

**Winnetka Village Council
REGULAR VIRTUAL MEETING**

Zoom
April 8, 2021
7:00 PM

AGENDA

In accordance with social distancing requirements and Governor Pritzker's Executive Orders 2020-43 and 2020-44, and Section 7(e) of the Illinois Open Meetings Act, the Winnetka Village Council meeting on Thursday, April 2, 2021 will be held virtually. The meeting will be livestreamed via the Zoom platform. At least one representative from the Village will be present at Village Hall in compliance with Section 7(e) of the Illinois Open Meetings Act, and the virtual meeting will be simulcast at Village Hall for members of the public who do not wish to view the virtual meeting from another location. Pursuant to Executive Orders 2020-43 and 2020-44 issued by the Governor, the number of people who may gather at Village Hall for the meeting is limited due to the mandated social distancing guidelines. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a "first come, first-served" basis.

The public has two options for observing and participating in this virtual Village Council meeting including the ability to provide oral comments during the meeting. To facilitate an efficient meeting, public comments submitted in advance are encouraged.

- 1) Telephone (audio only Call 312-626-6799), when prompted enter the Meeting ID – 96469448953 (Please note there is no additional password or attendee ID required)
- 2) Livestream (both audio and video feed) Download the Zoom meetings app to your smartphone, tablet or computer and then join Meeting ID: 96469448953. Event Password: VC040821

Public comments should be emailed to contactcouncil@winnetka.org. Public comments received by 6:45 p.m. on Thursday, April 2, 2021 will be read at the appropriate time during the meeting. General comments for matters not on the agenda will be read at the beginning of the meeting under the Public Comment agenda item. Comments specific to a particular agenda item will be read during the discussion of that agenda item. The Village will attempt to have comments received after the meeting has started read at the end of the meeting. Public comment is limited to 200 words or less. Public comments should contain the following information:

- In the subject line – "Village Council Meeting Public Comment"
- Name
- Address (optional)
- Phone (optional)
- Organization or agency representing, if applicable
- General comment or comment on topic of specific agenda item number

All emails received will be acknowledged either during or after the meeting, depending on when they are received. If you do not have access to email, you may leave a message with your public comment at the Village Manager's office at 847-716-3541 or mail to Village Clerk, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093.

**Winnetka Village Council
REGULAR VIRTUAL MEETING**

Village Hall
510 Green Bay Road
Thursday, April 8, 2021
7:00 p.m.
Zoom

AGENDA

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Quorum
 - a) April 13, 2021 Study Session
 - b) April 20, 2021 Regular Meeting
 - c) May 4, 2021 Regular Meeting
- 4) Public Comment
- 5) Presentation – Cook County Board President Toni Preckwinkle
- 6) Reports
- 7) Proclamation Honoring Retiring Fire Chief Alan Berkowsky 3
- 8) Approval of Agenda
- 9) Consent Agenda
 - a) Approval of Village Council Minutes:
 - i) March 2, 2021 Regular Meeting4
 - ii) March 9, 2021 Special Meeting11
 - iii) March 16, 2021 Regular Meeting15
 - b) Approval of Warrant List dated March 12 – April 1, 202119
 - c) Ordinance No. M-6-2021: 688-694 Green Bay Road – The Walden Preliminary
Planned Development (Adoption)20
 - d) Resolution No. R-40-2021: Repair Groundwater Monitoring Wells at Municipal
Landfill (Adoption).....109
 - e) Resolution No. R-45-2021: Extending Temporary Tent Approval for Schools
(Adoption).....122
 - f) Resolution No. R-46-2021: Purchase of Leaf Collector (Adoption)201

g) Resolution No. R-47-2021: Curbside Collection Refuse Rates (Adoption)	207
h) Resolution No. R-48-2021: Purchase of Pad-Mount Metering Gear (Adoption)	210
10) Ordinances and Resolutions	
a) Ordinance No. M-8-2021: 651 Elm Street Variation (Introduction / Adoption)	230
11) Old Business: None	
12) New Business	
a) 880 Willow Zoning Variations (Policy Direction)	296
13) Appointments	
14) Closed Session	
15) Adjournment	

NOTICE

All agenda materials are available at [villageofwinnetka.org](https://www.villageofwinnetka.org) (Governance > Agendas & Minutes); the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor). Webcasts of the meeting may be viewed on the Internet via a link on the Village's web site:
<https://www.villageofwinnetka.org/AgendaCenter>.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all persons with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities, contact the Village ADA Coordinator, 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3545; T.D.D. 847-501-6041.



Honoring Fire Chief Alan Berkowsky upon his Retirement from the Village of Winnetka

WHEREAS, Alan Berkowsky has faithfully served as Chief of the Winnetka Fire Department since April 2011; and

WHEREAS, Chief Berkowsky displayed the highest standards of personal and professional ethics, competency and dedication throughout his career in Winnetka; and

WHEREAS, Chief Berkowsky brought command and control rescue training to the Mutual Aid Box Alarm System Division 3, which was eventually taught and published nationally; and

WHEREAS, Chief Berkowsky created, authored, and updated the Village's Emergency Operations Plan; and

WHEREAS, during his tenure in Winnetka, Chief Berkowsky supervised a project to update Winnetka's fire codes, oversaw several important remodeling projects at the Fire Station, and ensured that ongoing facility maintenance was completed in a cost-effective and timely fashion; and

WHEREAS, Chief Berkowsky created an intergovernmental agreement coordinating a regional fire inspection program between Winnetka, Kenilworth, and Northfield; and

WHEREAS, Chief Berkowsky was instrumental in the creation of the Mutual Aid Box Alarm System Division 3 Vaccination Point of Delivery program, enabling municipalities to vaccinate essential municipal workers and teachers during the COVID-19 pandemic; and

WHEREAS, Chief Berkowsky has invested in the professional development of the next generation of leaders in the Fire service; and

WHEREAS, Chief Berkowsky retired from his role as Chief of the Fire Department on April 9, 2021; and

NOW THEREFORE, the Council of the Village of Winnetka honors Alan Berkowsky for his contributions to the safety of the Village of Winnetka, and thanks him for his tireless work to keep our community members safe.

Christopher Rintz, President
Village of Winnetka

Robert Bahan, Village Manager
Village of Winnetka

Dated: _____

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR VIRTUAL MEETING
March 2, 2021**

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held virtually on the Zoom videoconference platform on Tuesday, March 21, 2021, at 7:00 PM.

- 1) Call to Order. President Rintz called the meeting to order at 7:00 PM. Manager Bahan called the roll. Present: Trustees Robert Apatoff, Jack Coladarci, Andrew Cripe, Robert Dearborn, Penfield Lanphier, and John Swierk. Absent: None. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Village Attorney Peter Friedman, Deputy Fire Chief John Ripka, Community Development Director David Schoon, and approximately 37 persons in the audience.
- 2) Pledge of Allegiance. Trustee Coladarci led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) March 9, 2021 Study Session. All of the Council members present said they expect to attend. Manager Bahan explained that this meeting would be scheduled as a special meeting to review The Walden planned development.
 - b) March 16, 2021 Regular Meeting. All of the Council members present said they expect to attend.
 - c) Thursday, April 8, 2021 Regular Meeting. All of the Council members present said they expect to attend.
- 4) Public Comment. Rick Kasten, Winnetka resident. Mr. Kasten asked if the Village can do anything about coyotes in Winnetka. Manager Bahan explained that because Winnetka is so close to the Forest Preserves, there is little the Village can do to contain the animals. He said the Village does not have a program to cull Coyotes; and he offered to call Mr. Kasten and discuss the issue with him further.
- 5) Reports:
 - a) Trustees. None.
 - b) Attorney. None.
 - c) Manager. Manager Bahan reported that on Wednesday, February 24 Winnetka participated in a Covid-19 vaccine clinic in conjunction with the Cook County Department of Public Health and in partnership with other area municipalities. Nearly 500 people were vaccinated that day, and Assistant Village Manager Kristin Kazenas was the lead Winnetka official helping to run the clinic.
 - d) Village President. President Rintz commended Manager Bahan, Fire Chief Berkowsky, and the Wilmette Village Manager for persisting with Cook County to get the vaccine doses and administer them to essential personnel in the MABAS jurisdiction.

Winnetka Village Council Regular Virtual Meeting**March 2, 2021**

- 6) Approval of the Agenda. Trustee Cripe, seconded by Trustee Lanphier, moved to approve the Agenda. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: None.

7) Consent Agenda

- a) Village Council Minutes.

i) February 2, 2021 Regular Virtual Meeting.

ii) February 9, 2021 Virtual Study Session.

iii) February 16, 2021 Regular Virtual Meeting.

- b) Approval of Warrant List dated February 12 - 25, 2021 in the amount of \$1,399,495.07.

- c) Resolution No. R-30-2021: Refuse Containers and RFID Equipment Purchase (Adoption).

- d) Resolution No. R-31-2021: Landscape Maintenance Services Contract (Adoption).

- e) Resolution No. R-32-2021: Use of MFT Funding for Street Rehabilitation (Adoption).

- f) Resolution No. R-33-2021: Security for Construction on State Highways (Adoption).

- g) Resolution No. R-34-2021: Purchase of 600 Volt Underground Cable (Adoption).

- h) Resolution No. R-36-2021: 566 Chestnut Street Easement Agreement (Adoption).

- i) Resolution No. R-37-2021: 852 Spruce Street Easement Agreement (Adoption).

- j) Resolution No. R-38-2021: Withdrawal from Intergovernmental Personnel Benefit Cooperative Sub-Pool and Authorizing Petition for Full Membership (Adoption).

Trustee Lanphier, seconded by Trustee Apatoff, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: None.

8) Ordinances and Resolutions.

- a) Resolution No. R-35-2021: Creating a Regional Fire Training Tower Cooperative (Adoption). Deputy Chief Ripka explained that Winnetka's fire training tower needs significant repairs; hoping to save costs for Winnetka, the Fire Department approached three neighboring municipalities to form a regional training cooperative. The cooperative would share costs associated with upkeep and maintenance of the training tower facility in exchange for use of the tower to train their personnel. Training officers from each department will meet regularly to ensure smooth operation of the facility.

There was no public comment and no questions or comments from the Council. This matter was discussed by the Council at the 2021 Budget meeting.

Trustee Dearborn, seconded by Trustee Apatoff, moved to adopt Resolution No. R-35-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: None.

Winnetka Village Council Regular Virtual Meeting**March 2, 2021**

- b) Ordinance No. MC-2-2021: Demolition Delay & Building Size Bonus for Historic Homes (Public Hearing and Introduction). President Rintz opened the Public Hearing at 7:21 PM. He explained that public comment would be taken immediately after

Mr. Schoon reviewed the Council's discussion leading to the drafting of a Code amendment Ordinance to extend the current demolition delay and add a provision for a gross floor area (GFA) bonus for those homeowners who choose to preserve their historic home rather than demolish it. Pursuant to thorough discussion at previous Council meetings, the following provisions have been added to the draft Ordinance:

- The 270-day demolition delay period would begin on the date the LPC holds its preliminary review of a demolition application. Currently, a typical delay period for a home found to be significant is 150-180 days from the submittal of a demolition application; under the new amendment, a typical delay period would be 300-330 days from the date of application.
- Applicants going through the demolition process who receive a determination from the LPC that their home is historically or architecturally significant have the option to change their plans and pursue renovation of the home using the GFA bonus. In addition, homeowners who believe their home is significant may apply to the LPC for the GFA bonus.
- The Ordinance provisions will apply to current demolition permits already under consideration by the Landmark Preservation Commission (LPC). Given that these demolition applications are already in process, a demolition delay issued in these instances for a home found to be significant would begin from the date the application was submitted and would be 270 days.
- Criteria has been added to better define critical exterior historical/architectural features that must be preserved once a GFA bonus is received.
- Properties previously found to be historically/architecturally significant which have been preserved are eligible to apply for the GFA bonus. Landmarks would automatically qualify for the GFA bonus if they have not been altered inappropriately as determined by the LPC.

Mr. Schoon explained that his department conducted research in response to a question about how the GFA bonus would affect other zoning provisions for the property. He stressed that any zoning relief sought under these conditions will need to be evaluated on a case-by-case basis since each parcel is unique. In most instances, conforming lots should be able to accommodate the additional GFA without needing additional zoning relief; however, smaller lots may need setback relief, depending upon the layout and configuration of the home.

Ms. Kazenas began polling the audience for comments.

Scott Myers, Winnetka resident and former Village Trustee. Mr. Myers noted that the balance between the public good and individual rights has been skewed in recent years with the result that too many significant homes worth preserving have been demolished. However, he cautioned against finding too many homes to be architecturally or

Winnetka Village Council Regular Virtual Meeting**March 2, 2021**

historically significant and called for a Council appeals process to provide a check on the LPC determinations.

Beth Ann Papoutsis, LPC Commissioner. Ms. Papoutsis said not every vintage property reviewed by the LPC is deemed significant and in need of an HAIS. The LPC carefully evaluates each demolition application using input from the Winnetka Historical Society, Landmarks Illinois, and neighbor testimony. She expressed support for preserving homes that are truly historically or architecturally significant.

Scott from Brightleaf urged the Council to apply the 270-day demolition delay on the date a demolition application is submitted, since the completion of an HAIS can take 60-90 days. Attorney Friedman clarified that the start of the delay period for applications already underway when the Ordinance is potentially passed is the date the application was submitted. Mr. Schoon further clarified that going forward, the 270-day delay will begin on the date the LPC holds its preliminary review of the demolition application, not the date an HAIS is received.

Leo Birov, Winnetka resident. Mr. Birov said a longer demolition delay affects the value of the homes and that the current economic outlook is too uncertain to make changes to it. In addition, he called for input from the Caucus and a referendum from the community before enacting the Subject Ordinance.

Nan Greenough, Winnetka resident and former Chair of the LPC. Ms. Greenough noted studies show that landmarked properties do not suffer in property values; the standards are very well defined and national standards are used in Winnetka's landmark ordinance; and the numerical values developed for historic characteristics are applied in a consistent manner.

Jeff Jaymont, Winnetka resident. Mr. Jaymont expressed his concern that the Council was overreaching its authority by considering the Subject Ordinance and could lead to complications that pit neighbor against neighbor. He agreed that a community referendum should decide the issue.

Betsy Owens, 228 Myrtle Street. Ms. Owens asked how many homes are likely to go through the demolition review process. President Rintz said this would be discussed during Council deliberation.

Laura Good, LPC Commissioner. Ms. Good commended the Council's efforts in trying to preserve Winnetka's significant properties. She recommended the community listen to a presentation called "The Power of Uniqueness" from April 25, 2017 on YouTube. She said preservation of significant properties contributes to Winnetka's beauty, history, and culture.

Mickey Archambault, Winnetka resident. Mr. Archambault said the sellers of homes that are potentially significant should be required to inform potential buyers that a demolition might be a difficult endeavor. He called for the creation of a list of significant homes in Winnetka and agreed that a community referendum is called for.

Chris Enck, LPC Commissioner. Mr. Enck said the LPC sees many demolition applications in relation to the size of the Village and he expressed support for the Subject Ordinance as it will bring Winnetka in line with neighboring communities.

Winnetka Village Council Regular Virtual Meeting**March 2, 2021**

Dina Sporel, Maple Street. Ms. Sporel expressed support for the Subject Ordinance as the diversity of the housing stock was one of the reasons she moved to the Village. She added that too many Winnetka homes that should have been preserved have been demolished.

Katie Comstock, 854 Prospect Avenue. Ms. Comstock expressed support for the Subject Ordinance, as Winnetka's architectural heritage needs to be preserved.

Ms. Kazenas read emails from the following people in favor of the Subject Ordinance: Dan Waters, 463 Willow Road; Nancy & Bill Yurek, 647 Lincoln Avenue; Sandy & Greg Welch, Winnetka residents; Patti VanCleave, 1047 Elm Street; Mindy Turitz, Winnetka resident; Mary Trieschmann, Director of the Winnetka Historical Society; Melissa Schaefer, 985 Spruce Street; Debbie & Jeff Ross, Winnetka residents; Mike & Nancy Ritter, 255 Chestnut Street; Julie Pagliaro, 848 Lincoln Avenue; J.A. Offerle, 112 Fuller Lane; Cathy Nowacki, 708 Prospect Avenue; Lori Nielsen, 567 Oak Street; Dave Murdoch, Pine Street; Maggie Meiners, 480 Willow Road; Suzy & Tom Lyman, Winnetka residents; Joe Long, 700 Ardsley; Justine Hourihane, 491 Hawthorn Lane; Sara Ann & Joel Harris, 516 Orchard Lane; Elisha & Nina Gray, 1125 Spruce Street; Jennifer Felderman, 530 Willow Road; Joan Evanich, 779 Bryant Avenue; Lisa & Cary Cochrane, 270 Fairview Avenue; Mary-Audrey Atteberry, 769 Foxdale; Linda & Peter Arts, Winnetka residents; Bethany Crocker, 559 Oak Street; Susan Curry, 375 Hawthorn Lane; Nancy Davis, 637 Hill Road; and James & Penny DeYoung, Winnetka residents.

Ms. Kazenas read emails from the following people against passage of the Subject Ordinance: Chris Veech, Winnetka resident; John Phillips, Kenilworth resident; Bill Phillips, 885 Hill Road; George Pappas, 1024 Cherry Street; Mark Mitchell, 224 Sheridan Road; Sarah Elder Lyons, Winnetka resident; Josh, Winnetka resident; and Steve Aisen, Newgard Homes.

President Rintz reminded the Trustees that the preservation issue has been extensively discussed in prior meetings, and much public comment has been heard. Therefore, tonight's discussion should be limited to the amendments to the draft Ordinance. He asked if the Subject Ordinance provides an appeal in the event a homeowner does not agree with an LPC decision. Attorney Friedman explained that there is an appeal for a determination about renovations to a significant home. Any further appeals should be discussed by the Council.

Trustee Cripe agreed that an appeal for property owners unhappy with either a demolition delay determination or a denial of the GFA bonus should be provided. He asked if the application fee is refunded in the event a demolition permit application is withdrawn. Mr. Schoon explained that a small portion is kept for Village processing expenses, but the bulk of the fee is returned to the applicant if the demolition does not go forward.

Trustee Swierk urged the Council to continue the discussion to another night, as property rights are involved, and it makes sense to involve the Caucus or call for a community referendum. He suggested the Village create a review board to review plans for new homes and renovations to older homes.

Trustee Lanphier expressed surprise that not much comment touched on the GFA preservation bonus incentive; and she disagreed that major changes are being made to the

Winnetka Village Council Regular Virtual Meeting**March 2, 2021**

preservation ordinance that would merit a community referendum. She was supportive of the Subject Ordinance as it gives room to allow a demolition applicant to rethink their decision and perhaps preserve a significant home.

Trustee Apatoff said the community is largely in favor of pausing the demolition of significant homes and that some of the people against the Subject Ordinance are people who benefit financially from teardowns that do not live in Winnetka. He refuted assertions that preservation efforts harm home values or that they scare young families away from Winnetka.

Trustee Swierk asked how many homes would be affected by the Subject Ordinance.

Mr. Schoon explained that in the last five years there have been 106 demolition applications; of that total the LPC asked for 21 HAIS reports, and ultimately 7 properties were issued demolition delays.

Trustee Dearborn reiterated that the Subject Ordinance is an interim step until the Comprehensive Plan is updated in the next 18 months or so; the process is not being changed and the incentive in the form of a GFA bonus for preserving significant homes needs to be given as much attention as the demolition delay. In addition, he agreed that an appeal process should be provided for those homeowners who disagree with an LPC determination.

Trustee Coladarci noted that seven homes were given demolition delays over a five-year period, so the new delay provision will not affect a significant number of applicants seeking a demolition permit. He explained that the HAIS reports are professionally done and provide very detailed information architecturally or historically significant homes. He added that most applications for demolition permits are approved without delays.

Trustee Cripe expressed support for the Subject Ordinance, as it is not extreme and deals with the problem of significant homes being demolished in Winnetka. He thanked the community for its interest and comments, and cautioned that there will never be 100% consensus either for or against preservation efforts.

Attorney Friedman said a determination of historic or architectural significance could be made appealable to the Council and an appeal provision added to provide a homeowner who is denied the GFA bonus.

President Rintz explained that Winnetka Councils do not historically govern by referendum, preferring to make the hard choices after public participation and thoughtful deliberation.

Trustee Apatoff, seconded by Trustee Lanphier, moved to introduce Ordinance No. MC-2-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, and Lanphier. Nays: Trustee Swierk. Absent: None.

9) Old Business. None.

10) New Business. None.

11) Appointments. None.

12) Closed Session. None.

Winnetka Village Council Regular Virtual Meeting

March 2, 2021

- 13) Adjournment. Trustee Coladarci, seconded by Trustee Cripe, moved to adjourn the meeting. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: None. The meeting adjourned at 9:30 PM.

Recording Secretary

DRAFT

**MINUTES
WINNETKA VILLAGE COUNCIL
SPECIAL VIRTUAL MEETING
March 9, 2021**

(Approved: xx)

A record of a legally convened special meeting of the Council of the Village of Winnetka, which was held virtually on the Zoom videoconference platform on Tuesday, March 9, 2021 at 7:00 PM.

- 1) Call to Order. President Rintz called the meeting to order at 7:00 PM. Manager Bahan called the roll. Present: Trustees Jack Coladarci, Andrew Cripe, Robert Dearborn, Penfield Lanphier, and John Swierk. Absent: Trustee Robert Apatoff. Also present: Village Manager Robert Bahan, Assistant Village Manager Kristin Kazenas, Community Development Director David Schoon, Village Attorney Ben Schuster, and approximately 11 persons in the audience.
- 2) Public Comment. None.
- 3) Ordinance No. M-6-2021: 688-694 Green Bay Road – The Walden Preliminary Planned Development (Introduction). President Rintz explained that the evening's discussion would begin with a presentation by the Community Development Director, followed by a presentation by the developer, then public comment, and lastly Council questions and comments.

[Trustee Apatoff arrived at 7:05 PM.]

Mr. Schoon explained that the site of the proposed Planned Development (PD) at 688-694 Green Bay Road is approximately 1/3 of an acre and consists of two parcels, one vacant and one containing a single-family home. The property is located in the B1 Multi-family Residential Zoning District and is adjacent to B1 Multi-family, B2 Multi-family, and R3 Single Family Residential districts and is situated across from the Metra tracks.

Mr. Schoon said the planned development has gone through the pre-application meeting and concept plan review, and tonight will complete the preliminary plan review before the PD potentially undergoes a final plan review in the future. During its concept plan review, the Village Council was generally favorably inclined to the proposed development; however, several issues were recommended for consideration: (i) impact of the development on homes immediately to the west; (ii) impact of building height on neighbors; (iii) stormwater mitigation; (iv) parking and driveway access; and (v) site and access of refuse bins.

The formal PD review process began with the Design Review Board (DRB) reviewing the original design: a four-story building with six units. During the DRB's review, neighbors expressed concern with the height and bulk of the building; stormwater impacts; construction excavation; noise and light from the driveway; and screening of the building. The DRB approved the design subject to a 1.7-foot height reduction.

Next, the Planned Development Commission (PDC) reviewed the proposal on October 19, 2020. Public comments similar to those heard at the DRB review were expressed, along with concerns about the impact on property values and public benefit; after deliberation, PDC recommended denial of the proposal because the exceptions for building size and

Winnetka Village Council Special Meeting**March 9, 2021**

impermeable lot coverage were too large; the two members in support of approval pointed out that the development is in line with multi-family zoning, and they did not think the project would unreasonably impede the use or development of adjacent properties.

Next Mr. Schoon compared the original design with the current Amended Plan. The building footprint remains the same, although the orientation in the Amended Plan has been rotated to facilitate site access. The building has been shifted ten feet to the south, and two parking spaces moved from the rear of the building to the front yard. To better shield the property from the neighbors to the west, a four-foot retaining wall to create a berm is proposed in the Amended Plan, with the top planted with Norway Spruce trees and the lower level lined with Arbor Vitae. Other changes made in the Amended Plan: (i) the stormwater vault will be located underneath the berm and stormwater will release to Green Bay Road; (ii) the building height is reduced to three stories; (iii) the number of units is reduced from six to five; (iv) underground parking spaces have been reduced and storage units relocated in the parking area; (v) the western side of the building contains two stories rather than three; the former sixth unit has been replaced with an outdoor garden space; and (vi) the outdoor roof deck will only be used by the third floor unit owners. Parking access has been improved with an ADA accessible space and the applicant proposes to heat the driveway.

The Amended Plan requests approval of a plat of consolidation to combine the two parcels into one lot, and also requires variations from the following provisions of the Zoning Ordinance: (i) maximum building size; (ii) maximum building height; (iii) required principal roof form; (iv) exterior wall articulation for the south façade; and (v) front yard setback. An \$18,000 donation will be made to the Village for an EV charging station as a public benefit.

On February 3, 2021 the PDC reviewed the Amended Plan, and after its deliberation voted unanimously to recommend approval of the development and the associated zoning relief. As a result, the Council will consider introducing an Ordinance approving the preliminary plat of subdivision and zoning variations subject to the following conditions: (i) the outdoor roof deck is limited to the use of the third floor residents only; (ii) an \$18,000 contribution will be made to the Village for an EV charging station; (iii) the development will have on-site EV charging stations; (iv) additional landscaping will be installed and maintained; and (v) the Final Plan must be submitted to the Village within 18 months from approval of the Preliminary Plan.

Mr. Schoon noted that one written protest from a neighbor has been received; this is not sufficient to require a supermajority of the Council to approve the Preliminary Plan.

Rick Swanson, the project developer, said he had worked with the neighbors at the request of the Council during the Concept Plan Review stage, as well Village staff and the PDC, to arrive at a preliminary plan that most neighbors are comfortable with. He noted that the landscaping will be maintained through the use of a homeowner's association, the PD will share the cost of a new fence with the neighbor to the north to alleviate privacy concerns, and a heated driveway will be installed to enhance safety. He added that he will continue to work with the neighbors throughout the construction phase.

President Rintz called public comment.

Mary Jo Bushell resident to the west. Ms. Bushell objected to the proposed development on the grounds that stormwater would run onto her property and asked for a guarantee that the

Winnetka Village Council Special Meeting**March 9, 2021**

stormwater will be detained. She also stated the balconies of the proposed development would be intrusive when she is using her yard and she urged the Village Council to visit her yard to gauge the invasiveness of the balconies.

Mary Ellen Stanfield, 680 Green Bay Road. Ms. Stanfield said she thought the proposed building is too big for the neighborhood.

Brandie Siavelis, 415 Cedar Street. Ms. Siavelis urged the Council to approve the project in the interest of progress for the Village, as the proposal will be beautiful and appeal to empty nesters in Winnetka.

Ruud Coster, 696 Green Bay Road. Mr. Coster expressed concern that the development will lead to other large buildings in the Green Bay Corridor, and he asked the Council to keep these concerns in mind.

Trustee Swierk asked about parking requirements and the EV charging stations and stated that he thought enough public benefit was provided by improving the property and the associated increased tax base for the Village.

Trustee Dearborn commended the developer for making adjustments in response to neighbor concerns and he noted that the neighbors deserve assurances that stormwater runoff will not impact neighboring properties. Mr. Schoon explained that the site currently has no detention even though there is impermeable surface from existing development. The project will provide underground detention designed to handle the additional impermeable surface runoff from a 100-year storm which will provide overflow capacity to keep the water onsite until it is discharged to Green Bay Road. The Village Engineer has approved the preliminary design of the system and will also review and approve the final design at the Final Plan approval phase.

President Rintz added that a modern storage system will be installed whereas there is no storage currently, which should provide comfort to the neighbors on the stormwater issues.

Asked about the safety of the parking ramp, Mr. Swanson explained that safety of pedestrian on the sidewalk, as well as vehicular traffic on Green Bay Road, was taken into consideration in designing the parking. He added that the drainage will be significantly improved with the installation of an underground stormwater detention vault.

Trustee Apatoff asked about the location of the boiler for the heated driveway, as it could provide noise issues for the neighbors. Mr. Swanson said the system has not yet been finalized; however, if a boiler is used, it would be placed in the garage. He added that the residential heating and cooling units will be on the roof and screened; and the electric panels will be placed in the garage.

Trustee Lanphier asked if there was any option other than the sloped driveway on Green Bay Road. Mr. Swanson explained that the space constraints on the lot limit the options for driveway access and after exploring all the possibilities, the current plan is the safest.

Trustee Cripe asked where the proposal stands with neighbor objections. Mr. Schoon said the neighbors find the building attractive, and improvements have been made, but the neighbors who have been coming to the PDC and DRB meetings still have objections to the height and size of the proposed development. Only one written objection has been received;

Winnetka Village Council Special Meeting**March 9, 2021**

the Village would need to receive written objections from 20% of the residents within 250 feet of the proposed development to trigger a supermajority vote of the Village Council.

The Council discussed the proposal and it was agreed that this type of development is the right choice for this portion of the Green Bay Road corridor; the developer has done an excellent job of working with the neighbors; the advisory boards thoroughly vetted the proposal; the design is pleasing; the stormwater detention is a benefit to the area; and the development fills a need in Winnetka.

Trustee Swierk, seconded by Trustee Cripe moved to introduce Ordinance No. M-6-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: None.

- 4) Adjournment. Trustee Dearborn, seconded by Trustee Cripe, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:18 PM.

Recording Secretary

**MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR VIRTUAL MEETING
March 16, 2021**

(Approved: xx)

A record of a legally convened regular meeting of the Council of the Village of Winnetka, which was held virtually on the Zoom videoconference platform on Tuesday, March 16, 2021 at 7:00 PM.

- 1) Call to Order. President Rintz called the meeting to order at 7:07 PM. Manager Bahan called the roll. Present: Trustees Robert Apatoff, Andrew Cripe, Robert Dearborn, Penfield Lanphier, and John Swierk. Absent: Trustee Jack Coladarc. Also present: Village Manager Robert Bahan, Community Development Director David Schoon, Assistant Community Development Director Brian Norkus, Village Attorney Peter Friedman, and approximately 12 persons in the audience.
- 2) Pledge of Allegiance. Trustee Dearborn led the group in the Pledge of Allegiance.
- 3) Quorum.
 - a) Thursday, April 8, 2021 Regular Meeting. All of the Council members present said they expect to attend.
 - b) April 13, 2021 Study Session. All of the Council members present said they expect to attend.
 - c) April 20, 2021 Regular Meeting. All of the Council members present said they expect to attend.
- 4) Public Comment.

Richard Kates, Tower Road. Mr. Kates said his concern that public comment could not be heard on a Zoom meeting have been alleviated and he would comment later in the meeting on an agenda item.

Theresa Lukas, owner of Good Grapes. Ms. Lukas asked if the Village would modify its position on special events in 2021 in light of announcements that Governor Pritzker would soon announce Phase 5 of Restore Illinois Plan; President Rintz responded in the negative.
- 5) Reports:
 - a) Trustees. None.
 - b) Attorney. None.
 - c) Manager. None.
 - d) Village President. None.
- 6) Approval of the Agenda. Trustee Cripe, seconded by Trustee Lanphier, moved to approve the Agenda. By voice vote, the motion carried.

Winnetka Village Council Regular Virtual Meeting**March 16, 2021****7) Consent Agenda**

- a) Village Council Minutes. None.
- b) Approval of Warrant List dated February 26 – March 11, 2021 in the amount of \$382,082.66.
- c) Resolution No. R-40-2021: Repair of Groundwater Monitoring Wells Repairs at Municipal Landfill (Adoption).
- d) Resolution No. R-41-2021: Uniform Service Contract(Adoption).
- e) Resolution No. R-42-2021: Maintenance of Water Plan Raw Water Intake (Adoption).
- f) Resolution No. R-43-2021: Allowing Outdoor Dining and Liquor Service During COVID-19 Emergency (Adoption).
- g) Outdoor Seating Permits.

Ms. Lukas said the agenda report on outdoor seating had inaccurate numbers for her seating chart; and she asked if street closures are also approved with the outdoor seating. Manager Bahan responded in the affirmative. She requested that in the future, the Council consider Outdoor Seating in February instead of March to help businesses better plan their outdoor events for the year. President Rintz said he would discuss a scheduling change for next year with Manager Bahan.

Trustee Dearborn, seconded by Trustee Apatoff, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: None.

8) Ordinances and Resolutions.

- a) Ordinance No. M-7-2021: 1081-1083 Gage – North Shore Barber Special Use Permit (Introduction & Adoption). Mr. Schoon reviewed this request for a special use permit to allow the expansion of an existing barber shop. The Plan Commission unanimously approved the request at its February meeting.

There being no public comment or discussion by the Council, Trustee Swierk, seconded by Trustee Lanphier, moved to waive introduction of Ordinance No. M-7-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: Trustee Coladarci.

Trustee Swierk, seconded by Trustee Apatoff, moved to adopt Ordinance No. M-7-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Cripe, Dearborn, Lanphier, and Swierk. Nays: None. Absent: Trustee Coladarci.

- b) Ordinance No. MC-2-2021: Demolition Delay & Building Size Bonus for Historic Homes (Adoption). President Rintz explained that the Council has thoroughly discussed the Subject Ordinance, heard considerable comment at the Public Hearing at introduction, and made revisions based on public feedback and Council discussion.

Mr. Schoon confirmed that the Ordinance has been amended to provide three opportunities for applicants to appeal Landmark Preservation Commission (LPC) determinations: (i) if a home is found by the LPC to be architecturally/historically

Winnetka Village Council Regular Virtual Meeting**March 16, 2021**

significant and a demolition delay is issued: (ii) if during a process to apply for a GFA bonus the LPC rules that a home is not eligible because it is not architecturally/historically significant; and (iii) if the LPC determines a home is not significant during a demolition application process and the owner disagrees.

Trustee Lanphier asked if the appeal process is similar to a zoning appeal process; Attorney Friedman explained that it is similar. However, in zoning cases there are instances where the Zoning Board of Appeals (ZBA) has final authority over minor types of zoning relief. Since the LPC is an advisory body and not a quasi-judicial one like the ZBA, the appeal process provides that an LPC final decision may be appealed to the Village Council.

President Rintz called for public comment.

Louise Holland, former Chair of the LPC. Ms. Holland commended the Council for addressing the issue of preservation and she thanked the Council, the LPC members, Village staff and Attorney Friedman for helping to develop the Subject Ordinance.

Beth Ann Papoutsis, LPC Commissioner. Ms. Papoutsis thanked the Council for its effort in amending the Preservation Ordinance; she commented that all vintage properties in Winnetka are not considered significant, and demolition applications are very carefully evaluated by the LPC. The HAIS is only required by the LPC for a select few properties that have been deemed significant by experts and neighbors, leaving ample room for new construction in Winnetka. The Subject Ordinance will help preserve the beauty and character of the Village.

Richard Kates, Tower Road. Mr. Kates said the owners of potentially significant properties should have been notified of the Council's discussion of the Preservation Ordinance amendments. He recommended an emergency provision be included in the Subject Ordinance for owners to appeal directly to the Village Council if an emergency need arises.

[Trustee Coladarci arrived at 7:50 PM.]

Next, President Rintz called for any last Council discussion.

Trustee Swierk reiterated his call for the creation of a list of potentially historic homes in Winnetka; and he said the Council appears to be acting in contrast to community opinion in the 2019 Winnetka Caucus survey. He did not feel the Council should adopt the Subject Ordinance.

Trustee Cripe clarified that the 2019 Caucus survey did not show consensus one way or another on the issue of preservation, and that the Council is tasked with making a decision for the community based on its best information and public engagement.

Trustee Apatoff said the Council has taken a thorough review and that most public comment received about the Subject Ordinance has been strongly in favor of preserving historic properties if possible.

Trustee Lanphier noted that the Caucus survey is a limited tool for gauging public opinion and should be taken as a starting point, not a final community determination. She added that the function of the survey is to inform Village boards about the community's preliminary thoughts on the issues; however, it is the board's decision to

Winnetka Village Council Regular Virtual Meeting**March 16, 2021**

gather information and take final action. She supported adoption of the Subject Ordinance.

Trustee Coladarci reiterated his previous comments on the preservation issue and said he would vote in favor of the Subject Ordinance. The Comprehensive Plan update will provide long term and detailed guidance on the preservation issue.

President Rintz said he does not confer a negative bias on a comment based upon someone's profession or any other aspect of their status; disagreement does not make anyone wrong; rather, it just means the issue is controversial. He commended the Trustees for representing the community to the best of their abilities.

Trustee Apatoff, seconded by Trustee Dearborn, moved to adopt Ordinance No. MC-2-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, and Lanphier. Nays: Trustee Swierk. Absent: None.

- c) Resolution No. R-39-2021: Historic Maximum Building Size Application Fees & Escrow (Adoption). Mr. Schoon explained that the Fee Resolution needs to be amended to cover Village expenses associated with the passage of Ordinance No. MC-2-2021. The fees being amended are: (i) preliminary property history study; (ii) maximum building bonus size application fee; (iii) escrow amount for the administrative review of an addition or renovation to a historic property granted the GFA bonus; and (iv) a fee to appeal an LPC determination.

There was no public comment.

Trustee Lanphier, seconded by Trustee Cripe, moved to adopt Resolution No. R-39-2021. By roll call vote, the motion carried. Ayes: Trustees Apatoff, Coladarci, Cripe, Dearborn, Lanphier. Nays: Trustee Swierk. Absent: None.and

- 9) Old Business. None.
- 10) New Business. None.
- 11) Appointments: None.
- 12) Closed Session. None.
- 13) Adjournment. Trustee Dearborn, seconded by Trustee Cripe, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:07 PM.

Recording Secretary



Agenda Item Executive Summary

Title: Approval of Warrant List Dated March 12 - April 1, 2021

Presenter: Robert M. Bahan, Village Manager

Agenda Date: 03/16/2021

Consent: ☒ YES ☐ NO

☐	Ordinance
☐	Resolution
☐	Bid Authorization/Award
☐	Policy Direction
☒	Informational Only

Item History:

None.

Executive Summary:

The Warrant List dated March 12 - April 1, 2021 was emailed to each Village Council member.

Recommendation:

Consider approving the Warrant List dated March 12 - April 1, 2021.

Attachments:

None.



Agenda Item Executive Summary

Title: Ordinance No. M-6-2021: 688-94 Green Bay Road - The Walden Preliminary Planned Development (Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 04/08/2021

Consent: ☒ YES ☐ NO

- | | |
|-------------------------------------|-------------------------|
| ☒ | Ordinance |
| ☐ | Resolution |
| ☐ | Bid Authorization/Award |
| ☐ | Policy Direction |
| ☐ | Informational Only |

Item History:

7/16/19 - Village Council reviewed the concept plan for the proposed development.
www.villageofwinnetka.org/AgendaCenter/ViewFile/Agenda/_07162019-2
 3/09/21 - Village Council reviewed the Planned Development Commission and Design Review Board recommendations and introduced Ordinance M-6-2021.
www.villageofwinnetka.org/AgendaCenter/ViewFile/Agenda/_03092021-264

Executive Summary:

On April 8, 2021, the Village Council is scheduled to consider adoption of Ordinance No. M-6-2021, granting preliminary approval of a planned development for The Walden condominium project at 688-694 Green Bay Road (the "Subject Property").

The ordinance is in response to an amended application by SR Winnetka LLC, contract purchaser of the Subject Property, to allow construction of a new five-unit multi-family residential building with below-grade parking on the Subject Property. The Applicant's amended application seeks approval of the following:

- A. A plat of consolidation to combine two lots into one lot of record;
- B. Preliminary planned development plan approval with the following zoning exceptions:
 - a. An exception from the maximum permitted building size (floor area ratio/gross floor area);
 - b. An exception from the maximum permitted building height;
 - c. An exception from the required principal roof form;
 - d. An exception from the exterior wall articulation requirement along the south facade; and
 - e. An exception from the front yard setback requirements to accommodate surface parking spaces;

At its March 9, 2021 meeting, the Council heard a staff presentation, and comments from the Applicant and the public; and after deliberation, adopted a motion approving introduction of No. Ordinance M-6-2021 granting preliminary approval to the development.

Recommendation:

Consider adoption of Ordinance No. M-6-2021, granting preliminary approval of a planned development for The Walden located at 688-694 Green Bay Road.

Attachments:

Ordinance No. M-6-2021

ORDINANCE NO. M-06-2021

**AN ORDINANCE GRANTING
PRELIMINARY APPROVAL OF A PLANNED DEVELOPMENT
(688-694 GREEN BAY ROAD)
(The Walden)**

WHEREAS, CCF Winnetka LLC (“**Property Owner**”), an Illinois limited liability company, is the record owner of the property commonly known as 688-694 Green Bay Road, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (“**Property**”); and

WHEREAS, SR Winnetka, LLC (“**Developer**”), an Illinois limited liability company, is the contract purchaser of the Property; and

WHEREAS, the Property is comprised of two lots of record; and

WHEREAS, the Property is located in the B-1 Multifamily Residential District under the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code (“**Zoning Ordinance**”); and

WHEREAS, the Property contains approximately 15,000 square feet in total lot area and is currently vacant and improved with a single-story single-family residence; and

WHEREAS, because the Property exceeds 10,000 square feet in size, development of the Property is required to be reviewed and approved as a planned development in accordance with Chapter 17.58 of the Zoning Ordinance (“**Planned Development Regulations**”); and

WHEREAS, the Developer proposes to demolish the existing improvements on the Property and redevelop the site for multi-family residential use, all as specifically provided pursuant to this Ordinance (“**Proposed Development**”); and

WHEREAS, on July 16, 2019, the Village Council conducted a concept plan review of the Proposed Development pursuant to the Planned Development Regulations; and

WHEREAS, on December 17, 2019, the Developer filed an application with the Village for preliminary planned development plan approval, including a request for preliminary approval of a plat of subdivision to combine the two existing lots into a single lot of record (collectively, “**Application**”); and

WHEREAS, the Application requested certain zoning relief including exceptions from and modifications to the (i) maximum permitted building size, (ii) maximum permitted intensity of use of the lot, (iii) building height, (iv) principal roof form, and (v) exterior wall articulation requirements of the Planned Development Regulations and Zoning Ordinance; and

WHEREAS, pursuant to proper notice and in accordance with the Village Zoning Ordinance, the Winnetka Design Review Board considered the Application at its meetings on January 16, 2020 and August 20, 2020; and

WHEREAS, on August 20, 2020, the Design Review Board adopted a resolution with specific findings and conclusions, specifically that, as a whole, the proposed preliminary planned development was consistent with the Village of Winnetka Design Guidelines and by a unanimous vote recommended that it be approved by the Village Council;

WHEREAS, pursuant to proper notice and in accordance with the Village Zoning Ordinance, the Winnetka Planned Development Commission held a public hearing on the Application and the Proposed Development, which public hearing commenced on September 2, 2020, and continued on October 7 and October 19, 2020; and

WHEREAS, on October 19, 2020, the Planned Development Commission voted six to two to recommend denial of the Application; and

WHEREAS, the Developer subsequently filed an amended application seeking approval of certain subdivision and zoning relief to allow for the construction of a redesigned, five-unit multi-family residential building with below grade structured parking at the Property (“**Amended Application**”), all as more specifically depicted on the “**Preliminary Development Plan**,” as provided in Section 4 of this Ordinance; and

WHEREAS, pursuant to proper notice and in accordance with the Village Zoning Ordinance, the Winnetka Design Review Board considered the Amended Application at its meeting on January 21, 2021; and

WHEREAS, on January 21, 2021, the Design Review Board adopted a resolution with specific findings and conclusions, specifically that, as a whole, the proposed preliminary planned development was consistent with the Village of Winnetka Design Guidelines and by a unanimous vote recommended that it be approved by the Village Council; and

WHEREAS, pursuant to proper notice and in accordance with the Village Zoning Ordinance, the Planned Development Commission held a public hearing on the Amended Application and the Preliminary Development Plan, which public hearing commenced on February 3, 2021; and

WHEREAS, on February 3, 2021, the Planned Development Commission unanimously adopted a resolution with specific findings and conclusions, recommending that the Village Council approve the proposed Preliminary Development Plan, modifications, and exceptions, subject to certain conditions; and

WHEREAS, pursuant to Section 17.50.080 of the Planned Development Regulations, the findings and recommendations of the Planned Development Commission and the Design Review Board were submitted to the Village Council, along with the complete records of both bodies, all supporting materials, and all correspondence and written comment received at any time related to the Application, the Amended Application, and the Proposed Development; and

WHEREAS, under the Proposed Development as depicted on the Preliminary Development Plan, the Amended Application requests exceptions from and modifications to Sections 17.32.010.T, 17.32.010.C, 17.32.010.M, 17.32.010.O, 17.32.010.H of the Zoning Ordinance to allow (i) an increase in the maximum gross floor area from 12,000 square feet to 14,255 square feet; (ii) an increase in the maximum building height from 35 feet to 42 feet

eleven inches; (iii) a reduction in the required separation distance for exterior wall articulation from four feet to two feet; (iv) a principal roof form consisting of a predominantly flat roof where a roof pitch less than 35 degrees is otherwise prohibited; and (v) a reduction in the required front yard setback from 25 feet to 9 feet eleven inches to accommodate surface parking spaces; and

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

WHEREAS, the Village Council introduced this Ordinance at its regular meeting on March 9, 2021; and

WHEREAS, the Village Council has determined that approval of the Proposed Development pursuant to this Ordinance is in the best interest of the Village and its residents;

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

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the Village Council.

SECTION 2: ADDITIONAL FINDINGS. The Village Council further finds as follows:

A. Subject to the terms and conditions of this Ordinance, the Proposed Development and Preliminary Development Plan are consistent with the Village of Winnetka Comprehensive Plan, *Winnetka 2020*.

B. Subject to the terms and conditions of this Ordinance, the Proposed Development and Preliminary Development Plan comply or will comply with all applicable Village ordinances.

C. Subject to the terms and conditions of this Ordinance, the Proposed Development and Preliminary Development Plan considered both as a whole and in their respective component parts are in conformity or will be in conformity with the Village of Winnetka Design Guidelines.

D. Subject to the terms and conditions of this Ordinance, the Proposed Development and Preliminary Development Plan meet the standards for approval of special use permits, as established in Chapter 17.56 of the Winnetka Zoning Ordinance.

E. Subject to the terms and conditions of this Ordinance, the exceptions from and modifications to the maximum building size, building height, exterior wall articulation, principal roof form, and front yard setback of the Proposed Development, as depicted in the Preliminary Development Plan, meet the standards for modification pursuant to Section 17.58.120.

F. Subject to the terms and conditions of this Ordinance, the Proposed Development and Preliminary Development Plan meet the general purpose and intent of the Planned Development Ordinance, as set out in Section 17.58.020 of the Planned Development Ordinance.

SECTION 3: PRELIMINARY APPROVAL. Subject to the terms, conditions, restrictions, modifications, and exceptions set forth in Sections 6 through 11 of this Ordinance, the Amended Application for preliminary approval of a planned development and preliminary plat of subdivision for the Proposed Development on the Property is hereby granted.

SECTION 4: APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 6 through 11 of this Ordinance, the Preliminary Development Plan for the planned development for the Property, shall be, and it is hereby, approved, and shall hereafter consist of the following documents (collectively, the "***Preliminary Development Plan***"):

- A. The ***Preliminary Engineering Plan***, consisting of one sheet, prepared by ESM Civil Solutions, LLC, with a latest revision date of December 14, 2020, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit B***;
- B. The ***Photometrics Plan***, consisting of one sheet, prepared by R.M. Swanson Architects, dated December 10, 2020, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit C***;
- C. The ***Landscape Plan***, consisting of one sheet, prepared by prepared by Resource One Landscape Architects, dated December 22, 2020, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit D***;
- D. The ***Tree Preservation Plan***, consisting of one sheet, prepared by Resource One Landscape Architects, and R.M. Swanson Architects, dated December 10, 2020, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit E***;
- E. The ***Renderings***, consisting of three sheets, prepared by R.M. Swanson Architects, and not dated, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit F***;
- F. The ***Building Elevations and Sections***, consisting of 7 sheets, prepared by R.M. Swanson Architects, dated December 10, 2020, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit G***;
- G. The ***Building Floor Plans***, consisting of six sheets, prepared by R.M. Swanson Architects, with latest revision dates of December 10, 2020, and March 3, 2021, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit H***;
- H. The ***Impermeable Surface Area Plan***, consisting of one sheet, prepared by R.M. Swanson Architects, with latest revision date of December 10, 2020, a copy of

which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit I***;

- I. The ***Gross Floor Area Diagram***, consisting of three sheets, prepared by R.M. Swanson Architects, with latest revision date of March 3, 2021, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit J***;
- J. The ***Building Material and Finish Cut Sheets***, consisting of 33 sheets, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit K***;
- K. The ***Quantitative Summary***, consisting of one sheet, dated December 22, 2020, which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit L***; and
- L. The ***Preliminary Plat of Subdivision***, consisting of one sheet, a copy of which is attached to, and by this reference made a part of, this Ordinance as ***Exhibit M***.

SECTION 5: APPROVAL OF EXEMPTIONS AND MODIFICATIONS. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Sections 6 through 11 of this Ordinance, the following exceptions and modifications from the provisions of the Planned Development Regulations are granted:

- A. **Maximum Building Size.** An exception from and modification to the maximum building size of 12,000 square feet set forth in Subsection 17.32.010.T of the Zoning Ordinance to allow for a maximum gross floor area of 14,255 square feet.
- B. **Building Height.** An exception from and modification to the 35-foot building height limitation of Section 17.32.010.C of the Zoning Ordinance to allow for a maximum building height, as measured pursuant to the Zoning Ordinance, of 42 feet eleven inches.
- C. **Exterior Wall Articulation.** An exception from and modification to the standards for exterior wall articulation set forth in Section 17.32.010.M of the Zoning Ordinance to allow for a separation in the plane of walls along the south building wall of only two feet where a minimum of four feet is required.
- D. **Principal Roof Form.** An exception from and modification to the standards for roof design set forth in Section 17.32.010.O of the Zoning Ordinance to allow a predominantly flat roof where a flat roof is otherwise prohibited.
- E. **Front Yard Setback.** An exception from and modification to the setback limitations of Section 17.32.010.H of the Zoning Ordinance to reduce the front yard setback from 25 feet to nine feet eleven inches.
- F. **Limitation of Approval.** The foregoing exceptions and modifications shall be effective only in the event that the Developer obtains approval of a final development plan pursuant to the Planned Development Regulations. In the event that the Developer fails to obtain final plan approval as provided in this Ordinance and the Zoning Ordinance, the conditional

approval of the foregoing exceptions and modifications shall become null and void. Nothing in this Ordinance shall be construed either as granting preliminary or final approval of any zoning variance or as granting any preliminary or final zoning exception, zoning modification or special use other than those specifically identified in this Ordinance.

SECTION 6: CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Winnetka Village Code or the Zoning Ordinance, or any other rights Developer, individually or collectively, may have, the preliminary approvals granted in Sections Three, Four, and Five of this Ordinance shall be, and they are hereby, expressly subject to and contingent upon the redevelopment, use, and maintenance of the Property in compliance with each and all of the conditions set forth in this Section:

A. Standard Conditions.

1. **Compliance with Regulations.** The redevelopment, use, operation, and maintenance of the Property shall comply with all applicable Village codes and ordinances, as the same have been or may be amended from time to time, except to the extent specifically provided otherwise in this Ordinance.

2. **Compliance with the Final Development Plan.** The Developer shall work diligently and do all work necessary to apply for and produce a Final Development Plan, which shall be in substantial conformance with the Preliminary Development Plan and otherwise comply with the provisions of Section 17.58.090 of the Zoning Ordinance. The Final Development Plan shall be approved by Ordinance pursuant to Section 17.58.100 of the Zoning Ordinance prior to issuance of any demolition or building permits for any development on the Property. The redevelopment, use, operation, and maintenance of the Property shall comply with the Final Development Plan except for minor changes and site work approved in accordance with all applicable Village ordinances and standards.

B. Single Phase Development. The construction of the Proposed Development shall take place in one continuous phase.

C. Use of Outdoor Roof Deck and Garden Space. The outdoor roof deck and garden space to be located on the third floor at the west side of the proposed building shall be for the exclusive use of residents of the third-floor unit.

D. Electric Vehicle Charging Stations.

1. The Developer shall provide an electric vehicle charging station within the Proposed Development for use by the residents of the proposed building.
2. Prior to issuance of a building permit by the Village, the Developer shall make a payment to the Village in the amount \$18,000.00 as a contribution toward the installation of an electric vehicle charging station to be located in the Village's business district.

E. Landscaping. Developer shall install and maintain all landscape improvements and landscaping as depicted on the Landscape Plan, including specifically, without limitation, a

retaining wall along the western perimeter of the Property, a landscaped berm with Norway Spruces and a row of arbor vitae planted on top of the berm.

F. Binding Effect; Non-Transferability. The privileges, obligations, and provisions of each and every section and requirement of this Ordinance are for and shall insure solely to the benefit of the Developer, and are and shall be binding on the Developer, upon any and all of the Developer's heirs, successors, and assigns, and upon any and all of the respective successor legal and or beneficial owners of all or any portion of the Property, except as otherwise expressly provided in this Ordinance. Nothing in this Ordinance shall be deemed to allow the Developer to transfer any of the rights or interests granted herein to any other person or entity without the prior approval of the Village Council by a duly adopted resolution.

G. No Third Party Beneficiaries. Nothing in this Ordinance shall create, or shall be construed or interpreted to create, any third party beneficiary rights.

SECTION 7: FAILURE TO COMPLY WITH CONDITIONS. Upon failure or refusal of the Developer, or any of its officers, employees, or agents, to comply with any or all of the conditions, restrictions, or provisions of this Ordinance or the ordinance approving the Final Development Plan (collectively, "***Final Approval Documents***"), the permits and approvals granted in the Final Approval Documents shall, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void, including this Ordinance and the ordinance approving the Final Development Plan. In the event of revocation, the development and use of the Property shall be governed solely by the regulations of the B-1 Multifamily Residential District, as the same may, from time to time, be amended. Further, in the event of a revocation of the permits or approvals granted pursuant to the Final Approval Documents, the Village Manager and Village Attorney are hereby authorized and directed to bring any zoning or other enforcement action that may be appropriate under the circumstances.

SECTION 8: PAYMENT OF VILLAGE FEES AND COSTS. The Developer shall pay to the Village, as and when due, all application, review, inspection, and permit fees, all water and sewer general and special connection fees, tap-on fees, charges and contributions; all third-party legal, engineering, and other consulting or administrative fees, costs, and expenses incurred or accrued in connection with the development of the Property, the negotiation, preparation, consideration, and review of this Ordinance and all exhibits and associated documents; and all other fees, expenses, charges and contributions required by applicable Village codes, ordinances, resolutions, rules or regulations, including, without limitation, the fees, charges and contributions provided in the fee schedules set by Village resolution or established by Village Code. All payments shall be at the rates that are in effect at the time the charge is incurred, and the Village reserves its right and discretion to establish or increase rates from time to time.

SECTION 9: NON-INTERFERENCE. All of the Developer's construction activities for the Proposed Development shall be performed so as to minimize, to the greatest extent possible, or eliminate interruption of or interference with the use and enjoyment of adjacent properties, and any interference with pedestrian and vehicular traffic, including parking.

SECTION 10: EFFECT OF PRELIMINARY APPROVAL; FINAL PLAN APPROVAL.

A. Final Plan Approval. Developer shall submit its application for final approval of the Proposed Development within 18 months following the Village Council approval of the Preliminary Planned Development Plan as required by Chapters 17.56 and 17.58 of the Zoning Ordinance. The Village Council, in the exercise of its discretion, may extend the time for filing the application for final approval. If the Village Council finds that the proposed final plans are in substantial conformity with the Preliminary Development Plan and are otherwise in compliance with all of the terms, conditions and exceptions of this Ordinance, and if the Developer is in full compliance with the terms, conditions and exceptions of this Ordinance, then the Developer shall be entitled to receive final approval of the Development from the Village Council. Notwithstanding the foregoing, the Village Council shall have and retain the discretion to incorporate all of the conditions of this Ordinance into the grant of final approval and to impose additional conditions for final approval, provided the Village Council finds one or more of the following circumstances exist:

1. the proposed final plan contains material changes from the Preliminary Development Plan and such conditions are related to such changes;
2. such conditions are related to Village staff recommendations arising from the review of the documents and information submitted as part of the final plan application pursuant to Section 17.58.100.A of the Zoning Ordinance;
3. such conditions are related to details of the building design or materials that were not part of the Preliminary Development Plan; or
4. such conditions are related to changes in or on the immediate vicinity of the Property subsequent to the adoption of this Ordinance and are necessary to protect the public health, safety and welfare.

B. Construction. The Developer shall commence construction, beyond mere fencing and preparation of the worksite, of the Proposed Development within 60 days after the issuance by the Village of a building permit for the Proposed Development.

C. No Work Authorization. Nothing in this Ordinance shall be construed as authorizing the issuance of any permits for the demolition of any of the existing buildings on the Property or for the construction of the Proposed Development.

SECTION 12: HOME RULE POWERS. This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 13: EFFECTIVE DATE.

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

1. passage by the Village Council of the Village of Winnetka in the manner required by law;
2. publication in pamphlet form in the manner required by law; and
3. the filing by the Developer for recording in the Office of the Cook County Clerk, of an Unconditional Agreement and Consent, signed by all owners of the Property and the Developer, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance. The Unconditional Agreement and Consent shall be in the form of ***Exhibit N*** attached to, and by this reference made a part of, this Ordinance.

B. In the event that the Developer does not file with the Village Clerk a fully executed copy of the Unconditional Agreement and Consent required pursuant to Paragraph 13.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council then, at the option of the Village Council by resolution duly adopted, this Ordinance shall be of no force or effect and shall be rendered null and void.

PASSED this ___ day of _____, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ___ day of _____, 2021.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ___ day of _____,
2021.

Introduced: March 9, 2021

Passed and Approved: _____, 2021

EXHIBIT A

Legal Description of the Property

THE SOUTH 19 FEET OF LOT 49 AND THE NORTH 31 FEET OF LOT 50 (EXCEPT FROM SAID LOTS THE EASTERLY 3 FEET USED FOR STREET PURPOSES) IN THE COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF RAILROAD IN THE VILLAGE OF WINNETKA IN COOK COUNTY, ILLINOIS.

Commonly referred to as 694 Green Bay Road (PIN 05-17-412-037-0000)

AND

THE SOUTH 50 FEET OF THE NORTH 81 FEET OF LOT 50 IN COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT FROM SAID PREMISES THE EASTERLY 3 FEET USED FOR STREET PURPOSES), IN COOK COUNTY, ILLINOIS.

Commonly referred to as 688 Green Bay Road (PIN 05-17-412-038-0000)

EXHIBIT B

Preliminary Engineering Plans

March 9, 2021

{00119292.6}

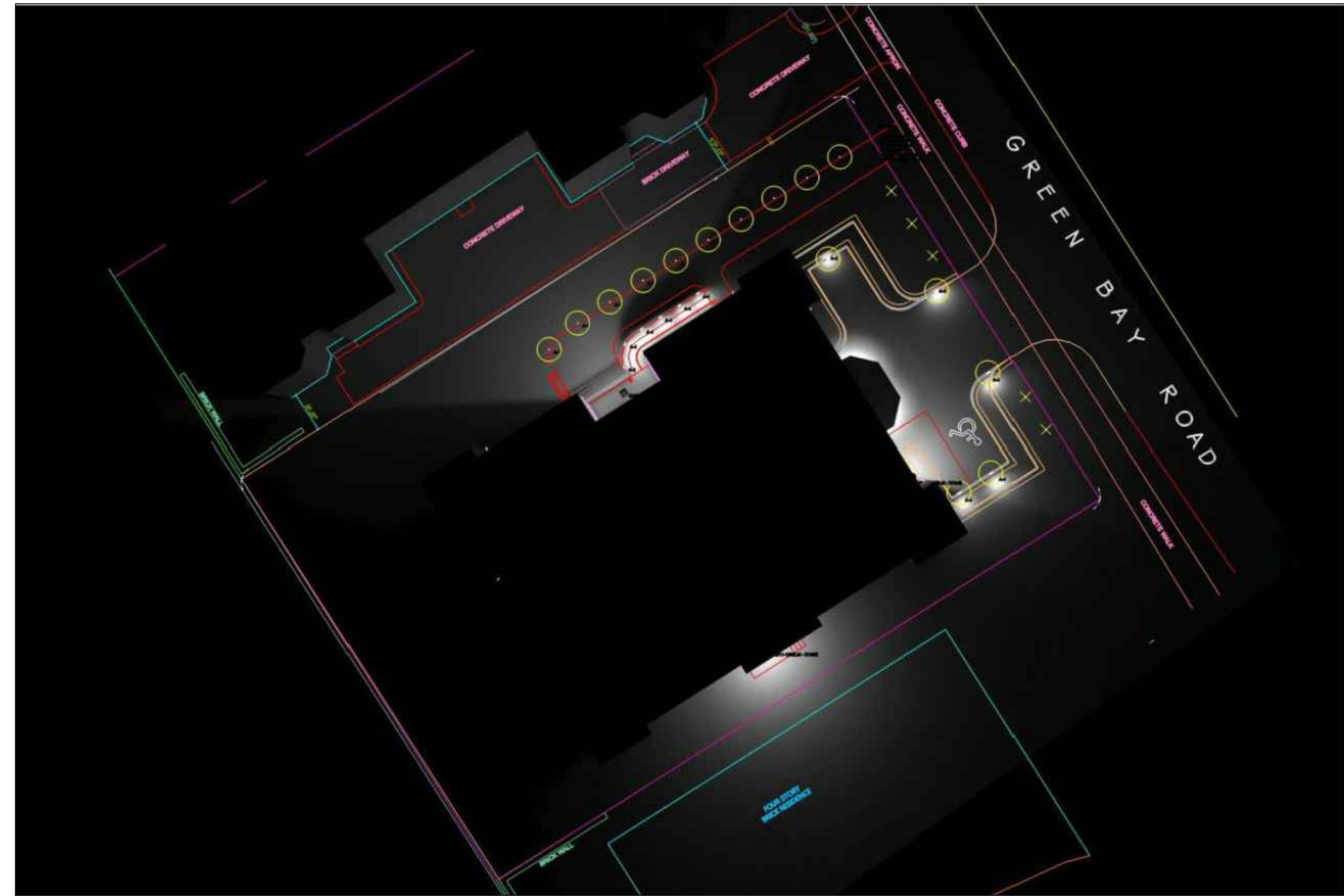
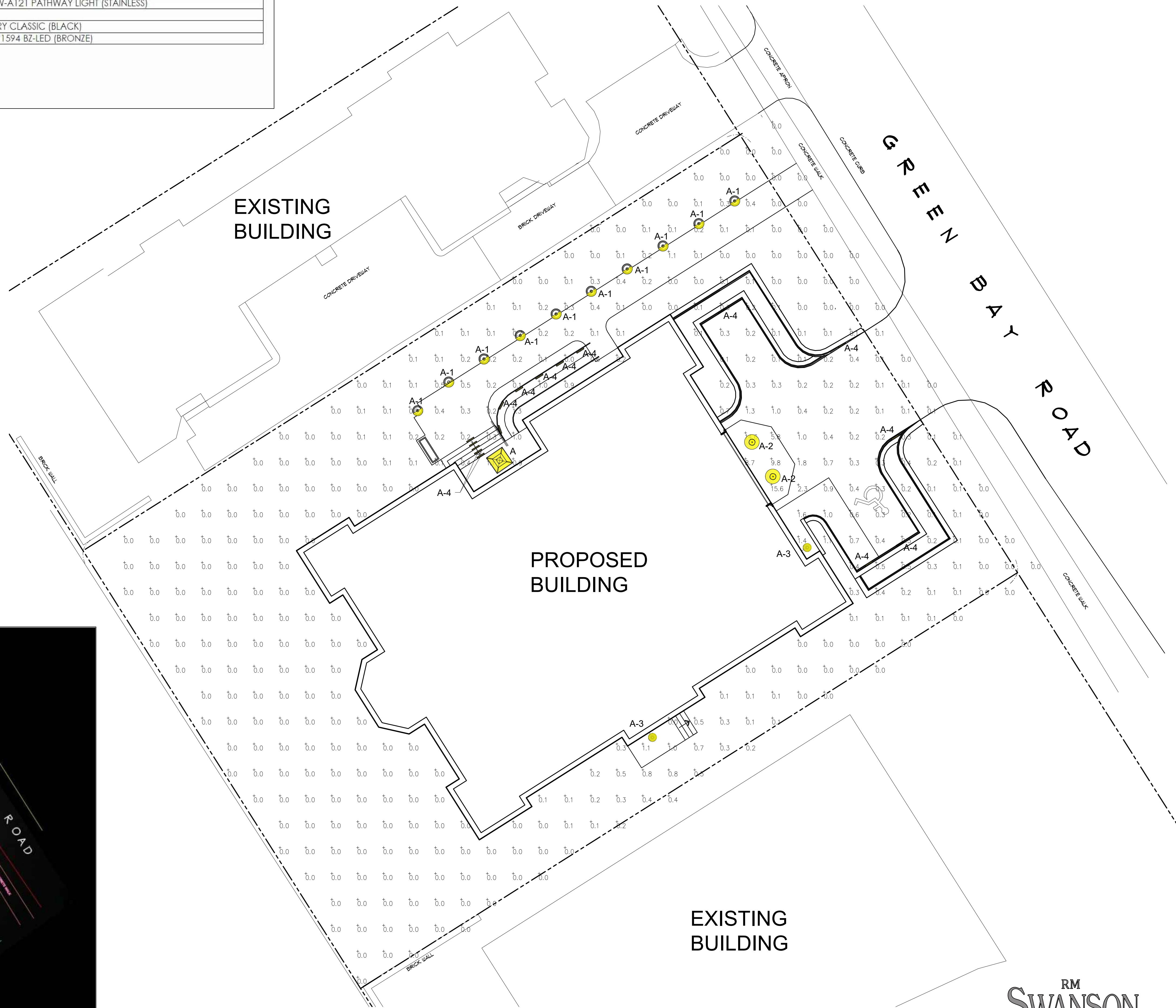
M-6-2021

EXHIBIT C

Photometrics Plan

Luminaire Schedule						
Symbol	Qty	Model Number	Arrangement	Lumens	LLF	Description
	1	A	SINGLE	1388	0.950	6130-XRLED-09L45T3-MDL07-WA
	10	A-1	SINGLE	294	0.950	ASPECT MODEL AL-1G-PW-A121 PATHWAY LIGHT (STAINLESS)
	2	A-2	SINGLE	880	0.950	JUNO 1C20LED124 5
	2	A-3	SINGLE	1203	0.950	HINKLEY 10231TK FOUNDRY CLASSIC (BLACK)
	11	A-4	SINGLE	86	0.950	LOUVERED BRICK LIGHT #1594 BZ-LED (BRONZE)

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
StatArea	Illuminance	Fc	8.07	15.6	0.9	8.97	17.33



PHOTOMETRICS PLAN

1/4" = 1'-0"

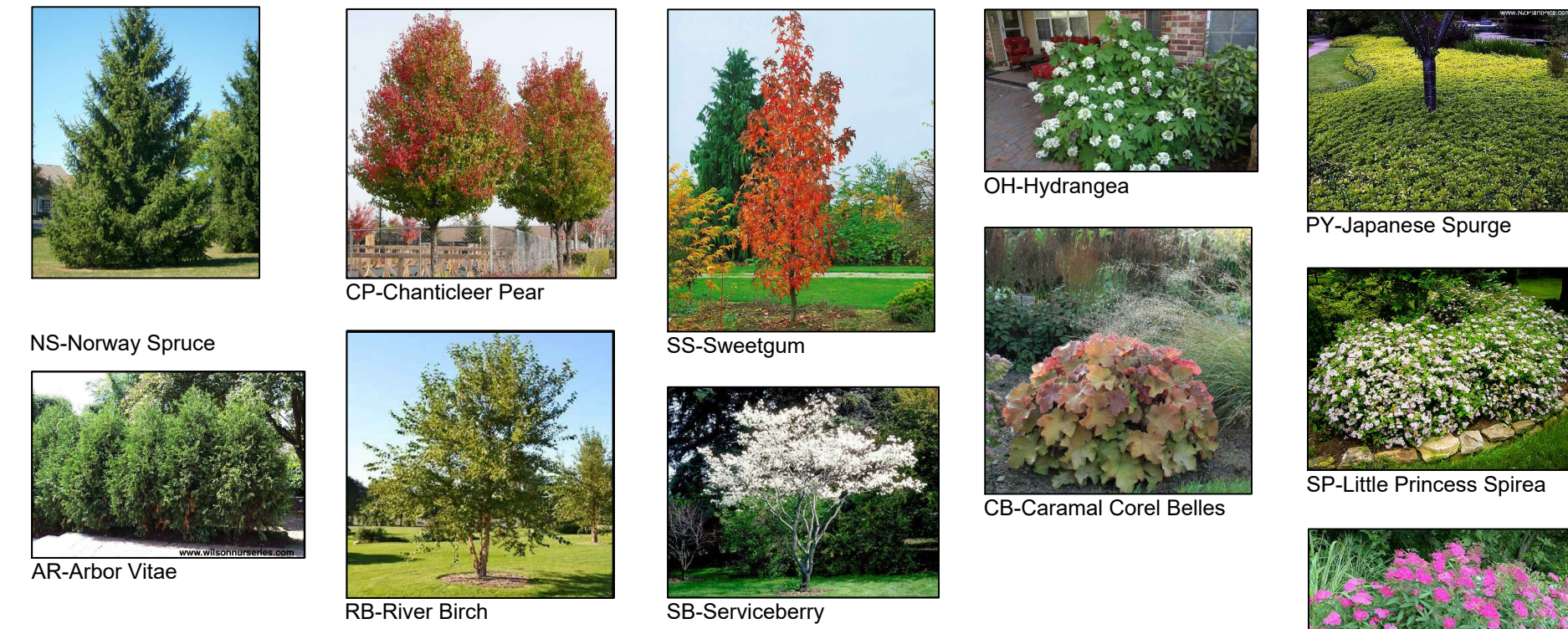
EXHIBIT D

Landscape Plan



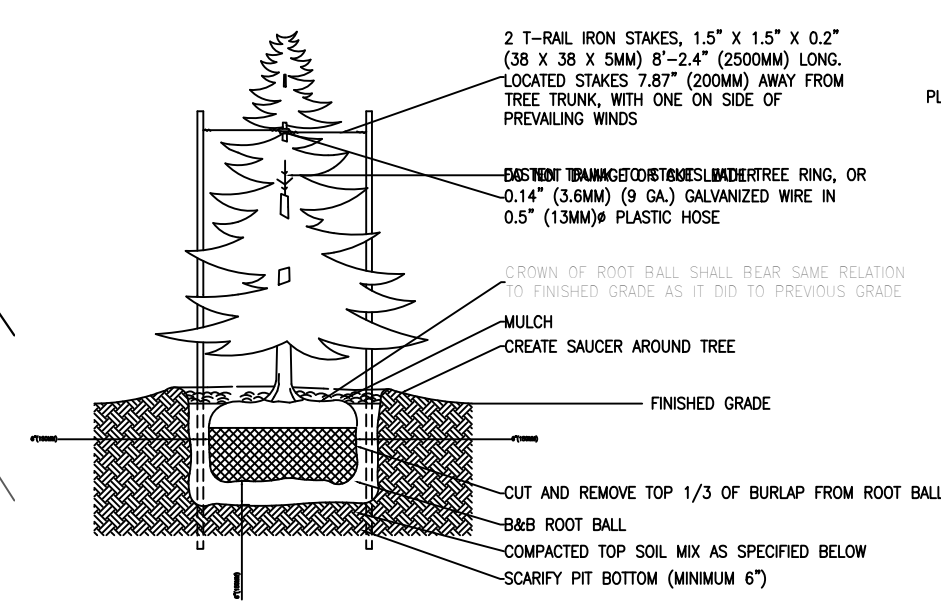
LANDSCAPE PLAN

1"=10'-0"



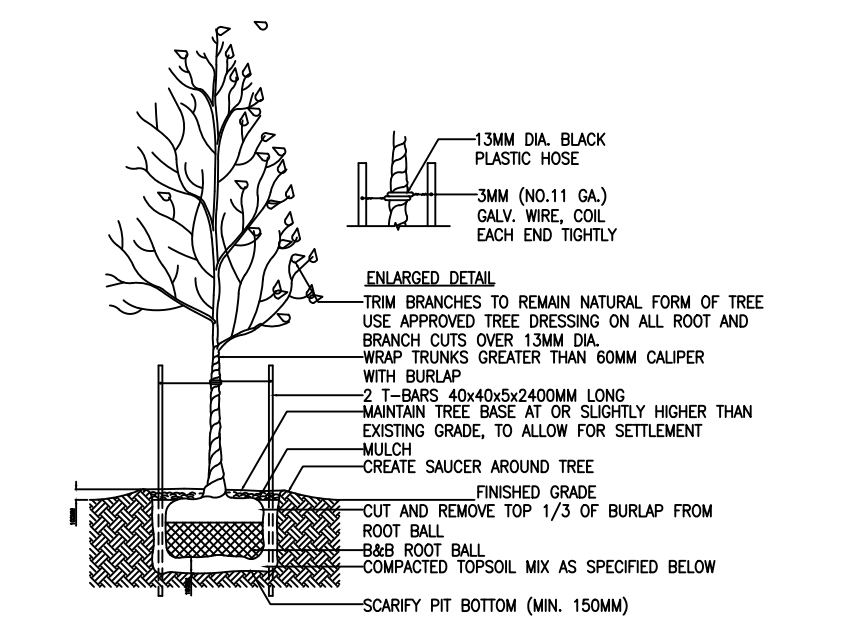
Plant List					
TREES					
Quantity	Size	Common Name	Botanical Name	Cond	KEY
8	8'	Norway Spruce	Picea abies	BB	NS
6	8'	Serviceberry	Amelanchier canadensis	BB	SB
4	3"	Chanticleer Pear	Pyrus calleryana 'Chanticleer'	BB	CP
12	3"	Slender Silhouette Sweetgum	Liquidambar styraciflua 'Slender Sil.'	BB	SS
7	10'	River Birch	Betula nigra	BB	RB
SHRUBS					
27	3gal.	AW Spirea	Anthony Waterer Spirea	Can.	AW
54	24"	Boxwood	Buxus x Glencoe	Can.	BX
17	5"	Mission Arborvitae	Thuja occidentalis	BB	AR
29	3gal.	Hino Crimson Azalea	Rhododendron 'Hino-crimson'	Can.	AZ
24	3gal.	Little Princess Spirea	Spirea japonica 'Little Princess'	Can.	SP
10	5gal.	Oakleaf Hydrangea	Hydrangea quercifolia	Can.	OH
PERENNIALS, GROUNDCOVERS and GRASSES					
44	1gal.	Astilbe	Astilbe 'Rheinland'	Can.	RA
17	1gal.	Caramel Coral Bells	Heuchera 'Caramel'	Can.	CB
1900	3"	Japanese Spurge	Pachysandra terminalis	Flat	PY

GENERAL NOTES:
1. APPLICANT SHALL WORK PROACTIVELY WITH THE ADJACENT NEIGHBORS TO THE SOUTH TO REPLACE EXISTING LANDSCAPE SCREENING AND TREES REMOVED ALONG THE SOUTH PROPERTY LINE THAT ARE ON THE APPLICANT'S PROPERTY. THIS MAY INCLUDE PLANTING OF SOME PLANT MATERIAL ON THE NEIGHBOR PROPERTY WITH THE FULL APPROVAL OF THE NEIGHBORING PROPERTY'S H.O.A. APPLICANT WILL WORK WITH THE SOUTH NEIGHBORS H.O.A. TO ESTABLISH A MUTUALLY ACCEPTABLE RESULT TO THE EXTENT POSSIBLE ON THE APPLICANT'S PROPERTY.
2. SNOW REMOVAL SHALL BE CONTRACTED BY THE H.O.A. WITH A LICENSED AND BONDED SNOW REMOVAL CONTRACTOR. IN ADDITION, A RADIANT SNOW MELTING SYSTEM WILL BE INSTALLED FROM THE SOUTH ENTRANCE TO THE OVERHEAD GARAGE DOORS AND PARKING AREA.



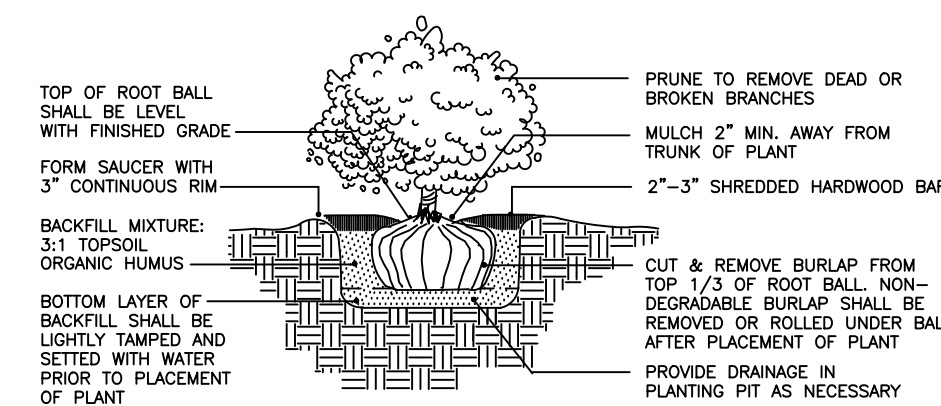
- SPECIFICATIONS:
1. DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKE.
2. WATER THOROUGHLY AFTER INSTALLATION.
3. REMOVE TREE WINDS AND STAKES TWO YEARS AFTER INSTALLATIONS.
4. PROVIDE DRAINAGE FOR PLANTING PIT IN IMPERMEABLE SOIL.
5. TOPSOIL MIX, SEE SPEC.

CONIFEROUS TREE DETAIL

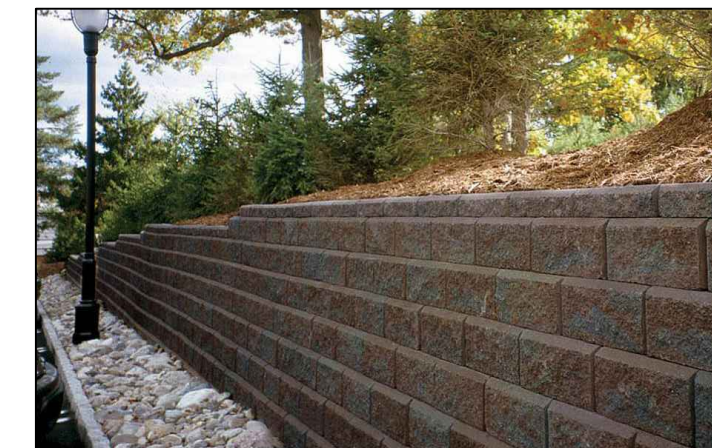
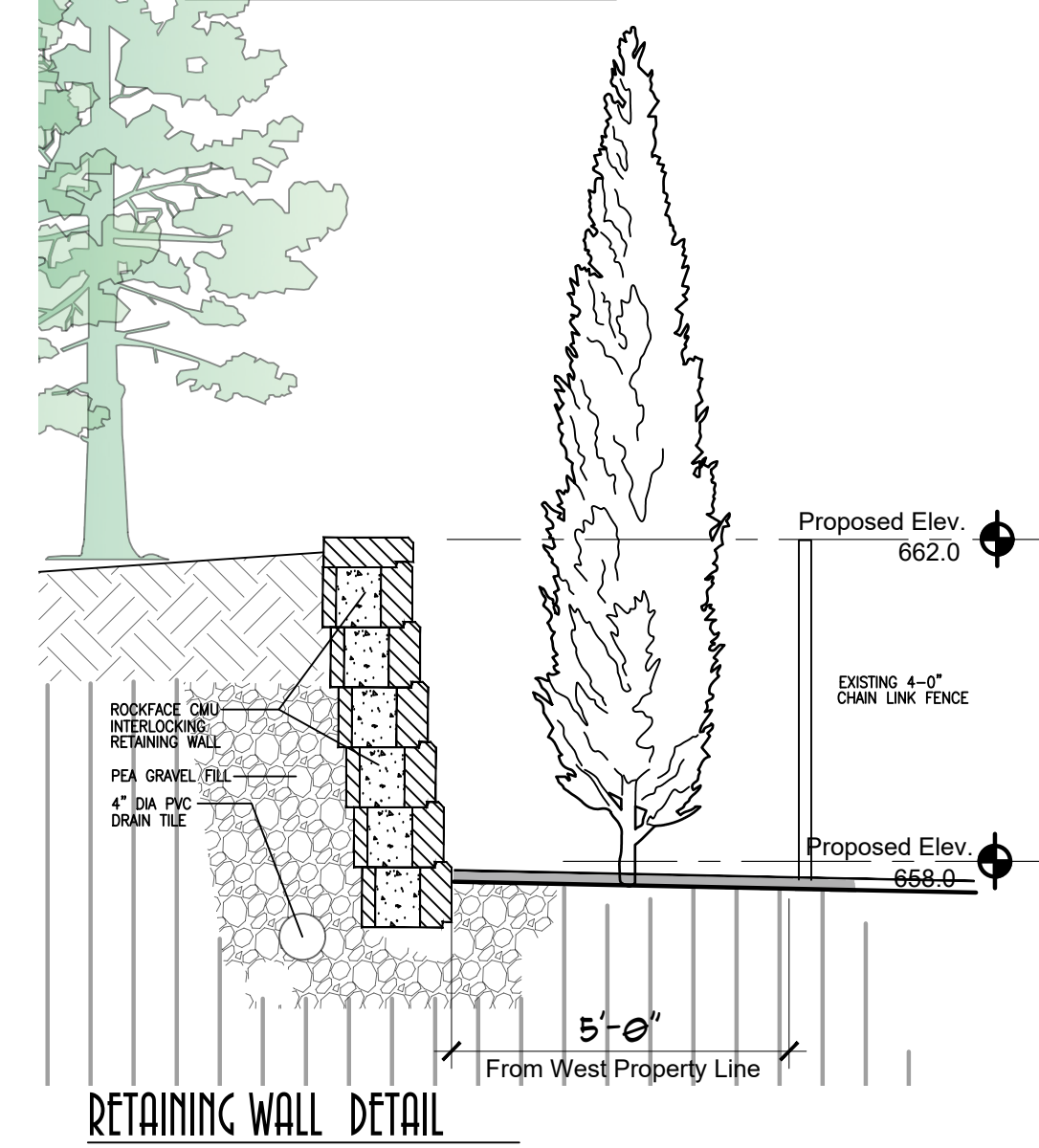
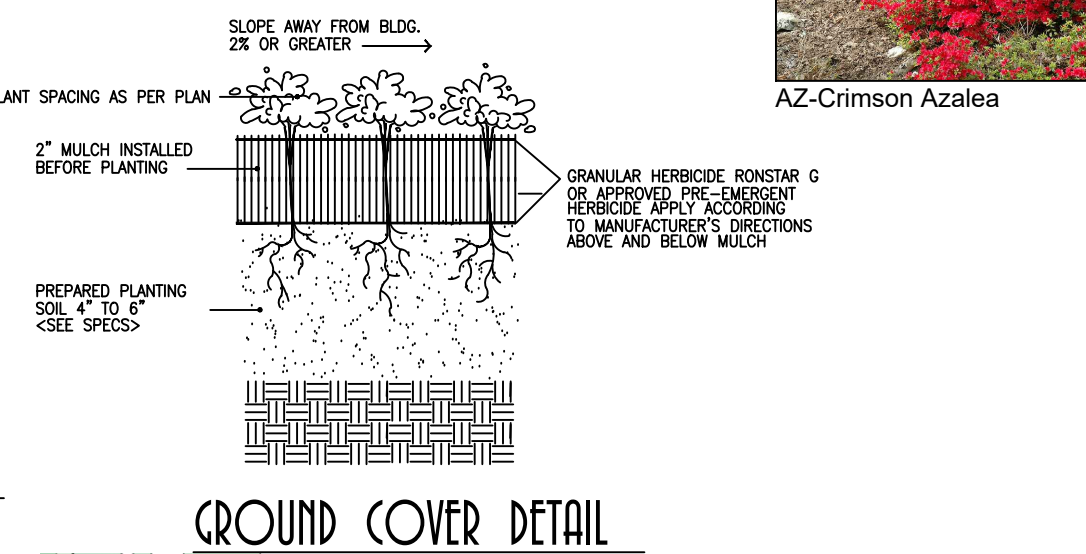


- SPECIFICATIONS:
1. TOPSOIL MIX, SEE SPEC.
2. DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKE.
3. WATER THOROUGHLY AFTER INSTALLATION.
4. REMOVE TREE WINDS AND STAKES TWO YEARS AFTER INSTALLATIONS.
5. PROVIDE DRAINAGE FOR PLANTING PIT IN IMPERMEABLE SOIL.
6. ALL TREES MUST BE TAGGED AND APPROVED BY CONSULTANT WITHIN 14 DAYS AFTER TENDER CLOSING.

DECIDUOUS TREE DETAIL



BURLAP SHRUB DETAIL



REPRESENTATIVE PHOTO OF RETAINING WALL

BELGARD "DIAMOND PRO" WALL (VICTORIAN) OR SIMILAR

W. Damon Wilson
Registered Landscape Architect
Resource One
Landscape Architects
7A Hillside Drive Barrington, IL 60010
Phone: 847 942-2727 Wilsonwdw@aol.com

EXHIBIT E

Tree Preservation Plan



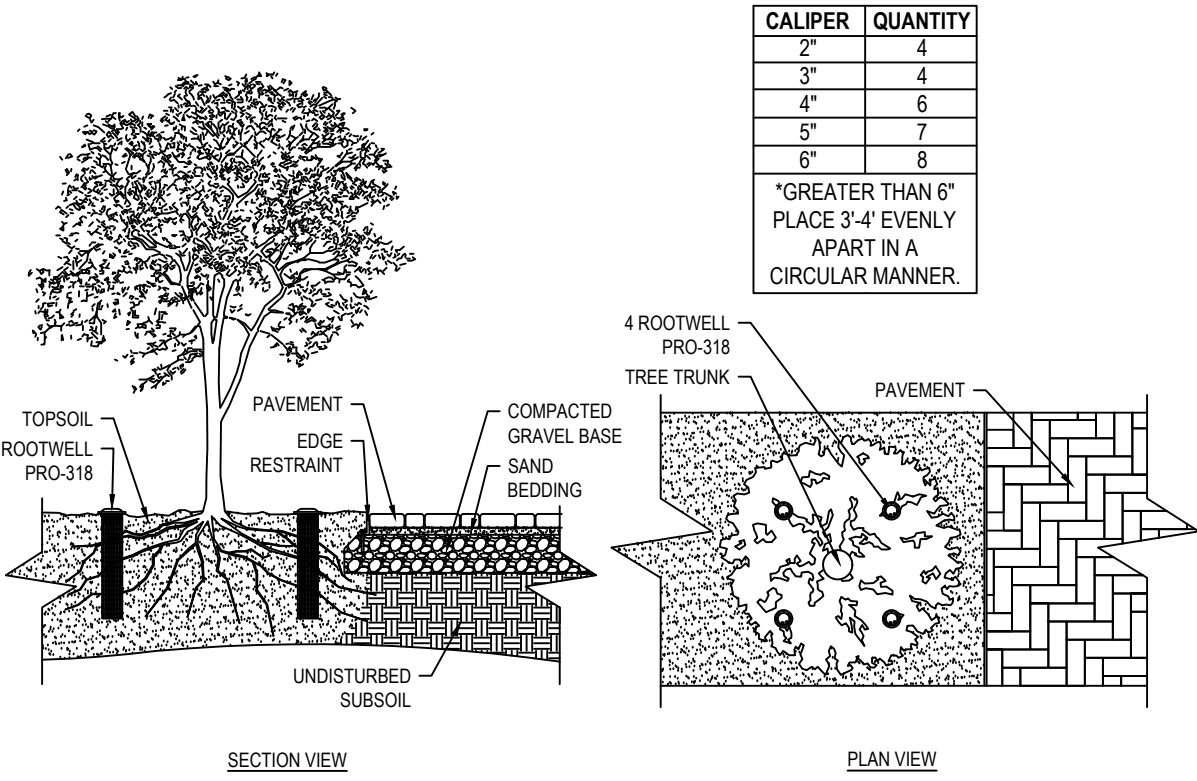
TREE PRESERVATION PLAN

1"=10'-0"

Tree #	Species	Size	Condition	Remarks	Removal	Reason
1	Picea spp.	18"	good		yes	Replaced w/ berm planting
2	Rhamnus cathartica/ Morus spp.	6"/6"	poor/poor		yes	Invasive
3	Acer rubrum spp.	6"	excellent		no	
4	Acer rubrum spp.	6"	excellent		no	
5	Acer spp.	8"	poor		yes	Major damage to trunk, branching bad
6	Acer spp.	15"	fair		no	
7	Quercus spp.	6"	good		no	
8	Ulmus spp.	6"	poor		yes	condition
9	Rhamnus cathartica	6"	poor		yes	invasive
10	Ulmus spp.	10"	poor		yes	condition
11	Ulmus spp.	6"	poor		yes	condition
12	Picea spp.	18"	good	top heavy	yes	location and leaning
13	Pyrus spp.	6"	good		yes	Path of proposed entrance
14	Pyrus spp.	8"	fair		no	
15	Ulmus spp.	28"	fair	top heavy	no	
16	Morus spp.	6"	fair		no	Not on property
17	Morus spp.	8"	fair		yes	location , invasive
18	Fraxinus pp.	6"	poor		yes	location and small size
19	Ulmus spp.	5"	poor		yes	location and size
20	Ulmus spp.	11"	poor		yes	location and top heavy branching
21	Morus spp.	15"	fair		yes	location and one sided branching
22	Acer nugundo	6"	poor		yes	invasive
23	Acer nugundo	8"	poor		yes	invasive

- GENERAL NOTES:
- ONE TREE-INCH CALIPER TREE WILL BE PLANTED ON THE VILLAGE PARKWAY. THE REMAINING INCHES (28) MUST BE ACCOUNTED FOR THROUGH TREE PLANTING ON THE APPLICANT PROPERTY
 - TREE REPLACEMENT IS REQUIRED AND IS BASED ON THE SPECIES AND CONDITION OF TREES TO BE REMOVED. REQUIRED REPLACEMENT SHALL BE AS FOLLOWS:
 - REMOVAL INCHES: 114"
 - REQUIRED REPLACEMENT DEPOSIT: \$7,750.00

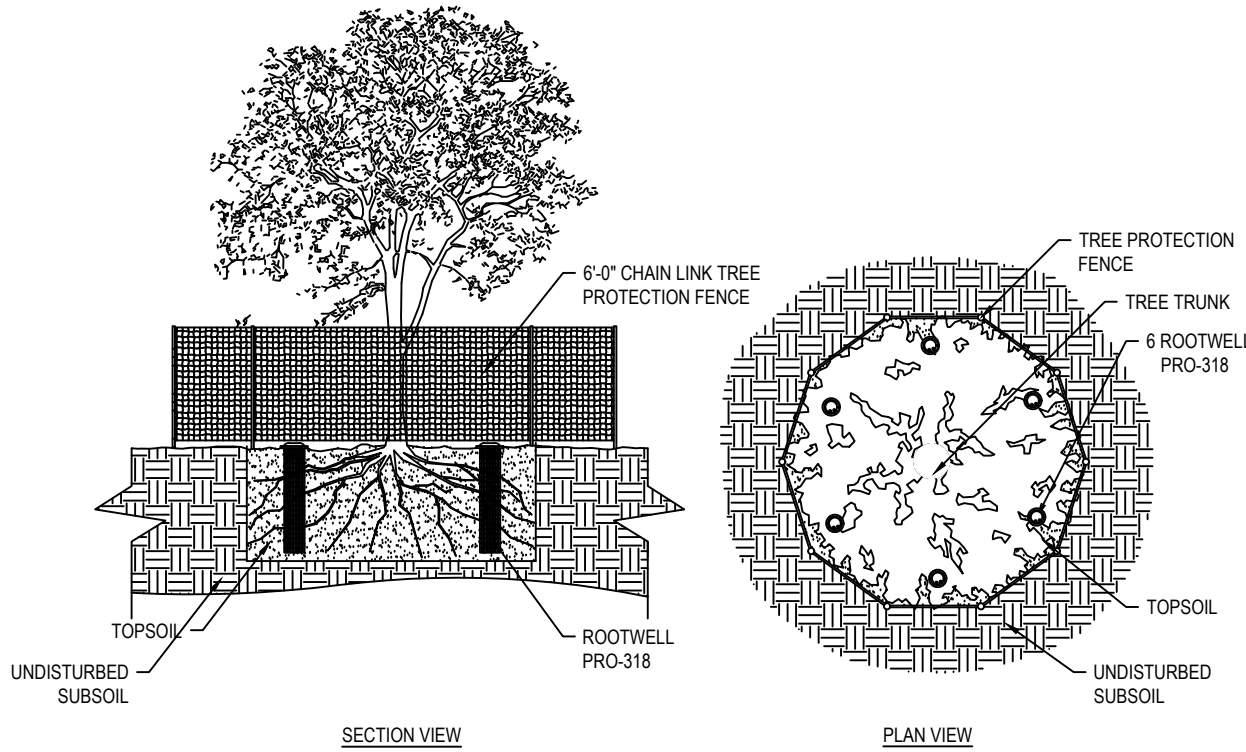
- TREE PRESERVATION NOTES:
- PROTECTIVE TREE FENCING WILL BE REQUIRED AT EDGE OF CRITICAL ROOT ZONES FOR ALL TREES TO REMAIN. PROTECTIVE FENCING MUST BE 6'-0" CHAIN LINK OR SIMILAR MATERIAL DRIVEN POSTS.
 - GRADE CHANGES WITHIN THE TREE PROTECTION ZONES OF ANY PROTECTED TREE ARE PROHIBITED
 - NO STOOPING OF ANY MATERIAL FOR ANY PERIOD OF TIME WITHIN TREE PROTECTION ZONES
 - NO HEAVY MACHINERY MAY OPERATE WITHIN TREE PROTECTION ZONE DURING ANY PHASE OF CONSTRUCTION PROJECT, INCLUDING AFTER PROTECTIVE TREE FENCING HAS BEEN REMOVED. OPERATING HEAVY MACHINERY WITHIN TREE PROTECTION ZONE WILL RESULT IN A STOP WORK ORDER.



