

DRAFT

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
January 19, 2010**

The Hinsdale Village Board of Trustees regularly scheduled meeting was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, January 19, 2010 at 7:32 p.m.

Present: President Tom Cauley, Trustees J. Kimberley Angelo, Bob Saigh, Laura LaPlaca, Doug Geoga, Cindy Williams and Bob Schultz

Absent: None

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Finance Darrell Langlois, Building Commissioner Robb McGinnis, Police Chief Brad Bloom, Fire Chief Mike Kelly and Deputy Village Clerk Christine Bruton

Also Present: Christine Cuthbert with The Hinsdalean, Amy Deis representing The Doings and Christine Martin with the Tribune

PLEDGE OF ALLEGIANCE

President Cauley led those in attendance in the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

Trustee Saigh noted a correction to the Adjournment portion of the minutes. Trustee Geoga moved **to approve the minutes of the Regular Meeting of January 5, 2010, as amended**. Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

None.

VILLAGE PRESIDENT'S REPORT

President Cauley explained that the budgeting process will be different this year. The Village of Hinsdale is finalizing discussions with Clarendon Hills regarding sharing Fire services and equipment in an effort to reduce mutual budgets. He hopes to have a draft proposal to the Board by February 16th. This proposal will eliminate overlapping expenses and result in a fairly sizeable effect on our budget, and therefore does not want to get too far into the budget process. He noted that this will not affect public safety; the same number of firefighters would be available when needed. Following the February 16th Board of Trustees meeting, a draft budget will be available in time to give the Finance Commission ample opportunity to review the budget at its February 25th meeting. In lieu of the March 1st Administration and Community Affairs meeting, there will be a Committee of the Whole Board meeting to discuss budget issues. Given that we are pushing back the budget schedule and given the financial challenges that we will face in 2010, he intends to use the next four weeks to become personally involved in the budget process. The process will involve meeting with Mr. Cook and Mr. Langlois, as well as each of the department heads to see where we can make budget cuts while continuing to provide basic municipal services. Trustee Geoga and two citizens who are familiar with budgeting will also participate in the meetings.

CONSENT AGENDA

President Cauley read the Consent Agenda as follows:

Items Recommended by Environment & Public Services Committee

Item A: Ordinance Authorizing the Sale by Auction of Personal property owned by the Village of Hinsdale

Items Recommended by Zoning & Public Safety Committee

Item B: Ordinance Approving a Design Review Permit for Site Plan and Exterior Appearance Plan Modifications at 920 N. York Road

Item C: Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 48 S. Washington Street

Trustee Williams moved to **approve the Consent Agenda, as amended**. Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

DRAFT

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

Trustee Saigh moved **Approval and Payment of the Accounts Payable for the period of December 30, 2009 through January 15, 2010 in the aggregate amount of \$1,425,488.43 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Angelo seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Award Landscaping Maintenance Contract to Classic Landscaping in the Amount of \$90,000.00/per year for a term of three years

President Cauley explained that at the last ACA meeting, this matter was introduced as a one-year contract in the amount of \$92,000.00, before the Board tonight is a lower price for a three-year contract. Trustee Schultz suggested a two-year contract in case service drops off, however, Village Manager Cook explained that the proposed contract contains a performance clause that would allow the Village to cancel for cause. It was confirmed that the landscapers costs would most likely increase in the three year period. Trustee Geoga referenced the downtown landscaping contract, and that he is concerned about approving contracts out of the budgeting sequence, but he doesn't think this is discretionary expense and therefore has no problem approving this contract. Trustee LaPlaca pointed out that it might be beneficial to ask Classic Landscaping to give us a price for the downtown services, as well. Trustee Williams moved to **Award the Landscaping Maintenance Contract to Classic Landscaping in the Amount of \$90,000.00/per year for a term of three years.** Trustee Schultz seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

No report.

ZONING AND PUBLIC SAFETY

No report.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.

STAFF REPORTS

Resolution Adopting Administrative Procedures for Compliance with the Illinois Freedom of Information Act

Village Manager Cook introduced the item explaining that the Illinois General Assembly has passed new Freedom of Information Act requirements. This resolution is the formal Adoption of Administrative Procedures which include the naming of a FOIA officer or officers, quicker turn-around of documents, the elimination of appeals to the Village President and the possible assessment of penalties for non-compliance. Deputy Clerk Bruton added that it is a time-consuming process as is and the majority of requests are of a commercial nature. Trustee Schultz thought it would be helpful to put building permits on line. Mr. Cook explained that is our intent, however, the documents will need to be redacted for privacy and that if a requester wants a hard copy we are obligated to provide it even if the documents are available on the website. Trustee LaPlaca moved to adopt a **Resolution Adopting Administrative Procedures for Compliance with the Illinois Freedom of Information Act**. Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Trustee Saigh commented that there will be a learning curve as the amended FOIA regulations are implemented and hoped that people would be patient with staff as they manage these new requirements with other responsibilities.

DRAFT

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Village Board of Trustees and no need for a Closed Session, Trustee Saigh **moved to adjourn the meeting of January 19, 2010.** Trustee Williams seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Williams, Geoga, Schultz

NAYS: None

ABSTAIN: None


ABSENT: None

Motion carried.

Meeting adjourned at 7:51 p.m.

ATTEST: _____
Christine M. Bruton, Deputy Village Clerk

MEMORANDUM

Date: January 29, 2010
To: President and Board of Trustees
From: Chris Bruton, Deputy Clerk 
RE: Village Board Agenda for February 1, 2010

Please note that a copy of all materials listed under the Consent Agenda for Administration & Community Affairs can be found in your ACA packet for the meeting also held on February 1st.

Thank you.

cc: Village Attorney
Department Heads

DATE: January 27, 2010


REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER ZPS Consent Agenda	ORIGINATING DEPARTMENT Community Development
ITEM Alley Vacation Request – 625 S. Monroe	APPROVAL Dan Deeter Village Engineer

Attached please find an ordinance vacating a portion of a public alley adjacent to 625 S. Monroe Street. Also included is the appraisal report establishing a fair market value for the vacated property. A plat of vacation will be prepared upon approval of this request for recording at DuPage County. The alley has previously had vacations approved and is therefore not a through alley right-of-way.

The appraisal established the value of the property at approximately \$20 per square foot. The property to be vacated contains an area of 425 square feet. The total appraised value of the property is \$8,500.

MOTION: To Recommend Adoption of an Ordinance Vacating the West Half of Public Alley Right-of-Way Adjacent to and East of 625 S. Monroe Street at a purchase price of \$8,500.

APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION: At its January 25, 2010 meeting, the ZPS unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING VACATING THE WEST HALF OF PUBLIC ALLEY
RIGHT-OF-WAY ADJACENT TO AND EAST OF 625 S. MONROE STREET IN THE
VILLAGE OF HINSDALE, DUPAGE AND COOK COUNTIES, ILLINOIS**

WHEREAS, the Village of Hinsdale, DuPage and Cook Counties, Illinois (the "Village") is a duly authorized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the property owner of 625 S. Monroe Street, Hinsdale, Illinois, which property is identified by permanent index number ("P.I.N.") 09-11-406-006, has requested that a certain portion of an alley, as more fully described below, be vacated in order to be developed and maintained by said property owner; and

WHEREAS, Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1 *et seq.* (2007) (the "Code"), authorizes the Village to determine whether or not the public interest is served by vacating an alley, or part thereof, within its corporate boundaries, by an ordinance duly adopted by the affirmative vote of three-fourths of the trustees then holding office; and

WHEREAS, the Code further provides that upon vacation of an alley, or any part thereof, by the Village, title to the vacated property vest in the then owner or owners of land abutting thereon; and

WHEREAS, the Village President and Board of Trustees of the Village of Hinsdale (the "Corporate Authorities") have determined that the relief to the public from the further burden and responsibility of maintaining a certain portion of the alley, as more fully described below, and to return said portion to the tax rolls for the benefit of all taxing bodies is in the public interest.

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

Section 1. Recitals Incorporated. The above recitals and findings are incorporated herein and made a part hereof.

Section 2. Vacation of Unimproved Alley. Pursuant to the terms of this Ordinance, the Village shall vacate an 8.5' x 50' portion of the unimproved alley situated east of and adjoining 625 S. Monroe Street, Hinsdale, Illinois (the "Subject Property"), legally described, as follows:

LOTS 84 AND 85 IN BLOCK 17 IN THE RESUBDIVISION OF BLOCKS 9 -TO 20, INCLUSIVE IN STOUGH'S SECOND ADDITION TO HINSDALE, IN THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N 0911-418-002

Section 3. Plat of Vacation Approved. The Plat of Vacation, a copy of which is attached hereto as Exhibit A and made a part hereof, is approved.

Section 4. Conditions of Vacation. The Subject Property is vacated subject to any existing easement of public record for any public or private utility for the maintenance, renewal and construction or reconstruction of public and private utilities and that the Village reserves unto itself as a corporate municipality and to any public utility, its successors or assigns, the right to maintain and relocate any respective facilities in, under, across and along those parts of the public alley as herein vacated, with the right of access thereto at all times for any and all such purposes as may be reasonably required for the construction, maintenance and efficient operation of said equipment pursuant to any existing easement of public record.

Section 5. Payment of Consideration and Title to Vacated Property. Upon the vacation of the Subject Property, title thereto shall be acquired by and vest to the property owner of 625 S. Monroe, Hinsdale, Illinois upon the payment of eight thousand five hundred dollars (\$8,500.00) to the Village by the property owner as fair market value for the Subject Property. The vacation of the Subject Property, and the recording of the Plat of Vacation, shall not be effective until said payment is received pursuant to Section 11-91-1 of the Code, 65 ILCS 5/11-91-1.

Section 6. Execution of Documents. The Village President, Village Clerk and all other officials are hereby authorized to take any and all action and execute any and all documents required to implement said vacation and record this Ordinance and the Plat of Vacation with the applicable county recorder of deeds upon the payment of the consideration set forth in Section 5 of this Ordinance.

Section 7. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. 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 _____, 2010

AYES:

NAYES:

ABSENT:

APPROVED this _____ day of _____, 2010

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

To: Daniel Deeter
From: Kevin and Elise Baskel
Re: Purchase of land behind 625 S Monroe

Dear Daniel,

We would like to purchase the easement behind the property at 625 S Monroe, pin # (09-11-406-006). We would like to buy the easement in order to have a bigger yard for our home. We authorize Kerry Warren to start the process and approve any necessary fees associated with this. We have also completed a survey which is attached.

Please let us know if you have any questions.

Regards,

Kevin and Elise Baskel

We can be reached at:

012-010-0200

End of month Dec.



121	441	444	445	444	445	446	443	533	441	444	425	425
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Sixth				Street			
600	601	602	603	604	605	606	607
608	609	610	611	612	613	614	615
616	617	618	619	620	621	622	623
624	625	626	627	628	629	630	631
632	633	634	635	636	637	638	639
640	641	642	643	644	645	646	647

Seventh				Street			
700	701	702	703	704	705	706	707
708	709	710	711	712	713	714	715
716	717	718	719	720	721	722	723
724	725	726	727	728	729	730	731
732	733	734	735	736	737	738	739
740	741	742	743	744	745	746	747

Eighth				Street			
800	801	802	803	804	805	806	807
808	809	810	811	812	813	814	815
816	817	818	819	820	821	822	823
824	825	826	827	828	829	830	831
832	833	834	835	836	837	838	839
840	841	842	843	844	845	846	847

Ninth				Street			
900	901	902	903	904	905	906	907
908	909	910	911	912	913	914	915
916	917	918	919	920	921	922	923
924	925	926	927	928	929	930	931
932	933	934	935	936	937	938	939
940	941	942	943	944	945	946	947

6
M
S

COMMUNITY HOUSE

411

801
809
421
E
424
417
903
909
919
929
937

SUMMARY APPRAISAL REPORT

**AN 8.5' X 50' PORTION OF THE UNIMPROVED
ALLEY SITUATED EAST AND ADJOINING
625 SOUTH MONROE STREET
HINSDALE, ILLINOIS**

Prepared For

**Mr. Dan Deeter
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, Illinois 60521**

Prepared By

**C.A. Benson & Associates, Inc.
419 North La Grange Road
La Grange Park, Illinois 60526**

C.A. BENSON & ASSOCIATES, INC.
419 North La Grange Road - La Grange Park, IL 60526
P.O. Box 157 - La Grange, IL 60525
(708) 352-6056 Fax (708) 352-6070

January 18, 2010

Mr. Dan Deeter
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, IL 60521

Re: Summary Appraisal of an 8.5' x 50' portion of
unimproved alley situated east and adjoining 625
South Monroe Street, Hinsdale, Illinois

Dear Mr. Blucher:

In accordance with your request, I have inspected the above captioned property and analyzed all pertinent factors relative to it in order to estimate its "as is" market value of the fee simple interest. The property was inspected on January 7, 2010, which is the effective date of this valuation.

The property consists of an 8.5' by 50' portion of unimproved alley located east and adjoining 625 South Monroe Street, Hinsdale, Illinois. It contains 425 square feet and is zoned R-4, Single-Family Residential.

Based on this analysis, it is my opinion that the "as is" Market Value of the subject property as of January 7, 2010 was

EIGHT THOUSAND FIVE HUNDRED DOLLARS
(\$8,500)

This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

C.A. Benson & Associates, Inc.

PURPOSE OF THE APPRAISAL:

The purpose of this appraisal is to provide my best estimate of the market value of the subject real property as of the effective date. *Market Value* is defined by the federal financial institutions regulatory agencies as follows:

Market Value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions (f))

INTENDED USE: The function of this appraisal is to assist the Village of Hinsdale for a possible sale of the subject.

INTENDED USER: The intended user of this appraisal report is the client.

INTEREST VALUED: Fee simple

DATE OF INSPECTION: January 7, 2010

EFFECTIVE DATE OF VALUE: January 7, 2010

DATE OF REPORT: January 18, 2010

APPRAISAL DEVELOPMENT AND REPORTING PROCESS: In preparing this appraisal, I have

- Inspected the subject property;
- Gathered and confirmed information on comparable sales;
- Applied the Sales Comparison Approach to Value to arrive at an indicated value.

This Summary Appraisal Report is a brief recapitulation of my data, analyses and conclusions. Supporting documentation is retained in my file.

COMPETENCY OF THE APPRAISER: The appraiser has the appropriate knowledge and experience to complete this assignment competently as illustrated by the Qualifications of the Appraiser statement contained within this report.

C.A. Benson & Associates, Inc.

DESCRIPTION OF REAL ESTATE APPRAISED:

The subject property is situated in the Village of Hinsdale, approximately 20-miles southwest of the City of Chicago's Central Business District. Hinsdale is bordered by Oak Brook to the north, Burr Ridge to the south, Western Springs to the east and Clarendon Hills to the west.

Hinsdale is a residential community that has a population of 18,439 residents as of July 2008 and an average family income of \$118,637 (2008). The 2009 median value of a single-family residence was \$705,000, which represents a 23% decline from the 2008 median sale price of \$921,000. This reflects a decline in residential values which is most pronounced in the mid to upper end of the market.

Hinsdale is a substantially built-up community and is one of the communities in the Southern DuPage County suburbs, which include Burr Ridge, Clarendon Hills, Darien, Downers Grove, Glen Ellyn, Lisle, Naperville, Oak Brook, Oakbrook Terrace, Warrenville, Westmont, Wheaton, Willowbrook, Winfield and Woodridge. The majority of these are mid-aged to older established communities that have reached maturity. Redevelopment of new single-family residences is occurring in Hinsdale, Clarendon Hills and Downers Grove on sites where older residences have been demolished. The overall composition of the area provides most amenities such as adequate employee base, established commercial/residential areas and municipal services, educational facilities, etc. The area hospitals include Good Samaritan, La Grange Community and Hinsdale. Hinsdale has a thriving central business district and the Oak Brook Center and Yorktown Center regional shopping malls are in nearby driving distance.

The major transportation systems include the North-South Tollway (I-355), the Tri-State Tollway (I-294) and the East-West Tollway (I-88). In addition, the Metra commuter trains and Pace buses service Hinsdale.

