

**VILLAGE OF HINSDALE
MINUTES OF MEETING OF THE
VILLAGE BOARD OF TRUSTEES
August 16, 2011**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, August 16, 2011 at 7:30 p.m.

Present: President Tom Cauley, Trustees Christopher Elder, J. Kimberley Angelo, William Haarlow, Doug Geoga, Laura LaPlaca and Bob Saigh

Absent: None

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Finance Director Darrell Langlois, Director of Community Development Robb McGinnis, Director of Community Development Tim Scott, Director of Public Services George Franco, Police Chief Brad Bloom, Fire Chief Mike Kelly and Village Clerk Christine Bruton

Also Present: Reporters from The Suburban Life, The Hinsdalean, Patch.com and The Doings

PLEDGE OF ALLEGIANCE

President Cauley led those in attendance in the Pledge of Allegiance

APPROVAL OF MINUTES

Clarifications to the minutes were suggested and agreed upon by the Trustees. Trustee Elder moved to **approve the minutes of the Regular Meeting of July 12, 2011, as amended.** Trustee Geoga seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

LIFE SAVING PROCLAMATION

President Cauley reported the incident that occurred at the Fourth of July Parade where Mr. Ron Raidy, one of the participants, went into cardiac arrest, but whose life was saved by the quick thinking of Village Police and Fire staff and the Hinsdale Hospital float containing medical staff that was directly behind Mr. Raidy. Police Chief Bloom called forward Mr. Mike Dominguez, Dr. Michelle Meziere, Firefighter Paramedics Mike Karban, Tom McCarthy, Doug Niemeyer and Andy Smith, Officers Tim Lennox and Thomas Lillie and Mr. Ron Raidy. (Unable to attend were Firefighter Paramedic Don Newberry, Dr. Greg Lewis and Dr. Jennifer Owens.) Chief Bloom further explained the events of that day and commented that so many good things came together to save a life. Fire Chief Mike Kelly read the citizen awards. President Cauley read the proclamation. Mr. Raidy thanked the Police and Fire Departments and Hinsdale Hospital medical staff for saving his life.

APPOINTMENTS TO BOARDS & COMMISSIONS

President Cauley asked for a motion to appoint Jerry Hughes as chairman of the Finance Commission. Mr. Hughes has been a member of the Finance Commission for two years. President Cauley outlined his qualifications for the position. Trustee Elder moved to **approve the appointment of Mr. Jerry Hughes as Chairman of the Finance Commission through his current term of April 30, 2012.** Trustee Saigh seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

CITIZENS' PETITIONS

President Cauley asked all present wishing to speak to the Edens agenda item hold their comments until that matter is addressed by the Board. There were no persons wishing to make other comments at this time.

VILLAGE PRESIDENT'S REPORT

President Cauley acknowledged the passing of Mr. Gary Peart and extended condolences to his family. Mr. Peart was an active, long-time Hinsdale resident; he was a past president of the Hinsdale Rotary and the Chamber of Commerce. Donations to the Hinsdale Rotary are requested in lieu of flowers.

President Cauley provided the following updates: the Chestnut Street project, the major road project this year, was delayed waiting for a loan from the State of Illinois. The Village received word today that the loan has been approved; it is a \$3.6 million, 1.25% simple interest loan, which is a very good rate. Road and sewer work will start on Monday. The Veeck Park dirt will be removed, however, the rain this summer has caused ongoing delays. Road resurfacing is in full swing and the Village is able to add more roads to this year's list of roads to be resurfaced. Regarding Woodlands infrastructure work, the Village is attempting to get feedback from Woodlands residents on whether they are in support of Special Service Areas to fund the improvements. The Board will address this issue at their next meeting. He urged those residents who have not responded to the survey to please do so.

CONSENT AGENDA

President Cauley read the consent agenda as follows:

Items Recommended by Administration & Community Affairs Committee

- a) Approve a Contract with Kaplan Financial Consulting, Inc. to Act as Financial Advisor on the Proposed Alternate Revenue Bonds (Omnibus vote)
- b) Approve a Paddle Tennis License Agreement with Mary Doten for a Period of One Year at the Rate of \$5,700.00 (Omnibus vote)
- c) Approve a Special Use Permit and Fee Waiver of \$250.00 to the Hinsdale Masonic Lodge for the use of Burlington Park on Sunday, September 24, 2011 (Omnibus vote)
- d) Approve a Special Use Permit and Fee Waiver of \$250.00 to the Hinsdale Rotary for the use of Robbins Park on Sunday, October 16, 2011 (Omnibus vote)

Items Recommended by Environment & Public Services Committee

- e) Resolution for the Chestnut Street Design Phase Engineering Services, Design Contract Change Order Number 1 in the amount of \$0.00 to Clark Dietz, Inc. (Omnibus vote) (R2011-11)
- f) Resolution for the Chestnut Street Construction Phase Engineering Services Contract, Construction Phase Change Order Number 1 in the amount of (\$15,000.00) to Clark Dietz, Inc. (Omnibus vote) (R2011-12)
- g) Resolution for the N. Washington Reconstruction Design Services Contract Change Order Number 1 in the amount of \$30,220.00 to Clark Dietz, Inc. (Omnibus vote) (R2011-13)
- h) Waive Competitive Bidding and Award Brick Repair on 1st Between Park St and Elm St to Doyle Brick Paving Co. in the Amount of \$23,100.00 (Omnibus vote)
- i) Approve the Purchase of a 2011 Ford Taurus through the Suburban Purchasing Cooperative in the amount of \$19,599.75 from Currie Motors (Omnibus vote)
- j) Approve the 2011 IPM Plan to control weeds using the pesticide Tripower as needed for 9 parkland locations (Omnibus vote)

- k) Ordinance Vacating the West Half of Public Alley Right-of-Way Adjacent to and East of 809 S. Thurlow Street at a Purchase Price of \$13,000.00 (Omnibus vote) (O2011-36)
- l) Ordinance Vacating the West half of Public Alley Right-of-Way Adjacent to and East of 633 S. Monroe Street at a purchase price of \$8,500.00 (Omnibus vote) (O2011-37)
- m) Resolution Approving a Certain Contract Change Order for the 2011 Resurfacing Project Construction Change Order #1 in an amount not to exceed \$290,098.85 to Brothers Asphalt Paving, Inc. (Omnibus vote) (R2011-14)

Trustee LaPlaca moved to **approve the Consent Agenda, as presented.** Trustee Geoga seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ADMINISTRATION AND COMMUNITY AFFAIRS

Trustee Elder moved **Approval and Payment of the Accounts Payable for the Period of July 9, 2011 through August 5, 2011 in the aggregate amount of \$1,559,142.95 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** Trustee Geoga seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Ordinance Amending Title 3 (Business and License Regulations), Chapter 3 (Liquor Control), Section 3-3-5 (Local Liquor Licenses) Creating a New Class G Corkage Liquor License (O2011-38)

President Cauley introduced the item stating that he and Trustee Geoga originally thought that restaurants with full service liquor licenses would not be in favor of a BYOB option, however, he has heard from some that they would like to have the choice. Director of Economic Development Tim Scott has contacted all current licensees in Hinsdale and they are all in favor of the proposed corkage license. The ordinance before the Board tonight will affect this change and undo the ordinance adopted at the last meeting. Trustee LaPlaca

moved to adopt an **Ordinance Amending Title 3 (Business and License Regulations), Chapter 3 (Liquor Control), Section 3-3-5 (Local Liquor Licenses) Creating a New Class G Corkage Liquor License.** Trustee Geoga seconded the motion. Chief Bloom clarified the law and existing requirements for the transportation of opened bottles of liquor.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

Presentation by ComEd Representative

President Cauley stated that he had asked a ComEd representative to address the Board tonight because of the serious weather related outages this summer and to explain why outages occur when the skies are clear. Mr. John O'Halloran, Commonwealth Edison External Affairs Manager, addressed the Board. He thanked Village Manager Cook, Public Services Director George Franco and Chief Bloom for their support during the storm. He gave a power point presentation recapping the weather activity and its effect on equipment and trees. He explained that additional personnel were required in the field to manage the extreme outages and damage to lines and poles and transformers. He was happy to report there were no serious safety incidents. He remarked that everyone has high expectations of their electric service; reliability, fast restoration and accurate information for the customer as quickly as possible. He outlined the various priorities and factors that must be considered with outages as serious as those this summer; high voltage transmission lines, critical facilities such as hospitals, police, and water, how to restore the largest number of customers at a time, isolated problems, transformers, trees in power lines, single customers and backyard individual restorations. He described the problems with the current analog technology and the benefits of the proposed digital technology. Additionally, ComEd is reviewing their current procedures to improve customer service practices. To alleviate customer frustration with erroneous restoration estimates, they will no longer give customers a specific restoration time, but will instead report that an outage may be a 'multiple day' event. There is a bill before the Senate for a 10-year program to implement improvements. Discussion followed regarding the #4802 circuit, where on a blue sky day it failed serving core Village services and the Central Business District. Mr. O'Halloran explained that lightning damage will cause outages for as much as a week after a storm and weakened branches from a storm will come down days after the storm also contributing to clear sky outages.

Trustee Angelo suggested ComEd take their dividends and reinvest in equipment. Trustee LaPlaca commented that the problem passing the proposed Senate bill would be the significant rate increase resulting in a significant profit increase. Mr. O'Halloran explained that ComEd profits are capped to protect consumers and provide stability. It was noted that 94 trees were lost in these storms. Chief Bloom remarked on ComEd's outage website, which accurately shows specific outages, and suggested this be made available to regular customers not just municipalities. Mr. Cook commented that DuPage Mayors and Managers have provided ComEd with a lot of input since these storms.

ZONING AND PUBLIC SAFETY

Ordinance Approving Site Plans and Exterior Appearance Plans for Exterior Façade Improvements at the Property Located at 300 E. Ogden Avenue (Bill Jacobs Land Rover/Range Rover Hinsdale) (O2011-39)

President Cauley introduced the item explaining it comes from the Plan Commission with a 7-0 recommendation and that notice has been sent to area residents. Trustee Saigh moved to adopt an **Ordinance Approving Site Plans and Exterior Appearance Plans for Exterior Façade Improvements at the Property Located at 300 E. Ogden Avenue (Bill Jacobs Land Rover/Range Rover Hinsdale)**. Trustee LaPlaca seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Ordinance Approving a Special Use Permit for a Planned Development, a Special Use Permit for a Personal Care Facility and Senior Citizen Housing Development and Site Plan and Exterior Appearance Plan for the Property Located at 10 North Washington Street

President Cauley introduced the item and provided a recap of how this matter has traveled through the process. It began as a special use permit for a planned development with a site plan and exterior appearance plan. It went to Zoning and Public Safety in February 2011 and the Village Board in March 2011. The Plan Commission heard the case on April 14th and May 11th. It was sent back to ZPS on May 23rd and then the June 21st Village Board meeting. After discussion by the Village Board, the matter was sent back to the Plan Commission as senior housing and heard at their July 13th

meeting. The Plan Commission approved the plan with a vote of 4-3. Plan Commissioner Luke Stiffler raised concerns about the density of the project based on §4-1-112-3(b) of the Village Code. President Cauley referenced the issues raised in a letter he had written and stated that the applicant has addressed his concerns which were market demand for this type of facility, limiting residents to 55 years and over, being a private pay facility with preference to Hinsdale residents, as allowable by law, and to address the strain on the Fire Department by agreeing to pay half or \$125,000 for a third ambulance. Regarding the density concern, he spoke to each Trustee individually, and the consensus is that the code does limit the ability to grant concessions on density. However, if the applicant would make meaningful density concessions, the Village would consider a text amendment to make appropriate changes to the code. The Hamblets have agreed to remove the row of townhouses on Maple Street and leave that area as green space. They have agreed to reduce the number of beds from 83 to 68 beds, representing a 20% reduction of density. President Cauley believes a majority of the Board is willing to approve this solution if the town homes are removed and subject to a text amendment. The applicant will need to submit a new site plan and exterior appearance plan to address the green space which will entail another trip to Plan Commission. If the Board decides to do this he asked them to vote to approve the application and work in good faith to see the text amendment approved. He acknowledged the code has presented a challenge; a text amendment would be required. He commended the applicant for working with him on a difficult application. They and President Cauley agree this is a good solution.

Mr. Mitch Hamblet, applicant for the Edens project addressed the Board and noted that they are willing to remove $\frac{1}{4}$ of the footprint of building. He confirmed, at the request of Trustee Geoga, that residents will be 55 years and older, preference given to Hinsdale residents, ambulance improvements and removal of town homes and unit adjustments. Discussion followed regarding clarifications to the ordinance document. Trustee Saigh noted that there are nine waivers granted; Mr. Cook clarified they will remain but the severity will be reduced. Mr. Hamblet said they will use Clarence David Co. to do the redesign of the landscaping area. Trustee LaPlaca moved to **approve an Application for a Special Use Permit for a Planned Development, a Special Use Permit for a Personal Care Facility and Senior Citizen Housing Development, and Site Plan and Exterior Appearance Plan for the Property located at 10 North Washington Street contingent upon approval of a Zoning Code text amendment which authorized increased density for projects of this type and a revised site plan and exterior appearance plan depicting removal of the town homes and a new landscaping plan.** Trustee Saigh seconded the motion.

Trustee Angelo stated that he believes this action preempts a process that has always been followed and the Village is negotiating against itself. Further, this undermines the text amendment procedure and he doesn't think this is appropriate. President Cauley stated that he couldn't disagree more strongly; this is a five-month old project and could not be a more fully vetted project within the process. The Plan Commission asked the

Board to address the density issue. The applicant has made a major concession, President Cauley is asking the Board for a good faith gesture. Trustee Angelo remarked that there is no chance for Trustee deliberation on the issue. Trustee LaPlaca commented that a lot of thought has been given to this project and there has been a thoughtful, thorough legal examination of this issue. This is an existing structure that could sit vacant for a lengthy time; the Board should be conscious of this in this economy. She believes there is a benefit to having senior housing in the community. The applicant has made large accommodations, but the density remains a major stumbling block; she has looked at the code and unfortunately, the Board can't always do the feel good thing. However, she believes the code has to evolve with the needs of the community and contemporary society, it must be flexible. It is an unfair burden to calculate dwelling units as beds, there should be a concrete reference point for square footage for dwelling units. She noted the lifestyle housing ordinance, made for buffer areas near the CBD, uses 1,000 sq. feet per dwelling unit. She is satisfied that 724 sq. feet is a good and appropriate use. Trustee Geoga commented that this wasn't about who was going to live in the facility, but about the density, what is really at issue has been mischaracterized. Trustees must meet their responsibilities with respect to the code and balance a series of needs. He acknowledged that this is an unusual, backward approach. He is prepared to support it, but he doesn't think that any trustee can promise how they will vote on a text amendment that has not been heard at public hearing. He can pledge good faith and integrity but he cannot promise an outcome. Trustee Saigh noted density was the key issue for him, but he also feels that the quality of care delivered with a lower density facility will be a good result from this process. He said the removal of the town houses was a major reassurance. Trustee Elder stated that he is behind the project, but the zoning code won't allow it as currently presented and Trustee Angelo's concerns are legitimate. He cannot promise the result, but he is prepared to support the application. Trustee Haarlow stated that the challenging circumstance is that the building is existing. He is surprised by the number of misconceptions in the public for and against the project and he clarified that this is not a retirement community, but rather senior housing for people with disabilities. He noted that Board takes an oath to uphold the law and it is not appropriate to ask an elected official to do otherwise. He agreed that density is the primary issue and that Commissioner Stiffler was correct in his analysis that the Board does not have the ability to waive the density consideration. The only way to do this is by text amendment, but noted that the hearing process cannot be pro forma. This is backward approach, an affirmative vote tonight is not a yes for the text amendment, not a wink and a nod. He commended President Cauley for the work he has done to try to make this project work and for the attention he has given to this matter. He can vote in favor, but is uncomfortable with the process. Trustee Angelo raised his doubts about various aspects of the market study provided by Mr. Hamblet. Mr. Hamblet explained that the study was done by an independent firm and used the neighborhoods that the Plan Commission and the Board required. He noted that the existing Edens Living is assisted living, the Hinsdale venture would supportive living which is a different licensure.

Mary Bach of 542 Ravine Road stated that the key component in the project is to give disabled people a level of independence and allow them to enjoy the Village. An empty Washington Square is of no benefit to the Village and she believes an existing structure should have more leeway within the code.

Karl Weber of 219 E. First Street expressed displeasure because the Board approved a matter before it has gone through the process.

AYES: Trustees Elder, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: Trustee Angelo

ABSENT: None

Motion carried.

President Cauley reiterated that this is a good faith effort, he understands the criticism, but will not forsake the process.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

Economic Development Commission Update

Mr. John Karstrand, Chairman of the Economic Development Commission, noted that Uniquely Thursdays has enjoyed a very successful year, it is a great event that showcases Hinsdale and invited all to attend the final evening of the season.

STAFF REPORTS

None

CITIZENS' PETITIONS

Ms. Cheryl Kubilis of 635 S. Thurlow addressed the Board regarding the dangers of wood smoke and the hardships she and her husband are experiencing due to the wood burning of her neighbor. She presented information and urged the Trustees to educate themselves regarding the hazards of wood smoke. She read a letter from Chief Bloom regarding his position on her complaints to the Police Department regarding her neighbor's activity. Discussion followed regarding the air pollution ordinance. President Cauley suggested that Ms. Kubilis send him an email next time there is a problem and he will

come to her home to observe the situation to better understand. He said he would like see it personally so that he can move it forward to help them.

