



ZONING BOARD OF APPEALS REGULAR MEETING

MONDAY, JANUARY 14, 2019 - 7:00 p.m.

WINNETKA VILLAGE HALL COUNCIL CHAMBERS – 510 GREEN BAY ROAD

AGENDA

1. Call to Order & Roll Call
2. Community Development Report
3. Approval of November 12, 2018 meeting minutes.
4. **Case No. 18-14-V2: 720 Humboldt Avenue - Continued from the October 8, 2018 meeting:** An **amended** application submitted by John Robert and Susan Hollender seeking approval of zoning variations to allow additions to the existing residence at 720 Humboldt Avenue. The requested zoning variations would permit the existing residence (a) to exceed the maximum permitted building size, (b) to provide less than the minimum required front (corner) yard setback from Humboldt Avenue, and (c) to provide more than the maximum permitted width of 22 feet for a front-facing attached garage and more than maximum permitted width of front-facing garage doors. The Village Council has final jurisdiction on this request.
5. **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.
6. Other Business.
7. Public Comment.
8. Adjournment

Note: Public comment is permitted on all agenda items.

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 at 510 Green Bay Road, Winnetka, Illinois 60093, (Telephone (847) 716-3543; T.D.D. (847) 501-6041).

510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034 Community
Development (847) 716-3520

Public Works (847) 716-3568 Water and Electric (847) 716-3558

**WINNETKA ZONING BOARD OF APPEALS
NOVEMBER 12, 2018**

Zoning Board Members Present: Joni Johnson, Chairperson
Sarah Balassa
Matthew Bradley
E. Gene Greable
Wally Greenough
Carl Lane

Zoning Board Members Absent: Mark Naumann

Village Staff: Ann Klaassen, Senior Planner

Agenda Items:

**Minutes of the Zoning Board of Appeals
November 12, 2018**

Call to Order:

Chairperson Johnson called the meeting to order at 7:00 p.m.

Approval of Minutes:

Chairperson Johnson stated that the Board would now approve the October 8, 2018 meeting minutes. She stated that she submitted her changes to Ms. Klaassen and asked if there were any other changes. No additional changes were made at this time. Chairperson Johnson then asked for a motion.

A motion was made by Mr. Bradley to approve the October 8, 2018 meeting minutes, as amended. The motion was seconded by Mr. Greenough. A vote was taken and the motion was unanimously passed.

Case No. 18-19-SD: 1025 and 1035 Sheridan Road: An application submitted by Chicago Title Land Trust Company, as Trustee under Trust Agreement dated February 13, 2018 and known as Trust #8002377155 seeking approval of a zoning variation as part of a Final Plat of Subdivision to consolidate the existing two lots into a single lot of record and a zoning variation to provide less than the minimum average lot width of 115 feet for a corner lot.

Ms. Klaassen stated Case No. 18-19-SD for 1025 Sheridan and 1035 Sheridan Road submitted by Chicago Title Land trust, as Trustee under Trust Agreement dated February 13, 2018 and known as Trust #8002377155 is seeking approval of a zoning variation as part of a plat of subdivision to consolidate two existing lots into a single lot of record and a zoning variation to provide less than the minimum average lot width of 115 feet for a corner lot.

Chairperson Johnson swore in those speaking on this matter.

Mike O'Connor of Fuchs & Roselli introduced himself to the Board representing Chicago Title Land Trust as Trustee under a Trust Agreement dated February 13, 2018 known as #8002377155. He stated when he gave a presentation to the Plan Commission a few weeks ago of what they were trying to accomplish, he referred the Board to Ms. Klaassen's submittal in the agenda materials which recapped the presentation. Mr. O'Connor stated their request would accomplish a couple of goals, the first of which would be to remove a lot

1 with only a 92 foot average lot width and replace it with a 113 foot average lot width. He also stated it
2 would reduce density and would remove one buildable lot from the Village's inventory. Mr. O'Connor
3 also stated by not building another residence on the lot, they are improving the air and light supply in
4 this area and would not encumber the area with another 2.5 story structure. Mr. O'Connor then stated
5 it would be beneficial to the neighborhood and hoped the Board agreed with them.
6

7 Chairperson Johnson asked the Board if they had any questions. She asked Ms. Klaassen why it is a
8 corner lot when it was referred to in the chart on page 5 as an interior lot. Ms. Klaassen stated the
9 existing 1035 Sheridan lot on the lake is currently an interior lot and the 1025 Sheridan lot is a corner
10 lot. She confirmed there is a private road easement. Mr. O'Connor added although the 1025 Sheridan lot
11 did not have frontage on two streets, it is because the private driveway is considered the second
12 frontage. Ms. Klaassen confirmed the way it is adjacent to that lot, it is considered to be a corner lot.
13

14 Mr. Bradley asked if it is still meant to be a shared driveway. Mr. O'Connor confirmed nothing is
15 changing. Chairperson Johnson stated they planned to add a driveway through the lot and Mr. O'Connor
16 confirmed that is correct. Mr. Greable stated it would be for the 1035 Sheridan property. Mr. O'Connor
17 informed the Board they submitted an application for a permit to build a driveway and a gate, as well as
18 to landscape the lot. Mr. Bradley asked if the driveway would access another property through the
19 private easement. Mr. O'Connor confirmed that is correct and nothing in that regard is changing. He
20 then stated in the future, the owner of the 1035 Sheridan property would come off Sheridan and drive
21 on the private easement for a short distance and turn east through the 1025 Sheridan lot to the 1035
22 Sheridan property.
23

24 Mr. Lane asked if there would be any new curb cuts or if it would use the same curb cut off the
25 driveway. Mr. O'Connor confirmed there would be no new curb cuts and noted there is one curb cut
26 providing access to the private easement roadway which would remain as is. Mr. Lane asked if the
27 owner did not have a plan to build a bigger home and they could build a bigger home afterwards on the
28 consolidated lot. Chairperson Johnson stated it was pointed out at the Plan Commission meeting the
29 1035 Sheridan home is brand new and occupied as of 2018 and the new owner planned to develop a
30 new home on the 1025 Sheridan lot. Mr. O'Connor stated they had a permit issued for a 6,000 square
31 foot home to be built on 1025 Sheridan. He then stated theoretically, if the new home was torn down,
32 you could build a bigger home since it is a larger lot but would be difficult to do since the way the home
33 is designed now, all of the available land would be to the west of the existing home. He stated to build
34 an addition on to the front of the home, it would be difficult to do and assured the Board there are no
35 plans for that. Mr. O'Connor also stated it was discussed at the Plan Commission meeting that the 1025
36 Sheridan lot would no longer be a buildable lot. He agreed given the size of the combined lot, a bigger
37 home could be built. Ms. Klaassen referred the Board to the table on page 6 and stated a proposed
38 home on the consolidated lot could measure 18,259 square feet.
39

40 Mr. O'Connor noted the current home is set far back from Sheridan and the elevation is also higher and
41 it would be almost impossible to see the home from Sheridan due to the elevation change.
42

43 Chairperson Johnson asked if there was a home on the 1035 Sheridan lot previously. Mr. O'Connor
44 stated that is correct. Chairperson Johnson referred to Mr. Lane's comment that a future owner could
45 build a larger home on the consolidated lot. Mr. Lane stated they are to think about the character of the
46 locality and referred to there being a massive home in the area. He also referred to reasonable return
47 and why the applicant cannot achieve a reasonable return without the variance. Mr. Lane asked Mr.
48 O'Connor why the applicant cannot achieve reasonable return without consolidating the lots. Mr.

1 Greable referred to the applicant's response on Exhibit A on page 11. Mr. O'Connor stated what they
2 focused on is if a home is built on the 1025 Sheridan parcel, it would have a substantial negative impact
3 on the 1035 Sheridan property. He stated currently with regard to the way the lots are configured,
4 coming off Sheridan, you drive up a 20-30 elevation and see the 1035 Sheridan home which he
5 described as an open vista once you gain the elevation to the home. Mr. O'Connor then stated if you are
6 forced to go around another home, you would have to take the private roadway around a home built at
7 1025 Sheridan which has a negative impact on the 1035 Sheridan property. He agreed that while that
8 did not sound like much, in a home of this caliber, it would be a significant impact to be able to have a
9 large front yard for a home on the lakefront which is important.

10
11 Mr. Lane stated when they purchased the 1035 Sheridan lot, they knew another lot was there and asked
12 why having something that is already existing changed would affect reasonable return. Mr. O'Connor
13 stated the builder may not have had the building permit for the 1035 Sheridan property and as to
14 whether they knew about it or not, the construction of a home on the 1025 Sheridan parcel does have a
15 negative impact on the 1035 Sheridan property. He stated the more important aspect to focus on is the
16 positive impact for the Village such as the reduction in density, etc. Mr. Lane responded that is not the
17 standard he tried to solve for.

18
19 Mr. Greable stated he looked at the properties and these two lots have been there for years. He stated
20 they are looking at a situation where there would be a driveway from Sheridan to 1035 Sheridan and the
21 calculations. Mr. Greable stated because of the value of the square footage of each of the lots, they
22 came up with a calculated 2 foot variance. He stated he used different criteria and described it as a very
23 insignificant amount Mr. Greable stated in his calculations, they usually consider a mudroom or room
24 addition which increases the value of the property and he did not think that is the criteria here. He
25 stated in looking at the total value of the variation that is going on here, he would support the request
26 since it is a minor amount and added the properties did not change.

27
28 Chairperson Johnson asked if there were any other questions. Mr. Bradley asked how did the existing
29 nonconforming 91.7 feet grow to be 112 feet. Mr. O'Connor stated if you draw a line from the
30 northwest and southwest corners and draw a line to the east perpendicular to the first line; the length
31 of the second line east to west to the back of the property is the width of the lot. Mr. Greable stated it is
32 identified in a footnote.

33
34 Mr. O'Connor then asked Village staff when properties are combined; a new canvas is created for the
35 combined lot. Mr. O'Connor responded not necessarily and Ms. Klaassen stated it would eliminate one.
36 Mr. O'Connor added that would be their election and have not decided whether or not to do that yet.
37 Mr. Bradley stated with regard to density and taxable value of the Sheridan property, what portion from
38 a property tax perspective comes back to the Village. Ms. Klaassen stated that would be up to the Cook
39 County Assessor. Mr. O'Connor then stated there is something called a Petition of Consolidation for
40 Division of a PIN and the Assessor would grant the request with a couple of minor guidelines. He stated
41 you cannot combine PINs which straddle subdivision lines and other than that, if you want to combine
42 or breakup PINs, those requests are usually granted. Chairperson Johnson stated if there was another
43 home, it would generate more real estate taxes as opposed to having an empty lot.

44
45 Ms. Balassa stated when it comes to consolidation, the width allows certain kinds of landscaping that
46 could not be done without the consolidation. Ms. Klaassen responded since the home is gone, they
47 cannot add accessory structures on the second lot without consolidating it. She also stated with the

1 proposed driveway, they would not otherwise be allowed to put that driveway on the lot but a fence
2 would be allowed, which would be the extent of the work allowed without consolidation.

3
4 A Board Member asked what else is considered an accessory structure and Ms. Klaassen responded a
5 swimming pool, garage, shed, patio, etc. and while soft landscaping would be allowed, a driveway would
6 not. Ms. Klaassen then stated soft landscaping is considered to be a garden or trees but not patios.

7
8 Chairperson Johnson asked if there were any other questions. Mr. Lane stated all they are providing for
9 is for the variation of lot width and asked would they get that if the request did not result in a variance.
10 Ms. Klaassen responded they would not. She referred to the 319 and 321 Sheridan consolidation which
11 required zoning relief but it related to the structure itself for the side yard setback.

12
13 Chairperson Johnson informed the Board at the Plan Commission meeting, there was a neighbor to the
14 north, Mr. Scales, who testified in favor of the request who is happy there would not be another Birov
15 home built on the 1025 Sheridan lot and that it would instead be open land. She referred to the visual
16 circumstances and noted Birov built the home at 1035 Sheridan as well and the owner of 1035 Sheridan
17 decided to purchase the lot from Birov. Chairperson Johnson noted there would be no changes to the
18 private easement driveway. She then called the matter in for discussion and noted the Board is a
19 recommending body to the Village Council. Chairperson Johnson also noted the Plan Commission
20 recommended approval of the subdivision to the Village Council.

21
22 Ms. Balassa described the request as infinitesimal. Chairperson Johnson referred to Mr. Lane's concern
23 with regard to a huge home being built in the future.

24
25 Mr. Lane stated when he considered the request altogether, he would be in favor and described it as a
26 small variation in comparison to what the Board saw a lot of times. He stated if you look at the
27 immediate area, the lot would seem to be on the large side and along Sheridan, you see a mix of deep
28 lots and coach homes. Mr. Lane then stated even if a bigger home is built, it would not be dramatically
29 different. He stated while reasonable return is a difficult standard for him, with regard to unique
30 circumstances, he understood the owner's perspective when you have a lot with a reasonably sized
31 home and someone built a massive home in front of it and they want to stop that from happening and
32 to control it, they would have to consolidate the lot. Mr. Lane described taxable value as an interesting
33 question and if they were to look at the property on its own, there would be a diminishment of property
34 taxes but the standards refer to how it impacts Winnetka. He stated one reasonably sized home on a lot
35 versus two massive oversized homes on two lots would be better in general.

36
37 Mr. Bradley stated he would also be in favor of the request and on the basis to the extent to which they
38 are asking, it is a slippery slope and the milestone gets pushed out. He then stated he did not agree with
39 the statement that 2 feet is de minimus and in this instance, because the factors around the 2 feet did
40 not have that big of an effect and referred to instances where they are taking a nonconforming
41 background and rectifying it, it is a little more than what was in play. Mr. Bradley then stated it would be
42 hard if not impossible to apply their traditional standards to this situation particularly with regard to
43 reasonable return because they are asking for a consolidation of two lots where they are already
44 showing themselves to have value and reasonable return. He stated he did not agree with the premise
45 the inability to get a reasonable return is tied to the fact they prefer not to have a home on that lot and
46 it is difficult to square the need for help with zoning relief and referred to using the lot for a material
47 purpose.

48

1 Mr. Greenough stated he is less troubled by the request than Mr. Bradley by applying the standards and
2 in this case, the lot lines are not changing and there would be no new construction which affected the
3 lot lines and width. He described it as a mathematical function of combining the two lots and it is a de
4 minimus variation of which he would be in favor.

5
6 Chairperson Johnson added there was a consolidation further south on Sheridan where they were
7 tearing down a home to the front and west in order to have a more estate like landscape and driveway
8 and entrance to the home on the lake. She stated the Board recommended unanimous approval and
9 this request is similar. Chairperson Johnson then stated while they do not know how long the previous
10 homes at 1025 Sheridan and 1035 Sheridan were there but there may have initially only been one home
11 with more of an estate like character. Chairperson Johnson then stated she agreed with the comments
12 made and her concern related to 20 years from now where there may be the possibility of having one
13 home on the lot and they have seen other instances where newer homes have been torn down. She
14 concluded she is in favor of the request and asked for a motion.

15
16 Ms. Balassa asked for clarification in terms of the process and why the request went to the Plan
17 Commission first. Chairperson Johnson stated they look at them exclusively unless there is an associated
18 variation request. Ms. Klaassen added it was also due to scheduling and generally, these types of
19 requests go to the Plan Commission first. Chairperson Johnson noted the Plan Commission Chair stated
20 to expedite things, requests should only come back to the Plan Commission for final approval for
21 ministerial things. Ms. Klaassen confirmed for this request, the applicant submitted the final plat as
22 opposed to preliminary plat and this is the first time a request went the expedited route and would still
23 go to the Village Council.

24
25 Ms. Klaassen referred the Board to page 7 of the materials for wording of the motion. Ms. Balassa
26 moved to recommend approval of the variation to provide an average lot width of 112.95 feet whereas
27 a minimum of 115 feet is required, a variation of 2.05 feet or 1.78%. [Section 17.30.020 Lot Width and
28 Street Frontage]. Chairperson Johnson stated the Board could incorporate by reference the standards
29 shown on page nos. 11 and 12 as Exhibit A. Several Board members seconded the motion. A vote was
30 taken and the motion unanimously passed.

31
32 AYES: Balassa, Bradley, Greable, Greenough, Johnson, Lane

33 NAYS: None
34

- 35 1. The property in question cannot yield a reasonable return if permitted to be used only under
36 the conditions allowed by regulations in that zone.
- 37
38 2. The plight of the owner is due to unique circumstances. Such circumstances must be associated
39 with the characteristics of the property in question, rather than being related to the occupants.
- 40
41 3. The variation, if granted, will not alter the essential character of the locality.
- 42
43 4. An adequate supply of light and air to the adjacent property will not be impaired.
- 44
45 5. The hazard from fire and other damages to the property will not be increased.
- 46
47 6. The taxable value of the land and buildings throughout the Village will not diminish.
- 48

1 7. The congestion in the public street will not increase.
2

3 8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not
4 otherwise be impaired.
5

6 **Other Business**

7 Chairperson Johnson asked if there was any other business. The Board Members discussed the process
8 of adding stops signs at intersections.
9

10 **Adjournment:**

11 The meeting adjourned at 7:40 p.m.
12

13 Respectfully submitted,
14

15 Antionette Johnson
16 Recording Secretary
17

DRAFT



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: JANUARY 10, 2019
SUBJECT: CASE NO. 18-14-V2 [AMENDED]: 720 HUMBOLDT AVENUE -
VARIATIONS

INTRODUCTION

On January 14, 2019 the Zoning Board of Appeals (ZBA) will continue the public hearing on an **amended** request filed by John Robert and Susan Hollender (the "Applicants") as the owners of the property commonly known as 720 Humboldt Avenue (the "Subject Property"). The Applicants' current request requires approval of the following variations from the Zoning Ordinance to allow additions to the existing residence on the Subject Property:

1. Gross Floor Area of 13,548.19 square feet, whereas a maximum of 9,347.27 square feet is permitted, a variation of 4,200.92 square feet (44.94%) [Section 17.30.040 – Maximum Building Size] [Note: The site currently contains 13,186.66 square feet of gross floor area];
2. Corner (front) yard setback of 24.42 feet, whereas a minimum of 35.9 feet is required, a variation of 11.48 feet (31.98%) [Section 17.30.050 – Front and Corner Yard Setbacks]; and
3. Front-facing attached garage width of 48.92 feet, whereas a maximum of 22 feet is permitted, a variation of 26.92 feet (122.36%) and a total of four (4) 9-foot wide garage doors, whereas a maximum of two (2) 9-foot doors are permitted [Section 17.30.110 – Garages].

The initial hearing on September 10, 2018 was properly noticed on August 23, 2018 in the *Winnetka Current* and a mailed notice was sent to property owners within 250 feet of the Subject Property. As of the date of this memo, staff has not received additional written comment from the public regarding this application since the last public hearing on October 8, 2018. The public correspondence previously received and distributed to the ZBA is included in Attachment G.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to allow a pre-FAR building (built prior to 1989) to exceed the maximum permitted gross floor area by more than 10%.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.75 acres in size, is located at the southwest corner of Humboldt Avenue and Sheridan Road and contains a single family residence and in-ground swimming pool. The property is zoned R-2 Single Family Residential, and it is bordered by R-2 Single Family Residential to the south, east and west, and R-3 Single Family Residential to the north (represented in Figure 1 on the following page).

The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

PROPERTY HISTORY AND PREVIOUS ZONING RELIEF APPLICATIONS

As previously reported to the Commission, the original date of construction of the residence is not able to be determined from Village records. According to the Winnetka Historical and Architectural Survey conducted in 1989, the residence is circa 1890. Subsequent building permits were issued in 1959 to construct the pool, in 1970 to repair fire damage, in 1981 to build a deck, in 1982 to build the hot tub and patio/deck area, in 1985 for a kitchen alteration and garage conversion, in 1986 to build the three car garage, in 2007 to renovate the master bathroom, and in 2018 to remodel the kitchen and replace the HVAC systems. There are no other zoning cases for this property. The Applicants acquired the property in June 2018.

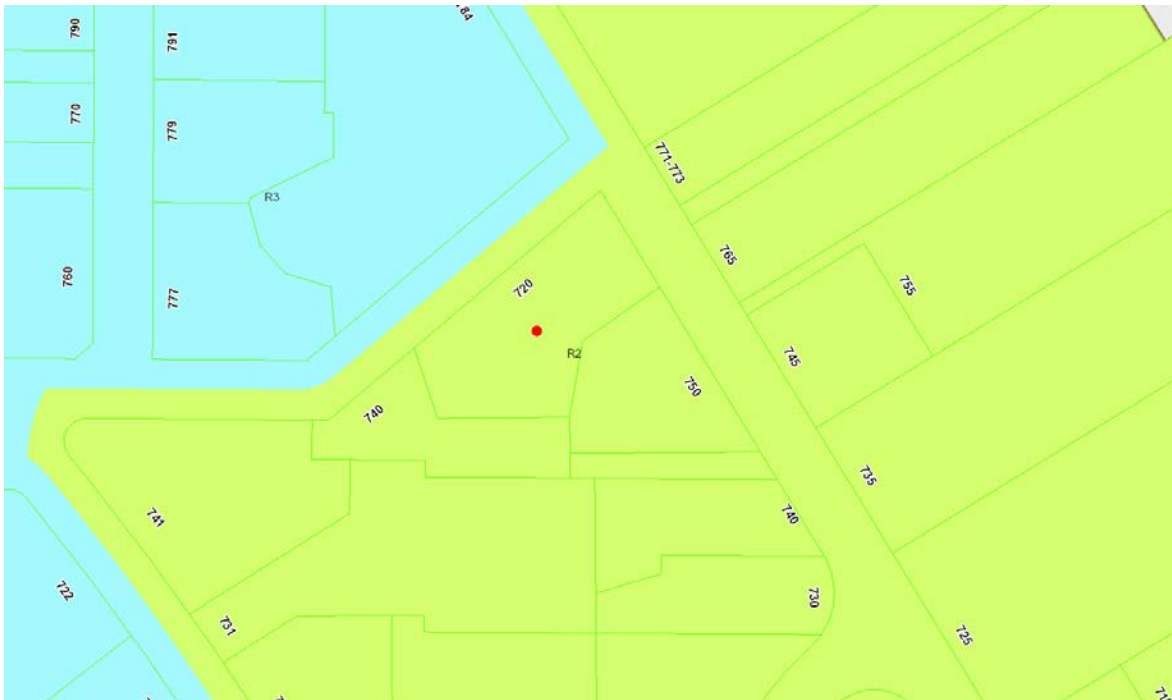


Figure 1 – Zoning Map

PROPOSED PLAN

At the October 8, 2018 ZBA meeting, the Applicants requested, for a second time, that the public hearing be continued in order to provide the Applicants an opportunity to further revise the request in response to concerns expressed by the ZBA. Minutes of the October 8 ZBA meeting are included as Attachment E.

