

JFW

AGENDA MEMORANDUM
Village of Barrington, Illinois
Meeting of December 9, 1974 at 8:00 P. M.

1. Call to Order
2. Roll Call
3. APPROVAL OF THE MINUTES OF THE PUBLIC MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BARRINGTON, ILLINOIS, ON NOVEMBER 25, 1974.

Copies of the minutes are attached.

4. CITIZEN'S PETITIONS AND COMMENTS.

Joe Catlow requested to be heard concerning Administrative harassment and his need for a building permit to erect a foundation and relocate or erect a garage.

You will receive a separate Administrative report which the Manager will read into the record.

Simply said, it is our opinion that the Codes contain ample relief from Administrative action through appeal to the Zoning Board of Appeals and the Board should advise Mr. Catlow that he should have proceeded in that direction. No Board action should be taken as the Sign Ordinance, Nuisance Ordinance and Building Code all provide other relief and Board action will set a confusing precedent.

5. REPORTS OF VILLAGE OFFICIALS.

PRESIDENT'S REPORT:

- ✓ a) Noise improvements on North Western trains.
- ✓ b) BACOG Resolution of Cooperation for Grant Program.

MANAGER'S REPORT:

- ✓ a) The Manager will make a brief report on the progress of the Downtown Beautification Committee's work and their timetable as well as giving a timetable for presenting the Village Center Plan. That plan will include Beautification, Removal of the North Western Station, Transportation and Re-development.
- ✓ b) Village employees will work on Saturday, December 21, and we will close the Village Hall on December 24 at 12:30 p.m. Emergency operation will remain. The Police Department will be open as usual.

5. MANAGER'S REPORT (Continued)

- c) Other Administrative Reports are attached.

6. ORDINANCES AND RESOLUTIONS:

- a) AN ORDINANCE ADOPTING SUBDIVISION REGULATIONS, CHAPTER 21.

You have had the proposed subdivision regulation for several weeks. The main impact has been in the area of storm water retention requirements, street classification, the inclusion of environmental ordinances, septic system controls and surveying requirements which are in conformance with the state statute. The impact of passage will have the effect of placing all development requirements in one book, as well as extending our street planning and environmental protection ordinances into the mile and one-half subdivision area around the Village.

- b) CONSIDERATION OF AN ORDINANCE AMENDING THE 1974 COOK COUNTY TAX LEVY IN REGARD TO THE DOWNTOWN SPECIAL TAX DISTRICT.

Copy attached.

- c) CONSIDERATION OF A RESOLUTION APPROVING AMENDMENT TO THE TRUST AGREEMENT FOR THE VILLAGE DEFERRED COMPENSATION PLAN.

These amendments clarify the administrative procedures for the Plan and allow participants to choose the type of investing of funds which they prefer.

- d) CONSIDERATION OF A RESOLUTION APPROVING QUANTITY CHANGES IN THE MFT STREET OVERLAY PROGRAM.

Street overlays for North Cook, East Washington, South Grove, and East Liberty Streets have been completed and final quantities of materials used have been measured. On the unit price contract approval of adjustments are necessary and the engineer in charge recommends that the Resolution be adopted to allow final processing and payment - the total contract is \$2,081 above the engineer's estimate.

7. NEW BUSINESS:

- a) CONSIDERATION OF A RECOMMENDATION OF THE ZONING BOARD OF APPEALS FOR USE OF AN ANTENNA IN A RESIDENTIAL NEIGHBORHOOD.

A copy of the Zoning Board of Appeals Recommendation and finding of facts and stenographic report are attached.

- b) CONSIDERATION OF A REQUEST BY MRS. BERYL IMMENGA FOR AN EXTENSION OF EMPLOYMENT OF 1 YEAR.

The Staff recommends that this extension be approved.

7. NEW BUSINESS (Continued)

- c) CONSIDERATION OF A RECOMMENDATION TO APPOINT MR. CHARLES GRUNNETT LADD AS A DEPUTY MARSHAL.

Mr. Ladd has been a resident of Barrington since 1965 and is employed in the security business.

- d) AWARD OF A CONTRACT FOR ONE (1) MEDICAL INTENSIVE CARE CAB CHASSIS AND BODY.

Sealed bids were received on December 3. Only one bid was received on time. Two bids were late and were returned unopened. The one bid received does not meet specifications, therefore, we recommend that the bid be rejected and that new bids be taken. We've been informed that possible state funds for purchase of the vehicle may be available. While advertising for bids we will make application for a 75% grant.

- e) CONSIDERATION OF A REQUEST BY THE KIWANIS CLUB FOR USE OF VILLAGE SIDEWALKS FOR SOLICITATION.

The Kiwanis Club plans to solicit funds for the Salvation Army by setting up Santa Kettles at A.C.E., Jewel, the bank and the Post Office on the remaining Fridays and Saturdays in December. A vote of the Board is required to grant permission and to waive soliciting fees.

Office of the Village Manager
D. H. Maiben

5(a) Jan. 27 report of downtown beautification
program.

Open Sat 21st. village Hall.

Tree program -

✓ BACOG meeting.

Recommendation of the BACOG.

✓ Completion Date -

A G E N D A
Village of Barrington, Illinois
Adjourned Meeting from December 9, 1974 at 7:45 P.M.

1. Call to Order
2. Roll Call
3. Appointment to Fill the Unexpired Term of the Village Clerk
4. Reports of Village Officials:
 - President's Report:
 - a) President's Report will be Verbal
 - Manager's Report:
 - a) A Brief Report re BACOG Land Use Plan (Mini Plan) in Conjunction of the Board's Consideration of the Plan Commission's Recommendation Concerning the Draper Proposal.
5. Adjournment

Office of the Village Manager
D. H. Maiben

Posted December 16, 1974



Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 SOUTH HOUGH STREET, BARRINGTON, ILLINOIS 60010 312/381-2141

Dec. 16, 1974

The Village Environmental Protection Programs are a significant action on the part of the Village Board to insure that the "quality of life" in Barrington remains both pleasant and healthy. This program takes many forms which do not normally come to the attention of the residents.

The requirement of Environmental Protection Plans for all developers and excavators, the treatment of wastewater, the cleaning of culverts, storm sewers, ditches and creeks, which keep storm water from flooding and infiltrating the sanitary sewers system, are all little seen, but important ways which Village action improves the quality of the environment in the Barrington area.

More obvious practices are working with Citizens for Conservation to coordinate recycling efforts with refuse collection. The acquisition of environmentally sensitive property and flood plains and coordinating those acquisitions with conservation efforts to improve the visual impact of property as well as to protect flood-prone property. Development of wildlife management programs for property on which the Village has placed a conservation status.

.....

If you have read this agenda, would you PLEASE so indicate and drop the agenda in the survey box at the door. Do you have any suggestions for future articles?

Welcome to this meeting of the Barrington Board of Trustees. These meetings offer one of the most direct means of making our public officials aware of opinions and desires of village residents. Such information is vital to the Board members in formulating village policies.

In order to facilitate discussion, the Board requests your comments be made during:

.... INQUIRIES FROM THE AUDIENCE, which has been specifically designated for audience comments and inquiries concerning Board decisions.

.... In the course of the discussion of an agenda item.

To be recognized, please rise and address the President, stating your name and address for the official record.

THIS EVENING'S AGENDA BEGINS ON PAGE TWO. Should you wish to place an item on a future agenda, please contact the Deputy Village Clerk at 206 South Hough Street, 381 - 2141.

<u>President</u>	<u>Trustees</u>	<u>Village Clerk</u>
F. J. Voss	D. R. Capulli E. M. Schwemm	
	P. J. Shultz A. K. Pierson	
	J. Frank Wyatt H. G. Sass, Jr.	
<u>Manager</u>	<u>Attorney</u>	<u>Deputy Clerk</u>
D. H. Maiben	J. William Braithwaite	D. L. Belz



Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 SOUTH HOUGH STREET, BARRINGTON, ILLINOIS 60010 312/381-2141

OFFICE OF:

November 26, 1974

President
Board of Trustees
Village of Barrington
Barrington, Illinois 60010

Gentlemen:

The Barrington Human Relations Commission has, at your direction, undertaken a study of middle-low income housing needs of the Village. We have taken our general charge to be the following: (1) to identify the specific objectives to be served by middle-low income housing: maintain the heterogeneity of housing types, and provide for middle-low income segments of our constituency: (2) to assess the Village's capacity to meet its needs, and the extent to which it will serve BACOG at large, and (3) to review various implementation approaches, along with their legal ramifications.

In the growth environment of the Village, as well as in the BACOG area, and with rapidly rising real estate values, the normal channels of providing housing for our middle-low income population appear to be dwindling. Also, differing objectives in middle-low income housing would lead to a wide range in demand. The resources required to support such objectives could be either excessive or well within our capability to provide. As a consequence, the Commission finds, at this early stage of its study, a need for basic direction and policy guidance from which the study can proceed. The following broad questions highlight the Commission's concern for such guidance.

(1) Is the Village's housing interest to provide for natural demand?

The potential middle-low income recipients of subsidized housing could encompass the following groups: (a) those currently living in the Village who want to continue to live here (primarily the elderly and long time residents); (b) those who work in Barrington (primarily school and Village employees); and (c) those who do not now but would like to live in Barrington. The broad range of resulting possible demand is heavily influenced by Village policy objectives. The view of the Human Relations Commission is that the immediate concern is for the elderly who wish to remain in Barrington.

(2) What is the role of the BACOG area in providing for middle-low income housing needs?

An often-cited comprehensive planning basis is for Barrington to contain the density of the BACOG area. Provision for subsidized middle-low income housing (for groups not now living in Barrington) would require a substantial increase in density. If middle-low income housing is to be provided, the erection of high density developments (in contrast to the use of existing housing) will need review in light of Village objectives and the Village Plan.

The BACOG housing report, approved in principle by the BACOG Executive Board, designates 1000 "moderate" income units by 1990, with 70% to be provided within Barrington. While the number of units required for Barrington is yet to be assessed by the Commission, an indication of direction on the sharing concept is needed.

(3) What is the range of acceptable implementation possibilities, both within and outside of existing zoning and planned unit development ordinances?

In all schemes for providing new middle-low income housing units, high density construction is involved, with the lower the income the higher the density required to maintain builder economics. Since high density and high rise appear to be well beyond Village and BACOG area objectives for land use, the acceptable housing approaches need to be identified.

One of the means prevalent in the past has been termed "trickle down" housing, resulting from aging and deteriorating houses. In the present environment, this process has generally slowed, with substantial upgrading efforts by young marrieds and developers. While the disappearance of such housing as a source for middle-low income housing needs has been bemoaned by urban planners, the Commission does not view this as an altogether bad trend (particularly in contrast to encouraging deterioration of housing).

There also appear to be practical problems with "piggybacking" middle-low income units into newly annexed areas, and in new housing areas. One visible effect, and again contrary to the Village Plan, would be high density in the countryside. Another is the concessions toward high density needed to induce developers to include low priced rentals in the middle of higher priced homes.

(4) What are feasible funding schemes?

While the attention of planners is focused on the "free lunch" of Health, Education and Welfare funds, there appear to be other successful funding schemes in the private sector. We have not explored this area as yet; directions and suggestions are needed.

President
November 26, 1974
Page 3

There is a natural concern about the Federal Government intervention associated with Section 23-type funding. Problems are occurring in other communities with housing authorities relative to quality of housing, residency requirements, and actions by one subsidy group when another has had housing provided. The recently enacted Housing and Community Development Act of 1974 has been aired as imposing additional areas of responsibilities, beyond administering a housing program. A practical review of this Act, and the Illinois statutes on housing authority provisions, will need to be made by legal counsel jointly for the Board and the Commission.

As I feel that the Human Relation Commission should avoid making basic assumptions in policy, budgetary, and zoning areas, your counsel in these areas is necessary.

The Commission has had some access to the Village staff. While the staff has provided some background information, and preliminary analysis, it cannot and should not undertake policy formulation on housing; staff are implementers of policy, not setters. Its role in this regard has been misconstrued in the local press. While efforts of Village staff are appreciated, their role must be kept in perspective.

We look forward to a meeting with the Village Board to discuss these matters.

Very truly yours,



Harold Lipofsky
Chairman, Barrington Human Relations Commission

cc: D. H. Maiben
Members of Barrington Human Relations Commission

Tenney & Bentley

Law Offices

69 West Washington Street Suite 2000
Chicago, Illinois 60602

WILLIAM S. WARFIELD, III
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ROGER R. LEECH
TORGE E. HOWELL
JOHN E. BAKER, JR.
SAMUEL R. LEWIS, JR.
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JERROLD L. SAGER

JAMES T. ROHNER
MICHAEL G. HILBORN
RICHARD J. COCHRAN
MICHAEL J. SMITH
LAWRENCE E. GRELE
PAUL T. LAHTI

HENRY F. TENNEY (1915-1971)
RICHARD BENTLEY (1922-1970)

TELEPHONE CE 6-4787
AREA CODE 312
CABLE ADDRESS: TENBEN

BARRINGTON OFFICE
101 SOUTH HOUGH STREET
BARRINGTON, ILLINOIS 60010
TELEPHONE 381-8818

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEE, VILLAGE OF BARRINGTON
COPIES: VILLAGE MANAGER
VILLAGE CLERK, with original memorandum and document
for reproduction and transmittal to Board.

DATE: December 6, 1974

RE: Downtown Business Special Service District

We are pleased to advise that the Cook County Clerk has agreed to collect the snow removal tax in the tax bills received next year (1974 taxes) as we requested. Lake County agreed to do so without any question. However, Cook County has asked that we revoke the second inclusion of this tax in the general Tax Levy Ordinance and the enclosed abatement ordinance accomplishes this objective.

J. William Braithwaite

JWB:pj
Encl.

JFW

Village Board
Information Memorandum 74-48
December 5, 1974

FOR YOUR INFORMATION

THE STAFF IS IN THE PROCESS OF PUTTING AN APPLICATION FOR THE NEW COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TOGETHER. We have recently been informed that we may opt to go with Cook County or file our own application. It is our opinion that we should file our own application. Going with Cook County will cause two things to happen: 1) we would not receive any funds, and if we did it would be marginal, and 2) we would lose control of the Housing Programs. We are, therefore, applying on the assumption that you will pass a Resolution electing to file a separate application.

ATTACHED IS A COPY OF THE BACOG LAND USE PLAN. (THE NOTORIOUS MINI PLAN). The Staff is making a thorough comparison of this plan with the Village Comprehensive Plan as well as an analysis of the impact of other BACOG Plan Chapters on the Village if this plan is adopted. We hope to have the analysis to you by December 16.

ADMINISTRATIVE ABSTRACTS

THE HOUSE AND SENATE VOTED TO OVERRIDE THE GOVERNOR'S VETO ON THE SALES TAX ADMINISTRATIVE CHARGE BILL SB 265. The charge is to be reduced from .04% of our 1% to .02 of our 1%. This will mean an increase of several thousand dollars to the Village.

YOU SHOULD KNOW

THE BOARD MEETING ORIGINALLY SCHEDULED FOR MIDDLE SCHOOL ON DECEMBER 9, HAS BEEN CHANGED TO VILLAGE HALL. L.F. DRAPER HAS REQUESTED A RESCHEDULING.

Board Meeting

12/23/74. . Regular Meeting . . Village Hall . . 8:00 p.m.

Office of the Village Manager
D. H. Maiben

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: Gene Czarnik Ford, Inc.
600 W. Northwest Highway
Barrington, Ill., 60010

Hearing Date: January 7, 1974

Place of Hearing: Village Board Chambers
206 S. Hough Street, Barrington, Ill., 60010

Time: 7:45 P.M.

Subject: Petition seeking Variance from Ordinance 1186,
Section 9A.203

a) Legal Description:

That part of the South three-quarters of the East half of the North-west quarter (except the West 33.0 feet thereof) of Section 35, Township 43 North Range 9 East of the 3rd P.M., lying Northerly of the Northeasterly right of way line of U. S. Route No. 14, described as follows:

Commencing at a point on the Northeasterly right of way line of U.S. Route No. 14 (recorded by Document No. 779520) that lies 896.22 feet South 55 degrees 17 minutes East (as measured on said right of way line) from the intersection of said right of way line and the East line of Hart Road (recorded as 17th St.), for a point of beginning;

Thence continuing South 55 degrees 17 minutes East along said Northeasterly right of way line, 219.07 feet to a point of curvature in said right of way line;

Thence Southeasterly along said right of way line on a curve to the left having a radius of 4483.75 feet, a chord distance of 306.71 feet;

Thence North 0 degrees 05 minutes East along a line 130.0 feet west of (as measured at right angles thereto) and parallel with the East line of said Northwest quarter, a distance of 557.01 feet;

Thence North 89 degrees 55 minutes West, 438.74 feet;

Thence South 0 degrees 05 minutes West, 267.42 feet to the point of beginning in Cuba Township, Lake County, Illinois.

b) Applicant: Gene Czarnik Ford, Inc.

c) Owner: Ford Leasing Development Company

d) Proposed Use: Existing B-3

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review
December 13, 1974

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: Northwest corner of the intersection of Northwest Highway (U.S. Route #14) and Hough Street.

Hearing Date: January 7, 1975

Place of Hearing: 206 South Hough Street, Barrington Village Hall,
Council Chambers.

Time: 8:00 P. M.

Subject: Petition requesting variance from Village of Barrington Ordinance 931, Article 12, Section 12.04 (35 foot setback requirement on Northwest Highway.

a) Legal Description:

Lots 8 and 9 in Block 11 in Arthur T. McIntosh and Company's Northwest Highway Addition to Barrington, being a subdivision of the Southwest Quarter of the Northwest Quarter of Section 36, Township 43 North, Range 9, east of the third Principle Meridian, also the southeast Quarter of the Northeast Quarter of Section 35, Township 43 North, Range 9, and the Northeast Quarter of the Northeast Quarter (except the east 10 acres thereof) in Section 35, Township 43 North, Range 9 and East 20 acres of the Northwest Quarter of the Northeast Quarter of Section 35, Township 43 North, Range 9 East of the Third Principle Meridian, all in Lake County, Illinois.

- b) Applicant: Atlantic Richfield Company
- c) Owner: Atlantic Richfield Company
- d) Proposed Use: Existing B-3, Special Use

All interested parties are invited to attend and be heard.

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier-Review
December 13, 1974

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: Shell Service Station
106 Northwest Highway
Barrington, Ill., 60010

Hearing Date: January 7, 1974

Place of Hearing: Village Board Chambers, 206 S. Hough St., Barrington, Ill.

Time: 8:15 p.m.

Subject: Petition seeking variance from Ordinance 1186,
Section 9A. 304 and Ordinance 931, Section 11.03

a) Legal Description:

A PART OF LOTS seven (7) and eight (8) in the Subdivision of Lot six (6) in the County Clerk's Division of the West one-half of the Southeast quarter of Section 36, as recorded September 21, 1926, as Document 286705 and a part of the North two hundred ten (210) feet of the South two hundred forty-three (243) feet of that part of Lot five (5) lying West of the West line of the North West Highway as widened, in the County Clerk's Division of the West half of the Southeast quarter of Section 36, all in Township 43 North, Range 9, East of the 3rd P.M., as recorded April 28, 1898, as Document 70831 in Lake County, Illinois.

b) Applicant: Shell Oil Company

c) Owner: Same

d) Proposed Use: Existing Special Use in B-2 District

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review
December 13, 1974

FJW

THE BARRINGTON AREA COUNCIL OF GOVERNMENTS

Executive Board

Village of Tower Lakes: Cyril C. Wagner, Chairman
Village of Deer Park: Robert H. Skamfer, Vice-Chairman
Village of Barrington: Frederick J. Voss
Village of Barrington Hills: John J. McLaughlin, Jr.
Thos. Z. Hayward, Sr., alternate
Village of North Barrington: Russel C. Schulke
Village of South Barrington: Arthur J. Hogfelt

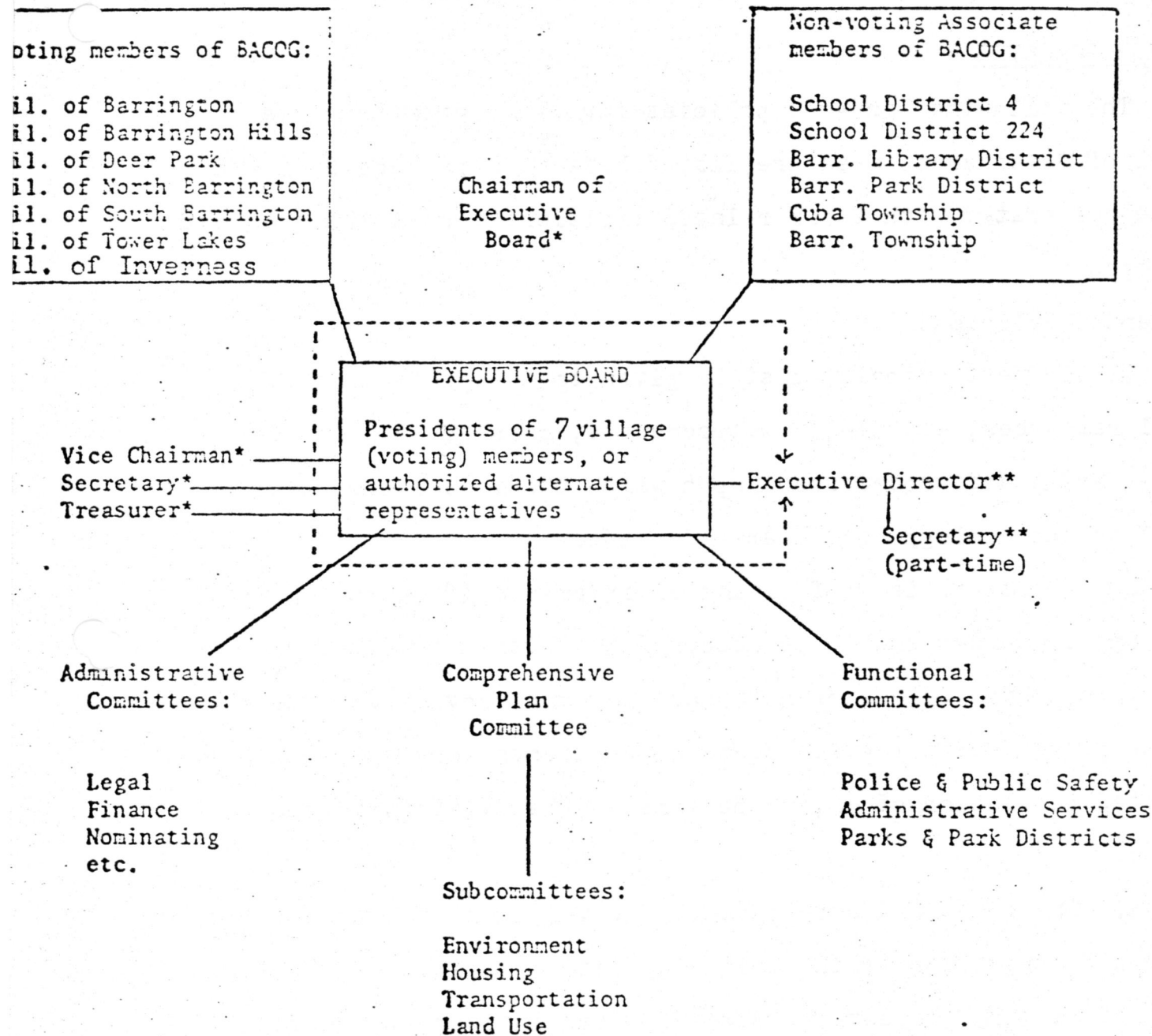
Sally Plunkett, Secretary
Keith Pierson, Treasurer

Associate Members

High School District No. 224
Elementary School District No. 4
Barrington Park District
Barrington Library District
Barrington Township
Cuba Township

Executive Director: Donald Klein

BARRINGTON AREA COUNCIL OF GOVERNMENTS (BACOG)



Non-voting unless also acting as representative of voting member

* Employees (non-voting)

COMPREHENSIVE PLAN
OF
THE BARRINGTON AREA COUNCIL OF GOVERNMENTS

LAND USE POLICIES

The following land-use policies for the Barrington Area Council of Governments area are listed here in a package form and will be reiterated with their related implementation techniques and programs.

