

**MINUTES  
VILLAGE OF HINSDALE  
PLAN COMMISSION  
OCTOBER 13, 2010  
MEMORIAL HALL  
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:32 p.m., Wednesday, October 13, 2010 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

**PRESENT:** Chairman Byrnes, Commissioner Stifflear, Commissioner Kluchenek, Commissioner Sullins, Commissioner Johnson, Commissioner Moore and Commissioner Brody

**ABSENT:** Commissioner Crnovich and Commissioner Nelson

**ALSO PRESENT:** Sean Gascoigne, Village Planner

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**Approval of Minutes**

The Plan Commission reviewed the minutes from the September 8<sup>th</sup>, 2010 meeting. Commissioner Brody motioned to approve the minutes of September 8<sup>th</sup>, 2010 as amended. Commissioner Moore seconded. The motion passed unanimously.

**Findings and Recommendations**

Chairman Byrnes questioned the purpose of the memo from JTS Architects in the packet. Mr. Gascoigne indicated that the request had been scheduled last month for a public hearing at this evening's meeting however the applicant had withdrawn the case since then and the letter was just identifying the applicant's request to withdraw.

**18 S. Blaine – Exterior Appearance/ Site Plan Review Approval for New Privacy Fence in the O-1 District.**

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Moore motioned to approve the findings and recommendations for 18 S. Blaine – Exterior Appearance/ Site Plan Review Approval for New Privacy Fence in the O-1 District. Commissioner Johnson seconded. The motion passed unanimously.

**19 E. Chicago Avenue – Village of Hinsdale Memorial Hall – New Decorative Fence Surrounding the Existing Generators.**

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Stifflear asked for clarification regarding the motion. Mr. Gascoigne provided the necessary clarification and several Commissioners concurred. Commissioner Johnson motioned to approve the findings and recommendations for 19 E. Chicago Avenue – Village of Hinsdale Memorial Hall – New

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Decorative Fence Surrounding the Existing Generators. Commissioner Moore seconded. The motion passed unanimously.

### **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.**

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Brody motioned to approve the findings and recommendations for case 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. Commissioner Stifflear seconded. The motion passed unanimously.

### **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.**

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Kluchenek motioned to approve the findings and recommendations for case 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. Commissioner Moore seconded. The motion passed unanimously.

### **A-17-2010 – Village of Hinsdale – Text Amendment to Provide Limited Authority to the Village Board for Variations.**

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Stifflear motioned to approve the findings and recommendations for case A-17-2010 – Village of Hinsdale – Text Amendment to Provide Limited Authority to the Village Board for Variations. Commissioner Johnson seconded. The motion passed unanimously.

## **Scheduling of Public Hearings**

### **A-14-2010 – 303-315 W. 57<sup>th</sup> Street (Hinsdale Central High School) – Map Amendment from R-3, Single-Family Residential to IB, Institutional Buildings.**

Chairman Byrnes stated the public hearing would be scheduled for November 10, 2010.

## **Sign Permit Review**

### **28 W. Chicago Avenue – Dentistry by Design – Two Awning Signs**

Karen Blair, applicant and owner of Dentistry by Design, provided a brief description of the proposal. She stated her proposal included a one awning sign on each street frontage as they

## **Plan Commission Minutes**

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were on a corner. Commissioner Kluchenek motioned for the approval of signage for 28 W. Chicago Avenue – Dentistry by Design – Two Awning Signs. Commissioner Moore seconded. The motion passed unanimously.

### **10 E. Hinsdale Avenue – Acquisitions of Fine Art – One Wall Sign**

Fast Signs, representative for Acquisitions of Fine Art, provided a brief description of the proposal. Commissioner Brody motioned for the approval of signage for 10 E. Hinsdale Avenue – Acquisitions of Fine Art – One Wall Sign. Commissioner Stifflear seconded. The motion passed unanimously.

## **Exterior Appearance/Site Plan Review**

### **20 W. Hinsdale Avenue – Dan Spinazola – Replace Siding on Existing Building**

Chairman Byrnes introduced the case and asked if the applicant was present. Danette Spinazola, applicant and owners of the property, introduced herself and summarized the request, which included changing the existing blue siding to a tan and repainting all existing dark blue doors and window trim, white. Discussion ensued regarding the specifics of the request.

Commissioner Johnson motioned to disapprove the Site Plan to Replace Siding on the Existing Commercial Building. Commissioner Moore seconded. The motion failed unanimously and the site plan was approved.

Commissioner Johnson motioned for the approval of Exterior Appearance to Replace Siding on the Existing Commercial Building. Commissioner Moore seconded. The motion passed unanimously.

Ms. Spinazola questioned the timing of the remaining approvals. Mr. Gascoigne summarized the remaining approvals and the general timeframe. He also indicated that if the applicant chose to order any materials prior to those final approvals, doing so would be at her own risk but she would not be permitted to install the siding until the Board of Trustees had approved it in November.