More specifically, the subject property is located in the southwest section of Hinsdale. The immediate area is approximately 98% built-up with single-family residences of varying architectural designs in the range of 0 to 80+ years. The price range varies from \$275,000 for smaller existing single-family residences to in excess of \$1,500,000 for new custom two story residences. Many of the older, smaller residences have been torn down and redeveloped with large custom single-family residences. The immediate occupancy of the neighborhood consists of professionals, executives and white-collar workers. Maintenance level is good and there were no adverse conditions noted on the date of inspection.

Overall, the community of Hinsdale and the subject neighborhood are stable without any land changes anticipated with the exception of residential development of new single residents on lots that were previously improved with older homes. The strengths of the community include the viable central business district, the good community services, ample shopping, proximity to major transportation systems and the strong demand for residential, retail and office properties.

The subject property is the west 8.5' of a 17' wide unimproved alley. It has a width of 50', which is equal to the width of the adjoining residence located at 625 South Monroe Street. It is rectangular in shape and has a calculated area of 425 square feet. It is in an R-4, Single Family Residence District which requires a minimum lot area of 10,000 square feet and 70 or 80 feet of street frontage depending on whether the site is an interior or corner parcel. The subject property is not buildable and would be of use only to the adjoining property owner. It is in a zone "X" area of minimal flooding activity per FEMA Map #17043C0903H, dated December 16, 2004.

C.A. Benson & Associates, Inc.

ESTIMATE OF EXPOSURE TIME:

The subject property is an 8.5' x 50' section of an unimproved alley, which can only be sold to the adjoining property owner. As such, estimating a marketing time is futile as a potential sale is reliant on the adjoining property owner's willingness to buy the property. The typical marketing time for area buildable sites and single-family residences is 3 to 9 months, which reflects the market slowdown that started in 2006.

PERMANENT INDEX NUMBER:

The subject is a section of unimproved alley, which has no permanent index number.

TOTAL 2008 ASSESSED VALUE: Not assessed

THREE-YEAR PROPERTY HISTORY:

According to FIRREA and the Uniform Standards of Professional Practice of the Appraisal Foundation, I am required to report and analyze any sale transactions involving the subject property during the past three years or any listing or pending sale transaction involving the subject property.

The subject is part of an unimproved alley under ownership by the Village of Hinsdale. This appraisal will be used as an estimate of market value for a possible sale of the property.

HIGHEST AND BEST USE ANALYSIS:

The subject consists of an 8.5' x 50', rectangular shaped portion of unimproved alley. It cannot be developed by itself and has value only to the adjoining property owner. It is my opinion that the highest and best use of the subject property is in conjunction with the adjoining residential property.

SUMMARY OF ANALYSIS AND VALUATION:

As indicated, the Sales Comparison Approach to Value will only be used.

SALES COMPARISON APPROACH TO VALUE AS IMPROVED:

Definition: A set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have been sold recently, then applying appropriate units of comparison, and making adjustments to the sale prices of the comparables based on the elements of comparison.*

*Source: Page 255, *The Dictionary of Real Estate Appraisal*, Appraisal Institute, Fourth Edition.

C.A. Benson & Associates, Inc.

SALES COMPARISON APPROACH TO VALUE - Continued

In order to estimate the market value of the subject property by the Sales Comparison Approach, I have analyzed the following sales. It was necessary to use 2006 sales as there were insufficient recent sales to do a paired sales analysis.

1. **923 South Stough Street, Hinsdale** was reported sold in July 2009 for \$277,500. This is a 50 foot by 125 foot parcel zoned R-4, containing 6,250 square feet. The sales price was equal to \$44.40 per square foot.
2. **625 South Stough Street, Hinsdale** was reported sold in February 2009 for \$315,000. This is a 59 foot by 133.5 foot parcel zoned R-4, containing 7,876 square feet. The sales price was equal to \$39.99 per square foot.
3. **809 South Thurlow Street, Hinsdale** was reported sold in December 2009 for \$340,000. This is a 75 foot by 125 foot parcel zoned R-4, containing 9,375 square feet. The sale price was equal to \$36.27 per square foot.
4. **746 South Thurlow Street, Hinsdale** was reported sold in September 2009 for \$410,000. This is a 97 foot by 125 foot parcel zoned R-4, containing 12,125 square feet. The sale price was equal to \$33.81 per square foot.

Commentary

The above sales were all improved with older smaller single-family residences and the sale prices were reflective of land value.

Comparable 2 has 1,626 square feet of additional site area versus Comparable 1. It sold for \$37,500 more than Comparable 1, indicating \$23.06 per square foot of additional site area.

Comparable 4 has 2,750 square feet of additional site area versus Comparable 3. It sold for \$70,000 more than Comparable 3, indicating \$25.45 per square foot for the additional site area.

The subject consists of 425 square feet of unimproved alley adjoining the rear of the residence located at 625 South Monroe Street. Comparison 1 is of a mixture of rear yard and side yard area. It was adjusted downward as it includes more valuable side yard area. Comparison 2 is of superior side yard area and a large downward adjustment was required.

C.A. Benson & Associates, Inc.

SALES COMPARISON APPROACH TO VALUE - Continued

Based on the above comparisons, it is my opinion that \$20.00 per square foot is indicated for the subject property.

425 square feet @ \$20.00 per square foot = \$8,500

INDICATED VALUE BY THE SALES COMPARISON APPROACH: \$8,500

COMMENT AND FINAL VALUE CONCLUSION:

Based on the sales data analyzed in this report, it is my opinion that the "as is" fee simple market value of the subject property as of January 7, 2010 was

**EIGHT THOUSAND FIVE HUNDRED DOLLARS
(\$8,500)**

Respectfully submitted,

C.A. BENSON & ASSOCIATES, INC.



Charles A. Benson, Jr., SRA
Illinois State Certified General Real Estate Appraiser
License #553.000387 (Exp. 9/30/11)

This report has been signed with a secured digital signature, which is in compliance with the reporting requirements set forth by USPAP.

C.A. Benson & Associates, Inc.

ASSUMPTIONS AND LIMITING CONDITIONS

1. This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

C.A. Benson & Associates, Inc.

ASSUMPTIONS AND LIMITING CONDITIONS - Continued

12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.

13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.

14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability or utility.

15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.

16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.

18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

C.A. Benson & Associates, Inc.

CERTIFICATION

I certify that, to the best of my knowledge and belief...

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinion, and conclusions are limited only by the reported assumptions and limiting conditions, are my personal, unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- my compensation is not contingent on the reporting of a pre-determined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result or the occurrence of a subsequent event.
- the appraisal assignment was not based on a requested minimum valuation, a specific valuation or the approval of a loan.
- my analyses, opinion and conclusions were developed, and this report has been prepared in conformity with the requirements of the *Code of Professional Ethics* and the *Standards of Professional Practice* of the *Appraisal Institute*.
- the use of this report is subject to the requirements of the *Appraisal Institute* relating to review by its duly authorized representatives.
- as of the date of this report, I have completed the requirements of the continuing education program of the *Appraisal Institute*.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant professional assistance to the person signing this report.



Charles A. Benson, Jr., SRA
Illinois State Certified General Real Estate Appraiser
License #553.000387 (Exp. 9/30/11)

C.A. Benson & Associates, Inc.

QUALIFICATIONS OF CHARLES A. BENSON, JR.

EDUCATION

University of Wisconsin, Madison, B.B.A., 1974
Majoried in Real Estate and Urban Land Economics

APPRAISAL COURSES SUCCESSFULLY COMPLETED

S.R.E.A. Courses 101 (1972), 201 (1976), 202 (1989)
A.I.R.E.A. Course VIII (1978)
Standards of Professional Practice - Parts A & B, Appraisal Institute 1998
USPAP Update - 2007

SEMINARS

Residential Design and Functional Utility; Subdivision Analysis; Rates, Ratios & Reasonableness; Valuation Under Federal Lending Regulations; Appraisal of Retail Properties; Industrial Valuation; Conditions of the Chicago Real Estate Market, 2007; Fair Lending and the Appraiser; Valuation of Detrimental Conditions in Real Estate; Partial Interest Valuation - Undivided; Forecasting Revenue; Illinois Appraiser's Update - 2004 thru 2007; Professionals Guide to the Uniform Residential Appraisal Report.

EXPERIENCE

Actively engaged in the real estate appraisal business since 1975; has made appraisal of thousands of properties of various types including single family residences, apartment buildings, commercial, industrial, special use properties and vacant land.

Clients

Appraisal clients include: Inland Bank, American Metro Bank, Banco Popular, Midwest Bank, National City Bank, First National Bank of LaGrange, Highland Community Bank, Cathay Bank, Pacific Global Bank, Suburban Bank & Trust, United Trust Bank, The University of Chicago, attorneys, individuals, corporations and others.

Qualified as an expert witness for the Circuit Court of Cook County and the Circuit Court of DuPage County.

AFFILIATIONS

- The Appraisal Institute - Received SRA designation in April 1988.
- Holds State of Illinois Real Estate Broker's License #075-090669.
- Member of the Realtor Association of the West/South Suburban Chicagoland.
- State Certified General Real Estate Appraiser, State of Illinois, License No. 553.000387.

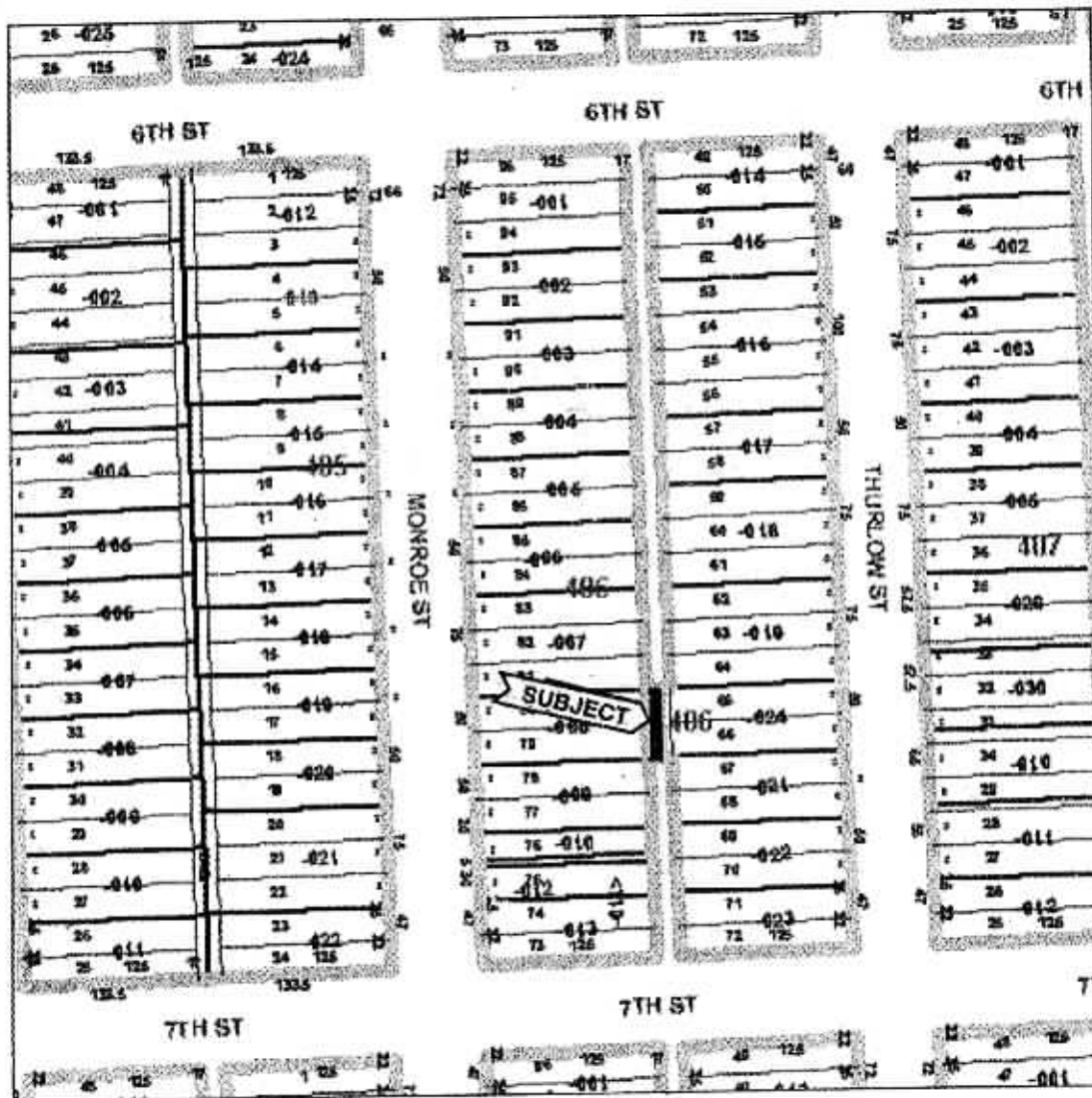
C.A. Benson & Associates, Inc.

ADDENDUM

Sidwell Map

C.A. Benson & Associates, Inc.

Sidwell Map from geovista.com



DATE: February 1, 2010

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-35-2009 - Applicant: FMHC, agent for SprintCom/Nextel Westcorp - Location: 15 Spinning Wheel: Special Use Permit for a Wireless Antenna and Site Plan/Exterior Appearance Approval	APPROVAL

The applicant, FMHC, agent for SprintCom/Nextel Westcorp, is proposing to install a new cellular antenna on the roof of the existing Spinning Wheel Office Complex located at 15 Spinning Wheel in the O-3 General Office District. Subsection 6-106D states that personal wireless service antennas as proposed by the applicant are special uses in the O-3 District. According to the applicant the proposal would include installing one new dish on the roof in addition to the existing antennas already located on the rooftop at the subject property.

ZONING HISTORY/CHARACTER OF AREA

The site is located in the O-3 General Office District and improved with a 4-story office building. As stated previously, the applicant has identified that additional antennas exist on the roof of 15 Spinning Wheel and they are proposing to add one additional dish to supplement their existing antennas on the roof. The applicant has indicated that the proposed dish would utilize and share all existing wire trays and any mechanical equipment and nothing new is proposed to that extent.

The property to the south is located in the O-3 General Office District and improved with a multi-story office building. To the east is land located in the Cook County Forest Preserve; west is an office building located within the O-3 General Office District and to the north is additional office buildings, also located in the O-3, General Office District.

GENERAL STAFF COMMENTS

The Federal Telecommunications Act prohibits local governments from considering environmental issues when reviewing antenna locations. Carriers are responsible for being EMF compliant (electromagnetic field levels) with Federal regulations. This property is not listed on the National Register of Historic Places and is not designated as a Local Landmark by the Village of Hinsdale.

Special Use Permit for a Personal wireless services antennas

Subsection 6-106D of the Zoning Code states that personal wireless services antennas are special uses in the O-3 General Office District due to the fact that the proposed antennas and equipment do not satisfy the requirements of subsection 6-103F(3) which requires electronic equipment to be fully enclosed in a structure otherwise permitted on the zoning lot when shielded from view from any point located off the zoning lot on which they are located. Subparagraph 6-106D states that the antennas are limited to omnidirectional or whip antennas and directional or panel antennas when located on a lawfully pre-existing building that will serve as the antenna support structure.

In addition, Subsection 6-110K provides additional special development and use regulations that pertain to personal wireless services antennas. Additional requirements included within this subsection state that the antenna shall be located on lawfully preexisting buildings or structures wherever possible and that the antenna and support structure shall be of neutral colors that are harmonious with, and that blend with, the natural features, buildings and structures surrounding and that directional or panel antennas shall be of a color that match, and blend with the exterior of the building. The applicant will be painting the antenna to

blend with the building. The applicant has also confirmed that they will comply with all other applicable requirements as set forth in this subsection.

Exterior Appearance/Site Plan Review

The applicant is proposing to install a new antenna/dish on the existing support structure at the existing office building as depicted on the attached plans. The applicant has confirmed that the antenna is no larger than five feet vertically and two feet horizontally, as required per Subsection 6-110K(4)(b). As stated previously, the code requires that every personal wireless antenna be of neutral color or blend with the natural features, buildings and structures surrounding the antenna. Again, the applicant has confirmed that the antenna will be painted to blend with the existing office building.

