

AGENDA
Village Of Hinsdale
Plan Commission
Wednesday, September 14, 2011
Memorial Hall, Memorial Building
7:30 PM
(Tentative and Subject to Change)

1. **Minutes** – Minutes of August 10, 2011
2. **Scheduling of Public Hearings** – No discussion will take place except to determine time and date of hearing.
 - a. A-15-2011 – Level 4 Yoga – Text Amendment Section 6-106, to allow Yoga Instruction in the O-2 District as Special Uses.
 - b. A-16-2011 – Level 4 Yoga – Special Use Permit to allow Yoga Instruction at 34 N. Vine Street.
 - c. A-17-2011 – Midwest Property Group, Ltd. – Text Amendment Section 5-102D(1), to allow Financial Institutions on the first floor in the B-2 District, when the tenant space does not abut a street.
 - d. A-18-2011 – Denise Dills – Text Amendment Section 5-105C, to allow Musical Tutoring Services, in the B-2 District (but not on the first floor) as Special Uses.
 - e. A-19-2011 – Denise Dill – Special Use Permit to allow a Musical Tutoring Service at 116-118 S. Washington Street.
3. **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. 28 W. Chicago Ave. – Frey Orthodontics – One Awning Sign
4. **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. A-05-2011 – 10 N. Washington Street – Eden Assisted Living – Site Plan/Exterior Appearance Approval for Removal of Existing Townhomes and Landscaping Improvements.
5. **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-22-2011 – Eden Assisted Living – Text Amendment to Section 4-112 as it relates to density and multi-building projects for Personal Care Facilities and Senior Citizen Housing, in the Multi-Family Residential Districts.
- b. A-11-2011 – Text Amendment to Article III, Section 3-110 of the Hinsdale Zoning Code as it relates to the Elimination of the Floor Area Ratio Requirement for New Single-Family Residences that Receive Design Review Approval from the Design Review Commission.

6. 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

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
AUGUST 10, 2011
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:33 p.m., Wednesday, August 10, 2011 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Stifflear (via telephone), Commissioner Cashman, Commissioner McMahon, Commissioner Crnovich, Commissioner Brody and Commissioner Johnson (via telephone)

ABSENT: Commissioner Nelson and Commissioner Sullins

ALSO PRESENT: Sean Gascoigne, Village Planner

Approval of Minutes

The Plan Commission reviewed the minutes from the July 13, 2011 meeting. Commissioner Brody motioned to approve the minutes of July 13, 2011 as amended. Commissioner Crnovich seconded. The motion passed unanimously.

Findings and Recommendations

330 E. Ogden Avenue – Bill Jacobs Land Rover/Range Rover of Hinsdale – Exterior Façade Improvements.

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 330 E. Ogden Avenue – Bill Jacobs Land Rover/Range Rover of Hinsdale – Exterior Façade Improvements. Commissioner McMahon seconded. The motion passed unanimously.

A-05-2011 – 10 N. Washington Street – Eden Assisted Living – Special Use for a Planned Development, Special Use for a Personal Care Facility, Special Use for Senior Citizen Housing and Exterior Appearance Site Plan Review.

Chairman Byrnes summarized 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. He explained that he had asked Village Planner Gascoigne to make some changes and confirmed with the other Commissioners that they were all ok with the requested changes. Commissioner McMahon motioned to approve the findings and recommendations for case A-05-2011 – 10 N. Washington Street – Eden

Plan Commission Minutes
August 10, 2011

Assisted Living – Special Use for a Planned Development, Special Use for a Personal Care Facility, Special Use for Senior Citizen Housing and Exterior Appearance Site Plan Review. Commissioner Brody seconded. The motion passed unanimously.


Adjournment

Commissioner Brody moved to adjourn. Commissioner Cashman seconded and the meeting adjourned at 7:40 p.m. on August 10, 2011.

Respectfully Submitted,

Sean Gascoigne
Village Planner

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 14, 2011
Re: Scheduling of Public Hearings for Cases A-15-2011 and A-16-2011
Applicant: Level 4 Yoga
Request: Text Amendment to Section 6-106, to allow Yoga Instruction in the O-2 Limited Office District as Special Uses.

The Applicant, Power 4 Yoga, has submitted an application to amend Article VI (Office Districts), Section 6-106 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Yoga Instruction (7999) in the O-2 Limited Office District as Special Uses. In addition to the text amendment, the applicant is also requesting the necessary special use to allow a yoga studio at 34 N. Vine Street.

The proposed process would allow the Plan Commission and Village Board to hear all cases independently and establish the appropriateness of the use based on the location and the individual circumstances of the property in question.

Below is draft language proposed by the applicant that would amend the Zoning Code so that Yoga Instruction (7999) would be Special Uses in the O-2 Limited Office District:

Section 6-106 Special Uses	O-1	O-2	O-3
B. Services:			
8. Yoga Instruction (7999)		S	

On September 6, 2011, the Village Board of Trustees moved, unanimously, to recommend the aforementioned request be scheduled for a public hearing at the next regularly scheduled Plan Commission meeting.

It is requested that the public hearings be scheduled for October 12, 2011.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Level 4 Yoga, LLC d/b/a CorePower Yoga

Address: 4701 W. Rice St.

City/Zip: Chicago, IL 60651

Phone/Fax: (303) 881-8812/773-626-8800

E-Mail: chris@level4yoga.com

Owner

Name: Hinsdale Management Corporation

Address: 21 Spinning Wheel Rd

City/Zip: Hinsdale, IL 60521

Phone/Fax: (630) 323-9075/(630) 323-9103

E-Mail: cpalmer@hinsdalemanagement.com

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) _____

2) _____

3) _____

II. SITE INFORMATION

Address of subject property: 34 South Vine St

Property identification number (P.I.N. or tax number): 09 - 12 - 105 - 020

Brief description of proposed project: Build out of a yoga studio in the building located at 34 South Vine St

General description or characteristics of the site: Stand alone 2-story building in Grant Square with 500+ adjacent parking spaces.

Existing zoning and land use: Office: -2

Surrounding zoning and existing land uses:

North: Adjacent Commercial Parking

South: Commuter Parking/Railroad

East: Commercial Retail

West: Commercial Office

Proposed zoning and land use: Existing O-2 Limited Office District Zoning to Remain

Existing square footage of property: NEED FROM PLATA SURVEY square feet

Existing square footage of all buildings on the property: 5,800 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: Yoga Studio

☒ Map and Text Amendments 11-601E
Amendment Requested: Text Amendment
Special Use (S)
8. Yoga instruction (7999)

☐ 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: 34 S Vine St

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

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	Existing Development to Remain
Minimum Lot Depth	125'	125'	125'	Existing Development to Remain
Minimum Lot Width	50'	20'	50'	Existing Development to Remain
Building Height	30'	35'	30'	Existing Development to Remain
Number of Stories	2	3	2	Existing Development to Remain
Front Yard Setback	25'	0'	25'	Existing Development to Remain
Corner Side Yard Setback	25'	0'	25'	Existing Development to Remain
Interior Side Yard Setback	10'	0'	10'	Existing Development to Remain
Rear Yard Setback	20'	20'	20'	Existing Development to Remain
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	Existing Development to Remain
Maximum Total Building Coverage*	N/A	80%	N/A	Existing Development to Remain
Maximum Total Lot Coverage*	90%	100%	90%	Existing Development to Remain
Parking Requirements				Existing Development to Remain
Parking front yard setback				Existing Development to Remain
Parking corner side yard setback				Existing Development to Remain
Parking interior side yard setback				Existing Development to Remain
Parking rear yard setback				Existing Development to Remain
Loading Requirements				Existing Development to Remain
Accessory Structure Information (height)	15'	15'	15'	Existing Development to Remain

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 25 day of July, 2011. I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Chris Kenny
Name of applicant or authorized agent

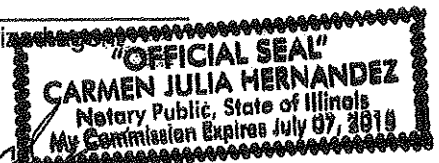
Signature of applicant or authorized agent

N/A
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 25 day of

July, 2011.

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: 34 S Vine St, Grant Square

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. CorePower Yoga ("CPY") is a fitness use that is highly consistent with the Grant Square existing character. CPY intends to enhance the character of Grant Square by offering yoga classes not currently available in Hinsdale or surrounding areas. CPY compliments the health and wellness buildings in the immediate vicinity.
2. The existing uses and zoning classifications for properties in the vicinity of the subject property. East: Commercial Retail; North: Adjacent Commercial Parking; West: Commercial Office; South: Commuter Parking/Railroad

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.
Trend of development in the vicinity includes commercial retail, medical and office use.
4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it. Applicant intends to maintain existing zoning and enhance with a text amendment.
5. ~~The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare.~~ CorePower Yoga will enhance the public health and welfare.
6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment. CorePower Yoga believes the adjacent properties, including complimentary medical uses, will be positively impacted by the proposed amendment.
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. CorePower's will not negatively impact the adjacent properties value by any amendment.
8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. CorePower does not foresee any future orderly development to be affected by the proposed amendment.
9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. The use requested by CorePower would be suitable for the subject property and provide benefits to Public Health and Wellness.
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. Ingress and Egress to/from the subject property is excellent based on it being located within Grant Square. The proposed amendment will not impact ingress/egress or traffic conditions.
11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification.

CorePower would use in place utilities and public services at the subject property.

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 property has been vacant for 1 year.

13. The community need for the proposed amendment and for the uses and development it would allow. The community currently does not have access to the services provide by CorePower Yoga. The Health and Wellness of the community would be benefited by the introduction of CorePower's services to the subject property.
 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. NA
-



**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: 34 South Vine St (Grant Square)

Proposed Special Use request: Operation of office building as a Yoga studio

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. CorePower Yoga ("CPY") is a fitness use that is highly consistent with the Grant Square existing character. CPY intends to enhance the character of Grant Square by offering yoga classes not currently available in Hinsdale or surrounding areas. CPY compliments the health and wellness buildings in the immediate vicinity.
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. The proposed use will not have any substantial or undue adverse effect upon any adjacent property, the character of the area or the public health, safety, and general welfare. CPY intends to enhance the community and character of the area. CPY compliments the health and wellness buildings in the immediate vicinity.

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 CPY does not intend to construct or modify the property. CPY's use is highly consistent with the Surrounding Development and will enhance the services in Grant Square.
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. The proposed use will leverage all in place infrastructure. CPY has verified in place infrastructure and services will adequately serve the use.
5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. CPY will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets as its use is consistent with the daily needs operation of the Grant Square Center.
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. CPY's proposed use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance. CPY does not intend to modify the site or property in any substantial manner.
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. CPY's proposed use will comply with all additional standards imposed on it by the particular provision of the Code authorizing such use.
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. CPY will comply with any and all special standards.

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. CPY's planned use will provide a service that is in the interest of

public convenience and will contribute to the general welfare of the community. CPY is a community focused organization and looks to support local community groups through donation classes on a regular basis. CPY compliments the health and wellness buildings in the immediate vicinity.

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. CPY has not identified any other viable locations in Hinsdale.

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. CPY does not envision any adverse impacts.

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: Level 4 Yoga, LLC d/b/a Core Power Yoga

Owner's name (if different): Hinsdale Management Corporation

Property address: 34 S. Vine St.

Property legal description: [attach to this form]

Present zoning classification: O-2

Square footage of property: ~ 8,463 sq.ft.

Lot area per dwelling: NA

Lot dimensions: 50.00' x 169.25'

Current use of property: Vacant Office

Proposed use: ☐ Single-family detached dwelling
☒ Other: Maintain current zoning with Text Amendment for a yoga studio

Approval sought: ☐ Building Permit ☐ Variation
☒ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☒ Other: Text amendment for yoga studio

Brief description of request and proposal:

Request for:
1) a special use permit for operating a yoga studio prior to text amendment
2) Text amendment for use as a yoga studio under the current zoning

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front: _____ No change
interior side(s) _____ / _____ No change

Provided:

Required by Code:

corner side

rear

No change

" "

Setbacks (businesses and offices):

front:

No change

interior side(s)

corner side

rear

others:

Ogden Ave. Center:

York Rd. Center:

Forest Preserve:

Building heights:

principal building(s):

accessory building(s):

No change

" "

Maximum Elevations:

principal building(s):

accessory building(s):

No change

" "

Dwelling unit size(s):

Total building coverage:

Total lot coverage:

Floor area ratio:

Accessory building(s):

N/A

Spacing between buildings: [depict on attached plans]

principal building(s):

accessory building(s):

N/A

N/A

Number of off-street parking spaces required: No change

Number of loading spaces required: No change

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

Chris Kenny


Applicant's printed name

Dated: 7/22, 2011.

[illegible][illegible]

A circular postmark from Gary, California. The text "GARY, CALIF." is curved along the top inner edge. The date "MAY 1968" is in the center. The text "CALIF. POST OFFICE" is curved along the bottom inner edge. There are small stars on the left and right sides of the circle.

12. INVESTING IN EQUITIES
ANALYSIS OF EQUITY FINANCING
 116 INVESTING IN EQUITIES

<p>  WHEAREY & CARLSSON LTD. 111, Avenue du Commerce 1000, Montreal 10, Quebec Canada </p>	<p> WHEAREY & CARLSSON LTD. 111, Avenue du Commerce 1000, Montreal 10, Quebec Canada </p>
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Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner



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

Date: September 14, 2011

Re: Scheduling Public Hearing for Case A-17-2011

Applicant: Midwest Property Group, Ltd.

Request: Text Amendment to Section 5-102D(1), to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2.

The Applicant, Midwest Property Group, Ltd., has submitted an application to amend existing language in Article V (Business Districts), Section 5-102 (Permitted Uses), of the Village of Hinsdale Zoning Code, to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2, Central Business District.

Below is draft language proposed by the applicant that would amend the Zoning Code to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2:

Section 5-102 Permitted Uses

B-1

B-2

B-3

D. Finance, Insurance, and Real Estate:

1. Depository and nondepository credit institutions (60-61), but not on the first floor of any structure in the B-2 District except expansion of such an institution existing on such a first floor as of January 1, 1994 in the same structure or an abutting structure, and except expansion of such an institution into first floor space that does not abut a street, and not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot.

P

On September 6, 2011, the Village Board of Trustees moved, unanimously, to recommend the aforementioned request be scheduled for a public hearing at the next regularly scheduled Plan Commission meeting.

It is requested that the public hearing be scheduled for October 12, 2011.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook



VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

Name: MIDWEST PROPERTY GROUP, LTD
Address: 920 N. YORK ROAD, SUITE 300
City/Zip: HINSDALE, IL 60521
Phone/Fax: (630) 789-3355 / (630) 789-3385
E-Mail: jjj@mpgre.net

Owner

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

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

Name: NONE
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: N/A

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

Brief description of proposed project: ***Please see the text of the proposed amendment to Sec. 5-102D.1. of the Code attached hereto as Exhibit "A". The intent of the amendment is to permit expansion of existing financial institution uses into first floor space that does not front on a street.***

General description or characteristics of the site: _____

Existing zoning and land use: _____

Surrounding zoning and existing land uses:

North: _____

South: _____

East: _____

West: _____

Proposed zoning and land use: _____

Existing square footage of 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: ***5-10201 regarding financial institutions***

Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

Exhibit "A"

Proposed amendment of Code Sec. 5-102D.1.
(New text is shown in CAPITAL LETTERS)

Depository and nondepository credit institutions (60-61), but not on the first floor of any structure in the B-2 district except expansion of such an institution existing on such a first floor as of January 1, 1994 into additional first floor space owned by such an institution as of January 1, 1994 in the same structure or an abutting structure, AND EXCEPT EXPANSION OF SUCH AN INSTITUTION INTO FIRST FLOOR SPACE THAT DOES NOT ABUT A STREET, and not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot.

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 15th day of August, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Name of applicant or authorized agent

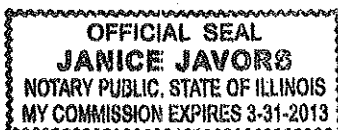
Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 15th day of August, 2011.

Notary Public

4





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: N/A/ Text Amendment

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 code exists to regulate and govern various districts in the best interests of the Village and its residents and to foster a healthy business environment. Having space occupied with users which bring consumers and traffic to the downtown area is consistent with the code. This text amendment will enable spaces that may be difficult to find tenants now become occupied.

The purpose and intent of the 1994 amendment to the Code limiting the presence of depository and nondepository credit institutions on the first floor of structures in the B-2 district were to increase the visibility and accessibility of other types of businesses in the community. The proposed amendment does not alter that limitation contained in the Code

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

N/A No Specific Property

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.

Trends in retailing have greatly reduced the types of tenant that would normally lease space in downtown Hinsdale. Therefore, vacancies are increasing and are difficult to fill. If back space can be filled, it helps create more customers in town. This result will enhance the overall financial viability of the downtown area, without diminishing the amount of business space that is readily visible and accessible from the street

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

Spaces stay vacant longer due to change in retail marketplace. Vacant spaces do not contribute to the overall financial viability of the downtown area, and do not bring potential customers to all businesses in the B-2 area. The expansion of office uses into off-street spaces enhances the value of the property into which such expansion becomes allowed, while at the same time potentially enhancing the value of all B-2 properties."

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

There is no increase - vacancies lower property value and taxes, which decreases funds available for public health, safety and welfare.

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

Any spaces that become filled as a result of this text amendment is a positive for other properties due to increased customers and few vacancies.

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

If spaces are leased due to this text amendment, it will help increase property values. Enactment of the proposed amendment would represent action by the Village to encourage new business and the expansion of existing businesses with the objective of the overall improvement of B-2 district business conditions with no negative impact on the community."

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

This text amendment would enable some back spaces to be filled rather than be vacant.

proposed amendment would have no impact on the orderly development of properties adjacent to the structures into which the back space expansion became permitted as a result of the 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 text amendment may help fill back spaces that are now vacant. These vacant spaces have lower property taxes and generate no traffic, which is adverse to the public good. If this text amendment is approved, some vacant back spaces may be leased, which is a positive in terms of customers and increase in property values and hence property tax revenues to the various taxing bodies in Hinsdale.

In addition, the proposed amendment will increase the opportunity to retain current occupants of structures who require additional space, and who otherwise would have to leave the Village to obtain it and would thereby increase empty spaces in the B-2 district."

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

TABLE OF COMPLIANCE

Address of subject property: N/A

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: _____

VILLAGE OF HINSDALE

N/A

CERTIFICATION OF PROPER NOTICE

REGARDING APPLICATION FOR PUBLIC HEARINGS AND
MEETINGS

I, _____, being first duly sworn on oath, do hereby
certify that I caused written notice of the filing of my application for a public hearing and or meeting to
be given to owners of record of property within 250 feet of any part of the subject property. I further
certify that I gave such notice in the form required by the Village (Certified Mail) and that I gave such
notice on _____.

Attached is a list of all of the addresses of property to whom I gave such notice and the
receipts of mailings.

By: _____
Name: _____
Address: _____

Subscribed and sworn to before me

This _____ day of _____, _____.

By: _____
Notary Public

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner



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

Date: September 14, 2011

Re: Scheduling of Public Hearings for Cases A-18-2011 and A-19-2011
Applicant: Rock Rubicon, LLC.

Request: Text Amendment to Section 5-105, to allow Musical Tutoring Services, above the first floor, in the B-2 District as Special Uses and a Special Use to Operate a Musical Tutoring Service on the 2nd Floor at 116-118 Washington Street.

The Applicant, Rock Rubicon, LLC., has submitted an application to amend Article V (Business Districts), Section 5-105 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Musical Tutoring Services (8299), above the first floor, in the B-2 Central Business District as Special Uses. In addition to the text amendment, the applicant is also requesting the necessary special use to allow a musical tutoring service on the 2nd floor at 116-118 S. Washington Street.

