



PLAN COMMISSION REGULAR MEETING

WEDNESDAY, OCTOBER 23, 2019 - 7:00 p.m.

WINNETKA VILLAGE HALL COUNCIL CHAMBERS – 510 GREEN BAY ROAD

AGENDA

1. Call to Order & Roll Call.
2. Community Development Report.
3. Public Comment.
4. Approval of August 7, 2019 meeting minutes.
5. Approval of August 28, 2019 meeting minutes.
6. **Case No. 19-26-SU: 454-462 Winnetka Avenue:** An application submitted by Sabovic Properties LLC seeking approval of an amendment to an existing Special Use Permit which allows a parking lot but prohibits the leasing or use of the parking spaces to any person who is not a resident of the building, a commercial tenant of the building, or an employee of a commercial tenant of the building at 454-462 Winnetka Avenue. The requested relief would allow the leasing of existing parking spaces to non-tenants and tenant affiliates. The Village Council has final jurisdiction on this request.
7. Training Session Regarding the Conduct of Meetings.
8. Comprehensive Plan Status Update
9. Other Business.
10. Next meeting – November 20, 2019.
11. Adjournment

Note: Public comment is permitted on all agenda items.

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Boards & Commission > Agenda Packets).

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510 Green Bay Road, Winnetka, Illinois 60093

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**WINNETKA PLAN COMMISSION
RESCHEDULED REGULAR MEETING MINUTES
AUGUST 7, 2019**

Members Present:

Tina Dalman, Chairperson
Matthew Bradley
Mamie Case
Layla Danley
John Golan
Louise Holland
Bridget Orsic

Non-voting Members Present:

John Swierk

Members Absent:

Chris Foley
Jay Vanderlaan

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

Call to Order:

Chairperson Dalman called the meeting to order at 7:02pm and took a roll call of the Commission Members present. She noted Mr. Vanderlaan and Mr. Foley were absent and Mr. Golan would arrive later.

Community Development Report.

Mr. Schoon informed the Commission the Village Council held a meeting the night before to discuss the One Winnetka project. He stated the developer missed a couple of deadlines including showing a third party financial guaranty and Conney's and recording the plat for the property to consolidate all the parcels into one parcel. Mr. Schoon stated the applicant made a case for the delay and there was full attendance where a lot of people spoke in support of granting the developer additional time while others felt the Village already gave the developer a number of opportunities for the project to move forward. He stated after hearing from the public and the applicant, the Village Council unanimously voted to repeal all of the documents for the One Winnetka project and any redevelopment on that site would require going through the planned development process. Mr. Schoon noted the property is still privately owned by the developer who would have to determine his next moves with his equity and lending partners in terms of what would be done with the site. He also stated the Village filed a suit in the Circuit Court with regard to property maintenance issues and they have been following up on those issues with progress being made on some while others have not been addressed. Mr. Schoon stated they would remain engaged with the property owner on those issues and asked if there were any questions.

Mr. Bradley asked if the nature of the suit is that the applicant has not been maintaining the properties. Mr. Schoon noted under the development agreement, the developer was required to maintain the properties as well as to meet property maintenance requirements. Mr. Golan asked if the problem related not only to the developer missing deadlines but extensions as well. He also stated the developer wanted to make architectural changes to the building's exterior.

1 Chairperson Dalman asked if they ever determined whether the developer had full control over the
2 entire site. She referred to filing the lawsuit, the code and the development agreement. Mr. Schoon
3 stated with regard to the LLC in which David Trandel and others are part of, he stated the lenders and
4 lienholders are all noted. Ms. Case asked if there would be a scenario where the developer may come
5 back with an entirely new scenario and plan and asked what process the Village would have to go
6 through including zoning, the Commission, the Village Council, etc. and whether the developer would
7 have to go through the entire process again. Mr. Schoon responded to develop that site, as a whole, the
8 applicant would need to go through the planned development process which would require review by
9 the Planned Development Commission, the DRB and the full Village Council. Ms. Holland asked if that
10 included the prior unofficial meeting with the Village Council. Mr. Schoon stated there would be the
11 concept plan review stage where the applicant would start at the Village Council level with a sketch plan
12 and narrative so the Village Council could give them initial feedback. He noted that is a non-binding step
13 with the Village Council providing comments. Mr. Schoon noted there would be no vote taken at that
14 point. He asked if there were any other questions. No additional questions were raised at this time.
15

16 Mr. Schoon went on to state with regard to planned development, they are planning to schedule a
17 meeting with the Planned Development Commission for the end of September or early October which
18 would be an orientation session. He also stated with regard to the Planned Development Commission,
19 the Commission would recall a developer attended a Village Council meeting and during informal public
20 comment shared his plans to develop 688-694 Green Bay Road as two single family lots north of the
21 Mews and they went through the new concept plan process and got a similar reaction to the project as
22 they did before with the most significant comment being how height would be capped. Mr. Schoon
23 stated the applicant is moving forward with plans to submit.
24

25 Mr. Schoon then stated the Commission may have heard Illinois has legalized the recreational use of
26 cannabis which means the community needs to decide whether to allow it for product sales, use and
27 those who consume it. He stated it will be determined by each community and if it is allowed, they are
28 to determine how is it allowed, in what zoning districts would it be allowed and any limitations to be
29 placed, etc. He stated it would be discussed at the Village Council in their preliminary discussion since it
30 is a zoning issue as well as a tax issue with the Village Council to address the municipality that allows a
31 dispensary to have open sales tax on the product. Mr. Schoon indicated the Village Council may decide
32 to keep the issue at their level and would hold a public hearing soon with the initial question being
33 whether it should it be allowed or not. He then stated if it is allowed, the public hearing will continue for
34 the Village staff to provide additional information to the Village Council. Mr. Schoon asked the
35 Commission if they had any questions.
36

37 Ms. Orsic asked if the dog park had been tabled. Mr. Schoon responded it is his understanding that it is
38 not moving forward at this time.
39

40 **Public Comment**

41 Chairperson Dalman asked if there was any comment for items not on the agenda. No comments were
42 made at this time.
43

44 **Approval of June 27, 2019 meeting minutes.**

45 Chairperson Dalman asked for a motion for the adoption of the June 27, 2019 minutes followed by any
46 changes. A motion was made by Ms. Holland and seconded by Mr. Golan to adopt the June 27, 2019
47 minutes. Chairperson Dalman then asked if there were any changes. No comments were made at this
48 time. A vote was taken and the motion unanimously passed.

Case No. 19-17-SU: 901-905 Green Bay Road – Jeannie Balsam Interiors: An application submitted by Jeannie Balsam Interiors seeking approval of a special use permit to allow an interior design office to operate on the ground floor in the C-2 commercial overlay district.

Ms. Klaassen stated Jeannie Balsam Interiors filed an application for a special use permit to allow an interior design office on the ground floor of 901-905 Green Bay Road which is located on the east side of Green Bay Road between Tower Road and Gage Street. She also stated it is located in the commercial overlay district. Ms. Klaassen noted the Village Council recently adopted amendments to the overlay district and the amendments did not change how interior design offices are treated. She also stated the application was submitted prior to the changes going into effect.

Ms. Klaassen then stated the applicant currently occupies second floor space above the proposed space. She noted the first floor is occupied by Crème De La Crème which will close at the end of the summer. Ms. Klaassen informed the Commission the applicant would operate in the 1,700 square foot space which represented the entire first floor space. She also stated there are three doors to the space and the applicant would utilize only one door for access. Ms. Klaassen then stated the space occupies 47 feet of building street frontage. She noted the applicant explained in their application how they have occupied the second floor for eight years and the growth of the business required them to relocate to the first floor.

Ms. Klaassen identified the proposed floor plan in the PowerPoint presentation which included the reception area, the north window, work stations and the design center. She stated the applicant intends to have decorative window displays with art and decor and open light into the space. Ms. Klaassen also stated there would be an open conference area, additional work stations and private office space. Ms. Klaassen stated the application explains they currently have five employees, two of whom are full time and three are part time, all of whom would utilize the Village parking lots as well as having access to two off-street spaces behind the building. She noted the hours of operation would not include weekends or evenings. Ms. Klaassen also stated the application explains they have two or more client meetings per week in the studio with most meetings occurring offsite.

Ms. Klaassen then identified photos of the neighboring properties with Skändal located to the north which is a home design and women's and children's apparel store and Benvenuti and Stein to the south which is a design build and custom cabinetry business. She also identified Grateful Bites Pizza Shoppe located to the south. Ms. Klaassen then referred the Commission to the motion to recommend approval or denial of the request on page 5 of materials and asked if there were any questions.

Chairperson Dalman asked what the size of the current space is. Ms. Klaassen responded she did not know that perhaps the applicant could respond to that question. There was then a comment regarding the stairs. Ms. Klaassen noted the stairs in the center of the floor plan access the second floor space. Chairperson Dalman asked if there were any other questions. No additional questions were raised at this time. She then swore in those speaking to this matter.

Chairperson Dalman stated it is an established business in Hubbard Woods and they have in the packet of materials recommendations in support. She indicated it would be helpful to know the square feet of the existing space. Jeannie Balsam responded it may be 700 square feet. She then stated her team and clients are all over each other in the current space. Ms. Balsam informed the Commission she cared about the community and she wanted to be supported as opposed to questioned.

Ms. Balsam then stated she moved to Winnetka 21 years ago and is self-taught with regard to interior

1 design. She stated the community supported her through lots of growth and she has been a part of
2 the Sacred Heart community for 16 years and is committed to them which is why she picked the existing
3 location. Ms. Balsam stated although she could have left the community, she is committed to the
4 community. She stated in the downtown area, she had the opportunity to take a leap and with her
5 business acumen, her business has grown exponentially. Ms. Balsam then stated when the opportunity
6 came, she made the professional and personal commitment to make it happen and based on how
7 heartfelt she is as a person, it is exactly what she wanted to put a stake hold in the area. She added she
8 is not going anywhere and informed the Commission she has the support of everyone in the Hubbard
9 Woods design community. Ms. Balsam informed the Commission she suggested the name Hubbard
10 Woods Design and Dine. She also described the park as amazing and stated she would do everything to
11 promote the community via social media. Ms. Balsam added she also encouraged other business to
12 come to the community.

13
14 Ms. Balsam then stated in support of her endeavor, she found through the First Friday event, she 100%
15 volunteered to get the food truck permitting done. She also stated it would bring a more dynamic
16 nature to the area and get younger families from the city to understand what the Village has to offer.
17 Ms. Balsam also stated she did VIP sponsorship for the Winnetka Music Festival, outdoor furniture and
18 special bags. She then stated she does whatever she can for the community.

19
20 Ms. Balsam stated with regard to the windows, she asked how it should be handled. She asked for
21 comment as to what the Commission did not want in the windows as opposed to requiring the windows
22 be done a certain way in that it is more important for it to be authentic, organic and evolving. Ms.
23 Balsam then stated she can give ideas to the Commission and suggested the use of an electronic screen
24 containing before and after illustrations. She also stated for the reception area, she would like for that
25 to be for pop-up artists represented in the city or who can have a trunk show on a Friday. Ms. Balsam
26 then referred to the use of inspiration boards for fabrics in different seasons, etc. She stated she wanted
27 the freedom to express what seemed appropriate and has examples of other windows.

28
29 Chairperson Dalman stated she assumed the Village staff explained to her why it is a special use and the
30 intent of the overlay district is to preserve it for retail uses. She stated the decision was made a long
31 time ago and referred to the interest in the windows and what happens in the storefront. Chairperson
32 Dalman also stated while she realized the design will be good, the question is whether her is use going
33 to facilitate the retail uses around it since it is not retail. She also stated with regard to the retail
34 component, there is foot traffic and the applicant stated most meetings would occur outside of the
35 office. Ms. Balsam responded that is since they did not have space for meetings and the new space
36 would give them room for that. She also informed the Commission she updated their website and
37 stated it is meaningful for her and business and that she is passionate with regard to yoga, mindfulness
38 and charity. Ms. Balsam reiterated she encouraged people to come to Hubbard Woods and she would
39 open her space to bring more people to the area. She stated there would definitely be more foot traffic
40 with the additional space and it should be a no brainer to her that it would be the right use of space. Ms.
41 Balsam reiterated they would get plenty of traffic or bring the right quality of traffic to the area.

42
43 Chairperson Dalman referred to a friend who commented it would be a great use and they are sick of
44 empty storefronts. She then commented it is a tough decision since it represented 47 feet in the heart
45 of the overlay district for a storefront which just became vacant. Chairperson Dalman stated the
46 difficulty for the Commission is while they know it will be a high quality space, the question is whether it
47 would add to the district. She also stated since they would be closed Saturday, that is a concern. She
48 then stated it would take potential space away from viable retail space someday which is something the

1 Commission would wrestle with. She added while they appreciate the business and commitment to
2 Winnetka, given the code requirements, it made the request difficult. Chairperson Dalman also stated
3 they appreciate what she has done for Winnetka. Ms. Balsam responded it is a big commitment as a
4 small business owner.

5
6 Ms. Danley stated while they like a successful business in Winnetka, she asked Ms. Balsam if she looked
7 at any additional second floor space. Ms. Balsam responded the issue is when they have meetings and
8 their market is empty nesters who do not like stairs. She stated the first floor space would be
9 easily accessible and better for her clients. Ms. Balsam then referred to another project and the benefit
10 for meetings would be easier access.

11
12 Mr. Bradley stated to clarify, he asked if the intention is to relocate from the second floor into first floor
13 space and not keep the second floor space. He then stated the Commission has standards they have to
14 look at and it is not about her business specifically, motive or commitment. Mr. Bradley stated the
15 question is whether the standards were met from the Commission's perspective and they have to apply
16 the standards to each case. He also stated they are sensitive that the property has not been on
17 the market long and referred to the space in the overlay district being retail front and center on the
18 street. Mr. Bradley then stated he is a believer that retailers are under attack and over time, they
19 are finding the black and white rule of whether it should be retail or not is open to debate. He also
20 stated the application mentioned business growth requiring more space which is larger for the design
21 team. Mr. Bradley questioned whether for the new space, they would be expecting a larger amount of
22 traffic, employees and more meetings onsite. He stated there is also the criteria of adequate parking.
23 Ms. Balsam stated there would not be more people and described the employees as flex time people
24 which made up a unique team with some who may attrition out. Ms. Balsam confirmed she did not have
25 15 employees.

26
27 Mr. Bradley then stated a majority of their meetings are at a client's home and asked if the new studio
28 will change that. Ms. Balsam stated she would be purposeful and thoughtful and she would have people
29 there when it makes the most sense. She referred to the ability to have more design presentations
30 where they are able to move the design boards and have more flexibility to work more efficiently. Ms.
31 Balsam also stated she would make it fun for clients to come to Winnetka and bring more engagement
32 to businesses. She stated with regard to having book signings, she would not become a book store but
33 would have writers come in for example. Ms. Balsam concluded she would make it more about the
34 community and connection.

35
36 Mr. Bradley referred to the argument others used for a special use permit that they would use
37 professional services and say their clients are a benefit to other businesses. Ms. Balsam informed the
38 Commission it happened a lot with the Guildhall which got a lot of business in downtown Glencoe. She
39 stated she would let people know Hubbard Woods is hot in a positive way. Ms. Balsam also stated she
40 has had the empty storefront discussion with everyone and chose to focus on the positive. She then
41 stated Hubbard Woods is the Design District and when Sawbridge left, it was heart wrenching. Ms.
42 Balsam also informed the Commission at in October they are doing Art Attack and Bedside Manner is
43 having John Robshaw in who is world famous. Ms. Balsam stated she immediately considered it as a
44 public relations opportunity and noted she is sensitive to the Commission's concern relating to window
45 fronts and asked them to take a chance.

