### **MEETING AGENDA**



### PLAN COMMISSION Wednesday, December 13, 2017 7:30 P.M. MEMORIAL HALL – MEMORIAL BUILDING

### 1. CALL TO ORDER

2. MINUTES - Minutes of November 8, 2017

### 3. FINDINGS AND RECOMMENDATIONS

 a) Case A-29-2017 – 336 E. Ogden Ave. – Bill Jacobs Land Rover – Exterior Appearance/Site Plan review for new Land Rover Dealership (replacing Land Rover at 300 E. Ogden)

### 4. SIGN PERMIT REVIEW

- a) Case A-41-2017 9 W. First St. Altamura (Pizza) New Wall Sign
- b) Case A-42-2017 908 Elm St. AMITA Health New Ground Sign, revised location and design submittal (initial application on April 12, 2017, Case A-09-2017)
- c) Case A-43-2017 42 S. Washington St., 2<sup>nd</sup> FL, Zouzias & Zouzias CPA Projecting Sign (modification request)
- 5. SCHEDULE OF PUBLIC HEARING <u>No discussion will take place except to determine</u> <u>a time and date of hearing.</u>
  - a) Case A-38-2017 7 N. Grant St., 1<sup>st</sup> Floor Responsible Driver Text Amendment to allow Driving Schools in the O-2 Limited Office District as a Special Use (application includes concurrent Special Use Permit by Responsible Driver)
  - b) Case A-39-2017 1 Grant Square., 2<sup>nd</sup> Floor Top Driver Text Amendment to allow Driving Schools in the B-1 Community Business District as a Special Use, but only on the 2<sup>nd</sup> floor in the B-1 Community Business District (application includes concurrent Special Use Permit by Top Driver)

### 6. ADJOURNMENT

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Darrell Langlois, ADA Coordinator at 630.789-7014 or **by TDD at 789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons. Web Site: www.villageofhinsdale.org

### MINUTES VILLAGE OF HINSDALE PLAN COMMISSION November 8, 2017 MEMORIAL HALL 7:30 P.M.

Chairman Cashman called the meeting to order at 7:30 p.m., Wednesday, November 8, 2017, in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

- **PRESENT:** Chairman Cashman, Commissioner Peterson, Commissioner Willobee Commissioner Krillenberger, Commissioner Crnovich, Commissioner Braselton, Commissioner Unell, and Commissioner Fiascone
- ABSENT: Commissioner Jablonski
- ALSO PRESENT: Kathleen Gargano Village Manager, Robb McGinnis Community Development Director, Michael Marrs Village Attorney and Chan Yu Village Planner Applicants for cases A-29-2017 and A-40-2017

### Approval of Minutes

With no questions or concerns, the PC **unanimously approved** the minutes from the October 11, 2017, meeting 7-0 (1 absent, 1 abstained).

<u>Findings and Recommendations</u> - Case A-36-2017 – 52 S. Washington Street – Green Goddess – Exterior Appearance/Site Plan Review for a front façade alteration to existing retail store. The PC, with no questions, unanimously approved the Findings and Recommendations as submitted, 8-0 (1 absent).

<u>Findings and Recommendations</u> - Case A-33-2017 – 21 Salt Creek Ln. (former Robert Crown Center) – Hinsdale Humane Society – Special Use Permit for Animal Humane Society. The PC, with no questions, unanimously approved the Findings and Recommendations as submitted, 8-0 (1 absent)

### <u>Sign Permit Review</u> - Case A-40-2017 – 4 N. Washington St. – Chase Bank – New Ground Sign and On-Site Informational Wall Sign with Modification Request

The applicant reviewed that their previous Chase wall sign was approved last month by the PC, and they are here to present their ground sign and informational wall sign request. The Chase representative stated that the ground sign has a brick base with white features on top and is illuminated. The location is on the southeast corner of the subject property and meets the sight-distance triangle code, and will face east and west for visibility.

The Chase representative described the informational wall sign to be placed on the front of the building next to the front entrance. Its purpose is to highlight that the location provides "Chase Private Client" services. The applicant also introduced their Chase flag, however, it was later stated by staff that it does not meet the code. (Staff has formally explained that the Chase flag is not permitted to the applicant on November 9, 2017).

### Plan Commission Minutes November 8, 2017

A Plan Commissioner asked how the sign will be illuminated. The applicant stated that it is illuminated by LED, and will work on the brightness if there's a concern. The Plan Commissioner asked if it is dimmable. The applicant replied they could make it dimmable if they needed to.

A Plan Commissioner asked if the intent is to leave the illumination on all night. The applicant replied that it could be set on a timer, and turned off at a specific time.

The PC Chair reviewed that it's typical to set illumination times for signage around the Village. To that end, a Plan Commissioner expressed that he'd like to stay consistent with other sign approvals, with the condition that they are illuminated only during business hours. Another Plan Commissioner agreed, and asked if the Chase flag was considered a pylon sign.

Chan replied no, structurally, it will be on an existing flag pole. (Chan explained at the end of the meeting however, that the code defines allowable official flags, and that the Chase flag is not permitted)

The PC Chair asked what the hours of operation will be.

The applicant stated the banks are generally closed at 6 PM, however added that he'd like to see the signage illuminated a little bit after business hours. He mentioned that other towns allowed them to stay illuminated until 10 PM or 11 PM.

A Plan Commissioner asked if people could access the ATM (inside the vestibule) after business hours. The applicant replied correct, and that was a good point.

A Plan Commissioner expressed that he likes the sign, and believes that illumination until 10 PM seems reasonable.

The PC Chair reviewed that he likes the sign and believes illumination until 10 PM is acceptable. The applicant and Plan Commissioners agreed in regards to the illumination cut-off time.

A Plan Commissioner asked about the wall sign request. Chan explained that it'd be considered an informational sign if the request did not include the name and logo. However, with the name and logo, the sign would be considered a wall sign. To clarify, this is a sign modification request to the PC since wall signage is limited to one in the B-1 District.

The PC had no major concerns for the request as submitted. The PC **unanimously approved** the sign application as submitted, with the condition that the ground sign illumination would be turned off at 10 PM, 8-0 (1 absent).

### <u>Agenda Item Case A-29-2017</u> – 336 E. Ogden Ave. – Bill Jacobs Land Rover – Exterior Appearance/Site Plan review for new Land Rover Dealership (replacing Land Rover at 300 E. Ogden).

The applicant presented its revised plans to the PC, and stated that the changes reflect neighborhood meetings and additional discussions with neighbors and the Village. Some examples of the changes since the last PC meeting on September 13, 2017, included the: south facing garage doors will be sealed by brick and not be used, various building/parking lot lights have been removed and dimmer (data shown on photometric plan), new fence options with a height change per the neighbor's request at 808 Oak Street (8' to 6'),

### Plan Commission Minutes November 8, 2017

relocated refuse further away from the south property line, arborvitaes along the entire fence, and Oak Street bushes to be trimmed down to 5 feet.

There were approximately 5 neighbors who expressed concerns in regards to the lighting, Oak Street bushes (height), and the proposed fence options (noise related). In regards to lighting, neighbors are worried that it will be too bright, and do not trust that the applicant will adjust the lighting once it is installed. A neighbor, Michael Stick, reviewed a petition letter signed by approximately 25 neighbors, and reviewed why he and the neighbors are opposed to the fence options. In short, they believe the presented fence options are not adequate in regards to sound-absorption, and are designed for residential use. A review of his understanding of sound ratings (STC), ended with a conclusion that the neighbors demand a brick or concrete wall/barrier versus a "fence".

The applicant reviewed cedar, Trex and Simtek, and the potential for a partial concrete wall/barrier. Some neighbors desire a brick wall/barrier, however, Michael Stick stated that a concrete wall/barrier is acceptable. The Village reviewed that there is a possibility to provide financial assistance with Land Rover in regards to a concrete fence/wall/barrier.

There were also 2 Hinsdale residents, who introduced themselves as not nearby neighbors, but explained that some of their family members work/worked at the current Land Rover dealership, and expressed that they are good people and a positive business in the Village.

The PC Chair and PC in general, expressed that they are happy about the dialog and effort between the applicant, neighbors and staff. The PC added that they appreciate the changes the applicant has made, per the neighborhood meetings and discussions, and believe the only fundamental issue for further discussion appears to be the fence/barrier/wall.

The PC **unanimously approved** the exterior appearance/site plan application as presented, 7-0 (1 abstained, 1 absent), subject to continued discussion among the applicant, neighbors and Village to try to reach a mutually agreed upon solution relative to the barrier, and with the following specific Plan Commission recommendations:

- 1. That the barrier be a precast or cast-in-place concrete or equivalent barrier along the entire property line between the property and neighbors;
- 2. That the landscaping be revised to include a mix of species and the Site Plan revised to reflect 10-foot arborvitaes;
- 3. That exterior lights be dimmed to security levels no later than one (1) hour after closing; and
- 4. That the barrier be placed at the highest available point along the property perimeter.

### <u>Adjournment</u>

The meeting was adjourned at 9:45 p.m. after a unanimous vote.

Respectfully Submitted, Chan Yu, Village Planner

### HINSDALE PLAN COMMISSION

RE: Case A-29-2017 - Applicant: Bill Jacobs Land Rover - 336 E. Ogden Avenue

Request: Exterior Appearance and Site Plan Review for new motor vehicle dealer in the B-3 General Business District

DATE OF PLAN COMMISSION (PC) REVIEW:

September 13, 2017 and November 8, 2017

DATE OF BOARD OF TRUSTEES 1<sup>ST</sup> READING: January 9, 2018

### FINDINGS AND RECOMMENDATION

### I. FINDINGS

- 1. On September 13, 2017, the PC heard testimony from the applicant's architect, Jerry Mortier, on behalf of the applicant, reviewed the site plan and building plans to the PC. He reviewed that the building envelope and parking lot will essentially stay the same. The façade of the building and the floorplan will be redeveloped to Land Rover specifications. He also reviewed the parking lot, fence and lighting of the site plan.
- 2. At the PC meeting on September 13, 2017, approximately 5 neighbors who live in the residential neighborhood south of the subject property expressed concerns for the proposal. The concerns focused on the sound of the additional traffic, machines and tire sounds coming from the overhead door facing south, where serviced cars would enter and exit to an area with 19 car lifts and a car wash space. The delivery times for parts and cars was also a concern by the neighbors, and complained that the current Land Rover site receives deliveries at 2 AM. Residents who live directly south/adjacent from the subject property requested for an attractive fence, and functional fence to block sound and lighting from reaching their home.
- 3. At the PC meeting on September 13, 2017, the application was unanimously continued for the October 11, 2017 PC meeting, with the recommendation that the applicant install new plants around the perimeter of the lot, and to present revisions to resolve the issues expressed by the neighbors. However, the applicant requested to continue the agenda item for the November 8, 2017, PC meeting to host a third neighborhood meeting on October 30, 2017, to review changes per the concerns raised at the second neighborhood meeting on October 2, 2017.
- 4. On November 8, 2017, the applicant, Kevin Jacobs, presented its revised plans to the PC, and stated the revisions reflect the neighborhood meetings and discussions between neighbors and the Village. Some examples include: south facing garage doors will be sealed by brick and not be used, various building/parking lot lights have been removed and dimmer (data shown on photometric plan), new fence options with a height change per the neighbor's request at 808 Oak Street (8' to 6'), relocated refuse further away from the south property line, arborvitaes along the entire fence, and Oak Street bushes to be trimmed down to 5 feet.
- 5. There were approximately 5 neighbors at the November 8, 2017, PC meeting who expressed concerns regarding the lighting, the short trimmed height of the Oak Street bushes, and proposed fence options. In regards to lighting, neighbors are worried that it will be too bright, and do not trust that the applicant will adjust the lighting once it is installed. A neighbor, Michael Stick, reviewed a petition letter signed by approximately 25 neighbors, and reviewed why he and the neighbors are opposed to the fence options. In short, they believe the presented fence options are not adequate in regards to sound-absorption, and are designed for residential use. A review of his understanding of sound ratings (STC), ended with a conclusion that the neighbors demand a brick or concrete wall/barrier versus a "fence".
- 6. There were also 2 Hinsdale residents, who introduced themselves as not nearby neighbors, but explained that some of their family members work/worked at the current Land Rover dealership, and expressed that they are good people and a positive business in the Village.
- 7. The PC in general, expressed that they are pleased about the dialog and effort between the applicant, neighbors and staff. The PC added that they appreciate the changes the applicant has made, per the neighborhood meetings and discussions, and believe the only fundamental issue for further discussion appears to be the fence/barrier/wall.

### II. RECOMMENDATIONS

Following a motion to recommend approval of the exterior appearance/site plan application as presented, the Plan Commission, on a vote of 7-0 (1 abstained, 1 absent), recommends that the President and Board of Trustees approve the application as submitted, subject to continued discussion among the applicant, neighbors and Village to try to reach a mutually agreed upon solution relative to the barrier, and with the following specific Plan Commission recommendations:

- 1. That the barrier be a precast or cast-in-place concrete or equivalent barrier along the entire property line between the property and neighbors;
- 2. That the landscaping be revised to include a mix of species and the Site Plan revised to reflect 10-foot arborvitaes;
- 3. That exterior lights be dimmed to security levels no later than one (1) hour after closing; and
- 4. That the barrier be placed at the highest available point along the property perimeter.

THE HINSDALE PLAN COMMISSION BY	ν: , C	Chairman

Dated this \_\_\_\_\_, 2017.



DATE:	December 13, 2017
то:	Chairman Cashman and Plan Commissioners
CC:	Kathleen A. Gargano, Village Manager Robb McGinnis, Director of Community Development/Building Commissioner
FROM:	Chan Yu, Village Planner
RE:	9 W. First Street – Altamura (take home pizza) – Wall Sign - Case A-41-2017

### Summary

The Village of Hinsdale has received a sign application from Signs by Design, on behalf of Altamura, requesting approval to install a new wall sign at 9 W. First Street, within the Historic Downtown District in the B-2 Central Business District.

