

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE SPECIAL MEETING
Wednesday, October 2, 2013**

The specially scheduled meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Wednesday, October 2, 2013 at 7:30 p.m.

Present: President Tom Cauley, Trustees Christopher Elder, J. Kimberley Angelo William Haarlow, Gerald J. Hughes, Laura LaPlaca and Bob Saigh

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Finance Darrell Langlois, Police Chief Bradley Bloom, Fire Chief Rick Ronovsky, Director of Parks & Recreation Gina Hassett, Director of Economic Development and Urban Design Tim Scott and Village Clerk Christine Bruton

PLEDGE OF ALLEGIANCE

President Cauley led those in attendance in the Pledge of Allegiance.

APPROVAL OF MINUTES

Trustee Haarlow suggested corrections to the draft minutes. Trustee Hughes moved to **approve the draft minutes of the regularly scheduled meeting of September 17, 2013, as amended.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

No report.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Zoning & Public Safety Committee

- a) Ordinance to Declare Certain Village Owned Property as Surplus and to Sell at Public Auction or Dispose of (O2013-26)

Trustee Saigh moved to approve an **Ordinance to Declare Certain Village Owned Property as Surplus and to Sell at Public Auction or Dispose of**. Trustee LaPlaca seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Saigh moved **Approval and Payment of the Accounts Payable for the Period of September 14, 2013 through September 27, 2013 in the aggregate amount of \$974,478.21 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk**. Trustee Hughes seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

**Award Bid #1549 to Hastings Asphalt Services, Inc., in the amount of
\$13,627.50 for the Seal Coating of the West and East Parking Lots at
KLM Park**

Director of Parks & Recreation Gina Hassett explained the first item is for the seal coating of the two main KLM parking lots, the second item is for parking lot repairs and the road entrance and access road at KLM. Trustee Hughes noted these items did not go to ACA in order to expedite the matters. Discussion of budgeted amounts followed. Trustee Hughes explained there are two line items in the budget, one for \$25,000 and one for \$50,000. By combining the two for a total of \$75,000, these two items can be done under budget for an amount of \$54,000. President Cauley stated that he and Trustee Hughes talked to Finance Director Langlois about this practice and concluded it is important to do the best we can to estimate the costs correctly; in fact, to be over occasionally is indicative of a good budget. It is best practice to target the numbers as accurately as possible, as this allows the budget to be our best planning tool. If underestimated, it defeats the budget process of allocation. He further remarked that this doesn't necessarily apply to this matter, but we need be focused on this issue.

Trustee LaPlaca wondered if on the west parking lot, it makes sense to seal coat rather than resurface. Ms. Hassett explained that Village Engineer Dan Deeter had looked at the project and felt that seal coating was adequate as there was not much alligator cracking on the parking lot as there is with the roads. This will extend the life of the parking lot an additional five or six years. She stated it is likely we will be looking at resurfacing all of this again in about five years, or we will do it piecemeal as certain areas have higher usage. The access road takes the most traffic. Ms. Hassett informed the Board that work will begin on October 9th and will be done during the week to be least intrusive to busier weekend parking. She has notified the Humane Society of the upcoming work.

Trustee Hughes moved to **Award Bid #1549 to Hastings Asphalt Services, Inc., in the amount of \$13,627.50 for the Seal Coating of the West and East Parking Lots at KLM Park.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Award Bid #1548 to Matthew Paving in the amount of \$111,446.53 for the Resurfacing of the Parking Lot at the Community Pool and Select Roadway at KLM Park

Trustee Hughes moved to Award Bid #1548 to Matthew Paving in the amount of \$111,446.53 for the Resurfacing of the Parking Lot at the Community Pool and Select Roadway at KLM Park. Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Trustee LaPlaca stated that IDOT has approved and finalized the closed out Phase I of the Oak Street Bridge project. The engineers on the project, HR Green, Inc. has Phase II up and running; there will be a meeting with IDOT on October 15th.

ZONING AND PUBLIC SAFETY

Approval of a Major Adjustment to the Approved Exterior Appearance Plan of the Garfield Crossing Development at 26-32 East First Street

President Cauley noted this is coming to the Board without first going to Committee. Mr. Peter Coules, attorney for the applicant, explained that when the wall at the west of the property was demolished, it was discovered that the wall was never built to be free standing and needed to be shored up. Further, the Chamber never finished the eastern side of the building, because it would never be seen. The developer is going to finish this exterior wall for the Chamber at no cost to them. This will be an overall improvement to the property; the materials used to finish the wall will be the same color and construction products as the Garfield project. The architect for the project described the process and noted that there is rebar in the material applied at 42' which will act as a bumper. It was clarified that the window openings on the Chamber wall will be metal grill safety purposes.

Trustee LaPlaca moved **Approval of a Major Adjustment to the Approved Exterior Appearance Plan of the Garfield Crossing Development at 26-32 East First Street**. Trustee Saigh seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Trustee Saigh noted a good discussion was held at the last ZPS meeting about lagging construction projects. He further stated the day after that meeting Community Development was in touch with one of the property owners, letting them know that they had the attention of the Board. This will be conveyed to the other owner with this problem as well.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

STAFF REPORTS

No reports.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

Trustee Saigh commented that staff did a terrific job with the paving job at Garfield and the Chicago Avenue railroad tracks. Trustee LaPlaca noted that the Managers Notes in the packet are very helpful and she appreciates them.

ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Elder moved to adjourn the specially scheduled meeting of the Village Board of Trustees of October 2, 2013. Trustee Hughes seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Hughes, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Meeting adjourned at 7:51 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk

6A+6B

DATE: October 15, 2013**REQUEST FOR BOARD ACTION**

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-22-2013 - Applicant: Zion Lutheran - Location: 201-205 S. Vine - Zion Lutheran Church - Request: Map Amendment from IB, Institutional Buildings to R-4 Single-Family Residential	APPROVAL

REQUEST

On October 10, 2012, the Plan Commission considered an amendment to the existing Planned Development for Zion Lutheran, to permit two additional uses for the school property at 125 S. Vine. During those discussions, certain Commissioners expressed concerns with the residential homes at 201 and 205 S. Vine being part of the Planned Development and as such, indicated their general support to see those properties removed from the Planned Development and returned to residential zoning. The applicant acknowledged the suggestion and is now requesting to accomplish this with one of the steps being a Map Amendment from IB, Institutional Buildings to R-4, Single-Family Residential. On June 24th, the Zoning and Public Safety (ZPS) Committee unanimously moved to recommend approval of the required Major Adjustment, with all necessary waivers required to accomplish the removal of the two lots. On July 16th, 2013, the Village Board approved the Major Adjustment to the Planned Development, with all necessary waivers, subject to the approval of the Map Amendment by the Plan Commission.

At the Plan Commission meeting of September 11, 2013, it was recommended, unanimously (6-0) that the map amendment for 201-205 S. Vine be approved.

In addition to the rezoning, it was mentioned previously that the Applicant would also require a Subdivision that will leave the rear 70 feet of one of the existing residential lots behind to be consolidated with a lot remaining within the Planned Development. The portion of the residential lot being left behind in the Planned Development is existing parking. While all necessary waivers related to this were approved, the applicant still needs to have the plat approved with the rezoning request. Typically all subdivision requests would go before the Environment and Public Services (EPS) Committee however since the rezoning is already being heard through the ZPS and any related waivers have already been approved through the Major Adjustment process, staff felt it was appropriate to keep the requests together in the interest of time and scheduling.

Attached are the approved findings and recommendation from the Plan Commission and the ordinance.

MOTION: Move that the Board of Trustees approve "A Resolution Approving and Accepting a Plat of Resubdivision to Resubdivide the Properties Commonly Known as 205 S. Vine Street and the designated Zion Lutheran parking area in the Village of Hinsdale, County of DuPage".

MOTION: Move that the Board of Trustees approve an "Ordinance Amending the Official Zoning Map of the Village of Hinsdale Relative to the Rezoning of Properties Located at 201 and 205 S. Vine Street".

APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
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COMMITTEE ACTION: On September 23, 2013, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motions.

BOARD ACTION:

VILLAGE OF HINSDALE

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING
A PLAT OF RESUBDIVISION TO RESUBDIVIDE THE PROPERTIES
COMMONLY KNOWN AS 205 S. VINE STREET AND THE DESIGNATED
ZION LUTERAN PARKING ARE IN THE VILLAGE OF HINSDALE,
COUNTY OF DUPAGE

WHEREAS, the owner of those properties commonly known as 205 S. Vine Street and the designated Zion Lutheran parking area, legally described in Exhibit A attached hereto and incorporated herein (hereinafter "Subject Property"), has petitioned the Village of Hinsdale (hereinafter "Village") to approve a Plat of Resubdivision to resubdivide the Subject Property; and

WHEREAS, a Plat of Resubdivision has been prepared and filed with the Village depicting the resubdivided Subject Property, and a copy of the Plat of Resubdivision is attached hereto and incorporated herein as Exhibit B; and

WHEREAS, the President and Board of Trustees have determined to approve and accept the Plat of Resubdivision attached as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Hinsdale, DuPage County and State of Illinois, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated into this Resolution and shall have the same force and effect as though fully set forth herein.

Section 2. Plat of Resubdivision Approval. The Plat of Resubdivision, dated October 4, 2013, and attached as Exhibit B, is hereby approved and accepted.

Section 3. Execution and Recordation. The Village President and Village Clerk are hereby authorized to execute and record the Approved Final Plat of Resubdivision as provided by State law and the Village Code of Hinsdale; provided, however, that they shall not do so until after the Approved Plat has been executed by all other required parties, the Owner has deposited with the Village funds sufficient to pay all Village costs of recording the Plat, and all administrative details relating to the Plat have been completed.

Section 4. Severability and Repeal of Inconsistent Resolutions and Ordinances. If any section, paragraph, clause or provision of this Resolution shall

be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution. All resolutions and ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED this ____ day of _____, 2013.

AYES:

NAYES:

ABSENT:

APPROVED this _____ day of _____, 2013.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

ALSO DESCRIBED AS:

LOTS 2, 3 AND 6 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

PINS: 09-12-111-001
 09-12-111-002
 09-12-111-003
 09-12-111-004

EXHIBIT B

PLAT OF RESUBDIVISION

PROPERTY DESCRIPTION

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
OWNER CERTIFICATE

DATED THIS _____ DAY OF _____ AD 20____
 ZION LUTHERAN CHURCH OF HINSDALE
 204 S. GRANT ST.
 HINSDALE, IL 60521

STATE OF ILLINOIS)
COUNTY OF _____) SS
OWNER NOTARY CERTIFICATE

BEING A NOTARY PUBLIC IN AND FOR
SAND COUNTY AND STATE DO HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES
ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT DID APPEAR BEFORE ME THIS
DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED, SEALED AND DELIVERED
THE SAID INSTRUMENT AS THE FREE AND VOLUNTARY ACT AND DEED OF THE JOHN
LUTHERAN CHURCH OF HINSDALE, FOR THE USES AND PURPOSES THEREIN SET
FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

DW OF _____

AD 20 _____

HIS _____

NOTARY PUBLIC _____

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

VILLAGE BOARD CERTIFICATE

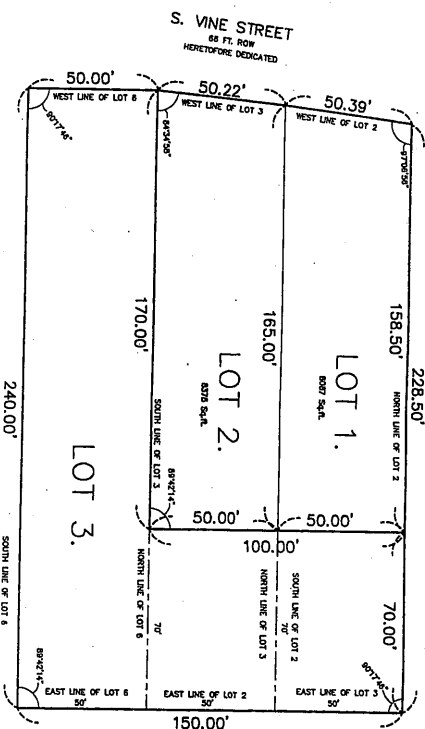
APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF
HINSDALE, ILLINOIS

BY: _____ ATTEST: _____
PRESIDENT VILLAGE CLERK

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS
VILLAGE ENGINEER CERTIFICATE
APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF HINSDALE, ILLINOIS.
DATE: _____

VILLAGE ENGINEER

W. 2nd STREET
66 FT. ROW
HEREFORE DEDICATED



P.I.N. 09-12-111-001
P.I.N. 09-12-111-002
P.I.N. 09-12-111-003
P.I.N. 09-12-111-004

SEND FUTURE TAX BILLS TO:

SUBMITTED BY AND RETURN TO
VILLAGE OF HINSDALE
ATTN: VILLAGE ENGINEER
19 E. CHICAGO AVENUE
HINSDALE, ILLINOIS 60521

DUPAGE COUNTY RECORDER CERTIFICATE

THIS INSTRUMENT NUMBER _____ **WAS FILED FOR**
RECORD IN THE RECORDERS OFFICE OF DUPAGE COUNTY, ILLINOIS:

THIS _____ DAY OF _____, A.D. 20 _____
AT: _____ O'CLOCK, _____ M.

BY: _____
RECORDER OF DEEDS

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
COUNTY CLERK CERTIFICATE

I, THE UNDERSIGNED, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS DO CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, NO UNPAID GENERAL TAXES, NO DELINQUENT OR UPDAD CURRENT TAXES, NO UNPAID CURRENT TAXES, NO DELINQUENT OR UPDAD CURRENT ASSESSMENTS, NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED ON THE ANNEKED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE ANNEKED PLAT. GIVEN UNDER MY HAND AND SEAL AT DUPAGE COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____, A.D. 20____

BY: _____

COUNTY CLERK _____

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
SURVEYOR CERTIFICATE

THE PROPERTY COVERED BY THIS PLAN OF RESUBDIVISION IS SITUATED WITHIN A FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND PARTIALLY WITHIN A ZONE AT FLOOD HAZARD AREA AND FLOOD-PLAIN AND PARTIALLY WITHIN A ZONE AT FLOOD HAZARD AREA AND FLOOD-PLAIN. THE PROPERTY COVERED BY THIS PLAN OF RESUBDIVISION IS SITUATED WITHIN THE CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORITY WHICH HAS ADOPTED THE ACTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AS NOW ON HERETOFORE MENTIONED.

JOSEPH M. DE CRAENE
ILLINOIS LAND SURVEYOR NO. 2476
8710 SKYLINE DRIVE
HINSDALE, IL 60527
630-789-0898



VILLAGE OF HINSDALE

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF HINSDALE RELATIVE TO THE REZONING OF PROPERTIES LOCATED AT 201 AND 205 S. VINE STREET

WHEREAS, an application (the "Application") to amend the Official Zoning Map of the Village of Hinsdale by changing the zoning of properties located at 201 and 205 S. Vine Street from IB Institutional Buildings Zoning District to R-4 Single Family Residential Zoning District (the "Proposed Map Amendments") has been filed with the Village by Zion Lutheran Church (the "Applicant") pursuant to Section 11-601 of the Hinsdale Zoning Code; and

WHEREAS, the Application was referred to the Plan Commission of the Village for consideration and a hearing, and has otherwise been processed in accordance with the Hinsdale Zoning Code, as amended; and

WHEREAS, the properties to be rezoned through the Proposed Map Amendments (the "Subject Properties") are generally described as the two long-existing residential lots located at 201 and 205 S. Vine Street, with the exception of the rear seventy (70) feet of 205 S. Vine, which has been subdivided pursuant to a Plat of Subdivision separately approved by the Village (the "Subdivision"). The Subject Properties are legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Subject Properties are currently part of a Planned Development originally approved in 2004 by Ordinance No. 2004-15, and are being removed from the Planned Development concurrent with this rezoning, pursuant to an Ordinance Approving a Major Adjustment to the Planned Development previously approved by the Board of Trustees that was conditioned on approval of this Rezoning and of the Subdivision; and

WHEREAS, on September 11, 2013, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean*, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Proposed Map Amendments by a vote of 6 in favor, 0 against and 1 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-22-2013 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on September 23, 2013, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and circumstances affecting the Application.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1: Incorporation. Each whereas paragraph set forth above is incorporated by reference into this Section 1.

Section 2: Findings. The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee and other matters properly before it, adopts and incorporates the Findings and Recommendation of the Plan Commission as the findings of this President and the Board of Trustees, as completely as if fully recited herein at length. The President and Board of Trustees further find that the Proposed Map Amendments are demanded by and required for the public good.

Section 3: Map Amendments. Pursuant to the authority granted under Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.) and the Hinsdale Zoning Code, the President and Board of Trustees of the Village of Hinsdale approve the Proposed Map Amendments, and the Official Zoning Map of the Village of Hinsdale, DuPage and Cook Counties, Illinois, as amended, is further amended by changing the zoning classification of the Subject Properties described in **Exhibit A** from IB Institutional Buildings Zoning District to R-4 Single-Family Residential Zoning District.

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

ADOPTED this _____ day of _____, 2013, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2013, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

DESCRIPTION OF PROPERTIES BEING REZONED

LOT 2 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS, ALSO;

LOT 3 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TWONSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known As: 201 and 205 S. Vine Street, Hinsdale, Illinois.

P.I.N.s: 09-12-111-001 & -003

EXHIBIT B

FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION

(ATTACHED)

HINSDALE PLAN COMMISSION

RE: Case A-22-2013 - 201-205 S. Vine Street – Zion Lutheran Church – Map Amendment

DATE OF PLAN COMMISSION REVIEW: September 11, 2013

DATE OF COMMITTEE REVIEW: September 23, 2013

FINDINGS AND RECOMMENDATION

I. FINDINGS

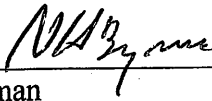
1. Zion Lutheran Church, (the “applicant”), represented by Keith Larson submitted an application to the Village of Hinsdale for the property located at 201 and 205 S. Vine Street (the “subject property”).
2. The subject properties are currently zoned IB, Institutional Buildings and are currently being occupied by two single-family homes that were part of a Planned Development.
3. On July 16th, 2013, the Village Board approved a Major Adjustment to the Planned Development, for the removal of these two lots from the Planned Development, including all necessary waivers, subject to the approval of the requested Map Amendment.
4. The applicant is proposing to rezone the two properties from IB, Institutional Buildings District to R-4 Single-Family Residential.
5. The Plan Commission heard a presentation from the applicant which included testimony that the Plan Commission had previously suggested their desire to see these two lots removed from the Planned Development and returned to R-4 single-family.
6. The Commission agreed that this request was appropriate given the surrounding zoning classification and confirmed that they would prefer to see these two lots rezoned to R-4 single-family residential, as indicated by the applicant. As such the Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of six (6) “Ayes”, zero (0) “Nays”, one (1) “absent”, recommends to the President and Board of Trustees of the Village of Hinsdale to approve the map amendment at 201 and 205 S. Vine Street – Zion Lutheran Church.