46
47 Mr. Bradley stated with regard to her operation, he asked Ms. Balsam if she envisioned an opportunity
48 for people walking in or foot traffic. Ms. Balsam responded with regard to a security perspective, they

1 have a doorbell and they can take walk-ins. Mr. Bradley stated with the reception desk located at the
2 north door, he asked if they may not be staffed at all hours. Ms. Balsam confirmed they would but there
3 may not always be someone at the desk. Mr. Bradley then referred to the documents which summarized
4 the standards and referred to various sales samples and materials. He asked if they are selling anything.
5 Ms. Balsam responded she did not know and indicated she could launch a furniture line. She also stated
6 there are many opportunities in the business for growth with her acumen and she did not want to force
7 anything. Ms. Balsam informed the Commission she picks up items from around the world and would
8 not want to be held to the letter of law requiring her to sell candles 10 feet from the window.
9

10 Mr. Golan stated from a sales tax perspective, if she found pottery to be sold to a client, he asked if that
11 generated sales tax or not. Ms. Balsam responded she pays a lot of sales tax which goes to the state with
12 different percentages going to different places. Chairperson Dalman asked if a client ordered a sofa, Ms.
13 Balsam would buy it and charge a fee but there would not be sales tax to her. Ms. Balsam responded she
14 is a reseller. Mr. Golan stated this is a retail business and the issue is when you lose a retailer for a
15 service business, there is no sales tax. He then asked if the business does sell things and Ms. Balsam
16 confirmed they sell millions.
17

18 Ms. Holland stated it is not since she did not have a retail occupation license to sell items. She noted
19 \$1 per \$100 is retail sales to the Village and in getting retail sales; you have to apply to the state and
20 have a retail occupation tax license which is different than the kind of sales tax Ms. Balsam pays. Ms.
21 Holland then stated retail sales tax is not an issue for her and for the 30 years she has been involved,
22 there has always been about \$1.1 million going to the Village in retail sales tax. She described Ms.
23 Balsam's enthusiasm and ability as tremendous but they do have a law which says you have to be a
24 retailer on the sidewalk in the overlay district and this property is right in the heart of the retail overlay
25 district. Ms. Holland then stated there are only two blocks in Hubbard Woods and the park is to the
26 north with there being little space for retail there. She also stated the retail curtain wall has been broken
27 with offices, which breaks the consumer's brain of going from shop to shop. Ms. Holland then
28 questioned if Ms. Balsam ever sold anything upstairs and noted the two interior design businesses in
29 Winnetka that sell are located in the back of the property. Ms. Balsam indicated she is open to selling.
30 Ms. Holland stated she would have to commit to it and say she would be selling in so many square feet.
31 Ms. Balsam responded if she needed to sell art that would be easy. Chairperson Dalman stated that
32 would be a permitted use. Ms. Holland stated she would have to get a retail occupation tax license. She
33 also referred to the problems with pop-up stores which sound great but are empty when they are
34 supposed to be filled.
35

36 Ms. Balsam asked the Commission what they wanted to make it happen. She referred to the letters in
37 support which spoke to her authenticity. She added she is not going to be Susan Kroeger. Mr. Bradley
38 stated Ms. Balsam would not be comparable to Susan Kroeger. Chairperson Dalman stated Susan
39 Kroeger and Maize say they allow a designer in first floor space. Ms. Holland stated they have a law and
40 she is a big proponent of the ordinance. She then stated if they keep allowing special use permits, it
41 would make sense in a certain place like at the end of the retail overlay district for a dentist's office but
42 when it is right in the middle and in the heart of retail and for the business to take a 47-foot space on
43 the sidewalk, that would be like taking teeth. Ms. Balsam asked what the worst case scenario is if she
44 located there. Ms. Holland responded it would not encourage retail and added traffic is big for retail.
45 Ms. Balsam stated with the Shade Store and others, there is good synergy with her clients.
46

47 Chairperson Dalman stated to clarify, some of the space would be the design center and library and the
48 applicant envisioned modeling samples of carpet, cabinets, etc. and clients would pick all of their

1 interior finishes as part of the design center. Ms. Balsam informed the Commission the quality of traffic
2 they want, that is the type of clientele you want coming in and seeing what is offered in the area. She
3 then stated they would be a conduit for an architect and builder to come which would create a positive
4 web of different people. Chairperson Dalman stated one opportunity for a display is what can be
5 ordered for walk-ins. Ms. Balsam responded there would be a plethora of opportunities in the new
6 space.

7
8 Mr. Schoon stated in terms of clarification, he referred to Sarah Dippold, the interior designer who
9 decided to open a home goods store, which would be a retail activity with a significant display area,
10 while also providing interior services. He stated since it is predominately a retail use, the Commission
11 did not see that application. Mr. Schoon then stated the applicant before the Commission has been up
12 front in that she may sell products but would not have a big display area. He stated the zoning district
13 allows interior designers in the overlay district but it would have to go through the special use process
14 and the Commission is to determine whether the proposed use meets the standards for granting a
15 special use and is appropriate for the proposed location. Mr. Schoon noted it is an allowed use and
16 referred to the physical therapist up the street on Chestnut which the Commission decided was not an
17 appropriate non-retail use for the location it had proposed. He stated the Commission is to focus on
18 the standards to give Ms. Balsam guidance. Mr. Schoon added with regard to the traffic component and
19 visual storefront appearance of the space, they are to consider if they like it, if it was interactive or
20 closed off. He noted the Sarah Dippold store is located across the street from the applicant.

21
22 Ms. Orsic asked Ms. Balsam if she had to be in this spot or another location on Green Bay Road further
23 down. Ms. Balsam responded this location worked the best. She informed the Commission as they laid
24 out the space; she referred to long, thin spaces similar to a hallway. Ms. Balsam then informed the
25 Commission she looked at the Sawbridge annex space and in terms of its layout; it did not lend itself to
26 be appropriate for her use. She added the zones in the proposed space represented an extremely
27 efficient use of the square footage.

28
29 Ms. Case asked if the space represented three previous spaces taken together. Kevin Maloney, one of
30 the property owners, confirmed it was three spaces and he could not get anyone to rent
31 them separately which is why they were combined. He also stated there is very little in that location for
32 retailers.

33
34 Ms. Case described the space as goofy and the design center is a very narrow space with two larger
35 spaces connected by a hallway. She commented it is cobbled together as far as retail would go and
36 described Crème De La Crème as a lovely store. Ms. Case then asked if one door would provide access to
37 Green Bay Road. Ms. Balsam noted the door to the left of reception is the main entrance. Ms. Case
38 asked how the windows are going to be. Ms. Balsam referred to Alexander Kaehler as an example who
39 did a curtain with a display in the front. She stated with regard to generating ideas, she may do
40 something similar and confirmed you would not be staring at a person inside the store. Ms. Balsam
41 added it would always be beautiful to look at.

42
43 Ms. Orsic asked if there were rules about screens and stated she did not want to see a screen. Ms.
44 Balsam stated she can do other things. She described the community as very welcoming and engaging.
45 Ms. Balsam also informed the Commission she updated her website and it is important to her to inspire
46 a connection with the community and care, which is her focus.

47
48 Mr. Bradley asked with regard to the southernmost door, a door opening unexpectedly is what most

1 businesses want. He commented he did not like the idea for all three doors on Green Bay Road to
2 otherwise be locked and that people would be jarred to find locked doors. Mr. Bradley then asked if it is
3 possible for the design center door to shut from the inside to separate guests from the rest of the office.
4 He also stated there should be an open door for people to walk in and look at the design center. Ms.
5 Case reiterated it is a very narrow space. Ms. Balsam responded it would be a functional opening from
6 one space to the next.

7
8 Chairperson Dalman asked if there were any other questions and stated the applicant provided a lot of
9 good information. She stated the Commission is to focus on the standards for discussion and
10 commented the application was well written. Chairperson Dalman reiterated the applicant provided
11 good testimony as to how the business works. She then stated the Commission could take a vote on a
12 recommendation for approval or denial and the approval can have conditions. Chairperson Dalman
13 again asked if there were any other questions. No additional questions were raised at this time.

14
15 Kevin Maloney informed the Commission he has owned the property for 30 years and when the building
16 was bought, it was the least attractive building in Hubbard Woods which did not blend in with
17 the community. He stated they started with the façade and his brother got a general contractor to make
18 it blend in with the Tudor style of the commercial district. Mr. Maloney also stated there is established
19 in the rear of the property a group of artists in the rear loft and a loft apartment on the second floor. He
20 stated they have tried to be good stewards of the property and it is a small family owned business. Mr.
21 Maloney described the applicant as a fabulous tenant who has been there eight years and wants a
22 better presence in the community. He also stated it would be the community exposure they want.

23
24 Mr. Maloney informed the Commission he has spoken as a licensed appraiser many times and referred
25 to the synergism created by Ms. Balsam. He referred to big businesses which sell tons of faucets,
26 cabinets, etc. and the number of retail Chicago district faucet stores, etc. Mr. Maloney stated people
27 benefit from this block and not a vacant store and that synergism can be created. He agreed the space
28 is goofy and cobbled together and noted they spent money to demise the walls and open it into a larger
29 space but no one wanted the far south space. Mr. Maloney added the door never opened to the street
30 and it is not viable as a stand-alone space with the other space not being viable either since it is not
31 large enough. He then stated they are trying to make the ceiling height be uniform, as well as the
32 flooring, etc. along with window displays they would be proud of.

33
34 Mr. Maloney stated with regard to the criteria on how to help the retail district, there are huge
35 synergies between this business and others. He also stated for the other wall of retail, there has been a
36 huge change in retail and of seven retail or commercial spaces on the first floor, three are vacant now.
37 Mr. Maloney informed the Commission if they lose Ms. Balsam, the space would be vacant for a year
38 and no one is interested even after they advertise the spaces. He stated Ms. Balsam would
39 go somewhere else and it would be a big economic cost for him. Mr. Maloney reiterated they have been
40 good stewards and made aesthetic improvements to the building as well as to the sprinkler system. He
41 then stated the wall of retail is over and is not working and referred to the Amazon effect here. Mr.
42 Maloney concluded by stating he would not insist they not exercise their prerogative to make changes
43 and commercial lacks dynamic.

44
45 Chairperson Dalman stated they appreciate the owner appearing here and asked the Commission if they
46 had any questions.

47
48 Ms. Orsic asked Ms. Balsam if she would leave Winnetka. Ms. Balsam responded her current space is not

1 working and she would start investigating where to take her life to the next level although the new
2 space offered that. She referred to how strongly she felt about the neighborhood and she has not found
3 anything else there. Ms. Balsam also referred to her commitment to the Hubbard Woods community
4 and she would feel as though she is breaking up with the other businesses if she left the area. She
5 reiterated she has not seen anything else in the area and had already begun designing the space in her
6 mind. Ms. Balsam added Glencoe is very hot and they have space.

7
8 Mr. Maloney informed the Commission he would not submit a vacancy reduction application for the
9 taxes in Cook County. He then stated if he filled the space, he cannot go in for abatement and it
10 would affect the Village's revenue which he commented is defeating its own purpose.

11
12 Chairperson Dalman referred to recent applications for a special use and suggested they start with
13 comments and whether the request satisfied the criteria. She noted for the record, there are 11 criteria
14 for approval of the special use permit in the packet.

15
16 Mr. Bradley stated they need to adapt for change and with regard to whether there is a binary view of
17 retail or not, this special use is absolutely legitimate and referred to the way it would buttress an
18 otherwise profitable business to Winnetka. He then stated it leaned closer to retail than not and would
19 be attached to Hubbard Woods and surrounding businesses. Mr. Bradley commented the applicant's
20 testimony is spot on and it is tangentially retail. He stated what they are doing would have a corollary
21 effect to retail sales for the surrounding stores. Mr. Bradley then stated for a special use closely tethered
22 to the true intent of the law, this example met that criteria.

23
24 Mr. Bradley then stated with regard to the applicant's testimony and other business owners, they have
25 benefited from her presence and reiterated the standards have been met. He also stated Ms. Balsam
26 was forthcoming about it not being closed off and the idea aspect of retail. Mr. Bradley also stated the
27 applicant was honest in the discussion about where she is going although he understood Ms. Holland's
28 concerns about there being a slippery slope. He described the testimony as compelling and while retail
29 is under attack in the Village, he stated they should adapt, or they would be left with a wide open loss of
30 a business.

31
32 Ms. Balsam stated her use would be feeding business and it was meant to be a design overlay district.
33 She commented the request is a no brainer and stated while she understood it would take up a large
34 swath of square footage, it is tethered to the surrounding areas. Ms. Balsam added she has the
35 supportive recommendation for approval.

36
37 Ms. Orsic commented Ms. Balsam is fantastic just like other applicants. She referred to giving up
38 the ordinance and allowing designers which is better than banks. Ms. Orsic also stated with regard to
39 the landlord's comments, they are fantastic but the space had not been on the market and referred to
40 the Lincoln pop-up which did not pan out. Ms. Orsic then stated she wished all business owners were
41 great, she agreed they have to adapt and otherwise, how can they ever say no to anyone while they
42 have said yes to many. She also stated they can say they are artistic or designers which is a
43 different category. Ms. Orsic stated there would be no return and it can be a vacant store for years and
44 then something can open. She then stated if the applicant felt the spot is important, to think about
45 introducing a retail component. Ms. Orsic also stated she is concerned there is so little activity that the
46 doors need to be locked. She also stated while the applicant would bring good vibes and be productive
47 in the area, for the location to have enough energy if they are concerned about not enough people
48 coming. Ms. Orsic also questioned if there were support letters from retailers or did the stores support

1 the application. She concluded by stating if there were no letters of objection from store owners, she
2 felt they are giving it all away.

3
4 Ms. Holland referred to finding no. 10 which stated: "If a project or building has, proposes or
5 contemplates a mix of retail, office and service-type uses, and the retail portions of the project or
6 building shall be located adjacent to the sidewalk. The minimum frontage for each retail use adjacent to
7 the sidewalk shall be twenty (20) feet with a minimum GFA of four hundred (400) square feet. In
8 addition, such retail space shall be devoted to active retail merchandising which maintains typical and
9 customary hours of operation." Ms. Balsam asked the Commission what could she do and
10 suggested selecting a portion of the window for retail goods. Ms. Holland stated she would need a retail
11 license from the state and pay retail occupation tax to the state and the Village. She noted \$300,000 was
12 spent on the downtown masterplan and then to say how to bring in retail. Ms. Holland stated she
13 agreed with Mr. Maloney that times have changed in retail but people like to shop, especially on Elm
14 Street and in Hubbard Woods. She described First Friday in Hubbard Woods as walking and looking and
15 there are small stores measuring 1,500 feet long and 30 feet wide and stores have adapted. Ms. Holland
16 also stated the vacancy rate is low with the exception of One Winnetka and it is vibrant in Hubbard
17 Woods. She stated she cannot see using it for office space and if there is a commitment to the retail
18 area, she would change her view. Ms. Holland then stated if it is that bad in the Village, they should get
19 rid of the ordinance. She concluded by stating they should not continually approve several special uses
20 when the ordinance has been there a long time and modified many times.

21
22 Mr. Golan stated it is an allowed use which just requires a special use permit. He referred to the 2020
23 Plan and stated the 2040 Plan may be different. Mr. Golan then stated while he did not know Ms.
24 Balsam or the business, he described her as a dynamic person with a lot of energy and they would want
25 to have her in the Village to revitalize and energize the business community. He commented he would
26 hate to see her leave and as an advisory board, they can tell the Village Council their comments. Mr.
27 Golan referred to whether there is a component of retail and if it is genuine. He also commented he is
28 impressed by her energy and business acumen and while he understood the request would never meet
29 finding no. 10, he would be in favor.

30
31 Ms. Case stated she agreed with Mr. Golan and Mr. Bradley and described Ms. Balsam as dynamic and
32 energetic. She also stated she is a leader in the design district which gets the rest of the district going.
33 Ms. Case also stated locking the door would not be unusual and referred to other shops that do it as
34 well. She also stated she agreed with Ms. Holland that if there was a retail component, that would be
35 nice. Ms. Case referred to the applicant bringing artwork on a consignment basis and she would be in
36 favor of the request which she commented fits the row there.

37
38 Ms. Danley agreed the applicant is dynamic and the idea that Ms. Balsam fit well with the district. She
39 stated she also agreed with Ms. Orsic and if this was the first one to the Commission, it may be about
40 changing the ordinance and she would hate to see her leave. Ms. Danley then stated why say no at this
41 point when they have not done so many times before. She also agreed retail of some kind would be nice
42 that is real to Ms. Balsam and she would be leaning in favor noting concerns with regard to finding no. 9
43 relating to signage. Ms. Danley stated she did not want to see desks in the windows and referred to
44 the Alexander Kaehler example as a good one. She concluded by stating her concerns relate to how the
45 issue continues to crop up and they may need to rethink it.

46
47 Mr. Swierk stated there have been a lot of meetings about the retail overlay district on the Village
48 Council agenda and he appreciated what the owners have done over the years. He stated the request

1 would to the Village Council regardless. Mr. Swierk then stated the applicant is a designer and they
2 would like to show an active window lit at night, etc. like in other cities. He also commented he loved
3 the design and dine idea and added with regard to locking the door, they can put up a doorbell and open
4 it when it rings. Mr. Swierk concluded by stating the request would activate that storefront if they go
5 forward.

6
7 Mr. Bradley agreed with Mr. Swierk that the onus is on the business owner to the project. He stated
8 there are a few retail businesses in Hubbard Woods which he called personal storage lockers since they
9 are locked and dark. Mr. Bradley referred to putting the burden on special use residents and they should
10 extend the same onus to existing retailers. He indicated it has been done before in other stores and
11 attracts attention. Mr. Bradley then stated if it is not tethered into the design world, he would say it is
12 not a match and part of the dynamic of the culture is to create an opportunity. Mr. Bradley then
13 referred to what they might lose if she left the Village and would generate in retail sales and they should
14 weigh that.

