



## MEETING AGENDA

### REGULAR MEETING OF THE VILLAGE BOARD OF TRUSTEES

Tuesday, September 20, 2022

7:00 P.M.

MEMORIAL HALL – MEMORIAL BUILDING

19 East Chicago Avenue, Hinsdale, Illinois

*(Tentative & Subject to Change)*

1. CALL TO ORDER/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MINUTES
  - a) Regular meeting of September 6, 2022
4. VILLAGE PRESIDENT'S REPORT
5. PRESENTATION FROM DUPAGE COUNTY STATES ATTORNEY
6. CITIZENS' PETITIONS\* (Pertaining to items appearing on this agenda)
7. FIRST READINGS – INTRODUCTION\*\*

*Items included for First Reading - Introduction may be disposed of in any one of the following ways: (1) moved to Consent Agenda for the subsequent meeting of the Board of Trustees; (2) moved to Second Reading/Non-Consent Agenda for consideration at a future meeting of the Board of Trustees; or (3) referred to Committee of the Whole or appropriate Board or Commission. (Note that zoning matters will not be included on any Consent Agenda; all zoning matters will be afforded a First and a Second Reading. Zoning matters indicated below by \*\*.)*

#### **Environment & Public Services (Chair Byrnes)**

- a) Award year three of contract #1673 for holiday lighting & decorating to McFarlane Douglass & Companies, in the amount of \$32,535
- b) Award Bid #1690 – Well #2 Inspection and Repair to Municipal Well & Pump, in the amount of \$104,545

#### **Zoning & Public Safety (Chair Stifflear)**

- c) Approve an Ordinance Amending Various Sections in Title 6 (Motor Vehicles and Traffic), Chapter 6 (Stopping, Standing and Parking) of the Village Code of Hinsdale Relative to Parking
- d) Approve an Ordinance Amending Section 6-12-3 ('Schedule B; Two-way Stop Intersections') and ('Schedule D; Four-way Stop Intersections') of the Village Code of Hinsdale (The Lane & Oak Street)
- e) Approve an Ordinance Amending Section 6-12-3 ('Schedule B; Two-way Stop Intersections') and 6-12-4 ('Schedule IV: B Yield Right-of-way Streets') of the Village Code of Hinsdale



- f) Approve Payment to T-2 Systems, Indianapolis, Indiana in an amount not to exceed \$24,908.38 for citation management software

## **8. CONSENT AGENDA**

*All items listed below have previously had a First Reading of the Board or are considered Routine\*\*\* and will be moved forward by one motion. There will be no separate discussion of these items unless a member of the Village Board or citizen so request, in which event the item will be removed from the Consent Agenda.*

### **Administration & Community Affairs (Chair Posthuma)**

- a) Approve payment of the accounts payable for the period of September 1, 2022 through September 9, 2022 in the aggregate amount of \$827,791.18 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk\*\*\*

### **Environment & Public Services (Chair Byrnes)**

- b) Approve an Intergovernmental Agreement (IGA) with the Illinois Tollway Authority to design, construct, and landscape an underground storm water detention system on Tollway owned property located in the 600 block of Harding Road (*First Reading – September 6, 2022*)
- c) Waive the formal bidding process and award the proposal for the scheduled SCADA System upgrades to Concentric Integration in an amount not to exceed \$24,950\*\*\*
- d) Approve the proposal from Warehouse Direct Office Interiors for the replacement of Public Services office furniture in the amount of \$23,779.84\*\*\*
- e) Award Bid #1689 to National Power Rodding Inc. in the amount of \$54,296.90 and perform additional sewer cleaning, televising, and root cutting services not to exceed the budgeted amount of \$60,000\*\*\*

## **9. SECOND READINGS / NON-CONSENT AGENDA – ADOPTION**

*These items require action of the Board. Typically, items appearing for Second Reading have been referred for further discussion/clarification or are zoning cases that require two readings. In limited instances, items may be included as Non-Consent items and have not had the benefit of a First Reading due to emergency nature or time sensitivity, or when the item is a referral to another Board or Commission\*\*\*\**

### **Administration & Community Affairs (Chair Posthuma)**

- a) Approve the issuance of a blanket purchase order in the amount of \$35,000 to Sportskids Inc. for recreation programming services\*\*\*\*

### **Environment & Public Services (Chair Byrnes)**

- b) Waive the competitive bidding process and accept a proposal from Oak Brook Mechanical Services, Inc., in the amount of \$21,890 for an emergency repair to remove and replace the heating and cooling coils in the Memorial Building air handler unit\*\*\*\*

### **Zoning & Public Safety (Chair Stifflear)**

- c) Approve an Ordinance Approving a Special Use Permit and Concurrent Site Plan and Exterior Appearance Plan Approval to Redevelop an Existing Building with a New Pet Hospital/Veterinary Clinic – Vetchart, LLC - 101 W. Chestnut Street\*\* (*First Reading – September 6, 2022*)
- d) Approve an Ordinance Creating a New Part II (Historic Overlay District (HOD) in Article VIII (Overlay Districts) of the Hinsdale Zoning Code to Establish a Historic Preservation Overlay District, making related Zoning Code Changes, and Amending Various



Provisions of Title 14 (Historic Preservation) of the Village Code of Hinsdale relative to the Historic Preservation Overlay District; **and**  
Approve an Ordinance Amending the Official Zoning Map of the Village of Hinsdale to Create a New Historic Overlay Zoning District\*\* (*First Reading – September 6, 2022*)

#### **10. DISCUSSION ITEMS**

- a) Tollway update
- b) Mouse Motors – McLaren Dealership

#### **11. DEPARTMENT AND STAFF REPORTS**

#### **12. REPORTS FROM ADVISORY BOARDS AND COMMISSIONS**

#### **13. CITIZENS' PETITIONS\*** (Pertaining to any Village issue)

#### **14. TRUSTEE COMMENTS**

#### **15. CLOSED SESSION– 5 ILCS 120/2(c) (1)/(2)/(3)/(5)/(8)/(11)/(21)**

#### **16. ADJOURNMENT**

\*The opportunity to speak to the Village Board pursuant to the Citizens' Petitions portions of a Village Board meeting agenda is provided for those who wish to comment on an agenda item or Village of Hinsdale issue. The Village Board appreciates hearing from our residents and your thoughts and questions are valued. The Village Board strives to make the best decisions for the Village and public input is very helpful. Please use the podium as the proceedings are videotaped. Please announce your name and address before commenting.

***\*\*The Village Board reserves the right to take final action on an Item listed as a First Reading if, pursuant to motion, the Board acts to waive the two reading policy.***

***\*\*\*Routine items appearing on the Consent Agenda may include those items that have previously had a First Reading, the Accounts Payable and previously budgeted items that fall within budgetary limitations, has been competitively bid or is part of a State Contract, and have a total dollar amount of less than \$100,000.***

***\*\*\*\*Items included on the Non-Consent Agenda due to "emergency nature or time sensitivity" are intended to be critical business items rather than policy or procedural changes. Examples might include a bid that must be awarded prior to a significant price increase or documentation required by another government agency to complete essential infrastructure work.***

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to promptly contact Brad Bloom, ADA Coordinator, at 630-789-7007 **or by TDD at 630-789-7022** to allow the Village of Hinsdale to make reasonable accommodations for those persons.

**Website <http://villageofhinsdale.org>**



**VILLAGE OF HINSDALE  
VILLAGE BOARD OF TRUSTEES  
MINUTES OF THE REGULAR MEETING  
September 6, 2022**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by Village President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, September 6, 2022 at 7:01 p.m., roll call was taken.

Present: President Tom Cauley, Trustees Matthew Posthuma, Laurel Haarlow (*present electronically*), Luke Stifflear, Michelle Fisher and Neale Byrnes

Absent: Trustee Scott Banke

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Director of Public Safety Brad Bloom, Assistant Village Manager Andrianna Peterson, Police Chief Brian King, Fire Chief John Giannelli, Finance Director Alison Brothen, Director of Community Development Robb McGinnis, Village Planner Bethany Salmon, Director of Public Services George Peluso, HR Director Tracy McLaughlin and Village Clerk Christine Bruton

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES**

**a) Regular Meeting of August 16, 2022**

Trustee Posthuma moved to **approve the minutes of the regular meeting of August 16, 2022, as amended.** Trustee Byrnes seconded the motion.

**AYES:** Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Banke

Motion carried.

**VILLAGE PRESIDENT'S REPORT**

President Cauley noted that at our last Board meeting, year-to-date revenues were provided and indicate that the Village is on track to match or exceed budget. He has asked staff to provide the same report for expenses. A draft report has been provided, and it appears expenses are tracking at about 67%.

He welcomed new Assistant Village Manager Andrianna Peterson who joined the Village on August 22. She will be working with Assistant Village Manager/Director of Public Safety Brad Bloom who will be retiring in February 2023. She will assume his duties as well as those of Assistant to the Village Manager Trevor Bosack who left the Village in August.

President Cauley announced the Community Pool is closed for the summer with exception of the Dog Days of Summer event where owners may bring their dogs to swim. Additionally, the Fall 2022



Recreation Program Guide is available digitally on the Parks & Recreation website and registration is open.

## **CITIZENS' PETITIONS**

**Mr. Joseph McGlynn**, representing The Pride Store (BP Amoco) located at 149 East Ogden Avenue, addressed the Board to ask for their consideration of a request to change their existing A1 liquor license that allows for the packaged sale of beer and wine, to an A2 license that will also permit the sales of packaged spirits. He added that while no other gas station in Hinsdale has an A2 license, they operate eight other locations that have an A2 type license. President Cauley responded stating that Trustee Banke is most adamant about not allowing hard liquor in gas stations, but he believes the other Trustees are like-minded. Trustee Stifflear commented that Hinsdale has moved a lot on liquor in the last 15 years, but he would not support this request. There was no Board support for this request.

## **FIRST READINGS – INTRODUCTION**

### **Environment & Public Services (Chair Byrnes)**

- a) **Approve an Intergovernmental Agreement (IGA) with the Illinois Tollway Authority to design, construct, and landscape an underground storm water detention system on Tollway owned property located in the 600 block of Harding Road**

Trustee Byrnes introduced the item to approve an IGA for the design, construction and landscaping of an underground system for storm water management on Harding. When the Tollway wanted to widen the roadway, they identified this area for water detention and acquired five residential properties. They originally proposed an open area with a chain link fence, however, they worked with Village officials, and will build underground now. This area then becomes an extension of Woodland Park. President Cauley added our attorney Mr. Bill Ryan and Assistant Village Manager/Director of Public Safety Brad Bloom have worked long and hard in negotiations to make this an underground vault. The Village will maintain the tank, and provide all the landscaping. The Village will do subsequent maintenance to the property. There is no cost to the Village. The Board agreed to move this to the Consent agenda of their next meeting.

### **Zoning & Public Safety (Chair Stifflear)**

- b) **Approve an Ordinance Approving a Special Use Permit and Concurrent Site Plan and Exterior Appearance Plan Approval to Redevelop an Existing Building with a New Pet Hospital/Veterinary Clinic – Vetchart, LLC - 101 W. Chestnut Street**

Trustee Stifflear introduced the item noting the property is located north of the Fuller car wash and south of the strip mall that runs contiguous to the BNSF tracks. The property is located in the B1 Community Business District where pet hospitals and veterinary services are a special use in free standing buildings. The applicant does not intend to board animals overnight. This property was a bank, and is currently vacant. There are no residential properties within 250' feet of the property. The business will operate Monday through Friday from 7:30 a.m. to 5:30 p.m. Initially, they expect 2-3 employees and 1-2 clients per hour, but at full operation they do not expect more than 20 people on the property at any single time. The outdoor animal area would be fully screened and aerated, and not used as a dog run. The parking is more than adequate with 32 spaces as opposed to the 14 required by code.

There used to be a drive-thru on the west side. The existing canopy will remain, but all drive-thru accessories will be removed and the existing windows will be infilled with brick. Other improvements include a loading space for lab pickup and crematorium drop off, fully fenced and



aerated animal enclosure, an area for employee use to be constructed of steel frame and wood planks, five fiberglass planter boxes and a dumpster enclosure with fencing to match the material used for the animal enclosure. The Plan Commission held a public hearing on August 10, there was no resident input, and the item was recommended 6-0.

Mr. Patrick McGinnis, attorney representing the applicant, addressed the Board. He stated the applicant lives locally in Western Springs, and that a lender analysis indicated a need for the business in this area. Dogs in the outdoor animal relief area will have a worker with them at all times. The space has a draining system that drains into the existing sewer system, and will prevent any odor.

Ms. Sarah Baker, applicant, addressed the Board. She reported she spoke to a large dog daycare in Burr Ridge with a similar draining system. She said there are special cleaning tools and a spigot to help clean up. Clean up is immediate and the turf is treated for odors.

The Board agreed to move this item forward for a Second reading at their next meeting.

- c) **Approve an Ordinance Creating a New Part II (Historic Overlay District (HOD) in Article VIII (Overlay Districts) of the Hinsdale Zoning Code to Establish a Historic Preservation Overlay District, making related Zoning Code Changes, and Amending Various Provisions of Title 14 (Historic Preservation) of the Village Code of Hinsdale relative to the Historic Preservation Overlay District; and Approve an Ordinance Amending the Official Zoning Map of the Village of Hinsdale to Create a New Historic Overlay Zoning District**

Trustee Stifflear introduced the item to create an historic overlay district for which incentives will be created for qualifying single family homes. He reminded the Board that there have been eight Committee of the Whole meetings on this matter between May 2021 and January 2022. The Plan Commission held a public hearing on August 10, 2022, and recommended no changes.

Village Planner Bethany Salmon provided background stating the intent of this initiative was to figure out how to incentivize preservation and protect historic buildings in the Village.

She reviewed the exhibits provided to the Board which include a redlined version of the ordinances that illustrate all the changes made based on feedback from the Board, the program incentive packet for future applicants, and a map of the proposed overlay district. Excluded from the overlay district are Zoning Districts O-3, B-3, R-5 and R-6 because there were not a significant number of historic properties. She did note that didn't preclude making application, nor does inclusion in the overlay district guarantee qualification.

Village Attorney Michael Marrs began by referencing the mechanisms to incentivize preservation that had been discussed by the Board, and that an historic overlay district had been settled on to achieve and memorialize their goals. He explained this is not a new zoning district, but one that 'overlays' existing districts. All existing regulations for zoning districts still apply. The process included creating text, determining boundaries and the creating a list of properties. This list will be created by the Historic Preservation Commission. They have 180 days to create the list that will ultimately be approved by the Village Board. When the list is finalized and approved by the Village Board, notification will be sent to owners, local realtors, and news media for publication, and it will be on the Village website to inform and educate. Notices will be recorded on the title so people will see this and check into the incentives. Ms. Salmon commented that 10 homeowners have already contacted the Village to be on the list. Discussion followed the timing and creation of a full list. Homes can be added to the list at any time. There were historic surveys done about 20 years ago which serve as a starting point for the list. Mr. Marrs said HPC members are involved and knowledgeable and have good institutional knowledge.

Ms. Salmon outlined the preservation incentives which can include matching fund grants, permit fee waivers, expedited processes, alternative bulk zoning regulations, and property tax rebates. With



respect to the financial advantages provided by the Village, the financial impact would be continuously monitored.

Trustee Haarlow thanked staff for their work, adding this seems like a fine product that may have wide acceptance in the community.

The Board agreed to move this item forward for a Second reading at their next meeting.

## **CONSENT AGENDA**

### **Administration & Community Affairs (Chair Posthuma)**

- a) Trustee Posthuma noted that a couple of checks were removed from the original warrant, and a revised warrant is presented. He moved to **Approve payment of the accounts payable for the period of August 11, 2022 through August 31, 2022 in the aggregate amount of \$1,616,316.63 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Fisher seconded the motion.

**AYES:** Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Banke

Motion carried.

*The following items were approved by omnibus vote:*

- b) **Approve an Ordinance Amending Subsection 7-4B-2 of the Village Code of Hinsdale regarding Water Rates** (*First Reading – August 16, 2022*)

### **Environment & Public Services (Chair Byrnes)**

- c) **Award a professional services contract to HR Green, Inc., for American Rescue Plan Act (ARPA) Drainage Improvements design engineering services in the amount not to exceed \$45,700** (*First Reading – August 16, 2022*)

Trustee Byrnes moved to **approve the Consent Agenda, as presented.** Trustee Posthuma seconded the motion.

**AYES:** Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Banke

Motion carried.

## **SECOND READINGS / NON-CONSENT AGENDA – ADOPTION**

### **Zoning & Public Safety (Chair Stifflear)**

- a) **Approve an Ordinance Approving an Exterior Appearance and Site Plan for Façade and Other Improvements to an Existing Building – 14 W. First Street – Elevare MD** (*First Reading – August 16, 2022*)



Trustee Stifflear introduced the item and recapped the specifics of the request noting the first floor would be utilized as a beauty salon, and the second floor would be a medical office. Both of these are permitted uses. The building is classified as a contributing structure in the downtown historic district. Discussion at the Historic Preservation Commission and the Plan Commission and the Board was primarily on the elevator shaft location and that it will extend above the existing parapet wall. However, it was determined that it will not be visible from the street.

Since the first reading, the applicant has made a change to the application to extend the mechanical screening on the roof from 13' feet to 30' feet running along the rear of the building. This will not be visible from the street, and will accommodate additional HVAC mechanicals.

Trustee Stifflear moved to **Approve an Ordinance Approving an Exterior Appearance and Site Plan for Façade and Other Improvements to an Existing Building – 14 W. First Street – Elevare MD.** Trustee Fisher seconded the motion.

**AYES:** Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Banke

Motion carried.

#### **DISCUSSION ITEMS**

a) **Modification to Municipal Parking Lots**

President Cauley began discussion by noting the suggestions from staff for parking modifications. These are: remove the resident restriction from the Village lot, continue to offer 6-month commuter and merchant permits, convert parking on the north side of the Main Depot from merchant parking to commuter parking, provide the option for a daily parking fee of \$3.50/per day using a smart phone app, standardize commuter lot hours, convert 56 of the 82 spaces in the Robbins Park parking lot for Hinsdale Central students at a cost of \$400 per semester, and provide for online sales of parking permits.

The Board had no objections to the proposed changes, and agreed to move this forward for a first reading.

b) **Lead Service Line Replacement Act**

President Cauley reported this State law was passed in 2021 going into effect on January 2022 adding that a number of States have passed these in the wake of Flint, Michigan. In Hinsdale, there are 5,785 service addresses. Based on records, 49 are believed to have lead lines between the house and the water main, and there are 705 lines of unknown material. Public Services will send a letter to these homes to schedule a 10 minute check of the lines, and develop a plan to replace if necessary. He noted there is no health problem if the pipes are undisturbed, and the Village routinely tests for lead content in the water system. However, the Village is now required to create a final inventory of all service line materials by April 15, 2024.

The Board had no additional comments.

c) **Tollway update**

Assistant Village Manager/Director of Public Services Brad Bloom reported there are no updates at this time.



## DEPARTMENT AND STAFF REPORTS

- a) **Community Development**
- b) **Fire**
- c) **Engineering**

The report(s) listed above were provided to the Board. There were no additional questions regarding the content of the department and staff reports.

## REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

Trustee Fisher thanked Public Services staff for their work with the new plantings in the front of Memorial Hall and their efforts in the rain gardens in the Woodlands.

## CITIZENS' PETITIONS

None.

## TRUSTEE COMMENTS

None.

## ADJOURNMENT

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Fisher moved to **adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of September 6, 2022.** Trustee Posthuma seconded the motion.

**AYES:** Trustees Posthuma, Haarlow, Stifflear, Fisher, Byrnes

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Trustee Banke

Motion carried.

Meeting adjourned at 8:02 p.m.

ATTEST:

\_\_\_\_\_  
Christine M. Bruton, Village Clerk



**REQUEST FOR BOARD ACTION**  
**Public Services & Engineering**

**AGENDA SECTION:** First Read - EPS

**SUBJECT:** Holiday Lighting and Decorating Extension (Year-3)

**MEETING DATE:** September 20, 2022

**FROM:** Rich Roehn, Superintendent of Public Services  
Garrett Hummel, Management Analyst

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**Recommended Motion**

Award year three of contract #1673 for holiday lighting & decorating to McFarlane Douglass & Companies, in the amount of \$32,535.

**Background**

In July 2020, Public Services staff solicited sealed bids for the 2020 Holiday Lighting & Decorating contract. The bid package for the holiday lighting program included having lights and decorations installed at the following Village areas: Memorial Building grounds, Burlington Park, Brush Hill Train Station and the downtown street trees.

**Discussion & Recommendation**

Public Services staff recommends McFarlane Douglass & Companies for the 2022 holiday lighting and decorating. McFarlane Douglass & Companies was the Village's contractor for last year's Holiday Lighting and Decorating contract and Public Services staff was satisfied with their performance. McFarlane Douglass has agreed to the contract extension and will maintain the base bid pricing from last year.

Late last season, Public Services staff received a request from the Economic Development Commission (EDC) to update/improve the fountain and decoration designs in Burlington Park. After meeting with staff, McFarlane Douglass developed a concept that was well received by Village residents and businesses. Because of the late changes to the park's design, staff did not receive feedback on the new design in time to include the additional costs in the CY 2022 Budget.

**Budget Impact**

The Village uses funds from the Administration/Economic Development Department (Account 1200-7505) for holiday lighting and decorating expenses. The base bid proposal of \$21,995 from McFarlane Douglass & Companies plus the \$10,540 proposal for the Burlington Park fountain and tree decorations is \$4,535 over the budgeted amount of \$28,000. This is the final year of the holiday lighting contract. Staff will include these design changes in next year's bid packet and budget accordingly. The EDC's budget is funded through the Village's Places for Eating Tax which is currently trending 5% over budget and is estimated to end the year between 4-5% above the annual budgeted amount. This would cover the additional \$4,535 being requested for the Burlington Park decorations.

**Village Board and/or Committee Action**

n/a

**Documents Attached**

1. McFarlane Douglass & Companies Bid Proposal
2. McFarlane Douglass Year-3 Extension Letter
3. McFarlane Douglass Additional Decorations in Burlington Park Proposal



**EXHIBIT D**

To The Honorable President and Board of Trustees  
Village Hall  
19 E. Chicago Avenue  
Hinsdale, Illinois 60521-3489

**VILLAGE OF HINSDALE, ILLINOIS**  
**Holiday Lighting and Decorating – Bid #1673 – Bidders Proposal**

Full Name of Bidder Douglas Giebel  
Main Business Address 143 Tower Drive  
Burr Ridge, Illinois 60527  
Phone (630) 325-5335 Fax (630) 325-2399 Email dngiebel@mcfarlanedouglass.com

The undersigned, as bidder, declares that the only person or parties interested in this Proposal as principals are those named herein; that this Proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the locations of the proposed work, the proposed forms of Agreement and Bonds, the Contract Specifications for the above designated work, and he proposes and agrees if this Proposal is accepted that he will contract with the Village of Hinsdale in the form of the copy of the Agreement included in these contract documents to provide all necessary machinery, tools, apparatus and other means of work, including utility and transportation services necessary to do all the work and furnish all the materials and equipment in the manner and time herein prescribed; and according to the Contractor's Bonds, and Certificates of Insurance specified, and to do all other things required of the Contractor by the Contract documents; and that he will take in full payment therefore the sums set forth in the following Bidding Schedule.

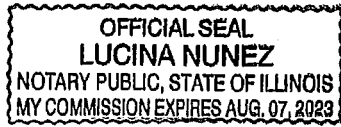
If this proposal is accepted and the undersigned shall fail to contract as aforesaid within fifteen (15) days of the date of the award of contract, and to give the bond(s) as required, and all certificates of insurance as required, the Village of Hinsdale, shall at its option, determine that the bidder has abandoned this contract and thereupon this proposal and acceptance thereof shall be null and void and the forfeiture of security accompanying this proposal shall operate and the same shall be the property of the Village of Hinsdale as liquidated damages.

DATE: August 3, 2020

McFarlane Douglass & Companies  
Contractor



(SEAL OF CORPORATION)



ATTEST

143 Tower Drive  
Address

Burr Ridge, Illinois 60527  
City and State

[Signature]  
By  
Signature

President  
Title



# BID PROPOSAL

Area 1: Memorial Building Grounds	
Item	Price
<i>Official Village Christmas Tree (Approximately 35' Tall Colorado Blue Spruce on the South Lawn)</i>	
Reinstall Village-owned 1,500 C9 and C7 LEDs and 30 strings of M8 mini warm-white LED lights in alternating fashion. After the season, remove/store for future reuse.	\$3,300.00
Reinstall Village-owned 140 ornaments. After the season, remove/store for future reuse.	
Purchase and install 50 additional ornaments assuming ornaments were damaged last year (commercial-grade red, green, silver, and gold mirror in 6", 8", and 10" diameters). Village staff must inspect new ornaments before installation. After the season, remove/store for future reuse.	\$550.00
<i>Medium-sized Maple Trees (2) Flanking Memorial Building Patio and South Entrance.</i>	
Reinstall in drape/wrap fashion red commercial grade M8 mini red LED lights for each of the two (2) trees. After the season, remove/store for future reuse.	
Reinstall on trunk in wrapped fashion M8 mini warm-white LED lights for each of the two (2) trees. After the season, remove/store for future reuse.	
<b>Area 1 Total:</b>	<b>\$3,850.00</b>
Area 2: Burlington Park	
Item	
Reinstall Village-owned strings of M8 mini green lights around Burlington Fountain. Contractor will install and maintain device for hanging lights. After the season, remove/store for future reuse.	
Reinstall/cover Village-owned lights on all evergreen (yew) shrubs surrounding central fountain in warm white commercial grade mini lights. After the season, remove/store for future reuse.	
Reinstall Village-owned warm white commercial grade mini lights in drape/wrap fashion on canopies of the three (3) ornamental trees centrally located around fountain. After the season, remove/store for future reuse.	
Install Village-owned warm white commercial grade mini lights in wrapped fashion on trunks of the four (4) large shade trees centrally located around fountain. Extend wrapping from trunk four to six feet (4' to 6') on primary branches as well as install lights in drape fashion on canopies. After the season, remove/store for future reuse.	
Provide rental C7 indoor use only LED lighting and festive decorations on 20' x 40' tent used during the Holiday Hinsdale events on Saturday, December 5, 2020, and Saturday, December 12, 2020. Tent will stay up in Burlington Park in between dates.	\$500.00
Install Village-owned warm LED lights for 21 trees and 19 bushes not including the 7 trees near the fountain listed above. On the trees, install lights in wrap fashion from trunk extending four to six feet on primary branches. Lights to be applied in a drape fashion on the bushes. After the season, remove/store for future use.	
Notes	
<b>Burlington Park only includes trees in the actual park, do not include trees in the right-of-way or trees on top of the brick wall.</b>	\$6,645.00
<b>Area 2 Total :</b>	<b>\$7,145.00</b>



Area 3: Brush Hill Train Station	
Item	
Reinstall commercial grade warm white LED icicle lights around the entire perimeter of the Brush Hill (main downtown commuter train) station at the gutter/eave. Icicle light strings to be 7.5' long and have drops of 18", 15", and 9". After the season, remove for future reuse.	\$1,000.00
<b>Area 3 Total:</b>	<b>\$1,000.00</b>
Area 4: Downtown Street Trees	
Section A: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>1 street tree</u>	
Section B: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>8 street trees</u>	
Section C: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>8 street trees</u>	
Section D: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>14 street trees</u>	
Section E: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>13 street trees</u>	
Section F: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>11 street trees</u>	
Section G: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>17 street trees</u>	
Section H: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>7 street trees</u>	
Section I: Install Village-owned lights and remove warm white commercial grade LED mini lights for <u>6 street trees</u>	
Supply extension cords for all street trees.	
<b>Area 4 Total:</b>	<b>\$10,000.00</b>
Notes:	
Power is available on decorative street light poles (extend from street tree to closest available pole).	
Light sets to be 22-gauge green wire with end-to-end connections.	
Village light sets are commercial grade with warm white LED bulbs in either 100-count or 50-count strings.	
Light sets shall be draped in a consistent fashion from the tree canopy down and then wrapped to the bottom of the tree trunks (on small and medium-sized street trees). Large trees shall have their trunks wrapped and then the wrapping shall extend out approximately four to six feet (4' to 6') on the primary branches).	
Total number of street trees is 85. Total number of CBD strings is approximately 1150 strands.	
Distance between light bulbs on strand, about 6".	
Additional Lights	
*Unit Price Per 50 Count LED Light Strand:	\$9.00
*Unit Price Per 100 Count LED Light Strand:	\$15.00
* Unit Price Per LED Light Strand to Include Labor Costs	
*The Village of Hinsdale is soliciting unit pricing in the event of damaged inventory or a lack of inventory, however the Village is not obligated to purchase additional lights from the contractor if additional lights are necessary. In the event the Village purchases additional lights from another source, please provide a labor cost per strand for the installation and removal of these additional strands.	
Unit Price per 50 Count LED Light Strand for Installation/Removal Labor Only:	\$18.00
Unit Price per 100 Count LED Light Strand for Installation/Removal Labor Only:	\$30.00
<b>Project Total:</b>	<b>\$21,995.00</b>





September 6, 2022  
Village of Hinsdale  
Att: Garrett Hummel & Rich Roehn  
225 Symonds Drive  
Hinsdale, IL 60521

**RE: Holiday Lighting & Decorations Contract**

Dear Garrett & Rich:

Please allow this letter to serve as our written agreement regarding the extension for the upcoming 2022-2023 Holiday Lighting & Decorations contract. McFarlane Douglass & Companies agree to honor the terms and conditions of the original Contract.

We look forward to working with you this Holiday Season and Thank You for your continued business! Please feel free to contact me should you have questions at (630) 774-1076.

Sincerely,

A handwritten signature in black ink, appearing to read "AR", with a large, sweeping flourish underneath.

Andres Roman  
Operations Manager

McFarlane Douglass & Companies

CC: Vanesa Rodriguez





# McFarlane Douglass & Companies

143 Tower Drive, Burr Ridge, IL 60527  
800-339-2900  
630-325-2399 Fax

www.mcfarlanedouglass.com  
info@mcfarlanedouglass.com

Quote Number: 62149  
Quote Date: 09/06/22  
Customer No.: MD103073  
Page: 1  
Salesperson: Andres Roman

Billing information: Village of Hinsdale  
19 East Chicago Avenue  
Hinsdale, IL 60521

Service address: Village of Hinsdale

Description	<u>Item Location</u>	Qty.	Unit Price	Total Price
Holiday Decorations Program One-Year Rental Program 2022				
Holiday Display		1	6,252.00	6,252.00
Fountain Scene (Option A) (Replacing original scope in contract)				
Original Display per contract	One Time Discount	-1	720.00	-720.00
Display includes:				
8-10' ft Lit Birch	5 - 8-10 ft Lit Birch	5		
Boughs of Cut Greens	Fountain Coverage	1		
Assort. lit spheres		5		
Assort. Red Cones		6		
Burlington Park Trees Display 2022				
Lit Spheres	5 per tree			
Total of 50 spheres.		1	6,250.00	6,250.00
Original Display per Contract	One Time Discount	-1	1,242.00	-1,242.00

Subtotal: \$ 10,540.00  
Tax: \$ 0.00  
Total Amount including Taxes: \$ 10,540.00

See "Terms and Conditions" attached



### **TERMS AND CONDITIONS:**

Client agrees to fully compensate McFarlane Douglass for any fees associated with invoicing and payment of services. Client will be invoiced upon receipt of invoice for any such service.

- \* Prices shown are PER YEAR.
- \* Lead time: 8-10 weeks from receipt of order to shipment date.
- \* Lead time is based on current raw material availability and McFarlane Douglass' current workload.
- \* Building Engineers are responsible for all electrical work and hardware installation.
- \* Any drawings, designs and/or samples developed by McFarlane Douglass for the above work remain the property of McFarlane Douglass.

This Agreement is binding for the period shown on quote as we amortize our costs throughout this period.  
Cancellations prior to Contract expiration will be charged at 75% of the remaining contract fee.

#### **Conditions of Poinsettia Purchases:**

- a) Poinsettias serviced by McFarlane Douglass are guaranteed for 14 days from delivery date.  
We recommend additional deliveries if poinsettias are to look fresh and healthy throughout the Holiday Season.
- b) Service for Poinsettias: \$2.50 per week of service per poinsettia. Minimum \$45 per week.
- c) Cold/Heat damaged poinsettias will be replaced ONLY upon customer's agreement on replacement charges.
- d) Replacements will be done within 48 hrs.
- e) Poinsettias will not be serviced after December 24th.
- f) Delivery downtown: \$25, minimum charge.
- g) Delivery suburbs: \$75, minimum charge.

#### **Payment Options:**

- a. By Check mailed to our office: 143 Tower Dr. Burr Ridge, IL 60527
- b. Credit Card Payment Charges: 3% Bank fee +0.5% Administrative fee.
- c. Electronic Transfer Funds Payment available free of charge. Contact the office for details.

#### **Please Note:**

- \* Quotation is valid for 30 days from quote date.
- \* Terms: Deposit of 50% due with order. Balance upon installation.

The individual signing this agreement, does so as an Agent of the Client and fully obligates the Client to all the terms and requirements of this quote as clearly defined herein, including all typewritten or handwritten additions or amendments agreed to by the Client and Contractor.

ACCEPTED BY: \_\_\_\_\_

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

PRINT NAME: \_\_\_\_\_

Email approvals are accepted for processing orders.



REQUEST FOR BOARD ACTION

Public Services &  
Engineering

**AGENDA SECTION:** First Read – EPS

**SUBJECT:** Bid #1690 – Well #2 Inspection & Repair

**MEETING DATE:** September 20, 2022

**FROM:** Mark Pelkowski, Superintendent of Water and Sewer  
Garrett Hummel, Management Analyst

---

**Recommended Motion**

Award Bid #1690 – Well #2 Inspection and Repair to Municipal Well & Pump, in the amount of \$104,545.

**Background**

Included in the Public Services Department CY2022 CIP Budget (4600-7901) is \$70,000 for inspection and repair of Well #2. The Village maintains three wells (Well #2, #5 and #10) in order to provide a back-up water supply should there be an interruption in the flow of Lake Michigan water from the DuPage Water Commission (DWC). DWC is the Village's single source of water. The use of these wells has been minimal since transferring to Lake Michigan water supply.

In order to keep these wells operational, periodic maintenance is required every six (6) years. Inspection, treatment, and repairs to the well pumping equipment is essential to keep the wells functioning properly. In 2016, Well #2 was inspected and repairs were made including adding stainless steel shafts.

**Discussion & Recommendation**

In order to secure competitive pricing, Public Services staff conducted a public bid. The bid notice was published in the Daily Herald and the Village's website. Staff provided the bid package to three (3) vendors. A public bid opening was held on September 6, 2022 where the Village received two (2) bids (Attachment #1). Municipal Well & Pump provided the lowest qualified bid at a total cost of \$104,545 (Attachment #2). Bid #1690 includes pricing for inspection and repair of Well #2.

Public Services staff recommends awarding Bid #1690 to Municipal Well & Pump in the amount of \$104,545. The Village has worked with Municipal Well & Pump on prior Village projects and been satisfied with their performance.

**Budget Impact**

The base bid amount of \$77,545, includes the inspection of the well and repairs to the column pipe, combination coupling/bearing, and the suction pipe. The contract will also provide a repair allowance of \$27,000, labeled on the bid tabulation as "material at invoice cost plus percentage", to fund any required repairs to the well that are uncovered during the inspection phase. This allowance approach is required since the cost of any repairs cannot be determined until the well is actually removed and inspected. The total bid award of \$104,545, which includes the base bid plus the repair allowance, will result in the contract amount being \$34,545



over the budgeted amount of \$70,000. Staff expects that the repairs that are discovered during the inspection phase will be less than the contract allowance, and if this does in fact occur, the actual cost of the project may end up being closer to the original budget amount.

For comparison purposes, Public Services contracted for inspection and repairs to Well #5 in 2018. The total bid price for that project was \$79,999 with a base bid of \$51,999. The final project cost including allowance/contingency items was \$54,141, which is over 30% less than the total bid price. Staff will closely monitor the Well #2 project and look for opportunities for cost savings. There are sufficient funds available in this line item to cover overages that could occur on this project.

**Village Board and/or Committee Action**

Following approval from the Village Board, Public Services staff will place this item on the Consent Agenda at the October 4, 2022 Village Board Meeting.

**Documents Attached**

1. Bid #1690 - Tabulation
2. Municipal Well & Pump - Bid #1690 Proposal



Village of Hinsdale  
 Bid #1690 Well #2 Inspection and Repair  
 Bid Tabulation, 10:30 a.m., September 6, 2022

ITEM	Item Number	Bid Comparison Quantity	Municipal Well & Pump		Water Well Solutions Illinois LLC	
			UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Inspection	Lump Sum	\$36,000.00	\$36,000.00	\$52,385.00	\$52,385.00
2	8 inch column pipe	150	\$125.00	\$18,750.00	\$91.00	\$13,650.00
3	8 inch combination coupling/bearing	29	\$380.00	\$11,020.00	\$890.00	\$25,810.00
4	Material as invoice cost plus percentage	\$20,000	1.35	\$27,000.00	1.50	\$30,000.00
5	8 inch suction pipe	10	\$100.00	\$1,000.00	\$156.00	\$1,560.00
6	Machinist labor	15	\$111.00	\$1,665.00	\$200.00	\$3,000.00
7	Bailing cost if required	10	\$464.00	\$4,640.00	\$385.00	\$3,850.00
8	TV survey of well	Lump Sum	\$2,880.00	\$2,880.00	\$1,450.00	\$1,450.00
9	Treatment if required	Lump Sum	\$1,590.00	\$1,590.00	\$2,900.00	\$2,900.00
	<b>TOTAL</b>			<b>\$104,545.00</b>		<b>\$134,605.00</b>



PROPOSAL

VILLAGE OF HINSDALE

CONTRACT FOR

Well #2 Repair

BID # 1690

BIDDER'S PROPOSAL

Full Name of Bidder Midwest Well Services, Inc. dba: Municipal Well & Pump ("Bidder")

Principal Office Address 1212 Storbeck Drive, Waupun, WI 53963

Local Office Address \_\_\_\_\_

Contact Person Scott De Young Telephone (920) 324-3400

TO: Village of Hinsdale ("Owner")  
19 E. Chicago Avenue  
Hinsdale, Illinois 60521

Attention: Village Clerk

Bidder warrants and represents that Bidder has carefully examined the Work Site described below and its environs and has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. NONE, which are securely stapled to the end of this Bidder's Proposal [if none, write "NONE"] ("Bid Package").

Bidder acknowledges and agrees that all terms capitalized in this Bidder's Proposal shall have the meaning given to them in the documents included in the Bid Package.

1. Work Proposal

A. Contract and Work. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will contract with Owner, in the form of the Contract included in the Bid Package: (1) to provide, perform and complete at the site or sites described in the Bid Package ("Work Site") and in the manner described and specified in the Bid Package all necessary work, labor, services, transportation, equipment, materials, apparatus, machinery, tools, fuels, gas, electric, water, waste disposal, information, data and other means and items



## PROPOSAL

necessary for the **Well #2 Repair**; (2) to procure and furnish all permits, licenses and other governmental approvals and authorizations necessary in connection therewith except as otherwise expressly provided in Attachment A to the Contract included in the Bid Package; (3) to procure and furnish all Bonds and all certificates and policies of insurance specified in the Bid Package; (4) to pay all applicable federal, state and local taxes; (5) to do all other things required of Contractor by the Contract; and (6) to provide, perform and complete all of the foregoing in a proper and workmanlike manner and in full compliance with, and as required by or pursuant to, the Contract; all of which is herein referred to as the "Work."

B. Manner and Time of Performance. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that the Bidder will perform the Work in the manner and time prescribed in the Bid Package and according to the requirements of Owner pursuant thereto.

C. General. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will do all other things required of Bidder or Contractor, as the case may be, by the Bid Package.

### 2. Contract Price Proposal

If this Bidder's Proposal is accepted, Bidder will, except as otherwise provided in Section 2.1 of the Contract, take in full payment for all Work and other matters set forth under Section 1 above, including overhead and profit; taxes, contributions, and premiums; and compensation to all subcontractors and suppliers, the compensation set forth on the following "Schedule of Prices" ("Price Proposal"), which Schedule of Prices Bidder understands and agrees will be made a part of the Contract:

### SCHEDULE OF PRICES

Item Number	Bid comparison quantity	Unit price	Bid comparison
1. Inspection	Lump sum	\$36,000.00	\$36,000.00
2. 8 inch column pipe	150 feet	\$125.00	\$18,750.00
3. 8inch combination coupling/bearing	29	\$380.00	\$11,020.00
4. Material as invoice cost plus percentage	\$20,000	35%	\$27,000.00
5. 8 inch suction pipe	10 feet	\$100.00	\$1,000.00
6. Machinist labor	15 hours	\$111.00	\$1,665.00
7. Bailing cost if required	10 hours	\$464.00	\$4,640.00
8. TV survey of well	Lump sum	\$2,880.00	\$2,880.00
9. Treatment if required	Lump sum	\$1,590.00	\$1,590.00



## PROPOSAL



### A. LUMP SUM CONTRACT

For providing, performing, and completing all Work, the total Contract Price of:

One hundred four thousand five  
hundred forty five Dollars and zero Cents  
(in writing) (in writing)

\$104,545 Dollars and 00 Cents  
(in figures) (in figures)

### D. BASIS FOR DETERMINING PRICES

It is expressly understood and agreed that:

1. The approximate quantities set forth in this Schedule of Prices for each Unit Price Item are Owner's estimate only, that Owner reserves the right to increase or decrease such quantities, and that payment for each Unit Price Item shall be made only on the actual number of acceptable units of such Unit Price Item installed complete in place, measured on the basis defined in the Contract;
2. Owner is not subject to state or local sales, use and excise taxes and no such taxes are included in this Schedule of Prices.
3. All other applicable federal, state, and local taxes of every kind and nature applicable to the Work as well as all taxes, contributions, and premiums for unemployment insurance, old age or retirement benefits, pensions, annuities, or other similar benefits are included in this Schedule of Prices; and
4. All costs, royalties, and fees arising from the use on, or the incorporation into, the Work of patented equipment, materials, supplies, tools, appliances, devices, processes, or inventions are included in this Schedule of Prices.

All claim or right to dispute or complain of any such estimated quantity, or to assert that there was any misunderstanding in regard to the nature or amount of any Unit Price Item to be provided or performed, or to claim any additional compensation by reason of the payment of any such tax, contribution, or premium or any such cost, royalty or fee is hereby waived and released.



## PROPOSAL

### 3. Contract Time Proposal

If this Bidder's Proposal is accepted, Bidder will commence the Work not later than the "Commencement Date" set forth in Attachment A to the Contract and will perform the Work diligently and continuously and will complete the Work not later than the "Completion Date" set forth in Attachment A to the Contract.

### 4. Firm Proposal

All prices and other terms stated in this Bidder's Proposal are firm and shall not be subject to withdrawal, escalation, or change for a period of 60 days after the date on which any Bidder's Proposal is opened or such extended acceptance date for Bidder's Proposals as may be established pursuant to Sections 10 and 13 of the General Instructions to Bidders.

### 5. Bidder Representations

A. No Collusion. Bidder warrants and represents that the only persons, firms, or corporations interested in this Bidder's Proposal as principals are those named in Bidder's Sworn Acknowledgment attached hereto and that this Bidder's Proposal is made without collusion with any other person, firm or corporation.

B. Not Barred. Bidder warrants, represents and certifies that it is not barred by law from contracting with Owner or with any unit of state or local government.

C. Qualified. Bidder warrants and represents that it has the requisite experience, ability, capital, facilities, plant, organization and staff to enable Bidder to perform the Work successfully and promptly and to commence and complete the Work within the Contract Price and Contract Time Proposals set forth above. In support thereof, Bidder submits the attached Sworn Work History Statement. In the event Bidder is preliminarily deemed to be one of the most favorable to the interests of Owner, Bidder hereby agrees to furnish upon request, within two business days or such longer period as may be set forth in the request, such additional information as may be necessary to satisfy Owner that Bidder is adequately prepared to fulfill the Contract.

D. Owner's Reliance. Bidder acknowledges that Owner is relying on all warranties, representations and statements made by Bidder in this Bidder's Proposal.

### 6. Surety and Insurance

Bidder herewith tenders surety and insurance commitment letters as specified in Section 6 of the Invitation for Bidder's Proposals.



## PROPOSAL

### 7. Bid Security

Bidder herewith tenders a ~~Cashier's Check, Certified Check, or~~ Bid Bond as specified in Section 6 of the Invitation for Bidder's Proposals for the sum of Ten Percent dollars (\$ 10%), which is equal to at least ten percent (10%) of Bidder's Price Proposal ("Bid Security").

### 8. Owner's Remedies

Bidder acknowledges and agrees that should Bidder fail to timely submit all additional information that is requested of it; or should Bidder, if Owner awards Bidder the Contract, fail to timely submit all the Bonds and all the certificates and policies of insurance required of it; or should Bidder, if Owner awards Bidder the Contract, fail to timely execute the Contract, Contractor's Certification and all other required documentation related to the Contract, it will be difficult and impracticable to ascertain and determine the amount of damage that Owner will sustain by reason of any such failure and, for such reason, Owner shall have the right, at its option in the event of any such default by Bidder, to retain or recover as reasonably estimated liquidated damages, and not as a penalty, the entire amount of the Bid Security or ten percent of Bidder's Price Proposal, whichever is greater, or to exercise any and all equitable remedies it may have against Bidder.

### 9. Owner's Rights

Bidder acknowledges and agrees that Owner reserves the right to reject any and all Bidder's Proposals, reserves the right to accept or reject any item of any Bidder's Proposal and reserves such other rights as are set forth in Section 13 of the General Instructions to Bidders.

### 10. Bidder's Obligations

In submitting this Bidder's Proposal, Bidder understands and agrees that it shall be bound by each and every term, condition or provision contained in the Bid Package, which are by this reference incorporated herein and made a part hereof.

DATED this 1 day of September, 2022.

Attest/Witness:

Midwest Well Services, Inc. dba: Municipal Well & Pump

Bidder

By:

Shelly S Schulz

Shelly Schulz

Title:

Secretary

By:

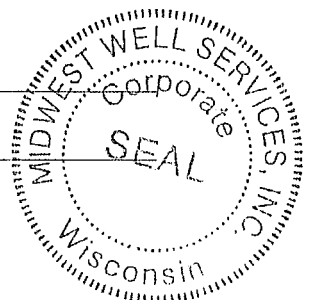
Scott De Young

Scott De Young

Title:

President

SEE GENERAL INSTRUCTIONS TO BIDDERS, SECTION 7,  
FOR SIGNATURE REQUIREMENTS





VILLAGE OF HINSDALE

CONTRACT FOR

Well #2 Repair

BID #1690

BIDDER'S SWORN ACKNOWLEDGEMENT

Scott De Young ("Deponent"), being first duly sworn on oath, deposes and states that the undersigned Bidder is organized as indicated below and that all statements herein made are made on behalf of such Bidder in support of its Bidder's Proposal for the above Contract and that Deponent is authorized to make them.

Deponent also deposes and states that Bidder has carefully prepared, reviewed and checked its Bidder's Proposal and that the statements contained in its Bidder's Proposal and in this Acknowledgement are true and correct.

COMPLETE APPLICABLE SECTION ONLY

1. Corporation

Bidder is a corporation that is organized and existing under the laws of the State of Wisconsin, that is qualified to do business in the State of Illinois, and that is operating under the legal name of Midwest Well Services, Inc. dba: Municipal Well & Pump

The officers of the corporation are as follows:

<u>TITLE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	<u>Scott De Young</u>	<u>1212 Storbeck Drive, Waupun, WI 53963</u>
Vice President	<u>Richard Milaeger</u> <u>Tracy Greenfield</u> <u>Martin Van Ellis</u>	<u>1212 Storbeck Drive, Waupun, WI 53963</u>
Secretary	<u>Shelly Schulz</u>	<u>1212 Storbeck Drive, Waupun, WI 53963</u>
Treasurer	<u>Scott De Young</u>	<u>1212 Storbeck Drive, Waupun, WI 53963</u>

2. Partnership

Bidder is a partnership that is organized, existing and registered under the laws of the State of \_\_\_\_\_ pursuant to that certain Partnership Agreement dated as of \_\_\_\_\_



## ACKNOWLEDGEMENT

\_\_\_\_\_, that is qualified to do business in the State of Illinois, and that is operating under the legal name of \_\_\_\_\_.

The general partners of the partnership are as follows:

**NAME**

**ADDRESS**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

### 3. **Individual**

Bidder is an individual whose full name is \_\_\_\_\_,  
whose residence address is \_\_\_\_\_ and  
whose business address is \_\_\_\_\_. If operating under a trade  
or assumed name, said trade or assumed name is as follows: \_\_\_\_\_.

### 4. **Joint Venture**

Bidder is a joint venture that is organized and existing under the laws of the State  
of \_\_\_\_\_ pursuant to that certain Joint Venture Agreement dated as of \_\_\_\_\_, that  
is qualified to do business in the State of Illinois, and that is operating under the legal name of  
\_\_\_\_\_.

The signatories to the aforesaid Joint Venture Agreement are as follows:

**NAME (and ENTITY TYPE)**

**ADDRESS**

_____ ( )	_____
_____ ( )	_____
_____ ( )	_____



## ACKNOWLEDGEMENT

[For each signatory, indicate type of entity (Corporation = "C"; Partnership = "P"; and Individual = "I") and provide, on separate sheets, the information required in Paragraph 1, 2, or 3 above, as applicable]

DATED this 1st day of September, 2022.

Attest/Witness:

Midwest Well Services, Inc. dba: Municipal well & Pump

Bidder

By:

Brian Brodersen  
Brian Brodersen

Title:

Senior Project Engineer

By:

Scott De Young  
Scott De Young

Title:

President

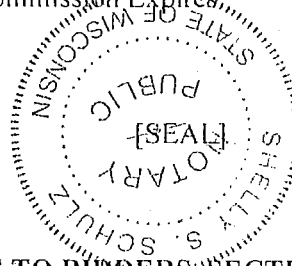
Subscribed and Sworn to  
before me this 1 day  
of September, 2022.

Notary Public

Shelly S. Schulz

My Commission Expires:

6/19/2024



SEE GENERAL INSTRUCTIONS TO BIDDERS, SECTION 7,  
FOR SIGNATURE REQUIREMENTS



VILLAGE OF HINSDALE

CONTRACT FOR

Well #2 Repair

BID #1690

BIDDER'S SWORN WORK HISTORY STATEMENT

Scott De Young ("Deponent"), being first duly sworn on oath, deposes and states that all statements made in this Sworn Work History Statement are made on behalf of the undersigned Bidder in support of its Bidder's Proposal for the above Contract and that Deponent is authorized to make them.

Deponent also deposes and states that Bidder has carefully prepared, reviewed and checked this Sworn Work History Statement and that the statements contained in this Sworn Work History Statement are true and correct.

IF NECESSARY FOR FULL DISCLOSURE, ADD SEPARATE SHEETS

JOINT VENTURES MUST SUBMIT SEPARATE  
SWORN WORK HISTORY STATEMENTS FOR THE JOINT VENTURE  
AND FOR EACH SIGNATORY TO THE JOINT VENTURE AGREEMENT

1. Nature of Business

State the nature of Bidder's business: Well & Pump Service

2. Composition of Work

During the past three years, Bidder's work has consisted of:

<u>5</u> % Federal	<u>95</u> % As Contractor	<u>55</u> % Bidder's Forces
<u>80</u> % Other Public	<u>5</u> % As Subcontractor	<u>5</u> % Subcontractors
<u>15</u> % Private		<u>40</u> % Materials

3. Years in Business



## WORK HISTORY STATEMENT

State the number of years that Bidder, under its current name and organization, has been continuously engaged in the aforesaid business: 38 years

### 4. Predecessor Organizations

If Bidder has been in business under its current name and organization for less than five years, list any predecessor organizations:

<u>NAME</u>	<u>ADDRESS</u>	<u>YEARS</u>
_____	_____	_____
_____	_____	_____

### 5. Business Licenses

List all business licenses currently held by Bidder:

<u>ISSUING AGENCY</u>	<u>TYPE</u>	<u>NUMBER</u>	<u>EXPIRATION</u>
<u>IL Department of Public Health</u>	<u>Water Well Contractor</u>	<u>092-008630</u>	<u>01/31/23</u>
<u>IL Department of Public Health</u>	<u>Pump Installation Contractor</u>	<u>101-004208</u>	<u>01/31/23</u>

### 6. Related Experience

List three projects most comparable to the Work completed by Bidder, or its predecessors, in the past five years:

	<u>PROJECT ONE</u>	<u>PROJECT TWO</u>	<u>PROJECT THREE</u>
Owner Name	<u>Village of Stockton</u>	<u>Village of Carpentersville</u>	<u>Village of Pewaukee</u>
Owner Address	<u>155 W. Front St.</u>	<u>1075 Tamarac Dr.</u>	<u>1000 Hickory St.</u>
	<u>Stockton, IL 61085</u>	<u>Carpentersville, WI 60110</u>	<u>Brookfield, WI 53072</u>
Reference	<u>Steve Rice</u>	<u>Dean Gorter</u>	<u>Dan Naze</u>
Telephone Number	<u>(815) 947-3505</u>	<u>(847) 551-3492</u>	<u>(262) 691-5694</u>
Type of Work	<u>Well &amp; Pump Rehab</u>	<u>Well &amp; Pump Rehab</u>	<u>Well &amp; Pump Rehab</u>
	_____	_____	_____



WORK HISTORY STATEMENT

	<u>PROJECT ONE</u>	<u>PROJECT TWO</u>	<u>PROJECT THREE</u>
Contractor (If Bidder was) (Subcontractor)	_____ _____ _____	_____ _____ _____	_____ _____ _____
Amount of Contract	<u>\$224,931.50</u>	<u>\$57,781.00</u>	<u>\$113,118.00</u>
Date Completed	<u>10-31-21</u>	<u>08-31-20</u>	<u>12-31-20</u>

DATED this 1 day of September, 2022.

Attest/Witness:

Midwest Well Services, Inc. dba: Municipal Well & Pump  
Bidder

By: Brian Brodersen  
Brian Brodersen  
Title: Senior Project Engineer

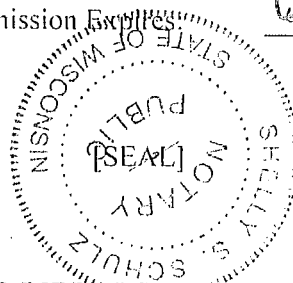
By: Scott De Young  
Scott De Young  
Title: President

Subscribed and Sworn to  
before me this 1 day  
of September, 2022.

Shelly S. Schulz  
Notary Public

My Commission Expires:

6/19/2024



SEE GENERAL INSTRUCTIONS TO BIDDERS, SECTION 7,  
FOR SIGNATURE REQUIREMENTS



**AGENDA SECTION:** First Reading-ZPS

**SUBJECT:** Parking Permits and the Establishment of a Daily Parking Fee

**MEETING DATE:** September 20, 2022

**FROM:** Bradley Bloom, Assistant Village Manager/Dir of Public Safety  
Brian King, Chief of Police

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**Recommended Motion**

Approve an Ordinance Amending Various Sections in Title 6 (Motor Vehicles and Traffic), Chapter 6 (Stopping, Standing and Parking) of the Village Code of Hinsdale Relative to Parking

**Background**

The Village manages four Commuter lots:

- Village Lot – 168 available spaces
- Highlands
- West Hinsdale
- Chestnut Street Lot

While many sectors of the economy have experienced a recovery from the impact of the pandemic, the demand for commuter parking remains at historic lows as commuter behavior remains changed. Whereas prior to March 2020 the Village's commuter parking lots were 100% occupied, the utilization of the Village owned commuter lot has not recovered.

Prior to the pandemic, most workers were required to be present in the office 5 days a week. However, many downtown offices now allow for flexibility in schedules with most workplaces demanding a maximum of 3 days in office as compared to the previous 5 days. This has had a quantifiable impact on commuter behavior resulting in a substantial diminishment in the demand for commuter parking.

As a reference point, Metra's ridership is currently 31% of pre-pandemic levels, with the highest use on Tuesdays (46%), Wednesday's (45%), and Thursdays (43%). This is consistent with a 3-day work week requirement.

In response to a change in commuter behavior, staff makes the following recommendations:

Commuter Parking				
	Existing Rate	Proposed Rate	Existing Regulation Time/Days	Proposed Effective Date/Time
<b>Village Lot</b> (between Washington and Lincoln)	\$310 for 6 months	\$3.50 daily rate or permit*	6:00 a.m. to 9:15 a.m. Mon thru Fri	6:00 a.m. to 6:00 p.m. Monday thru Sat
<b>Highland</b> (location)	.25 per	\$3:00 per	6:00 a.m. to 5:00	6:00 a.m. to 6:00 p.m.



	hour	day	p.m. Mon thru Fri	Monday thru Sat
<b>West Hinsdale</b> (West of Stough)	.25 per hour	\$3:00 per day	6:00 a.m. to 5:00 p.m. Mon thru Fri	6:00 a.m. to 6:00 p.m. Monday thru Sat
<b>Chestnut</b> (north of the tracks adjacent to Chestnut)	.25 per hour	\$3:00 per day	6:00 a.m. to 5:00 p.m. Mon thru Sat	6:00 a.m. to 6:00 p.m. Monday thru Sat
<b>NEW-</b> North of Burlington Train between Garfield and Washington	Red Permit Parking	\$10.00 per day		6:00 a.m. to 6:00 p.m. Monday thru Sat

\*Permit cost based upon 22 days per month x 6 months/\$310=\$2.35 per day.

### **Additional Parking Information**

**Village Lot** (main commuter lot, 168 spaces) current conditions-blue permits are available only to Hinsdale residents. To date the Village has sold 200 blue parking permits. Staff has observed approximately 30 blue permit holders parking in the lot prior to 9:15 a.m. After 9:15 a.m. approximately 50 additional cars park in the lot. Many of the cars parking after 9:15 a.m. belong to merchants and employees working in the downtown area. Many of these cars were previously red permit holders but are now taking advantage of the “free” parking due to reduced commuter parking use,

In addition to the Village Lot, the Village has approximately 180 additional parking spaces that are designated as blue/red (commuter/merchant) parking areas:

- Hinsdale Avenue from Lincoln to Vine Street,
- Parking Deck
- Chicago Avenue between Washington and Garfield
- North side of Post Office Parking Lot-adjacent to train tracks.

Currently, less than 40 commuter spaces are in use.

Highlands, West Hinsdale and Chestnut Lots-these commuter lots serve the Highlands, West Hinsdale and the main train station. The parking permits are available for West Hinsdale and Highlands for purchase and daily parking is available for purchase via a pay box. The daily parking rate is .25 cents per hour. Staff is recommending changing the fee from .25 cents per hour to a flat rate of \$3.00 per day and regulating from 6:00 a.m. to 6:00 p.m. Monday through Saturday to have uniformity amongst all of the Village’s commuter parking lots.

### **Discussion & Recommendation**

The Village staff recommends making the following modifications to the Village Commuter Lots and other parking areas:

1. Remove the Hinsdale resident restriction from the Village Lot. Prior to the pandemic the Village maintained a commuter permit wait list in excess of 100+ residents. To date, the Village is at 25% of prior permit sales. Opening the lot up to non-residents



would attract those commuters from area towns who previously had expressed interest due to the favorable schedules of the Hinsdale stations.

2. Continue to offer 6-month Commuter permits for those commuters finding this a cost-effective option.
3. Continue to offer 6-month Merchant permits for those employees/merchants finding this a cost-effective option.
4. Convert the Northside of Main Depot on Burlington Drive (from Garfield to Washington) from Merchant Parking Spaces to Commuter Spaces with a premium cost of \$10 per day due to the desirable location.
5. Provide commuters an option of paying a daily parking fee of \$3.50 per day using the smart phone application called "Pay by Text" in all of the red/blue parking areas in lieu of buying a red/blue permit. This allows commuters and merchants/employees flexibility in addressing their parking needs.
6. Standardize Commuter Lot hours and days that parking is regulated to Monday through Saturday from 6:00 a.m. to 6:00 p.m.
7. Staff recommends converting 56 of the 82 spaces in the Robbins Park Parking lot (adjacent to the tennis courts) currently used as Community House overflow for use by Hinsdale Central Students from 7:00 a.m. to 4:00 p.m. on school days at a cost of \$400 per semester or \$800/yr. The remainder of the parking spaces in the lot would be limited to 4-hour parking to accommodate park and Community House users and deter those students without a parking permit from illegally parking in the lot.
8. Provide for online sales of parking permits.

**Budget Impact**

Costs related to signage, permit configuration and other start-up fees are estimated to be less than \$15,000.

**Village Board and/or Committee Action**

The parking changes contained herein were considered by the Board of Trustees as a discussion item at the September 6, 2022 meeting. The Board concurred with staff's recommendations.

**Documents Attached**

1. Parking Ordinance



## VILLAGE OF HINSDALE

ORDINANCE NO. \_\_\_\_\_

### AN ORDINANCE AMENDING VARIOUS SECTIONS IN TITLE 6 (MOTOR VEHICLES AND TRAFFIC), CHAPTER 6 (STOPPING, STANDING AND PARKING) OF THE VILLAGE CODE OF HINSDALE RELATIVE TO PARKING

**WHEREAS**, the Village of Hinsdale (the "Village") is a non-home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 7 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village staff, having studied parking patterns within the Village over time, and particularly how the pandemic affected parking, has proposed various changes to the parking provisions in the Village Code of Hinsdale ("Village Code"); and

**WHEREAS**, the President and Board of Trustees, based on staff's recommendations, have determined that it is in the best interests of the Village and its residents and businesses, to further amend the Village Code to make certain parking-related changes, as set forth below.

**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 Section 1 of this Ordinance by this reference.

**SECTION 2:** Title 6 (Motor Vehicles and Traffic), Chapter 6 (Stopping, Standing and Parking), Section 5 (Village Permit Parking Lots) of the Village Code of Hinsdale is amended to read in its entirety as follows:

#### 6-6-5: VILLAGE PERMIT AND DAILY FEE PARKING LOTS:

A. Permit Parking Only: The village has designated certain village-owned parking lots and areas as permit and daily fee parking areas. A list of such designated lots shall be maintained by the village clerk and posted on the village website. Permit and daily fee parking shall be in effect in the designated lots during the times indicated in subsection E. Permits for said lots shall be issued to residents, merchants and nonresidents pursuant to applications provided by the village. The parking lots designated in subsection B of this section are designated as permit parking lots. No parking shall be allowed in such lots at the times indicated in subsection B of this section except for vehicles bearing valid parking permit stickers. Permits for said lots shall be issued to residents, merchants, and nonresidents as indicated in subsection B of this section. Such permits shall be issued on a biannual basis for the fees and times indicated in subsection B of this section.

~~B. Lot Designation; Charges; Permit Color:~~



## BIANNUAL CHARGES

Permit Area	Rate			Permit Color
	Resident	Nonresident	Merchant	
Permit Area	Rate			Permit Color
	Resident	Nonresident	Merchant	
Burlington Drive	n/a	n/a	\$180.00	Red
Chestnut Street lot (paybox only) <sup>3</sup>	n/a	n/a	n/a	n/a
Chicago Avenue (south side Washington to Garfield)	\$310.00	n/a	180.00	Red/blue
County Line Road (Hillgrove to Walnut as designated)	280.00	n/a	n/a	Brown
Highland Station lot <sup>3</sup>	280.00	n/a	n/a	Brown
Hillgrove (south side Oak to County Line) <sup>3</sup>	280.00	n/a	n/a	Brown
Hinsdale Avenue (north side Lincoln to Vine)	n/a	n/a	180.00	Red
Hinsdale Avenue (north side Vine to Monroe as designated) <sup>4</sup>	n/a	n/a	n/a	Purple
Lincoln lot	n/a	n/a	180.00	Yellow
Lincoln Street (west side Chicago to Maple)	310.00	n/a	180.00	Red/blue
Post Circle	310.00	n/a	180.00	Red/blue
Second Street (Washington to Grant as designated)	n/a	n/a	180.00	Red
Symonds Drive (across from post office as designated)	310.00	n/a	180.00	Red/blue



Symonds Drive (Post Circle to Elm as designated) <sup>2</sup>	n/a	n/a	n/a	Green
Village lot <sup>2</sup>	310.00	n/a	n/a	Blue
Washington lot <sup>1</sup>	n/a	n/a	240.00	Orange
Washington Street (both sides Second to Third)	n/a	n/a	180.00	Red
West Hinsdale <sup>3</sup>	280.00	n/a	n/a	Silver

~~Notes:~~

~~— 1. In addition to permit parking, a paybox shall also be available. Parking by paybox shall be limited to 6 hours at \$0.25 per hour.~~

~~— 2. Village employee parking — no fee.~~

~~— 3. In addition to permit parking, a paybox shall also be available. Parking by paybox shall be limited to 12 hours from 6:00 A.M. to 6:00 P.M. at \$0.25 per hour.~~

~~— 4. Merchant parking — no fee.~~

~~(Ord. O2011-18, 5-3-2011)~~

CB. Permits:

1. Sales: Permits shall be available for purchase online at the office of the village director of finance. ~~The village manager shall cause suitable permit tags to be issued for each permit. Such tags shall be displayed from the inside rearview mirror of the vehicle, by the permit holder, with the permit number facing toward the front of the vehicle. The permit tag must be displayed at all times when the vehicle is parked in the specified permit area. (Ord., 2-6-1996)~~

~~— 2. Employees; Number Of Vehicles: The permit holder may park any vehicle owned by him or her or any of his or her employees; provided, however, that no more than one vehicle for each permit number may be parked in the designated parking lot at any time.~~

~~— 3. Renewals: The village may mail permit renewal notices to existing permit holders. Except as otherwise provided herein, renewal permits shall be issued to permit holders who pay the required permit fee on or before the end of the period for which the previous permit was issued.~~

~~— 42. Priorities: Permits shall be issued for residents, merchants, and nonresidents based on availability only as indicated in subsection B of this section. Renewal permits shall have priority over new applications. Permit applications shall be maintained in chronological order of the date of receipt of the application by the village. No resident permit shall be automatically renewed for a permit holder who is no longer domiciled within the village's corporate limits, but instead such permit holder shall be added to the waiting list, if any, as of the date of receipt of a new permit application, if any is filed by such permit holder. For purposes of this section, a "merchant" shall be defined as a village~~



~~merchant and his or her employees regardless of whether they are domiciled within the village's corporate limits.~~

**53.** Transfer Or Assignment: No permit shall be sold, leased, sublet, or otherwise transferred or assigned by the permit holder.

**DC.** Violations; Revocation Of Permit: No permit holder shall violate any of the provisions of this section or of the regulations applicable to the village permit parking lot for which the permit was issued. In addition to any other fine or penalty applicable under this code, any such violation shall be grounds for the immediate revocation of the permit. No permit shall be issued to or renewed for any permit holder who has three (3) such violations in any six (6) month period. The village reserves the right to revoke any permit at any time, with or without cause. (Ord., 12-4-1990)

**ED.** Application: Proof of place of employment shall be required for an employee parking permit application.

**FE.** Village Lot Hours: ~~Permit or daily fee p~~Parking in the designated village lots ~~set forth above~~ shall be enforced between six o'clock (6:00) a.m. and six o'clock (6:00) p.m. Monday through Saturday permitted between from seven o'clock (7:00) A.M. to nine fifteen o'clock (9:15) A.M. Monday through Friday.

~~G. Washington Lot Hours: Paybox hours and days of operation will correspond with parking meters.~~

~~H. Permit Hours: Unless otherwise specified permits are required from nine o'clock (9:00) A.M. to five o'clock (5:00) P.M. Monday through Friday. (Ord. O2008-54, 10-7-2008)~~

**SECTION 3:** Title 6 (Motor Vehicles and Traffic), Chapter 6 (Stopping, Standing and Parking), Section 15 (Municipal Parking Lots), of the Hinsdale Village Code, is amended to read in its entirety as follows:

**6-6-15: MUNICIPALVILLAGE PARKING LOTS:**

A. Supervision: The municipalvillage parking lots now or hereafter acquired or established by the village shall be under the supervision of the chief of police. (1965 Code, sec. 9-6.01)

B. Use: It shall be unlawful to park any vehicle in any municipalvillage parking lot in violation of any ordinance; or to ~~so~~ park contrary to the rules established by the village president and board of trustees for the use of such or park in any place or manner other than that as designated by the village custodian thereof. No commercial or freight carrying vehicle or trailer shall be parked in a village parking lot. (1965 Code, sec. 9-6.02)

C. Continuous Parking Limited in VillageOn Public Auto Parking Lots: No vehicle shall stand, be stored or parked for a period exceeding twenty four (24) hours continuously, on any public property. (1965 Code, sec. 9-6.03)



D. Overnight Parking in Garfield, Lincoln Or Washington ~~Municipal-Village~~ Parking Lots: No vehicle shall be parked in the Garfield, Lincoln or Washington ~~municipalvillage~~ parking lot for a period of time longer than thirty (30) consecutive minutes between the hours of twelve o'clock (12:00) midnight and ~~eightsix~~ o'clock (~~86~~:00) A.M. of any day, without an overnight parking permit. ~~displaying a current permit affixed to the lower right hand corner (passenger side) on the inside of the glass of the rear window. Permits are available at the village finance department at a monthly cost of two dollars fifty cents (\$2.50).~~ (Ord., 10-16-1979)

**SECTION 4:** Title 6 (Motor Vehicles and Traffic), Chapter 6 (Stopping, Standing and Parking), Section 16 (Customer/Shopper Only Parking Zones) of the Hinsdale Village Code, is amended to read in its entirety as follows:

**6-6-16: CUSTOMER/SHOPPER ONLY PARKING ZONES:**

A. Only those persons seeking to purchase merchandise or services within the central business district shall be allowed to park a motor vehicle in customer designated parking locations. The parking of motor vehicles by persons for any other purposes, including for commuter train purposes, is prohibited.

B. There shall be a rebuttable presumption that any person who is an employee of a business in the central business district shall be deemed to be working at his or her place of employment between the hours of nine o'clock (9:00) A.M. to five o'clock (5:00) P.M. Monday through Saturday.

C. ~~Shopper only areas will be clearly designated by signage or notice on the parking meter.~~ The following areas are designated as customer/shopper parking zones:

1. Both sides of Washington Street, between Hinsdale Avenue and First Street.
2. Washington Street parking lot (except for permitted vehicles).

D. Any person in violation of this section shall be subject to a fine of no less than twenty five dollars (\$25.00) for each offense. (Ord. O2008-54, 10-7-2008)

**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 following its passage, approval, and publication in the manner provided by law.



**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, and attested  
to by the Village Clerk this same day.

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

ATTEST:

\_\_\_\_\_  
Christine M. Bruton, Village Clerk



Police Department

**AGENDA SECTION:** First Reading– ZPS

**SUBJECT:** Installation of an All-Way Stop Intersection– The Lane and Oak Street

**MEETING DATE:** September 20, 2022

**FROM:** Brian King, Chief of Police

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**Recommended Motion**

Approve an Ordinance Amending Section 6-12-3 (“Schedule B; Two-Way Stop Intersections”) and (“Schedule D; Four-Way Stop Intersections”) of the Village Code of Hinsdale.

**Background**

Area residents and School District 181 crossing guard requested an intersection study of The Lane and Oak Street. Currently, The Lane has the right-of-way and Oak Street is controlled by two-way stop signs.

Staff conducted a study in April 2022 and learned that North-South Oak Street traffic volume was 2,765 vehicles (85% of the traffic) and East-West The Lane volume was 498 vehicles (15% of the total traffic volume). Generally, the roadway that accepts more traffic should be designated as the through street while the other roadway must yield. This is not the case with The Lane and Oak. Further examination of the intersection showed previous studies from over 30 years ago showing that Oak Street has continuously accepted 85% of the total volume entering the intersection. There is no available history as to why The Lane has the right-of-way instead of Oak.

Right-of-Way	Intersected At	5 year Crash Data	Traffic Volumes		MUTCD Warrants
			NB and SB	EB and WB	
The Lane	Oak Street	2	2,765	498	Operational Characteristics

**Discussion & Recommendation**

When considering the addition of traffic control devices and their installation, staff relies on the guidance of the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD, under the authority of the U.S. Department of Transportation, lists warrants or requirements that must be met prior to the installation of any traffic-controlling device or signage. The Village relies upon the MUTCD as the local authoritative guiding principle for local roadways. It is the recommendation of staff to install stop signs for east-west The Lane to convert the intersection to a multi-stop in order to improve operational characteristics of the intersection per the MUTCD. Staff evaluated all alternatives based on engineering and the intersections relationship to pedestrian traffic and determined a multi-stop would be applicable.



**Budget Impact**

The budget impact will be minimal based on minor equipment and labor costs to install the signs and posts.

**Village Board and/or Committee Action**

N/A

**Documents Attached**

1. Draft Ordinance



VILLAGE OF HINSDALE

ORDINANCE NUMBER \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 6-12-3 ("SCHEDULE III B; TWO-WAY STOP INTERSECTIONS.") AND ("SCHEDULE III D; FOUR-WAY STOP INTERSECTIONS.") OF THE VILLAGE CODE OF HINSDALE**

**WHEREAS**, the President and Board of Trustees of the Village of Hinsdale determined it is in the best interest of public safety to convert the intersection of Oak at Lane Street from a two-way stop intersection, to a four-way stop intersection.

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

**SECTION 1:** Section 6-12-3 ("Schedule III: Stop Intersections") of the Village Code of Hinsdale is hereby amended by removing thereto:

B.	The Lane	Oak Street	East & Westbound
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**SECTION 2:** Section 6-12-3 ("Schedule III: Stop Intersections") of the Village Code of Hinsdale is hereby amended by adding thereto:

D.	The Lane	Oak Street	East, West, South, North
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**SECTION 3: Signs.** The Public Services Department is hereby authorized and directed to erect the appropriate signs on the above named streets in compliance with the guidelines established within the Manual on Uniform Traffic Control Devices.

**SECTION 4: 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 and after the erection of the appropriate signs in accordance with the Sections above.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Village President



Police Department

**AGENDA SECTION:** First Reading – ZPS

**SUBJECT:** Convert three, two-way yield intersections into two-way stop intersections and revise the two-way stop designation at an existing location

**MEETING DATE:** September 20, 2022

**FROM:** Brian King, Chief of Police

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**Recommended Motion**

Approve an Ordinance Amending Section 6-12-3 ("Schedule III (B); Two-Way Stop Intersections") and 6-12-4 ("Schedule IV: Yield Right-Of-Way Streets") of the Village Code of Hinsdale.

**Background**

Concerned residents inquired about the conversion of two-way yields to either a multi-stop or two-way stop intersections at three (3) intersections. Staff conducted traffic studies at the intersections and determined that conditions existed which would warrant a conversion from yield to stop signs. Traffic volumes are light at these intersections.

Table 1.

Right-of-Way	Intersected At	5 year Crash Data	Traffic Volumes		MUTCD Warrants
			NB and SB	EB and WB	
Fourth	Bodin	3	N/A	N/A	Site Distance
Stough	Fourth	0	N/A	N/A	Site Distance
Third	Park	1	N/A	N/A	Site Distance

Village code 6-12-3(b); *two-way stop intersection*, currently establishes Hickory as a designated two-way stop intersecting with Bruner at the east and westbound directions. The board approved traffic controls to designate Hickory as a two-way stop at Bruner in 2021.

Due to a residential driveway at the southwest corner of the intersection, public services was unable to install the two-way stop signs on Hickory. Because the traffic numbers are nominal, staff made an engineering judgement call and temporarily installed the two-way stop on the north/south leg of Bruner instead of Hickory. This intersection has been operating without concern since its installation.



Right-of-Way	Intersected At	5 year Crash Data	Traffic Volumes		MUTCD Warrants
			NB and SB	EB and WB	
Hickory	Bruner	N/A	N/A	N/A	Site Distance

### **Discussion & Recommendation**

When considering the addition of traffic control devices and their installation, staff relies on the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD, under the authority of the U.S. Department of Transportation, lists warrants or requirements that must be met prior to the installation of any traffic controlling device or signage. The Village relies upon the MUTCD as the local authoritative guiding principle for local roadways.

Based upon the findings of staff's review of the intersections, staff recommends the intersections listed in table one be converted from two-way yield to stop signs. Additionally, staff recommends a revision to the current ordinance; permanently establishing a two-way stop at the north and southbound direction of Bruner Street and Hickory.

### **Budget Impact**

The budget impact will be minimal based on minor equipment and labor costs to install the signs and posts.

### **Village Board and/or Committee Action**

N/A

### **Documents Attached**

1. Draft Ordinance



**VILLAGE OF HINSDALE**

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 6-12-3 ("SCHEDULE III B; TWO-WAY STOP INTERSECTIONS") AND 6-12-4 ("SCHEDULE IV: YIELD RIGHT-OF-WAY STREETS") OF THE VILLAGE CODE OF HINSDALE**

**WHEREAS**, the President and Board of Trustees of the Village of Hinsdale determined it is in the best interest of public safety to convert two-way yield signs into two-way stops at the intersections of Fourth and Bodin, Stough and Fourth, Third and Park and Bruner and Hickory.

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

**SECTION 1:** Section 6-12-3 ("Schedule III B: Two-Way Stop Intersections") of the Village Code of Hinsdale is hereby amended by adding thereto:

<b>B.</b>	Bodin	Fourth	North & Southbound
	Fourth	Stough	East & Westbound
	Park	Third	North & Southbound
	Bruner	Hickory	North & Southbound

**SECTION 2:** Section 6-12-3 ("Schedule III B: Two-Way Stop Intersections") of the Village Code of Hinsdale is hereby amended by removing thereto:

<b>B.</b>	Bruner	Hickory	East & Westbound
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**SECTION 3:** Section 6-12-4 ("Schedule IV: Yield Right-of-Way Streets") of the Village Code of Hinsdale is hereby amended by removing thereto:

Bodin	Fourth	North & Southbound
Fourth	Stough	East & Westbound
Park	Third	North & Southbound

**SECTION 4:** Signs. The Public Services Department is hereby authorized and directed to erect the appropriate signs on the above named street in compliance with the guidelines established within the Manual on Uniform Traffic Control Devices.

**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 and after the erection of the appropriate signs in accordance with Section 2 above.



PASSED this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Village President





AGENDA ITEM # 7f  
REQUEST FOR BOARD ACTION

Police Department

**AGENDA SECTION:** First Read- ZPS  
**SUBJECT:** Parking Citation Management Software  
**MEETING DATE:** September 20, 2022  
**FROM:** Brian King, Police Chief

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**Recommended Motion**

Approve payment to T-2 Systems, Indianapolis, Indiana in an amount not to exceed \$24,908.38 for citation management software.

**Background**

T-2 Systems is the Village's software vendor for the issuance and management of citations and parking permit management. In addition, the vendor also provides software for mobile ticket writers used in parking enforcement. They have been the Village's provider for citation management since 2016.

**Discussion & Recommendation**

T-2 is the backbone system for citation and permit management in the Village of Hinsdale.

**Budget Impact**

The CY2022 Budget includes \$24,302 for this purpose. This item is \$600 dollars over budget, however, sufficient funds exist in the Parking account to cover the additional expense.

**Documents Attached**

1. T-2 Contract



2020-  
2023

## T2 Systems - Confidential Quotation



**For:** Hinsdale Police Department  
**Quote ID:** Q-10128  
**Date Issued:** 08/18/2020  
**Expires:** 08/31/2020

**Bill To:**  
 Hinsdale Police Department  
 19 E Chicago Avenue  
 Hinsdale, Illinois 60521  
 United States

**Ship To:**  
 Hinsdale Police Department  
 19 E Chicago Avenue  
 Hinsdale, IL 60521  
 United States

**Prepared By:**  
 Tristen Moe

**Prepared For:**  
 Mark Wodka

### Subscriptions

Product Name	Quantity	Sales Price	Total
<b>Flex Mobile Enforcement</b>			
Year 1	2.00	USD 911.63	USD 1,823.26
08/09/20 - 08/08/21			
Year 2	2.00	USD 934.42	USD 1,868.84
08/09/21 - 08/08/22			
Year 3	2.00	USD 957.78	USD 1,915.56
08/09/22 - 08/08/23			
<b>Core Flex Professional Edition</b>			
Year 1	5.00	USD 4,376.98	USD 21,884.90
08/09/20 - 08/08/21			
Year 2	5.00	USD 4,486.40	USD 22,432.00
08/09/21 - 08/08/22			
Year 3	5.00	USD 4,598.56	USD 22,992.80
08/09/22 - 08/08/23			

**Year 1 Total:** USD 23,708.16  
**Year 2 Total:** USD 24,300.84  
**Year 3 Total:** USD 24,908.36  
**Tax Amount:** USD 0.00  
**Tax Comments:** N/A

**Additional Information:**  
**Freight Term:** FOB-VEND-PP  
**Payment Terms:** N30  
**IRIS Profile:**  
**End User:** Hinsdale Police Department  
**GP Customer Number:** 1521





**REQUEST FOR BOARD ACTION**  
**Finance**

**AGENDA SECTION:** Consent – ACA  
**SUBJECT:** Accounts Payable-Warrant #1764  
**MEETING DATE:** September 20, 2022  
**FROM:** Alison Brothen, Finance Director *AB*

---

**Recommended Motion**

Approve payment of the accounts payable for the period of September 1, 2022 through September 9, 2022 in the aggregate amount of \$827,791.18 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.

**Background**

At each Village Board meeting the Village Treasurer submits a warrant register that lists bills to be paid and to ratify any wire transfers that have been made since the last Village Board meeting. Supporting materials for all bills to be paid are reviewed by Village Treasurer and one Village Trustee prior to the Village Board meeting.

**Discussion & Recommendation**

After completion of the review by the Village Treasurer and Village Trustee approval of Warrant #1764 is recommended.

**Budget Impact**

N/A

**Village Board and/or Committee Action**

Village Board agenda policy provides that the Approval of the Accounts Payable should be listed on the Consent Agenda

**Documents Attached**

Warrant Register #1764



**VILLAGE OF HINSDALE**

**ACCOUNTS PAYABLE WARRANT REGISTER #1764**

**FOR PERIOD September 1, 2022 through September 9, 2022**

The attached Warrant Summary by Fund and Warrant Register listing TOTAL DISBURSEMENTS FOR ALL FUNDS of \$827,791.18 reviewed and approved by the below named officials.

