

**MINUTES  
VILLAGE OF HINSDALE  
PLAN COMMISSION  
SEPTEMBER 12, 2012  
MEMORIAL HALL  
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, September 12, 2012 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

**PRESENT:** Chairman Byrnes, Commissioner Crnovich, Commissioner Johnson, Commissioner Cashman, Commissioner Stifflear, Commissioner Brody and Commissioner McMahon

**ABSENT:** Commissioner Sullins and Commissioner Nelson

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

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**Approval of Minutes**

The Plan Commission reviewed the minutes from the July 11, 2012 meeting. Commissioner Brody motioned to approve the minutes of July 11, 2012. Commissioner Crnovich seconded. The motion passed unanimously.

**Findings and Recommendations**

**8 E. Hinsdale Avenue – Coldwell Banker – Replacement of Awning and Valance Sign**  
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 8 E. Hinsdale Avenue – Coldwell Banker – Replacement of Awning and Valance Sign. Commissioner Cashman seconded. The motion passed unanimously.

**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.** Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Brody motioned to approve the findings and recommendations for case A-17-2012 – Daily Spark - Text Amendment to Section 5-105C, to allow Fitness Facilities in the B-1, Community Business District as Special Uses. Commissioner Stifflear seconded. The motion passed unanimously.

**A-18-2012 – Daily Spark – Special Use to Allow a Fitness Facility at 777 N. York.** 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 case A-18-2012 – Daily Spark – Special Use to Allow a Fitness Facility at 777 N. York. Commissioner Brody seconded. The motion passed unanimously.

**Scheduling of Public Hearings**

**A-25-2012 – Village of Hinsdale – Text Amendment to Section 9-106 as it relates to Political Signage.**

Chairman Byrnes stated this public hearing would be scheduled for October 10, 2012.

**A-26-2012 – Village of Hinsdale – Text Amendment to Section 11-604 as it relates to Site Plan Approval.**

Chairman Byrnes stated this public hearing would be scheduled for October 10, 2012.

**Signage**

**133 E. Ogden – Coldwell Banker – Monument Sign**

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

Scott Jacobs from Fast Signs, introduced himself and summarized the request.

General discussion ensued regarding the setback and size of the sign.

The Commission clarified the dimensions and locations of the proposed sign and expressed concerns with the size of the sign and its proximity to the property line.

The applicant indicated they could move the sign back a couple of feet at least.

General discussion ensued regarding recent signage proposals and their size.

Commissioner Stifflear motioned to approve one monument sign at 133 E. Ogden, subject to the applicant increasing the setback from 10'-0", to a minimum of 12'-0". Commissioner Brody seconded. The motion passed unanimously.

**Exterior Appearance/Site Plan Review**

**620 N. Oak – The Chapel – Site Plan/Exterior Appearance Approval for Parking Lot Improvements.**

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

Harold Brewer introduced himself and summarized the request, which included the re-striping of the existing parking lot as a result of a garage that was previously removed.

General discussion ensued regarding the proposal and the location of the new parking spots.

Commissioner Cashman expressed some concerns with existing site plan versus the proposed.

Mr. Brewer clarified where pavement was being removed and added.

General discussion ensued regarding the existing site plan and the changes the applicant was proposing.

## **Plan Commission Minutes**

**September 12, 2012**

Commissioner Cashman expressed additional concerns with landscaping and the parking lot including ADA compliance and how the applicant was obtaining the 6 additional parking spaces. He then questioned the number of islands and trees that would be required in the parking lot.

Mr. Gascoigne indicated one tree for each thirty spaces.

General discussion ensued regarding the changes on the site plan and Commissioner Cashman clarified some additional points regarding existing conditions and the proposed site plan. He expressed some additional concerns with the lack of landscaping in relationship to the amount of parking lot asphalt. He identified his desire to see increased landscaping to improve the appearance for the surrounding neighbors and offered some suggestions.

Commissioner Stifflear supported the suggestions based on the parking lots proximity to residential.

General discussion ensued amongst the Commissioners regarding the applicant's timeline in completing the project and how to proceed with the request. They agreed that in the interest of time and to keep the applicant moving, they would be comfortable sending the request on to the ZPS provided the applicant made the suggested revisions before that meeting. Those revisions included:

- Removal of the west curb cut, to be replaced with sod and additional landscaping to buffer parking spaces.
- General addition of landscaping to the site plan
- Provide a 3'-0" walkway east of the three handicap spaces to allow safe access to the crosswalk and entrance.
- Provide 3" caliper ornamental trees, with landscaping below, on both newly proposed islands south of the angled parking spaces.
- Provide landscaping in the northeast island that accesses the crosswalk, to the extent that it doesn't interfere with the necessary surfaces required to access the crosswalk from the newly requested 3'-0" walkway.
- Update drawing to more adequately identify the pervious surface to be replaced with impervious, on the proposed 90 degree parking spaces.

Commissioner Cashman motioned to disapprove the Site Plan for the parking lot improvements at 620 N. Oak – The Chapel, subject to the revisions stated above. Commissioner Brody seconded. The motion failed and the site plan was approved unanimously.

Commissioner Cashman motioned for the approval of Exterior Appearance for the parking lot improvements at 620 N. Oak – The Chapel, subject to the revisions stated above. Commissioner Brody seconded. The motion passed unanimously.

### **40 S. Clay – Village Children's Academy – New Fence for Children's Play Area.**

Chairman Byrnes indicated that the applicant was not able to fulfill the notification requirements and as a result, would be continued to the October meeting.

## **Plan Commission Minutes**

**September 12, 2012**

### **29 E. First Street – Cine Restaurant – Two New Awnings with Signage and One New Wall Sign.**

Peter Burdi introduced himself and summarized the business plan and his request, which included the re-skinning of two awnings with valance signs, and a new wall sign. He then explained the signage request and how the marquee sign would be illuminated. He also explained that while he was ok with “modern taqueria” in red, he preferred it in black.

General discussion ensued regarding the signage and the Commission agreed that the red looked better. They also questioned the planters on the front of the building and the applicant indicated that it was his intent to remove those so that he could get outdoor seating along the front of the building.

Commissioner Stifflear indicated that they are being faced more and more with signage questions regarding shades of colors and whether they should be considered one color or separate colors as it relates to the code requirement. He expressed interest in getting some clarification from the Trustees, in the form of a text amendment or at least direction, as to how they should interpret this.

Commissioner Brody motioned to disapprove the Site Plan for the facade improvements at 29 E. First Street – Cine Modern Taqueria. Commissioner Cashman seconded. The motion failed and the site plan was approved unanimously.

Commissioner Johnson motioned for the approval of Exterior Appearance for the facade improvements at 29 E. First Street – Cine Modern Taqueria. Commissioner Crnovich seconded. The motion passed unanimously.

Commissioner Johnson motioned for the approval of one wall sign and two valance signs at 29 E. First Street – Cine Modern Taqueria. Commissioner McMahon seconded. The motion passed unanimously.

## **Public Hearings**

### **A-21-2012 – Jennifer McIntyre Grapes - Special Use to Allow a Dance Studio at 414 Chestnut Avenue (Transcript of the following Public Hearing on file.)**

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

Jennifer McIntyre-Grapes introduced herself and summarized the request, as well as her credentials.

Chairman Byrnes elaborated on the request and the approvals the applicant was seeking.

General discussion ensued regarding the exterior changes to the building, including signage.

## **Plan Commission Minutes**

**September 12, 2012**

Commissioner Crnovich expressed some concerns with site plan, the circulation of the parking lot and ingress/egress of the building as it relates to safety. She suggested some type of bollard or protection from the east exit from the drive aisle along the east side of the building.

The applicant indicated she was more than happy to provide that.

General discussion ensued confirming the location, size and type of planter to be provided.

The Commission confirmed additional egress points and the ability to lock those for safety reasons.

Mr. Gascoigne indicated that all of these provisions should be subject to approval by both the Fire and Building Departments.

General discussion ensued regarding additional specifics of the business and the floor plan.

The Commission confirmed that there was adequate parking for the applicant.

The applicant confirmed that she had plenty of parking and that most parents just drop their kids off. She then described the different types of dance that would be offered and the projected age ranges.

General discussion ensued regarding the suggested conditions.

Commissioner Brody motioned for the approval of a Special Use Permit to allow a Dance Studio at 414 Chestnut Street subject to the applicant providing a permanent concrete planter, 4'-0" long, 3'-0" high and 1'-0" wide, on the southeast corner of the building to separate the rear (east) entrance from the drive aisle and alarming the east rear exit, both subject to review and approval by the Building and Fire Departments. Commissioner Cashman seconded. The motion passed unanimously.

Commissioner Brody motioned to approve the proposed signage at 414 Chestnut, which included two wall signs and a valance sign. Commissioner Cashman seconded. The motion passed unanimously.

### **Adjournment**

Commissioner Johnson moved to adjourn. Commissioner Brody seconded and the meeting adjourned at 8:37 p.m. on September 12, 2012.