Recommended Policies:

1. Highest priority must be given to the protection of natural resources, especially watercourses, marshes, all aquifer recharge areas and wooded areas upon which the visual character as well as the ecology of the area depends.
2. A wide variety of living environments (from rural to urban) and land-uses should be accommodated within the area so as to maintain a high degree of heterogeneity and provide for the day-to-day employment and service needs of residents consistent with a forecasted population of 40,500 persons in the B.A.C.O.G. area by 1990.
3. The scale and arrangement of development in the Barrington area should contribute to the unique qualities (spirit of the Place) which tend to bind the several jurisdictions into one community.
4. Nonresidential development (office and research, industry and commerce) should be planned and encouraged to maintain a balanced tax base similar, and to provide jobs and services for area residents.
5. Residential development of one or more units per acre, and business and industrial land-uses

Should be located only within the potential limits of the Village of Barrington public water and sewerage systems, or at those few locations of limited size outside the village where existing zoning is likely to require public sewerage systems, where adequate access can be provided, and where they will not have an adverse influence on the countryside environment.

6. The remaining and predominant portions of the Barrington area should be preserved for low-density residential development (0.5 units per acre or less), agriculture, and other compatible land-uses which will maintain the countryside character, be consistent with health standards related to septic filter fields, and eliminate the eventual need for undesirable extensions of public sewer and water utilities.

7. Land-use planning should encourage the use of contemporary techniques such as limited "planned unit developments" (even at rural densities) cluster developments and "joint projects" which envision the cooperative planning, design, acquisition, and development of land by more than one governmental unit such as a school district and a park district.

OPEN SPACE SYSTEM

It has been noted in earlier planning studies that "The desired character of the Barrington countryside depends first and foremost upon the system of public and private open spaces which not only protect natural resources, but also the broad uninterrupted vistas which give relief from urban congestion and suburban monotony." The planners also stated that despite the fact that the Barrington area has over 4,000 acres in open space, most of which are contained in

Cook County Forest Preserves, at least as much additional open space should be preserved to achieve area-wide goals. Most of this additional open space should be located in Cuba and Western Elia Townships which do not now contain protected open spaces of any significant size.

As an implementation objective, open spaces should form a natural system woven throughout the Barrington countryside, and highest priority should be placed on protecting natural resource features rather than merely providing recreational potentials. It must be added, however, that other recreational areas should be increased in the Barrington area.

An open space system woven throughout the Barrington area is a concept compatible with the current open space plans of the North-eastern Illinois Planning Commission and the Cook County Forest Preserve District. The Lake County Forest Preserve District has been evaluating its open space objectives and has recognized the need for substantial additions to the Lake County open space inventory. B.A.C.O.G. will continue to work closely with the Lake County Forest Preserve District to achieve area-wide open space objectives.

OPEN SPACE SYSTEM IMPLEMENTATION

It is recommended that the Permanent Land Use Committee, the Environmental Advisory Commission, Citizens for Conservation, and the private Land Bank group work together in liaison with appropriate agency officials to develop and map specific open space systems for the Barrington area, and to develop strategies for its implementation. It is suggested that as a base the system be divided into primary;

secondary and tertiary environmental corridors. The Primary environmental corridors should include among others that which parallels the Fox River itself. Secondary environmental corridors should parallel major tributaries of the Fox River such as Spring Creek and Flint Creek and the East Branch of Poplar Creek. Tertiary corridors would generally follow the smaller tributaries of such creeks. Other primary, secondary and tertiary corridors should be considered for the future.

ADDITIONAL ELEMENTS

Important specific areas are to be included as open space such as the Cuba Marsh north and east of the Village of Barrington among others. There is a possibility that the various owners of eligible land can be encouraged to donate the land as conservancy open space. Efforts in this direction should be supported by B.A.C.O.G. In addition, Grassy Lake in North Barrington and open spaces along the east and west banks of the Fox River north of Kelsey Road should be preserved. The joint committee for a Barrington open space system should also work to encourage the compatible open space uses such as golf courses, cemeteries, nurseries and farms of various types. Sanitary land fill sites, such as the South Barrington site on Mundhark Road could be turned into multi use recreational areas when the land fill operation is terminated. In addition, innovative concepts related to the recreational development of depleted quarry sites should be explored.

OPEN SPACE ACQUISITION

Although it appears that the Barrington area already has substantial open space, much of this land which is vacant or agricultural is subject to change. The land is neither zoned nor dedicated as open space. Figures from the Lake County Regional Planning Commission reflect that indeed, except for the Village

of Barrington, the B.A.C.O.G. area is very rural. The rural area of the B.A.C.O.G. region is open to development. There have been estimates that under the present zoning, the maximum holding capacity of the Barrington area is approximately 67,000 persons.

Earton-Aschman Associates emphasized in the Policies study that "Open space in large quantities can only be set aside through the acquisition of land, easements or development rights, the latter two being more appropriate to farmland and existing developed areas."

It is the policy of B.A.C.O.G. that:

1. The present working relationship between B.A.C.O.G. and the State of Illinois and the Lake and Cook County Forest Preserve Districts be continued and strengthened to encourage additional land acquisition in the Barrington area.
2. Regional groups, such as the Citizens for Conservation and the Land Bank group, be supported in their efforts to acquire land and secure easements or development rights. After an open space system has been developed and mapped by the joint committee on Open Space, determinations should be made regarding a regional state or local emphasis in terms of particular parcel acquisition and management.
The joint committee should initiate and monitor the acquisition process.
3. That B.A.C.O.G. study the objective of park district cohesion for all member villages and unincorporated lands within the Barrington area. The purpose of this study would be oriented as much toward conservation as toward public recreation.

RECREATIONAL LAND

The land use committee in its recommendations viewed open space as being of two basic types, multi use recreational and ecological or conservation.

Multi use recreational land implies liberal access by the public to playgrounds, picnic facilities, tennis courts and ball fields and or swimming pools (all of these not necessarily on every site). This type of open space should not be averaged over the B.A.C.C. area, but should be distributed in all areas proportional to the need (population). As a rule of thumb, population could determine not only how much land, but what type of recreation programs are needed. There are planning formulas in use which designate the amount of open space needed per population count. Future park sites should be so designated on official village maps and zoned under the proper conservancy district.

Until the park district study is completed, it is recommended that each member village or park district designate the type, location and amount of multi use recreational land by current and projected needs. All developments, including in certain instances industrial and office research sites should meet the recreational and other open space guidelines that will be established by member villages as part of the Barrington area open space system.

CLUSTER SITES

Whenever possible, school and park sites and other appropriate institutional uses should be clustered to achieve economies of scale in terms of land acquisition, utilities, building and parking lot utilization and the environmental advantages of larger sites. To achieve this objective, it is recommended that the liaison between existing school and park districts be strengthened in the areas of site selection and planning.

LAND USE POLICIES - IMPLEMENTATION

In addition to the designation, acquisition and management of a Barrington Area open space system, land use programs in the B.A.C.O.G. region must provide tools to implement the basic land use policies recommended by Barton-Aschman. Each policy is stated and then followed by recommended implementation land use techniques as follows:

1. Protection of Natural Resources

"Highest priority must be given to the protection of natural resources especially watercourses, marshes, all aquifer recharge areas and wooded areas upon which the visual character as well as the ecology of the area depends."

It is recommended that uniform Flood Plain Ordinances be adopted as soon as possible by each member village based on the purposes set forth in the ordinance.

CONSERVANCY DISTRICTS

To protect the Barrington area's natural resources two new general zoning classifications related to primary zoning should be adopted by each member Village. The new classifications are

"Conservancy Use District" and Agricultural District". Zoning for conservancy districts which is found in various parts of the country, and as close as Walworth County, Wisconsin, has proved to be an effective tool in protecting woodlands, watercourses and marshes as well as promoting the improvement of certain environmental lands. The following paragraphs provide a summary of the three specific conservancy district zoning classifications. The agricultural classifications are now under consideration. It should be remembered that both Conservancy districts and Agricultural Districts are primary zoning classifications. The official map of each village should be amended to accommodate these districts. Soil mapping for the entire Barrington area has now been accomplished. Copies of soil map overlays for each village will be provided in the future.

Lowland Conservancy District

This classification would prohibit development on wetlands, restricted soils, stream beds, and adjacent lands, marshlands and swamps. There is no minimum lot size listed since no development is permitted.

Marshes and lowlands (which are often flood plains or near them) are often aquifer recharge or discharge (purifying water in the ground water table before releasing it into a body of water) sites. These areas are vital aspects of the Barrington area ecosystem.

Permitted uses under the Lowland Conservancy District Classification would include parks, recreation, existing agriculture, and forestry. The lowlands in this classification have serious restrictions for urbanization and septic fields.

UPLAND CONSERVANCY DISTRICT

This classification seeks to protect wooded uplands of environmental corridors including woodlots, steep scenic lands, and major watersheds. In addition it would guide higher density urbanization to those urban areas appropriate for such development.

Upland conservancy districts play an important part in watershed and aquifer protection by keeping the soils and water in place. They also protect land which might otherwise be exposed from erosion.

Minimum single family residential lot size is 5 acres and permitted uses include forestry, wildlife management, parks and very low density residential.

Conservancy Restoration District

This classification allows a 5 acre minimum lot size and the same permitted uses as the Upland conservancy district.

Marginal farmlands and environmental lands, presently in a state of misuse, idleness or overuse can be restored and protected and become viable secondary environmental corridors.

A by-product of restricting potential development of certain types of lands by conservancy district zoning might be a change in the tax assessment procedure related to such lands. Hopefully such designated lands would be assessed at appropriate rates based on the new zoning classification rather than as currently assessed on development potential. The 40 acre minimum special farm agriculture assessment bill recently enacted by the State legislature is a step in this direction.

LAND USE REGULATION ORDINANCE

A sample Land Use Regulation Ordinance, presented to each BACOG member Village, is a supplement to the primary zoning of each member village. It does not alter the primary zoning classifications as they appear on the official map (as is the case with conservancy districts and agricultural districts). The Ordinance is intended to further the appropriate use and conservation of land and water resources, to protect the health of all residents and to guide development where it can best be accommodated and serviced.

The Land Use Regulation Ordinance was prepared after months of legal research by a team at the Kent College of law working with the Land Use committee and the Soil and Water Conservation District, U. S. Department of Agriculture. The soil map overlays pertaining to the Barrington area which will be provided to each member village will be similar to those used as a guide to Conservancy District and Agricultural zoning. However, the mapping will be done specifically as technical support to and an integral part of the ordinance. This soil mapping will be based for the most part on the work and research already accomplished by the Lake County Regional Planning Commission and included in the document - Barrington Area Natural Resources. Additional research and map coordination has been accomplished by the Soil and Water Conservation District, U. S. Department of Agriculture.

//

RESTRICTIONS

The Land Use Ordinance restricts certain development features such as on site sub-surface waste disposal, sewage lagoons and land fills, permanent foundations, streets and roads and utilities in the following soil types: organic soils, wet soils, clayey soils, steep soils, sandy soils and certain specific other soils. Development is not prohibited per se from restrictive soils, rather the best technological and soil science management is required in the areas specified. All of this is in addition to the requirement that the areas conform to the primary zoning classifications.

LAND USE MAP

The land use map on the following page is adopted as the B.A.C.O.G. Comprehensive Land Use Plan for unincorporated territory in the B.A.C.O.G. area. It is recommended that the comprehensive plans of member villages be reviewed to substantially conform to this B.A.C.O.G. map. This B.A.C.O.G. land use map incorporates the principles set forth in this comprehensive plan except that future revisions will be required to incorporate Conservancy and Agricultural Districts. Map revisions are to be reviewed periodically and presented for modification of the existing exhibit.

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: 650 Grove Avenue
Barrington, Ill., 60010

Hearing Date: January 7, 1975

Place of Hearing: Village Board Chambers, 206 S. Hough St., Barrington, Ill.

Time: 8:30 p.m.

Subject: Petition seeking Variance from Ordinance 931,
Article 8, Section 8.12

a) Legal Description: Lot 99 (except the north 6 feet thereof) in
County Clerk's Re-division of the Assessor's
Division except Lots Nine (9) to Seventeen (17)
inclusive and Lots Thirty (30) and Thirty-four
(34) and Thirty-five (35) thereof of the West
Half of the Northwest Quarter and the Southeast
Quarter of the Northwest Quarter of Section 1,
Town 42, North, Range Nine, East of the Third
Principle Meridian.

b) Applicant: Arthur E. and Reinette Ann Hrobsky

c) Owner: Same

d) Proposed Use: Existing single family house in R-8 District

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review
December 13, 1974

Tenney & Bentley

Law Offices

69 West Washington Street Suite 2000

Chicago, Illinois 60602

L. DOW NICHOL, JR.
ROGER R. LEECH
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SAMUEL R. LEWIS, JR.
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ALEXANDER I. LOWINGER
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CABLE ADDRESS: TENBEN

HENRY F. TENNEY (1915-1971)
RICHARD BENTLEY (1922-1970)

WILLIAM S. WARFIELD, III
JOHN E. BAKER, JR.
OF COUNSEL

BARRINGTON OFFICE
101 SOUTH HOUGH STREET
BARRINGTON, ILLINOIS 60010
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MEMORANDUM

MICHAEL J. SMITH
JOHN W. MAUCK
ARTHUR H. ANDERSON, JR.
JAMES B. SPARROW
F. JAMES HELMS
WILLIAM G. NOSEK

TO: Executive Board, BACOG

From: J. William Braithwaite

Date: November 30, 1974

Re: Recent Federal Case, Yharra vs. City of the Town of
Los Altos Hills--Zoning and Low Cost Housing

Dean Maiben has called to my attention the enclosed case recently decided by the United States Court of Appeals for the 9th Circuit, which covers a portion of the West Coast.

The jurisdictional discussion at the bottom of page 2 and on most of page 3 is not of importance to BACOG. What is important is that the Court held that action which has the effect of discriminating against a group based upon poverty alone is not unconstitutional if within the general area where the people in question work or receive social services there is adequate low cost housing.

Although not technically necessary for the opinion, it is noteworthy that the Court stated, on page 5, that the one acre zoning in question "is rationally related to preserving the town's rural environment".

This case provides a legal basis for the BACOG area to be treated as a geographic unit for the purpose of providing a range of housing opportunities for those who live, work or receive services within that geographic area. The enclosed case does not mean that the BACOG area may, with impunity, fail to provide such housing.


J. William Braithwaite

JWB:ph

CC: Dean Maiben; Trustees-Village of Inverness, Barrington, North Barrington, and Tower Lakes; Mr. Donald Klein; Attorneys, Villages of Deer Park, South Barrington and Barrington Hills.

Enclosures

LIBRARY OF THE
UNITED STATES COURTS
Chicago, Illinois
**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

JACK YBARRA, also known as ISAIAS M. YBARRA, individually and as a member of the CONFEDERACION DE LA RAZA UNIDA; JOSE VASQUEZ, individually and as president of the CONFEDERACION DE LA RAZA; and CONFEDERACION DE LA RAZA UNIDA, an unincorporated association, all on behalf of themselves and all those similarly situated,

Appellants,

vs.

THE CITY OF THE TOWN OF LOS ALTOS HILLS, a municipal corporation; MURL M. FRETSCHE, individually and as acting City Manager of the City of the Town of Los Altos Hills; WALTER A. BENSON; LESLIE A. HELGESSON; STANLEY W. GRABOWSKI; MARY C. DAVEY; and STANLEY W. CORBETT, III each individually and as members of the Town Council of the City of the Town of Los Altos Hills,

Appellees.

No. 73-2070

OPINION

[September 6, 1974]

Appeal from the United States District Court
for the Northern District of California

Before: KILKENNY and WALLACE, Circuit Judges, and
SOLOMON,* District Judge.

SOLOMON, District Judge:

Appellants challenge the constitutionality of a large-lot zoning ordinance of the City of the Town of Los Altos Hills ["Los Altos" or "the town"], a California suburban community. The

*Honorable Gus J. Solomon, Senior United States District Judge for the District of Oregon, sitting by designation.

trial court held that the zoning ordinance was constitutional and dismissed the action. We affirm.

Appellants are two Mexican-Americans and the Confederacion de la Raza Unida, an unincorporated association of Mexican-American organizations. Neither of the named individual appellants are residents of Los Altos, but both qualify for federally assisted low-income housing. They brought this action on their own behalf and on behalf of all other persons of Mexican descent whose incomes qualify them for federally assisted housing.

In December, 1970, appellants obtained an option to buy certain lots in Los Altos. They paid a nominal amount for the option but agreed to pay \$14,000 per acre if the option were exercised. The option could only be exercised if the land were rezoned for multifamily dwellings and if the Federal Housing Administration approved a low-income housing project for that land.

The zoning ordinance provides that a housing lot shall contain not less than one acre and that no lot shall be occupied by more than one primary dwelling unit. Appellants have not applied for a zoning variance to allow construction of their proposed multifamily project.

Appellants brought this action against the town, its city manager, and the members of the town council. Appellants allege that the zoning ordinance prevents them from constructing a housing project and assert that the ordinance violates the supremacy, due process, and equal protection clauses of the United States Constitution. They seek declaratory and injunctive relief.

Appellants allege jurisdiction under 28 U.S.C. §§ 1331 and 1343(3).¹ Section 1343 gives federal courts jurisdiction over actions arising under federal civil rights statutes. Here jurisdiction under Section 1343 depends on whether an action may be maintained under 42 U.S.C. § 1983. The Supreme Court recently held that a city is not a "person" within the meaning of Section 1983 even when only equitable relief is requested. *City of*

¹Appellants also allege jurisdiction under 28 U.S.C. § 2201 and 42 U.S.C. § 1983. 28 U.S.C. § 2201 allows federal courts to grant declaratory judgments but does not enlarge their jurisdiction. *Lear Siegler, Inc. v. Adkins*, 330 F.2d 595, 599 (9th Cir. 1964). 42 U.S.C. § 1983 creates a cause of action but does not confer jurisdiction.

Kenosha v. Bruno, 412 U.S. 507 (1973). There is no jurisdiction over Los Altos under Section 1343.

Los Altos also contends that Section 1343 does not confer jurisdiction over the individual appellees since they are sued in their official capacity as officers of the town. We disagree. State and municipal officials whose actions violate constitutional rights are not protected by the state's sovereign immunity or the Eleventh Amendment.

If the act which the state [official] seeks to enforce be a violation of the Federal Constitution, the officer in proceeding under such enactment comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. *Ex parte Young*, 209 U.S. 123, 159, 160 (1908).

We hold that a city official is a "person" within the meaning of Section 1983 and that the district court had jurisdiction under 28 U.S.C. § 1343 in an action to enjoin him from enforcing an unconstitutional statute. *Cf. Harkless v. Sweeny Independent School District*, 427 F.2d 319, 323 (5th Cir. 1970). *See also Scheuer v. Rhodes*, _____ U.S. _____ (April 17, 1974).

Appellants allege jurisdiction over the town under Section 1331. That section requires that the amount in controversy, exclusive of interest and costs, exceeds \$10,000. Appellants did not allege the amount in controversy in their complaint and did not move to amend their complaint to include such an allegation. They did not adequately show the existence of the jurisdictional amount at trial. We hold that the court does not have jurisdiction over the town under Section 1331. *Canadian Indemnity Co. v. Republic Indemnity Co.*, 222 F.2d 601 (9th Cir. 1955).

We conclude that the court has jurisdiction over the individual defendants only.

Appellants' principal contention is that the Los Altos zoning ordinance denies them equal protection of the laws. They assert that the ordinance discriminates against Mexican-Americans and the poor and that the town must show a compelling state interest to justify discrimination against "suspect classifications" based on ethnic background and wealth.

Appellants' evidence at trial showed that in Santa Clara County, in which Los Altos is located, there is a high statistical correlation between being Mexican-American and being poor. Mexican-Americans form only 2.1% of the town's population but comprise 17.59% of the county's population.

The trial court found that the ordinance prevented poor people from living in Los Altos. It also found that if Mexican-Americans did not live there, it was because of the poverty and not because of their race. Appellants concede that the ordinance does not bar wealthy Mexican-Americans from living in Los Altos. We agree that discrimination against the poor does not become discrimination against an ethnic minority merely because there is a statistical correlation between poverty and ethnic background.

Appellants also assert that they need not show racial discrimination to void the ordinance and that it is sufficient to show that the ordinance discriminates against the poor. They argue that the town must show a compelling interest to justify the ordinance because wealth is a suspect classification. See *Harper v. Virginia Board of Elections*, 383 U.S. 663 (1966); *Griffin v. Illinois*, 351 U.S. 12 (1956).

In *San Antonio School District v. Rodriguez*, 411 U.S. 1 (1973), the court discussed the conditions under which poverty becomes a suspect classification under the equal protection clause:

The individuals, or groups of individuals, who constituted the class discriminated against in our prior cases shared two distinguishing characteristics: because of their impecuniness they were completely unable to pay for some desired benefit, and as a consequence, they sustained an absolute deprivation of a meaningful opportunity to enjoy that benefit. 411 U.S. at 20.

In our view these two criteria set forth the threshold requirements before a court using traditional tests may consider whether the classification is constitutionally impermissible.

Appellants meet the first criterion because the ordinance prevents them from living in Los Altos because of their poverty. They failed to meet the second criterion because they did not

show that they had no "meaningful opportunity" to obtain low-cost housing. The evidence showed that no poor people live or work in Los Altos. Appellants failed to show that adequate low-cost housing was unavailable elsewhere in Santa Clara County in areas accessible to appellants' jobs and social services. In these circumstances the town need not show a compelling interest to justify a zoning ordinance which discriminates against the poor.

Since there is no suspect classification requiring a strict standard of review, the town need only show that the ordinance bears a rational relationship to a legitimate governmental interest. *Id.* at 40. Here the ordinance is rationally related to preserving the town's rural environment. See *Village of Belle Terre v. Boraas*, _____ U.S. _____ (April 1, 1974). The ordinance does not violate the equal protection clause.

Appellants allege that the ordinance violates Section 65302 of the California Government Code, which requires towns to adopt housing plans which "make adequate provision for the housing needs of all economic segments of the community". We believe that the section requires a town to provide housing for its residents but does not require it to provide housing for non-residents, even though the non-residents may live in the broader urban community of which the town is a part.

Appellants' other contentions are without merit. The ordinance does not conflict with the National Housing Act, 42 U.S.C. §§ 1401 et seq., and does not violate the supremacy clause. *James v. Valtierra*, 402 U.S. 137, 140 (1971). The ordinance is not arbitrary and does not deny appellants due process. See *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926).

The judgment of the district court dismissing the action is affirmed.

Village Board
Information Memorandum 74-46
November 22, 1974

FOR YOUR INFORMATION

COMMONWEALTH EDISON HAS FILED WITH THE ICC FOR A RATE INCREASE. Hearing will begin December 2. If anyone is interested in the particulars, we can arrange to get copies of their petition.

