



## MEETING AGENDA

**PLAN COMMISSION**  
**Wednesday, March 9, 2022**  
**7:30 p.m.**

**MEMORIAL HALL – MEMORIAL BUILDING**  
**19 East Chicago Avenue, Hinsdale, Illinois 60521**  
*(Tentative & Subject to Change)*

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC COMMENT** (Non-Agenda Items)

**4. APPROVAL OF MINUTES** – February 9, 2022

**5. FINDINGS AND RECOMMENDATIONS**

- 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
- b) Case A-01-2022 – 137 S. Garfield Avenue – Union Church Parking Lot Lighting – Exterior Appearance and Site Plan Review to allow for the installation of new LED parking lot light fixtures on the existing light poles for Union Church located at 137 S. Garfield Avenue in the IB Institutional Buildings District

**6. SIGN PERMIT REVIEW**

- a) Case A-38-2021 – 114 S. Washington Street – Sourced Pizzeria & Bar – Installation of One (1) Wall Sign
- b) Case A-39-2021 – 16 W. Hinsdale Avenue – Silver Birch – Installation of One (1) Wall Sign and Permanent Window Signage

**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 and address. 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](http://www.villageofhinsdale.org)

**VILLAGE OF HINSDALE  
PLAN COMMISSION  
MINUTES OF THE MEETING  
Wednesday, February 9, 2022**

The regularly scheduled meeting of the Village of Hinsdale Plan Commission was called to order by Chairman Steve Cashman in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, IL on Wednesday, February 9, 2022 at 7:35 p.m., roll call was taken.

**PRESENT:** Chairman Steven Cashman and Commissioners Cynthia Curry, Jim Krillenberger, Patrick Hurley\*, Julie Crnovich, and Shelley Carter

**ABSENT:** Commissioners Gerald Jablonski, Mark Willobee, and Anna Fiascone

**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 Minutes – January 12, 2022**

A motion was made by Commissioner Krillenberger, seconded by Commissioner Hurley, to approve the January 12, 2022 draft minutes as submitted. The motion carried by the roll call vote of 5-0 as follows:

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

**Public Hearing**

**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 (Continued from the Plan Commission meeting held on January 12, 2021)**

Please refer to **Attachment 1** for the transcript for Public Hearing Case A-36-2021.

Chairman Cashman stated that the public hearing was continued at the January 12, 2022 Plan Commission meeting to February 9, 2022 because certified mail to the surrounding property owners was still in transit and had not been delivered yet.

Mr. Joyner provided an overview of the application, noting the proposed automobile repair use will take place on parcel one (1) and the other parcel to the north is for the shopping center. The applicant is not proposing parking or storage on the shopping side of the property. The property was previously used as an automotive repair shop but has been vacant for several years.

Mr. Joyner went through the objections stated in a letter prepared by the Golfview Hills Homeowners Association and included in the Plan Commission packet. Mr. Joyner addressed item number one (1) and two (2) of the letter by stating the property use would be limited to Parcel 1 with no parking or storage from the business on the street or shopping center portion of the property (Parcel 2). Mr. Joyner addressed item number three (3), limiting vehicles awaiting repair to six (6) at all times, by stating that this would likely be the number of cars awaiting repair. However, Mr. Joyner stated it would not be practical for a business to

hold strictly to that number. Mr. Joyner then acknowledged the concern of the property looking like a used car lot or a junk yard, but stated that would not be the case for this property.

In regard to item number four (4), Mr. Joyner stated that is not practical for the business to limit the number of employees to four (4) at one time as requested by the Homeowners Association. The facility would be well maintained, in good condition and repair, as listed in item number five (5) addressed. Item number six (6) requested that the outdoor storage of racks, water bottles, wood pallets, tires, and other equipment or materials be prohibited. Mr. Joyner stated the business has no intention of storing refuse outside. Item number seven requested that the number of dumpsters be limited to no more than two (2) dumpsters no larger than five (5) cubic yards in size. Mr. Joyner stated he did not understand the limitation. Mr. Joyner stated he believed that the Homeowners Association's concerns were satisfied in a reasonable way.

In response to the Homeowners Association concerns on page three (3) of the letter related to the Franklin Park business location, Mr. Joyner stated the Franklin Park location is not in a residential area and has a different set of zoning codes than Hinsdale. According to Mr. Joyner, the applicants have not received any zoning violations from the Village of Franklin Park and some of the concerns are inaccurate.

Mr. Joyner stated that 80-90% of the cars at the facility will have an appointment, allowing the business to control the number of cars on the property at any one time. To address Item B on page three (3) of the Homeowners Association letter, Mr. Joyner stated he was unsure why the water bottles at the Franklin Park business location were present, but it is not the applicant's intention to have outside storage at the Hinsdale location. To address Item C on page three (3), the Franklin Park fence in need of repair is not located on the applicant's property and is on an adjacent lot. Mr. Joyner stated that Hinsdale zoning requirements does not allow for outside storage of tires on racks that are being storage at the Franklin Park location. Storage racks will not be utilized for this location as shown in Item D on page three (3).

Mr. Joyner went on to answer a series of questions submitted by the Golfview Hills Homeowners Association prior to the meeting and included in the Plan Commission Packet related to the hours of operation, the number of parked vehicles awaiting service, the number of employees, and other items comparing the Franklin Park location with the Hinsdale location. Mr. Joyner stated the operations will be similar. There will be 5 repair bays with 10-20 vehicles serviced a day and 80-90 a week, depending on parts, service, walk-ins, and appointments. About 1-2 vehicles will be parked outside waiting repair on an average day, with a maximum of 3-4 vehicles. There will be some cars that stay overnight, but this is the exception and customers are charged an extra fee if they do not pick up their vehicles.

Mr. Joyner summarized the findings of fact related to the special use permit related to purpose, adverse impacts, adequacy of public facilities, traffic congestion, destruction of significant features, standard compliance and special standards.

Commissioner Curry asked about the "off-site" outdoor parking included on the application. Mr. Joyner stated there would be no "off-site" outdoor parking and the application should have read "on-site" outdoor parking. Commissioner Curry asked if the Franklin Park location was owned or leased. Mr. Joyner replied the building is leased. Commissioner Curry shared concerns about meeting property maintenance standards, no matter where the business is located or the applicable zoning ordinances. Commissioner Curry also stated the proposed Hinsdale business is a larger volume and a different use than the Franklin Park business, requiring more outdoor storage, and would therefore have a different impact on the area than the previous business. Mr. Joyner stated the business will have interior storage only and would be in compliance with Hinsdale zoning requirements.

Commissioner Curry asked about the balance of tire replacement compared to the engine repair and need for frequent truck delivery of tires due to limitations of interior storage. Mr. Joyner said the proposed business is a tire shop as well as automotive repair and confirmed there would be trucks making deliveries of tires.

Commissioner Krillenberger stated he liked the idea of bringing in business activity to a vacant building and providing an additional provider of services to the area. He asked about the noise level associated with this type of business. Mr. Joyner stated the noise level would not be high.

Commissioner Hurley asked the applicant about the quantity and dumpster size that would be necessary since two (2) five (5) cubic yard dumpsters was not deemed adequate. Mr. Joyner stated that four (4) two (2) yard dumpsters would be sufficient but the larger sized dumpsters would probably work better.

Commissioner Crnovich confirmed that only interior storage would be utilized and asked about the soundproofing of the building. Mr. Joyner responded the building is brick and the material should minimize noise. Commissioner Crnovich confirmed the enclosed storage is in the rear of the building and has sufficient space for dumpsters. Commissioner Crnovich expressed concern that the strip mall and building are in need of some improvements, especially to help attract new business.

Commissioner Carter asked if the Hinsdale location would be an addition or replacement to the Franklin Park location. Mr. Joyner confirmed it would be a second location. Commissioner Carter asked for confirmation the rear enclosed space is large enough to accommodate the necessary dumpsters and that no dumpsters would be stored at the side of the building or outside of that enclosed space. Mr. Joyner confirmed the rear enclosed space is large enough and suggested adding a condition of all dumpsters stored inside rear enclosure as a condition of approval.

The concern of some parking spaces being used by the nearby apartment building was introduced. Mr. Joyner stated there is no clear agreement that he is aware of related to the apartment residents using the parking spaces.

Chairman Cashman stated he would like to include enclosed dumpsters as a condition to approval and that the concerns from the Homeowners Association not addressed by the applicant were related to business operations and not related to the zoning matters that the Plan Commission deals with.

Mr. James McCarthy, Secretary of the Golfview Hills Homes Association, was present to address the Plan Commission. Mr. McCarthy stated it was important to note that the Board of the Homeowner's Association unanimously opposed this application. Mr. McCarthy stated it was important to consider if this type of business is still appropriate for this location. Mr. McCarthy stated the Golfview Hills Homes Association feels times have changed and the proposed use of this property is no longer appropriate for the residential area. The Board also has concerns for the condition of the entire strip mall. Mr. McCarthy made an inquiry about why the application includes all three (3) parcels of land on the property if the lease agreement is for Parcel 1 only and felt the application should be limited to only Parcel 1.

Mr. McCarthy stated they are requesting that the Plan Commission as part of the approval consider the conditions added in their objection letter. Mr. McCarthy stated the Homeowners Association felt that, if approved, the result would be many issues down the road for the Village.

Commissioner Curry asked about the length of time the property has been vacant. Ms. Salmon reported the property has been vacant since 2019 and the gas tanks were removed in 2016. There was a discussion on the history of the site and it was noted that the proposed use would be consistent with the prior automobile repair use that operated in the building years ago.

Commissioner Krillenberger suggested the possibility of the applicant's new business revitalizing the entire strip mall. Commissioner Crnovich stated that not many other businesses other than an automotive repair service would go into that garage property. Commissioner Carter added that the space would need to undergo a large renovation at great owner expense to alter the property for a different use.

Chairman Cashman stated that not adding the condition of limiting the application to only Parcel 1 could be detrimental to the shopping mall business owners to the north of the building. Chairman Cashman stated that there is plenty of parking to accommodate the proposed use. Chairman Cashman stated he would also like the condition of enclosed rear dumpsters be added to approval. Chairman Cashman also recommended that the building and the strip mall have not been updated in some time and could use some improvements. There are challenges with bufferyard landscaping due to the configuration of the site.

Discussion followed by the Commission about the possibility of also recommending the fence be replaced, landscaping, fresh paint and other building improvements to spruce up the location as conditions for improvement. Commissioner Carter asked if including these type of improvements to the applicant's location could also be used for lifting up the use of the other business spaces in the mall. Commissioner Krillenberger stated that if the applicant's business did not look appealing and well maintained, the Hinsdale market would not support the business, the residents would not utilize the services provided by the business.

Chairman Cashman stated another condition to be considered is the removal of all remaining signage from the previous business as part of a new sign packet brought back to the Plan Commission. It was determined the existing canopy would remain.

Mr. Joyner stated there would be no objection by the applicant to paint the building trim and to remove existing signage. The Commission also suggested adding landscaping, perhaps in pots or planters, and using Fuller's as a potential example, to enhance the look of the property.

A motion was made by Commissioner Krillenberger, seconded by Commissioner Carter, to approve 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, subject to the following conditions:

1. Dumpsters shall be stored and located within the rear fenced enclosure.
2. All business operations and associated parking approved under the Special Use Permit shall be limited to Parcel 1 only, as shown on the submitted Plat of Survey.
3. The exterior trim of the building is painted in a complementary color. The existing brick shall not be painted.
4. The existing signs shall be removed from the building.
5. Investigate enhancing the property with landscaping or potted plants.
6. No outside storage shall be allowed on the property.
7. Investigate replacing the fence on the property.

The motion carried by the roll call vote of 6-0 as follows:

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

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

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

**Public Meeting**

**a) Case A-01-2022 – 137 S. Garfield Avenue – Union Church Parking Lot Lighting – Exterior Appearance and Site Plan Review to allow for the installation of new LED parking lot light fixtures on the existing light poles for Union Church located at 137 S. Garfield Avenue in the IB Institutional Buildings District**

Matthew Klein and Sharon Olsen, representing Union Church, provided an overview of the plans and answered questions from the Commissioners.

Mr. Klein stated the current light fixtures are twenty (20) years old and are high intensity sodium vapor light. Mr. Klein stated the application requests changing out the light heads that will result in less light on the parking lot and a reduction in how far the light extends towards the property line. Mr. Klein stated the new fixtures have environmental benefits and a reduction in energy use and meets the Village code. Mr. Klein stated the Church met with the neighbors about the proposal and the request was made to cut off the light even further. The Church is willing to honor this request.

Sharon Olsen provided specific details on the proposed fixtures to the Plan Commission. Ms. Olsen stated the proposed fixtures will be 2700 Kelvin, the same as the newly installed sign, and will be a warmer, less blue, lighting with a better cut off and lower light level to better accommodate residential neighbors. Ms. Olsen explained the proposed LED fixtures meets IECC guidelines to reduce light pollution, directing the light downward versus the existing fixtures that shine light in all directions.

Ms. Olsen met with neighbors, Nancy Cox and Jim Oles, after the proposal was submitted to the Village. Ms. Olsen stated Ms. Cox was concerned about lighting glare to adjacent homes and the Church agreed to further reduce the proposed wattage to 792 watts and a parking lot average of one (1) footcandle to eight tenths (.8) of a footcandle. Ms. Olsen stated there is an eighty (80) foot cut off shield proposed on all fixtures in the southeast parking lot, which is that area where neighboring properties are most impacted. Ms. Olsen stated Mr. Oles offered to provide larger cut off shields, which have already purchased by the Church, if further changes are needed. Ms. Olsen also stated the Church would plant arborvitae trees to the east of the lot to help screen the light to Ms. Cox's property. Ms. Olsen stated she also made contact after submittal with a neighbor on Park Street concerned about the amount of lumens. Ms. Olsen stated the Church agreed to reduce the proposed lights to 7,000 lumens by twenty (20) percent.

Ms. Olsen stated she was in contact with nearby property owners about when the lights were going to be turned off. Neighbors requested photocells and motion sensors. Ms. Olsen expressed concern that animals would trigger motion sensors to illuminate the lights at random times and that might not be the best solution. Photocells can be utilized, but would result in illumination from dusk to dawn, which is a much longer period of illumination. Ms. Olsen was told by ComEd that timed photocells would not work with the twenty-year old system the Church has.

Ms. Olsen stated the current system is on a timer, turning the sign, building and parking lot lights on at 5:30 pm and turning off at 9:30 pm, a total of four (4) hours of illumination. If power is lost, the system needs to be manually re-set and the Church appreciates neighbors communicating that the lights are off schedule due to an unknown power outage. Ms. Olsen reported that power outages are a frequent problem that has been addressed with ComEd in the past.

The Commission asked if the Church has a generator. Ms. Olsen responded she was unsure.

Ms. Olsen stated the cost of the fixture replacement will be cut by fifty (50) percent because of a ComEd rebate.

Ms. Olsen responded to a question from the Commission that the proposed replacement fixtures would be bronze in color to match the remaining poles they are attached to, unlike the color depicted on the spec sheet and the mock up.

In response to a question from the Commission about the pole height, Ms. Olsen stated the pole height is twelve (12) feet plus the concrete foundation it sits on top of.

Inaudible discussion took place by an individual off the microphone. Ms. Olsen responded that the level of the footcandle at the property line was reduced from over a half foot of candle light to a tenth of a foot of candle light, reducing the spillage in the Village.

Commissioner Krillenberger asked about the process of the prepared mock up. Ms. Olsen stated one mock-up was created containing the house shield but not the louver in the area of the worst possible lighting scenario. Ms. Olsen stated the louver shields were not going on all fixtures due to the need for a greater amount of light near the playground and nearby sidewalk and the fixtures near the edge of the Grace Church parking lot. Ms. Olsen also stated the fixtures can be dimmed manually after installation, if needed.

Commissioner Carter confirmed that the fixtures could be dimmed on each light individually, for as many as needed.

Commissioner Crnovich stated the poles on top of the concrete foundation are the most problematic in terms of glare. Ms. Olsen responded that was the reason why those lights will have the glare shield installed.

Inaudible discussion took place.

Commissioner Crnovich stated that 2700 K was a good, nice warm light but asked to discuss what lights have shields. Chairman Cashman stated that he also had concerns about glare.

Ms. Olsen responded that each fixture in the south lot would be double shielded with a louver and a cut off, the fixtures on the north side will have just a cut off. Ms. Olsen stated no shields were planned for the lights near the playground.

In response to Chairman Cashman's concern with glare from unshielded fixtures, Ms. Olsen responded that the trees at the back of the lot would block the light. Chairman Cashman stated that it would be worth investigating putting shields on all six (6) fixtures due to his remaining concerns about the glare coming from a fixture on top of a concrete foundation, making the actual height of the fixture closer to eighteen (18) to twenty (20) feet combined with the large change of grade between lots. Ms. Olsen responded she did not think it would be a problem to add the shields to the order for all six (6) fixtures.

Commissioner Crnovich stated the playground area was well lit, perhaps because the poles are lower. Ms. Olsen stated the lower the pole, the less the light spread there is, which is why there were no shields originally proposed for that pole. Ms. Olsen re-stated it was not a problem to install the shields on all six (6) fixtures based on Chairman Cashman's request.

Commissioner Crnovich asked about the American Medical Association recommendation that all LED lighting be properly shielded. Ms. Olsen responded that the proposed fixtures will contain triple shields, including an acrylic frosted lens, the house shield, and the louvers.

Commissioner Crnovich asked suggested the southwest door near Third Street, where drop off and pick up takes place, and stated this area could use some additional exterior lighting. Commissioner Crnovich asked if the sconce/down lighting on the building near the playground was being changed. Commissioner Crnovich requested a confirmation of fixtures with louvers. Ms. Olsen stated there are twelve (12) total fixtures, all will have a lens, six (6) will have louvers and house sides, two in the playground and four in the south lot, based on the request by the Plan Commission at this meeting.

Shannon Frey, resident at 134 S. Park, was present to address the Plan Commission. Ms. Frey has 134 feet of property adjacent to the Church lot and has a second floor bedroom addition planned in the near future. Ms. Frey was also to represent the neighbor at 132 S. Park, Lauren Dela Rosa, with 75 feet of adjacent property, whose entire back yard is fully illuminated by direct lighting from the parking lot fixtures. Ms. Frey requested, on the behalf of 134 and 132 S. Park, that all fixtures that impact those properties have shields installed. Ms. Frey also requested that should LED lighting be deemed harmful to the eyes in the future, the fixtures be replaced.

Ms. Frey stated she felt the Church should have made a personal contact with her to share the information on this proposal, supported the offer of arborvitae plantings whether or not they impact her property, and requested that any time the Church does any trimming or plantings, they make a personal contact with her due problems she had with her fence rotting and coming down caused by debris, leaves, and trimmings on the Church side of the property.

\*Commissioner Hurley left the meeting at 9:15.

Chairman Cashman asked Ms. Frey how effective the existing row of arborvitae are for screening the light. Ms. Frey responded the Arborvitae are effective, stating that occasionally car lights can be seen but they "are set pretty far back". Ms. Frey added that her concern mostly lies with the neighbors that get the most direct, brightest amount of light, Ms. Delarosa and Ms. Cox.

Nancy Cox, resident of 127 E. Third St., was present to address the Plan Commission. Ms. Cox stated that her home was once adjacent to the parsonage for the Church, but that structure was torn down and replaced by the current parking lot. Ms. Cox stated that she has problems with lighting coming from the light poles as well as lack of screening for car lights from the parking lot. Ms. Cox shared photos taken from her home of the current lighting fixtures and is hopeful the new LED lighting fixtures will be an improvement in the amount of light on her property.

Ms. Cox stated the screening was code compliant in 2002 when the Church installed Austrian Pine instead of Arborvitae due to a larger, faster growing landscape. As time went on, the Austrian Pine grew out and a Church parishioner trimmed them because cars were brushing against the branches. Ms. Cox stated the parking lot lights, as shown in the pictures shared with the Plan Commission illuminated her property.

Chairman Cashman asked Ms. Cox if the Austrian Pine were effective screening of the light when they were installed. Ms. Cox responded they were not at the time of install because the plantings were too short. Ms. Cox went on to state the Austrian Pines grew quickly and were effective by 2006/2007.

After viewing photos shared by Ms. Cox, Chairman Cashman noted that Ms. Cox's property is exposed due to a gap in the landscape. Ms. Cox stated she has planted Arborvitae and Spruce on her property around 2000/2003 to provide additional screening. Ms. Cox states that even with double landscape screening, she still gets a great deal of light. Ms. Cox was unsure about the possibility of using a fence as screening due to the retention system under the Church parking lot. Ms. Cox stated that she had met with Ms. Olsen to discuss concerns.

Ms. Olsen asked about the process of adding a condition to an approval. Chairman Cashman said a condition could be added to the Plan Commission's recommendation to the Village Board of Trustees and if approved by the Board, the condition would be part of the approval. Chairman Cashman asked Ms. Cox if she felt comfortable with a potential Plan Commission approval with added conditions. Ms. Cox replied she was comfortable with a potential approval with conditions.

Chairman Cashman stated that perhaps eight (8) fixtures have shields based on the information provided by neighboring residents.

Inaudible discussion followed.

Commissioner Krillenberger stated he would summarize the inaudible comments stating that safety is a concern of the Church. Commissioner Krillenberger stated he felt the Church, Village code and neighbor concerns were at a good balance at this point of the discussion.

A motion was made by Commissioner Krillenberger, seconded by Commissioner Curry, to approve Case A-01-2022 – 137 S. Garfield Avenue – Union Church Parking Lot Lighting – Exterior Appearance and Site Plan Review to allow for the installation of new LED parking lot light fixtures on the existing light poles for Union Church located at 137 S. Garfield Avenue in the 1 B Institutional Buildings District, subject to the following conditions:

1. Install two (2) light shields, both the House Side Shield (HSSCV) and the 80 Degree Cutoff Shield (VHCS), on all light fixtures.
2. Work with Nancy Cox, the property owner to the east of Union Church (127 E. Third Street), to create a plan for full landscape screening along the east property line.
3. The light fixtures shall have dimmable capability.
4. Work to address any issues with the timer system to ensure that parking lot lights are turned off at 10:00 p.m.

The motion carried by the roll call vote of 5-0 as follows:

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

**Sign Permit Review**

**a) Case A-02-2022 – 300 E. Ogden Avenue – Current Automotive – Installation of Two (2) Wall Signs**

Kevin Jacobs, representing Current Automotive, was present to address the Plan Commission. Mr. Jacobs stated that Current Automotive is a pre-owned, electric car dealership that has moved into the 300 E. Ogden location. Mr. Jacobs stated the business is doing well and minor building improvements have improved the appearance from Ogden Avenue. Mr. Jacobs stated the application submitted is to replace two (2) wall signs on the building, one on the north tower, the second on the east tower.

Mr. Jacobs requested the sign facing Ogden Avenue (sign number one) be on a photocell, turning on and off from dusk to dawn. Mr. Jacobs stated sign number two would be on a timer and turn on and off based on Village requirements.

Commissioner Carter did not have any questions.

Commissioner Crnovich requested additional background information on the business. Mr. Jacobs stated that Current Automotive has an existing Naperville location that sells pre-owned electric cars of various makers and the brand has expanded to the Hinsdale location, with high visibility, leading to a larger amount of foot traffic in addition to the on-line sales the brand relies on.

Commissioner Curry clarified the cars sold are pre-owned and asked if the business does any repairs on Tesla vehicles. Mr. Jacobs stated that Current Automotive only sells electric cars, no repairs are done. Mr. Jacobs stated that the business does offer public car chargers.

With no further questions or comments, a motion was made by Commissioner Carter, seconded by Commissioner Curry, to approve Case A-02-2022 – 300 E. Ogden Avenue – Current Automotive – Installation of Two (2) Wall Signs as submitted. The motion carried by the roll call vote of 5-0 as follows:

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

**Adjournment**

There being no further business before the Commission, Chairman Cashman asked for a motion to adjourn. Commissioner Krillenberger moved to adjourn the regularly scheduled meeting of the Village of Hinsdale Plan Commission of February 9, 2022. Chairman Cashman seconded the motion.

The meeting was adjourned at 9:52 PM after a unanimous voice vote of 5-0.

ATTEST: \_\_\_\_\_  
Jennifer Spires, Community Development Office

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

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:                     )  
   )  
   )  
 SAMIR & GHADA                        )  
 SHARABATEE, Special Use,            )  
 Case No. A-36-2021                    )  
 5837 South Madison.                  )

CONTINUED 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 February 9, 2022, at the hour of  
 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;  
 MR. JIM KRILLENBERGER, Member;  
 MR. PATRICK HURLEY, Member;  
 MS. CYNTHIA CURRY, Member; and  
 MS. JULIE CRNOVICH, Member.