Respectfully Submitted,

Sean Gascoigne  
Village Planner

## **HINSDALE PLAN COMMISSION**

**RE: 620 N. Oak Street – The Chapel - Exterior Appearance and Site Plan Review**

**DATE OF PLAN COMMISSION REVIEW: September 12, 2012**

**DATE OF ZONING & PUBLIC SAFETY REVIEW: September 24, 2012**

### **FINDINGS AND RECOMMENDATION**

#### **I. FINDINGS**

1. The Applicant, The Chapel, submitted an application for Exterior Appearance and Site Plan Review for parking lot improvements at 620 N. Oak Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing religious facility.
3. The applicant is proposing to make parking lot improvements that will result in a net gain of 6 additional parking spaces as a result of removing an existing garage which allows them to reconfigure the parking spaces and utilize the empty space for additional parking.
4. Certain Commissioners expressed some concerns with an existing curb-cut that should be removed, provisions for additional landscaping (which included both perimeter buffering and internal parking lot landscaping) and handicap accessibility.
5. The Commissioners agreed that provided the applicant re-submit a revised site plan to the Zoning and Public Safety Committee containing these recommended changes, they were comfortable moving the request along so that the weather did not delay the applicant's progress.
6. The Plan Commission specifically finds that based on the Application and the evidence presented at the public meeting, the Applicant has satisfied the standards in Section 11-604 of the Zoning Code governing site plan review and Section 11-606 of the Hinsdale Zoning Code pertaining to the exterior appearance review, provided the applicant make the recommended changes to the site plan and resubmit for consideration at the Zoning and Public Safety Committee.

#### **II. RECOMMENDATION**

The Village of Hinsdale Plan Commission, by a vote of seven (7) "Ayes," 0 "Nay," and two (2) "Absent", recommends that the President and Board of Trustees of the Village of Hinsdale approve the site plans at 620 N. Oak Street – The Chapel, subject to the following changes to the submitted site plan:

- Removal of the west curb cut, to be replaced with sod and additional landscaping to buffer parking spaces.
- General addition of landscaping to the site plan
- Provide a 3'-0" walkway east of the three handicap spaces to allow safe access to the crosswalk and entrance.
- Provide 3" caliper ornamental trees, with landscaping below, on both newly proposed islands south of the angled parking spaces.
- Provide landscaping in the northeast island that accesses the crosswalk, to the extent that it doesn't interfere with the necessary surfaces required to access the crosswalk from the newly requested 3'-0" walkway.
- Update drawing to more adequately identify the pervious surface to be replaced with impervious, on the proposed 90 degree parking spaces.

The Village of Hinsdale Plan Commission, by a vote of seven (7) "Ayes," 0 "Nay," and two (2) "Absent", recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance plans at 620 N. Oak Street – The Chapel.

#### THE HINSDALE PLAN COMMISSION

By: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

## **HINSDALE PLAN COMMISSION**

**RE: 29 E. First Street – Exterior Appearance and Site Plan Review for Two New Awnings, Two Awning Signs and One Wall Sign**

**DATE OF PLAN COMMISSION REVIEW: September 12, 2012**

**DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 24, 2012**

### **FINDINGS AND RECOMMENDATION**

#### **I. FINDINGS**

1. Peter Burdi (the “Applicant”) submitted an application to the Village of Hinsdale for exterior appearance and site plan review at 29 E. First Street (the “Subject Property”).
2. The Subject Property is located in the B-2 Central Business District and is improved with a multiple-story commercial building.
3. The applicant is proposing to re-skin the two existing awnings, as well as add two valance signs and one additional wall sign. The existing awnings would be re-skinned with a burnt orange fabric as depicted in the attached illustration. The two awning signs would read “Restaurante” and “Cantina” respectively and the proposed wall sign would read “Cine Modern Taqueria”, the name of the restaurant.
4. The applicant summarized the request which, in addition to the above, confirmed his intent to pursue a request for outdoor seating.
5. The Plan Commission approved the two requested valance signs and the one wall sign.
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.
7. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-606 of the Zoning Code governing exterior appearance review.

#### **II. RECOMMENDATION**

The Village of Hinsdale Plan Commission, on a vote of seven (7) “Ayes,” zero (0) “Nays,” and two (2) “Absent” recommends that the President and Board of Trustees approve the site plan and exterior appearance plans for 29 E. First Street.

**THE HINSDALE PLAN COMMISSION**

By: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.



## **HINSDALE PLAN COMMISSION**

**Re: Case A-21-2012 – Hinsdale Dance Academy – 414 Chestnut Street - Request: Special Use Permit to Operate a Dance Studio**

**DATE OF PLAN COMMISSION REVIEW: September 12, 2012**

**DATE OF ZONING & PUBLIC SAFETY REVIEW: September 24, 2012**

### **FINDINGS AND RECOMMENDATION**

#### **I. FINDINGS**

1. The Applicant, Hinsdale Dance Academy, submitted an application for a Special Use to operate a Dance Studio at 414 Chestnut Street.
2. The property is located within the B-3, General Business District and improved with a two story building.
3. The Plan Commission heard testimony from the applicant regarding the proposed request, including proposed class sizes and the business model, at the Plan Commission meeting of September 12, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which confirmed, among other things, the different styles of dance that would be taught.
5. Certain Commissioners expressed concerns with how the traffic flow and parking for the building could compromise safety of the students, depending on where they were accessing the building from.
6. The applicant confirmed that the students and parents would be restricted to accessing the building from the north side of the building. She indicated that the south entrances would be marked as such to prohibit using them for anything but emergency exits.
7. While the Commission was mostly satisfied with these efforts, they also requested that the applicant provide a permanent concrete planter, 4'-0" long, 3'-0" high and 1'-0" wide, on the southeast corner of the building to separate the rear (east) entrance from the drive aisle and place an alarm on the east rear exit, both subject to review and approval from both the Building and Fire Department to confirm that neither the building nor fire codes were being violated by this condition.
8. 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.

## II. RECOMMENDATION


The Village of Hinsdale Plan Commission, by a vote of seven (7) "Ayes," 0 "Nay," and two (2) "Absent", recommends that the President and Board of Trustees approve the Application for a special use permit to allow the operation of a dance studio at 414 Chestnut Street subject to the applicant providing a permanent concrete planter, 4'-0" long, 3'-0" high and 1'-0" wide, on the southeast corner of the building to separate the rear (east) entrance from the drive aisle and placing an alarm on the east rear exit, both subject to review and approval from both the Building and Fire Department.

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:** October 10, 2012  
**Re:** Scheduling of Public Hearing for Case A-32-2012  
Applicant: Matthew Scarpelli  
Request: Special Use Permit for a Musical Tutoring Service below the 1<sup>st</sup> Floor at 28 E. Hinsdale Avenue

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The applicant is proposing a musical tutoring service to be located below the first floor of the commercial building located at 28 E. Hinsdale Avenue in the B-2 Central Business District and is requesting approval of a special use to allow the business. According to Paragraph 5-105C(22), musical tutoring services are permitted as special uses in the B-2, provided they are not on the first floor.

It is requested that the public hearings be scheduled for November 14, 2012.

## Attachment

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



VILLAGE  
OF HINSDALE FOUNDED IN 1873

VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT

**PLAN COMMISSION APPLICATION  
FOR BUSINESS DISTRICTS**

**I. GENERAL INFORMATION**

**Applicant**

Name: Matthew Scarpelli  
Address: 9340 S. Madison St.  
City/Zip: Willowbrook, IL 60527  
Phone/Fax: (708) 708 / -4622  
E-Mail: matscarpelli35@hotmail.com

**Owner**

Name: Daniel Spinazola  
Address: 417 Forest Rd  
City/Zip: Hinsdale IL 60521  
Phone/Fax: (630) 323 / 4370  
E-Mail: -

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

N/A

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

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

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

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

N/A

## II. SITE INFORMATION

Address of subject property: 28 E Hinsdale Ave

Property identification number (P.I.N. or tax number): 9 - 12 - 129 - 003

Brief description of proposed project: Music tutoring service -  
Special use permit required/requested

General description or characteristics of the site: Existing two-story building  
downtown; tenant space is lower level

Existing zoning and land use: B-2 Central Business District

Surrounding zoning and existing land uses:

North: B-2 (railroad station)

South: B-2 (retail)

East: B-2 (retail)

West: B-2 (retail)

Proposed zoning and land use: Existing B-2

**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:

Operate music tutoring service (in lower/basement  
level of downtown building)

☐ 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: 28 E Hinsdale Ave

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

*\*Existing building and  
tenant space\**

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	
Minimum Lot Depth	125'	125'	125'	
Minimum Lot Width	50'	20'	50'	
Building Height	30'	30'	30'	
Number of Stories	2	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	
Maximum Total Building Coverage*	N/A	80%	N/A	
Maximum Total Lot Coverage*	90%	100%	90%	
Parking Requirements				
Parking front yard setback				
Parking corner side yard setback				
Parking interior side yard setback				
Parking rear yard setback				
Loading Requirements				
Accessory Structure Information (height)	15'	15'	15'	

\* Must provide actual square footage number and percentage.

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

## CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 13th day of August, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

Matthew Scarpelli  
Signature of applicant or authorized agent

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

Matthew Scarpelli  
Name of applicant or authorized agent

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

SUBSCRIBED AND SWORN  
to before me this 13th day of  
August, 2012.

Christine M. Bruton  
Notary Public

4





## 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: 28 E Hinsdale Ave., Lower Suite #1, Hinsdale, IL, 60521

Proposed Special Use request: Musical Tutoring Services

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, I will be maintaining a low maintenance musical tutoring  
service in said zone.

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.

There will be <sup>NO</sup> adverse effects to the  
property and/or character of the area. ~~There will be~~



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. I will be contributory to the general welfare of

my clients/customers by enhancing their musical ability & music appreciation.