A RECENT CASE YBARRA, V. CITY OF LOS ALTOS HILLS, NO. 73-20-70 DECIDED OF SEPTEMBER 6, 1974 BY THE U. S. COURT OF APPEALS IN SAN FRANCISCO, DECLARED THAT LARGE LOT ZONING WAS CONSTITUTIONAL EVEN THOUGH IT DENIED ACCESS TO OWNERSHIP BY LOW AND MODERATE INCOME GROUPS. WHY? Because the plaintiff did not show that adequate low-cost housing was unavailable within commuting distance. 11

ADMINISTRATIVE ABSTRACTS

THE LABOR MOVEMENT WON BIG IN THE RECENT ELECTIONS FOR THE U. S. CONGRESS AND THE ILLINOIS LEGISLATURE. The implications for local government are clear. At both levels there will be legislation proposed that will give local government unions much more power than held by industrial unions. Many of the restraints created by rules of the National Labor Relations Board have been specifically excluded from proposed legislation for the public employees. We are told there is not the strength to stop legalizing unionization of public employees in either the congress or the legislature. There may be strength to temper it with options like no strike provisions, advisory arbitration, open shop and the like, but that will take a major effort on the part of communities to bring school boards, townships, counties, cities and villages to a unified position. Mayor Daley will determine the fate of Illinois legislation and efforts are now being made to bring him behind a community-oriented bill. U

YOU SHOULD KNOW

Board Meetings

11/25/74 . . Regular Meeting . . Village Hall . . 8:00 p.m. ✓
12/ 9/74 . . Regular Meeting . . Public Safety Building . . 8:00 p.m.
12/23/74 . . Regular Meeting . . Village Hall . . 8:00 p.m.

Zoning Board of Appeals

12/ 3/74 . . Jacobson (continued)
ZBA 10-74 N-18 . . Village Hall . . 7:30 p.m.
12/ 3/74 . . McDonald's
ZBA 14-74 N-18 . . Village Hall . . 7:45 p.m.
12/ 3/74 . . ZBA 11-74 N-4 . . Village Hall . . 8:00 p.m. (Barton's)
12/ 3/74 . . ZBA 17-74 N-1 . . Village Hall . . 8:15 p.m. (Trende)
12/ 3/74 . . ZBA 16-74 N-1 . . Village Hall . . 8:30 p.m. (St. Anne's)

Office of the Village Manager
D. H. Maiben

J. Mark Uygatt

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: 227 West Northwest Highway
Barrington, Illinois

Hearing Date: December 3, 1974

Place of Hearing: 206 S. Hough Street, Barrington Village Hall, Council Chambers

Time: 7:45 P.M.

Subject: Petition requesting variance from Village Ordinance 1186 (Sign Ordinance) Article II, Section 9A 202 and Section 9A. 203, and Village Ordinance 931, Article 12, Section 12.04.

a) Legal Description:

The west 145 feet of the east 325.3 feet of the north 198 feet of Lot 11 (excepting therefrom the North 12 feet thereof taken for widening Northwest Highway) of County Clerk's Division of unsubdivided land in the Southwest Quarter of Section 36 (except railroads) in Township 43 North, Range 9, East of the third Principle Meridian, according to the plat thereof, recorded April 28, 1898, as Document 70831, in Book "D". of Plants, page 62 in Lake County, Illinois.

b) Applicant: William and Camille Granz

c) Owner: McDonald's Corporation

d) Proposed Use: Existing B-3, Special Use

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugen, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review

November 14, 1974

JTW

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: 108-112 North Hough Street
Barrington, Illinois

Hearing Date: December 3, 1974

Place of Hearing: 206 South Hough Street, Barrington Village Hall
• Village Council Chambers

Time: 8:00 P.M.

Subject: Petition requesting variance from Village of
Barrington Ordinance 1186, Article III, Section
9A. 301 (Wall Sign size maximum)

a) Legal Description: Lot 1 of Richardson's Subdivision, Tract No. 133633051,
Book No. 1483 under Parcel No. 00958 in the Village of
Barrington, Lake County, Illinois.

b) Applicant: Bar-Ton Stationers, Inc.

c) Owner: Robert L. Tichy

d) Proposed Use: Existing B-1

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review

November 14, 1974

JAH

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved: 209 North Hough Street
Barrington, Illinois

Hearing Date: December 3, 1974

Place of Hearing: 206 S. Hough Street, Barrington, Illinois, Village Council Chambers

Time: 8:15 P.M.

Subject: Petition requesting variance from Village of Barrington, Ordinance 1186
Article II, Section 9A-203 and Article III, Section 9A.301

a) Legal Description:

Lots 7 and 8 of Block 9 in the town of Cuba, a subdivision of
the southwest quarter of Section 36, Township 43 North, Range 9,
east of the Third Principle Meridian in Lake County, Illinois

b) Applicant: William C. Parman

c) Owner: Same

d) Proposed Use: Existing B-1

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review
November 14, 1974

JFW

VILLAGE OF BARRINGTON
ZONING BOARD OF APPEALS
LEGAL NOTICE OF PUBLIC HEARING

Location of Property Involved:

Hearing Date: December 3, 1974

Place of Hearing: 206 S. Hough Street, Barrington, Illinois
Village Council Chambers

Time: 8:30 P.M.

Subject: Petition for variation from Village Ordinance 931, Article IV,
Section 4.02 and Article IX, Section 9.01

a) Legal Description:

Lots 3, 4, 5, 6 and 7 in Block "F" in the town of Cuba (now Barrington)
a subdivision of the southeast quarter of Section 36, Township 43
North, Range 9, east of the third principle meridian in Lake County,
Illinois

b) Applicant: Frank L. Winter

c) Owner: Catholic Bishop of Chicago

d) Proposed Use: Existing Church in R-9 District

All interested parties are invited to attend and be heard

Zoning Board of Appeals
Barrington, Illinois
Edward J. Dugan, Chairman

By: Charles J. Schwabe
Administrative Assistant

Published Barrington Courier Review

11-14-74

- d. Staff Study and Recommendation of Lakes of Barrington Project, by L.F. Draper and Associates, December 1973.
- e. Tax and School Impact Study, proposed Lakes of Barrington Development, prepared for L.F. Draper and Associates by Applied Property Research, August 1974.
- f. Proposed Annexation Agreement dated May 22, 1974, not executed by the Village of Barrington.
- g. Applicable zoning maps and materials.

III. ANALYSIS

Zoning is a police power of the state based upon the right and duty of government to protect the public health, safety and welfare. Over 50 years ago, the State of Illinois enacted enabling legislation granting Illinois municipalities the power to adopt and enforce zoning ordinances. While zoning law has evolved, both through legislative and judicial actions, into a much more complex field of law, its primary purpose then is still fundamental today; i.e., to protect the homes of people from the invasion of deleterious uses and the detrimental impact of incompatible development.

The major tools of zoning are the control of permitted uses and of density.

So let us examine the proposed Brandel-Draper Development in these lights.

A. Permitted Uses

1. Commercial Complex-15 Acres

A Commercial center of this size would be a violation of the open and residential character of the area. It would have a detrimental effect upon surrounding development, on traffic circulation and on the viability of the Barrington central business district. Assuming the success of such a shopping center, it would require considerable street widenings and improvements at public expense.

In support of the opinion that commercial development at this scale is inappropriate is the following from the Barrington Comprehensive Plan:

"Neighborhood retail and service (convenience) centers ... should not exceed approximately five acres of land area."
(p.20).

Let me make clear the implication of the 15-acre allocation.

At a parking ratio of 3 to 1, this could accommodate 3.75 acres, or over 160,000 square feet of building area. This would not be a "convenience" center.

The staff study of Draper and Associates indicates that the commercial (retail) space would not exceed 50,000 square feet and the office space 40,000 square feet, and says that there should be one parking space for each 250 square feet of commercial space. This would mean 360 spaces which at 400 square feet per space (including access roadways, aisles and interior circulation) would yield 144,000 square feet. This, plus the commercial and office space would be 234,000 square feet, or 5.37 acres. Even allowing for extra landscaping, 15 acres clearly is very excessive.

This is our recommendation:

- a. Office space should be excluded. We don't believe that this is an appropriate location and there currently is con-

siderable new office space available for rent in the Barrington area, particularly on the Northwest Highway.

Not more than four acres should be devoted to the convenience center. With 23,000 square feet for a supermarket and drug store, total building area should not exceed 30,000 square feet. One parking space per 150 square feet would mean 200 spaces, or about 80,000 square feet. This is a total of 110,000 square feet of land area, or only 2.52 acres. Hence, even with extra landscaping, an allocation of three to four acres would be ample.

- c. The location at the corner of Cuba and Ela roads is appropriate.

2. Townhouses - 248 Units

I submit that this is clearly inappropriate use for new development on the fringes of the Village of Barrington.

- d. In my opinion, inclusion of townhouses would tend to erode the general marketability for single-family homes in Barrington.
- e. From a reading of the Comprehensive Plan and BACOG report, it seems quite clear that townhouse or other multiple family uses were not contemplated on the fringe areas of the Village of Barrington.

My recommendation here is to eliminate townhouses from the proposed development.

B. Density

Density is basic and has been a major item of controversy. Following are my comments.

- 1. A total of 684 units are planned with a population of over 2,600 persons. This would increase the present population of the Village by more than 27 percent and would generate over 4,000 cars.

- a. Barrington is known nationally as well as locally as an area of beautiful single-family homes. This image is important in the establishment of the Village as an extremely desirable place to live and, hence, in the maintenance and enhancement of property values.
- b. Homeowners typically have come to this area from the eastern seaboard, as well all parts of the Chicago area, in search of this relatively quiet uncongested exurban living. They would be seriously disenchanted by the invasion of townhouse construction.
- c. There are hundreds of Chicago area communities where multiple-family construction is appropriate. Palatine, Arlington Heights, and Mount Prospect are examples, and these are very fine villages indeed. But Barrington has a wholly different image and environment which creates the very strong demand potential which the developer is seeking to capitalize upon. I think Barrington should fight to retain this image.

2. In computing units per acre it is unreasonable and illogical to include the Cuba Marsh. It would not be part of the project physically, it would not serve the project residents, and even ownership would be transferred. Any figures showing units per acre including Cuba Marsh are misleading, just as a new development bordering a forest preserve would include the acreage of the preserve in its density computation. The Cuba Marsh also borders Fox Point, yet no one has suggested that it be included in calculating the Fox Point density.
3. Hence, to begin the project actually contains about 314 acres (382 less 68). Deducting 20 acres for the planned commercial center and church leaves 294 gross acres for residential development. The density, then, for the project (including greenways, lakes and ponds) is 2.33 units per acre.
4. The density for the net residential land (deducting 15 percent for streets) would be 2.74 units per acre.
5. I submit that this is an unreasonably high density and is in violation specifically of the Barrington Comprehensive Plan

and the principles of the BACOG plan. Densities should decrease not increase as development moves away from the center of Barrington.

6. Yet, how does this compare with the adjoining North Fox Point which has direct access to Lake-Cook Road? In that area we find 295 units on 257 acres, or 1.15 units per acre. The Brandel-Draper development would be more than double that density with 2.33 units per acre. Yes, this acreage includes Lake Louise, just as my computations for the proposed development included 76 acres of greenways, lakes and ponds. Lake Louise is surrounded by the Fox Point homes, is an integral part of it and is used by the project residents as a recreational facility, both in summer and winter. Both calculations, however, exclude the Cuba Marsh.

My recommendation here is that density be restricted to preferably one and not more than 1.3 units per acre in the proposed development. Reducing the commercial center to four acres would mean that there

would then be 305 gross acres available for residential development.

At the above recommended densities, this would accommodate preferably

305 and not more than 400 homes.

IV. SUMMARY OF CONCLUSIONS

Following are my conclusions and recommendations with respect to the subject tract of land so far as it affects the Village of Barrington and its residents.

1. It should be annexed to the Village. Only in this way can the Village maintain basic control of its future development. It is a logical extension to the northeast, and Cuba and Ela Roads very likely should represent the ultimate municipal boundaries in this quadrant.
2. It should be developed for residential use. Clearly, it is a desirable tract of land for that purpose and development, per se, should not be held back.
3. It should be restricted to single-family homes. Multiple family uses, including townhouses, are inappropriate.

4. The density should be from 1.0 to 1.3 units per gross residential acre. This would provide for 305 to 400 homes.
5. They should be high quality homes. This means sales prices in the \$100,000 and up bracket.
6. A convenience center at the corner of Cuba and Ela Roads is appropriate. Not more than three to four acres should be allocated to this use.
7. Following then would be the revised land use acreage figures for the subject tract.

	<u>Acres</u>
Total Area	382
Cuba Marsh	<u>68</u>
Project Area	314
Church	5
Commercial	<u>4</u>
Total	<u>9</u>

Gross Residential Area 305

Greenways, Lakes 76

Gross Developable

Residential Area 229

Streets (15%) 34

Net Residential Area 195

Average Lot Size

305 homes 27,850 square feet

400 homes 21,236 square feet

Village of **Inverness**

Post Office Palatine, Illinois 60067

November 15, 1974

Honorable Fred J. Voss
President, Village of Barrington
236 West Lake Street
Barrington, Illinois 60010

Fred and members of the Barrington Board of Trustees, the Village of Inverness is keenly interested in the proposed development and annexation of present Lake County land commonly referred to as the Draper Development.

We have noted the adverse recommendations as to this development from schools, associations of homeowners, other villages, former officials of Barrington and Barrington citizens concerned as to the adequacy of sewage disposal facilities, and BACOG.

Inverness joined BACOG in January of 1973 because the Village Officials believed that our interests and the interests of all member villages as well as all people living in the greater Barrington area would be well served and better served by uniting in a common effort to plan and effectuate controlled growth in the area. Our membership in BACOG has been most productive in our Village by helping us to prevent unwelcomed density or use of our land. This has been accomplished through reference to our own and to BACOG's Comprehensive Plans. Inverness fully subscribes to the BACOG Comprehensive Plan and in fact our own plan parallels the BACOG plan.

We cannot judge the merits of objections by others, but firmly believe you will carefully consider them.

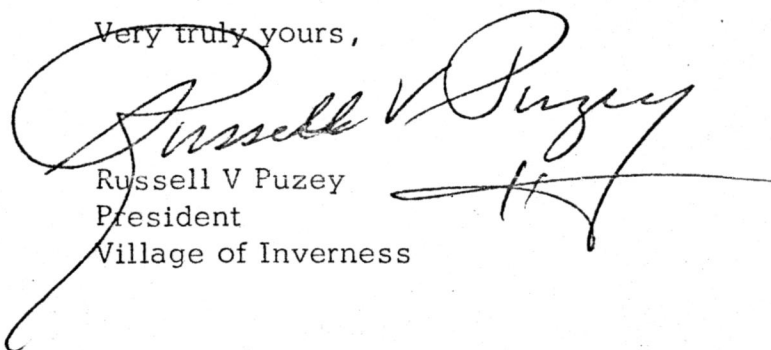
We do urge that you weigh very thoroughly the results that would accrue to the entire BACOG area by so serious a departure from the BACOG Comprehensive Plan on so large a scale by the very village that is the wellspring and mainstay of BACOG. We believe irreparable damage would be done to all villages and the area for the control of future development. If the development can be brought into very close proximity to the BACOG plan, then the other factors involved are, we believe, compelling in your decision and until that is done we respectfully suggest that the BACOG Comprehensive Plan considerations are paramount.

November 15, 1974

This letter is sent to you on our part in an attempt to be as helpful and considerate as we have found the Village of Barrington to be in other matters with us. We are appreciative of such services and of the leadership that has emanated from your Board and your Citizens.

This letter is directed to you by the unanimous decision of our Board of Trustees by resolution adopted November 12, 1974.

Very truly yours,

A large, stylized handwritten signature in dark ink, appearing to read "Russell V. Puzey". The signature is written over the typed name and title.

Russell V Puzey
President
Village of Inverness

RVP:sj

cc:

Barrington Board of Trustees

D. R. Capulli
A. K. Pierson
Henry G. Sass, Jr.
E. M. Schwamm
P. J. Shultz
J. Frank Wyatt ✓

Inverness Board of Trustees

George Guderley
Al Ruck
Jim Valliere
Bill Buchta
Fred Gore
Wally Pugh

Tenney & Bentley

Law Offices

69 West Washington Street Suite 2000

Chicago, Illinois 60602

TELEPHONE CE 6-4787
AREA CODE 312
CABLE ADDRESS: TENBEN

HENRY F. TENNEY (1913-1971)
RICHARD BENTLEY (1922-1970)

WILLIAM S. WARFIELD, III
JOHN E. BAKER, JR.
OF COUNSEL

BARRINGTON OFFICE
101 SOUTH HOUGH STREET
BARRINGTON, ILLINOIS 60010
TELEPHONE 381-8818

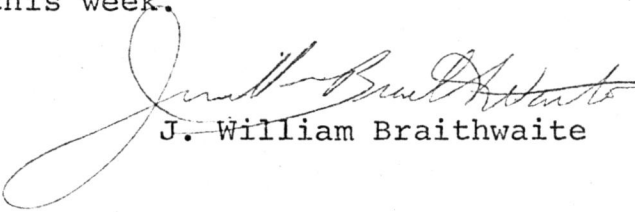
L. DOW NICHOL, JR.
ROGER R. LEECH
GEORGE E. HOWELL
SAMUEL R. LEWIS, JR.
IRWIN J. ASKOW
HOWELL B. HARDY
EXANDER I. LOWINGER
WILLIAM BRAITHWAITE
STEPHEN J. NAGY
EDWIN H. CONGER
RICHARD A. BEYER
GILBERT H. MARQUARDT, JR.
JOHN R. COVINGTON
JOHN S. ESKILSON
JERROLD L. SAGER
RICHARD J. COCHRAN
LAWRENCE E. GRELE

MICHAEL J. SMITH
JOHN W. MAUCK
ARTHUR H. ANDERSON, JR.
JAMES B. SPARROW
F. JAMES HELMS
WILLIAM G. NOSEK

November 12, 1974

TO: Presidents and Boards of Trustees, Villages of Tower Lakes,
North Barrington, Inverness

Because the letter of Mr. Catlow in last week's Barrington
Courier-Review (copy enclosed) reflects unfavorably upon us, as
your Village attorneys, we felt that you should be aware of the
facts, as recited in the enclosed letter of Fred Voss to the news-
paper, to be published this week.



J. William Braithwaite

JWB:pj
Enclosures

c.c. Executive Board, BACOG
Village Clerks, Plan Commissions and
Zoning Boards of Appeals, Tower Lakes,
North Barrington, Barrington and
Inverness

COURIER REVIEW
Opinion: .. 11/7/74

Cites example of 'harassment'

To the editor:

October 7, 1974, in the Niles courtroom, requires a recap to the taxpayers of Barrington.

The village sued me for building a garage that has been behind my house for 40 years. In addition, they asked for a \$500 fine and a judgment against both of my homes. Not only could I not stop this ridiculous suit, I had to hire a lawyer to defend myself.

Three days before trial, the village attorney called and said they would drop the case if I would apply for a building permit (to build a 40 year old garage?).

The day of the trial the village attorney said: 1) We didn't know the case was today. 2) We are not prepared. 3) The lawyer handling that case went on vacation today. 4) We'd like a continuance. (At my expense).

How can everything go this far without the knowledge of the city fathers, the mayor, the village manager or the building commissioner? I have been harassed every time I have spoken up against the village government. This is just one example.

Someone said we vote them in office to do our thinking and to do what they think is best for us. Strange — I thought we voted them in office to represent us.

Joe Catlow

Tenney & Bentley

Law Offices

69 West Washington Street Suite 2000
Chicago, Illinois 60602

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JAMES B. SPARROW

MEMORANDUM

To: President and Board of Trustees, Village of Barrington
Copies: Village Manager
Village Clerk, with original memorandum for distribution
Date: November 8, 1974
Re: Draper Property

On November 5, 1974, I had a telephone call from George Foreman asking what provisions there were in village ordinances or state law relative to a referendum upon the annexation of property.

I told him that there were no provisions for a referendum in village ordinances and that the only state statute relevant to a village wide election referred to an annexation procedure which was not being used in considering annexation of the Draper property and that this statutory procedure would not be properly applicable to the Draper situation. I did not have the statutes before me during my discussion with Mr. Foreman, but upon checking the section numbers subsequently, I note that the Draper annexation is being sought pursuant to section 7-1-8 of the Illinois Municipal Code which provides for the annexation without court proceedings upon the request of all the owners of record and at least 51% of the voters. The statutory section relative to a referendum is section 7-1-6 of the Illinois Municipal Code which directly follows the sections on annexation pursuant to a court proceedings, a procedure used where less than 100% of the owners of land agree to the annexation. This referendum section then states that if the corporate authorities have approved the annexation, they may on their own initiative order a referendum in the village and if the corporate authorities reject the annexation, or do not order a referendum, then within 30 days after the vote on the annexation, a petition may be presented signed by 10% of the number of votes cast in the last municipal election. If such a petition is signed, the question of annexation must be submitted to the voters in the entire municipality. This referendum provision has no application to an annexation pursuant to the section utilized by Mr. Draper, section 7-1-8.

President and Board of Trustees, Village
of Barrington
November 8, 1974
Page Two

I also told Mr. Foreman that there was in the general election statute a provision for submitting a question of "public policy" and that this would be submitted at the next general village election, April, 1975, if a sufficient number of signatures were secured on the necessary petition. Again, such a referendum would be advisory only.

Now that I have the applicable statute before me, section 28-1 of the election code, I find that the petition must be signed by 25% of the registered voters of the village and that the question of public policy is then presented at any general, special or primary election named in the petition. Such a petition must be filed not less than 78 days before the date of the election at which the public policy question is to be submitted.

J. William Braithwaite

JWB:ph

CC: Mr. George H. Foreman
170 Old Mill Drive
Fox Point
Barrington, Illinois 60010

FOR YOUR INFORMATION

PRELIMINARY DISCUSSIONS WITH THE DRAPER PEOPLE INDICATE THAT THEY WILL WANT TO PROCEED ON THE 9th OF DECEMBER. In order to handle the great public interest in this matter, we would suggest the following sequence of discussion by the Village Board.

1. Population Impact
 - a) Phasing Plan
 - b) Traffic Impact
 - c) Utility Needs
2. Tax and Financial Impact
3. Community Facilities Impact
 - a) Ecology
 - b) Recreation
 - c) Aesthetics
4. Impact on Land Uses and Community Character
 - a) Housing Mix and Density
 - b) Land Value Impact

We should publicize a schedule of these topics. No evidence has been presented to the Plan Commission on the exact recommendation which they have made; therefore, you should be prepared to have the developer present his reaction as well as any evidence on new impact. This would be a fact finding inquiry by the Board.

Citizen Groups should be allowed to contact the Village Clerk in advance and present any pertinent facts, and they should be allowed to read their statement into the public record. No reaction to either facts presented by the petitioner nor to observations made by Board members or questions asked by Board members would be appropriate from individual residents.

Finally, the Board should act to approve or deny the Plan Commission recommendation and if to approve, instruct the staff to work out specific details in a pre-annexation agreement. There would then be public hearings by the Board on the pre-annexation agreement and further hearings by the Plan Commission and Board on the PUD after annexation.

To familiarize you with this in advance, we are attaching the Plan Commission recommendation and transcript, as well as copies of the staff recommendations for a pre-annexation agreement which were sent to the Plan Commission.

(over)

ADMINISTRATIVE ABSTRACTS

THE ATTACHED LETTER FROM THE LEAGUE OF WOMEN VOTERS IS THE FIRST INDICATION OF SUPPORT IN THE BARRINGTON AREA FOR THE HOUSING COMPONENT OF THE PLAN. Implementation of a housing program is a major requirement of a new Federal Revenue Sharing Program that could provide the necessary money to accomplish the railroad underpass, the outer loop streets and major renovations in the Village Center, as well as open space acquisitions. We will have a report soon.

YOU SHOULD KNOW

Board Meetings

11/25/74 . . Regular Meeting . . Village Hall . . 8:00 p.m.
12/ 9/74 . . Regular Meeting . . Village Hall . . 8:00 p.m.
12/23/74 . . Regular Meeting . . Village Hall . . 8:00 p.m.

Zoning Board of Appeals

12/ 3/74 . . Jacobson (continued)
 ZBA10-74 N-18 . . . Village Hall . . 7:30 p.m.

12/ 3/74 . . McDonald's
 ZBA14-74 N-18 . . . Village Hall . . 7:45 p.m.

12/ 3/74 . . Barton's
 ZBA11-74 N-4 . . . Village Hall . . 8:00 p.m.

12/ 3/74 . . Trende
 ZBA17-74 N-1 . . . Village Hall . . 8:15 p.m.

