

Winnetka Village Council
STUDY SESSION
Village Hall
510 Green Bay Road
February 12, 2019
7:00 PM

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AGENDA

- 1) Call to Order
- 2) Public Comment
- 3) West Elm Business District Streetscape Design2
- 4) Planned Development Regulation Amendments12
- 5) Closed Session
- 6) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Council Information > Agenda Packets & 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: <http://www.villageofwinnetka.org/government/village-videos/>.

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 – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847-716-3543; T.D.D. 847-501-6041.



Agenda Item Executive Summary

Title: West Elm Business District Streetscape Design

Presenter: David Schoon, Community Development Director

Agenda Date:

02/12/2019

Consent:

☐

YES

☒

NO

☐

Ordinance

☐

Resolution

☐

Bid Authorization/Award

☒

Policy Direction

☐

Informational Only

Item History:

5-9-17 - Village Council agreed to pursue Teska Associates services to assist Downtown Master Plan (DMP) Task Force with Streetscape Plan.
9-19-17 - Village Council approved Resolution No. R-65-2017: Downtown Master Plan Streetscape Consulting Services with Teska Associates.
2-6-18 & 4-3-18 - DMP Task Force provided Village Council with updates regarding its work on Elm Street Business District Streetscape
6-5-18 - DMP Task Force presented Draft Downtown Streetscape & Signage Plan to Village Council
6-19-18 - Village Council adopted Downtown Streetscape & Signage Plan

Executive Summary:

At the February 12, 2019, Study Session, the Village Council is scheduled to discuss proposed revisions to the streetscape design for the proposed West Elm Business District streetscape improvements. The proposed revisions relate to on-street public parking, sidewalk trees, and off-street parking.

Following a nine-month public planning process that included guidance by the Downtown Master Plan (DMP) Task Force and public engagement, the Village Council adopted the Downtown Streetscape and Signage Master Plan on June 19, 2018. During the Council's consideration of the streetscape plan, the Council heard comments from downtown businesses owners expressing concerns regarding the loss of both on-street customer parking and sidewalk trees as a result of the streetscape plan. In response to those concerns the Village Council directed staff to further evaluate the impact of the streetscape plan on parking and trees prior to the preparation of construction documents.

Attached is a separate staff summarizing the Village's efforts to further study the impacts of the streetscape plan, input the Village has received from businesses in the West Elm Business District, and potential revisions to the proposed West Elm streetscape improvements.

Recommendation:

Staff requests direction from the Village Council regarding proposed revisions to the streetscape plan. Should the Council concur with the proposed revisions, in the very near future staff would present a contract for construction design services for Phase 1 streetscape improvements, which includes Chestnut Street between Spruce and Elm, as well as the intersections on both ends. The plan would be to award a construction contract so that the improvements could begin mid- to late-summer.

Attachments:

Staff Report dated February 7, 2019

Attachment A: Businesses in Attendance at December & January Streetscape Meetings

Attachment B: Draft Revised West Elm Business District Streetscape Plan Sheets



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: FEBRUARY 7, 2019
SUBJECT: WEST ELM BUSINESS DISTRICT STREETScape IMPROVEMENT DESIGN

INTRODUCTION

At the February 12, 2019, Study Session, the Village Council is scheduled to discuss proposed revisions to the streetscape design for the proposed West Elm Business District streetscape improvements. The proposed revisions relate to on-street public parking, sidewalk trees, and off-street parking.

Following a nine-month public planning process that included guidance by the Downtown Master Plan (DMP) Task Force and public engagement, the Village Council adopted the Downtown Streetscape and Signage Master Plan on June 19, 2018. During the Council's consideration of the streetscape plan, the Council heard comments from downtown businesses owners expressing concerns regarding the loss of both on-street customer parking and sidewalk trees as a result of the streetscape plan. In response to those concerns the Village Council directed staff to further evaluate the impact of the streetscape plan on parking and trees prior to the preparation of construction documents.

WEST ELM STREET MEETINGS WITH BUSINESSES

Over the last few months, Teska Associates and staff, with guidance from President Rintz, began to further review the impact of the streetscape plan on on-street parking and street trees. Planned streetscape improvements for this year include improvements along Chestnut Street between Spruce and Elm Street, and the Chestnut and Elm intersection. Given these improvements are located in the western portion of the Elm Street Business District, we sought input from these businesses through a series of two meetings. The following is a summary of those meetings.

December 6, 2018 Meeting

On December 6, at the Book Stall, President Rintz, Jodi Mariano with Teska Associates, Economic Development Coordinator Cindy Plante, and I met with West Elm Street businesses to discuss the proposed streetscape design for the west area of the Elm Street Business District. President Rintz had gone door-to-door inviting businesses to the meeting, and staff followed up with an email invitation to the businesses. Ten owners and representatives of businesses, as well as the president of the chamber of commerce, were in attendance. (Attachment A - Businesses in Attendance at December & January Streetscape Meetings). Prior to the meeting, Teska produced exhibits that describe the approved streetscape plan in detail. Emphasis was placed on quantifying proposed changes to on street parking spaces and tree plantings.

President Rintz shared the goals of the streetscape improvements prior to Jodi and him reviewing existing parking and proposed parking as part of the streetscape plan. Parking information, which is shown on Plan Sheet C1 - Existing Parking Conditions and Plan Sheet C2 - Proposed Parking – 12/06/18 Stakeholder Meeting (See Attachment B), was shared with the businesses at the meeting. To address

the loss of on-street parking spaces, information displayed on these plan sheets included a proposal to convert all of the existing permit parking spaces located in the north end of the Post Office parking lot to public parking spaces for shoppers. This would result in an increase from 29 to 70 shopper spaces in this parking lot. The proposal also included reclaiming a good portion of the paved area to the west of the Post Office building to be striped for 22-employee permit parking spaces. During the meeting, feedback was provided regarding parking and trees and the desire to maintain convenient parking. Overall, the merchants appreciated the opportunity to participate.

January 9, 2019 Meeting

Based upon the comments and concerns shared by the businesses at the December meeting, President Rintz, Jodi, and staff studied how to address the businesses concerns regarding the loss of on-street parking and sidewalk trees. The following proposed revisions to the streetscape design were identified:

- New mid-block bump-outs that had been proposed as part of the streetscape plan would be eliminated from the plan, and changes to the curb lines would be made at the street intersection bump-outs to minimize the loss of parking. Expanded bump outs at the intersections were considered as items that should be retained in the streetscape plan.
- Trees would be installed in the sidewalk keeping in consideration the location of doors to businesses as well as existing sidewalk cafes. The trees would be planted in larger tree pits with structural soils and tree grates. Related to this, it was identified that we may be able to move the street curb lines along Chestnut Street, north of Elm Street, so as to slightly widen the east sidewalk 6" and the west sidewalk 12".
- Handicapped parking spaces would be located in areas that businesses identified a need. (During the December meeting, a suggestion was made to include a handicapped parking space on the east side of Chestnut Street, north of Elm Street.)
- Enhancements would be made to Post Office customer parking lot, which would include resurfacing, restriping, landscaping and improved parking directional signage.

The proposed January 9 changes would result in 10 fewer on-street public parking spaces being lost throughout the West Elm District study area than were shown on the plans at the December 6 meeting. The following table compares (a) the number of existing public parking spaces (on-street and off-street), (b) the number of parking spaces per December 6 meeting streetscape design, and (c) the number of parking spaces per the January 9 meeting streetscape design.

Table 1
West Elm Business District Study Area – Parking Spaces
First # - Standard Spaces; Second # - (Handicapped Spaces)

	Existing	December 6, 2018*	January 9, 2019
Public Parking - On-Street Only	172 (5 HC)	161 (7 HC)	171 (7 HC)
Public Parking - On-Street & Off-Street	217 (9 HC)	247 (11 HC)**	257 (11 HC)
Public & Permit Parking - On-Street & Off-Street	437 (13 HC)	448 (15 HC)	458 (15 HC)

*The December 6, 2018, on-street parking layout is similar to the on-street parking layout per the Downtown Streetscape and Signage Master Plan.

**The number of parking spaces is a result of creating 22 additional parking spaces in Post Office dock area and reallocating 41 permit parking spaces in Post Office lot to public parking spaces.

At the January 9, meeting President Rintz, Jodi, Cindy Plante, and I presented proposed revisions to the streetscape plan to address the concerns we heard at the December 6 meeting with the businesses. Ten business representatives attended the January 9 meeting. The parking information shown on Plan Sheet C1 - Existing Parking Conditions, Plan Sheet C3 - Proposed Parking – 01/09/19 Stakeholder Meeting, and Plan Sheet C4 – Change in Number of Public Parking Spaces Existing and Proposed – 01/09/19 (See Attachment B) were shared with the businesses at the meeting. Though a few of the businesses continued to express some concerns regarding the loss of on-street parking, the businesses were appreciative of the Village's efforts reaching out to them to seek their input as well as to take their concerns into consideration and to consider potential revisions to the streetscape plan.

Other Issues Identified at Meetings

During the meetings with the West Elm businesses, the businesses identified the following additional areas of concerns: (a) quality of the snow removal in the business district; (b) enforcement of parking regulations in particular as it relates to business owners and their employees using parking spaces designated for the public; (c) the need to study changes to customer parking space time limitations (15-minutes, 90-minutes, 2 hours, etc.); and (d) the potential impact on businesses during streetscape construction.

The Village has taken actions to improve snow removal in the business district, and staff has been working on a plan to improve enforcement of parking time limits as well as identify ways to encourage businesses owners and employees to park in designated employee parking areas rather than public customer parking spaces. In the future, the Village plans to meet with downtown businesses owners to study changes to customer parking space time limitations to try to better meet the various customers' parking needs.

Regarding the impact of streetscape construction on businesses, it was shared that construction would begin after the sidewalk sales in July so as to begin the construction during a slower time in the downtown. Also, as part of construction, the Village would implement strategies such as additional directional signage, marketing campaigns, the use of high strength, early curing concrete, and continual coordination and outreach with the property owners, businesses, and customers.

SUMMARY

At the February 12 study session, I will provide an overview of what led us to further study the impact of the proposed streetscape plan on on-street parking and trees, President Rintz will provide a summary of the process and the meeting with the businesses from the West Elm Business District, and Jodi will provide details regarding the proposed revisions to streetscape plan to address concerns regarding on-street parking and sidewalk trees.

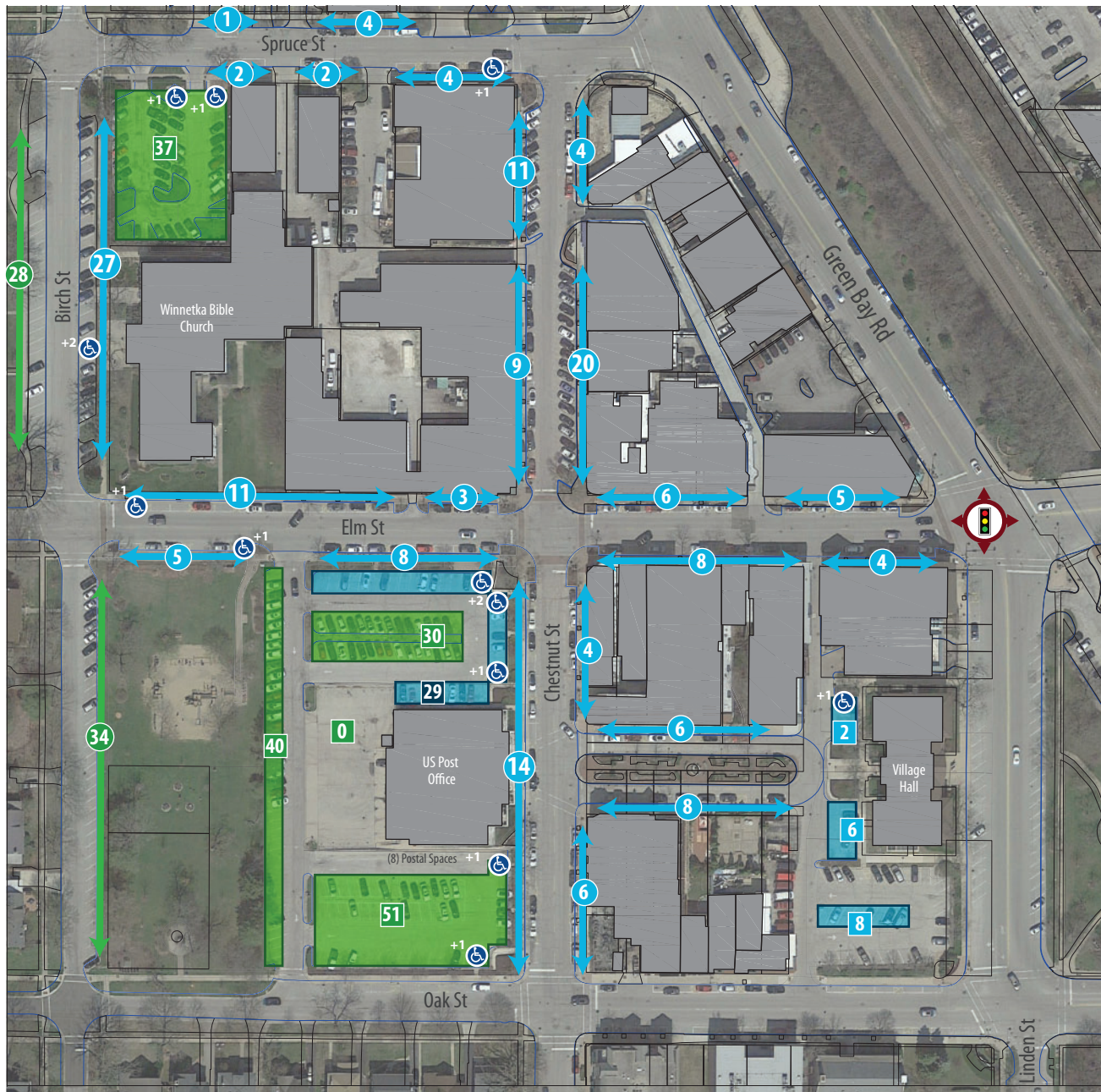
Staff requests direction from the Village Council regarding proposed revisions to the streetscape plan. Should the Council concur with the proposed revisions, in the very near future staff would present a contract for construction design services for Phase 1 streetscape improvements, which includes Chestnut Street between Spruce and Elm, as well as the intersections on both ends. The plan would be to award a construction contract yet this year so that the improvements could begin mid- to late-summer.

ATTACHMENTS

Attachment A: Businesses in Attendance at December & January Streetscape Meetings
Attachment B: Draft Revised West Elm Business District Streetscape Plan Sheets

Attachment A
Businesses in Attendance at December & January Streetscape Meetings

December 6, 2018	January 9, 2019
The Book Stall	The Book Stall
Doyle Opticians	Doyle Opticians
Bliss Salon	Bliss Salon
France Heffernan	Frances Heffernan
Noah's Ark Pet Supply	Noah's Ark Pet Supply
Kaehler Luggage	Kaehler Luggage
The Classic Stitch	The Classic Stitch
Winnetka/Northfield Chamber of Commerce	Winnetka/Northfield Chamber of Commerce
Village Toy Shop	Grand Foods
Zia Gallery	Cafe' Buongiorno
Your Winnetka	



LEGEND



Existing Traffic Signal

Existing Curb

Off-Street Parking



Public (blue)



Permit (green)

On-Street Parking



Public (blue)



Permit (green)



Existing Handicap Parking

PUBLIC PARKING

		EXISTING
ON-STREET	Birch St	27 (+2 HC)
	Spruce St	13 (+1 HC)
	Chestnut St (north of Elm)	44
	Chestnut St (south of Elm)	24
	Chestnut CT	14
	Elm St (east of Chestnut)	23
	Elm St (west of Chestnut)	27 (+2 HC)
Subtotal On-Street Parking		172 (+5 HC)

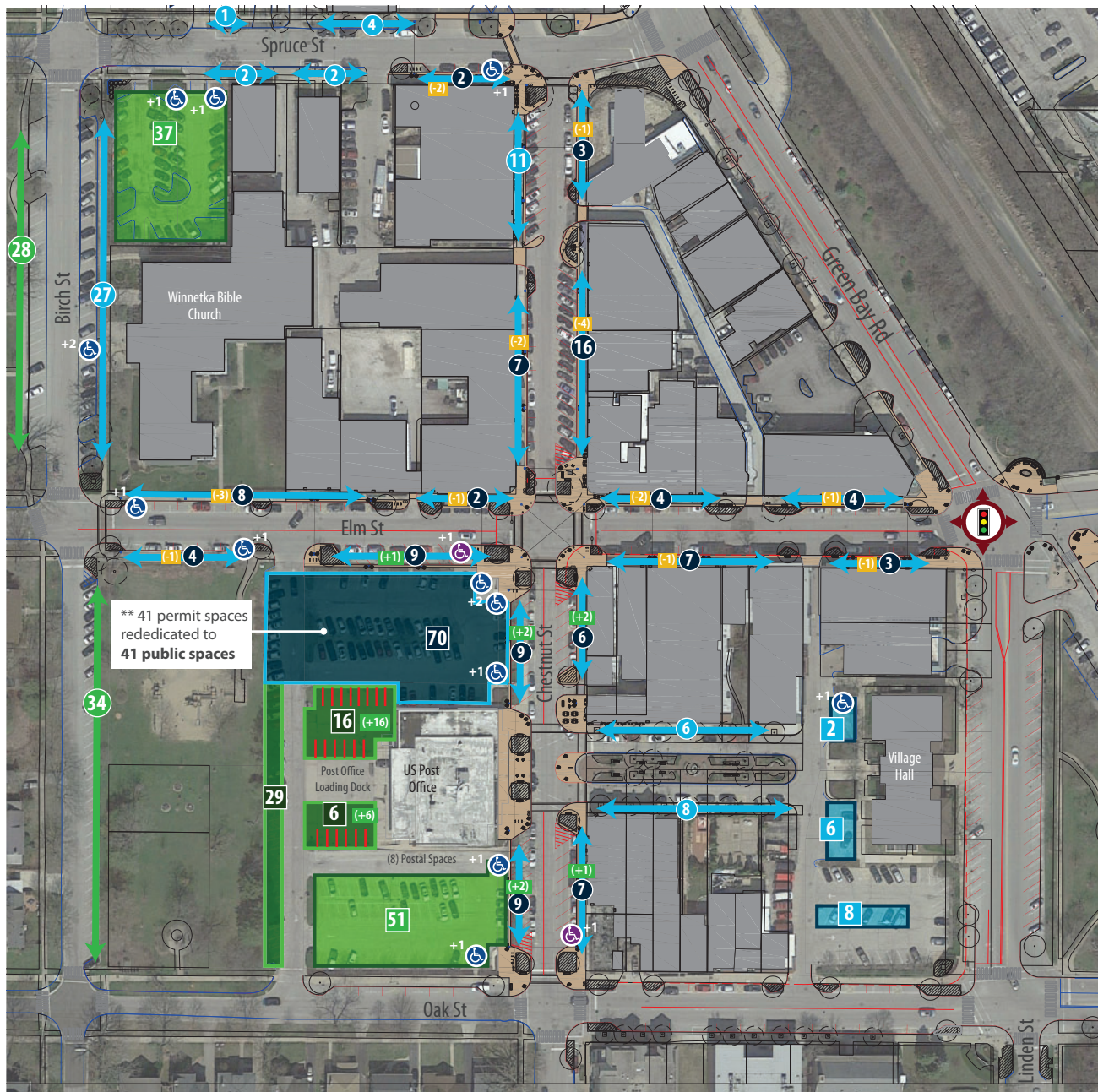
Subtotal Off-Street Parking	45 (+4 HC)
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Total Public Parking	217 (+9 HC)
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PERMIT PARKING

	EXISTING
On-Street Parking	62
Off-Street Parking	158 (+4 HC)
Total Permit Parking	220 (+4 HC)

* Recalculated for areas between Oak and Spruce Only



LEGEND



Existing Traffic Signal



Existing Curb



Proposed Curb

Off-Street Parking

Proposed



Public (blue)



Permit (green)

Existing



Public (blue)



Permit (green)

On-Street Parking

Proposed



Public (blue)



Permit (green)

Existing



Public (blue)



Permit (green)



Existing Handicap Parking
(To Remain)



Proposed Handicap Parking



Loss of Parking (x) Spaces



Gain of Parking (x) Spaces

PUBLIC PARKING

		EXISTING	PROPOSED
ON-STREET	Birch St	27 (+2 HC)	27 (+2 HC)
	Spruce St	13 (+1 HC)	11 (+1 HC)
	Chestnut St (north of Elm)	44	37
	Chestnut St (south of Elm)	24	31 (+1 HC)
	Chestnut CT	14	14
	Elm St (east of Chestnut)	23	18
	Elm St (west of Chestnut)	27 (+2 HC)	23 (+3 HC)
Subtotal On-Street Parking		172 (+5 HC)	161 (+7 HC)

Subtotal Off-Street Parking	45 (+4 HC)	86 (+4 HC) ** (incl. 41 at USPS Parking Lot)
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Total Public Parking	217(+9 HC)	247 (+11 HC)
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PERMIT PARKING