APPROVED BY Alison Botten DATE 9/9/22  
FINANCE DIRECTOR

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
VILLAGE MANAGER

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
VILLAGE TRUSTEE



**Village of Hinsdale**  
**Schedule of Bank Wire Transfers and ACH Payments**  
**1764**

Payee Date	Description	Vendor Invoice	Invoice Amount
Electronic Federal Tax Payment Systems 9/2/2022	Village Payroll #18 - Calendar 2022	FWH/FICA/Medicare	\$ 98,670.38
Illinois Department of Revenue 9/2/2022	Village Payroll #18 - Calendar 2022	State Tax Withholding	\$ 20,672.56
ICMA - 457 Plans 9/2/2022	Village Payroll #18 - Calendar 2022	Employee Withholding	\$ 18,837.37
HSA PLAN CONTRIBUTION 9/2/2022	Village Payroll #18 - Calendar 2022	Employer/Employee Withholding	\$ 1,863.75
Illinois Environmental Protection Agency	ACH - Project L17-4511	Principal	\$ 11,431.77
		Interest	\$ 1,436.66
		<b>TOTAL</b>	<b>\$ 12,868.43</b>
Intergovernmental Personnel Benefit Cooperative		Employee Insurance	\$ -
Illinois Municipal Retirement Fund		Employer/Employee	\$ 61,563.82
		<b>Total Bank Wire Transfers and ACH Payments</b>	<b>\$ 214,476.31</b>



**Village of Hinsdale**  
**#1764**  
**Summary By Fund**

<b>Recap By Fund</b>	<b>Fund</b>	<b>Regular Checks</b>	<b>ACH/Wire Transfers</b>	<b>Total</b>
General Fund	100	64,750.06	12,868.43	77,618.49
Water & Sewer Operations	600	537,731.90	-	537,731.90
Escrow Funds	720	5,000.00	-	5,000.00
Payroll Revolving Fund	740	5,832.91	201,607.88	207,440.79
<b>Total</b>		<b>613,314.87</b>	<b>214,476.31</b>	<b>827,791.18</b>





## Warrant Register 1764

Invoice	Description	Invoice/Amount
<b>AFLAC-FLEXONE</b>		
20238	Payroll Run 1 - Warrant PR2218	651.60
	Check Date 9/6/2022 Total For Check # 113670	651.60
<b>ILLINOIS FRATERNAL ORDER</b>		
20236	Payroll Run 1 - Warrant PR2218	816.00
	Check Date 9/6/2022 Total For Check # 113671	816.00
<b>NATIONWIDE RETIREMENT SOL</b>		
20237	Payroll Run 1 - Warrant PR2218	525.00
	Check Date 9/6/2022 Total For Check # 113672	525.00
<b>NATIONWIDE TRUST CO FSB</b>		
20239	Payroll Run 1 - Warrant PR2218	3,401.54
	Check Date 9/6/2022 Total For Check # 113673	3,401.54
<b>NCPERS GRP LIFE INS#3105</b>		
20235	Payroll Run 1 - Warrant PR2218	208.00
	Check Date 9/6/2022 Total For Check # 113674	208.00
<b>STATE DISBURSEMENT UNIT</b>		
20240	Payroll Run 1 - Warrant PR2218	230.77
	Check Date 9/6/2022 Total For Check # 113675	230.77
<b>AEP ENERGY</b>		
3013129837-AUG22	2 E N STOUGH/STREET LIGHT 7/22-8/22/22	6,995.38
3014421204-AUG22	19 E CHGO-TRANSFORMER 7/19-8/17/22	1,024.29
3013129848-AUG22	53 VILLAGE PL-7/18-8/16/22	134.59
	Check Date 9/9/2022 Total For Check # 113676	8,154.26
<b>ASCAP</b>		
100005942344	MUSIC LICENSE FEE-1/1/23-8/31/23	412.00
	Check Date 9/9/2022 Total For Check # 113677	412.00
<b>BRIAN PANEK</b>		
AUG22	UMPIRES FOR SOFTBALL AUG	920.00
	Check Date 9/9/2022 Total For Check # 113678	920.00
<b>BRIDGEPAY NETWORK SOLUTIONS</b>		
10776	AUG22 TRANSACTIONS	38.20
	Check Date 9/9/2022 Total For Check # 113679	38.20
<b>BULLSEYE TELECOM INC</b>		
43896000	PHONE CHARGES 8/26-9/25/22	718.92
43896000	PHONE CHARGES 8/26-9/25/22	75.10
43896000	PHONE CHARGES 8/26-9/25/22	70.99





## Warrant Register 1764

Invoice	Description	Invoice/Amount
43896000	PHONE CHARGES 8/26-9/25/22	283.95
43896000	PHONE CHARGES 8/26-9/25/22	55.99
43896000	PHONE CHARGES 8/26-9/25/22	642.21
43896000	PHONE CHARGES 8/26-9/25/22	375.28
43896000	PHONE CHARGES 8/26-9/25/22	75.10
43896000	PHONE CHARGES 8/26-9/25/22	70.99
43896000	PHONE CHARGES 8/26-9/25/22	146.09
43896000	PHONE CHARGES 8/26-9/25/22	50.24
43896000	PHONE CHARGES 8/26-9/25/22	47.81
	<b>Check Date 9/9/2022 Total For Check # 113680</b>	<b>2,612.67</b>
<b>CHICAGO ELITE VOLLEYBALL CLUB, LLC</b>		
0558	AUGUST VOLLEYBALL	168.00
	<b>Check Date 9/9/2022 Total For Check # 113681</b>	<b>168.00</b>
<b>CHRISTOPHER B BURKE</b>		
176703	STANDPIPE MAINTENANCE PROJ BOT-7/12/22	1,080.00
	<b>Check Date 9/9/2022 Total For Check # 113682</b>	<b>1,080.00</b>
<b>CINTAS CORPORATION 769</b>		
4130054009	MAT & TOWEL SVC	22.85
4130054009	MAT & TOWEL SVC	27.42
4130054009	MAT & TOWEL SVC	21.39
4130054009	MAT & TOWEL SVC	12.15
4130054009	MAT & TOWEL SVC	46.08
4130054009	MAT & TOWEL SVC	42.97
	<b>Check Date 9/9/2022 Total For Check # 113683</b>	<b>172.86</b>
<b>CLARENDON COURIER, INC</b>		
2488	WELLNESS WEEK ISSUE 15 & 16 AD	519.00
	<b>Check Date 9/9/2022 Total For Check # 113684</b>	<b>519.00</b>
<b>COLLEY ELEVATOR COMPANY</b>		
226189	MEMORIAL HALL-ELEVATOR RAIL LUBE	218.00
	<b>Check Date 9/9/2022 Total For Check # 113685</b>	<b>218.00</b>
<b>DELL INC</b>		
443811870	OFFICE 365 ANNUAL SUBSCRIPTION	16,869.51
	<b>Check Date 9/9/2022 Total For Check # 113686</b>	<b>16,869.51</b>
<b>DUPAGE WATER COMMISSION</b>		
01-1200-00-AUG22	WATER CHARGES 7/31-8/31/22	531,877.22
	<b>Check Date 9/9/2022 Total For Check # 113687</b>	<b>531,877.22</b>





## Warrant Register 1764

Invoice	Description	Invoice/Amount
<b>EMERGENCY MEDICAL PROD</b>		
2472886	EMS SUPPLIES	41.67
2471737	EMS SUPPLIES-GLOVES/FLANGE NASAL	392.81
	Check Date 9/9/2022 Total For Check # 113688	434.48
<b>FCWRD</b>		
008919-000-AUG22	SEWER 6/20-8/20/22	1,948.23
	Check Date 9/9/2022 Total For Check # 113689	1,948.23
<b>FIRESTONE STORES</b>		
141494	NEW TIRES UNMARKED CAR	452.28
	Check Date 9/9/2022 Total For Check # 113690	452.28
<b>FIRST COMMUNICATIONS, LLC</b>		
124147509	PHONE CHARGES 8/22-9/21/22	321.32
124147509	PHONE CHARGES 8/22-9/21/22	110.70
124147509	PHONE CHARGES 8/22-9/21/22	231.62
124147509	PHONE CHARGES 8/22-9/21/22	63.00
124147509	PHONE CHARGES 8/22-9/21/22	486.23
124147509	PHONE CHARGES 8/22-9/21/22	208.38
124147509	PHONE CHARGES 8/22-9/21/22	815.20
	Check Date 9/9/2022 Total For Check # 113691	2,236.45
<b>FULLERS SERVICE CENTER IN</b>		
62	WEEKEND CBD GARBAGE & PARKS	1,840.00
	Check Date 9/9/2022 Total For Check # 113692	1,840.00
<b>HAWKINS, INC.</b>		
6265792	POOL CHEMICALS	1,274.99
	Check Date 9/9/2022 Total For Check # 113693	1,274.99
<b>HONEY BUCKET</b>		
24087	PORTABLE TOILETS IN PARK AUGUST	445.00
	Check Date 9/9/2022 Total For Check # 113694	445.00
<b>INDUSTRIAL ELECTRIC SUPPLY</b>		
S100015625.001	TOOL-PENLIGHT	20.94
S100015494.001	BULBS FOR VEECK PK FIELD LIGHTS	1,118.00
S100015518.001	BALLASTS FOR VEECK PK FIELD LIGHTS	345.00
	Check Date 9/9/2022 Total For Check # 113695	1,483.94
<b>JC LIGHT, LLC</b>		
09223851	PAINT-MEMORIAL HALL	71.19
	Check Date 9/9/2022 Total For Check # 113696	71.19





## Warrant Register 1764

Invoice	Description	Invoice/Amount
<b>JENTEL, MICHAEL</b>		
172	CLOCK TOWER-PAINTING RAILS	960.00
176	DOOR REPAIR-BRUSH HILL	320.00
Check Date 9/9/2022 Total For Check # 113697		1,280.00
<b>KASPERSKI, ERIC</b>		
2760	REPAIR FOR VEHICLE DAMAGE-OPEN STORM GRATE	152.17
Check Date 9/9/2022 Total For Check # 113698		152.17
<b>KH KIMS TAE KWON DO</b>		
116115-C	TKD SUMMER PROGRAM 2	330.00
116115-B	TKD SUMMER PROGRAM 1	82.50
Check Date 9/9/2022 Total For Check # 113699		412.50
<b>LINCHPIN SEO</b>		
16464	LODGE SEO MARKETING	400.00
Check Date 9/9/2022 Total For Check # 113700		400.00
<b>LINDE GAS &amp; EQUIPMENT INC</b>		
30773894	POOL CHEMICALS	139.77
Check Date 9/9/2022 Total For Check # 113701		139.77
<b>LORKIEWICZ, REBECCA</b>		
121168-D	JULY & AUG YOGA	262.50
Check Date 9/9/2022 Total For Check # 113702		262.50
<b>MIDWEST TIME RECORDER</b>		
186598	PUB SVC TIME CLOCK AUG22	89.50
Check Date 9/9/2022 Total For Check # 113703		89.50
<b>MIDWEST TRADING HORTICULTURAL SUPPLIES</b>		
1506291	COVER FOR MB PLANT MATERIALS	76.07
Check Date 9/9/2022 Total For Check # 113704		76.07
<b>MUNICIPAL EMERGENCY SVCS</b>		
IN1754669	AIR PACK REPAIR	65.50
Check Date 9/9/2022 Total For Check # 113705		65.50
<b>NUCO2 INC</b>		
70626438	POOL CHEMICALS	159.48
Check Date 9/9/2022 Total For Check # 113707		159.48
<b>BRICKMAN, DONNA</b>		
26949	CONT BD-439 E SIXTH ST #26949	5,000.00
Check Date 9/9/2022 Total For Check # 113708		5,000.00

VOID 113760





## Warrant Register 1764

Invoice	Description	Invoice/Amount
<b>MALEC, KATHLEEN</b>		
7736	REFUND SENIOR CAR STICKER OVERPAID	24.00
	Check Date 9/9/2022 Total For Check # 113709	24.00
<b>SMAWLEY, FEI</b>		
250607	SWIM LESSONS REFUND	120.00
	Check Date 9/9/2022 Total For Check # 113710	120.00
<b>REFRESHING GREAT LAKES LLC</b>		
REBI0143	PUB SVC COFFEE	269.50
	Check Date 9/9/2022 Total For Check # 113711	269.50
<b>REPUBLIC SERVICES #551</b>		
0551-015493099	RECYCLING PROCESSING CHARGE-SEPT	46.56
	Check Date 9/9/2022 Total For Check # 113712	46.56
<b>SAUCED PIZZERIA &amp; BAR LLC</b>		
220830-10-75	SLAVIK BDAY POOL PARTY	105.60
	Check Date 9/9/2022 Total For Check # 113713	105.60
<b>TERRANCE ELECT &amp; TECH CO</b>		
2224157	REPAIR WIRING/ELECTRIC SHORT VEECK PK	695.00
	Check Date 9/9/2022 Total For Check # 113714	695.00
<b>THE HINSDALEAN</b>		
11570	#V-05-22	182.70
	Check Date 9/9/2022 Total For Check # 113715	182.70
<b>THE STEVENS GROUP</b>		
0156535	LETTER OF TRANSMITTAL FORMS	181.31
0157862	INSPECTION SLIPS	278.63
	Check Date 9/9/2022 Total For Check # 113716	459.94
<b>THOMPSON ELEVATOR INSPEC</b>		
22-1893	3RD PARTY ELEVATOR INSP/RVW	100.00
	Check Date 9/9/2022 Total For Check # 113717	100.00
<b>TOSHIBA FINANCIAL SERVICE</b>		
480890433	COPIER LEASE FIRE/PUB WORKS 8/19-9/19/22	269.12
480890433	COPIER LEASE FIRE/PUB WORKS 8/19-9/19/22	269.12
	Check Date 9/9/2022 Total For Check # 113718	538.24
<b>VANNORSDEL, DAVID</b>		
AUG-22	ERP PROJECT MANAGEMENT-VOB 12/14/21	6,603.00
AUG-22	ERP PROJECT MANAGEMENT-VOB 12/14/21	2,697.00
	Check Date 9/9/2022 Total For Check # 113719	9,300.00

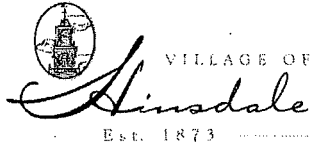




## Warrant Register 1764

Invoice	Description	Invoice/Amount
<b>VERIZON WIRELESS</b>		
9914157504	IPADS/MODEMS/CAMERA 7/24-8/23/22	110.66
9914157504	IPADS/MODEMS/CAMERA 7/24-8/23/22	36.87
9914157504	IPADS/MODEMS/CAMERA 7/24-8/23/22	110.66
9914157504	IPADS/MODEMS/CAMERA 7/24-8/23/22	332.11
Check Date 9/9/2022 Total For Check # 113720		590.30
<b>WAREHOUSE DIRECT INC</b>		
5314289-0	OFFICE SUPPLIES-ADMIN	39.34
5312729-0	OFFICE SUPPLIES/KITCHEN LODGE	41.50
5312729-0	OFFICE SUPPLIES/KITCHEN LODGE	63.08
5298483-0	OFFICE SUPPLIES-ENGINEERING	52.67
5298467-0	OFFICE SUPPLIES-COM DEV	957.57
Check Date 9/9/2022 Total For Check # 113721		1,154.16
<b>WEX BANK</b>		
83486459	UNLEADED FUEL AUG22	195.21
83486459	UNLEADED FUEL AUG22	535.72
83486459	UNLEADED FUEL AUG22	7,152.79
83486459	UNLEADED FUEL AUG22	1,015.60
83486459	UNLEADED FUEL AUG22	248.43
83486459	UNLEADED FUEL AUG22	275.42
83486459	UNLEADED FUEL AUG22	140.32
83486459	UNLEADED FUEL AUG22	991.21
83486459	UNLEADED FUEL AUG22	1,197.86
83486459	UNLEADED FUEL AUG22	-228.09
Check Date 9/9/2022 Total For Check # 113722		11,524.47
<b>INDUSTRIAL ELECTRIC SUPPLY</b>		
S100015624.001	BURNS FIELD FLAG LIGHT	30.00
Check Date 9/9/2022 Total For Check # 113723		30.00
<b>PLAY WELL TEKNOLOGIES</b>		
DB22378	MINECRAFT CAMPS SUMMER	520.00
Check Date 9/9/2022 Total For Check # 113724		520.00
<b>WAREHOUSE DIRECT INC</b>		
5313094-0	JANITORIAL PARKS	394.18
5216164-1	JANITORIAL PARKS SUPPLIES	135.98
5265287-0	SPRAY AIR FRESH	25.56
Check Date 9/9/2022 Total For Check # 113725		555.72
Total For ALL Checks		613,314.87





**Warrant Summary by Fund:**

<b>RECAP BY FUND</b>	<b>FUND NUMBER</b>	<b>FUND TOTAL</b>
GENERAL FUND	100	64,750.06
WATER & SEWER OPERATIONS FUND	600	537,731.90
ESCROW FUND	720	5,000.00
PAYROLL REVOLVING FUND	740	5,832.91
	<b>TOTALS:</b>	<b>613,314.87</b>

**END OF REPORT**



Administration

**AGENDA SECTION:** Consent Agenda–EPS

**SUBJECT:** Intergovernmental Agreement with the IL Tollway for the Design, Construction of an Underground Stormwater Detention System.

**MEETING DATE:** September 20, 2022

**FROM:** Bradley Bloom, Assistant Village Manager/Director of Public Safety.

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**Recommended Motion**

Approve an Intergovernmental Agreement (“IGA”) with the IL Tollway Authority to design, construct, and landscape an underground storm water detention system on Tollway owned property located in the 600 block of Harding Road.

**Background**

As part of the IL Tollway Authority (“Tollway”) project to widen and improve the Tri-State Tollway (I-294) from Balmoral to 95<sup>th</sup> Street, the Tollway identified an area located in the 600 block of Harding in Hinsdale for open surface storm water detention that was necessary due to the widening of the Tri-State Tollway. In preparation to provide space for the open surface storm water detention area, the Tollway acquired five (5) properties (Exhibit B) located on the east side of Harding Road (621,635,645,655 and 710 Harding Road). Woodland Park is located to the south of the five (5) acquired properties.

Tollway’s preliminary design plan called for an open surface water detention area surrounded by an 8’ chain link fence. The Village began working with the Tollway staff to evaluate the cost difference between an open surface storm water detention versus below ground water detention.

Under the terms of the proposed IGA the Tollway would design and construct an underground storm water detention vault located on the site of the five (5) properties acquired by the Tollway located in the 600 block of Harding Road. The Tollway would be responsible for landscaping the properties by providing a flat grassy surface and trees that would complement the existing terrain and landscape of Woodland Park. The surface on top of the underground detention area which is owned by the Tollway would not be fenced off but would remain open for public access and is designed to appear be a seamless extension of Woodland Park. The IGA prohibits the Village from placing any building or structure (such as playground equipment) or making any improvements on the Tollway property.

The underground storage is a public benefit offered by the Tollway in lieu of compensation that may be due from the Tollway to the Village for the potential removal of the trees. The Tollway has identified 58 trees on Village property adjacent to the project site (Exhibit A) that may require removal to construct the underground storm water detention vault. The Village code requires Village Board approval to remove trees from the public right-of-way and requires that the Village be compensated for trees removed from the public right-of-way. The Tollway will, in lieu of building an open surface storm water detention area would design, construct and



landscape an underground water detention vault system in return for Village Board's approval to remove trees located on the public right-of-way. Compensation for the trees removed from the public right-of-way would cover the cost difference between open surface detention and underground water detention. In addition, the Tollway will replace trees removed from the public right-of-way. The Village will be responsible for all surface maintenance (lawn mowing) and certain indemnifications.

The underground storm water detention system will be used exclusively by the Tollway and may not be used for Village storm water detention.

### **Discussion & Recommendation**

Village staff was concerned that the contemplated above ground water detention system surrounded by an 8' chain link fence would aesthetically detract from the Woodland's area. The proposed underground storm water detention system and proposed landscaping will result in additional open park space seamlessly extending Woodland Park to the north at a nominal cost to the Village and a welcome addition by area residents.

This IGA has been reviewed and approved by Attorney Bill Ryan who represents the Village on Tollway matters.

A start date for this project has not been determined, but is expected to occur at this time in late 2023.

### **Budget Impact**

The only cost to the Village will be for surface maintenance (lawn mowing).

### **Village Board and/or Committee Action**

At their meeting of September 6, 2022, the Board agreed to move this item to the Consent Agenda of their next meeting.

### **Documents Attached**

1. Draft Agreement
2. Exhibit A – Potential tree impacts
3. Exhibit B – Harding Road parcels
4. Exhibit C – Harding Road detention system
5. Exhibit D – Harding Road detention maintenance



**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY  
AND  
VILLAGE OF HINSDALE**

This INTERGOVERNMENTAL AGREEMENT, effective upon the last dated signature below, by and between THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY, an instrumentality and administrative agency of the State of Illinois ("ILLINOIS TOLLWAY"), and the VILLAGE OF HINSDALE, a municipal corporation of the State of Illinois ("VILLAGE"), individually referred to as "PARTY," and collectively referred to as "PARTIES."

**RECITALS:**

WHEREAS, the ILLINOIS TOLLWAY in order to facilitate the free flow of traffic and continue to ensure safety to the motoring public, intends to improve the Tri-State Tollway (I-294) from 95<sup>th</sup> Street (Mile Post 17.5) to Balmoral Avenue (Mile Post 40.0) ("Toll Highway") in accordance with, among other ILLINOIS TOLLWAY contract(s), Design Contract #I-17-4298 and Construction Contract # I-21-4832 ("PROJECT");

WHEREAS, the ILLINOIS TOLLWAY has identified approximately fifty-eight (58) trees on VILLAGE property adjacent to the PROJECT ("TREES"), the location of which is generally depicted on the attached EXHIBIT A, that may require removal in order to construct the PROJECT;

WHEREAS, in furtherance of the PROJECT, the ILLINOIS TOLLWAY previously acquired certain property from private property owners located within the VILLAGE along Harding Road as further described in the attached EXHIBIT B ("PROPERTY");

WHEREAS, the ILLINOIS TOLLWAY intends to compensate the VILLAGE in accordance with Title 7, Chapter 2 of the VILLAGE code regarding the removal of trees within the public right-of-way and seeks approval from the VILLAGE to remove the TREES upon award of the construction contract, anticipated September 15, 2022, to avoid potential delays to the PROJECT;

WHEREAS, the VILLAGE has requested that the ILLINOIS TOLLWAY include in its PROJECT the design and construction of an underground detention system and installation of landscaping on the PROPERTY ("IMPROVEMENT") in lieu of open surface detention originally planned by the ILLINOIS TOLLWAY;

WHEREAS, the ILLINOIS TOLLWAY agrees to include in its PROJECT construction of the IMPROVEMENT in lieu of open surface detention in exchange for approval by the VILLAGE of the removal of the TREES and compensation to the VILLAGE in accordance with Title 7, Chapter 2 of the VILLAGE code;



WHEREAS, the ILLINOIS TOLLWAY will include in its PROJECT the design of the IMPROVEMENT as shown on the attached EXHIBIT C;

WHEREAS, the ILLINOIS TOLLWAY and the VILLAGE by this instrument, desire to determine and establish their respective responsibilities toward engineering, right-of-way acquisition, utility relocation, construction, funding, and maintenance of the IMPROVEMENT on the PROPERTY;

WHEREAS, the ILLINOIS TOLLWAY, by virtue of its powers as set forth in the Toll Highway Act, 605 ILCS 10/1, *et seq.*, is authorized to enter into this AGREEMENT;

WHEREAS, the VILLAGE, by virtue of its powers as set forth in the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, is authorized to enter into this AGREEMENT; and

WHEREAS, a cooperative Intergovernmental Agreement is appropriate and such an agreement is authorized by Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*,

NOW, THEREFORE, in consideration of the aforementioned recitals and the mutual covenants contained herein, the PARTIES agree as follows:

#### **I. ENGINEERING**

- A. The ILLINOIS TOLLWAY agrees to perform preliminary and final design engineering, obtain necessary surveys, and prepare the final plans and specifications for the IMPROVEMENT on the PROPERTY.
- B. The final approved plans and specifications for the IMPROVEMENT on the PROPERTY shall be promptly delivered to the VILLAGE by the ILLINOIS TOLLWAY.
- C. The VILLAGE shall review the plans and specifications within fifteen (15) calendar days of receipt thereof. If the ILLINOIS TOLLWAY does not receive comments or objections from the VILLAGE within this time period, the lack of response shall be deemed approval of the plans and specifications. Approval by the VILLAGE shall mean the VILLAGE agrees with all specifications in the plans, including alignment and location of the IMPROVEMENT on the PROPERTY. In the event of disapproval, the VILLAGE will detail in writing its objections to the proposed plans and specifications for review and consideration by the ILLINOIS TOLLWAY.
- D. Any dispute concerning the plans and specifications shall be resolved in accordance with Section IX.F of this AGREEMENT.



- E. The ILLINOIS TOLLWAY agrees to assume the overall PROJECT responsibility, including assuring that all permits and approvals (including but not limited to U.S. Army Corps of Engineers, Illinois Department of Natural Resources, Metropolitan Water Reclamation District of Greater Chicago, Department of Environmental Concerns and Division of Highways, Illinois Environmental Protection Agency, etc.) and joint participation and/or force account agreements (County, Township, Municipal, Railroad, Utility, etc.), as may be required by the PROJECT, are secured by the PARTIES in support of PROJECT schedules and deadlines. The PARTIES agree to cooperate, insofar as their individual jurisdictional authorities allow, with the timely acquisition and clearance of said permits and agreements and in complying with all applicable federal, state, and local regulations and requirements pertaining to work proposed for the PROJECT.

## **II. RIGHT OF WAY**

- A. Except as otherwise stated, the ILLINOIS TOLLWAY, at its own expense, shall acquire all necessary rights-of-way (both permanent and temporary) as needed for the construction of the IMPROVEMENT on the PROPERTY pursuant to the approved plans and specifications.
- B. The transfer of property interests is not anticipated between the PARTIES for this AGREEMENT, nor is the transfer of any interest in land deemed necessary for the future maintenance and operation of the PROJECT or IMPROVEMENT.
- C. Upon full execution of this AGREEMENT, the VILLAGE shall grant, permit and allow the ILLINOIS TOLLWAY access, ingress, and egress to VILLAGE right-of-way including the Harding Road right-of-way adjacent to the PROPERTY for the purpose of construction necessary as part of the IMPROVEMENT on the PROPERTY, including the removal of TREES within public right-of-way. This grant, permit, and allowance shall be at no additional cost to the ILLINOIS TOLLWAY. When reasonably practicable, all ILLINOIS TOLLWAY construction-related vehicles shall enter the PROPERTY from the Toll Highway and park upon ILLINOIS TOLLWAY property; provided, however, that in the event access from and/or parking upon VILLAGE streets and VILLAGE right-of-way is necessary, upon written notice from the ILLINOIS TOLLWAY, said access shall be permitted. ILLINOIS TOLLWAY construction and related vehicles shall not impede traffic on any VILLAGE streets or VILLAGE right-of-way.
- D. The ILLINOIS TOLLWAY right-of-way, for which the VILLAGE shall have routine maintenance responsibility as well as liability, indemnification and hold harmless obligations, as set forth in Section VII below, is identified in the attached EXHIBIT D.
- E. Without the express prior written approval of the ILLINOIS TOLLWAY, the VILLAGE shall not make any improvements or enhancements that potentially impact the IMPROVEMENT or make any improvements or enhancements on or



above the IMPROVEMENT. Restrictions on the VILLAGE's activities include, but are not limited to, placement of sculptures or other physical works of art, storage of equipment or materials, planting or landscaping, and building or construction of any kind.

- F. Except for the notice provision in Section II.C. above, nothing in this AGREEMENT shall be construed to any way limit the ILLINOIS TOLLWAY's right to access ILLINOIS TOLLWAY property at any time, for any reason.

### **III. UTILITY RELOCATION**

- A. The VILLAGE agrees to issue all required permits for the PROJECT and cooperate, if applicable, with necessary adjustments to existing utilities located within existing VILLAGE right-of-way. The aforementioned permits shall be issued at no expense to the ILLINOIS TOLLWAY.
- B. At all locations where utilities are located on VILLAGE rights-of-way and must be adjusted due to work proposed by the ILLINOIS TOLLWAY for the IMPROVEMENT on the PROPERTY, the VILLAGE agrees to issue all VILLAGE permits for the requisite adjustment(s) at no cost to the ILLINOIS TOLLWAY. The ILLINOIS TOLLWAY agrees to reimburse and/or credit the VILLAGE for any and all out of pocket costs the VILLAGE may incur in causing the aforementioned utility or utilities to be adjusted.

### **IV. CONSTRUCTION**

- A. The PROJECT, including construction of the IMPROVEMENT, is intended to provide approximately 2.8 acre/feet of underground detention with a minimum of 1.6 acre/feet of underground detention above the elevation of 639.4 feet. The ILLINOIS TOLLWAY shall advertise and receive bids, provide construction engineering inspections, and cause the PROJECT and the IMPROVEMENT to be constructed in accordance with the PROJECT and IMPROVEMENT plans and specifications. The IMPROVEMENT shall also include a twenty (20) foot landscaped green space buffer zone on the PROPERTY and a flat area of grass above the underground stormwater detention facility, as depicted on EXHIBIT C. The ILLINOIS TOLLWAY affirms that the design and construction of the PROJECT and IMPROVEMENT are intended to avoid stormwater runoff on or to VILLAGE property. The ILLINOIS TOLLWAY further agrees that its work, to the extent occurring on VILLAGE property, shall only be performed between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday.
- B. After award of the construction contract(s), assuming there are no proposed deviations from the plans and specifications that affect the VILLAGE, the ILLINOIS TOLLWAY shall provide no less than five (5) calendar days written



notice to the VILLAGE prior to commencement of work on the IMPROVEMENT on the PROPERTY.

- C. The ILLINOIS TOLLWAY shall require its contractor(s) working within the VILLAGE's rights of way to comply with the indemnification provision contained at Section 107.26 in the ILLINOIS TOLLWAY Supplemental Specifications for construction, issued March 2021, or the indemnification provision in the applicable version of the Illinois State Toll Highway Authority's Standard Specifications subsequently in effect. Similarly, the VILLAGE shall require its contractor(s) fulfilling the VILLAGE's obligations pursuant to this AGREEMENT, to comply with the indemnification provision contained at Section 107.26 in the ILLINOIS TOLLWAY Supplemental Specifications for construction, issued March 2021, or the indemnification provision in the applicable version of the ILLINOIS TOLLWAY's Standard Specifications subsequently in effect.
- D. The ILLINOIS TOLLWAY shall require that the VILLAGE, and its agents, officers and employees be included as additional insured parties in the General Liability Insurance the ILLINOIS TOLLWAY requires of its contractor(s) and that the VILLAGE will be added as an additional protected PARTY on all performance bonds required of the contractor(s). These requirements shall be included in the Special Provisions of the construction contract(s).
- E. The VILLAGE and its authorized agents shall have all reasonable rights of inspection (including pre-final and final inspection) during the progress of work on the IMPROVEMENT on the PROPERTY. The VILLAGE shall assign personnel to perform inspections on behalf of the VILLAGE of all work included in the IMPROVEMENT on the PROPERTY and will deliver written notices to the Chief Engineering Officer of the ILLINOIS TOLLWAY advising the ILLINOIS TOLLWAY as to the identity of the individual(s) assigned to perform said inspections.
- F. Notices required to be delivered by either PARTY pursuant to this AGREEMENT shall be delivered as indicated in Section IX.O of this AGREEMENT.
- G. The ILLINOIS TOLLWAY shall give notice to the VILLAGE upon completion of construction of the IMPROVEMENT on the PROPERTY, and the VILLAGE shall make an inspection thereof not later than seven (7) calendar days after notice thereof. If the VILLAGE does not perform a final inspection within seven (7) calendar days after receiving notice of completion of those items or other inspection arrangements are not agreed to by the PARTIES, the IMPROVEMENT on the PROPERTY shall be deemed accepted by the VILLAGE. At the request of the VILLAGE, the ILLINOIS TOLLWAY's representative shall join in on such inspection. In the event said inspections disclose work that does not conform to the approved final plans and specifications, the VILLAGE's representative shall give immediate verbal notice to the ILLINOIS TOLLWAY's representative of any deficiency and shall thereafter deliver within five (5) calendar days a written list



identifying such deficiencies to the Chief Engineering Officer of the ILLINOIS TOLLWAY. Deficiencies thus identified shall be subject to joint re-inspection upon completion of the corrective work. The VILLAGE shall perform such joint re-inspections within seven (7) calendar days after receiving notice from the ILLINOIS TOLLWAY that the deficiencies have been remedied.

- H. The ILLINOIS TOLLWAY shall have the right, in its sole judgment and discretion, to cancel or alter any or all portions of the work due to circumstances either known or unknown at the time of bidding or arising after the contract(s) was entered into, in accordance with the Canceled Items Provision 109.06 included in the most current version of the ILLINOIS TOLLWAY Supplemental Specifications to the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction. Notwithstanding the foregoing, the ILLINOIS TOLLWAY shall (1) construct an underground detention facility, and (2) seed above and where feasible, landscape around the facility pursuant to EXHIBIT C.

## **V. FINANCIAL**

- A. Except as otherwise identified, the ILLINOIS TOLLWAY agrees to pay all PROJECT related engineering, right-of-way, construction engineering and construction costs.
- B. The ILLINOIS TOLLWAY shall be responsible for all expenses related to the design, construction and construction inspection of the IMPROVEMENT on the PROPERTY.
- C. In reference to Title 7, Chapter 2 of the VILLAGE code regarding the removal of TREES within the public right-of-way, the PARTIES agree that the ILLINOIS TOLLWAY's construction of the IMPROVEMENT on the PROPERTY represents full compensation for any trees the ILLINOIS TOLLWAY removes within the PROJECT limits, as generally depicted on EXHIBIT A, and that this compensation satisfies any and all requirements of the VILLAGE's Director of Public Service, Village Forester and Tree Board as they relate to removal of the TREES as generally depicted on EXHIBIT A in conjunction with the PROJECT.

## **VI. MAINTENANCE - DEFINITIONS**

- A. With respect to this AGREEMENT, the term "local" means the VILLAGE.
- B. As used, the terms "maintenance" or "maintain" mean keeping the facility being maintained in good and sufficient repair and appearance. Such maintenance includes the full responsibility for the construction, removal, replacement of the maintained facility when needed, and unless specifically excluded in Section VII, MAINTENANCE - RESPONSIBILITIES, other activities as more specifically set



forth in the following subparts of this Section VI. Maintenance includes but is not limited to:

1. The terms "notify", "give notice" and "notification" refer to written notice as set forth in Section IX.O.
2. The terms "be responsible for" or "responsibility" refer to the obligation to ensure performance of a duty or provision of a service under this AGREEMENT, provided, that a PARTY may arrange for actual performance of the duty or provision of the service by another competent entity if the other PARTY to this AGREEMENT is notified of such arrangement, but in no case shall the entity with the duty be relieved of ultimate responsibility for performance of the duty or provision of the service.
3. The term "approve" refers to the duty of a PARTY not only to consult with the other PARTY but also to provide consent for the proposed action and to retain a record which documents such consent.

## **VII. MAINTENANCE - RESPONSIBILITIES**

A. The VILLAGE will have maintenance responsibilities as follows:

1. The VILLAGE will be responsible for routine maintenance at grade above and around the IMPROVEMENT, including but not limited to, periodic mowing of grass, maintenance of landscaping, and debris removal. The VILLAGE's area of responsibility shall be as shown in EXHIBIT D with the new noise abatement wall on the east side of the site acting as the liability line.
2. The VILLAGE shall remove any type of graffiti ascribed to any facilities approved to be located upon the area depicted in EXHIBIT D. The VILLAGE is not responsible for removing any graffiti on the Toll Highway facing side of the noise abatement wall.

B. Without limiting the VILLAGE's obligation, responsibility and liability, the VILLAGE agrees that if the ILLINOIS TOLLWAY determines, in its sole discretion, that the routine maintenance of items described in Section VII.A above are not being performed by the VILLAGE, they may, after seven (7) days' notice having been provided to the VILLAGE, be performed by the ILLINOIS TOLLWAY and in such case the VILLAGE shall reimburse the ILLINOIS TOLLWAY for the cost of the maintenance work performed.

C. Except to the extent caused by the sole negligence or the willful and wanton conduct of the ILLINOIS TOLLWAY or its duly authorized representative acting on its behalf, the VILLAGE agrees to indemnify and hold harmless the ILLINOIS TOLLWAY, its officers, directors, employees and agents, from and against any and



all claims, demands, losses, causes of action or liabilities for injury, death or damages of any other nature whatsoever, including reasonable attorney's fees and litigation expenses, arising out of, in whole or in part, the maintenance responsibilities of the VILLAGE as set forth in this AGREEMENT, use of the PROPERTY as an open green space as set forth in this AGREEMENT, or in connection with or in consequence of any act or omission of the VILLAGE which occurs on the PROPERTY. The obligations of the VILLAGE pursuant to this provision shall survive the termination of this AGREEMENT, but only for those acts of omissions that occurred during the term of this AGREEMENT.

- D. The ILLINOIS TOLLWAY shall be responsible for routine and structural maintenance of the stormwater detention facility and structural maintenance of the noise abatement wall being constructed by the ILLINOIS TOLLWAY.
- E. Except to the extent caused by the sole negligence or the willful and wanton conduct of the VILLAGE or its duly authorized representative acting on its behalf, the ILLINOIS TOLLWAY agrees to indemnify and hold harmless the VILLAGE, its officers, directors, employees, and agents from and against any and all claims, demands, losses, causes of action or liabilities for injury, death, or damages of any other nature whatsoever, including reasonable attorney's fees and litigation expenses, arising out of, in whole or in part, the ILLINOIS TOLLWAY'S construction, maintenance and use of the IMPROVEMENT pursuant to the terms of this AGREEMENT and any acts or omissions in connection with or in consequence of the same including but not limited to any flooding caused by the IMPROVEMENT. The obligations of the ILLINOIS TOLLWAY pursuant to this provision shall survive the termination of this AGREEMENT, but only for those acts of omissions that occurred during the term of this AGREEMENT.
- F. The PARTIES agree that if and when the IMPROVEMENT is in need of replacement due to it having exceeded its useful life, the cost of replacing the IMPROVEMENT will be shared equally between the PARTIES. The VILLAGE may choose to not participate in the replacement and reconstruction of the IMPROVEMENT. If the VILLAGE chooses not to participate, the ILLINOIS TOLLWAY reserves the right to replace, at its discretion, the IMPROVEMENT with a new underground detention system, or open surface detention. If the ILLINOIS TOLLWAY determines at that time to construct an open surface detention system, the VILLAGE's rights to use and its obligations to maintain and indemnify with respect to the ILLINOIS TOLLWAY right-of-way depicted in EXHIBIT D shall terminate; provided, however, that said indemnification obligations will survive termination consistent with sub-paragraph VII.C above.

## **VIII. ADDITIONAL MAINTENANCE PROVISIONS**

All items of maintenance which are stipulated in this AGREEMENT to be maintained by the VILLAGE shall, upon completion of construction and final



inspection, be the sole maintenance responsibility of the VILLAGE, and all items of construction and maintenance which are stipulated in this AGREEMENT to be maintained by the ILLINOIS TOLLWAY shall, upon completion of construction, be the sole maintenance responsibility of the ILLINOIS TOLLWAY.

## **IX. GENERAL PROVISIONS**

- A. The PARTIES understand and agree that the ILLINOIS TOLLWAY shall have jurisdiction of the I-294 Tri-State Tollway, and other ILLINOIS TOLLWAY property. The VILLAGE shall retain jurisdiction of the at-grade area shown on EXHIBIT D. For the purpose of this AGREEMENT, jurisdiction shall mean the authority and obligation to administer, control, construct, maintain, and operate, and the VILLAGE's jurisdiction shall also mean to enforce VILLAGE Ordinances.
- B. It is expressly understood by the VILLAGE that the ILLINOIS TOLLWAY shall have continued use of and access to the PROPERTY throughout the term of this AGREEMENT. Notwithstanding the foregoing, the ILLINOIS TOLLWAY acknowledges that due to its proximity to Woodland Park, and as an additional benefit to VILLAGE park patrons, individuals and their pets may utilize the PROPERTY. The PARTIES agree that such individuals fall within the indemnification set forth in Section VII.C and includes but is not limited to such individuals.
- C. The PARTIES understand and agree that this AGREEMENT shall supersede any and all earlier agreements entered into by the PARTIES regarding the IMPROVEMENT on the PROPERTY.
- D. Wherever in this AGREEMENT approval or review by either PARTY is provided for, said approval or review shall not be unreasonably delayed or withheld.
- E. In a timely manner following execution of this AGREEMENT, each PARTY shall designate in writing a representative who shall serve as the full time representative of said PARTY during the performance of this AGREEMENT. Each representative shall have authority, on behalf of such PARTY, to make decisions relating to the work covered by this AGREEMENT. Representatives may be changed, from time to time, by subsequent written notice. Each representative shall be readily available to the other PARTY.
- F. In the event of a dispute between the VILLAGE and the ILLINOIS TOLLWAY in the carrying out of the terms of this AGREEMENT, the Chief Engineering Officer of the ILLINOIS TOLLWAY and the VILLAGE Engineer shall meet and resolve the issue. In the event that they cannot mutually agree on the resolution of a dispute concerning the plans and specifications for the IMPROVEMENT on the PROPERTY or in the performance of this AGREEMENT in reference to the IMPROVEMENT on the PROPERTY, the decision of the Chief Engineering



Officer of the ILLINOIS TOLLWAY shall be final except for matters contained within Section IV.H above, in which case the PARTIES agree that such disputes involving Section IV.H shall be resolved by a mutually acceptable third party.

- G. This AGREEMENT may be executed in two (2) or more counterparts, or electronically, each of which shall be deemed an original and all of which shall be deemed one and the same instrument. Duplicated signatures, signatures transmitted via facsimile, or electronic signatures contained in a Portable Document Format (PDF) document shall be deemed original for all purposes.
- H. This AGREEMENT may only be modified in writing, executed by duly authorized representatives of the PARTIES.
- I. This AGREEMENT and the covenants contained shall become null and void in the event the contract covering the construction work contemplated is not awarded within three (3) years subsequent to the date of execution of this AGREEMENT.
- J. This AGREEMENT shall be binding upon and inure to the benefit of the PARTIES and their respective successors and approved assigns.
- K. The failure by the ILLINOIS TOLLWAY or the VILLAGE to seek redress for violation of, or to insist upon the strict performance of any condition or covenant of this AGREEMENT shall not constitute a waiver of any such breach or subsequent breach of such covenants, terms, conditions, rights and remedies. No provision of this AGREEMENT shall be deemed waived by the ILLINOIS TOLLWAY or the VILLAGE unless such provision is waived in writing.
- L. It is agreed that the laws of the State of Illinois shall apply to this AGREEMENT, except for conflicts of law principles and that, in the event of litigation, venue shall lie exclusively in Du Page County, Illinois.
- M. The VILLAGE agrees to maintain books and records related to the performance of this AGREEMENT for a minimum of five (5) years from the last action on the AGREEMENT. The VILLAGE further agrees to cooperate fully with any audit and to make its books and records, and books and records within its custody or control, available to the Illinois Attorney General, the Illinois Auditor General, the ILLINOIS TOLLWAY Inspector General, the ILLINOIS TOLLWAY Department of Internal Audit, the ILLINOIS TOLLWAY or any other governmental agency or agent thereof that is authorized to audit or inspect such books and records.
- N. The VILLAGE also recognizes that pursuant to Section 8.5 of the Toll Highway Act (605 ILCS 10/8.5), the Inspector General of the Illinois State Toll Highway Authority ("OIG") has the authority to conduct investigations into certain matters including but not limited to allegations of fraud, waste and abuse, and to conduct reviews. The VILLAGE will fully cooperate in any OIG investigation or review and shall not bill the ILLINOIS TOLLWAY for such time. Cooperation includes



providing access to all information and documentation related to the performance of this AGREEMENT and disclosing and making available all personnel involved or connected with, or having knowledge of, the performance of this AGREEMENT.

- O. All written reports, notices and other communications related to this AGREEMENT shall be in writing and shall be personally delivered, mailed via certified mail, overnight mail delivery, or electronic mail delivery to the following persons at the following addresses:

To the ILLINOIS TOLLWAY:      The Illinois State Toll Highway Authority  
2700 Ogden Avenue  
Downers Grove, Illinois 60515  
Attn: Chief Engineering Officer

To the VILLAGE:                      The Village of Hinsdale  
19 East Chicago Avenue  
Hinsdale, Illinois 60521  
Attn: President Thomas Cauley Jr.

- P. The introductory recitals included at the beginning of this AGREEMENT are agreed to and incorporated into this AGREEMENT.

**SIGNATURE PAGE TO FOLLOW**



IN WITNESS THEREOF, the PARTIES have executed this AGREEMENT on the dates indicated.

**THE VILLAGE OF HINSDALE**

By: \_\_\_\_\_  
Thomas Cauley Jr.  
President

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

Attest: \_\_\_\_\_

\_\_\_\_\_  
(Please Print Name)

**THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**

By: \_\_\_\_\_  
Dorothy Abreu  
Chair and Chief Executive Officer

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

By: \_\_\_\_\_  
Cathy R. Williams  
Chief Financial Officer

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

By: \_\_\_\_\_  
Kathleen R. Pasulka-Brown  
General Counsel

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

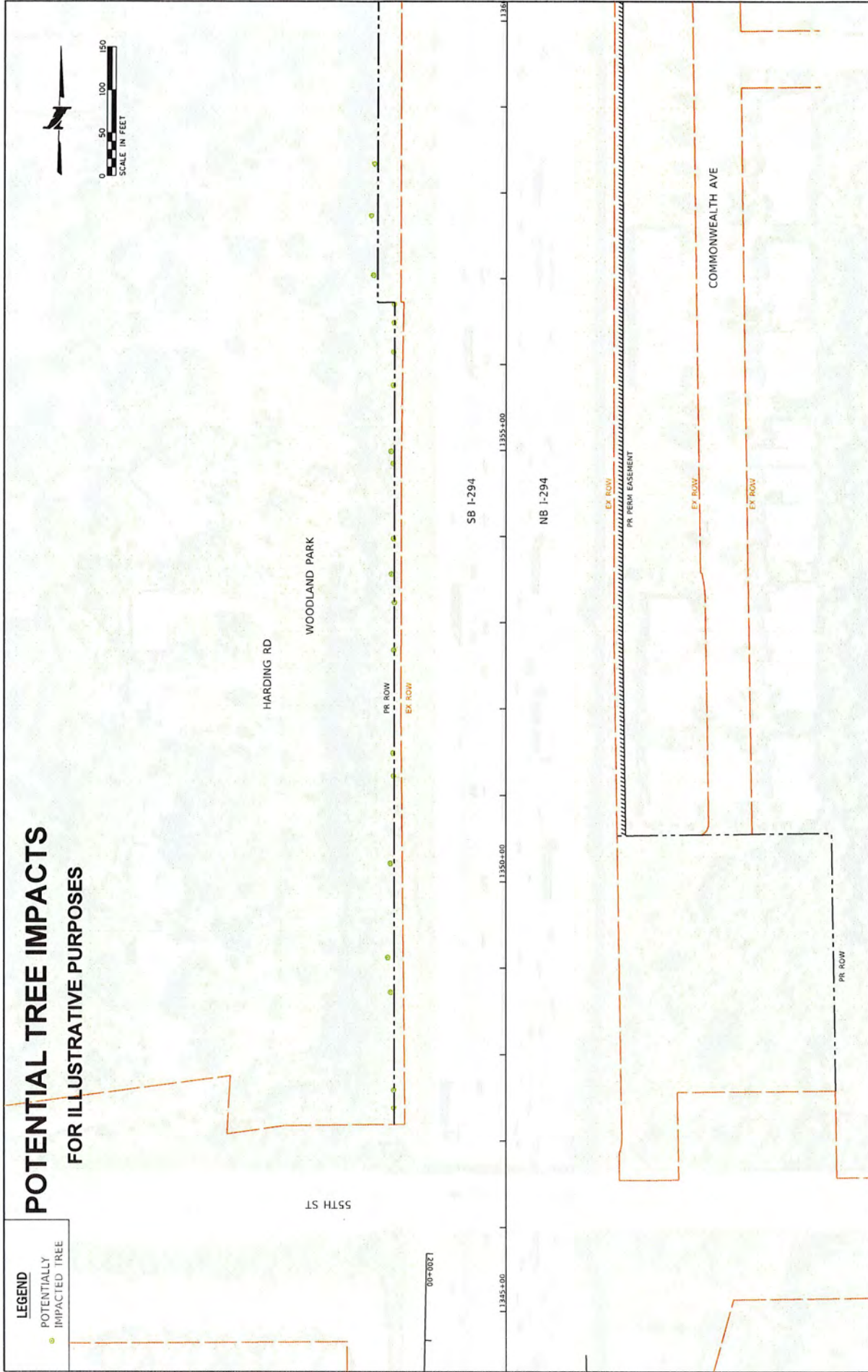
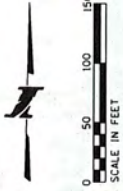
Approved as to Form and Constitutionality

\_\_\_\_\_  
Lisa M. Conforti, Assistant Attorney General



# POTENTIAL TREE IMPACTS FOR ILLUSTRATIVE PURPOSES

**LEGEND**  
 POTENTIALLY  
 IMPACTED TREE



DRAWN BY NSH	DATE 07/07/2022	THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY 2 DOWNERS GROVE ILLINOIS 60515	REVISIONS NO. DATE DESCRIPTION	CONTRACT NO.	DRAWING NO.
				I-17-4298	1 OF 4
CHECKED BY	DATE			HINSDALE TREE IMPACT EXHIBIT A	

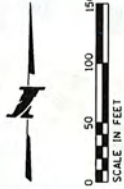
**AECOM**





# POTENTIAL TREE IMPACTS FOR ILLUSTRATIVE PURPOSES

**LEGEND**  
 POTENTIALLY  
 IMPACTED TREE



**AECOM**



THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY  
 2700 OGDEN AVENUE  
 DOWNERS GROVE, ILLINOIS 60515

NO.	DATE	REVISIONS
		DESCRIPTION

CONTRACT NO. I-17-4298  
 HINSDALE TREE IMPACT EXHIBIT A

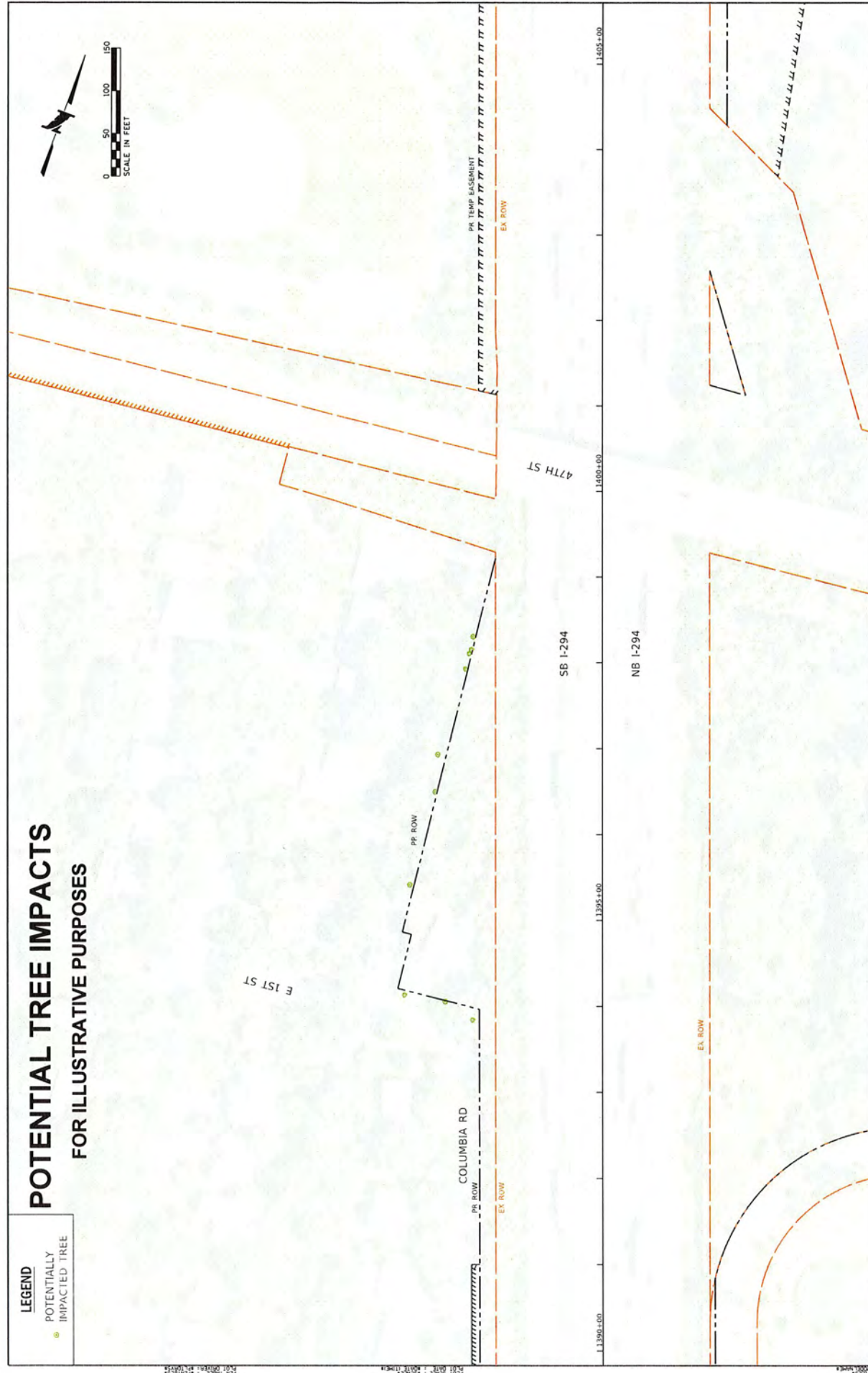
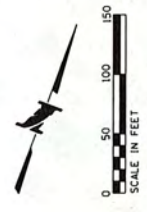
DRAWN BY NHH  
 CHECKED BY  
 DATE 01/07/2022  
 DATE

DRAWING NO.  
 2 OF 4



# POTENTIAL TREE IMPACTS FOR ILLUSTRATIVE PURPOSES

**LEGEND**  
● POTENTIALLY IMPACTED TREE

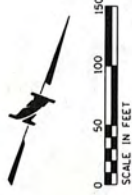


DRAWN BY RSH	DATE 07/07/2022	AECOM	THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY 2700 OGDEN AVENUE SPRINGFIELD, ILLINOIS 62761	REVISIONS		CONTRACT NO. 1-17-4298	DRAWING NO. 3 OF 4
				NO.	DESCRIPTION		
CHECKED BY	DATE					HINSDALE TREE IMPACT EXHIBIT A	



# POTENTIAL TREE IMPACTS FOR ILLUSTRATIVE PURPOSES

**LEGEND**  
 POTENTIALLY IMPACTED TREE



DRAWN BY NRH	DATE 07/07/2022	THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY 2700 N. RIVERVIEW AVENUE DOWNERS GROVE, ILLINOIS 60515		CONTRACT NO. I-17-4298	DRAWING NO. 4 OF 4
CHECKED BY	DATE	REVISIONS	DESCRIPTION	HINSDALE TREE IMPACT EXHIBIT A	





TW-5-16-042

TW-5-16-041

TW-5-16-040

TW-5-16-038

TW-5-16-037

TW-5-16-031

TW-5-16-030

TW-5-16-028

Wilson Ln

Harding Rd

Woodland Av

Taft Rd

Commonwealth Av

53Rd S

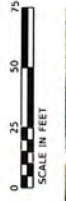
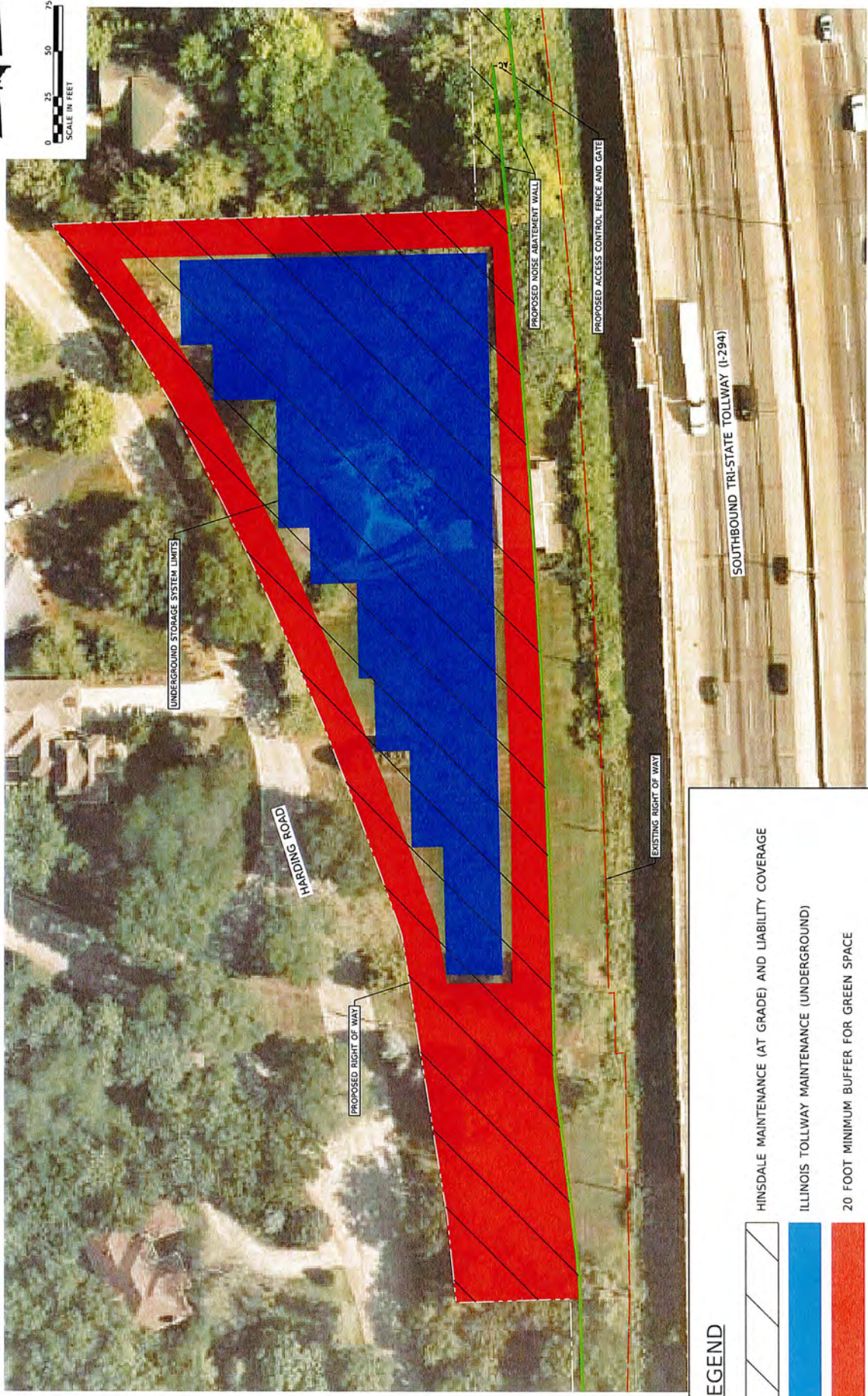
Tri State Tollway







# EXHIBIT D



## LEGEND

- HINSDALE MAINTENANCE (AT GRADE) AND LIABILITY COVERAGE
- ILLINOIS TOLLWAY MAINTENANCE (UNDERGROUND)
- 20 FOOT MINIMUM BUFFER FOR GREEN SPACE

DRAWN BY	BID	DATE	3/24/02	 <b>CiorbaGroup</b> 8775 W. Higgins Rd., Ste 400, Chicago, IL 60631 P 773.775.4001   www.ciorbainc.com	 <b>THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY</b> 2700 OGDEN AVENUE DOWNERS GROVE, ILLINOIS 60515	REVISIONS		CONTRACT NO. I-21-4832	MAINTENANCE AND LIABILITY COVERAGE LIMITS FOR UNDERGROUND STORAGE AT HINSDALE	DRAWING NO. 1 OF 1
	CHECKED BY	DLD	DATE			3/24/02	NO.			





Public Services &  
Engineering

**AGENDA SECTION:** Consent Agenda

**SUBJECT:** Capital Equipment Purchase – SCADA System Upgrade

**MEETING DATE:** September 20, 2022

**FROM:** Mark Pelkowski, Public Services Superintendent of Water & Sewer

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**Recommended Motion**

Waive the formal bidding process and award the proposal for the scheduled SCADA System upgrades to Concentric Integration in an amount not to exceed \$24,950.

**Background**

The Supervisory and Data Acquisition Controls (“SCADA”) for the Village’s water system operations are scheduled for specific upgrades in CY2022. The proposed upgrades are vital to ensure that the residents of Hinsdale continue to receive potable water uninterrupted. According to our maintenance schedule, the computer and software are upgraded every five (5) years, the programmable logic controllers (PLCs), and radio telemetry every ten (10) years. Included in the CY2022 Capital Budget are funds to upgrade the SCADA computers and software.

**Description of SCADA System**

SCADA allows Department water operators to visually monitor and adjust in real time what is occurring throughout the Village’s water distribution system. It also allows operators to manually manipulate pump control set points in order to manage constant changes in the water system. These ongoing system changes include customer demands during seasonal changes, pressure fluctuations, fires, and emergency water main breaks.

In order to accomplish uninterrupted monitoring of the SCADA system twenty four (24) hours a day, Public Service staff utilizes both, a main desktop computer located within the Water Plant, and a remote laptop that can be taken home and monitored during non-working hours. Having two computers that are both able to run the SCADA system provides redundancy in the event of a main computer failure.

**Discussion & Recommendation**

In order to ensure the Village is receiving competitive pricing, the Village requested pricing from three (3) vendors, and received two proposals, from Concentric Integration and Automatic Systems Company. Village staff recommends accepting the SCADA System upgrades proposal from Concentric Integration in amount of \$24,950.

CY 2022 Budgeted Amount	\$25,000
Vendor	Price
Concentric Integration	\$24,950
Automatic Systems Company	\$25,389
Metropolitan Industries	Declined to Offer a Proposal



The Village has worked with Concentric Integration on prior projects including the SCADA upgrades at the Veeck CSO building in 2019. Staff was satisfied with their services.

**Budget Impact**

Included in the CY 2022 CIP is \$25,000 for upgrades to the Water and Sewer Division's SCADA System. The proposal from Concentric Integration for the recommended SCADA system upgrades is \$24,950, which is \$50 under the original budget.

**Village Board and/or Committee Action**

Per the Village's approved meeting policy, this award is included on the Consent Agenda without the benefit of a First Reading because it meets the definition for a routine item: it is included in the approved budget, is under budget, and is less than \$100,000.

**Documents Attached**

1. Concentric Integration Proposal
2. Automatic Systems Company Proposal
3. CY 2022 CIP Page





## Project Proposal

August 29, 2022

Mr. Mark Pelkowski  
Water/Sewer Superintendent  
Village of Hinsdale  
19 Chicago Ave  
Hinsdale, IL 60521

Subject: SCADA Server Upgrade

Concentric Project Number: 220262.50

Dear Mr. Pelkowski:

The Village of Hinsdale's Water Treatment Plant currently has a Dell OptiPlex 7050 desktop computer which provides the SCADA platform for the Water Department. While this desktop has served the Village well, it is nearing the end of its serviceable life. The following reasons are why it should be replaced:

- The hardware is nearing (4) years old and Concentric recommends replacement due to the age of the equipment.
- It does not have an active support warranty with the hardware manufacturer since April 2021, making parts replacement difficult to procure.
- It is running an older version of Wonderware SCADA software

The following is our scope of services.

### Scope of Services

#### **Equipment**

Concentric will provide the following equipment:

1. One (1) Dell OptiPlex 7000 Tower Computer or equal with the following specifications:
  - a. Windows 11 Pro
  - b. 12th Generation Intel Core i5-12500 (6 Cores/18MB/12T/3.0GHz to 4.6GHz/65W)
  - c. 32 GB, 1 x 32 GB, DDR5
  - d. 1 TB, M.2, PCIe NVMe, SSD, Class 35
  - e. Office Professional 2021
  - f. ProSupport Plus and 4-hour Onsite Service (7x24), 36 Month(s)





2. One (1) Dell Latitude 5520 or equal with the following specifications:
  - a. Windows 11 Pro
  - b. Intel Core i5 11th Gen i5-1135G7 Quad-core (4 Core)
  - c. 8 GB RAM
  - d. 256 GB SSD
  - e. 1 Year warranty
3. One (1) Yeastar S20 (or equal) VoIP PBX device (replaces Dialogic board for WIN-911 alarm notification)
4. Two (2) Aveva (formerly Wonderware) InTouch HMI 2020 1K Tag with I/O licenses with One (1) year of Customer FIRST Support - Standard
5. One (1) Win911 PRO-Interactive 2021 License with One (1) year of Win911 Software Support
6. One (1) Microsoft Access Database license for reporting

#### ***Labor***

#### **Project Management**

1. Plan, schedule, and coordinate the activities required to complete the Project.
2. Coordinate a phone-based kick-off call prior to start of work.
3. Provide bi-weekly project status updates via email and discuss status with the Customer's Project Manager as needed.
4. Manage a punch-list upon the last task of the project.
  - a. The Village will be responsible providing punch-list items to Concentric's Project Manager
  - b. Punchlist will be agreed up between Concentric's and the Village's Project Manager(s) one week after the last task of the project.

#### **SCADA Workstation Provisioning**

1. Configure Windows 11 Operating System on Dell Precision Workstation and Latitude Laptop.
2. Apply any compatible firmware and operating system updates.

#### **SCADA Software Migration**

1. Migrate and upgrade existing Wonderware InTouch application to the latest available InTouch version (2020 R2) on new SCADA server and backup laptop.
2. Upgrade Win911 alarming software to latest available Win911 version (2021 R3). All existing alarming and call out rosters within Win911 will remain as is.





- a. Add and configure Win911 Mobile functionality. Coordinate with Village staff to configure Win911 Mobile on their phones/tablets.
3. Provide, configure, and install one (1) Yeastar VoIP PBX to replace the existing dialogic card to enable alarm phone notification. The existing POTS line will be connected to the PBX and the WIN-911 software will communicate via a SIP call to place phone calls.
4. Migrate existing reporting application to new server.

#### SCADA Server Commissioning

1. Test functionality of the new SCADA server and reporting application with Village staff to verify successful migration.

#### Documentation

1. Provide via USB flash drive or secure electronic file-share using Microsoft OneDrive, or similar, electronic copies of the following:
  - a. InTouch Application Backup

#### Fee

Our fee for the above scope is a lump sum of \$24,950.

This proposal is valid for 90 days from the date issued.

#### Concentric Assumptions / Customer Responsibilities

1. Customer will assign an initial project manager at the project kickoff meeting.
2. Customer will provide site access for installation, programming, and startup during Customer's normal business hours. Work outside of Customer's normal business hours can be agreed upon as needed, provided Concentric can secure the site(s) upon departure.
3. Customer understands that all existing equipment to remain is assumed to be in good, working order. In the event that any other equipment does not perform as-expected, Concentric will work with the Customer to repair, as-needed, under a separate contract.
4. Customer will dispose of/recycle any removed equipment.
5. Customer understands that software/materials purchased outside Concentric may require regular support, and it will coordinate directly with the manufacturer to identify support costs for future budgeting purposes.





6. Customer understands Win911 Mobile requires an active Win911 Customer Support Agreement for the app to function.
7. Customer understands the existing reporting application will be migrated as-is. Any modifications to how the reporting application functions will have handled through a separate contract on a time and material basis.

## Annual Support

This project will add additional hardware and software to the Customer, some of which has support or maintenance associated with it. Concentric recommends the Customer maintain any applicable support agreements once the initial support/warranty periods expire. On this project, we have included the following support agreements, that all begin approximately at the date the product is shipped (not necessarily the date it is onsite) and last for periods varying from one year to three years.

Following is the recommended support and estimated amounts for annual renewals (this is provided solely for budgetary purposes and will need to be quoted at the time of renewal):

Description	Annual Renewal
WIN-911	\$600
Wonderware Customer First	\$2,500
<b>Total</b>	<b>\$3,100</b>

Manufacturer standard warranty on all other hardware

## Project Schedule

Our estimated project schedule will be agreed upon at the project kickoff meeting.

## Warranty

The warranty listed in the Standard Terms and Conditions (Paragraph 12.2):

- ☒ DOES apply  
☐ DOES NOT apply

## Standard Terms and Conditions References

**Effective Date:** The Effective Date of this Proposal and the associated Standard Terms and Conditions shall be the date this Proposal is accepted as shown by Customer's dated signature below.





**Third Party Materials** (See Standard Terms and Conditions Paragraphs 3.2 & 8.3):

- ☒ DOES apply  
☐ DOES NOT apply

**Notices:** Notices required to be provided to Customer in accordance with Paragraph 16.3 of the Standard Terms and Conditions shall be delivered to the individual and address given above, unless Customer provides updated notification information to Concentric in writing

## Standard Terms and Conditions

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Concentric Integration, LLC's Standard Terms and Conditions, Version 10 (V10), located at <http://goconcentric.com/standard-terms/> are hereby incorporated into this Project Proposal as though fully attached hereto. By signing below, each of the undersigned represents and warrants that Concentric Integration, LLC's Standard Terms & Conditions are legal, valid and binding obligations upon the parties for which they are the authorized representative.





## Acceptance

If this proposal is acceptable, please sign one copy and return to us. Feel free to contact me if you have any questions.

Sincerely,

CONCENTRIC INTEGRATION, LLC

Michael D. Klein, PE  
President  
MDK/RRO/LAK

CUSTOMER:  
VILLAGE OF HINSDALE

ACCEPTED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

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

P:\HINSV\220262-SCADA SERVER UPGRADE\10-INITIATION\220262 - SCADA SERVER UPGRADE PROPOSAL REV1.DOCX





**AUTOMATIC SYSTEMS CO.**

Thursday, August 25, 2022

Mr. Mark Pelkowski  
Village of Hinsdale  
217 Symonds Drive  
Hinsdale, IL 60521-3489

Reference: Hinsdale, IL SCADA Computer Hardware, and Software Upgrades - **Updated**

Dear Mark:

In accordance with your recent email, we are pleased to provide you with our updated SCADA computer hardware and software proposal. This updated proposal includes:

- A     One (1)     **SCADA Computer Workstation**, to include 11<sup>th</sup> generation Intel Core i5-12500 processor, 32GB memory, one (1) 1TB Solid-State hard drive, keyboard, mouse, and integral speaker.

**Software included in the above configuration:**

- Windows 10/11 64-bit Operating System
- Microsoft Office Professional
- 3-Year professional on-site service

- B     One (1)     **Dell 24" Full HD Monitor** with USB, VGA, HDMI, and DVI-I video interfaces. Maximum resolution 1920 x 1080, with cables.

- C     One (1)     **Laptop Computer**, with 15.6" LCD Screen, to include 11<sup>th</sup> generation Intel Core i5-12600 processor, 32GB memory, wireless, USB to Ethernet dongle, and one (1) 512GB Solid-State hard drive.

- Windows 10/11 64-bit Operating System
- Microsoft Office Professional
- 3-Year professional on-site service

- D     Two (2)     **AVEVA InTouch HMI 2020 Workstation Runtime Software Upgrade and License** compatible with Windows 10/11 64-bit operating system and installed on workstation and laptop detailed above.

- E     One (1)     **WIN-911 Interactive Software and License Upgrade**, to replace the city's current WIN-911 alarm notification software with one (1) year support installed on workstation detailed above.

**MANUFACTURERS REPRESENTATIVES**

☒ MAIN OFFICE     P.O. BOX 120359  
☐ BRANCH OFFICE     P.O. BOX 787  
☐ BRANCH OFFICE

**SYSTEMS INTEGRATION**

ST. PAUL, MINNESOTA 55112     PHONE 651-631-9005  
AMES, IOWA 50010     PHONE 515-232-4770  
CHICAGO, ILLINOIS     PHONE 815-927-3386

**INSTRUMENTATION**

FAX (651) 631-0027  
FAX (515) 232-0795  
FAX (651) 631-0027



August 25, 2022

F     One (1)     **Grandstream VoIP to Analog Gateway**, compatible with Windows 10/11 64-bit operating system and required for WIN-911 Interactive alarm notification software.

G     One (1)     **Lot of Workstation and HMI Software professional services to include:**

- AVEVA Intouch HMI 2020 software installation and setup.
- Copy and transfer historical files.
- WIN-911 Interactive software installation, setup, and testing.
- Verification and checkout.

Your net price for Items A through G, FOB factory with freight allowed to jobsite including one (1) year warranty...**\$25,389.00 (not taxable with ST-3 form on file).**

The above price for items A through G does not include any:

- Sales or use tax (tax exempt with ST-3 form on file).
- Uninterruptible power supplies.
- Printers or network switches.

Thank you very much for the opportunity of providing you with the above proposal, should you wish to proceed with an order please sign on the space provided below and return a copy to this office.

Look forward to hearing from you, should you have any questions please do not hesitate to give me a call.

Sincerely,

*Todd E. Riley*

Todd E. Riley  
Automatic Systems Company

Items A – G SCADA Computer System Hardware and Software Upgrades - **Updated**

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Cc: Ms. Jane Kramer, ASC  
Mr. Ryan Willis, ASC

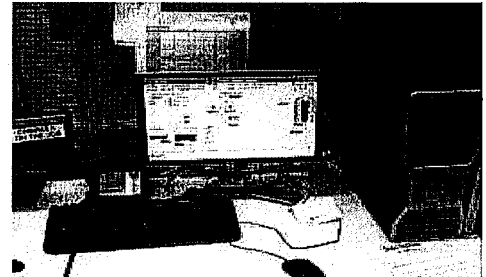


## Water/Sewer

Equipment	2022
<b>Upgrade Supervisory Control and Data Acquisition (SCADA) System</b>	<b>\$25,000</b>

### Original Purchase Date

N/A



*Current SCADA Computer*

### Project Description & Justification

This item is the update of the upgrade Supervisory Control and Data Acquisition (SCADA) system software, replacement of the main system computer and is a critical piece of the water system. This project also includes replacement of a portable laptop computer that allows for secure remote access of the SCADA system to allow staff to make flow adjustments remotely, both during peak and off-peak use. With the SCADA system, the Department has the ability to monitor the water system 24-hours a day. The software and computer units are currently on a five year rotation schedule and are necessary to ensure proper plant operations. The SCADA computer and software was replaced in FY 2017-18.

### Project Update

There are no updates to this project.

### Project Alternative

Delay the purchase and continue to use the current equipment.



**REQUEST FOR BOARD ACTION**  
**Public Services & Engineering**

**AGENDA SECTION:** Consent Agenda - EPS

**SUBJECT:** Replacement of Public Services Office Furniture

**MEETING DATE:** September 20, 2022

**FROM:** Rich Roehn, Superintendent of Public Services  
Garrett Hummel, Management Analyst

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**Recommended Motion**

Approve the proposal from Warehouse Direct Office Interiors for the replacement of Public Services office furniture in the amount of \$23,779.84.

**Background**

In 2009, the furniture in the Public Services building was salvaged from an old office furniture replacement project. The current furniture is comprised of a variety of different desk and cabinet types. While still functional, the office furniture has been experiencing various age/wear and tear issues that are becoming more common. Several storage cabinets and desks cannot close or lock sufficiently. In order to improve functionality and create a more professional appearance for the Public Services offices, Public Services staff recommended including funding for replacement furniture in the CY2022 CIP.

**Discussion & Recommendation**

Public Services worked with Warehouse Direct Office Interiors to design the layout for the new office furniture. Warehouse Direct's quote utilizes pricing provided by the OMNIA cooperative purchasing organization for public sector procurement. OMNIA provides competitively bid contracts to various government and non-profit agencies. OMNIA contract R191804 for Furniture, Installation and Related Services provides a discount of about 52% off of list price.

Warehouse Direct provided a new furniture proposal in the amount of \$23,779.84. This proposal includes the furniture and installation labor for the Superintendent's office area as well as the Public Services Director's office. The original list price for the furniture was \$49,655 before the OMNIA discounts were applied. Staff has used Warehouse Direct for a variety of purchases and has been satisfied with the products and the customer service. Staff recommends purchasing the new Public Services office furniture from Warehouse Direct Office Interiors.

**Budget Impact**

Included in the CY2022 CIP Budget (4100-7901) is \$25,000 for the replacement of the furniture in the Public Services building. Warehouse Direct's proposal of \$23,779.84 is \$1,220.16 under budget.

**Village Board and/or Committee Action**

Per the Village's approved meeting policy, this award is included on the Consent Agenda without the benefit of a First Reading because it meets the definition for a routine item: it is included in the approved budget, is under budget, and is less than \$100,000.

**Documents Attached**

1. Warehouse Direct Office Interiors' Proposal
2. OMNIA R191804 Contract Brochure
3. CIP Project Page



# WAREHOUSE DIRECT®

## OFFICE INTERIORS

2001 Mt. Prospect Rd  
Des Plaines, IL 60016

Customer Number: GARRETT HUMMEL

Bill To:  
GARRETT HUMMEL  
HINSDALE PUBLIC WORKS  
225 SYMONDS DRIVE  
HINSDALE, IL 60521  
(630) 789-7041

Ship To:  
GARRETT HUMMEL  
HINSDALE PUBLIC WORKS  
225 SYMONDS DRIVE  
HINSDALE, IL 60521  
(630) 789-7041

### QUOTATION

Date: 9/8/2022

Quote Number:

Valid for 30 days from date of quote.

Sales Rep: Spencer Touchie

Specialist: Cristy Strain  
847-354-5433  
cstrain@warehousedirect.com  
847-956-5869

#	Item number	Description	List	Qty	Sell	Ext Sell
1		CONTRACT PRICING SHOWN	\$ 0.00	1	\$0.00	\$0.00
2		Metal Center Drawer 24W x 14D (for 38000)	\$ 360.00	1	\$188.74	\$188.74
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
3		Flagship 36W 3-Drw "A" Pull Lateral 36W 39-1/8H 18D	\$ 1,806.00	2	\$810.38	\$1,620.76
	.X	Omt Core to Order Key Alike				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
4		Flagship Stg Cab 39 1/8Hx36Wx18D A Pulls-2 Adj Shlf	\$ 1,326.00	1	\$595.00	\$595.00
	.X	Omt Core to Order Key Alike				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
5		Flagship 36W 2-Drw "A" Pull Lateral 36W 28H 18D	\$ 1,354.00	1	\$607.56	\$607.56
	.X	Omt Core to Order Key Alike				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				



#	Item number	Description	List	Qty	Sell	Ext Sell
6		Tasklight 30W	\$ 284.00	4	\$100.13	\$400.52
7		Tasklight 42W	\$ 307.00	1	\$108.24	\$108.24
8		Single Connector Strap	\$ 20.00	3	\$7.05	\$21.15
9		Wall Starter Kit for Panels 65H	\$ 133.00	3	\$46.90	\$140.70
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
10		Panel Finished End Covers 42.5H	\$ 68.00	3	\$23.97	\$71.91
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
11		Variable Height Connector Kit 22.5H	\$ 84.00	3	\$29.62	\$88.86
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
12		Tackable Panel w/o TC 42.5H x 72W	\$ 679.00	3	\$239.40	\$718.20
	\$(A)	Gr A Fabric				
	.EXG	FABRIC: Exchange				
	911	COLOR: Shadow				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
13		Tackable Panel w/o TC 65H x 36W	\$ 515.00	5	\$181.58	\$907.90
	\$(A)	Gr A Fabric				



#	Item number	Description	List	Qty	Sell	Ext Sell
	.EXG	FABRIC: Exchange				
	911	COLOR: Shadow				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
14		Tackable Panel w/o TC 65H x 48W	\$ 584.00	2	\$205.90	\$411.80
	\$(A)	Gr A Fabric				
	.EXG	FABRIC: Exchange				
	911	COLOR: Shadow				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
15		Panel Top Cap 72"W	\$ 128.00	3	\$45.13	\$135.39
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
16		Panel Top Cap 36"W	\$ 74.00	5	\$26.09	\$130.45
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
17		Panel Top Cap 48"W	\$ 85.00	2	\$29.97	\$59.94
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
18		Straight Connector Kit	\$ 26.00	4	\$9.17	\$36.68
	.X	No Option				
19		65H "L" Connector Post	\$ 180.00	3	\$63.46	\$190.38
	\$(P1)	P1 Paint Opts				



#	Item number	Description	List	Qty	Sell	Ext Sell
	.T5	Greige				
20		Flagship Pedestal "A" Pull Freestanding B/B/F	\$ 913.00	4	\$358.69	\$1,434.76
	.X	Omt Core to Order Key Alike				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
21		Flagship Series Pedestal "A" Pull Freestanding F/F	\$ 913.00	3	\$358.69	\$1,076.07
	.X	Omt Core to Order Key Alike				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
22		Storage Cabinet to Wardrobe Conversion Kit	\$ 153.00	4	\$53.95	\$215.80
23		Storage Cabinet 24D x 36W x 72H	\$ 1,726.00	4	\$774.49	\$3,097.96
	.L	Standard Random Key Lock				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
24		DISC 12/31/22 15"Dx15"Hx36"W Arch Pull Hinged Overhead	\$ 967.00	4	\$379.90	\$1,519.60
	.X	Lock: Omit Lock				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
25		DISC 12/31/22 15"Dx15"Hx48"W Arch Pull Hinged Overhead	\$ 1,038.00	1	\$407.79	\$407.79
	.X	Lock: Omit Lock				
	\$(P1)	P1 Paint Opts				
	.T5	Greige				



#	Item number	Description	List	Qty	Sell	Ext Sell
26		Systems Raised Straight Countertops 72Wx15D Edgeband	\$ 500.00	3	\$196.43	\$589.29
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
27		DISC 12/31/22 Systems Rectangle Worksurface 18Dx72W Edgeban	\$ 568.00	1	\$200.26	\$200.26
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
28		DISC 12/31/22 Systems Rectangular Wksfc Edgeband 24Dx 36W N	\$ 426.00	1	\$150.19	\$150.19
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
29		Systems 72x36x24x24Left Corner Cove Worksurface Edgebd	\$ 820.00	2	\$322.14	\$644.28
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
	.T5	Grommet: Greige				
30		Systems Rectangular Worksurface Edgeband 24D x 48W	\$ 497.00	3	\$195.26	\$585.78
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
	.T5	Grommet: Greige				



#	Item number	Description	List	Qty	Sell	Ext Sell
31		Systems 72x36x24x24Rt Corner Cove Worksurface Edgeband	\$ 820.00	1	\$322.14	\$322.14
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
	.T5	Grommet: Greige				
32		Systems Rectangular Worksurface Edgeband 24D x 72W	\$ 649.00	1	\$254.97	\$254.97
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
	.T5	Grommet: Greige				
33		Systems Rectangular Worksurface Edgeband 30D x 72W	\$ 728.00	1	\$286.00	\$286.00
	\$(L1STD)	Grd L1 Standard Laminates				
	.LKI1	Kingswood Walnut				
	.KI	EDGE: Kingswood Walnut				
	.T5	Grommet: Greige				
34		Flat Bracket 18D	\$ 79.00	1	\$31.04	\$31.04
	.S	Color: Charcoal				
35		Counter Top Bracket for 42.5H Panels	\$ 67.00	6	\$23.63	\$141.78
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
36		Abound 29"H x 24"D Left End Panel	\$ 274.00	3	\$107.64	\$322.92
	\$(P1)	P1 Paint Opts				
	.T5	Greige				



#	Item number	Description	List	Qty	Sell	Ext Sell
37		Abound 29"H x 24"D Right End Panel	\$ 274.00	1	\$107.64	\$107.64
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
38		24D Cantilever One Pair	\$ 105.00	3	\$41.26	\$123.78
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
39		Right-hand Cantilever 24"D	\$ 57.00	2	\$22.40	\$44.80
	\$(P1)	Select P1 Paint				
	.T5	Greige				
40		Left-hand Cantilever 24"D	\$ 57.00	1	\$22.40	\$22.40
	\$(P1)	Select P1 Paint				
	.T5	Greige				
41		30"D End-Panel Supports: Freestanding	\$ 272.00	1	\$106.86	\$106.86
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
42		30"D End-Panel Supports: Freestanding	\$ 272.00	1	\$106.86	\$106.86
	\$(P1)	P1 Paint Opts				
	.T5	Greige				
43		Half Hgt 14Hx72W Mod Pnl	\$ 270.00	1	\$106.07	\$106.07
	\$(P1)	P1 Paint Opts				
	.T5	Greige				



#	Item number	Description	List	Qty	Sell	Ext Sell
44		10500 Series Floorstnd Full Ht Ped B/B/F 15-5/8W x 22-3/4D	\$ 811.00	1	\$376.38	\$376.38
	\$(L1STD)	Grd L1 Standard Laminates				
	~	Undecided LAMINATE Option				
45		10500 Series Floorstnding Full Ht Ped F/F 15-5/8W x 22-3/4D	\$ 811.00	1	\$376.38	\$376.38
	\$(L1STD)	Grd L1 Standard Laminates				
	~	Undecided LAMINATE Option				
46		10500 Series 36Wx24Dx29-1/2H Lateral File Two-Drawer	\$ 1,209.00	1	\$561.10	\$561.10
	\$(L1STD)	Grd L1 Standard Laminates				
	~	Undecided LAMINATE Option				
47		10500 Series Desk Shell 72W x 36D x 29-1/2H	\$ 954.00	1	\$442.76	\$442.76
	\$(L1STD)	Grd L1 Standard Laminates				
	~	Undecided LAMINATE Option				
48		TOTAL LIST PRICE \$49,655	\$ 0.00	1	\$0.00	\$0.00
49		PREVAILING WAGE RECEIVE, DELIVER & INSTALL	\$ 0.00	1	\$3,690.00	\$3,690.00

QUOTE# 18075

Total: \$23,779.84

Accepted By: \_\_\_\_\_  
Name  
\_\_\_\_\_  
Title

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



#	Item number	Description	List	Qty	Sell	Ext Sell
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Installation is available from Warehouse Direct.

Terms: 50% deposit via EFT or check, 50% net 30 days via EFT or check.