<div>9</div> <div>1 ALSO PRESENT:</div> <div>2 MS. BETHANY SALMON, Village Planner;</div> <div>3 MR. SAMIR SHARABATEE, Applicant;</div> <div>4 MS. GINA SHARABATEE, Applicant;</div> <div>5 MR. WADE JOYNER, Attorney for Applicant.</div> <div>6</div> <div>7</div> <div>8 CHAIRMAN CASHMAN: Call the Public</div> <div>9 Hearing for Case No. A-36-2021, 5837 South</div> <div>10 Madison Street for a special use permit to allow</div> <div>11 for an automotive repair shop for Hinsdale</div> <div>12 Discount Tires and Automotive, Inc., at 5837</div> <div>13 South Madison Street located in the B-1</div> <div>14 Community Business District. This was continued</div> <div>15 from our meeting on January 12, 2022.</div> <div>16 Is someone here to represent the</div> <div>17 applicant?</div> <div>18 MR. JOYNER: Yes. My name is Wade</div> <div>19 Joyner, I represent the applicant, Hinsdale</div> <div>07:37:33PM 20 Discount Tires, LLC.</div> <div>21 CHAIRMAN CASHMAN: Would you please be</div> <div>22 sworn in and anyone else who may be testifying.</div>	<div>11</div> <div>1 your packet there's some questions and concerns</div> <div>2 and some objections, so I'm going to go through</div> <div>3 those step-by-step, and then I'm going to walk</div> <div>4 through briefly the findings of fact.</div> <div>5 I know from being on the Kane</div> <div>6 County zoning board of appeals that that's</div> <div>7 really kind of one of the most important things</div> <div>8 to go through so I'm going to make sure we go</div> <div>9 through those as well.</div> <div>07:39:36PM 10 So, to begin, this is the zoning</div> <div>11 map and the project location. It's on a busy</div> <div>12 corner, as we can see, it's 5837 South Madison</div> <div>13 Street. To clear up one point of some confusion</div> <div>14 by people who had submitted questions and such,</div> <div>15 we submit under two parcel numbers, one is for</div> <div>16 the service station side, the other is for what</div> <div>17 I would call the shopping center strip mall</div> <div>18 side. We are doing that because that's the</div> <div>19 whole contiguous owned parcel.</div> <div>07:40:20PM 20 The zoning decision you are going</div> <div>21 to be making and we are asking for, only</div> <div>22 concerns the parcel with the auto mechanic</div>
<div>10</div> <div>1 (WHEREUPON, the oath was</div> <div>2 administered to Mr. Joyner,</div> <div>3 Mr. Sharabatee, Ms. Sharabatee</div> <div>4 and Mr. McCarthy.)</div> <div>5 CHAIRMAN CASHMAN: Welcome. If you</div> <div>6 want to give us an overview of the application,</div> <div>7 please?</div> <div>8 MR. JOYNER: Yes, Mr. Chairman. Thank</div> <div>9 you. Again, I'm here with Samir and Gina</div> <div>07:38:23PM 10 Sharabatee. They own the applicant corporation</div> <div>11 and as you may know from looking at the packet,</div> <div>12 there's an existing auto mechanic building there</div> <div>13 which was in operation until 2019, started</div> <div>14 before Hinsdale had a zoning code. So</div> <div>15 essentially it was existing because it was</div> <div>16 grandfathered in, stopped in 2019.</div> <div>17 Under your ordinance since it has</div> <div>18 not been occupied and operating for three</div> <div>19 months, we need to come in and get a special use</div> <div>07:39:02PM 20 permit so that's the purpose of the petition.</div> <div>21 What I'm going to do is give you an</div> <div>22 overview that the chairman asked for. Also in</div>	<div>12</div> <div>1 repair shop. So there will be no parking from</div> <div>2 my clients' customers on the shopping center</div> <div>3 side, no storage of anything, nothing. It's as</div> <div>4 if it doesn't exist for purposes of the petition,</div> <div>5 but again, we needed to have the whole property</div> <div>6 indicated as part of the petition.</div> <div>7 So we received a statement in</div> <div>8 opposition by the homeowner's association</div> <div>9 nearby. I guess the first thing to point out is</div> <div>07:41:04PM 10 that the use we are going to be having is not</div> <div>11 different than the use that terminated in 2019;</div> <div>12 we're just a new tenant. We aren't looking to</div> <div>13 do anything special, extravagant, just an</div> <div>14 ordinary auto mechanic place. So we feel like</div> <div>15 the objections are legitimate, they are sincere,</div> <div>16 I think some of them are based on needing more</div> <div>17 information just to address their concerns and</div> <div>18 some I think are just not well taken in the</div> <div>19 context of what was already there and what we're</div> <div>07:41:45PM 20 seeking.</div> <div>21 So let's walk through seven</div> <div>22 objections or concerns that they have. If you</div>

<p style="text-align: center;">13</p> <p>1 go to Page 2 of the objection letter at the  2 bottom, there's seven points they mention and so  3 I'll just go through them one at a time.  4           The first one is limiting the use  5 permit operation of a repair facility on  6 Parcel 1. As I've just discussed. Yes.  7           No. 2, limiting parking to Parcel 1  8 and prohibiting the parking of vehicles awaiting  9 repair on parcel 2 or the street. Again, yes.  10           No. 3, limiting the number of  11 vehicles awaiting repair that could be parked  12 outside on Parcel 1 at any one time to six  13 vehicles.  14           As a practical matter, that's  15 probably going to be about what happens but in  16 terms of someone trying to operate a business, a  17 restriction that there can only be six vehicles  18 parked there I don't think is realistic.  19           I'm sure all of you have been to  20 auto repair shops and there may be ten cars  21 there, four of them are getting oil changes and  22 they will be taken care of fairly quickly and</p>	<p style="text-align: center;">15</p> <p>1 restriction as to the number of employees who  2 are going to work there. It seems that the  3 number of employees working there should be the  4 number that's needed to operate the business. I  5 just don't understand why that's something that  6 they would oppose. Maybe they will have some  7 explanation but I didn't understand it.  8           No. 4, require the applicant to  9 maintain the proposed repair facility in good  10 condition and repair. Yes, of course. We will  11 absolutely do that. And again if they didn't,  12 then there would be remedies the village of  13 Hinsdale has, including pulling the special use  14 permit. It's not going to happen, I'm just kind  15 of pointing out there's some remedies you guys  16 automatically have in place.  17           Prohibiting the storage of -- and a  18 list of things -- and prohibiting exterior  19 storage of refuse. Basically they don't want  20 any storage outside or garbage outside or  21 anything like that. And again, yes, we have no  22 intention of doing that.</p>
<p style="text-align: center;">14</p> <p>1 maybe three of them have major repairs and will  2 be done that day and maybe two or three of them  3 will be something that's not quite done that day  4 or done overnight. So I just think six vehicles  5 or any numerical restriction is not going to be  6 helpful for the business and we also have I  7 believe it's over 50 parking spaces allotted so  8 it's not like there's going to be crammed in  9 parking.  10           Just to kind of spinoff on that,  11 one of the concerns might be that this is going  12 to start looking like a used car lot or a  13 junkyard or something like that. Understandable  14 fear as I'm sure there are places that do that  15 sort of thing but that's not what this property  16 is all about. That's not what their business is  17 all about. So it's going to be cars that are  18 being repaired or waiting to be repaired.  19           So the next one, 4, is limiting the  20 size of the operation conducted to one staff by  21 no more than four individuals at any one time.  22           I'm not sure why there should be a</p>	<p style="text-align: center;">16</p> <p>1           No. 7, limiting the number of  2 dumpsters on the site to no more than two  3 dumpsters no larger than five cubic yards in  4 size. So this is one I don't quite understand  5 and I guess would like them to explain if they  6 would like to.  7           Because, like, in No. 6 they are  8 saying they don't want any outside storage or  9 waste and we should put it all in dumpsters and  10 then they want the village to limit the  11 dumpsters to no more than two. So I just feel,  12 like, again, there shouldn't be a restriction on  13 the number of dumpsters and certainly not two.  14           So when I look at these seven  15 concerns, I believe we've satisfied the concerns  16 in a reasonable way as I just talked about. I  17 know they list those and say this is why we are  18 objecting. I think when you look at those  19 things, I really don't think the objection is  20 well-founded. And I love the letter and it's  21 got the objections set out and all that so we  22 could look at it and prepare. I wish people</p>

<p style="text-align: center;">17</p> <p>1 coming to our zoning board would do that more  2 often, so I appreciate all the work they put  3 into it.  4 If you go to Page 3 of their  5 objection letter, this is about my clients'  6 business in Franklin Park on Mannheim Road and  7 they attached some photos as well. I think  8 someone from the association drove by and took  9 some photos.  10 I think the first thing to remember  11 is Franklin Park is very different than Hinsdale  12 and Franklin Park zoning is very different than  13 Hinsdale. And that area is not surrounded by  14 residences. So just a few things to consider.  15 The other thing to think about is  16 my clients have not received any notice of a  17 zoning violation or anything of the sort from  18 the village of Franklin Park and what they say  19 in part A, the objectors, is a total of 14  20 vehicles parked on or adjacent to the site, 5 in  21 a fenced lot next to the site, 5 vehicles across  22 the street and 4 vehicles directly in front of</p>	<p style="text-align: center;">19</p> <p>1 so you don't have like a bunch of cars parked  2 there because here's your appointment, here's  3 when you can come in.  4 I'm sure we have all driven into an  5 auto repair place without making an appointment  6 to get something done or have a noise looked at.  7 They only take those drive ups if it's something  8 that can be done quickly because they are  9 already filled up with appointments or if they  10 happen to have an opening. So they try to  11 manage their workload by doing it through  12 appointments.  13 So they asked the question of how  14 much more volume would the applicant add with  15 five bays at the former JMS site instead of  16 three at its existing repair facility, I guess  17 the one in Franklin Park.  18 Well, I don't know. I just told  19 you kind of our procedure for how they are going  20 to operate their business. The prior occupant  21 had five bays and operated the business.  22 I have not checked to see if there</p>
<p style="text-align: center;">18</p> <p>1 the garage bays. This is well over double the  2 volume at the formerly JMS site.  3 Well, just to kind of break that  4 down factually. The five in the fenced lot next  5 to the site aren't my clients' property, aren't  6 their cars, cars that he was working on.  7 Five vehicles across the street,  8 same thing, not my clients' property, not  9 vehicles waiting to be repaired.  10 And then four vehicles directly in  11 front of the garage bays, yes, those are four  12 vehicles that were there to be worked on. I'm  13 not sure what the volume was at the former JMS  14 site specifically. I'm not sure how the  15 objectors know what the volume was but as we  16 discussed how we are going to run the operation  17 there in terms of the vehicles that are going to  18 be there for repair and that sort of thing.  19 One thing to remember about the  20 repair facility, about from 80 to 90 percent of  21 the cars they work on are by appointment. So  22 that's the way they can pace out what's going on</p>	<p style="text-align: center;">20</p> <p>1 are any complaints about the prior business  2 based on too many cars or anything like that,  3 but I doubt there have been and they certainly  4 would have been brought up in their detailed  5 memo.  6 So B, approximately 27 5-gallon  7 plastic water jugs stored outside on the site  8 with many, if not all of them, empty, lying  9 scattered about on the ground.  10 I talked to my clients about that.  11 There are the big water containers that people  12 use. You know, it's not his practice to have  13 things stored in the back and like that, so if  14 they were there, it was because he had not quite  15 put them in the dumpster or something like that;  16 I'm not really sure.  17 What I am sure about is as we said  18 with the prior seven things, my clients have no  19 interest in having anything outside in terms of  20 storage or garbage or anything like that. I  21 would hope to have more than two dumpsters so we  22 could do that.</p>

<p style="text-align: center;">21</p> <p>1 Also in the Mannheim site a broken  2 fence that needed repair around the site parking  3 lot. Not exactly sure what that is. We think  4 it's a city fence because it's next to city  5 property. But again, there's no fences at the  6 Hinsdale facility so I'm not sure how that's  7 applicable.</p> <p>8 And then number D, sort of getting  9 kind of the zoning. There are exterior storing  10 racks in the Franklin Park facility and that's  11 okay because Franklin Park allows that. There  12 are not going to be exterior storage here or  13 garbage strewn about or whatever, not that there  14 would be in Franklin Park, because Hinsdale  15 doesn't allow that. So that's a bit of the kind  16 of apples and oranges.</p> <p>17 So I think I have walked through  18 all the points the objectors have made and I  19 believe, Mr. Chairman, the process is I'll  20 finish talking and then you will ask any  21 questions about all of that. Okay.  22 I'll go over the next item a little</p>	<p style="text-align: center;">23</p> <p>1 hard to answer it because outside on an average  2 day, I don't know if that means at any one time,  3 or throughout the day there are three and then  4 three more and then three more, but again  5 there's plenty of parking to take care of  6 whatever cars are there.</p> <p>7 And then what we also point out in  8 answer to No. 7 on the top one but also in 5,  9 they have a shop policy that if vehicles are not  10 picked up by the end of the day, there will be a  11 \$75 fee applied. So car's done, come pick it up  12 or you are paying an extra \$75.</p> <p>13 There will be some cars, like I  14 said, that may stay overnight because they  15 needed more repairs than they thought or for  16 some reason but it's the exception not the rule  17 and that fine tends to keep people from not  18 picking up their cars.</p> <p>19 Employers and employees at Mannheim  20 about five. And then three employees  21 approximately when they start and hopefully the  22 business will do well and they will get up to</p>
<p style="text-align: center;">22</p> <p>1 more quickly. So there were some questions that  2 were submitted in writing that Bethany then sent  3 to us and we answered.</p> <p>4 The top of the page says, Questions  5 related to the applicant's current auto repair  6 facility and some of them asked questions about  7 that facility and asked the same questions, for  8 the most part, about what this facility would  9 be. So I'm just going to combine as much as I  10 can.</p> <p>11 So again, their hours of operation  12 will be the same, Monday through Friday 9:00 a.m.  13 to 6:00 p.m., Saturday 9 to 4 and closed on  14 Sunday. Serve approximately 15 to 20 vehicles,  15 again, for both facilities. In a week during  16 2021 they said about 80 or 90 vehicles. An  17 average for the year about 70 vehicles and those  18 numbers they anticipate at this facility as  19 well.</p> <p>20 How many vehicles parked outside on  21 average day waiting repairs? Two to three days,  22 one to two depending on service. It's a little</p>	<p style="text-align: center;">24</p> <p>1 five employees, maybe six or seven. So that's  2 that.</p> <p>3 How many vehicles were serviced at  4 the Mannheim facility in 2021. Roughly 2,880  5 vehicles serviced and who's responsible for  6 maintenance. Samir Sharabatee is responsible  7 for maintenance.</p> <p>8 So then turning to the specifics of  9 the questions regarding the Hinsdale facility,  10 contemplating any modifications to the facility;  11 we do not.</p> <p>12 Again, asking about parking in the  13 adjacent shopping center. No. And then will  14 you, as the operator of the repair facility,  15 have a legal right by lease, sublease or other  16 contractual arrangement to park vehicles  17 waiting service in the adjacent shopping center.  18 Again, no. We don't. We don't want that right.  19 We are not going to seek it and of course, if we  20 ever did, which I don't think we ever would, we  21 would need to come back here for your permission  22 to do that.</p>

<p style="text-align: center;">25</p> <p>1                So you've probably driven by it  2 even before the petition was done but here's  3 just a photograph towards the end of your packet  4 and the front view of it that we took and then  5 another view. There is a canopy there, used to  6 be for gas pumps. We are not going to be doing  7 any of that obviously we need to ask you and we  8 have no interest in doing that.  9                So I want to go back now to the  10 findings of fact for special use. So the first  11 one is -- I'm sure you know these almost by  12 memory. Will the development be in harmony with  13 the general and specific purposes in which the  14 code was enacted? I say yes, it is.  15                Clearly the property is zoned B-1,  16 it's a special use in that district. As I said,  17 it's been an automotive facility before the code  18 was enacted.  19                Any undue adverse impact. I don't  20 think so. It was used as an automotive repair  21 shop and there weren't any adverse impacts back  22 then that any of us are aware of.</p> <p>07:57:27PM</p> <p>07:58:01PM</p>	<p style="text-align: center;">27</p> <p>1 interference. I don't, again, recall any  2 complaints about interference back when it was  3 operating since I think the '60s.  4                Adequate public facilities. I  5 don't think there's any question there are  6 adequate public facilities.  7                No traffic congestion. Again, it's  8 been there for a long time, there's been traffic  9 there before. I don't see that as an issue.  10                No destruction of significant  11 features. Well, we are not doing any changes or  12 improvements. Might be a stretch but it's an  13 old building that's been there for a long time  14 so maybe it's a significant feature for the  15 area, I don't know.  16                Compliance with standards. It does  17 comply with the standards, including requirements  18 of Article 10, which as you probably recall, goes  19 towards properties that have predated the code  20 and are continuing to exist.  21                Special standards for specified  22 special uses. I'm not aware of any.</p> <p>07:59:44PM</p> <p>08:00:18PM</p>
<p style="text-align: center;">26</p> <p>1                The character of the area. Well, I  2 think it's been there since most of the things  3 around it have built up, so it's always been  4 part of the character of the area.  5                And the public health, safety and  6 general welfare, again, I think it's been there  7 for a long time and there are no access issues.  8 I don't know, I think it's nice to have a place  9 close to where I live to get the car repaired  10 and that sort of thing, so I think it's a  11 positive.  12                And also, we can't ignore that this  13 is an empty building right now and that's not  14 good for business or tax dollars or sales tax or  15 anything like that. So I think it's a good  16 thing that this is going back in to business for  17 the village.  18                No interference with surrounding  19 developments. Again, things were built up around  20 this building, so any impact on surrounding  21 development was done by the people who built  22 around there but I don't see how there's any</p> <p>07:58:40PM</p> <p>07:59:11PM</p>	<p style="text-align: center;">28</p> <p>1                Is there public benefit? I think  2 so, for the reasons I just talked about, how  3 it's going to benefit the public.  4                And alternate locations. Can this  5 be met -- this use be met by going to a  6 different location where it would be more  7 appropriate? I think the answer there is no.  8 Because historically that property has been  9 there and been there since prior to the other  10 developments.  11                Mitigation of adverse impacts. I'm  12 really not aware of any adverse impacts that  13 need to be mitigated. We discussed how it's  14 going to operate and I don't think that creates  15 any additional adverse impacts than it was  16 operating before.  17                I won't go through it in detail but  18 the bottom of the findings of fact, what I put,  19 I went around, I researched all the parcels all  20 around and all of them were built after the  21 automotive place was operating. Not everyone  22 who owns those properties were there while it</p> <p>08:00:54PM</p> <p>08:01:20PM</p>

<p style="text-align: center;">29</p> <p>1 was operating but the properties themselves have</p> <p>2 all been there. So when people bought the</p> <p>3 properties, they bought knowing that there was</p> <p>4 actually an ongoing auto mechanic shop. So I</p> <p>5 don't think knowingly buying into an auto</p> <p>6 mechanic shop and coming in to object, I'm not</p> <p>7 saying that's what everyone is doing, they kind</p> <p>8 of knew what they were doing and I think it's</p> <p>9 going to enhance. I don't want to be -- because</p> <p>08:02:08PM 10 I do a lot of litigation, I'm probably sounding</p> <p>11 a little bit belligerent, but I think it is</p> <p>12 great that they are making objections, they are</p> <p>13 involved in the community, want to make sure</p> <p>14 it's a good community and this is going to be</p> <p>15 good for them, I think that's wonderful. So if</p> <p>16 I came across a little bit differently than that</p> <p>17 view, I apologize for being in court for too</p> <p>18 many times. So that's really all I had to say.</p> <p>19 Lastly, I just wanted to thank</p> <p>08:02:36PM 20 Bethany because she was very helpful with me in</p> <p>21 terms of putting everything together so when we</p> <p>22 came before you, it would be smooth and</p>	<p style="text-align: center;">31</p> <p>1 MR. JOYNER: If it said offsite --</p> <p>2 MR. HURLEY: It is.</p> <p>3 MR. JOYNER: Probably should be on.</p> <p>4 It's a typo. Yes, there's not going to be any</p> <p>5 offsite parking.</p> <p>6 CHAIRMAN CASHMAN: In the last</p> <p>7 paragraph.</p> <p>8 MR. HURLEY: Yes.</p> <p>9 MR. JOYNER: Apologize for that.</p> <p>08:03:55PM 10 CHAIRMAN CASHMAN: No problem.</p> <p>11 MS. CURRY: I had another question I</p> <p>12 wanted to ask you.</p> <p>13 Your building in Franklin Park, is</p> <p>14 that owned or leased?</p> <p>15 MR. JOYNER: Leased. Been there for</p> <p>16 seven years.</p> <p>17 MS. CURRY: Okay. I just have to say</p> <p>18 that whether you are in Franklin Park or whether</p> <p>19 you are in Hinsdale, it's -- I think you should</p> <p>08:04:26PM 20 take care of things appropriately no matter</p> <p>21 where you are. Franklin Park says you don't</p> <p>22 have to do this, you don't have to do it so I</p>
<p style="text-align: center;">30</p> <p>1 hopefully it has been.</p> <p>2 Thank you very much for your time.</p> <p>3 Obviously, we would love a positive vote and</p> <p>4 moving on to the next phase. Any questions?</p> <p>5 CHAIRMAN CASHMAN: Thank you.</p> <p>6 Cynthia?</p> <p>7 MS. CURRY: Just one question. You</p> <p>8 referred in your application that there would be</p> <p>9 offsite outdoor parking. Where is that going to</p> <p>08:03:08PM 10 be? If cars were still there, it would -- I</p> <p>11 should have underlined it but I made a note to</p> <p>12 myself, that you would have a spot to do offsite</p> <p>13 outdoor parking.</p> <p>14 MR. JOYNER: I wish I had it in front</p> <p>15 of me. There's not going to be any offsite</p> <p>16 outdoor parking.</p> <p>17 CHAIRMAN CASHMAN: Do you mean onsite?</p> <p>18 MS. CURRY: I thought it said offsite.</p> <p>19 I thought there was something in here that said</p> <p>08:03:32PM 20 -- did anybody else see it?</p> <p>21 MR. HURLEY: Yes, it's right here at</p> <p>22 the bottom.</p>	<p style="text-align: center;">32</p> <p>1 look at that and I'm concerned are we going to</p> <p>2 have to be watchdogs of the property?</p> <p>3 MR. JOYNER: I don't think so. My</p> <p>4 client actually brought some photos that he had</p> <p>5 taken of it today and he does try to keep</p> <p>6 things -- the only thing I saw that looked not</p> <p>7 good were the 27 water bottles that were out</p> <p>8 there, I guess. That's certainly not typical.</p> <p>9 The other items, we didn't have</p> <p>08:05:10PM 10 cars everywhere. We went through that. And in</p> <p>11 terms of exterior storage of things, that's</p> <p>12 allowed under Franklin Park zoning but we try to</p> <p>13 keep it neat and clean.</p> <p>14 I have known them for a while.</p> <p>15 They have been around a long time. Samir has</p> <p>16 been in our country since 12, kind of a great</p> <p>17 American dream story. I think -- what I always</p> <p>18 go back to in these kind of things. How</p> <p>19 terrible for business would it be if they didn't</p> <p>08:05:43PM 20 keep the property clean, including in Franklin</p> <p>21 Park. People aren't going to go there so it's</p> <p>22 counter to running a good business and like I</p>

<p style="text-align: center;">33</p> <p>1 said, he's been at that facility for seven years</p> <p>2 and it's his business, he's expanding his</p> <p>3 business. Does that answer your question?</p> <p>4 MS. CURRY: A little.</p> <p>5 MR. JOYNER: Okay.</p> <p>6 MS. CURRY: And I'm glad that things</p> <p>7 are cleaned up, but I just feel that that's a</p> <p>8 presence that no matter what community you are</p> <p>9 in.</p> <p>08:06:17PM 10 This is a bigger volume business</p> <p>11 clearly than the existing business or the</p> <p>12 business that was there, JMS. I don't think he</p> <p>13 did that level of business and I'm not sure, was</p> <p>14 that a tire center before or was it just engine</p> <p>15 repair there or was it just tune-ups and things?</p> <p>16 MR. KRILLENBERGER: It was a regular</p> <p>17 gas station.</p> <p>18 MS. CURRY: It was a gas station. So</p> <p>19 this is a huge step up. So when you reference</p> <p>08:06:40PM 20 that things have changed, people built houses</p> <p>21 there, they built it, it was still kind of a</p> <p>22 quiet station. We all used it periodically. It</p>	<p style="text-align: center;">35</p> <p>1 You have your appointments, you know what parts</p> <p>2 you are going to need, tires, you can get those</p> <p>3 pretty quickly, so there's not a ton of -- it's</p> <p>4 not going to be like when you go to Just Tires</p> <p>5 and there's racks and racks and racks of tires</p> <p>6 everywhere. So the nature of the business in</p> <p>7 terms of storage space is sufficient.</p> <p>8 MS. CURRY: So would you say that it's</p> <p>9 more of a tire center if you had to say</p> <p>08:08:21PM 10 50 percent new tires, 50 percent repairs, that's</p> <p>11 a lot of tires, or is that? Is the -- it's a</p> <p>12 tire center; right?</p> <p>13 MR. JOYNER: It's a repair and tires.</p> <p>14 MS. CURRY: Okay. So I imagine there</p> <p>15 will be trucks dropping off, picking up tires</p> <p>16 because you don't have that much room inside,</p> <p>17 right?</p> <p>18 MR. JOYNER: There will be trucks</p> <p>19 coming in and dropping off tires and whatever</p> <p>08:08:48PM 20 else, sure.</p> <p>21 MS. CURRY: I might have another</p> <p>22 question, but I'm good. Thank you.</p>
<p style="text-align: center;">34</p> <p>1 was there and then kind of not there. This is</p> <p>2 going to be a big presence and I don't think it</p> <p>3 was a tire center and my concern is it's not a</p> <p>4 big parcel, where are you going to put tires?</p> <p>5 If you are doing engine work, where are you</p> <p>6 going to store those things?</p> <p>7 MR. JOYNER: The interior of the</p> <p>8 property is sufficient for putting in things.</p> <p>9 MS. CURRY: Inside?</p> <p>08:07:09PM 10 MR. JOYNER: Yes, it's all inside.</p> <p>11 CHAIRMAN CASHMAN: The section that</p> <p>12 projects to the east, that's two-story, right?</p> <p>13 MR. JOYNER: Yes.</p> <p>14 CHAIRMAN CASHMAN: There's a stair up</p> <p>15 to the upper level, so areas for two levels of</p> <p>16 storage at the north end, like the last two</p> <p>17 bays?</p> <p>18 MR. JOYNER: Yes. So, I mean, we can't</p> <p>19 have outdoor storage and we don't want to and we</p> <p>08:07:38PM 20 are not going to. I mean, there's a lot more --</p> <p>21 two of the other businesses in the area, a lot</p> <p>22 more that I would call just in time you can do.</p>	<p style="text-align: center;">36</p> <p>1 CHAIRMAN CASHMAN: Jim?</p> <p>2 MR. KRILLENBERGER: I guess I don't</p> <p>3 have many questions.</p> <p>4 Mechanical diagnostic repair and</p> <p>5 maintenance places they aren't that loud. I</p> <p>6 don't know.</p> <p>7 MR. JOYNER: I haven't found them to be</p> <p>8 loud in my experience.</p> <p>9 MR. KRILLENBERGER: We have an existing</p> <p>08:09:12PM 10 provider here and they seem to get along well</p> <p>11 with the neighbors.</p> <p>12 I like the idea that there's</p> <p>13 activity there. I like the idea since that has</p> <p>14 been vacant since 2019. It's invigorating to</p> <p>15 the community and I do like the idea of an</p> <p>16 additional provider. It sounds like you're</p> <p>17 addressing a lot of the concerns but I'd be</p> <p>18 interested in hearing the other side of that</p> <p>19 discussion. So those are my observations.</p> <p>08:09:39PM 20 MR. JOYNER: Me too.</p> <p>21 CHAIRMAN CASHMAN: Pat?</p> <p>22 MR. HURLEY: The only thing I was going</p>

