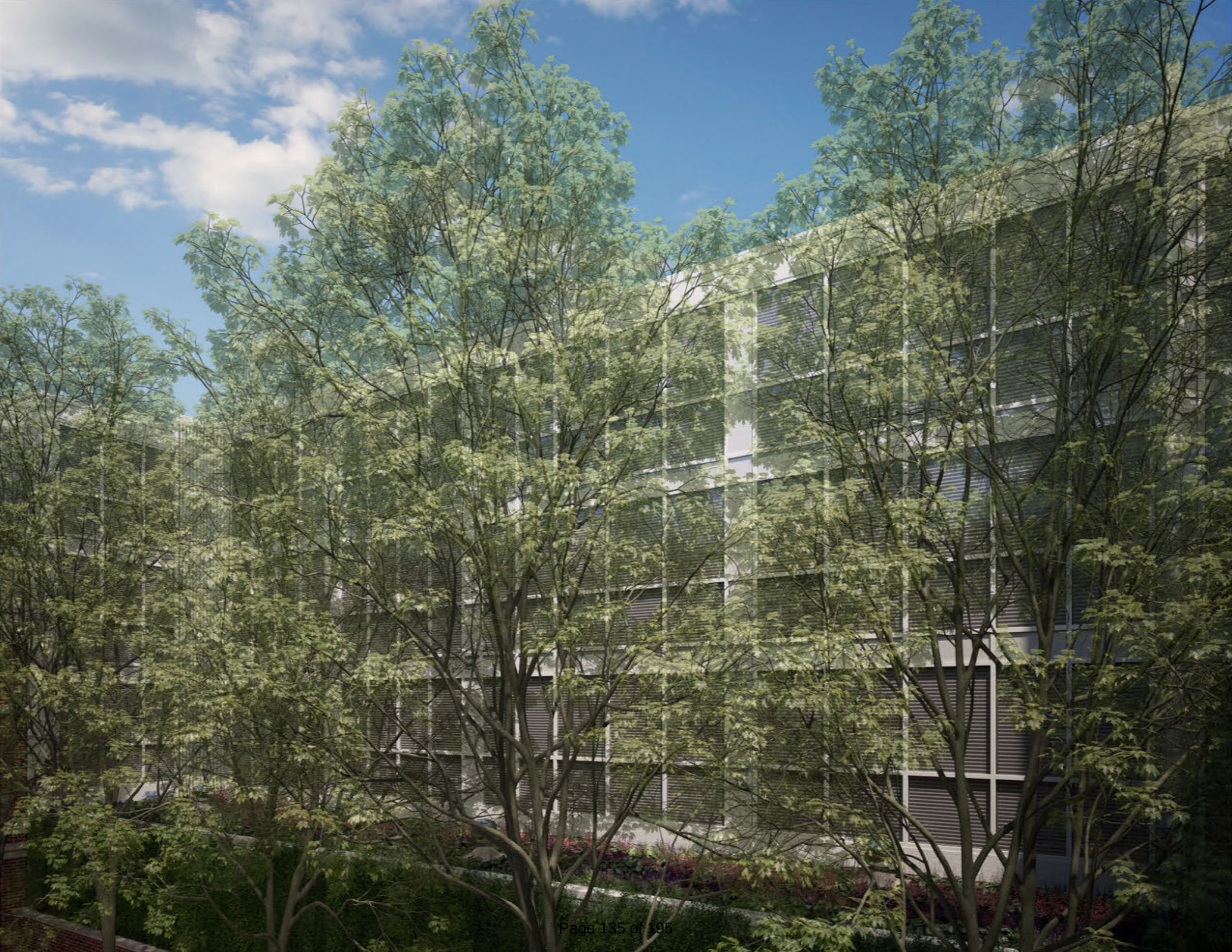
808 Oak Street

808 Oak Street, Winnetka, IL 60093
Project No. 23052

MARIANI
300 Rockland Road | Lake Bluff, Illinois 60049
Phone: 847.234.2170 | Fax: 847.234.2154
www.marianilandscape.com















ATTACHMENT 5

Minutes Adopted October 16, 2023

Winnetka Design Review Board/Sign Board of Appeals Meeting Minutes - Excerpt September 21, 2023

Members Present:

Katie Moor, Chairperson
Fritz Duda
Paul Konstant
Maggie Meiners
Heather Niehoff
Michael Ritter

Members Absent:

None

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community
Development
Davorka Kirincic, Building and Code Enforcement
Manager

a. Case No. 23-13-TX: 808 Oak Street - New Multifamily Residential Building: An application submitted by 808 Oak Street, LLC, seeking approval of a Certificate of Appropriateness for the construction of a new four-story multifamily building. The Village Council has final jurisdiction on this request.

Mr. Konstant and Ms. Niehoff recused themselves from the discussion due to their involvement with the project. Ms. Klaassen identified the location of the vacant lot, its size with ingress/egress easements, parking spaces, and residential condominium units. She identified parking access and the parking garage entry located 30 feet back from the lot line to minimize the visual impact of the garage door and provide adequate space for vehicles to wait for the garage door to open. Ms. Klaassen noted a front yard setback variation is required to allow the building to be setback more than 3 feet with the intent to create a pedestrian street wall. She also identified the ground floor plan which includes a residential lobby, elevator, two staircases, and a trash enclosure at the rear of the building and the access points.

Ms. Klaassen described each unit and its square footage, the green roof facing Oak Street and a green roof for the interior courtyard facing the west elevation. She also referred to proposed renderings of the building, the location of the air conditioning units on the roof as well as the upper floors of the building being setback approximately 13 feet from the front lot line. Ms. Klaassen noted the building height would be 44 feet 3½ inches which is compliant with building height requirements. She identified the west proposed courtyard elevation and the rendering of both the front and rear elevations, and noted updated renderings were provided by the applicant and described the exterior wall finishes and colors. She further described the building's elements containing railings, louvers and balcony elements. Ms. Klaassen stated the terrace ceilings would be prefinished aluminum with a wood appearance and described the screen wall located on the front property line.

Ms. Klaassen then stated the windows and garage doors would be prefinished aluminum with a full vision front entry door. She also referred to the interior courtyard north/south rendering and the rear elevation. Ms. Klaassen stated the applicant provided a landscaping plan which she described for the Board noting the building's rear is setback more than 20 feet to allow for the required landscaped area.

1 Ms. Klaassen identified samples of the board formed concrete and decorative aluminum screen and white
2 color as well as the proposed windows and prefinished aluminum curtain wall as well as the proposed
3 light fixtures. She noted the applicant is requesting a text amendment to allow ground floor residential
4 uses less than 50 feet from the street line in the C-2 district adding the Village Council was receptive to
5 the text amendment request and that the Village Council has designated the Zoning Board of Appeals and
6 Plan Commission to be the public bodies to hold public hearings on the text amendment, special use, and
7 variation. Ms. Klaassen stated those meetings have not yet been scheduled.
8

9 Ms. Klaassen informed the Board additional public comment was received and provided to the Board via
10 email as well as on the dais this evening. She stated the Board can either ask the applicant for additional
11 information or make a motion to recommend approval or denial as indicated on page nos. 78 and 79 of
12 the agenda packet. She then asked if there were any questions. The Commission Members described the
13 request as well designed. No questions were raised at this time.
14

15 Chairperson Moor stated the applicant's presentation was not necessary since the Board had no
16 additional questions. She then asked for public comment and referred to letters submitted to the Board.
17

18 John Shepherd, President of the 812 Oak Condominium Association, referred to the garage wall location
19 and asked for additional clarification. Sonia Arminio, Konstant Architecture, informed the Board the
20 garage wall would meet the 812 Oak wall with a small area for clearance. She also noted floor nos. 2-4
21 could have a courtyard which would not be visible from the street. Mr. Shepherd referred to an initial plan
22 neighbors had seen for an underground garage and stated that the Maple trees in their courtyard which
23 may be damaged by lack of light. Chairperson Moor questioned the garage wall height. Ms. Arminio
24 estimated the wall height to be lower than the 14 foot height limitation on the second floor and would be
25 taller than their wall by approximately 4 feet. She explained the reasoning as circulation for not having an
26 underground garage. Mr. Shepherd then referred to the lack of rails on roof elevations and the air
27 conditioning units not being 10 feet back from the building edge. Ms. Arminio responded at the rear
28 portion, the units would be located above the master closet and described the roof access. She indicated
29 they would be open to moving them forward.
30

31 Tom Lybrook, Konstant Architecture, agreed that the AC units were shown close to the building edge and
32 would have to have a guard on the east side. He stated they planned to conform to requirements as the
33 project developed. Mr. Shepherd referred to the 800 Oak building with vents and electrical elements
34 coming out of the west side and the impact of the development on that building. Mr. Lybrook stated with
35 regard to the first floor garage height, he stated their planting terrace is higher than their grade by 5.5
36 feet noting their first floor height is being dictated by zoning. Ms. Arminio referred to the tree concern
37 and stated they planned to protect the trees and spoke with Mariani Landscaping in that regard.
38

39 Lucy Naphin, 812 Oak Street, asked if the new courtyard structure would be 12 feet wide which would be
40 much closer to their building. Chairperson Moor referred to the floor plan for clarification. Ms. Klaassen
41 responded the proposed courtyard is 12 feet from west to east with the north/south length matching that
42 at 812 Oak. Ms. Naphin then asked why the design is not more in keeping with Winnetka's style of Tudor
43 or art deco. She also asked if there is an impact study for their building. Ms. Naphin noted her concern
44 related to the busy street and an additional garage entry on that street would generate additional traffic.
45 She then questioned the new buildings' height. Chairperson Moor confirmed the building height would
46 be less than the maximum 45-foot height and appeared to be similar in height to their building.
47

1 Bill Schermerhorn stated he manages both 800 Oak and 812 Oak, and that his main concern related to
2 making sure the issues relating to 800 Oak get addressed. He noted two window bays for their building
3 would be completely covered. He also stated their visibility would be affected by the new building. Mr.
4 Schermerhorn stated a concrete wall would affect their buildings' vents. He then referred to the building's
5 size on the small lot and questioned why underground parking cannot be done with underground water
6 storage possibly being in that location. He also referred to the prior renderings showing brick, Tudor and
7 pitched roofs which were not shown on the current renderings. Mr. Schermerhorn also referred to AC
8 units generating noise.

9
10 Ms. Meiners referred to the underground parking issue and how it impacted either building. She
11 commented she preferred no underground parking and asked for clarification in terms of parking at street
12 level. Mr. Ritter agreed with Ms. Meiners' comments and stated underground parking would result in four
13 units instead of three and address the neighbors' concerns. He stated first floor parking would be a benefit
14 to the neighbors. Chairperson Moor asked Mr. Schermerhorn to explain the benefit of having
15 underground parking versus first floor parking. Mr. Schermerhorn stated the application required a
16 variation and would have an effect on the courtyard appearance as well as the building's scale.

17
18 Rick Adams, 812 Oak, informed the Board he submitted a letter and stated another underground parking
19 advantage would be that it would be accessed through the rear. He also stated it would increase
20 pedestrian safety. Mr. Adams also described how bricks could be used as opposed to the proposed
21 materials to help facilitate construction on the narrow lot.

22
23 James White of Forest Glen commented the proposed modern building felt out of place and the Winnetka
24 charm and change of culture would be affected. He also stated he is concerned with regard to light and
25 construction referring to his grandmother living in the area.

26
27 Karen Adams, 812 Oak, informed the Board she submitted a letter to the Board. She agreed with the
28 neighbors' concerns and referred to the amount of noise generated by the existing vibrant restaurants in
29 the area. Mrs. Adams stated she is concerned with the proposed driveway and children safety as well as
30 the use of poured concrete rather than brick. She also questioned how trees would survive on a rooftop
31 deck and the building's modern look should be integrated in order to be more conducive to the
32 neighborhood. No additional comments were made at this time.

33
34 Ms. Meiners referred to 800 Oak and stated it is not clear what would be done with the two window bays.
35 Ms. Arminio described the difficulty to the site's constraints to protect both the 812 courtyard and the
36 800 window bays. She stated if the courtyard is moved closer to 812 Oak, there would be more fire
37 restriction issues and they aimed to make the view as pleasant as possible. Ms. Arminio also stated they
38 are restricted on interior room sizes in terms of ADA requirements, etc. and they attempted to be as
39 respectful to neighboring properties as possible.

40
41 Chairperson Moor questioned the proposed height relative to the neighboring buildings. Mr. Lybrook
42 responded they asked the Village if any plans were available for either building. He confirmed no plans
43 were available to 812 Oak with their renderings developed from photos noting the proposed building
44 would be lower than the maximum building height. Mr. Lybrook stated in connection with vents, that
45 issue would be dealt with between the two owners.

1 Chairperson Moor referred to the tree comments and the relationship to 812 Oak and referred to page
2 89. She asked how far the trees stick out. Ms. Arminio responded they do not have the exact location of
3 the drip line and confirmed they would be mindful of it. She added they would engage with an arborist.

4
5 Ms. Meiners questioned the east wall and Ms. Arminio responded it would be precast concrete. Ms.
6 Meiners asked if vines could be used on that elevation. Ms. Arminio explained how the first floor is built
7 out to the property line with a green roof above.

8
9 Ms. Naphin stated her view would be directly impacted by the proposed building and asked why that wall
10 would be glazed. Ms. Arminio explained how glazing added depth and would help soften the view. Mr.
11 Schermerhorn questioned why the proposed building is being allowed to be built on such a small site.

12
13 Chairperson Moor noted setbacks do not fall within the Board's purview and asked the Board Members
14 for their comments. Ms. Arminio provided a sample material board to the Board for its review along with
15 an explanation of the reasoning for its use.