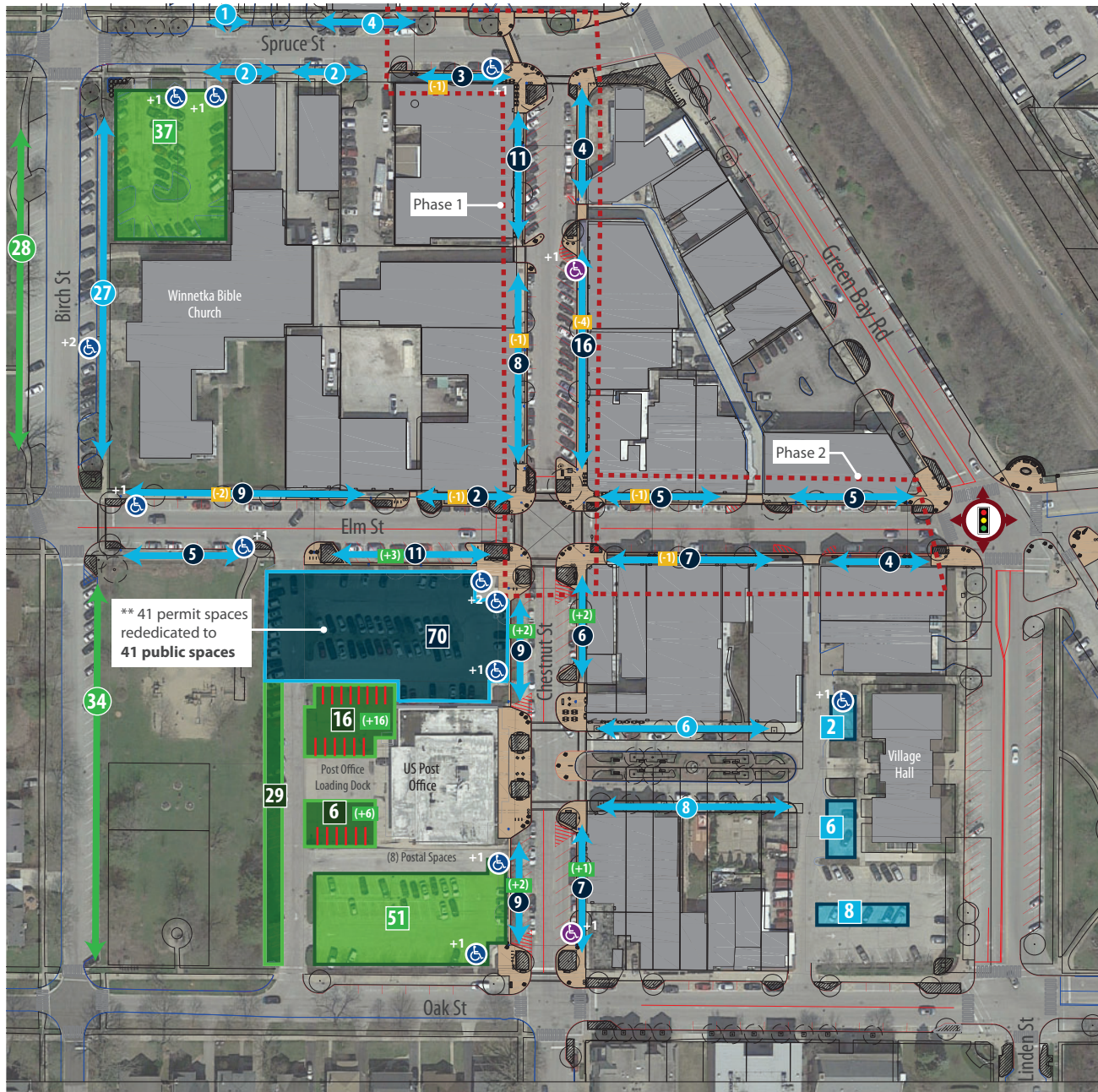
	EXISTING	PROPOSED
On-Street Parking	62	62
Off-Street Parking	158 (+6 HC)	139 (+6 HC)
Total Permit Parking	220 (+ 6 HC)	**201 (+ 6 HC)

** 41 permit parking spaces to be rededicated to public parking at the USPS lot

Village of Winnetka, Illinois

Winnetka Streetscape Master Plan

West Elm Business District: C2 | Proposed Parking - 12/06/18 Stakeholder Meeting



LEGEND

- Existing Traffic Signal
- Existing Curb
- Proposed Curb

Off-Street Parking

- | Proposed | Existing |
|----------------|----------------|
| Public (blue) | Public (blue) |
| Permit (green) | Permit (green) |

On-Street Parking

- | Proposed | Existing |
|----------------|----------------|
| Public (blue) | Public (blue) |
| Permit (green) | Permit (green) |

Existing Handicap Parking (To Remain)

Proposed Handicap Parking

Loss of Parking (x) Spaces

Gain of Parking (x) Spaces

PUBLIC PARKING			
		EXISTING	PROPOSED
ON-STREET	Birch St	27 (+2 HC)	27 (+2 HC)
	Spruce St	13 (+1 HC)	12 (+1 HC)
	Chestnut St (north of Elm)	44	39
	Chestnut St (south of Elm)	24	31 (+1 HC)
	Chestnut CT	14	14
	Elm St (east of Chestnut)	23	21
	Elm St (west of Chestnut)	27 (+2 HC)	27 (+2 HC)
Subtotal On-Street Parking		172 (+5 HC)	171 (+7 HC)

Subtotal Off-Street Parking	45 (+4 HC)	86 (+4 HC) ** (incl. 41 at USPS Parking Lot)
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Total Public Parking	217(+9 HC)	257 (+11 HC)
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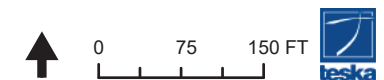
PERMIT PARKING			
		EXISTING	PROPOSED
On-Street Parking		62	62
Off-Street Parking		158 (+4 HC)	139 (+4 HC)
Total Permit Parking		220 (+ 4 HC)	**201 (+ 4 HC)

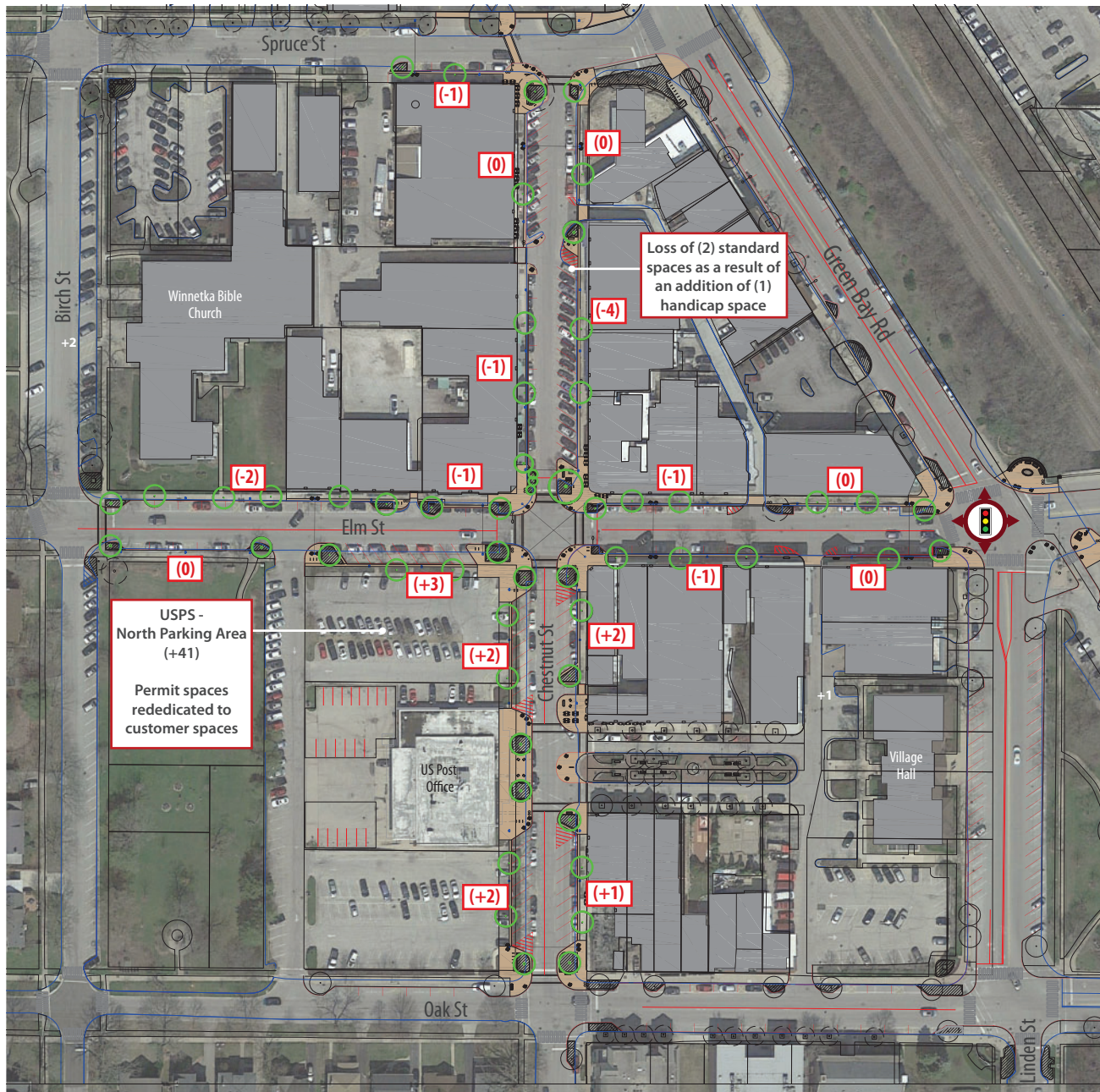
** 41 permit parking spaces to be rededicated to public parking at the USPS lot

Village of Winnetka, Illinois

Winnetka Streetscape Master Plan

West Elm Business District: C3 | Proposed Parking - 01/09/19 Stakeholder Meeting





LEGEND

Change in # of Public (Customer) Parking Spaces Between Existing & Proposed as of 1/9/19

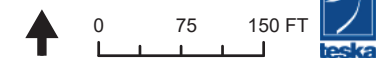
(#) Change in # of Standard Size Parking Spaces

○ Trees

Village of Winnetka, Illinois

Winnetka Streetscape Master Plan

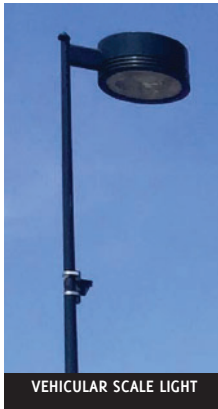
West Elm Business District: C4 | Change in Number of Public (Customer) Parking Spaces Existing and Proposed - 01/09/19 Stakeholder Meeting



Agenda Packet P. 10 February 12, 2019



VEHICULAR SCALE LIGHT



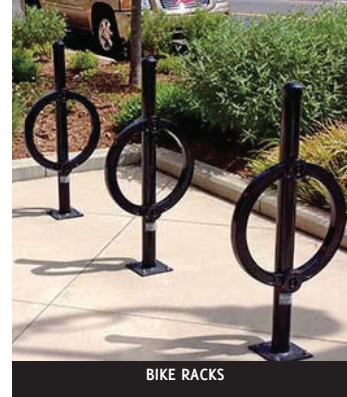
VEHICULAR SCALE LIGHT



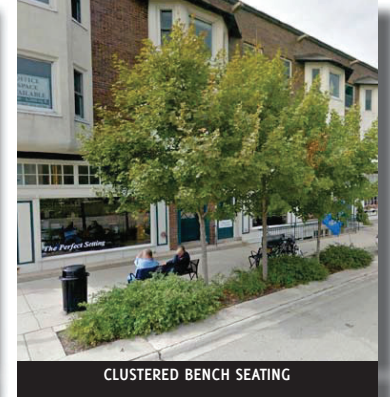
PEDESTRIAN SCALE LIGHT



BIKE RACKS (CUSTOM GRAPHIC INSERT)



BIKE RACKS



CLUSTERED BENCH SEATING



MASONRY SEAT WALL



LITTER/RECYCLING RECEPTACLES



COMMUNITY EVENTS SIGN



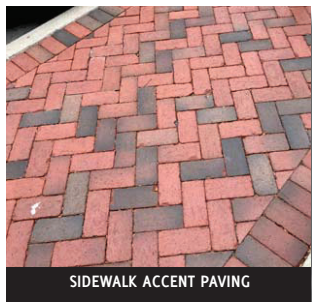
BIKE REPAIR STATION



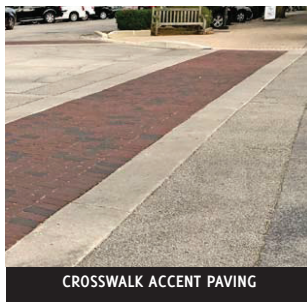
PRECAST CONCRETE PLANTER



CLUSTERED BENCH SEATING



SIDEWALK ACCENT PAVING



CROSSWALK ACCENT PAVING



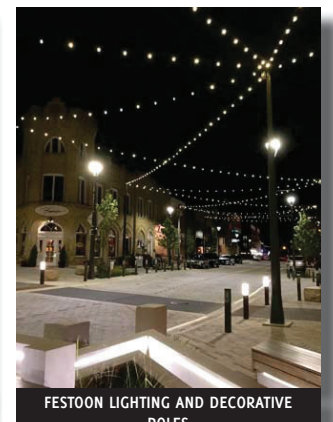
LANDSCAPE BOLLARDS



LIGHTING AND DECOR



LIGHTING AND DECOR



FESTOON LIGHTING AND DECORATIVE POLES



Agenda Item Executive Summary

Title: Planned Development Regulation Amendments

Presenter: David Schoon, Community Development Director

Agenda Date: 02/12/2019

Consent: ☐ YES ☒ NO

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

Item History:

12-11-18 - Village Council Study Sessions -
<https://www.villageofwinnetka.org/assets/1/20/gv-council-pkt-20181211.pdf>

Executive Summary:

At the February 12, 2019, Village Council Study Session, the Council is scheduled to continue its discussion of potential amendments to the planned development regulations.

The Council last discussed this issue at its December 11, 2018, Study Session. At that meeting the Council reviewed the Village's planned development process, the history of the Village's planned development ordinance, and other Village zoning and subdivision relief processes. The Council also reviewed a memo from the Village Attorney that summarized the planned development as a land use tool, the Village's current planned development regulations, and some options regarding amending the planned development procedures and standards. At the conclusion of the December 11 meeting, the Village Council directed staff to (i) prepare a new, consolidated set of proposed planned development standards and (ii) gather input on those standards and the planned development process from the Plan Commission, Zoning Board of Appeal, and Design Review Board.

Attached is a separate staff report summarizing the comments from each of the three advisory bodies.

Recommendation:

Staff requests policy direction from the Village Council regarding potential amendments to the Village's planned development process. The attached staff report provides a list of policy direction questions for the Council to consider while discussing this issue.

Attachments:

Staff Report from Village Staff and Village Attorney
Attachment 1: Draft Planned Development General Requirements and Standards
Attachment 2: Advisory Body Staff Report and Attachments
Attachment 3: Advisory Body Additional Staff Report
Attachment 4: Zoning Board of Appeals and Plan Commission Draft Minutes Regarding Discussion of Amendments to the Planned Development Regulations (Design Review Board Minutes to be Provided Separately)



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
PETER FRIEDMAN, VILLAGE ATTORNEY
DATE: FEBRUARY 7, 2019
SUBJECT: PLANNED DEVELOPMENT REGULATION AMENDMENTS

INTRODUCTION

At the February 12, 2019, Village Council Study Session, the Council is scheduled to continue its discussion of potential amendments to the planned development regulations. The Council last discussed this issue at its December 11, 2018, Study Session. At that meeting the Council reviewed the Village's planned development process, the history of the Village's planned development ordinance, and other Village zoning and subdivision relief processes. The Council also reviewed a memo from the Village Attorney that summarized the planned development as a land use tool, the Village's current planned development regulations, and some options regarding amending the planned development procedures and standards. At the conclusion of the December 11 meeting, the Village Council directed staff to (i) prepare a new, consolidated set of proposed planned development standards and (ii) gather input on those standards and the planned development process from the Plan Commission, Zoning Board of Appeal, and Design Review Board.

ADVISORY BODY INPUT

Staff prepared a memo regarding the planned development process and standards for consideration by the Zoning Board of Appeals, Plan Commission, and Design Review Board. Attachment 2 - contains a copy of the staff report and attachments to the Plan Commission. A similar report was provided to the Zoning Board of Appeals and the Design Review Board; the only significant difference was that the Design Review Board's staff report asked the Design Review Board to provide feedback regarding the appropriateness of using the Village's design guidelines during the planned development process. The attachments included the materials that were shared with the Village Council on December 11, as well as draft planned development requirements and standards. In addition, a separate memo was prepared responding to questions from a Design Review Board member, which is included as Attachment 3, and given the timing of its preparation, the memo was shared with only the Design Review Board and Plan Commission, as the Zoning Board of Appeals had already met.

Each body was asked to discuss and provide comments to the Council regarding (i) the proposed revised standards used to evaluate planned developments and (ii) the review process for planned developments. As they discussed and reviewed the process and standards they were asked to keep in mind the purpose of the planned development process as well as the following guiding perspectives to use when amending the planned development regulations, which Council members began to formulate at their December 11 Study Session:

- a) Resident Perspective – Ensure procedures that are not overly burdensome to residents who desire to show support or opposition to a proposed planned development throughout the entire public hearing/meeting process.
- b) Developer Perspective – Ensure procedures, application requirements, and standards that are clear and reasonable and that provide timely decisions, whether in favor or not in favor of a developer’s proposed development.
- c) Boards & Commission Perspective – Ensure procedures and standards that provide the advisory bodies with clear direction to effectively, efficiently, and fairly evaluate planned development requests.
- d) Village Staff Perspective – Ensure procedures and standards that staff can clearly and easily explain to applicants, the Council, advisory boards, residents, and other interested parties, so as to minimize the amount of staff time and resources spent on administering the planned development process and to eliminate to the extent possible unnecessary ambiguities that can slow the process and/or make it less open to public evaluation.
- e) Meets Village Plans – Ensure procedures and standards that meet the Village’s goals and objectives for the community as a whole or for a specific area.

The discussion of each advisory body mainly focused on the planned development process with limited discussion on the draft standards (Attachment 1 contains a copy of the draft standards). In general, most advisory body members found that the Village could benefit from changes to the Village’s planned development regulations; however, it should be noted that one member of the Zoning Board of Appeals and one member of the Design Review Board each noted that given the Village’s limited experiences with planned developments they did not know if it was necessary to make any changes at this time.

The following table provides a summary of the advisory bodies’ discussions and comments regarding the draft planned development standards as well as the planned development process. Each discussion of the three advisory bodies regarding the planned development process focused on the following items: (a) creation of a required conceptual plan review before the Village Council prior to a developer submitting a formal application; (b) whether or not the advisory bodies need to be involved in both the preliminary plan review and final plan review stages; and (c) which advisory bodies should be involved in the review of a planned development. Copies of draft minutes from the Plan Commission and Zoning Board of appeals are attached (Attachment 4). As of the writing of this memo, the Design Review Board minutes were not ready. We plan to distribute them separately.

**Summary of Advisory Bodies Comments Regarding
Potential Changes to the Village's Planned Development Process and Standards**

	Zoning Board of Appeals January 14, 2019 5 of 7 members present	Plan Commission January 23, 2019 8 of 9 members present	Design Review Board January 24, 2019 4 of 7 members present
PLANNED DEVELOPMENT STANDARDS	Members found the proposed planned development standards acceptable; suggested a few clarifying edits.	Members found the proposed planned development standards much clearer than what the Village currently has; suggested a few clarifying edits.	Regarding the design guidelines used during the planned development process, the existing guidelines are acceptable to use as part of the planned development process.
PLANNED DEVELOPMENT PROCESS			
• Conceptual Plan Review by Council Prior to Formal Application Submittal	All members supportive. Two members asked if there is a way to ensure only legitimate projects can go through process.	All members supportive.	All members supportive; though one member did not find it necessary.
• Advisory Body Review: Preliminary & Final Plan Review vs. Final Plan Review Only	All members thought advisory bodies need not be involved with the review of the final plans, unless Council found that material changes had occurred.	Members thought advisory bodies do not need to be involved with the review of the final plans unless it has been determined that substantive changes have been made.	Members thought there need not be a separate preliminary plan review and a separate final plan review. The Village's review of a planned development could be handled through one plan review step.
• Advisory Body Review of Planned Development by: ○ New Planned Development Commission, ○ All Three Current Advisory Bodies (status quo), or ○ Another Approach	Four members support new planned development commission (consisting of some subset of PC & ZBA members) with a separate DRB review. One member supports continuing to have the three advisory bodies independently review a planned development.	Three members support new planned development commission (consisting of some subset of PC & ZBA members) with a separate DRB review. Four members support continuing to have the three advisory bodies independently review a planned development. One member would have either the PC, ZBA, or a planned development commission review the PD with a separate DRB review.	Three members support new planned development commission (consisting of some subset of PC & ZBA members) with a separate DRB review. One member supports streamlining process and open to new planned development commission concept.

RECOMMENDATION

At the February 12 Village Council Study session, staff and the Village Attorney recommend that the Village Council review the advisory bodies' discussions and thoughts regarding amending the planned development process and standards and then provide policy direction regarding the following planned development regulation items:

1. Regarding the planned development process:
 - a. Should the conceptual plan review step by the Village Council be added as a required step to the Village's planned development process?
 - b. Should the planned development process consist of a preliminary plan review and final plan review step? Or should just one plan review step be required? If the preliminary review step and the final plan review step should both be required, need the advisory bodies be involved in the final plan review step?
 - c. Which advisory bodies should be involved in the review of a planned development:
 - i. The Plan Commission, Zoning Board of Appeals, and Design Review Board; **OR**
 - ii. A new planned development commission (consisting of some subset of members from the Plan Commission and the Zoning Board of Appeals) and the Design Review Board;
OR
 - iii. The Plan Commission or the Zoning Board of Appeals, and the Design Review Board.
2. Regarding the attached draft planned development general requirements and standards, does the Council concur with the advisory bodies that this draft approach is clearer than the current standards and an acceptable approach? Does the Council have any additional thoughts on these draft standards?