## **Adjournment**

Commissioner Moore moved to adjourn. Commissioner Stifflear seconded and the meeting adjourned at 7:51 p.m. on October 13, 2010.

Respectfully Submitted,

Sean Gascoigne  
Village Planner

## **HINSDALE PLAN COMMISSION**

**RE: 20 W. Hinsdale Avenue – Dan Spinazola – Exterior Appearance and Site Plan Review**

**DATE OF PLAN COMMISSION REVIEW:      October 13, 2010**

**DATE OF ZONING AND PUBLIC SAFETY REVIEW:      October 25, 2010**

### **FINDINGS AND RECOMMENDATION**

#### **1. FINDINGS**

1. Dan Spinazola, (the "Applicant") submitted an application to the Village of Hinsdale for the property located at 20 W. Hinsdale Avenue (the "Subject Property").
2. The Subject Property is zoned in the B-2 Central Business District and improved with a two-story commercial building.
3. The applicant is seeking approval exterior appearance and site plan review approval for exterior façade changes to the existing commercial building at 20 W. Hinsdale Avenue.
4. The applicant is proposing to remove the existing blue siding and replace it with a tan siding which they feel is more neutral and appropriate for the building.
5. The applicant is also proposing to paint all doors and window trim that are currently dark blue, white to be consistent with the remaining windows on the building
6. The Plan Commission finds that the plan submitted by the Applicant complies with the applicable bulk, space and yard requirements of the Hinsdale Zoning Code.
7. The Plan Commission finds that the application 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 complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review. There are no changes proposed to the site plan.

## **II. RECOMMENDATION**


The Village of Hinsdale Plan Commission, on a vote of 7 "Ayes," 0 "Nays," 2 "Absent" recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance/site plan at 20 W. Hinsdale Avenue.

### **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:** November 10, 2010  
**Re:** Scheduling Public Hearing for Case A-28-2010  
Applicant: Kim Brockman  
Request: Map Amendment for the property located at 722-728 N. York Road

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The Applicant, Kim Brockman, is requesting a map amendment to rezone the subject property at 722-728 N. York Road from O-2 Limited Office District to B-1 Community Business District. The applicant is proposing the map amendment to legally permit the uses which they feel are more suitable to this location given that the building has always contained retail uses and is directly across the street from Gateway Square which is zoned B-1. In discussions with the Village Attorney staff was informed that all aspects of the property, including the building location, size, etc., need to comply with the B-1 requirements before legally proceeding with a rezoning. Because all of these conditions could not be met, the applicant had originally been directed to request a text amendment which would allow specific service and retail uses as Special Uses in the O-2 District. One use included in the text amendment request was for a dry cleaner which recently received approval for a temporary use while the applicant pursued the appropriate approvals.

On November 2, 2010, the Village Board of Trustees discussed the application for a text amendment to allow the additional uses. As a result of the discussions between the Village Board, Staff and the Village Attorney, it was determined that a more appropriate course of action was for the applicant to pursue variations for any non-conformities on the property, and request a map amendment rather than pursuing a text amendment. The Village Attorney confirmed the appropriateness of this course of action and the Village Board unanimously moved to amend the request to be a map amendment from O-2 to B-1, subject to the applicant obtaining the necessary variations and recommended the amended request be scheduled for a public hearing at the next regularly scheduled Plan Commission meeting. The applicant will apply for and proceed with the necessary variation requests simultaneously with this request and will proceed to the ZPS and Village Board once a recommendation from both Commissions has been received.

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

Attachment

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





**VILLAGE  
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

**PLAN COMMISSION APPLICATION  
FOR OFFICE DISTRICTS**

**I. GENERAL INFORMATION**

**Applicant**

Name: Robert Brockman and Kimberly Brockman  
Address: 722 N. York Rd. and 1813 Forest Drive  
City/Zip: Hinsdale, 60521 and Oldsmar, FL 34677  
Phone/Fax: (727) 724-0323 / 724-8404  
E-Mail: kbrockman@bencarterproperties.com

**Owner**

Name: Sondra Sue M. Brockman Revocable Trust  
Address: W5333 Lost Nation Road  
City/Zip: Elkhorn, WI 53121  
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) NONE
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

## II. SITE INFORMATION

Address of subject property: \_\_\_\_\_

Property identification number (P.I.N. or tax number): 09 - 01 - 202 - 017

Brief description of proposed project: Requesting approval for Special Uses in our O2 zoned existing building with three (3) commercial spaces (1,200 sf, 700 sf, and 1,618 sf). The Special Uses being requested are currently B-1 Permitted Uses and are for Dry Cleaners (721), Beauty shops (723), Miscellaneous Retail Stores (5999), Miscellaneous Apparel and Accessory Stores (569), and Used Merchandise Store (593).

General description or characteristics of the site: Two story brick building built in 1959 by our grandfather which has always had 8 apartments on upper floor and 3 commercial spaces on ground level. Barbershop, which is a B-1 Permitted Use has been a tenant for 50 years and the former wallpaper/window coverings store, which is considered a B-1 Permitted Use, was a tenant over 20 years. Large green lot adjacent to building to be left "as is" and parking in back on side and in rear.