15
16 Ms. Orsic stated when the physical therapy applicant on Chestnut was denied; they found another
17 location on a second floor. She stated she would be more open to a spot at the end of the road. Ms.
18 Case referred to the awkward way the space is laid out and it would be hard to find a retailer to go in
19 there.

20
21 Chairperson Dalman agreed the request is difficult and described them as fantastic business owners who
22 are vibrant and creative and then there is the overlay district. She referred to the pace of the Amazon
23 effect and in Paris the streets in the core retail area had offices but were vibrant. Chairperson Dalman
24 also stated she is troubled by the precedent Alexander Kaehler set which she described as dead with a
25 buzzer and referred to an architect's office in Hubbard Woods feeling more vibrant. Chairperson Dalman
26 then stated with regard to the criteria, it is very hard and encouraged the applicant to think about some
27 retail component. She referred to the situation of precedent when they told other designers who are
28 permitted as of right without a retail component. Chairperson Dalman stated it is a troubling situation
29 and blamed the overlay district. She then thanked the applicant for coming and referred to finding nos.
30 7 and 8 to support the application. Chairperson Dalman stated they should keep in mind a couple of no
31 votes may get an approval recommendation with the Village Council to be the final decision maker. She
32 stated the business can facilitate concentration of a pedestrian nature and seemed to work with other
33 trades similar to the Merchandise Mart. Chairperson Dalman then questioned how many clients are
34 buying from Bedside Manner or Material Possessions and stated the request would help the continuity
35 and enhancement of the district as well as pedestrian dining and buying in Winnetka.

36
37 Mr. Golan stated Walgreen's down the block is retail and questioned what they do for the community
38 and referred to no owners participating in the Village and to compare that with an owner with good
39 ideas. Chairperson Dalman referred to the bridal store in Hubbard Woods which is empty. Mr. Golan
40 stated they have an incredible business.

41
42 Ms. Orsic stated Walgreens contributed sales tax. Chairperson Dalman stated the overlay district criteria
43 did not take everything into account. Mr. Bradley then stated Ms. Balsam would broker retail sales tax
44 from other businesses.

45
46 Chairperson Dalman stated a straw poll revealed there are more Commission Members in favor of
47 recommending approval of the special use permit. She then referred to the motion on page nos. 5 and 6
48 and stated the Commission recommends approval of the requested special use to allow an interior

1 design office on the ground floor at 901-905 Green Bay Road within the C-2 Commercial Overlay District
2 and finds based on the following findings of fact the criteria were met and the proposed interior design
3 office is consistent with the standards of granting of special use permits in the overlay district.
4

5 Mr. Golan moved to approve the motion as stated by Chairperson Dalman and Mr. Bradley seconded
6 the motion. Chairperson Dalman then asked if there was any other discussion. Ms. Holland stated she
7 would vote no but if there is a retail component of the business, she would vote yes. Ms. Orsic agreed
8 with Ms. Holland. Chairperson Dalman noted for the record those opposed would support the request if
9 it incorporated retail. Ms. Holland added it is because of the location and size and the fact Hubbard
10 Woods is a small district.
11

12 A vote was taken and the motion passed, 5 to 2.
13

14 AYES: Bradley, Case, Dalman, Danley, Golan

15 NAYS: Holland, Orsic

16 NON-VOTING: Swierk
17

18 **Comprehensive Plan Discussion: The Plan Commission will continue to discuss ideas for inclusion in**
19 **a new Comprehensive Plan.**

20 Chairperson Dalman polled the Commission to determine whether to continue the agenda item to the
21 next meeting. Mr. Golan stated with regard to the agenda for the next meeting, in the absence of a large
22 agenda item, he suggested deferring it to the next meeting. Mr. Schoon confirmed there are no items on
23 the agenda for the next meeting. Mr. Golan then moved to defer the matter to the next meeting. Ms.
24 Orsic seconded the motion. A vote was taken and the motion unanimously passed.
25

26 **Other Business**

27 Chairperson Dalman asked if there was any other business. No additional business was discussed at this
28 time.
29

30 The meeting was adjourned at 9:07 p.m.
31

32 Respectfully submitted,
33

34 Antionette Johnson

35 Recording Secretary

**WINNETKA PLAN COMMISSION
MEETING MINUTES
AUGUST 28, 2019**

Members Present:

Tina Dalman, Chairperson
Mamie Case
Layla Danley
Chris Foley
John Golan
Louise Holland
Bridget Orsic
Jay Vanderlaan

Non-voting Members Present:

Matthew Bradley
John Swierk

Members Absent:

None

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

Call to Order:

Chairperson Dalman called the meeting to order at 7:05pm and took a roll call of the Commission Members present. She noted Mr. Golan is absent [Mr. Golan arrived at 7:15pm].

Community Development Report

Mr. Schoon stated the interior design firm which presented its request to the Commission at their last meeting will go before the Village Council next week for consideration. He also stated next week, there would be a couple of clarifying amendments to the newly adopted planned development regulations. Mr. Schoon stated the amendments clarify that the Planned Development Commission would also review any subdivision that is required as part of a planned development. He also stated on September 17, 2019, there would be a public hearing on recreational cannabis and whether the Village should allow it to be sold in the community. Chairperson Dalman asked if there were any questions. No questions were raised at this time.

Public Comment

Chairperson Dalman asked if there was any comment from the audience for items not on the agenda. No comments were made at this time.

Case No. 19-22-SU: 1083 Gage Street - North Shore Barber: An application submitted by North Shore Barber seeking approval of a special use permit to allow a barber shop to operate on the ground floor in the C-2 Commercial Overlay District.

Ms. Klaassen noted the property is located in the Commercial Overlay District. She then stated the Village Council recently adopted amendments to the overlay district where the barber shop would have been a permitted use under the previous regulations. Ms. Klaassen stated the subject space is vacant and was most recently occupied by a different barber, The Gentleman's Shop, until last year. She noted the previous barber was not required to obtain a special use permit. Ms. Klaassen stated North Shore Barber would occupy the approximately 475 square foot space.

1 Ms. Klaassen then stated the use would occupy 14 feet of building frontage. She also stated in their
2 application, it was explained they intended to have one barber on site Monday-Thursday and two
3 barbers on Friday, Saturday and Sunday with hours of operation being from 9am to 6pm. Ms. Klaassen
4 noted Scott Cleaners is located to the west of the vacant space and Figueroa Orthodontics is located to
5 the east which also received a special use permit. Ms. Klaassen informed the Commission the space
6 immediately to the east is also vacant.

7
8 Ms. Klaassen referred the Commission to page 5 of the materials which contained a motion
9 recommending approval or denial of the request. She then asked if there were any questions. A
10 Commission Member referred to the red dashes representing the overlay district in the illustration and
11 asked what did the red area represent. Ms. Klaassen responded it is B-1 multi-family zoning and noted
12 the map did not represent the two small areas recently removed from the overlay district on Tower
13 Road.

14
15 Mr. Vanderlaan referred to the questions submitted as an email addendum and the list of
16 improvements done over the years and asked if the space is move-in ready or if further renovation is
17 required. Ms. Klaassen responded she is not aware of additional improvements that are necessary and if
18 so, the applicant would need to apply for a building permit. Mr. Vanderlaan asked if the applicant would
19 be replacing the Wilmette space or if this space would be in addition to the Wilmette space. Ms.
20 Klaassen stated they have not received a response to that question from the applicant and they can ask
21 that question of the applicant.

22
23 Chairperson Dalman noted for the record, the email responses should be included as part of the record.
24 She asked if there were any other questions. Mr. Vanderlaan asked if they would be open 7 days a week
25 and Ms. Klaassen confirmed that is correct.

26
27 Chairperson Dalman swore in those speaking to this matter.

28
29 Barry Millman introduced himself to the Commission as the commercial real estate broker with Horizon
30 Real Estate and has been the broker for the last several years and is a Northbrook resident. He stated he
31 is representing Failouni Hassan and Danuta Harrison who want to enter into a lease for the property
32 which was approved by the landlord subject to obtaining a special use permit for 1083 Gage. Mr.
33 Millman stated the property measured 475 square feet and is located on the fringe of the overlay
34 district. He stated the space was previously a barber space for several decades and was a hair salon prior
35 to that. He informed the Commission when the last barber retired, ownership decided to leave the
36 space empty for a while and renovate it to include a new sprinkler system to meet code requirements,
37 as well as a new ADA bathroom, new flooring, ceiling, walls, etc. Mr. Millman stated the owners were
38 intent on getting a new barber in the space and installed a vanity in a wall with shampoo bowls. He
39 confirmed there would be no significant remodeling other than painting, furnishing and décor.

40
41 Mr. Millman then stated Mr. Hassan is a barber in Wilmette; he would locate to Winnetka with his
42 clients, most of whom are from Winnetka. He stated the applicants understand the Village's parking
43 regulations and realize there are significant parking issues in town. Mr. Millman stated the clients would
44 only be in the shop for 15-20 minutes and the owners plan to sell products and pay sales tax. He then
45 introduced the applicants to the Commission.

46
47 Mr. Hassan informed the Commission he moved to the country five years ago from Dubai. Ms. Harrison
48 stated Mr. Hassan is very professional and great with children.

Chairperson Dalman asked the Commission if they had any questions. Mr. Bradley asked if there will be office administration in addition to the barbers working in the shop. Mr. Hassan responded in the beginning, he referred to being very busy. Ms. Harrison confirmed there would be. Mr. Bradley then stated for the products they are considering for sale, he asked if they would be located in the front of the store visible to pedestrians. Mr. Hassan confirmed they would and Ms. Harrison would handle that. Mr. Bradley asked if it would be a full service shop for men and women. Mr. Hassan responded it would be a barber shop for men and children.

Chairperson Dalman asked if there were any other questions. She stated for clarification, she referred to the property owner acknowledgment and the land trust which owned the property owned 1075 Gage Street and noted that is the address for Figueroa Orthodontics. Ms. Klaassen confirmed that is correct, the trust owns the entire building at the corner of Green Bay Road and Gage Street. Chairperson Dalman asked if there were any other questions. No additional questions were raised at this time. She informed the applicants the Commission would discuss and make a recommendation to the Village Council.

Ms. Orsic stated she felt differently about this application and referred to people driving downtown to barber shops. She commented it would be a nice fit and would generate traffic for other businesses. Ms. Orsic stated her initial feeling is that they are chipping away at the overlay district, for this application, they would be selling products and she would be in favor. Ms. Holland agreed with Ms. Orsic's comments and asked when the applicants start selling products and get their Federal ID number for sales tax for the Village to follow up on it. She then stated they appreciated product sales. Ms. Holland added it has been a barber shop for many years and it would be one again.

Chairperson Dalman informed the Commission she spoke with Mr. Schoon earlier and referred to the previous recommendation and discussion for this property not to be included in the overlay district. She agreed the property is on the fringe on the overlay district and prior to the code change, it would have been a permitted use. Chairperson Dalman asked if there were any other comments.

Chairperson Dalman indicated their appeared to be support for an affirmative recommendation and referred the Commission to page 5 of the materials. She then asked for a motion. A motion was made by Ms. Orsic and seconded and Mr. Foley. A vote was taken on the motion to recommend approval of the requested special use to allow a barber shop on the ground floor at 1083 Gage Street in the C-2 Commercial Overlay District based on the findings of fact on page nos. 5 and 6. The motion unanimously passed.

AYES: Bradley, Case, Dalman, Danley, Foley, Golan, Holland, Orsic, Vanderlaan
NAYS: None
NON-VOTING: Swierk

Comprehensive Plan Discussion: The Plan Commission will continue to discuss ideas for inclusion in a new comprehensive plan.

Chairperson Dalman noted for the record the Commission would continue to discuss ideas for inclusion in the new Comprehensive Plan. Mr. Schoon stated at the last meeting, they went through a SWOT analysis looking at the strengths, weaknesses, opportunities and threats to the community and for the Commission to think about issues they would like to address in the Comprehensive Plan. He stated Village staff went through the ideas generated and summarized them and put them in two main categories.

1 Mr. Schoon stated with regard to the characteristics and features they would like to maintain relate to
2 the positive things in the community so when they work on the Comprehensive Plan, they want to
3 continue to maintain the items that make Winnetka great which include: the school system, a great
4 place to raise a family, quality parks and recreation, relatively congestion free in terms of traffic, easy to
5 get into the city, safe and secure feeling, high quality municipal services, lake front community, physical
6 layout and quality of housing stock, unique traditional feel, proximity to other North Shore dining and
7 entertainment options and highly educated and engaged community. He then stated the items they
8 discussed which need to be addressed/improved include rising costs and higher tax burden associated
9 with government activity, the threat of online shopping and the impact on the commercial districts, how
10 to attract additional dining options or interactive businesses, the encouragement of co-working spaces,
11 school modernization, the provision of a variety of housing stock for entry level families and empty
12 nesters, improvements to aging infrastructure, flooding concerns, addressing climate change and
13 creating a more attractive community where younger individuals and families want to live, investment in
14 alternative modes of transportation, supporting activities for teenagers, providing a public swimming
15 pool and supporting educational opportunities for youth in terms of emerging technologies. Mr. Schoon
16 stated he attempted to summarize the Commission Members comments from the last meeting and
17 asked if there were any questions or comments.

18
19 Chairperson Dalman stated it should be made clear their need to maintain or enhance the multi-
20 generational nature of the community. Ms. Orsic referred to item no. 9 under Improvements with
21 regard to the way it is phrased relating to creating a more attractive community environment for
22 younger individuals. She suggested clarifying the sentence to add "as well as retaining our long term
23 residents." Chairperson Dalman stated the demographics are very clear and referred to the school
24 districts and in order maintain the vitality of educational institutions and others, they need to attract
25 younger families. A Commission Member indicated it also came up in the discussion relating to diversity
26 of housing stock including starter homes and empty nester homes. Mr. Schoon stated in the discussion
27 relating to housing, it related to not only young families but the step before young families such as
28 single people. He agreed they can work on clarifying it. Ms. Case referred to there being more
29 experiences for them to enjoy in town. A Commission Member referred to activities on the lake front.
30 Chairperson Dalman noted the Park District just completed their master planning process. A Commission
31 Member questioned whether having a public pool would attract people to the community and referred
32 to the lake. She noted while she was not part of that conversation, she questioned if they build it, would
33 people come. Mr. Bradley stated there are few surrounding towns that do have a public pool option. He
34 stated to the point a young family is considering moving to Winnetka, it could become an equalizer to
35 have a public pool option.

36
37 Mr. Vanderlaan asked what is the next step and if these ideas would be circulated and interviews
38 considered. He stated if so, he referred to including a pool and asked what would happen with this list.
39 Mr. Schoon responded the exercise is to get the Commission thinking about the planning process. He
40 informed the Commission the Village would bring on a consultant who would work with Village staff and
41 the Commission on the process to get public input on ideas. Mr. Schoon then stated the LPC has been
42 working on some fairly specific ideas since their purview is very narrow. He also stated they discussed
43 the matter with the DRB to get them to start thinking about what they find as strengths and weaknesses
44 of the community, and they are to consider in terms of the tools they use what needs to change in order
45 to achieve the vision as to where they want to go. Mr. Schoon stated this is more of an exercise and
46 there would be a more structured, formal process involving many others to get ideas.

47
48 Ms. Holland stated she wanted to give the Commission background with regard to the 2020 Plan. She

1 stated the plan itself was the vision. Ms. Holland then stated the thing that made the 2020 Plan so
2 unusual was something at the end of it which was not part of the plan and was called Appendix 6. She
3 stated Appendix 6 stipulated every year the Commission would review the Plan and what had been
4 achieved during the past year. Ms. Holland stated it became very specific and included things such as
5 places for young people to go and those items were listed in terms of how important they were to the
6 community. She stated every year the Commission looked at the Plan and Appendix 6 to identify the
7 areas which were achieved, such as additional dining options. Ms. Holland then stated she worried if
8 they get too specific on these that is not a Plan such as needing more bike racks or parking on Elm
9 Street. She stated that should be part of an observation that should be done by the Commission in terms
10 of what is lacking in the community as opposed to the global view. Ms. Holland suggested if everyone
11 received a copy of the Plan, it would make more sense. She informed the Commission Penny Lanphier
12 was one of the Plan authors. Ms. Holland stated you cannot ask for all of these things in the Plan and
13 you have to give indication, for example, to have housing which accomplishes the needs of all residents.
14 She referred to the selection of the consultant very carefully over what was done the last time, and they
15 turned to four people in the Village to write the 2020 Plan who did a great job. Ms. Holland reiterated if
16 they looked at the 2020 Plan and see the globalization of ideas and the inclusion of Appendix 6, she
17 described it as a great thing and noted a Plan has lived since 1921. She referred to numerous plans for
18 the Village since that time which were shoved in a drawer and described the 2020 Plan as a living
19 document with the Commission reviewing the Appendix 6 every year which identified what the Village
20 needed every year.