This is a confidential proposal for use by the intended client. Unauthorized distribution is prohibited.  
All pricing is valid for a maximum of **30 days** from the date of the quotation unless otherwise indicated  
the body of the proposal.

Please review this document carefully as once signed it is a contract of agreement to purchase as  
specified. **All products in this quotation are custom and manufactured to order and consequently  
NON-RETURNABLE. Ownership of said products transfers to our client upon Warehouse Direct receiving final  
payment.**



# HON

## OMNIA Partners, Public Sector

Contract #R191804 | May 1, 2020 - April 30, 2025



## THE POWER OF ONE

**OMNIA**  
PARTNERS

One call. One vendor. One purchase order. That's what The HON Company and OMNIA Partners, Public Sector deliver. The HON Company designs and manufactures government, education and workplace furniture including chairs, tables, desks, workstations and storage. We are a single source for all of your workplace furniture needs, from private offices to training spaces to collaborative areas to archival storage. Headquartered in Iowa with a distribution network of trusted dealers throughout the US, HON is always around to provide the best possible experience for you and your customers.





## Better Together

The OMNIA Partners, Public Sector contract provides the ability to leverage the combined purchasing power of over 45,000 government agencies resulting in a savings of at least 50% on every HON order. Save time. Reduce cost. Minimize hassles. And leverage the buying power of HON and OMNIA Partners, Public Sector today!

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TIER	Total Order at List	Systems & Pedestals	Vertical & Lateral Files, Storage	Tables, Desks, Caseworks and HON Seating	HON Product Limited 5-Year Warranty*	Education	Soothe High Back Patient Chair
1	0-\$25,000	64.70%	55.40%	53.30%	53.30%	53.30%	51.30%
2	\$25,001-\$75,000	65.70%	56.40%	55.00%	56.40%	55.00%	52.30%
3	\$75,001-\$150,000	67.90%	63.70%	59.60%	58.50%	56.50%	54.50%
4	\$150,000 and above	Negotiated	Negotiated	Negotiated	Negotiated	Negotiated	Negotiated

**HON** The HON Company  
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Muscatine, IA 52781  
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## *Public Services*

Support Services

2022

### **Replacement of Public Services Office Furniture**

\$25,000

#### **Original Purchase Date**

Unknown



*Current Public Services Office Furniture*

#### **Project Description & Justification**

The furniture in the Public Services building offices was salvaged from an old office furniture replacement project. The furniture is oversized for the existing space and is deterring the Department from maximizing the utilization of the space. A department reorganization in 2017 created a new Administrative Analyst and supervisory positions, requiring additional workstations. Therefore, replacement of the existing furniture is recommended.

#### **Project Update**

This item was deferred in 2020 and 2021.

#### **Project Alternative**

The alternative is to delay the project and reschedule the project during later years.



**REQUEST FOR BOARD ACTION**

Public Services &  
Engineering

**AGENDA SECTION:** Consent Agenda – EPS

**SUBJECT:** Bid #1689 - Sewer Cleaning, Televising, and Root Cutting

**MEETING DATE:** September 20, 2022

**FROM:** Mark Pelkowski, Superintendent of Water and Sewer  
Garrett Hummel, Management Analyst

---

**Recommended Motion**

Award Bid #1689 to National Power Rodding Inc. in the amount of \$54,296.90 and perform additional sewer cleaning, televising, and root cutting services not to exceed the budgeted amount of \$60,000.

**Background**

Annually, Public Services Staff solicits bids for Village-wide sewer cleaning, televising, and root cutting in order to secure competitive unit pricing. This program operates on a rotational basis with one-third of the Village's sewer system receiving cleaning, televising and/or root cutting services each year, as needed, with the goal of servicing the entire system every 3 years.

Public Services staff published the bid package in the Daily Herald and on the Village's website on August 21, 2022. The bid opening was held on September 6, 2022. The Village received four (4) competitive bids (Attachment #1) from the following companies: National Power Rodding Inc., Sewertech LLC, Sheridan Plumbing & Sewer Inc., and Visu-Sewer of Illinois LLC.

**Discussion & Recommendation**

Bid #1689 includes unit pricing for hydrojet cleaning, televising cleaned sewers, and root cutting services. These services are an important part in maintaining the Village's sewer system. Public Services staff recommends awarding Bid #1689 to National Power Rodding Inc. in the amount of \$54,296.90, with the ability to utilize the fully budgeted amount of \$60,000 for additional sewer cleaning, televising, and root cutting.

**Budget Impact**

Included in the Public Services Department CY2022 Budget (4600-7425) is \$60,000 for sewer cleaning, televising, and root cutting services. National Power Rodding Inc. provided the lowest qualified bid at a total cost of \$54,296.90 (Attachment #2). As the total contract bid from National Power Rodding Inc. is \$5,703.10 under budget, Public Services staff recommends approval to utilize the fully budgeted amount of \$60,000 for additional needed cleaning, televising, and/or root cutting in the south east section of the Village including the Woodlands.

**Village Board and/or Committee Action**

Per the Village's approved meeting policy, this award is included on the Consent Agenda without the benefit of a First Reading because it meets the definition for a routine item: it is included in the approved budget, is under budget, and is less than \$100,000.

**Documents Attached**

1. Bid #1689 – Tabulation
2. National Power Rodding LLC Bid #1689 Proposal
3. Sewer Cleaning Map and Root Cutting/Televising Lists for 2022



Village of Hinsdale  
 Bid #1689 Sewer Cleaning/Televising/Root Cutting  
 Bid Tabulation, 10:00 a.m., September 6, 2022

			National Power Rodding Inc.			Sewertech LLC			Sheridan Plumbing & Sewer, Inc.			Visu-Sewer of Illinois, LLC		
			Bid Bond			Bid Bond			Bid Bond			Bid Bond		
ITEM	DESCRIPTION	UNIT	QUANTITY(FT)*	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE
1.	Hydrojet cleaning up to 30" diam.	Foot	80,000	0.40	32,000.00	0.45	36,000.00	1.35	108,000.00	1.45	116,000.00	1.45	116,000.00	1.45
2.	Photographing cleaned sewers	Foot	2,635	4.50	11,857.50	3.00	7,905.00	3.80	10,013.00	4.20	11,067.00	4.20	11,067.00	4.20
3.	Root cutting up to 30" diam.	Foot	34,798	0.30	10,439.40	0.50	17,399.00	1.75	60,896.50	4.20	146,151.60	4.20	146,151.60	4.20
<b>TOTAL</b>					<b>\$54,296.90</b>		<b>\$61,304.00</b>		<b>\$178,909.50</b>		<b>\$273,218.60</b>		<b>\$273,218.60</b>	



**PROPOSAL**

**VILLAGE OF HINSDALE**  
**CONTRACT FOR**  
**SEWER CLEANING, TELEVISIONING & ROOTCUTTING**  
**BID #1689**

**BIDDER'S PROPOSAL**

Full Name of Bidder National Power Rodding Corp. ("Bidder")

Principal Office Address 2500 W Arthington St., Chicago, IL 60612

Local Office Address 2500 W Arthington St., Chicago, IL 60612

Contact Person Reid W. Ruprecht Telephone 312-666-7700

Email office@nationalpowerrodding.com

TO: Village of Hinsdale ("Owner")  
19 E. Chicago Avenue  
Hinsdale, Illinois 60521  
Attention: Mark Pelkowski

Bidder warrants and represents that Bidder has carefully examined the Work Site described below and its environs and has reviewed and understood all documents included, referred to, or mentioned in this bound set of documents, including Addenda Nos. none, which are securely stapled to the end of this Bidder's Proposal [if none, write "NONE"] ("Bid Package").

Bidder acknowledges and agrees that all terms capitalized in this Bidder's Proposal shall have the meaning given to them in the documents included in the Bid Package.

**1. Work Proposal**

A. Contract and Work. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will contract with Owner, in the form of the Contract included in the Bid Package: (1) to provide, perform and complete at the site or sites described in the Bid Package ("Work Site") and in the manner described and specified in the Bid Package all necessary work, labor, services, transportation, equipment, materials, apparatus, machinery, tools, fuels, gas, electric, water, waste disposal, information, data and other means and items



## PROPOSAL

necessary for the **SEWER JETTING, TELEVISIONING, & ROOT CUTTING**; (2) to procure and furnish all permits, licenses and other governmental approvals and authorizations necessary in connection therewith except as otherwise expressly provided in Attachment A to the Contract included in the Bid Package; (3) to procure and furnish all Bonds and all certificates and policies of insurance specified in the Bid Package; (4) to pay all applicable federal, state and local taxes; (5) to do all other things required of Contractor by the Contract; and (6) to provide, perform and complete all of the foregoing in a proper and workmanlike manner and in full compliance with, and as required by or pursuant to, the Contract; all of which is herein referred to as the "Work."

B. Manner and Time of Performance. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that the Bidder will perform the Work in the manner and time prescribed in the Bid Package and according to the requirements of Owner pursuant thereto.

C. General. If this Bidder's Proposal is accepted, Bidder proposes, and agrees, that Bidder will do all other things required of Bidder or Contractor, as the case may be, by the Bid Package.

### 2. Contract Price Proposal

If this Bidder's Proposal is accepted, Bidder will, except as otherwise provided in Section 2.1 of the Contract, take in full payment for all Work and other matters set forth under Section 1 above, including overhead and profit; taxes, contributions, and premiums; and compensation to all subcontractors and suppliers, the compensation set forth on the following "Schedule of Prices" ("Price Proposal"), which Schedule of Prices Bidder understands and agrees will be made a part of the Contract:

### SCHEDULE OF PRICES

#### ☒ A. UNIT PRICE CONTRACT

For providing, performing, and completing all Work, the sum of the products resulting from multiplying the number of acceptable units of Unit Price Items listed below incorporated in the Work by the Unit Price set forth below for such Unit Price Item:



**PROPOSAL**

**COMPLETE TABLE AS INDICATED**

**VILLAGE OF HINSDALE SEWER JETTING, TELEVISIONING & ROOT CUTTING 2022**

**BID NO. 1689**

<b>ITEM NO.</b>	<b>ITEM</b>	<b>APPROXIMATE QUANTITY</b>	<b>UNIT COST</b>	<b>TOTAL</b>
1.	To clean by hydro-jet method sanitary, storm and combined sewers 0" to 30" diameter in size, including all labor, materials, and incidentals each year.	80,000/L.F.	\$ 0.40 /ft.	\$ 32,000.00
2.	Photographing cleaned sewers as directed by the owner and submitting the pictorial record.	2,635/L.F.	\$ 4.50 /ft.	\$ 11,857.50
3.	Root cutting various storm & sanitary sewers 0" to 30" diameter in size including all labor, material, and incidentals each year.	34,798/L.F.	\$ 0.30 /ft.	\$ 10,439.40

Estimated total cost of this maintenance **this contract year**. This program is to be completed according to the Specifications of the Contract.

**HYDRO-JET METHOD**                      \$ 54,296.90

Indicate the approximate rate at which you proposed to accomplish the jetting, root cutting and photographing called for herein. 5,000 ft. /day

The Bidder agrees that this proposal is firm and shall remain in effect for 60 days from the date for opening of bids.



PROPOSAL

TOTAL CONTRACT PRICE:

Fifty Four Thousand Two Hundred Ninety Six Dollars and Ninety Cents  
(in writing) (in writing)

54,296 Dollars and 90 Cents  
(in figures) (in figures)

DATE: September 6, 2022

BIDDER:

Sole Proprietorship \_\_\_\_\_

National Power Rodding Corp.

Corporation X

Partnership \_\_\_\_\_

By [Signature]

Title William T. Kreidler, President

Address: 2500 W Arthington St.

Chicago, IL 60612

(Corporate Seal)

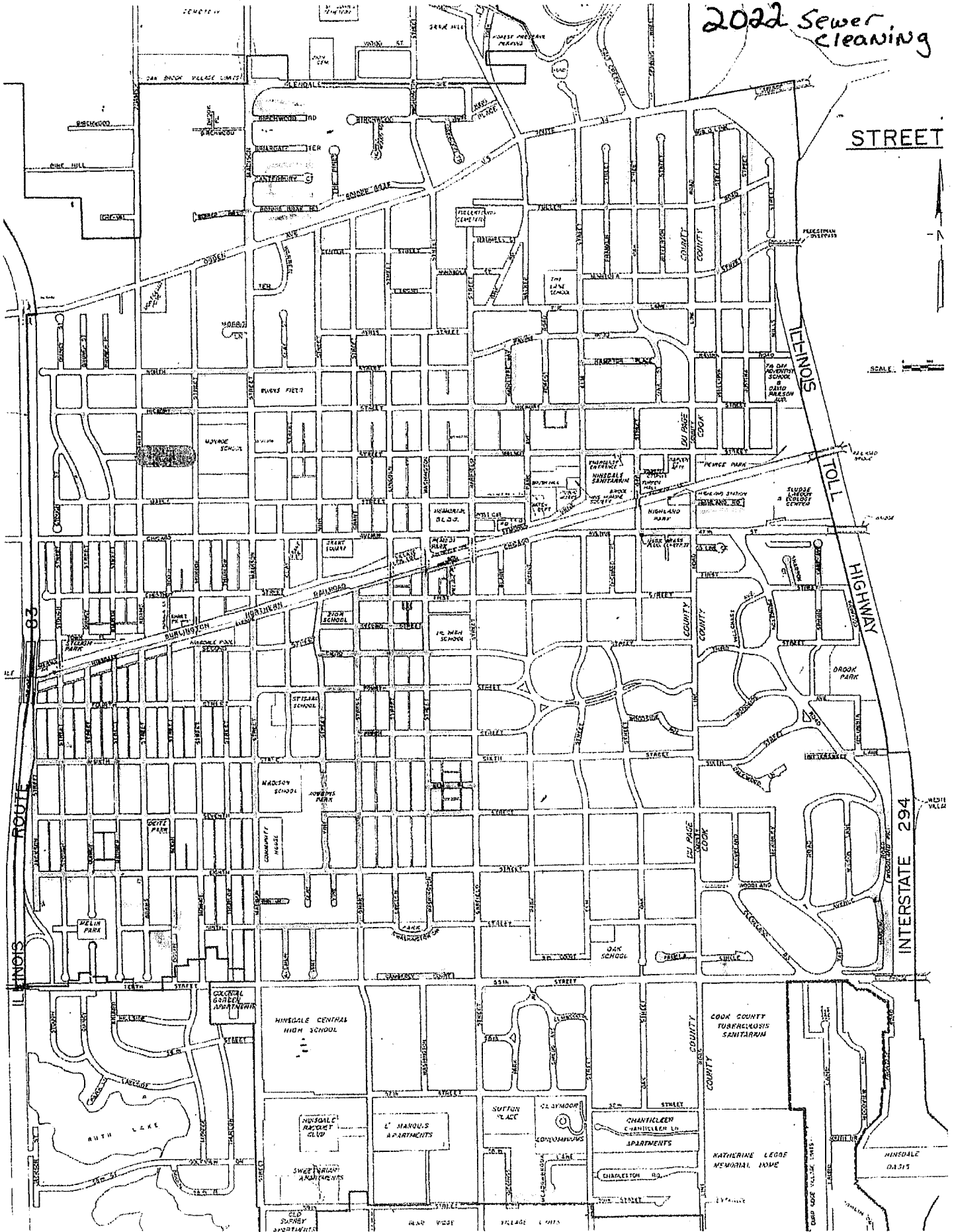
D. BASIS FOR DETERMINING PRICES

It is expressly understood and agreed that:

1. The approximate quantities set forth in this Schedule of Prices for each Unit Price Item are Owner's estimate only, that Owner reserves the right to increase or decrease such quantities, and that payment for each Unit Price Item shall be made only on the actual number of acceptable units of such



STREET





## Root cutting list 2022

### Sheet 8

Oakwood & Birchwood #2780 to 2778	254 ft. 8" sanitary
Bonnie Brae MH2740 to MH 2700	197 ft. 10" sanitary
Bonnie Brae MH2742 to MH 2694	145 ft. 10" sanitary
Bonnie Brae MH2744 to MH 2740	158 ft. 10" sanitary
Bonnie Brae MH2746 to MH 2744	385 ft. 10" sanitary
Canterbury Ct MH2732 to MH2704	197 ft. 10" sanitary
Canterbury Ct. MH2734 to MH2732	267 ft. 10" sanitary
Vine St. MH2528 to MH 2526	270 ft. 10" sanitary

### Sheet 9

Minneola MH S432 to S410	350 ft. 12" storm
700 & 800 block of N Elm	700 ft 10" storm
700 & 800 block of N Oak	750 ft 10" storm
700 block Franklin #2402 to 2300	320 ft. 8" sanitary
Franklin MH2410 to MH2356	370 ft. 8" sanitary
Franklin MH2410 to MH2300	500 ft. 8" sanitary
Franklin MH2402 to MH2406	350 ft. 8" sanitary
Jefferson MH2350 to MH2348	350 ft. 8" sanitary
Jefferson MH2352 to MH2350	250 ft. 8" sanitary
Jefferson MH2289 to MH2344	800 ft. 8" sanitary
Elm St. MH2414 to MH2304	214 ft. 8" sanitary
Elm St. MH2421 to MH2420	275 ft. 8" sanitary

### Sheet 10

500 & 600 block of Phillippa	750 ft. 8" sanitary
Phillippa MH2184 to MH2182	413 ft. 8" sanitary
Phillippa MH2182 to MH158	430 ft. 8" sanitary
Phillippa MH2188 to MH2184	100 ft. 8" sanitary
Justina MH2200 to MH2202	365 ft. 8" sanitary
Justina M156 to MH2200	30 ft. 8" sanitary
Justina MH2202 to MH2204	360 ft. 8" sanitary
Justina MH2198 to M156	800 ft. 8" sanitary

### Sheet 11

Bruner from Chicago to Maple	370 ft 8" storm
500 & 600 block of North	1070 ft 12" storm
Quincy M.H. 1320 to H2362	380 ft. 8" sanitary
Quincy MH S894 to S893	195 ft. 10" storm
Quincy/Bruner Easement MH S893 to S892	130 ft. 12" storm
Quincy/Bruner Easement MH S891 to S886	185 ft. 10" storm
Bruner MH S886 to Blind Connection	100 ft. 8" storm
Bruner MH S888 to S885	518 ft. 12" storm
Hickory St. MH1421 to MH1420	305 ft. 8" sanitary
Bruner MH1334 to H2360	750 ft. 8" sanitary
Walnut MH S1286 to MH S1222	500 ft. 12" Storm
Bruner MH1392 to MH1428	250 ft. 8" sanitary



300 & 400 block of W North N. Garfield MH2455 to Dead end Vine Easement MH2540 TO MH2534	<u><b>Sheet 12</b></u>	800 ft 10" storm 280 ft 10" sanitary 400 ft 10" sanitary
Ravine from M.H.495 to 456 The Lane MH2152 to MH459 The Lane MH2154 to MH2152 The Lane MH2156 to MH2154 The Lane MH2158 to MH2156 The Lane MH2160 to MH2158 The Lane MH2162 to MH2160	<u><b>Sheet 13</b></u>	1020 ft. 12" sanitary 220 ft. 10" sanitary 220 ft. 10" sanitary 215 ft. 10" sanitary 200 ft. 10" sanitary 200 ft. 10" sanitary 185 ft. 10" sanitary
Highland Rd. MH2224 to H62 Highland Rd. MH2224 to MH2226 Highland Rd. MH2226 to MH2228 Highland Rd. MH2228 to MH2232	<u><b>Sheet 14</b></u>	275 ft. 10" sanitary 270 ft. 10" sanitary 180 ft. 10" sanitary 440 ft. 10" sanitary
400 block of S Stough 400 block of S Madison 200 block of S Madison Thurlow St. MH1463 to MH1462	<u><b>Sheet 15</b></u>	670 ft 12" storm 800 ft 15" storm 430 ft. 15" storm 240 ft. 10" sanitary
Chicago Ave from M.H. S1266 West to Oak	<u><b>Sheet 17 &amp; 18</b></u>	900 ft 12" storm
600 & 700 block of S Stough 600 & 700 block of S Madison S. Madison S866 to S870 8 <sup>th</sup> from Jackson to Quincy S. Stough MH1696 to MH1702	<u><b>Sheet 19</b></u>	1300 ft 12" storm 1400 ft 12" storm 300 ft 12" storm 700 ft. 10" storm 630 ft. 10" sanitary
Camberley Ct. MH2068 to Blind Connection 8 <sup>th</sup> Pl. MH1266 to MH1274	<u><b>Sheet 20</b></u>	80 ft. 8" sanitary 350 ft 10" sanitary
Pamela Circle West MH1792 to MH H1322	<u><b>Sheet 21</b></u>	470 ft 8" sanitary
Harding Rd MH1983 to H58 Harding Rd. MH1980 to MH388 Bittersweet MH1990 to MH1992 Pamela Circle East MH107 to MH105	<u><b>Sheet 22</b></u>	550 ft. 8" sanitary 250 ft. 8" sanitary 400 ft. 8" sanitary 250 ft. 8" sanitary
Grant St. MH S1556 to MH S1552 Grant St. MH S1552 to MH S1532 Grant St. MH S1532 to MH S1528 Grant St. MH S1528 to MH S1115	<u><b>Sheet 24</b></u>	250 ft. 12" storm 150 ft. 12" storm 130 ft. 18" storm 130 ft. 18" storm



Racquet Ct. N. Easement S1532 to S1534	30 ft. 8" storm
Racquet Ct. N. Easement S1534 to S1536	50 ft. 6" storm
Racquet Ct. N. Easement S1536 to S1538	30 ft. 6" storm
Racquet Ct. N. Easement S1536 to S1540	350 ft. 6" storm
Racquet Ct. N. Easement S1540 to S1542	50 ft. 6" storm
Racquet Ct. N. Easement S1542 to S1548	150 ft. 6" storm
Racquet Ct. S. Easement S1116 to S1118	600 ft. 15" storm
Racquet Ct. S. Easement S1118 to S1121	280 ft. 12" storm

**Sheet 25**

End of Giddings S316 to S314	70 ft 12" storm
End of Giddings S314 to S328	300 ft. 15" storm
End of Giddings S314 to S306	550 ft. 15" storm
S. Garfield S1154 to S1142	675 ft 8" storm
S. Garfield S1142 to S334	1275 ft 15" storm

Total    34,798 Ft.



## **Televising List 2022**

Sheet 9-Minneola from Franklin to Oak S432 to S410 350 FT. OF 12" Storm

Sheet 11-Quincy/Bruner Easement S893 TO S892 130 FT. 12" Storm

Sheet 11-Quincy/Bruner Easement S891 TO S886 185 FT. 10" Storm

Sheet 11-Bruner S886 TO Blind Connection 100 FT. 8" Storm

Sheet 11-Bruner S888 TO S885 520 FT. 12" Storm

Sheet 12-Garfield MH2455 to Dead End 280 FT. 10" Sanitary

Sheet 16-Village Place MH880 to MH870 280 FT. 12" Sanitary

Sheet 16-Hinsdale Ave MH872 to MH870 130 FT. 12" Sanitary

Sheet 16-Hinsdale Ave MH870 to MH850 280 FT. 12" Sanitary

Sheet 20-Madison Street MH1258 to MH1251 300 FT. 10" Sanitary

Sheet 20-Camberley Ct. MH2068 to Blind Connection 80 FT. 8" Sanitary

**Total 2,635 FT.**



**REQUEST FOR BOARD ACTION**  
Finance

**AGENDA SECTION:** Consent – ACA

**SUBJECT:** Blanket Purchase Order with Sportskids Inc.

**MEETING DATE:** September 20, 2022

**FROM:** Alison Brothen, Finance Director

---

**Recommended Motion**

Approve the issuance of a blanket purchase order in the amount of \$35,000 to Sportskids Inc. for recreation programming services.

**Background**

At the beginning of each fiscal year, the Village Board approves a listing of blanket purchase orders that exceed the Village Manager's spending authority of \$20,000. Blanket purchase orders are normally issued to vendors where frequent purchases are made throughout year in order to streamline purchasing procedures for routine purchases, proprietary items, or sole-source vendors.

**Discussion & Recommendation**

The Parks and Recreation Department utilizes the services of Sportskids Inc. to provide recreation programming. All of the costs of these services are offset by recreation program fees. So far this fiscal year, the Village has paid \$15,029 to this vendor. At the present time, staff projects that the Village will spend approximately \$ 35,000 with this vendor for the entire fiscal year. This amount will exceed the Village Manager's spending authority and will require Village Board approval. Since this vendor was not included on the blanket purchase order listing approved in December of 2021, staff is requesting approval of this additional blanket purchase order.

**Budget Impact**

The cost of these services are included in 6210-7273. As noted previously, recreation programming fees will cover 100% of the cost.

**Village Board and/or Committee Action**

This item appears without benefit of a First Reading due to time sensitivity.

**Documents Attached**

None



**REQUEST FOR BOARD ACTION**

Public Services &  
Engineering

**AGENDA SECTION:** Second Read – EPS

**SUBJECT:** Memorial Building

**MEETING DATE:** September 20, 2022

**FROM:** George Peluso, Director of Public Services

---

**Recommended Motion**

Waive the competitive bidding process and accept a proposal from Oak Brook Mechanical Services in the amount of \$21,890 for an emergency repair to remove and replace the heating and cooling coils in the Memorial Building air handler unit.

**Background**

On Sunday, September 11, Village Maintenance staff observed flooding at the Memorial Building. After investigating the source of the flood, it was discovered that a cooling coil in the air handling unit in the attic of the Memorial Building had ruptured. The cooling coil is fed through a water pipe in the Memorial Building attic. Once ruptured, the water flooded the attic and bled through the ceiling into the second floor offices of the Memorial Building damaging carpet, ceiling tiles, etc. Maintenance staff was able to shut off the valve that supplies water to the system. Due to the coil damage, the Memorial Building's heating and air condition system cannot operate until the proper repairs are made.

**Discussion & Recommendation**

Due to the emergency nature of these repairs and long lead times on the necessary parts, staff solicited written proposals. Their responses are detailed below:

<b>Memorial Building Air Handler Repairs</b>			
<b>Vendor</b>	<b>Oak Brook Mechanical Services</b>	<b>Sendra Service Corp.</b>	<b>Kroeschell Service, Inc.</b>
<b>Price</b>	\$21,890	\$28,160	\$31,200

Oak Brook Mechanical Services provided the low proposal in the amount of \$21,890. Oak Brook estimates it will take approximately 3-4 weeks to procure the required parts and then a couple days to build and install the new coils. The Village has worked with Oak Brook Mechanical Services on a variety of projects including the recent PD/FD boiler replacement. Staff has been satisfied with their services.

**Budget Impact**

This is an unbudgeted expense of \$21,890 that will be charged to the Building Maintenance Budget (4400-7401).

Staff has submitted a claim for this incident with the Village's insurance provider IRMA and are awaiting verification on whether the costs for the repairs and associated damage will be covered. The Village's deductible is \$25,000.

**Village Board and/or Committee Action**

Approve the attached proposal from Oak Brook Mechanical Services in the amount of \$21,890.

**Documents Attached**

1. Proposals: Oak Brook Mechanical Services, Sendra Service Corp., Kroeschell Service Inc.



## Oak Brook Mechanical Services

961 S. Route 83  
Elmhurst, IL 60126  
Voice: 630-941-3555 Fax: 630-941-0294  
OMSHVAC.com  
mikeh@omshvac.com

To: Village Of Hinsdale From: Mike Hoy  
Attn: Jim Piontkowski, Bldg Svs Sup Pages: 1  
Phone: (630)878-2015 Date: September 13, 2022  
Re: Replace Htng & Cooling Coil On Email: jpiontkowski@villageofhinsdale.org

Chrysler AHU In Attic

---

Comments: Replace Heating And Cooling Coil On Chrysler AHU In Attic at Hinsdale Memorial Village Hall

Oak Brook Mechanical Services Inc proposes on disconnecting supply and return piping to the existing heating and cooling coil on the Chrysler AHU in attic and remove the old coils. We will then clean the best we can the removed AHU panel and basin. We will furnish and install a new heating and cooling coil in the air handler and install new replacement piping at the coils and reinstall the existing panels. Upon completion we will insulate the new piping.

Total Lot Price: \$21,809.00-Coil Lead Time 3-4 Weeks Based On Express Quick Ship

Mike Hoy-Mobil (312)720-3739

Service Estimator

Oak Brook Mechanical Services Inc.





# Sendra Service Corp.

9930 W 190<sup>th</sup> St unit D  
Mokena, IL 60448  
OFFICE (815) 462-0061

**Date:** 9/15/2022

(RR-02345)

**Location:** Village of Hinsdale

**Attn:** Jim P

**Job description:** Coil Replacement

Sendra Service is pleased to propose the following quotation:

- Disconnect (1) coil and piping
- Cut out and remove coil
- Furnish and install (1) new coil
- Install new piping and fittings as needed
- Test for leak free operation

**Total for the above ...\$ 15,360.00**

**Add for insulation of piping insulation \$ 850.00**

**To replace second coil at the same time add ...\$ 11,950.00**

**Lead time 5-6 weeks**

**Clarifications**

**Exclusions are as follows,**

Insulation, bonds, permits, inspection fees, any work outside scope of work

-----  
Customer acceptance

, Respectfully Submitted by, Robert Raycroft.  
Prices are valid for 30 days.

Robert Raycroft – Project Manager  
Sendra Service Corp.  
Office 815-462-0061  
Cell 815-530-6123  
Email: r.raycroft@sendraservice.com

Page 1 of 2



# KROESCHELL

SERVICE, Inc.

09-15-2022

Village of Hinsdale  
19 E. Chicago St  
Hinsdale, Illinois 60521

Attn: Mr. Rich Roehn

**Re: Memorial Building**

Dear Mr. Roehn

Kroeschell Inc would like to submit this proposal to replace heating and cooling coil in AHU located in attic of Memorial Building. Includes piping, leak check, re-insulate pipe, cleaning of condensate pan and clean up of work space

\*\*\*\*\* All combustible material must be a minimum of 35 feet from work space \*\*\*\*\*  
Four week lead time on coils.

Our **Fixed Price** for the above mentioned work is \$31200.00

The following items are not included in our price:

Overtime, permits, bonds, fees, electrical and temperature control wiring, new temperature controls and premium time.

Terms: Net 30 days from the date of invoice, plus 1½ % per month on unpaid balances.

If you have any questions, please feel free to contact me at (312) 907-1896

Sincerely,

Pete Hopkins  
KROESCHELL ENGINEERING SERVICE INC.

ACCEPTED \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

Kroeschell Service, Inc.





REQUEST FOR BOARD ACTION

Community Development

**AGENDA SECTION:** Second Reading – ZPS

**SUBJECT:** Special Use Permit to allow for an Animal Hospital in the B-1 Community Business District and an Exterior Appearance & Site Plan Review to allow for changes to the existing building and site for VetChart, LLC located at 101 W. Chestnut Street – Case A-16-2022

**MEETING DATE:** September 20, 2022

**FROM:** Bethany Salmon, Village Planner

---

**Recommended Motion**

Approve an Ordinance Approving a Special Use Permit and Concurrent Site Plan and Exterior Appearance Plan Approval to Redevelop an Existing Building with a New Pet Hospital/Veterinary Clinic – Vetchart, LLC - 101 W. Chestnut Street

**Application Request**

The Village of Hinsdale received an application from VetChart, LLC requesting approval of a Special Use Permit to allow for the operation of a pet hospital at 101 W. Chestnut Street in the B-1 Community Business District. In accordance with Section 5-105 of the Zoning Code, pet hospitals are classified as Veterinary Services for Animal Specialties (SIC Code 0742), which are considered a Special Use in the B-1 District and are only permitted in stand-alone buildings.

The applicant also requests approval of an Exterior Appearance and Site Plan Review to allow for the removal of the existing drive-through lanes used by the former bank, changes to the west building elevation, installation of a loading space and planter boxes, and the construction of an outdoor animal enclosure, a dumpster enclosure, and a parklet system on the west side of the building.

**Background**

The applicant proposes to occupy an existing one-story, stand-alone vacant building formerly occupied by a bank. In 2002, by Ordinance No. O2002-41, the Village Board approved a Special Use Permit and Exterior Appearance / Site Plan for two drive-through lanes to be installed on the west side of the building and changes to the building elevations. Minor changes to the original site plan and building elevations were approved under Ordinance No. O2003-2 and O2003-39.

In the Business Zoning Districts, drive-through lanes are only permitted for drugstores, pharmacies, banks or financial institutions (depository or non-depository credit institutions) subject to approval of a Special Use Permit and in accordance with the use regulations of Section 5-109. Drive-through lanes are not permitted for animal hospitals. To meet code requirements, the applicant intends to remove the drive-through window and accessories formerly used by the bank and will convert the two drive-through lanes into an outdoor area for animal relief, a dumpster enclosure, a parklet area for staff, and a loading area. Approval of a new Special Use will be required in the future to re-establish the drive-through lanes.

There are no properties in a single-family residential zoning district within 250 feet of the subject property. Fullers Car Wash is located to the north in the B-1 District. A multi-tenant shopping center with a mix of office and service uses (real estate office, financial advisor office, dry cleaners, physical therapy, and pet grooming) are located to the south across Chestnut Street in the B-3 District. A Village-owned public parking lot, office building with an insurance company, and multi-tenant building with offices and a dry cleaners are located to the east across Lincoln Street in the B-1 District. Grant Square



Shopping Center is located to the west in the B-1 District and includes a mix of retail, office, and service uses. Chestnut Street, a private street serving Grant Square, is included on the south side of the property.

### **Project Description**

**Special Use Permit** - The applicant proposes to utilize the existing one-story, 3,300 square foot building as a pet hospital and veterinary clinic. VetChart, LLC will provide services to only dogs and cats, not exotic animals. The applicant has confirmed that there will be no overnight boarding of animals on site. Boarding Kennels (Animal Specialty Services - SIC Code 0752) are also considered a Special Use in the B-1 District and would require a separate approval from the Village in the future if pursued.

The business intends to operate Monday through Friday from 7:30 am to 5:30 pm. Per the applicant, when VetChart, LLC initially opens their business, it is anticipated that there will be 2-3 employees and about 1-2 clients per hour. With future growth, the applicant does not anticipate that there will ever be more than 20 employees or clients on site at a time. As shown on the interior floor plan, the building will include exam rooms, offices, a surgical suite, a dental suite, and other areas for veterinary services.

**Exterior Appearance / Site Plan Review** - The applicant is proposing various improvements to the west side of the building. There are no proposed changes to lot coverage and the site complies with the bulk regulations in the B-1 District.

- **Removal of the Drive-Through Lanes and Accessories** - The drive-through lanes and all accessory components will be removed to meet the Zoning Code requirements. Approval of a new Special Use Permit will be required in the future to re-establish a drive-through. On the west elevation, the existing drive-through window, pneumatic tube system, ATM and depository boxes, and other components will be removed.

A new steel door will be installed where the existing window is located and all other areas will be infilled with brick that matches the existing brick. There are no proposed changes to the existing canopy over the drive-through lanes.

- **Loading Space** - The majority of the outer west drive-through lane will be converted into a loading space measuring 10 feet wide and 46 feet long. The pavement will be striped and signage will be installed indicating it is a no parking area and loading zone. Per the applicant, loading will be used for the crematorium, lab pick-up, and bereavement.
- **Outdoor Animal Enclosure** - An outdoor fenced enclosure will be constructed within the inner east drive-through lane and will be partially located underneath the existing canopy to provide an area for animal relief. The area will measure about 460 square feet in size, at 10 feet wide and 46 feet long, and will be constructed of a 6 foot tall opaque cedar fence. An access gate will be located on the south side of the enclosure. Artificial turf and a drainage mat will be installed above the existing asphalt, therefore there are no changes to lot coverage.

An exterior water connection for a hose to clean the area and a new trench drain tied into the underground storm sewer will be installed to allow for drainage contained within the outdoor area. Final engineering details will be determined and reviewed during the building permit review process.

- **Parklet** - The applicant is also proposing a small parklet to provide an outdoor sitting area for employees. The 128 square foot parklet is proposed on top of the existing asphalt to the south of the outdoor animal enclosure and measures 8 feet wide and 16 feet long.

The applicant has provided a product specification sheet of the parklet system, which is constructed of a metal frame and wood plank flooring. The area includes a bench seating area with landscaped planters on both sides.



- Planter Boxes - Five (5) fiberglass planter boxes will be installed. The planters will be dark green in color. Three (3) planter boxes are proposed in the center concrete median between the two existing drive-through lanes and canopy posts. Two (2) are proposed along the drive-aisle to the south.
- Dumpster Enclosure / Screening - There is currently no dumpster enclosure located on site. The Zoning Code requires screening of dumpsters by a fully enclosed opaque fence, wall, or densely planted evergreen hedge of a height sufficient to completely screen such containers or storage areas from view. To meet code requirements, the applicant intends to construct a new dumpster enclosure measuring 10 feet wide and 4 feet deep in the existing asphalt area directly to the north of the proposed outdoor animal enclosure. The dumpster enclosure will use the same 6 foot tall cedar fencing material as the outdoor animal enclosure.
- Signage - At this time, the applicant has not provided details on the new monument sign or any permanent building signs, which will require a future Sign Permit Review by the Plan Commission.
- Parking - There are no changes to parking and circulation on site. There are currently 32 parking spaces provided in the existing parking lot, two (2) of which are accessible. In accordance with Section 9-104(J), one (1) parking space is required for each 250 square feet of net floor area. The proposed pet hospital would require 14 spaces parking spaces, and therefore, the number of existing spaces exceeds code requirements.

### **Discussion & Recommendation**

Plan Commission – Public Hearing – The project was reviewed by the Plan Commission at a public hearing held on August 10, 2022. Patrick McGinnis, the attorney representing the applicant from Donatelli and Coules, provided an overview of the project. The applicant, Sarah Baker, representing VetChart, LLC, and Patrick Callahan from Studio GC, the architect for the project, were also present at the meeting to answer questions.

Mr. McGinnis summarized how the proposed animal hospital met the standards for a Special Use. Mr. McGinnis stated that a market analysis was completed that found that there is a need for additional vet clinics in the community, the proposed animal hospital will provide a less intensive use than the former bank, and adequate parking is provided on site for the proposed use. Mr. McGinnis stated the proposed use fits into the surrounding area, noting there is a pet grooming business in the adjacent shopping center across the street. The proposed use will not provide grooming services, but both businesses will go hand-in-hand in operations.

Mr. McGinnis stated the applicant has taken steps to mitigate possible adverse impacts. There will be no overnight boarding or operations and the business will have traditional hours, opening at about 7:30 a.m. and closing at 5:30 p.m. The outdoor area to be used for animal relief will be fully screened and consists of artificial turf, a drainage mat, and a drain tile to pipe any run-off underground. A water spigot will also be installed to clean the area. Dogs will be taken outside one at a time with an employee. The area will not be used as a dog run and animals will not be outside unattended. The applicant noted they contacted a much larger dog day care facility in Burr Ridge that uses a similar drainage system for their outdoor area that accommodates about 100-150 dogs and they reported that do not have any issues with smells or cleanliness.

The applicant confirmed during the meeting that there will not be a crematorium in the building and the business will use a pick-up service.

It was asked if the business will generate any sales tax revenue, where the applicant stated they assume they will generate some from selling medical and pharmaceutical products for animals. One



Commissioner expressed support for the additional landscaping added on site, but noted the chosen planter design may be too modern.

There was a brief discussion on parking, where a Commissioner asked if any parking was used by Fullers located to the north. The applicant commented that some parking may have been used temporarily while the building was vacant, but the intention is that the entire parking lot will be used by the animal hospital.

It was clarified at the meeting that the proposed business is not associated with Hinsdale Animal Hospital and the future name of the business will be Lane Veterinary.

No members of the public provided comment at the meeting. Staff did not receive complaints or negative feedback from members of the public prior to the meeting. Overall, the Commission expressed support for the project, noting this is a good repurposing of the vacant former bank building.

Based on the findings set forth above, the Village of Hinsdale Plan Commission, by a vote of six (6) ayes and zero (0) nays, with three (3) absent, recommended to the President and Board of Trustees approval of Case A-16-2022, a Special Use Permit to allow for an Animal Hospital in the B-1 Community Business District and an Exterior Appearance & Site Plan Review to allow for changes to the existing building and site for VetChart, LLC located at 101 W. Chestnut Street, as submitted.

#### **Village Board and/or Committee Action**

The project was reviewed at a First Reading at the Village Board meeting on September 6, 2022. Patrick McGinnis, the attorney representing the applicant from Donatelli and Coules, and Sarah Baker, representing VetChart, LLC, were present at the meeting to answer questions.

Mr. McGinnis provided an overview of the application and stated that a market analysis showed a need for this type of use in the community and no cremation will take place on site. The applicant confirmed there are no proposed changes to the north, south, or east elevations and the proposed changes are only to the west side of the building.

There was a discussion on the outdoor animal enclosure and the proposed drainage system. Mr. McGinnis stated the area will be tied into the underground sewage system and a water spigot will be installed to keep the area clean. Ms. Baker stated that the system is similar to a large day care facility in Burr Ridge and provided an overview of the design noting there will be no odor issues.

No public comments were provided at the meeting. The Village Board moved the item forward for a Second Reading.

#### **Documents Attached**

1. Ordinance & Exhibits
  - Exhibit A - Legal Description
  - Exhibit B - Approved Plans
  - Exhibit C - Findings and Recommendation of the Plan Commission

Previous Attachments: The following related materials for this case were provided for the Board of Trustees on September 6, 2022, and are available on the Village website at the following link: [https://cms1files.revize.com/revize/hinsdaleil/document\\_center/VillageBoard/2022/09%20SEP/VBOT%20packet%2009%2006%2022.pdf](https://cms1files.revize.com/revize/hinsdaleil/document_center/VillageBoard/2022/09%20SEP/VBOT%20packet%2009%2006%2022.pdf)





## REQUEST FOR BOARD ACTION

1. Zoning Map and Project Location
2. Aerial View
3. Birds Eye View
4. Street View
5. Special Use Permit Application and Exhibits
6. Draft Ordinance
7. Plan Commission Findings and Recommendation
8. Plan Commission Public Hearing Transcript – August 10, 2022



VILLAGE OF HINSDALE

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT AND CONCURRENT SITE PLAN AND EXTERIOR APPEARANCE PLAN APPROVAL TO REDEVELOP AN EXISTING BUILDING WITH A NEW PET HOSPITAL/VETERINARY CLINIC – VETCHART, LLC - 101 W. CHESTNUT STREET**

**WHEREAS**, VetChart, LLC (the “Applicant”) has submitted an application (the “Application”) seeking a special use permit for a pet hospital/veterinary clinic, and site plan and exterior appearance plan approval related to the redevelopment of an existing vacant one-story building on property located at 101 W. Chestnut Street (the “Subject Property”) as a pet hospital and veterinary clinic. The Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

**WHEREAS**, the Subject Property is located in the Village’s B-1 Community Business Zoning District, is vacant, and is currently improved with an existing 3,300 square foot former bank building with existing drive-through lanes. The Applicant proposes to utilize the existing building and to replace it with a new pet hospital and veterinary clinic. The Applicant is proposing various improvements to the west side of the building, including the removal of the existing drive-through lanes and accessories; converting the existing outer west drive-through lane into a loading space; the construction of an outdoor animal enclosure within the existing inner east drive-through lane; and the creation of parklet to provide outdoor seating for employees. Collectively, the site improvements are the “Proposed Improvements.” The Proposed Improvements are depicted in the Site Plan and Exterior Appearance Plan, attached hereto as **Exhibit B** and made a part hereof; and

**WHEREAS**, pet hospitals are permitted as special uses in the B-1 Community Business Zoning District pursuant to subsection 5-105(C)(24) of the Hinsdale Zoning Code (“Zoning Code”); 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 August 10, 2022, the Plan Commission of the Village of Hinsdale reviewed the Application at a public hearing pursuant to notice given in accordance with the Zoning Code; and

**WHEREAS**, the Plan Commission, after considering all of the testimony and evidence presented at the public hearing, recommended approval of the special use permit for a pet hospital/veterinary clinic, and proposed exterior appearance plan and proposed site plan for the Proposed Improvements, with certain conditions as set forth below, on a unanimous vote of six (6) ayes, zero (0) nays, and three (3) absent, all as set



forth in the Plan Commission's Findings and Recommendation in this case ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit C** and made a part hereof. The Plan Commission has filed its report of Findings and Recommendation regarding the approval sought in the Application with the President and Board of Trustees; and

**WHEREAS**, the President and Board of Trustees 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 established in subsection 11-604F of the Zoning Code governing site plan approval, 11-606E of the Zoning Code governing exterior appearance review, and 11-602 of the Zoning Code governing approval of special use permits, subject to the conditions stated 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: 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 Plan Commission, a copy of which is attached hereto as **Exhibit C** and made a part hereof, and incorporate such findings and recommendation herein by reference as if fully set forth herein.

**SECTION 3: Approval of Special Use for Pet Hospital/Veterinary Clinic.** The 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 pet hospital in the B-1 Community Business Zoning District on the Subject Property located at 101 W. Chestnut Street, Hinsdale, Illinois, as legally described in **Exhibit A.**

**SECTION 4: Approval of Site Plan and Exterior Appearance Plan.** The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Sections 11-604 and 11-606 of the Hinsdale Zoning Code, approves the Site Plan and Exterior Appearance Plan relative to the Proposed Improvements. The Site Plan and Exterior Appearance Plan shall be attached to, and by this reference, incorporated into this Ordinance as **Exhibit B** (the "Approved Plans").

**SECTION 5: Conditions on Approvals.** The approvals granted in this Ordinance are expressly subject to all of the following conditions:

- A. **Compliance with Plans.** All work on the Subject Property shall be undertaken only in strict compliance with the Approved Plans attached as **Exhibit B.**



- B. 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 all development on, and improvement of, the Subject Property. All such development and improvement shall comply with all Village codes, ordinances, and regulations at all times.
- C. 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 6: 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 rescission by the Board of Trustees of the approvals set forth in this Ordinance.

**SECTION 7: 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 are hereby repealed.

**SECTION 8: 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 \_\_\_\_\_ 2022.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, and attested to by  
the Village Clerk this same day.

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

ATTEST:

\_\_\_\_\_  
Christine M. Bruton, Village Clerk

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

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_, 2022



**EXHIBIT A**

**LEGAL DESCRIPTION OF THE SUBJECT PROPERTY**

**LOTS 1, 2 AND 3 IN BERGMAN'S RESUBDIVISION OF PART OF OUT LOT 1 OF THE TOWN OF HINSDALE AND PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BERGMAN'S RESUBDIVISION RECORDED JULY 17, 1945 AS DOCUMENT 480985, IN DUPAGE COUNTY, ILLINOIS.**

**ALSO THAT PART OF LOT 2 IN GRANT SQUARE SHOPPING CENTER RESUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 2, THENCE SOUTH ON THE EAST LINE OF LOT 2, 36.63 FEET TO THE SOUTHEAST CORNER OF LOT 2, THENCE WEST ON THE SOUTH LINE OF LOT 2, 20.00 FEET, THENCE SOUTHWESTERLY ON THE SOUTH LINE OF LOT 2, 149.74 FEET TO AN ANGLE POINT, THEN NORTHERLY 24 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 2 IN SAID BERGMAN'S RESBUDIVISION, THENCE NORTHEASTERLY ON THE NORTH LINE OF LOT 2, TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT RECORDED MARCH 3, 1964 AS DOCUMENT NO. R-64-6737, IN DU PAGE COUNTY, ILLINOIS.**

**Commonly Known As: 101 W. Chestnut Street, Hinsdale, Illinois**

**PIN Numbers: 09-12-109-005; 09-12-109-012; 09-12-109-002**



**EXHIBIT B**

**APPROVED SITE PLAN AND EXTERIOR APPEARANCE PLAN  
(ATTACHED)**



### **Summary & Business Description**

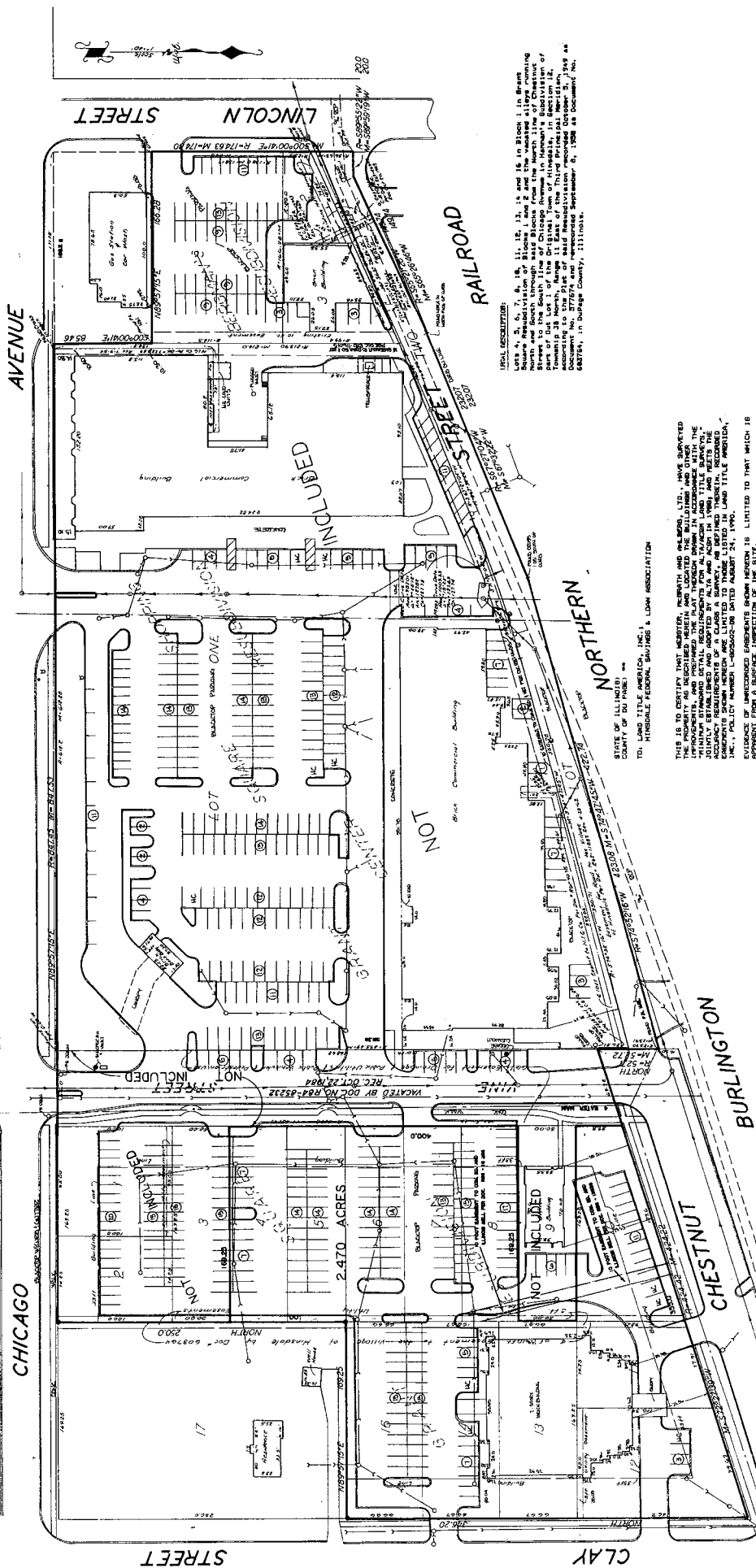
Applicant is seeking approval for a Special Use to operate a veterinary clinic in the B-1 District at the property located at 101 W. Chestnut St. The property was previously used as a bank, but is currently vacant and not in use. Applicant is a local vet and is looking to start her business at this location. Applicant has obtained the approval from the owner of the property, Grant Square LLC, to operate this business at this location and has entered into a ten (10) year lease agreement with the owner, contingent on the Special Use approval.

Applicant's practice will serve dogs and cats, not any exotic animals. Applicant's business will operate with traditional hours (no overnight patients), beginning with 2-3 employees working at a time, seeing approximately 1-2 clients per hour. As the business begins to grow, this will hopefully increase for the applicant, but never more than a total of 20 employees/clients at a time. The building space will include six (6) exam rooms, two (2) offices, a surgical suite, a dental suite, a lab, a back room, and some small additional outdoor space. Applicant's intent is to provide gold standard care for the local community and their pets. Traditional hours would be Monday through Friday, 7:30 am – 5:30 pm.

The only proposed/requested changes to the outside of the building/site Applicant is requesting approval for is to remove the drive-thru window and lanes and add a small outdoor space to the property, which will include artificial turf and an opaque fence, planters and greenery surrounding the area. The outdoor space will be used for inpatient animal relief and will be turf to allow easy clean up multiple times per day. It will also include a drainage system. This outdoor space would be located where the first lane of the bank drive-thru is currently located. The second lane will remain open, to be used as a loading/drop off space, with a sign setting a limit of 15 to 30 minutes for using that space. The loading zone would be used for the crematorium, lab pick-up, and occasional bereavement when necessary.

Applicant is not seeking overnight/boarding use of the property, as this would require 24 hour supervision of the animals in order to provide gold standard care.





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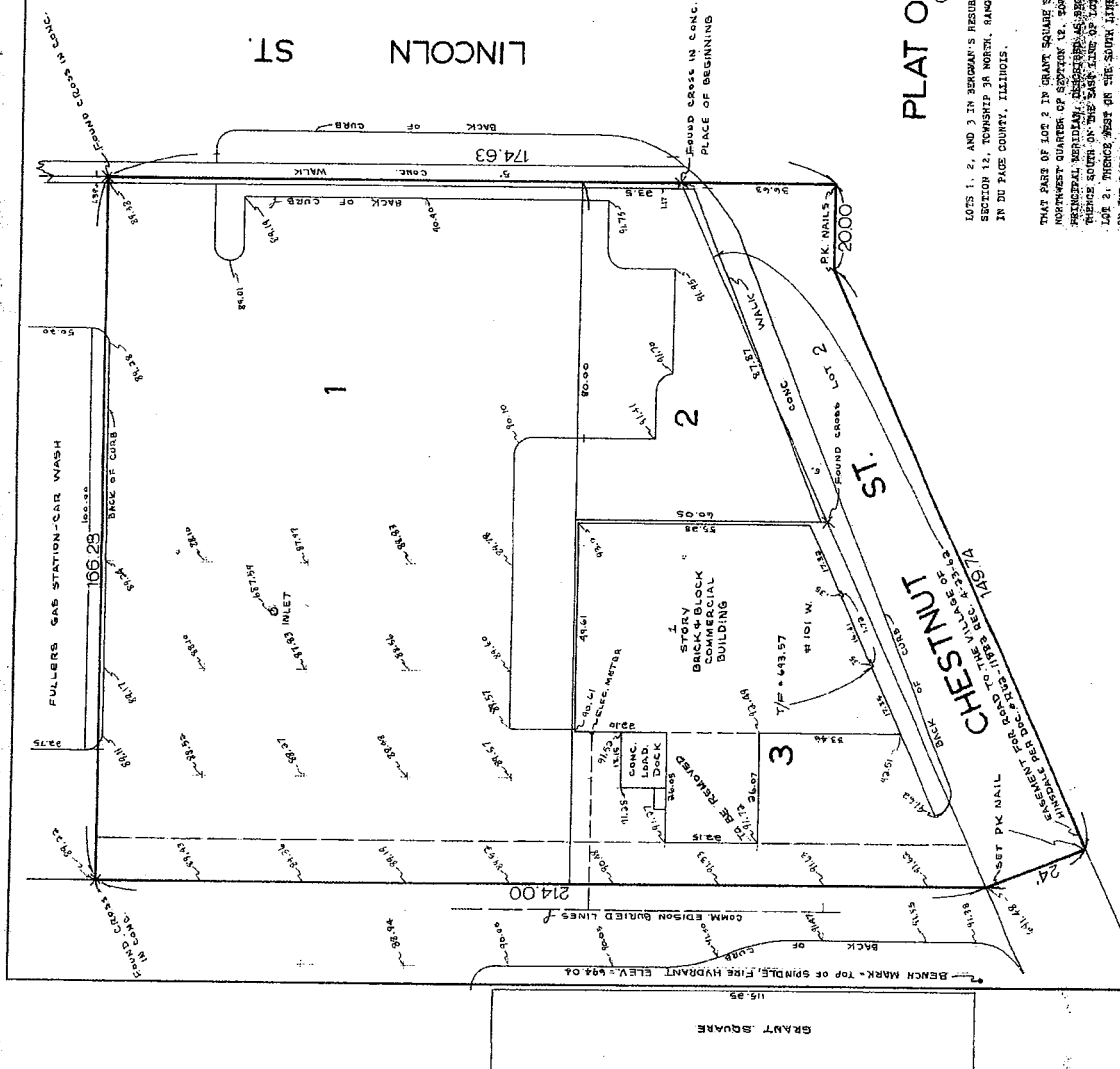
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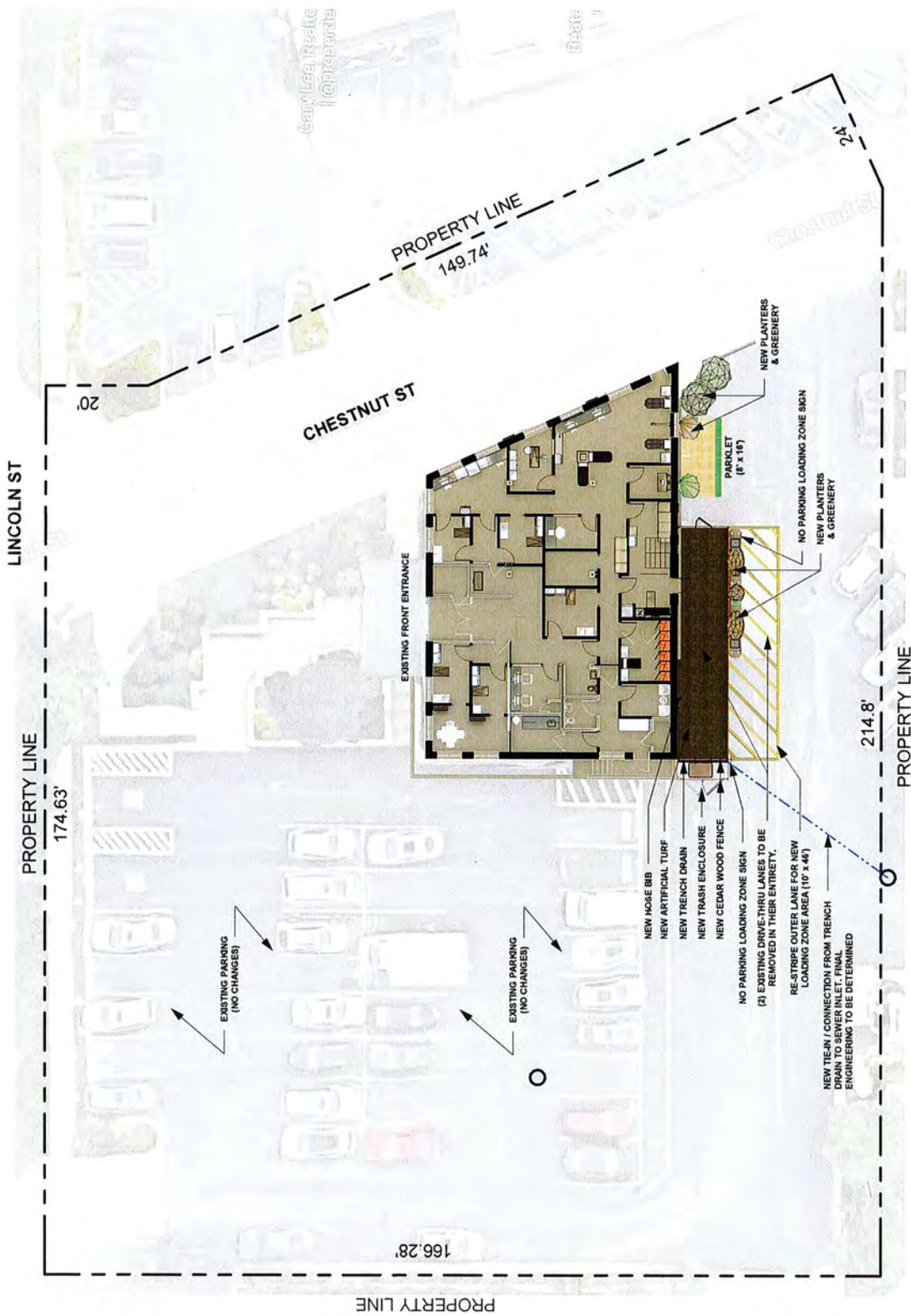
LOTS 1, 2, AND 3 IN BERGMAN'S RESUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

ALSO

THAT PART OF LOT 2 IN GRANT SHOPPING CENTER RESUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 11, EAST OF THE THIRD MERIDIAN HORIZONAL, DESCRIBED AS BEING PART OF THE NORTHWEST QUARTER OF LOT 2, THENCE NORTH ON THE EAST LINE OF LOT 2, 76.65 FEET TO THE SOUTHWEST CORNER OF LOT 2, THENCE WEST ON THE SOUTH LINE OF LOT 2, 121.00 FEET, THENCE NORTHEASTLY ON THE NORTH LINE OF LOT 2, 149.74 FEET TO AN ANGLE POINT, THENCE NORTHEASTLY 47 DEG. MORE ON TIES, TO THE SOUTHWEST CORNER OF LOT 3 IN THE FIRST SUBDIVISION, REINTERESTED, THENCE NORTHEASTLY ON THE NORTH LINE OF LOT 2, TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT RECORDED VOUCH. 3, 1964 AS DOCUMENT NO. 8-64-0737, IN DU PAGE COUNTY, ILLINOIS.







**Site Plan**  
**Dr. Sarah Baker**  
**HINSDALE ANIMAL HOSPITAL**  
 101 W Chestnut St | Hinsdale, IL

2022 08 10

22028 **1**

① SITE PLAN  
 1" = 20'-0"

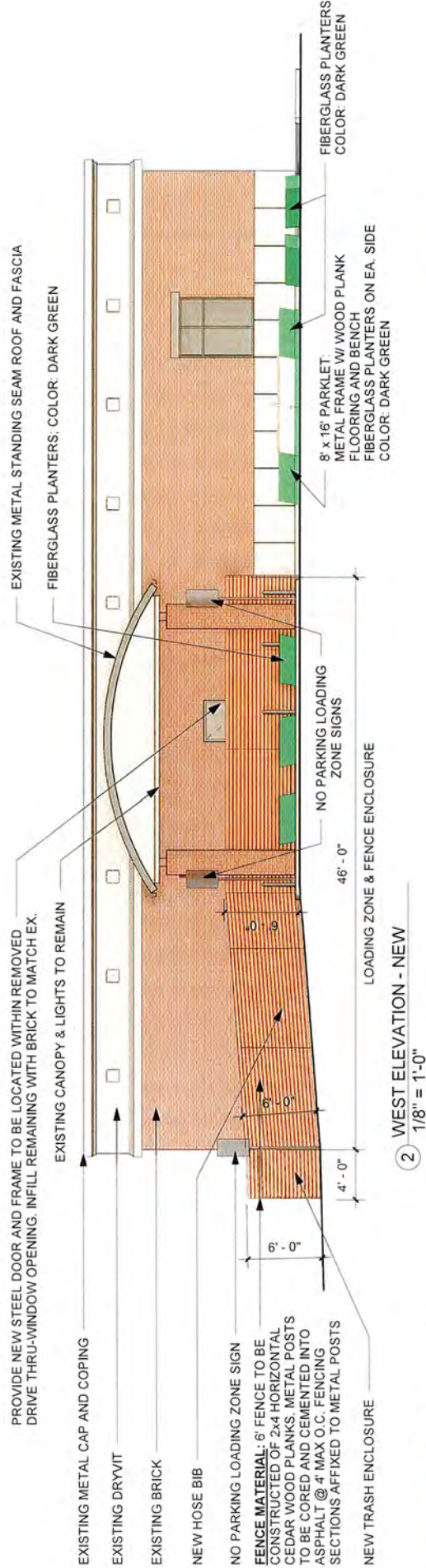
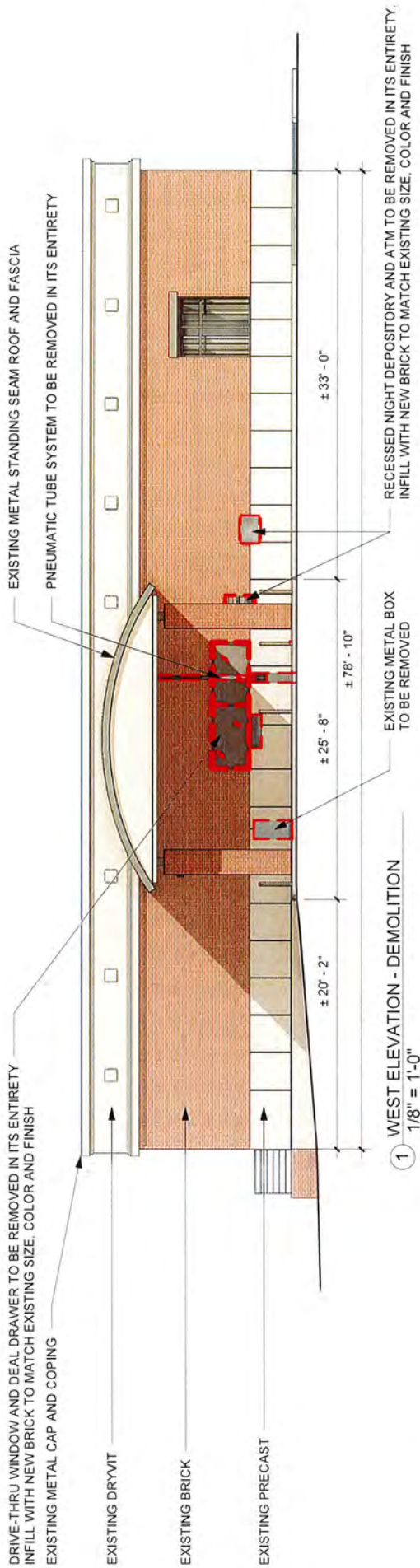
SPECIAL USE APPLICATION











**West Elevation**  
Dr. Sarah Baker  
HINSDALE ANIMAL HOSPITAL  
101 W Chestnut St Hinsdale, IL

2022 06 10

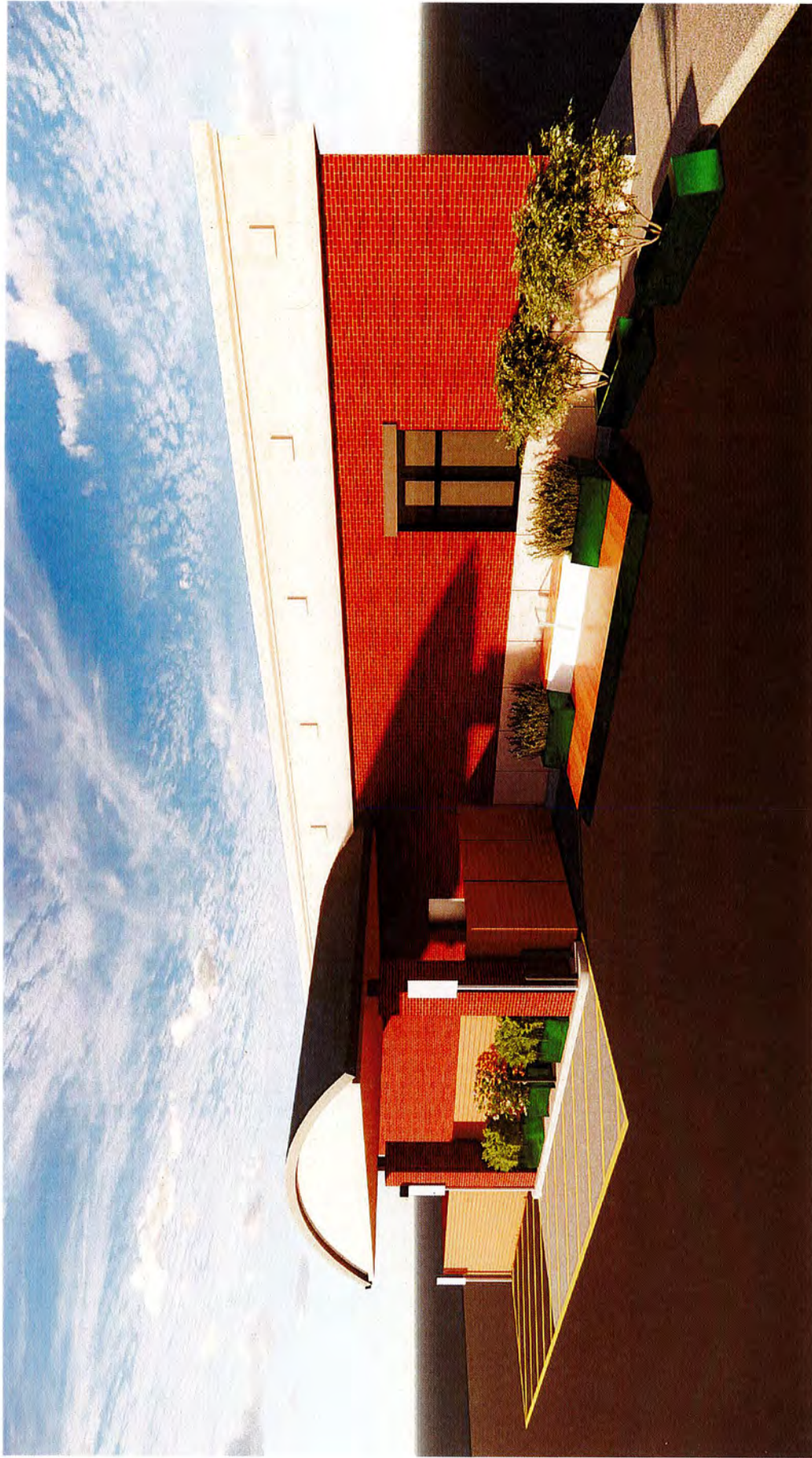
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SPECIAL USE APPLICATION



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**Exterior Perspective**  
Dr. Sarah Baker  
HINSDALE ANIMAL HOSPITAL  
101 W Chestnut St | Hinsdale, IL

2022 08 10

22028 **4**

SPECIAL USE APPLICATION



101 W Chestnut St





NORTH ELEVATION



DRIVE-THRU (FROM NORTH)



WEST ELEVATION



CANOPY / DRIVE-THRU



SOUTH ELEVATION (ALONG CHESTNUT ST.)



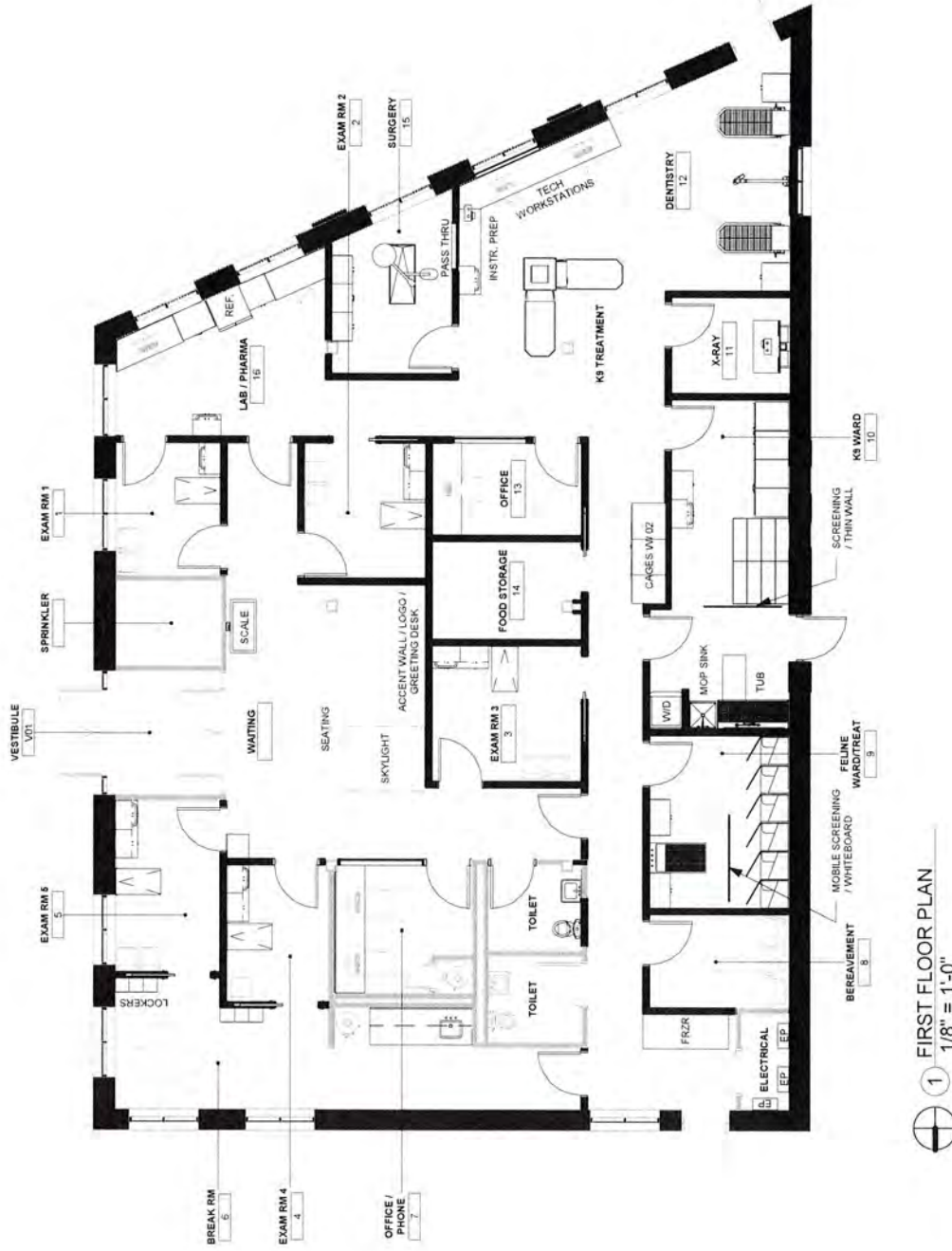
DRIVE-THRU (FROM SOUTH)



WEST ELEVATION (FRONT ENTRANCE)







1 FIRST FLOOR PLAN  
1/8" = 1'-0"

**Interior Floor Plan**  
Dr. Sarah Baker  
HINSDALE ANIMAL HOSPITAL  
101 W. Chestnut St. Hinsdale, IL

2022 08 10

22028 6



# PARKLETS 2.0 portal

4472

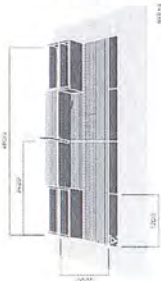
Designed by  
Hong Nip-Aland, SOLA, Johan Verde

Parklets 2.0 portal extends existing pavements to provide more space for people and plants. The portal consists of six complete modules that can quickly be positioned in parking spaces that are no longer in use. The urban flooring is easy to move with an electric forklift and has adjustable feet so that it can be adapted to different situations and levels. The non-slip transition plates ensure a smooth join with the existing pavement.



## Anchoring/assembly

Free-standing/independent to the ground



## Primary material

Hot-dip galvanised steel  
All steel components are hot-dip galvanised, which produces a matt grey surface after a while. We offer a lifetime anti-rust warranty.

5 mm



pots planters and more

## TOLGA+POTSDAM+PERTH

## TOLGA+POTSDAM+PERTH



part number	outside dimensions	opening	base size	weight	quantity
69367 36	36L x 16W x 24H	33.25L x 13.25W	36L x 16W	33.1 lbs	51.4
69367 48	48L x 16W x 24H	45.25L x 13.25W	48L x 16W	39.7 lbs	68.6
69367 60	60L x 16W x 24H	57.25L x 13.25W	60L x 16W	47.4 lbs	85.7
69345 36	36L x 16W x 32H	33.25L x 13.25W	36L x 16W	42.8 lbs	68.6
69345 48	48L x 16W x 32H	45.25L x 13.25W	48L x 16W	52.9 lbs	91.4
69345 72	72L x 16W x 32H	69L x 13.25W	72L x 16W	73.2 lbs	137
69690 36	36L x 16W x 42H	33.25L x 13.25W	36L x 16W	50.7 lbs	90
69690 48	48L x 16W x 42H	45.25L x 13.25W	48L x 16W	65 lbs	120

Figure only! Not suitable for dry up to 2" and this weight in application.



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**Building Materials**  
Dr. Sarah Baker  
HINSDALE ANIMAL HOSPITAL  
101 W Chestnut St | Hinsdale, IL

2022 08 10

2028 7

**STUDIO G**  
ARCHITECTURE • INTERIORS



**EXHIBIT C**

**FINDINGS AND RECOMMENDATION OF THE PLAN COMMISSION**

**(ATTACHED)**



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

**APPLICATION:** Case A-16-2022 – 101 W. Chestnut Street – Special Use Permit to allow for an Animal Hospital in the B-1 Community Business District and an Exterior Appearance & Site Plan Review to allow for changes to the existing building and site for VetChart, LLC located at 101 W. Chestnut Street

**PROPERTY:** 101 W. Chestnut (PINs: 09-12-109-005; 09-12-109-012; 09-12-109-002)

**APPLICANT:** VetChart, LLC

**REQUEST:** Special Use Permit & Exterior Appearance and Site Plan Review

**PLAN COMMISSION (PC) REVIEW:** August 10, 2022

**BOARD OF TRUSTEES 1<sup>ST</sup> READING:** September 6, 2022

**SUMMARY OF REQUEST:** The Village of Hinsdale received an application from VetChart, LLC requesting approval of a Special Use Permit to allow for the operation of a pet hospital at 101 W. Chestnut Street in the B-1 Community Business District. In accordance with Section 5-105 of the Zoning Code, pet hospitals are classified as Veterinary Services for Animal Specialties under SIC Code 0742, which are considered a Special Use in the B-1 District and are only permitted in stand-alone buildings.

The applicant also requests approval of an Exterior Appearance and Site Plan Review to allow for the removal of the existing drive-through lanes used by the former bank, changes to the west building elevation, installation of a loading space and planter boxes, and the construction of an outdoor animal enclosure, a dumpster enclosure, and a parklet system on the west side of the building.

**BACKGROUND:** The applicant proposes to occupy an existing one-story, stand-alone vacant building formerly occupied by a bank. In 2002, by Ordinance No. O2002-41, the Village Board approved a Special Use Permit and Exterior Appearance / Site Plan for two drive-through lanes to be installed on the west side of the building and changes to the building elevations. Minor changes to the original site plan and building elevations were approved under Ordinance No. O2003-2 and O2003-39.

In the Business Zoning Districts, drive-through lanes are only permitted for drugstores, pharmacies, and banks or financial institutions (depository or non-depository credit institutions) subject to approval of a Special Use Permit and in accordance with the use regulations listed in Section 5-109. Drive-through lanes are not permitted for pet hospitals. As a result, the applicant intends to remove the drive-through window and accessory components formerly used by the bank and convert the two existing drive-through lanes into an outdoor area for animals, a dumpster enclosure, a parklet area for staff, and a loading area. Approval of a new Special Use Permit will be required in the future to re-establish any drive-through lanes.

There are no properties in a single-family residential zoning district within 250 feet of the subject property. Fullers Car Wash is located to the north in the B-1 District. A multi-tenant shopping center with a mix of office and service uses (real estate office, financial advisor office, dry cleaners, physical therapy, and pet grooming) are located to the south across Chestnut Street in the B-3 District. A Village-owned public parking lot, office building with an insurance company, and multi-tenant building with offices and a dry cleaners are located to the east across Lincoln Street in the B-1 District. Grant Square Shopping Center is located to the west and includes a mix of retail, office, and service uses. Chestnut Street, a private street serving Grant Square, is included on the south side of the property.



A public hearing was held on Wednesday, August 10, 2022, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on July 21, 2022. The public hearing notice and transcripts are attached.

**PUBLIC HEARING SUMMARY:** At the public hearing held on August 10, 2022, Patrick McGinnis, the attorney representing the applicant from Donatelli and Coules, provided an overview of the project. The applicant, Sarah Baker, representing VetChart, LLC, and Patrick Callahan from Studio GC, the architect for the project, were also present at the meeting to answer questions.

Mr. McGinnis summarized how the proposed animal hospital use meets the standards for a Special Use. Mr. McGinnis stated the proposed use is consistent with the purposes of the Village's Zoning Code, noting that the B-1 District provides for community businesses that support the community. A market analysis was completed for the community, which found that there is a need for additional vet clinics and the proposed use would further the goals of the zoning district.

Mr. McGinnis stated the proposed use will not cause undue impact on the adjacent properties or the community. The animal hospital will provide a less intensive use than the former bank in this building. When they first open, the business will have two (2) to three (3) employees at one time and approximately one (1) to two (2) clients per hour.

Mr. McGinnis stated the use will not interfere with the surrounding development, noting it will have a lower intensity than the former bank and will be in harmony with surrounding businesses in the area. There is a pet grooming business in the adjacent shopping center across the street. The applicant will not provide grooming services, but both businesses will go hand-in-hand in operations. It was also noted there are adequate public facilities and no changes are needed to accommodate the proposed animal hospital.

Mr. McGinnis stated the proposed use will not cause undue traffic congestion and noted again the use is less intense than the former bank. There is adequate parking on site. The business requires about fourteen (14) parking spaces and thirty-two (32) spaces are provided, which exceeds the amount needed.

There will be no destruction of significant features and the applicant will be in compliance with the standards and requirements of all Village codes. The existing drive-throughs will be removed, as they are not needed for veterinary services and are not allowed for this type of use by the Village's Zoning Code. There will be no overnight operations for this business. The business will have traditional hours, opening at about 7:30 a.m. and closing at 5:30 p.m. A public benefit would be provided to the community by providing veterinary services, which was shown in a market study to be of need in the area. Mr. McGinnis also noted that there are no residential properties adjacent to the building. The building has been vacant for some time and no overnight boarding is proposed.

The applicant has taken steps to mitigate any possible adverse impacts. Dogs will be taken outside one at a time with an employee into the enclosed outdoor area, which will have artificial turf, a drainage mat, and drain tile. There is a similar facility in Burr Ridge that has a large space with the same drainage system and reported they have had no issues with smells or cleanliness.

Mr. Callahan then provided an overview of the changes to the proposed building and site, which includes the installation of an outdoor enclosure for animal relief, a parklet for employees, planters, and a loading area for deliveries. The outdoor animal enclosure will not be used as a dog run where animals will be outside unattended. It is designed to shield the area from public view.

Commissioner Curry asked for clarification on if a crematorium will be located in the building. Mr. McGinnis confirmed there will not be a crematorium on the premises and the business will use a pick-up service.



Commissioner Curry asked about the storm drain in the outdoor enclosure and if there are any concerns. Staff confirmed that the final design will be determined by Flagg Creek, but ultimately the plans show that any drainage will be piped underground. Disposal of other waste from the animal hospital will be handled separately.

Commissioner Crnovich stated this would be a nice repurposed use of the building and would be a good service to provide for Hinsdale.

Commissioner Crnovich noted that no overnight boarding was proposed, but asked if animals will be kept overnight after surgeries or for other reasons. Ms. Baker stated no overnight care will take place as they will not have staff working overnight.

Commissioner Crnovich asked if this business will generate any sales tax revenue. Ms. Baker comments that she assumes they will if they are selling pharmaceutical products for animals as part of the medical care provided.

Commissioner Willobee asked if any of the parking on site was used by Fullers, the business located to the north. Mr. McGinnis noted that he is not aware if any parking is being used by Fullers employees, but it is designated for this property only. Commissioner Willobee stated it appears they may be parking on site. Ms. Baker commented that some parking may have been used temporarily while the building was vacant, but the intention is that the entire parking lot will be used by the animal hospital.

Commissioner Willobee he liked the idea of adding greenery to the area, but was not a fan of the modern design of the proposed planters.

Commissioner Fiascone noted her questions have been answered.

Commissioner Moore asked if there will be a water spigot in the outdoor enclosure to clean the area. The applicant confirmed that a spigot will be provided.

Chairman Cashman noted this is a great repurposing of this building as it has been vacant for a while. Chairman Cashman asked if the applicant had another location elsewhere, as Burr Ridge was mentioned previously during the meeting. Ms. Baker stated she does not have another location, but contacted a large dog day care facility in Burr Ridge to discuss their outdoor drainage system and any issues they faced. Ms. Baker stated the Burr Ridge facility has a much larger area with 100-150 dogs outside all day and have faced no issues. The proposed vet clinic expects to have no more than five (5) dogs in their area per day.

