

Agenda
Village of Hinsdale
Zoning and Public Safety Committee
Monday, August 22, 2011
7:30 p.m.
Memorial Hall
(Tentative and Subject to Change)

1. Call to Order
2. Approval of Minutes – June, 2011
3. Monthly Reports – July, 2011
 - a. Police and Fire Departments
 - b. Community Development
4. Referral to Plan Commission
 - a. Recommend Application be Referred to the Plan Commission for Review and Consideration of a Text Amendment to Section 5-105C, to Allow Yoga Instruction as Special Uses in the B-1 Community Business District.
 - b. Recommend 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.
 - c. Recommend 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.
 - d. Recommend Application be Referred to the Plan Commission for Review and Consideration of a Text Amendment to Sections 4-112, as it Relates to Density and Multi-Building Access in the R-5 and R-6 Multi-Family Residential District.
5. Request for Board Action
 - a. Recommend Approval of a Permit for a Temporary Use at 50 S. Garfield for the Erection of a Tent over a Seating Area for the Period 12/15/11 thru 3/15/2012 Subject to Any Conditions to be set forth by the Building Commissioner and/or Fire Department*
6. Adjournment

Items listed on the agenda will be discussed and considered by the Committee. Public comment on the agenda items is welcomed during discussion by the Committee. Items that were previously discussed by one of the Village's Commissions and referred to the Committee for further consideration are noted on the agenda. Items recommended for approval at this meeting are then referred to the Village Board for further consideration at their next meeting. Items that are unanimously recommended for approval will be placed under the Consent Agenda section of the Board meeting. Items that do not receive a unanimous recommendation will be placed under the Committee Agenda section of the Board meeting. The items marked (*) are likely to receive a final decision at the September 6, 2011 Board of Trustees meeting at 7:30 pm. The items marked (**) are likely to receive a final decision at the September 20, 2011 Board of Trustees meeting at 7:30 p.m.

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Darrell Langlois, ADA Coordinator at 789-7014 or by TDD at 789-7022 promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons. Visit the Village of Hinsdale Web Site: www.villageofhinsdale.org

**DRAFT MINUTES
VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE MINUTES
MONDAY, JUNE 27, 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 7:30 p.m.

Minutes – May, 2011

Trustee Elder moved to approve the minutes for the May 23, 2011 meeting as amended. Second by Trustee Angelo. The motion passed unanimously.

Monthly Reports – April 2011

Police Department

Chief Bloom asked if the Committee had any questions on the police monthly report. Chief Bloom also indicated that copies of the police department annual report and the CALEA On-site report were included in the Committee's materials. Trustee Angelo comments that he was struck by the number of hours officers spend in schools teaching the DARE and Vega programs. Trustee Angelo said that this was a very positive thing and many residents are not aware of this.

Chief Bloom stated that he was very pleased with the initial on-site report and that the findings were very positive. Chief Bloom stated the next step in the accreditation process is a hearing conducted in July by the full Commission on Accreditation for Law Enforcement Agencies in Cincinnati. Chief Bloom stated that the Village's insurance carrier sees accreditation as such a positive way to reduce liability exposure that they pay for 1/3 of the accreditation fees. Chairman Saigh stated that he was impressed that only 5% on police department nationally go through this voluntary process.

Chief Bloom then added that the police department will be launching our new social media sites on Twitter and Facebook. Chief Bloom stated that the Twitter account could be used in keeping residents apprised of power outage info.

Chief Bloom stated that our current policy regarding when the tornado sirens are activated are under review following last week's storm. Chief Bloom noted that many of the surrounding municipalities did not activate their tornado sirens due and have similar policies calling for activations only when a tornado or funnel cloud is within 5

miles of the Village boarder. A broader policy of use will result in more usage of the sirens. Chief Bloom noted that we have a system designed as an "outdoor warning system" consisting of two sirens and it is not designed to warn people within their homes.

Chief Bloom stated that he was recommending that barrier fencing be added along a portion of First Street where the roadway is constricted due to the planter boxes for the upcoming 4th of July Parade. Chief Bloom stated that this is based on safety and the close proximity to children and crowds during the parade. Trustee Angelo noted that he has seen some close calls as motorized vehicles maneuver during the parade and come in very close proximity to children.

