

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
JUNE 13, 2012
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, June 13, 2012 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

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

ABSENT: Commissioner Sullins, Commissioner Nelson, Commissioner McMahon and Commissioner Stifflear

ALSO PRESENT: Sean Gascoigne, Village Planner

Approval of Minutes

The Plan Commission reviewed the minutes from the May 9, 2012 meeting. Commissioner Brody motioned to approve the minutes of May 9, 2012. Commissioner Cashman seconded. The motion passed unanimously.

Findings and Recommendations

A-11-2012 – 777 N. York Road (Fox's Pizza) – Design Review Overlay Permit, Special Use for Live Entertainment and Exterior Appearance/Site Plan Review for a New Restaurant.

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 Cashman motioned to approve the findings and recommendations for A-11-2012 – 777 N. York Road (Fox's Pizza) – Design Review Overlay Permit, Special Use for Live Entertainment and Exterior Appearance/Site Plan Review for a New Restaurant. Commissioner Brody seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-17-2012 – Daily Spark - Text Amendment to Section 5-105C, to allow Fitness Facilities in the B-1, Community Business District as Special Uses.

A-18-2012 – Daily Spark- Special Use to Allow a Fitness Facility at 777 N. York.

Chairman Byrnes stated this public hearing would be scheduled for July 11, 2012.

Signage

34 S. Vine – Core Power Yoga – One Wall Sign

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Chairman Byrnes introduced the case and asked if the applicant was present. He went on to explain to the other Commissioners why he chose to bring this in front of the full Commission rather than approving it administratively.

Mike Hoffer from Aubrey Signs introduced himself and summarized the request indicating that the sign was proposed to be internally illuminated channel letters.

General discussion ensued regarding the specifics of the sign including size, location and color.

Commissioner Cashman felt the sign was appropriate for the location.

Commissioner Crnovich offered thoughts and indicated she felt it should fit in more with Grant Square.

Chairman Byrnes duly noted the suggestion, but didn't feel that style of signage would be appropriate here.

General discussion ensued regarding the concerns and comments of the Commissioners. This included scale, color and illumination.

Chairman Byrnes indicated that he would be more comfortable if the sign was reduced by 20% and confirmed that the other Commissioners would be ok with that, as well as regulating the hours the sign could be illuminated.

Mr. Gascoigne indicated that the code already provided these types of constraints for signage adjacent to residential districts and while this property was not adjacent to any residential, he suggested using those hours of being off between the hours of 10 p.m. and 7 a.m. to remain consistent.

The Commission concurred.

Commissioner Brody motioned to approve Core Power Yoga for one wall sign subject to the applicant reducing the overall size of the sign by 20% and maintaining the illumination standards matching that of signs adjacent to residential properties. Commissioner Crnovich seconded. The motion passed unanimously.

Exterior Appearance/Site Plan Review

22 N. Elm Street – Hinsdale Humane Society – Site Plan/Exterior Appearance Approval for Expansion of Existing Dog Run.

Chairman Byrnes introduced the case and summarized the request.

Matt Saunders, Eagle Scout, introduced himself and summarized his request. He went on to identify the changes he was proposing and provided examples of the materials he would be using. He also explained which portions of the project would be completed by contractors and those that he would expect to complete with a group of volunteers. He then completed his

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presentation by providing a timeline and explaining that all funding would be done through donations so that there would be no cost to the Humane Society.

The Commissioners confirmed a few additional facts and thanked Mr. Saunders for his time.

Commissioner Cashman motioned for the approval of Exterior Appearance for the expansion of an existing dog run at 22 N. Elm Street – Hinsdale Humane Society. Commissioner Brody seconded. The motion passed unanimously.

Commissioner Johnson motioned to disapprove the Site Plan for the expansion of an existing dog run at 22 N. Elm Street – Hinsdale Humane Society. Commissioner Crnovich seconded. The motion failed and the site plan was approved unanimously.

Public Hearings

A-12-2012 – Craig Ross – Special Use Permit to allow Real Estate Offices, with a Maximum of 4 Agents, at 23 N. Lincoln (Transcript of the following Public Hearing on file).

Chairman Byrnes opened the public hearing, introduced the case and asked if the applicant was present.

Craig Ross, applicant and owner of 23 N. Lincoln introduced himself and summarized the request.

General discussion ensued regarding the specifics of the proposal and how the existing building was functioning.

Commissioner Crnovich expressed concerns with the landscaping and indicated that she would like to see additional buffering provided since this was in the O-1 District.

Chairman Byrnes indicated that while he appreciated the concerns, he didn't necessarily feel additional landscaping should be required given the scope of the proposal and that no exterior work was proposed.

Commissioner Crnovich cited sections of the code that she felt applied and as such, felt the applicant should provide additional landscaping.

Commissioner Cashman disagreed and indicated that nothing about this property was changing and that everything about it gave a residential feel. He felt that requiring the applicant to provide additional landscaping was unnecessary.

General discussion ensued regarding the landscaping and whether the applicant should be required to provide additional buffering. Commissioners presented positions for and against the need to provide anything additional.

Commissioner Brody motioned to approve case A-12-2012 – 23 N. Lincoln – Special Use to allow real estate offices with a maximum of 4 agents. Commissioner Cashman seconded. With the following vote, Ayes: Chairman Byrnes, Commissioner Cashman and Commissioner Brody,

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Nays: Commissioner Johnson, Commissioner Crnovich, the motion failed to obtain the four votes necessary to move forward with a positive recommendation as stipulated in the Village's Zoning Ordinance. As a result the motion fails and is recommended to the Zoning and Public Safety Committee for denial.

A-15-2012 – Nurturing Wisdom – Special Use to allow a Private Middle School at 125 S. Vine Street – Zion Lutheran Church (Transcript of the following Public Hearing on file).

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

Pari Shacht and Amanda Vogel, President and Vice President of Nurturing Wisdom, introduced themselves and summarized the request including the history and scope of the business which included customized education for a smaller population of students. They discussed the times of operation as well as grades to be served.

General discussion ensued regarding the level of students the school was looking to attract and how the programs will be structured.

Chairman Byrnes explained why the applicant was required to come in for the approval, even though the use previously existed there.

Discussions continued and the applicant addressed questions including the number of teachers, accreditation of the school and signage.

Chairman Byrnes welcomed comments from the audience. Comments from the audience consisted of support for the project and clarification on issues such as parking and hours of operation.

Commissioner Brody motioned to approve Case A-15-2012 – Nurturing Wisdom – Special Use Permit to allow a private middle school at 125 S. Vine Street. Commissioner Cashman seconded. The motion passed with the following vote, Ayes: Chairman Brynes, Commissioner Brody, Commissioner Crnovich and Commissioner Cashman, Nays: None, Abstentions: Commissioner Johnson.

Adjournment

Commissioner Johnson moved to adjourn. Commissioner Brody seconded and the meeting adjourned at 8:20 p.m. on June 13, 2012.

Respectfully Submitted,

Sean Gascoigne
Village Planner

HINSDALE PLAN COMMISSION

RE: 22 N. Elm Street – The Hinsdale Humane Society - Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: June 13, 2012

DATE OF ZONING AND PUBLIC SAFETY REVIEW: June 25, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Matt Saunders, an Eagle Scout and applicant on behalf of Hinsdale Humane Society, (the "Applicant") submitted an application for an Eagle Scout project, to the Village of Hinsdale for the property located at 22 N. Elm Street (the "Subject Property").
2. The Subject Property is zoned in the IB Institutional Buildings District and improved with a one-story building.
3. The applicant is proposing to expand the existing dog run on the north side of the of the subject property.
4. The proposed expansion would include the replacement of any old and deteriorated posts, as well as new posts for the expansion. In addition, the existing fence would be re-used for the existing portion with new fencing proposed for the expansion.
5. The Plan Commission finds that the application complies with the standards set forth in Section 11-606 of the Hinsdale Zoning Code pertaining to the exterior appearance review.
6. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review. There are no changes proposed to the site plan.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, on a vote of 5 "Ayes," 0 "Nays," and 4 "absent", recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance and site plans at 22 N. Elm Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2012.