12/ 3/74 . . St. Anne's
 ZBA16-74 N-1 . . . Village Hall . . 8:30 p.m.

Office of the Village Manager
D. H. Maiben

LEAGUE OF WOMEN VOTERS OF BARRINGTON

BARRINGTON, ILLINOIS 60010



October 30, 1974

Mr. Dean H. Maiben
Village Hall
206 South Hough Street
Barrington, Illinois 60010

NOV 7 - 1974

BARRINGTON, ILLINOIS

Dear Mr. Maiben:

In April of this year the League of Women Voters of the Barrington Area reached a position following a study of the housing needs of the Barrington area. It seems appropriate at this time to describe to you our study and consensus position.

The League study committee researched census figures on housing, both for the BACOG villages and for the Unit School District #220. A comparison of these figures with present housing trends and an evaluation of the present and proposed plans for unmet housing needs followed. Finally, a review of building codes and zoning ordinances for the entire area was accomplished.

The information thus gathered was thereafter presented to all League members, who after time for study, thought, and expression reached a consensus, which is agreement of the membership.

The League believes that it is desirable to maintain a heterogeneous resident population. The Barrington area has been a relatively heterogeneous community both in terms of age and income groups. However, if present housing trends in the Barrington area continue the community will become more homogeneous in character. The continuation of housing diversity is essential to maintain the heterogeneous character of the

There are unmet housing needs in the Barrington area. Moderate income families such as teachers, policemen, sales and service personnel cannot find affordable housing here; the elderly and the young find housing for their needs inadequate and too expensive. Moderate and lower priced housing in the area would meet the needs of these groups and would allow them as residents to continue to and identify with the community. The League supports the proposals of the BACOG Housing Chapter for meeting the area's comprehensive housing needs. The League will also consider support for other comprehensive housing plans (at regional or higher governmental levels, etc.) if such plans would assist in maintaining the heterogeneity of the Barrington area. Both public and private financing should be used in meeting unmet housing needs, provided the use of such funds is not subject to restrictions which are in conflict with the BACOG Housing Chapter.

If you have any questions, please do not hesitate to contact me.

Sincerely yours,

Frances DuVal
Frances DuVal,
President

F. J. Voss
President

LAWRENCE P. HARTLAUB
Chairman

T. C. KITTREDGE
Secretary

Plan Commission

NOV 11 1974
BARRINGTON, ILLINOIS



Members

BURNELL WOLLAR

FRANK J. SCHNEIDER

DOUGLAS J. MILLIN

NEAL R. WILLEN

Village of Barrington

206 South Hough Street
Barrington, Illinois 60010

November 5, 1974

President and Board of Trustees
Village of Barrington
206 South Hough Street
Barrington, Illinois 60010

Re: Draper-Brandel
Lakes of Barrington

Gentlemen:

The Draper petition for annexation and rezoning as a Residential Planned Unit Development has been considered at a series of public hearings which began in August, 1974. All of the sessions were well attended and substantial input was received from interested individuals, businessmen and associations. The Village Staff was also very helpful in supplying pertinent data, and it should be noted that petitioner did not take exception to any part of the Staff report.

After long and serious deliberation of all the evidence and facts presented, as well as due consideration of the present zoning, the potential development of a parcel of this size, the needs of the community, the possible alternate uses for this parcel, the economic effect on the community as a whole, and the highest and best use for the subject property, the Plan Commission recommends that Petitioner's request for annexation be approved and that the project proceed as a Residential Planned Development under the following conditions:

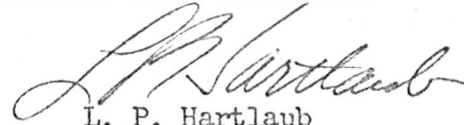
1. The entire parcel comprising approximately 381.5 acres, part of which is in the Village of Deer Park, shall be considered in its entirety and these recommendations shall apply to the tract only if it is annexed to the Village of Barrington in its entirety.

2. The single family detached buildings shall be in areas classified as R-5 and the attached buildings shall be in areas classified as R-9A, and the commercial area as hereinafter proposed shall be zoned B-1.
3. The density of the project shall not exceed the R-5 classification limitations, excluding from overall acreage considered the 68 acres of Cuba Marsh, the 6.43 acres set aside for the commercial development, and 15 percent of the balance for streets and walkways. It is recommended that particular care be exercised in assuring developers compliance with the Village Soil Ordinance and Flood Plain Ordinance and if acreage identified as residential development is found to be unbuildable, such areas shall be excluded along with the aforementioned exclusions.
4. The area to be zoned B-1 for the commercial development shall be limited to the 2.07 acres needed for the buildings and the 4.36 acres for parking. The remaining portion of the 15 acre "commercial" site comprising the rights of way, buffer zone and green space and walkways should remain in R-5 residential classification. The Commission feels this method of handling will assure use of this area as a "convenience center" as described in the Comprehensive Plan. The floor area for the commercial use as presented by Petitioner should not exceed 50,000 square feet on the first floor, and not exceed 40,000 square feet on the second floor for office space. The building shall not exceed two stories in height. No B-2 uses shall be permitted.
5. The single family attached units shall not exceed in number more than one third of the total dwelling units in the development.
6. The area designated as the Cuba Marsh comprising approximately 68 acres shall be retained as a wildlife refuge under conditions established by the Village of Barrington.
7. The entire development shall be annexed to the Barrington Park district.
8. Petitioner's offer of a contribution to the school district as units are started shall be formalized before proceeding with the development.

9. Architectural renderings have not been considered and it is anticipated that there will be future hearings of the Plan Commission at which they should be reviewed.
10. A buildout plan with ninety-eight permits to be issued each year on a cumulative basis.
11. A staged buildout plan with one stage for each 196 units and agreement that the public facilities in one stage will be 90% complete prior to beginning construction on a second stage.
12. That community and recreation facilities will be completed in the first stage.
13. That common areas will be completed and landscaped prior to the issuance of building permits in the Stage II area.
14. That landscaping plans will be submitted in detail and approved by the Village Manager, including plans for street lighting and other above ground features. Landscaping provisions will meet all village ordinances and policies.
15. All utilities distribution systems will be installed underground.
16. Landscaping in the area of the Nature Preserve will be placed to discourage its use by residents of the development for active recreation.
17. That a homeowners association be formed to maintain all common areas and that the Plan Commission will review and recommend to the Village Board, features to be approved in the homeowners association agreement.
18. The homeowners association will be responsible for the maintenance of all common areas and property, including common drive-ways, ponds, green areas, walking paths, landscaping and community center facilities.

Sincerely,

BARRINGTON PLAN COMMISSION


L. P. Hartlaub
Chairman

Vote: 5 Ayes
0 Nays

B. Wollar absent at final meeting.

STENOGRAPHIC REPORT of the proceedings had at a public hearing held before the Plan Commission of the Village of Barrington in the Council Chambers on Monday, November 4, 1974.

PRESENT:

Mr. Lawrence Hartlaub, Chairman
Mr. Stanley Koenig
Mr. Robert Lindrooth
Mr. Robert Miller
Mr. Robert Woodsome

Mr. Hartlaub called the meeting to order at 8:10 P.M. in a public meeting of the Plan Commission continued from October 23, 1974 on presentation of petitioners, LaSalle National Bank as Trustee and L. Draper and PWB Building Corporation, requests annexation to the Village of Barrington and approval of a Special Use-Residential Planned Development on property approximately 380 acres lying on the south-west corner of Cuba and Ela Roads.

Mr. Hartlaub said to the Plan Commission members you have each received copies of the Annexation Agreement, the new summary of information from department of development and a very rough draft of the final proposal.

Mr. Postillian says the soil conservation study has not been discussed in public. Development must be undertaken with extreme caution, drainage is from east to west and sound erosion control must be taken care of in advance.

Mr. Lindrooth said he spent two hours with Mr. Nargang and went through the entire soil report. Mr. Nargang said the three bad soils are 103, 232 and 330. Mr. Lindrooth said all we can do is make a recommendation to the Village Board to be sure that the Conservation District and the builder's plans agree.

Mr. Hartlaub states the recommendations that are being considered have been considered by the Commission.

Mr. Lindrooth stated that all precautions should be taken during construction of this property to protect adjacent properties.

Mr. Hartlaub says it seems to him the Village Staff should take care of these things. He feels the Commission is in agreement that the area should be annexed to Barrington, should be made residential and should have a satellite shopping center.

Mr. J. Perille asks where did you get the information that the north-west corner is B-4. He states it is R-2 residential. He presents a 1973 zoning map of Lake Zurich. He doesn't think the builder is giving Barrington much of anything.

Mr. Hartlaub said to keep in mind that we are trying to do what's best for the Village.

Mr. Hartlaub reads a rough draft of the proposal.

Mr. Lindrooth says he feels the Plan Commission should be kept up-to-date with the progress of this project.

Mr. Koenig moved and Mr. Miller seconded the following motion:

The Draper petition for annexation and rezoning as a Residential Planned Unit Development has been considered at a series of public hearings which began in August, 1974. All of the sessions were well attended and substantial input was received from interested individuals, businessmen and associations. The Village Staff was also very helpful in supplying pertinent data, and it should be noted that the petitioner did not take exception to any part of the Staff Report.

After long and serious deliberation of all the evidence and facts presented, as well as due consideration of the present zoning, the potential development of a parcel of this size, the needs of the community, the possible alternate uses for this parcel and the economic effect on the community as a whole, and the highest and best use for the subject property, the Plan Commission recommends that petitioner's request for annexation be approved and that the project proceed as a Residential Planned Development under the following conditions:

1. The entire parcel comprising approximately 381.5 acres part of which is in the Village of Deer Park, be considered in its entirety and these recommendations shall apply to the tract only as it is annexed to the Village of Barrington in its entirety.
2. The single family detached buildings shall be in areas classified as R-5 and the attached buildings shall be in areas classified as R-9A, and the commercial area as hereinafter proposed shall be zoned as B-1.

3. The density of the project shall not exceed the R-5 classification limitations, excluding from overall acreage considered, the 68 acres of Cuba Marsh, the 6.43 acres set aside for the commercial development, and the 15% of the balance for streets and walkways. It is recommended that particular care be exercised in assuring developers compliance with the Village Soil Ordinance and Flood Plain Ordinance and if acreage identified as residential development is found to be unbuildable, such areas shall be excluded along with the aforementioned exclusions.
4. The area to be zoned B-1 for the commercial development shall be limited to the 2.07 acres needed for the buildings and the 4.36 acres for parking. The remaining portion of the 15 acre "commercial" site comprising the rights-of-way, buffer zone and green space and walkways should remain in R-5 residential classification. The Commission feels this method of handling will assure use of this area as a "convenience center" as described in the Comprehensive Plan. The floor area for the commercial use as presented by petitioner should not exceed 50,000 square feet on the first floor, and not exceed 40,000 square feet on the second floor for office space. The building shall not exceed two stories in height. No B-2 uses shall be permitted.
5. The area designated as the Cuba Marsh comprising approximately 68 acres shall be retained as a wildlife refuge under conditions established by the Village of Barrington.

6. The single family attached units shall not exceed in number more than one-third of the total dwelling units in the development.
7. The entire development shall be annexed to the Barrington Park District.
8. Petitioner's offer of a contribution to the school district as units are started shall be formalized before proceeding with the development.
9. Architectural renderings have not been considered and it's anticipated that there will be future hearings of the Plan Commission at which they should be reviewed.
10. A buildout plan with 98 permits to be issued each year on a cumulative basis.
11. A staged buildout plan with one stage for each 196 units and agreement that the public facilities in one stage will be 90% complete prior to beginning construction on a second stage.
12. That community and recreation facilities will be completed in the first stage.
13. That common areas will be completed and landscaped prior to the issuance of building permits in the Stage II area.
14. That landscaping plans will be submitted in detail and approved by the Village Manager, including plans for street lighting and other above ground features. Landscaping provisions will meet all village ordinances and policies.
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17. That a homeowners association be formed to maintain all common areas and that the Plan Commission will review and recommend to the Village Board, features to be approved in the homeowners association agreements.
18. The homeowners association will be responsible for the maintenance of all common areas and property, including common driveways, ponds, green areas, walking paths, landscaping and community center facilities.

5 AYES - Messrs. Hartlaub, Koenig, Lindrooth, Miller and Woodsome.

0 NAYES.

1 ABSENT - Mr. Wollar.

Meeting adjourned at 10:30 P.M.

STENOGRAPHIC REPORT of the proceedings had at a public hearing held before the Plan Commission of the Village of Barrington in the Public Safety Building on Wednesday, October 23, 1974.

PRESENT:

Mr. Lawrence Hartlaub, Chairman
Mr. Stanley Koenig
Mr. Robert Lindrooth
Mr. Robert Miller
Mr. Burnell Wollar
Mr. Robert Woodsome

Mr. Hartlaub called the meeting to order at 8:10 P.M. in a public meeting of the Plan Commission continued from October 2, 1974 on presentation of petitioners, LaSalle National Bank as Trustee and L. Draper and PWB Building Corporation, requests annexation to the Village of Barrington and approval of a Special Use-Residential Planned Development on property approximately 380 acres lying on the south-west corner of Cuba and Ela Roads.

Mr. D. Huber, Foxpoint, thinks we have one of the finest communities in Barrington and this proposal would have outside people coming in to change Barrington. If this was put to a referendum, how would the vote go.

Mr. Hartlaub asks did all of you receive your copies of the soil report.

The Plan Commission reply "yes".

Mr. Hartlaub says 15 acres are requested for commercial zoning. Actually less than $6\frac{1}{2}$ acres for commercial and parking are necessary.

Mr. Woodsome asks are you suggesting that figure for a P.U.D. for the commercial center.

Mr. Hartlaub replies "yes", it should be a limited figure.

Mr. Hartlaub says we are talking about a series of townhouse structures centrally located but having a staggered row effect.

Mr. Lindrooth asks what are the townhouses going to look like.

Mr. L. Draper replies the largest configuration is six units to an acre with three to four units to a structure. The units are to look as much as possible as single-family units and would not exceed two stories and would have enclosed garages.

Mr. Miller asks will all the multi-family units be two units.

Mr. Draper answers an average of $2\frac{1}{2}$ bedrooms under the existing code considering a family room can be considered a bedroom.

Mr. Koenig says he is concerned about the townhouses to a degree. How did you arrive at the ratio of single-family units.

Mr. Draper replies he called upon a land planner to utilize the land. He started with a land plan that was totally single family, a non-congested blend of single family.

Mr. Wollar asks for clarification on the petition itself. You are asking for annexation and development of 380 acres, the petition for annexation of property in Exhibit I.

Mr. M. Glink, attorney, answers Exhibit I is that portion of the property which is not within the corporate units.

Mr. Miller asks how many acres are in Deer Park.

Mr. Glink replies approximately 35 acres.

Mr. Miller states Cuba and Ela is zoned as follows: Southwest corner - heavy manufacturing, Northwest corner - B-4, Northeast corner - business classification and Southeast corner - 1 acre single family.

Mr. Hartlaub says let's address ourselves first to the density. 436 single-family detached and 248 single-family attached townhouses is the proposed density. Total acreage 381 of which Cuba Marsh 68 acres, 91 greenways, lakes and ponds and 221 residential development. 684 is the total number of units proposed. The Comprehensive Plan suggests no more than two units per acre but doesn't state gross acres or net acres. 3 to acre on net basis and likes 2 to acre on net basis.

Mr. Koenig says page 2 of staff study indicates 56% of detached lots (12,000 - 15,000 sq. ft.) and he assumes 44% range from 15,000 - 20,000 square feet.

Mr. D. Millin replies that's correct.

Mr. Wollar states the Comprehensive Plan recommends greenways, etc. be maintained. The P.U.D. says it's a right to be earned. He feels the developer is going along with the Comprehensive Plan and has earned something and should be given some leeway.

Mr. Woodsome says because the Cuba Marsh will not be used by the public it should be taken out of the figures. This would allow 262 acres for net development area (571 units).

Mr. Draper says he is attempting to blend the two together, some townhouses and some single-family units.

Mr. Hartlaub says whether or not it's advisable to get open space in the area in return for higher density in the area--a blend in a development in my opinion has some merit.

Mr. Lindrooth says he received his soil interpretation map yesterday and would like to get some definitions. He would like to make a further study to find out how this would affect the acreage of buildible land

Mr. Millin explains two soil overlay maps to the Plan Commission. He states there are three major problem soils.

Mr. Hartlaub states that as a result of the soils identification discussion, Messrs. Westerberg and Nargang should be available at a future time for review of the two different opinions.

Mr. Hartlaub says annexation with Deer Park would have to be covered.

Mr. Wollar says annexation with Lake Zurich is covered in the annexation agreement.

Mr. Hartlaub states a construction schedule of a seven year build out of no more than 100 units per year. There would be other Village ordinances that would have to be met before any building is done on the land.

Mr. R. Lindrooth says Fox Point was built before these soil requirements had to be met and under today's regulations there is some unbuildable land that was built on.

Mr. Wollar states in annexation agreement they talk about density and he disagrees with it and he feels if it is reworded some of the problems would be settled.

Mr. Lindrooth says continuing on an economic basis according to the Staff Report \$967,000 is still contributed by the developer plus various other expense items. How high is the unit cost?

Mr. Millin replies there are estimates of various other expenses but are not included on page 9 of the report. \$18,000/unit would include other expenses.

Mr. F. Cluits doesn't feel cost should get into it. It is a risk to the developer. He wants to know how Mr. Draper arrives at 550.

Mr. Hartlaub states there is a recommendation that says from the center of a Village the lot sizes tend to get larger.

Mr. Koenig asks is the desirability of moderate income housing a concern.

Mr. Hartlaub answers that nobody knows enough about it at this time to discuss it.

Mr. Wollar asks in the Village staff report was there anything in there that you took exception to.

Mr. Millin answers he didn't think so--no problems. On page 8, item #2 has not yet been resolved concerning the intersection of Ela and Main Street. He is waiting for a report from Mr. Maiben as to the plans now.

Mr. Woodsome states the commercial area should be consistent with the Comprehensive Plan and should be strictly a convenience center. The size should be restricted and he suggests that this not include office space.

Mr. Millin states 50,000 square feet commercial and 40,000 square feet office space.

Mr. Draper says 50,000 square feet represents commercial and 40,000 sq. feet represents pre-schools, restaurants and medical.

Mr. Koenig asks do you want the annexation approved, the development approved, or both.

Mr. Hartlaub answers he would like to include both with all the conditions.

Mr. Lindrooth asks if the density would be vague going into the Village Board.

Mr. Hartlaub says he would like to get the reports from Westerberg and Nargang and if the land is unbuildable it would not be able to be built upon.

Mr. Hartlaub says he feels we can make a recommendation to the Village if each Plan Commission member has their thoughts ready.

Mr. Hartlaub says the property should be annexed and he would not like to see heavy manufacturing there.

Mr. Lindrooth asks are we in agreement with two stories or one story.

Mr. Hartlaub states the ordinance provides 35' which could be three stories.

Mr. Hartlaub asks has anything been presented to you in regard to the commercial site.

Mrs. Grubb replies "no".

Mr. Lindrooth asks are there any restrictions as to what can go into this area.

Mr. Hartlaub answers whatever is approved as the basic zoning would be controlling.

Mr. Miller asks should the five-acre church site be considered if not used for church services.

Mr. Hartlaub replies "yes".

Mr. Koenig feels single family attached and detached are good. He thinks six units per townhouse is too heavy. He would like to see between 520 and 550 total units.

Mr. Lindrooth has a feeling that the developer can't get 684 total units in there.

Mr. Hartlaub says get manufacturing zoning out and preserve the Cuba Marsh.

Mr. Koenig is against having the population going up too much.

The Plan Commission discussed the wording of the proposal which was to be presented at the next hearing.

Mr. Wollar moved and Mr. Miller seconded the following motion:

The next meeting will be held on Monday, November 4, 1974 at 8:00 P.M.
at the Village Hall.

6 AYES - Messrs. Hartlaub, Koenig, Lindrooth, Miller, Wollar and Woodsome.

0 NAYES.

Meeting adjourned at 11:15 P.M.

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

P. O. BOX 555 - LAKE ZURICH, ILLINOIS

OFFICE:

South Old Rand Road
At Route 12
(312) 438-6319 438-5427

October 11, 1974

Ms. Karol S. Hartmann, Clerk
Village of Barrington
206 South Hough
Barrington, Illinois 60010

Dear Ms. Hartmann:

The Board of Directors of the Lake County Soil and Water Conservation District met and reviewed the following petition:

Petitioner: L. F. Draper & Associates, Inc.

Location: Bounded by E J & E on the west, Ela Road on the east, Cuba Road on the north and Long Grove Road at the south, Ela Township, S½ of Section 30, N½ of Section 31

Acres: 381.55

Application No.: #195

Zoning: SR and HM to PUD

Considering the resource information available, it is the opinion of the Board that development of this property should be approached with extreme caution. Every possible action should be taken to preserve the wetlands involved on this property. If lakes are constructed, proper means of continued maintenance should be incorporated in the initial planning of the lakes. Eutrophication is a major problem where lakes are constructed in Muck areas.

We respectfully submit our opinion and hope it will be thoughtfully considered.

Sincerely,

Walter Vogl
Walter Vogl,
Chairman

kar

Copy: C. J. Schwabe

"NATURE'S BANK IS THE TOPSOIL"

CONCLUSIONS

#195

It has been proposed to develop this 381 acre site as a planned unit development. The requested zoning change is from Suburban Residential and Heavy Manufacturing to Conditional Use for Planned Unit Development.

Twelve individual soils are present on this site and each exhibits a series of characteristics that determine its suitability for the proposed use.

The soils that exhibit the most restrictive qualities on this site are identified as Houghton (103), Peotone (330) and Ashkum (232). These soils occur in depressional areas and waterways. The Houghton (103) soil consists of organic material that is extremely unstable under load. Construction on this soil can result in subsidence (settling) of structures and lawns resulting in extremely high maintenance costs and innumerable management problems. All three of these soils exhibit a seasonal high water table at or very near the surface for much of the year. This condition makes any improvements susceptible to cracking and heaving due to frost heave and or shrink swell of clay subsoils. The problems associated with these soils can be overcome but the processes will be extremely costly and difficult. Failure of corrective measures would leave future homeowners with monumental, and in some cases, irreparable problems. Therefore, it is recommended that no construction take place on the Houghton (103), Peotone (330) and Ashkum (232) soils.

A significant portion of this site consists of the Beecher (298), Nappanee (228), Wauconda (697), Frankfort (320), Mundelein (442) and Elliott (146) soils or combinations of these. All of these soils have been assigned a severe limitation rating for the proposed use primarily on the basis of a seasonal high water table.

Common land use problems on these soils are cracking and heaving of roads, sidewalks and foundations; wet basements; excavations that fill with water; and ponding of runoff on the soil surface. These conditions can be corrected through careful planning and engineering. Provisions for the rapid removal of storm water and improvement of internal soil drainage will improve the situation but will be costly to implement and maintain. The Beecher (298) and Nappanee (228) soils are particularly difficult to drain due to a very slowly permeable clay subsoil. If construction is to take place on these soils, extreme care must be taken to insure that the drainage problems are effectively corrected.

The remaining soils on this site have been assigned either slight or moderate limitation ratings for the proposed use. These ratings indicate that development problems can be overcome through wise planning and engineering and at considerably less cost than the soils discussed previously. Some problems may be encountered in maintaining streets and parking lots due to a somewhat unstable subsoil. In addition, attention should be given to maintaining the drainage of these soils.

A considerable portion of this site falls within the flood plain, this area generally conforms with the boundaries of the Houghton (103) and Peotone (330) soils. It is the policy of the Board to oppose any and all construction within the flood plain in the interest of preserving flood plain capacity and to insure that flooding problems are not magnified in Lake County.

