



MEETING AGENDA

Due to the ongoing public health emergency related to COVID-19 and consistent with Governor Pritzker's most recent emergency declaration, various Executive Orders entered by the Governor, and the recent amendments made to the Open Meetings Act in Public Act 101-640, the Village President has determined that an in-person meeting is not practical or prudent at this time, and this meeting will therefore be conducted electronically via Zoom.

Public comments are welcome on any topic related to the business of the Plan Commission at Regular and Special Meetings when received by email or in writing by the Village Clerk prior to 4:30 p.m. on the day of the meeting. Emailed comments may be sent to Village Clerk Christine Bruton at cbruton@villageofhinsdale.org. Written comments may be submitted to the attention of the Village Clerk at 19 E. Chicago Avenue, Hinsdale, Illinois 60521.

While emailed or written comments are encouraged, public comment may also be made using Zoom following the instructions below:

To join from a computer or a mobile device (PC, Mac, Linux, iPad, iPhone, Android), click on the following link or copy and paste the link into your browser:

<https://us06web.zoom.us/j/81054374320?pwd=TXFCbEl4WWlnSWl6UytOSmRUS1VIQT09>

Webinar ID: 810 5437 4320

Passcode: 659764

To join by phone: Dial 1-312 -626-6799

Webinar ID: 810 5437 4320

Passcode: 659764

**MEETING OF THE
PLAN COMMISSION
Wednesday, January 12, 2022
7:30 p.m.**

This meeting will be conducted electronically. A live audio stream of the meeting will be available to the public via Channel 6 or on the Village website
(Tentative and Subject to Change)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT** (Non-Agenda Items)
- 4. APPROVAL OF MINUTES** – December 8, 2021 Plan Commission Meeting
- 5. FINDINGS AND RECOMMENDATIONS**
 - a) Case A-27-2021 – 777 N. York Road, Unit 21 – Special Use Permit to allow for a Martial Arts Studio (Physical Fitness Facility) for Premier Martial Arts (IJKLM, LLC) at 777 N. York Road, Unit 21 in the B-1 Community Business District

6. PUBLIC HEARINGS

- a) Case A-36-2021 – 5837 S. Madison Street – Special Use Permit to allow for an Automotive Repair Shop for Hinsdale Discount Tires and Automotive, Inc. at 5837 S. Madison Street located in the B-1 Community Business District

7. ADJOURNMENT

Public comments are welcome on any topic related to the business of the Commission at Regular and Special Meetings during the portion of the meeting devoted to a particular agenda item, or during the period designated for public comment for non-agenda items. Individuals who wish to comment must be recognized by the Chairperson and then speak at the podium, beginning by identifying themselves by name. All members of the public are requested to keep their written comments or testimony to three pages or less, and speakers are requested to keep their live comments or testimony to five minutes or less. Submissions or comments exceeding those limits may, if time allows and at the discretion of the Chairperson, be presented after all others have had an opportunity to testify, comment or have their comments read. Matters on this Agenda may be continued from time to time without further notice, except as otherwise required under the Illinois Open Meetings Act.

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 Brad Bloom, ADA Coordinator at 630-789-7007 or **by TDD at 630-789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons. Additional information may be found on the Village's website at www.villageofhinsdale.org

Approved

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
MEMORIAL HALL
19 E. CHICAGO AVENUE, HINSDALE, IL
December 8, 2021
7:30 P.M.**

Call to Order & Roll Call

The regularly scheduled meeting of the Plan Commission was called to order by Chairman Cashman on Wednesday, December 8, 2021 at 7:31 PM.

Roll call was taken and a quorum was present at the meeting.

PRESENT: Chairman Steve Cashman, Commissioner Patrick Hurley, Commissioner Mark Willobee, Commissioner Cynthia Curry, Commissioner Anna Fiascone, Commissioner Shelley Carter

ABSENT: Commissioner Jim Krillenberger, Commissioner Gerald Jablonski, Commissioner Julie Crnovich

ALSO PRESENT: Bethany Salmon, Village Planner

Public Comment on Non-Agenda Items

Chairman Cashman asked for any public comments. There were no public comments pertaining to non-agenda items.

Approval of the Minutes – November 10, 2021

A motion was made by Commissioner Curry, seconded by Commissioner Willobee, to approve the November 10, 2021 minutes. The motion was carried forward by a vote of 3-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Curry

Nays: None

Abstain: Commissioner Hurley, Commissioner Fiascone, Commissioner, Commissioner Carter

Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

Chairman Cashman asked about the approval process of the minutes and if it would need to be brought up for vote at the next meeting. Ms. Salmon responded that she would speak with the Village Attorney to confirm but she believed the approval process for minutes did not need full consent and the vote to approve the minutes from the November meeting should stand. Chairman Cashman stated that the matter would be brought up at the next meeting if needed.

Findings and Recommendations

- a) **Case A-25-2021 – 36 E. Hinsdale Avenue – Performance Wealth Management – Exterior Appearance Review, Site Plan Review, and Sign Permit Review to allow for the installation of one (1) new wall sign and exterior changes to the façade of the building located at 36 E. Hinsdale Avenue in the B-2 Central Business District**

Chairman Cashman asked for any questions or concerns. Hearing none, a motion was made by Commissioner Willobee, seconded by Commissioner Curry, to approve Case A-25-2021 – 36 E. Hinsdale Avenue – Performance Wealth Management – Exterior Appearance Review, Site Plan Review, and Sign Permit Review to allow for the installation of one (1) new wall sign and exterior changes to the façade of the building located at 36 E. Hinsdale Avenue in the B-2 Central Business District as submitted. The motion carried forward by a vote of 6-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays: None
Abstain: None
Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

b) Case A-26-2021 – 4 N. Washington Street – Chase Bank Parking Lot Lighting – Exterior Appearance and Site Plan Review to allow for the installation of two (2) parking lot light poles and one (1) wall-mounted light for Chase Bank located at 4 N. Washington Street in the B-1 Community Business District

Chairman Cashman asked for any questions or concerns. Hearing none, a motion was made by Commissioner Hurley, seconded by Commissioner Carter, to approve Case A-26-2021 – 4 N. Washington Street – Chase Bank Parking Lot Lighting – Exterior Appearance and Site Plan Review to allow for the installation of two (2) parking lot light poles and one (1) wall-mounted light for Chase Bank located at 4 N. Washington Street in the B-1 Community Business District as submitted. The motion carried forward by a vote of 6-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays: None
Abstain: None
Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

Scheduling of Public Hearings

a) Case A-36-2021 – 5837 S. Madison Street – Special Use Permit to allow for an Automotive Repair Shop for Hinsdale Discount Tires and Automotive, Inc. at 5837 S Madison Street located in the B-1 Community Business District

A motion was made by Commissioner Curry, seconded by Commissioner Hurley, to schedule a public meeting for the January 12, 2022 Plan Commission meeting for Case A-36-2021 – 5837 S. Madison Street – Special Use Permit to allow for an Automotive Repair Shop for Hinsdale Discount Tires and Automotive, Inc. at 5837 S Madison Street located in the B-1 Community Business District. The motion carried forward by a vote of 6-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays: None
Abstain: None
Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

Public Hearings

a) Case A-27-2021 – 777 N. York Road, Unit 21 – Special Use Permit to allow for a Martial Arts Studio / Physical Fitness Facility for Premier Martial Arts (IJKLM, LLC) at 777 N. York Road, Unit 21 in the B-1 Community Business District

Please refer to **Attachment 1** for the full transcript for Public Hearing Case A-27-2021.

The attorney representing the applicant, Cathleen Keating, and Kevin McElroy, the applicant, were present to address the Plan Commission. Ms. Keating stated that the use of the Martial Arts Studio is consistent with the other businesses in Gateway Square and should have no adverse impacts on adjacent properties. Ms. Keating stated the parking analysis provided to the Village demonstrates ample parking to support current and future businesses even with the most intensive use factored in. Ms. Keating stated the applicant is not proposing any expansion of the building and anticipates parents of students will drop their children off at the studio for class and either observe the class or shop in the Gateway businesses until the end of class.

The applicant, Mr. McElroy, provided specific information on what the studio will offer. Mr. McElroy stated that certified instructors will provide four (4) to five (5) styles of martial arts education to both adults and children to promote physical fitness and self-confidence. Mr. McElroy stated the studio would offer four (4) to five (5) classes per day and instruction over four (4) to six (6) days per week. The facility will follow State mandates related to COVID requirements.

Commissioner Curry asked about any protocol, such as those used by pre-schools, to keep children safe in the parking lot as they travel to and from the studio. Mr. McElroy stated there is no current specific protocol for children to follow as they travel to and from the studio but he shares the concern of parking lot safety. Ms. Keating added that parents would need to go into the studio to pick up their child after class.

Commissioner Willobee asked for clarification on the number of days of operation. Mr. McElroy confirmed the studio would operate from four (4) to six (6) days per week and hours of operation, based on class enrollment, would essentially be from 3:00 PM to 9:00 PM. Commissioner Willobee stated that these hours of operation would be favorable to the other businesses located in Gateway Square as this time frame tends to be a more quiet time. Commissioner Curry stated that the studio would bring business to the mall.

Commissioner Fiascone did not have any questions for the applicant.

Chairman Cashman asked for history of the franchise. Mr. McElroy responded that the franchise began in Knoxville, Tennessee, has over two hundred (200) locations and the Chicago area locations are growing to add to the existing locations found in Texas, Georgia, and Kentucky.

A motion was made by Commissioner Curry, seconded by Commissioner Hurley, to approve Case A-27-2021– 777 N. York Road, Unit 21 – Special Use Permit to allow for a Martial Arts Studio / Physical Fitness Facility for Premier Martial Arts (IJKLM, LLC) at 777 N. York Road, Unit 21 in the B-1 Community Business District as submitted. The motion carried forward by a vote of 6-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays: None
Abstain: None
Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

A motion was made by Commissioner Willobee, seconded by Commissioner Curry, to close the public hearing. The motion carried forward by a vote of 6-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays: None
Abstain: None
Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

Public Meetings

a) Case A-32-2021 – 820 N. County Line Road – Final Plat of Subdivision to allow for the subdivision of one (1) lot into two (2) code compliant lots in the R-4 Single Family Residential District

John Stock, representing the applicant, and Juanita Durkin, a trustee representing the trust, were present to provide an overview of the application. Mr. Stock stated the lot is the one remaining through lot in the area and the request is to subdivide the lot with the intention to sell the property in the future as a buildable piece of property. Mr. Stock stated the property meets all the requirements of the R-4 District and is surrounded by properties located in the R-4 District.

Commissioner Carter did not have any questions for the applicant.

Commissioner Fiascone asked for clarification on the two lot sizes. Mr. Stock stated the two lots will be nearly identical size of 8,842.53 square feet and 8,842.02 square feet.

Commissioner Hurley asked for verification that one lot would be accessible from Jefferson Street and the other accessible from County Line. Mr. Stock confirmed and clarified the back half of the lot is currently undeveloped.

Commissioner Curry had no questions for the applicant.

Chairman Cashman stated he did not have any issues with the resulting two code compliant lots.

A motion was made by Commissioner Curry, seconded by Commissioner Fiascone, to approve Case A-32-2021 – 820 N. County Line Road – Final Plat of Subdivision to allow for the subdivision of one (1) lot into two (2) code compliant lots in the R-4 Single Family Residential District as submitted. The motion carried forward by a vote of 6-0 as follows:

Ayes: Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays: None
Abstain: None
Absent: Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

Sign Permit Review

a) Case A-34-2021 – 40 S. Clay Street – Duly Health and Care – Installation of One (1) Wall Sign and a New Sign Face on an Existing Non-Conforming Ground Sign

Ken Kelly, the sign contractor, was present to address the Plan Commission. Mr. Kelly stated the application requested a change of an existing wall sign and the sign face of an existing ground sign from DuPage Medical to Duly.

Chairman Cashman asked about the installation of the DuPage Medical Sign. Mr. Kelly stated the DuPage Medical sign was installed in 2006 but he was unsure of the timeline of previous sign installations at the location.

Commissioner Curry asked about the size of the sign. Mr. Kelly stated the proposed sign is approximately the same size as the existing. Mr. Kelly also stated he felt the sign did need to be that large to be clearly visible from the street and with nearby trees.

Commissioner Curry asked for clarification on the sign lighting. Mr. Kelly stated the current sign is illuminated, on a timer, and currently turned off at 10:00 pm. Mr. Kelly stated the proposed sign would run off the same timer.