Tim Hulton of 107 E. Walnut Street addressed the Board regarding the problems with ComEd. He has lost power seven times this year between June and July. He wants ComEd to invest money into their infrastructure and asked the Board to apply continued pressure to ComEd to get this taken care of. He believes the transformers don't match the size of houses, the machinery is old.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Village Board of Trustees, President Cauley stated there is need for a closed session and asked for a motion. Trustee Geoga **moved to adjourn the meeting into Closed Session under 5 ILCS 120/2(c)(11) Litigation, filed or pending before a court or administrative tribunal or when an action is probably or imminent and not to reconvene into Open Session.** Trustee Elder seconded the motion.

AYES: Trustees Elder, Angelo, Haarlow, Geoga, LaPlaca, Saigh

NAYS: None

ABSTAIN: None


ABSENT: None

Motion carried.

Meeting adjourned at 10:09 p.m.

ATTEST: _____
Christine M. Bruton, Village Clerk

MEMORANDUM

TO: Board of Trustees
FROM: David C. Cook, Village Manager 
DATE: August 31, 2011
RE: Appointment to Finance Commission

President Cauley would like to appoint Kirk Rose to the Finance Commission to fill a current vacancy for a 3 year term. His resume is attached for the Board's information. If the Board concurs with President Cauley's recommendation, the following motion would be appropriate.

Motion: Move to approve the appointment of Erik Rose to the Finance Commission through a term of April 30, 2014.

DATE August 31, 2011

REQUEST FOR BOARD ACTION

AGENDA Administration and Community
SECTION NUMBER Affairs Committee

ORIGINATING
DEPARTMENT Parks and Recreation

ITEM Bid 1500
Brook Park Tennis and Basketball Repiar

APPROVED Gina Hassett, Director of P&R

BID 1500 BROOK PARK TENNIS/BASKEBALL COURT REPAIR

The 2010/11 capital budget has \$35,000 allocated for repairs at Brook Park tennis and basketball courts and to clean the Burns Field tennis courts. The Brook Park project was bid out and 2 bids were received. The low bid was for \$20,400 from First Impressions, Inc.

Midwest Sport Surfaces has been contracted to clean the Burns Tennis courts in the amount of \$2,750. That is portion of the \$35,000 that was budgeted. The combined projects total \$23,150.

Staff recommends we award the bid to First Impressions, Inc in the amount of \$20,400.

Should the Committee concur with Staff's recommendation, the following motion would be appropriate:

MOTION: To recommend to the Board of Trustees to accept the bid from First Impression, Inc in the amount of \$20,400 for the repairs to Brook Park tennis and basketball courts.

STAFF APPROVALS

Parks & Recreation
APPROVAL

APPROVAL

APPROVAL

APPROVAL

MANAGER'S
APPROVAL

COMMITTEE ACTION:

BOARD ACTION:




BID 1500

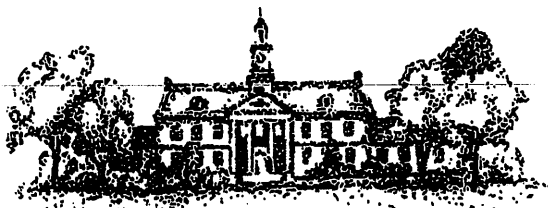
BROOK PARK TENNIS/BASKETBALL REPAIRS

		First Impression 1951 N Rose St Franklin Park 60131	US Tennis Court 13517 Bell Rd Homer Glen 60491
		Bid Bond	Bid Bond
ITEM NO.	DESCRIPTION	Lump Sum	Lump Sum
1	Pressure wash, route, clean and level cracks and level birdbaths. Apply 1 coat resurfacer and two coats color and striping to existing 4 tennis courts and 1 basketball court	20,400.00	26,400.00
TOTAL CONTRACT PRICE		20,400.00	26,400.00

DATE: September 6, 2011

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER		ORIGINATING DEPARTMENT Community Development														
ITEM Referral - Case A-15-2011 – Applicant: Level 4 Yoga – Request: Text Amendment to Section 6-106, to allow Yoga Instruction in the O-2 Limited Office District as Special Uses.		APPROVAL														
<p>The Applicant, Power 4 Yoga, has submitted an application to amend Article VI (Office Districts), Section 6-106 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Yoga Instruction (7999) in the O-2 Limited Office District as Special Uses. The applicant has also submitted the necessary Special Use permit application to operate a Yoga Studio at 34 N. Vine (A-16-2011). Should the ZPS and Village Board find the requested text amendment appropriate, they will refer it on to the Plan Commission where they would consider the special use application along with the text amendment request.</p> <p>The proposed process would allow the Plan Commission and Village Board to hear all cases independently and establish the appropriateness of the use based on the location and the individual circumstances of the property in question.</p> <p>Below is draft language proposed by the applicant that would amend the Zoning Code so that Yoga Instruction (7999) would be Special Uses in the O-2 Limited Office District:</p> <table border="0"><tr><td>Section 6-106 Special Uses</td><td>O-1</td><td>O-2</td><td>O-3</td></tr><tr><td>B. Services:</td><td></td><td></td><td></td></tr><tr><td>8. Yoga Instruction (7999)</td><td></td><td>S</td><td></td></tr></table> <p>MOTION: Move to recommend that the application be referred to the Plan Commission for review and consideration of a Text Amendment to Section 6-106B, to allow Yoga Instruction as Special Uses in the O-2 Limited Office District.</p>					Section 6-106 Special Uses	O-1	O-2	O-3	B. Services:				8. Yoga Instruction (7999)		S	
Section 6-106 Special Uses	O-1	O-2	O-3													
B. Services:																
8. Yoga Instruction (7999)		S														
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 												
COMMITTEE ACTION: On August 22, 2011, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.																
BOARD ACTION:																



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Level 4 Yoga, LLC d/b/a CorePower Yoga
Address: 4701 W. Rice St.
City/Zip: Chicago, IL 60651
Phone/Fax: (303) 881-8812/773-626-8800
E-Mail: chris@level4yoga.com

Owner

Name: Hinsdale Management Corporation
Address: 21 Spinning Wheel Rd
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 323-9075/(630) 323-9103
E-Mail: cpalmer@hinsdalemanagement.com

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

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

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

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

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

II. SITE INFORMATION

Address of subject property: 34 South Vine St

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

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

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

Existing zoning and land use: Office: -2

Surrounding zoning and existing land uses:

North: Adjacent Commercial Parking

South: Commuter Parking/Railroad

East: Commercial Retail

West: Commercial Office

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

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

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

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☒ Special Use Permit 11-602E
Special Use Requested: Yoga Studio

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

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

TABLE OF COMPLIANCE

Address of subject property: 34 S Vine St

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

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

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

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

Signature of applicant or authorized agent

Chris Kenny
Name of applicant or authorized agent

Signature of applicant or authorized agent

N/A
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 25 day of

July, 2011.

Notary Public

"OFFICIAL SEAL"
CARMEN JULIA HERNANDEZ
Notary Public, State of Illinois
My Commission Expires July 07, 2015



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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: 34 S Vine St, Grant Square

REVIEW CRITERIA

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

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

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

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

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

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

The property has been vacant for 1 year.

13. The community need for the proposed amendment and for the uses and development it would allow. The community currently does not have access to the services provide by CorePower Yoga. The Health and Wellness of the community would be benefited by the introduction of CorePower's services to the subject property.
 14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area. NA
-



VILLAGE OF HINSDALE

FOUNDED IN 1873

COMMUNITY DEVELOPMENT DEPARTMENT SPECIAL USE PERMIT CRITERIA

Must be accompanied by completed Plan Commission Application

Address of proposed request: 34 South Vine St (Grant Square)

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

Is this a Special Use for a Planned Development? ☒ **No** ☐ **Yes** (If so this submittal also requires a completed Planned Development Application)

REVIEW CRITERIA

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

FEES for a Special Use Permit: \$1,225 (must be submitted with application)

1. *Code and Plan Purposes.* The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established. CorePower Yoga ("CPY") is a fitness use that is highly consistent with the Grant Square existing character. CPY intends to enhance the character of Grant Square by offering yoga classes not currently available in Hinsdale or surrounding areas. CPY compliments the health and wellness buildings in the immediate vicinity.
2. *No Undue Adverse Impact.* The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare. The proposed use will not have any substantial or undue adverse effect upon any adjacent property, the character of the area or the public health, safety, and general welfare. CPY intends to enhance the community and character of the area. CPY compliments the health and wellness buildings in the immediate vicinity.

3. *No Interference with Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations CPY does not intend to construct or modify the property. CPY's use is highly consistent with the Surrounding Development and will enhance the services in Grant Square.
4. *Adequate Public Facilities.* The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services. The proposed use will leverage all in place infrastructure. CPY has verified in place infrastructure and services will adequately serve the use.
5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. CPY will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets as its use is consistent with the daily needs operation of the Grant Square Center.
6. *No Destruction of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. CPY's proposed use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance. CPY does not intend to modify the site or property in any substantial manner.
7. *Compliance with Standards.* The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. CPY's proposed use will comply with all additional standards imposed on it by the particular provision of the Code authorizing such use.
8. *Special standards for specified special uses.* When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. CPY will comply with any and all special standards.
9. *Considerations.* In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

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

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

Alternate locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site. CPY has not identified any other viable locations in Hinsdale.

Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening. CPY does not envision any adverse impacts.

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

Application for Certificate of Zoning Compliance

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

Applicant's name: Level 4 Yoga, LLC d/b/a Core Power Yoga

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

Property address: 34 S. Vine St.

Property legal description: [attach to this form]

Present zoning classification: O-2

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

Lot area per dwelling: NA

Lot dimensions: 50.00' x 169.25'

Current use of property: Vacant Office

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

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

Brief description of request and proposal:

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

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

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

Provided: Required by Code:

corner side
rear

No change
" "

Setbacks (businesses and offices):

front:

No change

interior side(s)

corner side

rear

others:

Ogden Ave. Center:

York Rd. Center:

Forest Preserve:

Building heights:

principal building(s):

accessory building(s):

No change
" "

Maximum Elevations:

principal building(s):

accessory building(s):

No change
" "

Dwelling unit size(s):

Total building coverage:

Total lot coverage:

Floor area ratio:

Accessory building(s):

N/A

Spacing between buildings:[depict on attached plans]

principal building(s):

accessory building(s):

N/A
N/A

Number of off-street parking spaces required: No change

Number of loading spaces required: No change

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By:

Applicant's signature




Chris Kenny

Applicant's printed name

Dated: 7/22, 2011.

DATE: September 6, 2011

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER		ORIGINATING DEPARTMENT Community Development		
ITEM Referral - Case A-17-2011 – Applicant: Midwest Property Group, Ltd. – Request: Text Amendment to Section 5-102D(1), to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2.		APPROVAL		
<p>The Applicant, Midwest Property Group, Ltd., has submitted an application to amend existing language in Article V (Business Districts), Section 5-102 (Permitted Uses), of the Village of Hinsdale Zoning Code, to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2, Central Business District.</p> <p>Below is draft language proposed by the applicant that would amend the Zoning Code to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2:</p>				
Section 5-102 Permitted Uses		B-1	B-2	B-3
D. Finance, Insurance, and Real Estate:				
1. Depository and nondepository credit institutions (60-61), but not on the first floor of any structure in the B-2 District except expansion of such an institution existing on such a first floor as of January 1, 1994 in the same structure or an abutting structure, <u>and except expansion of such an institution into first floor space that does not abut a street,</u> and not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot.			P	
MOTION: Move to recommend that the application be referred to the Plan Commission for review and consideration of a Text Amendment to Section 5-102D(1), to allow Financial Institutions in Tenant Spaces that do not abut a street, on the First Floor in the B-2, Central Business District.				
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION: On August 22, 2011, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion				
BOARD ACTION:				



**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

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

Owner

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

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

Name: NONE

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: () _____ / _____

E-Mail: _____

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: () _____ / _____

E-Mail: _____

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

1) NONE

2) _____

3) _____

II. SITE INFORMATION

Address of subject property: N/A

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

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

General description or characteristics of the site: _____

Existing zoning and land use: _____

Surrounding zoning and existing land uses:

North: _____

South: _____

East: _____

West: _____

Proposed zoning and land use: _____

Existing square footage of property: _____ square feet

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☒ Map and Text Amendments 11-601E
Amendment Requested: ***5-10201 regarding financial institutions***

Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

Exhibit "A"

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

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

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

Signature of applicant or authorized agent

Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

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

Notary Public

4





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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: N/A/ Text Amendment

REVIEW CRITERIA

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

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

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

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

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

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

N/A No Specific Property

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

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

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

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

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

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

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

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

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

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

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

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

proposed amendment would have no impact on the orderly development of properties adjacent to the structures into which the back space expansion became permitted as a result of the amendment."

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

N/A

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

N/A

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

N/A

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

N/A

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

The text amendment may help fill back spaces that are now vacant. These vacant spaces have lower property taxes and generate no traffic, which is adverse to the public good. If this text amendment is approved, some vacant back spaces may be leased, which is a positive in terms of customers and increase in property values and hence property tax revenues to the various taxing bodies in Hinsdale.

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

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

N/A

TABLE OF COMPLIANCE

Address of subject property: N/A

The following table is based on the _____ Zoning District.




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

* Must provide actual square footage number and percentage.

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

DATE: September 6, 2011

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER		ORIGINATING DEPARTMENT Community Development														
ITEM Referral - Case A-18-2011 – Applicant: Rock Rubicon, LLC. – Request: Text Amendment to Section 5-105, to allow Musical Tutoring Services, above the first floor, in the B-2 District as Special Uses.		APPROVAL														
<p>The Applicant, Rock Rubicon, LLC., has submitted an application to amend Article V (Business Districts), Section 5-105 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Musical Tutoring Services (8299), above the first floor, in the B-2 Central Business District as Special Uses. The applicant has also submitted the necessary Special Use permit application to operate a Musical Tutoring Services on the second floor at 116-118 S. Washington Street (A-19-2011). Should the ZPS and Village Board find the requested text amendment appropriate, they will refer it on to the Plan Commission where they would consider the special use application along with the text amendment request.</p> <p>The proposed process would allow the Plan Commission and Village Board to hear all cases independently and establish the appropriateness of the use based on the location and the individual circumstances of the property in question.</p> <p>Below is draft language proposed by the applicant that would amend the Zoning Code so that Musical Tutoring Services (8299) would be Special Uses above the first floor in the B-2, Central Business District:</p> <table border="0"><tr><td>Section 5-105 Special Uses</td><td>B-1</td><td>B-2</td><td>B-3</td></tr><tr><td>C. Services:</td><td></td><td></td><td></td></tr><tr><td>23. Musical Tutoring Services (8299), but not on the first floor of any structure in the B-2 district.</td><td></td><td>S</td><td></td></tr></table> <p>MOTION: Move to recommend that the application be referred to the Plan Commission for review and consideration of a Text Amendment to Section 5-105C, to allow Musical Tutoring Services as Special Uses above the first floor in the B-2 Central Business District.</p>					Section 5-105 Special Uses	B-1	B-2	B-3	C. Services:				23. Musical Tutoring Services (8299), but not on the first floor of any structure in the B-2 district.		S	
Section 5-105 Special Uses	B-1	B-2	B-3													
C. Services:																
23. Musical Tutoring Services (8299), but not on the first floor of any structure in the B-2 district.		S														
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 												
COMMITTEE ACTION: On August 22, 2011, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.																
BOARD ACTION:																



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

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

Owner

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

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

Name: Peter Coules, Jr.
Title: Attorney
Address: 15 Salt Creek Lane, Suite 312
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 920-0406 / 920-1338
E-Mail: peter@donatellcoules.com

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

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

- 1) Not Applicable.
- 2)
- 3)

II. SITE INFORMATION

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

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

Brief description of proposed project: To have a Real Estate office on the first floor and a
"School of Rock" on the second floor which provides musical tutoring services. A
musical training studio.

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

Existing zoning and land use: Downtown District

Surrounding zoning and existing land uses:

North: Same

South: Same

East: Same

West: Same

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

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☒ Special Use Permit 11-602E
Special Use Requested: Musical tutoring
services.

☒ Map and Text Amendments 11-601E
Amendment Requested: _____

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

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

The following table is based on the _____ Zoning District.

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

* Must provide actual square footage number and percentage.

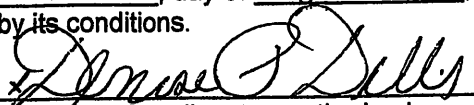
Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 1st day of August, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.


Signature of applicant or authorized agent
Managing member

Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

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


Notary Public
"OFFICIAL SEAL"
PETER COULES, JR.
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/11/2013

VILLAGE OF HINSDALE

CERTIFICATION OF PROPER NOTICE

REGARDING APPLICATION FOR PUBLIC HEARINGS AND MEETINGS

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

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

By: _____

Name: _____

Address: _____

Subscribed and sworn to before me

This _____ day of August, 2011.

By: _____

Notary Public



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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: 116 and 118

South Washington, Hinsdale, IL 60521

REVIEW CRITERIA

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

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

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

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

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

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

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

10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment. Not an issue.