Existing zoning and land use: Currently zoned O2 with a real estate office and barbershop.

Surrounding zoning and existing land uses: North, South, and West are zoned O2. North and South are medical/health facilities. West are office buildings and East is zoned B-1 with a shopping center.

**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: Dry Cleaners (721), Beauty shops (723), Miscellaneous Retail Stores (5999), Miscellaneous Apparel and Accessory Stores (569), and Used Merchandise Store (593)

☒ Map and Text Amendments 11-601E

Amendment Requested: \_\_\_\_\_

Five (5), B-1 Special Uses

☐ 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: \_\_\_\_\_

The following table is based on the \_\_\_\_\_ Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	O-1	O-2	O-3	
Minimum Lot Area (s.f.)	8,500	25,000	20,000	N/A
Minimum Lot Depth	125	125	125	N/A
Minimum Lot Width	60	100	80	N/A
Building Height	30	40	60	N/A
Number of Stories	2.5	3	5	N/A
Front Yard Setback	35	25	25	N/A
Corner Side Yard Setback	35	25	25	N/A
Interior Side Yard Setback	10	10	10	N/A
Rear Yard Setback	25	20	20	N/A
Maximum Floor Area Ratio (F.A.R.)*	.40	.50	.35	N/A
Maximum Total Building Coverage*	35%	N/A	N/A	N/A
Maximum Total Lot Coverage*	80%	80%	50%	N/A
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.

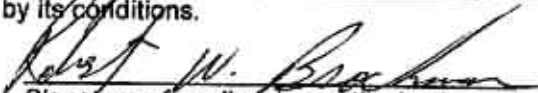
Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: \_\_\_\_\_

## 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 20<sup>TH</sup> day of September, 2010, We have read the above certification, understand it, and agree to abide by its conditions.


  
Signature of applicant or authorized agent

Robert Brockman  
Name of applicant or authorized agent

  
Signature of applicant or authorized agent

Kimberly Brockman  
Name of applicant or authorized agent

SUBSCRIBED AND SWORN  
to before me this 20 day of  
Sept, 2010.

  
Notary Public  
EXPIRED 8-21-2011



**VILLAGE  
OF HINSDALE** FOUNDED IN 1873

**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:**

722 N. York Road, Hinsdale, IL 60521.

**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 amendment will allow our parcel to be consistent with the uses offered by

neighboring parcels like the shopping center (Gateway Square) and other public services

offered by neighboring parcels. From Fuller Road north to Ogden Avenue along York Road are

office, medical, retail, and service uses and our parcel is in the middle of all of them.

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

Directly across York Road from our property is Gateway Square Shopping Center zoned B-1.

Directly north adjacent to our property is ACU Health Center providing medical services and zoned O2. Directly south adjacent to our property is Woman's Choice Services providing medical services and zoned O2. Both of these uses are shown as permitted in B-1.

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.

Our building was constructed in 1959 with the old phone company building and residences where Gateway Square now stands. Our property has always been a combination of apartments and a barbershop, retail store, and service (plumbing and heating with showroom.

The ACU Health Center was previously a residence/grocery and take-out food store.

the Firestone/Dunkin Donuts was first built in 1963 and modified in 1987 and again in 1989 for the Dunkin Donuts. Gateway Square was built in 1985, ACU Health Center in 1986, and the Shell Food Mart in 1997.

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

Only being able to lease our commercial spaces to O2 uses (office uses) limits our potential with so much other office space available in the vicinity and B-1 type uses can provide higher rents than O2 uses.

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

The public's health, safety and welfare would not be diminished by approval of our proposed Special Uses and should increase the convenience to adjacent office workers, our apartment tenants and Village residents.

6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment. There should be no effect to the use and enjoyment of adjacent properties since the building square footage is not changing and any of the proposed Special Uses will have no change in traffic generation or any other affects. Adjacent office building workers might appreciate being able to walk next door for their dry cleaning or other Special Uses we are requesting for the future.
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. Adjacent properties values could increase due to the commercial spaces being occupied with nice, professional appearing storefronts rather than being vacant.
8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. Adding our proposed Special Uses could favor adjacent properties future development as the properties could generate higher incomes for the owners and in turn increase sales taxes paid to the Village of Hinsdale.
9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. Our property is suitable for office/retail and has been for 50 years. New mixed use properties typically have a mix of office/retail on the ground floor and apartments/condos on the top floor. Our mixed use property needs the option of some Special Uses.
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. Our properties two (2) driveways provide adequate ingress/egress and are easier for drivers to navigate than Gateway Square's driveway. Any of the proposed Special Uses should have no impact on traffic. Small tenants with minimal foot traffic.



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.

The existing utilities and public services will not need to change and are adequate now.

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.

The former wallpaper/window coverings retail store was vacant almost two (2) years trying to get the right use for the space.