At the January 13, 2010, Plan Commission meeting the commission reviewed the application submitted by FMHC, agent for SprintCom/Nextel Westcorp, and unanimously recommended approval (8-0, 1 absent) of the request for a Special Use Permit and Site Plan/Exterior Appearance Approval for a wireless antenna.

Review Criteria

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

1. Subsection 11-602E pertaining to Standards for special use permits;
2. Subsection 11-604F pertaining to Standards for site plan disapproval; and
3. 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.

Attached are the approved findings and recommendation from the Plan Commission and the ordinance.

MOTION: Move that the Board of Trustees approve an "Ordinance Approving a Special Use Permit, Site Plans and Exterior Appearance Plans for the Installation of a Cellular Antenna on the Property Located at 15 Spinning Wheel Road."

APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
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COMMITTEE ACTION: On January 25, 2010, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.

BOARD ACTION:

HINSDALE PLAN COMMISSION

**RE: Case A-35-2009 - FMHC, agent for SprintCom/Nextel Westcorp – 15 Spinning Wheel Road -
Request: Special Use Permit for a Wireless Antenna and Site Plan/Exterior Appearance**

DATE OF PLAN COMMISSION REVIEW: January 13, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 25, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. FMHC, agent for SprintCom/Nextel Westcorp, submitted an application to the Village of Hinsdale for a special use permit and exterior appearance/site plan review approval, to allow the installation of a cellular antenna on the lawfully existing building located on the property known at 15 Spinning Wheel Road (the "Application").
2. The property is located within the O-3, General Office District, where cellular antennas are authorized as special uses.
3. The applicant is proposing to install one new cellular antenna on an existing antenna on the lawfully existing building.
4. The applicant will paint all antennas, visible from the ground, to blend with the building.
5. The Plan Commission did not hear any comments from the audience regarding the proposed site improvements.
6. The Plan Commission specifically finds that the Application, as a whole, satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit, Subsection 11-604F pertaining to Standards for site plan disapproval and Section 11-606 of the Zoning Code governing exterior appearance review.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of 8 "Ayes," 0 "Nay," and 1 "Absent" recommends that the President and Board of Trustees approve the Application, for a special use permit and exterior appearance/site plan review approval for installation of cellular antenna and accessory equipment at 15 Spinning Wheel Road.

THE HINSDALE PLAN COMMISSION

By: 

Chairman

Dated this 28th day of January, 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT, SITE PLANS
AND EXTERIOR APPEARANCE PLANS FOR
THE INSTALLATION OF A CELLULAR ANTENNA ON THE PROPERTY
LOCATED AT 15 SPINNING WHEEL ROAD
(Plan Commission Case No. A-35-2009)**

WHEREAS, FMHC, agent for SprintCom/Nextel Westcorp, filed an application for a special use permit and site plan approval and exterior appearance approval (the "Application") to allow for the installation of a new cellular antenna on the lawfully existing building located at the property commonly known at 15 Spinning Wheel Road, and legally described in Exhibit A, attached hereto and incorporated herein (the "Subject Property"); and

WHEREAS, the Subject Property is located within the O-3, General Office District, where cellular antennas are authorized as special uses; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on January 13, 2010, pursuant to notice thereof properly published in the Suburban Life and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application, as set forth in the Plan Commission's Findings and Recommendations for PC Case No. A-35-2009, incorporated herein by reference as though fully set forth; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on January 25, 2010, considered the Application and the recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have reviewed the recommendation of the Zoning and Public Safety Committee, the Findings and Recommendation of the Plan Commission, and all of the materials, facts, and circumstances related to the Application, and they find that the Application satisfies the standards set forth in Section 11-602 of the Zoning Code relating to special use permits and Sections 11-604 and 11-606 of the Hinsdale Zoning Code governing site plans and exterior appearance plans, subject to the conditions stated in this Ordinance.

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

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Approval of Special Use Permit for Four Cellular Antennas and an Equipment Shelter. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Hinsdale Zoning Code, hereby approves a special use permit for the installation of a cellular antenna on the lawfully existing building located at the property commonly known as 15 Spinning Wheel Road, and legally described in Exhibit A, subject to the conditions stated in Section 4 of this Ordinance.

Section 3. Approval of Site Plans and Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by laws of the State of Illinois and Sections 11-604 and 11-606 of the Hinsdale Zoning Code, approves the site plans and exterior appearance plans attached to and, by this reference, incorporated into this Ordinance as Exhibit B (the "Approved Plans"), subject to the conditions stated in Section 4 of this Ordinance.

Section 4. Conditions. The approvals granted in Sections 2 and 3 of this Ordinance are expressly subject to all of the following conditions:

- A. **No Authorization of Work.** This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. **Compliance with Codes, Ordinances, and Regulations.** Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.
- C. **Compliance with Approved Plans.** All development within the Subject Property shall be undertaken only in strict compliance with the Village-approved planned development plans, including without limitation the Approved Site Plans, the Approved Exterior Appearance Plans, and other Village-approved plans.
- D. **Building Permits.** The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

- E. Applicant to Paint Antennas. The applicant shall paint all antennas, visible from the ground, to blend with the building.

Section 5. Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 6. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and 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 7. 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 _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

**ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE
CONDITIONS OF THIS ORDINANCE:**

By:

Its:

Date: _____, 2010

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 671.49 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 36, AS MEASURED ALONG THE EAST LINE OF SAID SECTION 36, SAID POINT BEING THE EASTERLY MOST SOUTHEAST CORNER OF LOT 1 IN KOPLIN'S ASSESSMENT PLAT RECORDED AS DOCUMENT NUMBER 67-16396; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 36, ALSO BEING THE EAST LINE OF SAID LOT 1, A DISTANCE OF 500.07 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG A LINE 500.07 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 275.00 FEET TO A LINE 275.00 FEET WEST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF SAID SECTION 36; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 15.00 FEET TO A LINE 515.07 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 156.58 FEET TO A LINE 431.58 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF SAID SECTION 36; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 455.98 FEET TO A LINE 59.09 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH A SOUTH LINE OF SAID LOT 1; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST ALONG SAID PARALLEL LINE, A DIATANCE OF 48.00 FEET TO THE EAST LINE OF SAID LOT 1; THENCE NORTH 00 DEGREES 00 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 786.39 FEET TO THE NORTH LINE OF SAID LOT 1, THENCE NORTH 79 DEGREES 52 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1, ALSO BEING PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF OGDEN AVENUE (FORMERLY KNOWN AS OLD PLANK ROAD), A DISTANCE OF 487.17 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, ALSO BEING THE EAST LINE OF SAID SECTION 36; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 AND THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 431.04 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

DATE January 29, 2010

AGENDA SECTION	ACA	ORIGINATING DEPARTMENT	Finance
ITEM	Accounts Payable	Darrell Langlois APPROVED Assistant Village Manager/Director of Finance	

At the meeting of February 02, 2010 staff respectfully requests the presentation of the following motion to approve the accounts payable:

Motion: To move approval and payment of the accounts payable for the period of January 15, 2010 through January 29, 2010 in the aggregate amount of \$567,800.35 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.

STAFF APPROVALS

APPROVAL	APPROVAL	APPROVAL	APPROVAL 	MANAGER'S APPROVAL 
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COMMITTEE ACTION:

BOARD ACTION:

VILLAGE OF HINSDALE

ACCOUNTS PAYABLE WARRANT REGISTER #1474

FOR PERIOD January 15, 2010 through January 29, 2010

The attached Warrant Summary by Fund and Warrant Register listing TOTAL DISBURSEMENTS FOR ALL FUNDS of \$567,800.35 has been reviewed and approved by the below named officials.

APPROVED BY  DATE 1/28/10
ASSISTANT VILLAGE MANAGER/DIRECTOR OF FINANCE

APPROVED BY  DATE 1/29/10
VILLAGE MANAGER

APPROVED BY  DATE 1/28/2010
VILLAGE TREASURER

APPROVED BY _____ DATE _____
VILLAGE TRUSTEE

**Village of Hinsdale
Warrant # 1474
Summary By Fund**

Recap By Fund	Fund	Regular Checks	Pension Checks	ACH/Wire Transfers	Total
Corporate Fund	10000	120,837.68	-	150,000.00	270,837.68
Motor Fuel Tax Fund	23000	32,704.21	-	-	32,704.21
Water & Sewer Operations	61061	132,086.80	-	-	132,086.80
Water & Sewer Capital	61062	19.20	-	-	19.20
Escrow Funds	72100	9,260.00	-	-	9,260.00
Payroll Revolving Fund	79000	9,426.25	-	113,466.21	122,892.46
Total		304,334.14	-	263,466.21	567,800.35

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
AFLAC-FLEXONE		
48827 AFLAC OTHER	012210000000000	405.57
48828 AFLAC OTHER	012210000000000	310.78
48829 AFLAC SLAC	012210000000000	271.20
	CHECK NO. 81358	987.65
AMERICAN EXPRESS		
48866 ASST SUPPLIES	87021-12/09	870.21
	CHECK NO. 81359	870.21
AT & T		
48855 VILLAGE PHONE BILL	6307897000-11/09	4491.57
48859 CIRCUITS	6303232121-01/10	1853.00
	CHECK NO. 81360	6344.57
COLONIAL LIFE & ACCIDENT		
48819 COLONIAL OTHER	012210000000000	27.63
48820 COLONIAL S L A C	012210000000000	70.47
	CHECK NO. 81361	98.10
FEDERAL RESERVE BANK		
48821 SAVINGS BONDS	012210000000000	50.00
	CHECK NO. 81362	50.00
HOME DEPOT CREDIT SERVICE		
48868 ASST SUPPLIES	02214319-01/10	278.32
	CHECK NO. 81363	278.32
LSNB AS TRUSTEE FOR POST		
48830 PEHP COMPTIME PD	012210000000000	478.97
48831 PEHP REGULAR	012210000000000	2448.60
48832 PEHPPD	012210000000000	594.14
	CHECK NO. 81364	3521.71
MODERN SIGNS INC		
48871 REIMBURSEMENT	A-06-09	252.90
	CHECK NO. 81365	252.90
NATIONWIDE RETIREMENT SOL		
48822 USCM/PEBSCO	012210000000000	50.00
48823 USCM/PEBSCO	012210000000000	1755.00
	CHECK NO. 81366	1805.00
STATE DISBURSEMENT UNIT		
48833 CHILD SUPPORT	012210000000000	1653.70
	CHECK NO. 81367	1653.70

	PAYEE		INVOICE	CHECK
VOU.	DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
	UNITED STATES POSTAL SVC			
18867	POSTAGE	3000-01710	1000.00	
		CHECK NO. 81368		1000.00
	VERIZON WIRELESS			
48875	EMERGENCY TELEPHONES	2335099465	17.12	
		CHECK NO. 81369		17.12
	VILLAGE OF HINSDALE			
48824	MEDICAL REIMBURSEMENT	012210000000000	580.50	
48825	MEDICAL REIMBURSEMENT	012210000000000	399.37	
48826	DEP CARS REIMBURSEMENT	012210000000000	330.22	
		CHECK NO. 81370		1310.09
	JOE & PAT TURNER			
48864	REIMBURSEMENT	22493	2958.00	
		CHECK NO. 81371		2958.00
	ADVANTAGE CHEVROLET			
48972	REPAIR PARTS	212112	341.73	
		CHECK NO. 81372		341.73
	AIR ONE EQUIPMENT			
48968	MISC SUPPLIES	55245	2350.00	
		CHECK NO. 81373		2350.00
	AIRGAS NORTH CENTRAL			
48902	AIR SUPPLIES	105274731	194.25	
		CHECK NO. 81374		194.25
	AMERICAN SODA FOUNTAIN			
48847	ICE MACHINE REPAIR	13571	219.50	
		CHECK NO. 81375		219.50
	AMERICAN TAXI DISPATCH			
48895	SR TAXI PROGRAM	1419	2500.00	
		CHECK NO. 81376		2500.00
	BANNERVILLE USA			
48976	BANNERS/POOL	11215	220.00	
		CHECK NO. 81377		220.00
	BJK CONSTRUCTION INC			
48933	OVERPAID TICKET	2462	37.50	
		CHECK NO. 81378		37.50
	BONO, CSR KATHLEEN W.			

PAYEE	INVOICE	CHECK
YOU. DESCRIPTION	AMOUNT	AMOUNT
BONO, CSR KATHLEEN W.		
48874 A-27-03	4865	711.00
48924 A-27-03	4864	837.00
48925 A-12-03	4864-1	837.00
48926 A-10-03	4864-2	129.00
48927 A-26-03	4864-3	291.00
	CHECK NO. 81379	2805.00
BROPHY, JUDY		
48922 REISSUE CK #79368	80807-1	30.00
	CHECK NO. 81380	30.00
BUESER, TOM		
48938 WORK SCOTS	58311	59.98
	CHECK NO. 81381	59.98
CACCIATORE, MARIA		
48932 PARKING ORDINANCE	8218	17.50
	CHECK NO. 81382	17.50
CAMIROS		
48958 LEGAL SERVICES	0018278	614.90
	CHECK NO. 81383	614.90
CASE LOTS INC		
48875 PAPER SUPPLIES	020465/390/391	374.75
48901 PAPER GOOD SUPPLIES	020578	44.40
	CHECK NO. 81384	419.15
CDW-GOVERNMENT INC.		
48906 LAP TOP	RJV8051/6699	964.94
48914 LASER JET	RHT4409	290.33
48949 MODEM	RJV1105	99.18
48967 ACER	RMD6019	105.00
	CHECK NO. 81385	1459.45
CHRUSCIEL, SANDRA		
48943 CLASS REFUND	85104	50.00
	CHECK NO. 81386	50.00
CINTAS		
48896 RUGS TOWELS ETC	769358670	161.31
48905 RUGS TOWELS ETC	769362516	242.81
	CHECK NO. 81387	404.12
CLARK DIETZ ENGINEERS		
48846 2011 RD PROJECT	405737	32704.21

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
CLARK DIETZ ENGINEERS		
	CHECK NO. 81388	31701.21
COMCAST		
48935 POLICE TV'S	0031716-01/10	39.97
	CHECK NO. 81389	39.97
COMED		
48854 PUMPING	0075151076-12/09	775.47
48855 57TH STREET	015093062-12/09	398.11
48863 314 SYMONDS	041707304812/09	540.42
48985 VEECK PARK	2425068008-01/10	2427.42
48986 PUMPING VEECK PARK	3454039030-01/10	23.51
	CHECK NO. 81390	5164.93
CONCRETS BY WAGNER		
48844 CONT BD/546 DALEWOOD	18161	500.00
	CHECK NO. 81391	500.00
COOK COUNTY TREASURER		
48959 SIGNAL MAINT	20094	24.00
	CHECK NO. 81392	24.00
COUNTRY LANDSCAPE & SUPPL		
48878 LEAF DUMPING	10520100	4176.00
	CHECK NO. 81393	4176.00
CRITICAL REACH		
48912 ANNUAL FEE	10227	265.00
	CHECK NO. 81394	265.00
CRYSTAL LAKE FIRE RESCUE		
48990 SEMINAR	10007-01/10	45.00
	CHECK NO. 81395	45.00
CURRAN, JEFF		
48995 REIMBURSEMENT CONFERENCE	3544	225.00
	CHECK NO. 81396	225.00
CUSTOM CONCRETE WC CO		
48953 REFUND TICKET OVERPAID	17930	37.50
	CHECK NO. 81397	37.50
DAVE PATE & SONS CONSTR.		
48840 CONT BD/503 THE LANE	18485	560.00
	CHECK NO. 81398	560.00