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

No changes necessary.

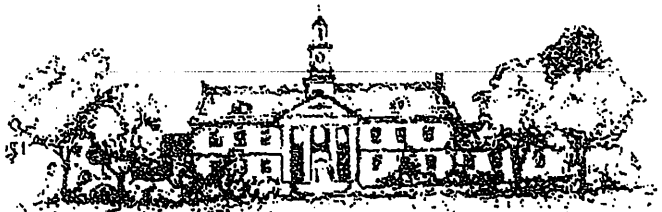
12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property. Second floor has been vacant

for awhile.

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

musical tutoring services in the community. The use is directly out of the "Standard Industrial Classification Manual" which is utilized by the Village as a guide.

14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area. Not applicable.



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**COMMUNITY DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT CRITERIA**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 116 and 118 South Washington, Hinsdale, IL 60521

Music Training Studio

Proposed Special Use request: Musical Tutoring Services.

Is this a Special Use for a Planned Development? ☒ **No** ☐ **Yes** (If so this submittal also requires a completed Planned Development Application)

REVIEW CRITERIA

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

FEES for a Special Use Permit: \$1,225 (must be submitted with application)

1. **Code and Plan Purposes.** The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established.

The first floor shall remain a Real Estate office which is its present use.

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

franchise of "School of Rock". It will not negatively impact the Downtown

District and is in harmony with the District.

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

The proposed special use is to provide musical tutoring services on the second floor and will not affect the health, safety and general welfare of the public

(Further, it will adhere to all noise ordinances of the Village).

3. *No Interference with Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations The proposed use will meet all of the ordinances of the Village, including but not limited to the noise ordinance. Since the proposed use is musical tutoring services, more than one person will receive tutoring at a time and their sound can not affect the others.
4. *Adequate Public Facilities.* The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services. Not an issue with the requested use.
-
-
5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. There will be no impact as there will not be that many additional people utilizing the property.
-
-
6. *No Destruction of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. No change.
-
-
7. *Compliance with Standards.* The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. It will comply with all standards.
-
-
8. *Special standards for specified special uses.* When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. There are none as the applicant is not asking for any variances from any ordinances (i.e. sound and/or light).
-
-

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

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

venue to utilize the Downtown District.

Alternate locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site. No changes on the first floor. For the second floor, presently only allowed in O-2 and not any good locations. Further the "School of Rock" offers musical tutoring services and will only have a positive impact on the Downtown District.

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

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



MAINSTREET ORGANIZATION OF REALTORS®

COMMERCIAL SALES CONTRACT

2

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

4 If Dual Agency applies, complete Paragraph #28.

5 FROM: (Buyer) Rock Rubicon LLC

6

7 TO: (Seller) George and Shirley Tolbert

Name

DATE: _____

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

9 116 and 118 South Washington, Hinsdale, DuPage IL 6051410 Street City County State Zip

11 legally described on Exhibit A, if any, lot size approximately _____,

12 permanent Index No.: 0912122013, together with improvements thereon.

13 **INCLUSIONS:** The following shall be included: fixtures, equipment, appliances, security systems (owned) and personal
 14 property, if any, located on the Real Estate of the date hereof, for which a bill of sale will be given: screens, storm windows and
 15 doors; shades, window blinds; radiator covers; heating, central cooling, ventilating, lighting and plumbing fixtures; attached
 16 mirrors, shelving, interior shutters, cabinets and awnings; planted vegetation; smoke detectors; as well as the following specific
 17 items: This contract is contingent for a 150 day period upon the Village of Hinsdale zoning approval for a real estate investment office
 18 and a music education business, this will require a text amendment and special use approval which would be processed concurrently

19 **EXCLUSIONS:** The following shall be excluded; all tenant owned personal property, tenant owned trade fixtures, and: _____

20

21

22 Any personal property not specifically included shall be deemed excluded. A system or item shall be deemed to be in operating
 23 condition if it performs the function for which it is intended, regardless of age, and does not constitute a threat to health or safety.

24

25 **1. PURCHASE PRICE:** Purchase Price of \$ _____, to be paid as follows: Initial earnest money of \$
 26 20,000.00 by ☒ check, ☐ cash OR ☐ note due on acceptance, 20 _____, to be increased to a total of _____

27 \$N/A by N/A, 20 _____. The earnest money and the original of this Contract shall be held by the Listing BUYER
 28 Company, as "Escrowee", in trust for the mutual benefit of the Parties. The balance of the Purchase Price, as adjusted by prorations, shall be paid
 29 at Closing by wire transfer of funds, or by certified, cashier's, mortgage lender's or title company's check (provided that the title company's
 30 check is guaranteed by a licensed title insurance company).

31

32 **2. CLOSING:** Provided title conforms with this contract or has been accepted by Buyer, closing or escrow payout shall be on
 33 December 1, 2011, by conveyance by stamped recordable warranty deed (or other

34 appropriate deed if title is in trust or in an estate) and payment of purchase price. Title shall be conveyed at the time required by
 35 this contract subject only to: general Real Estate taxes not due and payable at the time of Closing; building lines and building
 36 restrictions of record; zoning and building laws and ordinances; public and utility easements; covenants and restrictions of record;
 37 party wall rights and agreements, if any; existing leases or tenancies; the mortgage or trust deed, if any, as described in Paragraph
 38 2 above; acts done or suffered by or through the Buyer. However, Special Assessments, if any, for improvements not yet
 39 completed shall be paid by Seller at closing. This sale shall be closed at office of title insurance company or Seller's attorney's
 40 office as agreed or in escrow with the title company issuing the title commitment by deed and money escrow fee to be divided
 41 between Seller and Buyer. Seller and/or Buyer will pay their respective brokers' commissions as provided in their respective
 42 representation agreements or contracts and shall provide waiver of Brokers' fees at closing.

43

44 **3. FINANCING:** This contract is contingent upon the ability of Buyer to secure within _____ days of the Date of
 45 Acceptance, a firm written commitment for a loan evidenced by a note to be secured by a mortgage or trust deed on the Real Estate
 46 in the amount of \$ Cash, or such lesser amount as Buyer shall accept, with a fixed or initial interest rate
 47 (delete one) not to exceed _____%, said loan to be amortized over a minimum of _____ years, with a loan service charge
 48 not to exceed _____%. Seller and Buyer shall execute all documents and provide all information so that Buyer's lender
 49 can issue its commitment and close the transaction. If Buyer makes a good faith effort but is unable to obtain a commitment for
 50 the mortgage loan contemplated herein, Buyer shall so notify Seller in writing within the time specified in this Paragraph. IF
 51 SELLER IS NOT SO NOTIFIED WITHIN SUCH TIME PERIOD, BUYER SHALL FOR ALL PURPOSES BE DEEMED TO
 52 HAVE SECURED SUCH COMMITMENT OR TO HAVE AGREED TO PURCHASE THE REAL ESTATE WITHOUT
 53 MORTGAGE FINANCING OR BASED UPON THE MORTGAGE COMMITMENT ACTUALLY OBTAINED. If Seller is so
 54 notified, Seller may, at Seller's option, within 10 business days after Seller's receipt of said notice, elect to accept purchase money

Buyer Initial GR Buyer Initial _____ Seller Initial ST Seller Initial ST
 Address 116 and 118 South Washington, Hinsdale, DuPage IL 60514

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

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

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

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

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

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

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

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

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

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

Buyer Initial <u>DDP</u>	Buyer Initial _____	Seller Initial <u>LS</u>	Seller Initial <u>LS</u>
Address <u>116 and 118 South Washington,</u>	<u>Hinadale,</u>	DuPage	IL <u>60514</u>

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

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

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

118

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

126

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

139

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

148

149

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

153

154 (a) By personal delivery of such Notice; or

155

156 (b) By mailing of such Notice to the addresses recited herein by regular mail and by certified mail, return receipt requested.
157 Except as otherwise provided herein, Notice served by certified mail shall be effective on the date of mailing; or

158

159 (c) By sending facsimile transmission. Notice shall be effective as of date and time of facsimile transmission, provided that
160 the Notice transmitted shall be sent on Business Days during Business Hours. In the event fax Notice is transmitted
161 during non-business hours, the effective date and time of Notice is the first hour of the next Business Day after
162 transmission; or

163

164 (d) By sending e-mail transmission. Notice shall be effective as of date and time of e-mail transmission, provided that the
165 Notice transmitted shall be sent during Business Hours, and provided further that the recipient provides written
166 acknowledgment to the sender of receipt of the transmission (by e-mail, facsimile, regular mail or commercial overnight
167 delivery). In the event e-mail Notice is transmitted during non-business hours, the effective date and time of Notice is the
168 first hour of the next Business Day after transmission; or

169

170 (e) By commercial overnight delivery (e.g., FedEx). Such Notice shall be effective on the next Business Day following
171 deposit with the overnight delivery company.

172

Buyer Initial <u>AS</u>	Buyer Initial _____	Seller Initial <u>LT</u>	Seller Initial <u>SL</u>
Address 116 and 118 South Washington, Hinsdale, IL 60514		DuPage	IL 60514

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

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

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

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

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

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

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

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

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

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

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

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

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

223

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

227

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

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

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

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

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

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

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

255

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

Buyer Initial <u>AB</u>	Buyer Initial _____	Seller Initial <u>JS</u>	Seller Initial <u>MT</u>
Address <u>116 and 118 South Washington,</u>	<u>Hinsdale,</u>	DuPage	IL <u>60514</u>
(Page 5 of 6) Form 6008 Rev. Nov. 2007 - MAINSTREET ORGANIZATION OF REALTORS®			

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

260

261 08/20/2011

262 Date of Offer

263 George P. Sills

264 Buyer (signature)

265 MANAGING PARTNER

266 Buyer (signature)

267 Rock Rubicon LLC

268 Print Buyer(s) Name(s) [Required]

269

270 Address

271

272

273 City

State

Zip

274

275 Phone Number(s)

276

277

278 F O R I N F O R M A T I O N O N L Y

279 Long Realty

20132

280 Selling Office

MLS #

281 Bob Long

211069

282 Buyer's Designated Agent

MLS #

283 630-728-7686

284 Phone

Fax

285 boblong@longrealty.net

286 Email

287 Hal Lipshutz

288 Buyer's Attorney

Email

289 773-975-0030

290 Phone

Fax

291

292 Mortgage Company

Phone

293

294

295

296

297

298

299

300

301

302

303

7-11-11

Date of Acceptance

Shirley Tolbert

Seller (signature)

G.E. Tolbert

Seller (signature)

George and Shirley Tolbert

Print Seller(s) Name(s) [Required]

49 Forest Gate Circle

Address

Oak Brook

IL

60523

City

State

Zip

630-928-1644

630-319-8774

Phone Number(s)

Site Solutions Real Estate Advisors / Waypoint Properties, LLC

Listing Office / co listing office

MLS #

Robert Schroedter / Stuart Osaroff / John Bell

Listing Designated Agent

MLS #

630-470-9948

Phone

Fax

rschroedter@sitesolutionsre.com

Email

Seller's Attorney

Email

Phone

Fax

Loan Officer

Fax

Approved by the following organization - DuPage County Bar Association.

Buyer Initial

AB

Buyer Initial

Seller Initial

Seller Initial

Address 116 and 118 South Washington, Hinsdale,

DuPage

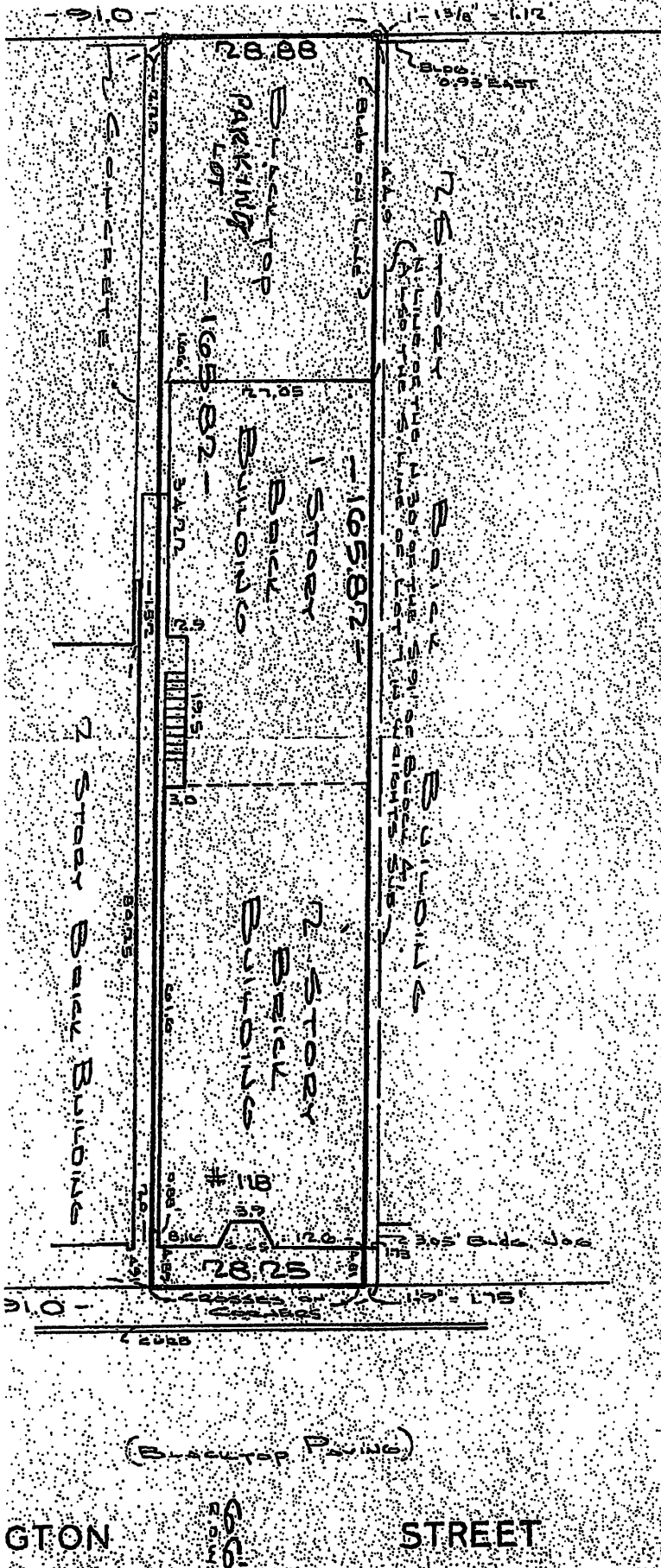
IL

60514

(Page 6 of 6) Form 6008 Rev. Nov. 2007 - MAINSTREET ORGANIZATION OF REALTORS®

PLAT OF SURVEY

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



MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 1ST INSTALLMENT PAYMENT OF 2010 TAX

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-12-122-013

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

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

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

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

☐ CHANGE OF NAME/ADDRESS**NO PAYMENT WILL BE ACCEPTED AFTER NOV. 16, 2011**

\$5,615.97 PAID MAY 31, 2011

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 2ND INSTALLMENT PAYMENT OF 2010 TAX

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-12-122-013

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

ON OR BEFORE:	PAY:
SEPT 1, 2011	\$ 5,615.97
PAYING LATE?	PAY THIS AMOUNT:
SEP 2 THRU 30	5,700.21
OCT 1 THRU 31	5,784.45
NOV 1 THRU 16	5,868.69

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

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

☐ CHANGE OF NAME/ADDRESS**NO PAYMENT WILL BE ACCEPTED AFTER NOV. 16, 2011**

2091212201329059000056159762

Rate 2009	Tax 2009	Taxing District	Rate 2010	Tax 2010	Mail To:	TIF Frozen Value
		** COUNTY **				Fair Cash Value
.0932	252.02	COUNTY OF DU PAGE	.0997	253.98	TOLBERT, GEORGE & SHIRLEY	Land Value 69,140
.0203	54.89	PENSION FUND	.0215	54.77	49 FORESTGATE CIR	+ Building Value 185,610
.0314	84.80	COUNTY HEALTH DEPT	.0323	82.28	OAK BROOK IL 60523	= Assessed Value 254,750*
.0105	28.39	PENSION FUND	.0124	31.58	Property Location:	x State Multiplier 1.0000
.1138	307.72	FOREST PRESERVE DIST	.1215	309.52	WASHINGTON ST	= Equalized Value 254,750
.0079	21.35	PENSION FUND	.0105	27.00	HINSDALE, 60521	- Residential Exemption
.0148	40.02	DU PAGE AIRPORT ADTH	.0158	40.25	Township:	- Senior Exemption
		** LOCAL **			DOWNERS GROVE	- Senior Freeze
NO LEVY		DU PAGE WATER COM	NO LEVY		630-719-6630	- Disabled Veteran
.0245	66.25	DOWNERS GROVE TWP	.0208	68.27	Tax Code:	- Disability Exemption
.0011	2.97	PENSION FUND	.0013	3.31	9059	- Returning Veterans Exemption
.0308	89.51	DOWNERS CR TWP RD	.0309	101.84	Property Index Number:	- Housing Abatement
.0014	3.78	PENSION FUND	.0021	5.34	09-12-122-013	= Net Taxable Value 254,750
.1473	398.31	VLG OF HINSDALE	.1997	508.73	Back Taxes: NO	x Tax Rate 4.4090
.1345	363.70	PENSION FUND	.1180	300.60		= Total Tax Due 11,231.94
.1058	288.79	VLG HINSDALE LIBRARY	.1211	308.50		
.0138	37.31	PENSION FUND	.0150	39.21		
NO LEVY		FLAGG CRK WATER REC	NO LEVY			
		** EDUCATION **				
1.8565	5,020.16	GRADE SCHL DIST 181	2.0783	5,294.46		
.0458	123.84	PENSION FUND	.0570	145.20		
1.0071	2,885.54	HIGH SCHOOL DIST 86	1.1707	2,982.35		
.0277	74.90	PENSION FUND	.0304	77.44		
.2127	575.24	COLLEGE DU PAGE 502	.2348	588.51		
		TOTAL	4.4080	11,231.94		
3.9679	10,720.60					