- MANUFACTURER NOTES:
- EXISTING TREES REQUIRE THE ROOTWELL TO BE PLACED APPROXIMATELY 2.5' TO 4' FROM THE TRUNK, OR ON LARGE TREES AS CLOSE AS POSSIBLE. TREE ROOTS ARE NOT AT THE DRIP LINE, BUT ARE MUCH CLOSER TO THE TRUNK WHEN TREES ARE IN STRESS, IN DECLINE, OR IN COMPACTED SOILS
 - USE THE QUANTITY GUIDE ABOVE AND EVENLY SPACE THE ROOTWELLS APART. ON LARGER TREES LOCATE THE ROOTWELLS IN A CIRCULAR MANNER AROUND THE TREE APPROXIMATELY 3'-4' APART. PLACE THE CAPS TOP LIP FLANGE SO IT IS FLUSH ON THE GROUND TO ALLOW FOR MOWING CLEARANCE.

EXISTING TREE NEXT TO PAVEMENT

NO SCALE



- MANUFACTURER NOTES:
- EXISTING TREES REQUIRE THE ROOTWELL TO BE PLACED APPROXIMATELY 2.5' TO 4' FROM THE TRUNK, OR ON LARGE TREES AS CLOSE AS POSSIBLE. TREE ROOTS ARE NOT AT THE DRIP LINE, BUT ARE MUCH CLOSER TO THE TRUNK WHEN TREES ARE IN STRESS, IN DECLINE, OR IN COMPACTED SOILS
 - USE THE QUANTITY GUIDE ABOVE AND EVENLY SPACE THE ROOTWELLS APART. ON LARGER TREES LOCATE THE ROOTWELLS IN A CIRCULAR MANNER AROUND THE TREE APPROXIMATELY 3'-4' APART. PLACE THE CAPS TOP LIP FLANGE SO IT IS FLUSH ON THE GROUND TO ALLOW FOR MOWING CLEARANCE.

EXISTING TREE PROTECTION

NO SCALE

W. Damon Wilson
Registered Landscape Architect
Resource One
Landscape Architects
7A Hillside Drive Barrington, IL 60010
Phone: 847 942-2727 Wilsonwdw@aol.com

RM
SWANSON
ARCHITECTS
11418 E MISSION LN
SCOTTSDALE, AZ 85259
Mobile: 847 757-3975
rick@rmswanson.com

EXHIBIT F

Renderings







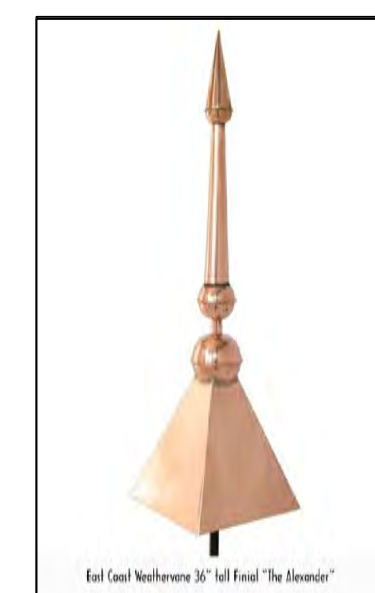
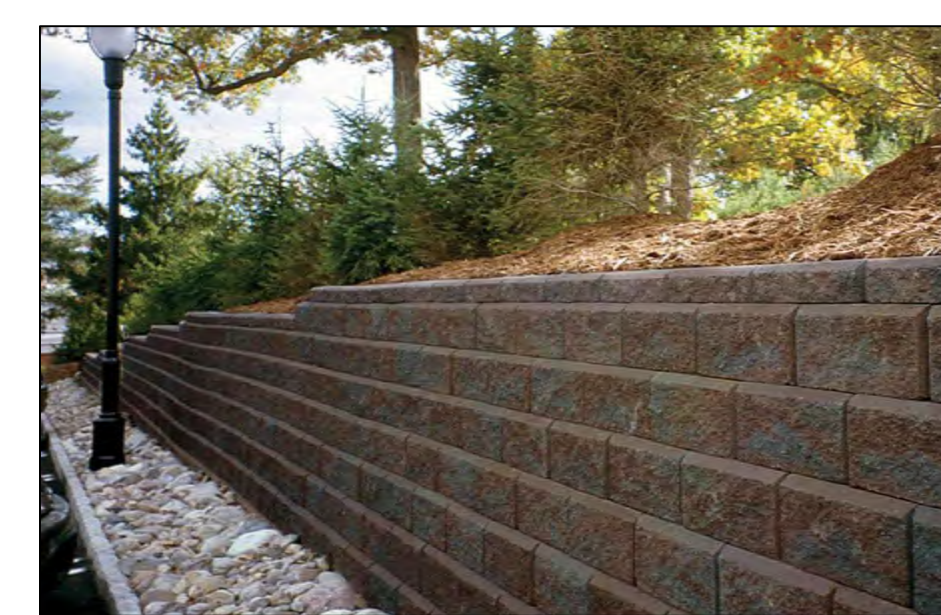
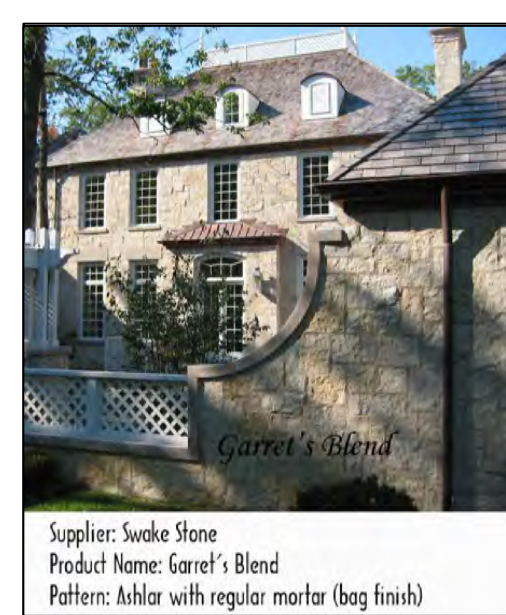
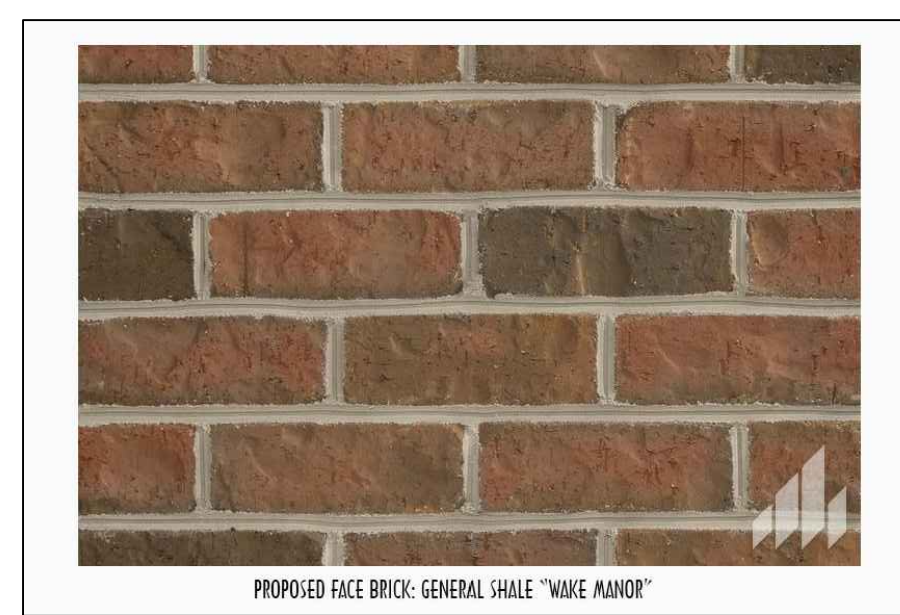
EXHIBIT G

Building Elevations and Sections



EAST ELEVATION

$\frac{1}{4}" = 1'-0"$



RM
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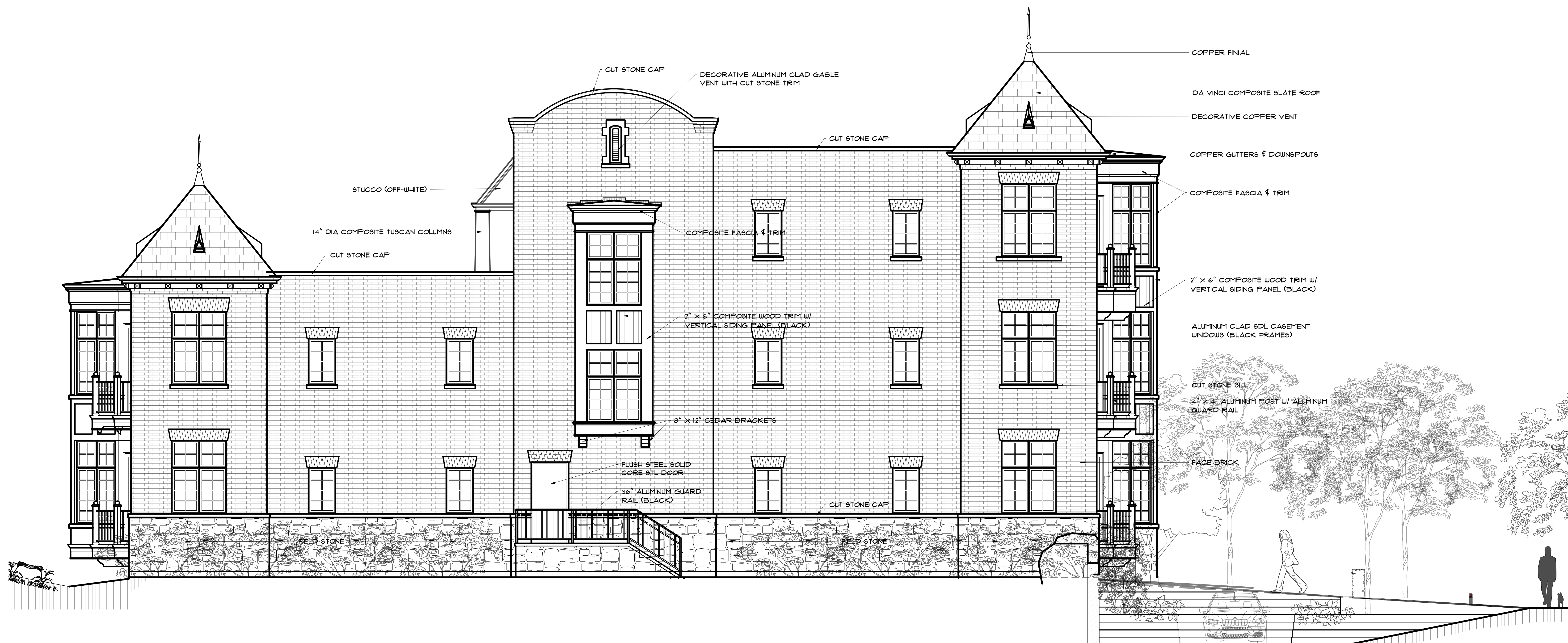
NORTH ELEVATION

$\frac{1}{4}" = 1'-0"$



WEST ELEVATION

$\frac{1}{4}" = 1'-0"$



SOUTH ELEVATION

1/4" = 1'-0"



680 GREEN BAY RD

- * 15% of the total wall mass is over the max height
- * 166% over FAR
- * ACTUAL Unit Count: 27
Allowable Unit Count: 22
25% over Density

688 GREEN BAY RD

- * The tower roof peaks are the only elements now over 35'
- * 19.2% over FAR
- * ACTUAL Unit Count: 5
Allowable Unit Count: 6



PROPOSED SCREENING DATA

- A 5'-0" landscape retaining wall would be installed the length of the west property line
- 8'-0" tall arbor vitae will be planted to screen the wall
- 4 to 5 8'-0" Norway Spruce would be planted along the west property line
- Norway Spruce grow 30" to 60" per year
- Norway Spruce grow TO 20'-0" wide at the base
- Norway Spruce grow to a height of 50'-0"

Point of Building Screening
6 to 7-years

Point of Privacy (3rd flr)
3 to 4-years

Point of Initial Planting

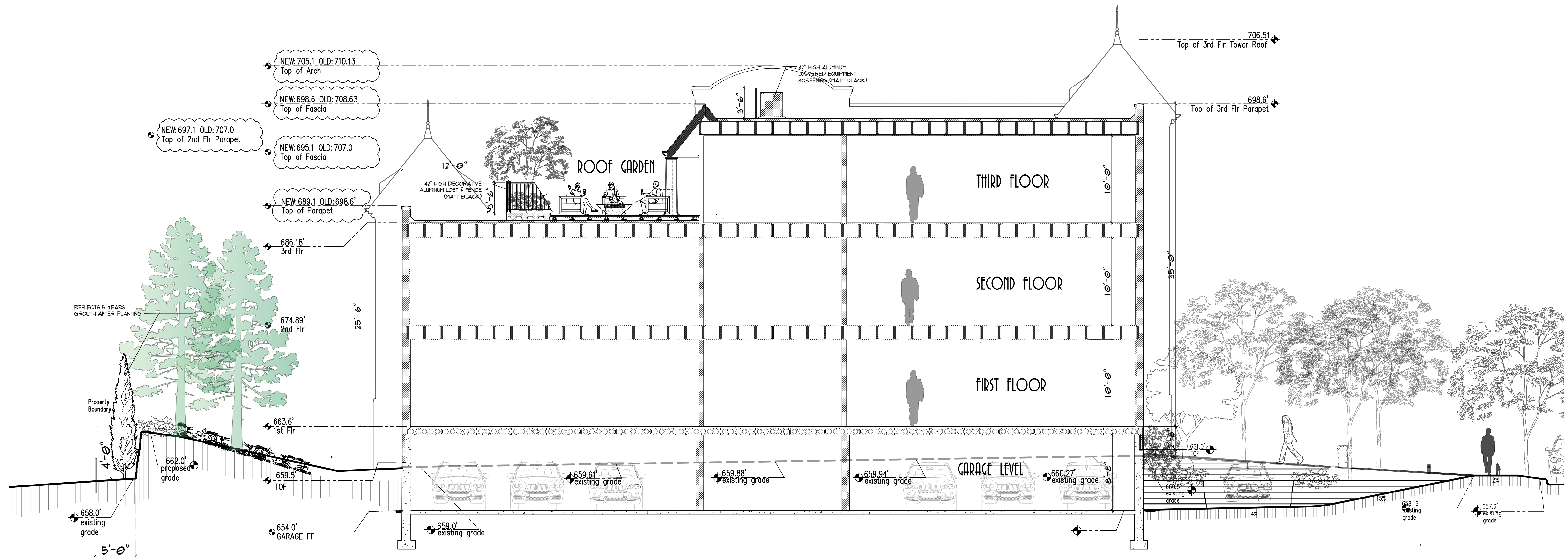
PROPOSED
BUILDING

681 WALDEN LN
RESIDENCE

SITE VIEW SECTION

RM
SWANSON
ARCHITECTS

11418 E MISSION LN
SCOTTSDALE, AZ 85259
Mobile: 847 757-3975
rick@rmson.com

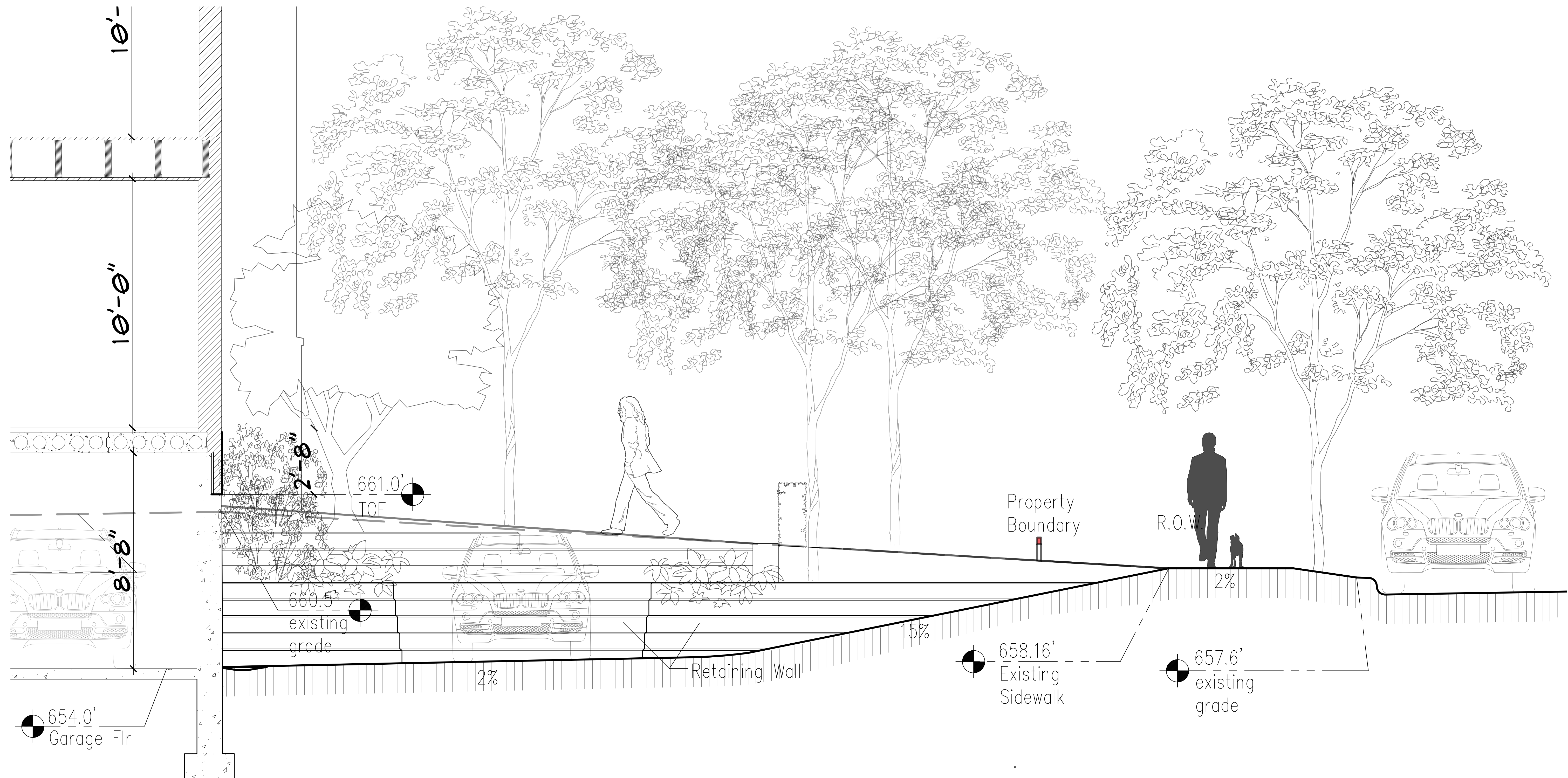


CROSS SECTION BUILDING & SITE

WEST TO EAST

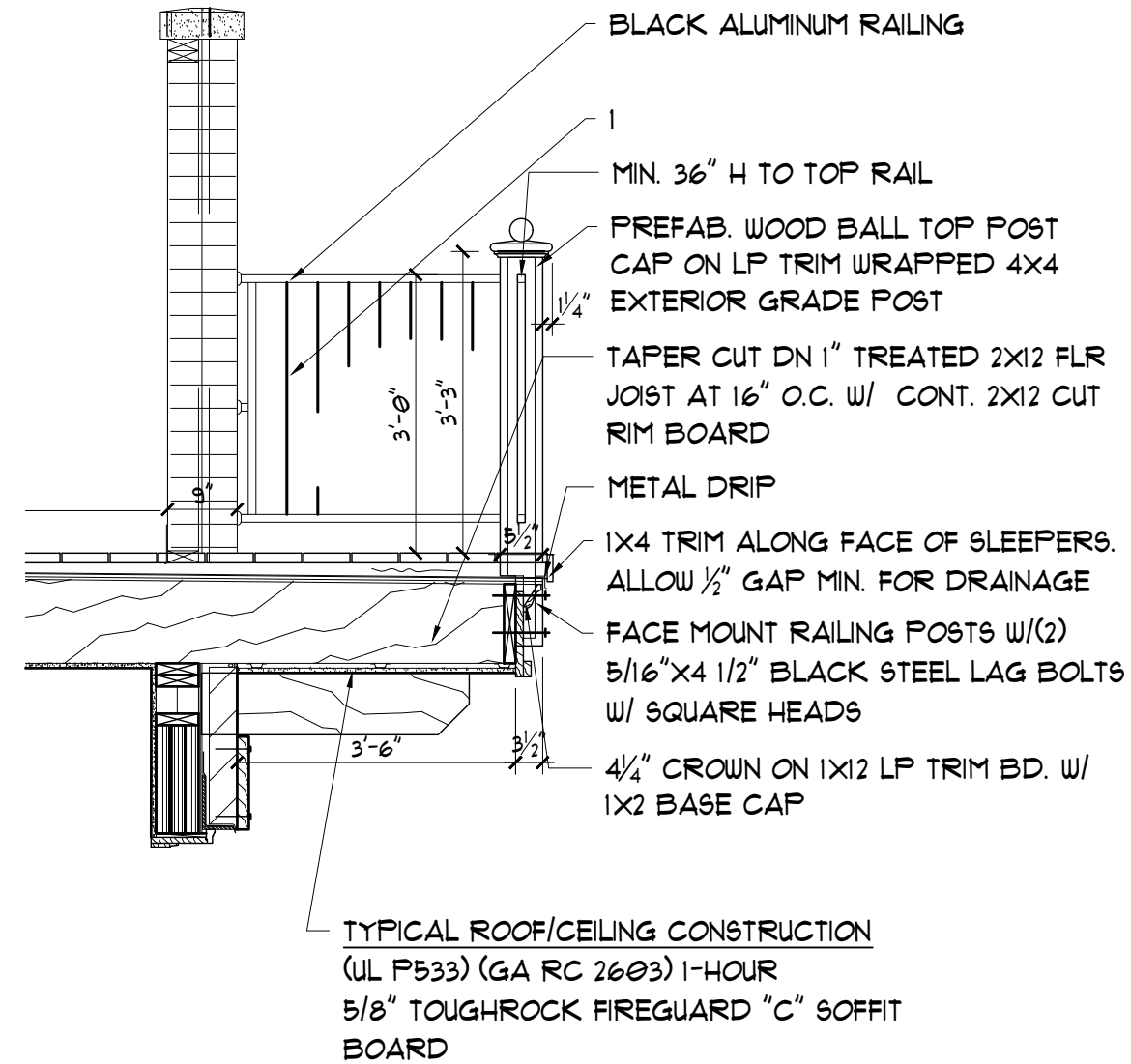
3/8" = 1'-0"

SECTION THRU ENTRANCE DRIVEWAY



SECTION THRU ENTRANCE DRIVEWAY

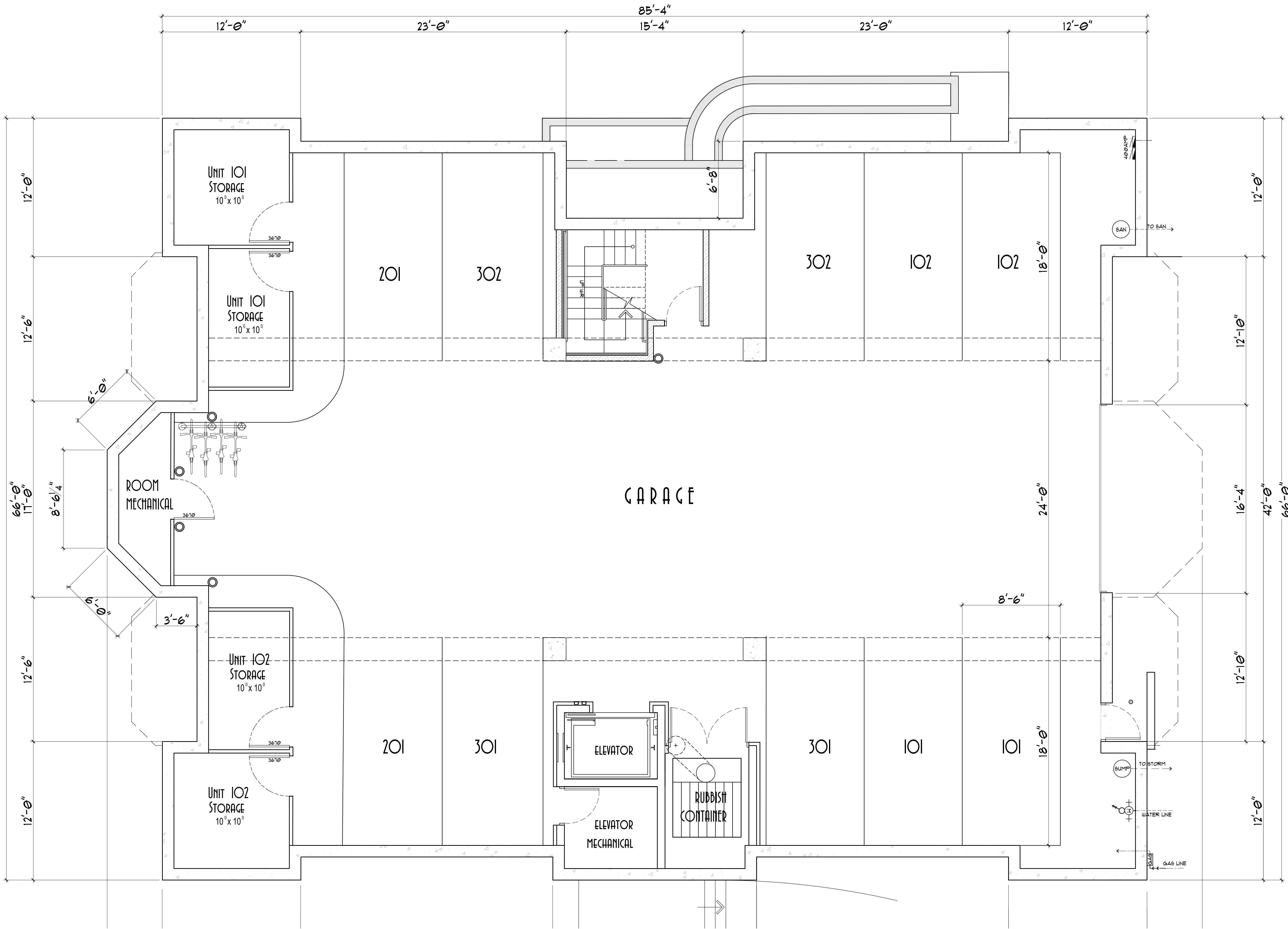
LOOKING FROM SOUTH TO NORTH



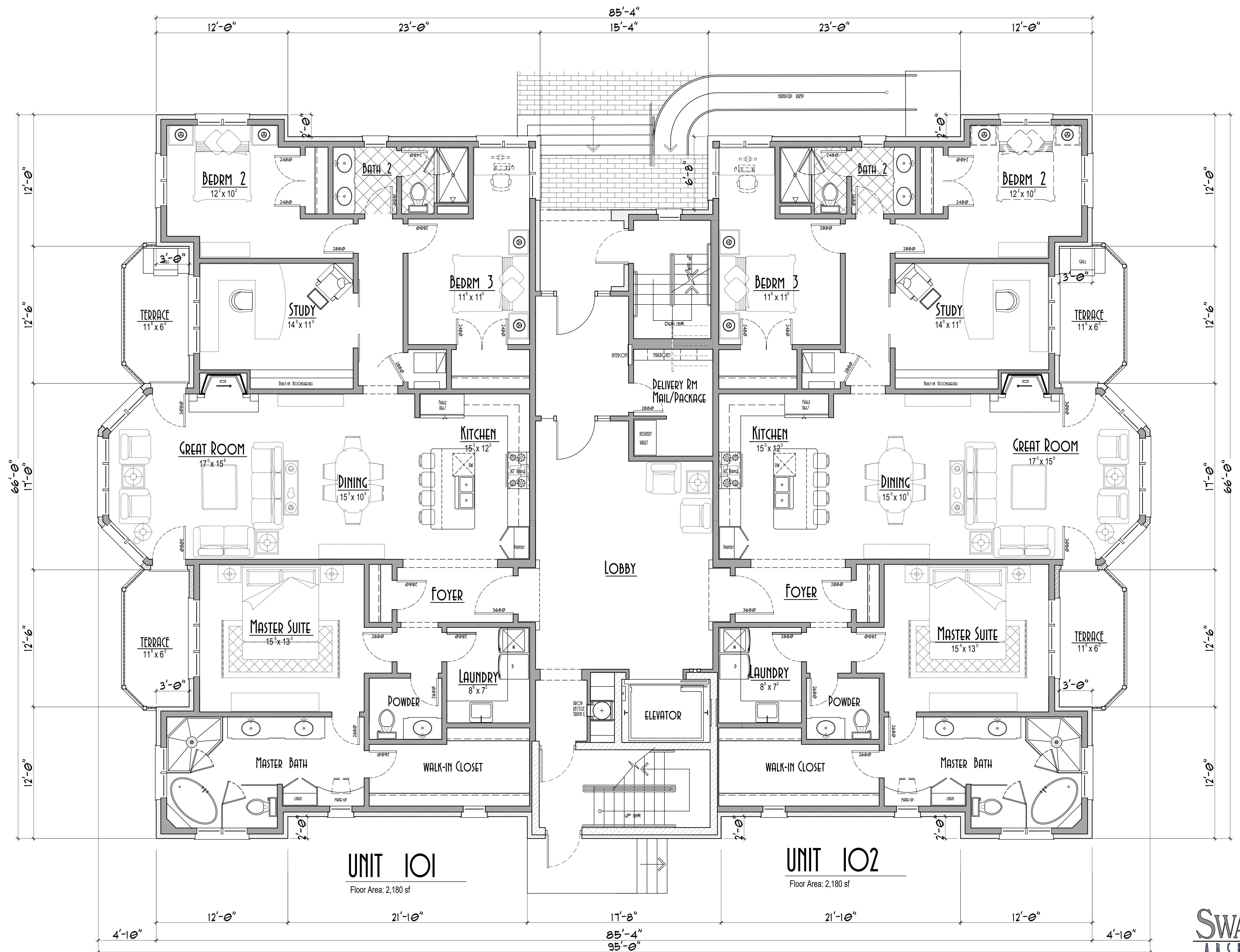
CROSS SECTION AT BALCONY

EXHIBIT H

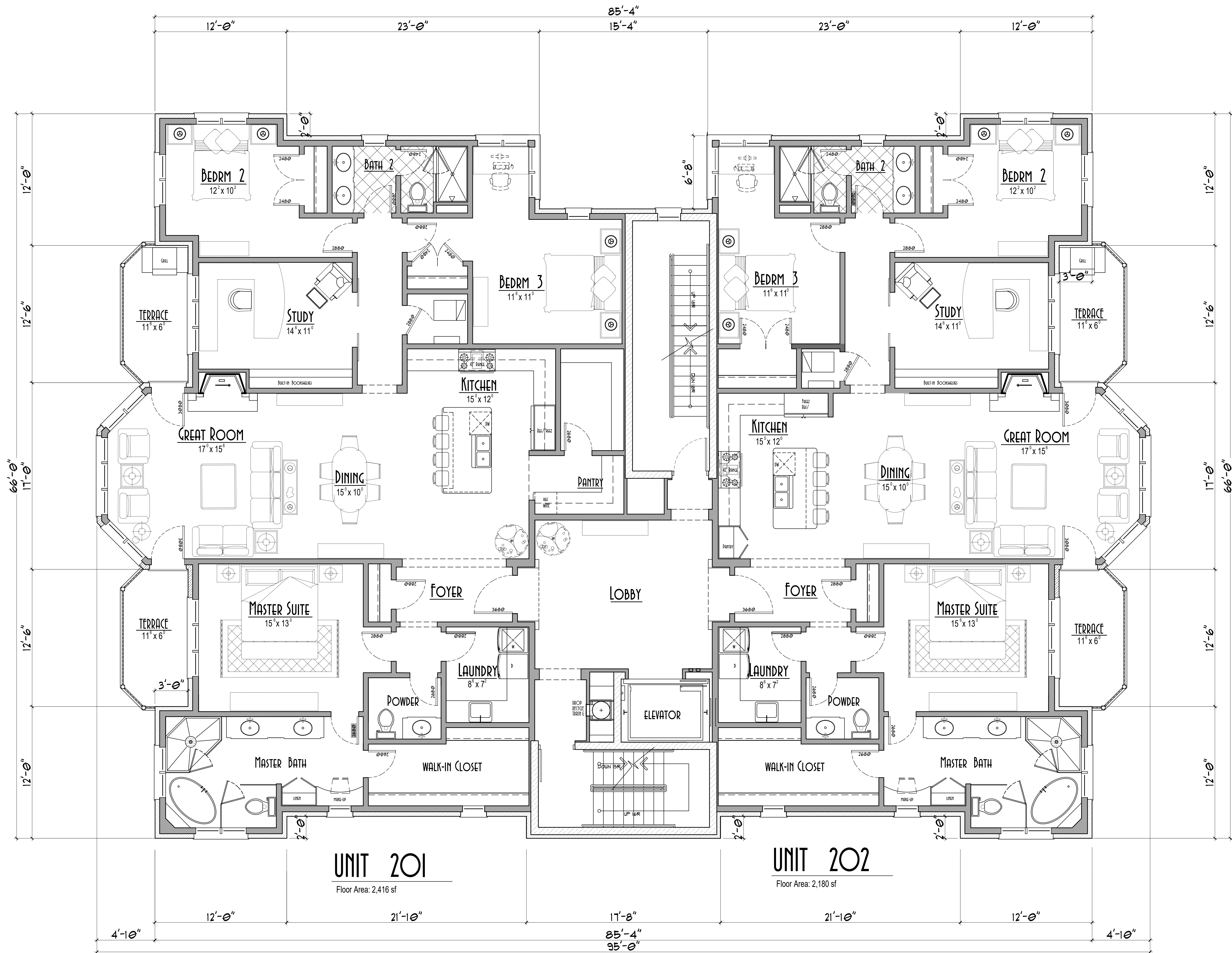
Building Floor Plans



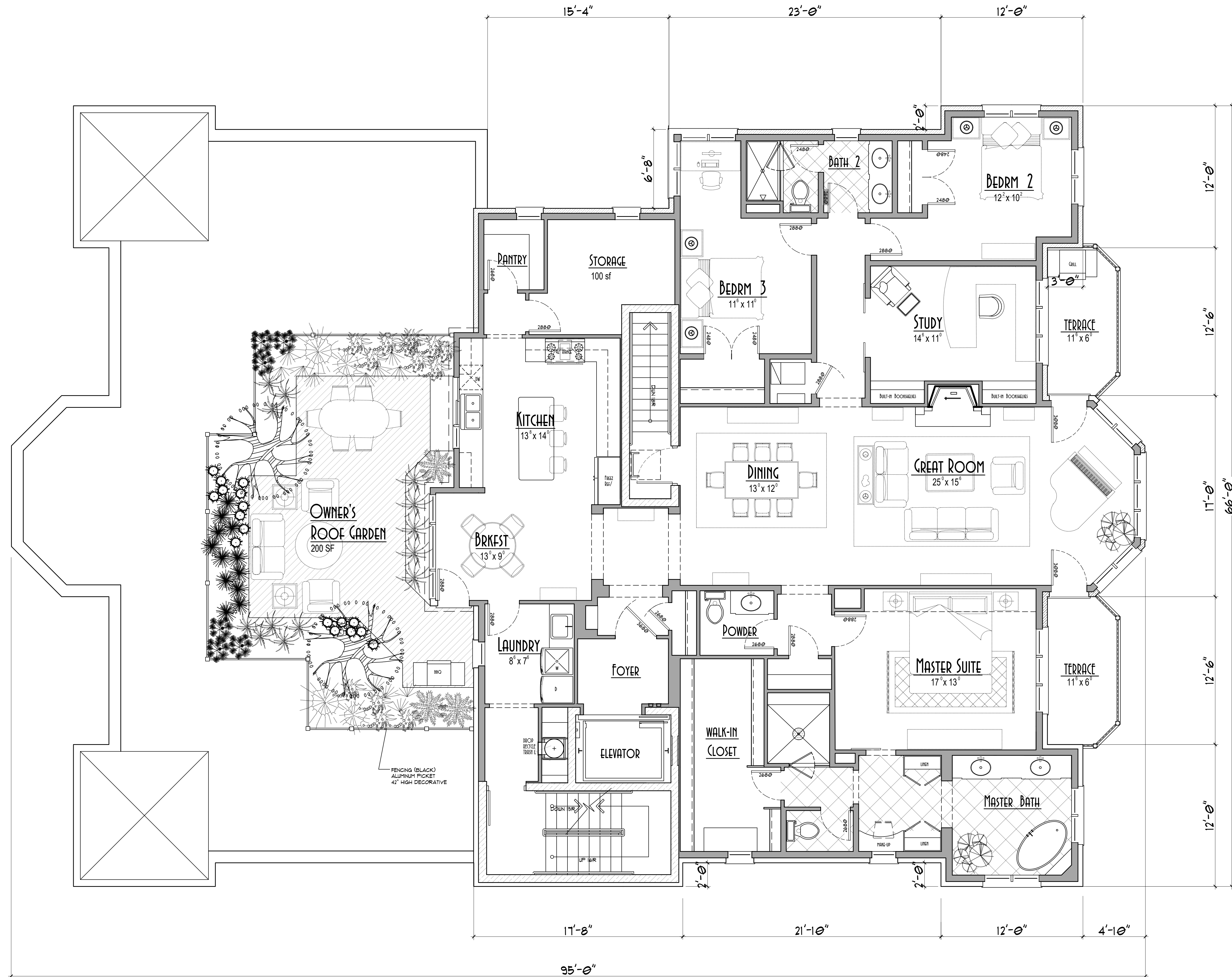
GARAGE PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



PENTHOUSE FLOOR PLAN

Gross Floor Area: 2,876 sf

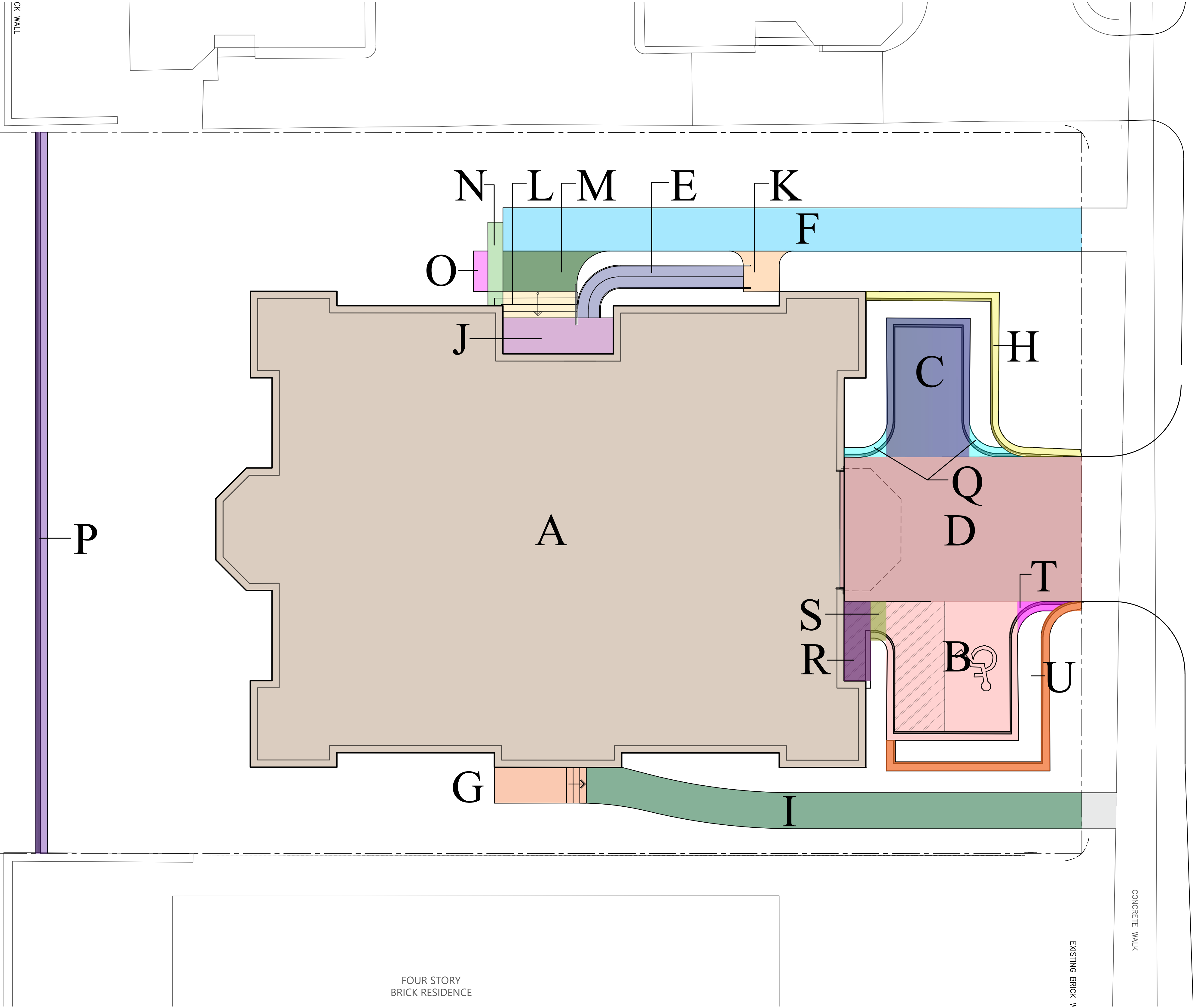


EXHIBIT I

Impermeable Surface Area Plan

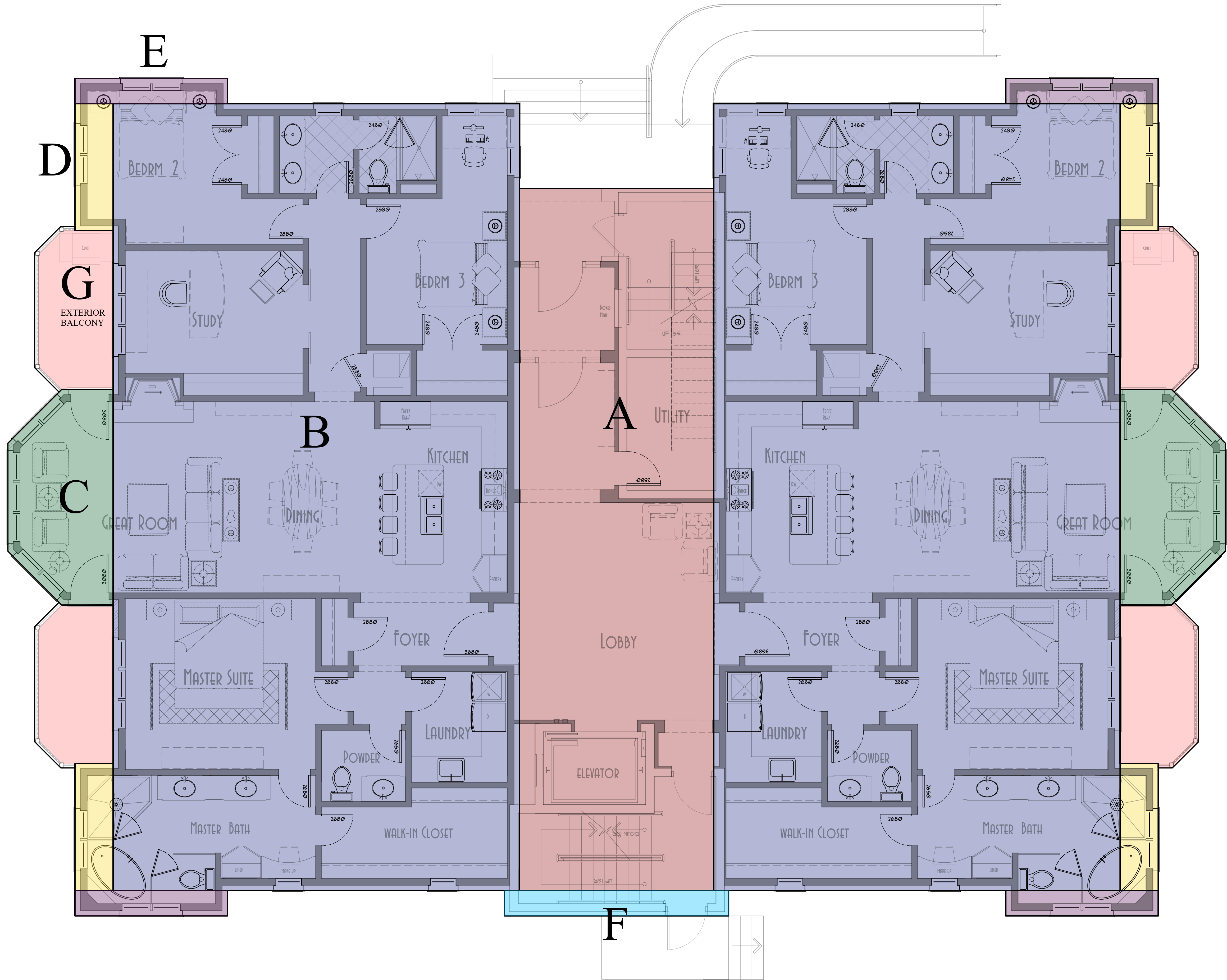
IMPERMEABLE SURFACE LOT COVERAGE MATRIX

PIECE	DIMENSIONS (FT)	ILC AREA (SF)
A	82.0 x 63.1	5,190.0
B	18.33 x 19.16	351.2
C	10 X 21.2	212.0
D	33.6 x 20.0	672.0
E	11.1 x 20.40	226.5
F	80.44 x 6.0	482.6
G	5.0 x 12.0	60.0
H	1.5 x 38.6	58.0
I	4.0 x 70.5	282.1
J	15.0 x 5.0	75.0
K	5.2 x 5.65	29.5
L	10.0 x 3.75	37.5
M	4.0 x 12.15	44.0
N	2.0 x 11.0	24.3
O	2 x 5.6	11.2
P	1.0 x 100.0	100.0
Q	(1.5 x 14) x 2	42.0
R	4.0 x 10.0	40.0
S	2.75 x 4.21	11.6
T	2 x 5.6	10.5
U	1.0 x 62.0	62.0
BALCONIES	(11.5 x 6.0) x 4	276.0
TOTAL IMPERMEABLE AREA		8,298.8 sf
TOTAL LOT AREA		15,000.0 sf
TOTAL ALLOWABLE IMP AREA		9,000.0 (60%)
		702.0 sf under (7.8%)



IMPERMIABLE SURFACE AREA

1/4" = 1'-0"



FIRST, SECOND, THIRD & ROOF
FLOOR GFA-PROPOSED

PIECE	DIMENSIONS (FT)	GFA AREA (SF)
A	15.3 x 55.3	846.0
B	(32.0 x 62.0) x 2	3,968.0
C	(7.2 x 17.0) x 2	244.8
D	(3.0 x 10.75) x 4	129.0
E	(12.0 x 2.0) x 4	96.0
F	17.75 x 2.0	35.5
G	(11.5 x 6.0) x 6	414.0
3rd flr & 2nd west not counted		
TOTALS PER FLOOR:		
1st FLOOR AREA:		5,595.3
2nd FLOOR AREA:		5,457.3
3rd FLOOR AREA:		3,154.4
ROOF FLOOR AREA:		48.0
GROSS BLDG FLOOR AREA:		14,255.0
TOTAL CURRENT OVERAGE:		2,255.0
PREVIOUS BLDG FLOOR AREA:		17,701.5
TOTAL REDUCTION:		(3,446.5)

CROSS FLOOR AREA 1ST & 2ND FLOORS

1/4" = 1'-0"



THIRD FLOOR GFA-PROPOSED

PIECE	DIMENSIONS (FT)	GFA AREA (SF)
A	15.3 x 55.3	846.0
B	32.0 x 62.0	1,984.0
C	7.2 x 17.0	122.4
D	3.0 x 10.75 x 2	64.5
E	(12.0 x 2.0) x 2	48.0
F	17.75 x 2.0	35.5
G		(3rd flr not counted)
H	3.0 x 18.0	54.0
GROSS 3RD FLOOR AREA:		3,154.4

CROSS FLOOR AREA 3RD FLOOR

1/4" = 1'-0"



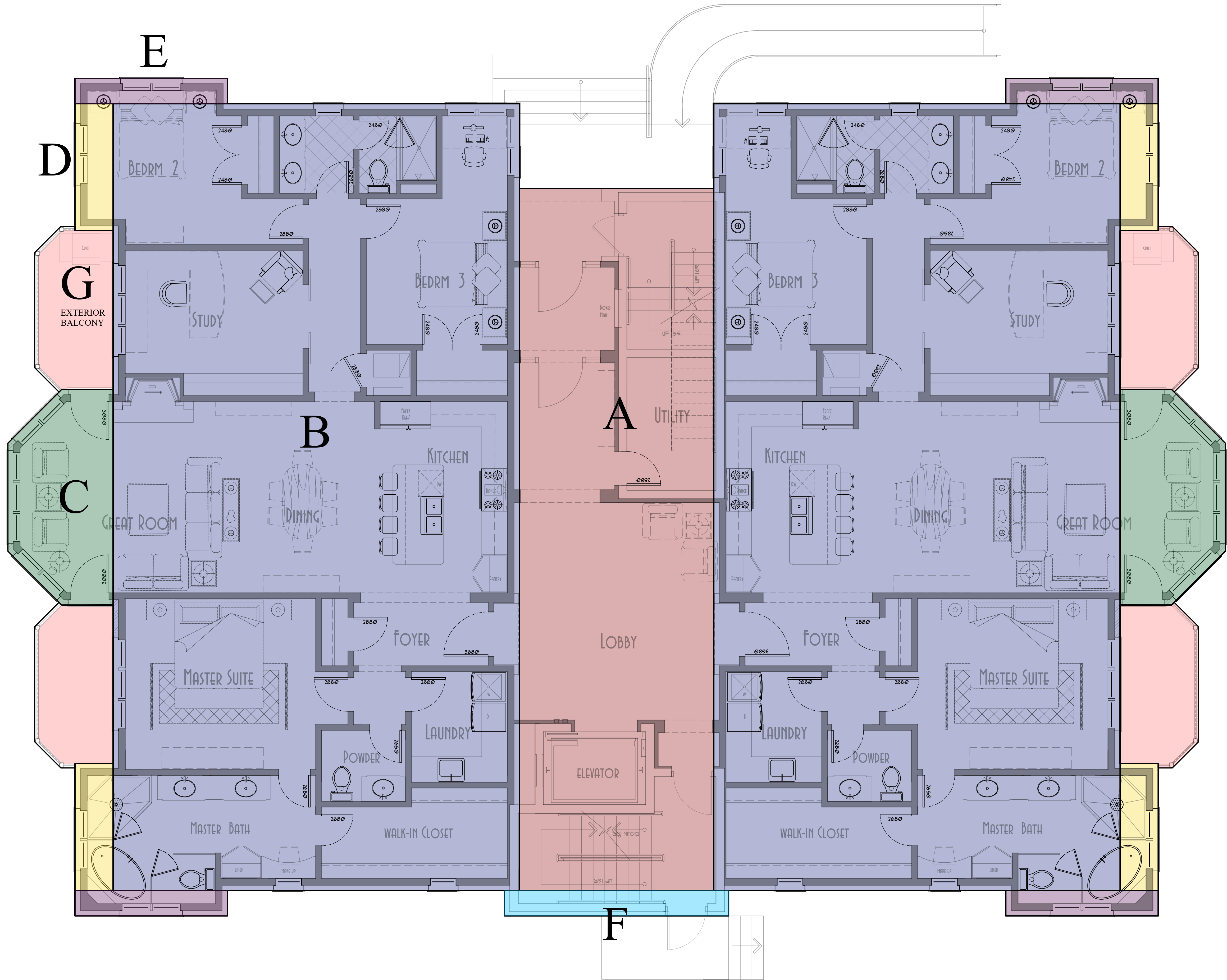
ROOF GFA-PROPOSED		
PIECE	DIMENSIONS (FT)	GFA AREA (SF)
A		48.0
NEW TOTALS:		48.0
PREVIOUS TOTALS:		1,191.6
TOTAL REDUCTION		(1,143.6)

CROSS FLOOR AREA ROOF

1/4" = 1'-0"

EXHIBIT J

Gross Floor Area Diagram



FIRST, SECOND, THIRD & ROOF FLOOR GFA-PROPOSED

PIECE	DIMENSIONS (FT)	GFA AREA (SF)
A	15.3 x 55.3	846.0
B	(32.0 x 62.0) x 2	3,968.0
C	(7.2 x 17.0) x 2	244.8
D	(3.0 x 10.75) x 4	129.0
E	(12.0 x 2.0) x 4	96.0
F	17.75 x 2.0	35.5
G	(11.5 x 6.0) x 6	414.0
3rd flr & 2nd west not counted		
TOTALS PER FLOOR:		
1st FLOOR AREA:		5,595.3
2nd FLOOR AREA:		5,457.3
3rd FLOOR AREA:		3,166.4
ROOF FLOOR AREA:		0
GROSS BLDG FLOOR AREA:		14,219.0 18.5% OVER
TOTAL CURRENT OVERAGE:		2,219.0
PREVIOUS BLDG FLOOR AREA:		17,701.5 47.5% OVER
TOTAL REDUCTION:		(3,482.5)

CROSS FLOOR AREA 1ST & 2ND FLOORS

1/4" = 1'-0"



THIRD FLOOR GFA-PROPOSED

PIECE	DIMENSIONS (FT)	GFA AREA (SF)
A	15.3 x 55.3	846.0
B	32.0 x 62.0	1,984.0
C	7.2 x 17.0	122.4
D	3.0 x 10.75 x 2	64.5
E	(12.0 x 2.0) x 2	48.0
F	17.75 x 2.0	35.5
G		(3rd flr not counted)
H	4.0 x 10.0	40.0
I	2.0 x 13.0	26.0
GROSS 3RD FLOOR AREA:		3,166.4

CROSS FLOOR AREA 3RD FLOOR

1/4" = 1'-0"

RM
SWANSON
ARCHITECTS

11418 E MISSION LN
SCOTTSDALE, AZ 85259
Mobile: 847 757-3975
rick@rmswanson.com



ROOF GFA-PROPOSED

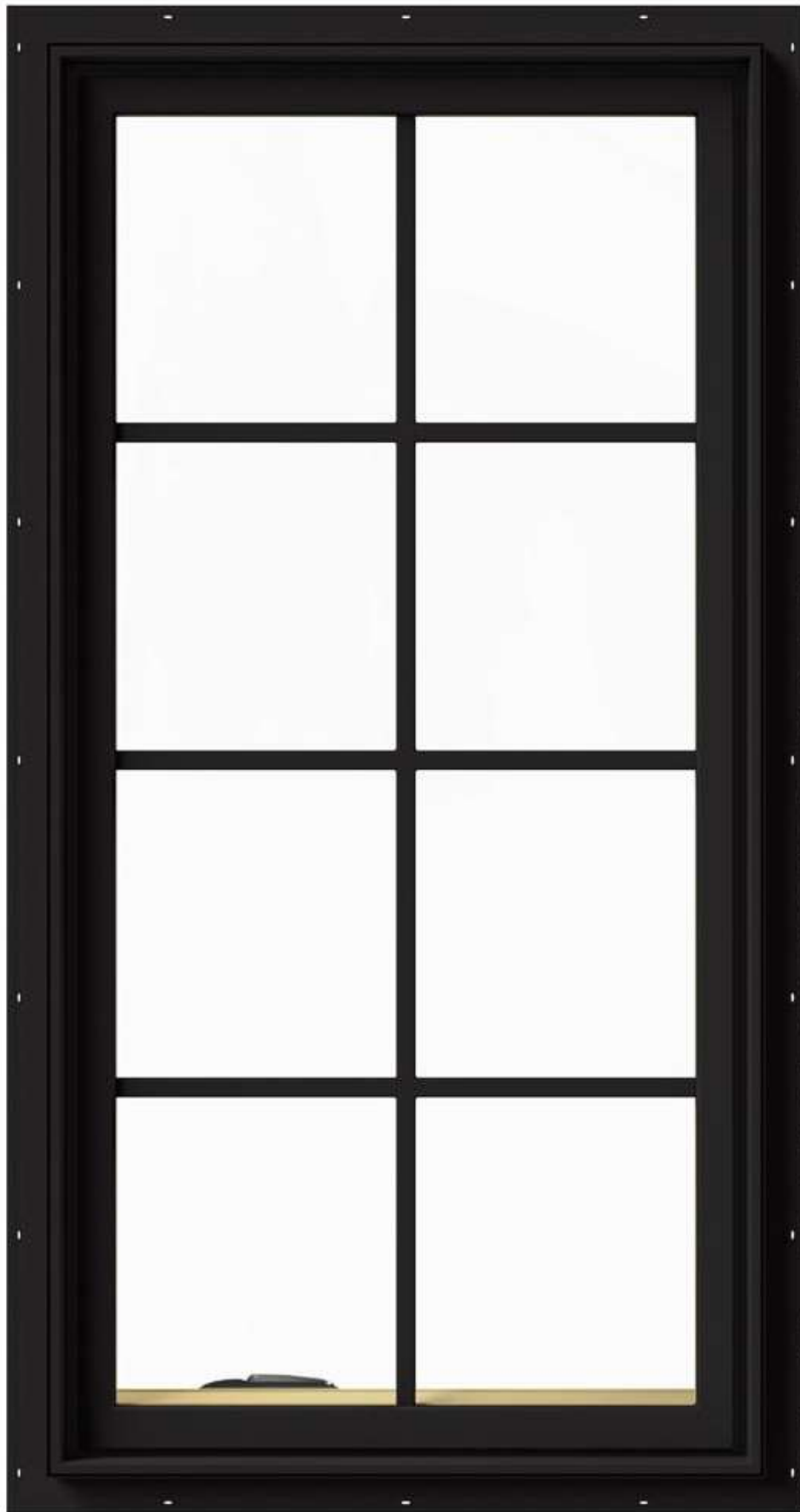
PIECE	DIMENSIONS (FT)	GFA AREA (SF)
		.0
NEW TOTALS:		.0
PREVIOUS TOTALS:		1,191.6
TOTAL REDUCTION		(1,191.6)

CROSS FLOOR AREA ROOF

1/4" = 1'-0"

Exhibit K

Building Material and Finish Cut Sheets



Proposed Casement Window: Simulated Divided Lite
Clad (black frame) Double Glazed Insulated



Manufacturer: Da Vinci Roofscapes Inc

Product: Synthetic Slate Roof

Color: Slate Gray

Size: 6", 9" & 12" random widths with 8" exposure

12-10-2020



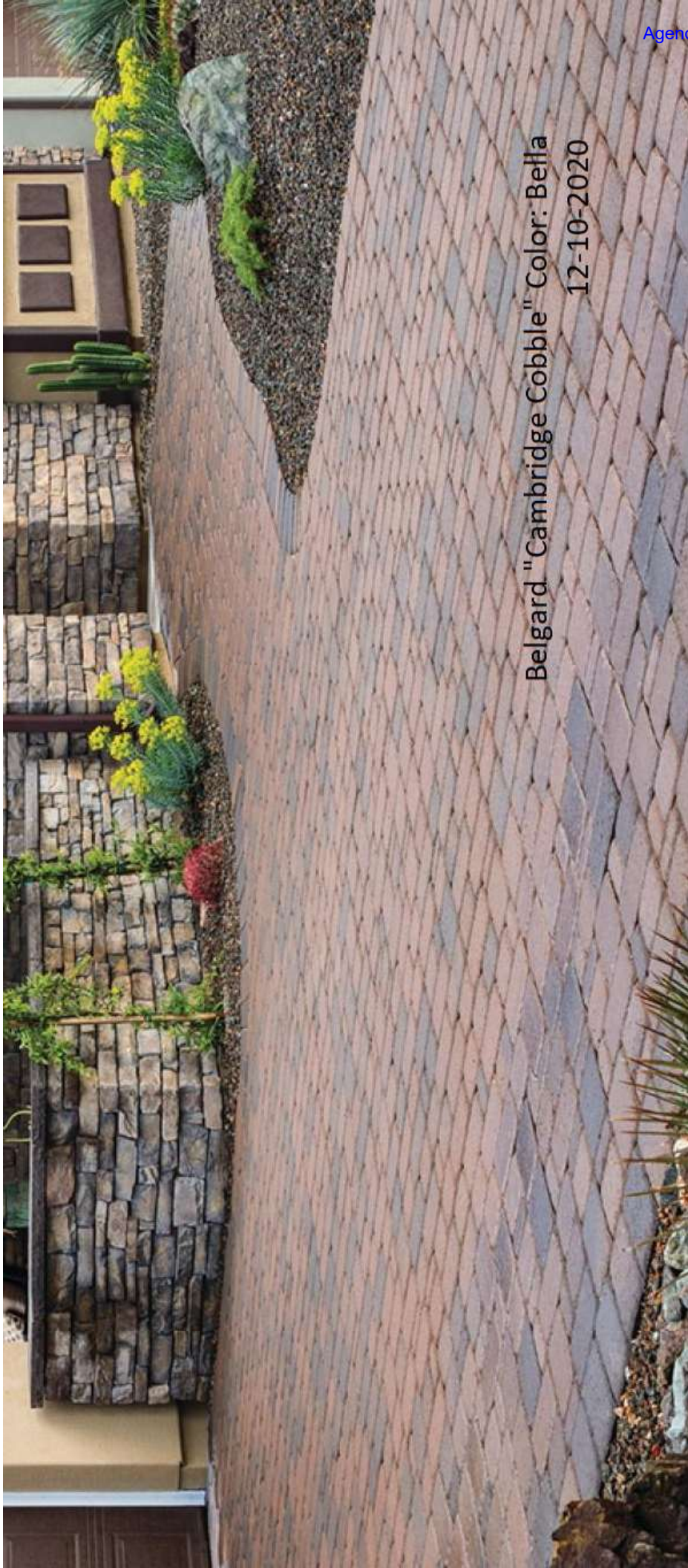
Supplier: Swake Stone
Product Name: Garret's Blend
Pattern: Ashlar with regular mortar (bag finish)

12-10-2020



PROPOSED FACE BRICK: GENERAL SHALE "WAKE MANOR"

12-10-2020



Belgard "Cambridge Cobble" Color: Bella
12-10-2020

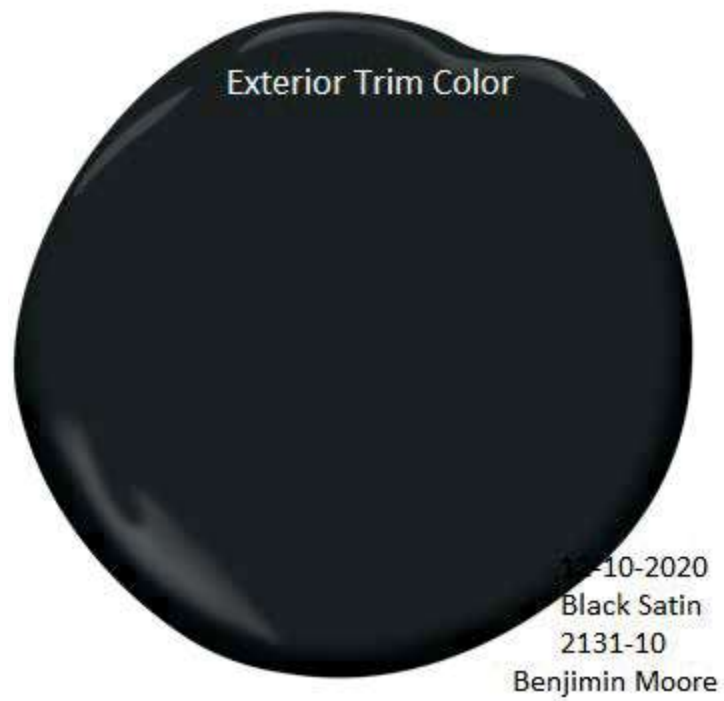


Proposed Stucco Color & Finish

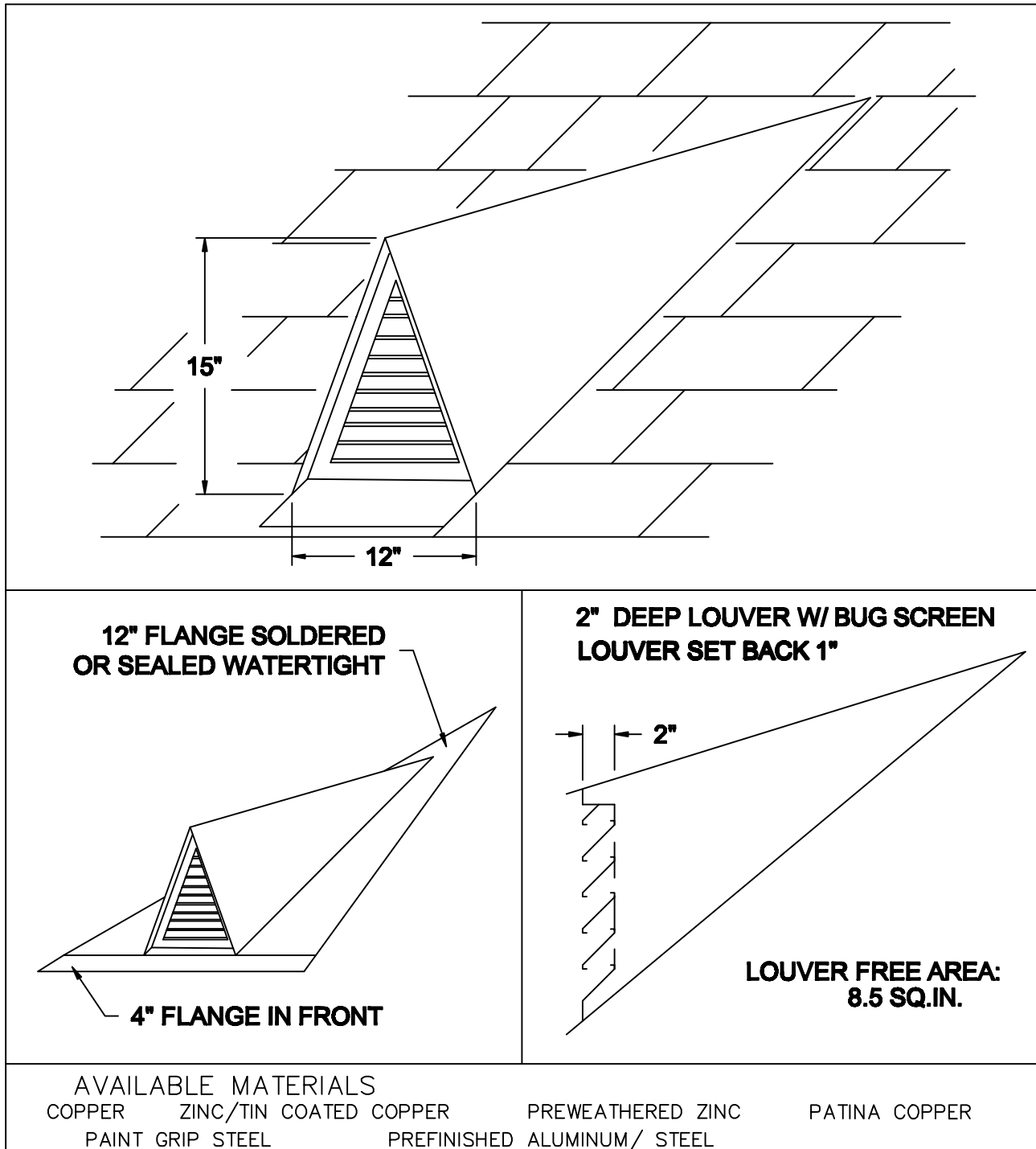


Exterior Trim & Bay Color

12-10-2020



LOUVER DORMER BUTTERFLY



REV. 7/14

INSTALLATION:

MARK OPENING IN ROOF DECK ON DESIRED COURSE. CUT OPENING IN DECK. POSITION DORMER OVER OPENING AND FASTEN TO DECK.

OTHER INFORMATION:

SPECIFY EXACT ROOF PITCH.

OTHER:

INCLUDES INSECT SCREEN OF COMPATIBLE MATERIAL.

COPPER CRAFT
A EURAMAX COMPANY



East Coast Weathervane 36" tall Finial "The Alexander"



The proposed aluminum rail will be similar in color and design including meeting all requirements for height and structural support

12-10-2020



CANYON RIDGE®

— garage doors —



CARRIAGE HOUSE ■ LOUVER ■ MODERN

*Canyon Ridge® Louver Design 52; Shown in Walnut Finish with Louver Mahogany Cladding,
Mahogany Overlays and REC13 Window Design (Model CAN252LMREC13)*

INTELLIGENT BEAUTY

Canyon Ridge® garage doors give you the best of both worlds — the luxurious look of authentic wood and the practical functionality of steel and composite materials.

Durable, low-maintenance steel with Intellicore® polyurethane insulation ensures your home is well-protected, warm and comfortable.

The composite cladding and overlays that make up the designs are molded from actual wood pieces for a truly realistic look and feel.

Choose from a wide range of design options, color finishes, hardware and windows to suit your style.



Canyon Ridge® Carriage House 5-Layer
Design 13; Shown in Dark Finish with Mahogany
Cladding, Mahogany Overlays and REC13 Window
Design (Model CAN213MMREC13)



CANYON RIDGE®

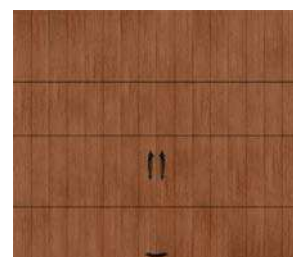
CARRIAGE HOUSE

Inspired by coach houses of a bygone era, Canyon Ridge® Carriage House garage doors add character and charm to any style home — from traditional exteriors to modern farmhouses. Designed to look like genuine swing out carriage house doors, but built to suit the modern-day lifestyle with modern upward operation.

CARRIAGE HOUSE 5-LAYER CONSTRUCTION

- 5-layer faux-wood doors with Intellicore® polyurethane insulation. 20.4 R-value.
- Multiple door designs and window options. Many custom designs also available. See your Clopay Dealer for more information.
- Insulated glass options include clear, frosted, seeded, rain and obscure. See page 20 for specialty glass options.
- Attractive beveled edge, clip-in window grilles are removable for easy cleaning.
- Replaceable vinyl bottom weatherseal in a rust-resistant aluminum retainer helps seal out the elements.
- 10-ball nylon rollers for quiet operation.
- Heavy-duty 14 gauge steel hinges for long-lasting performance.
- Clopay's Safe-T-Bracket® prevents serious injury that could occur if the bottom bracket were removed with the garage door closed and under tension.
- Comes complete with spade lift handles and step plates. See page 21 for details.

Doors designs shown in Dark Finish with Clear Cypress cladding and Clear Cypress overlay. Design 01 does not have an overlay.



Design 01



Design 22



Design 34

WINDOW/TOP SECTIONS



Window grilles are Clear Cypress texture. Windows not available on Designs 31, 32, 33, 34, 35, 36, 37 and 38.
Standard windows available on the following widths only: 6'2", 8'0", 9'0", 10'0", 10'2", 12'0", 12'2", 13'6", 15'0", 15'2", 15'6", 15'8", 16'0", 16'2", 18'0", 18'2", 20'0", 20'2".
Impact windows available on the following widths only: 8'0", 9'0", 10'0", 12'2", 16'2", 18'2". To view additional designs, windows and top sections available, please visit www.clopaydoor.com.

MATERIAL DESIGN OPTIONS

COMPOSITE CLADDING MATERIALS

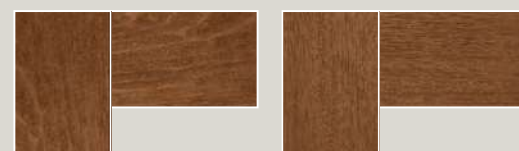


Clear Cypress (C)

Mahogany (M)

Pecky Cypress (P)

COMPOSITE OVERLAY MATERIALS



Clear Cypress (C)

Mahogany (M)

Note: Cladding and overlay material options may be mixed and matched.



Design 11



Design 12



Design 13



Design 21



Design 23



Design 31



Design 32



Design 33



Design 35



Design 36



Design 37



Design 38

COLORS



Medium Finish



Dark Finish



Walnut Finish



Slate Finish



Black Finish*



White Finish*



Primed (No Finish)

*Black and White Finish available only on Mahogany cladding and overlays. Due to the printing process, above colors may vary. To see all available options go to: www.clopaydoor.com/requestcolorsamples.

Doors can be ordered Primed for those homeowners wishing to custom paint or stain their doors. Door stain color will vary slightly within a door due to finishing process. Due to the printing process, above colors may vary. To request a color sample, visit www.clopaydoor.com/requestcolorsamples.

- 1 Composite Overlay
- 2 Composite Cladding
- 3 Steel
- 4 2" Intellicore® Polyurethane Insulation
- 5 Steel

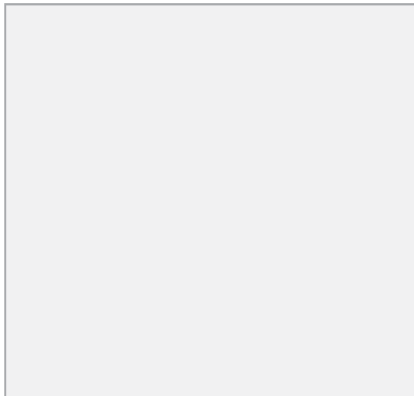


Calculated door section R-value is in accordance with DASMA TDS-163.

specialty GLASS OPTIONS

Insulated windows are available in rectangular, square and arched designs. Insulated tempered glass is standard. Insulated frosted, seeded, obscure and rain glass is also available on select door models.

Attractive beveled edge, clip-in grilles are removable for easy cleaning.



Clear



Frosted



Seeded*



Obscure



Rain

**Seeded is not available on Canyon Ridge® Modern window options. Additional charges for optional glass apply.*

decorative HARDWARE

STANDARD



Spade Step Plate



Spade Lift Handles

Attractive black powder-coated grip handles and step plates are provided standard to further enhance the Canyon Ridge® design. Optional hardware, including handles, operable L-keylocks and strap hinges, is also available.

OPTIONAL



Spear Lift Handles



Colonial Lift Handles



Spade Strap Hinge*
*Complements Standard Spade Lift Handles
and Spade Step Plate*



Escutcheon Plates



Spear Step Plate



Colonial Step Plate



Decorative Handles
with Keyholes



Spear Strap Hinge*



Colonial Strap Hinge*



Ring Door Knocker



Aluminum Grip Handles
(Modern)

*Door may not open properly if installed near the top depending on opening dimensions and lift type. See your Clopay Dealer for more details.

Aluminum Grip Handles are available in the following colors: Clear Aluminum (Anodized), Standard White (Painted), Bronze (Painted), Bronze (Anodized), Black (Anodized) and Dark Bronze (Anodized).

FOUNDRY CLASSIC

10231TK

SMALL GOOSENECK BARN LIGHT

Decidedly industrious, Foundry is reinventing purposeful lighting. Focused and direct, the sturdy aluminum shade features knurled brass details to offset the Gloss White, Museum Bronze or Textured Black finish while casting a uniform light. The simple, understated form plants a vintage aesthetic for both inside and outside spaces while offering mix and match options that customize the look.

DETAILS	
FINISH:	Textured Black
MATERIAL:	Aluminum

DIMENSIONS	
WIDTH:	9.5"
HEIGHT:	9.1"
WEIGHT:	5 lbs.

LIGHT SOURCE	
LIGHT SOURCE:	Socket
WATTAGE:	1-100w Med.
VOLTAGE:	120v

SHIPPING	
CARTON LENGTH:	16"
CARTON WIDTH:	16"
CARTON HEIGHT:	16"
CARTON WEIGHT:	8 lbs.



PRODUCT DETAILS:

- Mounting hardware is hidden on the backplate to ensure a clean silhouette.
- Suitable for use in wet (interior direct splash and outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards
- Fixture is Dark Sky compliant and engineered to minimize light glare upward into the night sky.
- 2 year finish warranty
- Classic lines and heritage details complement traditional architecture
- Striking black finish enhances design

RALEY

1602MB-LL

LARGE HANGING LANTERN

Raley's regal appearance features cast aluminum construction, a bold Museum Black finish, flourishing details and clear water glass panels for a dignified style statement.

DETAILS	
FINISH:	Museum Black
MATERIAL:	Cast Aluminum
GLASS:	Clear Water Glass Panels

DIMENSIONS	
WIDTH:	11.8"
HEIGHT:	27.5"
WEIGHT:	14 lbs.

LIGHT SOURCE	
LIGHT SOURCE:	LED Lamp Included
LED NAME:	E12LED-5
WATTAGE:	4-5w Cand. LED *Included
VOLTAGE:	120v
COLOR TEMP:	2700.0000k
LUMENS:	1400
CRI:	80
INCANDESCENT EQUIVALENCY:	4-40w
DIMMABLE:	Yes, on any Incandescent, MLV, ELV, or C-L dimmer.

MOUNTING	
CANOPY:	5.5" Dia.
LEAD WIRE:	72"

SHIPPING	
CARTON LENGTH:	15"
CARTON WIDTH:	15"
CARTON HEIGHT:	26"
CARTON WEIGHT:	20 lbs.



PRODUCT DETAILS:

- This chain or cable hung fixture may be installed on any sloped ceiling.
- Suitable for use in damp (interior moist and outdoor no direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards
- 2 year finish warranty
- LED Lamps carry a 3-year limited warranty
- Classic lines and heritage details complement traditional architecture
- Striking black finish enhances design



In-ground Stainless Steel Pathway Light (3W)

MODEL: AL-IG-PW-A21

DESCRIPTION

aspectLED's landscape LED lights are bright, energy efficient, and attractively styled, making them perfect for virtually any outdoor application. Ideal for installation along pathways, driveways, sidewalks, landscape edging, and other landscape/architectural features.

A favorite of our golf course, resort and public park customers, these stainless steel pathway lights features an ultra-bright 3W LED and their compact size make for easy installation in virtually any locations. These are designed to be installed with their top trim piece flush with your finished surface (grass, mulch, asphalt, etc.). Perfect for gardens, patios, landscaping, garden walls, building entrances, pathways, decks, gazebos, public parks, docks, and marine environments.

This fixture is available in several versions (single cutout, double cutouts on the same side, double cutouts on the opposite sides, and four cutouts). Withstands standard motor vehicle traffic (golf carts, cars, 3/4 ton pickup trucks). See photos for more details about cut-out options.

PHYSICAL DIMENSIONS + SPECIFICATIONS

	12VDC	24VDC	12VAC
Light Fixture Dimensions	3.5" Diameter 3.75" Deep 2.5" Cut out hole	3.5" Diameter 3.75" Deep 2.5" Cut out hole	3.5" Diameter 3.75" Deep 2.5" Cut out hole
LED Driver Input Voltage	12VDC	24VDC	12VAC
Dimmable	No	No	No
Nominal Power Consumption	3 Watts	3 Watts	3 Watts
Max Luminous Flux of LED Array	300 Lumens	300 Lumens	300 Lumens
LED Type	SMD LED Chips	SMD LED Chips	SMD LED Chips
LED Quantity	3 - High Power 1 Watt LEDs	3 - High Power 1 Watt LEDs	3 - High Power 1 Watt LEDs
Fixture Material	Stainless Steel	Stainless Steel	Stainless Steel
Lens	Optical, >85% efficient	Optical, >85% efficient	Optical, >85% efficient
Glass	Step-tempered glass	Step-tempered glass	Step-tempered glass
Waterproof Seal	Silicone Seal	Silicone Seal	Silicone Seal
IP Rating	IP65	IP65	IP65
Load Rating	1,760 psi	1,760 psi	1,760 psi
Fixture Weight	1.6 lbs	1.6 lbs	1.6 lbs
Estimated Lifespan	Up to 50,000 hours	Up to 50,000 hours	Up to 50,000 hours
Warranty	1 Year	1 Year	1 Year
Suitable Uses	Indoor/Outdoor, Dry, Damp or Wet Locations	Indoor/Outdoor, Dry, Damp or Wet Locations	Indoor/Outdoor, Dry, Damp or Wet Locations
Certifications	RoHS	RoHS	RoHS

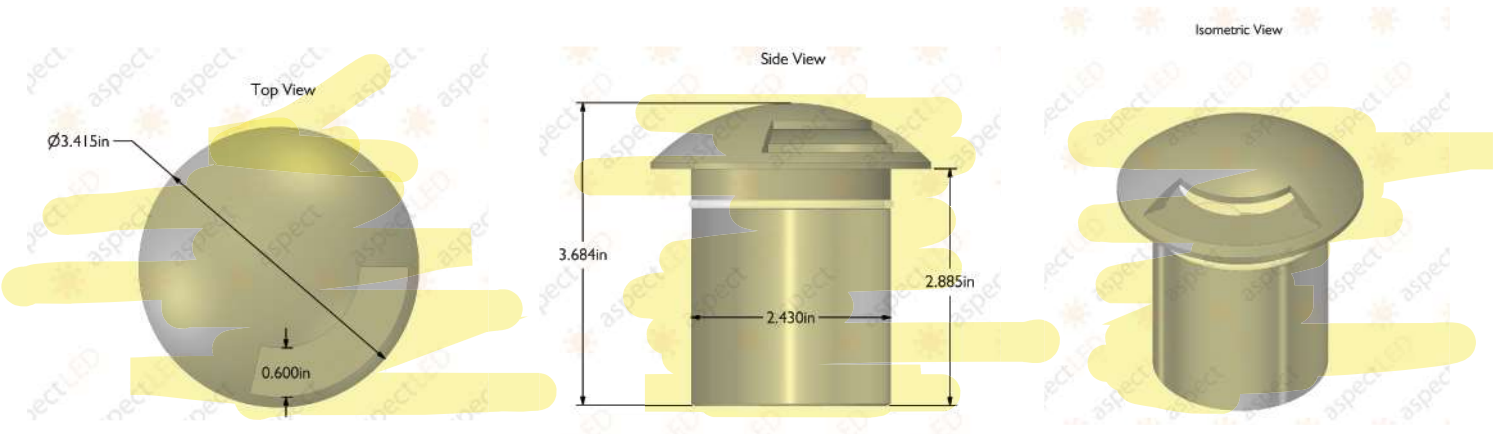
CERTIFICATIONS



In-ground Stainless Steel Pathway Light (3W)

MODEL: AL-IG-PW-A21

DIMENSIONS



SKU BUILDER

Model Number

AL-IG-PW-A21

LED Color

Voltage

Wire Lead Length

*This fixture is available in several versions (single cutout, double cutouts on the same side, double cutouts on the opposite sides, and four cutouts). Please specify cut-out choice when ordering fixture.

- Warm White - WW
- Cool White - CW
- DayWhite - DW
- Blue - B
- Green - G
- Red - R
- Yellow/Amber - Y
- RGB - RGB

- 12VDC
- 24VDC
- 12VAC

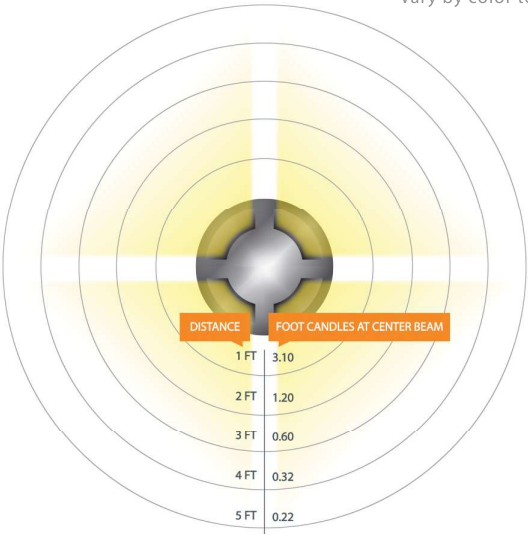
- 2 Feet - 2FT
- 25 Feet - 25FT
- 50 Feet - 50FT
- 100 Feet - 100FT

ACCESSORIES

- ☐ **30 Watt LED Power Supply**
SKU: AL-PS-W-30
Price: \$16.99
- ☐ **60 Watt LED Power Supply**
SKU : AL-PS-W-60
Price: \$25.99
- ☐ **100 Watt LED Power Supply**
SKU : AL-PS-W-100
Price: \$37.99
- ☐ **Mounting Sleeve for AL-IG-A21**
SKU: AL-IG-A21-MS
Price: \$3.51

PHOTOMETRICS

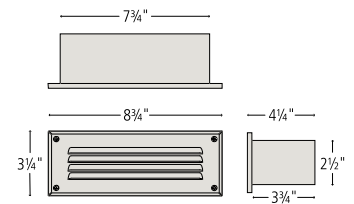
*Cool white tested. Light output may vary by color temperature.



DECK | STEP | PATIO



1594 BZ
1594 BZ-LED
 LOUVERED BRICK LIGHT
 8¾" W, 3¼" H, 4¼" D



1594 MZ
1594 MZ-LED
 HARDY ISLAND™
 LOUVERED BRICK LIGHT
 8¾" W, 3¼" H, 4¼" D



LED ITEM	LED ENGINE (INCLUDED)	LED WATTAGE/ VOLT AMPS	INCANDESCENT EQUIVALENCY	ITEM	LAMP (INCLUDED)	WATTAGE	LED LAMP (NOT INCLUDED)	FINISH	CONSTRUCTION	GLASS LENS
1594 BZ-LED	NX3	3.8w / 5.7VA	25w	1594 BZ	912	12w	T5 LED	Bronze	Galvanized Steel Housing Cast Aluminum Faceplate	Clear
1594 MZ-LED	NX3	3.8w / 5.7VA	25w	1594 MZ	912	12w	T5 LED	Matte Bronze	Galvanized Steel Housing Solid Brass Faceplate	Clear

See pages 82-83 for LED conversion lamps. A wiring kit is supplied. For accessories, see pages 78-79. For transformers, see pages 76-77.