At the October ZBA meeting, ZBA members reiterated concerns expressed at the September 10, 2018 ZBA meeting regarding the overall size of the residence with the proposed additions. Specifically, the amount of gross floor area (GFA) attributed to the garages. At both the September and October meetings there was discussion about reducing the size of the existing three-car garage. Additionally, at the October meeting, there was discussion regarding the proposed pool equipment room and locating the space within the pool storage area. The ZBA did not seem concerned with the location of the garage addition and expressed support of the proposed covered porch based on the revised plans considered by the ZBA at the October meeting, which eliminated the balcony above the porch.

In addition to providing revised plans on January 7, 2019, the Applicants have provided a written explanation describing the amended request. The explanation is the first page of Attachment D.

Revised plans submitted by the Applicants on January 7 reflect a reduction in the size of the existing three-car garage. An area measuring 7.58 feet by 24.67 feet (187 square feet) would be removed from the garage. Rather than solely making interior alterations to the existing garage so that the garage would have capacity for two vehicles in order to comply with the maximum vehicle capacity of four vehicles on the Subject Property, the Applicants are proposing to reduce the GFA of the existing garage by eliminating the westernmost bay of the garage. Additionally, the size of the proposed pool equipment room has been reduced by approximately 11 square feet.

The previous plans considered by the ZBA in October had reduced the proposed garage addition from the original proposal considered by the ZBA in September by approximately 204 square feet. The revised plans currently being considered by the ZBA further reduce the total GFA by approximately 198 square feet. In total, the amount of proposed additional GFA has been reduced by approximately 402 square feet, from approximately 763 additional square feet to 361 additional square feet, since the request was first considered by the ZBA in September.

The GFA for the proposed additions consists of the following: (1) Garage – 339 square feet; (2) Pool equipment room – 74 square feet; and (3) Coverage porch – 135 square feet. Taking the removal of the 187 square feet from the existing garage into consideration, the net increase in GFA is approximately 361 square feet.

On the following pages are images reflecting the change between the originally proposed (09.10.18 ZBA meeting), previously proposed (10.08.19 ZBA meeting), and current revised additions (01.14.19 ZBA meeting). (The full-size plans representing the proposed additions are provided in Attachment D.)

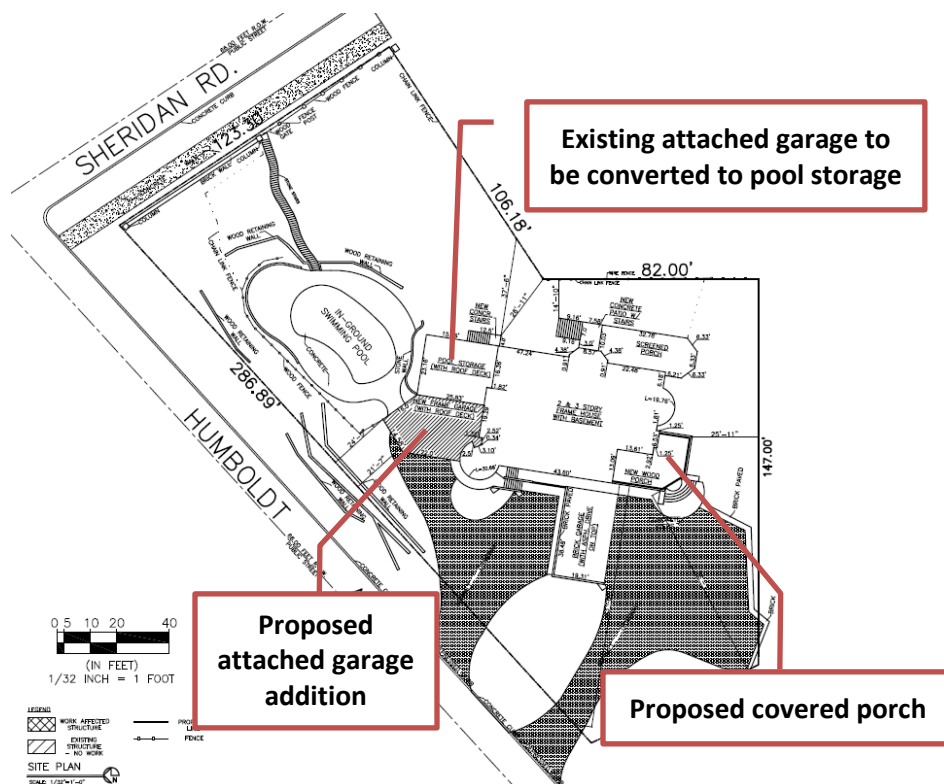


Figure 2 – Original Site Plan

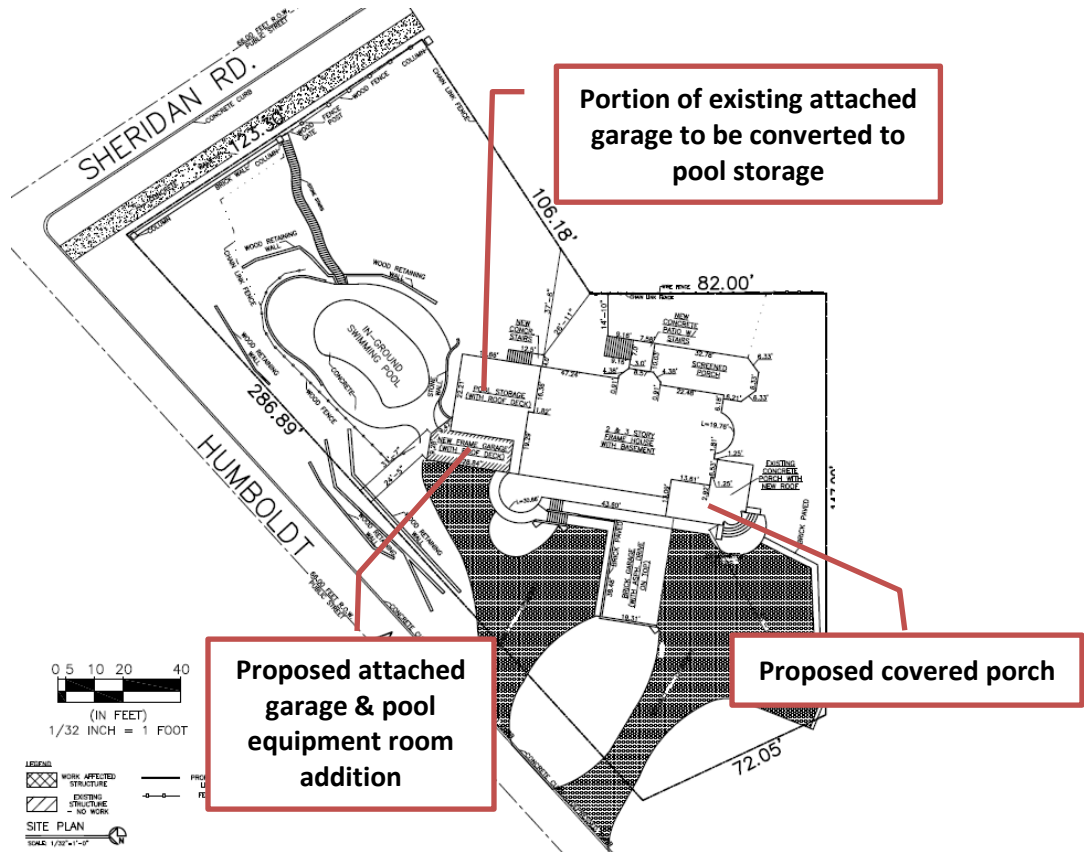


Figure 3 – Previous Site Plan

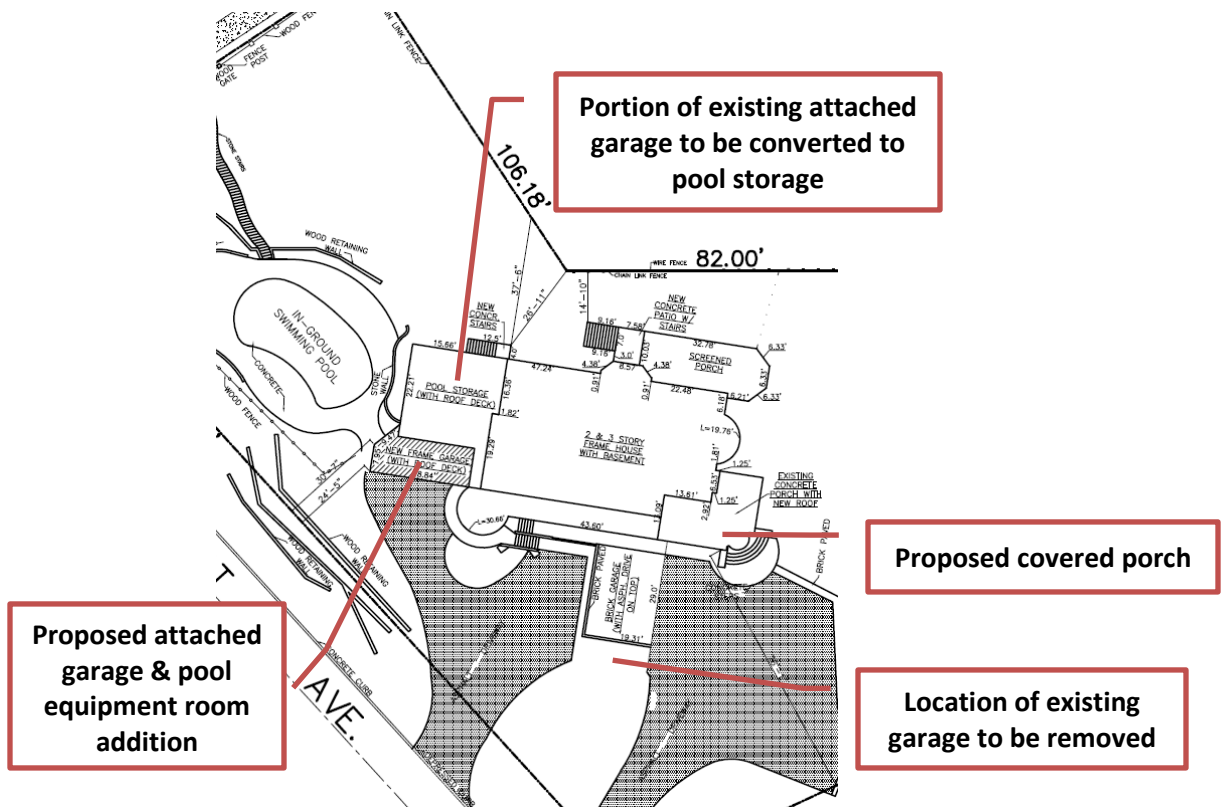
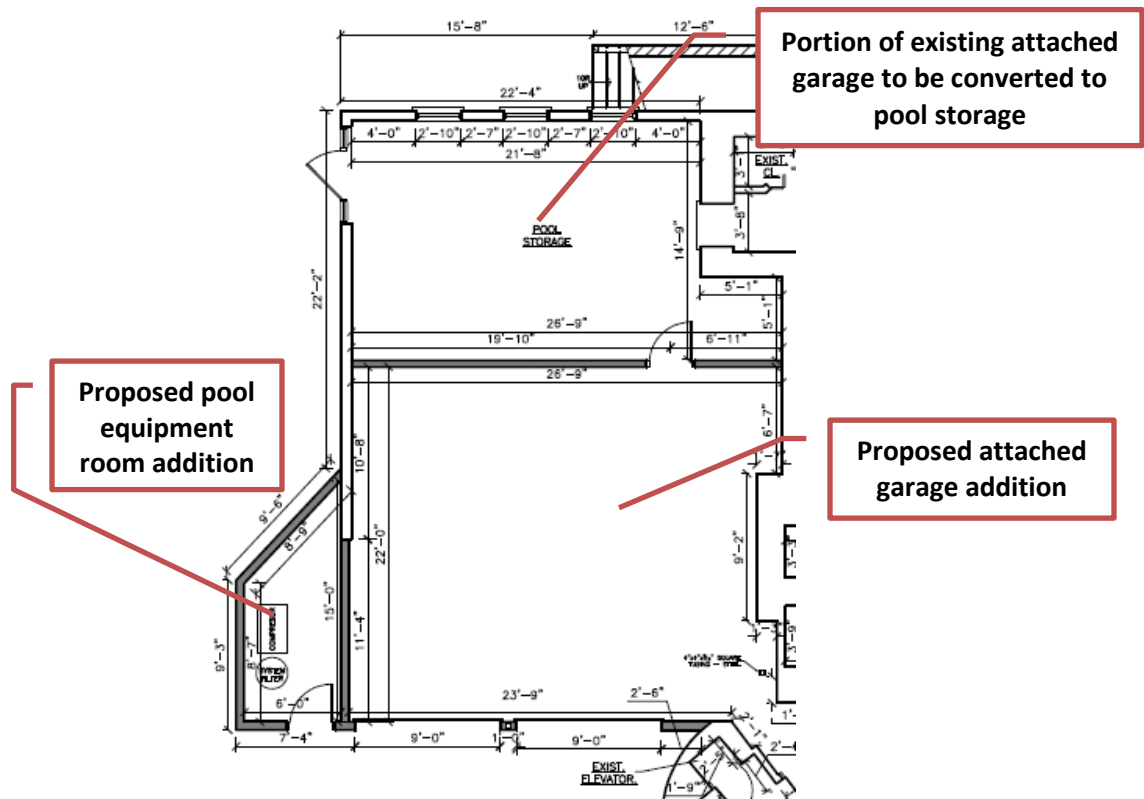
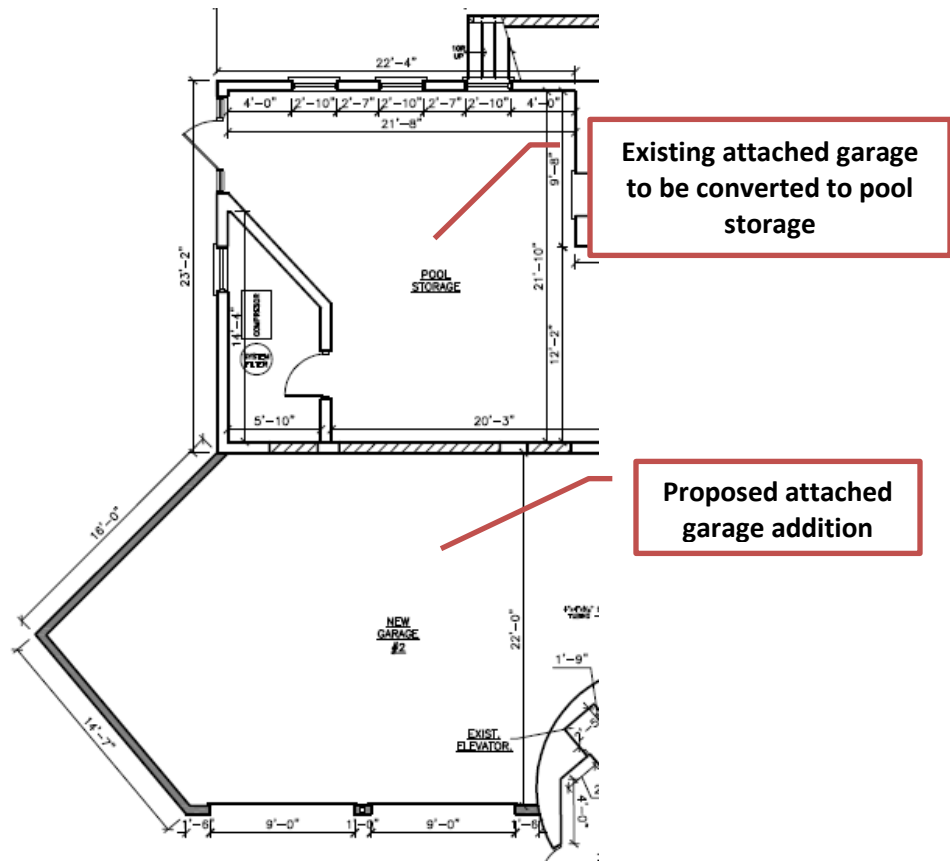


Figure 4 – Current Site Plan



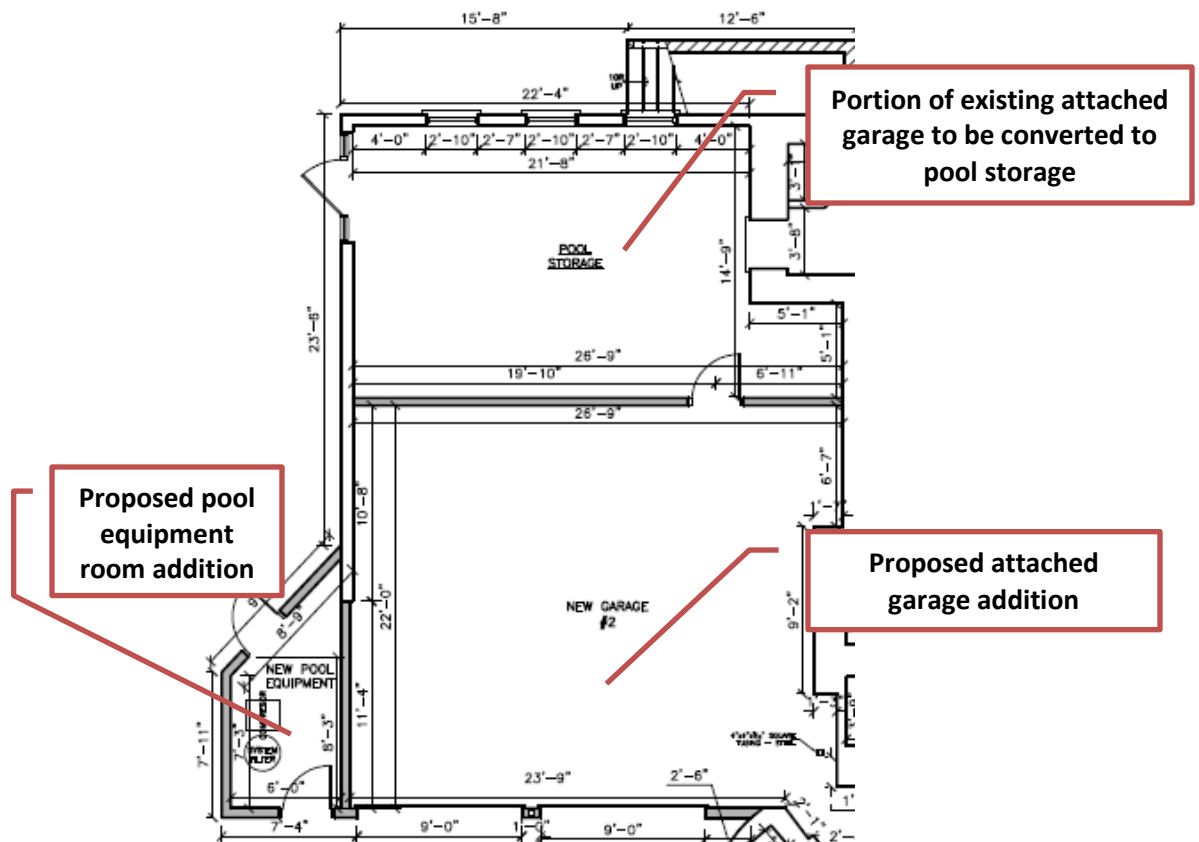


Figure 7 – Excerpt of Current Lower Level Plan – Garage & Pool Equipment Addition