Once staff receives direction from the Village Council regarding these issues, we will continue to work on drafting further revisions and clarifications to the Village's planned development regulations and present those to the Council for consideration and adoption.

We will be at the meeting to walk the Council through the material and to answer any questions.

ATTACHMENTS

Attachment 1: Draft Planned Development General Requirements and Standards

Attachment 2: Advisory Body Staff Report and Attachments

Attachment 3: Advisory Body Additional Staff Report

Attachment 4: Zoning Board of Appeals and Plan Commission Draft Minutes Regarding Discussion of Amendments to the Planned Development Regulations (Design Review Board Minutes to be Provided Separately)

DRAFT PLANNED DEVELOPMENT REQUIREMENTS AND STANDARDS

January 2019

I. GENERAL REQUIREMENTS

All planned developments shall satisfy the requirements and limitations of Paragraphs A through H of this section.

- A. Approval required. All planned developments shall be approved by the Village Council, in accordance with the procedures and standards set forth in this Chapter and with other applicable provisions of this Code.
- B. Permitted Locations. Planned developments are authorized only in the B-1 Multi-family, B-2 Multi-family, C-1 Neighborhood Commercial, and C-2 General Retail Commercial zoning districts.
- C. Minimum area of development. No planned development shall be permitted on any site that has an area less than 10,000 square feet.
- D. Planned development required. Any new development or redevelopment on any site with an area of 10,000 square feet or more shall require planned development approval.
- E. Ownership and control of land. The site for a planned development may be either in a single lot of record or a combination of contiguous lots that under unified ownership and control.
- F. Compliance with Village Code required. Construction and improvements in any planned development shall comply with all applicable Village ordinances.
- G. Individual Special Uses. The individual uses in a planned development must be permitted uses or permitted special uses in the underlying zoning district. Any individual use that is allowed only as a special use in the underlying zoning district must individually meet the standards for granting special use permits set forth in Chapter 17.56 of this Code.
- H. Number of units. The maximum number of residential units in a planned development located in the B-1 or B-2 zoning district shall not exceed the maximum number allowed in the underlying zoning district, except as may be necessary to achieve the goals of the Village of Winnetka Affordable Housing Plan.

II. PLANNED DEVELOPMENT STANDARDS

No special use permit for a planned development shall be granted unless it is found:

- A. That the proposed development and the use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan, including the Downtown Master Plan.
- B. That the establishment, maintenance and operation of the planned development will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
- C. That the planned development will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
- D. That the establishment of the planned development will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
- E. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
- F. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the planned development exist or are to be provided;
- G. That the planned development in all other respects conforms to the applicable regulations of this and other applicable Village ordinances and codes

[Note: Items B through G mirror the Village's current special use standards]

III. ADDITIONAL STANDARDS

A. Exceptions from District Regulations

All planned developments are subject to the underlying district regulations unless an exception is specifically granted. The [Advisory Body] may recommend and the Village Council may grant exceptions to the otherwise applicable subdivision regulations and underlying zoning district use, lot, space, bulk, and yard regulations. In addition to the standards in Section II of this Chapter, the following standards shall be considered in reviewing all proposed and amended planned developments, particularly with regard to elements of planned development proposals that do not satisfy the otherwise applicable provisions of the underlying zoning and subdivision regulations:

- a. Enhance the quality of the design of the structures and the site plan;
- b. Enable the development to offer environmental and pedestrian amenities;
- c. Will not cause an adverse impact on neighboring properties that outweigh the benefits of the development;
- d. Contain a proposed design and use or combination of uses that will complement the character of the surrounding neighborhood; and
- e. Provide a public benefit to the Village, as described below.

B. Required Public Benefits

In addition to meeting the other requirements of this Chapter, developers of planned developments are required to provide public benefits, which include providing compensating benefits and making necessary Village public improvements.

a. Compensating Benefits

Developers of planned developments are required to provide the Village with compensating benefits in return for the Village providing exceptions from Village regulations requested by the developer. The purpose of compensating benefits is to advance Winnetka's physical, cultural, environmental, and social objectives in accordance with the Comprehensive Plan and other adopted plans and policies. Redevelopment often brings with it the need to provide exceptions from the regulations but to also make sure that the Village is receiving public benefit in return for providing those exceptions by requiring additional compensating benefits to the residents in that area or to the community as a whole. The following is a non-exclusive list of examples of design elements and amenities that can be considered a compensating benefit:

- i. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, and pedestrian facilities;
- ii. Preservation of existing environmental features or historic features;
- iii. Open space and recreational amenities such as recreational open space, including accessory buildings, jogging trails, playgrounds, and similar recreational facilities;
- iv. Adaptive reuse of existing buildings;
- v. Provision of public car and/or bike share facilities;
- vi. Provision of off-street public parking spaces;
- vii. Provision of affordable housing units; and
- viii. Provision of a demonstrated need in the Village

b. Village Improvements

Applicants are required to consult with Village Staff and/or any other public entities as deemed necessary to negotiate necessary Village improvements such as, but not limited to, public streetscape improvements, roadways, alleys, medians, pathways, pedestrian drop off areas, transit stops, bus pull outs, and/or other public improvements that will promote the objectives of a planned development.

V. DESIGN GUIDELINES

The planned development as a whole, as well as the individual buildings and site improvements constructed as part of the planned development, shall be in conformity with the Village of Winnetka Design Guidelines.



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: JANUARY 18, 2019
SUBJECT: PLANNED DEVELOPMENT REGULATION AMENDMENTS

INTRODUCTION

At the January 23, 2019 Plan Commission meeting, Village Staff will facilitate discussion with the Commission to gather input from its members on the Village's existing planned development regulations and process. This activity is at the direction of the Village Council, which held a December 11, 2018 study session regarding potential amendments to the Village's planned development regulations. The Council has requested that the Zoning Board of Appeals, the Plan Commission, and the Design Review Board each discuss and provide comments regarding (i) draft revised standards used to evaluate proposed planned developments and (ii) the current review process for proposed planned developments.

BACKGROUND

The Council generally discussed changes to the planned development regulations at its December 11 study session. Staff and the Village Attorney prepared the attached memos and materials regarding the subject (Attachment B). The material included a summary of the following information:

- The Downtown Master Plan recommendations' regarding the Village's planned development process;
- The history of the Village's planned development ordinance;
- A comparison of the planned development process with other Village zoning and subdivision relief processes;
- An explanation of a planned development as a land use tool;
- The Village's current planned development regulations; and
- Some options regarding amending the planned development procedures and standards.

A copy of the December 11 Village Council study session minutes are included in Attachment B.

At the Commission's January 23 meeting, Village staff will provide an overview of this material and a summary of the Council's discussion.

Purpose of Planned Development Process

As you discuss the planned development review process and standards, the Council asked that you keep in mind the purpose of the planned development process. The current purpose and intent of the Village's planned development regulations are set forth in Section 17.58.020 of the Village Zoning Ordinance, as follows:

A. Purpose. The purpose of this Chapter is to make available a special use procedure that departs from the strict application of the specific zoning requirements of the district in which the development is located, in an effort to promote progressive development and redevelopment of land in the multi-family and commercial zoning districts by encouraging more creative and imaginative design for land developments than is possible under the zoning regulations that generally apply in those zoning districts.

B. Intent. This Chapter is intended to assure that the following land use and development objectives are accomplished, in addition to the general land use and development objectives set forth in Chapter 17.04 of this Title:

1. To permit a creative approach to the development and redevelopment of lands devoted to multi-family and commercial uses.

2. To achieve a more desirable physical environment by allowing greater flexibility in building design and site plan layout than would be possible through the strict application of the generally applicable zoning and subdivision regulations.

3. To allow more efficient use of the land resulting in more economic networks of utilities, streets and other facilities.

5. To facilitate a development pattern that is in harmony both with the objectives of the Comprehensive Plan and with the district purposes as defined in this Title.

6. To allow the relaxation of certain otherwise applicable substantive requirements based upon procedural protections that provide for the detailed review of individual proposals for more significant multi-family and commercial developments.
(MC-8-2005, Added, 12/20/2005)

Guiding Principles to Use When Considering Amendments to Planned Development Standards and/or Process

As you consider possible changes to the planned development standards and process, the Council thought it was important to keep in mind some guiding perspectives, as summarized as follows:

- a) Resident Perspective – Ensure procedures that are not overly burdensome to residents who desire to show support or opposition to a proposed planned development throughout the entire public hearing/meeting process.
- b) Developer Perspective – Ensure procedures, application requirements, and standards that are clear and reasonable and that provide timely decisions, whether in favor or not in favor of the developer's proposed development.
- c) Boards & Commission Perspective – Ensure procedures and standards that provide the advisory bodies with clear direction to effectively, efficiently, and fairly, evaluate planned development requests.
- d) Village Staff Perspective – Ensure procedures and standards that staff can clearly and easily explain to applicants, the Council, advisory boards, residents, and other interested parties, so as to minimize the amount of staff time and resources that needs to be spent on administering the planned development process and to eliminate to the extent possible unnecessary ambiguities that can slow the process and/or make it less open to public scrutiny.
- e) Meets Village Plans – Ensure procedures and standards that meet the Village's goals and objectives for the community as a whole or for a specific area.

The Plan Commission should consider these perspectives as it provides comments on the planned development standards and process.

PLANNED DEVELOPMENT STANDARDS

As explained in the Village Attorney December 5, 2018 memo to the Village Council, the Village Council and its three subsidiary bodies consider approximately 25 standards in evaluating planned development applications. Staff, the Village Attorney, some current advisory board members, and Council members who were advisory board members during the One Winnetka planned development process, all observed that the current standards were difficult to employ because of their number and the ambiguous and overlapping nature of many of the standards.

At the direction of the Village Council, the Village Attorney and Village staff have prepared a discussion draft set of consolidated and clarified standards (Attachment A). At the January meeting, we will review the standards with the Plan Commission, and the Commission should discuss and comment on this draft set of standards.

PLANNED DEVELOPMENT PROCESS

The Council also requested that the advisory bodies comment on the major steps of the current planned development process, which generally include the following:

- a) Pre-application meeting with staff prior to submission of formal application
(Voluntary)
- b) Preliminary plan review and approval
(ZBA and PC public hearings, DRB public meeting, Council consideration and vote) (all required)
- c) Final plan review and approval
(ZBA and PC public hearings, DRB public meeting, Council consideration and vote) (all required)

In addition to considering whether all of these procedures should continue to be necessary, the Council also discussed, and asked the advisory bodies to comment on, adding a Village Council conceptual plan review before the staff pre-application meeting.

The conceptual plan review step, which would be required, would provide an applicant an opportunity to receive initial feedback directly from Village Council members regarding the applicant's proposal prior to the applicant committing the time and financial resources associated with submitting a formal application. During a conceptual plan review, the applicant would provide a narrative describing the project and summarizing its planned development request as well as provide sketch plan(s) for its proposed development. This information would be presented at a public Village Council meeting at which time Council members would be provided the opportunity to offer their individual thoughts and comments regarding the request. There would be no vote by the Council or identification of any sort of consensus regarding the project by the Council. The applicant would then, based upon Council member individual comments, determine if it wished to submit a formal preliminary application. This is a step that many communities use as part of its planned development process.

In addition to providing comments on the conceptual plan review step, Plan Commission members may also wish to provide comments on the overall planned development process given its recent experience with the One Winnetka planned development.

SUMMARY

The Village Council has requested input regarding the Village's planned development regulations from its three advisory bodies. Specifically, the Village Council wants advisory body comments on the planned development process and the planned development standards.

The advisory bodies may also, if they choose, provide comments on the current purpose and intent of the planned development process as well as the guiding principles the Village Council identified.

Staff and the Village Attorney look forward to discussing these matters with the Plan Commission at its January 23 regular meeting.

ATTACHMENTS

Attachment A: Draft Planned Development Standards

Attachment B: December 11, 2018, Village Council Meeting - Staff and Attorney Reports & Meeting Minutes

DRAFT PLANNED DEVELOPMENT REQUIREMENTS AND STANDARDS

January 2019

I. GENERAL REQUIREMENTS

All planned developments shall satisfy the requirements and limitations of Paragraphs A through H of this section.

- A. Approval required. All planned developments shall be approved by the Village Council, in accordance with the procedures and standards set forth in this Chapter and with other applicable provisions of this Code.
- B. Permitted Locations. Planned developments are authorized only in the B-1 Multi-family, B-2 Multi-family, C-1 Neighborhood Commercial, and C-2 General Retail Commercial zoning districts.
- C. Minimum area of development. No planned development shall be permitted on any site that has an area less than 10,000 square feet.
- D. Planned development required. Any new development or redevelopment on any site with an area of 10,000 square feet or more shall require planned development approval.
- E. Ownership and control of land. The site for a planned development may be either in a single lot of record or a combination of contiguous lots that under unified ownership and control.
- F. Compliance with Village Code required. Construction and improvements in any planned development shall comply with all applicable Village ordinances.
- G. Individual Special Uses. The individual uses in a planned development must be permitted uses or permitted special uses in the underlying zoning district. Any individual use that is allowed only as a special use in the underlying zoning district must individually meet the standards for granting special use permits set forth in Chapter 17.56 of this Code.
- H. Number of units. The maximum number of residential units in a planned development located in the B-1 or B-2 zoning district shall not exceed the maximum number allowed in the underlying zoning district, except as may be necessary to achieve the goals of the Village of Winnetka Affordable Housing Plan.

II. PLANNED DEVELOPMENT STANDARDS

No special use permit for a planned development shall be granted unless it is found:

- A. That the proposed development and the use or combination of uses is consistent with the goals and objectives of the Comprehensive Plan, including the Downtown Master Plan.
- B. That the establishment, maintenance and operation of the planned development will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
- C. That the planned development will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
- D. That the establishment of the planned development will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
- E. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
- F. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the planned development exist or are to be provided;
- G. That the planned development in all other respects conforms to the applicable regulations of this and other applicable Village ordinances and codes

[Note: Items B through G mirror the Village's current special use standards]

III. ADDITIONAL STANDARDS

A. Exceptions from District Regulations

All planned developments are subject to the underlying district regulations unless an exception is specifically granted. The [Advisory Body] may recommend and the Village Council may grant exceptions to the otherwise applicable subdivision regulations and underlying zoning district use, lot, space, bulk, and yard regulations. In addition to the standards in Section II of this Chapter, the following standards shall be considered in reviewing all proposed and amended planned developments, particularly with regard to elements of planned development proposals that do not satisfy the otherwise applicable provisions of the underlying zoning and subdivision regulations:

- a. Enhance the quality of the design of the structures and the site plan;
- b. Enable the development to offer environmental and pedestrian amenities;
- c. Will not cause an adverse impact on neighboring properties that outweigh the benefits of the development;
- d. Contain a proposed design and use or combination of uses that will complement the character of the surrounding neighborhood; and
- e. Provide a public benefit to the Village, as described below.

B. Required Public Benefits

In addition to meeting the other requirements of this Chapter, developers of planned developments are required to provide public benefits, which include providing compensating benefits and making necessary Village public improvements.

a. Compensating Benefits

Developers of planned developments are required to provide the Village with compensating benefits in return for the Village providing exceptions from Village regulations requested by the developer. The purpose of compensating benefits is to advance Winnetka's physical, cultural, environmental, and social objectives in accordance with the Comprehensive Plan and other adopted plans and policies. Redevelopment often brings with it the need to provide exceptions from the regulations but to also make sure that the Village is receiving public benefit in return for providing those exceptions by requiring additional compensating benefits to the residents in that area or to the community as a whole. The following is a non-exclusive list of examples of design elements and amenities that can be considered a compensating benefit:

- i. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, and pedestrian facilities;
- ii. Preservation of existing environmental features or historic features;
- iii. Open space and recreational amenities such as recreational open space, including accessory buildings, jogging trails, playgrounds, and similar recreational facilities;
- iv. Adaptive reuse of existing buildings;
- v. Provision of public car and/or bike share facilities;
- vi. Provision of off-street public parking spaces;
- vii. Provision of affordable housing units; and
- viii. Provision of a demonstrated need in the Village

b. Village Improvements

Applicants are required to consult with Village Staff and/or any other public entities as deemed necessary to negotiate necessary Village improvements such as, but not limited to, public streetscape improvements, roadways, alleys, medians, pathways, pedestrian drop off areas, transit stops, bus pull outs, and/or other public improvements that will promote the objectives of a planned development.

V. DESIGN GUIDELINES

The planned development as a whole, as well as the individual buildings and site improvements constructed as part of the planned development, shall be in conformity with the Village of Winnetka Design Guidelines.



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: VILLAGE COUNCIL
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: DECEMBER 6, 2018
SUBJECT: PLANNED DEVELOPMENT REGULATION AMENDMENTS

INTRODUCTION

At the December 11, 2018, Village Council Study Session, the Council is scheduled to discuss potential amendments to the planned development regulations. This memo summarizes the Downtown Master Plan recommendations regarding the Village's planned development process, the history of the Village's planned development ordinance, and other Village zoning and subdivision relief processes. Also attached is a memo from the Village Attorney that summarizes the planned development as a land use tool, the Village's current planned development regulations, and some options regarding amending the planned development procedures and standards (Attachment A).

DOWNTOWN MASTER PLAN

On November 3, 2016, the Village Council adopted the Downtown Master Plan. The adoption of the Plan was the culmination of the work of an eleven-person Steering Committee and over seventy Working Group members with the assistance of a professional consulting firm. One area of the plan identified the need to review the Village's development, land use and zoning process and regulations. Chapter 7, Action Plan, of the Downtown Master Plan recommends the following:

The Land Use Chapter recommends a number of zoning ordinance and design review process changes to encourage business and property development in the business districts. These revisions were thoughtfully deliberated, a process that should continue as they are implemented. A community based effort led by a 3rd party consultant to provide an outside perspective, like that used to develop this Plan, will be useful in detailing changes and reaching consensus on the amendments. As with the Plan, a task force could lead the effort and include representatives from various groups and public bodies, such as the Plan Commission and Business Community Development Commission, in order to secure broad input. Changes to consider are:

- *Reduce and Clarify Standards for Considering Zoning Entitlement*
- *Revise the Commercial Overlay District*
- *Refine the Current Design Review Process*
- *Apply Administrative Approval for Minor Variations in Commercial Districts*
- ***Establish a Planned Development Commission [emphasis added]***
- *Consider Establishing a Fee in Lieu for Parking Relief*

Specifically regarding the establishment of a planned development commission, the Land Use Chapter (Chapter 6) recommends the following:

5. ESTABLISH A PLANNED DEVELOPMENT COMMISSION. *The process for considering Planned Developments (those over 10,000 square feet) in the Overlay District incorporates review of the Plan Commission, Zoning Board of Appeals, and Design Review Board. The time and materials required for this process can create a burden for applicants, Village officials, staff, and interested citizens as they must attend a series of meetings and review multiple packets of materials. To conduct the process in a more collaborative and efficient manner, and maintain a high level of evaluation, a Planned Development Commission can be created to evaluate planned developments in all commercial and multiple-family zoning districts. Such a body could include members of the Plan Commission, Zoning Board, and Design Review Board and consider all relevant standards; each member would receive training to understand and apply standards of the other commissions. The efficiency in the process is created by the project background not needing to be repeated to multiple groups. The integrity of the process is supported in that the concerns of each commission are thoughtfully considered in concert with the others.*

Attachment B contains excerpts from the Downtown Master Plan regarding land use and zoning recommendations.

PLANNED DEVELOPMENT BACKGROUND

In the Spring of 2004, while the Plan Commission conducted its annual review of Chapter Five of the Village of Winnetka Comprehensive Plan, the Green Bay Road Corridor & Business District, Issues and Recommendations, the Commission discussed the issue of planned development regulations. As a result of those discussions, the Plan Commission recommended that the Village Council examine the possibility of creating planned development regulations to govern the development of larger commercial sites in commercial districts. The purpose was to create planned development regulations “...to promote progressive development by encouraging more creative and imaginative design for developments than is possible under the more conventional zoning regulations.” In response to the Commission’s recommendation, the Village Council formed a committee to develop planned development regulations. The committee included seven members selected from the Plan Commission and the Business Community Development Commission BCDC.

In June of 2005, after studying planned development regulations from other communities, the Committee presented its recommendations to the Village Council for approval. The Village Council requested the Study Committee further study the proposed regulations. In September 2005, the Committee presented a final draft of the proposed development regulations. In December of that year, the Village Council adopted Ordinance No. MC-7-2005, which established planned development regulations in the B-1, B-2, C-1 and C-2 zoning districts.

Since that time, the Village Council has amended the planned development regulations twice. In 2010, Ordinance MC-9-2010 was adopted, which amended procedures for submitting written protest of special use permits, including planned developments. In 2015, Ordinance MC-2-2015 was adopted, which made comprehensive zoning amendments to the commercial zoning districts regarding height, other density limitations, and commercial parking requirements. Amendments to Chapter 17.58, Planned Developments, were limited to only changing the name of the C-1 District to the “Neighborhood Commercial District”. A copy of the current planned development regulations can be found in Attachment C – Chapter 17.58 – Planned Developments.

OTHER VILLAGE ZONING AND SUBDIVISION RELIEF PROCESSES

As the Council considers changes to the Village’s planned development process and regulations, staff thought it may be an appropriate time to raise the question of additional considerations regarding the

Village's other land use processes. For instance, the table below summarizes the various Village bodies involved with the special use processes, subdivisions with zoning variations process, and the planned development process.