16
17 Chairperson Moor asked if there were any other questions. Mr. Duda described the property as very
18 difficult to develop and questioned the difficulty with regard to navigation. He commented the proposal
19 is a wonderful solution and stated the Board has to weigh the applicant's and surrounding property
20 owners' rights. Mr. Duda then stated he is only concerned with the AC unit visibility to the south and how
21 it contextually compared with the properties on either side and referred to the vertical aluminum slats at
22 the street level. He suggested they not be extended to the ground and for there to be a more a pedestrian
23 friendly front.

24
25 Ms. Meiners agreed with Mr. Duda's comments and stated given the nature of 800 Oak, the proposal
26 considered its environment with the vertical slats. She commented after reviewing the project, she
27 described it as well done and agreed with Mr. Duda's comments regarding the vertical slats on the
28 building's lower portion. She agreed the project was difficult and the applicant was very thoughtful in
29 connection with the proposal. Ms. Arminio explained with regard to the slats, given the project is in the
30 C-2 commercial district, it is meant to be a contiguous wall which would still allow for a planting bed to
31 soften the view. Mr. Duda suggested the use of a raised planting bed. Ms. Arminio stated it was meant to
32 represent a continuous building line and provide articulation. She compared the appearance to that of
33 800 Oak. Ms. Meiners stated pedestrian consideration should be preferred over that of the building
34 residents and suggested it not appear shut out. Ms. Arminio confirmed it is not meant to be a security
35 feature and for it to appear as residential as opposed to commercial.

36
37 Chairperson Moor suggested the Board reconsider the request without the vertical slats that appeared
38 less institutional. Ms. Meiners recommended taking into consideration the Board's and the public's
39 comments and represent another iteration incorporating the comments made. She described the
40 proposal as a great solution. Ms. Arminio agreed. Mr. Schoon stated the Board can move to request a
41 revised design to address the first floor issue or continue the matter to the Board's next meeting with
42 specific comments for the applicant to address.

43
44 Chairperson Moor asked the applicant if they would agree to continue the application to a future date for
45 the Board's consideration. Ms. Arminio agreed. Mr. Ritter agreed it is a wonderful solution for a difficult
46 property and if the Board did not approve the request, they may end up with a less favorable project. He
47 agreed it would be helpful for the Board to see a rendering without the vertical slats down on the first
48 floor.

1 Chairperson Moor asked for a motion. Ms. Meiners moved to continue the application to the October 19,
2 2023, meeting. Mr. Duda and Mr. Ritter seconded the motion. A vote was taken, and the motion
3 unanimously passed, 4 to 0:

4 AYES: Duda, Meiners, Moor, Ritter

5 NAYS: None

6 RECUSED: Konstant, Niehoff

7
8

**Winnetka Design Review Board/Sign Board of Appeals Special Meeting Minutes – Excerpt
October 16, 2023**

Members Present:

Katie Moor, Chairperson
Fritz Duda
Paul Konstant
Maggie Meiners
Heather Niehoff
Michael Ritter

Members Absent:

None

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community
Development
Davorka Kirincic, Building and Code Enforcement
Manager

Continued Application:

a. Case No. 23-13-TX: 808 Oak Street - New Multifamily Residential Building: An application submitted by 808 Oak Street, LLC, seeking approval of a Certificate of Appropriateness for the construction of a new four-story multifamily building. The Village Council has final jurisdiction on this request. This item was continued from the September 21, 2023, Design Review Board Meeting.

Chairperson Moor noted Ms. Niehoff and Mr. Konstant will be recusing themselves from the discussion. Ms. Niehoff and Mr. Konstant both left the room. Ms. Klaassen stated the Board first reviewed the project at the September Board meeting with the finding that the building design is more contemporary in nature, is attractive and compatible with buildings in the area, with one exception. She stated the members found the vertical slats at the street level incompatible with the desire to have a pedestrian- focused building orientation at the street level, recognizing that the building would be purely residential, the Board found that the street level treatment could be more compatible with storefronts in the commercial district.

Ms. Klaassen stated the applicant provided a written explanation in response to the Board's comments describing the design approach along with updated renderings reflecting the vertical slats are spaced further apart than illustrated in the previous renderings. She then referred to the proposed additional renderings. Ms. Klaassen stated, as mentioned at the September meeting, the applicant has also submitted applications for a text amendment and special use permit to be considered by the Plan Commission and Zoning Board of Appeals following the Board's review. She noted the staff report also included the factors the Board should consider when reviewing a Certificate of Appropriateness as well as the Design Guidelines that should be considered.

Ms. Klaassen summarized the steps for the meeting this evening, explaining that the applicant would provide their presentation followed by public comment, and applicant response if necessary, and then Board deliberation. She stated the Board can then either consider the draft motion on page 15 of the agenda materials or continue the application to a date certain. Ms. Klaassen then asked if there were any questions.

1 Chairperson Moor also asked if there were any questions. No questions were raised at this time. She then
2 asked for the applicant's presentation.
3

4 Sonia Arminio of Konstant Architecture described the building as being site specific and meant to bridge
5 the gap between two different building types with the vertical slats providing that bridge. She stated
6 following the Board's comments, the ownership did not want a design overhaul and revised renderings
7 were provided to the Board showing the vertical slat's appeal from the street. Ms. Arminio noted they
8 would not be located against the building to provide relief and described how the slats give way to the
9 planting bed and front windows while providing visual interest. She described depth as an important part
10 of the design with the slat depth and texture making it a cohesive design. Ms. Arminio described the slats
11 as an example of modern ornamentation which would enhance the building's overall aesthetic. She then
12 asked if there were any questions.
13

14 Chairperson Moor also asked if there were any questions. Ms. Meiners referred to page 12 of 316 and
15 asked if the updated vertical slats were removed from the revised rendering. Ms. Arminio confirmed the
16 window frame remained the same and described how it appeared with the slats spacing changed. She
17 explained that the slats are used as a railing on the second floor so they have to be a certain distance to
18 meet code. Chairperson Moor commented it married the neighboring building and described the lot as
19 challenging. She commented a good job was done given the conditions. Ms. Meiners and Mr. Ritter agreed
20 with the comments made. Mr. Ritter added a great job was done given the severe footprint constraints
21 and he appreciated the attempts to alleviate the neighbors' concerns. Mr. Duda also agreed with the
22 comments made noting that the design is much more understandable with the updated renderings.
23

24 Chairperson Moor then asked for public comments.
25

26 Dan Schermerhorn of 800 and 812 Oak Management stated the Village's theme is mirrored by the Design
27 Guidelines including Tudor, pitched roofs, etc. with the proposed design not found elsewhere in the
28 Village. He commented on how the proposed design did not marry the two neighboring buildings and
29 suggested the use of brick or another material consistent with the Design Guidelines with little
30 accommodation given to 800 Oak. He also described the proposed building as going 100% in the opposite
31 direction and would not be a great melding of the two facades.
32

33 Karen Adams, 812 Oak, thanked the Board and referred to the comments relating to further studying the
34 first floor rendering. She asked the Village staff if the criteria of a street wall would be approached at a
35 different meeting. Ms. Adams then stated her concerns are twofold, the first of which related to access
36 off Oak Street which is incorporated into the Elm Street masterplan and outlined her concerns relating to
37 vehicular and pedestrian traffic with a driveway in the middle of Oak. She then stated the 808 Oak design
38 did not reflect many of the comments presented in the charter with the Village masterplan being used as
39 a guideline. Ms. Adams also stated while the proposed design is remarkable, she hoped the Board could
40 encourage them to incorporate some of the architectural desires on the building's façade. She also
41 referenced quotes from the Village's masterplan and the architect's involvement in helping draft it. Ms.
42 Adams concluded by stating her comments are personal and identified her community planning
43 background.
44

45 Richard Meyer stated he lives next door to the subject property and referred to four questions relating to
46 the aesthetic and site improvement. He referred to issues in connection with the Village's ability to uphold
47 the community character and stated they are missing the opportunity for collaboration and community
48 problem solving while agreeing the lot is complicated. Mr. Meyer referred to the public interest outcome

1 and the developer's ability to build on the lot which would help increase density and the number of Village
2 residents.

3
4 Rick Adams, 812 Oak, stated following his additional research, he determined the lot is a buildable lot and
5 referred to the connection with the 800 Oak building. He then referred to the design aesthetics and
6 commented the aluminum slats are not needed to transition to the neighboring building. Mr. Adams
7 suggested the building should be more consistent with the Design Guidelines and although it is a
8 challenging lot, a lot of the criteria to build on the lot can be met. He commented the building face did
9 not agree with the Design Guidelines and it should not have a 1.5 story picket fence as its building face.

10
11 Raymond George, 812 Oak, stated they were encouraged to provide comments on the project and
12 identified his concerns which he provided to Trustee Dearborn. He stated his main concern related to the
13 midblock ingress on Oak and amount of traffic on the busy street. Mr. George then referred to the
14 property line dispute from years ago and identified his concerns relating to the prior proposal for having
15 underground parking and its effect on trees. He stated they spoke with Mr. Konstant several times to
16 discuss their concerns. No additional comments were made at this time.

17
18 Chairperson Moor asked the applicant to address the safety concerns. Ms. Arminio described the one way
19 traffic and ingress/egress on the site with the garage door being recessed on the property. Chairperson
20 Moor asked if there were any other questions. She stated the proposal addressed the lot's challenges and
21 referred to the comments made with regard to the brick buildings on either side. She added the proposal
22 would add airiness to the lot.

23
24 Ms. Meiners agreed with Chairperson Moor's comments and stated the proposed materials, although not
25 historic in nature, would be easier to maintain in terms of its longevity. She commented the proposal is
26 well designed given the lot and spoke to a younger generation who would like to see a more contemporary
27 building although she understood the neighbors' concerns. Mr. Duda stated with regard to safety, he
28 referred to the limited number of vehicles on the site and described the design as elegant. He also referred
29 to the increased space between the slat's visibility while accommodated on a narrow lot. He concluded
30 he is in favor of the proposal. Mr. Ritter stated he understood the concerns relating to it being a modern
31 building and would not be in favor of it in another location. He stated it fit the location and that another
32 brick building would be too much brick. Mr. Ritter added the neighboring buildings are not similar
33 architecturally or consistent with older builds in town. He concluded it is appropriate and commented on
34 the amount of work done by the owners and architect while preserving the trees. He added it is a good
35 solution.

36
37 Chairperson Moor then asked for a motion. Mr. Duda moved to approve the request as submitted. An
38 audience member referred to the proposed materials being noted in the design guidelines as
39 unacceptable. Ms. Klaassen confirmed the materials listed in the Design Guidelines are simply guidelines
40 not standards or regulations. Mr. Ritter seconded the motion. A vote was taken and the motion
41 unanimously passed, 4 to 0:

42 AYES: Duda, Meiners, Moor, Ritter

43 NAYS: None

44 RECUSED: Konstant, Niehoff

45
46 ***

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES – EXCERPT
NOVEMBER 13, 2023**

Zoning Board Members Present:

Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kate Casale MacNally
Mike Nielsen
Todd Vender

Zoning Board Members Absent:

None

Village Staff:

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

d. Case No. 23-13-TX: 808 Oak Street: An application seeking approval of (i) a Text Amendment to the Zoning Ordinance, (ii) Special Use Permits, and (iii) a zoning variation to allow construction of a four-story, three-unit, multi-family residential building at 808 Oak Street. The text amendment would allow residential uses in the C-2 General Retail Commercial Zoning District (the “C-2 District”), on the ground floor that are less than 50 feet from the front street line, as a special use. The special use permits would allow (a) a residential use in the C-2 District, on the ground floor and less than 50 feet from the front street line; and (b) off-street parking at street level. The variation would permit the proposed building to provide more than the maximum permitted front yard setback from the north property line along Oak Street. The Village Council has final jurisdiction on this request.

Ms. Klaassen identified the property’s location and zoning classification and described the lot’s size and ingress/egress. She referred to the land use map and outlined appropriate uses for the site and the site’s photos. Ms. Klaassen noted the application did not include commercial space and described the proposed multi-family residential building and the text amendment and special use requests for residential uses within the front 50 feet of the lot line. She then referred to the additional development standards suggested by the Applicant with respect to the requested text amendment which include that the lot shall be along the south side of Oak Street between Chestnut Street and Green Bay Road/Linden Street and the width of the lot makes it physically impractical to provide both a commercial space within 50 feet from the street lot line and to provide any portion of the number of required parking spaces. Ms. Klaassen described the project’s proposed setbacks and various building elements, parking spaces and its access. She outlined the special use permit to allow parking on the site at the street level. Ms. Klaassen noted the recessed garage entry would provide a break in the garage door’s visual nature and to allow light and air to the neighboring property to the west and provide depth for vehicles to sit onsite while waiting for the garage door to open. She then described the proposed residential units, their sizes, the terrace, interior courtyard, various building elevations and noted the building complied with the height requirement. Ms. Klaassen then referred to renderings of the building’s views from various locations, the interior courtyard and rear elevation.

Ms. Klaassen stated the DRB first considered the request in September 2023 with the Board finding the building to be more modern and noted their concern with the front vertical slats. She stated the application was continued to address the comments and revised renderings were submitted to the DRB,

1 she noted that the DRB ultimately recommended approval of the design. Ms. Klaassen stated the Village
2 Council heard the initial request with respect to the requested text amendment in August 2023, at that
3 time the Council decided the ZBA and Plan Commission would conduct public hearings relating to the text
4 amendment, special uses, and variation. She then stated one additional email from the public was
5 received since the packet was provided to the Board and referred to the draft motion on page nos. 132
6 through 134 and asked if there were any questions.

7
8 Ms. Hanley asked who drafted the text amendment language. Ms. Klaassen responded the applicant
9 provided draft language. Mr. Schoon noted the Village Attorney would review it. Ms. Hanley described
10 the text amendment language as vague by referring to the language regarding the physical impracticality
11 of providing a commercial use on the lot due to the lot's width. She commented the request appeared to
12 be spot zoning.

