

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
OCTOBER 12, 2011
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, October 12, 2011 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Cashman, Commissioner McMahon, Commissioner Crnovich and Commissioner Johnson

ABSENT: Commissioner Sullins, Commissioner Nelson, Commissioner Stifflear, Commissioner Brody

ALSO PRESENT: Sean Gascoigne, Village Planner, Tim Scott, Director of Economic Development

Approval of Minutes

The Plan Commission reviewed the minutes from the September 14, 2011 meeting. Commissioner Johnson motioned to approve the minutes of September 14, 2011. Commissioner Cashman seconded. The motion passed unanimously.

Findings and Recommendations

A-05-2011 – 10 N. Washington Street – Eden Assisted Living – Site Plan/Exterior Appearance Approval for Removal of Existing Townhomes and Landscaping 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 McMahon motioned to approve the findings and recommendations for case A-05-2011 – 10 N. Washington Street – Eden Assisted Living – Site Plan/Exterior Appearance Approval for Removal of Existing Townhomes and Landscaping Improvements. Commissioner Crnovich seconded. The motion passed unanimously.

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.

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. Commissioner Crnovich motioned to approve the findings and recommendations for case 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. Commissioner McMahon seconded. The motion passed unanimously.

**Plan Commission Minutes
October 12, 2011**

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.

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. Commissioner Cashman motioned to approve the findings and recommendations for case 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. Commissioner Johnson seconded. The motion passed unanimously.

Exterior Appearance/Site Plan Review

Various Addresses – AT&T – Site Plan/Exterior Appearance Approval for Antennas on Existing ComEd Utility Poles.

Chairman Byrnes introduced the case and asked if the applicant was present.

Jim Leahy introduced himself and summarized the request which included the installation of antennas and associated equipment on existing ComEd utility poles within the right-of-ways.

He introduced the powerpoint presentation that was provided in the Commissioner's packets and summarized the slides explaining the need for additional service within the Village. He identified the history of AT&T in Hinsdale and difficulties they have had with providing services to the residents. He then went on to explain the progression in technology and how they reached their current abilities to utilize existing utility poles in the right-of-ways to mount their equipment.

Mr. Leahy summarized the coverage maps and provided further explanation as to why AT&T needed the additional antennas and coverage. He then identified other communities that are or would be undergoing the same technology upgrades. He went on to explain the equipment to be used and how it would be installed on the existing utility poles.

Chairman Byrnes confirmed that while the technology was clearly different, the equipment provided the same type of service as other antennas in town, such as those on the water tower.

Mr. Leahy confirmed.

Commissioner Johnson questioned if AT&T has had the opportunity to obtain feedback on the few existing installations they had completed.

Mr. Leahy indicated that they have received positive feedback almost immediately. He identified the other locations and explained the positive impacts they have had on those service areas.

Chairman Byrnes confirmed that AT&T was not one of the carriers currently located on the water tower.

**Plan Commission Minutes
October 12, 2011**

Mr. Leahy confirmed and explained why they were not.

Commissioner Crnovich questioned how many nodes would go up in Hinsdale.

Mr. Leahy explained that while there were 9-10 in this project, there would actually only be 8 within Hinsdale.

Commissioner Johnson expressed concerns with the height of the power supply box and asked if that could be raised.

Mr. Leahy indicated that they did have some flexibility with the height and would be happy to work with the engineers to raise them as much as they could.

Commissioner Crnovich asked which other communities were going to this type of technology.

Mr. Leahy identified the other communities and their progress.

Chairman Byrnes indicated that this proposal is no more obtrusive than what already exists on these poles.

General discussion ensued regarding the dimension and colors of the proposed antennas and the condition of the existing poles.

Commissioner Cashman confirmed that he too didn't feel this proposal was obtrusive

Commissioner Johnson motioned for the approval of Exterior Appearance for Antennas on the Existing ComEd Utility Poles for AT&T Mobility with the additional condition that the applicant make every effort to increase the height of the power supply boxes above eight feet. Commissioner Cashman seconded. The motion passed unanimously.

Commissioner Johnson motioned to disapprove the Site Plan for Antennas on the Existing ComEd Utility Poles for AT&T Mobility. Commissioner Cashman seconded. The motion failed unanimously and the site plan was approved.