The proposed process would allow the Plan Commission and Village Board to hear all cases independently and establish the appropriateness of the use based on the location and the individual circumstances of the property in question.

Below is draft language proposed by the applicant that would amend the Zoning Code so that Musical Tutoring Services (8299) would be Special Uses above the first floor in the B-2, Central Business District:

Section 5-105 Special Uses

B-1

B-2

B-3

C. Services:

23. Musical Tutoring Services (8299), but not on the first floor of any structure in the B-2 district.

S

On September 6, 2011, the Village Board of Trustees moved, unanimously, to recommend the aforementioned request be scheduled for a public hearing at the next regularly scheduled Plan Commission meeting.

It is requested that the public hearings be scheduled for October 12, 2011.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Denise Dills of Rock Rubicon, LLC
Address: 114 E. 6th Street
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 920-0864 /
E-Mail: dpdills@hotmail.com

Owner

Name: George and Shirley Tolbert
Address: 49 Forest Gate Circle
City/Zip: Oak Brook, IL 60523
Phone/Fax: (630) 928-1044 / 319-8774
E-Mail:

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

Name: Peter Coules, Jr.
Title: Attorney
Address: 15 Salt Creek Lane, Suite 312
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 920-0406 / 920-1338
E-Mail: peter@donatellcoules.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) Not Applicable.
- 2)
- 3)

II. SITE INFORMATION

Address of subject property: 116 and 118 South Washington, Hinsdale, IL 60521

Property identification number (P.I.N. or tax number): 09 - 12 - 122 - 013

Brief description of proposed project: To maintain the first floor as is (investment office)
and a "School of Rock" on the second floor which provides musical tutoring services.

A musical training studio.

General description or characteristics of the site: Two story Commercial Building.

Existing zoning and land use: Downtown District

Surrounding zoning and existing land uses:

North: Same

South: Same

East: Same

West: Same

Proposed zoning and land use: Same with special use for musical tutoring services.

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: Musical tutoring
services.

☒ 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: 116 and 118 South Washington, Hinsdale, IL 60521

The following table is based on the _____ Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	No external changes to existing building
Minimum Lot Depth	125'	125'	125'	
Minimum Lot Width	50'	20'	50'	
Building Height	30'	35'	30'	
Number of Stories	2	3	2	
Front Yard Setback	25'	0'	25'	
Corner Side Yard Setback	25'	0'	25'	
Interior Side Yard Setback	10'	0'	10'	
Rear Yard Setback	20'	20'	20'	
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	
Maximum Total Building Coverage*	N/A	80%	N/A	
Maximum Total Lot Coverage*	90%	100%	90%	
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 (height)	15'	15'	15'	

* Must provide actual square footage number and percentage.

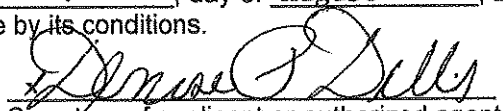
Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

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 August, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.


Signature of applicant or authorized agent
Managing member

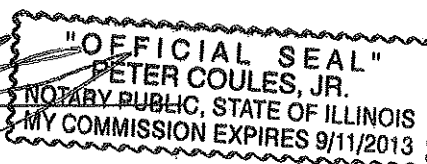
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 1st day of
August, 2011.

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: 116 and 118

South Washington, 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.

According to the Code, the purpose of the B-2 Central District ("Downtown District") is to serve the entire Hinsdale Suburban Community with a wide variety of retail and service uses and is intended to generally be a more intense development. The change to add musical services tutoring to a "special use" for this District fully complies with the intent.

2. The existing uses and zoning classifications for properties in the vicinity of the subject property.
All are B-2 Central Business District ("Downtown District"). The term to be added as

Sub-Paragraph 22 to 5-105(c) "Special Use" is for a Music Training Studio which provides musical tutoring services.

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. The proposed addition of the requested addition to Section 5-105(c) (a number 22) for musical tutoring services totally serves the community and fits the Downtown District.
4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it. There is not a present use for the Building as Zoned (on the market a while) and the special use will have a positive impact on the community and the Downtown District.
5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare. Not applicable as will not impact the public health, safety or welfare.
6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment. None.
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. If anything a positive impact as the Building will be fully utilized.
8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. None.
9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. While the Building is suitable for B-2 the requested change is an addition to Section 5-105(c) "Special Use" and will be a positive addition to the District and is a service that was not contemplated when the Code was established and is less intensive than many that are allowed.

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. Not an issue.

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.

No changes necessary.

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. Second floor has been vacant

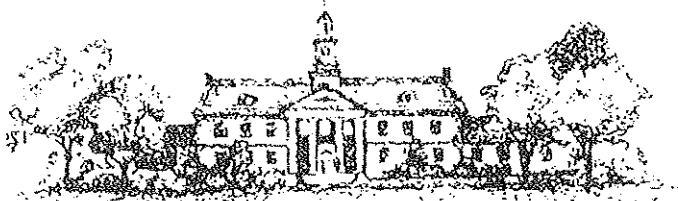
for awhile.

13. The community need for the proposed amendment and for the uses and development it would allow. The youth of the community will greatly benefit from having a "School of Rock"

musical tutoring services in the community. The use is directly out of the "Standard

Industrial Classification Manual" which is utilized by the Village as a guide.

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. Not applicable.



**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: 116 and 118 South Washington, Hinsdale, IL 60521

Music Training Studio

Proposed Special Use request: Musical Tutoring Service.

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.

The first floor shall remain an investment office, which is its present use.

The second floor will be utilized to provide music tutoring services as a

franchise of "School of Rock". It will not negatively impact the Downtown District and is in harmony with the District.

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.

The proposed special use is to provide musical tutoring services on the second

floor and will not affect the health, safety and general welfare of the public (Further, it will adhere to all noise ordinances of the Village).

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 The proposed use will meet all of the ordinances of the Village, including but not limited to the noise ordinance. Since the proposed use is musical tutoring services, more than one person will receive tutoring at a time and their sound can not affect the others.
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. Not an issue with the requested use.
-
5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. There will be no impact as there will not be that many additional people utilizing the property.
-
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 will comply with all standards.
-
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. There are none as the applicant is not asking for any variances from any ordinances (i.e. sound and/or light).
-

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. It will allow the young people of Hinsdale another

venue to utilize the Downtown District.

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. No changes on the first floor. For the second floor, presently only allowed in O-2 and not any good locations. Further the "School of Rock" offers musical tutoring services and will only have a positive impact on the Downtown District.

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. As stated, the exterior

of the Building will not change and internally, on the second floor, the tutoring rooms are built with sound proofing.



MAINSTREET ORGANIZATION OF REALTORS®

COMMERCIAL SALES CONTRACT

2

3 WHEN EXECUTED BY ALL PARTIES THIS WILL BECOME A LEGALLY BINDING AND ENFORCEABLE CONTRACT

4 If Dual Agency applies, complete Paragraph #28.

5 FROM: (Buyer) Rock Rubicon LLC

6

Name

7 TO: (Seller) George and Shirley Tolbert

DATE:

8 OFFER OF BUYER: I/We (Buyer) offer to purchase the Real Estate known as:

9 116 and 118 South Washington, Hinsdale, DuPage IL 6051410 Street City County State Zip11 legally described on Exhibit A, if any, lot size approximately _____
12 permanent Index No.: 0912122013, together with improvements thereon.13 INCLUSIONS: The following shall be included: fixtures, equipment, appliances, security systems (owned) and personal
14 property, if any, located on the Real Estate of the date hereof, for which a bill of sale will be given: screens, storm windows and
15 doors; shades, window blinds; radiator covers; heating, central cooling, ventilating, lighting and plumbing fixtures; attached
16 mirrors, shelving, interior shutters, cabinets and awnings; planted vegetation; smoke detectors; as well as the following specific
17 items: This contract is contingent for a 150 day period upon the Village of Hinsdale zoning approval for a real estate investment office
18 and a music education business, this will require a text amendment and special use approval which would be processed concurrently19 EXCLUSIONS: The following shall be excluded; all tenant owned personal property, tenant owned trade fixtures, and:
20 _____
21 _____22 Any personal property not specifically included shall be deemed excluded. A system or item shall be deemed to be in operating
23 condition if it performs the function for which it is intended, regardless of age, and does not constitute a threat to health or safety.24
25 1. PURCHASE PRICE: Purchase Price of \$ _____ will be paid as follows: Initial earnest money of \$ 20,000.00
26 20,000.00 by ☒ check, ☐ cash OR ☐ note due on acceptance 20, to be increased to a total of BUYER
27 \$ N/A by N/A 20. The earnest money and the original of this Contract shall be held by the Listing ST
28 Company, as "Escrowee", in trust for the mutual benefit of the Parties. The balance of the Purchase Price, as adjusted by prorations, shall be paid
29 at Closing by wire transfer of funds, or by certified, cashier's, mortgage lender's or title company's check (provided that the title company's
30 check is guaranteed by a licensed title insurance company). ST
3132 2. CLOSING: Provided title conforms with this contract or has been accepted by Buyer, closing or escrow payout shall be on
33 December 1, 2011, by conveyance by stamped recordable warranty deed (or other
34 appropriate deed if title is in trust or in an estate) and payment of purchase price. Title shall be conveyed at the time required by
35 this contract subject only to: general Real Estate taxes not due and payable at the time of Closing; building lines and building
36 restrictions of record; zoning and building laws and ordinances; public and utility easements; covenants and restrictions of record;
37 party wall rights and agreements, if any; existing leases or tenancies; the mortgage or trust deed, if any, as described in Paragraph
38 2 above; acts done or suffered by or through the Buyer. However, Special Assessments, if any, for improvements not yet
39 completed shall be paid by Seller at closing. This sale shall be closed at office of title insurance company or Seller's attorney's
40 office as agreed or in escrow with the title company issuing the title commitment by deed and money escrow fee to be divided
41 between Seller and Buyer. Seller and/or Buyer will pay their respective brokers' commissions as provided in their respective
42 representation agreements or contracts and shall provide waiver of Brokers' liens at closing.
4344 3. FINANCING: This contract is contingent upon the ability of Buyer to secure within _____ days of the Date of
45 Acceptance, a firm written commitment for a loan evidenced by a note to be secured by a mortgage or trust deed on the Real Estate
46 in the amount of \$ Cash, or such lesser amount as Buyer shall accept, with a fixed or initial interest rate
47 (delete one) not to exceed _____%, said loan to be amortized over a minimum of _____ years, with a loan service charge
48 not to exceed _____%. Seller and Buyer shall execute all documents and provide all information so that Buyer's lender
49 can issue its commitment and close the transaction. If Buyer makes a good faith effort but is unable to obtain a commitment for
50 the mortgage loan contemplated herein, Buyer shall so notify Seller in writing within the time specified in this Paragraph. If
51 SELLER IS NOT SO NOTIFIED WITHIN SUCH TIME PERIOD, BUYER SHALL FOR ALL PURPOSES BE DEEMED TO
52 HAVE SECURED SUCH COMMITMENT OR TO HAVE AGREED TO PURCHASE THE REAL ESTATE WITHOUT
53 MORTGAGE FINANCING OR BASED UPON THE MORTGAGE COMMITMENT ACTUALLY OBTAINED. If Seller is so
54 notified, Seller may, at Seller's option, within 10 business days after Seller's receipt of said notice, elect to accept purchase money

Buyer Initial <u>DRB</u>	Buyer Initial _____	Seller Initial <u>ST</u>	Seller Initial <u>ST</u>
Address <u>116 and 118 South Washington,</u>	<u>Hinsdale,</u>	<u>DuPage</u>	<u>IL 60514</u>

55 financing or to secure a mortgage commitment on behalf of Buyer upon substantially the same terms for the mortgage loan
56 contemplated herein with such other material terms and conditions for comparable loans. If Seller is so notified, Buyer agrees to
57 furnish to Seller all requested credit and financial information and to sign customary papers relating to the application for securing
58 of a mortgage commitment. If Seller is thereafter unable or unwilling to secure such commitment or to accept purchase money
59 financing as herein provided, this contract shall be null and void, and Buyer and Seller shall execute all necessary documents to
60 refund earnest money to Buyer.

61
62 4. **PRORATIONS:** Proratable items shall include, without limitation, Real Estate taxes based on 105 % of most recent
63 ascertainable taxes; assignable insurance policies, if requested by Buyer; rents and/or security deposits, if any; Special Service
64 Area tax for the year of closing only; Condominium Association fees, if any; water taxes and other proratable items including
65 flood hazard insurance shall be prorated to date of possession. Parties, hereto agree to re-prorate all unbilled Real Estate tax bills
66 through the date of closing.

67
68 5. **POSSESSION:** Possession shall be delivered at closing subject to existing leases and tenancies, unless otherwise agreed in
69 writing.

70
71 6. **ATTORNEY MODIFICATION:** The respective attorneys for the Parties may approve, disapprove, or make modifications to
72 this Contract, other than stated Purchase Price, within five (5) Business Days after the Date of Acceptance. Disapproval or
73 modification of this Contract shall not be based solely upon stated Purchase Price. Any notice of disapproval or proposed
74 modification(s) by any Party shall be in writing. If written notice is not served within the time specified, this provision shall be
75 deemed waived by the Parties and this Contract shall remain in full force and effect. If prior to the expiration of ten (10)
76 Business Days after Date of Acceptance, written agreement is not reached by the Parties with respect to resolution of
77 proposed modifications, then this Contract shall be null and void, and all earnest money shall be returned to Buyer.

78
79 7. **INSPECTION/ENVIRONMENTAL SITE ASSESSMENT:** This contract is contingent upon approval by Buyer of the
80 condition of the Real Estate as evidenced by an inspection/environmental site assessment conducted at Buyer's expense and by
81 contractor(s) selected by Buyer, within 90 business days after Seller's acceptance of this contract. Buyer shall indemnify
82 Seller from and against any loss or damage to the Real Estate caused by the acts or negligence of Buyer or the person performing
83 such inspection. If written notice of Buyer's disapproval is not served within the time specified, this provision shall be deemed
84 waived by the Buyer and this Contract shall remain in full force and effect.

85
86 8. **DISCLOSURE:** Within 5 business days after date of acceptance Seller shall provide to the Buyer all information relevant to
87 the condition, use and operation of the Real Estate available to Seller including but not limited to: schedule of operating expenses,
88 existing surveys and title policies. Seller shall prepare, and deliver to Buyer, all documentation for the Real Estate as may be
89 required by applicable disclosure laws in the jurisdiction the property is located. Seller shall also cooperate with Buyer to secure
90 whatever environmental site assessment Buyer or Buyer's lender deems necessary or appropriate.

91
92 9. **SELLER REPRESENTATION:** Seller represents that Seller has not received written notice from any Governmental body or
93 Homeowner Association regarding (a) zoning, building, fire or health code violations that have not been corrected; (b) any pending
94 rezoning; (c) any pending condemnation or eminent domain proceeding; or (d) a proposed or confirmed special assessment and/or
95 Special Service Area affecting the Real Estate. Seller represents, however, that, in the case of a special assessment and/or Special
96 Service Area, the following applies:

97 1. There [check one] is ☐ is not ☒ a proposed or pending unconfirmed special assessment affecting the Real Estate not
98 payable by Seller after date of Closing.

99 2. The Real Estate [check one] is ☐ is not ☒ located within a Special Service Area, payments for which will not be the
100 obligation of Seller after date of Closing.

101 If any of the representations contained herein regarding non-Homeowner Association special assessment or Special Service
102 Area are not acceptable to Buyer, Buyer shall have the option to declare this Contract null and void. If written notice of
103 the option to declare this Contract null and void is not given to Seller within ten (10) Business Days after Date of
104 Acceptance or within the term specified in Paragraph 7 (whichever is later), Buyer shall be deemed to have waived such
105 option and this Contract shall remain in full force and effect. Seller further represents that Seller has no knowledge of
106 boundary line disputes, easements or claims of easement not shown by the public records or any hazardous waste on the Real
107 Estate or any improvements for which the required permits were not obtained. Seller represents that there have been no
108 improvements to the Real Estate which are not either included in full in the determination of the most recent Real Estate tax
109 assessment or which are eligible for home improvement tax exemption. Notwithstanding anything to the contrary contained in this
110 contract, Seller represents that to the best of Seller's knowledge, all heating, central cooling, ventilating, electrical and plumbing

Buyer Initial <u>DAB</u>	Buyer Initial _____	Seller Initial <u>JS</u>	Seller Initial <u>JS</u>
Address <u>118 and 118 South Washington, Nilesdale,</u>		DuPage IL <u>60514</u>	

111 fixtures and systems on the Real Estate and all equipment to be transferred to Buyer pursuant to this contract are in working order
112 and will be so at the time of closing.

113 Seller represents that, to the best of Seller's knowledge, there are not now, nor have there been, any underground storage tanks
114 located on the Property and no chemicals or toxic waste have been stored or disposed of on the Property, except for ---

115 ---, and that the Property has not been cited for
116 any violation of any Federal, State, County or local environmental law, ordinance or regulation and the Property is not located
117 within any designated legislative "superfund" area, except for ---.

118
119 10. LEASES: Seller will not enter into or extend any leases with respect to the Real Estate from and after the date Seller signs this
120 contract without the express prior written consent of Buyer. All security deposits, damage deposits, or other deposits in the
121 possession of Seller, including interest earned, if applicable, shall be assigned to Buyer at the time of closing; Seller shall deliver to
122 Buyer, within 5 business days after the Date of Acceptance, true and correct copies of all leases, and this contract is subject to
123 Buyer's review and approval of same within 10 business days from Date of Acceptance. If written notice of Buyer's disapproval is
124 not served within 10 business days after Date of Acceptance, this provision shall be deemed waived by the Buyer and this contract
125 shall remain in full force and effect.

126
127 11. TITLE: At Seller's expense, Seller will deliver or cause to be delivered to Buyer or Buyer's attorney within customary time
128 limitations and sufficiently in advance of Closing, as evidence of title in Seller or Grantor, a title commitment for an ALTA title
129 insurance policy in the amount of the Purchase Price with extended coverage by a title company licensed to operate in the State of
130 Illinois, issued on or subsequent to the Date of Acceptance, subject only to items listed in Paragraph 15. The requirement of
131 providing extended coverage shall not apply if the Real Estate is vacant land. The commitment for title insurance furnished by
132 Seller will be conclusive evidence of good and merchantable title as therein shown, subject only to the exceptions therein stated. If
133 the title commitment discloses unpermitted exceptions, or if the Plat of Survey shows any encroachments which are not acceptable
134 to Buyer, then Seller shall have said exceptions or encroachments removed, or have the title insurer commit to insure against loss
135 or damage that may be caused by such exceptions or encroachments. If Seller fails to have unpermitted exceptions waived or title
136 insured over prior to Closing, Buyer may elect to take the title as it then is, with the right to deduct from the Purchase Price prior
137 encumbrances of a definite or ascertainable amount. Seller shall furnish Buyer at Closing an Affidavit of Title covering the date of
138 Closing, and shall sign any other customary forms required for issuance of an ALTA Insurance Policy.