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

I'm sure the community and Village would rather see a dry cleaner with a nice looking interior or other proposed Special Use than a dark vacant space. Adding the proposed Special Uses could prompt an existing owner to do something different on their property to create a better looking property and to offer services that residents would appreciate. For commuters on York Road, having a dry cleaner or a beauty salon along their route is a benefit to them.

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.

There are no negative effects on persons in the area. The positive effects include:

- Gives nearby office workers (i.e. Koplin Building), workers and customers in other nearby

Offices, commuters, and nearby residents the convenience of dry cleaning services without


Having to go downtown Hinsdale.

- Other proposed Special Uses would serve the same purpose – convenience to all.

- This would be an added convenience that would not adversely effect the community at all.



# Memorandum

**To:** Chairman Byrnes and Plan Commissioners  
**From:** Sean Gascoigne, Village Planner   
**Cc:** Robb McGinnis, Building Commissioner  
David Cook, Village Manager  
Timothy Scott, Director of Economic Development  
**Date:** November 10, 2010  
**Re:** Scheduling Public Hearing for Case A-36-2010  
Applicant: Village of Hinsdale  
Request: Text Amendment to Section 9-106, as it relates to projecting signs and staff review of code compliant signs

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The Applicant, the Village of Hinsdale, has submitted an application to amend Section 9-106 (Signs) of the Village of Hinsdale Zoning Code, as it relates to projecting signs and staff review of code compliant signs.

At their special meeting of October 26, 2010, members of the Economic Development Commission unanimously approved (by a 6-0 vote) advancing these ideas for consideration. At the November 1, 2010 meeting of the Administration and Community Affairs Committee, Village Trustees unanimously approved the request. Most recently, at the November 2, 2010 meeting of the Board of Trustees, the request to have a public hearing scheduled for the proposed text amendment was approved as part of the consent agenda.

It is requested that the public hearing be scheduled for December 8, 2010. Draft language will be provided for discussion and consideration by members of the Plan Commission.

Attachment

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



**VILLAGE  
OF HINSDALE** FOUNDED 04 1873

**VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

**GENERAL APPLICATION**

**I. GENERAL INFORMATION**

**Applicant**

Name: Village of Hinsdale  
Address: 19 E. Chicago Avenue  
City/Zip: Hinsdale, Il. 60521  
Phone/Fax: (630) 789-7005 /   
E-Mail:

**Owner**

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

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

Name: N/A  
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) Tim Scott, Director of Economic Development
- 2) Sean Gascoigne, Village Planner
- 3) Robb McGinnis, Director of Community Development

## II. SITE INFORMATION

Address of subject property: N/A

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

Brief description of proposed project: Text Amendment to Section 9-106 (Signs) as it relates to projecting signs, as well as staff approval of code-compliant signage.

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

**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: Projecting signage and staff approval of code-compliant signage.


☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

## 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;"> <b>Text Amendment: Not Applicable</b> </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 28<sup>th</sup> day of October, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

Village of Hinsdale  
by [Signature]

Signature of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN  
to before me this 28<sup>th</sup> day of

October, 2010

Christine M Bruton

Notary Public





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

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

**Address of the subject property or description of the proposed request:** \_\_\_\_\_

**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.

*Projecting signs as a permitted sign type for first floor businesses and administrative approval*

*of signage are intended to provide additional support for Hinsdale's business owners.*

*A more timely and less costly approval process for signage would result from administrative*

*approval of code-compliant signage, and projecting signs would provide additional exposure for*



*businesses and an enhancement to the streetscape. These changes could help produce positive  
spillover effects to the local economy.*

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.

*The potential addition of scale-appropriate, decorative projecting signs to the streetscape*

*would likely have a positive effect on adjacent properties.*

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

\_\_\_\_\_  
N/A  
\_\_\_\_\_

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

*Permitting projecting signs for first floor tenants would improve the visibility of businesses*

*to passersby. The presence of such signs would also add a decorative element to the*

*streetscape, thereby enhancing the character of the business districts and reinforcing their*

---

*pedestrian orientation. Administrative review and approval of code-compliant signs would*

---


*streamline process, saving time and money for business owners.*

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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# Memorandum

**To:** Chairman Byrnes and Plan Commission Members  
**From:** Sean Gascoigne, Village Planner   
**Date:** November 1, 2007  
**Re:** 230 Ogden Avenue - Sign Permit Review – Molecular Imaging

---

## SIGN PERMIT REVIEW

The applicant is proposing the installation of a monument sign at the subject property. The site is located on the south side of Ogden Avenue and just west of Elm Street, and is zoned B-3 General Business District. The sign would have a cultured stone base, black tenant panels and a brown, earth-tone cabinet to blend with the cultured stone base, as illustrated on the attached drawings. The building owner currently has two tenants and those signs have been shown as proposed. While three tenant panels remain, should the Commission approve the overall ground sign based on its design, those remaining tenants would not be required to return for approval of a replacement acrylic tenant panel.

