

AGENDA
Village Of Hinsdale
Plan Commission
Wednesday, July 14, 2010
Memorial Hall, Memorial Building
7:30 PM
(Tentative and Subject to Change)

- 1. Minutes – Minutes of June 9th, 2010**
- 2. Findings and Recommendations –**
 - a. A-03-2010 – 11-17 W. Maple Street (Unitarian Church) – Exterior Appearance/ Site Plan Review Approval for a New Patio Along Maple Avenue.
 - b. A-08-2010 – 920 N. York Rd. – PNC Bank – Signage in the Design Review Overlay District.
- 3. Scheduling of Public Hearings – No discussion will take place except to determine time and date of hearing.**
 - a. A-13-2010 – John Weinberger/Continental Motors – Special Use Permit for a Planned Development and Exterior Appearance/Site Plan Review approval for Façade Improvements to the Existing Car Dealership.
 - b. A-17-2010 – Village of Hinsdale – Text Amendment to Provide Limited Authority to the Village Board for Variations.
- 4. Sign Permit Review - Plan Commission has final authority, if approved permit is issued. This is not a public hearing, the applicant makes their presentation and the Chair can recognize audience to speak.**
 - a. 48 S. Washington Street – M Home Designs – One Wall Sign
- 5. Exterior Appearance/Site Plan Review - Recommendations forwarded to next Zoning and Public Safety Meeting. This is not a public hearing, the applicant makes their presentation and the Chair can recognize the audience to speak.**
 - a. 18-20 E. First Street (Nabuki) – Peter Burdi – Façade Improvements for New Restaurant.
- 6. Public Hearings – Recommendations forwarded to next Zoning & Public Safety Committee Meeting. All those wishing to provide public testimony must be sworn in and after the applicant makes their presentation will be recognized by the Chair to speak.**

OVER

- a. A-03-2010 – 11-17 W. Maple Street (Unitarian Church) – Special Use Permit for a Planned Development.
- b. A-09-2010 – Village of Hinsdale – Text Amendment to Section 5-110G as it relates to existing non-conforming structures in the B-2, Central Business District.

7. Adjournment

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

Web Site: www.villageofhinsdale.org

HINSDALE PLAN COMMISSION

RE: 11-17 Maple Street – Unitarian Church - Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: June 9, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: TBD

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Unitarian Church, (the “Applicant”) submitted an application to the Village of Hinsdale for the property located at 11-17 Maple Street (the “Subject Property”).
2. The Subject Property is zoned in the IB Institutional Buildings District and improved with multiple buildings for the purpose of operating a religious facility.
3. The applicant is proposing a landscape feature to be located in the front yard of the Unitarian Church at 11 W. Maple.
4. The Plan Commission heard testimony from the audience in which a resident identified his concern that he felt the request for the Planned Development was unnecessary and the applicant’s appropriate course of action should be to seek a variation from the Zoning Board of Appeals for the requested waiver.
5. Based on the resident’s comments and discussion amongst the Plan Commission, it was suggested that the request for the Planned Development be separated from the request for Exterior Appearance/Site Plan Review to allow the landscape feature to proceed for the necessary approvals.
6. At this point the Commission requested that the applicant consider pursuing the variation request and indicated that the public hearing for the Planned Development would be left open until the applicant had decided which process to pursue.
7. The Plan Commission finds that the application for the proposed landscape feature complies with the standards set forth in Section 11-606 of the Hinsdale Zoning Code pertaining to the exterior appearance review.
8. The Plan Commission finds that the plan submitted by the Applicant, for the proposed landscape feature, complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, on a vote of 5 "Ayes," and 0 "Nays," recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance and site plans for a new landscape feature at 11-17 Maple Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2010.

HINSDALE PLAN COMMISSION

RE: 920 N. York Road – PNC Bank – Design Review Permit for replacement of signage

DATE OF PLAN COMMISSION REVIEW: June 9, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: June 28, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Icon Identity Solutions (the "Applicant") submitted an application on behalf of PNC Bank to the Village of Hinsdale for a Design Review Permit to allow the refacing of the existing ground sign, as well as refacing the existing National City Bank ATM machine at 920 N. York Road (the "Subject Property").
2. The Subject Property is zoned in the O-2 Limited Office District and in the Design Review Overlay District.
3. The petitioner is proposing to reface the existing National City Bank ground sign, with a new PNC Bank sign.
4. The petitioner is also proposing to reface the existing National City Bank ATM machine with new PNC Bank signage.
5. The Plan Commission finds that the application complies with the standards set forth in Section 9-106 of the Hinsdale Zoning Code governing signage.
6. The Plan Commission finds that the application complies with the standards set forth in Section 11-605 of the Hinsdale Zoning Code pertaining to the Design Overlay District.

II. RECOMMENDATION


The Village of Hinsdale Plan Commission, on a vote of five "Ayes," zero "Nays," and four "Absent" recommends that the President and Board of Trustees approve the site plan and exterior appearance plans for the refacing of existing signage at 920 N. York Road – PNC Bank.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2010.

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: July 14, 2010
Re: Scheduling Public Hearing for Case A-017-2010
Applicant: Village of Hinsdale
Request: Text Amendment to Section 11-503 (Variations), of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations.

The Applicant, the Village of Hinsdale, has submitted an application to amend Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals and Variations), Section 11-503 (Variations), of the Village of Hinsdale Zoning Code, to give the Board of Trustees the authority to grant certain variations.

Currently the zoning code grants the Zoning Board of Appeals the authority to hear applications for variations on a limited number of conditions, while Illinois State Statute affords municipalities the authority for their Village Board to hear variations not otherwise authorized by the Zoning Board of Appeals. The proposed text amendment is intended to bring the current zoning code more in line with current state statutes while still maintaining the Zoning Board of Appeals as an integral part of the process. If approved, the amendment would allow an applicant the ability to request a variation not specifically listed in Section 11-503E, by first receiving a recommendation for approval or denial from the Zoning Board of Appeals, which would then be forwarded on to the Board of Trustees for final action. The proposed process would be very similar to the entitlement process currently being used for almost all Plan Commission cases. The process would only be utilized for variation requests that the ZBA is not currently authorized to hear. The process for all other variation requests would remain the sole authority of the Zoning Board of Appeals.

The Village Board of Trustees will be voting on the referral of this item at the Board meeting of July 13, 2010. Should the Board determine to refer this agenda item onto the Plan Commission, it is requested that the public hearing be scheduled for Wednesday, September 8, 2010

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook, Village Manager



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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: Text Amendment to Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals and Variations), Section 11-503 (Variations), to give the Board of Trustees the authority to grant certain variations.

REVIEW CRITERIA

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

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

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

The proposed text amendment would bring the current zoning code more in line with Illinois State Statutes.

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

N/A

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

N/A

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

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

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

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

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. The proposed text amendment would only allow an applicant the ability to request a variation not currently authorized by the zoning code. The applicant would still be required to meet all standards currently authorized through the variation process.

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

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

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

N/A

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

13. The community need for the proposed amendment and for the uses and development it would allow. The proposed text amendment would bring the current zoning code more in line with Illinois State Statutes. Currently, the only option for an applicant to be heard for a variation not authorized for the zoning code is to file it in Wheaton with the Circuit Courts.
14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area. N/A
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**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

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

Owner

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

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

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

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

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

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

II. SITE INFORMATION

Address of subject property: N/A

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

Brief description of proposed project: Text Amendment to Article XI, Section 11-503 (Variations), of the Village of Hinsdale Zoning Code, to give the Board of Trustees the authority to grant certain variations.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A South: N/A

East: N/A West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

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

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

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E
Special Use Requested:

☒ Map and Text Amendments 11-601E
Amendment Requested: Article XI, Section 11-503 regarding the Board of Trustee's authority to grant certain variations.

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

TABLE OF COMPLIANCE

Address of subject property: N/A

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

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	Text Amendment: Not Applicable	
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 9th day of July, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

David C. Cook
Signature of applicant or authorized agent

Signature of applicant or authorized agent

David C. Cook
Name of applicant or authorized agent

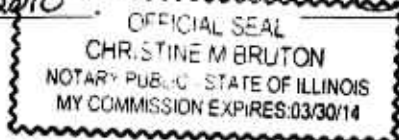
Name of applicant or authorized agent

SUBSCRIBED AND SWORN

to before me this 9th day of

July

2010



Christine M. Bruton
Notary Public

DRAFT

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ARTICLE XI (ZONING ADMINISTRATION
AND ENFORCEMENT), PART V (INTERPRETATIONS, APPEALS, AND
VARIATIONS), SECTION 11-503 (VARIATIONS) OF THE HINSDALE
ZONING CODE TO GIVE THE BOARD OF TRUSTEES
THE AUTHORITY TO GRANT CERTAIN VARIATIONS**

(Plan Commission Case No. _____)

WHEREAS, the Applicant, the Village of Hinsdale ("Village"), seeks to amend Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Administration and Enforcement), Section 11-503 (Variations) of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations ("the Application"); and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on _____, 2010, pursuant to notice thereof properly published in the Hinsdalean on _____, 2010, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case No. _____; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on _____, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to amend the Hinsdale Zoning Code as provided 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 as findings of the President and Board of Trustees.

Section 2. Amendment of Section 11-503. Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Administration and Enforcement), Section 11-503 (Variations) of the Hinsdale Zoning Code is amended by deleting the overstricken language and adding the underlined language to read as follows:

Sec. 11-503. Variations.

A. *Authority.* The Zoning Board of Appeals shall have the authority to grant variations from the provisions of this Code, but only in compliance with the procedures set forth in Subsection D of this Section and in those specific instances enumerated in Subsection E of this Section and then only in accordance with each of the standards enumerated in Subsection F of this Section. The Board of Trustees shall have the authority to grant variations from the provisions of this Code that are not specifically reserved with the Zoning Board of Appeals pursuant to Subsection E of this Section in accordance with each of the standards set forth in Subsection E2 and Subsection F of this Section, but only after a public hearing before the Zoning Board of Appeals pursuant to the requirements of Section 11-301 of this Code and a recommendation by the Zoning Board of Appeals to grant or deny the requested variation. In such instances, the Zoning Board of Appeals shall issue its recommendation within 35 days of the close of the public hearing in the manner and form specified by Subsection 11-102H of this Code. The failure of the Zoning Board of Appeals to act within 35 days, or such further time to which the applicant may agree, shall be deemed to be a recommendation to deny the variation.

B. *Purpose.* The variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this Code that create practical difficulties or particular hardships. When such difficulties or hardships are more appropriate for remedy, if at all, pursuant to other provisions of this Article XI, the variation procedure is necessarily inappropriate.

C. *Parties entitled to seek variations.* Applications for variations may be filed by the owner of, or person having a contractual interest in, the subject property.

D. *Procedure.*

1. *Application.* Applications for variations shall be filed in accordance with the requirements of Section 11-301 of this Code.

2. *Public hearing.* A public hearing shall be set, noticed, and conducted by the Zoning Board of Appeals in accordance with Subsection 11-303 of this Code.

3. *Action by zoning board of appeals.* Within 35 days following the close of the public hearing, the Zoning Board of Appeals shall render its decision granting or denying the variation, in the manner and form specified by Subsection ~~11-102F~~ 11-102H of this Code. The failure of the Zoning Board of Appeals to act within 35 days, or such further time to which the applicant may agree, shall be deemed to be a decision denying the variation.

E. Authorized variations.

1. *Permitted variations.* The Zoning Board of Appeals may vary the provisions of this Code only as provided in this ~~Paragraph~~ Subsection E1. The authority of the Zoning Board of Appeals to vary the provisions of this Code are subject to the prohibitions set forth in ~~Paragraph~~ Subsection E2 of this Section and proof by the applicant of each of the standards set forth in Subsection F of this Section.