13
14 Chairman Bradley asked if the proposed text amendment language is to allow as a special use residential
15 uses on the ground floor in the commercial C-2 district less than 50 feet from the street frontage. Ms.
16 Klaassen confirmed that is correct. Mr. Schoon stated they worked with the applicant in terms of
17 narrowing the text amendment request as they did not know if the community would be open to having
18 residential on the first floor anywhere in the commercial districts. He stated it is not actually spot zoning
19 and it is being limited to where it can occur and the features the property needed to be eligible for that
20 use. He described suggested limitations in terms of where that type of use could go. Chairman Bradley
21 asked if there were any other properties in the C-2 General Retail District that would otherwise meet the
22 relief such that they could apply for a special use. The Board Members discussed which areas would
23 qualify. Mr. Schoon provided the Board with a further explanation of spot zoning. The Board Members
24 discussed at length how the proposed text amendment would in effect apply only to one lot.

25
26 Chairman Bradley swore in those speaking to this matter. Paul Konstant and Heather Niehoff introduced
27 themselves to the Board. Ms. Niehoff provided the Board with background in terms of the site
28 interpretation and what they felt was appropriate with regard to the design and the rationale behind the
29 case for the text amendment, special uses, and zoning variation. She described the site in the C-2 District
30 as tricky and referred to the uses of the surrounding zoned parcels. She stated the proposed four story
31 building would add vibrancy, vitality and support neighboring businesses and described the three
32 bedroom, 3,400 square foot units and required parking. Ms. Niehoff further described the architecture
33 and the site's difficulties as well as the vertical louvers. She described the neighboring buildings and their
34 efforts in terms of being respectful of the surrounding neighbors.

35
36 Ms. Niehoff stated in terms of the proposed building's design, she referred to the proposed building's
37 illustrations and the fact that subterranean parking would not be feasible due to the lack of width noting
38 parking is required to be enclosed inside a residential building. She described how the courtyard would
39 be aligned with that of the neighboring building and described the green roof and its amenities. Ms.
40 Niehoff referred to various elevations which held the street wall and described the proposed landscaping,
41 the green roof, recessed parking entry and the day/night views as well as other projects which used the
42 screen wall element.

43
44 Ms. Niehoff stated with regard to the text amendment, it was important to provide the ability for the
45 block to provide residential uses which they discussed with the Village in terms of how it should be worded
46 as well as how to limit it in terms of possible future proposals. She described the block as a filter between
47 purely residential districts to the west and buildings including multi-family to the east and represented
48 how they proposed the text amendment be worded.

1 Ms. Niehoff stated the lot's width represented a hardship and reiterated the reasons for the difficulty in
2 having a purely commercial building on the lot. She stated the elimination of retail on this site would not
3 disrupt the block's continuity and that underground parking could possibly compromise the adjacent
4 buildings' structure. Ms. Niehoff then referred to their response to the special use standards which they
5 felt were met. She stated in connection with the front yard setback zoning variation, the parking garage
6 entrance was set back for safety, security and vehicular and pedestrian safety. Mr. Konstant stated the
7 way the building was designed created a fence between the two properties and served to mitigate the
8 issues.

9
10 Chairman Bradley asked if there were any questions. Ms. Casale MacNally referred to the second floor
11 green spaces and asked if they would be open to the building residents or would only be visual in nature.
12 Mr. Konstant responded they would be visual. Ms. Casale MacNally asked how the residential lobby would
13 be used and Mr. Konstant responded it would be used as a lounge space.

14
15 Chairman Bradley described the proposal as an elegant building and asked for clarification with regard to
16 not being able to have underground parking. Ms. Niehoff and Mr. Konstant further described the inability
17 in terms of installing a ramp down as well as the turning radius and having six spaces underground. Mr.
18 Konstant noted they have received six commitments for the three proposed condominium units which
19 would be priced between \$1.5 and \$2 million. Mr. Haller referred to the Design Review Board's comments
20 relating to the vertical slats and asked if it was an essential part of the view and referred to the proposed
21 material and whether or not they would consider using a wood tone. Mr. Konstant responded they
22 considered different materials and decided on the proposed material. He said he would consider a wood
23 tone but they have code requirements to consider. No additional questions were raised at this time.

24
25 Chairman Bradley asked for public comment and swore in those speaking to this matter. Bill
26 Schermerhorn, building manager for both the 800 Oak and 812 Oak buildings, stated the development
27 would be good for the community and commented the applicant did a beautiful job in considering the
28 812 Oak neighbor. He agreed the lot is challenging and the proposal was not completely thought through
29 and specifically referred to their light shafts at 800 Oak where their views would be completely covered.
30 Mr. Schermerhorn also referred to vents on the side of their building which need to be dealt with as well
31 as the existing transformers, shed and curb cut in the front. He also referred to how water would flow
32 with the buildings being so close together. Mr. Schermerhorn stated the drawings are not accurate and
33 asked for these issues to be addressed.

34
35 Richard Myer, 812 Oak, stated they participated in the development process with different Boards and
36 approval was given by a limited number of DRB members. He stated he is concerned with the approval of
37 material which is specifically determined not acceptable in the Design Guidelines. Mr. Myer agreed the
38 lot is complicated and required creativity and they have only received reasons and excuses in terms of
39 getting a building built to extract value out of the lot as opposed to what the public is being asked to give
40 up in connection with what they are supposed to preserve in terms of Village character. He concluded
41 creativity is lacking on both sides with regard to the development.

42
43 Jennifer Coaker, 800 Oak, agreed with Mr. Schermerhorn's comments and stated she did not think the
44 proposal would work and referred to the effect on their views. She also referred to the trees removed and
45 lack of sunlight planned to be projected toward the proposed trees. Ms. Coaker stated the proposal would
46 result in their building losing value and would have a significant effect on greenery as well as the effect of
47 garbage bins and trucks in the rear. No additional comments were made at this time.

1 Mr. Konstant stated accommodations were made for trash removal at the rear of the building and with
2 regard to ventilation, they would make accommodations for rerouting the vents. He stated for the light
3 wells, there is not much that can be done in that regard and noted there would be enough light for the
4 trees. Mr. Konstant then described the lot's history for the Board. Mr. Schoon also provided information
5 relating to the lot's history. The Board Members and applicants further discussed the lot's zoning and
6 history.

7
8 Chairman Bradley then called the matter in for discussion. He referred to the special use and text
9 amendment and asked for the Board's comments. The Board Members discussed the text amendment.
10 Mr. Schoon clarified the Board's role relating to the text amendment approval, its language and
11 applicability to this lot and similar lots.

12
13 Chairman Bradley took a straw poll as to whether the Board would recommend a residential use inside of
14 the C-2 General Retail Commercial District with specific language to be determined. The Board Members
15 agreed they would be in favor. Chairman Bradley then stated with regard to the special use permit, he
16 referred to the applicant's proposed language. A Board Member questioned whether the lot's width and
17 length should be mentioned. Mr. Schoon suggested the following language and referred to Item 1,
18 paragraph (5) on page 133: "Dwelling units at the ground floor less than 50 feet from the front street line
19 in the C-2 General Retail Commercial District. The lot on which the dwelling units are located shall be no
20 wider than 35 feet." The Board Members agreed with the suggested language. The Applicant indicated
21 agreement.

22
23 Chairman Bradley then referred to the Board's review of the special use permit standards on page 133
24 (a)-(f) as well as the off-street parking and its compliance with the special use standards noting the
25 applicant's testimony stated it is impossible to construct underground parking and the front yard setback
26 variation. Ms. Hanley noted the injurious neighboring standard should be considered although a 4-story
27 building in this district could be built by right and she otherwise did not have an issue with the special use
28 request. Ms. Casale MacNally referred to the public comments and correspondence submitted and stated
29 she has some concern with regard to standard (a) (public health and safety in the area) as well as standard
30 (d). She then referred to the drainage issue raised by Mr. Schermerhorn. Chairman Bradley then referred
31 to the zoning variation and asked for a motion to approve the amended text amendment language as
32 stated earlier by Mr. Schoon, the special use permits, and the front yard setback. A motion to recommend
33 approval of the applicant's request with the amended text amendment language stated earlier by Mr.
34 Schoon was made by Ms. Hanley and seconded by Ms. Casale MacNally. A vote was taken and the motion
35 unanimously passed, 6 to 0:

36 AYES: Bradley, Haller, Hanley, Casale MacNally, Nielsen, Vender

37 NAYS: None

38 ***
39

**WINNETKA PLAN COMMISSION SPECIAL MEETING MINUTES - EXCERPTS
NOVEMBER 29, 2023**

Members Present:

John Golan, Acting Chairman
Jonathan Alt
Matthew Bradley
Mamie Case
Chris Foley

Members Absent:

Layla Danley
Liz Kunkle

Non-Voting Members Absent:

Tina Dalman

Village Staff:

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

New Applications:

a. **Case No. 23-13-TX: 808 Oak Street:** An application seeking approval of (i) a Text Amendment to the Zoning Ordinance, and (ii) Special Use Permits to allow construction of a four-story, three-unit, multifamily residential building at 808 Oak Street. The text amendment would allow residential uses in the C-2 General Retail Commercial Zoning District (the "C-2 District"), on the ground floor that are less than 50 feet from the front street line, as a special use. The special use permits would allow (a) a residential use in the C-2 District, on the ground floor and less than 50 feet from the front street line; and (b) off-street parking at street level. The Village Council has final jurisdiction on this request.

Ms. Klaassen described the request for a four-story multi-family building with ground floor parking and three floors of single-level condominiums above as well as the requested text amendment and special use permits. She noted the Village Council has final jurisdiction on the request. Ms. Klaassen identified the vacant property's location, size and zoning classification, noting that a planned development is not applicable in this instance due to the lot's size. She then referred to the site's photos and noted the proposed development did not include ground floor commercial space and explained the reasoning for the text amendment request.

Ms. Klaassen identified the proposed text amendment language and referred to the special use standards provided by the applicant. She stated the Commission may also want to consider other areas in the C-2 District where this use may be appropriate. Ms. Klaassen identified a ZBA member's concern relating to the proposed language for the text amendment being too narrow and too vague. She stated the ZBA ultimately voted to recommend approval of the text amendment language and outlined the specific language applied to the request with the applicant agreeing to the language change.

Ms. Klaassen then described the proposed building's elements, parking and its access, the screen wall on the lot line, and the upper story setback. She informed the Commission the applicant requested a front yard setback variation to allow the setback to be greater than the maximum amount allowed of 3 feet for which the ZBA recommended approval. Ms. Klaassen also identified the proposed second floor plan which

1 contained an interior courtyard and three-bedroom units measuring approximately 3,700 square feet as
2 well as the proposed third and fourth floor plan, and the proposed building elevations, noting the request
3 complied with the height requirement. She then referred to renderings of views from Oak Street, the front
4 entrance, the west side, and rear.

5
6 Ms. Klaassen informed the Commission of the DRB's discussion of the request and their comments with
7 an ultimate recommendation of approval. She outlined the ZBA's discussion of the request which
8 recommended approval of both special use permits and the front yard setback variation. Ms. Klaassen
9 explained the Village Council's initial consideration of the request in August relating to the text
10 amendment and the Council's decision for both the Plan Commission and ZBA to hold public hearings on
11 the requested text amendment. She stated following the applicant's presentation and public comment, a
12 Commission Member may wish to make a motion as indicated on page nos. 22 and 23. Ms. Klaassen noted
13 that staff received one additional letter from the public regarding this application since the packet was
14 distributed, the letter was provided to the Commission via emails and a hard copy is also on the dais, all
15 other public correspondence was included in the agenda packet. She then asked if there were any
16 questions.

17
18 Mr. Foley asked for clarification in terms of the C-1 and C-2 districts which Ms. Klaassen and Mr. Schoon
19 provided to the Commission and referred to the Table of Uses.

20
21 Chairman Golan asked for the applicant's presentation. He swore in those speaking to this matter.

22
23 Paul Konstant introduced himself to the Commission as the architect and project designer along with
24 Heather Niehoff. He described the difficulties of the project regarding parking and bridging the building
25 facades of the neighboring properties with this project and asked if there were any questions. Chairman
26 Golan asked if the second-floor balcony is larger than those above. Mr. Konstant identified the extra space
27 as green space and described the units' balcony depths as being the same. Chairman Golan then asked
28 how they will address the concerns from the neighboring buildings. Mr. Konstant explained how they
29 planned to work with the neighboring buildings in terms of their concerns relating to vents, the
30 transformers, parking, and potential impacts during construction. Mr. Konstant informed the Commission
31 he met with the neighboring property owners of 812 Oak prior to the start of the project and explained
32 how the project was amended. He added they planned to be neighborly and have addressed their
33 concerns. Mr. Konstant then described the 6-inch side yard setback and explained how the electrical
34 elements for the 800 Oak building would not be affected, because they are initially stopping the building
35 short in order to avoid those electrical elements.

36
37 Mr. Alt asked how the screen wall would provide a benefit and its necessity. Mr. Konstant explained how
38 the screen wall was used to marry the neighboring buildings' facades along with recessing the building
39 which would provide green space. Ms. Niehoff explained how the garage would be accessed from the
40 front and exited through the rear and how they addressed the neighbors' concerns in that regard. Mr. Alt
41 asked how the two parking spaces being eliminated on Oak Street are being accommodated. Ms. Klaassen
42 confirmed that the code required number of parking spaces would be provided for the residential units
43 within the building.

44
45 Chairman Golan then asked for public comment. Bill Schermerhorn, the building manager for both 800
46 and 812 Oak Street, stated the applicant addressed their concerns relating to the vents and stated with
47 regard to their conversations relating to 812 Oak, he questioned the 6-inch separation. He agreed there
48 were challenges regarding existing conditions and there are still existing conditions that need to be

1 addressed as well as stormwater concerns. Mr. Schermerhorn stated if the special use is granted, he asked
2 if the applicant would be held accountable to there being no negative impact to the neighbors and
3 referred to windows being blocked at the 800 Oak building. He also asked how the alley would be
4 maintained for the three buildings that use it.