THE HINSDALE PLAN COMMISSION

By:

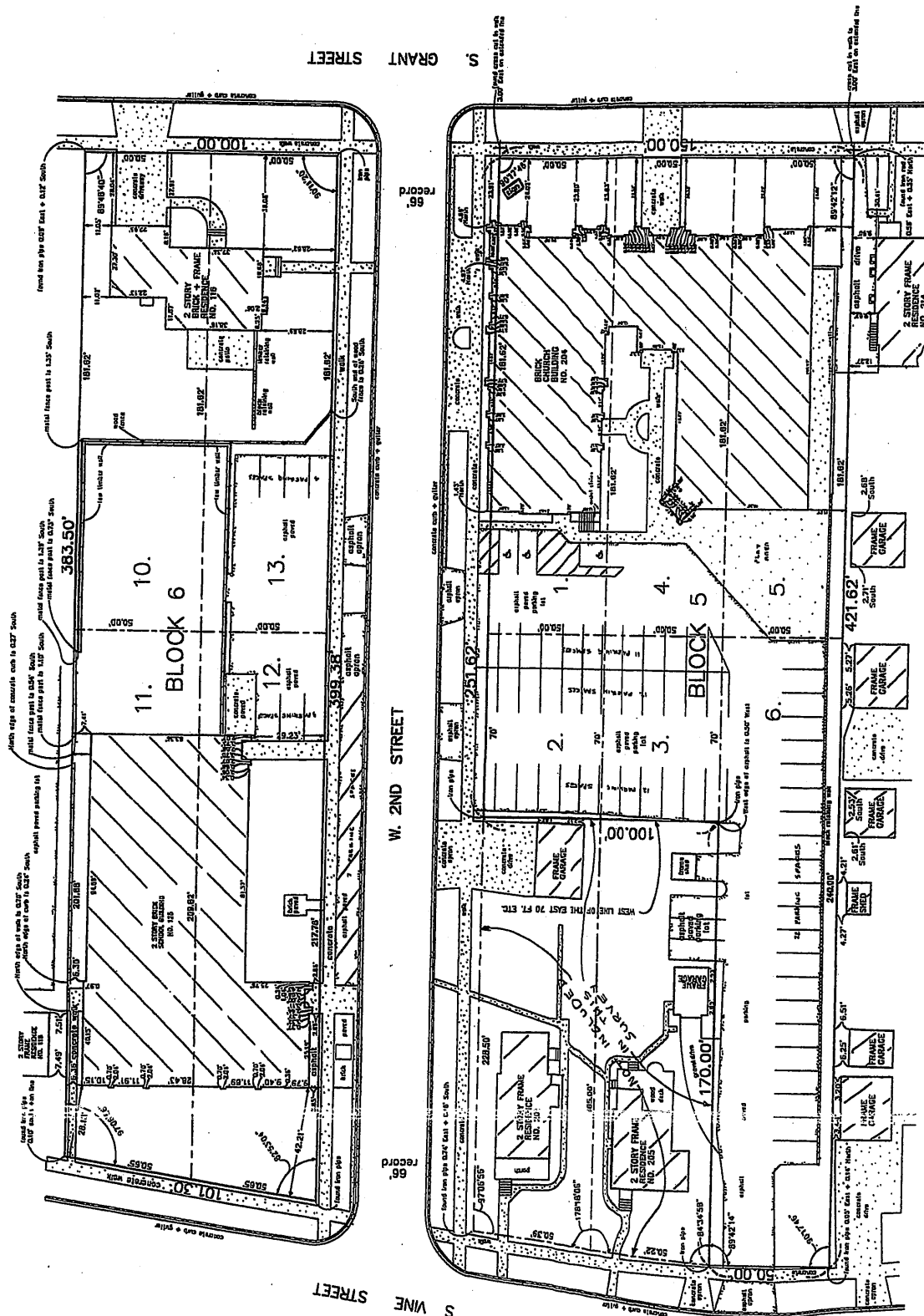

Chairman

Dated this 9th day of Oct, 2013.

Plat of Survey

LOT 1, THE EAST 70.00 FEET OF LOTS 2 AND 3 AND ALL OF LOTS 4, 5 AND 6 IN BLOCK 5, ALSO LOTS 10, 11, 12 AND 13 IN BLOCK 6 ALL IN A LANCE ADDITION TO INDEPENDENCE COUNTY, KANSAS, LOTS 10, 11, 12 AND 13 BEING THE EAST 70.00 FEET OF LOTS 10, 11, 12 AND 13 OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, KANSAS, AS SHOWN ON A PLAT OF THE EAST 70.00 FEET OF LOTS 10, 11, 12 AND 13 OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, KANSAS, DOCUMENT NUMBER 15440, IN INDEPENDENCE COUNTY, KANSAS.

1"=200'
BLOCK 5
42282 SdL
BLOCK 6
35144 SdL



Plat of Survey

1"=20'
8087 Sq.ft.



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURT
 ILINIS MINIMUM STANDARDS FOR A BOUNDARY SURV
 DATE: APRIL 5, A.D. 21
Joseph M. De C...
 ILLINOIS LAND SURVEYOR NO. 2476
 LIC. EXP. 11-30-2014
 ORDERED BY: LARSON
 ORDER NO: 130205-201 VIN
 © COPYRIGHT 1st-20th JOSEPH M. DE C...

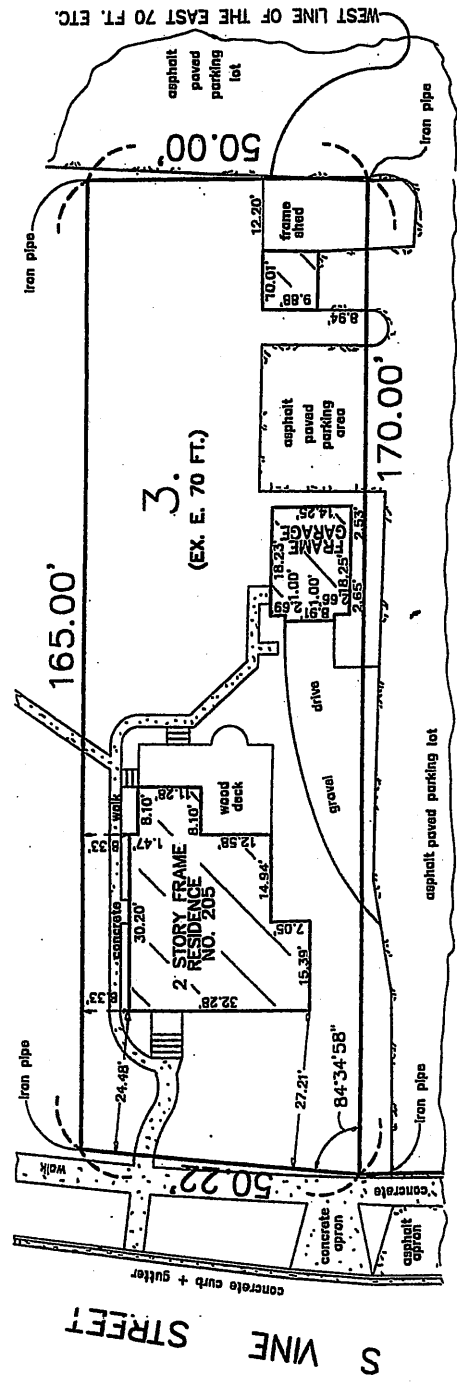


ILLINOIS LAND SURVEYOR
8710 SKYLINE DRIVE
HINSDALE, IL 60527
PHN 630-769-0898
FAX 630-768-0587

Plat of Survey

LOT 3 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J. I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

1"=20'
8375 Sq.ft.



NOTES:
- CHECK FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS, IF ANY.
- NOT SHOWN HEREON, SURVEYOR HAS MADE NO INVESTIGATION OR
INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, RESTRICTIONS,
OR OTHER INTERESTS THAT A CURRENTLY EFFECTIVE SURVEY MAY DISCLOSE.
- SCALE HEREON MAY BE APPROXIMATE IN CERTAIN AREAS FOR CLARITY
OR FROM REPRODUCTION IRREGULARITIES. DO NOT SCALE FROM PLAT.
- CONSULT WITH SURVEYOR PRIOR TO USING THIS PLAT FOR ANY
- DO NOT ASSUME THAT PROPERTY MONUMENTS ARE AT PROPERTY CORNERS.
- SURVEY PLAT NOT VALID UNLESS EMBOSSED IMPRESSION OF SURVEYORS
IS AFFIXED HEREON.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
DATE: APRIL 5, A.D. 2013
ILLINOIS LAND SURVEYOR NO. 2876
L.C. EXP. 11-30-2014
ORDERED BY: LARSON
ORDER NO.: 130205-205 VINE
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**VILLAGE
OF HINSDALE** FOUNDED IN 1873

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

Must be accompanied by completed Plan Commission Application

Is this a: Map Amendment ☒ Text Amendment ☐

Address of the subject property 201 and 205 S. Vine St.

Description of the proposed request: Remove both subject residential properties from previously approved Plan Development (Please see concurrent companion Applications, Site Plan & Keith Larson letter of February 15, 2013), and rezone the two lots from IB to R-4 District.

REVIEW CRITERIA

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

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

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

The subject properties were classified as IB District prior to their inclusion in the PUD in 2004. However, their pre-Code uses were single-family residential, those uses did not change when both lots were included in the PUD in 2004, and their proposed uses are consistent with R-4 uses. Inclusion of both lots in the R-4 District meets all Code purposes.

2. The existing uses and zoning classifications for properties in the vicinity of the subject property.

The nearest lots to East, South and West of the subject properties are in the R-4 District. It is unknown why the Village designated 201 and 205 S. Vine as IB District when the Zoning Code was adopted in 1989. The location of the subject properties is highlighted in the attached copy of the Zoning Map.

3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

Since 2004, the area in proximity to the subject properties has remained R-4 and has been developed by R-4 uses. Applicant proposes to do the same. The redevelopment of 201 and 205 S. Vine with new single family residences would comply with all applicable R-4 district Zoning Code standards.

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

If the subject properties remain in the current planned development in the IB District, they could not be redeveloped and revitalized with new single family residences.

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

There is no public benefit offset by the subject properties remaining in the IB District as part of the PUD.

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

They would be enhanced by the redevelopment of the subject properties with new single family residences.

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

They would potentially be increased in value. There would be no decrease in value, and the subject properties could not be developed with IB District uses if they are designated in accordance with their historical single family detached residence use in the R-4 District.

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.

It would not be affected. Applicant's lot to the south and adjacent to 205 S. Vine would remain in the PUD, its current uses would be maintained, and it would continue to serve the water drainage needs of surrounding properties.

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification.

At present, the subject properties are not suitable for development of new IB District uses without potential detriment to surrounding residential properties.

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

Access to and from the subject properties is unaffected, and there would be no effect on traffic conditions.

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

If the subject properties were developed by new IB District uses, the impact on utilities and public services is unknown. If developed by R-4 District uses, utilities and public services are unaffected and are adequate.

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

N/A

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

Replenishment and upgrading of residential uses are among the stated objectives of the Zoning Code, particularly in the case of more affordable single family residences.

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

N/A



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OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Please Note: You MUST complete and attach all appropriate applications and standards applicable to your specific request to this application.

Applicant

Name: Keith R. Larson, as property manager for owner

Address: 701 N. York Road

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 476 / 2418

E-Mail: keith@keithlarsonarchitect.com

Owner

Name: Zion Lutheran Church

Address: (Principal) 204 S. Grant Street

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 343 / 0384

E-Mail: (please see applicant's e-mail address)

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

Name: Keith R. Larson

Title: Architect

Address: (please see above)

City/Zip: _____

Phone/Fax: () / _____

E-Mail: _____

Name: Norman V. Chimenti

Title: Attorney

Address: 2100 Manchester Road, Suite 1700

City/Zip: Wheaton, IL 60187

Phone/Fax: (630) 668 / 9100

E-Mail: nchimeriti@clausen.com

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

- 1) (none)
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 116, 204, 208 and 212 S. Grant St., and 125, 201, 205 and 209 S. Vine St.*

Property identification number (P.I.N. or tax number): (see ** below) - - -

Brief description of proposed project: (see attached letter from Keith Larson to Village, dated 2/15/13) Major adjustment to the existing

planned development to sever the 201 and 205 S. Vine residential properties from the planned development, and to replat 205 S. Vine so that the

rear portion of the 205 S. Vine St. lot remains a part of the planned development.

General description or characteristics of the site: membership organization (church and church-related uses) ;

school and playground; parking and other accessory uses; and institutional use residences and detached garages

Existing zoning and land use: IB (PUD) R-4 (201 and 205 S. Vine St.)

Surrounding zoning and existing land uses:

North: 0-1 (office)

South: R-4 (single family)

East: 0-1 (office) and R-4

West: R-4

Proposed zoning and land use: no change, except as noted above

Existing square footage of property: 101,849 square feet (PUD)

Existing square footage of all buildings on the property: 49,470 square feet (PUD)

* The property consists of a single zoning lot (for zoning code administration purposes only) containing multiple street addresses, lots of record and parcels, and is approved as a planned development by the Village. (Please see attached Village Ordinance Nos. 2004-15, 02012-32 and 02012-53.)

** 09-12-110-006 09-12-111-004
09-12-110-007 09-12-111-010
09-12-110-014 09-12-111-011
09-12-110-015 09-12-111-012
09-12-111-001
09-12-111-002
09-12-111-003

TABLE OF COMPLIANCE (PUD**)

Address of proposed request: (Multiple; Principal address: 204 S. Grant St., Please see Sec. II, Site Information)

The following table is based on the IB Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	80,000 sq. ft.	85,378 sq. ft. **
Minimum Lot Depth	250 ft.	383.5 ft.
Minimum Lot Width	200 ft.	250 ft.
Building Height	40 ft	40 ft.
Number of Stories	2	2
Front Yard Setback	35 ft.	28 ft (existing)
Corner Side Yard Setback	35 ft.	20 ft. (existing)
Interior Side Yard Setback	25 ft.	7.41 ft (existing)
Rear Yard Setback	25 ft.	38 ft.
Maximum Floor Area Ratio (F.A.R.)*	0.50	0.537 ***
Maximum Total Building Coverage*	N/A to PUD	-
Maximum Total Lot Coverage*	N/A to PUD	-
Parking Requirements	63 (maximum, per PUD approval)	74
Parking front yard setback	35 ft.	140 ft.
Parking corner side yard setback	35 ft.	0 ft (existing)
Parking interior side yard setback	25 ft.	6 ft (existing)
Parking rear yard setback	25 ft.	39 ft. <i>zero clear</i>
Loading Requirements	1	1
Accessory Structure Information	n/a	(2 detached garages and storage shed to be excluded from planned development)

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: With the exception of PUD F.A.R. and 205 S. Vine lot dimensions, existing nonconformities are either previously approved by the Village or are legal nonconformities under Village Codes, and may be continued. The Village has authority to approve the changed F.A.R. of 0.537 for a planned development; and such F.A.R. is in the range of approved P.U.D. F.A.R.'s for other Hinsdale churches. Also, the Village has authority to approve the proposed lot dimensions for 205 S. Vine.

** Following severance of the 201 and 205 S. Vine residential lots from the planned development, and the replating of 205 S. Vine.

*** 42,689 sq. ft. gross floor area is permitted after the severance of 201 and 205 S. Vine from the PUD. The actual remaining proposed gross floor space will be 45,820 sq. ft. The F.A.R. for the Union Church PUD is 0.59 and for the St. Isaac Jacques PUD is 0.52.

TABLE OF COMPLIANCE

Address of proposed request: 201 S. Vine Street

The following table is based on the R-4 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development (Lot)
Minimum Lot Area	10,000/7,000 sq. ft.	8,125 sq. ft.
Minimum Lot Depth	125/100 ft.	162.5 ft. (avg.)
Minimum Lot Width	80/50 ft.	50 ft.
Building Height (elevation)	35.5-48/34.44 ft.	27.5 ft. (existing)
Number of Stories	3	2 (existing)
Front Yard Setback	20-35 ft.	30 ft. (avg.; existing) **
Corner Side Yard Setback	35/15 ft.	8 ft. (avg; existing) **
Interior Side Yard Setback	8/6 ft.	15.6 ft (existing)
Rear Yard Setback	25 ft.	82.5 ft. (existing)
Maximum Floor Area Ratio (F.A.R.)* 0.25 + 1,100 sq. ft.	3,131.25 sq. ft.	2,245.5. sq. ft. (existing)
Maximum Total Building Coverage* 25% & 10%	2,031.25 sq. ft (principal) 812.5 sq. ft (accessory)	1,226 sq.ft. (existing) 571 sq. ft. (existing)
Maximum Total Lot Coverage* (50%)	4,875.sq. ft.	2,909 sq. ft.
Parking Requirements	N/A	--
Parking front yard setback	N/A	--
Parking corner side yard setback	N/A	--
Parking interior side yard setback	N/A	--
Parking rear yard setback	N/A	--
Loading Requirements	N/A	--
Accessory Structure Information	detached garage 812.5 sq. ft.	571.sq. ft (existing)

* Must provide actual square footage number and percentage.

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

**Pre-code structure legal nonconformity

TABLE OF COMPLIANCE

Address of proposed request: 205 S. Vine St.

The following table is based on the R-4 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development (Lot)
Minimum Lot Area	10,000/7,000 sq. ft.	8,375 sq. ft.
Minimum Lot Depth	125/100 ft.	167.5 ft. (avg.)
Minimum Lot Width	80/50 ft.	50 ft.
Building Height	35.5-40/34.44 ft.	28 ft. (existing)
Number of Stories	3	2 (existing)
Front Yard Setback	20-35 ft.	25.4 ft. (avg; existing) **
Corner Side Yard Setback	N/A	N/A
Interior Side Yard Setback	8/6 ft.	8.33/9.4 ft (existing)
Rear Yard Setback	25 ft.	105 ft. (existing)
Maximum Floor Area Ratio (F.A.R.)* 0.25 +1,100 sq. ft.	3,193.75 sq. ft.	1,881.3 sq. ft (existing)
Maximum Total Building Coverage* 25% & 10%	2,093.75 sq. ft. (principal) 837.5 sq. ft (accessory)	945 sq. ft. (existing) 261 sq. ft (existing garage)
Maximum Total Lot Coverage*	5,025. sq. ft.	2,113 (existing)***
Parking Requirements	N/A	--
Parking front yard setback	N/A	--
Parking corner side yard setback	N/A	--
Parking interior side yard setback	N/A	--
Parking rear yard setback	N/A	--
Loading Requirements	N/A	--
Accessory Structure Information	detached garage & shed 837.5 sq. ft.	261 sq. ft. (existing)

* Must provide actual square footage number and percentage.

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

**Pre-code structure legal nonconformity

*** Includes parking area of 560 sq. ft. to be removed.

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 10 day of June, 2013, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

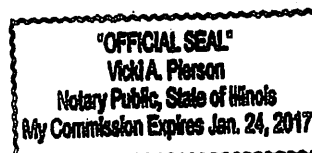
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 10 day of
June, 2013.

Notary Public



Keith R. Larson –Architect
701 N. York Road
Hinsdale, IL 60521
keith@KeithLarsonArchitect.com
630-47-2418

2/15/13
Village of Hinsdale Building Department
Attn: Mr. Sean Gascoigne
Mr. Robert McGinnis MCP

Re: Major PUD Adjustment Application to Be Filed By Zion Lutheran Church

Dear Sean and Robb:

We are furnishing this outline as you suggested at our meeting on February 12, 2013.

As urged by the Plan Commission at a public hearing last fall, and as a matter of economic necessity for the Church, Zion Lutheran seeks to modify its existing PUD approved by the Village in 2004 to return the lots located at 201 and 205 S. Vine St. to their original status of individual buildable lots in the R-4 Residential District for sale and redevelopment purposes. Those lots had been included in the PUD because their uses were integrated into the school and church (membership organization) principal uses of the PUD established with Village approval in 2004, and their zoning had changed from R-4 to IB District because at the time the Village thought it was appropriate for all lots of record encompassed by the PUD to be classified in the IB District.

The 201 and 205 S. Vine residential lots no longer serve the PUD's principal uses, except to the extent that a portion of the rear of the 205 S. Vine lot contains parking and circulation aisle elements which would remain a part of the PUD as accessory to the school and church uses. The PUD is and would remain fully compliant with Village off-street parking requirements. Preservation of current parking and circulation features will require a reconfiguration of the lot lines of 205 S. Vine to accommodate or benefit PUD principal uses. The resultant lot area of 205 S. Vine will be consistent with that of 201 S. Vine, and consistent with or larger than the lot areas of neighboring R-4 residential lots. No other changes in the configuration of the PUD or of the two lots to be segregated from the PUD would occur, and no change would occur in any existing structure.

By restoring the two residential lots to their pre-2004 PUD standing, the visual appearance of the PUD and the residential properties will not change, and there will be no increase in any currently existing legal nonconformity previously permitted by the Zoning Code or approved by the Village, with two relatively minor exceptions. The 205 S. Vine lot will become smaller in area than its pre-2004 PUD size (to benefit the PUD and consistent with the neighborhood, as stated

above), and the FAR of the structures located in the adjusted PUD will increase marginally to 0.536. Such an FAR is consistent with the current FAR of the St. Isaac Joques PUD (0.52) and less than the current FAR for the Union Church PUD (0.59). Repeating, there would be no visual change in the PUD as a result of the adjustment.