*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. There is no other site that I can

~~use~~ use in the area.

*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. \_\_\_\_\_

The nature of the tutoring service will not disrupt any business near my service.

**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: Matthew Scarpelli  
Owner's name (if different): Daniel Spinaola  
Property address: 28 E. Hinsdale Ave, Lower Suite 1, Hinsdale, IL 60521  
Property legal description: [attach to this form]  
Present zoning classification: B-2 Central Business District  
Square footage of property: \_\_\_\_\_  
Lot area per dwelling: \_\_\_\_\_  
Lot dimensions: \_\_\_\_\_  
Current use of property: retail/residential (1st/2nd floors); basement available  
Proposed use: ☐ Single-family detached dwelling  
☒ Other: Musical Tutoring (basement level)  
Approval sought: ☐ Building Permit ☐ Variation  
☒ Special Use Permit ☐ Planned Development  
☐ Site Plan ☐ Exterior Appearance  
☐ Design Review  
☐ Other: \_\_\_\_\_

**Brief description of request and proposal:**

I am seeking a special use permit to operate a musical tutoring service at the above address.

**Plans & Specifications:** [submit with this form]

**Provided:**

**Required by Code:**

**Yards:**

front: \_\_\_\_\_

interior side(s) \_\_\_\_\_ / \_\_\_\_\_

**\*EXISTING BUILDING\***

Provided:

Required by Code:

corner side \_\_\_\_\_

rear \_\_\_\_\_

**Setbacks (businesses and offices):**

front: \_\_\_\_\_

interior side(s) \_\_\_\_\_ / \_\_\_\_\_

corner side \_\_\_\_\_

rear \_\_\_\_\_

others: \_\_\_\_\_

Ogden Ave. Center: \_\_\_\_\_

York Rd. Center: \_\_\_\_\_

Forest Preserve: \_\_\_\_\_

# EXISTING  
BUILDING  
DOWNTOWN

**Building heights:**

principal building(s): \_\_\_\_\_

accessory building(s): \_\_\_\_\_

**Maximum Elevations:**

principal building(s): \_\_\_\_\_

accessory building(s): \_\_\_\_\_

**Dwelling unit size(s):** \_\_\_\_\_

**Total building coverage:** \_\_\_\_\_

**Total lot coverage:** \_\_\_\_\_

**Floor area ratio:** \_\_\_\_\_

**Accessory building(s):** \_\_\_\_\_

**Spacing between buildings:** [depict on attached plans]

principal building(s): \_\_\_\_\_

accessory building(s): \_\_\_\_\_

**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: \_\_\_\_\_

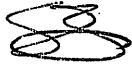
Applicant's signature

Mathew Scarpelli

Applicant's printed name

Dated: 8/13/2012, 2012.

# Memorandum

**To:** Chairman Byrnes and Plan Commissioners  
**From:** Sean Gascoigne, Village Planner   
**Cc:** Robb McGinnis, Director of Community Development/Building Commissioner  
David Cook, Village Manager  
**Date:** October 10, 2012  
**Re:** 40 S. Clay Street – Village Children's Academy – Exterior Appearance and Site Plan Review  
Approval for the Installation of a New Fence for a Children's Play Area

---

## **REQUEST**

The applicant is requesting exterior appearance and site plan review approval, to allow for the installation of a decorative aluminum fence for a children's play area. The sites are currently improved with two multi-story buildings and zoned O-2, Limited Office District.

Village Children's Academy is proposing to install approximately 45' of new decorative aluminum fence for the purpose of enclosing a children's outdoor play area. The fence will be the same fence used on the Clay Street (east) side of the building and will also be 4'-0" in height, as illustrated in the attached documents.

## **Other**

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

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

attachment

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

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

**Application for Certificate of Zoning Compliance**

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

Applicant's name: VILLAGE CHILDRENS ACADEMY  
Owner's name (if different): HSS PROPERTIES/PARTNERS  
Property address: 40 S. CLAY  
Property legal description: [attach to this form]  
Present zoning classification: O-2  
Square footage of property: 167,727  
Lot area per dwelling: \_\_\_\_\_  
Lot dimensions: N/A  
Current use of property: LIMITED OFFICE  
Proposed use: ☐ Single-family detached dwelling  
☐ Other: N/A  
Approval sought: ☐ Building Permit ☐ Variation  
☐ Special Use Permit ☐ Planned Development  
☐ Site Plan ☒ Exterior Appearance  
☐ Design Review  
☒ Other: ALUMINUM FENCE

**Brief description of request and proposal:**

PROPOSE TO INSTALL APPROX 45' ALUMINUM  
FENCE AS INDICATED, TO MATCH  
EXISTING FENCING @ CLAY ST.

**Plans & Specifications:** [submit with this form]

**Provided:** **Required by Code:**

**Yards:**

front: \_\_\_\_\_

interior side(s) \_\_\_\_\_

Provided:

Required by Code:

corner side

rear

**Setbacks (businesses and offices):**

front:

interior side(s)

corner side

rear

others:

Ogden Ave. Center:

York Rd. Center:

Forest Preserve:

**Building heights:**

principal building(s):

accessory building(s):

**Maximum Elevations:**

principal building(s):

accessory building(s):

Dwelling unit size(s):

Total building coverage:

Total lot coverage:

Floor area ratio:

Accessory building(s):

Spacing between buildings:[depict on attached plans]

principal building(s):

accessory building(s):

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:

Applicant's signature

ROBERT A. TULLIS

Applicant's printed name

Dated:

7/16, 2012

# VILLAGE OF HINSDALE

## Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in the Plan Commission File for 40 S. Clay Street – Village Children’s Academy – regarding Exterior Appearance 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:

Village Children’s Academy

Address or description of subject property:

40 S. Clay Street, Hinsdale, IL 60521

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

Addition of an aluminum fence for a children’s play area

Plans reviewed, if any: *See attached plans, if any.* See Plan Commission File for 40 S. Clay Street – Village Children’s Academy, regarding a Site Plan and Exterior Appearance Review in 2012.

Conditions of approval of this certificate:

- The petitioner must apply for and obtain Exterior Appearance and Site Plan Review Approval for the proposed changes.
- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review
- Section 11-604 of the Hinsdale Zoning Code governing Exterior Appearance/Site Plan Review in 2009

*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:

8/15, 2012





VILLAGE  
OF HINSDALE FOUNDED IN 1873

VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT

GENERAL APPLICATION

I. GENERAL INFORMATION

**Applicant**

Name: Village Childrens Academy  
Address: 40 S. CLAY  
City/Zip: HINSDALE  
Phone/Fax: 630 325 9252  
E-Mail: (Beth Vicari) vcahinsdale@sbcglobal.net

**Owner**

Name: HSS PARTNERS LLC  
Address: 4801 GOLF RD  
City/Zip: SKOKIE, IL 60077  
Phone/Fax: 847 677 9100  
E-Mail: \_\_\_\_\_

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

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: N/A  
Phone/Fax: N/A  
E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: N/A  
Phone/Fax: N/A  
E-Mail: \_\_\_\_\_

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

- 1) N/A
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

## II. SITE INFORMATION

Address of subject property: 40 S. CLAY

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

Brief description of proposed project: INSTALL APPROX. 45 NEW  
ALUMINUM FENCING TO MATCH EXISTING  
@ CLAY STREET SIDE OF BUILDING

General description or characteristics of the site: GRASS COVERED  
LAWN AREA

Existing zoning and land use: O-2/OFFICE

Surrounding zoning and existing land uses:

North: O2/R4

South: O2/B3

East: O2/B1

West: O2/R4

Proposed zoning and land use:                     

Existing square footage of property: 167,727 square feet

Existing square footage of all buildings on the property: 29,834 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: \_\_\_\_\_

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

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area		
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback	N/A	
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

\* Must provide actual square footage number and percentage.

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

# CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 10 day of July, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

Signature of applicant or authorized agent

Robert A. Tullis  
Name of applicant or authorized agent

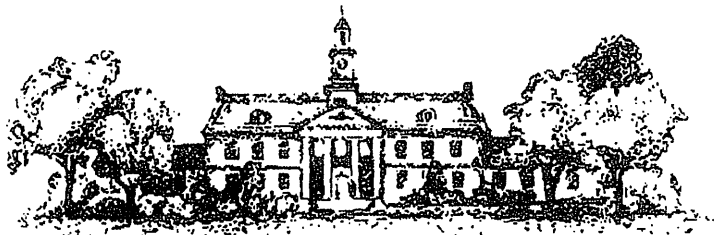
Signature of applicant or authorized agent

Patricia Roethle  
Name of applicant or authorized agent

SUBSCRIBED AND SWORN  
to before me this 11th day of  
August, 2012.

Patricia Roethle  
Notary Public





**VILLAGE  
OF HINSDALE** FOUNDED IN 1873

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

Address of proposed request: 40 S. CLAY

**REVIEW CRITERIA**

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

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

**FEES for Exterior Appearance/Site Plan Review:**

**Standard Application: \$600.00**

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

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

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. GOOD
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. GOOD / MATCHING
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. GOOD / MATCHING
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. NA

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

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

Applied

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

Applied

#### REVIEW CRITERIA – Site Plan Review

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

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

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable.

N/A

2. The proposed site plan interferes with easements and rights-of-way.

N/A

3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site.