Under no circumstances shall the list of permitted variations in this ~~Paragraph~~ Subsection E1 be construed as an entitlement, right, or claim for any applicant.

The Zoning Board of Appeals may vary the provisions of this Code in the following cases and in no others:

(a) To reduce the dimension of any required yard, setback, or building spacing, and to allow structures and uses to be located in any required yard in addition to, and to a greater degree than, those authorized by applicable district regulations.

(b) To reduce by not more than 10 percent (10%) the required lot width or lot depth of any lot; provided, however, that no such variation shall permit either the development of more than one dwelling unit in addition to the number of dwelling units that could be developed in the absence of such a variation or any increase in the otherwise permitted maximum floor area ratio.

(c) To reduce by not more than 10 percent (10%) the required lot area of any lot, and to reduce by 15 percent (15%) the lot area of any lot meeting all of the following criteria: (i) the subject lot is a legal nonconforming lot of record created by plat or deed recorded before 1923; (ii) the subject lot was vacant on January 1, 1991, or became

vacant thereafter by reason of demolition or destruction of a pre-code structure that is not authorized to be rebuilt or replaced pursuant to Subsection 10-104C of this Code; (iii) the subject lot has not, at any time after 1960, immediately abutted a vacant lot with the same owner as the subject lot when the combination of the vacant lot with the subject lot would have created a lot meeting the lot size standards then applicable to the subject lot; and iv) the subject lot has not immediately abutted any vacant lot since January 1, 1991. No variation pursuant to this subsection shall permit either the development of more than one dwelling unit in addition to the number of dwelling units that could be developed in the absence of such a variation or any increase in the otherwise permitted maximum floor area ratio.

(d) To increase by not more than ten percent (10%) the maximum allowable height of a structure in a nonresidential district, but only where necessary to accommodate variations in grade.

(e) To reduce by not more than twenty percent (20%), or one space, whichever is greater, the minimum number of off-street parking spaces or loading spaces otherwise required.

(f) To vary the number of parking or loading spaces required in connection with a change of use or an increase in use intensity.

(g) To increase by not more than twenty percent (20%) the maximum distance that required parking is permitted to be located from the zoning lot of the use for which such parking is provided.

(h) To allow an increase in height by not more than twenty percent (20%) of the maximum allowable height for the illumination of residential recreational facilities.

(i) To allow the moving of a ~~precode~~ pre-code structure to an extent or in a manner not permitted by ~~subsection~~ Subsection 10-104E of this ~~code~~ Code.

(j) To allow the otherwise prohibited restoration of a partially damaged or destroyed ~~precode~~ pre-code structure or structure devoted to a nonconforming use.

(k) To vary the bulk, yard, and space requirements when a zoning lot, whether vacant or legally used, is reduced in size, by reason of the exercise of the right of eminent domain by an authorized governmental body or by reason of a conveyance made under the specific threat of an eminent domain proceeding, so that the remainder of said zoning lot,

or any structure or use on said zoning lot, does not conform with one or more of such bulk, yard, or space requirements of the district in which said zoning lot is located.

(l) To allow, for a period not to extend beyond four (4) years following the effective date of this ~~code~~ Code:

(i) The storage in a parking area in a residential district of more than the maximum number of class I or II vehicles specified in ~~subsection~~ Subsection 9-101D4(e) of this ~~code~~ Code; or

(ii) The storage in a parking area in any required yard in a residential district of class II vehicles; or

(iii) The storage in a parking area in a residential district of no more than one class III vehicle; or

(iv) The provision of buffers and landscaping for class II vehicles other than those required by ~~subsection~~ Subsection 9-107D of this ~~code~~ Code.

Every variation granted pursuant to this ~~subsection~~ Subsection E1(l) shall run only to the applicant, as a personal privilege, and only with respect to the specific vehicle that is the subject of the application.

(m) To increase by not more than twenty percent (20%) the maximum floor area ratio permitted in the R-1 single-family residential district for any proposed development that was the subject of a variation application filed with the village and approved by the zoning board of appeals after January 1, 1989, but before the effective date of this ~~code~~ Code.

(n) To increase by not more than ten percent (10%) the maximum floor area ratio permitted in the B-2 central business district.

(o) To increase by not more than ten percent (10%) the maximum building coverage permitted in the B-2 central business district.

(p) To increase the maximum elevation permitted in the R-1, R-2, R-3 and R-4 single-family residential districts.

(q) To increase by not more than fifteen percent (15%) the maximum allowable height of a personal wireless services antenna support structure that is of a tower design.

(r) To allow the front of a single-family dwelling to be developed to face a frontage other than the frontage it is required to face pursuant to ~~subsection~~ Subsection 3-110I of this ~~code~~ Code.

(s) To reduce by more than ten percent (10%) the required lot width and area of any lot created concurrent with and as part of the terms of an annexation agreement for the land of which the lot is a part. No variation pursuant to this subsection shall permit either the development of more than one dwelling unit in addition to the number of dwelling units that could be developed in the absence of such a variation or any increase in the otherwise permitted maximum floor area ratio.

(t) To increase the maximum floor area ratio not more than the minimum amount required to authorize construction on property in the R-1, R-2, R-3, or R-4 districts of a four hundred forty (440) square foot detached garage accessory to an existing single-family detached dwelling on the subject property, but only to replace an existing attached garage and only if all of the following criteria are met: i) the existing garage is the only garage on the subject property, ii) the existing garage is unusable as a garage, in the determination of the director of public services based on reasonable evidence provided by the applicant, because of flooding outside of the reasonable control or correction of the subject property owner, iii) the proposed detached garage will not exceed a total floor area of four hundred forty (440) square feet and will comply with every other applicable provision of this ~~code~~ Code, iv) the floor area ratio and building coverage of the subject property has not been increased by expansion of the single-family dwelling for at least ten (10) years prior to the date of application for the variation.

2. *Prohibited Variations:* Notwithstanding any other provision of this section, no variation shall be granted that:

(a) Is intended as a temporary measure only; or

(b) Is greater than the minimum variation necessary to relieve the particular hardship or practical difficulty demonstrated by the applicant.

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~~ 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 Subsection F.

2. *Unique Physical Condition:* The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

3. *Not Self-Created:* The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this ~~code~~ Code, for which no compensation was paid.

4. *Denied Substantial Rights:* The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

5. *Not Merely Special Privilege:* The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

6. *Code And Plan Purposes:* The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this ~~code~~ Code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.

7. *Essential Character Of The Area:* The variation would not result in a use or development on the subject property that:

(a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

(b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

(c) Would substantially increase congestion in the public streets due to traffic or parking; or

(d) Would unduly increase the danger of flood or fire; or

(e) Would unduly tax public utilities and facilities in the area; or

(f) Would endanger the public health or safety.

8. *No Other Remedy:* There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

G. *Variation Less Than Requested:* A variation less than or different from that requested may be granted when the record supports the applicant's right to some relief but not to the relief requested.

H. *Conditions On Variations:* ~~The zoning board of appeals~~ Zoning Board of Appeals, or the Board of Trustees as the case may be, may impose such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this ~~code~~ Code upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Such conditions shall be expressly set forth in the resolution granting the variation. Violation of any such condition or limitation shall be a violation of this ~~code~~ Code and shall constitute grounds for revocation of the variation.

I. *Affidavit Of Compliance With Conditions:* Whenever any variation authorized pursuant to this section is made subject to conditions and limitations to be met by the applicant, the applicant shall upon meeting such conditions file an affidavit with the village manager so stating.

J. *Effect Of Grant Of Variation:* The grant of a variation shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approval that may be required by the codes and ordinances of the village including, but not limited to, a certificate of zoning compliance, a building permit, a certificate of occupancy, subdivision approval, and site plan approval.

K. *Limitations On Variations:* Subject to an extension of time granted by the village manager pursuant to ~~subsection~~ Subsection 11-101K of this article, no variation from the provisions of this ~~code~~ Code shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a certificate of occupancy is issued and a use is commenced within that period.

A variation shall be deemed to authorize only the particular construction or development for which it was issued and shall automatically expire and cease to be of any force or effect if such construction or development shall be removed and not replaced within six (6) months following such removal.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.


Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

Z:\PLS\Village of Hinsdale\Ordinances\2010\10-xx Sec. 11-503 05-26-10.doc

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: July 14, 2010
Re: Scheduling Public Hearing for Case A-13-2010
Applicant: John Weinberger/Continental Motors
Request: Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for façade improvements to the existing car dealership at 420 E. Ogden Avenue

The applicant, Continental Motors is requesting a Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for exterior work to the façade of the existing car dealership at 420 E. Ogden Avenue. In 2007, Continental Motors came before the Village Board to request various approvals, which included text amendments to allow a Planned Development providing for the expansion of the existing car dealership along Ogden Avenue, as well as the actual Special Use for the Planned Development and Site Plan/Exterior Appearance approval for the expansion of the existing car dealership. On August 27th, 2007 the ZPS forwarded this request on to the Village Board meeting of September 4th with a favorable and unanimous vote where it was then approved unanimously by the Village Board as Ordinance #O2007-62 (attached herein). Recent structural issues prompted the applicant to apply for permits to make these repairs and use this opportunity to request a Major Adjustment to the Planned Development and propose the façade changes to the Village Board. It was at this time that staff identified an error made during the initial approval process in 2007. While the text amendment allowing the dealership to request the Planned Development was approved, the latter requests which included the Special Use for the Planned Development and Exterior Appearance/Site Plan Review, were erroneously dropped from the request during the process, and subsequently never approved. While two motions and two approving ordinances should have been executed (one for the text amendments and one for the remaining approvals), only the ordinance regarding the text amendment was ever adopted leaving all remaining requests unapproved. The applicant has agreed to come back and obtain the approvals for the processes which they assumed had already been in place, however due to the severity and risks involved with the existing damage they requested that the Board discuss and consider the possibility of allowing them to move ahead with repairs, including the minor modification to the façade (illustrated in the attached documents) while they come back through to redo the processes that were inadvertently not included as part of the approval in 2007.

On May 10, 2010 and May 18, 2010, the EPS and Village Board, respectively, discussed the issues above and unanimously agreed that they were in favor of allowing the applicant to move forward with obtaining conditional permits to make the necessary repairs, including the proposed

alterations, while they resubmit and go through the process to secure approval for the Planned Development.

It is requested that the public hearing be scheduled for September 8, 2010.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook

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

Application for Certificate of Zoning Compliance

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

Applicant's name: Douglas Capacci
Owner's name (if different): John F. Weinberger / Continental Classic Motors
Property address: 420 E. Ogden Ave
Property legal description: [attach to this form]
Present zoning classification: B-3
Square footage of property: 45,027
Lot area per dwelling: N/A
Lot dimensions: 150 X 300
Current use of property: Auto Dealership
Proposed use: ☐ Single-family detached dwelling
☒ Other: _____
Approval sought: ☐ Building Permit ☐ Variation
☒ Special Use Permit ☒ Planned Development
☒ Site Plan ☒ Exterior Appearance
☐ Design Review
Other: _____

Brief description of request and proposal:

Repair + replace Northeastern section of existing building

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	<u>N/A</u>	<u>N/A</u>
*interior side(s)	<u>24.4' / 0'</u>	<u>10' / 10'</u>

Provided:**Required by Code:**corner side
rearN/A
60.69'N/A
20'**Setbacks (businesses and offices):**

front:

91.07'100'

interior side(s)

24.4' / 0'10' / 10'

corner side

N/AN/A

rear

60.69'20'

others:

N/AN/A

* Ogden Ave. Center:

91.07'100'

York Rd. Center:

N/AN/A

Forest Preserve:

N/AN/A**Building heights:**

principal building(s):

14.5'30'

accessory building(s):

N/AN/A**Maximum Elevations:**

principal building(s):

N/AN/A

accessory building(s):

N/AN/A

Dwelling unit size(s):

N/AN/A

Total building coverage:

N/AN/A

* Total lot coverage:

100%90%

Floor area ratio:

46%50%

Accessory building(s):

N/A

Spacing between buildings: [depict on attached plans]

principal building(s):

N/A

accessory building(s):

N/A

* Number of off-street parking spaces required:

100 (at 1/200)

* Number of loading spaces required:

1**Statement of applicant:**

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

By:

Applicant's signature

Douglas E Caporici

Applicant's printed name

Dated: 5/5, 2010.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Application # A-13-2010 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

John Weinberger/Continental Classic Motors

Address or description of subject property:

420 E. Ogden , Hinsdale Illinois 60521

Use or proposal for subject property for which certificate is issued:

Special Use Permit for a Planned Development and Exterior Appearance/Site Plan

Review for Repair and replacement of portions of the existing car dealership.