Fire Department

Chief Kelly reported on the Safety Village program. This was the 29th year that the program was offered to the children in the community. The program was a success and approximately 200 children attended. Trustee Angelo questioned the increase in simultaneous calls from May 2010 compared to May 2011. Chief Kelly explained that there was not a specific cause for the increase that could be identified and that with emergency calls it is difficult to predict when those calls will come in. Trustee Angelo also asked if there was an increase of approximately 200 calls with 25% of the calls being simultaneous how that would impact the department. Chief Kelly explained that he felt the department could absorb an increase of 200 calls as we do see fluctuations each year in the number of calls we respond to. The concern would be that with an increase in the call volume there could be an increase in the number of simultaneous calls and that could have an impact on service. Chief Kelly explained that currently we have the ability to respond to two simultaneous ambulance calls but if a third request came in we would have to rely on our surrounding communities and although they are willing to assist, there is a resulting delay in getting the service to the residents.

Trustee Saigh asked about the dumpster fire at Veeck Park that was included in the Monthly Report and if it was related to construction and if there is usually a dumpster in the Park. Chief Kelly explained that with dumpster fires the cause is usually related to mischief and that with this particular fire that there was no clear cause that could be identified. Chief Kelly indicated that the dumpster appeared to be there for a specific reason due to the location rather than one that is regularly at the Park. Chief Kelly explained that most dumpster fires are related to construction, however the Building Department has requirements on how close a dumpster can be to a structure to lessen the chance that a fire will spread to a structure. Trustee Saigh inquired about the CPR courses that are offered by the fire department. Chief Kelly explained the courses that are available and that fire department personnel are trained to instruct the classes and that the cost of the instruction is covered by the registration fee.

Community Development

Robert McGinnis stated that the department was very busy during the month of May issuing 6 permits for new single family homes and posting permit revenues of over \$144,000.00. 123 permits were issued and 365 inspections were done during the month. He stated that the hospital was making good progress and had started some interior painting already, the Hamptons of Hinsdale was moving forward again and that trailers were being set, and that village staff was working to try and get permits issued for both the shelter building and paddle tennis courts at KLM.

Request for Board Action

Approve Annual Membership Fees to DuPage Metropolitan Enforcement Group

Chief Bloom stated that DuPage Metropolitan Group (DUMEG) is law enforcement agency specializing in illegal drug investigations within DuPage County. DUMEG is administered by the Illinois State Police and includes agents from DuPage County police agencies as well as the Illinois State Police. Their investigative techniques include undercover buys, surveillances the use of informants and sharing intelligence information. All of DUMEG's investigations originate in DuPage County.

Since most local municipal police agencies don't have the resources to conduct investigations on their own and since most drug investigation cross jurisdictional lines local agencies contract with DUMEG to conduct drug investigations within their jurisdictions. All drug investigations are done cooperatively and in conjunction with local law enforcement. Agencies wishing to participate in DUMEG have the choice of assigning an officer to the unit or paying a fee which is based on the number of sworn officers authorized by budget. Hinsdale has been a member of DUMEG since its inception 30 years ago and has always been a fee paying contributor.

Chief Bloom stated that they found DUMEG to be both a responsive to our needs and quite effective. DUMEG agents in the past year alone have been quite active and conducted many drug investigations within the Village. Moreover, since there has always been a link between illegal drug use and property crimes intelligence information supplied by DUMEG has been invaluable to our investigators.

Chief Bloom requested payment of the fair share contribution to the DuPage Metropolitan Enforcement Group (DUMEG) in the amount of \$13,000, based upon \$520 per authorized officer (25 officers).

Trustee Angelo motioned to recommend that the Village Board approve payment in the amount of \$13,000 to the DuPage Metropolitan Enforcement Group. Trustee Elder seconded the motion. Motion passed unanimously.

Approve purchase of a 2011 Ford F-250 from Currie Motors for \$24,796.00 to replace a 1999 Chevrolet Suburban as a Fire Department Utility Vehicle.

Trustee Angelo motioned to recommend approval of Approve purchase of a 2011 Ford F-250 from Currie Motors for \$24,796.00 to replace a 1999 Chevrolet Suburban as a Fire Department Utility Vehicle. Trustee Elder seconded. The motion passed unanimously.