### **Request and Analysis**

The requested wall sign will be made from an aluminum composite material and feature black, gold and orange text and logo on a white background. The proposed sign is 1'-8" tall and 5'-8" wide for an area of approximately 9.5 SF. The sign location is above the front entrance door in between two existing blank awnings and will utilize existing external lighting fixtures from the former Homemade Pizza tenant. The wall sign would be mounted to a new wood background surface. The requested sign is Code compliant.

### Process

Per Section 11-607(D) and the nature of the request, this application would require a meeting before the Plan Commission (PC) and does not require public notification. The PC maintains final authority on signage with no further action required by the Board of Trustees.

### Attachments:

Attachment 1 – Sign Application and Exhibits

Attachment 2 - Village of Hinsdale Zoning Map and Project Location

Attachment 3 - Street View of 9 W. First Street

### VILLAGE OF HINSDALE COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FOR SIGN PERMIT

### Applicant

Name: Steve St John (Altamura)

Address: 213 Coe Rd (9W 1st St.)

City/Zip: Clarendon Hills

Phone/Fax: (636) 920

E-Mail: ntpatlanta@aol.com

Contact Name: Steve St John

### ADDRESS OF SIGN LOCATION:

ZONING DISTRICT: B-1 Community Business District

/8756

SIGN TYPE: Wall Sign

ILLUMINATION Down Lit

Contractor	

Name: Signs By Design

Address: 10330 Harlem Ave

City/Zip: Palos Hills, 60465

Phone/Fax: (708) 899

E-Mail: sbd2@sbcglobal.net

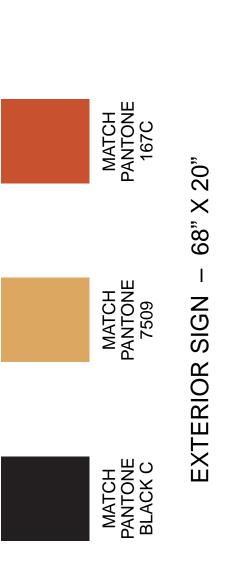
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Contact Name: Tared

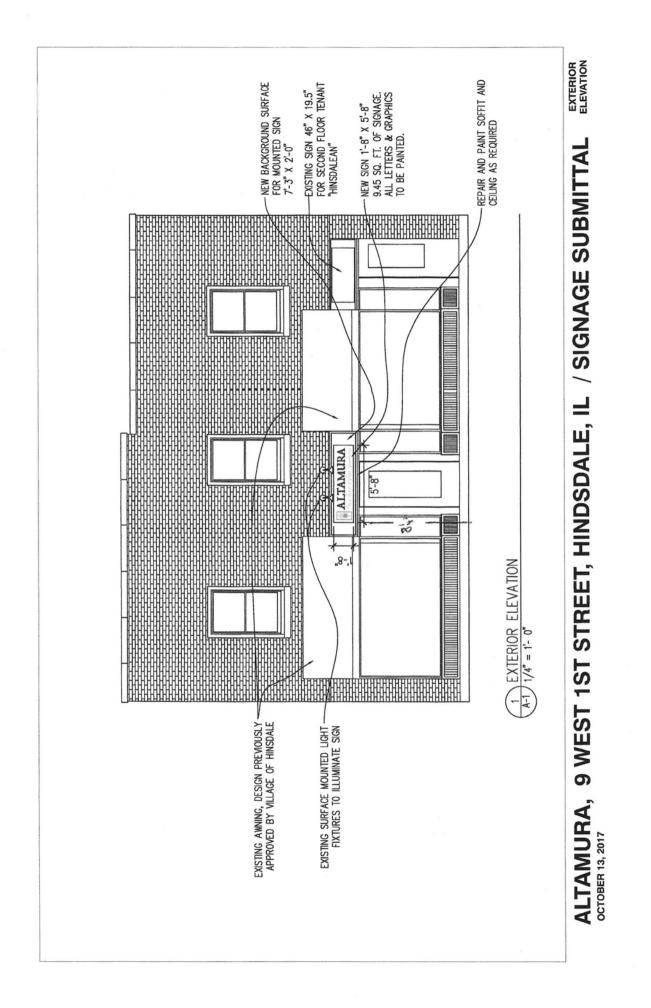
Sign Information:	Site Information:		
Overall Size (Square Feet): $9.45 \text{ sf} \left(\frac{1'8'' \times 5'8''}{2}\right)$	Lot/Street Frontage: 35' 3"		
Overall Height from Grade: <u>8'4"</u> Ft.	Building/Tenant Frontage: 30'		
Proposed Colors (Maximum of Three Colors):	Existing Sign Information:		
black	Business Name: Homemade Pizza		
gold	Size of Sign: 9 sf Square Feet		
orange	Business Name: <u>ALTAMULA B22A, JAC</u>		
	Size of Sign: <u>9.45</u> Square Feet		
I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances. Signature of Applicant Signature of Building Owner <b>FOR OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE</b>			
Total square footage: x \$4.00 = (Minimum \$75.00)			
Plan Commission Approval Date: Administrative Approval Date:			
	inistrative Approval Date:		

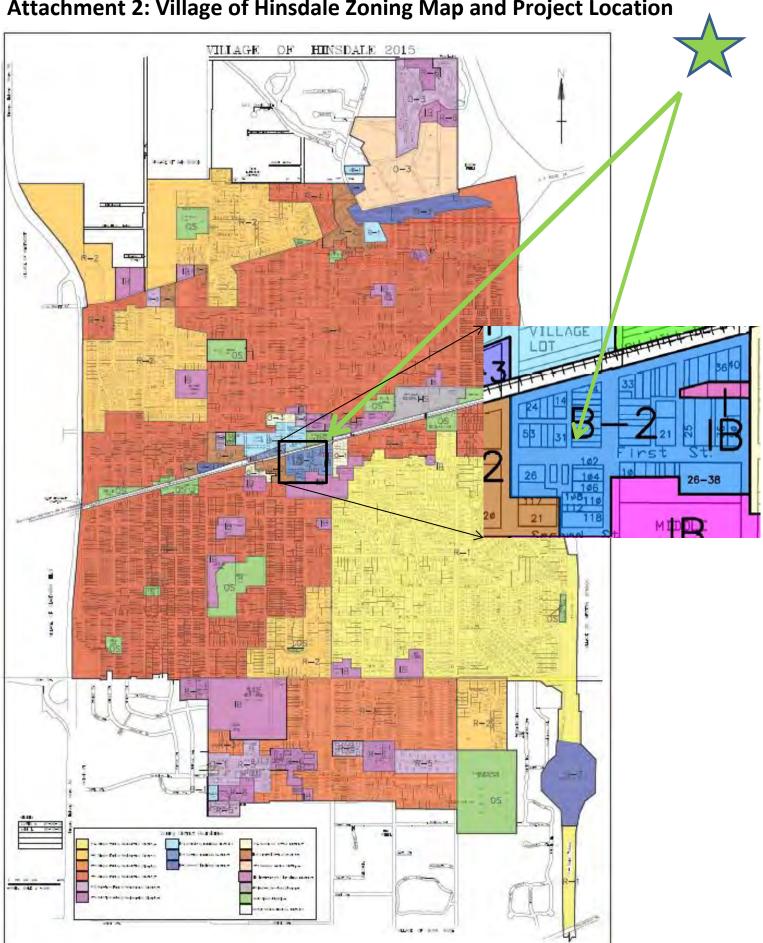






[SILKSCREEN MATCH COLORS ON DURA-WOOD] SIGN MATERIAL -





### Attachment 2: Village of Hinsdale Zoning Map and Project Location

## Attachment 3: Street View 9 W. First Street (facing north)

**Proposed Sign Location** 





DATE:	December 13, 2017
то:	Chairman Cashman and Plan Commissioners
CC:	Kathleen A. Gargano, Village Manager Robb McGinnis, Director of Community Development/Building Commissioner
FROM:	Chan Yu, Village Planner
RE:	AMITA Health at 908 N. Elm St New Illuminated Ground Sign - Revised Submittal

### Summary

On April 12, 2017, the Plan Commission (PC) reviewed two (2) sign applications from Doug Merritt, representing AMITA Health, requesting approval to install a ground sign and wall sign at 908 N. Street. The PC had concerns over the height, design, and traffic obstructions (line of sight) for the proposed ground sign. To that end, the PC unanimously recommended that the applicant submit a revised ground sign with: (1) a new location with a better line of sight for drivers, (2) a reduced sign height (8' to 7'), (3) an 8-inch sign cap (4" to 8"), and (4) a cast stone base. The wall sign was approved with no conditions.

### **Request and Analysis**

The subject property is approximately 5.83 acres in area and features a 3-story medical office building. The proposed location for the ground sign is at the east entrance on Elm Street. Per the PC recommendation on April 12, 2017, this revised ground sign request is 7 feet tall and 10 feet wide (width did not change from initial request). It now features an 8" cast stone cap and 12" cast stone base. The signage area is calculated based on the sign backing, which is 8'-10" long and 3'-7" tall, for an area of 31.7 SF (did not change from initial request). The code maximum is 50 SF per sign face.

The revised ground sign location has moved from the north side of the entrance to the south side of the entrance and complies with the 100' sight distance triangle. It features brick to match the office building and an illuminated white aluminum cabinet with the address (908 N Elm St.) in a dark grey color and AMITA Health in a blue color.

### Process

Per Section 11-607(D) and the nature of the request, this application would require a meeting before the Plan Commission and does not require public notification. The Plan Commission maintains final authority on signage with no further action required by the Board of Trustees.

### Attachments:

Attachment 1 – Ground Sign Application (packet, dated October 17, 2017) Attachment 2 – Village of Hinsdale Zoning Map and Project Location



- Attachment 3 Birds Eye View of 908 N. Elm Street
- Attachment 4 Street View of Ground Sign Location
- Attachment 5 Street View of Elm Street entrance
- Attachment 6 Previous Ground Sign submittal (dated 06.10.16)



HEALTH®

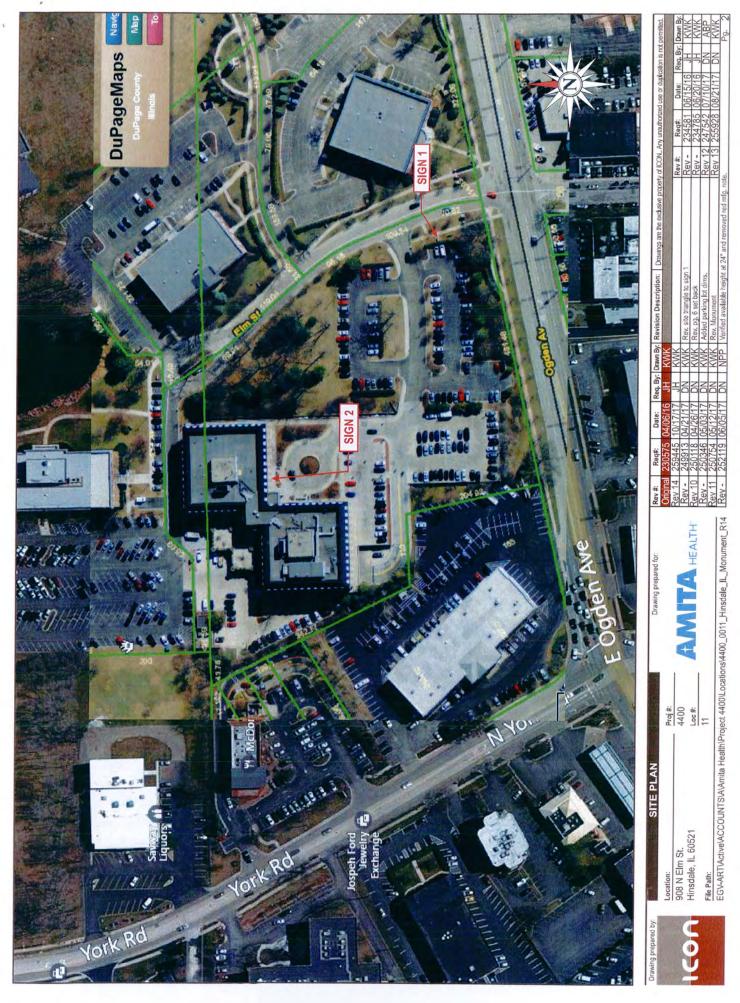
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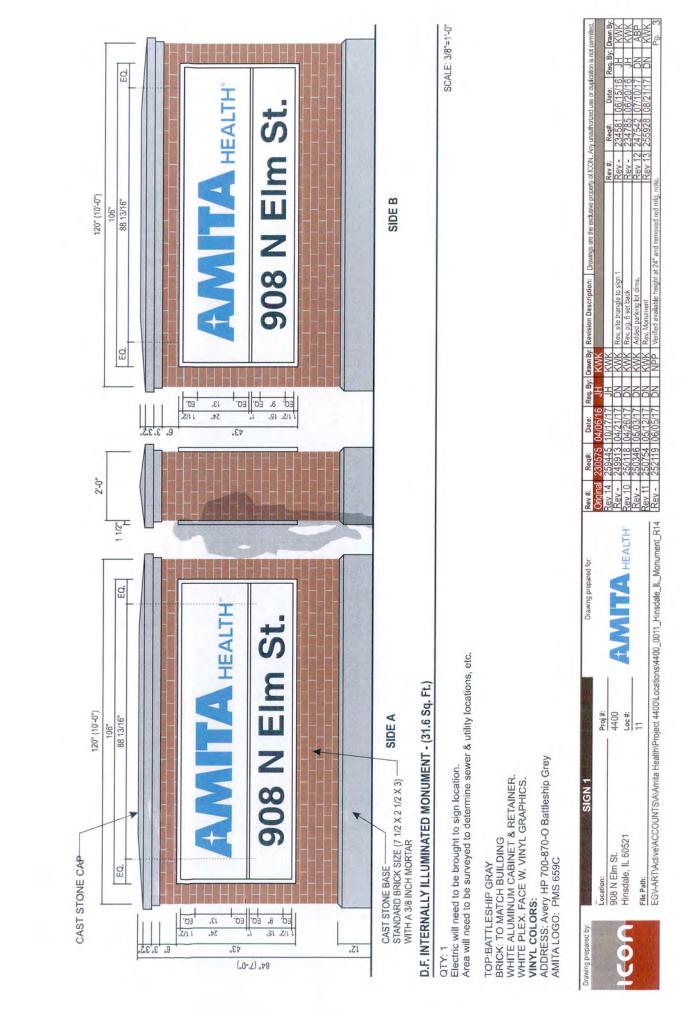
**ICOD** We Brand Your