HINSDALE PLAN COMMISSION

Re: Case A-12-2012 – Craig Ross – 23 N. Lincoln Street - Request: Special Use Permit to Allow Real Estate Offices with a Maximum of 4 Agents at 23 N. Lincoln Street.

DATE OF PLAN COMMISSION REVIEW: June 13, 2012

DATE OF ENVIRONMENT & PUBLIC SERVICES REVIEW: June 25, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Craig Ross, submitted an application for a Special Use permit to allow real estate offices with a maximum of 4 agents at 23 N. Lincoln Street.
2. The property is located within the O-1, Specialty Office District and improved with a 2-story home used for office.
3. The Plan Commission heard testimony from the applicant regarding the proposed request at the Plan Commission meeting of June 13, 2012.
4. Certain Commissioners expressed concerns with landscaping and suggested that additional landscaping be provided by the applicant pursuant to Section 11-601.E.3.c. of the Zoning Code of the Village of Hinsdale, which requires the Plan Commission to consider evidence of whether there has been mitigation of any adverse impacts of the use through landscaping or other site design.
5. While some Commissioners requested that additional landscaping be provided, a majority of Commissioners in attendance felt that the request lacked the appropriate relationship to the specific use that was being requested. Where the requested real estate agent use in existing office space involved no request for approval for changes to the exterior of the building or property, no exterior changes to the building at all, or any other discernable exterior adverse impact that would require mitigation through landscaping improvements, a majority of the Commissioners in attendance felt that requiring additional landscaping as a condition of approval would be inappropriate and overly burdensome to the petitioner.
6. The vote by the Plan Commission to recommend approval of the requested special use to allow real estate offices with a maximum of four agents without any landscaping condition was three (3) in favor, two (2) opposed, with four (4) members absent. Although a majority of Commissioners present voted to recommend approval of the request, the Village's Zoning Code states that "the concurring vote of a majority of the plan commission, consisting of at least four (4) members, shall be necessary on any motion to recommend approval of any matter or application. Any lesser vote on any such motion, even if a majority of those voting, shall be considered a final decision to recommend denial of such matter or application." Therefore, due to the lack of a fourth vote in favor, the recommendation must proceed as a recommendation to deny.
7. Other than the disagreement over the need to require additional landscaping, the Plan Commission, based on the Application and evidence presented, generally finds that the Application satisfies the

standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit. Among the evidence relied upon by the Plan Commission is the fact that the real estate office will be located in an existing building currently being used for office purposes, that any traffic impact should be negligible, that the exterior of the building shall be unchanged, that adequate public facilities to serve the office are already in place, and that the office will be limited to a maximum of four (4) agents.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of three (3) "Ayes," two (2) "Nay," and four (4) "Absent", recommends that the President and Board of Trustees deny the Application for a special use permit to allow Real Estate Offices with a Maximum of four (4) Agents at 23 N. Lincoln Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2012.

HINSDALE PLAN COMMISSION

Re: Case A-15-2012 – Nurturing Wisdom – 125 S. Vine Street - Request: Special Use Permit to Operate a Private Middle School

DATE OF PLAN COMMISSION REVIEW: June 13, 2012

DATE OF ENVIRONMENT & PUBLIC SERVICES REVIEW: June 25, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Nurturing Wisdom, submitted an application for a Special Use to operate a private middle school at 125 S. Vine Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing school where a private middle school operated previously. Middle schools are listed as a Special Use.
3. The Plan Commission heard testimony from the applicant regarding the proposed request, including proposed hours and class sizes, at the Plan Commission meeting of June 13, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which confirmed, among other things, that the facility would not be doing tutoring from this location.
5. The Commissioners agreed that the proposed use was a good fit for the location.
6. The Plan Commission specifically finds that based on the Application and the evidence presented at the public hearing, the Applicant has satisfied the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit. Among the evidence relied upon by the Plan Commission is the fact that the school will be located in an existing building specifically designed for school use, that a school has operated at this location in the past, that adequate public facilities to serve the school are already in place, and that adequate parking to serve the proposed school use exists.

II. RECOMMENDATION

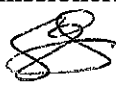
The Village of Hinsdale Plan Commission, by a vote of four (4) "Ayes," 0 "Nay," one (1) "Abstention" and four (4) "Absent", recommends that the President and Board of Trustees approve the Application for a special use permit to allow the operation of a private middle school at 125 S. Vine Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2012.

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: July 11, 2012
Re: Scheduling of a Public Hearing for Case A-21-2012
Applicant: Jennifer Grapes-McIntyre – Hinsdale Dance Academy, Inc.
Request: Special Use to Allow Dance Studio at 414 Chestnut Street.

The applicant, Jennifer Grapes-McIntyre, is proposing a dance studio to be located in the commercial building located at 414 Chestnut Street in the B-3 General Business District and is requesting approval of a special use to allow the business. According to Paragraph 5-105C(10), dance studios are a special use in the B-3 District.

It is requested that the public hearing be scheduled for September 12, 2012.

Attachment

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

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Application # A-21-2012 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Hinsdale Dance Academy, Inc./Jennifer Grapes-McIntyre

Address or description of subject property:

414 Chestnut Street, Hinsdale Illinois 60521

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

Operation of a Dance Studio.

Plans reviewed, if any: *See attached plans, if any. – See Case A-21-2012 – Special Use Permit*

Conditions of approval of this certificate:

- The petitioner must apply for and obtain the necessary special use as it relates to the proposed use.

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

- Subsection 11-602E pertaining to Standards for Special Use permits as found in the Zoning Code;

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

NOTE ALL OF THE FOLLOWING CAREFULLY:

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

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

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

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

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

By:


Village Manager

Dated:

6/29, 2022



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: 414 Chestnut St, Hinsdale, IL 60521

Proposed Special Use request: dance 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.

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.

Yes, this Hinsdale Dance Academy does comply with the general and specific purposes for which this code was enacted.

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.

HDA does not pose a threat to the above mentioned criteria, but will rather enrich the community by providing the highest quality dance education/outreach/performance opportunities to the community of Hinsdale.

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. HDA will not dominate or interfere with other developments of neighboring properties, but will rather help to bring more business to them.
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 property of 414 Chestnut is adequately served by public facilities.
5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. that will not cause undue traffic congestion as it is set back from busy downtown streets.
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. that ~~is~~ does not have the need to destroy any of the above mentioned features, but rather enjoys and respects all natural and historic features of the village.
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. Yes, that complies with all criteria and standards of this code and will be an asset to the community.
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. HDA agrees to meet any special standards for the district which could be imposed for this special use.

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

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

B. *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. _____

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

→ 9A. The community of Hinsdale has agreed to offer premiere dance education/outreach to its people. The Hinsdale Dance Academy will dedicate itself to enriching the community by providing the highest quality dance education and performances. HDA also hopes to raise cultural awareness for the arts through collaborations with other local arts organizations.

→ 9B. 414 Chestnut St. is the ideal location for HDA. Not only was it the former location of the original ~~Hinsdale~~ Hinsdale Dance Academy led by the dearly departed Ms. Yvonne Brown Collodi, but it is close to public transport and far enough away from busy downtown streets. It, also, has its own parking lot with ample spaces to accommodate its clients.

→ 9C. 414 Chestnut St. is a commercial property which has been used in the past to host HDA. It has been recently remodeled, is well-maintained, and kept to code.



VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant
Name: <u>Jennifer Grapes-McIntyre</u>
Address: <u>1111 Burlington Ave</u>
City/Zip: <u>Lisle, IL 60532</u>
Phone/Fax: <u>(616) 661 1245</u> <u>NA</u>
E-Mail: <u>jennj3627@aol.com</u>

Owner
Name: <u>Vivian Balducci</u>
Address: <u>7585 S. Madison St</u>
City/Zip: <u>Burr Ridge, IL 60527</u>
Phone/Fax: <u>(630) 846 8995</u> <u>NA</u>
E-Mail: <u>joann.cooney@gmail.com</u>

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

Name: <u>Joyce Bartizal</u>
Title: <u>Attorney at Law</u>
Address: <u>3333 Warrenville Rd #200</u>
City/Zip: <u>Lisle, IL 60532</u>
Phone/Fax: <u>(630) 355 5148 / 847 833 7596</u>
E-Mail: <u>bartizal.law@gmail.com</u>

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: 414 Chestnut St., Hinsdale, IL 60521

Property identification number (P.I.N. or tax number): 09 - 12 - 101 - 002

Brief description of proposed project: The Hinsdale Dance Academy
will operate out of the first floor of the
building.

General description or characteristics of the site: Free standing ~~but~~ 2 story
building w/ parking lot in the front + rear.

Existing zoning and land use: B3

Surrounding zoning and existing land uses:

North: O-2 (limited office)

South: R-4 (single family residential)
^{ER}
_(across tracks)

East: O-2 (limited office)

West: O-2 (limited office)

Proposed zoning and land use: no change

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: dance studio

☐ 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: 414 Chestnut St., Hinsdale, IL 60521

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

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	6042 ≈ 8900
Minimum Lot Depth	125'	125'	125'	6000 68.72 ft.
Minimum Lot Width	50'	20'	50'	74.98'
Building Height	30'	30'	30'	$\approx 29'$
Number of Stories	2	2	2	2
Front Yard Setback	25'	0'	25'	$< 20'$
Corner Side Yard Setback	25'	0'	25'	N/A
Interior Side Yard Setback	10'	0'	10'	$> 10' / \approx 10'$
Rear Yard Setback	20'	20'	20'	$> 20'$
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	< 0.5
Maximum Total Building Coverage*	N/A	80%	N/A	N/A
Maximum Total Lot Coverage*	90%	100%	90%	$> 90\%$
Parking Requirements				5 in front 9 in rear w/ \rightarrow EXISTING PARKING 1 handicap
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'	N/A

* Must provide actual square footage number and percentage.

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

This is an existing building. Hinsdale Dance Academy would fill available space in it. A dance studio operated in the building in the past.

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 8th day of June, 2012, 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

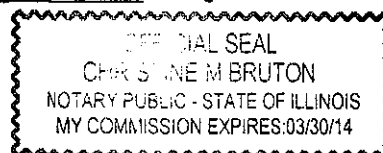
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 8th day of
June, 2012.

Notary Public

4



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

Application for Certificate of Zoning Compliance

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

Applicant's name: Jennifer Grapes-McIntyre
Owner's name (if different): Vivian Balducci
Property address: 414 Chestnut St, Hinsdale, IL 60521
Property legal description: [attach to this form]
Present zoning classification: B-3 General Business District
Square footage of property: ~~6,042~~ ~ 8,900
Lot area per dwelling: NA
Lot dimensions: 92.44' x 74.98' x 68.72' x 78.58'
Current use of property: Vacant (previously real estate offices)
Proposed use: ☐ Single-family detached dwelling
☒ Other: dance studio
Approval sought: ☐ Building Permit ☐ Variation
☒ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

2 request Permission to operate a dance studio (Hinsdale Dance Academy) out of the first floor commercial space of property.

Plans & Specifications: [submit with this form]

Provided:

Required by Code:

Yards:

front:

interior side(s)

< 25'
< 10' / > 10'

25'
10' / 10'

Provided:

Required by Code:

corner side
rear

N/A
> 20'

25'
20'

Setbacks (businesses and offices):

front:
interior side(s)
corner side
rear

< 25'
< 10' / 210'
N/A
> 20'

25'
10' / 10'
25'
20'

others:

Ogden Ave. Center:
York Rd. Center:
Forest Preserve:

N/A
N/A
N/A

100'
N/A
N/A

Building heights:

principal building(s):
accessory building(s):

< 30'
N/A

30'
15'

Maximum Elevations:

principal building(s):
accessory building(s):

< 30'
N/A

30'
15'

Dwelling unit size(s):

N/A

N/A

Total building coverage:

N/A

N/A

Total lot coverage:

> 90%

90%

Floor area ratio:

< 0.5

0.5

Accessory building(s):

N/A

Spacing between buildings:[depict on attached plans]

principal building(s):

N/A

accessory building(s):

N/A

Number of off-street parking spaces required:

Number of loading spaces required:

N/A

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

Jennifer Grapes-McIntyre
Applicant's printed name

Dated: June 7, 2012

Plat of Survey

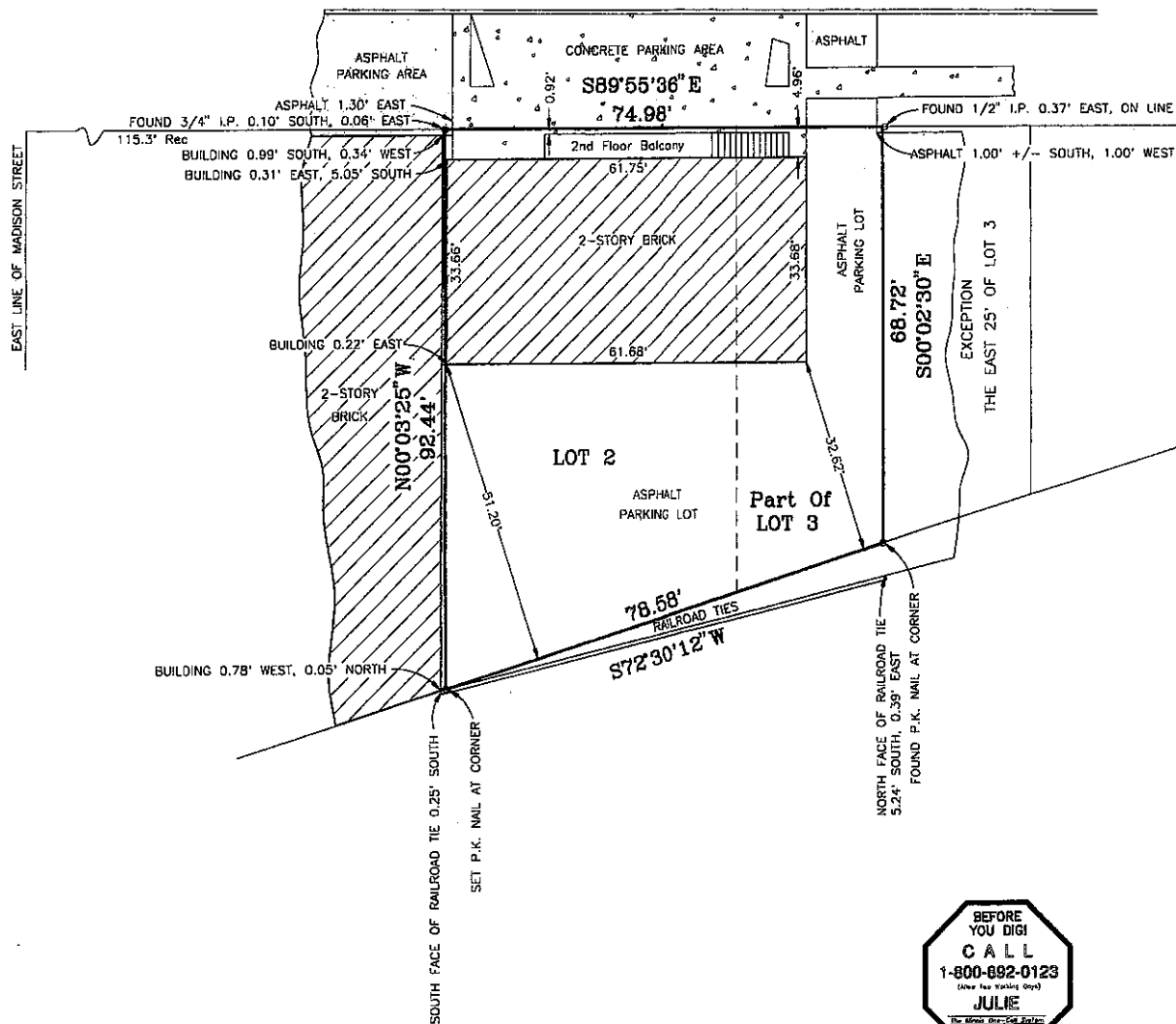
Description

LOT 2 AND 3 (EXCEPT THE EAST 25 FEET OF LOT 3) (MEASURED ON NORTH LINE THEREOF AND PARALLEL TO THE EAST LINE THEREOF) IN MORRIS' SUBDIVISION OF BLOCK 3, IN HANNAH'S SUBDIVISION OF THE WEST 809 FEET OF OUTLOT 1 IN THE ORIGINAL TOWN OF WINDALE, IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MORRIS' SUBDIVISION ON AFORESAID, RECORDED ON OCTOBER 27, 1947 AS DOCUMENT 532597 IN DU PAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 414 CHESTNUT STREET

6,042 SQUARE FEET

CHESTNUT STREET



COMPARE LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. A TITLE COMMITMENT WAS NOT FURNISHED FOR USE IN PREPARATION OF THIS SURVEY. IF A TITLE COMMITMENT WAS NOT FURNISHED, THERE MAY BE EASEMENTS, BUILDING LINES OR OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT. THIS PLAT DOES NOT SHOW BUILDING RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES. LOCAL AUTHORITIES MUST BE CONSULTED REGARDING ANY RESTRICTIONS.

DO NOT SCALE DIMENSIONS FROM THIS PLAT. NO EXTRAPOLATIONS SHOULD BE MADE FROM THE INFORMATION SHOWN WITHOUT THE PERMISSION OF SCHOMIG LAND SURVEYORS, LTD. THIS PLAT IS NOT TRANSFERABLE. ONLY PRINTS WITH AN EMBOSSED SEAL ARE OFFICIAL COPIES. © COPYRIGHT, ALL RIGHTS RESERVED.



STATE OF ILLINOIS } ss.
COUNTY OF COOK }

WE SCHOMIG LAND SURVEYORS, LTD. AS ILLINOIS LICENSED PROFESSIONAL LAND SURVEYORS, HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED IN THE CAPTION TO THE PLAT HEREON DRAWN AND THAT THE SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT AND ARE CORRECT AT A TEMPERATURE OF 68 DEGREES FAHRENHEIT. DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

I.P. = IRON PIPE
C.L.F. = CHAIN LINK FENCE
W.F. = WOOD FENCE
B.L. = BUILDING LINES
P.U.E. = PUBLIC UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT

SURVEYED: JUNE 30, 2005

BUILDING LOCATED: JUNE 30, 2005


ORDERED BY: AMERICAN LAND OFFICE, INC.

PLAT NUMBER: 050472-P, FC-1876 SCALE: 1" = 20'

Russell W. Schomig
PROFESSIONAL ILLINOIS LAND SURVEYOR

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner 

Cc: David Cook, Village Manager

Robb McGinnis, Director of Community Development

Date: July 11, 2012

Re: 8 E. Hinsdale Avenue – Coldwell Banker - Exterior Appearance and Sign Approval

REQUEST

The applicant, Coldwell Banker, is requesting approval of exterior appearance and signage to allow for the re-skinning of an existing awning with valance signage, above the first floor entrance of the commercial building at 8 E. Hinsdale. The site is improved with a two-story commercial building in the B-2 Central Business District.

The applicant is proposing to re-skin the existing awning, with signage on the valance as depicted in the attached illustrations. The current awning is green in color and the applicant would like to skin it in blue, identical to the blue approved for the Coldwell Banker signs at the former Roudebush building. In addition, the applicant would also like to re-brand the existing valance which currently reads "real estate" with the signage depicted in the attached documents.

Subsection 9-106J of the Zoning Code provides the requirements for awning signage in the B-2 District and allows a total of "twenty-five square feet for each business that has a separate ground level principal entrance directly to the outside of the building onto a street." As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Other

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

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

attachment

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



VILLAGE
OF HINSDALE

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant
Name: <u>Ken Strzyzewski</u>
Address: <u>5501 W 109th St.</u>
City/Zip: <u>Oak Lawn, IL 60453</u>
Phone/Fax: <u>708-499-3000 / 708-499-3943</u>
E-Mail: <u>Kens@allamericansign.com</u>

Owner
Name: <u>Gregg Berman (Coldwell Banker)</u>
Address: <u>2215 Sanders Rd, Suite 300</u>
City/Zip: <u>Northbrook, IL 60062</u>
Phone/Fax: <u>847-313-6506 /</u>
E-Mail: <u>Gregg.Berman@cbexchange.com</u>

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)	<u>N/A</u>
---	------------

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)
<u>N/A</u>
1) _____
2) _____
3) _____

Address of subject property:

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

General description or characteristics of the site:

Existing zoning and land use: B-2

Surrounding zoning and existing land uses:

North: 05

South: B-2

East: B-2

West: B-2

Proposed zoning and land use: Office

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the 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: _____

☐ Planned Development 11-603E☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 8 East Hinsdale

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

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	$\approx 3,300$ sf.
Minimum Lot Depth	125'	125'	125'	116'
Minimum Lot Width	50'	20'	50'	35'
Building Height	30'	30'	30'	28'
Number of Stories	2	2	2	2
Front Yard Setback	25'	0'	25'	0'
Corner Side Yard Setback	25'	0'	25'	N/A
Interior Side Yard Setback	10'	0'	10'	0'
Rear Yard Setback	20'	20'	20'	0'
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	Existing
Maximum Total Building Coverage*	N/A	80%	N/A	100%
Maximum Total Lot Coverage*	90%	100%	90%	100%
Parking Requirements				N/A
Parking front yard setback				N/A
Parking corner side yard setback				N/A
Parking interior side yard setback				N/A
Parking rear yard setback				N/A
Loading Requirements				N/A
Accessory Structure Information (height)	15'	15'	15'	N/A

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 6 day of JUNE, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

Ken Strzyzewski
Signature of applicant or authorized agent

Ken Strzyzewski
Name of applicant or authorized agent

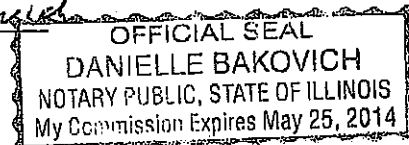
Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 6 day of
June, 2012.

Danielle Bakovich
Notary Public

4



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

Application for Certificate of Zoning Compliance

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

Applicant's name: Caldwell Barker

Owner's name (if different): N/A

Property address: 8 EAST HINSDALE

Property legal description: [attach to this form]

Present zoning classification: B-2

Square footage of property: 3300 sq. ft.