Commissioner Crnovich asked if the business will come back later to Plan Commission for a review of proposed signage. It was confirmed that a sign permit application will be submitted separately in the future.

Commissioner Curry asked if the business is associated with Hinsdale Animal Hospital as there was a note on the plans. Ms. Baker confirmed they are not associated and the future name of the business will be Lane Veterinary.

No members of the public provided comment at the meeting. Staff did not receive complaints or negative feedback from members of the public prior to the meeting.



There being no further questions or members of the public wishing to speak on the application, a motion to approve the Special Use Permit and the Exterior Appearance and Site Plan Review was made by Commissioner Curry and seconded by Commissioner Willobee, as submitted. The vote carried by a roll call vote as follows:

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

**FINDINGS:** In recommending approval of the Exterior Appearance and Site Plan Review, the Plan Commission determined the standards set forth in Section 11-604(F) and Section 11-606(F) of the Village's Zoning Code have been met. Overall, the Commission expressed support for the project, noting that the proposed changes would be an improvement to the existing conditions.

Commissioners noted that proposed plans met several of the standards for approval identified in the Zoning Code including improvements to landscaping, screening, and the proposed dumpster enclosure (Section 11-604(F)(1)(h) and (i)). The proposed use meets code requirements, fits into the surrounding area, and will provide adequate drainage in the outdoor animal enclosure (Section 11-604(F)(1)(c), (f), and (k)). The proposed changes to the building elevations utilize a quality design and materials that are in keeping with the existing building and surrounding area (Section 11-605(E)(1) and Section 11-605(E)(2)).

In recommending approval of the Special Use Permit, the Plan Commission determined that the standards set forth in Section 11-602(E) of the Village's Zoning Code have been met. The following are the summary of Findings of the Plan Commission relative to the application request based on the standards listed in Section 11-602(E):

1. *General Standards: No special use permit shall be recommended or granted pursuant to this section unless the applicant shall establish that:*
  - (a) *Code And Plan Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the official comprehensive plan.* The proposed use, a pet hospital and veterinary clinic, is classified as Veterinary Services for Animal Specialties, which is considered a Special Use in the B-1 District and is only permitted in stand-alone buildings. The proposed animal hospital will be located in a stand-alone building. The applicant stated that proposed use is consistent with the purposes of the B-1 District, which provides for businesses that support the community. A market analysis was completed, which found that there is a need for additional vet clinics in the community and the proposed use would further the goals of the zoning district. The Plan Commission found this standard to be met.
  - (b) *No Undue Adverse Impact: The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.* The proposed use will not cause undue impact on the adjacent properties or the community. It was stated that the animal hospital will provide a less intensive use than the former bank in this building. When they first open, the business will have two (2) to three (3) employees at one time and approximately one (1) to two (2) clients per hour. There are no residential properties adjacent to or within the immediate area around the site. No overnight boarding is proposed and adequate measures have been put in place to provide screening and drainage for the outdoor animal relief area. An enclosure will also be installed to screen dumpsters and trash handling areas on site. The Plan Commission found this standard to be met.



- (c) *No Interference With Surrounding Development: The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.* The proposed use will not interfere with the surrounding development. It was stated that the veterinary facility will have a lower intensity than the former bank and will be in harmony with surrounding businesses in the area. There will be no overnight operations for this business. The business will have traditional hours, opening at about 7:30 a.m. and closing at 5:30 p.m. The Plan Commission found this standard to be met.
- (d) *Adequate public facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.* There are adequate public facilities and no changes are needed to accommodate the proposed animal hospital. The Plan Commission found this standard to be met.
- (e) *No traffic congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.* The proposed use will not cause undue traffic congestion and noted the use is less intense than the former bank. There is adequate parking on site. The business requires fourteen (14) parking spaces and thirty-two (32) spaces are provided, which exceeds the amount needed. There was a discussion on existing parking being used by the neighboring business to the north, where the applicant confirmed that some parking on site may have been used temporarily while the building was vacant, but the intention is that the entire parking lot will be used by the animal hospital. The Plan Commission found this standard to be met.
- (f) *No destruction of significant features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.* The property is not historically significant or located within a historic district. There will be no destruction of significant features. The Plan Commission found this standard to be met.
- (g) *Compliance with standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.* The use will meet all code requirements. The Plan Commission found this standard to be met.
2. *Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.* The use will be located in a stand-alone building, as required by the Zoning Code, and all code requirements will be met. The existing drive-through lanes will be removed, as they are not needed for veterinary services and are not allowed for this type of use by the Village's Zoning Code. The Plan Commission found this standard to be met.
3. *Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider:*
- (a) *Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.* The proposed use will be located in a building that has been vacant for some time and several Commissioners noted this was a good repurposing of the building. Based on a market study completed, there is a need for veterinary services in the area, which this use will provide. It was noted that this business is expected to generate some sales tax revenue from selling medical and pharmaceutical products for animals. The project will also provide additional landscaping and screening on site. The Plan Commission found this standard to be met.



(b) *Alternative locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.* The building location is an ideal location for this use as it is not adjacent to or nearby any residential properties, has been vacant for a period of time, and provides adequate parking. A pet grooming business is located in the building across the street and provides a complementary use. The proposed building is a stand-alone building, which is required for animal hospitals and veterinary services under the Zoning Code requirements. A market study showed that there is a lack of veterinary services provided in the community. The Plan Commission found this standard to be met.

(c) *Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.* The applicant stated they have taken steps to mitigate any possible adverse impacts. No overnight boarding is proposed. Dogs will be taken outside one at a time with an employee into the enclosed outdoor area, which will have artificial turf, a drainage mat, and drain tile. A drain tile will pipe any run off underground and a water spigot will be installed to clean the outdoor area. The outdoor animal enclosure will not be used as a dog run where animals will be outside unattended and will be screened from view. Additional landscaping and a parklet is also provided as part of the project. The Plan Commission found this standard to be met.

**RECOMMENDATION:** Based on the findings set forth above, the Village of Hinsdale Plan Commission, by a vote of six (6) ayes and zero (0) nays, with three (3) absent, recommended to the President and Board of Trustees approval of Case A-16-2022, a Special Use Permit to allow for an Animal Hospital in the B-1 Community Business District and an Exterior Appearance & Site Plan Review to allow for changes to the existing building and site for VetChart, LLC located at 101 W. Chestnut Street, as submitted.

Signed: Stephen J. Cashman  
Steve Cashman, Chair  
Plan Commission  
Village of Hinsdale

Date: 09/14/22



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

**PUBLIC NOTICE IS HEREBY GIVEN** to all persons that the Village of Hinsdale Plan Commission shall conduct a public hearing on Wednesday, August 10, 2022 at 7:30 p.m. in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois for the purpose of considering an application from VetChart, LLC for a Special Use Permit to allow for the operation of a pet hospital (Veterinary Services for Animal Specialties - SIC Code 0742) at 101 W. Chestnut Street located in the B-1 Community Business District. The applicant is also requesting concurrent approval of an Exterior Appearance and Site Plan Review to allow for changes to the existing site and building elevations, including the construction of an outdoor animal enclosure, parklet, and removal of the exiting drive-through lanes and accessory components. This request is known as Case A-16-2022.

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

The common address is 101 W. Chestnut Street, Hinsdale IL, 60521 (PINs: 09-12-109-005; 09-12-109-012; 09-12-109-002) and legally described as follows:

LOTS 1, 2 AND 3 IN BERGMAN'S RESUBDIVISION OF PART OF OUT LOT 1 OF THE TOWN OF HINSDALE AND PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID BERGMAN'S RESUBDIVISION RECORDED JULY 17, 1945 AS DOCUMENT 480985, IN DUPAGE COUNTY, ILLINOIS.

ALSO THAT PART OF LOT 2 IN GRANT SQUARE SHOPPING CENTER RESUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 2, THENCE SOUTH ON THE EAST LINE OF LOT 2, 36.63 FEET TO THE SOUTHEAST CORNER OF LOT 2, THENCE WEST ON THE SOUTH LINE OF LOT 2, 20.00 FEET, THENCE SOUTHWESTERLY ON THE SOUTH LINE OF LOT 2, 149.74 FEET TO AN ANGLE POINT, THEN NORTHERLY 24 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 2 IN SAID BERGMAN'S RESUBDIVISION, THENCE NORTHEASTERLY ON THE NORTH LINE OF LOT 2, TO THE PLACE OF BEGINNING, ACCORDING TO THE PLAT RECORDED MARCH 3, 1964 AS DOCUMENT NO. R-64-6737, IN DU PAGE COUNTY, ILLINOIS.

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

Dated: July 14, 2022

Christine M. Bruton, Village Clerk

To be published in the Hinsdalean on July 21, 2022



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

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:                    )  
   )  
   )  
 VetChart, LLC, Special            )  
 Use, 101 West Chestnut            )  
 Case No. A-16-2022.                )

REPORT OF PROCEEDINGS had and testimony  
 taken at the hearing of the above-entitled  
 matter, before the Hinsdale Plan Commission, at  
 19 East Chicago Avenue, Hinsdale, Illinois, on  
 August 10, 2022, at the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;

MR. MARK WILLOBEE, Member;

MR. SCOTT MOORE, Member;

MS. CYNTHIA CURRY, Member;

MS. ANNA FIASCONE, Member and

MS. JULIE CRNOVICH, Member.



<p>2</p> <p>1 ALSO PRESENT:</p> <p>2 MS. BETHANY SALMON, Village Planner;</p> <p>3 MR. ROBERT McGINNIS, Director of</p> <p>4 Community Development;</p> <p>5 MR. MICHAEL MARRS, Village Attorney;</p> <p>6 MR. PATRICK McGINNIS, Attorney for</p> <p>7 Applicant;</p> <p>8 MR. PATRICK CALLAHAN, Architect for</p> <p>9 Applicant;</p> <p>10 MS. SARAH BAKER, Applicant.</p> <hr/> <p>11 CHAIRMAN CASHMAN: Next we have a</p> <p>12 Public Hearing. It's Case A-16-2022 for 101</p> <p>13 West Chestnut Street, special use permit to</p> <p>14 allow for an animal hospital in the B-1</p> <p>15 community business district and an exterior</p> <p>16 appearance/site plan review to allow for changes</p> <p>17 to the existing building and site for VetChart,</p> <p>18 LLC, located at 101 West Chestnut Street.</p> <p>19 We are going to need to swear in</p> <p>20 anybody who is going to testify or speak on this</p> <p>21 matter.</p> <p>22 (Oath administered en masse.)</p>	<p>4</p> <p>1 of the property, which was Republic bank, to add</p> <p>2 an outdoor enclosed space to use for animals, to</p> <p>3 add a parklet for employees, add planter boxes</p> <p>4 and also to allow for a loading space and also</p> <p>5 minor changes to the elevation. The applicant's</p> <p>6 request for a special use for a vet clinic meets</p> <p>7 all the standards required for a special use.</p> <p>8 First. The proposed use is</p> <p>9 consistent with the purposes of the village</p> <p>10 code. The B-1 district provides for community</p> <p>11 businesses which support the suburban community</p> <p>12 and vet clinics are specifically allowed as a</p> <p>13 specific use in that district.</p> <p>14 The applicant's lender actually did</p> <p>15 a market analysis of the community and found</p> <p>16 that in addition to it being able to support</p> <p>17 another vet practice, that there was actually a</p> <p>18 need for an additional vet practice for the</p> <p>19 community.</p> <p>20 So in addition to being consistent</p> <p>21 with what the district intends to accomplish, it</p> <p>22 actually helps to further those goals.</p>
<p>3</p> <p>1 Welcome.</p> <p>2 MR. P. McGINNIS: Good evening. I'm</p> <p>3 Patrick McGinnis. I'm an attorney with</p> <p>4 Donatelli and Coules that represents the</p> <p>5 applicant, VetChart, LLC, which is a tenant of</p> <p>6 the owner of the property Hinsdale Management</p> <p>7 Corporation and their lease is contingent on</p> <p>8 village approval of their intended use for the</p> <p>9 property.</p> <p>10 The subject property is 101 West</p> <p>11 Chestnut Street, which is located in the B-1</p> <p>12 zoning district, which is located on Chestnut</p> <p>13 between Grant and Lincoln.</p> <p>14 The applicant is seeking a special</p> <p>15 use permit to operate a veterinary clinic at</p> <p>16 that location. Veterinary clinics are</p> <p>17 considered a special use in the B-1 district and</p> <p>18 are only permitted in stand-alone buildings.</p> <p>19 The applicant is also seeking</p> <p>20 approval in exterior appearance and site plan</p> <p>21 review to allow for the removal of the existing</p> <p>22 drive-thru that was used by the previous tenant</p>	<p>5</p> <p>1 Second. It wouldn't cause any</p> <p>2 undue impact on the adjacent properties or the</p> <p>3 community. It would actually provide for a less</p> <p>4 intensive use of the property than what was</p> <p>5 previously used as a bank. The business would</p> <p>6 start with about two to three employees working</p> <p>7 at a time and would have one to two patients per</p> <p>8 hour, which again would be less intensive than</p> <p>9 individuals coming in for a community bank.</p> <p>10 Third. It wouldn't interfere with</p> <p>11 the surrounding development. Again, it would</p> <p>12 have lower intensity than previously for the</p> <p>13 surrounding businesses. It would actually be in</p> <p>14 harmony with the other businesses in the</p> <p>15 district.</p> <p>16 There's also a grooming facility,</p> <p>17 Velvet Touch Pet Salon, that's across the</p> <p>18 street. The applicant's business wouldn't</p> <p>19 provide any grooming services so their</p> <p>20 businesses would actually go hand-in-hand</p> <p>21 together.</p> <p>22 Fourth. There's adequate public</p>



<p style="text-align: center;">6</p> <p>1 facilities for their intended use. They</p> <p>2 wouldn't need any changes to the current public</p> <p>3 facilities to accomplish their goals.</p> <p>4 Fifth. It wouldn't increase any</p> <p>5 traffic congestion to the district. Again, one</p> <p>6 to two patients would be seen per hour, less</p> <p>7 intensive than a bank, and there's also adequate</p> <p>8 parking on the property. The business would</p> <p>9 need about 14 parking spaces but it has 32 to</p> <p>07 37 48PM 10 accommodate all the clients which is more than</p> <p>11 they will need.</p> <p>12 Additionally, there wouldn't be any</p> <p>13 destruction of significant features for the</p> <p>14 property. The existing structure would remain</p> <p>15 mostly intact except for the removal of the</p> <p>16 drive-thru, some exterior updates and obviously</p> <p>17 renovations to the inside so that it could be</p> <p>18 operated as a veterinary clinic.</p> <p>19 Seventh. It would be in compliance</p> <p>07 38 09PM 20 with all the standards required by the code.</p> <p>21 It's a stand-alone building for the veterinary</p> <p>22 practice. We would be removing the drive-thrus</p>	<p style="text-align: center;">8</p> <p>1 district not within close distance of any</p> <p>2 residential areas.</p> <p>3 The alternative animal businesses</p> <p>4 in the community, Hinsdale Animal Hospital, is</p> <p>5 within the distance of residential properties</p> <p>6 and does provide overnight boarding services,</p> <p>7 which we would not. In addition, the Hinsdale</p> <p>8 Humane Society is near several apartment</p> <p>9 buildings in Hinsdale. So this location is</p> <p>07 39 32PM 10 actually more beneficial and that there aren't</p> <p>11 any other locations that would be better suited</p> <p>12 for their business.</p> <p>13 Lastly, applicant has taken any</p> <p>14 steps to mitigate any adverse impacts, which</p> <p>15 there are very few. Again, there's no overnight</p> <p>16 boarding. Dogs are only taken outside of the</p> <p>17 facility one at a time with an employee on a</p> <p>18 leash into the enclosed area that they are</p> <p>19 seeking to put on the property and they would</p> <p>07 39 57PM 20 have artificial turf and a drainage mat in that</p> <p>21 space to clean up any waste from the animals.</p> <p>22 There's a similar facility in Burr</p>
<p style="text-align: center;">7</p> <p>1 because they wouldn't be needed and also not</p> <p>2 allowed for veterinary practice. There would</p> <p>3 not be any overnight operation of the business</p> <p>4 and the normal business hours would be 7:30 a.m.</p> <p>5 to 5:30 p.m.</p> <p>6 The operation of the vet clinic</p> <p>7 would also provide a public benefit to the</p> <p>8 community. Again, the applicant's lenders</p> <p>9 market research show that there's actually a</p> <p>07 39 37PM 10 need for an additional vet clinic and the</p> <p>11 location of the business district is not within</p> <p>12 250 feet or near any residential properties.</p> <p>13 The building's been vacant for quite a while and</p> <p>14 it would be bringing back a business to this</p> <p>15 business for the district.</p> <p>16 The applicant also lives locally in</p> <p>17 Western Springs with her family. She's also</p> <p>18 dedicated to the community in helping to bring</p> <p>19 that public benefit.</p> <p>07 39 02PM 20 There aren't any alternative</p> <p>21 locations that would better suit the business.</p> <p>22 The property, again, would be in the business</p>	<p style="text-align: center;">9</p> <p>1 Ridge that has -- provides doggy daycare that</p> <p>2 has a large base with the same turf and drainage</p> <p>3 system and they don't have any issues with smell</p> <p>4 or cleanliness besides this would be less</p> <p>5 intensive than that facility would be.</p> <p>6 So the applicant's proposed use of</p> <p>7 the property meets all the criteria and the</p> <p>8 standards within the village code for a special</p> <p>9 use. It will provide a public benefit by</p> <p>07 40 23PM 10 bringing in needed business to the vacant</p> <p>11 location and the alternative location, there</p> <p>12 aren't any alternative locations that are</p> <p>13 minimal adverse impacts.</p> <p>14 Turn it over to the architect who</p> <p>15 can talk more about the site plan and the</p> <p>16 exterior appearance for the property.</p> <p>17 MR. CALLAHAN: Thank you. Pat Callahan</p> <p>18 with Studio G C, 223 West Jackson in Chicago.</p> <p>19 The majority of the work will</p> <p>07 40 47PM 20 happen inside to convert the bank to an animal</p> <p>21 hospital.</p> <p>22 On the exterior, essentially what</p>



1 we are doing is using the canopy for the old  
2 drive-thru and creating a -- essentially a  
3 wooden fence that allows us to actually create a  
4 little bit of a parklet closer to the street  
5 along with planters that will be planted with  
6 easily maintained but greenery that would allow  
7 for greenery year round.

8 The intent behind the turf is  
9 really for animals who either before or after  
10 procedures need to relieve themselves. It  
11 really is not a dog run per se and it's not  
12 intended to be there for general use for dogs to  
13 be out there free and kind of using that area  
14 for a run. It's really designed specifically to  
15 compliment the use that's happening inside the  
16 clinic itself.

17 For the most part, our intent would  
18 be to shield that from public view and then use  
19 landscaping and planters around the perimeter  
20 particularly closer to the street and then,  
21 again, introduce a parklet that provides some  
22 additional outdoor space for employees for break

1 but also the potential for the public to be able  
2 to leverage that as well on walks down the  
3 street. So for the most part, I'll leave it at  
4 that.

5 We are providing a stripe zone,  
6 kind of a loading zone, just on what I guess  
7 would be the second drive-thru or the outer  
8 drive-thru that we are not fencing, but the  
9 intent is not to have any parking or anything  
10 along that area, it would just be for any  
11 deliveries that the clinic actually has. The  
12 entrance is on the rear, so it would be the  
13 north side around the corner, which would be the  
14 primary location where deliveries would be made.

15 CHAIRMAN CASHMAN: Thank you.

16 MR. CALLAHAN: Thank you.

17 CHAIRMAN CASHMAN: Let's see if any of  
18 the commissioners have any questions.

19 Cynthia?

20 MS. CURRY: Just one. I didn't see it  
21 on the plan, so maybe it was just in the  
22 verbiage, but it does state that there will be a

1 crematorium on premise.

2 MR. CALLAHAN: There won't be a  
3 crematorium on premise. They have a service  
4 that comes with a vehicle that would do the  
5 crematories.

6 MS. CURRY: There will not be one.

7 MR. CALLAHAN: Correct.

8 MS. CURRY: I had a question about the  
9 storm drain being used for refuse as small as it  
10 is but that's nothing --

11 CHAIRMAN CASHMAN: It's really a Robb  
12 McGinnis issue.

13 MR. MCGINNIS: So ultimately Flag  
14 Creek is going to make the call on whether we  
15 tied in to the sanitary storm but it will be  
16 piped regardless.

17 MS. CURRY: Okay.

18 MR. P. MCGINNIS: And again, I don't  
19 think it will be a significant amount just  
20 because the space isn't being used as a dog run  
21 just space that can be used for the animals to  
22 relieve themselves as necessary.

1 MS. CURRY: And I'm sure you probably  
2 have special services but for waste in light of  
3 surgeries that you would be performing, that  
4 type of waste would not be in a dumpster on the  
5 premises, correct?

6 MR. P. MCGINNIS: Correct.

7 MS. CURRY: That's something that's a  
8 biohazard. Okay.

9 CHAIRMAN CASHMAN: Julie?

10 MS. CRNOVICH: I think it's a nice  
11 repurpose of the building and this would be a  
12 service, we have so many dogs in Hinsdale and  
13 cats.

14 I did have a question though it  
15 said no overnight boarding. Will you have,  
16 like, animals overnight if they are recovering  
17 from surgery?

18 MS. BAKER: No. No.

19 CHAIRMAN CASHMAN: Do you mind going to  
20 the mic?

21 MS. BAKER: Sarah Baker. That's not  
22 the intention for the hospital use for overnight



<p style="text-align: center;">14</p> <p>1 care. Really, the highest level of medical care</p> <p>2 if no one is there overnight, we shouldn't have</p> <p>3 an animal inside there overnight. So something</p> <p>4 that does need a transfer or something like</p> <p>5 that, I would be working with the local animal</p> <p>6 emergency hospital that has 24-hour care and</p> <p>7 those pets would be transferred.</p> <p>8 MS. CRNOVICH: Will you be selling any</p> <p>9 products? Will there be any sales tax revenue</p> <p>07 44 58PM 10 to the village?</p> <p>11 MS. BAKER: Well, I would assume so</p> <p>12 just through pharmaceutical products because we</p> <p>13 sell all of that; that is a component with</p> <p>14 medical care, so, yes.</p> <p>15 MS. CRNOVICH: That's a plus. That's</p> <p>16 all I had. I was going to ask about the</p> <p>17 crematorium too.</p> <p>18 CHAIRMAN CASHMAN: Mark?</p> <p>19 MR. WILLOBEE: Just a couple quick</p> <p>07 45 21PM 20 questions. On the parking, is any of that</p> <p>21 parking used by, like, any Fuller employees at</p> <p>22 this time or anything like that? The parking</p>	<p style="text-align: center;">16</p> <p>1 Anna?</p> <p>2 MS. FIASCONE: My questions have been</p> <p>3 answered. I have no questions.</p> <p>4 CHAIRMAN CASHMAN: Scott?</p> <p>5 MR. MOORE: The only one I would add is</p> <p>6 by the waste area where you're running them are</p> <p>7 you going to have a spigot out there that you</p> <p>8 can hose those things down in the summertime</p> <p>9 when it gets hot?</p> <p>07 46 34PM 10 MS. BAKER: Yes, that's the intention</p> <p>11 to, yes.</p> <p>12 MR. MOORE: That sounds good. Thank</p> <p>13 you. Everything else has been answered.</p> <p>14 CHAIRMAN CASHMAN: Thanks, Scott.</p> <p>15 I think it's a great repurposing of</p> <p>16 this building; it's been empty for a while.</p> <p>17 You mentioned Western Springs. Do</p> <p>18 you have other locations? You mentioned</p> <p>19 something about Burr Ridge. Do you have a</p> <p>07 46 49PM 20 location in Burr Ridge?</p> <p>21 MS. BAKER: So I contacted a large</p> <p>22 day-care facility in Burr Ridge that has a</p>
<p style="text-align: center;">15</p> <p>1 that you said you have, is it --</p> <p>2 MR. P. MCGINNIS: I don't know if it's</p> <p>3 being used by any Fuller employees but it's</p> <p>4 designated for our property.</p> <p>5 MR. WILLOBEE: Okay. Because some days</p> <p>6 there's quite a few cars in there.</p> <p>7 MS. BAKER: Correct. It's designated</p> <p>8 for the Republic bank but because no one has</p> <p>9 been there, I think there's been a little bit --</p> <p>07 46 41PM 10 the intention is to have that relabeled and it</p> <p>11 would be our use, yes.</p> <p>12 MR. WILLOBEE: Regarding the planters,</p> <p>13 I like the idea of adding greenery to that area,</p> <p>14 it's nice. I just don't know that the planters</p> <p>15 themselves they kind of stick out. I like brick</p> <p>16 planters but it's just they kind of stand out so</p> <p>17 -- I'm not against them but I'm not completely</p> <p>18 in favor.</p> <p>19 MS. CRNOVICH: They are very modern.</p> <p>07 46 54PM 20 MR. WILLOBEE: Yes, that's the word.</p> <p>21 I'll make a statement on that.</p> <p>22 CHAIRMAN CASHMAN: Thanks, Mark.</p>	<p style="text-align: center;">17</p> <p>1 similar but much larger scale turf so I can</p> <p>2 understand how they did it and what their odor</p> <p>3 control was and how they are maintaining it and</p> <p>4 they have anywhere from 100 to 150 dogs out</p> <p>5 there per day and have no issue with it the way</p> <p>6 they maintain it so for us it would be maybe</p> <p>7 maximum five dogs out there per day. No, so I</p> <p>8 don't have another facility currently. I live</p> <p>9 in Western Springs. I work in the city for now</p> <p>07 47 23PM 10 but obviously my intention is to be part of this</p> <p>11 community.</p> <p>12 CHAIRMAN CASHMAN: Okay. Welcome to</p> <p>13 Hinsdale. This is well done and I think this</p> <p>14 should be a great addition to town.</p> <p>15 MS. CRNOVICH: I have one more</p> <p>16 question.</p> <p>17 Will you be back for signage, an</p> <p>18 application for sign?</p> <p>19 MS. BAKER: Yes.</p> <p>07 47 41PM 20 CHAIRMAN CASHMAN: We will see you in</p> <p>21 the future.</p> <p>22 MS. CURRY: One other question, if I</p>



1 may.

2 CHAIRMAN CASHMAN: Sure.

3 MS. CURRY: On your plan it says

4 Hinsdale animal hospital.

5 MS. BAKER: That is not correct.

6 MS. CURRY: It's not, okay. I didn't

7 know if you had an association with them.

8 MS. BAKER: No. The name will be Lane

9 Veterinary, L-a-n-e.

07:48:03PM

10 MS. CURRY: Looks great. Thank you

11 very much.

12 CHAIRMAN CASHMAN: Is there any further  
13 discussion, Commissioners?

14 (No response.)

15 Hearing none, can I have a motion  
16 to approve Case A-16-2022 for 101 West Chestnut  
17 Street for a special use permit to allow an  
18 animal hospital in the B-1 business district and  
19 an exterior appearance/site plan review for  
20 changes to the existing building and site.

07:48:28PM

21 MS. CURRY: So moved.

22 MR. WILLOBEE: Second.

1 CHAIRMAN CASHMAN: Roll call vote,  
2 please, Bethany.

3 MS. SALMON: Commissioner Curry?

4 MS. CURRY: Aye.

5 MS. SALMON: Commissioner Crnovich?

6 MS. CRNOVICH: Aye.

7 MS. SALMON: Commissioner Willobee?

8 MR. WILLOBEE: Aye.

9 MS. SALMON: Commissioner Fiascone?

07:48:40PM

10 MS. FIASCONE: Aye.

11 MS. SALMON: Commissioner Moore?

12 MR. MOORE: Aye.

13 MS. SALMON: Chairman Cashman?

14 CHAIRMAN CASHMAN: Aye.

15 Good luck. Welcome.

16 (WHICH, were all of the  
17 proceedings had, evidence  
18 offered or received in the  
19 above entitled cause.)

20

21

22

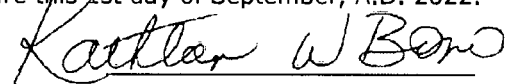
STATE OF ILLINOIS )

) ss:

COUNTY OF DU PAGE )

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

IN TESTIMONY WHEREOF I have  
hereunto set my hand and affix my electronic  
signature this 1st day of September, A.D. 2022.



KATHLEEN W. BONO

C.S.R. No. 84-1423

Notary Public, DuPage County



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REQUEST FOR BOARD ACTION

Community Development

**AGENDA SECTION:** Second Reading – ZPS

**SUBJECT:** Historic Overlay District – Map Amendment and Text Amendments to Various Sections of the Zoning Code and Title 14 of the Village Code to Establish a Historic Overlay Zoning District and for Related Amendments – Request by the Village of Hinsdale – Case A-03-2022

**MEETING DATE:** September 20, 2022

**FROM:** Bethany Salmon, Village Planner

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**Recommended Motion**

Approve an Ordinance Creating a New Part II (Historic Overlay District (HOD)) in Article VIII (Overlay Districts) of the Hinsdale Zoning Code to Establish a Historic Preservation Overlay District, making related Zoning Code Changes, and Amending Various Provisions of Title 14 (Historic Preservation) of the Village Code of Hinsdale relative to the Historic Preservation Overlay District; **and**

Approve an Ordinance Amending the Official Zoning Map of the Village of Hinsdale to Create a New Historic Overlay Zoning District

**Background**

Over the past year, the Village Board and the Historic Preservation Commission (HPC) have had ongoing discussions on potential amendments to the Village's historic preservation codes and preservation incentives. A total of eight (8) joint Committee of the Whole meetings were held prior to the regularly scheduled Village Board meetings on May 4, May 18, June 15, July 13, August 10, September 7, and October 19 in 2021 and January 18 in 2022. On April 26, 2022, the Village Board voted to refer this agenda item to the Plan Commission for review. On August 10, 2022, a public hearing was held at Plan Commission.

Based on feedback provided at these meetings, draft code language was prepared and revised that would allow the Village to offer various voluntary preservation incentives to a Historically Significant Structures Property List within a designated Historic Overlay District. The intent of the proposed amendments is to encourage and assist property owners of historic or significant properties to pursue historic preservation over demolition and new construction. Individual historic properties will be identified for consideration on the Historically Significant Structures Property List in the future through a separate approval process.

The current application presented for consideration is to establish a Historic Overlay Zoning District and amend applicable sections of the Zoning Code and Village Code to create associated procedures and review processes. The initial creation of the Historic Overlay District and changes to the Zoning Code require approval via the Map and Text Amendment process set forth in Section 11-601 of the Zoning Code. The Map Amendment will establish a new zoning overlay district on the Village's Zoning Official Map. Text Amendments are proposed to Article 8 (Overlay Districts), Section 11-503(F) (Standards for Variations), Section 3-110 (Bulk, Space, And Yard Requirements in the Single-Family Residential Districts), and Section 10-104 (Nonconformities – Precode Structures) of the Zoning Code. The proposed changes to the Village Code will be concurrently reviewed as part of this process. To the Village Code, Chapters 6 and 7 would be added as new chapters and amendments are proposed to Section 14-1-4 and 14-2-2.



### **Overview of the Historic Overlay District**

The mechanics and details of the Historic Overlay Zoning District and Historically Significant Structures Property List are summarized below:

- **Boundaries of the Historic Overlay District** – The proposed boundaries of the Historic Overlay District are shown on the draft Zoning Map. Based on a preliminary analysis, there do not appear to be significant or historic structures in the O-3, B-3, R-5, or R-6 Districts. As a result, these districts have been excluded from the proposed Overlay District. Properties in these districts would not be able to be included on the future Historically Significant Structures Property List.

The Historically Significant Structures Property List could include properties in the R-1, R-2, R-3, R-4, B-1, B-2, O-1, O-2, IB, HS, and OS Districts. It is important to note that properties located in the proposed Historic Overlay District will not automatically be included on a future Historically Significant Structures Property List and may not be eligible for any preservation incentives offered. Individual properties will be identified at a later date, as described below. The regulations and uses for the underlying zoning districts will remain in effect for all districts. Alternative bulk zoning regulations are currently proposed only to properties in the R-1, R-2, R-3, and R-4 Districts and will require separate approval, as discussed below. Additional refinements to the Zoning Map can be made based on the recommendation of the Plan Commission and Village Board.

- **Creating the Historically Significant Structures Property List** – Within 6 months following the adoption of the Historic Overlay District by the Village Board, the HPC would be tasked with creating an Initial List of properties for consideration on the Historically Significant Structures Property List. A public hearing at the HPC would then be held to evaluate the review criteria and eligibility of each property. Per Section 14-1-4, notice will be provided via newspaper and to the owners of any property considered to be included on the List.

Depending on the number of properties proposed, several different public hearings may need to be held. The Village Board will have final authority over the approval of the List. Property owners would be notified if their homes are included on the proposed Historically Significant Structures Property List. A Notice of Historically Significant Property will be recorded against title to each property approved for inclusion on the Historically Significant Property List to help make future property owners aware of the availability of preservation incentives.

- **Adding or Removing Properties to the List** – After the Initial List is approved, adding or removing properties to the List in the future may be done at any time. This process would entail an application by the property owner or the Village, completion of notification requirements, a public hearing at the HPC, and final consideration by the Village Board. The exception is a property shall automatically be removed from the List without public hearing upon demolition.

### **Preservation Incentives and Application Process**

**Preservation Incentives Offered** – Properties included on the Historically Significant Structures Property List may be eligible for the following voluntary preservation incentives:

1. **Fee Waivers** – Provisions are added that allow the waiving of Village fees for building permits, applications for landmark or historic district designation, Certificate of Appropriateness applications, and other planning / zoning applications that may be tied to exterior work.
2. **Expedited Processes** – Expedited processing of building permits and applications for landmark designation, historic district designation, and other zoning approvals is proposed. This could include expediting building permits or holding special meetings.



3. Property Tax Rebate – Property owners would be eligible to receive a rebate for the Village portion of their property tax bill in exchange for substantial exterior alterations, rehabilitation, or restoration work over a maximum five (5) year period. For example, if the Village portion of a property tax bill collected in 2020 was \$2,500, a property owner could be eligible to receive a rebate of approximately \$12,500 over five (5) consecutive years after completing eligible exterior improvements (the actual amount for the Village portion of a property tax bill may vary annually due to changes in the assessed value or other factors, so this is an estimate only).

To be considered for this incentive, a minimum investment of \$50,000 would be required on eligible exterior improvements, which could include construction costs and costs for architectural, planning, engineering, design services, and historic preservation services. The Village would provide a rebate to the property owner at the end of each year after an approved project is completed, final inspections are passed, the property tax bill is paid in full, and a Property Tax Rebate Reimbursement Request is submitted to the Village.

4. Historic Preservation Fund Matching Grants – As proposed, the Village Board would be able to approve funding for 50% of eligible project costs, up to a maximum of \$10,000 per project provided by the Village, with a minimum investment of \$20,000 required by the applicant. Applicants can apply for smaller projects that with eligible costs less than \$20,000. For example, in a case where an eligible project costs \$10,000, an applicant may be eligible for \$5,000 in grant funding provided by the Village.

Funds would be reimbursed to the applicant after all work is completed, inspected, and approved by the Village and after all contractors have been paid by the applicant. Funding can also be approved for other activities that further preservation efforts, such as hiring a historic preservation specialist to complete surveys, historic assessment reports, feasibility studies, National Register nominations, and tax credit applications. The program could also fund Village-led initiatives and special projects such as signage, preservation plans, or design guidelines.

As part of each annual budget cycle, the Village Board would determine what available funds will be allocated to the Historic Preservation Fund. Gifts and donations from private or public sources and fundraising efforts could also provide funding. With the \$30,000 budgeted for FY2022, the Village Board would be able to approve three grants of \$10,000, unless smaller amounts are requested or if other historic preservation efforts by the Village are used with these funds.

5. Alternative Bulk Zoning Regulations – A common complaint about historic homes is that room sizes are generally too small or are not compatible with today's family needs. Larger kitchens, family rooms, or additional rooms generally require the building envelope to be enlarged. Many historic buildings are at a disadvantage for expansion as they were constructed prior to the adoption of the Zoning Code and the existing conditions such as setbacks often do not meet current code requirements.

Additionally, regulations in Section 10-104 for non-conforming precode structures largely allow for improvements within the existing building envelope. With these limitations, building additions and renovations may face a higher likelihood of requiring approval of a variation by the Zoning Board of Appeals and potentially the Village Board, thereby adding additional costs, time, and uncertainty to the process. Without being able to meet existing codes, property owners face real limitations on modernizing their historic homes and constructing building additions.

Properties on the Historically Significant Structures Property List and located in the R-1, R-2, R-3, and R-4 Single Family Residential Districts may be eligible for alternative zoning regulations upon application and following approval. The proposed set of bulk regulations are intended to better align existing non-conforming historic buildings with Village code requirements and provide additional



zoning flexibility to homeowners looking to modernize their historic homes. A property owner constructing an addition may be eligible for bulk zoning requirements that they otherwise would not be able to take advantage of if pursuing demolition and new construction.

The proposed bulk requirements are based off the existing code regulations listed in Section 3-110 (Bulk Space, and Yard Requirements for the Single Family Residential Districts), Section 10-104 (Precode Structures - Regulations for Nonconforming Buildings Constructed Prior to the Adoption of the Zoning Code), Section 10-105 (Legal Nonconforming Lots of Record), and applicable definitions in Section 12-206 (Definitions). Staff also prepared a summary of the proposed alternative zoning regulations compared to existing code requirements and several examples of different historic properties to show how zoning flexibility could assist homeowners with building addition or renovation projects.

Alternative zoning regulations would be granted through an expedited process in lieu of the full variation process, which entails public notification, a public hearing, and review by the Zoning Boards of Appeals and possibly the Village Board. It should be noted that the proposed alternative bulk regulations are only intended to provide some minimum zoning relief for an important subset of historic homes in the Village and there may be circumstances where a homeowner will still be required to obtain approval of a variation. The alternative zoning regulations will also be evaluated in the future to determine the effectiveness for incentivizing historic preservation projects.

Eligible Exterior Improvements – Construction costs for exterior improvements as well as costs for architectural, engineering, design, or historic preservation services (such as historic surveys, historic assessment reports, feasibility studies, National Register nominations) may be eligible for funding. Incentives shall not be provided for work completed prior to the review and approval by the HPC or Village Board. Certain improvements, listed in Section 14-7-5.B. of the Village Code, are not considered eligible, including interior improvements, routine maintenance, painting, landscaping, fencing, paving, and non-historic accessory structures.

Preservation Incentive Certificate – A Preservation Incentive Certificate must be submitted to the Village prior to the start of any project utilizing an Incentive. The HPC would be responsible for reviewing all applications to ensure that proposed work is consistent with, or compatible with, the historical nature of the structure and meets *The Secretary of the Interior's Standards for Rehabilitation*. These 10 broad standards are the basic elements for a good preservation project and help to ensure that a historic building's integrity, significant elements and character is retained and appropriately repaired. *The Secretary of the Interior's Standards for the Treatment of Historic Properties* is also an important guidebook to evaluate rehabilitation, preservation, restoration, and reconstruction projects.

HPC and Village Board Approval – Applications requesting a fee waiver and/or the use of alternative zoning regulations would be reviewed and approved by the HPC only. The HPC will have final authority on any projects entailing alternative zoning regulations or the waiving of fees. In the case that the HPC denies a project, the applicant can appeal the decision to the Village Board. Assuming a property is already included on the Historically Significant Structures Property List, the review process for projects requesting approval of alternative bulk zoning regulations or fee waivers is estimated to take approximately 2 months to complete between submittal and final consideration by the HPC. A building permit would then be obtained following approval by the HPC.

Applications requesting financial assistance (grant funding or a property tax rebate) will require a recommendation by the HPC and final approval by the Village Board. This process is anticipated to take 3-4 months. A building permit would then be obtained following approval by the Board.



Additional Incentive Program Details – Program details are included in the draft Preservation Incentive Program Information packet and Application Form. A preliminary evaluation of the financial impacts evaluated for a previous Committee of the Whole meeting was also prepared by staff.

Funding and Future Program Evaluation – Program funding will be determined by the Village Board during the annual budget cycle process. If the proposed code language is ultimately approved by the Village Board, staff will collect data to evaluate the program annually prior to the adoption of the Village budget to determine if the effectiveness of all of the incentives and to help determine if changes to the program requirements are warranted for review by the Village Board.

### **Other Amendments to Code Sections**

- Zoning Code Section 11-503(F) – Variation Standards. In the event additional zoning relief is needed beyond the alternative bulk zoning regulations, language is added that could be used to support variation cases where historic preservation efforts are made to a local landmark or property on the Historically Significant Structures Property List. Projects would still be judged on a case by case basis in accordance with the required variation process.
- Zoning Code Section 3-110 – Bulk Regulations for the Single-Family Residential Districts & Section 10-104 – Nonconforming Precode Structures. Language is added to include a cross-reference for the Historically Significant Structures Property List proposed Article VIII and Title 14.

### **Review Process**

Map Amendments and Text Amendments are subject to the requirements of Section 11-601 of the Zoning Code. Following a referral by the Board of Trustees, a public hearing shall be set, noticed, and conducted by the Plan Commission in accordance with Section 11-303. Within 45 days following the conclusion of the public hearing, the Plan Commission shall transmit to the Village Board its recommendation in the form specified by Subsection 11-103(H). The failure of the Plan Commission to act within 45 days following the conclusion of such hearing, or such further time to which the applicant may agree, shall be deemed a recommendation for the approval of the proposed amendment.

Within 60 days following the receipt of the recommendation of the Plan Commission, or its failure to act as above provided, the Board shall either deny the application or, by ordinance duly adopted, shall grant the amendment, with or without modifications or conditions; provided, however, that in the event a duly signed and acknowledged protest against a proposed amendment is filed with the Village Clerk before the adoption of such amendment, such amendment shall not be passed except by a 2/3 vote of all the trustees then holding office. The failure of the Board of Trustees to act within 60 days, or such further time to which the applicant may agree, shall be deemed to be a decision denying the application. The standards in Section 11-601(E) shall be considered for all Amendment applications.

### **Discussion & Recommendation**

Village Board – Referral to the Plan Commission – On April 26, 2022, the Village Board voted to approve a Referral to the Plan Commission for consideration of a Map Amendment and Text Amendment to the Zoning Code and Amendment to the Village Code.

Pursuant to Section 11-601(D)(2)(a) of the Zoning Code, every properly filed and completed application for an amendment shall be referred to the Village Board for a determination as to whether the application merits a hearing and consideration by the Plan Commission or should be summarily denied.



Based on the recommendations provided at the Board meeting, the actual dollar amounts for the minimum investment for incentives (\$50,000 for a property tax rebate; \$20,000 for matching grants) have been include in the draft code language. Additional language was also added to ensure that there is no overlap between the investment amounts in cases where applicants apply for both a property rebate and matching grant. Essentially, this means \$70,000 would be required for an applicant to take advantage of the maximum amount eligible for the property tax rebate (\$50,000) and a matching grant (\$20,000).

Plan Commission – Public Hearing – The project was reviewed by the Plan Commission at a public hearing held on August 10, 2022. Bethany Salmon, Village Planner, and Michael Marrs, the Village Attorney, provided a presentation to the Plan Commission. Robert McGinnis, the Community Development Director and Building Official, was also present at the meeting. Two representatives, Chairman John Bohnen and Commissioner Jim Prisby, of the Historic Preservation Commission were also in attendance.

During and following the presentation, the Plan Commission members asked questions and provided feedback on the proposed amendments. Several Commissioners noted the importance of publicizing and marketing the program to make sure the community, builders, real estate agents, and homeowners are aware of the voluntary incentives and benefits of preservation, particularly before the Village sends out initial notifications to property owners informing them that their home has been nominated for the Historically Significant Structures Property List.

A Commissioner asked if a person would be allowed to donate private funds that could then be used toward a specific project. Mr. Marrs responded that if private money donated to be Village had conditions placed on them, the Village would have to be accept those conditions. Mr. Marrs preliminarily stated that this scenario appears to be possible. A Commissioner stated that donated private funds for specific projects could be incredibly important in relation to the tax ramifications.

When discussing alternative zoning regulations, a Commissioner asked if reconstructing a front porch would be impacted by the proposed front setback regulations. Ms. Salmon stated existing code language in the footnotes for the bulk regulations for the single-family zoning districts would allow for certain structures and uses in required yards. There was then a discussion on homes that required approval by the ZBA to replace the front porch. Since the meeting, staff confirmed that the proposed regulations do not appear to create issues for reconstructing a front porch onto an historic home.

There was a brief discussion on required versus existing interior side yard setbacks, additional language to support variation cases, and eligible exterior improvements. Staff confirmed that interior improvements would not be eligible for any incentives and would not be subject to review.

One Commissioner asked if these incentives are enough to prevent demolitions and if the Village needs to go further in what they are proposing. Ms. Salmon stated staff has asked the same questions. It is unknown right now if these regulations go far enough, but staff will continue to reassess and evaluate feedback as the program as it is implemented.

There was a discussion on staff providing preliminary financial information and alternative zoning exhibits to homeowners to help them understand how these incentives can benefit their property, the number of demolitions over the past decades, efforts from other communities to help preserve historic buildings, potential demolition by neglect regulations, and how alternative zoning regulations could help certain cases.





## REQUEST FOR BOARD ACTION

Overall, the Commission expressed support for the proposed Map Amendment and Text Amendments to the Village Code and Zoning Code. No members of the public spoke at the public hearing.

By a vote of six (6) ayes and zero (0) nays, with three (3) absent, the Plan Commission recommended approval of Case A-03-2022, a Map Amendment and Text Amendment to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and Text Amendment to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, as submitted.

### **Village Board and/or Committee Action**

The project was reviewed at a First Reading at the Village Board meeting on September 6, 2022. Bethany Salmon, Village Planner, and Michael Marrs, the Village Attorney, provided an overview of the proposed Historic Overlay District and amendments.

A Trustee asked if there was a budgeted amount or limit for the property tax rebates to be approved by the Village. Staff clarified that a maximum budgeted amount has not been set up as the number of future applications for this incentive is unknown at this time and it requires a more substantial investment at a minimum of \$50,000. A budget has been set up for the matching grants, where this year \$30,000 was budgeted for the Historic Preservation Fund. Staff will be consistently tracking the financial impacts and bring this to be Board for review as applications are being brought forward. Private donations are also accepted to fund the Historic Preservation Fund.

A Trustee requested several minor changes to the ordinance for amendments to the Village Code, recommending that consistent language and terminology be used. The Village attorney also included clarifying language to distinguish between structures and properties. The attached ordinance has been revised to reflect these changes. A copy of the redlined ordinance is also attached highlighting these changes.

No public comments were provided at the meeting. The Village Board moved the item forward for a Second Reading.

### **Documents Attached**

1. Redlined revised Ordinance Creating a New Part II (Historic Overlay District (HOD)), showing changes since the September 6, 2022 Board of Trustees meeting - Changes since the September 6, 2022 Board of Trustees are highlighted in blue
2. Ordinance Creating a New Part II (Historic Overlay District (HOD)) in Article VIII (Overlay Districts) of the Hinsdale Zoning Code to Establish a Historic Preservation Overlay District, making related Zoning Code Changes, and Amending Various Provisions of Title 14 (Historic Preservation) of the Village Code of Hinsdale relative to the Historic Preservation Overlay District and Exhibits
  - a. Exhibit A - Findings and Recommendation of the Plan Commission
3. Ordinance Amending the Official Zoning Map of the Village of Hinsdale to Create a New Historic Overlay Zoning District and Exhibits
  - a. Exhibit A - Hinsdale Zoning Map with Historic Overlay District Indicated and General Description of the Historic Overlay District
  - b. Exhibit B - Findings and Recommendation of the Plan Commission





## REQUEST FOR BOARD ACTION

Previous Attachments: The following related materials for this case were provided for the Board of Trustees on September 6, 2022, and are available on the Village website at the following link: [https://cms1files.revize.com/revize/hinsdaleil/document\\_center/VillageBoard/2022/09%20SEP/VBOT%20packet%2009%2006%2022.pdf](https://cms1files.revize.com/revize/hinsdaleil/document_center/VillageBoard/2022/09%20SEP/VBOT%20packet%2009%2006%2022.pdf)

1. Exhibit 1 – Draft Zoning Code and Village Code Amendments, revised July 7, 2022
2. Exhibit 2 – Draft Historic Overlay District Preservation Incentive Program Information Packet
3. Exhibit 3 – Hinsdale Official Zoning Map / Proposed Historic Overlay District Map
4. Exhibit 4 – Zoning Code Section 3-110, Section 10-104, Section 10-105, and Section 12-206
5. Exhibit 5 – Summary of Alternative Zoning Regulations and Examples
6. Exhibit 6 – Secretary of the Interior's Standards for Rehabilitation / Treatment of Historic Properties
7. Exhibit 7 – Preliminary Financial Evaluation of Preservation Incentives in the Historic Overlay District
8. Exhibit 8 – Text Amendment and Plan Commission Applications by the Village
9. Draft Ordinances
10. Plan Commission Findings and Recommendation



**DRAFT – 09-12-22**

(additions to existing text marked with **underlining**;  
deletions to existing text marked using **~~strikethrough~~**)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CREATING A NEW PART II (HISTORIC OVERLAY DISTRICT (HOD)) IN ARTICLE VIII (OVERLAY DISTRICTS) OF THE HINSDALE ZONING CODE TO ESTABLISH A HISTORIC PRESERVATION OVERLAY DISTRICT, MAKING RELATED ZONING CODE CHANGES, AND AMENDING VARIOUS PROVISIONS OF TITLE 14 (HISTORIC PRESERVATION) OF THE VILLAGE CODE OF HINSDALE RELATIVE TO THE HISTORIC PRESERVATION OVERLAY DISTRICT**

**WHEREAS**, the Village of Hinsdale (the "Village") has received an application (the "Application") from the Village of Hinsdale (the "Applicant") pursuant to Section 11-601 of the Hinsdale Zoning Code ("Zoning Code") for amendments to the Zoning Code and Village Code relative to creation of a historic preservation overlay district (the "Proposed Historic Overlay District") within various areas of the Village (collectively, the "Proposed Text Amendments"); and

**WHEREAS**, the Village of Hinsdale Board of Trustees, having discussed the Proposed Text Amendments on a number of occasions, determined that the creation of the Proposed Historic Overlay District was advisable, gave preliminary consideration to the Application pursuant to Section 11-601(D)(2) of the Hinsdale Zoning Code, and then 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 August 10, 2022, 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, recommended approval of the Proposed Text Amendments by a vote of six (6) in favor, zero (0) against and three (3) absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-03-2022 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit A** and made a part hereof; and

**WHEREAS**, the Village is an Illinois non-home rule municipality, having all of the powers and authority granted to such municipalities pursuant to law, including but not limited to authority to divide the Village into districts as deemed necessary by the Board of Trustees to carry out the purposes of Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.) relative to zoning within the Village. The Proposed Historic Overlay District and associated regulations are intended to offer property owners incentives to encourage historic preservation and preserve the character of the community; and



**WHEREAS**, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and circumstances affecting the Application, and have determined that the approval of the Proposed Text Amendments, as set forth below, and the creation of the Proposed Historic Overlay District, is in the best interests of the Village and is demanded by and required for the public good.

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

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

**SECTION 2:** The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, 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 Text Amendments set forth below, and the creation of the Proposed Historic Overlay District, are in the best interests of the Village and are demanded by and required for the public good.

**SECTION 3:** Article VIII (Overlay Districts) of the Hinsdale Zoning Code is amended by adding a new Part II (Historic Preservation Overlay District), to read in its entirety as follows:

## **Part II - Historic Overlay District (HOD)**

### **Sec. 8-201: Purpose and Applicability**

**A. Purpose.** The Historic Overlay District is intended to promote local historic preservation efforts and to help preserve structures with historic, architectural, or cultural significance in the Village of Hinsdale by creating a district within which the Village may provide certain incentives that encourage the preservation, rehabilitation, enhancement, and restoration of structures deemed to be historically significant within the District.

**B. Applicability.** The Historic Overlay District appears on the Zoning Map as an "Overlay District," imposed on top of other zoning districts created by this Code and referred to in this Section as "Base Zoning Districts." The regulations of the Historic Overlay District shall supplement those of the Base Zoning Districts, and development of properties with historically significant structures in the Historic Overlay District shall comply with the regulations of the Base District, the requirements of the Design Review Overlay District created by Part I of Article VIII, where applicable, and, where an



Applicant, as defined herein, chooses to do so in conformance with the requirements of this Part II, the Historic Overlay District. In the case of any conflict or overlap, the regulations and standards applicable to the Historic Overlay District set forth in this Part II shall take precedence.

#### **Sec. 8-202: Historic Overlay District Boundaries**

A. Establishment of District Boundaries. The Historic Overlay District shall be comprised of all or parts of the various zoning districts within the Village and its boundaries shall be established pursuant to the procedures set forth in Section 11-601 (Amendments) of this Zoning Code. The areas zoned Historic Overlay District need not be contiguous.

B. Amendment of District Boundaries. Once established, the boundaries of the Historic Overlay District may be further amended pursuant to the procedures set forth in Section 11-601 (Amendments) of this Zoning Code.

#### **Sec. 8-203: Historically Significant Structures ~~Property~~ List, Preservation Incentives and Operation of the Historic Overlay District**

This Part II operates in conjunction with Chapter 14-7 of Title 14 (Historic Preservation) of the Village Code. Following the creation of the Historic Overlay District, a ~~list of~~ Historically Significant ~~Structures Property List~~ Properties within the District shall be created by the following the procedures set forth in Section 14-7-3 of the Village Code. Properties on the Historically Significant ~~Structures Property~~ Properties List and located within the Historic Overlay District are eligible to seek certain Preservation Incentives, as also set forth in Chapter 14-7 of Title 14 (Historic Preservation) of the Village Code.

#### **Sec. 8-204: Definitions**

For the purposes of this Article, the definitions set forth in Chapter 14-7 of Title 14 (Historic Preservation) of the Village Code shall apply.

#### **Sec. 8-205: Land Use and Development Regulations**

A. Land Uses. The use regulations of the underlying Base Zoning District shall apply in the Historic Overlay District.

B. Bulk Regulations. Except in the case of properties listed on the Historically Significant Structures Property List set forth in Appendix 1 to Chapter 14-7 (Historic Overlay Zoning District) of the Village Code, the applicable bulk regulations of the underlying Base Zoning District, including any footnotes, shall apply. In cases where an Applicant seeks a Preservation Incentive pursuant to Chapter 14-7 of the Village Code that includes use of the alternative bulk regulations set forth in Table 8-1 below, the below bulk regulations shall apply upon application, compliance with any program



requirements, approval of a Preservation Incentive Certificate by the Historic Preservation Commission and/or Board of Trustees, as applicable, and compliance with all other requirements of this Article VIII, Part II and Chapter 14-7 of Title 14 of the Village Code.

**Table 8-1: Alternative Bulk Regulations for Properties on the Historically Significant Structures Property List in the Historic Overlay District**

	<b><u>R-1 / R-2</u></b>	<b><u>R-3 / R-4</u></b>
<b><u>A. Maximum Height</u></b>	<u>Not applicable</u>	<u>Not applicable</u>
<b><u>B. Maximum Elevation</u></b>	<u>Not to exceed the highest existing ridge line</u>	<u>Not to exceed the highest existing ridge line</u>
<b><u>C. Minimum Lot Area and Dimensions</u></b>	<u>Existing lot area and dimensions are not to be reduced in size</u>	<u>Existing lot area and dimensions are not to be reduced in size</u>
<b><u>D. Minimum Yards</u></b>		
<b><u>1. Front Yard</u></b>	<u>Block average, as defined in Section 3-110(I)(8). In the event that block average is less than the existing front setback of the structure, the existing front setback shall prevail as the minimum front yard required.</u>	<u>Block average, as defined in Section 3-110(I)(8). In the event that block average is less than the existing front setback of the structure, the existing front setback shall prevail as the minimum front yard required.</u>
<b><u>2. Side Yards</u></b>		
<b><u>(a) Corner Lot</u></b>		
<b><u>(i) Corner Side</u></b>	<u>35' or the existing corner side setback, whichever is less</u>	<u>15' or the existing corner side setback, whichever is less</u>
<b><u>(ii) Interior Side</u></b>	<u>10'</u>	<u>6'</u>
<b><u>(b) Interior Lot</u></b>	<u>10'</u>	<u>6'</u>
<b><u>3. Rear</u></b>		
<b><u>(a) Corner Lot</u></b>	<u>10% lot depth, minimum 15'</u>	<u>15'</u>
<b><u>(b) Interior Lot</u></b>	<u>25'</u>	<u>15'</u>
<b><u>E. Maximum Floor Area Ratio (FAR)</u></b>	<u>Not applicable</u>	<u>Not applicable</u>
<b><u>F. Maximum Building Coverage</u></b>		



<u><b>1. Maximum Combined Total Principal and Accessory Structures</b></u>	<u>25% of lot area</u>	<u>25% of lot area</u>
<u><b>2. Maximum Combined Accessory Structures</b></u>	<u>10% of lot area</u>	<u>10% of lot area</u>
<u><b>G. Total Lot Coverage</b></u>	<u>60% of the lot area, provided that there are no adverse impacts to adjacent properties</u>	<u>60% of the lot area, provided that there are no adverse impacts to adjacent properties"</u>

**SECTION 4:** Subsection F(1) of Section 11-503 (Variations; Standards for Variations) of Article XI (Zoning Administration and Enforcement) of the Hinsdale Zoning Code is amended to read in its entirety as follows:

F. Standards For Variations:

1. General Standard: No variation shall be granted pursuant to this section unless the applicant shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection F. In the interest of preserving buildings or structures with historic, architectural, or cultural significance within the Village, special consideration shall be given to requests in which the ordinance prevents the applicant from reestablishing, restoring, or maintaining a material feature or significant architectural feature related to a lot or structure, or from maintaining the architectural integrity of the lot or structure, where the property hosts a designated landmark pursuant to Title 14 of the Village Code, or a historically significant structure located within the Historic Overlay District created by Article VIII, Part II of this Zoning Code and listed in Appendix 1 to Chapter 14-7 (Historic Overlay Zoning District) of the Village Code.

**SECTION 5:** The introductory paragraph of Section 3-110 (Bulk, Space, And Yard Requirements) of Article III (Single-Family Residential Districts) of the Hinsdale Zoning Code is amended to read in as follows:

The building height, lot, yard, floor area ratio, and coverage requirements applicable in the single-family residential districts are set forth in the following table. Footnote references appear in subsection I of this section at the end of the table.

Structures on properties ~~Properties and structures~~ included on the Historically Significant Structures Property List and located in the Historic Overlay District may be eligible for Alternate Bulk Zoning Standards and Preservation Incentives, as set forth in Chapter 14-7 of the Village Code and Article VIII, Part II of this Zoning Code.



**SECTION 6:** Section 10-104 (Precode Structures) of Article X (Nonconformities) of the Hinsdale Zoning Code is amended to include the following new subsection G. to read in its entirety as follows:

G. Historically Significant Structures in the Historic Overlay District. Structures on properties included on the Historically Significant Structures Property List and located in the Historic Overlay District may be eligible for Alternate Bulk Zoning Standards and certain historic Preservation Incentives, as set forth in Chapter 14-7 of the Village Code and Article VIII, Part II of this Zoning Code.

**SECTION 7:** Subsection C of Section 14-1-4 (Procedure For Notice Of Public Hearings And Meetings) of Chapter 1 (General Provisions) of Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to read in its entirety as follows:

C. Persons Entitled To Notice:

1. All Hearings And Meetings: Notice of every hearing or meeting set pursuant to this title shall be given:

a. By mail or personal delivery to the applicant and, if a specific parcel is the subject of the application, to the owner of the subject property.

b. By mail to any newspaper or person that shall have filed a written request, accompanied by an annual fee as established from time to time by the village manager to cover postage and handling, for notice of all hearings or meetings held pursuant to this code. Such written request shall automatically expire on December 31 of the year in which it is made unless a written request for renewal, accompanied by the annual fee, is submitted prior to such date.

~~c. By mail, personal delivery, or interdepartmental delivery to affected village boards, commissions, departments, officials and consultants.~~

Notice by mail as herein required shall be mailed no fewer than seven (7) days in advance of the hearing or meeting date by regular United States mail.

2. Hearings On Applications: In addition to notice as required by subsection C1 of this section, notice of every hearing set pursuant to this title in connection with any application for historic district designation, withdrawal of landmark designation, or a certificate of appropriateness, shall be given in accordance with subsections C2a and C2b of this section. Notice of every hearing in connection with an application for landmark designation or in connection with adding or removing properties from the Historically Significant Structures Property List per Section 14-7-3 shall be given in accordance with subsection C2a of this section.

a. By publication in a newspaper published in the village at least once no less than fifteen (15) days nor more than thirty (30) days in advance of the hearing date.

b. By certified mail, return receipt requested, or personal delivery to all owners of property within two hundred fifty feet (250') of the subject property; provided, further,



that in the case of an application for historic district designation, notice shall be to all owners of record of property within the proposed district and to all owners of record of property within two hundred fifty feet (250') of the outside perimeter of the proposed district. Notice as required by this subsection shall be given by the applicant not less than fifteen (15) days nor more than thirty (30) days in advance of the hearing.

**SECTION 8:** Section 14-2-2 (Powers And Duties) of Chapter 2 (Historic Preservation Commission) of Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to add the following new subsection M to read in its entirety as follows:

M. To perform the functions of the Commission relative to the Historic Overlay District as set forth in Chapter 14-7 of this Article 14, and Article VIII (Overlay Districts), Part II (Historic Overlay District) of this Zoning Code.

**SECTION 9:** Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to add a new Chapter 14-6 (Historic Preservation Fund) to read in its entirety as follows:

**14-6-1: HISTORIC PRESERVATION FUND:**

A. Creation of Historic Preservation Fund. There is hereby established by the Village a special fund called the Village of Hinsdale Historic Preservation Fund.

B. Source of Funds. The Board of Trustees may, through the budget process, allocate such funds to the Historic Preservation Fund as it deems necessary. The Village may, in addition, accept monetary gifts and donations from private or public sources into the fund, and may engage in fundraising efforts and deposit the proceeds of such fundraising into the Historic Preservation Fund.

C. Use of Funds. The Board of Trustees may, upon application by or to the Village, and in conformance with all requirements, process and approvals set forth in Chapter 7 of this Title 14, and in Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, where applicable, approve the utilization of funds in the Historic Preservation Fund for the following purposes:

1. To further the preservation of structures on properties located in the Historic Overlay District created pursuant to Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code and included on the Historically Significant Structures Property List established in Section 14-7-3 (Historically Significant Structures Property List) of this Title 14, either through the Village's own initiative or, upon application, through grants approved by the Board of Trustees for improvements to privately owned properties;

2. To provide rebates, upon application, in the form of matching funds to Applicants who seek to repair, maintain or improve the façade of buildings located on properties in the Historic Overlay District and included on the Historically Significant Structures



Property List (see Section 14-7-4.F. (Preservation Incentives; Property Tax Rebates) of this Title 14;

3. To otherwise further preservation efforts and activities of all kinds and types within the Village consistent with the goals of this Title 14 and Title VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code.

**SECTION 10:** Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to add a new Chapter 14-7 (Historic Overlay District) to read in its entirety as follows:

**14-7-1: HISTORIC OVERLAY ZONING DISTRICT:**

Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code creates a Historic Overlay Zoning District within the Village. This chapter operates in tandem with the provisions of Article VIII, Part II.

**14-7-2: DEFINITIONS:**

For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**Alternative Bulk Zoning Standards.** A Preservation Incentive consisting of a set of zoning standards that may be utilized in alterations, additions, rehabilitation, restoration or relocation work or other physical modifications of or to any structure on a property on the Historically Significant Structures Property List, subject to compliance with any program requirements, application, approval of a Preservation Incentive Certificate, and approval by the Board of Trustees, as detailed in Section 14-7-5.

**Applicant.** The owner, lessee with the consent of an owner, or other persons or entities with an ownership interest in a structure on property with a structure on the Historically Significant Structures Property List.

**Base Zoning District.** The underlying zoning district designation of a property located with the Historic Overlay District created by Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, as shown on the Village's Zoning Map.

**Historic Overlay District.** A specific geographic area created pursuant to Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, and designated on the Zoning Map of the Village, where certain regulations apply in addition to the underlying Base Zoning District regulations, and that includes Historically Significant Structures that may be eligible for certain Preservation Incentives as set forth in this Chapter and in Article VIII, Part II (Historic Overlay District) of the Zoning Code.

**Historic Preservation Commission.** The Hinsdale Historic Preservation Commission as created by Chapter 14-2 of this Title 14.



**Historic Preservation Fund.** The special fund of the Village of Hinsdale created by Section 14-6-1 of this Title 14.

**Historically Significant Structure.** A structure found to meet the criteria in Section 14-7-3.B. of this Chapter and located on a property placed on the Historically Significant Structures Property List pursuant to Section 14-7-3.

**Historically Significant Structures Property List.** The list of properties hosting Historically Significant Structures as created in Section 14-7-3 and as set forth in Appendix 1 to this Chapter 14-7.

**Initial List.** The list of properties proposed for initial inclusion on the Historically Significant Structures Property List by the Historic Preservation Commission pursuant to Section 14-7-3.

**Notice of Historically Significant Property.** The notice recorded against title to a property approved for inclusion on the Historically Significant Property List pursuant to Section 14-7-3.

**Notice of Removal.** The notice recorded against title to a property upon removal of a property from the Historically Significant Structures Property List pursuant to Section 14-7-3.

**Preservation Incentive.** Incentives made available to Applicants regarding properties on the Historically Significant Structures Property List within the Historic Overlay District, subject to application and conformance with program requirements, as detailed in Section 14-7-4.

**Preservation Incentive Certificate.** A certificate authorizing specific Preservation Incentives and issued pursuant to Section 14-7-5.

**Program Agreement.** The agreement required to be signed by an applicant pursuant to Section 14-7-5.H. in order to obtain a Preservation Incentive.

#### **14-7-3: HISTORICALLY SIGNIFICANT STRUCTURES PROPERTY LIST:**

**A. Creation of List.** The primary goal of the Historic Overlay District created in Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code is to incentivize the preservation, rehabilitation, enhancement and restoration of structures within the Historic Overlay District that are deemed to be of historical significance. To that end, the Village shall create, and the Village Clerk shall maintain, a Historically Significant Structures Property List within the Historic Overlay District to which regulations within the Overlay District may apply. Such list shall be created pursuant to the procedures set forth in this chapter and shall be included as Appendix 1 to this chapter.



B. Review Criteria. In order for a property to be deemed to host a Historically Significant Structure and be included on the Historically Significant Structures Property List, a property must be located within the Historic Overlay District and meet one (1) or more of the following criteria:

1. The property or one (1) or more structures on the property are associated with events that have made a significant contribution to the broad patterns of our history;

2. The property or one (1) or more structures on the property are associated with the lives of persons significant in our past;

3. One (1) or more structures on the property embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;

4. The property or one (1) or more structures on the property yields, or may be likely to yield, information important to history or prehistory;

5. The property or one (1) or more structures on the property has significance in local, regional, state or national history, architecture, archeology, engineering or culture; or

6. The property or one (1) or more structures on the property is a source of civic pride or identity for the community.

C. Process – Creation of Historically Significant Structures Property List.

1. The Historic Preservation Commission, using existing Village studies, historical materials and maps, and their own expertise, shall, within one hundred eighty (180) days of approval of the Ordinance creating the Historic Overlay District, compile an Initial List of properties proposed for inclusion on the Historically Significant Structures Property List.

2. Upon creation of the Initial List, the Historic Preservation Commission shall hold a public hearing or hearings relative to the Initial List pursuant to the procedures set forth in Section 14-1-4.C. of this Title 14.

3. Multiple properties proposed for inclusion on the Historically Significant Structures Property List may be considered at a single hearing and may be included on the hearing notice. Multiple rounds of public hearings may be held regarding properties proposed for inclusion on the Historically Significant Structures Property List for administrative convenience.

4. Following the public hearing, the Historic Preservation Commission shall determine whether each property on the Initial List possesses one or more of the criteria



set forth in Subsection B above and make a recommendation to the Board of Trustees as to whether each property included on the Initial List should be included on the Historically Significant Structures Property List. The recommendation of the Historic Preservation Commission shall be forwarded to the Board of Trustees for consideration.

5. The Board of Trustees shall consider the recommendations of the Historic Preservation Commission and may approve or deny the inclusion of each property on the Initial List for inclusion on the Historically Significant Structures Property List. The Board of Trustees may also remand the Initial List, or individual properties on the Initial List, to the Historic Preservation Commission for further consideration or for additional information without further public hearing.

D. Process – Adding Properties to the Historically Significant Structures Property List.

1. Additional properties not on the Initial List may be considered as additions to the Historically Significant Structures Property List at any time upon application of an individual property owner, or upon direction from the Board of Trustees or Historic Preservation Commission.

2. Upon receipt of a completed application, the Historic Preservation Commission shall hold a public hearing or hearings relative to the property proposed to be added to the Historically Significant Structures Property List. Notice of the public hearing shall be given pursuant to the procedures set forth in Section 14-1-4.C. of this Title 14.

3. Following the public hearing, the Historic Preservation Commission shall determine whether the property proposed to be added to the Historically Significant Structures Property List possesses one or more of the criteria set forth in Subsection B above and make a recommendation to the Board of Trustees as to whether the property shall be added to the Historically Significant Structures Property List. The recommendation of the Historic Preservation Commission shall be forwarded to the Board of Trustees for consideration.

4. The Board of Trustees shall consider the recommendation of the Historic Preservation Commission and may approve or deny the inclusion of each property on the Historically Significant Structures Property List. The Board of Trustees may also remand a property to the Historic Preservation Commission for further consideration or for additional information, without further public hearing.

E. Notification of Inclusion of a Property on the Historically Significant Structures Property List.

1. Upon approval of a property for inclusion on the Historically Significant Structures Property List, a notification of inclusion shall be sent to the owner of the property.



2. The Historically Significant Structures Property List shall be maintained by the Village Clerk. The Historically Significant Structures Property List shall be made available on the Village's official website and provided to area realtors, news media and other persons or entities in an effort to publicize the List and incentives available.

3. A Notice of Historically Significant Property shall be recorded against title to each property approved for inclusion on the Historically Significant Property list. The notice shall reference this Chapter, Article VIII, Part II (Historic Overlay District) of the Zoning Code and the availability of the Preservation Incentives specified herein.

F. Process – Removal of Properties from the Historically Significant Structures Property List.

1. The Historic Preservation Commission shall periodically, but no less often than every five (5) years, undertake a review of the Historically Significant Structures Property List to determine whether properties on the List should be proposed for removal from the List due to changed circumstances. In addition, individual properties on the Historically Significant Structures Property List may be considered for removal from the List at any time upon application of an individual property owner, or upon direction from the Board of Trustees or Historic Preservation Commission.

2. A property with a Historically Significant Structure on its structure may be removed from the Historically Significant Structures Property List when it is found that due to changed circumstances, the qualities which caused the structure to be originally eligible for inclusion on the List have been lost or destroyed, or where it has otherwise ceased to meet the criteria that made it originally eligible for inclusion.

3. A property shall be automatically removed from the Historically Significant Structures Property List upon demolition of the historically significant structure on the property, without the need for hearing or other action by the Historic Preservation Commission or Board of Trustees.

4. The Historic Preservation Commission shall hold a public hearing or hearings relative to any property proposed to be removed from the Historically Significant Structures Property List due to changed circumstances. Notice of the public hearing shall be given pursuant to the procedures set forth in Chapter 14-1 of this Title 14.

5. Following the public hearing, the Historic Preservation Commission shall determine whether the property proposed to be removed from the Historically Significant Structures Property List meets the criteria in Subsection F.2 above and make a recommendation to the Board of Trustees as to whether the property should be removed from the Historically Significant Structures Property List. The recommendation of the Historic Preservation Commission shall be forwarded to the Board of Trustees for consideration.



6. The Board of Trustees shall consider the recommendation of the Historic Preservation Commission and the criteria set forth in Subsection F.2. above, and may approve or deny the removal of each property from the Historically Significant Structures Property List. The Board of Trustees may also remand a property to the Historic Preservation Commission for further consideration or for additional information, without further public hearing.

7. Upon removal of a property from the Historically Significant Structures Property List, a Notice of Removal shall be mailed to the owner and/or occupant and recorded against title to the property. The notice shall reference this Chapter, Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, the previously recorded Notice of Historically Significant Property, and the fact that Preservation Incentives are no longer available for the property.

#### **14-7-4: PRESERVATION INCENTIVES:**

In the interest of furthering preservation within the Village, and consistent with the goals of the Historic Overlay District and this Title 14, the Village shall make the following Preservation Incentives regarding properties on the Historically Significant Structures Property List within the Historic Overlay District available to Applicants, subject to application and conformance with program requirements:

A. Waiver of Fees – Inclusion on the Historically Significant Structures Property List. All public hearing and other fees related to inclusion on the Historically Significant Structures List shall be waived for owners seeking to have their properties added to the List pursuant to Section 14-7-3 above.

B. Waiver of Fees – Zoning Applications and Preservation Incentive Certificates. All public hearing, public meeting, zoning application fees (including Site Plan Review, Exterior Appearance Plan Review and other plan approvals), and other Village fees related to obtaining approval of alternative bulk zoning regulations, zoning application requests, or approval of a Preservation Incentive Certificate shall be waived for Applicants seeking to utilize Preservation Incentives to perform exterior alterations, additions, rehabilitation, restoration, or relocation of or to any structure on a property on the Historically Significant Structures Property List. An application seeking the waiver of fees as a Preservation Incentive must be submitted and approved prior to the initiation of such work.

C. Waiver of Fees – Building Permits. All building permit and plan review fees shall be waived for Applicants who have obtained a Preservation Incentive Certificate pursuant to Section 14-7-5 below for alterations, additions, rehabilitation, restoration or relocation of any structure on a property on the Historically Significant Structures Property List. An application seeking the waiver of fees as a Preservation Incentive must be submitted and approved prior to the initiation of such work.



D. Expedited Process – Historic Landmark and Historic District Designations. Where a subject property lies within the Historic Overlay District, the application and public hearing process seeking to designate a structure, building, or site as a designated landmark, or an area as an historic district, pursuant to this Title 14, shall be expedited to the extent possible by the Historic Preservation Commission and Board of Trustees. Such expedited processes may include, when appropriate, the calling of special meetings of the Historic Preservation Commission, the Board of Trustees and other applicable Village boards, committees and commissions.

E. Expedited Process – Certain Work on Structures on a property on the Historically Significant Structures Property List. Application and public hearing processes for Applicants seeking to utilize Preservation Incentives to perform exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List shall be expedited to the extent possible by the Historic Preservation Commission, the Board of Trustees, and other applicable Village boards, committees and commissions. Such expedited processes may include, when appropriate, the calling of special meetings of the Historic Preservation Commission, the Board of Trustees and other applicable Village boards, committees and commissions. An application seeking an expedited process as a Preservation Incentive must be submitted and approved prior to the initiation of such work.

F. Property Tax Rebates. Commencing on January 1, 2023, and subject to compliance with Preservation Incentive program requirements, the Village portion of the real estate property taxes received by the Village on structuresproperties on the Historically Significant Structures Property List may, upon application and approval of the Board of Trustees, be rebated to the property owner or their designee. Rebates may be made available to Applicants who, following the issuance of a Preservation Incentive Certificate pursuant to Section 14-7-5 below, perform exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List and incur documented eligible costs of \$50,000 or more. In the event an Applicant seeks both a property tax rebate incentive and a grant or façade improvement matching fund rebate incentive, the eligible project costs being matched for grant or façade improvementrebate purposes cannot be counted towards the \$50,000 in documented eligible costs for purposes of reaching the threshold amount for property tax rebate eligibility. Property tax rebates are limited to a maximum term of five (5) years, as determined in the sole discretion of the Board of Trustees, and shall only be available in the following circumstances:

1. When the documented eligible costs of exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List exceed an amount specified in the Preservation Incentive program requirements, as approved by the Village Board. Documented eligible costs include architectural, planning, engineering, design services, historic preservation services and construction costs, as further detailed and limited by any Preservation Incentive program requirements as developed by staff; and



2. Where a Preservation Incentive Certificate, as applicable, has been approved.

G. Grants or Matching Funds. Grants or façade improvement matching fund rebates incentives from the Village's Historic Preservation Fund may be awarded to fund 50% of eligible project costs up to a maximum of \$10,000 per project for the performance of to perform exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List. In the event an Applicant seeks both a grant or façade improvement matching fund rebate incentive and a property tax rebate incentive, the eligible project costs being matched for grant or façade improvement rebate purposes cannot be counted towards the \$50,000 in documented eligible costs for purposes of reaching the threshold amount for property tax rebate eligibility. Grant or façade improvement matching fund rebate incentives are subject to compliance with program requirements, application, available funding, approval of a Preservation Incentive Certificate and approval by the Board of Trustees.

H. Alternative Bulk Standards. Alternative Bulk Zoning Standards as detailed in Section 8-205 of the Zoning Code may be utilized in alterations, additions, rehabilitation, restoration or relocation work or other physical modifications of or to any structure on a property on the Historically Significant Structures Property List, or for other historic preservation projects related to any structure on a property on the Historically Significant Structures Property List, subject to compliance with any program requirements, application, approval of a Preservation Incentive Certificate, and approval by the Historic Preservation Commission and, if applicable, the Board of Trustees.

**14-7-5: PRESERVATION INCENTIVES PROCESS AND REQUIREMENTS:**

A. Incentives Optional. Preservation Incentives are only available to Applicants, as defined in Section 14-7-2 above. The use of Incentives by the owner of a structure on a property on the Historically Significant Structures Property List is optional. If the owner of a structure on a property on the Historically Significant Structures Properties List chooses not to utilize Preservation Incentives, the bulk standards of the underlying Base Zoning District shall apply.

B. Preservation Incentive Certificate Required. A Preservation Incentive Certificate authorizing specific Preservation Incentives is required prior to undertaking any project utilizing Preservation Incentives and that involves any exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List, except as otherwise set forth below. Preservation Incentives are not available for, and a Preservation Incentive Certificate is not required for, the following:

1. Painting.
2. Landscaping.
3. Fences.



4. Driveways, sidewalks, and other paved areas.
5. Reversible appurtenances, including air conditioning units, gutters, downspouts, antennas, satellite dishes and mailboxes.
6. Routine maintenance and cleaning.
7. New detached garages or changes to existing detached garages, unless the detached garage is considered a historically significant structure.
8. Any accessory building or structure other than a garage (e.g., shed, rear deck, patio, trellis, etc.), unless the accessory building or structure is considered a historically significant structure.
9. Interior improvements or work.

C. Application. An Applicant may apply for one (1) or more of the Preservation Incentives set forth in Section 14-7-4 by submitting an application on a form provided by the Department of Community Development. Such application shall include plans for any exterior alterations, additions, rehabilitation, restoration or relocation, and any other information required by the Village.

D. No Property Tax Owed; No Debts. No application for a Preservation Incentive shall be considered where there are outstanding real estate property taxes owed on the property, or where other fines, penalties, debts or obligations of the property owner and Applicant, if different than the owner, are due and owing to the Village.

E. Public Meeting. A completed application shall be reviewed by the Historic Preservation Commission at a public meeting for consideration as to the issuance of a Preservation Incentive Certificate.

F. Design Criteria and Development Standards for Properties in the Historic Overlay District Utilizing Preservation Incentives. A Preservation Incentive Certificate shall be approved by the Historic Preservation Commission if it complies with the following standards:

1. The exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List is found by the Historic Preservation Commission to be consistent with, or compatible with, the historical nature of the structure. Consideration of whether this standard is met shall be guided by the Secretary of the Interior's Standards for the Treatment of Historic Properties, where applicable, and the Secretary of the Interior's Standards for Rehabilitation as follows:

- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site environment;
- b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;



- c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;
- d. Most properties and structures change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;
- e. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity;
- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities, and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence;
- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of the structures, if appropriate, shall be undertaken using the gentlest means possible;
- h. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken;
- i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment;
- j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. The proposed exterior alterations, additions, rehabilitation, repairs or relocation will not have any significant adverse impact on adjacent properties. Such adverse impacts include, but are not limited to, stormwater runoff impacts.

3. All other Village code requirements must be met.

#### G. Final Determination.

1. For applications seeking Preservation Incentives in the form of waivers of fees, expedited process, or alternative bulk standards, as detailed in Section 14-7-4, where a majority of the then-sitting members of the Historic Preservation Commission finds that a Preservation Incentive Certificate should be granted, the Certificate shall be issued by the Village Manager or his or her designee.

2. For applications requesting Preservation Incentives in the form of grants or rebates, as detailed in Section 14-7-4, the vote of the Historic Preservation Commission shall be advisory, and a recommendation shall be forwarded to the Board of Trustees. If the Historic Preservation Commission does not recommend approval of an application



requesting a grant or a rebate, with at least four (4) affirmative votes, the application is denied and will not proceed to the Board of Trustees. Upon receipt of a recommendation from the Historic Preservation Commission, the affirmative vote of four (4) or more members of the Board of Trustees is required for approval of a Preservation Incentive Certificate involving a grant or rebate. The Board of Trustees approval of such grant or rebate shall specify the specific amount approved in the case of a grant or number of approved years in the case of a Property Tax Rebate. Upon Board of Trustees approval, a Preservation Incentive Certificate shall be issued by the Village Manager or his or her designee.

3. Final Determinations of the Historic Preservation Commission on a Preservation Incentive Certificate may be appealed to the Board of Trustees by filing a request for an appeal within ten (10) days of the denial. Within sixty (60) days following the receipt of an appeal, the Board of Trustees shall either grant the Preservation Incentive Certificate, affirm its denial, or remand the matter back to the Historic Preservation Commission for further proceedings.

4. The Historic Preservation Commission or the Board of Trustees, as applicable, may impose reasonable conditions on the issuance of a Preservation Incentive Certificate.

H. Program Agreement Required. No Preservation Incentive shall be made available unless the Applicant, following a Final Determination, enters into a Program Agreement on a form previously developed by staff and approved by the Board of Trustees governing the terms and conditions of any Preservation Incentive received.

**SECTION 11:** 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 12:** To the extent necessary, all table of contents, indexes, headings and internal references or cross-references to sections contained in the Zoning Code and Village Code that have been deleted or amended by the Code Amendments set forth above shall be amended by the Village's codifier so as to be consistent with the Code Amendments of this Ordinance.

**SECTION 13:** 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 \_\_\_\_\_ 2022.

**AYES:** \_\_\_\_\_



NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, 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 AND RECOMMENDATION OF THE PLAN COMMISSION**

**(ATTACHED)**



STATE OF ILLINOIS     )  
COUNTY OF DUPAGE    ) SS  
COUNTY OF COOK       )

**CLERK'S CERTIFICATE**

I, Christine M. Bruton, Clerk of the Village of Hinsdale, in the Counties of DuPage and Cook, State of Illinois, do hereby certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CREATING A NEW PART II (HISTORIC OVERLAY DISTRICT (HOD)) IN ARTICLE VIII (OVERLAY DISTRICTS) OF THE HINSDALE ZONING CODE TO ESTABLISH A HISTORIC PRESERVATION OVERLAY DISTRICT, MAKING RELATED ZONING CODE CHANGES, AND AMENDING VARIOUS PROVISIONS OF TITLE 14 (HISTORIC PRESERVATION) OF THE VILLAGE CODE OF HINSDALE RELATIVE TO THE HISTORIC PRESERVATION OVERLAY DISTRICT**

which Ordinance was passed by the Board of Trustees of the Village of Hinsdale at a Regular Village Board Meeting on the \_\_\_\_ day of \_\_\_\_\_, 2022, at which meeting a quorum was present, and approved by the President of the Village of Hinsdale on the \_\_\_\_ day of \_\_\_\_\_, 2022.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Hinsdale was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Hinsdale, and that the result of said vote was as follows, to-wit:

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Hinsdale, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Village Clerk

[SEAL]



**VILLAGE OF HINSDALE**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CREATING A NEW PART II (HISTORIC OVERLAY DISTRICT (HOD)) IN ARTICLE VIII (OVERLAY DISTRICTS) OF THE HINSDALE ZONING CODE TO ESTABLISH A HISTORIC PRESERVATION OVERLAY DISTRICT, MAKING RELATED ZONING CODE CHANGES, AND AMENDING VARIOUS PROVISIONS OF TITLE 14 (HISTORIC PRESERVATION) OF THE VILLAGE CODE OF HINSDALE RELATIVE TO THE HISTORIC PRESERVATION OVERLAY DISTRICT**

**WHEREAS**, the Village of Hinsdale (the "Village") has received an application (the "Application") from the Village of Hinsdale (the "Applicant") pursuant to Section 11-601 of the Hinsdale Zoning Code ("Zoning Code") for amendments to the Zoning Code and Village Code relative to creation of a historic preservation overlay district (the "Proposed Historic Overlay District") within various areas of the Village (collectively, the "Proposed Text Amendments"); and

**WHEREAS**, the Village of Hinsdale Board of Trustees, having discussed the Proposed Text Amendments on a number of occasions, determined that the creation of the Proposed Historic Overlay District was advisable, gave preliminary consideration to the Application pursuant to Section 11-601(D)(2) of the Hinsdale Zoning Code, and then 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 August 10, 2022, 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, recommended approval of the Proposed Text Amendments by a vote of six (6) in favor, zero (0) against and three (3) absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-03-2022 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit A** and made a part hereof; and

**WHEREAS**, the Village is an Illinois non-home rule municipality, having all of the powers and authority granted to such municipalities pursuant to law, including but not limited to authority to divide the Village into districts as deemed necessary by the Board of Trustees to carry out the purposes of Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.) relative to zoning within the Village. The Proposed Historic Overlay District and associated regulations are intended to offer property owners incentives to encourage historic preservation and preserve the character of the community; and

**WHEREAS**, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and



circumstances affecting the Application, and have determined that the approval of the Proposed Text Amendments, as set forth below, and the creation of the Proposed Historic Overlay District, is in the best interests of the Village and is demanded by and required for the public good.