Places & Spaces

Loc#: 11

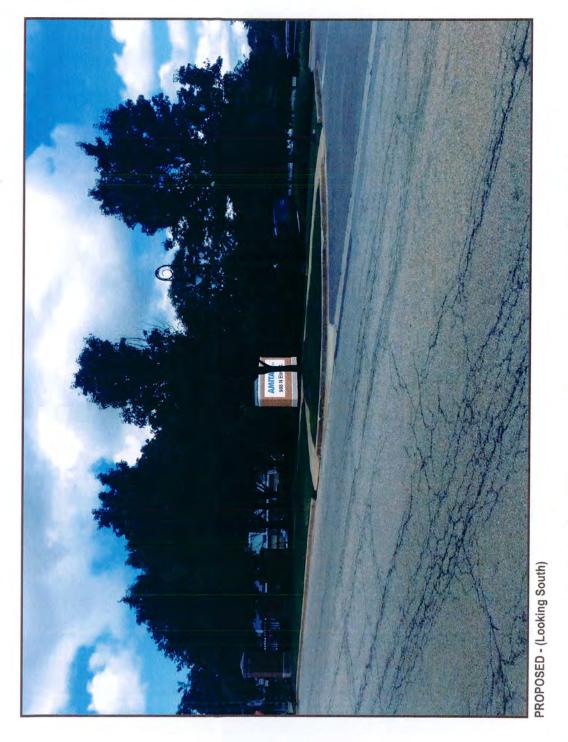
908 N Elm St. Hinsdale, IL 60521











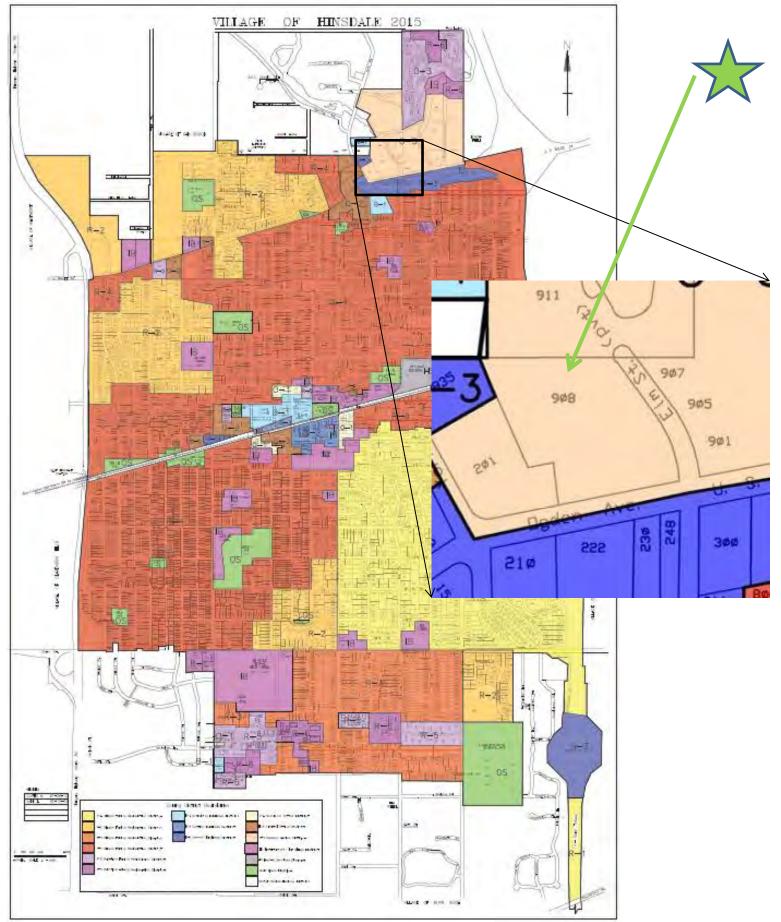
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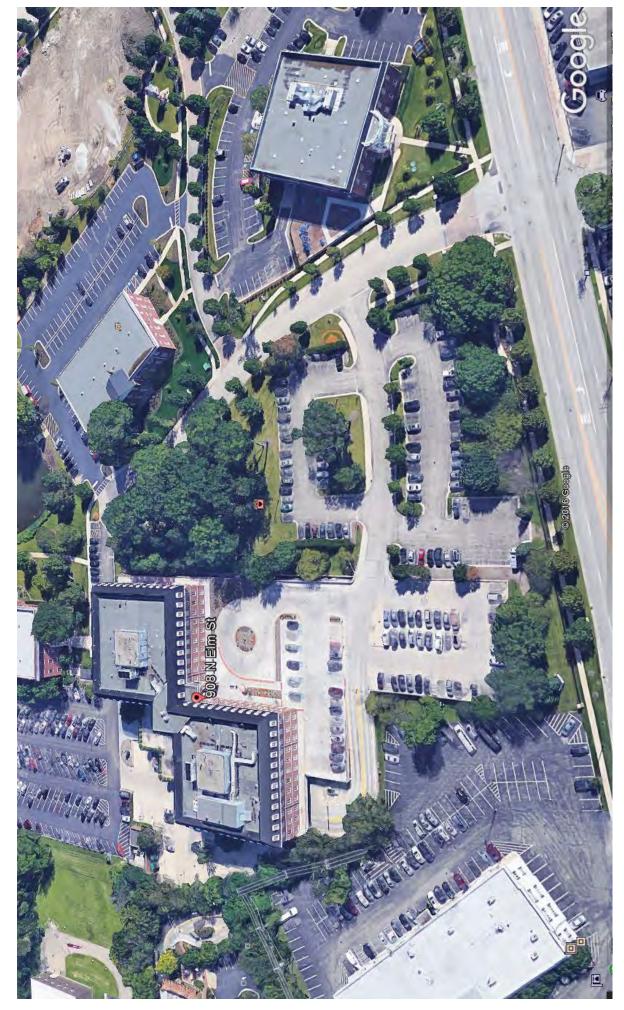
### Attachment 2: Village of Hinsdale Zoning Map and Project Location



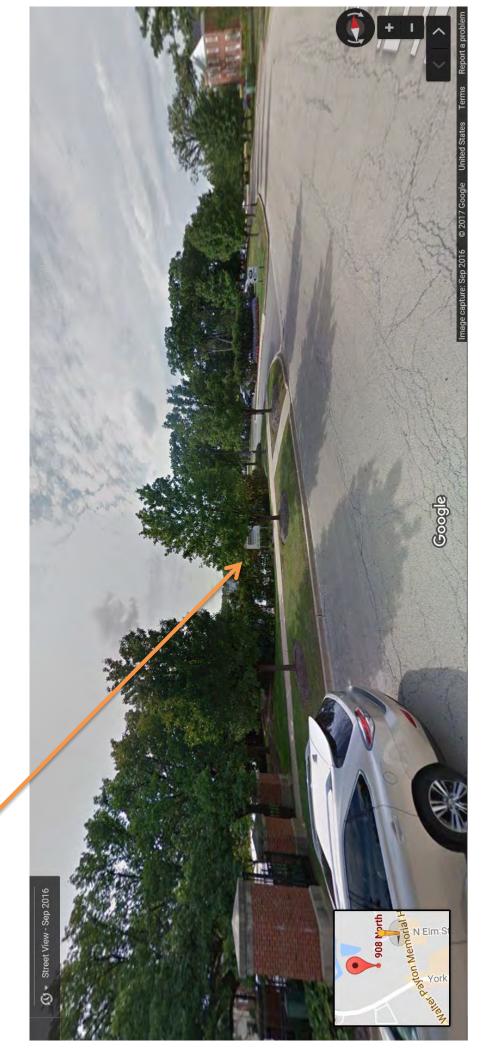




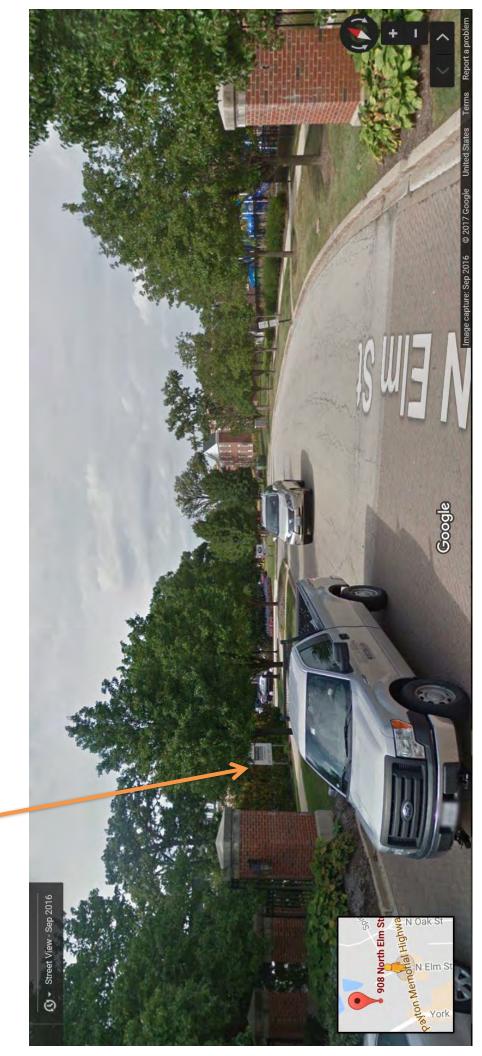
## Birds Eye View of 908 N. Elm Street (facing north)

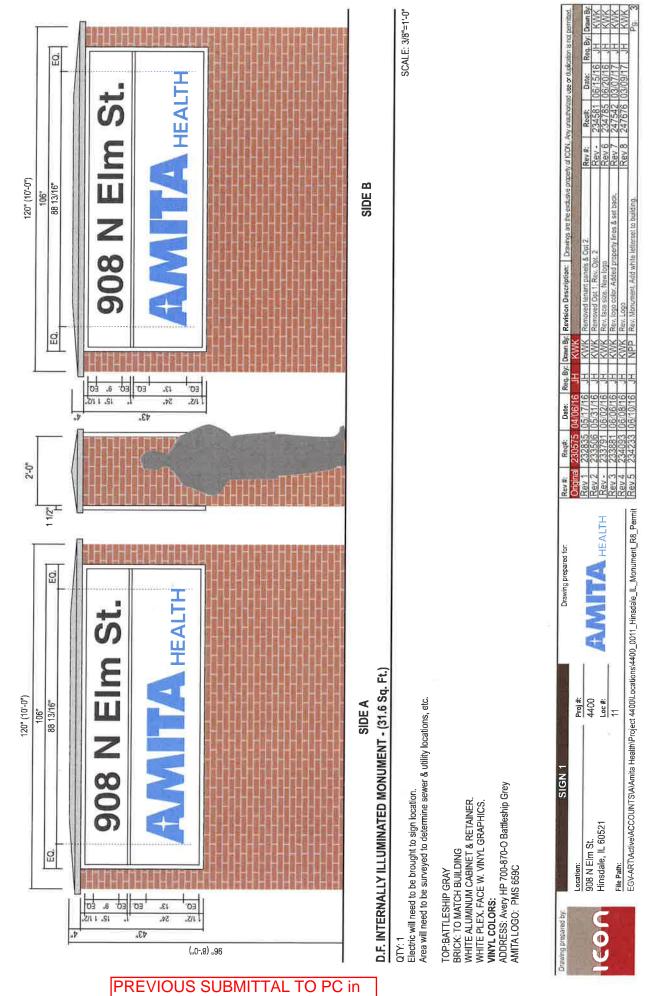


### Street View of Ground Sign Location (facing North West) **Proposed Sign Location** Attachment 4:









April 2017



DATE:	December 13, 2017	
то:	Chairman Cashman and Plan Commissioners	
CC:	Kathleen A. Gargano, Village Manager Robb McGinnis, Director of Community Development/Building Commissioner	
FROM:	Chan Yu, Village Planner	
RE:	42 S. Washington St. Suite 3 (2 <sup>nd</sup> Floor) – Zouzias & Zouzias CPA/Financial Advisors Projecting Sign / Sign Modification Request - Case A-43-2017	

### Summary

The Village of Hinsdale has received a sign application from Aubrey Sign Company, on behalf of Zouzias & Zouzias, a CPA and financial advisor office, requesting approval to install a projecting sign for their 2<sup>nd</sup> floor office at 42 S. Washington Street in the B-2 Central Business District. This is a sign modification request to allow a second projecting sign on the building. The subject property is within the Historic Downtown District.

### **Request and Analysis**

The requested projecting sign will be made from 1" thick PVC, and feature beige text on a dark brown background. The sign is 18" tall and 24" wide for an area of 3 SF, and is proposed to be 10 feet from grade. It is non-illuminated and to be over the south entrance door leading to the second floor of the building.

On November 9, 2016, the PC approved a projecting sign by the same sign company for Hollis, the first floor tenant at 42 S. Washington Street. The Hollis projecting sign is also made from 1" thick PVC and has identical dimensions. The requested Zouzias sign bracket will be identical with the Hollis sign, and proposed at the same height.

Per the Code, a lot is only permitted 1 projecting sign in the B-2 Central Business District. However, a building with multiple tenants may exceed the 3 SF maximum area, with the SF equivalent of 5% of a building's linear footage. To this end, the applicant could request to add an additional 1.2 SF to the existing Hollis sign, to share the signage space. The issue is, the entrance door to the second floor is on the opposite side of the building. For this reason, the applicant is requesting the PC for a sign modification to allow a second projecting sign on the building.