Chairman Cashman stated he initially shared the concern of the large sign needed to display the length of the “DuPage Medical Group” name. Chairman Cashman also stated the proposed sign may be visually less intrusive because of the shorter length “Duly” name.

Commissioner Hurley did not have any questions for the applicant.

Commissioner Willobee stated the medical complex can be a bit confusing for those unfamiliar with it and felt proper signage is important for that facility for the purpose of wayfinding.

Commissioner Carter stated she also had initial concerns with the size of the sign but also agreed with other Commissioners that properly sized signage was important for this location to help clients find their way. Discussion followed by the Commission that the large size of the sign was less offensive because of the set-back distance and the fact it is not fronting Chicago Avenue and nearby vegetation.

A motion was made by Commissioner Carter, seconded by Hurley, to approve Case A-34-2021 – 40 S. Clay Street – Duly Health and Care – Installation of One (1) Wall Sign and a New Sign Face on an Existing Non-Conforming Ground Sign as submitted. The motion carried forward by a vote of 6-0 as follows:

Ayes:	Chairman Cashman, Commissioner Hurley, Commissioner Willobee, Commissioner Curry, Commissioner Fiascone, Commissioner Carter
Nays:	None
Abstain:	None
Absent:	Commissioner Krillenberger, Commissioner Jablonski, Commissioner Crnovich

Adjournment

A motion was made by Commissioner Curry, seconded by Commissioner Hurley to adjourn the meeting. The meeting was adjourned at 7:59 PM after a unanimous voice vote of 6-0.

Respectfully Submitted,

Jennifer Spires, Community Development Office

STATE OF ILLINOIS)
) ss:
COUNTY OF DU PAGE)

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:)
)
)
PREMIER MARTIAL ARTS)
Special Use, Case)
No. A-27-2021)
777 North York Road.)

REPORT OF PROCEEDINGS had and testimony
taken at the hearing of the above-entitled
matter before the Hinsdale Plan Commission, at
19 East Chicago Avenue, Hinsdale, Illinois, on
December 8, 2021, at the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;
MS. SHELLEY CARTER, Member;
MR. PATRICK HURLEY, Member;
MS. ANNA FIASCONE, Member;
MS. CYNTHIA CURRY, Member; and
MR. MARK WILLOBEE, Member.

<p style="text-align: right;">2</p> <p>1 ALSO PRESENT:</p> <p>2 MS. BETHANY SALMON, Village Planner;</p> <p>3 MS. CATHLEEN KEATING, Attorney for</p> <p>4 Applicant;</p> <p>5 MR. KEVIN McELROY, Applicant.</p> <hr/> <p>6 CHAIRMAN CASHMAN: Next is public</p> <p>7 hearing Case A-27-2021, 777 North York Road,</p> <p>8 Unit 21, a special use permit to allow for a</p> <p>9 martial arts studio and a physical fitness</p> <p>07:36:11PM 10 facility for Premier Martial Arts (IJKLM, LLC)</p> <p>11 in the B-1 community business district.</p> <p>12 Do we have someone here from the</p> <p>13 applicant?</p> <p>14 (Ms. Keating and Mr. McElroy</p> <p>15 were administered the oath.)</p> <p>16 MS. KEATING: My name is Cathleen</p> <p>17 Keating, I'm the attorney for the applicant. I</p> <p>18 represent IJKLM, LLC, and I'm here with Kevin</p> <p>19 McElroy, the principal of the LLC, who has</p> <p>07:36:50PM 20 leased Suite 21 at Gateway Square for mixed</p> <p>21 martial arts studio.</p> <p>22 A special use permit is needed for</p>	<p style="text-align: right;">4</p> <p>1 establishments until their children's classes</p> <p>2 are over.</p> <p>3 We believe this martial arts studio</p> <p>4 will be an excellent addition to Gateway Square,</p> <p>5 the adjoining neighborhood and the Hinsdale</p> <p>6 business community.</p> <p>7 Now my client, Kevin McElroy, will</p> <p>8 tell you more about what his studio will offer.</p> <p>9 Thank you.</p> <p>07:38:05PM 10 CHAIRMAN CASHMAN: Thank you.</p> <p>11 MR. McELROY: Good evening. I'm Kevin</p> <p>12 McElroy and I'm going to talk to you about what</p> <p>13 Premier Mixed Martial Arts is. We also call it</p> <p>14 PMA. It's the fastest growing mixed martial</p> <p>15 arts franchise in the country. It also provides</p> <p>16 the best in class, mixed martial arts for both</p> <p>17 children and adults.</p> <p>18 We will provide certified</p> <p>19 professional instructors with four to five</p> <p>07:38:33PM 20 classes per day, four to six days per week to</p> <p>21 raise fitness levels and improve self-</p> <p>22 confidence. Rather than focus on one style of</p>
<p style="text-align: right;">3</p> <p>1 this use. It is consistent with the mix of uses</p> <p>2 currently located at Gateway Square and should</p> <p>3 have no adverse impact on adjacent properties.</p> <p>4 Gateway Square has more than enough</p> <p>5 parking to support not only its current tenants</p> <p>6 but also future tenants as was established by</p> <p>7 the parking analysis we provided to the village.</p> <p>8 Even if you assume the most intense use from a</p> <p>9 parking standpoint for all of the space that is</p> <p>07:37:19PM 10 now vacant, the center still has between 45 and</p> <p>11 52 more spaces than it needs and it's really the</p> <p>12 availability of that parking which makes this an</p> <p>13 attractive place to locate for my client.</p> <p>14 The small studio is of a scale that</p> <p>15 fits the neighborhood character of Gateway</p> <p>16 Square. There's no expansion or change to the</p> <p>17 existing buildings or parking spaces. As you</p> <p>18 know, the site is fully developed.</p> <p>19 The applicant anticipates that</p> <p>07:37:47PM 20 parents will drop off their children for a class</p> <p>21 and then either wait for them, observe the class</p> <p>22 or shop in the Gateway Square retail</p>	<p style="text-align: right;">5</p> <p>1 mixed martial arts, our facility blends four.</p> <p>2 It will talk about karate, kickboxing, Krav</p> <p>3 Maga, Brazilian Jiu-Jitsu, and Cali is kind of</p> <p>4 like the fifth one.</p> <p>5 Classes require high activity and</p> <p>6 high energy which demand focus and raises</p> <p>7 fitness levels week over week. If there's two</p> <p>8 things that you guys will remember coming out of</p> <p>9 this, I would hope it would be one, our motto,</p> <p>07:39:02PM 10 which is No kids are left on the bench, everyone</p> <p>11 plays. And our goal, which is to counter</p> <p>12 bullying at schools and the community, through</p> <p>13 empowering and enriching students' character</p> <p>14 development.</p> <p>15 We have two programs, a children's</p> <p>16 program which teaches 5 to 12-year olds and it</p> <p>17 will focus on self-discipline, character</p> <p>18 development, self-confidence, social</p> <p>19 responsibility, exercise, respect for authority</p> <p>07:39:26PM 20 and positive self-image. Children will practice</p> <p>21 accountability through homework that we will be</p> <p>22 giving them and they also will be required to do</p>

<p style="text-align: center;">6</p> <p>1 services both at home, at school and in the 2 community. 3 We also have an adult class which 4 is for 13-year olds and up. What we do there is 5 we focus on fitness, self-defense. We will 6 promote weight loss, stress relief, increase 7 fitness levels and improve self-esteem as well. 8 Adults will see improvement week over week and 9 will be able to grow a network with like-minded 10 adults themselves. 11 We are currently focused on what 12 the state is allowing for Covid so we will 13 monitor everything that Illinois state requires. 14 Right now mixed martial arts facility is allowed 15 and masks will be required while they do it 16 regardless of vaccination status and we will be 17 maintaining physical distances as best as we can 18 to maintain the class. 19 Just to close out, our business 20 goals, IJKLM business goal, are we really would 21 like to impact the community directly by 22 improving kids' lives through a proven system of</p> <p>07:39:58PM</p> <p>07:40:21PM</p>	<p style="text-align: center;">8</p> <p>1 My concern is is children in 2 parking lot and between cars and parents. Is 3 there any protocol such as a preschool would 4 have or any other establishment that you need to 5 facilitate and make sure it's safe for kids to 6 move in and out? 7 I know that the dry-cleaners has 8 two to three spaces that are allocated for the 9 dry-cleaners in Gateway Square. Is that 10 something that's a possibility for you to 11 actually have designated spots that might be 12 right along the sidewalk so there isn't a danger 13 to kids' safety? 14 MR. McELROY: It's not something that 15 we approached the landlord on but it's 16 definitely something that's ongoing. We are 17 concerned about the same thing, making sure that 18 children are safe. It's one of the reasons why 19 we actually found this location is its priority 20 for us because it has a very big parking lot. 21 I think to your point though, 22 there's conversation with the landlord ongoing</p> <p>07:41:55PM</p> <p>07:42:15PM</p>
<p style="text-align: center;">7</p> <p>1 martial arts. This particular franchise and 2 this system that they have been using is over 3 30 years old. 4 We also want to provide a local 5 outlet that will enrich children and adults 6 through physical fitness. I think our biggest 7 competition right now is maybe TV and video 8 games and we are hoping to get kids more active 9 and moving again, especially after Covid. We 10 also want to teach discipline and develop a 11 community location for like-minded individuals 12 and children so that they have a place to go and 13 learn a craft that's been around for centuries. 14 I thank everybody for my time today. 15 CHAIRMAN CASHMAN: Commissioners, 16 questions? 17 Cynthia? 18 MS. CURRY: My question is that your 19 studio will be the first of -- your 20 establishment will be the only one where there's 21 actually a volume of people moving to and from 22 the parking facility, dropping off/picking up.</p> <p>07:40:50PM</p> <p>07:41:18PM</p>	<p style="text-align: center;">9</p> <p>1 that will hopefully support exactly what you are 2 talking about. 3 MS. KEATING: If I could also add, I'm 4 certain that no child will be allowed to leave 5 the facility unless escorted by his or her 6 parent. So it's not as though you are going to 7 open the door at the end of the class and the 8 kids are going to run out because they are not 9 walking home. 10 MS. CURRY: That would be probably for 11 safety sake, they probably would want a parent 12 to pick a child up. 13 MR. McELROY: Just logistically try and 14 think about this. The location isn't right on 15 the parking lot, it's actually out back, so 16 there is that ped mall that would guide children 17 with their parents through the ped mall near the 18 parking lot. 19 I think you bring up a good point 20 though talking about designated spaces and 21 something that we just haven't looked at further 22 because this has been our priority.</p> <p>07:42:41PM</p> <p>07:43:00PM</p>