Storm water management will undoubtedly present some problems on this site. The existing depressional areas provide a tremendous amount of natural storage that must be preserved in order to protect downstream properties. In addition, the nature of the development requires a large amount of impervious coverage (roof tops, road and parking lots) there-

fore, increasing the runoff. The developer should provide detention facilities of sufficient capacity to accommodate the additional runoff generated by the site in the developed state over that generated in the undeveloped state for a storm of 100 year frequency and any and all durations. These facilities should provide for restricted release at a rate such that the natural receiving channel does not exceed its safe capacity.

Although some erosion has occurred on this property under cultivation, the problem is not of great magnitude at present. The topography and soil conditions are such that the site could erode severely if exposed for long periods during construction. It is essential that a sound erosion control plan be developed before construction begins. Installation of debris basins, minimizing the exposure and the effective utilization of temporary and permanent vegetation should control this problem.

The preliminary plan submitted by the developer indicates some attention to the resource capabilities of the site. It seems that additional attention needs to be directed to the southeast portion of the site where construction is planned on Ashkum (232) soil present. The proposal to make Cuba Marsh a wildlife preserve is excellent if properly managed. It would be advisable to provide a buffer strip along the boundary of the marsh and it would be a tremendous loss if the mature trees on the site were destroyed. Drainage of storm water into the marsh will have to be carefully regulated in order to prevent contamination from residues that will undoubtedly collect on roads and parking areas.

The smaller depressions throughout the site also provide excellent habitat for a wide variety of wildlife. It would be ideal if the character of these areas could be preserved and still utilize them for storm water detention. Additional investigation is necessary to determine the feasibility of this alternative. It would be a great loss if the natural

wetlands and mature trees on this site were destroyed without fully investigating all alternatives.

STENOGRAPHIC REPORT of the proceedings had at a public hearing held before the Plan Commission of the Village of Barrington in the Public Safety Building on Wednesday, October 2, 1974.

PRESENT:

Mr. Lawrence Hartlaub, Chairman
Mr. Stanley Koenig
Mr. Robert Lindrooth
Mr. Robert Miller
Mr. Burnell Wollar
Mr. Robert Woodsome

Mr. Hartlaub called the meeting to order at 8:00 P.M. in a public meeting of the Plan Commission continued from August 21, 1974 on presentation of petitioners, LaSalle National Bank as Trustee and L. Draper and PWB Building Corporation, requests annexation to the Village of Barrington and approval of a Special Use-Residential Planned Development on property approximately 380 acres lying on the south-west corner of Cuba and Ela Roads.

Mr. Hartlaub reads the following communications:

1. A letter from Wyngate Home Owners Association dated September 28, 1974 opposing the proposed project with two pages of signatures. (copy attached)
2. A letter from Fairhaven of Barrington Association dated September 27, 1974 stating opposing feelings. (copy attached)
3. A letter from Barrington Meadows Homeowners Association dated September 28, 1974 opposing the proposed development. (copy attached)
4. A letter from Barrington Home Owners Association dated Sept. 26. (attached)

Mr. Abbott Nelson, Vice President Real Estate Research Corporation, is sworn in. Mr. Nelson presents his findings through research on the proposed Brandel-Draper development. His report includes purpose, bases of deduction, analysis and summary of conclusions. (copy of report attached)

Mr. Bob Bailey, Fox Point asks how is the acreage measured.

Mr. D. Millin answers center lines of the roads.

Mr. J. Fiore asks how have the townhouses along Rand Road affected the price of the surrounding single family dwellings.

Mr. Koenig replies he will try to check it out.

Mr. J. Perille states the Barrington Homeowners Association is not representing the people of Barrington.

Mr. H. Brown replies he is presenting individual facts as they are.

Mr. J. McGinn would like every member of the Barrington Homeowners Association to say they do not have any interest in the Draper development.

Mr. Hartlaub says the requested statement is not necessary.

Mr. T. Lyman asks will he have to pay for a new sewer line.

Mr. Millin answers the 21" sanitary sewer extension under Indian Way - Fox Point has adequate capacity to serve the proposed area as stated in his report.

Mr. Blonke says there is a 21" sewer and in some parts 24" which eventually goes into an 18" line.

Mr. Jules Marling presents his report - Supplemental Information: Impact of Proposed Lakes of Barrington Development on School District #220 (Exhibit #17). Mr. Marling says with the decreasing birth rate and phasing the development over seven years there would be sufficient capacity for the additional children. (Exhibit #17 attached)

Mr. J. Zeller, Superintendent of District #220, says there are 8,000 residences in the district now and there will be an additional 2,000 residences within the next four to five years. The Board of Education is opposed to rapid growth.

Mr. Wollar questions the developer's contribution to the school system.

Mr. Millin replies \$450/single family and \$135/townhouse. He says nothing official, but the developer still plans to stand by the contribution to the school system.

Mr. Hartlaub asks did the suggestion of the Eastern Avenue extension come from the Village staff.

Mr. Millin answers "yes".

Mr. Hartlaub asks where is the lift station.

Mr. Millin says it is shown on the drawing in the marsh area.

Mr. Koenig asks who furnished the sewer study.

Mr. Millin replies Baxter Woodman furnished the sewer report.

Mr. Koenig questions the Lake County Soil Report.

Mr. Millin answers Mr. Nargang will have study for October 8.

Mr. Hartlaub asks can we be furnished with a copy of the report.

Mr. Millin states the report will go directly to the Village.

Mr. Lindrooth asks is there a possibility that you might get an unfavorable report.

Mr. Millin replies the reports will have to agree with their exhibits because the exhibits were the basis for the reports.

Mr. Hartlaub asks for an allocation of the 15 acres to the commercial site.

Mr. Millin replies: right-of-way 2.04; landscape buffer 4.92; pedestrian ways and green space 1.61; parking and drives 4.36; buildings 2.07 - Total 15.

Mr. Woodsome states that the Staff Report calls for moderate income houses. Does the developer intend on including this type of housing.

Mr. L. Draper says the Village of Barrington stated it would like 50 - 60 moderate housing units.

Mr. Hartlaub asks can we get a definition of what moderate income housing is.

Mrs. Grubb says a family of four earning \$14,000 would be considered moderate income housing.

Mr. V. Dorweather states the study as applied by BACOG is not far enough along to make any recommendations regarding moderate income housing.

Mr. Wollar moved and Mr. Miller seconded the following motion:

This hearing be continued on October 23, 1974 at 8:00 P.M. in the Public Safety Building.

6 AYES - Messrs. Hartlaub, Koenig, Lindrooth, Miller, Wollar and Woodsome.

0 NAYES.

Meeting adjourned at 10:05 P.M.

WYNGATE

HOME OWNERS ASSOCIATION

214 Bellingham Rd. Barrington, Illinois 60010

Reply to:

110 Wyngate Drive
Barrington, IL 60010
September 28, 1974

Chairman of Plan Commission
Village of Barrington
206 South Hough Street
Barrington, IL 60010

We, the undersigned residents of Wyngate Subdivision, Village of Barrington, are opposed to the Brandel-Draper proposal. We are especially opposed to an exception in zoning to allow R-10 multiple family housing.

We feel the Brandel-Draper development could lead to a serious overtaxing of sewers, water supply, roads, and schools.

We also feel consideration should be given to preserve this land, one of the diminishing open areas around Barrington.

September 28, 1974

Residents of Wyngate opposed to the Brandel-Draper proposal.

Walter J. Harkin 110 Wyngate Dr.
Patricia A. Harkin 110 Wyngate Dr.
Mr & Mrs Susan W. Porter 130 " "
Boris Moroz 203 HEATH CT
Melba J. Moroz 203 Heath Ct - Wyngate
Paul A. Hatfield 204 BELLINGHAM DR
Virginia Hatfield 204 Bellingham Dr
Frank Penna 111 WYNGATE
Monika Penna 111 Wyngate
George Bobe 101 Wyngate Drive
Eunice K. Pope 101 Wyngate Drive
George V. Bayly 100 WYNGATE DRIVE
Ann L. Bayly 100 Wyngate Dr.
Donald R. Berghman 120 Wyngate Dr.
Elaine M. Berghman 120 Wyngate Dr.
Chan Ogden 205 Bellingham
Clint Clark 214 Bellingham
Nolous Clark 214 Bellingham Drive
Richard D. Brown 234 Bellingham Drive
Ann Olsen 234 Bellingham Drive
Ed Volker 245 Bellingham Dr.
Wm B. Keffner 235 Bellingham Dr.
Marjorie S. Keffner 235 Bellingham Dr.
Laura Cross 235 Bellingham Dr.

September 28, 1974

Residents of Wyngate opposed to the Brandel-Draper proposal.

Jack L. Mulholland 121 Wyngate Dr.
Donna P. Mulholland 121 Wyngate Dr.
Mr & Mrs James A. Bully 213 Heath Ct
Alfred V. Wisniewski 232 Heath Ct.
Barbara C. Hunsicker 232 Heath Ct.
Mr & Mrs Fred Kummerfeldt 200 Heath Ct
Charles D. Catledge 212 Heath Ct.
Kaye J. Catledge 212 Heath Ct.
Mr & Mrs M. Marting 202 Heath Ct.
Robert J. King 140 Wyngate Dr.
Joan M. King 140 Wyngate Dr.
William H. Conway 150 Wyngate Dr.
Margaret M. Conway 150 Wyngate Dr.
Mr & Mrs. Louis J. Bagnall 170 Wyngate Dr. Barr.
Mrs. & Mrs. Robert Boddison 180 Wyngate Dr. Barr.
Mrs. John P. Michael 141 Wyngate Dr. Barr.
Mr & Mrs Robert Zimmus 201 Wyngate Dr.
Mr & Mrs E. J. Kape 211 Wyngate Dr.
Mr. Mrs. A. V. Evans 221 Wyngate Dr.
Marie K. Verschoor 231 Wyngate Dr.
Mr & Mrs Carl Wode 230 Wyngate Dr.
Mr & Mrs Donald E. Owens 220 Wyngate Dr.
Robert Farmer 223 Heath Court Barrington
Lorraine Farmer 223 Heath Court Barrington

September 28, 1974

Chairman and Members of Plan Commission
Village of Barrington
206 South Hough Street
Barrington, Illinois 60010

Gentlemen:

At a meeting held on September 5, 1974, members of the Barrington Meadows Homeowners Association attempted to evaluate whether the proposed Brandel-Draper development would, in fact, be in the best interests of the residents of Barrington.

After weighing the pros and cons of this proposal to the best of our abilities, we have overwhelmingly decided to take a position opposing the Brandel-Draper development. This decision to oppose the Brandel-Draper plan is based on a number of considerations. Foremost among these is our concern about this group's request for R-10 zoning. We feel that the concession of multi-family building privileges, as specified under the R-10 zoning codes, would negatively impact the future character of the Barrington area. Not only would such a concession provide the potential for seriously overburdening community services such as schools, sewers, water supply, roads, police protection, refuse service, etc., but equally important, we feel that the allowance for R-10 zoning would be a critical and unwarranted deviation from the goals and objectives of BACOG and the Barrington Comprehensive Plan.

Rather, we recommend that this Brandel-Draper property be totally restricted to single family housing. Furthermore, we support the position that the density of this 381.5 acre tract should be limited to one house per acre.

We know that the responsibilities of the Plan Commission in assessing the Brandel-Draper petition are indeed heavy. But we urge that you do not ignore the viewpoints of the Barrington Area Council of Governments, the Barrington Chamber of Commerce, the Barrington Community Schools Unit District 220, the Village of North Barrington, and the Fox Point, Wyngate and Barrington Meadows Homeowners Associations when arriving at your decision. For, as trite as it may sound, the future of the Barrington area may well hinge on your decision on this matter.



Thomas J. Herr
President
Barrington Meadows Homeowners Association

cc: President and Members of the Board of
Trustees of the Village of Barrington

FAIRHAVEN OF BARRINGTON ASSOCIATION

BARRINGTON, ILLINOIS 60010

September 27, 1974

Barrington Plan Commission

Village Hall

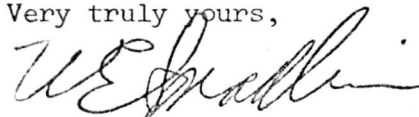
Barrington, Illinois 60010

Gentlemen:

Please add the Fairhaven Homeowners Association to the growing list of Homeowners Associations and other organizations that are against the proposed Draper-Brandel Development. Even though this property is not directly adjacent to us, the flow of traffic on Cuba and Lake Zurich Roads will be greatly increased and our class rooms will become over crowded. In addition the probability of a high density development on the property south of Cuba Road and east of Lake Zurich Road would be greatly increased due to the precedent established here.

The lessons learned in the Chippendale Sub-division should be remembered in your review of the Draper-Brandel proposal.

Very truly yours,



William Spradlin

President, FHOA

BARRINGTON HOME OWNERS ASSOCIATION, INC.

BARRINGTON, ILLINOIS

September 26, 1974

Mr. Larry Hartlaub, Chairman
Plan Commission
Village of Barrington
Village Hall
Barrington, Illinois 60010

Dear Chairman:

In our letter to you dated August 30, 1974, we mentioned several of the concerns of the board of the Barrington Homeowners Association and noted that a committee had been appointed to study these and other aspects of the Draper proposal.

A review of the Comprehensive Plan for this neighborhood reveals four recommendations - three of which are applicable to the parcel in question:

1. "The area known as Cuba Marsh should be withheld from development to the extent desirable and placed in public ownership."

This is included in the Draper Proposal.

2. "The unincorporated portion of the neighborhood should be annexed to the Village of Barrington and provided with public sewer and water utilities; preferably the corridor of land in the Village of Deerpark should be detached and annexed to Barrington."

The Draper Proposal, of course, does include the annexation, but does not include the corridor of land in Deerpark. However, this is beyond the control of the developer and his proposed method of handling it appears to be acceptable, assuming Deerpark concurs.

3. "The newly annexed land should be developed for residences at an overall density of two or less housing units per acre. A planned-unit development is preferred."

Using the above wording precisely, on an overall basis the density works out to 1.79 units per acre and Draper is proposing a PUD.

Therefore, the Draper Proposal technically is not in conflict with the Comprehensive Plan, in our opinion. However, we do feel in this instance, because of the location of the marsh in relation to the development and the specific reference to it in paragraph one above, that it should be excluded from the calculation. When the 68.27 acres of marsh is excluded, the units per acre, according to our calculation, is 2.18. In order to bring the units per acre in compliance with the Comprehensive Plan, with the exclusion of the marsh, the total units would have to be about 626 or 58 less than proposed. This is one of

(1)

recommendations.

Since it is the assumption of the board of the Barrington Homeowners that this property will be developed, we feel there is considerable wisdom in continuing to work with Draper & Associates. This is another recommendation. We feel much has been gained over the past two and a half years from the developer that will be good for Barrington; for example, another well and water storage facility, which will permit a looping of the water system. Also, this builder has committed to spreading the project over a seven to eight year period. And finally, we did do some research covering this firm and found that Draper is generally regarded by the industry and by banks as a master developer, contractor and promoter. 2

The developer has not yet furnished the requested "Natural Resource Evaluation" to be prepared by the Lake County Soil and Water Conservation District. This evaluation will advise the Plan Commission (and the Village Board) of the conformity of the developer's plan to the Village Ordinance No. 1296 entitled "Soil Overlay District." 3

The Conservation District Engineer had not prepared his evaluation report at the time we contacted him. This evaluation will not be ready for submission to the Plan Commission until after October 8th, the date of the next meeting of the District's Board. ←


It is not possible to predict the results of the District's evaluation, except to mention that the developer had not requested any help from this group when laying out his plan. The final recommendations of the Conservation District could possibly have a major effect on the developer's plan and we will be very interested in their report.

Comments on our other concerns as outlined in our letter are as follows:

The question of townhouses in a countryside area and whether this would set a precedent was studied.


We believe it is worth while to note that this proposed development is moving in the only direction from the heart of Barrington where the neighboring community has higher density. It is unrealistic to believe that the Lake Zurich property across Cuba Road will be developed as low density housing. Therefore, we believe the Village could prevent a "domino effect" from occurring in other areas, as this condition does not exist elsewhere.

Concerning the subject of the proposed shopping center at the Southwest intersection of Cuba and Ela Roads, it is important to remember the following: Of the fifteen acres set aside as commercial, 2.07 acres are in buildings. This is equivalent to 90,169 square feet and it is our opinion that if this were all in retail stores, it would be more than a convenience shopping center. Mr. Millen, Executive Vice President of Draper & Associates did indicate that part of the 2.07 acres would be in offices. It is our recommendation that an agreement be reached with the developer on this subject. We suggest no more than 4

60,000 square feet in retail, leaving at least 30,000 square feet in office. We do feel a convenience shopping center is desirable where proposed because it will help to reduce the effect of traffic into the Village. 

The following analysis was undertaken to determine the economic impact of the proposed Draper project on municipal facilities, including principally sewer and water facilities, but including as well, some consideration of police protection, snow removal, and auxiliary municipal services which generally involve a lower capital requirement than sewer and water. Summary of findings presented below represents analysis of the Applied Property Research, Inc. study commissioned by Draper, the Barrington Building Department's analysis of the study, the Barrington Staff Study and Recommendation on the proposal, and those points raised in the Fox Point and North Barrington Homeowners Association's position papers, along with discussions with both Dean Maiben and Don Klein.

With the clear understanding that any analysis of economic feasibility rests totally on those underlying assumptions and base data developed in the above-mentioned reports, the following points should be noted.

1. On an ongoing basis, the Development appears to be able to pay its own way for sewer and water services: applying usage patterns consistent with those the Village now experiences and extending these by existing rates results in per capita charge of \$56.31 compared to a current identifiable per capita expense of \$55.71 (including debt service). Of obvious importance here is the fact that this does not accommodate any capita expansion, particularly of the sewer plant, which the Development might necessitate. Further, it should be noted that the Development's ability to pay its own way is not predicated in any way upon recapture of those one-time charges for tap-ons, etc., which total \$513,000.
2. With regard to physical facilities, those recommendations in the Building Department's study will insure that all water line, storage tank and well costs are borne by the developer. The expansion of the waste water treatment plant, however, to handle the needs of the Village following development were nowhere discussed. There remains very significant questions as to whether expansion of the WWTP is necessitated by the Development itself, or whether this is an inevitable step the Village must take to support the existing residents. Believe that some investigation of planned expenditures in this regard is necessary to insure that the Development will bear its proportionate share of the associated costs. It is entirely possible that tap-on fees will support a large part of the Development's share of any WWTP expansion, but this has not been made clear. 
3. The Draper-commissioned research study points out that the Village expenses identifiable with police protection, snow removal, etc., will be funded entirely by the Development. It should further be noted that the per capita expenses of these services developed to date include a significant measure of administrative expense (such things as maintaining the police department building, etc.) which will not be increased with the Development. In that regard, then,

the Development is providing a per capita revenue equal to a combination of existing fixed and variable costs, while, in fact, it would be necessary only to meet variable expenses to function on an economic basis. This might be construed to be a small benefit to the project

In particular view of questions raised in Fox Points's position paper, perhaps a measure of the project's "population elasticity" might be helpful. Fox Point, it might be recalled, thought that population estimates were low by some 142 people or 5%. Following is a comparison of identifiable revenues on a per capita basis for those categories for which projected data is available:

	<u>Barrington Only</u>	<u>Draper Project</u>
Real Estate Taxes	\$ 162,000	\$ 145,058
Sales Tax*	460,000	101,700
Licenses	100,825	26,340
Water Fees, Sewer Fees	520,000	148,316
TOTAL	\$1,242,825	\$ 421,414
Per Capita	130.09	159.99

*Largely predicated on inclusion of convenience center.

On a revenue comparison basis, then, the Draper proposal contributes approximately \$30 more per capita in the above categories than the Village receives from the current population. Given that other revenue categories (e.g., revenue sharing, fuel taxes) remain constant on a per capita basis between the Village and the Draper project, the \$30 spread pertains to total estimated revenues of \$271.49: in percentage terms, the Draper project will contribute approximately 11% more on a per capita basis than Village residents now contribute. Conceivably, the Development then, might be able to support an additional population of 291 people, well in excess of the Fox Point contention, disregarding any effect that increased population might have on sales tax revenue and sewer and water fees.

In summary, the one remaining unresolved consideration involves capital expansion requirements of the sewer plant. Obviously, the Development should pay its proportionate share of expansion necessary, but should not be expected to pay for improvements necessitated by growth in the Village itself.

The following analysis was undertaken to determine the impact of the proposed Draper project on School District 220, including operating expenditures, expansion of facilities, and capacity of current facilities. The summary of findings presented below represents the position of School District 220 as outlined in Mr. Sears Hallett's letter dated August 19, 1974 and from an interview with Dr. Joseph Zoeller, the Superintendent of District 220, who had assisted in developing the groundwork for the position taken by the School Board.

1. The proposal made by Draper is not correct in its projections of economic profit to the District after the first year, in that 1972 rather than 1973 assumptions were used regarding calculations of State Aid reimbursements.

The 1973 State Aid formula essentially reimburses the District for any shortfall by which tax collections fail to finance a predetermined cost per pupil. Conversely, any tax collections received from an additional group of homes in excess of the

marginal expenditures required to serve the children from those homes merely reduces the amount of State Aid received. Thus, with respect to operating expenditures, neither an economic profit nor a loss should result.

2. The subject of potential expansion of facilities and the costs for such expansion are not mentioned in the Draper Proposal. Also the position of District 220 does not adequately consider the other potentially viable alternatives of continuing to bus pupils from more crowded to less crowded schools.
3. The possibility of some expansion might be required with or without the implementation of the Draper project, due to those other developments either being built or proposed within the boundaries of District 220. Because of the many variables affecting school population over time, it is not possible to assign a specific cost factor for capital expansion needs to the Draper Project or to any other new development.

Further, because of the decline in birth rates, which has occurred in recent years, the pre-school population in the area has declined. Thus, it can be assumed that overcrowding in the affected grades could be temporary in nature, if the current trend continues.

The following was undertaken to determine the impact on traffic by the proposed Draper Project. The summary of findings below represents an analysis of the "Street System Proposed for Barrington" as prepared by Barton-Aschman Associates in October, 1970 and from an interview with Mr. Roy Crumrine, Superintendent of Public Works.

1. The major problem facing Barrington regarding traffic is the Hough Street route. The Draper Project will not have a large impact on this route, but would cause increased usage of the County Line/Main Street route. Mr. Crumrine attended a meeting in Waukegan this Fall, where it was proposed that this route be widened. He caused the removal of this proposal from the agenda by expressing the desire of the Village of Barrington not to take this action. Therefore, it can be assumed that the present road will bear additional traffic, if the Draper Project is implemented.
2. The Street System Proposal recommends the de-emphasis of Lake Zurich Road and the placement of a cul-du-sac at the intersection of North Avenue and Northwest Highway. Further, it is unlikely that Eastern Avenue will be extended Northward to Cuba Road. Thus, the creation of additional traffic by the Draper Project will cause increased use of the Cuba Road/Lake Zurich Road/ North Avenue route. This is in conflict with the Barrington Plan and could cause an undesirable increase in the flow of traffic through the residential area through which North Avenue passes.

3. The movement of the commuter station Eastward is in the process of being implemented. The Barrington Plan does provide room for additional parking capacity to handle the potential increase of this type of project. However, the problem of egress and ingress remains.

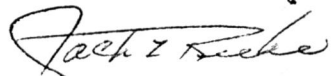
In summary, there will be an increase in traffic on routes currently heavily used. However, due to expansion of the areas North and East of the Village, there will be additional traffic on Ela Road/County Line Road with or without the Draper Project.

As previously mentioned, it is the assumption of the Directors of the Association that this land will be developed and therefore traffic will increase whether it be this development or any other.

We recommend that the Village work with the State in an effort to cause County Line to be widened to four lanes from Northwest Highway to Ela Road in order to help alleviate the traffic problem.

We sincerely hope that these comments and recommendations are helpful to the Plan Commission and the Village Board in arriving at a final decision on the Draper Proposal.

