

**MINUTES
VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE MINUTES
MONDAY, MAY 23, 2011
MEMORIAL HALL
7:30 p.m.**

Present: Chairman Saigh, Trustee Angelo, Trustee Haarlow, Trustee Elder

Absent: None

Also Present: Dave Cook, Village Manager, Robert McGinnis, Community Development Director/Building Commissioner, Bradley Bloom, Chief of Police, Mike Kelly, Fire Chief

Trustee Saigh called the meeting to order at 7:35 p.m.

Minutes – April, 2011

Trustee Angelo moved to approve the minutes for the April 25, 2010 meeting. Roll call vote. The motion passed unanimously.

Monthly Reports – April 2011

Police Department

Chief Bloom reviewed the monthly report and explained the layout and sections for the new Trustees.

Fire Department

Chief Kelly provided a detailed overview of the sections of the monthly report and explained the various items contained in the report. Additionally, Chief Kelly distributed the 2010 Fire Department Annual Report to the Committee. Chief Kelly informed the Committee that one of the paramedic crews was recently awarded the Joseph Hartmann First Runner-Up Award from the Good Samaritan EMS System for the successful resuscitation of a 2 month old infant. This Award is given out annually based on submissions that are provided by the area fire departments and that it was an honor to receive this Award.

Community Development

Robert McGinnis went over the end of year report and stated that the department finished the fiscal year with permit revenues of approximately \$1,220,000. During this period 1,213 permits were issued and 4,123 inspections were performed by the department. By comparison, in fiscal year 2009-2010 the department posted revenues of approximately \$810,500, issued 1,164 permits, and performed 3,994 inspections; an increase in activity of almost 5%. The number of new single family starts was also up going from 22 in 2009-2010 to 33 in fiscal year 2010-2011.

He reported that Inland Development was out cleaning up the property at the Hamptons of Hinsdale site and that he expected to see permit applications come in with the next couple weeks.

Request for Board Action

Ordinance Approving a Special Use Permit for a Planned Development, a special Use Permit for a Personal Care Facility and Site Plan/Exterior Appearance Plan for the Property Located at 10 N. Washington Street

Chairman Saigh gave some brief background on the case and the manner in which the project needed to be approved. The fact that the project was originally built under a Planned Development that had lapsed created some unique circumstances that needed to be addressed.

Michael Hamblet presented information on behalf of Eden and summarized what had happened at Plan Commission. He stated that the Code was, in their view, silent on what happens if a Planned Development ceases to be used and does not deal with this specific situation as it would be if this project had started as a vacant cornfield.

His view was that the public benefit was already received when the PD was originally approved. Even if the ultimate view was that this was an entirely new PD, the standards in the code would not be applicable in this case as the building was already there. He argued that the building was still operating in this case and that we were not starting with a cornfield.

Joyce Skoog spoke on the history and disposition of the property, how they had come to know Eden's, and their position that this was the highest and best use for the property.

She stated that the market dictated that the use of Washington Square as a senior living facility was no longer viable.

She stated that this building was never abandoned, was a living building and that requiring that this be viewed as a new PD was not appropriate.

In response, Trustee Angelo noted that the Village had received an opinion for its attorney on the expiration of the original planned development for the property at 10 N. Washington Street and the need for a new application for a planned development on the use of the property as proposed by Eden. The attorney's memo is part of the public record on Eden's application. Accordingly, the village followed its attorney's recommendation and required that Eden file an application for a new special use permit for a planned development, which Eden did, in addition to filing for a special use permit for a personal care facility and site plan/exterior appearance plan for the 10 N. Washington Street property.

Mitch Hamblet spoke on the assisted living concept and their confidence in dealing with the needs of this group. He differentiated their model from that of a nursing facility such as Manor Care and the niche that they fill and the need for it in Hinsdale.

He went over the parking requirements and the fact that parking was really a non-issue due to the fact that the majority of their residents do not drive. He anticipated a maximum of 12 staffers on site at any given time.

He discussed upgrades that he knew were necessary, the operation of their facility, and the benefits that he felt that Eden would bring to the village.

He discussed the location and the fact that this building was in an ideal location for the group of residents that would occupy the facility.

Trustee Angelo asked what the typical fee would be at this facility. He asked about what percentage of residents would be receiving social security disability benefits. Mitch Hamblet differentiated this facility from their other facilities.

Trustee Angelo asked about the residents' ability to negotiate the terrain around the facility. Mitch Hamblet responded that most residents have power chairs.

Trustee Elder asked about smoking at the facility. Mitch Hamblet responded that this would be a non-smoking facility.

He asked about the perfect standing on their license and asked what would happen if they lost their license for some reason. Mitch Hamblet responded that they would be out of business and that their good standing was paramount.

Trustee Haarlow asked what percentage of the population would be from Hinsdale. Mitch Hamblet responded that he had hoped a high percentage would be from Hinsdale and noted that there was nothing similar to what they were planning to offer here.