PAYEE	INVOICE	CHECK	
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
DESIGN GROUP SIGNAGE CORP			
48888 SIGNAGE	11157	2300.00	
	CHECK NO. 81399		2300.00
DISPATCH AUTOMOTIVE			
48945 ALTERNATOR	201027	165.00	
	CHECK NO. 81400		165.00
DOCU-SHRED, INC.			
48930 SHREDDING	22062	40.00	
	CHECK NO. 81401		40.00
DUPAGE WATER COMMISSION			
48850 WATER	8505	115126.05	
	CHECK NO. 81402		115126.05
EASTERN FIRE EQUIPMENT			
48937 CHAIN REPAIR	0773	113.43	
	CHECK NO. 81403		113.43
EMBASSY COFFEE SERVICE			
48892 COFFEE SUPPLIES	68890	71.30	
48908 COFFEE SUPPLIES	69587/67848	178.70	
	CHECK NO. 81404		250.00
ERM			
48857 SIGNAGE	29727	975.00	
	CHECK NO. 81405		975.00
EXCELL FASTENER SOLUTIONS			
48947 BOLTS	948	83.23	
	CHECK NO. 81406		83.23
EXELON ENGERY INC			
45862 TRANSFORMER	100421800030	2824.70	
	CHECK NO. 81407		2824.70
FOREST PRESERVE DIST OF			
48893 DUNCAN FIELD	250-01/10	250.00	
	CHECK NO. 81408		250.00
FUCHS & ROSELLI, LTD			
48856 LEGAL SERVICES GARFIELD	109715	484.00	
	CHECK NO. 81409		484.00
G & K SERVICES			
48889 UNIFORMS	1028386177	258.87	

PAYER	VOU.	DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
G & K SERVICES					
48890		UNIFORMS	1028383544	258.87	
48966		UNIFORMS	1028388807	258.87	
		CHECK NO.	81410		776.61
GARY JOHNSTON					
48916		PERMIT FEES	3600	36.00	
		CHECK NO.	81411		36.00
GASAWAY DISTRIBUTORS					
48837		CALICUM CHLORIDE	102972	2377.11	
		CHECK NO.	81412		2377.11
GENESIS SURVEY P C					
48887		FILED SURVEY	850-01/10	850.00	
		CHECK NO.	81413		850.00
GEORGE ADAMCEYK & COMPANY					
48983		CONT BD/639 S GARFIELD	18994-01/10	500.00	
		CHECK NO.	81414		500.00
GFOA					
48923		2010 LUES	0134001	640.00	
		CHECK NO.	81415		640.00
GIULIANOS					
48910		EMERGENCY MEALS	6498	64.98	
		CHECK NO.	81416		64.98
GRAINGER, INC.					
48894		ASST HEX NUTS	9155659304/3312	448.95	
48952		LAMPS	9161323747	164.66	
48987		ASST PARTS	9164210032	116.59	
		CHECK NO.	81417		730.20
H & H INDUSTRIES, INC.					
48948		LIGHTS	571662	162.61	
		CHECK NO.	81418		162.61
H2O SERVICES, INC.					
48883		WATER TREATMENT	1935	402.36	
		CHECK NO.	81419		402.36
HASSETT, GINA					
48950		REIMBURSTMENT FOR KLM	58003	32.07	
		CHECK NO.	81420		32.07

PAYEE	INVOICE	CHECK	
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
HD SUPPLY WATERWORKS			
48836 WATER MAIN	9951981	258.33	
48837 WATER METER	0009203	255.00	
48839 WATER METERS	3217/3232	680.97	
	CHECK NO. 81421		1194.95
HORNEL CORPORATION			
48944 KIM COFFEE PCTS	166213	150.24	
	CHECK NO. 81422		150.24
HUMAN KINETICS			
48898 LIFE GUARD BOOKS	29450160	1139.94	
	CHECK NO. 81423		1139.94
HUMAN KINETIC FULFILLMENT			
48899 ONLINE SUBSCRIPTION	29478200	1050.00	
	CHECK NO. 81424		1050.00
IL CRISIS NEGOTIATOR ASSO			
48994 REGISTRATION	58223	200.00	
	CHECK NO. 81425		200.00
ILLINOIS FIRE CHIEF ASSOC			
48973 TUITION	101017	1200.00	
	CHECK NO. 81426		1200.00
ILLINOIS FIRE CHIEFS ASSN			
48974 DUES	828	300.00	
	CHECK NO. 81427		300.00
ILLINOIS FIRE INSPECTORS			
48929 REGISTRATION	11227	75.00	
	CHECK NO. 81428		75.00
INFORMATION DEVELOPMENT			
48964 DIALOG/WEB TRAC	11486/87	5561.00	
	CHECK NO. 81429		5561.00
INTERSTATE BATTERY SYSTEM			
48891 BATTERY	33006411	179.90	
	CHECK NO. 81430		179.90
JASKOLSKI, MARENA			
48989 CLASS REFUND	85274	163.30	
	CHECK NO. 81431		163.30
JOHNSTONE SUPPLY			

PAYEE	VOU.	DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
JOHNSTONE SUPPLY					
48991		THERMOSTAT	27353920	49.47	
			CHECK NO.	81432	49.47
KALIDOSCOPE CHILDRENS					
48904		INSTRUCTION *REIME EXP*	375870-01/10	3758.70	
			CHECK NO.	81433	3758.70
KARA SYSTEMS					
48939		BOOKS	256196	19.20	
			CHECK NO.	81434	19.20
KUSSMAUL ELECTRONIC CO					
48954		REPAIRS	11296	217.64	
			CHECK NO.	81435	217.64
KUZMIG, GREGORY					
48839		CONT BD/160 RAVINE	18915	1200.00	
			CHECK NO.	81436	1200.00
LAKE BROTHERS CONSTRUCTIO					
48988		CONT BD/48 S WASHINGTON	18794-01/10	1000.00	
			CHECK NO.	81437	1000.00
LANKENAU CONSTRUCTION INC					
48984		CONT BD/235 S ADAMS	19120	500.00	
			CHECK NO.	81438	500.00
LEHIGH HANSON					
48882		SAND	5142189/2250	834.50	
48884		SAND	5142048	418.05	
48975		STONE	5142727	517.44	
			CHECK NO.	81439	1769.99
LEMONT POLICE DEPARTMENT					
48913		RANGE FEES	10/08-10/09	550.00	
			CHECK NO.	81440	550.00
LINDCO EQUIPMENT SALES IN					
48941		TUBES	20091501P	147.34	
			CHECK NO.	81441	147.34
LORENC, STEVE					
48842		CONT BD/414 S THURLOW	19106	500.00	
			CHECK NO.	81442	500.00
MAACO AUTO PAINTING					

VOU.	DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
MAACO AUTO PAINTING 48773 CAR PAINTING	28301 CHECK NO. 81443	500.00 500.00		
MANDY PRINTING 48920 POLICE ACADEMY	24720 CHECK NO. 81444	73.00 73.00		
MANGANIELLO, JIM 48980 METER READINGS	121528-1/10 CHECK NO. 81445	1215.23 1215.23		
MCCUE, MARY 48859 REIMBURSEMENT	092146 CHECK NO. 81446	73.06 73.06		
MCMASTER-CARR SUPPLY CO 48958 ROLLER CATCHES	45332710 CHECK NO. 81447	50.98 50.98		
MICHAEL BELLEZZA ELDRS 48965 W HINSDALE REPAIRS	1471 CHECK NO. 81448	1980.00 1980.00		
MIDWEST HEALTH WORKS 48962 DRUG SCREEN 48963 DRUG SCREENS	15839 15840 CHECK NO. 81449	50.00 194.00 244.00		
MONROE TRUCK EQUIPT CO 48940 RELAYS	283061 CHECK NO. 81450	56.96 56.96		
MUNDSCHENK, BRAD 48843 CONT BD/220 MEADOWBROOK	19123 CHECK NO. 81451	500.00 500.00		
NICCR GAS 48851 COUNTY LN RD 48852 PLATFORM TENNIS	129521100012/09 0667735657.12/09 CHECK NO. 81452	235.14 1304.68 1539.82		
NORCON INC 48838 STREET REPAIRS	121709 CHECK NO. 81453	1732.50 1732.50		
NORTH AMERICAN SALT CO.				

PAYEE	INVOICE	CHECK
YOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
NORTH AMERICAN SALT CO.		
48878 ROAD SALT	70461180	8231.97
	CHECK NO. 81454	8231.97
NORTH EAST MULTI-REGIONAL		
48921 SEARCH	128391	100.00
	CHECK NO. 81455	100.00
NORTHEASTERN WISCONSIN		
48911 TRAINING	414113	390.00
	CHECK NO. 81456	390.00
MUCO2 INC.		
48873 POOL CHEMICALS	78451012	34.78
	CHECK NO. 81457	34.78
NW 7686		
48969 PARTS	7117480	424.30
	CHECK NO. 81458	424.30
OAKLEY HOME BUILDERS		
48917 SITE MNGR/212 N COUNTY	19428	3000.00
	CHECK NO. 81459	3000.00
OFFICEMAX/A BOISE COMPANY		
48881 OFFICE SUPPLIES	13729	395.13
48971 OFFICE SUPPLIES	149486/150171	1459.23
48981 OFFICE SUPPLIES	260269	126.78
	CHECK NO. 81460	1981.14
PERSONAL SAFETY CORP		
48918 PEPPER SPRAY	58221	169.70
	CHECK NO. 81461	169.70
PETRAVICIUS, ADAM		
48845 CONT BD/423 S BRUNER	191110	500.00
	CHECK NO. 81462	500.00
PHENEGAR, WES		
48931 BOOT REIMBURSEMENT	58316	85.00
	CHECK NO. 81463	85.00
PROLIANCE ENERGY, LLC		
48861	2009121001768	8619.19
	CHECK NO. 81464	8619.19
QUARRY MATERIALS, INC.		

PAYEE			INVOICE	CHECK
YOU.	DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
QUARRY MATERIALS, INC.				
48860	ASPHALT MATERIALS	37675	151.22	
48877	ASPHALT MATERIALS	37697	417.48	
		CHECK NO.	81465	735.70
QWEST COMMUNICATIONS				
48934	LD TELEPHONE	1077456808	58.06	
		CHECK NO.	81466	58.06
RAY OHERRON CO INC				
48915	CARTRIDGES	17155	958.00	
		CHECK NO.	81467	958.00
RECORD INFORMATION				
48978	PUB RECORD SERVICE	26152	575.00	
		CHECK NO.	81468	575.00
RECRONICS				
48836	FLOOR REPAIRS	520419	4703.06	
		CHECK NO.	81469	4703.06
RESOURCE COMPANIES INC				
48900	WATER MAIN	062503	1482.36	
		CHECK NO.	81470	1482.36
RIVERS, ULA				
48928	CLASS REFUND	85240	135.00	
		CHECK NO.	81471	135.00
RODRIGUEZ, HERON				
48956	REFUND TICKET OVERPAYMENT 1697		17.50	
		CHECK NO.	81472	17.50
ROSTI, GAGE H.				
48979	FOOD INSPECTIONS	314143	625.00	
		CHECK NO.	81473	625.00
SKILL BUILT REMODELING				
48841	CONT BD/226 N VINE	18999	500.00	
		CHECK NO.	81474	500.00
SKORWA, NICK				
48872	CLEANING	1600-01/10	1600.00	
		CHECK NO.	81475	1600.00
SOCCER MADE IN AMERICA				
48835	INSTRUCTION *REIMB EXP*	CA09-029	681.50	

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
SOCCER MADE IN AMERICA		
	CHECK NO. 81476	631.50
SOTO, MARCOS		
48957 TICKET REFUND OVERPAYMENT	941241	17.50
	CHECK NO. 81477	17.50
STANDARD COMPANY		
48860 TOWELS	012263A	99.00
48936 HANDLES	012262A	21.60
	CHECK NO. 81478	120.60
SUBURBAN DOOR CHECK		
48951 CYLINDER	393845	59.00
	CHECK NO. 81479	59.00
SUBURBAN LIFE PUBLICATION		
48877 A-7-09 A-35-09	456059	1079.57
	CHECK NO. 81480	1079.57
SURE FIRE		
48848 FLEX CONNECTOR	105414	27.69
	CHECK NO. 81481	27.69
TAYLOR, GREGORY		
48942 CDL RENEWAL	58313	60.00
	CHECK NO. 81482	60.00
TEXOR PETROLEUM CO INC		
48903 GAS	275354	19233.28
	CHECK NO. 81483	19233.28
THE CARE OF TREES		
48876 TREE PRUNING	1236211	9030.00
	CHECK NO. 81484	9030.00
THE MARTIN COMPANY		
48953 NAME PLATES	838030	11.80
	CHECK NO. 81485	11.80
THIRD MILLENIUM		
48834 BALANCE DUE	12207-1	25.00
	CHECK NO. 81486	25.00
TPG SUBSCRIPTION SERVICE		
48885 RENEWAL	5649199-01/10	438.50
	CHECK NO. 81487	438.50

VOU.	DESCRIPTON	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
TRANE				
48992	PIPE SEALANT	361549081	28.24	
48993	V BSLT	361554481	2.96	
		CHECK NO. 81488		31.20
TREE TOWN REPRO SERVICE I				
48960	ART SUPPLIES	138917	87.79	
48961	PAPER	138924	52.00	
		CHECK NO. 81489		139.79
UPS STORE #3276				
48849	UPS CHARGER	7889/7915/8030/9	101.97	
		CHECK NO. 81490		101.97
VILLAGE OF HINSDALE-POLIC				
48919	POLICE PETTY CASH	30358	303.58	
		CHECK NO. 81491		303.58
WHOLESALE DIRECT, INC				
48946	BULBS	58307	18.19	
		CHECK NO. 81492		18.19
XEROX CORPORATION				
48982	LEASE PAYMENT	245543701	983.99	
		CHECK NO. 81493		983.99
ZEE MEDICAL				
48897	MEDICAL SUPPLIES	0100987720/21	134.54	
		CHECK NO. 81494		134.54
Total Regular Checks				304,334.14

Village of Hinsdale
Schedule of Bank Wire Transfers and ACH Payments
Warrant Register # 1473

Payee/ Date	Description	Vendor Invoice	Invoice Amount
Electronic Federal Tax Payment Systems 1/21/2010	Village Payroll # 2-Calendar 2010	FWH	38,290.57
Electronic Federal Tax Payment Systems 1/21/2010	Village Payroll # 2-Calendar 2010	FICA/MCARE	34,094.32
Illinois Department of Revenue 1/21/2010	Village Payroll # 2-Calendar 2010	State Tax Withholding	9,493.69
DuPage Credit Union 1/21/2010	Village Payroll # 2-Calendar 2010	Employee Withholding	5,965.19
ICMA - 457 Plans 1/21/2010	Village Payroll # 2-Calendar 2010	Employee Withholding	13,189.11
HSA Plan Contribution 1/21/2010	Village Payroll # 2-Calendar 2010	Employee Withholding	2,433.33
Intergovernmental Personnel Benefit Cooperative 2/2/2010	February 2010 Contribution	Employee Health Insurance	150,000.00
Electronic Federal Tax Payment Systems 2/2/2010	Pension Payroll # 2 - Calendar Year 2010	2/10 Estimated FWH	10,000.00
Total Bank Wire Transfers and ACH Payments			<u>263,466.21</u>
Total Regular Checks, Pension Checks and Wire Transfers/ACH Payments			<u><u>567,800.35</u></u>

AGENDA EPS AGENDA		ORIGINATING		
SECTION NUMBER		DEPARTMENT PUBLIC SERVICES		
ITEM DOWNTOWN LANDSCAPING BID		APPROVAL		
<p>Public Services staff has received 5 bids on January 5, 2010 for the Downtown Landscaping Contract for which there is \$62,000.00 budgeted. A bid comparison is attached. Due to budget constraints facing the Village, staff is respectfully requesting the rejection of all bids for this service. Public Services staff is reviewing alternative options for downtown landscaping and will provide these options at the next EPS meeting on February 16th.</p> <p>Public Services staff would like to recommend to Committee the rejection of all bids for contract #1464 for the service of Downtown Landscaping, and if the Committee concurs the following motion would be appropriate:</p> <p>MOTION: To recommend to the Board of Trustee's the rejection of all bids for bid #1464 for the service of the Downtown Landscaping.</p>				
STAFF APPROVALS				
APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION:				
BOARD ACTION:				

PROJECT NUMBER: #1464

PROJECT NAME: DOWNTOWN LANDSCAPING

DATE: 1/05/10

BUDGET:

ACCOUNT:

Name:	CLAUSS BROTHERS, INC.	CLARENCE DAVIDS & CO.	THE TLC GROUP	KINSELLA LANDSCAPE INC.
Address:	360 W. SCHAUMBURG RD. STREAMWOOD, IL 60107	23900 W. 127TH ST. PLAINFIELD, IL 60585	751 N. BOLINGBROOK DR. BOLINGBROOK, IL 60440	13821 S. HARRISON BLUE ISLAND, IL 60406
Bid Security:	10% BOND	10% BOND	10% BOND	\$6906.00 CHECK

Item No.	Description	Unit	Qty Est	Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total	Unit Price	Extended Total
1	DOWNTOWN LANDSCAPE MAINTENANCE		1	68239.65	68239.65	67876.00	67876.00	58966.85	58966.85	69054.94	69054.94

Name:	McFARLANE DOUGLASS CO.
Address:	143 TOWER DR. BURR RIDGE, IL 60527
Bid Security:	\$5650.00 CHECK

Item No.	Description	Unit	Qty Est	Unit Price	Extended Total
1	DOWNTOWN LANDSCAPE MAINTENANCE		1	56499.85	56499.85

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-27-2009 – Applicant: Adventist Hinsdale Hospital – Request: Text Amendment to Section 7 -105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code to allow Helistops as Special Uses in the Health Services District.	APPROVAL

The Applicant, Adventist Hinsdale Hospital, has submitted an application to amend Sections 7-105 and 12-206 of the Zoning Code to allow Helistops in the Health Services District, as Special Uses. Currently the Zoning Code does not have any allowances or regulations for Helistops as they relate to the hospital or otherwise. If approved, the text amendment would not specifically permit a Helistop, but would allow the hospital to request one as a Special Use. As a Special Use, all respective Commissions, Committees and the Village Board, would have the ability to weigh the appropriateness of the Helistop as it relates to the requested site using not only the standards of a Special Use, but also those requirements set forth in the proposed definition, specifically. It should be noted that while the proposed text amendment would apply to the entire HS District, the Hinsdale Hospital is in fact, the only property within this district.