21
22 Chairperson Dalman agreed it is a good point to broaden the specific reference to a pool to coordination
23 with the Park District with regard to recreational ideas. Mr. Schoon stated they may have everything but
24 one item, and they may identify that and state that while we have great recreational opportunities in
25 the community, we should consider the addition of a public pool for instance. Mr. Golan stated the idea
26 has been talked about for a long time and referred to a referendum which got voted down. Chairperson
27 Dalman noted when the Park District redid the astro turf field the original plan included a public pool
28 but that got rejected.

29
30 Ms. Orsic stated when they are generating ideas - she referred to the dog park as a perfect example and
31 the consideration of where it would be located. She commented if they are going to get specific, people
32 will agree since it is a good idea. Ms. Orsic stated she agreed with Ms. Holland's idea of having broad
33 and global thoughts without going into specifics. Mr. Swierk informed the Commission the pool question
34 was on the caucus survey. He then referred to the Glenview Park District's pool and those who use it.
35 Chairperson Dalman suggested they broaden the discussion of the pool idea whether it be an indoor or
36 outdoor pool and to identify working with the Park District and suggested the wording "recreational
37 opportunities to serve the population." Mr. Golan stated the question is whether the Village should
38 explore options for recreational activities. Mr. Vanderlaan stated the way to suggest an aspirational goal
39 is to put it out there. Mr. Schoon stated they do not want to only say they want additional recreational
40 opportunities which are general statements and could apply to any community. He stated they want
41 something that would apply to Winnetka. Mr. Schoon stated they understand there is going to be a
42 balance and they are going to prepare a plan and goals and objectives. He stated they want to have
43 something that makes it Winnetka and in 20 years, what do they want to do. Mr. Schoon also referred
44 to the idea of attracting people downtown and the need for a performance space which is narrower
45 than stating they need an activity to bring people downtown. He stated while there would be a balance
46 between the vision and goals, they need to determine what makes this plan Winnetka. Mr. Schoon
47 asked if there were any other comments other than the pool.
48

1 Mr. Golan referred to balancing high quality commercial districts. Chairperson Dalman agreed they
2 needed to have a statement indicating that they value the current commercial districts. She then stated
3 after the last meeting, when she talked to people who moved to the Village from Hinsdale, etc., a lot of
4 people mention the energy getting off the Hubbard Woods train about the commuting experience.
5 Chairperson Dalman then questioned whether there is something they could do to improve the
6 commuting experience such as to ensure the ridership on the UP North rail line continues to be high and
7 referred to the increase in the number of weekend trains. She described it as an asset to the Village and
8 asked if there is something they can include to recognize that it is an asset. Chairperson Dalman
9 described it as a selling point to the Village and they should do something to encourage the experience
10 for commuters. Mr. Swierk referred to traffic getting off the train. Ms. Case questioned what can they
11 do to increase the energy around the storefronts near the train station. Chairperson Dalman suggested
12 they come up with ways to facilitate it being a better experience. Ms. Holland stated in the 2004 plan for
13 the Post Office site, there was a suggestion to continue Moffet Mall to Dwyer Park; that they could
14 create an outdoor theater which she commented was a great idea. She stated the 1921 Plan included an
15 outdoor performance area.

16
17 Mr. Schoon asked if there were any other comments. No additional comments were made at this time.
18 He then referred to the 2020 Plan vision statement which read: "...a Village in a natural setting
19 committed to its tradition of residential neighborhoods, citizen involvement, local shops, and
20 educational excellence..." He asked the Commission Members if the statement still captured their vision
21 or did it need to be refined or a different vision created. Ms. Danley stated in coming from a place where
22 specific words matter and referred to vibrant, multi-generational and commitment to educational
23 excellence, diversification of neighborhoods, locally owned businesses and working some of that
24 language into the statement. She suggested the inclusion of these words would say this is what they are
25 looking for. Mr. Bradley agreed and stated the idea of vibrancy and innovation meant moving
26 forward did not gel with hanging on to the tradition of the community. He stated that is why projects
27 and planned development which might lead into the fabric and because of their demographics are often
28 stifled and put into a drawer. Mr. Bradley then stated he did not want to embrace a vision statement
29 that is overpromising in terms of what they know their expectations are going to be. He stated while he
30 is in favor of vibrancy, diversity and innovation, holding on to their heritage, tradition and culture is not
31 aligned with the fact they are moving forward. Mr. Bradley then stated he would not be in favor of
32 putting on paper something they know is not aligned with how the Village structured itself.

33
34 Mr. Schoon stated he would like for each Commission Member to take a few minutes to work on a
35 revised visions statement, adding adverbs, adjectives, etc. Mr. Schoon suggested the Commission to
36 consider the wording from the ideas raised at the last meeting.

37
38 Mr. Schoon informed the Commission Members he would collect their responses which did not have to
39 include their names. He stated he would go first and read his statement as follows: "Winnetka is a
40 premier lake front Village with easy access to the metropolitan center and is committed to its family-
41 friendly traditions of single family residential neighborhoods, tree lined pedestrian friendly and safe
42 streets, active and engaged citizenry, vibrant core areas for commerce and community gathering,
43 primary and secondary school and educational excellence..." Mr. Schoon stated he attempted to capture
44 what he has heard from people. He stated the wording summarized what they have discussed and there
45 could be other things added. He asked for the Commission Members to share their thoughts or if
46 anyone wanted to add additional elements.

47
48 Mr. Foley stated he added sustainable living since it takes advantage of the evolving transportation and

1 infrastructure they have. He also referred to the three train stations and the anticipation they would
2 have public EV charging at some point, bus lines and a whole host of transportation infrastructure. He
3 commented he liked the word "unique" and referred to the Village being in a unique and natural setting.
4 He then stated with regard to the word "tradition", he was undecided and stated they should be more
5 forward looking and they should suggest they are expanding on the traditions they have and to be more
6 aspirational. He also referred to citizen involvement, community engagement and participation of locally
7 owned shops was previously discussed. He concluded by outlining his suggestions as "unique, expansion
8 on sustainability, community engagement and participation."
9

10 Ms. Orsic referred to the phrase "a vibrant Village in a natural setting with deep traditions and
11 innovative residents" and an idea of forward thinking. Ms. Holland referred to diverse neighborhoods
12 and historic residences. Ms. Case stated she excluded the word "tradition" since it did not mean forward
13 thinking to her and referred to "a Village on the lake." She also suggested "a Village on the lake
14 committed to vibrant neighborhoods". She also referred to educational excellence which she described
15 as very important to everyone who comes to the Village. She added the phrase "abuzz with vibrant
16 dining and shopping." Mr. Swierk stated "a traditional waterfront community committed to maintaining
17 and improving pedestrian friendly residential neighborhoods for all ages." He also referred
18 to experiential retail districts, community involvement and omitted local shops. Mr. Swierk then
19 referred to recreational opportunities with the Park District, all of which is surrounded with the
20 educational system which is why most people are in the Village. Mr. Bradley stated "an historic Village in
21 a lakefront setting committed to innovating on its tradition of quality built residential homes, an
22 informed and compassionate citizenry, best in class retail, dining and recreational opportunities, and
23 nationally recognized educational facilities. A Commission Member suggested nationally recognized
24 educational excellence. Mr. Golan referred to natural setting and diverse educational opportunities and
25 excellence.
26

27 Chairperson Dalman stated she would add engaged residents supporting community and educational
28 institutions. She agreed she is not a fan of the word tradition and suggested historic may be better. Mr.
29 Schoon asked if there were any other comments. Ms. Holland added educational experiences that
30 provide excellence for all ages.
31

32 Mr. Schoon stated what he is hearing is that these elements are fundamental and with regard to how
33 they describe them, they may have done it all a little differently. He then stated in terms of a vision
34 statement, they want to include these elements and define them as Winnetka. Mr. Schoon asked the
35 Commission Members to think of an element that makes Winnetka Winnetka that should be in that
36 vision statement.
37

38 Mr. Schoon stated the point of the exercise is to begin to experience the group activity of coming to a
39 consensus on what should be included in a vision statement. He stated as they go through the process,
40 they would develop a vision statement and use it as a guide in terms of developing goals and objectives.
41 Mr. Schoon stated his goal is to have a vision statement that they can share with people and describes
42 where they want to be in the future. He then thanked the Commission for their suggestions.
43

44 Mr. Schoon then stated in developing the vision, goals and objectives, the question is how do you
45 achieve them and what are the tools they have to achieve them. He stated from the Commission's
46 perspective, planning documents which may include the need for a sub-plan for an area or if they need
47 to look at the zoning requirements in terms of the Commission's work on issues and what they need to
48 work on. He then referred to the processes and subdivision regulations. Mr. Schoon noted some of the

1 suggested changes were addressed recently with amendments to the overlay district and planned
2 development regulations but there may be other areas they may need to improve on. He referred to
3 when the zoning ordinances were written outdoor kitchens were not a thing, so how should they be
4 regulated? Mr. Schoon then stated while it may not be an issue for the Comprehensive Plan, it may be
5 an issue that is increasing in terms of regulation and the Village may want to explore how they should be
6 regulated or supported. He informed the Commission they are getting more calls with regard to festoon
7 lighting over patios for example. Mr. Schoon referred to other regulations listed such as building codes,
8 tree regulations, demolition permits, landmark preservation, etc. He then noted signs are changing and
9 internally illuminated signs are changing and referred to lighting behind signs. Mr. Schoon indicated
10 given technology, they may want to look at their sign regulations. He stated these are things the
11 Commission is to think about as they go through the process and as they hear from the community as to
12 what they do and do not like and what tools do they have for implementation. He stated the Village
13 Council with the Commission's help will get them to where they want to be in 2040.

14
15 Chairperson Dalman stated the consultant can help guide the process as opposed to reinventing the
16 wheel. She stated as the pace of innovation is increasing, there are items they are not going to be
17 familiar with. Mr. Schoon agreed and added the Commission Members see things happening around the
18 world that can happen in the Village. Mr. Schoon stated they also need to think about what else is
19 happening out there.

20
21 Mr. Golan asked if the Commission had the final say over the plan or if they are only advisory to the
22 Village Council. Mr. Schoon noted the Village Council has final authority. He added Mr. Swierk will keep
23 the Village Council informed of the Commission Members' activities along the way.

24
25 Mr. Vanderlaan asked if it would be within the consultant's work to identify additional tools in addition
26 to those identified and if they would get input into other communities' best practices. Mr. Schoon
27 confirmed that is correct which is a benefit of having a consultant who can bring their experiences in
28 working in other communities.

29
30 Chairperson Dalman stated in looking toward 2040, she asked if there are other things they should be
31 looking at. She referred to Denver allowing mother-in-law units and asked if there were any resources to
32 help them with issues that other communities are also facing. Mr. Schoon stated it related to trying to
33 predict the future. Chairperson Dalman suggested the APA journal. Mr. Schoon referred to driverless
34 vehicles and its effects as an example. Ms. Holland referred to The Glen which created a town within a
35 town.

36
37 Mr. Swierk asked Mr. Schoon at the beginning of the process, he referred to the current plan and
38 suggested it may be usable. He then asked if they are starting from scratch or updating the current plan.
39 Mr. Schoon stated there are a lot of good things in the existing Comprehensive Plan and commented it is
40 a good idea to be open to possibilities. He stated they are a fully developed community with a few
41 redevelopment sites and they want to have a process where they hear from the community to see if
42 they think it is a good plan or if there are things that need to be changed. Mr. Schoon indicated there
43 may not be a lot of change to the meat of it and it may be different in terms of how it looked and felt.

44
45 Mr. Bradley asked when was the last time Winnetka conducted a comprehensive traffic study. Mr.
46 Schoon responded he would ask the Public Works Director. Mr. Bradley then stated traffic is also looked
47 at when the Commission considered special use permits as it relates to something in the overlay district
48 and asked if traffic studies were even done in residential districts. He indicated that would help get them

1 to having safe streets. Mr. Schoon stated a traffic study would be done for a specific residential district
2 to see if there is a particular issue. Ms. Holland stated the state standards dictated how many accidents
3 you have before stops signs are installed. Chairperson Dalman indicated that would be something Public
4 Works would undertake. Mr. Schoon informed the Commission that traffic is usually thought of in a
5 hierarchy with arterial streets which contain the most traffic and collector streets which lead into
6 neighborhoods followed by residential streets. He stated if they think there should be a stop sign at a
7 certain intersection, there would be a specific study for that. Mr. Swierk referred to the number of close
8 calls at intersections with a two way stop sign. Mr. Bradley stated it is not an issue until it becomes an
9 issue and someone is hurt and to have something as aspirational as transportation and access to roads,
10 bike paths, etc., it related to how confident are they that their roads are safe. Mr. Bradley stated his
11 comments are related to how traffic studies fit in as a potential tool to help them have something in the
12 Comprehensive Plan they can stand behind. Mr. Schoon stated given the substandard width of a number
13 of their streets, the Commission is saying the Village should look at how to improve the safety on those
14 streets and intersections. He noted there are a lot of narrow streets in the community. Chairperson
15 Dalman referred to the volume of traffic on some streets and the issues raised by the Commission can
16 be taken care of now.

17
18 Mr. Vanderlaan stated the RFP has been sent out and asked when are responses due. Mr. Schoon
19 responded they were due last Friday and there have been multiple responses and the decision would go
20 to the Village Council in October. He then stated Chairperson Dalman, Mr. Bradley and Mr. Swierk will
21 serve on the evaluation committee, and their recommendation will be taken to the Village Council in
22 October.

23
24 The meeting was adjourned at 8:56 p.m.

25
26 Respectfully submitted,

27
28 Antionette Johnson

29 Recording Secretary



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: OCTOBER 17, 2019
SUBJECT: CASE NO. 19-26-SU: 454-462 WINNETKA AVENUE - PARKING LOT - SPECIAL USE PERMIT

INTRODUCTION

On October 23, 2019, the Plan Commission is scheduled to consider an application submitted by Sabovic Properties LLC (the "Applicant") as the owner of the property at 454-462 Winnetka Avenue (the "Subject Property"). The Applicant requests approval of an amendment to an existing Special Use Permit allowing a parking lot in the C-1 Neighborhood Commercial District. The Applicant is requesting the following relief:

1. Approval of an amendment to an existing **Special Use Permit** to allow leasing parking spaces to non-tenants and tenant affiliates on the Subject Property.

A sign has been posted on the Subject Property indicating the time and date of the Plan Commission meeting. A mailed notice has been sent to property owners within 250 feet in compliance with the Zoning Ordinance. As of the date of this memo, staff has not received any written comment from the public regarding this application.

As will be discussed later in this report the Applicant originally requested the ability to lease 16 parking spaces to non-tenants and tenant affiliates, but during the review by the Zoning Board of Appeals the applicant agreed to lease only 12 parking spaces to such users.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.76 acres in size, is located on the south side of Winnetka Avenue, between Tempel Court and the Union Pacific Railroad tracks, and contains an existing three-story mixed-use building. Figures 1 through 3 on the following pages identify the Subject Property.

The property is zoned C-1 Neighborhood Commercial, and it is bordered by R-5 Single Family Residential to the north, R-4 Single Family Residential to the south, and B-1 Multifamily Residential to the east (represented on Figure 4 later in this report). The Comprehensive Plan designates the Subject Property as appropriate for "Mixed Use" development (Attachment A). The zoning of the property is consistent with the Comprehensive Plan.

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

There are three previous zoning cases on file for the Subject Property:

1. In 1967, a variation was granted to permit the conversion of a second floor dentist office to a residence which exceeded the apartment density of 36 units per acre (the Subject Property has increased in area through acquisition since that variation request);
2. In 1997, a request was submitted by a contract purchaser to rezone the property to B-2 Multifamily Residential, together with requested variations from unit density limitations, front yard setback, corner yard setback, side yard setback, building height and lot coverage requirements. The Village Council denied the requested rezoning and variations; and
3. Ordinance M-27-2001 was adopted in October 2001 by the Village Council, granting a Special Use Permit and a variation to allow the renovation and redevelopment of the Subject Property, which included replacing and expanding the gravel parking lot with a paved surface but without the required five-foot landscape buffer. The Ordinance strictly stated that *“none of the parking spaces shall be used by or rented to any person who is not either a resident of the building, a commercial tenant of the building, or an employee of a commercial tenant of the building.”* (The parking lot approved in 2001 is the subject of this application). Ordinance M-27-2001 is included in this report as Attachment E; the meeting minutes of the October 16, 2001 Village Council meeting are also provided as Attachment F.