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

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

**SECTION 2:** The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, 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 Text Amendments set forth below, and the creation of the Proposed Historic Overlay District, are in the best interests of the Village and are demanded by and required for the public good.

**SECTION 3:** Article VIII (Overlay Districts) of the Hinsdale Zoning Code is amended by adding a new Part II (Historic Preservation Overlay District), to read in its entirety as follows:

## **Part II - Historic Overlay District (HOD)**

### **Sec. 8-201: Purpose and Applicability**

**A. Purpose.** The Historic Overlay District is intended to promote local historic preservation efforts and to help preserve structures with historic, architectural, or cultural significance in the Village of Hinsdale by creating a district within which the Village may provide certain incentives that encourage the preservation, rehabilitation, enhancement, and restoration of structures deemed to be historically significant within the District.

**B. Applicability.** The Historic Overlay District appears on the Zoning Map as an "Overlay District," imposed on top of other zoning districts created by this Code and referred to in this Section as "Base Zoning Districts." The regulations of the Historic Overlay District shall supplement those of the Base Zoning Districts, and development of properties with historically significant structures in the Historic Overlay District shall comply with the regulations of the Base District, the requirements of the Design Review Overlay District created by Part I of Article VIII, where applicable, and, where an Applicant, as defined herein, chooses to do so in conformance with the requirements of this Part II, the Historic Overlay District. In the case of any conflict or overlap, the regulations and standards applicable to the Historic Overlay District set forth in this Part II shall take precedence.



### **Sec. 8-202: Historic Overlay District Boundaries**

A. Establishment of District Boundaries. The Historic Overlay District shall be comprised of all or parts of the various zoning districts within the Village and its boundaries shall be established pursuant to the procedures set forth in Section 11-601 (Amendments) of this Zoning Code. The areas zoned Historic Overlay District need not be contiguous.

B. Amendment of District Boundaries. Once established, the boundaries of the Historic Overlay District may be further amended pursuant to the procedures set forth in Section 11-601 (Amendments) of this Zoning Code.

### **Sec. 8-203: Historically Significant Structures Property List, Preservation Incentives and Operation of the Historic Overlay District**

This Part II operates in conjunction with Chapter 14-7 of Title 14 (Historic Preservation) of the Village Code. Following the creation of the Historic Overlay District, a Historically Significant Structures Property List within the District shall be created by the following the procedures set forth in Section 14-7-3 of the Village Code. Properties on the Historically Significant Structures Property List and located within the Historic Overlay District are eligible to seek certain Preservation Incentives, as also set forth in Chapter 14-7 of Title 14 (Historic Preservation) of the Village Code.

### **Sec. 8-204: Definitions**

For the purposes of this Article, the definitions set forth in Chapter 14-7 of Title 14 (Historic Preservation) of the Village Code shall apply.

### **Sec. 8-205: Land Use and Development Regulations**

A. Land Uses. The use regulations of the underlying Base Zoning District shall apply in the Historic Overlay District.

B. Bulk Regulations. Except in the case of properties listed on the Historically Significant Structures Property List set forth in Appendix 1 to Chapter 14-7 (Historic Overlay Zoning District) of the Village Code, the applicable bulk regulations of the underlying Base Zoning District, including any footnotes, shall apply. In cases where an Applicant seeks a Preservation Incentive pursuant to Chapter 14-7 of the Village Code that includes use of the alternative bulk regulations set forth in Table 8-1 below, the below bulk regulations shall apply upon application, compliance with any program requirements, approval of a Preservation Incentive Certificate by the Historic Preservation Commission and/or Board of Trustees, as applicable, and compliance with all other requirements of this Article VIII, Part II and Chapter 14-7 of Title 14 of the Village Code.



**Table 8-1: Alternative Bulk Regulations for Properties on the Historically Significant Structures Property List in the Historic Overlay District**

	<b><u>R-1 / R-2</u></b>	<b><u>R-3 / R-4</u></b>
<b><u>A. Maximum Height</u></b>	<u>Not applicable</u>	<u>Not applicable</u>
<b><u>B. Maximum Elevation</u></b>	<u>Not to exceed the highest existing ridge line</u>	<u>Not to exceed the highest existing ridge line</u>
<b><u>C. Minimum Lot Area and Dimensions</u></b>	<u>Existing lot area and dimensions are not to be reduced in size</u>	<u>Existing lot area and dimensions are not to be reduced in size</u>
<b><u>D. Minimum Yards</u></b>		
<b><u>1. Front Yard</u></b>	<u>Block average, as defined in Section 3-110(l)(8). In the event that block average is less than the existing front setback of the structure, the existing front setback shall prevail as the minimum front yard required.</u>	<u>Block average, as defined in Section 3-110(l)(8). In the event that block average is less than the existing front setback of the structure, the existing front setback shall prevail as the minimum front yard required.</u>
<b><u>2. Side Yards</u></b>		
<b><u>(a) Corner Lot</u></b>		
<b><u>(i) Corner Side</u></b>	<u>35' or the existing corner side setback, whichever is less</u>	<u>15' or the existing corner side setback, whichever is less</u>
<b><u>(ii) Interior Side</u></b>	<u>10'</u>	<u>6'</u>
<b><u>(b) Interior Lot</u></b>	<u>10'</u>	<u>6'</u>
<b><u>3. Rear</u></b>		
<b><u>(a) Corner Lot</u></b>	<u>10% lot depth, minimum 15'</u>	<u>15'</u>
<b><u>(b) Interior Lot</u></b>	<u>25'</u>	<u>15'</u>
<b><u>E. Maximum Floor Area Ratio (FAR)</u></b>	<u>Not applicable</u>	<u>Not applicable</u>
<b><u>F. Maximum Building Coverage</u></b>		
<b><u>1. Maximum Combined Total Principal and Accessory Structures</u></b>	<u>25% of lot area</u>	<u>25% of lot area</u>



<b><u>2. Maximum Combined Accessory Structures</u></b>	<u>10% of lot area</u>	<u>10% of lot area</u>
<b><u>G. Total Lot Coverage</u></b>	<u>60% of the lot area, provided that there are no adverse impacts to adjacent properties</u>	<u>60% of the lot area, provided that there are no adverse impacts to adjacent properties"</u>

**SECTION 4:** Subsection F(1) of Section 11-503 (Variations; Standards for Variations) of Article XI (Zoning Administration and Enforcement) of the Hinsdale Zoning Code is amended to read in its entirety as follows:

F. Standards For Variations:

1. General Standard: No variation shall be granted pursuant to this section unless the applicant shall establish that carrying out the strict letter of the provisions of this code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection F. In the interest of preserving buildings or structures with historic, architectural, or cultural significance within the Village, special consideration shall be given to requests in which the ordinance prevents the applicant from reestablishing, restoring, or maintaining a material feature or significant architectural feature related to a lot or structure, or from maintaining the architectural integrity of the lot or structure, where the property hosts a designated landmark pursuant to Title 14 of the Village Code, or a historically significant structure located within the Historic Overlay District created by Article VIII, Part II of this Zoning Code and listed in Appendix 1 to Chapter 14-7 (Historic Overlay Zoning District) of the Village Code.

**SECTION 5:** The introductory paragraph of Section 3-110 (Bulk, Space, And Yard Requirements) of Article III (Single-Family Residential Districts) of the Hinsdale Zoning Code is amended to read in as follows:

The building height, lot, yard, floor area ratio, and coverage requirements applicable in the single-family residential districts are set forth in the following table. Footnote references appear in subsection I of this section at the end of the table.

Structures on properties included on the Historically Significant Structures Property List and located in the Historic Overlay District may be eligible for Alternate Bulk Zoning Standards and Preservation Incentives, as set forth in Chapter 14-7 of the Village Code and Article VIII, Part II of this Zoning Code.

**SECTION 6:** Section 10-104 (Precode Structures) of Article X (Nonconformities) of the Hinsdale Zoning Code is amended to include the following new subsection G. to read in its entirety as follows:



G. Historically Significant Structures in the Historic Overlay District. Structures on properties included on the Historically Significant Structures Property List and located in the Historic Overlay District may be eligible for Alternate Bulk Zoning Standards and certain historic Preservation Incentives, as set forth in Chapter 14-7 of the Village Code and Article VIII, Part II of this Zoning Code.

**SECTION 7:** Subsection C of Section 14-1-4 (Procedure For Notice Of Public Hearings And Meetings) of Chapter 1 (General Provisions) of Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to read in its entirety as follows:

C. Persons Entitled To Notice:

1. All Hearings And Meetings: Notice of every hearing or meeting set pursuant to this title shall be given:

a. By mail or personal delivery to the applicant and, if a specific parcel is the subject of the application, to the owner of the subject property.

b. By mail to any newspaper or person that shall have filed a written request, accompanied by an annual fee as established from time to time by the village manager to cover postage and handling, for notice of all hearings or meetings held pursuant to this code. Such written request shall automatically expire on December 31 of the year in which it is made unless a written request for renewal, accompanied by the annual fee, is submitted prior to such date.

~~c. By mail, personal delivery, or interdepartmental delivery to affected village boards, commissions, departments, officials and consultants.~~

Notice by mail as herein required shall be mailed no fewer than seven (7) days in advance of the hearing or meeting date by regular United States mail.

2. Hearings On Applications: In addition to notice as required by subsection C1 of this section, notice of every hearing set pursuant to this title in connection with any application for historic district designation, withdrawal of landmark designation, or a certificate of appropriateness, shall be given in accordance with subsections C2a and C2b of this section. Notice of every hearing in connection with an application for landmark designation or in connection with adding or removing properties from the Historically Significant Structures Property List per Section 14-7-3 shall be given in accordance with subsection C2a of this section.

a. By publication in a newspaper published in the village at least once no less than fifteen (15) days nor more than thirty (30) days in advance of the hearing date.

b. By certified mail, return receipt requested, or personal delivery to all owners of property within two hundred fifty feet (250') of the subject property; provided, further, that in the case of an application for historic district designation, notice shall be to all owners of record of property within the proposed district and to all owners of record of property within two hundred fifty feet (250') of the outside perimeter of the proposed



district. Notice as required by this subsection shall be given by the applicant not less than fifteen (15) days nor more than thirty (30) days in advance of the hearing.

**SECTION 8:** Section 14-2-2 (Powers And Duties) of Chapter 2 (Historic Preservation Commission) of Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to add the following new subsection M to read in its entirety as follows:

M. To perform the functions of the Commission relative to the Historic Overlay District as set forth in Chapter 14-7 of this Article 14, and Article VIII (Overlay Districts), Part II (Historic Overlay District) of this Zoning Code.

**SECTION 9:** Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to add a new Chapter 14-6 (Historic Preservation Fund) to read in its entirety as follows:

**14-6-1: HISTORIC PRESERVATION FUND:**

A. Creation of Historic Preservation Fund. There is hereby established by the Village a special fund called the Village of Hinsdale Historic Preservation Fund.

B. Source of Funds. The Board of Trustees may, through the budget process, allocate such funds to the Historic Preservation Fund as it deems necessary. The Village may, in addition, accept monetary gifts and donations from private or public sources into the fund, and may engage in fundraising efforts and deposit the proceeds of such fundraising into the Historic Preservation Fund.

C. Use of Funds. The Board of Trustees may, upon application by or to the Village, and in conformance with all requirements, process and approvals set forth in Chapter 7 of this Title 14, and in Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, where applicable, approve the utilization of funds in the Historic Preservation Fund for the following purposes:

1. To further the preservation of structures on properties located in the Historic Overlay District created pursuant to Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code and included on the Historically Significant Structures Property List established in Section 14-7-3 (Historically Significant Structures Property List) of this Title 14, either through the Village's own initiative or, upon application, through grants approved by the Board of Trustees for improvements to privately owned properties;

2. To provide rebates, upon application, in the form of matching funds to Applicants who seek to repair, maintain or improve the façade of buildings located on properties in the Historic Overlay District and included on the Historically Significant Structures Property List (see Section 14-7-4.F. (Preservation Incentives; Property Tax Rebates) of this Title 14;



3. To otherwise further preservation efforts and activities of all kinds and types within the Village consistent with the goals of this Title 14 and Title VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code.

**SECTION 10:** Title 14 (Historic Preservation) of the Village Code of Hinsdale is amended to add a new Chapter 14-7 (Historic Overlay District) to read in its entirety as follows:

**14-7-1: HISTORIC OVERLAY ZONING DISTRICT:**

Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code creates a Historic Overlay Zoning District within the Village. This chapter operates in tandem with the provisions of Article VIII, Part II.

**14-7-2: DEFINITIONS:**

For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**Alternative Bulk Zoning Standards.** A Preservation Incentive consisting of a set of zoning standards that may be utilized in alterations, additions, rehabilitation, restoration or relocation work or other physical modifications of or to any structure on a property on the Historically Significant Structures Property List, subject to compliance with any program requirements, application, approval of a Preservation Incentive Certificate, and approval by the Board of Trustees, as detailed in Section 14-7-5.

**Applicant.** The owner, lessee with the consent of an owner, or other persons or entities with an ownership interest in a structure on property on the Historically Significant Structures Property List.

**Base Zoning District.** The underlying zoning district designation of a property located with the Historic Overlay District created by Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, as shown on the Village's Zoning Map.

**Historic Overlay District.** A specific geographic area created pursuant to Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, and designated on the Zoning Map of the Village, where certain regulations apply in addition to the underlying Base Zoning District regulations, and that includes Historically Significant Structures that may be eligible for certain Preservation Incentives as set forth in this Chapter and in Article VIII, Part II (Historic Overlay District) of the Zoning Code.

**Historic Preservation Commission.** The Hinsdale Historic Preservation Commission as created by Chapter 14-2 of this Title 14.

**Historic Preservation Fund.** The special fund of the Village of Hinsdale created by Section 14-6-1 of this Title 14.



**Historically Significant Structure.** A structure found to meet the criteria in Section 14-7-3.B. of this Chapter and located on a property placed on the Historically Significant Structures Property List pursuant to Section 14-7-3.

**Historically Significant Structures Property List.** The list of properties hosting Historically Significant Structures as created in Section 14-7-3 and as set forth in Appendix 1 to this Chapter 14-7.

**Initial List.** The list of properties proposed for initial inclusion on the Historically Significant Structures Property List by the Historic Preservation Commission pursuant to Section 14-7-3.

**Notice of Historically Significant Property.** The notice recorded against title to a property approved for inclusion on the Historically Significant Property List pursuant to Section 14-7-3.

**Notice of Removal.** The notice recorded against title to a property upon removal of a property from the Historically Significant Structures Property List pursuant to Section 14-7-3.

**Preservation Incentive.** Incentives made available to Applicants regarding properties on the Historically Significant Structures Property List within the Historic Overlay District, subject to application and conformance with program requirements, as detailed in Section 14-7-4.

**Preservation Incentive Certificate.** A certificate authorizing specific Preservation Incentives and issued pursuant to Section 14-7-5.

**Program Agreement.** The agreement required to be signed by an applicant pursuant to Section 14-7-5.H. in order to obtain a Preservation Incentive.

### **14-7-3: HISTORICALLY SIGNIFICANT STRUCTURES PROPERTY LIST:**

A. **Creation of List.** The primary goal of the Historic Overlay District created in Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code is to incentivize the preservation, rehabilitation, enhancement and restoration of structures within the Historic Overlay District that are deemed to be of historical significance. To that end, the Village shall create, and the Village Clerk shall maintain, a Historically Significant Structures Property List within the Historic Overlay District to which regulations within the Overlay District may apply. Such list shall be created pursuant to the procedures set forth in this chapter and shall be included as Appendix 1 to this chapter.

B. **Review Criteria.** In order for a property to be deemed to host a Historically Significant Structure and be included on the Historically Significant Structures Property List, a property must be located within the Historic Overlay District and meet one (1) or more of the following criteria:



1. The property or one (1) or more structures on the property are associated with events that have made a significant contribution to the broad patterns of our history;

2. The property or one (1) or more structures on the property are associated with the lives of persons significant in our past;

3. One (1) or more structures on the property embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;

4. The property or one (1) or more structures on the property yields, or may be likely to yield, information important to history or prehistory;

5. The property or one (1) or more structures on the property has significance in local, regional, state or national history, architecture, archeology, engineering or culture;  
or

6. The property or one (1) or more structures on the property is a source of civic pride or identity for the community.

C. Process – Creation of Historically Significant Structures Property List.

1. The Historic Preservation Commission, using existing Village studies, historical materials and maps, and their own expertise, shall, within one hundred eighty (180) days of approval of the Ordinance creating the Historic Overlay District, compile an Initial List of properties proposed for inclusion on the Historically Significant Structures Property List.

2. Upon creation of the Initial List, the Historic Preservation Commission shall hold a public hearing or hearings relative to the Initial List pursuant to the procedures set forth in Section 14-1-4.C. of this Title 14.

3. Multiple properties proposed for inclusion on the Historically Significant Structures Property List may be considered at a single hearing and may be included on the hearing notice. Multiple rounds of public hearings may be held regarding properties proposed for inclusion on the Historically Significant Structures Property List for administrative convenience.

4. Following the public hearing, the Historic Preservation Commission shall determine whether each property on the Initial List possesses one or more of the criteria set forth in Subsection B above and make a recommendation to the Board of Trustees as to whether each property included on the Initial List should be included on the Historically Significant Structures Property List. The recommendation of the Historic Preservation Commission shall be forwarded to the Board of Trustees for consideration.



5. The Board of Trustees shall consider the recommendations of the Historic Preservation Commission and may approve or deny the inclusion of each property on the Initial List for inclusion on the Historically Significant Structures Property List. The Board of Trustees may also remand the Initial List, or individual properties on the Initial List, to the Historic Preservation Commission for further consideration or for additional information without further public hearing.

D. Process – Adding Properties to the Historically Significant Structures Property List.

1. Additional properties not on the Initial List may be considered as additions to the Historically Significant Structures Property List at any time upon application of an individual property owner, or upon direction from the Board of Trustees or Historic Preservation Commission.

2. Upon receipt of a completed application, the Historic Preservation Commission shall hold a public hearing or hearings relative to the property proposed to be added to the Historically Significant Structures Property List. Notice of the public hearing shall be given pursuant to the procedures set forth in Section 14-1-4.C. of this Title 14.

3. Following the public hearing, the Historic Preservation Commission shall determine whether the property proposed to be added to the Historically Significant Structures Property List possesses one or more of the criteria set forth in Subsection B above and make a recommendation to the Board of Trustees as to whether the property shall be added to the Historically Significant Structures Property List. The recommendation of the Historic Preservation Commission shall be forwarded to the Board of Trustees for consideration.

4. The Board of Trustees shall consider the recommendation of the Historic Preservation Commission and may approve or deny the inclusion of each property on the Historically Significant Structures Property List. The Board of Trustees may also remand a property to the Historic Preservation Commission for further consideration or for additional information, without further public hearing.

E. Notification of Inclusion of a Property on the Historically Significant Structures Property List.

1. Upon approval of a property for inclusion on the Historically Significant Structures Property List, a notification of inclusion shall be sent to the owner of the property.

2. The Historically Significant Structures Property List shall be maintained by the Village Clerk. The Historically Significant Structures Property List shall be made available on the Village's official website and provided to area realtors, news media and other persons or entities in an effort to publicize the List and incentives available.



3. A Notice of Historically Significant Property shall be recorded against title to each property approved for inclusion on the Historically Significant Property list. The notice shall reference this Chapter, Article VIII, Part II (Historic Overlay District) of the Zoning Code and the availability of the Preservation Incentives specified herein.

F. Process – Removal of Properties from the Historically Significant Structures Property List.

1. The Historic Preservation Commission shall periodically, but no less often than every five (5) years, undertake a review of the Historically Significant Structures Property List to determine whether properties on the List should be proposed for removal from the List due to changed circumstances. In addition, individual properties on the Historically Significant Structures Property List may be considered for removal from the List at any time upon application of an individual property owner, or upon direction from the Board of Trustees or Historic Preservation Commission.

2. A property with a Historically Significant Structure on it may be removed from the Historically Significant Structures Property List when it is found that due to changed circumstances, the qualities which caused the structure to be originally eligible for inclusion on the List have been lost or destroyed, or where it has otherwise ceased to meet the criteria that made it originally eligible for inclusion.

3. A property shall be automatically removed from the Historically Significant Structures Property List upon demolition of the historically significant structure on the property, without the need for hearing or other action by the Historic Preservation Commission or Board of Trustees.

4. The Historic Preservation Commission shall hold a public hearing or hearings relative to any property proposed to be removed from the Historically Significant Structures Property List due to changed circumstances. Notice of the public hearing shall be given pursuant to the procedures set forth in Chapter 14-1 of this Title 14.

5. Following the public hearing, the Historic Preservation Commission shall determine whether the property proposed to be removed from the Historically Significant Structures Property List meets the criteria in Subsection F.2 above and make a recommendation to the Board of Trustees as to whether the property should be removed from the Historically Significant Structures Property List. The recommendation of the Historic Preservation Commission shall be forwarded to the Board of Trustees for consideration.

6. The Board of Trustees shall consider the recommendation of the Historic Preservation Commission and the criteria set forth in Subsection F.2. above, and may approve or deny the removal of each property from the Historically Significant Structures Property List. The Board of Trustees may also remand a property to the Historic Preservation Commission for further consideration or for additional information, without further public hearing.



7. Upon removal of a property from the Historically Significant Structures Property List, a Notice of Removal shall be mailed to the owner and/or occupant and recorded against title to the property. The notice shall reference this Chapter, Article VIII, Part II (Historic Overlay District) of the Hinsdale Zoning Code, the previously recorded Notice of Historically Significant Property, and the fact that Preservation Incentives are no longer available for the property.

#### **14-7-4: PRESERVATION INCENTIVES:**

In the interest of furthering preservation within the Village, and consistent with the goals of the Historic Overlay District and this Title 14, the Village shall make the following Preservation Incentives regarding properties on the Historically Significant Structures Property List within the Historic Overlay District available to Applicants, subject to application and conformance with program requirements:

A. Waiver of Fees – Inclusion on the Historically Significant Structures Property List. All public hearing and other fees related to inclusion on the Historically Significant Structures List shall be waived for owners seeking to have their properties added to the List pursuant to Section 14-7-3 above.

B. Waiver of Fees – Zoning Applications and Preservation Incentive Certificates. All public hearing, public meeting, zoning application fees (including Site Plan Review, Exterior Appearance Plan Review and other plan approvals), and other Village fees related to obtaining approval of alternative bulk zoning regulations, zoning application requests, or approval of a Preservation Incentive Certificate shall be waived for Applicants seeking to utilize Preservation Incentives to perform exterior alterations, additions, rehabilitation, restoration, or relocation of or to any structure on a property on the Historically Significant Structures Property List. An application seeking the waiver of fees as a Preservation Incentive must be submitted and approved prior to the initiation of such work.

C. Waiver of Fees – Building Permits. All building permit and plan review fees shall be waived for Applicants who have obtained a Preservation Incentive Certificate pursuant to Section 14-7-5 below for alterations, additions, rehabilitation, restoration or relocation of any structure on a property on the Historically Significant Structures Property List. An application seeking the waiver of fees as a Preservation Incentive must be submitted and approved prior to the initiation of such work.

D. Expedited Process – Historic Landmark and Historic District Designations. Where a subject property lies within the Historic Overlay District, the application and public hearing process seeking to designate a structure, building, or site as a designated landmark, or an area as an historic district, pursuant to this Title 14, shall be expedited to the extent possible by the Historic Preservation Commission and Board of Trustees. Such expedited processes may include, when appropriate, the calling of special



meetings of the Historic Preservation Commission, the Board of Trustees and other applicable Village boards, committees and commissions.

E. Expedited Process – Certain Work on Structures on a property on the Historically Significant Structures Property List. Application and public hearing processes for Applicants seeking to utilize Preservation Incentives to perform exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List shall be expedited to the extent possible by the Historic Preservation Commission, the Board of Trustees, and other applicable Village boards, committees and commissions. Such expedited processes may include, when appropriate, the calling of special meetings of the Historic Preservation Commission, the Board of Trustees and other applicable Village boards, committees and commissions. An application seeking an expedited process as a Preservation Incentive must be submitted and approved prior to the initiation of such work.

F. Property Tax Rebates. Commencing on January 1, 2023, and subject to compliance with Preservation Incentive program requirements, the Village portion of the real estate property taxes received by the Village on properties on the Historically Significant Structures Property List may, upon application and approval of the Board of Trustees, be rebated to the property owner or their designee. Rebates may be made available to Applicants who, following the issuance of a Preservation Incentive Certificate pursuant to Section 14-7-5 below, perform exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List and incur documented eligible costs of \$50,000 or more. In the event an Applicant seeks both a property tax rebate incentive and a grant or rebate incentive, the eligible project costs being matched for grant or rebate purposes cannot be counted towards the \$50,000 in documented eligible costs for purposes of reaching the threshold amount for property tax rebate eligibility. Property tax rebates are limited to a maximum term of five (5) years, as determined in the sole discretion of the Board of Trustees, and shall only be available in the following circumstances:

1. When the documented eligible costs of exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List exceed an amount specified in the Preservation Incentive program requirements, as approved by the Village Board. Documented eligible costs include architectural, planning, engineering, design services, historic preservation services and construction costs, as further detailed and limited by any Preservation Incentive program requirements as developed by staff; and

2. Where a Preservation Incentive Certificate, as applicable, has been approved.

G. Grants or Matching Funds. Grants or façade improvement matching fund rebate incentives from the Village's Historic Preservation Fund may be awarded to fund 50% of eligible project costs up to a maximum of \$10,000 per project for the performance of



exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List. In the event an Applicant seeks both a grant or rebate incentive and a property tax rebate incentive, the eligible project costs being matched for grant or rebate purposes cannot be counted towards the \$50,000 in documented eligible costs for purposes of reaching the threshold amount for property tax rebate eligibility. Grant or rebate incentives are subject to compliance with program requirements, application, available funding, approval of a Preservation Incentive Certificate and approval by the Board of Trustees.

H. Alternative Bulk Standards. Alternative Bulk Zoning Standards as detailed in Section 8-205 of the Zoning Code may be utilized in alterations, additions, rehabilitation, restoration or relocation work or other physical modifications of or to any structure on a property on the Historically Significant Structures Property List, or for other historic preservation projects related to any structure on a property on the Historically Significant Structures Property List, subject to compliance with any program requirements, application, approval of a Preservation Incentive Certificate, and approval by the Historic Preservation Commission and, if applicable, the Board of Trustees.

#### **14-7-5: PRESERVATION INCENTIVES PROCESS AND REQUIREMENTS:**

A. Incentives Optional. Preservation Incentives are only available to Applicants, as defined in Section 14-7-2 above. The use of Incentives by the owner of a structure on a property on the Historically Significant Structures Property List is optional. If the owner of a structure on a property on the Historically Significant Structures Properties List chooses not to utilize Preservation Incentives, the bulk standards of the underlying Base Zoning District shall apply.

B. Preservation Incentive Certificate Required. A Preservation Incentive Certificate authorizing specific Preservation Incentives is required prior to undertaking any project utilizing Preservation Incentives and that involves any exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List, except as otherwise set forth below. Preservation Incentives are not available for, and a Preservation Incentive Certificate is not required for, the following:

1. Painting.
2. Landscaping.
3. Fences.
4. Driveways, sidewalks, and other paved areas.
5. Reversible appurtenances, including air conditioning units, gutters, downspouts, antennas, satellite dishes and mailboxes.
6. Routine maintenance and cleaning.
7. New detached garages or changes to existing detached garages, unless the detached garage is considered a historically significant structure.



8. Any accessory building or structure other than a garage (e.g., shed, rear deck, patio, trellis, etc.), unless the accessory building or structure is considered a historically significant structure.
9. Interior improvements or work.

C. Application. An Applicant may apply for one (1) or more of the Preservation Incentives set forth in Section 14-7-4 by submitting an application on a form provided by the Department of Community Development. Such application shall include plans for any exterior alterations, additions, rehabilitation, restoration or relocation, and any other information required by the Village.

D. No Property Tax Owed; No Debts. No application for a Preservation Incentive shall be considered where there are outstanding real estate property taxes owed on the property, or where other fines, penalties, debts or obligations of the property owner and Applicant, if different than the owner, are due and owing to the Village.

E. Public Meeting. A completed application shall be reviewed by the Historic Preservation Commission at a public meeting for consideration as to the issuance of a Preservation Incentive Certificate.

F. Design Criteria and Development Standards for Properties in the Historic Overlay District Utilizing Preservation Incentives. A Preservation Incentive Certificate shall be approved by the Historic Preservation Commission if it complies with the following standards:

1. The exterior alterations, additions, rehabilitation, restoration or relocation of or to any structure on a property on the Historically Significant Structures Property List is found by the Historic Preservation Commission to be consistent with, or compatible with, the historical nature of the structure. Consideration of whether this standard is met shall be guided by the Secretary of the Interior's Standards for the Treatment of Historic Properties, where applicable, and the Secretary of the Interior's Standards for Rehabilitation as follows:

- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site environment;
- b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;
- c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;
- d. Most properties and structures change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;



- e. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity;
- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities, and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence;
- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of the structures, if appropriate, shall be undertaken using the gentlest means possible;
- h. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken;
- i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment;
- j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2. The proposed exterior alterations, additions, rehabilitation, repairs or relocation will not have any significant adverse impact on adjacent properties. Such adverse impacts include, but are not limited to, stormwater runoff impacts.

3. All other Village code requirements must be met.

#### G. Final Determination.

1. For applications seeking Preservation Incentives in the form of waivers of fees, expedited process, or alternative bulk standards, as detailed in Section 14-7-4, where a majority of the then-sitting members of the Historic Preservation Commission finds that a Preservation Incentive Certificate should be granted, the Certificate shall be issued by the Village Manager or his or her designee.

2. For applications requesting Preservation Incentives in the form of grants or rebates, as detailed in Section 14-7-4, the vote of the Historic Preservation Commission shall be advisory, and a recommendation shall be forwarded to the Board of Trustees. If the Historic Preservation Commission does not recommend approval of an application requesting a grant or a rebate, with at least four (4) affirmative votes, the application is denied and will not proceed to the Board of Trustees. Upon receipt of a recommendation from the Historic Preservation Commission, the affirmative vote of four (4) or more members of the Board of Trustees is required for approval of a Preservation Incentive Certificate involving a grant or rebate. The Board of Trustees approval of such grant or rebate shall specify the specific amount approved in the case of a grant or



number of approved years in the case of a Property Tax Rebate. Upon Board of Trustees approval, a Preservation Incentive Certificate shall be issued by the Village Manager or his or her designee.

3. Final Determinations of the Historic Preservation Commission on a Preservation Incentive Certificate may be appealed to the Board of Trustees by filing a request for an appeal within ten (10) days of the denial. Within sixty (60) days following the receipt of an appeal, the Board of Trustees shall either grant the Preservation Incentive Certificate, affirm its denial, or remand the matter back to the Historic Preservation Commission for further proceedings.

4. The Historic Preservation Commission or the Board of Trustees, as applicable, may impose reasonable conditions on the issuance of a Preservation Incentive Certificate.

H. Program Agreement Required. No Preservation Incentive shall be made available unless the Applicant, following a Final Determination, enters into a Program Agreement on a form previously developed by staff and approved by the Board of Trustees governing the terms and conditions of any Preservation Incentive received.

**SECTION 11:** 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 12:** To the extent necessary, all table of contents, indexes, headings and internal references or cross-references to sections contained in the Zoning Code and Village Code that have been deleted or amended by the Code Amendments set forth above shall be amended by the Village's codifier so as to be consistent with the Code Amendments of this Ordinance.

**SECTION 13:** 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 \_\_\_\_\_ 2022.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, 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 AND RECOMMENDATION OF THE PLAN COMMISSION**

**(ATTACHED)**



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

**APPLICATION:** Case A-03-2022 – Map Amendment and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay Zoning District and for Related Amendments

**APPLICANT:** Village of Hinsdale

**REQUEST:** Map Amendment and Text Amendments

**PLAN COMMISSION (PC) REVIEW:** August 10, 2022

**BOARD OF TRUSTEES 1<sup>ST</sup> READING:** September 6, 2022

**SUMMARY OF REQUEST:** The Village of Hinsdale submitted an application requesting approval of a Map Amendment to establish a Historic Overlay Zoning District and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments (collectively, the “Proposed Amendments”).

The proposed Map Amendment and Text Amendments to the Zoning Code and Village Code would allow the Village to offer various voluntary preservation incentives to owners of property on a Historically Significant Structures Property List within a designated Historic Overlay District. The intent of the Proposed Amendments is to encourage and assist property owners of historic or significant properties to pursue historic preservation projects over demolition and new construction. Individual historic properties will be identified for consideration on the Historically Significant Structures Property List in the future through a separate approval process.

A draft Zoning Map showing the proposed boundaries of the Historic Overlay District is included with the other application materials as part of **Exhibit 1**. The Historic Overlay Zoning District as proposed shall consist of all properties within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District, as shown on the proposed Zoning Map. All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District are not included in the proposed Historic Overlay Zoning District, as shown on the proposed Zoning Map.

The current underlying zoning district classifications and related zoning regulations for each of the real properties within the boundaries of the proposed Historic Overlay Zoning District shall remain in place and shall continue to apply to each property following the establishment of the District.

Properties within the boundaries of the Historic Overlay Zoning District, once established, and that are subsequently deemed to host Historically Significant Structures, may be added to a Historically Significant Structures Property List and will then become eligible to apply, on a voluntary basis, for certain historic preservation incentives provided by the Village and established through the proposed Text Amendments.



Properties located within the boundaries of the Historic Overlay Zoning District once established will not, however, automatically be included on the Historically Significant Structures Property List to be established at a later time. The Historic Preservation Commission will be tasked with creating an Initial List of properties for consideration on the Historically Significant Structures Property List and establishing a list in accordance with the proposed process listed in Section 14-7-3 of the Village Code within 6 months following the adoption of the Historic Overlay District by the Village Board.

Properties included on the Historically Significant Structures Property List may be eligible for the following voluntary preservation incentives, subject to approval of a Preservation Incentive Certificate and in accordance with the approval process listed in Section 14-7-5 of the Village Code:

1. Fee Waivers – Provisions are added that allow the waiving of Village fees for building permits, applications for landmark or historic district designation, Certificate of Appropriateness applications, and other planning / zoning applications that may be tied to exterior work.
2. Expedited Processes – Expedited processing of building permits and applications for landmark designation, historic district designation, and other zoning approvals is proposed.
3. Property Tax Rebate – Property owners would be eligible to receive a rebate for the Village portion of their property tax bill in exchange for substantial exterior alterations, rehabilitation, or restoration work over a maximum five (5) year period. To be considered for this incentive, a minimum investment of \$50,000 would be required on eligible exterior improvements, which could include costs for construction and for architectural, planning, engineering, design, and historic preservation services.
4. Historic Preservation Fund Matching Grants – The Village Board would be able to approve funding for 50% of eligible project costs, up to a maximum of \$10,000 per project provided by the Village, with a minimum investment of \$20,000 required by the applicant.
5. Alternative Bulk Zoning Regulations – Properties on the Historically Significant Structures Property List and located in the R-1, R-2, R-3, and R-4 Single Family Residential Districts may be eligible for alternative zoning regulations. The proposed set of bulk regulations are intended to better align existing non-conforming historic buildings with Village code requirements and provide additional zoning flexibility to homeowners looking to construct a building addition on to a historic home or complete other exterior improvements.

A Preservation Incentive Certificate must be submitted to the Village prior to the start of any project utilizing an Incentive. The Historic Preservation Commission would be responsible for reviewing all applications to ensure that proposed work is consistent with, or compatible with, the historical nature of the structure and meets *The Secretary of the Interior's Standards for Rehabilitation*.

Applications requesting a fee waiver and/or the use of alternative zoning regulations would be reviewed and approved by the Historic Preservation Commission only. Applications requesting grant funding or a property tax rebate will require a recommendation by the Historic Preservation Commission and final approval by the Village Board.

Program funding will be determined by the Village Board during the annual budget cycle process.

In the event additional zoning relief is needed beyond the alternative bulk zoning regulations, a text amendment is also proposed to Zoning Code Section 11-503(F) to add language to the variation standards that could be used to support variation cases where historic preservation efforts are made to a local landmark or property on the Historically Significant Structures Property List. Projects would still be judged on a case by case basis in accordance with the required variation process. Language is also proposed to Zoning Code Section 3-110 – Bulk Regulations for the Single-Family Residential Districts & Section 10-104 – Nonconforming Precode Structures to add cross-references for the Historically Significant Structures Property List proposed in Article VIII and Title 14.



**PUBLIC HEARING SUMMARY:** A public hearing for the submitted applications was held on Wednesday, August 10, 2022, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in *The Hinsdalean* on July 22, 2022. A copy of the published notice is attached hereto as **Exhibit 2** and made a part hereof.

At the duly and properly noticed public hearing, Bethany Salmon, Village Planner, and Michael Marrs, the Village attorney, provided a presentation to the Plan Commission on the proposed Map Amendment and Text Amendments. Robert McGinnis, the Community Development Director and Building Official was also present at the meeting. Two representatives of the Historic Preservation Commission, Chairman John Bohnen and Commissioner Jim Prisby, were also in attendance.

During and following the presentation, the Plan Commission members asked staff questions and provided feedback on the project.

Commissioner Willobee recommended that the Village publicize the program out to the community and educate homeowners on the positive aspects of the historic preservation incentives before the Village sends out initial notifications to property owners informing them that their home has been nominated to be included on the Historically Significant Structures Property List. Staff stated that the program was designed to be voluntary, meaning if any homeowners were opposed to being included on the List, the Village would not pursue adding the house to the List. Staff has had discussions that if these amendments are approved, an effort would be made to publicize the program through the local newspaper, contacting real estate agents, and through other means.

Commissioner Fiascone stated that a Notice recorded against the title of each property approved for inclusion on the Historically Significant Property List to help make future property owners aware of the availability of preservation incentives could create concern if members of the community do not understand the program.

Ms. Salmon and Mr. Marrs confirmed that the intent is to highly publicize the program and inform the community that the program is voluntary and of the benefits its can provide. Mr. Marrs also commented that staff envisions holding several different public hearings where smaller lists of properties to be included on the Historically Significant Property List are brought forward for review at separate times. Staff has received inquiries from several owners of historic properties interested in the program and those would be prioritized. Chairman Cashman commented that in initial talks with staff, the intent was to create a list that people want to be listed on.

Commissioner Fiascone noted that there was language proposed that would allow for private donations and funding into the Historic Preservation Fund. Commissioner Fiascone asked if someone would be allowed to donate private funds and those funds could then be used toward a specific project. The example was given if a house was to be demolished and a group wanted to fundraise to save the home or complete a project for a specific property, particularly if there was no Village money in the Fund. Mr. Marrs responded that if private money donated to be Village had conditions placed on them, the Village would have to be accept those conditions. Mr. Marrs preliminarily stated that this scenario appears to be possible.

When discussing the alternative zoning regulations, Commissioner Crnovich asked if front porches would be impacted by the proposed regulations for front setbacks. Ms. Salmon stated that there is existing code language in the footnotes for the bulk regulations for the single-family zoning districts, included in Exhibit 4 of the Plan Commission packet, that would allow for certain structures and uses in required yards. Ms. Salmon noted that staff would confirm that there would be no issues for replacing front porches in the future. There was a brief discussion on several homes that required approval by the ZBA to replace the front porch.



Commissioner Crnovich asked for clarification on precode structures. Ms. Salmon confirmed the Zoning Code was adopted in 1989 that the definition for precode structures states these are structures constructed in 1988 or earlier.

When discussing the proposed regulations for required interior side yard setbacks, Commissioner Crnovich asked if a house has an existing setback that is less than the required proposed setback, what would be required. Ms. Salmon confirmed that the minimum setback in the code would be required. A building would not be allowed to encroach past the code required setback even if it already extends into the required setback area. There was a brief discussion on the current code requirements where side yards are balanced based on a calculation, which is not required under the proposed regulations.

When discussing additional language proposed to include in the variation standards, Mr. Marrs commented that the new language added to the variation standards gave explicit consideration for historic structures. Commissioner Crnovich added that this language could be useful in cases where there are arguments that the variation is self-created.

Commissioner Fiascone asked for clarification on if improvements eligible were all exterior. Ms. Salmon confirmed that the current incentives could only be used for exterior improvements and the reason for this is to make sure Village funds are not used toward expensive interior remodeling projects and because preservation largely deals with the exterior of buildings. Any interior work will not be submitted for review. This is the same process for any landmark structure, where only the exterior will be reviewed.

Commissioner Moore asked if these incentives are enough to prevent demolitions and if the Village needs to go further in what they are proposing. Ms. Salmon stated staff has asked the same questions. It is unknown right now if these regulations go far enough, but staff will continue to reassess as the program is implemented.

Commissioner Moore stated that the point brought up previously by Commissioner Fiascone regarding the use of private funds donated to the Historic Preservation Fund for specific projects was incredibly important in relation to the tax ramifications for someone donating money.

Commissioner Fiascone stated her questions have been answered and asked if the amounts would be enough, especially with rising construction costs over time.

Commissioner Willobee noted that staff looked at other programs in other towns and what the uptake of those programs was. Commissioner Willobee then asked if staff circled back with the architects and builders after the initial Zoom meeting was held with them to gain feedback or concerns on the proposed amendments. Mr. McGinnis stated there has been ongoing engagement. Ms. Salmon stated there is still a lot of publicizing to do to make sure that real estate agents, builders, and homeowners are aware of the program and incentives available.

Commissioner Moore asked if staff is going to put together examples for certain homes on how these preservation incentives and alternative zoning regulations could benefit a property. Staff confirmed that examples have been provided for several different homes already, like in the case of 420 S. Park Avenue that was previously being considered for demolition. Staff is always willing to help people figure out how to save a home and how to interpret the Zoning Code.

Commissioner Crnovich thanked staff, the Historic Preservation Commission and the Trustees for meeting so many times to discuss the proposed regulations and stated the regulations are positive.

Commissioner Crnovich asked how many homes have been demolished in Hinsdale. Ms. McGinnis estimated that about a third of the houses have been demolished over a 25-30 year span. The peak of demolitions have been about 120 a year and this number has fallen since.



Commissioner Crnovich stated that the first Village meeting she attended many years ago was for a proposed moratorium on demolitions. She noted it was not a pleasant meeting and wished that something like the proposed programs were in place back then. She noted support for the proposed incentives and stated it has been made simple for average residents to be able to understand, unlike some of the current code regulations.

Commissioner Crnovich asked what other communities have something similar to this. Ms. Salmon confirmed that a previous Committee of the Whole meeting discussed other historic overlay districts and other incentives offered in communities to historic properties. The proposed program and regulations have used a unique approach to be tailored to Hinsdale. Mr. Marrs then commented that there was not a perfect template to copy from other communities but they used other ideas to create the proposed regulations piece by piece. If this is successful, this program could be used in other communities.

Commissioner Crnovich noted demolition by neglect was discussed at past Committee of the Whole meetings and asked if any regulations were considered as part of this amendment. Ms. Salmon stated they originally included provisions for demolition by neglect but this was separated out to focus on voluntary incentives. Discussions are planned in the future on other changes to Title 14 of the Village Code. Commissioner Crnovich stated the code could be stricter for cases on demolition by neglect.

Commissioner Curry stated it is evident that many hours were put into the proposed program and noted that education and marking will be paramount in this case to get the word out to the community. Commissioner Curry expressed support for the proposed amendments.

Chairman Cashman expressed support for the proposed changes and noted this was a cooperative effort between the Village and the Historic Preservation Commission. Chairman Cashman stated the regulations appear to be based on common sense and supported that alternative zoning regulations would encourage flexibility for additions in the rear yard and building height. Mr. McGinnis briefly discussed areas where historic homes have been challenged by current bulk regulations. Mr. McGinnis stated the Village is always going to need the Zoning Board of Appeals for assessing variations for unique situations, but the proposed regulations are attempting to removing as many questions as possible on the front end and help offer as many incentives together to encourage preservation.

Chairman Cashman stated that the proposed language for variations could have helped several cases in the past, particularly in reference to creating precedent and meeting all of the other standards.

All persons testifying during the public hearing were sworn in prior to giving testimony. No members of the public spoke at the public hearing. There being no further questions or members of the public wishing to speak on the application, the public hearing was closed.

A transcript of the public hearing is attached hereto as **Exhibit 3** and made a part hereof.

**MOTIONS AND RECOMMENDATIONS:** On August 10, 2022, a motion was made by Commissioner Crnovich, seconded by Commissioner Curry, to recommend approval of Case A-03-2022, a Map Amendment and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, as submitted. The motion carried by the roll call vote of six (6) ayes and zero (0) nays, with three (3) absent, as follows:

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



**FINDINGS ON THE PROPOSED MAP AND TEXT AMENDMENTS:** The Plan Commission, based upon the evidence presented at the public hearing, and pursuant to Section 11-601(E) of the Hinsdale Zoning Code, made the following Findings as to the Proposed Map and Text Amendments:

**STANDARDS FOR APPROVING A MAP AND TEXT AMENDMENTS:** Section 11-601(E) of the Zoning Code provides that the wisdom of amending the zoning map or 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, certain factors:

1. The consistency of the proposed amendment with the purposes of this code.
2. The existing uses and zoning classifications for properties in the vicinity of the subject property.
3. The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.
4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it.
5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare.
6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.
8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.
9. The suitability of the subject property for uses permitted or permissible under its present zoning classification.
10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.
11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under its present zoning classification.
12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
13. The community need for the proposed amendment and for the uses and development it would allow.
14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area.

**MAP AND TEXT AMENDMENT FINDINGS:** The Plan Commission found that a Map Amendment to the Village's Official Zoning Map to establish a Historic Overlay Zoning District, and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, are generally consistent with the purposes of the Zoning Code.



The proposed Map Amendment, alongside the concurrent Text Amendments to the Village Code and Zoning Code, would create a Historic Overlay District and associated regulations that allow the Village to offer a suite of incentives to identified historically significant properties throughout Hinsdale to encourage historic preservation and preserve the character of the community.

The Historic Overlay Zoning District as proposed shall consist of all properties within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District. The selected districts are comprised of a mix of land uses, including single-family detached homes, commercial, office, institutional, attached residential, and government uses. Of note, over the past decades, there has been a trend of redevelopment that has resulted in the demolition of a number of historic single-family homes.

All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District are excluded from the proposed Historic Overlay Zoning District due to a lack of known historically significant properties.

The current underlying zoning district classifications and related zoning regulations for each of the properties within the boundaries of the proposed Historic Overlay Zoning District shall remain in place and shall continue to apply to each property following the establishment of the District, except as modified in specific instances, such as where the owner of a property on the Historically Significant Structures Property List seeks to utilize the alternative bulk zoning standards.

Properties located within the boundaries of the Historic Overlay Zoning District once established will not automatically be included on the Historically Significant Structures Property List. Within 6 months year following the adoption of the Historic Overlay District by the Village, the Historic Preservation Commission will be tasked with creating an Initial List of properties for consideration on the Historically Significant Structures Property List and establishing a list in accordance with the proposed process listed in Section 14-7-3 of the Village Code. Properties on the Historically Significant Structures Property List will then become eligible to apply, on a voluntary basis, for historic preservation incentives provided by the Village.

There are no known diminishing impacts to properties in the Historic Overlay District. The incentives offered are voluntary in nature only. Properties on the Historically Significant Structures Property List, to be determined in the future by the Historic Preservation Commission in accordance with the proposed regulations, may financially gain from preservation incentives. The intent is to help encourage property owners to pursue historic preservation efforts instead of demolition on a voluntary basis in the Village.

The proposed amendments intend to promote public health, safety, and welfare in the community and are not anticipated to impact the use, enjoyment, or value of adjacent properties that would be affected by the proposed amendment. Properties on the Historically Significant Structures Property List, to be determined, and in the R-1, R-2, R-3, and R-4 Districts may be able to take advantage of alternative zoning regulations. The underlying bulk regulations and uses in the base zoning districts will otherwise remain in effect. The proposed amendments are not expected to impact the future orderly development of adjacent properties. The amendments are anticipated to promote the preservation and rehabilitation of historic properties located in in the Village.

There are no proposed changes to the permitted land uses for properties located in the Historic Overlay District. The underlying zoning district regulations will remain in effect.



There are no known impacts to ingress and egress, traffic conditions, utilities and essential public services as a result of the proposed amendments. The vacant status of a property does not apply to the proposed amendments.

In relation to community need, the Village intends to offer voluntary incentives to encourage and assist property owners of historic or significant properties to pursue historic preservation over demolition and new construction. The Overlay District is intended to help further protect historic buildings threatened by demolition.

The properties located within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District were chosen for inclusion in the Historic Overlay District because there are known historic buildings within each of these zoning districts.

Following the creation of the Historic Overlay District, a Historically Significant Structures Property List will be created in accordance with the proposed review process included in the draft code language. These properties will be identified as important to the Village and worthy of preserving. Property owners may be able to utilize a suite of preservation incentives to assist with building addition or renovation projects or other preservation efforts. The specific properties included on the Historically Significant Structures Property List may be eligible for voluntary preservation incentives. Incentives are voluntary in nature only.

**RECOMMENDATION:** Based on the findings set forth above, the Village of Hinsdale Plan Commission, by a vote of six (6) ayes and zero (0) nays, with three (3) absent, recommend approval of Case A-03-2022, a Map Amendment and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, as submitted.

Signed: Stephen J. Cashman  
Steve Cashman, Chair  
Plan Commission  
Village of Hinsdale

Date: 09/14/22



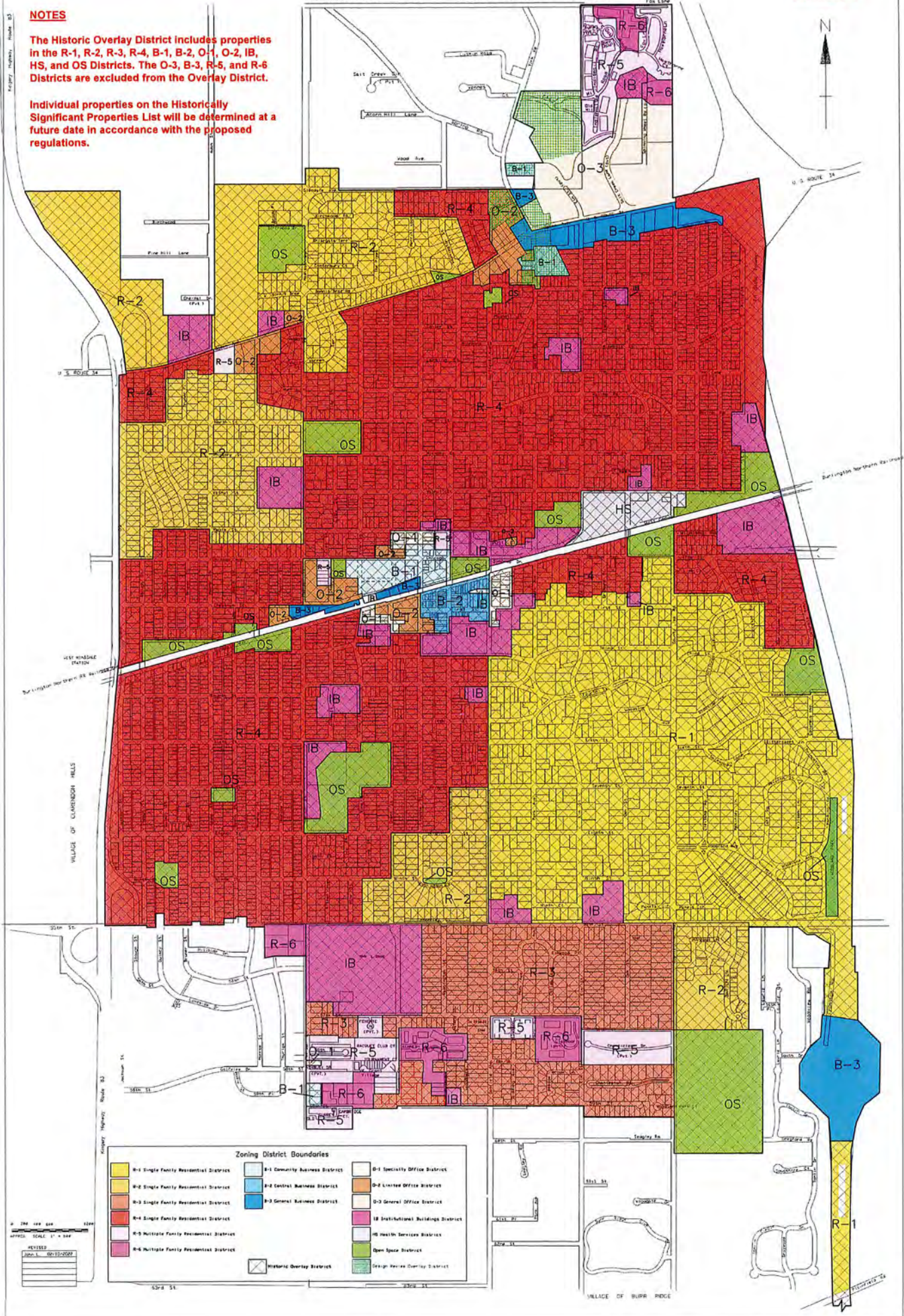
# VILLAGE OF HINSDALE 2022

Exhibit 1

## NOTES

The Historic Overlay District includes properties in the R-1, R-2, R-3, R-4, B-1, B-2, O-1, O-2, IB, HS, and OS Districts. The O-3, B-3, R-5, and R-6 Districts are excluded from the Overlay District.

Individual properties on the Historically Significant Properties List will be determined at a future date in accordance with the proposed regulations.





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

**PUBLIC NOTICE IS HEREBY GIVEN** to all persons that the Village of Hinsdale Plan Commission shall conduct a public hearing on Wednesday, August 10, 2022 at 7:30 p.m. in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois for the purpose of considering an application from the Village of Hinsdale for Text Amendments to the Hinsdale Zoning Ordinance and to the Hinsdale Village Code, and a Map Amendment to the Village's Official Zoning Map, all for the purpose of establishing a Historic Overlay Zoning District. The Village's Official Zoning Map will be amended to establish the boundaries of the Historic Overlay Zoning District. Text Amendments to Chapters 1, 2, 6, and 7 of Title 14 of the Hinsdale Village Code and to Article 8 (Overlay Districts), Section 11-503(F) (Standards for Variations), Section 3-110 (Bulk, Space, And Yard Requirements in the Single-Family Residential Districts, and Section 10-104 (Nonconformities – Precode Structures) of the Hinsdale Zoning Ordinance are proposed in order to establish the Historic Overlay Zoning District and to make related code amendments. The current underlying zoning district classifications and related zoning regulations for each of the real properties within the boundaries of the proposed Historic Overlay Zoning District shall remain in place and shall continue to apply to each property following the establishment of the District. Properties within the boundaries of the Historic Overlay Zoning District, once established, and that are subsequently deemed to host Historically Significant Structures, may be added to a Historically Significant Structures Property List and will then become eligible to apply, on a voluntary basis, for certain historic preservation incentives provided by the Village and established through the Text Amendments. Those voluntary incentives include, but are not limited to, certain financial incentives and the use of certain relaxed bulk zoning standards. Properties located within the boundaries of the Historic Overlay Zoning District once established will NOT, however, automatically be included on the Historically Significant Structures Property List to be established at a later time.

The Historic Overlay Zoning District as proposed shall consist of ALL properties within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District, as shown on the proposed Zoning Map.

All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District (collectively, the "Excluded Areas") are NOT INCLUDED in the proposed Historic Overlay Zoning District, as described below and as shown on the proposed Zoning Map. The Excluded Areas NOT proposed for inclusion within the Historic Overlay Zoning District in Cook County, Illinois and DuPage County, Illinois, are commonly described as follows:

- All properties in the area zoned B-3 General Business District abutting the south side of Ogden Avenue, between the west side of the Tri-State Tollway (Interstate 294) to the east side of York Road.
- The properties zoned B-3 General Business District at the northwest and southwest corners of Ogden Avenue and York Road.
- All of the properties within the area zoned B-3 General Business District, O-3 General Office District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District within the area between the east side of York Road and the north adjacent municipal corporate boundaries, the north side of Ogden Avenue, west of the Tri-State



Tollway (Interstate 294) properties and municipal corporate boundaries, and south of the northernmost municipal corporate boundaries, with the exception of the property located at 21 Salt Creek Lane in the IB Institutional Buildings District and the property in the B-1 Community Business District abutting Ogden Avenue.

- The area zoned B-3 General Business District that encompasses the Tri-State Tollway (Interstate 294) Hinsdale Oasis located at the southeast corner of the Village.
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Chanticleer Lane to the north and to the south, located to the south of 57<sup>th</sup> Street, west of County Line Road, and east of Elm Street (100-1405 Chanticleer Lane)
- All of the properties within the area zoned R-6 Multiple Family Residential District abutting Claymoor Road, south of 57<sup>th</sup> Street and west of Elm Street (300-360 Claymoor Road).
- All of the properties within the area zoned R-5 Multiple Family Residential District at the southeast corner of 57<sup>th</sup> Street and Garfield Street, and abutting Sutton Place (5701-5745 S. Garfield; 5704-5736 Sutton Place; 5702-5746 S. Park Avenue).
- All of properties within the area zoned R-6 Multiple Family Residential District abutting Kennedy Lane to the north and south, located to the east of Grant Street, in addition to the properties on the west side of Washington Street including the addresses of 5824, 5830, and 5836 S. Washington Street, but not including the properties zoned R-3 Single Family Residential District (5802 and 5808 S. Washington Street).
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Foxgate Lane, south of 57<sup>th</sup> Street (5701-5717 Foxgate Lane).
- All of the properties within the area zoned R-5 Multiple Family Residential District on the west side of Grant Street generally between 57<sup>th</sup> Street and 59<sup>th</sup> Street, including all properties abutting Racquet Club Court (200-213 Racquet Club Court), 5730 and 5740 S. Grant Street, all properties abutting West Grant Village (201-240 W. Grant Village), and 5810, 5820, 5828, and 5834 S. Grant Street, but not including any properties zoned R-3 Single Family Residential District.
- All of the properties within the area zoned R-6 Multiple Family Residential District, north of 59<sup>th</sup> Street, generally between Grant Street and Madison Street, including the addresses of 211-215 W. 59<sup>th</sup> Street, 301-315 W. 59<sup>th</sup> Street, but not including any properties zoned R-3 Single Family Residential District or B-1 Community Business District.
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Old Surrey Road to the north and south, south of 59<sup>th</sup> Street and east of Madison Street (433-498 Old Surrey Road).
- All of the properties within the area zoned R-5 Multiple Family Residential District east of Madison Street and generally between 57<sup>th</sup> Street and 59<sup>th</sup> Street, including the properties abutting Ashbury Drive to the north and south (402-441 Ashbury Drive), abutting 58<sup>th</sup> Place to the north and south (400-455 58<sup>th</sup> Place), and abutting Skipping Stone Lane to the north (409-433 Skipping Stone Lane), but not including the property located at 5757 S. Madison Street zoned O-1 Specialty Office District, the properties at the northeast corner of Madison Street and 59<sup>th</sup> Street zoned B-1 Community Business District, or the properties at the southeast corner of 57<sup>th</sup> Street and Madison Street zoned R-3 Single Family Residential District.
- All of the properties within the area zoned R-6 Multiple Family Residential District at the southwest corner of Madison Street and 55<sup>th</sup> Street (5500-5508 S. Madison Street).
- All of the properties within the area zoned B-3 General Business District abutting the south side of Chestnut Street, north of the Burlington Northern Santa Fe Railroad Line, west of Lincoln Street, and east of Madison Street, including the property at the southwest corner



of Madison Street and Chestnut Street, but not including the Village-owned commuter parking lot zoned IB Institutional Buildings District located at 130 Chestnut Street.

- All of the properties within the area zoned R-5 Multiple Family Residential District at the southwest corner of Chicago Avenue and Clay Street (2-28 S. Clay Street).
- The property within the area zoned R-5 Multiple Family Residential District at the southwest corner of Washington Street and Maple Street (10 N. Washington Street).
- The property within the area zoned R-5 Multiple Family Residential District abutting the south side of Ogden Avenue, on the east side of Adams Street (600 W. Ogden Avenue).

All properties within the Village other than those Excluded Areas described on the list above are proposed for inclusion within the Historic Overlay Zoning District. A map showing all real properties proposed for inclusion within the proposed Historic Overlay Zoning District pursuant to the proposed Map Amendment, copies of the proposed Text Amendments, and copies of other documents relating to the proposed request are on file and available for public inspection during regular Village business hours in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois. Please email Village Clerk Christine Bruton at [cbruton@villageofhinsdale.org](mailto:cbruton@villageofhinsdale.org) for additional information. This request is known as Case A-03-2022.

All interested persons are invited to attend the public hearing and will be given the opportunity to be heard. At said public hearing, the Plan Commission shall accept all testimony and evidence pertaining to the said application. In addition, objections and other comments, if any, relating to the proposed Text Amendment and Map Amendment may be made in writing and filed with the Village Clerk prior to 4:00 p.m. on the day of the public hearing. Emailed comments may be sent to Village Clerk Christine Bruton at [cbruton@villageofhinsdale.org](mailto:cbruton@villageofhinsdale.org). Please use the subject line "Public Comment – Historic Overlay Zoning District Map and Text Amendments" when sending your email. Written comments may be submitted to the attention of the Village Clerk at 19 E. Chicago Avenue, Hinsdale, Illinois 60521. The proposed Text Amendments and Map Amendments may be added to, revised, altered, or eliminated as a result of the public hearing and prior to final action by the Village Board of Trustees of the Village of Hinsdale. The public hearing may be continued from time to time without further notice, except as otherwise required under the Illinois Open Meetings Act.

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this hearing and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Brad Bloom, ADA Coordinator at 630-789-7007 or by TDD at 630-789-7022 promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Dated: July 18, 2022

Christine M. Bruton, Village Clerk

To be published in the Hinsdalean on July 21, 2022



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

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:                 )  
  )  
  )  
Map Amendment and Text         )  
Amendment to Title 14         )  
of the Village Code             )  
Case No. A-03-2022.            )

REPORT OF PROCEEDINGS had and testimony  
taken at the hearing of the above-entitled  
matter, before the Hinsdale Plan Commission, at  
19 East Chicago Avenue, Hinsdale, Illinois, on  
August 10, 2022, at the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;  
MR. MARK WILLOBEE, Member;  
MR. SCOTT MOORE, Member;  
MS. CYNTHIA CURRY, Member;  
MS. ANNA FIASCONE, Member and  
MS. JULIE CRNOVICH, Member.



<p>2</p> <p>1 ALSO PRESENT:</p> <p>2 MS. BETHANY SALMON, Village Planner;</p> <p>3 MR. ROBERT MCGINNIS, Director of</p> <p>4 Community Development;</p> <p>5 MR. MICHAEL MARRS, Village Attorney;</p> <p>6 MR. JOHN BOHNEN, Chairman HPC;</p> <p>7 MR. JIM PRISBY, Member HPC.</p> <hr/> <p>8 CHAIRMAN CASHMAN: Our next order of</p> <p>9 business is a Public Hearing for Case A-03-2022,</p> <p>08:24PM 10 a map amendment and text amendment to various</p> <p>11 sections of the zoning code and text amendment</p> <p>12 to Title 14 of the village code to establish a</p> <p>13 historic overlay district and for related</p> <p>14 amendments. This is requested by our dear</p> <p>15 village of Hinsdale.</p> <p>16 First, a couple openings and then</p> <p>17 I'm going to let Bethany and the team chime in</p> <p>18 on this. I hope you watched a lot of those</p> <p>19 committee of the whole meetings.</p> <p>20 MS. CRNOVICH: Every single one.</p> <p>21 CHAIRMAN CASHMAN: Every single one.</p> <p>22 It was great to watch the evolution</p>	<p>4</p> <p>1 the trustees did and the HPC and the village and</p> <p>2 I look forward to hearing you and we have a full</p> <p>3 house.</p> <p>4 We are going to cut this meeting</p> <p>5 off at 10:30 regardless of what's going on so we</p> <p>6 will see how it goes. But thank you very much.</p> <p>7 It's amazing what you put together.</p> <p>8 So with that, I'll let Bethany give</p> <p>9 an overview. We need to swear everybody in.</p> <p>10 MS. SALMON: Just us two.</p> <p>11 MR. MARRS: Yes.</p> <p>12 (WHEREUPON, Mr. Marrs and</p> <p>13 Ms. Salmon were</p> <p>14 administered the oath.)</p> <p>15 MS. SALMON: Thank you, Chairman</p> <p>16 Cashman, that was a great introduction. Because</p> <p>17 of the amount of material we are going through</p> <p>18 today and the format and the open house that we</p> <p>19 have, packed house that we have here, feel free</p> <p>08:26PM 20 to interject and ask questions along the way</p> <p>21 because it is quite a long presentation compared</p> <p>22 to what we normally get here.</p>
<p>3</p> <p>1 of the concept and I really appreciate the joint</p> <p>2 effort by the HPC, the village, Robb, Michael,</p> <p>3 Bethany. I mean the hours. I can't even</p> <p>4 imagine the hours and how thoughtful the -- you</p> <p>5 put together and how thorough. I mean, there's</p> <p>6 an awful lot of information in here. I mean,</p> <p>7 this is probably one of our larger packets that</p> <p>8 we get from here but it's extremely well done.</p> <p>9 I talked with Bethany, she's going</p> <p>08:25PM 10 to give, like, an overview. I think she put a</p> <p>11 power point together. She did some great power</p> <p>12 points for the HPC and for the village board.</p> <p>13 So it was just nice to see that.</p> <p>14 When was the first meeting? I</p> <p>15 think it says in here.</p> <p>16 MS. SALMON: You have a slide with that</p> <p>17 information.</p> <p>18 CHAIRMAN CASHMAN: May 4. So it was</p> <p>19 quite the undertaking, more than a year, and I'd</p> <p>08:25PM 20 say it actually began before that, there seemed</p> <p>21 to be a lot of discussion and thoughts before</p> <p>22 even that meeting and I really appreciate what</p>	<p>5</p> <p>1 So the intent of what we are</p> <p>2 talking about today is putting regulations</p> <p>3 together that's going to help incentivize</p> <p>4 preservation in Hinsdale. Obviously this has</p> <p>5 been a decades long concern that's come up over</p> <p>6 and over and so in the past year-and-a-half we</p> <p>7 spent quite a bit of time focusing on this.</p> <p>8 So before I go into actually what</p> <p>9 was included in your packet as proposed</p> <p>08:27PM 10 regulations, I'm just going to kind of give you</p> <p>11 an overview of the journey of how we got here</p> <p>12 today.</p> <p>13 So we have been spending the past</p> <p>14 year-and-a-half doing what ended up in this</p> <p>15 packet. And that included eight committee of</p> <p>16 the whole meetings where we had members of the</p> <p>17 Historic Preservation Commission, two of which</p> <p>18 are here today, and members of the Village Board</p> <p>19 before prior board meetings. So that took about</p> <p>08:27PM 20 a year to do that.</p> <p>21 And then as part of that, in May of</p> <p>22 2021, so last year, we also had a great Zoom</p>



1 meeting with several builders and architects in  
 2 the village of Hinsdale. We tried to kind of  
 3 figure out what realistically they thought was  
 4 pushing homeowners to demolish homes instead of  
 5 preserving them and go through these renovation,  
 6 projects or build additions onto historic homes  
 7 and gain some realistic feedback on what might  
 8 move that needle forward to push people towards  
 9 preservation.

08:28PM 10 So I know there's a lot of  
 11 information on this slide, but I'm going to  
 12 quickly go over it because I think it's  
 13 important and you will see how some of these  
 14 kind of tie in down the road of how we got to  
 15 these regulations.

16 So one of the biggest items of  
 17 feedback that we heard is that our existing  
 18 zoning code regulations are really limiting in  
 19 terms of helping people build an addition onto a  
 08:28PM 20 home and modernize a house.

21 We will kind of go into that a  
 22 little bit further when we get to these

1 alternative zoning regulations and why that is,  
 2 but a lot of the time people are kind of being  
 3 forced to go through this variation process  
 4 because they can't get certain things by right,  
 5 just by the nonconforming nature of our code.

6 So it was recommended that because  
 7 there's some challenges with the variation  
 8 process and all of the steps that that entailed,  
 9 that whatever the village looked to approving  
 08:29PM 10 down the road, it was recommended that we maybe  
 11 look at an easy streamlined process and limiting  
 12 the number of hurdles that a homeowner might  
 13 have to go through moving forward.

14 We also heard that the variation  
 15 process in general is a really scary process.  
 16 People don't want to invest all the time, money,  
 17 and energy into something that they might get  
 18 objections from or that might not end up getting  
 19 approval.

08:29PM 20 So one of the major things that  
 21 came out of this was because of all those  
 22 issues, zoning relief by right or some sort of

1 alternative regulations for historic homes may  
 2 just help people be able to move their projects  
 3 forward a little bit quicker.

4 We also talked about what --  
 5 identifying those actual buildings in the  
 6 village that are really important to us and  
 7 truly worth preserving, so part of that ties  
 8 into the next one of creating education and  
 9 awareness around historic preservation. What  
 08:30PM 10 are the benefits of actually restoring a home,  
 11 saving it, especially if we ended up getting  
 12 preservation incentives, making sure that  
 13 everyone knows that these exist and then working  
 14 with our real estate agents to make sure when a  
 15 house is listed, it's not just listed as a  
 16 demolition, it's listed possibly this is a  
 17 really cool building and you might be eligible  
 18 for a lot of things that you wouldn't get if you  
 19 actually demolished it.

08:30PM 20 And now I'm going to turn it over  
 21 to Michael Marrs, who's going to kind of go over  
 22 what a historical overlay district is and the

1 regulations that were included in Exhibit No. 1.  
 2 So that was the item that actually had the  
 3 actual ordinance language.

4 MR. MARRS: Thanks, Bethany.

5 So after receiving that feedback  
 6 from the architects and builders and, you know,  
 7 some kicking around ideas with the village  
 8 board, we started looking at various mechanisms  
 9 for accomplishing some of those goals, including  
 08:31PM 10 the types of incentives offered by other

11 communities both in Illinois and elsewhere.  
 12 After we had an idea of the types  
 13 of incentives that might be offered, we started  
 14 looking at what amendments could be made to  
 15 Title 14, the village code, concerning  
 16 preservation as well as the zoning code in order  
 17 to memorialize those purposes, goals and  
 18 incentives that the village board was interested  
 19 in providing.

08:31PM 20 So one of the challenges is that  
 21 there are both preservation and zoning  
 22 components to this. The zoning component is in



<p style="text-align: center;">10</p> <p>1 the form of these relaxed bulks zoning standards  2 for properties deemed to be historically  3 significant. The idea being that if you are  4 able to give these particular structures more  5 flexibility to put on additions to expand  6 backwards, to expand sideways, there's less  7 motivation theoretically for owners to tear them  8 down and start from scratch because they are  9 able to modify it while still keeping the  08 31PM 10 important facade elements and historic elements  11 that we are interested in preserving.  12 Another challenge was that these  13 historically significant structures are  14 anticipated to be located at various locations  15 all around the village, not exclusive to your  16 national registry for historic districts. All  17 right.  18 So eventually we settled on this  19 idea of creating a historic preservation overlay  08 32PM 20 district. So I want to talk for just a second  21 about what an overlay district is. It's not a  22 new zoning district. It's not replacing your</p>	<p style="text-align: center;">12</p> <p>1 to what we are proposing here where certain  2 properties are singled out for slightly  3 different treatment from a zoning standpoint for  4 a particular reason to achieve a particular  5 purpose.  6 So once we settled on the idea of a  7 historic preservation overlay district, we  8 mapped out the steps to creating it which you  9 will see in this slide here.  08 33PM 10 Step 1 was creating the actual text  11 of the chapter for both Title 14 regarding  12 preservation and in the zoning code. The text  13 which you have before you tonight includes the  14 purposes, procedures, incentives and standards  15 relative to the district. As noted by Bethany,  16 this has been a long process but we feel this  17 process in important in reaching what we feel is  18 a pretty good current product.  19 Step 2 was determining the  08 34PM 20 boundaries of the district. The idea here was  21 to include within the overlay all areas in town  22 where there might be a structure that would be</p>
<p style="text-align: center;">11</p> <p>1 R-1 your R-2, anything like that. It actually  2 overlays those base districts, it lays on top of  3 them.  4 In an overlay district, the  5 existing base zoning regulations still apply,  6 okay. But they are in some cases altered or  7 modified by the overlay district regulations.  8 And this isn't a new concept in  9 Hinsdale. You have an existing title in your  08 32PM 10 zoning code, Article VIII, which is actually  11 called overlay districts and it includes  12 regulations for the design review overlay  13 district which imposes additional design review,  14 standards and requirements in the area around  15 Graue Mill. Okay.  16 And also, while it's not phrased as  17 such, I view the longstanding zoning code  18 provisions providing different bulk zoning  19 standards for certain legal nonconforming lots  08 33PM 20 of record and giving special consideration to  21 pre-code structures, those are in effect  22 village-wide overlay district similar in concept</p>	<p style="text-align: center;">13</p> <p>1 deemed of historic significant. That's  2 reflected in the map included in your packet and  3 Bethany is going to go through that in a little  4 more detail in a few minutes.  5 Step 3 is where we are, which is  6 this public hearing regarding the creation of  7 the overlay district, the recommendations from  8 you on the map and on the text amendments.  9 Okay.  08 34PM 10 Step 4 will come after board  11 approval of the map and text and that involves  12 creation by the HPC of a proposal as to  13 historically significant properties that will be  14 eligible for these voluntary incentives and I'll  15 talk more about that process in a minute.  16 Finally, step 5. Once we have  17 accomplished all that, once the property, once  18 these text amendments are in place, the map is  19 created, the historically significant property  08 35PM 20 list is created. If you are an owner of a  21 property on that list, that owner is eligible on  22 a voluntary basis to request various of the</p>



1 provided incentives during the application and  
2 review process.

3 So we have the map in here a couple  
4 of times, but we included quite a bit of the  
5 community because, again, we don't want to miss  
6 an area where there might be a historically  
7 significant structure, and so there's actually  
8 more of the village included than not, and  
9 that's fine and they don't have to be contiguous  
10 but we just wanted to cast a broad net and make  
11 sure we weren't leaving anything out so that we  
12 didn't have to go back and amend it in the near  
13 future.

14 Before we talk about -- before I  
15 turn it back over to Bethany to talk about the  
16 various incentives and other aspects, I want to  
17 talk a little bit about creation of the  
18 historically significant structures property  
19 list which is going to be this next step in the  
20 process.

21 So once this body makes a  
22 recommendation and the board enacts the text

1 amendments and overlay district map boundaries,  
2 the clock will start ticking for the HPC. They  
3 have 180 days under the proposal to create this  
4 initial list of properties for placement on the  
5 list. Essentially, we are looking at the  
6 universe of buildings in the village and saying  
7 that these are the ones that we want to  
8 prioritize preserving through the incentives  
9 being offered. Nothing we are doing today will  
10 stop anyone from tearing down a home if they  
11 ultimately want to, but the hope is that these  
12 changes will at least give them pause and make  
13 it more practical to preserve an existing  
14 significant home instead of tearing it down.

15 All right. So let's look at the  
16 steps. We are going to notify -- if a home is  
17 proposed to be on the list, HPC is going to  
18 create initial list within 180 days. And then  
19 they are going to hold a public hearing  
20 regarding the placement of properties on that  
21 list. If the list is voluminous, we might break  
22 it up because they are going to notify

1 homeowners and they will have an opportunity to  
2 come, you know, given that there's only benefits  
3 and no real negative to being on the list, we  
4 wouldn't anticipate a lot of people but we may  
5 have somebody says, I'm weary of this. I don't  
6 want to be part of it and that can be taken into  
7 account.

8 We will send notice to those people  
9 who will come to the public hearing and the HPC  
10 is going to talk individually about these homes,  
11 probably briefly in most cases, just, you know,  
12 why is this significant, why should it be on the  
13 list, make a recommendation as to whether it's  
14 going to be on the list and that list of  
15 recommendations in the initial list will go to  
16 the board who will then give final approval to  
17 it.

18 There is an opportunity under the  
19 ordinance for properties to later be added to  
20 the list, so our hope is, you know, let's say  
21 the initial universe is 50 homes. These are the  
22 50 really significant properties, we want to

1 make sure these incentives are available to.  
2 If the program goes well, you can  
3 anticipate that there may be more people coming  
4 in, Hey, I want that tax break. I want the  
5 opportunity for those matching funds, and so  
6 there's a process by which people can propose  
7 the HPC or the board can propose additional  
8 properties be added to the list as we go along  
9 and that follows a similar, you know, public  
10 hearing process and just a review by the HPC and  
11 their recommendation to the board. Okay.

12 So after we have created the list  
13 and everything's in place, it doesn't quite stop  
14 there. We want to increase the chance that this  
15 project will be effective, so the ordinance  
16 provides that these important steps will happen  
17 after its creation where the owners of the  
18 property on the list will be notified their home  
19 is on the list. They've already received the  
20 notice of the public hearing so they are aware  
21 that they were under consideration. Lists will  
22 be made available on the village's web site,



1 will be provided to area realtors, to the news  
2 media, and other persons or entities as  
3 necessary in an effort to publicize the list and  
4 the incentives that are available.

5 Another thing that is required by  
6 the ordinance is a notice regarding that it  
7 being a historically significant structure would  
8 be recorded against the title to the property  
9 with the idea that someone buying the property

08 39PM 10 will see that on their title report and  
11 hopefully explore what the incentives may be  
12 able to provide them relative to preservation of  
13 the home. All right.

14 So with that, I'm going to turn it  
15 back over to Bethany for a more in-depth  
16 discussion of the incentives.

17 MS. SALMON: Are there any questions so  
18 far? Should we take a break? Okay. We will  
19 keep going.

08 40PM 20 MR. WILLOBEE: Before that notification  
21 goes out, is there a way to get the message out  
22 more that there's positive aspects? I just --

1 with regard to the notification process, before  
2 they get sent that letter --

3 MS. SALMON: The initial letter?

4 MR. WILLOBEE: Yes. Is there a way to  
5 publicize to what you're saying, I agree with  
6 the news media, all that, but I think there's a  
7 step before that so we don't get bombarded at  
8 meetings with the people that are thinking of  
9 the moratorium and all that, like you said,  
08 40PM 10 weary, trying to kind of squash some of that  
11 from a PR standpoint.

12 MS. SALMON: We had discussions  
13 internally as well. This is a voluntary  
14 program, right, so if someone is so opposed that  
15 this is going to be tied to their house and they  
16 absolutely don't want to be involved in it, I  
17 mean, then we won't pursue that.

18 MR. WILLOBEE: I agree with that.

19 MS. SALMON: But you're right there.

08 41PM 20 We have had discussions about publicizing this  
21 program more, working with The Hinsdalean,  
22 contacting a lot of the real estate agents and

1 making sure the word is out what this program  
2 actually would mean.

3 MR. WILLOBEE: Yes, I think that just  
4 needs to happen before that letter goes out,  
5 some full page ads.

6 MS. FIASCONE: Yes. Because anybody  
7 that sees it's going against title will freak  
8 out but it's really nothing bad, it's only  
9 benefit.

08 41PM 10 MS. SALMON: The whole point of that  
11 was just to make sure people will know that this  
12 exists. And I think there's some other  
13 communities that do do this for more like  
14 landmarking purposes and other programs but it's  
15 just an FYI. That was the intent of it.

16 MR. MARRS: So I'm all for as much  
17 publicity as you can generate, whether it's a  
18 town hall meeting or a workshop where people are  
19 available to answer questions, or whatever forum  
08 41PM 20 you can get, you know, a story in The  
21 Hinsdalean, however we can do it. But I agree  
22 it's important to emphasize the fact that it's

1 voluntary and that there's only benefits.

2 MR. WILLOBEE: Yes. No, I'm just  
3 saying as it relates to the letter, I could just  
4 picture somebody getting that letter, okay,  
5 what's the village up to now.

6 MR. MARRS: And so one of the ways also  
7 that we can address that is, you know, I talked  
8 about breaking up the public hearing so you can  
9 have our first universe is only going to be  
08 42PM 10 these 20 houses that are already mostly  
11 landmarked, you know, these people are on board  
12 with preservation so kind of roll it out in a  
13 way that gets the ball rolling and maybe get  
14 some attention placed on it with people who are  
15 going to receive a positive.

16 MR. WILLOBEE: Word of mouth. I agree  
17 with that.

18 CHAIRMAN CASHMAN: I think, Bethany,  
19 you and Robb shared with me you want to create a  
08 42PM 20 list that people want to be on.

21 MR. MCGINNIS: Yes.

22 MS. SALMON: Yes. That's the whole



1 intent here is we definitely want something --  
 2 we want people to be dying to get on where we  
 3 can't keep up with the number of people. Even  
 4 with the limited publicity that we have done at  
 5 this point, you know, as we have kind of been  
 6 forming all these regulations, we have quite a  
 7 few homeowners who are actually interested in  
 8 this program already.

9 So once again, there's going to be  
 08:43PM 10 people that absolutely want nothing to do with  
 11 it, but I think we are pretty positive that  
 12 given the stuff that we are going to talk about  
 13 in a second, it's a pretty great program and it  
 14 will afford a lot to whomever wants to be  
 15 involved.

16 MR. WILLOBEE: Okay. Thank you.

17 MS. SALMON: Okay. So I'm going to  
 18 quickly talk about Exhibit No. 3, which was  
 19 included in your packet. So this was the  
 08:43PM 20 proposed historic overlay district. And kind of  
 21 Michael alluded to this of how we got to this  
 22 map is we kind of did process of elimination.

1 We really wanted to make sure that  
 2 we weren't just catching homes in Robbins Park,  
 3 we weren't just catching commercial and  
 4 residential, we were trying to figure out a way  
 5 how do we kind of incorporate the whole village  
 6 and get the larger areas but also make sure that  
 7 we are not including everything that isn't  
 8 applicable.

9 So what we have done for right now  
 08:43PM 10 based on a preliminary analysis is we've  
 11 excluded the O-3 office district. So that pink  
 12 area up on Ogden and York. We excluded the B-3  
 13 district. That's the dark blue area, which is  
 14 also adjacent to Ogden. And then the tollway.  
 15 And then there's a couple of other select sites.

16 And then the R-5 and R-6 districts,  
 17 which are multifamily districts, those are kind  
 18 of in those purple colors, and they are kind of  
 19 scattered around and it did not look like any of  
 08:44PM 20 those had historic buildings of significance to  
 21 the village as of right now.

22 There are -- we've included the

1 R-1, R-2, R-3 and R-4 single-family districts  
 2 and the B-1 and B-2 business districts, the O-1  
 3 and O-2 office districts, the IB institutional  
 4 district, the HS hospital district and the OS  
 5 open space district.