Below is draft language proposed by the applicant that would amend the Zoning Code so that Helistops associated with hospitals could be permitted as Special Uses in the HS, Health Services District:

Section 7-105 Special Uses*G. Helistop***Section 12-206 Definitions**

Helistop: Structure used for an emergency medical helicopter heliport (the "Landing Pad") to transport patients for medical and surgical emergencies.

1. Helicopter transports may only be made for outgoing patients from the structure and may be made only when patients require immediate transport for surgery or medical care in an intensive care unit.
2. The decision to transfer an outgoing patient by air will strictly remain a decision between the referring physician, the Transport Team and their Medical Control.
3. No helicopter transport business shall be owned or operated from the Helistop and no helicopter may be based, stored, fueled or serviced at the Helistop.
4. The user of a Helistop must submit all required documentation to the State of Illinois Department of Transportation Division of Aeronautics in order for that agency to review and, if the appropriate regulations are met, to issue the appropriate permit for utilization of a Helistop.
5. A Helistop must be reviewed and approved as a Special Use in the Health Services Zoning District for purposes of a Hospital.

At the Plan Commission meeting of January 13, 2010, it was recommended, with a 6-1 vote, (1 absent and 1 abstention) that the Text Amendment to Section 7 -105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code to allow Helistops as Special Uses in the Health Services District, be approved with the amended language as underlined above.

Attached are the approved findings and recommendation from the Plan Commission and the ordinance.

MOTION: Move that the Board of Trustees approve an "Ordinance Amending Section 7 -105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code to allow Helistops as Special Uses in the Health Services District".

APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
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COMMITTEE ACTION: On January 25, 2010, the Zoning and Public Safety Committee, on a 2-1 vote, moved to recommend approval of the above motion.

BOARD ACTION:

HINSDALE PLAN COMMISSION

RE: Case A-27-2009 - Applicant: Adventist Hinsdale Hospital – Request: Text Amendment to Section 7 - 105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code to allow Helistops as Special Uses in the Health Services District.

DATE OF PLAN COMMISSION REVIEW: December 9th, 2009 and January 13, 2010

DATE OF COMMITTEE REVIEW: January 25, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Adventist Hinsdale Hospital, submitted an application to amend Section 7 -105 (Special Uses) and 12-206 (Definitions) of the Hinsdale Zoning Code to allow Helistops as Special Uses in the Health Services District.
2. The Plan Commission heard presentations from the applicant at the Plan Commission meeting of December 9, 2009 and January 13, 2010.
3. The Plan Commission and residents expressed concerns with regards to noise, safety and property values.
4. Several residents were given the opportunity to speak, both in favor of, and opposition to the proposed text amendment.
5. As a result of comments and concerns of the residents and Commissioners, as well as discussions conducted, the Plan Commission requested the proposed text amendment be revised, and the applicant submitted more refined language to identify any potential usage being for outgoing patients only.
6. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of six (6) "Ayes", one (1) "Nays", one (1) "Absent" and one (1) "Abstention" recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended using the revised language as submitted.

THE HINSDALE PLAN COMMISSION

By: 
Chairman

Dated this 28th day of January, 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 7-105 AND SECTION
12-206 OF THE HINSDALE ZONING CODE REGARDING HELISTOPS
IN THE HEALTH SERVICES DISTRICT
(Plan Commission Case No. A-27-2009)**

WHEREAS, the Applicant, Adventist Hinsdale Hospital ("Applicant"), seeks text amendments to Section 7-105 and Section 12-206 of the Village of Hinsdale's ("Village") Zoning Code to add helistops as a special use in the Health Services District and to define a helistop ("the Application"); and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on December 9, 2009 and January 13, 2010, pursuant to notice thereof properly published in the Hinsdalean on November 19, 2009, 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 six (6) in favor, one (1) against, and one (1) abstention, subject to numerous conditions and recommendations, subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case No. A-27-2009; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on January 25, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to amend the Hinsdale Zoning Code as provided in this Ordinance.

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

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Amendment of Section 7-105. Article VII (Special Districts), Part 1 (Health Services District), Section 7-105 (Special Uses) of the Hinsdale

Zoning Code is hereby amended by adding the underlined language to read as follows:

Sec. 7-105. Special uses.

Except as specifically limited in the following paragraphs, the uses listed in the following paragraphs may be permitted in the Health Services District subject to the issuance of a special use permit as provided in Section 11-602 of this Code. In interpreting the use designations, reference should be made to the Standard Industrial Classification Manual (see Appendix A) and Section 11-501 of this Code. SIC codes are given in parentheses following each use listing.

A. Social services.

1. Individual and Family Services (832)
2. Child Day Care Services (835)
3. Residential Care (836)

B. Vocational schools (8249), limited to nursing, medical, and allied health schools.

C. Dwelling units, subject to the provisions applicable in the R-5 District, but only when occupied by hospital personnel, staff, and students enrolled in medical or allied health schools.

D. Staff dwellings, subject to the provisions applicable to multiple family dwellings in the R-5 District; provided, however, that every rooming unit in a staff dwelling shall be counted as one-third dwelling unit for the purpose of calculating compliance with minimum total lot area per dwelling unit requirements.

E. Planned developments.

F. Emergency directional signs on public property pursuant to Section 9-106 of this Code.

G. Helistops, as defined in Section 12-206 of this Code.

Section 3. Amendment of Section 12-206. Article XII (Applicability and Interpretation), Part II (Interpretations), Section 12-206 (Definitions) of the Hinsdale Zoning Code is hereby amended by adding the underlined language to read as follows:

Sec. 12-206. Definitions:

When used in this code, the following terms shall have the meanings herein ascribed to them:

* * * *

Helistop: A structure used for an emergency medical helicopter heliport (the "Landing Pad") to transport patients for medical and surgical emergencies. For the purposes of this definition, the following shall be applicable:

A. Helicopter transports may only be made for outgoing patients from the structure and may be made only when patients require immediate transport for surgery or medical care in an intensive care unit.

B. The decision to transfer an outgoing patient by air will strictly remain a decision between the referring physician, the transport team and their medical control.

C. No helicopter transport business shall be owned or operated from the helistop and no helicopter may be based, stored, fueled or serviced at a helistop.

D. The user of a helistop must submit all required documentation to the State of Illinois Department of Transportation Division of Aeronautics in order for that agency to review and, if the appropriate regulations are met, to issue the appropriate permit for utilization of a helistop.

E. A helistop must be reviewed and approved as a special use in the Health Services District for purposes of a hospital.

* * * *

Section 4. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

Z:\PLS\Village of Hinsdale\Ordinances\2010\10-xx text helistop 01-21-10.doc

REQUEST FOR BOARD ACTION

AGENDA	ORIGINATING DEPARTMENT
SECTION NUMBER Zoning and Public Safety Committee	Community Development
ITEM Case A-32-2009 - Applicant: Adventist Hinsdale Hospital - Location: 120 N. Oak Street: Special Use Permit to allow a Major Adjustment to a Planned Development, Special Use Permit to allow a Helistop associated with a hospital in the HS Health Services District and Site Plan/Exterior Appearance Approval for construction of a hospital addition.	APPROVAL

The Applicant, Adventist Hinsdale Hospital, has submitted an application for a Special Use Permit to allow a Helistop associated with the Hospital as well as Exterior Appearance and Site Plan Review and a Special Use for a Major Adjustment to the Planned Development to allow for the construction of a four story addition to the hospital located at 120 N. Oak Street. In addition to the proposed addition, the applicant is proposing to locate a Helistop on the top level of the existing parking garage at the subject property. The applicant has requested these approvals in conjunction with Plan Commission Case A-27-2009, which is a text amendment request to allow a Helistop associated with the hospital, in the HS, Health Services District. As part of the current proposal, the hospital and its representatives sent out notices and held neighborhood meetings May 19th, 22nd and 31st. On October 15th, the applicant also hosted what they referred to as a community forum in which notification was posted in three local newspapers including the Doings, the Hinsdalean and Suburban Life.

ZONING HISTORY/CHARACTER OF AREA

The property to the west is zoned R-4 and improved with single-family residences and OS Open Space; IB Institutional Buildings, north is zoned R-4 and IB improved with single-family residence and a religious building; to the east is zoned HS and OS improved with the Wellness House and Pierce Park, to the south is the Burlington Northern Railroad.

GENERAL STAFF COMMENTS**Special Use Permit for a Major Adjustment to a Planned Development**

Paragraph 11-603K2 of the Hinsdale Zoning Code regulates Major Adjustments to a Final Planned Development and as such, the petitioner is requesting a major adjustment with the following waivers:

- Front yard setback from 35' to 17'-5" feet

Zoning criteria

The hospital was originally located on the property in approximately 1905 and has received several building additions over the years. The last major expansion on the property was completed in 2001. The property is zoned HS Hospital Service. The entire parcel is 13.61 acres in size and consists of approximately ten structures. The easterly property contains three buildings that houses 92 dwelling units since 1955. The applicant has indicated that as part of this proposal, they will demolish Highland Hall (20 units) and Parkview (2 units). According to the applicant this area will be used for staging during construction and will be returned to green space once the expansion is complete.

The application submitted, pertains to the southwest portion of the hospital's property and is generally located just northwest of the Oak Street bridge/overpass and directly east of the south garage. The new proposal includes the construction of a new 4-story patient pavilion. If approved, the addition of the patient pavilion would decrease the overall bed count of the existing hospital by 52 beds by making all of the rooms private. According to the application, a new lobby would be built and the proposal would also include the relocation of Pre-Admission, Testing, Surgical Waiting, Admitting facilities and Chapel facility.

Section 7-110 of the Zoning Code allows the maximum floor area ratio to be 1.6. Based on the overall size of the property, the maximum floor area ratio is 948,563 (13.61 acres x 43,560 sq. ft. x 1.6). The proposed expansion brings the total floor area ratio to 1.512 (896,281 square feet), below the maximum allowed per the code. The Zoning Code does not state a maximum building or lot coverage requirement.

Parking/circulation

Under the proposed site plan, the applicant has identified that there will be one new curb cut and a modification to an existing curb cut. Both changes are proposed to occur along Oak Street. The existing southerly curb cut, closest to the Oak Street Bridge, will be reduced in width and will be modified to use for exiting only. A new curb cut is proposed to be located north of that existing cut, and will serve as an entrance only. The newly proposed circulation pattern would eliminate two-way traffic and utilize one-way traffic to enter and exit the proposed addition, as illustrated in the petitioner's site circulation plan. In addition, portions of the new patient pavilion will cantilever and extend over the existing drive aisles, providing covered drop off areas and limited protection from certain weather conditions. The Police Department has reviewed the traffic report provided by the applicant and agrees with the consultant that the proposal will not increase traffic volumes. They have indicated however, that the Oak Street Bridge expansion will certainly have an impact on traffic volumes. And while the impacts are unpredictable, they generally believe that the expansion will improve the efficiency of north/south cut-through traffic resulting in increased traffic volumes on Oak unless the Village discourages cut through traffic with turn restrictions and other traffic control devices. The use of these traffic control devices would be reviewed more closely based on need and response to the Oak Street Bridge expansion.

The proposed building addition decreases the existing parking requirements as the bed count will actually be reduced, and no additional staff is proposed. The on-site parking requirements and the total number of spaces available are as follows:

Total Required:

1 space per each 2 beds:	$290/2 = 145$	
1 space per each doctor:	$250 = 250$	
1 space per each 2 other employees:	$1210/2 = 605$	
TOTAL		1,000 parking spaces required

Total Available:

South parking garage:	571	
East parking garage:	609	
Surface:	73	
TOTAL		1,253 spaces provided

Special Use Permit for a Helistop in the HS, Health Services District

Currently the Zoning Code does not have any allowances or regulations for Helistops as they relate to the hospital or otherwise. The request for the Special Use to allow the Helistop is proposed in conjunction with a text amendment (A-27-2009) which would allow for Helistops as a Special Use in the HS District. The text amendment request provides the applicant the ability to also request the Special Use for the Helistop. More information regarding text amendment can be found in the applicants submittal, case A-27-2009, regarding the text amendment for Helistops in the HS District.

Exterior Appearance/Site Plan Review

The proposed addition will consist of a face brick similar to the existing structure. Masonry columns with precast concrete caps will be used in several areas for design accent, as illustrated in the attached elevations. The overall height of the proposed addition is 61'-10" which includes a shielded mechanical unit enclosure extending to 73'-0" in height, however per the zoning code, this is not considered in determining overall

Street frontage. Because of this, a waiver is required to allow the proposed setback, in lieu of the 35'-0" required. The proposed Helistop would utilize a portion of the top level of the existing south parking garage. While the elevations identify the overall height to be 43'-6", this dimension is the physical height in that elevation and does not provide the height as defined by the zoning code. Using those definitions, the architect has confirmed the height to the highest point of the top floor garage wall to be 31'-7" and the highest point of the proposed Helistop to be 33'-10"

Signage

As illustrated in the attached drawings, the newly proposed monument sign would be located on the east side of the proposed expansion along Oak Street. According to the submitted plans, the overall height of the sign would be 8'-0" and the applicant has confirmed that the setback from the Oak Street property line would be a minimum of 10'-0". The structure would be masonry and contain backlit letters as seen in the attached documents. When determining the square footage permitted for signage, it is determined by the overall height and width of the actual sign face and does not take into consideration the base or frame of the monument sign. As such, the sign is approximately 15 square feet. Subsection 9-106J of the Zoning Code provides the requirements for ground signs in the HS District and the maximum square footage is 50 square feet per sign face. The maximum overall height of a monument sign is 8'-0" and the required and proposed setback is 10'-0". As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Other

The Fire Department has met with the applicant and identified, per Section 503 of the 2006 International Fire Code, concerns with regards to the access on the south end of the addition and also indicated that if cars were going to be travelling under the proposed addition, fire sprinkler coverage would be required. The petitioner has been made aware of these issues and these items will be further reviewed during the building permit review stage.

At the January 13th, 2010 Plan Commission meeting the commission reviewed the application submitted by Adventist Hinsdale Hospital and recommended approval, on a 6-1 vote (1 absent and 1 abstention), the approval of the request for a Special Use to allow a Helistop associated with the hospital and recommended unanimously (7-0, 1 absent and 1 abstention), approval of the request for a Special Use Permit for a Major Adjustment to the Planned Development, which included a waiver to permit a 17'-5" front yard setback instead of the required 30'-0" front yard setback, as well as Site Plan/Exterior Appearance Approval for a four-story addition to the existing hospital.