Plans reviewed if any: *See attached plans, if any. – PC Case A-13-2010*

Conditions of approval of this certificate:

- The petitioner must obtain approval for the requested Plan Development, including the following waivers for existing conditions:
 - Reduction in the number of required parking spaces from 100 spaces to 40 spaces;
 - Reduction in the number of required loading spaces from 1 space to 0 spaces;
 - Reduction of the front yard setback from 100 feet to 91.07 feet;
 - Reduction of the (east) side yard setback from 10 feet to 0 feet;
 - Allow a total lot coverage of 100% in lieu of the required 90%;
- and any other waivers as determined for said approval.

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Subsection 11-602E pertaining to Standards for special use permits (which includes the following conditions);
- Subsection 11-603E pertaining to Standards for Planned Developments; and
- Subsection 11-604F pertaining to Standards for site plan disapproval
- Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Villages' understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By:


Village Manager

Dated:

7/9, 2010



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant LaMantia Construction

Name: Douglas E. Capacci

Address: 9108 W Ogden Ave

City/Zip: Brookfield, IL 60513

Phone/Fax: (708) 906-4356 / 708-485-2023

E-Mail: dcapacci@lamantia.com

Owner Continental Classic Motors

Name: John F. Weinberger

Address: 420 E. Ogden Ave

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 655-3535

E-Mail: _____

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

Name: Styczynski/Walker Architects

Title: Bill Styczynski

Address: PO Box 1253

City/Zip: Downers Grove 60559

Phone/Fax: (630) 789-2513 / 630-724-0983

E-Mail: aws@swa-architects.com

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: () _____ / _____

E-Mail: _____

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

- 1) _____
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 420 E. Ogden Ave Hinsdale

Property identification number (P.I.N. or tax number): 09-01-212-004
09-01-212-005

Brief description of proposed project: Front Facade Repair & Roof
reconstruction

General description or characteristics of the site: Auto dealership

Existing zoning and land use: Commercial

Surrounding zoning and existing land uses:

North: Commercial

South: Residential

East: Commercial

West: Commercial

Proposed zoning and land use: _____

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

☒ Site Plan Disapproval 11-604

☒ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☒ Special Use Permit 11-602E

Special Use Requested: _____

☒ Map and Text Amendments 11-601E

Amendment Requested: Amend to zoning
code to allow dealership to be planned
development to allow for building addition
+ structural repairs

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business
District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 420 E. Ogden Ave

The following table is based on the B-3 Zoning District.

	Minimum Code Requirements			Proposed/Existing Development '07'
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	45,027 SF
Minimum Lot Depth	125'	125'	125'	300 SF
Minimum Lot Width	50'	20'	50'	150.09 Ft.
Building Height	30'	35'	30'	14'6" New Add '07'
Number of Stories	2	3	2	1
Front Yard Setback	25'	0'	25'	N/A
Corner Side Yard Setback	25'	0'	25'	N/A
Interior Side Yard Setback	10'	0'	10'	24.4 ft / 0 ft
Rear Yard Setback	20'	20'	20'	20 ft
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	21,296 SF
Maximum Total Building Coverage*	N/A	80%	N/A	-
Maximum Total Lot Coverage*	90%	100%	90%	19,596
Parking Requirements				
Parking front yard setback			100' Centerline	0 Existing
Parking corner side yard setback			N/A	N/A
Parking interior side yard setback			5'/10'	0'
Parking rear yard setback			5' Rear 20%	
Loading Requirements			1	none existing
Accessory Structure Information (height)	15'	15'	15'	

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 1ST day of June, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

Douglas E Capocci / agent
Signature of applicant or authorized agent

Douglas E Capocci
Signature of applicant or authorized agent

Douglas E Capocci
Name of applicant or authorized agent

Douglas E Capocci
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 9th day of
July, 2010.

Christine M. Bruton
Notary Public





**VILLAGE
OF HINSDALE** FOUNDED IN 1873

PLANNED DEVELOPMENT CRITERIA

Community Development Department

***Must be accompanied by completed Plan Commission Application**

Address of proposed request: 420 E. Ogden Ave.

Proposed Planned Development request: _____

REVIEW CRITERIA:

Section 11-603 of the Hinsdale Zoning Code regulates Planned developments. The Board of Trustees, in accordance with the procedures and standards set out in Section 11-603 and by ordinance duly adopted, may grant special use permits authorizing the development of planned developments, but only in the districts where such developments are listed as an authorized special use. Planned developments are included in the Zoning Code as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses. In particular, however, the planned development technique is intended to allow the relaxation of otherwise applicable substantive requirements based on procedural protections providing for detailed review of individual proposals for significant developments. This special regulatory technique is included in the Code in recognition of the fact that traditional bulk, space, and yard regulations of substantially developed and stable areas may impose inappropriate pre-regulations and rigidities upon the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

1. *Special use permit standards.* No special use permit for a planned development shall be recommended or granted pursuant to this Section unless the applicant shall establish that the proposed development will meet each of the standards made applicable to special use permits pursuant to Subsection 11-602E of the Zoning Code

We will meet Standards

2. *Additional standards for all planned developments.* No special use permit for a planned development shall be recommended or granted unless the applicant shall establish that the proposed development will meet each of the following additional standards:

- a. *Unified ownership required.* Agree
- b. *Minimum area.* Agree
- c. *Covenants and restrictions to be enforceable by village.* N/A
- d. *Public open space and contributions.* N/A

e. Common open space.

Amount, location, and use. N/A

Preservation. _____

Ownership and maintenance. _____

Property owners' association. _____

f. Landscaping and perimeter treatment. Existing fence South Lot Line for Screening

g. Building and spacing. Addition in 2004 & 2007 are proposed similar materials and style.

h. Private streets. N/A

i. Sidewalks. N/A

j. Utilities. Existing

Additional standards for specific planned developments. N/A

List all waivers being requested as part of the planned development. many existing non-conformities to be included in waivers



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**COMMUNITY DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT CRITERIA**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 420 E. Ogden Ave

Proposed Special Use request: Plan Development for Facade improvements

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

REVIEW CRITERIA

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

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

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

It will give the front of the building Symetry & repair structural Defects. The building has been a car dealership for 20 yrs

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

No Change in character

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

The '07' Plan allowed for more vehicles to be stored inside.

The site & parking will remain the same

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

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

No Change

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

No Change

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

It does

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

N/A

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

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

N/A

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

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

No Adverse Impact



VILLAGE OF HINSDALE

FOUNDED IN 1873

COMMUNITY DEVELOPMENT DEPARTMENT EXTERIOR APPEARANCE AND SITE PLAN REVIEW CRITERIA

Address of proposed request: 420 E. Ogden Hinsdale

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE***** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.

FEES for Exterior Appearance/Site Plan Review:

Standard Application: \$600.00

Within 250 feet of a Single-Family Residential District: \$800

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. Same as existing building.
(We are only adjusting the front Facade + roof to match)
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. Same as existing building
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. Same as existing building
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. Same as existing building
will Not extend existing building

5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. The front facade will be adjusted to match the 09' addition
6. *Proportion of front facade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. Same as above
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. Same as existing building
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. East Side will be adjusted to match the west side
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
11. *Relationship of materials and texture.* The relationship of the materials and texture of the facade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. N/A Same as existing
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. Same as existing
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. Match existing West Facade
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character,

whether this be vertical character, horizontal character, or nondirectional character.

Match existing West Facade

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

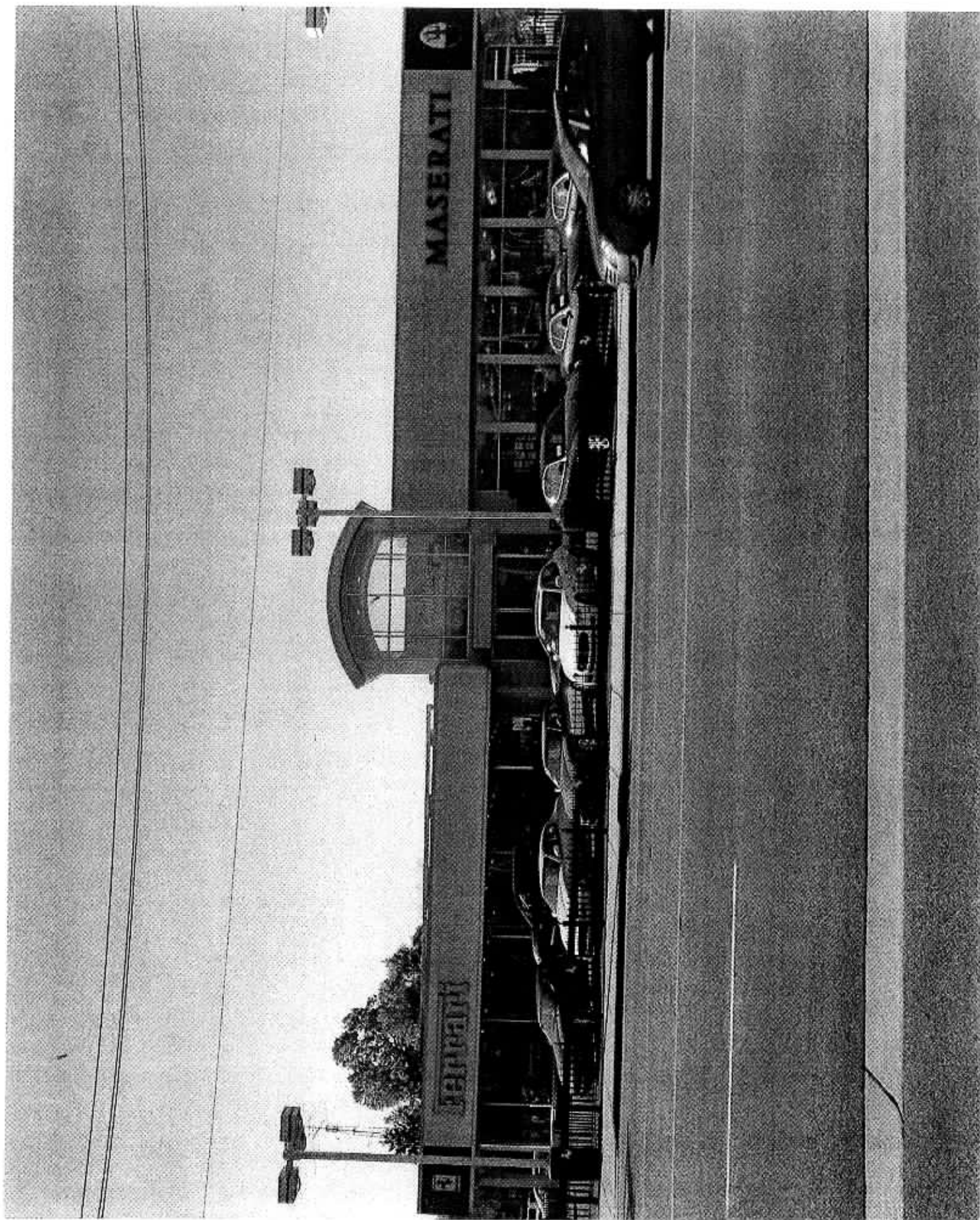
REVIEW CRITERIA – Site Plan Review

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. N/A
2. The proposed site plan interferes with easements and rights-of-way. N/A
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. N/A
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. N/A
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. N/A
6. The screening of the site does not provide adequate shielding from or for nearby uses. N/A

7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. N/A
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. N/A
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. N/A
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. N/A
11. The proposed site plan does not provide for required public uses designated on the Official Map. N/A
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. N/A



WARNING



SITE PLAN, BOUNDARY AND TOPOGRAPHIC SURVEY OF

LOT 1 IN CONTINENTAL AUTOSPORTS, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN PAGE COUNTY, ILLINOIS.