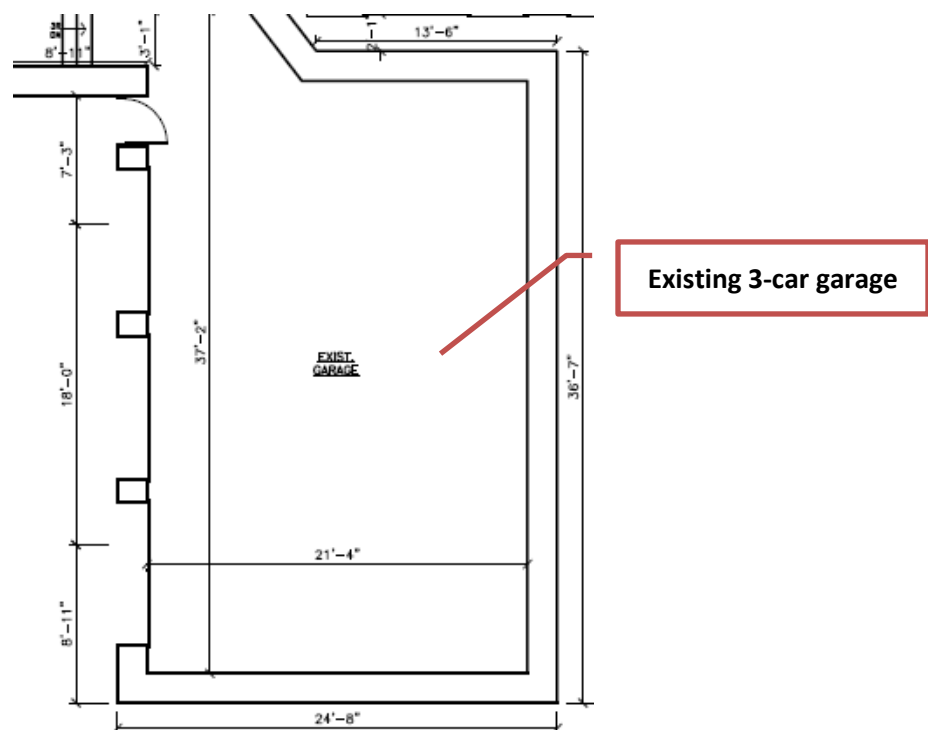


Figure 8 – Excerpt of Existing Lower Level Plan – Existing Three-Car Garage

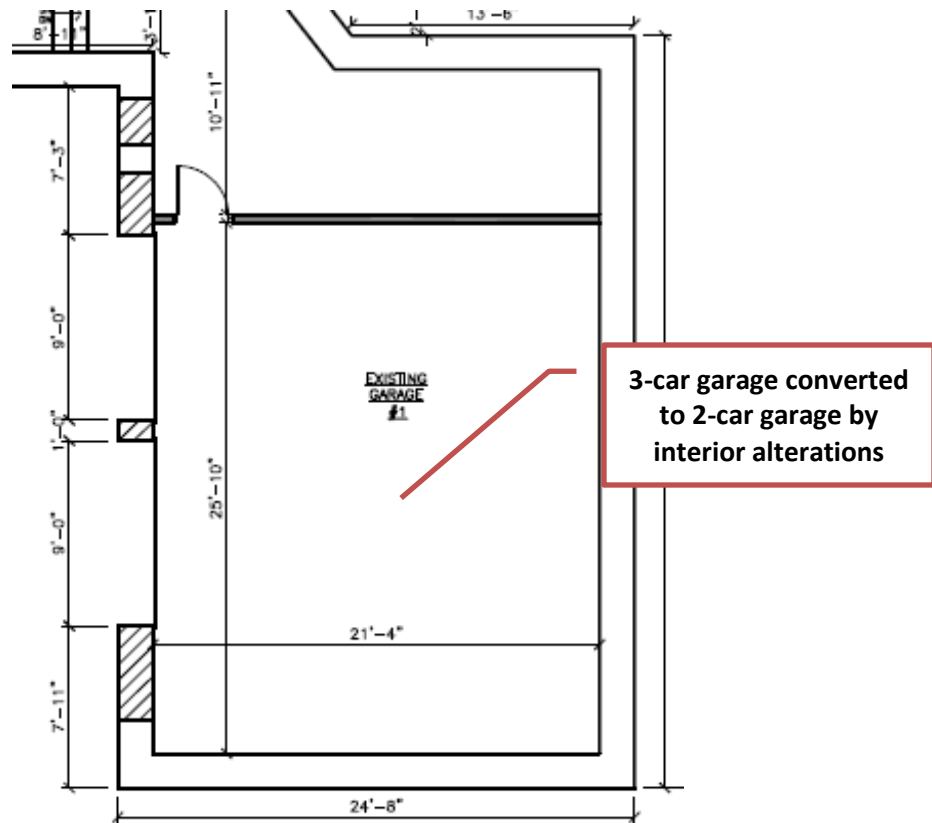


Figure 9 – Excerpt of Previous Lower Level Plan – Existing Garage

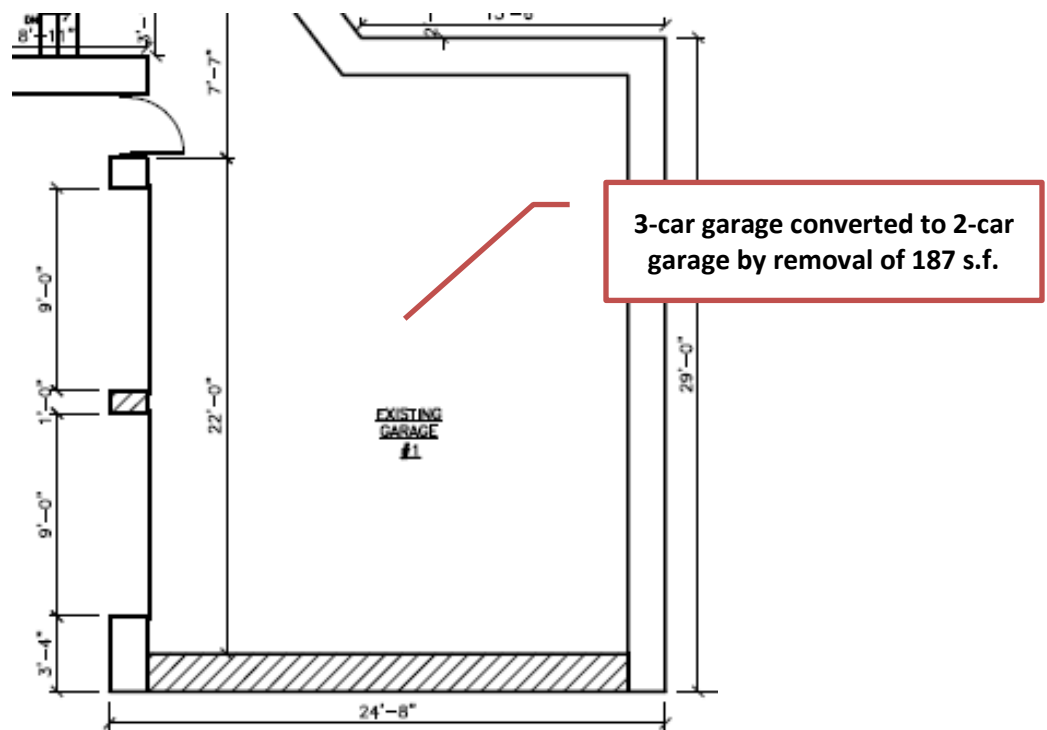


Figure 10 – Excerpt of Current Lower Level Plan – Existing Garage

REQUESTED ZONING RELIEF

The attached revised zoning matrix highlights the existing lot and the proposed improvements' compliance with the R-2 zoning district (Attachment A). Three variations are being requested: 1) GFA; 2) Corner (front) Yard Setback; and 3) Garages. In total, the proposed additions would add approximately 361 square feet of GFA, bringing the total GFA to 13,548.19 square feet, whereas a maximum of 9,347.27 square feet is permitted. The existing GFA (13,186.66 square feet) is nonconforming, exceeding the maximum permitted by approximately 3,839 square feet (41%).

The proposed corner yard setback, as measured from Humboldt Avenue to the closest point of the addition, remains the same as the previous proposal at 24.42 feet, whereas a minimum of 35.9 feet is required. The existing residence is also nonconforming with respect to the required corner yard setback. The existing three-car garage (identified in Figure 10 on the following page) is setback 32.71 feet.

The third variation relates to the regulations that apply to front-facing attached garages. The Subject Property currently has two front-facing attached garages facing Humboldt Avenue and is currently considered nonconforming with respect to the width of front-facing attached garages and garage door width. The aggregate width of both the proposed garage addition and the existing garage that would remain is 48.92 feet, whereas a maximum of 22 feet is permitted. Additionally, a total of four (4) 9-foot wide garage doors are proposed, whereas a maximum of two (2) 9-foot wide doors are permitted. Currently, there are four (4) front-facing garage doors.

The following compares the Zoning Code requirements as well as the difference in zoning relief between the existing conditions and what the Applicants originally proposed, previously proposed and what is currently before the ZBA for a recommendation to the Village Council.

	CODE REQUIREMENT	EXISTING	ORIGINAL PROPOSAL (09.10.18)	PREVIOUS PROPOSAL (10.08.18)	CURRENT PROPOSAL (01.14.19)
MAXIMUM GFA	9,347.27 s.f.	13,186.66 s.f.	13,949.7 s.f.	13,745.96 s.f.	13,548.19 s.f.
MINIMUM CORNER SETBACK	35.9 feet	32.71 feet	21.58 feet	24.42 feet	24.42 feet
ATTACHED GARAGE & GARAGE DOOR WIDTH	22-foot wide garage Two 9-foot wide doors	49.34 feet Three 8-foot wide doors & One 9.83-foot wide door	48.92 feet Four 9-foot wide doors	48.92 feet Four 9-foot wide doors	48.92 feet Four 9-foot wide doors

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (Attachment C). Based on the proposed plan, it appears additional stormwater detention would not be required. However, Village Engineering staff will confirm compliance upon submittal of a building permit.

The Applicants are requesting approval of three variations to permit construction of additions to the existing residence on the Subject Property: (i) with a GFA of 13,548.19 square feet; (ii) a cornering yard setback of 24.42 feet; and (iii) an aggregate front-facing attached garage width of 48.92 feet with four (4) 9-foot wide garage doors.

FINDINGS

In the attached application materials submitted by the Applicants, the Applicants have provided a statement of justification regarding how the requested variations meet the standards for granting the requested zoning variations. Does the ZBA find that the requested variations meet the standards for granting such variations; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested variations?

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: GIS Aerial Map

Attachment C: Stormwater Matrix

Attachment D: Application Materials

Attachment E: Excerpt of October 8, 2018 ZBA meeting minutes

Attachment F: Excerpt of September 10, 2018 ZBA meeting minutes

Attachment G: Public Correspondence



Figure 11 – North Elevation



Figure 12 – West Elevation

ATTACHMENT A

ZONING MATRIX

(Revised 01.08.2018)

ADDRESS: 720 Humboldt Avenue

CASE NO: 18-14-V2

ZONING: R-2

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	25,200 SF	32,748.99 SF	N/A	N/A	OK
Min. Average Lot Width	115 FT	119.74 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	8,187.25 SF (1)	5,124.44 SF	5,712.81 SF	588.37 SF	OK
Max. Gross Floor Area	9,347.27 SF (1)	13,186.66 SF	13,548.19 SF	361.53 SF	4,200.92 SF (44.94%) VARIATION
Max. Impermeable Lot Coverage	16,374.49 SF (1)	15,315.9 SF	15,128.9 SF	-187	OK
Min. Front Yard (Sheridan/East)	50 FT	98.59 FT	98.59 FT	N/A	OK
Min. Corner (Front) Yard (Humboldt/North)	35.9 FT	32.71 FT	24.42 FT	-8.29	11.48 FT (31.98%) VARIATION
Min. Side Yard (South)	12 FT	(+/-) 5.5 FT	14.83 FT	9.33	OK
Min. Rear Yard (West)	25 FT	22.34 FT	22.34 FT	N/A	EXISTING NONCONFORMING

NOTES:

(1) Based on lot area of 32,748.99 s.f.

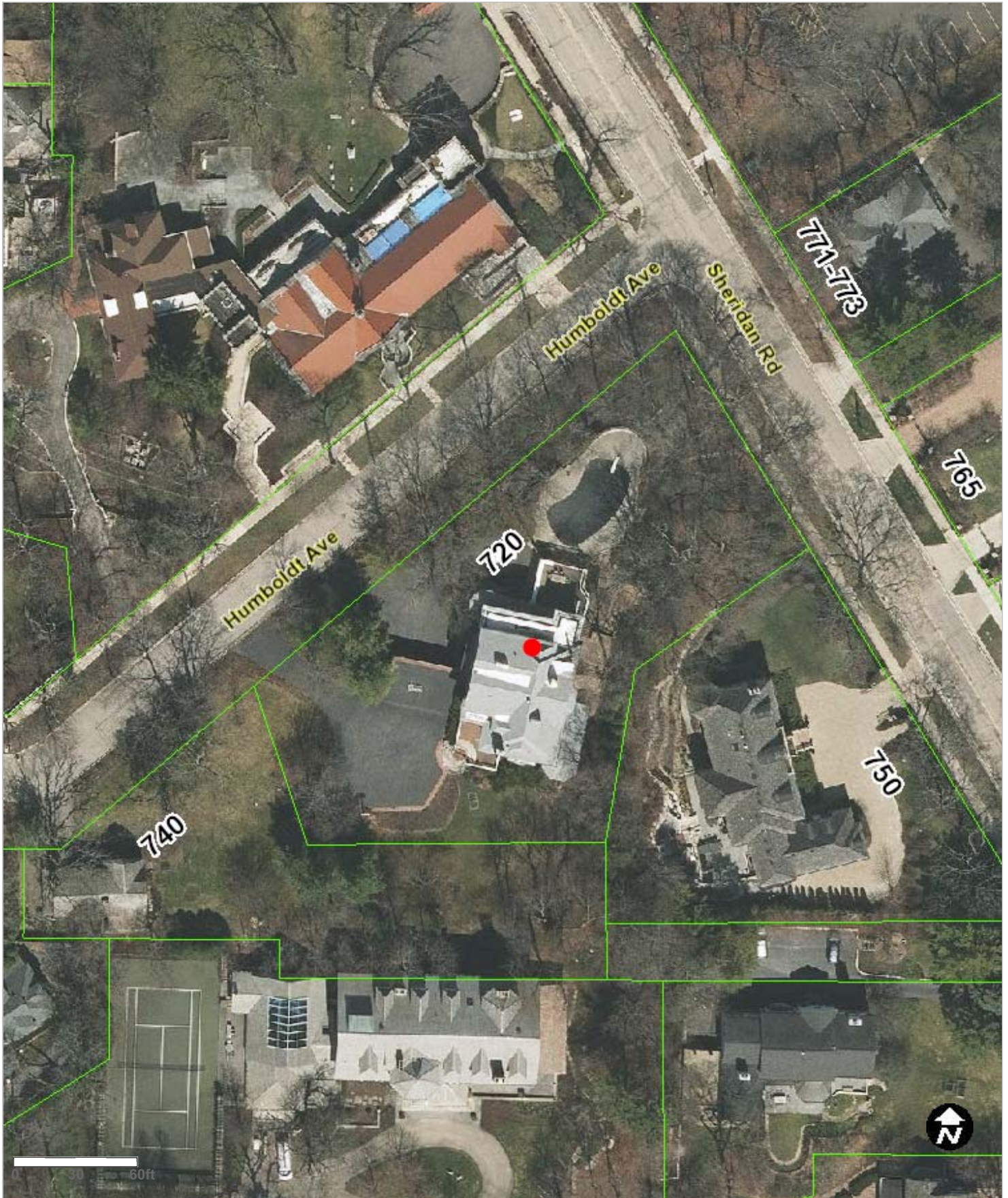
(2) Variation amount is the difference between proposed and requirement.

(3) Variations are required to allow an aggregate attached garage width of 48.92 feet, whereas the maximum permitted width is 22 feet, and a total of four (4) 9-foot wide garage doors, whereas a maximum of two (2) 9-foot wide doors are permitted.



MapOffice™

720 Humboldt Avenue



Map created on September 4, 2018.

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ATTACHMENT C

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 720 Humboldt Avenue</i> <i>Based upon preliminary review of information to date, it appears that 720 Humboldt Avenue <u>would not</u> have to provide additional storm water detention volume. However, a final determination will not occur until plans are submitted with a building permit application and reviewed by Village Engineering staff.</i>

ATTACHMENT D

John Robert & Susan Hollender
720 Humboldt Avenue
Winnetka, IL 60093

January 7, 2019

Zoning Board of Appeals
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093

Re: 720 Humboldt Variance- **Amended request based on October 8, 2018 ZBA meeting**

Dear Board Chair and Members,

Based on the discussions and comments made at the October 8th ZBA meeting, we would like to summarize our amended request. You asked us to come back with another option for an alternative plan that would decrease the GFA for the proposed garage addition.

Below are our recommendations following the Oct 8th meeting:

1. As discussed at the October meeting, we received some additional quotes that continue to be estimated in the same range as the one proposed prior. However, we understand the need to decrease the 900 square feet/existing 3 car garage. After deep consideration, we will invest in removing 300 square feet/1 car stall off of the existing garage, leaving us with a 2 car garage.
2. As discussed at the October meeting, we would like to keep the pool equipment room adjacent to the proposed 2 car garage addition. We did decrease the room depth of the room from 9' 3" to 7' 11." We know it is a modest reduction but we omitted as much as we could. On a weekly basis, the pool cleaning service will need access to the equipment room and need to be as close to the driveway to drain the water out of the filter system. We would like thee access to be independent from having to get into our backyard or through the garage where cars are parked. The independent access lessens the chances of damage due to hose leaks, drainage issues, landscape damage and guarantees our family privacy in our backyard.

We appreciate your time and consideration and look forward to the discussions at the upcoming January meeting.

In the meantime, please feel free to contact us if you have any questions.

Best regards,

John Robert and Susan Hollender
Owners of 720 Humboldt

John Robert & Susan Hollender
720 Humboldt Avenue
Winnetka, IL 60093

October 1, 2018

Zoning Board of Appeals
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093

Re: 720 Humboldt Variance **Amended** Request

Dear Board Chair and Members,

Based on the discussions and comments made at the Sept 10th ZBA meeting, we would like to summarize our amended request. You asked us to come back with an alternative plan that would decrease the GFA and setbacks.

Below are the following:

1. We **will not construct** a deck above front covered porch request (~ 300 sq. ft). Instead, to continue with the goal of keeping the architectural integrity, we will replicate the roof details such as the exposed rafters and beams found on the rear enclosed screened in porch as well as the second floor (see attached photos).
2. As suggested by one of the board members, we will push the proposed two car garage to the other side of the turret and **push back** into the existing one car garage (proposed pool storage) by approximately 7 feet. This will result in the proposed pool storage to be reduced from 21.83 feet in depth to the pool storage area to 14.75 feet in depth. This will force us to relocate the existing pool equipment to the angled corner space in proposed 2 car garage.

Lastly, we looked into the options of reducing the existing three car garage. We spoke to our contractors and due to the way it has been constructed (i.e.: built into the side of the hill), it will be cost prohibitive to remove and/or reduce the existing three car garage. Our request is to convert the existing three-car to a two-car garage as proposed in our initial request.

We appreciate your time and consideration and look forward to the discussions at the upcoming October meeting.

In the meantime, please feel free to contact us if you have any questions.

Best regards,

John Robert and Susan Hollender
Owners of 720 Humboldt

Attachment 1 (Roof Rafter Design-2nd floor)



Attachment 2: Back Closed Porch Columns





CASE NO. 18-14-V2

**APPLICATION FOR VARIATION
WINNETKA ZONING BOARD OF APPEALS**

Owner Information:

Name: John Robert and Susan Hollender

Property Address: 720 Humboldt Avenue, Winnetka IL 60093

Home and Work Telephone Number: John Robert Mobile: [REDACTED] Susan Mobile: [REDACTED] Fax

and E-mail: Susan email: [REDACTED] and Robert email: [REDACTED]

Architect Information: Name, Address, Telephone, Fax & E-mail:

Red Architects, Contact: Tom Drapszo, 929 Damen Avenue, Chicago IL 60622, tel: (773) 772-2756, fax: (773)

772-2854

Attorney Information: Name, Address, Telephone, Fax & E-mail:

Date Property Acquired by Owner: June 15, 2018

Nature of Any Restrictions on Property: _____

Explanation of Variation

Requested: (Attach separate sheet
if necessary) Please see attached.

OFFICE USE ONLY

Variation Requested Under Ordinance Section(s): _____

Staff Contact: _____ Date: _____

STANDARDS FOR GRANTING OF ZONING VARIATIONS

Applications must provide evidence and explain in detail the manner wherein the strict application of the provisions of the zoning regulations would result in a clearly demonstrated practical difficulty or particular hardship. In demonstrating the existence of a particular difficulty or a particular hardship, please direct your comments and evidence to each of the following items:

1. The property in question can not yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstance. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.
3. The variation, if granted, will not alter the essential character of the locality.
4. An adequate supply of light and air to the adjacent property will not be impaired.
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

For your convenience, you will find attached examples of general findings, for and against the granting of a variation, which have been made by the Zoning Board of Appeals and Village Council in prior cases.

NOTE: The Zoning Board of Appeals or the Village Council, depending on which body has final jurisdiction, must make a finding that a practical difficulty or a particular hardship exists in order to grant a variation request.

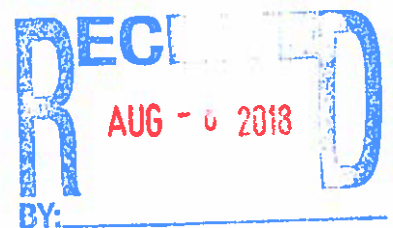
Property Owner's Signature _____

Date: _____

8/8/18

(Proof of Ownership is required)

Variations, if granted, require initiation of construction activity within 12 months of final approval. Consider your ability to commence construction within this 12 month time period to avoid lapse of approvals.



August 6, 2018

John Robert & Susan Hollender
720 Humboldt Avenue
Winnetka, IL 60093



RE: Variance Request

To whom it may concern,

By way of introduction, we are the recent purchasers of 720 Humboldt. Due to the unique topography of the site as well as the original built date in the late 1800's, we are writing to request for a variance change in order to build a new garage. Currently, there is an existing 3 car garage situated on the lowest level of the property which is two levels below the main floor of the home. As you can see from the proposed plans, we would like to build a new garage closer to the kitchen entrance for ease of access and flow and to meet the modern homeowner's need for proximity of the garage to be near the kitchen location.

We are aware of the 4 car maximum garage allowance in the Village. We are proposing the following:

1. Change existing 3 car garage to a 2 car garage.
2. Build a new 2 car garage near the kitchen in which we are requesting for a variance change.
3. Change existing one car garage near the proposed 2 car garage location to be converted into the pool storage room.