N/A

4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property.

N/A

5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site.

N/A

6. The screening of the site does not provide adequate shielding from or for nearby uses.

N/A

7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. \_\_\_\_\_

N/A

8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. \_\_\_\_\_

N/A

9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. \_\_\_\_\_

N/A

10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. \_\_\_\_\_

N/A

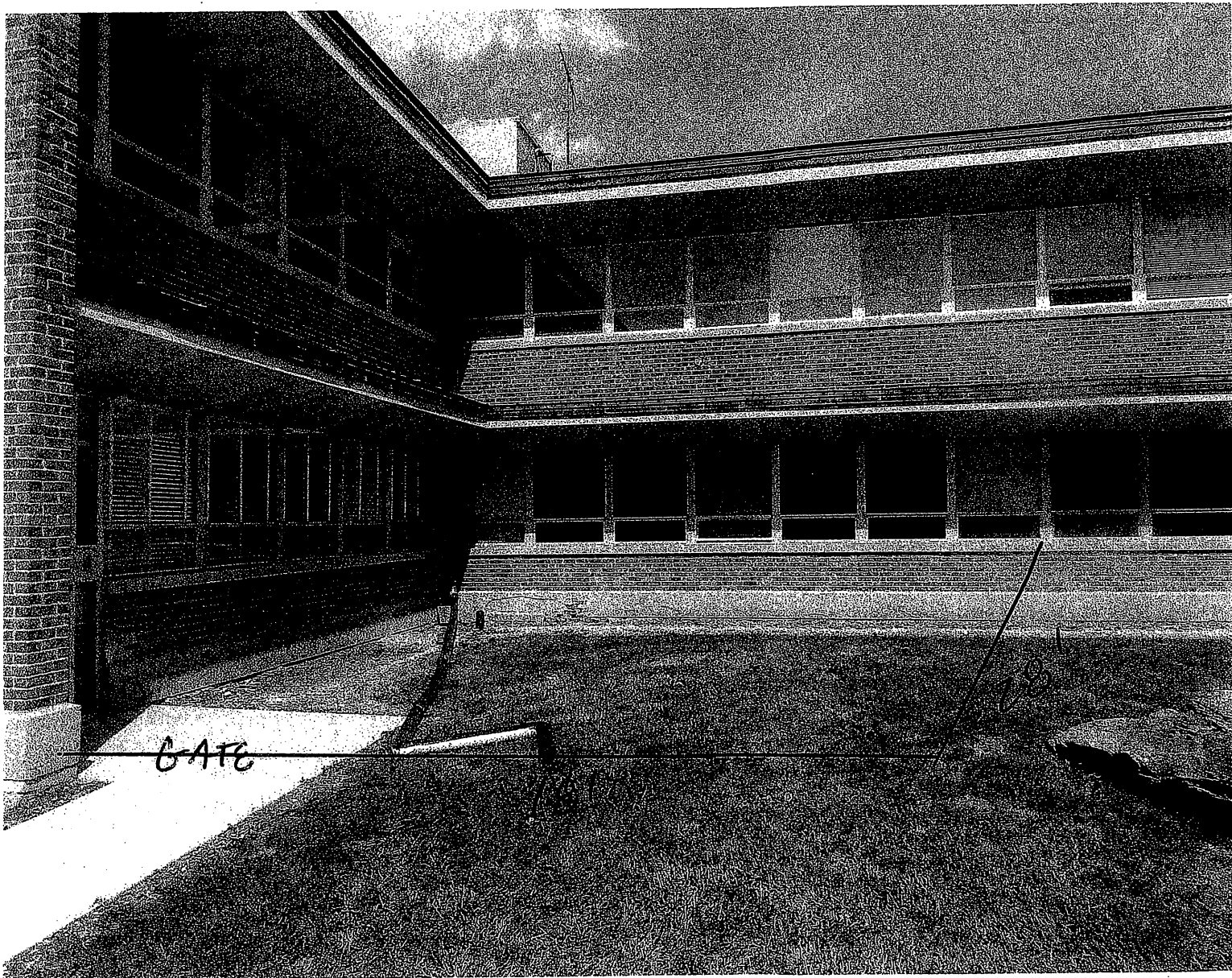
11. The proposed site plan does not provide for required public uses designated on the Official Map. \_\_\_\_\_