6 So it's not to say that every  
 7 single property within these large areas is  
 8 significant by any means, and it's not to say  
 9 that whether you're included in the historic  
 08:45PM 10 overlay means you are going to be on the  
 11 historically significant structures property  
 12 list. There's, like we talked about, a separate  
 13 process for that, so anyone who thinks they are  
 14 possibly eligible right now just because this  
 15 map is created has still a little bit more to  
 16 go.

17 And then we did discuss before this  
 18 meeting, we probably are going to make some --  
 19 because we know that this map right now is a  
 08:45PM 20 little bit hard to read, we might visually make  
 21 some graphical changes but generally, unless  
 22 there's any other recommendations by the plan

1 commission or the village board, we would keep  
 2 the same areas but we might make it a little bit  
 3 easier to look at for the public down the road.

4 So now I'm going to talk about the  
 5 actual preservation incentives for tonight. I'm  
 6 going to try to keep this high level. There's a  
 7 lot here as well but like I said, feel free to  
 8 jump in.

9 So as we talked about, these are  
 08:45PM 10 voluntary incentives. If a house is listed on  
 11 the historically significant properties list,  
 12 they would not be required to take advantage of  
 13 these.

14 The first one that I'm going to  
 15 talk about a little bit further is our  
 16 alternative zoning regulations and this would  
 17 only apply to the single-family zoning district.

18 We also have three different  
 19 financial incentives. One is a grant program,  
 08:46PM 20 one is a fee waiver program and one is a  
 21 property tax rebate for the village portion only  
 22 of the property tax bill.



<p style="text-align: center;">26</p> <p>1 And then we also are offering</p> <p>2 expedited processing. Particularly where this</p> <p>3 is going to matter is for building permits and</p> <p>4 we have a -- we think either do some inhouse or</p> <p>5 we have the ability to send them out to a third</p> <p>6 party.</p> <p>7 So before I talk about these</p> <p>8 incentives specifically, I just want to talk</p> <p>9 about the overall approval process. So if a</p> <p>08 46PM 10 home is already on the historically significant</p> <p>11 structures property list, once that list is</p> <p>12 determined, we have two separate routes to go.</p> <p>13 No matter what, every application</p> <p>14 is going to need to get approval of what we are</p> <p>15 calling a preservation incentive certificate.</p> <p>16 Right now if you are going through the historic</p> <p>17 preservation process, you get a certificate of</p> <p>18 appropriateness. This is going to kind of be</p> <p>19 the same sort of thing but for the incentive</p> <p>08 47PM 20 side.</p> <p>21 So if you are just requesting a</p> <p>22 permit fee waiver or an alternative zoning</p>	<p style="text-align: center;">28</p> <p>1 obviously doesn't matter because the maximum of</p> <p>2 what they can get, it's just if the budget is</p> <p>3 not there and they want to save a house and can</p> <p>4 they say we are funding this money for this</p> <p>5 house?</p> <p>6 MS. SALMON: That's a good question.</p> <p>7 MR. MARRS: So I can't say a hundred</p> <p>8 percent, but generally, if somebody is going to</p> <p>9 make a donation to the village and once the</p> <p>08 48PM 10 village receives that money it's going to go in</p> <p>11 that historic preservation fund, if that money</p> <p>12 has conditions on it, then the village in order</p> <p>13 to accept that money, would probably have to</p> <p>14 accept those conditions. So I'm going to, you</p> <p>15 know, preliminarily say that that would be</p> <p>16 possible.</p> <p>17 MS. FIASCONE: Just a thought.</p> <p>18 MR. MARRS: Yes. And it's interesting</p> <p>19 and that may well come up that there's a</p> <p>08 49PM 20 movement to save a particular house and we want</p> <p>21 to generate these funds and get them into the</p> <p>22 system so that these incentives can be provided</p>
<p style="text-align: center;">27</p> <p>1 regulation, we are proposing that this would be</p> <p>2 for a final authority with the Historic</p> <p>3 Preservation Commission. And then if they</p> <p>4 granted approval subject to the review, we would</p> <p>5 then be able to issue a building permit and move</p> <p>6 forward with that incentive.</p> <p>7 If an applicant is requesting a</p> <p>8 grant or a property tax rebate, because this is</p> <p>9 a larger financial incentive, we've kind of left</p> <p>08 47PM 10 this decision up to the board. So we are making</p> <p>11 the Historic Preservation Commission the</p> <p>12 recommending body. They are still going to use</p> <p>13 the same standards for review but it would move</p> <p>14 to the board for final authority. And this is</p> <p>15 largely because of the financial aspect of it.</p> <p>16 MS. FIASCONE: I have a question on</p> <p>17 that. I read in here that you can accept</p> <p>18 private funds. There's a whole budgeting</p> <p>19 process you guys are doing but can somebody if</p> <p>08 48PM 20 they are fundraising for something or whatever</p> <p>21 to go towards this budget, can they tag it for a</p> <p>22 specific property or does it just go -- it</p>	<p style="text-align: center;">29</p> <p>1 to the owner of that house but make sure that</p> <p>2 that money makes it to it and I think we could</p> <p>3 make that happen.</p> <p>4 MS. SALMON: I'll get into the historic</p> <p>5 preservation fund a slight bit more a little bit</p> <p>6 later, but that fund is also eligible for doing</p> <p>7 special projects too.</p> <p>8 So one of the things that I'm not</p> <p>9 sure if you're aware on that you've seen in the</p> <p>08 49PM 10 Robbins Park Historic District is the HPC has</p> <p>11 been going through and we have new sign toppers</p> <p>12 in the whole district, so on each individual</p> <p>13 intersection.</p> <p>14 And so things like that where it</p> <p>15 could be like a larger preservation effort of</p> <p>16 historic signage or maybe historic preservation</p> <p>17 plan or code amendments or design standards,</p> <p>18 things that kind of can affect the village at</p> <p>19 large, that's also something that that money</p> <p>08 49PM 20 could be used for. So say there is someone who</p> <p>21 wants a larger thing funded that's something</p> <p>22 that we might be able to look into as well.</p>



1 MR. MARRS: And i think we talked about  
2 the study also, utilizing the money for  
3 feasibility studies, you know, surveys of  
4 historic properties in the village. So we tried  
5 to put a catchall in there that would be pretty  
6 broad for historic preservation purposes.

7 MS. SALMON: Okay. So the reason I'm  
8 putting this slide after our approval process is  
9 because if you go back to the beginning of the  
10 power point presentation, when I said we got so  
11 much feedback that everyone wants this smooth  
12 streamline process with absolutely no hoops that  
13 anyone has to jump through. But obviously we do  
14 have an approval process here and I kind of want  
15 to explain why that approval process is here.

16 So there are in Exhibit No. 6, I  
17 believe, we had included the secretary of  
18 interior standards for rehabilitation and these  
19 are kind of the basic historic preservation  
20 principles out in the world, like the gold  
21 standard of general preservation practices.

22 And so as much as staff

1 acknowledges that we would like to have the most  
2 easiest process, there is still a reason why the  
3 HPC should be reviewing these. And it's to make  
4 sure the whole purpose is historic preservation  
5 and we just want to make sure that the basic  
6 standards are being met for our historic  
7 preservation goals.

8 The HPC has a lot of, as you guys  
9 know because you get their projects later down  
10 the road, has a lot of good expertise to provide  
11 to projects and it's really critical that they  
12 are making sure that historic preservation is  
13 actually occurring with these cases.

14 So I've included some slides from  
15 previous committee of the whole presentations  
16 where these are good examples, happy buildings,  
17 where we have nice additions even if they are  
18 modern that are kind of fitting into the design  
19 of the building, you know, and there's good  
20 preservation standards.

21 And then we have, you know, really  
22 bad examples where someone is kind of just

1 putting an entire building behind a weird facade  
2 and pasting it on. And so we really need the  
3 HPC there to say, No, you are actually  
4 demolishing the whole building and then  
5 requesting a ton of money from us and zoning  
6 relief and that's not really a great  
7 preservation project.

8 I will also say that this process  
9 is still much easier than most zoning  
10 entitlement processes, like a variation or even  
11 some of the zoning approvals that comes here, so  
12 it's still a beneficial, easy process that we  
13 tried to make it.

14 So I'm really quickly going to go  
15 into each of these again. The proposed  
16 preservation incentives and I'm going to start  
17 with the alternative zoning regulations. I'm  
18 going to try to keep this high level because  
19 explaining our zoning code to people is the most  
20 challenging job I think that you can have, but I  
21 just want to kind of go into how we got to these  
22 as well.

1 So the feedback we got, obviously,  
2 was that our zoning code acts as a hindrance for  
3 people putting on any sort of building additions  
4 or any modern improvements here. We get  
5 complaints all the time that historic homes  
6 don't have the large kitchen, the open concept  
7 plan, and you need to expand the building  
8 envelope to actually accommodate the additional  
9 needs of a modern family.

10 The disadvantage that we have in  
11 this village for historic buildings is that a  
12 lot of the lots that they are on and a lot of  
13 the structures themselves are nonconforming. So  
14 when they were originally created, they were  
15 legal with the code requirements then, but as  
16 our code changed and was adopted later and there  
17 were new code requirements, those houses are no  
18 longer conforming with our current code  
19 requirement, so unfortunately, they were legal  
20 once, they have a hard time now and then  
21 expanding on those, makes it a little bit more  
22 challenging.



1 The other thing that is a little  
2 strange for things like floor area ratio, you  
3 know, historic homes were just built different  
4 than the way our definition is now. So a new  
5 home can kind of manipulate that floor area  
6 ratio, for example, but an old home is kind of  
7 given what it has and it's already at a  
8 disadvantage in cases like that.

9 So what we tried to do -- oh, so  
08 54PM 10 before I move on, just as a reminder. These  
11 alternative zoning regulations that we are going  
12 to talk about are only for single-family zoning  
13 districts. As of right now, we having looked at  
14 any of our commercial or office district or  
15 anything in the downtown and so this is just for  
16 single-family homes primarily.

17 So we looked at our existing -- and  
18 these sections that -- these primary sections  
19 that we are going to talk about, these are  
08 54PM 20 included in Exhibit No. 4 of the packet. These  
21 are the primary sections that relate to single-  
22 family homes in the village.

1 So Section 110 that includes the  
2 general bulk requirements for homes in the  
3 single-family zoning district. Section 10-104  
4 deals with what we call precode structures.  
5 These are nonconforming structures, the ones  
6 built prior to the adoption of our new code.

7 And then we have Section 10-105,  
8 legal nonconforming lots. So the lots don't  
9 meet our general standard in bulk requirements  
08 55PM 10 for size. And then our definitions, we have  
11 various definitions that are included as well.

12 So we looked at these regulations  
13 and kind of assessed what could help. We looked  
14 at past preservation cases, what people have  
15 dealt with in the past, and we based our new  
16 code, which is shown in this table which is  
17 going to be incredibly hard to read on that  
18 slide based on those regulations.

19 So we are providing some minor  
08 55PM 20 relief based on how those code requirements are  
21 and tried to make something that's a little bit  
22 more user-friendly. I don't know if anyone ever

1 read the entire zoning code but something that's  
2 a little bit more user-friendly than the  
3 regulations that we have now.

4 So this table actually provides  
5 only minimum relief and I'm going to go through  
6 at least two examples that were included in the  
7 packet. So it's not like we are throwing out  
8 the entire code book and you will see in many  
9 cases we are only gaining a little bit here in  
08 56PM 10 terms of setback but I think these are hopefully  
11 regulations that will be able to tip over  
12 encouraging someone to get a little bit more  
13 than what they could for new construction and  
14 really give them that great building addition or  
15 certain aspects that will help them modernize a  
16 home, something that they wouldn't be able to  
17 get otherwise with new construction.

18 So the first thing we looked at was  
19 building height and we --  
08 56PM 20 CHAIRMAN CASHMAN: Can I stop you for  
21 just a second?

22 MS. SALMON: Yes.

1 CHAIRMAN CASHMAN: In the packet, this  
2 is right near the end of Exhibit No. 4, a few  
3 pages forward from the back, there's a nice  
4 table you put in there where you have the R-1,  
5 R-4 existing and then you have two columns that  
6 show the proposed and it's just kind of a nice  
7 way to see it side-by-side.

8 MS. SALMON: That's Exhibit No. 5,  
9 right?

08 56PM 10 CHAIRMAN CASHMAN: Yes. Pardon me,  
11 it's Exhibit No. 5.

12 MS. SALMON: So that's Page 3 on  
13 Exhibit No. 5; is that correct?

14 CHAIRMAN CASHMAN: The bookmark goes  
15 from 4 to 6. I don't see 5. But I think that's  
16 a really nice summary. I know Robb was really  
17 trying to get the FAR back in there.

18 MS. SALMON: Yes. And imagine putting  
19 that table on the slide. We tried to make it a  
08 57PM 20 little simpler because you can't even read this  
21 slide very well.

22 So the first thing that we did is



1 we looked at building height and got rid of that  
2 and are just focusing on building elevation.  
3 The biggest thing here that you need to know is  
4 that any building additions, any changes to the  
5 building, you would not be able to exceed the  
6 highest ridge line that already exists for that  
7 building.

8 So if you are building an addition,  
9 it can't be two stories taller than what you  
10 already have. Basically if you are looking at a  
11 map, the building is not going to be much  
12 taller, it can't be any taller than what we are  
13 currently having that's kind of controlling that  
14 bulk and scale that we want to make sure fits  
15 into the neighborhood.

16 We also have included provisions  
17 here about lot area and dimensions. We don't  
18 want anyone to think that they are going to all  
19 of a sudden start subdividing lots off and

08:57PM 20 making them smaller and gaining in that way. So  
21 we have included some language that lot sizes  
22 are going to remain the same.

1 For front yards we've pretty much  
2 kept this along with our code requirements and  
3 actually, in this case made it a little bit more  
4 strict. Right now front yards are based on  
5 block average so the average of basically how  
6 everyone on your block their front yards.

7 In this case we have added a good  
8 preservation practice here of making sure that  
9 is someone wants to do a front building  
10 addition, that's not good preservation practice  
11 by the pictures I showed you guys earlier. We  
12 are trying restoring and preserve the front  
13 facade so a front building addition doesn't make  
14 sense. So you cannot exceed past that front  
15 facade as is right now.

16 MS. CRNOVICH: What about front porch?

17 MS. SALMON: For a front porch there  
18 would be separate regulations for like an  
19 accessory thing. One thing that you don't see  
20 here is that if you go to Exhibit No. 4, this is  
21 our current code requirement and one of the fun  
22 parts of our current code requirements is that

1 subsection I of Section 3-110 has a million  
2 footnotes and these footnotes generally are  
3 still applying so there is, for example, like  
4 some language here on what can be required in  
5 specified structures and uses in required yards  
6 and I believe front porches is part of that.

7 MS. CRNOVICH: G, I think.

8 MS. SALMON: Covered unenclosed  
9 porches, yep. So we can go back and make sure  
10 that that will not be an issue.

11 MS. CRNOVICH: Okay. Thank you. I  
12 know a lot of the older homes do have the front  
13 porch and I think wasn't there a house on  
14 Garfield where they had to go through the ZBA  
15 just to replace their front porch?

16 MR. MCGINNIS: Yes.

17 MS. SALMON: We will look into that  
18 case and make sure that there's no conflict.

19 MR. MCGINNIS: But that was well into  
20 the required front yard already.

21 MS. CRNOVICH: It was, okay. But I  
22 know it's one of the oldest homes in Hinsdale,

1 too, I believe, civil war.

2 MR. MCGINNIS: Yes, that was part of  
3 the problem. It was so close already that that  
4 exception didn't help them in that case.

5 MS. CRNOVICH: Okay. And I think  
6 there's another one next to it where that might  
7 happen, too.

8 MR. MCGINNIS: We just want to make  
9 sure that the front addition is sympathetic to  
10 the house it's not forward.

11 MS. SALMON: Right. If, for example,  
12 you have an existing porch, you needed to  
13 rebuild it, you hopefully aren't going to  
14 rebuild it 20 feet in front of the existing  
15 porch because that, again, doesn't meet our good  
16 preservation practices.

17 MS. CRNOVICH: Yes. Thank you.

18 MS. SALMON: But we will make sure that  
19 that language doesn't create any conflicts down  
20 the road.

21 So for side yards if you -- per our  
22 existing precode structure, so anything that was



1 built prior to the code that no longer meets  
2 standards, we basically kept the exact same  
3 minimums that are in our code requirement. The  
4 only difference is we have language that talks  
5 about whatever is greater is the minimum setback  
6 in terms of if you have an existing house that  
7 doesn't meet that setback requirement and you  
8 have, for example, 10 feet as this minimum code  
9 requirement and that house is at 13 feet, you

09 01PM

10 still have to go 13 feet. Because it's whatever  
11 is greater, so you are kind of stuck with your  
12 existing setback and now we are just going  
13 directly to whatever our minimum already is  
14 which is already in the code. So it's not a  
15 great deviation but it will give people a couple  
16 of extra feet. And I'll, once again, show  
17 examples in a little bit.

18 MS. CRNOVICH: I have another question.  
19 Sorry.

09 01PM

20 What is the date for the code?  
21 What date are we looking at? When you are  
22 talking like precode?

1 MS. SALMON: So our code was adopted in  
2 1989, and I believe in our nonconforming  
3 definition it talks about buildings before a  
4 certain date in 1988.

5 MS. CRNOVICH: Okay. Thank you.

6 MS. SALMON: That's written in the  
7 definition.

8 And then the biggest thing that I  
9 think is going to actually help people here is  
10 what we are proposing for rear yards. So right  
11 now if you had a nonconforming rear yard, you  
12 cannot extend further into it whether you have a  
13 lot space or not. And I'll show an example of  
14 that.

09 02PM

15 So we've kind of allowed for a  
16 reduction to the required rear yard so that we  
17 can fit in these rear additions. This would  
18 allow people to encroach further back but we  
19 still have these minimums in place.

09 02PM

20 And then we have waived floor area  
21 ratio and we are pretty confident that this is  
22 not going to be a major issue for these homes.

1 We still have building elevation, lot coverage,  
2 building coverage, these other tools to make  
3 sure that no one is going to be building a  
4 giant, massive bulky building.

5 We are not proposing any changes to  
6 building coverage as of right now. We didn't  
7 find any cases that really justified that as of  
8 current.

9 And then we are increasing -- we  
10 are proposing to increase lot coverage by  
11 10 percent subject to no adverse impact on  
12 adjacent properties.

09 03PM

13 MS. CRNOVICH: Is that total lot  
14 coverage?

15 MS. SALMON: That would be total lot  
16 coverage, yes.

17 So in your packet in Exhibit No. 5  
18 we did include four separate examples of how  
19 these will change setbacks for homes. I'm only  
20 going to go over two for the sake of time but  
21 feel free to ask questions on any of them.

09 03PM

22 One of the properties that we

1 looked at is 308 East First Street. This is  
2 both a nonconforming lot in the R-1 district and  
3 a nonconforming structure, so it's a precode  
4 structure. So it would be subject to 10-104 and  
5 10-103 of our code requirements.

6 So when we looked at how the  
7 setbacks would require or would change, the red  
8 lines that you can see up there, that's the  
9 existing required setbacks. And then the blue  
10 lines are how much they gain in terms of these  
11 proposed regulations.

09 03PM

12 So you can see in this example here  
13 we are not throwing the code book out, it's  
14 pretty minimal relief, but we do think in a lot  
15 of cases, especially in the next one I'm going  
16 to talk about, it can make a substantial  
17 difference.

18 So in the case of this home,  
19 nothing really changes as we talked about with  
20 the front yard. They are not going to be able  
21 to do any sort of encroachment with a building  
22 addition further towards First Street which is

09 04PM



1 on the north side of this home based on the way  
 2 we are looking right now. And that corner side  
 3 yard on Elm Street, they do gain a couple of  
 4 feet, maybe 2.6 feet with the corner side yard  
 5 but the corner side yard there's not much you  
 6 can really do in terms of that right now. It  
 7 doesn't give you that much relief. Where they  
 8 really do gain is the rear yard. With these new  
 9 regulations, they are going to gain about eight-  
 10 and-a-half feet and currently right now based on

09:04PM

11 our code requirements, they are not even meeting  
 12 the rear yard right now. So that required rear  
 13 yard is in the building technically right now.

14 And then with their interior side  
 15 yard they are gaining about 5.7 feet. So it  
 16 does give them a little bit of leeway here. And  
 17 then with those other bulk requirements that I  
 18 just talked about factored in, that could make a  
 19 really big difference for this house if you

09:05PM

20 needed to retrofit it to do an interior addition  
 21 there.

22 One of the houses that we have

1 talked about extensively last year was 420 South  
 2 Park, there were some concerns that this house  
 3 actually was going to be a demolition. It was  
 4 on the market for a very long time and we are  
 5 lucky that we do have someone who purchased it  
 6 and is working to modernize it and restore it,  
 7 but we did look at this house particularly a lot  
 8 because of the fears of demolition and how do we  
 9 help this house.

09:05PM

10 So this house is also the same  
 11 nonconforming structure and nonconforming lot.  
 12 And so one of the questions that we kept getting  
 13 asked is: Can I put a building addition or an  
 14 attached garage on the south side of that  
 15 building? And there really wasn't enough room,  
 16 especially for a garage to fit two cars to  
 17 actually fit there and so we looked at a lot how  
 18 this regulation could happen.

19 In this case with the proposed  
 20 regulations applied, we are gaining about  
 21 7.2 feet on the interior side yard. So that  
 22 north side of the building, which is currently

09:06PM

1 nonconforming, the side yard is on top of the  
 2 building like I said. And the rear yard gets  
 3 about 10.45 feet. So we are gaining with all of  
 4 this around it. Realistically, the  
 5 nonconforming coach house isn't made any better,  
 6 it's still noncompliant, but we are gaining  
 7 enough room here to put in an actual building  
 8 addition if need and especially in this case.  
 9 One of the comments we got was: How do I put an  
 10 attached garage here?

09:06PM

11 Any questions so far? Okay.

12 Everyone's still awake. Good.

13 MS. CRNOVICH: I have one question  
 14 about side yards 10 feet. What if one of the  
 15 side yards is not 10 feet?

16 CHAIRMAN CASHMAN: Existing?

17 MS. CRNOVICH: Existing nonconforming.

18 MS. SALMON: They would still be held  
 19 to the 10 feet. You wouldn't be able to go --

09:07PM

20 so you are saying if their existing side yard  
 21 was 5 feet and the code is requiring 10 feet,  
 22 they are not allowed to build to the 5 feet, the

1 existing. We've set it at that 10 feet.

2 MS. CRNOVICH: But they could on the  
 3 other side go -- they could go 10 feet, they  
 4 wouldn't be penalized because the one side is  
 5 nonconforming?

6 MS. SALMON: No. Because what you are  
 7 talking about our current code has this weird  
 8 balancing affect with the side yard. So anyone  
 9 who loves our code, loves this section. It does  
 10 have a balancing affect where you kind of have  
 11 to justify a larger side yard so they are not  
 12 quite even, that's not taken into consideration  
 13 here.

09:07PM

14 MS. CRNOVICH: Okay.

15 MS. SALMON: It would be even and flat  
 16 where we are not doing the balancing act.

17 MS. CRNOVICH: I'm also thinking back  
 18 to ZBA many years ago.

19 MS. SALMON: And one thing to point out  
 20 as well, it's not like these are -- we still

09:08PM

21 have a great Historic Preservation Commission to  
 22 review these exterior changes and we have some



1 great architects, we've got some great people  
2 who understand preservation so if something  
3 looks a little off, their comments will be  
4 heard. So there is still a review process for  
5 this very reason.

6 MS. CRNOVICH: Thank you.

7 MS. SALMON: Okay. And then finally,  
8 I'm just going to quickly go over our financial  
9 incentives. We kind of touched based on the  
10 historic preservation fund and matching grants  
11 previously.

12 Exhibit No. 7 was included in your  
13 packet and that was a revised, kind of  
14 preliminary, financial breakdown of some of  
15 these programs that we have previously reviewed  
16 for a committee of the whole meeting.

17 The preservation fund matching  
18 grants, so as of right now the way we have it  
19 set up, the village would help fund for a  
20 specific exterior improvements or a broad range  
21 of preservation activities like we talked about,  
22 50 percent of those eligible costs by up to

1 \$10,000, but the applicant would need to have a  
2 project of \$20,000. So the village would pay  
3 for 50 percent of that 20,000, meaning that  
4 there's a \$10,000 share. It doesn't by any  
5 means mean that a project needs to cost \$20,000,  
6 we can also look at smaller grants or other  
7 smaller projects. So a project was \$10,000, the  
8 village's matching share would be \$5,000. As we  
9 talked about, this is going to be contingent and  
10 based on the budget every year or through  
11 private donations and assistance that way.

12 The other thing that we talked  
13 about is fee waivers. This would largely be for  
14 a permits. That's the biggest thing that I  
15 think this would financially allow people to  
16 assist with and potentially some zoning relief  
17 as well, so for the zoning applications.

18 And then the third one is for the  
19 property tax rebate; and like I said, this is  
20 for the village portion and it would potentially  
21 be for substantial exterior improvements that  
22 would have a cost of \$50,000 at a minimum and

1 for a maximum of a five-year period.

2 And then as we discussed, there's  
3 eligible costs. For exterior construction work,  
4 there's quite a bit that's not eligible, like  
5 general routine maintenance, landscaping fencing  
6 and if someone wanted to build a new detached  
7 garage but it wasn't, for example, an exterior  
8 coach house or any other interior work.

9 And then we did include a couple of  
10 additional amendments. There's some cross-  
11 referencing and sectioning of the code, just  
12 some minor stuff. And then we did include some  
13 bolstering language in our variation standards  
14 so that we are supporting variations in cases  
15 where someone still does need to move forward  
16 with a variation.

17 The intent of these codes is not to  
18 fix every case, right? We are trying to provide  
19 relief and incentivize preservation but we know  
20 that there are still going to be unique cases  
21 where a variation is going to be needed so we  
22 wanted to make sure there was some additional

1 language that bolsters and supports those  
2 projects.

3 MR. MARRS: And can I just insert  
4 something?

5 In terms of the language in the  
6 variation standards, so from a practical  
7 standpoint, I think the ZBA is cognizant of the  
8 fact that, you know, we don't want to be so  
9 strict with the code that we are causing people  
10 to tear down a historic structure, so they're  
11 already probably mentally taking that into  
12 account, but putting it explicitly in there that  
13 we should give specific consideration to  
14 historic structures and preservation gives them  
15 something to hang their hat on and were it to be  
16 challenged for a court to hang its hat on as  
17 well.

18 MS. CRNOVICH: That's really good,  
19 especially somebody could argue that it's  
20 self-created, I think that's very helpful.

21 MS. SALMON: And that's all I have for  
22 right now. So we are happy to answer any



1 questions. I know this is a lot to digest.  
 2 There was a lot in this packet, but like you  
 3 said, it's been a year-and-a-half getting to  
 4 this point. We are very proud of all the work  
 5 that went into this and we are hoping that this  
 6 does shift the needle forward. I know there are  
 7 several homeowners I talked to are really  
 8 excited about this program and we do think it's  
 9 definitely going to help with helping people  
 10 preserve the house and show that the village is  
 11 here to support those preservation efforts.

09:13PM

12 CHAIRMAN CASHMAN: Thanks, Bethany.  
 13 Thanks, Michael.

14 MS. FIASCONE: So just to confirm, it's  
 15 all exterior for all of these incentives, yes?

16 MS. SALMON: Correct. The reason for  
 17 that is because imagine if someone wanted to put  
 18 in a gold-plated bathroom on the inside of their  
 19 home and we don't want the village and taxpayer  
 20 money to be going towards that because it really  
 21 is the preservation of the exterior home, but  
 22 that's one part that everyone need to be aware

09:13PM

1 of. Any interior work is not really going to be  
 2 submitted for review by the HPC, that's all  
 3 interior, it's not part of our purview here. We  
 4 are strictly dealing with the exterior of the  
 5 home.

6 MS. FIASCONE: Thank you.

7 MR. MARRS: Which is the same as any  
 8 landmark structures, so landmarking is concerned  
 9 with the exterior look of something.

09:14PM

10 CHAIRMAN CASHMAN: Scott, any  
 11 questions, comments?

12 MR. MOORE: I know this is going to  
 13 sound crazy, but is this enough? In other  
 14 words, everyone is looking at the arbitrage  
 15 between knocking a house down and getting  
 16 incentives to get people to not do it. Are we  
 17 going far enough: Mathematically, financially  
 18 and space wise? And I know a ton of work has  
 19 gone into that.

09:14PM

20 What's the thought process on that  
 21 and what are the constraints that have been  
 22 faced as far as going any further? That would

1 be my driving question.

2 MS. SALMON: That's a great question.  
 3 Because we have gone back and forth and asked  
 4 the same question several times of: Is the  
 5 zoning going to be enough? And the truth is,  
 6 especially for the financial side, that's  
 7 actually easier to track, the financial aspects  
 8 of it.

9 The zoning side I think is a little  
 10 trickier and we're just not going to know until  
 11 we see people applying and kind of engaging with  
 12 people of is this working. And the truth is we  
 13 can always go back and amend these regulations  
 14 later. Especially if all of a sudden we start  
 15 seeing new cases pop up at ZBA, right, we can  
 16 always -- and we did analyze a lot of ZBA cases  
 17 as part of this as well. Those ones are a  
 18 little bit more challenging because there's a  
 19 lot of unique situations that we couldn't just  
 20 wrap up in a nice bow. But as things come up,  
 21 we would like to reassess as we move along and  
 22 see what's working.

09:15PM

09:15PM

1 MR. MOORE: The point that you made, my  
 2 fellow commissioner made, the point that  
 3 Ms. Fiascone made is incredibly important  
 4 because there's tax ramifications to somebody  
 5 donating money and if they are donating money to  
 6 their own project, and then they see that  
 7 possibly being able to come back to them or a  
 8 portion of it come back to them, that's a huge  
 9 incentive that I think you've raised that is  
 10 brilliant.

09:16PM

11 MS. FIASCONE: I don't think I meant  
 12 for it to brilliant.

13 MR. MOORE: I think it's a very  
 14 interesting concept that I hope you all on the  
 15 committee think about and take it into  
 16 consideration because it might actually make the  
 17 financial incentive even greater and then, thank  
 18 you. Thank you for all the work that's gone  
 19 into this. It's just absolutely incredible how  
 20 much time is spent and the materials and you  
 21 explained it very well so thank you.

09:16PM

22 MS. SALMON: I know it was a long time



1 coming so thank you.

2 MR. MOORE: It was very well done. I  
3 do have some other questions and stuff but I'll  
4 yield for now.

5 CHAIRMAN CASHMAN: Anna?

6 MS. FIASCONE: My questions have been  
7 answered. I would -- you answered my question  
8 regarding just reassessing the numbers and the  
9 amounts, I'm sure you came to that number, had a

09:17PM 10 lot of discussion about it, but that's something  
11 that as we've seen just over the past couple of  
12 years how much building costs have increased.  
13 So, you know, is \$50,000 going to be enough, is  
14 \$70,000 going to be enough, that sort of thing,  
15 so just something to assess yearly or whatnot.

16 CHAIRMAN CASHMAN: Mark?

17 MR. WILLOBEE: No. I first thank you,  
18 a lot of great work. You guys did a great job.

19 Similar to Scott, I mean, I know  
09:18PM 20 you guys looked at a lot of great examples in  
21 like you said in Illinois and others. That was  
22 kind of my question, what's the uptake of those

1 programs and you can have a lot of great code  
2 but if nobody's taking advantage of it, so that  
3 was kind of same question there.

4 The other question: Did you circle  
5 back with the architects and builders that you  
6 met with on some of this as far as after you met  
7 with them and learned their concerns? Have we --

8 MR. MCGINNIS: So there's been ongoing  
9 engagements, okay. So we had this Zoom call,

09:18PM 10 right, when this started during the pandemic  
11 with, you know, our regulars, right, and real  
12 estate agents, the builders, the architects, and  
13 it was really an open-ended question: Guys,  
14 what's it going to take to try to move the  
15 needle?

16 So we're hoping -- and there's been  
17 ongoing engagement so hopefully, collectively,  
18 this pallet of incentives that we are able to  
19 offer is going to save a house. We don't know  
09:18PM 20 that yet. We don't know what the impacts going  
21 to be but what we heard over and over again was  
22 if somebody is going to spend \$2 million

1 renovating a house, they want to remove as many  
2 question marks before they go to contract as  
3 they can. So this is our best shot at removing  
4 as many of those questions, as many of those  
5 objections on the front end as possible.

6 MS. SALMON: To go back to the comments  
7 made earlier, we, I think, completely understand  
8 that there's a lot of publicizing to do after.

9 So going back out if this is approved, reaching  
09:19PM 10 back out to those developers, those architects,  
11 making sure everyone is aware and especially the  
12 real estate agents. That's something that we  
13 talking about consistently. They are the ones  
14 advertising these homes to be demolished or can  
15 give my card to them or give this material, this  
16 packet to future homeowners or send them to the  
17 link that we have on our website. There's a lot  
18 of ways we want the word to get out there so  
19 that everyone is aware of what's possible.

09:19PM 20 MR. WILLOBEE: That's all I had. Thank  
21 you.

22 MR. MOORE: I have another question.

1 The way that you have done the graphs to show  
2 the difference in the zoning and the financial  
3 incentives on the properties, is that something  
4 that as these initial 25 or 50 are done, is that  
5 would be part of what's done for them to be  
6 approved, in other words, is that level of work  
7 going to be done so it's easily given to the  
8 homeowner and easily given to a buyer? I know  
9 that that's a lot of work.

09:20PM 10 MS. SALMON: We have already done this  
11 on a couple of occasions for people and actually  
12 in this case too. The 420 South Park is what  
13 started a lot of this too.

14 MR. MCGINNIS: We did some of these  
15 early. As soon as we heard that Park was coming  
16 on the market, staff worked to see what we could  
17 do to try and help people save the house. Where  
18 can we get a garage? What can we do with the  
19 family room?

09:20PM 20 MS. SALMON: Our zoning code  
21 regulations are complex sometimes so we are  
22 always happy to help people meander through that



1 and tell them what they can do.

2 MR. MOORE: Right. I'm just saying it  
3 might be part of the process, part of your flow  
4 chart as things are done.

5 CHAIRMAN CASHMAN: Julie?

6 MS. CRNOVICH: I would like to commend  
7 staff, Bethany, and Historic Preservation  
8 Commission, and the trustees for meeting so many  
9 times to discuss this and, like, I think it was  
10 very helpful to do just an hours' worth of work  
11 at a time because it's a lot of information so  
12 it takes a while for all this to sink in but  
13 this is all very positive.

14 I do have a couple of questions.  
15 How many homes have been demolished in Hinsdale?  
16 Do you have any idea like percentagewise?

17 MR. MCGINNIS: We demolished at least a  
18 third.

19 MS. CRNOVICH: At least a third?

20 Closer to a half maybe?

21 MR. MCGINNIS: Probably a 25-year span.  
22 So my predecessor was pretty good at tracking.

1 So we started in I think like '69 was the first  
2 and every year -- I mean, we peaked out at about  
3 120, and then we have kind of fallen off between  
4 the 40-50 range but I think we replaced a third  
5 in less than 30 years.

6 MS. CRNOVICH: The first village  
7 meeting I ever attended was -- I don't know how  
8 many years ago -- but it was about when they  
9 wanted to have a moratorium on demolitions and

10 it was basically historic people who wanted to  
11 preserve the homes in Hinsdale against the  
12 builders and it was not a pleasant meeting. I  
13 wish that something like this would have been in  
14 place back then but better now than never.

15 I think there's great incentives  
16 here, you know, waiver of fees. The setbacks  
17 is, I think that's huge, and you've made this  
18 where it's simple. I think your average  
19 resident can understand this rather than, like,  
20 unlike the zoning code, people always have so  
21 many questions and need help with, so I think  
22 that's great.

1 What other communities have  
2 something similar to this? Is that hard to say?

3 MS. SALMON: One of the committee of  
4 the whole meetings, and Michael Marrs did do a  
5 presentation on this, was about, you know, some  
6 other communities and overlay districts with  
7 historic aspects to it but there's nothing  
8 exactly like this but there are places where  
9 they do incentives for historic homes in zoning  
10 or grant programs so we are kind of taking a  
11 unique approach but a little bit different than  
12 other communities because we are not like other  
13 communities. We have a slew of issues and  
14 higher property values than I think some of the  
15 other ones that we looked at, so we had to  
16 tailor a little bit of our efforts I think  
17 differently.

18 MR. MARRS: Yes. One of the fun things  
19 about this project, at least for zoning geeks  
20 like Bethany and I, is that there wasn't really  
21 a template that we could follow that we found  
22 from other communities so we kind of fashioned

1 this from the ground up using ideas that we took  
2 from other communities.

3 You know, so often -- my firm has  
4 been around doing local government law for 90  
5 years and we can almost always find -- we've  
6 almost always done something before and have a  
7 template but this wasn't really that way so it  
8 was interesting to kind of build this piece by  
9 piece, so I think it's a unique program.

10 One of the things if it's  
11 successful, I think that the village could, you  
12 know, leverage this for some publicity with the  
13 preservation groups and things like that because  
14 I think there might be other communities that  
15 would be interested in implementing something  
16 similar. There's a lot of communities that have  
17 incentives but they are just not structured this  
18 way.

19 MS. CRNOVICH: I recall one of the  
20 meetings, one of the committee of the whole  
21 meetings, somebody brought up, okay, you're  
22 going to offer incentives but will this include



1 anything about demolitions by neglect? Or, you  
2 know, there's been a lot of problems with that  
3 in the past. Is that going to stay the same or  
4 will something be added? It seems like there's  
5 a lot of repeat offenders destroying a lot of  
6 the historic homes in Hinsdale.

7 MS. SALMON: So when we originally  
8 started talking about this about a  
9 year-and-a-half ago, we had some initial

09:25PM 10 provisions for demolition by neglect that we  
11 were discussing and we decided to separate that  
12 for right now. We went with focusing on the  
13 voluntary preservation incentives and I think  
14 after we get through this period, that will be  
15 the next discussion that will be coming shortly  
16 after but we wanted to separate the carrots and  
17 the sticks for this portion.

18 MS. CRNOVICH: I understand that. I  
19 just think the code could be stricter about the  
09:25PM 20 demolition by neglect. Too many people know ho  
21 to get around it. I'm not going to bring up the  
22 cases but you know what I'm talking about.

1 MR. MARRS: I agree. There are, you  
2 know, as Bethany said we had some initial draft  
3 language, I think it's something that does need  
4 to be addressed; in the short term it's just not  
5 part of it.

6 MS. CRNOVICH: That's it for me. Thank  
7 you.

8 CHAIRMAN CASHMAN: Cynthia?

9 MS. CURRY: So much has been addressed  
09:26PM 10 that I was going to say and kudos to all of you.  
11 The hours are evident in all of this. Thank you  
12 for simplifying it enough that it's understandable  
13 enough.

14 And again, I'm like everyone. I  
15 think education is paramount to get the word out  
16 to these people however you do it. Is it a  
17 marketing campaign; is it broadcasting, is it  
18 news; is it we're a village taking steps?

19 Lots of towns are going through  
09:26PM 20 this same issue. I was talking to someone the  
21 other day, Santa Fe, they are trying desperately  
22 to preserve an area, the downtown area, because

1 people are ripping buildings down like crazy, so  
2 making sure that we are letting the people know  
3 this is a really good thing like you said to be  
4 on this list. And then trying to stop the  
5 builders who are coming in and picking up lots  
6 and tearing them down because they want to build  
7 houses, they don't want to fix them. But I  
8 think everything you have done is remarkable.  
9 Thank you.

09:27PM 10 CHAIRMAN CASHMAN: I think you've done  
11 an amazing job. It was such a nice, cooperative  
12 effort between the village, HPC, all the time  
13 and effort to deal with our code, which is, you  
14 know, quite tangled. I think it seems very  
15 commonsense in a way.

16 I was kind of curious, Robb, when  
17 you had that meeting and it was a great group of  
18 people to bring together. Were there specific  
19 parts of the zoning ordinance that were their  
09:27PM 20 first things, you know, that they're like, what  
21 about this FAR?

22 I always thought just looking at

1 preservation, especially some of these old lots  
2 that are just odd lots and where the house is  
3 positioned that their rear yard was like the  
4 place where you really needed to give relief.  
5 Because if you are a neighbor or just someone  
6 driving by, you don't really care what you do  
7 with your rear yard so much as, you know, front  
8 yard, side and all that. So I thought it was  
9 great the changes you made there.

09:28PM 10 Building height, that was another  
11 area where we've got some of our oldest, most  
12 beautiful buildings, our houses, they are quite  
13 tall and we were so hung up on that for so long  
14 but did they have specific areas they were going  
15 to?

16 MR. MCGINNIS: I think part of it was,  
17 you know, the rear setback and I know that that  
18 was one of John's issues, they don't have that  
19 open floor plan and needs some room in their  
09:28PM 20 rear.

21 FAR came up as an issue. A lot of  
22 these houses already violate the height like you



1 talked about where we've got, you know, a lot of  
 2 these older farmhouse styles you're already  
 3 blowing height before you ever get started.  
 4 So the -- probably the comment that  
 5 resonated most, trying to remove as many  
 6 questions as possible, not that -- we are never  
 7 going to set up a system where you replace the  
 8 ZBA. Or you no longer need a ZBA. You are  
 9 always going to need the Zoning Board of Appeals  
 10 because you have that one up that we didn't  
 11 anticipate, especially with lot stock that looks  
 12 like what we have in Hinsdale, especially in  
 13 Robbins where the lots are so goofy, so  
 14 irregular. Removing as many questions, right,  
 15 on the front end, buying as many assurances as  
 16 you can before they go to contract we hope will  
 17 be enough. And like I said, this pallet, you  
 18 know, trying to expedite reviews, waiving permit  
 19 fees and in some cases this could be a 40,  
 20 \$50,000 renovation. That coupled with maybe  
 21 some of the relaxed bulk zoning regs will be  
 22 enough, we hope.

09:29PM

09:29PM

1 CHAIRMAN CASHMAN: I bet if, like, just  
 2 the language you put into the start of the ZBA,  
 3 I can't remember exactly where it is in here,  
 4 but just that little paragraph alone could have  
 5 changed the outcome of so many things in the  
 6 past. Because I always felt like they were kind  
 7 of handcuffed too, you know, worried about  
 8 precedence.  
 9 MR. MCGINNIS: And Julie's right. I  
 10 mean, they really struggle with that because you  
 11 have those standards and they're kind of black  
 12 and white and somebody shows up to, you know, to  
 13 try and follow and you put them immediately in a  
 14 difficult position. It's tough to get past that  
 15 not self-created standard.  
 16 CHAIRMAN CASHMAN: Right. Where if it  
 17 doesn't somehow these new proposed or relaxed  
 18 regulations, if it doesn't fit in there, I just  
 19 feel like the chance of getting a variation if  
 20 the intention is right and it makes sense  
 21 historically, I think the odds are going to go  
 22 up.

09:30PM

09:30PM

1 MR. MCGINNIS: I agree.  
 2 CHAIRMAN CASHMAN: Which I think is  
 3 cool.  
 4 Fantastic job. I'm really, really  
 5 impressed. This might be a template, I would  
 6 agree, for other communities that I'm sure are  
 7 struggling and how do you get at this.  
 8 Somebody recently mentioned some  
 9 community of historic area in California they  
 10 had something, not all this, like an overlay  
 11 district and they were struggling with and that  
 12 case was a much more mid-century modern attempt  
 13 and how do you preserve those and it was just  
 14 fascinating the things that they were talking  
 15 about. I'm like, wait, this is in this packet,  
 16 so kudos to you.  
 17 Any other questions or comments by  
 18 the group?  
 19 (No response.)  
 20 If not, I would love to get a  
 21 recommendation, a motion to approve Case  
 22 A-03-2022 for the map amendment, text amendment

09:31PM

09:31PM

1 to various sections of the zoning code and text  
 2 amendment to Title 14 of the village code to  
 3 establish a historic overlay district as  
 4 requested by the village of Hinsdale.  
 5 MS. CRNOVICH: So moved.  
 6 MS. CURRY: Second.  
 7 CHAIRMAN CASHMAN: May I have a roll  
 8 call vote, please, Bethany.  
 9 MS. SALMON: Commissioner Curry?  
 10 MS. CURRY: Aye.  
 11 MS. SALMON: Commissioner Crnovich?  
 12 MS. CRNOVICH: Aye.  
 13 MS. SALMON: Commissioner Willobee?  
 14 MR. WILLOBEE: Aye.  
 15 MS. SALMON: Commissioner Fisacone?  
 16 MS. FIASCONE: Aye.  
 17 MS. SALMON: Commissioner Moore?  
 18 MR. MOORE: Aye.  
 19 MS. SALMON: Chairman Cashman?  
 20 CHAIRMAN CASHMAN: Aye.  
 21 Can I have a motion to adjourn?  
 22 MS. CRNOVICH: So moved.

09:31PM



1 MS. FIASCONE: Second.

2 CHAIRMAN CASHMAN: All in favor?

3 (All aye.)

4 Again, you did a great job.

5 MS. CRNOVICH: Good job. You made this  
6 so easy.

7 (WHICH, were all of the  
8 proceedings had, evidence  
9 offered or received in the  
10 above entitled cause.)  
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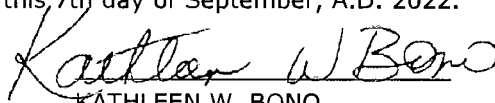
STATE OF ILLINOIS )

) ss:

COUNTY OF DU PAGE )

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

IN TESTIMONY WHEREOF I have  
hereunto set my hand and affix my electronic  
signature this 7th day of September, A.D. 2022.



KATHLEEN W. BONO

C.S.R. No. 84-1423

Notary Public, DuPage County



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STATE OF ILLINOIS       )  
COUNTY OF DUPAGE       ) SS  
COUNTY OF COOK        )

**CLERK'S CERTIFICATE**

I, Christine M. Bruton, Clerk of the Village of Hinsdale, in the Counties of DuPage and Cook, State of Illinois, do hereby certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CREATING A NEW PART II (HISTORIC OVERLAY DISTRICT (HOD)) IN ARTICLE VIII (OVERLAY DISTRICTS) OF THE HINSDALE ZONING CODE TO ESTABLISH A HISTORIC PRESERVATION OVERLAY DISTRICT, MAKING RELATED ZONING CODE CHANGES, AND AMENDING VARIOUS PROVISIONS OF TITLE 14 (HISTORIC PRESERVATION) OF THE VILLAGE CODE OF HINSDALE RELATIVE TO THE HISTORIC PRESERVATION OVERLAY DISTRICT**

which Ordinance was passed by the Board of Trustees of the Village of Hinsdale at a Regular Village Board Meeting on the \_\_\_\_ day of \_\_\_\_\_, 2022, at which meeting a quorum was present, and approved by the President of the Village of Hinsdale on the \_\_\_\_ day of \_\_\_\_\_, 2022.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Hinsdale was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Hinsdale, and that the result of said vote was as follows, to-wit:

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Hinsdale, this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Village Clerk

[SEAL]



VILLAGE OF HINSDALE

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF HINSDALE TO CREATE A NEW HISTORIC OVERLAY ZONING DISTRICT**

**WHEREAS**, an application to amend the Official Zoning Map of the Village of Hinsdale (the “Application”) by creating a Historic Overlay District (the “Proposed Historic Overlay District”) has been filed with the Village by the Village of Hinsdale (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 Village is an Illinois non-home rule municipality, having all of the powers and authority granted to such municipalities pursuant to law, including but not limited to authority to divide the Village into districts as deemed necessary by the Board of Trustees to carry out the purposes of Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.) relative to zoning within the Village; and

**WHEREAS**, the proposed Historic Overlay District and its associated regulations are intended to establish the boundaries of a District within which will be identified Historically Significant Structures. Property owners of Historically Significant Structures shall, pursuant to the associated regulations of the Historic Overlay District, be eligible, upon application, for certain incentives designed to encourage historic preservation and preserve the character of the community; and

**WHEREAS**, the boundaries of the proposed Historic Overlay District consist of the existing R-1 Single Family Residential Districts (R-1), R-2 Single Family Residential Districts (R-2), R-3 Single Family Residential Districts (R-3), R-4 Single Family Residential Districts (R-4), B-1 Community Business Districts (B-1), B-2 Central Business Districts (B-2), O-1 Specialty Office Districts (O-1), O-2 Limited Office Districts (O-2), IB Institutional Buildings Districts (IB), HS Health Services Districts (HS) and OS Open Space Districts (OS) of the Village of Hinsdale in their entirety. The existing zoning districts comprising the proposed Historic Overlay District, with the Proposed Historic Overlay District shown as an overlay, are shown on the map attached as part of **Group Exhibit A**, and are generally described in **Group Exhibit A** attached hereto and made a part hereof; and

**WHEREAS**, on August 10, 2022, 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 Historic Overlay District by a vote of six (6) in favor, zero (0) against and three (3) absent, all as set forth in the Plan Commission’s Findings and Recommendation for Plan Commission Case



No. A-03-2022 ("Findings and Recommendation"), 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 have duly considered the Findings and Recommendation of the Plan Commission and 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, 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 Historic Overlay District is 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 Historic Overlay District, and the Official Zoning Map of the Village of Hinsdale, DuPage and Cook Counties, Illinois, as amended, is further amended by creating a new Historic Overlay District concurrent with the existing boundaries of the R-1 Single Family Residential Districts (R-1), R-2 Single Family Residential Districts (R-2), R-3 Single Family Residential Districts (R-3), R-4 Single Family Residential Districts (R-4), B-1 Community Business Districts (B-1), B-2 Central Business Districts (B-2), O-1 Specialty Office Districts (O-1), O-2 Limited Office Districts (O-2), IB Institutional Buildings Districts (IB), HS Health Services Districts (HS), and OS Open Space Districts (OS), all as shown in **Group Exhibit A**.

**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 pamphlet form in the manner provided by law.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, and attested to by the Village Clerk this same day.

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

**ATTEST:**

\_\_\_\_\_  
Christine M. Bruton, Village Clerk



**GROUP EXHIBIT A**

**HINSDALE ZONING MAP WITH HISTORIC OVERLAY DISTRICT INDICATED AND  
GENERAL DESCRIPTION OF THE HISTORIC OVERLAY DISTRICT**

**(ATTACHED)**



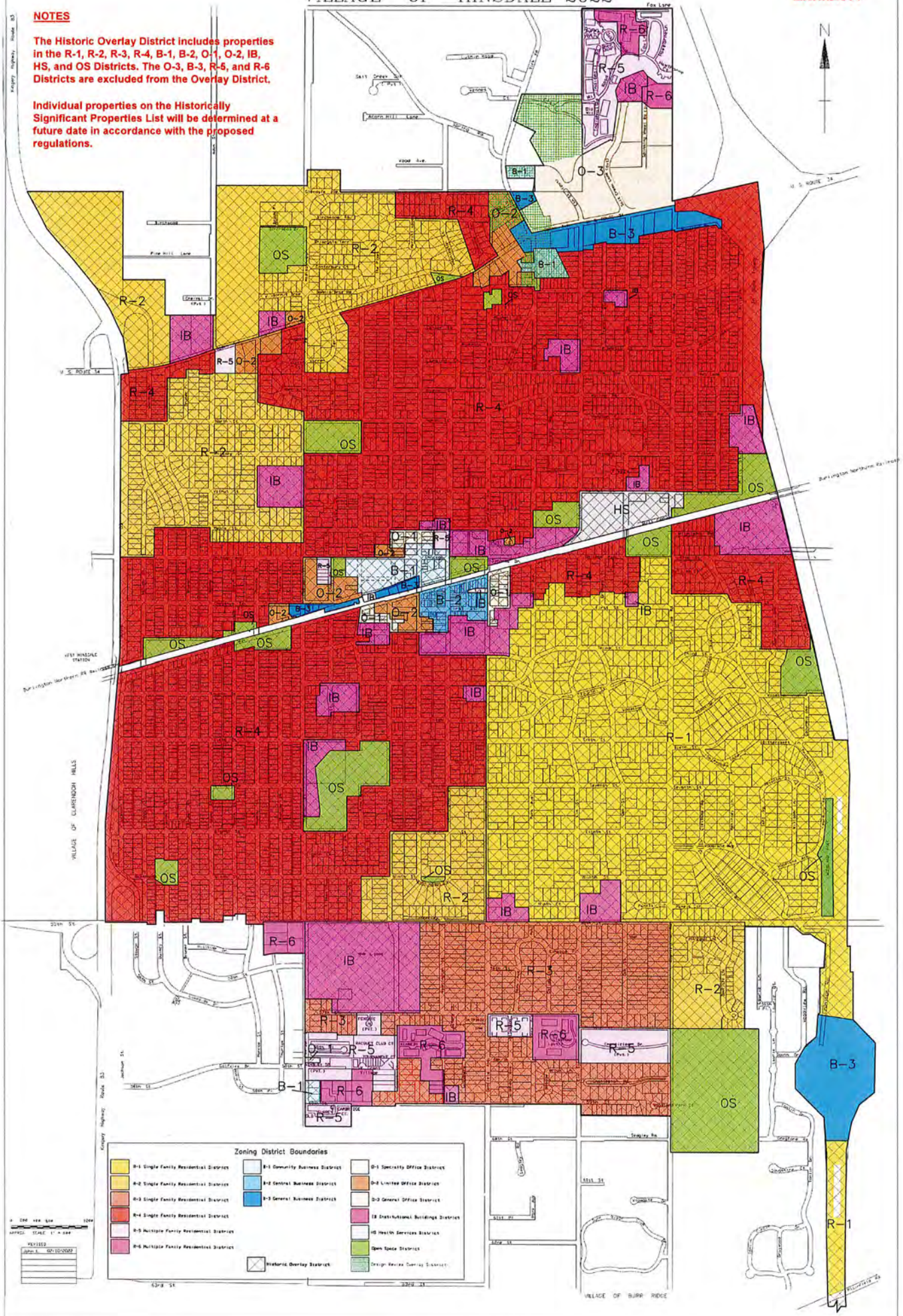
# VILLAGE OF HINSDALE 2022

Exhibit A

## NOTES

The Historic Overlay District includes properties in the R-1, R-2, R-3, R-4, B-1, B-2, O-1, O-2, IB, HS, and OS Districts. The O-3, B-3, R-5, and R-6 Districts are excluded from the Overlay District.

Individual properties on the Historically Significant Properties List will be determined at a future date in accordance with the proposed regulations.





## **GENERAL DESCRIPTION OF HISTORIC OVERLAY DISTRICT AND DESCRIPTION OF EXCLUDED AREAS**

The Historic Overlay Zoning District shall consist of ALL properties within the existing R-1 Single Family Residential Districts, R-2 Single Family Residential Districts, R-3 Single Family Residential Districts, R-4 Single Family Residential Districts, B-1 Community Business Districts, B-2 Central Business Districts, O-1 Specialty Office Districts, O-2 Limited Office Districts, IB Institutional Buildings Districts, HS Health Services Districts, and OS Open Space Districts, as shown on the proposed Zoning Map.

All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District (collectively, the "Excluded Areas") are EXCLUDED from the proposed Historic Overlay Zoning District, as described below and as shown on the proposed Zoning Map. The areas EXCLUDED from the Historic Overlay Zoning District in Cook County, Illinois and DuPage County, Illinois, are commonly described as follows:

- All properties in the area zoned B-3 General Business District abutting the south side of Ogden Avenue, between the west side of the Tri-State Tollway (Interstate 294) to the east side of York Road.
- The properties zoned B-3 General Business District at the northwest and southwest corners of Ogden Avenue and York Road.
- All of the properties within the area zoned B-3 General Business District, O-3 General Office District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District within the area between the east side of York Road and adjacent municipal corporate boundaries, the north side of Ogden Avenue, west of the Tri-State Tollway (Interstate 294) properties and municipal corporate boundaries, and south of the municipal corporate boundaries, with the exception of the property located at 21 Salt Creek Lane in the IB Institutional Buildings District and the property in the B-1 Community Business District abutting Ogden Avenue.
- The area zoned B-3 General Business District that encompasses the Tri-State Tollway (Interstate 294) Oasis located at the southeast corner of the Village.
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Chanticleer Lane to the north and south, located to the south of 57<sup>th</sup> Street, west of County Line Road, and east of Elm Street.
- All of the properties within the area zoned R-6 Multiple Family Residential District abutting Claymoor Road, south of 57<sup>th</sup> Street and west of Elm Street (300-360 Claymoor Road).
- All of the properties within the area zoned R-5 Multiple Family Residential District at the southeast corner of 57<sup>th</sup> Street and Garfield Street, and abutting Sutton



Place (5701-5745 S. Garfield; 5704-5736 Sutton Place; 5702-5746 S. Park Avenue).

- All of properties within the area zoned R-6 Multiple Family Residential District abutting Kennedy Lane to the north and south, located to the east of Grant Street, in addition to the properties on the west side of Washington Street including the addresses of 5824, 5830, and 5836 S. Washington Street, but not including properties zoned R-3 Single Family Residential District (5802 and 5808 S. Washington Street).
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Foxgate Lane, south of 57<sup>th</sup> Street (5701-5717 Foxgate Lane).
- All of the properties within the area zoned R-5 Multiple Family Residential District on the west side of Grant Street generally between 57<sup>th</sup> Street and 59<sup>th</sup> Street, including all properties abutting Racquet Club Court (200-213 Racquet Club Court), 5730 and 5740 S. Grant Street, all properties abutting West Grant Village (201-240 W. Grant Village), and 5810, 5820, 5828, and 5834 S. Grant Street, but not including any properties zoned R-3 Single Family Residential District.
- All of the properties within the area zoned R-6 Multiple Family Residential District, north of 59<sup>th</sup> Street, generally between Grant Street and Madison Street, including the addresses of 211-215 W. 59<sup>th</sup> Street, 301-315 W. 59<sup>th</sup> Street, but not including any properties zoned R-3 Single Family Residential District or B-1 Community Business District.
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Old Surrey Road to the north and south, south of 59<sup>th</sup> Street and east of Madison Street (433-498 Old Surrey Road).
- All of the properties within the area zoned R-5 Multiple Family Residential District east of Madison Street and generally between 57<sup>th</sup> Street and 59<sup>th</sup> Street, including the properties abutting Ashbury Drive to the north and south (402-441 Ashbury Drive), abutting 58<sup>th</sup> Place to the north and south (400-455 58<sup>th</sup> Place), and abutting Skipping Stone Lane to the north (409-433 Skipping Stone Lane), but not including the property located at 5757 S. Madison Street zoned O-1 Specialty Office District, the properties at the northeast corner of Madison Street and 59<sup>th</sup> Street zoned B-1 Community Business District, or the properties at the southeast corner of 57<sup>th</sup> Street and Madison Street zoned R-3 Single Family Residential District.
- All of the properties within the area zoned R-6 Multiple Family Residential District at the southwest corner of Madison Street and 55<sup>th</sup> Street (5500-5508 S. Madison Street).
- All of the properties within the area zoned B-3 General Business District abutting the south side of Chestnut Street, north of the Burlington Northern Santa Fe



Railroad Line, west of Lincoln Street, and east of Madison Street, including the property at the southwest corner of Madison Street and Chestnut Street, but not including the Village-owned commuter parking lot zoned IB Institutional Buildings District located at 130 Chestnut Street.

- All of the properties within the area zoned R-5 Multiple Family Residential District at the southwest corner of Chicago Avenue and Clay Street (2-28 S. Clay Street).
- The property within the area zoned R-5 Multiple Family Residential District at the southwest corner of Washington Street and Maple Street (10 N. Washington Street)
- The property within the area zoned R-5 Multiple Family Residential District abutting the south side of Ogden Avenue, on the east side of Adams Street (600 W. Ogden Avenue)



**EXHIBIT B**

**FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION**

**(ATTACHED)**



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

**APPLICATION:** Case A-03-2022 – Map Amendment and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay Zoning District and for Related Amendments

**APPLICANT:** Village of Hinsdale

**REQUEST:** Map Amendment and Text Amendments

**PLAN COMMISSION (PC) REVIEW:** August 10, 2022

**BOARD OF TRUSTEES 1<sup>ST</sup> READING:** September 6, 2022

**SUMMARY OF REQUEST:** The Village of Hinsdale submitted an application requesting approval of a Map Amendment to establish a Historic Overlay Zoning District and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments (collectively, the “Proposed Amendments”).

The proposed Map Amendment and Text Amendments to the Zoning Code and Village Code would allow the Village to offer various voluntary preservation incentives to owners of property on a Historically Significant Structures Property List within a designated Historic Overlay District. The intent of the Proposed Amendments is to encourage and assist property owners of historic or significant properties to pursue historic preservation projects over demolition and new construction. Individual historic properties will be identified for consideration on the Historically Significant Structures Property List in the future through a separate approval process.

A draft Zoning Map showing the proposed boundaries of the Historic Overlay District is included with the other application materials as part of **Exhibit 1**. The Historic Overlay Zoning District as proposed shall consist of all properties within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District, as shown on the proposed Zoning Map. All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District are not included in the proposed Historic Overlay Zoning District, as shown on the proposed Zoning Map.

The current underlying zoning district classifications and related zoning regulations for each of the real properties within the boundaries of the proposed Historic Overlay Zoning District shall remain in place and shall continue to apply to each property following the establishment of the District.

Properties within the boundaries of the Historic Overlay Zoning District, once established, and that are subsequently deemed to host Historically Significant Structures, may be added to a Historically Significant Structures Property List and will then become eligible to apply, on a voluntary basis, for certain historic preservation incentives provided by the Village and established through the proposed Text Amendments.



Properties located within the boundaries of the Historic Overlay Zoning District once established will not, however, automatically be included on the Historically Significant Structures Property List to be established at a later time. The Historic Preservation Commission will be tasked with creating an Initial List of properties for consideration on the Historically Significant Structures Property List and establishing a list in accordance with the proposed process listed in Section 14-7-3 of the Village Code within 6 months following the adoption of the Historic Overlay District by the Village Board.

Properties included on the Historically Significant Structures Property List may be eligible for the following voluntary preservation incentives, subject to approval of a Preservation Incentive Certificate and in accordance with the approval process listed in Section 14-7-5 of the Village Code:

1. Fee Waivers – Provisions are added that allow the waiving of Village fees for building permits, applications for landmark or historic district designation, Certificate of Appropriateness applications, and other planning / zoning applications that may be tied to exterior work.
2. Expedited Processes – Expedited processing of building permits and applications for landmark designation, historic district designation, and other zoning approvals is proposed.
3. Property Tax Rebate – Property owners would be eligible to receive a rebate for the Village portion of their property tax bill in exchange for substantial exterior alterations, rehabilitation, or restoration work over a maximum five (5) year period. To be considered for this incentive, a minimum investment of \$50,000 would be required on eligible exterior improvements, which could include costs for construction and for architectural, planning, engineering, design, and historic preservation services.
4. Historic Preservation Fund Matching Grants – The Village Board would be able to approve funding for 50% of eligible project costs, up to a maximum of \$10,000 per project provided by the Village, with a minimum investment of \$20,000 required by the applicant.
5. Alternative Bulk Zoning Regulations – Properties on the Historically Significant Structures Property List and located in the R-1, R-2, R-3, and R-4 Single Family Residential Districts may be eligible for alternative zoning regulations. The proposed set of bulk regulations are intended to better align existing non-conforming historic buildings with Village code requirements and provide additional zoning flexibility to homeowners looking to construct a building addition on to a historic home or complete other exterior improvements.

A Preservation Incentive Certificate must be submitted to the Village prior to the start of any project utilizing an Incentive. The Historic Preservation Commission would be responsible for reviewing all applications to ensure that proposed work is consistent with, or compatible with, the historical nature of the structure and meets *The Secretary of the Interior's Standards for Rehabilitation*.

Applications requesting a fee waiver and/or the use of alternative zoning regulations would be reviewed and approved by the Historic Preservation Commission only. Applications requesting grant funding or a property tax rebate will require a recommendation by the Historic Preservation Commission and final approval by the Village Board.

Program funding will be determined by the Village Board during the annual budget cycle process.

In the event additional zoning relief is needed beyond the alternative bulk zoning regulations, a text amendment is also proposed to Zoning Code Section 11-503(F) to add language to the variation standards that could be used to support variation cases where historic preservation efforts are made to a local landmark or property on the Historically Significant Structures Property List. Projects would still be judged on a case by case basis in accordance with the required variation process. Language is also proposed to Zoning Code Section 3-110 – Bulk Regulations for the Single-Family Residential Districts & Section 10-104 – Nonconforming Precode Structures to add cross-references for the Historically Significant Structures Property List proposed in Article VIII and Title 14.



**PUBLIC HEARING SUMMARY:** A public hearing for the submitted applications was held on Wednesday, August 10, 2022, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in *The Hinsdalean* on July 22, 2022. A copy of the published notice is attached hereto as **Exhibit 2** and made a part hereof.

At the duly and properly noticed public hearing, Bethany Salmon, Village Planner, and Michael Marrs, the Village attorney, provided a presentation to the Plan Commission on the proposed Map Amendment and Text Amendments. Robert McGinnis, the Community Development Director and Building Official was also present at the meeting. Two representatives of the Historic Preservation Commission, Chairman John Bohnen and Commissioner Jim Prisby, were also in attendance.

During and following the presentation, the Plan Commission members asked staff questions and provided feedback on the project.

Commissioner Willobee recommended that the Village publicize the program out to the community and educate homeowners on the positive aspects of the historic preservation incentives before the Village sends out initial notifications to property owners informing them that their home has been nominated to be included on the Historically Significant Structures Property List. Staff stated that the program was designed to be voluntary, meaning if any homeowners were opposed to being included on the List, the Village would not pursue adding the house to the List. Staff has had discussions that if these amendments are approved, an effort would be made to publicize the program through the local newspaper, contacting real estate agents, and through other means.

Commissioner Fiascone stated that a Notice recorded against the title of each property approved for inclusion on the Historically Significant Property List to help make future property owners aware of the availability of preservation incentives could create concern if members of the community do not understand the program.

Ms. Salmon and Mr. Marrs confirmed that the intent is to highly publicize the program and inform the community that the program is voluntary and of the benefits its can provide. Mr. Marrs also commented that staff envisions holding several different public hearings where smaller lists of properties to be included on the Historically Significant Property List are brought forward for review at separate times. Staff has received inquiries from several owners of historic properties interested in the program and those would be prioritized. Chairman Cashman commented that in initial talks with staff, the intent was to create a list that people want to be listed on.

Commissioner Fiascone noted that there was language proposed that would allow for private donations and funding into the Historic Preservation Fund. Commissioner Fiascone asked if someone would be allowed to donate private funds and those funds could then be used toward a specific project. The example was given if a house was to be demolished and a group wanted to fundraise to save the home or complete a project for a specific property, particularly if there was no Village money in the Fund. Mr. Marrs responded that if private money donated to be Village had conditions placed on them, the Village would have to be accept those conditions. Mr. Marrs preliminarily stated that this scenario appears to be possible.

When discussing the alternative zoning regulations, Commissioner Crnovich asked if front porches would be impacted by the proposed regulations for front setbacks. Ms. Salmon stated that there is existing code language in the footnotes for the bulk regulations for the single-family zoning districts, included in Exhibit 4 of the Plan Commission packet, that would allow for certain structures and uses in required yards. Ms. Salmon noted that staff would confirm that there would be no issues for replacing front porches in the future. There was a brief discussion on several homes that required approval by the ZBA to replace the front porch.



Commissioner Crnovich asked for clarification on precode structures. Ms. Salmon confirmed the Zoning Code was adopted in 1989 that the definition for precode structures states these are structures constructed in 1988 or earlier.

When discussing the proposed regulations for required interior side yard setbacks, Commissioner Crnovich asked if a house has an existing setback that is less than the required proposed setback, what would be required. Ms. Salmon confirmed that the minimum setback in the code would be required. A building would not be allowed to encroach past the code required setback even if it already extends into the required setback area. There was a brief discussion on the current code requirements where side yards are balanced based on a calculation, which is not required under the proposed regulations.

When discussing additional language proposed to include in the variation standards, Mr. Marrs commented that the new language added to the variation standards gave explicit consideration for historic structures. Commissioner Crnovich added that this language could be useful in cases where there are arguments that the variation is self-created.

Commissioner Fiascone asked for clarification on if improvements eligible were all exterior. Ms. Salmon confirmed that the current incentives could only be used for exterior improvements and the reason for this is to make sure Village funds are not used toward expensive interior remodeling projects and because preservation largely deals with the exterior of buildings. Any interior work will not be submitted for review. This is the same process for any landmark structure, where only the exterior will be reviewed.

Commissioner Moore asked if these incentives are enough to prevent demolitions and if the Village needs to go further in what they are proposing. Ms. Salmon stated staff has asked the same questions. It is unknown right now if these regulations go far enough, but staff will continue to reassess as the program is implemented.

Commissioner Moore stated that the point brought up previously by Commissioner Fiascone regarding the use of private funds donated to the Historic Preservation Fund for specific projects was incredibly important in relation to the tax ramifications for someone donating money.

Commissioner Fiascone stated her questions have been answered and asked if the amounts would be enough, especially with rising construction costs over time.

Commissioner Willobee noted that staff looked at other programs in other towns and what the uptake of those programs was. Commissioner Willobee then asked if staff circled back with the architects and builders after the initial Zoom meeting was held with them to gain feedback or concerns on the proposed amendments. Mr. McGinnis stated there has been ongoing engagement. Ms. Salmon stated there is still a lot of publicizing to do to make sure that real estate agents, builders, and homeowners are aware of the program and incentives available.

Commissioner Moore asked if staff is going to put together examples for certain homes on how these preservation incentives and alternative zoning regulations could benefit a property. Staff confirmed that examples have been provided for several different homes already, like in the case of 420 S. Park Avenue that was previously being considered for demolition. Staff is always willing to help people figure out how to save a home and how to interpret the Zoning Code.

Commissioner Crnovich thanked staff, the Historic Preservation Commission and the Trustees for meeting so many times to discuss the proposed regulations and stated the regulations are positive.

Commissioner Crnovich asked how many homes have been demolished in Hinsdale. Ms. McGinnis estimated that about a third of the houses have been demolished over a 25-30 year span. The peak of demolitions have been about 120 a year and this number has fallen since.



Commissioner Crnovich stated that the first Village meeting she attended many years ago was for a proposed moratorium on demolitions. She noted it was not a pleasant meeting and wished that something like the proposed programs were in place back then. She noted support for the proposed incentives and stated it has been made simple for average residents to be able to understand, unlike some of the current code regulations.

Commissioner Crnovich asked what other communities have something similar to this. Ms. Salmon confirmed that a previous Committee of the Whole meeting discussed other historic overlay districts and other incentives offered in communities to historic properties. The proposed program and regulations have used a unique approach to be tailored to Hinsdale. Mr. Marrs then commented that there was not a perfect template to copy from other communities but they used other ideas to create the proposed regulations piece by piece. If this is successful, this program could be used in other communities.

Commissioner Crnovich noted demolition by neglect was discussed at past Committee of the Whole meetings and asked if any regulations were considered as part of this amendment. Ms. Salmon stated they originally included provisions for demolition by neglect but this was separated out to focus on voluntary incentives. Discussions are planned in the future on other changes to Title 14 of the Village Code. Commissioner Crnovich stated the code could be stricter for cases on demolition by neglect.

Commissioner Curry stated it is evident that many hours were put into the proposed program and noted that education and marking will be paramount in this case to get the word out to the community. Commissioner Curry expressed support for the proposed amendments.

Chairman Cashman expressed support for the proposed changes and noted this was a cooperative effort between the Village and the Historic Preservation Commission. Chairman Cashman stated the regulations appear to be based on common sense and supported that alternative zoning regulations would encourage flexibility for additions in the rear yard and building height. Mr. McGinnis briefly discussed areas where historic homes have been challenged by current bulk regulations. Mr. McGinnis stated the Village is always going to need the Zoning Board of Appeals for assessing variations for unique situations, but the proposed regulations are attempting to removing as many questions as possible on the front end and help offer as many incentives together to encourage preservation.

Chairman Cashman stated that the proposed language for variations could have helped several cases in the past, particularly in reference to creating precedent and meeting all of the other standards.

All persons testifying during the public hearing were sworn in prior to giving testimony. No members of the public spoke at the public hearing. There being no further questions or members of the public wishing to speak on the application, the public hearing was closed.

A transcript of the public hearing is attached hereto as **Exhibit 3** and made a part hereof.

**MOTIONS AND RECOMMENDATIONS:** On August 10, 2022, a motion was made by Commissioner Crnovich, seconded by Commissioner Curry, to recommend approval of Case A-03-2022, a Map Amendment and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, as submitted. The motion carried by the roll call vote of six (6) ayes and zero (0) nays, with three (3) absent, as follows:

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



**FINDINGS ON THE PROPOSED MAP AND TEXT AMENDMENTS:** The Plan Commission, based upon the evidence presented at the public hearing, and pursuant to Section 11-601(E) of the Hinsdale Zoning Code, made the following Findings as to the Proposed Map and Text Amendments:

**STANDARDS FOR APPROVING A MAP AND TEXT AMENDMENTS:** Section 11-601(E) of the Zoning Code provides that the wisdom of amending the zoning map or 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, certain factors:

1. The consistency of the proposed amendment with the purposes of this code.
2. The existing uses and zoning classifications for properties in the vicinity of the subject property.
3. The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.
4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it.
5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare.
6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.
8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.
9. The suitability of the subject property for uses permitted or permissible under its present zoning classification.
10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.
11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under its present zoning classification.
12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
13. The community need for the proposed amendment and for the uses and development it would allow.
14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area.

**MAP AND TEXT AMENDMENT FINDINGS:** The Plan Commission found that a Map Amendment to the Village's Official Zoning Map to establish a Historic Overlay Zoning District, and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, are generally consistent with the purposes of the Zoning Code.



The proposed Map Amendment, alongside the concurrent Text Amendments to the Village Code and Zoning Code, would create a Historic Overlay District and associated regulations that allow the Village to offer a suite of incentives to identified historically significant properties throughout Hinsdale to encourage historic preservation and preserve the character of the community.

The Historic Overlay Zoning District as proposed shall consist of all properties within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District. The selected districts are comprised of a mix of land uses, including single-family detached homes, commercial, office, institutional, attached residential, and government uses. Of note, over the past decades, there has been a trend of redevelopment that has resulted in the demolition of a number of historic single-family homes.

All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District are excluded from the proposed Historic Overlay Zoning District due to a lack of known historically significant properties.

The current underlying zoning district classifications and related zoning regulations for each of the properties within the boundaries of the proposed Historic Overlay Zoning District shall remain in place and shall continue to apply to each property following the establishment of the District, except as modified in specific instances, such as where the owner of a property on the Historically Significant Structures Property List seeks to utilize the alternative bulk zoning standards.

Properties located within the boundaries of the Historic Overlay Zoning District once established will not automatically be included on the Historically Significant Structures Property List. Within 6 months year following the adoption of the Historic Overlay District by the Village, the Historic Preservation Commission will be tasked with creating an Initial List of properties for consideration on the Historically Significant Structures Property List and establishing a list in accordance with the proposed process listed in Section 14-7-3 of the Village Code. Properties on the Historically Significant Structures Property List will then become eligible to apply, on a voluntary basis, for historic preservation incentives provided by the Village.

There are no known diminishing impacts to properties in the Historic Overlay District. The incentives offered are voluntary in nature only. Properties on the Historically Significant Structures Property List, to be determined in the future by the Historic Preservation Commission in accordance with the proposed regulations, may financially gain from preservation incentives. The intent is to help encourage property owners to pursue historic preservation efforts instead of demolition on a voluntary basis in the Village.

The proposed amendments intend to promote public health, safety, and welfare in the community and are not anticipated to impact the use, enjoyment, or value of adjacent properties that would be affected by the proposed amendment. Properties on the Historically Significant Structures Property List, to be determined, and in the R-1, R-2, R-3, and R-4 Districts may be able to take advantage of alternative zoning regulations. The underlying bulk regulations and uses in the base zoning districts will otherwise remain in effect. The proposed amendments are not expected to impact the future orderly development of adjacent properties. The amendments are anticipated to promote the preservation and rehabilitation of historic properties located in in the Village.

There are no proposed changes to the permitted land uses for properties located in the Historic Overlay District. The underlying zoning district regulations will remain in effect.



There are no known impacts to ingress and egress, traffic conditions, utilities and essential public services as a result of the proposed amendments. The vacant status of a property does not apply to the proposed amendments.

In relation to community need, the Village intends to offer voluntary incentives to encourage and assist property owners of historic or significant properties to pursue historic preservation over demolition and new construction. The Overlay District is intended to help further protect historic buildings threatened by demolition.

The properties located within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District were chosen for included in the Historic Overlay District because there are known historic buildings within each of these zoning districts.

Following the creation of the Historic Overlay District, a Historically Significant Structures Property List will be created in accordance with the proposed review process included in the draft code language. These properties will be identified as important to the Village and worthy of preserving. Property owners may be able to utilize a suite of preservation incentives to assist with building addition or renovation projects or other preservation efforts. The specific properties included on the Historically Significant Structures Property List may be eligible for voluntary preservation incentives. Incentives are voluntary in nature only.

**RECOMMENDATION:** Based on the findings set forth above, the Village of Hinsdale Plan Commission, by a vote of six (6) ayes and zero (0) nays, with three (3) absent, recommend approval of Case A-03-2022, a Map Amendment and Text Amendments to Article 8, Section 11-503, Section 3-110, and Section 10-104 of the Hinsdale Zoning Ordinance and to Chapters 1, 2, 6, and 7 of Title 14 of the Village Code to Establish a Historic Overlay District and for Related Amendments, as submitted.

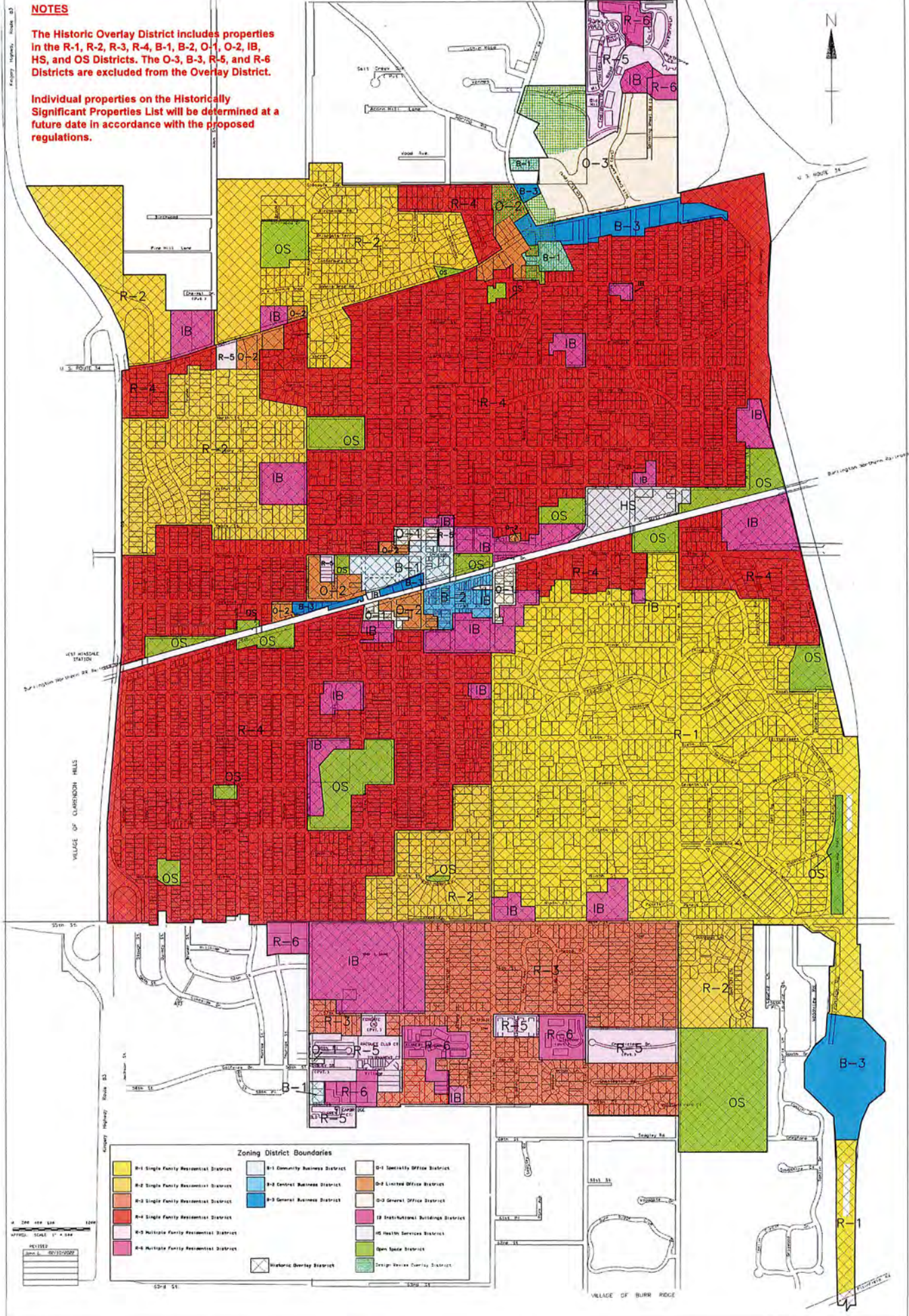
Signed: Stephen J. Cashman  
Steve Cashman, Chair  
Plan Commission  
Village of Hinsdale

Date: 09/14/22



### Exhibit 1

Individual properties on the Historically Significant Properties List will be determined at a future date in accordance with the proposed regulations.





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

**PUBLIC NOTICE IS HEREBY GIVEN** to all persons that the Village of Hinsdale Plan Commission shall conduct a public hearing on Wednesday, August 10, 2022 at 7:30 p.m. in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois for the purpose of considering an application from the Village of Hinsdale for Text Amendments to the Hinsdale Zoning Ordinance and to the Hinsdale Village Code, and a Map Amendment to the Village's Official Zoning Map, all for the purpose of establishing a Historic Overlay Zoning District. The Village's Official Zoning Map will be amended to establish the boundaries of the Historic Overlay Zoning District. Text Amendments to Chapters 1, 2, 6, and 7 of Title 14 of the Hinsdale Village Code and to Article 8 (Overlay Districts), Section 11-503(F) (Standards for Variations), Section 3-110 (Bulk, Space, And Yard Requirements in the Single-Family Residential Districts, and Section 10-104 (Nonconformities – Precode Structures) of the Hinsdale Zoning Ordinance are proposed in order to establish the Historic Overlay Zoning District and to make related code amendments. The current underlying zoning district classifications and related zoning regulations for each of the real properties within the boundaries of the proposed Historic Overlay Zoning District shall remain in place and shall continue to apply to each property following the establishment of the District. Properties within the boundaries of the Historic Overlay Zoning District, once established, and that are subsequently deemed to host Historically Significant Structures, may be added to a Historically Significant Structures Property List and will then become eligible to apply, on a voluntary basis, for certain historic preservation incentives provided by the Village and established through the Text Amendments. Those voluntary incentives include, but are not limited to, certain financial incentives and the use of certain relaxed bulk zoning standards. Properties located within the boundaries of the Historic Overlay Zoning District once established will NOT, however, automatically be included on the Historically Significant Structures Property List to be established at a later time.

The Historic Overlay Zoning District as proposed shall consist of ALL properties within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-4 Single Family Residential District, B-1 Community Business District, B-2 Central Business District, O-1 Specialty Office District, O-2 Limited Office District, IB Institutional Buildings District, HS Health Services District, and OS Open Space District, as shown on the proposed Zoning Map.

All properties located in the O-3 General Office District, B-3 General Business District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District (collectively, the "Excluded Areas") are NOT INCLUDED in the proposed Historic Overlay Zoning District, as described below and as shown on the proposed Zoning Map. The Excluded Areas NOT proposed for inclusion within the Historic Overlay Zoning District in Cook County, Illinois and DuPage County, Illinois, are commonly described as follows:

- All properties in the area zoned B-3 General Business District abutting the south side of Ogden Avenue, between the west side of the Tri-State Tollway (Interstate 294) to the east side of York Road.
- The properties zoned B-3 General Business District at the northwest and southwest corners of Ogden Avenue and York Road.
- All of the properties within the area zoned B-3 General Business District, O-3 General Office District, R-5 Multiple Family Residential District, and R-6 Multiple Family Residential District within the area between the east side of York Road and the north adjacent municipal corporate boundaries, the north side of Ogden Avenue, west of the Tri-State



Tollway (Interstate 294) properties and municipal corporate boundaries, and south of the northernmost municipal corporate boundaries, with the exception of the property located at 21 Salt Creek Lane in the IB Institutional Buildings District and the property in the B-1 Community Business District abutting Ogden Avenue.