Discussion Items

Proceeds from Alley Vacations

Dave Cook introduced this item and stated that presently the proceeds from the sale of vacated alleys go into the general fund. There are generally between 2 and 4 of these per year with total revenues of \$50-75K per year on average. Members agreed that leaving the money in the general fund afforded some flexibility to the Board and that it should not be earmarked for a separate fund.

Request from the Hinsdale Rotary for Special Parking Considerations

Chief Bloom stated that a request from Janet Klotz representing the Hinsdale Rotary wishing to offer a parking space as a raffle prize in their upcoming Rotary Run Charity Classic. In summary they are requesting the following:

- 1) Pay for a specific metered parking space for one year that would have a Rotary Club sign posted, and the winner could park there for free.
- 2) Supply the winner with a Rotary medallion to hang from the rearview mirror, which would act as a permit for any space for their car for the period of a year.
- 3) Pay for a parking permit that Rotary would raffle off, and the winner would be presented with the permit.

In exchange for the right to raffle off a parking space, Rotary will agree to pay the village a predetermined amount, as well as publicly recognize the Village of Hinsdale and the Police Department in all advertising and signage.

Proceeds from the raffled tickets will go to the Rotary Run Charity Classic, which is in its 17th year of fundraising for various local non-profits.

The Committee discussed the various options with Janet Klotz and decided to recommend a "super parking permit" that would allow the permit holder to use the permit in any of the Village permit parking lots. The Committee thought that a discussion at the Board level on what to charge would be helpful in determining the cost.

Consideration of Amendment to the Liquor Ordinance

The Committee discussed the pro and cons of allowing patrons to bring their own alcohol into a restaurant. Chief Bloom stated that the current ordinance does not specifically speak to allow or disallow this practice. Staff has interpreted the term

“dispense” to prohibit this practice. The Committee discussed and thought that the entire Board should discuss this practice.

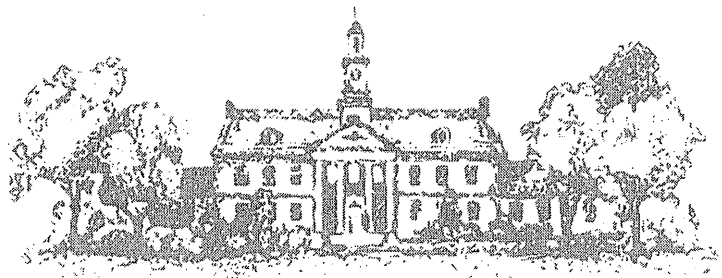
The Committee then discussed adding additional language to provide clarification to closing hours and the presence of alcohol. The Committee directed staff to have the Village attorney amend the ordinance to provide clarification.

Adjournment

With no further business to come before the Committee, Chairman Saigh asked for a motion to adjourn. Trustee Angelo made the motion and Trustee Elder seconded. Meeting adjourned at 9:50PM.

Respectfully Submitted,

Robert McGinnis, MCP
Director of Community Development/Building Commissioner



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

POLICE DEPARTMENT 789-7070
FIRE DEPARTMENT 789-7060
121 N. M. SYMONDS DRIVE

FIRE AND POLICE SERVICES MONTHLY REPORT

July 2011



Hinsdale Fire Department Monthly Report July 2011



Emergency Response

In July the Hinsdale Fire Department responded to a total of 342 requests for assistance for a total of 1,689 responses this calendar year. There were 106 simultaneous responses and 4 train delays this month. The responses are divided into three (3) basic categories as follows:

<i>Type of Response</i>	<i>July 2011</i>	<i>% of Total</i>	<i>July 2010</i>
Fire: (Includes activated fire alarms, fire and reports of smoke)	157	45.9%	114
Ambulance: (Includes ambulance requests, vehicle accidents and patient assists)	97	28.4%	103
Emergency: (Includes calls for hazardous conditions, rescues, service calls and extrications)	88	25.7%	65
Simultaneous: (Responses while another call is on- going. Number is included in total)	106	31%	80
Train Delay: (Number is included in total)	4	1.2%	5
Total:	342	100%	282