We have young kids (3y and 5y) where we will be spending lots of time getting in and out of the car with sports equipment, groceries, etc. The existing entrance from the current garage to the entryway of the home is two full flights of stairs. Those stairs are a falling and slipping hazard to young kids walking and running (even if we tell them not to run...unfortunately) into the house.

The flow of the entrance to the garage is cumbersome and not an efficient layout to access the house from the garage. As we continue to work towards improving and restoring the historic significance of the home, we believe the location of a new garage will significantly improve the structure and layout of the home without taking away from its historic integrity.

Please feel free to contact Robert at [REDACTED] with any questions.

We thank you in advance for your time and consideration.

Best regards,

Robert and Susan Hollender



1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.

Response from 720 Humboldt: the property sits on an irregular topography with various elevations and entrances into the house. The existing 3 car garage is located down the hill which is 2 levels below the kitchen and towards the front of the house versus the rear side where the kitchen is located. With a growing family with two young boys, we know there will be heavy traffic and constant use of the garage. We are requesting for a variance change to build a garage closer to the kitchen area in order to improve and modernize the layout, restore the historical architecture of the home while only improving the overall usefulness and integrity of the home.

2. The plight of the owner is due to unique circumstance. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.

Response from 720 Humboldt: The plight is due to the site's unique topography and the original build in the late 1800's. Most likely there was no garage space when it was originally built. We assume later owners of the property built the 3 car garage in the late 1980's and it worked for their needs at the time. However, we believe that the proposed new garage to be located adjacent to the kitchen area will meet the needs of our current time. It will be built to match the original and existing style of the home.

3. The variation, if granted, will not alter the essential character of the locality.

Response from 720 Humboldt: No, it will not alter the essential character of the locality.

4. An adequate supply of light and air to the adjacent property will not be impaired whatsoever.

Response from 720 Humboldt: The current light and air to the adjacent property will not be impaired whatsoever.

5. The hazard from fire and other damages to the property will not be increased.

Response from 720 Humboldt: There will not be any increase in fire hazard or other damages to the property whatsoever.

6. The taxable value of the land and buildings throughout the Village will not diminish.

Response from 720 Humboldt: The taxable value of the land and/or buildings throughout the Village will not be diminished whatsoever.

7. The congestion in the public street will not increase.

Response from 720 Humboldt: The public street congestion will not increase whatsoever.

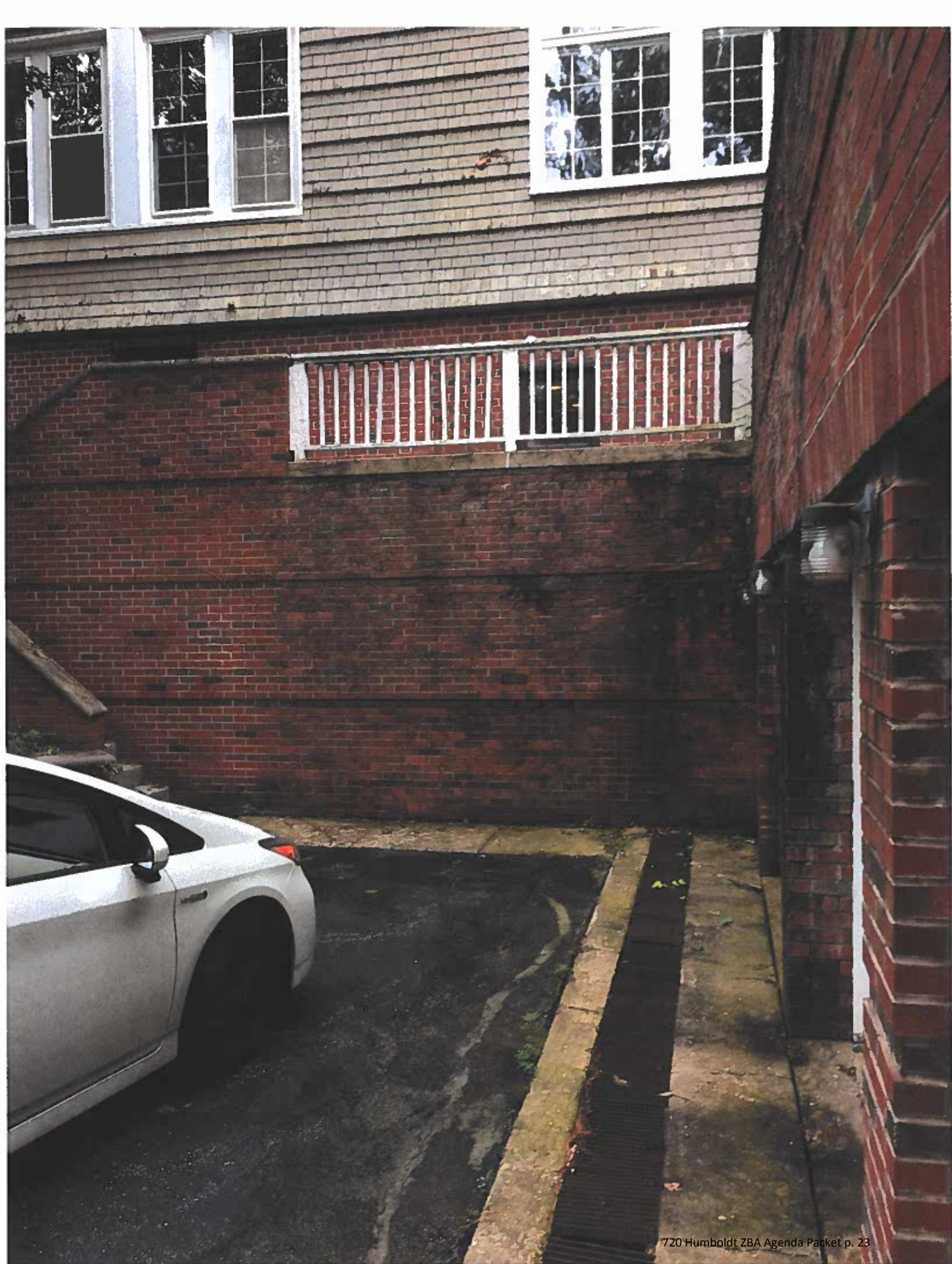
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

Response from 720 Humboldt: The public health, safety, comfort, morals and welfare of the

inhabitants of the Village will not be impaired whatsoever.









NEW FRAME GARAGE WITH ROOF DECK AND FRONT WOOD DECK ADDTION TO EXISTING FRAME BUILDING

NOTES

CODE NOTES:

1. ALL WINDOWS WITHIN 24 INCHES OF THE FLOOR AND WITHIN 12 INCHES OF ANY DOOR ARE TO BE GLAZED WITH TEMPERED GLASS.
2. ALL TUB AND SHOWER ENCLOSURES ARE TO BE GLAZED WITH TEMPERED GLASS.
3. ALL SKYLIGHTS ARE TO BE GLAZED WITH SAFETY TEMPERED GLASS WITH WIRE BURGLAR SCREEN INSIDE.
4. ALL INTERIOR FINISHES TO BE A MINIMUM OF CLASS 1 (0 TO 25 F.S.R.).
5. PROVIDE A HARDWIRED SMOKE DETECTOR WITHIN 15 FEET OF EVERY BEDROOM AND AT THE TOP OF EVERY STAIR AT EACH LEVEL.
6. PROVIDE A HARDWIRED CARBON MONOXIDE DETECTOR WITHIN 40 FEET OF EVERY BEDROOM, AT LEAST ONE ON EACH LEVEL, AND ONE IN THE ROOM CONTAINING THE CENTRAL HEATING UNIT.
7. NO OPEN CUT OF VILLAGE STREETS ALLOWED & NO NEW SANITARY SERVICE.
8. NO CONCENTRATED DISCHARGE OF STORM WATER TO ADJACENT PROPERTIES SHALL BE ALLOWED.
9. PROVIDE FIRESTOPPING AT FOLLOWING LOCATIONS:
 - A) IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING PURRED SPACES, AT THE CEILING AND FLOOR LEVEL.
 - B) AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS AT SOFFITS, DROP CEILINGS, COVE CEILINGS, ETC;
 - C) IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN.
 - D) AT OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS AND FIREPLACES AT CEILING AND FLOOR LEVEL.
 - E) BETWEEN STUDS AT 6'-0" HEIGHT MAX.

LINTEL SCHEDULE:

EXCEPT AS OTHERWISE NOTED, IN OPENINGS IN MASONRY WALLS, PROVIDE STEEL ANGLE FOR EACH 4" OF NOMINAL THICKNESS OF MASONRY IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

ANGLE SIZE	WIDTH OF OPENING
L1 - 3 1/2 x 3 1/2 x 3/8	UP TO 4'-6"
L2 - 1 3/8 x 3 1/2 x 5/8	UP TO 5'-6"
L3 - 1 6/8 x 3 1/2 x 5/8	UP TO 6'-6"
L4 - W 8-21	UP TO 8'-6"

ALL STEEL LINTELS SHALL BE 8" LONGER THAN THE CLEAR OPENING AT EACH END, AND MUST BEAR ON SOLID MASONRY (FILL CORERS OR FROGS WITH NON-SHRINK GROUT). ANGLES MUST BE PLACED WITH THE LONGER LEG VERTICAL UNLESS NOTED OTHERWISE.

MASONRY:

1. MASONRY CONSTRUCTION MUST CONFORM TO ACI 530-95.
2. ALL HOLLOW MASONRY UNITS SHALL BE ASTM C90 NORMAL WEIGHT, TYPE 1.
3. JOINT REINFORCEMENT FOR SINGLE WYTHE WALLS MUST BE DURO-WALL TRUSS TYPE, HOT DIPPED GALVANIZED AFTER FABRICATION. THICKNESS OF SIDE RODS SHALL BE A MINIMUM OF 3/16 INCH THICK; CROSS TIES, A MINIMUM 9 GAUGE THICK.
4. PREFORMED CONTROL JOINTS MUST BE RUBBER MATERIAL ASTM D2240 WIDE FLANGE "RAPID CONTROL JOINT" AS MANUFACTURED BY DURO-WALL.
5. JOINT FILLER MUST BE EXPANDED CLOSED CELL NEOPRENE, WIDTH AND LENGTHS.
6. MORTAR MUST BE TYPE S, 1800psi CONFORMING TO ASTM C476 USING THE PROPORTION METHOD.
7. GROUT MIX MUST ACHIEVE 3,000 PSI AT 28 DAYS. SLUMP MUST BE 7-8 INCHES IN ACCORDANCE WITH ASTM C476.
8. DEFORMED VERTICAL REINFORCING STEEL IN WALLS, WHERE REQUIRED, MUST CONFORM TO ASTM A615, NEW BILLET STEEL GRADE 60, SEE DRAWINGS FOR SIZE AND LOCATIONS.
9. LAY MASONRY UNITS IN RUNNING BOND WITH CONCAVE MORTAR JOINTS. ONE MASONRY JOINT WITH ONE UNIT MASONRY SHALL BE 8 INCHES IN HEIGHT.
10. INSTALL ALL REINFORCING IN WALLS WHERE INDICATED ON DRAWINGS. PLACE CONTROL JOINTS WHERE INDICATED ON DRAWINGS WHERE CONTROL JOINTS ARE NOT INDICATED IN WALLS, SPACING SHALL NOT EXCEED 30 FEET ON CENTER.
11. SET LOOSE LINTELS WHERE INDICATED ON DRAWINGS. AT EACH LINTEL BEARING PLACE MINIMUM TWO COURSES FILLED SOLID WITH GROUT OR SOLID MASONRY UNITS UNDER EACH LINTEL BEARING POINT, UNLESS NOTED OTHERWISE.

CONCRETE AND FOUNDATIONS:

1. ALL CONCRETE WORK MUST CONFORM TO ACI 318, STANDARD BUILDING CODE REQUIREMENTS FOR CONCRETE, LATEST EDITION.
2. CONCRETE MUST HAVE A STRENGTH OF $F'_c = 3,500\text{psi}$ AT 28 DAYS. AT THE DISCRETION OF THE CONTRACTOR, HIGH EARLY STRENGTH CONCRETE MAY BE SUBSTITUTED, IF HIGH EARLY STRENGTH CONCRETE IS USED IT MUST ATTAIN A MINIMUM STRENGTH OF 3,500psi AT 7 DAYS.
3. CONCRETE MUST BE VIBRATED IMMEDIATELY AFTER PLACING. DO NOT USE CHLORIDE ADDITIVES.
4. CONCRETE EXPOSED TO WEATHER OR POURED AGAINST THE GROUND MUST HAVE 6% AIR ENTRAINMENT.
5. FOOTINGS ARE DESIGNED FOR 3000psi SOIL BEARING CAPACITY.
6. MINIMUM COVER OF REINFORCEMENT IN CONCRETE OR CONCRETE CAST AGAINST EARTH MUST BE 3 INCHES. CONCRETE MUST HAVE MINIMUM COVER OF 2 INCHES IN OTHER LOCATIONS, IF NOT SHOWN OTHERWISE.
7. FORMS MAY BE RE-USED AS OFTEN AS PRACTICABLE.
8. DO NOT PLACE CONCRETE UNTIL ALL CONDUITS, PIPING OR OTHER EMBEDMENTS HAVE BEEN PLACED.
9. MECHANICAL PIPING UNDER SLABS MUST BE ENCASED BY A MINIMUM OF 6 INCHES OF CONCRETE.
10. EXPANSION JOINTS, WHERE SHOWN MUST BE FULL DEPTH THICKNESS OF CONCRETE.
11. CONCRETE FLOOR SLABS WILL BE BROOM FINISHED.
12. REINFORCING STEEL SHALL BE NEW BILLET STEEL CONFORMING TO ASTM A615 GRADE 60.
13. WELDED WIRE FABRIC (WWF) MUST CONFORM TO ASTM A185 GRADE 60 OR HIGHER.
14. EXCEPT FOR WWF, REINFORCING MUST NOT BE WELDED.
15. SUBMIT SHOP DRAWINGS FOR ALL REINFORCED CONCRETE WORK FOR REVIEW.
16. ALL PLACING AND DETAILING MUST CONFORM TO ACI MANUAL OF STANDARD PRACTICE FOR REINFORCEMENT.
17. ALL CONCRETE MUST BE TESTED FOR COMPRESSION STRENGTH. STANDARD TEST SPECIMENS MUST BE PREPARED AND TESTED BY AN INDEPENDENT CERTIFIED LABORATORY AND CONFORM TO ASTM C-31 AT NO ADDITIONAL COST TO OWNER. SUBMIT A COPY OF TEST REPORT TO THE OWNER AND THE ARCHITECT.
18. EACH SAMPLING MUST CONSIST OF A MINIMUM OF 2 (TWO) CYLINDERS PER OPERATION, OR WHENEVER A CHANGE OCCURS IN WATER-CEMENT RATIO OR AGGREGATE.

NOTICE TO CONTRACTORS:

1. THE CONTRACT DOCUMENTS FOR THIS PROJECT INCLUDE AN OWNER-CONTRACTOR AGREEMENT (AN EXECUTED WRITTEN PROPOSAL PREPARED BY THE CONTRACTOR DESCRIBING THE WORK) AND THESE DRAWINGS PREPARED BY THE ARCHITECT.
2. THE ARCHITECT IS PROVIDING A "PLANS ONLY" SERVICE. NO OTHER TYPE OF ARCHITECTURAL SERVICE IS INTENDED OR IMPLIED. THESE PLANS ARE ONLY TO BE USED BY COMPETENT CONTRACTORS LICENSED WITHIN THE CITY OF CHICAGO, AND KNOWLEDGEABLE IN THE BUILDING TRADES.
3. THE CONTRACTOR MUST FAMILIARIZE HIMSELF WITH THE PROJECT LOCATION AND EXISTING CONDITIONS. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND WILL BE RESPONSIBLE FOR THEM. DISCREPANCY WITH PLANS & EXISTING CONDITIONS MUST BE REPORTED TO ARCHITECT BEFORE STARTING ANY WORK. NON-COMPLIANCE WITH THE ABOVE CONDITION DISQUALIFIES ANY CLAIMS FOR ADDITIONAL COMPENSATION.
4. THE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT AND THE ARCHITECTURAL DESIGN CONCEPT, INCLUDING THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS, AND TYPES OF STRUCTURAL, MECHANICAL, PLUMBING AND ELECTRICAL SYSTEMS.
5. THE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL THE WORK REQUIRED FOR REALIZATION OF THE SCOPE OR INTENT OF THE PROJECT, NOR ALL THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. BASED ON THE GENERAL SCOPE DESCRIBED IN THESE DRAWINGS, THE

CONTRACTOR WILL FURNISH AND INSTALL ALL THE ITEMS REQUIRED FOR THE PROPER EXECUTION OF THE INTENDED SCOPE OF THIS PROJECT.

6. THE ARCHITECT'S DECISION AS TO WHAT IS INCLUDED IN THE SCOPE AND WHAT IS NOT WILL BE FINAL AND BINDING ON THE CONTRACTOR. 7. BY SUBMITTING A BID OR PRICE PROPOSAL THE CONTRACTOR CONCEDES THAT HE HAS EXAMINED AND UNDERSTANDS ALL THE CONTRACT DOCUMENTS INCLUDING THESE DRAWINGS.

8. THE INTENTION OF CONTRACT DOCUMENTS IS TO PERFORM THE WORK REQUIRED TO ACHIEVE THE FINISHED PROJECT IN A FIRST CLASS MANNER, COMPLYING WITH APPLICABLE TRADE STANDARDS AND GUIDELINES, LOCAL, STATE AND NATIONAL CODES, AND OBSERVING OSHA RULES.

9. THE START OF WORK WILL BE CONSIDERED AFFIRMATION THAT THE CONTRACTOR IS FULLY INFORMED OF THE SCOPE OF WORK AND THE TIME, WORK, MATERIALS, EQUIPMENT, APPLIANCES AND SERVICES NECESSARY TO ACHIEVE THE SCOPE OF WORK.

10. THE CONTRACTOR MUST SUBMIT TO THE OWNER AND COPY TO THE ARCHITECT A CERTIFICATE OF INSURANCE WHICH NAMES THE FOLLOWING AS ADDITIONALLY INSURED FOR THIS PROJECT:

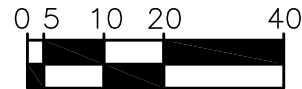
OWNER
ARCHITECT
CITY OF CHICAGO

GENERAL NOTES:

1. CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD.
2. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALE - DO NOT SCALE DRAWINGS.
3. INTERIOR DIMENSIONS ARE TO THE FACE OF A WALL UNLESS NOTED OTHERWISE.
4. EXTERIOR DIMENSIONS ARE TO THE FACE OF MASONRY FOUNDATION WALLS. UPPER FLOORS ARE TO THE FACE OF SHEATHING, OR MASONRY IF USED.
5. EXTERIOR DIMENSIONS OF FRAME WALLS ARE TO FACE OF SHEATHING UNLESS NOTED OTHERWISE.
6. ALL MATERIALS AND EQUIPMENT MUST BE INSTALLED IN COMPLIANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS.
7. CONTRACTOR IS RESPONSIBLE FOR REMOVAL AND PROPER DISPOSAL OF ALL DEBRIS GENERATED BY THE WORK. CLEAN UP IS REQUIRED ON A DAILY BASIS. DISPOSE OF DEBRIS LEGALLY.
8. CONTRACTORS IS TO GUARANTEE ALL THE WORK, MATERIALS AND LABOR IN WRITING FOR A MINIMUM OF ONE (1) YEAR AGAINST ALL DEFECTS OF MATERIALS, EQUIPMENT AND WORKMANSHIP.
9. STRUCTURAL DESIGN CRITERIA:
 - 1. ROOF: SNOW LOAD=30PSF, DEAD LOAD=20PSF, WIND UPLIFT LOAD=30PSF TOTAL LOAD=50PSF AND/OR PORCH
 - 2. STAIRWAY & BALCONY RAILINGS (EXTERIOR & INTERIOR) MUST BE DESIGNED TO RESIST A SIMULTANEOUS VERTICAL AND HORIZONTAL THRUST OF 50PLF AND A 200 PLF LOAD AT ANY LOCATION ALONG THE RAIL
 - 3. PORCH, DECK AND BALCONY LIVE LOAD 100 PSF, DEAD LOAD 10 PSF
 - 4. FLOOR: LIVE LOAD=40PSF, DEAD LOAD=10PSF --- TOTAL LOAD=50PSF.
 - 5. LUMBER: DOUGLAS LARCH No1 or BETTER
 - $F_b=1000\text{psi}$
 - $F_c=625\text{psi}$
 - $F_t=675\text{psi}$
 - $F_e=1450\text{psi}$
 - $F_v=85\text{psi}$
 - $E=1,600,000$
 - 6. SOIL BEARING: MINIMUM 3,000psi, CONCRETE: 3,500psi @ 28 DAYS
 - 7. STEEL REINFORCING ROLL SECTIONS CONFORM TO A572, AND A36
 - 8. ALL MANUFACTURED BEAMS TO BE MICROLAM 1.9 E
 - 9. PARTITION LOAD 5LB PER L.F.

CARPENTRY NOTES:

1. INSTALL DOUBLE JOISTS UNDER ALL PARALLEL PARTITIONS AND UNDER ANY TUB OR WHIRLPOOL.
2. TYPICAL DOOR OR WINDOW HEADER TO BE 2-2X8 UNLESS NOTED OTHERWISE.
3. PROVIDE GALVANIZED SHEET METAL DRIP CAPS AT ALL EXTERIOR DOORS AND WINDOW OPENINGS.
4. INSTALL DOUBLE FRAMING AROUND ALL FLOOR OR ROOF OPENINGS OR AS INDICATED, INCLUDING STAIRS OPENINGS AND ACCESS PANELS.
5. DO NOT CUT OR DRILL THROUGH THE BOTTOM THIRD OF ANY BEAM OR JOIST.
6. AN INSPECTION OF FLOOR JOISTS MUST BE CONDUCTED BEFORE COVERING WITH SHEATHING.