PHOTOMETRICS (BASED ON VARIOUS MOUNTING HEIGHTS)

DISTANCE FROM LIGHT		LED ITEM	1'	2'	3'	4'	5'	6'	7'	8'	ITEM	1'	2'	3'	4'	5'	6'	7'
FOOT CANDLES	6" Mounting	1594 BZ-LED	37.1	11.83	3.06	1.55	1.07	0.85	0.71	0.6	1594 BZ	0.90	0.50	0.23	0.03			
	18" Mounting		0.58	1.19	4.1	2.03	2	1.46	0.87	0.49		0.99	0.73	0.55	0.37	0.17	0.08	
	30" Mounting		0.11	0.27	0.45	0.97	1.55	0.84	0.74	0.74		0.52	0.43	0.36	0.28	0.20	0.16	0.10
	6" Mounting	1594 MZ-LED	3.07	0.74							1594 MZ	2.19	0.53					
	18" Mounting		1.40	0.32	0.25	0.20						1.00	0.21	0.18	0.14			
	30" Mounting		0.97	0.45	0.42	0.22	0.07					0.69	0.32	0.31	0.05	0.14		



5" IC NEW CONSTRUCTION HOUSING IC20 LEDT24

COMPATIBLE WITH
5RLD SERIES



Project: _____

Fixture Type: _____

Location: _____

Contact/Phone: _____

PRODUCT DESCRIPTION

IC Air-Loc® New Construction Housing for use with Juno retrofit LED trim modules • Energy efficient, sealed housing • Can be completely covered with insulation • Fully sealed housing stops exfiltration of air, reducing heating and air cooling costs without the use of additional gaskets.

PRODUCT SPECIFICATIONS

Electrical Connections Features non-screw base 120V plug-in connector • Compatible with Juno retrofit LED trim modules

Labels U.L. listed for U.S. and Canada for through-branch wiring and damp locations • Meets high efficacy requirements of California T24

Testing All reports are based on published industry procedures; field performance may differ from laboratory performance.

Specifications subject to change without notice.

INSTALLATION

Real Nail 3 Bar Hangers Telescoping Real Nail® 3 system covered under US Patent D552,969 permits quick placement of housing anywhere within 24" O.C. joists or suspended ceilings • Integral T-bar notch and clip secures housing in suspended ceiling grid – no accessory clips required • 24" expansion stop allows quick placement of fixture in standard grid spacing • Bars scored in two locations for fast, clean breaking, allowing housing installation in tight applications • Bars captive to mounting frame • Edge-mounted for extra strength • Captive bugle-headed ring shank nail for quick one-step installation and easy removal with claw hammer for fixture relocation • Quick-Loc slot (location identified on the mounting frame) and oversized locking set screw lock fixture in position • Bar hanger foot contoured to align to bottom of construction joist • Alternate mounting holes included.

Junction Box Pre-wired junction box provided with (5) 1/2" and (1) 3/4" knockouts, (4) Non-metallic sheathed cable connectors and ground wire, U.L. listed/CSA certified for through-branch wiring, maximum 8 No. 12 AWG 90° C branch circuit conductors (4 in, 4 out) • Junction box provided with removable access plates • Knockouts equipped with pryout slots.

Mounting Frame 22-gauge die-formed galvanized steel mounting frame • Rough-in section (junction box, mounting frame, housing and bar hangers) fully assembled for ease of installation • Sight lines embossed on mounting frame to allow for easy viewing when aligning fixtures.

Housing IC housing, .032" aluminum sealed for Air-Loc Compliance • Housing is vertically adjustable to accommodate up to a 1" ceiling thickness.

PRODUCT CODES

Catalog Number	Input Voltage
IC20 LEDT24	5" Incandescent New Construction IC Housing, 4" Quick Connect Housing 120V

Housing and trim can be ordered together or separate, but will always ship separately.

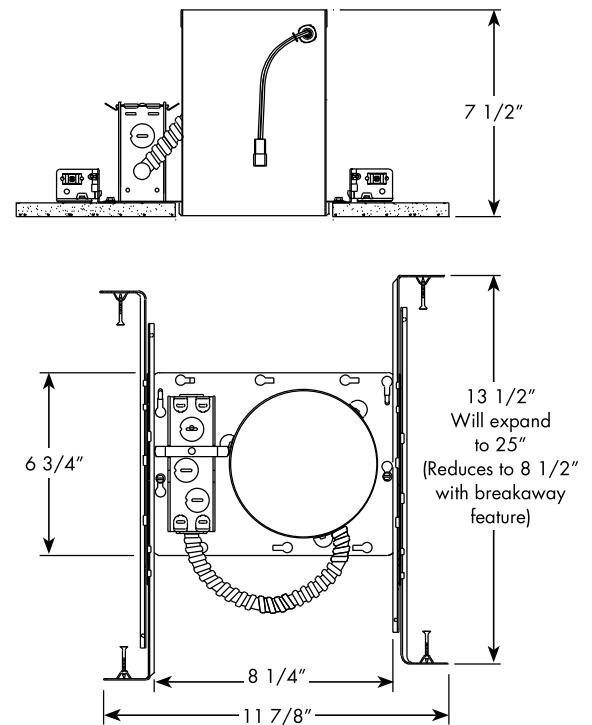
COMPATIBLE LED MODULES

Catalog Number	
5RLD G2 06LM 27K 90CRI 120 FRPC WWH	5" Juno Basics Retrofit Downlight, Generation 2, 600 Nominal Lumens, 2700K, 90+ CRI, 120V, Forward/Reverse Phase Cut, White with White Trim Ring
5RLD G2 06LM 30K 90CRI 120 FRPC WWH	5" Juno Basics Retrofit Downlight, Generation 2, 600 Nominal Lumens, 3000K, 90+ CRI, 120V, Forward/Reverse Phase Cut, White with White Trim Ring

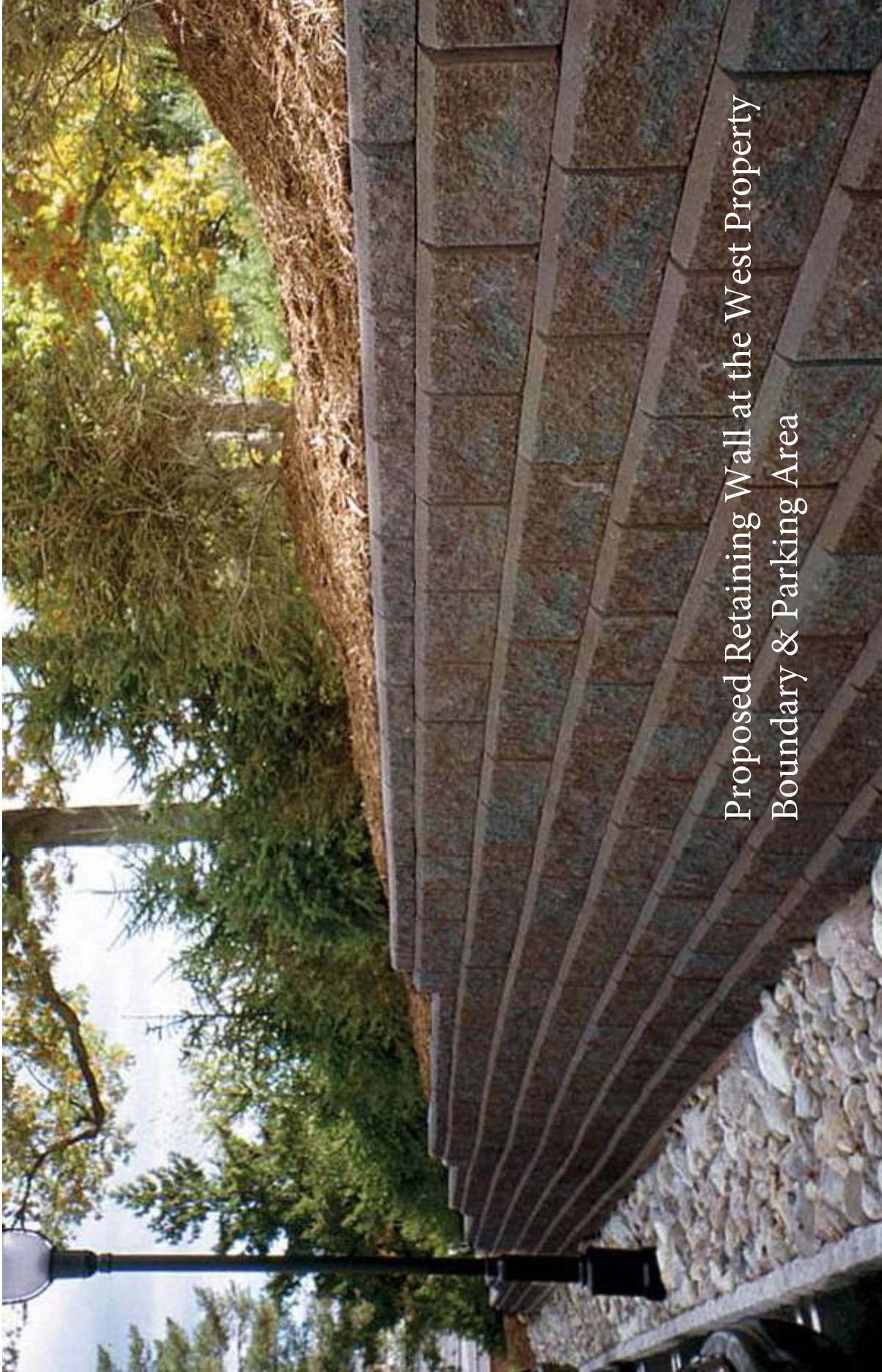
Housing and trim can be ordered together or separate, but will always ship separately.



DIMENSIONS



5 5/8" CEILING CUTOUT



Proposed Retaining Wall at the West Property
Boundary & Parking Area



DIAMOND PRO STONE CUT

DIAMOND[®]

SERIES

DIAMOND PRO STONE CUT[®] | RETAINING WALL

LARGE UNIT	SMALL & MEDIUM UNITS		CORNER
			
8 x 18 x 12	8 x 7 x 12	8 x 11 x 12	8 x 18 x 9

AVAILABLE COLORS



GASCONY TAN



ASHBURY HAZE

ACCESSORIES | AVAILABLE IN ALL COLORS

UNIVERSAL CAP	DIAMOND PRO CAP	U START BASE BLOCK [®]
		
3 x 18 / 12 x 13	4 x 17 / 14 x 10	3 1/2 x 18 7/16 x 12
		<i>Recommended for use with all available wall block units. See page 126 for full product information.</i> <i>U Start Base Block actual coverage length is 16 11/16"</i>


CLASSIC STYLE
WITH MULTIPLE
INSTALLATION OPTIONS

Belgard's Diamond Series of wall products is perfect for any outdoor wall application. From hard-working retaining walls to aesthetically pleasing garden seat walls, the possibilities are endless.

For walls over 30 inches in height, soil reinforcement is generally necessary. A qualified engineer should be consulted for design and analysis of structures.



DIAMOND PRO STONE CUT®

RETAINING WALLS



LEGACY
COLLECTION

RESIDENTIAL	COMMERCIAL	STEPS	COLUMNS	FIRE PITS	KITCHEN	FREESTANDING WALL	RETAINING WALL
✓	✓	✓					✓

SHAPES & SIZES

Large Unit



8 x 18 x 12

Medium & Small Units



8 x 11 x 12



8 x 7 x 12

Corner



8 x 18 x 9

Cap



4 x 17 1/4 / 14 x 10

PALLET INFORMATION / ESTIMATING CHART

UNIT	SQFT/ PALLET	SQFT/ LAYER	LAYER/ PALLET	UNITS/ PALLET	UNITS/ LAYER	LNFT PALLET (SOLDIER)	LNFT PALLET (SAILOR)	UNITS/ SQFT	WEIGHT/ UNIT LBS	WEIGHT/ LAYER LBS	WEIGHT/ PALLET LBS
------	-----------------	----------------	------------------	------------------	-----------------	--------------------------	-------------------------	----------------	---------------------	----------------------	-----------------------

LARGE UNIT

8 X 18 X 12	32	–	4	32	8	–	–	–	77	–	2592
-------------	----	---	---	----	---	---	---	---	----	---	------

MEDIUM & SMALL UNITS

8 X 11 X 12	19.23	–	4	32	8	–	–	–	45	–	2464
8 X 7 X 12	12.13	–	4	32	8	–	–	–	34	–	

CORNER

8 X 18 X 9	32	–	4	32	8	–	–	–	101	–	3200
------------	----	---	---	----	---	---	---	---	-----	---	------

CAP

4 X 17 1/4 / 14 X 10	–	–	6	54	9	–	–	–	40	–	2710
----------------------	---	---	---	----	---	---	---	---	----	---	------

ITEM CODES

DIAMOND PRO STONE CUT

COLOR	LARGE UNIT	MEDIUM/SMALL	CORNER	CAP
ASHBURY HAZE	16050766	16050775	16050190	16050430
GASCONY TAN	16050784	16050788	16050570	16050470

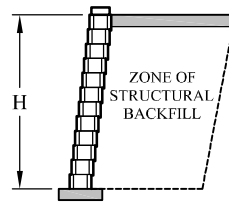
WALLS PALLET INFORMATION / ESTIMATING CHART

DIAMOND® PRO			SQFT/ PALLET	SQFT/ LAYER	LAYER/ PALLET	UNITS/ PALLET	UNITS/ LAYER	UNITS/ SQFT	WEIGHT/ UNIT	WEIGHT/ LAYER	WEIGHT/ PALLET
STRAIGHT		8 x 18 x 12	32	8	4	32	8	1	83	662	2646
BEVELED		8 x 18 x 12	32	8	4	32	8	1	81	648	2590
CORNER		8 x 18 x 9	32	–	4	32	8	–	100	800	3200

DIAMOND PRO STONE CUT®			SQFT/ PALLET	SQFT/ LAYER	LAYER/ PALLET	UNITS/ PALLET	UNITS/ LAYER	UNITS/ SQFT	WEIGHT/ UNIT	WEIGHT/ LAYER	WEIGHT/ PALLET
LARGE		8 x 18 x 12	32	–	4	32	8	1	77	–	2592
SMALL & MEDIUM		8 x 7 x 12	19.23	–	4	32	8	–	45	–	–
		8 x 11 x 12	12.13	–	4	32	8	–	34	–	–
TOTAL			–	–	–	–	–	–	–	–	2464
CORNER		8 x 18 x 9	32	–	4	32	8	–	100	800	3200

DIAMOND® ACCESSORIES			SQFT/ PALLET	SQFT/ LAYER	LAYER/ PALLET	UNITS/ PALLET	UNITS/ LAYER	UNITS/ SQFT	WEIGHT/ UNIT	WEIGHT/ LAYER	WEIGHT/ PALLET
UNIVERSAL CAP		3 x 18 / 12 x 13	–	–	8	72	9	–	49	441	3525
DIAMOND PRO CAP		4 x 17 / 14 x 10	–	–	6	54	9	–	49	437	2619
U START BASE BLOCK		3½ x 18¾ x 12	–	–	7	56	8	–	51	406	2839

STRUCTURAL BACKFILL ESTIMATING CHART; NO SLOPE / NO SURCHARGES DIAMOND PRO® RETAINING WALLS USING ANCHORPLEX® SYSTEM



	Clay and Silt Soils $\phi = 26^\circ$ $\gamma = 120 \text{ pcf (19 kN/m}^3\text{)}$	Silty / Clayey Sand Soil $\phi = 30^\circ$ $\gamma = 120 \text{ pcf (19 kN/m}^3\text{)}$	Clean Sand and Gravel Soil $\phi = 34^\circ$ $\gamma = 120 \text{ pcf (19 kN/m}^3\text{)}$
4'-0" (1200 mm) 6 Courses	 $0.22 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.22 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.22 \times \text{Wall Length} =$ CY of Structural Backfill
6'-0" (1800 mm) 9 Courses	 $0.44 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.33 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.33 \times \text{Wall Length} =$ CY of Structural Backfill
8'-0" (2400 mm) 12 Courses	 $0.89 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.59 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.59 \times \text{Wall Length} =$ CY of Structural Backfill
10'-0" (3000 mm) 15 Courses	 $1.30 \times \text{Wall Length} =$ CY of Structural Backfill	 $0.93 \times \text{Wall Length} =$ CY of Structural Backfill	 $1.11 \times \text{Wall Length} =$ CY of Structural Backfill
12'-0" (3600 mm) 18 Courses	 $2.00 \times \text{Wall Length} =$ CY of Structural Backfill	 $1.56 \times \text{Wall Length} =$ CY of Structural Backfill	 $1.56 \times \text{Wall Length} =$ CY of Structural Backfill

DIAMOND PRO STONE CUT® SYSTEM ESTIMATING FORMULA

For project material estimating, use the formulas listed in each step.

1. WALL UNIT ESTIMATING

A. STRAIGHT AND BEVELED WALL UNIT ESTIMATING

Determine the square footage of the total wall, including buried base course. Square footage (SF) of total wall length (L) x height (H). If using straight or beveled, skip to step 3.

Straight Face: $SF \times 1 = \# \text{ units}$

B. EXPOSED WALL UNITS - ESTIMATING STONE CUT FACE

Determine the square footage of the exposed wall. Square footage (SF) of exposed wall is length (L) x height (H).

Straight Face: $SF \div 2 = \# \text{ units of each size}$

2. BURIED BASE UNIT ESTIMATING – STONE CUT FACE

Build buried base course using large units. Determine the length (L) of the base in feet.

$L \div 1.5 = \# \text{ large units for buried base}$

3. CAP ESTIMATING

Convert wall length (L) to inches: $L \times 12 = L \text{ in inches (LI)}$. Cap factor (CF) = cap front inches + cap back inches $\div 2$.

$LI \div CF = \# \text{ cap}$

4. LEVELING PAD AGGREGATE ESTIMATING

Leveling pad aggregate is a compactible base material of 3/4-inch minus (with fines). The leveling pad extends at least 6 inches in front of and behind the wall units and is at least 6 inches deep after compaction. Wall length in feet (L) $\div 27 \times 1.1 =$ cubic yards (CY).

$CY \times 1.6 = \text{tons}$.

$L \div 27 \times 1.1 = CY$

$CY \times 1.6 = \text{tons}$

5. DRAINAGE AGGREGATE ESTIMATING

Drainage aggregate is clear, 1-inch crushed stone (with no fines). The drainage column extends 12 inches behind the wall units. Wall length (L) x total wall height (H) = square feet (SF) $\div 27 \times 1.1 =$ cubic yards (CY). $CY \times 1.6 = \text{tons}$.

$SF \div 27 \times 1.1 = CY$

$CY \times 1.6 = \text{tons}$

6. CORE FILL AGGREGATE ESTIMATING

Calculate the square feet (SF) of the total wall.

$SF \div 35 = \text{tons}$

7. GEOSYNTHETIC REINFORCEMENT ESTIMATING

Choose the appropriate estimating chart based on your project conditions

PROJECT ESTIMATING EXAMPLE

The wall is 100 feet long and 8 feet high, including buried course. It is built using the Stone Cut 3-piece system. There is no toe or crest slope, and the soils are clean sand and gravel.

1. EXPOSED WALL UNITS

$100' L \times 7.33' H = 733 \text{ SF} \div 2 = 367$ large, medium and small Stone Cut units needed

2 BURIED BASE UNITS

$100' L \div 1.5 = 67$ large units for the buried course

TOTAL UNITS REQUIRED

Large units

Wall 367

Base 67

Total 434

Medium units 367

Small units 367

3. CAP UNITS

CF example: $17.25" + 10" = 27.25" \div 2 = 13.7$

L example: $100' \times 12" = 1,200$

Project example: $1,200 \div 13.7 = 88$ caps

4. LEVELING PAD AGGREGATE

$100' L \div 27 \times 1.1 = 4.1 \text{ CY} \times 1.6 = 6.6 \text{ tons}$

5. DRAINAGE AGGREGATE

$800 \text{ SF} \div 16.4 = 49 \text{ tons}$

6. CORE FILL AGGREGATE

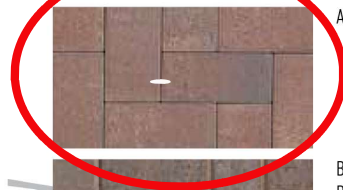
$800 \text{ SF} \div 35 = 23 \text{ tons}$

7. GEOSYNTHETIC REINFORCEMENT ESTIMATING

Choose the appropriate estimating chart based on your project conditions.



HOLLAND STONE *PRESTIGE*



ASHBURY HAZE



BORDEAUX
BEIGE



BOURBON



COTSWOLD MIST

NEW



GASCONY TAN



MIDNIGHT



PEWTER


VERSATILE
SMOOTH
CLASSIC

 TEXTURGARD™
Texturgard fuses a top
layer of rich pigments
with Belgard's core
color process.

Please refer to page 16
for more information.

Paver Bricks for entrance driveway &
north pedestrian sidewalk/entrance:
Belgard "Ashbury Haze"

60MM



4 x 8 x 2 3/8

Exhibit L

Quantitative Summary

QUANTITATIVE SUMMARY

The Walden of Winnetka
Proposed 3-story, 5-Unit Residential Building
688 Green Bay Road, Winnetka, Illinois

22-Dec-20

Subject Property Information	Existing	Proposed
Current Zoning	B-1	B-1 PUD
Current Use	Single-family Residential (vacant)	Multi-family
Lot Width	100'-0"	N/C
Lot Depth	150'-0"	N/C
Gross Lot Area	15,000 sf	N/C
Acreage	0.345-acres	N/C
Adjacent Property to the South	4-story multi-family Condo	N/C
Adjacent Property to the North	2-story multi-family Duplex	N/C
Adjacent Property to the East	Green Bay Road	N/C
Adjacent Property to the West	Single-family Residential	N/C
Proposed Development	Permitted By Zoning	Proposed
Density	6-Units (18-DU per acre)	5-Units
Average Residential Unit Floor Area		
Gross Floor Area	12,000 sf (80% of lot area)	14,255 sf (18.7%) over
<i>Building Height</i>	35'-0" (above first floor elev.)	
Roof Parapet (3-story)		35'-0"
Roof Parapet (2-story)		25'-6" (9'-6" under)
Minor Roof Forms (corner tower elements)	3-story	42'-11" (7'-11" over)
Minor Roof Forms (corner tower elements)	2-Story	33'-6" (1'-6" under)
Major Roof Forms (arch pediment)		41'-6" (5'-6" over)
Building Coverage of Lot	6,000 sf (40%)	5,595.3 sf (404.7 sf under)
Impermeable Surface Area	9,000 sf (60%)	8,298.8 sf (7.8% under)
Front Yard Setback (Building)	25'-0"	25'-0"
Front Yard Setback (Parking)	25'-0"	9'-11" (60.33% over)
Rear Yard Setback	30'-0"	30'-0"
Side Yard Setback (south)	12'-0"	22'-0"
Side Yard Setback (north)	12'-0"	12'-0"
Roof Overhangs	18"	8"
<i>Parking</i>	11.25-spaces	12-space +2-street spaces
Below Ground (2-per unit)	10-spaces	10-spaces
On-site Guest Parking	1 1/2-spaces	2-spaces (1 is Handicap)
Street Parking (lot frontage)		2-spaces
<i>Exterior Walls (Difference in plane of walls)</i>	<i>Articulation not greater than 50'-0" & wall plane at least 4'-0"</i>	
East Elevation		Meets the Standard
South Elevation		Articulation but not 4'-0"
West Elevation		Meets the Standard
North Elevation		Meets the Standard
<i>Landscaping & Existing Trees</i>		
Total Existing Trees on Property		16-Trees (152"-gross)
Total Trees to be Removed		12-Trees (149"- gross)
Required Replacement Inches		41"
Total Proposed Replacement Trees		37-Trees (111" gross)
<i>Stormwater Control</i>	Developer to provide a buried stormwater vault under the proposed berm on the west side of the property. We have designed all stormwater to flow East and away from the westerly neighbors.	

Exhibit M

Preliminary Plat of Subdivision

PLAT OF CONSOLIDATION
THE WALDEN

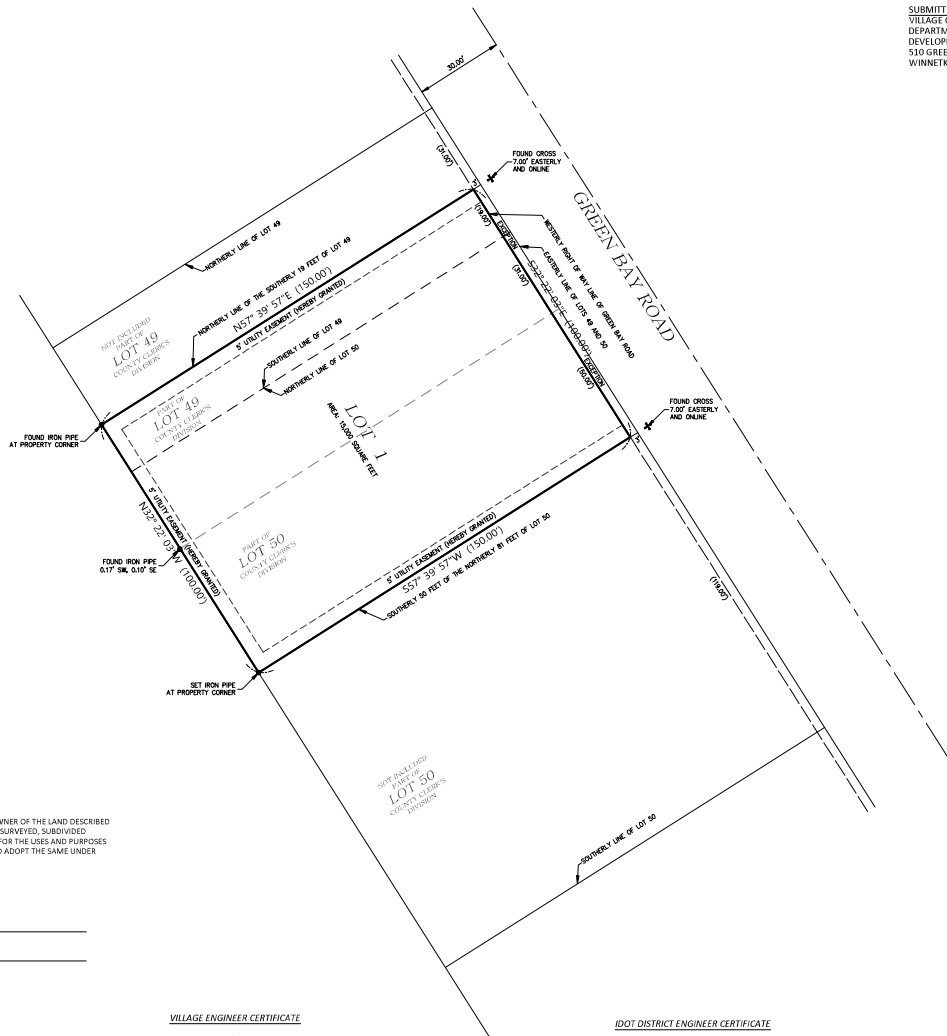
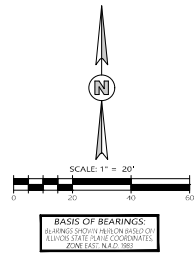
LEGAL DESCRIPTION

THE SOUTH 19 FEET OF LOT 49 AND THE NORTH 31 FEET OF LOT 50 (EXCEPT FROM SAID LOTS THE EASTERLY 3 FEET USED FOR STREET PURPOSES) IN THE COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF RAILROAD IN THE VILLAGE OF WINNETKA IN COOK COUNTY, ILLINOIS.
ALSO
THE SOUTH 50 FEET OF THE NORTH 81 FEET OF LOT 50 IN COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT FROM SAID PREMISES THE EASTERLY 3 FEET USED FOR STREET PURPOSES), IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 688 AND 694 GREEN BAY ROAD, WINNETKA, IL 60093
PIN NO.: 05-17-412-037-0000 PIN NO.: 05-17-412-038-0000

SEND TAX BILL TO:
REVEST PARTNERS, LLC
745 CONSTANCE LANE
DEERFIELD, IL 60015

SUBMITTED BY AND RETURN PLAT TO:
VILLAGE OF WINNETKA
DEPARTMENT OF COMMUNITY
DEVELOPMENT
510 GREEN BAY ROAD
WINNETKA, ILLINOIS 60093



OWNER'S CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF LAKE)
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE LEGAL OWNER OF THE LAND DESCRIBED ON THE ATTACHED PLAT, AND HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED AND/OR DEDICATED, AND PLATTED AS SHOWN BY THE PLAT FOR THE USES AND PURPOSES INDICATED THEREON AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

DATED THIS ____ DAY OF _____, A.D. 2020

OWNER _____ SIGNATURE _____
ADDRESS _____

NOTARY CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AS SUCH OWNER, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS ____ DAY OF _____, A.D. 2020, AT _____, ILLINOIS.

NOTARY PUBLIC

VILLAGE COLLECTOR

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

DATED THIS ____ DAY OF _____, A.D. 2020

VILLAGE COLLECTOR

MORTGAGEE CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
THIS IS TO CERTIFY _____ AS MORTGAGE HOLDER OF THE PROPERTY DESCRIBED HEREON DOES HEREBY CONSENT TO THE PLAT OF CONSOLIDATION OF SAID PROPERTY AS SHOWN ON THE PLAT HEREON DRAWN.
_____, AS MORTGAGE HOLDER.
BY: _____
ATTEST: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AS SUCH OWNER, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED THE PLAT AS HIS OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL, THIS ____ DAY OF _____, A.D. 2020, AT _____, ILLINOIS.

NOTARY PUBLIC

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
APPROVED THIS ____ DAY OF _____, A.D. 2020 BY THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS

VILLAGE ENGINEER

VILLAGE COUNCIL

STATE OF ILLINOIS) ss
COUNTY OF COOK)
APPROVED BY THE PRESIDENT AND VILLAGE COUNCIL OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS, THIS ____ DAY OF _____, A.D. 2020.

BY: _____ ATTEST: _____
VILLAGE PRESIDENT, WINNETKA, IL VILLAGE CLERK

PLANNED DEVELOPMENT COMMISSION CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
APPROVED BY THE VILLAGE OF WINNETKA PLANNED DEVELOPMENT COMMISSION AT A MEETING HELD THE ____ DAY OF _____, A.D. 2020.

BY: _____ ATTEST: _____
CHAIR SECRETARY

WATER AND ELECTRIC DEPARTMENT CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
APPROVED THIS ____ DAY OF _____, A.D. 2020 BY THE DIRECTOR OF THE WATER AND ELECTRIC DEPARTMENT OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

WATER AND ELECTRIC DIRECTOR

PUBLIC UTILITY EASEMENT

AN EASEMENT IS HEREBY GRANTED TO THE VILLAGE OF WINNETKA FOR PUBLIC UTILITIES, IN, UPON, ALONG, OVER AND UNDER THOSE PARTS OF THE LOTS INDICATED ON THIS PLAT AND MARKED "UTILITY EASEMENT" TO INSTALL, CONSTRUCT, LAY, MAINTAIN, OPERATE, RELOCATE, RENEW AND REMOVE NECESSARY EQUIPMENT FOR PUBLIC UTILITY PURPOSES, TOGETHER WITH THE RIGHTS OF INGRESS TO AND EGRESS FROM THE EASEMENT, AND THE RIGHT TO TRIM AND REMOVE SUCH TREES, BUSHES, SHRUBS AND LANDSCAPING, AS MAY BE REASONABLY REQUIRED INCIDENTAL TO THE INSTALLATION AND MAINTENANCE OF UTILITY FACILITIES. THE EASEMENT MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, WOODEN FENCES, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF THE EASEMENT, BUT NO PERMANENT BUILDINGS OR STRUCTURES OTHER THAN DRIVEWAY AND SIDEWALK SURFACES SHALL BE PLACED ON THE EASEMENT.

IDOT DISTRICT ENGINEER CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF COOK)
THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO SECTION 2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS" AS AMENDED. A PLAN THAT MEETS REQUIREMENTS CONTAINED IN THE DEPARTMENT'S POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS WILL BE REQUIRED BY THE DEPARTMENT.

DATED THIS ____ DAY OF _____, A.D. 2020

BY: _____
ANTONY J. QUIGLEY P.E.
REGION ONE ENGINEER

PERMISSION TO RECORD

THE UNDERSIGNED HEREBY AUTHORIZES THE VILLAGE OF WINNETKA AND/OR ITS DESIGNATED AGENTS TO RECORD SAID PLAT OF CONSOLIDATION WITH THE OFFICE OF COOK COUNTY RECORDER OF DEEDS ON BEHALF OF THE UNDERSIGNED.

DATED THIS ____ DAY OF _____, A.D. 2020

REGIONAL LAND SERVICES, LLC
270 VIDA COURT
SYCAMORE, ILLINOIS 60178

RUDY P. DIXON
ILLINOIS PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 035-003832
LICENSE EXPIRES NOVEMBER 30, 2021

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS) ss
COUNTY OF DEKALB)
REGIONAL LAND SERVICES, LLC, ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-007658-0010, DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSES OF SUBDIVIDING IT INTO ONE (1) LOT AS SHOWN HEREON:
THE SOUTH 19 FEET OF LOT 49 AND THE NORTH 31 FEET OF LOT 50 (EXCEPT FROM SAID LOTS THE EASTERLY 3 FEET USED FOR STREET PURPOSES) IN THE COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF RAILROAD IN THE VILLAGE OF WINNETKA IN COOK COUNTY, ILLINOIS.
ALSO
THE SOUTH 50 FEET OF THE NORTH 81 FEET OF LOT 50 IN COUNTY CLERK'S DIVISION OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT FROM SAID PREMISES THE EASTERLY 3 FEET USED FOR STREET PURPOSES), IN COOK COUNTY, ILLINOIS.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED AT 62 DEGREES FAHRENHEIT.

IT, FURTHER CERTIFIES THAT THIS PROPERTY IS SITUATED IN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN), AS DESIGNATED BY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 17031C025J, EFFECTIVE ON AUGUST 19, 2008.

IT, FURTHER CERTIFIES THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS WITHIN THE VILLAGE OF WINNETKA, ILLINOIS, WHICH HAS ADOPTED A VILLAGE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE MUNICIPAL CODE, AS HERETOFORE AND HEREAFTER AMENDED.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, A.D. 2020

RUDY P. DIXON
LICENSE NO. 035-003832

ILLINOIS PROFESSIONAL LAND SURVEYOR
LICENSE EXPIRES: NOVEMBER 30, 2021

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



REGIONAL LAND SERVICES
270 VIDA COURT
SYCAMORE, ILLINOIS 60178
PHONE: (618) 559-2260

PROJECT NUMBER 19-070101	DESIGNED BY DAVID J. DIXON	CHECKED BY DAVID J. DIXON	DATE 08/02/2020
SCALE 1" = 20'	DRAWN BY DAVID J. DIXON	DATE 08/02/2020	
OWNER EJM	FIELD WORK COMPLETED 04/10/2020	DATE 08/02/2020	
PROPERTY ADDRESS 688-694 N GREEN BAY ROAD WINNETKA, IL	USE 0	DATE 08/02/2020	
REV	DESCRIPTION	DATE	

EXHIBIT N

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, CCF Winnetka LLC ("**Property Owner**"), an Illinois limited liability company, is the record owner of the property commonly known as 688-694 Green Bay Road, Winnetka, Illinois ("**Property**"); and

WHEREAS, SR Winnetka, LLC, an Illinois limited liability company ("**Developer**") is the record contract purchaser of the Property; and

WHEREAS, the Property is located in the B-1 Multifamily Residential District under the Winnetka Zoning Ordinance ("**Zoning Ordinance**"); and

WHEREAS, Ordinance No. M-06-2021, adopted by the Village Council on _____, 2021 ("**Ordinance**"), grants the Developer approval of its preliminary development plan and certain exceptions and modifications from provisions of the Zoning Ordinance to permit Developer to construct and develop a multi-family residential building; related on-site parking improvements; and related landscape improvements ("**Zoning Approvals**"); and

WHEREAS, Section 13 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Developer has filed, within 60 days following the passage of the Ordinance, Developer's and Property Owner's unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Developer and Property Owner hereby agree and covenant as follows:

1. The Developer and Property Owner hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Developer and Property Owner acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance and the Zoning Approvals, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Developer and Property Owner acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of the Zoning Approvals or its adoption of the Ordinance, and that the Village's approval of the Zoning Approvals does not, and will not, in any way, be deemed to insure the Developer and Property Owner against damage or injury of any kind and at any time.

4. The Developer and Property Owner hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims

that may, at any time, be asserted against any of such parties in connection with the Village’s adoption of the Ordinance.

IN WITNESS WHEREOF, the Parties have hereunto set their hands on the date first above written.

ATTEST:

SR WINNETKA, LLC,
an Illinois limited liability company

By: _____
Its: _____

By: _____
Its: _____

ATTEST:

CCE WINNETKA, LLC
an Illinois limited liability company

By: _____
Its: _____

By: _____
Its: _____

ACKNOWLEDGMENTS

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

 This instrument was acknowledged before me on _____, 2017, by
_____, the _____ of **SR WINNETKA, LLC**, an Illinois
limited liability company, and by _____, the _____ of said limited liability
company.

 Given under my hand and official seal this ____ day of _____, 2021.

Notary Public

My Commission expires:_____

SEAL

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

 This instrument was acknowledged before me on _____, 2017, by
_____, the _____ of **CCE WINNETKA, LLC**, an Illinois
limited liability company, and by _____, the _____ of said limited liability
company.

 Given under my hand and official seal this ____ day of _____, 2021.

Notary Public

My Commission expires:_____

SEAL

	Agenda Item Executive Summary	
	Title: Resolution No. R-40-2021: Repair Groundwater Monitoring Wells at Municipal Landfill (Adoption)	
	Presenter: Emily Grimm, Assistant Village Engineer and Stormwater Manager	
Agenda Date:	04/08/2021	☐ Ordinance ☒ Resolution ☒ Bid Authorization/Award ☐ Policy Direction ☐ Informational Only
Consent:	☒ YES ☐ NO	
Item History:		
None		
Executive Summary:		
At the Village's last IEPA inspection, the Village was directed to replace a number of degrading monitoring wells. The Village requested a quote for the work from Andrews Engineering, the firm that manages the required IEPA permitting and testing for the landfill. The recommended work includes the repair or replacement of 22 protective well casings and 6 groundwater well abandonments at the Winnetka municipal landfill. A proposal from Andrews Engineering was provided to the Village for an amount not to exceed \$54,750.		
The Village did not budget for this work in 2021; however, the refuse account number 560.80.01-588 has a total of \$140,000 for landfill work and groundwater monitoring. Staff is recommending the Village perform the replacement work over a two-year period.		
Staff recommends awarding the contract for repair services to Andrews Engineering; authorizing the use of \$22,000 to perform a portion of the repairs in 2021; and to perform the remaining repair work totaling \$32,750 in 2022. Andrews Engineering is very familiar with the landfill and the IEPA requirements for these repairs and staff believes they will fulfill the Village's requirements.		
Recommendation:		
Consider adopting resolution No. R-40-2021 approving the contract with Andrews Engineering for Monitoring Well repairs for an amount not to exceed \$54,750.		
Attachments:		
Attachment 1: Resolution No. R-40-2021 Attachment 2: Cost Estimate from Andrews Engineering for Monitoring Well Repairs		

Attachment 1**R-40-2021**

**A RESOLUTION WAIVING BIDDING AND
APPROVING A CONTRACT WITH ANDREWS ENGINEERING FOR
MONITORING WELL REPAIRS AT THE MUNICIPAL LANDFILL**

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

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

WHEREAS, the Village operates 22 groundwater monitoring wells pursuant to permits issued by the Illinois EPA (“**IEPA**”) at the Village’s Landfill (“**Monitoring Wells**”); and

WHEREAS, IEPA informed the Village at the most recent inspection of the Monitoring Wells that several Monitoring Wells are degrading and require either repair or replacement; and

WHEREAS, the Village’s Public Works Department has determined that in order for the Monitoring Wells to remain in compliance with IEPA permitting requirements, it is necessary to repair or replace certain Monitoring Wells (“**Services**”); and

WHEREAS, Andrews Engineering of Springfield, Illinois (“**Contractor**”) has provided a proposal to complete the Services in an amount not to exceed \$54,750; and

WHEREAS, the Village desires to perform the Services on the Monitoring Wells, and has available funds to perform the Services within the budgeted amounts under the Village’s refuse account number 580.08.01-588; and

WHEREAS, pursuant to Sections 4.12.010.A and 4.12.010.C of the Village Code and in accordance with Section IV.3.D of the Village’s Purchasing Manual, the bidding requirements may be waived for contracts for supplies and services available from a single source, and which by their nature are not adaptable to competitive bidding; and

WHEREAS, the Village’s Public Works Department recommends that the Village contract with Contractor for the Services because Contractor is very familiar with the Village’s Landfill and performs all contracted monitoring and permit work concerning the Landfill in a manner satisfactory to the Village; and

WHEREAS, the Village desires to enter into an agreement with Contractor to provide the Services (“**Contract**”) in an amount not to exceed \$54,750; and

WHEREAS, pursuant to Section 4.12.010.C of the Village Code, the Village Council has determined that it is in the best interests of the Village to waive competitive bidding and enter into the Contract with Contractor;

April 8, 2021

R-40-2021

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

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

SECTION 2: WAIVER OF COMPETITIVE BIDDING. Pursuant to Sections 4.12.010.A and 4.12.010.C of the Village Code, Section IV.3.D of the Village's Purchasing Manual, and the Village's home rule authority, the Village Council waives the requirement of competitive bidding for the procurement of the Services.

SECTION 3: APPROVAL OF CONTRACT. The Village Council approves the Contract in substantially the form attached to this Resolution as **Exhibit A** and in a final form approved by the Village Attorney.

SECTION 4: AUTHORIZATION TO EXECUTE CONTRACT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Contract after receipt by the Village Manager of two executed copies of the final Contract from Contractor; provided, however, that if the Village Manager does not receive two executed copies of the final Contract from Contractor within 60 days after the date of adoption of this Resolution, then this authority to execute and seal the Contract will, at the option of the Village Council, be null and void..

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval by the vote of two-thirds of the Trustees.

ADOPTED this 8th day of April, 2021, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A

CONTRACT

VILLAGE OF WINNETKA

CONTRACT FOR

Landfill Monitoring Well Repairs

Full Name of Bidder Andrews Engineering ("Bidder")
 Principal Office Address 1390 Ginger Creek Drive, Springfield, Illinois 62711
 Local Office Address Same as above
 Contact Person Dipanjn Ghosh Telephone Number 1-217-787-2334

TO: Village of Winnetka ("Owner")
 510 Green Bay Road
 Winnetka, Illinois, 60093
 Attention: James Bernahl

Bidder warrants and represents that Bidder has carefully examined the Work Site described below and its environs and has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. None, which are securely stapled to the end of this Contract.

1. Work Proposal

A. Contract and Work. If this Contract is accepted, Bidder proposes and agrees that Bidder shall, at its sole cost and expense, provide, perform, and complete, in the manner specified and described, and upon the terms and conditions set forth, in this Contract and Owner's written notification of acceptance in the form included in this bound set of documents, all of the following, all of which is herein referred to as the "Work":

1. Labor, Equipment, Materials and Supplies. Provide, perform, and complete, in the manner specified and described in this Contract/Proposal, all necessary work, labor, services, transportation, equipment, materials, supplies, information, data, and other means and items necessary for the ***Protective Well Casing Replacements for 22 monitoring wells, the Abandonments of 6 groundwater wells*** at the (the "Work Site");
2. Permits. Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary in connection therewith;
3. Bonds and Insurance. Procure and furnish all bonds and all insurance certificates ***and policies of insurance*** specified in this Contract;
4. Taxes. Pay all applicable federal, state, and local taxes;
5. Miscellaneous. Do all other things required of Bidder by this Contract; and
6. Quality. Provide, perform, and complete all of the foregoing in a proper and workmanlike manner, consistent with highest standards of professional and construction practices, in full compliance with, and as required by or pursuant, to this Contract, and with the

greatest economy, efficiency, and expedition consistent therewith, with only new, undamaged, and first quality equipment, materials, and supplies.

B. Performance Standards. If this Contract is accepted, Bidder proposes and agrees that all Work shall be fully provided, performed, and completed in accordance with the ***proposal provided by Andrews Engineering (refer to attached proposal)***. No provision of any referenced standard, specification, manual or code shall change the duties and responsibilities of Owner or Bidder from those set forth in this Contract. Whenever any equipment, materials, or supplies are specified or described in this Contract by using the name or other identifying feature of a proprietary product or the name or other identifying feature of a particular manufacturer or vendor, the specific item mentioned shall be understood as establishing the type, function, and quality desired. Other manufacturers' or vendors' products may be accepted, provided that the products proposed are equivalent in substance and function to those named as determined by Owner in its sole and absolute discretion.

C. Responsibility for Damage or Loss. If this Contract is accepted, Bidder proposes and agrees that Bidder shall be responsible and liable for, and shall promptly and without charge to Owner repair or replace, damage done to, and any loss or injury suffered by, Owner, the Work, the Work Site, or other property or persons as a result of the Work.

D. Inspection/Testing/Rejection. Owner shall have the right to inspect all or any part of the Work and to reject all or any part of the Work that is, in Owner's judgment, defective or damaged or that in any way fails to conform strictly to the requirements of this Contract and Owner, without limiting its other rights or remedies, may require correction or replacement at Bidder's cost, perform or have performed all Work necessary to complete or correct all or any part of the Work that is defective, damaged, or nonconforming and charge Bidder with any excess cost incurred thereby, or cancel all or any part of any order or this Contract. Work so rejected may be returned or held at Bidder's expense and risk.

2. Contract Price Proposal

If this Contract is accepted, Bidder proposes, and agrees, that Bidder shall take in full payment for all Work and other matters set forth under Section 1 above, including overhead and

profit; taxes, contributions, and premiums; and compensation to all subcontractors and suppliers, the compensation set forth below.

A. Schedule of Prices. For providing, performing, and completing all Work, the **total Contract Price of:**

TOTAL CONTRACT PRICE (in numbers):

\$ \$54,750

B. Basis for Determining Prices. It is expressly understood and agreed that:

1. All prices stated in the attached proposal are firm and shall not be subject to escalation or change;
2. Owner is not subject to state or local sales, use, and excise taxes, that no such taxes are included in the Schedule of Prices, and that all claim or right to claim any additional compensation by reason of the payment of any such tax is hereby waived and released; and
5. Any items of Work not specifically listed or referred to in the Schedule of Prices, or not specifically included for payment under any Unit Price Item, shall be deemed incidental to the Contract Price, shall not be measured for payment, and shall not be paid for separately except as incidental to the Contract Price, including without limitation extraordinary equipment repair, the cost of transportation, packing, cartage, and containers, the cost of preparing schedules and submittals, the cost or rental of small tools or buildings, the cost of utilities and sanitary conveniences, and any portion of the time of Bidder, its superintendents, or its office and engineering staff.

C. Time of Payment. It is expressly understood and agreed that all payments shall be made in accordance with the following schedule:

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Proposal. If applicable each payment shall include Bidder's certification of the value of, and partial or final waivers of lien covering, all Work for which payment is then requested and Bidder's certification that all prior payments have been properly applied to the payment or reimbursement of the costs with respect to which they were paid.

3. Contract Time

If this Contract is accepted, Bidder proposes and agrees that Bidder shall commence the Work within 60 days after Owner's acceptance of the Contract provided Bidder shall have furnished to Owner all bonds and all insurance certificates and policies of insurance specified in this Contract (the "Commencement Date"). If this Contract is accepted, Bidder proposes and agrees that Bidder shall perform the Work diligently and continuously and shall complete the Work within 7 days after the Commencement Date.

4. Financial Assurance

A. Bonds. If this Contract is accepted, Bidder proposes and agrees that Bidder shall provide a Performance Bond and a Labor and Material Payment Bond, on forms provided by, or otherwise acceptable to, Owner, from a surety company acceptable to Owner, each in the penal sum of the Contract Price, within 10 days after Owner's acceptance of this Contract.

B. Insurance. If this Contract is accepted, Bidder proposes and agrees that Bidder shall provide certificates of insurance evidencing the minimum insurance coverage and limits set forth below within 10 days after Owner's acceptance of this Contract. Such insurance shall be in form, and from companies, acceptable to Owner and shall name Owner, including its Council members and elected and appointed officials, its officers, employees, agents, attorneys, consultants, and representatives, as an Additional Insured. The insurance coverage and limits set forth below shall be deemed to be minimum coverage and limits and shall not be construed in any way as a limitation on Bidder's duty to carry adequate insurance or on Bidder's liability for losses or damages under this Contract. The minimum insurance coverage and limits that shall be maintained at all times while providing, performing, or completing the Work are as follows:

1. Workers' Compensation and Employer's Liability

Limits shall not be less than:

Worker's Compensation: Statutory

Employer's Liability: \$500,000 each accident-injury; \$500,000 each employee-disease; \$500,000 disease-policy.

Such insurance shall evidence that coverage applies to the State of Illinois and provide a waiver of subrogation in favor of Owner.

2. Commercial Motor Vehicle Liability

Limits for vehicles owned, non-owned or rented shall not be less than:

\$1,000,000 Bodily Injury and Property Damage Combined Single Limit

3. Commercial General Liability

Limits shall not be less than:

\$1,000,000 Bodily Injury and Property Damage Combined Single Limit.

Coverage is to be written on an "occurrence" basis. Coverage to include:

- Premises Operations
- Products/Completed Operations
- Independent Contractors
- Personal Injury (with Employment Exclusion deleted)
- Broad Form Property Damage Endorsement
- "X," "C," and "U"
- Contractual Liability

Contractual Liability coverage shall specifically include the indemnification set forth below.

4. Umbrella Liability

Limits shall not be less than:

\$2,000,000 Bodily Injury and Property Damage Combined Single Limit.

This Coverage shall apply in excess of the limits stated in 1, 2, and 3 above.

C. Indemnification. If this Contract is accepted, Bidder proposes and agrees that Bidder shall indemnify, save harmless, and defend Owner against all damages, liability, claims, losses, and expenses (including attorneys' fees) that may arise, or be alleged to have arisen, out of or in connection with Bidder's performance of, or failure to perform, the Work or any part thereof, or any failure to meet the representations and warranties set forth in Section 6 of this Contract.

D. Penalties. If this Contract is accepted, Bidder proposes and agrees that Bidder shall be solely liable for any fines or civil penalties that are imposed by any governmental or quasi-governmental agency or body that may arise, or be alleged to have arisen, out of or in connection with Bidder's performance of, or failure to perform, the Work or any part thereof.

5. Firm Contract

All prices and other terms stated in this Contract are firm and shall not be subject to withdrawal, escalation, or change provided Owner accepts this Contract within 45 days after the date the bidder's contract proposal is opened.

6. Bidder's Representations and Warranties

To induce Owner to accept this Contract, Bidder hereby represents and warrants as follows:

A. The Work. The Work, and all of its components, (1) shall be of merchantable quality; (2) shall be free from any latent or patent defects and flaws in workmanship, materials, and design; (3) shall strictly conform to the requirements of this Contract, including without limitation the performance standards set forth in Section 1B of this Contract; and (4) shall be fit, sufficient, and suitable for the purposes expressed in, or reasonably inferred from, this Contract and the warranties expressed herein shall be in addition to any other warranties expressed or implied by law, which are hereby reserved unto Owner. If this Contract is accepted, Bidder proposes and agrees that as part of Bidder's warranty obligations under this Contract, shall provide, perform, and complete all post-installation service, maintenance, and inspection Work as specified, and associated Work. Bidder, promptly and without charge, shall correct any failure to fulfill the above warranty at any time within one year after final payment or such longer period as may be prescribed in the performance standards set forth in Section 1B of this Contract or by law. The above warranty shall be extended automatically to cover all repaired and replacement parts and labor provided or performed under such warranty and Bidder's obligation to correct Work shall be extended for a period of two years from the date of such repair or replacement. The time

period established in this Section 6A relates only to the specific obligation of Bidder to correct Work and shall not be construed to establish a period of limitation with respect to other obligations that Bidder has under this Contract.

B. Compliance with Laws. The Work, and all of its components, shall be provided, performed, and completed in compliance with, and Bidder agrees to be bound by, all applicable federal, state, and local laws, orders, rules, and regulations, as they may be modified or amended from time to time, including without limitation the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 et seq. and any other prevailing wage laws; any statutes requiring preference to laborers of specified classes; the Illinois Steel Products Procurement Act, 30 ILCS 565/1 et seq.; any statutes prohibiting discrimination because of, or requiring affirmative action based on, race, creed, color, national origin, age, sex, or other prohibited classification; and any statutes regarding safety or the performance of the Work.

C. Prevailing Wage Act. This Contract calls for the construction of a "public work," within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/0.01 et seq. (the "Act"). A copy of Owner's ordinance ascertaining the prevailing rate of wages, in effect as of the date of this Contract, has been attached as an Appendix to this Contract. If the Illinois Department of Labor revises the prevailing rate of hourly wages to be paid, the revised rate will apply to this Contract. Bidder and any subcontractors rendering services under this Contract must comply with all requirements of the Act, including but not limited to, all wage, notice, and record-keeping duties and certified payrolls.

D. Not Barred. Bidder is not barred by law from contracting with Owner or with any other unit of state or local government as a result of (i) a violation of either Section 33E-3 or Section 33E-4 of Article 33 of the Criminal Code of 1961, 720 ILCS 5/33E-1 et seq.; or (ii) a violation of the USA Patriot Act of 2001, 107 Public Law 56 (October 26, 2001) (the "Patriot Act") or other statutes, orders, rules, and regulations of the United States government and its various executive departments, agencies and offices related to the subject matter of the Patriot Act, including, but not limited to, Executive Order 13224 effective September 24, 2001. Bidder is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by the United States Treasury Department as a Specially Designated National and Blocked Person, or for or on behalf of any person, group, entity or nation designated in Presidential Executive Order 13224 as a person who commits, threatens to commit, or supports terrorism; and Bidder is not engaged in this transaction directly or indirectly on behalf of, or facilitating this transaction directly or indirectly on behalf of, any such person, group, entity or nation.

E. Qualified. Bidder has the requisite experience, ability, capital, facilities, plant, organization, and staff to enable Bidder to perform the Work successfully and promptly and to commence and complete the Work within the Contract Price and Contract Time set forth above. Bidder warrants and represents that it has met and will meet all required standards set forth in Owner's Responsible Bidder Ordinance M-66-11.

7. Acknowledgements

In submitting this Contract, Bidder acknowledges and agrees that:

A. Reliance. Owner is relying on all warranties, representations, and statements made by Bidder in this Contract.

B. Reservation of Rights. Owner reserves the right to reject any and all proposals, reserves the right to reject the low price proposal, and reserves such other rights as are set forth in the Instructions to Bidders.

C. Acceptance. If this Contract is accepted, Bidder shall be bound by each and every term, condition, or provision contained in this Contract and in Owner's written notification of acceptance in the form included in this bound set of documents.

D. Remedies. Each of the rights and remedies reserved to Owner in this Contract shall be cumulative and additional to any other or further remedies provided in law or equity or in this Contract.

E. Time. Time is of the essence for this Contract and, except where stated otherwise, references in this Contract to days shall be construed to refer to calendar days.

F. No Waiver. No examination, inspection, investigation, test, measurement, review, determination, decision, certificate, or approval by Owner, whether before or after Owner's acceptance of this Contract; nor any information or data supplied by Owner, whether before or after Owner's acceptance of this Contract; nor any order by Owner for the payment of money; nor any payment for, or use, possession, or acceptance of, the whole or any part of the Work by Owner; nor any extension of time granted by Owner; nor any delay by Owner in exercising any right under this Contract; nor any other act or omission of Owner shall constitute or be deemed to be an acceptance of any defective, damaged, or nonconforming Work, nor operate to waive or otherwise diminish the effect of any representation or warranty made by Bidder; or of any

requirement or provision of this Contract; or of any remedy, power, or right of Owner.

G. Severability. The provisions of this Contract/ Proposal shall be interpreted when possible to sustain their legality and enforceability as a whole. In the event any provision of this Contract shall be held invalid, illegal, or unenforceable by a court of competent jurisdiction, in whole or in part, neither the validity of the remaining part of such provision, nor the validity of any other provisions of this Contract shall be in any way affected thereby.

H. Amendments. No modification, addition, deletion, revision, alteration, or other change to this Contract shall be effective unless and until such change is reduced to writing and executed and delivered by Owner and Bidder, except that Owner has the right, by written order executed by Owner, to make changes in the Work ("Change Order"). If any Change Order causes an increase or decrease in the amount of the Work, then an equitable adjustment in the Contract Price or Contract Time may be made. No decrease in the amount of the Work caused by any Change Order shall entitle Bidder to make any claim for damages, anticipated profits, or other compensation.

I. Assignment. Neither this Contract, nor any interest herein, shall be assigned or subcontracted, in whole or in part, by Bidder except upon the prior written consent of Owner.

J. Governing Law. This Contract, and the rights of the parties under this Contract shall be interpreted according to the internal laws, but not the conflict of law rules, of the State of Illinois. Every provision of law required by law to be inserted into this Contract/Proposal shall be deemed to be inserted herein.

Dated: _____, 20____.

Bidder's Status: () _____ Corporation () _____ Partnership () Individual Proprietor
(State) (State)

Bidder's Name: _____

Doing Business As (if different): _____

Signature of Bidder or Authorized Agent: _____

(corporate seal)
(if corporation)

Printed Name: _____

Title/Position: _____

Bidder's Business Address: _____

Bidder's Business Telephone: _____ Facsimile: _____

If a corporation or partnership, list all officers or partners:

NAME	TITLE	ADDRESS

ACCEPTANCE

The Contract attached hereto and by this reference incorporated herein and made a part hereof is hereby accepted by the order of the Village of Winnetka ("Owner") as of April 8, 2021.

This Acceptance, together with the Contract attached hereto, constitutes the entire and only agreement between the parties relating to the accomplishment of the Work and the compensation therefor and supersedes and merges any other prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and shall prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgement, invoice, or other standard form used by the parties in the performance of the Contract. Any such contradictory or inconsistent terms or conditions shall be deemed objected to by Owner without further notice of objection and shall be of no effect nor in any circumstances binding upon Owner unless accepted by Owner in a written document plainly labeled "Amendment to Contract." Acceptance or rejection by Owner of any such contradictory or inconsistent terms or conditions shall not constitute acceptance of any other contradictory or inconsistent terms or conditions.

VILLAGE OF WINNETKA, ILLINOIS

Signature: _____
Printed name: _____
Title: _____



3300 Ginger Creek Drive | 217.787.2334
Springfield, IL 62711

December 16, 2020

Steve Auth
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093-2563

Re: Winnetka Landfill
Scope of Work and Cost Estimate
Protective Well Casing Replacements and Well Abandonments

Dear Mr. Auth:

Provided herein is a proposal for consulting services for the repair or replacement of 22 protective well casings and 6 groundwater well abandonments at the subject facility.

Scope of Work

Andrews Engineering, Inc. (hereafter referred as Andrews) proposes completion of the following tasks:

Groundwater Well Casing Repair or Replacement, and Well Sealing and Abandonment

Andrews will provide field guidance as needed by the drillers for the repair or replacement of the well casings for the facility's 22 permitted groundwater monitoring wells:

G119	G131	G132	G43D	R42D
R101	G104	G108	G112	R115
G120	G121	G122	G123	G124
G125	G41D	GMZ-1	GMZ-2R	GMZ-3
GMZ-4	GMZ-5			

Andrews will also provide field guidance as necessary for the well sealing and abandonment of 6 groundwater wells at the site:

MW-A	MW-B	MW-C	MW-D	G110	G115
------	------	------	------	------	------

Andrews will subcontract Testing Service Corporation (hereafter TSC) of Carol Stream, Illinois to conduct casing repairs or replacements for all 22 permitted groundwater monitoring wells in addition to the sealing and abandonment of the 6 historic groundwater wells noted above.

Well casing repairs or replacements with new concrete pad, and well sealing and abandonment will occur during a single mobilization. Each well will be brought into compliance in accordance with the specifications outlined in the permit. All wells that require new well casings will be

Mr. Steve Auth
Village of Winnetka

DATE
Page 2

finished with a concrete pad, appropriately labeled, and locked. Well abandonment will occur pursuant to 77 Ill. Adm. Code Section 920.120.

The cost estimate assumes the following:

- Twenty-two (22) wells require repair or replacement of the well's protective casings and concrete pad. Intact well casings that properly secure the well and have not rusted through will be repaired, painted, labeled, and locked. Well casings that do not secure the groundwater monitoring well will be replaced by removing and replacing the existing well casing with a new steel protective casing and concrete pad. If concrete exists within the annular space of the well, the old casing may be cut and left in place with a larger diameter protective casing installed over the existing casing and finished with additional concrete. Upon completion of this project, each monitoring well will be labeled and sealed in accordance with the permit.
- Six (6) wells require abandonment; the wells will be sealed and abandoned by TSC. TSC will coordinate the abandonments with the Cook County Health Department. The wells will be abandoned pursuant to 77 Illinois Administrative Code 920.12 by filling the well screen and riser with bentonite chips and removing the upper two feet of the well riser pipe. TSC will file the Well Sealing Forms with the Cook County Health Department.
- Waste generated from the work outlined above will be removed from the site by TSC. While conducting the work, TSC will provide their own waste containers and remove the containers upon completion of the project.
- Finally, it must be noted that this estimate reflects the challenging nature of the facility's site access. Most well locations are within the forest reserve property where it is assumed that minimal tree clearing will be allowed; thus a drill rig is not able to access the site. Most work will be completed manually and equipment will be hauled to the appropriate locations along existing paths via a skid steer or ATV. Excessively wet or muddy areas may require a follow up mobilization for access.

Reporting

Well abandonment forms will be completed and submitted to the Cook County Health Department (CCHD) and Illinois Department of Public Health (IDPH) in accordance with applicable county and state regulations. A copy of the documents will be provided to the Village of Winnetka and to the Illinois EPA's Bureau of Land.

Costs

Estimates to repair or replace the well casings and cement pads at 22 groundwater monitoring wells and seal and abandon 6 groundwater wells were obtained from TSC and Direct Push Analytical Corporation. The proposed project costs are based upon the estimate provided by TSC (initially dated October 19, 2020, and revised December 02, 2020), with all quoted fees contingent upon contract acceptance by December 31, 2020. TSC was selected to conduct the well casing repair and well abandonment work at Winnetka Landfill based on the comprehensive cost estimate provided and their understanding of the project. Staff from Andrews will survey each of the wells (top of well, top of casing, and well pad) upon completion of the project. The

Mr. Steve Auth
Village of Winnetka

DATE
Page 3

estimated cost for the 22 well casing/cement pad repairs/replacements, 6 well abandonments, oversight of the fieldwork, and required documentation is **\$51,075.00**.

The Village of Winnetka requested a cost estimate proposal for a phased project which would include 6 well abandonments and the repair/replacement of the well casings for four groundwater monitoring wells (G41D, G104, G121, and G122) during phase 1, with the remaining 18 monitoring wells receiving casing repairs/replacements during phase 2. The overall estimate for this approach includes an approximate phase 2 cost estimate that includes a remobilization fee for the drillers. The estimated cost for phase 1 is **\$22,000** and phase 2 is **\$32,750**, with a total project cost of **\$54,750**.

Schedule

It is anticipated that commencement of the monitoring well casing replacements, and groundwater well abandonments as outlined above can occur within 60 days of approval of this proposed scope of work and cost estimate.

The drilling company has estimated that the proposed activities will take 10 business days to complete, or four days to complete phase 1 for the phased proposal. This time can vary based on a number of factors; delays may occur due to site accessibility, inclement weather, equipment failure, and other issues beyond our control. If such an event occurs which will result in additional costs, the Village shall be notified and a change order will be submitted for approval prior to the incurrence of such costs.

Should you have any questions or require further information, please contact me at (217) 787-2334. Thank you.

Sincerely,

Adrienne M. Scott
Environmental Scientist

AMS:BJH:CMG:

Enclosure(s)

cc: Steve Auth – Village of Winnetka (email)
Jim Bernahl – Village of Winnetka (email)
Steve Saunders – Village of Winnetka (email)
Colleen Grey – Andrews Engineering, Inc. (email)
Brad Hunsberger – Andrews Engineering, Inc. (email)



Agenda Item Executive Summary

Title: Resolution No. R-45-2021: Extending Temporary Tent Approval for Schools (Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 04/08/2021

Consent: ☒ YES ☐ NO

☐ Ordinance
☒ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

8/4/00 - Amended Zoning Ordinance to Allow Use of Extended Temporary Tents for Schools (MC-4-2020)
 8/4/20 - Approved Temporary Tents for School District 36 (R-53-2020)
 9/1/20 - Approved Temporary Tents for North Shore Country Day School (R-55-2020)
 9/15/20 - Approved Temporary Tent for Faith, Hope & Charity School (R-60-2020)
 10/20/20- Approved Temporary Tents for New Trier High School (R-69-2020)

Executive Summary:

At the April 4, 2021 Village Council meeting, the Council will consider Resolution No. R-45-2021, Extending the Authorizations for the Erection and Use of Temporary Tents During the COVID-19 Pandemic by Schools within the Village.

During 2020, in response to the COVID-19 pandemic, the Village Council approved the following schools' requests for the extended use of temporary tents in order to provide protected space for social distancing: School District 36, North Shore Country Day School, Saints Faith, Hope & Charity School and New Trier Townships School District 203 (the "Schools"). In anticipation of the need to continue to provide proper social distancing during the 2021 fall term, the Resolution No. R-45-2021 would approve the use of temporary tents through December 31, 2021. The resolution would also grant the Village Manager authority to approve modifications to the tents or tent locations requested by the Schools.

Recommendation:

Consider adoption of Resolution No. R-45-2021: Extending the Authorizations for the Erection and Use of Temporary Tents During the COVID-19 Pandemic by Schools within the Village.

Attachments:

Attachment 1 - Resolution No. R-45-2021
 Attachment 2 - Staff Reports and related Village Council Resolutions from 2020

Attachment 1

R-45-2021

**A RESOLUTION EXTENDING THE AUTHORIZATIONS FOR THE ERECTION
AND USE OF TEMPORARY TENTS DURING THE COVID-19 PANDEMIC
BY SCHOOLS WITHIN THE VILLAGE**

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

WHEREAS, due to the ongoing COVID-19 pandemic, on August 4, 2020, the Village approved Ordinance MC-4-2020, adopting a new Section 17.54.010 of the "Winnetka Zoning Ordinance," as amended ("***Zoning Code***"), to allow schools to erect temporary tents for school use with the approval of the Village Council for a period not to exceed 180 days in any 12-month period; and

WHEREAS, the Village provided authorization to the Winnetka Elementary School District 36 ("***District 36***") pursuant to Resolution R-53-2020, the Northshore Country Day School ("***NSCD***") pursuant to Resolution R-55-2020, the Saints Faith, Hope and Charity School ("***SFHCS***") pursuant to Resolution R-60-2020, and New Trier Townships School District 203 ("***New Trier***") (District 36, NSCD, SFHCS, and New Trier are, collectively, "***Schools***") pursuant to Resolution R-69-2020 (Resolution R-53-2020, R-55-2020, R-60-2020, and R-69-2020 are, collectively, "***Tent Resolutions***") to erect temporary tents at specific locations on property owned or adjacent to property owned by the Schools; and

WHEREAS, the Schools have requested that the Village Council extend the authorizations provided in the Tent Resolutions because the pandemic is still ongoing and it is essential that the Schools be able to conduct in-person learning in a safe environment that reduces the risk of spread of COVID-19; and

WHEREAS, the Council of the Village of Winnetka has determined that it is in the best interest of the Village to extend the authorizations provided in the Tent Resolutions;

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

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

SECTION 2: WAIVER OF TIME LIMITATION. Pursuant to the Village's home rule authority, the Village Council hereby waives the time limitations set forth in Section 17.54.010 of the Zoning Code.

SECTION 3: EXTENSION OF TEMPORARY TENT AUTHORIZATIONS. Subject to, and contingent upon, the terms and conditions set forth in Section 4 of this Resolution, and pursuant to Section 17.54.010 of the Zoning Code and the home rule powers of the Village, the approvals and authorizations for the erection and use of the Temporary Tents (as that term is defined in the Tent Resolutions) is hereby extended until and through December 31, 2021.

{00119744.1}
April 8, 2021

R-45-2021

SECTION 4: CONDITIONS. The extensions granted by Section 3 of this Resolution are subject to, and contingent upon, the Schools' continued compliance with the terms and conditions set forth in Section 3 of each School's respective Tent Resolution. Notwithstanding anything to the contrary contained herein or in Section 3 of each School's respective Tent Resolution, each School may make modifications to their Temporary Tents or the Tent Locations provided that such modifications are first approved in writing by the Village Manager.

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of a School to comply with any or all of the conditions, restrictions, or provisions of this Resolution or the respective Tent Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 3 of this Resolution and the applicable Tent Resolution will, at the sole discretion of the Village Council, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 3 of this Resolution or the applicable Tent Resolution unless it first provides the applicable School with two weeks advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: EFFECTIVE DATE. This Resolution will be effective upon passage by the Village Council in the manner required by law.

ADOPTED this 8th day of April, 2021, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: JULY 29, 2020
SUBJECT: ORDINANCE NO. MC-4-2020 – AMENDING ZONING ORDINANCE
PROVIDING FOR THE USE OF TEMPORARY TENTS BY SCHOOLS
RESOLUTION NO. R-53-2020 – APPROVING THE ERECTION AND USE OF
TEMPORARY TENTS BY WINNETKA ELEMENTARY SCHOOL DISTRICT 36

INTRODUCTION

On August 4, 2020, the Village Council is scheduled to hold a virtual public hearing, in accordance with social distancing requirements, Governor Pritzker's Executive Order 2020-44 and Senate Bill 2135, and to consider introduction and adoption of Ordinance No. MC-4-2020, An Ordinance Amending the Winnetka Zoning Ordinance to Adopt a new Chapter 17.54 Providing for the Use of Temporary Tents by Schools (Attachment A). The Council is also scheduled to consider adoption of Resolution No. R-53-2020, A Resolution Approving the Erection and Use of Temporary Tents by Winnetka Elementary School District 36 (Attachment B).

The Winnetka Elementary School District 36 (the "School District") requests approval of specific zoning relief related to the extended use of 23 temporary tents located at:

- a) Carleton Washburne School at 515 Hibbard Road (two tents),
- b) Crow Island School at 1112 Willow Road (five tents),
- c) Greeley School at 275 Fairview Avenue (three tents),
- d) Hubbard Woods School at 1110 Chatfield Road (three tents) and Mann Park located along the east side of Burr Avenue to the east of Hubbard Woods School (two tents), and
- e) The Skokie School at 520 Glendale Avenue Road (5 tents) and a portion of West Elm Park located along the north side of Elm Street to the north of Skokie School (three tents) (collectively referred to as the "Subject Properties").

In response to the COVID-19 pandemic the School District wishes to use temporary tents for outdoor spaces for lessons and to give students and staff the ability to physically distance and experience a break from the classroom environment.

The public hearing on the Zoning Ordinance amendment was properly noticed in the *Winnetka Talk* on April 23, 2020, and a mailed notice was sent to property owners within 250 feet of the Subject Properties in compliance with the proposed Zoning Ordinance text amendment. As of the date of this memo, staff has not received any comments from the public regarding this application.

SCHOOL DISTRICT'S REQUEST

As noted above, the School District requests approval of specific zoning relief related to the extended use of temporary tents. The School District's request is included as Exhibit A to Resolution No. R-53-2020 (Attachment B). The request describes how and when the school district plans to use the tents.

Zoning Ordinance Amendment. The Zoning Ordinance definition of "structure" includes a tent. The Zoning Ordinance makes no distinction between temporary and permanent structures; therefore, all temporary structures are required to comply with their applicable Zoning Ordinance requirements, such as bulk and setback requirements, as well as special use requirements. It should be noted that zoning ordinances often have separate zoning requirements for specific types of temporary uses and structures. Our Zoning Ordinance does not. Given that public and private schools are a special use in single family residential districts, the use of tents would require special use approval. In addition, the tents would be required to meet the applicable lot, space, bulk, and yard setback regulations for the single-family residential districts.

The proposed Zoning Ordinance text amendment (MC-4-2020) would allow schools to use temporary tents and would:

- Establish a process by which the Village Manager could approve the temporary use of tents by schools for up to 14 days, with the ability to grant a 14-day extension.
- Only require temporary tents to comply with the yard setback requirements; they would be exempt from the other lot, space, and bulk requirements. However, the Village Council may approve placement of a tent within a required yard setback.
- Allow the Village Council to grant approval for use of tents for up to 180-days within a 12-month period. This limitation is consistent with adopted building and fire codes.
- Allow the Village to place conditions on its approval and require tents to comply with all applicable requirements.

School District's Specific Request. Resolution No. R-53-2020, would approve the School Districts specific request. The School District currently plans to use the tents:

- Thursday, August 20, 2020 through Friday, November 13, 2020
- Thursday, April 1, 2021 through Friday, June 4, 2021 (if necessary)

The 20' x 30' tents would be used Monday through Friday between 8:00 am and 4:00 pm for outdoor classroom activities. For those tents located on the other side of the street from a school, teachers and staff would assist students cross the streets. The School District is also working with the Village's Fire and Police departments regarding plans of action to deal with emergency situations. The School District has also sent a letter to their neighbors informing them of their plans.

The School District has received approval from the Park District to use a portion of West Elm Park, and Mann Park is School District property.

The location of certain tents at Hubbard Woods School, Mann Park, and Washburn School fall within the minimum required yard setbacks.

WASHBURNE SCHOOL (R-4 DISTRICT)		
	Minimum Requirement	Proposed
Minimum Corner (Front) Yard Setback (Elm)	30 feet	21 feet to sidewalk

HUBBARD WOODS SCHOOL (R-4 DISTRICT)		
	Minimum Requirement	Proposed
Minimum Corner (Front) Yard Setback (Burr/Laurel)	30 feet	15 feet to sidewalk

MANN PARK (R-4 DISTRICT)		
	Minimum Requirement	Proposed
Minimum Front Yard Setback (Vine)	30 feet	24 feet from street
Minimum Corner (Front) Yard Setback (Burr)	30 feet	18 feet from street
Minimum Front Yard Setback (Laurel)	30 feet	24 feet from street

The draft resolution would allow the locations of tents within these required yards. And the resolution would allow the School District to use the tents for a period not to exceed 180 days between the effective date of this Resolution and August 3, 2021.

RECOMMENDATION

After holding the public hearing, the Village Council may consider introduction and adoption of Ordinance MC-4-2020 as well as adoption of Resolution R-53-2020.

ATTACHMENTS

Attachment A: Ordinance No. MC-4-2020, An Ordinance Amending the Winnetka Zoning Ordinance to Adopt a new Chapter 17.54 Providing for the Use of Temporary Tents by Schools

Attachment B: Resolution No. R-53-2020, A Resolution Approving the Erection and Use of Temporary Tents by Winnetka Elementary School District 36

Attachment A

ORDINANCE NO. MC-4-2020

**AN ORDINANCE AMENDING THE “WINNETKA ZONING ORDINANCE”
TO ADOPT A NEW CHAPTER 17.54 PROVIDING FOR THE
USE OF TEMPORARY TENTS BY SCHOOLS**

WHEREAS, the "Winnetka Zoning Ordinance," as amended ("***Zoning Code***"), establishes certain zoning regulations for permitted and special uses within each zoning district; and

WHEREAS, Winnetka Elementary School District 36 desires to construct temporary tents ("***Temporary Tents***") on school and Winnetka Park District premises to facilitate school activities while limiting the health risks to students during the COVID-19 pandemic; and

WHEREAS, the Zoning Code does not currently permit schools to erect temporary tents; and

WHEREAS, the Village desires to amend the Zoning Code to adopt a new chapter providing for school use of Temporary Tents ("***Proposed Amendment***"); and

WHEREAS, pursuant to Section 17.72.040 of the Zoning Code, on August 4, 2020, after due notice thereof, the Village Council held a public hearing to consider the Proposed Amendment to the Zoning Code; and

WHEREAS, the Village Board has determined that adoption of the Proposed Amendment, as set forth in this Ordinance, will serve and be in the best interest of the Village;

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

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

SECTION 2: TEMPORARY USES. The Zoning Code is hereby amended to adopt a new Chapter 17.54, which will hereafter read as follows:

“Chapter 17.54 TEMPORARY USES.

Section 17.54.010 Temporary Tents – Schools.

- A. **A public or private school may erect temporary tents for school use with the approval of the Village Manager for a period not to exceed 14 days, which approval may be extended by the Village Manager for one additional 14-day period, provided that such temporary tents are not erected in any required yard setback on the property.**
- B. **A public or private school may erect temporary tents for school use on any portion of a property, including within a required yard setback, with the approval of the Village Council for a period not to exceed 180**

Additions are bold and double underlined; ~~deletions are struck through.~~

days in a twelve-month period.

- C. A school seeking approval from the Village Council pursuant to paragraph 17.54.010.B shall, no more than 30 days, and not less than 15 days, prior to the public meeting at which the Village Council shall first consider such application, send notice by first class mail, postage prepaid, providing notice of the time and place of the Village Council meeting at which the application will be considered, to all persons to whom the latest general real estate tax bills were sent for all property situated within 250 feet of the property on which a temporary tent is proposed to be erected. The failure of any person to receive the written notice issued pursuant to this paragraph shall not affect the jurisdiction of the Village Council authorized to consider the application for a temporary tent. Nor shall the failure of such person to receive such written notice invalidate, impair or otherwise affect the subsequent grant or denial of any application.
- D. All tents erected pursuant to this Section must comply with all applicable regulations contained in the International Fire Code, as adopted in Section 15.08.010 of this Code.
- E. In granting approval for a temporary tent pursuant to this Section, the Village Manager or Village Council may condition such approval on the compliance with conditions to protect the health, safety, and welfare of the users of the tents and the public, and to minimize any adverse impacts the erection or use of the temporary tents may have on neighboring properties.
- F. The erection and use of temporary tents by public and private schools pursuant to this Section shall be exempt from lot, space, and bulk requirements of the applicable zoning district in which the tent is constructed.”

SECTION 3: PUBLICATION. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

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

[SIGNATURE PAGE FOLLOWS]

Additions are bold and double underlined; ~~deletions are struck through.~~

PASSED this ____ day of August, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2020.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2020.

Introduced: _____, 2020

Passed and Approved: _____, 2020

Attachment B

R-53-2020

**A RESOLUTION APPROVING THE ERECTION AND USE OF TEMPORARY TENTS
BY WINNETKA ELEMENTARY SCHOOL DISTRICT 36**

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

WHEREAS, on August 4, 2020, the Village approved Ordinance MC-4-2020, adopting a new Section 17.54.010 of the "Winnetka Zoning Ordinance," as amended ("***Zoning Code***"), to allow schools to erect temporary tents for school use with the approval of the Village Council for a period not to exceed 180 days in any 12-month period; and

WHEREAS, Winnetka Elementary School District 36 ("***School District***") desires to construct temporary tents ("***Temporary Tents***") on its property and property adjacent to its property during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School District has requested to erect Temporary Tents at the following locations and in a manner described and depicted in Exhibit A to this Resolution:

- A. That portion of the Carleton Washburne School property located at 515 Hibbard Road;
- B. That portion of the Crow Island School property located at 1112 Willow Road;
- C. That portion of the Greeley School property located at 275 Fairview Avenue;
- D. Those portions of the Hubbard Woods School property located at 1110 Chatfield Road and Mann Park located along the east side of Burr Avenue immediately to the east of Hubbard Woods School; and
- E. Those portions of the Skokie School property located at 520 Glendale Avenue and West Elm Park located at 115 Elm Street;

(collectively, "***Tent Locations***"); and

WHEREAS, some of the Tent Locations are within required yard setbacks, which requires approval of the Village Council; and

WHEREAS, the Council of the Village of Winnetka has determined that it is in the best interest of the Village to approve and authorize the issuance of tent permits to allow the School District to erect the Temporary Tents at the Tent Locations;

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

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

SECTION 2: APPROVAL OF TEMPORARY TENTS. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Resolution, approval is hereby granted pursuant to Section 17.54.010 of the Zoning Code and the home rule powers of the Village, to allow the erection and use of the Temporary Tents by the School District at the Tent Locations for school use for a period not to exceed 180 days between the effective date of this Resolution and August 3, 2021.

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

- A. Compliance with Regulations. The erection, use, and maintenance of the Temporary Tents and the Tent Locations must comply at all times with all applicable federal, State, and Village statutes, laws, regulations, codes, ordinances, and orders, as they have been or may be amended over time;
- B. Operations with Tents. The erection, use, and maintenance of the Temporary Tents must generally comply with the description of use described in the July 27, 2020 letter from the School District included in **Exhibit A**; and
- C. Compliance with Plans. The Temporary Tents must be generally be consistent with the image of the tent and the F3 Brochure Drawing of the tent provided by Anchor Industries, Inc. dated June 24, 2015, included in **Exhibits A**.

SECTION 4: FAILURE TO COMPLY. Upon the failure or refusal of the School District to comply with any or all of the conditions, restrictions, or provisions of this Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Resolution will, at the sole discretion of the Village Council, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Resolution unless it first provides the School District with two weeks advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 5: EFFECTIVE DATE.

- A. This Resolution will be effective only upon the occurrence of all of the following events:
 - 1. Passage by the Village Council in the manner required by law; and
 - 2. The filing by the School District with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit B** attached to and, by this reference, made a part of this Resolution, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Resolution and

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

B. In the event that the School District does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 5.A.2 of this Resolution within 30 days after the date of passage of this Resolution by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

ADOPTED this 4th day of August, 2020, pursuant to the following roll call vote:
AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

Signed _____
Village President

Countersigned:

Village Clerk

EXHIBIT A

**DESCRIPTION OF PROPOSED USE OF TENTS AND DEPICTION OF TENT
LOCATIONS**



1235 Oak Street • Winnetka, IL 60093
phone 847-446-9400 • fax 847-446-9408
Brad Goldstein
Chief Financial Officer/CSBO/Treasurer
bradgoldstein@winnetka36.org

July 27, 2020

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

Dear Mr. Schoon:

The Winnetka School District 36 is requesting approval to install temporary tents for an extended period of time for outdoor educational purposes for the upcoming school year due to the COVID-19 pandemic. The teachers will utilize the outdoor space for lessons. The outdoor space will give students and staff the ability to physically distance and get a break from the classroom environment. Our plan is to install the tents in mid to late August and to use them into early to early November. If the pandemic continues into the spring, we plan to use them again in the Spring from the beginning of April through the first week of June. We request approval to erect the tents and have them in place during the following periods of time:

- Thursday, August 20, 2020 through Friday, November 13, 2020
- Thursday, April 1, 2021 through Friday, June 4, 2021
-

If during any of this time, it is necessary for us to move to remote learning for all students, the tents would be removed until such time we could once again have in school learning.

The tents will be used during the school day, Monday through Friday between 8:00 am and 4:00 pm. We anticipate 10-12 students in each tent. We plan to provide single desks/tables and chairs for each student, and all items will be brought in after school is over on a daily basis.

Attached are site plans showing the general location of the proposed tents and the number of tents at each location. The image on the following page is a

picture of the proposed tent. Each tent would be 20' x 30', and height of the tent to the top of top of the canopy ridge would be 13' 3 3/8" tall.

The District does not plan to install sides on the tents; the tents would only have the canopy element; thus, no heating or cooling will be provided to the tents. Also, no electricity will be provided to the tents. The tents will be placed either over an existing hard surface or over grass. For tents to be placed over grass, there are no plans to place a temporary hard surface on the ground.

The School District is currently working with the Winnetka Police and Fire departments to address emergency situations as the School District adjusts its operations in response to the COVID-19 pandemic. The School District will regularly monitor the weather and incoming storms. The District will have an emergency response plan for storms. The tents are able to withstand winds up to 30 mph. Between 30 and 50 mph the canopies would need to be removed, and over 50 mph the poles would be removed.



Given the length of time the tents will be up, we understand damage may occur to grass under the tents. Whether it is on our property or others, we will address any damage caused to the grass due to the use of the tents.

As you will note some of the tents will be located across the street from schools. In those circumstances, teachers and staff would assist students with crossing the street.

Attached you will find a letter from the Park District who has agreed to let us use West Elm Park.

We have sent the attached letter to neighbors who are either located across the street from or adjacent to the proposed tents to let them know of the District's plans.

We have done our best to keep the proposed tents out of the required yard setbacks, but given limitations of some of the sites we ask that the Village Council approve the locations of the proposed tents at Hubbard Woods Park, Mann Park, and Washburne School, which will fall within required yard setbacks (See Attachment A - Proposed Tent Yard Setbacks).

The District appreciates the assistance of the Village in addressing this important piece that will allow us to return to in person learning in this school year.

Sincerely,

A handwritten signature in blue ink, appearing to read "B Goldstein", with a stylized flourish at the end.

Brad Goldstein, CFO

Attachment A- Proposed Tent Yard Setbacks

Highlighted yard setbacks require zoning relief.

WASHBURNE & SKOKIE SCHOOL – R-4 District		
	Requirement	Proposed
Minimum Front Yard Setback (Hibbard)	30 feet	NA
Minimum Corner (Front) Yard Setback (Elm)	30 feet	21 feet to sidewalk
Minimum Through Lot Setback (Glendale)	30 feet	35 feet to street
Minimum Front Yard Setback (Oak)	30 feet	≥ 50 feet to street

WEST ELM STREET PARK – R2 District		
	Requirement	Proposed
Minimum Front Yard Setback (Glendale)	50 feet	≥ 50 feet to sidewalk
Minimum Corner (Front) Yard Setback (Elm)	50 feet	≥ 50 feet to sidewalk
Minimum Corner (Front) Yard Setback (Spruce)	50 feet	NA
Minimum Rear Yard Setback (West Property Line)	25 feet	≥ 100 feet to lot line

CROW ISLAND SCHOOL – R-2 DISTRICT		
	Requirement	Proposed
Minimum Front Yard Setback (Willow)	50 feet	NA
Minimum Corner (Front) Yard Setback (Glendale)	50 feet	≥ 50 feet to property line
Minimum Front Yard Setback (Mt. Pleasant)	50 feet	≥ 50 feet to property line
Minimum Side Yard Setback (West)	12 feet	30 feet to property line

GREELEY SCHOOL ZONING ANALYSIS – R-4 DISTRICT		
	Requirement	Proposed
Minimum Front Yard Setback (Elder)	30 feet	NA
Minimum Corner (Front) Yard Setback (Fairview)	30 feet	NA
Minimum Through Lot Front Yard Setback (Hawthorn)	30 feet	≥ 50 feet to sidewalk
Minimum Front Yard Setback (Woodlawn)	30 feet	≥ 50 feet to sidewalk

HUBBARD WOODS SCHOOL ZONING ANALYSIS – R-4 DISTRICT		
	Requirement	Proposed
Minimum Front Yard Setback (Chatfield)	30 feet	NA
Minimum Corner (Front) Yard Setback (Burr/Laurel)	30 feet	15 feet to sidewalk
Minimum Front Yard Setback (Hamptondale/Gordon Terrace)	30 feet	≥ 50 feet to sidewalk
Minimum Side Yard Setback (West)	12 feet	≥ 50 feet to property line

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WINNETKA PUBLIC SCHOOL DISTRICT 36 - SAFETY REFERENCE PLANS

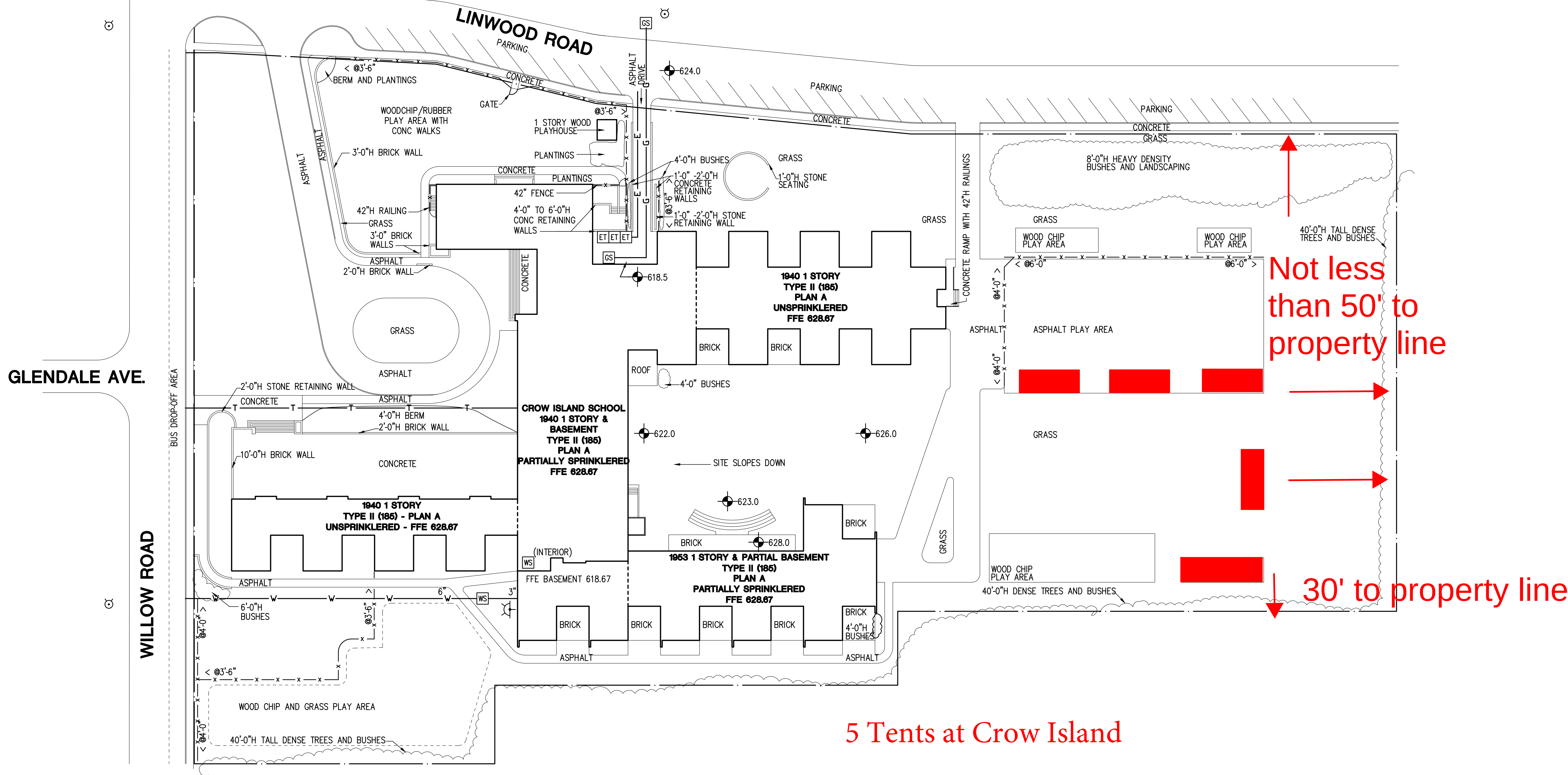
WINNETKA PUBLIC SCHOOL DISTRICT 36
1235 OAK STREET
WINNETKA, ILLINOIS 60093

CROW ISLAND SCHOOL - 1112 WILLOW ROAD
SITE PLAN

Drawn	Checked
AC/JZLA	GWR
Issue Date	
05 NOVEMBER 2004	
Revision 1	
Revision 2	
Project Number	
1310-200343	
Project Phase	
Sheet	
SR.C1	
COPYRIGHT © 2004 GREEN ASSOCIATES, INC.	