Year to Date Totals

Fire: 692 Ambulance: 650 Emergency: 347

2011 Total: 1,689

2010 Total: 1,559

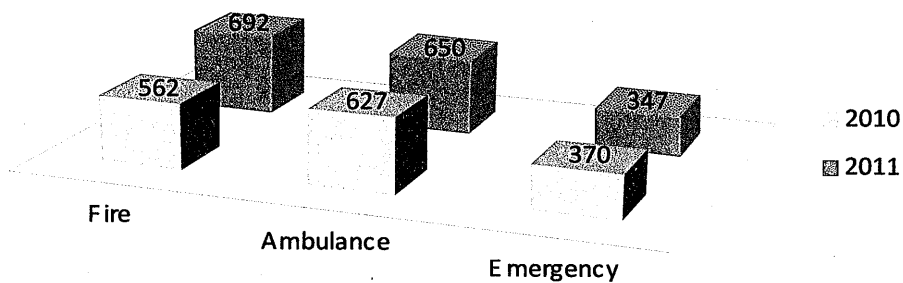


Hinsdale Fire Department Monthly Report July 2011

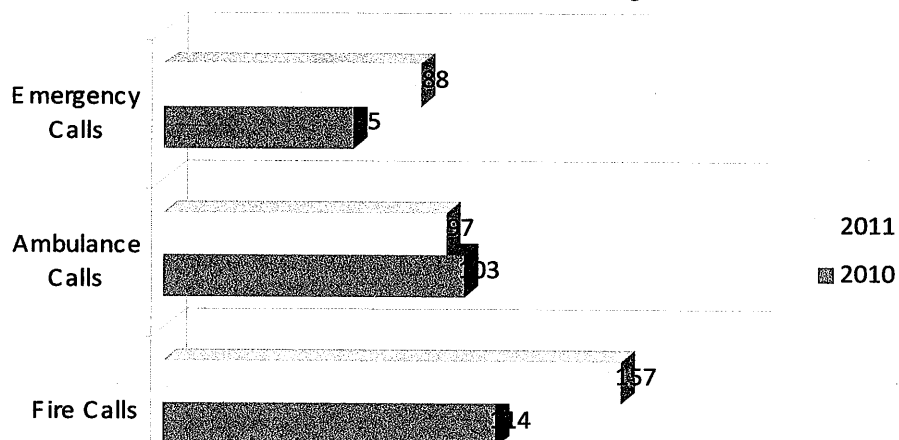


Emergency Response

Type of Responses Year to Date



Total Calls for July



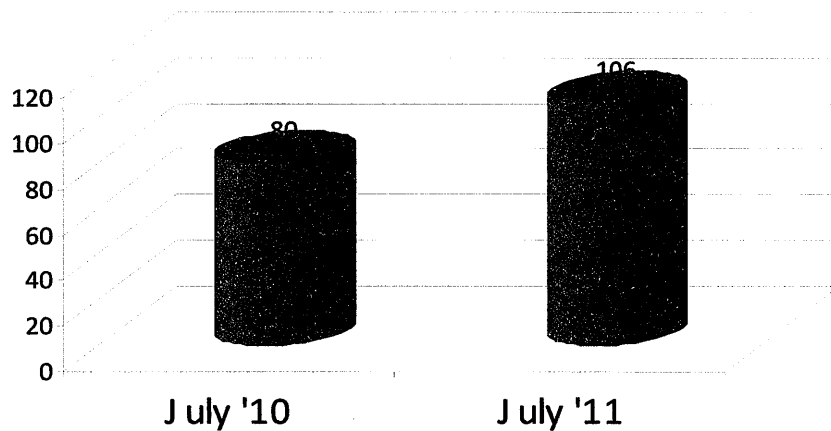


Hinsdale Fire Department Monthly Report July 2011

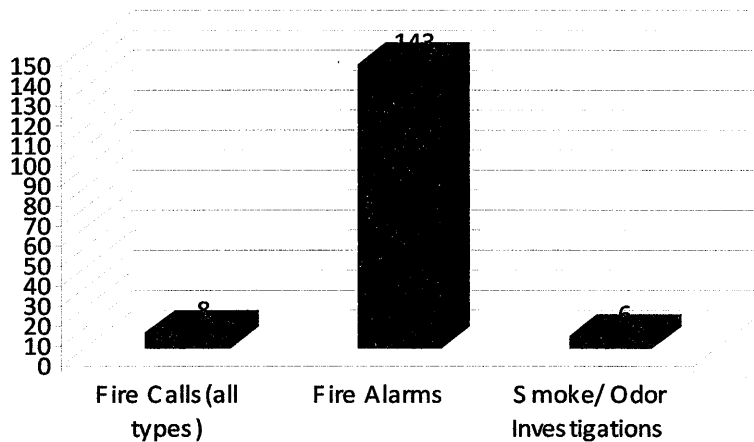


Emergency Response

Simultaneous Calls



Distribution of Fire Related Calls



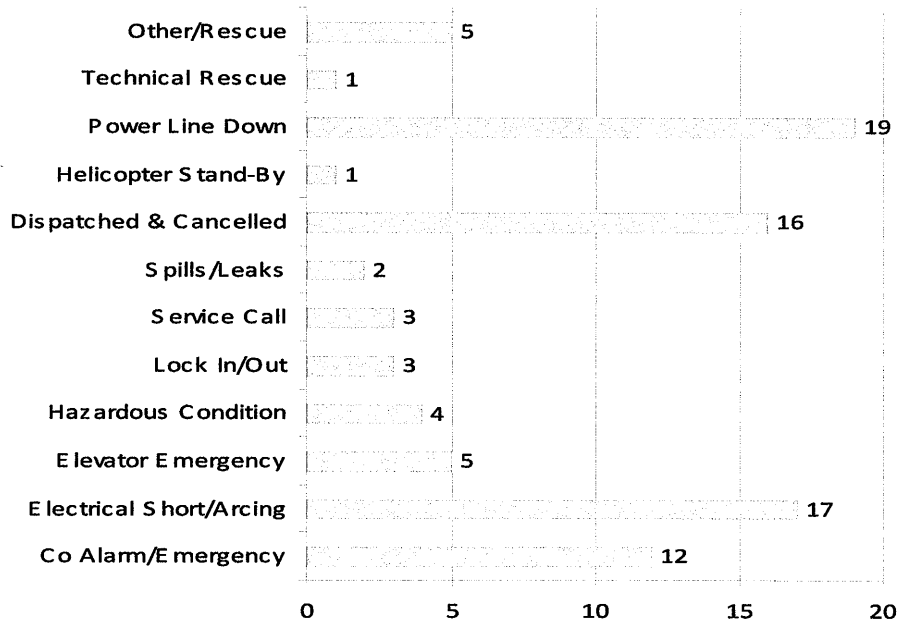


Hinsdale Fire Department Monthly Report July 2011