5
6 Ms. Case asked what was previously on the lot. Mr. Schoon responded that the lot has been vacant for
7 decades and explained the history behind the 800 Oak Street approval when it was built and the legal lot's
8 creation. Chairman Golan referred to water storage vaults underneath the building and asked if there
9 were any other comments from the public. No additional comments were made at this time.

10
11 Chairman Golan called the matter in for discussion and ask the applicant if they would like to respond to
12 the public's comments. Mr. Konstant stated regarding the light wells on the west wall of the 800 Oak
13 building, due to the limited width of the property and the courtyard to the west, there is no space in which
14 to deal with it and create additional light transmission. He also described how stormwater water would
15 be accommodated with the use of drain tile and a compensatory storage tank underneath the garage. No
16 additional questions were raised at this time.

17
18 Mr. Bradley summarized the ZBA's discussion regarding the application for the Commission. Mr. Alt
19 referred to page 67 and stated he would vote against the request since the design of the building would
20 not conform to the surrounding neighboring buildings and the community. Mr. Foley stated after hearing
21 the ZBA's consideration of the request, he would be in favor and would support the text amendment. He
22 then referred to parking and safety issues and stated he would be less concerned with them compared to
23 other projects the Commission has considered. Mr. Foley then stated the request met the remaining
24 requirements although standard (b) relating to the request being substantially injurious gave him pause
25 and agreed the space is difficult with any other alternative being equally difficult. He concluded by stating
26 the request addressed the diversity of housing stock the Commission discussed in the Comprehensive
27 Plan.

28
29 Ms. Case stated she is in favor of the text amendment and appreciated the summary of the ZBA's position.
30 She described the manner in which parking is addressed as a great compromise and noted the
31 Commission's scope is narrow compared to that of the DRB and ZBA. Ms. Case stated something would
32 be built on the site and commented that she hoped the architect continued to be a good neighbor to the
33 surrounding properties. She concluded by stating she would be in favor of the request. Chairman Golan
34 referred to the manner in which the text amendment was written and agreed the building's design
35 elements are not within the Commission's purview. He stated from his personal perspective he did not
36 think find that the proposed building did fit in with other buildings in the Village and specifically referred
37 to the fence above the lobby extending across the entire property which hid the second-floor landscaping.
38 Given design is the purview of the Design Review Board, Chairman Golan concluded he would be in favor
39 of the project for a space which needed to be developed and which fulfilled one of the Comprehensive
40 Plan's goals of providing mix of housing opportunities.

41
42 Chairman Golan then asked if there were any other comments from the Commission. No additional
43 comments were made at this time. He then asked for a motion. Mr. Foley moved to recommend approval
44 of the request as indicated on page nos. 22 and 23 of the agenda packet. Ms. Case seconded the motion.
45 A vote was taken, and the motion passed, 4 to 1.

46 AYES: Bradley, Case, Foley, Golan

47 NAYS: Alt

48 ***

ATTACHMENT 6

From: [REDACTED]
To: [Planning](#)
Cc: [REDACTED]
Subject: Case No. 23-13-TX 808 Oak Street - New Multi-Family Residential Building - Mtg. 3/29/2023 - 7:00 pm
Date: Monday, November 27, 2023 7:07:48 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.

I would like to ask the Planning Committee to take a good look at the rendering of the proposed building, 808 Oak Street.

Because the 808 building is set back from Oak street the adjacent building, 812 Oak building, has an area of our Dryvit that is exposed on the fourth floor. Birds can make holes in that Dryvit and we would not have any access to repair that area. I would like the Planning Committee to discuss this issue with Paul Konstant.

I believe in the area where the 808 building does align with our building Paul Konstant, the architect, proposes to use flexible flashing to seal off the walls of the two buildings. This may be a solution in that area, but the 812 Oak Board would like to review the final building plans for the 808 Oak Street Building so there will not be any unintended negative consequences from this construction of their building. I don't think this is an unreasonable request and would be a benefit for both our buildings.

Sincerely,

John Shepherd
President of 812 Oak Street Condominium Board

Cell
Email

Karen P. Adams
812 Oak Street, #203
Winnetka, IL 60093

Memo

To: Village of Winnetka

From: Karen P. Adams

Date: November 10, 2023

Re: Case 23-13-TX

808 Oak Street

Specific to Design

I am requesting the Planning Committee and the Village Trustees review the comments the community presented at the Design Review committee. Citizens who engaged in developing the Master Plan, and Design Guidelines deserve to know why most all of their architectural desires for Winnetka were dismissed. The lack of transparency in the decision process seemed unusual. This allowed me to believe the decision had been made. Why ask for public input if the decision was previously decided? The applicant, who volunteered on the Master Plan and perhaps could help Villagers to know why he abandoned most of the citizens desires. The process the Village engaged in when developing the Comprehensive Plan, Village Master Plan, and the Design Guidelines is remarkable. The volunteer citizens, staff and paid consultants worked many thoughtful hours developing the documents. The guidelines on consistent architecture were primary. Not incorporating concrete and aluminum was requested. Specific materials were requested. Four volunteers must have reasons why they can justify the abandonment of the Design Guidelines.

Specific to Zone Change and Planning

I would like to request a study or at least an observation of the delivery trucks and parking on Oak between Green Bay and Chestnut. Zone Change and the Set Back requirements are not in the best interest of the community. There are safety issues involved with placing a driveway in the middle of the block. The current curb cut was there when the gas station was at the corner of Chestnut and Oak. It is no longer needed. Community members use Oak as a walkable street to and from the train and Farmers market. Many bicycles are dashing late to the train. Placing drive into a parking garage in front of 808 is a safety concern. Only 6 cars will be turning into 808 one way. Good. The conflict I see is not with the 6 cars but the truck traffic. I can assure you this driveway, even if short, will be used as a turn around. Every day I observe delivery trucks double parked or backing up on Oak. Many arrive at the same time. Winnetka is lucky to have busy restaurants on Chestnut and Chestnut Court. All the deliveries use Oak Street as the service area. I would like prior to this zone change for a hard look or traffic study be done. I am looking forward to participating in the community conversations as we move forward to the redevelopment of the Post Office property. Traffic will be channeled on Oak between Green Bay and Chestnut. This street may be the main access. Let's plan ahead.

Specific to the Honorable Trustees

The Village often makes variances and exceptions to allow for improvements to benefit the community. Often to allow for sales tax revenue. The current proposed three-unit residential building is, indeed, an amazing structure. With all the needed exceptions and variances, it does not align with the citizens input in the Master Plan. Approving the acceptance in materials used, (concrete and aluminum) and design AT THIS LOCATION is not the right fit. I could see employing Mr. Konstant to design an amazing structure at the Post Office location. We are indeed very lucky to have him as a contributor to Winnetka.

From: [REDACTED]
To: [Planning](#)
Cc: [REDACTED]; [REDACTED]; [REDACTED]
Subject: Case No. 23-13-TX 808 Oak Street - New Multi-Family Residential Building
Date: Thursday, November 9, 2023 10:09:09 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.

The following comments are in regard to the "Notice of Winnetka Zoning Board of Appeals Public Hearing on Monday, November 13, 2023 at 7:00 pm.

The 812 Oak Residents feel that the proposed building on the 808 Oak lot is incongruous with the surrounding buildings and even the rest of the downtown Winnetka area. I know this comment is probably "water over the dam" as the Design Committee has already given their blessing to this building, but I wanted the Zoning Board to know how our residents feel in regards to this building. This comment is not to disparage the reputation or quality of the design of the architect, Paul Konstant, who is an excellent architect, but we feel this building is not right type of building for this space.

That said, if this building is approved by the Zoning Board and gets final approval from the Village Council we will work with Paul Konstant and be good neighbors and work on joint issues that may arise.

The 812 Oak Building has two main areas of concern in regard to the proposed building and there may be other areas I am not aware of at this time.

First, the fourth floor of our building uses Dryvit that birds make holes in each year and we have to repair each year. We need to know how tight their precast concrete walls will abut our Dryvit walls. We are currently looking into putting stucco in those areas which will be a great expense to the 812 Condo Association. If we need to stucco these areas we would need time before the 808 building is constructed.

Second, we are concerned about the depth of their garage wall in relationship to our courtyard brick wall which has a greater depth and whether that would put pressure on our wall.

We currently have a structural engineer doing some work on the 812 Oak building and we would like him to have the ability to look at the final building plans of the proposed 808 building. I would think Paul Konstant would be in favor of this as it would save money in the long term. We could split the hourly cost of the structural engineer's time.

Lastly, I think item number 5 - "any other zoning relief necessary for the approval of the proposed building" is not the proper way of handling zoning. It could be something minor which would probably be okay, but it could be something major which may not be okay.

Thank you,

John Shepherd
President of the 812 Oak Condo Association

Cell
Email

Rick C. Adams
812 Oak St. #203
Winnetka, IL 60093

To: Village of Winnetka, Design Review Board

From: Rick C. Adams

Date: October 16, 2023

Re: Case No. 23-13-TX, 808 Oak Street, New Multi-Family

I am again offering input as one of the residents of 812 Oak Street. I have spoken to most of the residents in our building and none are happy with a building being constructed on the narrow 808 Oak Street parcel. However, since the last meeting of your Board, I have completed more research and now know the Village made some changes to the zoning for this property to allow for it to be a buildable lot with an easement to exit to the rear. So, I accept our unofficial Oak Street Dog Park will have a building on it in the future.

If this is to be so, I believe it should be consistent with the Village Design Guidelines. I feel certain thousands of hours of staff and citizen input went into these Guidelines. All of the focus is on Village Character and maintaining the character of other buildings. The applicant states in their follow up for the Application for Certificate of Appropriateness that their design is meant to bridge the gap between two different building types. I do not agree. All the other buildings on Oak St., Chestnut, Chestnut Court, Elm St., Spruce St and much of Green Bay Rd nearby are consistent with the Design Guidelines. The white aluminum slats are inconsistent with the Guidelines. The applicant must be choosing to select the white steel or wrought iron fencing product which is placed on the balconies in the front mid-portion of the building in their design to be "a bridge". This is a small feature of the building which is predominantly a brick building built in 1968. The end portions of the front and entire side walls of the building are traditional brick. The next building east is entirely brick as are the first 3 stories of 812 Oak St.

I believe the applicant has made appropriate design accommodations for the geometry of the building to fit into this space while allowing an opening consistent with the courtyard of the 812 Oak St building to allow the existing trees to survive and provide shade to both properties. The current building layout and using precast wall construction to ease the construction burden of such a narrow lot seems reasonable. I would think this layout and construction method could be used while keeping the Design Guidelines in place regarding the appearance of the building front. The lobby setback and planting area between it and a 0' front yard setback could hopefully be accomplished without using aluminum vertical slats. Can the building not be designed to be consistent with the Guidelines and majority of the buildings within the Village? The vertical slats go from the ground to the second-floor balcony and are repeated as the deck fencing on the third and fourth floors. This is not at all in accordance with our Guidelines. Allow the building to proceed with the current footprint with a front consistent with the Village Design Guidelines.

Thank you for considering our input in making your decision. Sincerely Submitted,

Rick Adams

From: [David Schoon](#)
To: [Ann Klaassen](#)
Subject: FW: My Questions and Comments re: 808 Proposal To The Design Board
Date: Sunday, October 15, 2023 7:39:52 AM

David Schoon, Director

Village of Winnetka Community Development
847-716-3526

From: Raymond George [REDACTED] >
Sent: Friday, October 13, 2023 2:34 PM
To: David Schoon <DSchoon@winnetka.org>
Subject: Fwd: My Questions and Comments re: 808 Proposal To The Design Board

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----- Forwarded message -----

From: Lucy Naphin <[REDACTED]>
Date: Fri, Oct 13, 2023 at 3:21 PM
Subject: My Questions and Comments re: 808 Proposal To The Design Board
To: Ray George <[REDACTED]>

To Ray George Per Request;

I will be out of town and am unable to attend the Design Review Board Meeting on October 16, 2023. Please convey my quickly composed thoughts to the Board re: the appropriateness of the design of a new structure at 808 Oak St. Winnetka, IL

Thank you

Luciane G Naphin
812 Oak St
Unit 303 Winnetka, Illinois 60093

I am the owner of a unit at the 812 Oak St. address. I am concerned as to the design of a proposed structure on the vacant lot at 808 Oak St. Due to the narrowness of the width, stated to be 33.5 feet, I feel that the design is quite limited by that fact. A proposed 12 foot wide non matching courtyard will be awkward to those who'll view it from the west which includes my south facing windows. Behind that, to the east is what appears to be a grassy raised area. I wonder why that area needs to be raised above the level of 812 Oak. As a 55 year resident of Winnetka and a previous owner of a

large lot and home situated just outside the Winnetka Flood Plain I am cognizant of the flood plain issues caused mostly by the hard clay old lake bed ground soil. I wonder where the water collecting from the displacement goes or sits during a heavy rain storm. The newly submitted redesign drawing of the 808 Oak facing side to the north is a disappointment to me as it is still cluttered with louvers and to my eye compliments none of the structures to either side of it nor is it in keeping with the traditional architectural styles of the village.

Thank you for your consideration, Luciane G Naphin

From: [REDACTED]
To: [Planning](#)
Subject: Proposed Building at 808 Oak Street
Date: Wednesday, October 11, 2023 10:41:14 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.

Although I have a lot of respect for Paul Konstant as a top tier architect I feel that his proposed building will have a serious impact on our building at 812 Oak and also the building at 800 Oak and cause both buildings to spend extra money to mitigate the potential damage of our respective buildings. A better use of that property would be to have the Village design a small pocket park perhaps with butterfly plants and some benches. it is currently used by some people as a dog park. The current owners could donate the land to the Village and take a tax write-off or the Village could purchase the land for a park. A better location for Paul Konstant's building would be in the area that was formerly Winnetka One a currently blighted area of downtown Winnetka.