At the time Ordinance M-27-2001 was adopted, the Zoning Ordinance required all on-site parking to be provided below grade level, except that street level and above street level parking may be permitted subject to approval of a Special Use Permit. At the time the special use permit was approved, the Zoning Code required 2¼ spaces per dwelling unit, provided that such parking was not required for units in existence prior to February 3, 1998. Additionally, the zoning regulations provided for the increase in building area or residential dwelling units by up to 15% (3 units in this instance) without triggering the new parking standard. Also, the Zoning Code did not require parking spaces for the first floor commercial space. Technically, the Zoning Code did not require the provision of a specific number of parking spaces for the uses in the building at the time the special use permit was approved

In April 2019, Village staff received a complaint from a commercial tenant on the Subject Property regarding parking spaces being rented to New Trier students, in violation of Ordinance M-27-2001. Subsequently, a violation notice was sent to the property owner. In July 2019, Village staff met with the Applicant to discuss the violation and the special use permit process. The Applicant was informed that they must either cease leasing parking spaces to non-tenants and tenant affiliates or request an amendment to the existing special use permit. The Applicant decided to proceed with the request to amend the special use permit and commissioned a parking study. On September 11, 2019, the Applicant submitted the special use permit application that is currently before the Commission.



Figure 1 – Subject Property



Figure 2 – Subject Property – Southern Portion of Parking Lot



Figure 3 – Aerial Map

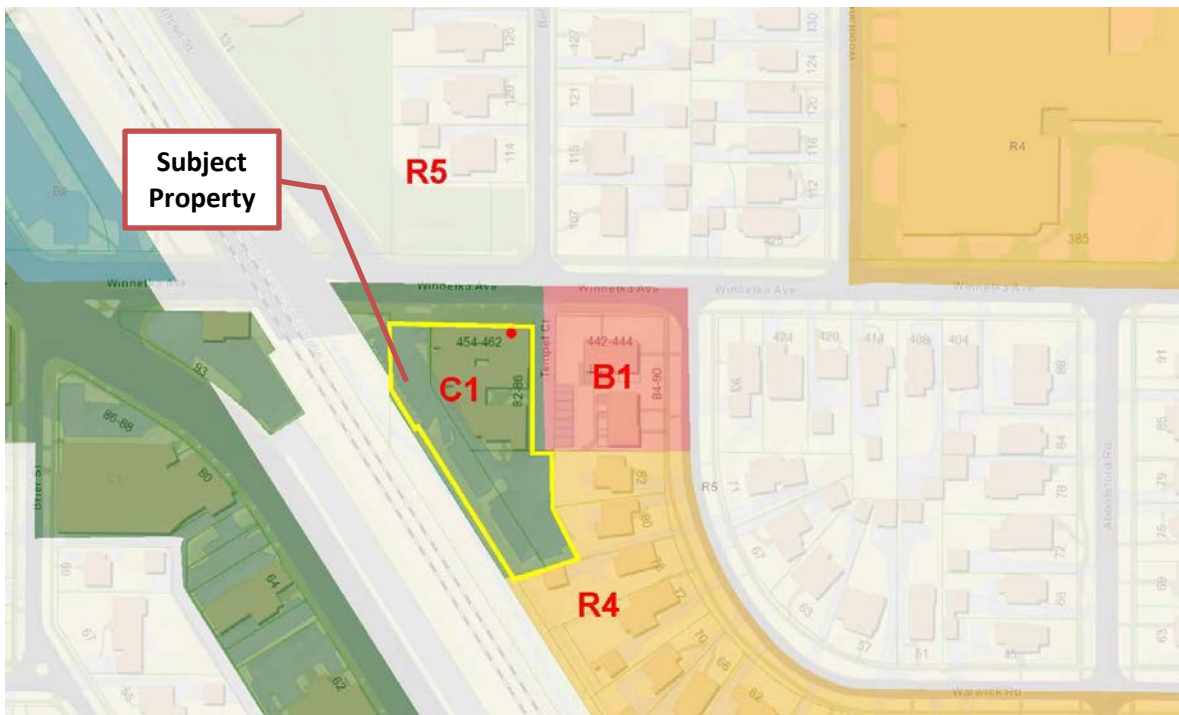


Figure 4 – Zoning Map

CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

The Zoning Board of Appeals considered the request on October 14, 2019. At the ZBA meeting the Applicant's legal counsel informed the ZBA that the existing parking lot contained 41 parking spaces, rather than the 39 spaces considered in the parking study conducted by KLOA and approved with the adoption of Ordinance M-27-2001. After hearing additional testimony from the Applicant, his legal counsel, and one member of the public who spoke in support of the request, the ZBA discussed the

appropriate number of parking spaces the Applicant should be allowed to lease to non-tenants. Ultimately, the ZBA voted 5-0 to recommend approval of an amendment to the existing special use granted by Ordinance M-27-2001 in order to allow the leasing of 12 existing parking spaces to non-tenants and tenant affiliates on the Subject Property.

Since the ZBA meeting on October 14, Village staff visited the site with the Applicant to verify the location of the two additional parking spaces that were not included in the original special use permit granted in 2001. Figure 4 below identifies the two additional parking spaces in question. After consulting with James Bernahl, Assistant Director of Public Works, it was determined that when Space A is occupied it is difficult for large vehicles (particularly garbage trucks) to maneuver around the curved drive aisle onto the public right-of-way, Tempel Court, which serves two-way traffic. The location of Space B also makes it tight to maneuver the curved drive aisle. However, if Space B is designated as "Compact Only" it is acceptable. Therefore, Village staff informed the Applicant that the stripping for Space A must be removed. Space B may remain, but it must be signed as "Compact Only."

The Applicant has provided an amended site plan identifying 40 parking spaces, with Space A being eliminated and Space B identified as "Compact Only." Additionally, the Applicant has confirmed that he is in agreement with the ZBA's recommendation to allow the leasing of 12 existing parking spaces rather than the 16 of his original request. An excerpt of the amended site plan is provided in Figure 6 later in this report. The written confirmation from the Applicant and the amended site plan are also included in this report as Attachment C.

The Special Use Permit is subject to final approval by the Village Council.



Figure 4 – Aerial of Existing Parking Lot

PROPOSED PLAN

The proposed plan does not include any changes to the existing building or other improvements on the Subject Property itself; rather the Applicant is requesting the ability to lease existing parking spaces to non-tenants and tenant affiliates. As previously explained, the Applicant's original request was to lease 16 existing parking spaces. Figure 5 on the following page is an excerpt of the original site plan submitted by the Applicant identifying the location of the original 16 parking spaces. As represented on both the original site plan and the amended site plan (Figure 6), the parking spaces the Applicant is requesting permission to lease are located in the southern portion of the Subject Property. The amended site plan also represents that 9 of the 12 parking spaces it would lease to non-tenants or tenant affiliates would be located along the east side of the parking lot and the remaining three (3) would be located on the west side of the parking lot. This area is identified in Figure 2 earlier in this report.

The building itself contains approximately 5,600 square feet of office space and 25 apartments. According to the parking study conducted by KLOA on July 25, 2019 (when the high school was not in session), approximately 2,100 square feet (37.5%) of the office space and two (8%) of the apartments were vacant. The parking study points out that the number of spaces available for leasing to non-tenants is a function of having current vacancies in the building. The parking study is included in the attached application materials as Attachment D.

Village Engineer Steve Saunders evaluated the parking study by KLOA and had the following comments and suggestions:

1. Given the building is partially occupied; consideration should be given to limiting the number of spaces for lease to non-tenants.
2. The parking study, when increased for full occupancy, indicates a minimum number of available vacant spaces as low as 7. Whereas the Applicant is requesting the ability to lease 16 spaces.
3. Based on the findings of the parking study, perhaps a condition to allow the leasing of 8 parking spaces is appropriate.

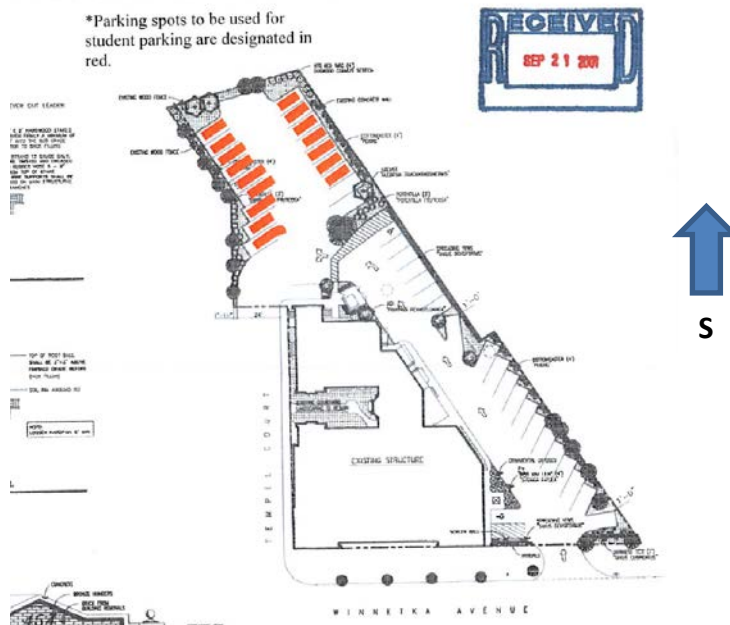


Figure 5 – Excerpt of Original Site Plan

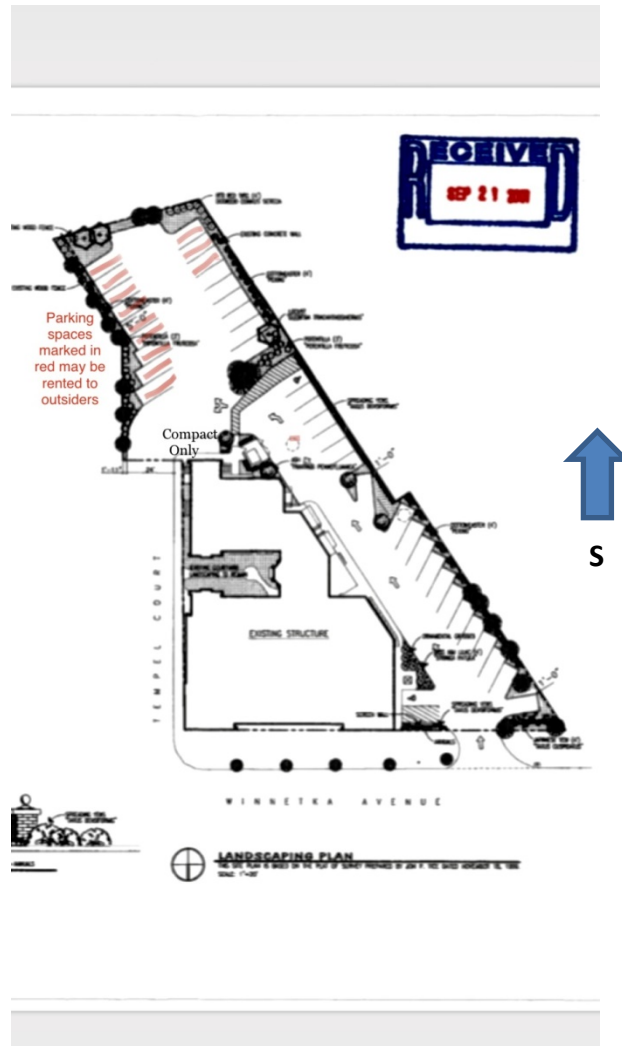


Figure 6 – Amended Site Plan

REQUESTED ZONING CONSIDERATION

The Applicant is requesting approval of an amendment to an existing Special Use Permit to allow leasing of 12 existing parking spaces to non-tenants and tenant affiliates on the Subject Property. The Plan Commission is charged with evaluating Special Uses for consistency with the Comprehensive Plan, as well as the six standards for granting special use permits.

One of the objectives of the Comprehensive Plan is to “ensure that commercial, institutional and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood.” The draft recommendation below lists other relevant objectives from the Comprehensive Plan. An excerpt of the Comprehensive Plan is included in this report as Attachment B.

FINDINGS

The Plan Commission is to consider whether or not the requested amendment to the existing special use granted by Ordinance M-27-2001 to allow the leasing of 12 existing parking spaces to non-tenants and tenant affiliates on the Subject Property is consistent with the Village’s Comprehensive Plan and with the Village’s special use permit standards.

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

The Plan Commission recommends **approval [denial]** of the requested amendment to the existing special use granted by Ordinance M-27-2001 in order **to allow the leasing of 12 existing parking spaces to non-tenants and tenant affiliates on the Subject Property**, based on the following findings of fact:

1. “The proposed leasing of parking spaces to non-tenants and tenant affiliates **is [is not]** consistent with the Comprehensive Plan’s Land Use Map designation of the Subject Property as appropriate for “Mixed Use” development and consistent with the following objectives of Chapter II of the Comprehensive Plan:
 - a. to “Ensure that commercial, institutional and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood;”
 - b. to “Ensure safe and attractive access to educational and community institutions. Pursue improvements that address public safety as well as traffic, congestion and parking;” and
 - c. to “Provide for adequate parking in commercial areas.”
2. “The proposed leasing of parking spaces to non-tenants and tenant affiliates **is [is not]** consistent with the Standards for the granting of Special Use Permits, as follows:
 - a. That the establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
 - b. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;

- c. That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
- d. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
- e. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided; and
- f. That the special use in all other respects conforms to the applicable regulations of this and other Village ordinances and codes.”

[This approval is conditioned on the following:

- 1. The parking space labeled “Space A” in Figure 4 on page 5 of this staff report must be removed.**
- 2. The parking space labeled “Space B” in Figure 4 on page 5 of this staff report must be posted with a “Compact Car Only” sign.]**

In addition, if the Plan Commission recommends approval of the requested special use, it may wish to consider if there are any additional conditions that it may want to place on the use and operation of the parking spaces. If the Commission chooses to place additional conditions as part of its recommendation, it will want to include the conditions at the end of its findings of fact.

ATTACHMENTS

Attachment A: Comprehensive Plan Land Use Map

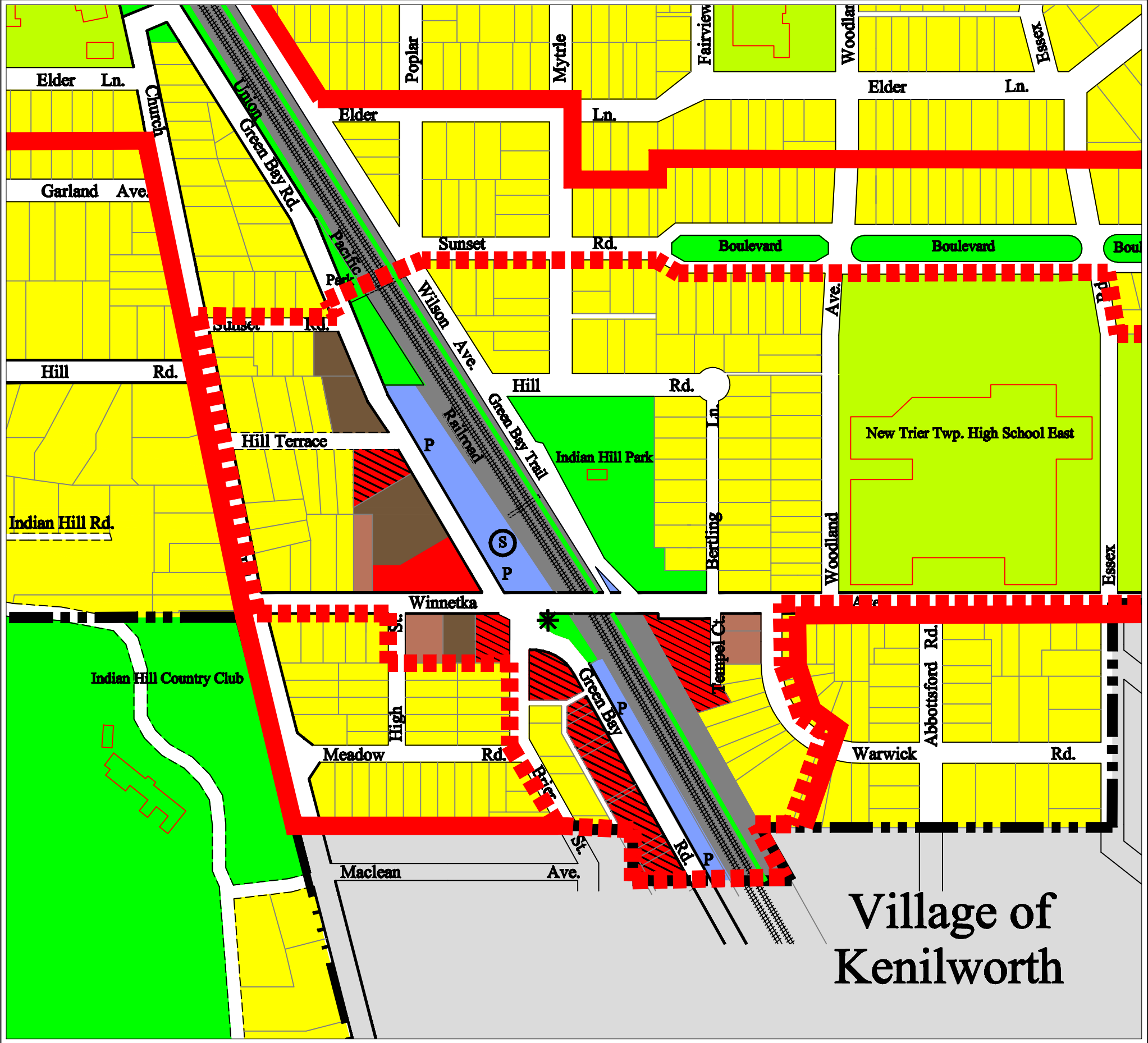
Attachment B: Comprehensive Plan Excerpt (Chapter Two – Goals and Objectives)