You have advised that to accomplish the contemplated major adjustment in the Zion Lutheran PUD, the following applications submitted to the Village would be required: Major Adjustment to Planned Development, General Application, Application for Certificate of Zoning Compliance and Application for Zoning Map Amendment. It is our understanding that these companion applications may be submitted as a package, and that it is likely they would be considered all at once by the ZPS Committee of the Board of Trustees as the components of what amounts to a single adjustment to the PUD established in 2004. Inasmuch as such an adjustment would have no impact on surrounding properties and merely seeks to reestablish the pre-PUD status quo, and given that the Plan Commission and the general public have already expressed their views in a prior public hearing in connection with a previous Zion Lutheran PUD adjustment, we discussed the possibility that the ZPS Committee and the Board of Trustees would deem it unnecessary to refer this matter to the Plan Commission for another public hearing. Zion Lutheran Church would be pleased to participate in such a public hearing, of course, but the Church would receive a needed and greatly appreciated time and expense benefit if another public hearing were to be deemed unnecessary.

Thank you for the Village's consideration. We have put our application drafting on hold pending receipt of the Village's advice regarding the manner in which it desires Zion Lutheran to proceed. It is the Church's hope to place this matter on the ZPS Committee's agenda for review as soon as is reasonably possible.

Sincerely,

Keith Larson
Project Architect and Consultant to the Applicant

VILLAGE OF HINSDALE

ORDINANCE NO. 02004-15

**AN ORDINANCE APPROVING A MAP AMENDMENT, SPECIAL USE
PERMITS, PLANNED DEVELOPMENT, SITE PLANS,
AND EXTERIOR APPEARANCE PLANS
FOR A BUILDING EXPANSION PROJECT
(Plan Commission Case A-04-2004)**

WHEREAS, Zion Lutheran Church, LLC (the "Applicant") is the legal title owner of several parcels of property totaling approximately 2.34 acres in area and commonly known as 116 South Grant Street, 204 South Grant Street, 208 South Grant Street, 212 South Grant Street, 125 South Vine Street, 201 South Vine Street, 205 South Vine Street, and 209 South Vine Street (the "Subject Property"), which Subject Property is legally described on Exhibit A attached to and made a part of this Ordinance by this reference; and

WHEREAS, the Subject Property is improved with four single family detached dwellings, a membership organization building, and a private school; and

WHEREAS, the membership organization, private school, and two of the single-family residences are currently classified in the IB Institutional Buildings District pursuant to the Hinsdale Zoning Code; and

WHEREAS, the Applicant proposes the development of a planned development, which would encompass the Subject Property and would also include a 14,000-square-foot building addition onto the existing membership organization building, including associated parking, landscaping, and other improvements on the Subject Property; and

WHEREAS, the Applicant also desires to establish child day care services operated by a membership organization on the Subject Property; and

WHEREAS, the Applicant seeks (i) a Zoning Map amendment to reclassify the portions of the Subject Property commonly known as 116 South Grant Street, 208 South Grant Street, 212 South Grant Street, and 209 South Vine Street into the IB Institutional Buildings District from their current classification in the R-4 Single-Family Residential District; (ii) a special use permit and planned development approval authorizing a membership organization, a private school, planned development, and child daycare services operated by a membership organization on the Subject Property, (iii) modifications of certain regulations in the

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Hinsdale Zoning Code to accommodate the existing and proposed building expansion, (iv) site plan approval, and (v) exterior appearance approval; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing and deliberated on the application on March 10, 2004, pursuant to notice thereof properly published in the Hinsdale Doings and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for PC Case No. A-04-2004; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees, at a public meeting on March 22, 2004, considered the Application, the Findings and Recommendations of the Plan Commission, and all of the facts and circumstances related to the Application, and made its recommendation to the President and Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have reviewed the recommendation of the Zoning and Public Safety Committee, the Findings and Recommendation of the Plan Commission, and all of the materials, facts, and circumstances related to the Application, and they find that the Application satisfies the standards set forth in the Hinsdale Zoning Code relating to the requested approvals, but only subject to the conditions set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

Section 2. Approval of Zoning Map Amendment. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-601 of the Hinsdale Zoning Code, hereby amends the Hinsdale Zoning Map to reclassify the portions of the Subject Property commonly known as 116 South Grant, 208 South Grant, 212 South Grant and 209 South Vine into the IB Institutional Buildings District.

Section 3. Approval of a Special Use Permit for a Membership Organization, Private School, Planned Development, and Child Day Care Services. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Sections 11-602 and 11-603 of the Hinsdale Zoning Code, hereby approves a special use permit authorizing a membership organization, a private school, a planned development, and child daycare services operated by a

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membership organization on the Subject Property, and approves the planned development detailed plan prepared by Larson-Kramer Architects and dated January 16, 2004 in the form attached to, and by this reference incorporated into, this Ordinance as Exhibit B (the "Approved Detailed Plan"). The approvals granted in this Section 3 are subject to the conditions stated in Section 7 of this Ordinance.

Section 4. Approval of Site Plans. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-604 of the Hinsdale Zoning Code, hereby approves the site plans for the proposed development in the form attached to and by this reference incorporated into this Ordinance as Exhibit B (the "Approved Site Plans"), subject to the conditions stated in Section 7 of this Ordinance.

Section 5. Approval of Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-606 of the Hinsdale Zoning Code, hereby approves the exterior appearance plans for the proposed development in the form attached to and by this reference incorporated into this Ordinance as Exhibit C (the "Approved Exterior Appearance Plans"), subject to the conditions stated in Section 7 of this Ordinance.

Section 6. Modifications of Certain Zoning Code Regulations. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Subsections 11-603H of the Hinsdale Zoning Code, hereby modifies the following provisions of the Hinsdale Zoning Code, subject to the conditions stated in Section 7 of this Ordinance:

A. Minimum Yards and Setbacks.

1. The minimum front yard on Vine Street for the school shall be 28 feet.
2. The minimum front yard on Grant Street for the membership organization shall be 23 feet.
3. The minimum corner side yard on Second Street for the membership organization shall be 1.4 feet.
4. The minimum interior side yard (south lot line) for the membership organization shall be 16 feet.
5. The minimum interior side yard (south lot line) for the surface parking lot shall be six feet.
6. The minimum interior side yard (north lot line) for the school shall be six feet.

All other yards and setbacks on the Subject Property shall comply with the provisions of Subsection 7-310 of the Hinsdale Zoning Code. No development of the Subject Property, except only in strict accordance with the Approved Detailed Plan and the Approved Site Plans, shall be

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permitted within any yard or setback required by Subsection 7-310 of the Hinsdale Zoning Code. No reduction or any other change shall be permitted to any required yard or setback except only as provided in this Subsection 6A or by ordinance adopted by the Board of Trustees in accordance with Paragraph 11-603K2 or Subsection 11-603L of the Hinsdale Zoning Code.

- B. The minimum number of off-street parking spaces required to be located within the Subject Property for the project approved by this Ordinance shall be 63 spaces.
- C. The minimum lot size for the Subject Property shall be 101,849 square feet.
- D. The minimum drive aisle width in the existing parking lot shall be 19 feet.
- E. The maximum building height for the existing membership organization building shall be 48 feet.

Section 7. Conditions on Approvals. The approvals granted in Sections 2, 3, 4, 5, and 6 of this Ordinance are granted expressly subject to all of the following conditions:

- A. **No Authorization of Work.** This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Engineering Plans.** Prior to the issuance of any building permit for any work on the Subject Property, the Applicant shall submit to the Village Engineer detailed final engineering plans, including among other things drainage plans satisfying all applicable stormwater management requirements (the "Engineering Plans"). After approval by the Village Engineer, the Engineering Plans shall, automatically and without further action by the Village, be deemed to be incorporated in and made a part of the Approved Site Plans.
- C. **Performance Security.** Prior to the issuance of any building permit for any work on the Subject Property, the Applicant shall file with the Village a letter of credit in a form satisfactory to the Village Manager

and in the amount of 110 percent of the cost of all public improvements related to the project as estimated by the Village Engineer. No building permit shall be issued until after such letter of credit has been filed and has been reviewed and approved by the Village Manager and the Village Attorney.

- D. Compliance with Codes, Ordinances, and Regulations. Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.
- E. Compliance with Approved Plans. All development within the Subject Property shall be undertaken only in strict compliance with the Village-approved planned development plans, including without limitation the Approved Site Plans, the Approved Exterior Appearance Plans, and other Village-approved plans.
- F. Building Permits. The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.
- G. Easement Agreement. Prior to the issuance of any building permit for any work on the Subject Property, the Applicant shall prepare and submit a permanent easement agreement (the "Easement Agreement") between the Applicant and the owner of the property commonly known as 214 South Grant Street (the "214 South Grant Owner") to allow the 214 South Grant Owner to use the driveway and curb cut located on the Subject Property until the property at 214 South Grant Street is redeveloped. The Easement Agreement shall be subject to the review and approval of the Village Manager and shall be recorded at the expense of the Applicant with the office of the DuPage County Recorder.

Section 8. Violation of Condition or Code. Any violation of (i) any term or condition stated in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

137
Section 9. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

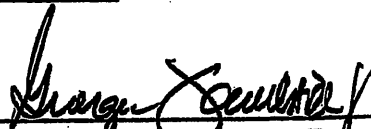
PASSED this 6th day of April 2004.

AYES: TRUSTEES LENNOX, WILLIAMS, JOHNSON, BLOMQUIST, WOERNER AND ELLIS.

NAYS: NONE

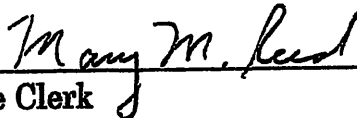
ABSENT: NONE

APPROVED this 6th day of April 2004.



George L. Faulstich, Jr., Village President

ATTEST:



Village Clerk



#1783434_v1

128

**EXHIBIT A
LEGAL DESCRIPTION**

116 South Grant Street: LOTS 10 AND 13 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

204 South Grant Street: LOT 1 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

208 South Grant Street: LOT 4 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

212 South Grant Street: LOT 5 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

125 South Vine Street: LOTS 11 AND 12 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

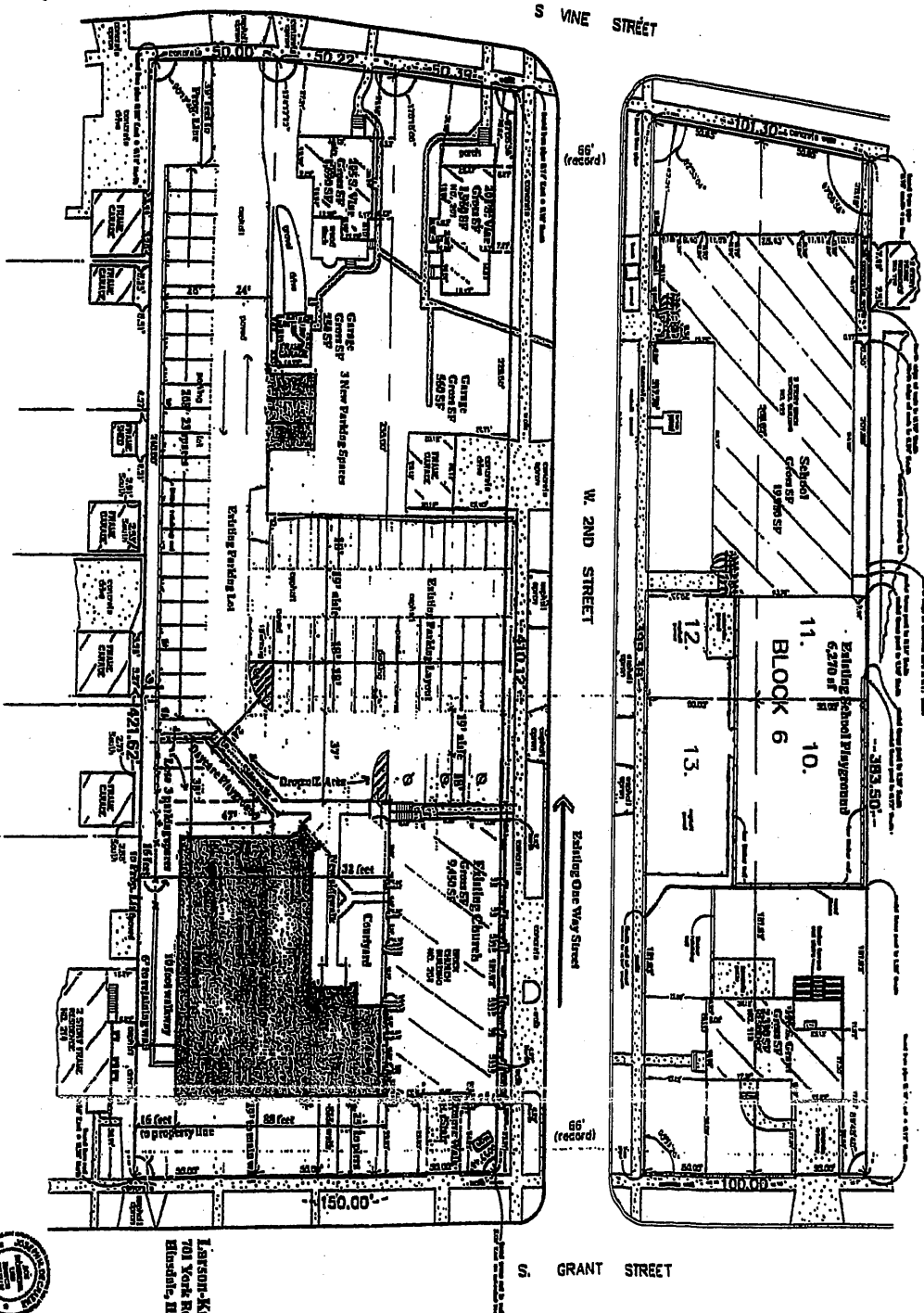
7529
201 South Vine Street: LOT 2 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

205 South Vine Street: LOT 3 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

209 South Vine Street: LOT 6 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

Exhibit B Detailed Plan Site Plan

440



Plot of Survey

THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY MAP AS FILED IN THE PUBLIC RECORDS OF THE COUNTY OF JEFFERSON, MISSOURI, UNDER THE NAME OF 'PLOT OF SURVEY'.



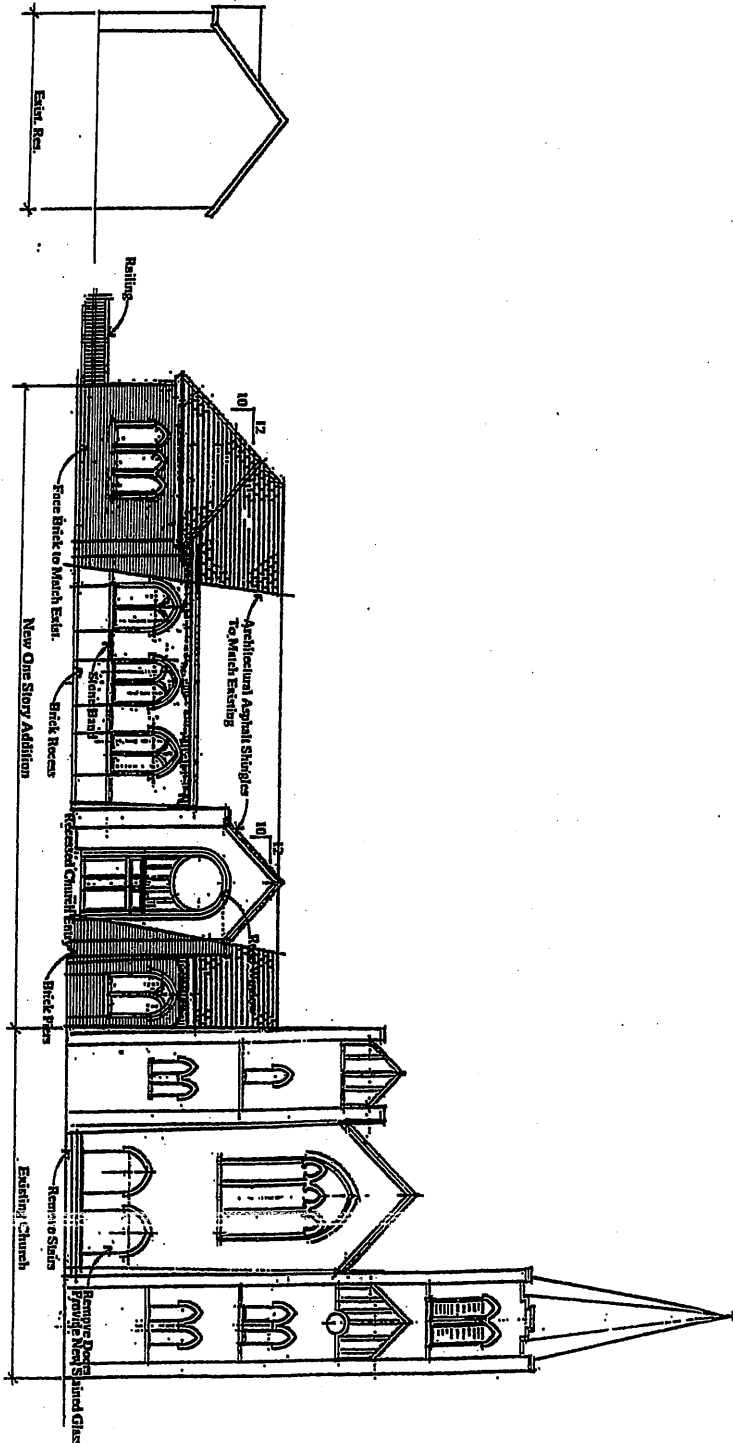
Larson-Kramer & Associates
701 York Road
Bloomdale, IL 60021

Surveyed and Plotted by
Larson-Kramer & Associates, Inc.
Survey No. 201102

EXHIBIT I
SITE PLAN
January 14, 20

Exhibit C "1"

Exterior Elevations



Grant Street Elevation

Exhibit C "2" Exterior Elevations

4/12

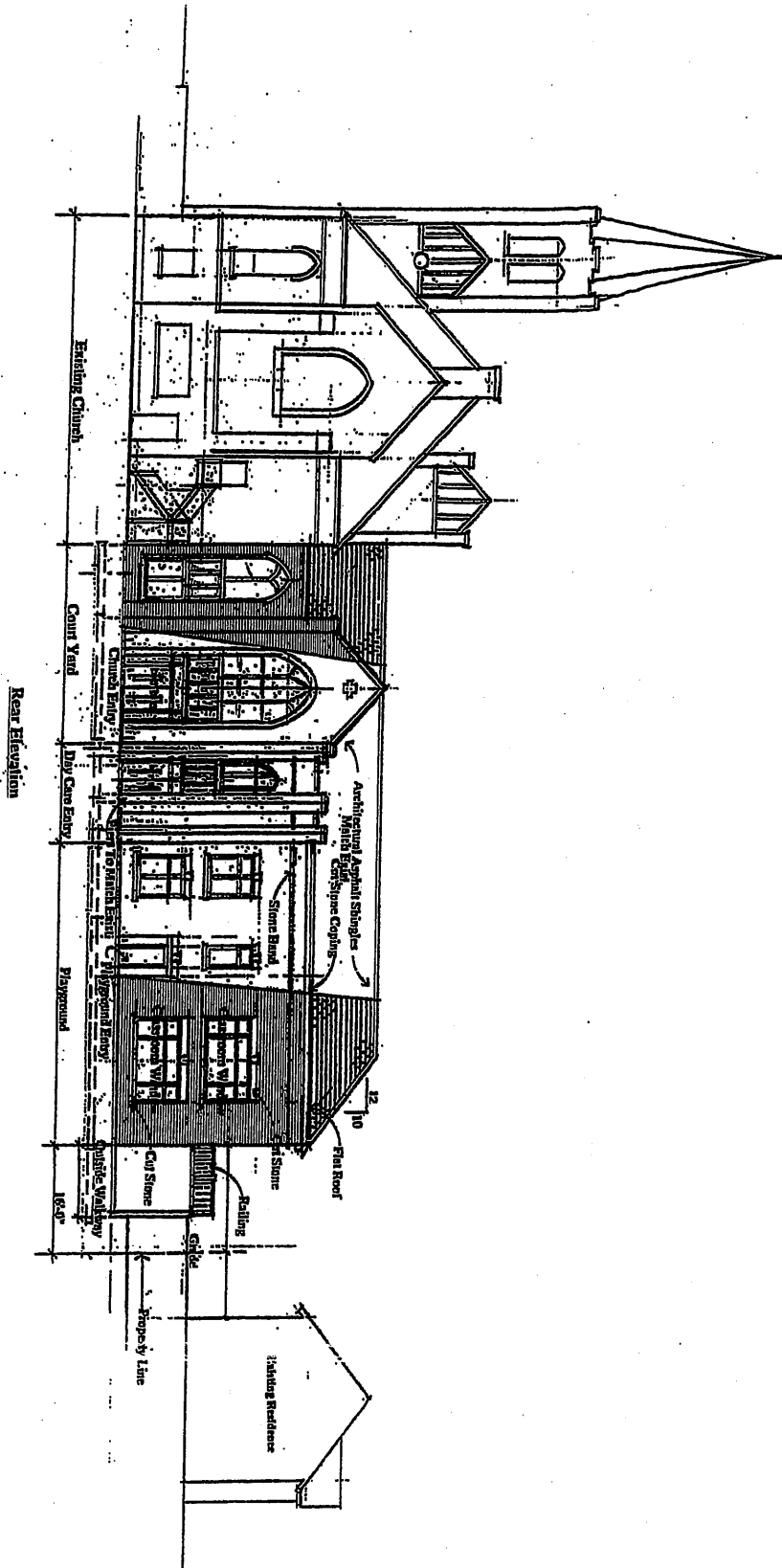


EXHIBIT C
ELEVATION-2

५५



T. ARSON-KRAMER

VILLAGE OF HINSDALE

ORDINANCE NO. O2012-32

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A PRIVATE
MIDDLE SCHOOL AT 125 S. VINE STREET
(Plan Commission Case No. A-15-2012)**

WHEREAS, an application seeking a special use permit to operate a private school in the existing school building located at 125 S. Vine Street, Hinsdale, Illinois, (the "Subject Property"), in the IB Institutional Buildings Zoning District, was filed by Petitioner Nurturing Wisdom with the Village of Hinsdale; and

WHEREAS, a special use for a private school on the Subject Property had previously been approved as one aspect of a planned development in Ordinance No. 2004-15, but had lapsed due to the school use having been discontinued for a period in excess of six (6) months; and

WHEREAS, the Subject Property, which is improved with an existing school building, is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the application has been referred to the Plan Commission of the Village and has been processed in accordance with the Hinsdale Zoning Code ("Zoning Code"), as amended; and

WHEREAS, on June 13, 2012, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean* on May 24, 2012, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of 4 in favor, 0 against, 1 abstention, and 4 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-15-2012 ("Findings and Recommendation"), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on June 25, 2012, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation of approval to the Board of Trustees, subject to there being a maximum enrollment under the special use of fifty (50) students; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 11-602 of the Zoning Code relating to special use permits.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1: Incorporation. The foregoing recitals are incorporated into this Section 1 by reference as findings of the President and Board of Trustees;

Section 2: Approval of Special Use for a Private School. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves a special use permit for a private school in the IB Institutional Buildings Zoning District in the existing school building on the Subject Property located at 125 S. Vine Street, legally described in **Exhibit A**, subject to the condition that enrollment at the private school shall not exceed fifty (50) students.