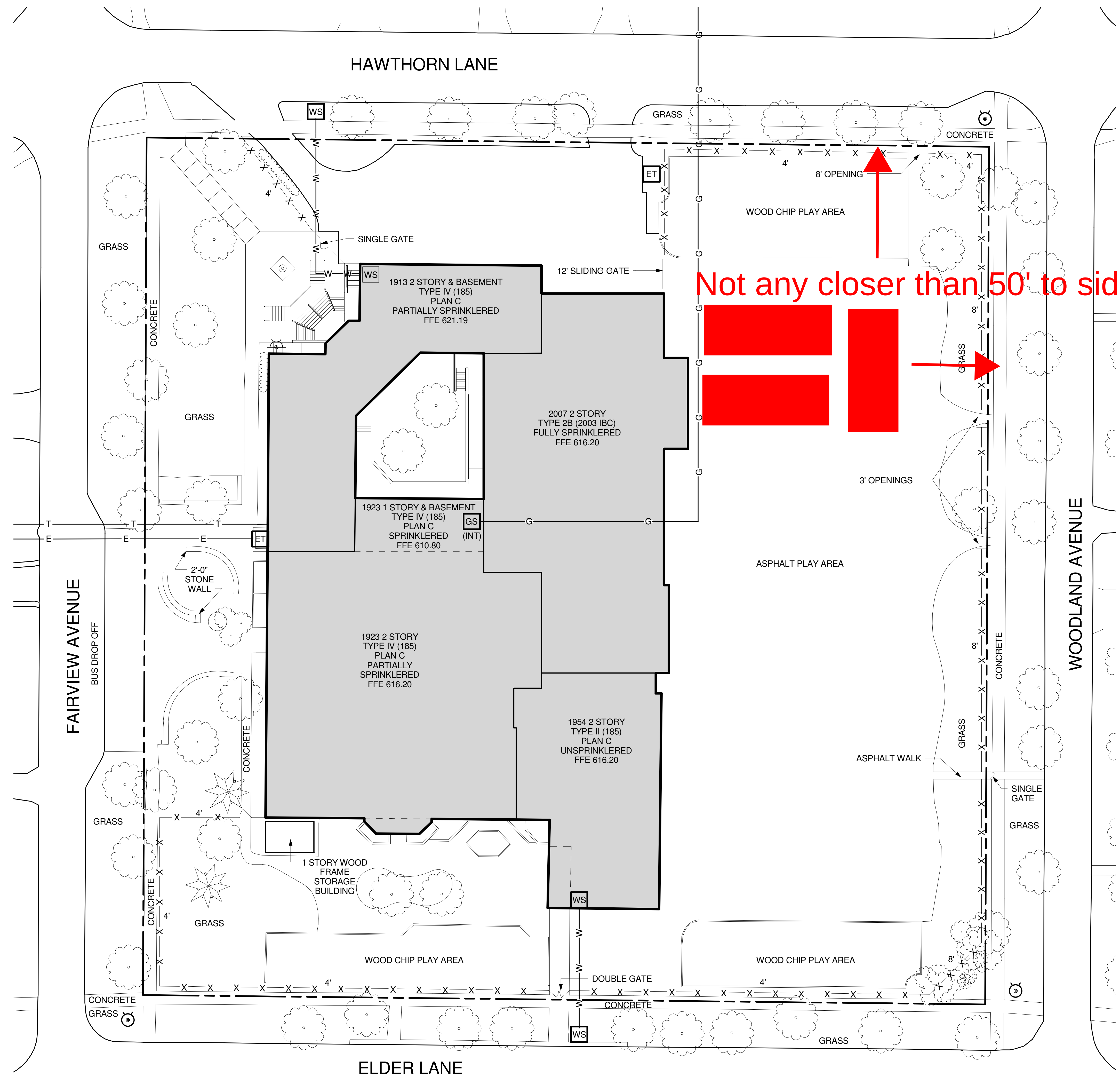
SITE PLAN LEGEND

- FIRE HYDRANT
- FIRE STANDPIPE/SIAMESE
- ELECTRIC TRANSFORMER
- GAS SHUTOFF
- WATER SHUTOFF
- ELEVATION MARKER
- ELECTRIC LINE
- TELEPHONE LINE
- GAS LINE (WITH SIZE WHERE KNOWN)
- WATER LINE (WITH SIZE WHERE KNOWN)
- FENCE (WITH HEIGHT)



SITE PLAN
T=30'-0"

3 Tents at Greeley School



SITE PLAN LEGEND		
	FIRE HYDRANT	
	FIRE STANDPIPE	
	ELECTRIC TRANSFORMER	
	GAS SHUTOFF	
	WATER SHUTOFF	
	0.00' ELEVATION MARKER	
	ELECTRIC LINE	
	TELEPHONE LINE	
	GAS LINE (WITH SIZE WHERE KNOWN)	
	WATER LINE (WITH SIZE WHERE KNOWN)	
	FENCE (WITH HEIGHT)	



1 SITE PLAN

Drawn	Author	Checked	Checker
Issue Date	Issue Date	Revision Schedule	
Number	Description	Number	Date

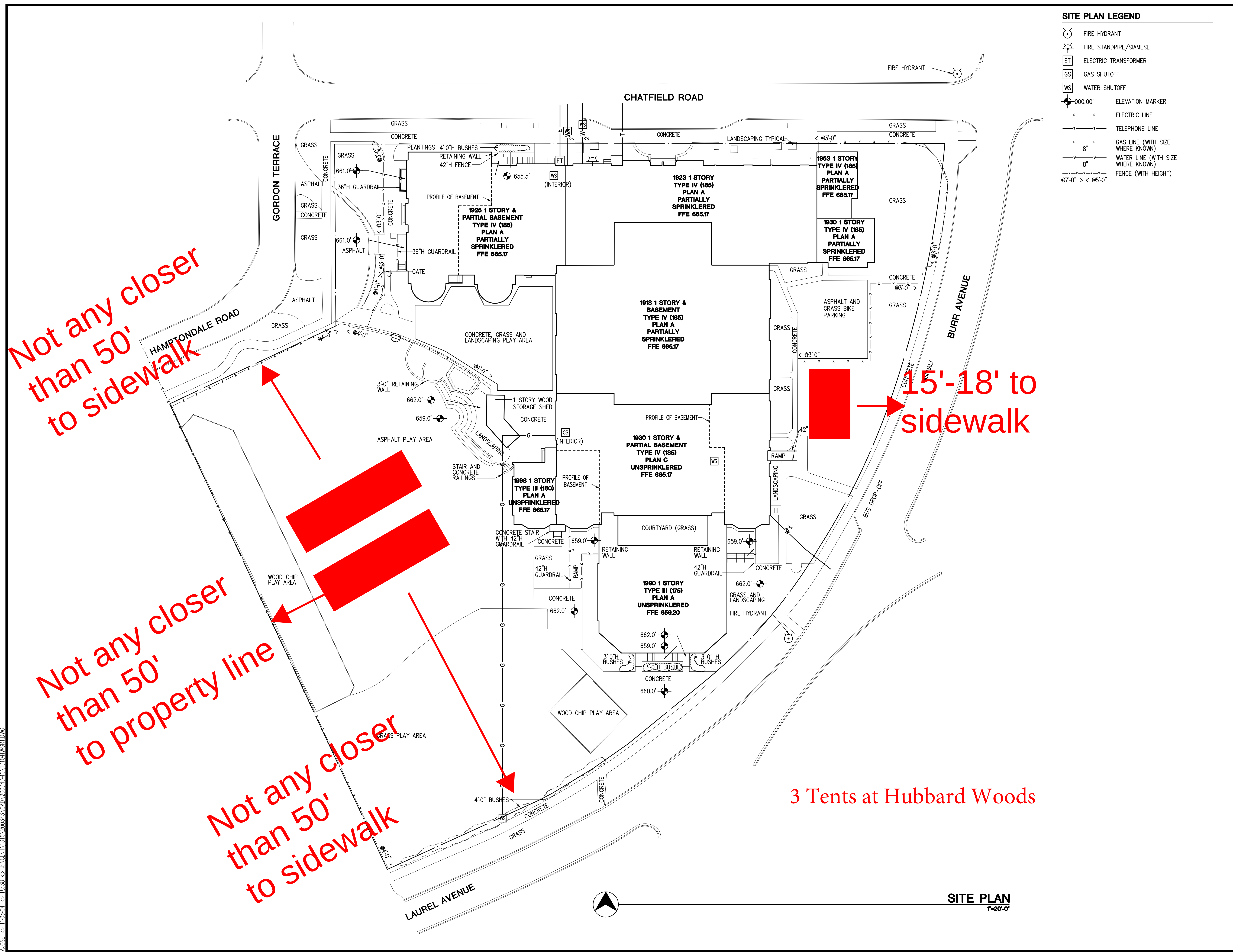
Project Number	Project Number
Project Phase	Project Status
Sheet	

WINNETKA PUBLIC SCHOOL DISTRICT 36 - SAFETY REFERENCE PLANS

WINNETKA PUBLIC SCHOOL DISTRICT 36
1235 OAK STREET
WINNETKA, ILLINOIS 60093

HUBBARD WOODS SCHOOL - 1110 CHATFIELD ROAD
SITE PLAN

SITE PLAN LEGEND	
	FIRE HYDRANT
	FIRE STANDPIPE/SIAMESE
	ELECTRIC TRANSFORMER
	GAS SHUTOFF
	WATER SHUTOFF
	ELEVATION MARKER
	ELECTRIC LINE
	TELEPHONE LINE
	GAS LINE (WITH SIZE WHERE KNOWN)
	WATER LINE (WITH SIZE WHERE KNOWN)
	FENCE (WITH HEIGHT)



SITE PLAN
1"=20'-0"

2 Tents in Mann Park

18' to
street

24' to
street

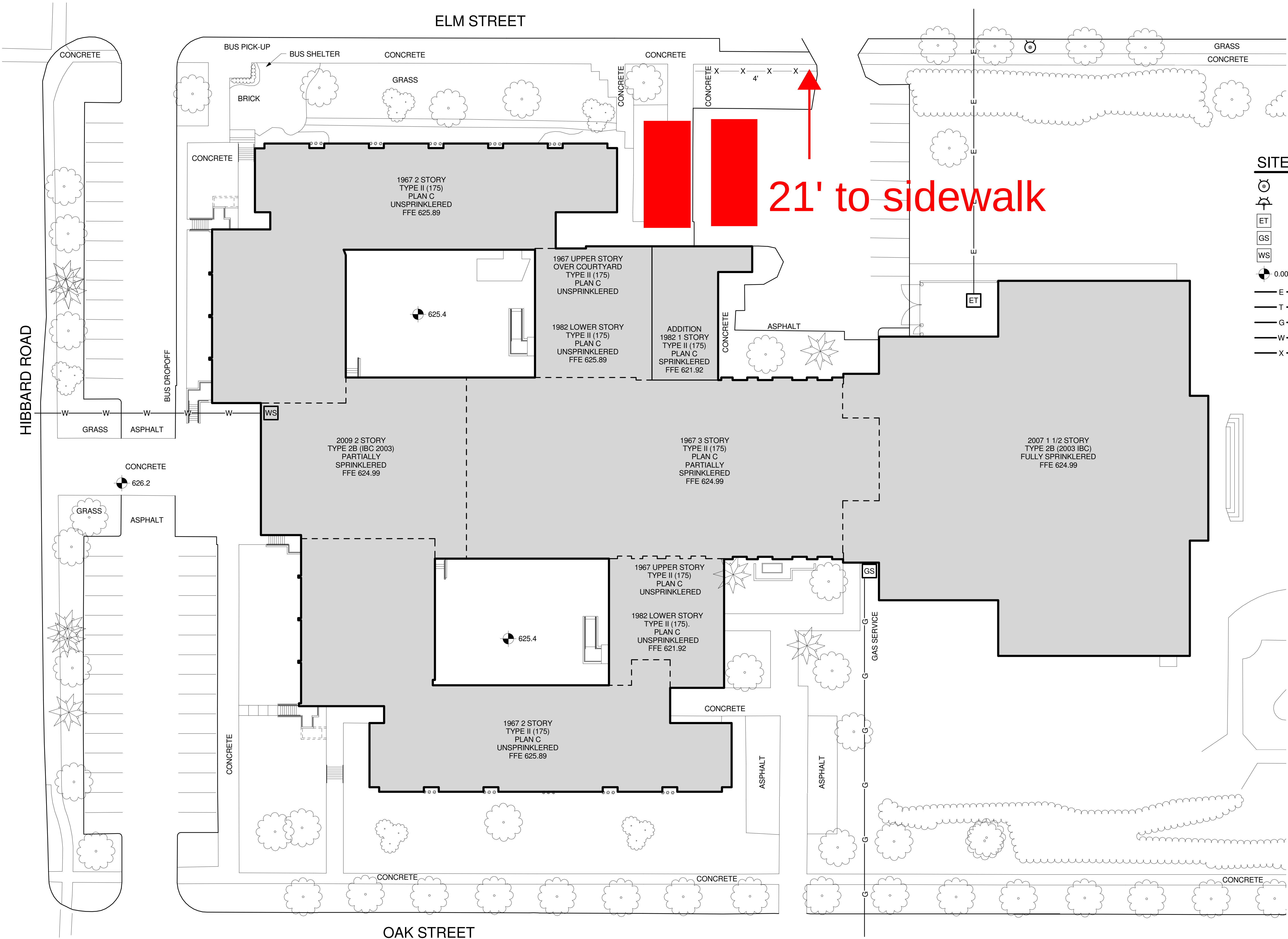
31' to street

24' to
street



2 Tents at Carleton Washburne

21' to sidewalk



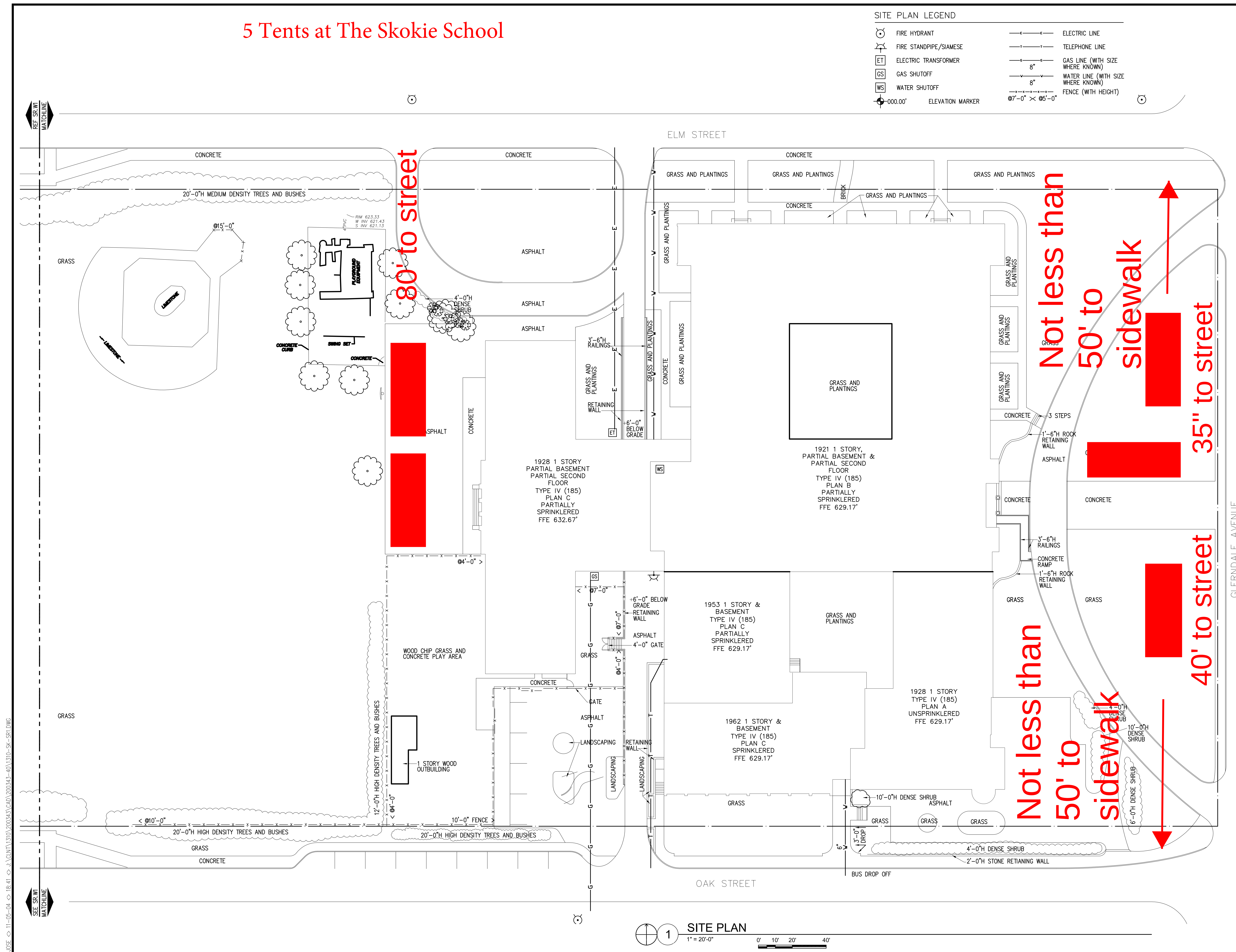
SITE PLAN LEGEND

	FIRE HYDRANT
	FIRE STANDPIPE
	ELECTRIC TRANSFORMER
	GAS SHUTOFF
	WATER SHUTOFF
	0.00' ELEVATION MARKER
	ELECTRIC LINE
	TELEPHONE LINE
	GAS LINE (WITH SIZE WHERE KNOWN)
	WATER LINE (WITH SIZE WHERE KNOWN)
	FENCE (WITH HEIGHT)

1 SITE PLAN
1" = 20'-0"
0' 10' 20' 40'

Drawn	Author	Checked	Checker
Issue Date	Issue Date	Revision Schedule	
Number	Description	Date	

Project Number	
Project Phase	
Project Status	
Sheet	



3 Tents in West Elm Park

Not any closer than
100' to property line

Not any closer
than 50' to
sidewalk

Not any closer
than 50' to
sidewalk

St

West Elm Park

Elm St

Elm St

Glendale Ave
Glendale Ave





July 20, 2020

Dear District 36 Neighbor,

We are reaching out to let you know of a temporary change to our school campuses starting in August. The District is in the midst of planning for health and safety and educational considerations for the 2020-2021 school year in light of evolving public health guidance and state mandates due to the pandemic. We are currently preparing for scenarios including In-Person Instruction, Hybrid Instruction (60% In-Person & 40% Remote), and Remote Learning. In order to bring students and staff back to campus in the fall, the District is working with the Village and Park District to plan for ventilated Tented Learning Spaces.

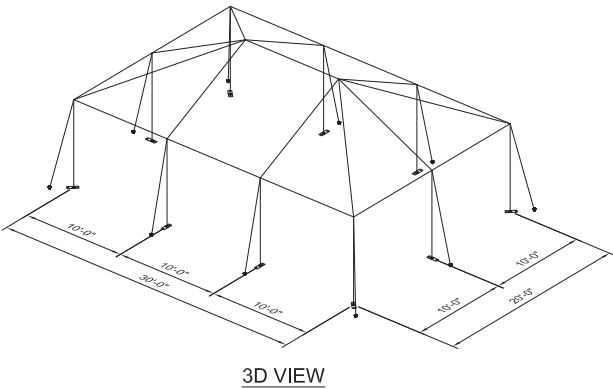
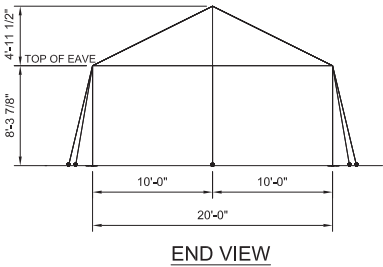
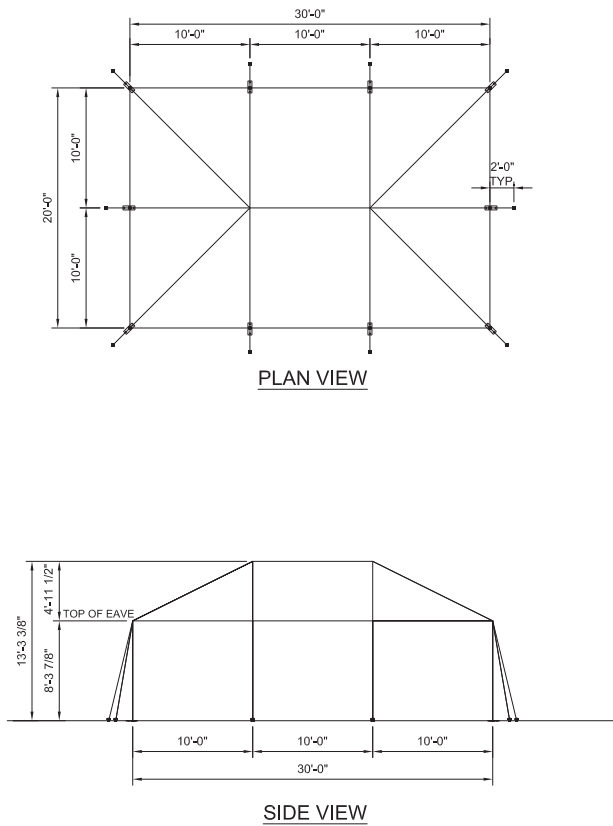
At this time, it is anticipated that if we are able to return to campus in-person, we would utilize tents on our school campuses and adjacent Park District property from approximately August 20 through the end of October. The District has referenced several sources in order to reach this decision, most notably The Harvard T.H. Chan School of Public Health "Schools for Health, Risk Reduction Strategies for Reopening Schools" guide, which recommends moving classes outdoors when possible to maximize social distancing and also states, "holding class outdoors provides the freshest air and most effective dilution of any infectious airborne SARS-CoV-2." Note that there are no plans to have a speaker system, lights, or electricity in the tents. Enclosed is a photo of what the tents will look like. Dimensions are approximately 20'x30'. The Village of Winnetka, Winnetka Park District, Winnetka Police and Fire Departments are also aware of the timeline and we are working with their leadership to review safety and logistical considerations. We are still finalizing plans with the Village on where the tents will be located on school grounds. Maps will be posted on the District website once locations are finalized.

Thank you in advance for your patience as we plan for accommodating the health and educational needs of our school community, which necessitates planning for a variety of scenarios due to the quickly evolving nature of the COVID-19 pandemic. To monitor updates on our upcoming school year, please visit www.winnetka36.org and view the link to Planning for 2020-2021. We anticipate being able to share a comprehensive plan on the website during the first week in August.

Sincerely,

Kate Hughes
Communications & Community Relations Coordinator





NOTES:

1. SEE THE IFAI STAKING GUIDE ON OUR WEBSITE (WWW.ANCHORINC.COM) FOR SOIL IDENTIFICATION & PULL-OUT CAPACITY OF STAKES.

- F3 FRAME TENT
20' x 30' TENT - 600 SQ. FT.
- (10) 1" WEB GUYS WITH RATCHETS
 - (20) 1" x 30" STAKES

* SEE NOTES

Caution:

Staking or anchoring is the responsibility of the installer. Soil conditions will dictate the number of stakes or anchors required. **Do not use this drawing to determine staking requirements.** Contact Anchor for Engineering loading data that can be used in conjunction with IFAI methodologies to determine site specific anchoring requirements.

1	EC	2/29/2016	DMK
REV	DATE	BY	
REVISION HISTORY			

ITEM DESCRIPTION	ITEM NO.
ANCHOR INDUSTRIES INC.	
F3 BROCHURE DRAWING	
20' x 30' HIP END FRAME W/(1) 10' MID	
DRAWN BY: DMK	CHECKED BY:
APPROVED BY:	DATE: 06-24-2015
DRAWING NO. 15-284-1-2	



Tuesday, July 28, 2020

Mr. Brad Goldstein
Chief Financial Officer/CSBO
The Winnetka Public Schools District 36
1235 Oak Street
Winnetka, IL 60093

RE: School tents at West Elm Park

Dear Brad,

Thank you for the time and consideration you and The Winnetka Public Schools District 36 ("D36") have invested to develop a plan for D36 to create educational space at West Elm Park. The Winnetka Park District ("WPD") is excited about the plan and, in total, the creativity D36 is applying to provide its best-in-class education to its students. A tip of the cap to you, the teachers, the administration, and the board.

Please accept this letter as the WPD's support of D36's plan to place three (3) tents in West Elm Park, with the following guidelines:

- D36 is responsible for identifying the tents which
 - Are of the quality of structure and durability to withstand all weather situations;
 - Provide a defined/marked entrance and exit; and
 - Are appropriate for academic use;
- D36 is fully responsible for any and all injury, disease, virus, or sickness to any student, parent, guardian, aid, faculty member, administrator, or school-authorized visitor using the tents;
- D36 is responsible for working with Joint Utility Locating Information for Excavators, Inc. (JULIE) to properly manage all risk associated with any underground utility line as D36 or its third party service provider digs and/or places tent stakes at West Elm Park;
- D36 will provide for an Illinois State Fire Marshal inspection of each tent;
- D36 will provide the WPD with a certificate of insurance from D36 and from the company erecting each tent, such that each certificate of insurance names the WPD as an additional named insured accordingly;
- The WPD is happy to work with D36 and the Village of Winnetka to ensure all easements are properly considered for the installation and placement of each tent;
- All D36 tents will be appropriately set back from the streets, sidewalks, structures, buildings, and trees in West Elm Park;

- D36 and the WPD will coordinate a schedule that best allows the WPD to cut grass, trim, and blow leaves to not interfere with school being conducted in the tents;
- D36 will correct all damage to grass, bushes, flower beds, structures, and trees in West Elm Park caused by D36's installation of each tent, use of each tent, use of the area around each tent, and take down of each tent.

Please call/email should you have questions or require additional information regarding the WPD's support of D36.

Thank you, Brad, for your teamwork.

Kind regards



John Peterson
Executive Director
Winnetka Park District
540 Hibbard Road
Winnetka, IL 60093
jpeterson@winpark.org
+1.847.501.2074

cc: Dr. Trisha Kocanda, Superintendent, D36

EXHIBIT B

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Winnetka Elementary School District 36 ("***School District***") desires to construct temporary tents ("***Temporary Tents***") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School District submitted applications to erect and use Temporary Tents for a period not to exceed 180-days in a 12-month period at the following locations as depicted in Exhibit A to this Resolution:

- A. That portion of the Carleton Washburne School property located at 515 Hibbard Road;
- B. That portion of the Crow Island School property located at 1112 Willow Road;
- C. That portion of the Greeley School property located at 275 Fairview Avenue; and
- D. Those portions of the Hubbard Woods School property located at 1110 Chatfield Road and Mann Park located along the east side of Burr Avenue immediately to the east of Hubbard Woods School; and
- E. Those portions of the Skokie School property located at 520 Glendale Avenue and West Elm Park located at 115 Elm Street;

(collectively, "***Tent Locations***"); and

WHEREAS, Resolution R-53-2020, adopted by the Village Council on August 4, 2020 ("***Resolution***"), grants approval to the School District for the erection and use of Temporary Tents at the Tent Locations; and

WHEREAS, Section 5 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the School District has filed, within 30 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

NOW, THEREFORE, the School District hereby agrees and covenants as follows:

1. The School District does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The School District acknowledges that required procedures have been properly followed with respect to the adoption of the Resolution, has considered the possibility of the revocation provided for in the Resolution, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The School District acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of approval for the erection of the Temporary Tents and the adoption of the Resolution, and that the Village's approvals do not, and will not, in any way, be deemed to insure the School District against damage or injury of any kind and at any time.

4. The School District represents and warrants that it has received the consent from the owners of all the Temporary Locations not owned by the School District to erect the Temporary Tents thereon.

5. The School District does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting approval to erect the Temporary Tents at the Tent Locations.

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

Dated: _____, 2020

ATTEST:

**WINNETKA ELEMENTARY SCHOOL
DISTRICT 36**

By: _____
Its: _____

By: _____
Its: President



Agenda Item Executive Summary

Title: R-55-2020 North Shore Country Day School Temporary Tent Approvals

Presenter: David Schoon, Community Development Director

Agenda Date:

09/01/2020

Consent:

☐

YES

☒

NO

☐

Ordinance

☒

Resolution

☐

Bid Authorization/Award

☐

Policy Direction

☐

Informational Only

Item History:

8/4/2020 - The Village Council adopted Ordinance No. MC-4-2020, Amending the Zoning Ordinance to Adopt a New Chapter 17.54 Providing the Use of Temporary Tents by Schools. The ordinance amendment allows the Village Manager to approve the temporary use of such tents for up to 28 and the Village Council to approve the temporary use of tents for up to 180 days.

Executive Summary:

On August 4, 2020, the Village Council is scheduled to consider Resolution No. R-____-2020, Approving the Erection of Temporary Tents by North Shore Country Day School. The School desires to construct and use three temporary tents on its property during the COVID-19 pandemic to provide a safer school environment and to lessen the risk of the spread of the illness. The School seeks approval to install the tents for approximately nine weeks this fall, and if necessary, another nine weeks next spring. The School has also worked with the Fire Department staff on emergency preparedness plans for using the tents.

A notice was mailed to property owners within 250 feet of the School's property. As of the writing of this report, the Village has received written public comments, which are included in Attachment B.

Given the School District's intent to install the tents prior to Council action, the Village Manager has authorized the temporary use of the tents until the Council has had an opportunity to consider the request at the September 1 Council meeting.

Recommendation:

Consider adoption of Resolution R-55-2020

The Resolution would give North Shore Country Day School the authority to use temporary tents.

Attachments:

Attachment A: Resolution R-55-2020, A Resolution Approving the Erection and Use of Temporary Tents by the North Shore Country Day School

Attachment B: Public Comments

Attachment A

R-55-2020

**A RESOLUTION APPROVING THE ERECTION OF TEMPORARY TENTS
BY THE NORTH SHORE COUNTRY DAY SCHOOL**

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

WHEREAS, on August 4, 2020, the Village approved Ordinance MC-4-2020, adopting a new Section 17.54.010 of the "Winnetka Zoning Ordinance," as amended ("**Zoning Code**"), to allow schools to erect temporary tents for school use with the approval of the Village Council for a period not to exceed 180 days in any 12-month period; and

WHEREAS, the North Shore Country Day School ("**School**") desires to construct three temporary tents ("**Temporary Tents**") on the portions of its property located at the address commonly known as 310 Green Bay Road in the Village and depicted in **Exhibit A** to this Resolution ("**Tent Locations**") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, the Council of the Village of Winnetka has determined that it is in the best interest of the Village to approve and authorize the issuance of tent permits to allow the School to erect the Temporary Tents at the Tent Locations;

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

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

SECTION 2: APPROVAL OF TEMPORARY TENTS. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Resolution, approval is hereby granted pursuant to Section 17.54.010 of the Zoning Code and the home rule powers of the Village, to allow the erection of the Temporary Tents by the School at the Tent Locations for school use for a period not to exceed 180 days between the effective date of this Resolution and August 31, 2021.

SECTION 3: CONDITIONS. The approvals granted by Section 2 of this Resolution are subject to, and contingent upon, compliance by the School with the following conditions:

- A. Compliance with Regulations. The erection, use, and maintenance of the Temporary Tents and the Tent Locations must comply at all times with all applicable federal, State, and Village statutes, laws, regulations, codes, ordinances, and orders, as they have been or may be amended over time;
- B. Operations with Tents. The erection, use, and maintenance of the Temporary Tents must generally comply with the description of use described in the August 14, 2020 letter from the School attached as **Exhibit B**; and

- C. Compliance with Specifications. The Temporary Tents must be generally be consistent with the specifications attached to this Resolution as **Exhibits B.**

SECTION 4: FAILURE TO COMPLY. Upon the failure or refusal of the School to comply with any or all of the conditions, restrictions, or provisions of this Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Resolution will, at the sole discretion of the Village Council, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Resolution unless it first provides the School with two weeks advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 5: EFFECTIVE DATE.

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

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

B. In the event that the School does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 5.A.2 of this Resolution within 30 days after the date of passage of this Resolution by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 1st day of September, 2020, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT B



310 Green Bay Road
Winnetka, Illinois 60093-4094
T 847.446.0674 F 847.446.0675
www.nscds.org

Exhibit B

North Shore Country Day School

August 14, 2020

Mr. David Schoon, Director
Village of Winnetka-Community Development
510 Green Bay Road
Winnetka, IL60093

Dear Mr. Schoon:

The North Shore Country Day School is requesting approval to install temporary tents for an extended period of time for outdoor educational purposes for the upcoming school year due to the COVID-19 pandemic. The teachers will utilize the outdoor space for lessons. The outdoor space will give students and staff the ability to physically distance and get a break from the classroom environment. Our plan is to install the tents in late August and to use them into October. If the pandemic continues into the spring, we plan to use them again in the Spring from the beginning of April through the first week of June. We request approval to erect the tents and have them in place during the following specific time periods:

- 24 August 2020 through 23 October 2020
- 01 April 2021 through 1 June 2021

If during any of this time, it is necessary for us to move to remote learning for all students, the tents would be removed until such time we could once again have in school learning.

The tents will be used during the school day, Monday through Friday between 8am and 4:30pm. We anticipate 10-14 students under each tent with a faculty member supervising. We plan on using portable folding chairs and portable tables.

Attached are site plans showing the general location of the proposed tents and the number of tents at each location. Also attached is an image of the proposed tents. Two tents would be 20' x 40' and another tent will be 20' x 30'. The height of the tent to the top of the canopy ridge would be 14' tall. [See attached specification sheet].

NSCD School does not plan to install sides on the tents; the tents would only have the canopy element; thus, no heating or cooling will be provided to the tents. Also, no electricity will be provided to the tents. The tents will be placed over grass. For tents to be placed over grass, there are no plans to place a temporary hard surface on the ground.

NSCD School is currently working with the Winnetka Police and Fire departments to address emergency situations as the School adjusts its operations in response to the COVID-19 pandemic. The NSCD School will regularly monitor the weather and incoming storms. The School will have an emergency response plan for storms. The tents are able to withstand winds up to 70 mph. Between 30 and 40 mph the canopies and poles would need to be removed.

Given the length of time the tents will be up, we understand damage may occur to grass under the tents. We will address any damage caused to the grass due to the use of the tents.

We will be sending the attached letter to our neighbors to let them know of our plans.

NSCD School appreciates the assistance of the Village in addressing the temporary use of tents as this will assist us with returning to in-person learning in this school year.

Sincerely,

A large black rectangular redaction box covering the signature of the sender.

Cindy Hooper
Director of Operations



Manufacturer: O'herry Tents

O'herry Tents Part Numbers: PT20X30TP-SOLID-WHITE-NO-SIDEWALLS,,

Features

- Fully functional tent kit
- Built to endure multiple set ups and take downs for commercial and industrial use
- Heavy-duty "Block Out" top:
 - Solid White 15 oz. "Block Out" top
 - Striped top with 15 oz. "Block Out" White stripe and 14 oz. translucent color combination
- Features 2" Seatbelt webbing on entire perimeter
- Side poles are light weight and extremely durable
- Center and Quarter poles each have a plate welded on the top and bottom, and a heavy duty pin welded into the top
- Tent top and sidewalls arrive rolled up in a protective bag
- Tops available in: Solid White and White with Red, Blue, Green or Yellow vertical stripe
- Includes:
 - Tent Top with "Guy Ropes" attached
 - Galvanized Side Poles
 - Center Poles
 - Quarter Poles (if needed)
 - Tent Stakes
 - Storage Bag for Tent Top
 - Installation Video
- Specifications:
 - Approximately: 20' L x 30' W, 20' L x 40' W
 - Tent Top: 14'
 - 15 oz. Standard Laminated Vinyl
 - Side Poles: 16-gauge steel - 1.660" Dia.
 - Center and Quarter Poles: 16-gauge and 14-gauge steel tubing
 - Webbing: 1.5"- 2" / 3,000 lb. - 6,000 lb. tested
 - NFPA 701 Certified
 - Warranty: 1 Year Manufacturers Warranty

Wind Rating

These tents are designed to withstand 70 MPH gust in certain conditions. Use the following information as general guidelines only. Good judgment must be used in all conditions.

- If tent is properly installed and in tight condition with stakes being in asphalt or concrete, Tent can withstand brief gust of wind up to 75MPH.
- If tent is properly installed and in tight condition with stakes being in hard dry dirt or gravel. Tent can withstand brief gust of wind up to 75MPH. (for the High Peak Tent)
- If tent is properly installed and in tight condition with stakes being in damp dirt, tent can withstand brief gust of wind up to 40MPH.
- Tent must be kept tight in order to reduce movement in windy conditions.
- Additional methods are not necessary to support the tent providing that all of the required equipment is properly installed.
- All tents should be vacated by all occupants during any weather or wind which is determined to be severe.
- A tent should never be considered a refuge from severe weather.

*** Flame Certification:** This item is NFPA-701 Flame Certified.

*will be
sent via
email &
regular
post*

Dear Neighbor,

As we near the start of our new school year, North Shore Country Day is planning on a hybrid school day for our JK-12 students. Our students in junior kindergarten to eighth grade will attend school in the mornings. Our freshmen through senior students will attend in the afternoons. Our first day of in-person learning is Thursday, August 27.

We are encouraging our faculty to take advantage of our campus grounds to get outside whenever possible with their students. Whether it be for a small class discussion or some social time, we are hopeful that the weather will provide us opportunity to be outside. The school will be erecting three tents on campus to provide some shade cover for these potential gatherings. Two tents will be located in the area between our upper school building and gymnasium. The third tent will be located on the grass in front of our lower school building.

These certainly are unique times for all. We continue to work to serve our students here at the school in the safest and healthiest manner possible. We are hopeful that we can be together on campus for quite some time and having these tents gives us more opportunities for us to use for gathering together.

If you have any questions or concerns, please reach out to me at chooper@nscds.org.

Sincerely,
Cindy Hooper
Director of Operations

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, the North Shore Country Day School ("***School***") desires to construct temporary tents ("***Temporary Tents***") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School submitted applications to erect three Temporary Tents for a period not to exceed 180-days in a 12-month period on portions of its property located at the address commonly known as 310 Green Bay Road in the Village (collectively, "***Tent Locations***"); and

WHEREAS, Resolution R-__-2020, adopted by the Village Council on September 1, 2020 ("***Resolution***"), grants approval to the School for the erection of Temporary Tents at the Tent Locations; and

WHEREAS, Section 5 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the School has filed, within 30 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

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

1. The School does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The School acknowledges that required procedures have been properly followed with respect to the adoption of the Resolution, has considered the possibility of the revocation provided for in the Resolution, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The School acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of approval for the erection of the Temporary Tents and the adoption of the Resolution, and that the Village's approvals do not, and will not, in any way, be deemed to insure the School against damage or injury of any kind and at any time.
4. The School represents and warrants that it has received the consent from the owners of all the Temporary Locations not owned by the School to erect the Temporary Tents thereon.
5. The School does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted

against any of such parties in connection with the Village's adoption of the Resolution granting approval to erect the Temporary Tents at the Tent Locations.

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

Dated: _____, 2020

ATTEST: **NORTH SHORE COUNTRY DAY SCHOOL**

By: _____	By: _____
Its: _____	Its: _____

Attachment B

Ann Klaassen

From: Rick [REDACTED] >
Sent: Thursday, August 20, 2020 2:00 PM
To: Planning
Subject: Fwd: Case NO 20-23-V2

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.

Sent from my iPhone

Begin forwarded message:

From: "[REDACTED]" >
Date: August 20, 2020 at 13:32:04 CDT
To: planning@winnetka.gov
Subject: Fwd: Case NO 20-23-V2

Begin forwarded message:

From: "[REDACTED]"
Subject: Case NO 20-23-V2
Date: August 20, 2020 at 12:40:26 PM CDT
To: planning@winnetka
Cc: communications@nscds.org

F R Rick Duran
 [REDACTED]
 Winnetka, IL 60093

A Winnetka resident since 1982, on Forest Street since 1987, and a neighbor of North Shore Country Day School.

I rise in unreserved and complete support of North Shore Country Day School for the requested zoning relief sought.

We as a community should support any implementation of any risk-reducing protocol that allows the education of our children to prosper, and the participants to have the greatest probability of survival .

Per CDC Guidelines, the risks to participants of any activities out-of-doors are significantly less similar activities indoors.

This request is good science, and approval of temporary outdoor implements is good

governance.

In fact, my initial reaction was — on reading the Notice of Public Hearing for a formal meeting over two-weeks-on — why does this life-saving preparation need to wait until September 1.

Please find a creative way to either release them to start preparation immediately, or pick up the decision pace .

There are far bigger issues facing our community's educators.

Thank You

Ann Klaassen

From: Denise Snakard [REDACTED]
Sent: Wednesday, August 26, 2020 2:19 PM
To: Planning
Subject: Case No. 20-23-V2

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.

My dear Trustees,

My family and I are fully behind all educational needs in our village. We look forward to our neighbors, NSCD, in providing whatever it takes to fulfill their needs to educate. If it's tents for classes then "It is what it is."

Respectfully,
Denise Snakard
[REDACTED] Willow Road
Winnetka, IL
[REDACTED]

Aug 25, 2020

Sent from my iPad



Agenda Item Executive Summary

Title: R-55-2020 North Shore Country Day School Temporary Tent Approvals

Presenter: David Schoon, Community Development Director

Agenda Date:

09/01/2020

Consent:

☐

YES

☒

NO

☐

Ordinance

☒

Resolution

☐

Bid Authorization/Award

☐

Policy Direction

☐

Informational Only

Item History:

8/4/2020 - The Village Council adopted Ordinance No. MC-4-2020, Amending the Zoning Ordinance to Adopt a New Chapter 17.54 Providing the Use of Temporary Tents by Schools. The ordinance amendment allows the Village Manager to approve the temporary use of such tents for up to 28 and the Village Council to approve the temporary use of tents for up to 180 days.

Executive Summary:

On August 4, 2020, the Village Council is scheduled to consider Resolution No. R-___-2020, Approving the Erection of Temporary Tents by North Shore Country Day School. The School desires to construct and use three temporary tents on its property during the COVID-19 pandemic to provide a safer school environment and to lessen the risk of the spread of the illness. The School seeks approval to install the tents for approximately nine weeks this fall, and if necessary, another nine weeks next spring. The School has also worked with the Fire Department staff on emergency preparedness plans for using the tents.

A notice was mailed to property owners within 250 feet of the School's property. As of the writing of this report, the Village has received written public comments, which are included in Attachment B.

Given the School Districts intent to install the tents prior to Council action, the Village Manager has authorized the temporary use of the tents until the Council has had an opportunity to consider the request at the September 1 Council meeting.

Recommendation:

Consider adoption of Resolution R-55-2020

The Resolution would give North Shore Country Day School the authority to use temporary tents.

Attachments:

Attachment A: Resolution R-55-2020, A Resolution Approving the Erection and Use of Temporary Tents by the North Shore Country Day School

Attachment B: Public Comments

R-60-2020

**A RESOLUTION APPROVING THE ERECTION OF TEMPORARY TENT
BY THE SAINTS FAITH, HOPE, AND CHARITY SCHOOL**

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

WHEREAS, on August 4, 2020, the Village approved Ordinance MC-4-2020, adopting a new Section 17.54.010 of the "Winnetka Zoning Ordinance," as amended ("**Zoning Code**"), to allow schools to erect temporary tent for school use with the approval of the Village Council for a period not to exceed 180 days in any 12-month period; and

WHEREAS, The Catholic Bishop of Chicago, an Illinois corporation sole on behalf of Saints Faith, Hope, and Charity Parish and School ("**School**") desires to construct a temporary tent ("**Temporary Tent**") on the portions of its property located at the address commonly known as 180 Ridge Road in the Village and depicted in **Exhibit A** to this Resolution ("**Tent Location**") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, the Council of the Village of Winnetka has determined that it is in the best interest of the Village to approve and authorize the issuance of tent permits to allow the School to erect the Temporary Tent at the Tent Location;

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

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

SECTION 2: APPROVAL OF TEMPORARY TENT. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Resolution, approval is hereby granted pursuant to Section 17.54.010 of the Zoning Code and the home rule powers of the Village, to allow the erection of the Temporary Tent by the School at the Tent Location for school use for a period not to exceed 180 days between the effective date of this Resolution and September 14, 2021.

SECTION 3: CONDITIONS. The approvals granted by Section 2 of this Resolution are subject to, and contingent upon, compliance by the School with the following conditions:

- A. Compliance with Regulations. The erection, use, and maintenance of the Temporary Tent and the Tent Location must comply at all times with all applicable federal, State, and Village statutes, laws, regulations, codes, ordinances, and orders, as they have been or may be amended over time;

- B. Operations with Tent. The erection, use, and maintenance of the Temporary Tent must generally comply with the description of use described in the narrative from the School attached as **Exhibit B**; and
- C. Compliance with Specifications. The Temporary Tent must be generally be consistent with the specifications attached to this Resolution as **Exhibits B**.

SECTION 4: FAILURE TO COMPLY. Upon the failure or refusal of the School to comply with any or all of the conditions, restrictions, or provisions of this Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Resolution will, at the sole discretion of the Village Council, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Resolution unless it first provides the School with two weeks advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 5: EFFECTIVE DATE.

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

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

B. In the event that the School does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 5.A.2 of this Resolution within 30 days after the date of passage of this Resolution by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 15th day of September, 2020, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A



EXHIBIT B

**Ss. Faith Hope and Charity School
FHC Re-Opening Committee
Proposal for a Tented Outdoor Classroom Space**

Overview

The FHC Re-Opening Committee feels it would be advantageous to the students and teachers to provide a tented outdoor classroom space for the first two months of the 2020-2021 school year. Due to the guidelines from the Illinois State Board of Education and the Office of Catholic Schools, students and teachers will be required to wear a mask indoors for the entire school day, which will be very hot and uncomfortable during the warm late summer and early fall months.

A tented outdoor classroom space would provide the following benefits:

- Provide a mask break for students and teachers.
- Still provide a structured classroom space.
- Allow the students to get fresh air, while still learning.
- Provide a comfortable area outside of the school and still maintain social distance.

Details of Tented Outdoor Classroom Space

Our proposed tented outdoor classroom space will consist of an approximately 30'x80' tent to be located on the concrete slab outside of the 1st and 2nd grade classrooms, adjacent to the main school parking lot.

- The tent would tentatively be delivered two days prior to the start of school on Monday, August 24, 2020 and would be picked up on Friday, October 30, 2020.
- The tent will extend almost the full length of the concrete slab and will include the stairway outside of the first grade classrooms.
- The tent will have an interior divider that will allow for two different classrooms to be in the tent at the same time, all while staying in the same cohort. An additional divider can be added to allow for three classrooms, depending on class size.
- The tent will be secured with stable, heavy, concrete tent weights and will not damage the concrete slab on the school's property.
- The structure will consist of a roof and will not have sides, allowing students to easily walk under the tent during drop-off and pick-up and will provide a perfect area for temperature checks prior to entering the school building.



30' x 80' Tent Plan

Client: St. Faith, Hope, & Charity
Event Date: August 26, 2020
Site: St. Faith, Hope, & Charity
 Wilmette, Illinois

Proposal Number:
 113140

Drawn By: J.A.K.
Date: 8/18/20
Scale: 1" = 20'
Revised:

PLAN AGREEMENT: This drawing, design, and any ideas contained herein are the sole property of PARTYTIME-HDO PRODUCTIONS, INC. This plan is confidential and is not to be reproduced, changed, or copied in any form, nor is this plan to be disclosed to or used by any third party without obtaining written consent from PARTYTIME-HDO PRODUCTIONS, INC.



IMPORTANT DOCUMENT
Certificate of Flame Resistance

ISSUED BY



Registration Number
F140.1

Date of Shipment
3/18/18

Tent Identification
S30x80

EVANSVILLE, INDIANA 47725

MANUFACTURERS OF THE FINISHED TENT PRODUCTS DESCRIBED HEREIN

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

Partytime-HDO Productions
6150 W. Howard Street
Niles, IL 60714



Certification is hereby made that:

The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshall Code. All fabric has been tested and passes NFPA 701-04, ULC 109.

Serial # 3311964c (8)

Description of item certified: 30' x 80' White Frame Tent

**Flame Retardant Process Used Will Not Be Removed By
Washing And Is Effective For The Life Of The Fabric**

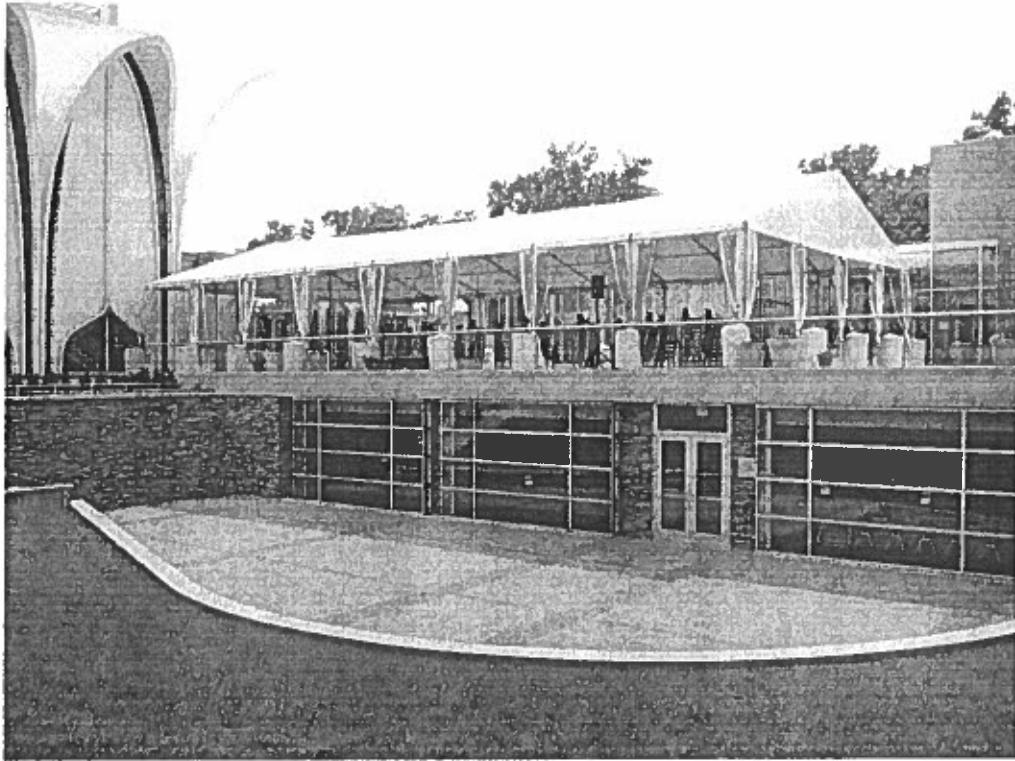
SNYDER MFG NEW PHILADELPHIA, OH

Name of Applicator of Flame Resistant Finish

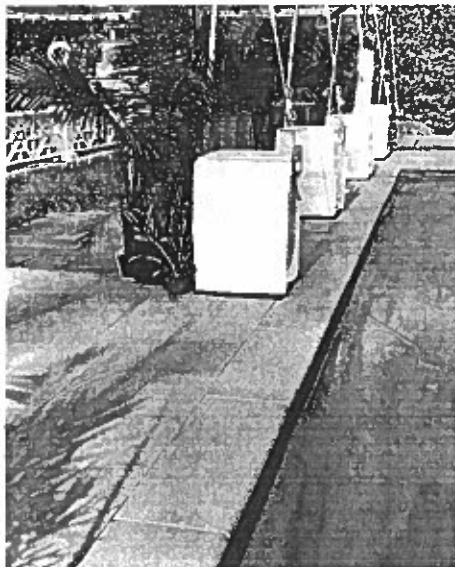
Signed:

A handwritten signature in dark ink, appearing to read "A. Clark".
ANCHOR INDUSTRIES INC

A picture of a similar tent to the proposed FHC tent is located below. Please note that the proposed FHC tent will not have side panels, but will be open sided with either one or two internal dividers.



A picture of the weights used to secure the tent is located below:



Usage

The tent will provide outdoor classroom space for grades 1 through 8 on a daily basis. It has been assumed that PK3, PK3/4, and SK will utilize the courtyard for outdoor space and will not need a dedicated classroom structure.

Based on an approximately six hour school day, each of the 14 classes in grades 1 through 8 could use the tent for one class period per day, assuming the tent is divided into two classrooms. A schedule for the tent will be maintained by the school office and teachers will reserve space in the tent in advance.

In addition to the school's usage of the tent during the school day, we believe the tent would provide a perfect outdoor space for the parish and religious education students for after school and weekend related events (i.e. mass, religious education classes, parish group meetings, staging area for First Communion, baptisms, etc.)

Seating

In order to provide temporary seating for students under the tent, we are proposing that the school purchase each student a portable camp style chair and clipboard. The chair will be kept in the students' locker and used when moving to the outdoor tented classroom. This lightweight chair is kept in a bag and students in grades 1 through 8 should have no problem carrying it outside. The clipboard would hold the necessary work for the students.

The chairs and clipboards could also be used by students and teachers during the school day when they do not have reserved tent space. The chairs could be brought to various shaded areas around the school and parish property for more informal class work or discussions.

Cost

The cost of the proposed 30'x80' tent with one divider would be \$20,754 for the period of time between August 24, 2020 and October 30, 2020. Payments would be made over three equal installments of \$6,918 on August 24, September 15, and October 15, 2020. In the event that school would need to shut down during the proposed term of the tent contract, FHC would be responsible for the first month and the tent company would need two weeks' notice after that. FHC would be responsible for the two weeks notice.

The cost of the portable chairs and clipboard would be approximately \$20 per student.

Source of Funding

In order to pay for the cost of the tent, we would propose charging each student in grades 1 through 8 a COVID-related fee of \$100. This would cover the cost of the tent, chair, clipboard, and other supplies needed to provide a safe and clean environment for the students.

Conclusion

The Re-Opening Committee strongly encourages the school to provide a dedicated outdoor space for students for the first two months of school. We believe a tent, which provides space for two additional, separate classrooms will be extremely beneficial to both students and teachers, all while providing a unique, comfortable, classroom, where students can learn without a mask.

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, The Catholic Bishop of Chicago, an Illinois corporation sole on behalf of the Saints Faith, Hope, and Charity Parish and School ("**School**") desires to construct temporary tent ("**Temporary Tent**") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School submitted applications to erect three Temporary Tent for a period not to exceed 180-days in a 12-month period on portions of its property located at the address commonly known as 180 Ridge Road in the Village (collectively, "**Tent Location**"); and

WHEREAS, Resolution R-60-2020, adopted by the Village Council on September 15, 2020 ("**Resolution**"), grants approval to the School for the erection of Temporary Tent at the Tent Location; and

WHEREAS, Section 5 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the School has filed, within 30 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

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

1. The School does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The School acknowledges that required procedures have been properly followed with respect to the adoption of the Resolution, has considered the possibility of the revocation provided for in the Resolution, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The School acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of approval for the erection of the Temporary Tent and the adoption of the Resolution, and that the Village's approvals do not, and will not, in any way, be deemed to insure the School against damage or injury of any kind and at any time.
4. The School represents and warrants that it has received the consent from the owners of all the Temporary Location not owned by the School to erect the Temporary Tent thereon.
5. The School does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees,

agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting approval to erect the Temporary Tent at the Tent Location.

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

Dated: _____, 2020

ATTEST: **THE CATHOLIC BISHOP OF CHICAGO**, an
Illinois corporation sole

By: _____ By: _____
Its: _____ Its: _____



Agenda Item Executive Summary

Title: R-55-2020 North Shore Country Day School Temporary Tent Approvals

Presenter: David Schoon, Community Development Director

Agenda Date: 09/01/2020

Consent: ☐ YES ☒ NO

☐	Ordinance
☒	Resolution
☐	Bid Authorization/Award
☐	Policy Direction
☐	Informational Only

Item History:

8/4/2020 - The Village Council adopted Ordinance No. MC-4-2020, Amending the Zoning Ordinance to Adopt a New Chapter 17.54 Providing the Use of Temporary Tents by Schools. The ordinance amendment allows the Village Manager to approve the temporary use of such tents for up to 28 and the Village Council to approve the temporary use of tents for up to 180 days.

Executive Summary:

On August 4, 2020, the Village Council is scheduled to consider Resolution No. R-___-2020, Approving the Erection of Temporary Tents by North Shore Country Day School. The School desires to construct and use three temporary tents on its property during the COVID-19 pandemic to provide a safer school environment and to lessen the risk of the spread of the illness. The School seeks approval to install the tents for approximately nine weeks this fall, and if necessary, another nine weeks next spring. The School has also worked with the Fire Department staff on emergency preparedness plans for using the tents.

A notice was mailed to property owners within 250 feet of the School's property. As of the writing of this report, the Village has received written public comments, which are included in Attachment B.

Given the School District's intent to install the tents prior to Council action, the Village Manager has authorized the temporary use of the tents until the Council has had an opportunity to consider the request at the September 1 Council meeting.

Recommendation:

Consider adoption of Resolution R-55-2020

The Resolution would give North Shore Country Day School the authority to use temporary tents.

Attachments:

Attachment A: Resolution R-55-2020, A Resolution Approving the Erection and Use of Temporary Tents by the North Shore Country Day School

Attachment B: Public Comments

Attachment A

R-69-2020

**A RESOLUTION APPROVING THE ERECTION AND USE OF TEMPORARY TENTS
BY NEW TRIER TOWNSHIP SCHOOL DISTRICT 203**

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

WHEREAS, on August 4, 2020, the Village approved Ordinance MC-4-2020, adopting a new Section 17.54.010 of the "Winnetka Zoning Ordinance," as amended ("***Zoning Code***"), to allow schools to erect temporary tents for school use with the approval of the Village Council for a period not to exceed 180 days in any 12-month period; and

WHEREAS, New Trier Township School District 203 ("***School District***") desires to construct temporary tents ("***Temporary Tents***") on its property and property adjacent to its property during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School District has requested to erect Temporary Tents at the New Trier High School West Campus at 385 Winnetka Avenue in a manner described and depicted in Exhibit A to this Resolution (collectively, "***Tent Locations***"); and

WHEREAS, the Council of the Village of Winnetka has determined that it is in the best interest of the Village to approve and authorize the issuance of tent permits to allow the School District to erect the Temporary Tents at the Tent Locations;

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

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

SECTION 2: APPROVAL OF TEMPORARY TENTS. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Resolution, approval is hereby granted pursuant to Section 17.54.010 of the Zoning Code and the home rule powers of the Village, to allow the erection and use of the Temporary Tents by the School District at the Tent Locations for school use for a period not to exceed 180 days between the effective date of this Resolution and October 21, 2021.

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

- A. **Compliance with Regulations.** The erection, use, and maintenance of the Temporary Tents and the Tent Locations must comply at all times with all applicable federal, State, and Village statutes, laws, regulations, codes, ordinances, and orders, as they have been or may be amended over time;

- B. Operations with Tents. The erection, use, and maintenance of the Temporary Tents must generally comply with the description of use described in the October 5, 2020 letter from the School District included in **Exhibit A**; and
- C. Compliance with Plans. The Temporary Tents must be generally be consistent with the image of the tent included in **Exhibits A**.

SECTION 4: FAILURE TO COMPLY. Upon the failure or refusal of the School District to comply with any or all of the conditions, restrictions, or provisions of this Resolution, in addition to all other remedies available to the Village, the approvals granted in Section 2 of this Resolution will, at the sole discretion of the Village Council, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approval granted in Section 2 of this Resolution unless it first provides the School District with two weeks advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 5: EFFECTIVE DATE.

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

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

B. In the event that the School District does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 5.A.2 of this Resolution within 30 days after the date of passage of this Resolution by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

ADOPTED this 20th day of October, 2020, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

EXHIBIT A

**DESCRIPTION OF PROPOSED USE OF TENTS AND DEPICTION OF TENT
LOCATIONS**



October 5, 2020

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

Dear Mr. Schoon:

The New Trier Township High School District 203 is requesting approval to install temporary tents for an extended period for outdoor educational purposes for the upcoming school year due to the COVID-19 pandemic. The teachers will utilize the outdoor space for lessons and other student related services. The outdoor space will also give students and staff the ability to physically distance and get a break from the classroom environment. Our plan is to install the tents for the fall through November 15, 2020. If the pandemic continues into the spring, we plan to use them again in the spring from Approximately April 1, 2021 through the end of the academic year which is currently scheduled for June 10, 2021.

At this point in time we are requesting approval of eight tents shown on the attached plan.

The tents will be used during the school day, Monday through Friday between 8:00 am and 7:00 pm. We anticipate between 2 and 36 students in the tents depending on size and use. The tent may be used for a number of different functions including classroom instruction, music, group study, and eating. The furniture will vary with the functions but will usually have tables and chairs socially distanced throughout the tent.

Attached is a site plan showing the general location of the tents. Also attached is an image of the 40' x 40' tent. The tent height of the tent to the top of the canopy ridge would be 15' - 3" tall. The specifications are attached for any dimensional questions you may have.

New Trier plans to install sides, doors, lighting, fire extinguishers, exit signs, safety signage and any other safety items that are required by the Illinois State Board of Education (ISBE), Village of Winnetka (VOW) Police or Fire Departments. We will also be installing flooring when the tents are installed on grass. We will have at least two sides open during use.

The school is currently working with both the VOW Police and Fire Departments to review all safety measures and will address any concerns. The school will regularly monitor the weather and incoming

NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203



To commit minds to inquiry, hearts to compassion, and lives to the service of humanity.®

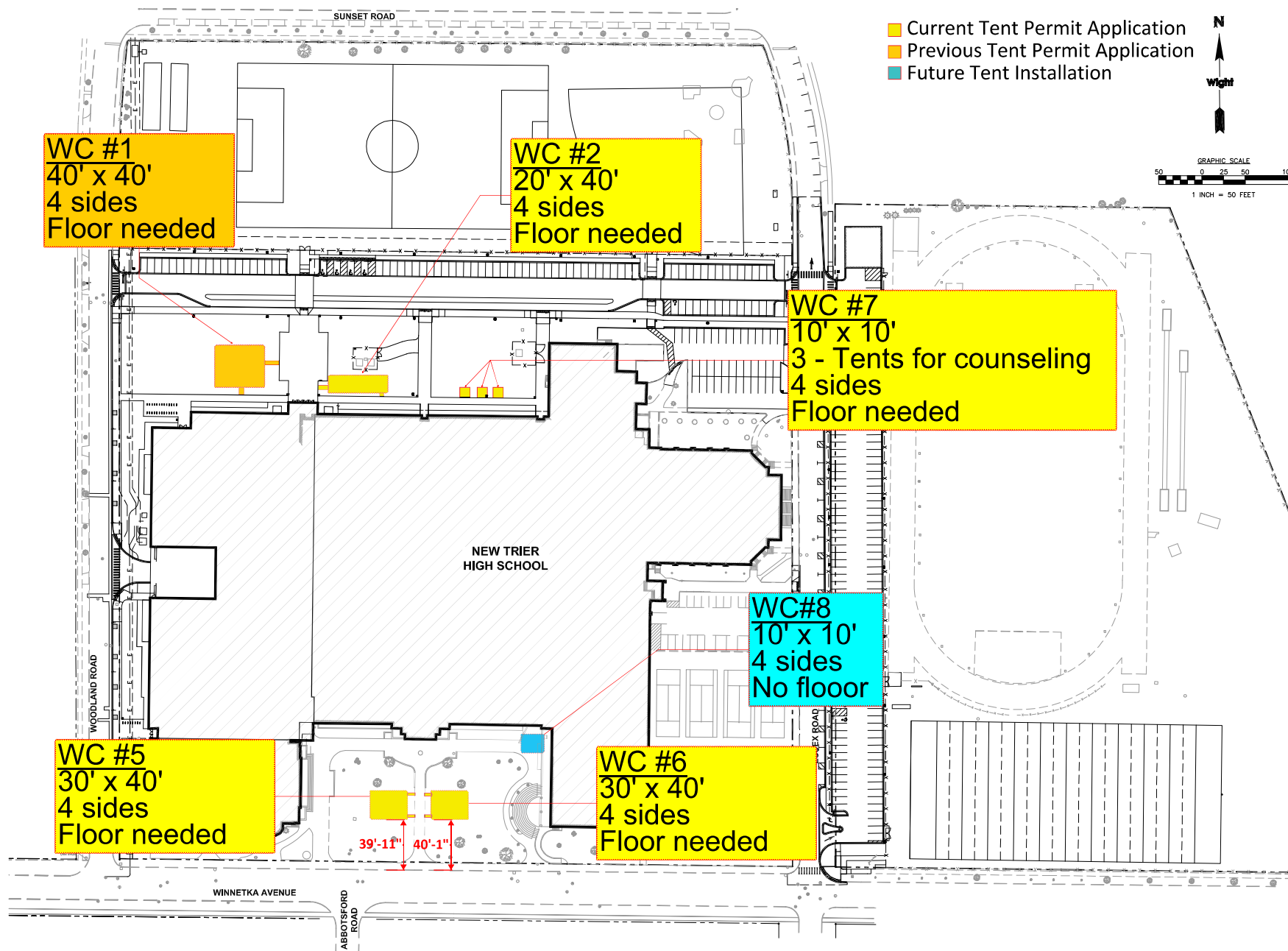
storms and will have appropriate plans in place for those conditions. The tents are designed to withstand winds up to 100 mph and will be inspected regularly. Given the length of time the tents will be up, we understand damage will occur to grass under the tents. We will address any damage caused to the grass when they are removed.

The New Trier Township School District appreciates the assistance of the Village in addressing the temporary use of tents as this will assist in returning to in-person learning. In person learning will greatly help our students in their education.

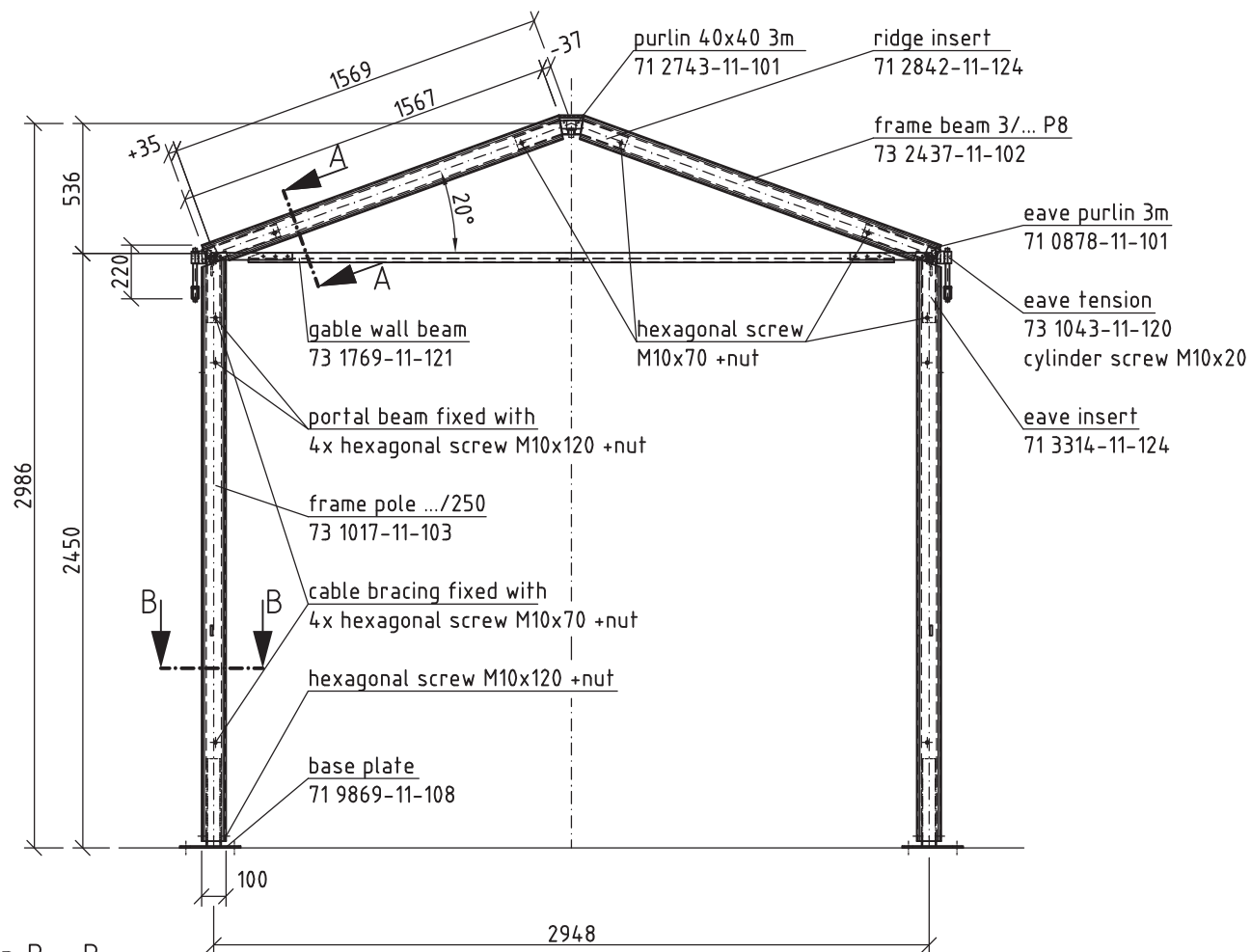
Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Conway", is written over a horizontal line.

Dave Conway
Director of Physical Plant Services

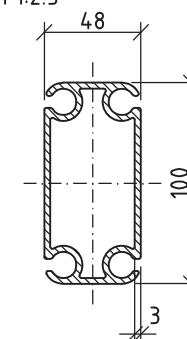






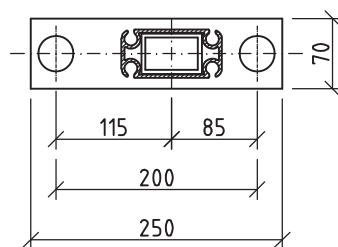
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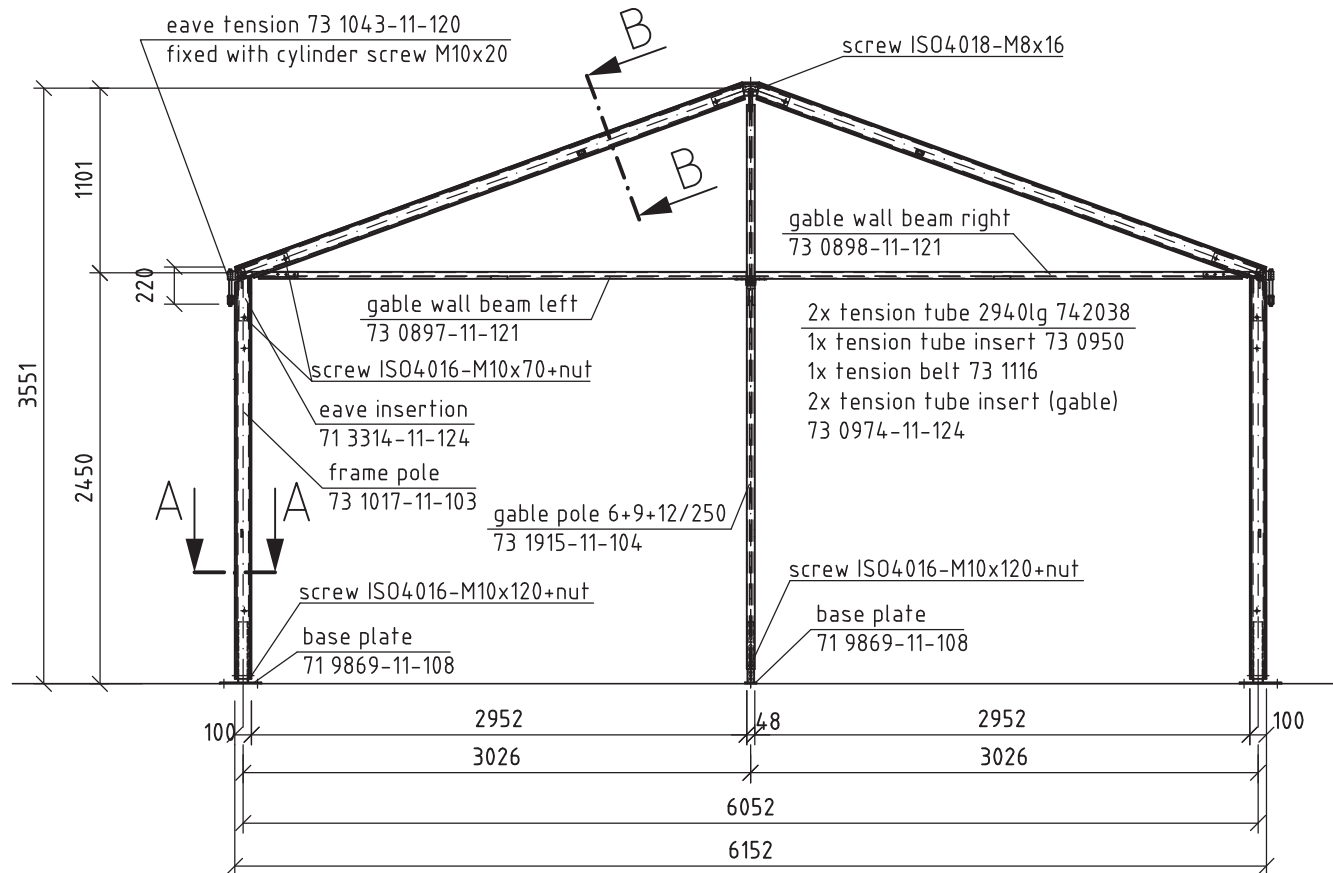


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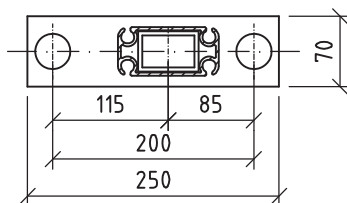
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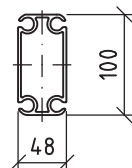
LOSBERGER				Diese Zeichnung darf ohne unsere Genehmigung wieder kopiert noch dritten Personen oder Konkurrenzfirmen zugänglich gemacht werden (Par. 15, 18 d. RG. v. 19.06.1901)		Maßstab: 1:20	Oberfläche:
				Datum:	Name:	multiflex plus P8 (System 2948)	
				Bearb.:	28.06.12	BKo	overview gable 3/250 plus P8
				Gepr.:			
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						Zeichn. Nr.:	73 3483.0-11-1
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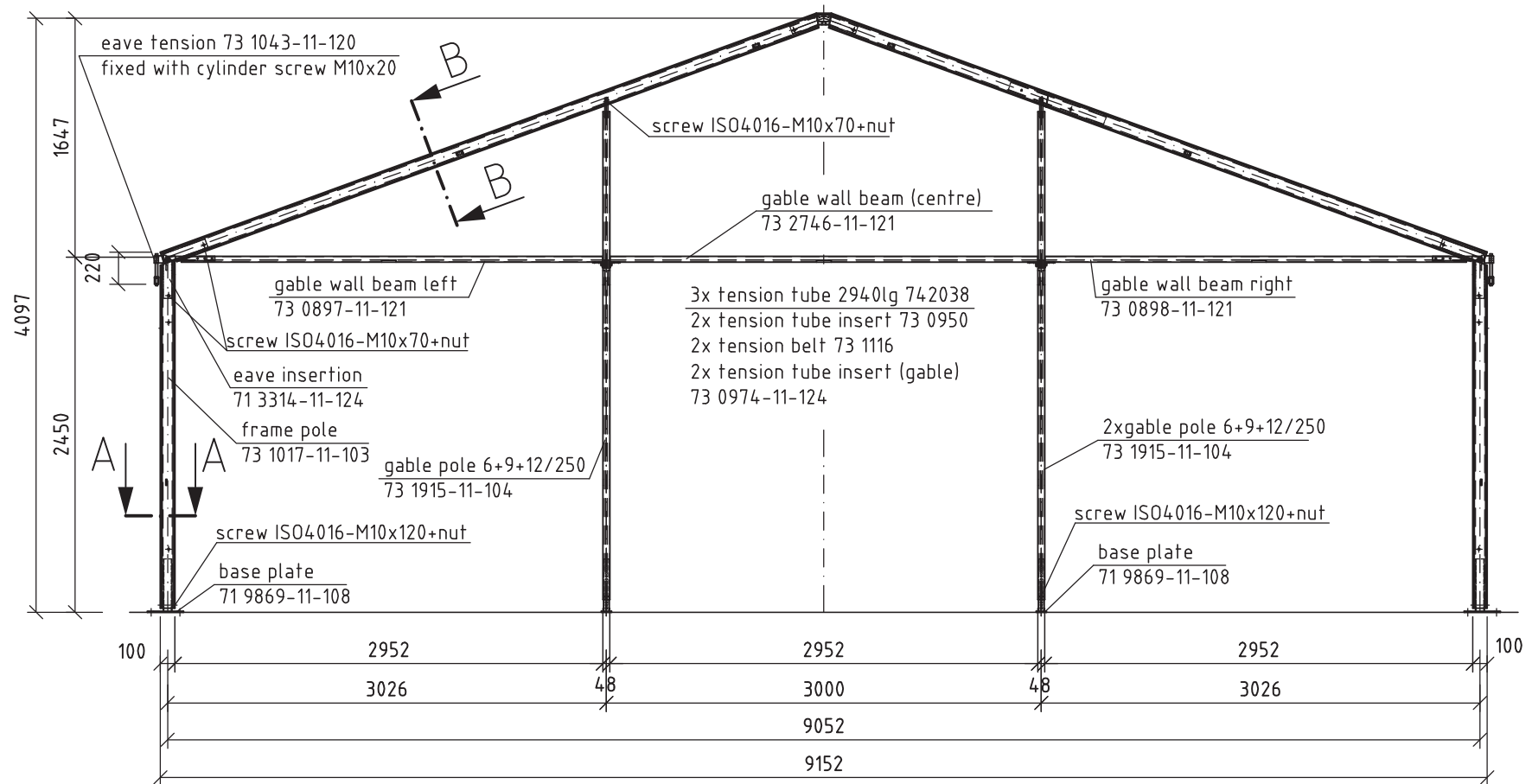
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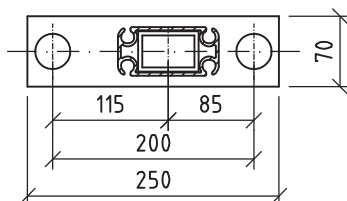
section B-B
M 1:5



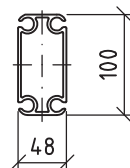
				Diese Zeichnung darf ohne unsere Genehmigung weder kopiert noch dritten Personen oder Konkurrenzfirmen zugänglich gemacht werden (Par. 15, 18 d. R.G. v. 19.06.1901)		Maßstab: 1:30	Oberfläche:
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				Allgemeintoleranzen nach ISO 2768-m + Hausnorm 7004-T			Zeichn. Nr.: SK 3890-1
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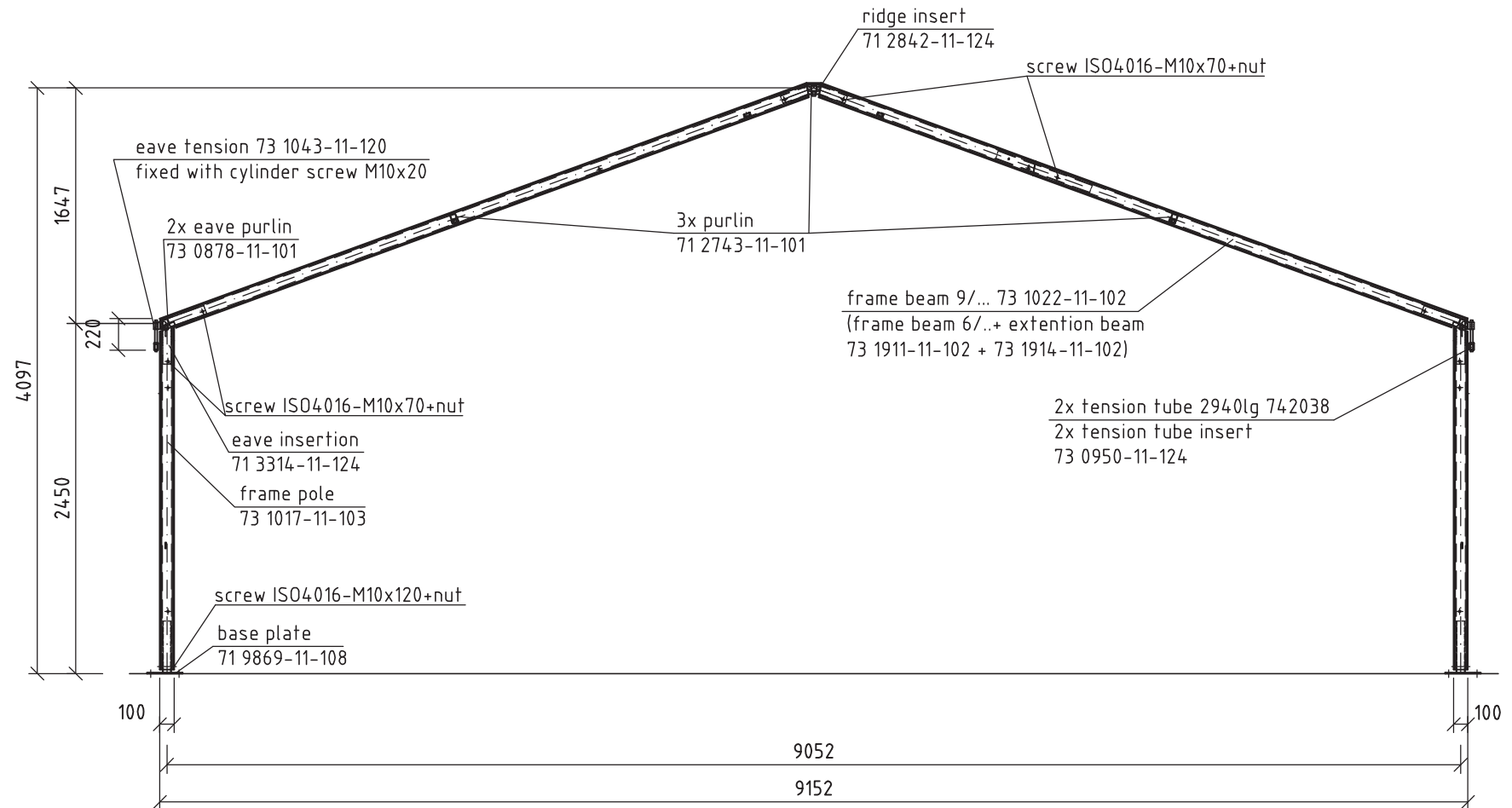
section A-A
M 1:5



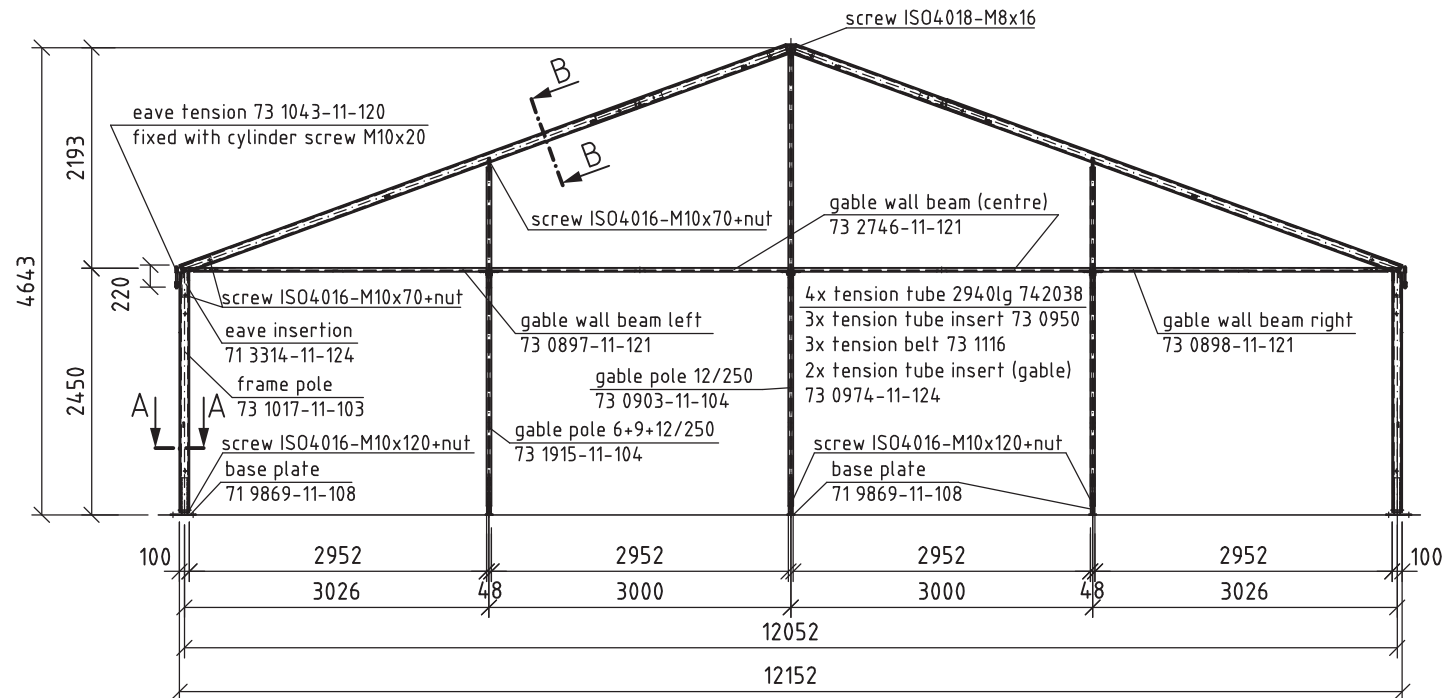
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M 1:5



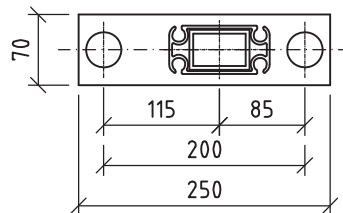
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				Allgemeintoleranzen nach ISO 2768-m + Hausnorm 7004-T					Zeichn. Nr.: SK 3890-1	
Index	Änderung	Datum	Name	Ersatz für:						



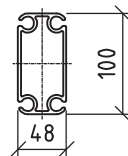
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				Ges.:					
				Allgemeintoleranzen nach ISO 2768-m + Hausnorm 7004-T		Zeichn. Nr.: SK 3890-1			
Index	Änderung	Datum	Name	Ersatz für:					



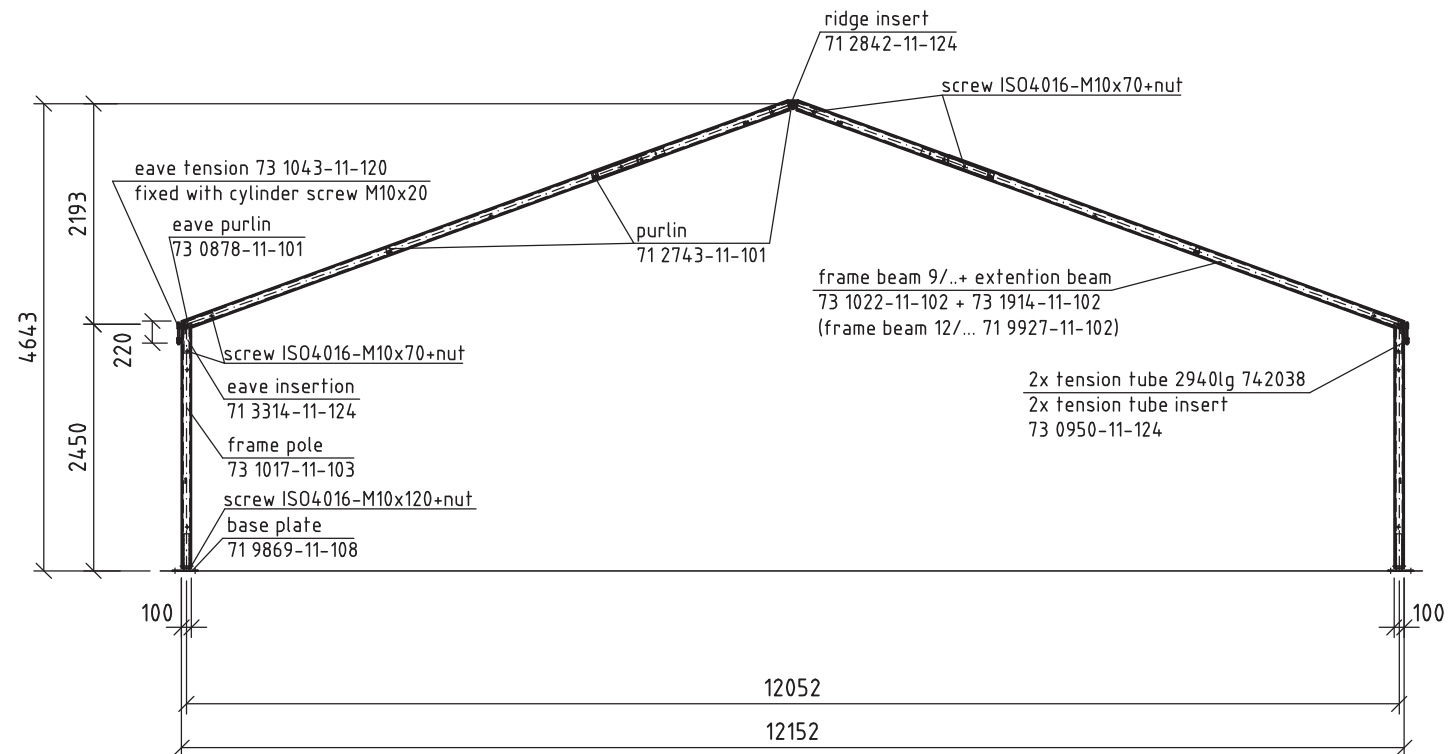
section A-A
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section B-B
M 1:5



				Diese Zeichnung darf ohne unsere Genehmigung weder kopiert noch dritten Personen oder Konkurrenzfirmen zugänglich gemacht werden (Par. 15, 18 d. RG. v. 19.06.1901)		Maßstab: 1:50	Oberfläche:
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Index	Änderung	Datum	Name	Ersatz für:			



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EXHIBIT B

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, New Trier Township School District 203 ("***School District***") desires to construct temporary tents ("***Temporary Tents***") during the COVID-19 pandemic to provide a safer school environment and lessen the risk of the spread of the illness; and

WHEREAS, pursuant to Section 17.54.010 of the Village Code, the School District submitted applications to erect and use Temporary Tents for a period not to exceed 180-days in a 12-month period at the New Trier High School West Campus at 385 Winnetka Avenue as depicted in Exhibit A to this Resolution (collectively, "***Tent Locations***"); and

WHEREAS, Resolution R-69-2020, adopted by the Village Council on October 20, 2020 ("***Resolution***"), grants approval to the School District for the erection and use of Temporary Tents at the Tent Locations; and

WHEREAS, Section 5 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the School District has filed, within 30 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

NOW, THEREFORE, the School District hereby agrees and covenants as follows:

1. The School District does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The School District acknowledges that required procedures have been properly followed with respect to the adoption of the Resolution, has considered the possibility of the revocation provided for in the Resolution, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The School District acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of approval for the erection of the Temporary Tents and the adoption of the Resolution, and that the Village's approvals do not, and will not, in any way, be deemed to insure the School District against damage or injury of any kind and at any time.
4. The School District represents and warrants that it has received the consent from the owners of all the Temporary Locations not owned by the School District to erect the Temporary Tents thereon.