Lot area per dwelling: N/A

Lot dimensions: 110' x 35'

Current use of property: Real Estate Office

Proposed use:
☐ Single-family detached dwelling
☒ Other: same

Approval sought:
☐ Building Permit ☐ Variation
☐ Special Use Permit ☐ Planned Development
☒ Site Plan ☒ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

Restroom awning w/ valance signage

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:

interior side(s)

0'
6' 10'

0'
0' 10'

Provided:

Required by Code:

corner side
rear

N/A

N/A
20

Setbacks (businesses and offices):

front:

0

0

interior side(s)

0 10

0 10

corner side

0

0

rear

0

20'

others:

N/A

N/A

Ogden Ave. Center:

N/A

N/A

York Rd. Center:

N/A

N/A

Forest Preserve:

N/A

N/A

Building heights:

principal building(s):

Existing

30'

accessory building(s):

N/A

15'

Maximum Elevations:

principal building(s):

N/A

N/A

accessory building(s):

N/A

N/A

Dwelling unit size(s):

N/A

N/A

Total building coverage:

Existing

80%

Total lot coverage:

Existing

100%

Floor area ratio:

Existing

2.5

Accessory building(s):

N/A

Spacing between buildings:[depict on attached plans]

principal building(s):

N/A

accessory building(s):

N/A

Number of off-street parking spaces required: _____

Number of loading spaces required: _____

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:

KEN STRZYZEWSKI
Applicant's signature

KEN STRZYZEWSKI
Applicant's printed name

Dated:

July 2nd, 2012

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Plan Commission File for 8 E. Hinsdale Avenue, Coldwell Banker, regarding Exterior Appearance/Site Plan Review in 2012, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Coldwell Banker

Address or description of subject property:

8 E. Hinsdale Avenue, Hinsdale, IL, 60521

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

Re-skin an existing awning and replace valance signage.

Plans reviewed, if any: *See attached plans, if any-* See Plan Commission File for 8 E. Hinsdale Avenue regarding Exterior Appearance/Site Plan Review in 2012.

Conditions of approval of this certificate:

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

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

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

NOTE ALL OF THE FOLLOWING CAREFULLY:

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

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

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

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

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

By:


Village Manager

Dated:

7/2, 2012



VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR SIGN PERMIT

Applicant

Name: All American Sign Co.
Address: 5501 W. 109th St.
City/Zip: Oak Lawn, IL 60453
Phone/Fax: (708) 499-3000 / 499-3943
E-Mail: Ken50@Allamericansign.com
Contact Name: KEN STRZYZEWSKI

Contractor

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

ADDRESS OF SIGN LOCATION:

ZONING DISTRICT: Please Select One

SIGN TYPE: Please Select One AWNING

ILLUMINATION Please Select One NON-ILLUMINATED

Sign Information: AWNING - 36" x 84" = 21.36 sq. ft.
COPY - 3.75" x 80.3" = 21.5 sq. ft.

Overall Size (Square Feet): 2.1 (x)

Overall Height from Grade: 10' Ft.

Proposed Colors (Maximum of Three Colors):

- ① BLUE
- ② WHITE
- ③

Site Information:

Lot/Street Frontage: 45'

Building/Tenant Frontage: 45'

Existing Sign Information:

Business Name: Coldwell Banker

Size of Sign: SAME Square Feet

Business Name:

Size of Sign: Square Feet

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

Ken Strzyzewski
Signature of Applicant

4/25/12
Date

Signature of Building Owner

Date

FOR OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

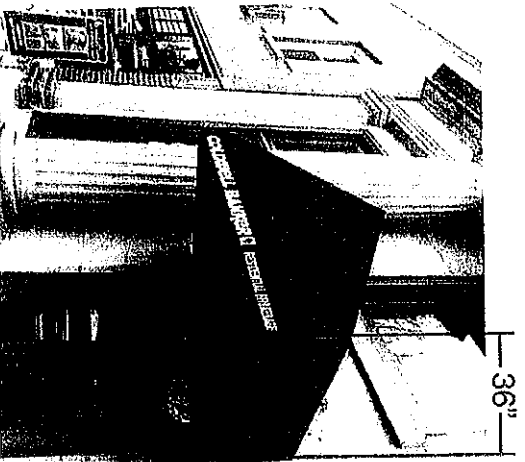
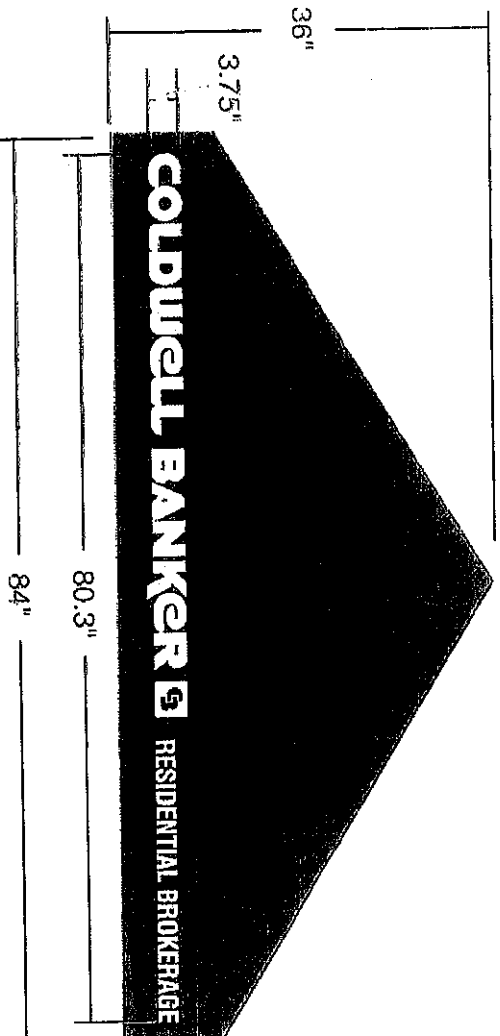
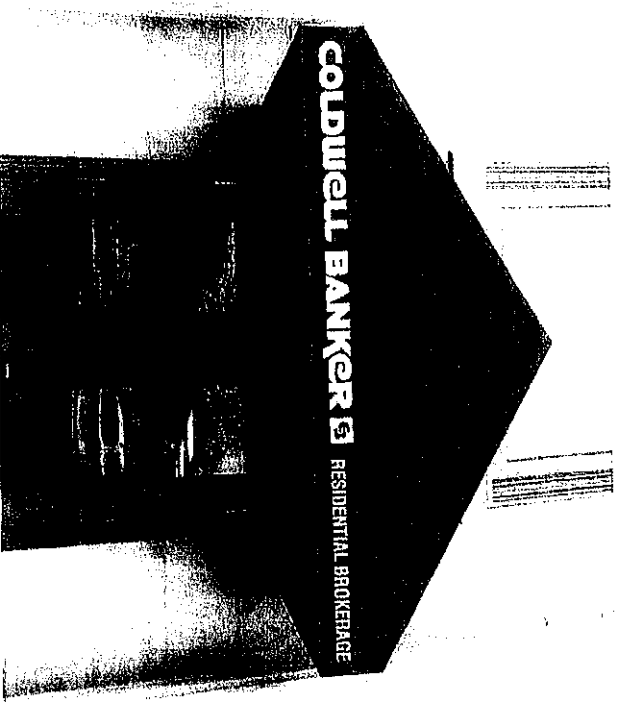
Total square footage: 0 x \$4.00 = 0 (Minimum \$75.00)

Plan Commission Approval Date: Administrative Approval Date:

COLDWELL BANKER

HINSDALE

RESKIN (1) 7' (W) x 36" (H) x 36" (D) EXISTING AWNING
SIGN TYPE 4



EXISTING

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: July 11, 2012
Re: Public Hearings for Cases A-17-2012 and A-18-2012
Applicant: Daily Spark Hinsdale, Inc.
Request: Text Amendment to Section 5-105 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Fitness Facilities (7991) in the B-1, Community Business District as Special Uses and a Special Use at 777 N. York to Allow a Fitness Facility.