Section 3: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof; other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this 17th day of July 2012.

AYES: Trustees Angelo, Geoga, LaPlaca, Saigh

NAYS: None

ABSENT: Trustees Elder and Haarlow

APPROVED by me this 17th day of July, 2012, and attested to by the Village Clerk this same day.



Thomas K. Cauley, Jr.
Thomas K. Cauley, Jr., Village President

Christine M. Bruton
Christine M. Bruton, Village Clerk

ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE CONDITIONS OF THIS ORDINANCE:

Alyssa DeCesaris
By: Director
Its: Alyssa DeCesaris

Date: July 17, 2012

EXHIBIT A

LOTS 11 AND 12 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS

COMMONLY KNOWN AS: 125 S. VINE STREET, HINSDALE, ILLINOIS

HINSDALE PLAN COMMISSION

Re: Case A-15-2012 – Nurturing Wisdom – 125 S. Vine Street - Request: Special Use Permit to Operate a Private Middle School

DATE OF PLAN COMMISSION REVIEW: June 13, 2012

DATE OF ENVIRONMENT & PUBLIC SERVICES REVIEW: June 25, 2012

FINDINGS AND RECOMMENDATION**I. FINDINGS**

1. The Applicant, Nurturing Wisdom, submitted an application for a Special Use to operate a private middle school at 125 S. Vine Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing school where a private elementary school operated previously. Middle schools are listed as a Special Use.
3. The Plan Commission heard testimony from the applicant regarding the proposed request, including proposed hours and class sizes, at the Plan Commission meeting of June 13, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which confirmed, among other things, that the facility would not be doing tutoring from this location.
5. The Commissioners agreed that the proposed use was a good fit for the location.
6. The Plan Commission specifically finds that based on the Application and the evidence presented at the public hearing, the Applicant has satisfied the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit. Among the evidence relied upon by the Plan Commission is the fact that the school will be located in an existing building specifically designed for school use, that a school has operated at this location in the past, that adequate public facilities to serve the school are already in place, and that adequate parking to serve the proposed school use exists.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of four (4) "Ayes," 0 "Nay," one (1) "Abstention" and four (4) "Absent", recommends that the President and Board of Trustees approve the Application for a special use permit to allow the operation of a private middle school at 125 S. Vine Street.

THE HINSDALE PLAN COMMISSION

By: _____


Chairman

Dated this 11th day of July, 2012.

VILLAGE OF HINSDALE

ORDINANCE NO. 02012-53

**AN ORDINANCE APPROVING A MAJOR ADJUSTMENT
TO A PLANNED DEVELOPMENT TO ALLOW A MUSIC SCHOOL AND TUTORING
SERVICE - 125 S. VINE STREET - ZION LUTHERAN CHURCH**

WHEREAS, a Planned Development for Zion Lutheran Church (the "Applicant") at 125 S. Vine Street (the "Subject Property") was originally approved by Ordinance No. 2004-15 (the "Planned Development"); and

WHEREAS, the Subject Property, improved with, among other things, an existing school building, is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, among the various uses approved as part of the Planned Development was a private school use, which was later discontinued. A special use for a private school on the Subject Property was recently reapproved and a private school is again operating on the Subject Property; and

WHEREAS, the Applicant has now submitted an application for a major adjustment to the Planned Development to allow for a music school and tutoring service (the "Proposed Uses") within the private school building on the Subject Property, during hours when the private school is not operating (the "Application"); and

WHEREAS, as the Proposed Uses are uses which would not otherwise be permitted in the IB Institutional Buildings Zoning District, a major adjustment to the Planned Development is required to be approved by the Village Board pursuant to Subsection 11-603(K)(2) of the Hinsdale Zoning Code in order for the Proposed Uses to operate; and

WHEREAS, the President and Board of Trustees, upon initial consideration of the Application, sent it back to the Plan Commission so that nearby residents of the Subject Property could be notified of the Proposed Uses and have an opportunity to register their approval or disapproval; and

WHEREAS, following notice to nearby residents, the Plan Commission, on October 10, 2012, held a meeting at which the Application was discussed. No residents were present to comment on the Application or Proposed Uses, and one commented through a written submission. Following presentations and discussion, the Plan Commission recommended approval of the Application

on a vote of 7 ayes, 0 nays, and 2 absent. The Findings and Recommendation of the Plan Commission are attached hereto as Exhibit B and made a part hereof; and

WHEREAS, the Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 11-603 of the Zoning Code relating to major adjustments to planned developments.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the Board of Trustees.

SECTION 2: Approval of Major Adjustment to the Approved Planned Development. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and pursuant to Subsection 11-603(K)(2) of the Hinsdale Zoning Code, approve the major adjustment to the previously approved Planned Development, to allow a music school and tutoring service to operate in the private school building on the Subject Property. The Planned Development, is hereby amended to the extent provided, but only to the extent provided, by the approval granted herein.

SECTION 3: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance, the Ordinance approving the Planned Development, any previous amendments thereto, or of any applicable code, ordinance, or regulation of the Village shall be grounds for rescission by the Board of Trustees of the approvals set forth in this Ordinance.

SECTION 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

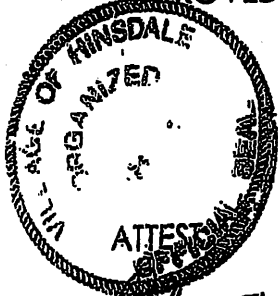
PASSED this 20th day of November 2012.

AYES: Trustees Elder, Angelo, Geoga, LaPlaca, Saigh

NAYS: None

ABSENT: Trustee Haarlow

APPROVED this 20th day of November 2012.

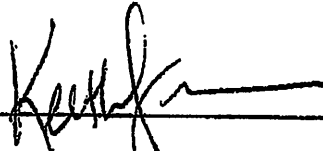


Thomas K. Cauley, Jr.
Thomas K. Cauley, Jr., Village President

Christine M. Bruton
Christine M. Bruton, Village Clerk

ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE
CONDITIONS OF THIS ORDINANCE:

By:



Its:

Program Board Chairman

Date:

November 21, 2012

EXHIBIT A

**LOTS 11 AND 12 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE,
DUPAGE COUNTY, ILLINOIS, BEING A SUBDIVISION OF PART OF THE
NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH,
RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO
THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT
NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS**

COMMONLY KNOWN AS: 125 S. VINE STREET, HINSDALE, ILLINOIS

EXHIBIT B

**FINDINGS OF FACT
(ATTACHED)**

HINSDALE PLAN COMMISSION

Re: 125 S. Vine Street – Zion Lutheran Church - Request: Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street

DATE OF PLAN COMMISSION REVIEW: October 10, 2012

DATE OF ZONING & PUBLIC SAFETY REVIEW: October 22, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Zion Lutheran Church, submitted an application for a Major Adjustment to a Planned Development to allow a music school and tutoring service at 125 S. Vine Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing school where a private elementary school operated previously.
3. The Plan Commission heard a presentation from the applicant regarding the proposed requests, including proposed hours, days and class sizes for the two uses, at the Plan Commission meeting of October 10, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which included the church's long term goals and intentions for the school building.
5. Certain Commissioners expressed concerns with the residential homes being part of the Planned Development and while the applicant did not identify any immediate plans for those lots, they indicated their general support to see those lots removed from the Planned Development and returned to residential zoning.
6. The Commissioners agreed that the proposed uses were a good fit for the location and indicated they didn't see any need to restrict the time, day or hours of operation for either use.
7. The Plan Commission specifically finds that based on the Application and the evidence presented at the public meeting, the Applicant has satisfied the standards in Section 11-603 of the Zoning Code applicable to approval of a major adjustment to Planned Developments. Among the evidence relied upon by the Plan Commission is the fact that the uses will be located in an existing building specifically designed for school uses, that a school has operated at this location in the past and that generally, the requested uses are appropriate for this location.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of seven (7) "Ayes," 0 "Nay," two (2) "Absent", recommends that the President and Board of Trustees approve the Application for a Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street

THE HINSDALE PLAN COMMISSION

By: *N. B. [Signature]*
Chairman

Dated this 14th day of Nov., 2012.

DATE: October 15, 2013

REQUEST FOR BOARD ACTION



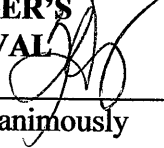
AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-18-2013 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 11-103 (Plan Commission), as it relates to Term Limits.	APPROVAL
<p>On April 3, 2012, the Village Board passed Ordinance No. O2012-14 removing term limits for specific Commissions within the Village. While the direction of the Board was to also remove term limits for the Plan Commission, these administrative responsibilities were codified in the Zoning Code as a result of Ordinance No. O2001-39, and were therefore required to be amended as a text amendment to the Zoning Code. In addition to the requirement for term limitations, the section also poses several requirements for appointments of Commissioners in years past that include dates that have since expired and are no longer applicable to this section of the code.</p> <p>At the Plan Commission meeting of September 11, 2013, the Plan Commission unanimously recommended approval for the Text Amendment to Section 11-103 (Plan Commission), as it relates to Term Limits and deletion of the outdated language on appointments. Subsequently, the Village Attorney has noted that Section 11-103 also contains language concerning appointments of Plan Commission members that is inconsistent with State law: State law provides for appointment by the Village President with confirmation by Board of Trustees, rather than appointment by the President and Board, voting jointly, as our Zoning Code currently provides. He has therefore recommended that the Ordinance be clarified to make the appointment of Plan Commission members consistent with State law.</p> <p>As such, staff is recommending that Section 11-103(A) be amended relative to appointments and the removal of term limits for the Plan Commission as follows:</p> <p>A. Creation; Membership: The plan commission shall consist of nine (9) members appointed by the president and, with the advice and consent of the board of trustees, voting jointly. All members shall be residents of the village. All members appointed by the president and board of trustees on or before May 1, 2001, shall serve for a term of four (4) years and until their successors have been appointed and have qualified for office. Of the four (4) appointments scheduled to be made in the year 2003, three (3) shall be for a term of three (3) years and one shall be for a term of four (4) years. Of the five (5) appointments scheduled to be made in the year 2005, two (2) shall be for a term of two (2) years and three (3) shall be for a term of three (3) years. In all such cases, such terms shall continue until a successor has been appointed and has qualified for office. A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the president and, with the advice and consent of the board of trustees, voting jointly. Commencing in the year 2006, all appointments of successors upon the expiration of any term of any member shall be for a period of three (3) years and until a successor has been appointed and has qualified for office. A member shall be eligible for reappointment; provided, however, that no member shall serve more than the greater of: 1) two (2) consecutive terms that were full terms at the time of service or 2)</p>	

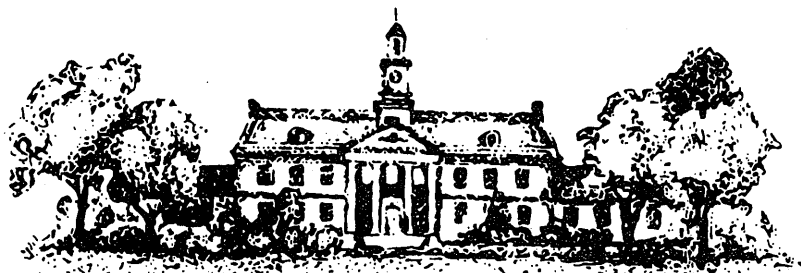
~~six (6) years. Service of a portion of an unexpired term shall not be counted toward the two (2) term limit.~~ All members of the commission shall serve without compensation.

Please note that at the Zoning and Public Safety (ZPS) meeting of September 23, the Committee requested a clarification regarding how the proposed language would affect the way they currently appoint Plan Commission members and how the process would be changing. The Village Attorney has provided a summary outlining the controls of the proposed changes, which can be found in the attached Manager's Notes, dated October 3, 2013.

Attached are the approved findings and recommendation from the Plan Commission and the ordinance.

MOTION: Move that the Board of Trustees approve an "An Ordinance Amending Article XI ("Zoning Administration And Enforcement"), Section 11-103 ("Plan Commission") Of The Hinsdale Zoning Code As It Relates To Plan Commission Appointments And Terms."

APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION: On September 23, 2013, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				



**VILLAGE
OF HINSDALE** FOUNDED IN 1873
19 EAST CHICAGO AVENUE
HINSDALE, ILLINOIS 60521-3489 • (630) 789-7000
Village Website: <http://www.villageofhinsdale.org>

POLICE DEPARTMENT 789-7070
FIRE DEPARTMENT 789-7060
121 SYMONDS DRIVE

VILLAGE PRESIDENT
Tom Cauley

TRUSTEES
J. Kimberley Angelo
Christopher J. Elder
William N. Haarlow
Gerald J. Hughes
Laura LaPlaca
Bob Saigh

Date: October 3, 2013
To: Village President and Board of Trustees
From: Kathleen A. Gargano, Village Manager
Subject: Memo regarding Plan Commission Appointments

Attached please find a memo from Lance Malina in response to a question that was raised at the Zoning and Public Safety (ZPS) Committee relative to the Board's role in the appointing of members to the Plan Commission as a result of the text amendment to Zoning Code.



MEMORANDUM

To: Sean Gascoigne, Village Planner
From: Lance Malina, Village Attorney
Date: 10/2/13
Subject: Amendment to Section 11-103A - Hinsdale Zoning Code as it relates to Plan Commission appointments

You have asked for an explanation as to the reason we recommend changing the appointment language with respect to the Plan Commission in an upcoming text amendment to the Zoning Code.

As a non-home rule community, the extent of the Village's authority is limited to the Illinois Municipal Code. In reviewing the draft amendments eliminating term limits for Plan Commissioners, we noticed that the current language of Section 11-103A of the Hinsdale Zoning Code deviates from the Municipal Code provision on Plan Commission appointments. Accordingly, we thought it advisable to amend the Village Zoning Code in order to ensure that it conforms to State law and the Village's practice.

Section 11-103A of the Hinsdale Zoning Code as it relates to Plan Commission appointments provides in pertinent part that "[t]he plan commission shall consist of nine (9) members appointed by the President and Board of Trustees, voting jointly." This provision establishes that the Village President and Board of Trustees have equal authority to *appoint* and approve members of the Plan Commission. In other words, the Village President and the Board of Trustees have the power to appoint members to the Plan Commission, with a majority approving the appointment. Section 5/11-12-4 of the Illinois Municipal Code provides in pertinent part that "[p]lan commission members are appointed by the Village President, subject to confirmation by the corporate authorities." 65 ILCS 5/11-12-4. This State law provision establishes that only the Village President has power to appoint members of the Plan Commission. The Board of Trustees does not have power to appoint, but only the authority to approve or reject the Village President's appointment.

The draft Ordinance proposes to amend Section 11-103A by replacing the above provision with the following language: "[t]h plan commission shall consist of nine (9) members appointed by the President, with the advice and consent of the board of trustees." This language clarifies the powers of the Village President and Board of Trustees and further ensures that the provision complies with State law. The practical effect of this change in language will be minimal. It is our understanding that the Village of Hinsdale's practice has been for the Village President to appoint commission members and the Trustees to vote on the appointments. In fact,

the Village website currently states that “[t]he Plan Commission consists of nine members who are appointed by the Village President to serve four-year terms.” Moreover, the procedure as proposed is consistent with how the Village currently appoints members in other Village commissions, including but not limited to: Board of Fire and Police Commissioners, Economic Development Commission, Electrical Commission, Finance Commission, Historic Preservation Commission, Parks and Recreation Commission, and Zoning Board of Appeals.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE XI ("ZONING ADMINISTRATION AND ENFORCEMENT"), SECTION 11-103 ("PLAN COMMISSION") OF THE HINSDALE ZONING CODE AS IT RELATES TO PLAN COMMISSION APPOINTMENTS AND TERMS

WHEREAS, the Village of Hinsdale (the "Village") has filed an application pursuant to Section 11-601 of the Hinsdale Zoning Code ("Zoning Code") for an amendment to the text of Section 11-103(A) of the Zoning Code relative to terms and appointment of Plan Commission members (the "Application"); and

WHEREAS, one purpose of the Application for proposed text amendments is to delete the term limit provision from the Plan Commission section of the Zoning Ordinance to conform with action taken by the Board of Trustees last year to eliminate term limits for certain other commissions in the Village; and

WHEREAS, the Board of Trustees has given preliminary consideration to the Application pursuant to Section 11-601(D)(2) of the Hinsdale Zoning Code, and has previously referred the Application to the Plan Commission of the Village for consideration and a hearing. The Application has otherwise been processed in accordance with the Hinsdale Zoning Code, as amended; and

WHEREAS, on September 11, 2013, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean*, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of amendments to the Village's Plan Commission provisions, by a vote of 6 in favor, 0 against and 1 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-18-2013 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit A** and made a part hereof. The amendments include deleting the provision on term limits of Plan Commission members, and deletion of an provision concerning Plan Commission appointments in years past that includes dates that have since expired and are no longer applicable; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on September 23, 2013, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees. Said recommendation included an additional change clarifying how appointments to the Plan Commission are to be made, so as to ensure that the provisions Section 11-103(A) of the Hinsdale Zoning Code conform to State law on Plan Commission appointments; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission,

recommendation of the Zoning and Public Safety Committee, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and circumstances affecting the Application.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1: Incorporation. Each whereas paragraph set forth above is incorporated by reference into this Section 1.

Section 2: Findings. The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee and other matters properly before it, adopts and incorporates the Findings and Recommendation of the Plan Commission as the findings of this President and the Board of Trustees, as completely as if fully recited herein at length. The President and Board of Trustees also adopt the additional text recommendation of the Zoning and Public Safety Committee clarifying how appointments to the Plan Commission are to be made. The President and Board of Trustees further find that the proposed text amendments set forth below are demanded by and required for the public good.