<p style="text-align: center;">37</p> <p>1 to ask about is you mentioned that it wouldn't</p> <p>2 be -- I don't know if it's possible but</p> <p>3 certainly not desirable to be limited to two</p> <p>4 dumpsters of five cubic yards each.</p> <p>5 What would you be comfortable with</p> <p>6 and the quantity and its volume?</p> <p>7 MR. JOYNER: If you don't mind, I'll</p> <p>8 answer your question but I have to ask my</p> <p>9 clients, see what they think.</p> <p>08:10:28PM 10 I think given the dumpster sizes,</p> <p>11 they have mentioned four I think would be</p> <p>12 probably a -- I mean, I'd rather be expressed in</p> <p>13 terms of cubic yards of dumpster because they</p> <p>14 have different sizes. It might make sense to</p> <p>15 have one bigger one rather than two little ones.</p> <p>16 If you want to put four that size, that's fine.</p> <p>17 If you want to do it in cubic yards, that would</p> <p>18 be our preference.</p> <p>19 CHAIRMAN CASHMAN: Julie?</p> <p>08:10:59PM 20 MS. CRNOVICH: First of all, I do</p> <p>21 understand the neighbors' concerns and it's</p> <p>22 important that we listen to the neighbors. I</p>	<p style="text-align: center;">39</p> <p>1 MR. JOYNER: Yes. We have an overview.</p> <p>2 They will be in the rear where they were before.</p> <p>3 MS. CRNOVICH: Is there room back there</p> <p>4 for say two dumpsters?</p> <p>5 MR. JOYNER: There is. There's plenty</p> <p>6 of room for that.</p> <p>7 MS. CRNOVICH: Okay. Another concern</p> <p>8 that I have is meant more for the owner of the</p> <p>9 strip mall. The mall is looking kind of sad and</p> <p>08:12:20PM 10 I think could really use some spiffing up,</p> <p>11 especially with all the vacant storefronts it's</p> <p>12 looking more than sad. I think it would be a</p> <p>13 positive for the neighboring property owners and</p> <p>14 the village if they would pay some attention to</p> <p>15 that. It looks like they are trying to attract</p> <p>16 new businesses.</p> <p>17 MR. JOYNER: Yes. I've written it</p> <p>18 down. I'm going to call the owner, the same</p> <p>19 owner, and I'm going to tell them.</p> <p>08:12:50PM 20 MS. CRNOVICH: Okay. Thank you.</p> <p>21 Those are all the questions I have</p> <p>22 for now.</p>
<p style="text-align: center;">38</p> <p>1 think you've answered all of the questions that</p> <p>2 they have for now.</p> <p>3 Storage of tires, that will be</p> <p>4 inside?</p> <p>5 MR. JOYNER: Yes. There will be no</p> <p>6 outdoor storage.</p> <p>7 MS. CRNOVICH: Is the building</p> <p>8 soundproofed?</p> <p>9 MR. JOYNER: Well, it's thick brick; I</p> <p>08:11:22PM 10 know that.</p> <p>11 MS. CRNOVICH: So its noise will it be</p> <p>12 -- I think that came up with Land Rover.</p> <p>13 MR. JOYNER: We don't have acoustic</p> <p>14 tiles but the brick will take care of it.</p> <p>15 MR. KRILLENBERGER: I think the</p> <p>16 proximity is different than Land Rover. And</p> <p>17 you're closing at what time?</p> <p>18 MR. JOYNER: 6:00.</p> <p>19 MR. KRILLENBERGER: 6:00 p.m.</p> <p>08:11:45PM 20 MS. CRNOVICH: Maybe, Jim.</p> <p>21 The enclosure in the rear, is that</p> <p>22 where the dumpsters will be?</p>	<p style="text-align: center;">40</p> <p>1 CHAIRMAN CASHMAN: Shelley?</p> <p>2 MS. CARTER: A couple of mine have</p> <p>3 already been asked but the two that I have</p> <p>4 remaining are is this business in addition to</p> <p>5 the one in Franklin Park or a replacement?</p> <p>6 MR. JOYNER: The answer is it's in</p> <p>7 addition to, a second location.</p> <p>8 MS. CARTER: And going back to the</p> <p>9 dumpsters, location of the dumpsters, so they</p> <p>08:13:19PM 10 would be around back, is there enough room so --</p> <p>11 we we're talking cubic feet could all of them go</p> <p>12 back there if there was more of them? How much</p> <p>13 space in the back for dumpsters?</p> <p>14 CHAIRMAN CASHMAN: It's just under 60</p> <p>15 feet deep by about 20 feet. It's pretty big.</p> <p>16 MS. CARTER: Okay.</p> <p>17 MR. JOYNER: And I'll turn it back on</p> <p>18 you if maybe you're concern is we are going to</p> <p>19 have dumpsters in front.</p> <p>08:13:45PM 20 MS. CARTER: Or on the sides.</p> <p>21 MR. JOYNER: No. In fact, if you want</p> <p>22 to put that in as a condition.</p>

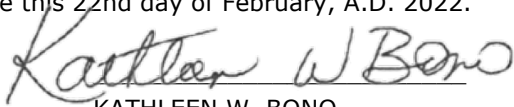
<p style="text-align: center;">41</p> <p>1 MS. CARTER: If they are hidden, I</p> <p>2 don't know that me personally care about the</p> <p>3 number, but I want to make sure there's enough</p> <p>4 space that they are not seeping around the side</p> <p>5 or in the front, that they can all be hidden in</p> <p>6 the back.</p> <p>7 MR. JOYNER: Yes. What you have kind</p> <p>8 of triggered in me is that maybe just saying</p> <p>9 dumpsters will be located in the back would be</p> <p>08:14:08PM 10 sufficient to satisfy.</p> <p>11 CHAIRMAN CASHMAN: Within a fenced</p> <p>12 enclosure.</p> <p>13 MR. JOYNER: Yes, would be sufficient</p> <p>14 rather than cubic footage or such.</p> <p>15 CHAIRMAN CASHMAN: I just looked at the</p> <p>16 photo. It's a stockade fence, this is a solid</p> <p>17 wood fence with the gates to the south.</p> <p>18 MS. CRNOVICH: Which is good since</p> <p>19 dumpsters should be screened.</p> <p>08:14:51PM 20 CHAIRMAN CASHMAN: Right.</p> <p>21 Any more questions, Shelley?</p> <p>22 (Cross talking.)</p>	<p style="text-align: center;">43</p> <p>1 arrangement but that's something --</p> <p>2 MR. JOYNER: I doubt it. I think all</p> <p>3 of us have probably lived in apartments where</p> <p>4 you're allowed one space and you need two cars,</p> <p>5 so they are trying to figure out what to do.</p> <p>6 But we will look into that as well because we</p> <p>7 don't want a bunch of cars parked there.</p> <p>8 CHAIRMAN CASHMAN: It's actually kind</p> <p>9 of fascinating looking at the plat of survey</p> <p>08:16:10PM 10 that there's not even an easement for the</p> <p>11 parking spaces that are on the property of that</p> <p>12 apartment building.</p> <p>13 MR. JOYNER: Correct.</p> <p>14 CHAIRMAN CASHMAN: Which is bizarre to</p> <p>15 me that's not a dedicated easement but just, you</p> <p>16 know, it's probably just two neighbors agreeing</p> <p>17 to provide access.</p> <p>18 Any other questions, Shelley?</p> <p>19 MS. CARTER: No.</p> <p>08:16:31PM 20 CHAIRMAN CASHMAN: Okay. I have a few.</p> <p>21 I do think a condition that the</p> <p>22 dumpsters be within the fence enclosure is</p>
<p style="text-align: center;">42</p> <p>1 MS. CARTER: No. That's it.</p> <p>2 MS. CURRY: The owner of the building</p> <p>3 should take a good -- I have ones from the</p> <p>4 alleyway, I don't know if anyone wants to see</p> <p>5 them, that's kind of amazing.</p> <p>6 MR. JOYNER: Looking sad.</p> <p>7 MS. CURRY: Just the fence behind the</p> <p>8 building. Is that owned by --</p> <p>9 CHAIRMAN CASHMAN: Yes, that's on their</p> <p>08:15:18PM 10 parcel. What's interesting is the 17 parking</p> <p>11 spaces that face the other parcel, it almost</p> <p>12 appears that some of it they're being used by</p> <p>13 the apartment building.</p> <p>14 MS. CRNOVICH: I was wondering about</p> <p>15 that.</p> <p>16 MS. CURRY: I was too.</p> <p>17 CHAIRMAN CASHMAN: From what I saw</p> <p>18 today, I mean, obviously no one is in the motor</p> <p>19 building right now so someone is parking along</p> <p>08:15:39PM 20 there and there's about at least six vehicles,</p> <p>21 one as you can tell that had just recently left</p> <p>22 before the snow. I don't know if there's an</p>	<p style="text-align: center;">44</p> <p>1 important. It won't be unsightly and as many as</p> <p>2 they need, I think that's a business operational</p> <p>3 question. We don't as a zoning ordinance get</p> <p>4 into --</p> <p>5 MR. JOYNER: Certainly we won't be</p> <p>6 paying for more dumpsters than we need.</p> <p>7 CHAIRMAN CASHMAN: And I do appreciate,</p> <p>8 I think the association did a nice job of really</p> <p>9 thoughtfully going through this and I appreciate</p> <p>08:16:57PM 10 the fact that this wasn't like no, we object but</p> <p>11 here's, like, the issues that we had concerns</p> <p>12 with.</p> <p>13 And of the seven, I do feel like</p> <p>14 you did respond to basically four of the seven,</p> <p>15 the first two. The two about -- No. 3 and No. 4</p> <p>16 about limiting vehicles, size of operation,</p> <p>17 staff, we have had this come before us in the</p> <p>18 past. The zoning ordinance focuses on zoning</p> <p>19 and building, we don't restrict business</p> <p>08:17:25PM 20 operations.</p> <p>21 I mean this came up on a bank. So</p> <p>22 long as they comply with parking, setbacks, all</p>

<p style="text-align: center;">45</p> <p>1 that thing, we don't really get inside the  2 building and talk about how many bank employees  3 they can have. The zoning ordinance is designed  4 to supply adequate parking, access, buffer to  5 residential and all that but I think those two  6 questions really are not something that we as a  7 plan commission have authority on and I kind of  8 believe that when it comes to dumpsters, it's  9 the same thing. It's not something that's in  10 our zoning ordinance.</p> <p>11 The appearance and the screening of  12 them does, so I think that's where it's great  13 that there's that screening and it's a large  14 area and if they are not using outside storage  15 for tires or anything else, that's a large place  16 that you could store dumpsters.</p> <p>17 Parking, I mean, there's 29 spaces  18 on those two parcels, which are basically part  19 of it, and you basically need a dozen. So if  20 you even have five employees, six employees, you  21 have plenty of room for storage of vehicles that  22 are being repaired plus five bays.</p>	<p style="text-align: center;">47</p> <p>1 New Mexico and not here so here I am.  2 I think Mr. Hanson's letter covered  3 our concerns pretty well so I'm not going to  4 beat that dead horse and I know you have all  5 read it just from hearing your questions.  6 I do want to point out a few  7 things. No. 1, this came in front of the board  8 and we discussed it in depth and it was a  9 unanimous vote opposing this. This vote was  10 cast by some people who were customers for many  11 years of JMS, people who had been going there  12 forever.  13 The question here is not really,  14 you know, regarding the special use permit. JMS  15 ran a nice operation, they stopped, the permit  16 expired. Now somebody else is coming in. The  17 question is: Is it still appropriate to have a  18 gas station or a shop at that location? And  19 even more bigger question for us: Is this the  20 right business to be there? Because I think you  21 have to look at that one. I think you pointed  22 out earlier that just because Franklin Park</p>
<p style="text-align: center;">46</p> <p>1 I recall when I moved here in '66,  2 it was an active gas station. I used it once I  3 was able to drive. My parents went there. It  4 was much busier back in that period when it was  5 a gas station and repair and then when they quit  6 selling gas, then it become a little quieter  7 operation but it has been there for quite a long  8 time. I'm fairly certain it was there in '66.  9 I think you answered most of my  10 questions but I did want to have at least one  11 gentleman that wants to speak to this matter.  12 If you would like to come up and give us your  13 name and your address.  14 MR. JOYNER: Thank you, all.  15 CHAIRMAN CASHMAN: Okay. Thank you.  16 MR. MCCARTHY: Evening. Thanks for  17 having me here tonight. My name is Jim  18 McCarthy. I'm here on behalf of the Golfview  19 Hills Homes Association; I'm the secretary. Our  20 president Ron Hanson is the person who drafted  21 the letter that you've all received. He is  22 unfortunately, or fortunately in his case, in</p>	<p style="text-align: center;">48</p> <p>1 might let you get away with something, you  2 shouldn't do it and that's our concern here is  3 that they've proven the way they run their  4 operation in Franklin Park.  5 The woman who took the pictures is  6 here. Nobody is contesting I think that those  7 pictures are saying those are inadequate.  8 The area around that gas station  9 has grown up over the years. I know many of you  10 have been here a long time. I have. There were  11 a lot of other businesses along Madison Street  12 too that are long gone that probably would not  13 have been an appropriate use under current  14 situations. I mean, Belluomini's for one. Who  15 here hasn't ever been at Belluomini's? But  16 could they ever reopen? I haven't, but there  17 were other business along there. Times have  18 changed and the question is: Is that something  19 that we want in a residential neighborhood? I  20 would submit our board says no.  21 We are literally right across the  22 street from that gas station. We also see the</p>

<p style="text-align: center;">49</p> <p>1 condition of the other stores that are in that</p> <p>2 complex and we have concerns about that too.</p> <p>3 One of the big issues here for us</p> <p>4 is -- and there's some confusion maybe -- you</p> <p>5 have three parcels here. Why are all three of</p> <p>6 them subject to this application? I mean, if</p> <p>7 the board was inclined, the commission was</p> <p>8 inclined to approve this, it should be limited</p> <p>9 strictly to Parcel 1. Period.</p> <p>08:22:25PM 10 The parking space issue that we</p> <p>11 were talking about earlier, I think 50 spaces</p> <p>12 was mentioned. I look at the aerial picture and</p> <p>13 we count maybe 16. If you include Parcel 3,</p> <p>14 which is basically the alley behind the</p> <p>15 property, that's not part of the lease</p> <p>16 agreement, at least according to what I've seen</p> <p>17 here, and we definitely don't want them parking</p> <p>18 cars in the rest of the strip mall.</p> <p>19 So if you were inclined to approve</p> <p>08:22:52PM 20 that, we would want the kind of conditions</p> <p>21 imposed that are spelled out in our objection</p> <p>22 letter.</p>	<p style="text-align: center;">51</p> <p>1 I'm wondering why it was vacate so long but it</p> <p>2 was just did he decide to retire?</p> <p>3 MR. KRILLENBERGER: I don't know the</p> <p>4 answer though I thought it was longer.</p> <p>5 CHAIRMAN CASHMAN: I thought it was</p> <p>6 longer than that. Seems like it's been vacant</p> <p>7 for a long --</p> <p>8 MS. CURRY: I thought it was longer</p> <p>9 than that too.</p> <p>08:24:15PM 10 CHAIRMAN CASHMAN: 2019. The storage</p> <p>11 tanks were removed in 2016, so prior to that.</p> <p>12 MR. KRILLENBERGER: So maybe just had</p> <p>13 operations that were not noticeable and I don't</p> <p>14 know but to address the neighborhood's and</p> <p>15 Julie's observations maybe this new business</p> <p>16 will revitalize that strip mall, give people a</p> <p>17 reason to go there.</p> <p>18 MS. CRNOVICH: That's a point.</p> <p>19 CHAIRMAN CASHMAN: It is permitted</p> <p>08:24:56PM 20 special use in that zoning district.</p> <p>21 MR. KRILLENBERGER: That's a busy road.</p> <p>22 CHAIRMAN CASHMAN: Just like a church</p>
<p style="text-align: center;">50</p> <p>1 But I guess in summary, the</p> <p>2 question really is: Is this applicant a good</p> <p>3 fit for the neighborhood? And I think just the</p> <p>4 fact that we went and drove over and saw the way</p> <p>5 they're running the business now is an</p> <p>6 indication that probably not and I think the</p> <p>7 village is going to end up having a lot of</p> <p>8 headaches trying to keep them in line if they do</p> <p>9 approve it. Thank you.</p> <p>08:23:26PM 10 CHAIRMAN CASHMAN: Thanks, Jim.</p> <p>11 Anyone else want to speak on this</p> <p>12 matter?</p> <p>13 (No response.)</p> <p>14 Hearing none, commissioners,</p> <p>15 thoughts, other questions?</p> <p>16 MS. CURRY: I just --</p> <p>17 MR. JOYNER: Mr. Chairman, is there</p> <p>18 anything else we should address?</p> <p>19 CHAIRMAN CASHMAN: Not at this moment.</p> <p>08:23:51PM 20 MS. CURRY: So the last time when JMS</p> <p>21 Service was in there that was 2019, so he was</p> <p>22 still operating pre-pandemic; correct? Because</p>	<p style="text-align: center;">52</p> <p>1 or a school would be.</p> <p>2 MS. CRNOVICH: I don't see what else</p> <p>3 could go into that space. I mean, who's going</p> <p>4 to lease a garage unless you are an auto</p> <p>5 mechanic?</p> <p>6 MS. CARTER: It would need major, major</p> <p>7 renovations.</p> <p>8 MS. CRNOVICH: Major renovations.</p> <p>9 CHAIRMAN CASHMAN: The property owners</p> <p>08:25:24PM 10 would have to undertake, right, maybe change</p> <p>11 zoning, turn it into something else.</p> <p>12 MS. CRNOVICH: And actually, I'm</p> <p>13 surprised with the location, you know, the mall</p> <p>14 there, they are out there by themselves. I</p> <p>15 would think more businesses would be wanting to</p> <p>16 get in there.</p> <p>17 CHAIRMAN CASHMAN: Well, we had Plate</p> <p>18 Exercise moved in there but then unfortunately</p> <p>19 they moved, they expanded and moved to Chicago.</p> <p>08:25:46PM 20 MR. KRILLENBERGER: Caterer was in</p> <p>21 there.</p> <p>22 MS. CRNOVICH: And then at one time</p>

<p style="text-align: center;">53</p> <p>1 there was a wine shop I think.</p> <p>2 CHAIRMAN CASHMAN: Well, I do think to</p> <p>3 Jim's point, and I think it's important because</p> <p>4 there's obviously in reading this, it's not</p> <p>5 crystal clear. I do think this -- it needs to</p> <p>6 be conditioned this is strictly limited to the</p> <p>7 parcel 1, which basically does include those 17</p> <p>8 spaces and not the parcel to the north. I mean,</p> <p>9 there's plenty of parking on this parcel. There</p> <p>10 should be no need based on their use and it</p> <p>11 would be detrimental to the success of the</p> <p>12 stripe mall portion if they were using any of</p> <p>13 those parking spaces. And then I also think the</p> <p>14 condition of the dumpsters within the enclosure.</p> <p>15 And I, frankly, would like to see the place</p> <p>16 painted and spruced up a little bit.</p> <p>17 I mean, when you look at the</p> <p>18 building itself, at some point, I don't know</p> <p>19 when, they put new aluminum storefront in the</p> <p>20 strip mall. It used to be terrible. So that's</p> <p>21 a slight improvement to that but this is just</p> <p>22 painted wood and everything and it certainly</p>	<p style="text-align: center;">55</p> <p>1 plus this area and I guess the larger question</p> <p>2 is what's our authority and who do we have to</p> <p>3 tell to do that? Because to me that would be</p> <p>4 great, right? I mean, if this somehow could be</p> <p>5 impetus for that strip mall to look better, for</p> <p>6 that fence to look better, for this to be more</p> <p>7 cleaned up, I don't see what other use this is</p> <p>8 going to have other than some sort of repair or</p> <p>9 tire shop and I appreciate from the pictures of</p> <p>10 the Mannheim Road facility, I appreciate the</p> <p>11 fence wasn't theirs and some of those cars</p> <p>12 weren't theirs. The thing that bothered me was</p> <p>13 the milk jugs, but I also don't know that I feel</p> <p>14 strongly enough about a picture about the milk</p> <p>15 jugs. I think if condition is trash is always</p> <p>16 in the dumpsters, there's nothing outside, I</p> <p>17 think I feel comfortable with that but if not</p> <p>18 this, what, I guess is my question. And can</p> <p>19 this be used to make the entire property better?</p> <p>20 MR. KRILLENBERGER: Well, to your</p> <p>21 point, the marketplace in Hinsdale, Illinois,</p> <p>22 will enforce that people will take their cars,</p>
<p style="text-align: center;">54</p> <p>1 hasn't been painted for a while.</p> <p>2 MR. KRILLENBERGER: Just to his point,</p> <p>3 the back is shabby. I don't think there's any</p> <p>4 other word for it. I don't know whether it's in</p> <p>5 our purview to say look, we wish you well,</p> <p>6 please replace -- please do X, Y and Z.</p> <p>7 CHAIRMAN CASHMAN: It's tough because</p> <p>8 basically there's those parking spaces and they</p> <p>9 butt right up to that fence, there's not really</p> <p>10 a landscaping zone there. There's no</p> <p>11 landscaping on this property.</p> <p>12 MS. CURRY: Can we ask for that? I</p> <p>13 would like to see the fence replaced. And</p> <p>14 again, I don't know if that would be -- whose</p> <p>15 jurisdiction that would fall under. Is that the</p> <p>16 person who owns the property or is that a</p> <p>17 request we can make? It's really awful.</p> <p>18 CHAIRMAN CASHMAN: The guys that get</p> <p>19 paid, the trustees, can decide.</p> <p>20 MS. CARTER: It seems like all of these</p> <p>21 comments are going to the thought of can this be</p> <p>22 used as something to lift up that strip mall</p>	<p style="text-align: center;">56</p> <p>1 fancy or not, to nice places. If this looks</p> <p>2 like garbage, I'm not coming to your place.</p> <p>3 Franklin Park's different as you pointed out.</p> <p>4 So we are kind of counting on you to keep it</p> <p>5 looking not only nice, really nice.</p> <p>6 MS. CARTER: But that benefits the</p> <p>7 business too.</p> <p>8 MR. KRILLENBERGER: What's the name of</p> <p>9 the preschool over on Ogden?</p> <p>10 MS. CARTER: Kensington.</p> <p>11 MR. KRILLENBERGER: That's the sort of</p> <p>12 places that are Hinsdale. Your garage isn't</p> <p>13 going to look like that, drive by.</p> <p>14 CHAIRMAN CASHMAN: Even the colors on</p> <p>15 this if they took the -- it's kind of</p> <p>16 aquamarine, I mean if you just took the</p> <p>17 aquamarine colors and that was painted white, it</p> <p>18 would basically improve the whole facility and</p> <p>19 look more like Fuller's service area.</p> <p>20 MS. CURRY: That's a perfect example.</p> <p>21 Drive by that.</p> <p>22 MS. CARTER: Go to Fuller's. That's</p>

<p style="text-align: right;">57</p> <p>1 what you need to look like.</p> <p>2 MS. CURRY: Go to Fuller's.</p> <p>3 MR. KRILLENBERGER: That's your</p> <p>4 competition. But let there be another service</p> <p>5 provider in town, I think that'd be great, but</p> <p>6 there's responsibility that will come with that</p> <p>7 and I don't think we can enforce it.</p> <p>8 CHAIRMAN CASHMAN: Just back to</p> <p>9 enforcing I mean, another condition that would</p> <p>10 be helpful any of the existing signage that's on</p> <p>11 the building be removed. There's a Napa auto</p> <p>12 car center, certified mechanic and the signs</p> <p>13 obviously come back to us as a package that we</p> <p>14 can look at that and see how that would enhance</p> <p>15 the overall character. The ground sign would</p> <p>16 have to be replaced, anything on the building</p> <p>17 but there's kind of a collection of stuff that</p> <p>18 was left by the previous tenant.</p> <p>19 MS. CRNOVICH: The Mobil sign.</p> <p>20 MS. CURRY: How about the canopy,</p> <p>21 what's going to happen with the canopy?</p> <p>22 CHAIRMAN CASHMAN: The application says</p>	<p style="text-align: right;">59</p> <p>1 MR. KRILLENBERGER: Barbecue.</p> <p>2 MS. CURRY: You can have outdoor</p> <p>3 seating there. I agree, some landscaping, color</p> <p>4 changes. Can we request that to look at? That</p> <p>5 would be the next.</p> <p>6 CHAIRMAN CASHMAN: That's a condition</p> <p>7 to enhance, add some landscaping. It's</p> <p>8 something we can give the board to consider</p> <p>9 that, look at that. I mean, they are the final</p> <p>10 say on this.</p> <p>11 So it would be the dumpsters within</p> <p>12 the enclosure, strictly limited to the Parcel 1,</p> <p>13 painting the exterior and then removing signs.</p> <p>14 MS. CRNOVICH: The exterior trim,</p> <p>15 right, not the brick.</p> <p>16 MS. CURRY: Yes, not the brick.</p> <p>17 MS. CRNOVICH: We went through that</p> <p>18 before.</p> <p>19 MS. CARTER: Yes, black with a glossy</p> <p>20 black or white. We are just designing this for</p> <p>21 you. Flowers in the pots.</p> <p>22 MR. JOYNER: Thank you.</p>
<p style="text-align: right;">58</p> <p>1 it's to remain. I could see the advantage of</p> <p>2 that when it snows. I saw a police officer</p> <p>3 using it today as a convenient location to try</p> <p>4 to catch people on Madison.</p> <p>5 Would there be objection by the</p> <p>6 applicant to painting the building and removing</p> <p>7 the existing signage?</p> <p>8 MR. JOYNER: No. No objection.</p> <p>9 MR. SHARABATEE: No objection.</p> <p>10 MS. CARTER: I mean even with the</p> <p>11 canopy, like, some nice potted green things, the</p> <p>12 bottom of the columns, like --</p> <p>13 MS. CRNOVICH: Go look at Fuller's.</p> <p>14 MS. CURRY: Go look at Fuller's.</p> <p>15 MS. CARTER: This could be a lot more</p> <p>16 attractive if there was --</p> <p>17 CHAIRMAN CASHMAN: And even where that</p> <p>18 sign is place out there because --</p> <p>19 MS. CURRY: I actually think the</p> <p>20 building is an attractive building. I think it</p> <p>21 would make a really nice restaurant if you guys</p> <p>22 change your mind. I say Italian.</p>	<p style="text-align: right;">60</p> <p>1 CHAIRMAN CASHMAN: Let's see. Any</p> <p>2 other comments from the commissioners?</p> <p>3 MS. CRNOVICH: No.</p> <p>4 CHAIRMAN CASHMAN: Hearing none, do I</p> <p>5 hear a motion?</p> <p>6 MR. KRILLENBERGER: Krillenberg so</p> <p>7 motions for acceptance -- what are we motioning</p> <p>8 for?</p> <p>9 CHAIRMAN CASHMAN: Approval of this</p> <p>10 special use permit application.</p> <p>11 MR. KRILLENBERGER: Approval of the</p> <p>12 special use permit application.</p> <p>13 CHAIRMAN CASHMAN: With these four</p> <p>14 conditions: The dumpsters are within the fence</p> <p>15 enclosure; that this application is strictly</p> <p>16 limited to Parcel 1; that the exterior trim is</p> <p>17 painted in a complimentary color; that existing</p> <p>18 signs are removed from the building and that the</p> <p>19 applicant investigate enhancing the property</p> <p>20 with some landscaping or potted plants.</p> <p>21 MS. CARTER: Do we need to have a</p> <p>22 condition or can we have a condition about</p>