<p style="text-align: center;">10</p> <p>1 MR. HURLEY: Is this the space that's</p> <p>2 like in the northeast corner where the Campus</p> <p>3 Colors is?</p> <p>4 CHAIRMAN CASHMAN: Yes.</p> <p>5 MR. McELROY: Right next to the new</p> <p>6 breakfast restaurant.</p> <p>7 MR. HURLEY: Right. You can sort of</p> <p>8 drop off there too.</p> <p>9 CHAIRMAN CASHMAN: Yes, there's a</p> <p>07:43:27PM 10 pretty straight shot and there's benches in</p> <p>11 there and stuff. My daughter went to dance and</p> <p>12 typically the parent would park and go in. It</p> <p>13 seems like that's a pretty standard procedure</p> <p>14 unless they are teens.</p> <p>15 MS. KEATING: Right. From a safety</p> <p>16 perspective, you can't let kids just leave.</p> <p>17 CHAIRMAN CASHMAN: Even if you did, I</p> <p>18 don't think parents would let them. We are</p> <p>19 pretty good at helicoptering.</p> <p>07:43:49PM 20 MS. KEATING: There may be carpooling</p> <p>21 involved but that's all, just carpooling.</p> <p>22 CHAIRMAN CASHMAN: Any other questions?</p>	<p style="text-align: center;">12</p> <p>1 the end of the day so there's not as much</p> <p>2 traffic.</p> <p>3 MS. CURRY: It's good it will bring</p> <p>4 business to the mall.</p> <p>5 CHAIRMAN CASHMAN: Anna?</p> <p>6 MS. FIASCONE: No questions for me.</p> <p>7 CHAIRMAN CASHMAN: Shelley?</p> <p>8 MS. CARTER: No questions.</p> <p>9 CHAIRMAN CASHMAN: Where is the</p> <p>07:44:56PM 10 franchise started, where did it begin?</p> <p>11 MR. McELROY: It started in Knoxville,</p> <p>12 Tennessee and right now I think there's over 200</p> <p>13 locations nationwide. Chicago is actually</p> <p>14 starting to boom a little bit. You will see a</p> <p>15 lot of them down in Texas, Georgia, Tennessee,</p> <p>16 Kentucky and Utah, actually.</p> <p>17 CHAIRMAN CASHMAN: Are there other ones</p> <p>18 in the western suburbs?</p> <p>19 MR. McELROY: Not yet. Right now</p> <p>07:45:16PM 20 there's only one open and it's downtown.</p> <p>21 There's a second one that's about to open up in</p> <p>22 Deerfield. And I'm actually going to lunch with</p>
<p style="text-align: center;">11</p> <p>1 MR. HURLEY: No.</p> <p>2 CHAIRMAN CASHMAN: Mark?</p> <p>3 MR. WILLOBEE: Your application said</p> <p>4 four days a week. I think you just mentioned</p> <p>5 four to six days a week. I just want some</p> <p>6 clarification.</p> <p>7 MR. McELROY: Yes. Our plan is four</p> <p>8 days a week. What I didn't want to have happen</p> <p>9 is somebody Googling the national franchise and</p> <p>07:44:09PM 10 seeing that they run four to six days a week and</p> <p>11 having that questioned so I wanted to address it</p> <p>12 here.</p> <p>13 MR. WILLOBEE: Okay. And then hours of</p> <p>14 operation is that pretty fixed at 3 to 9?</p> <p>15 MR. McELROY: It depends on the number</p> <p>16 of students we get per class. We are hoping to</p> <p>17 go 3 to 9. If we, obviously, don't have that</p> <p>18 many students, it will be shortened, but 3 to 9</p> <p>19 would be the designated hours.</p> <p>07:44:28PM 20 MR. WILLOBEE: Then I just think with</p> <p>21 the existing uses that's kind of a favorable</p> <p>22 time because that mall is kind of dead towards</p>	<p style="text-align: center;">13</p> <p>1 the other franchisees on Sunday and there are</p> <p>2 some other western suburbs that are currently</p> <p>3 planned territory.</p> <p>4 CHAIRMAN CASHMAN: Okay. Any other</p> <p>5 questions?</p> <p>6 MR. WILLOBEE: No.</p> <p>7 CHAIRMAN CASHMAN: Thank you.</p> <p>8 MS. CURRY: Thank you.</p> <p>9 CHAIRMAN CASHMAN: Commissioners, do I</p> <p>07:45:40PM 10 have a motion to approve Case A-27-2021, 777</p> <p>11 North York Road for a special use permit in the</p> <p>12 B-1 community business district?</p> <p>13 MS. CURRY: Motion to approve.</p> <p>14 MR. HURLEY: Second.</p> <p>15 CHAIRMAN CASHMAN: Roll call vote,</p> <p>16 please, Bethany.</p> <p>17 MS. SALMON: Commissioner Curry?</p> <p>18 MS. CURRY: Aye.</p> <p>19 MS. SALMON: Commissioner Hurley?</p> <p>07:46:04PM 20 MR. HURLEY: Aye.</p> <p>21 MS. SALMON: Commissioner Willobee?</p> <p>22 MR. WILLOBEE: Aye.</p>

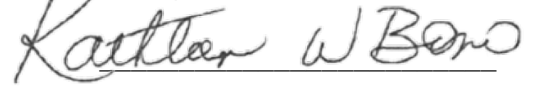
1 MS. SALMON: Commissioner Fiascone?
 2 MS. FIASCONE: Aye.
 3 MS. SALMON: Commissioner Carter?
 4 MS. CARTER: Aye.
 5 MS. SALMON: Chairman Cashman?
 6 CHAIRMAN CASHMAN: Aye.
 7 Thank you and good luck. Welcome
 8 to town.
 9 Is there a motion to close the
 10 public hearing?
 11 MR. WILLOBEE: So moved.
 12 MS. CURRY: Second.
 13 CHAIRMAN CASHMAN: Roll call vote,
 14 please.
 15 MS. SALMON: Commissioner Curry?
 16 MS. CURRY: Aye.
 17 MS. SALMON: Commissioner Hurley?
 18 MR. HURLEY: Aye.
 19 MS. SALMON: Commissioner Willobee?
 20 MR. WILLOBEE: Aye.
 21 MS. SALMON: Commissioner Fiascone?
 22 MS. FIASCONE: Aye.

07:48:24PM

STATE OF ILLINOIS)
) ss:
 COUNTY OF DU PAGE)

I, KATHLEEN W. BONO, Certified
 Shorthand Reporter, Notary Public in and for the
 County DuPage, State of Illinois, do hereby
 certify that previous to the commencement of the
 examination and testimony of the various
 witnesses herein, they were duly sworn by me to
 testify the truth in relation to the matters
 pertaining hereto; that the testimony given by
 said witnesses was reduced to writing by means
 of shorthand and thereafter transcribed into
 typewritten form; and that the foregoing is a
 true, correct and complete transcript of my
 shorthand notes so taken aforesaid.

IN TESTIMONY WHEREOF I have
 hereunto set my hand and affix my electronic
 signature this 21st day of December, A.D. 2021.



KATHLEEN W. BONO
 C.S.R. No. 84-1423
 Notary Public, DuPage County

1 MS. SALMON: Commissioner Carter?
 2 MS. CARTER: Aye.
 3 MS. SALMON: Chairman Cashman?
 4 CHAIRMAN CASHMAN: Aye. Thanks.
 5 (WHICH, were all of the
 6 proceedings had, evidence
 7 offered or received in the
 8 above entitled cause.)
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22

1	active [1] - 7:8 activity [1] - 5:5 add [1] - 9:3 addition [1] - 4:4 address [1] - 11:11 adjacent [1] - 3:3 adjoining [1] - 4:5 administered [1] - 2:15 adult [1] - 6:3 adults [4] - 4:17, 6:8, 6:10, 7:5 adverse [1] - 3:3 affix [1] - 16:17 aforesaid [1] - 16:15 allocated [1] - 8:8 allow [1] - 2:8 allowed [2] - 6:14, 9:4 allowing [1] - 6:12 ALSO [1] - 2:1 analysis [1] - 3:7 anna [1] - 12:5 ANNA [1] - 1:19 anticipates [1] - 3:19 Applicant [2] - 2:3, 2:4 applicant [3] - 2:13, 2:17, 3:19 application [1] - 11:3 approached [1] - 8:15 approve [2] - 13:10, 13:13 ARTS [1] - 1:6 arts [8] - 2:9, 2:21, 4:3, 4:15, 4:16, 5:1, 6:14, 7:1 Arts [2] - 2:10, 4:13 assume [1] - 3:8 Attorney [1] - 2:3 attorney [1] - 2:17 attractive [1] - 3:13 authority [1] - 5:19 availability [1] - 3:12 Avenue [1] - 1:12 aye [12] - 13:18, 13:20, 13:22, 14:2, 14:4, 14:6, 14:16, 14:18, 14:20, 14:22, 15:2, 15:4	best [2] - 4:16, 6:17 BETHANY [1] - 2:2 Bethany [1] - 13:16 between [2] - 3:10, 8:2 big [1] - 8:20 biggest [1] - 7:6 bit [1] - 12:14 blends [1] - 5:1 BOARD [1] - 1:15 BONO [2] - 16:3, 16:20 boom [1] - 12:14 Brazilian [1] - 5:3 breakfast [1] - 10:6 bring [2] - 9:19, 12:3 buildings [1] - 3:17 bullying [1] - 5:12 business [6] - 2:11, 4:6, 6:19, 6:20, 12:4, 13:12	11:2, 12:5, 12:7, 12:9, 12:17, 13:4, 13:7, 13:9, 13:15, 14:6, 14:13, 15:4 change [1] - 3:16 character [3] - 3:15, 5:13, 5:17 Chicago [2] - 1:12, 12:13 child [2] - 9:4, 9:12 children [8] - 3:20, 4:17, 5:20, 7:5, 7:12, 8:1, 8:18, 9:16 children's [2] - 4:1, 5:15 clarification [1] - 11:6 class [7] - 3:20, 3:21, 4:16, 6:3, 6:18, 9:7, 11:16 classes [3] - 4:1, 4:20, 5:5 cleaners [2] - 8:7, 8:9 client [2] - 3:13, 4:7 close [2] - 6:19, 14:9 Colors [1] - 10:3 coming [1] - 5:8 commencement [1] - 16:6 COMMISSION [1] - 1:3 Commission [1] - 1:11 Commissioner [10] - 13:17, 13:19, 13:21, 14:1, 14:3, 14:15, 14:17, 14:19, 14:21, 15:1 commissioners [2] - 7:15, 13:9 community [7] - 2:11, 4:6, 5:12, 6:2, 6:21, 7:11, 13:12 competition [1] - 7:7 complete [1] - 16:14 concern [1] - 8:1 concerned [1] - 8:17 confidence [2] - 4:22, 5:18 consistent [1] - 3:1 conversation [1] - 8:22 corner [1] - 10:2 correct [1] - 16:14 counter [1] - 5:11 country [1] - 4:15 COUNTY [2] - 1:2, 16:2 County [2] - 16:5,	16:21 Covid [2] - 6:12, 7:9 craft [1] - 7:13 current [1] - 3:5 Curry [2] - 13:17, 14:15 CURRY [9] - 1:20, 7:18, 9:10, 12:3, 13:8, 13:13, 13:18, 14:12, 14:16 cynthia [1] - 7:17 CYNTHIA [1] - 1:20
2		C	D	
3	3 [3] - 11:14, 11:17, 11:18 30 [1] - 7:3	C.S.R [1] - 16:21 Cali [1] - 5:3 Campus [1] - 10:2 carpooling [2] - 10:20, 10:21 cars [1] - 8:2 Carter [2] - 14:3, 15:1 CARTER [4] - 1:17, 12:8, 14:4, 15:2 Case [3] - 1:6, 2:7, 13:10 Cashman [2] - 14:5, 15:3 CASHMAN [20] - 1:16, 2:6, 4:10, 7:15, 10:4, 10:9, 10:17, 10:22, 11:2, 12:5, 12:7, 12:9, 12:17, 13:4, 13:7, 13:9, 13:15, 14:6, 14:13, 15:4 CATHLEEN [1] - 2:3 Cathleen [1] - 2:16 center [1] - 3:10 centuries [1] - 7:13 certain [1] - 9:4 Certified [1] - 16:3 certified [1] - 4:18 certify [1] - 16:6 Chairman [3] - 1:16, 14:5, 15:3 CHAIRMAN [19] - 2:6, 4:10, 7:15, 10:4, 10:9, 10:17, 10:22,	dance [1] - 10:11 danger [1] - 8:12 daughter [1] - 10:11 days [5] - 4:20, 11:4, 11:5, 11:8, 11:10 dead [1] - 11:22 December [2] - 1:13, 16:18 Deerfield [1] - 12:22 defense [1] - 6:5 definitely [1] - 8:16 demand [1] - 5:6 designated [3] - 8:11, 9:20, 11:19 develop [1] - 7:10 developed [1] - 3:18 development [2] - 5:14, 5:18 directly [1] - 6:21 discipline [2] - 5:17, 7:10 distances [1] - 6:17 district [2] - 2:11, 13:12 door [1] - 9:7 down [1] - 12:15 downtown [1] - 12:20 drop [2] - 3:20, 10:8 dropping [1] - 7:22 dry [2] - 8:7, 8:9 dry-cleaners [2] - 8:7, 8:9 DU [2] - 1:2, 16:2 duly [1] - 16:8 DuPage [2] - 16:5, 16:21	
4			E	
45 [1] - 3:10			East [1] - 1:12 either [1] - 3:21 electronic [1] - 16:17	
5	5 [1] - 5:16 52 [1] - 3:11			
7				
777 [3] - 1:7, 2:7, 13:10 7:30 [1] - 1:13				
8	8 [1] - 1:13 84-1423 [1] - 16:21			
9	9 [3] - 11:14, 11:17, 11:18			
A	A-27-2021 [3] - 1:7, 2:7, 13:10 A.D [1] - 16:18 able [1] - 6:9 above-entitled [1] - 1:10 accountability [1] - 5:21	B		
	B-1 [2] - 2:11, 13:12 BEFORE [1] - 1:3 begin [1] - 12:10 bench [1] - 5:10 benches [1] - 10:10			