Section 3: Amendment. Article XI (Zoning Administration and Enforcement), Section 11-103 (Plan Commission), subsection (A) (Creation; Membership) of the Hinsdale Zoning Code be and is hereby amended to read in its entirety as follows:

A. *Creation; Membership:* The plan commission shall consist of nine (9) members appointed by the president ~~and, with the advice and consent of the board of trustees, voting jointly.~~ All members shall be residents of the village. ~~All members appointed by the president and board of trustees on or before May 1, 2001, shall serve for a term of four (4) years and until their successors have been appointed and have qualified for office. Of the four (4) appointments scheduled to be made in the year 2003, three (3) shall be for a term of three (3) years and one shall be for a term of four (4) years. Of the five (5) appointments scheduled to be made in the year 2005, two (2) shall be for a term of two (2) years and three (3) shall be for a term of three (3) years. In all such cases, such terms shall continue until a successor has been appointed and has qualified for office.~~ A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the president ~~and, with the advice and consent of the board of trustees, voting jointly.~~ Commencing in the year 2006, all appointments of successors upon the expiration of any term of any member shall be for a period of three (3) years and until a successor has been appointed and has qualified for office. ~~A member shall be eligible for reappointment; provided, however, that no member shall serve more than the greater of: 1) two (2) consecutive terms that were full terms at the time~~

~~of service or 2) six (6) years. Service of a portion of an unexpired term shall not be counted toward the two (2) term limit. All members of the commission shall serve without compensation.~~

Section 4: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

ADOPTED this _____ day of _____, 2013, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2013, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION

(ATTACHED)

HINSDALE PLAN COMMISSION

RE: Case A-18-2013 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 11-103 (Plan Commission), as it relates to Term Limits.

DATE OF PLAN COMMISSION REVIEW:

September 11, 2013

DATE OF ZONING & PUBLIC SAFETY REVIEW:

September 23, 2013

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, the Village of Hinsdale, submitted an application to Section 11-103 (Plan Commission), as it relates to Term Limits.
2. The Plan Commission heard testimony from Village Staff regarding the proposed text amendment at the Plan Commission meeting of September 11, 2013.
3. The Commission understood the need for the amendment and expressed support.
4. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of six (6) "Ayes", zero (0) "Nays" and one (1) "Absent" recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended as proposed.

THE HINSDALE PLAN COMMISSION

By: _____

Chairman

Dated this 9th day of Oct., 2013.



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

Name: Village of Hinsdale
Address: 19 E. Chicago Ave.
City/Zip: Hinsdale, Il. 60521
Phone/Fax: (630) 789-7030 / _____
E-Mail: _____

Owner

Name: N/A
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

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

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

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

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

- 1) Robert McGinnis, Director of Community Development/Building Commissioner
- 2) Sean Gascoigne, Village Planner
- 3) _____

II. SITE INFORMATION

Address of subject property: N/A

Property identification number (P.I.N. or tax number): - - -

Brief description of proposed project: Text Amendment to Section 11-103 of the Hinsdale Zoning Code as it relates to Term Limits for Plan Commissioners.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A South: N/A

East: N/A West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the property: square feet

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

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested:

☒ Map and Text Amendments 11-601E
Amendment Requested: Section 11-103 as it relates to Plan Commission Term Limits.

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

TABLE OF COMPLIANCE

Address of subject property: N/A

The following table is based on the N/A Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	<div style="border: 1px solid black; padding: 10px; text-align: center;"> Text Amendment: Not Applicable </div>	
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 25 day of August, 2013, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Signature of applicant or authorized agent

Darrell Langlois
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 8th day of

OFFICIAL SEAL
CHRISTINE M BRUTON
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/30/14

Notary Public



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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: Text Amendment to Section 11-103, as it relates to term limits for the Plan Commission.

REVIEW CRITERIA

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

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

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

The proposed text amendment is recommended by the Village Board of Trustees to allow Commissioners that have exhausted the existing allowance of a two-term limit (6 years), to remain on the Commission in an effort to minimize the number of vacancies and quorum issues currently being experienced on many of the other Commissions.

2. The existing uses and zoning classifications for properties in the vicinity of the subject property.

N/A

3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

N/A

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

N/A

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

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

N/A

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

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.

N/A

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. N/A

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

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

N/A

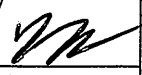
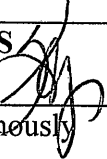
12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property. N/A

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

N/A

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

REQUEST FOR BOARD ACTION

AGENDA		ORIGINATING		
SECTION NUMBER ACA		DEPARTMENT Administration		
ITEM Acceptance of the Village's Comprehensive Annual Financial Report and Management Letter for the Fiscal Year Ended April 30, 2013		Darrell Langlois APPROVAL Assistant Village Manager/ Finance Director 		
<p>Attached for your consideration and approval are the Comprehensive Annual Financial Report (CAFR) and Management Letter for the Fiscal Year Ended April 30, 2013. The Village intends to submit the CAFR to the Government Finance Officers Association (GFOA) for their consideration for a Certificate for Excellence in Financial Report award, which the Village has received for eighteen consecutive years.</p> <p>The audit was conducted by the CPA firm of Sikich, LLP of Naperville. As noted in the various reports, there were no significant issues that came up during this audit. Prior to publication of the audit, ACA Chairman Hughes and Village Manager Gargano were provided with opportunities to review and comment on drafts of the Management Discussion and Analysis (MD&A), the Transmittal Letter, and the Management Letter issued by the auditor. Brian LeFevre, the audit partner with Sikich LLP, will be in attendance at the ACA meeting should there be any questions.</p> <p>Please also note that the 2013 audit engagement completes the second year of a two year contract extension with Sikich, LLP that was approved in January, 2012. As has been the past practice the last several years, I will work with Chairman Hughes to assemble an ACA/Finance Commission subcommittee to meet with the auditors and make a recommendation as to whether the Village should negotiate another extension or issue an Request for Proposal for audit services. There is a fairly significant accounting change coming next year in that the Library will no longer be considered a component unit of the Village and will be required to have their own separate audit completed as well as their own financial statements and management letter. We have been working on this with the Library for the last two years but this will obviously have an impact on the engagement as well as the fees.</p>				
<p>MOTION: To Recommend to the Board of Trustees Acceptance of the Village's Comprehensive Annual Financial Report and the Management Letter for the Fiscal Year Ended April 30, 2013.</p>				
APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
<p>COMMITTEE ACTION: At the ACA Committee meeting on October 7, 2013 this item was unanimously approved.</p>				
<p>BOARD ACTION:</p>				

DATE: October 15, 2013

REQUEST FOR BOARD ACTION

AGENDA		ORIGINATING		
SECTION NUMBER EPS Consent Agenda		DEPARTMENT Community Development		
ITEM Alley Vacation Request -722 S. Bruner St		APPROVAL Dan Deeter Village Engineer		
<p>Attached please find an ordinance vacating a portion of a public alley adjacent to 722 S. Bruner Street. Also included is the appraisal report establishing a fair market value for the vacated property. A plat of vacation will be prepared upon approval of this request for recording at DuPage County. The alley has previously had vacations approved and is therefore not a through alley right-of-way.</p> <p>The appraisal established the value of the property at approximately \$19.50 per square foot. The property to be vacated contains an area of 455 square feet. The total appraised value of the property is \$8,900.</p> <p>MOTION: To Recommend Adoption of an Ordinance Vacating Half of a Public Alley Right-of-Way Situated West and Adjoining 722 S. Bruner Street at a Purchase Price of \$8,900.</p>				
APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION:				
BOARD ACTION:				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE VACATION OF A CERTAIN
PORTION OF AN UNIMPROVED ALLEY SITUATED WEST OF AND
ADJOINING 722 S. BRUNER STREET IN THE VILLAGE OF HINSDALE,
DUPAGE AND COOK COUNTIES, ILLINOIS**

WHEREAS, the Village of Hinsdale, DuPage and Cook Counties, Illinois (the "Village") is a duly authorized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the property owner of 722 S. Bruner Street, Hinsdale, Illinois, which property is identified by permanent index number ("P.I.N.") 09-11-410-012, has requested that a certain portion of an alley, as more fully described below, be vacated in order to be developed and maintained by said property owner; and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1 *et seq.* (2007) (the "Code"), authorizes the Village to determine whether or not the public interest is served by vacating an alley, or part thereof, within its corporate boundaries, by an ordinance duly adopted by the affirmative vote of three-fourths of the trustees then holding office; and

WHEREAS, the Code further provides that upon vacation of an alley, or any part thereof, by the Village, title to the vacated property vest in the then owner or owners of land abutting thereon; and

WHEREAS, the Village President and Board of Trustees of the Village of Hinsdale (the "Corporate Authorities") have determined that the relief to the public from the further burden and responsibility of maintaining a certain portion of the alley, as more fully described below, and to return said portion to the tax rolls for the benefit of all taxing bodies is in the public interest.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties, State of Illinois, as follows:

Section 1. Recitals Incorporated. The above recitals and findings are incorporated herein and made a part hereof.

Section 2. Vacation of Unimproved Alley. Pursuant to the terms of this Ordinance, the Village shall vacate an 7.0' x 65' portion of the unimproved alley

situated west of and adjoining 722 S. Bruner Street, Hinsdale, Illinois (the "Subject Property"), legally described, as follows:

Lots 16, 17, and the north 15 feet of Lot 18 in Hinsdale Heights, a Subdivision of the West Half of Block 22 (except the North 151.0 Feet) in Stough's Second Addition to Town of Hinsdale, a Subdivision of the East Half of Section 11, Township 38 North, Range 11, East of the Third Principal Meridian, According to the Plat Thereof Recorded June 10, 1914 as Document 116770, in DuPage County, Illinois

P.I.N. 09-11-410-012

Section 3. Plat of Vacation Approved. The Plat of Vacation, a copy of which is attached hereto as Exhibit A and made a part hereof, is approved.

Section 4. Conditions of Vacation. The Subject Property is vacated subject to any existing easement of public record for any public or private utility for the maintenance, renewal and construction or reconstruction of public and private utilities and that the Village reserves unto itself as a corporate municipality and to any public utility, its successors or assigns, the right to maintain and relocate any respective facilities in, under, across and along those parts of the public alley as herein vacated, with the right of access thereto at all times for any and all such purposes as may be reasonably required for the construction, maintenance and efficient operation of said equipment pursuant to any existing easement of public record.

Section 5. Payment of Consideration and Title to Vacated Property. Upon the vacation of the Subject Property, title thereto shall be acquired by and vest to the property owner of 722 S. Bruner Street, Hinsdale, Illinois upon the payment of eight thousand, nine hundred dollars (\$8,900.00) to the Village by the property owner as fair market value for the Subject Property. The vacation of the Subject Property, and the recording of the Plat of Vacation, shall not be effective until said payment is received pursuant to Section 11-91-1 of the Code, 65 ILCS 5/11-91-1.

Section 6. Execution of Documents. The Village President, Village Clerk and all other officials are hereby authorized to take any and all action and execute any and all documents required to implement said vacation and record this Ordinance and the Plat of Vacation with the applicable county recorder of deeds upon the payment of the consideration set forth in Section 5 of this Ordinance.

Section 7. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this _____ day of _____, 2013.

AYES:

NAYES:

ABSENT:

APPROVED this _____ day of _____, 2013

Thomas Cauley, Village President

ATTEST:

Christine Bruton, Deputy Village Clerk

SUMMARY APPRAISAL REPORT

**A 7' X 65' PORTION OF THE UNIMPROVED
ALLEY SITUATED WEST AND ADJOINING
722 SOUTH BRUNNER STREET
HINSDALE, ILLINOIS**

Prepared For

**Mr. Dan Deeter
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, Illinois 60521**

Prepared By

**C.A. Benson & Associates, Inc.
419 North La Grange Road
La Grange Park, Illinois 60526**

C.A. BENSON & ASSOCIATES, INC.
419 North La Grange Road - La Grange Park, IL 60526
P.O. Box 157 - La Grange, IL 60525
(708) 352-6056 Fax (708) 352-6070

September 18, 2013

Mr. Dan Deeter
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, IL 60521

Re: Summary Appraisal of a 7' x 65' portion of
unimproved alley situated west and adjoining 722
South Brunner Street, Hinsdale, Illinois

Dear Mr. Deeter:

In accordance with your request, I have inspected the above captioned property and analyzed all pertinent factors relative to it in order to estimate its "as is" market value of the fee simple interest. The property was inspected on September 17, 2013, which is the effective date of this valuation.

The property consists of a 7' by 65' portion of unimproved alley located west and adjoining 722 South Brunner Street, Hinsdale, Illinois. It contains 455 square feet and is zoned R-4, Single-Family Residential.

Based on this analysis, it is my opinion that the "as is" Market Value of the subject property as of September 17, 2013 was

<p>EIGHT THOUSAND NINE HUNDRED DOLLARS (\$8,900)</p>
--

This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

C.A. Benson & Associates, Inc.

PURPOSE OF THE APPRAISAL:

The purpose of this appraisal is to provide my best estimate of the market value of the subject real property as of the effective date. *Market Value* is defined by the federal financial institutions regulatory agencies as follows:

Market Value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions (f))

INTENDED USE: The function of this appraisal is to assist the Village of Hinsdale with a possible sale of the subject.

INTENDED USER: The intended user of this appraisal report is the client.

INTEREST VALUED: Fee simple

DATE OF INSPECTION: September 17, 2013

EFFECTIVE DATE OF VALUE: September 17, 2013

DATE OF REPORT: September 18, 2013

APPRAISAL DEVELOPMENT AND REPORTING PROCESS: In preparing this appraisal, I have

- Inspected the subject property;
- Gathered and confirmed information on comparable sales;
- Applied the Sales Comparison Approach to Value to arrive at an indicated value.

This Summary Appraisal Report is a brief recapitulation of my data, analyses and conclusions. Supporting documentation is retained in my file.

COMPETENCY OF THE APPRAISER: The appraiser has the appropriate knowledge and experience to complete this assignment competently as illustrated by the Qualifications of the Appraiser statement contained within this report.

C.A. Benson & Associates, Inc.

DESCRIPTION OF REAL ESTATE APPRAISED:

The subject property is situated in the Village of Hinsdale, approximately 20-miles southwest of the City of Chicago's Central Business District. Hinsdale is bordered by Oak Brook to the north, Burr Ridge to the south, Western Springs to the east and Clarendon Hills to the west.

Hinsdale is a residential community that has a population of 16,834 residents as of the 2010 census and an average family income of \$150,024 (2009). Over the past 12 months, the average sale price of a single-family residence in Hinsdale was \$1,016,647, which is a 5.6% increase over the prior 12 month average sale price of \$962,555. This is reflective of a moderate improvement in the overall market.

Hinsdale is a substantially built-up community and is one of the communities in the Southern DuPage County suburbs, which include Burr Ridge, Clarendon Hills, Darien, Downers Grove, Glen Ellyn, Lisle, Naperville, Oak Brook, Oakbrook Terrace, Warrenville, Westmont, Wheaton, Willowbrook, Winfield and Woodridge. The majority of these are mid-aged to older established communities that have reached maturity. Redevelopment of new single-family residences is occurring in Hinsdale, Clarendon Hills and Downers Grove on sites where older residences have been demolished. The overall composition of the area provides most amenities such as adequate employee base, established commercial/residential areas and municipal services, educational facilities, etc. The area hospitals include Good Samaritan, La Grange Community and Hinsdale. Hinsdale has a thriving central business district and the Oak Brook Center and Yorktown Center regional shopping malls are in nearby driving distance.

The major transportation systems include the North-South Tollway (I-355), the Tri-State Tollway (I-294) and the East-West Tollway (I-88). In addition, the Metra Commuter Trains and Pace Buses service Hinsdale.

More specifically, the subject property is located in the southwest section of Hinsdale. The immediate area is approximately 98% built-up with single-family residences of varying architectural designs in the range of 0 to 80+ years. The price range varies from \$275,000 for smaller existing single-family residences to in excess of \$1,500,000 for new custom two story residences. Many of the older, smaller residences have been torn down and redeveloped with large custom single-family residences. The immediate occupancy of the neighborhood consists of professionals, executives and white-collar workers. Maintenance level is good and there were no adverse conditions noted on the date of inspection.

Overall, the community of Hinsdale and the subject neighborhood are stable without any land changes anticipated with the exception of residential development of new single residents on lots that were previously improved with older homes. The strengths of the community include the viable central business district, the good community services, ample shopping, proximity to major transportation systems and the historically strong demand for residential, retail and office properties.

The subject property is the east 7' of a 14' wide unimproved alley. It has a width of 65', which is equal to the width of the adjoining residence located at 722 South Brunner Street. It is rectangular in shape and has a calculated area of 455 square feet. It is in an R-4, Single Family Residence District which requires a minimum lot area of 10,000 square feet and 70 or 80 feet of street frontage depending on whether the site is an interior or corner parcel. The subject property is not buildable and would be of use only to the adjoining property owner. It is in a zone "X" area of minimal flooding activity per FEMA Map #17043C0903H, dated December 16, 2004.

C.A. Benson & Associates, Inc.

ESTIMATE OF EXPOSURE TIME:

The subject property is a 7' x 65' section of an unimproved alley, which can only be sold to the adjoining property owner. As such, estimating a marketing time is futile as a potential sale is reliant on the adjoining property owner's willingness to buy the property. The typical marketing time for area buildable sites and single-family residences is 3 to 9 months.

PERMANENT INDEX NUMBER:

The subject is a section of unimproved alley, which has no permanent index number.

TOTAL 2012 ASSESSED VALUE: Not assessed

THREE-YEAR PROPERTY HISTORY:

According to FIRREA and the Uniform Standards of Professional Practice of the Appraisal Foundation, I am required to report and analyze any sale transactions involving the subject property during the past three years or any listing or pending sale transaction involving the subject property.

The subject is part of an unimproved alley under ownership by the Village of Hinsdale. This appraisal will be used as an estimate of market value for a possible sale of the property.

HIGHEST AND BEST USE ANALYSIS:

The subject consists of a 7' x 65', rectangular shaped portion of unimproved alley. It cannot be developed by itself and has value only to the adjoining property owner. It is my opinion that the highest and best use of the subject property is in conjunction with the adjoining residential property.

SUMMARY OF ANALYSIS AND VALUATION:

As indicated, the Sales Comparison Approach to Value will only be used.

SALES COMPARISON APPROACH TO VALUE AS IMPROVED:

Definition: A set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have been sold recently, then applying appropriate units of comparison, and making adjustments to the sale prices of the comparables based on the elements of comparison.*

*Source: Page 255, *The Dictionary of Real Estate Appraisal*, Appraisal Institute, Fourth Edition.

C.A. Benson & Associates, Inc.

SALES COMPARISON APPROACH TO VALUE - Continued

In order to estimate the market value of the subject property by the Sales Comparison Approach, I have analyzed the following sales.

1. **223 South Bodin Street, Hinsdale** was reported sold in December 2012 for \$355,000. This is a 60 foot by 134.25 foot parcel zoned R-4, containing 8,055 square feet. The sales price was equal to \$44.07 per square foot.
2. **741 South Bodin Street, Hinsdale** was reported sold in May 2012 for \$256,000. This is a 50 foot by 125 foot parcel zoned R-4, containing 6,250 square feet. The sales price was equal to \$40.96 per square foot.
3. **632 South Stough Street, Hinsdale** was reported sold in May 2012 for \$345,000. This is a 59 foot by 134 foot parcel zoned R-4, containing 7,906 square feet. The sale price was equal to \$43.64 per square foot.
4. **224 South Thurlow Street, Hinsdale** was reported sold in August 2012 for \$299,000. This is a 50 foot by 133.5 foot parcel zoned R-4, containing 6,675 square feet. The sale price was equal to \$44.79 per square foot.

Commentary

The above sales were all improved with older smaller single-family residences and the sale prices were reflective of land value. Since their acquisitions, three of the existing residences has been demolished and one is vacant and will most likely be demolished. They sold from \$40.96 to \$44.79 per square foot and averaged \$43.36 per square foot for a buildable site.

The subject consists of a 455 square foot unimproved alley that is not buildable and can only be sold to an adjoining property owner. Historical comparisons of varying size sites indicated that additional rear site area above the standard size lot contributes at a rate of 45% of the base lot. For this analysis, 45% of the \$40.96 average value of a buildable site or \$19.51 per square foot, rounded to \$19.50 per square foot is indicated.

C.A. Benson & Associates, Inc.

SALES COMPARISON APPROACH TO VALUE - Continued

Based on the above analysis, it is my opinion that \$19.50 per square foot is indicated for the subject property.