139
140 12. PERFORMANCE: Time is of the essence of this Contract. In any action with respect to this Contract, the Parties are free to
141 pursue any legal remedies at law or in equity and the prevailing Party in litigation shall be entitled to collect reasonable attorney
142 fees and costs from the non-prevailing Party as ordered by a court of competent jurisdiction. There shall be no disbursement of
143 earnest money unless Escrowee has been provided written agreement from Seller and Buyer. Absent an agreement relative to the
144 disbursement of earnest money within a reasonable period of time, Escrowee may deposit funds with the Clerk of the Circuit Court
145 by the filing of an action in the nature of interpleader. Escrowee shall be reimbursed from the earnest money for all costs,
146 including reasonable attorney fees, related to the filing of the interpleader action. Seller and Buyer shall indemnify and hold
147 Escrowee harmless from any and all conflicting claims and demands arising under this paragraph. ---

148
149
150 13. NOTICE: All Notices, except as provided otherwise in Paragraph 31(C) (2), shall be in writing and shall be served by one
151 Party or attorney to the other Party or attorney. Notice to any one of a multiple person Party shall be sufficient Notice to all. Notice
152 shall be given in the following manner:

- 153 (a) By personal delivery of such Notice; or
154 (b) By mailing of such Notice to the addresses recited herein by regular mail and by certified mail, return receipt requested.
155 Except as otherwise provided herein, Notice served by certified mail shall be effective on the date of mailing; or
156 (c) By sending facsimile transmission. Notice shall be effective as of date and time of facsimile transmission, provided that
157 the Notice transmitted shall be sent on Business Days during Business Hours. In the event fax Notice is transmitted
158 during non-business hours, the effective date and time of Notice is the first hour of the next Business Day after
159 transmission; or
160 (d) By sending e-mail transmission. Notice shall be effective as of date and time of e-mail transmission, provided that the
161 Notice transmitted shall be sent during Business Hours, and provided further that the recipient provides written
162 acknowledgment to the sender of receipt of the transmission (by e-mail, facsimile, regular mail or commercial overnight
163 delivery). In the event e-mail Notice is transmitted during non-business hours, the effective date and time of Notice is the
164 first hour of the next Business Day after transmission; or
165 (e) By commercial overnight delivery (e.g., FedEx). Such Notice shall be effective on the next Business Day following
166 deposit with the overnight delivery company.

Buyer Initial <u>BSB</u>	Buyer Initial _____	Seller Initial <u>JS</u>	Seller Initial <u>JS</u>
Address <u>116 and 118 South Washington,</u>	<u>Hinsdale,</u>	<u>DuPage</u>	<u>IL 60514</u>

167 **14. BUSINESS DAYS/HOURS:** Business Days are defined as Monday through Friday, excluding Federal holidays. Business
168 Hours are defined as 8:00 A.M. to 6:00 P.M. Chicago time.

169
170 **15. FACSIMILE:** Facsimile signatures shall be sufficient for purposes of executing, negotiating, and finalizing this Contract.

171
172 **16. DAMAGE TO REAL ESTATE PRIOR TO CLOSING:** If, prior to delivery of the deed, the Real Estate shall be destroyed
173 or materially damaged by fire or other casualty, or the Real Estate is taken by condemnation, then Buyer shall have the option of
174 either terminating this Contract (and receiving a refund of earnest money) or accepting the Real Estate as damaged or destroyed,
175 together with the proceeds of the condemnation award or any insurance payable as a result of the destruction or damage, which
176 gross proceeds Seller agrees to assign to Buyer and deliver to Buyer at closing. Seller shall not be obligated to repair or replace
177 damaged improvements. The provisions of the Uniform Vendor and Purchaser Risk Act of the State of Illinois shall be applicable
178 to this Contract, except as modified in this paragraph.

179
180 **17. PLAT OF SURVEY:** Prior to closing, Seller shall furnish at Seller's expense an ALTA-ACSM survey dated not more than six
181 (6) months prior to Date of Acceptance by a licensed land surveyor showing the location of the improvements thereon (including
182 fences separating the Real Estate from adjoining properties) and showing all encroachments, if any. If the survey discloses
183 improper location of improvements or encroachments and Seller is unable to obtain title insurance protection for the benefit of
184 Buyer against loss resulting from such improper locations or encroachment, Buyer may, at his option, declare this contract to be
185 null and void. Providing all existing improvements (including fences) and encroachments, if any, appear on the survey thus
186 furnished, Buyer shall bear the cost of any later date survey which may be required by Buyer's lender or desired by Buyer.

187
188 **18. BILL OF SALE:** All of the items of personal property shall be transferred to Buyer by delivery at closing of Bill of Sale
189 without warranty of merchantability or fitness for particular purpose.

190
191 **19. AFFIDAVIT OF TITLE:** Seller also shall furnish Buyer an Affidavit of Title covering the time of closing, subject only to the
192 title exceptions permitted by this contract and shall sign customary ALTA forms.

193
194 **20. CLEAN CONDITION:** Seller shall remove all debris from the Real Estate and improvements by date of possession. Buyer
195 shall have the right to inspect the Real Estate and improvements prior to closing to verify that the Real Estate, improvements and
196 included personal property are in substantially the same condition as of the date of Seller's acceptance of this contract, normal
197 wear and tear excepted.

198
199 **21. CODE VIOLATIONS:** The Seller warrants that neither Seller nor Seller's agent has received notice of any dwelling zoning,
200 building, fire and health code violations which exists on the date of this contract from any city, village, or other governmental
201 authority.

202
203 **22. MUNICIPAL ORDINANCES:** Seller shall comply with the terms of any municipal ordinance relating to the transaction
204 contemplated herein for the municipality in which the Real Estate is located and shall provide to Buyer at closing evidence of
205 compliance with such ordinances. Transfer taxes required by local ordinance shall be paid by the party designated in such
206 ordinance. Seller shall pay any transfer tax imposed by state law.

207
208 **23. SPECIAL FLOOD HAZARD AREA:** Buyer shall have the option to declare this Contract null and void if the Real Estate is
209 located in a special flood hazard area which requires Buyer to carry flood insurance. If written notice of the option to declare
210 this Contract null and void is not given to Seller within ten (10) Business Days after Date of Acceptance or within the term
211 specified in Paragraph 2 (whichever is later), Buyer shall be deemed to have waived such option and this Contract shall
212 remain in full force and effect.

213
214 **24. TAX LAW COMPLIANCE:** Seller agrees to provide to the Internal Revenue Service the Sale of Real Estate 1099 form as
215 required by law. This contract and the transaction described herein may be subject to the provisions of the Foreign Investment in
216 Real Property Tax Act of 1980 and all amendments thereto (the "Act"). Seller and Buyer shall execute or cause to be executed all
217 documents and take or cause to be taken all actions necessary in order that Buyer shall have no liability, either actual or potential,
218 under the Act. This contract and the transaction described herein may be subject to the provisions of the Foreign Investment in
219 Real Property Tax Act of 1980 and all amendments thereto (the "Act"). Seller and Buyer shall execute or cause to be executed all
220 documents and take or cause to be taken all actions necessary in order that Buyer shall have no liability, either actual or potential,
221 under the Act.

Buyer Initial <u>AB</u>	Buyer Initial _____	Seller Initial <u>ST</u>	Seller Initial <u>MD</u>
Address <u>116 and 118 South Washington,</u>	<u>Hinsdale,</u>	<u>DuPage</u>	<u>IL 60514</u>
(Page 4 of 6) Form 6008 Rev. Nov. 2007 -- MAINSTREET ORGANIZATION OF REALTORS®			

222 25. CAPTIONS: Captions are not intended to limit the terms contained after said caption and are not part of the contract.

223

224 26. TAX-DEFERRED EXCHANGE: Seller and Buyer agree to cooperate in any applicable tax- deferred Exchange, and shall
225 execute all documents with respect thereto at their own expense, pursuant to the applicable provisions of the Internal Revenue
226 Code, as amended from time to time.

227

228 27. CONDOMINIUM/Common Interest Associations: (If applicable) The Parties agree that the terms contained in
229 this paragraph, which may be contrary to other terms of this Contract, shall supersede any conflicting terms.

230 (a) Title when conveyed shall be good and merchantable, subject to terms, provisions, covenants and conditions of the
231 Declaration of Condominium/Covenants, Conditions and Restrictions and all amendments; public and utility easements
232 including any easements established by or implied from the Declaration of Condominium/Covenants, Conditions and
233 Restrictions or amendments thereto; party wall rights and agreements; limitations and conditions imposed by the
234 Condominium Property Act; installments due after the date of Closing of general assessments established pursuant to the
235 Declaration of Condominium/Covenants, Conditions and Restrictions.

236 (b) Seller shall be responsible for all regular assessments due and levied prior to Closing and for all special assessments
237 confirmed prior to the Date of Acceptance.

238 (c) Buyer has, within five (5) Business Days from the Date of Acceptance, the right to demand from Seller items as stipulated
239 by the Illinois Condominium Property Act, if applicable, and Seller shall diligently apply for same. This Contract is
240 subject to the condition that Seller be able to procure and provide to Buyer, a release or waiver of any option of first
241 refusal or other pre-emptive rights of purchase created by the Declaration of Condominium/Covenants, Conditions and
242 Restrictions within the time established by the Declaration of Condominium/Covenants, Conditions and Restrictions. In
243 the event the Condominium Association requires personal appearance of Buyer and/or additional documentation, Buyer
244 agrees to comply with same.

245 (d) In the event the documents and information provided by Seller to Buyer disclose that the existing improvements are in
246 violation of existing rules, regulations or other restrictions or that the terms and conditions contained within the
247 documents would unreasonably restrict Buyer's use of the premises or would result in increased financial obligations
248 unacceptable to Buyer in connection with owning the Real Estate, then Buyer may declare this Contract null and void
249 by giving Seller written notice within five (5) Business Days after the receipt of the documents and information
250 required by Subparagraph (c) above, listing those deficiencies which are unacceptable to Buyer. If written notice is
251 not served within the time specified, Buyer shall be deemed to have waived this contingency, and this Contract
252 shall remain in full force and effect.

253 (e) Seller shall not be obligated to provide a condominium survey.

254 (f) Seller shall provide a certificate of insurance showing Buyer (and Buyer's mortgagee, if any) as an insured.

255

256 ☐ ☐ ☐ ☐ 28. CONFIRMATION OF DUAL AGENCY: The Parties confirm that they have previously consented
257 N/A (Licensee) to acting as a Dual Agent in providing brokerage services on their
258 behalf and specifically consent to Licensee acting as a Dual Agent in regard to the transaction referred to in this contract.

Buyer Initial <u>DDA</u>	Buyer Initial _____	Seller Initial <u>JD</u>	Seller Initial <u>JD</u>
Address <u>116 and 118 South Washington,</u>	<u>Hinsdale,</u>	<u>DuPage</u>	<u>IL 60514</u>

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From: Long Realty

6308878145

07/20/2011 12:12

#018 P.007/007

259 The terms of Rider(s) N/A attached hereto are made a part hereof.

260
261 08/20/2011
262 Date of Offer
263 *[Signature]*
264 Buyer (signature)
265 MANASINICA PARTNER
266 Buyer (signature)
267 Rock Rubicon LLC
268 Print Buyer(s) Name(s) [Required]
269
270 Address
271
272
273 City State Zip
274
275 Phone Number(s)
276
277

7-11-11
Date of Acceptance
[Signature]
Seller (signature)
[Signature]
Seller (signature)
George and Shirley Tolbert
Print Seller(s) Name(s) [Required]
49 Forest Gate Circle
Address
Oak Brook IL 60523
City State Zip
630-938-1044 630-319-8774
Phone Number(s)

278 F O R I N F O R M A T I O N O N L Y
279 Long Realty 20132
280 Selling Office MLS #
281 Bob Long 211069
282 Buyer's Designated Agent MLS #
283 630-728-7666
284 Phone Fax
285 boblong@longrealty.net
286 Email
287 Hal Lipshutz
288 Buyer's Attorney Email
289 773-975-0030
290 Phone Fax
291
292 Mortgage Company Phone
293
294
295
296
297
298
299
300
301
302
303

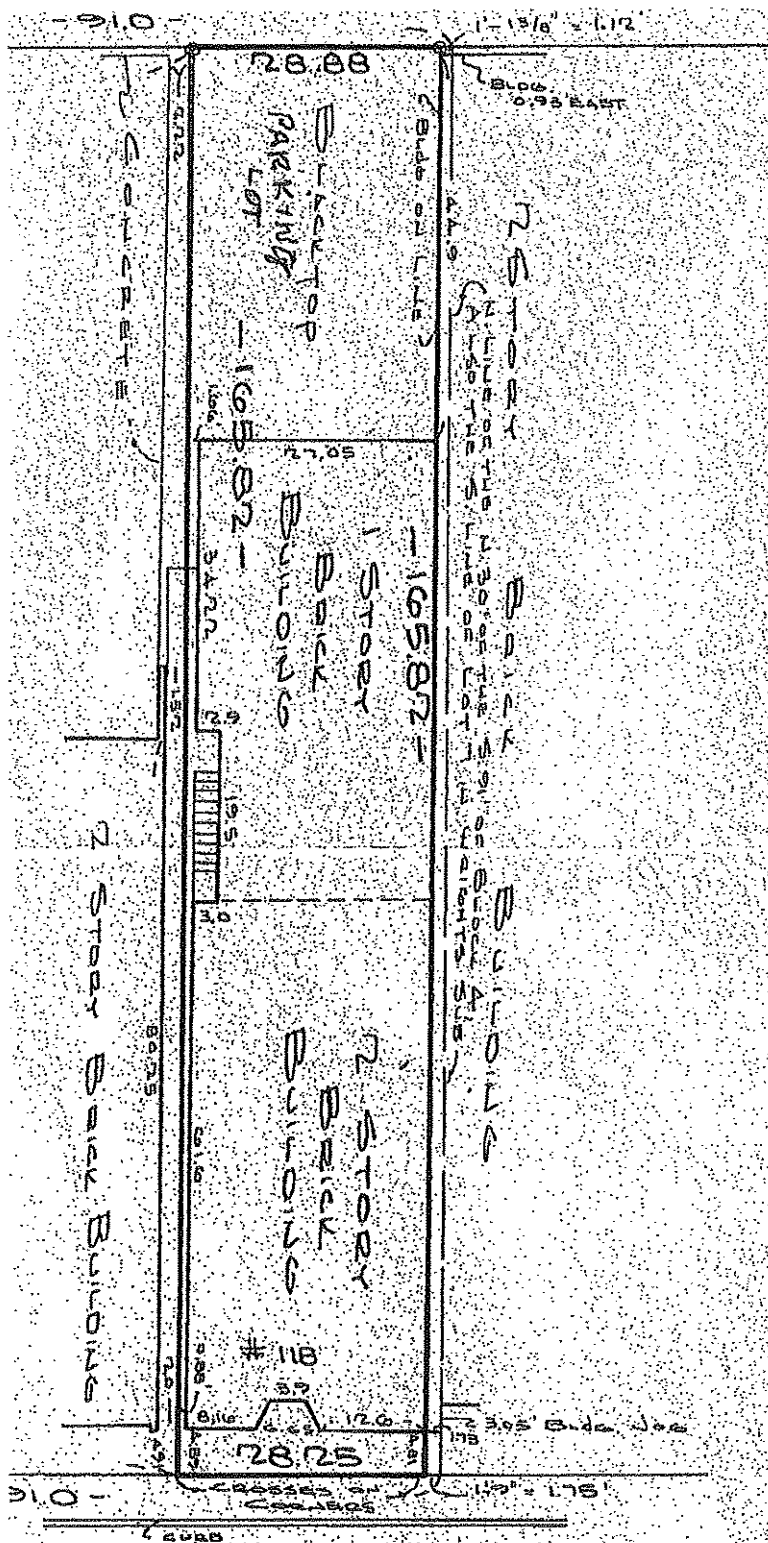
Site Solutions Real Estate Advisors / Waypoint Properties, LLC
Listing Office/co listing office MLS #
Robert Schroedter / Stuart Oseroff / John Bell
Listing Designated Agent MLS #
630-470-9948
Phone Fax
rschroedter@sitesolutionsre.com
Email
Seller's Attorney Email
Phone Fax
Loan Officer Fax

Approved by the following organization - DuPage County Bar Association.

Buyer Initial *[Signature]* Buyer Initial _____ Seller Initial _____ Seller Initial _____
Address 116 and 118 South Washington, Hinsdale, DuPage IL 60514

PLAT OF SURVEY

OF THE NORTH 30.0 FEET OF THE SOUTH 91.0 FEET OF THE EAST HALF OF BLOCK 4 (EXCEPT THE ALLEY AND EXCEPT THAT PART THEREOF DESCRIBED AS LYING SOUTH OF THE SOUTH LINE OF LOT 7 IN WRIGHT'S SUBDIVISION OF LOTS 1, 2, 3, 4 AND THE NORTH 4.0 FEET OF LOT 5 AND 6 IN SAID BLOCK 4 AND NORTH OF A LINE DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 5 WHICH IS 1.9" SOUTH OF THE SOUTH LINE OF LOT 7 IN WRIGHT'S SUBDIVISION, AFORESAID; AND RUNNING THENCE WEST TO A POINT IN THE WEST LINE OF SAID LOT 5 WHICH IS 1.1 3/8" SOUTH OF THE SOUTH LINE OF LOT 7, AFORESAID) IN BLOCK 4 IN THE TOWN OF HINSDALE, BEING A SUBDIVISION OF THE NORTHWEST QUARTER (EXCEPT RAILROAD LANDS) OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 14, 1866, AS DOCUMENT 7738, IN DUPAGE COUNTY, ILLINOIS.



(Blacktop Paving)

GTON

STREET

From: Long Realty

6308878145

07/22/2011 11:36

#022 P.005/006

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 1ST INSTALLMENT PAYMENT OF 2010 TAX
 MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203
 PAY ON-LINE AT: treasurer.dupageco.org
 SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-12-122-013

TOLBERT, GEORGE & SHIRLEY
 49 FORESTGATE CIR
 OAK BROOK IL 60523

ON OR BEFORE:	PAY:
JUNE 1, 2011	\$ 5,615.97
PAYING LATE?	PAY THIS AMOUNT:
JUN 2 THRU 30	5,700.21
JUL 1 THRU 31	5,784.45
AUG 1 THRU 31	5,868.69
SEP 1 THRU 30	5,952.93
OCT 1 THRU 31	6,037.17
NOV 1 THRU 16	6,121.41

U.S. POSTMARK IS USED TO
 DETERMINE LATE PENALTY.

PAYMENT OF THIS 2010 TAX
 BILL AFTER OCTOBER 31, 2011,
 REQUIRES A CASHIER'S CHECK,
 CASH OR MONEY ORDER.

☐ CHANGE OF
 NAME/ADDRESS

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 16, 2011

\$5,615.97 PAID MAY 31, 2011

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 2ND INSTALLMENT PAYMENT OF 2010 TAX
 MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203
 PAY ON-LINE AT: treasurer.dupageco.org
 SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-12-122-013

TOLBERT, GEORGE & SHIRLEY
 49 FORESTGATE CIR
 OAK BROOK IL 60523

ON OR BEFORE:	PAY:
SEPT 1, 2011	\$ 5,615.97
PAYING LATE?	PAY THIS AMOUNT:
SEP 2 THRU 30	5,700.21
OCT 1 THRU 31	5,784.45
NOV 1 THRU 16	5,878.69

U.S. POSTMARK IS USED TO
 DETERMINE LATE PENALTY.

PAYMENT OF THIS 2010 TAX
 BILL AFTER OCTOBER 31, 2011,
 REQUIRES A CASHIER'S CHECK,
 CASH OR MONEY ORDER.