Attachment C: Amended Site Plan and Written Agreement received October 16, 2019

Attachment D: Application Materials

Attachment E: Ordinance M-27-2001, adopted October 16, 2001

Attachment F: Excerpt of October 16, 2001 Village Council Meeting Minutes



Village
of
WINNETKA

Comprehensive Plan Update: 2020

Land Use Plan
Indian Hill
Planning Sub-Area

Map
13

LEGEND

- Single Family Residential
- Townhouse Residential
- Multi-Family Residential
- Commercial
- Office
- Park / Open Space
- Public / Semi-Public
- Transportation / Utilities
- P Public Parking
- Vacant
- Mixed Use
(may include all uses
allowed in the applicable
zoning district)
- Green Bay Road Corridor
- Planning Sub-Area
- Urban Design Feature

Scale in Feet
0 50 100 200 400

--- Village of Winnetka
--- Other Municipal Boundaries
--- Road
--- Private Road
--- Unimproved R.O.W.
--- Railroad

--- Property Line
--- Lake / River
--- Adjacent Municipality
--- Pedestrian Tunnel
--- Railroad Station

June 30, 1999

TD & A	THOMPSON DYKE & ASSOCIATES, LTD.		
	Land Planning Landscape Architecture Urban Planning	800 Maple Blvd., Suite 300 Winnetka, Illinois 60093-4000	Telephone 847.272.6000 E-Mail: info@thompson-dyke.com Fax: 847.272.6001

ATTACHMENT B

CHAPTER II: VISION, GOALS AND OBJECTIVES

2.1 A 2020 VISION FOR WINNETKA

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

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

2.2 COMMUNITY GOALS

Purpose and Formulation Procedure

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

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

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

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

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

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

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

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

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

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

2.3 VILLAGE CHARACTER AND APPEARANCE

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

Objectives

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

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

2.4 RESIDENTIAL AREAS

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

GENERAL RESIDENTIAL OBJECTIVES

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

SINGLE-FAMILY RESIDENCE OBJECTIVES

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

MULTIPLE-FAMILY RESIDENCE OBJECTIVES

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

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

2.5 LOCAL GOVERNMENT

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

Objectives

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

2.6 EDUCATIONAL AND COMMUNITY INSTITUTIONS

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

Objectives

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

2.7 PARKS, OPEN SPACE, RECREATION AND ENVIRONMENT

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

Objectives

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

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

2.8 TRANSPORTATION

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

Objectives

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

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

2.9 GROWTH MANAGEMENT

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

Objectives

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

ATTACHMENT C

From: [REDACTED]
To: [Ann Klaassen](#); [Amro Shamaileh](#); [Marut Shah](#)
Cc: [Hajdar Sabovic](#)
Subject: External: 460 Winnetka modified site plan and agreement
Date: Wednesday, October 16, 2019 11:00:09 PM
Attachments: [IMG_3787.jpg](#)

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,

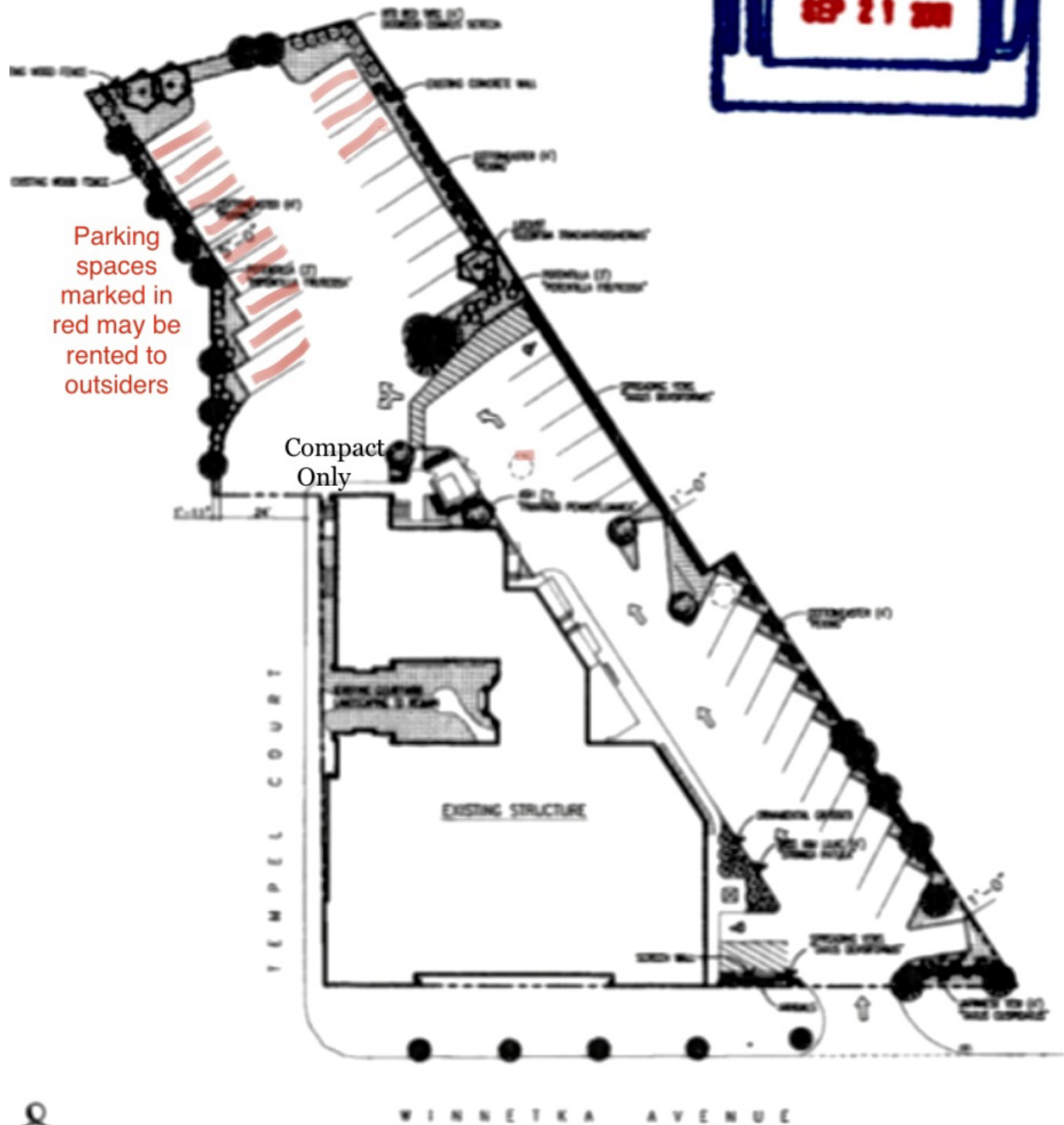
The attached site plan shows exactly 40 parking spaces. I have marked which spaces would be allocated to outsiders and have also marked the one additional 40th parking space as "Compact Only". Please let me know if this will work.

Furthermore, please have this email serve as verification that I, Dako Sabovic, am in agreement with the ZBA's recommendation to allow the leasing of 12 parking spaces.

Thanks,
Dako.



Sent from my iPhone



LANDSCAPING PLAN

THE SITE PLAN IS BASED ON THE MAP OF SURVEY PREPARED BY JON P. THE SURVEY DATED 11-1-97
SCALE: 1"=20'

2040 N. Harlem Avenue
Elmwood Park, IL 60707

466 Central Avenue, Suite 34
Northfield, IL 60093



847.916.7800
847.916.7899
info@mstlawfirm.com
www.mstlawfirm.com

MOHAMMED, SHAMAILEH & TABAHI, LLC

September 5, 2019

Amro Shamaileh
D: 847.916.7830
ashamaileh@mstlawfirm.com

VIA PERSONAL DELIVERY & EMAIL

Ann Klaassen
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093
aklaassen@winnetka.org

Re: 454-462 Winnetka Ave – Special Use Permit

Dear Ms. Klaassen:

Please be advised that we represent Sabovic Properties LLC (“Sabovic Properties”). Please find enclosed Sabovic Properties’ application for a special use permit to allow for non-tenant parking at the property commonly known as 454-462 Winnetka Avenue. In addition to the application, we have also included 1) a narrative describing the special use; 2) the deed proving Sabovic Properties’ ownership; 3) a traffic study performed by Kenig, Lindgren, O’Hara, Aboona, Inc.; 4) Plat of Survey; and 5) a site plan identifying the parking spots Sabovic Properties intends to rent.

Please advise if you require any additional documents or explanation.

Sincerely,

Amro Shamaileh

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION

Case No. 19-26-SU

Property Information

Site Address: 454-461 Winnetka Avenue, Winnetka, IL 60093

Applicant Information

Name: Sabovic Properties LLC

Primary Contact: Hajdar Sabovic

Address: [REDACTED]

City, State, ZIP: Chicago, IL 60660

Phone No. [REDACTED]

Email: [REDACTED]

Architect Information

Name: _____

Primary Contact: _____

Address: _____

City, State, ZIP: _____

Phone No. _____

Email: _____

Owner Information

Name: Sabovic Properties LLC

Primary Contact: Hajdar Sabovic

Address: [REDACTED]

City, State, ZIP: Chicago, IL 60660

Phone No. [REDACTED]

Email: [REDACTED]

Attorney Information

Name: MST Law

Primary Contact: Amro Shamaileh

Address: 2040 N Harlem Ave

City, State, Zip: Elmwood Park, IL 60707

Phone No. 847-916-7800

Email: ashamaileh@mstlawfirm.com

Applicant Signature: [REDACTED]

Property Owner Signature: [REDACTED]

Date: 9/9/19

Date: 9/9/19

SPECIAL USE NARRATIVE

Applicant seeks permission from the Village of Winnetka to allow Applicant to lease 16 parking spaces to non-tenants and tenant affiliates. These parking spaces are located on the southern portion of the property on a separate parcel from the building. As the parking spaces already exist and the special use requested does not alter the purpose of the use of the property, the special use, if permitted, will not be detrimental, injurious or otherwise negatively impact the neighboring properties. Broadening the allowable use of the parking spaces will provide Winnetka residents and employees access to otherwise unused parking spaces and increase the number of off-street parking spaces in an area where parking demand exceeds supply. Several Winnetka residents have approached Applicant seeking to rent the unused parking spaces. The enclosed traffic study provides that at peak hours, 19 parking spaces were available. In all respects, the Special Use Permit, if granted, would ease the hardship Winnetka residents face by providing easily accessible and economically feasible alternative parking. Additionally, the proposed Special Use complies with the Special Use Permit Standards as follows:

1. Establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare.

Firstly, the Special Use does not alter, decrease, or modify the pre-existing parking spaces. The Village of Winnetka through Ordinance No. M-27-2001 recognize the need for additional parking spaces in the vicinity surrounding New Trier High School. Secondly, as noted in the Parking Study, the current parking utilization of Applicant's property during peak hours allows for the Applicant's proposed Special Use. The Special Use will only serve to increase public safety and comfort as it will reduce on-street parking, pedestrian traffic and burdensome commute times.

2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity nor diminish or impair their property values.

The proposed Special Use has the potential of reducing pedestrian and vehicular congestion directly leading to the increase in enjoyment of neighboring properties. Furthermore, the Special Use does not call for a modification of the layout of the current Property. The Applicant will be providing a much-needed service to Winnetka residents by adding additional parking options, the proposed Special Use can only result in an increase in property value and enjoyment of the nearby properties.

3. The establishment of the special use will not impede the normal and orderly development or improvement of other property.

The Special Use is not seeking the additional parking spaces or development of the land. The Village of Winnetka already approved the parking spaces assuming that the parking spaces would be utilized. Currently, approximately 19 spaces lay vacant during peak hours. The special use will allow the Applicant's Property to fulfill its intended purpose. Moreover, the Special Use does not have any possibility of impede other properties, as all ingress and egress of Vehicles will be on Applicant's Property.

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

The parking lot has already been created to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion and has been approved by the Village. Given that the parking lot lay vacant approximately 48% during peak hours, increasing parking capacity by allowing the Special Use will not substantially deviate from the Village approved current use of the parking. Furthermore, the special use application does not request any modification to the ingress or egress.

5. That adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the special use exists or are to be provided; and

As per the 2001 Ordinance and Special Use approved by the Village of Winnetka, the existing parking structure was constructed in compliance with applicable Village Code requirements. Therefore, all requirements necessary for the operation of the special use have been in existence for a period of 18 years. The proposed Special Use simply provides for the utilization of parking spaces that lay vacant. Moreover, it is in the beneficial interest of Winnetka residents that new trier students be allowed to utilize such spaces for the following reasons: a) Students will be allowed to park in a well-maintained area, which will minimize vehicular street-side congestion and on-street parking; and b) the designated parking spaces will provide a solution to the supply and demand issues affecting the overall area.

6. That the special use in all other respects conforms to the applicable regulations of this and other village ordinances and codes.

The special use request only requires that the current classification of potential tenant of parking spaces be broadened to fulfil the demand of Winnetka residents and in all other respects confirms to the applicable regulations.

MEMORANDUM TO: Hajdar Sabovic
Sabovic Properties

FROM: Michael A. Werthmann, PE, PTOE
Principal

DATE: October 14, 2019

SUBJECT: Parking Study
460 Winnetka Avenue Mixed-Use Building
Winnetka, Illinois

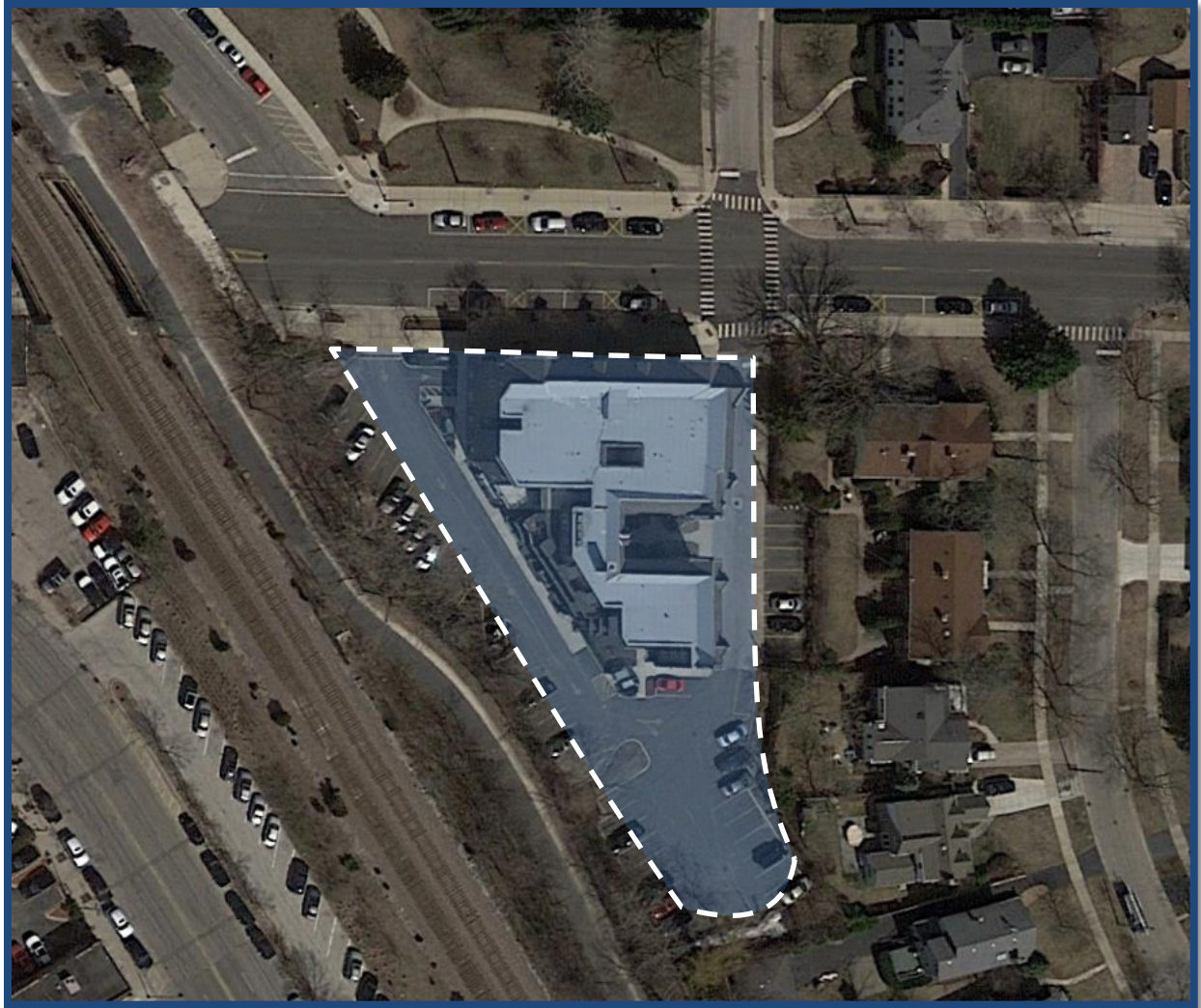
This memorandum presents the findings of a parking study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the existing mixed-use building located at 460 Winnetka Avenue in Winnetka, Illinois. The building is located on the south side of Winnetka Avenue just east of the Union Pacific railroad tracks and contains a total of approximately 5,600 square feet of office space, 25 apartments, and 39 parking spaces. Currently approximately 3,500 square feet of the office space and 23 apartments are occupied. **Figure 1** shows an aerial view of the building.