P.I.N.: 09-01-212-004
AREA OF PARCEL: 44,289 S.F.

CLARMAP CONTACT:
Lamantia Construction Co.
2007 Ogden Avenue
Downers Grove, IL 60515
708.608.4300

Existing Lot Size: 44,289 S.F.

Existing Drainage Conditions:
8,270 S.F. flows North to Ogden Ave.
39,019 S.F. flows South to Jefferson St.

Proposed Drainage Conditions:
Undrained from existing



BENCHMARK

A CORNER CORNER MONUMENT ESTABLISHED BY CHICAGO, ILL. COUNTY, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN PAGE COUNTY, ILLINOIS.

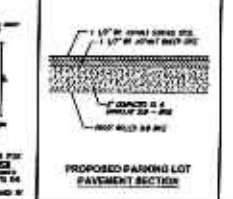
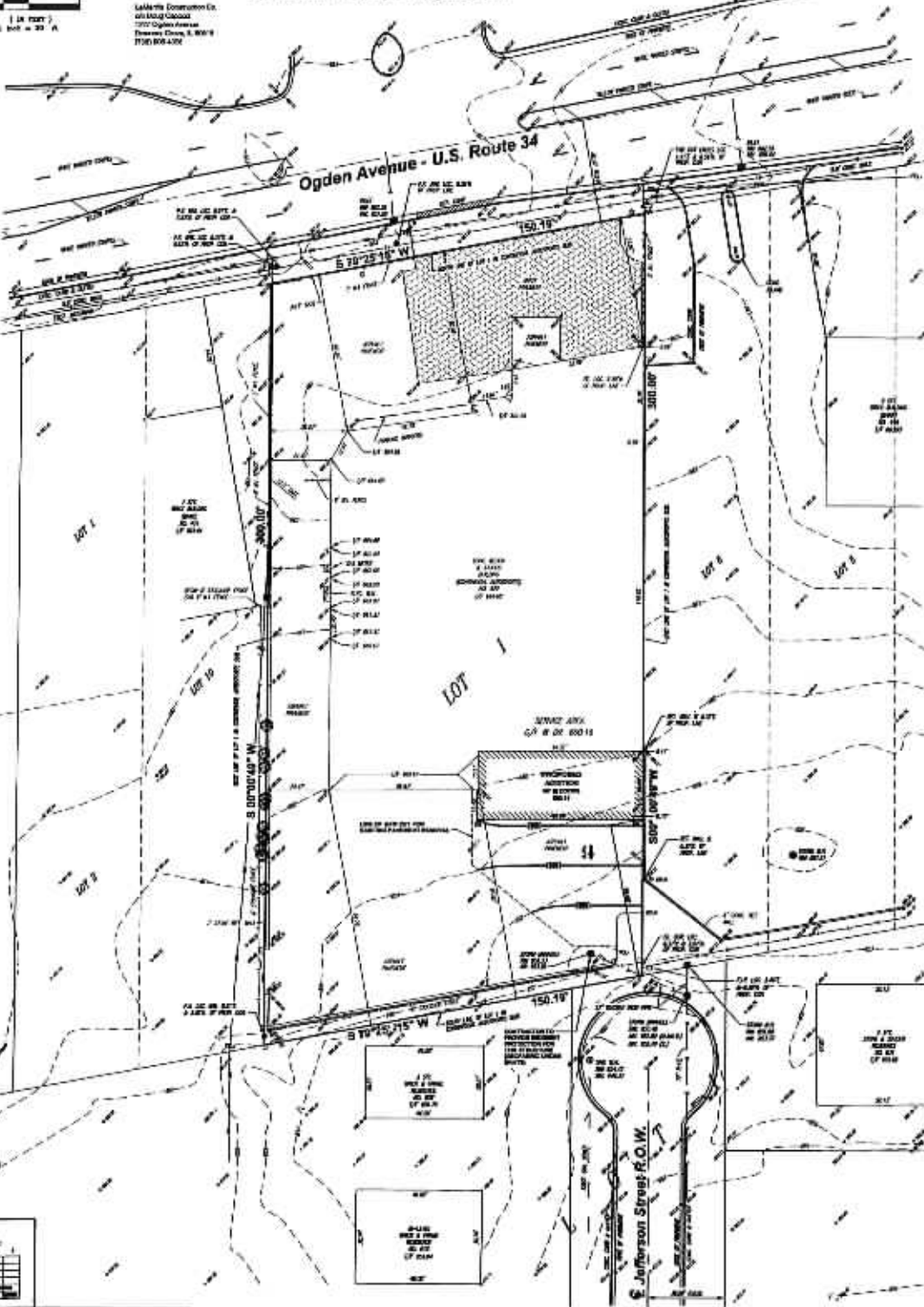
THESE SURVEYING RESULTS AND THE SURVEY AND MONUMENTS THEREON SHALL BE THE BASIS FOR THE CONSTRUCTION OF THE PROJECT. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC.

LEGEND

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ALL SURVEYING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC.

CONSTRUCTION SCHEDULE	DATE	DESCRIPTION
1. SITE PREP	08/01/2023	Clearing and grading
2. FOUNDATION	08/05/2023	Excavation and pouring
3. FRAMING	08/10/2023	Structural steel erection
4. ROOFING	08/15/2023	Roof truss installation
5. MECHANICAL	08/20/2023	HVAC unit installation
6. ELECTRICAL	08/25/2023	Wiring and panel installation
7. PLUMBING	08/30/2023	Water and sewer line installation
8. FINISH	09/05/2023	Interior and exterior finishing



PROFESSIONAL ENGINEER'S SEAL
STATE OF ILLINOIS
COUNTY OF DECATUR
I, JAMES M. HARRIS, a duly Licensed Professional Engineer, do hereby certify that the above is a true and correct copy of the original survey and plan as filed with me, and that I am a duly Licensed Professional Engineer in the State of Illinois.

THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.
THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC. THE SURVEYOR'S RESPONSIBILITY IS TO THE CLIENT AND NOT TO THE PUBLIC.

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Genesis Surveying and Engineering PC
PROFESSIONAL DESIGN FIRM NO. 154-000000
2007 WILLOW HILL BLVD. SUITE 100
WILLOW HILL, ALABAMA 36697
334.334.6000 FAX 334.334.6001

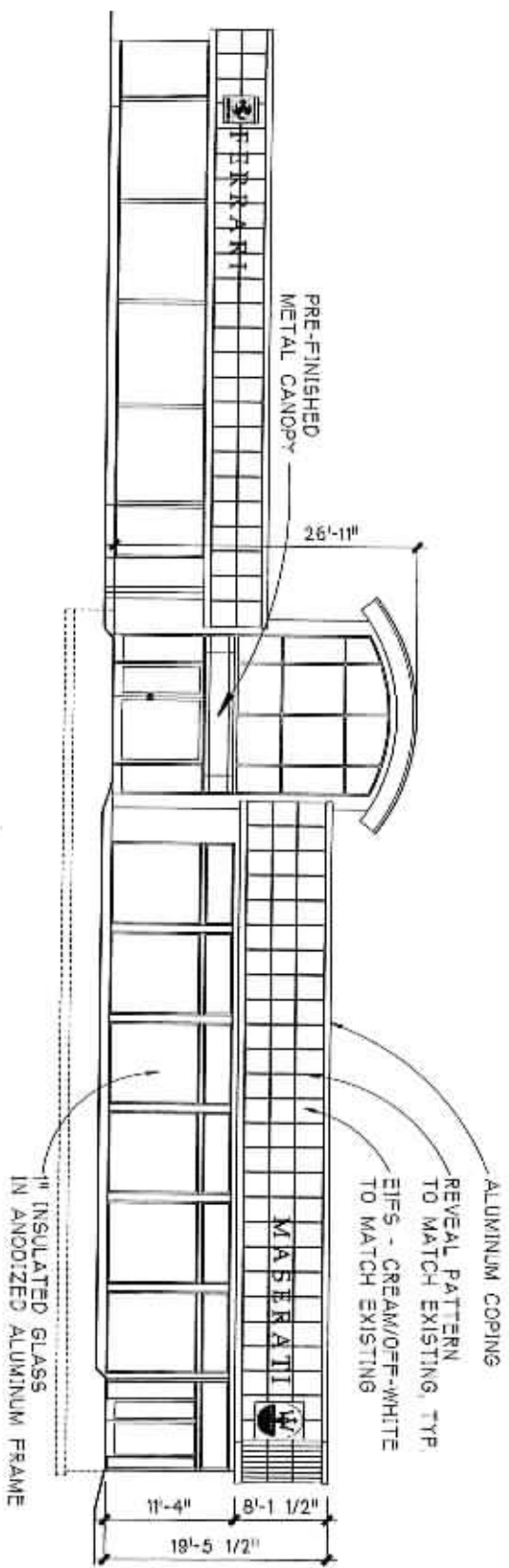
SITE PLAN, BOUNDARY AND TOPOGRAPHIC SURVEY
CONTINENTAL AUTOSPORTS
HINSDALE, IL 60521
DATE OF FIELD WORK COMPLETION: 04-24-23