Subsection 9-106J of the Zoning Code provides the requirements for ground signs in the B-3 District and allows a maximum of 50 square feet per sign face and an overall height of 8 feet. In addition, the sign is required to maintain a 10'-0" setback. 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**

<b>Applicant</b>
Name: <u>STEVE GEUBER</u>
Address: <u>160 W. IRVING PARK RD</u>
City/Zip: <u>WOOD DALE IL 60191</u>
Phone/Fax: <u>630 766 7667 / 630 766 7798</u>
E-Mail: <u>tarjin1@sbglobal.net</u>
Contact Name: <u>Steve Geuber</u>

<b>Contractor</b>
Name: <u>TARJIN SIGN SYSTEMS INC.</u>
Address: <u>160 W. IRVING PARK ROAD</u>
City/Zip: <u>WOOD DALE IL 60191</u>
Phone/Fax: <u>630 766-7667 / 630-766-7798</u>
E-Mail: <u>tarjin1@sbglobal.net</u>
Contact Name: <u>Steve Geuber</u>

**ADDRESS OF SIGN LOCATION:**  
230 E. OGDEN

**ZONING DISTRICT:**  
\_\_\_\_\_

**Sign Type:**

☐ Permanent      ☐ Temporary

☒ Ground Sign

☐ Wall Sign

☐ Pole Sign

<b>Sign Information:</b>
Overall Size (Square Feet): <u>50</u> ( <u>60"</u> x <u>122"</u> )
Overall Height from Grade: <u>8</u> Ft.
Proposed Colors (Maximum of Three Colors):
① <u>blues</u> ② <u>reds</u>
③ <u>blacks</u>
Type of Illumination: <u>fluorescent</u>
Foot Candles: <u>coolwhite f12x120</u>

<b>Site Information:</b>
Lot/Street Frontage: <u>50.78</u>
Building/Tenant Frontage: <u>35'</u>
Existing Sign Information:
Business Name: <u>molecular imaging of suburban chicago</u>
Size of Sign: <u>50</u> Square Feet
Business Name: _____
Size of Sign: _____ Square Feet

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

  
Signature of Applicant

  
Signature of Building Owner

9/22/10  
Date

9/27/10  
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: \_\_\_\_\_

# Custom Street Signs



ACCOUNT REPRESENTATIVE  
Steve Grueter

CLIENT: 230 ODGEN AVE RAJ BATRA

DATE: 9-5-2010

PRO #: TG230-W

DRAWN BY: Steve Grueter

REV #: SAG 10-14-10

NOTES:  
sign 5'x10'=50sq. ft.  
height from grade 8'

Fabricate Alum Street Sign  
Finish & Cultured Stone  
black Polycarbonated Faces

## COPYRIGHT NOTICE

This drawing and all reproductions thereof are the property of TARGIN SIGN SYSTEMS and may not be reproduced, published, changed or used in any way without written consent.





ogden ave

walk

drive

20'

10'

40'