5. The School District does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting approval to erect the Temporary Tents at the Tent Locations.

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

Dated: _____, 2020

ATTEST:

**NEW TRIER TOWNSHIP
SCHOOL DISTRICT 203**

By: _____
Its: _____

By: _____
Its: President

Attachment B

David Schoon

From: Joyce [REDACTED] >
Sent: Thursday, October 8, 2020 5:46 PM
To: Planning
Cc: Dr. M.J. Jiaras
Subject: Case No. 20-30-V2

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.

Hello,

We are neighbors of New Trier High School. We live across the street at 366 Winnetka Ave.

We are wholeheartedly supportive of the tents on the south side of the school. Very happy that New Trier is finding ways to safely bring the students back in person. Our son is a 2020 NT graduate. The faculty has done an amazing job in supporting our children.

Best,
Joyce Bruce Jiaras
[REDACTED]



Agenda Item Executive Summary

Title: Resolution No. R-46-2021: Purchase of Leaf Collector (Adoption)

Presenter: Giovanni McLean - Director of Public Works

Agenda Date:

04/08/2021

Consent:



YES



NO

☐

Ordinance



Resolution

☐

Bid Authorization/Award

☐

Policy Direction

☐

Informational Only

Item History:

2021 Budget Item.

Executive Summary:

The Public Works 2021 budget contains funding for the replacement of a leaf vactor. The current equipment has been used extensively for leaf collection operations and was scheduled to be replaced in November of 2015. This equipment exceeds the Village's policy for replacement based on its age; Staff proposes purchasing a new 2021 XtremeVac DCL800SM-3X leaf collector.

To ensure the most fiscally prudent pricing, Public Works will leverage pricing from the Sourcewell contract, a joint purchasing consortium that solicits goods and services for state and local governments. The Village has taken advantage of competitive pricing through this program for previous equipment purchases.

Standard Equipment Company submitted a proposal for a 2021 XtremeVac DCL800SM-3X leaf collector at a not to exceed price of \$107,916. Staff confirmed that the proposal meets the requirements of the Village's leaf collection operational needs.

The 2021 Public Works budget contains \$95,000 (account #100.30.01-625) for the purchase of a leaf collector, and an additional \$6,799 after the replacement of PW-40 tractor, for total of \$101,799. Since the proposal from Standard Equipment exceeds the available funds by \$6,117, Staff has identified budget capacity in the refuse collection account (560.80.48-584) for leaf collection commodities as an offset. Resolution No. R-46-2021 authorizes a purchase contract with Standard Equipment Company for the purchase of a leaf collector in an amount not to exceed \$107,916.

Recommendation:

Consider adopting Resolution No. R-46-2021 awarding a purchase order to Standard Equipment Company for the purchase of a leaf collector through Sourcewell Contract No. 041217-ODB in an amount not to exceed \$107,916.

Attachments:

Attachment 1: Resolution No. R-46-2021

Attachment 2: Standard Equipment Company proposal

R-46-2021

**A RESOLUTION APPROVING THE PURCHASE
OF A LEAF COLLECTOR FROM STANDARD EQUIPMENT COMPANY**

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

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

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

WHEREAS, the Village Public Works Department ("***Department***") has identified the need to replace one leaf collector with one new 2021 XtremeVac DCL800SM-3X Leaf Collector, ("***New Leaf Collector***"); and

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

WHEREAS, Sourcewell secured fixed, per-unit pricing from XtremeVac, to be implemented through local distributors for the Purchase Contract; and

WHEREAS, XtremeVac's local distributor is Standard Equipment Company, of Elmhurst, Illinois ("***Standard Equipment***"); and

WHEREAS, Standard Equipment has provided pricing for the Purchase Contract of \$107,916.00; and

WHEREAS, the Village President and Board of Trustees have determined that it will serve and be in the best interest of the Village to purchase the New Leaf Collector from Standard Equipment, in the amount of \$107,916.00, in accordance with the Purchase Contract;

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

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

SECTION 2. APPROVAL OF PURCHASE. The Village Council hereby approves the purchase by the Village of the New Leaf Collector from Standard Equipment, in the total amount not to exceed \$107,916.00, in accordance with the Purchase Contract.

April 8, 2021

R-46-2021

SECTION 3. AUTHORIZATION TO PURCHASE. The Village Council authorizes and directs the Village President, the Village Manager, and the Village Clerk to execute and attest, respectively, on behalf of the Village, the Purchase Contract and all documents approved by the Village Manager and necessary to purchase the New Leaf Collector from Standard Equipment in an amount not to exceed \$107,916.00,

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

ADOPTED this 8 day of April, 2021, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk



Presents a Proposal Summary

of the



DCL800SM-3X Hook Lift Leaf Collector

for

Village of Winnetka
1390 Willow Road
Winnetka, IL 60093

Bob Donlon
Tel:847-804-6017

PRODUCT DESCRIPTION

- 14Yd Leaf Collector with Automated Arm, Hook Lift Mounted

STANDARD FEATURES

- 28" suction impeller w/ six 3/8" thick T-1 steel blades
- 4 groove power band belt driven
- 40-gallon polyethylene fuel tank
- Electronic Engine Controls w/ safety shut downs
- 13" clutch assembly w/ 2.25" PTO shaft & safety engagement
- 3 Axis Hose Boom w/ Proportional without in Cab controls
- 16x144" URETHANE suction hose w/steel nozzle
- Gear driven Hydraulic pump powers 15.2-ton capacity hoist
- Boxed perforated radiator screen
- 1/4" thick skid deck w/ channel members on ends
- Remote Electric Throttle & Remote Clutch Engagement
- Hydraulic rear door latches with out In-Cab Electronic controls
- In Cab Hydraulic Monitoring/ Data Logging
- Light bar on hopper w/4 front facing amber flashing LED Lights
- LED DOT Lights
- 2 Oval LED Flashers at Rear

ADDITIONAL FEATURES

- John Deere 4045TFC03 4-cylinder diesel engine rated at 74HP - Final T4
- Newly Redesigned bottom exhaust
- 11 gauge perforated top screens with 3/16" holes
- Unit to be operated solely from wireless controller (no controller in cab)

Module Paint Color - White or to Customer Specification

Door Stripe Color - None

2021 Sourcewell Price:

\$107,916.00



Price valid for 90 days from February 26, 2021

A

Product Model: DCL800SM-3X

Proposal Date: 2/26/2021

P.O. Number:

Payment Terms:

Proposal Notes:

1. Multiple unit orders will be identical to signed proposal. Changes or deviations to any unit of a multiple unit order will require a new signed proposal.
2. Chassis specifications and data codes for customer supplied chassis must be submitted to and approved by Vactor Manufacturing prior to submittal of customer purchase order
3. All prices quoted are in US Dollars unless otherwise noted.

SIGNED BY:

_____ Date: _____



Agenda Item Executive Summary

Title: Resolution No. R-47-2021: Utility Rates and Fees Amendment (Adoption)

Presenter: Timothy J. Sloth, Director of Finance

Agenda Date:

04/08/2021

Consent:



YES



NO

☐

Ordinance

☒

Resolution

☐

Bid Authorization/Award

☐

Policy Direction

☐

Informational Only

Item History:

At the November 10, 2020 Village Council budget review, the Public Works Department presented changes to the residential refuse program, including providing curbside pickup options along with continued back-door collection service. At that time it was determined that any change to the residential refuse fee structure should be implemented at the same time as the change in services. The Village Council typically approves utility fees annually by resolution during the budget approval process and approved the current utility rates on December 15, 2021.

Executive Summary:

Staff presented the proposed utility rates shown below during the 2021 budget review:

Service Level (Monthly Rate)

- 1x/week curbside 35g (\$27.00)
- 1x/week curbside 65g (\$36.00)
- 1x/week curbside 95g (\$45.00)
- 1x/week back door (\$50.00)
- 2x/week back door (\$100.00)

The rate structure listed above, which has been consistently communicated to residents, is sufficient to achieve annual revenue targets for 2021. The proposed rate structure introduced last fall assumed that approximately 66% of our customers would select one of the three cheaper curbside options based on previous surveys. Current survey estimates show that approximately 50% of residents will remain with back door collection. Monthly revenue which was initially estimated at \$166,560 will total approximately \$175,000 as more residents keep back door service than we anticipated during the budget process. Refuse rates will be reviewed again as part of the 2022 budget, and continue to be reviewed on an annual basis thereafter. The proposed new rates will be effective for utility bills issued after June 1st and remain in effect for the remainder of 2021. Approximately 1,200 residents did not respond to the spring survey and defaulted to back door collection. We anticipate that some residents will make changes during the initial transition period, which may impact monthly revenue collection.

Recommendation:

1) Consider adoption of Resolution No. R-47-2021 a Resolution Amending the Village's Rates and Fees Related to Utility Services.

Attachments:

Resolution No. R-47-2021

RESOLUTION NO. R-47-2021**A RESOLUTION AMENDING THE VILLAGE'S RATES AND FEES
RELATED TO UTILITY SERVICES**

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

WHEREAS, the Village of Winnetka ("Village") owns, operates, and provides the following services in the Village (collectively, "***Utility Services***"): (i) a water utility that provides water service; (ii) an electric utility that provides electric service; (iii) a public sewer system; (iv) a municipal waste system that provides for the collection, transportation and disposal of refuse and yard waste; and (v) a public stormwater utility to provide stormwater management services; and

WHEREAS, on December 15, 2020, pursuant to Resolution R-78-2020 ("***Resolution Establishing Rates and Fees Related to Utility Services***"), the Village adopted the rates and fees for its utility services for 2021; and

WHEREAS, the Village President and the Village Council have determined that it will serve and be in the best interest of the Village to amend the Resolution Establishing Rates and Fees Related to Utility Services;

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

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

SECTION 2: APPROVAL OF AMENDMENTS TO SECTION 5 OF THE RESOLUTION ESTABLISHING RATES AND FEES RELATED TO UTILITY SERVICES. The Village Council hereby amends Section 5 of the Resolution Establishing Rates and Fees Related to Utility Services to be and read as follows:

* * *

C. Residential Refuse Service Fees. Pursuant to Section 8.16.050 of the Winnetka Village Code, the following fees and charges are hereby established for residential refuse service:

Schedule of Residential Refuse Service Fees

Service	Charge
Back Door - One pick-up per week of no more than two garbage cans of household rubbish	\$50.00 per month
Back Door - Two pick-ups per week of no more than two garbage cans of household rubbish	\$100.00 per month
Curbside - One pick-up per week – 35-gallon container	\$27.00 per month
Curbside - One pick-up per week – 65-gallon container	\$36.00 per month
Curbside - One pick-up per week – 95-gallon container	\$45.00 per month

* * *

SECTION 3: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law, but in no event prior to June 1, 2021.

ADOPTED this 8th day of April, 2021, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk



Agenda Item Executive Summary

Title: Resolution No. R-48-2021: Purchase of Pad-Mount Metering Gear (Adoption)

Presenter: Brian Keys, Director of Water & Electric

Agenda Date: 04/08/21

Consent: ☒ YES ☐ NO

- ☐ Ordinance
☒ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

None

Executive Summary:

On February 16, 2021 the New Trier High Board of Education (District No. 203) approved construction of a new gymnasium at the New Trier East Campus. The existing Gates Gymnasium, constructed in 1928, will be razed and replaced with a three-story building with an indoor track, classrooms, workout space, and a gymnasium. Design work completed by New Trier has identified a conflict with two existing 4kV electrical services in the building, which will need to be relocated. Since the pad-mount 4kV metering equipment required for the project has an extended manufacturing lead time, New Trier has requested that the Village proceed with ordering the equipment to support their project schedule. A Notice to Proceed (Exhibit A) confirming their commitment to reimburse the Village for the equipment cost has been signed by New Trier.

The proposed gymnasium will also require special use and zoning variation approvals by the Village Council. The school district is currently planning to submit such applications in time for the Village's advisory bodies to review in May and June, and the Council to consider in July. The school district would like to begin construction in December 2021 with an anticipated completion of demolition work by February 2022.

During preliminary design work and planning for the project, New Trier staff engaged Water & Electric staff about potential solutions to the identified utility conflicts. The high school campus is served by eight separately-metered service locations. Two locations are served from 4kV underground circuits that extend into the building and are metered inside the building at the 4kV service voltage. The two circuits are routed through the basement of the existing gymnasium and need to be relocated prior to the start of demolition. As part of the relocation work, the metering equipment will be moved to an exterior location. While available in the utility industry, outdoor 4kV metering equipment has not been previously used by the Village's electric utility. Based on discussions with equipment manufacturers, staff provided New Trier with a budgetary estimate for the equipment.

Based on the meetings with NTHS staff and in anticipation of the School Board's approval of the gymnasium project, the Village's Water & Electric Department issued Bid #021-004 on January 25, 2021 for two 4kV pad-mount metering enclosures.

Executive Summary (continued):

Staff expected to receive at least two bids from equipment manufacturers Elliot Industries, ABB and Federal Pacific. At the March 16, 2021 bid opening, the Village received a single bid from Power One (manufacturer's representative) for Federal Pacific. The unit price for each enclosure is \$25,927 with a manufacturing lead time of 24-26 weeks upon receipt of an order.

For reference, staff did contact Elliot Industries as the manufacturer indicated that their design did not comply with all facets of the technical specification and cited some uncertainty over the contract language from the Village. Rather than take exception, the manufacturer elected not to bid. Similar to the lead time quoted by Federal Pacific, the manufacturer indicated their facility is also operating with 24 week lead times.

The 2021 Electric Fund budget does not contain a line item for the relocation project and/or the metering enclosures. In accordance with Resolution No. R-78-2020, A Resolution Establishing Rates And Fees Related To Utility Service, New Trier will be responsible for all costs associated with the 4kV circuit relocation and associated equipment. As previously noted, New Trier has requested that the Village proceed with ordering equipment due to the extended manufacturing lead time.

Resolution No. R-48-2021 authorizes the purchase of pad-mount metering gear in an amount not to exceed \$51,854 under a contract with Federal Pacific.

Recommendation:

Consider adoption of Resolution No. R-48-2021 approving a contract with Federal Pacific for the purchase of pad-mount metering gear in an amount not to exceed \$51,854.

Attachments:

Attachment 1: Resolution No. R-48-2021

Attachment 2: Contract

Attachment 3: NTHS Notice To Proceed dated February 26, 2021

Attachment 1**R-48-2021**

**A RESOLUTION APPROVING A CONTRACT WITH
FEDERAL PACIFIC FOR
THE PURCHASE OF PAD-MOUNT METERING GEAR**

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

WHEREAS, the Village issued request for bids No. 021-004 ("**Request for Bids**") seeking qualified firms to provide pad-mount electrical metering equipment ("**Equipment**") to effectuate the relocation of 4kV metering for the new gymnasium to be constructed at New Trier High School ("**Equipment**"); and

WHEREAS, the Village received one bid ("**Bid**") to provide the Equipment and opened the Bid on March 16, 2021; and

WHEREAS, pursuant to Chapter 4.12 of the Village Code and the Village's purchasing manual, the Village Council has determined that Federal Pacific of Bristol, Virginia ("**Contractor**") is the lowest responsive and responsible bidder to provide the Equipment; and

WHEREAS, while the FY2021 Electric Fund budget does not contain a budgeted line item for the Equipment, in accordance with Resolution No. R-78-2020, A Resolution Establishing Rates And Fees Related To Utility Service, New Trier Township High School District 203 will be responsible for all costs associated with the Equipment; and

WHEREAS, the Village Council desires to enter into a contract with Contractor for the Equipment in an amount not to exceed \$51,854 ("**Contract**"); and

WHEREAS, the Village Council has determined that it is in the best interests of the Village and its residents to enter into the Contract with Contractor;

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

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

SECTION 2: APPROVAL OF CONTRACT. The Village Council hereby approves the Contract with Contractor in a form approved by the Village Manager.

SECTION 3: AUTHORIZATION TO EXECUTE CONTRACT. The Village Council hereby authorizes and directs the Village President and the Village Clerk to execute and attest, respectively, on behalf of the Village, the final Contract.

April 8, 2021

R-48-2021

SECTION 4: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 8th day of April, 2021, pursuant to the following roll call vote:

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

Signed

Village President

Countersigned:

Village Clerk

Attachment 2

VILLAGE OF WINNETKA

CONTRACT/BID
FOR Pad-Mount Primary Metering Gear

Full Name of Bidder:

Federal Pacific
("Bidder")

Principal Office Address:

601 Old Airport Road
Bristol, VA 24201

Local Office Address:

Federal Pacific c/o Power One Corp.
2325 Dean St. Suite 800
St. Charles, IL 60175Contact Name: Jim Charbonniere Telephone: 630-443-6500TO: Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093
Attention: **Assistant Finance Director**

Bidder warrants and represents that Bidder has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. 1, 2 (if none, write "NONE") that are securely stapled to the end of this Contract/Bid.

1. Proposal to Deliver Products.

A. Contract and Products. If this Contract/Bid is accepted, then Bidder proposes and agrees that Bidder will deliver to Owner, at the Delivery Address, the products, items, materials, merchandise, supplies, or other items identified in the Request for Bids attached hereto (the "Products") in new, undamaged, and first-quality condition. Bidder further proposes to:

- (1) Labor, Equipment, Materials and Supplies. Provide, perform, and complete in the manner specified and described in the Contract/Bid, all necessary work, labor, services, transportation, equipment, materials, supplies, information, data, and other means and items necessary to deliver the Products to Owner in a proper and workmanlike manner.
- (2) Permits. Procure and furnish all permits, licenses, and other governmental approvals and authorizations necessary for the Products.

- (3) Bonds and Insurance. Procure and furnish all bonds, insurance certificates, and policies of insurance, if any, specified in the Contract/Bid.
- (4) Miscellaneous. Perform all other things required of Bidder by this Contract/Bid.

B. Performance Standards. If this Contract/Bid is accepted, Bidder proposes and agrees that the Products will comply strictly with the ***Specifications attached hereto as Attachment A and by this reference made a part of this Contract/Bid.*** If this Contract/Bid specifies a Product by brand name or model, that specification is intended to reflect the required performance standards and standard of excellence that Owner requires for the Product. However, Bidder may propose to deliver a Product that is a different brand or model, if Bidder provides with its bid written documentation establishing that the brand or model it proposes to deliver possesses equal quality, durability, functionality, capability, and features as the Product specified.

C. Responsibility for Damage or Loss. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will be responsible and liable for, and will promptly and without charge to Owner, repair or replace damage done to and any loss or injury suffered by Owner as a result of Bidder's failure to perform hereunder.

D. Inspection/Testing/Rejection. Owner will have the right to inspect all or any part of the Products. If, in Owner's judgment, all or any part of the Products is defective or damaged or fails to conform strictly to the requirements of this Contract/Bid, then Owner, without limiting its other rights or remedies, may (i) reject such Products, (ii) require Bidder to correct or replace such Products at Bidder's cost, (iii) obtain new Products to replace the Products that are defective, damaged, or nonconforming and charge Bidder with any excess cost incurred thereby, and (iv) cancel all or any part of any order or this Contract/Bid. Products so rejected may be returned or held at Bidder's expense and risk.

2. Contract Price Proposal.

A. Price. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner in accordance with the following Schedule of Prices:

Product Item No.	Description of Product to be delivered to Owner	Quantity of Products to be delivered to Owner	Unit Price of Product	Extension
.	Primary Metering Cabinet	See pricing form in Attachment A.	\$25,927	\$51,854

If Owner has specified the Quantity of Products to be delivered to Owner in the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contract/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, the total Contract Price of:

See pricing form in Attachment A.

If Owner has not specified the Quantity of Products to be delivered to Owner in the Request for Bids, then Bidder will take, in full payment for all Products and other matters set forth under Section 1 of this Contract/Bid, including overhead and profit, taxes, royalties, license fees, delivery, contributions and premiums, and compensation to all subcontractors and suppliers, a total

Contract Price that will be equal to the sum of the Unit Prices (as determined by the above Schedule of Prices) applicable to all Products accepted by Owner.

B. Basis for Determining Prices. It is expressly understood and agreed that:

- (1) All prices stated in the Schedule of Prices are firm and will not be subject to escalation or change;
- (2) Owner is not subject to State or local sales, use, and excise taxes, and no such taxes are included in the Schedule of Prices, and all claims or rights to claim any additional compensation by reason of the payment of any such tax are hereby waived and released;
- (3) All other applicable federal, State, and local taxes of every kind and nature applicable to the Products are included in the Schedule of Prices; and
- (4) If a Quantity of Products to be delivered to Owner is specified in the Request for Bids, such amount is an estimate only. Owner reserves the right to increase or decrease such quantity, and the total Contract Price to be paid will be based on the final quantity determined by Owner for each Product and the actual number of Products that comply with this Contract/Bid that are accepted by Owner. Bidder hereby waives and releases all claims or rights to dispute or complain of any such estimated quantity or to assert that there was any misunderstanding in regard to the number of Products to be delivered.

C. Time of Payment. It is expressly understood and agreed that all payments will be made in accordance with the following schedule:

Upon delivery and acceptance of item by the Owner.

All payments may be subject to deduction or setoff by reason of any failure of Bidder to perform under this Contract/Bid.

3. Contract Time Proposal.

If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will deliver the Products to Owner not later than 24-26 week, 2025.

4. Financial Assurance.

A. Indemnification. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will indemnify and defend Owner against all damages, liability, claims, losses, and expenses (including attorneys' fees) that may arise or be alleged to have arisen out of or in connection with Bidder's performance of or failure to perform under this Contract/Bid, including without limitation any failure to meet the representations and warranties set forth in Section 6 of this Contract/Bid.

B. Penalties. If this Contract/Bid is accepted, Bidder proposes and agrees that Bidder will be solely liable for any fines or civil penalties that are imposed by any governmental or quasi-governmental agency or body that may arise or be alleged to have arisen out of or in connection with Bidder's performance of or failure to perform hereunder.

5. Firm Proposal.

All prices and other terms stated in this Contract/Bid are firm and will not be subject to withdrawal, escalation, or change so long as Owner accepts this Contract/Bid within 120 days after the date this sealed Contract/Bid is opened.

6. Bidder's Representations and Warranties.

To induce Owner to accept this Contract/Bid, Bidder hereby represents and warrants as follows:

A. The Products. The Products and all of their components will be of merchantable quality and, for a period of not less than one year after delivery (i) will be free from any latent or patent defects and flaws in workmanship, materials, and design, (ii) will strictly conform to the requirements of this Contract/Bid, including without limitation the performance standards set forth in Subsection 1B of this Contract/Bid, and (iii) will be fit, sufficient, and suitable for the purposes expressed in or reasonably inferred from this Contract/Bid and the warranties expressed herein will be in addition to any other warranties applicable to the Products (including any manufacturer's warranty) or expressed or implied by law which are hereby reserved unto Owner.

B. Compliance with Laws. All Products and all of their components will comply with, and Bidder agrees to be bound by, all applicable federal, state, and local laws, orders, rules, and regulations as they may be modified or amended from time to time. Every provision required by law to be inserted into this Contract/Bid will be deemed to be inserted herein.

C. Not Barred. Bidder is not barred by law from contracting with Owner or with any other unit of state or local government as a result of (i) a delinquency in the payment of any tax administered by the Illinois Department of Revenue unless Bidder is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax as set forth in 65 ILCS 5/11-42.1-1, (ii) a violation of either Section 33E-3 or Section 33E-4 of Article 33 of the Criminal Code of 1961, 720 ILCS 5/33E-1 *et seq.*, or (iii) for any other reason.

D. Qualified. Bidder has the requisite experience, ability, inventory, capital, facilities, equipment, plant, organization, and staff to enable Bidder to deliver the Products at the Contract Price and within the Contract Time Proposal set forth above.

7. Acknowledgments.

In submitting this Contract/Bid, Bidder acknowledges and agrees that:

A. Reliance. Owner is relying on all warranties, representations, and statements made by Bidder in this Contract/Bid.

B. Reservation of Rights. Owner reserves the right to reject any and all bids, reserves the right to reject the low price bid, and reserves such other rights as are set forth in the Instructions to Bidders.

C. Acceptance. If this Contract/Bid is accepted, then Bidder will be bound by each and every term, condition, or provision contained in this Contract/Bid and in Owner's written notification of acceptance in the form included in this bound set of documents.

D. Remedies. Each of the rights and remedies reserved to Owner in this Contract/Bid are cumulative and additional to any other or further remedies provided in law or equity or in this Contract/Bid.

E. Time; Days. Time is of the essence for this Contract/Bid. Except where specifically stated otherwise, references in this Contract/Bid to days will be construed to refer to calendar days.

F. No Waiver. No examination, inspection, investigation, test, measurement, review, determination, decision, certificate or approval by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any information or data supplied by Owner, whether before or after Owner's acceptance of this Contract/Bid; nor any order by Owner for the payment of money; nor any payment for or use, possession, or acceptance of the whole or any part of any Product; nor any extension of time granted by Owner; nor any delay by Owner in exercising any right under this Contract/Bid; nor any other act or omission of Owner will constitute or be deemed to be an acceptance of any defective, damaged, or nonconforming Product; nor operate to waive or otherwise diminish the effect of any representation or warranty made by Bidder or of any requirement or provision of this Contract/Bid or of any remedy, power, or right of Owner.

G. Assignment. Neither this Contract/Bid, nor any interest herein, may be assigned or subcontracted in whole or in part by Bidder except with the prior written consent of Owner.

H. Governing Law. This Contract/Bid and all rights of the parties under this Contract/Bid will be interpreted according to the laws of, but not the conflict of law rules of, the State of Illinois.

DATED this 15th date of March 2021

Bidder's Status: () X Corporation () Partnership () Individual Proprietor
(State) (State)

Bidder's Name: Federal Pacific c/o PowerOne Corp.

Doing Business As (if different): _____

Signature of Bidder or Authorized Agent: _____

(CORPORATE SEAL, IF APPLICABLE)

Printed Name: JAMES E. CHARGASIS

Title/Position: President

Bidder's Business Address: Federal Pacific c/o PowerOne Corp.
2325 DEAN ST SUITE 800J
ST. CHARLES, IL 60175

Bidder's Business Telephone: (630) 443-6500 Facsimile: (630) 443-6505

If a Corporation or Partnership, list all Officers or Partners:

<u>Federal Pacific</u>	<u>Russell Leonard</u>	<u>President</u>
<u>PowerOne Corp</u>	<u>JAMES CHARGASIS</u>	<u>President</u>

ATTACHMENT A – SPECIFICATIONS

1. SCOPE

- a. The three-phase pad-mount primary metering gear design is the basis for this specification.
- b. This specification covers only the general requirements of the pad mount primary metering gear.
- c. The electrical characteristics and mechanical features of three-phase pad-mount primary metering gear have the following ranges:
 - i. 60 Hertz
 - ii. Nominal voltage: 15 kV
 - iii. BIL : 95kV
 - iv. Continuous amps rating: 200A
 - v. Potential Transformer ratio: 2400:120V, 750VA @ 30C, 500 VA @ 50C
 - vi. Current Transformer ratio: 200:5

2. CODES AND STANDARDS

- a. All codes and standards referenced in the specification shall be those in effect at the time of Purchase Order award. Deviation from this specification and referenced codes and standards must be authorized in writing from Village of Winnetka/Director of Water & Electric.
 - i. Institute of Electrical and Electronic Engineer (IEEE)
 - 1. C37.74-2014 - IEEE Standard Requirements for Subsurface, Vault, and Pad mounted Load-Interrupter Switchgear and Fused Load-Interrupter Switchgear for Alternating Current Systems up to 38 kV.
 - 2. C57.12.28 – Pad-mounted Equipment – Enclosure Integrity.
 - 3. 386-2016 - IEEE Standard for Separable Insulated Connector Systems for Power Distribution Systems Rated 2.5 kV through 35 kV.
 - ii. National Electrical Manufacturers Association (NEMA)
 - iii. American Society of Testing and Materials (ASTM)

3. QUALITY ASSURANCE

- a. The manufacturer shall furnish, upon request, certification of ratings of the basic switchgear components and/or the integrated pad-mounted switchgear assembly consisting of the switchgear enclosure, primary bus, bushings, and bushing wells.

4. PRIMARY METERING GEAR TECHNICAL REQUIREMENT

- a. Insulators, Bushings, and Bushing Wells
 - i. Primary metering gear shall be of "dead front" design with 200A bushings.
 - ii. One line bushing and one load bushing per phase (radial configuration)
 - iii. Bushings shall have adequate strength to sustain short-circuit stresses.

- iv. All bushings, insulators and bushing wells shall be x-rayed to assure they are free of voids.
- v. Conductor rods of bushing and bushing wells shall be of all copper construction.
- b. High-Voltage Bus
 - i. Bus and interconnections shall be made of copper, with an oxide-inhibiting agent at all bus joints.
 - ii. Bus and interconnections shall withstand the stresses associated with short circuits up to the maximum rating of the pad-mounted gear.
 - iii. Before installation of the bus, all electrical contact surfaces shall first be prepared by abrading to remove any aluminum-oxide film. The electrical contact surfaces shall then be coated with a uniform coating of an oxide inhibitor and sealant.
- c. Grounding
 - i. A ground connection pad shall be provided in each termination compartment of the pad-mounted switchgear.
 - ii. The ground connection pad shall be constructed of 1/4" thick, stainless steel and have a NEMA 2-hole pattern for ground connections. The pad shall be welded to the enclosure and shall have a short-circuit rating equal to that of the integrated assembly.
 - iii. A copper rod for connection of grounding devices and ground leads shall be provided in each cable termination compartment.
- d. Enclosure
 - i. The basic material for the enclosure, roof, and doors shall be 12-gauge stainless steel.
 - ii. All structural joints and butt joints shall be welded, and the external seams shall be ground flush and smooth.
 - iii. A heavy coat of insulating "no-drip" compound shall be applied to the inside surface of the roof to reduce condensation of moisture thereon.
 - iv. Lifting tabs shall be removable. Sockets for the lifting-tab bolts shall be blind-tapped.
 - v. To prevent moisture collection and ingress, the roof shall be one-piece construction, cross-kinked and shall not include any gasketed joints.
 - vi. A steel equipment wall shall be provided for mounting of the bushing wells and/or bushings, as well as to separate the dead-front cable termination compartment from the medium voltage transformer compartment.
 - vii. Gear shall have a maximum width of 72 inches. All other dimensions subject to approval and shall be indicated on the drawings contained in the submittal.
- e. Doors
 - i. Each active door shall be provided with a hinged stainless-steel cover over the

padlock hasp. The cover shall be padlockable and shall incorporate a cover to protect the padlock shackle from tampering.

- ii. Each handle shall be provided with a recessed penta-head bolt for additional security.
- iii. Each passive door shall be independently secured (bolted) to the enclosure.
- iv. Each door shall be provided with a stainless-steel door holder (or "wind brace") located above the door opening.
- f. Finish
 - i. The painting system shall follow IEEE C57.12.28. The finish shall be Munsell No. 7GY/3.2/1.5. green
 - ii. To ensure that the finishing system is capable of resisting corrosion, the manufacturer shall provide, on request, certification that the representative test panels, protected by the manufacturer's finish system, have passed the coating system performance requirements in ANSI/IEEE C57.12.28 as verified by an independent third-party certifier, such as UL®
- g. Cable Termination Compartments
 - i. 200-ampere rated bushing wells shall be designed to accept 200-ampere bushing inserts and shall have removable, silver-plated copper studs.
 - ii. Bushing wells shall have interfaces in accordance with ANSI/IEEE Standard 386 to accept all standard separable insulated connectors and inserts.
 - iii. A parking stand of stainless steel shall be provided adjacent to each bushing and bushing well to accommodate horizontal feed-through assemblies and stand-off bushings.
- i. Metering Transformer Compartment
 - i. Barriers between phases shall meet GPO-3 Standards.
 - ii. An insulated, hinged, barrier system, secured with pentahead bolts, inside the exterior steel doors, shall be provided to restrict immediate direct exposure to interior of the instrument-transformer compartment. Material shall be clear polycarbonate.
 - iii. Mounting provisions for voltage and current transformers shall be provided and shall be NEMA standard bolt patterns.
- j. Labeling
 - i. Nameplate shall be provided indicating the manufacturer's name, serial number, catalog number, model number and date of manufacture.
 - ii. A one-line diagram of the gear connections shall be provided on the inside of the gear.
 - iii. Interior labeling shall indicate phase identification, "Line Side" and "Load side" bushing wells

5. FEATURES

The primary metering gear shall be equipped with a complete set of standard features to comply with Section 4 above, and shall also include:

- a. Potential transformers (PTs) and Current Transformers (CTs) of the following brands: ABB or GE. Other brands must be approved in writing by W&E following a review of the transformer specifications.
- b. Instrument transformers shall be installed by the manufacturer, with their primary sides connected to the bus and with their secondary sides wired to a provided meter fitting also installed by the manufacturer.
- c. Meter fitting shall accommodate a Form 9S (13T) meter and shall have a #TS10-0109 Milbank 10-Pole Test Switch for all potential and current leads from the instrument transformers.
- d. Secondary wiring shall be #10 THW/XHHW stranded-copper wire connecting the instrument transformer secondary to the 10-pole Test Switch.
- e. Phase color coding as follows: Red (AØ) Blue (BØ) Black (CØ), White (Neutral) for both voltage and current leads.

6. DOCUMENTATION

- a. The seller shall provide instructions, test certificates, operating and maintenance manual covering all equipment furnished.

7. PARTS

- a. The Seller shall provide a standard/minimum suggested spare parts list with the proposal.

8. WARRANTY

- a. Seller to provide *at a minimum* a two-year warranty covering the gear. A copy of the warranty terms shall be included with the proposal.

Pad-mount Primary Metering Gear Data Sheet

<u>Frequency (Hz):</u>	60Hz
<u>Primary Voltage Rating (V):</u>	12470 Grounded Wye
<u>Actual service Voltage (V):</u>	4160 Grounded Wye
<u>Primary Termination:</u>	200-amp bushing inserts
<u>Feed:</u>	Radial
<u>Bus material:</u>	Copper
<u>Primary BIL (kV):</u>	95
<u>Potential Transformer ratio:</u>	2400:120V, 750VA @ 30C, 500 VA @ 50C
<u>Current Transformer ratio:</u>	200:5

Other Special Instructions:

- Provide specification drawing with dimensions in bid submittal.
- Quote best delivery date with bid.
- Gear shall be delivered on an open bed truck, suitable for forklift unloading.
- Deliveries:
 - Require 48 hours advance notification, phone (847-)716-3551.
 - Receiving hours: Monday – Friday, 7:00AM – 3:00PM
 - 1390 Willow Road, Winnetka, Illinois 60093

BID SUBMITTAL

VENDOR:

Federal Pacific of Plurone Corp.

ADDRESS:

2325 DERM ST SUITE 800J
ST. CHARLES, FL 60175

EMAIL:

JIML@PLURONE.COM

PHONE:

830-443-6500

MANUFACTURER:

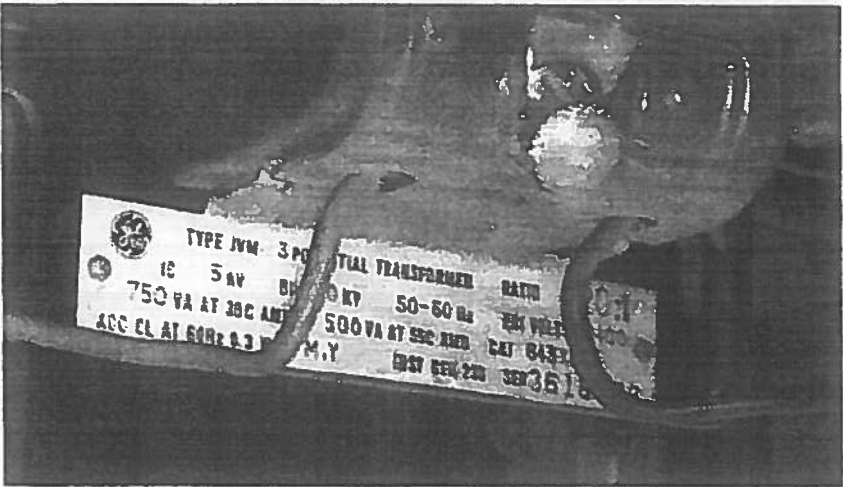
Federal Pacific

CATALOG NUMBER:

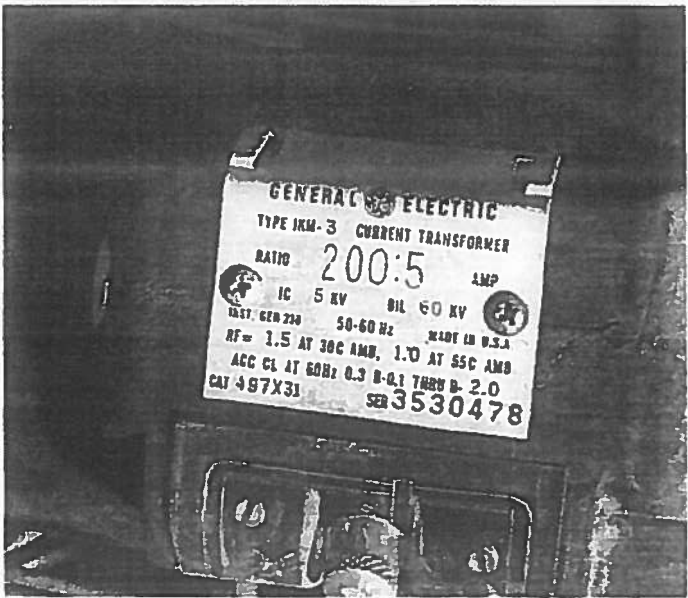
PMDF-315-F4-R6-200

ITEM	QTY	UNIT COST	EXTENDED COST	DELIVERY TIME (WEEKS)
PAD MOUNT PRIMARY METERING GEAR	2	\$25,927	\$51,854.00	24-26 WKS

APPENDIX



Existing potential transformer nameplate



Existing current transformer nameplate

ACCEPTANCE

The Contract/Bid attached hereto and by this reference incorporated herein and made a part hereof is accepted by the Village of Winnetka ("Owner") as of this ____ day of _____ 20____.

This Acceptance, together with the Contract/Bid attached hereto, constitutes the entire agreement between the parties relating to the Products and the Contract Price therefor and supersedes all prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and will prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgment, or invoice.

VILLAGE OF WINNETKA

By _____

Name: _____

Title: _____

[illegible]

NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203



To commit minds to inquiry, hearts to compassion, and lives to the service of humanity.®

To: Brian Keys
From: Chris Johnson
Date: February 26, 2021
Subject: Notice to Proceed with New Trier 4160V Metering Enclosures

Brian:

Please proceed with the purchase of the 4kV metering enclosures required to house the metering devices and associated cabling for relocating the service entrance. New Trier High School (NTHS) will be responsible for the cost of this equipment even if NTHS changes the need for this equipment.

This equipment will be installed in the area that NTHS has already granted easement rights to the Village of Winnetka (VOW) in a previous Inter-Governmental Agreement. NTHS will provide additional permissions as needed to install and maintain the equipment once the design is further developed. The requested equipment is for the sole benefit of NTHS, as such, all of the costs by the VOW will be at New Trier's sole expense. The cost of this equipment is estimated at \$50,000 - \$60,000. Actual cost will be invoiced to NTHS once the equipment has been delivered to the VOW.



Agenda Item Executive Summary

Title: Ordinance No. M-8-2021: 651 Elm Street Variation (Introduction & Adoption)

Presenter: David Schoon, Community Development Director

Agenda Date: 04/08/2021



Ordinance



Resolution



Bid Authorization/Award



Policy Direction



Informational Only

Consent: ☐ YES ☒ NO

Item History:

None

Executive Summary:

On April 8, the Village Council is scheduled to consider Ordinance M-8-2021 in response to an application submitted by B. Beshert, LLC (the “Applicant”), owner of the property at 651 Elm Street (the “Subject Property”). The Applicant requests approval of a zoning variation to allow construction of a single-family residence:

- Front yard setback of 40.43 feet, whereas a minimum of 60 feet is required, a variation of 19.57 feet (32.62%) [Section 17.30.050 - Front and Corner Yard Setbacks].

ZONING BOARD OF APEALS REVIEW

The Zoning Board of Appeals (ZBA) considered the request on March 8, 2021. After hearing from the Applicant, the Applicant's legal counsel, and three neighbors in support of the application, the ZBA briefly discussed the request and unanimously recommended approval of the request.

Details of the request can be found in the attached staff report to the ZBA (Attachment 2). Draft minutes of the ZBA meeting are included as Attachment 3.

Recommendation:

Consider waiving introduction of Ordinance No. M-8-2021 and adopting the Ordinance

OR

consider only introduction of Ordinance No. M-8-2021.

Attachments:

Attachment 1: Ordinance No. M-8-2021

Attachment 2: March 2, 2021 ZBA Staff Report and Attachments

Attachment 3: Excerpt of March 8, 2021 ZBA draft meeting minutes

Attachment 4: Public Correspondence

ATTACHMENT 1

ORDINANCE NO. M-8-2021

**AN ORDINANCE GRANTING A VARIATION
FROM THE WINNETKA ZONING ORDINANCE
FOR THE CONSTRUCTION OF A NEW RESIDENCE
WITHIN THE R-4 SINGLE FAMILY RESIDENTIAL DISTRICT
(651 Elm Street)**

WHEREAS, B. Beshert LLC, an Illinois limited liability company ("***Applicant***"), is the record title owner of the parcel of real property commonly known as 651 Elm Street in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("***Subject Property***"); and

WHEREAS, the Subject Property is located within the R-4 Single Family Residential District of the Village ("***R-4 District***") measuring approximately 0.33 acres in size and is currently a vacant lot; and

WHEREAS, the Applicant desires to improve the Subject Property by constructing a new single-family residence and related improvements on the existing vacant lot (collectively, "***Proposed Improvements***"); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance ("***Zoning Ordinance***"), the required front yard setback for the Subject Property is calculated as the maximum average front setback of the other front setbacks on the block face, provided that the maximum average front setback shall not exceed twice the minimum 30 foot setback required in the R-4 District; and

WHEREAS, based on the calculation provided in Section 17.30.050 of the Zoning Ordinance, the required front yard setback for the Subject Property is 60 feet; and

WHEREAS, to permit the construction of the Proposed Improvements, the Applicant filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to allow a front yard setback of approximately 40.43 feet ("***Variation***"); and

WHEREAS, on March 8, 2021, after due notice thereof, the Zoning Board of Appeals ("***ZBA***") conducted a public hearing on the Variation and, by a vote of five members in favor and zero opposed, recommended that the Council of the Village of Winnetka ("***Village Council***") approve the Variation; and

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

WHEREAS, the Village Council has determined that approval of the Variation for the Subject Property within the R-4 District is in the best interest of the Village and its residents;

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

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

SECTION 2: APPROVAL OF VARIATION. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Variation from Section 17.30.050 of the Zoning Ordinance to permit the construction of the Proposed Improvements on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

- A. **Commencement of Construction.** The Applicant must commence the construction of the Proposed Improvements no later than 12 months after the effective date of this Ordinance.
- B. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvements and the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- C. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- D. **Compliance with Plans.** The development, use, and maintenance of the Proposed Improvements on the Subject Property must be in strict accordance with the plans prepared by Renken Architects and Builders, consisting of 14 sheets, with a latest revision date of March 1, 2021, copies of which are attached to, and by this reference, made part of this Ordinance as **Exhibit B (“Plans”)**, except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

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

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

SECTION 6: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 7: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 8: EFFECTIVE DATE.

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

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

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.A.3 of this Ordinance

within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

PASSED this 8th day of April, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, 2021.

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this ____ day of _____,
2021.

Introduced: _____, 2021

Passed and Approved: _____, 2021

EXHIBIT A**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

THAT PART OF BLOCK 15 IN WINNETKA, A SUBDIVISION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 20 AND THE NORTH $\frac{1}{2}$ OF FRACTIONAL SECTION 21, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF ELM STREET 133.5 FEET EAST OF THE EAST LINE OF MAPLE STREET; THENCE EAST ALONG SAID NORTH LINE OF ELM STREET 86.96 FEET; RUNNING THENCE NORTH PARALLEL WITH THE WEST LINE OF CEDAR STREET 172 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF ELM STREET 25.5 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF CEDAR STREET 46.50 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF ELM STREET 30.52 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF MAPLE STREET 92.50 FEET; THENCE WEST PARALLEL TO AFORESAID NORTH LINE OF ELM STREET 16 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE AFORESAID TO MAPLE STREET 26 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF ELM STREET 15 FEET; THENCE SOUTH PARALLEL WITH SAID EAST LINE OF MAPLE STREET 100 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS

Commonly known as 651 Elm Street, Winnetka, Illinois.

PIN: 05-21-105-017-0000

EXHIBIT B

PLANS

(SEE ATTACHED EXHIBIT B)

GENERAL NOTES

ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE TO ALL APPLICABLE VILLAGE OF WINNETKA LOCAL AMENDMENTS AND ORDINANCES

ALL CONTRACTORS SHALL COORDINATE WITH ALL OTHER CONTRACTORS PRIOR TO AND DURING CONSTRUCTION
DO NOT SCALE DRAWINGS. USE DIMENSIONS SHOWN ON DRAWINGS OR ASK THE ARCHITECT FOR CLARIFICATION

ALL MATERIALS, EQUIPMENT, STRUCTURAL ELEMENTS, FINISHES, WINDOWS, DOORS, ETC., WHETHER PRE-MANUFACTURED OR SITE BUILT SHALL BE INSTALLED PER THE MANUFACTURER'S INSTRUCTIONS AND SPECIFICATIONS

THE ARCHITECT

SHOULD ANY DISCREPANCIES, ERRORS, OMISSIONS OR CONFLICT OF ITEMS NEEDING CLARIFICATION BE DISCOVERED IN THE PLANS AND/OR SPECIFICATIONS, THE ARCHITECT SHALL BE PROMPTLY NOTIFIED IN WRITING BEFORE SUBMITTING BID AND/OR PROCEEDING WITH WORK SO THAT HE MAY HAVE THE OPPORTUNITY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ARCHITECT OF SUCH CONDITIONS SHALL ABSOLVE THE ARCHITECT FROM ANY RESPONSIBILITY OF SUCH FAILURE

SITE WORK

THE FOOTINGS AND FOUNDATIONS HAVE BEEN DESIGNED TO BEAR ON UNDISTURBED SOIL OR APPROVED COMPACTED FILL WITH A MINIMUM BEARING CAPACITY OF 2500 p.s.f.

ALL FOOTINGS SHALL BE PLACED A MINIMUM OF 3'-6" BELOW THE FINISHED FINAL GRADE

VERIFY FOOTING STEPS WITH FINAL FINISH GRADE

PORCH AND STOOP FOOTINGS SHALL BE PLACED ON UNDISTURBED SOIL

FOOTINGS ADJACENT TO THE BASEMENT FOUNDATION ON OVER-EXCAVATED AREA SHALL BE INSTALLED ON EITHER COMPACTED ENGINEERED FILL OR STEPPED FOOTING SHALL BE PROVIDED

MATERIALS & INSTALLATION

ALL WORK TO CONFORM TO LOCAL MUNICIPALITY CODES AND ALL OTHER PERTINENT SAFETY CODES AND RULES OF OTHER APPLICABLE GOVERNING BODIES. IF AN INSPECTION AUTHORITY FINDS FAULT WITH ANY SUBCONTRACTOR WORK, THAT SUBCONTRACTOR SHALL CORRECT SUCH WORK TO THE SATISFACTION OF THE INSPECTING AUTHORITY AT NO EXPENSE TO THE OWNER OR ARCHITECT. THE SUBCONTRACTORS, IN USING THESE DOCUMENTS, SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER AND ARCHITECT FROM ANY AND ALL LIABILITY CLAIMS AND COSTS AS A RESULT OF WORK PERFORMED UNDER THIS PROJECT

ALL SUBCONTRACTORS TO EXAMINE SITE & EXISTING CONDITIONS AS A BASIS FOR BIDDING. FAILURE TO DETERMINE EXISTING CONDITIONS OR NATURE OF DEMOLITION AND/OR CONSTRUCTION WILL NOT BE CONSIDERED AS A BASIS FOR ADDITIONAL COMPENSATION

SUBCONTRACTORS SHALL FURNISH ALL MATERIAL & EQUIPMENT NECESSARY FOR A COMPLETE AND READY TO OPERATE SYSTEM. ANY MATERIALS OR EQUIPMENT NOT SHOWN ON DRAWINGS BUT REQUIRED FOR A SATISFACTORY OPERATION SYSTEM SHALL BE FURNISHED & INSTALLED AS THOUGH COMPLETELY SPECIFIED. INSTALLATION TO BE DONE IN ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS

CONCRETE WORK

ALL CONCRETE WORK SHALL CONFORM TO ACI 318 OF THE AMERICAN CONCRETE INSTITUTE FOR UNREINFORCED CONCRETE

ALL CONCRETE WORK SHALL DEVELOP A COMPRESSIVE STRENGTH OF 3000 psi IN 28 DAYS

ALL CONCRETE WORK SHALL COMPLY TO THE ACI STANDARDS FOR HOT AND COLD WEATHER CONCRETING

ALL CONCRETE PIERS SHALL EXTEND A MINIMUM OF 2" ABOVE AND 3'-6" BELOW GRADE

METALS

ALL DETAILING, FABRICATION AND ERECTION OF STRUCTURAL STEEL SHALL CONFORM WITH THE APPROPRIATE ASTM SPECIFICATIONS AND STANDARDS AS FOLLOWS: ASTM A992, ASTM A53, ASTM A501, ASTM A307

ALL STEEL BEAMS AND COLUMNS SHALL BE SHOP PRIMED

LINTELS SHALL BE PROVIDED FOR ALL OPENINGS AS INDICATED ON THE DRAWINGS. IN ADDITION, LINTELS ARE REQUIRED FOR MECHANICAL, ELECTRICAL OR PLUMBING OPENINGS IN A MASONRY WALL WITH A WIDTH GREATER THAN 12"

LINTELS SHALL HAVE A MINIMUM BEARING OF 8 INCHES FOR SPANS UP TO 8'-0" AND 16" FOR SPANS GREATER THAN 8'-0" UNLESS NOTED. LINTELS IN NON-LOAD BEARING WALLS SHALL BE OF THE SIZED LISTED BELOW

STEEL LINTELS SHALL BE USED FOR ALL MASONRY OPENINGS. CMU OPENINGS IN NON-LOAD BEARING WALLS MAY BE SPANNED WITH EITHER A STEEL LINTEL OR MASONRY LINTEL BLOCK AT THE CONTRACTOR'S OPTION. MASONRY LINTEL INFORMATION LEFT BLANK INDICATES THAT A STEEL LINTEL IS REQUIRED. FOR OPENINGS 2'-0" OR LESS, PROVIDE 3/8" PLATE X WALL THICKNESS LESS 1", BEAR 8" EACH END

WALL SPAN	STEEL LINTEL
2'-0" - 4'-0"	L 3 1/2" x 3 1/2" x 5/16"
4'-0" - 6'-0"	L 5" x 3 1/2" x 3/8" (LLV)
6'-0" - 8'-0"	L 6" x 3 1/2" x 3/8" (LLV)

CARPENTRY NOTES

ALL INTERIOR PARTITIONS ARE BASED ON 2x4 WOOD STUDS @ 16" O.C. UNLESS OTHERWISE NOTED

ALL UNSUPPORTED FRAME WALLS 12'-0" OR TALLER SHALL BE FRAMED WITH 2 X 6 STUDS AT 16" ON CENTER UNLESS NOTED OTHERWISE

PROVIDE 2x6 STUDS IN LIEU OF 2x4 FOR FOR FRAME WALLS DRILLED FOR PLUMBING PIPES

ALL CANTILEVERS TO BE A MINIMUM 2:1 RATIO PER THE CURRENT CODE

PROVIDE CROSS BRIDGING FOR ALL FLOOR JOISTS SPANNING 15' OR GREATER. MINIMUM 8'-0" ON CENTER

ALL LOAD BEARING HEADERS SHALL BE MIN. (2) 2 X 12 WITH 1/2" PLYWOOD SPACER UNLESS OTHER WISE NOTED. INSTALL DOUBLE CRIPPLES EACH SIDE FOR ALL SPANS OVER 6'-0"

PROVIDE APPROVED FIRE STOPPING AT ALL FURRING, PARTITIONS, EXTERIOR WALLS AT EACH FLOOR AND CEILING LEVEL, AND AT THE JUNCTURE OF THE ROOF RAFTERS AND WALL

PROVIDE CONCEALED GALVANIZED OR ALUMINUM SHEET METAL FLASHING AT ALL WALL/ROOF JUNCTIONS AND AS REQUIRED FOR WATERPROOF CONSTRUCTION

STAIR RAILING AND BALUSTERS TO CONFORM TO CODE. GRASPABLE PORTION OF RAILING NOT TO EXCEED 2 5/8" IN CROSS SECTIONAL DIMENSION

ALL INTERIOR WOOD TRIM SHALL BE POPLAR OR FINGER-JOINTED PINE. ALL CROWN SHALL BE MDF

GYPSUM DRYWALL

PROVIDE FOR GYPSUM DRYWALL AT AREAS OF NEW CONSTRUCTION. PROVIDE FOR SCREENED AND GLUED TAPERED EDGE GYPSUM DRYWALL SYSTEM COMPLETE WITH REQUIRED CORNER BEADS AND TAPE - (3) COAT FINISHING SYSTEM AS RECOMMENDED BY U.S. GYPSUM. PROVIDE DUROCK® OR APPROVED EQUAL AT ALL HIGH MOISTURE AREAS UP TO AND INCLUDING CEILING @ SHOWERS

DOORS AND WINDOWS

ALL SAFETY GLAZING SHALL BE IN ACCORDANCE WITH THE CODE

ALL WINDOWS SHALL COMPLY WITH THE AIR INFILTRATION REQUIREMENTS PER CODE

A MINIMUM OF ONE WINDOW PER SLEEPING AREA SHALL COMPLY WITH THE FOLLOWING MINIMUM EGRESS REQUIREMENTS:

MINIMUM OPENING AREA	5.7 SQ. FT. (5.0 SQ. FT.. FOR WINDOWS AT GRADE LEVEL)
MINIMUM OPENING WIDTH	20" CLEAR
MINIMUM OPENING HEIGHT	24" CLEAR

ALL EXTERIOR GLASS DOORS AND WINDOWS SHALL BE IN COMPLIANCE WITH SECTION R 613 FOR TESTING, LABELING AND PERFORMANCE

MAXIMUM GLAZING U FACTOR FOR ALL EXTERIOR DOORS AND WINDOWS SHALL NOT BE GREATER THAN 0.32 IN COMPLIANCE WITH TABLE N102.1.

AT FINAL INSPECTION LABELS ON ALL WINDOWS AND DOORS SHALL DEMONSTRATE COMPLIANCE WITH SECTION 601.3.2.2

MECHANICAL

THE MECHANICAL CONTRACTOR IS TO VERIFY ALL EQUIPMENT LOCATIONS AND DUCTWORK LAYOUT WITH THE GENERAL CONTRACTOR PRIOR TO START OF INSTALLATION

VERIFY EQUIPMENT CAPACITY TO CONDITION THE HOME RENOV AS REQUIRED

VENT ALL BATHROOM EXHAUST FANS, KITCHEN RANGE HOOD EXHAUST FAN, AND DRYER VENTS TO THE EXTERIOR WITH A DAMPER. OUTLETS PLACED IN ROOF SOFFITS SHALL BE PLACED A MINIMUM 6'-0" FROM ATTIC SOFFIT VENTS

ALL CRAWL SPACES SHALL BE PROVIDED WITH HEATED SUPPLY AND RETURN AIR

SUBCONTRACTOR SHALL DESIGN SYSTEM AND CERTIFY THAT IT WILL MAINTAIN +72 DEGREES F INDOORS & -10 DEGREES F OUTDOOR TEMPERATURE AND COOL TO +75 DEGREES INDOORS @ +95 DEGREES OUTDOOR TEMPERATURE @ 50% RELATIVE HUMIDITY. SUBMIT SHOP DRAWINGS FOR APPROVAL BY ARCHITECT PRIOR TO STARTING WORK

EXHIBIT B
GENERAL NOTES

PLUMBING

ALL UNDERGROUND WATER PIPING SHALL BE TYPE 'K' COPPER

ALL INTERIOR ABOVE GROUND WATER PIPING SHALL BE TYPE 'L' COPPER

PROVIDE 12" AIR CHAMBERS AT ALL FIXTURES

PROVIDE 24" AIR CHAMBERS AT ALL RISERS

ALL INTERIOR WASTE SHALL BE PVC. PITCH MINIMUM 1/4" PER FOOT

ALL SHOWER VALVES SHALL BE NON SCALD TYPE

ALL HOSE BIBS SHALL BE FROST PROOF WITH VACUUM BREAKERS

PROVIDE A SEWER CLEAN OUT WITHIN 5'-0" OF THE EXTERIOR OF THE FOUNDATION WALL

ALL UNDERGROUND WASTE AND VENT PIPING SHALL BE PVC

PROVIDE BACKUP SUMP PUMP SYSTEM WITH DEDICATED ELECTRICAL OUTLET AND BATTERY BACKUP PER PLANS

ELECTRICAL

ALL POWER WIRING SHALL BE IN METAL CONDUIT UNLESS OTHERWISE NOTED

THE ELECTRICAL CIRCUITS AND PANEL LAYOUT ARE TO BE DESIGNED BY THE ELECTRICAL CONTRACTOR IN ACCORDANCE WITH ALL APPLICABLE CODES

PROVIDE A SMOKE DETECTOR ON EACH FLOOR LEVEL AND IN EACH SLEEPING ROOM AS WELL AS WITHIN 15' OUTSIDE OF A SLEEPING ROOM. SMOKE DETECTORS SHALL BE 10V WITH BATTERY BACK-UP AND WIRED IN SERIES SO THAT ALL DETECTORS CHIME WHEN ONE OR MORE ARE ACTIVATED BY SMOKE

ALL CONVENIENCE ELECTRICAL OUTLETS IN HABITABLE AREAS SHALL BE PLACED 12" ABOVE THE FINISHED FLOOR (UNLESS NOTED OTHERWISE) AND BE SPACED PER THE 6/2 RULE

ALL BATHROOM, GARAGE, UNFINISHED BASEMENTS AND EXTERIOR ELECTRICAL OUTLETS SHALL BE GFCI PROTECTED

ALL OUTLETS, LIGHT FIXTURES, AND SWITCHES WITHIN 5'-0" OF A SHOWER OR BATHTUB SHALL BE GFCI PROTECTED

ALL LIGHT FIXTURES WITHIN A 24" OR SMALLER CLOSET SHALL BE RECESSED FLUORESCENT WITH SOLID LENS DISHWASHER, RANGE HOOD, AND GARBAGE DISPOSAL SHALL BE HARDWIRED

VERIFY LOW VOLTAGE REQUIREMENTS WITH LOW VOLTAGE SYSTEM SELECTED BY OWNER

PROVIDE A HOME SECURITY SYSTEM PER OWNER SELECTION. MINIMUM COMPONENTS SHALL BE: WINDOW CONTACTS ON ALL BASEMENT & 1ST FLOOR WINDOWS & EXTERIOR DOORS, 2 MOTION DETECTORS ON 1ST FLOOR, 3 GLASS BREAK SENSORS IN BASEMENT, 2 KEY PADS (1 @ MUDROOM, 1 @ MASTER BEDROOM), 2 SIRENS, 2 HEAT DETECTORS (1 @ GARAGE, 1 @ KITCHEN) AND SMOKE DETECTORS PER CODE AND AS SHOWN

STRUCTURAL DESIGN CRITERIA

DESIGN LOADS			
FLOOR	40 psf LL	10 psf. DL	LIVING SPACE
ATTIC	20 psf LL	10 psf. DL	ATTIC STORAGE
ROOF	30 psf LL	10 psf. DL	
CATHEDRAL CEILING	30 psf LL	15 psf. DL	
SNOW	30 psf LL		
DECKS	40 psf LL	10 psf. DL	EXTERIOR
GUARD & HANDRAILS	200 psf LL		
WIND	15 psf		

ALL FLOOR AND CEILING JOIST, ROOF RAFTERS, BEAMS AND HEADERS SHALL BE DOMESTIC HEM FIR #2 UNLESS OTHERWISE NOTED. MINIMUM E = 1,300,000 PSI AND MINIMUM BASE Fb = 850 OR BETTER

ALL STRUCTURAL WOOD POSTS SHALL BE S-P-F STRUCTURAL GRADE OR BETTER

TYP. HEADER CONFIGURATION UNLESS NOTED OTHERWISE: (2) 2x12 W/ (3) 2x4 OR (3) 2x6 POSTS EACH SIDE

PROVIDE DOUBLE JOISTS BELOW ALL PARALLEL PARTITIONS, BATHTUBS, WASHER, DRYER, AND OTHER STATIONARY APPLIANCES

MINIMUM IN-GRADE BASE VALUES FOR STUDS:

FIRST FLOOR EXT. LOAD BEARING WALLS	E = 1,400,000	Fc = 825
FIRST FLOOR INT. LOAD BEARING WALLS	E = 1,200,000	Fc = 800
SECOND FLOOR EXT. LOAD BEARING WALLS	E = 1,200,000	Fc = 800
SECOND FLOOR INT. LOAD BEARING WALLS	E = 1,000,000	Fc = 600
ALL NON-LOAD BEARING WALLS	E = 1,000,000	Fc = 600

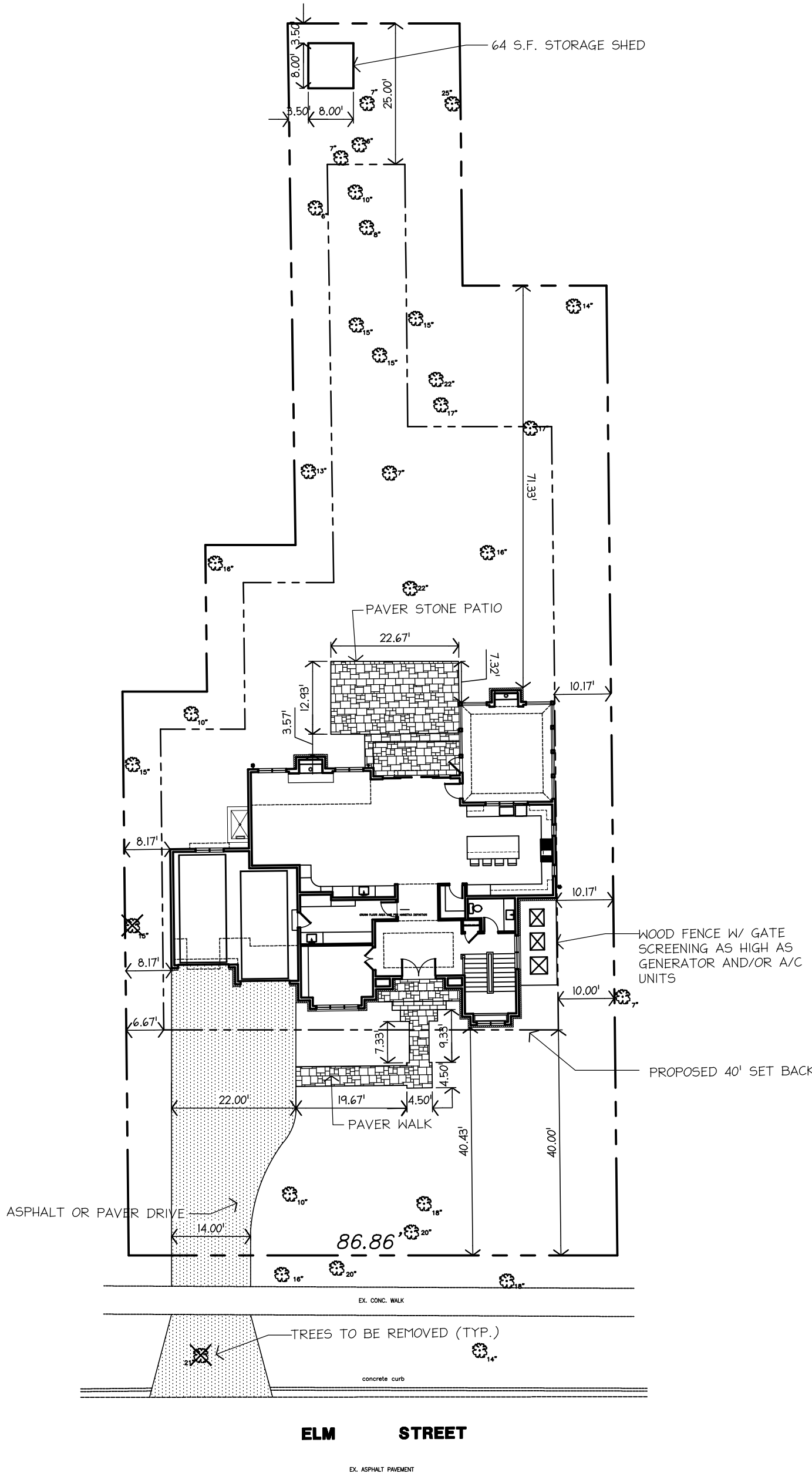
EXTERIOR DECK STRUCTURAL FRAMING LUMBER:

ALL DECK STRUCTURAL FRAMING HAS BEEN DESIGNED BASED UPON #2 SOUTHERN YELLOW PINE OF U.S. ORIGIN AS CLASSIFIED BY THE SOUTHERN PINE MARKETING COUNCIL.
Fb: 2x8 = 1,380 PSI / 2x10 = 1,210 PSI / 2x12 = 1,120 PSI - E = 1,600,000

ENGINEERED WOOD PRODUCTS:

MANUFACTURED STRUCTURAL WOOD PRODUCTS SUCH AS HEADERS AND BEAMS HAVE BEEN DESIGNED BASED UPON MICROLLAMBS AND PARALLAMS AS MANUFACTURED BY TRUS-JOIST.

1.9 MICROLLAMBS	Fb = 2,600 PSI	E = 1,900,000 PSI
2.0 PARALLAMS	Fb = 2,900 PSI	E = 2,000,000 PSI
1.5 TIMBERSTRAND	Fb = 2,250 PSI	E = 1,500,000 PSI



INDEX	
SHEET NAME	DESCRIPTION
A-1	GENERAL NOTES, SITE PLAN
A-2	FOUNDATION PLAN
A-3	FINISHED BASEMENT PLAN
A-4	FIRST FLOOR PLAN
A-5	SECOND FLOOR PLAN
A-6	THIRD FLOOR PLAN
A-7	ROOF PLAN
A-8	EXTERIOR ELEVATIONS
A-9	EXTERIOR ELEVATIONS
A-10	BUILDING SECTIONS
A-11	DETAILS & TYP. WALL SECTIONS
E-1	FIRST FLOOR ELECTRIC PLAN
E-2	SECOND FLOOR & THIRD FLOOR ELECTRIC PLAN
E-3	BASEMENT ELECTRIC PLAN

Scott K. Renken



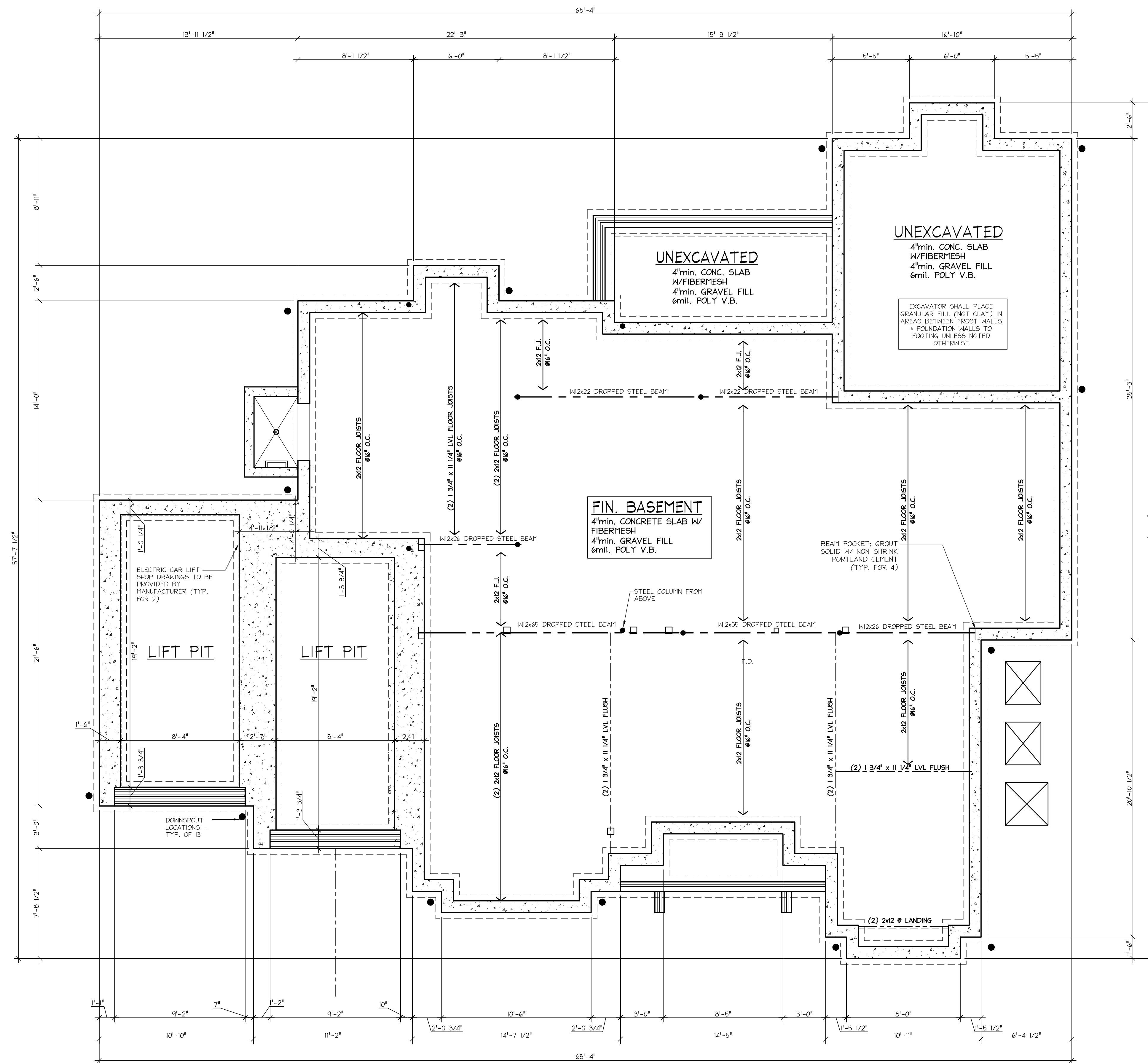
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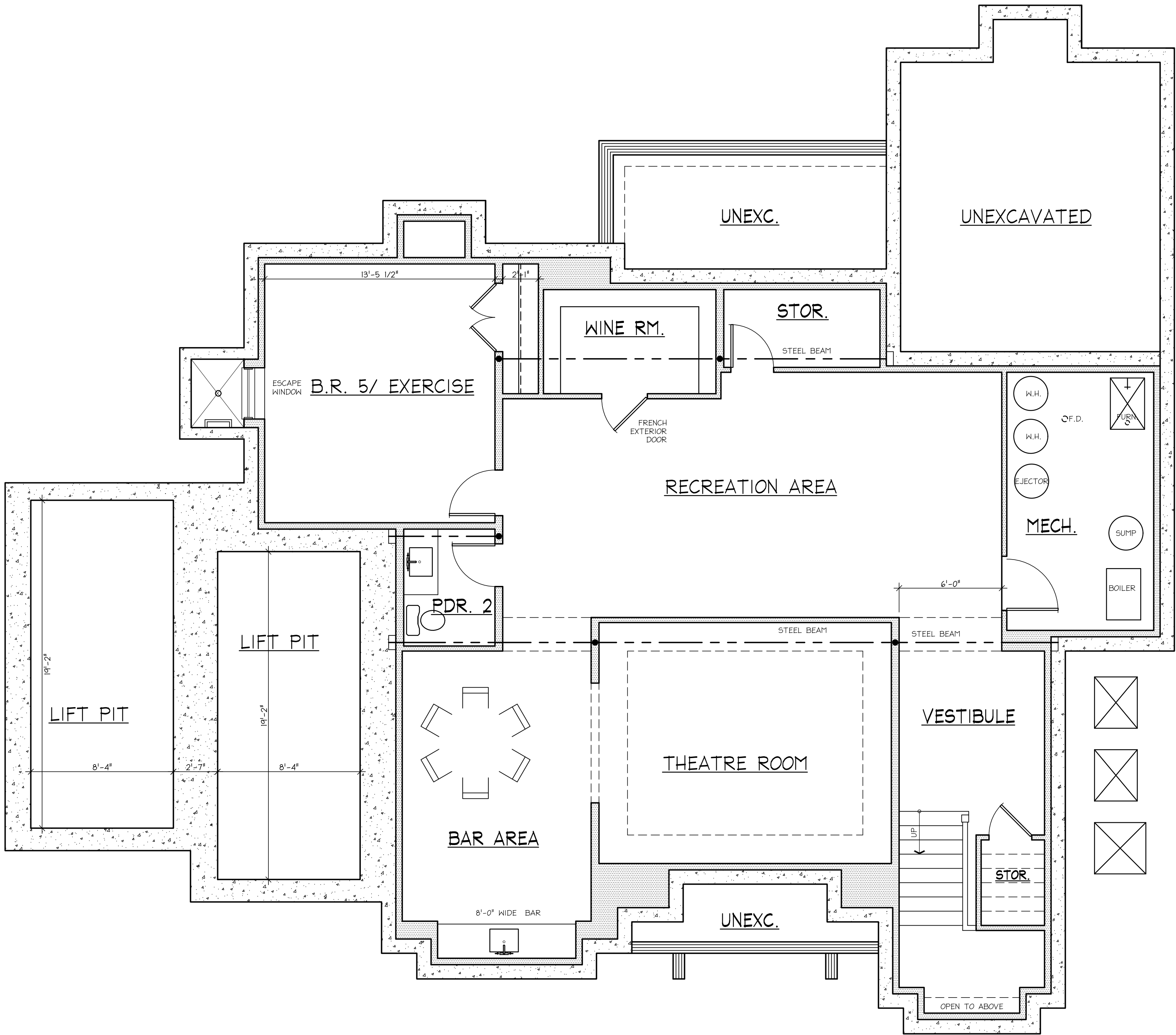
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PROJECT #	651-20
DRAWN BY:	SKR
SITE PLAN	
A=1	
# 1 OF 14 TOTAL SHEETS	



1 FOUNDATION PLAN
A2 SCALE: 1/4" = 1'-0"



1
A3 FINISHED BASEMENT PLAN
SCALE: 1/4" = 1'-0"

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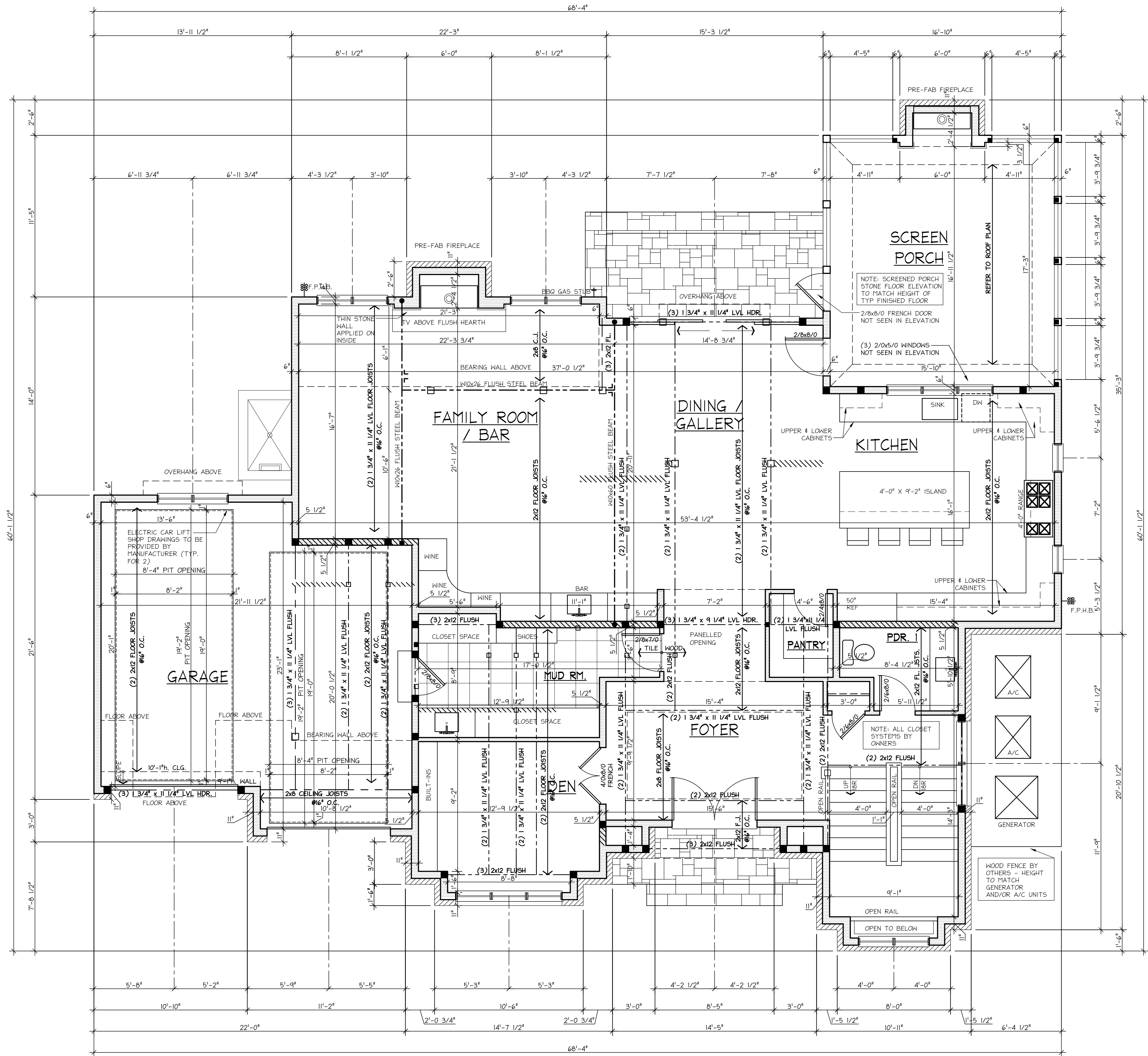
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BASEMENT PLAN
A-3
3 OF 14 TOTAL SHEETS



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

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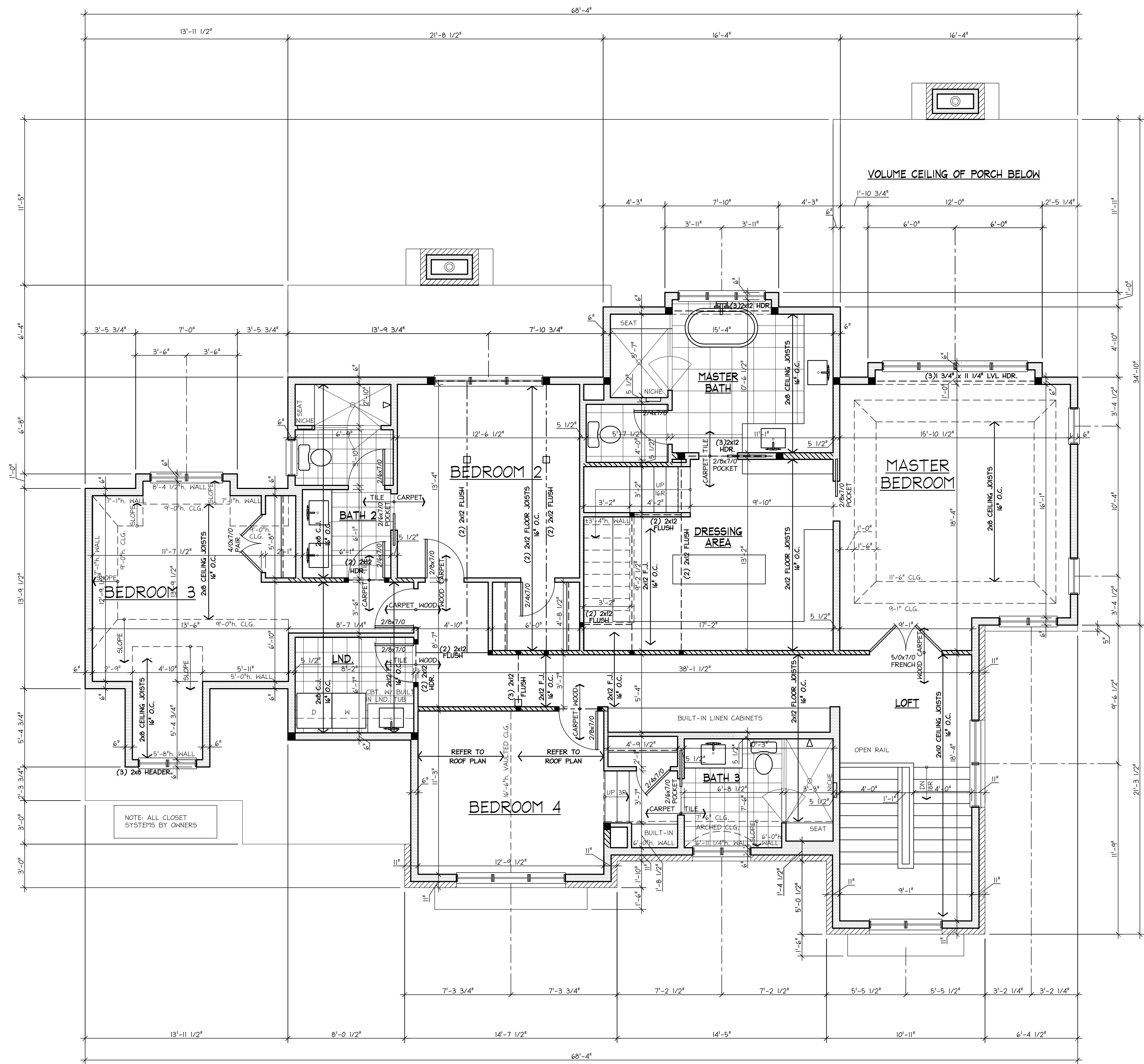
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FIRST FLOOR PLAN

A-4

4 OF 14 TOTAL SHEETS



1 SECOND FLOOR PLAN
A5 SCALE: 1/4" = 1'-0"

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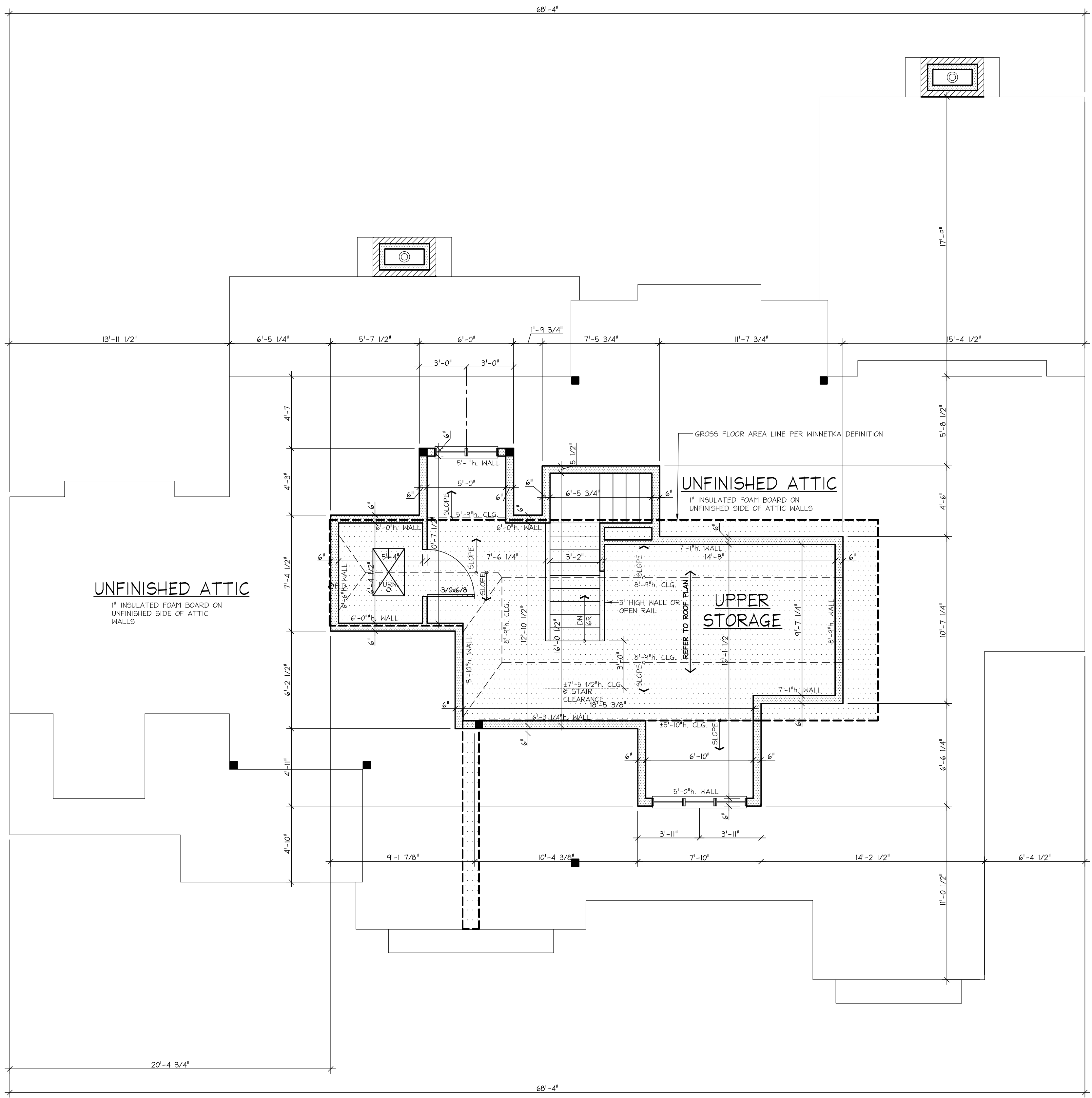
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SECOND FLOOR PLAN