PLANS PREPARED FOR:
LAMANTIA CONSTRUCTION CO.
1227 OGDEN AVENUE
DOWNERS GROVE, IL 60515

PROJ. NO.	DATE	BY	DESCRIPTION
09-01-212-004	08-01-2023	J.M.H.	PROFESSIONAL ENGINEER'S SEAL

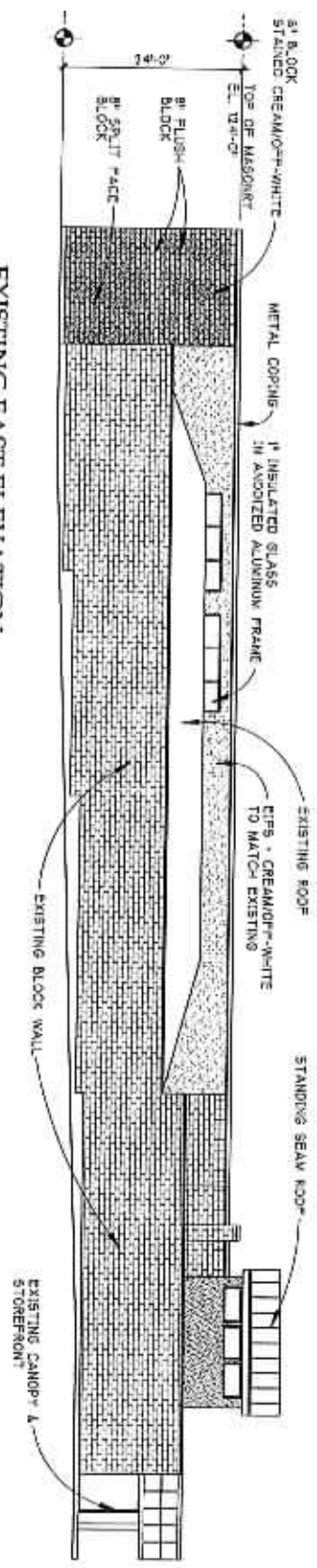
GENESIS JOB NO.
08-062
SHEET 1 OF 1

EXISTING ELEVATIONS



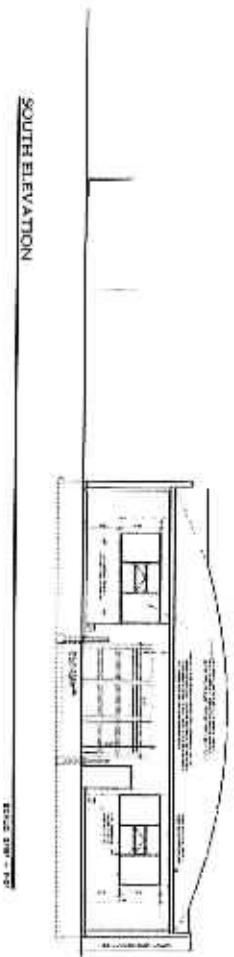
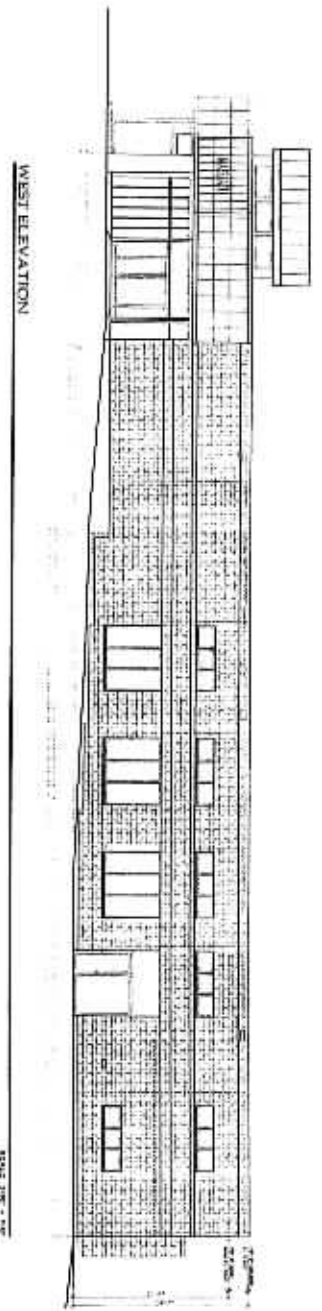
EXISTING NORTH ELEVATION

NTS



EXISTING EAST ELEVATION

NTS



A4.1

06/03/10
09/20/04

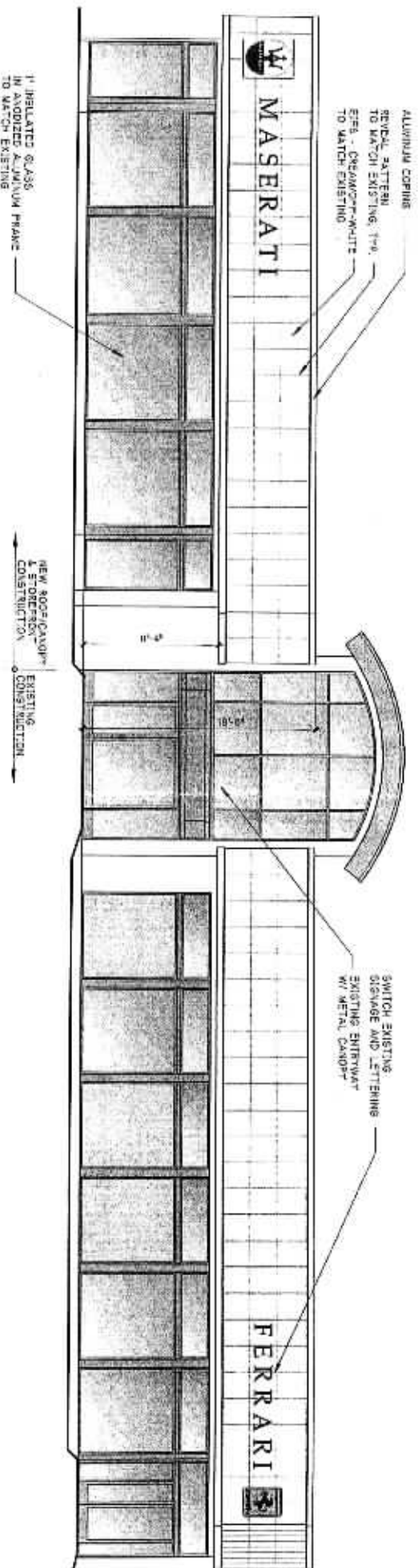
Styczynski Walker & Associates
architects
P.O. Box 1253 Westmont, Illinois 60559
630/789-2513 FAX 630/724-0583
www.stwarchitects.com

Continental AutoSports Showroom/Roof Renovation
420 E. Ogden Avenue, Hinsdale, Illinois
LaMantia Construction Co., Inc.
9100 W. Ogden Avenue, Brookfield, Illinois ph: 708.387.9900 fax: 708.633.9900

PROPOSED ELEVATIONS

Continental AutoSports

420 E. Ogden Avenue, Hinsdale, Illinois



NORTH ELEVATION

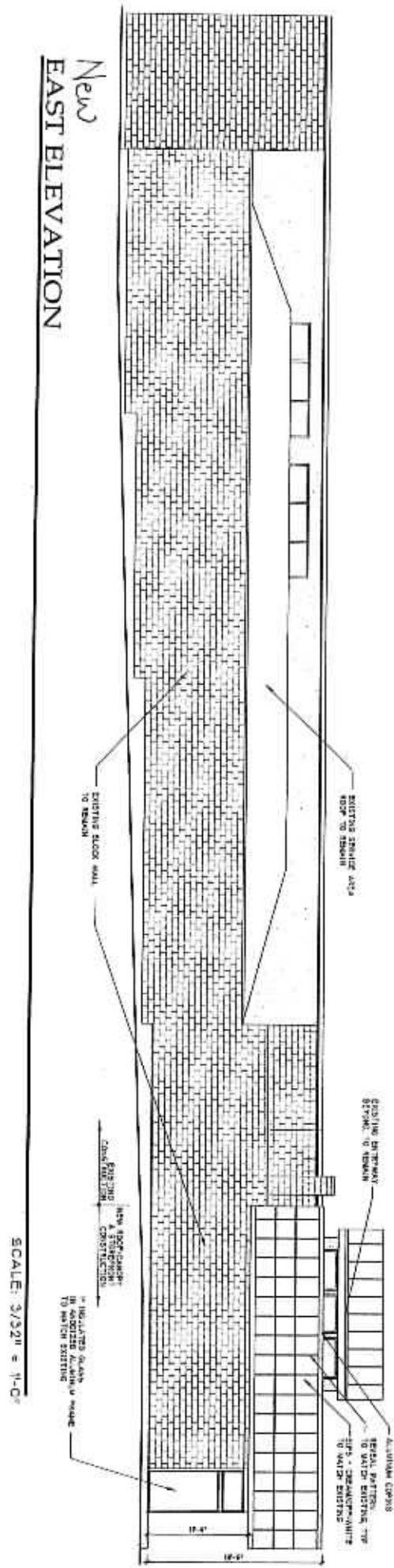
SCALE 1/8" = 1'-0"



STYCZYNSKI WALKER & ASSOCIATES

ARCHITECTS
1110 30th Street • Overland Park, Kansas 66111 • 913.791.2513

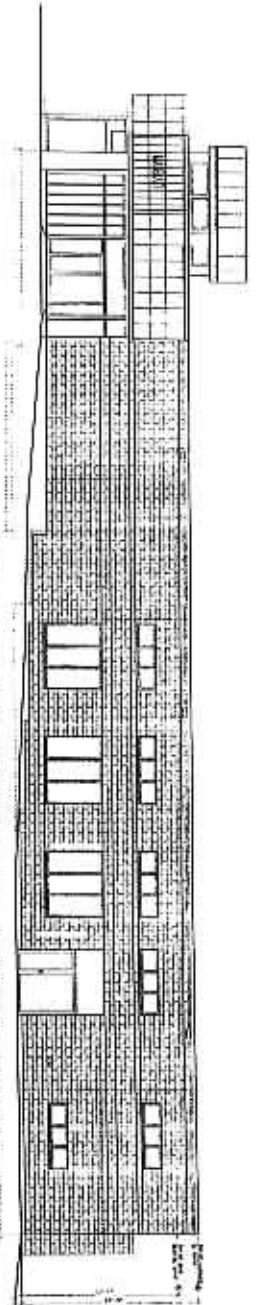
New
EAST ELEVATION



SCALE: 3/32" = 1'-0"

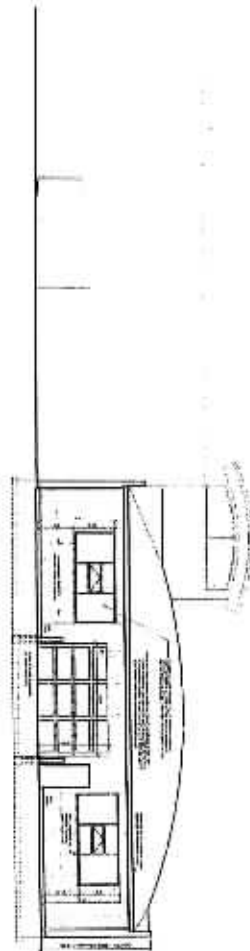
WEST ELEVATION

SCALE: 3/8" = 1'-0"




SOUTH ELEVATION

SCALE: 3/8" = 1'-0"



Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: July 14, 2010
Re: Sign Review – 48 S. Washington Street – M Home Designs

SIGN PERMIT REVIEW

The applicant is proposing a wall-mounted sign on the subject building. The site is located on the west side of Washington Street, and is zoned B-2 Central Business District.

The property currently does not contain a sign and the applicant is proposing to install one above the main entrance of the tenant space and faces east as depicted in the attached photo. The building owner obtained approvals for façade improvements in 2009 which included signage for the two prospective tenants, to be approved by the Village Manager as long as the signage generally matched what Schoen's originally had in place. The Village Manager has determined that while it matches in color (they are leaving the black background and using gold text), the font being utilized for portions of the sign substantiates the need to get formal approval. The new sign would be 12 square feet and would be the existing black background with gold text, as illustrated on the attached exhibits.

Subsection 9-106J of the Zoning Code provides the requirements for wall signage in the B-2 District and allows a maximum of 25 square feet for each business. As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Attachment

Cc: President Cauley and Board of Trustees
David Cook, Village Manager

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

Applicant

Name: Martha Daley
Address: 48 S. Washington Street
Suite 2
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 333-4820 / (630) 333-4821
E-Mail: mdesigndaley@gmail.com
Contact Name: Martha Daley

Contractor

Name: TBD. (same as my sister)
Address: Kate used.
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____
Contact Name: _____

ADDRESS OF SIGN LOCATION:

48 S. Washington, Suite 2

ZONING DISTRICT:

Sign Type:

- ☒ Permanent ☐ Temporary
☐ Ground Sign
☐ Wall Sign
☐ Pole Sign

Sign Information:

Overall Size (Square Feet): 12' (10' x 6')
Overall Height from Grade: _____ Ft.
Proposed Colors (Maximum of Three Colors):
① Black back ② Gold Lettering
③ ground
Type of Illumination: Currently has goose
neck lighting
Foot Candles: _____

Site Information:

Lot/Street Frontage: _____
Building/Tenant Frontage: _____
Existing Sign Information:
Business Name: _____
Size of Sign: _____ Square Feet
Business Name: _____
Size of Sign: _____ Square Feet

I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances.