sign

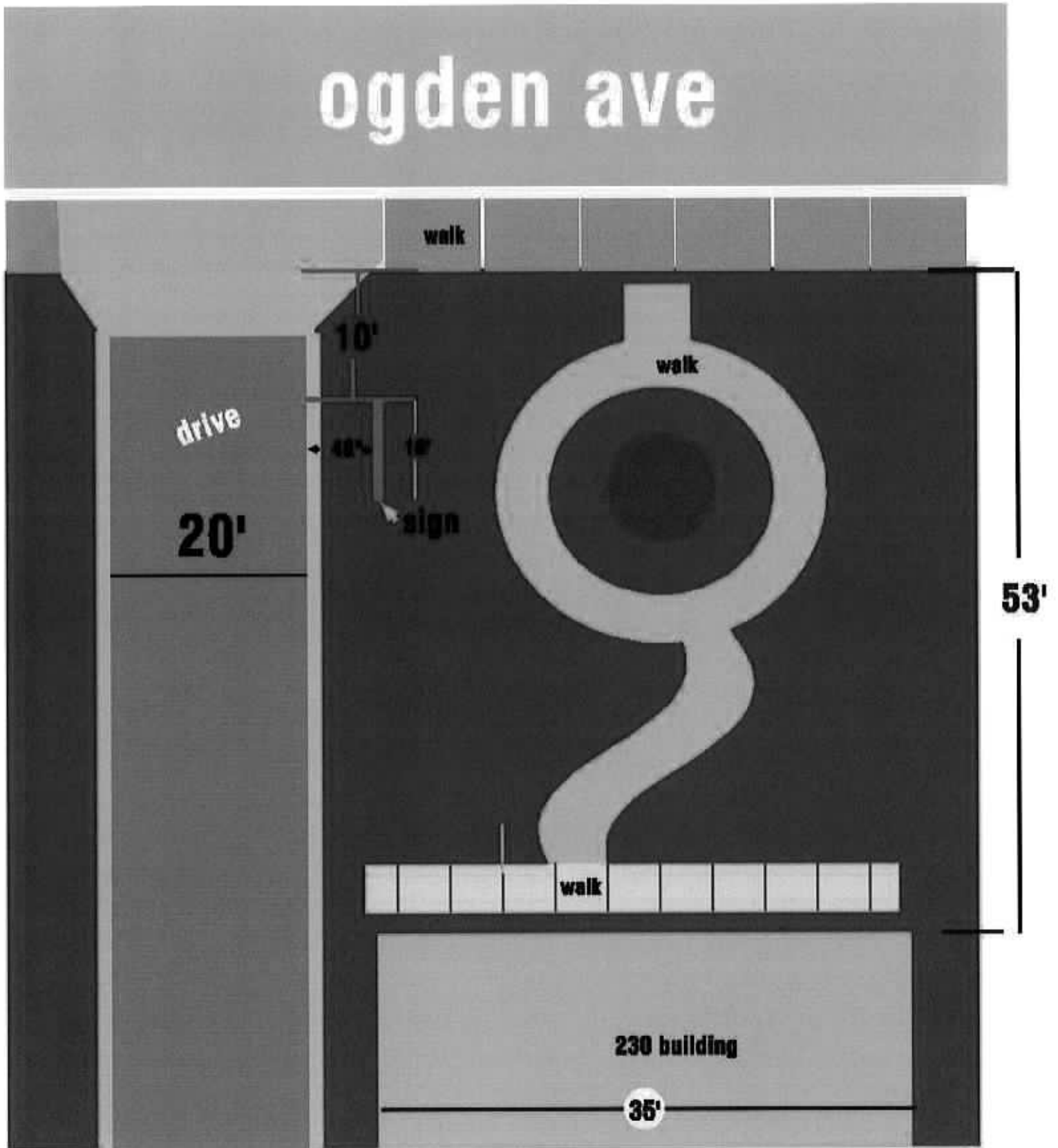
walk

53'

walk

230 building

35'





230 E. Ogden, LLC

945 S. Vine St.

Hinsdale, IL 60521

August 24, 2010

To whom it may concern:


230 E. Ogden , LLC approves the attached drawing for the outside signage for the building on Ogden.

Sincerely,

Rajeev Batra

Manager

# Memorandum

**To:** Chairman Byrnes and Plan Commissioners  
**From:** Sean Gascoigne, Village Planner   
**Cc:** Robb McGinnis, Building Commissioner  
David Cook, Village Manager  
**Date:** November 10, 2010  
**Re:** Public Hearing for Case A-14-2010  
Applicant: Hinsdale Township High School District 86  
Request: Map Amendment for the properties located at 303-315 W. 57<sup>th</sup> Street

---

The applicant, Hinsdale Township High School District 86, represented by Jeff Eagan, is requesting approval of a map amendment to the subject property to rezone it to IB Institutional Buildings District to fit with the existing zoning of the remaining High School Property. The rezoning is requested to fulfill that required and agreed to in the attached Intergovernmental Agreement.

In 2005, High School District 86 purchased the residential property and entered in to Intergovernmental Agreements with the Village regarding the properties commonly known as 303-315 W. 57<sup>th</sup> Street. The lots are currently zoned R-3 Single-Family Residential, but per the attached intergovernmental agreement, the School District agreed to rezone the property to IB, Institutional Buildings to match the existing zoning of the remaining High School property.

## Attachment

**Cc:** President Cauley and Village Board of Trustees  
David Cook



**VILLAGE  
OF HINSDALE** FOUNDED IN 1871

**VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

**GENERAL APPLICATION**

**I. GENERAL INFORMATION**

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

**Applicant**

Name: Jeff Eagan/Business Manager

Address: 5500 S. Grant Street

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 655-6100/ (630) 325-9153

E-Mail: jeagan@hinsdale86.org

**Owner**

Name: Hinsdale Township H.S. District 86

Address: SAME

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) N/A

2) \_\_\_\_\_

3) \_\_\_\_\_

## II. SITE INFORMATION

Address of subject property: 303,307,311,315 West 57<sup>th</sup> Street

Property identification number (P.I.N. or tax number): 09 - 13 - 100 - 011,012,013,014

Brief description of proposed project: Since 2003, the District has purchased 4 single family homes adjacent to its Hinsdale Central High School campus. Each home has been demolished and converted to open green space. Rezoning these properties was part of two Intergovernmental Agreements from 2003 and 2005.

General description or characteristics of the site: 4 empty lots- open green space.