A-5

5 OF 14 TOTAL SHEETS



1 THIRD FLOOR PLAN
A6 SCALE: 1/4" = 1'-0"

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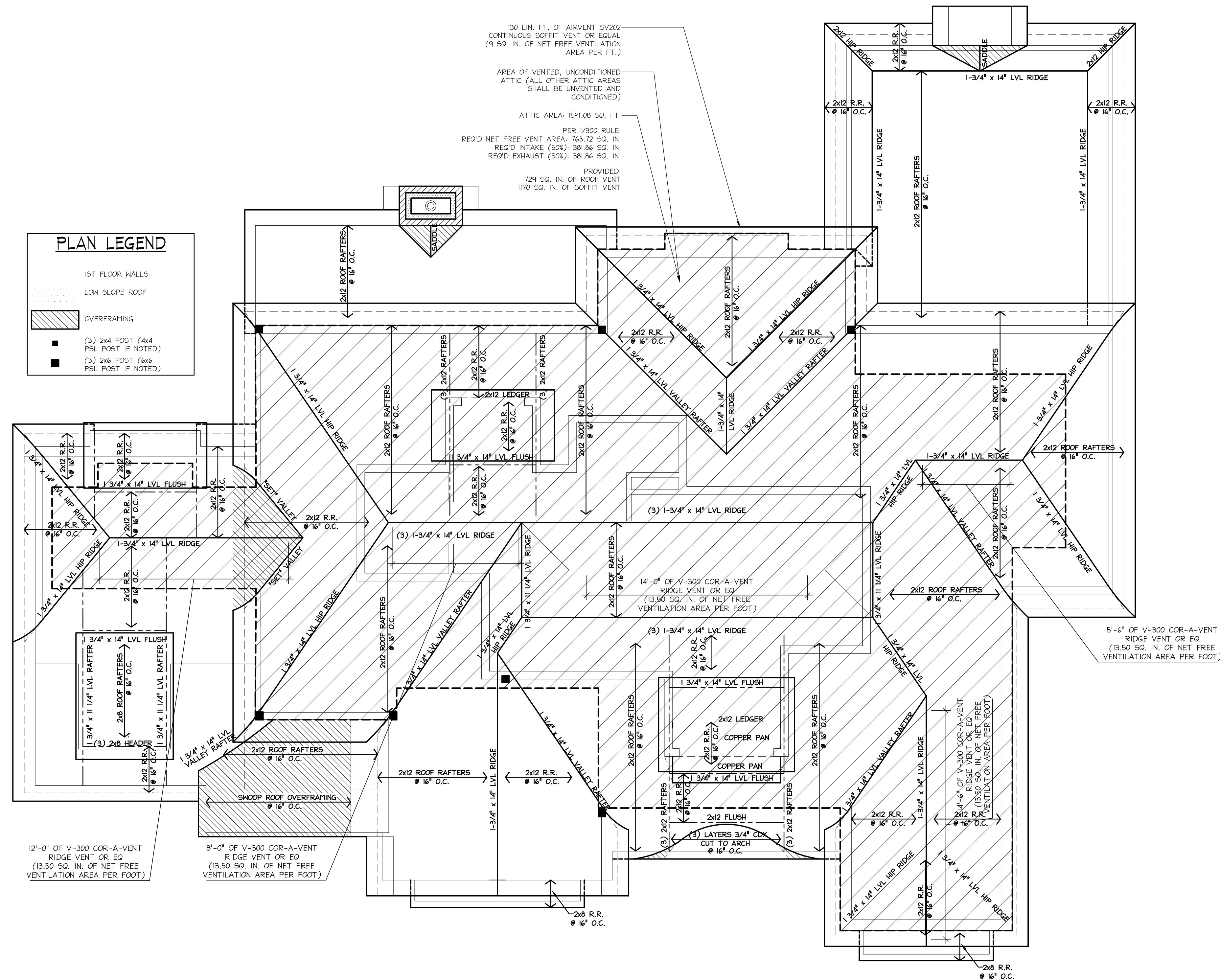
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ROOF
PLAN

7 OF 14 TOTAL SHEETS



1
A7 ROOF PLAN
SCALE: 1/4" = 1'-0"

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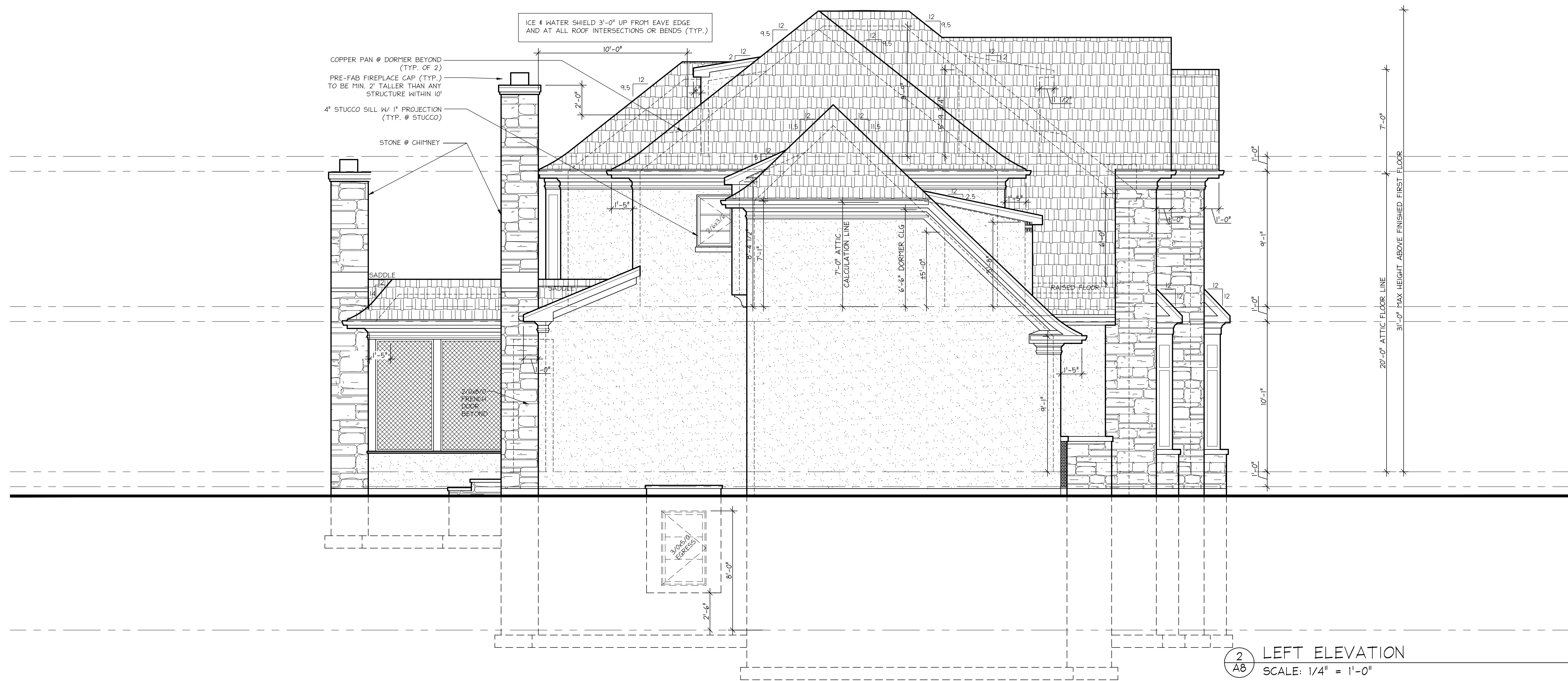
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ELEVATIONS

8 OF 14 TOTAL SHEETS





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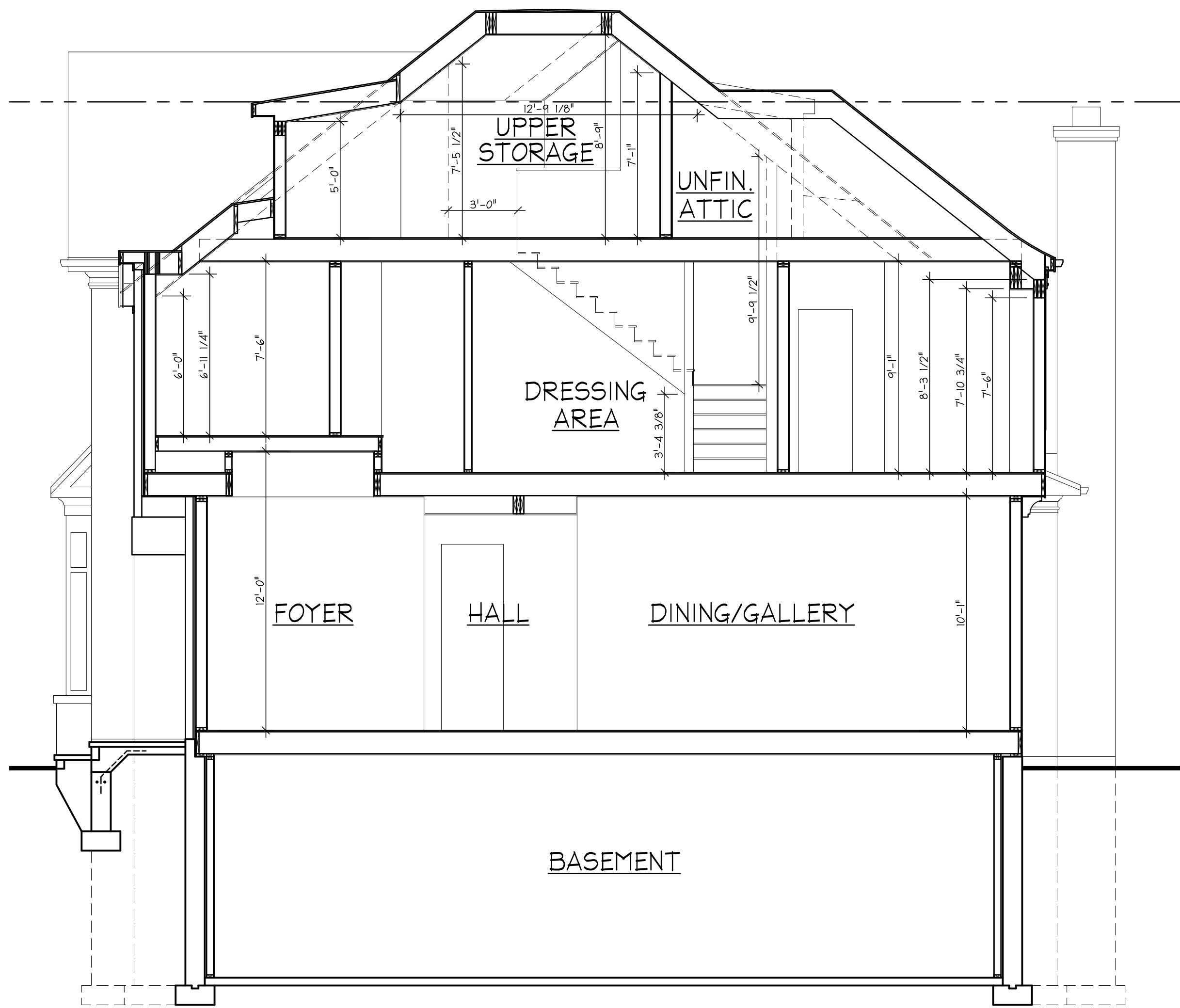
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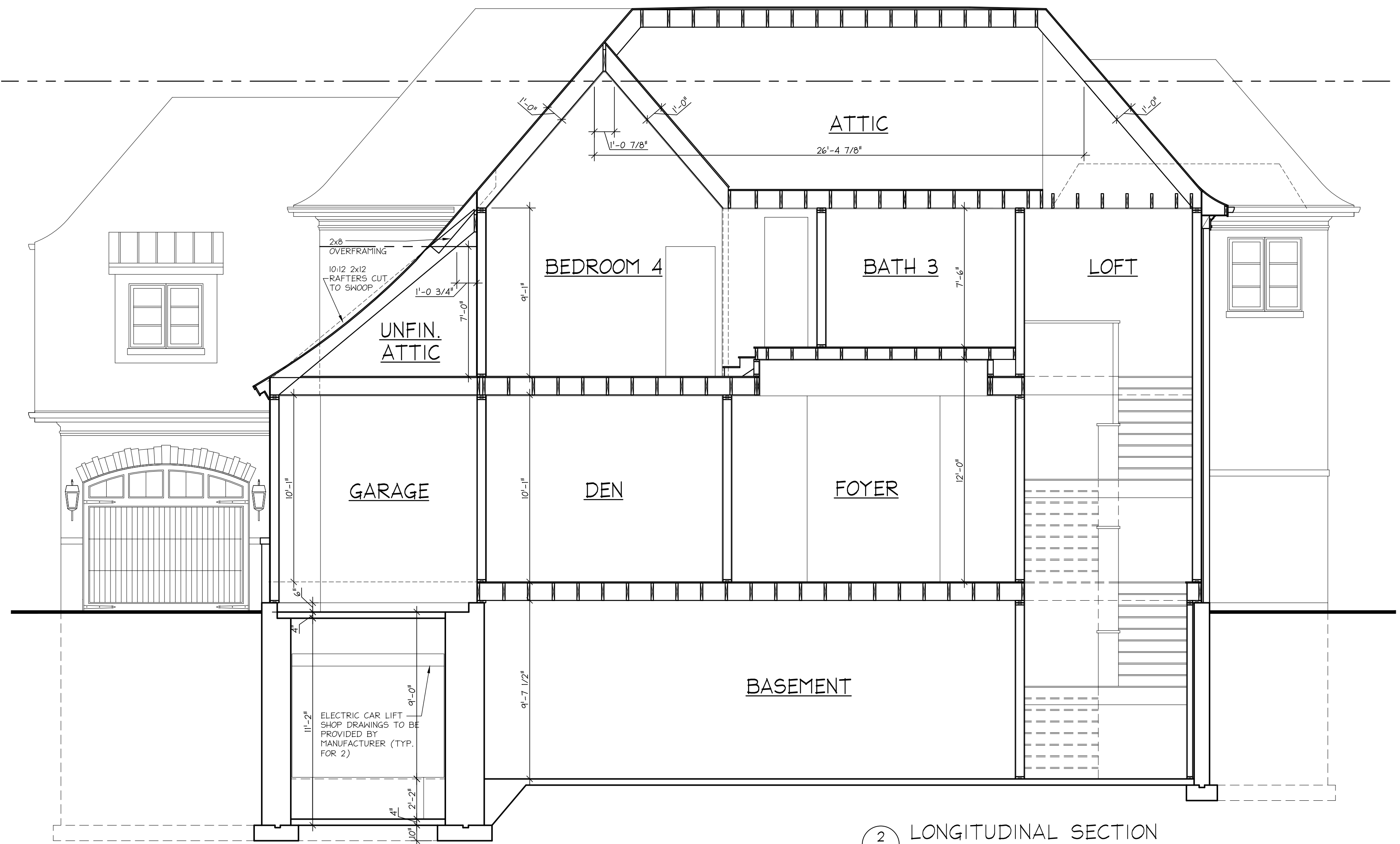
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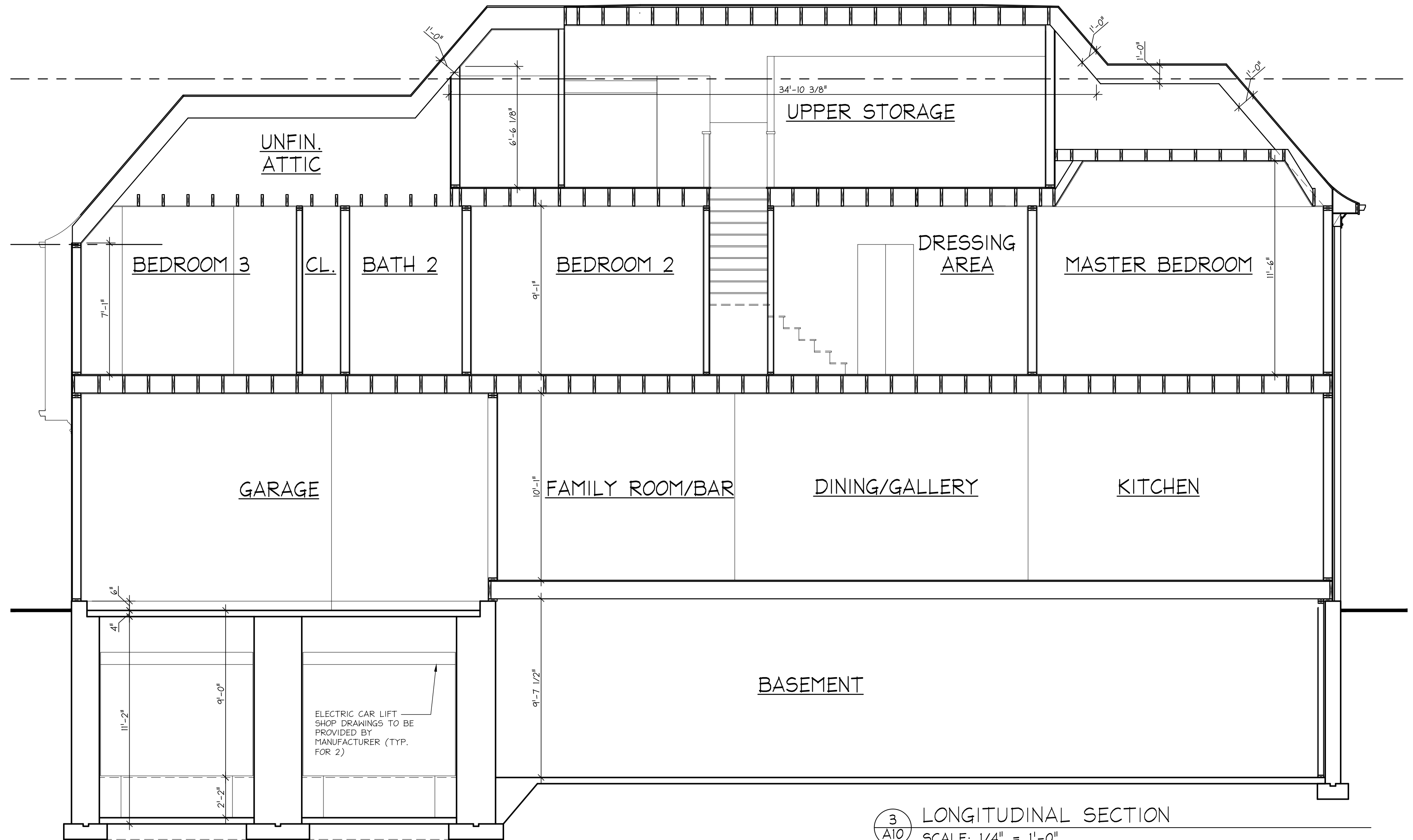
ELEVATIONS
A-9
9 OF 14 TOTAL SHEETS



1
A10 TRANSVERSE SECTION
SCALE: 1/4" = 1'-0"



2
A10 LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"



3
A10 LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"

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BUILDING SECTIONS

A-10

10 OF 14 TOTAL SHEETS

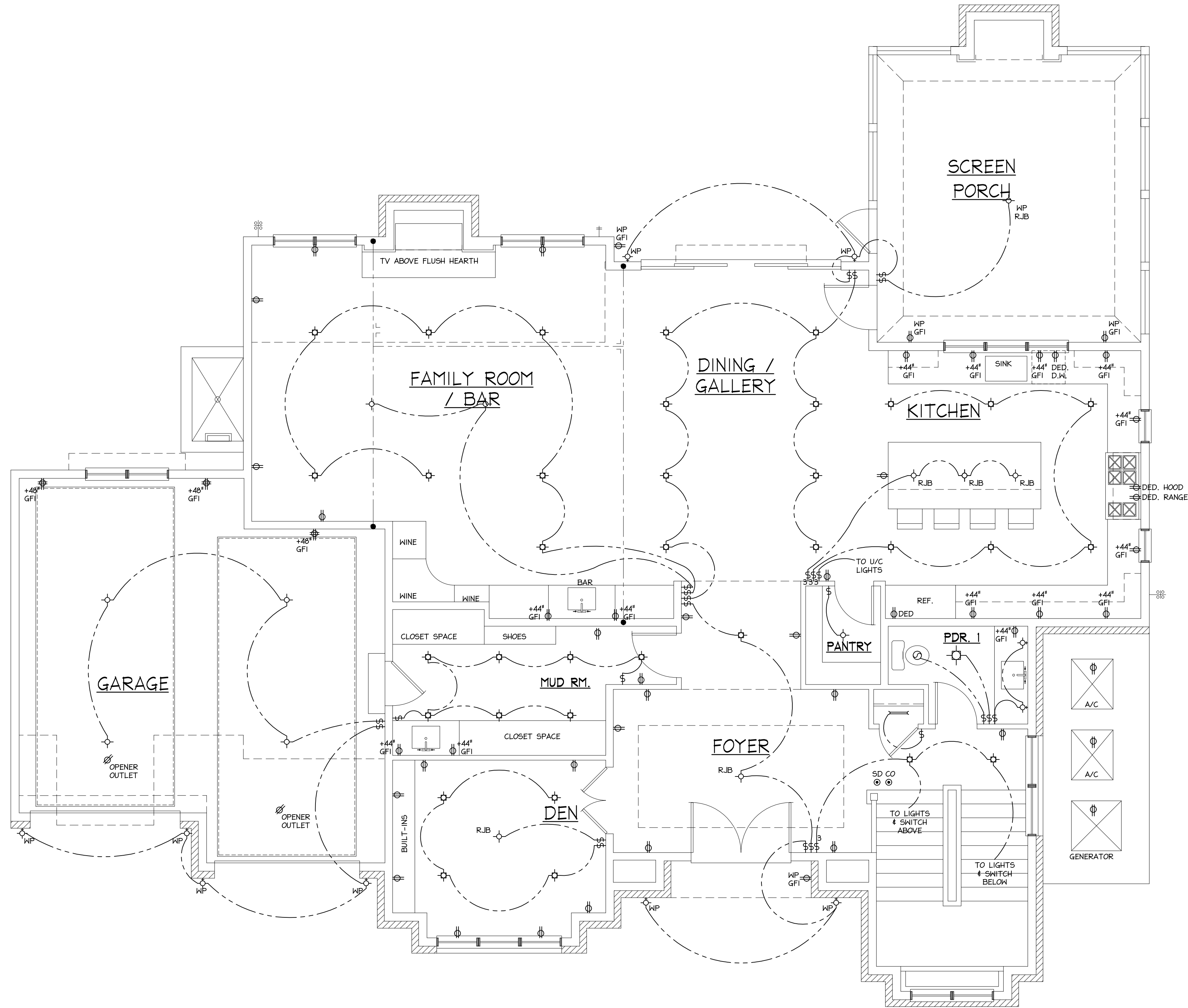
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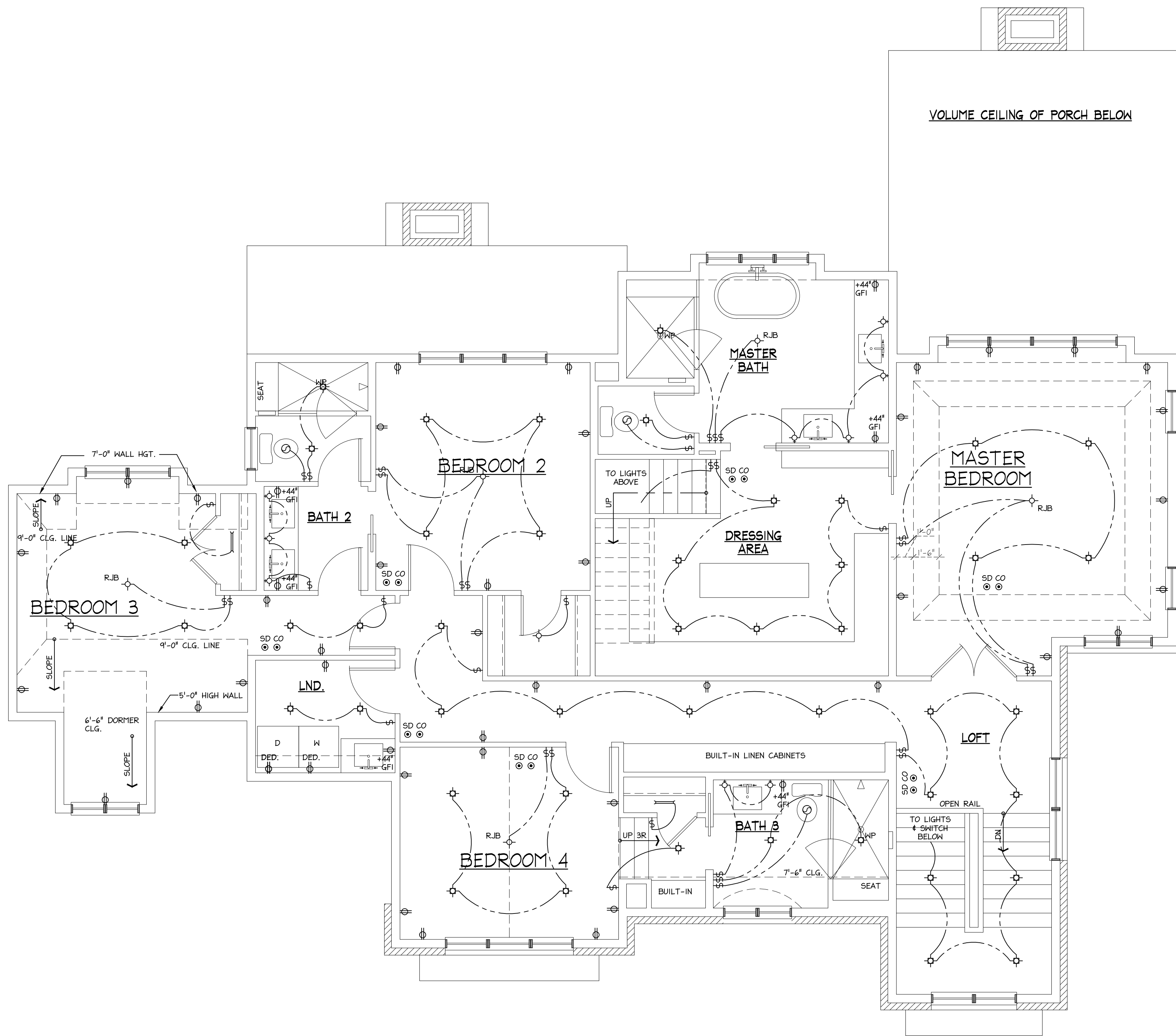
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PROJECT # 651-20
DRAWN BY: SKR
FIRST FLOOR
ELECTRIC PLAN
1
12 OF 14 TOTAL SHEETS



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



1 SECOND FLOOR ELECTRIC PLAN
E2 SCALE: 1/4" = 1'-0"

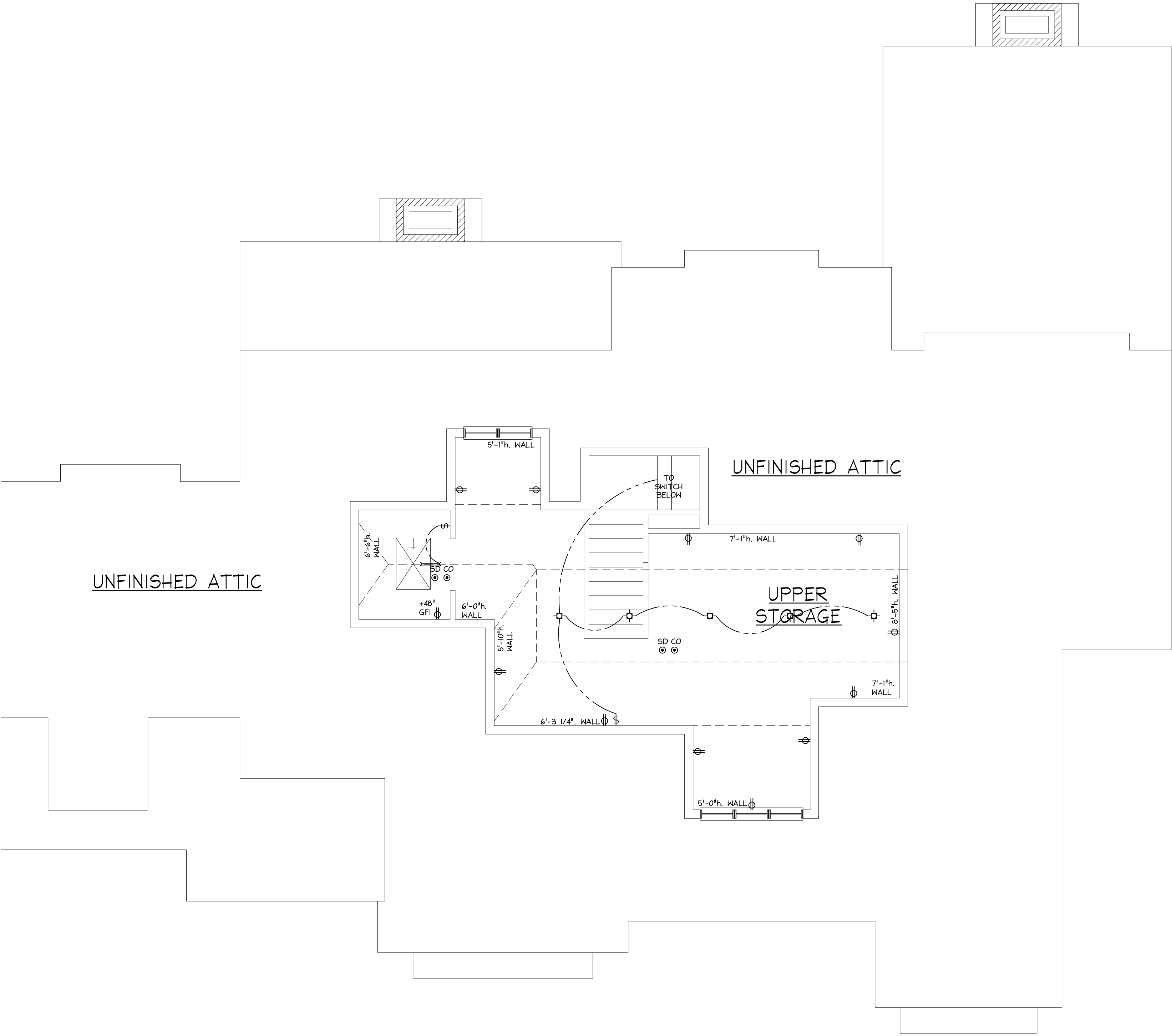
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SECOND FLOOR ELECTRIC PLAN	
E2	
# 13 OF 14 TOTAL SHEETS	



ATTIC ELECTRIC PLAN
SCALE: 1/4" = 1'-0"

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ATTIC
ELECTRIC PLAN

A-3

14 OF 14 TOTAL SHEETS

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, B. Beshert LLC, an Illinois limited liability company ("*Applicant*"), is the record title owner of the parcel of real property commonly known as 651 Elm Street in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, the Subject Property is located within the R-4 Single Family Residential District of the Village ("*R-4 District*") measuring approximately 0.33 acres in size and is currently a vacant lot; and

WHEREAS, the Applicant desires to improve the Subject Property by constructing a new single-family residence and related improvements on the existing vacant lot (collectively, "*Proposed Improvements*"); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance ("*Zoning Ordinance*"), the Subject Property must have a minimum front yard setback of 60 feet; and

WHEREAS, to permit the construction of the Proposed Improvements, the Applicant filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to allow a front yard setback of approximately 40.43 feet ("*Variation*"); and

WHEREAS, Ordinance No. M-8-2021, adopted by the Village Council on April 8, 2021 ("*Ordinance*"), grants the Variation; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

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

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of the

Variation for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the Variation for the Subject Property.

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

Dated: _____, 2021

ATTEST: **B. BESHERT, LLC**

By: _____ By: _____
Print Name: _____
Its: _____

ATTACHMENT 2



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: MARCH 2, 2021
SUBJECT: 651 ELM STREET – VARIATION (CASE NO. 21-09-V2)

INTRODUCTION

On March 8, 2021, the Zoning Board of Appeals is scheduled to hold a virtual public hearing, in accordance with social distancing requirements and Governor Pritzker's Executive Orders and Senate Bill 2135, on an application submitted by B. Beshert, LLC (the "Applicant") as the owner of the property located at 651 Elm Street (the "Subject Property"). The Applicant requests approval of the following zoning variation to allow construction of a single-family residence on the Subject Property:

1. Front yard setback of 40.43 feet, whereas a minimum of 60 feet is required, a variation of 19.57 feet (32.62%) [Section 17.30.050 – Front and Corner Yard Setbacks].

A mailed notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on February 18, 2021. As of the date of this memo, staff has not received any written comment from the public regarding this application.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant any variation for any new principal building.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.33 acres in size, is located on the north side of Elm Street, between Cedar Street and Maple Street, and is currently a vacant lot (see Figure 1 on the following page). The property is zoned R-4 Single Family Residential, and it is surrounded by R-4 Single Family Residential (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

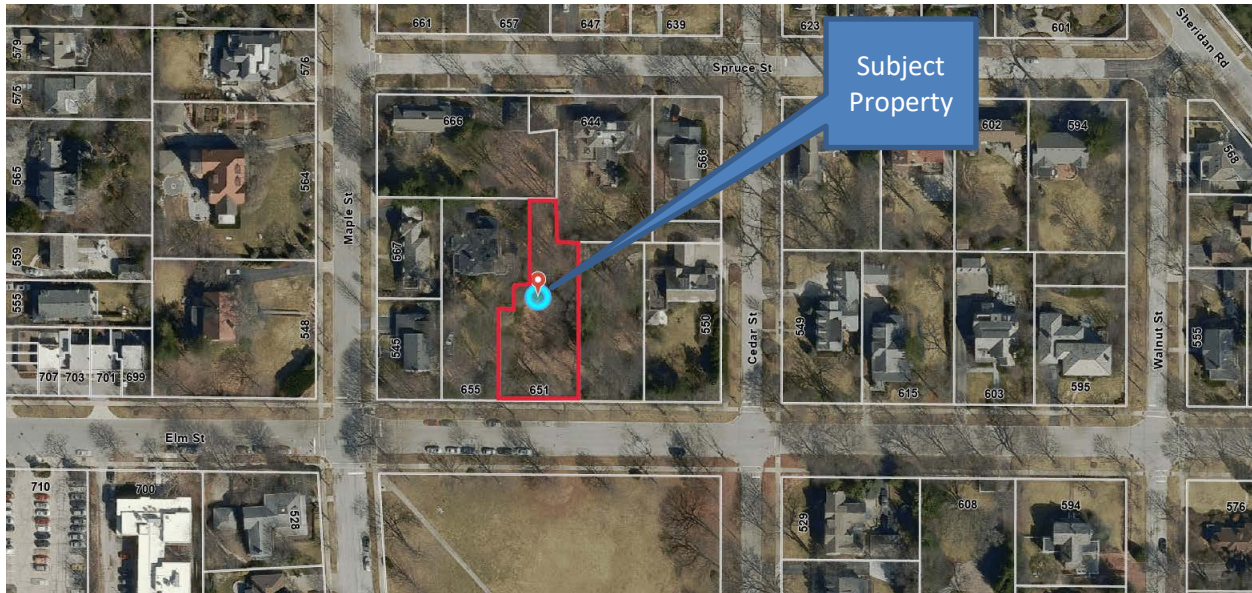


Figure 1 – Aerial Map

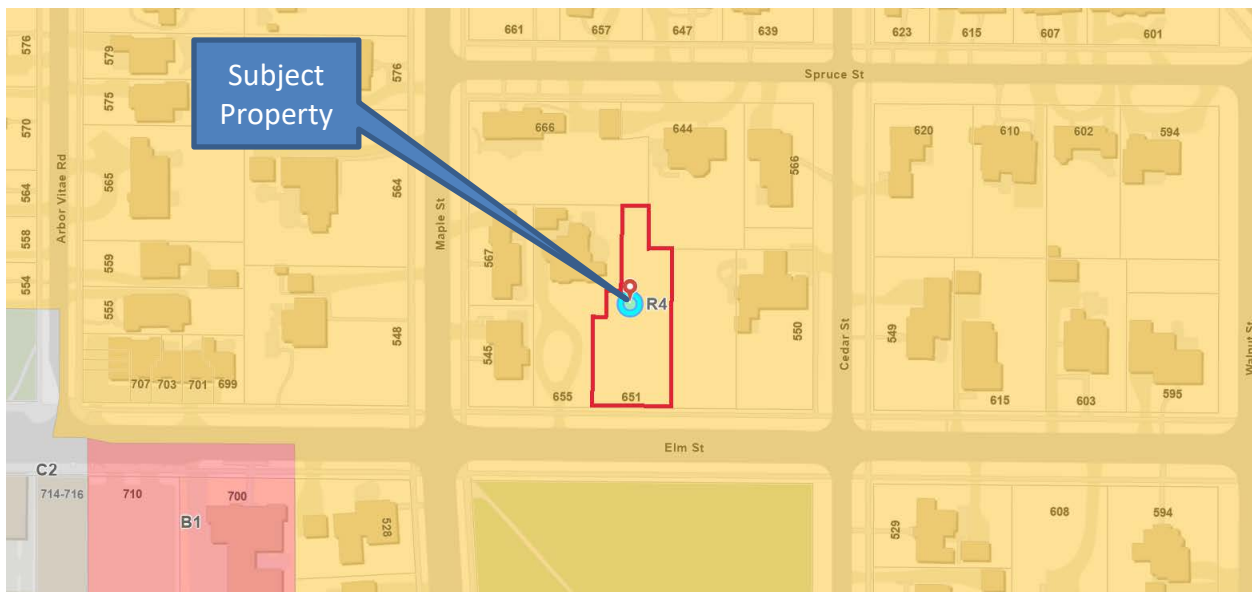


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

As previously noted, the Subject Property is currently a vacant lot and has been since 2007 when the former single-family residence was torn down. There are no previous zoning cases on file for the Subject Property. The Applicant acquired the property in December 2020.

Figures 3 and 4 on the following page identify the Subject Property.



Figure 3 – Subject Property



Figure 4 – Subject Property (wider perspective)

PROPOSED PLAN

The variation is being requested in order to construct a new single-family residence on the vacant lot. With the exception of the required front yard setback, the proposed 2½-story residence would comply with the zoning regulations. Excerpts of the proposed site plan and front building elevation are provided below and on the following page as Figures 5 and 6. The complete set of plans is provided in the application materials, which are included in this report as Attachment C.

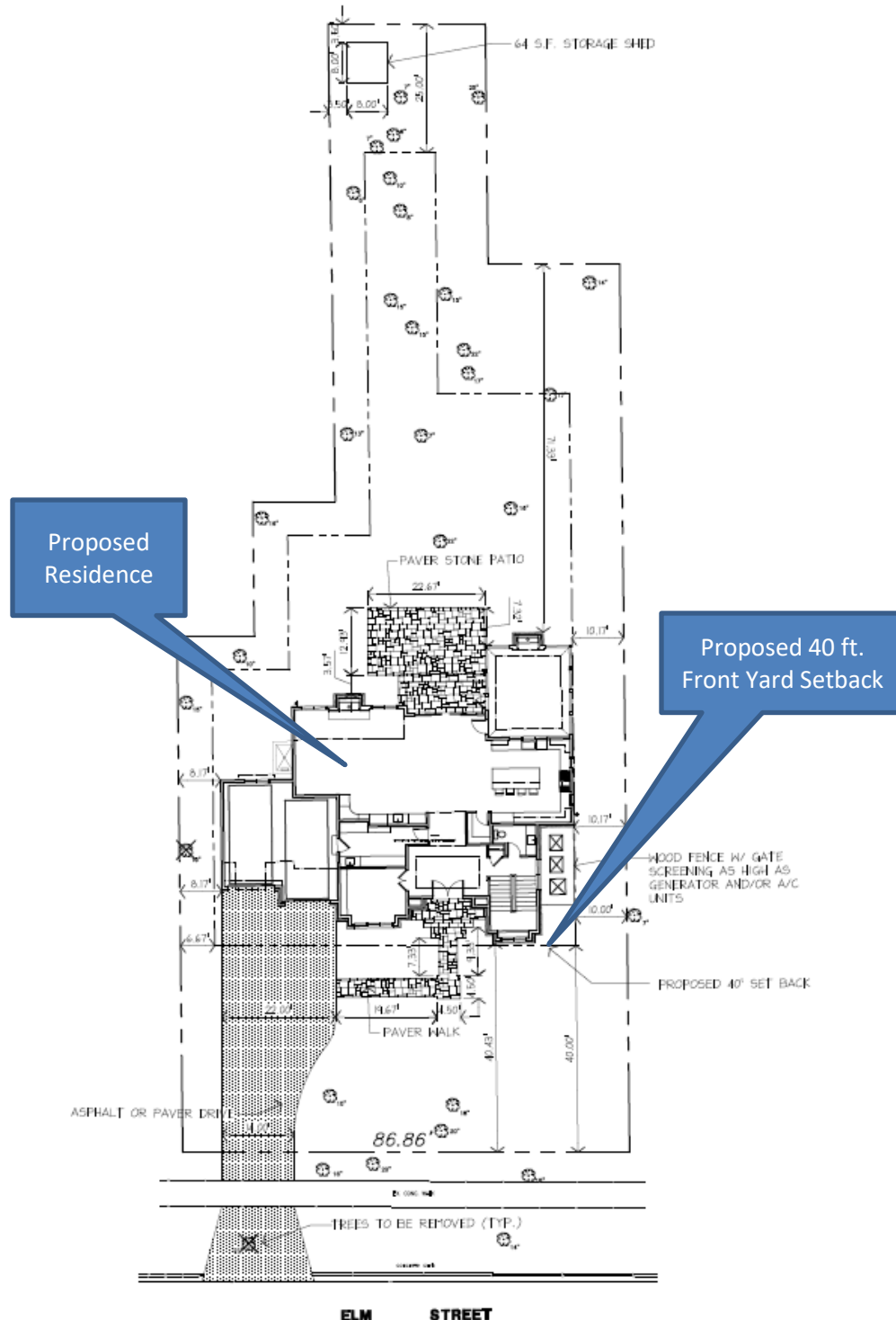


Figure 5 – Excerpt of Proposed Site Plan



Figure 6 – Proposed Front Elevation

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (Attachment B). Because the site is currently undeveloped, stormwater detention will likely be required. However, a final determination will be made by Village Engineering staff. Additionally, Figure 7 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year flood area.

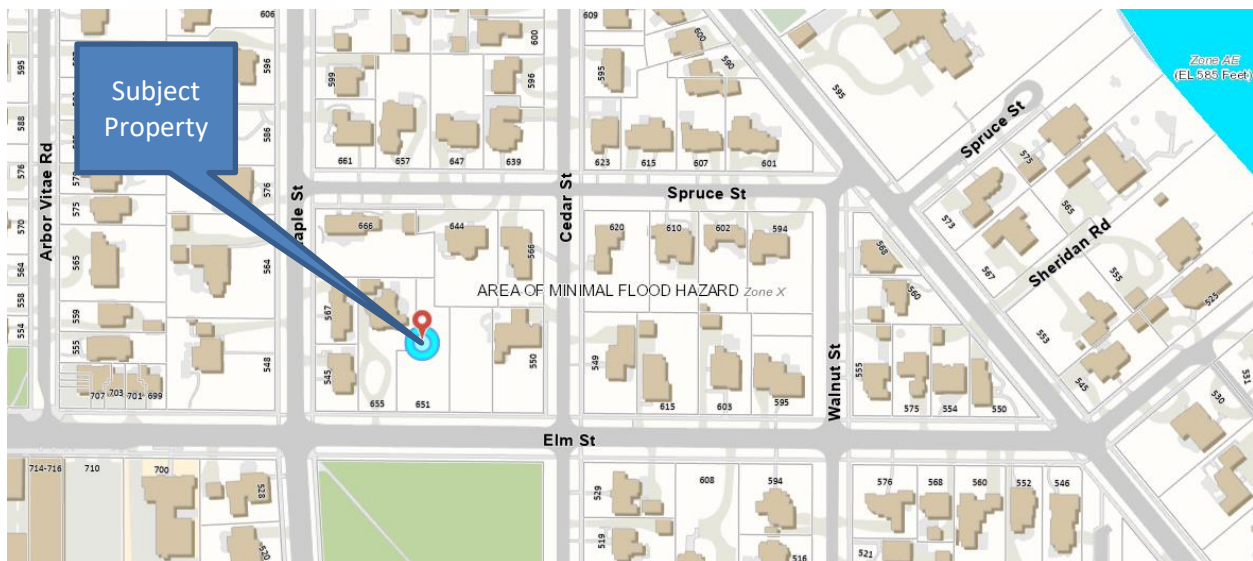


Figure 7 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvement's compliance with the R-4 zoning district (Attachment A). One variation is being requested to allow the proposed residence to provide a front yard setback of 40.43 feet, whereas a minimum of 60 feet is required.

The Zoning Ordinance requires a minimum front yard setback of 30 feet in the R-5 and R-4 zoning districts. However, there are exceptions and limitations to the district minimum front setback. The front setback of any new building shall be no less than the average of the other front setbacks on the block, provided

that there at least three principal buildings on the block and at least 50% of those principal buildings maintain a setback greater than the district minimum. Vacant lots and lots on which the principal building maintains a front setback of at least 150 feet shall be excluded when calculating the average front setback. The average front setback cannot be less than the required minimum setback established for the zoning district a property is located in. Additionally, the maximum average front setback shall be no more than 5 feet more than the front setback maintained by an existing principal building on an immediately adjoining lot; provided that in no case shall the average front setback exceed twice the minimum setback required for the zoning district.

In this particular case, there are three principal buildings on the block which the Subject Property is located, as shown on Figure 8. Those properties and their respective front setbacks are as follows:

- 545 Maple Street: 29.8 feet
- 655 Elm Street: 134.29 feet
- 550 Cedar Street: 99.21 feet

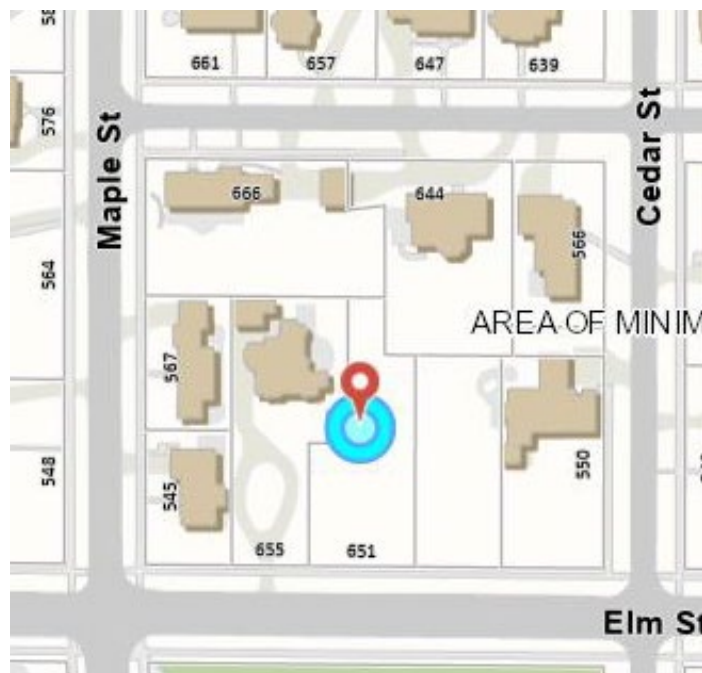


Figure 8 - Placement of Homes on 600 Block of Elm Street

The average of the block is 87.77 feet, however, based on the maximum front yard setback limit that states the average front setback shall not exceed twice the minimum setback required for the zoning district, which is 30 feet in this case, the required setback for the Subject Property is capped at 60 feet.

FINDINGS

Does the ZBA find that the requested variation meets the standards for granting such variation; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variation granting:

1. Front yard setback of 40.43 feet, whereas a minimum of 60 feet is required, a variation of 19.57 feet (32.62%) [Section 17.30.050 – Front and Corner Yard Setbacks].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variation requested is **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **has been met [has not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

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

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

ATTACHMENT A

ZONING MATRIX

ADDRESS: 651 Elm Street

CASE NO: 21-09-V2

ZONING: R-4

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	12,600 SF	14,510 SF	N/A	N/A	OK
Min. Average Lot Width	60 FT	66.41 FT	N/A	N/A	OK
Min. Lot Depth	120 FT	218.5 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	3,627.5 SF (1)	N/A	2,743.6 SF	N/A	OK
Max. Gross Floor Area	4,608.9 SF (1)	N/A	4,606.83 SF	N/A	OK
Max. Impermeable Lot Coverage	7,255 SF (1)	N/A	4,263.46 SF	N/A	OK
Min. Front Yard (Elm/South)	60 FT	N/A	40.43 FT	N/A	19.57 FT (32.62%) VARIATION
Min. Side Yard	6.64 FT	N/A	8.17 FT	N/A	OK
Min. Total Side Yards	16.6 FT	N/A	18.34 FT	N/A	OK
Min. Rear Yard (North)	25 FT	N/A	71.33 FT	N/A	OK

NOTES:

(1) Based on lot area of 14,510 s.f.

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

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	<i>Applies to 651 Elm Street</i> <i>Site is currently undeveloped; therefore, storm water detention will likely be required. However, a final determination will be made by Village Engineering staff.</i>
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	

ATTACHMENT C

Village of Winnetka
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATIONCase No. 21-09-V2Property InformationSite Address: 651 Elm Street, WinnetkaOwner InformationName: B. Beshert, LLCAddress: 651 Elm StreetCity, State, ZIP: Winnetka, IL 60093Email: [REDACTED]Primary Contact: Matt BurdeenPhone No. [REDACTED]Date property acquired by owner: 12/18/2020Architect InformationName: Renken Architects & Builders, LLCPrimary Contact: Scott RenkenAddress: 555 Oakwood AveCity, State, ZIP: Lake Forest, IL 60045Phone No. (847) 343-8162Email: scottrenken1@comcast.netAttorney InformationName: Wiczer Sheldon & Jacobs, LLCPrimary Contact: Eliot Wiczer/Kyle FonjemieAddress: 500 Skokie Blvd., Ste. 325City, State, Zip: Northbrook, IL 60062Phone No. (847) 849-4850Email: ewiczer@wsjlawfirm.com or kfonjemie@wsjlawfirm.com

Nature of any restrictions on property: The subject property is in the R-4 zoning district.
The front yard setback has a minimum of 30 feet and a maximum of 60 feet.

Brief explanation of variation(s) requested (attach separate sheet providing additional details):
Applicant seeks relief from the front yard setback requirements contained in code section 17.30.30
by 20 feet to permit a structure to encroach in the established front yard set back for
a distance of 64 feet.

Property Owner Signature: [REDACTED]Date: 02/03/2021



Attorneys at Law

500 Skokie Boulevard, Suite 325
Northbrook, IL 60062
T: 847-849-4850 • F: 847-849-4851

1111 Plaza Drive, Suite 570
Schaumburg, IL 60173
T: 847-330-9800 • F: 847-330-0600
www.wsjlawfirm.com

February 3, 2021

VIA HAND DELIVERY

Mr. Matthew Bradley
Chairman
Winnetka Zoning Board of Appeals
510 Greenbay Road
Winnetka, Illinois 60093

Re: 651 Elm Street, Winnetka, Illinois, owners/petitioners Matt and Rada Burdeen

Dear Chairman and the members of the Zoning Board of Appeals:

Our firm represents Matt and Rada Burdeen, owners of the property ("Petitioners") located at 651 Elm, Winnetka, Illinois. ("Property") On December 18, 2021 the Petitioners purchased the Property which is currently unimproved. The Petitioners intend on living on the Property and are looking forward to becoming part of the Winnetka community. The Petitioners are seeking a single variation to build on the Property. The Petitioners are seeking relief from the established front yard setback as defined in the Winnetka Zoning Code ("Code") to build up to 40 feet in the established front yard setback of 60 feet. Section 17.30.050 of the code provides a method by which the established front yard setback is calculated. For this Property, the established front yard setback in the R-4 zoning district is calculated at 88.5 feet. See the actual calculation of the established front yard setback attached hereto as Exhibit 1. However, pursuant to Sections 17.30.050 Code the maximum setback cannot exceed 60 feet. Thus, the established front yard setback for this Property is 60 feet.

The Property is a beautiful deep lot with large old heritage trees. The lot is oddly figured as demonstrated by the survey that is dated December 10, 2020. Exhibit 2. Prior to the purchase of the Property by the Petitioners, the current home on the Property was demolished. The survey showing the demised home is dated December 26, 2006 and is attached hereto as Exhibit 3. The demised home was setback in the front yard only 26.67 feet. The Petitioner's request for a setback of 40 feet is in line with the character of the neighborhood. Of import, a survey of the average of the front yard setbacks on Elm shows that a 40-foot front yard setback is far more in line with the character of the neighborhood than a 60-foot front yard setback. The average front

yard setback for the entirety of the street, Elm, is 38 feet and 48 feet. See Exhibit 4.¹ A 60-foot front yard setback is simply not in line with the overall average of front yard setbacks in the neighborhood. In fact, as will be demonstrated below, the 60-yard setback requirement for the Property, and thus the Petitioner, is unduly burdensome.

What is driving the excessive established front yard setback requirement is that pursuant to the Code, only three properties can be used to calculate the established front yard setback for this particular property. Often there are several properties used in the calculation of the average but here the code dictates only three can be used. Two of the three necessary properties used in the calculation to average the front yard setbacks are skewing the average setback in an absurd manner. Specifically, the front yard setback for two of the three properties is at 99.21 feet; and the other at 138 feet.² See Exhibit 1 for the Elm street established front yard setback calculations. However, because of the interpretation of the Code, as well as the application of the Code, the Petitioner is required to use only the three properties on Exhibit 1 to calculate the average even though two of the three properties bear no close resemblance to the character of the neighborhood conceding the front yard setback. Using almost all of the homes located on 4 blocks of Elm, the front yard setback average is between 38 feet and 45 feet. Surprisingly, the calculation of the maximum average of 45 feet even includes the properties that are heavily skewing the setback average. These properties are located at 550 Cedar at 99.21 feet and 655 Elm at 138 feet. If you remove just one of the two offending properties (for example 550 Cedar at 99.21 feet) from the average of front yard setbacks on Elm, the average of the setbacks on the street can be described as 40 feet. Exhibit 5.

Thus, the properties necessary to calculate the established front yard setback for the Property at issue here unfairly prejudice the Petitioner when compared to all other property in the neighborhood. A simple review of Exhibit 4, page 1, shows that 7 of 12 of the properties on Elm have a front yard setback of less than 30 feet with 4 properties between 32 feet and 43 feet with 655 Elm at 138 feet. Finally, given the unusual shape of the lot and the large trees in the back yard, the placement of the house at 40 feet as opposed to the required 60 feet would simply, for lack of a better description look better and have a larger, more functional backyard better protecting the heritage tree.

The Petitioners submit that they have met the requirements for zoning relief and the grant of a variation because:

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

RESPONSE: Pushing the home to 60 feet in this zoning district will waste beautiful open backyard space given the oddly shaped lot. By requiring the home to be at 60 feet means the useful backyard space will be pushed up against the property line. In

¹ This calculation is only meant to provide evidence of what the front yard setback of each home on Elm to show that the request for variation here is in line with the character of the neighborhood. It is not the calculation used to establish the front yard setback pursuant to the Code.

² The two properties located at 550 Cedar and 655 Elm are legally non-conforming in that they far exceed the maximum setback of 60 feet.

addition, as a whole, the home will simply not comport with the many other homes that have front yard setbacks averaging between 41.5 feet and 37.63 feet. In addition, it is possible that by moving the home back some of the heritage trees could be affected.

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

RESPONSE: As noted above, the driving factor of Petitioner's application is that the characteristic of this Property is being unduly burdened by the required averaging of the front yard setbacks using only 3 properties that do not remotely resemble the true character of the front yards in the neighborhood. If the Petitioners were on Elm but 5 houses to the east or west, they could build a home with a front yard setback of less than 40 feet.

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

RESPONSE: Exhibit 3 clearly shows that the homes on Elm have setbacks, in almost all cases, of less than 40 feet. If granted, the 40-foot setback is perfectly in line with the characteristics of the neighborhood.

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

RESPONSE: This home, as proposed, will not impact the air and light supply to the adjacent properties any more or less than any other single-family home in the zoning district.

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

RESPONSE: There is no evidence that this home as proposed, in any way create any hazard from fire or create any other damage.

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

RESPONSE: There is no evidence that the building of this home on this Property will diminish the taxable value of the land and buildings in the Village.

7. The congestion in the public street will not increase; and

RESPONSE: The Property was being used as a single-family home before its demise. There is no evidence that the proposed new home and use of the same will impact this R-4 zoning district in a negative way.

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

RESPONSE: There is no evidence that the grant of the Petitioners' request for zoning relief will impact the public health, safety, comfort, morals and welfare of the inhabitants of the Village. By allowing this variance, the Village will be allowing homes on this block face to be constructed more in-line with the intent of the Code and in line with the true character of the neighborhood.

Petitioner's request that the Zoning Board of Appeals review the Petitioner's application and grant the relief requested. Thank you.

Very truly yours,

A black rectangular redaction box covering the signature of Elliot S. Wiczer.

Elliot S. Wiczer

Cc: Matt and Rada Burdeen

ESW:mss

EXHIBIT 1

MAXIMUM HEIGHT:	Principle structure	31 Feet, measured from first floor to <u>highest point of building</u> AND No more than 2½ Stories		
	Accessory – garage (height may be increased to 18 feet to match the roof pitch of an existing principal structure)	15 Feet, measured from existing natural grade to <u>highest point of building</u> AND No more than 1 Story		
	Accessory – shed, playhouse, etc.	8 ½ feet, measured from existing natural grade to <u>highest point of building</u> AND No more than 1 Story		
MAXIMUM UPPER (ATTIC) FLOOR HEIGHT (USED FOR CALCULATION OF ATTIC GFA)		20 feet above finished first floor (or actual attic floor level, whichever is lower)		
MAXIMUM HEIGHT OF FINISHED FIRST FLOOR ABOVE EXISTING NATURAL GRADE FOR BASEMENT TO BE EXCLUDED FROM GFA		Pre FAR Structure: 4 feet Post FAR Structure: 2 ½ feet		

AVERAGE FRONT SETBACK CALCULATION (IF APPLICABLE):

ADDRESS	DATE OF CONSTRUCTION	SETBACK (Survey Date)
550 Cedar		99.21 1-26-89
651 Elm		Subject
655		138 11-28-83
545 Maple		28.29 8-9-91
	$265.5 \div 3 = 88.5$	
	Avg. N/A	



EXHIBIT 2

LEGEND

N. = North
S. = South
E. = East
W. = West
N.W. = Northwest
N.E. = Northeast
S.E. = Southeast
S.W. = Southwest
P.O.B. = Point of Beginning
S.O.F.T. = Salsire Feet
R.O.W. = Right of Way
D.C. = Document
R.C. = Recorded as
M.S. = Measured
T.F. = Top of Foundation
M.V. = Minimum
M.X. = Maximum

R.E. DECKER
(1933-1999)

R.G. PAVLETIC
P.L.S. 035-3261

Plat of Survey

That part of Block 15 in Winnetka, a Subdivision of the Northeast Quarter of Section 20 and the North Half of fractional Section 21, Township 42 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at a point on the North line of Elm Street 133.5 feet East of the East line of Maple Street; thence East along said North line of Elm Street 86.96 feet; running thence North parallel with the West line of Cedar Street 172 feet; thence West parallel with the North line of Elm Street 25.5 feet; thence North parallel with the West line of Cedar Street 46.50 feet; thence West parallel with the North line of Elm Street 30.52 feet; thence South parallel with the East line of Maple Street 92.50 feet; thence West parallel to aforesaid North line of Elm Street 16 feet; thence South parallel to the East line aforesaid to Maple Street 26 feet; thence West parallel to the North line of Elm Street 15 feet; thence South parallel with said East line of Maple Street 100 feet to the place of beginning, in Cook County, Illinois.

Commonly known as: 651 ELM STREET, WINNETKA, ILLINOIS.



LEGEND	
Existing Deciduous Tree with Trunk Diameter	Light Pole
Existing Conifer with Trunk Diameter	Light on Concrete
Remove Tree	Traffic Light
Downspout Connected	Hand Hole
Downspout Unconnected	Traffic Yacht
Fire Hydrant	Underground Utility Marker
Water Shut-Off	
Overhead Utility Line	Underground Utility
Cable Telephone	Communications
Gas	Riser
Electric	Water
Sanitary	Manhole
Storm	Manhole
Water	Water Yacht

BLOCK 15 - WINNETKA

VACANT
SURVEY AREA
14,585 SQ. FT.

P.O.B.

EXHIBIT

2

ELM

STREET

ORDER NUMBER 20-1202
ORDERED BY: WICZER, SHELDON & JACOBS, LLC
FOR: BURDEEN
REVISIONS: _____



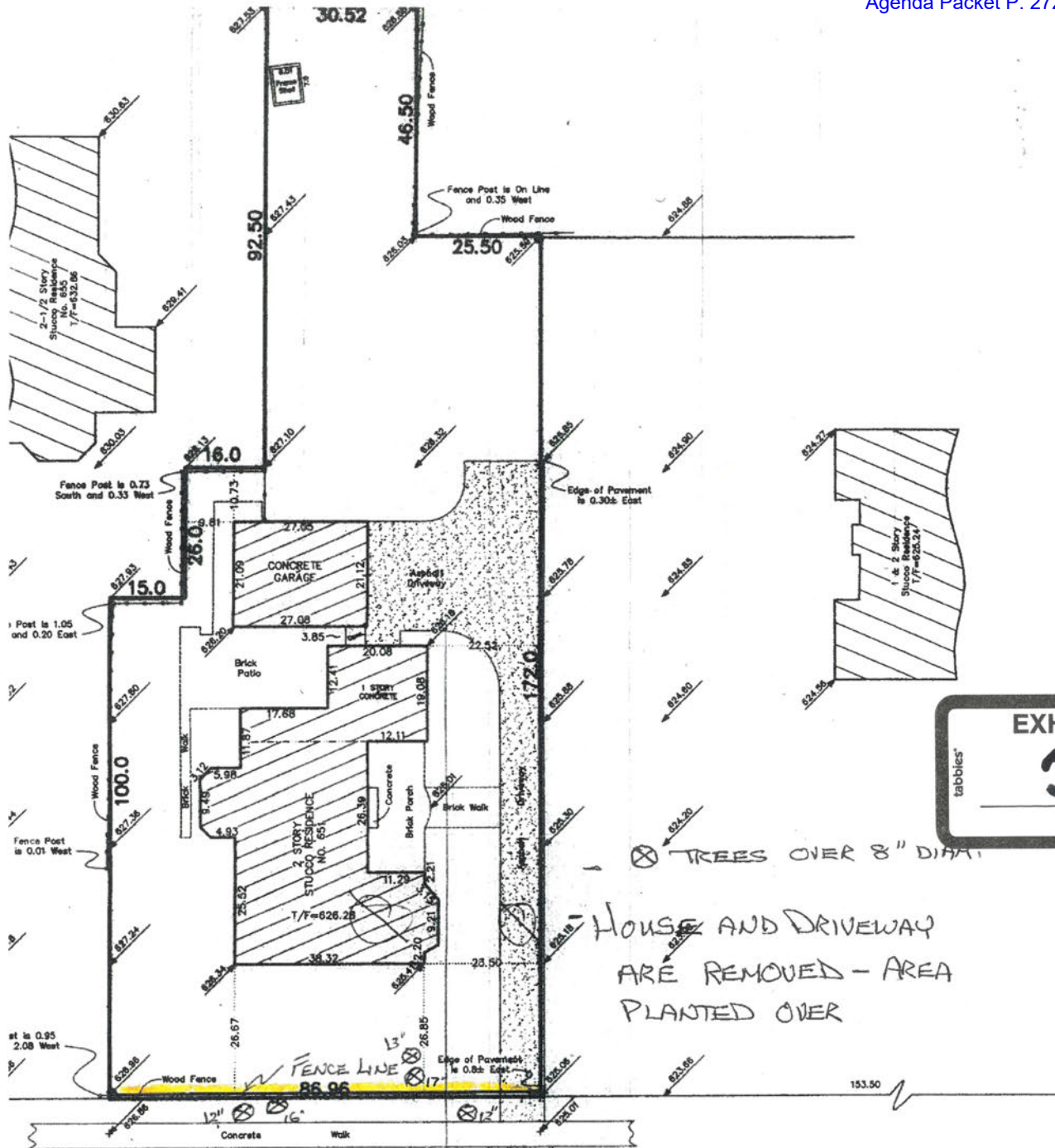
R E DECKER
PROFESSIONAL LAND SURVEYORS PC
333 W. PETERSON RD SUITE B
LIBERTYVILLE, IL 60048
TEL. 847-362-0091
DeckerSurvey@gmail.com
Website: DeckerSurvey.com



Field Work Completed on: 12-8-20
STATE OF ILLINOIS
COUNTY OF LAKE
This Professional service conforms to the current Illinois minimum standards for a "Boundary Survey."
R. E. DECKER, P.C.
By: [Signature] **12-10-20**
Professional Land Surveyor

Compare the Description on this Plat with your Deed and Title also compare all stakes to this Plat before building by them, and report any differences at once. Dimensions are shown in feet and decimal parts thereof. Refer to Title, Covenants or Building Department for additional Easements, Setbacks or Restrictions which may exist.

EXHIBIT 3



3

Abstract

⊗ TREES OVER 8" DIA.

HOUSE AND DRIVEWAY
ARE REMOVED - AREA
PLANTED OVER

FENCE PERMIT APPROVED

BENCHMARK:
102.98 WYOMING
60.00 SHADY CREEK
ELEVATION 524.58 FT. (WINDS

Free Enhancement and Preservation
Section 15.28.010

BLOOD CERTIFICATION:
All Licensed District Nurses in the
State of Illinois per Form No. 12
November 08, 2000.

WE, North Shore Survey, Ltd., do hereby certify that we have described in the above caption in accordance with official records and that the plan hereon drawn is a correct representation of

PROFESSIONAL ILLINOIS LAND SURVEYOR

DATED: December 26, 2006

REVISED:

North Shore Survey, Illd.

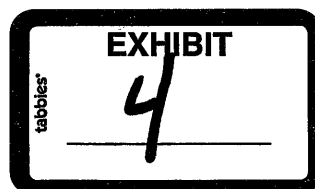
61 Williamsburg Road, Evanston, Illinois 60203

(B47) 676-9505

EXHIBIT 4

Elm Street Homes (4B)		
Address	Front Set Back	Corner Lot?
707 Elm	23.44	Y
703 Elm	23.65	
701 Elm	23.44	
615 Elm	24.09	
699 Elm	23.66	
655 Elm	138	
603 Elm	42.97	
595 Elm	32.34	Y
555 Elm	29.3	Y
575 Elm	34.08	
554 Elm	40.36	
550 Elm	20.18	Y

Total	455.51
Average	37.9591667



Elm Front Setback Homes (3B)		
Address	Front Setback	Corner Lot?
707 Elm	23.44	Y
703 Elm	23.65	
701 Elm	23.44	
615 Elm	24.09	
699 Elm (Eastern)	23.66	
545 Maple	28.29	Y
655 Elm	138	
550 Cedar	99.21	Y
549 Cedar	56.64	
615 Elm	24.09	
603 Elm	42.97	
595 Elm	32.34	Y

Total	539.82
Average	44.985

EXHIBIT 5

Elm Front Setback Homes 550 Cedar Removed		
Address	Front Setback	Corner Lot?
707 Elm	23.44	Y
703 Elm	23.65	
701 Elm	23.44	
615 Elm	24.09	
699 Elm (Eastern)	23.66	
545 Maple	28.29	Y
655 Elm	138	
550 Cedar		Y
549 Cedar	56.64	
615 Elm	24.09	
603 Elm	42.97	
595 Elm	32.34	Y

Total	440.61
Average	40.0554545





RECEIVED
FEB 12 2021
BY: _____

GENERAL NOTES

ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE TO ALL APPLICABLE VILLAGE OF WINNETKA LOCAL AMENDMENTS AND ORDINANCES

ALL CONTRACTORS SHALL COORDINATE WITH ALL OTHER CONTRACTORS PRIOR TO AND DURING CONSTRUCTION

DO NOT SCALE DRAWINGS. USE DIMENSIONS SHOWN ON DRAWINGS OR ASK THE ARCHITECT FOR CLARIFICATION

ALL MATERIALS, EQUIPMENT, STRUCTURAL ELEMENTS, FINISHES, WINDOWS, DOORS, ETC., WHETHER PRE-MANUFACTURED OR SITE BUILT SHALL BE INSTALLED PER THE MANUFACTURER'S INSTRUCTIONS AND SPECIFICATIONS

THE ARCHITECT

SHOULD ANY DISCREPANCIES, ERRORS, OMISSIONS OR CONFLICT OF ITEMS NEEDING CLARIFICATION BE DISCOVERED IN THE PLANS AND/OR SPECIFICATIONS, THE ARCHITECT SHALL BE PROMPTLY NOTIFIED IN WRITING BEFORE SUBMITTING BID AND/OR PROCEEDING WITH WORK SO THAT HE MAY HAVE THE OPPORTUNITY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ARCHITECT OF SUCH CONDITIONS SHALL ABSOLVE THE ARCHITECT FROM ANY RESPONSIBILITY OF SUCH FAILURE

SITE WORK

THE FOOTINGS AND FOUNDATIONS HAVE BEEN DESIGNED TO BEAR ON UNDISTURBED SOIL OR APPROVED COMPACTED FILL WITH A MINIMUM BEARING CAPACITY OF 2500 p.s.f.

ALL FOOTINGS SHALL BE PLACED A MINIMUM OF 3'-6" BELOW THE FINISHED FINAL GRADE

VERIFY FOOTING STEPS WITH FINAL FINISH GRADE

PORCH AND STOOP FOOTINGS SHALL BE PLACED ON UNDISTURBED SOIL

FOOTINGS ADJACENT TO THE BASEMENT FOUNDATION ON OVER-EXCAVATED AREA SHALL BE INSTALLED ON EITHER COMPACTED ENGINEERED FILL OR STEPPED FOOTING SHALL BE PROVIDED

MATERIALS & INSTALLATION

ALL WORK TO CONFORM TO LOCAL MUNICIPALITY CODES AND ALL OTHER PERTINENT SAFETY CODES AND RULES OF OTHER APPLICABLE GOVERNING BODIES. IF AN INSPECTION AUTHORITY FINDS FAULT WITH ANY SUBCONTRACTOR WORK, THAT SUBCONTRACTOR SHALL CORRECT SUCH WORK TO THE SATISFACTION OF THE INSPECTING AUTHORITY AT NO EXPENSE TO THE OWNER OR ARCHITECT. THE SUBCONTRACTORS, IN USING THESE DOCUMENTS, SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER AND ARCHITECT FROM ANY AND ALL LIABILITY CLAIMS AND COSTS AS A RESULT OF WORK PERFORMED UNDER THIS PROJECT

ALL SUBCONTRACTORS TO EXAMINE SITE & EXISTING CONDITIONS AS A BASIS FOR BIDDING. FAILURE TO DETERMINE EXISTING CONDITIONS OR NATURE OF DEMOLITION AND/OR CONSTRUCTION WILL NOT BE CONSIDERED AS A BASIS FOR ADDITIONAL COMPENSATION

SUBCONTRACTORS SHALL FURNISH ALL MATERIAL & EQUIPMENT NECESSARY FOR A COMPLETE AND READY TO OPERATE SYSTEM. ANY MATERIALS OR EQUIPMENT NOT SHOWN ON DRAWINGS BUT REQUIRED FOR A SATISFACTORY OPERATION SYSTEM SHALL BE FURNISHED & INSTALLED AS THOUGH COMPLETELY SPECIFIED. INSTALLATION TO BE DONE IN ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS

CONCRETE WORK

ALL CONCRETE WORK SHALL CONFORM TO ACI 318 OF THE AMERICAN CONCRETE INSTITUTE FOR UNREINFORCED CONCRETE

ALL CONCRETE WORK SHALL DEVELOP A COMPRESSIVE STRENGTH OF 3000 psi IN 28 DAYS

ALL CONCRETE WORK SHALL COMPLY TO THE ACI STANDARDS FOR HOT AND COLD WEATHER CONCRETING

ALL CONCRETE PIERS SHALL EXTEND A MINIMUM OF 2" ABOVE AND 3'-6" BELOW GRADE

METALS

ALL DETAILING, FABRICATION AND ERECTION OF STRUCTURAL STEEL SHALL CONFORM WITH THE APPROPRIATE ASTM SPECIFICATIONS AND STANDARDS AS FOLLOWS: ASTM A992, ASTM A53, ASTM A501, ASTM A307

ALL STEEL BEAMS AND COLUMNS SHALL BE SHOP PRIMED

LINTELS SHALL BE PROVIDED FOR ALL OPENINGS AS INDICATED ON THE DRAWINGS. IN ADDITION, LINTELS ARE REQUIRED FOR MECHANICAL, ELECTRICAL OR PLUMBING OPENINGS IN A MASONRY WALL WITH A WIDTH GREATER THAN 12"

LINTELS SHALL HAVE A MINIMUM BEARING OF 8 INCHES FOR SPANS UP TO 8'-0" AND 16" FOR SPANS GREATER THAN 8'-0" UNLESS NOTED. LINTELS IN NON-LOAD BEARING WALLS SHALL BE OF THE SIZED LISTED BELOW

STEEL LINTELS SHALL BE USED FOR ALL MASONRY OPENINGS. CMU OPENINGS IN NON-LOAD BEARING WALLS MAY BE SPANNED WITH EITHER A STEEL LINTEL OR MASONRY LINTEL BLOCK AT THE CONTRACTOR'S OPTION. MASONRY LINTEL INFORMATION LEFT BLANK INDICATES THAT A STEEL LINTEL IS REQUIRED. FOR OPENINGS 2'-0" OR LESS, PROVIDE 3/8" PLATE X WALL THICKNESS LESS 1", BEAR 8" EACH END

WALL SPAN	STEEL LINTEL
2'-0" - 4'-0"	L 3 1/2" x 3 1/2" x 5/16"
4'-0" - 6'-0"	L 5" x 3 1/2" x 3/8" (LLV)
6'-0" - 8'-0"	L 6" x 3 1/2" x 3/8" (LLV)

CARPENTRY NOTES

ALL INTERIOR PARTITIONS ARE BASED ON 2x4 WOOD STUDS @ 16" O.C. UNLESS OTHERWISE NOTED

ALL UNSUPPORTED FRAME WALLS 12'-0" OR TALLER SHALL BE FRAMED WITH 2 X 6 STUDS AT 16" ON CENTER UNLESS NOTED OTHERWISE

PROVIDE 2x6 STUDS IN LIEU OF 2x4 FOR FOR FRAME WALLS DRILLED FOR PLUMBING PIPES

ALL CANTILEVERS TO BE A MINIMUM 2:1 RATIO PER THE CURRENT CODE

PROVIDE CROSS BRIDGING FOR ALL FLOOR JOISTS SPANNING 15' OR GREATER. MINIMUM 8'-0" ON CENTER

ALL LOAD BEARING HEADERS SHALL BE MIN. (2) 2 X 12 WITH 1/2" PLYWOOD SPACER UNLESS OTHER WISE NOTED. INSTALL DOUBLE CRIPPLES EACH SIDE FOR ALL SPANS OVER 6'-0"

PROVIDE APPROVED FIRE STOPPING AT ALL FURRING, PARTITIONS, EXTERIOR WALLS AT EACH FLOOR AND CEILING LEVEL, AND AT THE JUNCTURE OF THE ROOF RAFTERS AND WALL

PROVIDE CONCEALED GALVANIZED OR ALUMINUM SHEET METAL FLASHING AT ALL WALL/ROOF JUNCTIONS AND AS REQUIRED FOR WATERPROOF CONSTRUCTION

STAIR RAILING AND BALUSTERS TO CONFORM TO CODE. GRASPABLE PORTION OF RAILING NOT TO EXCEED 2 5/8" IN CROSS SECTIONAL DIMENSION

ALL INTERIOR WOOD TRIM SHALL BE POPLAR OR FINGER-JOINTED PINE. ALL CROWN SHALL BE MDF

GYPSUM DRYWALL

PROVIDE FOR GYPSUM DRYWALL AT AREAS OF NEW CONSTRUCTION. PROVIDE FOR SCREENED AND GLUED TAPERED EDGE GYPSUM DRYWALL SYSTEM COMPLETE WITH REQUIRED CORNER BEADS AND TAPE - (3) COAT FINISHING SYSTEM AS RECOMMENDED BY U.S. GYPSUM. PROVIDE DUROCK® OR APPROVED EQUAL AT ALL HIGH MOISTURE AREAS UP TO AND INCLUDING CEILING @ SHOWERS

DOORS AND WINDOWS

ALL SAFETY GLAZING SHALL BE IN ACCORDANCE WITH THE CODE

ALL WINDOWS SHALL COMPLY WITH THE AIR INFILTRATION REQUIREMENTS PER CODE

A MINIMUM OF ONE WINDOW PER SLEEPING AREA SHALL COMPLY WITH THE FOLLOWING MINIMUM EGRESS REQUIREMENTS:

MINIMUM OPENING AREA	5.7 SQ. FT. (5.0 SQ. FT.. FOR WINDOWS AT GRADE LEVEL)
MINIMUM OPENING WIDTH	20" CLEAR
MINIMUM OPENING HEIGHT	24" CLEAR

ALL EXTERIOR GLASS DOORS AND WINDOWS SHALL BE IN COMPLIANCE WITH SECTION R 613 FOR TESTING, LABELING AND PERFORMANCE

MAXIMUM GLAZING U FACTOR FOR ALL EXTERIOR DOORS AND WINDOWS SHALL NOT BE GREATER THAN 0.32 IN COMPLIANCE WITH TABLE N102.1.

AT FINAL INSPECTION LABELS ON ALL WINDOWS AND DOORS SHALL DEMONSTRATE COMPLIANCE WITH SECTION 601.3.2.2

MECHANICAL

THE MECHANICAL CONTRACTOR IS TO VERIFY ALL EQUIPMENT LOCATIONS AND DUCTWORK LAYOUT WITH THE GENERAL CONTRACTOR PRIOR TO START OF INSTALLATION

VERIFY EQUIPMENT CAPACITY TO CONDITION THE HOME RENOV AS REQUIRED

VENT ALL BATHROOM EXHAUST FANS, KITCHEN RANGE HOOD EXHAUST FAN, AND DRYER VENTS TO THE EXTERIOR WITH A DAMPER. OUTLETS PLACED IN ROOF SOFFITS SHALL BE PLACED A MINIMUM 6'-0" FROM ATTIC SOFFIT VENTS

ALL CRAWL SPACES SHALL BE PROVIDED WITH HEATED SUPPLY AND RETURN AIR

SUBCONTRACTOR SHALL DESIGN SYSTEM AND CERTIFY THAT IT WILL MAINTAIN +72 DEGREES F INDOORS & -10 DEGREES F OUTDOOR TEMPERATURE AND COOL TO +75 DEGREES INDOORS @ +95 DEGREES OUTDOOR TEMPERATURE @ 50% RELATIVE HUMIDITY. SUBMIT SHOP DRAWINGS FOR APPROVAL BY ARCHITECT PRIOR TO STARTING WORK

GENERAL NOTES

PLUMBING

ALL UNDERGROUND WATER PIPING SHALL BE TYPE 'K' COPPER

ALL INTERIOR ABOVE GROUND WATER PIPING SHALL BE TYPE 'L' COPPER

PROVIDE 12" AIR CHAMBERS AT ALL FIXTURES

PROVIDE 24" AIR CHAMBERS AT ALL RISERS

ALL INTERIOR WASTE SHALL BE PVC. PITCH MINIMUM 1/4" PER FOOT

ALL SHOWER VALVES SHALL BE NON SCALD TYPE

ALL HOSE BIBS SHALL BE FROST PROOF WITH VACUUM BREAKERS

PROVIDE A SEWER CLEAN OUT WITHIN 5'-0" OF THE EXTERIOR OF THE FOUNDATION WALL

ALL UNDERGROUND WASTE AND VENT PIPING SHALL BE PVC

PROVIDE BACKUP SUMP PUMP SYSTEM WITH DEDICATED ELECTRICAL OUTLET AND BATTERY BACKUP PER PLANS

ELECTRICAL

ALL POWER WIRING SHALL BE IN METAL CONDUIT UNLESS OTHERWISE NOTED

THE ELECTRICAL CIRCUITS AND PANEL LAYOUT ARE TO BE DESIGNED BY THE ELECTRICAL CONTRACTOR IN ACCORDANCE WITH ALL APPLICABLE CODES

PROVIDE A SMOKE DETECTOR ON EACH FLOOR LEVEL AND IN EACH SLEEPING ROOM AS WELL AS WITHIN 15' OUTSIDE OF A SLEEPING ROOM. SMOKE DETECTORS SHALL BE 10V WITH BATTERY BACK-UP AND WIRED IN SERIES SO THAT ALL DETECTORS CHIME WHEN ONE OR MORE ARE ACTIVATED BY SMOKE

ALL CONVENIENCE ELECTRICAL OUTLETS IN HABITABLE AREAS SHALL BE PLACED 12" ABOVE THE FINISHED FLOOR (UNLESS NOTED OTHERWISE) AND BE SPACED PER THE 6/2 RULE

ALL BATHROOM, GARAGE, UNFINISHED BASEMENTS AND EXTERIOR ELECTRICAL OUTLETS SHALL BE GFCI PROTECTED

ALL OUTLETS, LIGHT FIXTURES, AND SWITCHES WITHIN 5'-0' OF A SHOWER OR BATHTUB SHALL BE GFCI PROTECTED

ALL LIGHT FIXTURES WITHIN A 24" OR SMALLER CLOSET SHALL BE RECESSED FLUORESCENT WITH SOLID LENS DISHWASHER, RANGE HOOD, AND GARBAGE DISPOSAL SHALL BE HARDWIRED

VERIFY LOW VOLTAGE REQUIREMENTS WITH LOW VOLTAGE SYSTEM SELECTED BY OWNER

PROVIDE A HOME SECURITY SYSTEM PER OWNER SELECTION. MINIMUM COMPONENTS SHALL BE: WINDOW CONTACTS ON ALL BASEMENT & 1ST FLOOR WINDOWS & EXTERIOR DOORS, 2 MOTION DETECTORS ON 1ST FLOOR, 3 GLASS BREAK SENSORS IN BASEMENT, 2 KEY PADS (1 @ MUDROOM, 1 @ MASTER BEDROOM), 2 SIRENS, 2 HEAT DETECTORS (1 @ GARAGE, 1 @ KITCHEN) AND SMOKE DETECTORS PER CODE AND AS SHOWN

STRUCTURAL DESIGN CRITERIA

DESIGN LOADS			
FLOOR	40 psf LL	10 psf. DL	LIVING SPACE
ATTIC	20 psf LL	10 psf. DL	ATTIC STORAGE
ROOF	30 psf LL	10 psf. DL	
CATHEDRAL CEILING	30 psf LL	15 psf. DL	
SNOW	30 psf LL		
DECKS	40 psf LL	10 psf. DL	EXTERIOR
GUARD & HANDRAILS	200 psf LL		
WIND	15 psf		

ALL FLOOR AND CEILING JOIST, ROOF RAFTERS, BEAMS AND HEADERS SHALL BE DOMESTIC HEM FIR #2 UNLESS OTHERWISE NOTED. MINIMUM E = 1,300,000 PSI AND MINIMUM BASE Fb = 850 OR BETTER

ALL STRUCTURAL WOOD POSTS SHALL BE S-P-F STRUCTURAL GRADE OR BETTER

TYP. HEADER CONFIGURATION UNLESS NOTED OTHERWISE: (2) 2x12 W/ (3) 2x4 OR (3) 2x6 POSTS EACH SIDE

PROVIDE DOUBLE JOISTS BELOW ALL PARALLEL PARTITIONS, BATHTUBS, WASHER, DRYER, AND OTHER STATIONARY APPLIANCES

MINIMUM IN-GRADE BASE VALUES FOR STUDS:

FIRST FLOOR EXT. LOAD BEARING WALLS	E = 1,400,000	Fc = 825
FIRST FLOOR INT. LOAD BEARING WALLS	E = 1,200,000	Fc = 800
SECOND FLOOR EXT. LOAD BEARING WALLS	E = 1,200,000	Fc = 800
SECOND FLOOR INT. LOAD BEARING WALLS	E = 1,000,000	Fc = 600
ALL NON-LOAD BEARING WALLS	E = 1,000,000	Fc = 600

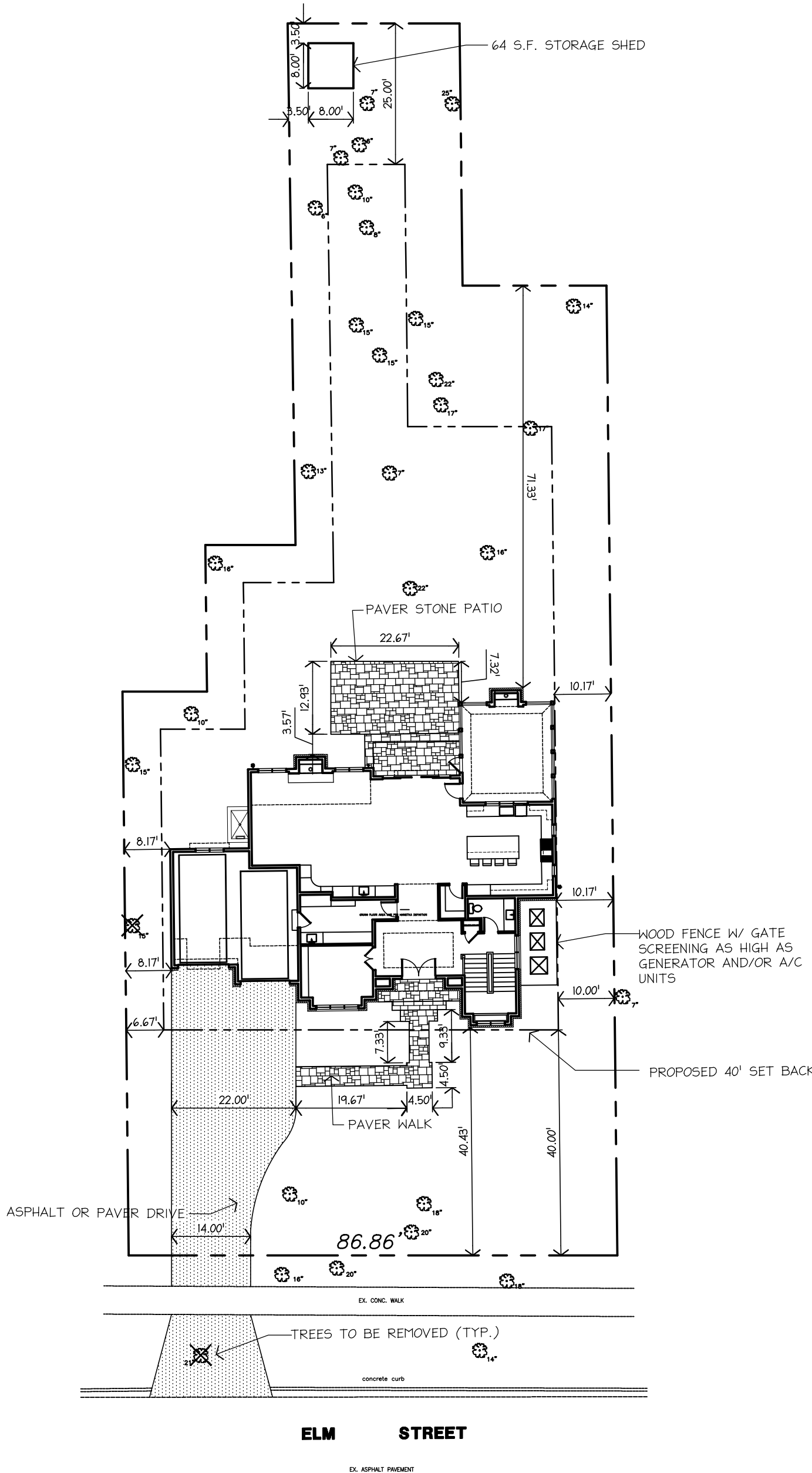
EXTERIOR DECK STRUCTURAL FRAMING LUMBER:

ALL DECK STRUCTURAL FRAMING HAS BEEN DESIGNED BASED UPON #2 SOUTHERN YELLOW PINE OF U.S. ORIGIN AS CLASSIFIED BY THE SOUTHERN PINE MARKETING COUNCIL.
Fb: 2x8 = 1,380 PSI / 2x10 = 1,210 PSI / 2x12 = 1,120 PSI - E = 1,600,000

ENGINEERED WOOD PRODUCTS:

MANUFACTURED STRUCTURAL WOOD PRODUCTS SUCH AS HEADERS AND BEAMS HAVE BEEN DESIGNED BASED UPON MICROLLAMs AND PARALLAMs AS MANUFACTURED BY TRUS-JOIST.