empowering [1] - 5:13 end [2] - 9:7, 12:1 energy [1] - 5:6 enrich [1] - 7:5 enriching [1] - 5:13 entitled [2] - 1:10, 15:8 escorted [1] - 9:5 especially [1] - 7:9 established [1] - 3:6 establishment [2] - 7:20, 8:4 establishments [1] - 4:1 esteem [1] - 6:7 evening [1] - 4:11 evidence [1] - 15:6 exactly [1] - 9:1 examination [1] - 16:7 excellent [1] - 4:4 exercise [1] - 5:19 existing [2] - 3:17, 11:21 expansion [1] - 3:16	future [1] - 3:6	impact [2] - 3:3, 6:21 improve [2] - 4:21, 6:7 improvement [1] - 6:8 improving [1] - 6:22 IN [1] - 16:16 increase [1] - 6:6 individuals [1] - 7:11 instructors [1] - 4:19 intense [1] - 3:8 involved [1] - 10:21	locate [1] - 3:13 located [1] - 3:2 location [3] - 7:11, 8:19, 9:14 locations [1] - 12:13 logistically [1] - 9:13 looked [1] - 9:21 loss [1] - 6:6 luck [1] - 14:7 lunch [1] - 12:22	9:13, 10:1, 10:5, 10:7, 11:1, 11:3, 11:7, 11:13, 11:15, 11:20, 12:11, 12:19, 13:6, 13:14, 13:20, 13:22, 14:11, 14:18, 14:20 MS [35] - 1:17, 1:19, 1:20, 2:2, 2:3, 2:16, 7:18, 9:3, 9:10, 10:15, 10:20, 12:3, 12:6, 12:8, 13:8, 13:13, 13:17, 13:18, 13:19, 13:21, 14:1, 14:2, 14:3, 14:4, 14:5, 14:12, 14:15, 14:16, 14:17, 14:19, 14:21, 14:22, 15:1, 15:2, 15:3	
	G	J	M	N	
	F	hand [1] - 16:17 hearing [3] - 1:10, 2:7, 14:10 helicoptering [1] - 10:19 hereby [1] - 16:5 herein [1] - 16:8 hereto [1] - 16:10 hereunto [1] - 16:17 high [2] - 5:5, 5:6 HINSDALE [1] - 1:3 Hinsdale [3] - 1:11, 1:12, 4:5 home [2] - 6:1, 9:9 homework [1] - 5:21 hope [1] - 5:9 hopefully [1] - 9:1 hoping [2] - 7:8, 11:16 hour [1] - 1:13 hours [2] - 11:13, 11:19 HURLEY [7] - 1:18, 10:1, 10:7, 11:1, 13:14, 13:20, 14:18 Hurley [2] - 13:19, 14:17	K	Maga [1] - 5:3 maintain [1] - 6:18 maintaining [1] - 6:17 mall [4] - 9:16, 9:17, 11:22, 12:4 MARK [1] - 1:21 Mark [1] - 11:2 MARTIAL [1] - 1:6 martial [8] - 2:9, 2:21, 4:3, 4:14, 4:16, 5:1, 6:14, 7:1 Martial [2] - 2:10, 4:13 masks [1] - 6:15 Matter [1] - 1:4 matter [1] - 1:11 matters [1] - 16:9 McElroy [13] - 2:4, 2:14, 2:19, 4:7, 4:11, 4:12, 8:14, 9:13, 10:5, 11:7, 11:15, 12:11, 12:19 means [1] - 16:11 Member [5] - 1:17, 1:18, 1:19, 1:20, 1:21 MEMBERS [1] - 1:15 mentioned [1] - 11:4 might [1] - 8:11 minded [2] - 6:9, 7:11 mix [1] - 3:1 Mixed [1] - 4:13 mixed [5] - 2:20, 4:14, 4:16, 5:1, 6:14 monitor [1] - 6:13 most [1] - 3:8 motion [3] - 13:10, 13:13, 14:9 motto [1] - 5:9 move [1] - 8:6 moved [1] - 14:11 moving [2] - 7:9, 7:21 MR [25] - 1:16, 1:18, 1:21, 2:4, 4:11, 8:14,	name [1] - 2:16 national [1] - 11:9 nationwide [1] - 12:13 near [1] - 9:17 need [1] - 8:4 needed [1] - 2:22 needs [1] - 3:11 neighborhood [2] - 3:15, 4:5 network [1] - 6:9 new [1] - 10:5 next [2] - 2:6, 10:5 North [3] - 1:7, 2:7, 13:11 northeast [1] - 10:2 Notary [2] - 16:4, 16:21 notes [1] - 16:15 number [1] - 11:15
		H	L		O
I		landlord [2] - 8:15, 8:22 learn [1] - 7:13 leased [1] - 2:20 leave [2] - 9:4, 10:16 left [1] - 5:10 levels [3] - 4:21, 5:7, 6:7 like-minded [2] - 6:9, 7:11 lives [1] - 6:22 LLC [3] - 2:10, 2:18, 2:19 local [1] - 7:4			
		IJKLM [3] - 2:10, 2:18, 6:20 ILLINOIS [2] - 1:1, 16:1 Illinois [3] - 1:12, 6:13, 16:5 image [1] - 5:20			

<p>ongoing [2] - 8:16, 8:22</p> <p>open [3] - 9:7, 12:20, 12:21</p> <p>operation [1] - 11:14</p> <p>outlet [1] - 7:5</p>	<p>10:13</p> <p>proceedings [1] - 15:6</p> <p>PROCEEDINGS [1] - 1:9</p> <p>professional [1] - 4:19</p> <p>program [1] - 5:16</p> <p>programs [1] - 5:15</p> <p>promote [1] - 6:6</p> <p>properties [1] - 3:3</p> <p>protocol [1] - 8:3</p> <p>proven [1] - 6:22</p> <p>provide [2] - 4:18, 7:4</p> <p>provided [1] - 3:7</p> <p>provides [1] - 4:15</p> <p>Public [2] - 16:4, 16:21</p> <p>public [2] - 2:6, 14:10</p>	<p>run [2] - 9:8, 11:10</p>	<p>ss [2] - 1:1, 16:1</p> <p>standard [1] - 10:13</p> <p>standpoint [1] - 3:9</p> <p>started [2] - 12:10, 12:11</p> <p>starting [1] - 12:14</p> <p>state [2] - 6:12, 6:13</p> <p>State [1] - 16:5</p> <p>STATE [2] - 1:1, 16:1</p> <p>status [1] - 6:16</p> <p>STEPHEN [1] - 1:16</p> <p>still [1] - 3:10</p> <p>straight [1] - 10:10</p> <p>stress [1] - 6:6</p> <p>students [2] - 11:16, 11:18</p> <p>students ' [1] - 5:13</p> <p>studio [6] - 2:9, 2:21, 3:14, 4:3, 4:8, 7:19</p> <p>stuff [1] - 10:11</p> <p>style [1] - 4:22</p> <p>suburbs [2] - 12:18, 13:2</p> <p>Suite [1] - 2:20</p> <p>Sunday [1] - 13:1</p> <p>support [2] - 3:5, 9:1</p> <p>sworn [1] - 16:8</p> <p>system [2] - 6:22, 7:2</p>	<p>try [1] - 9:13</p> <p>TV [1] - 7:7</p> <p>two [3] - 5:7, 5:15, 8:8</p> <p>typewritten [1] - 16:13</p> <p>typically [1] - 10:12</p>
<p>P</p>		<p>S</p>		<p>U</p>
<p>p.m [1] - 1:13</p> <p>PAGE [2] - 1:2, 16:2</p> <p>parent [3] - 9:6, 9:11, 10:12</p> <p>parents [4] - 3:20, 8:2, 9:17, 10:18</p> <p>park [1] - 10:12</p> <p>parking [10] - 3:5, 3:7, 3:9, 3:12, 3:17, 7:22, 8:2, 8:20, 9:15, 9:18</p> <p>particular [1] - 7:1</p> <p>PATRICK [1] - 1:18</p> <p>ped [2] - 9:16, 9:17</p> <p>people [1] - 7:21</p> <p>per [3] - 4:20, 11:16</p> <p>permit [3] - 2:8, 2:22, 13:11</p> <p>perspective [1] - 10:16</p> <p>pertaining [1] - 16:10</p> <p>physical [3] - 2:9, 6:17, 7:6</p> <p>pick [1] - 9:12</p> <p>place [2] - 3:13, 7:12</p> <p>PLAN [1] - 1:3</p> <p>plan [1] - 11:7</p> <p>Plan [1] - 1:11</p> <p>planned [1] - 13:3</p> <p>Planner [1] - 2:2</p> <p>plays [1] - 5:11</p> <p>PMA [1] - 4:14</p> <p>point [2] - 8:21, 9:19</p> <p>positive [1] - 5:20</p> <p>possibility [1] - 8:10</p> <p>practice [1] - 5:20</p> <p>Premier [2] - 2:10, 4:13</p> <p>PREMIER [1] - 1:6</p> <p>preschool [1] - 8:3</p> <p>PRESENT [2] - 1:15, 2:1</p> <p>pretty [4] - 10:10, 10:13, 10:19, 11:14</p> <p>previous [1] - 16:6</p> <p>principal [1] - 2:19</p> <p>priority [2] - 8:19, 9:22</p> <p>procedure [1] -</p>	<p>Q</p> <p>questioned [1] - 11:11</p> <p>questions [5] - 7:16, 10:22, 12:6, 12:8, 13:5</p>	<p>R</p> <p>raise [1] - 4:21</p> <p>raises [1] - 5:6</p> <p>rather [1] - 4:22</p> <p>really [2] - 3:11, 6:20</p> <p>reasons [1] - 8:18</p> <p>received [1] - 15:7</p> <p>reduced [1] - 16:11</p> <p>regardless [1] - 6:16</p> <p>relation [1] - 16:9</p> <p>relief [1] - 6:6</p> <p>remember [1] - 5:8</p> <p>REPORT [1] - 1:9</p> <p>Reporter [1] - 16:4</p> <p>represent [1] - 2:18</p> <p>require [1] - 5:5</p> <p>required [2] - 5:22, 6:15</p> <p>requires [1] - 6:13</p> <p>respect [1] - 5:19</p> <p>responsibility [1] - 5:19</p> <p>restaurant [1] - 10:6</p> <p>retail [1] - 3:22</p> <p>Road [3] - 1:7, 2:7, 13:11</p> <p>roll [2] - 13:15, 14:13</p>	<p>T</p> <p>teach [1] - 7:10</p> <p>teaches [1] - 5:16</p> <p>teens [1] - 10:14</p> <p>tenants [2] - 3:5, 3:6</p> <p>Tennessee [2] - 12:12, 12:15</p> <p>territory [1] - 13:3</p> <p>testify [1] - 16:9</p> <p>testimony [3] - 1:9, 16:7, 16:10</p> <p>TESTIMONY [1] - 16:16</p> <p>Texas [1] - 12:15</p> <p>THE [1] - 1:3</p> <p>themselves [1] - 6:10</p> <p>thereafter [1] - 16:12</p> <p>three [1] - 8:8</p> <p>today [1] - 7:14</p> <p>towards [1] - 11:22</p> <p>town [1] - 14:8</p> <p>traffic [1] - 12:2</p> <p>transcribed [1] - 16:12</p> <p>transcript [1] - 16:14</p> <p>true [1] - 16:14</p> <p>truth [1] - 16:9</p>	<p>V</p> <p>vacant [1] - 3:10</p> <p>vaccination [1] - 6:16</p> <p>various [1] - 16:7</p> <p>video [1] - 7:7</p> <p>Village [1] - 2:2</p> <p>village [1] - 3:7</p> <p>volume [1] - 7:21</p> <p>vote [2] - 13:15, 14:13</p>
				<p>W</p> <p>wait [1] - 3:21</p> <p>walking [1] - 9:9</p> <p>week [9] - 4:20, 5:7, 6:8, 11:4, 11:5, 11:8, 11:10</p> <p>weight [1] - 6:6</p> <p>welcome [1] - 14:7</p> <p>western [2] - 12:18, 13:2</p> <p>WHEREOF [1] - 16:16</p> <p>WHICH [1] - 15:5</p> <p>WILLOBEE [8] - 1:21, 11:3, 11:13, 11:20, 13:6, 13:22, 14:11, 14:20</p> <p>Willabee [2] - 13:21, 14:19</p> <p>witnesses [2] - 16:8, 16:11</p> <p>writing [1] - 16:11</p>

Y

years [1] - 7:3
York [3] - 1:7, 2:7,
13:11

**FINDINGS OF FACT AND RECOMMENDATION
OF THE HINSDALE PLAN COMMISSION
TO THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES**

APPLICATION: Case A-27-2021 – 777 N. York Road, Unit 21 – Special Use Permit to allow for a Martial Arts Studio (Physical Fitness Facility) for Premier Martial Arts (IJKLM, LLC) at 777 N. York Road, Unit 21 in the B-1 Community Business District

PROPERTY: 777 N. York Road, Unit 21 (PINs: 09-01-209-007; 09-01-209-010; 09-01-209-011; 09-01-209-031; 09-01-209-032)

APPLICANT: IJKLM, LLC

REQUEST: Special Use Permit

PLAN COMMISSION (PC) REVIEW: December 8, 2021

BOARD OF TRUSTEES 1ST READING: January 4, 2022

SUMMARY OF REQUEST: The Village of Hinsdale received an application from IJKLM, LLC requesting approval of a Special Use Permit to allow for the operation of a physical fitness facility (martial arts studio) at 777 N. York Road, Unit 21 located in the B-1 Community Business District for Premier Martial Arts. Martial arts studios are classified as physical fitness facilities, which are considered a Special Use in the B-1 Community Business District.