* S OF A FACTOR .34210

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




1st INST PAID MAY 31, 2011

2nd INST DUE ON SEPT 1, 2011

2010 DuPage County Real Estate Tax Bill
Gwan Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187Office Hours - 8:00 am - 4:30 pm, Mon-Fri
Telephone - (630) 407-5900

DATE: September 6, 2011

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER ZONING AND PUBLIC SAFETY		ORIGINATING DEPARTMENT Community Development		
ITEM 50 S. Garfield Street - Request: Approval of a Temporary Use for a Tent		APPROVAL		
<p>The Village has received a request by Doug Fuller of Fuller's Dips and Dogs, to allow a tent as a temporary use at 50 S. Garfield for a period longer than 10 days. The Hinsdale Zoning Code provides for <i>Permitted Temporary Uses</i> subject to the specific regulations and time limits as provided for in Section 9-103D of the zoning code and to the other applicable regulations of the district in which the use is permitted. The total period of time granted by such temporary use shall not exceed the period of time as specifically identified for that specific use. Where such uses are not specifically permitted, the Board of Trustees <u>may</u> approve such use, subject to the following regulations:</p> <p>9. <i>Others</i>: In any district, any other temporary use consistent with the purposes of this code and with the purposes and intent of the regulations of the district in which such use is located; provided, however, that any such use shall require the specific prior approval of the board of trustees. The board of trustees shall establish a limitation on the duration of every temporary use approved pursuant to this subsection D9. Any approval granted hereunder shall be deemed to authorize only the particular use for which it was given, and shall not be construed to be any right or entitlement to any subsequent approval hereunder for the applicant or any other person.</p> <p>As identified in the attached documentation, the applicant is proposing to use the tent to cover the outdoor seating area at Dips and Dogs during the colder months, until they can go before the Plan Commission for something more permanent in the spring. The Zoning Code provides the Village Manager the authority to approve tents for up to ten days however due to the length of time being requested (3 months), Village Board approval is required. As illustrated in the attached site plan, the applicant is proposing to locate the tent over the existing outdoor eating area. The applicant will be present at the ZPS meeting to answer any questions. It should be noted that if the Board approves the request, the applicant will still need to meet all necessary requirements set forth by the Building and Fire Departments. Should the ZPS and Village Board find the temporary use request to be satisfactory, the following motion would be appropriate:</p> <p>MOTION: Move to approve a permit for a temporary use at 50 S. Garfield Street for the period 12/15/11 thru 3/15/12 subject to any conditions to be set forth by the Building Commissioner and/or Fire Department.</p>				
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION: On August 22, 2011, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				

**VILLAGE OF HINSDALE
APPLICATION FOR TEMPORARY USE**

Address of proposed request: 50 S. Garfield - Fuller's Dips & Dogs

APPLICATION FOR TEMPORARY USE

The Hinsdale Zoning Code provides for *Permitted Temporary Uses* subject to the specific regulations and time limits as provided for in Section 9-103D of the zoning code and to the other applicable regulations of the district in which the use is permitted. The total period of time granted by such temporary use shall not exceed the period of time as specifically identified for that specific use. Where such uses are not specifically permitted, the Board of Trustees **MAY** approve such use, subject to the following regulations:

9. *Others*: In any district, any other temporary use consistent with the purposes of this code and with the purposes and intent of the regulations of the district in which such use is located; provided, however, that any such use shall require the specific prior approval of the board of trustees. The board of trustees shall establish a limitation on the duration of every temporary use approved pursuant to this subsection D9. Any approval granted hereunder shall be deemed to authorize only the particular use for which it was given, and shall not be construed to be any right or entitlement to any subsequent approval hereunder for the applicant or any other person.

Owner: Doug Fuller Phone: (630) 84-0054

Date: July 28, 2011

Temporary Use Period Requested:

From: December 15, 2011 through March 15, 2012

Nature of Temporary Use Request:

To put a state of art tent above our outside patio to give our customers indoor seating during the winter months. That way we can compete with our competitors in on. We are in the early stages of a more permanent structure that we will present front of the board early next spring

Signature of Owner: Douglas A. Fuller

Village Manager

Date: _____, 20____

OR

Date of Village Board Approval: _____, 20____

For Office Use Only
\$100 Fee Paid ☒

Date: 7/28/11

Received By: [Signature]

■ — FULLER'S — Home & Hardware ■

August 16, 2011

To Whom It May Concern:

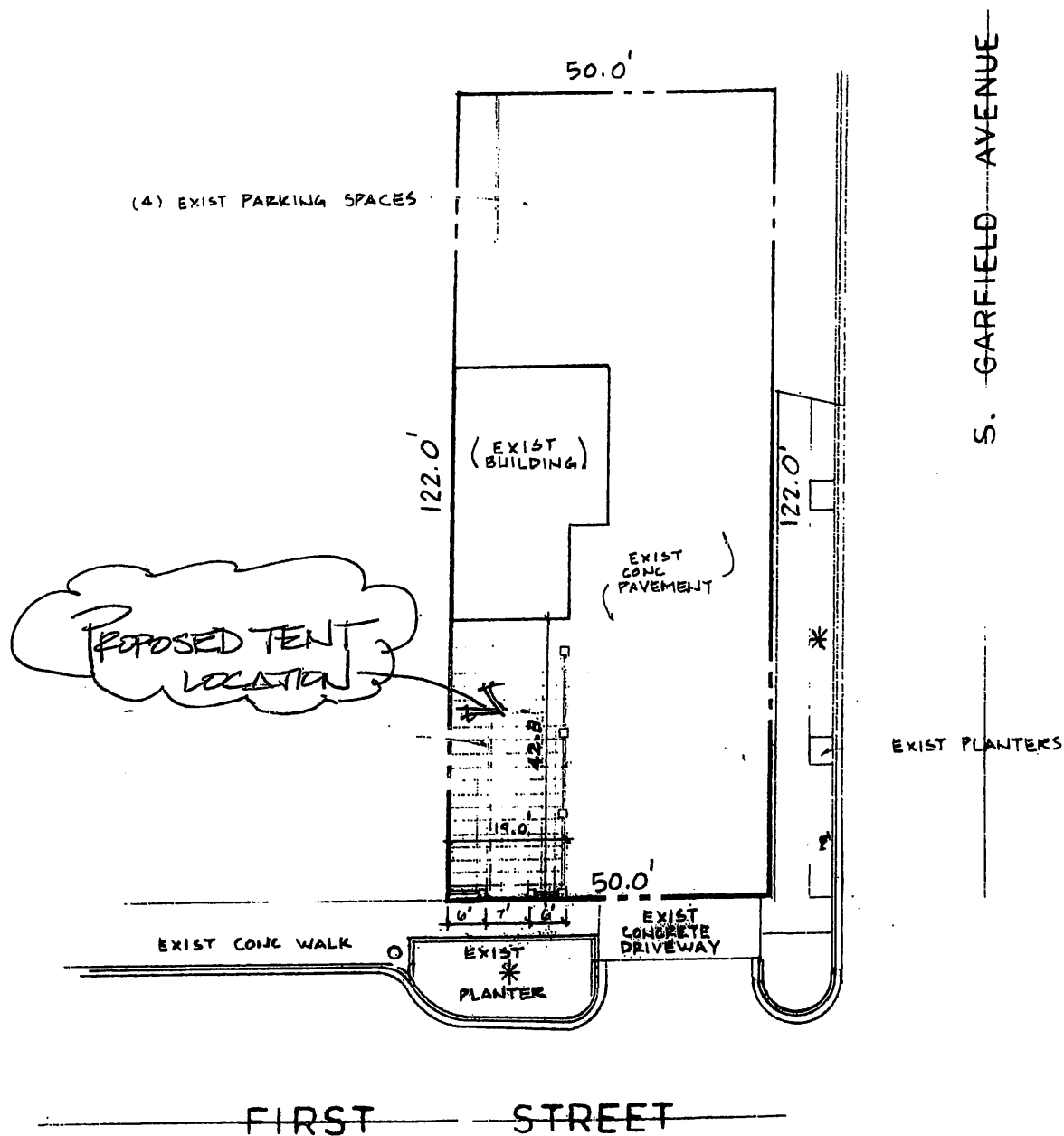
I am writing this letter to request a permit for an appropriate temporary exterior tent (entrance and exit doors, attractive exterior, proper heating) for the dates of December 15, 2011 through March 15, 2012. Our profits dropped off drastically last year hindering our ability to stay competitive during those months. With the recent acquisition of additional parking in the empty lot across 1st Street we feel that parking will no longer be an issue. We are currently in the process of planning a permanent addition in 2012. Thank You for your consideration.

Sincerely,

Douglas Fuller Jr.

Owner of Dips & Dogs

35 East First Street • Hinsdale, IL 60521
(630) 323-7750 • (630) 323-0039 Fax



EXISTING SITE PLAN

SCALE 1" = 20.0'

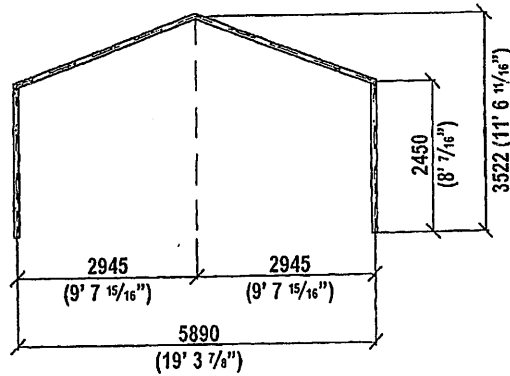


WILLIAM R. GLEASON
ARCHITECT

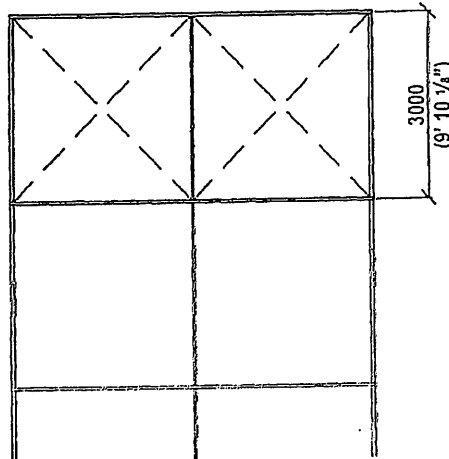
314 SOUTH GRANT STREET
WESTMONT, ILLINOIS 60559
(630) 969-6185

6M/20' Technical Data

frame system:

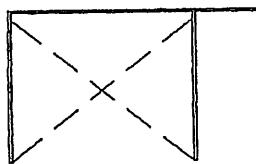


roof bracing:

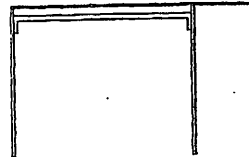


vertical bracing:

rope bracing:



portal bracing:



technical data:

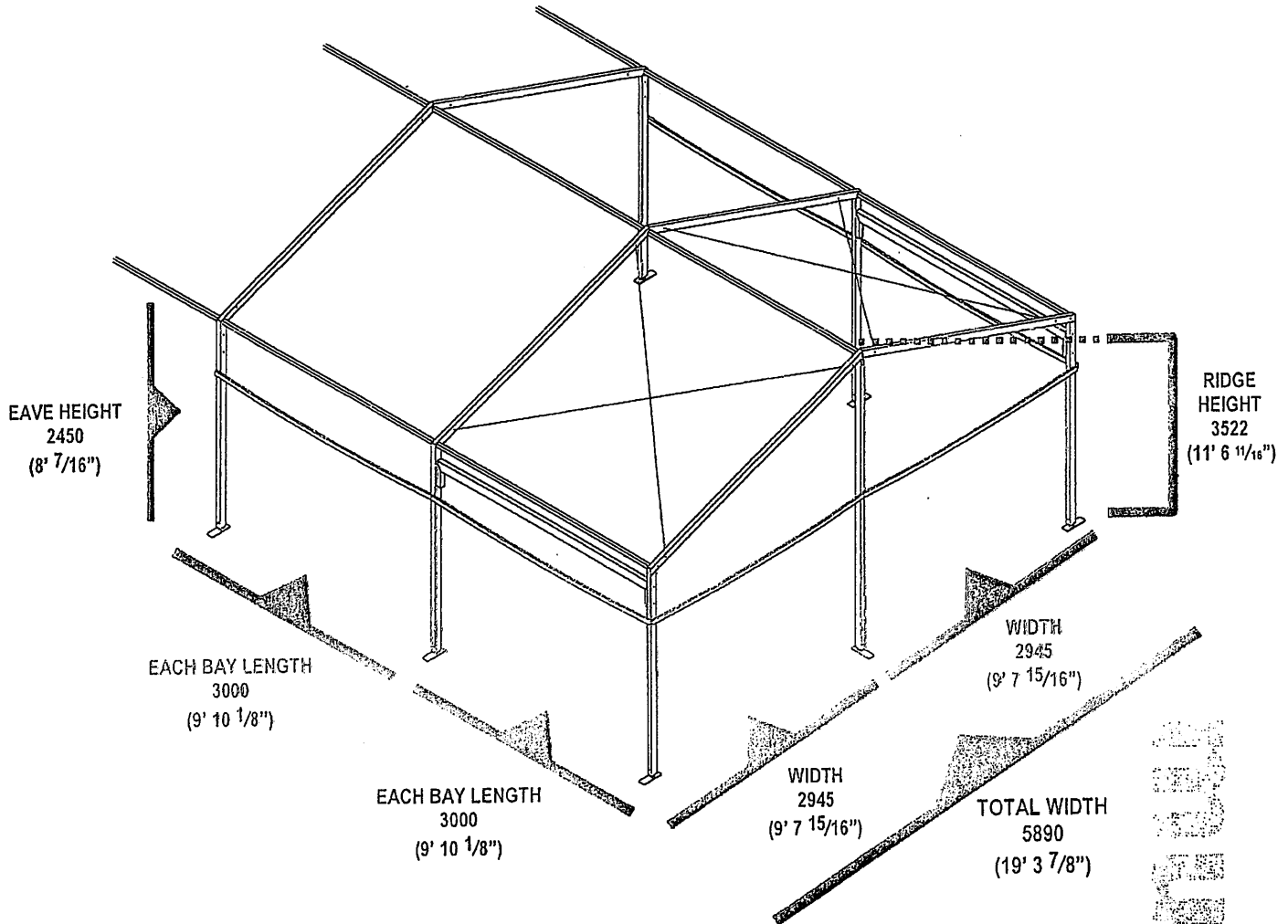
roof slope:	20°
eave height:	2450 (8' 7 1/16")
ridge height:	3522 (11' 6 11/16")
truss distance:	3000 (9' 10 1/8")
truss profile:	84 x 48 (3 5/16" x 1 7/8")
gable pole profile:	84 x 48 (3 5/16" x 1 7/8")

*All measurements rounded to the nearest 16th of an inch. Subject to technical alterations.