☐ CHANGE OF
 NAME/ADDRESS

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 16, 2011

2091212201329059000056159762

Rate 2009	Tax 2009	Taxing District	Rate 2010	Tax 2010	Mail To:	TIF Frozen Value
		** COUNTY **				Fair Cash Value
.0032	252.02	COUNTY OF DU PAGE	.0097	253.98	TOLBERT, GEORGE & SHIRLEY	Land Value 69,140
.0203	54.89	PENSION FUND	.0215	54.77	49 FORESTGATE CIR	+ Building Value 185,610
.0314	84.80	COUNTY HEALTH DEPT	.0323	82.28	OAK BROOK IL 60523	= Assessed Value 254,750*
.0105	28.39	PENSION FUND	.0124	31.58	Property Location:	x State Multiplier 1.0000
.1138	307.72	FOREST PRESERVE DIST	.1215	309.52	WASHINGTON ST	= Equalized Value 254,750
.0079	21.35	PENSION FUND	.0106	27.00	HINSDALE, 60521	- Residential Exemption
.0148	40.02	DU PAGE AIRPORT AUTH	.0158	40.25		- Senior Exemption
		** LOCAL **				- Senior Freeze
NO LEVY		DU PAGE WATER COM	NO LEVY		Township:	- Disabled Veteran
.0245	66.25	DOWNERS GROVE TWP	.0268	68.27	DOWNERS GROVE	- Disability Exemption
.0011	2.97	PENSION FUND	.0013	3.31	630-719-6630	= Returning Veterans Exemption
.0308	89.51	DOWNERS GR TWP RD	.0399	101.54	Tax Code:	- Housing Abatement
.0014	3.78	PENSION FUND	.0021	5.34	9069	= Net Taxable Value 254,750
.1473	398.31	VLG OF HINSDALE	.1997	508.73	Property Index Number:	x Tax Rate 4.4090
.1345	363.70	PENSION FUND	.1180	300.60	09-12-122-013	= Total Tax Due 11,231.94
.1068	288.79	VLG HINSDALE LIBRARY	.1211	308.59	Back Taxes: NO	
.0138	37.31	PENSION FUND	.0160	38.21		
NO LEVY		FLAGG CRK WATER REC	NO LEVY			
		** EDUCATION **				
1.8565	5,020.16	GRADE SCHL DIST 181	2.0783	5,294.46		
.0458	123.84	PENSION FUND	.0570	145.20		
1.0071	2,895.54	HIGH SCHOOL DIST 66	1.1707	2,982.35		
.0277	74.90	PENSION FUND	.0304	77.44		
.2127	575.24	COLLEGE DU PAGE 502	.2348	598.51		
3.0670	10,720.60	TOTAL	4.4090	11,231.94		

* \$ OF A FACTOR .94210

CHANGE OF NAME/ADDRESS:
 COUNTY CLERK 630-407-5540

1st INST PAID MAY 31, 2011


2nd INST DUE ON SEPT 1, 2011



2010 DuPage County Real Estate Tax Bill
 Gwan Henry, CPA, County Collector
 421 N. County Farm Road
 Wheaton, IL 60187

Office Hours - 8:00 am-4:30 pm, Mon-Fri
 Telephone - (630) 407-5900

Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: September 14, 2011
Re: Sign Review – 28 W. Chicago Avenue – Frey Orthodontics

The applicant is proposing a sign on the awning at the property located at 28 W. Chicago Avenue. The site is located in the B-1, Community Business District and is developed with a two-story office building. There are currently two awning signs that will remain.

The existing awning is black in color and is located on the north and west facing elevations of the building. The proposed awning sign would include white text (see attached exhibits) identical to that of the signage that currently exists. The proposed signage on the front valance would be approximately 20 square feet (1'-0" x 20'-0").

Subsection 9-106I of the Zoning Code provides the requirements for signage in the B-1 Community Business District. The Code allows two awning signs with a maximum square footage of five percent of the square footage of the wall to which the signs are affixed. As such, the proposed sign application does not currently meet the requirements of Section 9-106 – Signs of the Zoning Code, however pursuant to Section 11-607F(2)(c), the Plan Commission does have the authority to increase the maximum number of signs of any functional type otherwise allowed. Should the additional sign be permitted, the maximum square footage for **all** signs cannot exceed the maximum allowance of approximately 69 square feet. As such, the proposed signage would comply.

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

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

Applicant

Name: Dwight A. Frey
Address: 28 West Chicago Avenue
City/Zip: Hinsdale 60521
Phone/Fax: (630) 323-1406
E-Mail: doctorfrey@freyortho.com
Contact Name: Chris Henderson

Contractor

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

ADDRESS OF SIGN LOCATION:

28 W. Chicago Avenue.

ZONING DISTRICT:

Sign Type:

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

Sign Information:

Overall Size (Square Feet): 30' (12" x 20ft)
Overall Height from Grade: 9 Ft.
Proposed Colors (Maximum of Three Colors):
① White ② _____
③ _____
Type of Illumination: NONE
Foot Candles: NONE

Site Information:

Lot/Street Frontage: Corner-Chicago + Lincoln Ave.
Building/Tenant Frontage: _____
~~Existing~~ Sign Information:
Business Name: Dentistry by Design, P.C.
Size of Sign: 12 Square Feet
Business Name: _____
Size of Sign: 12 Square Feet

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

[Signature]
Signature of Applicant

8/8/11
Date

[Signature]
Signature of Building Owner

8.19.11
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: _____

Awning Corner Length: 12'

Awning Height: 18"

White Letters on Black Background Prints 12" (H) x 12" (W) ~ Curved Corner



Dentistry by Design, P.C.
Frey Orthodontics, P.C.
28 West Chicago Avenue
Hinsdale, IL 60521


DENTISTRY *by* DESIGN
excellence in the art & science of cosmetic dentistry

Frey Orthodontics
A Future To Smile About

Awning Design
Corner of Chicago and Lincoln Avenue
Exposure

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner 

Cc: Robb McGinnis, Director of Community Development/Building Commissioner
David Cook, Village Manager

Date: September 14, 2011

Re: Public Hearing for Case A-05-2011 and A-22-2011
Applicant: Eden Assisted Living
Request: Site Plan/Exterior Appearance Approval for Landscaping and Removal of the Existing Townhomes at 10 N. Washington Street and a Text Amendment to Section 4-112, as it relates to density and multi-building access in the R-5 and R-6, Multi-Family Residential Districts.

The Applicant, Eden Assisted Living, has submitted an application to amend Article IV (Multiple Family Residential Districts), Section 4-112, of the Village of Hinsdale Zoning Code, as it relates to density and multi-building access for Personal Care Facilities and Senior Citizen Housing, in the R-5 and R-6, Multi-Family Residential Districts. At the Village Board meeting of August 16, 2011, the Board approved requests for Special Use Permits for a Planned Development, Personal Care Facility and Senior Citizen Housing, subject to the applicant returning to the Plan Commission to obtain a text amendment related to density and multi-building access, as well as approval for site plan/exterior appearance. As part of the recommendation, the Board requested that the applicant remove the existing townhomes on the subject property and as such, the applicant is required to obtain revised site plan/exterior appearance approval for the changes to the site plan. The applicant has revised their site plan and landscape plan accordingly. Additionally, the Board advised the applicant that they would expedite the process as quickly as they could and asked staff to proceed accordingly. As such the applicant is reappearing before you at the direction of the Village Board. Attached you will find the applicant's revised applications and any additional information as a result of the direction given to the applicant by the Board.

Below is draft language proposed by the applicant (changes are underlined), that would amend the Zoning Code as it relates to density and multi-building access in the R-5 and R-6, Multi-Family Residential Districts. As a result of discussions at the Zoning and Public Safety Committee meeting, a slight modification to the original language has been recommended and is identified below with a double underline.

Section 4-112

B. Minimum Lot Area and Dimensions:

2. Lot Area Per Unit (square feet)

f. Nursing or Personal Care Facility⁽³⁾

g. Planned Development⁽³⁾

R-5

R-6

2,000

1,500

5,000

3,000

G. *Exceptions and Explanatory Notes.*

3. *Density adjustment for senior citizen housing and*

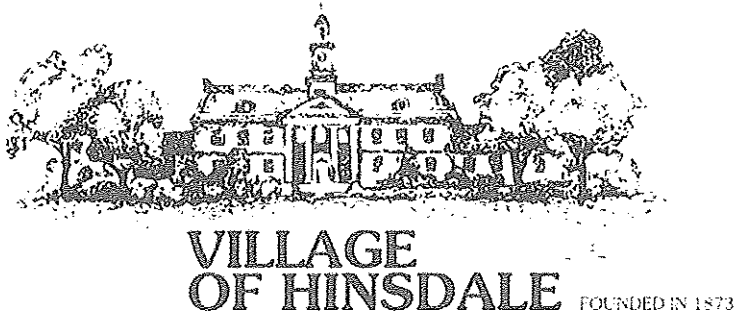
personal care facilities.

(b) Maximum permissible adjustment.

No such adjustment shall reduce the lot size per dwelling unit requirement to less than 2,000 square feet unless such request is in conjunction with a Special Use for a Planned Development requesting Special Use permits for both a Personal Care Facility and Senior Citizen Housing, and provided that the structures that are the subject of the application were constructed prior to the year 2000 adoption of this code.

18. Buildings for Senior Citizen Housing and Personal Care Facilities. Separate buildings connected by atriums and/or enclosed walkways, shall not create a single structure.

Cc: President Cauley and Village Board of Trustees
David Cook



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

Address of proposed request: 10 North Washington Street, Hinsdale, Illinois 60521

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.

INTRODUCTORY NOTE: *This application is intended to encompass the modified plan. For historical purposes and background in response to the different criteria, Applicant respectfully restates the initial application responses below to the extent that they remain relevant for the purpose of review and approval of the option to proceed with 61 apartments and 69 units, including the change at the northeast corner of the subject property to add open space improvements. Please note that all references to prior applications should be taken in this context.*

- 1. Open spaces.** The quality of the open space between buildings and in setback spaces between street and facades. **Response:** *Applicant proposes the adaptation of existing structures and landscape spaces to allow an assisted living facility. No meaningful change is requested in the site design other than in relation to the west parking area with egress onto Lincoln. At the point of egress, there will be a 10-foot landscape area. The parking area will otherwise occupy the area between the north and south lot lines. For safety and maintenance purposes, the paved area abutting the west line of the public alley will remain paved. The development of the use in the 1970's led to construction on a nearly zero setback basis along Washington (corner side), Maple*

(front) and the alley (interior side). The zero or near-zero setback planning is common to many non-residential uses in the neighborhood. The rear yard nearly meets the zoning code other than the refrigeration/freezer unit and shed. While the shed is a permitted accessory structure, separation of the shed from the main buildings can be created if required and if the Village believes that it should be separated further from the refrigeration/freezer unit. The refrigeration/freezer unit is situated in the rear yard and has its point of entrance from the interior of the south building's lower level. The current location of the shed and the refrigeration/freezer unit near the loading zone is a customary practice and leads to more open space in the remainder of the rear yard. The location of these structures arose from an approved modification to the planned development. The area along the shared lot line is substantially landscaped and has mature trees. A board-on-board fence divides the Subject Property from The Northern Trust Bank property. Interior common areas for courtyards offer a benefit to the use, residents and their visitors. This landscaping will be rehabilitated and maintained, as will be the common area pedestrian ways (subject to accessibility redesign, if any). The perimeter of the Subject Property on Washington and Maple features the lower-profile elements of the property in order to create the appearance of more open space along these two streets and to add open space to the southwest corner of Washington and Maple. The mass of the building does not create an offensive view from the south or the west in light of surrounding building types and heights. From the west, an elevated hallway provides a view from the public alley into one of the courtyards. A patio area along the south lot line lies just north of a patio or open area for The Northern Trust Bank.

2. **Materials.** The quality of materials and their relationship to those in existing adjacent structures. **Response:** Adjacent structures are typically brick or brick and masonry structures. Two houses have been converted to law office and builder office use, and these continue to retain their historic residential appearance with wood or fabricated siding. The Brush Hill office building features brick and wood siding. The colors and tones of the existing brick is in general conformity with the brick for The Northern Trust Bank building, but it is a bit darker and more uniform in appearance than the differentiated brick at The Northern Trust Bank. Exterior brick on the current structures seems to be in good condition with minimal, if any, tuckpointing required. The existing construction provides for: (a) brick along Maple; (b) brick with a finished entry feature along Washington; (c) brick and glass (common dining area) with upper floor small balconies facing the south lot line; and (d) brick and masonry (resident parking areas) with upper floor small balcony features for the west facade of the buildings along the alley. The larger buildings have flat roofs. The townhome structures closest to Maple and Washington will be removed. Interior courtyards feature brick and glass, the reverse side of the finished main entry feature and a masonry and glass hall connection of a color and tone consistent with the color of the various bay windows throughout the Subject Property. Applicant will utilize a wall sign of similar size to the one that currently exists.
3. **General design.** The quality of the design in general and its relationship to the overall character of neighborhood. **Response:** The existing buildings have reflected a quality and style of design for the non-residential areas south of Maple. The brick components are consistent with all properties on the block with the exception of the two office properties on Lincoln. While the institutional uses and the two office properties in residential structures feature larger setbacks, uses common to the area of Chicago and Lincoln show a similar zero or near zero setback. The Northern Trust Bank property and

its yards suffer no detriment from the existing structures inasmuch as the use developed after the 1974 origination of use at the Subject Property. Mature trees and landscaping also contribute to the general design of the development. Profiles from streets in all directions indicate that the height of the existing buildings fit within the neighborhood. The interior orientation of the courtyards and their design are not common features in the neighborhood, but the courtyard amenities are special to this development and their maintenance should benefit those on site and off-site. The open space created at the northeast corner of the subject property will compliment the viewscape and existing yards at the intersection of Washington and Maple.

- 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. **Response: Applicant proposes to retain most healthy existing trees while replanting and rearranging the remaining landscaping in accordance with a landscaping plan previously submitted and approved by the Plan Commission. The same is true of the general design of all parking and parking areas (though there is a slight expansion of impervious surface for the new 45-degree parking plan also submitted and approved by the Plan Commission in previous hearings). Ample pedestrian access exists along Maple and Washington, the main entrance on Washington and the private entrances just east of the alley. Servicing of the property will occur through the loading area that is situated along the alley. There are plans for reserved resident parking spaces underneath the two west buildings and these spaces have long existed under a common planning device that contemplates residential access to public alleys. The west parking area is intended for employee, guest and resident parking. This parking area takes its ingress from the alley and its egress onto Lincoln. To the extent that the Village requires improvements to the alley as a result of permitting for the 45-degree parking or the re-use of the resident parking east of the alley, Applicant will provide it. The alley itself has been observed frequently and there is no common pedestrian use of the alley inasmuch as the alley provides secondary access to properties and it does not serve as a primary source of pedestrian access to other uses. Vehicular traffic patterns in the area will remain similar to what they have been before 2009 and between 2009 and the present. Ample street parking in the area exists and Maple, Lincoln and Washington parking has been observed in summer and during school months to be underutilized. The Village has exercised caution to avoid long term commuter parking in its downtown area through the use of meters or posted regulations. This practice will also deter use of public parking spaces by Applicant's employees and residents in a fashion that would be inconsistent with the intent of parking regulations in downtown Hinsdale.**
- 5. Height.** The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. **Response: The 34-foot height of the buildings is compliant with the Senior Housing requirement of 35 feet. The nearby buildings are of a similar appearance in height even though they may be shorter or have heights measured differently based on the roof style. The institutional buildings in the area (Memorial Hall and two institutional uses dominate the perspectives on the north and east. The appearance of the property from the south and west is consistent with the heights of structures on the north side of Chicago and the west side of Lincoln. Additionally, the lower-profile components of the existing structures are all placed along Washington and Lincoln so as to avoid the appearance of height at the east and north lot lines. The three-story and 34-foot height appearance is minimized from the south by substantial mature**

landscaping and a fence along the south lot line. Lastly, the existing structures are constructed into the grade that has always sloped from the north along Maple to the south along Chicago.

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. **Response: As noted above, the removal of the lower-profile townhome component of the existing structures (along the front lot line (Maple)) will enhance the area but the façade of the westernmost building will remain where it has existed. This avoids the appearance of mass along the front façade. Similar considerations apply to the corner side lot line along Washington, but the two-story appearance is more prominent at the lot line than along Maple. One will not generally observe immediate three story appearances from the street inasmuch as these are set back from the lot lines and generally obscured by a combination of other building components, landscaping and the change in grade.**
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. **Response: It is difficult to conclude that the existing buildings are visually related to one or more types of structures in this area because the uses vary substantially from one another. The brick and glass proportions are similar to aspects of The Northern Trust Bank building, yet the main entrance feature (with windows) may be more aligned to the main entrance features at Memorial Hall or the institutional uses to the north. The proportion of openings is consistent with multiple family residential housing, but this is the only use in this particular multiple family district. The openings to the existing building are compatible. Since 1974, there is no known concern for incompatibility that has arisen.**
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. **Response: The appearance of solid wall faces is consistent with other uses in the area. The rhythm of solids to voids in the existing structures is consistent with the uses to the south and southwest and with the Unitarian Church of Hinsdale. The same is true of the relationship with Memorial Hall's west façade. The removal of the townhomes along Maple will avoid possible disparity in facades along Washington and along Maple.**
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. **Response: Visual relationships with buildings to the southwest and west are consistent. The corner side yards of the Subject Property and of The Northern Trust Bank property are consistent in having landscaping along the sidewalk. This is so despite the larger yard provided in relation to The Northern Trust Bank use.**
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. **Response: There are no projections from the structures other than the bay windows. Exterior bay windows begin after the more significant grade change in the alley. There are no bay window projections along Maple or Washington. A railing existing along the west facade, and its white metal appearance,**

does not create any incongruity. The main entrance feature is an interior feature that adds a design feature that is removed from the Washington streetscape.

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. **Response: Please see above discussion at #2.**
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. **Response: The use of the flat roof for the larger buildings avoids an appearance of mass and height.**
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. **Response: The existing buildings accomplish this and it apparent when walking the opposite sides of nearby rights of way from Washington west to Lincoln.**
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. **Response: Please see above discussion of height and mass, of height and mass along Washington and Maple, and of surrounding zero or near-zero lot line developments in the area. The current structures have achieved visual compatibility but the removal of the townhomes and the installation of open space improvements at the northeast corner of the subject property will increase visual compatibility in the area.**
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. **Response: Inasmuch as the R-5 District at issue includes only one parcel, the Subject Property, it is rational to use Washington for the main entrance. The sole vertical element of the building is the main entry feature that has been approved by the Village. The building has a horizontal character otherwise, and this is consistent with several area buildings. An exception lies for portions of Memorial Hall and the religious institution at the northwest corner of Maple and Washington. The deep setbacks and placement of the library offer separation between the chief vertical components of Memorial Hall. The grade changes and Maple itself separate the religious institution's vertical component from the Subject Property. Nevertheless, the chief vertical component of the religious institution directly north of the site lies at the points of entrance. The second religious institution has a horizontal character and its character has not led to incongruity in directional expressions of elevation in the neighborhood.**
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. **Response: The materials in place for the existing building are sufficient for the use and design. No other changes are required in order to attempt to better blend this building with the neighborhood.**

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.