Public Hearings (33:00)

A-15-2011 – Level 4 Yoga – Text Amendment Section 6-106, to allow Yoga Instruction in the O-2 District as Special Uses and A-16-2011 – Level 4 Yoga – Special Use Permit to allow Yoga Instruction at 34 S. Vine Street. (Transcript of the following Public Hearing on file.)

Chairman Byrnes opened the public hearing, briefly summarized the request and asked if the petitioner was present.

Chris Kenney, owner and operator of Level 4 Yoga, introduced himself and summarized their business plan and other existing or proposed locations. He then identified the need in Hinsdale and the significance of the location.

**Plan Commission Minutes
October 12, 2011**

General discussion ensued regarding the specifics of the business use and the proposed location.

The Commissioners agreed that this was a positive addition to Grant Square and to Hinsdale.

Commissioner Cashman motioned to approve a text amendment to Section 6-106, to allow Yoga Instruction in the O-2 District as Special Uses. Commissioner Crnovich seconded. The motion passed unanimously.

Commissioner Crnovich motioned for the approval of a Special Use Permit to allow Yoga Instruction at 34 S. Vine Street. Commissioner Cashman seconded. The motion passed unanimously.

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. (Transcript of the following Public Hearing on file.)

Chairman Byrnes opened the public hearing and summarized the request.

Jay Javors introduced himself and summarized the request explaining how the text amendment request came about citing changes in the economy and retail trends as major contributors to vacancies in the downtown.

General discussion ensued regarding the applicability of the text amendment, how it would impact the downtown and the limited application it would have. Other Commissioners expressed their additional concerns with the request as proposed.

Mr. Javors explained the difficulty with leasing space in the downtown due to the limited need for the existing building depths and sizes.

Commissioner Crnovich questioned a previous moratorium placed on financial institutions in the B-2 District.

Mr. Javors confirmed and explained how the proposed language would not change the spirit of that intent.

Discussion ensued regarding parking and how it would be impacted by the proposed request.

Commissioner McMahan questioned the physical connection between the existing bank and the proposed location.

Mr. Javors explained how the layout would work.

The Commissioners expressed general support for the request, but agreed it should be limited to the rear 50% of the overall building depth and any anomalies could be addressed through the variation process.

**Plan Commission Minutes
October 12, 2011**

Commissioner Cashman motioned to approve a 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, with the additional condition that that any such expansion not occupy more than the rear 50% of the depth of the overall tenant space. Commissioner Crnovich seconded. The motion passed unanimously.

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 and A-19-2011 – Denise Dills – Special Use Permit to allow a Musical Tutoring Service at 116-118 S. Washington Street. (Transcript of the following Public Hearing on file.)

Chairman Byrnes opened the public hearing and summarized the request.

Peter Coules, attorney and representation for the applicant, introduced himself and summarized the request and the business plan for the School of Rock. He addressed some concerns that had recently been identified regarding the current use of the first floor and how these concerns were related to his client and their request. He then provided some specific examples of how the proposed use would create positive impacts for the community and the downtown.

Discussion ensued regarding soundproofing and how the applicant proposed to minimize sound in the space. Mr. Coules defined sound baffling and other measures taken to ensure that external sound is minimized.

Chairman Byrnes questioned the maximum capacity of the second floor. The Commissioners discussed the maximum number of students and the overall size of the second floor space. They then discussed how the applicant proposed to build out on the second floor and how the space would be divided up.

Mr. Coules confirmed that any feedback they have received to date has all been positive.

Commissioner Crnovich questioned a previous text amendment being approved for music schools in the O-2 and whether the applicant had considered that zoning district.

Mr. Coules identified the differences between what School of Rock does and what is permitted in the O-2 as a result of that text amendment. He then indicated that considering these differences along with his client's proximity to the middle school, the B-2 was a much better option.

Chris Catalano, CEO of School of Rock, introduced himself and explained the spirit and theory behind his business. He also explained what made this building so ideal, both physically and geographically.

Chairman Byrnes offered some final thoughts and expressed his support for the requests.

**Plan Commission Minutes
October 12, 2011**

Commissioner Johnson motioned to approve a text amendment to Section 5-105C, to allow Musical Tutoring Services, in the B-2 District (but not on the first floor) as Special Uses. Commissioner Cashman seconded. The motion passed with the following vote: Ayes: Commissioner Johnson, Commissioner McMahon, Chairman Byrnes and Commissioner Cashman. Nays: Commissioner Crnovich.