- The area zoned B-3 General Business District that encompasses the Tri-State Tollway (Interstate 294) Hinsdale Oasis located at the southeast corner of the Village.
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Chanticleer Lane to the north and to the south, located to the south of 57<sup>th</sup> Street, west of County Line Road, and east of Elm Street (100-1405 Chanticleer Lane)
- All of the properties within the area zoned R-6 Multiple Family Residential District abutting Claymoor Road, south of 57<sup>th</sup> Street and west of Elm Street (300-360 Claymoor Road).
- All of the properties within the area zoned R-5 Multiple Family Residential District at the southeast corner of 57<sup>th</sup> Street and Garfield Street, and abutting Sutton Place (5701-5745 S. Garfield; 5704-5736 Sutton Place; 5702-5746 S. Park Avenue).
- All of properties within the area zoned R-6 Multiple Family Residential District abutting Kennedy Lane to the north and south, located to the east of Grant Street, in addition to the properties on the west side of Washington Street including the addresses of 5824, 5830, and 5836 S. Washington Street, but not including the properties zoned R-3 Single Family Residential District (5802 and 5808 S. Washington Street).
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Foxgate Lane, south of 57<sup>th</sup> Street (5701-5717 Foxgate Lane).
- All of the properties within the area zoned R-5 Multiple Family Residential District on the west side of Grant Street generally between 57<sup>th</sup> Street and 59<sup>th</sup> Street, including all properties abutting Racquet Club Court (200-213 Racquet Club Court), 5730 and 5740 S. Grant Street, all properties abutting West Grant Village (201-240 W. Grant Village), and 5810, 5820, 5828, and 5834 S. Grant Street, but not including any properties zoned R-3 Single Family Residential District.
- All of the properties within the area zoned R-6 Multiple Family Residential District, north of 59<sup>th</sup> Street, generally between Grant Street and Madison Street, including the addresses of 211-215 W. 59<sup>th</sup> Street, 301-315 W. 59<sup>th</sup> Street, but not including any properties zoned R-3 Single Family Residential District or B-1 Community Business District.
- All of the properties within the area zoned R-5 Multiple Family Residential District abutting Old Surrey Road to the north and south, south of 59<sup>th</sup> Street and east of Madison Street (433-498 Old Surrey Road).
- All of the properties within the area zoned R-5 Multiple Family Residential District east of Madison Street and generally between 57<sup>th</sup> Street and 59<sup>th</sup> Street, including the properties abutting Ashbury Drive to the north and south (402-441 Ashbury Drive), abutting 58<sup>th</sup> Place to the north and south (400-455 58<sup>th</sup> Place), and abutting Skipping Stone Lane to the north (409-433 Skipping Stone Lane), but not including the property located at 5757 S. Madison Street zoned O-1 Specialty Office District, the properties at the northeast corner of Madison Street and 59<sup>th</sup> Street zoned B-1 Community Business District, or the properties at the southeast corner of 57<sup>th</sup> Street and Madison Street zoned R-3 Single Family Residential District.
- All of the properties within the area zoned R-6 Multiple Family Residential District at the southwest corner of Madison Street and 55<sup>th</sup> Street (5500-5508 S. Madison Street).
- All of the properties within the area zoned B-3 General Business District abutting the south side of Chestnut Street, north of the Burlington Northern Santa Fe Railroad Line, west of Lincoln Street, and east of Madison Street, including the property at the southwest corner



of Madison Street and Chestnut Street, but not including the Village-owned commuter parking lot zoned IB Institutional Buildings District located at 130 Chestnut Street.

- All of the properties within the area zoned R-5 Multiple Family Residential District at the southwest corner of Chicago Avenue and Clay Street (2-28 S. Clay Street).
- The property within the area zoned R-5 Multiple Family Residential District at the southwest corner of Washington Street and Maple Street (10 N. Washington Street).
- The property within the area zoned R-5 Multiple Family Residential District abutting the south side of Ogden Avenue, on the east side of Adams Street (600 W. Ogden Avenue).

All properties within the Village other than those Excluded Areas described on the list above are proposed for inclusion within the Historic Overlay Zoning District. A map showing all real properties proposed for inclusion within the proposed Historic Overlay Zoning District pursuant to the proposed Map Amendment, copies of the proposed Text Amendments, and copies of other documents relating to the proposed request are on file and available for public inspection during regular Village business hours in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois. Please email Village Clerk Christine Bruton at [cbruton@villageofhinsdale.org](mailto:cbruton@villageofhinsdale.org) for additional information. This request is known as Case A-03-2022.

All interested persons are invited to attend the public hearing and will be given the opportunity to be heard. At said public hearing, the Plan Commission shall accept all testimony and evidence pertaining to the said application. In addition, objections and other comments, if any, relating to the proposed Text Amendment and Map Amendment may be made in writing and filed with the Village Clerk prior to 4:00 p.m. on the day of the public hearing. Emailed comments may be sent to Village Clerk Christine Bruton at [cbruton@villageofhinsdale.org](mailto:cbruton@villageofhinsdale.org). Please use the subject line "Public Comment – Historic Overlay Zoning District Map and Text Amendments" when sending your email. Written comments may be submitted to the attention of the Village Clerk at 19 E. Chicago Avenue, Hinsdale, Illinois 60521. The proposed Text Amendments and Map Amendments may be added to, revised, altered, or eliminated as a result of the public hearing and prior to final action by the Village Board of Trustees of the Village of Hinsdale. The public hearing may be continued from time to time without further notice, except as otherwise required under the Illinois Open Meetings Act.

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this hearing and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Brad Bloom, ADA Coordinator at 630-789-7007 or by TDD at 630-789-7022 promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Dated: July 18, 2022

Christine M. Bruton, Village Clerk

To be published in the Hinsdalean on July 21, 2022



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

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:                 )  
                                      )  
                                      )  
Map Amendment and Text         )  
Amendment to Title 14         )  
of the Village Code             )  
Case No. A-03-2022.            )

REPORT OF PROCEEDINGS had and testimony  
taken at the hearing of the above-entitled  
matter, before the Hinsdale Plan Commission, at  
19 East Chicago Avenue, Hinsdale, Illinois, on  
August 10, 2022, at the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;  
MR. MARK WILLOBEE, Member;  
MR. SCOTT MOORE, Member;  
MS. CYNTHIA CURRY, Member;  
MS. ANNA FIASCONE, Member and  
MS. JULIE CRNOVICH, Member.



<p style="text-align: right;">2</p> <p>1 ALSO PRESENT:</p> <p>2 MS. BETHANY SALMON, Village Planner;</p> <p>3 MR. ROBERT MCGINNIS, Director of</p> <p>4 Community Development;</p> <p>5 MR. MICHAEL MARRS, Village Attorney;</p> <p>6 MR. JOHN BOHNEN, Chairman HPC;</p> <p>7 MR. JIM PRISBY, Member HPC.</p> <hr/> <p>8 CHAIRMAN CASHMAN: Our next order of</p> <p>9 business is a Public Hearing for Case A-03-2022,</p> <p>10 a map amendment and text amendment to various</p> <p>11 sections of the zoning code and text amendment</p> <p>12 to Title 14 of the village code to establish a</p> <p>13 historic overlay district and for related</p> <p>14 amendments. This is requested by our dear</p> <p>15 village of Hinsdale.</p> <p>16 First, a couple openings and then</p> <p>17 I'm going to let Bethany and the team chime in</p> <p>18 on this. I hope you watched a lot of those</p> <p>19 committee of the whole meetings.</p> <p>20 MS. CRNOVICH: Every single one.</p> <p>21 CHAIRMAN CASHMAN: Every single one.</p> <p>22 It was great to watch the evolution</p>	<p style="text-align: right;">4</p> <p>1 the trustees did and the HPC and the village and</p> <p>2 I look forward to hearing you and we have a full</p> <p>3 house.</p> <p>4 We are going to cut this meeting</p> <p>5 off at 10:30 regardless of what's going on so we</p> <p>6 will see how it goes. But thank you very much.</p> <p>7 It's amazing what you put together.</p> <p>8 So with that, I'll let Bethany give</p> <p>9 an overview. We need to swear everybody in.</p> <p>10 MS. SALMON: Just us two.</p> <p>11 MR. MARRS: Yes.</p> <p>12 (WHEREUPON, Mr. Marrs and</p> <p>13 Ms. Salmon were</p> <p>14 administered the oath.)</p> <p>15 MS. SALMON: Thank you, Chairman</p> <p>16 Cashman, that was a great introduction. Because</p> <p>17 of the amount of material we are going through</p> <p>18 today and the format and the open house that we</p> <p>19 have, packed house that we have here, feel free</p> <p>20 to interject and ask questions along the way</p> <p>21 because it is quite a long presentation compared</p> <p>22 to what we normally get here.</p>
<p style="text-align: right;">3</p> <p>1 of the concept and I really appreciate the joint</p> <p>2 effort by the HPC, the village, Robb, Michael,</p> <p>3 Bethany. I mean the hours. I can't even</p> <p>4 imagine the hours and how thoughtful the -- you</p> <p>5 put together and how thorough. I mean, there's</p> <p>6 an awful lot of information in here. I mean,</p> <p>7 this is probably one of our larger packets that</p> <p>8 we get from here but it's extremely well done.</p> <p>9 I talked with Bethany, she's going</p> <p>10 to give, like, an overview. I think she put a</p> <p>11 power point together. She did some great power</p> <p>12 points for the HPC and for the village board.</p> <p>13 So it was just nice to see that.</p> <p>14 When was the first meeting? I</p> <p>15 think it says in here.</p> <p>16 MS. SALMON: You have a slide with that</p> <p>17 information.</p> <p>18 CHAIRMAN CASHMAN: May 4. So it was</p> <p>19 quite the undertaking, more than a year, and I'd</p> <p>20 say it actually began before that, there seemed</p> <p>21 to be a lot of discussion and thoughts before</p> <p>22 even that meeting and I really appreciate what</p>	<p style="text-align: right;">5</p> <p>1 So the intent of what we are</p> <p>2 talking about today is putting regulations</p> <p>3 together that's going to help incentivize</p> <p>4 preservation in Hinsdale. Obviously this has</p> <p>5 been a decades long concern that's come up over</p> <p>6 and over and so in the past year-and-a-half we</p> <p>7 spent quite a bit of time focusing on this.</p> <p>8 So before I go into actually what</p> <p>9 was included in your packet as proposed</p> <p>10 regulations, I'm just going to kind of give you</p> <p>11 an overview of the journey of how we got here</p> <p>12 today.</p> <p>13 So we have been spending the past</p> <p>14 year-and-a-half doing what ended up in this</p> <p>15 packet. And that included eight committee of</p> <p>16 the whole meetings where we had members of the</p> <p>17 Historic Preservation Commission, two of which</p> <p>18 are here today, and members of the Village Board</p> <p>19 before prior board meetings. So that took about</p> <p>20 a year to do that.</p> <p>21 And then as part of that, in May of</p> <p>22 2021, so last year, we also had a great Zoom</p>



1 meeting with several builders and architects in  
 2 the village of Hinsdale. We tried to kind of  
 3 figure out what realistically they thought was  
 4 pushing homeowners to demolish homes instead of  
 5 preserving them and go through these renovation,  
 6 projects or build additions onto historic homes  
 7 and gain some realistic feedback on what might  
 8 move that needle forward to push people towards  
 9 preservation.

08:28PM

10 So I know there's a lot of  
 11 information on this slide, but I'm going to  
 12 quickly go over it because I think it's  
 13 important and you will see how some of these  
 14 kind of tie in down the road of how we got to  
 15 these regulations.

16 So one of the biggest items of  
 17 feedback that we heard is that our existing  
 18 zoning code regulations are really limiting in  
 19 terms of helping people build an addition onto a  
 20 home and modernize a house.

08:28PM

21 We will kind of go into that a  
 22 little bit further when we get to these

1 alternative zoning regulations and why that is,  
 2 but a lot of the time people are kind of being  
 3 forced to go through this variation process  
 4 because they can't get certain things by right,  
 5 just by the nonconforming nature of our code.

6 So it was recommended that because  
 7 there's some challenges with the variation  
 8 process and all of the steps that that entailed,  
 9 that whatever the village looked to approving  
 10 down the road, it was recommended that we maybe  
 11 look at an easy streamlined process and limiting  
 12 the number of hurdles that a homeowner might  
 13 have to go through moving forward.

08:29PM

14 We also heard that the variation  
 15 process in general is a really scary process.  
 16 People don't want to invest all the time, money,  
 17 and energy into something that they might get  
 18 objections from or that might not end up getting  
 19 approval.

08:29PM

20 So one of the major things that  
 21 came out of this was because of all those  
 22 issues, zoning relief by right or some sort of

1 alternative regulations for historic homes may  
 2 just help people be able to move their projects  
 3 forward a little bit quicker.

4 We also talked about what --  
 5 identifying those actual buildings in the  
 6 village that are really important to us and  
 7 truly worth preserving, so part of that ties  
 8 into the next one of creating education and  
 9 awareness around historic preservation. What  
 10 are the benefits of actually restoring a home,  
 11 saving it, especially if we ended up getting  
 12 preservation incentives, making sure that  
 13 everyone knows that these exist and then working  
 14 with our real estate agents to make sure when a  
 15 house is listed, it's not just listed as a  
 16 demolition, it's listed possibly this is a  
 17 really cool building and you might be eligible  
 18 for a lot of things that you wouldn't get if you  
 19 actually demolished it.

08:30PM

08:30PM

20 And now I'm going to turn it over  
 21 to Michael Marrs, who's going to kind of go over  
 22 what a historical overlay district is and the

1 regulations that were included in Exhibit No. 1.  
 2 So that was the item that actually had the  
 3 actual ordinance language.

4 MR. MARRS: Thanks, Bethany.

5 So after receiving that feedback  
 6 from the architects and builders and, you know,  
 7 some kicking around ideas with the village  
 8 board, we started looking at various mechanisms  
 9 for accomplishing some of those goals, including  
 10 the types of incentives offered by other  
 11 communities both in Illinois and elsewhere.

08:31PM

12 After we had an idea of the types  
 13 of incentives that might be offered, we started  
 14 looking at what amendments could be made to  
 15 Title 14, the village code, concerning  
 16 preservation as well as the zoning code in order  
 17 to memorialize those purposes, goals and  
 18 incentives that the village board was interested  
 19 in providing.

08:31PM

20 So one of the challenges is that  
 21 there are both preservation and zoning  
 22 components to this. The zoning component is in



<p style="text-align: center;">10</p> <p>1 the form of these relaxed bulks zoning standards</p> <p>2 for properties deemed to be historically</p> <p>3 significant. The idea being that if you are</p> <p>4 able to give these particular structures more</p> <p>5 flexibility to put on additions to expand</p> <p>6 backwards, to expand sideways, there's less</p> <p>7 motivation theoretically for owners to tear them</p> <p>8 down and start from scratch because they are</p> <p>9 able to modify it while still keeping the</p> <p>08 31PM 10 important facade elements and historic elements</p> <p>11 that we are interested in preserving.</p> <p>12 Another challenge was that these</p> <p>13 historically significant structures are</p> <p>14 anticipated to be located at various locations</p> <p>15 all around the village, not exclusive to your</p> <p>16 national registry for historic districts. All</p> <p>17 right.</p> <p>18 So eventually we settled on this</p> <p>19 idea of creating a historic preservation overlay</p> <p>08 32PM 20 district. So I want to talk for just a second</p> <p>21 about what an overlay district is. It's not a</p> <p>22 new zoning district. It's not replacing your</p>	<p style="text-align: center;">12</p> <p>1 to what we are proposing here where certain</p> <p>2 properties are singled out for slightly</p> <p>3 different treatment from a zoning standpoint for</p> <p>4 a particular reason to achieve a particular</p> <p>5 purpose.</p> <p>6 So once we settled on the idea of a</p> <p>7 historic preservation overlay district, we</p> <p>8 mapped out the steps to creating it which you</p> <p>9 will see in this slide here.</p> <p>08 33PM 10 Step 1 was creating the actual text</p> <p>11 of the chapter for both Title 14 regarding</p> <p>12 preservation and in the zoning code. The text</p> <p>13 which you have before you tonight includes the</p> <p>14 purposes, procedures, incentives and standards</p> <p>15 relative to the district. As noted by Bethany,</p> <p>16 this has been a long process but we feel this</p> <p>17 process is important in reaching what we feel is</p> <p>18 a pretty good current product.</p> <p>19 Step 2 was determining the</p> <p>08 34PM 20 boundaries of the district. The idea here was</p> <p>21 to include within the overlay all areas in town</p> <p>22 where there might be a structure that would be</p>
<p style="text-align: center;">11</p> <p>1 R-1 your R-2, anything like that. It actually</p> <p>2 overlays those base districts, it lays on top of</p> <p>3 them.</p> <p>4 In an overlay district, the</p> <p>5 existing base zoning regulations still apply,</p> <p>6 okay. But they are in some cases altered or</p> <p>7 modified by the overlay district regulations.</p> <p>8 And this isn't a new concept in</p> <p>9 Hinsdale. You have an existing title in your</p> <p>08 32PM 10 zoning code, Article VIII, which is actually</p> <p>11 called overlay districts and it includes</p> <p>12 regulations for the design review overlay</p> <p>13 district which imposes additional design review,</p> <p>14 standards and requirements in the area around</p> <p>15 Graue Mill. Okay.</p> <p>16 And also, while it's not phrased as</p> <p>17 such, I view the longstanding zoning code</p> <p>18 provisions providing different bulk zoning</p> <p>19 standards for certain legal nonconforming lots</p> <p>08 33PM 20 of record and giving special consideration to</p> <p>21 pre-code structures, those are in effect</p> <p>22 village-wide overlay district similar in concept</p>	<p style="text-align: center;">13</p> <p>1 deemed of historic significant. That's</p> <p>2 reflected in the map included in your packet and</p> <p>3 Bethany is going to go through that in a little</p> <p>4 more detail in a few minutes.</p> <p>5 Step 3 is where we are, which is</p> <p>6 this public hearing regarding the creation of</p> <p>7 the overlay district, the recommendations from</p> <p>8 you on the map and on the text amendments.</p> <p>9 Okay.</p> <p>08 34PM 10 Step 4 will come after board</p> <p>11 approval of the map and text and that involves</p> <p>12 creation by the HPC of a proposal as to</p> <p>13 historically significant properties that will be</p> <p>14 eligible for these voluntary incentives and I'll</p> <p>15 talk more about that process in a minute.</p> <p>16 Finally, step 5. Once we have</p> <p>17 accomplished all that, once the property, once</p> <p>18 these text amendments are in place, the map is</p> <p>19 created, the historically significant property</p> <p>08 35PM 20 list is created. If you are an owner of a</p> <p>21 property on that list, that owner is eligible on</p> <p>22 a voluntary basis to request various of the</p>



1 provided incentives during the application and  
2 review process.

3 So we have the map in here a couple  
4 of times, but we included quite a bit of the  
5 community because, again, we don't want to miss  
6 an area where there might be a historically  
7 significant structure, and so there's actually  
8 more of the village included than not, and  
9 that's fine and they don't have to be contiguous  
10 but we just wanted to cast a broad net and make  
11 sure we weren't leaving anything out so that we  
12 didn't have to go back and amend it in the near  
13 future.

14 Before we talk about -- before I  
15 turn it back over to Bethany to talk about the  
16 various incentives and other aspects, I want to  
17 talk a little bit about creation of the  
18 historically significant structures property  
19 list which is going to be this next step in the  
20 process.

21 So once this body makes a  
22 recommendation and the board enacts the text

1 amendments and overlay district map boundaries,  
2 the clock will start ticking for the HPC. They  
3 have 180 days under the proposal to create this  
4 initial list of properties for placement on the  
5 list. Essentially, we are looking at the  
6 universe of buildings in the village and saying  
7 that these are the ones that we want to  
8 prioritize preserving through the incentives  
9 being offered. Nothing we are doing today will  
10 stop anyone from tearing down a home if they  
11 ultimately want to, but the hope is that these  
12 changes will at least give them pause and make  
13 it more practical to preserve an existing  
14 significant home instead of tearing it down.

15 All right. So let's look at the  
16 steps. We are going to notify -- if a home is  
17 proposed to be on the list, HPC is going to  
18 create initial list within 180 days. And then  
19 they are going to hold a public hearing  
20 regarding the placement of properties on that  
21 list. If the list is voluminous, we might break  
22 it up because they are going to notify

1 homeowners and they will have an opportunity to  
2 come, you know, given that there's only benefits  
3 and no real negative to being on the list, we  
4 wouldn't anticipate a lot of people but we may  
5 have somebody says, I'm weary of this. I don't  
6 want to be part of it and that can be taken into  
7 account.

8 We will send notice to those people  
9 who will come to the public hearing and the HPC  
10 is going to talk individually about these homes,  
11 probably briefly in most cases, just, you know,  
12 why is this significant, why should it be on the  
13 list, make a recommendation as to whether it's  
14 going to be on the list and that list of  
15 recommendations in the initial list will go to  
16 the board who will then give final approval to  
17 it.

18 There is an opportunity under the  
19 ordinance for properties to later be added to  
20 the list, so our hope is, you know, let's say  
21 the initial universe is 50 homes. These are the  
22 50 really significant properties, we want to

1 make sure these incentives are available to.  
2 If the program goes well, you can  
3 anticipate that there may be more people coming  
4 in, Hey, I want that tax break. I want the  
5 opportunity for those matching funds, and so  
6 there's a process by which people can propose  
7 the HPC or the board can propose additional  
8 properties be added to the list as we go along  
9 and that follows a similar, you know, public  
10 hearing process and just a review by the HPC and  
11 their recommendation to the board. Okay.

12 So after we have created the list  
13 and everything's in place, it doesn't quite stop  
14 there. We want to increase the chance that this  
15 project will be effective, so the ordinance  
16 provides that these important steps will happen  
17 after its creation where the owners of the  
18 property on the list will be notified their home  
19 is on the list. They've already received the  
20 notice of the public hearing so they are aware  
21 that they were under consideration. Lists will  
22 be made available on the village's web site,



<p style="text-align: center;">18</p> <p>1 will be provided to area realtors, to the news 2 media, and other persons or entities as 3 necessary in an effort to publicize the list and 4 the incentives that are available. 5           Another thing that is required by 6 the ordinance is a notice regarding that it 7 being a historically significant structure would 8 be recorded against the title to the property 9 with the idea that someone buying the property 10 will see that on their title report and 11 hopefully explore what the incentives may be 12 able to provide them relative to preservation of 13 the home. All right. 14           So with that, I'm going to turn it 15 back over to Bethany for a more in-depth 16 discussion of the incentives. 17           MS. SALMON: Are there any questions so 18 far? Should we take a break? Okay. We will 19 keep going. 20           MR. WILLOBEE: Before that notification 21 goes out, is there a way to get the message out 22 more that there's positive aspects? I just --</p>	<p style="text-align: center;">20</p> <p>1 making sure the word is out what this program 2 actually would mean. 3           MR. WILLOBEE: Yes, I think that just 4 needs to happen before that letter goes out, 5 some full page ads. 6           MS. FIASCONE: Yes. Because anybody 7 that sees it's going against title will freak 8 out but it's really nothing bad, it's only 9 benefit. 10           MS. SALMON: The whole point of that 11 was just to make sure people will know that this 12 exists. And I think there's some other 13 communities that do do this for more like 14 landmarking purposes and other programs but it's 15 just an FYI. That was the intent of it. 16           MR. MARRS: So I'm all for as much 17 publicity as you can generate, whether it's a 18 town hall meeting or a workshop where people are 19 available to answer questions, or whatever forum 20 you can get, you know, a story in The 21 Hinsdalean, however we can do it. But I agree 22 it's important to emphasize the fact that it's</p>
<p style="text-align: center;">19</p> <p>1 with regard to the notification process, before 2 they get sent that letter -- 3           MS. SALMON: The initial letter? 4           MR. WILLOBEE: Yes. Is there a way to 5 publicize to what you're saying, I agree with 6 the news media, all that, but I think there's a 7 step before that so we don't get bombarded at 8 meetings with the people that are thinking of 9 the moratorium and all that, like you said, 10 weary, trying to kind of squash some of that 11 from a PR standpoint. 12           MS. SALMON: We had discussions 13 internally as well. This is a voluntary 14 program, right, so if someone is so opposed that 15 this is going to be tied to their house and they 16 absolutely don't want to be involved in it, I 17 mean, then we won't pursue that. 18           MR. WILLOBEE: I agree with that. 19           MS. SALMON: But you're right there. 20 We have had discussions about publicizing this 21 program more, working with The Hinsdalean, 22 contacting a lot of the real estate agents and</p>	<p style="text-align: center;">21</p> <p>1 voluntary and that there's only benefits. 2           MR. WILLOBEE: Yes. No, I'm just 3 saying as it relates to the letter, I could just 4 picture somebody getting that letter, okay, 5 what's the village up to now. 6           MR. MARRS: And so one of the ways also 7 that we can address that is, you know, I talked 8 about breaking up the public hearing so you can 9 have our first universe is only going to be 10 these 20 houses that are already mostly 11 landmarked, you know, these people are on board 12 with preservation so kind of roll it out in a 13 way that gets the ball rolling and maybe get 14 some attention placed on it with people who are 15 going to receive a positive. 16           MR. WILLOBEE: Word of mouth. I agree 17 with that. 18           CHAIRMAN CASHMAN: I think, Bethany, 19 you and Robb shared with me you want to create a 20 list that people want to be on. 21           MR. MCGINNIS: Yes. 22           MS. SALMON: Yes. That's the whole</p>



1 intent here is we definitely want something --  
 2 we want people to be dying to get on where we  
 3 can't keep up with the number of people. Even  
 4 with the limited publicity that we have done at  
 5 this point, you know, as we have kind of been  
 6 forming all these regulations, we have quite a  
 7 few homeowners who are actually interested in  
 8 this program already.

9 So once again, there's going to be  
 08:43PM 10 people that absolutely want nothing to do with  
 11 it, but I think we are pretty positive that  
 12 given the stuff that we are going to talk about  
 13 in a second, it's a pretty great program and it  
 14 will afford a lot to whomever wants to be  
 15 involved.

16 MR. WILLOBEE: Okay. Thank you.

17 MS. SALMON: Okay. So I'm going to  
 18 quickly talk about Exhibit No. 3, which was  
 19 included in your packet. So this was the  
 08:43PM 20 proposed historic overlay district. And kind of  
 21 Michael alluded to this of how we got to this  
 22 map is we kind of did process of elimination.

1 We really wanted to make sure that  
 2 we weren't just catching homes in Robbins Park,  
 3 we weren't just catching commercial and  
 4 residential, we were trying to figure out a way  
 5 how do we kind of incorporate the whole village  
 6 and get the larger areas but also make sure that  
 7 we are not including everything that isn't  
 8 applicable.

9 So what we have done for right now  
 08:43PM 10 based on a preliminary analysis is we've  
 11 excluded the O-3 office district. So that pink  
 12 area up on Ogden and York. We excluded the B-3  
 13 district. That's the dark blue area, which is  
 14 also adjacent to Ogden. And then the tollway.  
 15 And then there's a couple of other select sites.

16 And then the R-5 and R-6 districts,  
 17 which are multifamily districts, those are kind  
 18 of in those purply colors, and they are kind of  
 19 scattered around and it did not look like any of  
 08:44PM 20 those had historic buildings of significance to  
 21 the village as of right now.

22 There are -- we've included the

1 R-1, R-2, R-3 and R-4 single-family districts  
 2 and the B-1 and B-2 business districts, the O-1  
 3 and O-2 office districts, the IB institutional  
 4 district, the HS hospital district and the OS  
 5 open space district.

6 So it's not to say that every  
 7 single property within these large areas is  
 8 significant by any means, and it's not to say  
 9 that whether you're included in the historic  
 08:45PM 10 overlay means you are going to be on the  
 11 historically significant structures property  
 12 list. There's, like we talked about, a separate  
 13 process for that, so anyone who thinks they are  
 14 possibly eligible right now just because this  
 15 map is created has still a little bit more to  
 16 go.

17 And then we did discuss before this  
 18 meeting, we probably are going to make some --  
 19 because we know that this map right now is a  
 08:45PM 20 little bit hard to read, we might visually make  
 21 some graphical changes but generally, unless  
 22 there's any other recommendations by the plan

1 commission or the village board, we would keep  
 2 the same areas but we might make it a little bit  
 3 easier to look at for the public down the road.

4 So now I'm going to talk about the  
 5 actual preservation incentives for tonight. I'm  
 6 going to try to keep this high level. There's a  
 7 lot here as well but like I said, feel free to  
 8 jump in.

9 So as we talked about, these are  
 08:45PM 10 voluntary incentives. If a house is listed on  
 11 the historically significant properties list,  
 12 they would not be required to take advantage of  
 13 these.

14 The first one that I'm going to  
 15 talk about a little bit further is our  
 16 alternative zoning regulations and this would  
 17 only apply to the single-family zoning district.

18 We also have three different  
 19 financial incentives. One is a grant program,  
 08:46PM 20 one is a fee waiver program and one is a  
 21 property tax rebate for the village portion only  
 22 of the property tax bill.



<p style="text-align: center;">26</p> <p>1 And then we also are offering</p> <p>2 expedited processing. Particularly where this</p> <p>3 is going to matter is for building permits and</p> <p>4 we have a -- we think either do some inhouse or</p> <p>5 we have the ability to send them out to a third</p> <p>6 party.</p> <p>7 So before I talk about these</p> <p>8 incentives specifically, I just want to talk</p> <p>9 about the overall approval process. So if a</p> <p>08 46PM 10 home is already on the historically significant</p> <p>11 structures property list, once that list is</p> <p>12 determined, we have two separate routes to go.</p> <p>13 No matter what, every application</p> <p>14 is going to need to get approval of what we are</p> <p>15 calling a preservation incentive certificate.</p> <p>16 Right now if you are going through the historic</p> <p>17 preservation process, you get a certificate of</p> <p>18 appropriateness. This is going to kind of be</p> <p>19 the same sort of thing but for the incentive</p> <p>08 47PM 20 side.</p> <p>21 So if you are just requesting a</p> <p>22 permit fee waiver or an alternative zoning</p>	<p style="text-align: center;">28</p> <p>1 obviously doesn't matter because the maximum of</p> <p>2 what they can get, it's just if the budget is</p> <p>3 not there and they want to save a house and can</p> <p>4 they say we are funding this money for this</p> <p>5 house?</p> <p>6 MS. SALMON: That's a good question.</p> <p>7 MR. MARRS: So I can't say a hundred</p> <p>8 percent, but generally, if somebody is going to</p> <p>9 make a donation to the village and once the</p> <p>08 48PM 10 village receives that money it's going to go in</p> <p>11 that historic preservation fund, if that money</p> <p>12 has conditions on it, then the village in order</p> <p>13 to accept that money, would probably have to</p> <p>14 accept those conditions. So I'm going to, you</p> <p>15 know, preliminarily say that that would be</p> <p>16 possible.</p> <p>17 MS. FIASCONE: Just a thought.</p> <p>18 MR. MARRS: Yes. And it's interesting</p> <p>19 and that may well come up that there's a</p> <p>08 49PM 20 movement to save a particular house and we want</p> <p>21 to generate these funds and get them into the</p> <p>22 system so that these incentives can be provided</p>
<p style="text-align: center;">27</p> <p>1 regulation, we are proposing that this would be</p> <p>2 for a final authority with the Historic</p> <p>3 Preservation Commission. And then if they</p> <p>4 granted approval subject to the review, we would</p> <p>5 then be able to issue a building permit and move</p> <p>6 forward with that incentive.</p> <p>7 If an applicant is requesting a</p> <p>8 grant or a property tax rebate, because this is</p> <p>9 a larger financial incentive, we've kind of left</p> <p>08 47PM 10 this decision up to the board. So we are making</p> <p>11 the Historic Preservation Commission the</p> <p>12 recommending body. They are still going to use</p> <p>13 the same standards for review but it would move</p> <p>14 to the board for final authority. And this is</p> <p>15 largely because of the financial aspect of it.</p> <p>16 MS. FIASCONE: I have a question on</p> <p>17 that. I read in here that you can accept</p> <p>18 private funds. There's a whole budgeting</p> <p>19 process you guys are doing but can somebody if</p> <p>08 48PM 20 they are fundraising for something or whatever</p> <p>21 to go towards this budget, can they tag it for a</p> <p>22 specific property or does it just go -- it</p>	<p style="text-align: center;">29</p> <p>1 to the owner of that house but make sure that</p> <p>2 that money makes it to it and I think we could</p> <p>3 make that happen.</p> <p>4 MS. SALMON: I'll get into the historic</p> <p>5 preservation fund a slight bit more a little bit</p> <p>6 later, but that fund is also eligible for doing</p> <p>7 special projects too.</p> <p>8 So one of the things that I'm not</p> <p>9 sure if you're aware on that you've seen in the</p> <p>08 49PM 10 Robbins Park Historic District is the HPC has</p> <p>11 been going through and we have new sign toppers</p> <p>12 in the whole district, so on each individual</p> <p>13 intersection.</p> <p>14 And so things like that where it</p> <p>15 could be like a larger preservation effort of</p> <p>16 historic signage or maybe historic preservation</p> <p>17 plan or code amendments or design standards,</p> <p>18 things that kind of can affect the village at</p> <p>19 large, that's also something that that money</p> <p>08 49PM 20 could be used for. So say there is someone who</p> <p>21 wants a larger thing funded that's something</p> <p>22 that we might be able to look into as well.</p>



1 MR. MARRS: And i think we talked about  
2 the study also, utilizing the money for  
3 feasibility studies, you know, surveys of  
4 historic properties in the village. So we tried  
5 to put a catchall in there that would be pretty  
6 broad for historic preservation purposes.

7 MS. SALMON: Okay. So the reason I'm  
8 putting this slide after our approval process is  
9 because if you go back to the beginning of the  
10 power point presentation, when I said we got so  
11 much feedback that everyone wants this smooth  
12 streamline process with absolutely no hoops that  
13 anyone has to jump through. But obviously we do  
14 have an approval process here and I kind of want  
15 to explain why that approval process is here.

16 So there are in Exhibit No. 6, I  
17 believe, we had included the secretary of  
18 interior standards for rehabilitation and these  
19 are kind of the basic historic preservation  
20 principles out in the world, like the gold  
21 standard of general preservation practices.

22 And so as much as staff

1 acknowledges that we would like to have the most  
2 easiest process, there is still a reason why the  
3 HPC should be reviewing these. And it's to make  
4 sure the whole purpose is historic preservation  
5 and we just want to make sure that the basic  
6 standards are being met for our historic  
7 preservation goals.

8 The HPC has a lot of, as you guys  
9 know because you get their projects later down  
10 the road, has a lot of good expertise to provide  
11 to projects and it's really critical that they  
12 are making sure that historic preservation is  
13 actually occurring with these cases.

14 So I've included some slides from  
15 previous committee of the whole presentations  
16 where these are good examples, happy buildings,  
17 where we have nice additions even if they are  
18 modern that are kind of fitting into the design  
19 of the building, you know, and there's good  
20 preservation standards.

21 And then we have, you know, really  
22 bad examples where someone is kind of just

1 putting an entire building behind a weird facade  
2 and pasting it on. And so we really need the  
3 HPC there to say, No, you are actually  
4 demolishing the whole building and then  
5 requesting a ton of money from us and zoning  
6 relief and that's not really a great  
7 preservation project.

8 I will also say that this process  
9 is still much easier than most zoning  
10 entitlement processes, like a variation or even  
11 some of the zoning approvals that comes here, so  
12 it's still a beneficial, easy process that we  
13 tried to make it.

14 So I'm really quickly going to go  
15 into each of these again. The proposed  
16 preservation incentives and I'm going to start  
17 with the alternative zoning regulations. I'm  
18 going to try to keep this high level because  
19 explaining our zoning code to people is the most  
20 challenging job I think that you can have, but I  
21 just want to kind of go into how we got to these  
22 as well.

1 So the feedback we got, obviously,  
2 was that our zoning code acts as a hindrance for  
3 people putting on any sort of building additions  
4 or any modern improvements here. We get  
5 complaints all the time that historic homes  
6 don't have the large kitchen, the open concept  
7 plan, and you need to expand the building  
8 envelope to actually accommodate the additional  
9 needs of a modern family.

10 The disadvantage that we have in  
11 this village for historic buildings is that a  
12 lot of the lots that they are on and a lot of  
13 the structures themselves are nonconforming. So  
14 when they were originally created, they were  
15 legal with the code requirements then, but as  
16 our code changed and was adopted later and there  
17 were new code requirements, those houses are no  
18 longer conforming with our current code  
19 requirement, so unfortunately, they were legal  
20 once, they have a hard time now and then  
21 expanding on those, makes it a little bit more  
22 challenging.



1 The other thing that is a little  
2 strange for things like floor area ratio, you  
3 know, historic homes were just built different  
4 than the way our definition is now. So a new  
5 home can kind of manipulate that floor area  
6 ratio, for example, but an old home is kind of  
7 given what it has and it's already at a  
8 disadvantage in cases like that.

9 So what we tried to do -- oh, so  
08:54PM 10 before I move on, just as a reminder. These  
11 alternative zoning regulations that we are going  
12 to talk about are only for single-family zoning  
13 districts. As of right now, we having looked at  
14 any of our commercial or office district or  
15 anything in the downtown and so this is just for  
16 single-family homes primarily.

17 So we looked at our existing -- and  
18 these sections that -- these primary sections  
19 that we are going to talk about, these are  
08:56PM 20 included in Exhibit No. 4 of the packet. These  
21 are the primary sections that relate to single-  
22 family homes in the village.

1 So Section 110 that includes the  
2 general bulk requirements for homes in the  
3 single-family zoning district. Section 10-104  
4 deals with what we call precode structures.  
5 These are nonconforming structures, the ones  
6 built prior to the adoption of our new code.

7 And then we have Section 10-105,  
8 legal nonconforming lots. So the lots don't  
9 meet our general standard in bulk requirements  
08:55PM 10 for size. And then our definitions, we have  
11 various definitions that are included as well.

12 So we looked at these regulations  
13 and kind of assessed what could help. We looked  
14 at past preservation cases, what people have  
15 dealt with in the past, and we based our new  
16 code, which is shown in this table which is  
17 going to be incredibly hard to read on that  
18 slide based on those regulations.

19 So we are providing some minor  
08:57PM 20 relief based on how those code requirements are  
21 and tried to make something that's a little bit  
22 more user-friendly. I don't know if anyone ever

1 read the entire zoning code but something that's  
2 a little bit more user-friendly than the  
3 regulations that we have now.

4 So this table actually provides  
5 only minimum relief and I'm going to go through  
6 at least two examples that were included in the  
7 packet. So it's not like we are throwing out  
8 the entire code book and you will see in many  
9 cases we are only gaining a little bit here in  
08:56PM 10 terms of setback but I think these are hopefully  
11 regulations that will be able to tip over  
12 encouraging someone to get a little bit more  
13 than what they could for new construction and  
14 really give them that great building addition or  
15 certain aspects that will help them modernize a  
16 home, something that they wouldn't be able to  
17 get otherwise with new construction.

18 So the first thing we looked at was  
19 building height and we --  
08:56PM 20 CHAIRMAN CASHMAN: Can I stop you for  
21 just a second?

22 MS. SALMON: Yes.

1 CHAIRMAN CASHMAN: In the packet, this  
2 is right near the end of Exhibit No. 4, a few  
3 pages forward from the back, there's a nice  
4 table you put in there where you have the R-1,  
5 R-4 existing and then you have two columns that  
6 show the proposed and it's just kind of a nice  
7 way to see it side-by-side.

8 MS. SALMON: That's Exhibit No. 5,  
9 right?

08:56PM 10 CHAIRMAN CASHMAN: Yes. Pardon me,  
11 it's Exhibit No. 5.

12 MS. SALMON: So that's Page 3 on  
13 Exhibit No. 5; is that correct?

14 CHAIRMAN CASHMAN: The bookmark goes  
15 from 4 to 6. I don't see 5. But I think that's  
16 a really nice summary. I know Robb was really  
17 trying to get the FAR back in there.

18 MS. SALMON: Yes. And imagine putting  
19 that table on the slide. We tried to make it a  
08:57PM 20 little simpler because you can't even read this  
21 slide very well.

22 So the first thing that we did is



1 we looked at building height and got rid of that  
2 and are just focusing on building elevation.  
3 The biggest thing here that you need to know is  
4 that any building additions, any changes to the  
5 building, you would not be able to exceed the  
6 highest ridge line that already exists for that  
7 building.

8 So if you are building an addition,  
9 it can't be two stories taller than what you  
10 already have. Basically if you are looking at a  
11 map, the building is not going to be much  
12 taller, it can't be any taller than what we are  
13 currently having that's kind of controlling that  
14 bulk and scale that we want to make sure fits  
15 into the neighborhood.

16 We also have included provisions  
17 here about lot area and dimensions. We don't  
18 want anyone to think that they are going to all  
19 of a sudden start subdividing lots off and

08 57PM 20 making them smaller and gaining in that way. So  
21 we have included some language that lot sizes  
22 are going to remain the same.

1 For front yards we've pretty much  
2 kept this along with our code requirements and  
3 actually, in this case made it a little bit more  
4 strict. Right now front yards are based on  
5 block average so the average of basically how  
6 everyone on your block their front yards.

7 In this case we have added a good  
8 preservation practice here of making sure that  
9 is someone wants to do a front building  
10 addition, that's not good preservation practice  
11 by the pictures I showed you guys earlier. We  
12 are trying restoring and preserve the front  
13 facade so a front building addition doesn't make  
14 sense. So you cannot exceed past that front  
15 facade as is right now.

16 MS. CRNOVICH: What about front porch?

17 MS. SALMON: For a front porch there  
18 would be separate regulations for like an  
19 accessory thing. One thing that you don't see  
20 here is that if you go to Exhibit No. 4, this is  
21 our current code requirement and one of the fun  
22 parts of our current code requirements is that

1 subsection I of Section 3-110 has a million  
2 footnotes and these footnotes generally are  
3 still applying so there is, for example, like  
4 some language here on what can be required in  
5 specified structures and uses in required yards  
6 and I believe front porches is part of that.

7 MS. CRNOVICH: G, I think.

8 MS. SALMON: Covered unenclosed  
9 porches, yep. So we can go back and make sure  
10 that that will not be an issue.

11 MS. CRNOVICH: Okay. Thank you. I  
12 know a lot of the older homes do have the front  
13 porch and I think wasn't there a house on  
14 Garfield where they had to go through the ZBA  
15 just to replace their front porch?

16 MR. MCGINNIS: Yes.

17 MS. SALMON: We will look into that  
18 case and make sure that there's no conflict.

19 MR. MCGINNIS: But that was well into  
20 the required front yard already.

21 MS. CRNOVICH: It was, okay. But I  
22 know it's one of the oldest homes in Hinsdale,

1 too, I believe, civil war.

2 MR. MCGINNIS: Yes, that was part of  
3 the problem. It was so close already that that  
4 exception didn't help them in that case.

5 MS. CRNOVICH: Okay. And I think  
6 there's another one next to it where that might  
7 happen, too.

8 MR. MCGINNIS: We just want to make  
9 sure that the front addition is sympathetic to  
10 the house it's not forward.

11 MS. SALMON: Right. If, for example,  
12 you have an existing porch, you needed to  
13 rebuild it, you hopefully aren't going to  
14 rebuild it 20 feet in front of the existing  
15 porch because that, again, doesn't meet our good  
16 preservation practices.

17 MS. CRNOVICH: Yes. Thank you.

18 MS. SALMON: But we will make sure that  
19 that language doesn't create any conflicts down  
20 the road.

21 So for side yards if you -- per our  
22 existing precode structure, so anything that was



1 built prior to the code that no longer meets  
2 standards, we basically kept the exact same  
3 minimums that are in our code requirement. The  
4 only difference is we have language that talks  
5 about whatever is greater is the minimum setback  
6 in terms of if you have an existing house that  
7 doesn't meet that setback requirement and you  
8 have, for example, 10 feet as this minimum code  
9 requirement and that house is at 13 feet, you

09:01PM 10 still have to go 13 feet. Because it's whatever  
11 is greater, so you are kind of stuck with your  
12 existing setback and now we are just going  
13 directly to whatever our minimum already is  
14 which is already in the code. So it's not a  
15 great deviation but it will give people a couple  
16 of extra feet. And I'll, once again, show  
17 examples in a little bit.

18 MS. CRNOVICH: I have another question.  
19 Sorry.

09:01PM 20 What is the date for the code?  
21 What date are we looking at? When you are  
22 talking like precode?

1 MS. SALMON: So our code was adopted in  
2 1989, and I believe in our nonconforming  
3 definition it talks about buildings before a  
4 certain date in 1988.

5 MS. CRNOVICH: Okay. Thank you.

6 MS. SALMON: That's written in the  
7 definition.

8 And then the biggest thing that I  
9 think is going to actually help people here is  
09:02PM 10 what we are proposing for rear yards. So right  
11 now if you had a nonconforming rear yard, you  
12 cannot extend further into it whether you have a  
13 lot space or not. And I'll show an example of  
14 that.

15 So we've kind of allowed for a  
16 reduction to the required rear yard so that we  
17 can fit in these rear additions. This would  
18 allow people to encroach further back but we  
19 still have these minimums in place.

09:02PM 20 And then we have waived floor area  
21 ratio and we are pretty confident that this is  
22 not going to be a major issue for these homes.

1 We still have building elevation, lot coverage,  
2 building coverage, these other tools to make  
3 sure that no one is going to be building a  
4 giant, massive bulky building.

5 We are not proposing any changes to  
6 building coverage as of right now. We didn't  
7 find any cases that really justified that as of  
8 current.

9 And then we are increasing -- we  
09:03PM 10 are proposing to increase lot coverage by  
11 10 percent subject to no adverse impact on  
12 adjacent properties.

13 MS. CRNOVICH: Is that total lot  
14 coverage?

15 MS. SALMON: That would be total lot  
16 coverage, yes.

17 So in your packet in Exhibit No. 5  
18 we did include four separate examples of how  
19 these will change setbacks for homes. I'm only  
09:03PM 20 going to go over two for the sake of time but  
21 feel free to ask questions on any of them.

22 One of the properties that we

1 looked at is 308 East First Street. This is  
2 both a nonconforming lot in the R-1 district and  
3 a nonconforming structure, so it's a precode  
4 structure. So it would be subject to 10-104 and  
5 10-103 of our code requirements.

6 So when we looked at how the  
7 setbacks would require or would change, the red  
8 lines that you can see up there, that's the  
9 existing required setbacks. And then the blue  
09:03PM 10 lines are how much they gain in terms of these  
11 proposed regulations.

12 So you can see in this example here  
13 we are not throwing the code book out, it's  
14 pretty minimal relief, but we do think in a lot  
15 of cases, especially in the next one I'm going  
16 to talk about, it can make a substantial  
17 difference.

18 So in the case of this home,  
19 nothing really changes as we talked about with  
09:04PM 20 the front yard. They are not going to be able  
21 to do any sort of encroachment with a building  
22 addition further towards First Street which is



1 on the north side of this home based on the way  
 2 we are looking right now. And that corner side  
 3 yard on Elm Street, they do gain a couple of  
 4 feet, maybe 2.6 feet with the corner side yard  
 5 but the corner side yard there's not much you  
 6 can really do in terms of that right now. It  
 7 doesn't give you that much relief. Where they  
 8 really do gain is the rear yard. With these new  
 9 regulations, they are going to gain about eight-

09:04PM

10 and-a-half feet and currently right now based on  
 11 our code requirements, they are not even meeting  
 12 the rear yard right now. So that required rear  
 13 yard is in the building technically right now.  
 14 And then with their interior side  
 15 yard they are gaining about 5.7 feet. So it  
 16 does give them a little bit of leeway here. And  
 17 then with those other bulk requirements that I  
 18 just talked about factored in, that could make a  
 19 really big difference for this house if you

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20 needed to retrofit it to do an interior addition  
 21 there.  
 22 One of the houses that we have

1 talked about extensively last year was 420 South  
 2 Park, there were some concerns that this house  
 3 actually was going to be a demolition. It was  
 4 on the market for a very long time and we are  
 5 lucky that we do have someone who purchased it  
 6 and is working to modernize it and restore it,  
 7 but we did look at this house particularly a lot  
 8 because of the fears of demolition and how do we  
 9 help this house.

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10 So this house is also the same  
 11 nonconforming structure and nonconforming lot.  
 12 And so one of the questions that we kept getting  
 13 asked is: Can I put a building addition or an  
 14 attached garage on the south side of that  
 15 building? And there really wasn't enough room,  
 16 especially for a garage to fit two cars to  
 17 actually fit there and so we looked at a lot how  
 18 this regulation could happen.

09:06PM

19 In this case with the proposed  
 20 regulations applied, we are gaining about  
 21 7.2 feet on the interior side yard. So that  
 22 north side of the building, which is currently

1 nonconforming, the side yard is on top of the  
 2 building like I said. And the rear yard gets  
 3 about 10.45 feet. So we are gaining with all of  
 4 this around it. Realistically, the  
 5 nonconforming coach house isn't made any better,  
 6 it's still noncompliant, but we are gaining  
 7 enough room here to put in an actual building  
 8 addition if need and especially in this case.  
 9 One of the comments we got was: How do I put an  
 10 attached garage here?

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11 Any questions so far? Okay.  
 12 Everyone's still awake. Good.

13 MS. CRNOVICH: I have one question  
 14 about side yards 10 feet. What if one of the  
 15 side yards is not 10 feet?

16 CHAIRMAN CASHMAN: Existing?

17 MS. CRNOVICH: Existing nonconforming.

18 MS. SALMON: They would still be held  
 19 to the 10 feet. You wouldn't be able to go --

09:07PM

20 so you are saying if their existing side yard  
 21 was 5 feet and the code is requiring 10 feet,  
 22 they are not allowed to build to the 5 feet, the

1 existing. We've set it at that 10 feet.

2 MS. CRNOVICH: But they could on the  
 3 other side go -- they could go 10 feet, they  
 4 wouldn't be penalized because the one side is  
 5 nonconforming?

6 MS. SALMON: No. Because what you are  
 7 talking about our current code has this weird  
 8 balancing affect with the side yard. So anyone  
 9 who loves our code, loves this section. It does  
 10 have a balancing affect where you kind of have  
 11 to justify a larger side yard so they are not  
 12 quite even, that's not taken into consideration  
 13 here.

09:07PM

14 MS. CRNOVICH: Okay.

15 MS. SALMON: It would be even and flat  
 16 where we are not doing the balancing act.

17 MS. CRNOVICH: I'm also thinking back  
 18 to ZBA many years ago.

19 MS. SALMON: And one thing to point out  
 20 as well, it's not like these are -- we still  
 21 have a great Historic Preservation Commission to  
 22 review these exterior changes and we have some

09:08PM



1 great architects, we've got some great people  
2 who understand preservation so if something  
3 looks a little off, their comments will be  
4 heard. So there is still a review process for  
5 this very reason.

6 MS. CRNOVICH: Thank you.

7 MS. SALMON: Okay. And then finally,  
8 I'm just going to quickly go over our financial  
9 incentives. We kind of touched based on the

09:08PM 10 historic preservation fund and matching grants  
11 previously.

12 Exhibit No. 7 was included in your  
13 packet and that was a revised, kind of  
14 preliminary, financial breakdown of some of  
15 these programs that we have previously reviewed  
16 for a committee of the whole meeting.

17 The preservation fund matching  
18 grants, so as of right now the way we have it  
19 set up, the village would help fund for a  
09:09PM 20 specific exterior improvements or a broad range  
21 of preservation activities like we talked about,  
22 50 percent of those eligible costs by up to

1 \$10,000, but the applicant would need to have a  
2 project of \$20,000. So the village would pay  
3 for 50 percent of that 20,000, meaning that  
4 there's a \$10,000 share. It doesn't by any  
5 means mean that a project needs to cost \$20,000,  
6 we can also look at smaller grants or other  
7 smaller projects. So a project was \$10,000, the  
8 village's matching share would be \$5,000. As we  
9 talked about, this is going to be contingent and  
09:09PM 10 based on the budget every year or through  
11 private donations and assistance that way.

12 The other thing that we talked  
13 about is fee waivers. This would largely be for  
14 a permits. That's the biggest thing that I  
15 think this would financially allow people to  
16 assist with and potentially some zoning relief  
17 as well, so for the zoning applications.

18 And then the third one is for the  
19 property tax rebate; and like I said, this is  
09:10PM 20 for the village portion and it would potentially  
21 be for substantial exterior improvements that  
22 would have a cost of \$50,000 at a minimum and

1 for a maximum of a five-year period.

2 And then as we discussed, there's  
3 eligible costs. For exterior construction work,  
4 there's quite a bit that's not eligible, like  
5 general routine maintenance, landscaping fencing  
6 and if someone wanted to build a new detached  
7 garage but it wasn't, for example, an exterior  
8 coach house or any other interior work.

9 And then we did include a couple of  
09:11PM 10 additional amendments. There's some cross-  
11 referencing and sectioning of the code, just  
12 some minor stuff. And then we did include some  
13 bolstering language in our variation standards  
14 so that we are supporting variations in cases  
15 where someone still does need to move forward  
16 with a variation.

17 The intent of these codes is not to  
18 fix every case, right? We are trying to provide  
19 relief and incentivize preservation but we know  
09:11PM 20 that there are still going to be unique cases  
21 where a variation is going to be needed so we  
22 wanted to make sure there was some additional

1 language that bolsters and supports those  
2 projects.

3 MR. MARRS: And can I just insert  
4 something?

5 In terms of the language in the  
6 variation standards, so from a practical  
7 standpoint, I think the ZBA is cognizant of the  
8 fact that, you know, we don't want to be so  
9 strict with the code that we are causing people  
09:12PM 10 to tear down a historic structure, so they're  
11 already probably mentally taking that into  
12 account, but putting it explicitly in there that  
13 we should give specific consideration to  
14 historic structures and preservation gives them  
15 something to hang their hat on and were it to be  
16 challenged for a court to hang its hat on as  
17 well.

18 MS. CRNOVICH: That's really good,  
19 especially somebody could argue that it's  
09:12PM 20 self-created, I think that's very helpful.

21 MS. SALMON: And that's all I have for  
22 right now. So we are happy to answer any



1 questions. I know this is a lot to digest.  
 2 There was a lot in this packet, but like you  
 3 said, it's been a year-and-a-half getting to  
 4 this point. We are very proud of all the work  
 5 that went into this and we are hoping that this  
 6 does shift the needle forward. I know there are  
 7 several homeowners I talked to are really  
 8 excited about this program and we do think it's  
 9 definitely going to help with helping people

09:13PM 10 preserve the house and show that the village is  
 11 here to support those preservation efforts.

12 CHAIRMAN CASHMAN: Thanks, Bethany.  
 13 Thanks, Michael.

14 MS. FIASCONE: So just to confirm, it's  
 15 all exterior for all of these incentives, yes?

16 MS. SALMON: Correct. The reason for  
 17 that is because imagine if someone wanted to put  
 18 in a gold-plated bathroom on the inside of their  
 19 home and we don't want the village and taxpayer  
 09:13PM 20 money to be going towards that because it really  
 21 is the preservation of the exterior home, but  
 22 that's one part that everyone need to be aware

1 of. Any interior work is not really going to be  
 2 submitted for review by the HPC, that's all  
 3 interior, it's not part of our purview here. We  
 4 are strictly dealing with the exterior of the  
 5 home.

6 MS. FIASCONE: Thank you.

7 MR. MARRS: Which is the same as any  
 8 landmark structures, so landmarking is concerned  
 9 with the exterior look of something.

09:14PM 10 CHAIRMAN CASHMAN: Scott, any  
 11 questions, comments?

12 MR. MOORE: I know this is going to  
 13 sound crazy, but is this enough? In other  
 14 words, everyone is looking at the arbitrage  
 15 between knocking a house down and getting  
 16 incentives to get people to not do it. Are we  
 17 going far enough: Mathematically, financially  
 18 and space wise? And I know a ton of work has  
 19 gone into that.

09:14PM 20 What's the thought process on that  
 21 and what are the constraints that have been  
 22 faced as far as going any further? That would

1 be my driving question.

2 MS. SALMON: That's a great question.  
 3 Because we have gone back and forth and asked  
 4 the same question several times of: Is the  
 5 zoning going to be enough? And the truth is,  
 6 especially for the financial side, that's  
 7 actually easier to track, the financial aspects  
 8 of it.

9 The zoning side I think is a little  
 09:15PM 10 trickier and we're just not going to know until  
 11 we see people applying and kind of engaging with  
 12 people of is this working. And the truth is we  
 13 can always go back and amend these regulations  
 14 later. Especially if all of a sudden we start  
 15 seeing new cases pop up at ZBA, right, we can  
 16 always -- and we did analyze a lot of ZBA cases  
 17 as part of this as well. Those ones are a  
 18 little bit more challenging because there's a  
 19 lot of unique situations that we couldn't just  
 09:15PM 20 wrap up in a nice bow. But as things come up,  
 21 we would like to reassess as we move along and  
 22 see what's working.

1 MR. MOORE: The point that you made, my  
 2 fellow commissioner made, the point that  
 3 Ms. Fiascone made is incredibly important  
 4 because there's tax ramifications to somebody  
 5 donating money and if they are donating money to  
 6 their own project, and then they see that  
 7 possibly being able to come back to them or a  
 8 portion of it come back to them, that's a huge  
 9 incentive that I think you've raised that is  
 09:16PM 10 brilliant.

11 MS. FIASCONE: I don't think I meant  
 12 for it to brilliant.

13 MR. MOORE: I think it's a very  
 14 interesting concept that I hope you all on the  
 15 committee think about and take it into  
 16 consideration because it might actually make the  
 17 financial incentive even greater and then, thank  
 18 you. Thank you for all the work that's gone  
 19 into this. It's just absolutely incredible how  
 09:16PM 20 much time is spent and the materials and you  
 21 explained it very well so thank you.

22 MS. SALMON: I know it was a long time



<p style="text-align: center;">58</p> <p>1 coming so thank you.</p> <p>2 MR. MOORE: It was very well done. I</p> <p>3 do have some other questions and stuff but I'll</p> <p>4 yield for now.</p> <p>5 CHAIRMAN CASHMAN: Anna?</p> <p>6 MS. FIASCONE: My questions have been</p> <p>7 answered. I would -- you answered my question</p> <p>8 regarding just reassessing the numbers and the</p> <p>9 amounts, I'm sure you came to that number, had a</p> <p>09:17PM 10 lot of discussion about it, but that's something</p> <p>11 that as we've seen just over the past couple of</p> <p>12 years how much building costs have increased.</p> <p>13 So, you know, is \$50,000 going to be enough, is</p> <p>14 \$70,000 going to be enough, that sort of thing,</p> <p>15 so just something to assess yearly or whatnot.</p> <p>16 CHAIRMAN CASHMAN: Mark?</p> <p>17 MR. WILLOBEE: No. I first thank you,</p> <p>18 a lot of great work. You guys did a great job.</p> <p>19 Similar to Scott, I mean, I know</p> <p>09:18PM 20 you guys looked at a lot of great examples in</p> <p>21 like you said in Illinois and others. That was</p> <p>22 kind of my question, what's the uptake of those</p>	<p style="text-align: center;">60</p> <p>1 renovating a house, they want to remove as many</p> <p>2 question marks before they go to contract as</p> <p>3 they can. So this is our best shot at removing</p> <p>4 as many of those questions, as many of those</p> <p>5 objections on the front end as possible.</p> <p>6 MS. SALMON: To go back to the comments</p> <p>7 made earlier, we, I think, completely understand</p> <p>8 that there's a lot of publicizing to do after.</p> <p>9 So going back out if this is approved, reaching</p> <p>09:19PM 10 back out to those developers, those architects,</p> <p>11 making sure everyone is aware and especially the</p> <p>12 real estate agents. That's something that we</p> <p>13 talking about consistently. They are the ones</p> <p>14 advertising these homes to be demolished or can</p> <p>15 give my card to them or give this material, this</p> <p>16 packet to future homeowners or send them to the</p> <p>17 link that we have on our website. There's a lot</p> <p>18 of ways we want the word to get out there so</p> <p>19 that everyone is aware of what's possible.</p> <p>09:19PM 20 MR. WILLOBEE: That's all I had. Thank</p> <p>21 you.</p> <p>22 MR. MOORE: I have another question.</p>
<p style="text-align: center;">59</p> <p>1 programs and you can have a lot of great code</p> <p>2 but if nobody's taking advantage of it, so that</p> <p>3 was kind of same question there.</p> <p>4 The other question: Did you circle</p> <p>5 back with the architects and builders that you</p> <p>6 met with on some of this as far as after you met</p> <p>7 with them and learned their concerns? Have we --</p> <p>8 MR. MCGINNIS: So there's been ongoing</p> <p>9 engagements, okay. So we had this Zoom call,</p> <p>09:18PM 10 right, when this started during the pandemic</p> <p>11 with, you know, our regulars, right, and real</p> <p>12 estate agents, the builders, the architects, and</p> <p>13 it was really an open-ended question: Guys,</p> <p>14 what's it going to take to try to move the</p> <p>15 needle?</p> <p>16 So we're hoping -- and there's been</p> <p>17 ongoing engagement so hopefully, collectively,</p> <p>18 this pallet of incentives that we are able to</p> <p>19 offer is going to save a house. We don't know</p> <p>09:18PM 20 that yet. We don't know what the impacts going</p> <p>21 to be but what we heard over and over again was</p> <p>22 if somebody is going to spend \$2 million</p>	<p style="text-align: center;">61</p> <p>1 The way that you have done the graphs to show</p> <p>2 the difference in the zoning and the financial</p> <p>3 incentives on the properties, is that something</p> <p>4 that as these initial 25 or 50 are done, is that</p> <p>5 would be part of what's done for them to be</p> <p>6 approved, in other words, is that level of work</p> <p>7 going to be done so it's easily given to the</p> <p>8 homeowner and easily given to a buyer? I know</p> <p>9 that that's a lot of work.</p> <p>09:20PM 10 MS. SALMON: We have already done this</p> <p>11 on a couple of occasions for people and actually</p> <p>12 in this case too. The 420 South Park is what</p> <p>13 started a lot of this too.</p> <p>14 MR. MCGINNIS: We did some of these</p> <p>15 early. As soon as we heard that Park was coming</p> <p>16 on the market, staff worked to see what we could</p> <p>17 do to try and help people save the house. Where</p> <p>18 can we get a garage? What can we do with the</p> <p>19 family room?</p> <p>09:20PM 20 MS. SALMON: Our zoning code</p> <p>21 regulations are complex sometimes so we are</p> <p>22 always happy to help people meander through that</p>



1 and tell them what they can do.

2 MR. MOORE: Right. I'm just saying it  
3 might be part of the process, part of your flow  
4 chart as things are done.

5 CHAIRMAN CASHMAN: Julie?

6 MS. CRNOVICH: I would like to commend  
7 staff, Bethany, and Historic Preservation  
8 Commission, and the trustees for meeting so many  
9 times to discuss this and, like, I think it was  
10 very helpful to do just an hours' worth of work  
11 at a time because it's a lot of information so  
12 it takes a while for all this to sink in but  
13 this is all very positive.

14 I do have a couple of questions.  
15 How many homes have been demolished in Hinsdale?  
16 Do you have any idea like percentagewise?

17 MR. MCGINNIS: We demolished at least a  
18 third.

19 MS. CRNOVICH: At least a third?

20 Closer to a half maybe?

21 MR. MCGINNIS: Probably a 25-year span.  
22 So my predecessor was pretty good at tracking.

1 So we started in I think like '69 was the first  
2 and every year -- I mean, we peaked out at about  
3 120, and then we have kind of fallen off between  
4 the 40-50 range but I think we replaced a third  
5 in less than 30 years.

6 MS. CRNOVICH: The first village  
7 meeting I ever attended was -- I don't know how  
8 many years ago -- but it was about when they  
9 wanted to have a moratorium on demolitions and

10 it was basically historic people who wanted to  
11 preserve the homes in Hinsdale against the  
12 builders and it was not a pleasant meeting. I  
13 wish that something like this would have been in  
14 place back then but better now than never.

15 I think there's great incentives  
16 here, you know, waiver of fees. The setbacks  
17 is, I think that's huge, and you've made this  
18 where it's simple. I think your average  
19 resident can understand this rather than, like,

20 unlike the zoning code, people always have so  
21 many questions and need help with, so I think  
22 that's great.

1 What other communities have  
2 something similar to this? Is that hard to say?

3 MS. SALMON: One of the committee of  
4 the whole meetings, and Michael Marrs did do a  
5 presentation on this, was about, you know, some  
6 other communities and overlay districts with  
7 historic aspects to it but there's nothing  
8 exactly like this but there are places where  
9 they do incentives for historic homes in zoning  
10 or grant programs so we are kind of taking a  
11 unique approach but a little bit different than  
12 other communities because we are not like other  
13 communities. We have a slew of issues and  
14 higher property values than I think some of the  
15 other ones that we looked at, so we had to  
16 tailor a little bit of our efforts I think  
17 differently.

18 MR. MARRS: Yes. One of the fun things  
19 about this project, at least for zoning geeks  
20 like Bethany and I, is that there wasn't really  
21 a template that we could follow that we found  
22 from other communities so we kind of fashioned

1 this from the ground up using ideas that we took  
2 from other communities.

3 You know, so often -- my firm has  
4 been around doing local government law for 90  
5 years and we can almost always find -- we've  
6 almost always done something before and have a  
7 template but this wasn't really that way so it  
8 was interesting to kind of build this piece by  
9 piece, so I think it's a unique program.

10 One of the things if it's  
11 successful, I think that the village could, you  
12 know, leverage this for some publicity with the  
13 preservation groups and things like that because  
14 I think there might be other communities that  
15 would be interested in implementing something  
16 similar. There's a lot of communities that have  
17 incentives but they are just not structured this  
18 way.

19 MS. CRNOVICH: I recall one of the  
20 meetings, one of the committee of the whole  
21 meetings, somebody brought up, okay, you're  
22 going to offer incentives but will this include



<p style="text-align: center;">66</p> <p>1 anything about demolitions by neglect? Or, you</p> <p>2 know, there's been a lot of problems with that</p> <p>3 in the past. Is that going to stay the same or</p> <p>4 will something be added? It seems like there's</p> <p>5 a lot of repeat offenders destroying a lot of</p> <p>6 the historic homes in Hinsdale.</p> <p>7 MS. SALMON: So when we originally</p> <p>8 started talking about this about a</p> <p>9 year-and-a-half ago, we had some initial</p> <p>09 25PM 10 provisions for demolition by neglect that we</p> <p>11 were discussing and we decided to separate that</p> <p>12 for right now. We went with focusing on the</p> <p>13 voluntary preservation incentives and I think</p> <p>14 after we get through this period, that will be</p> <p>15 the next discussion that will be coming shortly</p> <p>16 after but we wanted to separate the carrots and</p> <p>17 the sticks for this portion.</p> <p>18 MS. CRNOVICH: I understand that. I</p> <p>19 just think the code could be stricter about the</p> <p>09 25PM 20 demolition by neglect. Too many people know ho</p> <p>21 to get around it. I'm not going to bring up the</p> <p>22 cases but you know what I'm talking about.</p>	<p style="text-align: center;">68</p> <p>1 people are ripping buildings down like crazy, so</p> <p>2 making sure that we are letting the people know</p> <p>3 this is a really good thing like you said to be</p> <p>4 on this list. And then trying to stop the</p> <p>5 builders who are coming in and picking up lots</p> <p>6 and tearing them down because they want to build</p> <p>7 houses, they don't want to fix them. But I</p> <p>8 think everything you have done is remarkable.</p> <p>9 Thank you.</p> <p>09 27PM 10 CHAIRMAN CASHMAN: I think you've done</p> <p>11 an amazing job. It was such a nice, cooperative</p> <p>12 effort between the village, HPC, all the time</p> <p>13 and effort to deal with our code, which is, you</p> <p>14 know, quite tangled. I think it seems very</p> <p>15 commonsense in a way.</p> <p>16 I was kind of curious, Robb, when</p> <p>17 you had that meeting and it was a great group of</p> <p>18 people to bring together. Were there specific</p> <p>19 parts of the zoning ordinance that were their</p> <p>09 27PM 20 first things, you know, that they're like, what</p> <p>21 about this FAR?</p> <p>22 I always thought just looking at</p>
<p style="text-align: center;">67</p> <p>1 MR. MARRS: I agree. There are, you</p> <p>2 know, as Bethany said we had some initial draft</p> <p>3 language, I think it's something that does need</p> <p>4 to be addressed; in the short term it's just not</p> <p>5 part of it.</p> <p>6 MS. CRNOVICH: That's it for me. Thank</p> <p>7 you.</p> <p>8 CHAIRMAN CASHMAN: Cynthia?</p> <p>9 MS. CURRY: So much has been addressed</p> <p>09 26PM 10 that I was going to say and kudos to all of you.</p> <p>11 The hours are evident in all of this. Thank you</p> <p>12 for simplifying it enough that it's understandable</p> <p>13 enough.</p> <p>14 And again, I'm like everyone. I</p> <p>15 think education is paramount to get the word out</p> <p>16 to these people however you do it. Is it a</p> <p>17 marketing campaign; is it broadcasting, is it</p> <p>18 news; is it we're a village taking steps?</p> <p>19 Lots of towns are going through</p> <p>09 26PM 20 this same issue. I was talking to someone the</p> <p>21 other day, Santa Fe, they are trying desperately</p> <p>22 to preserve an area, the downtown area, because</p>	<p style="text-align: center;">69</p> <p>1 preservation, especially some of these old lots</p> <p>2 that are just odd lots and where the house is</p> <p>3 positioned that their rear yard was like the</p> <p>4 place where you really needed to give relief.</p> <p>5 Because if you are a neighbor or just someone</p> <p>6 driving by, you don't really care what you do</p> <p>7 with your rear yard so much as, you know, front</p> <p>8 yard, side and all that. So I thought it was</p> <p>9 great the changes you made there.</p> <p>09 28PM 10 Building height, that was another</p> <p>11 area where we've got some of our oldest, most</p> <p>12 beautiful buildings, our houses, they are quite</p> <p>13 tall and we were so hung up on that for so long</p> <p>14 but did they have specific areas they were going</p> <p>15 to?</p> <p>16 MR. MCGINNIS: I think part of it was,</p> <p>17 you know, the rear setback and I know that that</p> <p>18 was one of John's issues, they don't have that</p> <p>19 open floor plan and needs some room in their</p> <p>09 28PM 20 rear.</p> <p>21 FAR came up as an issue. A lot of</p> <p>22 these houses already violate the height like you</p>



1 talked about where we've got, you know, a lot of  
 2 these older farmhouse styles you're already  
 3 blowing height before you ever get started.  
 4 So the -- probably the comment that  
 5 resonated most, trying to remove as many  
 6 questions as possible, not that -- we are never  
 7 going to set up a system where you replace the  
 8 ZBA. Or you no longer need a ZBA. You are  
 9 always going to need the Zoning Board of Appeals  
 10 because you have that one up that we didn't  
 11 anticipate, especially with lot stock that looks  
 12 like what we have in Hinsdale, especially in  
 13 Robbins where the lots are so goofy, so  
 14 irregular. Removing as many questions, right,  
 15 on the front end, buying as many assurances as  
 16 you can before they go to contract we hope will  
 17 be enough. And like I said, this pallet, you  
 18 know, trying to expedite reviews, waiving permit  
 19 fees and in some cases this could be a 40,  
 20 \$50,000 renovation. That coupled with maybe  
 21 some of the relaxed bulk zoning regs will be  
 22 enough, we hope.

09:29PM

09:29PM

1 CHAIRMAN CASHMAN: I bet if, like, just  
 2 the language you put into the start of the ZBA,  
 3 I can't remember exactly where it is in here,  
 4 but just that little paragraph alone could have  
 5 changed the outcome of so many things in the  
 6 past. Because I always felt like they were kind  
 7 of handcuffed too, you know, worried about  
 8 precedence.  
 9 MR. MCGINNIS: And Julie's right. I  
 10 mean, they really struggle with that because you  
 11 have those standards and they're kind of black  
 12 and white and somebody shows up to, you know, to  
 13 try and follow and you put them immediately in a  
 14 difficult position. It's tough to get past that  
 15 not self-created standard.  
 16 CHAIRMAN CASHMAN: Right. Where if it  
 17 doesn't somehow these new proposed or relaxed  
 18 regulations, if it doesn't fit in there, I just  
 19 feel like the chance of getting a variation if  
 20 the intention is right and it makes sense  
 21 historically, I think the odds are going to go  
 22 up.

09:30PM

09:30PM

1 MR. MCGINNIS: I agree.  
 2 CHAIRMAN CASHMAN: Which I think is  
 3 cool.  
 4 Fantastic job. I'm really, really  
 5 impressed. This might be a template, I would  
 6 agree, for other communities that I'm sure are  
 7 struggling and how do you get at this.  
 8 Somebody recently mentioned some  
 9 community of historic area in California they  
 10 had something, not all this, like an overlay  
 11 district and they were struggling with and that  
 12 case was a much more mid-century modern attempt  
 13 and how do you preserve those and it was just  
 14 fascinating the things that they were talking  
 15 about. I'm like, wait, this is in this packet,  
 16 so kudos to you.  
 17 Any other questions or comments by  
 18 the group?  
 19 (No response.)  
 20 If not, I would love to get a  
 21 recommendation, a motion to approve Case  
 22 A-03-2022 for the map amendment, text amendment

09:31PM

09:31PM

1 to various sections of the zoning code and text  
 2 amendment to Title 14 of the village code to  
 3 establish a historic overlay district as  
 4 requested by the village of Hinsdale.  
 5 MS. CRNOVICH: So moved.  
 6 MS. CURRY: Second.  
 7 CHAIRMAN CASHMAN: May I have a roll  
 8 call vote, please, Bethany.  
 9 MS. SALMON: Commissioner Curry?  
 10 MS. CURRY: Aye.  
 11 MS. SALMON: Commissioner Crnovich?  
 12 MS. CRNOVICH: Aye.  
 13 MS. SALMON: Commissioner Willobee?  
 14 MR. WILLOBEE: Aye.  
 15 MS. SALMON: Commissioner Fisacone?  
 16 MS. FIASCONE: Aye.  
 17 MS. SALMON: Commissioner Moore?  
 18 MR. MOORE: Aye.  
 19 MS. SALMON: Chairman Cashman?  
 20 CHAIRMAN CASHMAN: Aye.  
 21 Can I have a motion to adjourn?  
 22 MS. CRNOVICH: So moved.

09:31PM



1 MS. FIASCONE: Second.

2 CHAIRMAN CASHMAN: All in favor?

3 (All aye.)

4 Again, you did a great job.

5 MS. CRNOVICH: Good job. You made this  
6 so easy.

7 (WHICH, were all of the  
8 proceedings had, evidence  
9 offered or received in the  
10 above entitled cause.)  
11  
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22

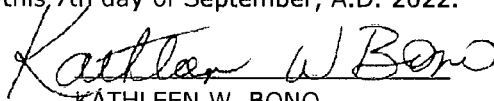
STATE OF ILLINOIS )

) ss:

COUNTY OF DU PAGE )

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

IN TESTIMONY WHEREOF I have  
hereunto set my hand and affix my electronic  
signature this 7th day of September, A.D. 2022.



KATHLEEN W. BONO

C.S.R. No. 84-1423

Notary Public, DuPage County



\$	4	accessory [1] - 39:19 accommodate [1] - 33:8 accomplished [1] - 13:17 accomplishing [1] - 9:9 account [2] - 16:7, 53:12 achieve [1] - 12:4 acknowledges [1] - 31:1 act [1] - 49:16 activities [1] - 50:21 acts [1] - 33:2 actual [5] - 8:5, 9:3, 12:10, 25:5, 48:7 added [4] - 16:19, 17:8, 39:7, 66:4 addition [10] - 6:19, 36:14, 38:8, 39:10, 39:13, 41:9, 45:22, 46:20, 47:13, 48:8 additional [5] - 11:13, 17:7, 33:8, 52:10, 52:22 additions [6] - 6:6, 10:5, 31:17, 33:3, 38:4, 43:17 address [1] - 21:7 addressed [2] - 67:4, 67:9 adjacent [2] - 23:14, 44:12 adjourn [1] - 73:21 administered [1] - 4:14 adopted [2] - 33:16, 43:1 adoption [1] - 35:6 ads [1] - 20:5 advantage [2] - 25:12, 59:2 adverse [1] - 44:11 advertising [1] - 60:14 affect [3] - 29:18, 49:8, 49:10 affix [1] - 75:17 afford [1] - 22:14 aforesaid [1] - 75:15 agents [4] - 8:14, 19:22, 59:12, 60:12 ago [3] - 49:18, 63:8, 66:9 agree [7] - 19:5, 19:18, 20:21, 21:16, 67:1, 72:1, 72:6 allow [2] - 43:18,	51:15 allowed [2] - 43:15, 48:22 alluded [1] - 22:21 almost [2] - 65:5, 65:6 alone [1] - 71:4 ALSO [1] - 2:1 altered [1] - 11:6 alternative [6] - 7:1, 8:1, 25:16, 26:22, 32:17, 34:11 amazing [2] - 4:7, 68:11 amend [2] - 14:12, 56:13 amendment [6] - 2:10, 2:11, 72:22, 73:2 Amendment [2] - 1:5, 1:6 amendments [7] - 2:14, 9:14, 13:8, 13:18, 15:1, 29:17, 52:10 amount [1] - 4:17 amounts [1] - 58:9 analysis [1] - 23:10 analyze [1] - 56:16 and-a-half [1] - 46:10 Anna [1] - 58:5 ANNA [1] - 1:20 answer [2] - 20:19, 53:22 answered [2] - 58:7 anticipate [3] - 16:4, 17:3, 70:11 anticipated [1] - 10:14 Appeals [1] - 70:9 applicable [1] - 23:8 applicant [2] - 27:7, 51:1 application [2] - 14:1, 26:13 applications [1] - 51:17 applied [1] - 47:20 apply [2] - 11:5, 25:17 applying [2] - 40:3, 56:11 appreciate [2] - 3:1, 3:22 approach [1] - 64:11 appropriateness [1] - 26:18 approval [9] - 7:19, 13:11, 16:16, 26:9, 26:14, 27:4, 30:8,	30:14, 30:15 approvals [1] - 32:11 approve [1] - 72:21 approved [2] - 60:9, 61:6 approving [1] - 7:9 arbitrage [1] - 55:14 architects [6] - 6:1, 9:6, 50:1, 59:5, 59:12, 60:10 area [13] - 11:14, 14:6, 18:1, 23:12, 23:13, 34:2, 34:5, 38:17, 43:20, 67:22, 69:11, 72:9 areas [5] - 12:21, 23:6, 24:7, 25:2, 69:14 argue [1] - 53:19 Article [1] - 11:10 aspect [1] - 27:15 aspects [5] - 14:16, 18:22, 36:15, 56:7, 64:7 assess [1] - 58:15 assessed [1] - 35:13 assist [1] - 51:16 assistance [1] - 51:11 assurances [1] - 70:15 attached [2] - 47:14, 48:10 attempt [1] - 72:12 attended [1] - 63:7 attention [1] - 21:14 Attorney [1] - 2:4 August [1] - 1:13 authority [2] - 27:2, 27:14 available [4] - 17:1, 17:22, 18:4, 20:19 Avenue [1] - 1:12 average [3] - 39:5, 63:18 awake [1] - 48:12 aware [5] - 17:20, 29:9, 54:22, 60:11, 60:19 awareness [1] - 8:9 awful [1] - 3:6 aye [7] - 73:10, 73:12, 73:14, 73:16, 73:18, 73:20, 74:3
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		B		
		B-1 [1] - 24:2 B-2 [1] - 24:2		





lob

## MEMORANDUM

**TO:** President Cauley and Board of Trustees

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

**FROM:** Bethany Salmon, Village Planner

**DATE:** September 20, 2022

**RE:** Discussion Item – Proposed Automotive Dealership at 2 Salt Creek Lane – Mouse Motors Inc. / McLaren Chicago

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### **Project Information**

Mouse Motors Inc. / McLaren Chicago is seeking feedback from the Board of Trustees on the proposed development of the 2.2-acre property located at 2 Salt Creek Lane into a luxury automotive dealership.

The property is located in the O-3 General Office District at the northwest corner of Ogden Avenue and Salt Creek Lane. The site has been vacant since 2012 following the demolition of a two-story office building. The former parking lot, dumpster enclosure, decorative fence, and underground stormwater vault remain on site.

A cover letter, site plan, interior floor plan, building elevations, and parking information have been submitted for preliminary review and feedback. The preliminary plans show a two-story, 44,513 square foot building that would consist of a luxury automobile dealership with an interior showroom, automobile repair services, offices, and an interior parking garage for vehicle storage. Per the cover letter, exterior parking spaces will not be used for the retail display of vehicles as all vehicles for sale will be located inside the building. Anticipated hours of operation are from 8 a.m. to 5 p.m. for service and 10 a.m. to 6 p.m. for sales, both of which will largely be by appointment.

The proposed project would require the following approvals:

- Exterior Appearance and Site Plan Review
- Map Amendment (Rezoning) from the O-3 District to the B-3 District
- Variation(s) from the Zoning Code

The property is located in the Office Park of Hinsdale and is subject to private covenants by the Owners Association. Mouse Motors is working with the Association on the proposed development.

### **Zoning & Land Use Information**

To accommodate a proposed automobile dealership use, a Map Amendment would be required to rezone the property from the O-3 General Office District to the B-3 General Business District. In the B-3 District, new and used motor vehicle dealers on lots abutting Ogden Avenue are classified as a permitted use. The expansion of existing new and used motor vehicle dealers on lots abutting Ogden Avenue as well as automotive repair shops are classified as a special use.

Article V and Article VI of the Zoning Code, which provide the bulk regulations for the Business and Office Districts, are attached for review. The B-3 District "is intended to serve the Hinsdale suburban community with a full range of locally oriented business uses commonly located along established traffic routes" and is "a more generalized commercial district designed for established areas of heavier vehicular traffic."





## MEMORANDUM

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

The property is surrounded by a mix of office and commercial uses. Multi-tenant office buildings, medical office buildings, and a detention pond are located to the north, east, and west of the site in the O-3 District. Automobile dealerships and a bank are located to the south across Ogden Avenue in the B-3 District. Specifically, three automobile dealerships are located on the neighboring blocks to the south of the site (Land Rover at 336 E. Ogden Avenue, Continental / Ferrari at 420 E. Ogden Avenue, Current Automotive at 300 E. Ogden Avenue). There are no properties in a Single-Family Residential District located within 250 feet of the site. The closest single-family property is located in the R-4 District approximately 475 feet to the south on Oak Street across Ogden Avenue. The Graue Mill County Condominium subdivision is located approximately 780 feet from the north of the site in the R-5 District.

### Zoning Code Regulations

Compliance with bulk zoning requirements and Village codes will be determined with a formal application submittal. Based on a preliminary review, the proposed plans appear to meet the majority of the bulk Zoning Code requirements, with the exception of off-street parking.

**Parking:** Per Section 9-104(J), the proposed use would be required to provide one (1) parking space for each 275 square feet of net floor area. With an estimated 38,594 square feet of net floor area, 141 parking spaces would be required. Forty-five (45) spaces are proposed in the exterior parking lot. Additional parking not counted toward required parking is proposed inside the building for vehicle inventory, service, and showroom purposes. Review and approval of a variation by the Zoning Board of Appeals and Board of Trustees would be required to allow for a deficiency of ninety-six (96) spaces.