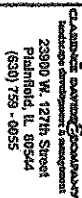
1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. **Response: Please see Exhibit C, the Application for Certificate of Zoning Compliance, the Application for Special Use Permit and the Application for Special Use for Planned Development.**
2. The proposed site plan interferes with easements and rights-of-way. **Response: The site plan draws traffic into the west parking area from a public alley. Since users of this parking area will be destination users, there is no expectation that confusion will occur and cause interference in the alley or nearby streets. The west parking area appropriately plans for 45-degree parking with its sole ingress from the alley and sole egress onto Lincoln. This will not cause a change in existing or past flows. Parking is sufficient and should not lead to congestion in the streets.**
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. **Response: Since the proposal is to adapt the existing buildings for a new use, there is no proposal to change or modify anything in the area other than the west parking area. The minimal extension of paved surface will still provide a 10-foot landscaped buffer on the west. The buildings in place are designed and constructed into the existing grade. Applicant will improve the alley to the extent required in the permitting process when it slightly modifies the west parking area and restores the area for parking along the east line of the alley.**
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. **Response: The modification of the west parking area will not obstruct views to signs for neighboring uses or affect daylighting or the sight triangle at the point of egress onto Lincoln. The existing buildings have existed without posing injury or harm to the use and enjoyment of surrounding properties since 1974.**
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. **Response: Pedestrian circulation is unaffected. Employees and some residents and visitors may cross an alley, but principal pedestrian circulation is from sidewalks on Maple and Washington and this will continue. Vehicular traffic will remain unaffected. The mid-block egress onto Lincoln lies between two office structures and is sufficiently distant from the intersections of Lincoln with Maple and Chicago and from drives for the**

Fuller's automotive service use. Circulation patterns should remain the same. Principal traffic flows will be similar to routes taken by those traveling to other downtown uses.

6. The screening of the site does not provide adequate shielding from or for nearby uses. **Response: The existing buildings are situated close to Washington with landscape areas along the sidewalk. Typically, no screening is provided from alleys, particularly within the block. The mature trees and landscaping, coupled with The Northern Trust Bank fence operate to adequately screen the buildings from the south. The use of lower-profile design (removal of the townhomes along Maple and installation of open space improvements) should be sufficient and additional screening should not be required. Parkway trees do exist in the area.**
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. **Response: Please see discussion above. Comfort, convenience and enjoyment arise from the site plan for the existing buildings. There is a sense of relationship between the existing structures to the north and east as a result of their profile along Washington and Maple. Moreover, the brick, window spacing and placement of the mass of the structure away from Maple and Washington serve to increase the attractiveness of the site. Amenity also relates to social and moral aspects of the development, but the value of this aspect of amenity review does not ordinarily arise during site plan review and Applicant does not address it in this application. The open space improvements at the northeast corner enhance existing social components of the subject property. Please see the applications for Special Use Permit and Special Use Permit for Planned Development.**
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. **Response: The sole purpose of the site plan is to continue existing structures (other than the townhomes which will be replaced with open space improvements) and enhance the west parking area. The interior open space (courtyards) and the patio in the rear (south) of the existing buildings have survived since the mid-1970's—despite the changes that occurred at the site since the 1990's. This is an indication of adequate planning from a site plan perspective. As a result, Applicant can substantially rely on the matured landscaping and trees.**
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. **Response: The existing buildings have not been a source of concern for drainage or erosion problems since 1974. To the extent that use and run-off in the alley have caused erosion or deterioration of the alley, Applicant will be responding to this during the permit process. There will be some rehabilitation to the alley where erosion may have occurred. Otherwise, there are no internal or external flooding or drainage concerns known to the Applicant.**
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. **Response: The re-use of most of the existing structures and maintenance of the number 61 apartments and 69 units is an indication that demands on utilities will not increase, be they water, sewer, gas or electrical (the prior use was more intense). The site is currently fully integrated**

into the utility systems of the Village, and this has been the case continuously since 1974 (even during the period when the last resident moved away).

11. The proposed site plan does not provide for required public uses designated on the Official Map. ***Response: The plan is to adapt the use of most of the existing buildings. Public use areas are not required under the plan and map for the Village. Dedications or fees in lieu of dedications are also not necessary for the same reason.***
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. ***Response: There is no detriment to the public health, safety and welfare. Please see above responses.***



**Corner of Washington
and Maple
Option #2**

**Eden Supportive
Living - Hinsdale
Hinsdale, IL**

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

Date: 4/25/11
Drawn By: SB
Account Rep: T66
Sheet #: 2 of 3

Project #: 11.012.FV-05
Revisions by: Date:

Copy To: _____
Date: _____

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5



PLAT OF SURVEY
by **BURKE ENGINEERING CORPORATION**
18830 Distinctive Drive, Orland Park, Illinois 60467
Phone (708) 328-4000 of
FAX (708) 328-4050

PARCEL 1: THE NORTH 1/2 OF LOT 1, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 2: THE SOUTH 1/2 OF LOT 1, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 3: THE NORTH 1/2 OF LOT 2, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 4: THE SOUTH 1/2 OF LOT 2, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 5: THE NORTH 1/2 OF LOT 3, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

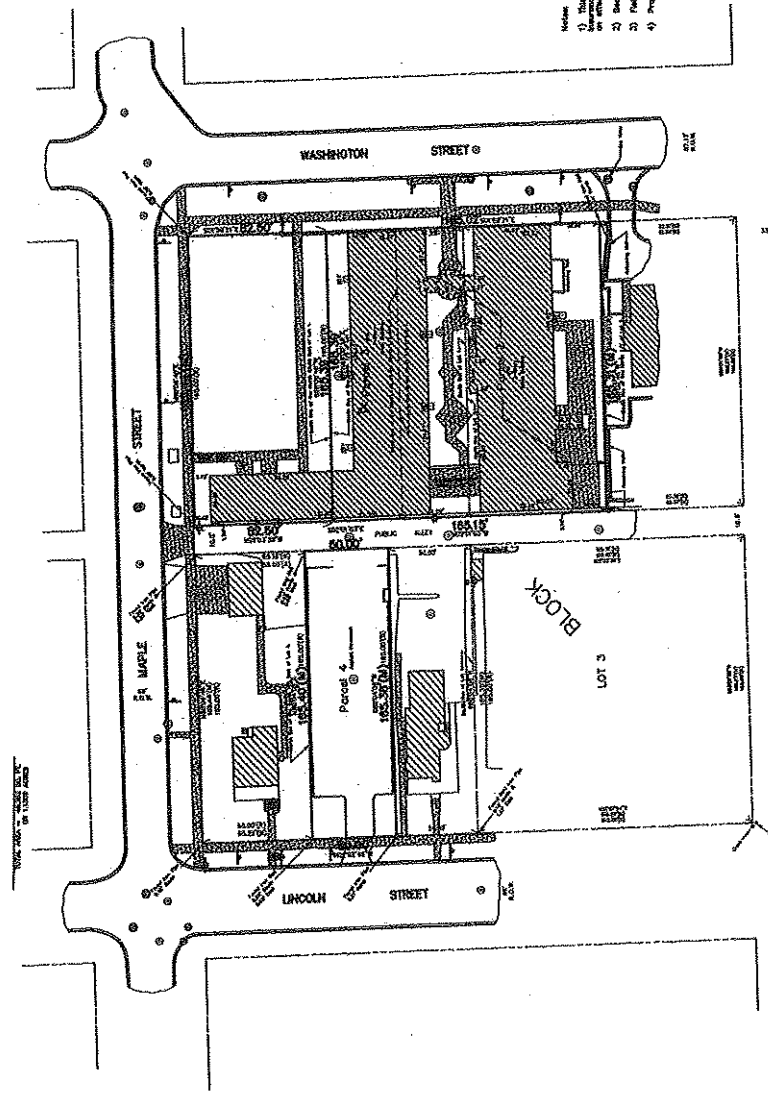
PARCEL 6: THE SOUTH 1/2 OF LOT 3, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 7: THE NORTH 1/2 OF LOT 4, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 8: THE SOUTH 1/2 OF LOT 4, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 9: THE NORTH 1/2 OF LOT 5, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.

PARCEL 10: THE SOUTH 1/2 OF LOT 5, BLOCK 4 IN STANLEY ADDITION TO THE TOWN OF HIGHLAND, ILLINOIS, BEING 1.00 AC. OF LAND, MORE OR LESS, AS SHOWN ON THE PLAT OF SURVEY RECORDED MAY 28, 1985 AS DOCUMENT 208 IN DECATUR COUNTY, ILLINOIS.



- LEGEND**
- 1. BOUNDARY LINE
 - 2. EASEMENT
 - 3. RIGHT-OF-WAY
 - 4. ADJACENT PROPERTY
 - 5. ADJACENT STREET
 - 6. ADJACENT RAILROAD
 - 7. ADJACENT WATERWAY
 - 8. ADJACENT AIRPORT
 - 9. ADJACENT PARK
 - 10. ADJACENT SCHOOL
 - 11. ADJACENT CHURCH
 - 12. ADJACENT GOVERNMENT BUILDING
 - 13. ADJACENT INDUSTRIAL BUILDING
 - 14. ADJACENT RESIDENTIAL BUILDING
 - 15. ADJACENT COMMERCIAL BUILDING
 - 16. ADJACENT PUBLIC BUILDING
 - 17. ADJACENT RELIGIOUS BUILDING
 - 18. ADJACENT EDUCATIONAL BUILDING
 - 19. ADJACENT HEALTHCARE BUILDING
 - 20. ADJACENT RECREATION BUILDING
 - 21. ADJACENT CULTURAL BUILDING
 - 22. ADJACENT ARTS BUILDING
 - 23. ADJACENT SCIENCE BUILDING
 - 24. ADJACENT TECHNOLOGY BUILDING
 - 25. ADJACENT FINANCIAL BUILDING
 - 26. ADJACENT LEGAL BUILDING
 - 27. ADJACENT MEDICAL BUILDING
 - 28. ADJACENT DENTAL BUILDING
 - 29. ADJACENT VETERINARY BUILDING
 - 30. ADJACENT AGRICULTURAL BUILDING
 - 31. ADJACENT FORESTRY BUILDING
 - 32. ADJACENT MINING BUILDING
 - 33. ADJACENT QUARRY BUILDING
 - 34. ADJACENT POWER BUILDING
 - 35. ADJACENT WATER BUILDING
 - 36. ADJACENT SEWER BUILDING
 - 37. ADJACENT GAS BUILDING
 - 38. ADJACENT OIL BUILDING
 - 39. ADJACENT COAL BUILDING
 - 40. ADJACENT NUCLEAR BUILDING
 - 41. ADJACENT SPACE BUILDING
 - 42. ADJACENT AEROSPACE BUILDING
 - 43. ADJACENT DEFENSE BUILDING
 - 44. ADJACENT INTELLIGENCE BUILDING
 - 45. ADJACENT INFORMATION BUILDING
 - 46. ADJACENT COMMUNICATIONS BUILDING
 - 47. ADJACENT TRANSPORTATION BUILDING
 - 48. ADJACENT INFRASTRUCTURE BUILDING
 - 49. ADJACENT UTILITIES BUILDING
 - 50. ADJACENT ENVIRONMENTAL BUILDING
 - 51. ADJACENT CONSTRUCTION BUILDING
 - 52. ADJACENT MANUFACTURING BUILDING
 - 53. ADJACENT DISTRIBUTION BUILDING
 - 54. ADJACENT RETAIL BUILDING
 - 55. ADJACENT WHOLESALE BUILDING
 - 56. ADJACENT SERVICE BUILDING
 - 57. ADJACENT REPAIR BUILDING
 - 58. ADJACENT MAINTENANCE BUILDING
 - 59. ADJACENT STORAGE BUILDING
 - 60. ADJACENT OFFICE BUILDING
 - 61. ADJACENT LABORATORY BUILDING
 - 62. ADJACENT RESEARCH BUILDING
 - 63. ADJACENT DEVELOPMENT BUILDING
 - 64. ADJACENT TESTING BUILDING
 - 65. ADJACENT CALIBRATION BUILDING
 - 66. ADJACENT MEASUREMENT BUILDING
 - 67. ADJACENT ANALYSIS BUILDING
 - 68. ADJACENT SYNTHESIS BUILDING
 - 69. ADJACENT DESIGN BUILDING
 - 70. ADJACENT DRAWING BUILDING
 - 71. ADJACENT MODELING BUILDING
 - 72. ADJACENT SIMULATION BUILDING
 - 73. ADJACENT OPTIMIZATION BUILDING
 - 74. ADJACENT EVALUATION BUILDING
 - 75. ADJACENT VERIFICATION BUILDING
 - 76. ADJACENT VALIDATION BUILDING
 - 77. ADJACENT CONFIRMATION BUILDING
 - 78. ADJACENT CORROBORATION BUILDING
 - 79. ADJACENT REINFORCEMENT BUILDING
 - 80. ADJACENT SUBSTANTIATION BUILDING
 - 81. ADJACENT SUSTAINMENT BUILDING
 - 82. ADJACENT PRESERVATION BUILDING
 - 83. ADJACENT RESTORATION BUILDING
 - 84. ADJACENT REPAIR BUILDING
 - 85. ADJACENT MAINTENANCE BUILDING
 - 86. ADJACENT STORAGE BUILDING
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 - 96. ADJACENT DESIGN BUILDING
 - 97. ADJACENT DRAWING BUILDING
 - 98. ADJACENT MODELING BUILDING
 - 99. ADJACENT SIMULATION BUILDING
 - 100. ADJACENT OPTIMIZATION BUILDING

Notes:

1. This survey was prepared with the best of information available to the Surveyor at the time of the survey.
2. The Surveyor is not responsible for the accuracy of the information provided by the client.
3. The Surveyor is not responsible for the accuracy of the information provided by the client.
4. The Surveyor is not responsible for the accuracy of the information provided by the client.
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9. The Surveyor is not responsible for the accuracy of the information provided by the client.
10. The Surveyor is not responsible for the accuracy of the information provided by the client.

ORDERED BY: Washington Square
SCALE: 1" = 30'
ORDER NO. 05-47



Surveyor's Declaration:

I, the undersigned, being a duly licensed Professional Engineer in the State of Illinois, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my files and records.

Dated: December 1, 2020

Signature: [Signature]

Print Name: [Name]

Professional Engineer, State of Illinois

License No. 123456789

Expiration Date: 12/31/2020

Surveyor's Seal: [Seal]



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

NOTE: This application is intended to encompass the modified plan. For historical purposes and background in response to the different criteria, Applicant respectfully restates the initial application responses below to the extent that they remain relevant for the purpose of review and approval of the option to proceed with 61 apartments and 69 units, including the change at the northeast corner of the subject property to add open space improvements. Please note that all references to prior applications should be taken in this context.

I. GENERAL INFORMATION

Applicant

Name: Eden Assisted Living LLC (to be formed)
Address: c/o Mitch Hamblet 1404 N LaSalle St,
Chicago, IL
Phone/Fax: (312) 446-6262/(630) 896-5814
E-Mail: mhamblet@edenslf.com

Owner

Name: Washington Square, Inc.
Address: 10 North Washington Street
City/Zip: Hinsdale, Illinois 60521
Phone/Fax: (630) 323-0122
E-Mail: cswroble@comcast.net

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

Name:

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) NO VILLAGE PERSONNEL HAVE AN INTEREST IN THE OWNER OF RECORD

2) _____

3) _____

II. SITE INFORMATION

Address of subject property: 10 North Washington Street, Hinsdale, Illinois 60521

Property Identification number (P.I.N. or tax number): 09-01-331-011

Brief description of proposed project: Conversion and adaptive re-use of the existing structures and improvements as an assisted living center for persons 55 years of age and older, as licensed under the laws and regulations of the State of Illinois. The facility is proposed for operation within the existing structures and improvements at 10 N. Washington Street. The facility has operational aspects serving individuals with disabilities under Title 24, Chapter IX, Subpart A of the Code of Federal Regulations (24 CFR Sec. 945.105). Aspects of these services for individuals with disabilities may fall within the regulations of the Hinsdale Zoning Code for a Personal Care Facility and for Senior Citizen Housing. The concept of assisted living in this area gained prominence following the adoption of the 1989 Zoning Code, but the Standards Industry Classifications and the North American Industry Classification System view assisted living in a fashion that permits Hinsdale to authorize the use without a text amendment. Applicant's use has components of a Personal Care Facility and Senior Citizen Housing as noted in the Zoning Code. Please see Exhibit C.

General description or characteristics of the site: The site is situated west of Memorial Hall, bordered on the south by a business use and otherwise by Village rights of way. Parking within the site is situated across an alley from the existing buildings and the drive aisle has ingress and egress onto North Lincoln Street as well as the alley. The site presently contains the improvements and structures described in Exhibit C, submitted previously, depicted in Exhibit B, submitted previously, and in Group Exhibit D, submitted previously, as well as depicted in the building and engineering plans on file with the Village. The street faces of the structures have a lower height and the three-story portions are on the interior. The buildings adjacent to the alley and in the rear yard have parking in the lower levels except for the southernmost building which has service and common area. The site is sloped from north to south, with the appearance from the north being one that will change from that of a one- or two-story development until the grade change occurs to one with a remaining west building but substantial open space improvements where the townhomes previously existed.

Existing zoning and land use: R-5 (east of public alley) and O-1 (west of public alley)

Surrounding zoning and existing land uses: See Exhibit C

North: I-B (religious institutional building)

South: O-1, B-1 (law office, vac. real estate office, bank)

East: I-B (library, Village Hall)

West: O-1, B-1 (law office, vac. bullder office, Fuller's)

Proposed zoning and land use: R-5 and O-1 with special use for assisted living,

Existing square footage of property: +/- 49,262 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 Permits (2) 11-602E. Special Uses Requested: See Exh. C. Permits for Personal Care Facility and Senior Citizen Housing in assisted living format.**

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

☐ **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: 10 North Washington Street, Hinsdale, Illinois 60126

The following table is based on the R-5 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	Townhouse: 15,000 Senior Citizen: 15,000 Personal Care: 30,000 PD: 18,000	49,262 s.f.
Minimum Lot Depth	125 ft.	247 ft.
Minimum Lot Width	70 ft.	165 ft.
Building Height	30 (R-5)/35 (Sen. Cit.)	34 ft.
Number of Stories	2 (R-5)/3 (Sen. Cit.)	3 stories
Front Yard Setback	25 ft. (R-5)	9.78 ft.
Corner Side Yard Setback	25 ft.	0.0 ft.
Interior Side Yard Setback	8 ft.	1.74 ft.
Rear Yard Setback	25 ft. (6 ft. accessory under 4-112(G)(13))	14 ft. to main (10 ft. to accessory structure)
Maximum Floor Area Ratio (F.A.R.)*	0.45 or 22,167.9 s.f.	1.01 or 49,987.23 s.f.
Maximum Total Building Coverage*	0.35 or 17,241.7 s.f.	.3804 or 18,719.56 s.f.
Maximum Total Lot Coverage*	Not Applicable	Not Applicable
Parking Requirements	75 spaces	35 32 parking spaces are existing pre-Code. Please see 9-104(C)(2).
Parking front yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Parking corner side yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Parking interior side yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Parking rear yard setback	N/A (See 9-104(D)(2))	N/A(See 9-104(D)(2))
Loading Requirements	1 (See 9-105(B)(1)(b))	1 (existing)
Accessory Structure Information	10 ft. separation (R-5) 7.5 ft. separation as PD 30% of Rear Yard 10% of lot area, 4926.2	Existing per PD Ord. <30% of Rear Yard <10% of lot area

* 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:

Applicant submits that the Village Board possesses the authority to approve the special use for planned development. This authority arises under the zoning ordinance as it governs a new planned development or as a major adjustment to a planned development. Where waivers are necessary, Applicant requests them on the basis that the proposal is to adapt the use of the existing structures to a use that is similar in impact to the earlier use.

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 7th, day of September, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature]
Signature of applicant or authorized agent

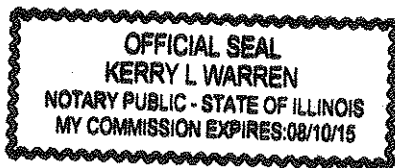
Mitch Hamblet
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 7th day of
September, 2011.

[Signature]
Notary Public



**VILLAGE OF HINSDALE
CERTIFICATION OF PROPER NOTICE
REGARDING APPLICATION FOR PUBLIC HEARINGS AND
MEETINGS**

I, _____, being first duly sworn on oath, do hereby certify that I caused written notice of the filing of my application for a public hearing and or meeting to be given to owners of record of property within 250 feet of any part of the subject property. I further certify that I gave such notice in the form required by the Village (Certified Mail) and that I gave such notice on _____.