At the Zoning and Public Safety meeting of January 25th, the Committee recommended that the Board of Trustees discuss and consider the possibility of invoking a revocation process that would revisit the Special Use for the Helistop allowing the Board the option of revoking the Special Use. The proposed language includes the option of reviewing and revocation of the Special Use after two years and every four years thereafter, following the date of ordinance adoption. It also proposes language that could allow for the immediate rescission of the Special Use if any conditions are violated.

Review Criteria

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

1. Subsection 11-602E pertaining to Standards for special use permits;
2. Subsection 11-604F pertaining to Standards for site plan disapproval; and
3. 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.

Attached are the approved findings and recommendations from the Plan Commission and the ordinances.

MOTION: Move that the Board of Trustees approve an "Ordinance Approving a Special Use Permit for a Helistop at the Property Located at 120 N. Oak Street." And;

MOTION: Move that the Board of Trustees approve an "Ordinance Approving a Major Adjustment to a Planned Development, and Site Plans and Exterior Appearance Plans for the Expansion of the Existing Hospital Located at 120 N. Oak Street."

APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
--	----------	----------	----------	--

COMMITTEE ACTION: On January 25, 2010, the Zoning and Public Safety Committee moved to recommend approval of the above motion, on a 2-1 vote, regarding a Special Use Permit for a Helistop, provided the Village Board of Trustees discuss and consider the possibility of invoking a revocation process that would revisit the Special Use for the Helistop, allowing the Board the option of revoking the Special Use after two years, and every four years thereafter, following the date of ordinance adoption or immediate rescission if any conditions are violated.

On January 25, 2010, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion regarding a Major Adjustment to a Planned Development and Site Plan/Exterior Appearance approval.

BOARD ACTION:

HINSDALE PLAN COMMISSION

RE: Case A-32-2009 - Applicant: Adventist Hinsdale Hospital - Location: 120 N. Oak Street: Special Use Permit to allow a Major Adjustment to a Planned Development, Special Use Permit to allow a Helistop associated with a hospital in the HS Health Services District and Site Plan/Exterior Appearance Approval for construction of a four-story hospital addition.

DATE OF PLAN COMMISSION REVIEW: December 9, 2009 and January 13, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 25, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Adventist Hinsdale Hospital, submitted an application to the Village of Hinsdale for a Special Use Permit to allow a Major Adjustment to a Planned Development, Special Use Permit to allow a Helistop associated with a hospital in the HS Health Services District and Site Plan/Exterior Appearance Approval for construction of a four-story hospital addition for the property located at 120 N. Oak Street (the "Application").
2. The property is located within the HS Hospital District and improved with an existing hospital and associated medical and parking structures.
3. The Applicant, is proposing the construction of a four story addition to the hospital located at 120 N. Oak Street, which includes a Helistop on the top level of the existing parking garage at the subject property.
4. The Plan Commission heard comments from the audience regarding the proposed site improvements and Special Uses.
5. The Plan Commission expressed some general concerns regarding traffic and landscaping, but generally found the addition to be appropriate.
6. Residents presented both concerns and support regarding the proposed helistop associated with the approval. The concerns voiced regarding the helistop included those of noise, general safety and a decrease of property values.
7. While certain members of the Plan Commission shared some of these concerns, most felt that presentations and explanations given by both the applicant and their experts relieved any of these concerns.
8. The Plan Commission specifically finds that the Application, as a whole, satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit, Subsection 11-604F pertaining to Standards for site plan disapproval and Section 11-606 of the Zoning Code governing exterior appearance review.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of 6 "Ayes," 1 "Nay," 1 "Absent" and 1 "Abstention" recommends that the President and Board of Trustees approve the Application for a Special Use permit to allow a Helistop associated with a hospital in the HS Health Services District at 120 N. Oak, subject to the revised language recommended for the Text Amendment, case A-27-2009.

The Village of Hinsdale Plan Commission, by a vote of 7 "Ayes," 0 "Nay," 1 "Absent" and 1 "Abstention" recommends that the President and Board of Trustees approve the Application for a Special Use permit to allow a Major Adjustment to a Planned Development, for the Hinsdale Hospital located at 120 N. Oak Street.

The Village of Hinsdale Plan Commission, by a vote of 7 "Ayes," 0 "Nay," 1 "Absent" and 1 "Abstention" recommends that the President and Board of Trustees approve the Application for exterior appearance/site plan review approval, which includes a Helistop and a four-story addition, for the Hinsdale Hospital located at 120 N. Oak Street.

THE HINSDALE PLAN COMMISSION

By: _____


Chairman

Dated this 28th day of January, 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A
HELISTOP AT THE PROPERTY LOCATED AT 120 NORTH OAK STREET
(Plan Commission Case No. A-32-2009)**

WHEREAS, Adventist Hinsdale Hospital ("Applicant") is the legal title owner of the property generally located at 120 North Oak Street, and legally described in Exhibit A, attached hereto and incorporated herein by reference ("Subject Property"); and

WHEREAS, the Applicant has applied for a special use permit in a Health Services District for a helistop on top of the existing parking garage at the Subject Property as allowed pursuant to Subsection 7-105G of the Hinsdale Zoning Code; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing and deliberated on the Application on December 9, 2009 and January 13, 2010, pursuant to notice thereof properly published in the Hinsdalean on November 19, 2009, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission by a vote of six (6) in favor, one (1) against, and one (1) abstention, recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for PC Case No. A-32-2009; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on January 25, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have reviewed the recommendation of the Zoning and Public Safety Committee, the Findings and Recommendation of the Plan Commission, and all of the materials, facts, and circumstances related to the Application, and they find that the Application satisfies the standards set forth in Section 11-602 of the Zoning Code relating to special use permits, but only subject to the conditions set forth in this Ordinance.

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

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

Section 2. Approval of a Special Use Permit for a Helistop. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Sections 11-602 and 11-603 of the Hinsdale Zoning Code, approves a special use permit authorizing a helistop for the Subject Property. The approval granted in this Section 2 is subject to the conditions set forth in Section 3 of this Ordinance.

Section 3. Conditions on Approvals. The approval granted in Sections 2 of this Ordinance is granted expressly subject to all of the following conditions:

A. **No Authorization of Work.** This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

B. **Compliance with Codes, Ordinances, and Regulations.** Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.

C. **Compliance with Approved Plans.** All development within the Subject Property shall be undertaken only in strict compliance with the Village-approved planned development plans, including without limitation the Approved Site Plans, the Approved Exterior Appearance Plans, and other Village-approved plans.

D. **Building Permits.** The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

E. **Execution of Ordinance.** This Ordinance shall be executed by the Applicant to signify its agreement to the terms hereof.

F. **Special Use Permit Subject to Revocation.** The special use permit granted herein shall be subject to unilateral revocation by the Village during the second (2nd) year after the adoption of this Ordinance and every four (4) years thereafter if the Board of Trustees elects to initiate this revocation

process and then determines, after a public hearing before the Plan Commission, that the Applicant, or any successor entity, through its operation of the helistop authorized pursuant to this Ordinance has not satisfied the standards for special use permits set forth in Subsection 11-602E of the Hinsdale Zoning Code, as amended, and/or has not continued to comply with the helistop criteria set forth in Section 12-206 of the Hinsdale Zoning Code, as amended.

Section 4. Violation of Condition or Code. Notwithstanding any other provision in this Ordinance to the contrary, any violation of (i) any term or condition stated in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 5. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and 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 _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

**ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE
CONDITIONS OF THIS ORDINANCE:**

_____ Dated: _____, 2010
By:
Its:

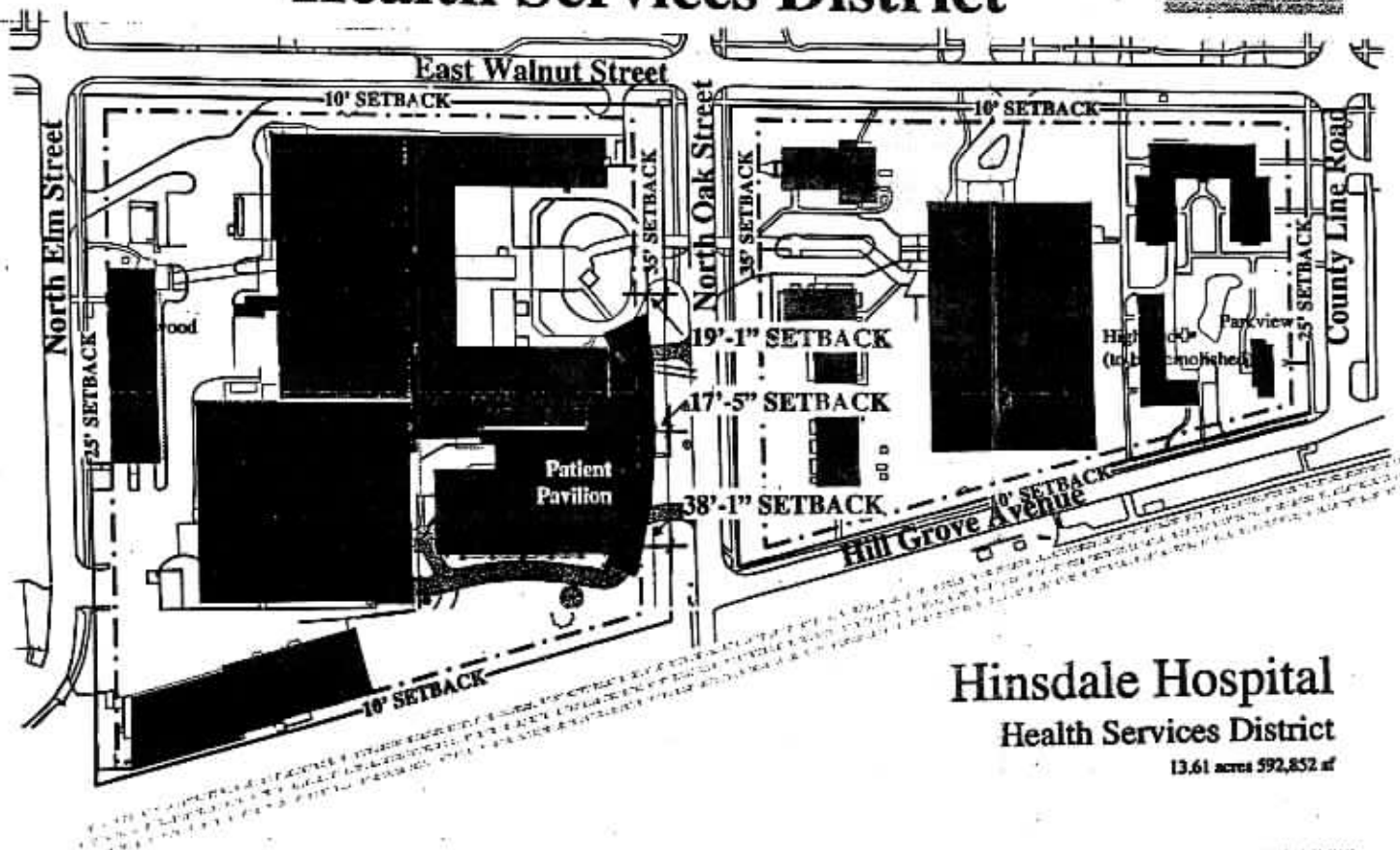
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EXHIBIT A

LEGAL DESCRIPTION

LOTS 1 TO 7 INCLUSIVE IN BLOCK 8 IN ALFRED WALKERS ADDITION TO THE TOWN OF HINSDALE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS. ALSO, LOTS 1 TO 19 INCLUSIVE, TOGETHER WITH ALL OF THE VACATED STREETS AND ALLEYS BETWEEN AND ADJOINING SAID LOTS IN KIMBALL HEIR'S SUBDIVISION OF LOTS 1, 2, 3, 4 AND 5 OF BLOCK 9 IN ALFRED WALKER'S ADDITION TO HINSDALE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Proposed Hinsdale Hospital Health Services District



Site Plan

Patient Pavilion



Adventist Hinsdale Hospital

© Anderson Mikos Architects, Ltd. 2009

EXHIBIT "B"

**Anderson
Mikos Architects Ltd.**

One Parkview Place
100 West Street, Suite 200
Oakville, Ontario L6M 4B2
Tel. 416-875-8888
Fax 416-875-8879

**Adventist
Hinsdale Hospital**

**SOUTH
ADDITION**

LANDSCAPE PLAN

PLANT LIST

PERMEABLE AND IMPERMEABLE

ADDITIONAL NOTES

GENERAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

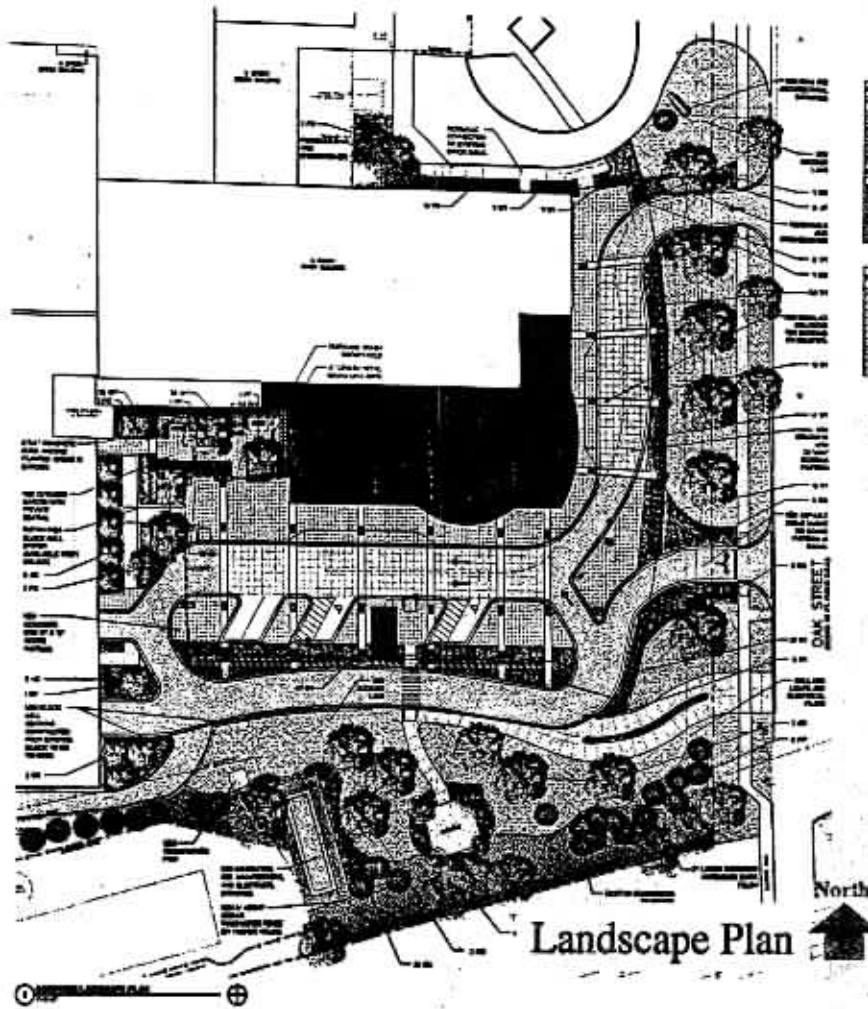
ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES

ADDITIONAL NOTES



Plant List	Quantity	Notes
...