### Process

Per Section 11-607(D) and the nature of the request, this application would require a meeting before the Plan Commission (PC) and does not require public notification. The PC maintains final authority on signage with no further action required by the Board of Trustees.



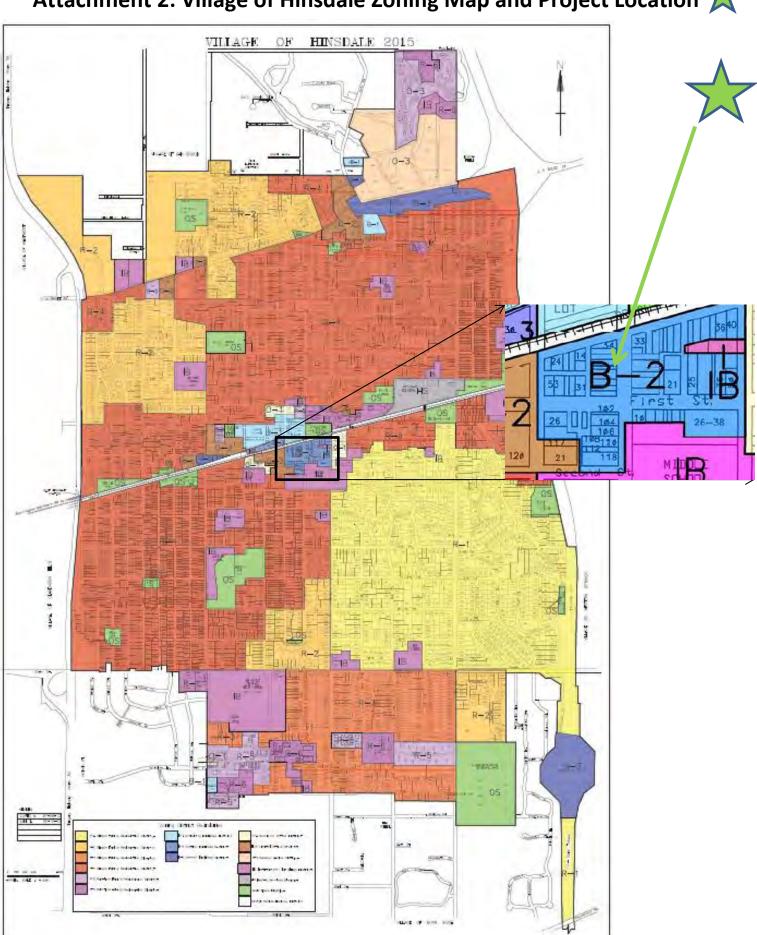
- Attachment 1 Sign Application and Exhibits
- Attachment 2 Village of Hinsdale Zoning Map and Project Location
- Attachment 3 Street View of 42 S. Washington Street
- Attachment 4 Existing Hollis Projecting sign exhibit (approved by the PC on Nov. 9, 2016)



### VILLAGE OF HINSDALE COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FOR SIGN PERMIT

Applicant	Contractor			
Name: <u>Mike Hoffer, Aubrug Sign</u> Address: <u>1847 Suncost Lane</u> City/Zip: <u>Batavia</u> <u>It 60500</u> Phone/Fax: <u>630</u> 482 1990/	Name: <u>Aubrey Sign. Com</u> Address: <u>1847</u> <u>Suncast Lann</u> City/Zip: <u>Batavia</u> <u>IL</u> 60500			
E-Mail: <u>Mike @ aubrey signs. m</u> Contact Name: <u>Mike Hoffer</u>	Phone/Fax: 62 482 1990/ E-Mail: <u>Mike @aubruy signs. 10</u> Contact Name: <u>Mike Hoffer</u>			
ADDRESS OF SIGN LOCATION: 4/2 S. Washington, Suite 3 ZONING DISTRICT: Please Select One central business district. SIGN TYPE: Please Select One blade sign. ILLUMINATION Please Select One none.				
Sign Information: Overall Size (Square Feet): $3$ ( $18^{n'}x 24^{n'}$ ) Overall Height from Grade: $12$ . Ft. Proposed Colors (Maximum of Three Colors): • $Brown$ • $Beige$ . • $Beige$ . • $Zod Zias + Zouzias$ , $CPA 5 + Financial$ Zod Zias + Zouzias, $CPA 5 + FinancialAdvisors, 2^{not} fibor$	Building/Tenant Frontage: <u>WIA</u> Existing Sign Information: Business Name: <u>Holds</u> , Zoutias, Zoutias Size of Sign: <u>300 front</u> Square Feet			
I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances. <u>Multiple 11-6-17</u> Signature of Applicant Date				
Roucebuch     11.8.17       Signature of Building Owner     Date       FOR OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE				
Total square footage:       0       x \$4.00 = 0       (Minimum \$75.00)         Plan Commission Approval Date:				

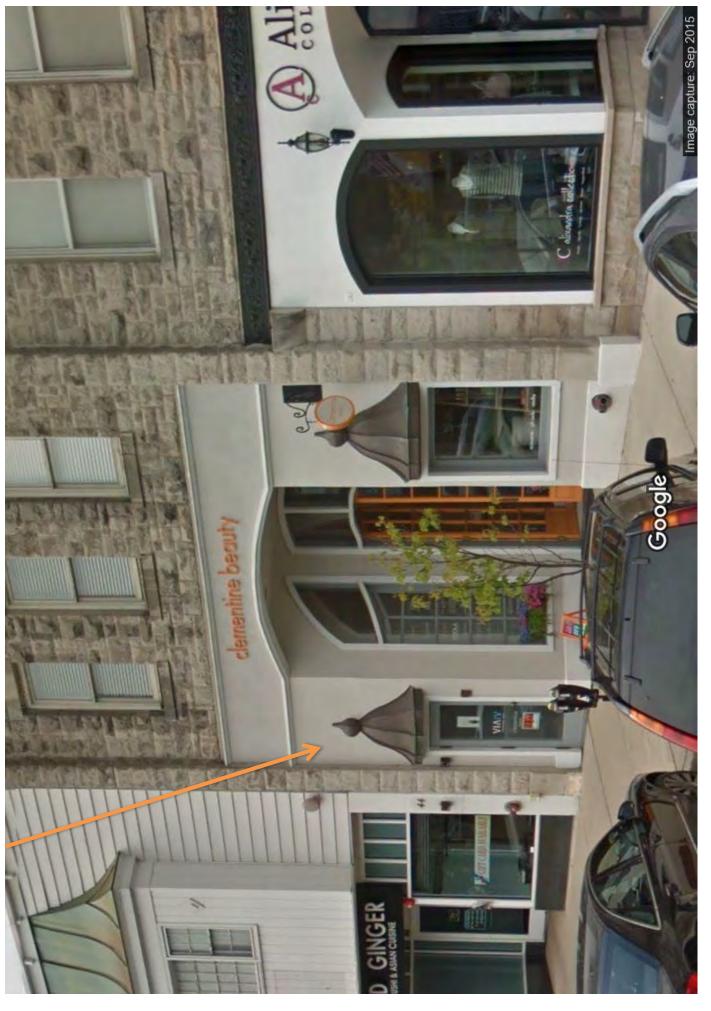


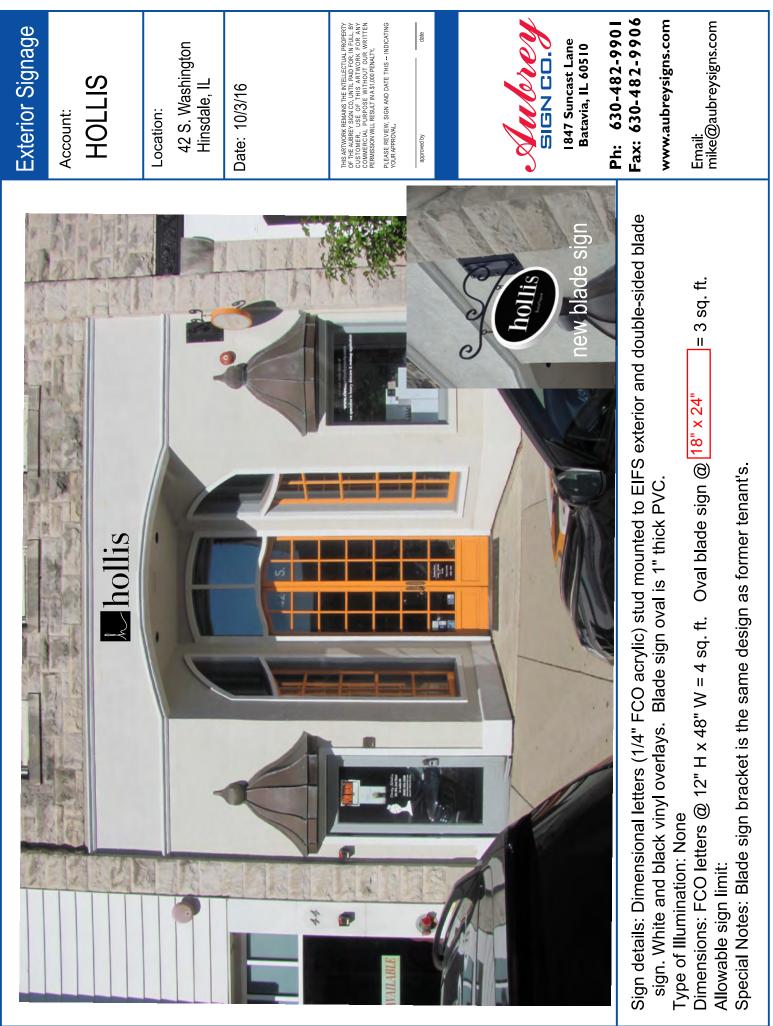


### Attachment 2: Village of Hinsdale Zoning Map and Project Location ★

# Attachment 3: Street View 42 S. Washington Street (facing southwest)

Proposed Sign Location (photo outdated,  $\mathbf{1}^{\mathrm{st}}$  floor occupied by Hollis)





**EXISTING Hollis Projectnig Sign** 



DATE:	December 13, 2017	
то:	Chairman Cashman and Plan Commissioners	
CC:	Kathleen A. Gargano, Village Manager Robb McGinnis, Director of Community Development/Building Commissioner	
FROM:	Chan Yu, Village Planner	
RE:	<b>Scheduling of Public Hearing</b> for Text Amendment Application for Driving School in the O-2 District as a Special Use and concurrent Special Use Permit Responsible Driver – 7 N. Grant Street (1st Floor) in the O-2 District – Case A-38-2017	

### Summary

The Village of Hinsdale has received an application from Mr. Bryan Kearney, the owner of Responsible Driver driving school, requesting approval for a Text Amendment to establish a driving school at 7 N. Grant Street, with a Special Use Permit in the O-2 Limited Office District. Per the zoning code, a driving school is not a permitted use or special use in the O-2 Limited Office District. Music schools, tutoring and educational curriculum development services require a special use permit in the O-2 District. However, "automobile driving instruction" is a specific educational service SIC code classification.

At the November 21, 2017, Board of Trustees meeting, the Village Board had no general issues with the application and unanimously referred the item to the Plan Commission (PC), with the recommendation to establish a minimum parking requirement of 1 space for every 250 SF for the special use.

### **Request and Analysis**

Responsible Driver plans to use the Hinsdale location at 7 N. Grant Street to conduct classes in an office space approximately 550 square feet in area. During the months of August through May, classes will be conducted between 6 PM to 8:30 PM, Monday through Thursday, and on Sunday between 1 PM to 7 PM. During the months of June and July, the classes will be conducted between 8 AM to 12 PM and 4 PM to 8 PM.

Each class will have a maximum of 25 students. All students will stay inside the classroom for the entire 2-hour class. Students would be dropped off at the front building entrance on Grant Street or parking lot behind the building. All behind-the-wheel lessons will be arranged through Responsible Driver's main location in La Grange.

There is no defined parking requirement for the proposed driving school. A general requirement for service uses requires 1 space for each 250 SF of net floor area; and elementary schools require 1 for each 2 employees or 1 for each 15 students, whichever is greater. Based on these requirements, Responsible Driver needs 3 spaces or 2 spaces, respectively. 7 Grant Street is an office building with a shared parking lot with 9 parking spaces. The applicant has stated that the building owner will allow access to both parking lots at the subject property and 111 Chicago Avenue (office building south of 7 N.



Grant Street (Attachment 7). The instructional vehicle will be parked in the 111 Chicago Avenue parking lot at all times.

To be consistent moving forward, it was recommended by the Board of Trustees to consider a minimum requirement of 1 space for each 250 SF of net floor area. If necessary, the PC and Board, through the Special Use permit process, could require more parking if the future applicants are more intense in use.

### Process

Within forty five (45) days following the conclusion of the public hearing, the PC shall transmit to the BOT its recommendation in the form specified by subsection 11-103(H). The failure of the PC to act within forty five (45) days following the conclusion of such hearing, or such further time to which the applicant may agree, shall be deemed a recommendation for the approval of the proposed amendment as submitted.

- Attachment 1 Text Amendment, Special Use and Plan Commission Applications
- Attachment 2 Zoning Map Location of 7 N. Grant Street
- Attachment 3 Birds Eye View of 7 N. Grant Street
- Attachment 4 Street View of 7 N. Grant Street
- Attachment 5 Zoning Code Section 6-101 Purposes: Office Districts
- Attachment 6 Zoning Map highlighting all the O-2 Districts in Hinsdale
- Attachment 7 Parking Lot photo for 7 N. Grant Street and 111 Chicago Avenue

### **Responsible Driver** La Grange, Melrose Park, Westmont www.BeAResponsibleDriver.com 630-827-2876



To: Village of Hinsdale

This letter is for purpose of discussion for Responsible Driving School to open /move a driving school in the O-2 district at 7 N. Grant St. Lower Level with a text amendment application in lieu of proper zoning and special permit use. Please read below for a description about the business, a general business model and daily operations.