Attached is a list of all of the addresses of property to whom I gave such notice and the receipts of mailings.

By: _____

Name: _____

Address: _____

Subscribed and sworn to before me

This _____ day of _____.

By: _____

Notary Public

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: Eden Assisted Living LLC (to be formed)
Owner's name (if different): Washington Square, Inc.
Property address: 10 North Washington Street, Hinsdale, Illinois 60521
Property legal description: Please see Exhibit A
Present zoning classification: R-5 (east of alley), O-1 (west of alley)
Square footage of property: +/- 49,262 s.f.
Lot area per dwelling: 807.57 s.f. (61 apartments), 713.94 (69 units), please see building and engineering plans on file with Village (too voluminous to attach)
Lot dimensions: Roughly 247.52' x 165.31' x 247.65' x 165.44' plus west parking area
Current use of property: Senior independent living facility.

Proposed use: An assisted living center for persons 55 years of age and older, as licensed under the laws and regulations of the State of Illinois. The facility is proposed for operation within the existing structures and improvements at 10 N. Washington Street. The facility has operational aspects serving individuals with disabilities under Title 24, Chapter IX, Subpart A of the Code of Federal Regulations (24 CFR Sec. 945.105). Aspects of these services for individuals with disabilities may fall within the regulations of the Hinsdale Zoning Code for a Personal Care Facility and for Senior Citizen Housing.

Approval sought:

<input type="checkbox"/> Building Permit	<input type="checkbox"/> Variation
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Planned Development
<input type="checkbox"/> <u>Site Plan</u>	<input type="checkbox"/> <u>Exterior Appearance</u>
<input type="checkbox"/> Design Review	
<input type="checkbox"/> Other:	

Brief description of request and proposal: Please see applications, including Exhibit C, previously submitted (to the extent that it remains relevant for the option involving removal of the townhomes, 61 apartments (with 69 units), and the open space improvements) for a description of the proposal to operate the Proposed Use at the property within most of the existing structures and improvements in their current condition.

Plans & Specifications: Please see plans on file with Village and parking plan provided earlier as Exhibit B.

NOTE CONCERNING BULK REQUIREMENTS: The Proposed Use will continue the use at the property. The Proposed Use will occur in the structures and improvements on the property, and it will do so in their current design, with the exception of the townhomes to be removed. The intent of the applications filed on September 7, 2011 is to seek the remainder of approvals (including waivers within the approvals) necessary to fix this use in a current ordinance reflecting the post-1989 development of the assisted living concept that is not captured entirely by the 1989 Hinsdale Zoning Code. Some bulk and other requirements vary based on the treatment of the Proposed Use as one for a Personal Care Facility or one for Senior Citizen Housing. Components of each use exist in the Proposed Use, and this is described in great detail in Exhibit C. Section 12-202 calls for the interpretation of the Zoning Code in a fashion that is consistent with the United States Fair Housing Amendments Act and with the Illinois Compiled Statutes (including those pertaining to assisted living). Applicant respectfully submits that the 1989 Zoning Code allows for the interpretation of the Village's use lists and bulk regulations in a fashion that will permit the approval of the special use permits and the special use planned development.

	Provided:	Required by Code:
Yards:		R-5
front:	9.78 ft.	25 ft.
interior side(s)	1.74 ft.	8 ft.
corner side	0.0 ft.	25 ft.
rear	23 ft. (14 ft. to refr.) 10 ft. to shed	25 ft. 6 ft
Setbacks (businesses and offices):		
front:	NOT APPLICABLE	
interior side(s)	NOT APPLICABLE	
corner side	NOT APPLICABLE	
rear	NOT APPLICABLE	
others:	NOT APPLICABLE	
Ogden Ave. Center:	NOT APPLICABLE	
York Rd. Center:	NOT APPLICABLE	
Forest Preserve:	NOT APPLICABLE	
Building heights:		
principal building(s):	34 ft./3-stories	35/3-stories*
*(Senior Housing, Sec. 4-112(G)(1)(a))		(30 ft. R-5)
accessory building(s):	NOT APPLICABLE	
Maximum Elevations:		
principal building(s):	NOT APPLICABLE	
accessory building(s):	NOT APPLICABLE	
Dwelling unit size(s):	NOT APPLICABLE (71 rooms; 83 beds)	
Total building coverage:	38.04% (18,719.56 s.f.)	35% (17,241.7 s.f.)

Total lot coverage: NOT APPLICABLE
Floor area ratio: 101% (49,987.23 s.f.) 45% (22,167.9 s.f.)
Accessory building(s): One shed, > 6 ft. from south lot line, <10% coverage,
<30% rear yard coverage
Spacing between buildings: [depicted on attached plans]
 principal building(s): >10 feet among all principal buildings
 accessory building(s): Existing per PD Ordinance
Number of off-street parking spaces required: 75 (32 existing, 35 provided (4:1
plus employee)
Number of loading spaces required: 1 (1 provided)

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

Mitch Haubler

Applicant's printed name

Dated: September 7, 2011.



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: This request relates to qualifying properties, including 10 North Washington, Hinsdale, Illinois 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. ***Response: The Illinois Municipal Code and the 1989 Hinsdale Zoning Ordinance reflect an intention that the Village take into account existing conditions, buildings and uses. Additionally, provisions in the code indicate a preference to preserve existing buildings and avoid waste where this has the net effect of benefitting Hinsdale and its residents. Inasmuch as the Hinsdale Zoning Ordinance concerns planned developments and the number of buildings, the amendment seeks to clarify that different buildings connected only as a means of convenience for passage will be viewed as distinct buildings notwithstanding the connection. This explanatory note serves to promote proper design and the avoidance of inconvenience without abandoning the Hinsdale policy concerning multiple buildings in a planned development.***
2. The existing uses and zoning classifications for properties in the vicinity of the subject property. ***Response: The subject property is the only identified qualifying property and the surroundings can be summarized as follows: North: I-B (religious institutional***

building); South: O-1, B-1 (law office, vac. real estate office, bank); East: I-B (library, Village Hall); West: O-1, B-1 (law office, vac. builder office, Fuller's)

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. **Response: The long term trend is reflective of this property as transitional or as a buffer between the downtown business core and the residential area to the north. The proposed amendment will not alter the course of the past many decades of use in the area or at the property.**
4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it. **Response: The existing zoning classification and its related regulations could promote waste of resources and improvements at the subject property. The net effect is a loss of value in the subject property. The record of this has been made in the related hearings concerning the planned development that was the subject of the prior application. This analysis applies to both aspects of the amendment.**
5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare. **Response: There is no benefit in forcing a disconnection of the atrium and passage ways from buildings or the buildings from one another. The connections are all placed on the interior of the property. Moreover, the density requirements in force currently raise questions of fairness to owners of facilities existing before 2000, and before 1989, and they raised questions of fairness in housing in light of the communities served by the applicant and others who might qualify.**
6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment. **Response: Applicant believes that there will be a benefit to adjacent properties through the continuation and re-use of structures. The structures on the subject property and other qualifying properties will not be forced into a condition of substandard condition or under-utilization. Avoidance of these circumstances will benefit the community, including the adjacent properties and property owners.**
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. **Response: The adjacent properties are generally of a more intense use (to the north, east and south). Properties to the west have their frontage on a distinct block face and do not draw their character from the Subject Property other than an exit from a parking area that is of similar size to parking areas on the O-1 district or other nearby districts. This analysis is provided only with respect to 10 North Washington and not other potentially-qualifying sites. However, with respect to these other sites, the preservation of certain of the buildings existing before 2000 promotes continuity in the relevant area and should, at worst, stabilize values because there are no known problem sites that might otherwise qualify.**
8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. **Response: The adjacent properties will be unaffected by the amendment due to the limited class of uses that it will apply to and as a result of the preservation of the concept of the multiple building planned development.**

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. **Response: Not Applicable (other than as set forth above and in the history of the subject property set forth in the prior application).**
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. **Response: All qualifying properties should have sufficient ingress and egress. The subject property has sufficient ingress and egress.**
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. **Response: Adequate utilities and services are available to the subject property and would necessarily be available to other qualifying properties as a result of past planning in the Village.**
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. **Response: The text amendment will support the adaptive re-use of the existing buildings. These buildings have not been occupied by a resident for a period of time discussed in the hearing on the prior application. Vacancies, particularly near the subject property and other potentially qualifying properties, are of great concern since the nearby properties often share a synergy with them. The amendment is a slight adjustment in the Zoning Ordinance and it avoids what might otherwise cause a serious impediment to re-use of land in Hinsdale in a category of use that the Village has found to be legislatively acceptable.**
13. The community need for the proposed amendment and for the uses and development it would allow. **Response: Please see above. The amendment does not add to the uses identified in the zoning ordinance, but rather adjusts bulk regulations relating to a limited class of use in recognition of the attempt to re-use the subject property and its improvements. The need at issue and with respect to 10 N. Washington was set forth in the prior related hearing.**
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. **Response: Not applicable.**



**VILLAGE
OF HINSDALE** FOUNDED IN 1971

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

Name: Eden Assisted Living LLC (to be formed)
Address: c/o Mitch Hamblet 1404 N LaSalle St,
Chicago, IL
Phone/Fax: (312) 446-6262/(630) 896-5814
E-Mail: mhamblet@edenslf.com

Owner

Name: Washington Square, Inc.
Address: 10 North Washington Street
City/Zip: Hinsdale, Illinois 60521
Phone/Fax: (630) 323-0122
E-Mail: cswroble@comcast.net

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

Name: _____

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) NO VILLAGE PERSONNEL HAVE AN INTEREST IN THE OWNER OF RECORD

2) _____

3) _____

II. SITE INFORMATION

Address of subject property: 10 North Washington Street, Hinsdale, Illinois 60521

Property identification number (P.I.N. or tax number): 09-01-331-011

Brief description of proposed project: Text amendment in relation to the conversion and adaptive re-use of the existing structures and improvements at 10 N. Washington Street. Please note that a more detailed description of the related conversion and adaptive re-use has been submitted.

General description or characteristics of the site: The site is situated west of Memorial Hall, bordered on the south by a business use and otherwise by Village rights of way. Parking within the site is situated across an alley from the existing buildings and the drive aisle has ingress and egress onto North Lincoln Street as well as the alley. The site presently contains the improvements and structures described in Exhibit C to the prior application, depicted in Exhibit B to the prior application and in Group Exhibit D to the prior application, as well as depicted in the building and engineering plans on file with the Village. The street faces of the structures have a lower height and the three-story portions are on the interior. Certain of the structures will be removed to accommodate Village interests as expressed in the related prior requests. The buildings adjacent to the alley and in the rear yard have parking in the lower levels except for the southernmost building which has service and common area. The site is sloped from north to south, with the appearance from the north being one of a one- or two-story development until the grade change occurs. Please see Exhibit C to the prior application.

Existing zoning and land use: R-5 (east of public alley) and O-1 (west of public alley)

Surrounding zoning and existing land uses: See Exhibit C

North: I-B (religious institutional building)

South: O-1, B-1 (law office, vac. real estate office, bank)

East: I-B (library, Village Hall)

West: O-1, B-1 (law office, vac. builder office, Fuller's)

Proposed zoning and land use: R-5 and O-1 with special use.

Existing square footage of property: +/- 49,262 square feet

Existing square footage of all buildings on the property: +/- 57,143 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**

☒ **Map and Text Amendments 11-601E**
Amendment Requested: Please see attached.

☐ **Design Review Permit 11-605E**

☒ **Exterior Appearance 11-606E**

☐ **Planned Development 11-603E**

☐ **Special Use Permits (2) 11-602E.**

☐ **Development in the B-2 Central Business District Questionnaire**

☐ **Major Adjustment to Final Plan**

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 30 day of August, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Signature of applicant or authorized agent

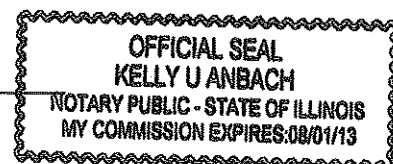
Name of applicant or authorized agent

Name of applicant or authorized agent


SUBSCRIBED AND SWORN
to before me this 30 day of

August, 2011.

Notary Public



Memorandum

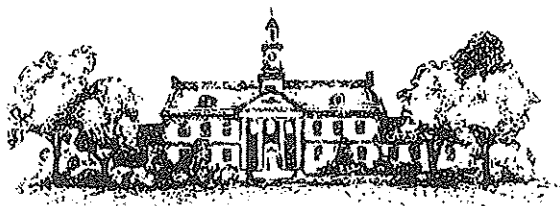
To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Director of Community Development/Building Commissioner
David Cook, Village Manager
Date: September 14, 2011
Re: Public Hearing for Case A-11-2011
Applicant: Village of Hinsdale
Request: Text Amendment to Article III (Single-Family Residential Districts), Section 3-110 (Bulk, Space and Yard Requirements) of the Hinsdale Zoning Code as it relates to the Elimination of the Floor Area Ratio Requirement for New Single-Family Residences that Receive Design Review Approval from the Design Review Commission.

The Applicant, the Village of Hinsdale, has submitted an application to amend Sections 3-110 of the Zoning Code, as it relates to the elimination of the maximum Floor Area Ratio for New Single-Family Residences that Receive Design Review Approval from the Design Review Commission. In addition, the proposal includes changes to Title 2 of the Village Municipal Code to designate a Commission to implement the review process and establish standards and guidelines.

It should be noted that if the ZPS and Village Board choose to refer this matter on for further consideration, amendments and changes to the Villages' Municipal Code are considered and voted on only by the ZPS and Village Board. Therefore the Commission should only discuss the appropriateness of including the additional language into Section 3-110 of the Zoning Code, before referring any recommendation on to the ZPS and Village Board where the appropriateness of the language change to Title 2 and Chapter 15 of the Municipal Code can then be addressed, along with the Plan Commission's recommendation of the text amendment to the Zoning Code for final consideration.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook



**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 III, Section 3-110 of the Hinsdale Zoning Code, as it relates to the elimination of the floor area ratio requirement for new single family residences that receive design review approval from the Design Review Commission.

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: Elimination of FAR for new homes receiving design review approval.

☐ 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 21st day of April, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.


Signature of applicant or authorized agent

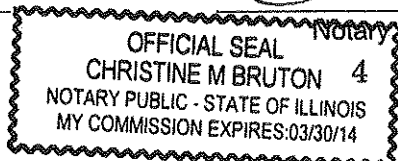
Signature of applicant or authorized agent

Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 21st day of
April, 2011







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 III, Section 3-110 of the Hinsdale Zoning Code, as it relates to the elimination of the floor area ratio requirement for new single family residences that receive design review approval from the Design Review Commission.

REVIEW CRITERIA

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

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

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

The proposed text amendment has been recommended by the Design Review Commission to be the most appropriate course of encouragement for residents to obtain design review approval for new single-family homes.

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. Through discussion, the Design Review Commission
determined that eliminating the requirement for FAR does little, if anything to impact the exterior
aesthetics of a single-family home, given the application of existing bulk requirements for
setbacks, height and elevation. For this reason, the value of properties should not be affected at
all.
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. As stated previously, the Design Review Commission felt that
eliminating the FAR requirement was an appropriate incentive for single-family homes to go
through design review approval based on the fact that it does nothing to affect the exterior
appearance of a home. Therefore, the use of adjacent properties would not be affected at all by
this text amendment.
7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. The value of adjacent properties should not be affected for the same reasons stated
in question 6.
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. The 2025 Plan identified the desire of the residents to impose some type of residential design review. This interest prompted the creation of the Design Review Commission. After several meetings and deliberations on how to proceed with the process, it was determined that the appropriate course of action was to make the process voluntary and provide an incentive for residents to go through the process. The result was the proposed text amendment.

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
-
-

DRAFT

VILLAGE OF HINSDALE

ORDINANCE NO. O2011-_____

AN ORDINANCE AMENDING ARTICLE III (SINGLE-FAMILY
RESIDENTIAL DISTRICTS), SECTION 3-110 (BULK, SPACE AND YARD
REQUIREMENTS OF THE HINSDALE ZONING CODE
(Plan Commission Case No. _____))

WHEREAS, the Village of Hinsdale (the "Village"), has filed an application seeking to to amend Article III (Bulk, Space and Yard Requirements) of the Hinsdale Zoning Code to provide that there shall be no maximum floor area ratio for new single-family residences that receive design review approval from the Design Review Commission (the "Application"); and

WHEREAS, the Zoning Division (Division 13), of the Illinois Municipal Code, subsection 11-13-1(12), 65 ILCS 5/11-13-1(12) (2011), allows for a municipality to establish local standards solely for the review of the exterior design of buildings and structures, and designate a commission to implement the review process; and

WHEREAS, the Village has designated the Design Review Commission to act upon voluntary applications for the review of the exterior design of new construction projects for single-family residences pursuant to ordinance; and

WHEREAS, applicants for building permits for new construction projects for single-family residences who voluntarily submit applications for exterior design review of their proposed residences, and ultimately receive exterior design review approval from the Design Review Commission, shall not be subject to the Village's maximum floor area ratio requirements as contained in Section 3-110 of the Zoning Code for single-family residences; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on _____, pursuant to notice thereof properly published in the *Hinsdalean* on _____, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of _____ in favor, _____ against and _____ absent, 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 _____, 2011, 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 3-110 of the Zoning Code. Article IV (Office Districts), Section 6-106 (Special Uses), Subsection A (Finance, Insurance and Real Estate) of the Hinsdale Zoning Code is amended by adding the underlined language to read as follows:

Sec. 3-110. Bulk, Space, And Yard Requirements:

The building height, lot, yard, floor area ratio, and coverage requirements applicable in the single-family residential districts are set forth in the following table. Footnote references appear in subsection I of this section at the end of the table.

	*	*	*	*
E. Maximum floor area ratio: 12, 13, <u>17</u>				
1. Lots with a total area less than 10,000 square feet				0.25 plus 1,100 square feet
2. Lots with a total lot area equal to or greater than 10,000 square feet but not greater than 20,000 square feet				0.24 plus 1,200 square feet
3. Lots with a total lot area greater than 20,000 square feet				0.20 plus 2,000 square feet

	*	*	*	*
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I. Exceptions and explanatory notes:

	*	*	*	*
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17. There shall be no maximum floor area ratio for new single-family residences that have been granted exterior design review approval by

the design review commission as set forth in section 2-15-7 of the village code, as amended.