Commissioner Johnson motioned for the approval of a Special Use Permit to allow a Musical Tutoring Service at 116-118 S. Washington Street. Commissioner Cashman seconded. The motion passed with the following vote: Ayes: Commissioner Johnson, Commissioner McMahon, Chairman Byrnes and Commissioner Cashman. Nays: Commissioner Crnovich.

Adjournment

Commissioner Cashman moved to adjourn. Commissioner Crnovich seconded and the meeting adjourned at 8:47 p.m. on October 12, 2011.

Respectfully Submitted,

Sean Gascoigne
Village Planner

HINSDALE PLAN COMMISSION

RE: Case A-15-2011 - 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.

DATE OF PLAN COMMISSION REVIEW: October 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: October 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Level 4 Yoga, submitted an application to amend Article VI (Office Districts), Section 6-106 (Special Uses), to allow Yoga Instruction (7999) in the O-2 Limited Office District as Special Uses.
2. The Plan Commission heard a presentation from the applicant regarding the proposed text amendment at the Plan Commission meeting of October 12, 2011.
3. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of five (5) “Ayes”, zero (0) “Nays” and four (4) “Absent” recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended as proposed.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.

HINSDALE PLAN COMMISSION

RE: Case A-16-2011 - Applicant: Level 4 Yoga – Request: Special Use to Operate a Yoga Studio at 34 S. Vine.

DATE OF PLAN COMMISSION REVIEW: October 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: October 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Level 4 Yoga, submitted an application for a Special Use to operate a yoga studio at 34 S. Vine.
2. The property is located within the O-2, Limited Office District and improved with a multi-story office building and associated parking lot.
3. The Plan Commission heard testimony from the applicant regarding the proposed request at the Plan Commission meeting of October 12, 2011.
4. The Commissioners asked the applicant a few general questions regarding the proposed use.
5. The Commissioners agreed that the proposed use was a good fit for the location and for Hinsdale.
6. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of five (5) “Ayes,” 0 “Nay,” and four (4) “Absent” recommends that the President and Board of Trustees approve the Application for a special use permit to allow a yoga studio, at 34 S. Vine Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.

HINSDALE PLAN COMMISSION

RE: 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.

DATE OF PLAN COMMISSION REVIEW: October 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: October 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Midwest Property Group, Ltd., submitted an application to amend 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.
2. The Plan Commission heard a presentation from the applicant regarding the proposed text amendment at the Plan Commission meeting of October 12, 2011.
3. The Commission expressed concern with the proposed language and agreed that a more inclusive approach was appropriate suggesting the language should limit any such tenant space to allow no more than the rear 50% of the depth of the overall tenant space to be devoted to such use.
4. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of five (5) “Ayes”, zero (0) “Nay” and four (4) “Absent” recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended subject to the additional condition that any such expansion not occupy more than the rear 50% of the depth of the overall tenant space.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.

HINSDALE PLAN COMMISSION

RE: Case A-18-2011 - 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.

DATE OF PLAN COMMISSION REVIEW: October 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: October 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Rock Rubicon LLC., submitted an application to amend Article V (Business Districts), Section 5-105 (Special Uses), Subsection C (Services) 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.
2. The Plan Commission heard a presentation from the applicant regarding the proposed text amendment at the Plan Commission meeting of October 12, 2011.
3. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of four (4) “Ayes”, one (1) “Nay” and four (4) “Absent” recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended as proposed.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.

HINSDALE PLAN COMMISSION

RE: Case A-19-2011 - Applicant: Rock Rubicon, LLC. – Request: Special Use to Operate a Musical Tutoring Service on the 2nd Floor at 116-118 Washington Street.

DATE OF PLAN COMMISSION REVIEW: October 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: October 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Rock Rubicon LLC., submitted an application for a Special Use to Operate a Musical Tutoring Service on the 2nd Floor at 116-118 Washington Street.
2. The property is located within the B-2, Central Business District and improved with a two-story building.
3. The Plan Commission heard testimony from the applicant regarding the proposed request at the Plan Commission meeting of October 12, 2011.
4. Certain Commissioners asked the applicant general questions regarding the location of the proposed use and the applicant's ability to properly sound proof the building.
5. Most Commissioners agreed that this was an appropriate location for the proposed use given its proximity to the Middle School and accessibility to the downtown while parents waited for their children.
6. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of four (4) "Ayes," one (1) "Nay," and four (4) "Absent" recommends that the President and Board of Trustees approve the Application for a special use permit to allow a musical tutoring service, at 116-118 S. Washington Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.