Unfortunately I will not be at the October 16th meeting as I will be in Florida at that time.

Thank you,
John Shepherd

Cell
Email

Karen P. Adams
812 Oak Street, #203
Winnetka, IL 60093

Memo

To: Village of Winnetka, Design Review Board

From: Karen P. Adams

Date: September 21, 2023

Re: Case No. 23-13-TX, 808 Oak Street

I am a new resident of Winnetka. I live directly West of the proposed building at 808 Oak Street. I have two concerns surrounding the request for a variance for this potential project.

The parcel in question is a difficult build and the architect has worked to allow for a quality building. My concerns are directly a result of familiarizing myself with the Winnetka Comprehensive Plan, City Master plan and the Design Guidelines. The documents have included an enormous amount of research and community input prior to approval. The citizens and city staff stressed the desire to encourage more retail and restaurants to all new and existing buildings. Our Oak Street address is on the fringe of the Elm Street Master plan. The location lends itself well to retail/commercial as well as residential. I believe 808 meets these guidelines on most accounts.

Having a driveway leading to a parking garage in the middle of a block does not allow for safety. Walking and bicycling to and from the train as well as the Farmers market will be jeopardized and unsafe. Having a driveway leading to a parking garage in the middle of the block does not align with city's plan. My condo has a front row seat to Oak Street. The restaurant deliveries are never ending. The good news is the restaurants are thriving. I can assure the community that fresh fish is delivered almost daily. The corner of Oak and Chestnut has more frequent trash trucks pick-ups. The location of the dumpsters serving

the restaurants often impedes the flow of traffic. I am hoping the applicant can design a way for the parking garage to access only from the alley. The applicant is requesting a variance that does not allow easy walkability. The proposal is to allow for a garage facing a main corridor. Set back variances are often approved to improve walkability, widen sidewalks and improve landscaping.

My second concern is the materials used in the proposed building. The city's design document is not intended to exclude designs but only is a framework. The design does not need to portray the architecture of surrounding buildings only retain a better contextual relationship with the existing character of the District. Allowing the variance to 808 Oak without some material adjustments is in conflict with The Design Guidelines document.

The applicant has produced a valuable design. I would like the design review committee to postpone the request for this variance to allow the city to explore traffic and parking issues on Oak.

I would encourage the planning department upon notifying the immediate neighbors to include ALL the needed attachments. If this is too costly, please allow the residence to know there is a more comprehensive information not attached to the notice.

Sincerely,

Karen Adams

Emailed 9/21/23

Cell
Email

Rick C. Adams
812 Oak St. #203
Winnetka, IL 60093

To: Village of Winnetka, Design Review Board

From: Rick C. Adams

Date: September 21, 2023

Re: Case No. 23-13-TX, 808 Oak Street, New Multi-Family

Hello

I acknowledge this is a challenging construction project due to such a narrow lot. I live next door at 812 Oak Street. I think the architect has proposed a design to accommodate many of the challenges to gain acceptance for the project. He is requesting relief for at least a couple of variances. I have no objection to these requests. The designer's approach with the limits of the lot width and a requirement for six off street parking spaces seem appropriate.

However, I feel the proposed building appearance is inconsistent with the Village of Winnetka and surrounding architecture and appearances. It does not seem to comply with the Winnetka Design Guidelines, Attachment B to this proposed application. This contemporary design, while appropriate in some settings, it is out-of-place at 808 Oak St. It is not ready for the Certificate of Appropriateness. While the board formed concrete is an improvement on simple formed concrete and I recognize the advantages on this site to precast construction techniques, perhaps casting the panels with brick in the forms would yield an appearance more consistent with the neighborhood. I believe the front and rear elevations of the building should look like brick and this can be done while using a precast panel. The white structure with extruded aluminum verticals just does not fit the neighborhood.

My second concern, perhaps more significant to my home, is the interior walls above the garage rooftop space. In the attachment it is "Figure 16-Rendering of West Elevation". This wall is 12' east to west and 76.5' north to south and three stories high. This is the view from half the windows in my condo. It looks very stark and bleak in the Figure 16. I am told this is a glass wall with aluminum frame. I am also told this wall is built over what is intended to be a clear span garage, so weight is a design criterion. This curtain wall may be the best solution for this space. If this curtain wall can be toned down using softer color for the aluminum framework and glass that appears soft, this massive wall will be less offensive. Will this three-story wall be reflective for heat, or intensify light, what happens when the sun is directly onto the wall, how does this change throughout the year?

I want extra care taken to preserve the Village trees adjacent to the construction site along Oak Street. There is a tree near the property lines each side that need to be protected. We also have three large trees in the interior courtyard which offer a canopy over both the 808 and 812 Oak Street properties. Protecting these interior trees is important.

Sincerely Submitted,

Rick Adams

Emailed 9/20/23

From: [REDACTED]
To: [Planning](#)
Cc: [Eric Risinger](#)
Subject: Fw: Winnetka 808 Oak Street Case No 23-13 TX
Date: Thursday, September 14, 2023 8:07:00 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.

Good evening,

I am Barbara Featherstone and I live at 812 Oak Street, Unit 200. I have requested that architecture firm Holabird & Root conduct a review of the proposed documents associated with the 808 Oak Street development. Please see the email thread below to serve as my questions regarding the development. Based upon Holabird's response, I am hopeful that you can provide the additional information they outline, as well as not grant approval at the September 21st meeting until I have a comfort with what is being proposed.

I look forward to learning more about the 808 Oak Street development and its impact on my property.

Sincerely,
Barbara Featherstone

[Sent from the all new AOL app for iOS](#)

Begin forwarded message:

On Thursday, September 14, 2023, 7:51 PM, Eric Risinger <erisinger@holabird.com> wrote:

Dear Barbara,

We have reviewed the information you forwarded regarding the proposed multi family development at 808 Oak Street Winnetka, Illinois. As directed by you, we have the following questions based upon the one page document provided.

However, due to the lack of information we would advise your to obtain additional information which will be necessary for understanding of what is being proposed to be constructed adjacent to your property. Please note, we understand that the Village of Winnetka has a thorough process for architectural, zoning and plan commission approvals and trust that these items might already have been requested from the developer.

1. The structure proposed appears to be a contemporary expression and not necessarily reinforcing the architectural vocabulary in the immediate neighborhood. We need to understand how this can reinforce the value and architectural integrity of the neighborhood and your property.
2. It is hard to understand the materials being proposed for the new structure.

This is a sensitive design impact on 812 Oak St.

3. Due to the fact that your property at 812 Oak St has a courtyard with units set back to enjoy the daylight and views eastward, the exterior wall material of the proposed 808 Oak St building needs to be understood better to offer comments. For example, an adjacent wall material of something other than brick may have an unfortunate impact on the overall continuity of the architectural design.
4. A detailed dimensioned plan, elevations and sections showing the building proposed in context to the 812 Oak Street building will be necessary to understand the impact on scale and adjacency. Simply not enough information here to make informed decisions.

We understand your cares and concerns about a new structure being proposed and built in the vacant lot to your east. We appreciate your acknowledgment that you are not trying to impede a new building be built, but want to see one in context of the overall neighborhood and community of which you have called home for many years. I am hopeful you can share your thoughts with Winnetka and receive the appropriate information in return and be heard about what will make this a great project for all directly impacted. Lastly, we would expect that this project approval process be given the appropriate time for reviews as well as revisions by the proposer to respond to the residents in the community.

Please forward the missing information once you receive it so that we may complete our review.

Warm regards,

Holabird & Root LLC

Eric S. Risinger, AIA
Principal

140 S Dearborn
Suite 500
Chicago, Illinois 60602
312.357.1771 V
847.687.1326 M

www.holabird.com

Holabird & Root LLC is back in the office working in our collaborative environment to deliver exceptional designs and programmatic solutions to our clients. If you have received this email in error, please notify the sender and delete the email and all contents immediately.
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Ann Klaassen

From: John Shepherd [REDACTED] >
Sent: Wednesday, September 13, 2023 11:42 AM
To: Ann Klaassen
Subject: Re: 808 Oak Street - New Multi-Family Residential Building

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

Hi Ann,

Starting September 25, CBR Restoration will be starting work in our courtyard area as we have had some water infiltration issues into our below ground garage. I do have a concern that the proposed building next door will add to our water infiltration problems in our garage. Perhaps a study should be done to see if there would be any drainage problems that would affect our property.

John Shepherd

> On Sep 13, 2023, at 10:58 AM, Ann Klaassen <AKlaassen@winnetka.org> wrote:

>

> Mr. Shepherd,

> Thank you for your comments; we will be sure to provide your email to the Design Review Board. The proposed plans do call for an interior courtyard on the upper floors, not the ground floor level, that is intended to match your building at 812 Oak Street. The agenda materials for the Design Review Board meeting, which will include the proposed plans, will be posted on the Village website (link below) by the end of the day Friday.

>

> In response to your question regarding ownership of the property, the Applicant intends to purchase the property pending approval of the project.

>

>

> <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.villageofwinnetka.org%2F129%2FAgendas-Minutes&data=05%7C01%7Caklaassen%40winnetka.org%7Ccfbd41f3cded42b571c108dbb4787ab4%7C00280eee725c4276aa6029c6c477d7fe%7C1%7C0%7C638302201792507266%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=pzqevyaR5WnmJcyLyWlsbqal8VdMqgd5l%2BGNCFo4zG4%3D&reserved=0>

>

> Please feel free to contact me with any additional questions.

>

> Best,

>

> Ann Klaassen

> Assistant Director | Village of Winnetka Community Development

> 510 Green Bay Road - Winnetka, IL 60093

> 847.716.3525

>

> -----Original Message-----

> From: John Shepherd <[REDACTED]>

> Sent: Tuesday, September 12, 2023 6:27 PM

> To: Planning <Planning@winnetka.org>
> Subject: 808 Oak Street - New Multi-Family Residential Building
>
> 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.
>
>
> Dear Design Review Board,
>
> I am the owner of a Condo at 812 Oak Street and I am also President of the 812 Condo Association so I do have a definite interest in the proposed multi-family residential building of 808 Oak Street.
>
> We had been told this Spring that the construction called for a three story, two unit, multifamily building, but your notice now says it will be a four story, three unit, multifamily building which will impact the amount of sunshine that our courtyard receives. The proposed building will have a severe impact on our four beautiful maple trees and two honey locust trees in our courtyard and could possibly cause them to die. The hostas in our tunnel area leading from Oak Street to our entryway will not survive as this area will be completely dark except for the overhead lights. The residents of our building do care about the environment.
>
> I couldn't tell from the proposed site plan if the builder plans on making an indentation in the middle of their building facing our building which may help our trees to survive. Last year, Paul Konstant the architect showed us the mockup of the proposed building which showed an indentation. Has the plan now changed? Has the ownership changed for this property?
>
> Sincerely,
>
> John Shepherd
>
>

From: [REDACTED]
To: [Planning](#)
Subject: 808 Oak Street - New Multi-Family Residential Building
Date: Tuesday, September 12, 2023 6:27:44 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.

Dear Design Review Board,

I am the owner of a Condo at 812 Oak Street and I am also President of the 812 Condo Association so I do have a definite interest in the proposed multi-family residential building of 808 Oak Street.

We had been told this Spring that the construction called for a three story, two unit, multifamily building, but your notice now says it will be a four story, three unit, multifamily building which will impact the amount of sunshine that our courtyard receives. The proposed building will have a severe impact on our four beautiful maple trees and two honey locust trees in our courtyard and could possibly cause them to die. The hostas in our tunnel area leading from Oak Street to our entryway will not survive as this area will be completely dark except for the overhead lights. The residents of our building do care about the environment.

I couldn't tell from the proposed site plan if the builder plans on making an indentation in the middle of their building facing our building which may help our trees to survive. Last year, Paul Konstant the architect showed us the mockup of the proposed building which showed an indentation. Has the plan now changed? Has the ownership changed for this property?

Sincerely,

John Shepherd



Agenda Item Executive Summary

TITLE: Ordinance No. M-22-2023: Granting a Special Use Permit for the Operation of an Event Planning Business Within the C-2 Commercial Overlay District of the Village (962 Green Bay Road) (Introduction/Adoption)

PRESENTER: David Schoon

AGENDA DATE: December 19, 2023

CONSENT: No

ITEM TYPE: Ordinances and Resolutions

ITEM HISTORY:

None.

EXECUTIVE SUMMARY:

INTRODUCTION

On December 19, 2023, the Village Council is scheduled to consider Ordinance No. M-22-2023 in response to an application submitted by Megan Estrada of North Shore Events LLC, Inc. (the "Applicant"), as the current lessee of the property located at 962 Green Bay Road (the "Subject Property"). (**Attachment 1**) The Applicant requests approval of a special use permit to allow the existing event planning business office to remain on the Subject Property, which is located within the C-2 Commercial Overlay District.

The Applicant currently occupies the approximately 638-square foot space on the Subject Property, with approximately 11 linear feet of street frontage. The space was previously occupied by a salon for a number of years.

ADVISORY BOARD/COMMISSION REVIEW

The Plan Commission (PC) considered the request on November 29, 2023. **Attachment 2** includes the staff report to the PC and the meeting minutes, which summarize the request. After hearing from the Applicant and one member of the public speaking in support of the request, the PC discussed the request. The Commission found that the event planning business office in this specific space meets the special use standards. However, one member did express concern about an applicant requesting approval after taking occupancy. Ultimately, by a vote of 5-0, the Commission recommended approval to allow the Applicant to continue to operate the existing office.

RECOMMENDATION:

Given the Plan Commission recommendation of approval was unanimous, the Council may wish to (a) consider waiving introduction of Ordinance No. M-22-2023 and adopt the ordinance, OR (b) consider only introduction of Ordinance No. M-22-2023.