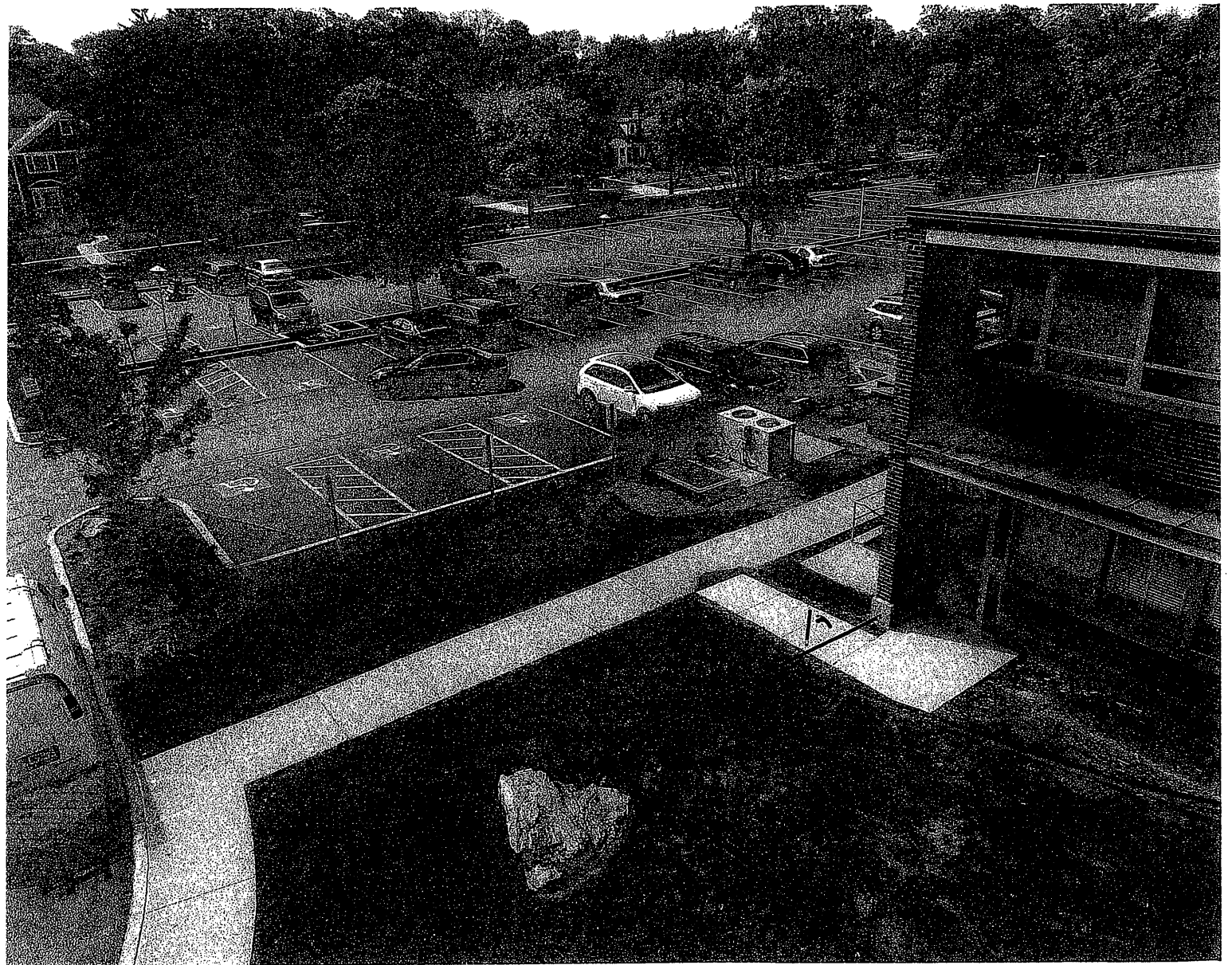
N/A

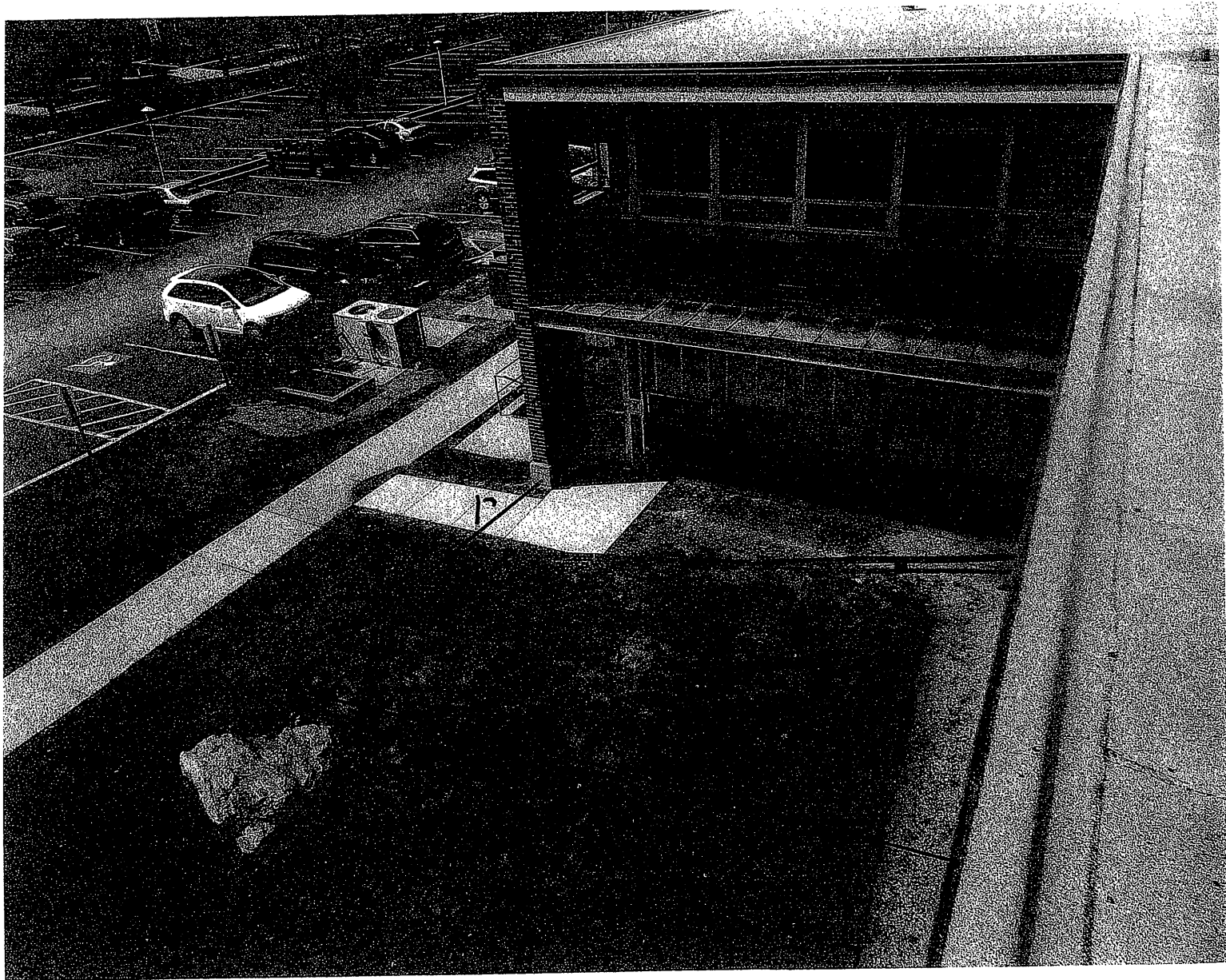
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. \_\_\_\_\_

N/A



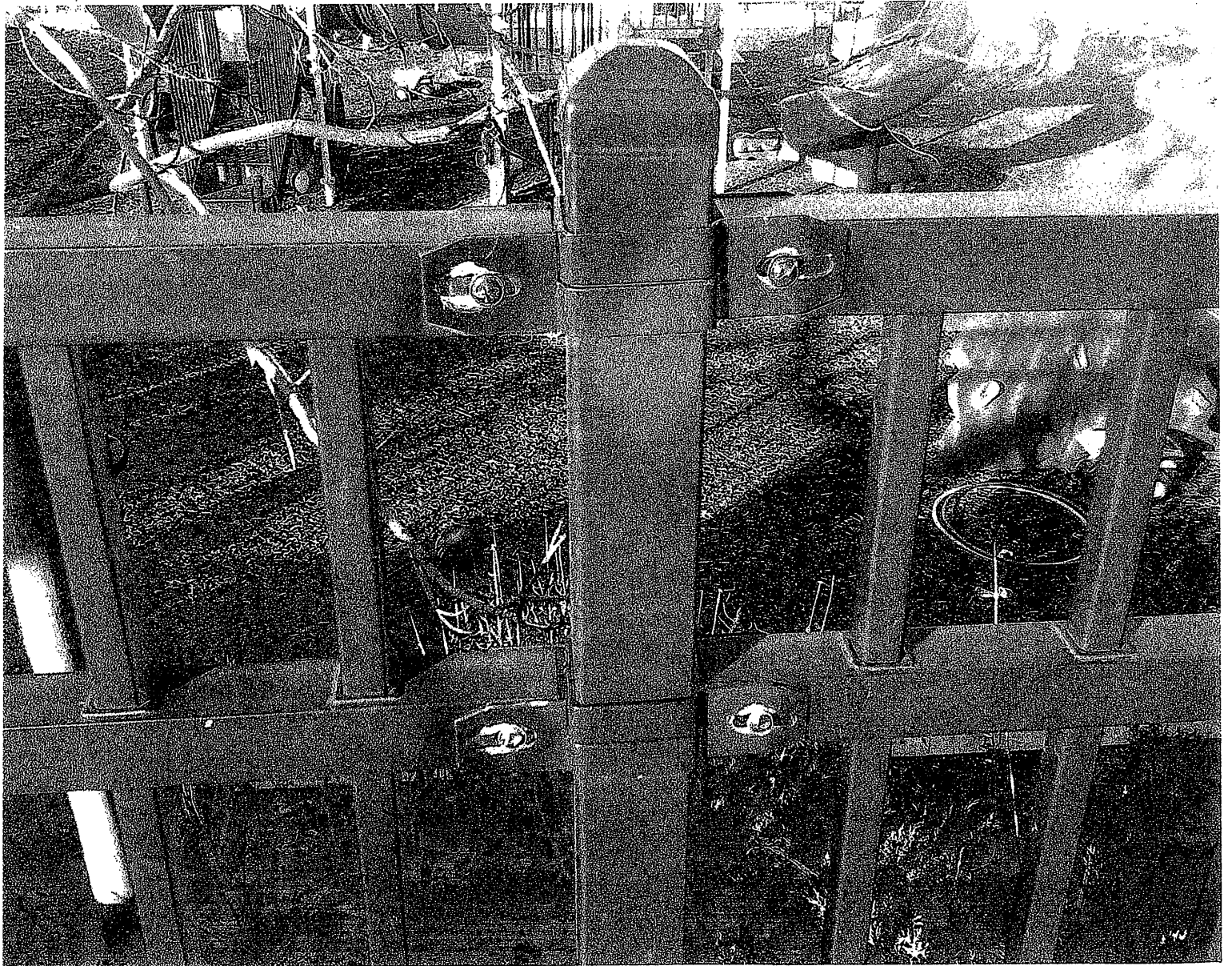












FENCE TYPE  
EXISTING @ CLAY STREET




EX  
CL  
EA  
IS

FENCE  
EET  
OF

# Memorandum

**To:** Chairman Byrnes and Plan Commissioners

**From:** Sean Gascoigne, Village Planner 

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

**Date:** October 10, 2012

**Re:** 125 S. Vine Street – Referral of Major Adjustment to the Existing Planned Development

---

On April 6<sup>th</sup>, 2004 the Village Board passed an ordinance approving a Planned Development for Zion Lutheran Church which included the school at 125 S. Vine. Zion Lutheran is now proposing to add two additional uses, which would otherwise not be permitted in the IB District, and as such, is required to obtain a Major Adjustment to the Existing Planned Development to add these additional uses. As stated in the attached documents, the proposed uses would be to allow a tutoring service for ACT preparation 2-3 evenings a week and a music school, 4-5 evenings a week. It should be noted that during the Nurturing Wisdom special use process, the Village became aware that these uses were already operating and the applicant was instructed that they were not permitted and would need to apply for a major adjustment to the Planned Development. As such, the applicant came before the Committee and Board to request these two additional uses be permitted under their existing Planned Development.

The applicant feels that they both uses are appropriate given that both utilize a class room setting in an existing school and take place in the evening hours opposite Nurturing Wisdom. At the Zoning and Public Safety meeting of August 27, 2012, the Committee heard a presentation from the applicant for the Major Adjustment. While the Trustees did not express any real objections to the request, they felt it was appropriate for the applicant to provide proper notification to the surrounding neighbors. As such, they approved a temporary use for the two uses to remain in operation and requested that the applicant go back to the Plan Commission to allow for the applicant to properly notify the neighbors. The minutes from the ZPS meeting have been attached for your reference.

Attachment

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

Chief Bloom advised the Committee that Police Officer Joe Rauen has tendered his resignation as a police officer to pursue a career in the private sector as a computer forensic examiner.

### **Community Development**

Robert McGinnis commented on departmental activity for June and July noting that though revenues were fairly flat during the period, activity was up and that the numbers coming in for August were very robust.

### **Referral to Plan Commission**

#### **Referral to the Plan Commission for Review and Consideration of a Text Amendment to Section 11-604 (Site Plan Review), as it Relates to the Language in the Site Plan Review Process.**

Chairman Saigh introduced the item and asked Sean Gascoigne to give some background. Sean Gascoigne explained that this was a housekeeping item that would change site plan approval language to the positive rather than the negative. Trustee Angelo made a motion to approve the request. Second by Trustee Haarlow. The motion passed unanimously.

#### **Referral to the Plan Commission for Review and Consideration of a Text Amendment to Section 9-106(F)9(Signs), as it Relates to Political Signs.**

Chairman Saigh introduced this item and asked Sean Gascoigne to give some background on the item. Sean Gascoigne explained that the intent of this request was to bring our code in line with state law. Trustee Elder asked if anything in the legislation spoke to the location of the signage. There was discussion on whether something could be codifying that would discourage signage that stayed up for an extended period of time. Trustee Elder made a motion to approve the request. Second by Trustee Angelo. The motion passed unanimously.