The tenant space is located in the Gateway Square Shopping Center, which consists of two one-story, multi-tenant buildings and 246 parking spaces. A gas station / convenience store and an office building are located to the north of the subject property in the B-3 General Business District. An office buildings and an animal hospital in the O-2 Limited Office District are located to the south and the west of the property. Single-family detached homes in the R-4 Single Family Residential District are located to the south and the east.

The public hearing notice and transcript are attached.

On December 8, 2021, following the conclusion of the public hearing on this matter, the Plan Commission recommended approval of the Special Use Permit by a vote of six (6) in favor and zero (0) opposed, with three (3) absent.

PUBLIC HEARING SUMMARY AND FINDINGS: At the public hearing held on December 8, 2021, Kevin McElroy, representing the applicant IJKLM, LLC, and Cathleen Keating, the attorney for the applicant, were present at the meeting.

Ms. Keating provided a brief overview of the proposed mixed martial arts studio, Premier Martial Arts. The proposed use requires approval of a Special use Permit. Ms. Keating stated that the use is consistent with the mix of uses in the Gateway Square shopping center and there will be no adverse impacts on adjacent properties.

Ms. Keating also stated that there is ample parking available in the shopping center to support the current and future tenants. A parking analysis was provided to the Village that indicates there are forty-five (45) to fifty-two (52) additional parking spaces currently provided above Village code requirement. The applicant is not proposing any expansion or change to the existing building or site.

Mr. McElroy provided an overview of the business. Premier Martial Arts will offer classes held by certified professional instructors to both children and adults. Four (4) to five (5) classes will be held a day. Classes will be held four (4) to six (6) days of the week. The business would be following COVID procedures required by the State and masks are currently required.

Commissioner Curry asked if there will be protocols for dropping off and picking up children to ensure children are safely crossing the parking lot. Commissioner Curry stated the dry cleaners in the shopping center currently has several designated parking spaces for their business and asked if something like this may be a possibility for the martial arts studio.

Mr. McElroy stated they have not discussed this designated spaces with the landlord, but would be happy to have a discussion. Mr. McElroy noted that safety for children is a concern and one of the reasons why the applicant chose this location is due to the safeness of the parking lot.

Ms. Keating stated no child will be allowed to leave the facility unless they are picked up and escorted by a parent. Mr. McElroy also noted that the tenant space is not directly adjacent to the parking lot, so people will park and walk through the pedestrian mall. There was a discussion on the tenant space location in the shopping center.

Commissioner Willobee asked for clarification on the hours and days of operation. It was noted that the application stated that the business will be open four (4) days, but the applicant verbally stated they will be open four (4) to six (6) days a week. Mr. McElroy confirmed they plan to be open four (4) days a week, but did not want to create any confusion if anyone searched for the Premier Martial Arts national franchise, which normally usually has locations open four (4) to six (6) days a week.

Mr. McElroy stated the hours of operation will depend on the number of students that sign up per class, but the applicant hopes to be open from 3:00 PM to 9:00 PM. Commissioner Willobee commented that, with the existing businesses, the proposed timeframe to be open would be a favorable to bring some activity and people to the shopping center. There was a discussion that this use may bring extra business to the mall.

There was also a brief discussion on the history of the franchise. Mr. McElroy stated that there is an existing Premier Martial Arts located in downtown Chicago and another is about to open in Deerfield.

In recommending approval of the Special Use Permit, the Plan Commission determined that the standards set forth in Section 11-602(E) of the Village's Zoning Code have been met. Overall, the Commission expressed overall support for the project. The Commission noted during the meeting that the use would be compatible with the existing uses in the shopping center and the surrounding area that is currently developed, the proposed hours of operation would bring additional activity to the shopping center during times where it is currently not as actively used, and the shopping center has ample parking to accommodate the proposed use.

No members of the public provided comment at the meeting. Staff did not receive comments from any members of the public prior to the meeting.

A motion to approve the Special Use Permit was made by Commissioner Curry and seconded by Commissioner Hurley. The vote carried by a roll call vote as follows:

AYES: Commissioners Curry, Hurley, Willobee, Carter, Fiascone and Chairman Cashman
NAYS: None
ABSTAIN: None
ABSENT: Commissioners Crnovich, Jablonski, Krillenberger

RECOMMENDATIONS: Based on the findings set forth above, the Village of Hinsdale Plan Commission, by a vote of six (6) ayes and zero (0) nays, with three (3) absent, recommended to the President and Board of Trustees approval of Case A-27-2021, a Special Use Permit to allow for a Martial Arts Studio (Physical Fitness Facility) for Premier Martial Arts (IJKLM, LLC) at 777 N. York Road, Unit 21 in the B-1 Community Business District, as submitted.

Signed: _____

Steve Cashman, Chair
Plan Commission
Village of Hinsdale

Date: _____



MEMORANDUM

DATE: January 7, 2022

TO: Chairman Cashman and Plan Commissioners

CC: Kathleen A. Gargano, Village Manager
Robb McGinnis, Director of Community Development/Building Commissioner

FROM: Bethany Salmon, Village Planner

SUBJECT: Case A-36-2021 – 5837 S. Madison Street – Special Use Permit to allow for an Automotive Repair Shop for Hinsdale Discount Tires and Automotive, Inc. at 5837 S. Madison Street located in the B-1 Community Business District – **Public Hearing**

FOR: January 12, 2022 Plan Commission Meeting

GENERAL APPLICATION INFORMATION

Applicant: Samir and Ghada Sharabatee, Hinsdale Discount Tires and Automotive, Inc.

Subject Property: 5837 S. Madison Street / 5811-5827 S. Madison Street (PINs: 09-13-103-025; 09-13-103-024; 09-13-103-026) – 5811 S. Madison

Site Area: Total: 1.24 acres (Parcel 1: 0.51 acres; Parcel 2: 0.73 acres)

Existing Zoning & Land Use: B-1 Community General Business District – Former Automotive Repair / Multi-Tenant Shopping Center

Surrounding Zoning & Land Use:

North: R-5 Multiple Family Residential District – Ashbury Woods Townhomes

South: R-5 Multiple Family Residential District – (across 59th Street) Old Surrey Townhomes

East: R-6 Multiple Family Residential District – The Hinsdale Apartment Homes

West: Unincorporated DuPage County – (across Madison Street) Single-Family Detached Homes

APPLICATION SUMMARY

The applicant requests approval of a Special Use Permit to allow for the operation of an automotive repair shop (but not including tire retreading) for Hinsdale Discount Tires and Automotive, Inc. at 5837 S. Madison Street located in the B-1 Community Business District. In accordance with Section 5-105, automotive repair shops are considered a Special Use in the B-1 Community Business District and may not include tire retreading as part of the operations.

The property is considered part of a larger multi-tenant shopping center, 5811-5827 S. Madison Street, that is currently occupied by a convenience store, beauty salon, and several vacant tenant spaces. The one-story, multi-tenant building shopping center to the north on Parcel 2 measures 9,203 square feet in size and includes six (6) tenant spaces. Hinsdale Partners LLC owns both the subject property and the multi-tenant shopping center.



MEMORANDUM

The building was formerly occupied by an automotive repair facility, but has been vacant since 2019. It was also once used as a gasoline service station, but the underground tanks were removed in 2016. Per the Village's Zoning Code, a Special Use Permit shall automatically expire and cease to be of any force or effect if such use shall, for any reason, be discontinued for a period of six (6) consecutive months or more.

Additionally, staff was unable to locate an original Special Use Permit approval. The prior use was considered non-conforming as it appears to be established prior to the adoption of the Zoning Code in 1989. When a nonconforming use of a part or all of a structure that was designed for a use that is permitted in the zoning district in which such structure is located is discontinued or abandoned for a period of three (3) consecutive months, regardless of any intent to resume or not to abandon such use, such use shall not thereafter be reestablished or resumed. Any subsequent use or occupancy of such land or structure shall comply with the use regulations of the zoning district in which such land or structure is located. In accordance with Section 11-602 and Section 10-102, the new automotive repair facility is required to obtain approval via a Special Use Permit.

At the meeting on December 8, 2021, the Plan Commission scheduled the public hearing for this application for the next regular meeting on January 12, 2022.

REQUEST AND ANALYSIS

The applicant proposes to occupy the existing one-story, 2,927 square foot building on Parcel 1 located at the corner of Madison Street and 59th Street. The proposed business, Hinsdale Discount Tires and Automotive, Inc., will provide the following services: mechanic diagnostic, repair and maintenance on domestic and foreign vehicles, including work on engines, transmissions, emissions, EVAP systems, electrical systems, exhaust systems, tire repair and replacement, wheel alignment, steering and suspension systems. Tire retreading is specifically not be permitted as part of the Special Use Permit per Section 5-105 of the Zoning Code.

As shown on the submitted interior floor plan, the space includes five (5) vehicle repair bays, a retail and lobby area, office, bathrooms, and a mezzanine storage area. The business will operation Monday through Friday from 9:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm, and closed on Sunday. Per the applicant, there will be five (5) employees.

No outdoor operations or storage is proposed, however, the application states that vehicles to be repaired will be parked in the parking lot for a few hours to no more than two days until they are repaired. The applicant will be required to meet the following code requirements. Per Section 9-101(D)(5), for the storage of inoperable vehicles, no vehicle incapable of being driven or used for the purpose or use for which it was designed, other than a vehicle awaiting timely repair at an automotive repair shop, gasoline service station, or new or used car dealer, shall be stored in any parking lot or parking area in the village. Additionally, per Section 9-104(H)(2)(k), no off street parking lot or garage shall be used for any purpose other than the temporary storage of motor vehicles related to the premises. The storage of merchandise and the sale or commercial repair of vehicles are prohibited.

The applicant has provided a parking analysis for review. There are currently 55 spaces provided for the entire zoning lot, which includes the strip center to the north and adjacent parking to the east. To meet Illinois Accessibility Code Requirements, a total of three (3) accessible parking spaces are required,



MEMORANDUM

however, only two (2) are currently provided on site. An additional accessible parking space will be added to the south of the building, which will result in a total of 54 parking spaces.

With the automobile repair facility, a total of 52 spaces would be required based on the assumption that the existing four (4) vacant tenant spaces are utilized as a service use in the future, which would meet code requirements. If the four (4) tenant spaces were to be utilized as retail in the future, a total of 58 spaces would be required. Per Section 9-104, there would be an excess of two (2) spaces per code requirements if the vacant tenant spaces are utilized as service uses in the future. If they are all used as retail uses, the zoning lot would be deficient by four (4) spaces.

It should also be noted that the applicant used gross floor area to calculate parking requirements. Per the code, off-street parking requirements are calculated using net floor area, which is the gross floor area minus floor space devoted to washrooms intended for general public use; elevator shafts and stairwells at each floor; floor space and shafts used for mechanical, electrical, and plumbing equipment; public foyers and atria intended for general public use; exterior building walls; floor space devoted to off street parking and loading; and basement floor space used only for bulk storage. If using net floor area, the required parking would result in a lower number.

There are no proposed changes to the exterior of the building, with the exception of signage that will be reviewed via a Sign Permit in the future.

REVIEW PROCESS

Pursuant to Section 11-602, a public hearing shall be set, noticed, and conducted by the Plan Commission in accordance with Section 11-303. Within 45 days following the conclusion of the public hearing, the Plan Commission shall transmit to the Village Board its recommendation in the form specified by Subsection 11-103(H). The failure of the Plan Commission to act within 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.