ATTACHMENTS:

1. Ordinance No. M-22-2023: Granting a Special Use Permit for the Operation of an Event Planning Business within the C-2 Overlay (962 Green Bay)
2. November 29, 2023, Plan Commission Special Meeting Staff Report and Draft Meeting Minutes

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR THE OPERATION OF AN EVENT PLANNING BUSINESS WITHIN
THE C-2 COMMERCIAL OVERLAY DISTRICT OF THE VILLAGE
(962 Green Bay Road)**

WHEREAS, Megan Estrada of North Shore Events LLC, ("***Applicant***"), is the lessee of the property commonly known as 962 Green Bay 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, RRR S3 LLC, is the record title owner of the Subject Property ("***Owner***"); and

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

WHEREAS, Applicant currently operates an event planning business on the Subject Property, which, pursuant to Section 17.44.020 and the table of uses set forth in Section 17.46.010 of the Winnetka Zoning Ordinance ("***Zoning Ordinance***"), is not permitted in the Overlay District without a special use permit; and

WHEREAS, on September 18, 2023, Applicant filed an application for a special use permit to continue to operate its event planning business at the Subject Property ("***Special Use Permit***"); and

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

WHEREAS, on November 29, 2023, after due notice thereof, the Plan Commission conducted a public hearing on the proposed Special Use Permit and, by a vote of five in favor and zero opposed, recommended that the Village Council approve the Special Use Permit; and

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

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

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

SECTION 2: SPECIAL USE PERMIT. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Ordinance, the Special Use Permit is hereby granted, pursuant to Chapter 17.56 and Section 17.44.020.B of the Zoning Ordinance and the home rule powers

of the Village, to allow the operation of the event planning business by Applicant at the Subject Property within the C-2 Commercial Overlay District.

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

- A. Compliance with Regulations. The development, use, and maintenance of the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- B. Reimbursement of Village Costs. In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, 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, Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- C. Compliance with Plans. The development, use, and maintenance of the event planning business at the Subject Property must be in strict accordance with the Floor Plan submitted by Applicant, consisting of one sheet, a copy of which is attached to and, by this reference, made a part of this Ordinance as **Exhibit B**, except for minor changes and site work approved by the Director of Community Development or the Director of Engineering (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

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

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of Applicant or Owner to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the Special Use Permit granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the Special Use Permit granted in Section 2 of this Ordinance unless it first provides Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may be amended from time to time. Further, in the event of such revocation, the Village Manager and Village Attorney

are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

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

SECTION 7: EFFECTIVE DATE.

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED this 19 day of December, 2023, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2023.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this __ day of _____,
2023.

Introduced: December 19, 2023

Passed and Approved: _____, 2023

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 3 (EXCEPT THE SOUTHWESTERLY 16.0 FEET) IN BLOCK 3 IN JARED GAGE'S SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF FRACTIONAL SECTION 17, AND PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Commonly known as 962 Green Bay Road, Winnetka, Illinois.

PIN: 05-17-120-017-0000

EXHIBIT B
FLOOR PLAN

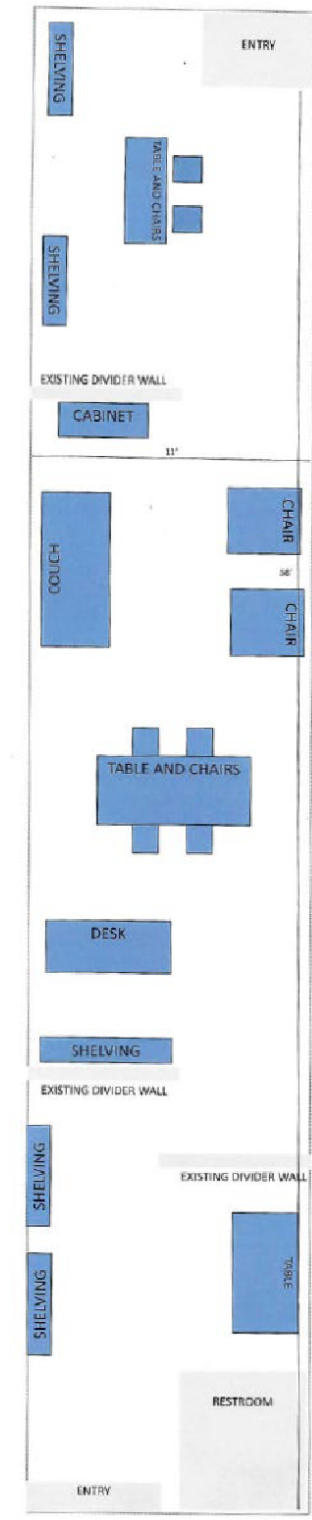


EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Megan Estrada of North Shore Events, LLC ("*Applicant*"), desires to continue to operate an event planning business located at 962 Green Bay Road in the Village ("*Subject Property*"); and

WHEREAS, RRR S3, LLC ("*Owner*"), is the record title owner of the Subject Property and consents to the continued operation of an event planning business by Applicant at the Subject Property; and

WHEREAS, Ordinance No. M-22-2023, adopted by the Village Council on _____, 2023 ("*Ordinance*"), grants a special use permit to Applicant for the operation of an event planning business at the Subject Property within the C-2 Commercial Overlay District of the Village; and

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

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

1. Applicant and Owner do hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. Applicant and Owner acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. Applicant and Owner acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of a special use permit for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure Applicant or Owner against damage or injury of any kind and at any time.
4. Applicant and Owner do hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the special use permit for the Subject Property.

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

Dated: _____, 2023

ATTEST: **MEGAN ESTRADA**

By: _____ By: _____

Its: _____ Its: _____

ATTEST: **RRR S3, LLC**

By: _____ By: _____

Its: _____ Its: _____



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION
FROM: CHRISTOPHER MARX, AICP – ASSOCIATE PLANNER
DATE: NOVEMBER 22, 2023
SUBJECT: 962 GREEN BAY ROAD – NORTH SHORE EVENTS LLC OFFICE
SPECIAL USE PERMIT (CASE NO. 23-16-SU)

INTRODUCTION

On November 29, 2023, the Plan Commission is scheduled to hold a public hearing to consider an application submitted by Megan Estrada of North Shore Events LLC, Inc. (the “Applicant”), as the current lessee of the property located at 962 Green Bay Road (the “Subject Property”), **to allow the existing event planning business office to remain on the Subject Property.** The property is currently owned by RRR S3 LLC.

The Applicant has filed an application seeking approval of a Special Use Permit in accordance with Chapter 17.56 [Special Uses] of the Winnetka Zoning Ordinance to permit an event planning office in the C-2 General Retail Commercial Overlay District at the Subject Property. The Applicant currently occupies the Subject Property and has submitted the Special Use Permit application seeking zoning compliance for the existing business office.

A sign has been posted on the Subject Property and a website notice has been posted on the Village website indicating the time and date of the Plan Commission public meeting. A mailed notice has been sent to property owners within 500 feet of the Subject Property. 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 one of the first-floor commercial spaces in the two-story commercial building at 962-964 Green Bay Road located on the west side of Green Bay Road between Merrill and Gage Streets. On September 6, 2023, it was brought to staff’s attention that the Applicant has occupied the approximately 638 square foot space at 962 Green Bay Road since the beginning of the year. The storefront has 11 linear feet of street frontage. Neighboring businesses include *Material Possessions*, a home goods store to the south, and *Randoon’s boutique*, *HeART’s Art Studio*, and *Bick’s Coin Stamp Etc. Emporium* to the north in the same building. Figures 1 through 4 on the following pages identify the Subject Property and neighboring businesses.

The Subject Property is located within the Village’s **Commercial Overlay District**, which allows non-retail uses, such as general offices and professional uses; however, the Zoning Ordinance requires that they be evaluated by the Plan Commission and Village Council as a special use.