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 _____ 2011.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2011.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

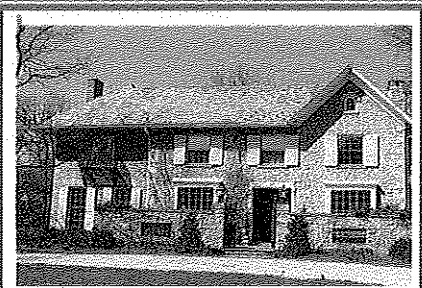
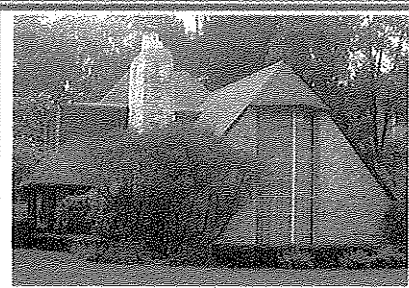
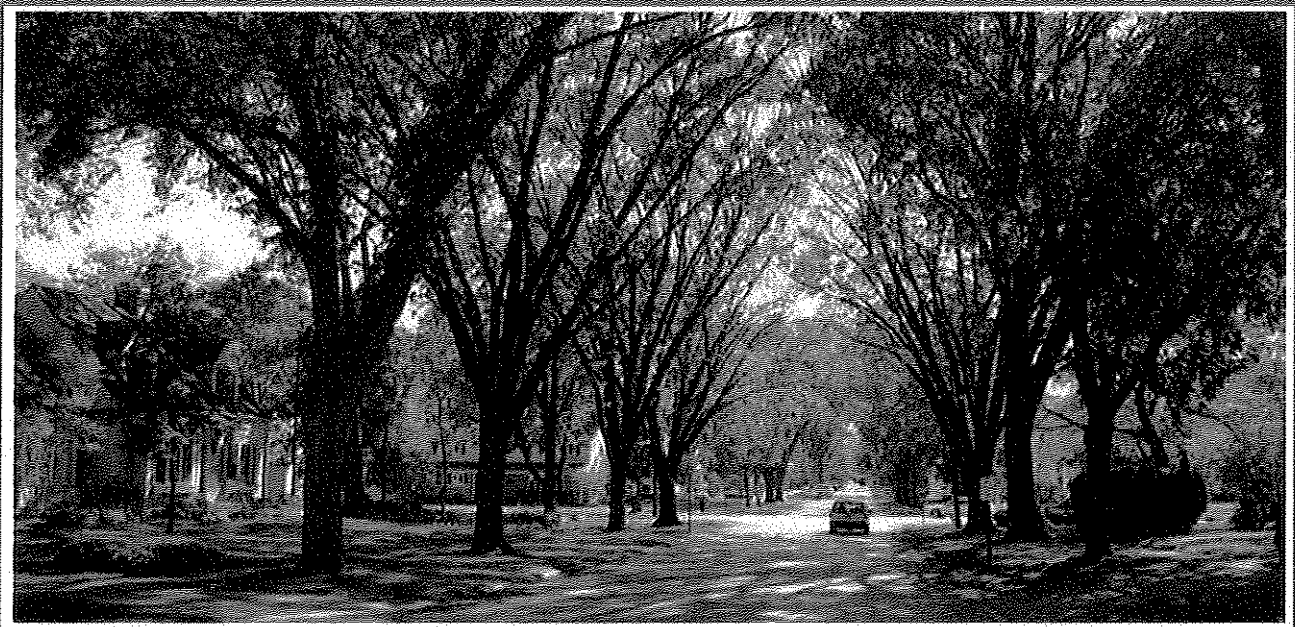
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Village of Hinsdale Residential Design Guidelines



19 E. Chicago Avenue, Hinsdale, Illinois 60521
630-789-7000, www.villageofhinsdale.com

A Resource Guide to
Building in Established Neighborhoods



Section One.

Village Character Analysis



History of the Village

Architecture in the Village

Architectural Styles



Organization Of The Guidelines

The document is organized into the following four sections;

- Section 1 – Village Character Analysis: This section provides an overview of the history, development, and architecture that have contributed to the existing character of Hinsdale.
- Section 2 – Design Guidelines: This section describes the many elements that should be considered in determining whether or not a new project properly fits within the context of its neighborhood. It also includes the guidelines that should be followed in all aspects of the exterior design of the project.
- Section 3 – Rules and Procedures: This includes information on the design review process, and outline of the submittal requirements, and a listing of the authorized adjustments.

Cover Photography:
Top: Hinsdale Streetscape
Bottom, left to right:
300 North Forest, home
designed by R. Harold
Zook, architect;
142 E. First Street;
425 E. Sixth Street;



ARCHITECTURE IN THE VILLAGE

Surveys of the various original subdivisions in the Village, commissioned by the Hinsdale Historic Preservation Commission in 2001, identified the various architectural styles represented by early owners and builders. Early Hinsdale dwellings can be placed in two different types, *high-style* and *vernacular and popular*.

High-style architecture can be described as well-defined and commonly illustrated categories based on the distinctive overall massing, floor plan, materials, and architectural detailing that can be readily identified as a specific style. These high-style buildings might have been architect designed, but even if no professional architect were involved, the homes show a conscious effort to incorporate common characteristics in fashion during the time they were built. In Hinsdale the Queen Anne style, Colonial Revival, Craftsman, Italianate, Gothic Revival, Shingle Style, Prairie Style, Dutch Colonial Revival, Tudor Revival, French Eclectic, and Cape Cod styles were represented in the high-style category.

Vernacular and popular house types are generally non-stylistic and include 19th century vernacular styles whose design depends on a builder's experience and knowledge, as well as later 20th century popular styles that were typically constructed according to widely available published plans. Nineteenth century vernacular buildings were usually built by an owner or builder who relied on simple, practical techniques and locally available materials for an overall design and floor plan layout. Materials, millwork, and structural systems were largely determined by availability and locale. Because of this, vernacular buildings are most readily classified by their general shape, roof style, or floor plan.

Popular house style plans were widely published beginning in the early 20th century. A prospective homeowner could easily find catalogues and books from which to choose a plan. The earliest of these 20th century popular house styles was the American Foursquare, which some suggest was influenced by the horizontality of the Prairie Style. The American Foursquare, with broad eaves and hipped roof, was particularly popular between 1900 and 1910. Bungalows of various sorts were built nationwide until 1930. After 1930, during the modern period, popular house types included the Ranch, minimal traditional, and the Split Level. All of these styles are represented in Hinsdale.

Left:
High-style architecture
in a Queen Anne Style
home at 239 E. Walnut.



Right:
Popular architecture in
a Bungalow Style home
at 620 South Garfield.

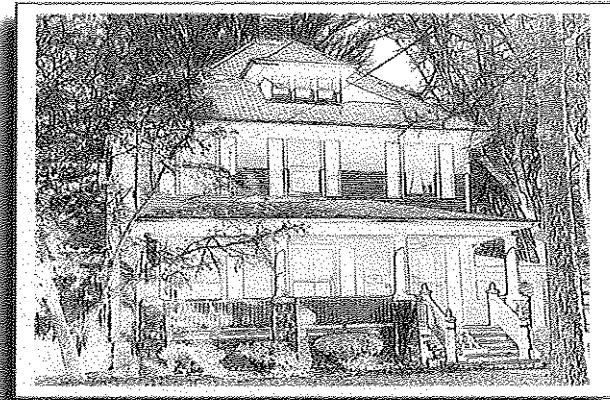


Village Of Hinsdale Residential Design Guidelines Section One



American Foursquare Form, ca. 1900- ca. 1925

The American Foursquare house reflects an early 20th century return to simple building forms and minimal decoration. These house forms are common throughout Hinsdale's neighborhoods and feature rectangular plans with hipped roofs and one-story porches on the primary façade. Porches often have square or Tuscan columns and eaves often feature modillion blocks or brackets. The roofline on the primary façade generally displays a hipped dormer window.



A notable example of this style is located at 234 N. Park Street in Hinsdale.

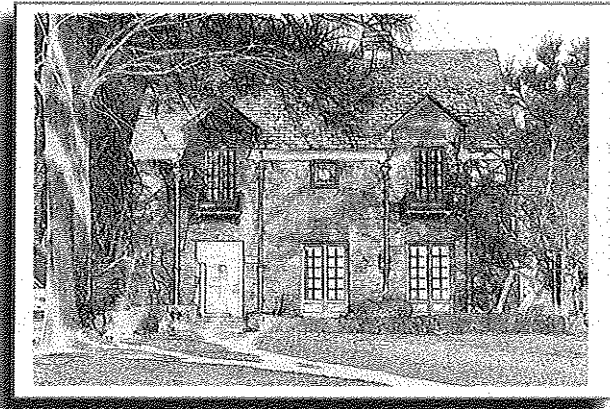


Village Of Hinsdale Residential Design Guidelines Section One



French Eclectic Style, ca. 1915-ca.1945

The French Eclectic style began to appear in Eclectic suburbs in the 1920's and 1930's. Based upon precedents by many centuries of French domestic architecture, the style shows variety in form and detailing but is united by the characteristic roof. The tall, steeply pitched hipped roof, normally with the ridge paralleling the front of the house, dominates a symmetrical façade with centered entry. Façade detailing is usually rather formal. These dwellings are generally two-stories in height with brick, stone, or stucco wall cladding.



A notable example of this style is located at 127 E. Seventh Street in Hinsdale.



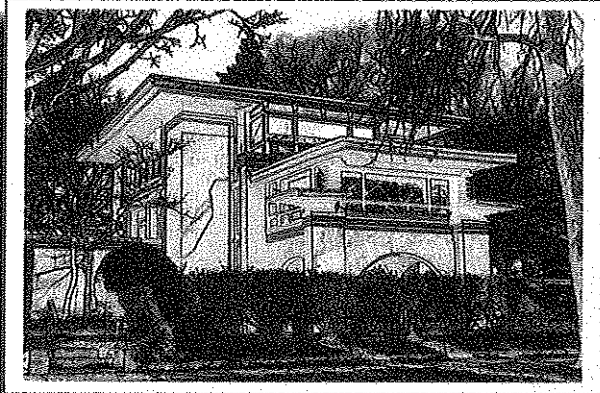
Village Of Hinsdale Residential Design Guidelines Section One



ARCHITECTURAL STYLES

Prairie Style, ca. 1900- ca. 1920

The Prairie style originated in America in the early 1900s, designed by architects such as Frank Lloyd Wright. This style emphasized the importance of blending houses with their surroundings and relating the house to the flat, horizontal lines of the Midwest. Prairie style houses have low-pitched hipped roofs, wide eaves, and broad porches. Exterior wall surfaces are often stucco or brick. These dwellings are generally two-stories in height and have decorative multi-light windows.



A notable example of this style is located at 105 N. Grant Street in Hinsdale.

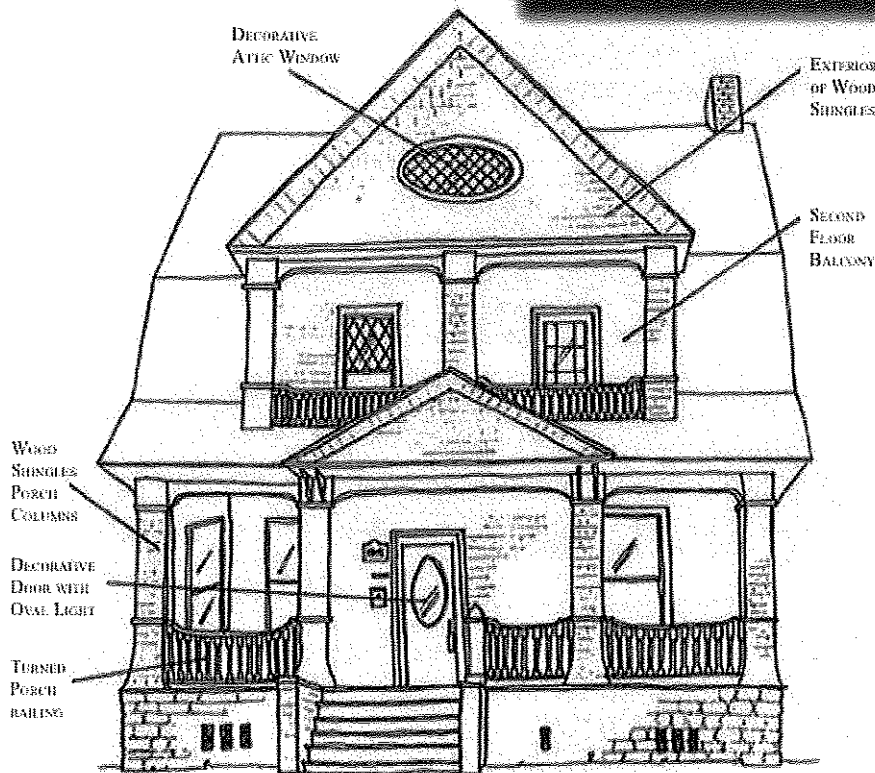
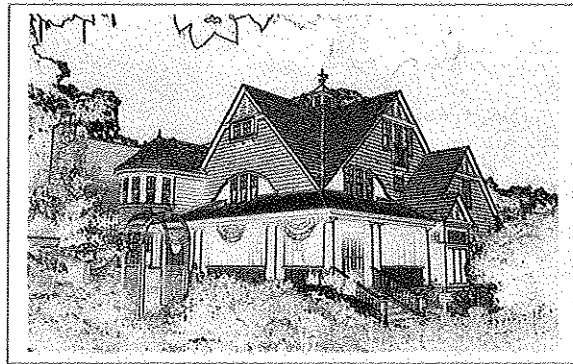




Shingle Style , ca. 1880-ca.1900

Related to the Queen Anne style is the Shingle Style which is characterized by an exterior wall sheathing of wood shingles. The shingles are often designed in various interlocking shapes and provide a rich texture to the exterior appearance. In many cases not only is the exterior wall surface covered with shingles but also the front porch columns are sheathed in shingles. Decorative windows and doors are common as are turned porch railings and baluster.

A notable example of this style is located at 127 S. Stough Street in Hinsdale.



Section Two.

Design Guidelines



Neighborhood Design Context

Architectural Design

Site and Landscape Design

Village Of Hinsdale Residential Design Guidelines: Section Two



ARCHITECTURAL DESIGN

Scale and Massing Of a Structure

Traditional architecture is rooted in simplicity of form, massing, and in hierarchy of spaces which are cohesive, rational, and sensible. The common basis for the origins of traditional architecture is based in necessity and economy.

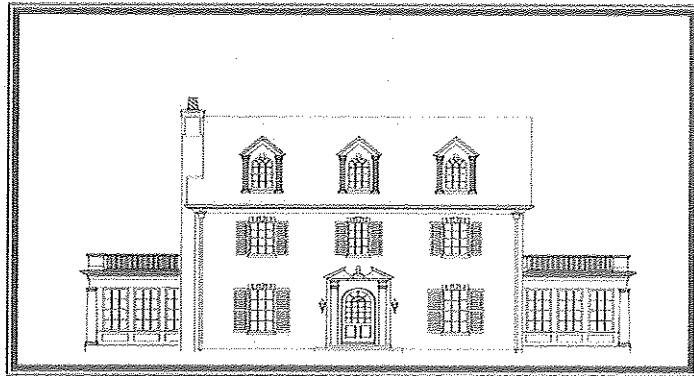
Sunlight orientation and view orientation should be determining planning and design factors.

The scale and proportions of new construction should be compatible with adjacent homes and the neighborhood.

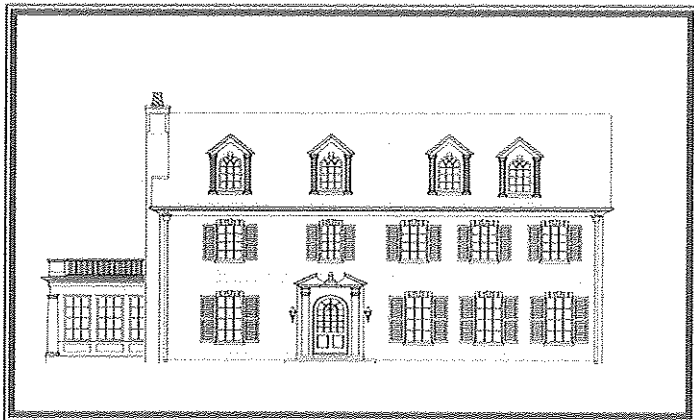
The appearance of large mass can be minimized through the use of design elements such as porches, porticos, bay windows, and dormer windows

Scale and its perception is a functional of the size of the windows, boys, entry doors, and dormers as they relate to the overall composition. For example, small windows can make the mass residence seem larger because of the abundance of surface area of the exterior wall.

Example: Do



Example: Don't



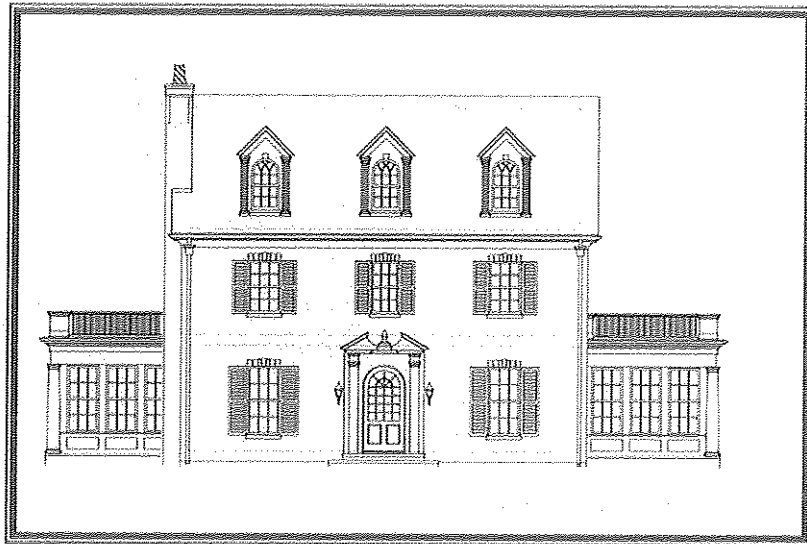
**Village Of Hinsdale
Residential Design Guidelines: Section Two**



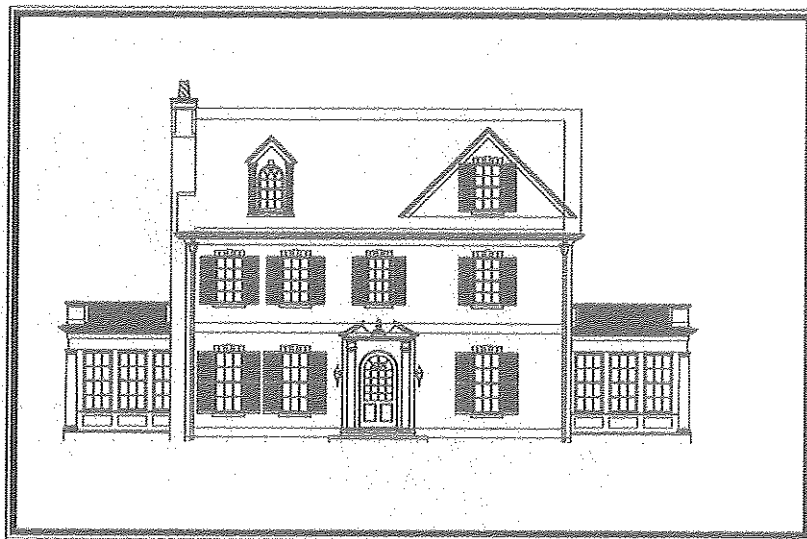
Rhythm and Balance

Each individual residence contains a rhythm established by the arrangement of windows and doors versus solid wall sections. Successful residential architecture almost always places openings in a manner that is simple and rational.

Example: Do



Example: Don't



**Village Of Hinsdale
Residential Design Guidelines: Section Two**



Materials, Texture, and Color

Materials provide the visual diversity and architectural character to the neighborhood. The intent of the guidelines is to provide a continuity of architectural character by using material in their traditional manner and in keeping with the fabric of the neighborhood.

New construction should utilize materials, texture, and color that are compatible to those of neighboring structures and appropriate to the chosen architectural style.

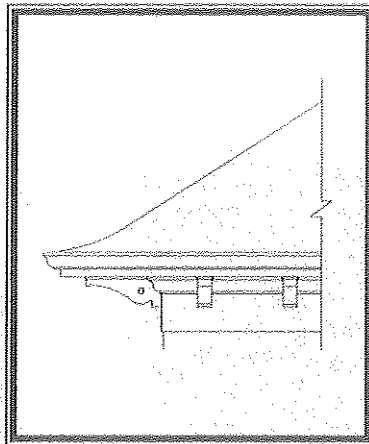
Restraint in materials visible on any exterior wall should be exercised. The palette of materials chosen should be appropriate for a particular style. Limiting the number of materials focuses attentions on design composition and detailing quality rather than quantity.