Village Bodies Involved with Various Village Zoning and/or Subdivision Relief Processes

Special Uses within the C-2 Overlay District	Special Uses Outside of the C-2 Overlay District⁽²⁾	Subdivisions with Zoning Variations	Planned Development⁽³⁾
• Plan Commission • Design Review Board ⁽¹⁾ • Village Council	• Plan Commission • Zoning Board of Appeals • Design Review Board⁽¹⁾ • Village Council	• Plan Commission • Zoning Board of Appeals • Village Council	• Plan Commission • Zoning Board of Appeals • Design Review Board • Village Council

- 1) Design Review Board is involved if request includes exterior building, landscaping, or signage changes.
- 2) Special uses outside of the C-2 Overlay District includes commercial land uses located outside of the Overlay District that require special use approval as well as institutional uses (schools, parks, etc.) located in residential zoning districts that require special use approval.
- 3) Review by each of these bodies is required at both the preliminary plan and final plan.

As the table notes, as with the planned development process, there are other Village processes that involve a number of Village bodies. As the Council considers amendments to the planned development process, this information may also be helpful to the Council with future decision making regarding which advisory bodies would be involved in each process. It may also assist the Council with considering other future amendments to the Village's zoning and subdivision relief processes.

RECOMMENDATION

Staff recommends that staff and the Village Attorney prepare draft amendments to the planned development process for the Village Council to consider in the future. At the December 11 Study Session, staff suggests that the Council consider the following policy direction questions regarding the Village's planned development regulations:

- 1) Should the Village study amendments to the Village's planned development process? If so:
 - a. Which advisory bodies should be involved with the review of a planned development? Should the Village study reducing the number of advisory bodies involved in the process from three to one or two or should it form a new planned development commission consisting of a few members from each of the advisory bodies?
 - b. Would it be beneficial to consider amendments to the major steps of the planned development process, which currently consist of a pre-application meeting with staff, preliminary plan review, and final plan review? For instance, would it be beneficial to add a step allowing a developer to present their concept for a planned development to the Village Council prior to the developer submitting its formal preliminary plan application?
 - c. With changing which advisory bodies may be involved in the process, should we consider amending the review standards used at the preliminary plan stage as well as those used at the final plan stage?
 - d. What other potential changes should staff consider as it works on drafting amendments to the planned development regulations?
- 2) If the Council does direct that amendments be prepared to the planned development regulations, how would the Village Council like to handle the review of the amendments?

- a. Which advisory bodies would the Council like to have review and make recommendations on the amendments?
- b. Would the Council like to review the draft amendments prior to sending them to the advisory bodies? Or would the Council like input from the advisory bodies prior to reviewing the amendments?

Attorney Ben Schuster and I will be at the meeting to walk the Council through the material and to answer any questions.

ATTACHMENTS

Attachment A: Village Attorney Memorandum Regarding Consideration of Amendments to the Village's Planned Development Regulations

Attachment B: Downtown Master Plan- Land Use & Zoning Excerpts

Attachment C: Chapter 17.59 – Planned Developments

MEMORANDUM

Date: December 5, 2018

To: President Rintz and Village Trustees
Village Manager Rob Bahan
Community Development Director, David Schoon

From: Peter M. Friedman
Benjamin L. Schuster

Re: Consideration of Amendments to the Village's Planned Development Regulations

I. INTRODUCTION

The Village Council has adopted in the *Winnetka Zoning Ordinance* (“**Zoning Code**”) regulations governing planned developments (“**Planned Development Regulations**”). The Planned Development Regulations are set forth in Chapter 17.58 of the Zoning Code. The purpose of the Planned Development Regulations is to “promote progressive development and redevelopment of land in the multi-family and commercial zoning districts by encouraging more creative and imaginative design for land developments than is possible under the zoning regulations that generally apply in those zoning districts.” Section 17.58.020 (all section references in this memo are to the Zoning Code).

At its December 11, 2018 study session, the Village Council will study possible amendments to the Planned Development Regulations. This memorandum (i) provides the Village Council with a substantive overview of the Village's current Planned Development Regulations, and (ii) outlines some of the Village Council's options for amending the Planned Development Regulations.

II. PLANNED DEVELOPMENTS GENERALLY

The first planned development regulations were adopted by Prince Georges County, Maryland in 1949. Since their introduction, planned developments (or planned unit developments) have become a mainstay in large scale, unified land use and development in the United States. The purpose of planned development regulations is to provide a mechanism to authorize and promote creative and imaginative land use design and development that would not otherwise be permitted under typical zoning and subdivision regulations.

In Illinois, planned developments are authorized by both a municipality's home rule authority and the Illinois Municipal Code's authorization for special uses. See 65 ILCS 5/11-13-1.1. Although the Illinois Municipal Code does not define the term “planned developments,” it is, generally speaking, both a process and a product.

As a process, it is a mechanism that permits flexibility in development and the ability to deviate from standard, generally applicable regulations without the need for numerous variations or other traditional zoning relief. It is an alternative to the conventional subdivision and lot-by-lot development of land.

As a product, planned developments may include a variety of planning schemes including, without limitation, cluster developments and floating zones, all of which share or are intended to encourage certain common elements, including (i) developments that are architecturally and environmentally innovative; (ii) better utilization of land; (iii) preservation of open space to serve environmental, recreational, scenic and public use purposes; (iv) economical space layout; and (v) uses that are compatible and congruous with adjacent and proximate land uses.

Most municipalities in Illinois have adopted regulations to allow for planned developments. While municipal planned development regulations generally have the same purposes – to promote flexibility and more desirous land uses – a municipality has significant latitude to tailor its planned development regulations for an individual community as it sees fit. Accordingly, Illinois municipalities employ a wide variety of planned development procedures and standards.

III. The Village's Current Planned Development Regulations

The Village's Planned Development Regulations are set forth in Chapter 17.58 of the Zoning Code. Below is a summary of these regulations.

A. Applicability

The Village currently requires the approval of a planned development for properties located in the Village's B-1 Multi-family Residential, B-2 Multi-family Residential, C-1 Neighborhood Commercial, and C-2 General Retail Commercial zoning districts that have a combined area of at least 10,000 square feet. Sections 17.58.010 & 17.58.030. The Village does not permit planned developments in single family residential zoning districts. *Id.*

B. Procedures

The Zoning Code provides for a three-step process for the approval of a planned development: (1) an optional pre-application conference; (2) preliminary plan approval; and (3) final plan approval.

1. Pre-Application Conference

Pursuant to Section 17.58.060 of the Zoning Code, applicants for a planned development may request an information conference with the Village's Zoning Administrator. The pre-application conference is not mandatory and does not require either the payment of an application fee or the filing of an application.

The purpose of a pre-application conference is to permit the applicant to get a sense from the Village, before completing an application, whether the Village might approve a planned

development application and to get initial feedback on a development plan without requiring the applicant to go through a time consuming and costly process of submitting a formal application.

Unlike most planned development regulations, the Village regulations do not provide an opportunity for a developer to present to the Village Council a conceptual overview of a proposed development.

2. Preliminary Plan Approval

The second step in the Village's current planned development process is for an applicant to obtain preliminary plan approval from the Village. The procedures for preliminary plan approval are set forth in Section 17.58.070 and 17.58.080 of the Zoning Ordinance.

An applicant commences the preliminary plan approval process by submitting an application to the Village. Section 17.58.070 of the Zoning Code sets forth a detailed list of what must be included in an application for preliminary plan approval. This list includes:

- A statement of the applicant's objectives;
- A statement of ownership;
- A statement of the proposed use;
- A detailed planned development plan;
- A quantitative summary of the development setting forth the size of the proposed development and the number of proposed on-site parking spaces;
- A preliminary plat of subdivision;
- Schematic architectural drawings;
- A statement of the requested zoning modifications;
- A traffic and parking study;
- A development schedule; and
- Any other documents required by the Director of Community Development.

Once an application for preliminary plan approval is complete, the Zoning Administrator forwards the application to the Plan Commission, the Zoning Board of Appeals (ZBA), and the Design Review Board. All three subsidiary bodies consider the application, but under standards that are, at least to some extent, distinct for each subsidiary body. The standards are generally set forth in Section 17.58.110 of the Zoning Code. The standards are extensive, often internally overlap, and overlap with the standards of other subsidiary bodies.

a. The Role of the Plan Commission

The Plan Commission is required to hold a public hearing on the application for preliminary plan approval and may not issue a recommendation to the Village Council in favor of the application unless the Plan Commission determines the proposed development is consistent with the goals and objectives of the Village' Comprehensive Plan. Section 17.58.110.C. In making this determination, the Plan Commission is required to consider whether the application is consistent with the following nine goals of the Comprehensive Plan:

- i. To ensure that commercial, institutional, and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood;
- ii. To limit commercial, institutional and residential development within the Village to minimize potentially adverse impacts on adjacent residential neighborhoods and to prevent the need for significant increases in such infrastructure as streets, parking, utilities and sewers, and in other community resources such as schools, parks and recreational facilities;
- iii. To ensure that development proposals minimize the potential adverse impact they might have on residential neighborhoods, including the impact on pedestrian character, on-site parking, traffic patterns, congestion, open space, storm water management and Village infrastructure;
- iv. To provide for a wide range of office/service and retail commercial land uses and development within the existing business districts in the Corridor;
- v. To promote a strong community identity and opportunities to interact while building a healthy commercial tax base;
- vi. To provide a broad range of goods and services so that Winnetka residents can satisfy most of their ordinary shopping requirements in the Village and so that non-residents will come to the Village for specialty goods and services;
- vii. To maintain the essential quality, viability and attractiveness of Winnetka' s business districts while encouraging new economic development consistent with the character of the Village and the individual business districts;
- viii. To encourage the provision of on-site parking at the rear of buildings, with access via alleys or private driveways, to reduce demand for on-street parking; and
- ix. To ensure that new development does not decrease public parking supply, particularly on street parking that supports retail use.

In addition, the Plan Commission must also apply the six general standards that are applicable to all applications for special use permits. These six standards are:

- i. That the establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;

- ii. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
- iii. That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
- iv. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
- v. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided; and
- vi. That the special use in all other respects conforms to the applicable regulations of the Zoning Code and other Village ordinances and codes.

Section 17.56.120.A.

The Plan Commission also has jurisdiction to make recommendations on any exceptions or modifications to the Zoning Ordinance that are requested as part of the planned development application. In considering requested exceptions and modifications, the Plan Commission must consider whether:

- i. The exception or modification meets the standards for modification defined in the relevant provision of Section 17.58.040;
- ii. The exception or modification is solely for the purpose of promoting a unified site plan and of meeting the objectives of both the Zoning Code and the Comprehensive Plan; and
- iii. The exception or modification is necessary to achieve the stated objectives and goals of the planned development chapter of the Zoning Code.

Section 17.58.040.

b. The Role of the Zoning Board of Appeals

Similar to the Plan Commission, the ZBA is required to hold a public hearing on the application for preliminary plan approval. The ZBA may not issue a recommendation to the Village Council in favor of preliminary approval of a planned development plan unless the ZBA makes the following six findings:

- i. That the proposed planned development will not either endanger or be detrimental to the public health, safety, comfort, morals or general welfare, in that the proposed development will complement and supplement the community given the nature of the business;

- ii. That the planned development will not either substantially diminish or impair property values in the immediate vicinity, or be substantially injurious to the use and enjoyment of land in the immediate vicinity for uses permitted by right in that zoning district;
- iii. That the planned development will not impede the normal and orderly development and improvement of other property in the immediate vicinity for uses permitted by right in the zoning district;
- iv. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public and private ways;
- v. That adequate parking, utilities, access roads, drainage and other facilities necessary for the operation of the special use either exist or will be provided; and
- vi. That the planned development in all other respects conforms to the applicable zoning regulations and other application of Village ordinances and codes.

Section 17.58.110.B.

c. The Role of the Design Review Board

The Design Review Board also is required to make a recommendation to the Village Board on applications for preliminary plan approval. But unlike the Plan Commission and ZBA, which are required to hold a public hearing, the Design Review Board is only required to consider the application at a public meeting. Section 17.58.080.D.

Pursuant to Section 17.58.119.D of the Zoning Code, the Design Review Board must provide comment and recommendations to the Village Council as to whether the building design, landscape plan, and other proposed exterior aspects of the planned development are in conformity with the Village's Design Guidelines.

d. The Role of the Village Council

The Village Council considers the application for preliminary plan approval for a planned development after receiving the recommendations of the Plan Commission, ZBA, and Design Review Board. The Village Council evaluates the application pursuant to the following factors, which include the factors applied by the Plan Commission, ZBA, and Design Review Board:

- i. That the proposed development meets the special use standards for planned development, as set forth in Section 11.58.110.B (the standards that are considered by the ZBA);
- ii. That the proposed development, as a whole, is consistent with the Comprehensive Plan, Winnetka 2020;

- iii. That a certificate of appropriateness of design should issue for the buildings, landscaping and other exterior elements of the proposed development; and
- iv. That the proposed development is otherwise consistent with the intent and objectives of the planned development chapter of the Zoning Code.

Section 17.58.110.E.

3. Final Plan Approval

The third and final step required for approval of a planned development is final plan approval. An applicant for a planned development is required to apply for final plan approval within 18 months of the Village Council's approval of the preliminary plan unless the Village Council extends the time for filing the application for final approval. Section 17.58.090.B. The application for final plan approval must contain all of the same materials included in the preliminary development plan, but in a final and more detailed form. Section 17.58.090.C.

An applicant for final plan approval is not permitted to apply for final plan approval if the final plan contains a substantial change from the approved preliminary plan. Section 17.58.090. A "substantial change" is a change that alters the concept or intent of the planned development; changes the plan's density, changes the height of any building, changes proposed open space, makes material changes in architectural design, makes a material change to the development schedule, or changes the governing agreements, provisions, or covenants for the development. *Id.*

Once an application for final plan approval is complete, the Zoning Administrator forwards the application to the Plan Commission, the ZBA, and the Design Review Board. After the subsidiary bodies issue their recommendations pursuant to the same procedures as preliminary plan approval, the Village Council considers the application for final plan approval.

The three subsidiary bodies and the Village Council consider the application for final plan approval under the same standards as required for preliminary plan approval. In addition, the subsidiary bodies and Village Council must consider whether the final development plan is in substantial conformity with the approved preliminary plan. The Village Council must deny the application for final plan approval if it is not. Section 17.58.100.E.

IV. Options for Amending the Planned Development Procedures and Standards

The Village Council may leave the Village's Planned Development Regulations unchanged if it determines that the Planned Development Regulations are effectively addressing the Council's policy aims. Legally, the Planned Development Regulations are valid and enforceable.

If, however, the Council determines that the current Planned Development Regulations are inefficient or not effectively accomplishing Village policy objectives, the Council can consider amendments to the regulations. Below is a list of ways the Council could amend the Planned Development Regulations. The Village Council may consider one, or several of, the below-listed amendments, or others that the Village develops.

One element to consider in evaluating the planned development process, is the impact of the process on residents and others who want to participate and voice opinions. Ostensibly, a multi-step process is designed to provide the greatest amount of participation possible. However, often, a process with too many steps and hearings and meetings could prove daunting to the public and may, in fact, diminish the consistency and quality of public participation.

These are all pure policy decisions for the Council to make and we express no opinion on the various available alternatives.

A. Permitting an Applicant to File for Combined Preliminary and Final Plan Approval

The Village Council could amend the Planned Development Regulations to permit an applicant to file for concurrent approval of a preliminary and final planned development plan. This would allow an applicant, upon request, to eliminate the two-step approval process, thereby potentially reducing the amount of time and cost to obtain planned development approval.

Many municipalities permit applicants to apply for combined preliminary and final plan approval, and it has the benefit of allowing non-controversial and non-complicated applications to move through the application process quickly.

There are also potential drawbacks of permitting an applicant to apply for combined preliminary and final plan approval, which include:

- An applicant would have to prepare a more detailed application for combined approval than it would need to submit for preliminary approval. Therefore, it may be more costly for an applicant to have an application denied compared to a denial under preliminary plan approval.
- The Village Council and its subsidiary bodies would only be able to consider an application once, instead of having two opportunities to consider approval of an application.
- The public would have fewer opportunities to provide testimony and public comment on the application.

Ultimately, these drawbacks can be eliminated by carefully limiting when a combined process would be available. Obviously, for a project such as One Winnetka, a combined process would not be advisable. But for significantly smaller properties and developments, it may make sense to streamline the process.

B. Provide Preliminary Council Presentation

The Village Council is the ultimate decision maker on planned developments. It would be logical to provide the developer the opportunity, prior to filing an official planned development application, to come before the Council and present the basic concepts and depictions of a proposed development. That would give the individual Council members the opportunity (in a non-binding manner) to provide valuable feedback to the developer and also it

could provide valuable guidance to the advisory bodies should the developer proceed to go through the process. This type of preliminary, conceptual review, is contained in many planned development regulations.

C. Designating One Subsidiary Body to Consider Planned Developments

The Village's current planned development regulations require an applicant to appear before the Plan Commission, ZBA, and Design Review Board prior to coming before the Village Council for approval of a planned development. The Village Council could amend the Zoning Code to provide that an applicant need only appear before one or two of the Village's subsidiary bodies, instead of all three. For example, many municipalities grant authority to their plan commissions to be the subsidiary body that holds public hearings and issues recommendations to the corporate authorities on applications for approval of planned developments.

If the Village Council does not want to combine the recommending authority in only one subsidiary body, it could combine the powers of the Plan Commission and ZBA into one of the subsidiary bodies, and continue to require applicants to appear before the Design Review Board for the design-related matters.

D. Create a Planned Development Commission

If the Village Council does not desire to vest the authority in only one of its existing subsidiary bodies to hold hearings and issue recommendations on planned development applications, it could create a "Planned Development Commission" comprised of members from all of its existing subsidiary bodies. This approach is utilized by a number of Illinois municipalities and has the benefit of calling upon public officials with differing experiences to make recommendations on planned development applications.

There are numerous ways to structure a Planned Development Commission. For example, a Planned Development Commission could be created with the following make-up:

- The chair of the commission could be either the chair of the Plan Commission or the ZBA;
- Three of the members could be the three longest-serving members of the ZBA;
- Three of the members could be the three longest-serving members of the Plan Commission; and
- One member could be the longest serving member of the Design Review Board.

The above example is only meant to be illustrative.

Other local governments have structured their planned development commissions differently. One good example is the Village of Oak Brook – there, the planned development commission chairmanship, membership, and composition rotates according to specific terms set forth in the Oak Brook village code. We have attached the applicable section to this memo. The Village Council would be permitted to choose the make-up of a Planned Development

Commission as it sees fit or to provide for a rotation of members from its subsidiary bodies to serve on a Planned Development Commission.

E. *Amend the Planned Development Standards*

The Village Council could amend the standards used to evaluate planned development applications. As set forth in detail above, the Village Council and its three subsidiary bodies consider approximately 25 standards when considering planned development applications, many of which overlap. The Village Council has the authority to amend, combine, eliminate, or add to, the standards used to evaluate planned developments.

V. Conclusion.

The planned development process broken down consists of structure, process, and standards. All of these elements should align to the Village's specific policies on how best to manage planned development proposals. We hope that this memo provides a good starting point for the Council to discuss these issues. If the Council determines after its December 11 study session that it wants to consider more specific changes to the existing regulations, we can work with Village staff to prepare recommendations and specific amendments based on that Council direction.

2-9-3: COMPOSITION OF COMMISSION:

A. General Appointment And Membership Criteria: The commission shall consist of seven (7) members. Each member on the commission shall be selected from the then current members of the Oak Brook plan commission and the Oak Brook zoning board of appeals. The chairperson of the zoning board of appeals shall be one of the zoning board of appeals members on the commission. The chairperson of the plan commission shall be one of the plan commission members on the commission. Each member shall be appointed by the village president, with the advice and consent of the board of trustees. Each member of the commission shall serve without compensation.

B. Composition Of Commission; Chairperson; Terms:

1. Chairperson; Vice Chairperson: The chairperson of the commission shall always be the individual then serving as the chairperson of the body that holds three (3) seats on the commission. The vice chairperson of the commission shall always be the individual then serving as the chairperson of the body that holds four (4) seats on the commission.

2. Initial Composition: The initial composition of the commission shall consist of four (4) plan commission members and three (3) zoning board of appeals members.

3. Term: The term of each member of the commission shall be two (2) years, commencing on May 1 and ending on April 30 of the second year, or until such times as a successor has been duly appointed, confirmed, and qualified. There shall be no restriction on the reappointment of a member to one or more successive terms, subject to the advice and consent of the board of trustees for each reappointment. In making appointments to the commission after the initial and subsequent two (2) year terms, the president shall attempt to reduce the amount of turnover on the commission in order to ensure that the commission is able to continue to function without loss of expertise and experience and without interruption or delay on matters that may be before it.