As of February 19, 2001



6M/20' Technical Data w/ Portal Braces



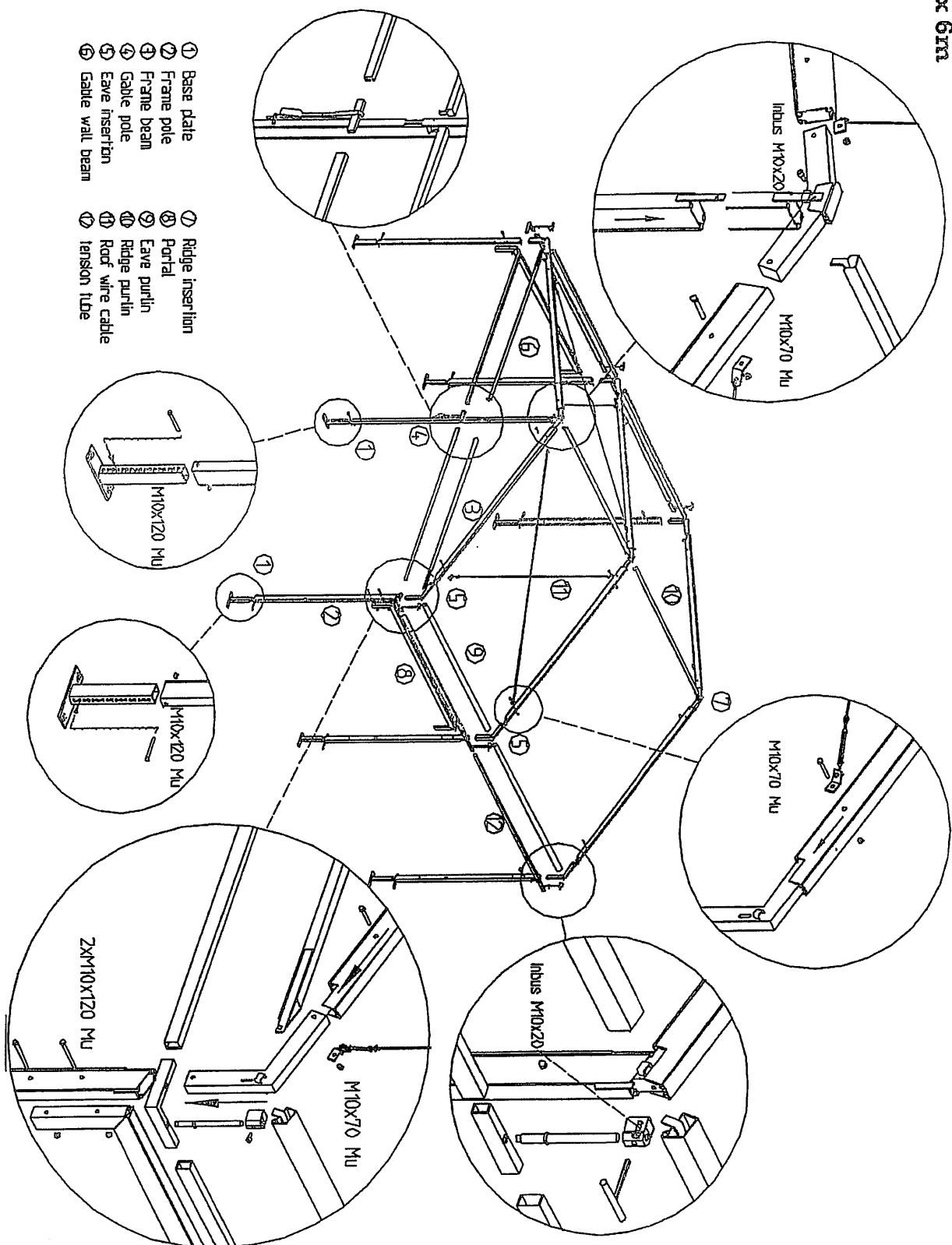
technical data:

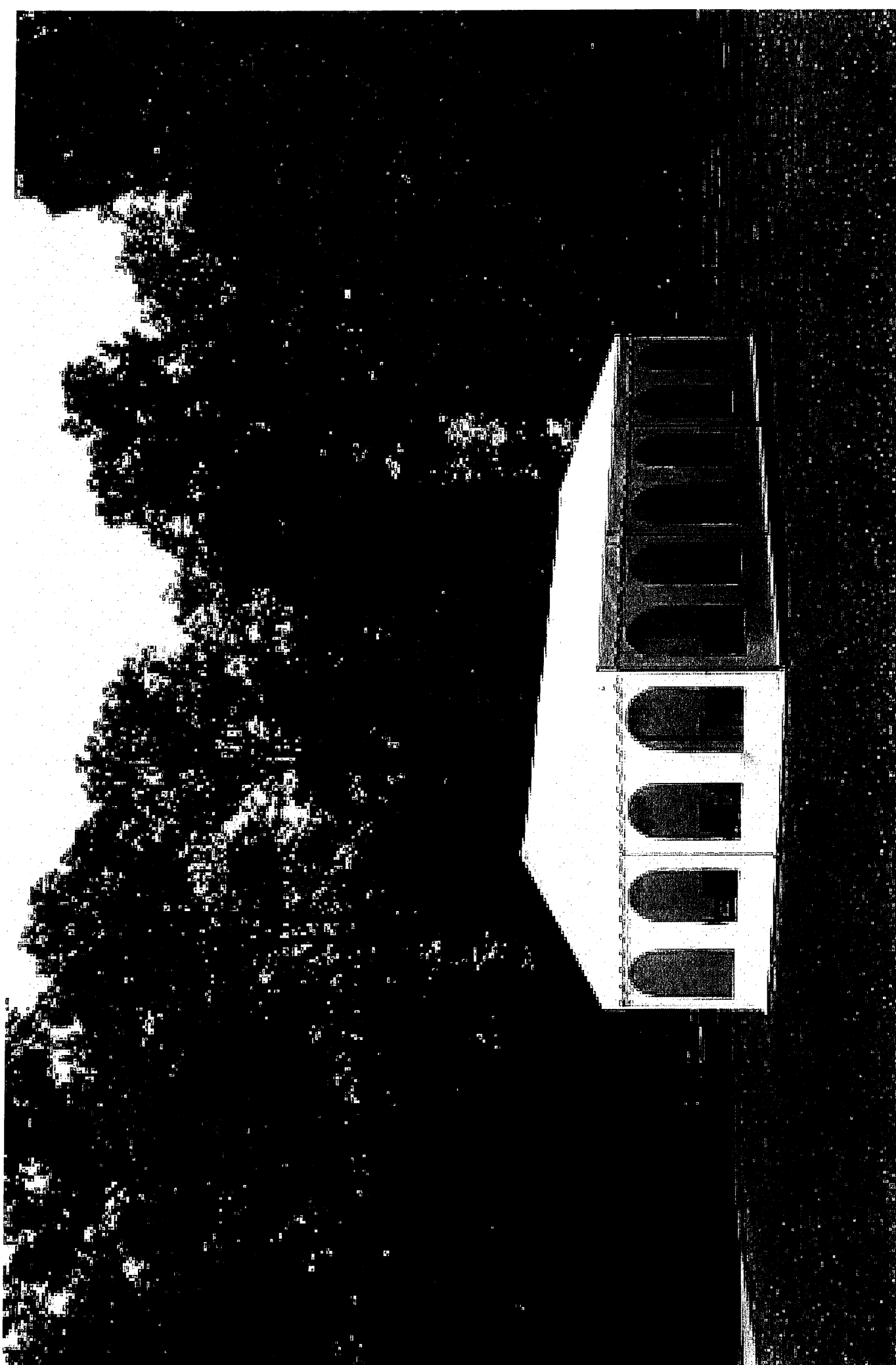
roof slope:	20°
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gable pole profile:	84 x 48 (3 5/16" x 1 7/8")

*All measurements rounded to the nearest 16th of an inch. Subject to technical alterations.

As of February 19, 2001

multiflex 6m





Certificate of Flame Resistance

REGISTERED
FABRIC
NUMBER

F140.01

ISSUED BY
JOHNSON OUTDOORS INC.
BINGHAMTON, NEW YORK 13902
*Manufacturers of the Finest
Tent Products Described Herein*

Date of Manufacture

01/01/2011

This is to certify that the products herein have been manufactured from material inherently flame retardant as here after specified by the material supplier.

NAME: **Classic Party Rentals / Chicago Party Rental**

CITY: **McCook, IL**

Certification is hereby made that:

The articles described on this certificate have been manufactured with an approved flame retardant chemical in compliance with California State Fire Marshal Code, NFPA-701*, Underwriters Laboratory of Canada, and have been tested in accordance with the Federal Test Method Specifications and meet or exceed the Military Flame Specifications of MIL-C-43006G.

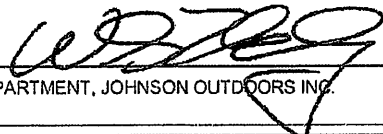
Type, color and weight of material **14oz , Vinyl, White Block Out**

Description of item certified: **20x30 Structure Tent**


**Flame Retardant Process Used Will Not Be Removed By Washing And
Is Effective For The Life Of The Fabric**

Snyder Manufacturing, Inc.

Manufacturer of Flame Retardant Vinyl Laminates


TENT DEPARTMENT, JOHNSON OUTDOORS INC.

*Large Scale

AGENDA SECTION	ACA	ORIGINATING DEPARTMENT	Finance
ITEM	Accounts Payable	APPROVED Darrell Langlois Assistant Village Manager/Director of Finance	
<p>At the meeting of September 6, 2011 staff respectfully requests the presentation of the following motion to approve the accounts payable:</p> <p>Motion: To move approval and payment of the accounts payable for the period of August 06, 2011 through September 02, 2011 in the aggregate amount of \$1,195,964.00 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.</p>			
STAFF APPROVALS			
APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:			
BOARD ACTION:			

VILLAGE OF HINSDALE

ACCOUNTS PAYABLE WARRANT REGISTER #1507

FOR PERIOD August 06, 2011 through September 2, 2011

The attached Warrant Summary by Fund and Warrant Register listing **TOTAL DISBURSEMENTS FOR ALL FUNDS of \$1,195,964.00** has been reviewed and approved by the below named officials.

APPROVED BY _____ DATE _____
VILLAGE TREASURER/ASSISTANT VILLAGE MANAGER

APPROVED BY  _____ DATE 9/16/11
VILLAGE MANAGER

APPROVED BY _____ DATE _____
VILLAGE TRUSTEE

Village of Hinsdale
Warrant # 1507
Summary By Fund

Recap By Fund	Fund	Regular Checks	Pension Checks	ACH/Wire Transfers	Total
Corporate Fund	10000	449,871.14	-	155,570.31	605,441.45
Motor Fuel Tax Fund	23000	2,561.74	-	-	2,561.74
Capital Project Fund	45300	1,047.59	-	-	1,047.59
Water & Sewer Operations	61061	272,607.14	-	-	272,607.14
Water & Sewer Capital	61062	40,938.82	-	-	40,938.82
Escrow Funds	72100	43,680.75	-	-	43,680.75
Payroll Revolving Fund	79000	16,790.35	-	209,873.36	226,663.71
Library Operations	99000	3,022.80	-	-	3,022.80
Total		830,520.33	-	365,443.67	1,195,964.00

Village of Hinsdale
Schedule of Bank Wire Transfers and ACH Payments
Warrant Register # 1507

Payee/ Date	Description	Vendor Invoice	Invoice Amount
Electronic Federal Tax Payment Systems 8/19/2011	Village Payroll # 17-Calendar 2011	FWH	40,566.33
Electronic Federal Tax Payment Systems 8/19/2011	Village Payroll # 17-Calendar 2011	FICA/MCARE	30,751.68
Illinois Department of Revenue 8/19/2011	Village Payroll # 17-Calendar 2011	State Tax Withholding	16,247.97
DuPage Credit Union 8/19/2011	Village Payroll # 17-Calendar 2011	Employee Withholding	5,885.19
ICMA - 457 Plans 8/19/2011	Village Payroll # 17-Calendar 2011	Employee Withholding	11,153.29
HSA Plan Contribution 8/19/2011	Village Payroll # 17-Calendar 2011	Employee Withholding	1,647.91
Intergovernmental Personnel Benefit Cooperative 9/1/2011	September 2011 Contribution	Employee Health Insurance	155,570.31
Electronic Federal Tax Payment Systems 9/2/2011	Village Payroll # 18-Calendar 2011	FWH	40,237.38
Electronic Federal Tax Payment Systems 9/2/2011	Village Payroll # 18-Calendar 2011	FICA/MCARE	29,040.43
Illinois Department of Revenue 9/2/2011	Village Payroll # 18-Calendar 2011	State Tax Withholding	15,642.33
DuPage Credit Union 9/2/2011	Village Payroll # 18-Calendar 2011	Employee Withholding	5,885.19
ICMA - 457 Plans 9/2/2011	Village Payroll # 18-Calendar 2011	Employee Withholding	11,167.75
HSA Plan Contribution 9/2/2011	Village Payroll # 18-Calendar 2011	Employee Withholding	1,647.91
Total Bank Wire Transfers and ACH Payments			365,443.67
Total Regular Checks, Pension Checks and Wire Transfers/ACH Payments			<u>1,195,964.00</u>

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
AFLAC-FLEXONE			
60917 AFLAC OTHER	0819110000000000	264.33	
60918 AFLAC SLAC	0819110000000000	204.90	
60919 ALFAC OTHER	0819110000000000	280.87	
	CHECK NO. 87410		750.10
AT & T			
61004	6307897000-07/11	5312.38	
	CHECK NO. 87411		5312.38
BONO CSR KATHLEEN W.			
60999 PLAN COMMISSION A-05-11	5491	1521.00	
	CHECK NO. 87412		1521.00
COLONIAL LIFE PROCCESING			
60911 COLONIAL S L A C	0819110000000000	54.33	
60912 COLONIAL OTHER	0819110000000000	27.63	
	CHECK NO. 87413		81.96
DUPAGE WATER COMMISSION			
61002 WATER	09251	250730.74	
	CHECK NO. 87414		250730.74
ILLINOIS EPA			
61001 IEPA	75000	750.00	
	CHECK NO. 87415		750.00
LSNB AS TRUSTEE FOR POST			
60920 PEHP REGULAR	0819110000000000	2209.36	
60921 PEHPPD	0819110000000000	571.02	
	CHECK NO. 87416		2780.38
MANGANIELLO, JIM			
61003 METER READINGS	142416	1424.16	
	CHECK NO. 87417		1424.16
NATIONWIDE RETIREMENT SOL			
60913 USCM/PEBSCO	0819110000000000	1680.00	
	CHECK NO. 87418		1680.00
STATE DISBURSEMENT UNIT			
60922 CHILD SUPPORT	0819110000000000	1411.38	
	CHECK NO. 87419		1411.38
STATE DISBURSEMENT UNIT			
60923 CHILD SUPPORT	0819110000000000	313.21	
	CHECK NO. 87420		313.21

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
STATE DISBURSEMENT UNIT			
60924 CHILD SUPPORT	0819110000000000	80.00	
	CHECK NO. 87421		80.00
THIRD MILLENIUM			
60996 UTILITY/PARKS	13709	696.62	
60997 WATER BILLS	13709-1	1027.82	
	CHECK NO. 87422		1724.44
VILLAGE OF HINSDALE			
60914 MEDICAL REIMBURSEMENT	0819110000000000	190.00	
60915 DEP CARE REIMB.F/P	0819110000000000	99.98	
60916 MEDICAL REIMBURSEMENT	0819110000000000	521.42	
	CHECK NO. 87423		811.40
WESCON UNDERGROUND			
60998 MAIN BREAK	3051	4218.75	
	CHECK NO. 87424		4218.75
ROBBINS SCHWARTZ NICHOLA			
61005 JUNE LEGAL	237208	12713.64	
	CHECK NO. 87425		12713.64
TWO BROTHERS ROUNDHOUSE			
61253 POLAR EXPRESS DEPOSIT	1500-08/11	1500.00	
	CHECK NO. 87426		1500.00
AFLAC-FLEXONE			
61315 SERVICE FEE	876425ER	90.00	
	CHECK NO. 87427		90.00
AIR ONE EQUIPMENT			
61164 MAINTENANCE	75242	150.00	
61291 MAINTENANCE	75426	223.75	
	CHECK NO. 87428		373.75
ALEXANDER EQUIPMENT			
60909 CHAINS	78592	125.90	
60974 GRINDING	78706	178.00	
61279 AIR FILTER	78960	47.85	
61287 ANNULAR BUFFER	78883	72.40	
	CHECK NO. 87429		424.15
ALL STAR AUTO GLASS			
60869 WINDSHIELD	WOB76720	329.00	
61318 WINDSHIELD	WOB77472	249.00	
	CHECK NO. 87430		578.00

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
ALLIED LED SOLUTIONS			
61248 BULBS	785	280.00	
	CHECK NO. 87431		280.00
ALLIED WASTE REPUBLIC SVC			
60859 REFUSE REMOVAL	2348644	42.38	
	CHECK NO. 87432		42.38
AMERICAN EXPRESS			
61198 ASST MERCHANDIZE	802005-08/11	1530.07	
	CHECK NO. 87433		1530.07
AMIN, SACHIN			
60944 ROSTER CHG	102644	50.00	
	CHECK NO. 87434		50.00
ANCEL, GLINK, DIAMOND,			
61142 REIMBURSEMENT	31530130002	4335.00	
	CHECK NO. 87435		4335.00
AQUA PURE ENTERPRISES			
60856 SEASONAL	75127	1212.34	
61176 SEASONALLY	75457	288.10	
	CHECK NO. 87436		1500.44
ARROWHEAD BRICK PAVERS			
60983 CONT BD/937 ALLMEN	20148	500.00	
	CHECK NO. 87437		500.00
ASPEN CONSTRUCTION			
61276 STM WTR/529 WALKER RD	19313	1657.00	
	CHECK NO. 87438		1657.00
ASPEN CONSTRUCTION SERVIC			
61275 STM WTR/509 N VINE	18864	2543.75	
	CHECK NO. 87439		2543.75
ATLAS BOBCAT INC			
60966 NUTS/BOLTS	B18004	40.92	
60967 HOSE	B28882	223.77	
61285 GAS CAP	B29233	20.32	
	CHECK NO. 87440		285.01
BASKEL, KEVIN			
60984 CONT BD/625 S MONROE	20167	500.00	
	CHECK NO. 87441		500.00