Permeable and Impermeable	Notes
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Patient Pavilion



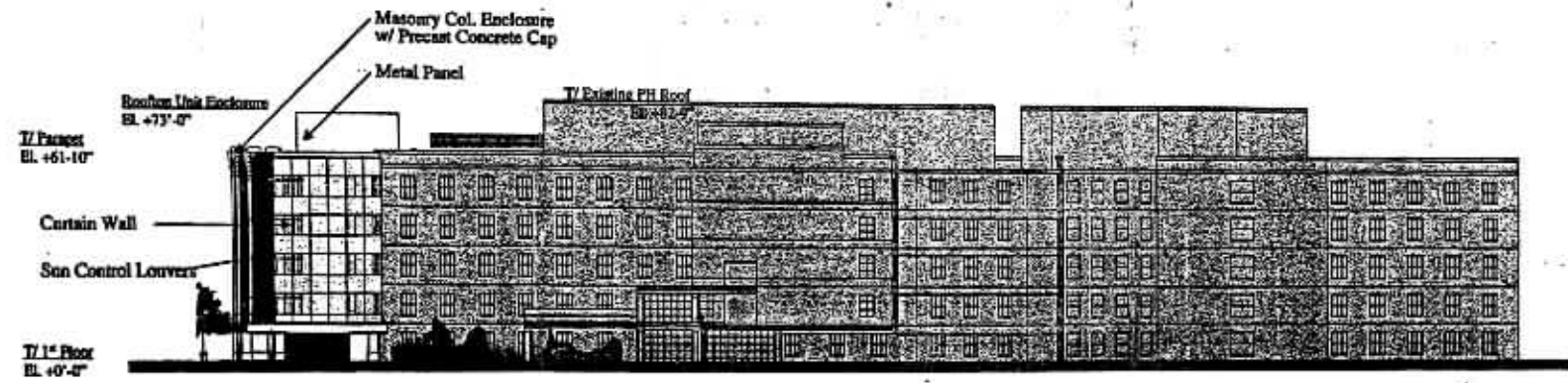
Adventist Hinsdale Hospital

© Anderson Mikos Architects, Ltd. 2009

EXHIBIT "A" L1.0

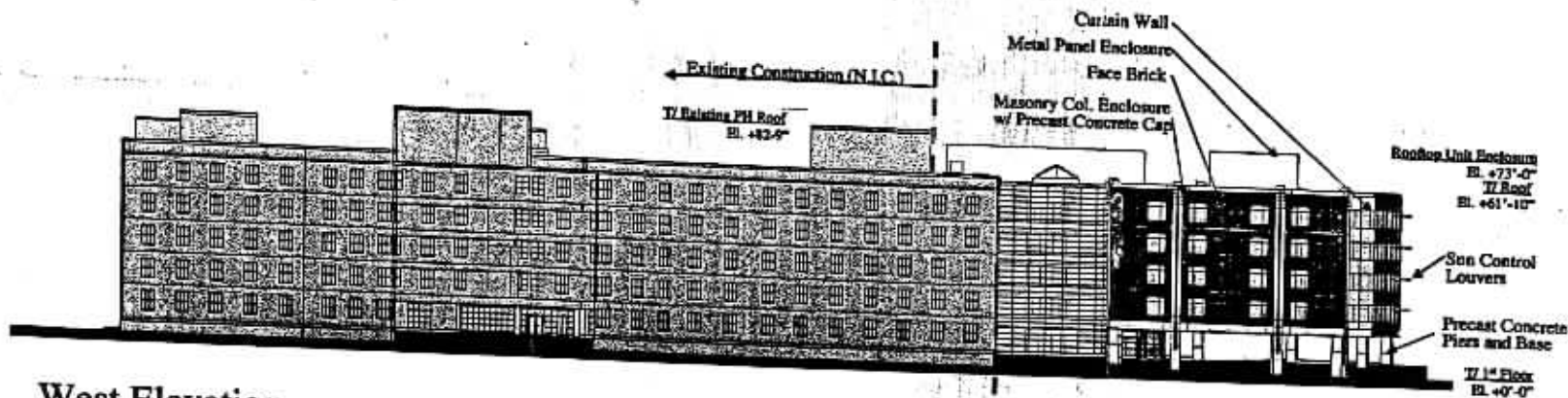


South Elevation

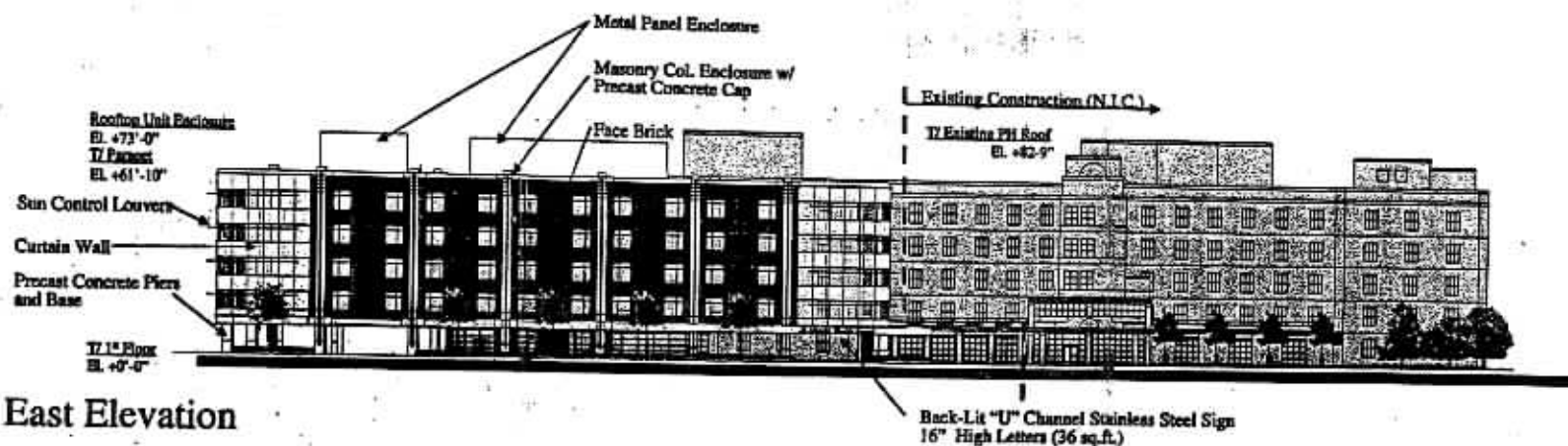


North Elevation

Exhibit "B"



West Elevation



East Elevation

Back-Lit "U" Channel Stainless Steel Sign
(7" High Letters) - 6 sq.ft.

Back-Lit "U" Channel Stainless Steel Sign
(3'-0"H x 3'-0"W) - 9 sq.ft.



Pylon Sign Elevation

Exhibit 1

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A MAJOR ADJUSTMENT TO A PLANNED
DEVELOPMENT, AND SITE PLANS AND EXTERIOR APPEARANCE
PLANS FOR THE EXPANSION OF THE EXISTING
HOSPITAL LOCATED AT 120 NORTH OAK STREET
(Plan Commission Case No. A-32-2009)**

WHEREAS, Adventist Hinsdale Hospital ("Applicant") is the legal title owner of the existing hospital property generally located at 120 North Oak Street, and legally described in Exhibit A, attached hereto and incorporated herein by reference ("Subject Property"); and

WHEREAS, the Applicant has applied for a major adjustment to a planned development to allow for the construction of a new four-story patient pavilion at the Subject Property, including a new lobby and the relocation of pre-admission, testing, surgical waiting, admitting and chapel facilities ("Application"); and,

WHEREAS, as part of its Application, the Applicant has also applied for site plan and exterior appearance approval for the four-story addition referenced above and the construction of the helistop on top of the existing parking garage at the Subject Property; and

WHEREAS, portions of the newly proposed addition would have a front yard setback of 17'-5" along the Oak Street frontage requiring a waiver to allow the proposed setback in lieu of the 35'-0" setback required by Subsection 7-110C1(a) of the Hinsdale Zoning Code; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing and deliberated on the Application on December 9, 2009 and January 13, 2010, pursuant to notice thereof properly published in the Hinsdalean on November 19, 2009, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission by a vote of seven (7) in favor, none (0) against, and one (1) abstention, recommended approval of the major adjustment to a planned development and exterior appearance and site plan approval, subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for PC Case No. A-32-2009; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on January 25, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have reviewed the recommendation of the Zoning and Public Safety Committee, the Findings and Recommendation of the Plan Commission, and all of the materials, facts, and circumstances related to the Application, and they find that the Application satisfies the standards set forth in the Hinsdale Zoning Code relating to the requested major adjustment to a planned development pursuant to Subsection 11-603K2 of the Hinsdale Zoning Code and site plan and exterior appearance approval pursuant to Sections 11-604 and 11-606 of the Hinsdale Zoning Code, but only subject to the conditions set forth in this Ordinance.

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

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the President and Board of Trustees.

Section 2. Approval of a Major Adjustment to the Planned Development. Pursuant to the authority of Subsection 11-603K2 of the Hinsdale Zoning Code, the Board of Trustees approves the major adjustment to the approved planned development for the Subject Property with the following waiver: a front yard setback of 17'-5" along the Oak Street frontage is approved in lieu of the 35'-0" setback required by Subsection 7-110C1(a) of the Hinsdale Zoning Code. The planned development is hereby amended to the extent provided, but only to the extent provided, by the approval granted herein. The approval granted in this Section 2 is subject to the conditions set forth in Section 4 of this Ordinance.

Section 3. Approval of Site Plans and Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by laws of the State of Illinois and Sections 11-604 and 11-606 of the Hinsdale Zoning Code, approves the site plans and exterior appearance plans attached to and, by this reference, incorporated into this Ordinance as Exhibit B ("Approved Plans"), subject to the conditions set forth in Section 5 of this Ordinance.

Section 4. Conditions on Approval. The approvals granted in Sections 2-4 of this Ordinance are subject to the following conditions:

A. No Authorization of Work. This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind

shall be commenced on the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.

B. Compliance with Codes, Ordinances, and Regulations. Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.

C. Compliance with Approved Plans. All development within the Subject Property shall be undertaken only in strict compliance with the Village-approved planned development plans, including without limitation the Approved Site Plans, the Approved Exterior Appearance Plans, and other Village-approved plans.

D. Building Permits. The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

E. Waiver of Front Yard Setback. A front yard setback of 17'-5" along the Oak Street frontage is approved in lieu of the 35'-0" setback required by Subsection 7-110C1(a) of the Hinsdale Zoning Code.

F. Execution of Ordinance. This Ordinance shall be executed by the Applicant to signify its agreement to the terms hereof.

Section 5. Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for rescission by the Board of Trustees of the approvals set forth in this Ordinance.

Section 6. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and 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 7. 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 _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

**ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE
CONDITIONS OF THIS ORDINANCE:**

By:

Its:

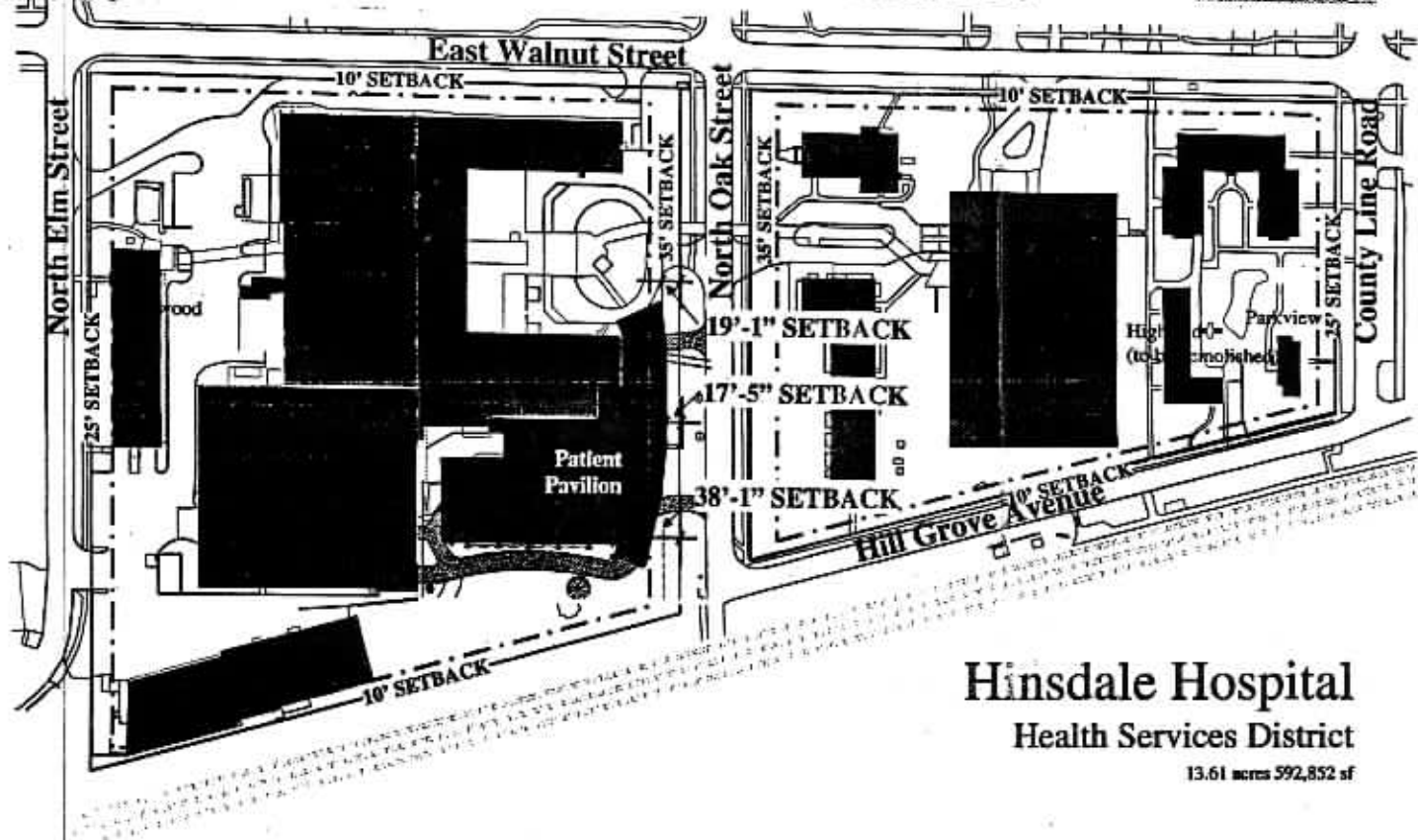
Dated: _____, 2010

EXHIBIT A

LEGAL DESCRIPTION

LOTS 1 TO 7 INCLUSIVE IN BLOCK 8 IN ALFRED WALKERS ADDITION TO THE TOWN OF HINSDALE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS. ALSO, LOTS 1 TO 19 INCLUSIVE, TOGETHER WITH ALL OF THE VACATED STREETS AND ALLEYS BETWEEN AND ADJOINING SAID LOTS IN KIMBALL HEIR'S SUBDIVISION OF LOTS 1, 2, 3, 4 AND 5 OF BLOCK 9 IN ALFRED WALKER'S ADDITION TO HINSDALE IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

Proposed Hinsdale Hospital Health Services District



Site Plan

Hinsdale Hospital
Health Services District

13.61 acres 592,852 sf

Patient Pavilion



Adventist Hinsdale Hospital

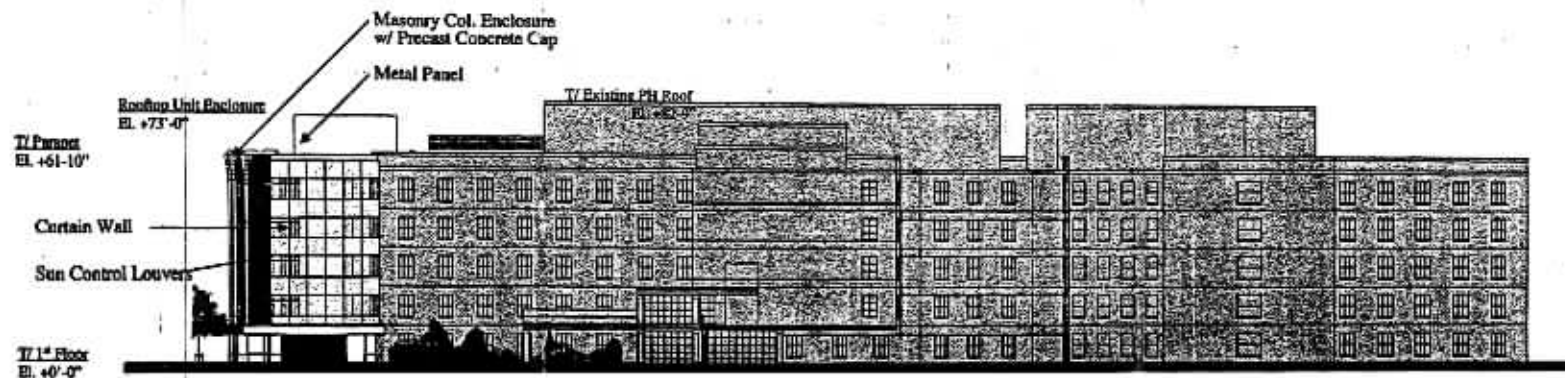
© Anderson Mikos Architects, Ltd. 2009

Exhibit "B"