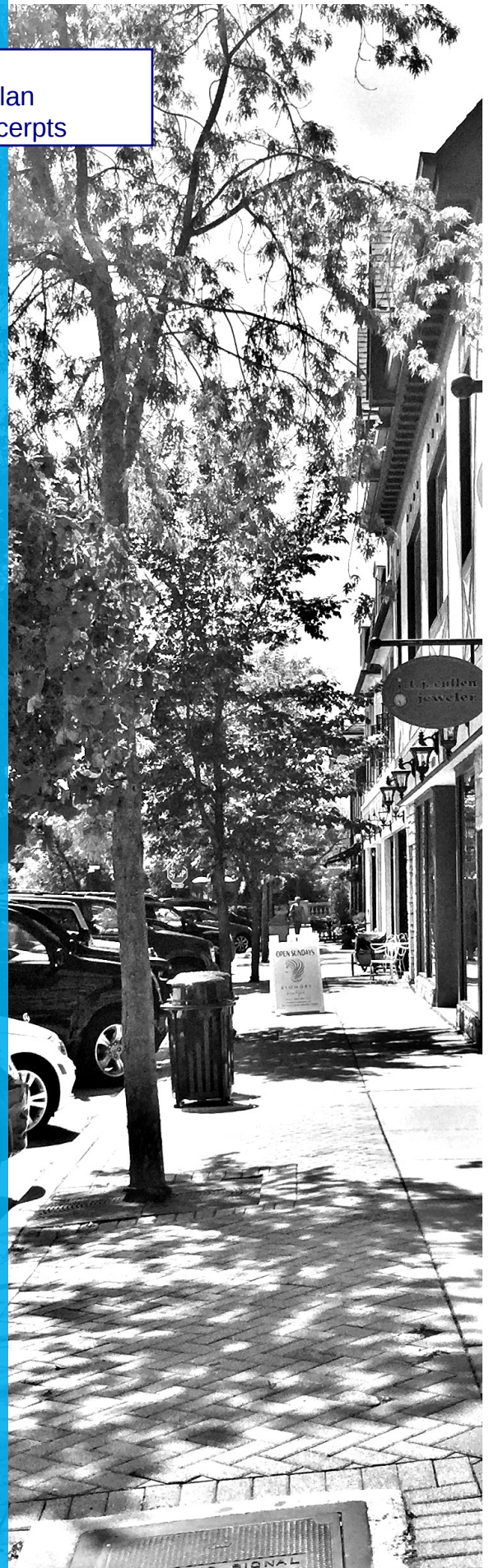
4. Rotating Majorities, Chairpersons, And Vice Chairpersons: The body from which the majority of commission members are drawn, and the body from which the chairperson and vice chairperson are selected, shall alternate every two (2) years. Accordingly, during the first two (2) year terms (in which the plan commission has 4 members and the zoning board of appeals has 3 members), the chairperson of the commission shall be the chairperson of the zoning board of appeals and the vice chairperson shall be the chairperson of the plan commission. Following the initial two (2) year terms, one appointment from the plan commission will be eliminated and one appointment from the zoning board of appeals will be added, so that for the second two (2) year terms the composition of the commission shall consist of four (4) zoning board of appeals members and three (3) plan commission members, with the chairperson of the plan commission serving as chairperson of the commission and the chairperson of the zoning board of appeals serving as vice chairperson. This rotation between a zoning board of appeals majority and a plan commission majority, and the corresponding rotation of the chairperson and vice chairperson, shall take place every two (2) years.

VILLAGE OF WINNETKA

DOWNTOWN MASTER PLAN

ELM STREET
HUBBARD WOODS
INDIAN HILL

ADOPTED NOVEMBER 3, 2016



SPECIAL THANKS

The Winnetka Downtown Master Plan would not have been possible without the steadfast insight, oversight, and support of a select team of truly dedicated folks. For that, we owe special thanks to the following individuals.

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CHAPTER 6

LAND USE + ZONING

LAND USE+ZONING

At its most basic, the Village of Winnetka Downtown Master Plan land use element defines the types of businesses and dwellings that are more appropriate for the Winnetka business districts. Changes in land use from what exists now are taken as a given in planning – although in built-up communities like Winnetka those changes are incremental and happen over longer periods of time. However, given the existing character of the business districts, the future land use pattern can be expected to reflect what's there now: shops, restaurants, services, and some dwellings.

Even in the most stable business districts stores come and go, redevelopment opportunities are considered, and improving how the area looks is an ongoing effort by the Village, merchants, and property owners. The purpose of this chapter is to build on the Vision Statements and outline a path for the ongoing evolution of the business districts' physical form and vibrancy.

THE PURPOSE OF THIS CHAPTER IS TO BUILD ON THE VISION STATEMENTS AND OUTLINE A PATH FOR THE ONGOING EVOLUTION OF THE BUSINESS DISTRICTS' PHYSICAL FORM AND VIBRANCY.





PHYSICAL FORM FOR THE VISION

The process of preparing the Downtown Master Plan included many discussions about vibrant business areas, family friendly restaurants, stores for home furnishings, ice cream shops, brewpubs, and much more. Those discussions are condensed into the Visions Statements for the business districts. This land use plan helps define a structure for the districts that is the physical form of those Visions. To test how the Visions might take physical forms, three potential development sites were evaluated for how they can best advance plan objectives. These scenarios did not reflect pending developments, nor were they to portray future specific developments.

They were intended to show one possible development outcome at the study site and convey Village expectations for all new development. The site studies highlight questions to be considered in understanding how new development supports the Vision, the site, and urban design objectives. Of the four sites evaluated, the Post Office is unique in that it is owned by the Village. Therefore, the development objectives and sketch plan for this site may well find themselves as part of a Village-led development effort.

REGULATING DEVELOPMENT

Zoning is the legal process by which land use is codified in a community. For better or worse, a zoning ordinance is too often considered the list of things people are prohibited from doing with their property, and can be a cause of frustration. Likewise, the development approval process associated with zoning often is seen as too long, too unpredictable, and too expensive.

In fact, done effectively, the process can be just the opposite. However, the reality is that development regulations are added to every community's code over time and all too often they occur as a reaction to something undesirable that occurred; typically, these codes will be strict and seek to maintain the status quo. Regulations presented in this format do not encourage new businesses and development.

Why address land use?

Change is challenging in a built-out environment because it always replaces something that has been a part of the community, whether an individual store or block of buildings being redeveloped. Yet, the Village has seen that changes, some small and some are large; and continued change is inevitable. Therefore, considering land use in a plan allows the community to set context for that change, outline where it can fit into the community, and set out how it can best occur.

Another reason to address land use is to be clear that the Village is open to changes. It is incumbent on the community to make clear to business and property owners, potential developers, and residents that the Village acknowledges change will happen. Furthermore, it seeks for the change to enhance the community and has defined thoughtful rules under which it should take place. This Plan paints that picture of what is desired by the community for its business districts. While a proposed business or development may bring an idea that is somewhat different from that picture, they will do so with an understanding of what the community has in mind and are responsible for showing how an idea otherwise supports the Vision.

GENERAL RECOMMENDATIONS

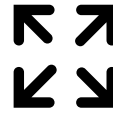
CODE AMENDMENTS

Recent changes to the Zoning Ordinance are recognized as a sound step in creating a development approval process more in keeping with the practices of business district users and supporting Village development objectives. Based on input from the Downtown Master Plan process and technical evaluation of the Zoning Ordinance, further code amendments are recommended. The form and purpose of those changes are outlined below. The specific changes to be adopted into the Village code are expected to be defined and drafted as a follow up to adopting this plan, as they merit further and public deliberation.

- **1. REDUCE / CLARIFY STANDARDS FOR ZONING ENTITLEMENT:** Per the Village Zoning Ordinance, Special Uses, Planned Unit Development, and Variations must be considered against a set of established standards to affirm that the proposed use or development is appropriate for the Village and the location where it will be located. The Winnetka Zoning Ordinance has multiple sets of standards for each of these approvals that must be addressed. In practical application, these multiple sets of standards lack focus and can be applied subjectively. This makes the approval process confusing for the applicant and Village officials, and does not constructively add value to the approval process or ultimate development. The standards should be consolidated and clarified without diminishing the regulatory control the Village maintains over proposed developments or its expectations for their quality.
- **2. REVISE THE COMMERCIAL OVERLAY DISTRICT:** Winnetka's C-2 Overlay zoning district regulates the uses (businesses) permitted in the core parts of the Elm Street and Hubbard Woods business districts. It permits fewer types of businesses than the underlying C-2 District, primarily allowing retail and personal service businesses on the first floor with the intent of supporting an active commercial street front. However, it has been noted during the planning process that lifestyles have changed in recent years and a notable level of activity is also generated by other types of uses. Recognizing this change and incorporating it into downtown zoning can advance stronger business districts. For this regulatory tool to be better in step with the direction of this Plan, four aspects of the C-2 Overlay should be changed, as noted on the following page.

CODE AMENDMENTS

2. REVISE THE COMMERCIAL OVERLAY DISTRICT (CONTINUED):

**1. PERMITTED USES:**

Evaluate list of permitted uses to better reflect current trends in downtown business districts and potentials for success identified in this Plan's Market Assessment. The potential for "foot traffic" generated by a broader range of personal services and office uses should be reflected in the use list as "permitted". In some cases, businesses that attract activity are prohibited in the Overlay or require a Special Use process. This approach to regulating downtown uses is no longer a best practice in light of how people's use of downtown business districts have changed. In addition, there is increased competition for consumers' entertainment and shopping dollars from the surrounding communities and the internet.

2. SPECIAL USES:

Reduce number of uses considered as Special Uses. Best practice is to consider Special Uses as those that are desirable for a district, but merit further evaluation to address potential adverse impacts (points of traffic conflict, potential nuisances, impacts on adjacent properties, etc.). If a particular type of business is not a good fit for the district because it generates limited activity or is contrary to the plan's vision, that status should be clearly conveyed in the code and the use not permitted. This change should not be seen as restricting businesses in the overlay – the recommendation above suggests creating a broader list of permitted uses – but will create clarity in the code.

3. OVERLAY BOUNDARY:

Evaluate the merits of narrowing the extent of the C-2 Overlay geography in the Elm Street and Hubbard Woods districts. In keeping with the theme of creating vibrant business districts, the Overlay should be evaluated as to whether all areas designated support that objective. If not, it is appropriate to permit the broader range of land uses set by the underlying C-2 District and shrink the Overlay boundary. Strongest commercial activity will be located at key intersections, sites located farther from such intersections may no longer add value to the Overlay District and that designation can be removed.

4. OVERLAY TITLE:

Change the C-2 Overlay District name. The most common and appropriate use of "overlay" zoning is to set additional standards that will work in concert with the underlying district (as is often applied with historic preservation or urban design criteria to a specific part of the community). While the C-2 Overlay does have different standards in that it allows fewer businesses by right, it does not follow the conventional application of an overlay district. This can be confusing to business and property owners or developers. The most straightforward approach would be to rename the overlay as a C-3 Commercial Core District and apply it as a conventional zoning district.

CODE AMENDMENTS

- **3. REFINE THE CURRENT DESIGN REVIEW PROCESS.** Building permit requests for commercial and multiple-family buildings in the C-1, C-2, and C-2 Overlay Districts come before the Village for consideration that building design, building materials, site plan, and landscaping are consistent with desired community character. The applications are heard by the Village Design Review Board (DRB), which makes findings on whether to issue a Certificate of Appropriateness of Design. Appeals to DRB determinations and all applications in the C-1 Zoning district (Indian Hill) are heard by the Village Council. This is a well-established process and is common in other communities. In Winnetka, the expectations for design characteristics are thoroughly spelled out in the Village of Winnetka Design Guidelines and Design Guideline Evaluation Checklist (which effectively summarizes the design guidelines and helps users through the Village Design Review Board process). In the interest of making the process more predictable and effective for applicants and the Village, several changes to the design review process should be considered:

1. CLEAR STANDARDS

Establish clear standards of approval for the design review process. Standards for approval of Certificate of Design Appropriateness are broadly outlined in the Village Design Guidelines, Section 15.40.010.F of the Zoning Ordinance, and the Design Guideline Evaluation checklist - but are not specifically delineated. This collection of criteria should be evaluated and combined into a single set of standards for approval of a Certificate of Design Appropriateness. Articulated standards will provide clarity to both applicants and the DRB regarding intended outcomes for the process.

2. DESIGN REVIEW:

Require design review for a few structural items. Not all changes to building exterior may rise to the level of requiring DRB or Village Council approval. In the interest of encouraging improvements and providing a efficient process, some building elements could be permitted with a reduced level of review, such as administrative review and approval by staff. Most appropriate for this might be “like for like” replacements of existing elements such as awnings, windows, lights or doors that could be approved through the building permit process. Similarly, new elements reflecting the same style as existing features could be administratively approved.

3. EXCEPTIONS:

Consider if there are circumstances in which administrative exception could be granted for limited relief from design review standards. This is mostly likely to occur after a design element has been approved by the DRB but an applicant needs to make a change to the approved design. In situations where the requested change provides a comparable or higher degree of design character and meets the intent approved by the Commission, such could be authorized through an administrative process.

4. C-1 DISTRICT:

Eliminate the need for buildings in the C-1 District to be considered by the Village Council architectural review. The process was established over concern that inappropriate buildings could be located too close to single family residential areas. In fact, the recent changes to Village Code and those proposed as part of this plan maintain a process through which concerns of adjacent owners can be heard and addressed.

CODE AMENDMENTS

□ **4. APPLY ADMINISTRATIVE APPROVAL FOR MINOR VARIATIONS IN COMMERCIAL ZONING DISTRICTS:**

In situations where renovating a structure in the business districts creates requirement for a small variation from the Zoning Ordinance, these could be allowed through the administrative approval process by the Zoning Administrator. Such approvals are possible in some instances, but are limited in type and scale – as spelled out in Section 17.60.035. However, additional use of the Minor Variation process for small variations in the business districts should be considered.

- **5. ESTABLISH A PLANNED DEVELOPMENT COMMISSION.** The process for considering Planned Developments (those over 10,000 square feet) in the Overlay District incorporates review of the Plan Commission, Zoning Board of Appeals, and Design Review Board. The time and materials required for this process can create a burden for applicants, Village officials, staff, and interested citizens as they must attend a series of meetings and review multiple packets of materials. To conduct the process in a more collaborative and efficient manner, and maintain a high level of evaluation, a Planned Development Commission can be created to evaluate planned developments in all commercial and multiple-family zoning districts. Such a body could include members of the Plan Commission, Zoning Board, and Design Review Board and consider all relevant standards; each member would receive training to understand and apply standards of the other commissions. The efficiency in the process is created by the project background not needing to be repeated to multiple groups. The integrity of the process is supported in that the concerns of each commission are thoughtfully considered in concert with the others.

- **6. CONSIDER ESTABLISHING A FEE IN LIEU FOR PARKING RELIEF.** The Village parking requirements are considered sound in meeting current needs, particularly in light of recent Code changes. When considering parking relief, the Village may choose add the option of an associated fee in lieu of parking as an alternate form of compliance (similar to the way that providing required parking in an off-site lot is a different way to meet parking requirements). The fee could be applied if other methods of meeting the intent of the code could not be achieved, but should be thoughtfully set so as not to be a disincentive to development. Typically established on a per space basis, the fee could be placed into a fund for upkeep of present parking and related facilities (such as signage) or assisting in financing new parking facilities.

- **7. PROVIDE COMMISSIONER TRAINING.** Assuring that members of commissions are appropriately trained supports the concept of more effective meetings and development reviews. While Village commissioners are well educated and committed to the well-being of the community, not all will be experienced in the topics specific to the commission on which they sit or the unique aspects of how municipal commissions operate. A training program could be established for current commissioners and required of all new commissioners prior to taking their positions. A training regimen will help maintain consistency between commissioners and commissions in how they apply Code standards, supporting more effective and efficient review processes.



CHAPTER 7

ACTION PLAN

4. LAND USE AND ZONING

4A. Adopt Development Related Code Revisions

The Land Use Chapter recommends a number of zoning ordinance and design review process changes to encourage business and property development in the business districts. These revisions were thoughtfully deliberated, a process that should continue as they are implemented.

i. Code Amendments: High Priority / \$\$

The Land Use Chapter recommends a number of zoning ordinance and design review process changes to encourage business and property development in the business districts. These revisions were thoughtfully deliberated, a process that should continue as they are implemented. A community based effort led by a 3rd party consultant to provide an outside perspective, like that used to develop this Plan, will be useful in detailing changes and reaching consensus on the amendments. As with the Plan, a task force could lead the effort and include representatives from various groups and public bodies, such as the Plan Commission and Business Community Development Commission, in order to secure broad input. Changes to consider are:

- Reduce and Clarify Standards for Considering Zoning Entitlement
- Revise the Commercial Overlay District
- Refine the Current Design Review Process
- Apply Administrative Approval for Minor Variations in Commercial Districts
- Establish a Planned Development Commission
- Consider Establishing a Fee in Lieu for Parking Relief

4B. Post Office Redevelopment

As a Village-owned property, the Post Office site presents an opportunity to advance the Vision for Elm Street and development in the district.

i. Redevelopment Planning: Medium Priority / \$\$

As a Village-owned property, the Post Office site presents an opportunity to advance the Vision for Elm Street and development in the district. Securing development of municipally owned properties is best accomplished by issuing to the development community a Request for Qualification (RFQ) and a subsequent Request for Proposals (RFP) to a selected short list of potential developers. This requires first defining Village objectives for the property related to development parameters (outlined in this Plan), fiscal considerations, developer selection criteria, the selection process, and a timeline for the process. The RFP/RFP preparation and developer selection process often is managed for communities by a 3rd party consultant to ensure a process understood as impartial by all. As described in the Plan, timing of site disposition should ensure that there are no (or very limited) competing developments in the immediate area.

4C. Provide Commissioner Training

Training for existing and future members and Village Commissioners will help to create a more consistent and effective development review process.

i. Commissioner Training: Medium Priority / \$

Training can be led by Village Staff or Corporation Counsel. However, outside trainers bring a broad perspective and can be used for an initial session with current commissioners; training for future commissioners could be led internally. The Illinois Chapter of the American Planning Association provides commissioner training for a nominal charge.

Chapter 17.58

PLANNED DEVELOPMENTS

Sections:

- 17.58.010 Applicability.
- 17.58.020 Purpose and intent.
- 17.58.030 General requirements.
- 17.58.040 Development standards.
- 17.58.050 Procedural requirements.
- 17.58.060 Pre application conference.
- 17.58.070 Application for preliminary plan approval.
- 17.58.080 Procedures for preliminary plan approval.
- 17.58.090 Application for final plan approval.
- 17.58.100 Procedures for final plan approval.
- 17.58.110 Findings on standards for planned development approval.
- 17.58.120 Amendments to planned developments.
- 17.58.130 Effect of failure to complete project according to plans.

Section 17.58.010 Applicability

The provisions of this chapter apply to the development or redevelopment of any parcel of land, or group of contiguous parcels of land, that have a combined area of at least 10,000 square feet and that are located in the B-1 Multi-family Residential, B-2 Multi-family Residential, C-1 Neighborhood Commercial and C-2 General Retail Commercial zoning districts, provided the development or redevelopment consists of the construction of one or more new buildings, or of any addition to or expansion of one or more existing buildings that increase the gross floor area on the subject property by at least 50%.

(MC-2-2015 § 13, Amended, 02/17/2015; MC-8-2005, Added, 12/20/2005)

Section 17.58.020 Purpose and intent

A. Purpose. The purpose of this Chapter is to make available a special use procedure that departs from the strict application of the specific zoning requirements of the district in which the development is located, in an effort to promote progressive development and redevelopment of land in the multi-family and commercial zoning districts by encouraging more creative and imaginative design for land developments than is possible under the zoning regulations that generally apply in those zoning districts.

B. Intent. This Chapter is intended to assure that the following land use and development objectives are accomplished, in addition to the general land use and development objectives set forth in Chapter 17.04 of this Title:

1. To permit a creative approach to the development and redevelopment of lands devoted to multi-family and commercial uses.
2. To achieve a more desirable physical environment by allowing greater flexibility in building design and site plan layout than would be possible through the strict application of the generally applicable zoning and subdivision regulations.
3. To allow more efficient use of the land resulting in more economic networks of utilities, streets and other facilities.

5. To facilitate a development pattern that is in harmony both with the objectives of the Comprehensive Plan and with the district purposes as defined in this Title.

6. To allow the relaxation of certain otherwise applicable substantive requirements based upon procedural protections that provide for the detailed review of individual proposals for more significant multi-family and commercial developments.

(MC-8-2005, Added, 12/20/2005)

Section 17.58.030 General requirements

All planned developments shall be subject to the requirements and limitations of this section.

A. Approval required. All planned developments shall be subject to approval by the Village Council, in accordance with the procedures and standards set forth in this Chapter and with other applicable provisions of this Code.

B. Permitted Locations. Planned developments are authorized only in the B-1 Multi-family, B-2 Multi-family, C-1 Neighborhood Commercial and C-2 General Retail Commercial zoning districts.

C. Comprehensive Plan. All planned developments shall be consistent with the Village of Winnetka Comprehensive Plan, *Winnetka 2020*.

D. Minimum area of development. No planned development shall be permitted on any site that has an area of less than 10,000 square feet.

E. Planned development required. All new development or redevelopment on any site with an area of 10,000 square feet or more shall be in accordance with the planned development requirements established in this Chapter.

F. Ownership and control of land. The site for a planned development may be either in a single lot of record or a combination of contiguous lots that are under unified ownership and control.

G. Compliance with Village Code required. Construction and improvements with any planned development shall comply with all applicable Village ordinances. Any proposed deviation from Village standards or requirements must be clearly listed on the preliminary plan submittal and fully justified as being both necessary to the proper development of the property and consistent with the objectives set forth in the applicable section of the Village Code.

H. Design requirements. The planned development as a whole, as well as the individual buildings and site improvements constructed as part of the planned development, shall be in conformity with the Village of Winnetka Design Guidelines.

I. Compatibility of uses and design. The uses permitted in the planned development shall be compatible with each other and with existing land uses in the surrounding area. Uses shall be deemed compatible if all of the following criteria are met:

1. The individual uses in the planned development must be permitted uses or permitted special uses in the underlying zoning district. Any individual use that is permitted only as a special use in the underlying zoning district must individually meet the standards for the granting of special use permits, as established in Chapter 17.56 of this Code.

2. The uses must be designed and located in conformity with the Village of Winnetka Design Guidelines.

3. The uses, buildings and site layout of the planned development, considered as a whole, must meet the standards for the granting of special use permits, as established in Chapter 17.56 of this Code.

4. The planned development will be responsive to a demonstrated need within the Village.
(MC-2-2015 § 14, Amended, 02/17/2015; MC-8-2005, Added, 12/20/2005)

Section 17.58.040 Development standards

A. Number of units. The maximum number of residential units in a planned development shall not exceed the maximum number allowed in the underlying zoning district, except as may be necessary to achieve the goals of the Village of Winnetka Affordable Housing Plan.