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
BENINGTON, ERIN			
60930 ROSTER CHANGE	102677	50.00	
	CHECK NO. 87442		50.00
BERGER CONSTRUCTION			
61263 CONT BD/934 S ADAMS	19669	1800.00	
	CHECK NO. 87443		1800.00
BONO CSR KATHLEEN W.			
60840 ZONING V-5-11	5504	354.00	
	CHECK NO. 87444		354.00
BRONZE MEMORIAL COMPANY			
61144 PLAQUE BROOK PARK	52589	936.00	
	CHECK NO. 87445		936.00
BRUNS, MICHAEL			
60936 ROSTER CHG	102653	50.00	
	CHECK NO. 87446		50.00
BRYCE DOWNEY & LENKOV			
61210 TELE CONFERENCE	20902	135.00	
	CHECK NO. 87447		135.00
BUCCIARELLI, TODD			
60937 ROSTER CHG	102652	50.00	
	CHECK NO. 87448		50.00
BURNS, JENNIFER			
60956 ROSTER CHG	102680	50.00	
	CHECK NO. 87449		50.00
BURRINK CONCRETE			
60986 CONT BD/718 S ADAMS	20176	500.00	
60987 CONT BD/742 S ADAMS	20177	500.00	
	CHECK NO. 87450		1000.00
C.A. BENSON & ASSOCIATES			
61136 ALLEY APPRAISAL	633 S MONROE	800.00	
	CHECK NO. 87451		800.00
CASE LOTS INC			
60898 PAPER GOODS	033810	209.70	
61150 PAPER GOODS	034083	409.05	
61165 PAPER GOODS	034148	391.50	
	CHECK NO. 87452		1010.25

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
CDW-GOVERNMENT INC.			
61169 PRINTER	ZJQ6519	280.02	
61185 4 GB	ZHP3132	124.40	
61189 USB	ZHB8546	26.29	
61301 SERVER	ZKJ5263	725.61	
61302 BACK UP	ZKJ1602	750.00	
	CHECK NO. 87453		1906.32
CEDAR PATH NURSERIES			
60970 TREES	4004	215.00	
	CHECK NO. 87454		215.00
CHAMBERS, COLLEEN			
61317 CLASS REFUND	103445	410.00	
	CHECK NO. 87455		410.00
CHESS SCHOLARS			
60875 **REIMBURSED EXP**	2011097	810.00	
	CHECK NO. 87456		810.00
CIARDELLI, PAULA			
61326 ROSTER CHANGE	103554	140.00	
	CHECK NO. 87457		140.00
CINTAS			
60893 RUGS TOWELS ETC	769651823	160.31	
61158 RUGS TOWELS ETC	769655427	230.81	
61238 RUGS TOWELS ETC	769658817	160.31	
	CHECK NO. 87458		551.43
CIT TECHNOLOGY FIN SERV IN			
60896 ALARM SYSTEM	15250-08/11	152.50	
	CHECK NO. 87459		152.50
CLARENDON HILLS PARK DIST			
61156 COOP	528-08/11	528.00	
	CHECK NO. 87460		528.00
CLARK DIETZ ENGINEERS			
61143 CHESTNUT	408919	513.26	
	CHECK NO. 87461		513.26
CLARKE ENVIRONMENTAL			
60860 MOSQUITO ABATEMENT	6336941	13874.00	
61151 MOSQ ABATEMENT	6337393	385.00	
	CHECK NO. 87462		14259.00

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
CLASSIC LANDSCAPE LTD			
60855 JULY MOWING	73057	10868.00	
	CHECK NO. 87463		10868.00
CLASSIC PARTY RENTALS			
61182 4TH OF JULY RENTAL	282815	331.23	
	CHECK NO. 87464		331.23
CLOWNING AROUND ENTERTNMT			
61246 FALL FEST	22598	879.00	
	CHECK NO. 87465		879.00
COMCAST			
60902 PD/FD TV	0009242-08/11	69.17	
	CHECK NO. 87466		69.17
COMED			
61211 WRMG HOUSE	0203017056-08/11	95.81	
61212 WASHINGTON	2378029015-08/11	38.38	
61213 IRRIGATION	0639032045-08/11	22.36	
61214 CLOCK TOWER	0381057101-08/11	29.02	
61215 KLM LODGE	7093551008-08/11	1895.40	
61216 POOL	8605437007-08/11	4011.07	
61217 STOUGH PARK	868948008-08/11	16.82	
61218 ELEANOR PARK	8689206002-08/11	43.18	
61219 BURNSFIELD	8689640004-08/11	20.61	
61220 ROBBINS PARK	8521083007-08/11	76.75	
61221 TRAIN STATION	8521342001-08/11	134.87	
61222 BROOK PARK	8605174005-08/11	164.70	
61223 CHESTNUT	0203065105-08/11	74.56	
61224 701 E CHICAGO	3454039030-08/11	705.65	
61225 VEECK PARK	2425068008-08/11	482.06	
61283 WATER PLANT	8521400008-08/11	35.45	
61284 FOUNTAIN	0471095066-08/11	167.95	
61310 WALNUT STREET	7011481009-08/11	31.50	
61311 RR	7011157008-08/11	63.66	
61312 SAFETY TOWN	7261620005-08/11	17.97	
61313 PIERCE PARK	7011378007-08/11	732.09	
	CHECK NO. 87467		8859.86
COMMERCIAL COFFEE SERVICE			
60868 COFFEE SUPPLIES	108464/472	228.90	
60878 COFFEE	108467	34.50	
61163 COFFEE SUPPLIES	108519	46.50	
	CHECK NO. 87468		309.90

CONDON, VIRGINIA

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
CONDON, VIRGINIA			
60957 ROSTER CHG	102708	50.00	
	CHECK NO. 87469		50.00
COURTNEYS SAFETY LANE			
61286 SAFETY INSPECTION	050995	32.00	
	CHECK NO. 87470		32.00
CREATIONS LANDSCAPING			
61254 CONT BD/311 N GARFIELD	20183	500.00	
	CHECK NO. 87471		500.00
CUMBERLAND, BRETT			
60927 ROSTER CHANGES	102672	50.00	
	CHECK NO. 87472		50.00
CUMMINS, ALEX			
60929 ROSTER CHANGE	102674	50.00	
	CHECK NO. 87473		50.00
DANMAR			
61252 KLM PAINTING	18060/18059	4235.00	
	CHECK NO. 87474		4235.00
DEJANA INDUSTRIES INC.			
60854 STREET SWEEPING	45017	3930.58	
	CHECK NO. 87475		3930.58
DISPATCH AUTOMOTIVE			
60948 REPAIRS	217214	135.00	
	CHECK NO. 87476		135.00
DISPOSALL WASTE SERVICES			
61235 DUMPSTER	19556	330.00	
	CHECK NO. 87477		330.00
DOCU-SHRED, INC.			
60877 SHREDDING	26043	60.00	
	CHECK NO. 87478		60.00
DOWNES POOL CO			
61278 STM WTR/744 CLEVELAND	19262	4730.00	
	CHECK NO. 87479		4730.00
DUPAGE COUNTY RECORDER			
61228 RECORDING FEES	09040	10.00	
	CHECK NO. 87480		10.00

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
DUPAGE COUNTY TREASURER			
60949 JULY BILLING	9193	6.11	
61141 DATA PROCESSING	9114	250.00	
	CHECK NO. 87481		256.11
DUPAGE JUVENILE OFFICERS			
61289 CONFERENCE	60157	50.00	
	CHECK NO. 87482		50.00
DYNIS, RICK			
60935 ROSTER CHANGE	102654	50.00	
	CHECK NO. 87483		50.00
EAGLE UNIFORMS INC			
61168 UNIFORMS	210707	218.82	
	CHECK NO. 87484		218.82
EDGEWATER, JACKIE			
60907 ROSTER CHANGE	102756	50.00	
	CHECK NO. 87485		50.00
EJ EQUIPMENT			
61172 SEWER HOSE	0046278	1420.00	
	CHECK NO. 87486		1420.00
ELBRECHT, THOMAS			
60939 ROSTER CHG	102650	130.00	
	CHECK NO. 87487		130.00
EMERGENCY MEDICAL PROD			
60865 TEXT BOOKS	1394194	267.30	
60866 MEDICAL SUPPLIES	1395775	151.75	
	CHECK NO. 87488		419.05
ENVIRO-TEST/PERRY LABORAT			
60867 SAMPLES	11128488	150.00	
	CHECK NO. 87489		150.00
EXELON ENGERY INC			
60845 908 ELM	100421700210	402.37	
61282 908 ELM	100421700220	795.00	
61314 STREET LIGHTS	20021390014-08/1	8010.89	
	CHECK NO. 87490		9208.26
FACCHINI, MARGARET			
60906 ROSTER CHANGES	102757	50.00	
	CHECK NO. 87491		50.00

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PAYEE	INVOICE	CHECK	
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
FEDEX			
61296 OVERNIGHT MAIL	760641870	170.31	
	CHECK NO. 87492		170.31
FIRE SAFETY CONSULTANTS			
60852 SPRINKLER	2011-163	2491.83	
	CHECK NO. 87493		2491.83
FLEET PRIDE INC			
61159 TRUCK REPORTS	43488396	15.01	
	CHECK NO. 87494		15.01
FRIEDMAN, DAVID			
60934 ROSTER CHG	102655	50.00	
	CHECK NO. 87495		50.00
FRYZEL, SCOTT			
60952 ROSTER CHG	102669	50.00	
	CHECK NO. 87496		50.00
FUKAR, KEN			
61205 UMPIRE	59978	186.00	
	CHECK NO. 87497		186.00
FULLERS HOME & HARDWARE			
60988 CONT BD/521 N ELM	20186	500.00	
	CHECK NO. 87498		500.00
FYLSTRA, RAYMOND			
60959 PERMIT REFUND	6737	310.00	
	CHECK NO. 87499		310.00
G & K SERVICES			
60899 UNIFORMS	1028587544	287.16	
61147 UNIFORMS	1028589442	309.90	
61249 UNIFORMS	1028591320	309.90	
	CHECK NO. 87500		906.96
GABRIEL NOVAC & ASSOC INC			
61232 FINAL PAYMENT	2008193I01	38850.00	
	CHECK NO. 87501		38850.00
GABRIEL ROEDER SMITH & CO			
61231 GASB VAL	115655	3500.00	
	CHECK NO. 87502		3500.00
GALLS AN ARAMARK COMPANY			

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
GALLS AN ARAMARK COMPANY			
60964 BATTERY	511536078	118.76	
61194 AMB REPAIR	1006113003	111.00	
	CHECK NO. 87503		229.76
GARY JOHNSTON			
60853 PERMIT FEES	47	84.00	
	CHECK NO. 87504		84.00
GLASBY, KELLANNA			
60943 ROSTER CHG	102646	50.00	
	CHECK NO. 87505		50.00
GLOBAL TRAFFIC TECH LLC			
61324 REPAIRS	24176	412.50	
	CHECK NO. 87506		412.50
GRAINGER, INC.			
60857 PARTS	9547503038	17.85	
61152 NUTS/BOLTS	9613443168	14.30	
61153 SUPPLIES	9611995763	34.56	
61303 FIXTURE	9614989912/578	259.70	
	CHECK NO. 87507		326.41
GROTTO, MICHAEL			
60941 ROSTER CHG	102649	50.00	
	CHECK NO. 87508		50.00
HABECK, ROBERT			
60933 ROSTER CHG	102640	50.00	
	CHECK NO. 87509		50.00
HAMP, SCOTT			
60905 ROSTER CHANGE	102817	50.00	
	CHECK NO. 87510		50.00
HANLEY, KATHY			
60946 ROSTER CHG	102641	50.00	
	CHECK NO. 87511		50.00
HAYES, JOSEPH			
60955 ROSTER CHG	102684	50.00	
	CHECK NO. 87512		50.00
HD SUPPLY WATERWORKS			
60858 WATER METER	3409104	168.00	
60872 WATER METERS	3427898	5908.72	

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	CHECK NO.	INVOICE AMOUNT	CHECK AMOUNT
HD SUPPLY WATERWORKS				
	CHECK NO.	87513		6076.72
HILBERT, DAVE				
61206 UMPIRE	59979		93.00	
	CHECK NO.	87514		93.00
HOLMES, CHAD				
61274 STM WTR/620 S LINCOLN	19112		8690.00	
	CHECK NO.	87515		8690.00
HOULIHAN, JOHN				
61191 REFUND PERMIT FEES	28974		130.00	
	CHECK NO.	87516		130.00
HR GREEN INC				
61195 WOODLANDS	75795		1047.59	
61196 2011 RESURFACING	75761		2561.74	
61197 CSO OPERATOR	75788		639.56	
	CHECK NO.	87517		4248.89
HUFF & HUFF INC				
61137 CONSULTATION FEE	1102050		936.00	
	CHECK NO.	87518		936.00
I.D.E.S.				
60846 2ND QTR UNEMPLOYMENT	800938-07/11		18721.00	
	CHECK NO.	87519		18721.00
IL FIRE CHIEF ASSOCIATION				
60882 LEADERSHIP I	118020		300.00	
60883 INSTRUCTOR	118019		300.00	
60884 LEADERSHIP IV	118015		300.00	
60885 INSTRUCTOR II	118014		300.00	
60886 INSTRUCTOR I	118016		300.00	
60887 LEADERSHIP	118017		600.00	
60888 PREVENTION CLASSES	118012		300.00	
60889 LEADERSHIP	118018		300.00	
	CHECK NO.	87520		2700.00
IL SECRETARY OF STATE				
61188 RENEWAL	60079		99.00	
	CHECK NO.	87521		99.00
ILLINOIS PAPER DIVISION				
60904 PRINTER REPAIR	698510		150.00	
	CHECK NO.	87522		150.00

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
INFORMATION DEVELOPMENT			
61229 WEB BASED/DIALOG	100264	5561.00	
	CHECK NO. 87523		5561.00
INIQUEZ, MICHAEL			
61199 CLASS REFUND	103408	175.00	
	CHECK NO. 87524		175.00
INSTITUTE IN BASIC LIFE			
61242 BROCHURE PRINTING	20110236	4788.06	
	CHECK NO. 87525		4788.06
INTERSTATE BATTERY SYSTEM			
61135 BATTERY	24005115	293.85	
61157 BATTERY	33016115	373.80	
	CHECK NO. 87526		667.65
IRMA			
61140 JULY DEDUCTIBLES	10822/10853	4225.80	
	CHECK NO. 87527		4225.80
ITOA			
60950 TRAINING	1757	25.00	
	CHECK NO. 87528		25.00
J C LICHT CO			
60971 BRUSH	12098603656	15.17	
61202 PAINT	12098612413	26.98	
61320 PRIMER	12098645085	16.99	
61321 PRIMER	12098649114	16.99	
61322 PAINT	12098654639	23.99	
	CHECK NO. 87529		100.12
JACOBS HARRIS, SUSAN			
60942 ROSTER CHG	102647	50.00	
	CHECK NO. 87530		50.00
JANIK, PHYLLIS			
60992 CONT BD/12 N QUINCY	19552	500.00	
	CHECK NO. 87531		500.00
JEMS			
61226 RENEWAL	60122	44.00	
	CHECK NO. 87532		44.00
JEPSEN, KIRSTEN			
60841 REFUND OVERPAYMENT	237161848	560.00	

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	CHECK NO.	INVOICE AMOUNT	CHECK AMOUNT
JEPSSEN, KIRSTEN				
		CHECK NO. 87533		560.00
JOY, MATT				
60908 CLASS REFUND	102670		50.00	
	CHECK NO. 87534			50.00
KALREIDOSCOPE CHILDRENS				
61184 INSTRUCTION *REIMB EXP*	848600		8486.00	
	CHECK NO. 87535			8486.00
KH KIMS TAE KWON DO				
61174 INSTRUCTION *REIMB EXP*	226875		2268.75	
	CHECK NO. 87536			2268.75
KIEFT BROS INC				
60891 BASIN REPAIRS	177748		545.55	
61251 CONCRETE REPAIRS	178577		80.60	
	CHECK NO. 87537			626.15
KINGS LANDSCAPING CO				
61256 CONT BD/327 E 59TH ST	20165		500.00	
61257 CONT BD/546 N VINE	20153		500.00	
61260 CONT BD/546 N VINE ST	19870		500.00	
61261 CONT BD/552 N VINE	19869		500.00	
	CHECK NO. 87538			2000.00
KNAPP, KEITH				
61270 CONT BD/217 RAVINE	19863		800.00	
	CHECK NO. 87539			800.00
KREJCI, MEL				
61204 UMPIRE	60232		63.00	
	CHECK NO. 87540			63.00
KRISTDOG INC				
60985 CONT BD/13 W FIRST	20175		500.00	
	CHECK NO. 87541			500.00
KROESCHELL ENGINEERING CO				
60861 KLM REPAIRS	40363		453.50	
	CHECK NO. 87542			453.50
LAMBERT, JEFF				
60925 ROSTER CHANGE	102758		50.00	
	CHECK NO. 87543			50.00

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
LANDSCAPE CONCEPTS MNGMT 61241 ELM INJECTIONS	24352 CHECK NO. 87544	95434.50	95434.50
LAPSHIN, TRACY 60926 FENCING	59975 CHECK NO. 87545	260.00	260.00
LEXIS NEXIS RISK DATA MNG 61290 SEARCHES	1301751201107311 CHECK NO. 87546	151.00	151.00
LOMBARDI, GEORGE 60978 CONT BD/518 W HICKORY	19862 CHECK NO. 87547	500.00	500.00
MARTINA, DON 61208 UMPIRE	59980 CHECK NO. 87548	186.00	186.00
MCDADE, BRIAN 60975 ROSTER CHG	103026 CHECK NO. 87549	50.00	50.00
MCHEMRY TOWNSHIP FIRE 60969 CLASS	60119 CHECK NO. 87550	45.00	45.00
MCHEMRY TOWNSHIP FIRE 61203 CLASS	60121 CHECK NO. 87551	90.00	90.00
MERZ, DANIEL 60954 ROSTER CHG	102706 CHECK NO. 87552	60.00	60.00
METROPOLITAN FIRE CHIEFS 61186 CLASS	60120 CHECK NO. 87553	60.00	60.00
MID TOWN PETROLEUM 61149 OIL/GREASE	427092 CHECK NO. 87554	496.09	496.09
MINER ELECTRONICS 61154 RADIO REPAIR	241947	165.70	
61161 LIGHT BAR	241512	472.26	