Martha Daley
Signature of Applicant

6-30-2010
Date

Signature of Building Owner

Date

FOR OFFICE USE ONLY:

Fee: \$4.00 per square foot, not less than \$75.00 per sign

Total square footage: _____ x \$4.00 = _____

Plan Commission Approval Date: _____

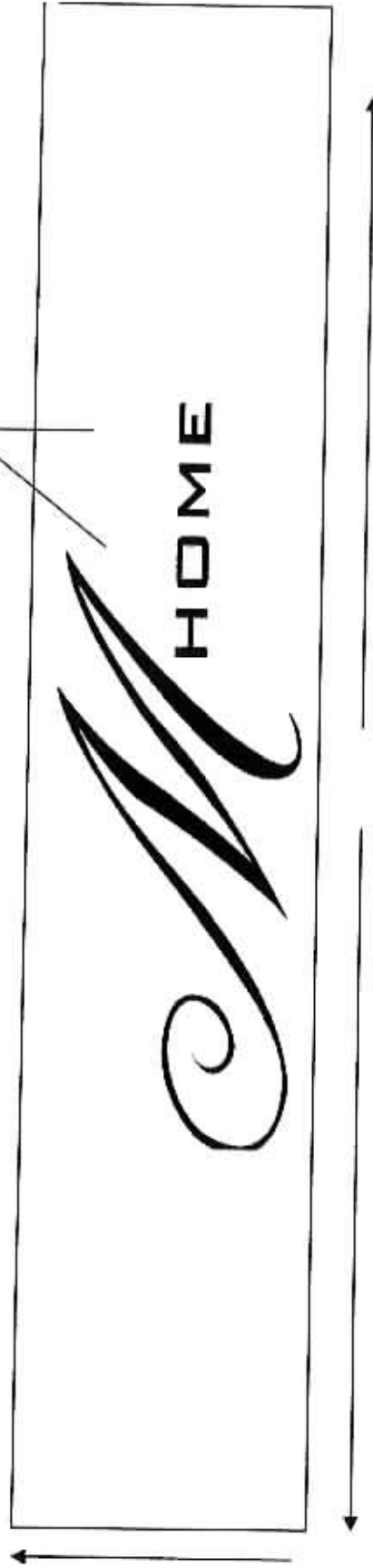
M HOME WOULD LIKE TO
DO THE SAME SIGN AS
"MY SISTER KATE",
EXCEPT WITH THE M HOME
LOGO AND WITH GOLD LETTERING

14" TOTAL HEIGHT



BLACK BACKGROUND
AS SHOWN IN PHOTO


M HOME WILL BE
GOLD AS SHOWN IN
PHOTO.



12' IN LENGTH

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner 

Date: July 14, 2010

Re: 18-20 East First Street (Nabuki) – Peter Burdi - Exterior Appearance Review and Site Plan Review

REQUEST

The applicant is requesting approval of exterior appearance and site plans to allow for a building façade improvement for the newly proposed Nabuki Restaurant. The site is improved with a one-story commercial building in the B-2 Central Business District.

The applicant is proposing several changes to the exterior façade, which includes the removal of the existing façade treatments and restoration/improvements to the original façade which had been covered by prior construction. All proposed improvements can be seen and identified on the attached elevations however they include:

- New façade treatment above the existing windows, to be painted white.
- Horizontal mullions to be placed in the existing windows and all window treatments and surrounds to be painted black.
- Removal and relocation of the existing entrance to the west end of the tenant space.
- Installation of a new black awning to run the length of the tenant space, including signage on the valance, for the restaurant.
- Vertical piers at both ends of the façade to be painted white.

The double recessed door will be replaced with a single door at the far west end of the tenant space. In addition, a cloth awning is proposed over the windows and entrance. The awning will project three feet from the face of the building over the public sidewalk and will have a 9'-2" clearance. The Building Code allows for awnings to project into the public right-of-way with a maximum projection of 3 feet and when a minimum clearance of 7 feet is provided. The applicant is proposing signage on the valance of the awning as illustrated in the attached elevations and as such, should be approved as part of this request. The proposed sign is less than two square feet (6" x 2'-3") and therefore meets the requirements of Section 9-106J (Signs) which allows a maximum of 25 square feet for each business.

No additional off-street parking is required as part of the proposed restaurant use. Subparagraph 9-104F1(b)(v) states that "Eating and drinking places located within the B-2 district are required to provide 1 space for each 200 square feet of net floor area." The applicant is not proposing to increase the square footage of the building.

Other

In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:

1. Subsection 11-604F pertaining to Standards for site plan disapproval; and
2. Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

attachment

Cc: President Cauley and Village Board of Trustees
David Cook, Village Manager

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

Application for Certificate of Zoning Compliance

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

Applicant's name: PETER BURDI
Owner's name (if different): NABU, LLC
Property address: 18-20 E. FIRST ST.
Property legal description: [attach to this form]
Present zoning classification: B-2
Square footage of property: 2586 SF
Lot area per dwelling: _____
Lot dimensions: 40.04' x 64.3'
Current use of property: RETAIL
Proposed use: ☐ Single-family detached dwelling
☒ Other: RESTAURANT
Approval sought: ☐ Building Permit ☐ Variation
☐ Special Use Permit ☐ Planned Development
☐ Site Plan ☒ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

RENOVATE EXISTING FACADE FOR NEW
RESTAURANT USE, ADD AWNINGS
WITH SIGNAGE

Plans & Specifications: [submit with this form]

Yards: EXISTING
BUILDING

Provided:

Required by Code:

front:
interior side(s)

0'
0' 10'

0'
0' 10'

EXISTING BUILDING	Provided:	Required by Code:
corner side	<u>0'</u>	<u>0'</u>
rear	<u>0'</u>	<u>20'</u>
Setbacks (businesses and offices):		
front:	<u>0'</u>	<u>0'</u>
interior side(s)	<u>0'10'</u>	<u>0'10'</u>
corner side	<u>0'</u>	<u>0'</u>
rear	<u>0'</u>	<u>20'</u>
others:	<u>N/A</u>	<u>N/A</u>
Ogden Ave. Center:	<u>N/A</u>	<u>N/A</u>
York Rd. Center:	<u>N/A</u>	<u>N/A</u>
Forest Preserve:	<u>N/A</u>	<u>N/A</u>
Building heights:		
principal building(s):	<u>19'</u>	<u>20' MAX.</u>
accessory building(s):	<u>N/A</u>	<u>15' MAX.</u>
Maximum Elevations:		
principal building(s):	<u>N/A</u>	<u>N/A</u>
accessory building(s):	<u>N/A</u>	<u>N/A</u>
Dwelling unit size(s):	<u>N/A</u>	<u>N/A</u>
Total building coverage:	<u>100%</u>	<u>80%</u>
Total lot coverage:	<u>100%</u>	<u>100%</u>
Floor area ratio:	<u>1.0</u>	<u>2.5</u>
Accessory building(s):	<u>N/A</u>	
Spacing between buildings: [depict on attached plans]		
principal building(s):	<u>N/A</u>	
accessory building(s):	<u>N/A</u>	
Number of off-street parking spaces required: <u>N/A</u>		
Number of loading spaces required: <u>1</u>		

Statement of applicant:

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

By:

Peter Burdick
Applicant's signature

PETER BURDICK
Applicant's printed name

Dated: 6-10, 2010.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Plan Commission File for 18-20 East First Street, Nabuki, regarding Exterior Appearance/Site Plan Review in 2010, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Nabuki – Peter Burdi

Address or description of subject property:

18-20 E. First Street, Hinsdale, IL 60521

Use or proposal for subject property for which certificate is issued: Façade improvements, including the installation of a cloth awning, with signage, over the ground floor tenant space windows and entrance of the commercial building for the building at 18-20 E. First Street

Plans reviewed, if any: *See attached plans, if any* - See Plan Commission File for 18-20 E. First Street – Nabuki, regarding Exterior Appearance/Site Plan Review in 2010.

Conditions of approval of this certificate:

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review.
- Section 11-604 of the Zoning Code governing Site Plan Review.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By: _____

Village Manager

Dated: _____

7/7

, 2010



VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

VILLAGE
OF HINSDALE FOUNDED IN 1873

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: PETER BURDI
Address: 18 E. FIRST ST.
City/Zip: HINSDALE, IL 60521
Phone/Fax: (312) 907-9448
E-Mail: BURDILAW@AOL.COM

Owner

Name: NABU, LLC
Address: 18 E. FIRST ST.
City/Zip: HINSDALE, IL 60521
Phone/Fax: (312) 907-9448
E-Mail: BURDILAW@AOL.COM

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

Name: RANDY B. PRUYN
Title: ARCHITECT
Address: 407 S. EDSON AVE.
City/Zip: LOMBARD, IL 60148
Phone/Fax: (630) 519-3034 / (630) 519-3545
E-Mail: ARCHRAN@AOL.COM

Name: CRANE CONSTRUCTION
Title: PROJECT MANAGER
Address: 343 WAINWRIGHT DR.
City/Zip: NORTHBROOK, IL 60062
Phone/Fax: (847) 291-3400
E-Mail: MRODGHENY@CRANE
CONSTRUCTION.COM

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

- 1) _____
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 18-20 E. FIRST ST.

Property identification number (P.I.N. or tax number): 09-12-13-00040

Brief description of proposed project: RENOVATION OF EXISTING
RETAIL SPACE AND STOREFRONT FOR NEW
RESTAURANT

General description or characteristics of the site: EXISTING CIRCA 1912 BUILDING

Existing zoning and land use: B-2

Surrounding zoning and existing land uses:

North: B-2 RETAIL

South: B-2 PARKING

East: B-2 RETAIL

West: B-2 RETAIL

Proposed zoning and land use: B-2 RESTAURANT

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

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

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

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business
District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 18-20 E. FIRST ST.

The following table is based on the B-2 Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	2586 SF
Minimum Lot Depth	125'	125'	125'	63.4'
Minimum Lot Width	50'	20'	50'	40.04'
Building Height	30'	35'	30'	19'
Number of Stories	2	3	2	1
Front Yard Setback	25'	0'	25'	0'
Corner Side Yard Setback	25'	0'	25'	0'
Interior Side Yard Setback	10'	0'	10'	0'
Rear Yard Setback	20'	20'	20'	0'
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	1.0
Maximum Total Building Coverage*	N/A	80%	N/A	EXISTING - NO CHANGE
Maximum Total Lot Coverage*	90%	100%	90%	100%
Parking Requirements				
Parking front yard setback				N/A
Parking corner side yard setback				N/A
Parking interior side yard setback				N/A
Parking rear yard setback				N/A
Loading Requirements				
Accessory Structure Information (height)	15'	15'	15'	N/A

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 6th day of June, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Peter Burdi
Name of applicant or authorized agent

Signature of applicant or authorized agent

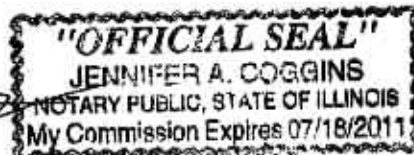
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
before me this 10 day of

June, 2010.