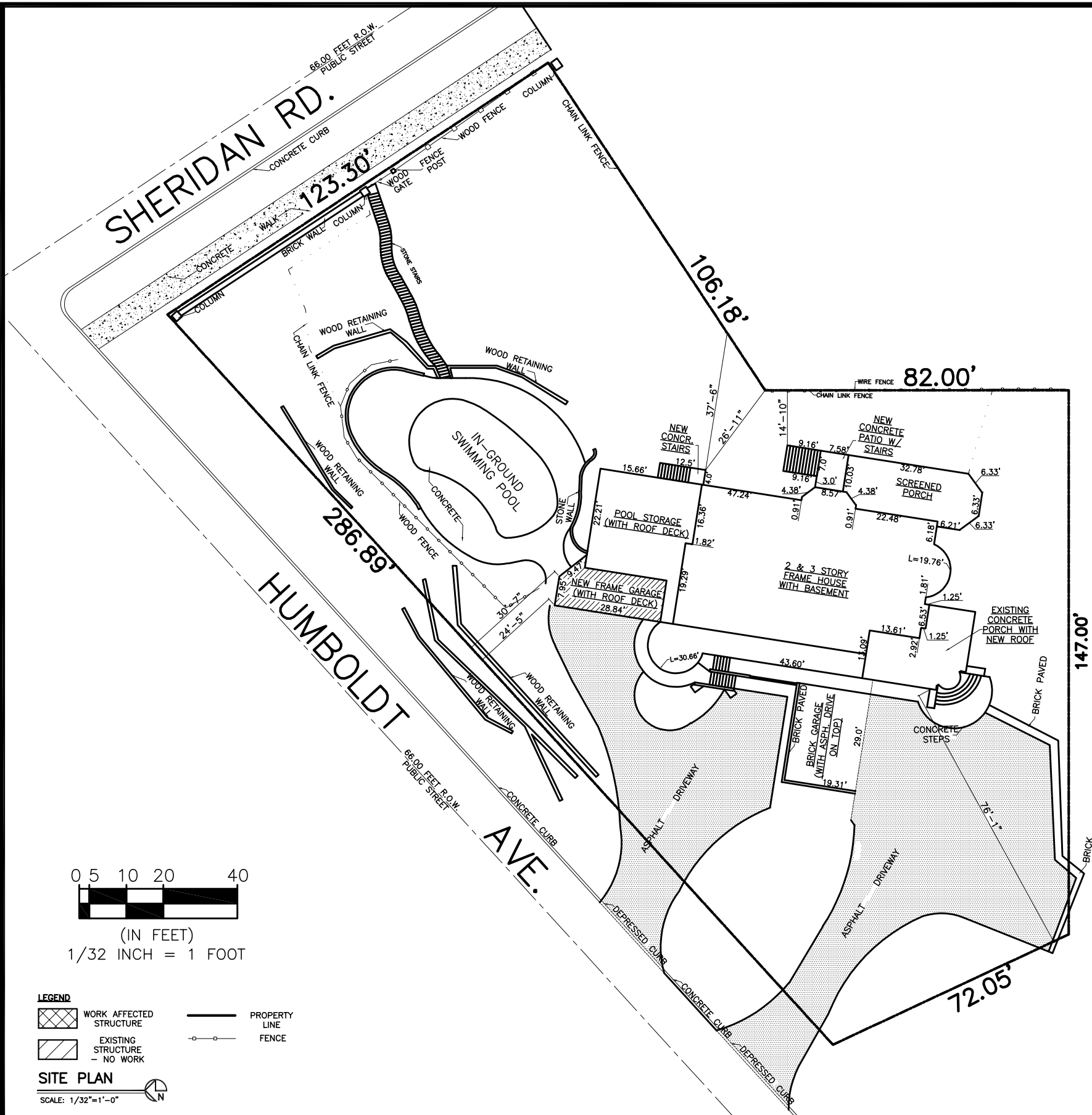
(IN FEET)
1/32 INCH = 1 FOOT

LEGEND

- | | | | |
|--|------------------------------|--|---------------|
| | WORK AFFECTED STRUCTURE | | PROPERTY LINE |
| | EXISTING STRUCTURE - NO WORK | | FENCE |

SITE PLAN

SCALE: 1/32"=1'-0"



NOTES, & SITE PLAN

720 HUMBOLDT ST
WINNETKA, IL

SCOPE OF WORK:

- NEW FRAME GARAGE WITH ROOF DECK AND FRONT WOOD DECK ADDITION TO EXISTING FRAME BUILDING
1. DEMOLISH EXISTING REAR WOOD DECKS
 2. ERECT NEW WOOD FRONT PORCH
 3. ERECT NEW FRAME GARAGE

INDEX OF DRAWINGS:

- | | |
|------|----------------------------|
| T1.0 | NOTES & SITE PLAN |
| D1.0 | EXISTING BASEMENT PLAN |
| D1.1 | EXISTING FIRST FLOOR PLAN |
| D1.2 | EXISTING SECOND FLOOR PLAN |
| D1.3 | EXISTING THIRD FLOOR PLAN |
| D2.0 | EXISTING ELEVATIONS |
| D2.1 | EXISTING ELEVATIONS |
| A1.0 | PROPOSED BASEMENT PLAN |
| A1.1 | PROPOSED FIRST FLOOR PLAN |
| A1.2 | PROPOSED SECOND FLOOR PLAN |
| A1.3 | PROPOSED THIRD FLOOR PLAN |
| A2.0 | PROPOSED ELEVATIONS |
| A2.1 | PROPOSED ELEVATIONS |

CERTIFICATION STATEMENT

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THEY CONFORM TO THE WINNETKA BUILDING CODE.

SIGNED *Frederick Royal* DATE: 01.07.2019
EXPIRATION DATE: 11-30-18

ENERGY CONSERVATION CODE COMPLIANCE STATEMENT

I CERTIFY THAT I AM A REGISTERED ENERGY PROFESSIONAL (REP) I ALSO CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT THE PLANS FOR 720 HUMBOLDT, WINNETKA, IL FULLY COMPLY WITH THE REQUIREMENTS OF CHAPTER 18-13, ENERGY CONSERVATION OF THE MUNICIPAL CODE OF WINNETKA

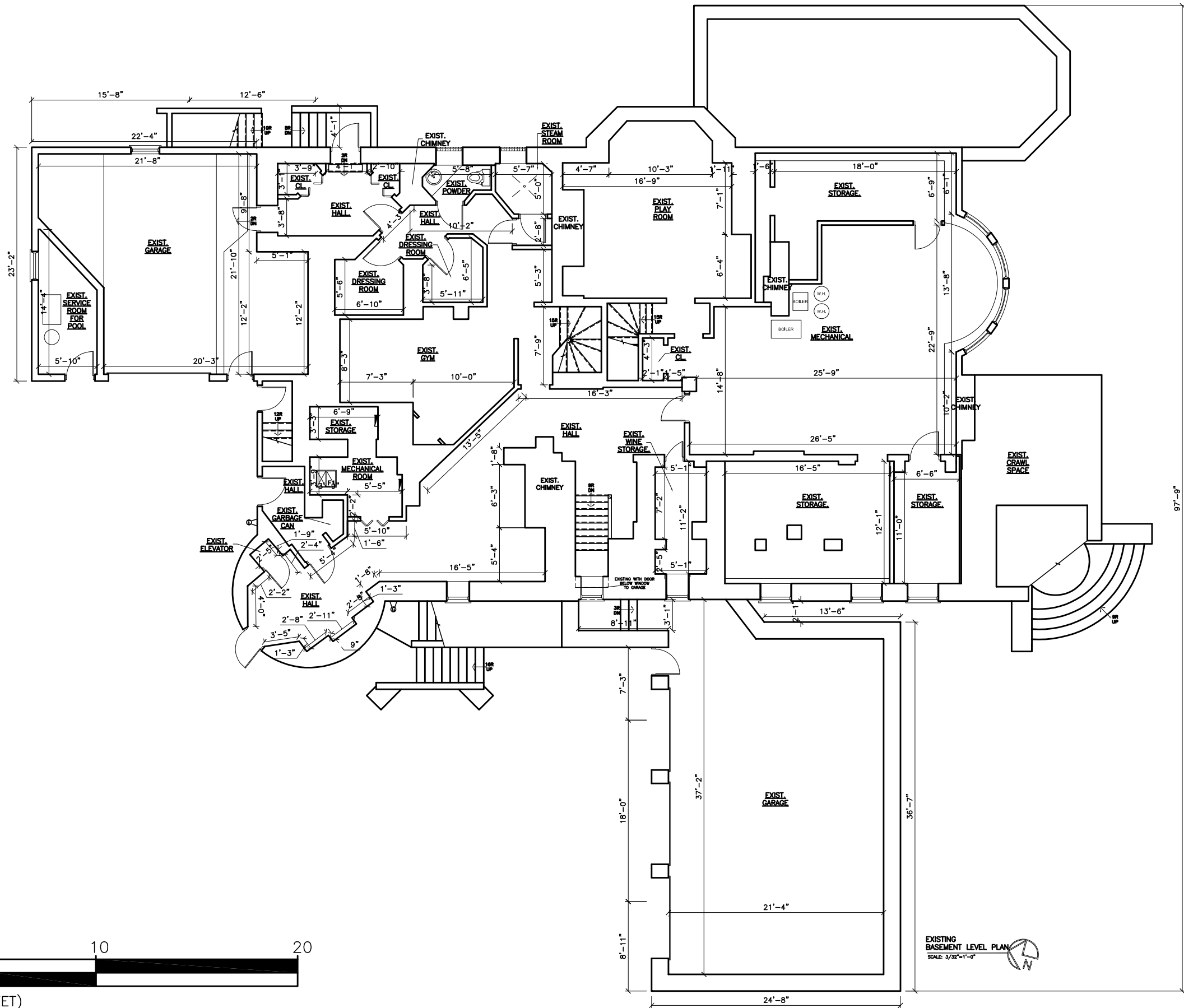
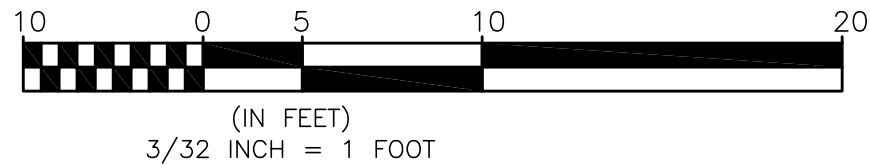
SIGNED *Frederick Royal* DATE: 01.07.2019
EXPIRATION DATE: 11-30-18

2123 N. Damen Ave.
Chicago IL 60647
773 772 2756 office
773 772 2854 fax

ARCHITECTS

ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

REVISIONS:	PROJECT: 720 HUMBOLT	SHEET: T1.0
CHECKED BY:	SCALE: 1/32" = 1'-0"	
F.E.K.	DATE:	
DRAWN BY:	01.07.2019	1 OF 13
IK/JH		



EXISTING
BASEMENT LEVEL PLAN
SCALE: 3/32"=1'-0"

REVISIONS:
CHECKED BY: F.E.K.
DRAWN BY: IK/KH

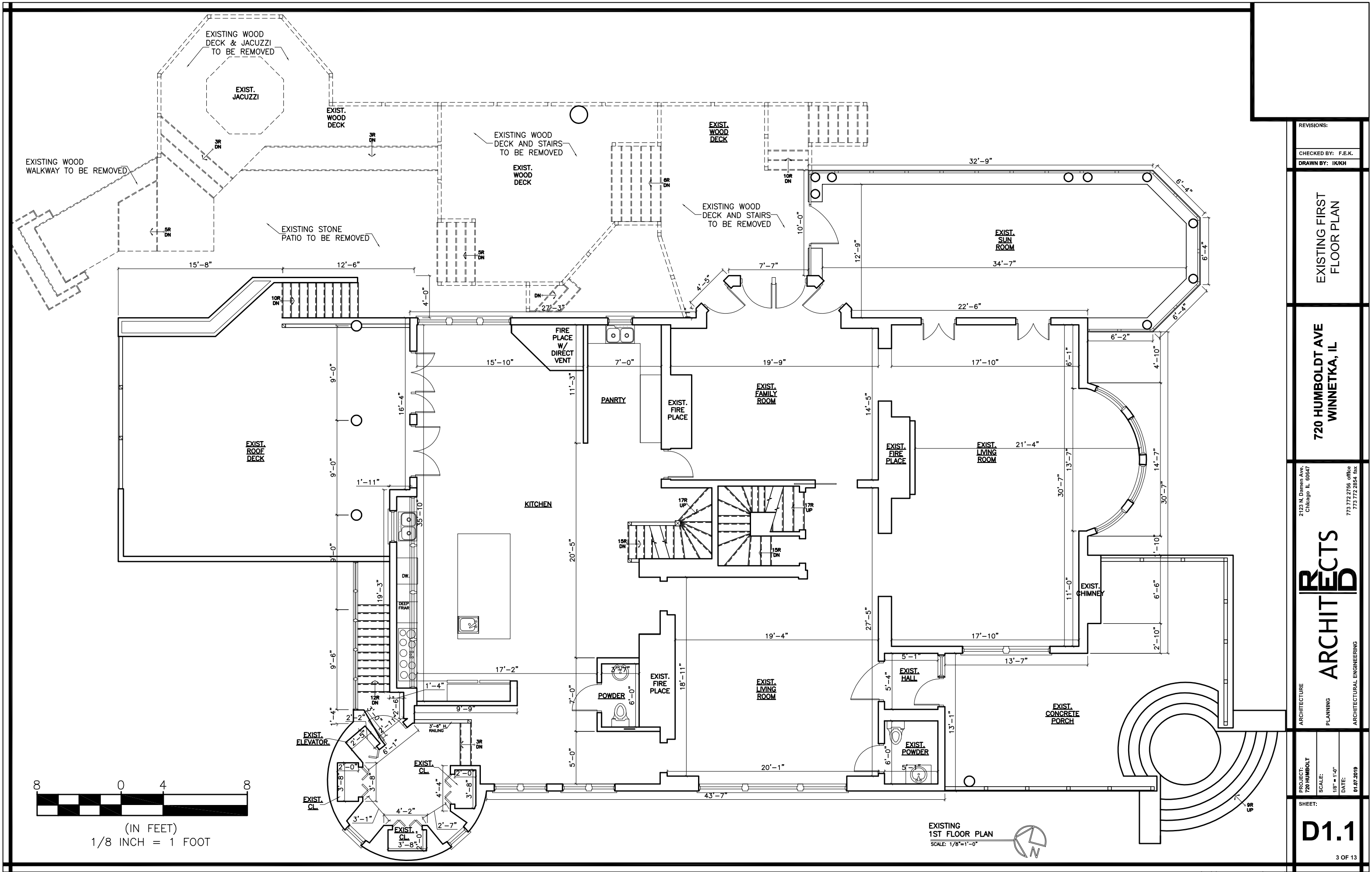
EXISTING
BASEMENT PLAN

720 HUMBOLDT AVE
WINNETKA, IL

2123 N. Damen Ave.
Chicago IL 60647
773.772.2756 office
773.772.2854 fax

ARCHITECTURE
ARCHITECTURAL ENGINEERING
PLANNING
PROJECT:
720 HUMBOLT
SCALE:
3/32" = 1'-0"
DATE:
01.07.2019

SHEET:
D1.0
2 OF 13



REVISIONS:
CHECKED BY: F.E.K.
DRAWN BY: IK/KH

EXISTING FIRST
FLOOR PLAN

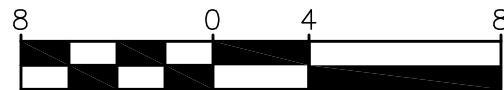
720 HUMBLDT AVE
WINNETKA, IL

2123 N. Damen Ave.
Chicago IL 60647
773.772.2756 office
773.772.2854 fax

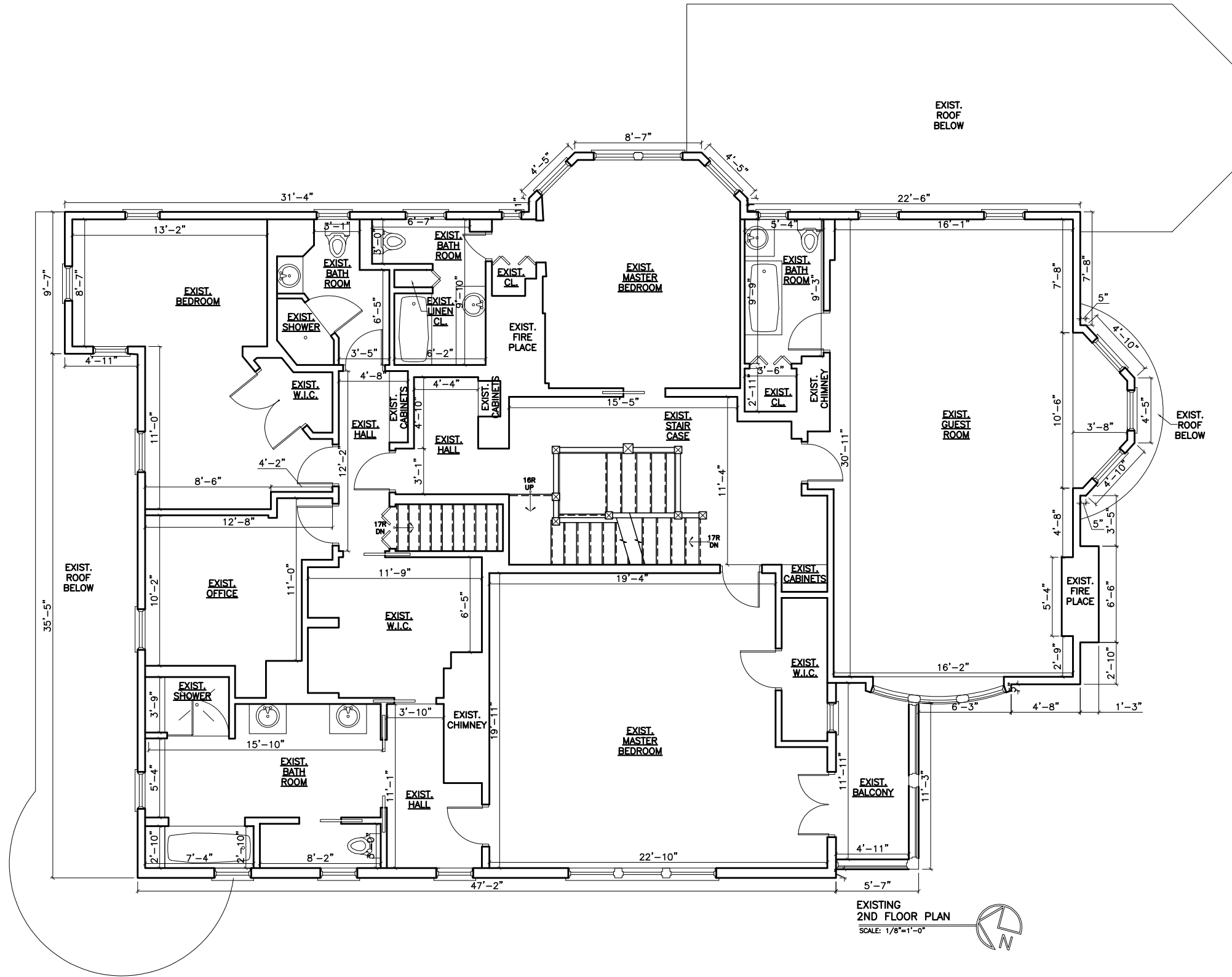
ARCHITECTS
ARCHITECTURAL ENGINEERING

ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

PROJECT: 720 HUMBOLT	SCALE: 1/8" = 1'-0"	DATE: 01.07.2019
SHEET: D1.1 3 OF 13		



(IN FEET)
1/8 INCH = 1 FOOT



EXISTING
2ND FLOOR PLAN
SCALE: 1/8"=1'-0"



REVISIONS:
CHECKED BY: F.E.K.
DRAWN BY: IK/KH

EXISTING SECOND
FLOOR PLAN

720 HUMBOLDT AVE
WINNETKA, IL

2123 N. Damen Ave.
Chicago IL 60647
773.772.2756 office
773.772.2854 fax

ARCHITECTS
RECTS

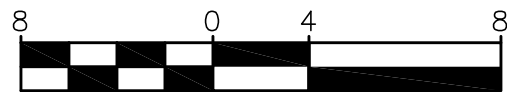
ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