1.9 MICROLLAMs	Fb = 2,600 PSI	E = 1,900,000 PSI
2.0 PARALLAMs	Fb = 2,900 PSI	E = 2,000,000 PSI
1.5 TIMBERSTRAND	Fb = 2,250 PSI	E = 1,500,000 PSI



Scott K. Renken
STATE OF ILLINOIS
REGISTERED ARCHITECT
SCOTT K. RENKEN
1-9004

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PROJECT # 651-20
DRAWN BY: SKR
SITE PLAN
A=1
1 OF 14 TOTAL SHEETS

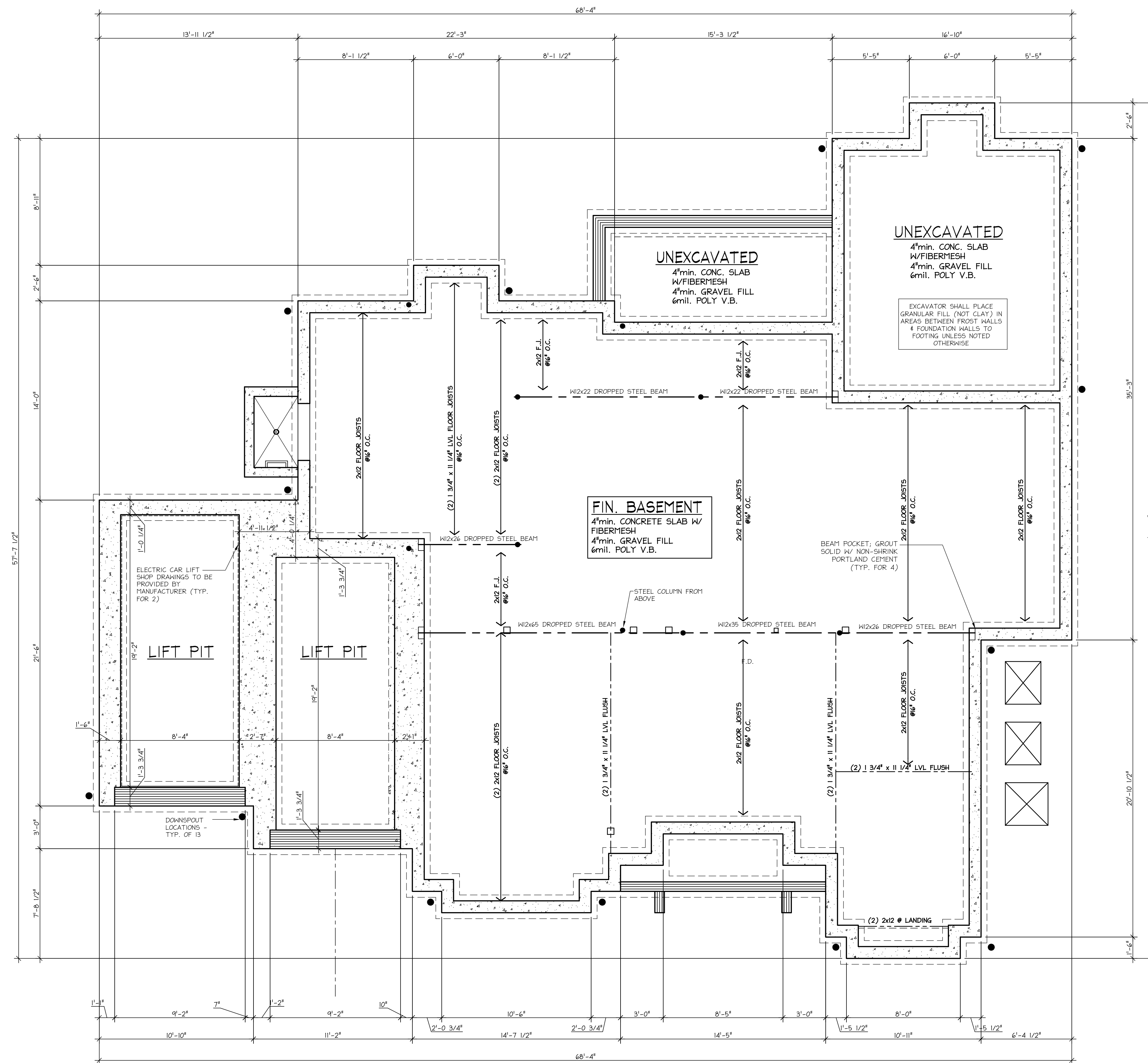
SITE PLAN
SCALE: 1" = 20'-0"

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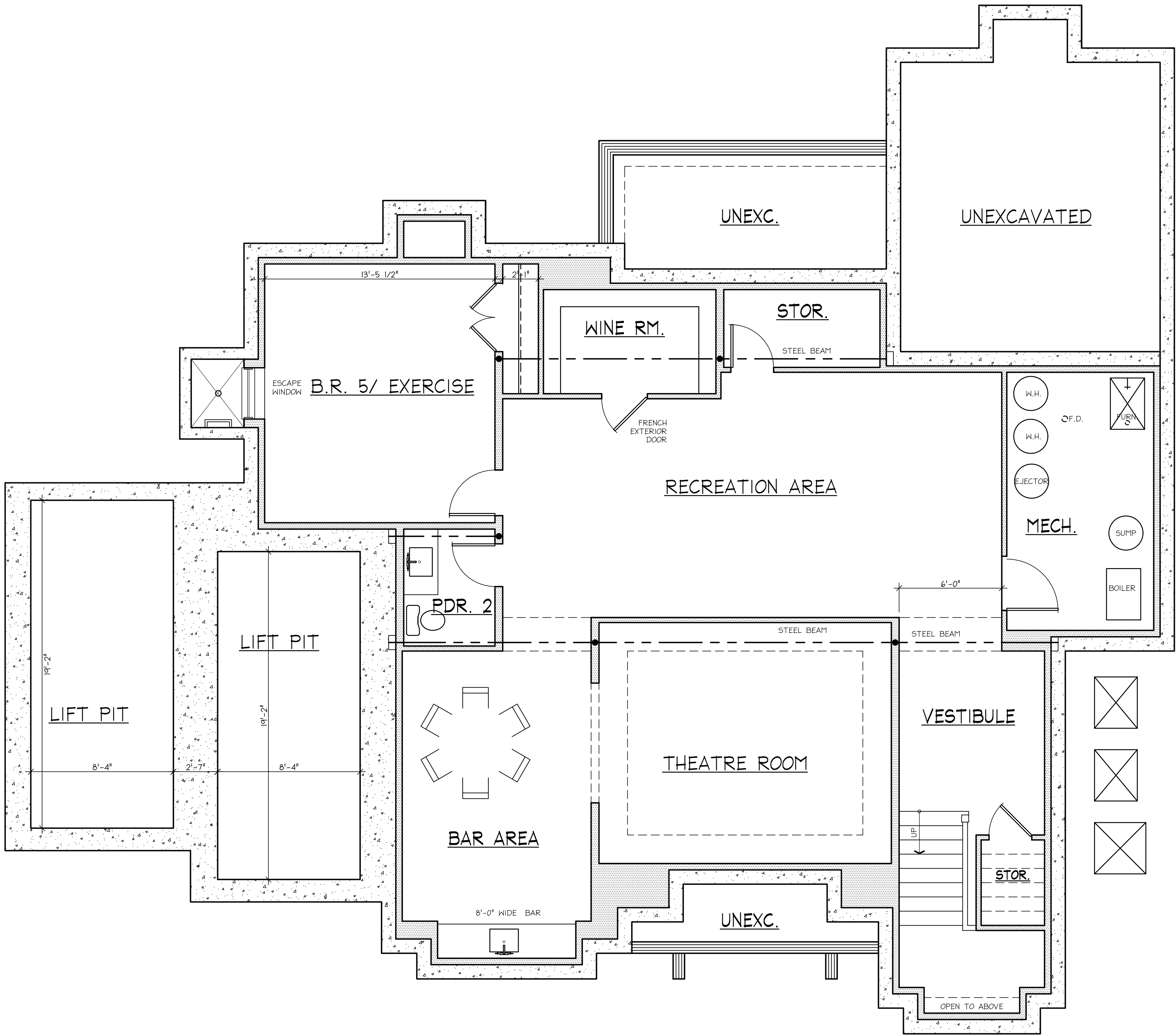
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FOUNDATION & FIRST FLOOR PLAN A-2 # 2 OF 14 TOTAL SHEETS	



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



1
A3 FINISHED BASEMENT PLAN
SCALE: 1/4" = 1'-0"

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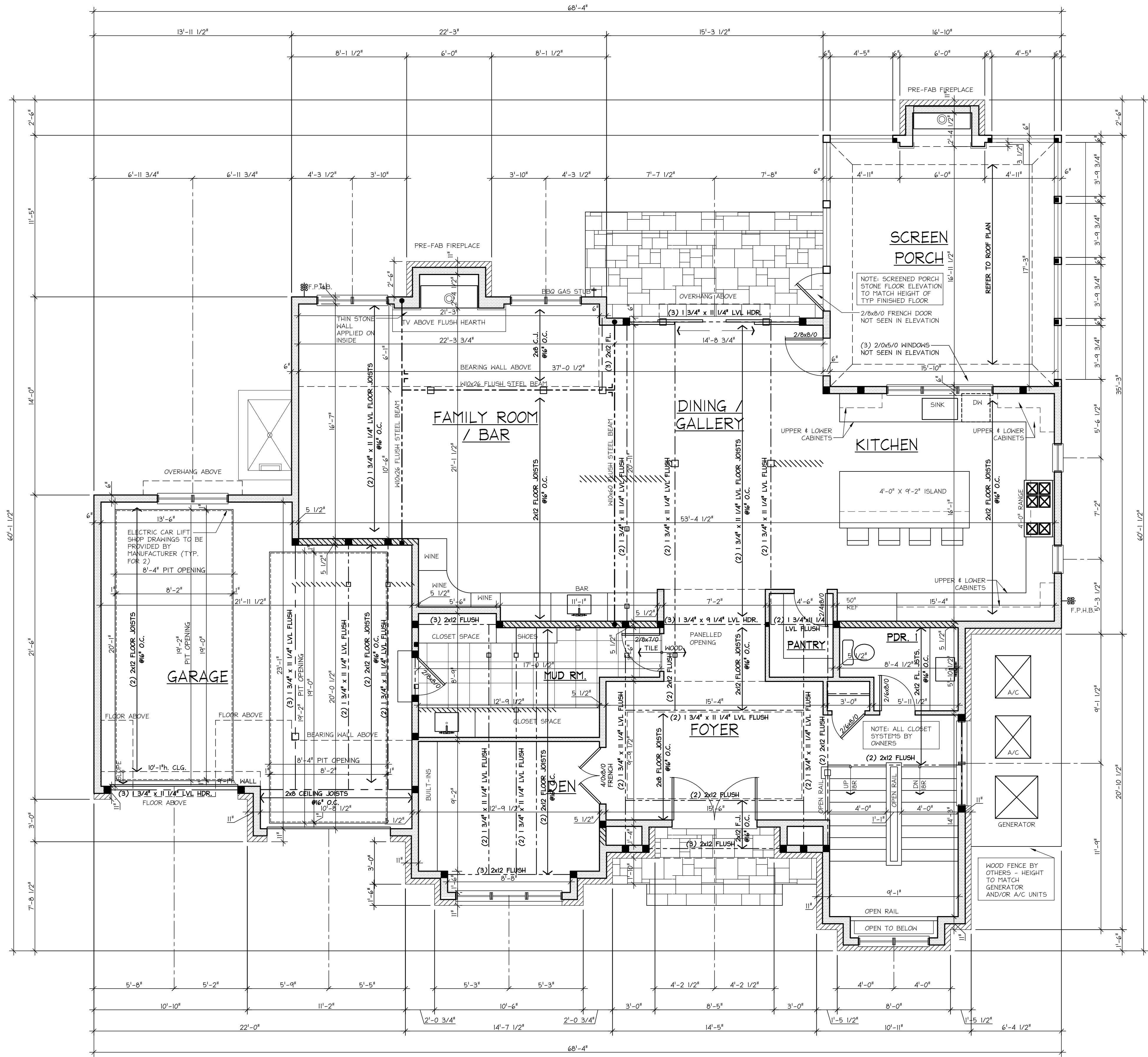
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BASEMENT PLAN
A-3
3 OF 14 TOTAL SHEETS



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

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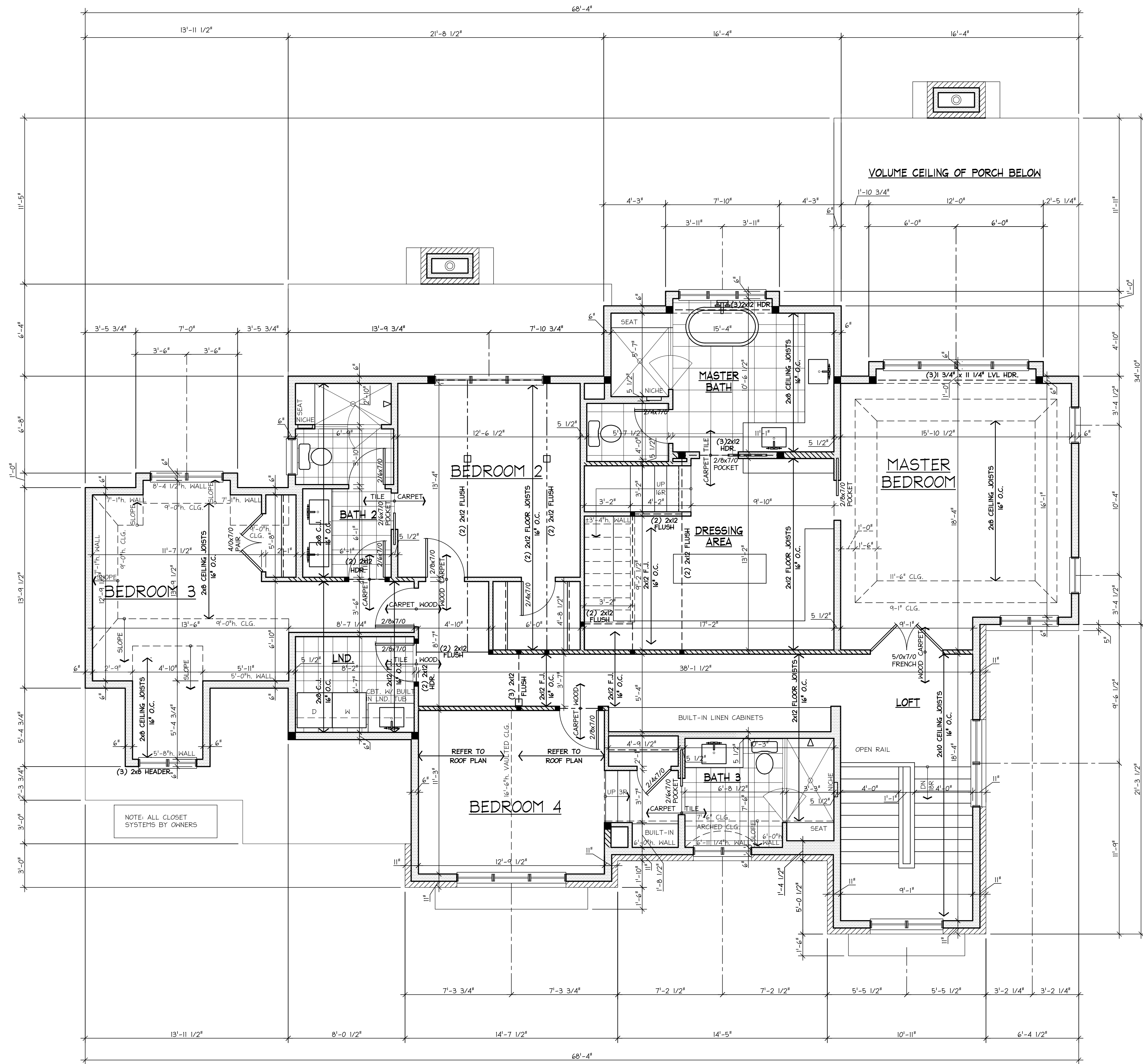
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FIRST FLOOR PLAN

A=4

4 OF 14 TOTAL SHEETS



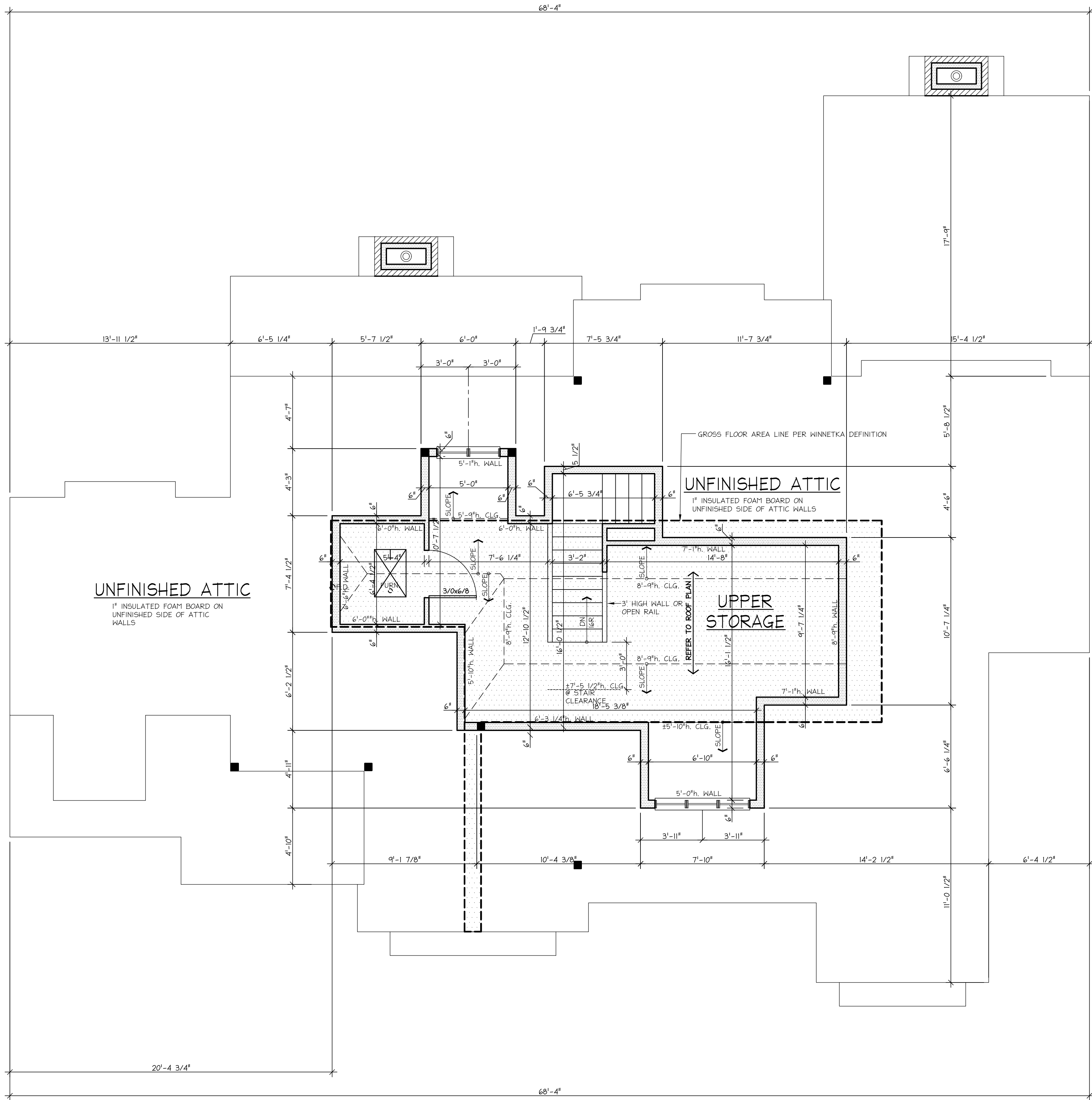
1 SECOND FLOOR PLAN
A5 SCALE: 1/4" = 1'-0"

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1
A6 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

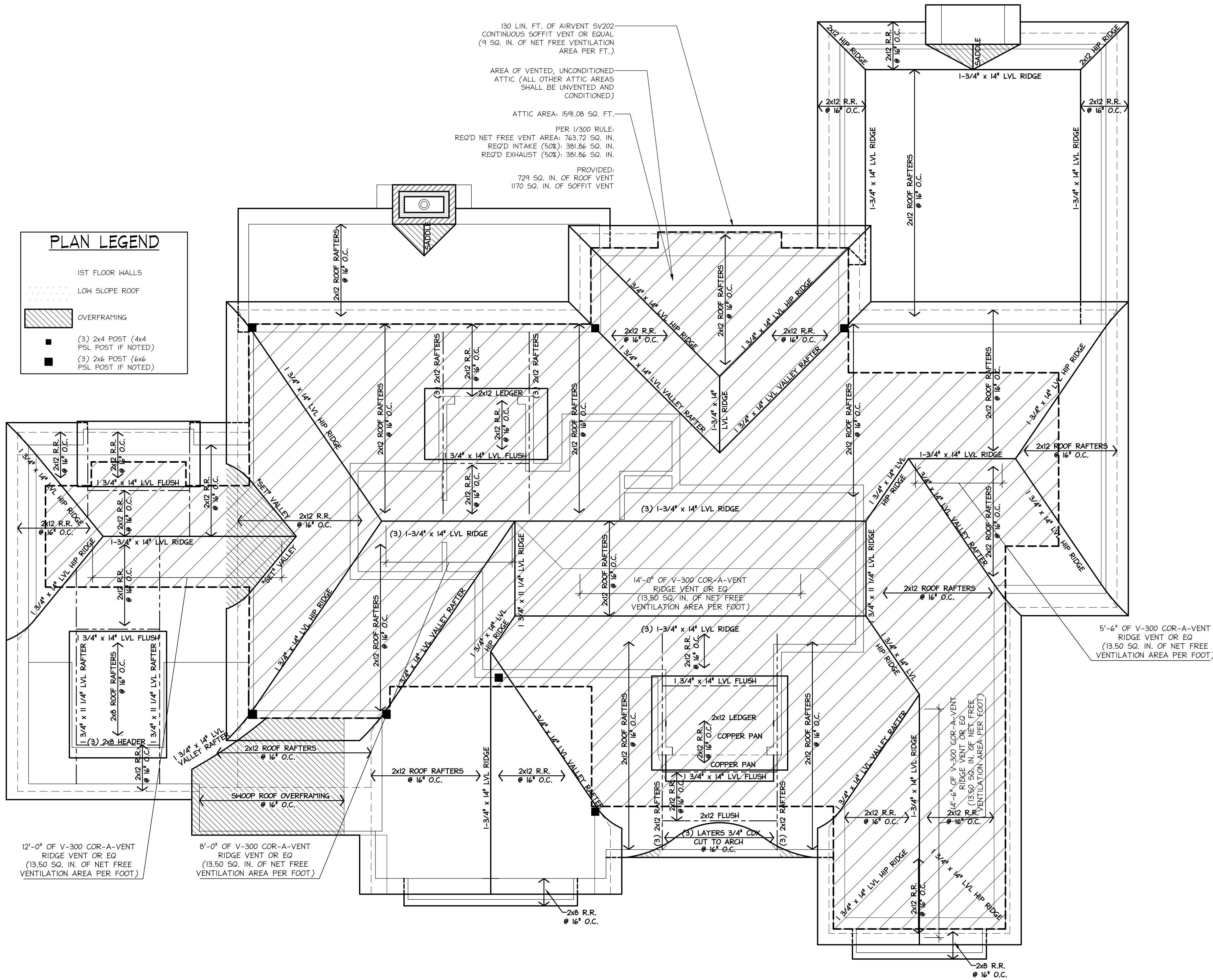
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THIRD FLOOR PLAN	
A=6	
# 6 OF 14 TOTAL SHEETS	



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ROOF
PLAN

A-7

7 OF 14 TOTAL SHEETS

1 ROOF PLAN
A7 SCALE: 1/4" = 1'-0"

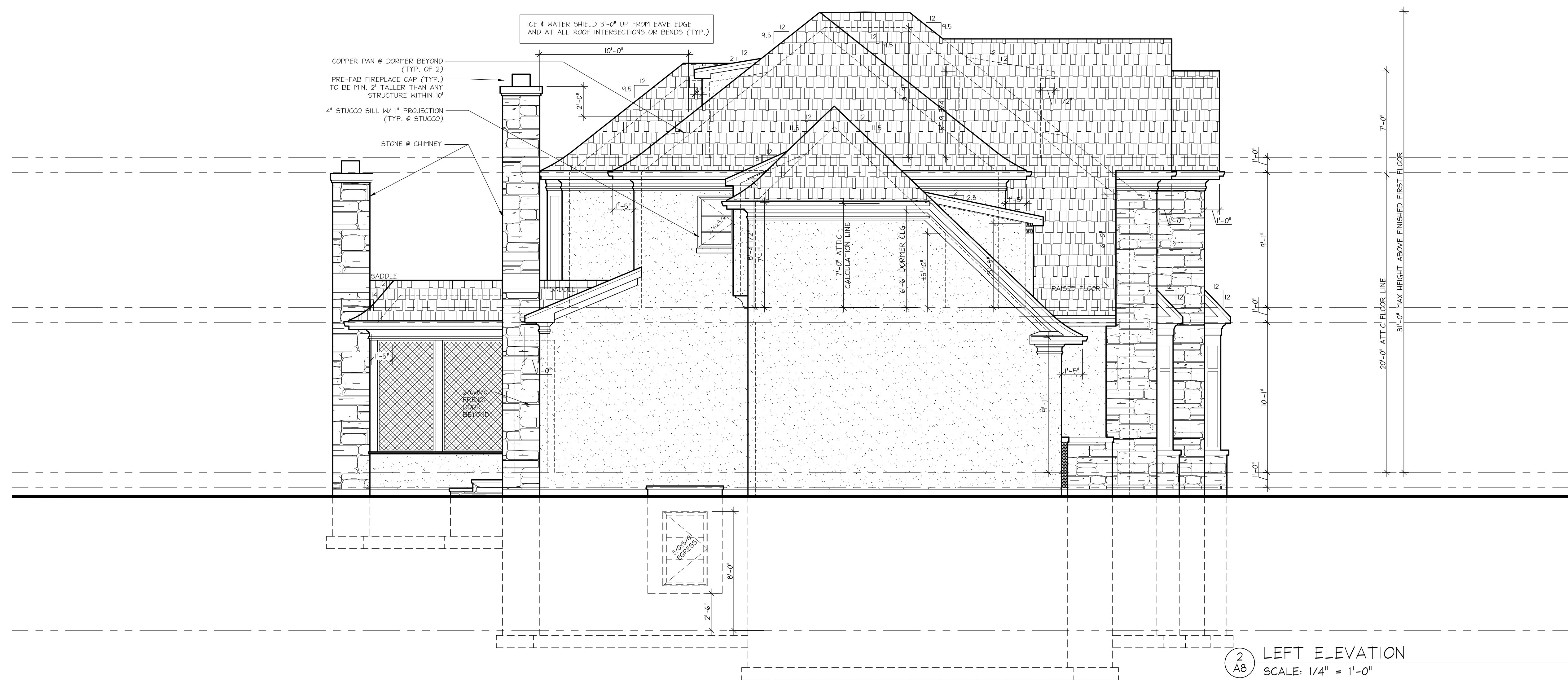
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ELEVATIONS 	
# 8 OF 14 TOTAL SHEETS	





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ELEVATIONS
A-9
9 OF 14 TOTAL SHEETS

Architectural drawing of a longitudinal section of a house, labeled "2 LONGITUDINAL SECTION". The drawing shows the interior layout and structural details of a two-story house with a basement. Key areas include the ATTIC, UNFIN. ATTIC, BEDROOM 4, BATH 3, LOFT, GARAGE, DEN, FOYER, and BASEMENT. Dimensions are provided for various rooms and structural elements, such as roof pitches (1'-0" 7/8", 1'-0" 3/4"), room heights (9'-1", 12'-0", 9'-7 1/2"), and garage dimensions (10'-1" x 11'-2"). Notes specify "2x8 OVERFRAMING" and "10/12 2x12 RAFTERS CUT TO SNOOP." for the attic, and "ELECTRIC CAR LIFT SHOP DRAWINGS TO BE PROVIDED BY MANUFACTURER (TYP. FOR 2)" for the garage. The drawing also shows exterior features like a garage door and windows.

UNFIN. ATTIC

BEDROOM 3

CL.

BATH 2

BEDROOM 2

DRESSING AREA

MASTER BEDROOM

UPPER STORAGE

GARAGE

FAMILY ROOM/BAR

DINING/GALLERY

KITCHEN

BASEMENT

ELECTRIC CAR LIFT
SHOP DRAWINGS TO BE
PROVIDED BY
MANUFACTURER (TYP.
FOR 2)

3
A10

LONGITUDINAL SECTION

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

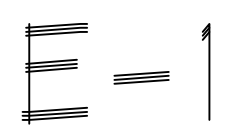
ZBA Agenda Packet - 651 Elm - Page 36

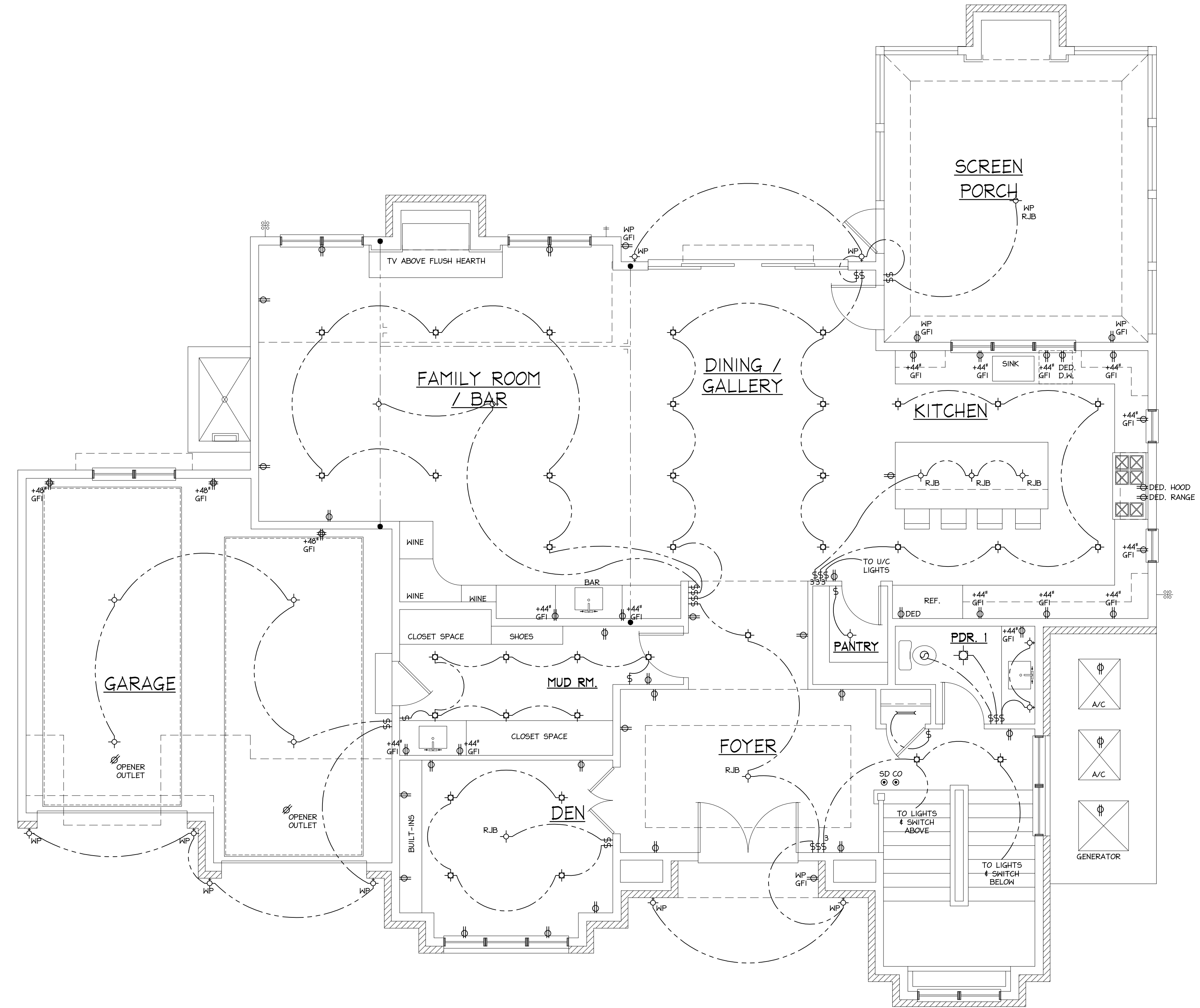
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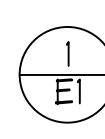
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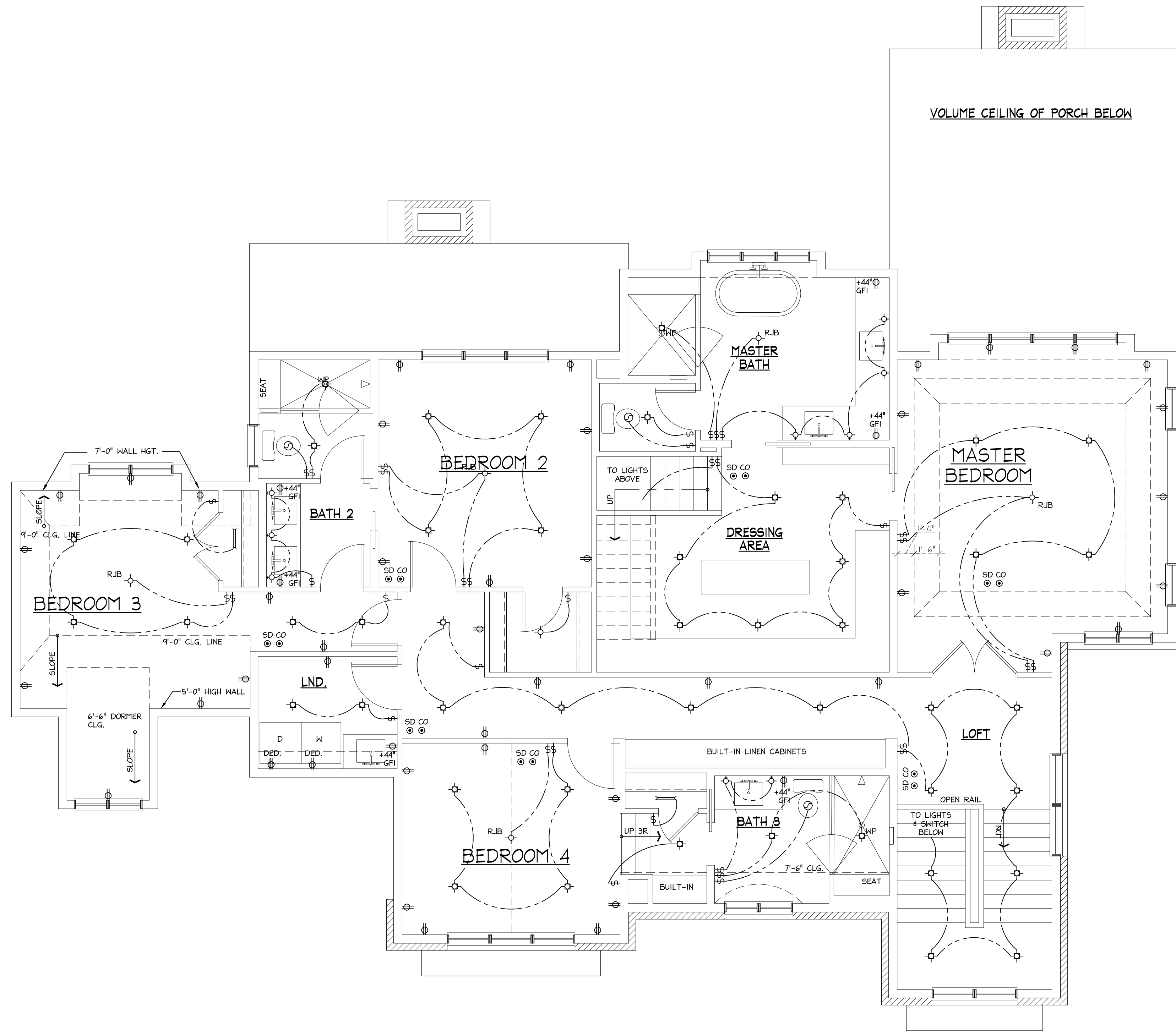
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FIRST FLOOR ELECTRIC PLAN	
	
# 12 OF 14 TOTAL SHEETS	



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



1 SECOND FLOOR ELECTRIC PLAN
E2 SCALE: 1/4" = 1'-0"

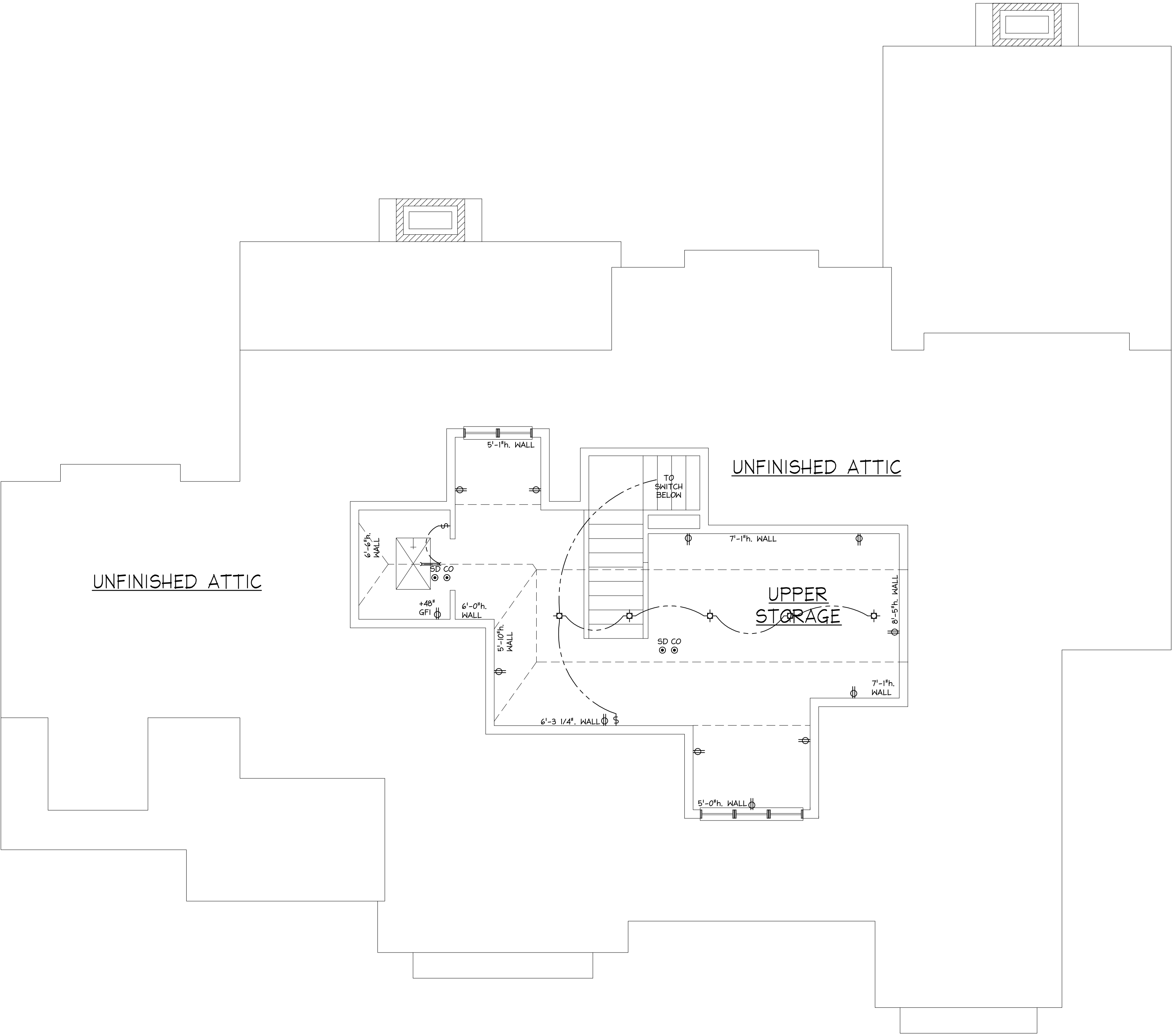
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PROJECT #	651-20
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SECOND FLOOR ELECTRIC PLAN	
E-2	
# 13 OF 14 TOTAL SHEETS	



ATTIC ELECTRIC PLAN
SCALE: 1/4" = 1'-0"

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ATTIC
ELECTRIC PLAN

A-3

14 OF 14 TOTAL SHEETS

ATTACHMENT 3**WINNETKA ZONING BOARD OF APPEALS
EXCERPT OF MARCH 8, 2021 MEETING MINUTES****Zoning Board Members Present:**

Matt Bradley, Chairman
Kimberly Handler
Lynn Hanley
Mike Nielsen
Max Weigandt

Zoning Board Members Absent:

E. Gene Greable

Village Staff:

David Schoon, Director of Community Development
Brian Norkus, Assistant Director of Community
Development
Ann Klaassen, Senior Planner

Case No. 21-09-V2: 651 Elm Street: An application submitted by B. Beshert, LLC seeking approval of a zoning variation to allow construction of a single family residence at 651 Elm Street. The requested zoning variation would permit the new residence to provide less than the minimum required front yard setback. The Village Council has final jurisdiction on this request.

Ms. Klaassen described the proposed setback and identified the vacant property's location and zoning classification. She noted the lot has been vacant since 2007 after the former residence was torn down. Ms. Klaassen stated the proposed new home would comply with zoning regulations with the exception of the front yard setback. She added storm water detention would require Village Engineering approval. She then identified the home's front elevation and described how the average front yard setback is calculated in the R-4 zoning district. Ms. Klaassen stated one correspondence was received and would be read into the record and there is no one at the Village Hall to comment. She stated after the applicant's presentation and the Board's deliberation, a Board Member may make a motion as outlined on page nos. 6 and 7 of the staff report and asked if there were any questions.

Ms. Handler questioned if there is an elevation survey to show how neighboring homes are situated and referenced page 7. Ms. Klaassen responded there is no such graphic and referred the Board to the plat of survey and stated the south westerly property line has articulation changes which are 100 feet from Elm Street to the north. She noted the former residence was located 26.8 feet from the Elm Street property line. Chairman Bradley referred to Figure 7 to use as a reference point for the Elm Street homes. No additional questions were raised at this time.

Mr. Norkus allowed the applicant into the meeting. Chairman Bradley swore in those speaking to this matter. Matt Burdeen, Elliot Wiczer, the applicants' attorney, and Scott Renken, the architect, presented the request to the Board. Mr. Burdeen stated they plan to preserve as many trees as possible and referred to the largest 22 inch tree in the center of the lot which would have to be removed if they built the home at the required setback. Mr. Wiczer referred to skewing of the two lots and the corner lot on Cedar being counted as the definition block face and described it as a hardship. He stated another hardship related to the definition of the block face which require the two deepest properties having to be counted in the setback average. Mr. Wiczer stated if the home was located on any other area of Elm Street, it would fall within the 40-foot setback. He stated more green space would result in the backyard as well as the

March 8, 2021

Page 2

1 preservation of the significant tree. Mr. Wiczer also stated a neighbor sent an email relating to the
2 request. He then stated with regard to drainage and flood plain issues, the applicants would comply and
3 hold water on their property. Mr. Wiczer stated the applicants felt strongly with regard to preserving the
4 trees and shrubbery and noted the request complied with all of the other zoning requirements.

5
6 Chairman Bradley asked if there were any questions. He asked Mr. Renken if the setback calculation
7 started with the back of the property. Mr. Renken described the manner in which they considered the
8 home's size while taking into account the setback requirements. Mr. Wiczer informed the Board the
9 home's siting was somewhat arbitrary in connection with considering neighboring homes and described
10 how the home could be setback 60 feet which resulted in loss of backyard space. He added the home
11 would look more normal with a 40 foot setback.

12
13 Ms. Handler referred to Figure 5 and identified the portion of the home which would be at the 40 foot
14 setback line. Mr. Wiczer confirmed that is correct.

15
16 Ms. Klaassen read an email from Lisa and Jeff Peterson, 644 Spruce Street, into the record noting concerns
17 of drainage, water runoff and tree preservation. She noted no one is present at the Village Hall to
18 comment.

19
20 Mr. Norkus allowed members of the public into the meeting to comment. Chairman Bradley swore in
21 those speaking to this matter. Jeff Schmidt, 550 Cedar, noted they also own the adjacent lot at 660 Elm
22 Street and stated a letter to the Board was submitted this afternoon which he read into the record. Lisa
23 and David Peterson stated they had no additional comments in addition to the letter they submitted
24 noting they support the setback variation and agreed with Mr. Schmidt's comments. Jason and Kelly
25 Simmers, 655 Elm Street, stated they agreed with the neighbors' comments and support the requested
26 variation noting separation between the homes is important as well as the preservation of green space
27 on the property. Mr. Simmers informed the Board their home is the only home which faced the Village
28 Green from Elm Street. Mr. Norkus confirmed there was no additional public comment.

29
30 Chairman Bradley asked the applicants if they would like to respond or if there were questions from the
31 Board. Ms. Handler stated she is in support of the variation and the request met all of the criteria. She
32 also referred to the property's unique shape and the manner in which the average setback is calculated
33 adding the request would allow trees to remain. Ms. Hanley and Mr. Weigandt agreed with Ms. Handler's
34 comments. Mr. Nielsen stated any stormwater issues are not within the Board's purview and would be
35 addressed by the Village Engineer. He concluded he would be in support. Chairman Bradley stated the
36 standards on page 7 have been met and noted a home could be built which yielded reasonable return. He
37 referred to the 655 Elm owner's comments relating to the effect of placing the home near the back of the
38 property. Chairman Bradley stated the way the neighboring homes are placed on the lots resulted in the
39 need for the average setback calculation noting the home would otherwise be built in compliance. He
40 agreed water issues are not within the Board's purview and the request would need to meet other Village
41 storm water and drainage requirements.

42
43 Chairman Bradley then asked for a motion to recommend approval. Ms. Hanley moved to recommend
44 approval of the requested variations for 655 Elm Street. Mr. Weigandt seconded the motion. A vote was
45 taken and the motion unanimously passed, 5 to 0:

46 AYES: Bradley, Handler, Hanley, Nielsen, Weigandt

47 NAYS: None

48 ***

ATTACHMENT 4

From: [REDACTED]
To: [Planning](#)
Cc: [REDACTED]
Subject: Case No. 21-09-V2 , 651 Elm Street
Date: Monday, March 8, 2021 7:10:01 AM

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

Hello,

We live behind 651 Elm Street at 644 Spruce Street and have been here for 25 years. We have a few concerns about a new building going up on the small piece of land behind our house.

Our main concern is that building a house and adjoining impermeable surfaces will upset the stormwater flow on our block. We have no objection to someone building their dream home on the lot, but would like assurance that any water runoff from the new house is directed away from us toward Elm Street. Additionally, the lot has always been heavily forested, even before Mr. Brown's house was torn down several years ago, with beautiful trees where many native birds nest or visit. It is possible that some of the trees were planted by the earliest settlers of Winnetka. It would be great for everyone on the block if the birds and their trees were disturbed as little as possible. Eliminating trees and putting up bright lights around the house would be very sad for us all here on the block, since we have always enjoyed a naturally peaceful setting.

We hope the new owners will also enjoy the natural beauty of our block and embrace a conservation attitude. Additionally, we would like to know whether a study has been done addressing water runoff problems that will be created when the permeable ground surface is replaced with impermeable surfaces - house, driveway and patios.

We will join the meeting tonight. Please let us know if you if you have any questions.

Lisa and Duff Peterson



Agenda Item Executive Summary

Title: 880 Willow Road Zoning Variations (Policy Direction)

Presenter: David Schoon, Community Development Director

Agenda Date:

04/08/21

Consent:

☐

YES

☒

NO

☐

Ordinance

☐

Resolution

☐

Bid Authorization/Award

☒

Policy Direction

☐

Informational Only

Item History:

None

Executive Summary:

On April 8, the Village Council is scheduled to consider the Zoning Board of Appeals (ZBA) recommendation regarding an application submitted by Julian Cazacu (the "Applicant"), owner of the property at 880 Willow Road (the "Subject Property"). The Applicant requests approval of the following variations from the Zoning Ordinance to allow construction of a one-car detached garage and expansion of the existing driveway:

1. Roofed Lot Coverage (RLC) of 1,477.56 square feet, whereas a maximum of 1,236.8 square feet is permitted, a variation of 240.76 square feet (19.47%) [Note: The site currently contains 1,225.8 square feet of RLC. The proposed garage would add 251.76 square feet of RLC]; and
2. Impermeable Lot Coverage (ILC) of 3,058.56 square feet, whereas a maximum of 2,473.61 square feet is permitted, a variation of 584.95 square feet (23.65%) [Note: The site currently contains 2,649.8 square feet of ILC. The proposed improvements would add 408.76 square feet of ILC].

Approval of a variation to exceed the impermeable lot coverage by more than 20% lies with the Village Council after receiving a recommendation from the ZBA.

The existing ILC exceeds the maximum permitted by 176.19 square feet. A building permit issued in 2019 required approval of zoning variations; however, the approvals did not include an ILC variation. It appears narrow strips of what was originally supposed to be permeable surfaces were covered with pavers along both sides of the driveway and between the driveway and front walk. Since previous zoning relief was not granted to allow this overage, if the Village Council decides not to grant the current variation requests, the Council will need to decide whether (a) to grant a variation for just the existing 176.19 square feet of ILC that exceeds the maximum allowed or (b) to require the Applicant to remove it to comply with the ILC limitation. The Village Engineer has reviewed the property and finds that the excess ILC does not have a harmful drainage impact on the adjacent property.

Executive Summary (continued):**ZONING BOARD OF APPEALS REVIEW**

The ZBA considered the request on February 8, 2021. After hearing from the Applicant and no members of the public, the ZBA unanimously recommended denial of the application. The commissioners thought a garage should have been considered by the Applicant in 2019 when he applied to the ZBA and Village Council for approval of zoning variations to allow construction of the residence.

The commissioners also expressed concern that the residence was given significant zoning relief in 2019, and if a garage had been considered at that time, the size of the residence would be smaller than it is in order to accommodate the garage. An existing detached garage on the Subject Property was removed as part of the plans approved in 2019.

Details of the request can be found in the attached staff report to the ZBA from the February 8, 2021 ZBA meeting (Attachment 1). Minutes of the ZBA meeting are included as Attachment 2.

Given the Zoning Board of Appeals has forwarded a recommendation for denial, the passage of any ordinance granting the variation requires the favorable vote of four Village Trustees.

Recommendation:

Staff requests policy direction regarding the requested relief. If the Council is ready to make a decision, does the Council find it appropriate to approve or deny the requested variations from the Zoning Ordinance to exceed the permitted roofed lot coverage and impermeable lot coverage? The Council will need to direct staff to prepare the necessary documents to either approve or deny the requested variations.

Attachments:

Attachment 1: February 2, 2021 ZBA Staff Report and Attachments

Attachment 2: Excerpt of February 8, 2021 ZBA meeting minutes

ATTACHMENT 1



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: FEBRUARY 2, 2021
SUBJECT: 880 WILLOW ROAD – VARIATIONS (CASE NO. 21-03-V2)

INTRODUCTION

On February 8, 2021, the Zoning Board of Appeals is scheduled to hold a virtual public hearing, in accordance with social distancing requirements and Governor Pritzker's Executive Orders and Senate Bill 2135, on an application submitted by Julian Cazacu (the "Applicant") as the owner of the property located at 880 Willow Road (the "Subject Property"). The Applicant requests approval of the following zoning variations to allow construction of a detached garage and expansion of the existing driveway on the Subject Property:

1. Roofed Lot Coverage (RLC) of 1,477.56 square feet, whereas a maximum of 1,236.8 square feet is permitted, a variation of 240.76 square feet (19.47%) [Section 17.30.030 – Intensity of Use of Lot] [Note: The site currently contains 1,225.8 square feet of RLC. The proposed garage would add 251.76 square feet of RLC]; and
2. Impermeable Lot Coverage (ILC) of 3,058.56 square feet, whereas a maximum of 2,473.61 square feet is permitted, a variation of 584.95 square feet (23.65%) [Section 17.30.030 – Intensity of Use of Lot] [Note: The site currently contains 2,649.8 square feet of ILC. The proposed improvements would add 408.76 square feet of ILC].

A mailed notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on January 21, 2021. As of the date of this memo, staff has not received any written comment from the public regarding this application.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to exceed the maximum permitted impermeable lot coverage by more than 20%.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.11 acres in size, is located on the south side of Willow Road, between Birch Street and White Oak Lane, and contains an existing two-story residence (see Figure 1 on the following page). The property is zoned R-2 Single Family Residential, and it is bordered by R-2 Single Family Residential to the south, east and west, and R-5 Single Family Residential to the north (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

The existing lot is a legal non-conforming lot in that it is only 4,947.22 square feet in lot area, while the minimum required lot area in the R-2 District is 24,000 square feet. The area of the lot is only 20% of the minimum required lot area. Additionally, the required minimum average lot width is 100 feet, while the existing lot is only 37.49 feet wide, and the required minimum lot depth is 200 feet, while the existing lot is only 131.93 feet deep. As you will note in Figure 1 below, this lot and the one to the east and three to the west are all legally non-conforming lots in the R-2 District. This area was originally subdivided in 1879 into nine lots, each of which were 25 feet wide and one that was 30.8 feet wide. Over time these lots have been combined into their current configurations. Also overtime, zoning regulations have been revised and amended which has led to these properties being legally non-conforming lots. It should be noted that all together these five existing lots are approximately 30,500 square feet.



Figure 1 – Aerial Map

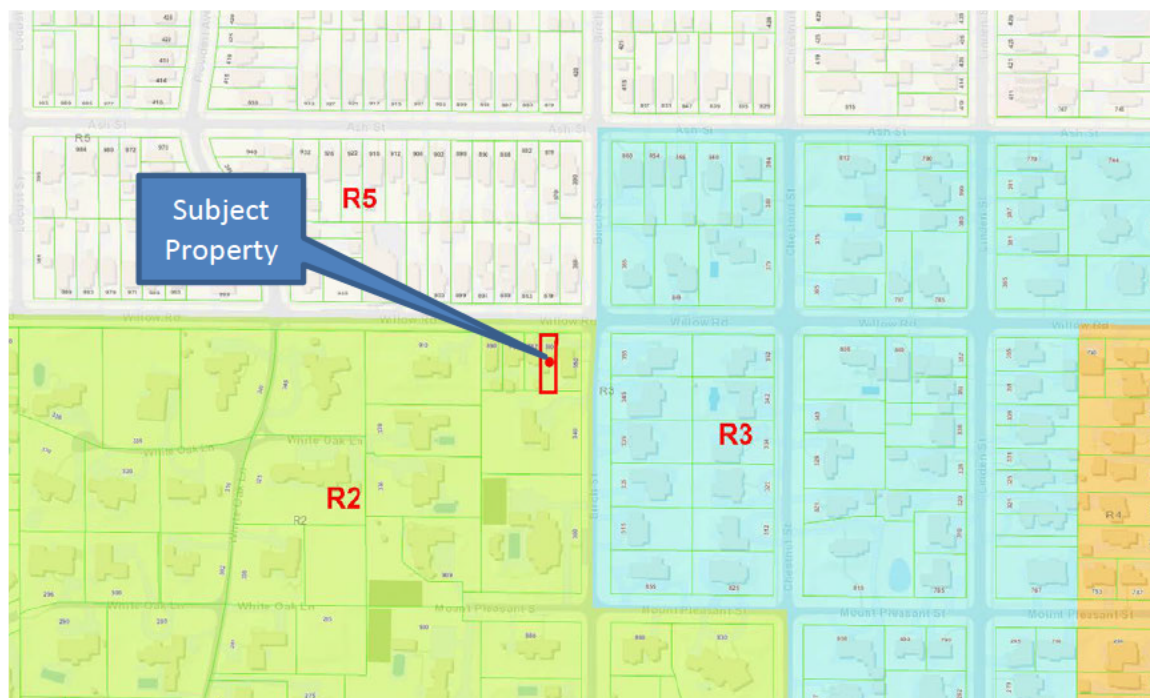


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

After the following series of events, construction of the existing residence was completed in 2020. The Applicants acquired the property in January 2019. In April 2019, the Applicant was issued a building permit to build a two-story addition and remodel the residence. At that time plans called for the demolition of an existing detached one-car garage, with no plans to replace the garage. On July 29, 2019, Village staff noticed the entire residence above grade had been demolished. Subsequently, a Stop Work Order was issued due to the work going beyond the scope of the approved building permit. Given the entire structure above grade was torn down, the Village's codes thus defined the construction as a new home. A new home is required to meet current zoning requirements. Due to the pre-existing nonconformities of the residence that was torn down, zoning relief was necessary for the Applicant to proceed with construction to rebuild on the existing foundation. Thus, the Applicant applied for a variation in August 2019.

On September 9, 2019, the ZBA considered the following zoning variations to allow construction of what is now the existing residence: (1) gross floor area; (2) front yard setback; and (3) minimum side yard setback from the east property line. After hearing from the Applicant and four neighbors opposed to the request, the ZBA discussed the request at length. Some members felt that since the residence had been torn down the new construction should be required to comply with the current zoning regulations. However, given the neighborhood context in terms of the front yard setback, they would be willing to consider the front yard setback variation but they did not find the side yard and GFA variations met the standards for granting a zoning variation. Other members felt that since the proposed construction was the same as what was originally administratively approved by Village Staff, in compliance with the regulations prior to the construction going beyond the approved scope of work, the request should be approved. Additionally, some members found the nonconforming size of the lot to be a challenge, so much so, that zoning relief would likely be required for any construction on the Subject Property.

The ZBA was originally split 3 to 3 on the request. Recognizing the need to provide the Village Council with a recommendation of approval or denial, the ZBA continued to discuss the request. Ultimately, the ZBA recommended, by a vote of 4 to 2, approval of the variations. For reference, the minutes of the September 2019 ZBA meeting are included in this report as Attachment D.

Subsequently, on October 1, 2019, the Village Council waived introduction of Ordinance M-17-2019 and adopted the ordinance approving the requested variations. Ordinance M-17-2019 is included in this report as Attachment E. It is important to note that the approved plans did not include construction of a garage to replace the garage that was torn down. The Zoning Ordinance does not require enclosed parking.

Figures 3 and 4 on the following page identify the Subject Property.



Figure 3 – Subject Property (North Building Elevation)



Figure 4 – Subject Property (North/East Building Elevation)

PROPOSED PLAN

The variations are being requested to construct a detached one-car garage measuring 12 feet by 20.98 feet (251.76 square feet). Given the proposed garage would be located within the rear quarter of the lot, the garage does not contribute to the calculable GFA. However, the garage does add 251.76 square feet of roofed lot coverage. The proposed plan also calls for an expansion of the driveway to access the garage (136 square feet), as well as an access walk from the east side of the garage to the driveway (21 square feet). In total, the proposed plan would add approximately 409 square feet of impermeable lot coverage.

Excerpts of the proposed site plan, floor plan, and front building elevation of the garage are provided below and on the following pages as Figures 5 through 7. The complete set of plans are provided in the application materials, which are included in this report as Attachment C.

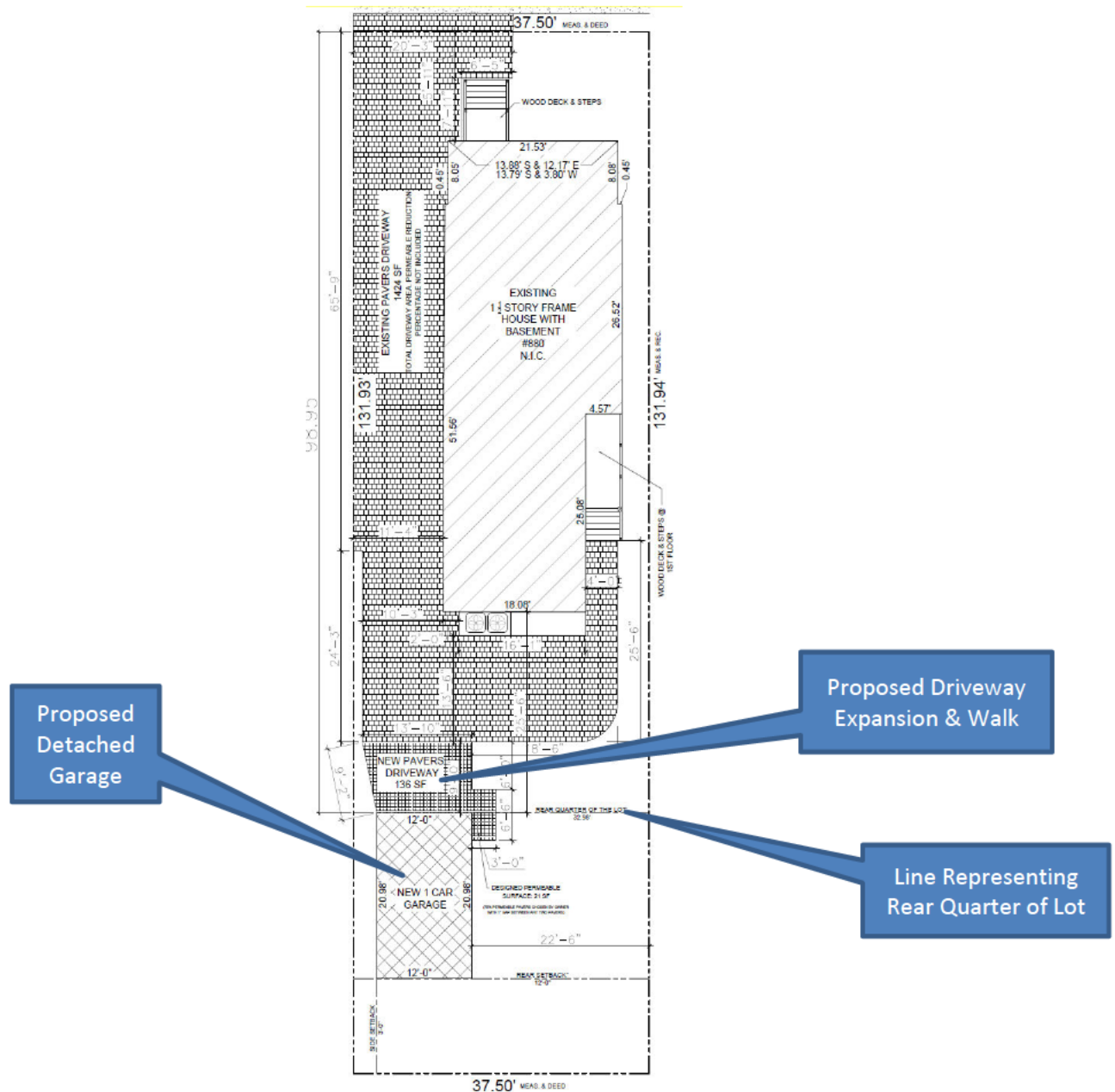


Figure 5 – Site Plan

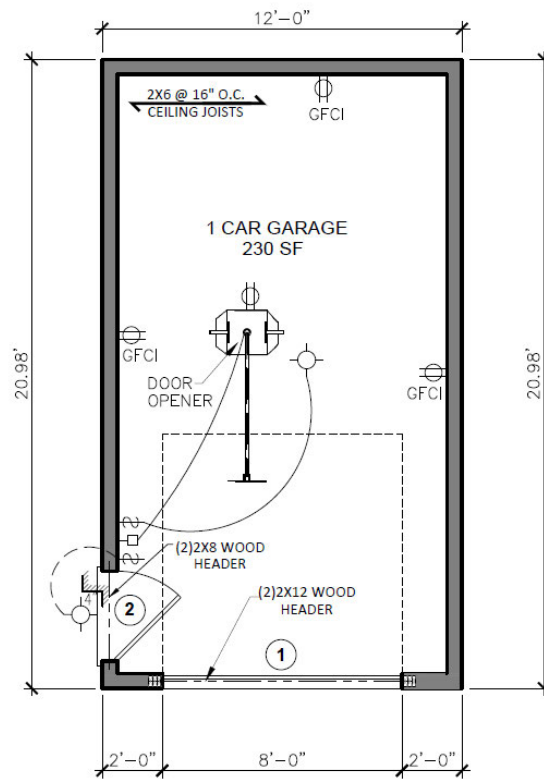


Figure 6 – Proposed Garage Floor Plan

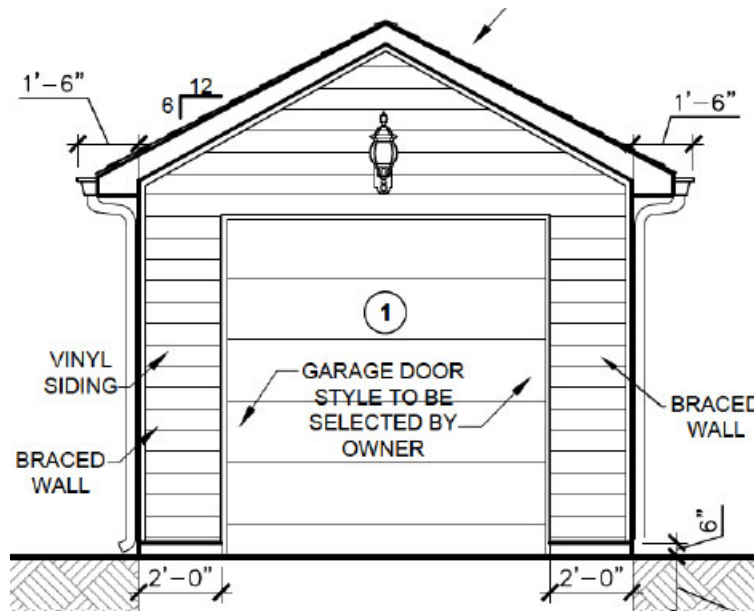


Figure 7 – Proposed Front Elevation

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (Attachment B). Based on the proposed plan, it appears additional stormwater detention may be required. However, a final determination will be made by Village Engineering staff upon submittal of a building permit application. Additionally, Figure 8 on the following page represents the Subject Property's proximity to the floodplain; the grey represents the 100-flood area and the purple represents the 500-year flood area.

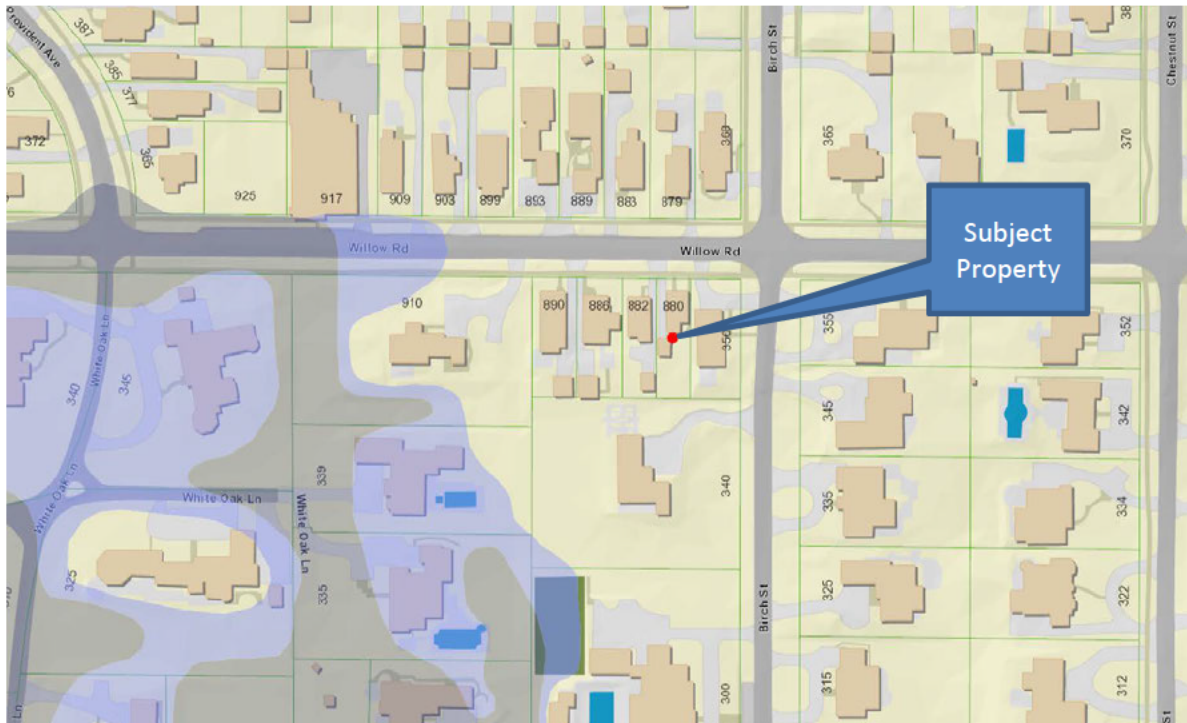


Figure 8 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvement's compliance with the R-2 zoning district (Attachment A). Two variations are being requested: (1) roofed lot coverage (RLC); and (2) impermeable lot coverage (ILC).

Roofed Lot Coverage. The site currently contains 1,225.8 square feet of RLC. The increase in RLC with the proposed garage is 251.76 square feet; bringing the total RLC to 1,477.56 square feet, whereas a maximum of 1,236.8 square feet is permitted, a variation of 240.76 square feet (19.47%).

Impermeable Lot Coverage. The site currently consists of 2,649.8 square feet of ILC, exceeding the maximum permitted ILC by approximately 176 square feet. The increase in ILC with the proposed improvements is 408.76 square feet; bringing the total ILC to 3,058.56 square feet of ILC, whereas a maximum of 2,473.61 square feet is permitted, a variation of 584.95 square feet (23.65%).

FINDINGS

Does the ZBA find that the requested variations meet the standards for granting such variations; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend approval [denial] of the following variations granting:

1. Roofed Lot Coverage (RLC) of 1,477.56 square feet, whereas a maximum of 1,236.8 square feet is permitted, a variation of 240.76 square feet (19.47%) [Section 17.30.030 – Intensity of Use of Lot]; and
2. Impermeable Lot Coverage (ILC) of 3,058.56 square feet, whereas a maximum of 2,473.61 square feet is permitted, a variation of 584.95 square feet (23.65%) [Section 17.30.030 – Intensity of Use of Lot].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variations requested are **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **has been met [has not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

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

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

Attachment D: Excerpt of September 9, 2019 ZBA meeting minutes

Attachment E: Ordinance M-17-2019, adopted October 1, 2019

ATTACHMENT A

ZONING MATRIX

ADDRESS: 880 Willow Road

CASE NO: 21-03-V2

ZONING: R-2

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	24,000 SF	4,947.22 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	100 FT	37.49 FT	N/A	N/A	EXISTING NONCONFORMING
Min. Lot Depth	200 FT	131.93 FT	N/A	N/A	EXISTING NONCONFORMING
Max. Roofed Lot Coverage	1,236.8 SF (1)	1,225.8 SF	1,477.56 SF	251.76 SF	240.76 SF (19.47%) VARIATION
Max. Gross Floor Area	1,879.94 SF (1)	2,813.9 SF	2,813.9 SF	0 FT	EXISTING NONCONFORMING
Max. Impermeable Lot Coverage	2,473.61 SF (1)	2,649.8 SF	3,058.56 SF	408.76 SF	584.95 SF (23.65%) VARIATION
Min. Front Yard (Willow/North)	50 FT	13.72 FT	13.72 FT	0 FT	EXISTING NONCONFORMING
Min. Side Yard (East)	6 FT	3.26 FT	3.26 FT	0 FT	EXISTING NONCONFORMING
Min. Side Yard (West)	8 FT	11.32 FT	11.32 (3) FT	0 FT	OK
Min. Rear Yard (South)	19.79 FT	58.27 FT	58.27 FT (4)	0 FT	OK

NOTES:

(1) Based on lot area of 4,947.22 s.f.

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

(3) Proposed detached garage would provide a west side yard setback of 3 feet, which is permitted because the garage would be located in the rear quarter of the lot.

(4) Proposed detached garage would provide a rear yard setback of 12 feet, which is the minimum required setback as the property is abutting the side yard of the neighboring property to the south.

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 880 Willow Road</i> <i>Based upon a preliminary review of information to date, it appears that 880 Willow Road <u>may</u> have to provide additional storm water detention volume. However, a final determination will be made by Village Engineering staff.</i>

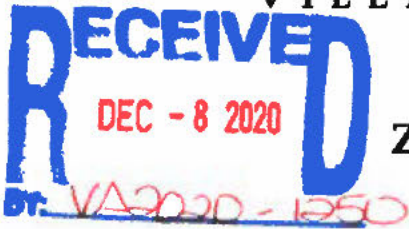
ATTACHMENT C

Village of Winnetka
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS

DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION



Case No. 21-03-V2

Property InformationSite Address: 880 Willow rd, Winnetka, IL, 60093Owner InformationName: Iulian CazacuAddress: 880 Willow RdCity, State, ZIP: Winnetka, IL, 60093Email: [REDACTED]Primary Contact: Iulian CazacuPhone No. [REDACTED]Date property acquired by owner: 01/2019Architect InformationName: Edvard Livanu

Primary Contact: _____

Address: PO Box 59116City, State, ZIP: Chicago, IL, 60659Phone No. 312 866 0946Email: edishoo@gmail.comAttorney InformationName: N/A

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: N/A

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

We want to build a 1(one) car garage in the back of the property which will be less than 25% of the rear yard but it may exceed the zone allowances by little bit

Property Owner Signature: [REDACTED]Date: 12/08/2020

Proposal application for zone variance

1) Statement of ownership and interest

- a) The applicant Julian Cazacu is the owner of the property situated at 880 Willow rd in Winnetka
- b) This is a single family home newly constructed in 2020, was initially acquired in 2019 and had a garage behind the house but it got demolished during reconstruction of the house.
- c) The new owner is in need of a garage as it was originally the case with the old property.
- d) The owner of this property being a new construction strived to adhere to any new regulations of environment protection and hazard prevention.

2) Request

- a) The owner request approval of approximate 250sqft (12ft x21ft) from the following variance "Roofed Lot Coverage", "Impermeable Surface", "Gross Floor Area" but I think it is exempt from GFA calculations due to the fact that is smaller than 400sqft of total GFA and will be built in the rear 25 percent of the lot depth.
- b) Roofed area should not be a concern since all the area around the house is not covered with concrete or asphalt but is paved driveway which is permeable to water drainage and if the garage is being built all the additional pavement will just be extended to in front of the garage
- c) As far as the roofed area it will have gutters all around collecting all the rain water and will be directed to drain into the storm collector catch basin which was just installed in the back yard to help with storm drainage as per new construction requirements.
- d) The new garage if it is granted construction permit will not impose any strain to existing storm water dissipation in the area therefore the zoning regulation regarding roofed area requested of about 250sqft should be a minimal abatement of conformity

3) Facts

- a) Building the garage at the back of the property will clear the clutter on the driveway present at this time.
- b) The property cannot be entirely used at its full potential since more than a half of the property sits empty at the back and the owner is keeping one of his valuable vehicles garaged somewhere else and cannot have access to it unless he drives there.
- c) The plight of the owner in this case has also to do with the fact that the property shape is more long than wide so when he parks 2 cars in the

side driveway interferes severely with the neighbor's cars leaving little to no room to move around or to pass by. This would be alleviated by moving the cars forward and parking one in the garage.

- d) The new garage will serve the owner as to protect his valuable vehicles from the elements as in a community of this reputation should not be a hardship coming from the village council especially after spending so much money in building a new house which in itself rise the value of the community.
- e) Most of the other properties similar with this one in the immediate vicinity (up the street, across the street) have garages in the similar way as the one requested here, and they have asphalt driveways and no storm catch basin in the back either.
- f) The new garage will not be visible from any exterior point to consider that will change the look of the locality since is behind all houses in that particular area.
- g) It will not block any light or wind passing by around the adjacent area.
- h) It doesn't add any hazard in any way (health, safety, comfort, morals or impair access around the property or neighbor property whatsoever.
- i) It will not change the value of the land or the taxable amount that the village currently collects.
- j) It might release some parking on the public street.

PROFESSIONALS ASSOCIATED SURVEY, INC.

PROFESSIONAL DESIGN FIRM NO. 184-003023

7100 N. TRIPP AVENUE
LINCOLNWOOD, ILLINOIS 60712
www.professionalsassociated.com

TEL: (847) 675-3000
FAX: (847) 675-2167
e-mail: pa@professionalsassociated.com

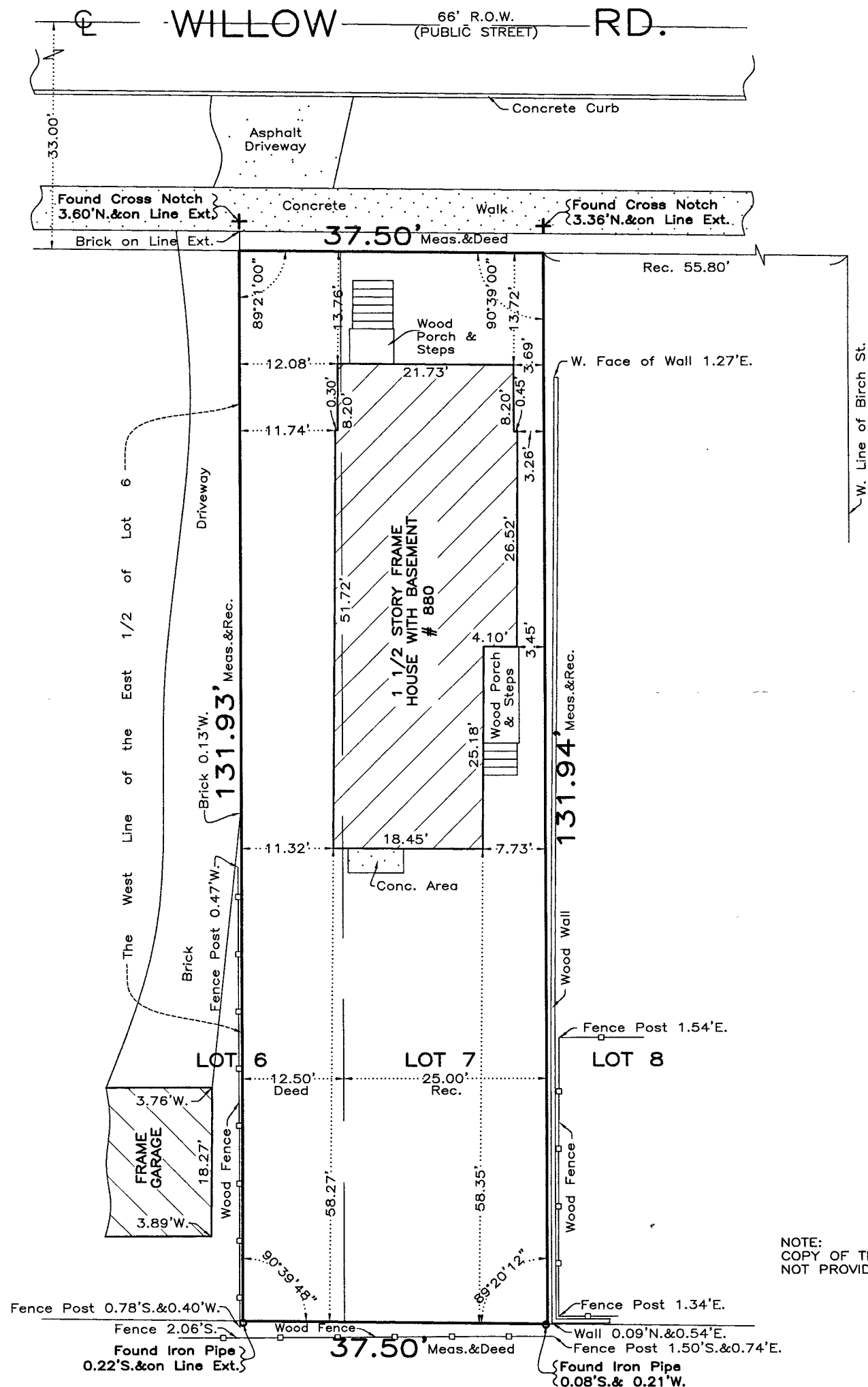
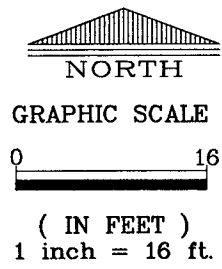
PLAT OF SURVEY

OF

LOT 7 AND THE EAST HALF OF LOT 6 IN OAK GROVE ADDITION TO WINNETKA,
A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 4,947.22 SQ.FT. = 0.1136 ACRE.

COMMONLY KNOWN AS: 880 WILLOW ROAD, WINNETKA, ILLINOIS.



NOTE:
COPY OF TITLE INSURANCE POLICY
NOT PROVIDED TO SURVEYOR.

LOT A
OWNER'S CONSOLIDATION

THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON
DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY
SHOULD BE COMPARED WITH THE TITLE OR DEED.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE
THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO
YOUR DEED OR ABSTRACT.

Order No. 17-93115
Scale: 1 inch = 16 feet.
Date of Field Work: June 25, 2020.
Ordered by: Donya Tanzif



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

THIS SURVEY HAS BEEN ORDERED FOR SURFACE
DIMENSIONS ONLY, NOT FOR ELEVATIONS.
THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND
AT ONCE REPORT ANY DIFFERENCE.

State of Illinois
County of Cook

We, PROFESSIONALS ASSOCIATED SURVEY INC., do hereby
certify that we have surveyed the above described property and that,
to the best of our knowledge, the plat hereon drawn is an accurate
representation of said survey.

Date: July 1, 2020.

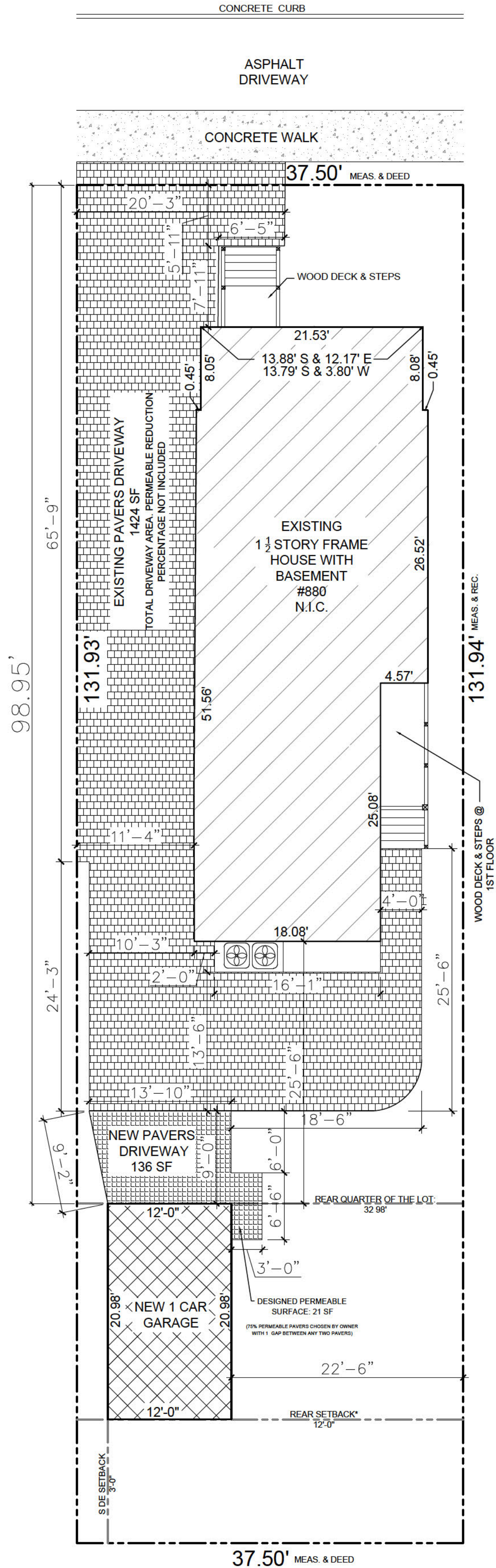
Hylton E. Donaldson
ILL. PROF. LAND SURVEYOR - LICENSE EXP. DATE NOV. 30, 2020.

Drawn by: JR-A.T.

ZBA Agenda Packet - 880 Willow - Page14

LOT 7 AND THE EAST HALF OF LOT 6 IN OAK GROVE ADDITION TO WINNETKA, A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS
LAND TOTAL AREA: 4947.22 SQ FT. = 0.1136 ACRE.

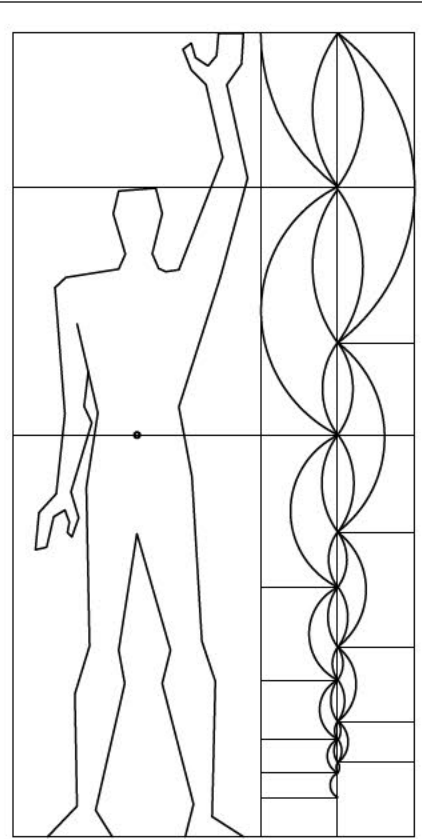
WILLOW RD.



PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"

NEW DETACHED 1 CAR FRAME GARAGE
AT 880 WILLOW AVE.

ZONING: R-2 SINGLE FAMILY			ABBREVIATIONS						GENERAL NOTES:	
ZONING INFORMATION										
ISSUE	ORDINANCE REQUIREMENT	ACTUAL								
LOT SIZE	12,600 SF	4,947.37 SF (NON-CONFORMING LOT)								
G.F.A.	1879.94 SF	1ST FLOOR LEVEL 3'-8" ABOVE GRADE (EXISTING BASEMENT FOUNDATION WALLS TO REMAIN, NO REPLACEMENT) BASEMENT 936.88 SF 1ST FLOOR 1,228.07 SF 2ND FLOOR ABOVE 7'-0" 644.48 SF TOTAL HOUSE GFA 2,809.43 SF GARAGE EXCLUDED* 252 SF								
ROOFED LOT COVERAGE	1,236.80	1,480.07								
IMPERMEABLE LOT COVERAGE	2,473.61	1,560 (DRIVEWAY / WALKWAY ONLY)								
BUILDING HEIGHT TO RIDGE	15'-0"	28'-6"								
MINIMUM YARDS - FRONT (NORTH)	50'-0"	99'-0"								
MINIMUM YARDS - SIDE (EAST)	3'-0"	22'-6"								
MINIMUM YARDS - SIDE (WEST)	3'-0"	3'-0"								
MINIMUM YARDS - REAR	12'-0"	12'-0"								
* ZONING NOTES										
Section 17.30.040 Maximum Building Size										
E. Exclusions from Gross Floor Area Calculations.										
The following floor areas shall be excluded from the maximum building size:										
1. An amount of garage floor area equal to one of the following:										
a. The first 400 square feet of the floor area of a one-story detached garage located in the rear quarter of the lot;										
Section 17.30.070 Rear Yard Setback										
B. Rear Yard Abutting a Side Yard. Where the rear yard abuts a side yard of an adjoining property, the rear yard setback shall be no less than the minimum side yard requirement established for the adjoining property pursuant to section 17.30.060 of this title.										
C.										
REAR ADJ. PROPERTY #340 BIRCH ST.										
Section 17.30.060 Side Yard Setback										
F. Minimum Side Yard Setback										
LOT WIDTH: 100 feet or more										
For each side yard: 12 feet for each										
BUILDING CODES			CERTIFICATION STATEMENT							
2015 INTERNATIONAL RESIDENTIAL CODE W/ APPENDIX B (RADON CONTROL)										
2018 INTERNATIONAL ENERGY CONSERVATION CODES WITH THE ILLINOIS AMENDMENTS										
2014 NATIONAL ELECTRIC CODE										
2014 STATE OF ILLINOIS PLUMBING CODE										
2014 INTERNATIONAL MECHANICAL CODES & INTERNATIONAL FIRE CODES										



PO BOX 59116 Chicago, IL 60659
O: 312.866.0946
edishco@gmail.com
www.edishco.info

DATE: 1.14.2021

880 WILLOW ROAD
WINNETKA, IL

GENERAL
NOTES

G-1

GENERAL CONDITIONS

1. VERIFY ALL EXISTING CONDITIONS, MATERIALS, DIMENSIONS, AND UTILITIES IN FIELD PRIOR TO EXECUTION OF THE WORK.
2. PERFORM ALL CUTTING, PATCHING, AND REPAIR WORK AS REQUIRED TO COMPLETE THE PROJECT.
3. OWNER WILL OBTAIN THE GENERAL PERMIT, GENERAL CONTRACTOR SHALL OBTAIN AND ARRANGE FOR ALL OTHER PERMITS REQUIRED FOR COMPLETION OF THE PROJECT, ARRANGE FOR ALL NECESSARY INSPECTIONS AND TESTS AS REQUIRED BY THE VILLAGE OF WINNETKA AND MAKE ALL REQUIRED SUBMITTALS.
4. DESIGN BUILD PORTIONS OF THE WORK SHALL INDICATE THAT WORK WILL BE PERFORMED ON A DESIGN/BUILD BASIS. IN SUCH CASES, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE COMPLETE DESIGN, ENGINEERING, AND INSTALLATION OF SUCH SYSTEMS OR EQUIPMENT, AND SHALL WARRANT TO THE OWNER THAT SUCH WORK SHALL ADEQUATELY MEET THE NEEDS AND REQUIREMENTS OF THE OWNER AND OF THE PROJECT AS PLANNED AND ITS INTENDED USES AS WELL AS COMPLY COMPLETELY WITH ALL APPLICABLE CODES, ORDINANCES, AND GOVERNING REGULATIONS. IN NO WAY SHALL A DESIGN/BUILD ARRANGEMENT LIMIT THE RESPONSIBILITY OF THE CONTRACTOR TO COMPLETE HIS OBLIGATION TO MEET SUCH NEEDS AND REQUIREMENTS. DESIGN/BUILD WORK SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:

*HVAC SYSTEM
*PLUMBING SYSTEM
*ELECTRICAL SYSTEM
*STRUCTURAL SYSTEM (TRUSSES, TRUSS RODS)
*REAR DECK/STAIR

5. COORDINATE ALL WORK WITH OTHER TRADES AND WITH THE OWNER.
6. PROTECT PROPERTY AND OWNER OPERATIONS FROM DAMAGE AND/OR DELETERIOUS ACTIVITIES. REPAIR ANY DAMAGE THAT MAY OCCUR AT ONCE.
7. PROVIDE ALL TEMPORARY LIGHTING, POWER, AND HEAT AND VENTILATION, GUARDS AND ENCLOSURES, SCAFFOLDING SYSTEMS, SECURITY AND WEATHER PROTECTION AS REQUIRED TO PROPERLY PERFORM THE WORK AND INSURE THE SAFETY OF THE WORKMEN AND PROJECT OCCUPANTS. MAINTAIN TEMPORARY SYSTEMS THROUGHOUT DURATION OF THE WORK UNTIL PERMANENT SYSTEMS ARE COMPLETED.

8. THE CONTRACTOR AND ALL OF HIS SUBCONTRACTORS, EMPLOYEES AND PERSONNEL SHALL BE INSURED FOR THE DURATION OF THE PROJECT IN ACCORDANCE WITH CONTRACT DOCUMENTS. ARCHITECT SHALL BE NAMED AS "ADDITIONAL INSURED" ON INSURANCE POLICIES OF ALL CONTRACTORS ON THE PROJECT AND SHALL BE PROVIDED EVIDENCE OF SAME PRIOR TO THE BEGINNING OF CONSTRUCTION ACTIVITIES.
9. MAINTAIN THE SITE IN A CLEAN AND ORDERLY MANNER. REMOVE ALL DEBRIS, EXCESS MATERIALS, DIRT AND SIMILAR ITEMS AND PROPERLY DISPOSE OF OFF SITE.