Notary Public

4



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

Application for Certificate of Zoning Compliance

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

Applicant's name: PETER BURDI
Owner's name (if different): NABU, LLC
Property address: 18-20 E. FIRST ST.
Property legal description: [attach to this form]
Present zoning classification: B-2
Square footage of property: 2586 SF
Lot area per dwelling: _____
Lot dimensions: 40.04' x 64.3'
Current use of property: RETAIL
Proposed use: ☐ Single-family detached dwelling
☒ Other: RESTAURANT
Approval sought: ☐ Building Permit ☐ Variation
☐ Special Use Permit ☐ Planned Development
☐ Site Plan ☒ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

RENOVATE EXISTING FACADE FOR NEW
RESTAURANT USE, ADD AWNINGS
WITH SIGNAGE

Plans & Specifications: [submit with this form]

Yards: ^{EXISTING BUILDING}

Provided:

Required by Code:

front:
interior side(s)

0'
0'10'

0'
0'10'

EXISTING BUILDING	Provided:	Required by Code:
corner side	<u>0'</u>	<u>0'</u>
rear	<u>0'</u>	<u>20'</u>
Setbacks (businesses and offices):		
front:	<u>0'</u>	<u>0'</u>
interior side(s)	<u>0'10'</u>	<u>0'10'</u>
corner side	<u>0'</u>	<u>0'</u>
rear	<u>0'</u>	<u>20'</u>
others:	<u>N/A</u>	<u>N/A</u>
Ogden Ave. Center:	<u>N/A</u>	<u>N/A</u>
York Rd. Center:	<u>N/A</u>	<u>N/A</u>
Forest Preserve:	<u>N/A</u>	<u>N/A</u>
Building heights:		
principal building(s):	<u>19'</u>	<u>30' MAX.</u>
accessory building(s):	<u>N/A</u>	<u>15' MAX.</u>
Maximum Elevations:		
principal building(s):	<u>N/A</u>	<u>N/A</u>
accessory building(s):	<u>N/A</u>	<u>N/A</u>
Dwelling unit size(s):	<u>N/A</u>	<u>N/A</u>
Total building coverage:	<u>100%</u>	<u>80%</u>
Total lot coverage:	<u>100%</u>	<u>100%</u>
Floor area ratio:	<u>1.0</u>	<u>2.5</u>
Accessory building(s):	<u>N/A</u>	
Spacing between buildings: [depict on attached plans]		
principal building(s):	<u>N/A</u>	
accessory building(s):	<u>N/A</u>	
Number of off-street parking spaces required: <u>N/A</u>		
Number of loading spaces required: <u>1</u>		

Statement of applicant:

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

By:

Peter Burdick
Applicant's signature

Peter Burdick
Applicant's printed name

Dated: 6-10, 2010.

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

Applicant

Name: NABU, LLC
Address: 18 E. FIRST ST.
City/Zip: HINSDALE, IL 60521
Phone/Fax: (312) 901.9448
E-Mail: BURDILAW@AOL.COM
Contact Name: PETER BURDI

Contractor

Name: NOT LET
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____
Contact Name: _____

ADDRESS OF SIGN LOCATION:

18-20 E. FIRST ST.

ZONING DISTRICT:

B-2

Sign Type:

- ☒ Permanent ☐ Temporary
☐ Ground Sign
☐ Wall Sign
☐ Pole Sign

Sign Information:

Overall Size (Square Feet): < 25 (6" x 2.3')

Overall Height from Grade: 9' 3" Ft.

Proposed Colors (Maximum of Three Colors):

- ① WHITE ② _____
③ _____

Type of Illumination: NONE

Foot Candles: _____

Site Information:

Lot/Street Frontage: 40'

Building/Tenant Frontage: 2586 SF

Existing Sign Information:

Business Name: N/A

Size of Sign: _____ Square Feet

Business Name: _____

Size of Sign: _____ Square Feet

I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances.

Peter Burdi
Signature of Applicant

6-10-10
Date

Signature of Building Owner

Date

FOR OFFICE USE ONLY: Fee: \$4.00 per square foot, not less than \$75.00 per sign

Total square footage: _____ x \$4.00 = _____

Plan Commission Approval Date: _____



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**COMMUNITY DEVELOPMENT
DEPARTMENT
EXTERIOR APPEARANCE AND
SITE PLAN REVIEW CRITERIA**

Address of proposed request: 18-20 E. FIRST ST.

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note, that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE*** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.**

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. N/A
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. INSTALLING NEW BRICK VENEER FACADE AND AWNINGS, NEIGHBORS BUILDINGS ARE BRICK.
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. NEW FACADE MATERIALS WILL BE SIMILAR TO ALL ADJACENT BUILDINGS.
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. N/A
5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. EXISTING BUILDING - NO CHANGE IN HEIGHT.

6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. EXISTING STOREFRONT PROPORTIONS TO REMAIN - NO CHANGE
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. EXISTING - NO CHANGE
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. EXISTING - NO CHANGE, SILLS AND WINDOWS SIMILAR TO ADJACENT BUILDINGS.
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. NEW MATERIALS SIMILAR TO ADJACENT BUILDINGS - BRICK & AWNINGS.
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. RECESSED ENTRY RELOCATED FROM MIDDLE TO WEST SIDE OF EXISTING STOREFRONT OPENING.
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. SIMILAR TO ADJACENT BUILDINGS.
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. N/A
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. EXISTING - NO CHANGE.
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character. RESTORING ORIGINAL CIRCA 1912 DETAILING WHICH WAS HIDDEN BY 1960-1970'S WOOD FACADE.

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

NEW FACADE DETAILING MIMICS ORIGINAL BUILDING FACADE, CIRCA 1912, WHICH WAS COVERED WITH WOOD SIDING IN THE 1960s OR 1970s.

REVIEW CRITERIA – Site Plan Review

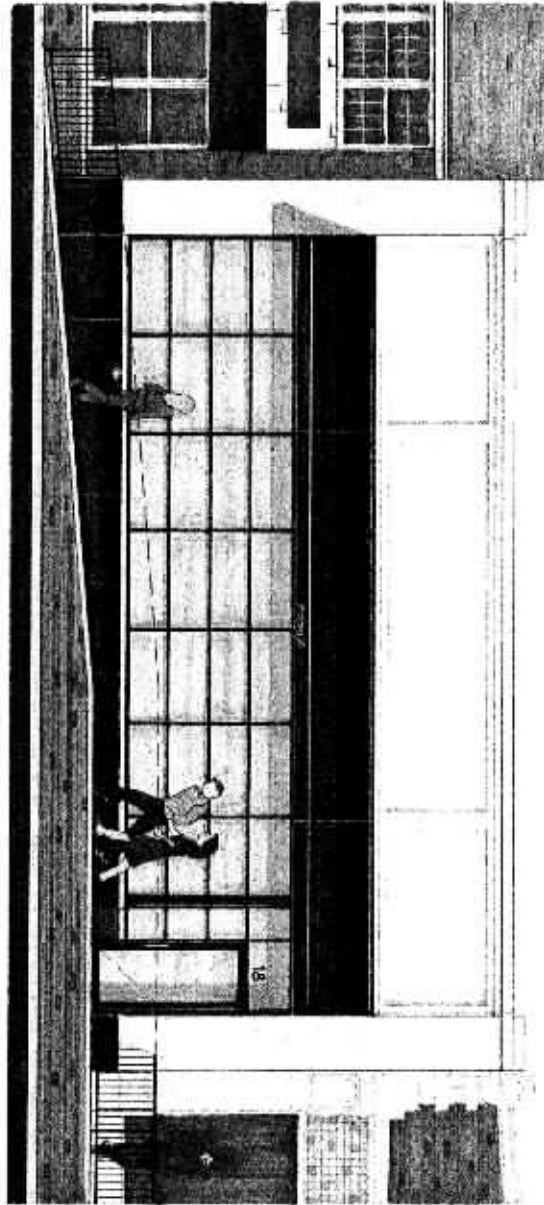
N/A

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. _____
2. The proposed site plan interferes with easements and rights-of-way. _____
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. _____
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. _____
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. _____
6. The screening of the site does not provide adequate shielding from or for nearby uses. _____
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. _____

-
-
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. N/A
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. _____
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. _____
11. The proposed site plan does not provide for required public uses designated on the Official Map. _____
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. _____



PROPOSED
STOREFRONT ELEVATION

SCALE 1/8" = 1'-0"



nabuki
2588 5th AVE. S.W. CORNER OF
12th & 13th ST. S.W.
MINNEAPOLIS, MN 55455
5/17/12

SCALE: 1/8"=1'-0"

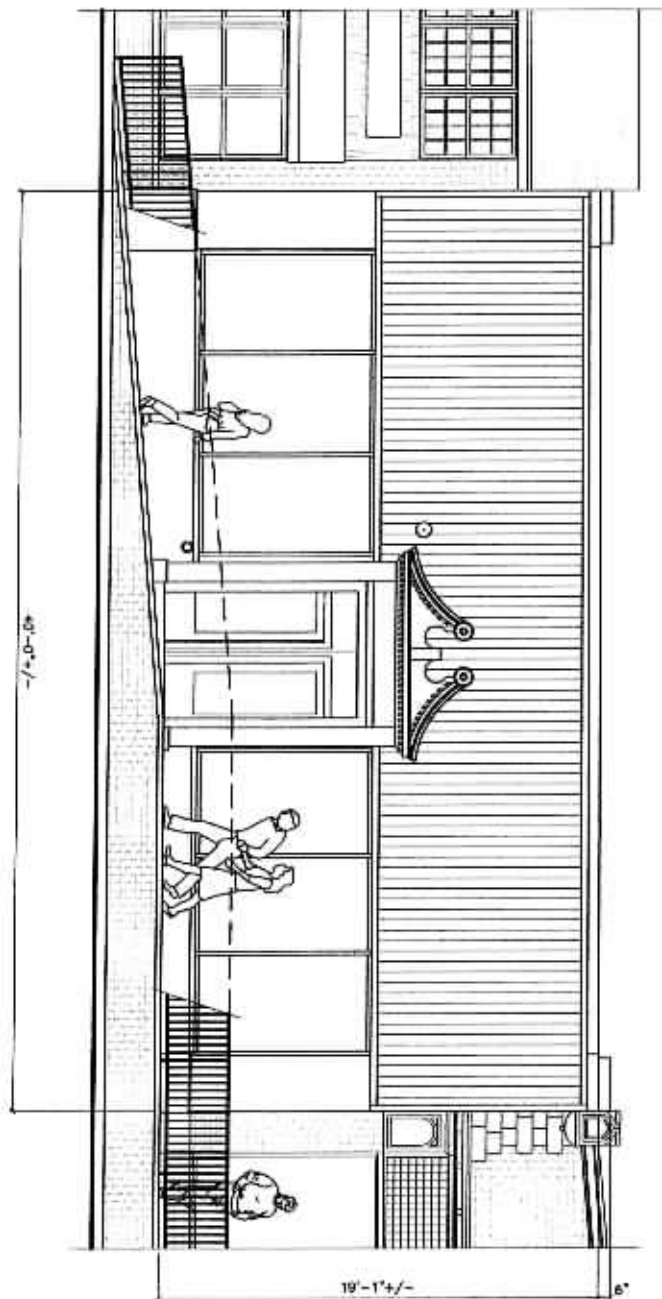
01/01/09

Mittell

[illegible]