### **Request for Board Action**

#### **Ordinance Approving a Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street**

Chairman Saigh introduced this item and asked the applicant to speak on the request. Keith Larson gave some background on the request. He explained that the request was being driven by two existing users that were currently operating at this address.

The applicant gave some background on the music tutoring model they used at the facility. She explained that they had been at Zion for one year and that they did not expect any changes as part of the approval.

The applicant stated that the lessons generally went into the eight o'clock hour and that they generally had between two and four children at a time.

The applicant stated that this was a non-profit venture and that only the teachers were compensated.

The applicant stated that lessons lasted thirty minutes.

Julie Crnovich stated that she was happy to see that the existing planned development was being amended to include those uses already in place in the church. She also added that moving forward the Committee should look to ensure public input when requests of this nature came in as a major adjustment.



Chairman Saigh requested that the applicant provide notice to the neighboring properties. He stated that letting them know about these two uses seemed right and fair.

Trustee Elder asked about the tutoring service and how many student they had. Keith Larson stated that they had one tutor with two students per week. He stated that there should be some sort of cap on the number of students permitted.

Trustee Elder stated that he personally wanted to see the request go in front of the Plan Commission, but that he did not want to prohibit the continued use of the space while they went through the process.

Trustee Haarlow stated that he agreed with Trustee Elder and felt that notification was important.

Trustees discussed whether the referral to Plan Commission would trigger a public hearing rather than a public meeting. The issue being additional time for a public hearing. The Code is not clear on this. The Trustees agreed that a public meeting rather than a public hearing was adequate.

Trustee Elder made a motion to approve an Ordinance Approving a Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street and approve a temporary use permit while the request went through Plan Commission. Second by Trustee Angelo. The motion passed unanimously.

**Ordinance Amending 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**

Kathleen Keating spoke on behalf on the applicant in this case and gave some background on the request. She stated that the use was a good fit in these districts.

Trustee Angelo made a motion to approve an Ordinance Amending 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. Second by Trustee Elder. The motion passed unanimously.

**Ordinance Approving a Special Use Permit for a Fitness Facility at the Property Located at 777 N. York Road**

Trustee Angelo made a motion to approve an Ordinance Approving a Special Use Permit for a Fitness Facility at the Property Located at 777 N. York Road. Second by Trustee Elder. The motion passed unanimously.

**Ordinance Approving the Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 8 E. Hinsdale Avenue**

Greg Burman spoke behalf of the applicant and stated that the request was to re-skin the existing awning in blue and change the name on the front of the valance. Trustee Angelo made a motion to approve an Ordinance Approving the Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 8 E. Hinsdale Avenue. Second by Trustee Haarlow. The motion passed unanimously.

**Bid Award Chicago Elevator for Repair to the Police Department Elevator in the Amount not to Exceed \$13,261**

Chief Bloom stated that the Villages' Building Maintenance department recently sought competitive quotes for repair of the Police Department's building elevator. Routine maintenance of the elevator found that the submersible hydraulic pump and control valve needed to be replaced. We budgeted \$15,000 for this repair.



**MAJOR ADJUSTMENT TO PLANNED  
DEVELOPMENT  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

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

ZION LUTHERAN CHURCH & SCHOOL

**Address of proposed request:** 125 S. VINE HINSDALE, IL

**Proposed Planned Development request:** ADD NEW USES → 1) MUSIC SCHOOL (8299)  
AMEND USES TO INCLUDE 2) TUTORING SCHOOL (8299)

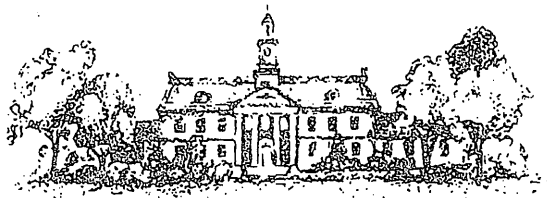
**Amendment to Adopting Ordinance Number:** 02004-15

**REVIEW CRITERIA:**

Paragraph 11-603K2 of the Hinsdale Zoning Code regulates Major Adjustments to a Final Planned Development that are under construction and Subsection 11-603L regulates Amendments to Final Plan Developments Following Completion of Development and refers to Subsection 11-603K. Any adjustment to the Final Plan not authorized by Paragraph 11-603K1 shall be considered to be a Major Adjustment and shall be granted only upon application to, and approval by, the Board of Trustees. The Board of Trustees may, by ordinance duly adopted, grant approval for a Major Adjustment without a hearing upon finding that any changes in the Final Plans as approved will be in substantial conformity with said Final Plan. If the Board of Trustees determines that a Major Adjustment is not in substantial conformity with the Final Plan as approved, then the Board of Trustees shall refer the request to the Plan Commission for further hearing and review.

1. Explain how the proposed major adjustment will be in substantial conformity with said plan.

EXISTING SCHOOL BUILDING SERVED AS ZION LUTHERAN SCHOOL  
UNTIL 2006 - BUILDING HAS 16 CLASSROOMS AND GYM AND  
SPACE - CURRENTLY # BUILDING TO BE USED BY NURTURING WISDOM  
SCHOOL 5 DAYS WITH 3- <sup>NEW USES</sup> ~~PROPOSED~~ <sup>TO INCLUDE</sup> 1) MUSIC  
SCHOOL THAT WILL PROVIDE LESSONS AFTER ~~SCHOOL~~ <sup>MUSIC</sup> SCHOOL HOURS  
4-5 DAYS A WEEK. OTHER REQUESTED USE IS - FOR ALL  
TUTORING CLASS FOR ACT PREP AND THE LIKE - 2-3  
DAYS A WEEK - BOTH REQUESTS ARE SERVED  
BY A CLASSROOM SETTING



VILLAGE  
OF HINSDALE FOUNDED IN 1873

VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT

GENERAL APPLICATION

I. GENERAL INFORMATION

**Applicant**

Name: KEITH R. LARSON (Property MGR) <sup>(Zion)</sup>  
Address: 701 N. YORK ROAD  
City/Zip: HINSDALE, IL 60521  
Phone/Fax: 630 / 476-2418  
E-Mail: KEITH@KEITHLARSONARCHITECT.com

**Owner**

Name: ZION LUTHERAN CHURCH  
Address: 204 S. GRANT / 125 S. VINIE  
CHURCH SCHOOL  
City/Zip: HINSDALE, IL 60521  
Phone/Fax: 630-323-0384  
E-Mail: j.albert.zion1999@gmail.com  
info@zionhinsdale.org

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

Name: KEITH R. LARSON  
Title: 3 ARCHITECT  
Address: SEE ABOVE  
City/Zip: \_\_\_\_\_  
Phone/Fax: 630 476-2418  
E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

## II. SITE INFORMATION

Address of subject property: 125 S. VINE, HINSDALE (SCHOOL) 204 S. GRANT

Property identification number (P.I.N. or tax number): 09 - 12 - 110 - 007  
09 12 110 014  
09 12 110 015

Brief description of proposed project:

- TO USE 3-4 CLASSROOMS FOR FOLLOWING USES  
 ① MUSIC SCHOOL TEACHING BAND INSTRUMENTS ~ MOST HOURS IMMEDIATELY  
AFTER SCHOOL HOURS - SESSIONS HAVE 3-5 STUDENTS EACH. 4-5 DAYS  
 ② TUTORING SCHOOL - PREPARE FOR ACT ETC, SOME CLASSES TO EVENING  
PREPARE WILL NUMBER 10 STUDENTS, OTHERS WILL BE SMALLER 1 or 2  
 General description or characteristics of the site: 2-3 DAYS A WEEK USE

FORMER ZION LUTHERAN SCHOOL BUILDING, 10 CLASSROOMS,

GYM. STAGE, ETC ADDED USES

Existing zoning and land use: IB

Surrounding zoning and existing land uses:

North: O-1, OFFICE

South: IB, INSTITUTIONAL BUILDING

East: O-1, OFFICE

West: R-4, SINGLE FAMILY

Proposed zoning and land use: same

Existing square footage of property: 101,849 square feet

Existing square footage of all buildings on the property: 49,470 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: \_\_\_\_\_

ADD USES TO PUD (IB)

☒ Map and Text Amendments 11-601E

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

MUSIC SCHOOL (8299)

TUTORING (8299)

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

# TABLE OF COMPLIANCE

Address of subject property: 125 S. VINZ ST (SCHOOL)

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

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	80,000 #	101,849 #
Minimum Lot Depth	250'	383.5'
Minimum Lot Width	200'	250'
Building Height	40'	40'
Number of Stories	2	2
Front Yard Setback	35'	EXIST 28'
Corner Side Yard Setback	35'	EXIST 20'
Interior Side Yard Setback	25'	EXIST 7.41'
Rear Yard Setback	25'	EXIST 38' 81' 219'
Maximum Floor Area Ratio (F.A.R.)*	.05	.49 TO GRANT ST.
Maximum Total Building Coverage*	N/A PVD	EXIST LOT - 101,849 (25%) EXIST COVER - 25,638
Maximum Total Lot Coverage*	N/A	EXIST 33,599 ~ (33%)
Parking Requirements	CHURCH 50 CHILDHOOD CENTER 7 SCHOOL - 3 REQ'D TOTAL 60	CHURCH CHILDHOOD CNTR SCHOOL EXIST. TOTAL (78)
Parking front yard setback	35'	140'
Parking corner side yard setback	35'	0'
Parking interior side yard setback	25'	6'
Parking rear yard setback	25'	39'
Loading Requirements	1	1
Accessory Structure Information	n/a	2 garages free standing included above.