455 square feet @ \$19.50 per square foot = \$8,872

INDICATED VALUE BY THE SALES COMPARISON APPROACH: \$8,900

COMMENT AND FINAL VALUE CONCLUSION:

Based on the sales data analyzed in this report, it is my opinion that the "as is" fee simple market value of the subject property as of September 17, 2013 was

<p>EIGHT THOUSAND NINE HUNDRED DOLLARS (\$8,900)</p>
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Respectfully submitted,

C.A. BENSON & ASSOCIATES, INC.



Charles A. Benson, Jr., SRA
Illinois State Certified General Real Estate Appraiser
License #553.000387 (Exp. 9/30/13)

C.A. Benson & Associates, Inc.

ASSUMPTIONS AND LIMITING CONDITIONS

1. This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

C.A. Benson & Associates, Inc.

ASSUMPTIONS AND LIMITING CONDITIONS - Continued

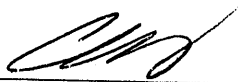
12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.
13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability or utility.
15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.
16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

C.A. Benson & Associates, Inc.

CERTIFICATION

I certify that, to the best of my knowledge and belief...

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinion, and conclusions are limited only by the reported assumptions and limiting conditions, are my personal, impartial, and unbiased professional analyses.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant professional assistance to the person signing this certification.
- the reported analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.



Charles A. Benson, Jr., SRA
Illinois State Certified General Real Estate Appraiser
License #553.000387 (9/30/13)

C.A. Benson & Associates, Inc.

QUALIFICATIONS OF CHARLES A. BENSON, JR.

EDUCATION

University of Wisconsin, Madison, B.B.A., 1974
Major in Real Estate and Urban Land Economics

APPRAISAL COURSES SUCCESSFULLY COMPLETED

S.R.E.A. Courses 101 (1972), 201 (1976), 202 (1989)
A.I.R.E.A. Course VIII (1978)
Standards of Professional Practice - Parts A & B, Appraisal Institute 1998
USPAP Update – 2012-2013

SEMINARS

Residential Design and Functional Utility; Subdivision Analysis; Rates, Ratios & Reasonableness; Valuation Under Federal Lending Regulations; Appraisal of Retail Properties; Industrial Valuation: Conditions of the Chicago Real Estate Market, 2012; Fair Lending and the Appraiser: Valuation of Detrimental Conditions in Real Estate; Partial Interest Valuation – Undivided; Forecasting Revenue; Illinois Appraiser's Update – 2004 thru 2012; Professionals Guide to the Uniform Residential Appraisal Report; Appraisal Challenges: Declining Markets and Sales Concessions; The Discounted Cash Flow Model: Concepts, Issues and Applications.

EXPERIENCE

Actively engaged in the real estate appraisal business since 1975; has made appraisal of thousands of properties of various types including single family residences, apartment buildings, commercial, industrial, special use properties and vacant land.

Clients

Appraisal clients include: Inland Bank, American Metro Bank, Banco Popular, Midwest Bank, National City Bank, First National Bank of LaGrange, Highland Community Bank, Cathay Bank, Pacific Global Bank, Suburban Bank & Trust, United Trust Bank, The University of Chicago, attorneys, individuals, corporations and others.

Qualified as an expert witness for the Circuit Court of Cook County and the Circuit Court of DuPage County.

AFFILIATIONS

- The Appraisal Institute - Received SRA designation in April 1988.
- Holds State of Illinois Real Estate Managing Broker's License #471.011778.
- Member of the Realtor Association of the West/South Suburban Chicagoland.
- State Certified General Real Estate Appraiser, State of Illinois, License No. 553.000387.

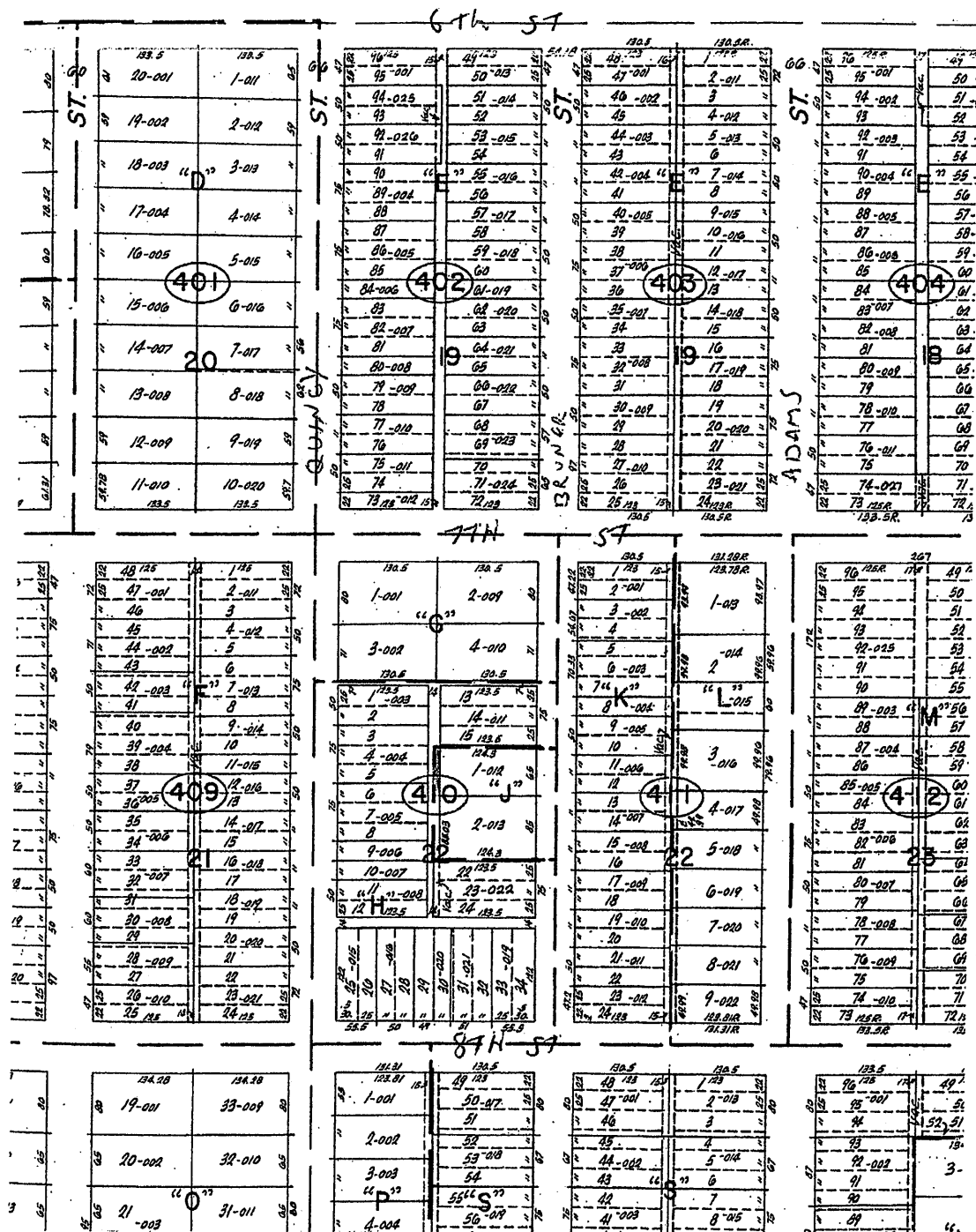
C.A. Benson & Associates, Inc.

ADDENDUM

Sidwell Map

C.A. Benson & Associates, Inc.


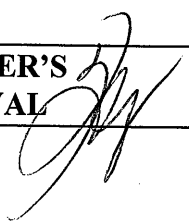
SIDWELL MAP (Subject Shaded in Red)



9A

DATE: October 15, 2013

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER		ORIGINATING DEPARTMENT Community Development		
ITEM Request for Variations – 14 E. Glendale Avenue		APPROVAL		
<p>Attached is a Final Decision from the Zoning Board of Appeals for the property located at 14 E. Glendale Avenue.</p> <p>The Zoning Board of Appeals does not have the authority to waive the provisions set forth in Sections listed below, but after public hearing and deliberation made a recommendation for approval to the Board of Trustees. The Zoning Board of Appeals must recommend to the Board of Trustees with a positive recommendation supported by four or more affirmative votes, all necessary Zoning Variations as they relate to the proposed improvements.</p> <p>The requests were heard and acted on by the Zoning Board of Appeals on August 21, 2013, with the following results:</p> <p>Request for relief from the building height regulations set forth in Section 3-110A.1(a)(ii) of 3' in order to flood proof their home. (APPROVED 4-0)</p> <p>If the Board finds that this request is justified, the following motion would be appropriate:</p> <p>MOTION: To recommend to the Board of Trustees approval of an "Ordinance Approving A Height Variation for the Single Family Residence located in the R-4 Single Family Zoning District at 14 E. Glendale-Case Number V-06-13".</p>				
APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:				
BOARD ACTION:				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A HEIGHT VARIATION FOR THE SINGLE-FAMILY
RESIDENCE LOCATED IN THE R-4 SINGLE-FAMILY ZONING DISTRICT AT
14 E. GLENDALE - CASE NUMBER V-06-13**

WHEREAS, the Village of Hinsdale received an application (the "Application") requesting a three-foot (3') variation from the height regulations set forth in Section 3-110A of the Hinsdale Zoning Ordinance ("Zoning Ordinance") in order to modify the foundation and raise the height of an existing single-family residence. The residence is located at 14 E. Glendale, Hinsdale, Illinois (the "Subject Property"), and the Application was filed by Mark and Susan Marcucci (collectively, the "Applicant"). The Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Application has been referred to the Zoning Board of Appeals of the Village, and has been processed in accordance with the Zoning Ordinance, as amended; and

WHEREAS, the Subject Property is located in the Village's R-4 Single-Family Zoning District and is currently improved with a single-family home. The Applicant proposes modifications to the foundation of the home to help prevent flooding of the residence, resulting in a measurement that would cause the residence to exceed the thirty-foot (30') height limitation of structures in the R-4 Zoning District by a total of three feet (3'); and

WHEREAS, on August 21, 2013, the Zoning Board of Appeals of the Village of Hinsdale held a public hearing pursuant to notice given in accordance with State law and the Zoning Ordinance, relative to the variation request; and

WHEREAS, the Zoning Board of Appeals, after considering all of the testimony and evidence presented at the public hearing, recommended approval of the requested variation; and

WHEREAS, the Zoning Board of Appeals has filed its report of Findings and Recommendation regarding the variation in Case Number V-06-13 with the President and Board of Trustees, a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have reviewed and duly considered the Findings and Recommendation of the Zoning Board of Appeals, and all of the materials, facts, and circumstances related to the Application; and

WHEREAS, the President and Board of Trustees find that the Application satisfies the standards established in Sections 11-503 of the Hinsdale Zoning Ordinance governing variations.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

SECTION 2: Adoption of Findings and Recommendation. The President and Board of Trustees of the Village of Hinsdale approve and adopt the findings and recommendation of the Zoning Board of Appeals, a copy of which is attached hereto as **Exhibit B** and made a part hereof, and incorporate such findings and recommendation herein by reference as if fully set forth herein.

SECTION 3: Variation. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Subsection 11-503(A) of the Hinsdale Zoning Ordinance, grant a variation to the following Section of the Zoning Ordinance:

- 3-110(A)(1)(a)(ii), to allow the height of the residence on the Subject Property to exceed by three feet (3') the maximum allowed height of a residential structure in the R-4 Single-Family Zoning District following modifications to the foundation at the Subject Property commonly known as 14 E. Glendale and legally described in **Exhibit A** attached hereto and made a part hereof.

SECTION 4: Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and all ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this _____ day of _____ 2013.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____ 2013 and attested by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

LEGAL DESCRIPTION

LOT 1 MARCUCCI RESUBDIVISION, BEING A RESUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MARCUCCI RESUBDIVISION RECORDED AUGUST 22, 1997 AS DOCUMENT NUMBER R97-125384 AND CERTIFICATE OF CORRECTION FILED OCTOBER 27, 1997 AS DOCUMENT NUMBER R-96-1662885, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known As: 14 E. Glendale, Hinsdale, Illinois.

EXHIBIT B

**FINDINGS OF FACT
(ATTACHED)**

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

- Zoning Calendar:** V-06-13
- Petitioner:** Mark and Susan Marcucci
- Meeting held:** Public Hearing was held on Wednesday, August 21, 2013 at 7:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on August 1, 2013.
- Premises Affected:** Subject Property is commonly known as 14 E. Glendale, Hinsdale, Illinois and is legally described as:
- LOT 1 MARCUCCI RESUBDIVISION, BEING A RESUBDIVISION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MARCUCCI RESUBDIVISION RECORDED AUGUST 22, 1997 AS DOCUMENT NUMBER R97-125384 AND CERTIFICATE OF CORRECTION FILED OCTOBER 27, 1997 AS DOCUMENT NUMBER R96-162885, IN DUPAGE COUNTY, ILLINOIS
- Subject:** In this application for variation, the applicant requests relief from the height regulations set forth in 3-110A.1(a)(ii) in order to flood proof their home. The plan is to raise the structure above the new 100 year flood plain elevation being implemented by FEMA. The request is for an increase of 3' to the allowable height of the structure.
- Facts:** This property is located in the R-4 single-family zoning district in the Village of Hinsdale and is located on the south side of Glendale west of Washington. The property has a frontage of approximately 130', a depth of approximately 165', and a total square footage of approximately 21,450. The maximum FAR is .24+2,000 square feet or approximately 7,148 square feet. The maximum building coverage is 25% or approximately 5,362 square feet. The Total Lot Coverage is 50% or approximately 10,725 square feet.
- It should be noted that approval of this variation is a recommendation only to the Board of Trustees, as the Zoning

Board of Appeals does not have the authority to grant increases in building height in a residential district.

Action of the Board:

Members heard testimony from the applicant, his attorney and his engineer. The focus of discussion was tied to the history of flooding in the area during heavy rain events and where the water that otherwise filled the basement of the applicant would be displaced. The engineer speaking on behalf of the applicant stated that the displacement was over the entire watershed and not limited to the immediate area, or more specifically the properties of the immediate neighbors. The attorney speaking on behalf of the applicant obtained the top of foundation elevations of all of the surrounding properties and explained that even post-construction, the Marcucci's top of foundation would be lower than any of his neighbors. All neighbors present stated they had no objection to the subsequent height of the home should this variation be approved, but were only concerned with the possible increase of water on their properties.

Members agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met especially with respect to hardship, unique physical condition and not being self-created.

A motion to recommend approval to the Board of Trustees was made by Member Moberly and seconded by Member Neiman.

AYES: Members Gary Moberly, Bob Neiman, Rody Biggert, and Chairman Debra Braselton

NAYS: None

ABSTAIN: None

ABSENT: Members Marc Connelly, John Callahan, and Keith Giltner

THE HINSDALE ZONING BOARD OF APPEALS


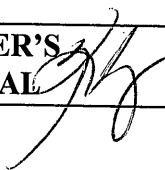


Chairman Debra Braselton

Filed this 7th day of October, 2013 with the office of the Building Commissioner.

9B

DATE: October 15, 2013**REQUEST FOR BOARD ACTION**

AGENDA		ORIGINATING DEPARTMENT		
SECTION NUMBER		Community Development		
ITEM Request for Variations – 421 E. Ogden Avenue – Adventist Hinsdale Hospital		APPROVAL		
<p>Attached is a Final Decision from the Zoning Board of Appeals for the property located at 421 E. Ogden Avenue – Adventist Hinsdale Hospital.</p> <p>The Zoning Board of Appeals does not have the authority to waive the provisions set forth in Sections listed below, but after public hearing and deliberation made a recommendation for approval to the Board of Trustees. The Zoning Board of Appeals must recommend to the Board of Trustees with a positive recommendation supported by four or more affirmative votes, all necessary Zoning Variations as they relate to the proposed improvements.</p> <p>The requests were heard and acted on by the Zoning Board of Appeals on August 21, 2013, with the following results:</p> <p><u>Monument Signs</u></p> <ul style="list-style-type: none"> • Section 9-106(J)(3)(d) - to allow 9 monument signs in lieu of the 1 permitted. (APPROVED 4-0) • Section 9-106(J)(4)(d) - to allow a total square footage of 375 square-feet in lieu of the 50 square-feet permitted. (APPROVED 4-0) <p><u>Wall Signs</u></p> <ul style="list-style-type: none"> • Section 9-106(J)(4)(b) - to allow a total square footage of 120 square-feet, in lieu of the 100 square-feet allowed (APPROVED 4-0) • Section 9-106(J)(5)(b) - to allow a wall sign at a height of 39 feet in lieu of the 20 feet or no higher than the bottom of any second story window, whichever is less. (APPROVED 4-0, BUT WITHDRAWN BY APPLICANT) <p><u>General</u></p> <ul style="list-style-type: none"> • Section 9-106(G)(5) - to allow two off-premises identification signs (based on need to allow identification of location of certain off-premises addresses and entities due to relocation of Spinning Wheel Road). (APPROVED 4-0) <p>If the Board finds that this request is justified, the following motion would be appropriate:</p> <p>MOTION: To recommend to the Board of Trustees approval of an “Ordinance Approving Certain Sign Variations for a Cancer Treatment Center Development in the O-3 Office Zoning District at 421 E. Ogden Avenue – Case Number V-09-13”.</p>				
APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:				
BOARD ACTION:				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING CERTAIN SIGN VARIATIONS FOR A CANCER
TREATMENT CENTER DEVELOPMENT IN THE O-3 OFFICE ZONING DISTRICT
AT 421 E. OGDEN AVENUE - CASE NUMBER V-09-13**

WHEREAS, the Village of Hinsdale received an application (the "Application") from Adventist Hinsdale Hospital (the "Applicant") requesting certain variations to provisions of the Hinsdale Zoning Ordinance ("Zoning Ordinance") related to signage, in conjunction with the construction of a cancer treatment center; and

WHEREAS, the Application has been referred to the Zoning Board of Appeals of the Village, and has been processed in accordance with the Zoning Ordinance, as amended; and

WHEREAS, the property that is the subject of the Application is located at 421 E. Ogden Avenue, Hinsdale, Illinois (the "Subject Property"), is in the Village's O-3 Office Zoning District, is approximately fifteen (15) acres in size, is to be improved with a state-of-the-art cancer treatment facility, and is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Applicant has requested the various sign variations in order to accommodate the campus-style of the development. The specific variations sought are detailed in the body of this Ordinance below; and

WHEREAS, on August 21, 2013, the Zoning Board of Appeals of the Village of Hinsdale held a public hearing pursuant to notice given in accordance with State law and the Zoning Ordinance, relative to the Application; and

WHEREAS, the Zoning Board of Appeals, after considering all of the testimony and evidence presented at the public hearing, recommended approval of the requested variations; and

WHEREAS, the Zoning Board of Appeals has filed its report of Findings and Recommendation regarding the variations in Case Number V-09-13 with the President and Board of Trustees, a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have reviewed and duly considered the Findings and Recommendation of the Zoning Board of Appeals, and all of the materials, facts, and circumstances related to the Application; and

WHEREAS, the President and Board of Trustees find that the variations requested in the Application satisfy the standards established in Sections 11-503 of the Hinsdale Zoning Ordinance governing variations.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

SECTION 2: Adoption of Findings and Recommendation. The President and Board of Trustees of the Village of Hinsdale approve and adopt the findings and recommendation of the Zoning Board of Appeals, a copy of which is attached hereto as **Exhibit B** and made a part hereof, and incorporate such findings and recommendation herein by reference as if fully set forth herein.

SECTION 3: Variations. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Subsection 11-503(A) of the Hinsdale Zoning Ordinance, grant variations to the following Sections of the Zoning Ordinance, relative to signage on the Subject Property:

Monument Signs

- Section 9-106(J)(3)(d) - to allow 9 monument signs in lieu of the 1 permitted.
- Section 9-106(J)(4)(d) - to allow a total square footage of 375 square-feet in lieu of the 50 square-feet permitted.

Wall Signs

- Section 9-106(J)(4)(b) - to allow a total square footage of 120 square-feet, in lieu of the 100 square-feet allowed
- Section 9-106(J)(5)(b) - to allow a wall sign at a height of 39 feet in lieu of the 20 feet or no higher than the bottom of any second story window, whichever is less.