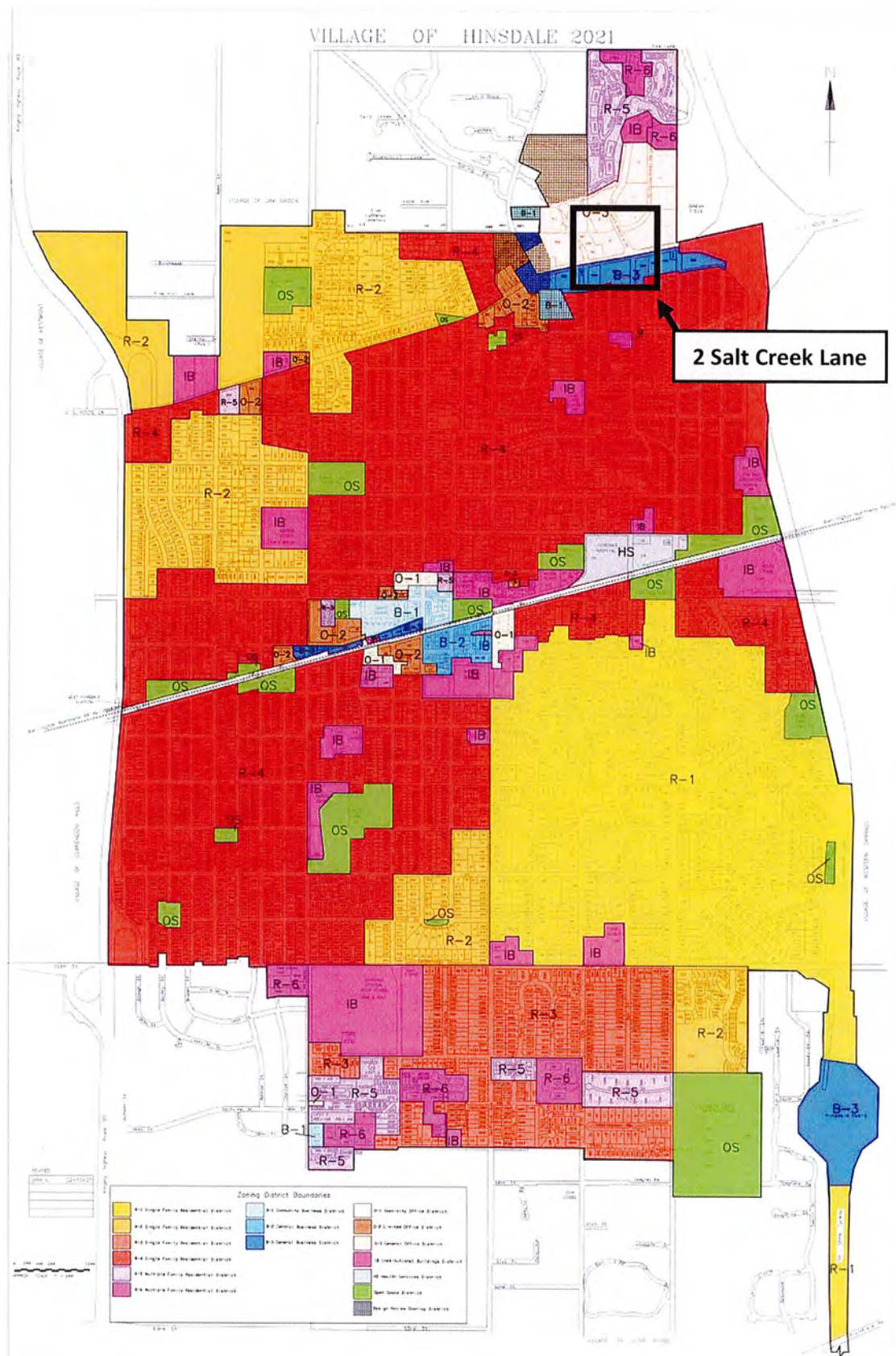
According to Mouse Motors, due to the high-end nature and operational differences, the proposed use will have a lower intensity than a typical car dealership and the number of parking spaces proposed will be adequate for the operations on site. There will be low customer walk-in traffic due to the price point of the vehicles and the large number of sales taking place online, the service and showroom areas will largely be by appointment only, and vehicles for service appointments will primarily be picked up from a customer's location and brought to the site for repair. About 80% of vehicle sales are estimated to take place online. All vehicle inventory will be contained inside the building. A second floor parking garage is proposed containing about 36 spaces for vehicle inventory, the first and second floor showroom will contain about 19 spaces and the service areas include about 20 spaces. The increase to the building size due to interior parking and vehicle showroom design contributes to a greater deficiency based on the zoning code calculations for parking requirements. Mouse Motors has indicated that they are exploring off-site parking solutions on adjacent properties and at sites outside of Hinsdale. Their current service facility in Chicago may be used to relieve any possible parking, with 36 spaces available in overflow cases.

### Documents Attached

1. Zoning Map and Project Location
2. Aerial View
3. Birdseye View
4. Street View
5. Article V and Article VI of the Zoning Code - Regulations for the O-3 and B-3 Districts
6. Cover Letter and Preliminary Plans

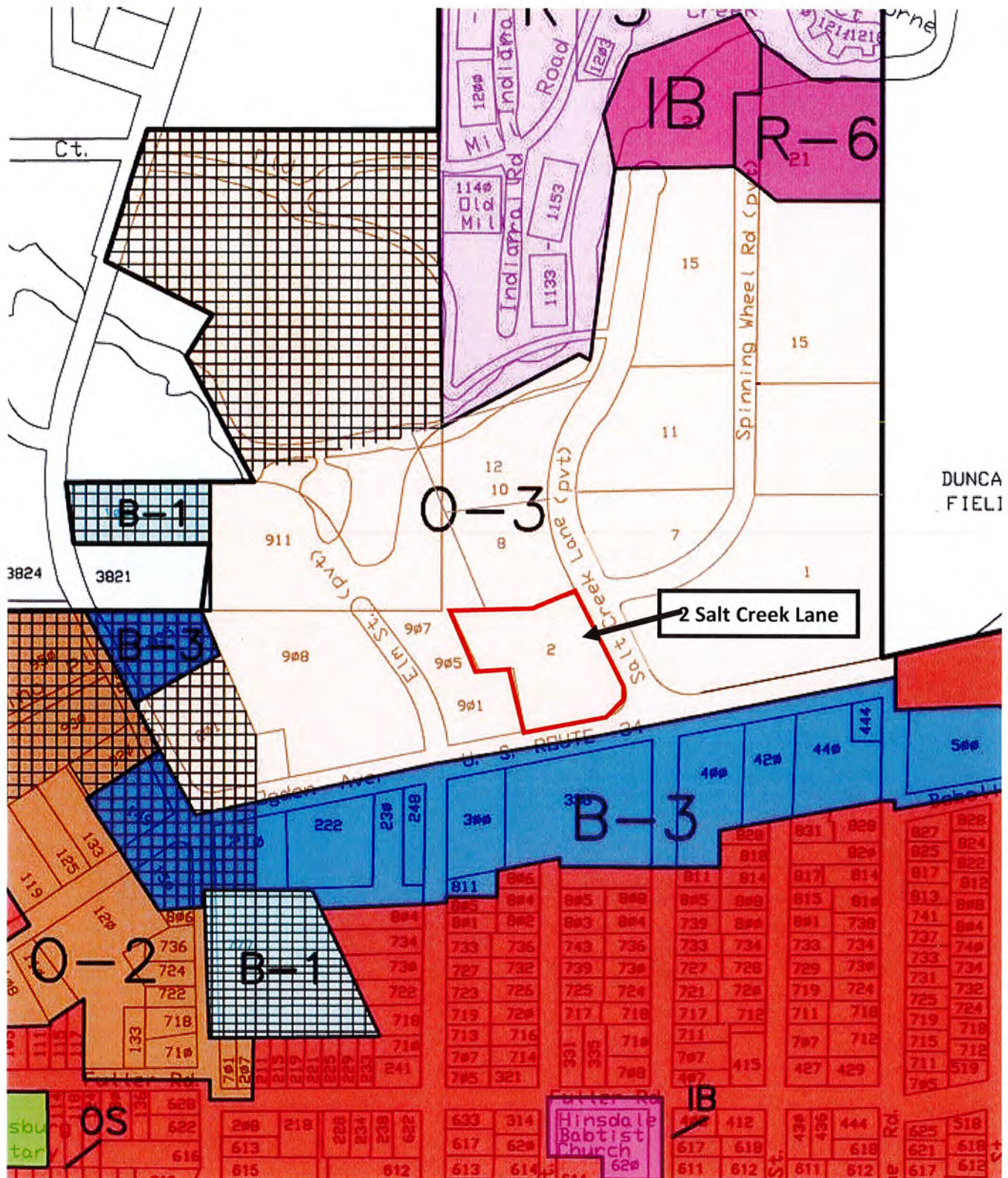


## Village of Hinsdale Zoning Map and Project Location





## Village of Hinsdale Zoning Map and Project Location





Aerial View – 2 Salt Creek Lane





Aerial View – 2 Salt Creek Lane





Birds Eye View – 2 Salt Creek Lane





Street View – 2 Salt Creek Lane





Street View – 2 Salt Creek Lane





## ARTICLE V. BUSINESS DISTRICTS

### SECTION:

#### **5-101: Purposes**

#### **5-102: Permitted Uses**

#### **5-103: Accessory Structures And Uses**

#### **5-104: Temporary Uses**

#### **5-105: Special Uses**

#### **5-106: Parking And Loading Requirements**

#### **5-107: Sign Regulations**

#### **5-108: Buffers And Landscaping**

#### **5-109: Special Development And Use Regulations**

#### **5-110: Bulk, Space, And Yard Requirements**

### **Sec. 5-101: Purposes:**

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

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

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

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

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

### **Sec. 5-102: Permitted Uses:**

The following uses and no others are permitted as of right in the business districts indicated in the following table. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual" (see appendix A of this code) and section 11-501 of this code. SIC codes are given in parentheses following each use listing.



	B-1	B-2	B-3
<i>A. Construction, Special Trade Contractors:</i>			
1. General building contractors; residential buildings (152).			P
2. Operative builders (153).			P
3. Plumbing, heating, and air conditioning contractors (171).		P	P
4. Painting and paper hanging contractors (172).		P	P
5. Electrical work contractors (173), but not highway lighting and electrical signal construction.		P	P
6. Masonry, stone setting, and other stone work contractors (1741).			P
7. Plastering, drywall, acoustical, and insulation work contractors (1742).		P	P
8. Terrazzo, tile, marble, and mosaic work contractors (1743).			P
9. Carpentry and floor work contractors (175).		P	P
10. Roofing, siding, and sheet metal work contractors (176).			P
11. Glass and glazing work contractors (1793).		P	P
12. Special trade contractors not elsewhere classified (1799).		P	
<i>B. Printing, Publishing, And Allied Industries:</i>			
1. Commercial printing (275).			P
<i>C. Retail Trade:</i>			
1. Lumber and other building materials dealers (521).			P
2. Paint, glass, and wallpaper stores (523).	P	P	P
3. Hardware stores (525).	P	P	P
4. Department stores (531).	P	P	P
5. Variety stores (533).	P	P	P
6. Miscellaneous general merchandise stores (539).	P	P	P
7. Grocery stores (541).	P	P	P
8. Meat and fish markets (543).	P	P	P
9. Fruit and vegetable markets (543).	P	P	P
10. Candy, nut, and confectionery stores (544).	P	P	P
11. Dairy products stores (545).	P	P	P
12. Retail bakeries (546).	P	P	P
13. Miscellaneous food stores (549).	P	P	P
14. New and used motor vehicle dealers (551), but only on lots abutting Ogden Avenue.			P
15. Auto and home supply stores (553), but not including service bays.	P	P	P
16. Men's and boys' clothing and accessory stores (561).	P	P	P
17. Women's clothing stores (562).	P	P	P
18. Women's accessory and specialty stores (563).	P	P	P
19. Children's and infants' wear stores (564).	P	P	P
20. Family clothing stores (565).	P	P	P
21. Shoe stores (566).	P	P	P



## Village of Hinsdale – Zoning Code

22. Miscellaneous apparel and accessory stores (569).	P	P	P
23. Home furniture and furnishings stores (571).	P	P	P
24. Household appliance stores (572).	P	P	P
25. Radio, television, consumer electronics, and music stores (573).	P	P	P
26. Eating places (5812), including accessory outdoor seating, but not including live entertainment or drive-in establishments.	P	P	P
27. Drinking places (5813) accessory to permitted eating places.			P
28. Drugstores and proprietary stores (591).	P	P	P
29. Used merchandise stores (593).	P	P	P
30. Sporting good stores and bicycle shops (5941).	P	P	P
31. Bookstores (5942).	P	P	P
32. Stationery stores (5943).	P	P	P
33. Jewelry stores (5944).	P	P	P
34. Hobby, toy, and game shops (5945).	P	P	P
35. Camera and photographic supply stores (5946).	P	P	P
36. Gift, novelty, and souvenir shops (5947).	P	P	P
37. Luggage and leather goods stores (5948).	P	P	P
38. Sewing, needlework, and piece goods stores (5949).	P	P	P
39. Florists (5992).	P	P	P
40. Tobacco stores and stands (5993).	P	P	P
41. News dealers and newsstands (5994).	P	P	P
42. Optical goods stores (5995).	P	P	P
43. Miscellaneous retail stores (5999), but not including auction rooms, firework sales, gravestone sales, sales barns, or tombstone sales.	P	P	P
D. Finance, Insurance And Real Estate:			
1. Depository and nondepository credit institutions (60-61), but not on the first floor of any structure in the B-2 district except expansion of such an institution existing on such a first floor as of January 1, 1994, into additional first floor space owned by such an institution as of January 1, 1994, in the same structure or an abutting structure, and except expansion of such an institution into first floor space that does not abut a street, provided that such expansion does not occupy more than 50 percent of the depth of the overall tenant space, and not including drive-in establishments or automatic teller machines, except teller machines attached to the principal structure on the lot.		P	
2. Security and commodity brokers, dealers, exchanges, and services (62), but not on the first floor of any structure in the B-2 district.	P	P	P
3. Insurance carriers, agents, brokers, and service (63-64), but not on the first floor of any structure in the B-2 district.	P	P	P
4. Real estate offices (65), but not on the first floor of any structure in the B-2 district.	P	P	P
5. Holding and other investment offices (67), but not on the first floor of any structure in the B-2 district.	P	P	P
E. Services:			
1. Veterinary services for animal specialties (0742).			P
2. Grooming services for pets (0752).			P



3. Laundry, cleaning, and garment services (721), but not including dry cleaning plants (7216) or industrial launderers (7218).	P	P	P
4. Photographic studios, portrait (722).	P	P	P
5. Beauty shops (723).	P	P	P
6. Barbershops (724).	P	P	P
7. Shoe repair shops and shoeshine parlors (725).	P	P	P
8. Tax preparation services (7291), but not on the first floor of any structure in the B-2 district.	P	P	P
9. Advertising services (731), but not on the first floor of any structure in the B-2 district.	P	P	P
10. Mailing, reproduction, commercial art and photography, and stenographic services (733).	P	P	P
11. Services to dwellings and other buildings (734).			P
12. Employment agencies (7361), but not on the first floor of any structure in the B-2 district.	P	P	
13. Help supply services (7363), but not on the first floor of any structure in the B-2 district.	P	P	P
14. Computer programming, data processing, and other computer related services (737), but not on the first floor of any structure in the B-2 district.	P	P	P
15. Electrical repair shops (762), but not including refrigeration and air conditioning service and repair shops (7632).	P	P	P
16. Watch, clock, and jewelry repair (763).	P	P	P
17. Reupholstery and furniture repair (764).			P
18. Videotape rental (784).	P	P	P
19. Offices and clinics of doctors of medicine, dentists, osteopaths, chiropractors, optometrists, podiatrists, and other health practitioners (801-804), but not on the first floor of any structure in the B-2 district.	P	P	P
20. Kidney dialysis centers (8092).			P
21. Legal services (81), but not on the first floor of any structure in the B-2 district.	P	P	P
22. Engineering, architectural, and surveying services (871), but not on the first floor of any structure in the B-2 district.	P	P	P
23. Accounting, auditing, and bookkeeping services (872), but not on the first floor of any structure in the B-2 district.	P	P	P
24. Management and public relations services (874), but not on the first floor of any structure in the B-2 district.	P	P	P
25. Miscellaneous services (89), but not on the first floor of any structure in the B-2 district.		P	P
26. Miscellaneous business and professional office uses not listed herein, but not on the first floor of any structure in the B-2 district.		P	P
27. Small parcel store (733 and 4783).	P		
28. Professional, home based, supplemental education program centers.	P		
F. <i>Transportation And Utility Services:</i>			
1. Office of local and suburban transit and interurban highway passenger transportation companies (41), but not including terminals, stations, vehicle yards, or garages and not on the first floor of any structure in the B-2 district.		P	P



2. Travel agencies (4724).	P	P	P
3. Tour operators (4725), but not on the first floor of any structure in the B-2 district.	P	P	P
4. Airline, bus, and railroad ticket offices (4729).	P	P	P
5. Offices of communications and utility companies (48-49), but not on the first floor of any structure in the B-2 district.	P	P	P
6. Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481); but only where: a) the antenna and any necessary antenna support structure are fully enclosed or shielded from view from any point located off the zoning lot on which they are located by a structure otherwise permitted on the zoning lot and all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot, or b) the antenna or antennas are limited to omnidirectional or whip antennas and directional or panel antennas and are located on a lawfully preexisting building that will serve as an antenna support structure and all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot and, in either such case, such antenna, support structure and equipment fully comply with all standards and requirements applicable thereto.			
G. <i>Dwelling Units</i> : Dwelling units shall be subject to the lot area provisions applicable to the R-5 district; provided, however, that no dwelling unit shall be located on the first floor of any structure.		P	P

(Ord. 92-27, §2, 8-18-1992; Ord. 94-2, §2, 1-4-1994; Ord. 94-11, §2, 3-1-1994; Ord. 97-4, §3A, 3-4-1997; Ord. O2005-02, §2, 1-18-2005; Ord. O2006-76, §2, 10-17-2006; Ord. O2007-50, §2, 7-17-2007; Ord. O2009-19, §2, 3-17-2009; Ord. O2010-14, §2, 3-23-2010; Ord. O2011-55, 11-15-2011)

#### **Sec. 5-103: Accessory Structures And Uses:**

Accessory structures and uses are permitted in all business districts subject to the provisions of section 9-101 of this Code. (1991 Code)

#### **Sec. 5-104: Temporary Uses:**

Temporary uses are permitted in all business districts subject to the provisions of section 9-103 of this Code. (1991 Code)

#### **Sec. 5-105: Special Uses:**

Except as specifically limited in the following table, the uses listed in the following table may be permitted in the business districts indicated subject to the issuance of a special use permit as provided in section 11-602 of this Code. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual" (see appendix A of this Code) and section 11-501 of this Code. SIC codes are given in parentheses following each use listing.

	B-1	B-2	B-3
A. <i>Retail Trade</i> :			
1. Retail nurseries, lawn, and garden supply stores (526).	S		S
2. Expansion of existing new and used motor vehicle dealers (551), but only on lots abutting Ogden Avenue.			S
3. Auto and home supply stores (553), with service bays.			S
4. Gasoline service stations (554).	S		S
5. Live entertainment accessory to permitted eating places.	S	S	S



6. Repealed.			
7. Carryout eating places (5812).	S	S	S
8. Drugstores and pharmacies with drive-throughs.	S		
B. <i>Finance, Insurance, And Real Estate:</i>			
1. Depository and nondepository credit institutions (60-61), not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot and only subject to the provisions of subsection 5-109G of this article.	S		S
2. Drive-in depository and nondepository credit institutions (60-61), but only subject to the provisions of subsection 5-109H of this article.	S	S	S
3. Automatic teller machines when not attached to the principal structure on the lot.	S	S	S
C. <i>Services:</i>			
1. Districts, this use is allowed in stand-alone buildings only.	S	S	
2. Laundry and dry cleaning plants (7211/7216).	S		S
3. Miscellaneous personal services (729), but not including coin operated service machine operation, comfort station operation, dating services, escort services, locker rental, massage parlors, restroom operation, steam baths, tattoo parlor, turkish baths, or wedding chapels.	S	S	S
4. Medical and miscellaneous equipment rental and leasing (7352/7359).		S	S
5. Passenger car rental and leasing (7514-7515).			S
6. Automobile parking (752), but not tow in parking lots.	S	S	S
7. Automotive repair shops (753), but not including tire retreading (7534).	S		S
8. Car washes (7542).	S		S
9. Motion picture theaters, except drive-in establishments (7832).		S	S
10. Dance studios, schools, and halls (7911), but not on the first floor of any structure in the B-2 District.		S	S
11. Physical fitness facilities (7991), but not on the first floor of any structure in the B-2 District.	S	S	S
12. Membership sports and recreation clubs (7997), but not on the first floor of any structure in the B-2 District.	S	S	S
13. Medical and dental laboratories (807), but not on the first floor of any structure in the B-2 District.		S	S
14. Correspondence and vocational schools (824).			S
15. Child daycare services (835), but not on the first floor of any structure in the B-2 District.		S	S
16. Business associations (861), but not on the first floor of any structure in the B-2 District.		S	S
17. Professional membership organizations (862), but not on the first floor of any structure in the B-2 District.		S	S
18. Labor organizations (863), but not on the first floor of any structure in the B-2 District.		S	S
19. Civic, social, and fraternal associations (864), but not on the first floor of any structure in the B-2 District.		S	S
20. Political organizations (865), but not on the first floor of any structure in the B-2 District.		S	S



21. Membership organizations not elsewhere classified (869), but not on the first floor of any structure in the B-2 District.		S	S
22. Musical tutoring services (8299), but not on the first floor of any structure in the B-2 District and not in any structure that is not freestanding.		S	
23. Boarding kennels (0752). In B-1 Districts, this use is allowed in stand-alone buildings only.	S		
24. Pet hospitals (0742). In B-1 Districts, this use is allowed in stand-alone buildings only.	S		
25. Educational services, but not on the first floor of any structure in the B-2 District.		S	S
26. Automobile driving instruction, but not on the first floor of any structure in the B-1 District.	S		
<b>D. Transportation And Utility Services:</b>			
1. Local and suburban passenger transportation terminals and stations (41), but not including vehicle yards or garages.		S	S
2. Household goods warehousing (4225), self-service only, but only on lots abutting Ogden Avenue.			S
3. Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481) not otherwise permitted pursuant to section 5-102 of this article.			
<b>E. Miscellaneous:</b>			
1. Planned developments.	S	S	S
2. Hotels (7011).			S
3. Lifestyle housing, subject to the planned development provisions of subsection 11-603M of this Code.	S		S

(Ord. 92-27, §3, 8-18-1992; Ord. 97-4, §3B, 3-4-1997; Ord. O2002-66, §2, 10-1-2002; Ord. O2003-45, §2, 8-19-2003; Ord. O2005-02, §3, 1-18-2005; Ord. O2006-76, §3, 10-17-2006; Ord. O2007-62, §2, 9-4-2007; Ord. O2009-47, §2, 9-1-2009; Ord. O2011-53, 11-15-2011; Ord. O2012-38, 9-13-2012; Ord. O2017-10, 3-7-2017; Ord. O2017-33, 7-11-2017; Ord. O2018-05, 2-15-2018)

#### **Sec. 5-106: Parking And Loading Requirements:**

The parking and loading requirements applicable in all Business Districts are set forth in sections 9-104 and 9-105 of this Code. (1991 Code)

#### **Sec. 5-107: Sign Regulations:**

The sign regulations applicable in all Business Districts are set forth in section 9-106 of this Code. (1991 Code)

#### **Sec. 5-108: Buffers And Landscaping:**

The requirements relating to buffering and landscaping of certain uses and structures in all Business Districts are set forth in section 9-107 of this Code. (1991 Code)

#### **Sec. 5-109: Special Development And Use Regulations:**

A. Exterior Appearance And Site Plan Review: No construction or development requiring a building permit and affecting the exterior appearance of any structure shall be permitted in any Business District except upon approval of the building permit application by the Board of Trustees pursuant to section 11-606 of this Code and site plan approval by the Board of Trustees pursuant to section 11-604 of this Code. This



subsection shall not be construed as a limit on any other requirement for site plan approval pursuant to section 11-604 of this Code.

B. Ground Floor Uses In B-2 District: No use other than permitted and specially permitted retail trade uses and bank and other credit agency uses shall be allowed on the ground floor of any structure in the B-2 District.

C. Manufacturing Limited: No manufacturing, processing, or treatment of products shall be conducted on any premises in any Business District, except those that are incidental to a principal retail business use. At least seventy five percent (75%) of all products produced on the premises shall be sold at retail on the premises.

D. Storage Limited: Except when specially permitted in the B-3 District pursuant to subsection 5-105D2 of this article, no storage or warehousing of any product shall be permitted in any Business District except such as is incidental to a principal retail use.

E. Personal Wireless Services Antennas, With Or Without Antenna Support Structures, And Related Electronic Equipment And Equipment Structures: The following additional regulations shall apply to the construction or development of personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures in the B-3 District:

1. Location: Personal wireless services antennas shall be located on lawfully preexisting antenna support structures or other lawfully preexisting buildings or structures wherever possible. No special use permits authorizing construction of a new antenna support structure or addition to or expansion of an existing antenna support structure or existing building or structure shall be authorized unless the applicant is able to demonstrate that no lawfully preexisting antenna support structure or lawfully preexisting building or structure is available, on commercially reasonable terms, and sufficient for the location of an antenna necessary for the provision of personal wireless services.

2. Design Of New Antenna Support Structures For Collocation: Unless otherwise authorized by the Board of Trustees for good cause shown, every new personal wireless services antenna support structure, whether constructed as a permitted or special use, shall be designed, constructed and installed to be of a sufficient size and capacity to allow the location of additional personal wireless services antennas to accommodate at least one additional personal wireless service provider on such structure in the future. Any special use permit for such a support structure may be conditioned upon the agreement of the applicant to allow collocation of other personal wireless service providers on commercially reasonable terms specified in such special use permit.

3. Tower Design: Every new personal wireless services antenna support structure that is of a tower design shall:

(a) Be a monopole rather than latticework, unless otherwise authorized by the Board of Trustees for good cause shown;

(b) Not be illuminated or have any signs installed thereon unless otherwise required by federal law or regulations; and

(c) Be located at least twenty feet (20') from any other such structure.

Any deck on such a tower shall be centered on the tower and shall have not more than three (3) sides, with each side having dimensions that do not exceed five feet (5') vertically and twelve feet (12') horizontally.

4. Sizes Of Antennas On Buildings: Antennas located on a lawfully preexisting building shall not exceed the following dimensions:

(a) Omnidirectional or whip antennas shall not exceed three inches (3") in diameter and fifteen feet (15') vertically; and

(b) Directional or panel antennas shall not exceed two feet (2') horizontally and five feet (5') vertically.

5. Protection Against Climbing: Every personal wireless services antenna and antenna support structure shall be protected against unauthorized climbing or other access by the public.

6. Color: Every personal wireless services antenna and antenna support structure shall be of neutral colors that are harmonious with, and that blend with, the natural features, buildings and structures surrounding such antenna and antenna support structures; provided, however, that directional or panel



antennas and omnidirectional or whip antennas located on the exterior of a building that will also serve as an antenna support structure shall be of colors that match, and cause the antenna to blend with, the exterior of the building.

7. Equipment Enclosures: All electronic and other related equipment and appurtenances necessary for the operation of any personal wireless services antenna shall, whenever possible, be located within a lawfully preexisting structure or completely below grade. When a new structure is required to house such equipment, such structure shall be harmonious with, and blend with, the natural features, buildings and structures surrounding such structure.

8. Licenses And Permits: The operator of every personal wireless services antenna shall submit to the village manager copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of such antenna and shall maintain such licenses and permits and provide evidence of renewal or extension thereof when granted.

9. Compliance With Plans: Every personal wireless services antenna and antenna support structure shall comply with all plans approved by the village.

10. Limited To Applicant: Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure shall state that any assignment or transfer of the special use permit or any of the rights thereunder may be made only with the approval of the board of trustees.

11. Term Limitation: Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure may provide that:

(a) Where the provider of personal wireless services is not the owner of the land on which such antenna or structure is located, the term of the special use permit is limited to the term of the lease or other agreement granting rights to use the land; and

(b) The special use permit shall be subject to review by the board of trustees, at ten (10) year intervals, to determine whether the technology in the provision of personal wireless services has changed such that the necessity for the special permit at the time of its approval has been eliminated or modified, and whether the special use permit should be modified or terminated as a result of any such change.

12. Abandonment And Removal: When one or more antennas, an antenna support structure, or related equipment are not operated for the provision of personal wireless services for a continuous period of twelve (12) months or more, such antenna, antenna support structure, or related equipment may be deemed to be abandoned by the village. The owner of such an antenna, antenna support structure, or related equipment shall remove such items within ninety (90) days following the mailing of written notice that removal is required. Such notice shall be sent by certified or registered mail, return receipt requested, by the village to such owner at the last known address of such owner. If two (2) or more providers of personal wireless services use the antenna support structure or related equipment to provide personal wireless services, then the period of nonuse under this provision shall be measured from the cessation of operation at the location of such antenna support structure or related equipment by all such providers.

13. Additional Standards For Review: In addition to the special use standards contained in subsection 11-602E of this code, and the requirements of this subsection E, the following factors may also be considered in the review of special use permit for personal wireless services antennas, with or without antenna support structures, and related electronic and equipment structures:

(a) Where the antenna support structure is a tower, the height thereof, its proximity to residential structures and residential district boundaries, and the design characteristics that have the effect of reducing or eliminating, or failing to reduce or eliminate, the visual obtrusiveness thereof;

(b) The nature of the uses on adjacent and nearby property;

(c) The surrounding topography, tree coverage and foliage; and

(d) The availability of suitable lawfully existing structures, as described in subsections E1 and E2 of this section.

F. Expansion Of New Or Used Motor Vehicle Dealer On Ogden Avenue: (Repealed)



G. Depository And Nondepository Credit Institutions In The B-1 And B-3 Districts: The special use set forth in subsection 5-105B1 of this article may be granted for a depository or drive-in nondepository credit institution subject to the following provisions:

1. Location Of New Institutions: No new depository and nondepository credit institution shall be permitted on the first floor in any building.
2. Parking: Every new depository or nondepository credit institution shall be required to provide all required parking on site notwithstanding any provision of this code to the contrary.
3. Conditions: The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the commercial/retail environment in the vicinity of the institution and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the subject property, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the building.

H. Drive-In Depository And Nondepository Credit Institutions: The special use set forth in subsection 5-105B2 of this article may be granted for a drive-in depository or drive-in nondepository credit institution subject to the following provisions:

1. Number Of Drive-In Lanes: No more than two (2) drive-in lanes shall be permitted under any circumstances, including any drive-in lane for an automatic teller machine. The board of trustees may further limit the number of, or prohibit, drive-in lanes.
2. Location Of Drive-In Lanes: Drive-in lanes shall not be permitted in any front or corner side yard; provided, however, only that a required access drive aisle from the public street to the drive-in lanes may traverse a front or corner side yard in a manner that minimizes the lot coverage within that front or corner side yard.
3. Traffic Study: With every application for a special use for a drive-in depository or nondepository credit institution, the applicant shall provide a traffic study prepared by an expert transportation planning consultant.
4. Pedestrian Access To Automatic Teller Machines: Pedestrian access to one or more automatic teller machines shall be provided at each drive-in depository and nondepository credit institution, and pathways shall be provided in a manner that keeps pedestrian access separate from vehicular drive-in lanes.
5. Conditions: The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the commercial/retail environment in the vicinity of the institution and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the subject property, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the building.

I. Drive-Through Lane At A Drugstore Or Pharmacy: The special use provided in subsection 5-105A8 of this article may be granted subject to the following conditions:

1. Number Of Drive-Through Lanes: No more than one drive-through lane shall be permitted.
2. Location Of Drive-Up/Pick Up Window And Drive-Through Lane: A drive-up/pick up window and a drive-through lane shall not be permitted in any front or corner side yard. A required access drive aisle from the public street to the drive-through lane, however, may traverse a front or corner side yard in a manner that minimizes the lot coverage within that front or corner side yard.
3. Traffic Study: An applicant for a special use for a drive-through lane at a drugstore or pharmacy must provide a traffic study provided by an expert transportation planning consultant.
4. Conditions: The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the commercial/retail environment in the vicinity of the use and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the property that is the subject of the special use, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the



applicable building. (Ord. 97-4, §3D, 3-4-1997; Ord. O2003-45, §3, 8-19-2003; Ord. O2005-02, §4, 1-18-2005; Ord. O2007-62, §3, 9-4-2007; Ord. O2009-47, §3, 9-1-2009)

### **Sec. 5-110: Bulk, Space, And Yard Requirements:**

The building height, lot, yard, setback, floor area ratio, and coverage requirements applicable in the business districts are set forth in the following table. Footnote references appear in subsection G of this section.

	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>
<b>A. Maximum Height:<sup>1</sup></b>			
1. Principal structures:			
(a) Feet	30	30 <sup>2,14</sup>	30
(b) Stories	2	2 <sup>14</sup>	2
(whichever is less)			
2. Accessory structures	15	15	15
<b>B. Minimum Lot Area And Dimensions:<sup>3</sup></b>			
1. Total lot area (square feet):			
(a) Planned development	None	None	None
(b) All other uses	6,250	2,500	6,250
2. Lot width (feet) <sup>6</sup>	50	20	50
3. Lot depth (feet) <sup>6</sup>	125	125	125
<b>C. Minimum Yards And Setbacks:<sup>3,4,5,6,7,8,9</sup></b>			
1. Front and corner side (feet):			
(a) Yards	25	0	25
(b) Setback from Ogden Avenue centerline	100	n/a	100
(c) All other setbacks	25	0	25
2. Side (feet): <sup>10</sup>			
(a) Yard	10	0	10
(b) Setback	10	0	10
3. Rear (feet): <sup>10</sup>			
(a) Yard	20	20	20 <sup>11</sup>
(b) Setback	20	20	20
<b>D. Maximum Floor Area Ratio:</b>	0.35	2.5 <sup>12</sup>	0.50
<b>E. Maximum Total Lot Coverage:</b>	90 percent	100 percent	90 percent
<b>F. Maximum Total Building Coverage:</b>	n/a	80 percent <sup>13</sup>	n/a

### **G. Exceptions And Explanatory Notes:**

#### **1. Height Exception:**

(a) Flagpoles: Flagpoles may extend to a height of ten feet (10') above the highest point of the roof of the principal structure to which they are attached.



(b) Personal Wireless Services: Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures, may extend to the following heights:

(i) Personal wireless services antenna support structures of a tower design may extend to a height of seventy feet (70') in the B-3 district;

(ii) Omnidirectional or whip antennas may extend to a height of fifteen feet (15') above the highest point of the roof of the building or structure to which they are attached in the B-3 district;

(iii) Directional or panel antennas may not extend above the highest point of the building or structure to which they are attached or more than two feet (2') from the exterior of any wall or roof of the building or structure to which they are attached in the B-3 district; and

(iv) Related electronic equipment and equipment structures shall not exceed applicable district height limitations.

2. Height Increase In The B-2 District If Exceptional Architectural Merit: The board of trustees may increase by not more than twenty percent (20%) the maximum height for a principal structure in the B-2 district; provided, however, that any such increase shall apply only to the exterior facade of the building and shall be limited to such architectural features as turrets, parapets, spires, finials, clock towers, cupolas, weather vanes, and similar features. An architectural feature for which a height increase is granted must be integral to the design excellence of the building as a whole. If a height variation has been granted pursuant to subsection 11-503E1(d) of this code, then the maximum percentage of increase in height authorized by this subsection G2 shall be reduced from twenty percent (20%) in an amount proportionate to the increase that has been authorized by such variation.

3. Nonconforming Lots: See section 10-105 of this code for lot requirements with respect to legal nonconforming lots of record.

4. Yard Requirements For Uses Without Structures: On any lot occupied by a use without structures, the minimum yards that would otherwise be required for such lot shall be provided and maintained.

5. Visibility Across Corners: Any other provision of this code to the contrary notwithstanding, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in any business district other than the B-2 district in violation of the provisions of title 7, chapter 1, article D of the village code.

6. Special Yard And Setback Requirements In Planned Developments: Special perimeter open space, setback, and spacing requirements for planned developments are set forth in subsections 11-603E2(f) and E2(g) of this code. Such requirements shall not be waived under any circumstances.

7. Special Setbacks For Signs: Special setbacks established for some signs by subsections 9-106F, H, I, and J of this code shall control over the yards and setbacks established in the table.

8. Specified Structures And Uses In Required Yards: The following structures and uses, except as limited below, may be located in any required yard:

(a) Statuary, arbors, trellises, and ornamental light standards having a height of eight feet (8') or less; and

(b) Awnings, canopies, eaves, and gutters projecting not more than three feet (3') into the required yard; and

(c) Fire escapes when required pursuant to applicable codes and ordinances; and

(d) Bay windows and balconies projecting not more than three feet (3') from an exterior wall for a distance not more than one-third ( $\frac{1}{3}$ ) of the length of such wall; provided that such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of twenty two and one-half degrees ( $22\frac{1}{2}^\circ$ ) with the wall in question; and

(e) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting not more than two feet (2') from an exterior wall; and

(f) Outside stairways projecting from an exterior wall not more than three feet (3') and having a height of four feet (4') or less; and

(g) Flagpoles; and

(h) Terraces; and



- (i) Fences, walls, and hedges, subject to the limitations of section 9-107 of this code; and
  - (j) Driveways, subject to the limitations of subsection 9-104C of this code.
9. Platted Building Lines: See subsection 12-101F of this code.
10. Side And Rear Yard Regulations For Accessory Structures And Uses: Accessory parking areas and lots wherever located and other detached accessory structures and uses when located within the rear twenty percent (20%) of the lot shall not be required to maintain an interior side or rear yard or setback in excess of ten feet (10') if such interior side or rear yard is contiguous to any property zoned in any residential district or in excess of five feet (5') if no part of such interior side or rear yard is contiguous to any property zoned in any residential district; provided, however, that this regulation shall not apply to antennas and antenna support structures.
11. Special Rear Yard Exception In B-3 District: No lot zoned in the B-3 district shall be required to have a side or rear yard along a lot line of such lot which is contiguous to a railroad right of way, provided such lot is not contiguous to any lot zoned in any residential district.
12. Special Floor Area Ratio Regulation For The B-2 District: The maximum floor area ratio permitted for lots zoned in the B-2 district and developed to a floor area ratio exceeding two and one-half ( $2\frac{1}{2}$ ) shall be the floor area ratio existing as of the effective date of this code.
13. Special Coverage Regulations For The B-2 District: The maximum total lot coverage permitted for lots zoned in the B-2 district and covered by a building to a percentage greater than eighty percent (80%) shall be the percentage of building coverage existing as of the effective date of this code. Any elevator required by the Illinois accessibility code, 71 Illinois administrative code 400 et seq., shall not be included in the maximum total lot coverage calculation in the B-2 district. Any required elevator shall be subject to exterior appearance and site plan review pursuant to subsection 5-109A of this article.
14. Height Increases For Principal Structure Existing Before April 20, 2010, In The B-2 District: A principal structure in the B-2 district that as of April 20, 2010, exceeds two (2) stories and/or thirty feet (30') in "height", as that term is defined in section 12-206 of this code, as amended, may be altered, renovated, replaced, maintained, repaired or reconstructed to the same condition that existed as of said date, including, but not limited to, the number of stories, height, lot coverage and setback of the principal structure, notwithstanding the nonconformance of the principal structure before and after the alteration, renovation, replacement, maintenance, repair or reconstruction; provided, however, the protection afforded by this note shall not apply to any such structure that is brought into conformance after April 20, 2010. (Ord. 95-28, §2, 9-5-1995; Ord. 97-4, 3-4-1997; Ord. O2004-25, §§2, 3, 5-4-2004; Ord. O2007-63, §2, 9-4-2007; Ord. O2010-25, §2, 4-20-2010; Ord. O2010-50, 10-19-2010)



## ARTICLE VI. OFFICE DISTRICTS

### SECTION:

- 6-101: Purposes**
- 6-102: O-3 District Mapping Restriction**
- 6-103: Permitted Uses**
- 6-104: Accessory Structures And Uses**
- 6-105: Temporary Uses**
- 6-106: Special Uses**
- 6-107: Parking And Loading Requirements**
- 6-108: Sign Regulations**
- 6-109: Buffers And Landscaping**
- 6-110: Special Development And Use Regulations**
- 6-111: Bulk, Space, And Yard Requirements**

#### **Sec. 6-101: Purposes:**

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

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

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

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

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

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

#### **Sec. 6-102: O-3 District Mapping Restriction:**

The O-3 district shall be mapped only on property lying north of Ogden Avenue and east of York Road. (1991 Code)



**Sec. 6-103: Permitted Uses:**

The following uses and no others are permitted as of right in the office districts indicated in the following table. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual" (see appendix A) and section 11-501 of this code. SIC codes are given in parentheses following each use listing.

	O-1	O-2	O-3
<b>A. Transportation Services And Retail Trade:</b> Transportation services and retail trade, as follows, but only when located in a building in which at least eighty percent (80%) of the net floor area is devoted to uses other than transportation services or retail trade, and only when so designed, located, and advertised so as not to be visible or accessible except from the interior of such building:			
1. Travel agencies (4724).			P
2. Candy, nut, and confectionery stores (544).			P
3. Miscellaneous apparel and accessory stores (569).			P
4. Computer sales (5734).			P
5. Eating places (5812), but not including live entertainment and drive-in establishments.			P
6. Drinking places (5813) accessory to permitted eating places.			P
7. Drugstores and proprietary stores (5912), but not more than 1,000 square feet.			P
8. Stationery stores (5943).			P
9. Gift, novelty, and souvenir shops (5947).			P
10. Florists (5992).			P
11. Tobacco stores and stands (5993).			P
12. News dealers and newsstands (5994).			P
13. Optical goods stores (5995).			P
14. Beauty shops (723).			P
15. Barbershops (724).			P
<b>B. Finance, Insurance, And Real Estate:</b>			
1. Depository and nondepository credit institutions (60-61), not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot.			P
2. Security and commodity brokers dealers, exchanges, and services (62).		P	P
3. Insurance carriers, agents, brokers, and service (63-64).	P	P	P
4. Real estate offices (65).		P	P
5. Holding and other investment offices (67).		P	P
<b>C. Printing, Publishing, And Allied Industries:</b>			
1. Commercial printing (275).			P
<b>D. Retail Trade:</b>			
1. Drugstores and proprietary stores (5912), but not more than 1,000 square feet.		P	
2. Optical goods stores (5995).		P	
<b>E. Services:</b>			
1. Landscape counseling and planning (0781).	P	P	P



2. Funeral homes or parlors (726), but not crematories.		P	
3. Advertising services (731).	P	P	P
4. Mailing, reproduction, commercial art and photography, and stenographic services (733).		P	P
5. Commercial art and graphic design (7336).	P	P	P
6. Building cleaning and maintenance services (7349).		P	P
7. Medical equipment rental and leasing (7352).			P
8. Employment agencies (7361).		P	P
9. Help supply stores (7363).		P	P
10. Computer programming, data processing, and other computer related services (737).		P	P
11. Computer programming services (7371), but not including training services or programs.	P		
12. Offices of detective, guard, and armored car services (7381).		P	P
13. Offices of news syndicates (7383).		P	P
14. Interior design and decorating services (7389), but not including painters and paperhangers or showrooms or retail sales on the premises.	P	P	P
15. Physical fitness facilities (7991), but not gymnasiums, reducing facilities, slenderizing salons, or spas.			
16. Offices and clinics of doctors of medicine, dentists, osteopaths, chiropractors, optometrists, podiatrists, and other health practitioners (801-804), but not emergency treatment as a regular, advertised practice in the O-1 district.	P	P	P
17. Medical and dental laboratories (807).		P	
18. Home healthcare services (808).		P	P
19. Miscellaneous health and allied services not elsewhere classified (809).			P
20. Kidney dialysis centers (8092).		P	
21. Health and allied services not elsewhere classified (8099).		P	
22. Legal services (81).	P	P	P
23. Correspondence and vocational schools (824).			P
24. Individual and family social services (832).			P
25. Job training and vocational rehabilitation services (833).		P	P
26. Child daycare services (835).			P
27. Social services not elsewhere classified (839).		P	P
28. Business associations (861).		P	P
29. Professional membership organizations (862).		P	P
30. Labor organizations (863).		P	P
31. Civic, social, and fraternal associations (864).		P	P
32. Political organizations (865).		P	P
33. Membership organizations not elsewhere classified (869).		P	P
34. Engineering, architectural, and surveying services (871).	P	P	P
35. Accounting, auditing, and bookkeeping services (872).	P	P	P
36. Management and public relations services (874).		P	P



37. Manufacturers' representatives offices.	P		
38. Miscellaneous services (899).	P	P	P
39. Miscellaneous business and professional office uses not listed herein.	P	P	P
<b>F. Transportation And Utility Services:</b>			
1. Offices and agencies for the arrangement of passenger transportation services (472).		P	P
2. Offices of communications and utility companies (48-49), but not including antennas in excess of the district height limit.		P	P
3. Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481); but only where: a) the antenna and any necessary antenna support structure are fully enclosed or shielded from view from any point located off the zoning lot on which they are located by a structure otherwise permitted on the zoning lot and all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot, or b) the antenna or antennas are limited to omnidirectional or whip antennas and directional or panel antennas and are located on a lawfully preexisting building that will serve as an antenna support structure and all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot and, in either such case, such antenna, support structure and equipment fully comply with all standards and requirements applicable thereto.		P	P
<b>G. Dwelling Units:</b> Dwelling units, subject to the provisions of the R-5 District; provided, however, that there shall be no more than two (2) dwelling units located on each zoning lot.	P		

(Ord. 97-4, §4A, 3-4-1997; Ord. 2000-23, §2, 7-18-2000; Ord. O2005-02, §5, 1-18-2005)

#### **Sec. 6-104: Accessory Structures And Uses:**

Accessory structures and uses are permitted in all Office Districts subject to the provisions of section 9-101 of this Code. (1991 Code)

#### **Sec. 6-105: Temporary Uses:**

Temporary uses are permitted in all Office Districts subject to the provisions of section 9-103 of this Code. (1991 Code)

#### **Sec. 6-106: Special Uses:**

Except as specifically limited in the following table, the uses listed in the following table may be permitted in the Office Districts indicated subject to the issuance of a special use permit as provided in section 11-602 of this Code. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual" (see appendix A of this Code) and section 11-501 of this Code. SIC codes are given in parentheses following each use listing.

	O-1	O-2	O-3
<b>A. Finance, Insurance, And Real Estate:</b>			
1. Depository and nondepository credit institutions (60-61), not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot and only subject to the provisions of subsection 6-110L of this article.		S	



2. Drive-in depository and nondepository credit institutions (60-61), but only subject to the provisions of subsection 6-110M of this article.		S	S
3. Real estate offices (65).	S		
<b>B. Services:</b>			
1. Passenger car rental and leasing (7514/7515).			S
2. Physical fitness facilities (7991).			S
3. Membership sports and recreation clubs (7997).		S	S
4. Medical and dental laboratories (807).			S
5. Child daycare services (835).	S	S	
6. Research, development, and testing services (873).			S
7. Music schools, tutoring service, and educational curriculum development (8299).		S	
8. Yoga instruction (7999).		S	
9. Cooking schools (8299).	S	S	S
10. Design work and other office type functions incidental to a home or office remodeling business, but excluding any nonoffice type functions, such as retail sales, assembly, warehousing of materials, and manufacturing on the premises.		S	
11. Showrooms associated with a business as described in subsection B10 of this section, but excluding retail sales on the premises.		S	
12. Automobile driving instruction.		S	
<b>C. General Office:</b>			
1. Miscellaneous professional office uses.	S		
<b>D. Transportation And Utility Services:</b>			
1. Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481) not otherwise permitted pursuant to section 6-103 of this article.			S
2. Telecommunications equipment facility (4813).		S	
<b>E. Miscellaneous:</b>			
1. Planned developments.	S	S	S
2. Hotels (7011).			S
3. One dwelling unit accessory to a funeral home or parlor.		S	
4. Lifestyle housing, subject to the planned development provisions of subsection 11-603M of this Code.		S	

(Ord. 97-4, §4B, 3-4-1997; Ord. 2000-10, §2, 5-2-2000; Ord. O2002-66, §3, 10-1-2002; Ord. O2005-02, §6, 1-18-2005; Ord. O2006-32, §2, 5-16-2006; Ord. O2011-24, 5-18-2011; Ord. O2011-51, 11-15-2011; Ord. O2014-36, 10-21-2014; Ord. O2016-05, 1-19-2016; Ord. O2017-19, 4-18-2017; Ord. O2018-03, 2-15-2018)

#### **Sec. 6-107: Parking And Loading Requirements:**

The parking and loading requirements applicable in all Office Districts are set forth in sections 9-104 and 9-105 of this Code. (1991 Code)

#### **Sec. 6-108: Sign Regulations:**

The sign regulations applicable in all Office Districts are set forth in section 9-106 of this Code. (1991 Code)

#### **Sec. 6-109: Buffers And Landscaping:**

The requirements relating to buffering and landscaping of certain uses and structures in all Office Districts are set forth in section 9-107 of this Code. (1991 Code)



**Sec. 6-110: Special Development And Use Regulations:**

A. Exterior Appearance And Site Plan Review: No construction or development requiring a building permit and affecting the exterior appearance of any structure shall be permitted in any Office District except upon approval of the building permit application by the Board of Trustees pursuant to section 11-606 of this Code and site plan approval by the Board of Trustees pursuant to section 11-604 of this Code. This subsection shall not be construed as a limit on any other requirement for site plan approval pursuant to section 11-604 of this Code.

B. O-1 Specialty Office District:

1. Conversion Of Existing Structures: No permitted or specially permitted use shall be established in the O-1 District by the conversion or rebuilding of any structure originally designed for a residential use, unless the existing residential character of the structure is retained. The quality of exterior design shall be equal on all facades of the structure, and the materials used shall be of the same or comparable quality on all facades of the structure.

2. New Structures: Any new structure constructed in the O-1 District shall be designed to be compatible in appearance with adjacent single-family residential structures. Flat roofs shall be prohibited. The quality of exterior design shall be equal on all facades of the structure, and the materials used shall be of the same or comparable quality on all facades of the structure.

3. Visual Compatibility: All conversions of existing structures or new construction shall be designed to be visually compatible in terms of the materials used, shapes, textures, colors, projections, proportions, and scale with the buildings, public ways, and places to which they are visually related.

4. Exterior Lighting: All exterior lighting in any O-1 District shall be so arranged as to prevent direct glare of beams onto any Residential District by the use of lumina cutoffs.

5. Landscaping: Any yard in the O-1 District that abuts a Residential District shall be treated as a perimeter landscaped open space, as provided in subsection 9-107L of this Code.

C. Noise: No noise (other than ordinary vehicular noise) from operations of any use in the Office Districts shall be detectable at any point off the zoning lot on which the use is located.

D. Glare And Heat: No glare or heat from any operations of any use in the Office Districts shall be detectable at any point off the zoning lot on which the use is located.

E. Vibration: No earthborne vibration from any operations of any use in the Office Districts shall be detectable at any point off the zoning lot on which the use is located.

F. Air Pollution: No air pollution, including smoke or gas, odors, and particulate matter, from any operations of any use in the Office Districts shall be detectable at any point off the zoning lot on which the use is located, unless in compliance with all applicable regulations of the Illinois Environmental Protection Agency.

G. Electromagnetic Interference: Electromagnetic interference from any operations of any use in the Office Districts shall not adversely affect the operation of any equipment located off the zoning lot on which such interference originates.

H. Fire And Explosive Hazards: Materials that present potential fire and explosive hazards shall be transported, stored, and used only in conformance with all applicable Federal, State, and local laws.

I. Special Hazards: Hazardous, toxic, and radioactive materials shall be transported, stored, and used only in conformance with all applicable Federal, State, and local laws.

J. Safety Equipment: No research or development laboratory or commercial testing facility shall be established after the effective date of this Code unless the building in which such use is established shall be equipped with sprinkler systems, automatic fire detection and suppression systems, and Class 1 electrical fixtures as required by the then current Village codes for new construction.

K. Personal Wireless Services Antennas, With Or Without Antenna Support Structures, And Related Electronic Equipment And Equipment Structures: The following additional regulations shall apply to the construction or development of personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures in the O-2 and O-3 Districts:



1. Location: Personal wireless services antennas shall be located on lawfully preexisting antenna support structures or other lawfully preexisting buildings or structures wherever possible. No special use permits authorizing construction of a new antenna support structure or addition to or expansion of an existing antenna support structure or existing building or structure shall be authorized unless the applicant is able to demonstrate that no lawfully preexisting antenna support structure or lawfully preexisting building or structure is available, on commercially reasonable terms, and sufficient for the location of an antenna necessary for the provision of personal wireless services.

2. Design Of New Antenna Support Structures For Collocation: Unless otherwise authorized by the Board of Trustees for good cause shown, every new personal wireless services antenna support structure, whether constructed as a permitted or special use, shall be designed, constructed and installed to be of a sufficient size and capacity to allow the location of additional personal wireless services antennas to accommodate at least one additional personal wireless service provider on such structure in the future. Any special use permit for such a support structure may be conditioned upon the agreement of the applicant to allow collocation of other personal wireless service providers on commercially reasonable terms specified in such special use permit.

3. Tower Design: Every new personal wireless services antenna support structure that is of a tower design shall:

(a) Be a monopole rather than latticework, unless otherwise authorized by the board of trustees for good cause shown;

(b) Not be illuminated or have any signs installed thereon unless otherwise required by federal law or regulations; and

(c) Be located at least twenty feet (20') from any other such structure.

Any deck on such a tower shall be centered on the tower and shall have not more than three (3) sides, with each side having dimensions that do not exceed five feet (5') vertically and twelve feet (12') horizontally.

4. Sizes Of Antennas On Buildings: Antennas located on a lawfully preexisting building shall not exceed the following dimensions:

(a) Omnidirectional or whip antennas shall not exceed three inches (3") in diameter and fifteen feet (15') vertically; and

(b) Directional or panel antennas shall not exceed two feet (2') horizontally and five feet (5') vertically.

5. Protection Against Climbing: Every personal wireless services antenna and antenna support structure shall be protected against unauthorized climbing or other access by the public.

6. Color: Every personal wireless services antenna and antenna support structure shall be of neutral colors that are harmonious with, and that blend with, the natural features, buildings and structures surrounding such antenna and antenna support structures; provided, however, that directional or panel antennas and omnidirectional or whip antennas located on the exterior of a building that will also serve as an antenna support structure shall be of colors that match, and cause the antenna to blend with, the exterior of the building.

7. Equipment Enclosures: All electronic and other related equipment and appurtenances necessary for the operation of any personal wireless services antenna shall, whenever possible, be located within a lawfully preexisting structure or completely below grade. When a new structure is required to house such equipment, such structure shall be harmonious with, and blend with, the natural features, buildings and structures surrounding such structure.

8. Licenses And Permits: The operator of every personal wireless services antenna shall submit to the village manager copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of such antenna and shall maintain such licenses and permits and provide evidence of renewal or extension thereof when granted.

9. Compliance With Plans: Every personal wireless services antenna and antenna support structure shall comply with all plans approved by the village.

10. Limited To Applicant: Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure shall state that any assignment or transfer of the



special use permit or any of the rights thereunder may be made only with the approval of the board of trustees.

11. Term Limitation: Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure may provide that:

(a) Where the provider of personal wireless services is not the owner of the land on which such antenna or structure is located, the term of the special use permit is limited to the term of the lease or other agreement granting rights to use the land; and

(b) The special use permit shall be subject to review by the board of trustees, at ten (10) year intervals, to determine whether the technology in the provision of personal wireless services has changed such that the necessity for the special permit at the time of its approval has been eliminated or modified, and whether the special use permit should be modified or terminated as a result of any such change.

12. Abandonment And Removal: When one or more antennas, an antenna support structure, or related equipment are not operated for the provision of personal wireless services for a continuous period of twelve (12) months or more, such antenna, antenna support structure, or related equipment may be deemed to be abandoned by the village. The owner of such an antenna, antenna support structure, or related equipment shall remove such items within ninety (90) days following the mailing of written notice that removal is required. Such notice shall be sent by certified or registered mail, return receipt requested, by the village to such owner at the last known address of such owner. If two (2) or more providers of personal wireless services use the antenna support structure or related equipment to provide personal wireless services, then the period of nonuse under this provision shall be measured from the cessation of operation at the location of such antenna support structure or related equipment by all such providers.

13. Additional Standards For Review: In addition to the special use standards contained in subsection 11-602E, and the requirements of this subsection K, the following factors may also be considered in the review of special use permit for personal wireless services antennas, with or without antenna support structures, and related electronic and equipment structures:

(a) Where the antenna support structure is a tower, the height thereof, its proximity to residential structures and residential district boundaries, and the design characteristics that have the effect of reducing or eliminating, or failing to reduce or eliminate, the visual obtrusiveness thereof;

(b) The nature of the uses on adjacent and nearby property;

(c) The surrounding topography, tree coverage and foliage; and

(d) The availability of suitable lawfully existing structures, as described in subsections K1 and K2 of this section.

L. Depository And Nondepository Credit Institutions: The special use set forth in subsection 6-106A1 of this article may be granted for a depository or drive-in nondepository credit institution subject to the following provisions:

1. Limitation On Space: The board of trustees may impose a limitation on: a) the maximum permissible square footage of the ground floor and b) the maximum permissible street frontage of any building occupied by any new depository or nondepository credit institution if the board of trustees determines that any such limitation is appropriate to limit the impact of such institution on the vitality of business environment in the vicinity of the institution.

2. Parking: Every new depository or non-depository credit institution shall be required to provide all required parking on site notwithstanding any provision of this code to the contrary.

3. Conditions: The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the business environment in the vicinity of the institution and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the subject property, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the building.

M. Drive-In Depository And Nondepository Credit Institutions: The special use set forth in subsection 6-106A2 of this article shall be subject to the following additional regulations:



1. **Number Of Drive-In Lanes:** No more than two (2) drive-in lanes shall be permitted under any circumstances, including any drive-in lane for an automatic teller machine. The board of trustees may further limit the number of, or prohibit, drive-in lanes.

2. **Location Of Drive-In Lanes:** Drive-in lanes shall not be permitted in any front or corner side yard; provided, however, only that a required access drive aisle from the public street to the drive-in lanes may traverse a front or corner side yard in a manner that minimizes the lot coverage within that front or corner side yard.

3. **Traffic Study:** With every application for a special use for a drive-in depository or nondepository credit institution, the applicant shall provide a traffic study prepared by an expert transportation planning consultant.

4. **Pedestrian Access To Automatic Teller Machines:** Pedestrian access to one or more automatic teller machines shall be provided at each drive-in depository and nondepository credit institution, and pathways shall be provided in a manner that keeps pedestrian access separate from vehicular drive-in lanes.

5. **Conditions:** The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the business environment in the vicinity of the institution and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the subject property, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the building. (Ord. 97-4, §4D, 3-4-1997; Ord. O2005-02, §7, 1-18-2005)

#### **Sec. 6-111: Bulk, Space, And Yard Requirements:**

The building height, lot, yard, setback, floor area ratio, and coverage requirements applicable in the office districts are set forth in the following table. Footnote references appear in subsection H of this section at the end of the table.

	O-1	O-2	O-3
<b>A. Maximum Height<sup>1,13</sup>:</b>			
1. Principal structures:			
(a) Feet	30	40	60
(b) Stories	2.5	3	5
(whichever is less)			
2. Accessory structures	15	15	15
<b>B. Minimum Lot Area And Dimensions<sup>2</sup>:</b>			
1. Total lot area (square feet)	8,500	25,000	20,000
2. Lot width (feet) <sup>5</sup>	60	100	80
3. Lot depth (feet) <sup>5</sup>	125	125	125
<b>C. Minimum Yards<sup>2,3,4,5,6,7,8,13</sup>:</b>			
1. Front and corner side (feet)	35	25	25
2. Side (feet) <sup>9</sup>	10	10	10
3. Rear (feet) <sup>9,10</sup>	25	20	20
<b>D. Minimum Setbacks<sup>4,5,6,7,8</sup>:</b>			
1. Setback from Ogden Avenue centerline <sup>9</sup> :			
(a) Structure height 0-30 feet	n/a	100	100
(b) Structure height 31-46 feet	n/a	200	200



(c) Structure height more than 46 feet	n/a	n/a	300
2. Setback from York Road centerline <sup>9</sup> :			
(a) Structure height 0-30 feet	n/a	75	75
(b) Structure height 31-46 feet	n/a	200	200
(c) Structure height more than 46 feet	n/a	n/a	300
3. Setback from property owned by Cook County forest preserve district <sup>9</sup> :			
(a) Structure height 0-30 feet	n/a	n/a	100
(b) Structure height 31-46 feet	n/a	n/a	100
(c) Structure height more than 46 feet	n/a	n/a	100
4. All other setbacks:			
(a) Front and corner side <sup>13</sup>	35	25	40
(b) Side <sup>9</sup>	10	10	10
(c) Rear <sup>9,10,13</sup>	25	20	40
E. <i>Maximum Floor Area Ratio</i> <sup>13</sup> :	0.40	0.50	0.35 <sup>11</sup>
F. <i>Maximum Total Lot Coverage</i> <sup>13</sup> :	80 percent	80 percent	50 percent <sup>12</sup>
G. <i>Maximum Total Building Coverage</i> :	35 percent	n/a	n/a

#### H. Exceptions And Explanatory Notes:

##### 1. Height Exceptions:

- (a) **Parking Structures:** Parking structures in the O-3 district may extend to a height of thirty feet (30').
- (b) **Flagpoles:** Flagpoles may extend to a height of ten feet (10') above the highest point of the roof of the principal structure to which they are attached.
- (c) **Personal Wireless Services:** Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures, may extend to the following heights:
  - (i) Personal wireless services antenna support structures of a tower design may extend to a height of seventy feet (70') in height in the O-3 district;
  - (ii) Omnidirectional or whip antennas may extend to a height of fifteen feet (15') above the highest point of the roof of the building or structure to which they are attached in the O-2 and O-3 districts;
  - (iii) Directional or panel antennas may not extend above the highest point of the building or structure to which they are attached or more than two feet (2') from the exterior of any wall or roof of the building or structure to which they are attached in the O-2 and O-3 districts; and
  - (iv) Related electronic equipment and equipment structures shall not exceed applicable district height limitations.

2. **Nonconforming Lots:** See section 10-105 of this code for lot requirements with respect to legal nonconforming lots of record.

3. **Yard Requirements For Uses Without Structures:** On any lot occupied by a use without structures, the minimum front, side, and rear yard requirements that would otherwise be required for such lot shall be provided and maintained.

4. **Visibility Across Corners:** Any other provision of this code to the contrary notwithstanding, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in any office district in violation of the provisions of title 7, chapter 1, article D of the village code.



5. Special Yard And Setback Requirements In Planned Developments: Special perimeter open space, setback, and spacing requirements for planned developments are set forth in subsections 11-603E2(f) and E2(g) of this code. Such requirements shall not be waived under any circumstances.

6. Special Setbacks For Signs: Special setbacks established for some signs by subsections 9-106F, H, I, and J of this code shall control over the yards and setbacks established in the table.

7. Specified Structures And Uses In Required Yards: The following structures and uses, except as limited below, may be located in any required yard:

(a) Statuary, arbors, trellises, and ornamental light standards having a height of eight feet (8') or less; and

(b) Eaves and gutters projecting not more than three feet (3') from an exterior wall or, in the case of telecommunications equipment facility, four feet (4') from an exterior wall; and

(c) Awnings, canopies, bay windows, and balconies projecting not more than three feet (3') from an exterior wall for a distance not more than one-third ( $\frac{1}{3}$ ) of the length of such wall; provided, however, that in side yards in the O-1 district such projections shall not exceed two feet (2') for a distance not more than one-fourth ( $\frac{1}{4}$ ) of the length of such wall and provided further, however, that all such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of twenty two and one-half degrees ( $22\frac{1}{2}^\circ$ ) with the wall in question; and

(d) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting not more than two feet (2') from an exterior wall; and

(e) Outside stairways projecting from an exterior wall not more than three feet (3') and having a height of four feet (4') or less; and

(f) Flagpoles; and

(g) Terraces; and

(h) Recreational devices accessory to daycare services; and

(i) Fitness trails; and

(j) Fences, walls, and hedges, subject to the limitations of section 9-107 of this code; and

(k) Driveways, subject to the limitations of subsection 9-104C of this code.

8. Platted Building Lines: See subsection 12-101F of this code.

9. Side And Rear Yard Regulations For Accessory Structures And Uses: Accessory parking areas and lots wherever located and other detached accessory structures and uses when located within the rear twenty percent (20%) of the lot shall not be required to maintain an interior side or rear yard or setback in excess of ten feet (10') if such interior side or rear yard is contiguous to any property zoned in any residential district or in excess of five feet (5') if no part of such interior side or rear yard is contiguous to any property zoned in any residential district; provided, however, that this regulation shall not apply to antennas and antenna support structures and provided further, however, that no accessory structure or use, or combination of such structures or uses, located within an otherwise required side or rear yard pursuant to this paragraph shall occupy more than forty percent (40%) of such required yard.

10. Special Rear Yard And Setback Exception In O-2 District: No rear yard or rear setback shall be required on any lot zoned in the O-2 district when the rear lot line of such lot is contiguous to a railroad right of way and such lot is not contiguous to any lot zoned in any residential district.

11. Floor Area Ratio Increase For Parking Structures In O-3 District: An increase of 0.25 to the maximum floor area ratio established in subsection E of this section shall be permitted in the O-3 district, provided that such increase shall be solely for the purposes of developing parking spaces for passenger automobiles within an enclosed parking garage or structure.

12. Special Lot Coverage Calculation Standards: Sidewalks, patios, decks, terraces, porches, gazebos, and other special architectural features designed for passive recreational use and intended for use by the general public shall not be considered for purposes of calculating maximum total lot coverage in the O-3 district.



13. Exceptions For Telecommunications Equipment Facilities Approved As A Special Use In The O-2 District:

- (a) Maximum Height: Forty seven feet (47').
- (b) Minimum yards:
  - (i) Front and corner side: Ten feet (10').
  - (ii) Rear: Ten feet (10').

Note: Accessory parking areas may be located in rear or interior side (but not corner side) yards up to the lot line.

- (c) Minimum setbacks:
  - (i) Front and corner side: Ten feet (10').
  - (ii) Rear: Ten feet (10').
- (d) Maximum floor area ratio: 1.1.
- (e) Maximum total lot coverage: Eighty five percent (85%). (Ord. 97-4, §4C, i, ii, 3-4-1997; Ord. 2000-10, §§3-5, 5-2-2000)



**Bethany Salmon**  
Village Planner  
Village of Hinsdale  
19 E Chicago Ave  
Hinsdale, IL 60521  
Via email [bsalmon@villageofhinsdale.org](mailto:bsalmon@villageofhinsdale.org)

Re: Redevelopment of 2 Salt Creek Lane by Mouse Motors / McLaren Chicago

Dear Ms. Salmon,

The Applicant, Mouse Motors Inc./McLaren Chicago, is seeking preliminary feedback from the Village Trustees on the proposed development of 2 Salt Creek Lane at the earliest available opportunity. The Applicant is under contract with a limited due-diligence period. Enclosed are preliminary site plan drawings. Below are plan highlights and discussion points.

### **1. The Applicant**

Mouse Motors is an automotive dealership group that specializes in selling classic and modern luxury high-performance super cars. They began operations in 2013 as a collector car dealership before adding the McLaren franchise in 2015. Their McLaren showroom is currently located at 645 W. Randolph St. in Chicago, Illinois, with their service facility located at 5758 W. Fillmore St. in Chicago, Illinois. The current entry point for a new McLaren is \$237,500.

### **2. Proposed Use**

The Applicant proposes a two story, 44,513 sq.ft., state-of-the-art facility. It will have a 2-story showroom placed along Ogden with an abundance of glass to the interior. A portion of the second level will house the executive offices which have an outdoor balcony facing Ogden. The rear of the building is dedicated to typical dealership service functions with a second level for garage parking.

The current plans provide for at least 75 indoor parking spaces and an additional 45 outdoor stalls in the parking lot. The dealership is unique because its inventory will be stored indoors. Further, all outdoor display is integrated into the building architecture, with no parking lot stalls used for display purposes. Site lighting is appropriate for the use, with footcandle levels on par with other developments in Hinsdale. The plans also provide for healthy landscaping as the owner desires to "not have a sea of asphalt."

Building in Hinsdale would allow the Applicant to consolidate several current operations into a convenient location with good access to I-294. This is a best-case scenario for Hinsdale given the low-intensity use and potential tax-revenue related to Applicant's low-key foot traffic but high-dollar vehicles. Typical hours of operation are from 8am to 5pm for service and 10am to 6pm for sales. Hours of operation are primarily for employees, as the service department and showroom are typically by appointment.

This project is a great fit for the location. It will be a quiet development that will still be a valuable contributor to the community's synergy with neighboring upscale retailers (Ferrari, Land Rover, Whole Foods, etc.) Pending initial feedback, the Applicant intends to seek the Village Board to approve the



ordinances necessary for the redevelopment with the hope of breaking ground within the first half of 2023. Current estimates of the acquisition and build out costs exceed \$12 million.

### 3. Property and Zoning

The Site is 2.2 acres and currently zoned O-3 (Office). It is an underused property with a history of unsuccessful attempts to develop. The Site will need to be rezoned to B-3 (Business) use so that the dealership can be built. The Site is part of the Office Park of Hinsdale Owners Association. The Applicant is working with the Association and each other lot owner to procure their support.

### 4. Parking

McLaren Chicago is a unique and nontraditional dealership with exceptionally low traffic and on-site unit sales. The exterior parking lot stall count of 45 provided in the current plans will be more than adequate for the dealership's daily operations. The entire dealership's inventory and vehicles under service will be parked indoors: in the showroom, in the indoor garage, and in the service areas. Customers will park outside while the employees will be given access to the garage area, outside, or off-site. The added square footage within the facility, for inventory parking and garage results in a greater parking deficiency per zoning requirements. We believe this should be a mitigating factor in the Applicant's favor.

As summarized in the table below, the current plans provide for at least 75 indoor parking spaces, and another 45 full stalls outdoors. At any point, the dealership is expected to have 50 vehicles parked indoors for inventory and service. Hence, there will potentially be 25 indoor spaces available to employees or for additional inventory. Further, the dealership does not plan to have more than 16 employees at any time. These employees can park in the garage or outside. Finally, most customers and visitors to the showroom are by appointment only. Typically, the dealership expects 2 to 5 customer visits at most in a day, and in any event, no more than 20. This way, even if the maximum potential 20 monthly customers and all 16 employees were to park outside at once, there will still be a surplus of 9 outdoor parking spaces empty.

Category	Parking Spaces Needed  <i>Anticipated</i>	Parking Available and Planned Use			
		Indoor – 75 Spaces			Parking Lot – 45 Spaces
		Showroom – 19 Spaces	Garage – 36 Spaces	Service Areas – 20 Spaces	
<b>Inventory</b>	20-30	Yes	Yes	No	No
<b>Vehicle Services</b> <i>(Maximum on-site at any time)</i>	20	No	Yes	Yes	No
<b>Employees</b>	16	No	Yes	No	Yes
<b>Customers</b> <i>(Per Month)</i>	10 -20	No	No	No	Yes



Further, McLaren Chicago operates with an enclosed vehicle hauler that handles 90-95% of their service business. This results in one truck handling almost all cars that are coming and going for service. This means at most we might see 2-3 in-person customer pickup and drop-offs in the service facility monthly.

Lastly, the Applicant maintains an agreement with its the current service facility at 5758 W. Fillmore, Chicago, which can relieve any improbable congestion in inventory, service, or employees at 2 Salt Creek Lane with 36 additional available parking spaces.

## **5. Civil Engineering**

There are utility items that will be addressed with the development. Hinsdale engineering has communicated that they would like to see this development include upgrading the water main along Ogden to an 8" line, from 6". There is an existing underground Storm Trap structure that the building may encroach on. Storm Trap is engaged on the project and will be assisting with its rework and possible expansion. Lastly there is a ComEd easement that runs through the site that will need to be relocated. Communications with ComEd has begun.

Thank you for the review and preliminary feedback on this initial proposal.

We look forward to working together to make this a reality.

Jerry Mortier  
The Redmond Company



# Mouse Motors

## PRELIMINARY DESIGN



SHEET INDEX

SURVEY  
SITE PLAN  
FIRST FLOOR  
SECOND FLOOR  
EXTERIOR ELEVATIONS  
3D VIEWS

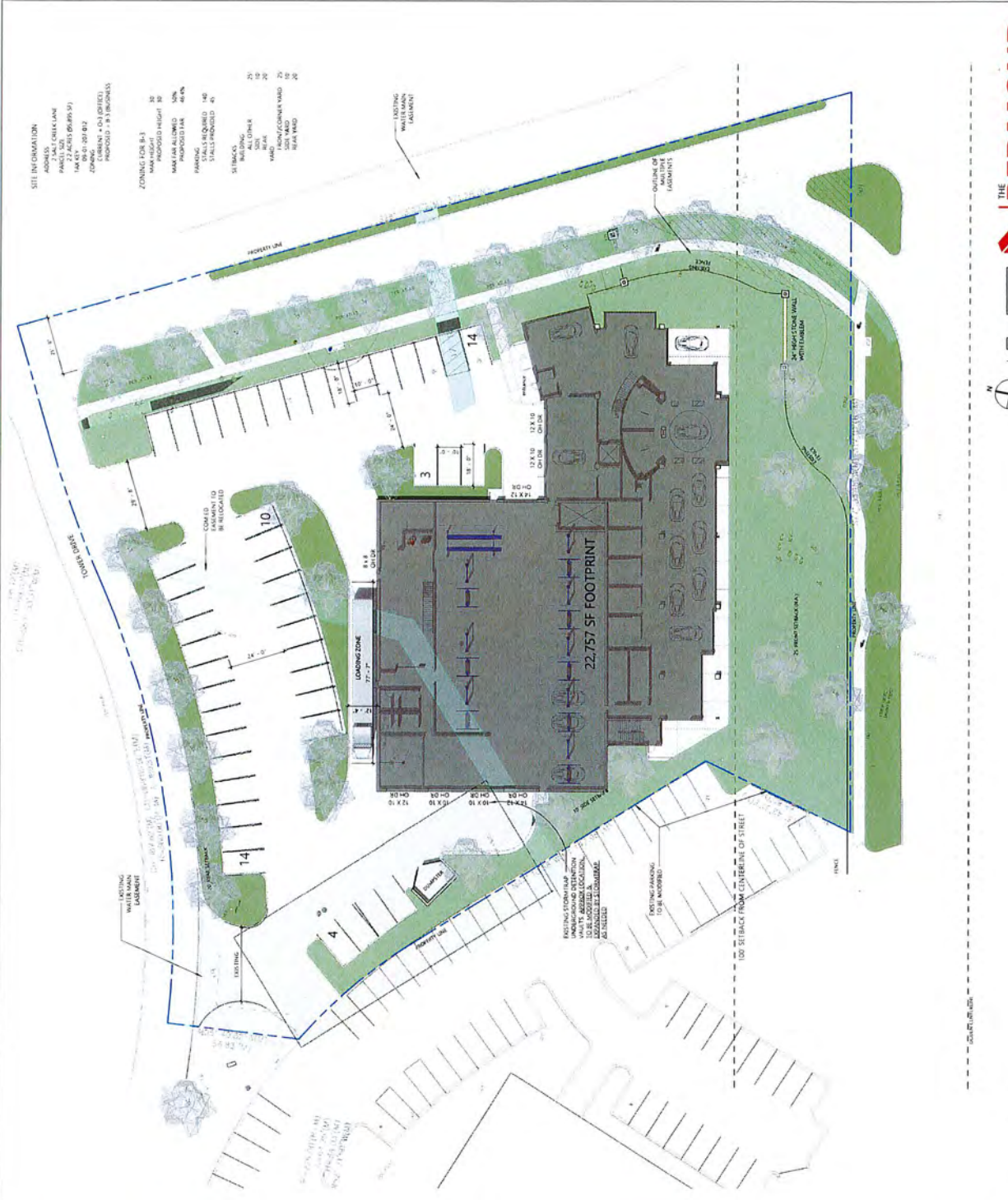
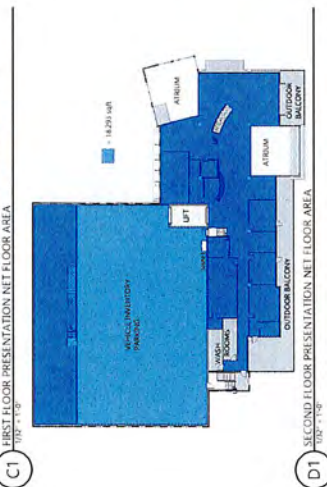
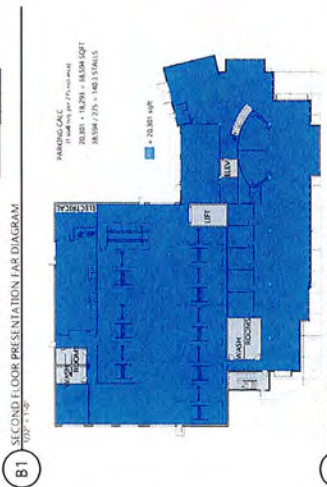
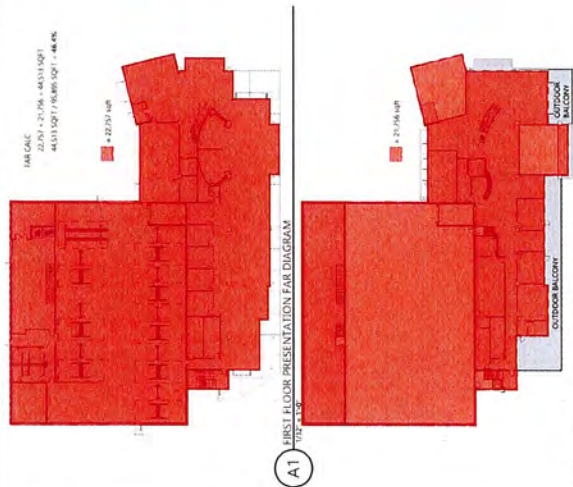
















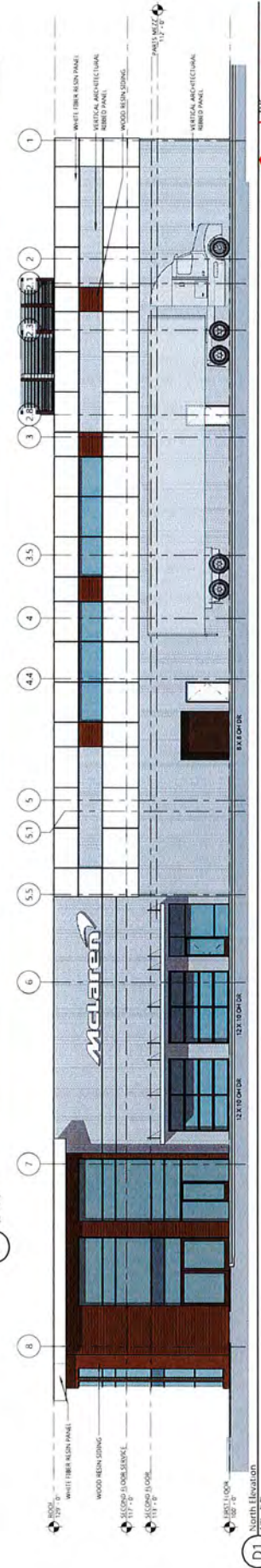
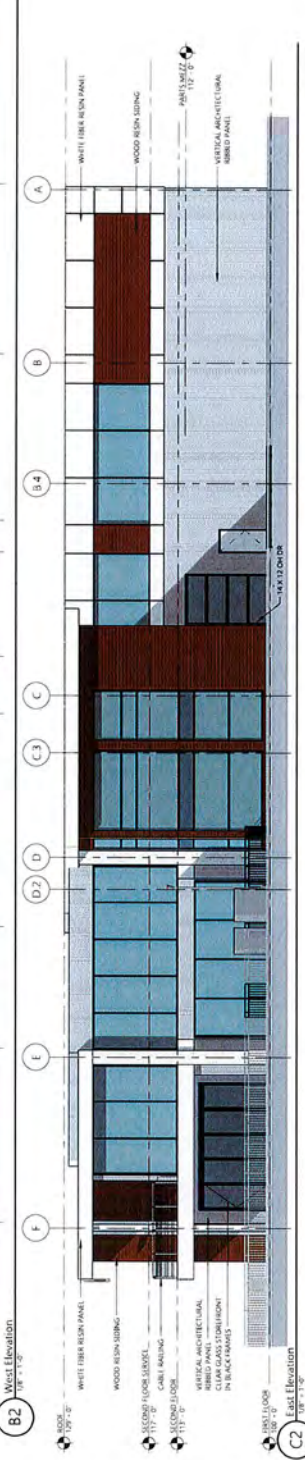
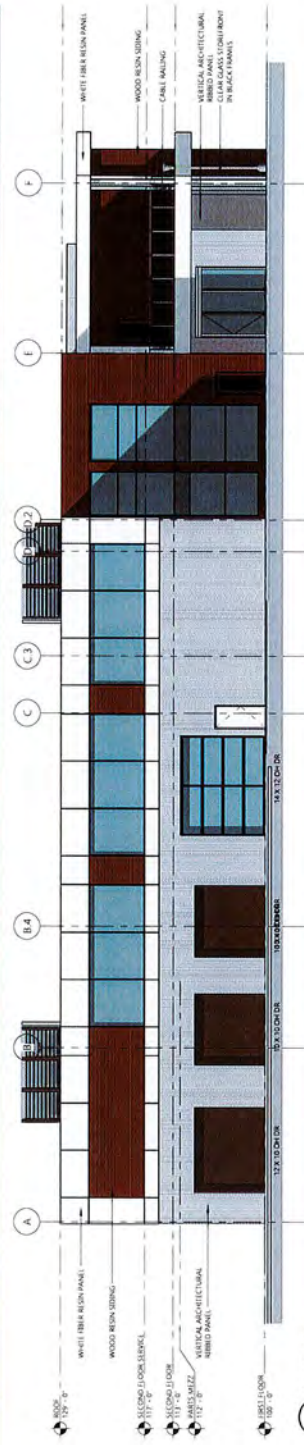
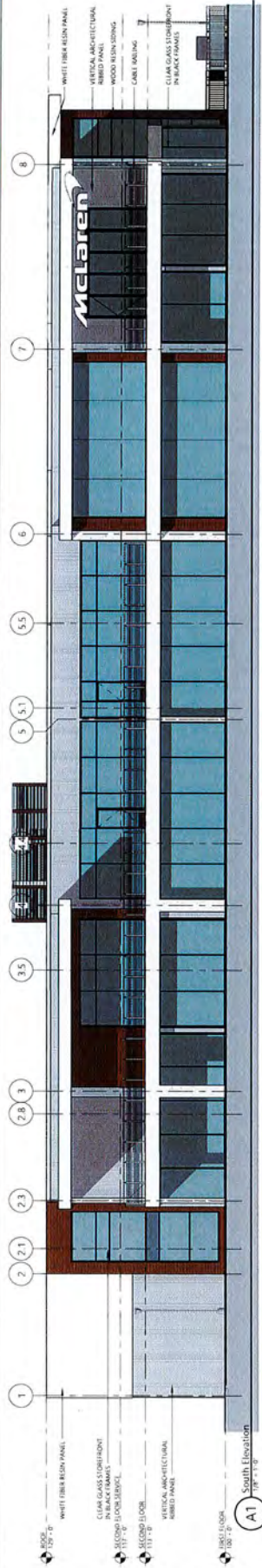
**M - Motors Opt 5d (Original with in Ground lifts)**





**M - Motors Opt 5d (Original with in Ground lifts)**





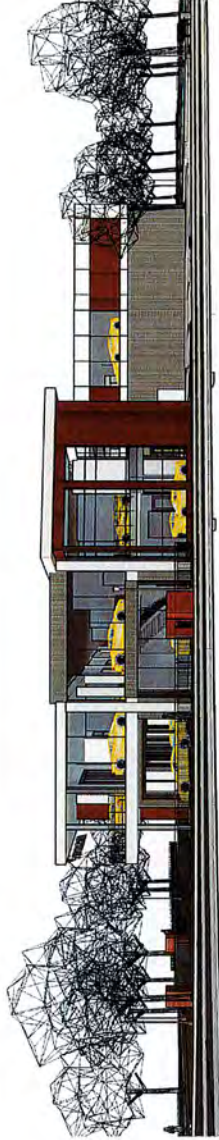
**M - Motors Opt 5d (Original with in Ground lifts)**

### Exterior Building Elevations





A1 OGDEN AVE VIEW



B1 SALT CREEK LANE



C1 OGDEN & SALT CREEK CORNER



D1 LOWER DRIVE

## M - Motors Opt 5d (Original with in Ground lifts)

Exterior Building Concept