PROJECT:
720 HUMBOLDT
SCALE:
1/8" = 1'-0"
DATE:
01.07.2019

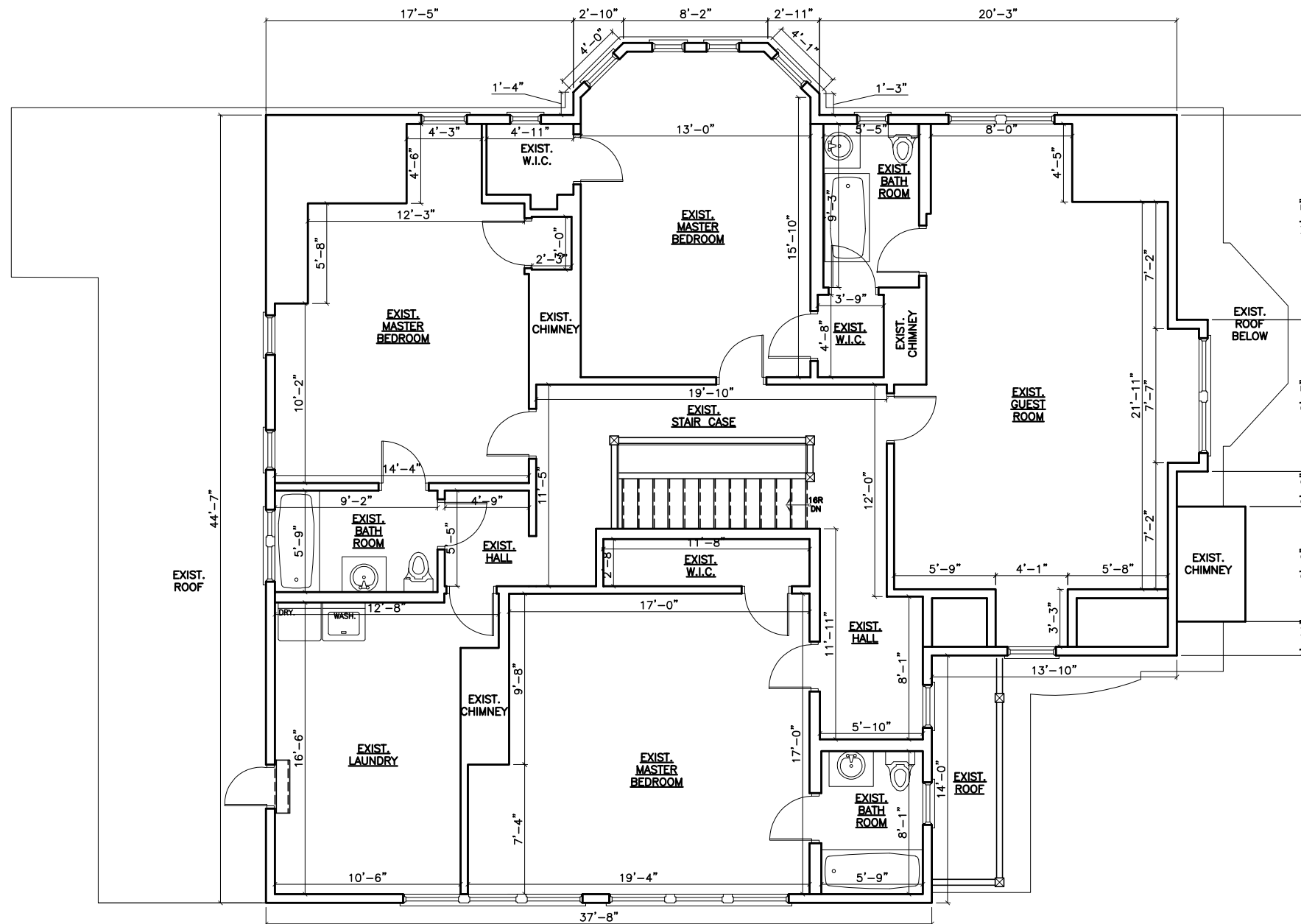
SHEET:

D1.2

4 OF 13



(IN FEET)
1/8 INCH = 1 FOOT



EXISTING
3RD FLOOR PLAN
SCALE: 1/8"=1'-0"



REVISIONS:
CHECKED BY: F.E.K.
DRAWN BY: IK/KH

EXISTING THIRD
FLOOR PLAN

720 HUMBOLDT AVE
WINNETKA, IL

2123 N. Damen Ave.
Chicago IL 60647
773.772.2756 office
773.772.2854 fax

ARCHITECTS
RECTS

ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

PROJECT:
720 HUMBOLDT
SCALE:
1/8" = 1'-0"
DATE:
01.07.2019

SHEET:

D1.3

5 OF 13



EXISTING
WEST ELEVATION
SCALE: 3/32"=1'-0"

T/ RIDGE 44'-1"

CEILING 3RD FLOOR 34'-7"

THIRD FLOOR 26'-2"

SECOND FLOOR 16'-6"

1ST FLOOR LEVEL 5'-11"

GRADE LEVEL 0'-0"

BASEMENT LEVEL -4'-4"



EXISTING
SOUTH ELEVATION
SCALE: 3/32"=1'-0"

T/ RIDGE 44'-1"

CEILING 3RD FLOOR 34'-7"

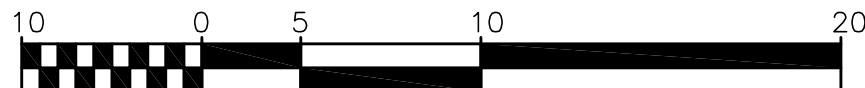
THIRD FLOOR 26'-2"

SECOND FLOOR 16'-6"

1ST FLOOR LEVEL 5'-11"

GRADE LEVEL 0'-0"

BASEMENT LEVEL -4'-4"



(IN FEET)
3/32 INCH = 1 FOOT

REVISIONS:

CHECKED BY: F.E.K.

DRAWN BY: IK/KH

EXISTING
ELEVATIONS

720 HUMBOLDT AVE
WINNETKA, IL

929 N. Damen Ave.
Chicago IL 60622

773.772.2756 office
773.772.2854 fax

ARCHITECTS

ARCHITECTURAL ENGINEERING

ARCHITECTURE
PLANNING

PROJECT:
720 HUMBOLT

SCALE:
3/32" = 1'-0"

DATE:
01.07.2019

SHEET:

D2.0

6 OF 13



T/ RIDGE 44'-1"

CEILING 3RD FLOOR 34'-7"

THIRD FLOOR 26'-2"

SECOND FLOOR 16'-6"

1ST FLOOR LEVEL 5'-11"

GRADE LEVEL 0'-0"

BASEMENT LEVEL -4'-4"

T/ RIDGE 44'-1"



CEILING 3RD FLOOR 34'-7"

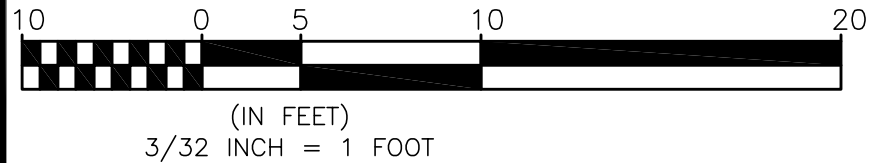
THIRD FLOOR 26'-2"

SECOND FLOOR 16'-6"

1ST FLOOR LEVEL 5'-11"

GRADE LEVEL 0'-0"

BASEMENT LEVEL -4'-4"



REVISIONS:

CHECKED BY: F.E.K.

DRAWN BY: IK/KH

EXISTING
ELEVATIONS

720 HUMBOLDT AVE
WINNETKA, IL

929 N. Damen Ave.
Chicago IL 60622
773.772.2756 office
773.772.2854 fax

ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

ARCHITECTS

PROJECT:
720 HUMBOLT

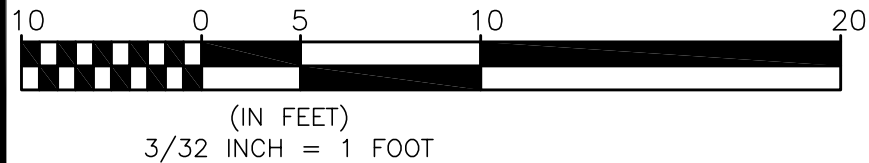
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DATE:
01.07.2019

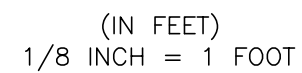
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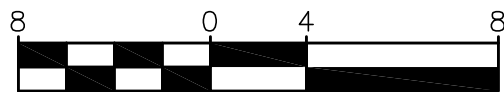
7 OF 13



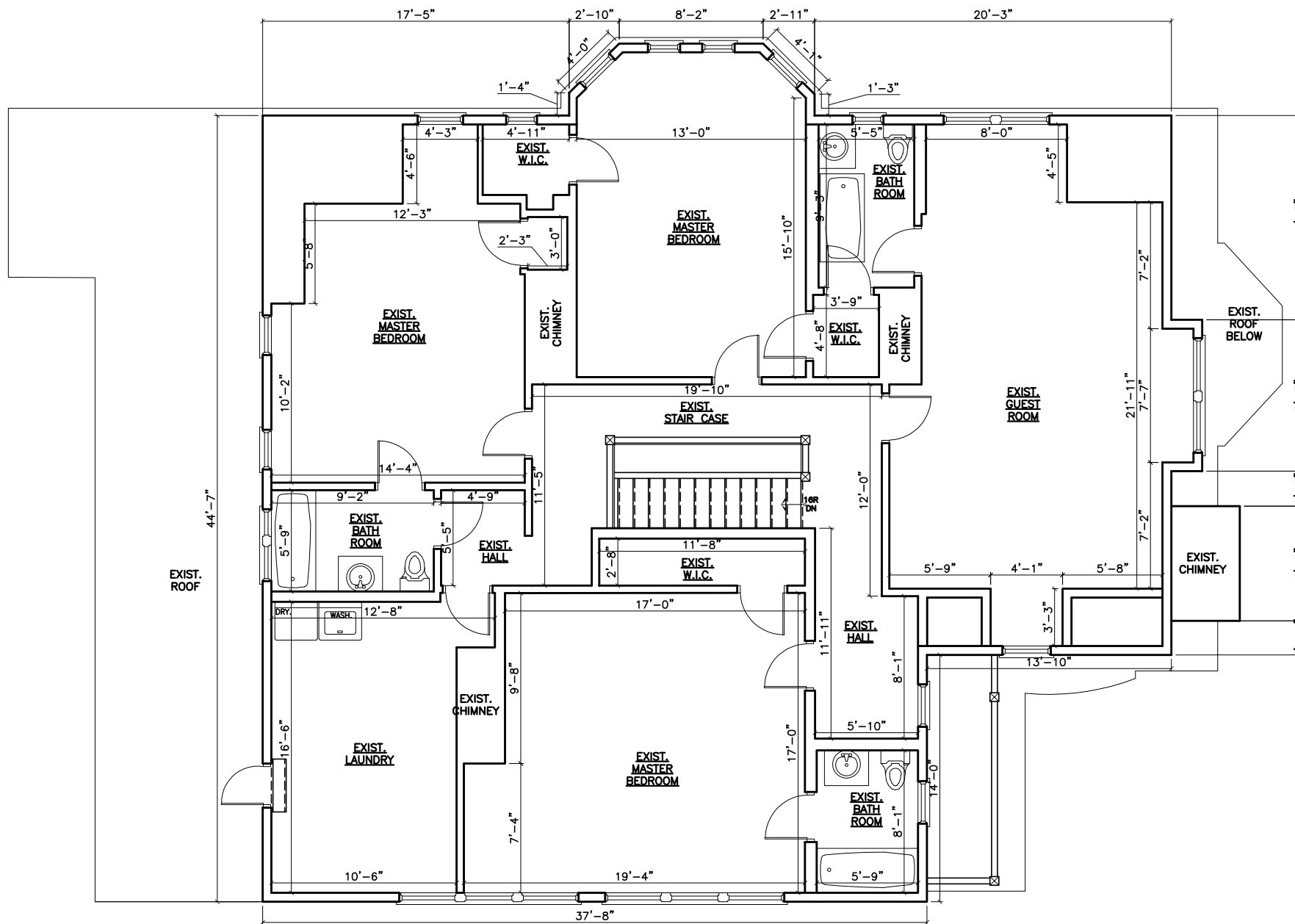
OF 13



10 OF 13



(IN FEET)
1/8 INCH = 1 FOOT



EXISTING
3RD FLOOR PLAN
SCALE: 1/8"=1'-0"



REVISIONS:
CHECKED BY: F.E.K.
DRAWN BY: IK/KH

PROPOSED
THIRD FLOOR PLAN

720 HUMBOLDT AVE
WINNETKA, IL

929 N. Damen Ave.
Chicago IL 60622
773.772.2756 office
773.772.2854 fax

ARCHITECTS

ARCHITECTURAL ENGINEERING

PLANNING

PROJECT:
720 HUMBOLT
SCALE:
1/8" = 1'-0"
DATE:
01.07.2019

SHEET:

A1.3

11 OF 13



PROPOSED
WEST ELEVATION
SCALE: 3/32"=1'-0"

CEILING 3RD FLOOR ● 34'-7"
THIRD FLOOR ● 26'-2"
SECOND FLOOR ● 16'-6"
1ST FLOOR LEVEL ● 5'-11"
GRADE LEVEL ● 0'-0"
BASEMENT LEVEL ● -4'-4"
T/ RIDGE ● 44'-1"



(IN FEET)
3/32 INCH = 1 FOOT



PROPOSED
SOUTH ELEVATION
SCALE: 3/32"=1'-0"

CEILING 3RD FLOOR ● 34'-7"
THIRD FLOOR ● 26'-2"
SECOND FLOOR ● 16'-6"
1ST FLOOR LEVEL ● 5'-11"
GRADE LEVEL ● 0'-0"
BASEMENT LEVEL ● -4'-4"

REVISIONS:

CHECKED BY: F.E.K.

DRAWN BY: IK/KH

PROPOSED
ELEVATIONS

720 HUMBOLDT AVE
WINNETKA, IL

929 N. Damen Ave.
Chicago IL 60622

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ARCHITECTS

ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

PROJECT:
720 HUMBOLT

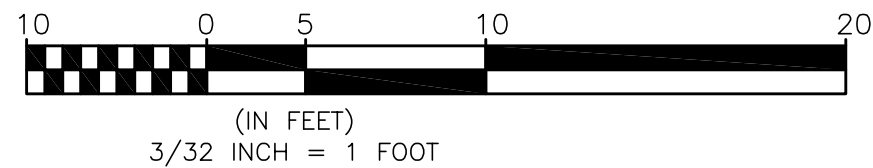
SCALE:
3/32" = 1'-0"

DATE:
01.07.2019

SHEET:

A2.0

12 OF 13



REVISIONS:

CHECKED BY: F.E.K.

DRAWN BY: IK/KH

PROPOSED
ELEVATIONS

720 HUMBOLDT AVE
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ARCHITECTS

ARCHITECTURE
PLANNING
ARCHITECTURAL ENGINEERING

PROJECT:
720 HUMBOLDT

SCALE:
3/32" = 1'-0"

DATE:
01.07.2019

SHEET:

A2.1

13 OF 13

ATTACHMENT E

Minutes adopted 11.12.2018

WINNETKA ZONING BOARD OF APPEALS EXCERPT OF MEETING MINUTES OCTOBER 8, 2018

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

Zoning Board Members Absent: None

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

Case No. 18-14-V2: 720 Humboldt Avenue - Continued from the September 10, 2018 meeting: An application submitted by John Robert and Susan Hollender seeking approval of zoning variations to allow additions to the existing residence at 720 Humboldt Avenue. The requested zoning variations would permit the existing residence: (a) to exceed the maximum permitted building size; (b) to provide less than the minimum required front (corner) yard setback from Humboldt Avenue; and (c) to provide more than the maximum permitted width of 22 feet for a front-facing attached garage and more than maximum permitted width of front-facing garage doors. The Village Council has final jurisdiction on this request.

Ms. Klaassen stated the request is an amendment of the previous application which included a change to the size of the garage addition. She stated the applicants maintain the request for the three car garage and still need a GFA variation, a reduced corner setback variation down to 24.14 feet and variations for the garage door width and the width of the attached garages which would remain the same.

Chairperson Johnson swore in those that would be speaking to this matter.

Mr. Hollender stated they wrote a letter which contained a compromise. He began by stating he thought the top of the covered porch was part of the variation and the neighbor did not like it so they compromised and went with the styling of it and which is better for construction costs to match the home. Mr. Hollender also stated they pushed back the new two car garage 6 or 7 feet to the rear side of the turret and into the pool storage room in a convenient location to the kitchen as suggested at the previous meeting. He also stated they went with the contractor's suggestion in connection with the existing three car garage which is downhill and which would be cost prohibitive to remove any part of that structure since it is built into the hill. Mr. Hollender confirmed they would make the existing structure a two car garage and install a brick wall for storage. He informed the Board he discussed it at length with his contractor and decided it would have been cost prohibitive to remove one stall and fill the hill in.

1 Mr. Bradley asked Mr. Hollender whether the contractor stated the three car garage which is there is
2 providing structural support for the home. Mr. Hollender confirmed the structure is in good shape but
3 the wall needed to be rebuilt which was not built correctly. Mr. Bradley stated they previously spoke
4 with regard to the overall number they were working toward in order to offset and they all agreed in
5 connection with the legitimate need for a garage and the families' access into the home. He then stated
6 in stating after conversations with the contractor that the overage generated by maintaining the three
7 car garage space even if it is used as a two car garage, it would be cost prohibitive to remove 1/3 of the
8 structure in order to minimize the amount of the variance request. Mr. Hollender confirmed that is
9 correct. He reiterated they pushed back the new two car garage.

10
11 Chairperson Johnson stated they are now focusing on the three car garage and the consensus reached
12 at the last meeting was to lop off all or part of it and the applicant agreed to consider that although he
13 had not spoken to anyone then. She then asked how much of it is built into the hill and Mr. Hollender
14 responded all three are built into the hill. He stated the removal cost would take funds away from other
15 aspects of the project.

16
17 Chairperson Johnson asked if there were any photos and Mr. Bradley referred to Figures 9 and 10 in the
18 packet and identified it for the Board. Mr. Hollender referred to even if they were to discuss removing
19 the one furthest from the home. Mr. Bradley asked if the contractor provided an estimate and Mr.
20 Hollender responded it would be \$40,000 to \$50,000 to remove one garage stall. Chairperson Johnson
21 asked what would be the cost of removing the entire garage and Mr. Hollender responded it would cost
22 a lot more and they do want four car parking.

23
24 Mr. Bradley asked if the revised plan contemplated what they would do even if the existing old garage
25 was steady, if the third stall furthest out could be bricked in or otherwise shut out. Mr. Hollender stated
26 that was included in the first plan and included putting in a masonry wall and enclosing the door
27 completely, which would have been the one furthest away from the home.

28
29 Chairperson Johnson asked if there were any other questions.

30
31 Mr. Lane asked with regard to the equipment room, why they need a separate structure for pool
32 storage. Mr. Hollender responded since they are pushing the garage back 6 or 7 feet into the pool
33 storage, it would have to be relocated and although it would be part of the garage, they have to be able
34 to park a vehicle there. Mr. Lane asked how big the pool storage space is in the revised plan and Mr.
35 Hollender responded 14x20 feet or 320 square feet. Mr. Hollender informed the Board there is another
36 door leading to the home and this is the best place to put it or they would have to create a shed. He
37 described this alternative as more appealing.

38
39 Mr. Lane then questioned features of the pool room and asked if that related to the size of the
40 equipment. Mrs. Hollender and Mr. Hollender responded that illustration is not to scale and the room
41 size is 10x4 square feet which resulted in just enough room to open the door as shown in the existing
42 plan. Mr. Lane asked why they could not put that in the room against the inner or outer wall against the
43 garage in the pool storage space. Mr. Hollender stated he and the architect agreed it would be easier
44 work to move it to this location as opposed to removing the existing concrete to move it somewhere
45 else. He stated most importantly, the pool servicer would service the pool from the driveway which
46 drains to the street. Mr. Bradley stated that was not contemplated in the previous drawing. Mr.
47 Hollender stated the existing equipment drained into the driveway and if they are allowed to build a

1 new garage, they want to keep the same system for the pool company to access the equipment as
2 opposed to running it through the garage. He added the main concern was access and ease of use.

3
4 Mr. Greenough referred to page 5 and the bottom drawing which is from the previous application and
5 which showed the pool equipment room in the pool storage room and the only door to it is inside the
6 room and asked if they had to pull a hose through that door. Mr. Hollender responded that is a mistake
7 and it should have been in the triangle space below it. He also stated the triangle space did not have a
8 door as well. Mr. Greenough then asked why the pool equipment room cannot go into the pool storage
9 space. Mr. Hollender stated they do not want to have the pool service people work on the pool with a
10 vehicle in the way. Mr. Greenough asked why the hose could not go out the door on the other side. Mr.
11 Hollender responded it could and would require a much longer hose. He stated while he understood the
12 question, the ideal situation would be for them to access it through the driveway as it is currently. Mr.
13 Hollender added the filter is treated weekly. Mr. Greenough asked if the neighbors are happy. Mr.
14 Hollender and Mrs. Hollender agreed they have worked with the neighbors.

15
16 Chairperson Johnson asked if there are any more questions.

17
18 Mr. Greenough asked how big of a deal would it be to move the pool equipment room into the pool
19 storage room although it would require a longer hose. Mr. Hollender stated they are looking to close the
20 pool so no one could walk into it and secure the pool.

21
22 Mr. Bradley agreed it would make sense for the pool service people to access it through the driveway.
23 He then stated said another way, to justify the need for a 19x14 pool storage room and reduce its size to
24 offset the added square footage gained by having the pool equipment room in the proposed location.
25 Mr. Bradley stated if they were to take the applicants' testimony that it is cost prohibitive to remove the
26 non-essential third wing of the old garage to help the Board get there. Mr. Hollender responded nothing
27 is impossible but the main concern is the cost, ease of access for them and having access from the
28 outside to the pool. He stated the idea is for there to be no access to the pool other than through the
29 home or from the equipment room as well as to avoid any accidents.

30
31 Mr. Greenough asked what would happen if they were to move it and cut into the pool storage and have
32 a door to the pool equipment room facing out which would still allow driveway access. He stated he is
33 suggesting cutting back on the size of the pool storage room by including it in the pool equipment room.
34 Mr. Hollender stated while he understood the suggestion, it related to the potential of having a vehicle
35 in the way and the main concern was to keep the pool equipment room separate so there is no potential
36 damage to vehicles or water on the garage floor as well as to enclose the pool area. He then stated he
37 hoped the 6 or 7 foot pushback was enough of a compromise. Mr. Greenough stated they appreciated
38 the compromise.