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
MINER ELECTRONICS	CHECK NO. 87555		637.96
MONTROY, PATRICK 60947 ROSTER CHG	102643 CHECK NO. 87556	50.00	50.00
MOTOROLA 60894 INTERCOM	IN110199 CHECK NO. 87557	1027.00	1027.00
MUSABJI, HEENA 61281 CLASS REFUND	103423 CHECK NO. 87558	120.00	120.00
NAMEPLATE & PANEL 60842 PLANT LABEL	138989 CHECK NO. 87559	215.50	215.50
NATIONAL ASSOCIATION OF 61166 CLASS	37500 CHECK NO. 87560	375.00	375.00
NEXTEL/SPRINT 61306 TELEPHONE	977740515115 CHECK NO. 87561	1988.00	1988.00
NICOR GAS 60901 LODGE 60903 5905 COUNTY LINE 61308 GENERATOR 61309 YOUTH CENTER	0667735657-08/11 1295211000-08/11 3846601000-08/11 9007790000-08/11 CHECK NO. 87562	43.68 17.10 84.57 37.29	182.64
NORMAN, ANDREW 60958 CLASS REFUND	102730 CHECK NO. 87563	50.00	50.00
NORMANDY BUILDERS 60977 CONT BD/505 N ADAMS 61259 CONT BD/1140 OLD MILL 205 61262 CONT BD/618 W NORTH	19564 19878 19823 CHECK NO. 87564	2400.00 1000.00 800.00	4200.00
NORTHEASTERN IL PUBLIC 61294 CLASS	575 CHECK NO. 87565	575.00	575.00

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PAYEE	VENDOR INVOICE	INVOICE	CHECK
VOU. DESCRIPTION		AMOUNT	AMOUNT
NUCO2 INC			
61170 CHEMICALS	R131814216	38.50	
61177 CHEMICALS	R131874502	187.41	
	CHECK NO. 87566		225.91
NW 7686			
60892 GENERATOR	71119059	348.01	
	CHECK NO. 87567		348.01
OAKLEY HOME BUILDERS			
60991 SITE MNGE/518 S LINCOLN	19808	3000.00	
	CHECK NO. 87568		3000.00
OMNILERT, LLC			
61293 NOTIFICATION SYSTEM	E2W42622A	1404.00	
	CHECK NO. 87569		1404.00
P M PAUL			
60989 CONT BD/423 BRIARGATE	20197	500.00	
	CHECK NO. 87570		500.00
PALOS SPORTS INC			
60965 BASEBALLS	9981700	184.63	
	CHECK NO. 87571		184.63
PARENT PETROLEUM			
61268 CONT BD/149 E ODGEN	019936	500.00	
	CHECK NO. 87572		500.00
PARKINS, BRAD & JENNIFER			
60982 CONT BD/160 THE LANE	20105	500.00	
	CHECK NO. 87573		500.00
PERMA SEAL			
60979 CONT BD/18 E FOURTH	19868	500.00	
	CHECK NO. 87574		500.00
PETRONI, GEORGE			
61273 STM WTR/808 PHILLIPPA	17390	1296.00	
	CHECK NO. 87575		1296.00
PICKERING, BOB			
60945 ROSTER CHG	102642	50.00	
	CHECK NO. 87576		50.00
PIERANNUNZI, JOSEPH			
60961 TICKET REFUND	282550	25.00	

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
PIERANNUNZI, JOSEPH	CHECK NO. 87577		25.00
PLAQUES PLUS	14946	180.00	
61209 SOFTBALL TROPHIES	CHECK NO. 87578		180.00
POLYMED PICTURES	002	600.00	
61292 4TH OF JULY	CHECK NO. 87579		600.00
POMPS TIRE SERVICE, INC.	658663	1842.54	
61295 TIRES	CHECK NO. 87580		1842.54
PONCE, ERIKA	102760	1300.00	
60963 KLM REFUND	CHECK NO. 87581		1300.00
POPE, JOSEPH	102648	50.00	
60940 ROSTER CHG	CHECK NO. 87582		50.00
POWELL SR, BRIAN	102755	105.00	
60951 ROSTER CHANGE	CHECK NO. 87583		105.00
PRAIRIE PATH PAVERS	19916	500.00	
60980 CONT BD/533 W HICKORY	CHECK NO. 87584		500.00
PRAXAIR DISTRIBUTION, INC	40538642	20.21	
61300 POOL	CHECK NO. 87585		20.21
PRO SAFETY	1243730	25.80	
61304 SAFETY GEAR	CHECK NO. 87586		25.80
PROVEN BUSINESS SYSTEMS	96666	152.93	
61288 COPIER USAGE	97107	940.00	
61307 COPIERS	CHECK NO. 87587		1092.93
QUARRY MATERIALS, INC.	41823	3768.11	
60873 ASPHALT	41867	854.28	
60900 ASPHALT			

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
QUARRY MATERIALS, INC.			
61148 COLD PATCH	41889	160.38	
61162 COLD PATCH	41914	1313.28	
61250 ASPHALT	41989	1300.68	
61299 ASPHALT	42052	1285.20	
	CHECK NO. 87588		8681.93
QWEST COMMUNICATIONS			
60968 LD TELEPHONE	1175533278	76.51	
	CHECK NO. 87589		76.51
RED WING SHOE STORE			
60881 BOOTS	4500000004507	213.00	
61180 BOOTS	450000004388	872.92	
61181 6/11 BOOTS	0450000004430	229.48	
	CHECK NO. 87590		1315.40
RELIABLE FIRE EQUIPMENT C			
61319 FIRE EXT	568411	21.75	
	CHECK NO. 87591		21.75
ROBBINS SCHWARTZ NICHOLA			
61280 JULY LEGAL	237428	15260.82	
	CHECK NO. 87592		15260.82
ROBERT BAIR SERVICES			
60993 CONT BD/333 E CHICAGO	19246	500.00	
	CHECK NO. 87593		500.00
ROBERT BAIR SERVICES			
60994 CONT BD/33 S MONROE	19600	500.00	
	CHECK NO. 87594		500.00
ROBERT BAIR SERVICES			
60995 CONT BD/26 BLAINE	19753	500.00	
	CHECK NO. 87595		500.00
ROCKHURST UNIVERSITY			
61316 CLASS	401185090-001	149.00	
	CHECK NO. 87596		149.00
ROLLING LANDSCAPES			
60990 CONT BD/16 E WALNUT	20313	500.00	
	CHECK NO. 87597		500.00
RUSSELL, MARGARET			
61187 ROSTER CHANGE	103167	50.00	

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	CHECK NO.	INVOICE AMOUNT	CHECK AMOUNT
RUSSELL, MARGARET				
	CHECK NO.	87598		50.00
RUSO POWER EQUIPMENT				
61138 TRIMMERS	1052360		1974.99	
	CHECK NO.	87599		1974.99
RYDIN SIGN & DECAL				
61201 HANDICAP TAGS	266413		156.94	
	CHECK NO.	87600		156.94
SALTZMAN, SUSAN				
60953 ROSTER CHG	102668		100.00	
	CHECK NO.	87601		100.00
SAVATREE				
60848 STORM CLEAN UP	02445124		53350.00	
60849 STORM CLEAN UP	02440795		18342.50	
	CHECK NO.	87602		71692.50
SAYRE, KIMM				
61265 CONT BD/610 N LINCOLN	20323		500.00	
	CHECK NO.	87603		500.00
SCHMIDT, BECKY				
61267 CONT BD/416 S LINCOLN	19970		500.00	
	CHECK NO.	87604		500.00
SERVICE FORMS & GRAPHICS				
60864 HANG TAGS	137334		558.20	
61145 FORMS	137386		566.12	
61240 BUS CARDS WARREN	137463		42.85	
	CHECK NO.	87605		1167.17
SHERLOCK, JOHN				
61266 CONT BD/306 W SIXTH	20193		500.00	
	CHECK NO.	87606		500.00
SHERWIN WILLIAM				
61236 TRAFFIC PAINT	6489-6		494.50	
	CHECK NO.	87607		494.50
SHINING STAR PRODUCTIONS				
61245 CLASSES	1024		1024.00	
	CHECK NO.	87608		1024.00
SHUBAT, ELEANOR				

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
SHUBAT, ELEANOR			
61193 OVERPAYMENT REFUND	110641-1	16.95	
	CHECK NO. 87609		16.95
SIKICH, LLP			
61230 PROFESSIONAL SERVICES	131081	11000.00	
	CHECK NO. 87610		11000.00
SIMPLEX GRINNELL			
61297 FIRE PANEL	66669212	811.47	
	CHECK NO. 87611		811.47
SKILLPATH SEMINARS			
60890 WORKSHOP	399	399.00	
	CHECK NO. 87612		399.00
SKOKNA, NICK			
60847 PADDLE COURT	225-7/11	225.00	
	CHECK NO. 87613		225.00
SKYHAWKS SPORT ACADEMY IN			
60851 *REIMB EXP*	0895122131	2619.00	
61173 INSTRUCTION *REIMB EXP*	895123113	2108.00	
61178 INSTRUCTION *REIMB EXP*	895123132	5665.20	
	CHECK NO. 87614		10392.20
SLAS, SHERI			
60874 *REIMB EXP*	450-08/11	450.00	
	CHECK NO. 87615		450.00
SMITH, JULIE			
60932 CLASS REFUND	102645	70.00	
	CHECK NO. 87616		70.00
SOCCER MADE IN AMERICA			
61247 SOCCER *REIMB EXP*	CA11025	2260.00	
	CHECK NO. 87617		2260.00
SOMICH, MICHAEL			
61264 CONT BD/828 S BODIN	15743	194.00	
	CHECK NO. 87618		194.00
SOMMER, TOM			
60976 ROSTER CHG	102976	50.00	
	CHECK NO. 87619		50.00
SOUTHWEST CENTRAL DISPATC			

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
SOUTHWEST CENTRAL DISPATCH			
61234 POLICE DISPATCH	1640010-09/11	16400.10	
	CHECK NO. 87620		16400.10
SPANIO CONSTRUCTION			
60981 CONT BD/732 W NORTH ST	19925	500.00	
	CHECK NO. 87621		500.00
SPATES, RONNIE			
61244 UMPIRING	48000-08/11	480.00	
	CHECK NO. 87622		480.00
SR PRODUCTS			
60843 ROOF REPAIR	2460	154.95	
	CHECK NO. 87623		154.95
STAWCZYK, WAYNE			
61207 UMPIRE	60231	93.00	
	CHECK NO. 87624		93.00
STOMPER, SCOTT			
60880 FALL BROCHURE	0019	1040.00	
	CHECK NO. 87625		1040.00
STREAMLIGHT, INC			
61190 BATTERY	163225	33.73	
	CHECK NO. 87626		33.73
SUBURBAN LABORATORIES, IN			
61155 LAB SERVICES	11470	175.00	
61200 SUPPLIES	11027	295.00	
	CHECK NO. 87627		470.00
SWADE, MICHAEL			
60910 ROSTER CHANGE	102873	50.00	
	CHECK NO. 87628		50.00
TAPS CONCRETE CONSTRUCTIO			
61258 CONT BD/108 E OGDEN	19974	500.00	
	CHECK NO. 87629		500.00
TARVIN, MAYR			
60938 ROSTER CHG	102651	50.00	
	CHECK NO. 87630		50.00
TERRACE SUPPLY CO			
61167 EQUIPMENT	70033419	73.04	

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
TERRACE SUPPLY CO	CHECK NO. 87631		73.04
THE HINSDALEAN 60862 PARTY IN PARK	10999 CHECK NO. 87632	322.50	322.50
THE STATE FIRE MARSHAL 61298 BOILERS	9460992 CHECK NO. 87633	280.00	280.00
THOMPSON ELEVATOR INSPEC 61227 INSPECTIONS 61237 PLAN REVIEW	112735 112856 CHECK NO. 87634	225.00 100.00	325.00
THRANA, JEFF 60928 ROSTER CHANGE	102671 CHECK NO. 87635	50.00	50.00
TOSHIBA BUSINESS 60972 MONTHLY	8495212 CHECK NO. 87636	414.37	414.37
TOTAL PARKING SOLUTIONS 61271 METER MAINT	101423 CHECK NO. 87637	112.30	112.30
TRIPPI, ANDREW 60960 PD VOIDED TICKET	2500-08/11 CHECK NO. 87638	25.00	25.00
UNDERGROUND PIPE 61305 HYDRANTS	169898 CHECK NO. 87639	362.00	362.00
UNITED HEALTHCARE 61192 OVERPAYMENT REFUND	110641 CHECK NO. 87640	67.82	67.82
UNIVAR USA INC 60871 CHEMICALS 60895 SODIUM 61175 CHEMICALS 61325 POOL CHEMICALS	S15909449 S15906266 S15913195 S15916233 CHECK NO. 87641	847.20 695.75 823.90 917.10	3283.95

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
US PAVING INC			
61269 CONT BD/306 W SIXTH	19913	500.00	
	CHECK NO. 87642		500.00
VISOGRAPHIC INC			
61183 AUDIT SERVICES	75898	493.00	
	CHECK NO. 87643		493.00
WALGREENS CONSTRUCTION CO			
61277 STM WTR/16 GRANT ST	019248	770.00	
	CHECK NO. 87644		770.00
WAREHOUSE DIRECT INC			
60876 OFFICE SUPPLIES	1234258/C120354-	34.57	
60879 OFFICE SUPPLIES	1232081/8/2/6	963.41	
61146 OFFICE SUPPLIES	1232108/122/727/	574.66	
	CHECK NO. 87645		1572.64
WARREN OIL COMPANY			
61179 FUEL	10679206	21564.25	
	CHECK NO. 87646		21564.25
WATER CANNON			
60973 POWER WASHER	574794	60.27	
	CHECK NO. 87647		60.27
WEST SUBURBAN CHIEF			
61272 RENEWAL	60156	100.00	
	CHECK NO. 87648		100.00
WEST SUBURBAN CONCERT			
61243 PARADE	550-0811	550.00	
	CHECK NO. 87649		550.00
WESTERN SPRINGS SERVICE			
61160 CONFERENCE FEE	26093	400.00	
	CHECK NO. 87650		400.00
WHEELER, PATRICIA			
60931 ROSTER CHG	102675	50.00	
	CHECK NO. 87651		50.00
WHOLESALE DIRECT, INC			
61139 LASER	000186893	750.50	
	CHECK NO. 87652		750.50
WINDOW ENERGY PRODUCTS			

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PAYEE VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
WINDOW ENERGY PRODUCTS			
61239 POOL WINDOW	1490	469.00	
	CHECK NO. 87653		469.00
ZIEBELL WATER SERVICE			
61171 WATER MAIN	213403000	345.43	
61327 WATER MAIN SUPPLIES	213289/213555CR	1634.04	
	CHECK NO. 87654		1979.47
AFLAC-FLEXONE			
61338 AFLAC OTHER	0902110000000000	264.33	
61339 ALFAC OTHER	0902110000000000	280.87	
61340 AFLAC SLAC	0902110000000000	204.90	
	CHECK NO. 87655		750.10
COLONIAL LIFE PROCESSING			
61330 COLONIAL OTHER	0902110000000000	27.63	
61331 COLONIAL S L A C	0902110000000000	54.33	
	CHECK NO. 87656		81.96
DUMEG			
61346 CONTRIBUTIONS	13000-08/11	13000.00	
	CHECK NO. 87657		13000.00
HOME DEPOT CREDIT SERVICE			
61328 ASST SUPPLIES	02214319-07/11	159.15	
	CHECK NO. 87658		159.15
ILLINOIS FRATERNAL ORDER			
61333 UNION DUES	0902110000000000	731.00	
	CHECK NO. 87659		731.00
LSNB AS TRUSTEE FOR POST			
61341 PEHP REGULAR	0902110000000000	2211.85	
61342 PEHPPD	0902110000000000	571.02	
	CHECK NO. 87660		2782.87
NATIONWIDE RETIREMENT SOL			
61334 USCM/PEBSO	0902110000000000	1680.00	
	CHECK NO. 87661		1680.00
NCPERS GRP LIFE INS 3105			
61332 LIFE INS	0902110000000000	240.00	
	CHECK NO. 87662		240.00
SOUTHWEST CENTRAL DISPATC			
61233 FD DISPATCHING	325747-09/11	3257.47	

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PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	AMOUNT	AMOUNT
SOUTHWEST CENTRAL DISPATC		
CHECK NO. 87663		3257.47
STATE DISBURSEMENT UNIT		
61343 CHILD SUPPORT 0902110000000000	1411.38	
CHECK NO. 87664		1411.38
STATE DISBURSEMENT UNIT		
61344 CHILD SUPPORT 0902110000000000	313.21	
CHECK NO. 87665		313.21
STATE DISBURSEMENT UNIT		
61345 CHILD SUPPORT 0902110000000000	80.00	
CHECK NO. 87666		80.00
VILLAGE OF HINSDALE		
61335 MEDICAL REIMBURSEMENT 0902110000000000	190.00	
61336 MEDICAL REIMBURSEMENT 0902110000000000	521.42	
61337 DEP CARE REIMB.F/P 0902110000000000	99.98	
CHECK NO. 87667		811.40
VILLAGE OF HINSDALE-POLIC		
61329 PETTY CASH POLICE 46980	469.80	
CHECK NO. 87668		469.80
GRAND TOTAL		830,520.33