Respectfully,



Jack L. Rieke
President, Barrington Homeowners Association

JLR:jr

cc: Fred Voss
Mayor
Village of Barrington

STATEMENT TO BARRINGTON PLAN COMMISSION
CONCERNING PROPOSED BRANDEL-DRAPER DEVELOPMENT

October 2, 1974

by Abbott L. Nelson, Vice President
Real Estate Research Corporation

I. PURPOSE

The purpose of my assignment has been:

1. To determine the appropriateness of the proposed Brandel-Draper Development as it relates to the character of nearby existing development and the projected impact that it would have on both existing and future developments and,
2. If this proposal were deemed inappropriate, to make positive recommendations as to the development of the tract.

My client in this instance is the Fox Point Homeowners Association. Before agreeing to undertake this assignment, I examined the situation in sufficient detail to establish whether or not I generally approved of the position of that Association in this matter. My conclusion was that I most affirmatively did.

REAL ESTATE RESEARCH CORPORATION

II. BASES OF DEDUCTION

The conclusions derived from my analysis are based upon the following research:

1. Physical examination of the property and surrounding areas.
2. Review of development trends in surrounding communities and Chicago northwest suburban area generally.
3. Review of plans of the proposed Brandel-Draper Development.
4. Review of pertinent data and documents, including the following:
 - a. The Comprehensive Plan of the Village of Barrington, June 1972.
 - b. Recommended Comprehensive Planning Policies for the Barrington Area, prepared for BACOG by Barton-Aschman Associates, September 1971.
 - c. A Cost-Revenue Analysis of Land-Use Alternatives, prepared for BACOG by Barton-Aschman Associates, February 1970.

- d. Staff Study and Recommendation of Lakes of Barrington Project, by L.F. Draper and Associates, December 1973.
- e. Tax and School Impact Study, proposed Lakes of Barrington Development, prepared for L.F. Draper and Associates by Applied Property Research, August 1974.
- f. Proposed Annexation Agreement dated May 22, 1974, not executed by the Village of Barrington.
- g. Applicable zoning maps and materials.

III. ANALYSIS

Zoning is a police power of the state based upon the right and duty of government to protect the public health, safety and welfare. Over 50 years ago, the State of Illinois enacted enabling legislation granting Illinois municipalities the power to adopt and enforce zoning ordinances. While zoning law has evolved, both through legislative and judicial actions, into a much more complex field of law, its primary purpose then is still fundamental today; i.e., to protect the homes of people from the invasion of deleterious uses and the detrimental impact of incompatible development.

The major tools of zoning are the control of permitted uses and of density.

So let us examine the proposed Brandel-Draper Development in these lights.

A. Permitted Uses

1. Commercial Complex-15 Acres

A Commercial center of this size would be a violation of the open and residential character of the area. It would have a detrimental effect upon surrounding development, on traffic circulation and on the viability of the Barrington central business district. Assuming the success of such a shopping center, it would require considerable street widenings and improvements at public expense.

In support of the opinion that commercial development at this scale is inappropriate is the following from the Barrington Comprehensive Plan:

"Neighborhood retail and service (convenience) centers ... should not exceed approximately five acres of land area."
(p.20).

Let me make clear the implication of the 15-acre allocation.

At a parking ratio of 3 to 1, this could accommodate 3.75 acres, or over 160,000 square feet of building area. This would not be a "convenience" center.

The staff study of Draper and Associates indicates that the commercial (retail) space would not exceed 50,000 square feet and the office space 40,000 square feet, and says that there should be one parking space for each 250 square feet of commercial space. This would mean 360 spaces which at 400 square feet per space (including access roadways, aisles and interior circulation) would yield 144,000 square feet. This, plus the commercial and office space would be 234,000 square feet, or 5.37 acres. Even allowing for extra landscaping, 15 acres clearly is very excessive.

This is our recommendation:

- a. Office space should be excluded. We don't believe that this is an appropriate location and there currently is con-

siderable new office space available for rent in the Barrington area, particularly on the Northwest Highway.

Not more than four acres should be devoted to the convenience center. With 23,000 square feet for a supermarket and drug store, total building area should not exceed 30,000 square feet. One parking space per 150 square feet would mean 200 spaces, or about 80,000 square feet. This is a total of 110,000 square feet of land area, or only 2.52 acres. Hence, even with extra landscaping, an allocation of three to four acres would be ample.

- c. The location at the corner of Cuba and Ela roads is appropriate.

2. Townhouses - 248 Units

I submit that this is clearly inappropriate use for new development on the fringes of the Village of Barrington.

- a. Barrington is known nationally as well as locally as an area of beautiful single-family homes. This image is important in the establishment of the Village as an extremely desirable place to live and, hence, in the maintenance and enhancement of property values.
- b. Homeowners typically have come to this area from the eastern seaboard, as well all parts of the Chicago area, in search of this relatively quiet uncongested exurban living. They would be seriously disenchanted by the invasion of townhouse construction.
- c. There are hundreds of Chicago area communities where multiple-family construction is appropriate. Palatine, Arlington Heights, and Mount Prospect are examples, and these are very fine villages indeed. But Barrington has a wholly different image and environment which creates the very strong demand potential which the developer is seeking to capitalize upon. I think Barrington should fight to retain this image.

- d. In my opinion, inclusion of townhouses would tend to erode the general marketability for single-family homes in Barrington.
- e. From a reading of the Comprehensive Plan and BACOG report, it seems quite clear that townhouse or other multiple family uses were not contemplated on the fringe areas of the Village of Barrington.

My recommendation here is to eliminate townhouses from the proposed development.

B. Density

Density is basic and has been a major item of controversy. Following are my comments.

- 1. A total of 684 units are planned with a population of over 2,600 persons. This would increase the present population of the Village by more than 27 percent and would generate over 4,000 cars.

2. In computing units per acre it is unreasonable and illogical to include the Cuba Marsh. It would not be part of the project physically, it would not serve the project residents, and even ownership would be transferred. Any figures showing units per acre including Cuba Marsh are misleading, just as a new development bordering a forest preserve would include the acreage of the preserve in its density computation. The Cuba Marsh also borders Fox Point, yet no one has suggested that it be included in calculating the Fox Point density.
3. Hence, to begin the project actually contains about 314 acres (382 less 68). Deducting 20 acres for the planned commercial center and church leaves 294 gross acres for residential development. The density, then, for the project (including greenways, lakes and ponds) is 2.33 units per acre.
4. The density for the net residential land (deducting 15 percent for streets) would be 2.74 units per acre.
5. I submit that this is an unreasonably high density and is in violation specifically of the Barrington Comprehensive Plan

and the principles of the BACOG plan. Densities should decrease not increase as development moves away from the center of Barrington.

6. Yet, how does this compare with the adjoining North Fox Point which has direct access to Lake-Cook Road? In that area we find 295 units on 257 acres, or 1.15 units per acre. The Brandel-Draper development would be more than double that density with 2.33 units per acre. Yes, this acreage includes Lake Louise, just as my computations for the proposed development included 76 acres of greenways, lakes and ponds. Lake Louise is surrounded by the Fox Point homes, is an integral part of it and is used by the project residents as a recreational facility, both in summer and winter. Both calculations, however, exclude the Cuba Marsh.

My recommendation here is that density be restricted to preferably one and not more than 1.3 units per acre in the proposed development. Reducing the commercial center to four acres would mean that there

would then be 305 gross acres available for residential development.

At the above recommended densities, this would accommodate preferably 305 and not more than 400 homes.

IV. SUMMARY OF CONCLUSIONS

Following are my conclusions and recommendations with respect to the subject tract of land so far as it affects the Village of Barrington and its residents.

1. It should be annexed to the Village. Only in this way can the Village maintain basic control of its future development. It is a logical extension to the northeast, and Cuba and Ela Roads very likely should represent the ultimate municipal boundaries in this quadrant.
2. It should be developed for residential use. Clearly, it is a desirable tract of land for that purpose and development, per se, should not be held back.
3. It should be restricted to single-family homes. Multiple family uses, including townhouses, are inappropriate.

4. The density should be from 1.0 to 1.3 units per gross residential acre. This would provide for 305 to 400 homes.
5. They should be high quality homes. This means sales prices in the \$100,000 and up bracket.
6. A convenience center at the corner of Cuba and Ela Roads is appropriate. Not more than three to four acres should be allocated to this use.
7. Following then would be the revised land use acreage figures for the subject tract.

		<u>Acres</u>
Total Area		382
Cuba Marsh		<u>68</u>
Project Area		314
Church	5	
Commercial	<u>4</u>	
Total		<u>9</u>

Gross Residential Area	305
Greenways, Lakes	<u>76</u>
Gross Developable	
Residential Area	229
Streets (15%)	<u>34</u>
Net Residential Area	195

Average Lot Size

305 homes	27,850 square feet
400 homes	21,236 square feet

Oct 17
Rec'd 10/2/74 JPA

Jules Marling

SUPPLEMENTAL INFORMATION:

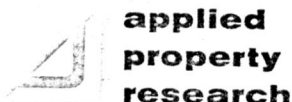
IMPACT OF PROPOSED
LAKES OF BARRINGTON DEVELOPMENT
ON SCHOOL DISTRICT #220

Prepared For:

Mr. Douglas Millin
Executive Vice President
L.F. Draper and Associates
855 Sterling
Palatine, Illinois

September 20, 1974

applied
property
research



September 20, 1974

Mr. Douglas Millin
Executive Vice President
L. F. Draper and Associates
855 Sterling Avenue
Palatine, Illinois

Re: Financial Impact of Proposed Lakes of Barrington
Development on Barrington Community Unit
School District #220

Dear Mr. Millin:

This information is intended to clarify certain issues which were raised by Barrington Community School Unit District #220 in its letter of August 19, 1974. Some more recent data is now available regarding tax rates and education costs. We have also attempted to arrive at a more refined determination of the state aid that might be generated by the proposed development. Finally we have considered how District #220 might be able to accommodate the additional children that the project would generate. Our analysis and conclusions regarding the major issues raised by the district are set forth below:

1. The formula which school districts use to calculate state aid has changed with considerable frequency over the years and can be expected to continue to change in the future. In recent years the so called Strayer-Haig formula has been in use. This basically increased on a per capita basis but varied inversely with per capita assessed valuations. We used a flat per capita amount in estimating the state aid that would be generated as a result of the subject development. This is a reasonable approximation of the calculation as it is made today in many school districts, but the situation is changing.

The most recent versions of the state aid formula (HB1484 and HB2753) contain a resource equalizer. This establishes different maximum operating tax rates according to district organizational patterns. The maximum rate for a unit school district such as District #220 is \$3.00 per \$100 of assessed valuation. It also establishes certain minimum assessed valuations per pupil. These are higher than the prevailing level of assessed values.

in most school districts. The assessed valuation constant established for a unit school district is \$42,000 per pupil. The state, in effect, guarantees that all unit school districts will be able to spend \$1,260 per pupil ($\$42,000 \times 3\%$) regardless of their financial condition. Thus any increase or decrease in assessed valuation per child of the district will be reflected by a proportionate decrease or increase in state aid and taxes. The combination of state aid plus real estate taxes must equal this per pupil amount.

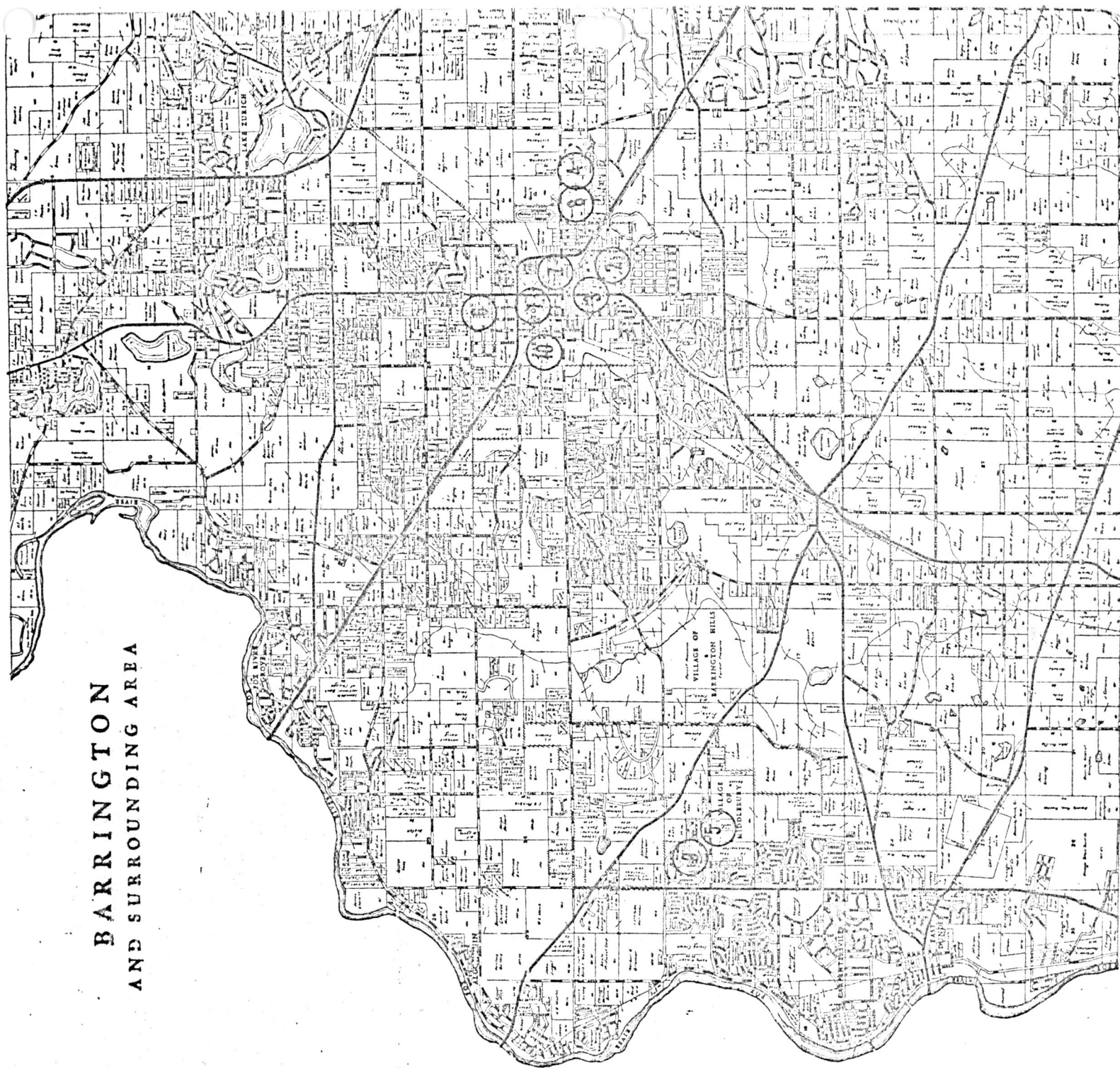
If this calculation does not change in future years, local financial sufficiency will no longer be relevant in evaluating the financial capability of a school district. That is to say, a community's tax base no longer makes any difference. If we accept this as a permanent condition, we must accept the proposition that no real estate development can have any long term impact on the operating position of a school district -- so long as the district does not spend more than \$1,260 per pupil. In this case, the proposed Lakes of Barrington Development would have no positive or negative impact on the operating position of School District #220 -- by definition.

However, it should be emphasized that the new Resource Equalizer calls for a massive across the board increase in state aid to education. The state's ability to fund this increase is a serious question. If funding difficulties are encountered in future years, another change in the state aid calculation would be a virtual certainty.

In view of the foregoing, it would appear that the subject development could not hurt District #220 from an operating cost standpoint. On the other hand, if the Resource Equalizer remains in effect for a long period of time, the subject development cannot provide a net profit to the district. However, no real estate development of any sort can provide a net profit to the district.

2. In considering the ability of District #220 to absorb more students, it is necessary to examine its present and projected future enrollments as well as the capacity of its existing schools. The capacity of the 10 schools in District #220 are set forth below along with the present attendance as indicated by the first week of the 1974-75 school year. The Lines, Middle and Roslyn Schools are reportedly at capacity, so capacity and attendance levels were considered to be the same amount. The location of these schools is set forth on the map facing page 3.

**BARRINGTON
AND SURROUNDING AREA**



CAPACITY AND ATTENDANCE LEVELS
FOR SCHOOLS IN BARRINGTON DISTRICT #220

	<u>School</u>	<u>Capacity</u>	<u>Present Attendance</u>	<u>Excess Capacity</u>
1.	North Barrington (K-5)	500	474	26
2.	Grove (K-5)	550	513	37
3.	Hough Street (K-5)	275	269	6
4.	Lines (K-6)	569	569	-
5.	Sunny Hill (K-5)	625	569	56
6.	Roslyn (K-5)	527	527	-
7.	Countryside (K-8)	370	356	14
8.	Middle (6-8)	1083	1083	-
9.	Hickory Hill (6-8)	525	364	161
10.	Barrington High (9-12)	<u>3200</u>	<u>2836</u>	<u>364</u>
		8224	7560	664

Source: Barrington School District Number 220.

It will be noted that the total district has excess capacity for more than 650 pupils. Over half of the excess capacity is presently in Barrington High School. Also the Lines and Middle Schools, which might normally be expected to service the subject property, are at capacity and would have difficulty accepting additional students at the present time. In future years their capacity situation may improve somewhat, but it is unlikely that they can handle the entire subject development without increasing their physical plant. However, a number of other schools in the District do have excess capacity. A redefinition of district boundaries would allow them to handle the students from the subject development without undertaking any new construction. This would involve some added transportation costs and possibly increased administrative expenses. However, these costs could not conceivably be extremely large.

3. The present trend in school enrollments in District #220 is a significant factor which should be taken into consideration in evaluating the future capacity of the system. Past trends and projections for Barrington District #220 are set forth in the table below.

ENROLLMENT TRENDS
BARRINGTON DISTRICT #220

	Elementary (Grades K-8)	Special Education	High School (Grades 9-12)	Total
1968-1969	5141	24	2325	7490
1969-1970	5207	26	2462	7695
1970-1971	5080	19	2616	7715
1971-1972	5057	19	2725	7801
1972-1973	4992	20	2816	7828
1973-1974	4834	46	2855	7735

PROJECTED FUTURE ENROLLMENTS
BARRINGTON DISTRICT #220

	Elementary (Grades K-8)	Special Education	High School (Grades 9-12)	Total
1974-1975	4723	46	2880	7649
1975-1976	4567	46	2918	7531
1976-1977	4478	46	2893	7417
1977-1978	4402	46	2859	7307
1978-1979	4335	46	2805	7186

7186

Source: Barrington District #220. Projections were prepared January 1974 based on the best information available to the district at that time.

During the 1960's school enrollments in Barrington District #220 increased at very rapid rates. As is indicated by the table, the rate of increase slowed significantly during the early 1970's and in fact peaked in the 1972-73 school year. Enrollments for the 1973-74 school year totaled 7,735 pupils, down 93 from the 1972-73 level. This actually is the result of two trends. Elementary school enrollments peaked in 1969-1970, and High School enrollments are still increasing slightly. They are expected to peak in 1975-76. This situation is not unusual. It relates to the age structure of the population in general and is a phenomena that is occurring in many other school districts throughout the nation.

The school district's projections indicate that further declines in total district enrollments will occur in each school year between now and 1978-79. In fact by 1978-79 their projections indicate the system will have only 7,186 students -- a decline of 549 students from 1973-74 levels. Of this total decline only 50 will be high school students and the remaining 499 will be in grades K through 8. By that time the total school system should have excess physical capacity for more than 1,000 students.

4. We feel that it is important to emphasize that we have been conservative in estimating the school age population of the proposed subject development. The actual population of Fox Point is probably quite representative of the type of population likely to be attracted to the subject area. We understand that Fox Point contains an average of about 4.4 bedrooms per unit and a total of 411 units. The school age population of Fox Point is as indicated in the table below. This information was obtained from the Fox Point Home Owner's Association and was cross checked with about 30 personal interviews.

SUMMARY OF FOX POINT POPULATION

	<u>Total Population</u>	<u>Per Unit Population</u>
Pre School	30	.073
Elementary School	291	.078 .708
Junior High School	137	.333
High School	296	.720
Adults	<u>1196</u>	<u>2.910</u>
Total	1950	4.743

Source: Fox Point Homeowner's Association.

Based on Illinois School Consulting Service figures one would expect about 2.12 school aged children per unit in Fox Point, as compared to the 1.761 which actually exist. This suggests to us that Illinois School Consulting Service data is too high for the subject area. In view of this situation, it would appear that there is a good chance that the actual school aged population of the subject development might be as much as 20% less than we have indicated.

5. In view of the foregoing considerations, it seems unlikely that the subject development would require the construction of an additional school at the present time.

Nevertheless, the two elementary schools which normally would serve the subject development are presently at capacity. We have projected that Barrington District #220 will receive 413 new students as a result of the subject development (298 elementary school students and 115 high school students). Since the high school does presently have excess capacity for 364 students, there would be no need to construct additional facilities to service high school students residing in the subject development. It is not unrealistic to think that elementary school students residing in the subject development could directly or indirectly be taken care of by other schools in the Barrington District that do have excess capacity. Nevertheless, if it were necessary to construct a new addition to take care of these students, approximately 12 classrooms would be required (at 25 students per class). At \$35,000 per classroom, which is considered to be a reasonable "ballpark" cost estimate, this would amount to a total of \$400,000.

It is significant to note that this may not be a 100% out of pocket cost to the district, since 20% of the funds or more could quite possibly be made available from the Illinois Building Commission. However, to obtain these funds the District would have to prove its need for new facilities, which might be difficult in light of its declining enrollments.

6. In considering the ultimate impact that the subject property might have on the school district, it is necessary to take into account alternate development configurations that might be constructed on the site. It is unlikely that the subject property will remain vacant land forever. The most likely development would be a configuration similar to Fox Point. Alternatively, the majority of the property is zoned SR-Suburban Residential by Lake County which requires a 40,000 square foot minimum lot size. The implications of these possibilities are as follows:

- We understand that Fox Point has an overall gross density of about 1.37 units per acre. This would mean that about 527 units might be constructed on the entire subject property. In arriving at a determination of the number of school aged children that might be generated, we used a factor of 1.76 students per home. This is the actual ratio that exists in Fox Point, and is about 20% lower than the figures which would be indicated by Illinois School Consulting Service data. Assuming that approximately half of these children go to Barrington School District #220, the total number of new students would be 464 (274 elementary and 190 high school) as calculated below. It is significant to note that this is 51 more students than would be produced by the subject development.

CALCULATION OF RESIDENT STUDENT POPULATION:
FOX POINT TYPE OF DEVELOPMENT

Elementary School Students

$$527 \text{ homes @ } 1.04 \text{ elementary school students} \div 2 = 274$$

High School Students

$$527 \text{ homes @ } .72 \text{ high school students} \div 2 = 190$$

$$\text{Total} \quad 464$$

- If the subject property were improved with single family residences with a minimum lot size of 40,000 square feet, it would be possible to construct approximately 350 homes on the site. While some of the land in Deer Park is zoned for heavy manufacturing, it is realistic to expect that this classification could be changed. Assuming an average of 4.5 bedrooms per unit, and that half of the students go to Barrington District #220, a development at the subject property would have about 386 students including 275 elementary school students and 111 high school students. This is just 27 less than the projected number of students that would be generated by the subject development.

CALCULATION OF RESIDENT STUDENT POPULATION:
DEVELOPMENT WITH 40,000 SQUARE FOOT LOTS

Elementary School Students

350 homes @ 1.57 elementary school students - 2 = 275 students

High School Students

350 homes x 635 students per home - 2 = 111 students

Total 386 students

In view of the above, it seems that the proposed subject development will produce about the same number of students as any other land use that might reasonably be considered, and quite possibly less.

7. The most recent available financial statistics for Barrington School District #220 are set forth below:

SELECTED OPERATING STATISTICS
BARRINGTON COMMUNITY UNIT SCHOOL DISTRICT #220

Attendance (1974)	7,560
Assessed Value (1974)	\$169,740,000
Assessed Value per pupil	3.389%
Approximate Tax Revenues (1974-75)	\$ 5,752,488
Taxes per Pupil	\$760
State Aid	\$ 4,046,000
State Aid per Pupil	\$535
Operating Expense per Student (1973-74)	\$1105

Tax Rate

Source: Barrington School District #220.