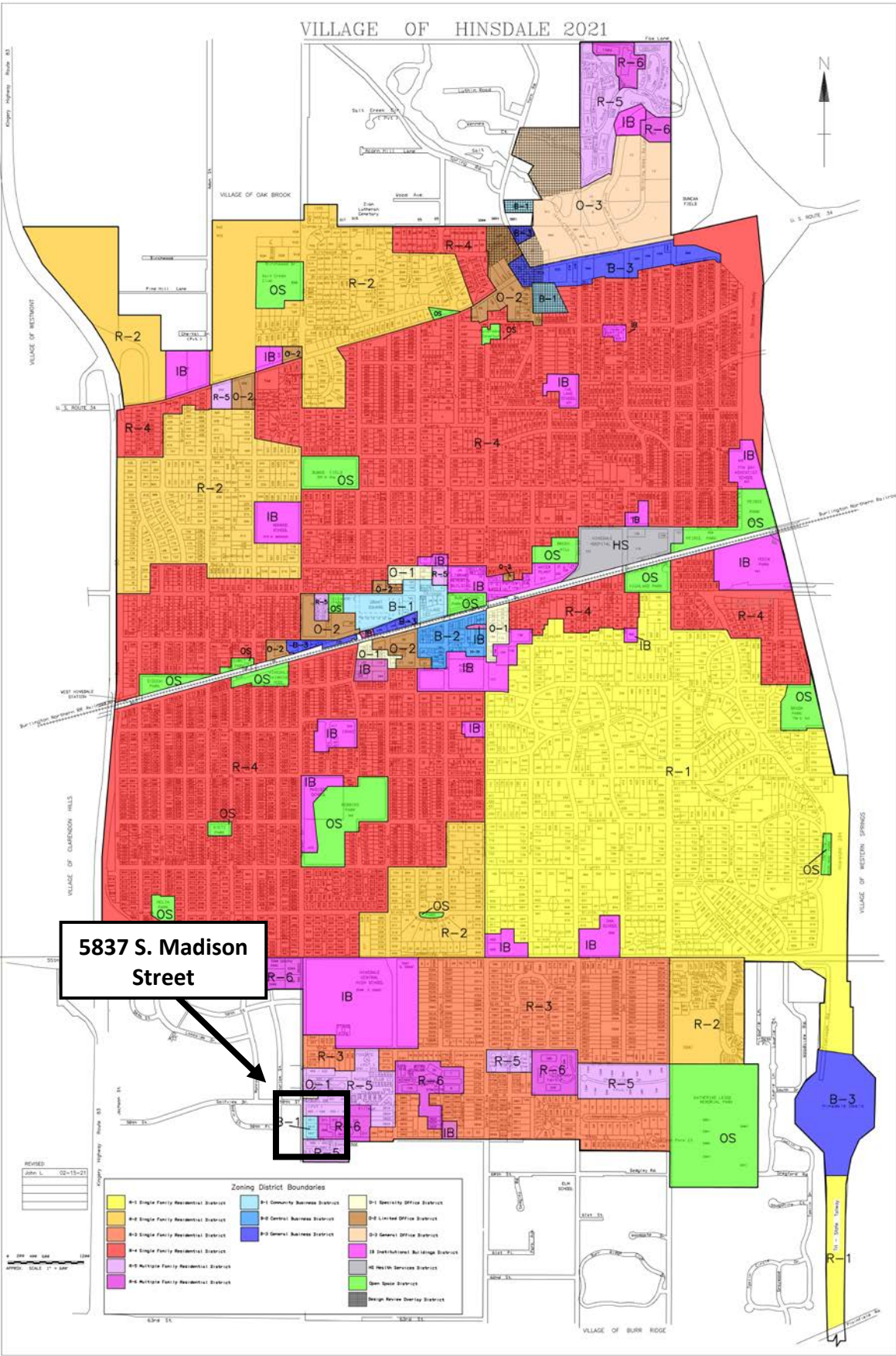
Within 60 days following the receipt of the recommendation of the plan commission, or its failure to act as above provided, the board of trustees shall either deny the application or, by ordinance duly adopted, shall grant the special use permit, with or without modifications or conditions. The failure of the board of trustees to act within 60 days, or such further time to which the applicant may agree, shall be deemed to be a decision denying the special use permit.

No Special Use Permit shall be recommended or granted unless the applicant shall establish that the Standards listed in Section 11-602(E) are met.

ATTACHMENTS

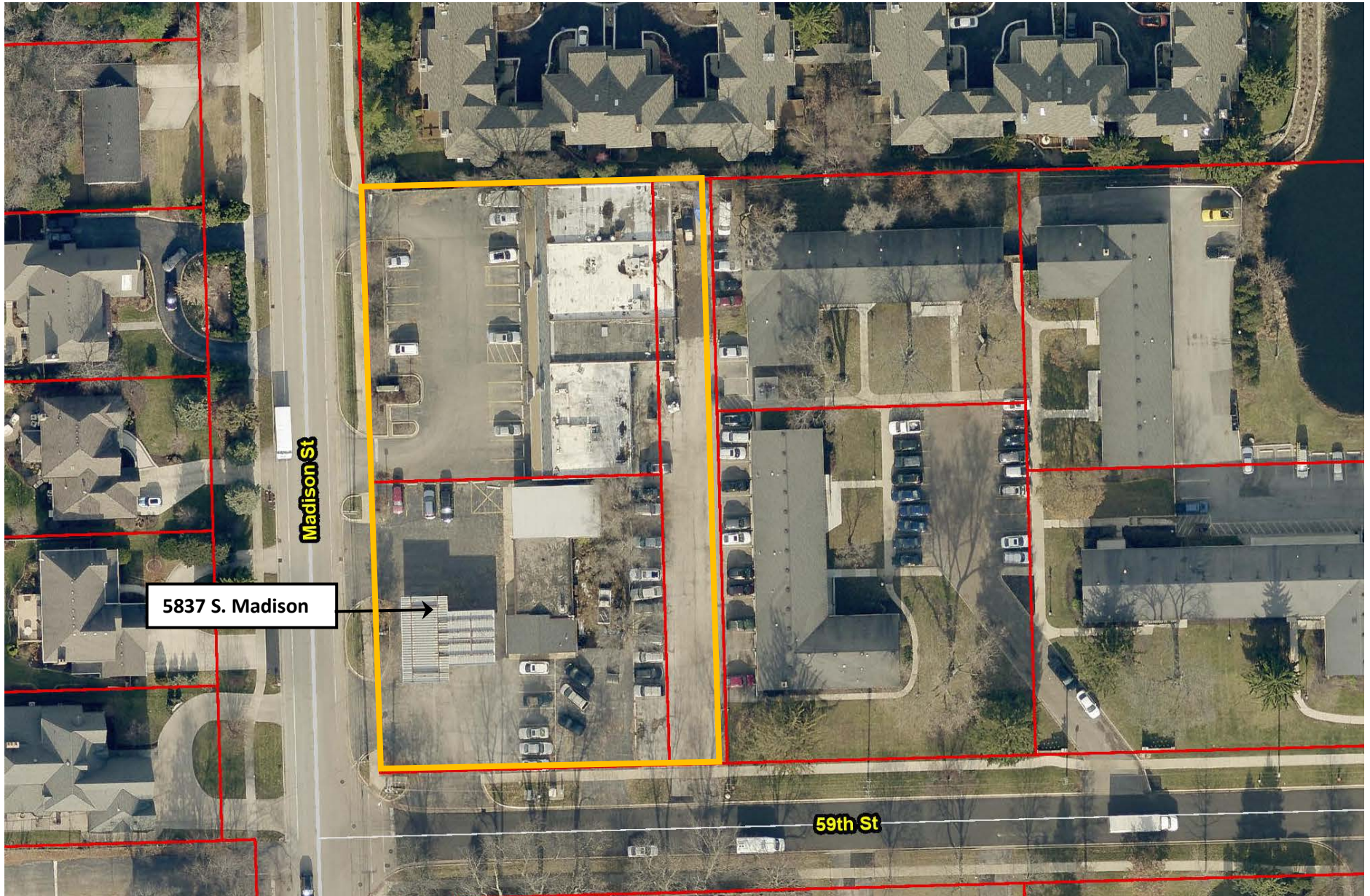
1. Zoning Map and Project Location
2. Aerial View
3. Birdseye View
4. Street View
5. Special Use Permit Applications and Exhibits

Village of Hinsdale Zoning Map and Project Location

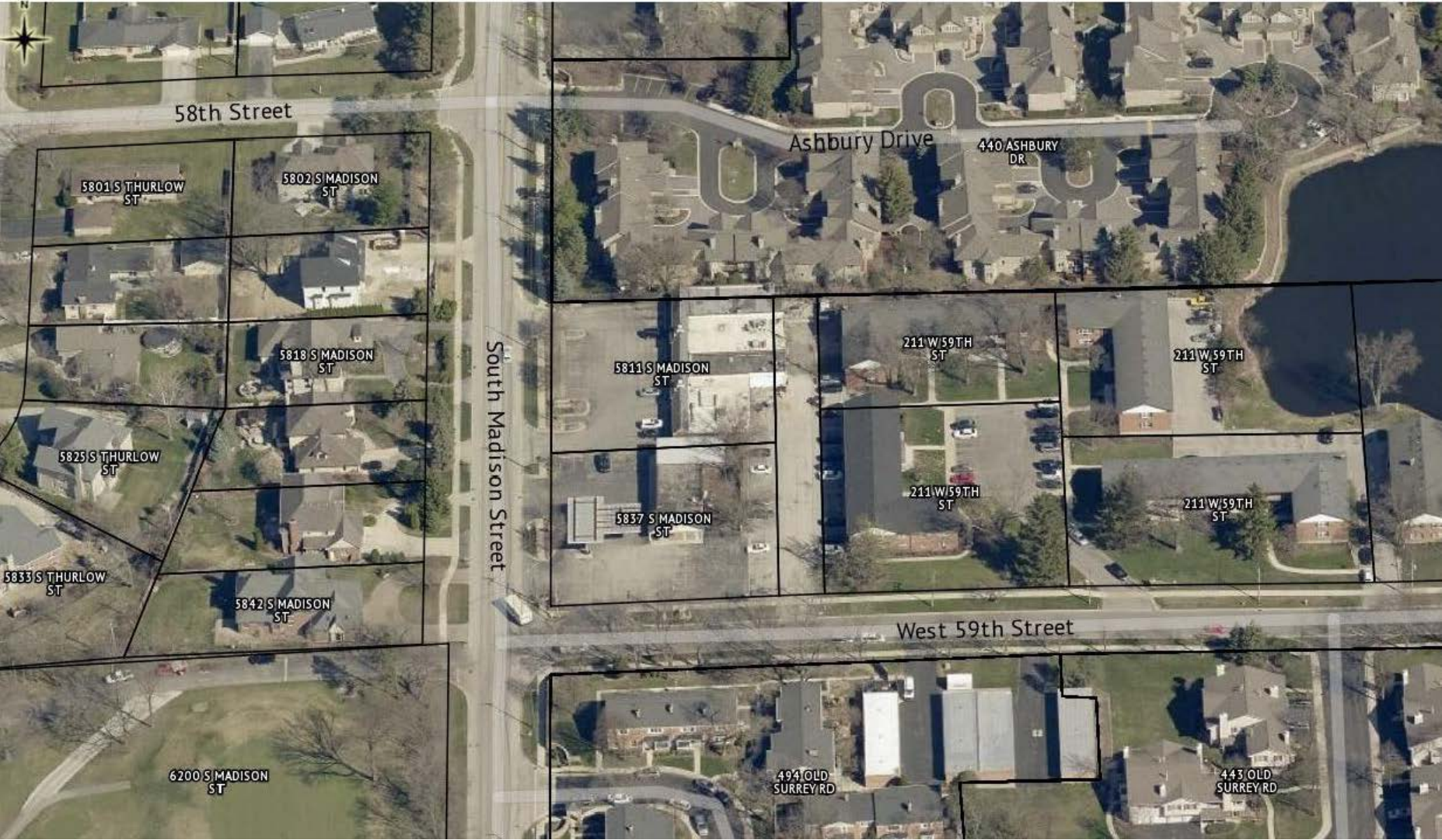


The map displays a grid of city blocks. Key streets shown include Thurlow St. to the west, 58th St. running horizontally, and 59th St. to the south. Zoning districts are indicated by large, bold text: 'R-3' in the top orange section, 'R-5' in the central purple section, 'B-1' in the bottom-left light blue section, and 'R-6' in the bottom-right pink section. Individual lots are labeled with their street numbers. Notable landmarks include 'FOXGATE (N.) (PVT.)' and 'RACQUET CLUB TOURNAMENT'. Two specific lots are highlighted: lot 5757 is enclosed in a yellow box, and lot 5827 is enclosed in a red box. A black callout box with a white border points to the location of 5837 S. Madison Street.