Ornamentation

Ornamentation is the refinement of detail and application of decorative elements with the sole purpose of enhancing the building's appearance. The richness and level of detail of the ornamentation in the surrounding area should be used as a guide, without exactly mimicking the facades of neighboring homes.

Ornamentation should be used with understanding and restraint, with consideration of the visual character of the neighborhood.

Example: Do



Style

Although the intent of the guidelines is not to dictate architectural style, the consistency of the one style used on a home is essential. Architectural stylistic integrity is encouraged and should be used through all facades of the structure. All elements of design, shape, and form should be consistent with the selected architectural style.

**Village Of Hinsdale
Residential Design Guidelines: Section Two**

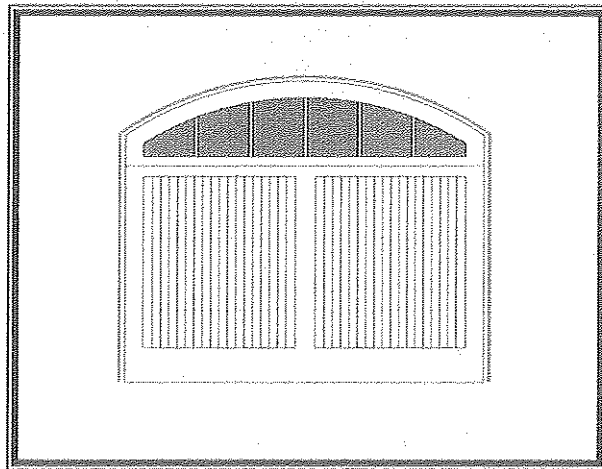


Garage and Garage Doors

Many of the older homes on smaller lots in the Village of Hinsdale have detached garages located behind the home in the rear of the property. Many homes have attached garages that are side loaded where lot width allows. Some of the newer homes have been developed with attached garages placed in front of the main entry to the home in order to create better use of the back yard.

The intent of the guidelines is to have garages compatible with the established character of the neighborhood. The garage should not dominate the street view of the home's façade and should enhance the overall composition.

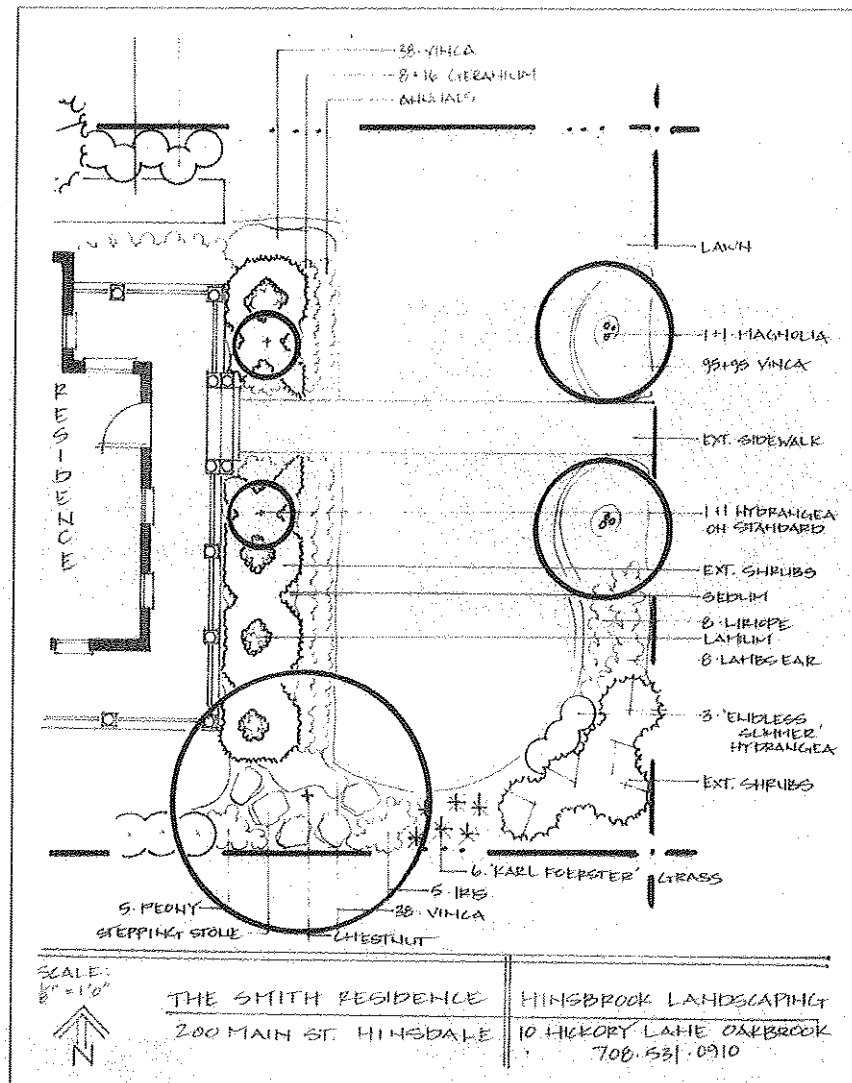
Example:



Village of Hinsdale Residential Design Guidelines: Section Two



Detail of
Residential
Landscape
Site Plan,
Courtesy of
Hinsbrook,
Landscaping, Inc.



Landscape Plan

For both New Construction and for Alterations (only if major changes to the front elevation), a Landscape Plan must show:

- Existing and proposed plantings, including the species, quantities and installed sizes (show existing trees with diameters of three (3) inches or more and large clump trees);
- All existing and proposed walls and fences, including height and type of materials.
- Proposed grading, drainage, utilities and driveway layout;
- Location of tree protection fencing;
- Location of trees on adjacent properties over 8" in diameter whose roots encroach on the subject property.

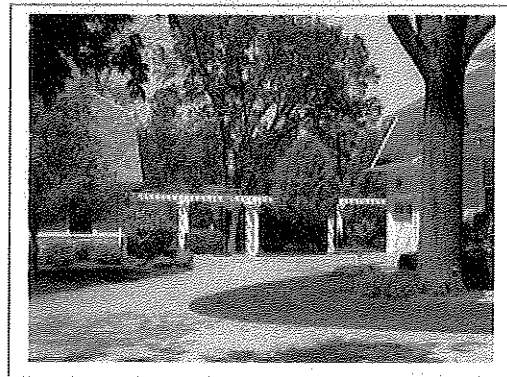
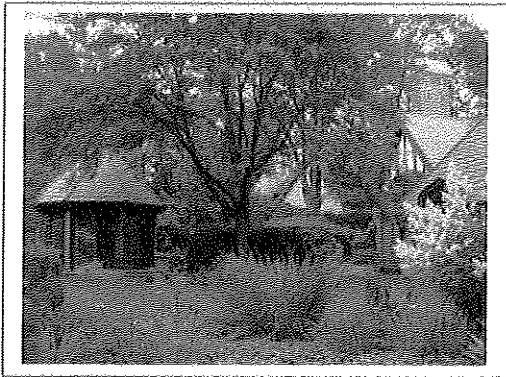
Village Of Hinsdale Residential Design Guidelines: Section Two



Site Amenities

Structures such as arbors, pergolas, gazebos, fountains, tree houses, play houses, ponds and statuary should meet the following criteria:

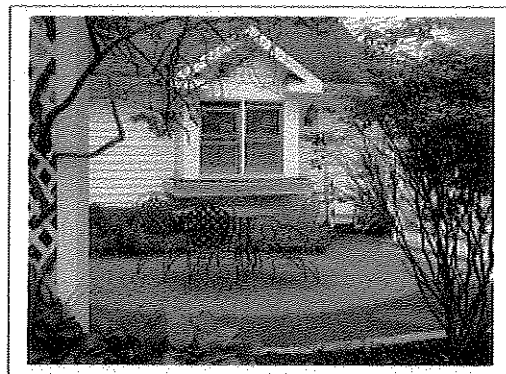
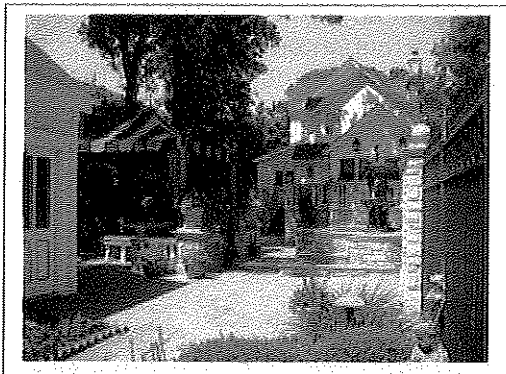
- 1) Be sited in rear yards or side yards
- 2) Be appropriate in scale and in architectural character with the residence;
- 3) Harmonize with the existing on-site and adjacent property trees;



Patios and Terraces

Use permeable construction for maximum water retention on property

- 1) Acceptable materials include brick, brick pavers, concrete pavers, stone



Village Of Hinsdale Residential Design Guidelines: Section Two



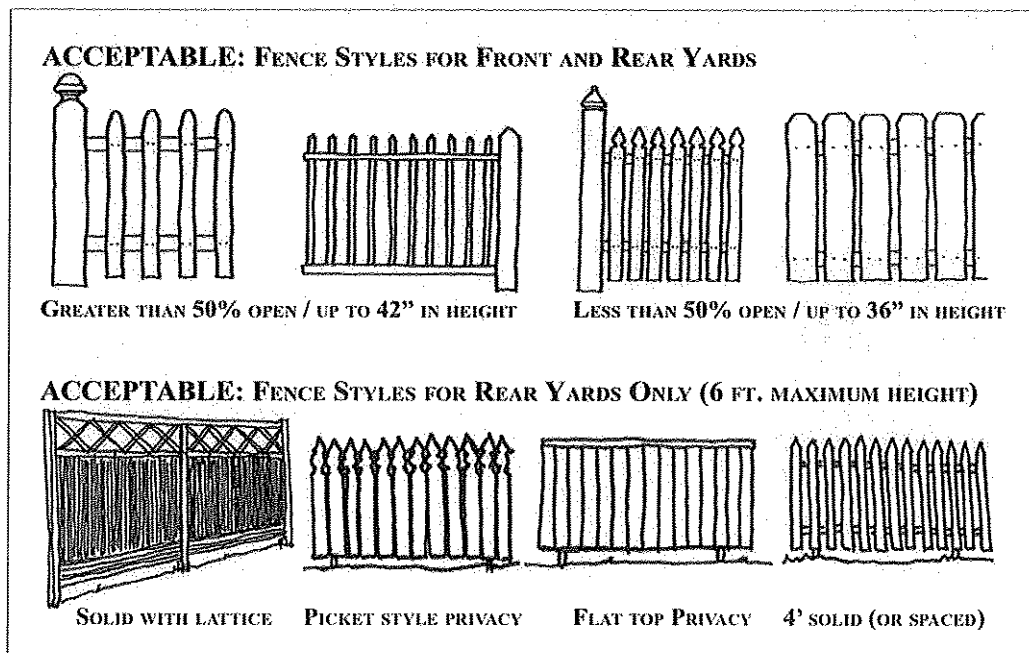
Fences

Fences serve as a distinctive feature of the streetscape and individual yards while providing a sense of privacy and enclosure for property owners. Well designed fencing can create a unified look for the property on which it is erected, as well as enhance the neighborhood as a whole. Fences are often character defining features and should be treated sensitively.

A number of different types of materials are appropriate for fences, garden walls, and gates. Fences and gates made of cast iron, wrought iron, or wood pickets are appropriate for front yards; solid, vertical board wood fences with a flat cap, are appropriate for rear or side yards. Woven wire (chain link) and stockade fences (with jagged tops) are discouraged.

Fences, garden walls, and gates should be appropriate in materials, design, and scale to the period and character of the structure they surround, and they should harmonize with the surrounding neighborhood. Front yard fences should be designed to allow views of the yard and building, while fences for rear or side yards may be more opaque.

Gates should be compatible with any existing fencing, walls or landscaping, and should be designed to swing onto the private walkway or driveway, not onto the public sidewalk.

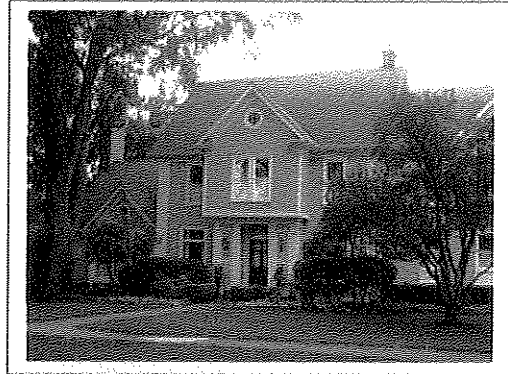
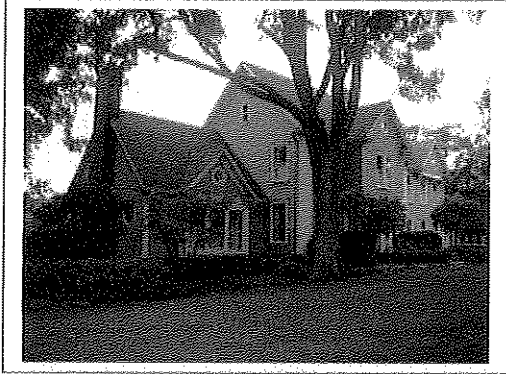


Village of Hinsdale Residential Design Guidelines: Section Two



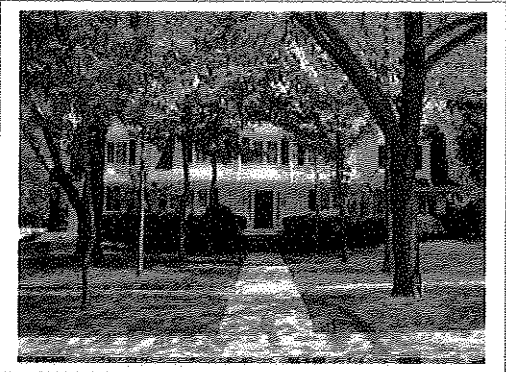
Unity of Design

Unity of design can be achieved through repetition of plant varieties, limited hardscape materials, and by correlation with the exterior of the residence.



Plant Material

If a mature tree must be taken down, it should be replaced with a tree of equal or greater landscape value. Plant material should be selected for ultimate growth characteristics such as, structure, texture, color, seasonal interest and hardiness. Choice of native (indigenous to the region) plants is encouraged.



Plantings should be harmonious in quality and type to the scale and architectural character of the residence. The schematic landscape plan should show all pre-existing, saved landscape features (including trees), all new landscape elements, and list all plant materials. It is recommended that a registered landscape architect prepare such plan.



RULES OF PROCEDURE

Pre-Submittal Consultation With Building Department Staff

Prospective applicants may contact the Building Department to discuss questions they may have about the Design Review Process prior to submitting a formal application. While staff will try to offer guidance on how the Commission has ruled on past cases, only the Commission has decision-making authority. The review process deals with many aspects of design and the intent of the Village in regulating appearance is that only the Commission is qualified to review.

Some projects may require approvals from other Village Boards or Commissions, such as the Zoning Board of Appeals or the Plan Commission. Applicants should contact the Building Department if they believe additional reviews are necessary.

Timing of Design Review Submittals

The Design Review Commission meets on the second Thursday of every month, except when there is a conflict with a public holiday. The applicant should submit all required materials to the Building Department at least three weeks prior to a meeting. If the package is complete, the case will be placed on the next available meeting agenda.

Building Department staff may delay placing an application on the regular agenda or recommend that a case be placed on the pre-application agenda for submittals that are incomplete, poorly prepared or incompatible with the Design Guidelines. Staff will contact the applicant when additional information or corrections are necessary to proceed with review of the project.

Pre-Application Reviews By The Design Review Commission

Applicants may want input from the Commission on conceptual designs for a project prior to submitting a regular application. These discussions are known as pre-application reviews and will take place at the end of the Commission meetings after the regular cases have been reviewed. The purpose of this review is to grant the applicant an opportunity to obtain preliminary guidance from the Commission, as to whether a plan is consistent with the Design Guidelines. All comments made by the Commission at this time are non-binding. The applicant must submit all appropriate pre-application materials at least two weeks prior to a meeting.

Design Review Commission Meetings

Upon review, cases may be approved, denied, continued with the permission of the applicant, or withdrawn at the request of the applicant. Approved cases may proceed through the building permit review process. If a case is denied and the applicant chooses to present new drawings to the Commission, the applicant must submit a new application and materials. If a case is continued, the applicant should return to the Commission with revised drawings and materials at a subsequent meeting.

**Village Of Hinsdale
Residential Design Guidelines: Section Three**



Submittal Requirements

All applications submitted for design review shall consist of the follow:

- Ten (10) collated copies of the application and all submittal requirements, including the original size;
- Submittal sizes for all drawings shall be 11" x 17";
- One set of building materials on foam core;
- One set of approval documents from the Zoning Board of Appeals (if required);
- It is strongly recommended that the architectural drawings be prepared by a licensed architect, as the Building Department will require signs and sealed drawings for the building permit.

Submittal requirements vary depending upon the type of project and are listed below. Incomplete applications may result in the case being returned to the applicant or delayed until a later meeting.

- A. Applications. The applications form must be complete and include all required signatures
- B. Plate of Survey. The survey must show all existing structures.
- C. Site Plan. The site plan must show:
 - Layout of the entire project and its relation to surrounding properties and structures;
 - All existing structures to remain and proposed new construction;
 - Both proposed and required zoning district standards (including setbacks, lot coverage, open space, and floor area ration requirements);
 - All existing and proposed streets;
 - All existing and proposed access points and on-site vehicular and pedestrian circulation;
 - All paved areas, including off-street parking, sidewalks and patios;
 - Air conditioning condenser units, utility meters and boxes;
 - Site lighting fixtures (not attached to building)
- D. Landscape Plan. The plan must show:
 - Existing and proposed plantings including the species, quantities and installed sizes (show existing trees with diameters of three (3) inches or more and large clump trees) ; and
 - All existing and proposed walls and fences, including height and type of materials.
- E. Building Floor Plans. Plans must be drawn to scale and adequately show the lay-out of all affected areas measured from the exterior walls.
- F. Building Elevations. Elevations must be drawn to scale and identify all proposed building materials and colors (similar to the materials on the sample board and in the rendering).
- G. Color Rendering. Drawings of street-facing elevations colored to represent actual materials.

Appendix. _____



Design Review Commission Application

Local Source of Architectural Assistance



ARCHITECTURAL RESOURCES

Roger and Ruth Anderson Architecture Center at Immanuel Hall

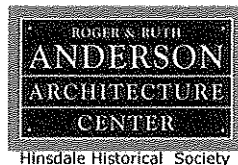
The Roger and Ruth Anderson Architecture Center houses the Hinsdale Historical Society's architectural archive collection, which includes blueprints, house histories, photographs, and information on Village development. In addition, the architecture section of the Society's lending library has been moved to the Anderson Center and continues to expand, covering building styles, interior elements, architect biographies, home maintenance, "green" housing, and information on new architectural products. The center is located at 302 S. Grant Street, on the lower level of Immanuel Hall. For more information call 630-654-9500 or visit the website at www.hinsdalearchitecture.org.

Architectural Resource Surveys

Northeast Hinsdale Survey Area A Summary and Inventory, 2006

Robbins II Survey Area: A Summary and Inventory, 2007

The purpose of the architectural resources is to identify, document, and evaluate historic structures for their architectural significance. They were prepared by Granacki Historic Consultants and are available at the Village Hall.



Immanuel Hall at
302 S. Grant Street
in Hinsdale. Courtesy
of Hinsdale Historical
Society