EXHIBIT "b"

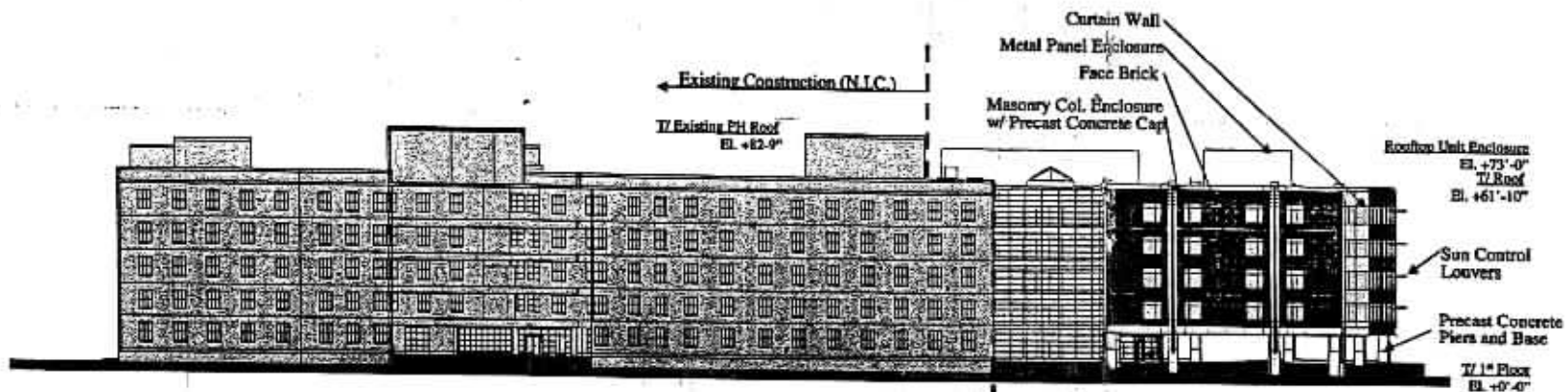


South Elevation

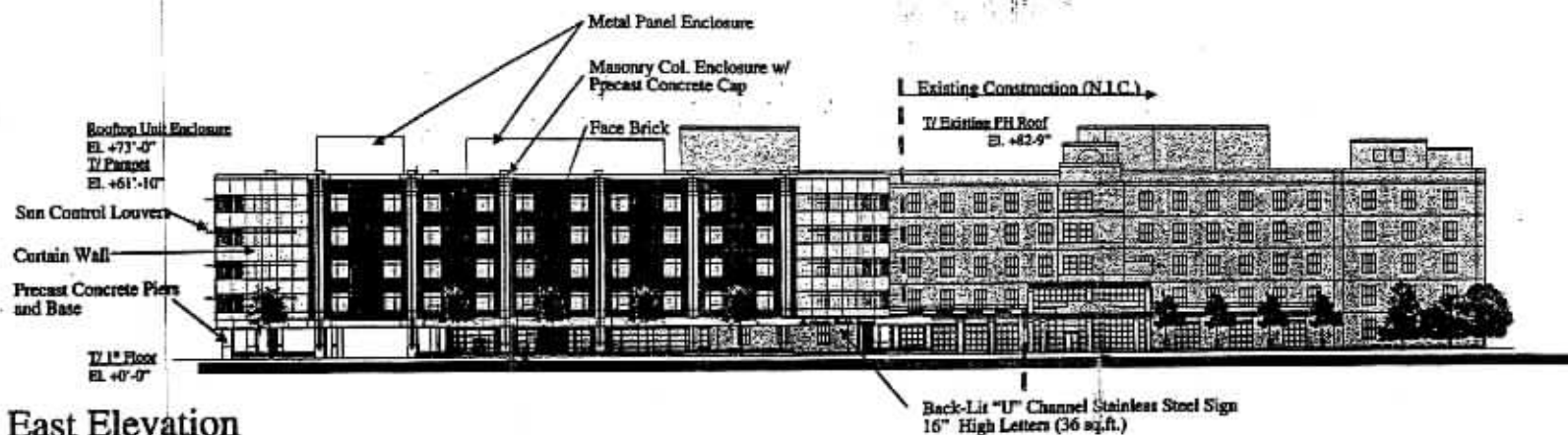


North Elevation

EXISTENT "B"



West Elevation



East Elevation

Back-Lit "U" Channel Stainless Steel Sign
(7" High Letters) - 6 sq.ft.

Back-Lit "U" Channel Stainless Steel Sign
(3'-0"H x 3'-0"W) - 9 sq.ft.

El. +7'-6"

El. +8'-0"

El. +0'-0"



Pylon Sign Elevation



Patient Pavilion



Adventist Hinsdale Hospital

© Anderson Mikos Architects, Ltd. 2009

Ad. Light

AGENDA ZONING & PUBLIC SAFETY SECTION	ORIGINATING DEPARTMENT Community Development			
ITEM Ordinance amending 3-110 I(5) Specified structures and uses in required yards.	APPROVED Robert McGinnis Building Commissioner			
<p>The Applicant, Steven Cochlan, submitted an application to amend Sections 3-110 I(5) of the Zoning Code and 9-6-6 of the Village Municipal Code, to allow generators as permitted encroachments in the interior and corner side yards, in the R-1, R-2, R-3 and R-4 Single Family Residential Districts. Currently the Village's Municipal Code specifically prohibits air conditioners or generators to encroach into an interior or corner side yard. The Zoning Code currently contains no specific regulations regarding generators encroaching into required yards, however the applicant(s) would like to add an additional allowance in Section 3-110I(5)(Specified structures and uses in required yards) to allow generators as permitted encroachments in the interior and corner side yard, as it relates to the R-1, R-2, R-3 and R-4, Single Family Zoning Districts.</p> <p>The Village of Hinsdale Plan Commission, by a vote of five (5) "Ayes", three (3) "Nays", and one (1) "Absent" recommended to the President and Board of Trustees that the Hinsdale Zoning Code be amended taking the following concerns into consideration:</p> <ul style="list-style-type: none"> • One year amnesty for existing, non-conforming generators • Screening of the proposed generators • Maximum size of a proposed generator • Permitted decibel levels • Degree of encroachment (including a minimum side yard), and; • A sign-off from the neighbor(s) directly affected by the proposed generator <p>Based on this information, staff is seeking a motion to adopt an ordinance amending both the Municipal Code and the Zoning Code to list generators as a permitted encroachment in the required interior and corner sideyard in the R-1, R-2, R-3, and R-4 Single Family Zoning Districts. If the Committee concurs with staff's recommendation, the following motion would be appropriate:</p> <p>Motion: To recommend to the Board of Trustees adoption of an Ordinance amending 3-110 I(5) of the Zoning Code and 9-6-6 of the Municipal Code to list generators as a permitted encroachment in the interior and corner side yard in the R-1, R-2, R-3, and R-4 Single family Zoning Districts.</p> <p>STAFF APPROVALS</p>				
APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
<p>COMMITTEE ACTION: At its January 25, 2010 meeting, the Zoning & Public Safety Committee moved to approve the above motion 2-1 listing generators as permitted encroachments in the interior and corner side yard in the R-1, R-2, R-3, and R-4 Single family Zoning Districts.</p>				
<p>BOARD ACTION:</p>				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTION 9-6-6 OF THE
VILLAGE CODE OF HINSDALE AND ARTICLE IX (DISTRICT
REGULATIONS AND ARTICLE III (SINGLE FAMILY
RESIDENTIAL DISTRICTS), SECTION 3-110 OF THE HINSDALE
ZONING CODE TO PERMIT GENERATORS IN REQUIRED
INTERIOR AND CORNER SIDE YARDS IN
SINGLE-FAMILY RESIDENTIAL DISTRICTS
(Plan Commission Case No. A-26-2009)**

WHEREAS, the Applicant, Steven J. Cochlan ("Applicant"), seeks a text amendment to the Village of Hinsdale's ("Village") Zoning Code by amending Section 3-110 ("Bulk Space and Yard Requirements"), Subsection I ("Exceptions and Explanatory Notes"), Subsection 5 ("Specified Structures and Uses in Required Yards") of the Zoning Code by adding generators as a structure that may be located in interior and corner side yards in single-family residential districts ("the Application"); and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on December 9, 2009, 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 subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case No. A-26-2009; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on January 25, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to amend the Hinsdale Zoning Code as provided in this Ordinance.

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

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Amendment of Section 9-6-6 of the Village Code. Title 9 (Building Regulations), Chapter 6 (Electrical Code) of the Village Code of Hinsdale is hereby amended by deleting the overstricken language to read as follows:

9-6-6: AIR CONDITIONERS AND GENERATORS (RESIDENTIAL):

A. Air conditioning condensers ~~and any permanently installed generator~~ may not be located within any required interior side yard, corner side yard, required front yard, or within ten feet (10') of the rear lot line. Exception: A ~~one-for-one~~ one-for-one replacement may be located in a required yard, but only if located in the same location as the existing unit.

Section 3. Amendment of Section 9-106 of the Zoning Code. Article III (Single Family Residential Districts), Section 3-110 (Bulk, Space and Yard Requirements), Subsection I (Exceptions and Explanatory Notes), Subsection 5 (Specified Structures and Uses in Required Yards) of the Hinsdale Zoning Code is hereby amended by adding the underlined language to read as follows:

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

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

* * * *

I. Exceptions and explanatory notes:

* * * *

5. Specified Structures And Uses In Required Yards: The following structures and uses, except as limited below, may be located in any required yard:

* * * *

(g) Generators located in side yards at least three feet (3') from the lot line and no further than five feet (5') from the exterior wall of the

principle structure. Generators may not be operated so as to exceed seventy (70) decibels at seven (7) meters, may not be exercised during the hours of 11:00 p.m. to 6:00 a.m., and may not be otherwise operated so as to create a nuisance. Generators must be screened with a solid fence or densely planted evergreens.

Section 4. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

Z:\PLS\Village of Hinsdale\Ordinances\2010\10-xx generators 01-26-10.doc

HINSDALE PLAN COMMISSION

RE: Case A-26-2009 - Applicant: Steve Cochlan – Request: Text Amendment to Section 3-110I(5) (Specified structures and uses in required yards) of the Hinsdale Zoning Code to allow generators as permitted encroachments in the interior and corner side yards, in the R-1, R-2, R-3 and R-4 Single Family Residential Districts.

DATE OF PLAN COMMISSION REVIEW: December 9, 2009

DATE OF COMMITTEE REVIEW: January 25, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Steve Cochlan, submitted an application to amend Section 3-110I(5) (Specified structures and uses in required yards) of the Hinsdale Zoning Code to allow generators as permitted encroachments in the interior and corner side yards, in the R-1, R-2, R-3 and R-4 Single Family Residential Districts.
2. The Plan Commission heard presentations from the applicant at the Plan Commission meeting of December 9, 2009.
3. The Plan Commission expressed concerns with how to govern the size, including the physical dimensions, and sound of proposed generators.
4. The Plan Commission also expressed concerns about how far the generators could encroach into the side yard and that there needs to be a minimum side yard into which generators of any size can be installed.
5. As a result of comments and concerns of the Commissioners, as well as discussions conducted, the Plan Commission offered recommendations and revisions to the proposed amendment.
6. The Plan Commission determined that, while the proposed amendment generally met the intent, there were still several items of concern that they felt the Zoning and Public Safety Committee, as well as the Village Board should consider in their discussions, which included the following:
 - a. One year amnesty for existing, non-conforming generators
 - b. Screening of the proposed generators
 - c. Maximum size of a proposed generator
 - d. Permitted decibel levels
 - e. Degree of encroachment (including a minimum side yard), and;
 - f. A sign-off from the neighbor(s) directly affected by the proposed generator

5. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of five (5) "Ayes", three (3) "Nays", and one (1) "Absent" recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended taking the following concerns into consideration:

- a. One year amnesty for existing, non-conforming generators
- b. Screening of the proposed generators
- c. Maximum size of a proposed generator
- d. Permitted decibel levels
- e. Degree of encroachment (including a minimum side yard), and;
- f. A sign-off from the neighbor(s) directly affected by the proposed generator

THE HINSDALE PLAN COMMISSION

By: 

Chairman

Dated this 14th day of January, 2010.

ROBBINS, SCHWARTZ, NICHOLAS, LIFTON & TAYLOR, LTD.

MEMORANDUM

DATE: January 18, 2010
TO: Robert McGinnis, Building Commissioner
FROM: Paul L. Stephanides
RE: **Neighbor Approval of the Installation of Generators in Interior or Corner Side Yards**

INTRODUCTION:

This memorandum addresses the issue of whether the Village of Hinsdale ("Village") can adopt an ordinance as part of its Zoning Code which allows for neighbor approval of the installation of generators in interior or corner side yards in single-family residential districts.

BACKGROUND:

Village property owner Steven Cochlan has applied for a text amendment to the Hinsdale Zoning Code to allow for generators as permitted encroachments in interior and corner side yards in single-family residential districts. The amendment would be codified as part of Section 3-11015 of the Zoning Code. The Plan Commission recommended that the amendment be approved with the condition that neighboring property owners directly affected by a generator sign off on the installation.

DISCUSSION:

The proposal that neighbors directly affected by the proposed installation of a generator sign off on the installation is an unconstitutional delegation of legislative authority. In the case of *Lakin v. City of Peoria*, 129 Ill.App.3d 651, 84 Ill.Dec. 837, 472 N.E.2d 1233 (3rd Dist. 1984), the city adopted a zoning ordinance which provided that property owners "touching, adjoining, or abutting" a proposed two-family dwelling must give their written approval before the dwelling could be constructed. The court held that this was a unconstitutional delegation of legislative authority. The court stated:

In the instant case, section 2-6.2013 leaves the ultimate determination of whether a two-family dwelling will be detrimental to

the public welfare to the whim and caprice of neighboring property owners rather than to a reasoned decision by the city. We hold, therefore, that the consent provision in section 2-6.2013 has no bearing on the public health, safety, or welfare and that it constitutes an invalid delegation of legislative power.

Id., 129 Ill.App.3d at 655, 84 Ill.Dec. At 840, 472 N.E.2d at 1236.

Other courts have noted that an individual's use of his or her property cannot be limited solely because neighboring property owners do not like the proposed use or fear that it will harm the value of their residences. See *Jeisy v. City of Taylorville*, 81 Ill.App.3d 442, 451, 36 Ill.Dec. 786, 792, 401 N.E.2d 627, 633 (5th Dist. 1980) (rezoning of property to commercial classification cannot be denied due to neighboring property owners' dislike of living next to commercial establishment or diminution of their property values); Accord *LaSalle National Bank v. County of DuPage*, 54 Ill.App.3d 387, 12 Ill.Dec. 8, 369 N.E.2d 505 (2nd Dist. 1977).

A zoning ordinance requirement that the consent of property owners representing a majority of frontage be obtained before a permit to construct a gasoline station was held invalid in the case of *Clark Oil and Refining Corporation v. Village of Tinley Park*, 110 Ill.App.2d 61, 249 N.E.2d 140 (1st Dist. 1969). As in the *Lakin* case cited above, the court held in *Clark Oil* that the consent requirement had no relation to the public interest but only to the private interests of nearby property owners. Thus, it constituted an illegal delegation of legislative authority. The village determined to allow gasoline stations in the particular zoning district at issue, which the court found showed that the Village itself considered the use of property for such purposes consistent with the interests of the community. *Id.*, 110 Ill.App.2d at 66, 249 N.E.2d at 142.

CONCLUSION:

If the Village determines that generators should be allowed as permitted encroachments in interior or corner side yards, the case law provides that such a determination shows that the Village has considered the use of residential properties for such a purpose consistent with the interests of the community. A requirement that neighbors sign off on the installation of such generators would be an unconstitutional delegation of legislative authority.