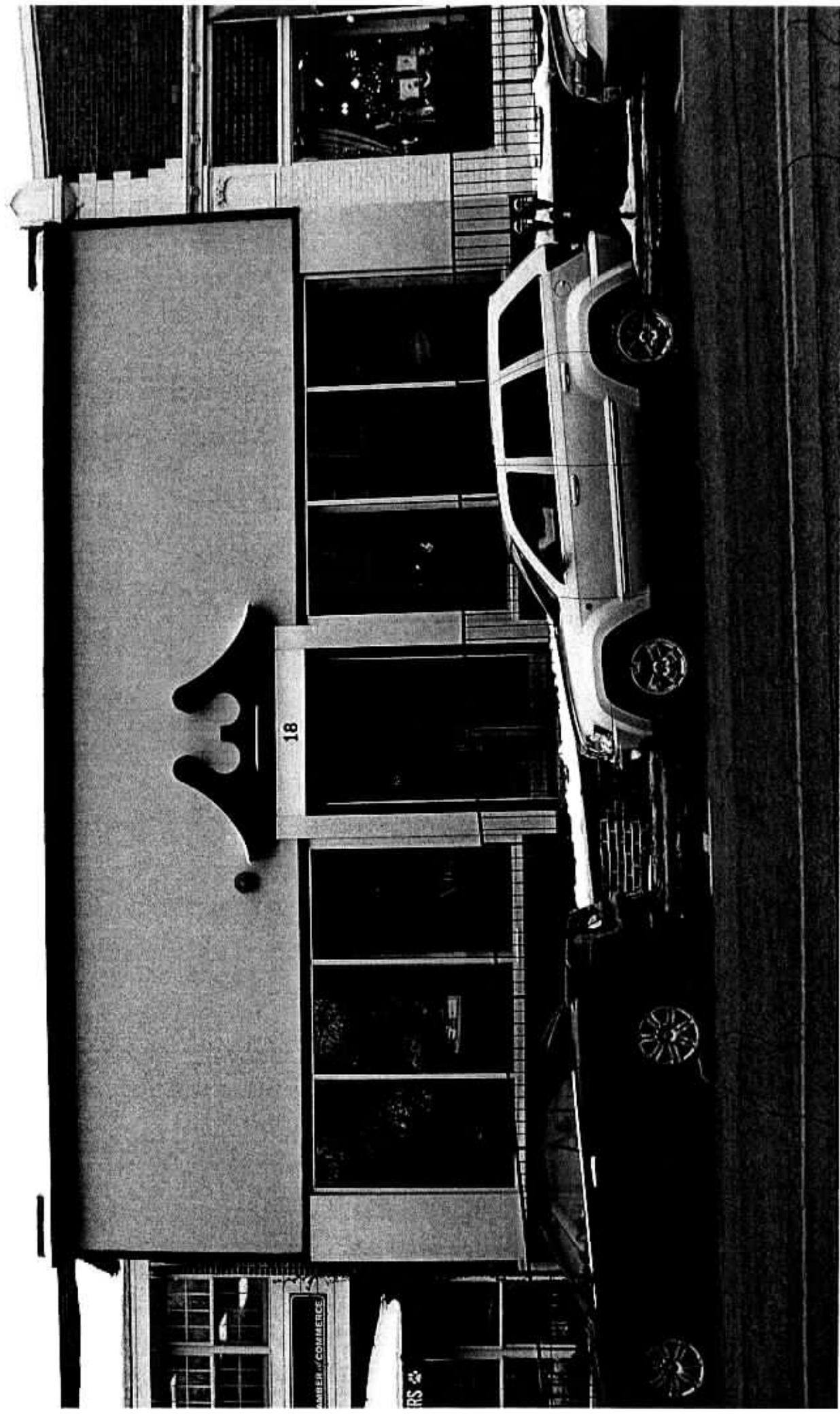
EXISTING STOREFRONT ELEVATION

SCALE: 1/8" = 1'-0"



NABUKI
2,586 SF RESTAURANT CONVERSION
18-20 E. FIRST STREET
HINSDALE, ILLINOIS
6/8/10

NOTES:
1. SEE SHEETS 18-20 E. FIRST STREET AND 18-21 E. FIRST STREET FOR
2. SEE SHEETS 18-20 E. FIRST STREET AND 18-21 E. FIRST STREET FOR
3. SEE SHEETS 18-20 E. FIRST STREET AND 18-21 E. FIRST STREET FOR
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10. SEE SHEETS 18-20 E. FIRST STREET AND 18-21 E. FIRST STREET FOR








Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner 

Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager

Date: July 14, 2010

Re: Public Hearing for Case A-03-2010

Applicant: Unitarian Church of Hinsdale

Request: Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for the construction of a new landscape feature in the front yard

On June 9, 2010, the applicant appeared before the Plan Commission for a Special Use Permit to allow for a Planned Development (which included one new setback waiver in addition to the several waivers requested for existing conditions), as well as Site Plan/Exterior Appearance approval to build a landscape feature in the front yard along Maple Street at the Unitarian Church. After a brief presentation by Zoning Board Chairman, Bill Haarlow, and subsequent discussions amongst the Plan Commission members, the Commission decided to separate the Planned Development request from the Exterior Appearance/Site Plan Review request in an effort to allow the proposed landscape feature to move forward for necessary approvals, while the applicant requested a variation for the necessary setback relief from the Zoning Board of Appeals, which was recommended as the appropriate course of action by Mr. Haarlow. The Plan Commission forwarded on the request for Exterior Appearance/Site Plan Review with a unanimous recommendation and left the public hearing open for the Planned Development request until the applicant determined what direction they wanted to proceed as the representative from Unitarian Church had identified the need to discuss the options with the Church Board and Members before moving forward. Since then, the applicant has had the opportunity to discuss the options and has chosen to move forward with the Planned Development request as opposed to pursuing a zoning variation. The reasons for their decision have been outlined in the attached memo. As such, the applicant is now requesting approval for the Special Use Permit to allow for the Planned Development, which would again include the waivers for the existing non-conforming situations as well as the additional front yard setback waiver to build the proposed landscape feature.

As a result of the separation of requests, the Plan Commission will need to approve the Findings and Recommendations for Exterior Appearance/Site Plan Review at this time, at which point they will be rejoined for ZPS and Board consideration once a recommendation has been provided for the Planned Development request.

In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:

1. Subsection 11-602E pertaining to standards for special use permits;
2. Subsection 11-603E pertaining to Standards for planned developments;

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook

THE UNITARIAN CHURCH OF HINSDALE

17 W. MAPLE STREET
HINSDALE, ILLINOIS 60521

REV. EDWARD SEARL, MINISTER

David Lloyd, PRESIDENT
Shelley Hendrickson, Treasurer

29 June 2010

Plan Commission - Mr. Neale Byrnes, Chair
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, Illinois 60521

Re: Unitarian Church of Hinsdale
Application for Planned Development

Dear Plan Commission - Mr. Neale Byrnes, Chair:

The Unitarian Church of Hinsdale seeks to become a Planned Development.

Several excellent points were raised at the June 9, 2010 Plan Commission meeting as to the benefits of applying for a variance. We extend our gratitude and thanks to our good neighbor, Bill Haarlow, Chair of the Village of Hinsdale Zoning Board of Appeals, for helping to illuminate the variance option.

Given the choice of becoming a Planned Development or applying for a variance for a specific project, the Unitarian Church of Hinsdale chooses to stay the course in seeking to become a Planned Development.

The Planned Development process is broad and comprehensive. By seeking to become a Planned Development, the Unitarian Church of Hinsdale:

1. Documents the many existing waivers - ways in which the church's nearly 125 year old site plan does not comply with current codes of the Village of Hinsdale.
2. Emphasizes the public benefit of the one currently-proposed new waiver: the proposed Pervious Landscape Garden Element, an element of beauty, readily accessible for passersby to pause and repose.
3. Has potential to enjoy the benefits of being a Planned Development, a status appropriate to multi-building properties zoned "Institutional Building"; a status already granted to several other churches in the Village of Hinsdale.

Plan Commission • Village of Hinsdale
29 June 2010
page 2 of 2

The Unitarian Church of Hinsdale likes the fact that if it becomes a Planned Development, proposed changes will go through a process of substantial review by Village officials, ensuring that changes are in keeping with the beauty, safety and well-being the Village of Hinsdale is known for. In this way, we at the Unitarian Church of Hinsdale can be sure that modifications we make to our property are thoughtfully planned and designed - of the utmost taste.

We value the time and energy the various boards, panels, and Village staff are giving to our application process.


Sincerely,

A handwritten signature in dark ink, appearing to read "David Lloyd", written in a cursive style.

David Lloyd, UCH President

Cc: Charles Fischer, RLA, P.C.
Hans Lonnroth, UCH Trustee, Buildings & Grounds
Darline Petersen, UCH Vice President
Larry Price, UCH Trustee, Finance
Edward Searl, UCH Minister

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: July 14, 2010
Re: Public Hearing for Case A-09-2010
Applicant: Village of Hinsdale
Request: Text Amendment to Section 5-110G (Bulk, Space, And Yard Requirements), of the Hinsdale Zoning Code as it relates to existing non-conforming structures in the B-2, Central Business District.

The Applicant, the Village of Hinsdale, has submitted an application to amend Section 5-110G of the Village of Hinsdale Zoning Code, as it relates to existing non-conforming structures in the B-2 Central Business District, and the allowance for them to be rebuilt to their current standing.

On April 20th, 2010 a text amendment brought forth by Karl Weber, regarding overall building height in the B-2 Business District was approved by the Village Board. Following the approval of this text amendment, concern was expressed and interest shown regarding the ability to maintain the current status of the buildings downtown and their ability to be rebuilt to their current status, regardless of why the structures were being rebuilt or altered. As a result of these concerns the Village Attorney and staff have recommended the following language to provide downtown building owners the ability to alter or rebuild their existing buildings to the same degree that they exist today.

Below is draft language proposed by the applicant that would amend the Zoning Code that would allow for building owners in the downtown to rebuild a new building to their current standing:

Alteration, Renovation, Repair or Reconstruction of Certain Principal Structures Existing Before April 20, 2010: A principal structure that as of April 20, 2010 exceeds two (2) stories and/or thirty (30) feet in height, as that term is defined under the Code, may be altered, renovated, repaired or reconstructed to the same specifications that existed on April 20, 2010, including but not limited to the height, lot coverage and setback of said structure, notwithstanding the non-conformance of the structure before and after the alteration, renovation, repair or reconstruction; provided, however, the protection afforded by this paragraph shall no longer apply to any such structure that is brought into conformance after April 20, 2010.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook, Village Manager



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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: Text Amendment to Article V (Business Districts), Section 5-110G (Bulk, Space, And Yard Requirements) as it relates to existing non-conforming structures in the B-2, Central Business District

REVIEW CRITERIA

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

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

1. The consistency of the proposed amendment with the purpose of this Code.
The proposed text amendment would allow the current structures in the downtown to rebuild to the exact same state that they exist today.
2. The existing uses and zoning classifications for properties in the vicinity of the subject property.
The proposed text amendment would only affect the B-2 District

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

Recent text amendment approved to reduce overall building height to 30' or two stories

4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it. Allowing the structures to rebuild to their current state should not

diminish the value of the properties.

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

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

the B-2 District to maintain the existing character of the downtown as it currently exists.

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. The proposed text amendment should not affect the value of adjacent properties

and should help to preserve them.

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. Future development should not be affected by the

proposed amendment.

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

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

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

N/A

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

13. The community need for the proposed amendment and for the uses and development it would allow. The proposed text amendment would provide the opportunity to maintain the current conditions of the existing downtown.

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



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

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

Owner

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

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

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

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

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

- 1) Robert McGinnis, Director of Community Development
- 2) Sean Gascoigne, Village Planner
- 3) David Cook, Village Manager

II. SITE INFORMATION

Address of subject property: N/A

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

Brief description of proposed project: Text Amendment to Article V, Section 5-110G (Bulk, Space, And Yard Requirements), as it relates to existing non-conforming structures in the B-2, Central Business District.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A South: N/A

East: N/A West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

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

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested:

☒ Map and Text Amendments 11-601E
Amendment Requested: Article V, Section 5-110 regarding existing structures in the B-2.

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

TABLE OF COMPLIANCE

Address of subject property: N/A

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

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

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 12th day of May, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

DAVID C. COOK
Signature of applicant or authorized agent

Signature of applicant or authorized agent

DAVID C. COOK
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 12th day of
May, 2010

Christine M. Bruton

Notary Public

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