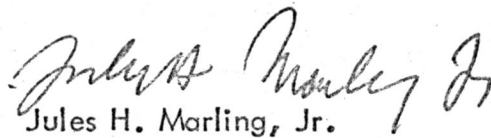
The subject development will have a projected assessed valuation per student of approximately \$23,361 according to our projections. If it existed at the present time, the tax revenues generated would be \$792 or approximately \$31 more per student than the present average for the district. Over the long run, however, the tax rate will have to decrease to 3% to qualify for the maximum state aid, and the tax revenues per student will also decrease. On the other hand state aid will correspondingly increase very significantly if the Resource Equalizer is implemented as planned. Because of the implications of the Resource Equalizer, these statistics are not particularly relevant in evaluating the impact of the subject development.

We hope that the above data will be helpful in evaluating the impact that the subject property will have on Barrington School District #220. While we have not analyzed the specific situation for Lake Zurich District #95, many of the same considerations would be relevant.

We would be happy to answer any further questions which you may have and to meet with you at any mutually convenient time to discuss these conclusions.

Respectfully submitted,

APPLIED PROPERTY RESEARCH


Jules H. Marling, Jr.

JHM/au

A G E N D A
Village of Barrington, Illinois
Meeting of December 9, 1974 at 8:00 o'clock P.M.

1. Call to Order.
2. Roll Call.
3. Approval of the Minutes of the Public Meeting of the President and Board of Trustees of the Village of Barrington, Illinois on November 25, 1974.
4. Inquiries from the Audience.
5. Citizen's Petitions and Comments:
 - a) Joe Catlow request to be heard re building permit for relocation of a garage.
6. REPORTS OF VILLAGE OFFICIALS:
 - President's Report:
 - a) Noise improvements on North Western trains.
 - b) BACOG Resolution of cooperation for Grant Program.
 - Manager's Report:
 - a) Report on the progress of the Downtown Beautification Committee's work and a timetable for presenting the Village Center Plan.
 - b) Village employee schedule for December 21 and December 24, 1974.
 - c) Other Administrative Reports.
7. Ordinances and Resolutions:
 - a) Ordinance Adopting Subdivision Regulations, Chapter 21.
 - b) Consideration of an Ordinance Amending the 1974 Cook County Tax Levy in regard to the Downtown Special Tax District.
 - c) Consideration of a resolution approving amendment to the Trust Agreement for the Village deferred compensation plan.
 - d) Consideration of a resolution approving quantity changes in the MFT Street Overlay Program.
8. New Business:
 - a) Consideration of a recommendation of the Zoning Board of Appeals for use of an antenna in a residential neighborhood.
 - b) Consideration of a request by Mrs. Beryl Immenga for an extension of one year's employment.
 - c) Consideration of a recommendation to appoint Mr. Charles Grunnett Ladd as a Deputy Marshal.
 - d) Award of a contract for one (1) Medical Intensive Care Cab Chassis and Body.
 - e) Consideration of a request by the Kiwanis Club for use of village sidewalks for solicitation.
9. List of Bills.
10. Adjournment.

Office of the Village Manager
D. H. Maiben

Posted December 9, 1974

*Bldg. at N. West Hwy.
Very good - makes statement an equal. just act.*



Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 SOUTH HOUGH STREET, BARRINGTON, ILLINOIS 60010 312/381-2141

The Village Environmental Protection Programs are a significant action on the part of the Village Board to insure that the "quality of life" in Barrington remains both pleasant and healthy. This program takes many forms which do not normally come to the attention of the residents.

The requirement of Environmental Protection Plans for all developers and excavators, the treatment of wastewater, the cleaning of culverts, storm sewers, ditches and creeks, which keep storm water from flooding and infiltrating the sanitary sewers system, are all little seen, but important ways which Village action improves the quality of the environment in the Barrington area.

More obvious practices are working with Citizens for Conservation to coordinate recycling efforts with refuse collection. The acquisition of environmentally sensitive property and flood plains and coordinating those acquisitions with conservation efforts to improve the visual impact of property as well as to protect flood-prone property. Development of wildlife management programs for property on which the Village has placed a conservation status.

.....

If you have read this agenda, would you PLEASE so indicate and drop the agenda in the survey box at the door. Do you have any suggestions for future articles?

Welcome to this meeting of the Barrington Board of Trustees. These meetings offer one of the most direct means of making our public officials aware of opinions and desires of village residents. Such information is vital to the Board members in formulating village policies.

In order to facilitate discussion, the Board requests your comments be made during:

.... INQUIRIES FROM THE AUDIENCE, which has been specifically designated for audience comments and inquiries concerning Board decisions.

.... In the course of the discussion of an agenda item.

To be recognized, please rise and address the President, stating your name and address for the official record.

THIS EVENING'S AGENDA BEGINS ON PAGE TWO. Should you wish to place an item on a future agenda, please contact the Deputy Village Clerk at 206 South Hough Street, 381 - 2141.

President
F. J. Voss

Trustees
D. R. Capulli E. M. Schwemm
P. J. Shultz A. K. Pierson
J. Frank Wyatt H. G. Sass, Jr.

Village Clerk
Karol S. Hartmann

Manager
D. H. Maiben

Attorney
J. William Braithwaite

Deputy Clerk
D. L. Belz

A G E N D A
Village of Barrington, Illinois
Adjourned Meeting from December 9, 1974 at 7:45 P.M.

- ✓ 1. Call to Order
- ✓ 2. Roll Call
- ✓ 3. Appointment to Fill the Unexpired Term of the Village Clerk
- ✓ 4. Reports of Village Officials:
 - President's Report:
 - a) President's Report will be Verbal
 - Manager's Report:
 - a) A Brief Report re BACOG Land Use Plan (Mini Plan) *Mini Plan*
in Conjunction of the Board's Consideration of the
Plan Commission's Recommendation Concerning the
Draper Proposal.
5. Adjournment

Office of the Village Manager
D. H. Maiben

Posted December 16, 1974



Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 SOUTH HOUGH STREET, BARRINGTON, ILLINOIS 60010 312/381-2141

The Village Environmental Protection Programs are a significant action on the part of the Village Board to insure that the "quality of life" in Barrington remains both pleasant and healthy. This program takes many forms which do not normally come to the attention of the residents.

The requirement of Environmental Protection Plans for all developers and excavators, the treatment of wastewater, the cleaning of culverts, storm sewers, ditches and creeks, which keep storm water from flooding and infiltrating the sanitary sewers system, are all little seen, but important ways which Village action improves the quality of the environment in the Barrington area.

More obvious practices are working with Citizens for Conservation to coordinate recycling efforts with refuse collection. The acquisition of environmentally sensitive property and flood plains and coordinating those acquisitions with conservation efforts to improve the visual impact of property as well as to protect flood-prone property. Development of wildlife management programs for property on which the Village has placed a conservation status.

.....

If you have read this agenda, would you PLEASE so indicate and drop the agenda in the survey box at the door. Do you have any suggestions for future articles?

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Village Clerk

Manager
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Attorney
J. William Braithwaite

Deputy Clerk
D. L. Belz

A G E N D A
Village of Barrington, Illinois
Meeting of November 25, 1974 at 8:00 P. M.

- ✓ 1. Call to Order.
- ✓ 2. Roll Call.
- ✓ 3. Approval of the Minutes of the Public Meeting of the President and Board of Trustees of the Village of Barrington, Illinois on November 11, 1974.
- ✓ 4. Inquiries from the Audience.
- ✓ 5. Reports of Village Officials:
 - President's Report.
 - ✓ a) President Voss will not be present. A President pro tem should be selected for the meeting.
 - Manager's Report.
 - ✓ a) North Western Railroad Coach Storage Yard. Manager will present architectural elevations of the new station.
 - ✓ b) Letter from Peter Baker & Son Company requesting permission to delay the Northwest Neighborhood paving until April, 1975.
 - ✓ c) The Regularly Scheduled Meeting of the President and Board of Trustees of December 9, 1974 will be held in the Public Safety Building.
 - ✓ d) The Village Manager will introduce representatives of BACOG, Barrington Hills, Citizens for Conservation, the Park District and the Township who have been invited to participate in discussion of the staff program re open space acquisition and conservation and flood control.
 - ✓ e) Other Administrative Reports.
6. ORDINANCES AND RESOLUTIONS:
 - ✓ a) An Ordinance Amending the Budget and Appropriating Revenue Sharing Monies to be Used for Housing Leases and for Traffic Control and Other Traffic-Related Activities.
 - ✓ b) Consideration of an Ordinance Rezoning Property Located on West Station Street from Residential to B-1, Special Use.
 - ✓ c) Consideration of an Ordinance Approving an Agreement for Shared Police Service with Deer Park.
7. New Business:
 - ✓ a) Consideration of a Recommendation of the Plan Commission to Amend the Zoning Ordinance to Bring it Into Conformance with the Sign Ordinance.
 - ✓ b) Consideration of a Request by the Hough Street School Parent Teachers to use Public Property for a Fun Fair.
- ✓ 8. List of Bills.
- ✓ 9. Adjournment.

Office of the Village Manager
D. H. Maiben

Posted November 25, 1974

Bill Miller
Klein
Dick Miller



Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 SOUTH HOUGH STREET, BARRINGTON, ILLINOIS 60010 312/381-2

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The requirement of Environmental Protection Plans for all developers and excavators, the treatment of wastewater, the cleaning of culverts, storm sewers, ditches and creeks, which keep storm water from flooding and infiltrating the sanitary sewers system, are all little seen, but important ways which Village action improves the quality of the environment in the Barrington area.

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Village Clerk
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Manager
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Deputy Clerk
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FOR YOUR INFORMATION

HOME RULE MAY TURN OUT TO BE THE GRANDEST CONCEPT EVER GIVEN TO LOCAL GOVERNMENT. It is a two-edged sword. It gives the community much broader taxing power that must be used with great discretion, but likewise, it is giving communities the power to control their own destiny to a much greater extent than ever before known.

The attached article covers a new breakthrough which the courts have given home rule communities. Donations of property or cash to provide for service to serve the area to be developed. We've been doing this for schools with those developers that were willing to cooperate. Some get off the hook.

We think the same power could be extended to conservation areas and environmental protection. A referendum would be required to have home rule in Barrington and the Barrington area villages.

ADMINISTRATIVE ABSTRACTS

WE ARE EXPERIMENTING WITH DECORATIVE SIDEWALK IMPROVEMENTS; AN EXAMPLE OF ONE TYPE WHICH IS RELATIVELY INEXPENSIVE WILL BE PLACED IN FRONT OF THE VILLAGE HALL AS A DEMONSTRATION.

THE STAFF WILL PRESENT A COMPLETE VILLAGE CENTER DEVELOPMENT PLAN AND A LIST OF PRIORITIES FOR THE USE OF BOTH LOCAL REVENUES AS WELL AS COMMUNITY IMPROVEMENT BLOCK GRANT REVENUE SHARING AND A TIMETABLE FOR IMPLEMENTATION WILL BE MADE IN JANUARY FOR YOUR ACTION.

YOU SHOULD KNOW

Board Meetings

12/ 9/74. .	Regular Meeting	. .	Middle School	. .	8:00 p.m.
12/23/74. .	Regular Meeting	. .	Village Hall	. .	8:00 p.m.

Zoning Board of Appeals

12/ 3/74. .	Jacobson (continued)				
	ZBA 10-74 N-18	. .	Village Hall	. .	7:30 p.m.
12/ 3/74. .	McDonald's				
	ZBA 14-74 N-18	. .	Village Hall	. .	7:45 p.m.
12/ 3/74. .	ZBA 11-74 N-4	. .	Village Hall	. .	8:00 p.m. (Barton's)
12/ 3/74. .	ZBA 17-74 N-1	. .	Village Hall	. .	8:15 p.m. (Trende)
12/ 3/74. .	ZBA 16-74 N-1	. .	Village Hall	. .	8:30 p.m. (St. Anne's)

Office of the Village Manager
D. H. Maiben

Naperville ordinance valid

Builders lose donation suit

By ROBERT K. WIDDICOMBE, JR.

Maybe members of the shelter industry always thought it would turn out the way it has — the decision in the Naperville donation ordinance suit — but it is a disappointment and we as an

industry have much work to do.

Judge George W. Unverzagt of DuPage County Circuit Court declared in his judgment that the ordinance is valid, constitutional and enforceable; it is a reasonable exercise of the city's home rule police power to

regulate land use and protect the health, safety, morals and general welfare of its citizens; and the ordinance is enforceable and applicable to property within the city and within a mile-and-a-half of the city.

There were other secondary elements of the judgment, but the first three tell us clearly that the fundamental considerations of the case continue to be at issue. Unresolved were questions of equity, confiscation of builder's property without compensation and without due regard for a demonstrated need of the community — except by rote formula. The problems

generated for future citizens of the community through the arbitrary adding of costs to housing do not appear to have been in influence in the decision. Recognizing the problems which still exist, it would be difficult to consider that the builders will not appeal.

When this issue first arose, the building industry made it clear that it took no exception to the need for aiding the community as a function of genuine needs. Historically and traditionally, developers and builders have negotiated with communities over those needs and have reached equitable and

reasonable decisions regarding the commitment of land and/or money for school and park and other community services — occasionally even providing a fire engine.

But it has always been a function of community needs and that is the key. It was not in blind response to a "formula."

Any attempt to apply a formula to a complex set of variables almost, certainly is going to create imbalance. Not every community has need of new or additional schools and parks as a consequence of new housing.

See page 3

Chicagoland's REAL ESTATE ADVERTISER

AMERICA'S LARGEST CIRCULATION REAL ESTATE NEWSWEEKLY

Sixty-First Year—No. 45

Friday, Nov. 15, 1974

644-7800—50¢ Per Copy

CR23389 VILLGRUL 7403
VILLAGE OF BARRINGTON
LINDA GRUBB AIA
206 S HUGH ST
BARRINGTON IL 60010

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Latest survey

Office occupancy stable

Despite the declining economy, the latest survey by the Building Managers Association of Chicago shows that

"Considering this block of space coming on the market, we have only increased our vacancy figure by 640,000 sq. ft.

about the same in old and new since 1946 running 1.91% ahead of the pre-World War II buildings.

buildings, with buildings built Avenue with 83.15%. k St. with eight buildings reporting was down from 96.93% in the previous May 1, survey.



Naperville wins

Builders lose donation suit in DuPage court

From page 1

The composition of families of an existing community such that there is actually a decline in school enrollment and yet new housing being appended is asked to provide for schools and parks and other facilities.

The formula has no way to recognize the differences from community to community, it simply makes a determination by rote and the builder/developer is required to pay. He in turn must pass this on to the purchaser who comes to the new community.

The ordinances as they have been instituted by "home rule" communities even go beyond its boundaries and influence subdivisions which may not even yet be a part of the community.

The decision doesn't appear to have taken into account the fact that taxes have been paid on the vacant land for years before its development at a lesser rate — to be sure, but those taxes had gone for the support of schools, parks and other facilities and

services prior to the coming of any new subdivision.

The builder/developer is asked to pay substantial amounts of money "in front". This necessitates borrowing with consequent interest payments and related costs which he must pass on to the home purchaser.

It gets into the price of the living unit and from there of course into the mortgage. It means that the home purchaser ends up in effect paying "triplex taxes" — first because tax was paid on the land prior to development (and is necessarily reflected in the cost of the living unit), second, the amount added by formula for the school and park "take" and third, the interest over the life of the mortgage on that part of the mortgage attributable to the "take". All of this is designed to provide for land or money for school and or park by formula which may or may not be realistic in terms of demonstrable need.

The community, through the use of this ordinance then, has

committed the future home owner to a substantial payment and to make matters worse, the impact on the price of housing disadvantages already beleaguered home buyers further by taking more and more of them out of the market. It has long been realized that home purchase has to do with the purchaser's ability to pay.

Builders and developers alike have always believed that meeting the needs of the community to which they bring living units was a fair and reasonable expectation that was never at issue in the Naperville suit. But no builder/developer would ever accede to confiscation of his land or formula amounts of money as a price of subdivision approval, without some regard to its being an equitable and reasonable amount in conformance with a defensible need.

These ordinances have not provided these essentials and builders and developers everywhere have every right to continue to be in opposition to formula "takes".

Office occupancy stable in latest BMAC survey

From page 1

of 91.

In following order of occupancy is Dearborn St. with 90.22% compared to 89.86%:

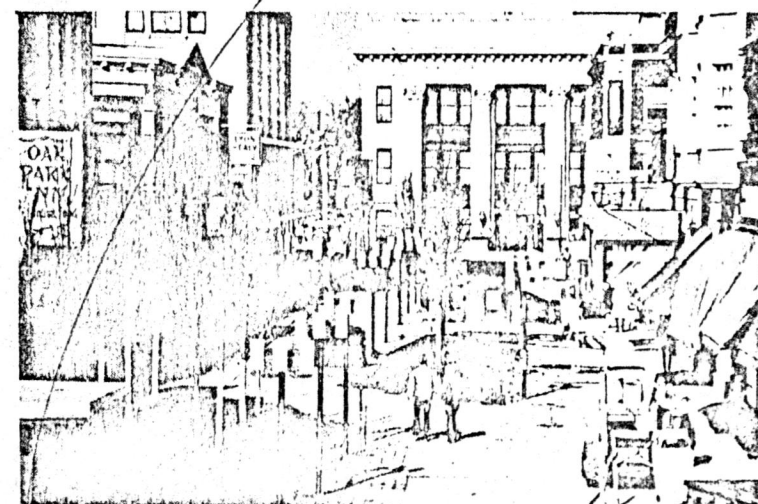
expansion filled 387,710 sq. ft.

Space vacated showed that 216,061 was left by tenants moving out of town; firms going out of business, 80,467 sq. ft.;

North Lakeshore community was hit in occupancy with 96.65%. Following were DuPage County (excluding Oakbrook), 89.80%; Tri-State Junction, 89.38%; Oakbrook 89%; Naperville 89.86%.

Chicagoland's
REAL ESTATE ADVERTISER

Friday, Nov. 15, 1974 — Page 3



The first car-free downtown shopping center in the Chicago area, the Oak Park Village Mall opens Saturday. Oak Park is the first community to convert its business district into a pedestrian center under a new tax provision in the state constitution. Paving of the \$1.5 million Mall was completed in just six months despite a cement truck drivers' strike. Streets in the four square-block Lake-Marion area have been closed to traffic and turned into landscaped walkways. Oak Park merchants and owners are financing development of the new Mall through a special tax service district established in 1972. Parking for over 1500 cars is planned.



"In the past
12 years, we've
successfully
trained over
25,000 people
for the Illinois
Real Estate
Salesman's
Exam"

Wellington J. Allaway
Vice President and Dean of Instructors

Jfw
1

MINUTES OF THE PUBLIC MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF BARRINGTON, ILLINOIS ON NOVEMBER 25, 1974.

CALL TO ORDER

Meeting was called to order by Trustee Shultz at 8:00 o'clock p.m.

MOTION: Trustee Sass, Jr. moved to appoint Trustee Shultz President pro tem in the absence of President Voss; second, Trustee Capulli. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

Present at roll call: Trustee Capulli, Trustee Shultz, Trustee Wyatt, Trustee Schwemm, Trustee Pierson, Trustee Sass, Jr.
Absent: President Voss. Also present, Village Manager, Dean H. Maiben and Deputy Village Clerk, Doris L. Belz. Village Attorney, J. William Braithwaite, arrived at 8:05 p.m. Audience numbered 21. Absent: President Voss.

APPROVAL OF THE MINUTES OF THE PUBLIC MEETING OF THE PRESIDENT AND BOARD
OF TRUSTEES OF THE VILLAGE OF BARRINGTON, ILLINOIS ON NOVEMBER 11, 1974.

MOTION: Trustee Wyatt moved to approve the minutes of the Public Meeting of the President and Board of Trustees of the Village of Barrington, Illinois on November 11, 1974; second, Trustee Pierson. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

INQUIRIES FROM THE AUDIENCE

Mrs. Judy Catlow, 123 North Raymond Avenue, read aloud a letter addressed to President Voss concerning the matter of construction on property located at 123 North Raymond Avenue. Trustee Wyatt asked that a copy of the letter be given to the Village Attorney and the Village Manager.

REPORTS OF VILLAGE OFFICIALS

PRESIDENT'S REPORT

None.

MANAGER'S REPORT

The Village Manager announced the construction of the coach storage yard would be completed next summer and presented architectural elevations of the proposed railroad station. The Village Manager announced that he was advised that the bids for construction of the railroad station will be advertised in February

MANAGER'S REPORT (Continued)

or March, 1975, and that the agreement with the Chicago and North Western Transportation Company states the new station must contain the same square foot area as the present station.

The Village Manager reviewed construction and management problems of Peter Baker & Son Company.

MOTION: Trustee Capulli moved to extend the contract for the resurfacing of the Northwest Neighborhood Project to July 31, 1975, subject to a satisfactory agreement with the Bonding Company as to such extension; second, Trustee Wyatt. Roll Call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

The Village Manager suggested that the regularly scheduled meeting of the President and Board of Trustees of December 9, 1974, should be held in a location to accommodate an expected audience larger than the Council Chambers. The Board of Trustees suggested the meeting be held at the Middle School if space is available. The Village Attorney suggested that the meeting be called to order in the Council Chambers and then adjourned to the Middle School.

The Village Manager introduced guests in the audience: Mr. William Miller, Citizens for Conservation; Mr. Ben Graber, Mr. Jack Rieke, Mrs. Florence Heeren, representing Barrington Township officials; Mr. Donald Klein, BACOG; Mr. Richard Miller and Mr. Ronald Beese of the Barrington Park District and Mr. Malcolm Arbuthnot, resident of Barrington Hills. The Village Manager reviewed plans for acquisition of open space and conservation and flood control. He recommended that the Village of Barrington prepare and submit two (2) grant applications to accomplish these programs. The Village Manager explained that open space acquisition would involve purchasing the Camp Ground property on a fifty-fifty sharing basis with the State reimbursing the Village 50% of the purchase price. If a purchase price can be agreed upon between the Village of Barrington and the Camp Ground officials, a referendum would be needed authorizing the Village to fund its share of the acquisition. The Village Manager explained that under the program flood plain areas would be designated to retain the natural water runoff and Flint Creek cleaned and channelized. Submitting an application for Federal funding would allow the Corps of Army Engineers to study flood plain areas and retention basins. The Village would accept maintenance of Flint Creek which traverses Lake Barrington, Barrington Hills and the Village of Barrington. To acquire right-of-way and provide maintenance, intergovernmental agreements would be needed with the neighboring villages. The Village Manager stated the programs for conservation and flood plain could begin in the late

MANAGER'S REPORT (Continued)

fall of 1975 or spring of 1976. Mr. William Miller emphasized the need to preserve retention areas as swamps provide aquifers to the area. Mr. Donald Klein, Director of BACOG, stated that Barton-Aschman and Associates, Inc. are analyzing open space and are preparing a study of vulnerable ecological areas. Mr. Arbuthnot, Oakdene Road, remarked the channelizing of Flint Creek was needed in his village. Mr. John Blanke, 533 Summit Street, requested the area known as Casey's Bay of Baker's Lake, be included in the conservation program. Trustee Capulli remarked that cooperation between the various governmental bodies was essential to obtain the goals desired. The Village Manager announced that a written report of the proposed programs would be forwarded to the interested governmental units.

MOTION: Trustee Capulli moved to authorize the Village Manager to hold discussions with other local governments involved in the programs for open space acquisition and conservation and flood control, to prepare the grant applications for Board review and approval and to ask BACOG to review the programs and coordinate them with their plans for the area; second, Trustee Wyatt. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

The Treasurer's Report, the Service Desk Report, and the Utility Report, all dated October, 1974, and the Sales Tax Report for August, 1974, were received and filed.