10. ALLOWABLE UNITS STRESS AND LOADING IN ACCORDANCE WITH LOCAL CODES AND AS FOLLOWS:
*LIVE LOADS AT ROOF 40 LBS/SF
*LIVE LOADS AT FLOORS 40 LBS/SF
*LIVE LOADS AT PORCHES/BALCONY/DECKS 100 LBS/SF
*LIVE LOADS AT STAIRS 100 LBS/SF
*WIND LOADS 20 LBS/SF

11. NOT BY ARCHITECT IN WRITING AT ONCE IF ANY DISCREPANCIES FOUND IN THE CONSTRUCTION DOCUMENTS. IN SUCH CASES THE MOST RESTRICTIVE (GREATER QUANTITY OR THE BETTER QUALITY) SHALL GOVERN.
12. THE OWNER MAY OCCUPY PORTIONS OF THE PROJECT PRIOR TO COMPLETION OF THE WORK. PHASE WORK OPERATIONS TO MAINTAIN HABITABLE STANDARDS OF SECURITY, SANITATION, WEATHER PROTECTION, AND CLEANLINESS FOR THE OWNER. PROVIDE TEMPORARY ENCLOSURES TO SEPARATE AREAS OF WORK FROM OCCUPIED PORTIONS.
13. ALL MATERIALS SHALL BE NEW. EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH BUILDING CODE REGULATIONS AND MANUFACTURER'S INSTRUCTIONS. ALL MATERIALS FOR WHICH UNDERWRITERS LABORATORIES ISSUES A LABEL SHALL CARRY THE UL LABEL. PROVIDE ADDITIONAL CONTROLS, ACCESSORIES AND DEVICES TO COMPLETE THE INSTALLATION WHETHER OR NOT SHOWN IN THE PERMIT DOCUMENTS.

14. TEST, BALANCE, ADJUST AND REPAIR WORK AND EQUIPMENT FOR PROPER OPERATION AND OPTIMUM PERFORMANCE.
15. AT TIME OF SUBSTANTIAL COMPLETION, ALL LAMPS SHALL BE OPERATIONAL, ALL FILTERS CLEAN, ALL SYSTEMS OPERATIONAL WITHOUT LEAKAGE EXCESSIVE VIBRATION OR NOISE.

16. PROVIDE SAFETY-GLAZING MATERIALS AT ALL HAZARDOUS LOCATIONS AS DEFINED BY THE VILLAGE OF WINNETKA AND CODES CURRENTLY ENFORCED BY THAT MUNICIPALITY.

SITEWORK AND PAVING

1. THE CONTRACTOR SHALL CAREFULLY AND FULLY EXAMINE THE SITE OF THE WORK, AND COMPARE IT TO THIS DOCUMENT AND ALL OTHER CONDITIONS AND LIMITATIONS PERTAINING TO WORK. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND SHALL PROVE SITE SURVEY DETERMINES CRITICAL GRADE ELEVATIONS FOR REVIEW BY ARCHITECT PRIOR TO COMMENCEMENT OF THE WORK. NO WORK IS TO START UNTIL ALL DISCREPANCIES ARE RESOLVED.
2. THE PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED ACCORDING TO THE ORDINANCES AND REGULATIONS AND SPECIFICATIONS FOR ROAD, SIDEWALK AND BRIDGE CONSTRUCTION, DEPARTMENT OF TRANSPORTATION, STATE OF ILLINOIS, ADOPTED OCTOBER 1, 1983 AND SUPPLEMENTAL SPECIFICATIONS.
3. PROVIDE ALL CUTTING, PATCHING SHORING AND DE-WATERING NECESSARY TO COMPLETE THE WORK.
4. KEEP EXITS, ACCESSWAYS, OWNER OCCUPIED AREAS AND DRIVES CLEAR AND FREE FROM DEBRIS.
5. CUT AND CAP UTILITY LINES THAT ARE TO BECOME ABANDONED OR REPLACED BY NEW WORK. COORDINATE WITH UTILITY OWNER PRIOR TO SUBMITTING NBID.
6. EARTHWORK:
*COORDINATE WITH ALL UNDERGROUND UTILITIES PRIOR TO STARTING EXCAVATION.
*LOCATE EXISTING UNDERGROUND UTILITIES IN AREAS OF WORK. FUTURE UTILITIES ARE TO REMAIN IN PLACE, PROVIDE ADEQUATE MEANS OF SUPPORT AND PROTECTION DURING EARTHWORK OPERATIONS. SHOULD UNCHARTED UTILITIES BE ENCOUNTERED DURING EXCAVATION, NOTIFY UTILITY OWNER IMMEDIATELY FOR DIRECTIONS. EXISTING UTILITY LINES ARE TO REMAIN IN EFFECT DURING CONSTRUCTION.

7. UNIFORM GRADE AREAS WITHIN SPECIFIC TOLERANCES, COMPACT WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE INDICATED AND BETWEEN SUCH POINTS AND EXISTING GRADES.
8. DETERMINE EXTENT OF CUT OR FILL REQUIRED PRIOR TO SUBMITTING BIDDING. PROVIDE SUFFICIENT FILL REQUIRED. DISPOSE OF EXCESS EXCAVATED MATERIAL, WASTE, TRASH, AND DEBRIS OFF-SITE.

9. PROTECT EXISTING LANDSCAPE (IE. TREE TRUNKS, ROOTS, SHRUBS, ETC.) DURING CONSTRUCTION. TREE TRUNKS SHALL BE WRAPPED WITH A 4 FOOT HIGH SHEATHING OF 2X4 OR SIMILAR AT THE BASE. ADDITIONALLY, A 3 FOOT HIGH SNOW FENCE OR SIMILAR FENCE SHALL BE ERECTED AROUND THE TREES OR PLANTING TO PROTECT THE TREES FROM VEHICLE COMPACTION. THESE PROTECTIONS SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT FOR ALL TREES IN THE WORK AREA AND WITHIN 20 FEET OF THE ACCESSWAYS TO WORK AREA.

10. EXCAVATED MATERIALS SHALL BE REMOVED FROM SITE IMMEDIATELY OR SHALL BE STOCK PILED IN APPROVED AREAS IN PLYWOOD SHEATHING LADDED ON THE GROUND.

11. PAVEMENT:
*APPLY BINDER AND SURFACE COURSES WHEN AMBIENT TEMPERATURE IS ABOVE 40 DEGREES F AND WHEN TEMPERATURE HAS NOT BEEN BELOW 30 DEGREES F FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION.

12. BITUMINOUS ASPHALT SHALL BE PLANT-MIXED HOT LAY ASPHALT AGGREGATE. MIXTURE IN 2 1/2" MINIMUM THICKNESS COMPLYING WITH ASTM D 3515 AND AS RECOMMENDED BY LOCAL AUTHORITIES TO SUIT PROJECT CONDITIONS. APPLICATION SHALL BE 1 1/2" BINDER AND 1" SURFACE COURSE THICKNESS ON 6" STONE OR GRAVEL ON COMPACTED FILL. SURFACE SMOOTHNESS TOLERANCES SHALL BE 1/4". PROVIDE PROPER SURFACE PITCH TO AVOID ANY PONDING.
13. *ALL UNSUITABLE MATERIAL AND SOFT YIELD AREAS SHALL BE REMOVED AND REPLACED WITH CRUSHED STONE, DOT C&B GRADATION, AND COMPACTED TO 95% MODIFIED PROCTOR DENSITY IN PAVEMENT AREAS AND COMPACTED TO 3000 PSF IN BUILDING PAD LIMITS.

14. BACKFILL ALL WALLS BY PLACING GRANULAR FILL IN 1'-0" LIFT EVENLY ON BOTH SIDES OF WALL. ALL BACKFILL SHALL BE COMPACTED TO 95% MAXIMUM DENSITY.

WOOD AND PLASTIC

1. ALL SAWN LUMBER FRAMING SHALL COMPLY WITH THE REQUIREMENTS AND RECOMMENDATIONS OF THE NATIONAL DESIGN SPECIFICATION (NDS), LATEST EDITION, AS PUBLISHED BY THE NATIONAL FOREST PRODUCTS ASSOCIATION (NFPA).
2. ALL PLYWOOD DECKING AND SHEATHING SHALL COMPLY WITH THE REQUIREMENTS AND RECOMMENDATIONS OF THE AMERICAN PLYWOOD ASSOCIATION (APA), LATEST EDITION.

3. ALL SAWN LUMBER SHALL BE OF A SPECIES AND GRADE HAVING THE FOLLOWING MIN. VALUES:
Fb = 1300 PSI, Fc = 1000 PSI, Fa = 175 PSI, E = 1,700 KSI.
MAXIMUM ALLOWABLE MOISTURE CONTENT SHALL BE 19%.
4. ALL HEAVY TIMBER SHALL BE DOUGLAS FIR #1, HAVING THE FOLLOWING MIN. VALUES:
Fb = 1650 PSI, Fc = 1750 PSI, E = 1700 KSI.
5. PROVIDE SOLID BLOCKING OF THE SAME DIMENSION AS THE JOISTS AT ALL SUPPORTS.
6. ALL PLYWOOD FOR FLOORFLOOR DECKS AND AS WALL SHEATHING SHALL BE OF THE THICKNESS SHOWN ON THE DRAWINGS AND SHALL MEET ALL THE REQUIREMENTS OF U.S. PRODUCT STANDARD PS 1, LATEST EDITION, FOR STRUCTURAL 1 GRADE MATERIAL AND/OR APA PERFORMANCE STANDARDS AND POLICIES FOR STRUCTURAL USE PANELS, FORM NO. E445.
8. ALLOWABLE UNIT STRESSES FOR LAMINATED MEMBERS: BENDING - 2900 PSI HORIZONTAL SHEAR - 285 PSI.
9. ALL PRE-ENGINEERED WOOD PRODUCTS, INCLUDING BUT NOT LIMITED TO, WOOD TRUSSES, SHALL BE DESIGNED AND DETAILED TO SUPPORT THE LOADS INDICATED ON THE DRAWINGS. SHOP DRAWINGS AND CALCULATIONS BEARING A REGISTERED ENGINEER'S CERTIFICATION SHALL BE SUBMITTED FOR REVIEW AND SHALL CONTAIN SIZE, SPACING, LOCATION, AND CONFIGURATION OF SUCH MEMBERS. ALL SPECIES AND GRADES OF MATERIALS USED SHALL BE CLEARLY STATED ON SHOP DRAWINGS. CALCULATIONS SHALL BE SUBMITTED SHOWING LOADS, SHEARS, MOMENTS, AND DEFLECTIONS FOR ALL SUCH MEMBERS. CALCULATIONS SHALL CLEARLY STATE ALL SECTION PROPERTIES (SECTION MODULUS, MOMENT OF INERTIA, MODULUS OF ELASTICITY), ALL DESIGN STRESSES, AND ALLOWABLE STRESSES USED IN DETERMINING SUCH MEMBERS.
10. CONTRACTOR SHALL PROVIDE TEMPORARY BRACING AS REQUIRED TO INSURE PROPER ALIGNMENT AND STABILITY OF TRUSSES DURING CONSTRUCTION PER THE TRUSS PLATE INSTITUTE'S PUBLICATION BWT-76, "BRACING WOOD TRUSSES - COMMENTARY AND RECOMMENDATIONS".

11. GALVANIZED OR COATED CONNECTORS SHALL BE USED FOR ALL OUTDOOR WOOD INSTALLATIONS.
12. ALL EXTERIOR EXPOSED WOOD AND SLAT PLATES IN CONTACT WITH MASONRY OR CONCRETE SHALL BE PRESURE PRESERVATIVE TREATED LUMBER AS PER ARCHITECTURAL SPECIFICATIONS.
13. MINIMUM NAIL CONNECTIONS FOR WOOD FRAMING MEMBERS SHALL BE IN ACCORDANCE WITH THE NAILING SCHEDULE GIVEN IN APPENDIX M OF THE BOCA BASIC BUILDING CODE, LATEST EDITION.
14. BACKSPLINE AND PREPARE ALL EXPOSED WOOD FOR FINAL PAINT FINISH UNLESS NOTED OTHERWISE.
15. ALL MANUFACTURED LAMINATED WOOD BEAMS SUCH AS MICROLAM OR PARALAM AS SHOWN ON THE DRAWINGS SHALL FOLLOW THE MANUFACTURER'S NAILING AND BOLTING PATTERNS FOR SYSTEMS THROUGHOUT DURATION OF THE WORK UNTIL PERMANENT SYSTEMS ARE COMPLETED.
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ATTACHMENT D

Minutes adopted 10.14.2019

WINNETKA ZONING BOARD OF APPEALS EXCERPT OF SEPTEMBER 9, 2019 MEETING MINUTES

Zoning Board Members Present: Matt Bradley, Chairman
Sarah Balassa
E. Gene Greable
Wally Greenough
Lynn Hanley
Kimberly Handler

Zoning Board Members Absent: None

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

Case No. 19-23-V2: 880 Willow Road: An application submitted by Julian Cazacu seeking approval for zoning variations to allow construction of a new single family residence on the existing foundation at 880 Willow Road. The requested zoning variations would permit the residence (a) to exceed the maximum permitted building size, (b) to provide less than the minimum required front yard setback from Willow Road and (c) to provide less than the minimum required east side yard setback. The Village Council has final jurisdiction on this request.

Ms. Klaassen stated the applicant filed an application seeking approval of three variations, one for GFA in the amount of 2,814 square feet whereas a maximum of 1,880 square feet is permitted, a variation of 934 square feet or 49.68%, a front yard setback of 13.79 feet whereas a minimum of 50 feet is required, a variation of 36.21 feet or 72.4% and a side yard setback variation to allow a side yard setback of 3.2 feet whereas a minimum of 6 feet is required, a variation of 2.8 feet or 46%.

Ms. Klaassen stated the subject property is located on the south side of Willow Road between Birch Street and White Oak Lane. She then stated in April 2019, the applicant was issued a building permit to build a two story addition and remodel the existing residence. Ms. Klaassen stated on July 29, 2019, Village staff noticed the entire structure above grade had been demolished and a stop work order was issued due to the work going beyond the scope of the approved building permit. She then stated given the entire structure was torn down, the Village's codes define the construction now as a new home which is required to meet the current zoning regulations. Ms. Klaassen stated due to the existing nonconforming home being torn down, zoning relief is necessary for the applicant to proceed with construction to rebuild on the existing foundation.

Ms. Klaassen stated the plan submitted for consideration by the Board reflects the same improvements originally approved by the Village in April to remodel the residence and build a two addition at the rear of the home. She stated the proposed two story residence would be constructed on the existing foundation which has been reinforced with concrete. Ms. Klaassen stated the existing foundation is located within the required front and east side yard and the proposed residence would be in the same location as the previous residence with the exception that the residence would extend further south toward the rear of the property in compliance with the required setbacks.

September 9, 2019

Page 2

1 Ms. Klaassen noted the existing lot is legal nonconforming as the lot measured only 4,974 square feet
2 while the R-2 district requires a minimum lot area of 24,000 square feet. She stated the area of the lot is
3 only 20% of the minimum lot requirement. Ms. Klaassen stated in addition, the minimum required
4 average lot width is 100 feet with the current lot measuring less than 38 feet wide. She noted the lot to
5 the east and three lots to the west are all legal nonconforming lots in the R-2 zoning district. Ms.
6 Klaassen reiterated the three variations being requested include a GFA variation, front yard setback and
7 side yard setback. She informed the Board the basement which measured approximately 943 square
8 feet is now included in GFA due to the elevation of the first floor above grade whereas prior to
9 demolition, the basement was not included in the GFA. Ms. Klaassen noted the zoning ordinance
10 requires that basements in buildings constructed since 1989 that have a first floor more than 2.5 feet
11 above grade are to be included in GFA, whereas basements built prior to 1989 are included in the GFA if
12 the basement walls are exposed more than 4 feet above grade. She stated in this particular case, the
13 first floor is located 3 feet 8 inches or 3.67 feet above grade. Ms. Klaassen stated prior to being torn
14 down, the GFA complied with the maximum permitted GFA. Ms. Klaassen stated since the residence was
15 torn down and although the foundation remains, it is considered new construction requiring the
16 entire basement be included in GFA due to the elevation of the first floor above grade.

17
18 Ms. Klaassen stated the Board is to consider whether the requested variations meet the standards for
19 granting such variations. She stated following public comment and Board discussion, the Board may
20 make a recommendation to the Village Council regarding the requested relief. Ms. Klaassen noted a
21 draft motion is included on page 7 of the agenda report.

22
23 Chairman Bradley informed Ms. Brya she did not have to stay and asked the applicant to speak to the
24 request.

25
26 Julian Cazacu, 880 Willow Road, stated he would present the situation to the Board. He stated the home
27 was torn down and the foundation remained to rebuild a new home. Mr. Cazacu stated there are photos
28 of the old home and he decided for the safety of his family and the neighbors, there was no way to build
29 using the existing walls. Chairman Bradley asked if there were any questions from the Board.

30
31 Ms. Handler stated the applicant is saying he bought the home for his family and asked if the co-owner
32 is his wife. Mr. Cazacu confirmed that is correct and his wife is a real estate agent. Ms. Handler asked
33 Mr. Cazacu if they were well aware of the due diligence when they purchased a North Shore property.
34 Mr. Cazacu confirmed that is correct. Ms. Handler noted she did research on the property and saw it is
35 one of the older homes in the Village and was built in 1905 with the last time a permit being issued was
36 in 1929. She then asked if they realized it would be a tough haul when they bought the home and if a
37 general contractor looked at the home. Mr. Cazacu confirmed that is correct. Ms. Handler also asked if
38 he had done renovations before and Mr. Cazacu responded not like this. Ms. Handler described the
39 situation as hitting the lottery and whether they did not think the home was well under market value
40 with a low tax bill and they are allowed to build a 1,800 square foot home with a 900 square
41 foot basement. Ms. Handler stated they should be able to build that. Mr. Cazacu stated they wanted to
42 build what would work for them and the old home was small and they could not make four rooms which
43 is why they decided to do an addition and bathroom. Mr. Cazacu also stated the home is almost 2,000
44 square feet now. Ms. Handler then stated they get to start from scratch and should be able to build a
45 home which would meet their family's needs and the zoning requirements for the Village. She also
46 stated the laws are set for a reason to make sure the housing stock remained as lovely as it is. Ms.
47 Handler then asked why he would not want to do that and build a home in accordance with the
48 ordinance. Mr. Cazacu stated if they were to build a new home according to the requirements, the width

September 9, 2019

Page 3

1 of the home would be 16 feet which is very small. He also stated it would be 50 feet long and they want
2 to keep the existing foundation.

3
4 Chairman Bradley referred to the creation of a terrible ordeal in terms of what they contemplated
5 doing. He stated the applicant got a permit to do a build out and upon finding out the walls were not
6 safe, he referred to photos and with regard to the general contractor being able to proceed under the
7 current plans, he asked why the contractor didn't notify the Village he intended to demolish the home.
8 He stated the contractor should have known that would not be authorized. Mr. Cazacu responded when
9 they started demolition, they did it one by one and were planning to keep the east and west walls
10 and found out the home was not safe. He informed the Board the foundation was not connected to the
11 home and they decided to take the whole thing down and that it was a surprise.

12
13 Chairman Bradley asked on what date was the demolition done. Ms. Klaassen responded it was noticed
14 on July 29, 2019 and they are not sure if it happened that day. Mr. Cazacu responded it was within a
15 couple of hours. Chairman Bradley then stated the original plans from the April approval did not
16 contemplate a 933 square foot basement and asked if it was intended to be a crawl space. Ms. Klaassen
17 responded it was not. Chairman Bradley stated everything was approved under the condition it would
18 be a renovation and is existing nonconforming and now since the walls were demolished, it needs to be
19 considered as new construction which brought into play the GFA overage. He asked if there were any
20 other questions.

21
22 Ms. Hanley asked Mr. Cazacu did they know the home was nonconforming when they bought it. Mr.
23 Cazacu responded they did not. Ms. Hanley asked did the general contractor know. Mr. Cazacu
24 responded with regard to the general contractor, it was his idea to demolish it in case something
25 happened and he did not want to be responsible. Ms. Hanley stated the plans show they need variations
26 and the permitted plans should show what is required and what they would have in terms of minimum
27 side yard etc. Mr. Cazacu responded because of the safety situation, they could not leave it the way it
28 was. Ms. Hanley asked Mr. Cazacu if he was aware if you have a nonconforming building which burned
29 down, you cannot rebuild it nonconforming as it was. Mr. Cazacu reiterated it was for safety reasons.
30 Ms. Hanley stated the issue for discussion is securing and rebuilding walls. Mr. Cazacu informed the
31 Board in a meeting, they discussed trying to connect the walls with the foundation and found there was
32 no way to do it. He also stated the whole home was hanging in the wood and there was no connection
33 or support. Ms. Hanley asked Mr. Cazacu if he is aware he can build if they do a new foundation and
34 they are trying to not build a new foundation. Mr. Cazacu stated they want to keep the
35 existing foundation and build a new home. Ms. Hanley asked if with a new foundation, they can still
36 build a new home with just a front yard variation. Mr. Cazacu confirmed that is correct. Ms. Hanley
37 asked why they could not build on the existing basement. Mr. Cazacu referred to the space needed for
38 the family with five rooms and three bedrooms. Ms. Hanley referred to whether they can build this
39 home on a new foundation conforming to the side yard requirements. Mr. Cazacu noted the foundation
40 is in good shape.

41
42 Ms. Klaassen noted the side yard setback for the existing home is set back 3 feet and if they were
43 to remove the foundation and start from scratch, there would have to be a 6 foot setback to the east
44 and 8 feet to the west which leaves a width of 23 feet. Ms. Hanley stated they could still build a 21 foot
45 wide home conforming to the side yard requirements and asked if that would include a driveway. Ms.
46 Klaassen confirmed that is correct on the west side since they would need at least 8 feet for the
47 driveway. Chairman Bradley asked if there were any other questions.

September 9, 2019

Page 4

1 Mr. Greenough asked Mr. Cazacu when they bought the home and Mr. Cazacu responded January 2019
2 and they never lived in it. Mr. Greenough asked if they considered the possibility of demolishing
3 and building a new home on the site and Mr. Cazacu confirmed that is correct. Mr. Greenough then
4 asked how the Village staff distinguished between it being an inadvertent teardown caused by
5 circumstances and deliberate teardowns. Mr. Schoon responded the submitted plan required them to
6 leave more than 50% of the structure in place to be considered a remodeling and not new home
7 construction. He stated when the developer proceeded with a gut rehab; they discovered the structural
8 support was not safe, which does happen on occasion.
9

10 Mr. Greenough asked what led them to believe they could partially demolish the home and rebuild
11 around it. Mr. Cazacu responded the foundation is in good shape and the walls were not open in order
12 to check them deeper and determine the shape of the home. He stated they checked parts of
13 the basement and decided to demolish it that far with 50% of the home being the same but the home
14 had old wood which was not in good shape. Mr. Cazacu stated they want to do the best rebuild so that it
15 would be strong and not a problem in the future. He then stated after the permit was issued,
16 they started demolition slowly and then saw the walls were in bad shape. Chairman Bradley asked if
17 there were any other questions.
18

19 Mr. Greable stated when the applicant bought the home, which was built prior to 1989, the basement
20 could have gone 4 feet above the foundation which would have been ok and the home was at 3.67 feet
21 and was legal. Chairman Bradley stated the applicant is not in the position for a height variation that
22 would count toward GFA in the remodel. Mr. Greable stated when the applicant bought the home; the
23 basement was 3.67 feet above the foundation which made it legal. Mr. Cazacu stated he did not have
24 that information and with regard to the existing basement, they broke everything down and referred to
25 new plumbing. Mr. Greable then stated what they are doing now brings in additional first floor height
26 which was not in it before because it was conforming. He asked what is the height they are using that
27 would bring this in to GFA. Mr. Cazacu confirmed the basement would be 7 feet deep and the first floor
28 would be 8 feet. Chairman Bradley stated if the basement is above 2.5 feet, it would be brought in to
29 GFA under the new rules and if they had it at 2.5 feet and below, it would not come in to GFA.
30

31 Ms. Klaassen referred the Board to Sheet A-4 which is the building section which showed the grade
32 elevation of 0 with the first floor at 3 feet 8 inches above grade. Mr. Greable asked if it was the same as
33 before the teardown and complies with the old grade. Ms. Klaassen stated it was not included
34 previously since the basement walls were not exposed more than 4 feet and now since it would be
35 new construction, the limit is 2.5 feet to the first floor. Mr. Greable then stated they are only talking
36 about 1 foot which he described as a minor amount. Chairman Bradley asked if there were any other
37 questions from the Board or audience.
38

39 Maureen Cline, 350 Birch Street, informed the Board she lives next to the subject property. She stated
40 she is not anti-development and understood there were issues with the previous structure which
41 definitely needed renovations. Ms. Cline then stated she had strong objections to the variations being
42 requested by the developer which will negatively impact their property. She noted the west side of the
43 home which shared the property line with this property only has three windows. Ms. Cline informed the
44 Board the previous structure came as far back as halfway to the kitchen window leaving the remaining
45 windows with unobstructed views and light. She stated the new structure would extend across the
46 kitchen window and one of the two dining room windows leaving only one window with natural light.
47 She stated although the back of the original structure extended into a portion of the kitchen window,
48 there is currently a sufficient distance between both properties to allow natural light into their kitchen.

September 9, 2019

Page 5

1 Ms. Cline stated if the variations are granted, it would allow the new structure to sit closer to their
2 property line and this would no longer be the case. She indicated the developer knew what the
3 permissible footprint was and the purchase price reflected those restrictions. She then urged the Board
4 to reject the petition for these variations so as not to diminish their family's enjoyment of their home
5 and the value of their investment.

6
7 Chairman Bradley stated in terms of the setbacks, this is all existing as originally existed for the building
8 in April. He also stated for the permit granted in April, it was compliant with the ability for them
9 to extend the home as originally planned. Ms. Klaassen confirmed that is correct. Chairman Bradley
10 asked if there were any other comments.

11
12 Chairman Bradley swore in Doug Deets, 879 Willow Road. Mr. Deets stated he lives across the street and
13 has watched the progression of events on the property which he described as upsetting and the
14 applicant gutted the entire place. He questioned why they did not see the condition of the walls and
15 foundation then. He then referred to a footer being put in for the addition before knocking the home
16 down. Mr. James also stated there was no fencing except a bit around the front of the property. He then
17 stated the electrical was standing on a single piece of wood until the Village saw what occurred and the
18 power company shut it down. Mr. Deets stated while he understood the applicant wanted to go with
19 the existing footprint, the property is very small and questioned the effect on drainage and water for the
20 surrounding neighbors. He referred to a garage which may be in the plans. Ms. Klaassen stated there is
21 not. Mr. Deets then stated the basement is in bad shape with rotting 100 year old bricks. He stated his
22 concern is supervision and given the record of what they have found so far, there is a need for better
23 supervision of the applicant and the home should be built within the conformity of the guidelines.
24 Chairman Bradley asked if there were any other comments.

25
26 Chairman Bradley swore in Laurie DeJaines (sp?), 879 Willow Road. Ms. DeJaines stated she did
27 not believe based on the plans they reviewed that what they bought and what they intend to do should
28 be approved for the reasons stated by the neighbor at the corner of Birch. She informed the Board their
29 home was also built in 1905 and for the work done at that property, for a home this old and with a
30 realtor as a family member, they should have known what the restrictions are. Ms. DeJaines stated in
31 order to maintain the home integrity in the Village, building a larger home would be detrimental to the
32 neighbors. She also stated it is already difficult to get in and out of the shared driveway and it
33 is dangerous for the children next door since there was no fencing until the work stoppage on July 29th.
34 Ms. DeJaines referred to three children across the street whose home shares the driveway. She then
35 stated with regard to the work to be done, the Village told them it's just a remodel and addition when
36 clearly, it was not. Ms. DeJaines then stated when the electric pole was left standing; they connected it
37 to a pole in her front yard which was a huge danger. She also stated they have watched the entire
38 progression of the work being done from their home and while she understood the applicant wanted
39 a larger home and have the variations accepted for his family, the Village should stand by the zoning
40 laws and restrictions as well as for the protection of the community. Ms. DeJaines added while she is not
41 against a new home being built, a 1,800 square foot home in Winnetka is in great demand and
42 concluded it would be a detriment to not adhere to the regulations. Chairman Bradley asked if there
43 were any other comments.

44
45 Chairman Bradley swore in Kelly Horn, 340 Birch. Ms. Horn stated she saw everything happen and
46 had extreme concerns about the negligence and possible bait and switch which looked deliberate
47 and happened quickly. She informed the Board they had a tree removed from their front yard and went
48 through the proper approval process, talked to the Village Forester, etc. Ms. Horn then stated for

September 9, 2019

Page 6

1 the safety and the community, she is very concerned about what happened. She also stated there was a
2 lack of integrity and a huge concern going forward that if they wanted to build an addition that should
3 have been done. Ms. Horn reiterated for the work they did to their home, they went through the
4 appropriate process. She again referred to it being a bait and switch and the applicant's first call should
5 have been to the Village if they felt the walls were unsafe. Ms. Horn commented it is upsetting to them
6 as neighbors and encouraged them to look at the precedence set by the homeowner and the integrity of
7 the process should be upheld.

8
9 Chairman Bradley asked if there were any other comments. No additional comments were made at this
10 time. He stated the Board would now bring the matter in for discussion and asked the Village staff if
11 they had paperwork in terms of the contractor working on the site as to whether they were licensed,
12 bonded and insured. Ms. Klaassen responded they are required to do that. Chairman Bradley stated it
13 was a typical process by which oversight in terms of interior renovation and fencing being required, he
14 asked to what extent the Village monitors what is happening from the period in April and notice of
15 demolition if there was any. Ms. Klaassen stated Village staff does code enforcement which did
16 not mean there was not any communication. She noted inspections are done through all phases of
17 construction. Chairman Bradley stated if the applicant is granted permission to move forward, he
18 referred to there being restriction around the surrounding area since it is new construction and security
19 fencing being taken care of. Ms. Klaassen confirmed that is correct.

20
21 Chairman Bradley asked if there was any additional comment and stated he did not have the sense the
22 Board is leaning one way or the other. He noted the Board is a recommending body to the Village
23 Council to approve or deny the request. Ms. Balassa stated she did not want there to be confusion with
24 regard to the neighbors' concerns or lose sight of the Board's requirements. She stated to review, the
25 home the applicant wanted to build was approved initially as an addition and remodel in the exact same
26 footprint and for them to keep the foundation and to do anything, it would not be conforming
27 and variations are required. Ms. Balassa stated in connection with the concerns of the neighbors' natural
28 light and air and effect on their property, they would not have had the ability to bring those concerns
29 with the remodel and addition and asked if there is no forum for that. Ms. Klaassen confirmed that is
30 correct because the addition and remodel complied with the regulations. Ms. Balassa then asked if the
31 only way it would come into conformance is to start fresh with a new foundation and stated those
32 four homes would no longer be in alignment which would change the streetscape and look of the street
33 on Willow Road. Ms. Klaassen confirmed that is correct. Ms. Balassa referred to the concerns with
34 regard to the children's safety issues which are very important to address no matter what. She also
35 stated she did not attribute the situation to be a bait and switch and the Board cannot assess that here
36 and for the testimony of the petitioner, photos and information, it is not relevant. Ms. Balassa reiterated
37 the Board should not discuss that and should say what is the best solution going forward. She noted
38 there would be a change to the neighborhood either way and the request was already approved for an
39 identical home by the Village, it is a difficult question. Ms. Balassa stated she is leaning toward allowing
40 the request and noted it is a very tight space and they have to make the best of the situation.

41
42 Ms. Handler referred to the satellite view and the home being the most forward home on the block. Ms.
43 Balassa stated it is by minor amounts and the distance between the homes is very tight which had an
44 effect on the neighbors. She added she did not know how much they should take the natural light effect
45 into account. Ms. Handler referred to the natural light effect since they would turn the back room into a
46 two story addition. Ms. Balassa confirmed they are allowed to do that and the neighbors' concern is not
47 resolved.

September 9, 2019

Page 7

1 Chairman Bradley stated it becomes an issue of semantics when you consider the qualifications of
2 the property. He stated before the decision of the contractor was made to tear down the home, it was
3 in compliance with the ordinance for renovation and an addition. Chairman Bradley noted the R-2
4 district calls for 24,000 square feet and the applicant tried to put on an improvement and was staying
5 within the space provided. He then stated but for the careless decision which was done out of safety of
6 the teardown, they are now to look at it as new construction. Chairman Bradley then stated the issues
7 of the front yard setback and side yard setback are semantics to him and the structure was in place
8 when the home was bought and referred to the age of the home and neighbors who bought their
9 homes. He also referred to a home that size and housing stock staying available on the small parcel.
10 Chairman Bradley then stated the issue of GFA and overage only come in play because they are now to
11 look at it as new construction and the 933 square feet proffered overage is due to how the current
12 foundation would be set up. He also stated a 7 foot high ceiling is not elaborate for the structure or
13 space. He referred to stopping the applicant from going further down to stay within the side yard
14 setback and front yard setback to build an allowable home and the reason they are having the
15 conversation and the contractor is on watch now who decided to tear the home down.

16
17 Chairman Bradley noted the neighbors' concerns are valid and justified in terms of safety and referred to
18 citizens flagging issues to make sure things are policed. He then stated he would reluctantly be in favor
19 of the applicant going forward because semantics are driving it. Chairman Bradley also stated he
20 understood the residents' concerns and with regard to the reduction of light in the backyard, the Board
21 cannot make a decision on their rights to build on the property as long as it is in compliance with
22 the zoning ordinance. He agreed it is clear the variations given would not make a bigger home than
23 before on the property except what is allowed to take them beyond what was there before and they
24 would not have been given a variation to build anything if they were not within their legal right to build
25 from April.

26
27 Mr. Greenough referred to concern with regard to bait and switch, and he stated the proposed building
28 is what was already going to be built. He cautioned them to talk to the contractor and added he would
29 be in favor of the request.

30
31 Ms. Hanley stated while she did not feel there was a bait and switch, she referred to buying a
32 nonconforming 115 year old home and this happened whether it was intentional or not, the home was
33 demolished and the applicant should start within the confines of the zoning ordinance if they build a
34 new structure. She also stated they should not judge as to whether it was intentional or not and when
35 there is demolition of any kind, you should not be permitted to go ahead and not rebuild within
36 conformity. Ms. Hanley also stated they are subjecting to the situation being used as a loophole to skip
37 the demolition process and described the situation as extremely unfortunate. She also stated in shoring
38 the walls, foundation, etc. and jumping to demolition, they have to conform. Ms. Hanley then stated she
39 is sympathetic to the neighbor's light issues, which is why they have ordinances, although a 50
40 foot setback in the front would be ridiculous. She suggested they reapply for the front yard setback or
41 allow for a driveway and as a result of the demolition, to try to conform to the ordinance. Ms. Hanley
42 added she would hate to create a loophole and referred to other homes which were intentionally or
43 unintentionally demolished and they do not want to set up a precedent.

44
45 Mr. Greenough asked in those instances, if the concern is to take advantage of the demolition and
46 building something new. Ms. Hanley responded if the home falls down to the foundation, the new home
47 should conform to zoning. Chairman Bradley noted that is not possible in the R-2 district and given how
48 that lot is zoned; it would always need a variation. Ms. Hanley then stated an attempt should be

September 9, 2019

Page 8

1 made to conform although a variation of the 50-foot setback should be allowed. Chairman Bradley
2 noted it is only because of the height of the basement that a GFA variation is necessary. Ms. Hanley
3 stated with a lower foundation, they can still build a 1,800 square foot home and she would not
4 recommend approval of the request as is and suggested the applicant come back with another design.

5
6 Chairman Bradley stated the Board seemed to be moving toward the applicant withdrawing the request
7 and reappear with modifications. Ms. Klaassen stated they would not withdraw the application but
8 would be given the opportunity to continue the case in order to revise the plans.

9
10 Mr. Greable stated he saw the property and described it as an unusual situation. He then stated the
11 existing foundation for the front and side setbacks is ok and would remain the same as it was. Mr.
12 Greable stated the first floor is giving him problems which is the basement which resulted in it being
13 2,813 square feet and the basement being 933 square feet. He stated that takes it over 2.5 feet and that
14 is the new rule and under the old rules prior to 1989, it was 4 feet. Mr. Greable then stated if they stay
15 below 4 feet, it would be in compliance and the basement would only be 3.67 feet above grade. He
16 reiterated the front and side yard setback are in compliance under the old rules and this is in compliance
17 with the old rules and he would therefore vote in favor recognizing the final decision maker is the Village
18 Council.

19
20 Ms. Handler stated there has been a lot of commentary and there are eight standards required to vote
21 in favor of the variance. She referred to three standards which she did not see as being met, the first of
22 which is reasonable return. Ms. Handler stated it would be new construction and would yield reasonable
23 return if built in accordance with the current laws. She stated with regard to the plight of the applicant
24 being due to unique circumstances, they are looking at a lot which is effectively a vacant lot and
25 required to be treated as new construction and they can construct a new home within zoning. Ms.
26 Handler also stated it is not a unique or narrow lot and has one street frontage. She then stated with
27 regard to light and air, when there would have been renovation on the existing home, it would not have
28 impaired light and air. Ms. Handler stated now it is new construction and they have to look at it under
29 those standards. She concluded by stating based on the plans and testimony of the neighbors, the new
30 home would impair the light and air of the adjoining home and she would not vote in favor of the
31 request since it did not meet three of the eight standards.

32
33 Chairman Bradley stated it is clear there is a set of standards to consider in order to grant variations. He
34 then referred to reasonable return and because it is new construction and in the R-2 district,
35 the minimum lot area is 24,000 square feet and this property cannot be built on without variances. He
36 then stated to the extent standard one is in question, he would be on the side of the applicant and no
37 home is possible on the lot. Ms. Klaassen stated to clarify; it is still considered a buildable lot. Chairman
38 Bradley then stated if they build a new home, the front yard setback would have to be 50 feet with
39 there being nothing left to build a home.

40
41 Mr. Greenough then stated he was moved by Ms. Handler's comments and referred to the concern of
42 the idea they ended up with total demolition and not treat what comes as new construction which is
43 what it is. He confirmed he is now against the request.

44
45 Chairman Bradley stated there are three Board Members in favor and three against the request and
46 referred to how the Board would proceed. Mr. Schoon stated the Board can try to identify whether
47 there would be a favorable amount of votes to approve an amended application so as to convince one
48 Board Members opposed to the project to recommend granting a variation. He also stated it would

September 9, 2019

Page 9

1 require the applicant agreeing to that. Mr. Schoon then stated he is hearing there may be a need for
2 variations but this set of variations would not be appropriate. He questioned what set of variations did
3 the Board feel would be appropriate. Ms. Handler stated she could not support the GFA variation and
4 that a new foundation can be built in compliance with GFA and side yard requirements.

5
6 Chairman Bradley questioned how to suggest variations which are not before the Board. He noted GFA
7 is over the requirement because of treating the request as new construction. Chairman Bradley then
8 stated even if they say the applicant can lower the grade by some amount of the foundation to allow no
9 more than 2.5 feet above grade so that the 933 square foot variation goes away or build a new
10 foundation. He indicated it would not be appropriate for the Board say to the applicant what to do with
11 their property and to give the applicant a delay on the decision given the comments made by those not
12 in favor. Mr. Schoon informed the Board they can take more than one meeting if they cannot reach an
13 agreement, and after that try to forward a recommendation to the Village Council. He stated the others
14 can be asked how they could support it or not and then have the applicant come back to the next
15 meeting.

16
17 Chairman Bradley indicated it sounded like setbacks are not a deal breaker for Ms. Hanley. Ms. Hanley
18 referred to the east setback problem and FAR. She added a decent size home can be built with a 10 foot
19 driveway while leaving 8 feet on the other side with a 20 foot wide home. Ms. Hanley noted it is 21.5
20 feet now and the applicant can still build a decent home and meet the east setback and FAR
21 requirements. Mr. Greenough stated they should not tie up the applicant, and the request should go on
22 to the Village Council. He then stated he would be in favor to recommend approval and heard the
23 reluctance.

24
25 Chairman Bradley asked Ms. Handler with regard to her comments being rigid in that new construction
26 should be built in the strict interpretation of the regulations in the R-2 district and whether all
27 three variations were not acceptable to her. Ms. Handler responded some sort of front yard setback
28 variation of the 50-foot requirement would be reasonable. She reiterated FAR is the problem.

29
30 Chairman Bradley noted for the record potentially letting the rules allow intention and they would be
31 asking the applicant to spend money to demolish the foundation of the home at 21.53 feet in width,
32 which in April was compliant, to reduce it to 20 feet. He stated it amounted to 18 inches and the cost
33 the applicant would have to pay to get 18 inches for the side yard setback strikes him as not being
34 reasonable. Chairman Bradley then stated he appreciated the rigid holding to the standards, and they
35 should offer the applicant the ability to delay a vote and to recommend the applicant connect with their
36 contractor or architect with regard to plans to eliminate GFA and assuage the setback variations to
37 salvage the existing foundation.

38
39 Chairman Bradley then asked for a motion to recommend approval of the applicant's request as set
40 forth on page 7 of the staff report. Such a motion was made by Mr. Greable and seconded by Mr.
41 Greenough. A vote was taken and the motion passed, 4 to 2.

42
43 AYES: Balassa, Bradley, Greable, Greenough

44 NAYS: Handler, Hanley

45
46 ***

ATTACHMENT E

Prepared by:
Peter M. Friedman
Holland & Knight, LLP
150 N. Riverside Plaza, 27th Floor
Chicago, Illinois 60606

After recording, return to:
Recorder's Box 266



1930516078

Doc# 1930516078 Fee \$88.00

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 11/01/2019 03:35 PM PG: 1 OF 20

ORDINANCE NO. M-17-2019

**AN ORDINANCE GRANTING VARIATIONS
FROM THE WINNETKA ZONING ORDINANCE
FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE
WITHIN THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT**

(880 Willow Road)



STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS

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

I do further certify that attached hereto is a full, true, and complete copy of the following:

ORDINANCE NO. M-17-2019

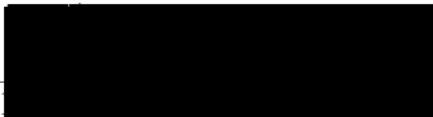
**AN ORDINANCE GRANTING VARIATIONS
 FROM THE WINNETKA ZONING ORDINANCE
 FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE
 WITHIN THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT
 (880 Willow Road)**

Adopted by the Winnetka Village Council on October 1, 2019.

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

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the Village this 16th day of October, 2019.

[SEAL]

By: 
 Deputy Village Clerk

ORDINANCE NO. M-17-2019

**AN ORDINANCE GRANTING VARIATIONS
FROM THE WINNETKA ZONING ORDINANCE
FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE
WITHIN THE R-2 SINGLE FAMILY RESIDENTIAL DISTRICT
(880 Willow Road)**

WHEREAS, Iulian Cazacu and Donya Tanzif (collectively, the "*Applicant*") are the record title owners of the parcel of real property commonly known as 880 Willow Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, the Subject Property is located within the R-2 Single Family Residential District of the Village ("*R-2 District*"); and

WHEREAS, the Subject Property was previously improved with a Single Family Residence ("*Former Structure*"), however, the Applicant demolished the Former Structure except for its foundation; and

WHEREAS, the Former Structure existed prior to February 7, 1989, and accordingly did not have the basement area included in the maximum building size and was a nonconforming structure related to front and corner yard setbacks and side yard setbacks; and

WHEREAS, the Applicant now desires to reconstruct a single-family residence on the Subject Property on the foundation of the Former Structure ("*Proposed Improvement*"); and

WHEREAS, pursuant to Section 17.64.040.E of the Winnetka Zoning Ordinance ("*Zoning Ordinance*"), no lawful nonconforming building that is destroyed shall be repaired or restored to its condition immediately prior to the occurrence of the destruction if the cost of such restoration would exceed 50 percent of the cost of construction of such building unless such building shall be made to conform to all of the regulations of the district in which it is located; and

WHEREAS, pursuant to Section 17.30.040 of the Zoning Ordinance, the Subject Property must have a gross floor area no greater than 1,879.94 square feet; and

WHEREAS, pursuant to Section 17.30.050 of the Zoning Ordinance, the Subject Property must have a minimum front yard setback of 50 feet; and

WHEREAS, pursuant to Section 17.30.060 of the Zoning Ordinance, the Subject Property must have a minimum side yard setback of 6 feet; and

WHEREAS, the Applicant filed an application for variations from: (i) Section 17.30.040 of the Zoning Ordinance to permit the Proposed Improvement to have a gross floor area of approximately 2,813.9 square feet; (ii) Section 17.30.050 of the Zoning Ordinance to permit the

construction of the Proposed Improvement with a front yard setback of approximately 13.79 feet; and (iii) Section 17.30.060 of the Zoning Ordinance to permit the construction of the Proposed Improvement with a side yard setback of approximately 3.2 feet (collectively, “*Variations*”); and

WHEREAS, on September 9, 2019, after due notice thereof, the Zoning Board of Appeals (“*ZBA*”) conducted a public hearing on the Variations and, by a vote of four to two, the members then present recommended that the Council of the Village of Winnetka (“*Village Council*”) approve the Variations; and

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

WHEREAS, the Village Council has determined that approval of the Variations for the Subject Property within the R-2 District is in the best interest of the Village and its residents;

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

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

SECTION 2: APPROVAL OF VARIATIONS. Subject to, and contingent upon, the terms, conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, the Variations from Sections 17.30.040, 17.30.050, and 17.30.060 of the Zoning Ordinance to permit the construction of the Proposed Improvement on the Subject Property are hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

- A. **Commencement of Construction.** The Applicant must commence the construction of the Proposed Improvement no later than 12 months after the effective date of this Ordinance.
- B. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvement and the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- C. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes,

ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.

- D. Compliance with Plans. The development, use, and maintenance of the Proposed Improvement on the Subject Property must be in strict accordance with the following documents and plans, except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards: the 880 Willow Road Development Plan, prepared by Eduard Livanu, consisting of nine sheets, a copy of which is attached to, and by this reference, made part of this Ordinance as **Exhibit B** ("**Plans**").

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

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

SECTION 6: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 7: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 8: EFFECTIVE DATE.

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

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

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 8.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 1st day of October, 2019, pursuant to the following roll call vote:

AYES: Trustees Coladarci, Cripe, Lanphier, Swierk and Wedner

NAYS: None

ABSENT: Trustee Dearborn

APPROVED this 1st day of October, 2019

Signed:

Village President

Countersigned:

Village Clerk

Published by authority of the
President and Board of Trustees of
the Village of Winnetka, Illinois, this
2nd day of October, 2019.

Introduced: Waived

Passed and Approved: October 1, 2019

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lot 7 and the East Half of Lot 6 in Oak Grove Addition to Winnetka, a subdivision of the East 8 acres of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 20, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 880 Willow Road Lane, Winnetka, Illinois.

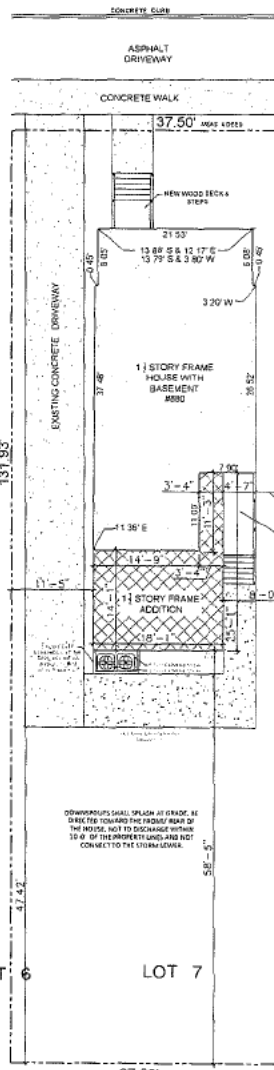
PIN: 05-20-400-022-0000

EXHIBIT B

PLANS

(SEE ATTACHED EXHIBIT B)

WILLOW RD.



PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"

PREVIOUSLY PERMITTED SCOPE OF WORK: NEW 1/2 STORY FRAME REAR ADDITION, INTERIOR REMODELING OF EXISTING HOUSE, REMOVE EXISTING FLOOR STRUCTURE AND REPLACE WITH NEW, NEW WOOD DECK AND BALCONY AT REAR, NEW WOOD STAIRS AT FRONT, REMOVE AND REPLACE EXISTING WINDOWS, INSTALL NEW SIDING AS PER PLANS
AT
860 WILLOW AVE.

ABBREVIATIONS

[illegible]

ENERGY CONSERVATION CODE
COMPLIANCE STATEMENT

I CERTIFY THAT I AM A REGISTERED ENERGY PROFESSIONAL (REP) AND I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ATTACHED PLANS FULLY COMPLY WITH THE REQUIREMENTS OF 2015 INTERNATIONAL ENERGY CONSERVATION CODE.

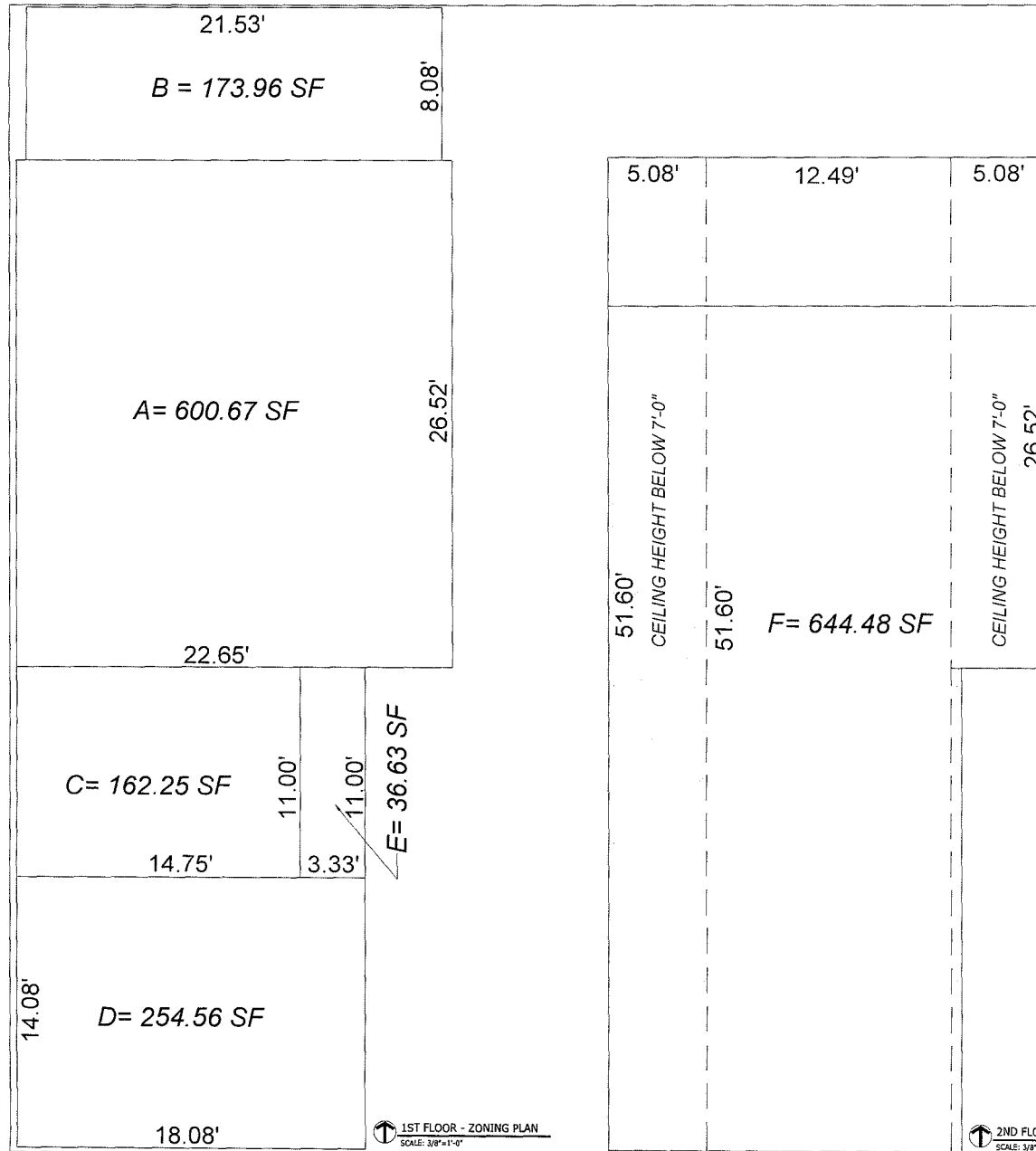
CERTIFICATION STATEMENT

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF CONFORM TO THE CURRENT EDITION OF VILLAGE OF WINNETKA BUILDING AND ZONING CODE

DRAWINGS LIST

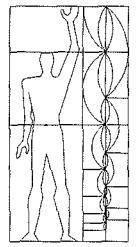
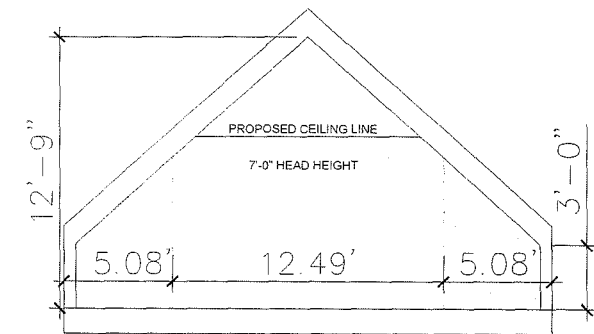
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| 7-1 | TITLE SHEET SITE PLAN & NOTES |
| D-1 | DEMOLITION FLOOR PLANS |
| A-1 | ARCHITECTURAL FLOOR PLANS |
| A-2 | ARCHITECTURAL DETAILS
SCHEDULES AND NOTES |
| A-3 | ARCHITECTURAL FRAMING PLANS |
| A-4 | ARCHITECTURAL LONGITUDINAL
SECTION AND FIRE STOPPING
DETAILS |
| A-5 | ARCHITECTURAL WOOD PORCH
DETAILS |
| A-6 | ARCHITECTURAL ELEVATIONS |

[illegible]



ZONING INFORMATION		
ISSUE	ORDINANCE REQUIREMENT	ACTUAL
ZONING DISTRICT	R-2	R-2
G.F.A.	1,879.84 SF	BASEMENT 3'-6" ABOVE GROUND 913.82 SF LEAVING BASEMENT WALLS SETBACK AND ABOVE GROUND LEVEL TO REMAIN NO REPLACEMENT 1ST FLOOR 1,228.07 SF 2ND FLOOR ABOVE 7'-0" 644.48 SF TOTAL GFA 1,872.55 SF
ROOFED LOT COVERAGE	12.35.89	1,228.07
IMPERVIOUS LOT COVERAGE	2473.81	7,320
BUILDING HEIGHT TO ROOF	30'-0"	28'-0"
MINIMUM YARDS - FRONT (NORTH)	50'-0"	13'-0"
MINIMUM YARDS - SIDE (EAST)	8'-0"	3'-0"
MINIMUM YARDS - SIDE (WEST)	8'-0"	11'-0"
MINIMUM YARDS - REAR	18'-0"	11'-0"
NUMBER OF BEDROOMS	5	5
FIRE SPRINKLER SYSTEM TO BE PROVIDED	NO	NO

FLOOR	ZONING AREA	SQUARE FOOTAGE	ROOFED AREA
1ST FL	A	600.67 SF	1,228.07 SF
	B	173.96 SF	
	C	162.25 SF	
	D	254.56 SF	
	E	36.63 SF	
			PERMITTED: 1,236.80 SF
2ND FL	F	644.48 SF	
TOTAL PROPOSED GFA			1,872.55 SF
PERMITTED GFA:			1,978.89 SF



PO BOX 5816 Chicago, IL 60689
(773) 858-3438
edshco@gmail.com
www.edshco.info

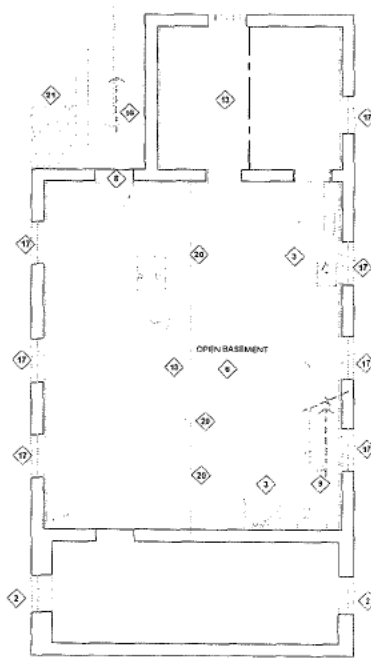
**880 WILLOW RD
WINNETKA, IL**

**ZONING PLANS
AND AREA
CALCULATIONS**

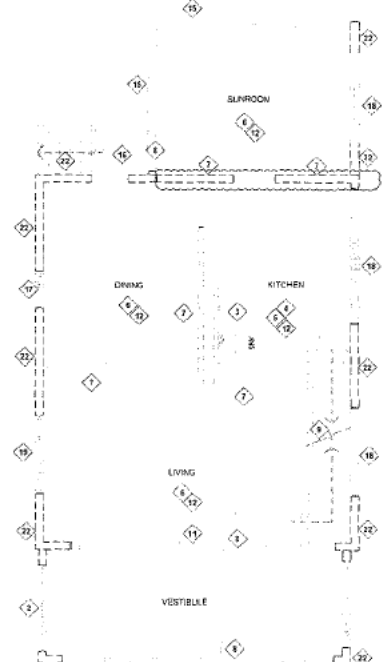
T-2

DEMOLITION GENERAL NOTES

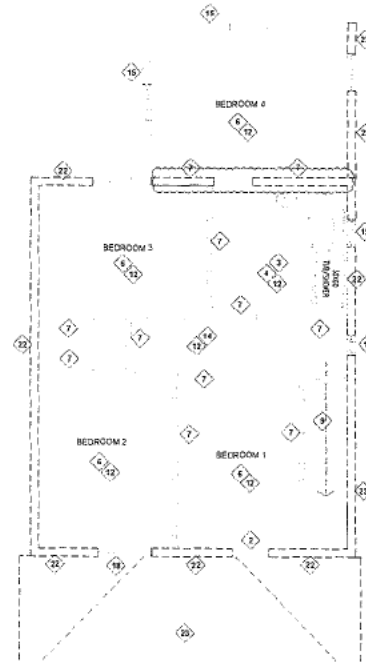
1. CONTRACTOR SHALL VERIFY AND PROTECT THE SITE TO REMAIN IN COMPLIANCE WITH THE JOB LOADS PRIOR TO DEMOLITION AND SHALL MAINTAIN ACCESS TO THE SITE FOR THE DURATION OF THE PROJECT.
2. CONTRACTOR IS TO THOROUGHLY EXAMINE ALL LOCATIONS WHERE NEW WORKS TO BE INSTALLED AND WHERE ANY EXISTING CONSTRUCTION IS TO BE REMOVED OR MODIFIED.
3. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING STRUCTURE CONDITIONS AND REPORT ANY DISCREPANCIES, OMISSIONS, OR CONFLICTS TO THE ARCHITECT IMMEDIATELY IN WRITING BEFORE WORK COMMENCEMENT.
4. SCOPE OF DEMOLITION WORK IS TO INCLUDE, BUT NOT BE LIMITED TO, ALL DEMOLITION, REMOVAL, DISCONNECTION, REPAIRING AND STRUCTURAL BRACING, TEMPORARY SHORING & SUPPORTS AS REQUIRED.
5. CONTRACTOR SHALL PROVIDE ALL NECESSARY MATERIALS AND LABOR TO FULLY COMPLY WITH THE SCOPE OF WORK, WHETHER OR NOT SPECIFIED OR SHOWN ON THE PERMIT DOCUMENTS.
6. CONTRACTOR SHALL VERIFY ALL NECESSARY ENGINEERING REQUIREMENTS AND UNLIMITED LIABILITY OF 12 HOURS IN ADVANCE OF ANY DEMOLITION WORK. CONTRACTOR SHALL MAINTAIN THE LOCATION TO PROTECT AND MAINTAIN EXISTING UTILITIES.
7. CONTRACTOR SHALL COORDINATE WITH ALL UTILITIES TO LOCATE AND SHUT OFF UTILITIES PRIOR TO DEMOLITION. CONTRACTOR SHALL OBTAIN ALL UTILITIES THAT ARE SHUT OFF OR LAPPED.
8. CAP-OFF ALL PILING LINES TO MATCH EXISTING DEMOLITION.
9. CONTRACTOR TO STAY IN COMPLIANCE WITH THE VILLAGE OF WINNETKA BUILDING CODE, ALL OTHER GOVERNING CODES, AND DEMOLITION REQUIREMENTS. THE CONTRACTOR IS RESPONSIBLE FOR THE SAFE ERECTION OF ALL SCAFF.
10. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS OF ALL EXISTING PILING, CONCRETE, STRUCTURE, ETC. WORK MATERIALS TO MATCH EXISTING CONSTRUCTION AND TO MAINTAIN REQUIRED FIRE RATING.
11. CONTRACTOR SHALL REMOVE ALL RUBBER DEBRIS, ETC. CAUSED BY THIS WORK AS WELL AS IT IS EVALUATED. CONTRACTOR SHALL PROVIDE ON SITE CLEANUP.
12. CONTRACTOR SHALL VERIFY AND COORDINATE PLACEMENT OF DUMPSTERS WITH OWNER AND IN ACCORDANCE WITH REQUIREMENTS OF THE VILLAGE OF WINNETKA.
13. CONTRACTOR SHALL COORDINATE WITH THE OWNER ANY ITEMS OR EQUIPMENT TO BE SALVAGED PRIOR TO DEMOLITION.
14. CONTRACTOR SHALL COORDINATE WITH THE INSURANCE COMPANY REQUIREMENTS PRIOR TO THE START OF ANY WORK.
15. ALL WORK SHALL BE IN ACCORDANCE WITH THE ARCHITECT'S FIELD MEASUREMENTS FOR ALL WORK SHOWN AND ANY PROBLEMS THAT ARISE BEFORE COMMENCEMENT OF CONSTRUCTION.
16. REFER TO SHEET 0-1 FOR ADDITIONAL NOTES.



DEMO BSMT PLAN
1/4" = 1'-0"



DEMO 1ST FL PLAN
1/4" = 1'-0"



DEMO 2ND FL PLAN
1/4" = 1'-0"

DEMOLITION KEY NOTES

1. EXCAVATE AREA FOR NEW ADDITION FOUNDATION
2. REMOVE EXISTING WINDOW AND REPLACE WITH NEW WINDOW. SAME LOCATION. SET WINDOW SCHEDULE FOR DETAILS.
3. ALL PLUMBING FEATURES AND ASSOCIATED WASTE/WASTEWATER LINES TO BE REMOVED. CUT OFF ALL PLUMBING LINES. TIP.
4. REMOVE AND REPLACE ALL KITCHEN CABINETS.
5. REMOVE AND REPLACE ALL APPLIANCES.
6. REMOVE AND REPLACE EXISTING ELECTRICAL AS SHOWN ON ELECTRICAL PLAN.
7. REMOVE EXISTING INTERIOR PARTITION.
8. REMOVE EXISTING DOORS.
9. REMOVE AND REPLACE EXISTING DOORS. SAME SIZE SAME LOCATION AS EXISTING. SEE DOOR SCHEDULES ON A-2 SHEET.
10. REMOVE EXISTING INTERIOR SHIMS.
11. REMOVE EXISTING CONCRETE STAIRS.
12. REMOVE PORTION OF THE EXISTING BEAMS. INSTALL NEW LVL.
13. REMOVE EXISTING FLOOR JOISTS AND REPLACE WITH NEW 2X10 FLOOR JOISTS.
14. REMOVE EXISTING CONCRETE SLAB. NEW SLAB @ 8" THICK. SEE ARCHITECTURAL PLAN.
15. REMOVE EXISTING ROOF STRUCTURE. REPLACE WITH NEW.
16. REMOVE PORTION OF THE EXISTING EXTERIOR WALL. FOR NEW ADDITION.
17. REMOVE EXISTING EXTERIOR WINDOW AND DOOR. NEW DOOR IS PROPOSED. SEE DETAILS.
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21. EXCAVATE AREA FOR NEW LIGHT WELL. NEW LIGHT WELL IS PROPOSED. SEE DETAILS.
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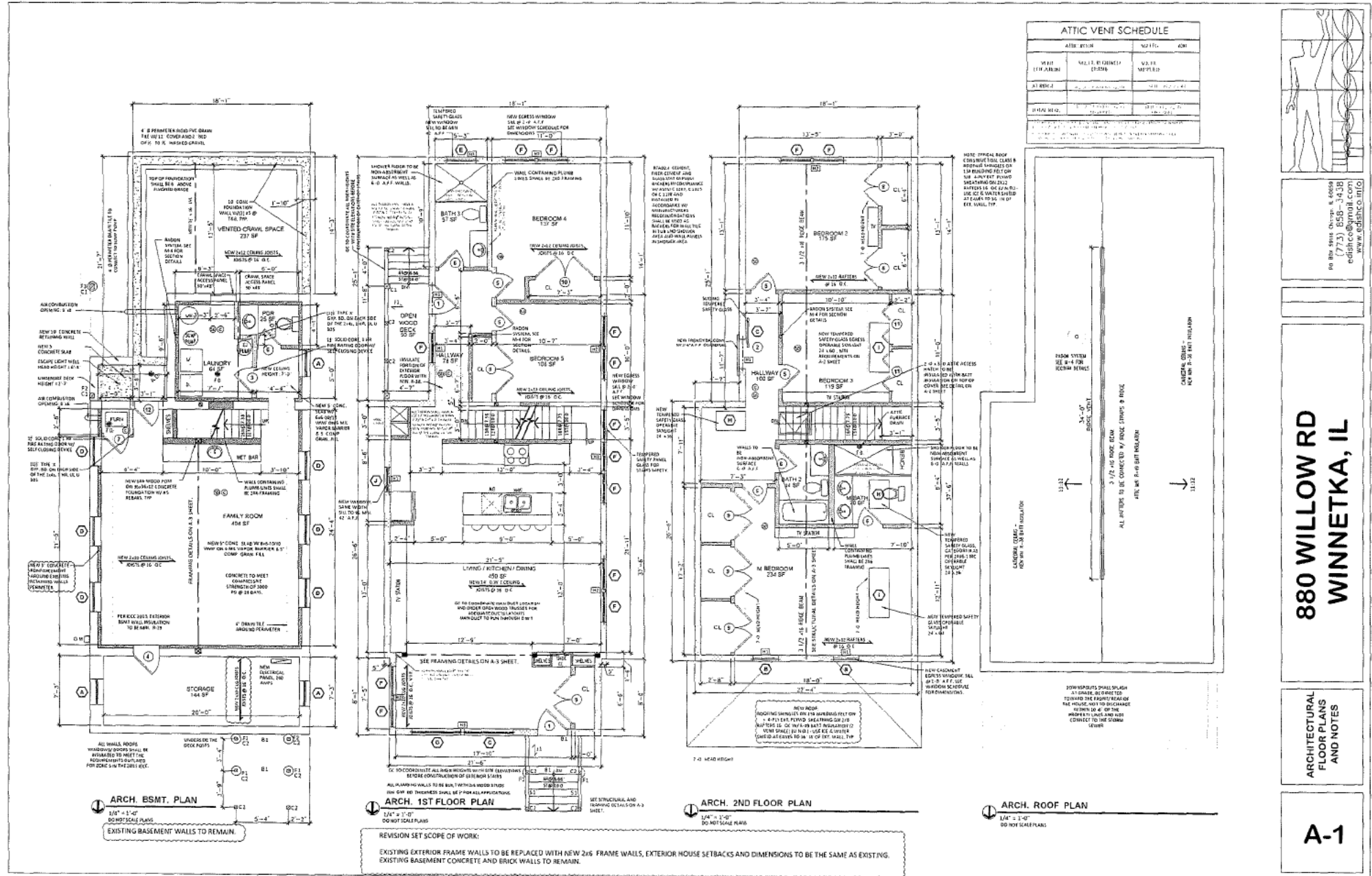
EXP 11/09/2020
773) 858-3438
ed@edisco.com
www.edisco.info

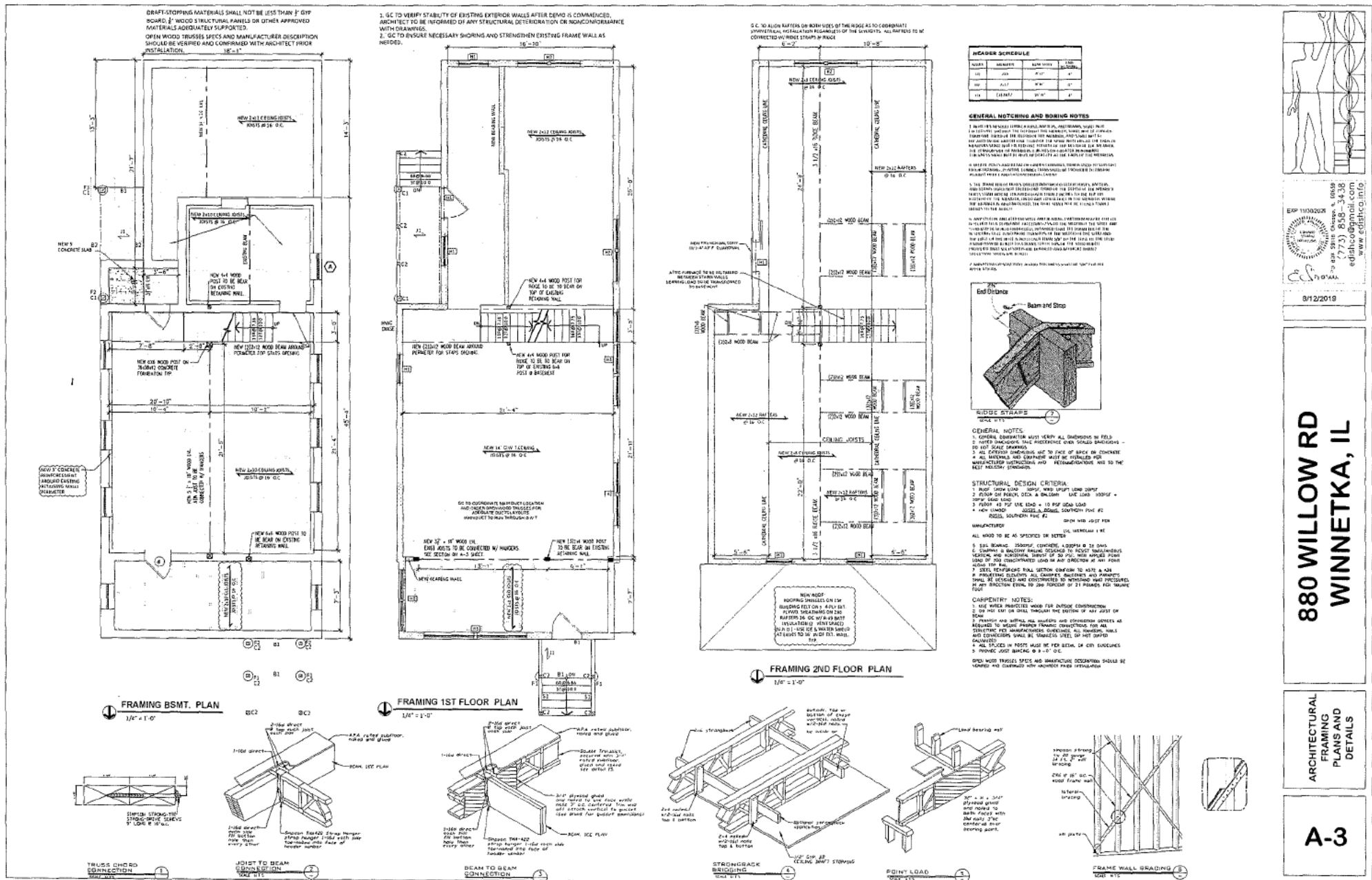
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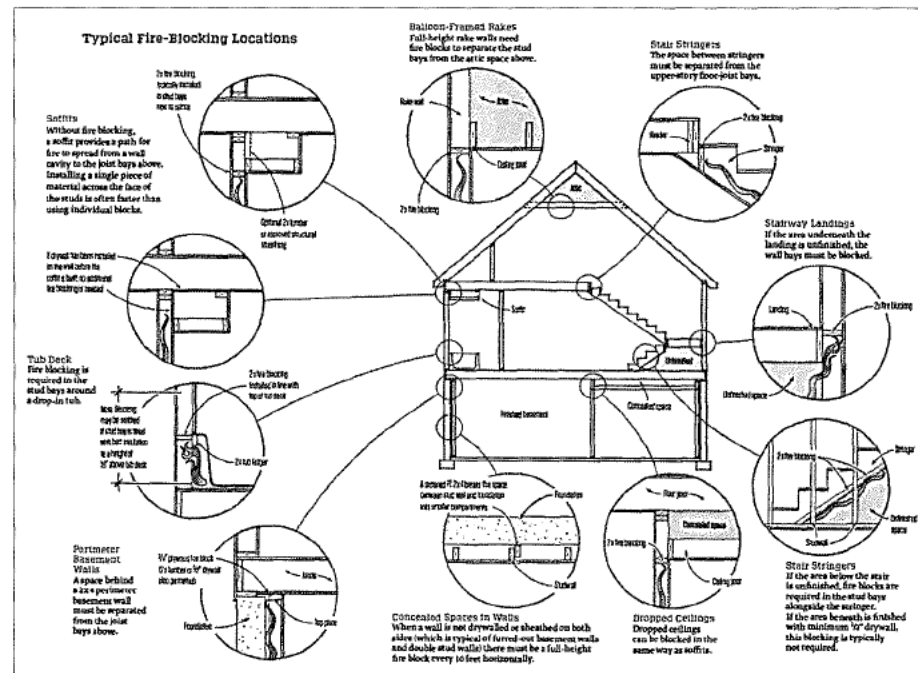
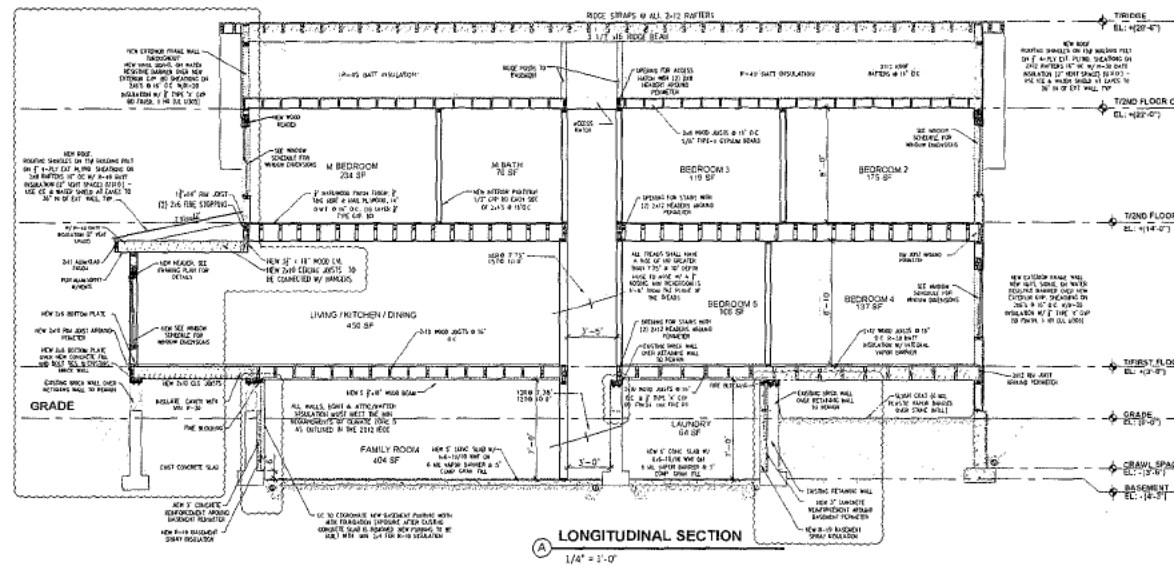
880 WILLOW RD
WINNETKA, IL

DEMOLITION
FLOOR PLANS
AND NOTES

D-1



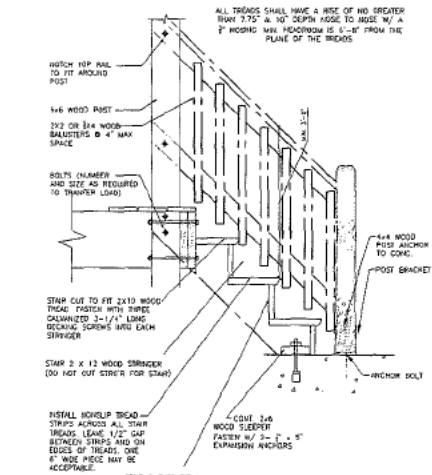




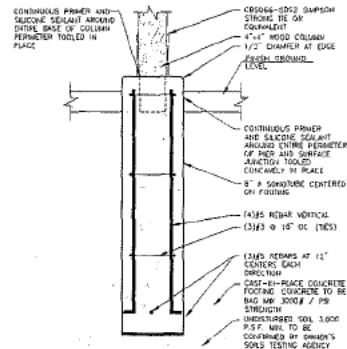
880 WILLOW RD
WINNETKA, IL

ARCHITECTURAL
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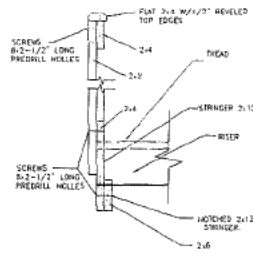
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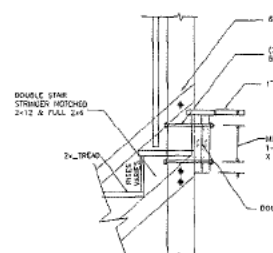
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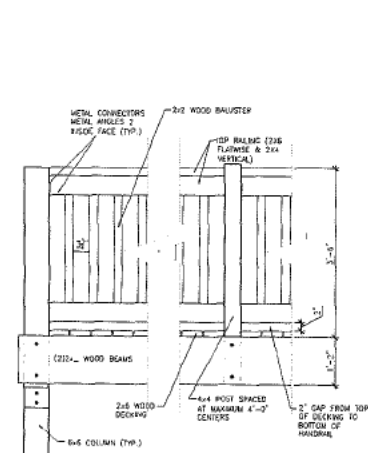
2 (F1) FOOTING & PIER DETAIL
SCALE: 1/4\"/>



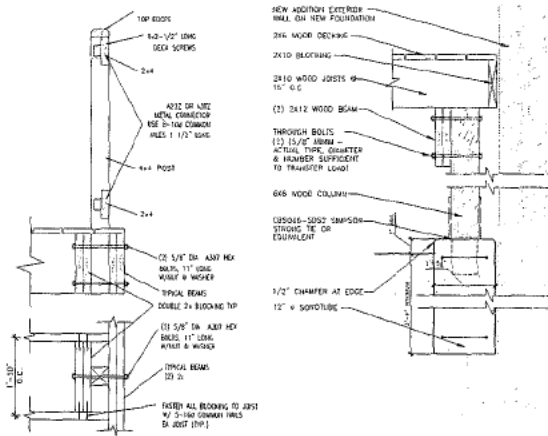
3 TYP. STAIR TRANSVERSE
SCALE: N.T.S.



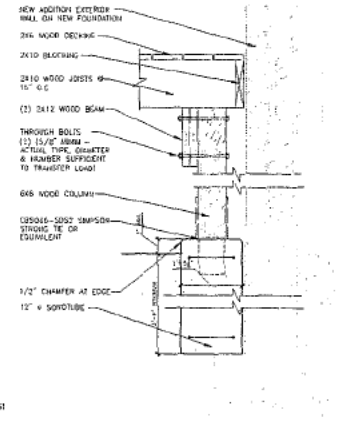
4 STAIR STRINGER CONNECTION
SCALE: N.T.S.



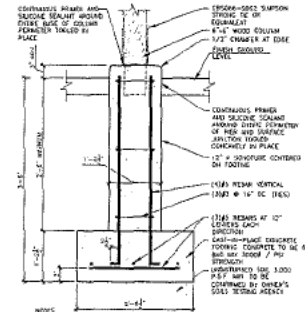
5 RAILING ELEVATION
SCALE: N.T.S.



6 HANDRAIL @ POST
SCALE: N.T.S.



7 (F2) FOOTING DETAIL
SCALE: N.T.S.



8 (F1) FOOTING & PIER DETAIL
SCALE: 1/4\"/>

WOOD PORCH FRAMING	
LABEL	NOTE
C1	6X6 WOOD POST
C2	4X4 WOOD POST
J1	2X12 JOISTS @ 16\"/>
S1	2X12 STRINGER
B1	2X12 BEAM
B2	2X12 BEAM
F3	FOOTING 2'-6\"/>
F2	8\"/>
F1	12\"/>

880 WILLOW RD
WINNETKA, IL

ARCHITECTURAL
WOOD DECK
AND BALCONY
DETAILS

A-5

EXP 11/30/2025
773) 858-3438
edshco@gmail.com
www.edshco.net

6/12/2019

ARCHITECTURAL
ELEVATIONS

A-6

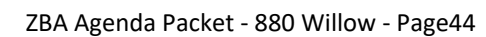


EXHIBIT D

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Iulian Cazacu and Donya Tanzif (collectively, the "**Applicant**") are the record title owners of the parcel of real property commonly known as 880 Willow Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("**Subject Property**"); and

WHEREAS, the Subject Property is located within the R-2 Single Family Residential District of the Village ("**R-2 District**"); and

WHEREAS, the Subject Property was previously improved with a Single Family Residence ("**Former Structure**"), however, the Applicant demolished the Former Structure except for its foundation; and

WHEREAS, the Former Structure existed prior to February 7, 1989, and accordingly was a nonconforming structure; and

WHEREAS, the Applicant now desires to reconstruct a single-family residence on the Subject Property on the foundation of the Former Structure ("**Proposed Improvement**"); and

WHEREAS, the Applicant filed an application for variations from: (i) Section 17.30.040 of the Zoning Ordinance to permit the Subject Property to have a gross floor area for the Subject Property of 2,813.9 square feet; (ii) Section 17.30.050 of the Zoning Ordinance to permit the construction of the Proposed Improvement with a front yard setback of 13.79 feet; and (iii) Section 17.30.060 of the Zoning Ordinance to permit the construction of the Proposed Improvement with a side yard setback of 3.2 feet (collectively, "**Variations**"); and

WHEREAS, Ordinance No. M-17-2019, adopted by the Village Council on 10/1, 2019 ("**Ordinance**"), grants the Variations; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

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

1. The Applicant does hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the

revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of the Variations for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant does hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the Variations for the Subject Property.

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

Dated: Oct, 28th, 2019

ATTEST: IULIAN CAZACU

By: [Redacted]

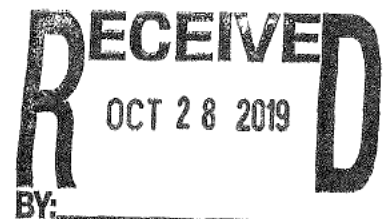
Name: Viorel Cabana

Dated: Oct, 28th, 2019

ATTEST: DONYA TANZIF

By: [Redacted]

Name: Viorel Cabana



ATTACHMENT 2

Minutes adopted 03.08.2021

**WINNETKA ZONING BOARD OF APPEALS
EXCERPT OF FEBRUARY 8, 2021 MEETING MINUTES**

Zoning Board Members Present: Matt Bradley, Chairman
Kimberly Handler
Lynn Hanley
Mike Nielsen
Max Weigandt

Zoning Board Members Absent: E. Gene Greable

Village Staff: David Schoon, Director of Community Development
Brian Norkus, Assistant Director of Community Development
Ann Klaassen, Senior Planner

Village Attorney: Ben Schuster

Case No. 21-03-V2: 880 Willow Road: An application submitted by Julian Cazacu seeking approval of zoning variations to allow construction of a detached garage at 880 Willow Road. The requested zoning variations would permit the proposed detached garage to: (a) exceed the maximum permitted roofed lot coverage and (b) exceed the maximum permitted impermeable lot coverage. The Village Council has final jurisdiction on this request.

Ms. Klaassen described the extent of variations being requested to construct a one car detached garage and expand the driveway for its access. She then identified the property's location, size and zoning classification and the manner in which the lot is nonconforming. Ms. Klaassen noted in September 2019, the Board considered a request to allow construction of the existing residence and identified the variations requested noting the Village Council approved the request. She stated the 2019 plans did not include construction of a detached garage to replace a one car detached garage torn down as part of the project. Ms. Klaassen then identified the size and location of the proposed garage noting the garage would add to RLC. She also identified the driveway to access the garage and walk expansion and referred the Board to an illustration of the floor plans. Ms. Klaassen noted no correspondence was received or no members of the public are in attendance at Village Hall. She then stated a draft motion is provided on page nos. 7 and 8 of the agenda report and asked if there were any questions.

Chairman Bradley also asked if there were any questions. Ms. Hanley asked if the applicant is the homeowner or builder. Ms. Klaassen confirmed they are the owner. Mr. Weigandt asked if there is currently no garage and Ms. Klaassen confirmed that is correct. Chairman Bradley asked why the GFA credit for garages in the rear did not extend to RLC. Ms. Klaassen explained there are several allowances which did not carry over to RLC with the GFA credit being given as an incentive to provide for garages in the rear of properties. Chairman Bradley then asked if the reason for requesting demolition in 2019 is during remodeling the discovery of a potential safety hazard, and Ms. Klaassen confirmed that is correct. No additional questions were raised at this time.

Mr. Norkus allowed the applicants into the meeting. Chairman Bradley swore in those speaking to this matter. Donya Tanzif and Julian Cazacu introduced themselves to the Board. Ms. Tanzif stated a garage

February 8, 2021

Page 2

1 was not considered at the initial time of construction and plan submission and they subsequently
2 discovered a garage is necessary. Chairman Bradley asked the applicants who was advising them in terms
3 of their demolition plans and new construction and Mr. Cazacu responded they were initially advised by
4 a general contractor. He stated they initially considered demolishing the entire home and they were not
5 properly prepared. Mr. Cazacu then stated after they moved in, they discovered the driveway is 9 feet
6 wide which made it difficult in terms of access. Chairman Bradley asked the applicants if they planned to
7 utilize the existing garage when they first began their remodel project after which they decided to
8 completely demolish the home due to safety concerns. Mr. Cazacu confirmed that is correct and noted
9 the garage was part of the initial demolition since it was too close to the home after installing rear
10 additions.

11
12 Chairman Bradley then asked the applicants why plans for a garage were not included in the October 2020
13 approved plans. Ms. Tanzif responded they were not initially concerned about a lack of a garage and after
14 moving into the home, she referred to the difficulty due to the tight driveway. Chairman Bradley
15 commented the applicants are not being well advised by their contractors and asked the applicants to
16 address the standards. The applicants did not respond. Chairman Bradley then asked if there were any
17 questions from the Board.

18
19 Ms. Handler questioned the location of the new garage compared to the previous garage. Mr. Cazacu and
20 Mr. Schoon identified its location. Ms. Handler referred to the neighbors' limited amount of side yard and
21 with the garage addition, it would ruin the neighbors' entire yard visually. Mr. Cazacu responded with
22 their reasoning for the proposed garage's location. Ms. Hanley also questioned why a garage was not
23 included in the original request. Ms. Tanzif responded it is their first time building and they are not familiar
24 with variations and zoning. Ms. Hanley stated as a real estate agent, Ms. Tanzif should have had
25 knowledge of what is required. Ms. Tanzif reiterated they were not advised by their builder to get a garage
26 and they now realize the need for it. Mr. Nielsen asked the applicants why they could not locate the garage
27 behind the home near the driveway and walkway. The applicants responded there is a patio there.

28 Chairman Bradley suggested the Board consider the two variations separately and asked the applicants
29 which features constitute the impermeable lot surface variation. Ms. Klaassen identified the area
30 representing the 24 square feet of additional ILC, which provided a walkway from the garage to the
31 driveway. She also noted the garage is required to be 12 feet from the south property line since it is
32 adjacent to that property's side yard.

33
34 Chairman Bradley then called the matter in for discussion. Mr. Norkus confirmed there are no members
35 of the public to comment. Ms. Klaassen confirmed no materials needed to be read into the record.

36
37 Chairman Bradley stated the Board is to consider RLC and ILC and referred to the way the request and
38 project has taken place since its inception. He referred to the owners being ill advised by the architects
39 and contractors to abandon the remodel and demolish the property. Chairman Bradley stated the
40 resulting home was granted significant zoning relief and referred to a potential garage being placed on
41 the property which has significant overages. He stated the applicants have sought forgiveness rather than
42 permission and he cannot understand how the garage was not contemplated with the October plans
43 which would have reduced the amount of GFA they would have been allowed to build. Chairman Bradley
44 described the RLC and ILC overage requests and added plenty of Winnetka homes do not have garages
45 noting he is supportive of RLC but not ILC although they are connected and identified the standards which
46 were met.

47

February 8, 2021

Page 3

1 Ms. Hanley stated she was not in favor of the request initially and is not in favor of granting a garage
2 variation. Ms. Handler, Mr. Nielsen and Mr. Weigandt agreed with the comments made and are not in
3 support of the request.

4
5 Chairman Bradley informed the applicants they can move forward to the Village Council with a negative
6 recommendation from the Board or withdraw their application to present a modified application. He
7 identified the Board's concerns as relating to additional variations being requested for the property when
8 significant variations were allowed and do not relate to the garage's size. The applicants asked for the
9 Board to proceed with a vote.

10
11 Chairman Bradley then asked for a motion to recommend against approval of the requested variations as
12 noted on pages 7 and 8. Ms. Hanley moved to recommend denial of the requested variations as noted on
13 pages 7 and 8 and Ms. Handler seconded the motion. A vote was taken, and the motion unanimously
14 passed:

15 AYES: Bradley, Handler, Hanley, Nielsen, Weigandt

16 NAYS: None

17
18 ***