The Applicant, Daily Spark Hinsdale, Inc., has submitted an application to amend Article V (Business Districts), Section 5-105 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Fitness Facilities (7991) in the B-1, Community Business District as Special Uses. The applicant has also submitted the necessary Special Use permit application to operate a fitness facility at 777 N. York Road (A-18-2012).

The applicant is requesting the text amendment along with a special use permit, which if approved would allow them to operate the business at the subject property. The B-2 and B-3 Districts currently allow fitness facilities as special uses (only permitted above the first floor in the B-2). According to the applicant's submittal, they feel that the requested use for a fitness facility is not only appropriate for the B-1 District, but also for this site specifically. 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 Fitness Facilities (7991) would be Special Uses in the B-1 Community Business District:

Section 5-105 Special Uses	B-1	B-2	B-3
C. Services:			
Physical fitness facilities (7991), but not on the first floor or any structure in the B-2 District.	S	S	S

Attachment

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



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

Application for Certificate of Zoning Compliance

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

Applicant's name: Daily Spark Hinsdale, Inc.

Owner's name (if different): Inland Gateway Square, L.L.C.

Property address: 777 N. York Rd., Hinsdale, IL 60521 Suites 5 & 6

Property legal description: [attach to this form]

Present zoning classification: B-1, Community Business District

Square footage of property: 2,680 sq. ft.

Lot area per dwelling: N/A

Lot dimensions: N/A x (see attached Site Plan of Shopping Center)

Current use of property: Shopping Center (Suite 5&6 are vacant)

Proposed use:
Single-family detached dwelling
Other: Fitness Facility (under 3,000 sf)

Approval sought:

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

Brief description of request and proposal:

Applicant requests a zoning text amendment and special use permit to allow a fitness center under (3,000 sf) in the B-1 Zoning District at 777 N. York Rd. (Gateway Square)

Plans & Specifications: [submit with this form]

Provided: **Required by Code:**

Yards:

front:	<u>N/A</u>	<u>25'</u>
interior side(s)	<u>N/A /</u>	<u>10' / 10'</u>

Required by Code:

N/A
N/A

$$\frac{25'}{20'}$$

front:

_____ / _____

principal building(s):

26' 7"

30'

15'

15'

principal building(s):

N/A

N/A

N/A

N/A

90 %

90%

.25

.35

Figure 1. The effect of the concentration of the solution on the adsorption of the dye. The concentration of the solution was 0.01, 0.02, 0.03, 0.04, 0.05, 0.06, 0.07, 0.08, 0.09, 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, 1.0, 1.5, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, 9.0, 10.0, 15.0, 20.0, 30.0, 40.0, 50.0, 60.0, 70.0, 80.0, 90.0, 100.0, 150.0, 200.0, 300.0, 400.0, 500.0, 600.0, 700.0, 800.0, 900.0, 1000.0, 1500.0, 2000.0, 3000.0, 4000.0, 5000.0, 6000.0, 7000.0, 8000.0, 9000.0, 10000.0, 15000.0, 20000.0, 30000.0, 40000.0, 50000.0, 60000.0, 70000.0, 80000.0, 90000.0, 100000.0, 150000.0, 200000.0, 300000.0, 400000.0, 500000.0, 600000.0, 700000.0, 800000.0, 900000.0, 1000000.0, 1500000.0, 2000000.0, 3000000.0, 4000000.0, 5000000.0, 6000000.0, 7000000.0, 8000000.0, 9000000.0, 10000000.0, 15000000.0, 20000000.0, 30000000.0, 40000000.0, 50000000.0, 60000000.0, 70000000.0, 80000000.0, 90000000.0, 100000000.0, 150000000.0, 200000000.0, 300000000.0, 400000000.0, 500000000.0, 600000000.0, 700000000.0, 800000000.0, 900000000.0, 1000000000.0, 1500000000.0, 2000000000.0, 3000000000.0, 4000000000.0, 5000000000.0, 6000000000.0, 7000000000.0, 8000000000.0, 9000000000.0, 10000000000.0, 15000000000.0, 20000000000.0, 30000000000.0, 40000000000.0, 50000000000.0, 60000000000.0, 70000000000.0, 80000000000.0, 90000000000.0, 100000000000.0, 150000000000.0, 200000000000.0, 300000000000.0, 400000000000.0, 500000000000.0, 600000000000.0, 700000000000.0, 800000000000.0, 900000000000.0, 1000000000000.0, 1500000000000.0, 2000000000000.0, 3000000000000.0, 4000000000000.0, 5000000000000.0, 6000000000000.0, 7000000000000.0, 8000000000000.0, 9000000000000.0, 10000000000000.0, 15000000000000.0, 20000000000000.0, 30000000000000.0, 40000000000000.0, 50000000000000.0, 60000000000000.0, 70000000000000.0, 80000000000000.0, 90000000000000.0, 100000000000000.0, 150000000000000.0, 200000000000000.0, 300000000000000.0, 400000000000000.0, 500000000000000.0, 600000000000000.0, 700000000000000.0, 800000000000000.0, 900000000000000.0, 1000000000000000.0, 1500000000000000.0, 2000000000000000.0, 3000000000000000.0, 4000000000000000.0, 5000000000000000.0, 6000000000000000.0, 7000000000000000.0, 8000000000000000.0, 9000000000000000.0, 10000000000000000.0, 15000000000000000.0, 20000000000000000.0, 30000000000000000.0, 40000000000000000.0, 50000000000000000.0, 60000000000000000.0, 70000000000000000.0, 80000000000000000.0, 90000000000000000.0, 100000000000000000.0, 150000000000000000.0, 200000000000000000.0, 300000000000000000.0, 400000000000000000.0, 500000000000000000.0, 600000000000000000.0, 700000000000000000.0, 800000000000000000.0, 900000000000000000.0, 1000000000000000000.0, 1500000000000000000.0, 2000000000000000000.0, 3000000000000000000.0, 4000000000000000000.0, 5000000000000000000.0, 6000000000000000000.0, 7000000000000000000.0, 8000000000000000000.0, 9000000000000000000.0, 10000000000000000000.0, 15000000000000000000.0, 20000000000000000000.0, 30000000000000000000.0, 40000000000000000000.0, 50000000000000000000.0, 60000000000000000000.0, 70000000000000000000.0, 80000000000000000000.0, 90000000000000000000.0, 100000000000000000000.0, 150000000000000000000.0, 200000000000000000000.0, 300000000000000000000.0, 400000000000000000000.0, 500000000000000000000.0, 600000000000000000000.0, 700000000000000000000.0, 800000000000000000000.0, 900000000000000000000.0, 1000000000000000000000.0, 1500000000000000000000.0, 2000000000000000000000.0, 3000000000000000000000.0, 4000000000000000000000.0, 5000000000000000000000.0, 6000000000000000000000.0, 7000000000000000000000.0, 8000000000000000000000.0, 9000000000000000000000.0, 10000000000000000000000.0, 15000000000000000000000.0, 20000000000000000000000.0, 30000000000000000000000.0, 40000000000000000000000.0, 50000000000000000000000.0, 60000000000000000000000.0, 70000000000000000000000.0, 80000000000000000000000.0, 90000000000000000000000.0, 100000000000000000000000.0, 150000000000000000000000.0, 200000000000000000000000.0, 300000000000000000000000.0, 400000000000000000000000.0, 500000000000000000000000.0, 600000000000000000000000.0, 700000000000000000000000.0, 800000000000000000000000.0, 900000000000000000000000.0, 10000000

principal building(s):

Figure 1: Schematic representation of the experimental design. The figure shows three horizontal timelines for three groups: 'No feedback', 'Feedback', and 'No feedback + feedback'. Each timeline starts with a 'Pretest' phase, followed by a 'Training' phase, and ends with a 'Test' phase. The 'No feedback' group has a single timeline. The 'Feedback' group has a timeline with a 'Feedback' block during the training phase. The 'No feedback + feedback' group has a timeline with a 'Feedback' block during the training phase, followed by a 'No feedback' block during the test phase.

accessory building(s):

Figure 1 is a schematic representation of the experimental design. It shows a timeline of the experiment. The timeline starts with a 'Pretest' phase, followed by a 'Main Experiment' phase. The Main Experiment is divided into two parts: 'Part 1' and 'Part 2'. Part 1 involves a 'Pretest' and a 'Main Experiment' with 'Condition 1' and 'Condition 2'. Part 2 involves a 'Pretest' and a 'Main Experiment' with 'Condition 1' and 'Condition 2'. The timeline ends with a 'Posttest' phase.