<p style="text-align: center;">61</p> <p>1 outdoor storage or is that outlined in the code?</p> <p>2 CHAIRMAN CASHMAN: That's already in</p> <p>3 the application.</p> <p>4 MS. SALMON: You can add that as a</p> <p>5 condition.</p> <p>6 CHAIRMAN CASHMAN: No outdoor storage.</p> <p>7 MR. KRILLENBERGER: Of parts, tires,</p> <p>8 anything but cars.</p> <p>9 CHAIRMAN CASHMAN: Correct.</p> <p>08:34:55PM 10 MS. CARTER: That's already included?</p> <p>11 CHAIRMAN CASHMAN: Correct.</p> <p>12 MS. SALMON: But it can be included as</p> <p>13 an additional condition.</p> <p>14 CHAIRMAN CASHMAN: Okay. So that would</p> <p>15 be five conditions.</p> <p>16 MS. CURRY: Can we request the fencing</p> <p>17 be replaced in the back? It's rotting in many</p> <p>18 places. How could we do that?</p> <p>19 CHAIRMAN CASHMAN: We can request that</p> <p>08:35:14PM 20 the building owner replace the fence because I</p> <p>21 imagine that's under their responsibility. So</p> <p>22 that would be six, request fence replacement. A</p>	<p style="text-align: center;">63</p> <p>1 these conditions aren't too onerous but I think</p> <p>2 it will really help you be successful.</p> <p>3 Do I have a motion to close the</p> <p>4 Public Hearing?</p> <p>5 MS. CURRY: Motion to close.</p> <p>6 CHAIRMAN CASHMAN: Is there a second?</p> <p>7 MR. HURLEY: Second.</p> <p>8 CHAIRMAN CASHMAN: May I have a roll</p> <p>9 call vote, please, Bethany?</p> <p>08:36:31PM 10 MS. SALMON: Commissioner Curry?</p> <p>11 MS. CURRY: Aye.</p> <p>12 MS. SALMON: Commissioner</p> <p>13 Krillenberg?</p> <p>14 MR. KRILLENBERGER: Aye.</p> <p>15 MS. SALMON: Commissioner Hurley?</p> <p>16 MR. HURLEY: Aye.</p> <p>17 MS. SALMON: Commissioner Crnovich?</p> <p>18 MS. CRNOVICH: Aye.</p> <p>19 MS. SALMON: Commissioner Carter?</p> <p>20 MS. CARTER: Aye.</p> <p>21 MS. SALMON: Chairman Cashman?</p> <p>22 CHAIRMAN CASHMAN: Aye.</p>
<p style="text-align: center;">62</p> <p>1 new fence would be better for the people</p> <p>2 dwelling in the apartment buildings and from</p> <p>3 anyone driving down on 59 alley. Okay. So six</p> <p>4 conditions.</p> <p>5 Do I have a second?</p> <p>6 MS. CARTER: Second, Carter.</p> <p>7 CHAIRMAN CASHMAN: Can I have a roll</p> <p>8 call vote, please?</p> <p>9 MS. SALMON: Commissioner Curry?</p> <p>10 MS. CURRY: Aye.</p> <p>11 MS. SALMON: Commissioner</p> <p>12 Krillenberg?</p> <p>13 MR. KRILLENBERGER: Aye.</p> <p>14 MS. SALMON: Commissioner Hurley?</p> <p>15 MR. HURLEY: Aye.</p> <p>16 MS. SALMON: Commissioner Crnovich?</p> <p>17 MS. CRNOVICH: Aye.</p> <p>18 MS. SALMON: Commissioner Carter?</p> <p>19 MS. CARTER: Aye.</p> <p>20 MS. SALMON: Chairman Cashman?</p> <p>21 CHAIRMAN CASHMAN: Aye.</p> <p>22 Thank you. Good luck. I hope</p>	<p style="text-align: center;">64</p> <p>STATE OF ILLINOIS )  ) ss:  COUNTY OF DU PAGE )</p> <p>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.</p> <p>IN TESTIMONY WHEREOF I have  hereunto set my hand and affix my electronic  signature this 22nd day of February, A.D. 2022.</p> <p>  KATHLEEN W. BONO  C.S.R. No. 84-1423  Notary Public, DuPage County</p>

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

**APPLICATION:** 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

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

**APPLICANT:** Samir and Ghada Sharabatee, Hinsdale Discount Tires and Automotive, Inc

**REQUEST:** Special Use Permit

**PLAN COMMISSION (PC) REVIEW:** February 9, 2022 (Continued from January 12, 2022)

**BOARD OF TRUSTEES 1<sup>ST</sup> READING:** March 1, 2022

**SUMMARY OF REQUEST:** The Village of Hinsdale received an application from Samir and Ghada Sharabatee, representing Hinsdale Discount Tires and Automotive, Inc., requesting 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.

**BACKGROUND:** 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 59<sup>th</sup> Street. The building is considered part of a larger 1.24-acre zoning lot that includes a multi-tenant shopping center at 5811-5827 S. Madison Street, which 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.

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.

Townhomes in the R-5 Multiple Family Residential District are located to the north and to the south across 59<sup>th</sup> Street. Apartment buildings are located to the east of the site in the R-6 Multiple Family Residential District. Across Madison Street to the east, single-family detached homes are located in unincorporated DuPage County.

A public hearing was held on Wednesday, February 9, 2022, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on December 16, 2021. The public hearing notice and transcripts are attached.

The public hearing was continued at the January 12, 2022 Plan Commission meeting to February 9, 2022 because certified mail to the surrounding property owners was still in transit and had not been delivered yet. The applicant has confirmed that the mailings were sent within the required 15-30 days prior to the public hearing date.

**PUBLIC HEARING SUMMARY:** At the public hearing held on February 9, 2022, Wade Joyner, the attorney representing the applicants, provided an overview of the plans and answered questions. The applicants, Samir and Ghada Sharabatee, were also present at the meeting. Several residents also attended and provided public comment.

Mr. Joyner provided an overview of the application, noting the proposed automobile repair use will take place on parcel one (1) and the other parcel to the north is for the shopping center. The applicant is not proposing parking or storage on the shopping side of the property. The property was previously used as an automotive repair shop but has been vacant for several years.

Mr. Joyner went through the objections stated in a letter prepared by the Golfview Hills Homeowners Association and included in the Plan Commission packet. Mr. Joyner addressed item number one (1) and two (2) of the letter by stating the property use would be limited to Parcel 1 with no parking or storage from the business on the street or shopping center portion of the property (Parcel 2). Mr. Joyner addressed item number three (3), limiting vehicles awaiting repair to six (6) at all times, by stating that this would likely be the number of cars awaiting repair. However, Mr. Joyner stated it would not be practical for a business to hold strictly to that number. Mr. Joyner then acknowledged the concern of the property looking like a used car lot or a junk yard, but stated that would not be the case for this property.

In regard to item number four (4), Mr. Joyner stated that is not practical for the business to limit the number of employees to four (4) at one time as requested by the Homeowners Association. The facility would be well maintained, in good condition and repair, as listed in item number five (5) addressed. Item number six (6) requested that the outdoor storage of racks, water bottles, wood pallets, tires, and other equipment or materials be prohibited. Mr. Joyner stated the business has no intention of storing refuse outside. Item number seven requested that the number of dumpsters be limited to no more than two (2) dumpsters no larger than five (5) cubic yards in size. Mr. Joyner stated he did not understand the limitation. Mr. Joyner stated he believed that the Homeowners Association's concerns were satisfied in a reasonable way.

In response to the Homeowners Association concerns on page three (3) of the letter related to the Franklin Park business location, Mr. Joyner stated the Franklin Park location is not in a residential area and has a different set of zoning codes than Hinsdale. According to Mr. Joyner, the applicants have not received any zoning violations from the Village of Franklin Park and some of the concerns are inaccurate.

Mr. Joyner stated that 80-90% of the cars at the facility will have an appointment, allowing the business to control the number of cars on the property at any one time. To address Item B on page three (3) of the Homeowners Association letter, Mr. Joyner stated he was unsure why the water bottles at the Franklin Park business location were present, but it is not the applicant's intention to have outside storage at the Hinsdale location. To address Item C on page three (3), the Franklin Park fence in need of repair is not located on the applicant's property and is on an adjacent lot. Mr. Joyner stated that Hinsdale zoning requirements does not allow for outside storage of tires on racks that are being storage at the Franklin Park location. Storage racks will not be utilized for this location as shown in Item D on page three (3).

Mr. Joyner went on to answer a series of questions submitted by the Golfview Hills Homeowners Association prior to the meeting and included in the Plan Commission Packet related to the hours of operation, the number of parked vehicles awaiting service, the number of employees, and other items comparing the Franklin Park location with the Hinsdale location. Mr. Joyner stated the operations will be similar. There will be 5 repair bays with 10-20 vehicles serviced a day and 80-90 a week, depending on parts, service, walk-ins, and appointments. About 1-2 vehicles will be parked outside waiting repair on an average day, with a maximum of 3-4 vehicles. There will be some cars that stay overnight, but this is the exception and customers are charged an extra fee if they do not pick up their vehicles.

Mr. Joyner summarized the findings of fact related to the special use permit related to purpose, adverse impacts, adequacy of public facilities, traffic congestion, destruction of significant features, standard compliance and special standards.

Commissioner Curry asked about the "off-site" outdoor parking included on the application. Mr. Joyner stated there would be no "off-site" outdoor parking and the application should have read "on-site" outdoor parking. Commissioner Curry asked if the Franklin Park location was owned or leased. Mr. Joyner replied the building is leased. Commissioner Curry shared concerns about meeting property maintenance standards, no matter where the business is located or the applicable zoning ordinances. Commissioner Curry also stated the proposed Hinsdale business is a larger volume and a different use than the Franklin Park business, requiring more outdoor storage, and would therefore have a different impact on the area than the previous business. Mr. Joyner stated the business will have interior storage only and would be in compliance with Hinsdale zoning requirements.

Commissioner Curry asked about the balance of tire replacement compared to the engine repair and need for frequent truck delivery of tires due to limitations of interior storage. Mr. Joyner said the proposed business is a tire shop as well as automotive repair and confirmed there would be trucks making deliveries of tires.

Commissioner Krillenberger stated he liked the idea of bringing in business activity to a vacant building and providing an additional provider of services to the area. He asked about the noise level associated with this type of business. Mr. Joyner stated the noise level would not be high.

Commissioner Hurley asked the applicant about the quantity and dumpster size that would be necessary since two (2) five (5) cubic yard dumpsters was not deemed adequate. Mr. Joyner stated that four (4) two (2) yard dumpsters would be sufficient but the larger sized dumpsters would probably work better.

Commissioner Crnovich confirmed that only interior storage would be utilized and asked about the sound proofing of the building. Mr. Joyner responded the building is brick and noise should be minimized by the material. Commissioner Crnovich confirmed the enclosed storage is in the rear of the building and has sufficient space for dumpsters. Commissioner Crnovich expressed concern that the strip mall and building are in need of some improvements, especially to help attract new business.

Commissioner Carter asked if the Hinsdale location will be an addition or replacement to the Franklin Park location. Mr. Joyner confirmed it would be a second location. Commissioner Carter asked for confirmation the rear enclosed space is large enough to accommodate the necessary dumpsters and that no dumpsters would be stored at the side of the building or outside of that enclosed space. Mr. Joyner confirmed the rear enclosed space is large enough and suggested adding a condition of all dumpsters stored inside rear enclosure as a condition of approval.

The concern of some parking spaces being used by the nearby apartment building was introduced. Mr. Joyner stated there is no clear agreement that he is aware of related to the apartment residents using the parking spaces.

Chairman Cashman stated he would like to include enclosed dumpsters as a condition to approval and that the concerns from the Homeowners Association not addressed by the applicant were related to business operations and not related to the zoning matters that the Plan Commission deals with.

Mr. James McCarthy, Secretary of the Golfview Hills Homes Association, was present to address the Plan Commission. Mr. McCarthy stated it was important to note that the Board of the Homeowner's Association unanimously opposed this application. Mr. McCarthy stated it was important to consider if this type of business is still appropriate for this location. Mr. McCarthy stated the Golfview Hills Homes Association feels times have changed and the proposed use of this property is no longer appropriate for the residential area. The Board also has concerns for the condition of the entire strip mall. Mr. McCarthy made an inquiry about why the application includes all three (3) parcels of land on the property if the lease agreement is for Parcel 1 only and felt the application should be limited to only Parcel 1.

Mr. McCarthy stated they are requesting that the conditions added in their objection letter be considered by the Plan Commission as part of the approval. Mr. McCarthy stated the Homeowners Association felt that, if approved, the result would be many issues down the road for the Village.

Commissioner Curry asked about the length of time the property has been vacant. Ms. Salmon reported the property has been vacant since 2019 and the gas tanks were removed in 2016. There was a discussion on the history of the site and it was noted that the proposed use would be consistent with the prior automobile repair use that operated in the building years ago.

Commissioner Krillenberger suggested the possibility of the applicant's new business revitalizing the entire strip mall. Commissioner Crnovich stated that not many other businesses other than an automotive repair service would go into that garage property. Commissioner Carter added that the space would need to undergo a large renovation at great owner expense to alter the property for a different use.

Chairman Cashman stated that not adding the condition of limiting the application to only Parcel 1 could be detrimental to the shopping mall business owners to the north of the building. Chairman Cashman stated that there is plenty of parking to accommodate the proposed use. Chairman Cashman stated he would also like the condition of enclosed rear dumpsters be added to approval. Chairman Cashman also recommended that the building and the strip mall have not been updated in some time and could use some improvements. There are challenges with bufferyard landscaping due to the configuration of the site.

Discussion followed by the Commission about the possibility of also recommending the fence be replaced, landscaping, fresh paint and other building improvements to spruce up the location as conditions for improvement. Commissioner Carter asked if including these type of improvements to the applicant's location could also be used for lifting up the use of the other business spaces in the mall. Commissioner Krillenberger stated that if the applicant's business didn't look appealing and well maintained, the Hinsdale market would not support the business, the residents would not utilize the services provided by the business.

Chairman Cashman stated another condition to be considered is the removal of all remaining signage from the previous business as part of a new sign packet brought back to the Plan Commission. It was determined the existing canopy would remain.

Mr. Joyner stated there would be no objection by the applicant to paint the building trim and to remove existing signage. The Commission also suggested adding landscaping, perhaps in pots or planters, and using Fuller's as a potential example, to enhance the look of the property.

There being no further questions or members of the public wishing to speak on the application, a motion to approve the Special Use Permit was made by Commissioner Krillenberger and seconded by Commissioner Carter, subject to the following conditions:

1. Dumpsters shall be stored and located within the rear fenced enclosure.
2. All business operations and associated parking approved under the Special Use Permit shall be limited to Parcel 1 only, as shown on the submitted Plat of Survey.
3. The exterior trim of the building is painted in a complementary color. The existing brick shall not be painted.
4. The existing signs shall be removed from the building.
5. Investigate enhancing the property with landscaping or potted plants.
6. No outside storage shall be allowed on the property.
7. Investigate replacing the fence on the property.

The vote carried by a roll call vote as follows:

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

**FINDINGS:** 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. The following are the summary of Findings of the Plan Commission relative to the application request based on the standards listed in Section 11-602(E):

1. *General Standards: No special use permit shall be recommended or granted pursuant to this section unless the applicant shall establish that:*
  - (a) *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 and with the general purpose and intent of the official comprehensive plan.* The proposed use is considered a Special Use in the B-1 District and the building was previously used as an auto repair facility. The proposed automobile repair facility must be re-established in accordance with the Village's Zoning Code requirements as the building has been vacant for several years. The Plan Commission found this standard to be met.
  - (b) *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 proposed use was stated to be consistent with the prior automobile repair facility use that previously operated out of the building. Residential properties are located on all sides of the applicable zoning lot that includes the automobile repair facility building and the shopping center. On several occasions, Commissioners expressed concerns over noise, outdoor operations, and outdoor storage. It was also noted that there are challenges for providing screening between the building and the residential directly to the east due to the parking and shared access drive design behind the building. Mr. Joyner confirmed multiple times that there will be no outdoor storage or operations to minimize impacts to the surrounding residential properties. Mr. Joyner also confirmed that noise levels would not be high. There was also a discussion on all dumpsters being required to be located in the fenced enclosure to the rear of the building. Several Commissions expressed concerns over the current appearance of the building and the shopping center, noting that the properties are in need of some improvements, especially to help attract new business. Several conditions were added as recommended conditions of approval to reduce adverse impacts, including limiting business operations and parking on Parcel 1 only, prohibited outdoor storage, requiring dumpsters to be located within the rear fence enclosure, and suggesting improvements to signage, paint, landscaping, and fencing.

- (c) *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 Commissioners added several conditions of approval to meet this standard, including limiting business operations and parking on Parcel 1 only, prohibited outdoor storage, requiring dumpsters to be located within the rear fence enclosure, and suggesting improvements to signage, paint, landscaping, and fencing.
- (d) *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 Plan Commission found this standard to be met. Public facilities do not need to be extended as part of this project.
- (e) *No traffic congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.* Traffic and parking were discussed at the meeting. Chairman Cashman stated that there is plenty of parking to accommodate the proposed use and several Commissioners supported limiting parking to only Parcel 1 so as not to create adverse impacts or negatively impact the shopping center to the north.
- (f) *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.* The property is not historically significant or located within a historic district. The Plan Commission found this standard to be met.
- (g) *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.* There are no special standards for the proposed use required by the Zoning Code. The proposed automobile repair facility may not include tire retreading as part of the operations. The Plan Commission found this standard to be met.
2. *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, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.* There are no special standards for the proposed use required by the Zoning Code. The proposed automobile repair facility may not include tire retreading as part of the operations. The Plan Commission found this standard to be met.
3. *Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider:*
- (a) *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 proposed use will be located in a building that has been vacant for several years. Commissioner Krillenberger expressed support for bringing in business activity to a vacant building and providing an additional service to the area. Several Commissioners noted that that improvements to the automobile repair facility and shopping center building should be pursued by the property owner to enhance the look of the entire area, attract new businesses to the vacant tenant spaces, and attract customers. Fencing, landscaping, and paint were discussed as improvements to the building and site and were included as recommended conditions of approval.

(b) *Alternative 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.* It was discussed that the building was previously used as an automobile repair facility and includes existing vehicle repair bays for this type of business use.

(c) *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 Plan Commission recommended several conditions of approval to minimize adverse impacts, including for screening dumpsters, limited business operations and parking to Parcel 1 only, prohibiting outdoor storage, and completing various improvements to the building and site, such as to the rear fencing, painting, removal of old signage, and landscaping.

**RECOMMENDATION:** 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-36-2021, a 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, subject to the following conditions:

1. Dumpsters shall be located within the fenced enclosure.
2. All business operations and associated parking approved under the Special Use Permit shall be limited to Parcel 1 only, as shown on the submitted Plat of Survey.
3. The exterior trim of the building is painted in a complementary color. The existing brick shall not be painted.
4. The existing signs shall be removed from the building.
5. Investigate enhancing the property with landscaping or potted plants.
6. No outside storage shall be allowed on the property.
7. Investigate replacing the fence on the property.

Signed: \_\_\_\_\_

Steve Cashman, Chair  
Plan Commission  
Village of Hinsdale

Date: \_\_\_\_\_

**VILLAGE OF HINSDALE  
NOTICE OF PLAN COMMISSION  
PUBLIC HEARING**

**PUBLIC NOTICE IS HEREBY GIVEN** to all persons that the Village of Hinsdale Plan Commission shall conduct a public hearing on Wednesday, January 12, 2022 at 7:30 p.m. in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois for the purpose of considering an application from Samir and Ghada Sharabatee for 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. This request is known as Case A-36-2021.

Copies of documents relating to the proposed request are on file and available for public inspection during regular Village business hours in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

The common address is 5837 S. Madison Street, Hinsdale IL, 60521 (PINs: 09-13-103-025; 09-13-103-024; 09-13-103-026) and legally described as follows:

PARCEL 1: THE SOUTH 150.000 FEET OF THE WEST 150.00 FEET OF LOT 5 IN BLOCK 6 IN BRANIGAR BROS. HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST  $\frac{1}{4}$  AND OF THE NORTHWEST  $\frac{1}{4}$  (EXCEPT THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SAID NORTHWEST  $\frac{1}{4}$ ) 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.

PARCEL 2: 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 BRANIGAR BROS. HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST  $\frac{1}{4}$  AND OF THE NORTHWEST  $\frac{1}{4}$  (EXCEPT THE EAST  $\frac{1}{2}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SAID NORTHWEST  $\frac{1}{4}$ ) 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.

At said public hearing, the Plan Commission shall accept all testimony and evidence pertaining to said application and shall consider any and all possible zoning actions, including the granting of any necessary special permits, variations, other special approvals, or amendments to the Zoning Code that may be necessary or convenient to permit development of the proposed type at the described property. All interested persons are invited to attend and be heard.

Dated: December 9, 2021

Christine M. Bruton, Village Clerk

To be published in the Hinsdalean on December 16, 2021

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

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:                     )  
   )  
   )  
 SAMIR & GHADA                        )  
 SHARABATEE, Special Use,            )  
 Case No. A-36-2021                    )  
 5837 South Madison.                  )

CONTINUED 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 February 9, 2022, at the hour of  
 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;  
 MR. JIM KRILLENBERGER, Member;  
 MR. PATRICK HURLEY, Member;  
 MS. CYNTHIA CURRY, Member; and  
 MS. JULIE CRNOVICH, Member.

<p style="text-align: right;">9</p> <p>1 ALSO PRESENT:</p> <p>2 MS. BETHANY SALMON, Village Planner;</p> <p>3 MR. SAMIR SHARABATEE, Applicant;</p> <p>4 MS. GINA SHARABATEE, Applicant;</p> <p>5 MR. WADE JOYNER, Attorney for Applicant.</p> <p>6</p> <p>7</p> <p>8 CHAIRMAN CASHMAN: Call the Public</p> <p>9 Hearing for Case No. A-36-2021, 5837 South</p> <p>10 Madison Street for a special use permit to allow</p> <p>11 for an automotive repair shop for Hinsdale</p> <p>12 Discount Tires and Automotive, Inc., at 5837</p> <p>13 South Madison Street located in the B-1</p> <p>14 Community Business District. This was continued</p> <p>15 from our meeting on January 12, 2022.</p> <p>16 Is someone here to represent the</p> <p>17 applicant?</p> <p>18 MR. JOYNER: Yes. My name is Wade</p> <p>19 Joyner, I represent the applicant, Hinsdale</p> <p>07:37:33PM 20 Discount Tires, LLC.</p> <p>21 CHAIRMAN CASHMAN: Would you please be</p> <p>22 sworn in and anyone else who may be testifying.</p>	<p style="text-align: right;">11</p> <p>1 your packet there's some questions and concerns</p> <p>2 and some objections, so I'm going to go through</p> <p>3 those step-by-step, and then I'm going to walk</p> <p>4 through briefly the findings of fact.</p> <p>5 I know from being on the Kane</p> <p>6 County zoning board of appeals that that's</p> <p>7 really kind of one of the most important things</p> <p>8 to go through so I'm going to make sure we go</p> <p>9 through those as well.</p> <p>07:39:36PM 10 So, to begin, this is the zoning</p> <p>11 map and the project location. It's on a busy</p> <p>12 corner, as we can see, it's 5837 South Madison</p> <p>13 Street. To clear up one point of some confusion</p> <p>14 by people who had submitted questions and such,</p> <p>15 we submit under two parcel numbers, one is for</p> <p>16 the service station side, the other is for what</p> <p>17 I would call the shopping center strip mall</p> <p>18 side. We are doing that because that's the</p> <p>19 whole contiguous owned parcel.</p> <p>07:40:20PM 20 The zoning decision you are going</p> <p>21 to be making and we are asking for, only</p> <p>22 concerns the parcel with the auto mechanic</p>
<p style="text-align: right;">10</p> <p>1 (WHEREUPON, the oath was</p> <p>2 administered to Mr. Joyner,</p> <p>3 Mr. Sharabatee, Ms. Sharabatee</p> <p>4 and Mr. McCarthy.)</p> <p>5 CHAIRMAN CASHMAN: Welcome. If you</p> <p>6 want to give us an overview of the application,</p> <p>7 please?</p> <p>8 MR. JOYNER: Yes, Mr. Chairman. Thank</p> <p>9 you. Again, I'm here with Samir and Gina</p> <p>07:38:23PM 10 Sharabatee. They own the applicant corporation</p> <p>11 and as you may know from looking at the packet,</p> <p>12 there's an existing auto mechanic building there</p> <p>13 which was in operation until 2019, started</p> <p>14 before Hinsdale had a zoning code. So</p> <p>15 essentially it was existing because it was</p> <p>16 grandfathered in, stopped in 2019.</p> <p>17 Under your ordinance since it has</p> <p>18 not been occupied and operating for three</p> <p>19 months, we need to come in and get a special use</p> <p>07:39:02PM 20 permit so that's the purpose of the petition.</p> <p>21 What I'm going to do is give you an</p> <p>22 overview that the chairman asked for. Also in</p>	<p style="text-align: right;">12</p> <p>1 repair shop. So there will be no parking from</p> <p>2 my clients' customers on the shopping center</p> <p>3 side, no storage of anything, nothing. It's as</p> <p>4 if it doesn't exist for purposes of the petition,</p> <p>5 but again, we needed to have the whole property</p> <p>6 indicated as part of the petition.</p> <p>7 So we received a statement in</p> <p>8 opposition by the homeowner's association</p> <p>9 nearby. I guess the first thing to point out is</p> <p>07:41:04PM 10 that the use we are going to be having is not</p> <p>11 different than the use that terminated in 2019;</p> <p>12 we're just a new tenant. We aren't looking to</p> <p>13 do anything special, extravagant, just an</p> <p>14 ordinary auto mechanic place. So we feel like</p> <p>15 the objections are legitimate, they are sincere,</p> <p>16 I think some of them are based on needing more</p> <p>17 information just to address their concerns and</p> <p>18 some I think are just not well taken in the</p> <p>19 context of what was already there and what we're</p> <p>07:41:45PM 20 seeking.</p> <p>21 So let's walk through seven</p> <p>22 objections or concerns that they have. If you</p>