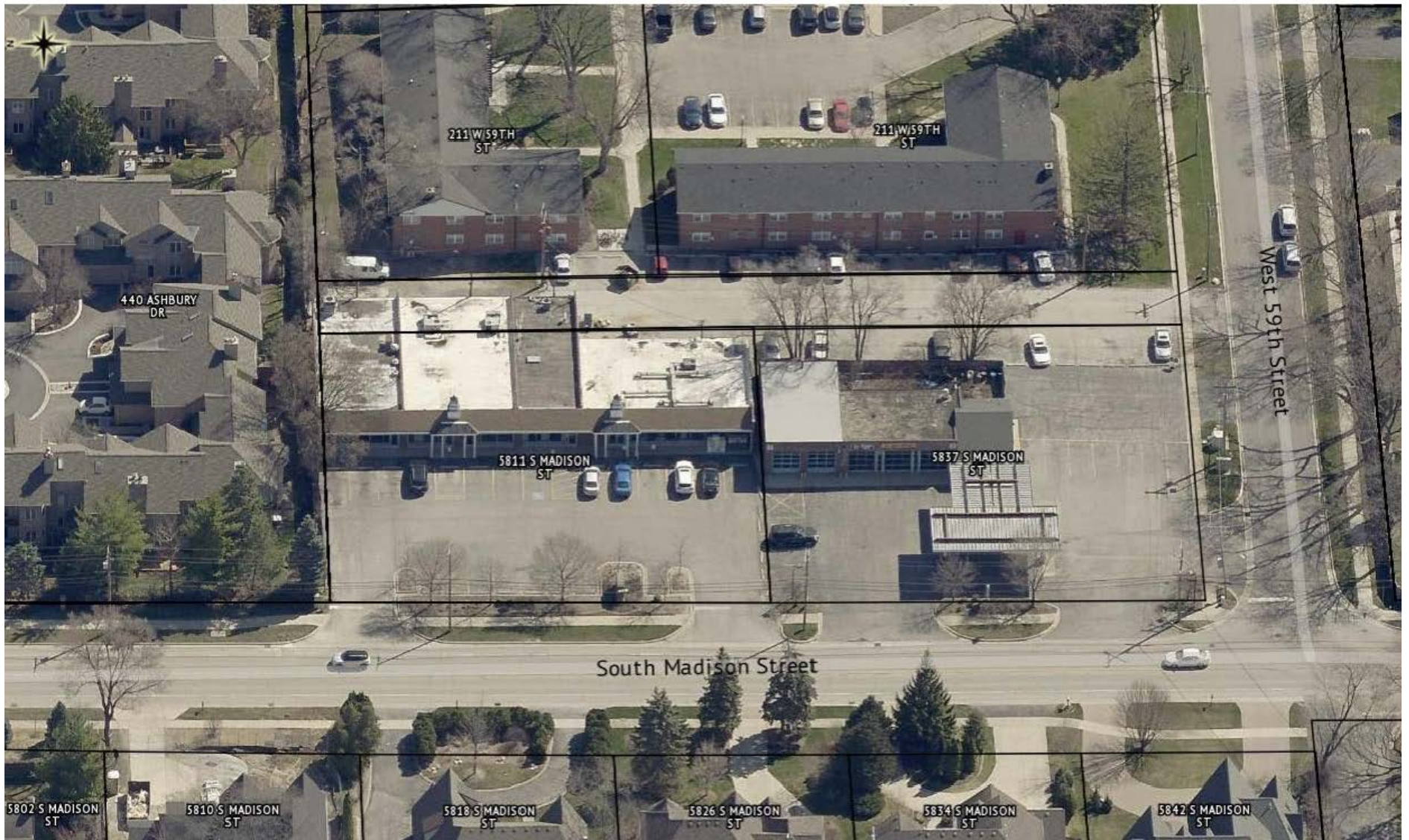
Aerial View – 5837 S. Madison Street



Birds Eye View – 5837 S. Madison Street



Birds Eye View – 5837 S. Madison Street



Street View – 5837 S. Madison Street



Looking East from Madison Street

Street View – 5837 S. Madison Street



Looking North from 59th Street



**VILLAGE
OF HINSDALE** FOUNDED IN 1871

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

PLAN COMMISSION APPLICATION

I. GENERAL INFORMATION

Applicant

Name: Samir and Ghada Sharabatee
Address: 7517 Savoy Lane, Unit A
City/Zip: Bridgeview, IL
Phone/Fax: (312) 459-3099 /
E-Mail: ghada.sharabatee@gmail.com

Owner

Name: Hinsdale Partners LLC
Address: 321 N. Clark Street, Ste. 500
City/Zip: Chicago, IL 60654
Phone/Fax: (312) 445 -6300 /
E-Mail: jehrlich@priceassocinc.com

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

Name: Wade Joyner (Wade Law, Chtd)
Title: Attorney
Address: POB 234
City/Zip: Big Rock, IL 60511
Phone/Fax: (630) 768-1042 /
E-Mail: wade@wadelawattorney.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) None
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 5837 South Madison Street, Hinsdale, Illinois

Property identification number (P.I.N. or tax number): 09 - 13 - 103 - 024

Brief description of proposed project: The site was improved with and used as an automotive repair shop prior to the

Zoning Code. This use ceased in approximately 2019. Applicant has a lease with the property owner to again use the site as

an automotive repair shop. We must reestablish this as a Special Use since the use ended more than 3 months ago.

General description or characteristics of the site: Automotive Repair Shop, with 6 other retail units, currently a
grocery store and nail salon, with the rest vacant.

Existing zoning and land use: B1

Surrounding zoning and existing land uses:

North: R-5

South: R-5

East: R-6

West: R-3 (Clarendon Hills)

Proposed zoning and land use: B-1, Automotive Repair Shop

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: 5-105(c)(7)

☐ Map and Text Amendments 11-601E
Amendment Requested: _____

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 5837 South Madison Street, Hinsdale, Illinois

The following table is based on the B-1 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area (s.f.)	6,250	54,360
Minimum Lot Depth	125'	302'
Minimum Lot Width	50'	180'
Building Height	30'	14'
Number of Stories	2	1
Front Yard Setback	25'	60'
Corner Side Yard Setback	25'	73.82'
Interior Side Yard Setback	10'	20'
Rear Yard Setback	20'	.44'
Maximum Floor Area Ratio (F.A.R.)*	35%	22% [12,130/54,360]
Maximum Total Building Coverage*	NA	NA
Maximum Total Lot Coverage*	90%	95% [2,610/54,360]
Parking Requirements	52 [See Attached Table]	55 [See Attached Table]
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure 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 Parcel, improvements and Automotive Repair Shop Use pre-date the Zoning Code.

The authority in the Zoning Code for approving this Application is Article 10, generally, and 10-105 specifically.

Note: The Front of the Property is 59th Street. Corner Side Yard is Madison Street. Rear Yard is the North Lot Line. Interior Side Yard is the East Lot Line.

Village of Hinsdale Plan Commission Application
Parking Requirement Detail to Table Of Compliance
5837 South Madison Street, Hinsdale

Unit	Square Foot	Use	Code 9-104	Parking Standard	Required Parking
Parcel 1	2,927	Auto Repair	J1(e)(i)	1 for 250 sf	12
Parcel 2:					
5811	1,750	Vacant	J1(e)(i)	1 for 250 sf	7
5815	1,750	Vacant	J1(e)(i)	1 for 250 sf	7
5817	1,200	Vacant	J1(e)(i)	1 for 250 sf	5
5819	1,200	Vacant	J1(e)(i)	1 for 250 sf	5
5825	1,200	Shiny Nails	J1(e)(i)	1 for 250 sf	5
5827	2,103	Hinsdale Food Mart	J1(e)(i)	1 for 200 sf	11
Total					52

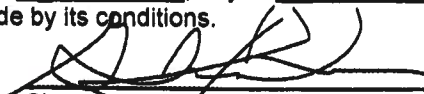
Note: The Property has 55 spaces, 3 more than required by the Code. This includes 2 accessible spaces. The Illinois Accessibility Act requires 3 accessible spaces. The 2 spaces noted on the Survey will be converted to a third accessible space. With this change, the Property will have 54 spaces, 2 more than required by the Code.

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.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind 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 21st day of September, 2021, I/We have read the above certification, understand it, and agree to abide by its conditions.


Signature of applicant or authorized agent

GHADA SHARABATEE

Name of applicant or authorized agent

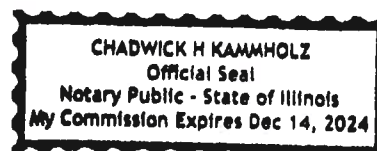

Signature of applicant or authorized agent

SAMIR SHARABATEE

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 21st day of
September, 2021.


Notary Public



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.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind 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 27th day of September, 2021, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

James Shulish
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 27th day of
September, 2021.

Thomas Jung
Notary Public

4

THOMAS JUNG
Official Seal
Notary Public - State of Illinois
My Commission Expires Aug 27, 2022



**VILLAGE
OF HINSDALE** FOUNDED IN 1855

**COMMUNITY DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT CRITERIA**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 5837 Madison Street, Hinsdale. Illinois

Proposed Special Use request: Automotive Mechanic Shop

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.

Yes. The Property is zoned B-1, and the Special Use is allowed in this zoning district. The Property has been used for an Automotive Repair Shop prior to the 1981 Zoning Code.

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.

It will not. The Property use as an Automotive Repair Shop did not have an adverse impact of the development of the adjacent properties. It ' s continued use as an Automotive Repair Shop will no change 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

Yes. The Special Use of an Automotive Repair Shop will not dominate the immediate vicinity more than it may have since 1962 and will not interfere with the use of the neighboring properties, which were developed after the Property.

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.

Yes. The Automotive Repair Shop use has been served adequately and no changes are being made to the Property that change the service needs. Applicant does not need additional public facilities or 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.

It will not. Applicant is not aware of any traffic congestion caused by the Automotive Repair Shop use in prior years and is not changing the use. The entrance to the Property is on Madison Drive, a primary thoroughfare.

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.

It will not since there will be no physical changes to the Property.

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.

It does, including the requirements of Article X.

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.

None

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.

It is in the best interest of the community for this Property to be used at an Automotive Repair Shop. It is part of the community, has served the community for generations and is in a convenient location for the 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.

Give the historical public benefit this is the appropriate location and the highest and best use of the Property.

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.

Since the surrounding development occurred after this Property was used as an Automotive Repair Shop, the developers of the surrounding parcels would have taken this Property into consideration and minimized any adverse effects on their developments.

Location	Year Built	Name	Zoning
North	1991	Asbury Woods	R-5
South	1960	Same owner as 5837 S. Madison St.	B-1
East	1963	Hidden Lakes of Hinsdale	R-6
West	2017	5818 S Madison Street	R-1
West	2004	5826 S Madison Street	R-1
West	2001	5834 S.Madison Street	R-1
West	2008	5842 S.Madison Street	R-1

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
19 East Chicago Avenue
Hinsdale, Illinois 60521-3489
630.789.7030

Application for Certificate of Zoning Compliance

You must complete all portions of this application. If you think certain information is not applicable, then write "N/A." If you need additional space, then attach separate sheets to this form.

Applicant's name: Hinsdale Discount Tires and Automotive, Inc

Owner's name (if different): Hinsdale Partners, LLC

Property address: 5837 South Madison Street

Property legal description: [attach to this form]

Present zoning classification: B-1, Community Business District

Square footage of property: 54,360

Lot area per dwelling: NA

Lot dimensions: 180' x 302'

Current use of property: Grocery Store, Nail Salon, 5 vacant units

Proposed use: ☐ Single-family detached dwelling
☐ Other: _____

Approval sought: ☐ Building Permit ☐ Variation
☒ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

Special Use for existing Automotive Repair Building since this use expired in 2019.