### About the Business/Owner:

I started Responsible Driver in 2014 after working in the public high school system since 2006. Responsible driver currently has 3 locations La Grange, Melrose Park and Westmont. I am passionate about teaching and have created a curriculum that relates to this generation of students. As for my education, I have BA in Middle School/Secondary Education with a minor in Health & Driver Education. I have a MA in Instructional Leadership and currently hold a type 9 and type 75 certificates from the Illinois Board of Education. I have been teaching Driver Education for 12+ years. I am very familiar with the area currently living in Clarendon Hills.

### **Space Usage:**

The space would be used to conduct driver education classes during non-school hours. These hours are normally 6:00pm-8:00pm twice per week and on Sundays from 3:00pm-7:00pm. The space will allow maximum student classes of 20 students per class session. However, a final decision of maximum class size and scheduling will be determined by the Village of Hinsdale codes, permits and regulations. Responsible Driver will reserve the right for maximum class size to the Village of Hinsdale codes and permits if necessary for the special use permit. We would run between 8-12 classes for the year. The space would be limited to only the classroom portion of the course. The space will only include teaching devices, tables and chairs. Parents will drop off they child on Grant St. or the parking lot behind the building if they are not walking or riding their bike. This will be away from busier driving and though the surrounding areas. The parking lot allows parents to pick up and drop off away from Chicago Avenue. This space will not have visitors during non-classroom times as all meeting and walk-ins are arranged through our La Grange location.

An instructor will accompany all students at all times while use of the building. All liability for all students enrolled in the Driver Education course will be the responsibility of Responsible Driver. All students will say inside the classroom for the entire two hours class unless accompanied by the instructor. Because of the late hours, the instructor of the classroom will stay with all students until they are picked off from their parents. All behind-the-wheel times will be arranged through Responsible Driver main location in La Grange. All Behind-the-Wheel lessons are done off-location as students are picked up and dropped off at their home. No driving instruction will be done on in the O-2 district. All of my employees are certified by Illinois Board of Education in Driver Education and Safety and currently work in high schools in the area.

The space would be Secretary of State Driver Education Services approved prior to start of service. The space will be inspected for proper use by the Secretary of State Driver Education Services twice per year. The classroom and vehicle for behind-the-wheel instruction must pass Illinois State testing and inspections every 6 months. The business will have proper insurance, surety bonded, licensing and will pass all village exceptions. Students will arrive to the classroom from the side of the building and exit the building once their parent arrives to ensure the neighborhood maintains property values and will not injurious the use of other properties in the area. The classroom will be used in the evening when other businesses in the building are normally closed. The space has proper lighting, heating and cooling and use of a washroom. The building is equipped for special needs students and has proper drainage, plumbing, snow removal and garbage removal.

Thank you for this discussion. Sincerely, Bryan Kearney Owner – Responsible Driver 630-827-2876 Bkearney@bearesponsibledriver.com



VILLAGE OF HINSDALE COMMUNITY DEVELOPMENT DEPARTMENT

### PLAN COMMISSION APPLICATION

### I. GENERAL INFORMATION

Name: BRYDN KEARWEY

Address: 700 E. OGDEN AUE LUT

THE TO E OGDEN HOF UT

City/Zip: WESTMONT, IL GOSSA

Phone/Fax: (638) 827 /2876 E-Mail: Blearney@BeAResponsible

Driver, Con

### Owner

Address: 359 55TH ST.

City/Zip: CLAREPOON HILLS,

Phone/Fax: (630) 827 / 2876

E-Mail: Bkeeney @Bet Responsible

-			
	Driver		CO
	Priver	•	S

### Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name:	Name:
Title:	Title:
Address:	Address:
City/Zip:	City/Zip:
Phone/Fax: ()/	Phone/Fax: ()/
E-Mail:	E-Mail:

**Disclosure of Village Personnel**: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

1) _	None	
2) _		
3)		

2017 Version

### II. SITE INFORMATION

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Address of subject property: 7 N. GRANT ST.				
Property identification number (P.I.N. or tax number):				
Brief description of proposed project: Apply for text amoudment ' Special				
permituse to open a Automobile Private Instruction to				
Service the areas driver edu	cation service.			
General description or characteristics of the site:	he site is located in the 0:2			
district. The office site is a open space to conduct				
the drivers education classroom portion.				
Existing zoning and land use:				
Surrounding zoning and existing land uses:				
North: 0° 2	South: B-1			
East:	West: R-Y			
Proposed zoning and land use: 0-1 (Eclucation)				

 Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

 Image: Site Plan Approval 11-604
 Image: Map and Text Amendments 11-601E Amendment Requested:

 Image: Design Review Permit 11-605E
 Image: Map and Text Amendments 11-601E Amendment Requested:

 Image: Design Review Permit 11-605E
 Image: Planned Development 11-603E

 Image: Design Review Permit 11-602E Special Use Requested:
 Image: Planned Development 11-603E

 Image: Development In the B-2 Central Business District Questionnaire
 Image: Development In the B-2 Central Business District Questionnaire

2017 Version

Page 5 of 8 Attachment 1

# TABLE OF COMPLIANCE

Address of subject property: 7 N. GRANT

The following table is based on the  $\mathcal{O}$ - $\mathcal{Q}$  Zoning District.

You may write "N/A" if the application does NOT affect the building/subject property.	Minimum Code Requirements	Existing Development	Proposed Development
Lot Area (SF)	NA		
Lot Depth	1/1A		
Lot Width	NA		
Building Height	NA		
Number of Stories	NA		
Front Yard Setback	N/A.		
Corner Side Yard Setback	N/A		
Interior Side Yard Setback	MA		
Rear Yard Setback	NA		
Maximum Floor Area Ratio			
(F.A.R.)*	NA		
Maximum Total Building	11.		
Coverage*	MA		
Maximum Total Lot	1.10		
Coverage*	NA		
Parking Requirements			
	1.10		
here and here	NA		
Parking front yard setback	NA		
Parking corner side yard	1		
setback	NA		
Parking interior side yard			
setback	NA		
Parking rear yard setback	NA		
Loading Requirements	NA		
Accessory Structure	NA		
Information			

\* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance:

the attice page will be use None polect as

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Page 6 of 8 Attachment 1

# CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
  - 1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
  - 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
  - All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
  - 4. Location, size, and arrangement of all outdoor signs and lighting.
  - 5. Location and height of fences or screen plantings and the type or kink of building materials or plantings used for fencing or screening.
  - 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
  - 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_\_\_, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

BRYAN KEARNEY

Name of applicant or authorized agent

Name of applicant or authorized agent

Signature of applicant or authorized agent

SUBSCRIBED AN		
to before me this		day of
October	, 20	17.

Notary Public

JOSHUA JIMENEZ Official Seal Notary Public - State of Illinois My Commission Expires Dec 28, 2020

2017 Version

Page 7 of 8 Attachment 1



COMMUNITY DEVELOPMENT DEPARTMENT ZONING CODE TEXT AND MAP AMENDMENT APPLICATION

15

Attachment 1

### Must be accompanied by completed Plan Commission Application

Map Amendment ( Text Amendment (•) Is this a:

Address of the subject property : 7 N. GRANT, HINSOME

### **REVIEW CRITERIA**

Description of the proposed request: TEXT AMENDWENT ADDITION TO INCLUDE AUTOMUSLIE PRIVATE INSTRUCTION.

Section 11-601 of the Hinsdale Zoning Code regulates Amendments. The amendment process established is intended to provide a means for making changes in the text of the Zoning Code and in the zoning map that have more or less general significance or application. It is not intended to relieve particular hardships nor to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of the Zoning Code and the zoning map in light of changing, newly discovered, or newly important conditions, situations, or knowledge. The wisdom of amending the text of the Zoning Code is a matter committed to the sound legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Board of Trustees should weigh, among other factors, the below criteria.

Below are the 14 standards for amendments that will be the criteria used by the Plan Commission and Board of Trustees in determining the merits of this application. Please respond to each standard as it relates to the application. Please use an additional sheet of paper to respond to questions if needed. If the standard is not applicable, please mark N/A.

1. The consistency of the proposed amendment with the purpose of this Code.

ANSWERS ATTACHED

- 2. The existing uses and zoning classifications for properties in the vicinity of the subject property.
- 3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

1

- 4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it.
- 5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare.
- 6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.
- 7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.
- 8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.
- 9. The suitability of the subject property for uses permitted or permissible under its present zoning classification.
- 10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.
- 11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification.

- 12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
- 13. The community need for the proposed amendment and for the uses and development it would allow.
- 14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area.

### Zoning Code Text and Map Amendment

Address of the Subject Property: 7 N. Grant Street, Hinsdale Illinois (0-2 District) Description of the Proposed Request: Text Amendment Addition to include Automobile Private Instruction

Requested by: Responsible Driving School (Bryan Kearney-Owner)

- Consistency of proposed amendment: I am applying for a text amendment to 6-106.B.7 to add automobile private instruction to the zoning code text and zoning map.
- Existing use and zoning classifications: The text amendment for existing uses and zoning classification for automobile private instruction are similar to other services in the area which allows for education services.
- 3. Trend of development:

The trend of educational services has been increasing within the Hinsdale Community. Many tutor, test prep, music and dance businesses have all opened in the area.

4. Diminishment of property by the existing zoning classifications:

There will be no construction and the space will be an open area design with tables, chairs and multimedia educational equipment. All behind-the-wheel drives/lessons will be arranged through Responsible Driver main location in La Grange. All Behind-the-Wheel lessons are done off-location as students are picked up and dropped off at their home.

5. Diminution in Value:

There will be no interference with surrounding development as no construction will be necessary to the building or the space. Students will arrive to the classroom and exit the building once their parent arrives to ensure the neighborhood maintains property values and will not injurious the use of other properties in the area.

6. Use and enjoyment of adjacent properties affected:

The adjacent properties would not be effected as most of our classes for during off business hours. Normally we have classes in the evening during the weekdays and on Sundays. During the months of August through May the hours of operations would be 4:00pm-8:30pm Monday through Thursday and Sunday from 1:00pm-7:00pm. During the months of June and July the hours of operation would be the 8:00am-12:00pm and 4:00pm-8:00pm.

The Illinois Secretary of State requirements for a driver education classroom is a minimum space of 300 square feet with 150 square feet for an office space for a main branch location. The state requires 10 Square feet per student for a maximum of 30 students per class. The location at 7 S. Grant will be our main branch location. The location on 7 S. Grant is approximately 550 square feet. Our company policy is a maximum enrollment of 25 students per class for the learning environment of the student.

7. Adjacent properties affected:

All steps have been taken to minimize any adjacent affects. All landscaping and site design of the space will not change for this special permit use.

8. Future orderly development affected:

No future development will be affected by this text amendment as the space will be used for classroom proposes only.

Property for uses permitted under present zoning classifications:

The property uses coincide with the O-2 zoning classification under education services with a special permit use. Responsible Driver has also applied for this special permit use.

10. Traffic Conditions:

Traffic would consist of parents dropping their child off for the classroom portion of the course. All drop off would be in the east lot behind the building or on Grant Street away from Fullers Car Wash and Chicago Avenue. I predict most of the students would be walking or riding their bicycle to the location having less traffic most of the year. As for space for parking, the business will only need use of 1 parking spot for the instruction vehicle.

11. Adequate utilities and public services permitted and permissible:

The space will be properly maintained and will pass village exceptions .The space has safety exiting and the drop off of students on the north side of the building away from traffic on Chicago Avenue. The space has proper lighting, heating and cooling and use of a private washroom. The building has proper drainage, plumbing, snow removal and garbage removal.

- Length of time property is vacant: The property has been vacant for 2 years.
- 13. Community need:

The Village of Hinsdale and the surrounding area would benefit by this text amendment as there is no other business providing services in the area. We will provide the adults and teens of Hinsdale and the surrounding areas a better educational experience with texting and driving computer simulations and guest speakers.

14. Why subject property should be established:

I currently service over 150 students in the area and would like to make it closer for the parents of Hinsdale. Responsible Driver is a member of the Hinsdale Chamber of Commerce and has sponsored and participated in Uniquely Thursdays. Automobile private instruction will benefit the community as better drivers in the area making safer street for the community. Private driver education business are shown statistically to have less students in accidents to comparison to public high school driver education. We will provide the adults and teens of Hinsdale and the surrounding areas a better educational experience with texting and driving computer simulations and guest speakers. Our company also works with Officer Coughlin from the Hinsdale Police Department to educate our drivers on obeying the law, speeding and drinking and driving. As the owner, I am passionate about teaching and have created a curriculum that relates to this generation of students. As for my education, I have BA in Middle School/Secondary Education with a minor in Health & Driver Education. I have a MA in Instructional Leadership and currently hold a type 9 and type 75 certificates from the Illinois Board of Education. I have been teaching Driver Education for 15+ years.

Thank You for Considering This Possible Text Amendment. Bryan Kearney; Owner – Responsible Driving School. 630-827-2876 Bkearney@bearesponsibledriver.com



COMMUNITY DEVELOPMENT DEPARTMENT SPECIAL USE PERMIT CRITERIA

### Must be accompanied by completed Plan Commission Application

Address of proposed request: 7 N. GRANT HINSDALE

Proposed Special Use request: RESPONSIBLE DRIVING SCHOOL - BRYAN KEARNEY

Is this a Special Use for a Planned Development? • No Yes (If so this submittal also requires a <u>completed</u> Planned Development Application)

### **REVIEW CRITERIA**

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

### FEES for a Special Use Permit: \$1,225 (must be submitted with application)

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established.

ANSWERS ATTACHED.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

3. *No Interference with Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations

1

- 4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.
- 5. *No Traffic Congestion*. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.
- 6. *No Destruction of Significant Features*. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
- 7. *Compliance with Standards*. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.
- 8. *Special standards for specified special uses.* When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district.

9. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

*Public benefit.* Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

*Alternate locations.* Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

*Mitigation of adverse impacts.* Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

### Special Use Permit Criteria

Address of proposed request: 7 N. Grant Street, Hinsdale Illinois (0-2 District)

Proposed Special Use Request: Responsible Driving School (Bryan Kearney-Owner)

### 1. Code and Plan Purposes:

I, Bryan Kearney, owner of Responsible Driver would like to propose a text amendment to Section 6-106(B), and concurrent special use permit to conduct automobile driving instruction (8299) in the O-2 district for the community of Hinsdale and the surrounding areas at 7 N. Grant Street Lower Level. The teen automobile private instruction will be Secretary of State Driver Education Services approved prior to start of service. The space would be required an inspection for proper use by the Illinois Secretary of State Driver Education Services three times per year. The classroom and vehicle for behind-the-wheel instruction must pass Illinois State testing and inspections every 6 months. The business will have proper insurance, surety bonded, properly licensed and will pass all village expectations. Students of the class would be dropped off at the location for class by a parent or guardian. Most of the area in the area could also walk or ride their bicycle. An instructor will accompany all students at all times while use of the building. All behind-the-wheel times will be arranged through Responsible Driver main location in La Grange. All Behind-the-Wheel lessons are done off-location as students are picked up and dropped off at their home. All of my employees are certified by Illinois Board of Education in Driver Education and Safety and currently work in high schools in the area.

### 2. No Undue Adverse Impact:

This special permit use will not have a substantial or undue adverse effect upon adjacment property, the character of the area, or the public health, safety and general welfare. The special permit use will be used for educational proposes only. All behind-the-wheel or driving instructor will be done in the surrounding area. For all behind the wheel / driving instruction all students are picked up and dropped at their residents.

3. No Interference with Surrounding Development:

There will be no interference with surrounding development are no construction will be necessary to the building or the space. Students will arrive to the classroom and exit the building once their parent arrives to ensure the neighborhood maintains property values and will not injurious the use of other properties in the area.

### 4. Adequate Public Facilities:

The business will not require additional public services and infrastructure. The proposed use adequately as the space will only be used for the classroom portion of the driver education course.

### 5. No Traffic Congestion:

Traffic would consist of parents dropping their child off for the classroom portion of the course. There will be two areas for parents to drop off their child. One area will be the parking lot east of the building through the alley. The second drop off area will be on Grant north of Chicago Avenue. This will ensure the safety of all students away from Fullers Car Wash and Chicago Avenue. I predict some of the students would be walking or riding their bicycle to the location having less traffic most of the year.

6. No Destruction of Significant Features:

The special permit use will not destruction, loss, or damage of any natural, scenic, or historic feature of the space as the space will be used for the classroom portion only. All liability for all students enrolled in the Driver Education course will be the responsibility of Responsible Driver. All students will say inside the classroom for the entire two hours class unless accompanied by the instructor. The instructor of the classroom will stay with all students until they are picked off from their parents or guardians.

7. Compliance with Standards:

The proposed use does comply with standards imposed for education services. Many tutor, Test prep, music and dance businesses have all opened in the area. The business would only need 1 parking space for an instructional vehicle.

 Special standards for specified special uses: Not Applicable

### 9. Considerations

### A. Considerations (Public Benefit)

The Village of Hinsdale and the surrounding area would benefit by this special permit use as there is no other business providing services in the area. I currently service over 150 students in the area and would like to make it closer for the parents of Hinsdale. Responsible Driver is a member of the Hinsdale Chamber of Commerce and has sponsored and participated in Uniquely Thursdays. Automobile private instruction will benefit the community as better drivers in the area making safer street for the community. Private driver education business are shown statistically to have less students in accidents to comparison to public high school driver education. We will provide the adults and teens of Hinsdale and the surrounding areas a better educational experience with texting and driving computer simulations and guest speakers. Our company also works with Officer Coughlin from the Hinsdale Police Department to educate our drivers on obeying the law, speeding and drinking and driving. As the owner, I am passionate about teaching and have created a curriculum that relates to this generation of students. As for my education, I have BA in Middle School/Secondary Education with a minor in Health & Driver Education. I have a MA in Instructional Leadership and currently hold a type 9 and type 75 certificates from the Illinois Board of Education. I have been teaching Driver Education for 15+ years.

### B. Considerations (Alternate locations)

The O-2 would be an appropriate area for the safety of the students. Other business districts in the area has more traffic congestion and could be danger for students near major intersections in the area. The proposed space at 7 N. Grant Street is away from Chicago Avenue and parents could use the East Parking lot and Grant Street. Parents dropping off their child will not have traffic on Grant St. away from Grant Square other businesses (Walgreens, Kramer's) traffic congestion. All businesses on the building on 7 N. Grant will be closed during Responsible Driver hours of operation.

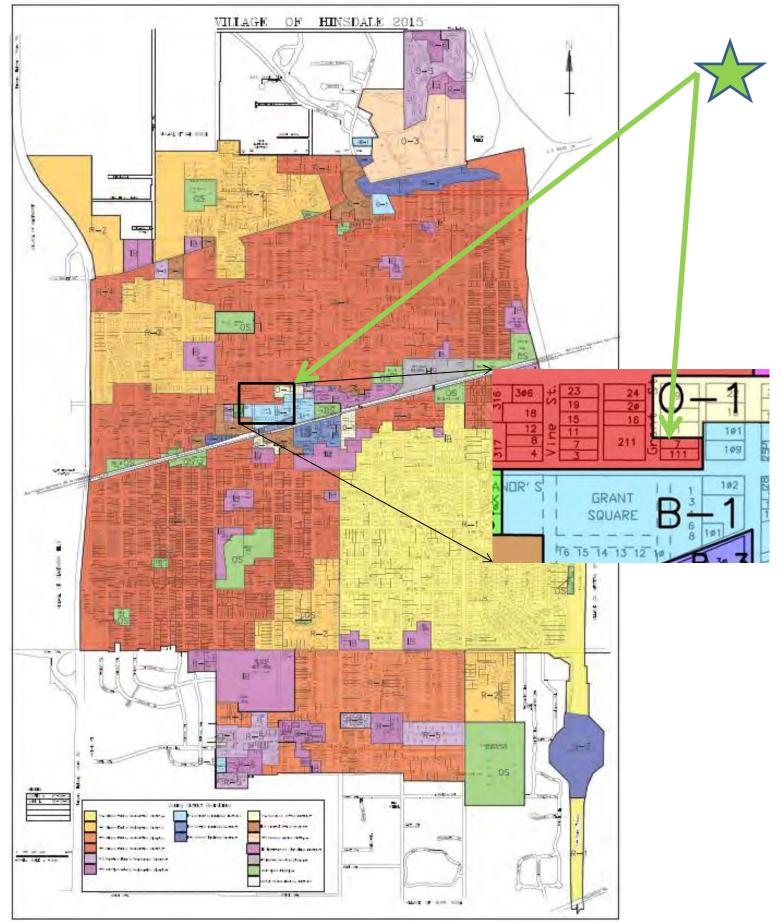
C. Considerations (Mitigation of adverse impacts)

All steps have been taken to minimize any adverse effects. There will be no construction and the space will be an open area design with tables, chairs and multimedia educational equipment. All landscaping and site design of the space will not change for this special permit use.

Thank You for Considering This Special Permit Request. Bryan Kearney; Owner – Responsible Driving School Bkearney@bearesponsibledriver.com 630-827-2876

# Attachment 2: Village of Hinsdale Zoning Map and Project Location

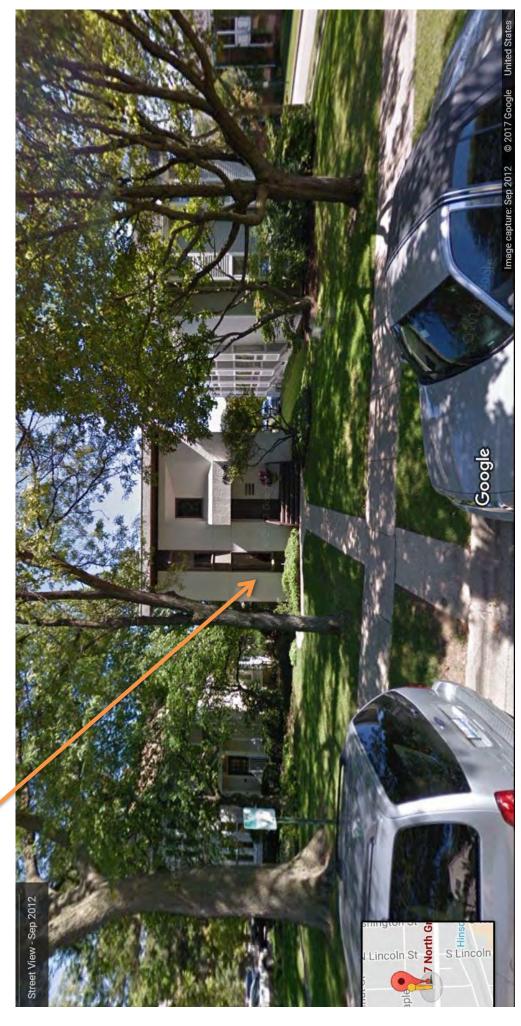




Birds Eye View of 7 N. Grant Street (facing north) **Proposed Class Location** Attachment 3:



# Attachment 4: Street View from Grant Street (facing east) **Proposed Driving Class**



Attachment 4

# Attachment 5: Zoning Code Sec. 6-101: Purposes: Office Districts

Three (3) zoning districts are provided for office development. The office districts accommodate a range of suburban office space alternatives in keeping with the residential and local business atmosphere in the village.

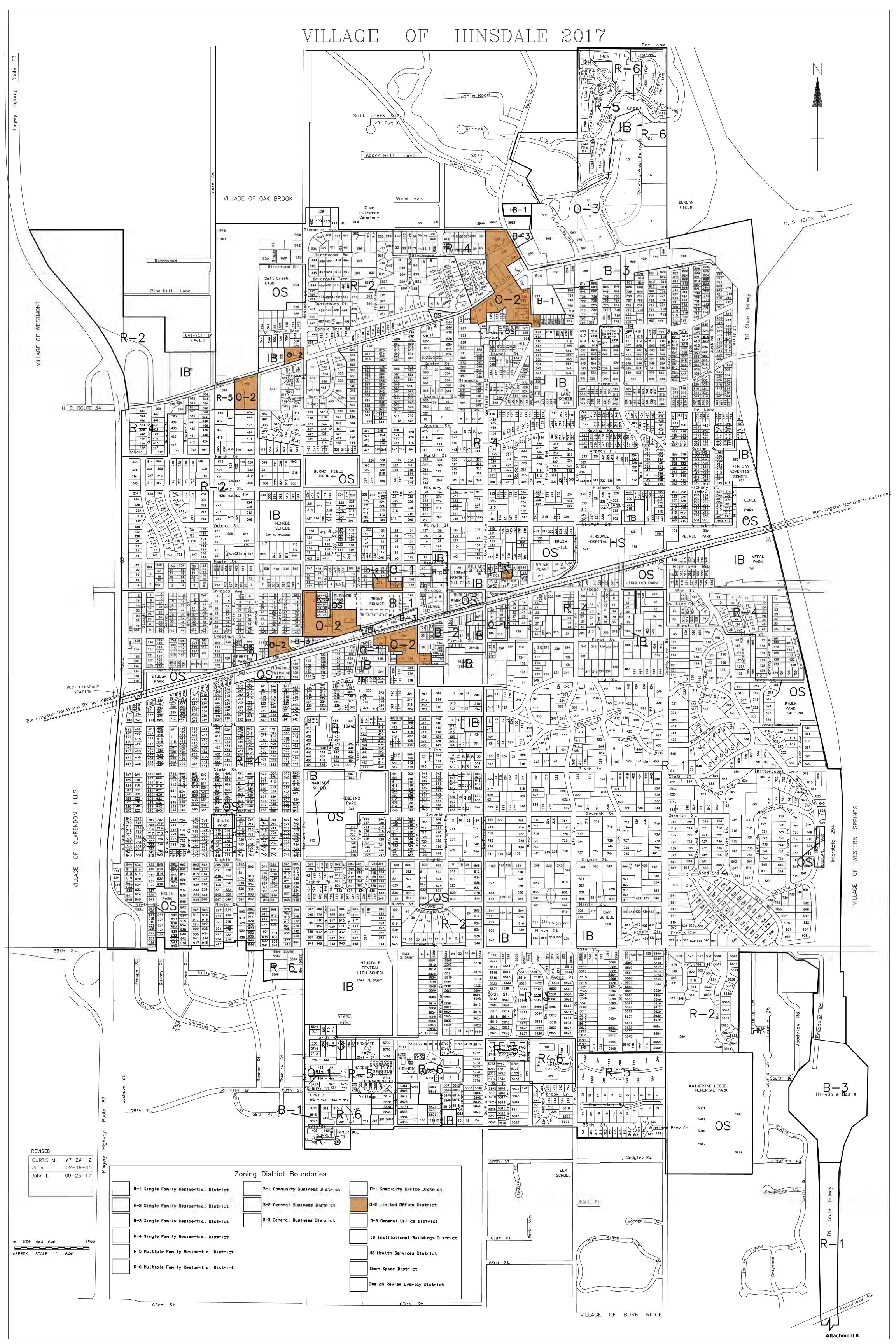
In the office districts, the combination of use regulations and varied bulk and yard regulations is intended to:

- A. Perpetuate the existing high quality character of the village by preserving established office use areas while permitting only beneficial new office development consistent with the overall character and land use patterns of the existing village; and
- B. Assure through height limits, setback and open space requirements, and mapping decisions that all office development is compatible with the residential scale of village; and
- C. Implement through reasonable regulation the purposes and intent of this code.

Specifically, the O-1 specialty office district is intended to provide for small offices in the older areas of the village adjacent to the central business areas where it is possible to retain the residential character and appearance of the village and at the same time promote limited business activity. The uses permitted are characterized by low traffic volume and limited outdoor advertising. The regulations of the O-1 district are designed to encourage the retention and renovation of sound existing structures and to ensure that the office uses remain compatible with the residential uses while permitting the area to maintain a distinctive residential character. Replacement structures in the O-1 district also must have a residential character and appearance. The O-1 district normally is small in size and located to provide a transition between residential areas and less restricted districts.