Existing zoning and land use: R-3 Open green space

Surrounding zoning and existing land uses:

North: Hinsdale Central High School South: Residential

East: Hinsdale Central High School West: Residential

Proposed zoning and land use: open green space

Existing square footage of property: 0 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: R-3 to IB

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire



## TABLE OF COMPLIANCE

Address of proposed request: 303,307,311,315 West 57<sup>th</sup> Street, Hinsdale, IL 60521

The following table is based on the \_\_\_\_\_ Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area		
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:

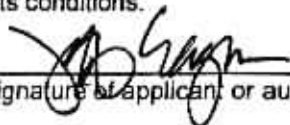
---

## 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 27th day of May, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

  
Signature of applicant or authorized agent

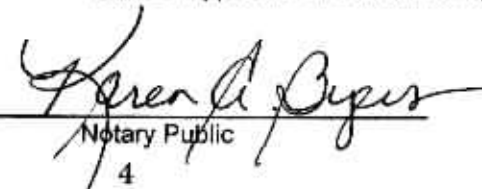
Jeff Eagan, Business Manager  
Name of applicant or authorized agent

\_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
Name of applicant or authorized agent

SUBSCRIBED AND SWORN  
to before me this 27th day of May, 2010



  
Notary Public



COMMUNITY DEVELOPMENT  
DEPARTMENT  
ZONING CODE TEXT AND MAP  
AMENDMENT APPLICATION

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

**Address of the subject property or description of the proposed request:** \_\_\_\_\_

303, 307, 311, 315 West 57<sup>th</sup> Street, Hinsdale, IL 60521

**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.

This request is to reclassify these 4 properties as required in the 2003 and 2005

Intergovernmental Agreements between the Village of Hinsdale and District 86

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

Open green space R-3

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

The District has no plans to build residential houses on these properties.

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

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. \_\_\_\_\_

303, 307, 311 = 2003

315 = 2005

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

Increased open green space for Hinsdale Central High School campus.

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. \_\_\_\_\_

This request is to reclassify these 4 properties as required in the 2003 and 2005

Intergovernmental Agreements between the Village of Hinsdale and District 86.

INTERGOVERNMENTAL AGREEMENT  
BETWEEN HINSDALE TOWNSHIP HIGH SCHOOL DISTRICT 86  
AND THE VILLAGE OF HINSDALE  
RELATED TO USE OF CERTAIN PROPERTY  
FOR THE HINSDALE CENTRAL HIGH SCHOOL CAMPUS

AGREEMENT made the 19<sup>th</sup> day of September, 2005, between the VILLAGE OF HINSDALE, DuPage County, Illinois, an Illinois unit of local government and municipal corporation ("VILLAGE") and HINSDALE TOWNSHIP HIGH SCHOOL DISTRICT 86, DuPage and Cook Counties, Illinois, an Illinois unit of local government and public school district ("SCHOOL") (hereinafter referred to from time to time collectively as the "PARTIES");

WITNESSETH:

WHEREAS, Article VII, Section 10, of the Constitution of the State of Illinois of 1970 authorizes units of local government to contract or otherwise associate among themselves, and to exercise, combine or transfer any power or function in any manner not prohibited by law or by ordinance; and

WHEREAS, the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1, et. seq. provides, inter alia, that ". . . (A)ny power or powers, privileges or authority exercised or which may be exercised by a public agency of this State may be exercised and enjoyed jointly with any other public agency of this State. . ."; and

WHEREAS, the SCHOOL is the owner of a parcel of property located adjacent to the Hinsdale Central High School Site and further described on *Exhibit A* hereto (the "SUBJECT PROPERTY"), which is presently zoned R-3 by the VILLAGE and which the



School has no immediate plans for use and intends to maintain such as open green space and may entertain use by the Hinsdale Central Athletic or Physical Education department in support of their programs; and

WHEREAS, the SUBJECT PROPERTY, although currently classified in a single family residential district, is situated adjacent to the High School, is no longer intended to be put to single family use by the SCHOOL, and may logically be considered to be a part of, and appropriate and proper for, the High School campus; and

WHEREAS, the President and Board of Trustees of the VILLAGE have determined that, under all of the circumstances, the SUBJECT PROPERTY may properly be considered for reclassification into the IB Institutional Buildings District of the VILLAGE'S Zoning Code so long as the permanent use of the SUBJECT PROPERTY is sensitive to the existing residential uses near the SUBJECT PROPERTY and the High School; and

WHEREAS, the SCHOOL has determined that it is appropriate to work with the VILLAGE to develop a plan for the permanent use of the SUBJECT PROPERTY, which plan would be sensitive to those nearby residential uses; and

WHEREAS, in furtherance of that effort, the SCHOOL intends to seek reclassification of the SUBJECT PROPERTY by the VILLAGE into the IB District;

NOW THEREFORE, upon the consideration of the mutual promises contained herein and upon the further consideration of the recitals hereinabove set forth, it is hereby agreed as follows:

1. INCORPORATION OF RECITALS. The recitals set forth in the foregoing preamble are specifically incorporated into and made a part of this AGREEMENT as though fully set forth in this Section 1.

2. DEMOLITION OF EXISTING STRUCTURES. The parties agree that the SCHOOL's demolition of the existing single family residences and related structures located on the SUBJECT PROPERTY shall be carried out under the jurisdiction of the DuPage County Regional Office of Education, pursuant to those rules and procedures set forth in the School Health/Life Safety Code for Public Schools, 23 Ill. Admin. Code Part 180. The SCHOOL will provide notice to neighboring property owners and comply with the requirements of all jurisdictional entities with respect to such demolition, and required under the School Health/Life Safety Code for Public Schools. The Village shall not require a permit or fee for such demolition, but the SCHOOL shall comply with the VILLAGE'S standards related to storm water management, dust control, and street and sidewalk clean-up during demolition and related to the restoration of streets and rights of way disturbed or damaged during demolition.