\* 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:

THE SET BACKS NOT IN COMPLIANCE ARE EXISTING  
STRUCTURES & LOTS AND CANNOT BE CHANGED

# 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 10 day of AUGUST, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

Keith Larson KEITH LARSON  
Signature of applicant or authorized agent

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

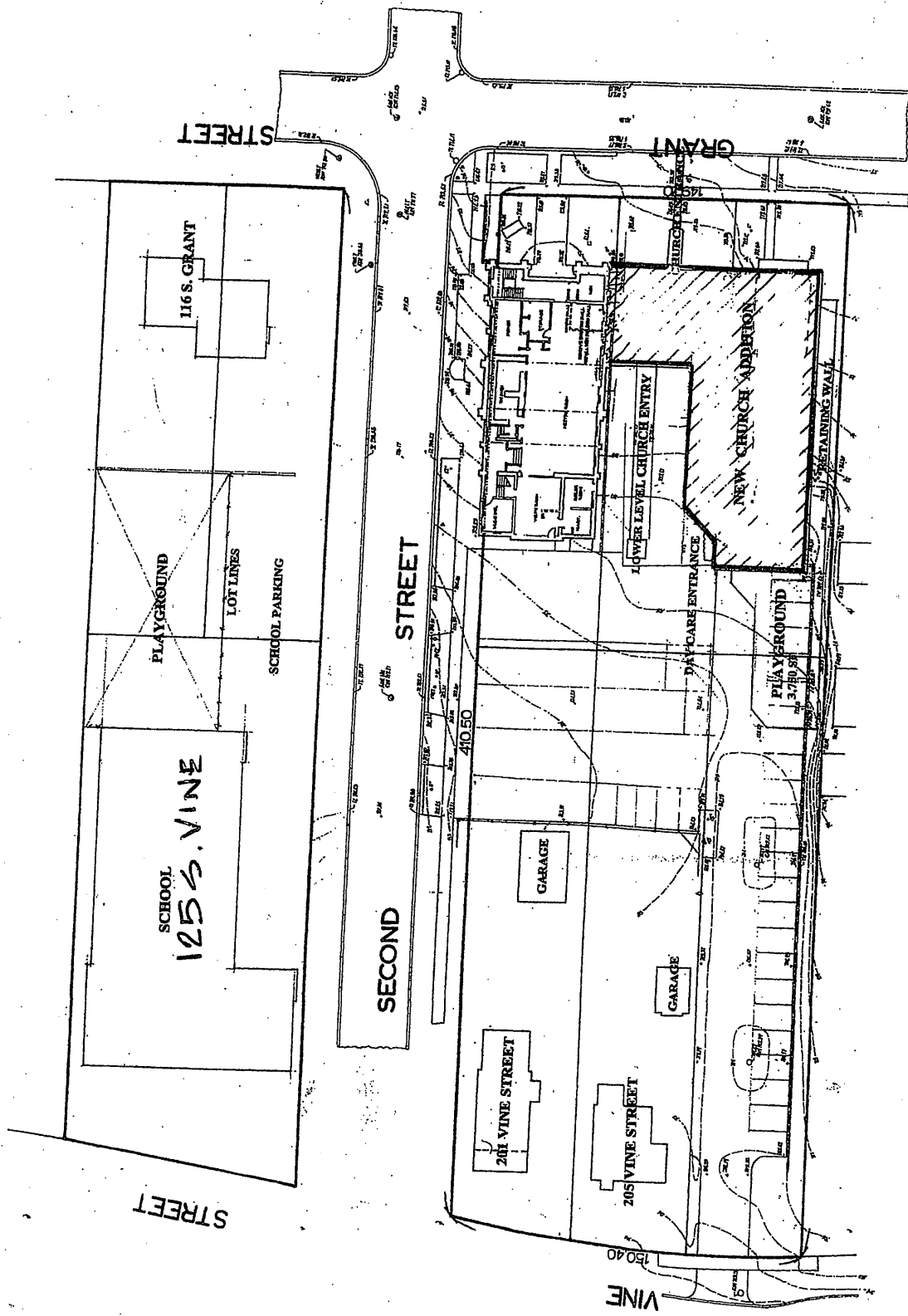
\_\_\_\_\_  
Name of applicant or authorized agent

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

SUBSCRIBED AND SWORN  
to before me this 10 day of  
August, 2012.

Vicki A. Pierson  
Notary Public

"OFFICIAL SEAL"  
Vicki A. Pierson  
Notary Public, State of Illinois  
My Commission Expires Jan. 24, 2013



ZION LUTHERAN CHURCH  
Hinsdale, Illinois


Revisions	
Designed By	Scale 1" = 20'
Drawn By	Scale 1" = 20'
Checked By	Scale 1" = 20'
Drawn By	Scale 1" = 20'
Checked By	Scale 1" = 20'



LARSON-KRAMER & ASSOCIATES  
701 YORK ROAD  
HINSDALE, IL 60521 630-325-0394



# Memorandum

**To:** Chairman Byrnes and Plan Commissioners  
**From:** Sean Gascoigne, Village Planner   
**Cc:** Robb McGinnis, Building Commissioner  
David Cook, Village Manager  
**Date:** October 10, 2012  
**Re:** Public Hearing for Case A-25-2012  
Applicant: Village of Hinsdale  
Request: Text Amendment to Section 9-106(F)9 (Signs), as it relates to Political Signage.

---

Effective January 1, 2011, the Illinois General Assembly passed Public Act 096-0904, which among other things, effectively established that no Municipality, regardless of home rule status, may regulate the length of time a political campaign sign is displayed on a residential property. In addition to the restriction on the length of time, the Act also states that "reasonable restrictions" may also be placed on size. The current allowance for political signs is four square feet. As such, staff is requesting that the following amended language be forwarded on to the Plan Commission for review and approval for the removal of certain language from the Village of Hinsdale Zoning Code as it relates to political signage, as well as consideration to establish if the existing allowance of four square feet is a reasonable restriction:

9. Political signs. Such signs shall be limited to one sign of not more than four (4) square feet in area per lot and shall be located entirely on private property pursuant to the owner's consent. ~~shall be erected not more than thirty (30) days before the election, and shall be removed within seven (7) days following such election.~~

Attachment

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





**VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

**GENERAL APPLICATION**

**I. GENERAL INFORMATION**

**Applicant**

Name: Village of Hinsdale  
Address: 19 E. Chicago Avenue  
City/Zip: Hinsdale, Il. 60521  
Phone/Fax: 630-789-7030 / \_\_\_\_\_  
E-Mail: N/A

**Owner**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

- 1) Sean Gascoigne - Village Planner
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

Address of subject property: N/A (Text Amendment)

Brief description of proposed project: Text Amendment to Section 9-106(F)9 as it relates to political signage.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

North: N/A

South: N/A

East: N/A

West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the property: N/A square feet

☐ 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: Section 9-106

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

## TABLE OF COMPLIANCE

Address of subject property: N/A (Text Amendment)

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

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area		
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

\* Must provide actual square footage number and percentage.

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

## CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 21<sup>st</sup> day of August, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

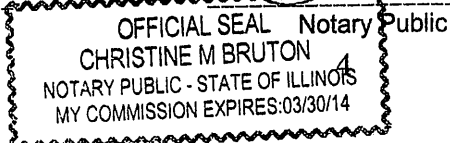
\_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
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 21<sup>st</sup> day of  
August, 2012





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** N/A

**Description of the proposed request:** Text Amendment to Section 9-106 as it relates to political signage

**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 required changes are a result of and in line with the changes to the state statute, limiting a municipalities ability to regulate the length of time political sign may be erected.
2. The existing uses and zoning classifications for properties in the vicinity of the subject property.  
N/A
3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.  
N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

As stated previously, this change is in line with state statute regulations which limit a municipalities ability to regulate the length of time a political sign may be erected.

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

N/A

**DRAFT FOR PLAN COMMISSION CONSIDERATION**  
**AT 10/10/12 MEETING**

**VILLAGE OF HINSDALE**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ARTICLE IX ("DISTRICT REGULATIONS OF GENERAL APPLICABILITY"), SECTION 9-106 ("SIGNS") OF THE HINSDALE ZONING CODE AS IT RELATES TO POLITICAL SIGNS**

**WHEREAS**, the Village of Hinsdale (the "Village") has filed an application pursuant to Section 11-601 of the Hinsdale Zoning Code ("Zoning Code") for an amendment to the text of Section 9-106(F)(9) of the Zoning Code relative to display of political signs (the "Application"); and

**WHEREAS**, the Board of Trustees has given preliminary consideration to the Application pursuant to Section 11-601(D)(2) of the Hinsdale Zoning Code, and has referred the Application to the Plan Commission of the Village for consideration and a hearing. The Application has otherwise been processed in accordance with the Hinsdale Zoning Code, as amended; and

**WHEREAS**, on \_\_\_\_\_, 2012, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean*, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of \_\_\_ in favor, \_\_\_ against and \_\_\_ absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-25-2012 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit A** and made a part hereof; and

**WHEREAS**, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on \_\_\_\_\_, 2012, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

**WHEREAS**, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and circumstances affecting the Application.



**NOW, THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

**Section 1:** Incorporation. Each whereas paragraph set forth above is incorporated by reference into this Section 1.

**Section 2:** Findings. The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee and other matters properly before it, adopts and incorporates the Findings and Recommendation of the Plan Commission as the findings of this President and the Board of Trustees, as completely as if fully recited herein at length. The President and Board of Trustees further find that the proposed text amendment set forth below is demanded by and required for the public good.