The O-2 limited office district is designed to provide for the general needs of business and professional offices and related business uses on smaller sites in scattered areas throughout the village. Bulk and height regulations encourage development that is architecturally consistent with smaller sites and compatible with nearby residential uses.

The O-3 general office district is provided to accommodate the needs of business and professional offices and related business uses requiring a somewhat wider range of office space with a somewhat higher intensity of pedestrian and vehicular traffic movements. Bulk and height regulations are consistent with a moderate amount of development. (1991 Code)







Attachment 7



# MEMORANDUM

DATE:	December 13, 2017
то:	Chairman Cashman and Plan Commissioners
CC:	Kathleen A. Gargano, Village Manager Robb McGinnis, Director of Community Development/Building Commissioner
FROM:	Chan Yu, Village Planner
RE:	<b>Scheduling of Public Hearing</b> for Text Amendment Application for Driving School in the B-1 District as a Special Use, but not on the 1st Floor in the B-1 District, and concurrent Special Use Permit Top Driver – 1 Grant Square (2nd Floor) in the B-1 District – Case A-39-2017

### Summary

The Village of Hinsdale has received an application from Mr. Paul Zalatoris, the CEO of Top Driver driving school, requesting approval for a Text Amendment to establish a driving school at 1 Grant Square, on the second floor, with a Special Use Permit in the B-1 Community Business District. Per the zoning code, a driving school is not a permitted use or special use in the B-1 Community Business District. Educational Services require a special use permit in the B-2 (but not on the 1<sup>st</sup> floor) and B-3 Business Districts. However, "automobile driving instruction" is a specific educational service SIC code classification.

At the October 3, 2017, Board of Trustees meeting, the Village Board discussed driving schools in general in the B-1 District, however, agreed the use should be considered for the second floor only, to prevent displacing first floor retail space and uses in the B-1 District.

At the November 21, 2017, Board of Trustees meeting, the Village Board had no general issues with the application and unanimously referred the item to the Plan Commission (PC), with the recommendation to establish a minimum parking requirement of 1 space for every 250 SF for the special use.

### **Request and Analysis**

Top Driver plans to use its Hinsdale location at 1 Grant Square, second floor, to conduct classes in an office space approximately 1,000 square feet in area. Classes would be held: **August to May**, Monday through Thursday, from 4 PM to 6 PM and 7 PM to 9 PM, and on Sundays from 10:45 AM to 12:45 PM, 1 PM to 3 PM, 3:15 PM to 5:15 PM, and 5:30 PM to 7:30 PM; and from **June to July**, Monday through Thursday, from 8 AM to 10 AM, 10:15 AM to 12:15 PM, 3:30 to 5:30 PM, and 6 PM to 8 PM, and on Sundays from 10 AM to 12 PM or 1 PM to 3 PM.

The applicant has no current plans to conduct classes on Friday or Saturday, but noted it is possible in the future to offer classes on those days. This would require a new special use permit application.

Each class will have a maximum of 30 students, with an average size between 18 and 20 students. The location at 1 Grant Square would be utilized for a classroom only. In-vehicle lessons would be handled



# MEMORANDUM

with pick up and drop off from the student's homes. The applicant anticipates using 2 vehicles to service its clients in the area.

There is no defined parking requirement for the proposed driving school. A general requirement for service uses requires 1 space for each 250 SF of net floor area; and elementary schools require 1 for each 2 employees or 1 for each 15 students, whichever is greater. Based on these requirements, Top Driver needs 4 spaces or 2 spaces, respectively. Grant Square features a shared parking lot with 262 parking spaces. Top Driver's lease will dedicate 4 parking spaces in the west side of the parking lot for their 2 company vehicles.

To be consistent moving forward, it was recommended by the Board of Trustees to consider a minimum requirement of 1 space for each 250 SF of net floor area. If necessary, the PC and Board, through the Special Use permit process, could require more parking if the future applicants are more intense in use.

### Process

Within forty five (45) days following the conclusion of the public hearing, the PC shall transmit to the BOT its recommendation in the form specified by subsection 11-103(H). The failure of the PC to act within forty five (45) days following the conclusion of such hearing, or such further time to which the applicant may agree, shall be deemed a recommendation for the approval of the proposed amendment as submitted.

### Attachments:

- Attachment 1 Text Amendment, Special Use and Plan Commission Applications
- Attachment 2 Zoning Map Location of 1 Grant Square
- Attachment 3 Birds Eye View of 1 Grant Square
- Attachment 4 Street View of 1 Grant Square
- Attachment 5 Zoning Code Section 5-101 Purposes: Business Districts
- Attachment 6 Zoning Map highlighting all the B-1 Districts in Hinsdale



200 W. 22<sup>nd</sup> Street, Suite 251 Lombard, IL 60148

> P: 630.785.6557 F: 630.317.7555

October 26, 2017

Village Board of Trustees Kathleen Gargano, Village Manager Thomas K. Cauley, Jr., Village President Village of Hinsdale 19 East Chicago Ave Hinsdale, IL 60521

Dear Village Board of Trustees,

My wife, Caroline, and I are owners of Top Driver. We are interested in offering our services to the Village of Hinsdale residents by opening a classroom within the village. This classroom would be focused on the required classroom portion of driver education for teens interested in obtaining their driver's license. Due to the need to go through a Text Amendment and Special Use zoning review and its related costs, we were advised to provide this letter detailing the scope of our proposal and the specifics as to how it may impact the village.

Caroline was raised in Hinsdale and her family continue to be residents today. We have lived in Clarendon Hills for the past 25 years and raised two daughters through Districts 181 and 86. I am mentioning this since it is our desire to provide our services to our own community.

Top Driver was founded in 2003 and we are the largest private driving school in Illinois with 32 leased locations in the Chicagoland suburban area. We currently service Hinsdale and Clarendon Hills families through our locations in Western Springs and Downers Grove however many parents and friends have requested that we open a convenient location in one of "our own" two villages.

What differentiates Top Driver from other driving schools is our professionalism - we have a full time Management Team dedicated to the business of educating new drivers. Most competitors do this as a second income and do not invest the resources in the training of their instructors, developing curriculum, maintaining vehicles and the general infrastructure as we do. I believe Hinsdale residents expect and deserve professional, high quality service which is consistent with our company strategies.

### **Business Plan/Scope of Proposal**

We are interested in leasing approximately 1,000 SF on the  $2^{nd}$  floor of the Evergreen Bank building located at 1 Grant Square (requiring a Text Amendment and Special Use Permit since it is zoned B1). This space has been vacant for at least a year and a half according to the building ownership. The location and type of building is consistent with what we look for when entering a community – it is

topdriver.com

We teach Driver Intelligence



200 W. 22<sup>nd</sup> Street, Suite 251 Lombard, IL 60148

> P: 630.785.6557 F: 630.317.7555

perfectly suited for students to walk to/ride their bikes and is a safe place with off street parking for parents who would drop off/pick up their students for class.

The location in Grant Square would be for classroom use only. In-vehicle lessons would be handled with pick up and drop off from the students' homes as is done currently.

We anticipate using 2 vehicles to service the families in this area. Per discussions with the Management of 1 Grant Square these vehicles would be parked in the West "employee" lot along with all other Grant Square employee cars. We currently service Hinsdale residents from our Western Springs location utilizing 2 vehicles.

### **Projected Classroom Hours**

4:00 pm to 9:00 pm (two class offerings: 4-6pm and 7-9pm)
10:45 am to 7:30 pm (four class offerings at most: 10:45am – 12:45pm, 1:00 – 3:00pm, 3:15 – 5:15 pm, 5:30 – 7:30 pm)
8:00 am to 8:00 pm (four class offerings at most: 8:00 – 10:00 am, 10:15 – 12:15 pm, 3:30 – 5:30 pm, 6:00 – 8:00 pm)
10:00 - 12:00 pm or 1:00 - 3:00 (one class offering)

While we do not currently conduct classes on Friday or Saturday it is possible that at some point we would like to offer similar classes as those noted above.

### **Classroom Size**

Maximum of 30, average class size is 18-20

### Number of Staff

1 Classroom teacher plus 1 in-vehicle instructor



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While I understand that some have a negative connotation of driver education, we are a company of professional educators who take great pride in our business. Top Driver's success is based primarily on "word of mouth" recommendations – we have taught thousands of Hinsdale and Clarendon Hills students and would like to continue to do so from the convenience of Grant Square Shopping Center.

I hope that you and the other members providing consideration for our special use request will understand the benefit that this would bring to the residents of the Village. There is little to no negative impact on traffic or noise. Many parents who normally shop in Grant Square will continue to do so while their teen is in class. We are an educational organization looking to provide excellent service and increased convenience to the Hinsdale residents.

I appreciate your time and consideration and welcome an opportunity to answer any questions you have and to meet with you personally to discuss this request.

Sincerely,

Paul R. Zalatons CEO, Top Driver



# VILLAGE OF HINSDALE COMMUNITY DEVELOPMENT DEPARTMENT

# PLAN COMMISSION APPLICATION

# I. GENERAL INFORMATION

### Applicant

Name: Top Driver Acquisition, LLC

Address: 200 W. 22nd Street, Ste 251

City/Zip: Lombard, IL 60148

Phone/Fax: (630) 785-6557 / 630-317-7555

E-Mail: paul.zalatoris@topdriver.com

# Owner

Name: Top Driver Acquisition, LLC

Address: 200 W. 22nd Street, Ste 251

City/Zip: Lombard, IL 60148

Phone/Fax: (630) 785-6557 /630-317-7555

E-Mail: paul.zalatoris@topdriver.com

# Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: Peter Coules, Jr.

Title: Attorney

Address: 15 Salt Creek Lane, Suite 312

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 920-0406 / 630-920-1338

E-Mail: peter@donatellicoules.com

Name:	
Title:	
Address:	
City/Zip:	
Phone/Fax: () /	
E-Mail:	

**Disclosure of Village Personnel**: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

1)	/a	
2)		
3)		

# II. SITE INFORMATION

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Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

- □ Site Plan Approval 11-604
- Design Review Permit 11-605E
- □ Exterior Appearance 11-606E
- Special Use Permit 11-602E
   Special Use Requested: \_\_\_\_\_\_

   Drivers Education School
- Map and Text Amendments 11-601E Amendment Requested: Text amendment to Section 5-105(C) of the Zoning Code to add "Automobile Driving Instruction (8299), but not on any first floor of any structure in the B-1 district."
- □ Planned Development 11-603E
- Development in the B-2 Central Business District Questionnaire

# TABLE OF COMPLIANCE

Address of subject property: 1 Grant Square, 2nd Floor, Hinsdale, IL 60521

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The following table is based on the <u>B-1</u> Zoning District.

	Minimum Code	Proposed/Existing
	Requirements	Development
	B-1	B-1
Minimum Lot Area (s.f.)	6,250	n/a - no change
Minimum Lot Depth	125'	n/a - no change
Minimum Lot Width	50'	n/a - no change
Building Height	30	n/a - no change
Number of Stories	2	n/a - no change
Front Yard Setback	25'	n/a - no change
Corner Side Yard Setback	25'	n/a - no change
Interior Side Yard Setback	10'	n/a - no change
Rear Yard Setback	20'	n/a - no change
Maximum Floor Area Ratio (F.A.R.)*	.35	n/a - no change
Maximum Total Building Coverage*	n/a	n/a - no change
Maximum Total Lot Coverage*	90%	n/a - no change
Parking Requirements	n/a	n/a - no change
Parking front yard setback	n/a	n/a - no change
Parking corner side yard setback	n/a	n/a - no change
Parking interior side yard setback	n/a	n/a - no change
Parking rear yard setback	n/a	n/a - no change
Loading Requirements	n/a	n/a - no change
Accessory Structure Information	n/a	n/a - no change

\* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: <u>n/a</u>

# CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
  - B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
    - 1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
    - 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
    - 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
    - Location, size, and arrangement of all outdoor signs and lighting.
    - 5. Location and height of fences or screen plantings and the type or kink of building materials or plantings used for fencing or screening.
    - 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
    - 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
  - E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
  - F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the <u> $6^{10}$ </u>, day of <u>0 chuber</u>, 2<u>017</u>, I/We have read the above certification, understand it, and agree

Signature of applicant or authorized agent alalovis

Name of applicant or authorized agent

SUBSCRIBED AND SWORN to before me this  $_6^{th}$  day of  $_0^{th}$  day of  $_0^{th}$  Signature of applicant or authorized agent

Name of applicant or authorized agent

OFFICIAL SEAL PETER COULES JR MOTARY PUBLIC, STATE OF ILLINOIS Notary, MY COMMISSION EXPIRES 9/11/2021 4



**COMMUNITY DEVELOPMENT** DEPARTMENT ZONING CODE TEXT AND MAP **AMENDMENT APPLICATION** 

# Must be accompanied by completed Plan Commission Application

Is this a:

Map Amendment (

Text Amendment (•)

Address of the subject property 1 Grant Square, 2nd Floor, Hinsdale, IL 60521

### **REVIEW CRITERIA**

Description of the proposed request: Text amendment to Section 5-105(C) of the Zoning Code to add "Automobile Driving Instruction (8299), but not on the first floor of any structure in the B-1 district."

Section 11-601 of the Hinsdale Zoning Code regulates Amendments. The amendment process established is intended to provide a means for making changes in the text of the Zoning Code and in the zoning map that have more or less general significance or application. It is not intended to relieve particular hardships nor to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of the Zoning Code and the zoning map in light of changing, newly discovered, or newly important conditions, situations, or knowledge. The wisdom of amending the text of the Zoning Code is a matter committed to the sound legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Board of Trustees should weigh, among other factors, the below criteria.

Below are the 14 standards for amendments that will be the criteria used by the Plan Commission and Board of Trustees in determining the merits of this application. Please respond to each standard as it relates to the application. Please use an additional sheet of paper to respond to questions if needed. If the standard is not applicable, please mark N/A.