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	<u>180'</u>	<u>25'</u>
interior side(s)	<u>302' /</u>	<u>10' /</u>

Provided:**Required by Code:**

corner side	302'	25'
rear	180'	20'

Setbacks (businesses and offices):

front:	60'	25'
interior side(s)	20' /	10' /
corner side	73.82	25'
rear	.44'	20'
others:		
Ogden Ave. Center:		
York Rd. Center:		
Forest Preserve:		

Building heights:

principal building(s):	14'	30'
accessory building(s):	14'	15'

Maximum Elevations:

principal building(s):	14'	
accessory building(s):	14'	

Dwelling unit size(s):	NA	NA
------------------------	----	----

Total building coverage:	NA	NA
--------------------------	----	----

Total lot coverage:	95%	90%
---------------------	-----	-----

Floor area ratio:	22%	35%
-------------------	-----	-----

Accessory building(s):	Gas Pump Island -- no longer in use nor proposed to be.
------------------------	---

Spacing between buildings: [depict on attached plans]

principal building(s):	5'	NA	
accessory building(s):	20'	NA	

Number of off-street parking spaces required: 52

Number of loading spaces required: 0

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By: _____
Applicant's signature

Applicant's printed name

Dated: _____, 20____.

Provided:

Required by Code:

corner side
rear

Attached

Setbacks (businesses and offices):

front:

interior side(s)

corner side

rear

others:

Ogden Ave. Center:

York Rd. Center:

Forest Preserve:

_____/_____

_____/_____

Building heights:

principal building(s):

accessory building(s):

Maximum Elevations:

principal building(s):

accessory building(s):

Dwelling unit size(s):

Total building coverage:

Total lot coverage:

Floor area ratio:

Accessory building(s):

Spacing between buildings:[depict on attached plans]

principal building(s):

accessory building(s):

Number of off-street parking spaces required: _____

Number of loading spaces required: N/A

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By:



Applicant's signature

GHADA SHARABATEE

Applicant's printed name

Dated: September 21, 2021.



October 29, 2021

Village of Hinsdale
Plan Commission
19 East Chicago Ave.
Hinsdale, IL 60521

**Re: Application for Auto Mechanic Shop
5837 South Madison Street (Madison Street and 59th Street)**

Dear Commissioners:

I represent Applicants Samir and Gina Sharabatee. We are requesting Village approval to own and operate an Auto Mechanic Shop as tenants of the Property. Included with this letter is the Plan Commission Application, Special Use Permit Criteria, Application for Certificate of Zoning Compliance, ALTA Survey, Interior Floor Plan, exterior photos, and proof of ownership of their Landlord.

There is an existing, vacant Auto Mechanic Shop building on the Property, which was constructed and operated prior to the Village Zoning Code. The space has been vacant since 2019, so we need a Special Use Permit to reopen it. The space is part of a business complex of 7 units.

A few details of their business:

Hours of Operation: Monday through Friday 9am -6pm. Saturday 9am-5pm. Closed Sunday.

Scope of Work: They will perform mechanical diagnostic, repair and maintenance on domestic and foreign vehicles, including work on engines, transmissions, emissions, EVAP systems, electrical systems, exhaust systems tire repair/replacement, wheel alignment, steering and suspension systems. The Shop's work does not include shredding tires.

Employment: We estimate the Shop will have 5 employees.

Outdoor Use: There will not be outdoor operations, nor will there be storage of equipment, product or other materials. Vehicles to be repaired will be parked in the outdoor, off-site parking until they are repaired. However, these vehicles will be on the property for a few hours to no more than two days, as occurs with other typical vehicle repair businesses.

Size of Space: 9,829 square feet.

We look forward to presenting this project to you. Thank you for your consideration.

Sincerely,


Wade Joyner





25/2017 11:25:33 AM

THE SOUTH 150.00 FEET OF THE WEST 150.00 FEET OF LOT 5 IN BLOCK 6 IN BRANIGAR BROS. HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 AND OF THE NORTHWEST 1/4 (EXCEPT THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID NORTHWEST 1/4) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT 141390. IN DUPAGE COUNTY, ILLINOIS

THE WEST 180.00 FEET (EXCEPT THE SOUTH 150.00 FEET OF THE WEST 150.00 FEET THEREOF)
OF LOT 5 IN BLOCK 6 IN BRANGAR BROS. HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST
1/4 AND OF THE NORTHWEST 1/4 (EXCEPT THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID NORTHWEST 1/4)
OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE
PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT 141390, IN DUPAGE COUNTY, ILLINOIS

BASIS OF BEARING
IS STATE PLANE COORDINATES
ZONE, NAD83-IL12

ACCORDING TO FLOOD INSURANCE RATE MAP NUMBER 17043C0906H FOR DUPAGE COUNTY, ILLINOIS AND INCORPORATED AREAS BEARING AN EFFECTIVE DATE OF DECEMBER 16, 2004 THIS SITE IS ZONE X UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

54,360 SQUARE FEET = 1.2479 ACRES

ZONING DISTRICT
B-1, COMMUNITY BUSINESS

PARKING SPACES
E 55 STRIPED PARKING SPACES ON THE
F WHICH ARE DESIGNATED HANDICAP.

ACCORDING TO ATTORNEY'S TITLE GUARANTY FUND COMMITMENT NUMBER 170477900003
DATED APRIL 10, 2017.

14. THE EASEMENT BY DOCUMENT R62-16557 AFFECTS THE PROPERTY AND IS SHOWN HEREON>

15. THE EASEMENT BY DOCUMENT R62-21753 AFFECTS THE EAST 5 FEET OF PARCEL 2 AND IS SHOWN HEREON.

16. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WAS OBSERVED WHILE CONDUCTING THE SURVEY.

(5)

MADISON

STREET

59TH

STREET

	SANITARY MANHOLE		MAILBOX
	SANITARY CLEANOUT		DOWNSPOUT
	STORM MANHOLE		LIGHT POLE
	STORM CATCH BASIN		OVERHEAD LIGHT POLE
	STORM INLET		ELECTRIC MANHOLE
	STORM CLEANOUT		TRAFFIC SIGNAL POLE
	FLARED END SECTION		TRAFFIC CONTROL BOX
	TRANSFORMER		TRAFFIC SIGNAL VAULT
	ELECTRICAL BOX		RAILROAD SIGNAL POLE
	CABLE T.V. BOX		RAILROAD SIGNAL VAULT
	TELEPHONE BOX		UTILITY POLE
	TRAFFIC CONTROL BOX		OVERHEAD WIRES
	ELECTRIC MANHOLE		UNDERGROUND GAS
	COMMUNICATION MANHOLE		UNDERGROUND ELECTRIC
	TELEPHONE MANHOLE		UNDERGROUND TELEPHONE
	ELECTRIC METER		UNDERGROUND FIBER OPTIC
	GAS METER		UNDERGROUND CABLE T.V.
	GAS VALVE		WATER MAIN
	BOX		SANITARY SEWER
	WATER VALVE		STORM SEWER
	WATER VALVE VAULT		FENCE LINE
	FIRE HYDRANT		GUARD RAIL
	POST INDICATOR VALVE		DECIDUOUS TREE
	WATER METER		PINE TREE
	PARKING METER		DROVE IRON PIPE
	SIGN		FOUND IRON PIPE
	FLAG POLE		CROSS OUT IN CONCRETE
	PIPELINE MARKER		

M = MEASURED DIMENSION
 R = RECORD DIMENSION

TO:
ATTORNEY'S TITLE GUARANTY FUND
SOUTH MADISON LLC, AN ILLINOIS LIMITED LIABILITY COMPANY (PARCEL 1)
MADISON PLAZA CENTER LLC, AN ILLINOIS LIMITED LIABILITY COMPANY (PARCEL 2)
VISTA HOLDINGS CORP.

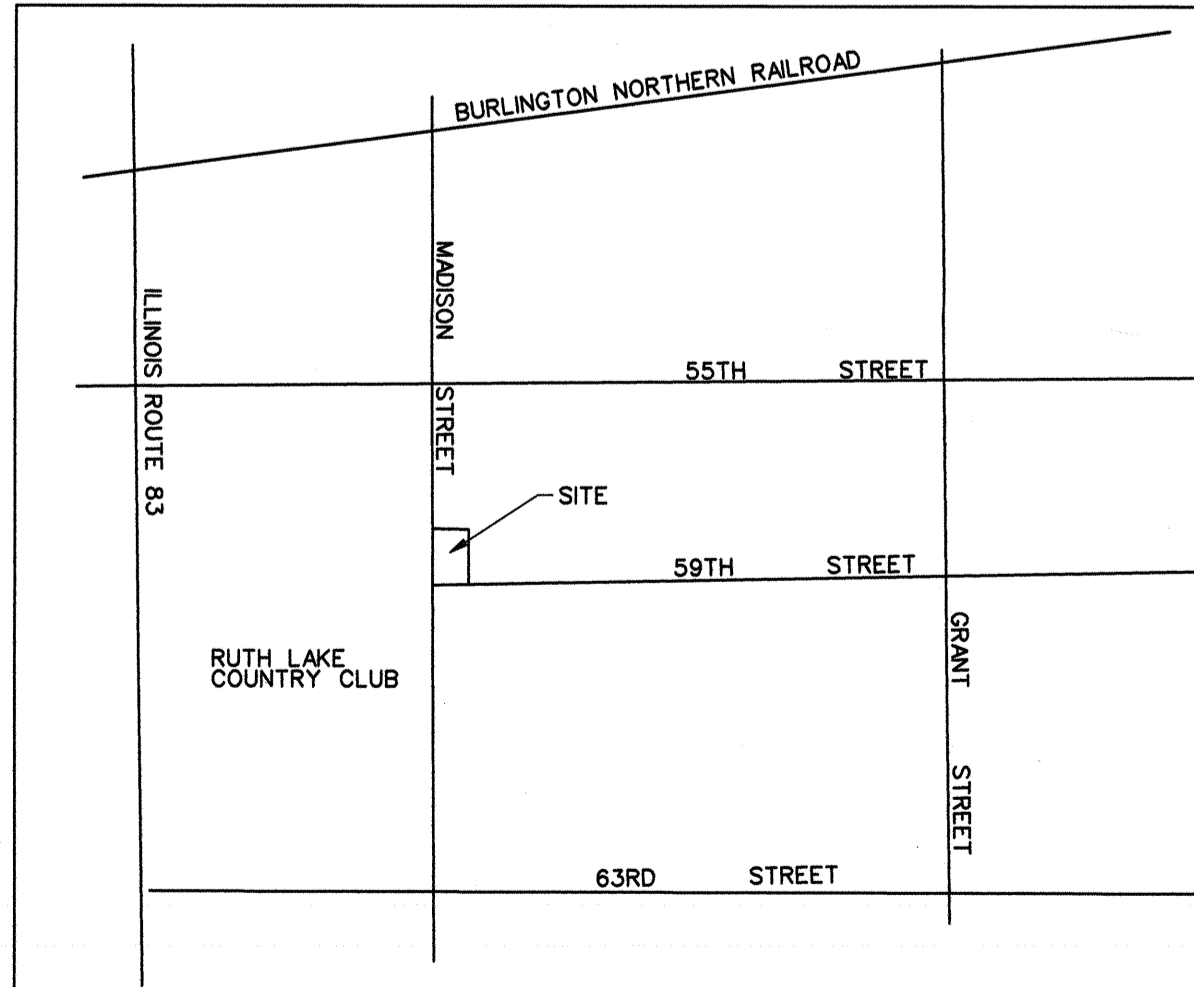
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6a, 7A, 7b1, 7c, 8, 9, 10, 11, AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY23, 2017.

DATED THIS 25th DAY OF MAY, 2017

BY: 20 any Authority
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2689
LICENSE EXPIRES: NOVEMBER 30, 2018
WEBSTER, McGRATH & AHLBERG, LTD.
207 SOUTH NAPERVILLE ROAD
WHEATON, ILLINOIS 60187
630-668-7603



VICINITY MAP (NOT TO SCALE)



Rev	Date	Description	By	<p style="text-align: center;">ALTA/NSPS LAND TITLE SURVEY</p> <p>LOCATION: 5815-5837 S. MADISON STREET HINSDALE, ILLINOIS</p> <p>PREPARED FOR: VIST HOLDINGS CORP. PHONE: 503-701-8938</p> <p>JOB #: DATE: SCALE: 1"=20'</p> <p>SURV: DRAWN: DESIGN:</p> <p> GA GA</p> <p>FILE #: D-32246-A</p> <p> SHEET #:</p>
<p>WEBSTER, McGRATH & AHLBERG LTD.</p> <p style="text-align: center;">VVMA</p> <p>LAND SURVEYING - CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE</p> <p style="text-align: center;"><i>Over a Century of Service to our Clients</i></p> <p>207 South Naperville Road Wheaton, Illinois 60187 (630)668-7803 Fax: (630)682-1780 Email: vwmltd@vwmalltd.com vwmlltd@aol.com Website: www.vwmlltd.com</p>				<p>1 of 1</p>