Number of loading spaces required: N/A

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.

Applicant's signature

Daily Spark Hinsdale, Inc/ Kyle Hoffmann, President
Applicant's printed name

Dated: 4/27, 2012.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Application # A-16-2011 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Daily Spark Hinsdale, Inc.

Address or description of subject property:

777 N. York Road, Hinsdale Illinois 60521

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

Operation of a Fitness Facility in the B-1, Community Business District.

Plans reviewed, if any: *See attached plans, if any. – See Case A-18-2012 – Special Use Permit*

Conditions of approval of this certificate:

- The petitioner must apply for and obtain the necessary text amendment as it relates to the proposed use.

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

- Subsection 11-602E pertaining to Standards for Special Use permits as found in the Zoning Code;

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

NOTE ALL OF THE FOLLOWING CAREFULLY:

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

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

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

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

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

By:


Village Manager

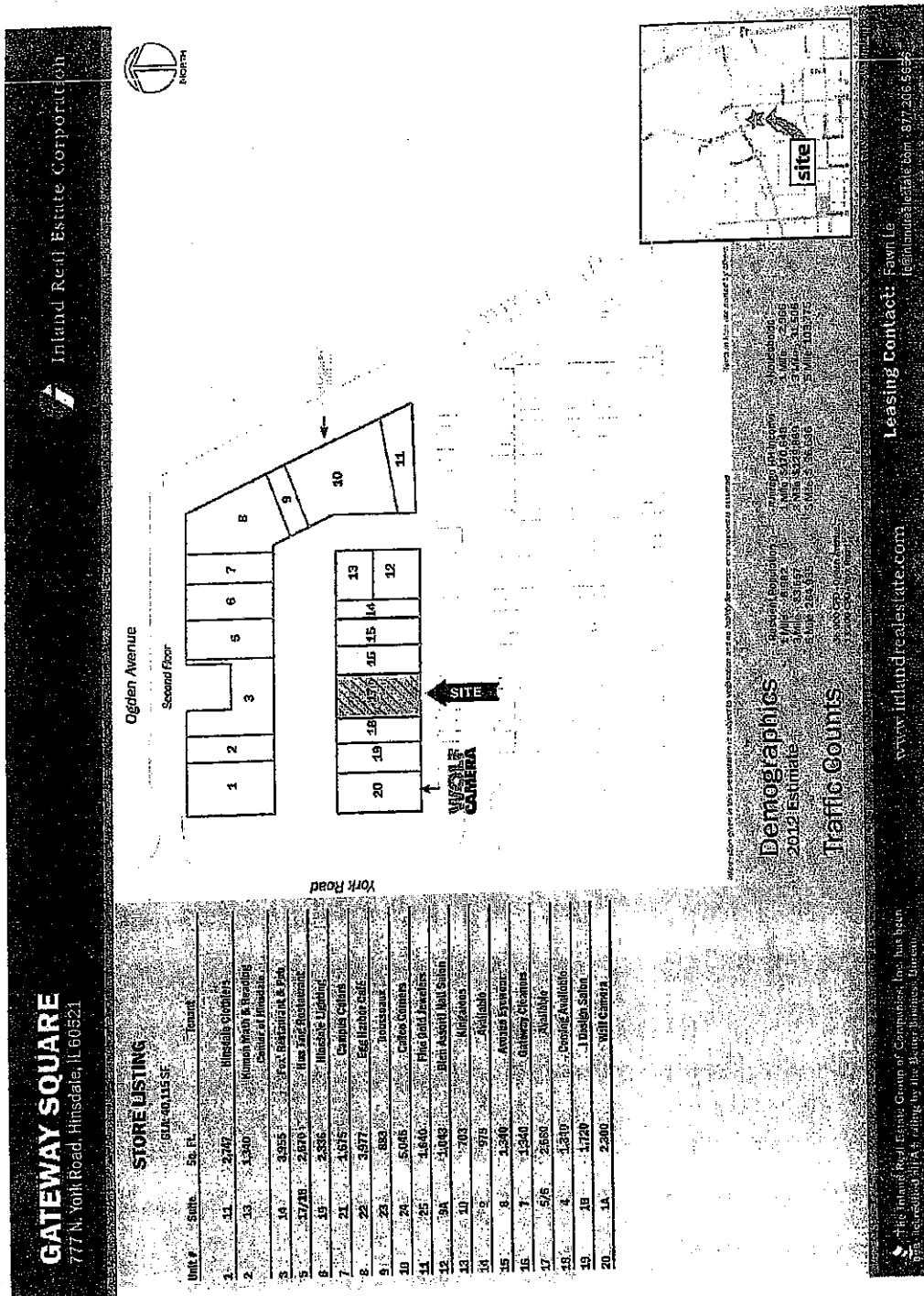
Dated:

5/29, 2012

EXHIBIT A-1

SITE PLAN OF SHOPPING CENTER AND DEPICTION OF LOCATION OF PREMISES

This site plan is presented solely for the purpose of identifying the approximate location and size of the Premises. Building sizes, site dimensions, access and parking areas, existing tenant locations and identities are subject to change at Landlord's discretion, except as otherwise expressly restricted in the text of the Lease.



Law Offices
Martin, Craig, Chester & Sonnenschein LLP
2215 York Road
Suite 550
Oak Brook, Illinois 60523
Telephone 630-472-3400
Fax 630-472-0048

CATHLEEN M. KEATING

Direct Dial Number: 630-472-3407
E-Mail: cmk@mccslaw.com

May 16, 2012

Plan Commission
Village of Hinsdale
19 E. Chicago Ave.
Hinsdale, Illinois 60521

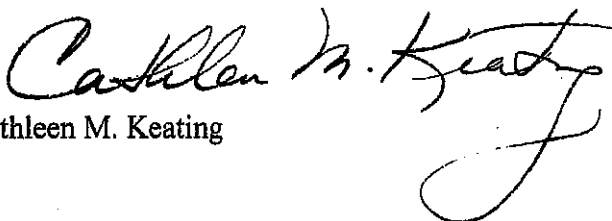
Re: Daily Spark Hinsdale, L.L.C.
Zoning Map Amendment and
Special Use applications
777 N. York Road, Hinsdale

Dear Plan Commission Members:

This letter will confirm my understanding that, notwithstanding the references in the Zoning Text Amendment application to "Gateway Square" the Zoning Text Amendment application is intended to apply to all properties zoned in the B-1 Community Business District in the Village of Hinsdale. The application addresses the standards as they apply specifically to the property that my client is leasing in Gateway Square (which is the subject of the Special Use Application), but the text amendment would apply generally to all properties in the B-1 District.

Please call if you have any questions.