B. Yards and setbacks. The required yards and setbacks along the periphery of the planned development site shall be the same as those in the underlying zoning district. Notwithstanding the foregoing, the size of the required yards and setbacks may be modified by taking into consideration other existing buildings in the vicinity, consistency with goals in the Comprehensive Plan, accommodating parking and open space requirements and compatibility with adjoining properties.

C. Building height. The maximum building height permitted in the planned development shall not exceed 45 feet. Notwithstanding the foregoing, the height limitation may be modified by taking into consideration other buildings in the vicinity, consistency with goals in the Comprehensive Plan, accommodation of parking and open space requirements and compatibility with adjoining properties.

D. Parking. Each individual use in a planned development shall comply with the parking requirements established in this Title for such use in the underlying zoning district. Notwithstanding the foregoing, parking requirements may be modified based upon the specific uses proposed and their compatibility with the adjoining neighborhood.

E. Intensity of use of lot. The intensity of use of lot for the planned development site shall not exceed the maximum allowable permitted in the underlying zoning district, except as may be necessary to achieve the goals of the Village of Winnetka Affordable Housing Plan.

F. Traffic plan. The planned development shall include a traffic plan that identifies points of ingress and egress, streets, alleys and interior circulation routes. The traffic plan shall be designed to minimize traffic congestion in the public streets adjoining the planned development and to facilitate the free flow of both vehicular and pedestrian traffic, within the planned development. The streets, alleys and other traffic thoroughfares, public or private, approved in planned development shall comply with the minimum requirements of the Village of Winnetka.

G. Exceptions and modifications. The Plan Commission may recommend, and the Village Council may authorize, any exceptions and modifications to the applicable bulk regulations of this section, provided the recommendation or grant is supported by the following findings, which shall be based on evidence in the procedural record:

1. that the exception or modification meets the standards for modification defined in the relevant provision of this section;
2. that the exception or modification is solely for the purpose of promoting a unified site plan and of meeting the objectives of both this Title and the Comprehensive Plan; and
3. that the exception or modification is necessary to achieve the stated objectives and goals of this Chapter.

(MC-8-2005, Added, 12/20/2005)

Section 17.58.050 Procedural requirements

A. General requirements. All applications for planned developments shall be subject to the standards and procedures established in this Chapter 17.58 and in Chapter 17.56 of this Code.

B. Cumulative requirements. Unless specifically provided in this Chapter to the contrary, the standards of Chapter 17.56 shall be in addition to the standards of this Chapter. Unless

specifically provided in this Chapter to the contrary, any procedure of Chapter 17.56 that is not also stated in this Chapter shall be considered an additional procedure, provided it does not conflict with the procedures established in this Chapter. In the event the procedures of Chapter 17.56 conflict with the procedures established by this Chapter, the procedures of this Chapter shall prevail.

(MC-8-2005, Added, 12/20/2005)

Section 17.58.060 Pre application conference

Prior to filing an application for a planned development, the developer may request an informal conference with the Zoning Administrator to discuss the proposed planned development. The pre-application conference is not mandatory and does not require either the payment of an application fee or the filing of an application.

(MC-8-2005, Added, 12/20/2005)

Section 17.58.070 Application for preliminary plan approval

A. Form of application.

1. The form of the original application, associated plans and supporting documentation shall be determined by the Zoning Administrator.

2. The application, associated plans and supporting documentation shall be submitted both in full, original size and in 8½" x 11" format.

3. The full, original size of plats and plans shall be 24" x 36".

B. Contents of application. The application shall include the preliminary planned development plan described in subsection C of this section and shall be accompanied by the additional plan documentation described in subsection D of this section.

C. Preliminary planned development plan. The preliminary planned development plan shall contain the following:

1. **Statement of objectives.** The preliminary plan shall include a statement of the planning objectives to be achieved by the particular design approach proposed by the applicant, which shall include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.

2. **Statement of ownership.** The preliminary plan shall include a statement and documentation verifying that the applicant has, or will have ownership and control over all land included in the proposed planned development. If the subject property is held in trust, the statement of ownership shall also disclose the names of the trustee and the beneficiaries of the trust.

3. **A statement of proposed use.** The preliminary plan shall include a statement of the applicant's intention with regard to the future selling or leasing of all or portions of the land areas or structures and the proposed use thereof is required.

4. **Detailed planned development plan.** The preliminary plan shall include a detailed drawing of the proposed planned development, drawn at a scale of not less than one inch to one hundred feet. The detailed planned development plan may consist of one or more sheets and drawings and shall accurately depict:

- a. Boundary lines, bearings and distances;
- b. The location, width and purpose of all easements
- c. All streets on and adjacent to the subject property, including street name, right-of-way width, sidewalks, and the like;

d. Utilities on and adjacent to the site, including the location, size and invert elevations of all sewers, the location and size of water mains and hydrants, and the location of gas, electric, telephone and cable lines;

e. The topography of the subject property, which shall be shown in one-foot contours for land with a slope of one-half percent or less, and in two-foot contours for land with a slope of more than one-half percent;

f. Conditions on adjacent land, including adjacent grades, the character and location of buildings, and the type and location of utilities;

g. The zoning classification of the subject property and all adjacent properties;

h. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners, with the purpose indicated;

i. The location and purpose of each proposed building, and the height of each building in feet and stories;

j. Landscaping and tree preservation plan;

k. At least two cross-sections through the entire site, to illustrate the bulk and heights of all proposed structures in relation to the topography, vegetation and surrounding structures;

l. The name of the development, the north point and scale, the date of preparation and the acreage of the site; and

m. Such additional information as may be required by the Plan Commission.

5. Quantitative Summary. The preliminary plan shall include a quantitative summary, which shall be broken down into phase components if the development is to be implemented in phases, and which shall include, but not be limited to the following:

a. Acreage and square footage of the subject parcel;

b. Residential density;

c. Total and footprint square footage of principal and accessory buildings;

d. Number of parking spaces;

e. Square footage of commonly owned and/or maintained open space; and

f. Maximum residential density that would be achievable through conventional development of the site.

D. Supporting documentation. In addition to the preliminary planned development plan, every application for a planned development shall be accompanied by the following supporting documentation:

1. A preliminary plat of subdivision that meets the requirements of Title 16 of this Code.

2. Schematic architectural drawings, including but not limited to floor plans, exterior building elevations, which clearly define all buildings proposed for the planned development.

3. A statement setting forth the specific zoning modifications and exceptions being sought from the underlying zoning requirements as part of the planned development.

4. A statement describing why the area for usable common open space was chosen, the unique advantages it offers, and how it is envisioned that residents will utilize the space.

5. A traffic and parking study prepared by a qualified expert setting forth and analyzing the effect of the proposed development on traffic and parking in and around the subject property. The traffic and parking study shall not be limited to the effect on adjacent streets but shall extend to all surrounding areas affected by the proposed development and shall indicate the anticipated points of origin, direction, amount and density of traffic flow to and from the proposed planned development.

6. A statement describing the specific public benefits that are proposed to be contained in or

associated with the planned development.

7. A development schedule setting forth the approximate dates for beginning and completion of each stage of the development.

8. A construction employee traffic and parking mitigation plan that shall establish specific actions by the owner to limit peak period vehicular traffic and parking generated by construction of the planned development.

9. Such other documentation as the Director of Community Development may determine is necessary to demonstrate that the proposed planned development complies with all applicable development regulations, including compliance with Village of Winnetka Design Guidelines. (MC-8-2005, Added, 12/20/2005)

Section 17.58.080 Procedures for preliminary plan approval

A. Application review. Upon receipt of a properly completed application for a preliminary planned development, the Zoning Administrator shall review the application for compliance with all applicable requirements. Completed applications will be then be forwarded to the Plan Commission, Zoning Board of Appeals and Design Review Board for their respective reviews and recommendations.

B. Hearings. The Plan Commission and Zoning Board of Appeals shall hold separate public hearings in accordance with Chapter 17.56 of this Code. Notices of the public hearings shall be issued in the manner provided in Section 17.56.040 of Chapter 17.56. The hearing of the Zoning Board of Appeals shall be held as provided in Section 17.56.060 of Chapter 17.56.

C. Written protest.

1. Filing of protest. Any owner of property located within two hundred fifty (250) feet of the subject property may file a written protest objecting to the planned development. The written protest shall be directed to the Village Council and shall be submitted on forms provided by the Village and shall be signed and acknowledged, in accordance with the definitions provided in Sections 17.04.030(A)(3.5) and 17.04.030(S)(4.5) of this title. The written protest shall be submitted no later than 5:00 p.m. on the date of the first meeting of the Village Council at which the preliminary approval of the planned development application is on the agenda for consideration; provided, that the filing of a written protest after the close of the Board of Appeals hearing on the planned development application shall not create a right either to reopen the evidentiary record or to remand the application to the Board for further evidentiary proceedings.

2. Effect of written protest. In the event twenty (20) percent of the owners of property located within two hundred fifty (250) feet of the subject property have submitted a written protest as provided in Section 17.56.050(A), the preliminary approval of a planned development by the Village Council shall require the favorable vote of four (4) Trustees.

D. Design Review Board. The Design Review Board shall consider the application for preliminary planned development at a public meeting.

E. Findings and recommendations. Within 30 days following the date of the completion of the respective public hearings of the Plan Commission and Zoning Board of Appeals, and within thirty (30) days following the completion of the Design Review Board meeting on the application for preliminary approval, each body shall forward a written copy of its findings of fact, and/or its recommendation to the Village Council. The findings and recommendations of each body shall be consistent with the purpose and intent of this Title and shall specify, in a separate conclusion or statement, such stipulations, restrictions or conditions, including but not limited to the operation of

the planned development, that the Plan Commission, Zoning Board of Appeals or Design Review Board deems necessary to assure the protection of the public health, safety, comfort, morals or welfare. No planned development shall be recommended for approval by the Plan Commission, Zoning Board of Appeals or Design Review Board unless such commission or board shall find that the proposed planned development is in conformity with the standards set forth in Section 17.58.110 of this chapter and with any other applicable regulations of the zoning district in which the subject property is located.

F. Village Council.

1. Village Council deliberations. Within thirty (30) days after the Village Council receives all of the findings of fact and/or the recommendations of the Plan Commission, Zoning Board of Appeals and Design Review Board on the application, the application for the planned development shall be placed on the Village Council's agenda for consideration.

2. Village Council decision; vote required. By a majority of the Village Council, the Village Council, in the exercise of its discretion, may grant, deny or modify the planned development application, or may return the matter to the Plan Commission, Zoning Board of Appeals or Design Review Board for further consideration and findings. Notwithstanding the foregoing, if the requisite number of protests have been submitted in accordance with Section 17.56.050 of Chapter 17.56, the favorable vote of four (4) Trustees shall be required to grant the planned development by the Village Council.

(MC-8-2005, Added, 12/20/2005; MC-9-2010, Amended, 01/4/2011)

Section 17.58.090 Application for final plan approval

A. Form of application.

1. Substantial conformity with preliminary plan. The final plan for the planned development shall conform substantially to the approved preliminary plan. No final plat for a planned development will be presented for final approval if it contains a substantial change from the approved preliminary plan. For purposes of this section a substantial change is a change that alters the concept or intent of the planned development; changes the plan's density, changes the height of any building, changes proposed open space, makes material changes in architectural design, makes a material change to the development schedule, or changes the governing agreements, provisions, or covenants for the development.

2. Engineering approval. The final plat will not be processed until detailed engineering site plans have been reviewed and approved by the Village Engineer.

3. The final development plan, and subdivision plan if necessary, shall contain in final form all the information required in the preliminary development plan, along with such other documents as may be necessary to implement the plan or to comply with all applicable requirements of this chapter.

B. Time of filing application for final approval. Within eighteen (18) months following the Village Council approval of the preliminary planned development plan, the applicant shall initiate the final approval process by filing the final development plan and supporting documentation with the Plan Commission. The Village Council, in the exercise of its discretion, may extend the time for filing the application for final approval.

C. Contents of application. The final planned development plan shall contain all the materials included in the preliminary planned development plan in final detailed form and include the following:

1. Boundary lines, bearings and distances;

2. Location, width and purpose of all easements;
 3. Streets on and adjacent to the site, including street name, right-of-way width, sidewalks, and the like;
 4. Utilities on and adjacent to the site, including location, size and invert elevations of all sewers, location and size of water mains and hydrants, location of gas lines, electric, telephone and cable lines;
 5. Other conditions on adjacent land including adjacent grades, character and location of buildings and utilities;
 6. Zoning on and adjacent to the site;
 7. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated;
 8. Location, purpose and height, in feet and stories, of each building;
 9. Landscaping and tree preservation plan;
 10. Name of development, north point and scale, date of preparation and acreage of site;
 11. Such additional information as may be required by the Village Council.
 12. Final schematic architectural drawings;
 13. Final quantitative summary;
 14. Original mylar plat of the planned development, a subdivision plat, plat of dedication and/or plat of vacation; and
 15. A restrictive covenant in a form acceptable to the Village Attorney limiting development of and construction upon the tract as a whole to such development and construction as shall comply with the final development plan granted by the Village Council.
- D. Development phases. If desired by the developer, the final plat may be submitted in stages, with each stage reflecting a portion of the approved preliminary plat that is proposed to be recorded and developed; provided, however, that each such portion shall be in conformity with all requirements and regulations of this Chapter.
- (MC-8-2005, Added, 12/20/2005)

Section 17.58.100 Procedures for final plan approval

A. Application review. Upon receipt of a properly completed application for a final planned development plan, the Zoning Administrator shall review the application for compliance with all applicable requirements. Completed applications will be forwarded to the Plan Commission, Zoning Board of Appeals and Design Review Board for their respective reviews and recommendations.

B. Hearings. The Plan Commission and Zoning Board of Appeals shall hold separate public hearings in accordance with Chapter 17.56 of this Code. Notices of the public hearings shall be issued in the manner provided in Section 17.56.040 of Chapter 17.56. The hearing of the Zoning Board of Appeals shall be held as provided in Section 17.56.060 of Chapter 17.56.

C. Written protest.

1. Filing of protest. Any owner of property located within two hundred fifty (250) feet of the subject property may file a written protest objecting to the planned development. The written protest shall be directed to the Village Council and shall be submitted on forms provided by the Village and shall be signed and acknowledged, in accordance with the definitions provided in Sections 17.04.030(A)(3.5) and 17.04.030(S)(4.5) of this title. The written protest shall be submitted no later than 5:00 p.m. on the date of the first meeting of the Village Council at which the final approval of the planned development application is on the agenda for consideration:

provided, that the filing of a written protest after the close of the Board of Appeals hearing on the planned development shall not create a right either to reopen the evidentiary record or to remand the application to the Board for further evidentiary proceedings.

2. Effect of written protest. In the event twenty percent (20%) of the owners of property located within two hundred fifty (250) feet of the subject property have submitted a written protest as provided in the foregoing paragraph 1. the final approval of a planned development by the Village Council shall require the favorable vote of four Trustees.

D. Design Review Board. The Design Review Board shall consider the application for final planned development at a public meeting.

E. Findings and recommendations. Within 30 days following the date of the completion of the respective public hearings of the Plan Commission and Zoning Board of Appeals, and within 30 days following the completion of the Design Review Board meeting on the application for preliminary approval, each body shall forward its written findings of fact and recommendations to the Village Council. The findings and recommendations of each body shall be consistent with the purpose and intent of this Title and shall specify, in a separate conclusion or statement, such stipulations, restrictions or conditions, including but not limited to the operation of the planned development, that the Plan Commission, Zoning Board of Appeals or Design Review Board deems necessary to assure the protection of the public health, safety, comfort, morals or welfare. No planned development shall be recommended for final approval by the Plan Commission, Zoning Board of Appeals or Design Review Board unless such commission or board shall find that the proposed planned development is in substantial conformity with the approved preliminary plan and is also in conformity with the standards set forth in Section 17.58.110 of this chapter and with any other applicable regulations of the zoning district in which the subject property is located.

F. Village Council.

1. Village Council deliberations. Within thirty (30) days after the Village Council receives all of the findings of fact and/or the recommendations of the Plan Commission, Zoning Board of Appeals and Design Review Board on the final application, the application for the planned development shall be placed on the Village Council's agenda for consideration.

2. Village Council decision; vote required. By a majority of the Village Council, the Village Council, in the exercise of its discretion, may grant, deny or modify the application for final planned development approval, or may return the matter to the Plan Commission, Zoning Board of Appeals or Design Review Board for further consideration and findings. Notwithstanding the foregoing, if the requisite number of protests have been submitted in accordance with Section 17.56.050 or Chapter 17.56, the favorable vote of four (4) Trustees shall be required for final approval of the planned development by the Village Council.

G. Approval by ordinance. Final approval of any planned development shall be by an ordinance of the Village Council. The Village Council, in the exercise of its discretion, may accept, reject or modify any conditions or restrictions that the Plan Commission, Zoning Board of Appeals and/or Design Review Board may recommend. Such conditions shall be expressly set forth in the ordinance approving the planned development.

H. Recording of final plan required. The Ordinance authorizing the planned development shall be effective only upon recording of the final plat and supporting data with the Office of the Recorder of Deeds for Cook County. No building permits will be issued nor shall any other development shall take place until the required recording of the final plat. All recording costs shall be paid by the applicant.

(MC-8-2005, Added, 12/20/2005; MC-9-2010, Amended, 01/4/2011)

Section 17.58.110 Findings on standards for planned development approval

A. Findings required.

1. Findings in support of recommendations. The Zoning Board of Appeals, the Plan Commission and the Design Review Board shall each enter written findings on the standards for planned development approval as set forth in this Section 17.58.110. The findings of each body shall be based on the particular facts and circumstances of the proposed development, as established through the application materials, record made in the proceedings before that body, and matters of public record.

2. Village Council findings. The Village Council's decision to grant or deny an application shall be based on the particular facts and circumstances of the proposed development, as established through the application materials, the record made in all proceedings on the application, matters of public record, and such matters of public policy as the Council deems relevant to its consideration of the application.

B. Zoning Board of Appeals. The Zoning Board of Appeals shall not recommend the approval of a planned development unless it enters the following findings:

a. that the proposed planned development will not either endanger or be detrimental to the public health, safety, comfort, morals or general welfare, in that the proposed development will complement and supplement the community given the nature of the business;

b. that the planned development will not either substantially diminish or impair property values in the immediate vicinity, or be substantially injurious to the use and enjoyment of land in the immediate vicinity for uses permitted by right in that zoning district;

c. that the planned development will not impede the normal and orderly development and improvement of other property in the immediate vicinity for uses permitted by right in the zoning district;

d. that adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public and private ways;

e. that adequate parking, utilities, access roads, drainage and other facilities necessary for the operation of the special use either exist or will be provided; and

f. that the planned development in all other respects conforms to the applicable zoning regulations and other application of Village ordinances and codes.

C. Plan Commission. The Plan Commission shall not recommend the approval of a planned development unless it finds that the proposed development, as a whole, is consistent with the goals and objectives of the Comprehensive Plan, *Winnetka 2020*. In making its findings and recommendations, the Plan Commission shall consider such goals and objectives of the Comprehensive Plan as it may determine are affected by or otherwise pertain to the proposed planned development, provided that, in each instance, the Plan Commission shall consider whether the proposed planned development is consistent with the following goals and objectives of the Comprehensive Plan:

1. to ensure that commercial, institutional, and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood;

2. to limit commercial, institutional and residential development within the Village to minimize potentially adverse impacts on adjacent residential neighborhoods and to prevent the need for significant increases in such infrastructure as streets, parking, utilities and sewers, and in other community resources such as schools, parks and recreational facilities;

3. to ensure that development proposals minimize the potential adverse impact they might have on residential neighborhoods, including the impact on pedestrian character, on site parking, traffic patterns, congestion, open space, storm water management and Village infrastructure;

4. to provide for a wide range of office/service and retail commercial land uses and development within the existing business districts in the Corridor;

5. to promote a strong community identity and opportunities to interact while building a healthy commercial tax base;

6. to provide a broad range of goods and services so that Winnetka residents can satisfy most of their ordinary shopping requirements in the Village and so that non-residents will come to the Village for specialty goods and services;

7. to maintain the essential quality, viability and attractiveness of Winnetka's business districts while encouraging new economic development consistent with the character of the Village and the individual business districts;

8. to encourage the provision of on-site parking at the rear of buildings, with access via alleys or private driveways, to reduce demand for on-street parking; and

9. to ensure that new development does not decrease public parking supply, particularly on street parking that supports retail use.

D. Design Review Board. The Design Review Board shall provide comment and recommendations to the Village Council as to whether the building design, landscape plan and other proposed exterior aspects of the planned development are in conformity with the Design Guidelines.

E. Village Council. The Village Council shall not grant a request for approval of a planned development unless it finds:

1. that the proposed development meets the special use standards for planned development, as set forth in subsection B of this Section;

2. that the proposed development, as a whole, is consistent with the Comprehensive Plan, *Winnetka 2020*;

3. that a certificate of appropriateness of design should issue for the buildings, landscaping and other exterior elements of the proposed development; and

4. that the proposed development is otherwise consistent with the intent and objectives of this Chapter.

(MC-8-2005, Added, 12/20/2005)

Section 17.58.120 Amendments to planned developments

A. Recorded approved plans control development. The planned development shall be developed only according to the approved and recorded final plans. The recorded final plan, together with all recorded amendments, shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises, including the internal use of buildings and structures, and the location of structures in the planned development as set forth therein.

B. Major changes.

1. Major changes defined. Changes that alter the concept or intent of the planned development; including changes in density, changes in the height of buildings, changes in use, changes of proposed open space, material changes to architectural design, material changes in the development schedule, changes in road standards, and changes in the final governing agreements, provisions, or covenants shall all be considered major changes to the approved plan.