<p style="text-align: center;">13</p> <p>1 go to Page 2 of the objection letter at the  2 bottom, there's seven points they mention and so  3 I'll just go through them one at a time.  4           The first one is limiting the use  5 permit operation of a repair facility on  6 Parcel 1. As I've just discussed. Yes.  7           No. 2, limiting parking to Parcel 1  8 and prohibiting the parking of vehicles awaiting  9 repair on parcel 2 or the street. Again, yes.  10           No. 3, limiting the number of  11 vehicles awaiting repair that could be parked  12 outside on Parcel 1 at any one time to six  13 vehicles.  14           As a practical matter, that's  15 probably going to be about what happens but in  16 terms of someone trying to operate a business, a  17 restriction that there can only be six vehicles  18 parked there I don't think is realistic.  19           I'm sure all of you have been to  20 auto repair shops and there may be ten cars  21 there, four of them are getting oil changes and  22 they will be taken care of fairly quickly and</p>	<p style="text-align: center;">15</p> <p>1 restriction as to the number of employees who  2 are going to work there. It seems that the  3 number of employees working there should be the  4 number that's needed to operate the business. I  5 just don't understand why that's something that  6 they would oppose. Maybe they will have some  7 explanation but I didn't understand it.  8           No. 4, require the applicant to  9 maintain the proposed repair facility in good  10 condition and repair. Yes, of course. We will  11 absolutely do that. And again if they didn't,  12 then there would be remedies the village of  13 Hinsdale has, including pulling the special use  14 permit. It's not going to happen, I'm just kind  15 of pointing out there's some remedies you guys  16 automatically have in place.  17           Prohibiting the storage of -- and a  18 list of things -- and prohibiting exterior  19 storage of refuse. Basically they don't want  20 any storage outside or garbage outside or  21 anything like that. And again, yes, we have no  22 intention of doing that.</p>
<p style="text-align: center;">14</p> <p>1 maybe three of them have major repairs and will  2 be done that day and maybe two or three of them  3 will be something that's not quite done that day  4 or done overnight. So I just think six vehicles  5 or any numerical restriction is not going to be  6 helpful for the business and we also have I  7 believe it's over 50 parking spaces allotted so  8 it's not like there's going to be crammed in  9 parking.  10           Just to kind of spinoff on that,  11 one of the concerns might be that this is going  12 to start looking like a used car lot or a  13 junkyard or something like that. Understandable  14 fear as I'm sure there are places that do that  15 sort of thing but that's not what this property  16 is all about. That's not what their business is  17 all about. So it's going to be cars that are  18 being repaired or waiting to be repaired.  19           So the next one, 4, is limiting the  20 size of the operation conducted to one staff by  21 no more than four individuals at any one time.  22           I'm not sure why there should be a</p>	<p style="text-align: center;">16</p> <p>1           No. 7, limiting the number of  2 dumpsters on the site to no more than two  3 dumpsters no larger than five cubic yards in  4 size. So this is one I don't quite understand  5 and I guess would like them to explain if they  6 would like to.  7           Because, like, in No. 6 they are  8 saying they don't want any outside storage or  9 waste and we should put it all in dumpsters and  10 then they want the village to limit the  11 dumpsters to no more than two. So I just feel,  12 like, again, there shouldn't be a restriction on  13 the number of dumpsters and certainly not two.  14           So when I look at these seven  15 concerns, I believe we've satisfied the concerns  16 in a reasonable way as I just talked about. I  17 know they list those and say this is why we are  18 objecting. I think when you look at those  19 things, I really don't think the objection is  20 well-founded. And I love the letter and it's  21 got the objections set out and all that so we  22 could look at it and prepare. I wish people</p>

<p style="text-align: center;">17</p> <p>1 coming to our zoning board would do that more  2 often, so I appreciate all the work they put  3 into it.  4 If you go to Page 3 of their  5 objection letter, this is about my clients'  6 business in Franklin Park on Mannheim Road and  7 they attached some photos as well. I think  8 someone from the association drove by and took  9 some photos.  10 I think the first thing to remember  11 is Franklin Park is very different than Hinsdale  12 and Franklin Park zoning is very different than  13 Hinsdale. And that area is not surrounded by  14 residences. So just a few things to consider.  15 The other thing to think about is  16 my clients have not received any notice of a  17 zoning violation or anything of the sort from  18 the village of Franklin Park and what they say  19 in part A, the objectors, is a total of 14  20 vehicles parked on or adjacent to the site, 5 in  21 a fenced lot next to the site, 5 vehicles across  22 the street and 4 vehicles directly in front of</p> <p>07:47:39PM 07:48:22PM</p>	<p style="text-align: center;">19</p> <p>1 so you don't have like a bunch of cars parked  2 there because here's your appointment, here's  3 when you can come in.  4 I'm sure we have all driven into an  5 auto repair place without making an appointment  6 to get something done or have a noise looked at.  7 They only take those drive ups if it's something  8 that can be done quickly because they are  9 already filled up with appointments or if they  10 happen to have an opening. So they try to  11 manage their workload by doing it through  12 appointments.  13 So they asked the question of how  14 much more volume would the applicant add with  15 five bays at the former JMS site instead of  16 three at its existing repair facility, I guess  17 the one in Franklin Park.  18 Well, I don't know. I just told  19 you kind of our procedure for how they are going  20 to operate their business. The prior occupant  21 had five bays and operated the business.  22 I have not checked to see if there</p> <p>07:50:08PM 07:50:35PM</p>
<p style="text-align: center;">18</p> <p>1 the garage bays. This is well over double the  2 volume at the formerly JMS site.  3 Well, just to kind of break that  4 down factually. The five in the fenced lot next  5 to the site aren't my clients' property, aren't  6 their cars, cars that he was working on.  7 Five vehicles across the street,  8 same thing, not my clients' property, not  9 vehicles waiting to be repaired.  10 And then four vehicles directly in  11 front of the garage bays, yes, those are four  12 vehicles that were there to be worked on. I'm  13 not sure what the volume was at the former JMS  14 site specifically. I'm not sure how the  15 objectors know what the volume was but as we  16 discussed how we are going to run the operation  17 there in terms of the vehicles that are going to  18 be there for repair and that sort of thing.  19 One thing to remember about the  20 repair facility, about from 80 to 90 percent of  21 the cars they work on are by appointment. So  22 that's the way they can pace out what's going on</p> <p>07:49:00PM 07:49:29PM</p>	<p style="text-align: center;">20</p> <p>1 are any complaints about the prior business  2 based on too many cars or anything like that,  3 but I doubt there have been and they certainly  4 would have been brought up in their detailed  5 memo.  6 So B, approximately 27 5-gallon  7 plastic water jugs stored outside on the site  8 with many, if not all of them, empty, lying  9 scattered about on the ground.  10 I talked to my clients about that.  11 There are the big water containers that people  12 use. You know, it's not his practice to have  13 things stored in the back and like that, so if  14 they were there, it was because he had not quite  15 put them in the dumpster or something like that;  16 I'm not really sure.  17 What I am sure about is as we said  18 with the prior seven things, my clients have no  19 interest in having anything outside in terms of  20 storage or garbage or anything like that. I  21 would hope to have more than two dumpsters so we  22 could do that.</p> <p>07:51:10PM 07:51:43PM</p>

<p style="text-align: center;">21</p> <p>1 Also in the Mannheim site a broken  2 fence that needed repair around the site parking  3 lot. Not exactly sure what that is. We think  4 it's a city fence because it's next to city  5 property. But again, there's no fences at the  6 Hinsdale facility so I'm not sure how that's  7 applicable.</p> <p>8 And then number D, sort of getting  9 kind of the zoning. There are exterior storing  10 racks in the Franklin Park facility and that's  11 okay because Franklin Park allows that. There  12 are not going to be exterior storage here or  13 garbage strewn about or whatever, not that there  14 would be in Franklin Park, because Hinsdale  15 doesn't allow that. So that's a bit of the kind  16 of apples and oranges.</p> <p>17 So I think I have walked through  18 all the points the objectors have made and I  19 believe, Mr. Chairman, the process is I'll  20 finish talking and then you will ask any  21 questions about all of that. Okay.  22 I'll go over the next item a little</p>	<p style="text-align: center;">23</p> <p>1 hard to answer it because outside on an average  2 day, I don't know if that means at any one time,  3 or throughout the day there are three and then  4 three more and then three more, but again  5 there's plenty of parking to take care of  6 whatever cars are there.</p> <p>7 And then what we also point out in  8 answer to No. 7 on the top one but also in 5,  9 they have a shop policy that if vehicles are not  10 picked up by the end of the day, there will be a  11 \$75 fee applied. So car's done, come pick it up  12 or you are paying an extra \$75.</p> <p>13 There will be some cars, like I  14 said, that may stay overnight because they  15 needed more repairs than they thought or for  16 some reason but it's the exception not the rule  17 and that fine tends to keep people from not  18 picking up their cars.</p> <p>19 Employers and employees at Mannheim  20 about five. And then three employees  21 approximately when they start and hopefully the  22 business will do well and they will get up to</p>
<p style="text-align: center;">22</p> <p>1 more quickly. So there were some questions that  2 were submitted in writing that Bethany then sent  3 to us and we answered.</p> <p>4 The top of the page says, Questions  5 related to the applicant's current auto repair  6 facility and some of them asked questions about  7 that facility and asked the same questions, for  8 the most part, about what this facility would  9 be. So I'm just going to combine as much as I  10 can.</p> <p>11 So again, their hours of operation  12 will be the same, Monday through Friday 9:00 a.m.  13 to 6:00 p.m., Saturday 9 to 4 and closed on  14 Sunday. Serve approximately 15 to 20 vehicles,  15 again, for both facilities. In a week during  16 2021 they said about 80 or 90 vehicles. An  17 average for the year about 70 vehicles and those  18 numbers they anticipate at this facility as  19 well.</p> <p>20 How many vehicles parked outside on  21 average day waiting repairs? Two to three days,  22 one to two depending on service. It's a little</p>	<p style="text-align: center;">24</p> <p>1 five employees, maybe six or seven. So that's  2 that.</p> <p>3 How many vehicles were serviced at  4 the Mannheim facility in 2021. Roughly 2,880  5 vehicles serviced and who's responsible for  6 maintenance. Samir Sharabatee is responsible  7 for maintenance.</p> <p>8 So then turning to the specifics of  9 the questions regarding the Hinsdale facility,  10 contemplating any modifications to the facility;  11 we do not.</p> <p>12 Again, asking about parking in the  13 adjacent shopping center. No. And then will  14 you, as the operator of the repair facility,  15 have a legal right by lease, sublease or other  16 contractual arrangement to park vehicles  17 waiting service in the adjacent shopping center.  18 Again, no. We don't. We don't want that right.  19 We are not going to seek it and of course, if we  20 ever did, which I don't think we ever would, we  21 would need to come back here for your permission  22 to do that.</p>

<p style="text-align: center;">25</p> <p>1                So you've probably driven by it  2 even before the petition was done but here's  3 just a photograph towards the end of your packet  4 and the front view of it that we took and then  5 another view. There is a canopy there, used to  6 be for gas pumps. We are not going to be doing  7 any of that obviously we need to ask you and we  8 have no interest in doing that.  9                So I want to go back now to the  10 findings of fact for special use. So the first  11 one is -- I'm sure you know these almost by  12 memory. Will the development be in harmony with  13 the general and specific purposes in which the  14 code was enacted? I say yes, it is.  15                Clearly the property is zoned B-1,  16 it's a special use in that district. As I said,  17 it's been an automotive facility before the code  18 was enacted.  19                Any undue adverse impact. I don't  20 think so. It was used as an automotive repair  21 shop and there weren't any adverse impacts back  22 then that any of us are aware of.</p> <p>07:57:27PM 07:58:01PM</p>	<p style="text-align: center;">27</p> <p>1 interference. I don't, again, recall any  2 complaints about interference back when it was  3 operating since I think the '60s.  4                Adequate public facilities. I  5 don't think there's any question there are  6 adequate public facilities.  7                No traffic congestion. Again, it's  8 been there for a long time, there's been traffic  9 there before. I don't see that as an issue.  10                No destruction of significant  11 features. Well, we are not doing any changes or  12 improvements. Might be a stretch but it's an  13 old building that's been there for a long time  14 so maybe it's a significant feature for the  15 area, I don't know.  16                Compliance with standards. It does  17 comply with the standards, including requirements  18 of Article 10, which as you probably recall, goes  19 towards properties that have predated the code  20 and are continuing to exist.  21                Special standards for specified  22 special uses. I'm not aware of any.</p> <p>07:59:44PM 08:00:18PM</p>
<p style="text-align: center;">26</p> <p>1                The character of the area. Well, I  2 think it's been there since most of the things  3 around it have built up, so it's always been  4 part of the character of the area.  5                And the public health, safety and  6 general welfare, again, I think it's been there  7 for a long time and there are no access issues.  8 I don't know, I think it's nice to have a place  9 close to where I live to get the car repaired  10 and that sort of thing, so I think it's a  11 positive.  12                And also, we can't ignore that this  13 is an empty building right now and that's not  14 good for business or tax dollars or sales tax or  15 anything like that. So I think it's a good  16 thing that this is going back in to business for  17 the village.  18                No interference with surrounding  19 developments. Again, things were built up around  20 this building, so any impact on surrounding  21 development was done by the people who built  22 around there but I don't see how there's any</p> <p>07:58:40PM 07:59:11PM</p>	<p style="text-align: center;">28</p> <p>1                Is there public benefit? I think  2 so, for the reasons I just talked about, how  3 it's going to benefit the public.  4                And alternate locations. Can this  5 be met -- this use be met by going to a  6 different location where it would be more  7 appropriate? I think the answer there is no.  8 Because historically that property has been  9 there and been there since prior to the other  10 developments.  11                Mitigation of adverse impacts. I'm  12 really not aware of any adverse impacts that  13 need to be mitigated. We discussed how it's  14 going to operate and I don't think that creates  15 any additional adverse impacts than it was  16 operating before.  17                I won't go through it in detail but  18 the bottom of the findings of fact, what I put,  19 I went around, I researched all the parcels all  20 around and all of them were built after the  21 automotive place was operating. Not everyone  22 who owns those properties were there while it</p> <p>08:00:54PM 08:01:20PM</p>

<div>29</div> <div> <div>1</div> <div>was operating but the properties themselves have</div> </div> <div> <div>2</div> <div>all been there. So when people bought the</div> </div> <div> <div>3</div> <div>properties, they bought knowing that there was</div> </div> <div> <div>4</div> <div>actually an ongoing auto mechanic shop. So I</div> </div> <div> <div>5</div> <div>don't think knowingly buying into an auto</div> </div> <div> <div>6</div> <div>mechanic shop and coming in to object, I'm not</div> </div> <div> <div>7</div> <div>saying that's what everyone is doing, they kind</div> </div> <div> <div>8</div> <div>of knew what they were doing and I think it's</div> </div> <div> <div>9</div> <div>going to enhance. I don't want to be -- because</div> </div> <div> <div>08:02:08PM</div> <div>10</div> <div>I do a lot of litigation, I'm probably sounding</div> </div> <div> <div>11</div> <div>a little bit belligerent, but I think it is</div> </div> <div> <div>12</div> <div>great that they are making objections, they are</div> </div> <div> <div>13</div> <div>involved in the community, want to make sure</div> </div> <div> <div>14</div> <div>it's a good community and this is going to be</div> </div> <div> <div>15</div> <div>good for them, I think that's wonderful. So if</div> </div> <div> <div>16</div> <div>I came across a little bit differently than that</div> </div> <div> <div>17</div> <div>view, I apologize for being in court for too</div> </div> <div> <div>18</div> <div>many times. So that's really all I had to say.</div> </div> <div> <div>19</div> <div>Lastly, I just wanted to thank</div> </div> <div> <div>08:02:36PM</div> <div>20</div> <div>Bethany because she was very helpful with me in</div> </div> <div> <div>21</div> <div>terms of putting everything together so when we</div> </div> <div> <div>22</div> <div>came before you, it would be smooth and</div> </div>	<div>31</div> <div> <div>1</div> <div>MR. JOYNER: If it said offsite --</div> </div> <div> <div>2</div> <div>MR. HURLEY: It is.</div> </div> <div> <div>3</div> <div>MR. JOYNER: Probably should be on.</div> </div> <div> <div>4</div> <div>It's a typo. Yes, there's not going to be any</div> </div> <div> <div>5</div> <div>offsite parking.</div> </div> <div> <div>6</div> <div>CHAIRMAN CASHMAN: In the last</div> </div> <div> <div>7</div> <div>paragraph.</div> </div> <div> <div>8</div> <div>MR. HURLEY: Yes.</div> </div> <div> <div>9</div> <div>MR. JOYNER: Apologize for that.</div> </div> <div> <div>08:03:55PM</div> <div>10</div> <div>CHAIRMAN CASHMAN: No problem.</div> </div> <div> <div>11</div> <div>MS. CURRY: I had another question I</div> </div> <div> <div>12</div> <div>wanted to ask you.</div> </div> <div> <div>13</div> <div>Your building in Franklin Park, is</div> </div> <div> <div>14</div> <div>that owned or leased?</div> </div> <div> <div>15</div> <div>MR. JOYNER: Leased. Been there for</div> </div> <div> <div>16</div> <div>seven years.</div> </div> <div> <div>17</div> <div>MS. CURRY: Okay. I just have to say</div> </div> <div> <div>18</div> <div>that whether you are in Franklin Park or whether</div> </div> <div> <div>19</div> <div>you are in Hinsdale, it's -- I think you should</div> </div> <div> <div>08:04:26PM</div> <div>20</div> <div>take care of things appropriately no matter</div> </div> <div> <div>21</div> <div>where you are. Franklin Park says you don't</div> </div> <div> <div>22</div> <div>have to do this, you don't have to do it so I</div> </div>
<div>30</div> <div> <div>1</div> <div>hopefully it has been.</div> </div> <div> <div>2</div> <div>Thank you very much for your time.</div> </div> <div> <div>3</div> <div>Obviously, we would love a positive vote and</div> </div> <div> <div>4</div> <div>moving on to the next phase. Any questions?</div> </div> <div> <div>5</div> <div>CHAIRMAN CASHMAN: Thank you.</div> </div> <div> <div>6</div> <div>Cynthia?</div> </div> <div> <div>7</div> <div>MS. CURRY: Just one question. You</div> </div> <div> <div>8</div> <div>referred in your application that there would be</div> </div> <div> <div>9</div> <div>offsite outdoor parking. Where is that going to</div> </div> <div> <div>08:03:08PM</div> <div>10</div> <div>be? If cars were still there, it would -- I</div> </div> <div> <div>11</div> <div>should have underlined it but I made a note to</div> </div> <div> <div>12</div> <div>myself, that you would have a spot to do offsite</div> </div> <div> <div>13</div> <div>outdoor parking.</div> </div> <div> <div>14</div> <div>MR. JOYNER: I wish I had it in front</div> </div> <div> <div>15</div> <div>of me. There's not going to be any offsite</div> </div> <div> <div>16</div> <div>outdoor parking.</div> </div> <div> <div>17</div> <div>CHAIRMAN CASHMAN: Do you mean onsite?</div> </div> <div> <div>18</div> <div>MS. CURRY: I thought it said offsite.</div> </div> <div> <div>19</div> <div>I thought there was something in here that said</div> </div> <div> <div>08:03:32PM</div> <div>20</div> <div>-- did anybody else see it?</div> </div> <div> <div>21</div> <div>MR. HURLEY: Yes, it's right here at</div> </div> <div> <div>22</div> <div>the bottom.</div> </div>	<div>32</div> <div> <div>1</div> <div>look at that and I'm concerned are we going to</div> </div> <div> <div>2</div> <div>have to be watchdogs of the property?</div> </div> <div> <div>3</div> <div>MR. JOYNER: I don't think so. My</div> </div> <div> <div>4</div> <div>client actually brought some photos that he had</div> </div> <div> <div>5</div> <div>taken of it today and he does try to keep</div> </div> <div> <div>6</div> <div>things -- the only thing I saw that looked not</div> </div> <div> <div>7</div> <div>good were the 27 water bottles that were out</div> </div> <div> <div>8</div> <div>there, I guess. That's certainly not typical.</div> </div> <div> <div>9</div> <div>The other items, we didn't have</div> </div> <div> <div>08:05:10PM</div> <div>10</div> <div>cars everywhere. We went through that. And in</div> </div> <div> <div>11</div> <div>terms of exterior storage of things, that's</div> </div> <div> <div>12</div> <div>allowed under Franklin Park zoning but we try to</div> </div> <div> <div>13</div> <div>keep it neat and clean.</div> </div> <div> <div>14</div> <div>I have known them for a while.</div> </div> <div> <div>15</div> <div>They have been around a long time. Samir has</div> </div> <div> <div>16</div> <div>been in our country since 12, kind of a great</div> </div> <div> <div>17</div> <div>American dream story. I think -- what I always</div> </div> <div> <div>18</div> <div>go back to in these kind of things. How</div> </div> <div> <div>19</div> <div>terrible for business would it be if they didn't</div> </div> <div> <div>08:05:43PM</div> <div>20</div> <div>keep the property clean, including in Franklin</div> </div> <div> <div>21</div> <div>Park. People aren't going to go there so it's</div> </div> <div> <div>22</div> <div>counter to running a good business and like I</div> </div>

<p style="text-align: center;">33</p> <p>1 said, he's been at that facility for seven years</p> <p>2 and it's his business, he's expanding his</p> <p>3 business. Does that answer your question?</p> <p>4 MS. CURRY: A little.</p> <p>5 MR. JOYNER: Okay.</p> <p>6 MS. CURRY: And I'm glad that things</p> <p>7 are cleaned up, but I just feel that that's a</p> <p>8 presence that no matter what community you are</p> <p>9 in.</p> <p>08:06:17PM 10 This is a bigger volume business</p> <p>11 clearly than the existing business or the</p> <p>12 business that was there, JMS. I don't think he</p> <p>13 did that level of business and I'm not sure, was</p> <p>14 that a tire center before or was it just engine</p> <p>15 repair there or was it just tune-ups and things?</p> <p>16 MR. KRILLENBERGER: It was a regular</p> <p>17 gas station.</p> <p>18 MS. CURRY: It was a gas station. So</p> <p>19 this is a huge step up. So when you reference</p> <p>08:06:40PM 20 that things have changed, people built houses</p> <p>21 there, they built it, it was still kind of a</p> <p>22 quiet station. We all used it periodically. It</p>	<p style="text-align: center;">35</p> <p>1 You have your appointments, you know what parts</p> <p>2 you are going to need, tires, you can get those</p> <p>3 pretty quickly, so there's not a ton of -- it's</p> <p>4 not going to be like when you go to Just Tires</p> <p>5 and there's racks and racks and racks of tires</p> <p>6 everywhere. So the nature of the business in</p> <p>7 terms of storage space is sufficient.</p> <p>8 MS. CURRY: So would you say that it's</p> <p>9 more of a tire center if you had to say</p> <p>08:08:21PM 10 50 percent new tires, 50 percent repairs, that's</p> <p>11 a lot of tires, or is that? Is the -- it's a</p> <p>12 tire center; right?</p> <p>13 MR. JOYNER: It's a repair and tires.</p> <p>14 MS. CURRY: Okay. So I imagine there</p> <p>15 will be trucks dropping off, picking up tires</p> <p>16 because you don't have that much room inside,</p> <p>17 right?</p> <p>18 MR. JOYNER: There will be trucks</p> <p>19 coming in and dropping off tires and whatever</p> <p>08:08:48PM 20 else, sure.</p> <p>21 MS. CURRY: I might have another</p> <p>22 question, but I'm good. Thank you.</p>
<p style="text-align: center;">34</p> <p>1 was there and then kind of not there. This is</p> <p>2 going to be a big presence and I don't think it</p> <p>3 was a tire center and my concern is it's not a</p> <p>4 big parcel, where are you going to put tires?</p> <p>5 If you are doing engine work, where are you</p> <p>6 going to store those things?</p> <p>7 MR. JOYNER: The interior of the</p> <p>8 property is sufficient for putting in things.</p> <p>9 MS. CURRY: Inside?</p> <p>08:07:09PM 10 MR. JOYNER: Yes, it's all inside.</p> <p>11 CHAIRMAN CASHMAN: The section that</p> <p>12 projects to the east, that's two-story, right?</p> <p>13 MR. JOYNER: Yes.</p> <p>14 CHAIRMAN CASHMAN: There's a stair up</p> <p>15 to the upper level, so areas for two levels of</p> <p>16 storage at the north end, like the last two</p> <p>17 bays?</p> <p>18 MR. JOYNER: Yes. So, I mean, we can't</p> <p>19 have outdoor storage and we don't want to and we</p> <p>08:07:38PM 20 are not going to. I mean, there's a lot more --</p> <p>21 two of the other businesses in the area, a lot</p> <p>22 more that I would call just in time you can do.</p>	<p style="text-align: center;">36</p> <p>1 CHAIRMAN CASHMAN: Jim?</p> <p>2 MR. KRILLENBERGER: I guess I don't</p> <p>3 have many questions.</p> <p>4 Mechanical diagnostic repair and</p> <p>5 maintenance places they aren't that loud. I</p> <p>6 don't know.</p> <p>7 MR. JOYNER: I haven't found them to be</p> <p>8 loud in my experience.</p> <p>9 MR. KRILLENBERGER: We have an existing</p> <p>08:09:12PM 10 provider here and they seem to get along well</p> <p>11 with the neighbors.</p> <p>12 I like the idea that there's</p> <p>13 activity there. I like the idea since that has</p> <p>14 been vacant since 2019. It's invigorating to</p> <p>15 the community and I do like the idea of an</p> <p>16 additional provider. It sounds like you're</p> <p>17 addressing a lot of the concerns but I'd be</p> <p>18 interested in hearing the other side of that</p> <p>19 discussion. So those are my observations.</p> <p>08:09:39PM 20 MR. JOYNER: Me too.</p> <p>21 CHAIRMAN CASHMAN: Pat?</p> <p>22 MR. HURLEY: The only thing I was going</p>