Village of Hinsdale
Schedule of Bank Wire Transfers and ACH Payments
Warrant Register # 1507

Payee/ Date	Description	Vendor Invoice	Invoice Amount
Electronic Federal Tax Payment Systems 8/19/2011	Village Payroll # 17-Calendar 2011	FWH	40,566.33
Electronic Federal Tax Payment Systems 8/19/2011	Village Payroll # 17-Calendar 2011	FICA/MCARE	30,751.68
Illinois Department of Revenue 8/19/2011	Village Payroll # 17-Calendar 2011	State Tax Withholding	16,247.97
DuPage Credit Union 8/19/2011	Village Payroll # 17-Calendar 2011	Employee Withholding	5,885.19
ICMA - 457 Plans 8/19/2011	Village Payroll # 17-Calendar 2011	Employee Withholding	11,153.29
HSA Plan Contribution 8/19/2011	Village Payroll # 17-Calendar 2011	Employee Withholding	1,647.91
Intergovernmental Personnel Benefit Cooperative 9/1/2011	September 2011 Contribution	Employee Health Insurance	155,570.31
Electronic Federal Tax Payment Systems 9/2/2011	Village Payroll # 18-Calendar 2011	FWH	40,237.38
Electronic Federal Tax Payment Systems 9/2/2011	Village Payroll # 18-Calendar 2011	FICA/MCARE	29,040.43
Illinois Department of Revenue 9/2/2011	Village Payroll # 18-Calendar 2011	State Tax Withholding	15,642.33
DuPage Credit Union 9/2/2011	Village Payroll # 18-Calendar 2011	Employee Withholding	5,885.19
ICMA - 457 Plans 9/2/2011	Village Payroll # 18-Calendar 2011	Employee Withholding	11,167.75
HSA Plan Contribution 9/2/2011	Village Payroll # 18-Calendar 2011	Employee Withholding	<u>1,647.91</u>
Total Bank Wire Transfers and ACH Payments			<u>365,443.67</u>
Total Regular Checks, Pension Checks and Wire Transfers/ACH Payments			<u><u>1,195,964.00</u></u>

DATE: September 2, 2011

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER ACA		ORIGINATING DEPARTMENT Administration		
ITEM Adoption of an Ordinance Authorizing the Issuance of Taxable General Obligation Bonds (Alternate Revenue Source) of the Village of Hinsdale, DuPage and Cook Counties, Illinois, in the Aggregate Principal Amount of not to Exceed \$1,500,000 for the Purpose of Funding the Village's Early Retirement Incentive Liability to the Illinois Municipal Retirement Fund.		APPROVAL Darrell Langlois, Assistant Village Manager/Finance Director 		
<p>At its meeting on August 16, 2011, the Village Board authorized staff to proceed with the refinancing proposal to issue taxable alternate revenue source bonds in order to refinance its early retirement incentive liability with IMRF. Attached is the authorizing bond ordinance prepared by the Village's bond counsel, Chapman and Cutler, for the proposed bond issue. The purpose of this ordinance is to provide public notice of the Village's intent to sell bonds and effectively starts the 30 day "backdoor referendum" period whereby petitions signed by 7.5% of the registered voters (estimated at 840) can force the question of whether to issue bonds to a referendum vote. As required by State law, the ordinance will be published in its entirety in the <i>Hinsdalean</i> on September 8, 2011 along with a meeting notice for the statutorily required public hearing on whether to issue the bonds on October 4, 2011. The schedule contemplates the formal sale of the bonds taking place during the day on October 18, 2011 with the formal bid award and adoption of the final bond ordinance at the Village Board meeting later that evening.</p> <p>Should the Village Board concur with this recommendation, the following motion would be appropriate:</p> <p>MOTION: To Adopt the Attached Ordinance Authorizing the Issuance of Taxable General Obligation Bonds (Alternate Revenue Source) of the Village of Hinsdale, DuPage and Cook Counties, Illinois, in the Aggregate Principal Amount of not to Exceed \$1,500,000 for the Purpose of Funding the Village's Early Retirement Incentive Liability to the Illinois Municipal Retirement Fund.</p>				
APPROVAL	APPROVAL	APPROVAL	 APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION:				
BOARD ACTION:				

ORDINANCE NUMBER _____

AN ORDINANCE authorizing the issuance of Taxable General Obligation Bonds (Alternate Revenue Source) of the Village of Hinsdale, DuPage and Cook Counties, Illinois, in the aggregate principal amount of not to exceed \$1,500,000 for the purpose of funding the Village's Early Retirement Incentive liability to the Illinois Municipal Retirement Fund.

• PREAMBLES •

WHEREAS

A. The Village of Hinsdale, DuPage and Cook Counties, Illinois (the "*Village*"), is a duly organized and existing municipality and unit of local government of the State of Illinois, and is operating under and pursuant to the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto (the "*Code*").

B. The President and Board of Trustees of the Village (the "*Corporate Authorities*") have heretofore determined and do hereby determine that it is advisable, necessary, and in the best interests of the public health, safety, and welfare to provide for the funding of the Village's Early Retirement Incentive liability to the Illinois Municipal Retirement Fund ("*IMRF*"), and, incidental to same, to pay bond discount, bond interest, bond reserve account funding, legal, financing, and administrative expense (all of which expenses may be referred to as the "*IMRF Funding*"), all in accordance with the preliminary plans and estimates of costs, which have been prepared for the Village by Village staff or consultants and have been presented to the Corporate Authorities.

C. The total estimated costs of the IMRF Funding, as defined, are estimated not to be greater than \$1,500,000.

D. There are insufficient funds of the Village on hand and lawfully available to pay costs of the IMRF Funding.

E. Costs of the IMRF Funding may be paid by borrowing money and issuing bonds (i) pursuant to the provisions of the Local Government Debt Reform Act of the State of Illinois, as amended (the "*Reform Act*"); (ii) payable from the receipts of IMRF taxes as more particularly described in the following paragraph; and (iii) if such revenue source shall be insufficient to pay such bonds, then payable from the levy and collection of real property taxes upon all taxable property in the Village without limitation as to rate or amount.

F. There exists a source of funds, being the annual taxes levied upon all taxable property within the Village for IMRF purposes, to the fullest extent permitted by law, including Section 7 of the Pension Code of the State of Illinois, as amended (the "*Pledged Revenues*"), which source is other than enterprise revenues, received or available to be received by the Village and available for IMRF purposes, and, as provided in the Reform Act, the Village is authorized to issue its alternate bonds payable from the Pledged Revenues to pay the costs of the IMRF Funding.

G. It is necessary and for the best interests of the Village that the IMRF Funding be undertaken, and in order to raise the funds required for such purpose, it will be necessary for the Village to borrow an amount not to exceed \$1,500,000.

H. Pursuant to and in accordance with the provisions of Section 15 of the Reform Act, the Village is authorized to issue alternate bonds in an aggregate principal amount not to exceed \$1,500,000 for the purpose of providing funds to pay the costs of the IMRF Funding, subject to right of backdoor referendum as herein provided.

NOW THEREFORE Be It And It Is Hereby Ordained by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are true, correct, and complete and do incorporate them into this Ordinance by this reference.

Section 2. Determination to Issue Bonds. It is necessary and in the best interests of the Village to undertake the IMRF Funding for the public health, safety, and welfare, all as described above, and that for the purpose of paying a part of the costs of the IMRF Funding, there are hereby authorized to be issued and sold Taxable General Obligation Bonds (Alternate Revenue Source) (the "*Bonds*") in the aggregate principal amount not to exceed \$1,500,000, payable from the Pledged Revenues.

Section 3. Publication. This Ordinance, including the notice in statutory form set forth herein in Section 4 (the "*Notice*"), shall be published by the Corporate Authorities in the *Hinsdalean*, being a newspaper of general circulation in the Village. Electors numbering seven and one-half percent (7-1/2%) or more of the registered voters in the Village (said 7-1/2% being 840 electors) shall have the right to petition that the question of issuing the Bonds be submitted to referendum. The time for filing of any of such petition with the Village Clerk is within thirty (30) days after the date of the publication of this Ordinance and the Notice. If no such petition is filed with respect to the Bonds, then such bonds shall be authorized to be issued, sold, and delivered by the Village. Petition forms shall be provided by the Village Clerk to any individual requesting one.

Section 4. Notice. The Corporate Authorities hereby determine that the Notice is in the proper statutory form and is made a part hereof and notice is hereby given as follows:

**NOTICE OF INTENT TO ISSUE TAXABLE GENERAL OBLIGATION BONDS
(ALTERNATE REVENUE SOURCE)
AND RIGHT TO FILE PETITIONS**

NOTICE IS HEREBY GIVEN that pursuant to an Ordinance, numbered _____ and duly adopted by the President and Board of Trustees on the 6th day of September 2011, the Village of Hinsdale, DuPage and Cook Counties, Illinois (the "*Village*"), intends to issue alternate bonds, designated Taxable General Obligation Bonds (Alternate Revenue Source) (the "*Bonds*") in the aggregate principal amount of not to exceed \$1,500,000, for the purpose of funding the Village's Early Retirement Incentive liability to the Illinois Municipal Retirement Fund ("*IMRF*"). The Bonds shall have as the revenue source for the payment of the Bonds therefor the taxes levied upon all taxable property within the Village for IMRF purposes, including Section 7 of the Pension Code of the State of Illinois, as amended; and, if such revenue source shall be insufficient to pay the Bonds, then the Bonds shall be payable from real property taxes levied upon all taxable property in the Village without limitation as to rate or amount. The Bonds shall bear interest at a rate or rates per annum not to exceed the maximum rate authorized by law at the time such bonds (or any part thereof) are sold.

NOTICE IS HEREBY FURTHER GIVEN that any 840 or more electors of the Village (being equal to seven and one-half percent (7-1/2%) of the registered voters in the Village) shall have the right to petition that the question of issuing the Bonds be submitted to referendum. The time for the filing of any of such petitions with the Village Clerk is within thirty (30) days after the date of publication of the Ordinance and this notice. If any such petition is so filed, the question of the issuance of the bonds as set forth in said petition shall be submitted to the electors of the Village at the General Primary Election to be held on the 20th day of March 2012, or, if such election is not available within the Village, then the General Election to be held on the 6th day of

November 2012. Forms of petitions for such purposes are available to any individual requesting one from the office of the Village Clerk.

/s/ Christine Bruton

Village Clerk

Village of Hinsdale

DuPage and Cook Counties, Illinois

Section 5. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this ordinance providing for the issuance and sale of the Bonds, and prescribing all the details of such bonds, so long as the maximum aggregate principal amount of the Bonds as set forth in this Ordinance is not exceeded, there is no material change in the project or purpose, and as further provided in the Reform Act. Such additional ordinances or proceedings shall in all instances become effective in accordance with law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the Village to issue the Bonds in accordance with applicable law.

Section 6. Severability. 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.

Section 7. Superseder and Effective Date. All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby superseded, and this Ordinance shall be in full force and effect forthwith upon its adoption and approval, as provided by law.

ADOPTED: September 6, 2011

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED: September 6, 2011

President, Village of Hinsdale
DuPage and Cook Counties, Illinois

ATTEST:

Village Clerk, Village of Hinsdale
DuPage and Cook Counties, Illinois

PUBLISHED in the *Hinsdalean* on September 8, 2011.

RECORDED in the Village Records on September 6, 2011.



DATE: September 6, 2011

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development															
ITEM Referral - Case A-22-2011 – Applicant: Eden Assisted Living – Request: Text Amendment to Section 4-112, as it relates to density and multi-building access in the R-5 and R-6, Multi-Family Residential Districts.	APPROVAL															
<p>The Applicant, Eden Assisted Living, has submitted an application to amend Article IV (Multiple Family Residential Districts), Section 4-112, of the Village of Hinsdale Zoning Code, as it relates to density and multi-building access for Personal Care Facilities and Senior Citizen Housing, in the R-5 and R-6, Multi-Family Residential Districts. At the Village Board meeting of August 16, 2011, the Board approved requests for Special Use Permits for a Planned Development, Personal Care Facility and Senior Citizen Housing, subject to the applicant returning to the Plan Commission to obtain a text amendment related to density and multi-building access, as well as approval for site plan/exterior appearance. As part of the recommendation, the Board requested that the applicant remove the existing townhomes on the subject property and as such, the applicant is required to obtain revised site plan/exterior appearance approval for the changes to the site plan.</p> <p>Below is draft language proposed by the applicant (changes are underlined), that would amend the Zoning Code as it relates to density and multi-building access in the R-5 and R-6, Multi-Family Residential Districts. As a result of discussions at the Zoning and Public Safety Committee meeting, a slight modification to the original language has been recommended and is identified below with a double underline.</p> <table><tr><td>Section 4-112</td><td>R-5</td><td>R-6</td></tr><tr><td>B. Minimum Lot Area and Dimensions:</td><td></td><td></td></tr><tr><td>2. Lot Area Per Unit (square feet)</td><td></td><td></td></tr><tr><td>f. Nursing or Personal Care Facility⁽³⁾</td><td>2,000</td><td>1,500</td></tr><tr><td>g. Planned Development⁽³⁾</td><td>5,000</td><td>3,000</td></tr></table> <p>G. <i>Exceptions and Explanatory Notes.</i></p> <p>3. <i>Density adjustment for senior citizen housing and <u>personal care facilities.</u></i></p> <p>(b) Maximum permissible adjustment.</p> <p>No such adjustment shall reduce the lot size per dwelling unit requirement to less than 2,000 square feet <u>unless such request is in conjunction with a Special Use for a Planned Development requesting Special Use permits for both a Personal Care Facility and Senior Citizen Housing, and provided that the structures that are the subject of the application were constructed prior to the year 2000 adoption of this code.</u></p>		Section 4-112	R-5	R-6	B. Minimum Lot Area and Dimensions:			2. Lot Area Per Unit (square feet)			f. Nursing or Personal Care Facility ⁽³⁾	2,000	1,500	g. Planned Development ⁽³⁾	5,000	3,000
Section 4-112	R-5	R-6														
B. Minimum Lot Area and Dimensions:																
2. Lot Area Per Unit (square feet)																
f. Nursing or Personal Care Facility ⁽³⁾	2,000	1,500														
g. Planned Development ⁽³⁾	5,000	3,000														

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

MOTION: Move to recommend that the application be referred to the Plan Commission for review and consideration of a Text Amendment to Section 4-112, as it relates to density and multi-building access in the R-5 and R-6, Multi-Family Residential District.

APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION: On August 22, 2011, the Zoning and Public Safety Committee moved, on a 3-1 vote, to recommend approval of the above motion. After the meeting, it was recommended by the Village President to change the date provision of the text amendment from "year 2000" to "adoption of this code".				
BOARD ACTION:				



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

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

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: This request relates to qualifying properties, including 10 North Washington, Hinsdale, Illinois 60521

REVIEW CRITERIA

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

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

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

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

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

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. **Response: Not Applicable (other than as set forth above and in the history of the subject property set forth in the prior application).**
10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment. **Response: All qualifying properties should have sufficient ingress and egress. The subject property has sufficient ingress and egress.**
11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification. **Response: Adequate utilities and services are available to the subject property and would necessarily be available to other qualifying properties as a result of past planning in the Village.**
12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property. **Response: The text amendment will support the adaptive re-use of the existing buildings. These buildings have not been occupied by a resident for a period of time discussed in the hearing on the prior application. Vacancies, particularly near the subject property and other potentially qualifying properties, are of great concern since the nearby properties often share a synergy with them. The amendment is a slight adjustment in the Zoning Ordinance and it avoids what might otherwise cause a serious impediment to re-use of land in Hinsdale in a category of use that the Village has found to be legislatively acceptable.**
13. The community need for the proposed amendment and for the uses and development it would allow. **Response: Please see above. The amendment does not add to the uses identified in the zoning ordinance, but rather adjusts bulk regulations relating to a limited class of use in recognition of the attempt to re-use the subject property and its improvements. The need at issue and with respect to 10 N. Washington was set forth in the prior related hearing.**
14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area. **Response: Not applicable.**



**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

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

Owner

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

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

Name:

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

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

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

2) _____

3) _____

II. SITE INFORMATION

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

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

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

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

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

Surrounding zoning and existing land uses: See Exhibit C

North: I-B (religious institutional building)

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

East: I-B (library, Village Hall)

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

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

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

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

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☒ **Site Plan Disapproval 11-604**

☒ **Map and Text Amendments 11-601E**

Amendment Requested: Please see attached.

☐ Design Review Permit 11-605E

☐ Planned Development 11-603E

☒ **Exterior Appearance 11-606E**

☐ Development in the B-2 Central Business District Questionnaire

☐ Special Use Permits (2) 11-602E.

☐ Major Adjustment to Final Plan

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

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

[Signature]
Signature of applicant or authorized agent

Mich Harnolet
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 30 day of
August, 2011.

[Signature]
Notary Public