General

- Section 9-106(G)(5) - to allow two off-premises identification signs (based on need to allow identification of location of certain off-premises addresses and entities due to relocation of Spinning Wheel Road) .

The location of the various signs on the Subject Property are as indicated on the signage plan attached hereto as **Exhibit C** and made a part hereof.

SECTION 4: Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the

other provisions of this Ordinance, and all ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this _____ day of _____ 2013.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____ 2013 and attested by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

**LEGAL DESCRIPTION
(ATTACHED)**

EXHIBIT B

**FINDINGS OF FACT
(ATTACHED)**

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

Zoning Calendar: V-09-13

Petitioner: Adventist Hinsdale Hospital

Meeting held: Public Hearing was held on Wednesday, August 21, 2013 at 7:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on August 1, 2013.

Premises Affected: Subject Property is commonly known as 421 E. Ogden Ave., Hinsdale, Illinois and is legally described as:

FEE PARCEL 1-W:

THAT PART OF LOTS 8 AND 9 IN OFFICE PARK OF HINSDALE, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 2002, AS DOCUMENT R2002-243817 DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE ALONG THE EASTERLY LINE OF SAID LOT 8 NORTH 02 DEGREES 17 MINUTES 29 SECONDS WEST, 24.38 FEET TO A POINT ON THE NORTHERLY LINE OF PROPERTY CONVEYED PER DOCUMENT 79-51996 SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE LAST DESCRIBED NORTHERLY LINE SOUTH 77 DEGREES 35 MINUTES 01 SECONDS WEST, 194.05 FEET; THENCE NORTH 28 DEGREES 13 MINUTES 59 SECONDS WEST, 297.84 FEET; THENCE SOUTH 61 DEGREES 46 MINUTES 01 SECONDS WEST, 5.26 FEET; THENCE NORTH 26 DEGREES 09 MINUTES 52 SECONDS WEST, 9.11 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 39.72 FEET ALONG AN ARC TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET AND WHOSE CHORD BEARS NORTH 06 DEGREES 20 MINUTES 58 SECONDS EAST, 37.62 FEET; THENCE NORTH 38 DEGREES 51 MINUTES 44 SECONDS EAST, 23.63 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 27.99 FEET ALONG AN ARC TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET AND WHOSE CHORD BEARS NORTH 50 DEGREES 19 MINUTES 06 SECONDS EAST, 27.81 FEET; THENCE NORTH 61 DEGREES 46 MINUTES 29 SECONDS EAST, 167.66 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 186.05 FEET ALONG AN ARC TO THE LEFT, HAVING A RADIUS OF 325.00 FEET AND WHOSE CHORD BEARS NORTH 45 DEGREES 22 MINUTES 30 SECONDS EAST, 183.52 FEET TO THE EASTERLY

LINE OF SAID LOT 9; THENCE ALONG THE EASTERLY LINE OF SAID LOTS 8 AND 9 SOUTH 02 DEGREES 17 MINUTES 29 SECONDS EAST, 508.59 FEET TO THE POINT OF BEGINNING ALL IN DUPAGE COUNTY, ILLINOIS.

EASEMENT PARCEL 2-W:

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF FEE PARCEL 1-W AS CREATED BY AGREEMENT RECORDED JUNE 11, 1973 AS DOCUMENT R73-33823 AS AMENDED BY DOCUMENTS R73-35331, R81-2365 AND R2001-197280, AS DESCRIBED IN RIDER DESCRIPTIONS 2, 4 AND 6 ATTACHED THERETO, AND BY EASEMENT GRANT RECORDED JANUARY 18, 1989 AS DOCUMENT R89-006821 AS AMENDED BY DOCUMENT R89-072896, AND AS CREATED BY EASEMENT GRANT RECORDED JUNE 20, 1989 AS DOCUMENT R89-072897, AS DESCRIBED IN EXHIBITS C1 THROUGH C5 ATTACHED THERETO, FOR THE PURPOSES OF INGRESS AND EGRESS OVER, UPON AND ACROSS THE DEFINED EASEMENT PREMISES.

EASEMENT PARCEL 3-W:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF LOTS 8 AND 9 OF FEE PARCEL 1-W, (EXCEPT THAT PART OF SAID LOTS FALLING IN SALT CREEK LANE), AS CREATED BY THAT CERTAIN CROSS EASEMENT AGREEMENT DATED MAY 16, 2001 AND RECORDED MAY 21, 2001 AS DOCUMENT R2001-95641, FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS OVER, UPON AND ACROSS THAT PORTION OF SPINNING WHEEL ROAD BOUNDED ON THE SOUTH BY THE NORTHERLY BOUNDARY LINE OF OGDEN AVENUE AND ON THE NORTH BY THE NORTHERNMOST BOUNDARY LINE OF THE "NEW ROAD" AND EXTENDED EASTERLY TO ITS INTERSECTION WITH THE EAST LINE OF SPINNING WHEEL ROAD, WHICH PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS MAY BE TRAVELED SOLELY (I) IN A NORTH AND SOUTH DIRECTION ALONG SAID PORTION OF SPINNING WHEEL ROAD, AND (II) IN AN EAST AND WEST DIRECTION ONLY IN THOSE LOCATIONS WHERE CURB CUTS CURRENTLY EXIST AT THE INTERSECTIONS OF SPINNING WHEEL ROAD AND THE "HOSPITAL PROPERTIES" (AS SPECIFICALLY DESCRIBED IN SECTION 1.4, THEREIN).

FEE PARCEL 2:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 36, ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 1; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG SAID EAST LINE OF SECTION 36, A DISTANCE OF 360.04 FEET TO A LINE 311.45 FEET SOUTH OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH A SOUTH LINE OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 419.58 FEET TO THE EAST LINE OF SAID LOT 1, SAID LINE ALSO BEING THE EAST LINE OF AN INGRESS/EGRESS EASEMENT MORE COMMONLY KNOWN AS SPINNING WHEEL ROAD PER DOCUMENT NUMBERS R67-16396, R68-53559, R68-53558, R68-53557, R65-15555, R62-10321, R67-5975 AND R68-50520, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTIONS 1 AND 36; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG SAID EAST LINE OF LOT 1, ALSO BEING THE EAST LINE OF SAID SPINNING WHEEL ROAD, BEING ALSO PARALLEL WITH SAID EAST LINE OF SECTION 36, A DISTANCE OF 647.37 FEET TO THE NORTH RIGHT OF WAY LINE OF OGDEN AVENUE (FORMERLY KNOWN AS OLD PLANK ROAD); THENCE NORTH 79 DEGREES 52 MINUTES 02 SECONDS EAST (RECORD IS NORTH 80 DEGREES EAST), A DISTANCE OF 426.22 FEET TO THE EAST LINE OF SAID SECTION 1; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG SAID EAST LINE OF SECTION 1, A DISTANCE OF 212.40 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

EASEMENT PARCEL 7:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF FEE PARCEL 2 AS CREATED BY CROSS EASEMENT AGREEMENT DATED AS OF MAY 16, 2001 AND RECORDED MAY 21, 2001 AS DOCUMENT R2001-95641 MADE BY AND BETWEEN HINSDALE HOSPITAL, COLE TAYLOR BANK, AS SUCCESSOR TRUSTEE UNDER TRUSTS NUMBER 76136, 61116, 64208 AND 65276, AND LASALLE BANK NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE UNDER TRUSTS NUMBER 2487, 2704 AND 2705, FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS OVER, UPON AND ACROSS THAT PORTION OF SPINNING WHEEL ROAD MORE PARTICULARLY DESCRIBED AS EASEMENT SUB-PARCELS 4A, 4B AND 4C DESCRIBED BELOW:

EASEMENT SUB-PARCEL 4A:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 1, ALSO BEING

THE WEST LINE OF AN INGRESS/EGRESS EASEMENT MORE COMMONLY KNOWN AS SPINNING WHEEL ROAD PER DOCUMENT NUMBERS R67-16396, R68-53559, R68-53557, R65-15555, R62-10321, R67-5975, R68-50520, R67-17789 AND R67-51476, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 405.51 FEET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN A DEED RECORDED AS DOCUMENT R76-45222; THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 48.00 FEET TO A LINE 431.58 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH SAID EAST LINE OF SECTION 36; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 59.09 FEET TO A LINE 346.49 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 12.00 FEET TO A SOUTHERLY CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG AN EAST LINE OF SAID LOT 1, ALSO BEING THE EAST LINE OF SAID SPINNING WHEEL ROAD, A DISTANCE OF 346.49 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 60.00 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

EASEMENT SUB-PARCEL 4B:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 60.00 FEET TO THE SOUTHERLY MOST SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG THE EAST LINE OF AN INGRESS/EGRESS EASEMENT MORE COMMONLY KNOWN AS SPINNING WHEEL ROAD PER DOCUMENT NUMBERS R67-16396, R68-53559, R68-53558, R68-53557, R62-10321, R67-5975, R68-50520, R67-17789, AND R67-51476, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTIONS 1 AND 36, A DISTANCE OF 612.33 FEET TO THE NORTH RIGHT OF WAY LINE OF OGDEN AVENUE (FORMERLY KNOWN AS OLD PLANK ROAD); THENCE SOUTH 79 DEGREES 52 MINUTES 02 SECONDS WEST (RECORD IS SOUTH 80 DEGREES WEST) ALONG SAID NORTH RIGHT OF WAY LINE OF OGDEN AVENUE, A DISTANCE OF 60.95 FEET TO THE WEST LINE OF SAID SPINNING WHEEL

ROAD; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE WEST LINE OF SAID SPINNING WHEEL ROAD, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTIONS 1 AND 36, A DISTANCE OF 623.05 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

EASEMENT SUB-PARCEL 4C:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 671.49 FEET TO THE EASTERLY MOST SOUTHEAST CORNER OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 1, A DISTANCE OF 419.58 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A SOUTHERLY CORNER OF SAID LOT 1; THENCE CONTINUING SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST, A DISTANCE OF 12.00 FEET TO A LINE 431.58 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH SAID EAST LINE OF SECTION 36; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 59.09 FEET TO A LINE PARALLEL WITH SAID SOUTH LINE OF LOT 1; THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 12.00 FEET TO A LINE 419.58 FEET WEST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH SAID EAST LINE OF SECTION 36; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 59.09 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

FEE PARCEL 4A:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 1, ALSO BEING THE WEST LINE OF AN INGRESS/EGRESS EASEMENT MORE COMMONLY KNOWN AS SPINNING WHEEL ROAD PER DOCUMENT NUMBERS R67-16396, R68-53559, R68-53557, R65-15555, R62-10321, R67-5975, R68-50520, R67-17789 AND R67-51476, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 405.51 FEET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN A DEED RECORDED AS DOCUMENT R76-45222; THENCE NORTH

89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 48.00 FEET TO A LINE 431.58 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH SAID EAST LINE OF SECTION 36; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 59.09 FEET TO A LINE 346.49 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 12.00 FEET TO A SOUTHERLY CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG AN EAST LINE OF SAID LOT 1, ALSO BEING THE EAST LINE OF SAID SPINNING WHEEL ROAD, A DISTANCE OF 346.49 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 60.00 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

EXCEPT THAT PART LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE. COMMENCING AT THE NORTHWEST CORNER OF LOT 8 IN OFFICE PARK OF HINSDALE, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 2002, AS DOCUMENT R2002-243817; THENCE ALONG THE EASTERLY LINE OF SAID LOT 8 SOUTH 28 DEGREES 13 MINUTES 59 SECONDS EAST, 142.56 FEET TO THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 51 MINUTES 44 SECONDS EAST, 70.77 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 27.99 FEET ALONG AN ARC TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET AND WHOSE CHORD BEARS NORTH 50 DEGREES 19 MINUTES 06 SECONDS EAST, 27.81 FEET; THENCE NORTH 61 DEGREES 46 MINUTES 29 SECONDS EAST, 167.66 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 319.76 FEET ALONG AN ARC TO THE LEFT, HAVING A RADIUS OF 325.00 FEET AND WHOSE CHORD BEARS NORTH 33 DEGREES 35 MINUTES 21 SECONDS EAST, 307.01 FEET TO A POINT ON A LINE 311.41 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE ALONG THE LAST DESCRIBED PARALLEL LINE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST, 15.72 FEET TO THE POINT OF TERMINATION SAID POINT BEING 419.58 FEET WESTERLY OF THE EASTERLY LINE OF SAID SECTION 36, ALL IN DUPAGE COUNTY, ILLINOIS.

FEE PARCEL 4B:

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THAT PART OF SECTION 1,

TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 60.00 FEET TO THE SOUTHERLY MOST SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG THE EAST LINE OF AN INGRESS/EGRESS EASEMENT MORE COMMONLY KNOWN AS SPINNING WHEEL ROAD PER DOCUMENT NUMBERS R67-16396, R68-53559, R68-53558, R68-53557, R62-10321, R67-5975, R68-50520, R67-17789, AND R67-51476, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTIONS 1 AND 36, A DISTANCE OF 612.33 FEET TO THE NORTH RIGHT OF WAY LINE OF OGDEN AVENUE (FORMERLY KNOWN AS OLD PLANK ROAD); THENCE SOUTH 79 DEGREES 52 MINUTES 02 SECONDS WEST (RECORD IS SOUTH 80 DEGREES WEST) ALONG SAID NORTH RIGHT OF WAY LINE OF OGDEN AVENUE, A DISTANCE OF 60.95 FEET TO THE WEST LINE OF SAID SPINNING WHEEL ROAD; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE WEST LINE OF SAID SPINNING WHEEL ROAD, SAID LINE ALSO BEING PARALLEL WITH THE EAST LINE OF SAID SECTIONS 1 AND 36, A DISTANCE OF 623.05 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

EXCEPT THAT PART LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE.COMMENCING AT THE NORTHWEST CORNER OF LOT 8 IN OFFICE PARK OF HINSDALE, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 2002, AS DOCUMENT R2002-243817; THENCE ALONG THE EASTERLY LINE OF SAID LOT 8 SOUTH 28 DEGREES 13 MINUTES 59 SECONDS EAST, 142.56 FEET TO THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 51 MINUTES 44 SECONDS EAST, 70.77 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 27.99 FEET ALONG AN ARC TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET AND WHOSE CHORD BEARS NORTH 50 DEGREES 19 MINUTES 06 SECONDS EAST, 27.81 FEET; THENCE NORTH 61 DEGREES 46 MINUTES 29 SECONDS EAST, 167.66 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 319.76 FEET ALONG AN ARC TO THE LEFT, HAVING A RADIUS OF 325.00 FEET AND WHOSE CHORD BEARS NORTH 33 DEGREES 35 MINUTES 21 SECONDS EAST, 307.01 FEET TO A POINT ON A LINE 311.41 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT R67-16396; THENCE ALONG THE LAST DESCRIBED PARALLEL LINE NORTH 89 DEGREES 59 MINUTES 32 SECONDS EAST, 15.72 FEET TO THE POINT OF TERMINATION SAID POINT BEING 419.58

FEET WESTERLY OF THE EASTERLY LINE OF SAID SECTION 36, ALL IN DUPAGE COUNTY, ILLINOIS.

Subject:

In this application for variation, the applicant requests several sign variations in conjunction with the proposed cancer treatment center to be built on the property later this year. The sign package will be reviewed by the Plan Commission in terms of design and content, and as such, the relief being requested is for only the number and size of the signs and not the content, materials, etc. It should be noted that this request is being driven by the fact that the Code does not account for campus type signage such as the cancer treatment center, or the unusual nature of the relationship between it and the rest of the office park. As a result, the applicant is requesting variations from the following:

Monument Signs

Section 9-106J3(d) - to allow 9 monument signs in lieu of the 1 permitted.

Section 9-106J4(d) - to allow a total square footage of 375 square feet in lieu of the 50 square feet permitted.

Wall Signs

Section 9-106J4(b) - to allow a total square footage of 120 square feet, in lieu of the 100 square feet allowed

Section 9-106J5(b) - to allow a wall sign at a height of 39 feet in lieu of the 20 feet or no higher than the bottom of any second story window, whichever is less.

Per Section 11-607F(2)(c), the Plan Commission has the authority to increase, by not more than one, the maximum number of signs of any functional type otherwise allowed.

General

Section 9-106G(5) - to allow off premises identification signs.

Facts:

This property is located in the O-3 Office District in the Village of Hinsdale and is located on the north side of Ogden between Spinning Wheel and Salt Creek Lane. The property is irregular in shape and has a total square footage of approximately 404,243. The maximum FAR is .35 or approximately 141,485 square feet and the maximum allowable building coverage is 50% or approximately 202,121 square feet.

Action of the Board:

Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met and recommended approval. Members agreed that the Zoning Code did not anticipate campus style signage and that the request was typical to other medical office campus settings. Members also agreed that much of the overage in allowable sign square footage was due to the re-routing of Spinning Wheel Road

and the concerns that people would not be able to locate 21 Spinning Wheel without signage visible from Ogden Avenue.

A motion to recommend approval was made by Member Moberly and seconded by Member Biggert.

AYES: Members Moberly, Neiman, Biggert, and Chairman Braselton

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly, Giltner, and Callahan

THE HINSDALE ZONING BOARD OF APPEALS

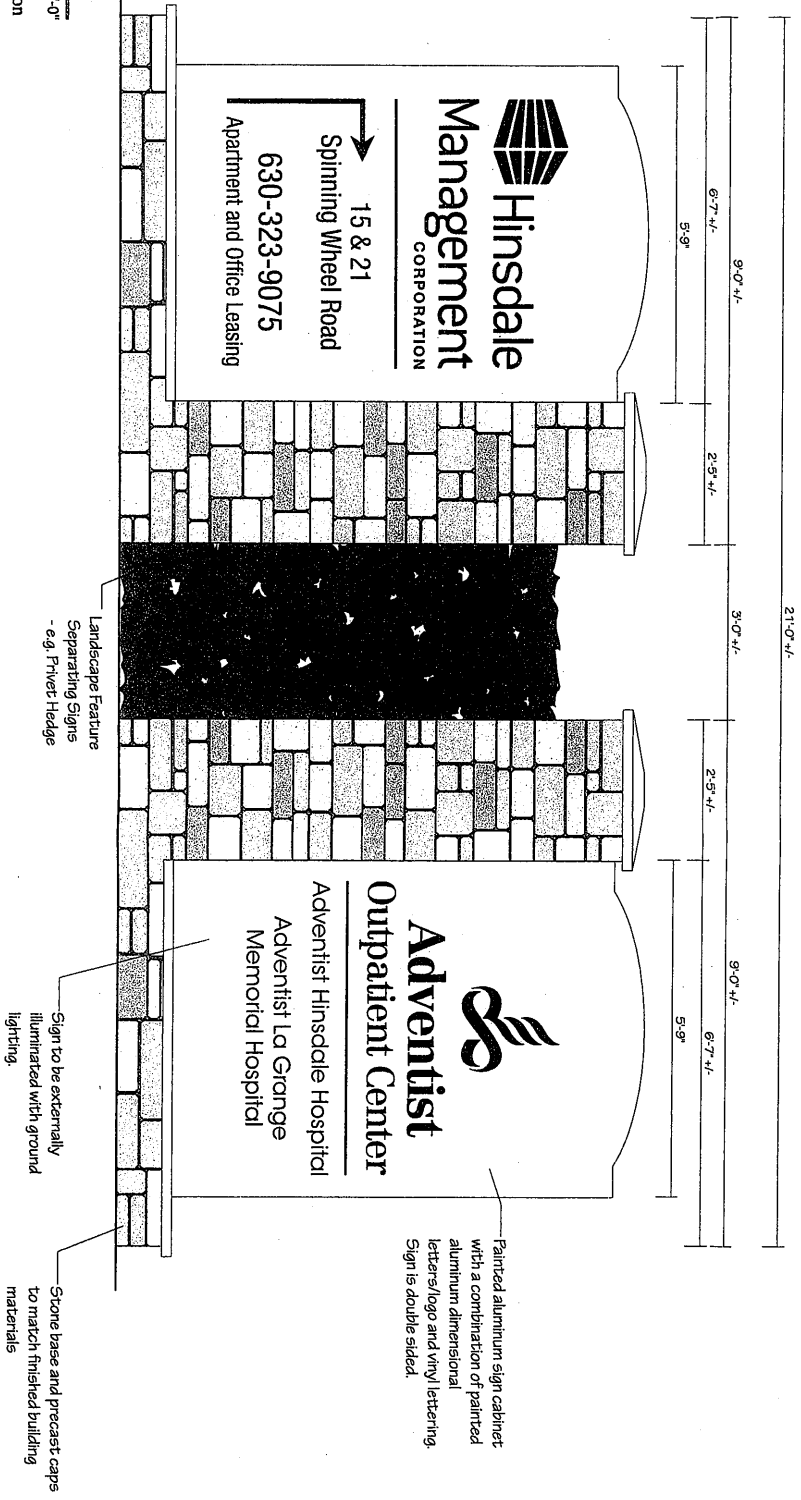
Chairman Debra Braselton

Filed this ____ day of _____, _____, with the office of the Building Commissioner.