<p style="text-align: center;">37</p> <p>1 to ask about is you mentioned that it wouldn't</p> <p>2 be -- I don't know if it's possible but</p> <p>3 certainly not desirable to be limited to two</p> <p>4 dumpsters of five cubic yards each.</p> <p>5 What would you be comfortable with</p> <p>6 and the quantity and its volume?</p> <p>7 MR. JOYNER: If you don't mind, I'll</p> <p>8 answer your question but I have to ask my</p> <p>9 clients, see what they think.</p> <p>08:10:28PM 10 I think given the dumpster sizes,</p> <p>11 they have mentioned four I think would be</p> <p>12 probably a -- I mean, I'd rather be expressed in</p> <p>13 terms of cubic yards of dumpster because they</p> <p>14 have different sizes. It might make sense to</p> <p>15 have one bigger one rather than two little ones.</p> <p>16 If you want to put four that size, that's fine.</p> <p>17 If you want to do it in cubic yards, that would</p> <p>18 be our preference.</p> <p>19 CHAIRMAN CASHMAN: Julie?</p> <p>08:10:59PM 20 MS. CRNOVICH: First of all, I do</p> <p>21 understand the neighbors' concerns and it's</p> <p>22 important that we listen to the neighbors. I</p>	<p style="text-align: center;">39</p> <p>1 MR. JOYNER: Yes. We have an overview.</p> <p>2 They will be in the rear where they were before.</p> <p>3 MS. CRNOVICH: Is there room back there</p> <p>4 for say two dumpsters?</p> <p>5 MR. JOYNER: There is. There's plenty</p> <p>6 of room for that.</p> <p>7 MS. CRNOVICH: Okay. Another concern</p> <p>8 that I have is meant more for the owner of the</p> <p>9 strip mall. The mall is looking kind of sad and</p> <p>08:12:20PM 10 I think could really use some spiffing up,</p> <p>11 especially with all the vacant storefronts it's</p> <p>12 looking more than sad. I think it would be a</p> <p>13 positive for the neighboring property owners and</p> <p>14 the village if they would pay some attention to</p> <p>15 that. It looks like they are trying to attract</p> <p>16 new businesses.</p> <p>17 MR. JOYNER: Yes. I've written it</p> <p>18 down. I'm going to call the owner, the same</p> <p>19 owner, and I'm going to tell them.</p> <p>08:12:50PM 20 MS. CRNOVICH: Okay. Thank you.</p> <p>21 Those are all the questions I have</p> <p>22 for now.</p>
<p style="text-align: center;">38</p> <p>1 think you've answered all of the questions that</p> <p>2 they have for now.</p> <p>3 Storage of tires, that will be</p> <p>4 inside?</p> <p>5 MR. JOYNER: Yes. There will be no</p> <p>6 outdoor storage.</p> <p>7 MS. CRNOVICH: Is the building</p> <p>8 soundproofed?</p> <p>9 MR. JOYNER: Well, it's thick brick; I</p> <p>08:11:22PM 10 know that.</p> <p>11 MS. CRNOVICH: So its noise will it be</p> <p>12 -- I think that came up with Land Rover.</p> <p>13 MR. JOYNER: We don't have acoustic</p> <p>14 tiles but the brick will take care of it.</p> <p>15 MR. KRILLENBERGER: I think the</p> <p>16 proximity is different than Land Rover. And</p> <p>17 you're closing at what time?</p> <p>18 MR. JOYNER: 6:00.</p> <p>19 MR. KRILLENBERGER: 6:00 p.m.</p> <p>08:11:45PM 20 MS. CRNOVICH: Maybe, Jim.</p> <p>21 The enclosure in the rear, is that</p> <p>22 where the dumpsters will be?</p>	<p style="text-align: center;">40</p> <p>1 CHAIRMAN CASHMAN: Shelley?</p> <p>2 MS. CARTER: A couple of mine have</p> <p>3 already been asked but the two that I have</p> <p>4 remaining are is this business in addition to</p> <p>5 the one in Franklin Park or a replacement?</p> <p>6 MR. JOYNER: The answer is it's in</p> <p>7 addition to, a second location.</p> <p>8 MS. CARTER: And going back to the</p> <p>9 dumpsters, location of the dumpsters, so they</p> <p>08:13:19PM 10 would be around back, is there enough room so --</p> <p>11 we we're talking cubic feet could all of them go</p> <p>12 back there if there was more of them? How much</p> <p>13 space in the back for dumpsters?</p> <p>14 CHAIRMAN CASHMAN: It's just under 60</p> <p>15 feet deep by about 20 feet. It's pretty big.</p> <p>16 MS. CARTER: Okay.</p> <p>17 MR. JOYNER: And I'll turn it back on</p> <p>18 you if maybe you're concern is we are going to</p> <p>19 have dumpsters in front.</p> <p>08:13:45PM 20 MS. CARTER: Or on the sides.</p> <p>21 MR. JOYNER: No. In fact, if you want</p> <p>22 to put that in as a condition.</p>

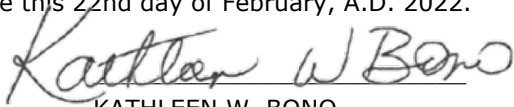
<p style="text-align: center;">41</p> <p>1 MS. CARTER: If they are hidden, I</p> <p>2 don't know that me personally care about the</p> <p>3 number, but I want to make sure there's enough</p> <p>4 space that they are not seeping around the side</p> <p>5 or in the front, that they can all be hidden in</p> <p>6 the back.</p> <p>7 MR. JOYNER: Yes. What you have kind</p> <p>8 of triggered in me is that maybe just saying</p> <p>9 dumpsters will be located in the back would be</p> <p>08:14:08PM 10 sufficient to satisfy.</p> <p>11 CHAIRMAN CASHMAN: Within a fenced</p> <p>12 enclosure.</p> <p>13 MR. JOYNER: Yes, would be sufficient</p> <p>14 rather than cubic footage or such.</p> <p>15 CHAIRMAN CASHMAN: I just looked at the</p> <p>16 photo. It's a stockade fence, this is a solid</p> <p>17 wood fence with the gates to the south.</p> <p>18 MS. CRNOVICH: Which is good since</p> <p>19 dumpsters should be screened.</p> <p>08:14:51PM 20 CHAIRMAN CASHMAN: Right.</p> <p>21 Any more questions, Shelley?</p> <p>22 (Cross talking.)</p>	<p style="text-align: center;">43</p> <p>1 arrangement but that's something --</p> <p>2 MR. JOYNER: I doubt it. I think all</p> <p>3 of us have probably lived in apartments where</p> <p>4 you're allowed one space and you need two cars,</p> <p>5 so they are trying to figure out what to do.</p> <p>6 But we will look into that as well because we</p> <p>7 don't want a bunch of cars parked there.</p> <p>8 CHAIRMAN CASHMAN: It's actually kind</p> <p>9 of fascinating looking at the plat of survey</p> <p>08:16:10PM 10 that there's not even an easement for the</p> <p>11 parking spaces that are on the property of that</p> <p>12 apartment building.</p> <p>13 MR. JOYNER: Correct.</p> <p>14 CHAIRMAN CASHMAN: Which is bizarre to</p> <p>15 me that's not a dedicated easement but just, you</p> <p>16 know, it's probably just two neighbors agreeing</p> <p>17 to provide access.</p> <p>18 Any other questions, Shelley?</p> <p>19 MS. CARTER: No.</p> <p>08:16:31PM 20 CHAIRMAN CASHMAN: Okay. I have a few.</p> <p>21 I do think a condition that the</p> <p>22 dumpsters be within the fence enclosure is</p>
<p style="text-align: center;">42</p> <p>1 MS. CARTER: No. That's it.</p> <p>2 MS. CURRY: The owner of the building</p> <p>3 should take a good -- I have ones from the</p> <p>4 alleyway, I don't know if anyone wants to see</p> <p>5 them, that's kind of amazing.</p> <p>6 MR. JOYNER: Looking sad.</p> <p>7 MS. CURRY: Just the fence behind the</p> <p>8 building. Is that owned by --</p> <p>9 CHAIRMAN CASHMAN: Yes, that's on their</p> <p>08:15:18PM 10 parcel. What's interesting is the 17 parking</p> <p>11 spaces that face the other parcel, it almost</p> <p>12 appears that some of it they're being used by</p> <p>13 the apartment building.</p> <p>14 MS. CRNOVICH: I was wondering about</p> <p>15 that.</p> <p>16 MS. CURRY: I was too.</p> <p>17 CHAIRMAN CASHMAN: From what I saw</p> <p>18 today, I mean, obviously no one is in the motor</p> <p>19 building right now so someone is parking along</p> <p>08:15:39PM 20 there and there's about at least six vehicles,</p> <p>21 one as you can tell that had just recently left</p> <p>22 before the snow. I don't know if there's an</p>	<p style="text-align: center;">44</p> <p>1 important. It won't be unsightly and as many as</p> <p>2 they need, I think that's a business operational</p> <p>3 question. We don't as a zoning ordinance get</p> <p>4 into --</p> <p>5 MR. JOYNER: Certainly we won't be</p> <p>6 paying for more dumpsters than we need.</p> <p>7 CHAIRMAN CASHMAN: And I do appreciate,</p> <p>8 I think the association did a nice job of really</p> <p>9 thoughtfully going through this and I appreciate</p> <p>08:16:57PM 10 the fact that this wasn't like no, we object but</p> <p>11 here's, like, the issues that we had concerns</p> <p>12 with.</p> <p>13 And of the seven, I do feel like</p> <p>14 you did respond to basically four of the seven,</p> <p>15 the first two. The two about -- No. 3 and No. 4</p> <p>16 about limiting vehicles, size of operation,</p> <p>17 staff, we have had this come before us in the</p> <p>18 past. The zoning ordinance focuses on zoning</p> <p>19 and building, we don't restrict business</p> <p>08:17:25PM 20 operations.</p> <p>21 I mean this came up on a bank. So</p> <p>22 long as they comply with parking, setbacks, all</p>

<p style="text-align: center;">45</p> <p>1 that thing, we don't really get inside the  2 building and talk about how many bank employees  3 they can have. The zoning ordinance is designed  4 to supply adequate parking, access, buffer to  5 residential and all that but I think those two  6 questions really are not something that we as a  7 plan commission have authority on and I kind of  8 believe that when it comes to dumpsters, it's  9 the same thing. It's not something that's in  10 our zoning ordinance.</p> <p>11 The appearance and the screening of  12 them does, so I think that's where it's great  13 that there's that screening and it's a large  14 area and if they are not using outside storage  15 for tires or anything else, that's a large place  16 that you could store dumpsters.</p> <p>17 Parking, I mean, there's 29 spaces  18 on those two parcels, which are basically part  19 of it, and you basically need a dozen. So if  20 you even have five employees, six employees, you  21 have plenty of room for storage of vehicles that  22 are being repaired plus five bays.</p>	<p style="text-align: center;">47</p> <p>1 New Mexico and not here so here I am.  2 I think Mr. Hanson's letter covered  3 our concerns pretty well so I'm not going to  4 beat that dead horse and I know you have all  5 read it just from hearing your questions.  6 I do want to point out a few  7 things. No. 1, this came in front of the board  8 and we discussed it in depth and it was a  9 unanimous vote opposing this. This vote was  10 cast by some people who were customers for many  11 years of JMS, people who had been going there  12 forever.  13 The question here is not really,  14 you know, regarding the special use permit. JMS  15 ran a nice operation, they stopped, the permit  16 expired. Now somebody else is coming in. The  17 question is: Is it still appropriate to have a  18 gas station or a shop at that location? And  19 even more bigger question for us: Is this the  20 right business to be there? Because I think you  21 have to look at that one. I think you pointed  22 out earlier that just because Franklin Park</p>
<p style="text-align: center;">46</p> <p>1 I recall when I moved here in '66,  2 it was an active gas station. I used it once I  3 was able to drive. My parents went there. It  4 was much busier back in that period when it was  5 a gas station and repair and then when they quit  6 selling gas, then it become a little quieter  7 operation but it has been there for quite a long  8 time. I'm fairly certain it was there in '66.  9 I think you answered most of my  10 questions but I did want to have at least one  11 gentleman that wants to speak to this matter.  12 If you would like to come up and give us your  13 name and your address.  14 MR. JOYNER: Thank you, all.  15 CHAIRMAN CASHMAN: Okay. Thank you.  16 MR. MCCARTHY: Evening. Thanks for  17 having me here tonight. My name is Jim  18 McCarthy. I'm here on behalf of the Golfview  19 Hills Homes Association; I'm the secretary. Our  20 president Ron Hanson is the person who drafted  21 the letter that you've all received. He is  22 unfortunately, or fortunately in his case, in</p>	<p style="text-align: center;">48</p> <p>1 might let you get away with something, you  2 shouldn't do it and that's our concern here is  3 that they've proven the way they run their  4 operation in Franklin Park.  5 The woman who took the pictures is  6 here. Nobody is contesting I think that those  7 pictures are saying those are inadequate.  8 The area around that gas station  9 has grown up over the years. I know many of you  10 have been here a long time. I have. There were  11 a lot of other businesses along Madison Street  12 too that are long gone that probably would not  13 have been an appropriate use under current  14 situations. I mean, Belluomini's for one. Who  15 here hasn't ever been at Belluomini's? But  16 could they ever reopen? I haven't, but there  17 were other business along there. Times have  18 changed and the question is: Is that something  19 that we want in a residential neighborhood? I  20 would submit our board says no.  21 We are literally right across the  22 street from that gas station. We also see the</p>

<p style="text-align: center;">49</p> <p>1 condition of the other stores that are in that</p> <p>2 complex and we have concerns about that too.</p> <p>3 One of the big issues here for us</p> <p>4 is -- and there's some confusion maybe -- you</p> <p>5 have three parcels here. Why are all three of</p> <p>6 them subject to this application? I mean, if</p> <p>7 the board was inclined, the commission was</p> <p>8 inclined to approve this, it should be limited</p> <p>9 strictly to Parcel 1. Period.</p> <p>08:22:25PM 10 The parking space issue that we</p> <p>11 were talking about earlier, I think 50 spaces</p> <p>12 was mentioned. I look at the aerial picture and</p> <p>13 we count maybe 16. If you include Parcel 3,</p> <p>14 which is basically the alley behind the</p> <p>15 property, that's not part of the lease</p> <p>16 agreement, at least according to what I've seen</p> <p>17 here, and we definitely don't want them parking</p> <p>18 cars in the rest of the strip mall.</p> <p>19 So if you were inclined to approve</p> <p>08:22:52PM 20 that, we would want the kind of conditions</p> <p>21 imposed that are spelled out in our objection</p> <p>22 letter.</p>	<p style="text-align: center;">51</p> <p>1 I'm wondering why it was vacate so long but it</p> <p>2 was just did he decide to retire?</p> <p>3 MR. KRILLENBERGER: I don't know the</p> <p>4 answer though I thought it was longer.</p> <p>5 CHAIRMAN CASHMAN: I thought it was</p> <p>6 longer than that. Seems like it's been vacant</p> <p>7 for a long --</p> <p>8 MS. CURRY: I thought it was longer</p> <p>9 than that too.</p> <p>08:24:15PM 10 CHAIRMAN CASHMAN: 2019. The storage</p> <p>11 tanks were removed in 2016, so prior to that.</p> <p>12 MR. KRILLENBERGER: So maybe just had</p> <p>13 operations that were not noticeable and I don't</p> <p>14 know but to address the neighborhood's and</p> <p>15 Julie's observations maybe this new business</p> <p>16 will revitalize that strip mall, give people a</p> <p>17 reason to go there.</p> <p>18 MS. CRNOVICH: That's a point.</p> <p>19 CHAIRMAN CASHMAN: It is permitted</p> <p>08:24:56PM 20 special use in that zoning district.</p> <p>21 MR. KRILLENBERGER: That's a busy road.</p> <p>22 CHAIRMAN CASHMAN: Just like a church</p>
<p style="text-align: center;">50</p> <p>1 But I guess in summary, the</p> <p>2 question really is: Is this applicant a good</p> <p>3 fit for the neighborhood? And I think just the</p> <p>4 fact that we went and drove over and saw the way</p> <p>5 they're running the business now is an</p> <p>6 indication that probably not and I think the</p> <p>7 village is going to end up having a lot of</p> <p>8 headaches trying to keep them in line if they do</p> <p>9 approve it. Thank you.</p> <p>08:23:26PM 10 CHAIRMAN CASHMAN: Thanks, Jim.</p> <p>11 Anyone else want to speak on this</p> <p>12 matter?</p> <p>13 (No response.)</p> <p>14 Hearing none, commissioners,</p> <p>15 thoughts, other questions?</p> <p>16 MS. CURRY: I just --</p> <p>17 MR. JOYNER: Mr. Chairman, is there</p> <p>18 anything else we should address?</p> <p>19 CHAIRMAN CASHMAN: Not at this moment.</p> <p>08:23:51PM 20 MS. CURRY: So the last time when JMS</p> <p>21 Service was in there that was 2019, so he was</p> <p>22 still operating pre-pandemic; correct? Because</p>	<p style="text-align: center;">52</p> <p>1 or a school would be.</p> <p>2 MS. CRNOVICH: I don't see what else</p> <p>3 could go into that space. I mean, who's going</p> <p>4 to lease a garage unless you are an auto</p> <p>5 mechanic?</p> <p>6 MS. CARTER: It would need major, major</p> <p>7 renovations.</p> <p>8 MS. CRNOVICH: Major renovations.</p> <p>9 CHAIRMAN CASHMAN: The property owners</p> <p>08:25:24PM 10 would have to undertake, right, maybe change</p> <p>11 zoning, turn it into something else.</p> <p>12 MS. CRNOVICH: And actually, I'm</p> <p>13 surprised with the location, you know, the mall</p> <p>14 there, they are out there by themselves. I</p> <p>15 would think more businesses would be wanting to</p> <p>16 get in there.</p> <p>17 CHAIRMAN CASHMAN: Well, we had Plate</p> <p>18 Exercise moved in there but then unfortunately</p> <p>19 they moved, they expanded and moved to Chicago.</p> <p>08:25:46PM 20 MR. KRILLENBERGER: Caterer was in</p> <p>21 there.</p> <p>22 MS. CRNOVICH: And then at one time</p>

<p style="text-align: center;">53</p> <p>1 there was a wine shop I think.</p> <p>2 CHAIRMAN CASHMAN: Well, I do think to</p> <p>3 Jim's point, and I think it's important because</p> <p>4 there's obviously in reading this, it's not</p> <p>5 crystal clear. I do think this -- it needs to</p> <p>6 be conditioned this is strictly limited to the</p> <p>7 parcel 1, which basically does include those 17</p> <p>8 spaces and not the parcel to the north. I mean,</p> <p>9 there's plenty of parking on this parcel. There</p> <p>10 should be no need based on their use and it</p> <p>11 would be detrimental to the success of the</p> <p>12 stripe mall portion if they were using any of</p> <p>13 those parking spaces. And then I also think the</p> <p>14 condition of the dumpsters within the enclosure.</p> <p>15 And I, frankly, would like to see the place</p> <p>16 painted and spruced up a little bit.</p> <p>17 I mean, when you look at the</p> <p>18 building itself, at some point, I don't know</p> <p>19 when, they put new aluminum storefront in the</p> <p>20 strip mall. It used to be terrible. So that's</p> <p>21 a slight improvement to that but this is just</p> <p>22 painted wood and everything and it certainly</p>	<p style="text-align: center;">55</p> <p>1 plus this area and I guess the larger question</p> <p>2 is what's our authority and who do we have to</p> <p>3 tell to do that? Because to me that would be</p> <p>4 great, right? I mean, if this somehow could be</p> <p>5 impetus for that strip mall to look better, for</p> <p>6 that fence to look better, for this to be more</p> <p>7 cleaned up, I don't see what other use this is</p> <p>8 going to have other than some sort of repair or</p> <p>9 tire shop and I appreciate from the pictures of</p> <p>10 the Mannheim Road facility, I appreciate the</p> <p>11 fence wasn't theirs and some of those cars</p> <p>12 weren't theirs. The thing that bothered me was</p> <p>13 the milk jugs, but I also don't know that I feel</p> <p>14 strongly enough about a picture about the milk</p> <p>15 jugs. I think if condition is trash is always</p> <p>16 in the dumpsters, there's nothing outside, I</p> <p>17 think I feel comfortable with that but if not</p> <p>18 this, what, I guess is my question. And can</p> <p>19 this be used to make the entire property better?</p> <p>20 MR. KRILLENBERGER: Well, to your</p> <p>21 point, the marketplace in Hinsdale, Illinois,</p> <p>22 will enforce that people will take their cars,</p>
<p style="text-align: center;">54</p> <p>1 hasn't been painted for a while.</p> <p>2 MR. KRILLENBERGER: Just to his point,</p> <p>3 the back is shabby. I don't think there's any</p> <p>4 other word for it. I don't know whether it's in</p> <p>5 our purview to say look, we wish you well,</p> <p>6 please replace -- please do X, Y and Z.</p> <p>7 CHAIRMAN CASHMAN: It's tough because</p> <p>8 basically there's those parking spaces and they</p> <p>9 butt right up to that fence, there's not really</p> <p>10 a landscaping zone there. There's no</p> <p>11 landscaping on this property.</p> <p>12 MS. CURRY: Can we ask for that? I</p> <p>13 would like to see the fence replaced. And</p> <p>14 again, I don't know if that would be -- whose</p> <p>15 jurisdiction that would fall under. Is that the</p> <p>16 person who owns the property or is that a</p> <p>17 request we can make? It's really awful.</p> <p>18 CHAIRMAN CASHMAN: The guys that get</p> <p>19 paid, the trustees, can decide.</p> <p>20 MS. CARTER: It seems like all of these</p> <p>21 comments are going to the thought of can this be</p> <p>22 used as something to lift up that strip mall</p>	<p style="text-align: center;">56</p> <p>1 fancy or not, to nice places. If this looks</p> <p>2 like garbage, I'm not coming to your place.</p> <p>3 Franklin Park's different as you pointed out.</p> <p>4 So we are kind of counting on you to keep it</p> <p>5 looking not only nice, really nice.</p> <p>6 MS. CARTER: But that benefits the</p> <p>7 business too.</p> <p>8 MR. KRILLENBERGER: What's the name of</p> <p>9 the preschool over on Ogden?</p> <p>10 MS. CARTER: Kensington.</p> <p>11 MR. KRILLENBERGER: That's the sort of</p> <p>12 places that are Hinsdale. Your garage isn't</p> <p>13 going to look like that, drive by.</p> <p>14 CHAIRMAN CASHMAN: Even the colors on</p> <p>15 this if they took the -- it's kind of</p> <p>16 aquamarine, I mean if you just took the</p> <p>17 aquamarine colors and that was painted white, it</p> <p>18 would basically improve the whole facility and</p> <p>19 look more like Fuller's service area.</p> <p>20 MS. CURRY: That's a perfect example.</p> <p>21 Drive by that.</p> <p>22 MS. CARTER: Go to Fuller's. That's</p>

<p style="text-align: right;">57</p> <p>1 what you need to look like.</p> <p>2 MS. CURRY: Go to Fuller's.</p> <p>3 MR. KRILLENBERGER: That's your</p> <p>4 competition. But let there be another service</p> <p>5 provider in town, I think that'd be great, but</p> <p>6 there's responsibility that will come with that</p> <p>7 and I don't think we can enforce it.</p> <p>8 CHAIRMAN CASHMAN: Just back to</p> <p>9 enforcing I mean, another condition that would</p> <p>10 be helpful any of the existing signage that's on</p> <p>11 the building be removed. There's a Napa auto</p> <p>12 car center, certified mechanic and the signs</p> <p>13 obviously come back to us as a package that we</p> <p>14 can look at that and see how that would enhance</p> <p>15 the overall character. The ground sign would</p> <p>16 have to be replaced, anything on the building</p> <p>17 but there's kind of a collection of stuff that</p> <p>18 was left by the previous tenant.</p> <p>19 MS. CRNOVICH: The Mobil sign.</p> <p>20 MS. CURRY: How about the canopy,</p> <p>21 what's going to happen with the canopy?</p> <p>22 CHAIRMAN CASHMAN: The application says</p>	<p style="text-align: right;">59</p> <p>1 MR. KRILLENBERGER: Barbecue.</p> <p>2 MS. CURRY: You can have outdoor</p> <p>3 seating there. I agree, some landscaping, color</p> <p>4 changes. Can we request that to look at? That</p> <p>5 would be the next.</p> <p>6 CHAIRMAN CASHMAN: That's a condition</p> <p>7 to enhance, add some landscaping. It's</p> <p>8 something we can give the board to consider</p> <p>9 that, look at that. I mean, they are the final</p> <p>10 say on this.</p> <p>11 So it would be the dumpsters within</p> <p>12 the enclosure, strictly limited to the Parcel 1,</p> <p>13 painting the exterior and then removing signs.</p> <p>14 MS. CRNOVICH: The exterior trim,</p> <p>15 right, not the brick.</p> <p>16 MS. CURRY: Yes, not the brick.</p> <p>17 MS. CRNOVICH: We went through that</p> <p>18 before.</p> <p>19 MS. CARTER: Yes, black with a glossy</p> <p>20 black or white. We are just designing this for</p> <p>21 you. Flowers in the pots.</p> <p>22 MR. JOYNER: Thank you.</p>
<p style="text-align: right;">58</p> <p>1 it's to remain. I could see the advantage of</p> <p>2 that when it snows. I saw a police officer</p> <p>3 using it today as a convenient location to try</p> <p>4 to catch people on Madison.</p> <p>5 Would there be objection by the</p> <p>6 applicant to painting the building and removing</p> <p>7 the existing signage?</p> <p>8 MR. JOYNER: No. No objection.</p> <p>9 MR. SHARABATEE: No objection.</p> <p>10 MS. CARTER: I mean even with the</p> <p>11 canopy, like, some nice potted green things, the</p> <p>12 bottom of the columns, like --</p> <p>13 MS. CRNOVICH: Go look at Fuller's.</p> <p>14 MS. CURRY: Go look at Fuller's.</p> <p>15 MS. CARTER: This could be a lot more</p> <p>16 attractive if there was --</p> <p>17 CHAIRMAN CASHMAN: And even where that</p> <p>18 sign is place out there because --</p> <p>19 MS. CURRY: I actually think the</p> <p>20 building is an attractive building. I think it</p> <p>21 would make a really nice restaurant if you guys</p> <p>22 change your mind. I say Italian.</p>	<p style="text-align: right;">60</p> <p>1 CHAIRMAN CASHMAN: Let's see. Any</p> <p>2 other comments from the commissioners?</p> <p>3 MS. CRNOVICH: No.</p> <p>4 CHAIRMAN CASHMAN: Hearing none, do I</p> <p>5 hear a motion?</p> <p>6 MR. KRILLENBERGER: Krillenberg so</p> <p>7 motions for acceptance -- what are we motioning</p> <p>8 for?</p> <p>9 CHAIRMAN CASHMAN: Approval of this</p> <p>10 special use permit application.</p> <p>11 MR. KRILLENBERGER: Approval of the</p> <p>12 special use permit application.</p> <p>13 CHAIRMAN CASHMAN: With these four</p> <p>14 conditions: The dumpsters are within the fence</p> <p>15 enclosure; that this application is strictly</p> <p>16 limited to Parcel 1; that the exterior trim is</p> <p>17 painted in a complimentary color; that existing</p> <p>18 signs are removed from the building and that the</p> <p>19 applicant investigate enhancing the property</p> <p>20 with some landscaping or potted plants.</p> <p>21 MS. CARTER: Do we need to have a</p> <p>22 condition or can we have a condition about</p>