3. FUTURE USE OF SUBJECT PROPERTY. The SCHOOL shall apply to the VILLAGE for reclassification of SUBJECT PROPERTY into the IB District. The VILLAGE shall process that application in its customary manner, without undue delay. As part of that consideration, the VILLAGE recognizes and acknowledges the SCHOOL's interest in using the SUBJECT PROPERTY for purposes consistent with and in furtherance of its educational purposes, and the SCHOOL recognizes and acknowledges the VILLAGE's interest in zoning and related matters concerning the SUBJECT PROPERTY, including the impact of the use of the SUBJECT PROPERTY on adjacent and nearby properties, automobile and pedestrian transportation infrastructure, and storm water management.

4. MUTUAL ASSISTANCE. The PARTIES shall do all things necessary or appropriate to carry out the terms and provisions of this AGREEMENT and to aid and assist each other in furthering the objectives of this AGREEMENT and the intent of the PARTIES as reflected by the terms of this AGREEMENT, including, without limitation, the giving of such notices, the holding of such meetings, the enactment by the PARTIES of such resolutions and ordinances, the execution of such permits, applications and agreements and the taking of such other actions as may be necessary to enable the PARTIES' compliance with the terms and provisions of this AGREEMENT, and as may be necessary to give effect to the objectives of this AGREEMENT and the intentions of the PARTIES as reflected by the terms of this AGREEMENT. The PARTIES agree that they shall meet and confer as necessary to cooperatively work to address and resolve new issues which may arise subsequent to the approval of this AGREEMENT.

5. NON-WAIVER AND NON-CONSENT TO JURISDICTION. The PARTIES agree and understand that this AGREEMENT is being entered into for the purpose of cooperatively furthering each of their respective corporate purposes and in a spirit of intergovernmental cooperation. The PARTIES do not waive any claim or right to jurisdiction or authority, whether mutual or exclusive, over any matter between them, and this AGREEMENT is not intended to be, and shall not be construed or applied to be, a waiver of any legal status or claim of jurisdiction or authority by either PARTY.

6. NOTICES. All notices hereunder shall be in writing and must be served either personally or by registered or certified mail, return receipt requested. Such notice shall be addressed to:

The VILLAGE at:

Village Manager  
Village of Hinsdale  
19 E. Chicago Avenue  
Hinsdale, Illinois 60521

The SCHOOL at:

Asst. Superintendent for Business  
Hinsdale Twp. High School #86  
Administration Building  
55th and Grant Streets  
Hinsdale, Illinois 60521

7. ENTIRE AGREEMENT. This AGREEMENT, including the Exhibits attached hereto, represents the entire agreement between the PARTIES hereto and no other agreements shall be valid unless in writing and signed by each of the PARTIES hereto.

8. NON-MERGER. The covenants, agreements, representations and undertakings of the PARTIES shall not merge into the grants of easements and other related documents delivered by and between the PARTIES, but shall expressly survive the recording of said grants of easements and other related documents for an unlimited duration.

9. HEADINGS. The headings of the various sections of this AGREEMENT are not intended as interpretations or construction of any such section, but are used for purposes of convenience or reference only.



10. COUNTERPARTS. This AGREEMENT shall be executed in counterparts, each of which shall be considered an original and together shall be one and the same AGREEMENT.

11. AUTHORIZED EXECUTION. The PARTIES represent that the individual officers who have executed this AGREEMENT below on behalf of their respective governing boards have been duly authorized to do so by, in the case of the VILLAGE, by a majority vote of its corporate authorities, and in the case of the SCHOOL, by a majority vote of the members of its governing board, such votes having been taken at duly convened public meetings.

12. SEVERABILITY. If any term or provision of this AGREEMENT shall be held invalid or unenforceable, the remaining terms and provisions of this AGREEMENT shall not be affected thereby, but each term and provision of this AGREEMENT shall be valid and be enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the PARTIES have set their hands and seals on the date first above written.

BOARD OF TRUSTEES OF  
VILLAGE OF HINSDALE  
DuPage County, Illinois

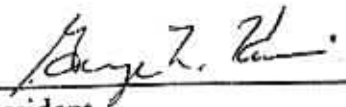
By: Mild Wa  
Its President

ATTEST:

3  
Its Clerk



BOARD OF EDUCATION OF HINSDALE  
TOWNSHIP HIGH SCHOOL DISTRICT  
NUMBER 86, DuPage and Cook Counties,  
Illinois

By:   
Its President

ATTEST:


  
Its Secretary



EXHIBIT A

DESCRIPTION OF SUBJECT PROPERTY

Street Addresses:

Property #1 – 315 West 57<sup>th</sup> Street, Hinsdale, Illinois