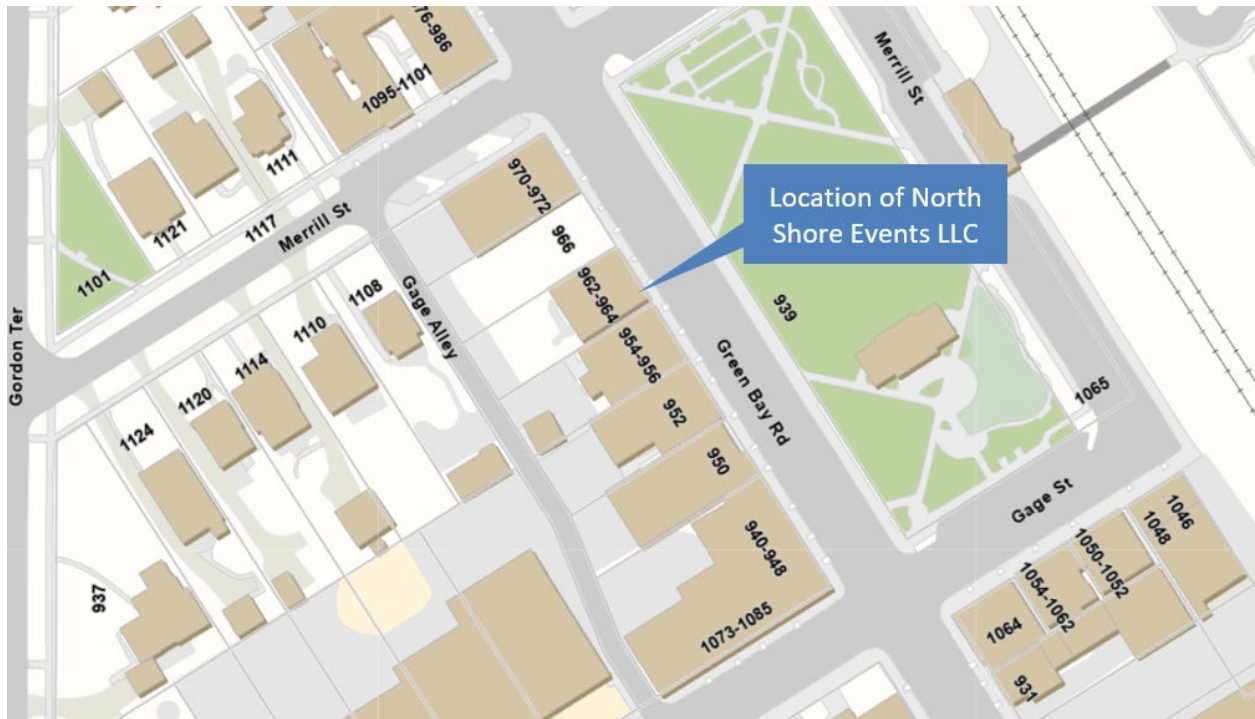


Figure 1 – Subject Property – 962 Green Bay Road



Figure 2 – Subject Property – 962 Green Bay Road

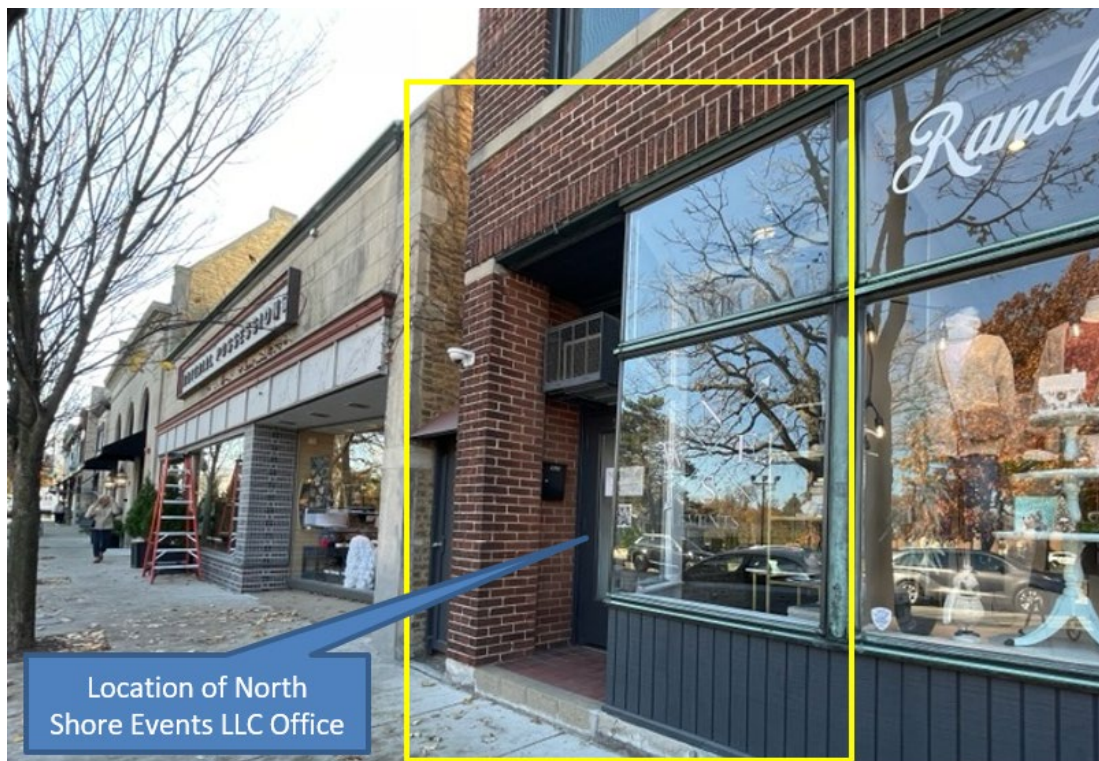


Figure 3 – Neighboring Businesses – *Material Possessions* and *Randoon's*

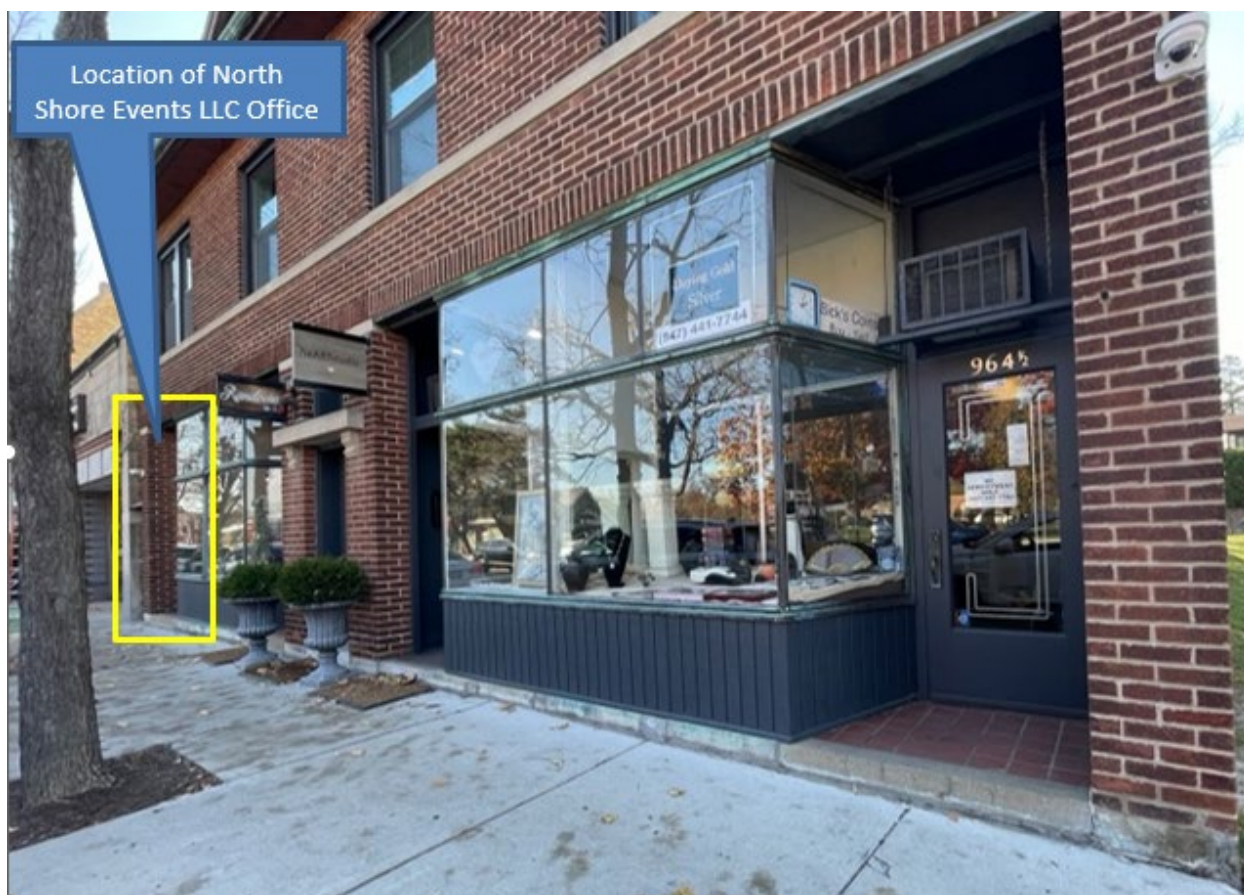


Figure 4 – Neighboring Businesses to North – *Randoon's*, *HeART's Studio*, and *Bick's Coin Stamp Etc. Emporium*

COMMERCIAL OVERLAY DISTRICT BACKGROUND

The Overlay District was established in 1987 out of concern about the viability of the business districts as a whole if non-retail occupancies were allowed to proliferate and occupy significant areas within retail shopping districts. At the time of adoption there was a concern about the possible proliferation of real estate offices and financial institutions.

The Village Zoning Ordinance describes the purpose of the Overlay District and its restrictions on non-retail uses as being:

“to encourage retailing of comparison shopping goods and personal services compatible with such retailing on ground floor in order to encourage a clustering of such uses, to provide for a wide variety of retail shops and expose such shops to maximum foot traffic, while keeping such traffic in concentrated (yet well distinguished) channels throughout the district.”

Since its adoption in 1987, the Overlay District has been revised on more than one occasion to alter district boundaries, or to modify the types of uses which are permitted within each district. The most recent amendment occurred on April 4, 2019, when the Village Council adopted MC-01-2019, amending the Zoning Ordinance regarding uses and regulations in the three commercial districts, including amendments to the Overlay District and the standards used to evaluate a special use. This request to allow an event planning office would have required a special use permit under the former zoning regulations.

HUBBARD WOODS BUSINESS DISTRICT OVERLAY BOUNDARIES

A map depicting the zoning classifications of the Hubbard Woods Business District is provided below as Figure 5. The Subject Property is highlighted yellow.

Gray areas indicate the underlying C-2 General Retail Commercial zoning, which permits by right a relatively broad array of uses, including various retail uses, along with a number of non-retail uses such as professional offices, financial service firms, medical offices and the like.

Red crosshatch areas represent those areas subject to the restrictions of the Commercial Overlay District. The boundaries of the Overlay District are established along certain public streets and extend for a depth of 50 feet from the front property line.

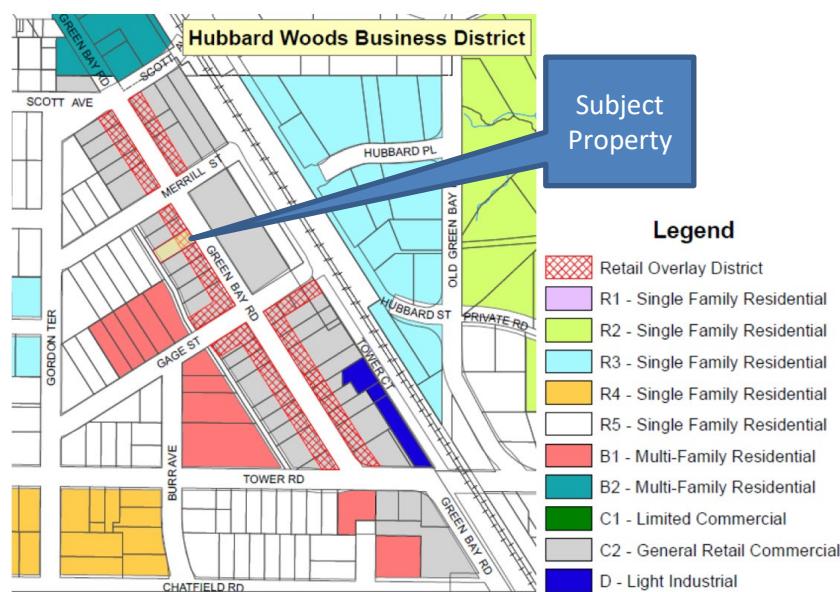


Figure 5 – Hubbard Woods Business District

DESCRIPTION OF CURRENT REQUEST

The Applicant is proposing to maintain her current event planning business office at the Subject Property, an approximately 638 square foot space with approximately 11 feet of street frontage. As the owner-operator of the business, the Applicant is the sole full-time employee, with 7 to 8 part-time employees that usually work from home or at event sites. As described by the Applicant in the attached application materials (**Attachment A**), the office use is limited to appointment-only meetings with employees and clients. Generally, there are approximately 3-5 office visits per week. The Applicant states that based on her current use of the space, most employee and client office visits are no longer than 2 hours and visitors are able to use on-street parking and the Hubbard Woods parking garage without any difficulty. There is an off-street parking space behind the building that is reserved for the business owner.

The Applicant has provided a floor plan representing the layout of the space below in Figure 6. She also states that the office space will have minimal changes and only seek to have some signage on display in the storefront window and door.

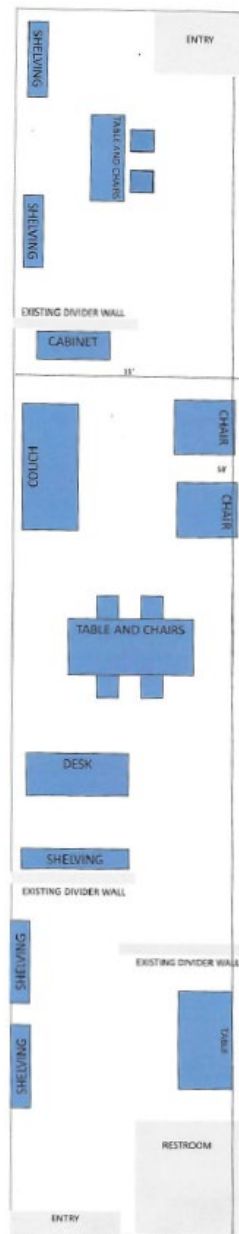


Figure 6 – Excerpt of Proposed Floor Plan

DESIGN REVIEW BOARD REVIEW

The existing window signs seen on the front façade of the Applicant's space require submittal of a Sign Permit for consideration by the Design Review Board. Any additional changes to the exterior of the commercial space, including additional signage, or awnings to the front of the space will also require approval of a certificate of appropriateness by the Design Review Board.

STANDARDS FOR REVIEW / FINDINGS

The "Purpose" section of Chapter 17.56, Special Uses, states the following regarding special uses:

It is recognized that there are special types of uses which because of their specific characteristics in relationship to uses permitted by right in a particular district, or the services which they provide, cannot be properly permitted by right in a particular district without consideration, in each case, of the impact of such uses upon neighboring land, or of the public need for such uses at a particular location.

A land use classified as a special use is an allowed land use as long as the Applicant can demonstrate that the proposed use in its proposed specific location meets the applicable standards for granting special use approval.

Section 17.44 of the Zoning Ordinance provides a series of twelve (12) standards for the evaluation of Special Use applications within the Commercial Overlay District, which provides a framework for evaluation by the Plan Commission. The Applicant has supplied as part of their application materials a narrative addressing how this proposal complies with the twelve (12) standards. **(See Attachment A)**

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

I make the motion that:

The Plan Commission recommends **approval [denial]** of the requested special use to allow the Applicant, North Shore Events LLC, to operate an event planning office at 962 Green Bay Road within the C-2 Commercial Overlay District, based on the following findings of fact:

"The event planning office (the "Special Use") is [is not] consistent with the Standards for granting of Special Use Permits in the Commercial Overlay District, which are as follows:

1. 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;
2. 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;
3. The establishment of Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
4. 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;
5. Adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided;
6. The Special Use in all other respects conforms to the applicable regulations of this and other village ordinances and codes;

7. The proposed special use at the proposed location will encourage, facilitate and enhance the continuity, concentration, and pedestrian nature of the area in a manner similar to that of retail uses;
8. The location of the proposed special use along a block frontage shall provide for a minimum interruption in the existing and potential continuity and concentration of the retail uses along the block's frontage;
9. The proposed special use at the proposed location will provide for display windows, facades, signage and lighting similar in nature and compatible with that provided by retail uses;
10. If the proposed special use provides multi-use areas, such as retail merchandise areas, restaurant dining areas, general office space, private offices, reception areas, or employee work areas, any proposed retail merchandise area or restaurant dining area shall be concentrated and located immediately adjacent to the sidewalk and clearly visible from the street in such a fashion as to invite customers to browse or dine;
11. If a proposed new building contemplates a mix of retail, office and service type uses, the minimum frontage for each retail use adjacent to the sidewalk shall be 20 feet with a minimum gross floor area of 400 square feet. In addition, such retail space shall be devoted to active retail merchandising which maintain typical and customary hours of operation; and
12. The proposed location and operation of the proposed special use shall not significantly diminish the availability of parking for district clientele wishing to patronize existing retail businesses."

The Commission's recommendation is subject to **no conditions [the following conditions]**:

1. [Insert conditions...]

As noted above, the Commission may also wish to consider if there are any additional conditions it may want to place on the facility's operation.

This request is subject to final approval by the Village Council.

ATTACHMENTS

Attachment A: Application Materials

ATTACHMENT A

Village of Winnetka
SPECIAL USE PERMIT – C2 COMMERCIAL OVERLAY APPLICATION

VILLAGE OF WINNETKA, ILLINOIS DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION C-2 COMMERCIAL OVERLAY

Case No. 23-16-SU

Property Information

Site Address: 962 Green Bay Rd Winnetka, IL 60093
Proposed type of occupancy: Office

Applicant Information

Name: Megan Estrada Primary Contact: Megan Estrada
Address: [REDACTED] Phone No. [REDACTED]
City, State, ZIP: Northfield, IL 60093 Email: Megan@NSWEvents.com
Applicant Signature: [REDACTED] Date: 09/16/23

Attorney Information

Name: None
Primary Contact: _____
Address: _____
City, State, ZIP: _____
Phone No. _____
Email: _____

Architect Information

Name: None
Primary Contact: _____
Address: _____
City, State, Zip: _____
Phone No. _____
Email: _____

Property Owner Acknowledgment

I hereby certify that I am the owner of the property located at _____, and have provided the
(address)

I consent to the filing of an application for a Special Use Permit by Megan Estrada
(Applicant name)

Property Owner Signature: [REDACTED] Date: Sep. 18-2023
Printed Name: Roman Sanchez

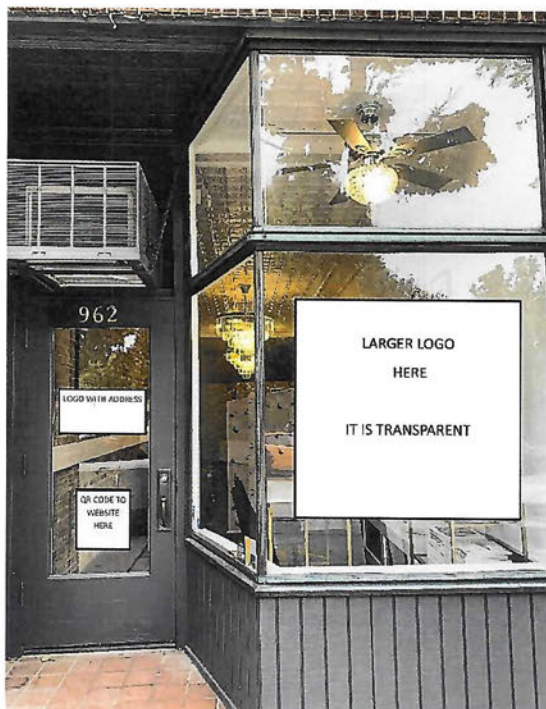
North Shore Events LLC, also known as NSW Events and North Shore Weddings and Events; has been in business, since January 2011. It provides Event Consultant services, with a primary focus on clients from the North Shore Chicago community. The primary events planned are social events, such as weddings, bar/bat mitzvahs, anniversaries, and birthday celebrations. It has been recognized by Better Magazine as "Best Event Planner" in 2014, 2015, 2016, 2019, 202, and 2021. It is a nationally recognized wedding and event planning company providing services to around 30-40 events per year, in Chicagoland and nationally. Because the business is a consultant service and does not provide products, it requires a special use permit to use the space at 962 Green Bay Road as an office space.