<p style="text-align: center;">61</p> <p>1 outdoor storage or is that outlined in the code?</p> <p>2 CHAIRMAN CASHMAN: That's already in</p> <p>3 the application.</p> <p>4 MS. SALMON: You can add that as a</p> <p>5 condition.</p> <p>6 CHAIRMAN CASHMAN: No outdoor storage.</p> <p>7 MR. KRILLENBERGER: Of parts, tires,</p> <p>8 anything but cars.</p> <p>9 CHAIRMAN CASHMAN: Correct.</p> <p>08:34:55PM 10 MS. CARTER: That's already included?</p> <p>11 CHAIRMAN CASHMAN: Correct.</p> <p>12 MS. SALMON: But it can be included as</p> <p>13 an additional condition.</p> <p>14 CHAIRMAN CASHMAN: Okay. So that would</p> <p>15 be five conditions.</p> <p>16 MS. CURRY: Can we request the fencing</p> <p>17 be replaced in the back? It's rotting in many</p> <p>18 places. How could we do that?</p> <p>19 CHAIRMAN CASHMAN: We can request that</p> <p>08:35:14PM 20 the building owner replace the fence because I</p> <p>21 imagine that's under their responsibility. So</p> <p>22 that would be six, request fence replacement. A</p>	<p style="text-align: center;">63</p> <p>1 these conditions aren't too onerous but I think</p> <p>2 it will really help you be successful.</p> <p>3 Do I have a motion to close the</p> <p>4 Public Hearing?</p> <p>5 MS. CURRY: Motion to close.</p> <p>6 CHAIRMAN CASHMAN: Is there a second?</p> <p>7 MR. HURLEY: Second.</p> <p>8 CHAIRMAN CASHMAN: May I have a roll</p> <p>9 call vote, please, Bethany?</p> <p>08:36:31PM 10 MS. SALMON: Commissioner Curry?</p> <p>11 MS. CURRY: Aye.</p> <p>12 MS. SALMON: Commissioner</p> <p>13 Krillenberg?</p> <p>14 MR. KRILLENBERGER: Aye.</p> <p>15 MS. SALMON: Commissioner Hurley?</p> <p>16 MR. HURLEY: Aye.</p> <p>17 MS. SALMON: Commissioner Crnovich?</p> <p>18 MS. CRNOVICH: Aye.</p> <p>19 MS. SALMON: Commissioner Carter?</p> <p>20 MS. CARTER: Aye.</p> <p>21 MS. SALMON: Chairman Cashman?</p> <p>22 CHAIRMAN CASHMAN: Aye.</p>
<p style="text-align: center;">62</p> <p>1 new fence would be better for the people</p> <p>2 dwelling in the apartment buildings and from</p> <p>3 anyone driving down on 59 alley. Okay. So six</p> <p>4 conditions.</p> <p>5 Do I have a second?</p> <p>6 MS. CARTER: Second, Carter.</p> <p>7 CHAIRMAN CASHMAN: Can I have a roll</p> <p>8 call vote, please?</p> <p>9 MS. SALMON: Commissioner Curry?</p> <p>10 MS. CURRY: Aye.</p> <p>11 MS. SALMON: Commissioner</p> <p>12 Krillenberg?</p> <p>13 MR. KRILLENBERGER: Aye.</p> <p>14 MS. SALMON: Commissioner Hurley?</p> <p>15 MR. HURLEY: Aye.</p> <p>16 MS. SALMON: Commissioner Crnovich?</p> <p>17 MS. CRNOVICH: Aye.</p> <p>18 MS. SALMON: Commissioner Carter?</p> <p>19 MS. CARTER: Aye.</p> <p>20 MS. SALMON: Chairman Cashman?</p> <p>21 CHAIRMAN CASHMAN: Aye.</p> <p>22 Thank you. Good luck. I hope</p>	<p style="text-align: center;">64</p> <p>STATE OF ILLINOIS )  ) ss:  COUNTY OF DU PAGE )</p> <p>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.</p> <p>IN TESTIMONY WHEREOF I have  hereunto set my hand and affix my electronic  signature this 22nd day of February, A.D. 2022.</p> <p>  KATHLEEN W. BONO  C.S.R. No. 84-1423  Notary Public, DuPage County</p>

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

**APPLICATION:** Case A-01-2022 – 137 S. Garfield Avenue – Union Church Parking Lot Lighting – Exterior Appearance and Site Plan Review to allow for the installation of new LED parking lot light fixtures on the existing light poles for Union Church located at 137 S. Garfield Avenue in the IB Institutional Buildings District

**PROPERTY:** 137 S. Garfield Avenue (PINs: 09-12-207-009; 09-12-207-010; 09-12-207-011; 09-12-207-012; 09-12-207-013; 09-12-207-014; 09-12-207-018; 09-12-207-019; 09-12-207-020)

**APPLICANT:** The Union Church of Hinsdale

**REQUEST:** Exterior Appearance and Site Plan Review

**PLAN COMMISSION (PC) REVIEW:** February 9, 2022

**BOARD OF TRUSTEES 1<sup>ST</sup> READING:** March 1, 2022

**SUMMARY OF REQUEST:** The Village of Hinsdale received an application request from The Union Church of Hinsdale requesting approval of an Exterior Appearance and Site Plan Review to allow for the installation of new LED parking lot light fixtures on the existing ten (10) parking lot light poles at Union Church located at 137 S. Garfield Avenue in the IB Institutional Buildings District.

Single-family homes in the R-1 Single Family Residential District are located to the east and south of the site. Hinsdale Middle School is located to the east in the IB Institutional Buildings District. The north side of the subject property is adjacent to an office building in the O-1 Specialty Office District and Grace Episcopal Church in the IB Institutional Buildings District. The subject property is located in the Robbins Park Historic District. The subject property is located within 250 feet from a single-family zoning district, therefore, the applicant was required to provide public notice via the newspaper, certified mail, and signage for this project.

**PUBLIC MEETING SUMMARY AND FINDINGS:** On February 9, 2022, the request for approval of an Exterior Appearance and Site Plan Review was reviewed at a public meeting by the Plan Commission. Chairman Cashman noted that there was an error on the agenda that incorrectly labeled the agenda item as a public hearing, however, the request should have been labeled a public meeting. Matthew Klein and Sharon Olsen, representing Union Church, provided an overview of the plans and answered questions from the Commissioners. Several residents also attended and provided public comment.

Mr. Klein stated the existing high pressure sodium light heads will be replaced with an energy efficient LED fixture. There will be no changes to the existing light poles. The proposed changes will reduce light levels on the property and the plans meet the Village's code requirements. There will be a maximum of 0.1 footcandles at the property line. The applicant has met with the neighbors and they have received feedback that the lights may be able to be cut off further with shields. Mr. Klein stated that Union Church is happy to add additional shields.

Ms. Olsen provided details on the design specifications of the proposed fixtures, including the color temperature, energy efficiency, and shields to reduce glare.

Ms. Olsen stated that the lighting for the monument sign that was recently installed used lighting with a color temperature of 2700K and the proposed lighting will have the same color temperature. The existing high pressure sodium lights are 1800K, so the light will look bluer in color, but the Church has

chosen the warmest color available for this fixture.

Ms. Olsen stated that she has met with several of the surrounding neighbors prior to the meeting to discuss concerns over the proposed lighting plans. One of the neighbors volunteered to build additional shields if the light shields are not sufficient.

Ms. Olsen provided an overview of the existing versus proposed light fixtures, stating that the proposed light fixtures are more in line with dark sky standards. The new fixtures have a lower wattage of 792 watts compared to the 3000 watts with the existing high pressure sodium lamps, making them more energy efficient. Ms. Olsen

Ms. Olsen stated that since Union Church submitted plans to the Village, the Church met with several of the surrounding homeowners to discuss concerns prior to the meeting and agreed to changes to the plans to address comments from the neighbors. Ms. Olsen provided details on the proposed light shields, which would be installed to prevent glare and cut down brightness visible from the adjacent residential properties.

Ms. Olsen stated that the Church has been working with Nancy Cox, the property owner of 127 E. Third Street that is located to the east of the parking lot, to plant arborvitae or other landscaping to better screen her house from the parking lot lights. Information on landscaping was not included in the packet for the Plan Commission to review as these discussions have taken place after the application was submitted.

There was a discussion on the current timer system for the parking lot lights. Ms. Olsen stated that the lights are currently set to turn on at 5:30 p.m. and turn off at 9:30 p.m., but there have been issues with the timer system resetting in the past when there are power outages.

Ms. Olsen stated the lights are being installed as part of a ComEd grant that is intended to enhance energy efficiency on site and reduce costs to the Church.

Commissioner Curry asked for clarification on the color of the fixtures. Ms. Olsen stated the poles are currently a dark bronze color so they plan to install a bronze fixture to match. The mock up they installed for the neighbors is silver, but will be replaced.

Commissioner Curry asked what the height of the light were poles were. Ms. Olsen stated the poles are twelve (12) feet in height and cannot be cut down without great expense.

Commissioner Krillenberger asked about the mock up installed by Union Church. Ms. Olsen noted that only one mock up light was installed in the area closest to Ms. Cox's house to show the neighbors an example of what the lights will look like. The fixture has the 80 Degree Shield installed, but not the House Side Shield installed. Ms. Olsen explained that the plan was to only install these shields on some lights to ensure that there is enough lighting on site. The playground lights will not have these shields installed.

Ms. Olsen stated that each individual light can be dimmed manually. If there is one fixture that appears to be too bright, then they can lower the light level slightly.

Commissioner Crnovich stated that some poles appear taller and they could be creating a problem with glare. Commissioner Crnovich stated she is okay with the proposed color temperature, but asked for clarification on the fixtures that have shields to make sure that the plans were meeting code requirements.

Chairman Cashman stated that the lights near the playground and on the east side near the back of the

single-family homes on Park should have shields. Ms. Olsen noted shields were installed here to make sure there is enough light and there are trees buffering between properties. Ms. Olsen stated they are open to adding additional shields.

Commissioner Crnovich asked about building-mounted lights and provided feedback that additional light shields are needed.

Chairman Cashman asked if any neighbors would like to speak at the meeting.

The property owner of 134 S. Park Avenue, Shannon Frey, spoke at the meeting and stated that their neighbors at 132 S. Park Avenue were unable to attend, but had concerns about the visibility of proposed unshielded lights from their backyard. Ms. Frey noted that their backyard backs up to the Church parking lot and they had not been personally contacted by Union Church. Ms. Frey stated that the parking lot lights are more visible from the backyard of 132 S. Park Avenue so there are concerns on brightness.

Ms. Frey also expressed concerns over LED lights and how they impact people's eyes, that she supported the use of arborvitae for screening on the east property line, and requested that the lights have shields installed to reduce glare and brightness.

The property owner of 127 E. Third Street, Nancy Cox, located to the east of the parking lot, provided photos showing the existing lights and views from her property. Ms. Cox stated that the parking lot area adjacent to her house is significantly elevated, so she is able to see the light fixtures and vehicle headlines from inside her house. The lower branches on the existing trees were significantly trimmed years ago, so the existing landscape screening has not been effective. Ms. Cox stated she is otherwise okay with the lighting levels and LED lights.

Ms. Cox stated she has been working with Union Church to create a plan to install arborvitae or other agreed-upon landscaping to better screen the parking and lights. Ms. Cox stated she grateful that Union Church had been working with her on a plan and requested that the Commission include a recommended condition of approval to replace the bufferyard landscaping adjacent to her house.

Chairman Cashman asked Ms. Cox if she was okay with the Plan Commission making a recommendation that night that Union Church would need to provide adequate dense landscape screening and if she wanted them to come back to the next meeting with a formal landscape plan. Ms. Cox stated she does not want to hold up the project and is okay with this item moving forward to the Board and not coming back to the Plan Commission.

Chairman Cashman summarized the comments from the meeting and expressed concerns that shields were not proposed on certain lights, which could negatively impact the adjacent residential properties, particularly to the east.

In recommending approval of the Exterior Appearance and Site Plan Review, the Plan Commission determined the standards set forth in Section 11-604(F) and Section 11-606(F) of the Village's Zoning Code have been met, with the recommended conditions of approval to include the two shields on all lights, provide landscaping to screen the parking lot from the homes to the east, make sure the lights are dimmable, and address timer issues. With the proposed recommended changes, the proposed plans would meet several of the standards related to impacts to screening, landscaping, preventing impacts to surrounding properties (Sections 11-604(F)(1)(f), 11-604(F)(1)(h), 11-604(F)(1)(i)).

Commissioner Krillenberger stated the proposed plans appear to strike a balance between safety, ensuring neighbor concerns are addressed, and compliance with Village code requirements.

A motion to approve the Exterior Appearance and Site Plan Review was made by Commissioner Krillenberger and seconded by Commissioner Curry, subject to conditions:

1. Install two (2) light shields, both the House Side Shield (HSSCV) and the 80 Degree Cutoff Shield (VHCS), on all light fixtures.
2. Work with Nancy Cox, the property owner to the east of Union Church (127 E. Third Street), to create a plan for full landscape screening along the east property line.
3. The light fixtures shall have dimmable capability.
4. Work to address any issues with the timer system to ensure that parking lot lights are turned off at 10:00 p.m.

The vote carried by a roll call vote as follows:

**AYES:** Commissioners Crnovich, Curry, Krillenberger, Carter and Chairman Cashman

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Commissioners Fiascone, Hurley, and Jablonski, Willobee

**RECOMMENDATIONS:** Based on the findings set forth above, the Village of Hinsdale Plan Commission, by a vote of five (5) ayes and zero (0) nays, recommended to the President and Board of Trustees approval of Case A-01-2022, an Exterior Appearance and Site Plan Review to allow for the installation of new LED parking lot light fixtures on the existing light poles for Union Church located at 137 S. Garfield Avenue in the IB Institutional Buildings District, subject to the following conditions:

1. Install two (2) light shields, both the House Side Shield (HSSCV) and the 80 Degree Cutoff Shield (VHCS), on all light fixtures.
2. Work with Nancy Cox, the property owner to the east of Union Church (127 E. Third Street), to create a plan for full landscape screening along the east property line.
3. The light fixtures shall have dimmable capability.
4. Work to address any issues with the timer system to ensure that parking lot lights are turned off at 10:00 p.m.

Signed: \_\_\_\_\_  
Steve Cashman, Chair  
Plan Commission  
Village of Hinsdale

Date: \_\_\_\_\_

**VILLAGE OF HINSDALE  
NOTICE OF PLAN COMMISSION  
PUBLIC MEETING**

**PUBLIC NOTICE IS HEREBY GIVEN** to all persons that the Village of Hinsdale Plan Commission shall conduct a public meeting on Wednesday, February 9, 2022 at 7:30 p.m. in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois for the purpose of considering an application from The Union Church of Hinsdale for an Exterior Appearance and Site Plan Review to install new LED parking lot light fixtures on the existing light poles located at 137 S. Garfield Avenue in the IB Institutional Buildings District. This request is known as Application A-01-2022.

Copies of documents relating to the proposed request are on file and available for public inspection during regular Village business hours in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

The common address is 137 S. Garfield Avenue, Hinsdale IL, 60521 (PIN: 09-12-207-009; 09-12-207-010; 09-12-207-011; 09-12-207-012; 09-12-207-013; 09-12-207-014; 09-12-207-018; 09-12-207-019; 09-12-207-020) and legally described as follows:

THAT PART OF THE SOUTHWEST QUARTER OF BLOCK FIVE OF THE PLAT OF WM. ROBBINS' FIRST ADDITION TO HINSDALE, ALSO PART OF LOT 2 IN BLOCK "A" OF THE PLAT OF WM. ROBBINS' PARK ADDITION TO HINSDALE, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF GARFIELD AVENUE (ALSO KNOWN AS GARFIELD ST.) WITH THE NORTH LINE OF THIRD STREET IN THE VILLAGE OF HINSDALE, AND RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID GARFIELD AVENUE (STREET) 323.35 FEET MORE OR LESS, TO A POINT 8 FEET SOUTH AND 66 FEET EAST OF THE SOUTHEAST CORNER OF BLOCK 6 OF THE PLAT OF THE TOWN OF HINSDALE (BEING THE SOUTH LINE OF THE WESTPHALN PROPERTY); THENCE EASTERLY ALONG SAID SOUTH LINE 125.0 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST LINE OF SAID PROPERTY 14.65 FEET, MORE OR LESS, TO THE EAST-WEST CENTER LINE OF SAID BLOCK 5 OF WM. ROBBINS FIRST ADDITION; THENCE EASTERLY ALONG SAID CENTER LINE 99.3 FEET TO AN IRON PIPE IN FENCE CORNER; THENCE SOUTHERLY ALONG FENCE AND LINE OF OCCUPATION 348.0 FEET TO A STONE IN THE NORTH LINE OF SAID THIRD STREET THAT IS 106.5 FEET WESTERLY, MEASURED ALONG THE NORTH LINE OF SAID THIRD STREET, FROM THE SOUTHEAST CORNER OF LOT 2 IN BLOCK "A" IN SAID ROBBINS' PARK ADDITION TO HINSDALE; THENCE WESTERLY ALONG THE SAID NORTH LINE OF THIRD STREET 225.2 FEET TO THE PLACE OF BEGINNING, BEING A SUBDIVISION IN SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 13, 1866 AS DOCUMENT 7893, IN DU PAGE COUNTY, ILLINOIS.

At said public meeting, the Plan Commission shall accept all testimony and evidence pertaining to said application and shall consider any and all possible zoning actions, including the granting of any necessary special permits, variations, other special approvals, or amendments to the Zoning Code that may be necessary or convenient to permit development of the proposed type at the described property. All interested persons are invited to attend and be heard.

Dated: January 5, 2022

Christine M. Bruton, Village Clerk

To be published in the Hinsdalean on January 13, 2022



## MEMORANDUM

**DATE:** March 4, 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

**RE:** Case A-38-2021 – 114 S. Washington Street – Sauced Pizzeria & Bar – Installation of One (1) Wall Sign

**FOR:** March 9, 2022 Plan Commission Meeting

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### Summary

The Village of Hinsdale has received a sign permit application from Sauced Pizzeria & Bar requesting approval to install one (1) new wall sign for the tenant space located at 114 S. Washington Street. The existing one-story building is located in the B-2 Central Business District and the Downtown Historic District.

### Request and Analysis

The applicant is requesting to install one (1) new wall sign centered on the front façade of the tenant space located 114 S. Washington Street. The proposed wall sign consists of a dark red, flat aluminum panel with white letters. The sign measures 2' 6" tall and 10' wide, with an overall sign face area of 25 square feet. The existing three (3) permanent window signs in each of the storefront windows will be removed.

Per Section 9-106(J), in the B-2 District, two (2) awning valance, canopy valance, wall, or permanent window signs are allowed per user. A maximum gross surface area of all awning valance, canopy valance, wall, and permanent window signs for the entire building shall not exceed the greater of: 1) one square foot per foot of building frontage, up to a maximum of one hundred (100) square feet, or 2) twenty five (25) square feet for each business that has a separate ground level principal entrance directly to the outside of the building onto a street, alley, courtyard, or parking lot. The proposed wall sign meets the maximum 25 square feet of total sign face area allowed for the tenant space.

### Meeting History

Historic Preservation Commission Meeting – March 2, 2022 - At the Historic Preservation Commission meeting, the business owner, Greg White confirmed that Sauced Pizzeria is currently operating out of the building and that the sign will be non-illuminated. Commissioner Prisby asked staff for clarification if the former illuminated Baldinelli sign was ever approved for installation. Staff could not confirm if the sign ever obtained proper approvals and the applicant stated he did not believe the sign was approved.

The Historic Preservation Commission recommended approval of the sign permit, Case A-38-2021 at 114 S. Washington Street for the installation of one (1) wall sign for Sauced Pizzeria & Bar, as submitted, by a vote of 5-0 (2 absent).



## MEMORANDUM

### Process

Per Section 11-607(D) and the nature of the request, this application shall be reviewed and approved by the Plan Commission and does not require public notification. Per Village Code Section 14-5-1(B), the Historic Preservation Commission shall review signage in the Historic District. The final decision of the Historic Preservation Commission shall be advisory only. The Plan Commission maintains final authority on signage with no further action required by the Board of Trustees.

Per Section 11-607(E), no sign permit shall be granted pursuant to this section unless the applicant shall establish that:

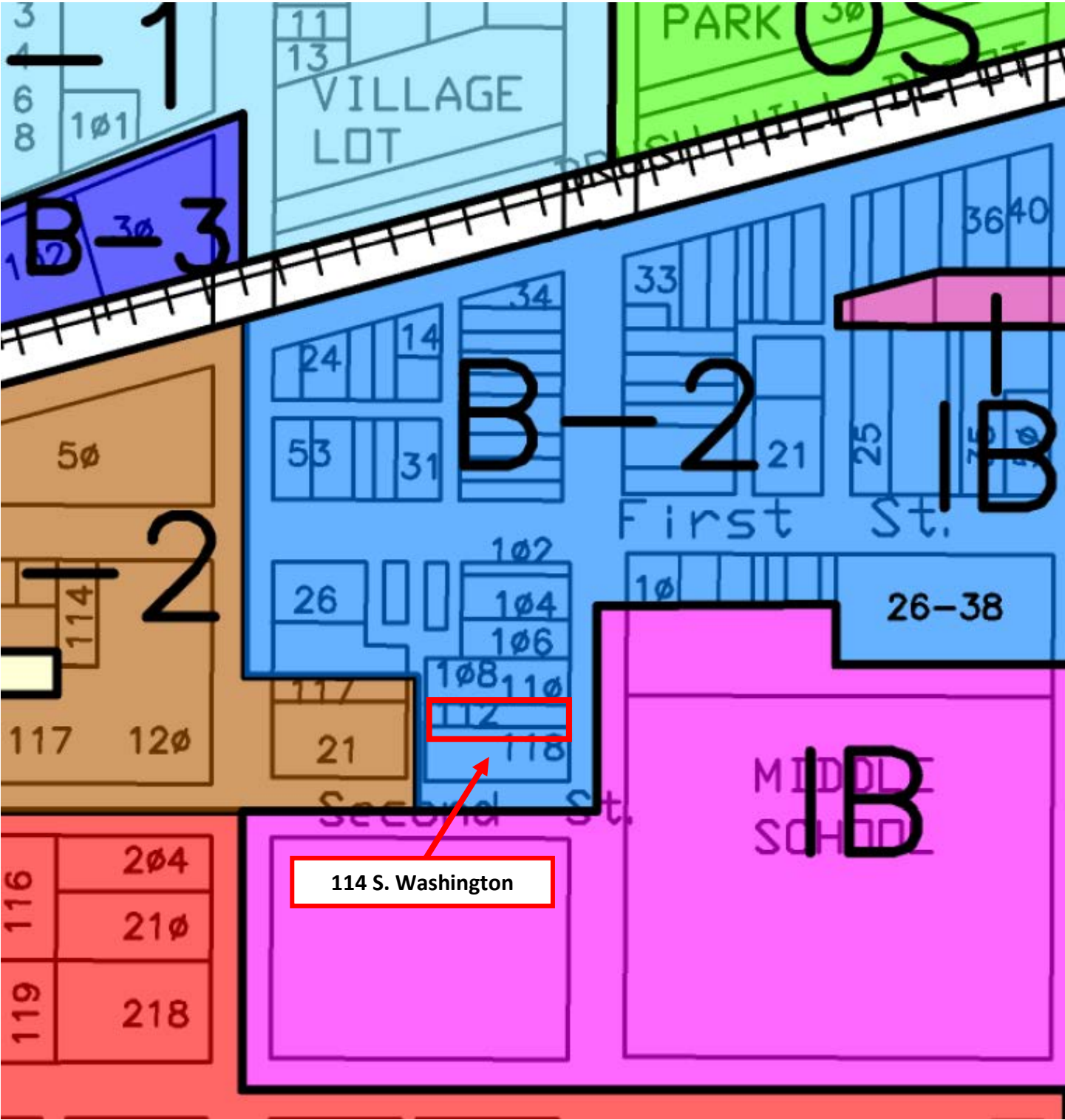
1. Visual Compatibility: The proposed sign will be visually compatible with the building on which the sign is proposed to be located and surrounding buildings and structures in terms of height, size, proportion, scale, materials, texture, colors, and shapes.
2. Quality of Design and Construction: The proposed sign will be constructed and maintained with a design and materials of high quality and good relationship with the design and character of the neighborhood.
3. Appropriateness to Activity: The proposed sign is appropriate to and necessary for the activity to which it pertains.
4. Appropriateness to Site: The proposed sign will be appropriate to its location in terms of design, landscaping, and orientation on the site, and will not create a hazard to pedestrian or vehicular traffic, detract from the value or enjoyment of neighboring properties, or unduly increase the number of signs in the area.