TRUSTEE'S REPORT

Trustee Capulli stated that white, diagonal parking lines are needed in the downtown business district.

Trustee Schwemm requested an explanation of the BACOG Comprehensive Plan. The Village Attorney stated that the BACOG plan was adopted by the Executive Board at the time of the Centex hearings by the Cook County Zoning Board in early 1973. In most or all instances the BACOG plan follows county zoning but is now in the course of review.

Trustee Pierson requested the BACOG land use plan be sent to the Board members prior to the December 9, 1974 regularly scheduled meeting.

Trustee Pierson asked if construction of Hillside Avenue was occurring according to schedule. The Village Manager responded that the work should be completed by November 30, 1974.

ORDINANCES AND RESOLUTIONS

AN ORDINANCE AMENDING THE BUDGET AND APPROPRIATING REVENUE SHARING MONIES TO BE USED FOR HOUSING LEASES AND FOR TRAFFIC CONTROL AND OTHER TRAFFIC-RELATED ACTIVITIES

The Village Manager explained the proposed ordinance allows appropriation of federal revenue sharing funds which had not been appropriated in the Budget for fiscal year 1974-75.

MOTION: Trustee Wyatt moved to adopt Ordinance No. 1337 amending the budget and appropriating revenue sharing monies; second,

Trustee Schwemm. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

CONSIDERATION OF AN ORDINANCE REZONING PROPERTY LOCATED ON WEST STATION STREET FROM RESIDENTIAL TO B-1, SPECIAL USE.

The Village Manager reviewed the petition for rezoning of property on West Station Street from residential to B-1, Special Use as approved in principle at the previous Board meeting.

MOTION: Trustee Wyatt moved to adopt Ordinance No. 1338 rezoning property located on West Station Street from residential to B-1 Special Use, Docket No. PC-3-74 N-3; second, Trustee Capulli. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

CONSIDERATION OF AN ORDINANCE APPROVING AN AGREEMENT FOR SHARED POLICE SERVICE WITH DEER PARK.

The Village Manager stated no additional staffing is needed to provide Deer Park with police protection services as agreed upon in the agreement executed by the Village of Deer Park and the Village of Barrington, previously distributed to the Board. President pro tem Shultz remarked that Barrington must receive first priority in police protection and suggested that a quarterly report be made to the President and Board of Trustees stating the effectiveness of the one year agreement.

MOTION: Trustee Wyatt moved to adopt Ordinance No. 1339 approving an agreement for shared police services with the Village of Deer Park; second, Trustee Schwemm. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

NEW BUSINESS

CONSIDERATION OF A RECOMMENDATION OF THE PLAN COMMISSION TO AMEND THE ZONING ORDINANCE TO BRING IT INTO CONFORMANCE WITH THE SIGN ORDINANCE.

The Village Manager reviewed the Plan Commission recommendation to amend the Zoning Ordinance.

The Village Attorney read aloud the proposed amendment to the Zoning Ordinance. He stated that this ordinance had been reviewed by the President and Board of Trustees at a previous Board meeting at which time they requested the Plan Commission to hold a public hearing on the ordinance amendment.

MOTION: Trustee Schwemm moved to adopt Ordinance No. 1340 amending the Zoning Ordinance; second, Trustee Capulli. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

CONSIDERATION OF A REQUEST BY THE HOUGH STREET SCHOOL PARENT TEACHERS TO USE PUBLIC PROPERTY FOR A FUN FAIR.

MOTION: Trustee Wyatt moved to grant the request of the Hough Street P.T.O. Fun Fair to sell food and waive parking limitations on Lincoln and Lake Streets on March 8, 1975, as requested in the letter dated November 7, 1974; second Trustee Capulli. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

LIST OF BILLS

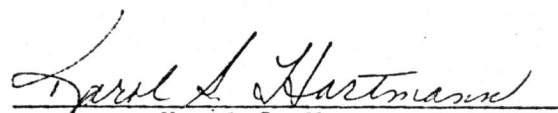
Payment was approved from funds indicated.

MOTION: Trustee Pierson moved to approve payment of bills from funds indicated; second, Trustee Schwemm. Roll call: Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.

ADJOURNMENT

Meeting was adjourned at 9:36 o'clock p.m.

MOTION: Trustee Capulli; second, Trustee Sass, Jr. Trustee Capulli, aye; Trustee Shultz, aye; Trustee Wyatt, aye; Trustee Schwemm, aye; Trustee Pierson, aye; Trustee Sass, Jr., aye. President pro tem Shultz declared the motion carried.


Karol S. Hartmann
Village Clerk

THESE MINUTES NOT OFFICIAL UNTIL APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES; CHECK FOR CHANGES.

NOVEMBER 1974

VILLAGE OF BARRINGTON
DIRECTOR OF DEVELOPMENT
MONTHLY REPORT

Programmed
or
Scheduled

Activity	This Month	Last Month	Same Month Last Year	This Year To Date	Last Year To Date	Programmed or Scheduled
Zoning Review	18	14	14	130	127	13
Plans Reviewed	18	14	14	130	127	13
Permits Issued	18	14	14	130	127	13
Plumbing Code						
Electric Code						
Building Code						
Sign Ord. Adm.	8			18		4
Barrington	18	14	14	130	127	17
Barrington Hills	6	8	5	60	94	8
Deer Park	3	3	4	16	20	3
INVERNESS TOTALS	5	5	-	35	-	-
	32	30	23	241	241	32
INSPECTIONS						
Building Insp.	13	32	19	190	148	17
Electric Insp.	3	6	6	39	47	7
Plumbing Insp.	6	6	5	44	59	6
Fire Code Insp.	4	2	4	58	64	13
CERT. OCCUP. Parking Fac.	3	1	2	36	15	
VIOLATIONS Sign Ord. Insp.	6	1	4	11	12	
Total						
Barrington	29	48	57	368	345	47
Total						
Barrington Hills	34	30	35	243	282	26
Total						
Deer Park	10	8	13	51	52	9
INVERNESS Cert. of Occup.	10	24	-	173	-	9
Cert. of Occup. Violations	7	4	12			
	7	1		16		
Stop Order	11	3	2	20		
TOTALS	83	110	105	835	679	91

CHARLES J. SCHWABE
DIRECTOR OF DEVELOPMENT



Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 SOUTH HOUGH STREET, BARRINGTON, ILLINOIS 60010 312/381-2141

OFFICE OF:

Village President

November 11, 1974

Editor
Barrington Courier-Review
200 E. James Street
Barrington, Illinois 60010

Dear Sir:

Last week you published a letter from Mr. Joseph Catlow which made a number of statements which were inaccurate and misleading. The facts are as follows.

Mr. Catlow moved his garage and was putting in a new foundation and floor. He was given a routine notice in writing that a building permit was needed. The national building codes which are used by Barrington and most municipalities require a building permit for new foundations and other similar work. Mr. Catlow refused to secure a permit after receiving both informal and formal notices that one was required.

The Village attorneys were, therefore, requested to file the normal enforcement proceedings, which they did. Although our attorneys were supplied with information that an entirely new building was being erected rather than a foundation and floor, the same legal process was involved in any event.

After the lawsuit was filed and before there were any proceedings whatever, the Village attorneys wrote to Mr. Catlow suggesting that he contact the Building Officer and secure a permit. The attorneys assured Mr. Catlow that if he did so, the lawsuit would be dropped. He failed to respond. In August, when the Village attorneys learned that the suit was set for trial in October, they wrote to Mr. Catlow advising him of that fact, as it did not appear that he was represented by counsel and they wanted to be certain that he was informed of the Court date and had every opportunity to defend himself.

Nearly a week before the scheduled trial date, the Village attorneys telephoned Mr. Catlow with the view that he might be persuaded to secure a permit and avoid litigation. Mrs. Catlow advised that her husband was not home and promised to ask him to return the call when he returned. While he did not do so, the following day an attorney for Mr. Catlow


Editor
Barrington Courier-Review
November 11, 1974
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telephoned the Village attorneys. An agreement was reached that no court appearances would be required on the date the matter was set for trial and that Mr. Catlow would, within 30 days, contact the building inspector and secure such building permit as was required. This was confirmed in writing.

Because of this agreement the Village attorney handling the matter did not appear on the trial date and the case should have been routinely dismissed. However, contrary to the agreement, Mr. Catlow and his attorney did appear. It just happened that a partner from the law firm which represents the Village of Barrington was in court on a different matter. He was aware of the Catlow case in a general way and after discussing the matter with Mr. Catlow's attorney, voluntarily dismissed the lawsuit, based upon the earlier agreement that Mr. Catlow would secure a building permit. Contrary to the assertions of Mr. Catlow, no preparation on either side was expected, no one was expected to appear in court and no continuance was requested.

Rather than "harassment" as charged by Mr. Catlow, the Village has leaned over backwards to attempt to have him comply with our ordinances. If he had any questions about the ordinances or his case, he could have consulted with the Village Manager and could have come to any Board meetings and been heard. We would much rather work out these matters in a friendly manner, but cooperation is a two-way street.

Sincerely yours,


Fred J. Voss
President
Village of Barrington

ZONING BOARD OF APPEALS

PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF BARRINGTON, ILLINOIS

On Tuesday, December 3, 1974, the Zoning Board of Appeals considered the petition of the Catholic Archdiocese of Chicago requesting a variation from the Village of Barrington Zoning Ordinance 931 Sections 4.02 and 9.02. The following facts were presented:

- 1) The variation is requested in order to construct a television receiving antenna on the roof of St. Anne's School to be used as a part of their educational program.
- 2) The existing building is approximately 35' high and the proposed antenna is to be 40' tall. Total height of the structure would therefore be 75' or 40' in excess of that allowed by Sec. 9.02 of Ord. 931.
- 3) St. Anne's School is located in a R-9A residential neighborhood on the corner of Ela & Chestnut Streets.
- 4) Petitioner stated that a cable television system would be more costly to install and maintain than the system proposed.

After discussion and questions from the audience, Mr. Church moved that the petitioner's request as presented be recommended for approval to the Village Board of Trustees. The motion was seconded and passed by a vote of 4 ayes and 0 nay.

Respectfully submitted
Edward Dugan, Chairman
By Linda Grubb

November 29, 1974

MEMORANDUM

TO: Zoning Board of Appeals

FROM: Administrative Assistant

SUBJECT: Petition to Waive Ordinance 931 (Zoning) as amended,
for the property located on 312 E. Chestnut Street
(St. Anne's Catholic School)

The petitioner, the Catholic Bishop of Chicago, requests that a variance from the height limitation and special use section of the Zoning Ordinance be granted. The following facts should be considered:

(1) The petitioner proposes to construct a 40 foot television antenna on the roof of the St. Anne's School. The combined height of the school roof and the television tower would total approximately 75 feet. The school falls in a neighborhood with a definite residential character. The Village's Comprehensive Plan calls for this neighborhood to retain its residential nature.

(2) The petitioner states that the receiving tower is part of an educational television network now being developed for the Chicago area. Given the technical requirements of the system, the petitioner states that the line of sight transmission of the television signal is required. (The television signal cannot bounce off objects in the line of transmission.)

(3) Under the Village's Zoning Ordinance, the maximum height allowable is 35 feet. The receiving antenna would then exceed this maximum by approximately 40 feet.

(4) In addition, the Village Zoning Ordinance allows radio and the television transmitting equipment or antenna towers to be operated only for private purposes in this zoning district (R-9). The Village Attorney has interpreted that the petitioner would use the receiving antenna for public purposes. Therefore, a variance is required in order for the school to operate the tower.

(5) The petitioner has stated that the receiving antenna will not interfere with regular commercial television signals.

STENOGRAPHIC REPORT of the proceedings had at a public hearing held before the Zoning Board of Appeals of the Village of Barrington in the Council Chambers on Tuesday, December 3, 1974.

PRESENT:

Mr. Edward Dugan, Chairman
 Mr. Clyde Church
 Mr. Deane Paulson
 Mr. Victor Porth

Mr. Dugan called the meeting to order at 8:50 P.M. in a public meeting of the Zoning Board of Appeals held pursuant to public notice on presentation of petitioner, Catholic Bishop of Chicago, requests for variation from Village Ordinance 931.

Rev. Thane, Messrs. C. Hinds and L. Markley were sworn in.

Mr. Frank Winter, attorney, offered the Chair and the Board an affidavit of section 16.01. A 40' antenna would be put on a 35' building, St. Anne's. Mr. Winter presents pictures of antennas at St. Paul's in Park Ridge and St. Luke's in River Forest.

Mr. C. Hinds, executive director of Catholic television, explains his background and the purpose of Catholic television.

Mr. C. Church asks ^{why} this system cannot be duplicated by cable.

Mr. Hinds replies cable would be too costly.

Rev. Thane, retired pastor of St. Anne's, says St. Anne's has 500 students with 19 teachers. There are 600 CCD students with about 30 people teaching them. This system will be beneficial to the 1,100 students attending St. Anne's.

Mr. L. Markley, consulting engineer, works for the Archdiocese of Chicago. This system operates on a low wattage. The tower will be a guyed steel tower. The Archdiocese will maintain a crew which will take care of the tower.

Mr. Winter states St. Anne's is located on Ela and Chestnut streets. The antenna will be located on the school building. This an essential element to the audio visual project.

Mr. C. Church asks are there any neighbors from the area that would like to be heard.

Mr. C. Block asks what would happen if a building in Schaumburg would be built in the path. Would the tower be made higher?

Mr. Markley answers the transmission site would ^{probably} be moved.

Mr. Paulson asks has the Village received any objections.

Mrs. Grubb says she doesn't believe so. There are no objections in the file.

Mr. W. Braithwaite states in view of the Special Use it would be desirable that a variation would be sought.

Mr. Church moved and Mr. Porth seconded the following motion:

That the petitioner's request as presented be granted by the Board.

4 AYES - Messrs. Dugan, Church, Paulson and Porth.

0 NAYES.

Meeting adjourned at 9:35 P.M.

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ZONING VARIATION ORDINANCE

(Re: Catholic Bishop of Chicago, St. Anne's School,
Television Receiving Antenna)

ORDINANCE NO. _____

WHEREAS the question of enacting the variations, herein-
after provided for, to the Zoning Ordinance of the Village of
Barrington, was referred to the Zoning Board of Appeals of this
Village to hold a public hearing thereon; and

WHEREAS a public hearing has been held by the Board of
Appeals after publication, all pursuant to law; and

WHEREAS said Board of Appeals has made recommendations and
has submitted findings of fact to the Corporate Authorities of
this Village; and

WHEREAS it appears that there are practical difficulties
and particular hardships resulting from the application of the
strict letter of the Zoning Ordinance to the property in question:

NOW THEREFORE, BE IT ORDAINED by the President and Board of
Trustees of the Village of Barrington, Cook and Lake Counties,
Illinois, that:

SECTION 1. The Corporate Authorities hereby find that the
statements in the preamble to this Ordinance are true.

SECTION 2. The application of the Zoning Ordinance of this
Village is hereby varied, and variations in use are hereby
granted to permit the Catholic Bishop of Chicago to construct and
install one guyed antenna for the purpose of receiving in-

structional television programs upon the roof of St. Anne's Catholic School. A further variation is hereby granted to permit a total height above the existing grade of 75 feet for such antenna (including building height of St. Anne's School), at the property located at 312 Chestnut and legally described as follows:

Lots 3, 4, 5, 6 and 7 in Block "F" in the town of Cuba (now Barrington), a subdivision of the Southwest quarter of Section 36, Township 43 North, Range 9, East of the Third Principal Meridian in Lake County, Illinois.

Said installation shall be substantially in compliance with the plans therefore presented to the Board of Appeals and application filed.

SECTION 3. The provisions of this variation ordinance shall be void unless the variations in use are established within six months from date hereof or unless renewed by the Zoning Board of Appeals, upon written application.

and in any event, within 5 yrs. from the date Henry Weber extended by judge
PASSED THIS _____ DAY OF DECEMBER, 1974.

AYES _____

NAYS _____

ABSENT _____

APPROVED THIS _____ DAY OF DECEMBER, 1974.

Village President

ATTESTED AND FILED THIS

_____ DAY OF DECEMBER, 1974.

Village Clerk

PUBLISHED IN THE BARRINGTON COURIER-REVIEW THIS _____ DAY OF DECEMBER, 1974.

FJW

Tenney & Bentley
Law Offices

69 West Washington Street Suite 2000
Chicago, Illinois 60602

WILLIAM S. WARFIELD, III
L. DOW NICHOL, JR.
ROGER R. LEECH
GEORGE E. HOWELL
JOHN E. BAKER, JR.
SAMUEL R. LEWIS, JR.
IRWIN J. ASKOW
HOWELL B. HARDY
ALEXANDER I. LOWINGER
J. WILLIAM BRAITHWAITE
STEPHEN J. NAGY
EDWIN H. CONGER
RICHARD A. BEYER
GILBERT H. MARQUARDT, JR.
JOHN R. COVINGTON
JOHN S. ESKILSON
JERROLD L. SAGER

JAMES T. ROHNER
MICHAEL G. HILBORN
RICHARD J. COCHRAN
MICHAEL J. SMITH
LAWRENCE E. GRELLER
PAUL T. LAHTI

TELEPHONE CE 6-4787
AREA CODE 312
CABLE ADDRESS: TENBEN

HENRY K. TENNEY (1915-1971)
RICHARD BENTLEY (1922-1970)

BARRINGTON OFFICE
101 SOUTH HOUGH STREET
BARRINGTON, ILLINOIS 60010
TELEPHONE 381-8818

[Handwritten initials]

MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEE, VILLAGE OF BARRINGTON
COPIES: VILLAGE MANAGER
VILLAGE CLERK, with original memorandum and document
for reproduction and transmittal to Board.

DATE: December 6, 1974
RE: Downtown Business Special Service District

We are pleased to advise that the Cook County Clerk has agreed to collect the snow removal tax in the tax bills received next year (1974 taxes) as we requested. Lake County agreed to do so without any question. However, Cook County has asked that we revoke the second inclusion of this tax in the general Tax Levy Ordinance and the enclosed abatement ordinance accomplishes this objective.

J. William Braithwaite

JWB:pj
Encl.

ORDINANCE NO. _____

(RE: ABATEMENT OF PORTION OF TAX
LEVY FOR FISCAL YEAR 1974-1975)

BE IT ORDAINED by the President and Board of Trustees
of the Village of Barrington, Cook and Lake Counties, Illinois, that:

SECTION ONE: The following items are hereby deleted
from Ordinance No. 1317, The Tax Levy Ordinance for Fiscal Year
1974-1975 of the Village of Barrington, Cook and Lake Counties,

Illinois:

	<u>Amount Budgeted</u>	<u>Hereby Levied</u>
23-20 Snow Removal Special District #1		
<u>Pursuant to Chapter 120 Illinois Revised Statutes Paragraphs 1301 through 1311.</u>		
<u>Personal Services</u>		
421 Regular Salaries	\$ 600.00	\$ 600.00
422 Overtime Salaries	450.00	450.00
423 Temporary Salaries	150.00	150.00
	\$ 1,200.00	1,200.00
<u>Capital</u>		
700 Capital - Purchase of Equipment	\$ 1,800.00	\$ 1,800.00
Total Snow Removal Special District	<u>3,000.00</u>	<u>3,000.00</u>

SECTION TWO: The amount budgeted and the total levy for
special purpose funds is hereby abated in the amount of \$3,000.00 and
shall now be as follows:

TOTAL LEVY SPECIAL PURPOSE FUNDS	<u>\$575,986.00</u>	<u>\$354,862.00</u>
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SECTION THREE: The item:

"Snow Removal Special District 3,000.00"

is hereby deleted from the Recapitulation and \$3,000.00 is abated from the total tax levy noted in the Recapitulation, leaving a total tax levy of \$590,506.00.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED this ____ day of _____, 1974.

AYES: _____ NAYS: _____ ABSENT: _____

Approved this ____ day of _____, 1974.

President

ATTESTED and FILED this ____

Day of _____, 1974.

Village Clerk

RESOLUTION NO. _____

(Re: Deferred Compensation Plan)

Man Adgite
Resolution
PJS
df
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BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, that:

WHEREAS, the Village of Barrington has previously established the ICMA Retirement Corporation's deferred compensation plan for certain of its employees; and

WHEREAS, the ICMA Retirement Corporation has requested that certain amendments be made to said plan; and

WHEREAS, said amendments assist the Village of Barrington by simplifying the administration of said plan; and

WHEREAS, the Village of Barrington will assist its employees, at no cost to itself, by the incorporation into said plan additional attractive features.

NOW, THEREFORE, BE IT RESOLVED that the Village of Barrington amend its Trust Agreement with the ICMA Retirement Corporation by substitution therefor the Deferred Compensation Plan, attached hereto as Appendix A, and hereby authorizes its Mayor to execute the Deferred Compensation Plan with the International City Management Association Retirement Corporation; and

IT IS FURTHER RESOLVED that the Village Manager may, on behalf of the Village of Barrington execute all Joinder Agreements with said employees and other eligible officials and officers, which are necessary for said persons participation in the plan, an example of which appears at Appendix B, except that any Joinder Agreement for said designated official shall be executed by the Mayor.

AYES: _____ NAYS: _____ ABSENT: _____

PASSED this _____ day of December, 1974

APPROVED this _____ day of December, 1974

Muelgel Chen

Village President.

ATTESTED and FILED

this _____ day of _____

1974

Village Clerk

STATE OF ILLINOIS
REQUEST FOR APPROVAL
OF
CHANGE IN PLANS

Municipality Barrington
Section 1974 Contract Maint.
District No. 1
Request No. 1 and Final

To:
Department of Transportation

October 29, 1974

Elgin, Illinois

Contractor Peter Baker & Son Company

I recommend that an ~~addition~~ ~~deduction~~ be made to the above contract.

(between Station _____ and Station _____ a net length of _____ lineal feet.)
(Do not fill in unless a change in length is involved).

The estimated quantities are shown below and the contractor agrees to furnish the materials and do the work at the contract unit prices. Show station location for major items.

ITEMS	Additions	Deductions
1. Curb & Gutter Removal & Replacement 26 L.F. @ \$7.00	\$182.00	
2. Bituminous Material (Prime Coat) 655 Gal. @ \$0.40 Aggregate Prime Coat 28.55 Tons @ \$8.00		\$262.00 228.40
3. Bituminous Concrete Surface Course Class I 64 Tons @ \$14.60	934.40	
5. Adjusting Frames & Grates 12 ea. @ \$60.00	720.00	
6 P.C. Concrete Pavement Removal & Replacement 21 S.Y. @ \$35.00	735.00	
Total net addition to date <u>2,081.00</u> which <u>4.41</u> % of contract price. deduction	Totals:	\$2,571.40
	Net change	\$2,081.00
		\$490.00

State fully the nature and reason for the change:

Items 1, 2, 4, and 5 - Balancing Authorization

Item 6 - Agreed Price, see attached letter from Peter Baker & Son Co.

Approved _____, 19____.

Signed _____, 19____

District/Regional Engineer

Note: Make out separate form for change in length.
Give net quantities only.
Submit this form to district/regional engineer.
If plans are required attach three sets.

Village Clerk

(Title of Municipal Officer)

ORDINANCE NO. OV
10.00

Re: Village Vehicle License Fees

BE IT ORDAINED by the President and Board of Trustees of
the Village of Barrington, Cook and Lake Counties, Illinois, that:

SECTION ONE: Section 14-233 of the Barrington Village Code
is hereby amended to add the following:

All other vehicles.....10.00

SECTION TWO: This ordinance shall be in full force and
effect from and after its passage, approval and publication as re-
quired by law.

PASSED and APPROVED by the President and Board of Trustees
of the Village of Barrington, Illinois, this ____ day of _____,
1974.

AYES:_____ NAYES:_____ ABSENT:_____

APPROVED this ____ day of _____, 1974

President

ATTESTED this ____ day of _____, 1974

Village Clerk

(SEAL OF THE VILLAGE)

PUBLISHED IN THE BARRINGTON COURIER REVIEW this ____ day of
_____, 1974.