EXHIBIT C

**SIGNAGE PLAN
(ATTACHED)**

Front View
 Scale: 1/2" = 1'-0"
 East Elevation



Date: 04/25/13
 Revised: 07/24/13
 Drawn by: JTB
 Scale: 1/2" = 1'-0"
 File Name: Directionals_Ogden Ave_07.24.2013
 File Folder: Adventist Cancer Institute>Shop Drawings>Exterior
 Project Manager: CSF
 Approved: _____
 Sign Type: Exterior
 Ogden Avenue Directional



1301 Antioch Pike
 Nashville, TN 37211
 P. 615-885-2900
 F. 615-885-2989
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Date: 05/29/13

Revised: 07/09/13

Drawn by: JTB

Scale: 1/2" = 1'-0"

Monument Loc D
File Name: 06.28.2013_opt01.ai

Adventist Cancer
Institute > ID
File Folder: Drawings> Exterior

Project Manager: CSF

Approved: _____

Sign Type: Exterior
Entrance Monument
Location D Option 01



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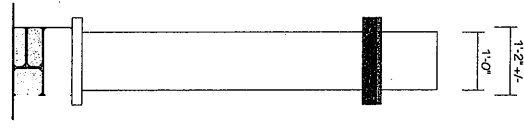


Front View
Scale: 1/2" = 1'-0"

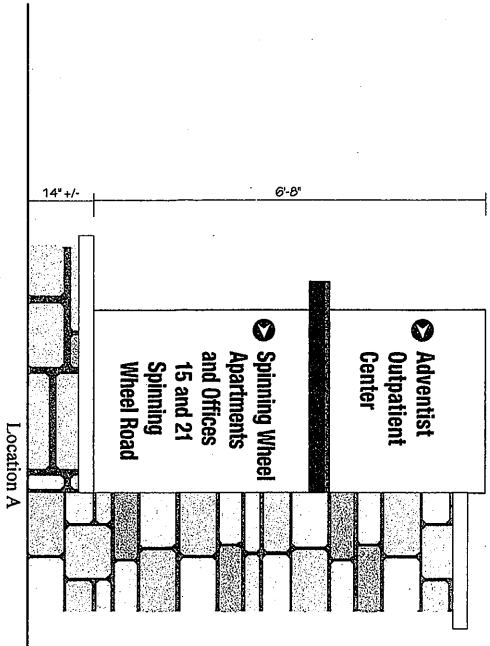
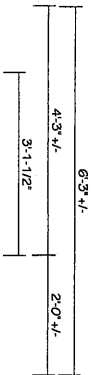
Sign to be externally illuminated with ground lighting.

Stone base and precast cap to match finished building materials

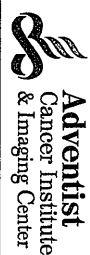
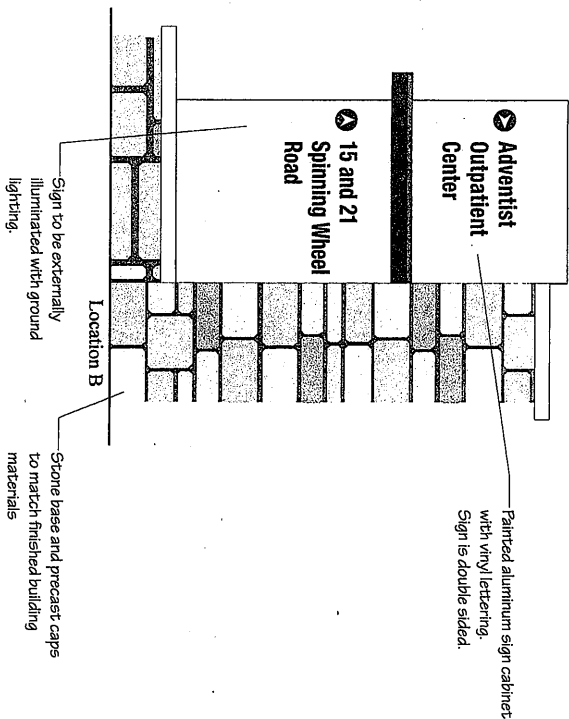
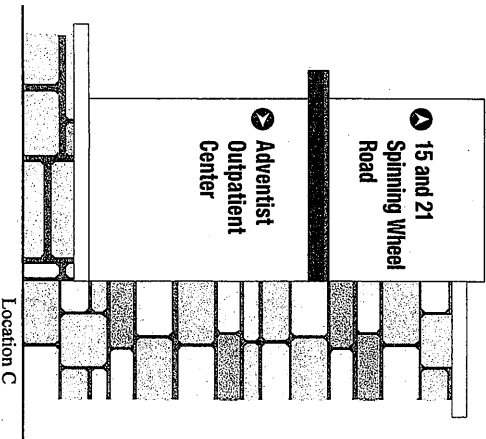
Painted aluminum sign cabinet with a combination of painted aluminum dimensional letters/logo and vinyl lettering. Sign is double sided.



Side View
Scale: 1/2" = 1'-0"



Front View
Scale: 1/2" = 1'-0"



Date: 02/25/13

Revised: 07/22/13

Drawn by: JTB

Scale: 1/2 actual size

File Name: 07.22.2013.ai

File Folder: A-C> Adventist Cancer Institute> Shop Drawings> Exterior

Project Manager: CSF

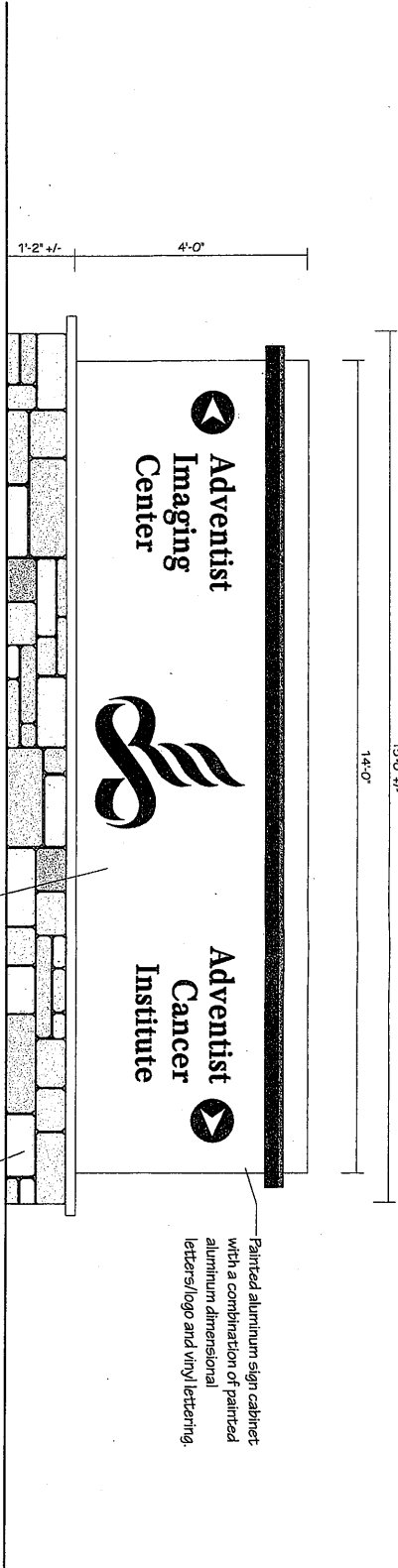
Approved: _____

Sign Type: Exterior
Vehicular Directionals
Locations A-C

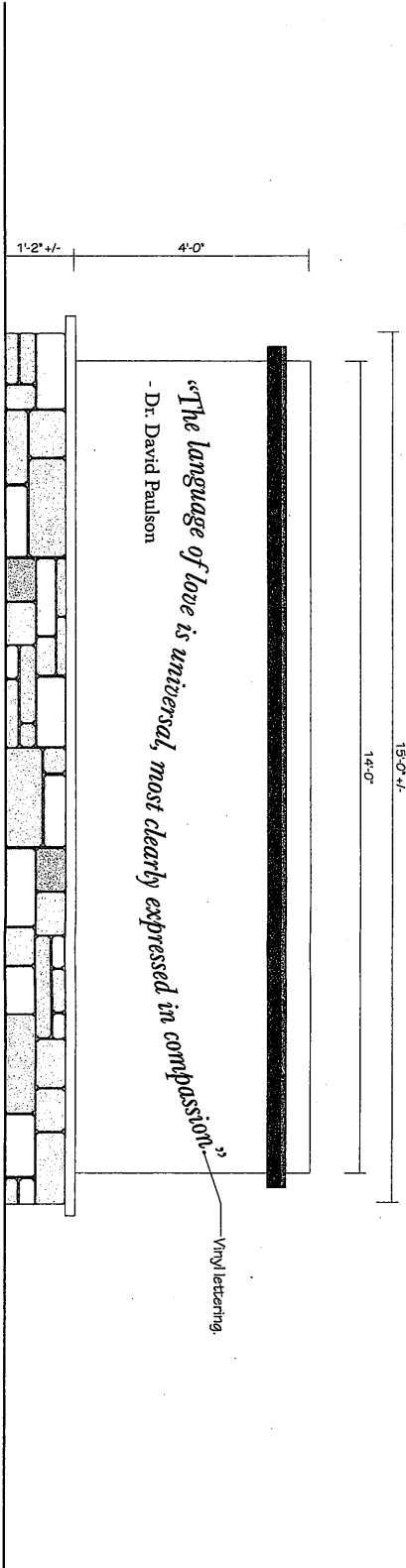


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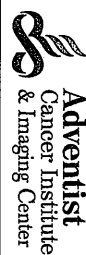
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Front View - Side A
Scale: 1/2" = 1'-0"



Front View - Side B
Scale: 1/2" = 1'-0"



Date: 02/25/13

Revised: 07/09/13

Drawn by: JTB

Scale: 1/2" = 1'-0"

File Name: Directional Loc E.ai

File Folder: A-C> Adventist Cancer Institute> Shop Drawings> Exterior

Project Manager: CSF

Approved: _____

Sign Type: Exterior
Directional Monument
Location E



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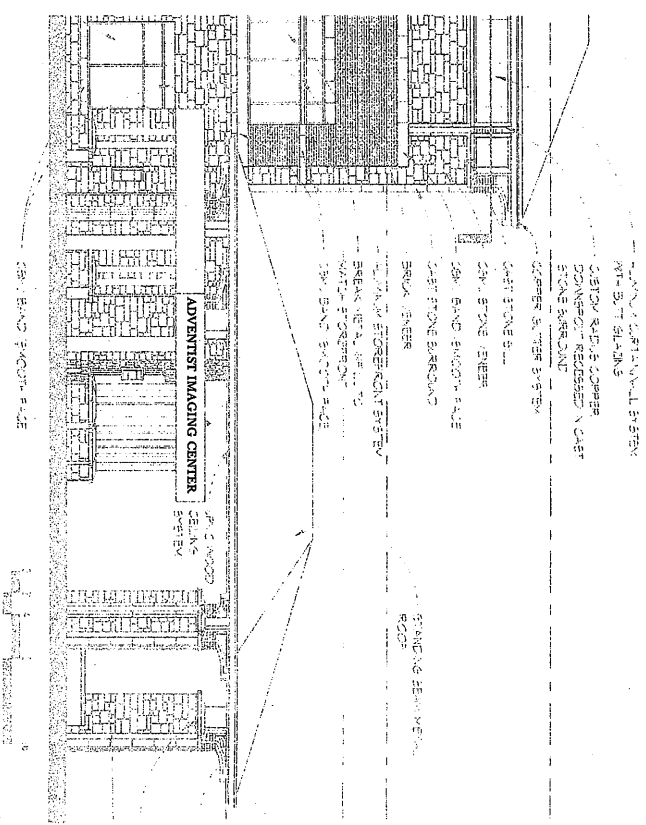
10' 10'

ADVENTIST IMAGING CENTER

Front View

Scale: 1/2" = 1'-0"

Non-Illuminated Aluminum Channel Letters
mounted to lower canopy
Font: Berthold Basterville Medium



North Canopy Elevation
Scale: As Noted



Date: 02/25/13

Revised: 07/09/13

Drawn by: JTB

Scale: 1/2" = 1'-0"

File Name: Canopy Loc F.ai

File Folder: A-C>Adventist Cancer
Institute>Shop
Drawings>Exterior

Project Manager: CSF

Approved: _____

Sign Type: Exterior

Lower Canopy ID
Location F



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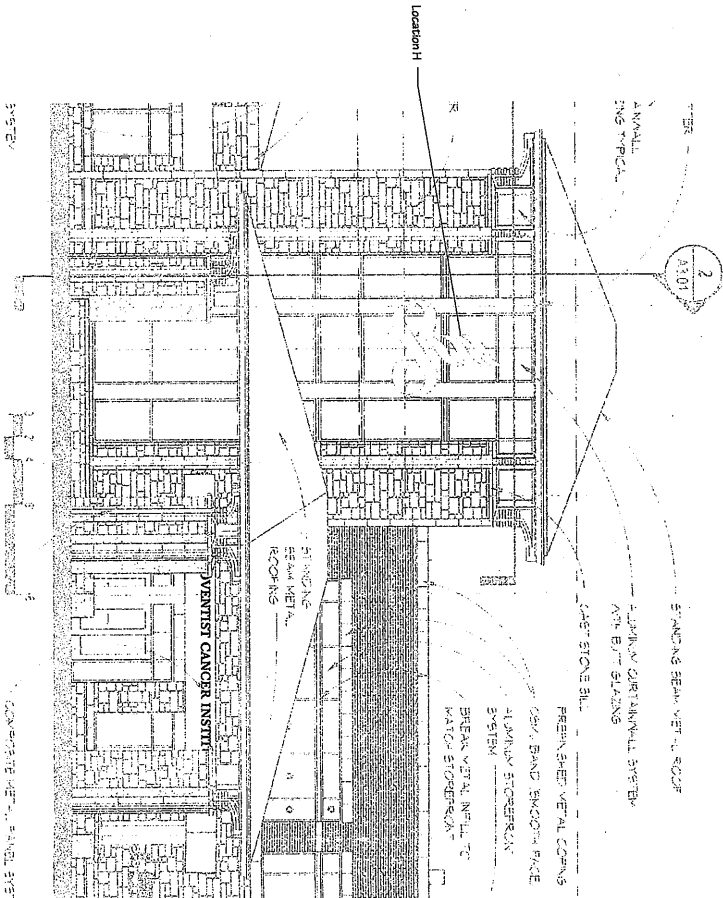
20' - 2 3/4" +/-

ADVENTIST CANCER INSTITUTE

Front View

Scale: 1/2" = 1'-0"

Non-Illuminated Aluminum Channel Letters
mounted to lower canopy
Front: Die-Cut Stainless Steel
Back: Die-Cut Stainless Steel



South Canopy Elevation

Scale: As Noted



Adventist
Cancer Institute
& Imaging Center

Date: 07/25/13

Revised: 07/09/13

Drawn by: JTB

Scale: 1/2" = 1'-0"

File Name: Canopy Loc G.ai

File Folder: A-C-Adventist Cancer
Institute 3D
Drawings Exterior

Project Manager: CSF

Approved: _____

Sign Type: Exterior

Lower Canopy ID

Location G



Identifying you way


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DATE: October 15, 2013

9C

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER		ORIGINATING DEPARTMENT Community Development		
ITEM 26-32 E. First Street – Garfield Crossing – Exterior Appearance and Site Plan Review for a New Two-Story Development		APPROVAL		
<p>On October 1, 2013, the Village Board approved a Major Adjustment for the Site Plan/Exterior Appearance of the property at 26-32 E. First Street – Garfield Crossing. Pursuant to Article 11, Section 11-604(I)(2) of the Village of Hinsdale Zoning Ordinance, the Board of Trustees , <u>by ordinance duly adopted</u>, may grant approval for a major adjustment to the approved site plan or elevations. Due to the urgent nature of the request, the Village Attorney did not have sufficient time to prepare an ordinance to present to the Village Board to execute and approve the changes. As such, the ordinance has now been completed by the attorney and staff is requesting that the Board approved the adopting ordinance, memorializing the approved changes to the project.</p> <p>MOTION: Move that the Board of Trustees approve an “Ordinance Approving a Major Adjustment to a Site Plan/Exterior Appearance Plan at 26-32 E. First Street – Garfield Crossing”.</p>				
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:				
BOARD ACTION:				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A MAJOR ADJUSTMENT
TO A SITE PLAN/ EXTERIOR APPEARANCE PLAN
AT 26-32 E. FIRST STREET – GARFIELD CROSSING**

WHEREAS, Garfield Crossing, LLC (the “Applicant”) is the legal title owner of the property located at 26-32 E. First Street, Hinsdale, Illinois (the “Subject Property”); and

WHEREAS, the Village has previously approved a Site Plan/Exterior Appearance Plan for the Subject Property pursuant to Ordinance No. O2013-12 (the “Original Ordinance”) approved on May 21, 2013; and

WHEREAS, during construction, the Applicant and its architect have discovered structural issues in the western exterior wall of the original building. Removal of this wall for safety reasons has resulted in exposure of a concrete block wall enclosing a pedestrian walkway, and has left the east elevation of the adjacent Chamber of Commerce Building unfinished. The Applicant now seeks approval of a major adjustment to its final approved Site Plan/Exterior Appearance Plan for the development of the Subject Property pursuant to Subsection 11-604(I)(2) of the Hinsdale Zoning Code (the “Application”) for various changes in response to the foregoing issues, including incorporation of materials found on the north and south elevations of the adjacent Chamber of Commerce Building onto the east elevation of that Building, the creation of a series of look-outs in the walkway, and the possible inclusion of decorative metal grates over the look-outs. Depictions of the proposed improvements to the walkway and east elevation of the adjacent Chamber of Commerce Building are attached hereto as **Exhibit A** and made a part hereof; and

WHEREAS, the President and Board of Trustees discussed the Application seeking a major adjustment to the approved Site Plan/Exterior Appearance Plan at the Regular Meeting of October 2, 2013, and found it in substantial conformity with the approved Site Plan/Exterior Appearance Plan and the Original Ordinance, as required by Subsection 11-604(I)(2) of the Hinsdale Zoning Code. Per Subsection 11-604(I)(2), the Board’s approval must now be expressed through a duly adopted Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

SECTION 2: Approval of Major Adjustment to the Site Plan/Exterior Appearance Plan. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Subsection 11-604(I)(2) of the Hinsdale Zoning Code, approve

the major adjustment to the previously approved Site Plan/Exterior Appearance Plan for the Subject Property at 26-32 E. First Street to allow for improvements and changes to the pedestrian walkway and east elevation of the adjacent Chamber of Commerce Building that faces inward onto the Subject Property, as detailed above and in the depictions attached hereto as **Exhibit A** and made a part hereof. Said major adjustment is approved subject to the conditions set forth in Section 3 of this Ordinance. The Original Ordinance is hereby amended to the extent provided, but only to the extent provided, by the approval granted herein.

SECTION 3: Conditions on Approval. The approval granted in Section 2 of this Ordinance is subject to the following conditions:

- A. **No Authorization of Work.** This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Subject Property until all conditions of this Ordinance or the Original Ordinances precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Plans.** All development work on the Subject Property shall be undertaken only in strict compliance with the approved plans and specifications, including the depictions of the proposed improvements to the pedestrian walkway and eastern elevation of adjacent Chamber of Commerce Building attached hereto as **Exhibit A** and made a part hereof.
- C. **Compliance with Codes, Ordinances, and Regulations.** Except as specifically set forth in this Ordinance, the Original Ordinance and any ordinance granting a variation relative to the Subject Property, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.
- D. **Building Permits.** The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

SECTION 4: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance, the Original Ordinance, the Amending Ordinance, or of any applicable code, ordinance, or regulation of the Village shall be grounds for rescission by the Board of Trustees of the approvals set forth in this Ordinance.

SECTION 5: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this _____ day of _____ 2013.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2013, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