### Attachments

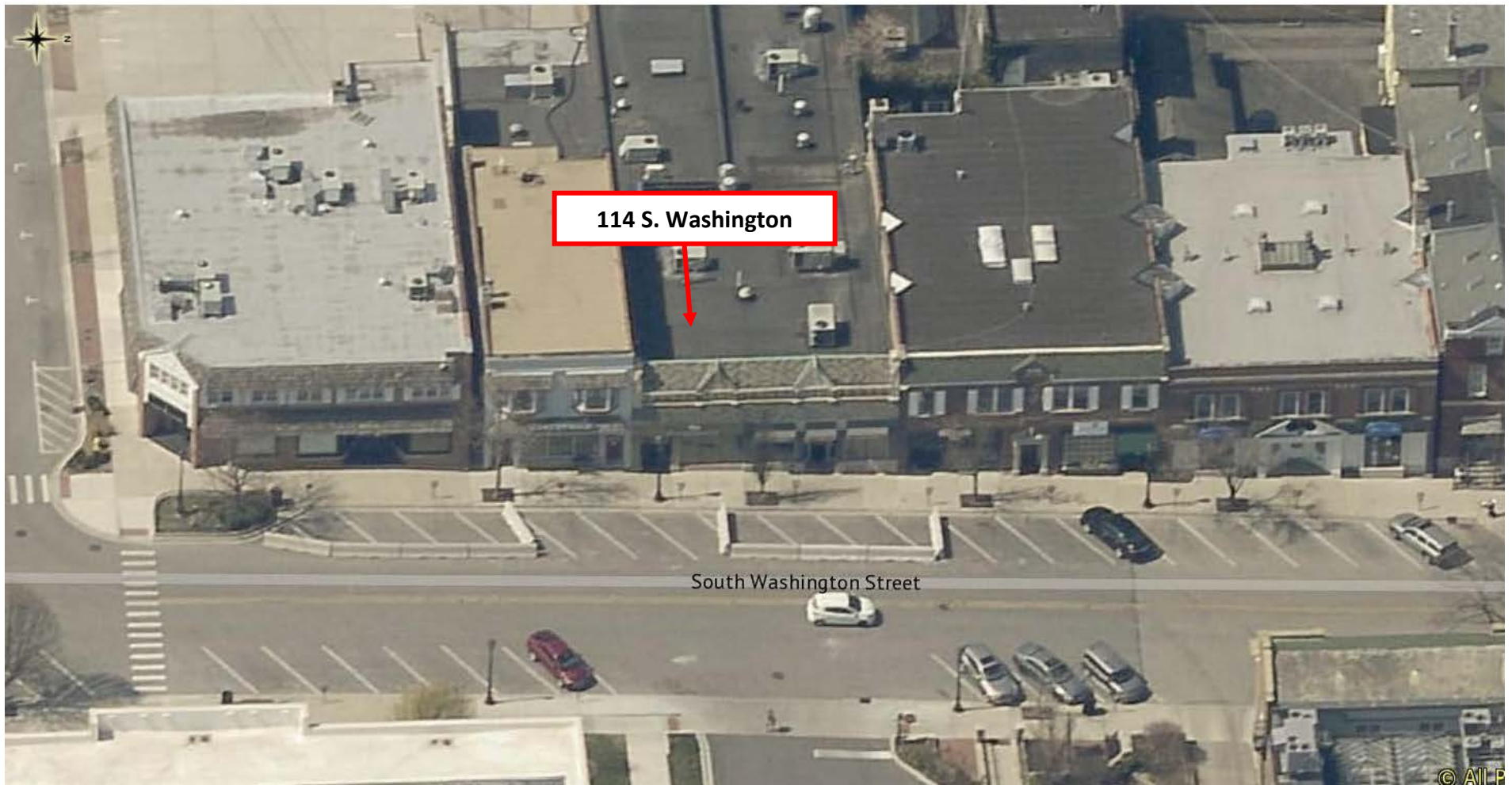
1. Zoning Map and Project Location
2. Birds Eye View
3. Street View
4. Sign Application and Exhibits



Village of Hinsdale Zoning Map and Project Location



## Birds Eye View – 114 S. Washington



## Street View – 114 S. Washington Street





VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT DEPARTMENT  
APPLICATION FOR SIGN PERMIT

**Applicant**

Name: Sauced Pizzeria & Bar, LLC  
Address: 114 S. Washington St.  
City/Zip: Hinsdale, IL 60521  
Phone/Fax: (414) 403-2776 /  
E-Mail: greg@getsaucedpizzeria.com  
Contact Name: Greg White

**Contractor**

Name: Greg White  
Address: 114 S. Washington St.  
City/Zip: Hinsdale, IL 60521  
Phone/Fax: (414) 403-2776 /  
E-Mail: greg@getsaucedpizzeria.com  
Contact Name: Greg White

ADDRESS OF SIGN LOCATION: 114 S. Washington St., Hinsdale, IL 60521

ZONING DISTRICT: B-2 Central Business District

SIGN TYPE: Wall Sign

ILLUMINATION None



**Sign Information:**

Overall Size (Square Feet): 25 ( 2'6" x 10'0" )

Overall Height from Grade: 11'4" Ft.

Proposed Colors (Maximum of Three Colors):

☒ Maroon

☒ White

☐ \_\_\_\_\_

**Site Information:**

Lot/Street Frontage: 21'0"

Building/Tenant Frontage: 21'0"

Existing Sign Information:

Business Name: Baldinelli

Size of Sign: 25 Square Feet

Business Name: \_\_\_\_\_

Size of Sign: \_\_\_\_\_ 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]  
Signature of Applicant

11/16/2021  
Date

[Signature]  
Signature of Building Owner

11/16/2021  
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: \_\_\_\_\_ Administrative Approval Date: \_\_\_\_\_

11/15/2021

To the Honorable Members of the Village of Hinsdale,

The following is authorization by the landlord of 112- 114 Washington Street to allow the changing of the signage in front of the building.

We look forward to your positive response.

*Simerneet Singh*

Simerneet Singh, Esq.

## Front of Building – Current Signage



## Front of Building – Dimensions



## Front of Building – Height from Grade



## Front of Building – New Sign



### Additional Details:

- Existing Taglines will be Removed
- Sign is completely flat
- Non-Illuminated
- Sign will be affixed with exterior screws and expansion anchors

EXISTING SIGNAGE:



PROPOSED SIGNAGE:



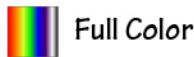
DESCRIPTION:

W:120.0 in. x H:30.0 in.  
3mm Alupanel solid core sign panel with digital print graphics and UV matte overlamine -  
HARDWARE NOT INCLUDED

PICKUP AND INSTALLATION BY CUSTOMER

**\*\* STEINDLER SIGNS NOT RESPONSIBLE FOR  
REMOVAL OF EXISTING SIGNAGE, INSTALLA-  
TION, OR PERMITTING \*\***

COLOR SCHEDULE:



25 TOTAL SQUARE FEET



LAYOUT QT-28534

VERSION	1
ORIGIN DATE	11-16-21
REVISED DATE	-
DESIGNER	BW
PAGE	1 of 1

CLIENT

Sauced Pizzeria & Bar  
Greg White  
414-403-2776  
114 S. Washington St.  
Hinsdale, IL 60521

INSTALL LOCATION

Same As Above



OFFICE - 219.733.2551  
FAX - 219.733-9631  
10740 US Hwy 30  
Wanatah, IN 46390  
steindlersigns.com

SIGNATURE OF APPROVAL:

X

DATE: \_\_\_\_\_

BY SIGNING THIS APPROVAL, I ACCEPT ALL ASPECTS OF THIS ARTWORK, INCLUDING SPELLING, COLORS, DIMENSIONS, SPECIFICATIONS, AND ALL OTHER REPRESENTATIONS. I AUTHORIZE STEINDLER SIGNS & GRAPHIX, LLC TO MANUFACTURE THIS SIGN(S) AS DEPICTED WITH NO CHANGES OR ALTERATIONS WITHOUT APPLICABLE CHARGES

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## MEMORANDUM

**DATE:** March 4, 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

**RE:** Case A-39-2021 – 16 W. Hinsdale Avenue – Silver Birch – Installation of One (1) Wall Sign and Permanent Window Signage

**FOR:** March 9, 2022 Plan Commission Meeting

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### Summary

The Village of Hinsdale has received a sign permit application from Silver Birch requesting approval to install one (1) new wall sign and permanent window signage on the tenant space located at 16 W. Hinsdale Avenue. The existing two-story, multi-tenant building is located in the B-2 Central Business District and the Downtown Historic District.

### Request and Analysis

The applicant is requesting to install one (1) new wall sign above the storefront window of the tenant space located at 16 W. Hinsdale Avenue. The proposed wall sign consists of a black flat acrylic panel with white acrylic letters. The sign measures 114.75" wide and 21.5" tall, with an overall sign face area of 17.13 square feet. Additionally, permanent window signage will be installed within three (3) of the seven (7) divided lites in the storefront window. White vinyl lettering consisting of different text and logos for the business are proposed. Each individual sign area varies in size. Collectively, the permanent window signage measures 3.29 square feet in area. With the wall signage included, a total sign face surface area of 20.42 square feet is proposed.

Per Section 9-106(J), in the B-2 District, two (2) awning valance, canopy valance, wall, or permanent window signs are allowed per user. A maximum gross surface area of all awning valance, canopy valance, wall, and permanent window signs for the entire building shall not exceed the greater of: 1) one square foot per foot of building frontage, up to a maximum of one hundred (100) square feet, or 2) twenty five (25) square feet for each business that has a separate ground level principal entrance directly to the outside of the building onto a street, alley, courtyard, or parking lot. Overall, the combined sign face area of the permanent window signage and the proposed wall sign is under the maximum 25 square feet of total sign face area allowed for the tenant space.

### Meeting History

Historic Preservation Commission Meeting – March 2, 2022 – At the Historic Preservation Commission meeting, the applicants were present to answer questions from the Commissioners. Commissioner Prisby asked if the proposed wall sign would be touching the limestone banding and the applicant confirmed that there would be about a quarter inch between the sign and the limestone.



## MEMORANDUM

There was a discussion that the wall sign was larger than the previous sign, which had at least a half of course of brick of separation between the sign and the limestone banding. Commissioner Prisby recommended that the sign should not touch the architectural elements.

There was also a discussion on the proposed permanent window signage. Staff confirmed that the proposed signage met the size requirements and is in line with how the signage has been calculated in past sign permit cases. The Commission discussed the use of social media icons and information included, and if there the signs created visual sign clutter. Staff clarified that signage should not be regulated by content, but visual sign clutter can be considered.

The Historic Preservation Commission, by a vote of 5 ayes and 0 nays (2 absent), recommended approval of the sign permit, Case A-39-2021 at 16 W. Hinsdale Avenue to allow for the installation of one (1) wall sign for Silver Birch, subject to the following condition:

1. At least a half of a course of brick is visible between the limestone banding and sign.

The Historic Preservation Commission, by a vote of 3 nays and 2 ayes (2 absent), recommended denial of the sign permit, Case A-39-2021 at 16 W. Hinsdale Avenue to allow for the installation of permanent window sign for Silver Birch, as submitted.

Following the meeting, the applicant submitted revised plans to address the comments provided at the Historic Preservation Commission. Both the original plans presented at the Historic Preservation Commission and the revised proposed plans are attached for review. The proposed wall sign has been slightly reduced in size so that at least half a brick course was visible between the sign edge and the limestone banding. The applicant has reduced the combined size of the permanent window signage by reducing two signs originally proposed in two (2) window panes. The number of permanent signs has been reduced from five (5) window panes to three (3). A summary table is provided below on the changes to the dimensions and overall size.

SIGN TYPE	PLAN VERSION	HEIGHT	WIDTH	SIGN FACE AREA
Wall Sign	HPC Plans - 3/2/2022	25.5"	118.75"	21.02 square feet
	PC Plans - 3/9/2022	21.5"	114.75"	17.13 square feet
Permanent Window Signs	HPC Plans - 3/2/2022	Varies	Varies	3.87 square feet
	PC Plans - 3/9/2022	Varies	Varies	3.29 square feet
Combined Wall and Window Signs	HPC Plans - 3/2/2022	N/A	N/A	24.89 square feet
	PC Plans - 3/9/2022	N/A	N/A	20.42 square feet

### Process

Per Section 11-607(D) and the nature of the request, this application shall be reviewed and approved by the Plan Commission and does not require public notification. Per Village Code Section 14-5-1(B), the Historic Preservation Commission shall review signage in the Historic District. The final decision of the Historic Preservation Commission shall be advisory only. The Plan Commission maintains final authority on signage with no further action required by the Board of Trustees.



## MEMORANDUM

Per Section 11-607(E), no sign permit shall be granted pursuant to this section unless the applicant shall establish that:

1. Visual Compatibility: The proposed sign will be visually compatible with the building on which the sign is proposed to be located and surrounding buildings and structures in terms of height, size, proportion, scale, materials, texture, colors, and shapes.
2. Quality of Design and Construction: The proposed sign will be constructed and maintained with a design and materials of high quality and good relationship with the design and character of the neighborhood.
3. Appropriateness to Activity: The proposed sign is appropriate to and necessary for the activity to which it pertains.
4. Appropriateness to Site: The proposed sign will be appropriate to its location in terms of design, landscaping, and orientation on the site, and will not create a hazard to pedestrian or vehicular traffic, detract from the value or enjoyment of neighboring properties, or unduly increase the number of signs in the area.

### **Attachments**

1. Zoning Map and Project Location
2. Birds Eye View
3. Street View
4. Sign Application and Exhibits
5. Sign Permit Plans Submitted at the March 2, 2022 Historic Preservation Commission Meeting



16 W. Hinsdale

VILLAGE LOT

PARK

B-3

B-2

IB

First St.

Second St.

MIDDLE SCHOOL

## Birds Eye View – 16 W. Hinsdale Avenue



## Street View – 16 W. Hinsdale



16 W. Hinsdale



VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT DEPARTMENT  
APPLICATION FOR SIGN PERMIT

**Applicant**

Name: Silver Birch  
Address: 16 W Hinsdale  
City/Zip: Hinsdale  
Phone/Fax: (773) 683 / 1000  
E-Mail: info@silverbirchcabinetry.com  
Contact Name: Justas Dambrauskas

**Contractor**

Name: Silver Birch  
Address: 16 W Hinsdale  
City/Zip: Hinsdale, IL 60521  
Phone/Fax: (773) 683 / 1000  
E-Mail: info@silverbirchcabinetry.com  
Contact Name: Justas Dambrauskas

**ADDRESS OF SIGN LOCATION:** 16 W Hinsdale Hinsdale, IL 60521

**ZONING DISTRICT:** B-2 Central Business District

**SIGN TYPE:** Wall Sign

**ILLUMINATION** None

**Sign Information:**

Overall Size (Square Feet): 21 (118.75" x 25.5")

Overall Height from Grade: 10 Ft.

Proposed Colors (Maximum of Three Colors):

- ① Black
- ② White
- ③ \_\_\_\_\_

**Site Information:**

Lot/Street Frontage: N/A

Building/Tenant Frontage: N/A

Existing Sign Information:

Business Name: N/A

Size of Sign: N/A Square Feet

Business Name: N/A

Size of Sign: N/A 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.

*Justas Dambrauskas*  
Signature of Applicant

10/26/2021  
Date

*Al Jatz*  
Signature of Building Owner

10/30/21  
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: \_\_\_\_\_ Administrative Approval Date: \_\_\_\_\_

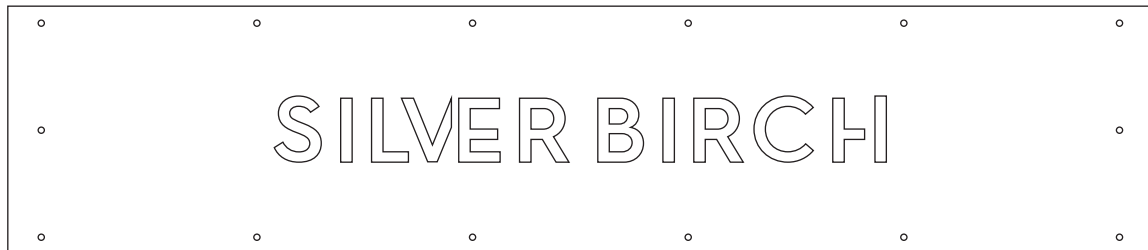
Outside Sign: 16 W Hinsdale Hinsdale, IL 60521

1. Black Acrylic Backing / Size: 114 3/4" x 21 1/2"
2. White Acrylic Logo Lettering / Size: 64 3/4" x 7"

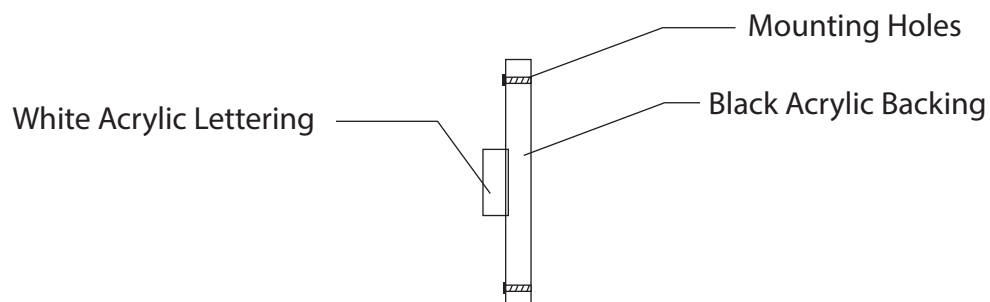
Logo Size  
64 3/4" x 7"



Mounting: Anchored to the brick wall with mounting screws.



Side View: 1/2" Acrylic Material for a Back and 1/2" Lettering



SILVER BIRCH

118 3/4"

25 1/2"

82"

74 1/4"

26"

23 5/8"

AND  
THROUGHOUT  
THE HOME  
773.638.1000



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Contact Name: Justas Dambrauskas

ADDRESS OF SIGN LOCATION: 16 W Hinsdale Hinsdale, IL 60521

ZONING DISTRICT: B-2 Central Business District

SIGN TYPE: Window Sign

ILLUMINATION None

**Sign Information:**

Overall Size (Square Feet): 3.88 ( N/A x N/A )

Overall Height from Grade: 3 Ft.

Proposed Colors (Maximum of Three Colors):

- ① White  
② \_\_\_\_\_  
③ \_\_\_\_\_

**Site Information:**

Lot/Street Frontage: N/A

Building/Tenant Frontage: N/A

Existing Sign Information:

Business Name: N/A

Size of Sign: N/A Square Feet

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10/26/2021  
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10/30/21  
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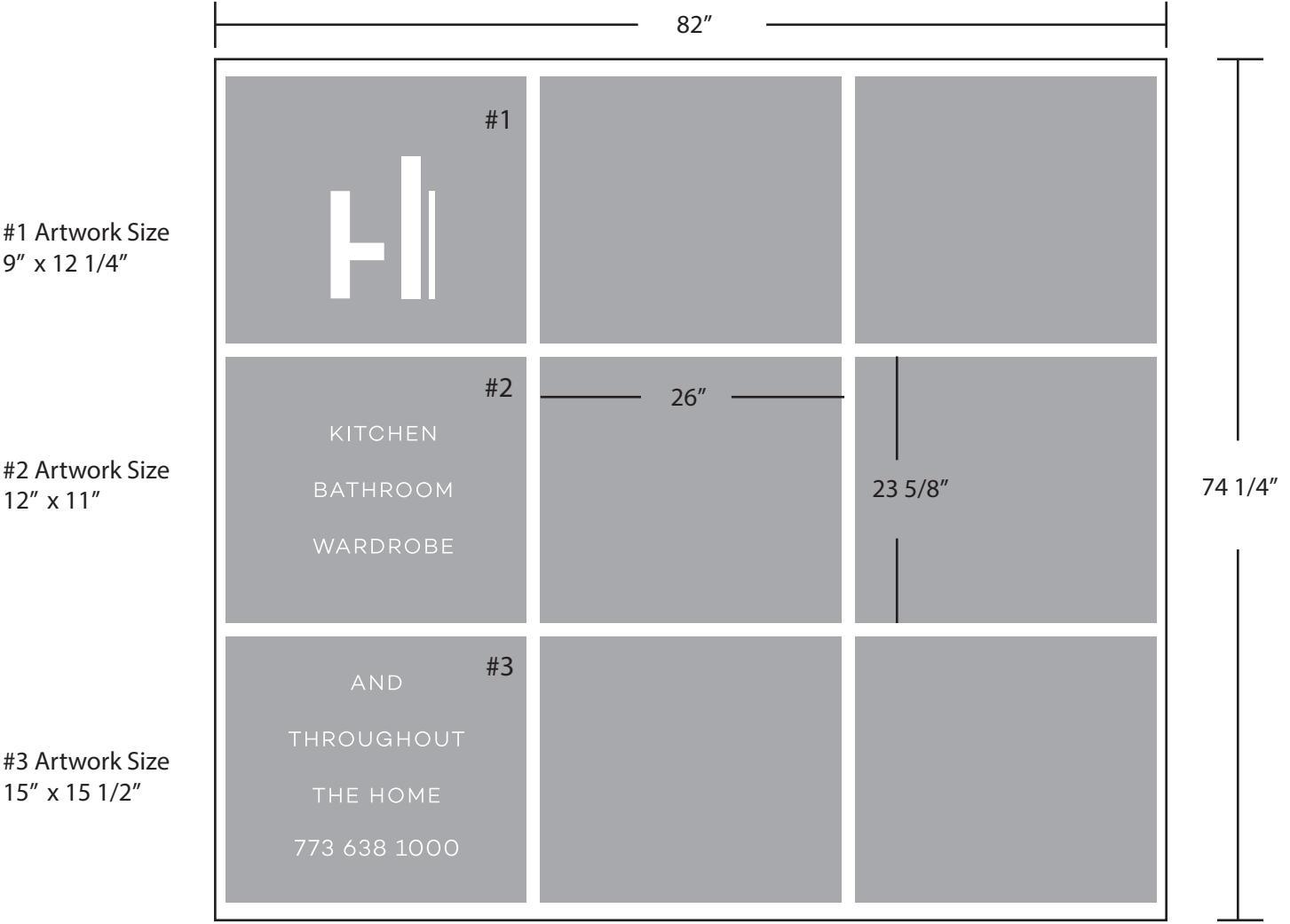
FOR OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE

Total square footage: 0 x \$4.00 = 0 (Minimum \$75.00)

Plan Commission Approval Date: \_\_\_\_\_ Administrative Approval Date: \_\_\_\_\_

Outside Window: 16 W Hinsdale Ave. Hinsdale, IL 60521

White Vinyl Lettering for #1-3



Note 1: Storefront window glass will not be covered / will remain translucent.



Note 2: White grid represents window mullions that are present.

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AND  
THROUGHOUT  
THE HOME  
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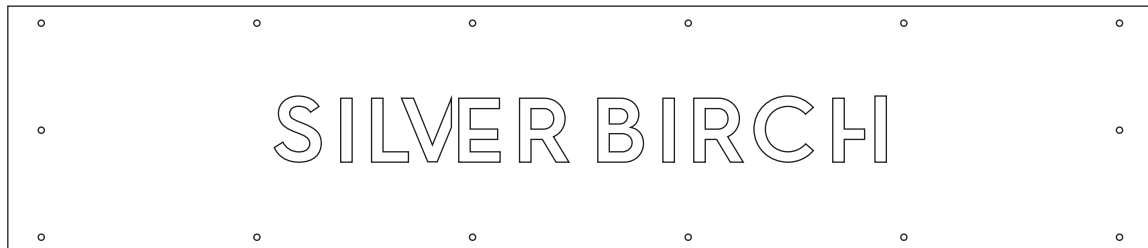
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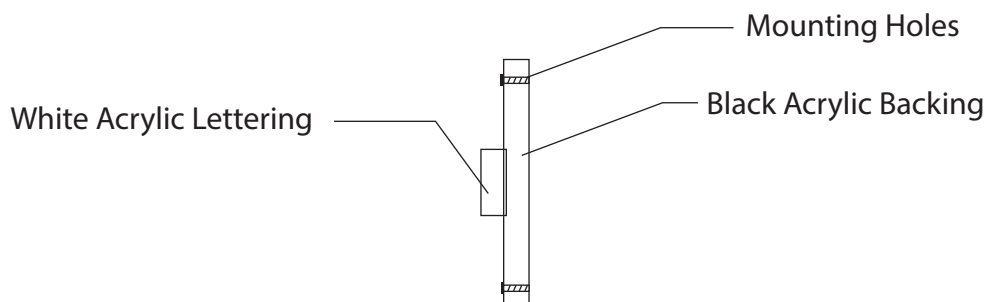
Logo Size  
64 3/4" x 7"



Mounting: Anchored to the brick wall with mounting screws.



Side View: 1/2" Acrylic Material for a Back and 1/2" Lettering





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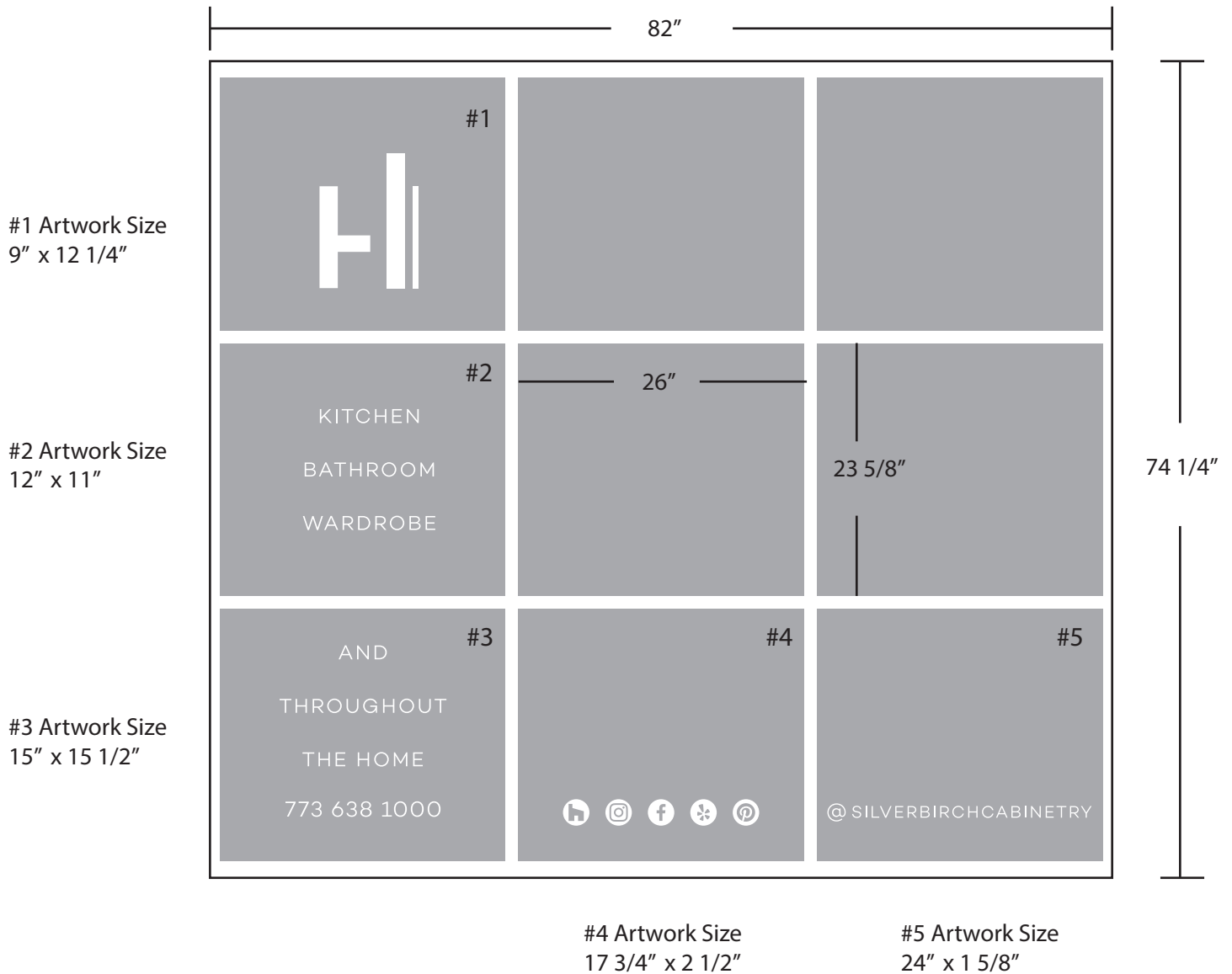
AND  
THROUGHOUT  
THE HOME  
773 638 1000



@SILVERBIRCHCABINET

Outside Window: 16 W Hinsdale Ave. Hinsdale, IL 60521

White Vinyl Lettering for #1-5



Note 1: Storefront window glass will not be covered / will remain translucent.



Note 2: White grid represents window mullions that are present.