The purpose of this study was to assess the adequacy of the parking supply in accommodating the building and determine if any unoccupied parking spaces are available during weekday days. The following tasks were undertaken:

- Parking occupancy surveys were conducted by KLOA, Inc. at the mixed-use building on one weekday.
- The observed existing parking demand was increased to represent a fully occupied building.
- The adequacy of the available parking was compared to the projected peak parking demand to determine if any unoccupied spaces were available.

Parking Occupancy Surveys

In order to determine the existing parking demand, parking occupancy surveys were conducted at the existing building on Tuesday, July 16, 2019. The parking surveys were performed every 15 minutes from 10:00 A.M. to 3:00 P.M. and the results of the parking surveys are summarized in **Table 1**. From the table it can be seen that the building had a peak parking demand of 20 vehicles occurring at 11:45 A.M. and 12:00 noon. Only 51 percent of the parking spaces were occupied and 19 spaces were unoccupied.



Aerial View of Building

Figure 1

Table 1

EXISTING PARKING SURVEYS – TUESDAY, JULY 16, 2019

Time	Parked Vehicles	Unoccupied Parking Spaces
Inventory	39	
10:00 AM	14	25
10:15 AM	15	24
10:30 AM	15	24
10:45 AM	15	24
11:00 AM	15	24
11:15 AM	16	23
11:30 AM	18	21
11:45 AM	20	19
12:00 PM	20	19
12:15 PM	17	22
12:30 PM	14	25
12:45 PM	15	24
1:00 PM	13	26
1:15 PM	15	24
1:30 PM	16	23
1:45 PM	15	24
2:00 PM	15	24
2:15 PM	17	22
2:30 PM	18	21
2:45 PM	19	20
3:00 PM	18	21

Projected Parking Demand

As discussed previously, approximately 2,100 square feet of the office space and two of the apartments are currently vacant. The estimated parking demand of the vacant space in the building was estimated based on the office and residential parking rates and time of day factors provided in the Urban Land Institute (ULI) *Shared Parking Manual*, 2nd Edition. To provide a conservative (worst-case) analysis, the medical/dental office parking rates were used, as they have higher trip rates than the general office parking rates. In addition, no reduction in the office or the apartment parking rates were assumed due to the proximity of the building to the Indian Hill Metra train station, which is located less than a block from the subject building. **Table 2** shows the existing parking demand, the projected parking demand for the vacant space, and the total projected parking demand.

From Table 2 it can be seen that the building is projected to have a peak parking demand of 32 vehicles. With a total of 39 parking spaces, 82 percent of the parking spaces will be occupied with seven parking spaces unoccupied.

Table 2

PROJECTED TOTAL PARKING DEMAND AT FULL OCCUPANCY

Time	Projected Parking Demand			Total	Unoccupied Parking Spaces
	Existing	Vacant Office Space	Vacant Apartments		
Inventory	39				
10:00 AM	14	10	2	26	13
10:15 AM	15	10	2	27	12
10:30 AM	15	10	2	27	12
10:45 AM	15	10	2	27	12
11:00 AM	15	10	2	27	12
11:15 AM	16	10	2	28	11
11:30 AM	18	10	2	30	9
11:45 AM	20	10	2	32	7
12:00 PM	20	5	2	27	12
12:15 PM	17	5	2	24	15
12:30 PM	14	5	2	21	18
12:45 PM	15	5	2	22	17
1:00 PM	13	8	2	23	16
1:15 PM	15	8	2	25	14
1:30 PM	16	8	2	26	13
1:45 PM	15	8	2	25	14
2:00 PM	15	10	2	27	12
2:15 PM	17	10	2	29	10
2:30 PM	18	10	2	30	9
2:45 PM	19	10	2	31	8
3:00 PM	18	10	2	30	9

ALTIMETER AND TITLE SURVEY

PARCEL 1: THAT PART OF LOT 6 LYING EASTERLY OF A LINE DRAWN PARALLEL TO AND 80 FEET NORTHEASTERLY FROM MEASURED THE RIGHT ANGLES TO THE WESTERLY LINE OF SAID LOT 6 IN OWNERS SUBDIVISION OF LOTS 2, 3, 4 AND 9 IN BLOCK 3 OF TEMPLE'S RESUBDIVISION OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILWAY RIGHT-OF-WAY AND NORTH OF THE VILLAGE LIMITS OF KENILWORTH, COOK COUNTY, ILLINOIS, IN BOOK OF PLATS 98, PAGE 8, FILED AS DOCUMENT 4133672.

PARCEL 2: LOT 7 AND 8 (EXCEPT THE WEST 45 FEET OF THE NORTH 54 FEET OF LOT 8) EXCEPT ALL THAT PART OF LOT 1 AND LOT 8 (EXCEPT THE NORTH 36 FEET OF SAID LOT 8 LYING WESTERLY OF A LINE DRAWN PARALLEL TO AND 45 FEET NORTHEASTLY OF THE SOUTHWESTERLY LINE OF LOT 7 (MEASURED AT RIGHT ANGLES) IN OWNERS SUBDIVISION OF LOTS 1, 2, 3, 4 AND 9 IN BLOCK 3 OF TEMPLE'S RESUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILWAY RIGHT-OF-WAY AND NORTH OF THE VILLAGE LIMITS OF KENILWORTH, COOK COUNTY, ILLINOIS, IN BOOK OF PLATS 98, PAGE 8, FILED AS DOCUMENT 4133672.

PARCEL 3: THAT PART OF LOT 6, LOT 7 AND LOT 8 (EXCEPT THE NORTH 36 FEET OF SAID LOT 8) IN OWNERS SUBDIVISION LYING WESTERLY OF A LINE DRAWN PARALLEL TO AND 45 FEET NORTHEASTLY OF THE SOUTHWESTERLY LINE OF LOT 7 (MEASURED AT RIGHT ANGLES) AND LYING EASTERNLY OF THE FOLLOWING DESCRIBED LINE, COMMENCING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 8, DISTANT 10.5 FEET EASTERLY OF MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF SAID SUBDIVISION; THENCE NORTHWESTERLY ON A STRAIGHT LINE PARALLEL WITH AND 10.5 FEET EASTERLY OF MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF SAID SUBDIVISION, 117.5 FEET TO A POINT, THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID SUBDIVISION, THENCE NORTHWESTERLY ALONG THE LAST DESCRIBED PARALLEL, STRAIGHT LINE TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT 8, SAID WEST LINE BEING ALSO THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN OWNERS SUBDIVISION OF LOTS 1, 2, 3, 4 AND 9 IN BLOCK 3 OF TEMPLE'S RESUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILWAY RIGHT-OF-WAY AND NORTH OF THE VILLAGE LIMITS OF KENILWORTH, COOK COUNTY, ILLINOIS, IN BOOK OF PLATS 98, PAGE 8, FILED AS DOCUMENT 4133672.

COMMONLY KNOWN AS - 454-462 WINNETKA AVENUE, WINNETKA, ILLINOIS

PARCEL 4: ALL THAT PART OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EASTERNLY OF A LINE DRAWN PARALLEL WITH AND 45 FEET EASTERLY OF THE EASTERLY RIGHT-OF-WAY OF THE CHICAGO NORTHWESTERN RAILROAD COMPANY, MEASURED AT RIGHT ANGLES THEREON.

PARCEL 5: THE WEST 45 FEET OF THE NORTH 36 FEET OF LOT 8 IN OWNERS SUBDIVISION HEREINAFTER DESCRIBED; THAT PART OF LOT 6, LOT 7 AND LOT 8 (EXCEPT THE NORTH 36 FEET OF SAID LOT 8) IN OWNERS SUBDIVISION LYING WESTERLY OF A LINE DRAWN PARALLEL TO AND 45 FEET NORTHEASTLY OF THE SOUTHWESTERLY LINE OF LOT 7 (MEASURED AT RIGHT ANGLES) AND LYING EASTERNLY OF THE FOLLOWING DESCRIBED LINE, COMMENCING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 8, DISTANT 10.5 FEET EASTERLY OF MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF SAID SUBDIVISION; THENCE NORTHWESTERLY ON A STRAIGHT LINE PARALLEL WITH AND 10.5 FEET EASTERLY OF MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF SAID SUBDIVISION, 117.5 FEET TO A POINT, THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID SUBDIVISION, THENCE NORTHWESTERLY ALONG THE LAST DESCRIBED PARALLEL, STRAIGHT LINE TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT 8, SAID WEST LINE BEING ALSO THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN OWNERS SUBDIVISION OF LOTS 1, 2, 3, 4 AND 9 IN BLOCK 3 OF TEMPLE'S RESUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILWAY RIGHT-OF-WAY AND NORTH OF THE VILLAGE LIMITS OF KENILWORTH, COOK COUNTY, ILLINOIS, IN BOOK OF PLATS 98, PAGE 8, FILED AS DOCUMENT 4133672.

SURVEY NOTES:

THE PROPERTY SHOWN HEREON IS LOCATED IN UNINCORPORATED AREA X (UNINCORPORATED AREA X) OF THE CITY OF WINNETKA, ILLINOIS. THE CITY OF WINNETKA HAS JURISDICTION OVER THE EASEMENTS, RIGHTS-OF-WAY, AND UTILITIES SHOWN HEREON. THIS SURVEY WAS COMPLETED BY THE SURVEYOR ON AUGUST 10, 2018.

THE LEGAL DESCRIPTION HEREIN DESCRIBES THE SAME PROPERTY AS INDICATED IN GREATER LENGTH. TITLE COMPANY GUARANTEE NOT VALIDATED MAY 28, 2017.

PROPERTY AREA = 20,471 SQ FT ± 82 FT ± 0.76 ACRES

PC Agenda Packet - 454-462 Winnetka - Page 29

RECEIVED
SEP 21 2001



THIS SITE PLAN IS BASED ON THE PLAN OF SURVEY PREPARED BY JON P. TICE DATED NOVEMBER 18, 1999.
SCALE: 1"=20'

LANDSCAPE SCHEDULE			
SYMBOL	DESCRIPTION	SIZE	QUANTITY
	ORNAMENTAL GRASSES		
	GRASSES		
	ANNUAL PLANTING		
	"HIBISCUS HYBRIDUS"	3'-6" H.	28
	"HIBISCUS HYBRIDUS"	4'-6" H.	14
	"HIBISCUS HYBRIDUS"	5'-6" H.	13
	"HIBISCUS HYBRIDUS"	4'-6" H.	30
	"HIBISCUS HYBRIDUS"	3'-6" H.	76
	"HIBISCUS HYBRIDUS"	4'-6" H.	8
	"HIBISCUS HYBRIDUS"	6" DL.	3
	"HIBISCUS HYBRIDUS"	6" DL.	1
	"HIBISCUS HYBRIDUS"	-	34
	"HIBISCUS HYBRIDUS"	5" DL.	<2>

NOTES

1. NO PLANTING SHALL BE INSTALLED UNTIL ALL GROUNDWATER AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
2. LANDSCAPE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS ON PROPERTY.
3. REPAIR DAMAGE TO PROPERTY FROM PLANTING AT NO COST TO OWNER.
4. LANDSCAPE CONTRACTOR SHALL GUARANTEE NEW PLANT MATERIAL FOR ONE YEAR FROM THE TIME OF ACCEPTANCE BY OWNER.
5. ALL PLANTINGS SHALL BE PROVIDED WITH HARD WOOD BARK (NON-FLOATING TYPE).

OFFICE SUITES
454 WINNETKA ROAD
LANDSCAPING PLAN

ROBERT A. MURPHY ARCHITECTS, LTD.
100 W. 42ND ST., 10TH FL., NEW YORK, N.Y. 10018-3601
TEL: 212-693-1000 FAX: 212-693-1001

DATE: _____

 428 25 8994

L1

ORDINANCE NO. M-27-2001**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS (452-462 Winnetka Avenue and 82-86 Tempel Court)**

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

PARCEL 1: That part of Lot 6 lying Easterly of a line drawn parallel to and 45 feet Northeasterly from (measured at right angles to) the Westerly line of said Lot 6 in Owners Subdivision of Lots 1, 2, 3, 4 and 5 in Block 3 of Tempel's Resubdivision of that part of the West half of the Northeast quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, lying East of the Chicago and Milwaukee Electric Railway right of way and North of the Village limits of Kenilworth, Cook County, Illinois, in Book of Plats 98, Page 9, filed as Document 4133672.

PARCEL 2: Lot 7 and 8 (except the West 45 feet of the North 56.16 feet of Lot 8 and except all that part of Lot 7 and Lot 8 (except the North 56.16 feet of said Lot 8) lying Westerly of a line drawn parallel to and 45 feet Northeasterly of the Southwesterly line of Lot 7 (measured at right angles) in Owners Subdivision of Lots 1, 2, 3, 4 and 5 in Block 3 of Tempel's Resubdivision of that part of the West half of the Northeast quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, lying East of the Chicago and Milwaukee Electric Railway right of way and North of the Village limits of Kenilworth, Cook County, Illinois, in Book of Plats 98, Page 9, filed as Document 4133672.

PARCEL 3: That part of Lot 6, Lot 7 and Lot 8 (except the North 56.16 feet of said Lot 8) in Owners Subdivision lying Westerly of a line drawn parallel to and 45 feet Northeasterly of the southwesterly line of Lot 7 (measured at right angles) and lying Easterly of the following described line: Commencing at a point in the southerly line of said Lot 6, Distant 10.0 feet Easterly of (measured at right angles to) the Southwesterly line of said Subdivision, 187.52 feet to a point; thence Southwesterly at right angles to the last described course, 8.75 feet to a point in a line which is parallel with and 1.25 feet Easterly of, measured at right angles to the Southwesterly line of said Subdivision; thence Northwesterly along the last described parallel straight line to an intersection with the West line of said Lot 8, said West line being also the East line of the Northwest quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, Owners Subdivision of Lots 1, 2, 3, 4 and 5 in Block 3 of Tempel's Resubdivision of that part of the West half of the Northeast quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, lying East of the Chicago and Milwaukee Electric Railway right of way and North of the Village limits of Kenilworth, Cook County, Illinois, in Book of Plats 98, Page 9, filed as Document 4133672.

PARCEL 4: All that part of the Northwest quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, lying Easterly of a line drawn parallel with and 41.25 feet Easterly of the Easterly right of way of the Chicago Northwestern Railway Company, measured at right angles thereto.