Very truly yours,


Cathleen M. Keating

cc: Tim Scott
Sean Gascoigne



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

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

Must be accompanied by completed Plan Commission Application

Is this a: Map Amendment ☐ Text Amendment ☒

Address of the subject property 777 N. York Rd., Hinsdale, IL 60521

Description of the proposed request: Text Amendment to list Physical Fitness Facilities as a special use in the B-1 Community Business District

REVIEW CRITERIA

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

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

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

The proposed text amendment to add physical fitness facilities as a special use in the B-1 District would reflect how the use is treated in other business-zoned districts and will encourage "a rational pattern of land uses" and compatibility between different types of land uses.

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

Gateway Square, a 20- unit shopping center is zoned B-1. Adjacent land along Ogden Ave. is zoned B-2 (gas station, rehab facility, offices, retail uses). To the south and southwest is R-4 (single family residence. West is O-2/ Limited Office District.

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

Gateway Square has had many different retail and service businesses in its tenant mix, including restaurants. The south side of Ogden Ave. houses a mix of retail and service uses, including a cardiac rehabilitation facility.

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

The current B-1 district regulations do not allow a fitness facility as a special use which deprives owners and tenant of the ability to provide this use, which complements other other B-1 uses.

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

Public health, safety and welfare will be enhanced by allowing fitness facilities as a special use in B-1 Community Business districts such as Gateway Square.

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

Most of the adjacent properties are single family residences. This text amendment will allow residents a neighborhood fitness facility that they can access on foot or by car.

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

Value of adjacent residences is enhanced by a small fitness facility within walking or short driving distance.

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

A small fitness facility will provide more foot traffic to Gateway Square, thus enhancing surrounding businesses.

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

Gateway Square has had some of it's retail uses close recently. Allowing a small fitness facility in this location will be a minor use expansion but will allow a very popular business to locate there.

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.

Gateway Square has sufficient parking on-site (247 spaces), and is easily accessed by York Road. Many nearby residents may choose to walk to the proposed fitness facility.

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.

As a mature community shopping center, Gateway Square has adequate utilities and public services.

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.

Gateway Square has experienced a number of retail vacancies and over the past 2 years, and would benefit from this text amendment.

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

Fitness training in relatively small facilities has become very popular, and there are virtually no such facilities in the northern part of the Village.

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

N/A



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**COMMUNITY DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT CRITERIA**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 777 N. York Road. Suites 5 & 6

Proposed Special Use request: 2,700 sf Fitness Facility

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 proposed use, a 2,700 SF fitness facility, will promote health and wellness of Hinsdale residents.

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 is compatible with other uses in Gateway Square and is of a size which fits the neighborhood character of the Gateway Square shopping center. It will enhance public health.

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 surrounding areas are fully developed with a range of retail, offices, service and residential uses. A small fitness center will serve the neighborhood and be used by residents of Hinsdale.

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.

Gateway Square is a fully developed shopping center with adequate streets, utilities, drainage, and other public facilities and services.

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

Patrons will utilize the fitness facility from 6:00 am until 8:00 pm. The capacity of the facility (15-20) is such that its employees and customers will not create large traffic volumes.

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 new construction; all interior improvements to Suites 5 and 6 at Gateway Square.

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.

Small fitness centers such as that proposed are not currently authorized in B-1 District. Applicant has simultaneously filed an Application for a Zoning Text Amendment to authorize small fitness facilities as special uses in District B-1.

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

N/A

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

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

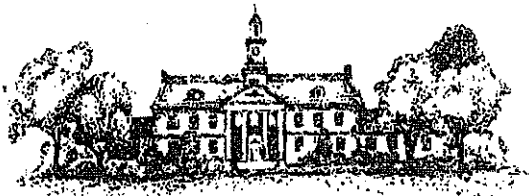
The proposed fitness center will provide athletic training and fitness services for Hinsdale residents in an area where these services are not currently provided.

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.

Applicant has spent months evaluating other locations and believes this location is the best place in Hinsdale which to locate the business.

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.

N/A- no new construction



**VILLAGE
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**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Daily Spark Hinsdale, Inc.
Address: 808 Phillipa
City/Zip: Hinsdale, IL 60521
Phone/Fax: (480) 710-0689 /
E-Mail: kwhoffmann77@gmail.com

Owner

Name: Inland Gateway Square, L.L.C.
Address: 2901 Butterfield Rd.
City/Zip: Oak Brook, IL 60523
Phone/Fax: (630) 218-8000 / 630-645-7259
E-Mail: le@inlandrealestate.com

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

Name: Cathleen M. Keating
Title: Attorney
Address: 2215 York Rd # 550
City/Zip: Oak Brook, IL 60523
Phone/Fax: (630) 472-3407 / 630-472-0049
E-Mail: cmk@mccslaw.com

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

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

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

II. SITE INFORMATION

Address of subject property: 777 N. York Road

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

09	- 01	- 209	- 007
09	- 01	- 209	- 031, 032
09	- 01	- 209	- 010, 011

Brief description of proposed project: 2,680 sf fitness facility and retail store selling exercise equipment and nutritional supplements.

General description or characteristics of the site: Gateway Square is a 40,115 sf 1-story shopping center, offering restaurants, retail and other business uses.

It is served by 247 parking spaces.

Existing zoning and land use: B-1 Shopping Center

Surrounding zoning and existing land uses:

North: B-3 Retail, Office, Service

South: R-4 Single Family Residence

East: R-4 Single Family Residential

West: 0-2 Limited Office; R4 SFR

Proposed zoning and land use: B-1 (unchanged) with Special Use Permit

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: Fitness Facility with Retail Sales of Fitness

Equipment and nutrition supplements.

☒ Map and Text Amendments 11-601E
Amendment Requested: To allow small (<3,000 sf) fitness facility as special use in B-1 District.

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 777 N. York Rd

The following table is based on the B-1 Zoning District.

	Minimum Code Requirements			Proposed Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	161,172
Minimum Lot Depth	125'	125'	125'	North 275' / South 474'
Minimum Lot Width	50'	20'	50'	431'
Building Height	30'	35'	30'	26'-7"
Number of Stories	2	3	2	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	40,338/161,172 = 0.25 Orig bldgs 40,170 sq ft
Maximum Total Building Coverage*	N/A	80%	N/A	N/A
Maximum Total Lot Coverage*	90%	100%	90%	
Parking Requirements	1/200net 181 required			Existing 247
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 27th day of May, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

X Kyle Hoffman
Signature of applicant or authorized agent

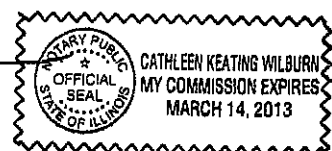
Daily Spark Hinsdale, Inc.
Name of applicant or authorized agent

Signature of applicant or authorized agent

by Kyle Hoffman, its President
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 27th day of
May, 2012.

Cathleen Keating Wilburn
Notary Public
4



VILLAGE OF HINSDALE

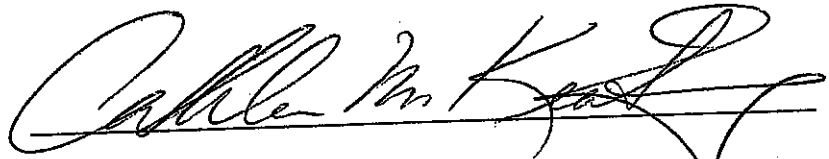
CERTIFICATION OF PROPER NOTICE

REGARDING APPLICATION FOR PUBLIC HEARINGS AND MEETINGS

I, Cathleen M. Keating, 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:

Cathleen M. Keating

Address:

2215 York Road, Suite 550, Oak Brook, IL 60523

Subscribed and sworn to before me

This

27th day of April 2012

By:


Notary Public