39
40 Chairperson Johnson asked if there were any other questions. No additional questions were raised at
41 this time. She then called the matter in for discussion.

42
43 Mr. Bradley stated it is a difficult situation with regard to some of things which were done to the
44 property and the owners wanting a more appropriate garage situated near the home where families are
45 expected to be able to get in and out of the home. The present garage structure which is not in keeping
46 with the character of the home they are trying to restore and which is completely ineffective to normal
47 access in and out of the home. He stated it is a problem since it is creating much of the overage they
48 need to offset. Mr. Bradley also stated the pool room and pool storage is where the Board needed to

1 place a lot of their focus and it did seem unnecessary to have a 19x15 pool storage room for pool toys,
2 particularly if it meant having a variance of 600 square feet over the allotment although most of it is
3 grandfathered in. Mr. Bradley stated it is almost a 4,400 square foot overage with 13,000 square feet
4 already existing. He then stated he is in favor of getting the family a garage which is befitting the home
5 of that kind in that neighborhood but to hear the applicants say they cannot do it from a cost prohibitive
6 standpoint to remedy that non-essential, non-character garage that was added into the hill and are not
7 going to concede on that, the Board would either have to say no to the entire thing or allow for what
8 would be a bad precedent to allow for the overage to be done on the basis of one contractor's quote. He
9 also stated while he understood the desire for a four-car garage, they do not necessarily have to have it.
10 Mr. Bradley stated the variance could not be required if they could rectify the 1986 garage.

11
12 Ms. Klaassen confirmed they would still need a variance since the existing improvements would still
13 exceed the permitted GFA even with the removal of the three car garage.

14
15 Mr. Bradley then stated to put the two car garage where it is now and the pool storage behind it,
16 everyone would be in favor of that application but the challenge is the cost effectiveness.

17
18 Chairperson Johnson reminded the Board they are a recommending body to the Village Council. She
19 asked if there were any other comments.

20
21 Mr. Greable stated he is struggling with a four car garage and amount of space and the applicants
22 cannot find some way to reduce that. He then stated he was surprised to see where they are at with the
23 garage issue which concerned him. Mr. Greable also stated they recognize the historic nature of the
24 home and the applicants' attempt to improve it which takes a lot of planning, effort and money and
25 suggested someone else take a look at it and satisfy what the Board felt is a concern.

26
27 Mr. Naumann stated with regard to the standards and unique circumstances and reasonable return,
28 they have explored alternatives and now have two proposals of 200 square feet. He also stated he
29 understood the needs of the homeowners but he struggled with whether all of the alternatives have
30 been explored. Mr. Bradley stated he appreciated the efforts made on the deck and they are trying to
31 get around the issue of the storage space.

32
33 The Board discussed the amount of square footage in various areas and GFA. Chairperson Johnson asked
34 what the GFA of the three car garage is. Ms. Klaassen responded it is approximately 900 square feet.
35 Chairperson Johnson stated to be clear, the applicants are suggesting reducing it to a two car garage and
36 putting in a wall in the center which would still mean it is the same size of 900 square feet. She asked if
37 there were any other comments.

38
39 Mr. Lane stated the difference between this case and others the Board has seen is they are starting off
40 with an existing variation and because of that, he is struggling with adding to it. He stated the standards
41 are in place to keep them as close as possible and it is for a 40% variation. Mr. Lane then stated with
42 some of the items they previously discussed, he could have gotten there and he is not comfortable with
43 the request as currently proposed. He also referred to the garage location issue and while he
44 understood the need to have a garage which is attached in a convenient location, not all homes in
45 Winnetka have garages which are attached and in a perfect location and the Board has never said it has
46 to be in a certain point or convenient. Mr. Lane then stated a vast majority of people have detached
47 garages and have to deal with the elements and carrying items and the standard is not that you have to
48 have a two car garage where they want to have it. He noted there is already a one car garage where

1 they want it. Mr. Lane reiterated he could have gotten there with the changes they discussed last time
2 and struggled with the requirement to have a two car garage where they want it.

3
4 Mr. Greenough stated in being new to the Board, he listened to the Board Members' comments. He
5 stated he is more sympathetic to the landscaping plight and walking up several flights of stairs. Mr.
6 Greenough then stated with regard to reasonable return that resonated with him that having a more
7 convenient garage in this situation made sense to him. Mr. Greenough then stated if they were to move
8 the pool equipment room into the pool storage area, it would be in the template and would not stick
9 out further into the yard, he would be in favor of that proposal.

10
11 Mr. Naumann stated 900 square feet is the sum total of the 1986 garage and asked if it is fair to say each
12 of those stalls would count for 300 square feet. Ms. Klaassen confirmed that is correct. Mr. Naumann
13 then stated for this current proposal, he did not believe the applicants explored all of the options which
14 would potentially eliminate the third stall in a cost effective way which would buy the 300 square feet
15 from the overage being requested. He stated that would offset what they are proposing to do which is
16 add a garage measuring 335 square feet. Mr. Naumann also stated it would be more in keeping with the
17 spirit of occupants of the home and described the 1986 garage as an abysmal mistake which did not
18 benefit the owners having to walk up exterior steps to get to the home. He described the outside
19 structure as an eyesore and an impediment in terms of what they want to do to the home and there
20 may be options which could reduce the request by 300 square feet and allow for a cleaner look and
21 would be an application he would support.

22
23 Mr. Naumann then questioned what the applicants could come back with which would sway Mr. Bradley
24 one way or another such as another contractor's estimate that it would cost \$50,000 to remove a
25 portion of the garage. Mr. Bradley responded that is not within the Board's purview and reasonable
26 alternatives exist. He then stated if it would cost \$50,000 to \$100,000 to remove 300 square feet from
27 the 1986 garage from a landscaping perspective, it would have to be determined if that is allowable
28 enough for a variance to be requested. Mr. Lane stated there was also testimony the garage was not
29 well built and has water soaking in it and questioned why they are trying to save something which would
30 potentially have to be replaced later.

31
32 Chairperson Johnson stated there may be a consensus the Board would not recommend approval of the
33 request although everyone recognizes having a two car garage would be reasonable but only with a
34 corresponding reduction in the attached three car garage. She stated Mr. Hollender stated the need to
35 have a three car garage and would not consider removing the whole thing. Chairperson Johnson stated
36 the Board can move ahead with a negative recommendation and noted the Board did not engage in cost
37 analysis in determining what is reasonable or not. She then referred to a case on Hawthorn where a
38 variance was allowed for a family room addition. She added that without the variance, the applicant
39 would have been required to lop off the side of the home which would not be reasonable. Chairperson
40 Johnson stated at this point, 900 square feet is a large amount and 25% of what the total overage is. She
41 also stated there was no testimony that it is architecturally important to the home and was done in
42 1986 and did not enhance the home's architecture.

43
44 Mr. Hollender then asked the Board if they could look at the garage addition one more time. Mrs.
45 Hollender stated based on what they are hearing from the Board, they would need to make some
46 serious considerations of the proposed recommended approval for a two car garage on top. She asked
47 for a continuance to ask another contractor to assess the recommendation and compare that to the
48 next proposal and consider if that is a cost they are willing to bear, then to come back to the Board with

1 the three car garage which seemed to be everyone's concern. Mrs. Hollender stated they now have a
2 better understanding of what the Board would like and asked for a continuance for another month.

3
4 Mr. Lane asked the applicants to think about the addition of the pool equipment space and see if they
5 can put that space in the pool storage room while understanding their concern to not have pool service
6 people in the garage. Mr. Greenough confirmed they are asking for it to be in the same space as the
7 pool storage room. Mr. Lane added they would still have to get in the fenced area. Mr. Hollender agreed
8 that would work and their proposal related to ease of service. Mr. Lane stated not for a 47% variation.

9
10 Mr. Hollender then asked if they were to remove 300 square feet from the three car garage if that
11 would put them in a better situation. Chairperson Johnson stated they realize they are converting it to a
12 two car garage even though it would be the size of a three car garage. Mr. Hollender then stated it
13 related to cost to remove it and they did not need the storage space. He reiterated to remove the stall
14 would be a lot of work.

15
16 Mr. Greenough referred to the porch. Chairperson Johnson stated she is fine with that and the pool
17 equipment configuration but is more concerned with the three car garage. Mr. Naumann stated the
18 Board's job is to figure out alternatives in order to minimize the variation being requested.

19
20 Mrs. Hollender then asked if the front porch is ok. The Board Members confirmed that is correct.

21
22 A motion was made by Mr. Naumann and seconded by Mr. Greable to continue the matter to the next
23 meeting. A vote was taken and the motion was unanimously passed.

24
25 AYES: Balassa, Bradley, Greable, Greenough, Johnson, Lane, Naumann

26 NAYS: None

27
28 ***

ATTACHMENT F

Minutes adopted 10.08.2018

WINNETKA ZONING BOARD OF APPEALS EXCERPT OF MEETING MINUTES SEPTEMBER 10, 2018

Zoning Board Members Present:

Joni Johnson, Chairperson
Matthew Bradley
E. Gene Greable
Wally Greenough
Carl Lane
Mark Naumann

Zoning Board Members Absent:

Sarah Balassa

Village Staff:

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

Case No. 18-14-V2: 720 Humboldt Avenue

Ms. Klaassen set up the PowerPoint presentation and began by stating this is an application submitted by John Robert and Susan Hollender seeking approval of zoning variations to allow additions to the existing residence at 720 Humboldt. She stated the variations would permit additions to the existing residence that would provide a GFA of 13,950 square feet, whereas a maximum of 9,347 square feet is permitted, a variation of approximately 4,600 square feet or 49.24%. Ms. Klaassen noted the site currently contains approximately 13,134 square feet of GFA, a corner (front) yard setback of 21.58 feet, whereas a minimum of 35.9 feet is required, a variation of 14.32 feet or 39.89% and front facing garage width of 48.92 feet, whereas a maximum of 22 feet is permitted, a variation of 26.92 feet or 122% and a total of four 9-foot wide garage doors, whereas a maximum of two 9-foot garage doors are permitted.

Chairperson Johnson swore in those that would be speaking to this matter.

Susan Hollender introduced herself to the Board as one of the co-owners of the property along with her husband, John Robert. She began by stating a lot of the square footage is preexisting. Ms. Hollender stated one of the two things they are requesting is to use the front porch which is not covered and cover that and add a two car garage on the upper level of the existing garage. Ms. Hollender informed the Board there are photographs in their presentation which show the unique topography on the bluff and that the home is one of a few 1890's homes left in the Village. She then stated when they purchased the home, she stated their passion is to restore historical homes and it was never their intention to take down the historical home. Ms. Hollender stated they then found a lot of surprises which are the reasons why they are asking for relocations and covered portions to sustain the home.

Ms. Hollender then stated with regard to the enclosed front porch request, she noted the original design of the home had a covered porch. She informed the Board they spent time at the Historical Society to look at photographs and found evidence that it was initially a covered porch. Ms. Hollender stated they discovered and estimated the covered porch was taken off in the 1940's or 1950's and also uncovered major water damage in the basement, the first floor and second level. She then stated in connection with restoration, they spent a lot of time thinking about current lifestyles of families in 2018 and with

1 regard to the integrity of the home when it was built, a lot of different remodeling was done in the
2 1970's and 1980's. Ms. Hollender stated they are now recovering decades of problems which were not
3 done correctly. She indicated while the intentions of the previous owners may have been to do it well,
4 she noted her husband is a general contractor and they found what was lacking was a long term plan to
5 sustain this type of property going forward.
6

7 Ms. Hollender stated with regard to the evidence of the covered porch found from the Historical
8 Society, she referred the Board to an illustration and indicated they are estimating it was in the early
9 1900's when it was covered when the home was originally built.
10

11 Mr. Bradley stated it appeared from the photograph they are looking east. Ms. Hollender confirmed the
12 view is to the south. She then informed the Board they found an old real estate ad from the 1940's and
13 1950's from the Historical Society which is the closest evidence they have that the porch was taken off.
14 Ms. Hollender commented it did not look like the same home and reiterated it has been changed many
15 times. Mr. Hollender informed the Board the second part of the "W" is the addition and they also have a
16 photograph of the other side showing the chimney. Mr. Robert referred the Board to the top of the
17 circle and bay windows which were covered with a screened porch.
18

19 Chairperson Johnson stated she did not see the history of zoning relief in the agenda report. Ms.
20 Klaassen confirmed it is on page 2 and that there have been no other zoning cases requested;
21 only building permits.
22

23 Ms. Hollender then referred the Board to an illustration of the current porch condition. She stated they
24 realize the home would need a lot of TLC and referred the Board to a photograph of water damage on
25 the front porch. Ms. Hollender also referred to the exterior portion of the front porch and the water
26 damage shown on the brick as well as the area under the porch. She noted the steel beam underneath is
27 completely rusted and there has been a slow continuous leak which had not been taken care of for
28 decades. Ms. Hollender also stated you can see the original rebar seeping from underneath the porch.
29 She also identified photographs of short term fixes including steel supported by an extra layer of
30 additional brick. Mr. Hollender informed the Board it was originally the coal room for the home which
31 is why they covered it. He identified the area where they would scoop the coal through and noted the
32 living room is directly above that wall and is now a covered porch.
33

34 Ms. Hollender stated they spent a lot of time with landscapers and taking down vines on the brick to see
35 the water damage. She stated they found the water damage along the brick after taking down all of
36 the vines and landscaping out on the lower floor. Ms. Hollender then referred to a photograph of
37 the continued water damage on the brick and indication of mold and moss on the side of the porch. She
38 also then referred the Board to an illustration of the current layout and the proposal which showed the
39 difference of the current and proposed layout enclosure and the two car garage. Ms. Hollender then
40 asked if there were any questions.
41

42 Mr. Greable referred to the applicant knowing the condition of the home before they bought it. Mr.
43 Hollender confirmed that is correct and stated they fell in love with the home and knew they wanted
44 to restore it. Ms. Hollender also stated in the basement and the other things, you cannot see them with
45 the naked eye. She stated they knew they would have to restore the home from the ground floor and
46 up, they want to fix it for the long term.
47

1 Mr. Bradley thanked the applicants for the context and noted none of that is in the materials the Board
2 reviewed in preparation for the meeting. He also stated the front porch was not mentioned or put
3 forward as a leading reason for seeking a variation. Mr. Bradley also stated because of the damage done
4 to the structure of the home, to do the remodel the way they need to and the home being brought back
5 to its original form. He stated secondly, with regard to the use of the property, it is identified nowhere in
6 the application and indicated he is curious as to where the disconnect was. Ms. Hollender stated she
7 answered the questions quickly and thought this was the time to tell the story.

8
9 Mr. Greable stated he calculated the applicants are asking for 816 additional square feet and he
10 assigned 135 square feet to the porch. Chairperson Johnson stated the Village staff provided that
11 number and that it was not addressed in the letter addressing the eight standards and that she
12 would have asked the applicants to address that before they began. She also stated one of
13 the neighbors implied there would be more usable space on the second floor because of the covered
14 porch and asked if there is a screened porch between that. Mr. Hollender responded they thought it
15 would look nicer to make it a walkout terrace and they are welcoming to not having the terrace. He also
16 commented it would match the bottom level and balance the home out better. Chairperson Johnson
17 stated the 135 square feet did not consider that space.

18
19 Ms. Hollender then stated with regard to the garage variance request, she referred to the unique
20 topography of the property sitting above the bluff. She noted there are two existing garages and two
21 driveways. She also stated on the other side below that is a three car garage which has a lot of water
22 issues. Ms. Hollender informed the Board they have two young children and would like to prepare as the
23 children older the need for more equipment storage and their growing family. She also stated they have
24 older parents and would like to make the garage closer to the kitchen area which is where most garages
25 are located. Ms. Hollender stated they are trying to get as close to the first level versus two flights of
26 stairs to go up to the kitchen. She stated there are challenges to having a home from the late 1980's to
27 balance out the current lifestyles for now and the future.

28
29 Ms. Hollender stated to recap the garages, they would like to build a new two car garage next to the one
30 car garage and convert the one car garage to equipment storage. She also stated there is an in-ground
31 pool from the 1950's where they have squeezed in equipment which caused a lot of the issues prior to
32 closing. Chairperson Johnson asked where they currently stored it. Mr. Hollender responded it is inside
33 the one car garage where there is a little closet. Mr. Bradley asked if that is the space they are marking
34 now for proposed pool storage. Mr. Hollender confirmed they want to put the pool equipment there
35 and use it as an outdoor pool/storage area and to put the new garage in front so it is adjacent to the
36 stairs to the kitchen. He noted that contributes to the GFA variance. Mr. Hollender added there
37 are stairs and doors everywhere as well as a stair which did not match the style of the home which they
38 would eliminate and put the garage there and make it more consistent with the deck.

39
40 Ms. Hollender then stated with regard to the back of the home, she referred to a photograph of
41 a screened in porch going up one flight of stairs to the kitchen which would be eliminated. Mr. Hollender
42 confirmed the stairs will go inside the home leading to the kitchen. He then referred to a photograph of
43 the existing deck with the screened in staircase.

44
45 Chairperson Johnson asked if the turret has the elevator. Ms. Hollender responded it is a dumb waiter
46 and not an elevator which was used due to the two flights of stairs.

1 Mr. Greenough stated he saw only one garage door which appeared to be sized to fit two vehicles. Mr.
2 Hollender responded the pool equipment covered 1/3 of the garage and there may be 15-17 feet left.

3
4 Chairperson Johnson stated the proposed two car garage on the first level looks to be the same width as
5 the current one car garage. Ms. Klaassen referred the Board to Sheet D1.0 on page 20. Chairperson
6 Johnson asked if they could convert that to the same size garage. Mr. Hollender responded not with the
7 pool equipment. Chairperson Johnson then asked if there is any space for the pool equipment behind
8 that. Mr. Hollender noted the garage is not deep enough and there would have to be a major relocation
9 of the pool equipment, filter, pump, etc. and there would be nowhere to put toys, etc.

10
11 Ms. Hollender referred the Board to an illustration of the current condition versus the proposal taking
12 out the screened in staircase which showed the wrapping of the porch as well as the proposed two
13 car garage. She also referred the Board to a photograph of another home showing pillars and
14 architecture which is similar to what they want to do to extend the enclosed porches. Ms. Hollender
15 then asked if there were any other questions.

16
17 Chairperson Johnson asked Village staff, if someone wanted a five car garage, could they just come to
18 the Board for a variation. Ms. Klaassen stated that would be a variation from the permitted uses section
19 of the code. Chairperson Johnson stated she wanted to point out the way the code works is even though
20 the proposed fourth garage bay would not be next to each other they still aggregate them for purposes
21 of the zoning ordinance.

22
23 Mr. Bradley asked if the existing three car garage is not historic to the home. Mr. Lane stated it was built
24 in 1986. Mr. Bradley then stated in terms of the applicants framing their talking points as a restoration
25 project, they intend to keep and maintain that jutting cut-out three car garage and reduce it to a two car
26 garage and maintain it as part of the home. Ms. Hollender confirmed it is there and they could have a
27 detached bonus two car garage on the other side. Mr. Bradley stated their original arguments were
28 made there is a need to restore the front porch were anchored to restoring the character of the home
29 and that it would help maintain the stability of the home going forward. Ms. Hollender also stated it
30 related to the current lifestyle they envision. Mr. Bradley asked Village staff to what extent is the
31 additive of the three car garage GFA from 1986 to the overall total. Mr. Lane estimated it to be 800
32 square feet.

33
34 Mr. Bradley then stated in order to turn it into a two car garage they are not reducing the size but
35 are just making it have two doors for ingress/egress and asked how a three car garage became a two car
36 garage. Mr. Hollender responded there is a brick wall inside and no accessibility for a vehicle. He
37 indicated they can take it off if necessary.

38
39 Chairperson Johnson stated the property is substantially nonconforming and they ask applicants to
40 reduce the nonconformity. She indicated a simple way to do that is give them a garage closer to the
41 living space and take off the three car garage. Chairperson Johnson stated the applicants would have to
42 explain to the Village Council why that is not reasonable. Ms. Klaassen confirmed they would still need a
43 zoning variation because the way the home exists, it is nonconforming. Mr. Lane also stated the covered
44 porch adds to RLC and GFA. Mr. Hollender informed the Board they have three vehicles and two
45 children. Chairperson Johnson stated that is specific to the applicants' family and the Board has to look
46 at the neighborhood and what is reasonable. She also stated there are many three and two car garages
47 and having a very large home did not bootstrap having a four car garage with all these variations.