PARCEL 5: The West 45 feet of the North 56.16 feet of Lot 8 in Owner's Subdivision (Hereinafter described) that part of Lot 6, Lot 7 and Lot 8 (except the North 56.16 feet of said Lot 8) in Owner's Subdivision lying Westerly of a line drawn parallel to and 45 feet Northeasterly of the Southwesterly line of Lot 7 (measured at right angles) and lying Easterly of the following described line: Commencing at a point in the Southerly line of said Lot 6, Distant 10.0 feet Easterly of measured at right angles to the Southwesterly line of said subdivision; thence Northwesterly on a straight line parallel with and 10.0 feet Easterly of measured at right angles, to the Southwesterly line of said subdivision, 187.52 feet to a point, thence Southwesterly at right angles to the last described course, 8.75 feet to a point in a line which is parallel with and 1.35 feet Easterly of, measured at right angles to the Southwesterly line of said subdivision, thence Northwesterly along the last described parallel straight line to an intersection with the West line of said Lot 8, said West line being also the East line of the Northwest quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, in Owners Subdivision of Lots 1, 2, 3, 4 and 5 in Block 3 of Tempel's Resubdivision of that part of the West half of the Northeast quarter of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, lying East of the Chicago and Milwaukee Electric Railway right of way and North of the Village limits of Kenilworth, Cook County, Illinois, in Book of Plats 98, Page 9, filed as Document 4133672,

commonly known, collectively, as 452-462 Winnetka Avenue and 82-86 Tempel Court, Winnetka, Illinois, and located in the C-1 Commercial Zoning District provided in the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, for a special use permit pursuant to Chapter 17.56 of the Winnetka Zoning Ordinance, for the construction of a parking lot at grade level; and

WHEREAS, the owner of the Subject Property has also submitted an application for a variation from the landscaping requirements of Section 17.40.010(O) of the Winnetka Zoning Ordinance, to allow a reduced landscape buffer along the east and west property lines, although a landscape buffer of 5.0 feet is required, resulting in a variation of 4 feet (80%), to permit the parking area to be located within one foot of the property line on the Subject Property; and

WHEREAS, the special use permit and variation are being sought in conjunction with the renovation and redevelopment of the existing building on the Subject Property, which will replace existing retail commercial space on the first floor with 27 office spaces, will renovate the 25 residential apartments on the second floor, and will add two new apartments in the attic space; and

WHEREAS, the existing building on the subject Property was built in 1920 as a mixed use building with retail commercial space on the first floor and offices and apartments on the second floor; and

WHEREAS, the commercial space on the first floor has been vacant for several years; and attempts to redevelop the first floor as commercial space have not been successful; and

WHEREAS, on August 22, 2001, on due notice thereof, the Plan Commission met to consider the request for the special use permit and, by the favorable vote of the nine members then in attendance, has found that the proposed redevelopment of the Subject Property is consistent with 27 of 30 applicable provisions of *Winnetka 2020*, The Winnetka Comprehensive Plan, and has recommended that the Village Council grant the special use permit; and

WHEREAS, on September 10, 2001, on due notice thereof, the Zoning Board of Appeals conducted a public hearing on the special use and requested variation and, by the favorable vote of the five members then present, has reported to the Council recommending that the requested variation be granted; and

WHEREAS, on September 18, 2001, the Village Council adopted Resolution R-34-2001, granting a certificate of appropriateness that approved the design and materials for the exterior building renovations and approved the proposed landscape plan; and

WHEREAS, the existing building is currently served by a grade-level, gravel parking lot that has no drainage facilities; and

WHEREAS, the proposed changes to the parking lot will add pavement, drainage and stormwater detention, and will increase the number of parking spaces from approximately 29 marked spaces to 39 spaces; and

WHEREAS, although the proposed number of parking spaces does not meet the zoning ordinance's requirement to provide 2¼ spaces per residential unit, no variation is required for the parking because the building was constructed before 1998 and because the number of residential units requiring parking is being increased less than 15%; and

WHEREAS, there are practical difficulties and unique hardships associated with carrying out the strict application of the Zoning Ordinance with respect to the landscape buffer required for the Subject Property in that: (a) the Subject Property is an irregularly shaped parcel that abuts the east side of the Union Pacific Railroad right-of-way embankment south of the Winnetka Avenue right-of-way; (b) the proposed redevelopment of the Subject Property involves preserving the existing building, which precludes expanding the size of the parking area; (c) the proposed reduction in the size of the landscape buffer will allow the applicant to maximize the number of off-street parking spaces that can be provided; (d) the on-street parking spaces located along the south side of Winnetka Avenue adjacent to the Subject Property are short-term parking spaces; and (e) all the parking spaces along the north side of Winnetka Avenue across from the Subject Property, all of the spaces along the east side of Wilson Avenue on the south side of Winnetka Avenue, have been reserved for use by New Trier High School on school days pursuant to an agreement with the Village of Winnetka; and

WHEREAS, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Ordinance, because providing a full, 5-foot wide landscaped buffer around the perimeter of the parking lot would reduce the number of available parking spaces and impede ingress and egress to the spaces, which would deter potential tenants from renting space in the building; and

WHEREAS, the requested variation will not alter the essential character of the neighborhood, because it will preserve and improve the appearance of the existing building, which has been a fixture in the neighborhood for approximately 80 years; and

WHEREAS, the requested variation will not impair an adequate supply of light and air because it does not affect the building footprint or building height; and

WHEREAS, the requested landscape variation will not increase the hazard from fire and other dangers to the Subject Property, because it does not affect the building structure, the renovation of which will comply with all applicable building and fire protection codes, and because the variation will allow maximum configuration of the parking, thereby increasing the Subject Property's accessibility by emergency vehicles; and

WHEREAS, there is no evidence that the requested variation will not diminish the taxable value of land and buildings throughout the Village, and the taxable value of the Subject Property may be increased because of the proposed improvements; and

WHEREAS, the requested landscape buffer variation will not contribute to congestion on the public streets, because: (a) it will allow the number of useable parking spaces on the Subject Property to be increased to 39; and (b) the proposed office uses will not generate as much traffic as retail commercial uses in the same space; and

WHEREAS, there is no evidence that the requested landscape buffer variation will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; and

WHEREAS, the requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance, in that it provides landscaping on the Subject Property to the extent it is reasonably possible, while supporting the renovation, restoration and rehabilitation of a structurally sound existing building while maintaining the existing scale and appearance of the community and protecting established trees and landscaping; and

WHEREAS, there is no evidence that the public health, safety, comfort, morals and welfare of the inhabitants of the Village will be impaired by the grade level parking lot and

WHEREAS, the proposed exterior parking at ground level will benefit the public health, safety, comfort and welfare of the inhabitants of the Village in that: (a) it will increase the number of off-street parking spaces in an area where parking demand exceeds supply; (b) it will provide adequate drainage for the parking area; and (c) it will improve the appearance of the Subject Property; and

WHEREAS, the proposed ground level parking will further benefit the public health, safety, comfort and welfare of the inhabitants of the Village because it can be constructed without excavating a substantial portion of the Subject Property, thereby reducing the impact of the construction activity and equipment on Winnetka Avenue, which is a heavy traffic area near New Trier High School; and

WHEREAS, the proposed ground level parking area will further benefit the public health, safety, comfort and welfare of the inhabitants of the Village, because it will improve the flow of traffic as it enters and leaves the Subject Property; and

WHEREAS, there is no evidence that the proposed ground level parking will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; and

WHEREAS, the increased number of parking spaces provided by the proposed ground level parking will help to reduce the demand for parking demand in the streets and parking lots in the immediate vicinity; and

WHEREAS, there is no evidence that the proposed ground level parking, if constructed in accordance with the conditions set forth in this ordinance, will be substantially injurious to the use and enjoyment of other property in the immediate vicinity; and

WHEREAS, there is no evidence that construction of the proposed ground level parking subject to the terms and conditions of this ordinance will impede the normal and orderly development or improvement of other property in the immediate vicinity; and

WHEREAS, adequate measures have been taken to provide ingress and egress in a manner that minimizes pedestrian and vehicular traffic congestion in the public ways, in that the proposed off-street parking is configured so as to avoid, to the extent possible, interfering with pedestrian and vehicular traffic; and

WHEREAS, adequate utilities, access roads, drainage and other facilities necessary for the operation of the proposed special use on the Subject Property will be provided when the proposed ground level parking is constructed in compliance with applicable Village Code requirements; and

WHEREAS, the proposed ground level parking, when constructed in accordance with the terms and conditions of this ordinance, will conform to the applicable regulations of the Zoning Ordinance and the Winnetka Village Code.

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

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

SECTION 2: Subject to the terms and conditions hereinafter set forth, there is hereby granted to the Subject Property, commonly known, collectively, as 452-462 Winnetka Avenue and 82-86 Tempel Court, Winnetka, Illinois, and located in the C-1 Commercial Zoning District provided in the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, a variation from the landscaping requirements of Section 17.40.010(O) of the Winnetka Zoning Ordinance, to allow a reduced landscape buffer along the west property lines, although a landscape buffer of 5.0 feet is required, resulting in a variation of 4 feet (80%), to permit the parking area to be located within one foot of the west property line on the Subject Property, so as to maintain the full, 5.0-foot landscape buffer adjacent to the single-family properties to the east, all in accordance with the plans, materials and elevations submitted with the application for special use permit, as modified and depicted in the landscape and parking plans approved by the Village Council in Resolution R-34-2001.

SECTION 3: Subject to the terms and conditions hereinafter set forth, there is hereby granted to the Subject Property, commonly known, collectively, as 452-462 Winnetka Avenue and 82-86 Tempel Court, Winnetka, Illinois, and located in the C-1 Commercial Zoning District provided in the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, a special use permit as provided in Chapter 17.56 of the Winnetka Zoning Ordinance, to allow the construction of parking lot at grade level,

in accordance with the plans, materials and elevations submitted with the application for special use permit, and in accordance with the landscape and parking plans approved in Resolution R-34-2001.

SECTION 4: That the variation and special use hereby granted are subject to the following conditions: (a) the proposed construction shall commence within 12 months after the effective date of this Ordinance; (b) none of the parking spaces shall be used by or rented to any person who is not either a resident of the building, a commercial tenant of the building, or an employee of a commercial tenant of the building; (c) in assigning parking spaces, the owner and its agents shall give first priority to residential tenants, except that no more than two parking spaces shall be reserved for any one apartment; and (d) the owner and its agents shall be responsible for posting all necessary notices and otherwise providing for the enforcement of the foregoing parking restrictions.

SECTION 5: The stipulations, conditions and restrictions set forth in the foregoing Section 4 of this Ordinance may be modified or revised from time to time by the Village Council following public notice and hearing, following the procedures specified in Section 17.56 of the Winnetka Village Code for processing special use applications.

SECTION 6: This Ordinance shall take effect immediately upon passage, approval and posting.

ADOPTED this 16th day of October, 2001, pursuant to the following roll call vote:

AYES: Trustees Aquilino, Brower, Greenough, Powell, Presser and Woodbury

NAYS: None

ABSENT: None

APPROVED this 16th day of October, 2001.

Signed:

/s/Michael F. Duhl

Village President

Countersigned:

/s/Douglas G. Williams

Village Clerk

Introduced: October 2, 2001

Posted: October 3, 2001

Passed and Approved: October 16, 2001

Posted: October 17, 2001

ATTACHMENT F

October 16, 2001

**MINUTES
WINNETKA VILLAGE COUNCIL REGULAR MEETING**

(Adopted November 6, 2001)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chamber on Tuesday, October 16, 2001, at 7:30 p.m.

1. Call to Order.

President Michael Duhl called the meeting to order at 7:30 p.m. Present: Trustees Barbara Aquilino, Hugh Brower, Nan Greenough, John Powell, Stephen Presser and Edmund Woodbury. Absent: None. Also present: Village Attorney Katherine Janega, Assistant Community Development Director Brian Norkus, Director of Public Works Steven Saunders and about 36 persons in the audience.

2. Pledge of Allegiance.

President Duhl led the group in pledging allegiance to the flag.

3. Approval of the Agenda.

The Council approved the Agenda as drafted.

4. Quorum

- a) November 6, 2001, Regular Meeting. All of the Trustees present indicated that they expected to attend.
- b) November 13, 2001, Study Session. All of the Trustees present indicated that they expected to attend.

5. President Duhl introduced Deputy Police Chief Eric Bennett, who will be serving as the Village's Interim Chief while the Village Manager conducts a national search for a replacement for Chief Gallagher.

6. Village Council Minutes.

- a) October 2, 2001, Regular Meeting. Trustee Presser moved to adopt the minutes as drafted. Trustee Aquilino seconded the motion. By voice vote, the motion carried unanimously.

7. Public Comment and Questions.

Mollybelle Berish commented on the progress of the installation of benches at the Village's train stations. She also inquired whether a meeting scheduled among the various Village board presidents and the boards' chief operating officers constituted a public meeting. Both President Duhl and Attorney Janega informed her that it is not a meeting, as defined in the Open Meetings Act and, therefore, is not subject to that Act.

8. Ordinances and Resolutions.

- a) Ordinance No. M-25-2001 - Zoning Variation: 266 Linden Street - Adoption. Trustee Aquilino, seconded by Trustee Powell, moved to adopt the ordinance granting a GFA variation to allow for a stair enclosure addition. By roll call vote, the motion carried unanimously. Ayes: Trustees: Aquilino, Powell, Woodbury, Greenough, Brower, and Presser. Nays: None. Absent: None
- b) Ordinance No. M-26-2001 - Zoning Variation: 649 Locust Street - Adoption. Trustee Presser, seconded by Trustee Greenough, moved to adopt the ordinance granting a side yard variation. By roll call vote, the motion carried unanimously. Ayes: Trustees Presser, Aquilino, Powell, Woodbury, Greenough, and Brower. Nays: None. Absent: None.
- c) Ordinance No. M-27-2001- Special Use Permit and Zoning Variation: 452-458 Winnetka Avenue/82-86 Tempel Court - Adoption. Attorney Janega briefly summarized action on this issue and reviewed recent correspondence from the applicant agreeing to give residents the first priority on parking. She also commented on amendments drafted into the ordinance as a result of Council's discussion at the last meeting.

Trustee Woodbury again urged that the ordinance specify a designated number of spaces for residential parking. He voiced concern that the number of vehicles associated with office tenants will exceed that predicted by the applicant, resulting in residents being

forced on to the street where there is no parking available.

Dave Kase, the applicant, expressed confidence in their projections and reiterated his commitment to make residential parking the first priority. He noted that at present no shared parking program has been instituted, but that there will be numbered, assigned spaces, with specific passes issued for them.

Trustees Aquilino and Greenough voiced concern that resident assigned spaces might sit unutilized during the day and expressed the belief that market pricing would probably take care of any problems. Most of the Trustees concurred.

Following further discussion about whether spaces should be reserved, Attorney Janega suggested deleting the condition requiring spaces to be reserved for patrons and guests. She also suggested inserting a new Section 5, to add a condition to the Special Use Permit reserving the right of the Council to reexamine and modify the parking conditions in the future if experience makes that necessary.

Trustee Presser, seconded by Trustee Greenough, moved to amend the ordinance as shown in the agenda materials, with further changes as discussed. By voice vote, the motion carried unanimously.

Trustee Greenough, seconded by Trustee Aquilino, moved to the ordinance granting a Special Use Permit and landscape variation. By roll vote, the motion carried unanimously. Ayes: Trustees Greenough, Brower, Presser, Aquilino, Powell, and Woodbury. Nays: None. Absent: None.

d) Resolution No. R-36-2001 - Remote Parking Lot Fees - Adoption. Manager Williams explained that this resolution would permit the Village Manager to issue permits to allow parking on a limited basis at the Village's landfill site by businesses located in the Village. He said that the number of spaces and areas used will not interfere with the Village's use of the site. The resolution establishes a semi-annual charge per vehicle of \$120.00. He noted that this is below the threshold that triggers the Cook County Parking Tax.

Trustee Powell, seconded by Trustee Aquilino, moved to adopt the resolution. By roll call vote, the motion carried unanimously. Ayes: Powell, Woodbury, Greenough, Brower, Presser and Aquilino. Nays: None. Absent: None.

e) Ordinance No. MC-10-2001 - Amends Zoning Ordinance as it Pertains to Non-essential Public Uses - Policy Direction. Attorney Janega explained the genesis of the term "non-essential public uses." She said that this preliminary draft ordinance had been prepared at Council's direction after the October 9th study session, to clarify the use of the term by adding a definition of the term to the Zoning Ordinance. She noted that amending the Zoning Ordinance requires a public hearing, which historically has been conducted by the Village Council, sitting as a Committee of the Whole. She reported that notice would be published for such a hearing to be held on November 6, 2001, should the Council decide to proceed with considering the amendment.

Trustee Presser, seconded by Trustee Woodbury, moved to designate the Village Council, sitting as a Committee of the Whole, as the body before which the proposed zoning amendment should be heard and to set the hearing date for Tuesday, November 6, 2001. By roll call vote, the motion carried unanimously. Ayes: Trustees Presser, Aquilino, Powell, Woodbury, Greenough, and Brower. Nays: None. Absent: None.

f) Ordinance No. M-28-2001 - Special Use Permit & Variation: 411 Linden - Introduction.

Attorney Janega reviewed the draft ordinance prepared after the October 9th study session at which Council determined that the Historical Society is eligible to apply for a special use permit and that it had met the standards for both the special use permit and the requested rear yard setback variation. She explained that the draft contains an extensive recital of the Council's findings, grants the special use and variation, and imposes several conditions, as discussed on October 9th. In addition, it provides for ongoing evaluation of the impact and reserves the right of the Council to modify and revise those conditions from time to time as necessitated by experience.

President Duhl indicated that the Council would discuss the draft an item at a time with the goal of introducing an orally amended draft at this meeting. He pointed out that there will be a new draft, incorporating comments made this evening, for review at the next meeting. Mr. Duhl invited the audience to make remarks about the conditions as the discussion progressed.

President Duhl then led a discussion of the conditions, one at a time.

There were no comments with regard to the construction timeframe.

After extensive discussion about exterior lighting and signage, it was decided to have both aspects be subject to final review by the Village Council after consideration and recommendation by the Design Review Board. It was agreed that exterior security lighting be consistent with that of a single-family residence and be operated by motion sensors and/or timers, and the