2. Procedure for major changes. An applicant seeking a major change shall seek an amendment to the final plan by submitting a new preliminary plan and supporting data and following the procedures for preliminary approval, as established in Section 17.58.070 of this chapter. Major changes to an approved final plan may be granted only by the Village Council pursuant to an ordinance approving the amended plan.

C. Minor Changes.

1. Minor changes defined. Minor changes are defined as any change to an approved plan that is not defined as a major change and that does not change the concept or intent of the development.

2. Procedure for minor changes. A proposed minor change to an approved planned development may be presented directly to the Village Council for consideration. The Village Council may approve minor changes in the planned development without further proceedings, provided it finds that the proposed change does not change the concept or intent of the development.

(MC-8-2005, Added, 12/20/2005)

Section 17.58.130 Effect of failure to complete project according to plans

A. Failure to complete project. The Village Council shall consider revocation of the planned development if construction falls more than one year behind the construction schedule filed with the final plat. The developer shall be notified at least ninety days preceding any revocation proceeding. The Village Council may, upon request, modify the recorded construction schedule of a planned development.

B. Failure to comply with approved plans. Failure to maintain such conditions or restrictions as may have been imposed shall constitute grounds for revocation of the planned development pursuant to Section 17.72 of the Village Code.

(MC-8-2005, Added, 12/20/2005)

**MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION**

December 11, 2018

(Approved: January 8, 2019)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, December 11, 2018, at 7:00 p.m.

- 1) Call to Order. President Rintz called the meeting to order at 7:00 p.m. Present: Trustees Andrew Cripe, Robert Dearborn, Penny Lanphier, Scott Myers, John Swierk, and Anne Wedner. Absent: None. Also in attendance: Village Manager Robert Bahan, Assistant Village Manager Megan Pierce, Village Attorney Peter Friedman, Community Development Director David Schoon, and no persons in the audience.
- 2) Public Comment. None.
- 3) Planned Development Regulation Amendments. Mr. Schoon said Winnetka's Downtown Master Plan recommends consideration of amendments to the Village's Planned Development (PD) application process. He explained that the Planned Development Ordinance was enacted in 2005 for the purpose of promoting progressive development of parcels bigger than 10,000 square feet in the B-1, B-2, C-1 and C-2 zoning districts. He explained that the current process involves a pre-application meeting with Village staff; a preliminary plan review with the Zoning Board of Appeals (ZBA), Plan Commission (PC), Design Review Board (DRB) and Village Council; and a final plan review before the ZBA, PC, DRB and Council.

Mr. Schoon reviewed provisions of the PD Ordinance that could be amended by the Council:

- (a) Begin the PD the process with a Council conceptual review
- (b) Designate one advisory body to consider the PD application
- (c) Create a Planned Development Commission
- (d) Clarify the approval standards
- (e) Amend the neighbor protest provisions

Attorney Friedman explained that having many meetings on the same PD application can diminish each of the bodies' ability to influence the development. He noted that One Winnetka PD hearings before the ZBA and PC were virtually identical, and resulted in two different recommendations for the Council. He said there may be great benefit to requiring a preliminary conceptual review to identify any bright lines the developer might be crossing before a lot a time and money is spent developing the plans. It is not uncommon in other communities to have a designated Planned Development Commission, or to use only one advisory board to consider PD applications. He commented that Winnetka's PD approval standards are overlapping and ambiguous, and do not identify specifics for each board to consider. Lastly, he suggested clarifying the neighbor protest provisions, and he challenged the idea that the Village President should be excluded from voting on a PD application if a protest is filed.

President Rintz recalled that Winnetka's PD Ordinance was written with some urgency, as the owner of the Fell Store told then-Village President Ed Woodbury in 2005 that he would be closing and selling his building. He noted that the first PD application at that site, New

Trier Partners, was messy and time-consuming. He noted that the standards are too subjective and do not give developers a sense of whether their development may be approved. He recommended the Council look at the PD holistically and make amendments that will encourage good, thoughtful development.

Manager Bahan agreed that a conceptual review before the Council is a critical first step. The current PD ordinance provides for a pre-application conference with staff; however, this is not a transparent or effective communication vehicle with the developer.

Trustee Wedner favored a few guiding principles for PD ordinance amendments: (i) give residents a channel to voice their opinion on a proposed PD; (ii) give the process clarity and speed instead of taking years in the process and then feeling boxed into an approval because the developer has spent so much time and money on the application; and (iii) provide Village staff clear guidance with an eye towards limiting the amount of staff time used on the PD application process.

Trustee Myers added that advisory boards need relevant standards to evaluate a proposed development, and certain nebulous standards, especially “return on investment,” need to be revised or eliminated.

Trustee Lanphier agreed that the current PD Ordinance is a morass that does not help the community’s interests in a clear way. She suggested creating a statement of purpose that sets out the goals of the PD ordinance; and she added that the Council needs to be clear on which parts of the One Winnetka PD application were impeded by the developer, and which were hampered by the PD process.

Trustee Cripe commented that the purpose of a PD process is to help the Council determine if the community is better off with the proposed development or without it. He suggested taking expert commissioners from the ZBA, PC and DRB and forming an ad hoc PD Commission when the need arises. He agreed that a preliminary conceptual review is good for both the community and the developer, and he added that the applicant’s holding costs increase when the approval process drags on.

Trustee Dearborn said there is a natural conflict between developers and the community, and some proposals demand a very high level of scrutiny. He did not feel it a worthwhile goal to speed anything through and cautioned against taking the teeth out of the PD Ordinance.

President Rintz explained that speed is not the ultimate goal; rather, clarity and efficiency are needed.

After a thorough discussion, the Council was in general agreement to have staff gather feedback from the ZBA, PC and DRB regarding the following elements of the Village’s PD process and regulations: the purpose and goals for the PD regulations, the guiding principles to use when considering amendments to the PD regulations, the standards to use when considering a proposed planned development, and potential changes to the major PD process steps. Staff will gather the feedback from these advisory bodies and report back to the Council.



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: DESIGN REVIEW BOARD
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: JANUARY 18, 2019
SUBJECT: PLANNED DEVELOPMENT REGULATION AMENDMENTS

INTRODUCTION

The Design Review Board was originally scheduled to discuss potential planned development regulation amendments at its January 17, 2019, meeting, but due to a lack of a quorum for that meeting, the discussion has been moved to January 24. Please bring the materials delivered to you for the January 17 meeting to the January 24 meeting.

Prior to the scheduled January 17 meeting, Member McLane had submitted a list of questions regarding planned development regulations. The following is his list as well as staff's response.

1. How many Planned Development opportunities can possibly arise over the next ten years? The Post Office site comes to mind. Where else might this come up?

Given that any site with a land area of 10,000 sf or more must go through the planned development process the following are other sites that could potentially redevelop in the next ten years (in addition to the Post Office site):

- a. 93 Green Bay Road (former service station site on the southeast corner of Winnetka Avenue and Green Bay Road)
 - b. 966-972 Green Bay Road (former Boris Café site and adjacent vacant lot, southwest corner of Green Bay Road and Merrill Street)
 - c. 688-694 Green Bay Road (west side of Green Bay Road, north of the Mews, consisting of one single family home and one vacant single family lot)
2. What are the "best practices" for Planned Development approval processes for a Village like ours?

Each community must decide the best practice for its planned development approval process. In terms of zoning regulations, the planned development process is a relatively newer zoning tool. The incorporation of this tool within a community will be dependent upon that community's existing governmental structure, such as the advisory bodies it has in place, and how it wishes to provide the public an opportunity to participate in that process. Based upon the community's input through the creation and adoption of the Downtown Master Plan, the Winnetka community believes that we can improve our planned development process. From a

process perspective, the issue that is most frequently discussed is do two advisory bodies that review planning and zoning related relief requests (PC and ZBA) each need to individually review a planned development? Or could only one of them (frequently the PC) review a planned development request, or could a combined body of the two review it?

3. Is a separate PD committee (composed of PC, DRB, and ZBA members) the best way to do this?

See previous response. Also, another issue often discussed with this topic is the following: are the responsibilities and expertise of a design review board/commission so different from the other two bodies (a zoning board of appeals and a plan commission) that the design review board/commission should separately review the planned development for its compliance with design guidelines.

4. What villages rely on solely one "super" committee (rather than the three we have)?

I am not aware of an example of a community that combines all three bodies (PC, ZBA, and DRB). Oak Brook is an example of a planned development commission that consists of members from the ZBA and PC. We have not been able to identify another community that has a planned development commission similar to Oak Brook's.

5. How do the other NT villages handle this?

The other villages in New Trier Township process planned development commissions as follows:

- a. Wilmette –
 - i. Plan Commission makes recommendation on preliminary plan; they do not review final plans. In the past they have had non-binding, voluntary review by their Architectural Review Commission. (Zoning Board of Appeals is not involved).
 - ii. The Village Board makes the final determination regarding approving the preliminary plan and the final plan.
 - b. Kenilworth –
 - i. Plan Commission and Architectural Review Commission each make a recommendation regarding the preliminary plan as well as the final plan. (Zoning Board of Appeals is not involved).
 - ii. The Village Board makes the final determination regarding approving both the preliminary plan and the final plan.
 - c. Glencoe – Does not have a planned development process.
 - d. Northfield –
 - i. Plan & Zoning Commission (their Plan Commission) and Architectural Commission each make a recommendation on a planned development. They do not have the two stage preliminary review and final review. (Zoning Board of Appeals is not involved).
 - ii. The Village Board makes the final determination regarding approving the planned development.
6. The Holland & Knight doc cites Oak Brook. Is this the "gold standard" of Planned Dev practices? Should we expedite this discussion and simply adopt their practice? If not, why not?

Holland & Knight cites Oak Brook as an example of forming a planned development commission. As I stated earlier, our Village will need to decide the best approach for us. That is why the Village Council has requested input regarding the planned development process from the three advisory bodies that have been involved with it.

7. Are we also expected to address Attachment C -- specific DRB guidelines that were developed just three years ago?

What we are looking for at this point in time is your general thoughts regarding the use of the design review guidelines for a planned development. Is a planned development so different from a smaller scale project or the renovation of an existing building/site (e.g. Fred's Garage, Minos) that a planned development project should be looked at from a different design guideline perspective? Or are the existing guidelines generally adequate?

Attachment 4
**Zoning Board of Appeals and Plan Commission Draft Minutes Regarding Discussion
of Amendments to the Planned Development Regulations**

EXCERPTS

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
JANUARY 14, 2019**

Zoning Board Members Present: Joni Johnson, Chairperson
Matthew Bradley
E. Gene Greable
Wally Greenough
Mark Naumann

Zoning Board Members Absent: Sarah Balassa

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

Village Attorney: Benjamin Schuster

Agenda Items:

Planned development regulations: At the request of the Village Council, the Zoning Board of Appeals will discuss and provide comments regarding (i) draft revised standards used to evaluate proposed planned developments and (ii) the current review process for proposed planned developments.

Mr. Schoon stated at the request of the Village Council, they were asked to gather input from the Board with regard to planned development regulations. He stated the Village staff was asked to approach the Plan Commission and DRB as well for their input in the area of the overall planned development process as well the standards used and considered for planned developments. Mr. Schoon then reviewed materials from the staff report regarding the Downtown Master Plan's recommendation to consider amendments to the planned development process, background and the purpose of a planned development, the guiding principles, which the Village Council began to form, to consider using when amending the planned development standards and the process.

Mr. Schoon reviewed the Village's planned development process, which includes three major steps: (i) pre-application with the Village staff, (ii) preliminary plan review to get approval of the preliminary plan; and (iii) final plan review. He also reviewed adding a "conceptual plan review" step.

Mr. Bradley commented he liked the conceptual plan review. Mr. Schoon stated they want to make it more to educate the applicant and to facilitate a smoother process which would also help the applicant have an idea of what concerns the Village Council may have regarding the developer's proposed development. Mr. Schoon then stated they have this step in Northbrook for not only planned developments, but also for subdivisions and special uses. Based upon his experience in Northbrook he described the benefits and things to keep in mind using this process. In response to a question from Mr. Bradley, Mr. Schoon responded the Council meetings are open to the public. Mr. Bradley then asked if the meetings would be recorded and Mr. Schoon confirmed that is correct and they can provide minutes when they come to the advisory body for consideration of the application.

Chris Rintz, Village President, informed the Board with regard to how the conversation evolved, he referred to a call received from a developer which worked on the North Shore. He referred to the length of the One Winnetka process. President Rintz referred to the developer's concern in terms of finances

1 and resources expended during the process and ending up dry. He stated there was no way to get him in
2 front of the Village Council to say the proposal would be an acceptable concept. President Rintz then
3 stated sketches and renderings were shown to the Village Council and the Trustee gave their thoughts in
4 order to realize whether it would be a hurdle and whether the project had a good chance of moving
5 forward. He stated the Village Council comments are not binding on the Board and referred to notice
6 that a project would be coming to the community.

7
8 President Rintz stated in terms of process, 90% of communities have this informal show and tell which
9 would save them and the Village time. He stated the Council talked about the concept of having a few
10 members from each of Planning, Zoning, and the DRB to serve on a special planned development group
11 as a single body to oversee and bring projects forth. President Rintz stated there can be a subset of a
12 special planned development commission when planned development applications come in and the
13 members would go back to their regular roles which would allow them to bring the expertise of all the
14 Boards together to shorten the process and have a potentially different way of dealing with planned
15 development than before. He referred to developers who are skeptical of doing business in the Village.
16 He also stated they should think about how the outward business community receives the Village and if
17 the Village has a comfortable process for good developers to get good development.

18 Mr. Greable stated it is important to adopt some type of commitment to address the planned
19 development function and it is important from the standpoint of identifying what data and facts they
20 see up front to help move it along. President Rintz described it as a sweet spot of transparency and the
21 process includes the time people weigh in to make sure it is more navigable. He added they are the only
22 community with 25 standards for approval which makes it more daunting.

23
24 Mr. Schoon stated they would like to get the Board's thoughts on two issues, the first being since they
25 recently went through the planned development process, they would like to hear from the Board their
26 experience as a Board Member and how they felt about the process. He stated secondly they would like
27 the Board's thoughts regarding adding a conceptual plan review step.

28
29 Chairperson Johnson stated she was the Plan Commission liaison during One Winnetka and commented
30 it made sense to have a design commission for planned developments. She identified two other sites in
31 Winnetka which qualify for planned development which are Grand Foods and the post office site.
32 Chairperson Johnson then stated she did not think the DRB should be made part of the planned
33 development commission since they are so specialized in terms of their expertise. She also stated there
34 are design guidelines for them to see what they look at which is completely separate than what the Plan
35 Commission and ZBA look at. Mr. Schoon noted a site measuring 10,000 square feet is not very large and
36 a planned development applied to any site 10,000 square feet or more. He then identified the following
37 sites as being larger than 10,000 square feet - former gas station site on Green Bay and Winnetka; the
38 Maserati stored vehicle facility, the former Boris Café and vacant lot, as well as 694-688 Green Bay Road.

39
40 Mr. Schuster stated that the planned development process is not only for the initial approval of a
41 planned development, but also to consider amendments to an approved planned development. He
42 stated for One Winnetka, there is a chance it may be back before the Village Council for amendments to
43 the planned development. Mr. Schuster also stated since plans can change down the road where they
44 are in five or 10 years into it, they can make changes and come back for approvals.

45
46 Chairperson Johnson stated the sites mentioned by Mr. Schoon are not proposed planned
47 developments. Mr. Schoon stated under the current regulations, any site over 10,000 square feet would
48 have to go through the planned development process. Mr. Greenough mentioned the Winnetka Galleria

1 site going through the planned development process. Ms. Klaassen noted the Winnetka Galleria was
2 built before the planned development regulations were adopted in 2005.

3
4 Chairperson Johnson suggested eliminating having advisory bodies weigh in on the final plan, and she
5 would not be in favor of combining the preliminary and final plans for the reasons outlined in the report.
6 She stated if the process stays as is, there is no need to see the final plan.

7
8 Mr. Naumann stated in terms of their recent experience, he described the duration and turbulence as
9 self-induced and going forward, the most important aspect would be the alignment of potential and
10 challenging issues. He stated the conceptual issue would address a big part of that and would make the
11 applicant aware when it gets to the Village Council and discussing the public deviating the issues on the
12 back end. Mr. Naumann commented it is a great idea and agreed with Chairperson Johnson that
13 preliminary and final review with the advisory bodies is not necessary unless there are material changes
14 before the Village Council and it would save a significant amount of time to do it once. He then stated
15 with regard to the hybrid planned development commission approach, they may lose the expertise they
16 get in the various Boards, and the divergent opinions they provide could be a benefit to the Village
17 Council. However, he was open to the creation of a planned development commission.

18
19 Mr. Bradley stated with regard to One Winnetka, they were new to it and the Board did not appreciate
20 all that was done until it was in front of them for approval. He agreed there should be streamlining in
21 the process and there would be no downside to making it more efficient. Mr. Bradley then stated if
22 developers know there is a more streamlined process, they could get a first take on the project which
23 would save time and money. He commented it would be hard for him to say 10,000 square feet is the
24 appropriate number regarding size of a property that must go through the process, and he referred to it
25 being an arbitrary number and questioned whether 5,000 square feet would clog the system.
26 Chairperson Johnson asked if they are thinking of changing the 10,000 square feet figure and Mr.
27 Schoon responded the Village Council briefly discussed it but is currently not thinking of changing it.

28
29 Mr. Bradley then stated they should establish a process for a developer in terms of what they think
30 about a property as a smell test as opposed to having a formal application. He questioned what steps
31 trigger the envoy call for people to go hear it or bring it to Village Council. Mr. Bradley also questioned
32 how to determine when the trigger event is for the developer to go to the Village Council. He then
33 stated if the Village Staff determined if a project did not fit, he asked if there is any sort of validity test to
34 apply to a developer before they are allowed to waste time the Council's time.

35
36 Chairperson Johnson asked if they would be saying they are only in favor of a concept review by the
37 Village Council if there is some sort of minimum standard. Mr. Bradley asked if there would be some
38 way to ferret out otherwise wasteful projects by the Village staff. Mr. Schoon responded he did not
39 remember that being an issue using this process in Northbrook but understood Mr. Bradley's comment.
40 In response to a comment from Mr. Bradley regarding the makeup of a planned development
41 commission, Chairperson Johnson suggested a proposal to have the most senior members of each
42 advisory group serve on the planned development commission.

43
44 Mr. Bradley then questioned why the need for both preliminary plan review and final plan review. Mr.
45 Schoon stated it would all be determined based upon what we would accept in terms of the level of
46 detail at the preliminary application stage. He stated for planned developments in growing areas for
47 large tracts of land, an applicant comes in for preliminary approval for townhomes, single family
48 residences, etc. Then 3 years into it, a developer may determine that multi-family units are not selling

1 and then wants to change that portion of the planned development. That way the developer has not
2 gone to the expense of the engineering costs associated with a final plan. Given we are talking about
3 much smaller parcels, Mr. Schoon talked about whether a developer would have the level of details
4 needed early on for formal plan approval. He said that is why the Village attorney has suggested
5 allowing a combined preliminary and final plan approval.
6

7 Mr. Greable stated he was surprised in a well done document, there was no section dealing with lessons
8 learned and suggested they dissect from a factual standpoint the lessons learned with One Winnetka.
9 Mr. Greable then referred to the procedures which were rushed out in 2005 and described it as garbage
10 in, garbage out. He stated not taking lessons learned from One Winnetka would be a disservice to the
11 community and the Boards. Mr. Greable also stated the time errors were immense problems which
12 should be addressed. He also commented having 25 meetings was absurd. Chairperson Johnson asked
13 Mr. Greable for his comments on the 25 standards. Mr. Greable referred to the overkill in the amount of
14 meetings and the ill will created with all of that and they want to make it a positive process. He
15 commented the proposal here of having a planned development commission is an excellent idea and
16 would cut down on all of the information spewed and attendees. Mr. Greable also stated the group
17 would be helpful and bringing in individuals from the Plan Commission and ZBA or another group is an
18 excellent idea. He added that while they do not have tons of planned developments to come, they will
19 be ready when they do come.
20

21 Chairperson Johnson stated she would be in favor of a combined process but not an overworked model.
22

23 Mr. Bradley agreed with Mr. Greable and stated the problem is they need to do a dissection of One
24 Winnetka if they apply those. He suggested they improve the process and look at it impartially and
25 objectively. Mr. Bradley described One Winnetka as a once in a generation project in terms of planned
26 development for Winnetka and there would not be another one coming in a year. He stated it cannot
27 become a model going forward and more planned developments on sites should be much less
28 complicated. Mr. Bradley then stated given the earlier comments, if they streamline the process and
29 incentivize developers to bring projects to Winnetka, they should consider the development of a
30 planned development board to deal with a larger volume of applicants and if developers flock here
31 because of the Village's efficiency, there would be too much stress on the current Boards and the
32 creation of a planned development board to address that volume would make more sense.
33

34 Mr. Greenough stated he is not as convinced it is as big of a problem as others think and stated bad facts
35 made bad law with One Winnetka having bad facts. He stated most of it was due to the developer and
36 not the Boards and a lot of the meetings were because the proposal changed a lot. Mr. Greenough
37 described it as an overall solution in search of a problem. He referred to the post office site being a big
38 deal and there are not so many developers out there that they need to streamline the process. Mr.
39 Greenough referred to President Rintz' comment on potential developers and they need more facts that
40 they are losing developers beforehand. He then stated if a developer complies with the rules, there
41 would be no problem whatsoever. Chairperson Johnson stated the planned development process is for
42 flexibility. Mr. Greenough then stated one of the listed guiding principles is that the standards should be
43 clear and reasonable; however, flexibility by definition is not clear.
44

45 Chairperson Johnson stated it is more toward the section to reduce the 25 standards to something
46 manageable and coherent. Mr. Greenough then stated he would be leery of putting three people from
47 bodies on a super committee since they will lose perspective and that each Board does its job.
48

1 Mr. Bradley questioned if in Northbrook whether any comments by Council members during the
2 conceptual review created bias or influenced the village advisory boards' decisions if the Council gave it
3 the thumbs up. Mr. Schoon stated it was never thought of as them giving the thumbs up. He stated that
4 the comments were more if the Council was open to considering the request and if a Council member
5 had any specific issues regarding the proposed development, such as needing a bigger setback for
6 instance, ensuring there is adequate parking, etc. He then stated until final approval is given by the
7 Village Council, staff reminds the developer that they have nothing approved.