**Section 3:** Amendment. Article IX (District Regulations of General Applicability), Section 9-106 (Signs), subsection (F)(9) (Signs Permitted in Any District Without Permit of Fee; Political Signs) of the Hinsdale Zoning Code be and is hereby amended to read in its entirety as follows:

9. Political signs. Such signs shall be limited to one sign of not more than four (4) square feet in area per lot, and shall be located entirely on private property pursuant to the owner's consent, ~~shall be erected not more than thirty (30) days before the election, and shall be removed within seven (7) days following such election.~~

**Section 4:** Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**Section 5:** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Thomas K. Cauley, Jr., Village President

ATTEST:

\_\_\_\_\_  
Christine M. Bruton, Village Clerk

# Memorandum

**To:** Chairman Byrnes and Plan Commissioners

**From:** Sean Gascoigne, Village Planner



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

**Date:** October 10, 2012

**Re:** Public Hearing for Case A-26-2012

Applicant: Village of Hinsdale

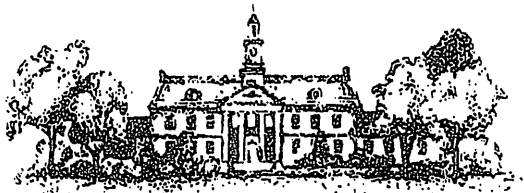
Request: Text Amendment to Section 11-604(F)1 (Site Plan Review), as it relates to the approval process.

---

Over the past several years Plan Commissioners, both past and present, have expressed concern and confusion as to why the zoning code identifies the site plan process as disapproval rather than approval. Currently as the code is written, if a Commissioner wants to recommend that a site plan be approved for a specific proposal, they are required to vote in the negative to approve it. This process has not only confused Commissioner's but has prompted several of them to question staff if it could be changed. As such, with direction from the ZPS and the Village Board, staff is prepared to work with the Village Attorney to draft appropriate language to accomplish the suggested changes to the Village of Hinsdale Zoning Code as it relates to site plan approval.

Attachment

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



**VILLAGE  
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

**GENERAL APPLICATION**

**I. GENERAL INFORMATION**

**Applicant**

Name: Village of Hinsdale  
Address: 19 E. Chicago Avenue  
City/Zip: Hinsdale, Il. 60521  
Phone/Fax: 630-789-7030 / \_\_\_\_\_  
E-Mail: N/A

**Owner**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_ / \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

- 1) Sean Gascoigne - Village Planner
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

## II. SITE INFORMATION

Address of subject property: N/A (Text Amendment)

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

Brief description of proposed project: Text Amendments to Section 11-604 as it relates to site plan disapproval.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A

South: N/A

East: N/A

West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the property: 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: Section 11-604

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

## TABLE OF COMPLIANCE

Address of subject property: N/A (Text Amendment)

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

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area		
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

\* Must provide actual square footage number and percentage.

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

## CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 21<sup>st</sup> day of August, 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 21<sup>st</sup> day of

August 2012

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

\_\_\_\_\_  
Notary Public



**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**

**Description of the proposed request:**

**REVIEW CRITERIA**

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

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

1. The consistency of the proposed amendment with the purpose of this Code.  
Several Commissioners, both current and past, have commented on this and expressed their desire to see this language change to clear up confusion in the code.
2. The existing uses and zoning classifications for properties in the vicinity of the subject property.  
N/A
3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.  
N/A



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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

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

As stated previously, several Commissioners, both past and present, have expressed their desire to see this language change to the affirmative.

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

# 10-2-12 - DRAFT FOR PLAN COMMISSION PUBLIC HEARING

## VILLAGE OF HINSDALE

ORDINANCE NO. \_\_\_\_\_

### **AN ORDINANCE AMENDING ARTICLE XI ("ZONING ADMINISTRATION AND ENFORCEMENT"), SECTION 11-604 ("SITE PLAN REVIEW"), OF THE HINSDALE ZONING CODE AS IT RELATES TO SITE PLAN APPROVALS**

**WHEREAS**, the Village of Hinsdale (the "Village") has filed an application pursuant to Section 11-601 of the Hinsdale Zoning Code for an amendment to the text of Section 11-604(F)(1) of the Zoning Code relative to the process of site plan approvals (the "Application"); and

**WHEREAS**, the Board of Trustees has given preliminary consideration to the Application pursuant to Section 11-601(D)(2) of the Hinsdale Zoning Code, and has referred the Application to the Plan Commission of the Village for consideration and a hearing. The Application has otherwise been processed in accordance with the Hinsdale Zoning Code, as amended; and

**WHEREAS**, on \_\_\_\_\_, 2012, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean*, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of \_\_\_ in favor, \_\_\_ against and \_\_\_ absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-26-2012 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit A** and made a part hereof; and

**WHEREAS**, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on \_\_\_\_\_, 2012, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

**WHEREAS**, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and circumstances affecting the Application.

**NOW, THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

**Section 1:** Incorporation. Each whereas paragraph set forth above is incorporated by reference into this Section 1.

**Section 2:** Findings. The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee and other matters properly before it, adopts and incorporates the Findings and Recommendation of the Plan Commission as the findings of this President and the Board of Trustees, as completely as if fully recited herein at length. The President and Board of Trustees further find that the proposed text amendment set forth below is demanded by and required for the public good.

**Section 3:** Amendment. Article XI (Zoning Administration and Enforcement), Section 11-604 (Site Plan Review), subsection (E)(5) (Procedure; Action By Plan Commission) of the Hinsdale Zoning Code be and is hereby amended to read in its entirety as follows:

"5. *Action By Plan Commission:* Within sixty (60) days following the conclusion of the public meeting, the plan commission shall transmit to the board of trustees its recommendation, in the form specified in subsection 11-103H of this article, recommending either approval of the site plan or disapproval of the site plan based on one or more of the standards set forth in subsection F1 of this section. In the case of any recommendation for disapproval, suggestions as required by subsection F2 of this section shall be provided. The failure of the plan commission to act within sixty (60) days, or such further time to which the applicant may agree, shall be deemed to be a recommendation for approval of the site plan as submitted."

**Section 4:** Amendment. Article XI (Zoning Administration and Enforcement), Section 11-604 (Site Plan Review), subsection (F) (Standards for Site Plan Disapproval) of the Hinsdale Zoning Code be and is hereby amended to read in its entirety as follows:

F. *Standards For Site Plan DisaApproval:*

1. *Standards:* The board of trustees shall not disapprove, and the plan commission shall not recommend disapproval of, a site plan submitted pursuant to this section except on the basis of specific written findings establishing that the applicant has met all of directed to one or more of the following standards:

- (a) The application is ~~incomplete~~ in specified particulars ~~or~~ and does not contains or reveals violations of this code or other applicable regulations that the applicant, after written request, has failed or refused to supply or correct.
- (b) ~~If t~~The application is submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, ~~and the applicant has failed to secured~~ approval of that application.
- (c) The site plan ~~fails to adequately meets~~ specified standards required by this code with respect to the proposed use or development, including special use standards where applicable.
- (d) The proposed site plan does not ~~interferes~~ with easements or rights-of-way.
- (e) The proposed site plan does not ~~unreasonably destroys, damages, detrimentally modifyies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site.~~
- (f) The proposed site plan is not ~~unreasonably~~ injurious or detrimental to the use and enjoyment of surrounding property.
- (g) The proposed site plan does not ~~creates~~ undue traffic congestion or hazards in the public streets, ~~or~~ and the circulation elements of the proposed site plan do not ~~unreasonably~~ create hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off site.
- (h) The screening of the site ~~does not~~ provides adequate shielding from or for nearby uses.
- (i) The proposed structures or landscaping provide ~~are unreasonable~~ lacking amenity in relation to, or are ~~incompatible~~ with, nearby structures and uses.
- (j) In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes ~~inadequate~~ provision for the creation or preservation of open space or for its continued maintenance.
- (k) The proposed site plan does not ~~creates~~ unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned drainage system serving the village.
- (l) The proposed site plan does not ~~places~~ unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and

satisfactorily integrate the site's utilities into the overall existing and planned utility systems serving the village.

(m) The proposed site plan ~~does not~~ provides for required public uses designated on the official map.

(n) The proposed site plan does not otherwise adversely affects the public health, safety, or general welfare.

2. *Alternative Approaches:* In citing a failure to meet any of the foregoing standards, other than those of subsections F1(a) and F1(b) of this section, as the basis for recommending disapproval of, or disapproving, a site plan, the plan commission or the board of trustees shall suggest alternate site plan approaches that could be developed to avoid the specified deficiency or shall state the reasons why such deficiency cannot be avoided consistent with the applicant's objectives."

**Section 5:** Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**Section 6:** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2012.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Thomas K. Cauley, Jr., Village President

ATTEST:

\_\_\_\_\_  
Christine M. Bruton, Village Clerk