Michael Hamblet stated that he felt that based on the last census, there would be more than enough eligible disabled individuals to fill the building and that there was no reason that the majority of those could not be from Hinsdale.

He stated that he spent time looking through the code to match up each of the standards to make sure that they met each of them and felt that they did primarily based upon the fact that the building was already there. He continued that the village attorney agreed that this was a unique case and that the Board could use their discretion with respect to the standards for the PD.

Village resident Doug Senk spoke in support of the project.

Village resident Beth Barrow spoke in support of the project.

Village resident Bill Whitney spoke in support of the project.

Village resident Dennis Parsons spoke in support of the project.

Denise Callerman spoke in support of the project.

Village resident Ed Wroble spoke in support of the project.

Village resident Julie Laux spoke in support of the project and submitted several letters of support.

Village resident Jane Grimm spoke in support of the project.

Chairman Saigh clarified that there was no cap on the age requirements and that a resident older than age 64 would have the ability to live there.

He stated that there needed to be a clear benefit to Hinsdale residents.

Michael Hamblet stated that if the question was whether they could guarantee that Hinsdale residents would receive first preference, he couldn't see why not, but that he would likely not live long enough to guarantee it.

Chairman Saigh stated that he had spent a lot of time in the Code and what had troubled him was the criteria and the objectives for a PD. Given that this was a new Planned Development, he felt that those standards had not been met.

Trustee Elder agreed that due to the fact that this was being considered a new Planned Development, that all the standards should be met. There are other facilities nearby that would meet the need and fill the niche.

Trustee Angelo stated that there was no public benefit to Hinsdale and that if it was being constructed from scratch, would not meet the standards and likely not be approved.

Trustee Haarlow stated that the decision was difficult based on the fact that this was an existing facility and not a new Planned Development. He echoed comments from Trustee Angelo in that if this was a new development, it would not be approved. He stated that he was sympathetic to those who had friends or family members who had a need for such a facility, but struggled with the fact that there were so many waivers required here under the new code.

Trustee Saigh asked for a motion. Trustee Elder motioned to recommend approval for a Special Use Permit for a Planned Development, a special Use Permit for a Personal Care Facility and Site Plan/Exterior Appearance Plan for the Property Located at 10 N. Washington Street. Trustee Angelo seconded. The motion failed with a 1-3 vote against the recommendation for approval with Trustee Haarlow casting the sole vote to approve.

Ordinance Approving a Special Use Permit for a Carryout Eating Facility, a Design Review Permit for the Construction of a Quick Serve Restaurant and the Site Plan and Exterior Appearance Plan for the Property Located at 149 E. Ogden Avenue

The applicant for this project presented his plan for an addition to the existing building. He commented on one of the changes that the Plan Commission recommended regarding a loading space and dumpster location.

Chairman Saigh asked about a variation request for the waiver of a loading space on the back of the building. Sean Gascoigne stated that the applicant would be pursuing relief from the Zoning Board of Appeals as part of the overall approval as the Plan Commission wanted to maintain as such open space as possible.

Trustee Angelo made a motion to recommend approval of a Special Use Permit for a Carryout Eating Facility, a Design Review Permit for the Construction of a Quick Serve Restaurant and the Site Plan and Exterior Appearance Plan for the Property Located at 149 E. Ogden Avenue. Trustee Elder seconded. The motion passed unanimously.

Enter into a Service Agreement with WEBQA for GovQA Services for the Department of Community Development in the Amount of \$12,300.

Robert McGinnis explained the request and stated that the software the department is currently using was purchased in 1999 and has become fairly obsolete. The software the department is interested in is web-based and will ultimately allow for a remote access portal where residents and contractors can access information from any computer. The Committee unanimously recommended approval.

Purchase of a 2011 Chevy Tahoe 4 x 2 Police Package to Replace a Marked Squad Car from Currie Motors for \$26,583 Under the Joint Purchasing Terms of the Suburban Purchasing Cooperative

Trustee Angelo made a motion to approve. Seconded by Trustee Haarlow. Motion approved unanimously.

Ordinance for the Sale of Surplus Village Property via a Public Auction

Trustee Elder made a motion to approve. Seconded by Trustee Angelo. Motion approved unanimously.

Discussion Items

Proceeds from Alley Vacations

Chairman Saigh asked Staff to push this item until the June meeting due to the hour.

Review Recommendations for Changes to the Village Liquor Ordinance

Chairman Saigh asked Staff to push this item until the June meeting due to the hour.

Adjournment

With no further business to come before the Committee, Chairman Saigh asked for a motion to adjourn. Trustee Elder made the motion and Trustee Haarlow seconded. Meeting adjourned at 10:30PM.

Respectfully Submitted,

Robert McGinnis, MCP
Director of Community Development/Building Commissioner