1 Mr. Lane stated they did not have to get rid of the entire thing but turn the three car garage into a one
2 car garage. He also stated it may be shorter so there would be less GFA and then have the pool room on
3 the backside of it. Mr. Lane then suggested instead of having the entire garage for the pool room, to use
4 the back piece for the pool room and have the garage go out to the curb of the turret where the
5 applicants would be getting a garage up top and taking out 500 square feet. Chairperson Johnson asked
6 Mr. Lane if he is suggesting the existing three car garage becomes a one car garage and Mr. Lane
7 confirmed that is correct and to have a two car garage upstairs. He stated while a three car garage
8 makes sense for the home and the neighborhood, they now have a parking pad on top of the garage and
9 they would not need the parking pad. Mr. Hollender informed the Board they have three vehicles. Mr.
10 Lane stated different people have different preferences and the Board did not provide variations for
11 owners but for properties. He added other owners may not want a four car garage and he understood
12 people buy for their preference.
13

14 Mr. Greenough referred to page 4 of the application and asked what is the use of the triangle space to
15 the left of the garage addition. Mr. Hollender responded it followed the contour of the pool. He also
16 stated there is a fence there and they would be following the line of the fence to privately secure the
17 pool. Mr. Greenough asked if it is empty storage space. Mr. Hollender confirmed that is correct.
18

19 Chairperson Johnson asked when was the three car garage added and referred to the illustration. Mr.
20 Hollender stated they tried to match the existing foundation and brick and when the brick was added to
21 match the existing brick, it was poorly done. He also stated the three car garage is in bad shape and they
22 are suggesting to making it stone instead of brick and continue the limestone up to improve the
23 property further.
24

25 Chairperson Johnson stated it is clear the proposal is to keep the three car garage the same size but with
26 two doors. Mr. Hollender confirmed that is correct with a masonry wall inside so it is not used as a three
27 car garage. He then stated they could lop off that portion if the Board wanted.
28

29 Mr. Greenough stated they understand the topography and the home challenge and thanked the
30 applicants for taking it on. He then stated he is lost as to the second story and asked if there would be
31 a new garage on the old story. Mr. Greenough then stated the pool comes up against the old garage and
32 they could not put the triangle there for storage. He questioned whether the use of the old garage is
33 more efficient or what happens if they lop off a portion and whether they would lose something
34 upstairs. Mr. Hollender confirmed they could lop off the triangle. He reiterated the fence line is there
35 and asphalt. Mr. Hollender also stated there is a patio on top of the old garage.
36

37 Mr. Lane suggested to start the two car garage further south and use some of that pool room space and
38 they would still have pool room space. He stated while that would still not get them below the variation
39 amount, it would be closer and stated it would be negligible. Chairperson Johnson asked if that would
40 improve the corner front yard setback. Mr. Hollender agreed it would help slightly. Ms. Klaassen
41 confirmed it would be improved.
42

43 Chairperson Johnson stated they also discussed the attached three car garage and asked if there were
44 any other questions from the Board. No additional questions were raised by the Board at this time. She
45 then asked if there were any questions from the audience.
46

47 Cindy Lenhardt, 777 Bryant Avenue, read the letter her husband, Benjamin Lenhardt, wrote into the
48 record as follows:

1 "My wife and I live at 777 Bryant Avenue where we have lived for over 38 years. In addition, my wife is
2 the owner of 730 Humboldt Avenue which we rent and which is adjacent to 720 Humboldt. It is because
3 of our strong interest in this case that I write.
4

5 Over the last few weeks I have had conversations with Robert Hollender about his plans for expanding
6 his existing northwest garage facilities and more recently his desire to alter the front entrance with a
7 covered porch and second floor balcony. I have told Robert we do not have objections to his proposed
8 garage alterations which would require several variances. However, my wife and I have major objections
9 to the proposed front porch addition and second floor balcony which would require a variance to
10 increase the maximum permitted building size (gross floor area).
11

12 According to my conversation last week with Ann Klaassen, Senior Planner, Department of Community
13 Development, the property at 720 Humboldt is allowed a gross floor area of 9,347 square feet. The
14 existing floor area is 13,134 square feet which is grandfathered.
15

16 A portion of the proposed front porch addition will add 177 square feet to the gross floor area and
17 requires a variance due to the enclosure on two sides. This covered porch will also extend over the
18 proposed concrete/blue stone porch floor and in so doing will add approximately 197 more square feet
19 of covered porch with one side. This proposal also adds approximately 374 square feet of usable area to
20 the second floor due to the new wood balcony above the first floor porch (see attached proposed
21 second floor plan A1.2). Therefore, this front porch addition will add approximately 748 square feet of
22 covered porch and balcony area to the house. Equally importantly the proposed front porch alters an
23 important historic structure in the Village of Winnetka.
24

25 The house at 720 Humboldt was built circa 1890 by Edward L. Ryerson, a distinguished Chicago
26 businessman. He and his other partners built four large Shingle Style houses on the bluff overlooking
27 Lake Michigan. The original four houses were built on a 16-acre block bounded by Prospect Avenue,
28 Humboldt Avenue, Sheridan Road and Snake Hill and formed a compound that shared interconnected
29 gardens and three tennis courts that were below the bluff along Sheridan Road. This compound was
30 described as "A Lesson from a Chicago suburb where four families planned their places together - each
31 enjoys four times as big a place, without extra cost" in Country life in America on August 1, 1912. Today
32 720 Humboldt and its next-door neighbor, 731 Prospect Avenue, are the only two remaining original
33 houses. 720 Humboldt is an outstanding example of the Shingle Style house built in the late 19th
34 century.
35

36 731 Prospect Avenue was the recipient in 2000 of a Historic Preservation Award from the Winnetka
37 Landmark Preservation Commission. This ceremony highlighted "When is a Shingle Style house a work of
38 art?" Like 731 Prospect 720 Humboldt is a work of art and the original entrance should be preserved and
39 not altered.
40

41 Below is a photo of the current original front entrance. The proposed front porch destroys the integrity
42 of the original architecture as can be seen from attached proposed elevation A2.0. The expansion of the
43 front porch requires a variance from the maximum permitted building size (gross floor area) and my
44 wife and I urge you to deny this variance request."
45

46 Mrs. Lenhardt also stated there were other letters received. Chairperson Johnson confirmed they are in
47 the agenda packet and they appreciated her sharing the historical information. She added you cannot

1 see 731 Prospect from the street. Mrs. Lenhardt informed the Board that property owner wrote the
2 letter.

3
4 Mr. Greenough asked Mrs. Lenhardt with regard to the Historical Society picture of the home which had
5 a covered porch if she is suggesting it be done in that manner. Mrs. Lenhardt noted her husband did the
6 research and he may have missed that. Mr. Greenough asked her if they are objecting to the
7 appearance. Mrs. Lenhardt responded they are objecting to the bulk and the appearance is fine.

8
9 Chairperson Johnson asked if there were any other comments. No additional comments were made by
10 the audience at this time. She then called the matter in for discussion.

11
12 Chairperson Johnson stated the Board would start with the front porch addition and asked Ms. Klaassen
13 if the 177 square feet is included in the addition. Ms. Klaassen responded that part of the existing
14 second floor cantilevers out over a portion of the porch. She stated their calculation excluded that
15 portion because it was already included, so it is a minor difference.

16
17 Mr. Bradley stated given the porch which he assumed related to the GFA discussion, he questioned how
18 they propose to bifurcate that portion of the discussion. He also asked which one of the variation
19 requests that obviates. Mr. Bradley then referred to 9,000 square feet of GFA overage which already
20 exists on the property and it seemed only to be valid to the GFA question. Chairperson Johnson stated
21 they are to focus on the GFA number and if they felt comfortable that the request met the standards.

22
23 Mr. Bradley commented there was a nice presentation about the validity of having a covered front
24 porch. He stated in anchoring that to the effects of whatever, he asked how to apply the standards and
25 there are lots of homes without covered porches and whether to say that is a basis to grant a variation.
26 He indicated he is worried about setting a precedent.

27
28 Mr. Lane stated the home dated to the 1890's and gets water damage. He then stated there are ways to
29 solve those issues without having a porch. Mr. Lane stated he agreed with Mr. Bradley's comments and
30 the water would now gather on top of the porch instead of the concrete. He then stated in connection
31 with what Mr. Bradley did not talk about is what is happening on top of the porch which he described as
32 a walkout area for guests and is not part of the calculations here. Mr. Lane stated there is an added
33 benefit of having it and it is already there as a roof. He indicated his suspicion is it is driving what
34 the request is which is for the porch. Mr. Lane then stated much would be cured in terms of bringing the
35 front porch back into restoration with brick work to ameliorate the rain effects. Mr. Lane also stated
36 letting the porch be there as already adding to the GFA overrun, there are issues with that and what
37 is legitimate as the real issue is having a garage where people have use of it and if the applicants
38 are asking only for a variation for them to go over the GFA amount to put a top onto the porch area,
39 then his vote would be no.

40
41 Chairperson Johnson stated they could put a top on it but no walls. Ms. Klaassen confirmed putting a
42 roof on constitutes additional area for a portion of the porch, even without walls.

43
44 Mr. Lane asked if it would not change if it was just decorative even if they cannot walk out on it. Ms.
45 Klaassen confirmed that is correct. Mr. Lane then referred to making it decorative and in the same
46 design without the ability to walk out on it. He also stated he would be worried about water in better
47 situations and the question is whether they can solve the GFA issue. Mr. Lane then referred to whether
48 he could get past this one and adding the roof line.

1 Mr. Bradley stated he cannot get around the questions and would need to come to have peace of mind
2 with regard to the applicants' inability to realize reasonable return. He then stated the normal standards
3 did not warrant that this home needs to have an enclosed covered front porch and described the 800
4 square feet elephant as the relocation of the garage.

5
6 Chairperson Johnson asked if there were any other questions about the porch.
7

8 Mr. Greable stated in the overall scheme, 135 square feet seemed insignificant to him. He also stated in
9 looking at the overall amounts, they would be going to 13,134 square feet and not 9,000 square feet
10 which long in the past compared to 13,939 square feet. Mr. Greable then suggested they should address
11 the views to the garage calculations.
12

13 Mr. Lane stated his figures are 681 square feet for the garage and 381 square feet for the porch. Ms.
14 Klaassen confirmed 361 square feet is for RLC and he is confusing the GFA and RLC figures. Mr. Bradley
15 confirmed 135 square feet of the 815 square feet is for the porch.
16

17 Mr. Naumann referred to Mr. Lane's point of the strict interpretation of reasonable return and
18 that materiality is considered here. He stated a small piece of it is GFA and they cannot bifurcate it.
19 Chairperson Johnson confirmed they are talking about the whole thing. She then stated to be clear, they
20 are considering the GFA variation, a corner front yard setback, the front facing width of the garage and
21 having a total number of four garage doors which required variances. Chairperson Johnson also stated
22 they have discussed with the applicants the possibility of changing the design for the proposed two car
23 garage and eliminating some of the three car garage and not just putting in a wall.
24

25 Mr. Bradley then stated on the GFA question, while 651 square feet is from the newly added garage, he
26 felt for the owners in this regard. He stated he drove by the property and bringing children and groceries
27 up the stairs must not be an easy task and they cannot reasonably expect a return having the existing
28 three car garage where it is. Mr. Bradley stated it would increase the value and use of the property
29 100% with the applicants to have a modern two car garage on the property in order to make things
30 more in line with the standards for a home of that size. He then stated concessions can be made here to
31 reduce overall impact of the variance request and it is the Board's prerogative to find alternatives or to
32 minimize the disruption so that it is not precedent setting. Mr. Bradley also stated even though they
33 have a pool, there is no standard relating to the size of the pool storage facility and there is an ability to
34 reduce the overall GFA impact keeping the two car garage where it is but setting it back and eating into
35 the space designed for the pool storage which would obviate the pain in connection with standard nos.
36 1 and 2. Mr. Bradley stated with regard to the corner front yard setback, if they pushed the two car
37 garage in a little bit, it would come down 14 or 13 feet which is there which he described as a no
38 brainer. He agreed they need space for the mechanical equipment and pool storage in the home and he
39 would be in favor of that. Mr. Bradley then stated the rest of the question is how to reduce the GFA
40 further in dealing with the existing 1986 three car garage and he appreciated while the applicants want
41 to have a four car garage with two on top and two at the bottom, they would then need to lose the third
42 door. Mr. Bradley concluded that a concession on the part of the applicants to reduce the footprint
43 further by not putting up a masonry wall and lopping it off would allow him to get behind the entire
44 proposal.
45

46 Mr. Naumann asked Ms. Klaassen in working with the applicants, how extensive was the discussion on
47 alternatives to mitigate the variations requested. He then stated being new to the area, they should
48 know what the different options are. Ms. Klaassen responded she informed the applicants it would be

1 highly likely it would come to this type of discussion and they were aware they could have a two car
2 detached garage in the rear quarter which is a conforming option and which would not contribute to
3 GFA. She noted that did not meet their needs with regard to proximity to the kitchen. Mr. Hollender
4 stated it would be easier to do that than to fix what is there now. He described it as being very ugly in
5 the neighborhood and not a good solution. He also stated they would work with the neighbors.

6
7 Chairperson Johnson agreed it would not be reasonable. Mr. Naumann confirmed the applicants looked
8 at that alternative and it was not deemed viable. Chairperson Johnson then referred to lopping off part
9 of the three car garage which did not match the home anyway.

10
11 Mr. Bradley stated judging aesthetics is not the Board's job and agreed it is quite an eyesore now. Mr.
12 Hollender stated they planned to improve it as much as they can. He reiterated they can make it stone
13 veneer instead of brick to match the foundation wall. Chairperson Johnson stated the Board is not to
14 focus on the design. Mr. Hollender added that for garage doors which are only 8 feet wide, they
15 can barely get a vehicle in.

16
17 Chairperson Johnson asked if there were any other questions. Mr. Greenough stated he is not troubled
18 with four front facing garage doors which are invisible from the street and are on a 90 degree angle. He
19 then stated he agreed with Mr. Bradley with regard to the lopping off concession.

20
21 Mr. Lane stated there have been situations where they say to move a garage 1 foot and this is more
22 complex and would not solve their problem. He stated he also agreed with Mr. Bradley and a four car
23 garage is not standard. Mr. Lane also stated while there are not conforming alternatives, there
24 are alternatives which deal with the issues here. He stated at the end of the day, having a two car
25 smaller garage up top is not so much square feet. Mr. Lane also stated they did not need that much
26 space for the pool equipment and cutting off the first floor garage. He then stated they can get there
27 with regard to the porch and 135 square feet is not the biggest issue and that the historical analysis is
28 not an issue. Mr. Lane referred to what is decorative and not a walk-out porch which would be better
29 for him and referred to water going into the gutters. He suggested the applicants come back before the
30 Board.

31
32 Chairperson Johnson emphasized a four car garage is not necessary for what they need for a modern
33 home in the R-2 district as Mr. Lane stated. Chairperson Johnson stated in hearing the Board's
34 comments, the applicants can continue the request to the next hearing date and come back with
35 alternatives speaking to the concerns. Or they could proceed with a negative recommendation to
36 the Village Council and not come back before the Board.

37 Mr. Hollender informed the Board they would alter their plans and make concessions. Ms. Hollender
38 asked what the magic number is and they made a good faith attempt to minimize the amount of
39 variations. She referred to whether it is their job to be a limiter but to minimize the variations and being
40 asked to consider different options.

41
42 Chairperson Johnson stated the mantra is that you do not always get what you want but what you need.
43 She described the home as significantly oversized and they would exacerbate that by having more
44 garage space than they need. Chairperson Johnson stated they all agree there is a need for the garage to
45 be closer to the living space. She then stated with regard to the porch, it is secondary and the way it
46 looks now is not appropriate for such a grand home.

1 Mr. Hollender stated they knew the biggest concern would be walking on top of it and they concede
2 that.

3
4 Chairperson Johnson asked for a motion to continue the request.

5
6 Mr. Greable stated he appreciated the effort they made to work on the historic home and their
7 willingness to put sweat equity and money into the home.

8
9 Chairperson Johnson agreed they all do and understand the challenge.

10
11 Mr. Lane then moved to continue the request to the next meeting date. Chairperson Johnson added or
12 to a further date if the applicants need more time. Mr. Hollender responded they can do it within a
13 month.

14
15 Mr. Lane again moved to continue the request to next month. Mr. Greable seconded the motion. A vote
16 was taken and the motion was unanimously passed.

17
18 AYES: Bradley, Greable, Greenough, Johnson, Lane, Naumann

19 NAYS: None

20
21 ***

ATTACHMENT G

From: [Ann Klaassen](#)
To: [Ann Klaassen](#)
Subject: FW: 720 N. HUMBOLDT
Date: Wednesday, October 03, 2018 8:39:21 AM

From: [REDACTED]
Sent: Tuesday, October 02, 2018 5:54 PM
To: Ann Klaassen
Subject: Fwd: 720 N. HUMBOLDT

Good evening ! He gave me permission and here is his email , thank you and have a good evening , sincerely ,

Robert Hollender
Hollender House, Inc.
[REDACTED]

Sent from my iPhone

Begin forwarded message:

From: Benjamin Lenhardt [REDACTED] >
Date: September 29, 2018 at 4:11:23 PM CDT
To: [REDACTED]
Subject: Re: 720 N. HUMBOLDT

Robert, thank you for sending the photo of the proposed covered porch soffit as well as the drawings for the house. I think you have made some major improvements and commend you and your architects for doing so. If I remember right you have now pushed the garage area back a few feet so that it does not intersect the turret but allows the turret to stand on its own. This is much better than before. Also, I like the parapet wall instead of railing on the front of the garage.

Regarding the porch all looks good and I hope that you plan on having the columns in the same tuscan style of the existing large column. The previous drawings showed this feature but these do not. Please let me know.

Based on these new drawings I told Ann Klaassen to withdraw my letter of September 18 to the Zoning Board of Appeals. Thanks for sharing with me.

Ben

On Sep 28, 2018, at 1:55 PM, [REDACTED] wrote:

Good afternoon, hope you're enjoying your travels. As promised here is a copy of the plans. Please note that these drawings do not show the exact detail that we are planning but it is noted in the notes. I included a picture for the Village and I will send that picture to you separately. Have a good day and thanks again,

Robert Hollender
Hollender House, Inc.



Sent from my iPhone

From: [REDACTED]
To: [Ann Klaassen](#)
Subject: 720 Humboldt
Date: Friday, September 07, 2018 2:58:31 PM

To the Zoning Board of Appeals

I am writing in regard to the zoning requests relating to 720 Humboldt.

This historic home is one of the last survivors of the "great shingle houses" built on the bluff overlooking Sheridan Road.

Even though 720 Humboldt is not a Winnetka local landmark, please treat this iconic home with great care.

Thank You,

Louise Holland

[REDACTED] Oak St.

Winnetka

From: [REDACTED]
To: [Ann Klaassen](#)
Subject: 720 Humboldt Ave. Variance Request
Date: Monday, September 10, 2018 9:20:37 AM

To: Village of Winnetka, Zoning Board of Appeals

Re: 720 Humboldt Avenue, Case No. 18-14-V2

We have discussed the requested zoning variance for 720 Humboldt Ave. with our neighbors, Ben and Cindy Lenhardt, and are in agreement with their objection to the proposed increase in gross floor area. As long term Winnetka residents we have followed with concern the multi year debate over increasing stormwater runoff problems in Winnetka. We believe that allowing increases over Winnetka's gross floor area limitations will only exacerbate that problem. Therefore, we join in the Lenhart's objection to the proposed variance.

We thank you for your consideration of our concerns.

Kevin and Joan Evanich



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: DAVID SCHOON, COMMUNITY DEVELOPMENT DIRECTOR
DATE: JANUARY 8, 2019
SUBJECT: PLANNED DEVELOPMENT REGULATION AMENDMENTS

INTRODUCTION

At the January 14, 2019 Zoning Board of Appeals (ZBA) meeting, Village Staff will facilitate discussion with the ZBA 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 ZBA, Plan Commission, and 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 ZBA's January 14 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 Zoning Board of Appeals 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 ZBA, and then ZBA 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, Zoning Board 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 attached draft 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 ZBA at its January 14 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.

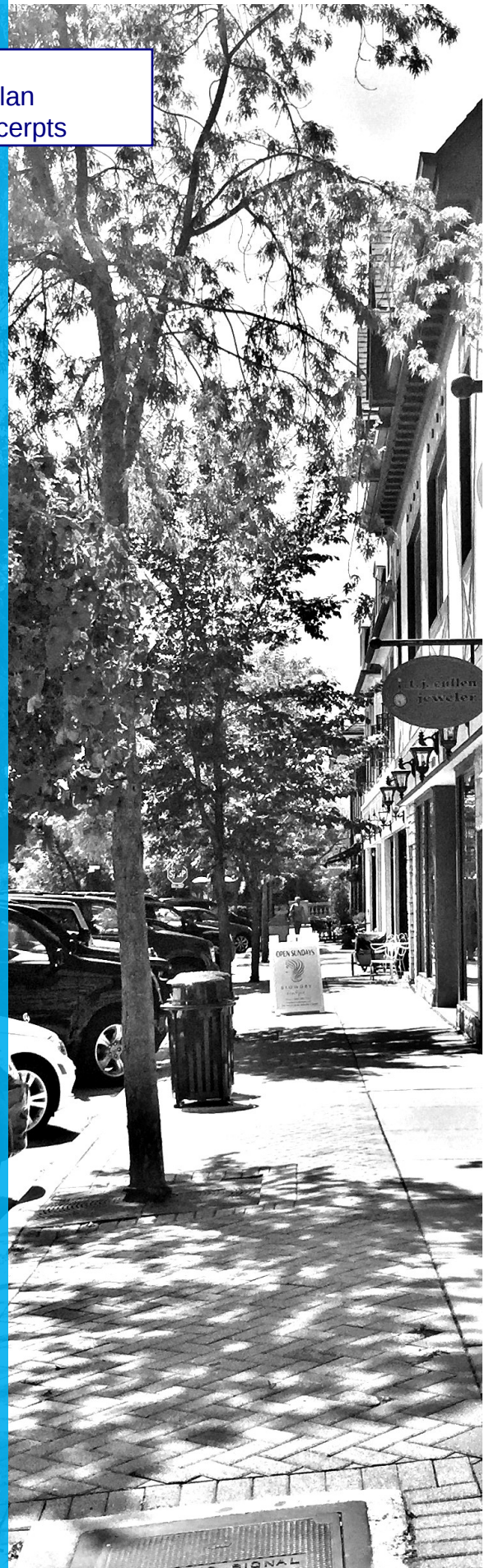
4. Rotating Majorities, Chairpersons, And Vice Chairpersons: The body from which the majority of commission members are drawn, and the body from which the chairperson and vice chairperson are selected, shall alternate every two (2) years. Accordingly, during the first two (2) year terms (in which the 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.

** Listed alphabetically by last name*



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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

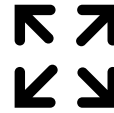
CODE AMENDMENTS

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.