1. The consistency of the proposed amendment with the purpose of this Code.

According to the code, the purpose of the B-1 Community Business District is to serve the everyday shopping needs of village residents and allow compatible uses that would be desirably located in close proximity to potential users. A Drivers Ed School complies with this intent.

- 2. The existing uses and zoning classifications for properties in the vicinity of the subject property. The existing uses and zoning classifications for properties in the are are also B-1.
- 3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

The proposed amendment to the text to allow special use of a drivers education school fits the intent of the B-1 district. The amendment request is to Section 5-105(C) of the Zoning Code to add "Automobile Driving Instruction (8299), but not on the first floor of any structure in the B-1 district."

Attachment 1

4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it.

The space in the property has been vacant for over a year an a half, per the current owner, so the special use will have a positive impact on the community by bringing business to the vacant space and fitting in with the intended use of the district.

5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare.

Not applicable.

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6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.

The adjacent properties would be positively effected as the drivers education school would bring additional consumers to the district. Parents may also stay in the district to shop while students are in class, bringing additional business to the area.

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.

The adjacent properties would be positively effected as a business is taking over vacant space in the area and bringing consumers to the district.

- 8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. None.
- 9. The suitability of the subject property for uses permitted or permissible under its present zoning classification.

The B-1 zoning district is for the purpose of brining shopping to the area for consumers and allow compatible uses in close proximity and the requested special use is compatible with this purpose.

10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.

Special use would have a minimal impact on traffic and ingress and egress issues, as the number of individuals going to the business are relatively small and spread out at different times. Parents also often drop and pick up students, minimizing congestion. All driving for class occurs outside district.

11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification.

Not an issue. Only two (2) parking spaces are needed for the business, students are dropped off and picked up by their parents, and all driving for the school occurs outside the district with students being picked up and dropped off at their homes for this portion of the program.

### Attachment 1

12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.

The space in the property has been vacant for over a year an a half, per the current owner.

13. The community need for the proposed amendment and for the uses and development it would allow.

There is not currently a drivers education school in the Village of Hinsdale, with the closest locations being in Western Springs and Downers Grove.

14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area.

Not Applicable.

4



# COMMUNITY DEVELOPMENT DEPARTMENT SPECIAL USE PERMIT CRITERIA

Must be accompanied by completed Plan Commission Application

Address of proposed request: 1 Grant Square, 2nd Floor, Hinsdale, IL 60521

Proposed Special Use request: Drivers Education School

Is this a Special Use for a Planned Development? • No Yes (If so this submittal also requires a *completed* Planned Development Application)

### **REVIEW CRITERIA**

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

# FEES for a Special Use Permit: \$1,225 (must be submitted with application)

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established.

The use of the property for a drivers education school by Top Driver Acquisitions, LLC fits into the purpose of the B-1 zoning district as it is a compatible use with providing shopping to consumers in the area and will have a positive impact on the other businesses in the district.

2. *No Undue Adverse Impact.* The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

The use of the property for a drivers education school will have a positive impact on the other businesses in the district as it will take over vacant space in the area and should bring additional consumers to the district.

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations

The proposed use will have no dominating effect on the area and will comply with all village ordinances. The drivers education school will be located on the second floor of the subject property, not on the first, and most students are dropped off and picked up by their parents, which will also prevent the business from having a dominating effect on the area.

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

The proposed use will be adequately served by the Village facilities. Students will only be coming to the district for the classroom portion of the program, as students are picked up directly from their home for the driving portion of the class. Further, only two (2) parking spaces are needed for business vehicles.

5. *No Traffic Congestion*. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

The use of the property for a drivers education school would have a minimal impact on traffic as the number of individuals going to the business are spread out at different times and the driving portion of the program occurs outside the district, with students picked up at home. Further, most students are dropped off and picked up by their parents, which also minimizes traffic congestion.

6. *No Destruction of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

No changes will be made.

7. *Compliance with Standards*. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

The proposed use will comply with all relevant standards.

8. Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district.

No special standards.

9. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

*Public benefit.* Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

The drivers education school will have a positive impact on the community by bringing business to the vacant space, brining additional consumers to the area from both students coming to the district and parents who will be dropping their children off (and often times staying in the district to shop during class), and fitting in with the intended use of the district.

*Alternate locations.* Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

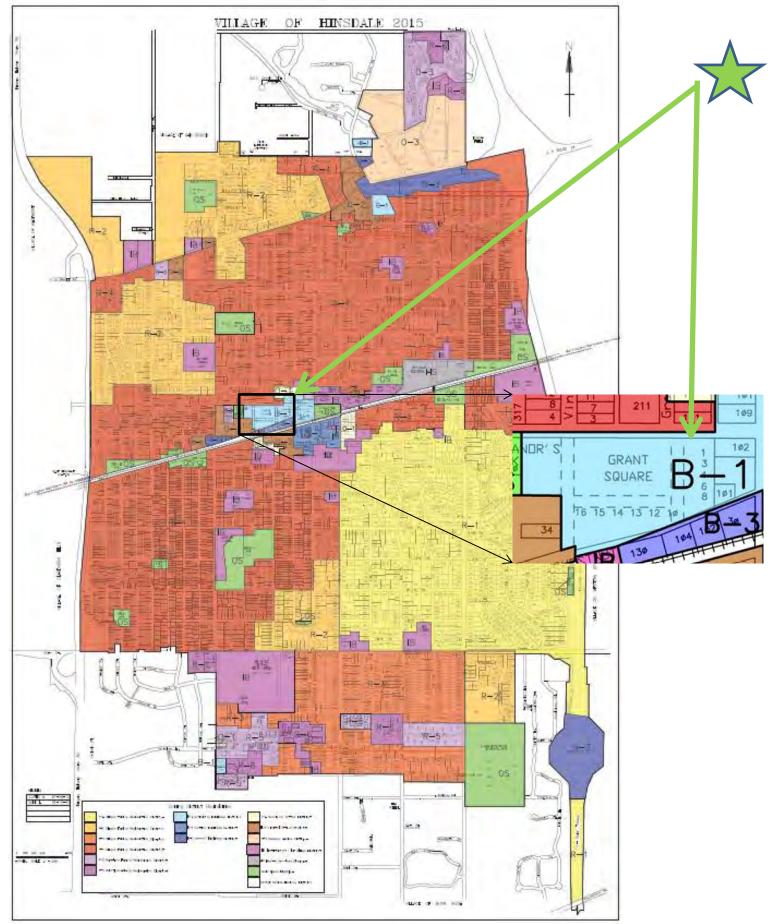
There is not an alternative location that would have a more positive impact on the community.

*Mitigation of adverse impacts.* Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

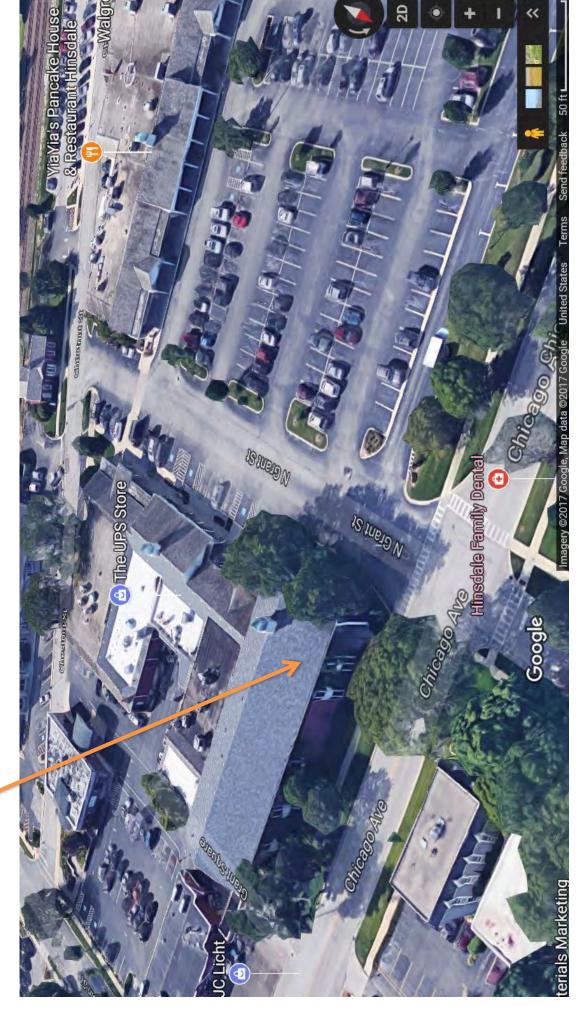
The exterior to the building will not change so no effect will be made on the surrounding area in this manner.

# Attachment 2: Village of Hinsdale Zoning Map and Project Location









Attachment 4: Street View from Chicago Ave. and Grant St. (facing southwest) **Proposed Driving Class** 



# Attachment 5: Zoning Code Sec. 5-101: Purposes: Business Districts

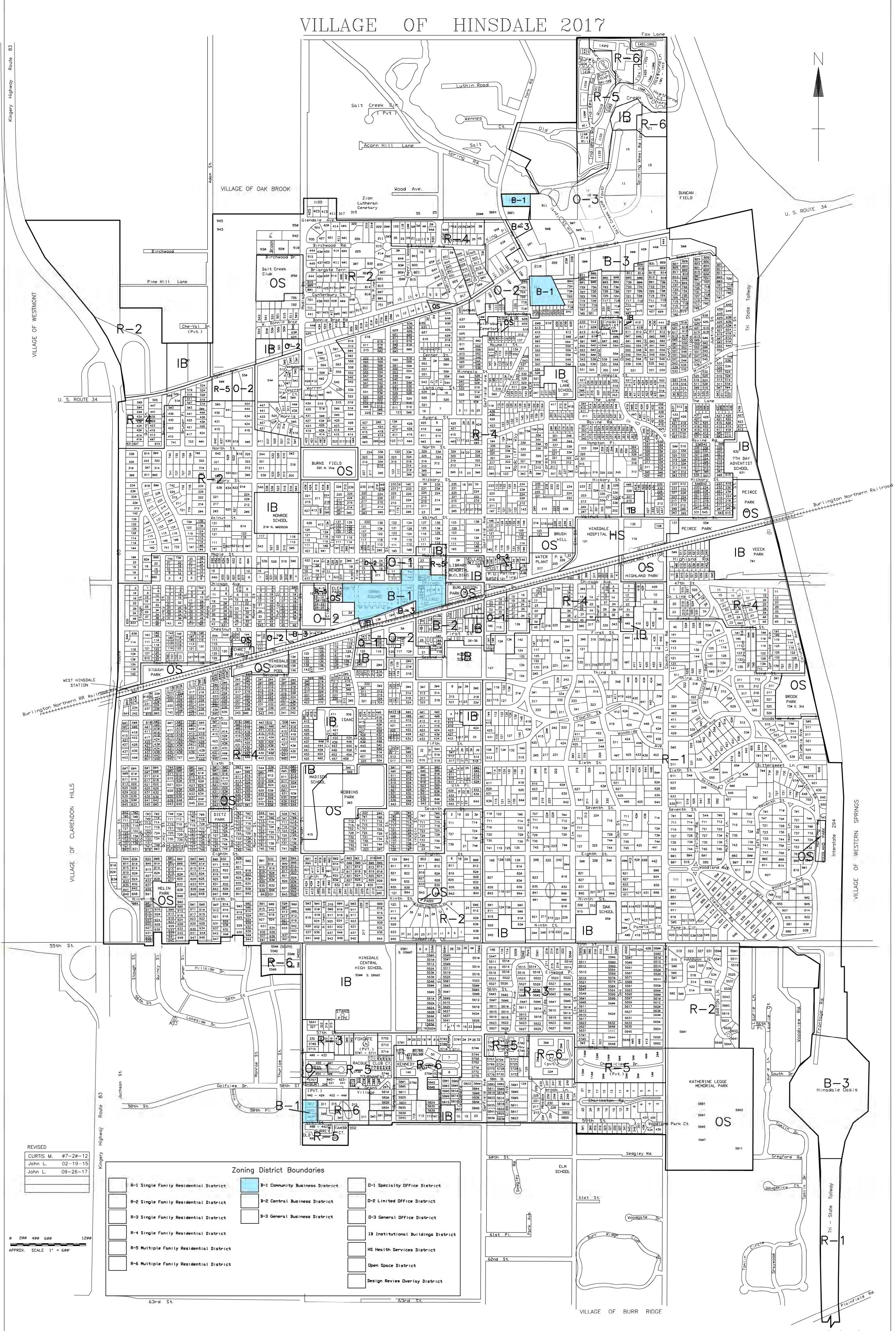
Three (3) zoning districts are provided for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Hinsdale and surrounding areas in a suburban setting.

The districts, while distinct, permit a harmonious spectrum of general suburban shopping and service opportunities, ranging from a relatively low intensity (B-1), through a higher intensity business zone intended to accommodate local shopping needs in a "downtown" setting (B-2), to a more generalized commercial district designed for established areas of heavier vehicular traffic (B-3).

Specifically, the B-1 community business district is intended to serve the everyday shopping needs of village residents as well as to provide opportunities for specialty shops attractive to wider suburban residential community around the village. It permits uses that are necessary to satisfy most basic, frequently occurring shopping needs. Also allowed are compatible uses that, while not used as frequently, would be desirably located in close proximity to potential users. This district is designed to accommodate development of community shopping centers with planned off street parking and loading as well as existing individual shops or small groups of local stores. The district is normally located on primary or secondary thoroughfares, is relatively small in size, and has bulk standards that provide for compatibility with nearby residential uses.

The B-2 central business district is intended to serve the entire Hinsdale suburban community with a wide variety of retail and service uses. It is intended to serve as the primary shopping area of the village. This district is located in the center of the village, adjacent to commuter facilities, and at the convergence of primary thoroughfares. The bulk standards are intended to reflect the generally more intense development of property in this area.

The B-3 general business district is intended to serve the Hinsdale suburban community with a full range of locally oriented business uses commonly located along established traffic routes. (1991 Code)



Attachment 6