8
9 Mr. Schuster stated he has seen the process in several communities and he has never seen it to bias the
10 other bodies or warp the debate. He stated the presentation is only conceptual in nature and when it
11 comes to the advisory bodies, the applicant would have to have a full set of plans and see the details
12 which were not considered initially at the preliminary meeting. Mr. Schuster stated before an applicant
13 spent money on plans and concepts, the Council can make their concerns known and the developer can
14 determine if it would not be a good fit and walk away. He stated at the same time, without putting
15 together all of the plans, it would allow a developer and team to get general ideas. He concluded that
16 bias is never perceived as affecting the decision of the advisory bodies nor the Village Council being
17 locked in from the beginning and being stuck with it.

18
19 Chairperson Johnson stated with regard to Village Council terms of two years, opinions can change. She
20 stated the alternative to a combined board is to take the ZBA out of the process entirely and have it
21 come before the Plan Commission. Mr. Greenough stated each Board has its own roles and they all
22 should be heard. Mr. Greable stated he would be in favor of a planned development Board from the ZBA
23 and Plan Commission.

24
25 Chairperson Johnson asked if there were any other questions regarding process. No additional questions
26 were raised at this time.

27
28 Mr. Schoon then stated with regard to the standards, there are currently a number of different
29 standards for the different bodies to consider at the preliminary stage and at the final stage. He stated
30 staff has worked with the Village attorney and drafted planned development standards to frame the
31 discussion. Mr. Schoon then stated there are four major components, including: (i) general
32 requirements; (ii) planned development standards; (iii) additional standards for exceptions from district
33 regulations; and (iv) design guidelines. He noted under the ordinance, planned development is a special
34 use and an applicant can ask for exceptions or variations as well as relief from zoning requirements if the
35 exceptions are met.

36
37 Mr. Schoon stated the general regulations include: (i) approval required by the Village Council; (ii)
38 permitted locations in the B-1, B-2, C-1 and C-2 districts; (iii) minimum development area of 10,000
39 square feet; (iv) planned development required for properties over 10,000 square feet; (v) ownership
40 and control of land (unified ownership); (vi) individual special uses which require separate approval; and
41 (vii) an exception can be granted from the maximum number of residential units allowed in the B-1 and
42 B-2 districts if affordable housing being provided.

43
44 Mr. Greenough referred to Attachment A, paragraph (f) with regard to compliance with the Village code
45 requirement and complying with all applicable Village ordinances. Mr. Schuster stated it included all of it
46 with the exception asking for an exception. He stated it is one of the things generally speaking complied
47 with all of the Village codes and an applicant can ask for an exception or variation.

1 Mr. Schoon then stated with regard to the planned development standards, they looked at other
2 communities and they use generally the same standards as our special use standards. He stated they
3 took the Village special use standards and added what needs to be consistent with the Comprehensive
4 Plan.

5
6 Chairperson Johnson stated the current planned development standards area substantially similar to the
7 regular special use standards for the ZBA. She then stated in (b)(6) and item no. 3, there is a general
8 discussion of the purpose of planned development and refers to the preservation of open space to serve
9 open environment, etc. and for the planned development to intend to encourage certain common
10 elements. Chairperson Johnson stated she did not see that in the current standards. Mr. Schuster
11 responded that is the purpose of planned development and whether they want to formulate a standard
12 that encompassed that. Mr. Schoon stated that is the typical language when developing vacant land and
13 refers to plazas, green space preservation, etc. and they can incorporate that into the exceptions.

14
15 Mr. Schoon then referred to the general planned development standards and standards for exceptions.
16 He stated they can identify what they can ask for in terms of an exception, such as allowing a land use
17 which is not allowed in the district. Mr. Schoon also stated in granting exceptions, they are looking for
18 some public benefit gain which contained two parts: (i) compensating benefit of the public good; and (ii)
19 Village improvements.

20
21 Mr. Bradley asked if the intention of the link of examples is 1:1. Mr. Schuster stated that is not an
22 exception and they are not trying to maximize a taking. He stated the developer should recognize that
23 by asking for an exception which is imposing a burden on the public, the burden should be offset with a
24 benefit which should usually be in the general vicinity of the project. Mr. Schuster also noted it is case
25 specific and depends on what is being proposed which sometimes it being included on the property and
26 sometimes not.

27
28 Chairperson Johnson stated at the time of the New Trier Partners request, she asked why the zoning
29 exceptions issue goes to the Plan Commission and the ZBA never looked at exceptions. Mr. Schoon and
30 Mr. Schuster stated they did not recall that. Mr. Schuster stated under the current code, the Plan
31 Commission recommends to the Village Council exceptions. Mr. Schoon stated it is their hope to address
32 this with having one set of standards.

33
34 Mr. Schoon stated with regard to the standards, he asked for the Board to identify their thoughts on the
35 proposed standards and compensating benefits. Mr. Schoon also asked for the Board's general thoughts
36 about the standards and how they are structured.

37
38 Chairperson Johnson asked if the current standards did not refer to exceptions for zoning district use.
39 Mr. Schoon confirmed they cannot request a variation to allow for different uses. He then stated if they
40 decide not to allow an exception for a type of land use, a developer can request a code amendment to
41 allow the use in that district. Chairperson Johnson stated it makes sense to allow an exception as
42 opposed to a code amendment.

43
44 Chairperson Johnson asked if there were any others comments. Mr. Bradley asked with regard to the
45 design guidelines, how is that not captured in 2(g). Mr. Schoon stated there are 30 some pages of design
46 guidelines and they would talk about that at the DRB meeting.

Chairperson Johnson again asked if there were any other questions. Mr. Schoon stated the Plan Commission would discuss the matter next week and the DRB would discuss it on Thursday.

New Business

Chairperson Johnson thanked Carl Lane for his great service on the Board and identified the proposed new Board Member in the audience Kim Handler. She asked if there were any other comments. No additional comments were made at this time.

Adjournment:

The meeting adjourned at 9:29 p.m.

Respectfully submitted,

Antionette Johnson
Recording Secretary

DRAFT

EXCERPTS
WINNETKA PLAN COMMISSION MEETING MINUTES
JANUARY 23, 2019

Members Present:

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

Non-voting Members Present:

Joni Johnson

Members Absent:

Layla Danley

Village Staff:

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

Village Attorney:

Peter Friedman

Planned Development Regulations: At the request of the Village Council, the Plan Commission will discuss and provide comments regarding (i) draft revised standards used to evaluate proposed planned developments and (ii) the current review process for proposed planned developments.

Mr. Schoon informed the Commission that the DRB will be reviewing this matter at their meeting tomorrow. He stated the Village is attempting to determine what improvements could be made to the planned development regulations. Mr. Schoon then noted a memo he passed it this evening that includes responses to a DRB members questions. It includes information regarding potential redevelopment sites that would be required to go through the planned development as well as what other New Trier Township communities do in terms of advisory bodies involved in their planned development process. He stated in summary, three of the four communities have their Plan Commission review planned developments with no involvement from their zoning boards. He noted Glencoe does not having a planned development process.

Mr. Schoon stated the Village Council asked for input on a few items in terms of looking at the process and standards. Through the use of a PowerPoint presentation, he went over information included in his staff report, which included background, history, and purpose of the Village's planned development regulations. Mr. Schoon also went over guiding principles, which the Council started to develop, for advisory bodies to use when considering changes to the planned development process. He then reviewed planned development standards and the planned development process.

Mr. Schoon stated the current planned development regulations would only apply to the B-1, B-2, C-1 and C-2 zoning districts, sites which measure more than 10,000 square feet and are not allowed in single family residence districts. He then stated the planned development process included a pre-application review with Village staff, preliminary plan review and final plan review and described the steps in terms of how the process proceeded before the ZBA, PC and DRB, which are in no particular order.

Mr. Schoon stated one idea is to add a conceptual plan review process which involved a pre-application

1 meeting with the Village staff followed by preliminary plan review and final plan review. He noted many
2 communities have this process which involved presenting sketches and a narrative of the proposal and
3 relief they are seeking which is presented to the Village Council at a public hearing. Mr. Schoon noted
4 there would be no formal notice and the Village Council would provide individual comments with no
5 vote or consensus in support or opposition. He stated the purpose is for the applicant to receive initial
6 thoughts and comments from the Village Council, and the Council's final decision would be reserved
7 until the planned development went through the entire planned development process, including review
8 by advisory bodies.
9

10 Mr. Schoon asked for the Commission's thoughts and experience with regard to the overall planned
11 development process. Mr. Vanderlaan stated the current process seemed lengthy and burdensome in
12 terms of cost and time. He stated he liked the idea of having a planned development commission and
13 suggested 1/3 of each Board be made into a special 9 member panel to review planned developments.
14 He then stated if there are not major changes between the preliminary plan and the final plan, the
15 planned development should not have to go back through the entire process again. Mr. Vanderlaan also
16 commented he liked the idea of having the conceptual review process with the Village Council, after
17 which the applicant can make the decision to start the formal planned development process.
18

19 Ms. Case stated she agreed the planned development process needed to be streamlined and asked how
20 successful the conceptual plan process in Northbrook was. Mr. Schoon referred to the review process of
21 a townhome project and suggestions or comments made by the Village Council to help the developer
22 understand what they were looking for with such a development. He stated the process helped with the
23 proposals which would be dead on arrival, especially for projects which are asking for deep variations
24 and exceptions. Ms. Case agreed with the concept of having members of three advisory boards on a
25 committee.
26

27 Ms. Johnson stated the ZBA discussed this matter at their last meeting and everyone except one
28 member was in favor of a combined commission. She stated she did not feel the DRB should be included
29 in the combined commission since their review is more specialized and there is some overlap in terms of
30 the standards reviewed. Ms. Johnson also stated there was consensus to eliminate the final plan review
31 process and leave it to the Village Council knowing the Village Council would send it back to the hybrid
32 board for any substantial changes which were made at the final plan stage.
33

34 Member Foley asked if this would be a standing committee for projects as needed, and Mr. Schoon
35 confirmed it would be created from each of the advisory bodies, and it would be on call for any
36 upcoming planned development application.
37

38 Chairperson Dalman described the concept review process as fantastic which would have cut down
39 substantially on the amount of time and meetings for One Winnetka. She then stated it might not work
40 during times of election and turnover of officials but otherwise is a good idea. Chairperson Dalman also
41 stated it would help give the Commission guidance. She also stated in terms of consolidating the model,
42 she referred to the Oak Brook process which has far more applications coming in. Chairperson Dalman
43 stated the difference between preliminary approval and final approval related to engineering and
44 flushing out details which are Village staff and Village Council details and did not require the
45 Commission to be part of the final review. She stated she would be in favor of one planning/zoning
46 body being involved in the review rather than two. She could support it being either the Plan
47 Commission, Zoning Board of Appeals, or a planned development commission.
48

1 Mr. Golan stated he agreed with Chairperson Johnson's comments and the conceptual plan review is a
2 good idea. He stated if One Winnetka had come in with a conceptual plan, it would have been a non-
3 starter which would have saved a lot of time and money. Mr. Golan also stated having a combined
4 group, for the public, it would also save time for those who spoke meeting after meeting. He then stated
5 for those community members who didn't understand why the applicant asked for five stories when
6 three are allowed was a result in the failure of the educational process with regard to what the planned
7 development process allows.

8
9 Ms. Holland agreed conceptual plan review would have cut a year off the One Winnetka project which
10 initially presented an 83-foot building. She stated it absolutely should be done with the Village Council.
11 Ms. Holland then stated with regard to creating another body is adding to the process as opposed to
12 streamlining. Ms. Holland stated there are not many planned developments which come to the Village
13 and referred to the turnover of the Board and Commission members. She stated the Commission goes
14 through a lot of special use requests. Ms. Holland commented it would be better for an applicant to
15 come to the Commission after the conceptual plan review and the ZBA and DRB and then to the Village
16 Council and the process should be left as it is. She stated while she understood the composition of the
17 combined group, she saw no reason for it. Ms. Holland then referred to a building which was done
18 before the planned development regulations existed; she described it as wonderful and then the
19 Belvedere who refused to change their plans. She referred to the Grand Foods property and post office
20 site as possible 10,000+ square foot sites, if redeveloped, would be planned developments. She
21 concluded by stating that she did not agree that a planned development committee is the way to go, but
22 she agreed with the conceptual review process.

23
24 Mr. Golan referred to the combined group meeting at the North Shore Country Day School which he
25 described as efficient and suggested a process by which an applicant speak to all of the Boards and the
26 Commission at one time and let the individual Boards and the Commission meet after that.

27
28 Ms. Orsic stated she agreed with the comment that unless there is a big difference in the final plan
29 review stage, it did not need to come back before the Commission. She then stated she had mixed
30 feelings about the combined planned development commission in that there is value in different
31 perspectives to hear things. Ms. Orsic then stated although the ZBA and Commission may reach a
32 different outcome in terms of their recommendations to the Village Council, it gives the Village Trustees
33 more to consider. She then questioned whether the new group would be efficient or create another
34 level of bureaucracy and noted they do not have many planned developments. Ms. Orsic then stated
35 with regard to the process being streamlined, if it went too fast, residents may feel they missed their
36 opportunity to comment for something which would change the character of the Village. She then
37 stated while she is not opposed to a super committee, she is not fully on board with it.

38
39 Mr. Foley stated it is nice the Village Council is asking for their opinion and he agreed with the concept
40 review process. He also stated creating a new commission in terms of process improvement and
41 efficiency is ironic and there may be an inclination for those serving on the joint commission to go back
42 to their Boards and the Commission and gauge opinions which would create an endless loop which they
43 would want to avoid. Mr. Foley described the joint meeting at the school as unwieldy in terms of
44 numbers but was a concept that served its purpose. He also stated there may be the opportunity to
45 consider other process improvements. Mr. Foley then stated they have to ensure the public had the
46 opportunity to participate in the process.

47
48 Chairperson Dalman stated one of the concepts of the planned development committee would be to

1 avoid going over the same material twice since the same standards are being considered except for the
2 DRB. Mr. Schoon stated regarding current planned development standards there are the general special
3 use standards and also ZBA and Commission have different standards to consider with a planned
4 development. Ms. Johnson stated the Commission looks at zoning standards and questioned why
5 zoning exceptions went to the Commission rather than the ZBA under the current standards.
6 Chairperson Dalman stated that could be clarified. She then stated if the Village Council decided not to
7 have a joint commission in lieu of the Commission and ZBA, there can be work to clarify that.
8 Chairperson Dalman then stated there is a benefit to have separate design review since the Design
9 Review Board has a different role and focus.

10
11 Mr. Golan stated for the biggest projects in Winnetka, he stated each board should opine on their areas
12 of expertise as opposed to having a consolidated board which would hustle something through which
13 would could have a big impact on the Village and is not a good idea.

14
15 Chairperson Dalman stated from a developer's perspective, she heard they would do a project in
16 Winnetka but for these hurdles. A Commission Member stated the delays were not a result of the
17 process but were due to the developer asking for items which were unreasonable. She stated the
18 process did not have to be cumbersome.

19
20 Ms. Orsic stated she agreed with the comments made and the process should have these things taken
21 care of at the get-go. Ms. Johnson stated the conceptual review process which is to be seen by the
22 Village Council would provide an opportunity to identify those items that may be unreasonable. She
23 added that under the current process, it is initially being reviewed by Village staff members, who do not
24 live in the Village, determining what may or may not be acceptable, and the purpose of having the Board
25 and Commission Members who are Village residents' perspectives is to bring that perspective to the
26 project.

27
28 In response to a question, Mr. Schoon reminded the Commission that at the North Shore Country Day
29 School meeting, the Boards' and the Commission's scope was very narrow in terms of determining
30 whether it was substantially consistent with the preliminary plan. He doesn't know how that
31 arrangement would work when a project is being initially reviewed at the preliminary review stage. Mr.
32 Schoon stated part of the process is having the dialog between the applicant and the board and
33 commission members to understand what the issues and concerns are and to move forward with the
34 consideration of the project. He stated while that process seemed smooth, it was because the advisory
35 bodies were reviewing the final plan with a limited scope. Chairperson Dalman stated the Boards' and
36 Commission's scope, developer's scope and comments were limited.

37
38 Mr. Golan suggested for a planned development group, they could have meetings every other week as
39 opposed to once a month to move the process along. Chairperson Dalman stated that was previously
40 discussed. In response to a question, Mr. Schoon stated the public has the right to talk at every public
41 meeting whether there is a public hearing at that meeting or not. Chairperson Dalman asked if other
42 jurisdictions have similar processes. Mr. Friedman stated they either have the plan commission or the
43 zoning board review the planned development. He also referred to communities which combined the PC
44 and ZBA, since the number of applications became fewer after the last recession.

45
46 Mr. Golan asked if there were any requests which were reviewed by both the ZBA and Commission. Mr.
47 Schoon explained the instances where the ZBA and Commission would both review requests and
48 identified where the Commission would review zoning issues in connection with special use requests. He

1 stated each community identified their own way of reviewing zoning and special use requests.

2
3 Mr. Schoon summarized the discussion regarding the planned development process. Regarding the
4 conceptual plan review, everyone thought it was a good idea. Regarding preliminary plan review and
5 final plan review, the final review would only need to come back to the advisory bodies if the
6 development varied significantly from the preliminary review, and the Village Council would decide if it
7 would need to go back. He then stated in terms of the advisory bodies involved, four of the Commission
8 members want the process to remain as it is today, three Commission members are okay with the
9 planned development commission idea, and one Commission member would recommend that only one
10 of the existing planning/zoning boards review a planned development or that a planned development
11 commission be created to review them.

12
13 Mr. Schoon then stated with regard to the planned development standards, staff and the Village
14 Attorney reviewed them and stated they drafted a set of standards provided with the staff report. He
15 stated if the Village decides to have both the ZBA and Commission continue to review planned
16 developments, he stated we may need to create different separate standards for each body to use. Mr.
17 Schoon stated they are looking to clarify the standards and eliminate the confusion with regard to the
18 standards each body is to review. He stated at the final plan step, the Commission felt it did not feel the
19 need to be involved unless it substantially changed at which time they would go over the standards
20 again.

21
22 Mr. Schoon stated they drafted planned development standards that include general requirements,
23 which are more black and white (e.g. what zoning districts planned developments are allowed, the
24 minimum and maximum size of the parcel, etc.). He stated the second set of standards would be the
25 planned development standards used to evaluate the planned development as well as additional
26 standards applying to the exceptions being requested. Mr. Schoon stated the fourth set is design
27 guidelines which the DRB would be involved with.

28
29 Regarding general requirements, Mr. Schoon stated they already discussed the first four general
30 requirements and the other three include: (i) ownership and control of the land (unified ownership); (ii)
31 individual special uses requiring separate approval; and (iii) maximum number of residential units B-1
32 and B-2 with an affordable housing option as an exception. He then identified the standards that would
33 be used for a planned development, which would be the Village's current special use standards as well
34 as the project needing to be consistent with the Comprehensive Plan, which includes and the Downtown
35 Master Plan. Mr. Schoon also referred to the additional standards for the exceptions where the Village
36 Council may grant exceptions to allow land uses not currently listed as an allowed uses in the zoning
37 district as well as grant exceptions from the bulk, height, yard, etc. requirements. Mr. Schoon also
38 presented the exception standards and the required public benefit, which would be a compensating
39 benefit and required public improvements. He provided examples of each for the Commission. Mr.
40 Schoon then stated staff would discuss the design guidelines with the DRB at their meeting.

41
42 Chairperson Dalman asked if with regard to Village improvements, they should add something with
43 regard to public utilities to put people on notice. Mr. Schoon confirmed that could be added. He stated
44 based on the Commission members' experience, he asked for their thoughts in terms of the standards
45 and if there were any specific comments or perspective which was not included.

46
47 Mr. Vanderlaan asked with regard to exceptions and public benefits, if those were provided as the
48 rationale for granting the exceptions or if they are reviewed as requirements as a condition for granting

1 the exception. Mr. Schoon responded it would be the rationale for approving those exceptions. Ms.
2 Johnson commented the exception should be related to the benefit. Mr. Golan stated there is a limit to
3 the exceptions a developer is being asked to do. Mr. Schoon added there had to be a relationship
4 between them.

5
6 Chairperson Dalman described the revised and cleaned up proposed planned development standards as
7 clean and easy. Mr. Vanderlaan agreed they cleared up glaring omissions and all bases were covered.
8 Ms. Case stated her questions were answered in Mr. Schoon's review. A Commission Member agreed
9 with Chairperson Dalman that it is much cleaner.

10
11 Mr. Schoon stated that if the direction is to keep the three advisory bodies, we may need to consider
12 which standards each advisory body would look at.

13
14 **Other Business**

15 Chairperson Dalman asked if there was any other business. No additional business was raised at this
16 time.

17
18 The meeting was adjourned at 9:06 p.m.

19
20 Respectfully submitted,

21
22 Antionette Johnson
23 Recording Secretary
24