North Shore Events LLC operates daily, but has inconsistent office hours, due to the nature of the work. Therefore, the proposed office space will function as an office 'by Appointment only.' North Shore Events LLC has one full-time employee, the owner Megan Estrada, and 7-8 part time employees who work at event sites or from home, therefore only one employee accesses the proposed office space daily.

Visitors to the office will be limited to clients and employees, with a frequency of about 3-5 visits per week. These visitors typically stay onsite for less than 2 hours and can utilize the street parking and the parking at the Hubbard Woods train station. The full-time employee, Megan Estrada has a dedicated parking space in the back for her vehicle.

There is access to the space from the back and front, with clients/employees arriving through the front and the full-time employee accessing the space from the back. No changes are being made to the space other than paint/wall paper. North Shore Events LLC will require cling signage in the window, that is transparent to the inside of the office, to promote the brand and provide information on the address and website of the business. Images included below are of the current view from the sidewalk on Green Bay Road and inside of the space. Proposed images to be displayed in the windows and their placement is marked.

Front of 962 Green Bay Rd



Inside of 962 Green Bay Rd



NSWEvents
962 GREEN BAY ROAD
by appointment only



From: megan.nswееvents.com
To: [Christopher Marx](#)
Subject: Re: 962 Green Bay - Special Use Permit
Date: Monday, September 25, 2023 3:12:40 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.

1. The establishment, maintenance, and operation of the event planning office at 962 Green Bay Rd will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare.

2. The special use for the event planning business at 962 Green bay Rd will not be substantially injurious to the use and enjoyment of the other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity.

3. The event planning business at 962 Green Bay Road 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.

4. Adequate measures have been taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways and the business has a low volume of visitors to the office.

5. Adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the special use exist and the only full time employee at the office daily has dedicated parking in the back of the building.

6. The event planning business in all other respects conforms to the applicable regulations of this and other village ordinances and codes.

7. The event planning business at 962 Green Bay Road will encourage, facilitate and enhance the continuity, concentration, and pedestrian nature of the area in a manner similar to that of retail uses.

8. The event planning business at 962 Green Bay Rd along a block frontage shall provide for a minimum interruption in the existing and potential continuity and concentration of the retail uses along the block's frontage.

9. The event planning business at 962 Green Bay Rd will provide for active display windows, facades, signage and lighting similar in nature and compatible with that provided by retail uses.

10. The event planning business will not have multi use for the space and will operate as an office.

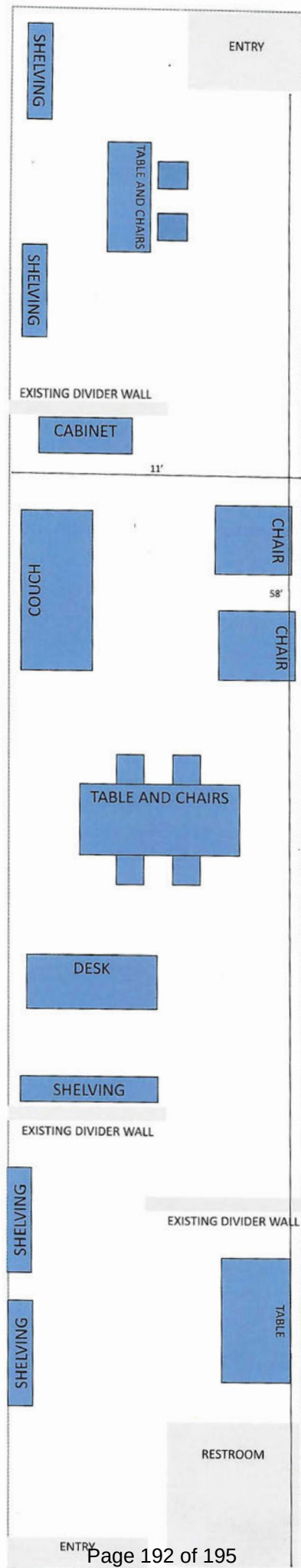
11. 962 Green Bay Rd is not a new building and 962 will not offer retail space, only office space.

12. The event planning business at 962 Green Bay Rd will not significantly diminish the availability of parking for district clientele wishing to patronize existing retail businesses.

Best,

Megan Estrada
NSWE Events
CEO & Event Consultant
[REDACTED]

WE MOVED!
962 Green Bay Road
Winnetka, IL 60093
www.nswееvents.com
[IG: @nswееvents](https://www.instagram.com/nswееvents)





www.exactaland.com | office 773.305.4011

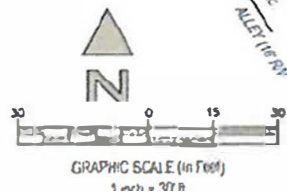
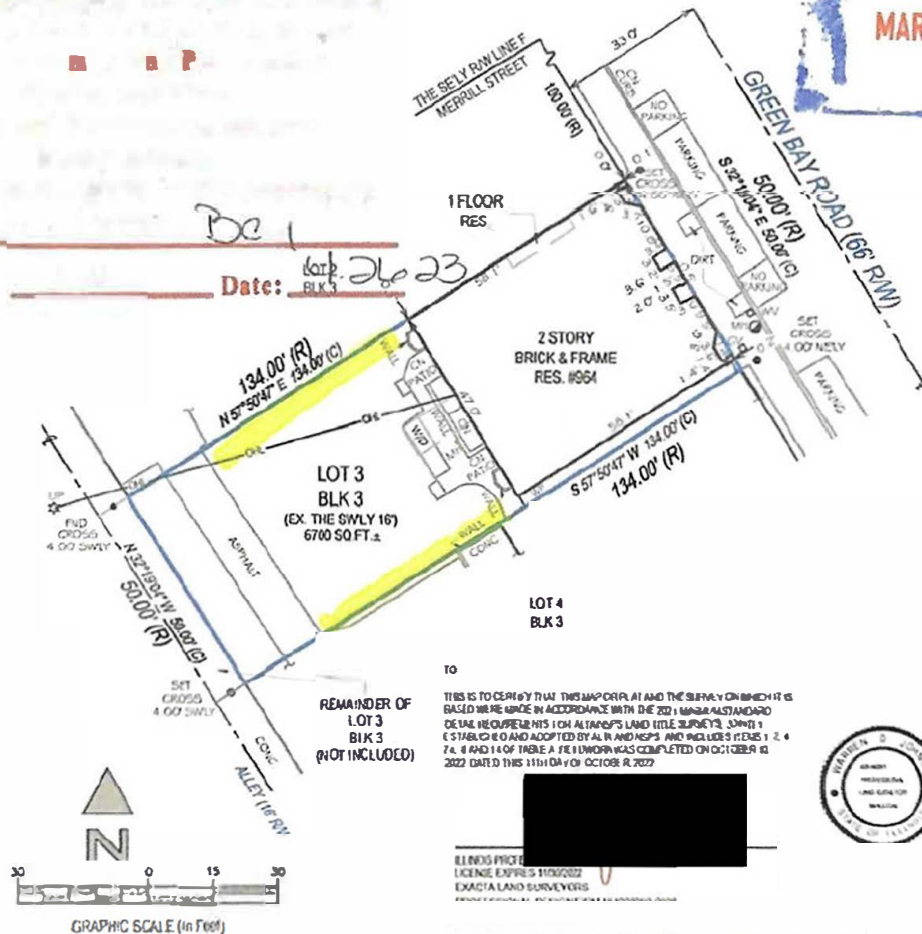


PROPERTY ADDRESS: 964 GREEN BAY ROAD, WINNETKA, ILLINOIS 60093

SURVEY NUMBER: 22100583

FENCE PERMIT APPROVED

MAR 16 2023



THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD OF CARE REQUIREMENTS FOR ALTA/ACPLS LAND TITLE SURVEYS, JUNE 1, 2021 EDITION, AND ADOPTED BY ALR AND ASPLS, AND INCLUDES ITEMS 1, 2, 4, 7, & 8 AND 11 OF TABLE A. THE SURVEY WAS COMPLETED ON OCTOBER 19, 2022. DATED THIS 11th DAY OF OCTOBER, 2022.



ILLINOIS PROFESSIONAL LAND SURVEYOR
LICENSE EXPIRES 11/30/2022
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184000659-0008

NOT VALID WITHOUT ALL PAGES

STATE OF ILLINOIS }
COUNTY OF LASALLE }

I, **[REDACTED]**, CERTIFY THAT THE PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY OF THE CLASS AND TYPE INDICATED BY THIS DATE 11/11/22.



ILLINOIS PROFESSIONAL LAND SURVEYOR No. 184000659-0008
LICENSE EXPIRES 11/30/2022
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184000659-0008

DATE OF SURVEY: 11/11/22

FIELD WORK DATE: 10/19/2022

REVISION DATE: 03/15/2023

POINTS OF INTEREST:
NONE



EXACTA Land Surveyors, LLC
1111 East Jackson Street | Suite 1111
Winnetka, IL 60093
773.305.4011



SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

1 WINNETKA PLAN COMMISSION SPECIAL MEETING MINUTES - EXCERPTS
2 NOVEMBER 29, 2023
3

4 **Members Present:**

John Golan, Acting Chairman
Jonathan Alt
Matthew Bradley
Mamie Case
Chris Foley

10 **Members Absent:**

Layla Danley
Liz Kunkle

13 **Non-Voting Members Absent:**

Tina Dalman

15 **Village Staff:**

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

19 ***

22 **New Applications:**

23 a. **Case No. 23-16-SU: 962 Green Bay Road - North Shore Events:** An application seeking approval
24 of a special use permit to allow the existing event planning business office to remain in its current
25 location at 962 Green Bay Road, within the C-2 General Retail Commercial Overlay District. The Village
26 Council has final jurisdiction on this request.

27 Chris Marx explained the background regarding the application to the Commission and identified the
28 applicant, the property's location, size and zoning classification. He also explained how the request came
29 to the Village's attention in terms of compliance with zoning. Mr. Marx then referred to the building's
30 photos and surrounding businesses, the proposed floor plan and size with the applicant being the sole
31 operator with part-time employees. He described the proposed business plan in terms of visitors, staff
32 and clients, duration and parking. Mr. Marx also stated the interior received minimal changes and other
33 basic requirements for office use with the exterior to remain unchanged other than signage requiring DRB
34 approval. He then asked if there were any questions.

35
36 Ms. Case asked who and for how long was the space empty prior to the applicant's occupation. Mr. Marx
37 responded they were not able to establish what occupied the space beforehand and described the
38 surrounding businesses' occupation history.

39
40 Megan Estrada of NSWE Events informed the Commission a hair salon occupied the space prior to her for
41 15 years. She stated she was not aware of the need for a special use permit for an office use when she
42 moved in. Ms. Estrada informed the Commission she has been in the Hubbard Woods business district
43 since 2014 and identified her prior location. She described the difficulty for a retail space to occupy the
44 space and how it would be a good fit for her type of use for event planning and the lack of a similar
45 business in the area. Ms. Estrada asked if there were any questions.

46
47 Mr. Alt asked if her clients interacted with other businesses in the district. Ms. Estrada described the effect
48 of her business on the community and clients who partook in goods and services of other businesses in

1 the district. She confirmed she has occupied the space since September 25th (2023) and identified the
2 landlord. No additional questions were raised at this time.

3
4 Chairman Golan asked if there were any public comments. Craig Smith stated as a nearby resident and
5 residential property owner he received the public notice and described the space as narrow and the
6 nearby vacant spaces. He stated he is in favor of the request.

7
8 Chairman Golan informed the Commission of his history with the location and the applicant. Mr. Alt stated
9 he is in favor of the request and commented it would be a great service business. Ms. Case agreed with
10 the comments made and stated she would be in favor of the request and that it met the standards. Mr.
11 Foley agreed with the comments made. Chairman Golan agreed the request met the standards and would
12 be an asset to the community. Mr. Bradley informed the Commission he would normally not support such
13 an application and that he preferred to have service uses on the C-2 periphery. He then identified the
14 standards which were not met and stated he is not in favor of when applicants seek forgiveness after the
15 fact rather than permission before they occupy a space. Mr. Bradley then stated he would be in favor of
16 the request and referred to the challenges of the space and parking in the area. Chairman Golan referred
17 to the fact that the business blended with the design district and would have received the Commission's
18 approval if presented in the proper manner. He questioned the landlord's awareness of the special use
19 process. Mr. Schoon noted the landlord is aware of the process due to previous applications.

20
21 Chairman Golan then asked for a motion. A motion was made by Mr. Alt to recommend approval of the
22 special use as stated on pages 97 and 98 of the agenda packet. The motion was seconded by Mr. Bradley.
23 A vote was taken, and the motion unanimously passed, 5 to 0:

24 AYES: Alt, Bradley, Case, Foley, Golan

25 NAYS: None

26
27 ***