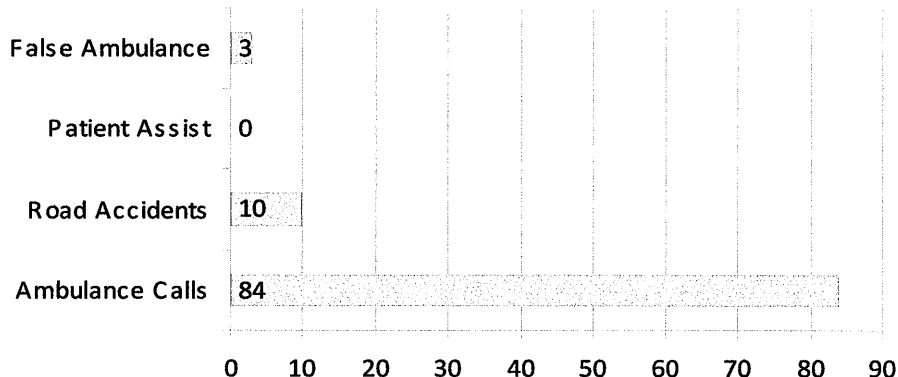


Emergency Response

Distribution of Emergency Related Calls



Distribution of EMS Related Calls





Hinsdale Fire Department Monthly Report July 2011



Incidents of Interest

- On July 4th, the Department responded to a report of a cardiac arrest victim at the Fourth of July Parade. Members were assisted in the resuscitation by bystanders and members of Hinsdale Hospital as well as the police department. The result was a successful resuscitation of the victim.
- On July 4th, FF/PM Smith responded as part of a Technical Rescue Team call out for a person trapped in a sewer in the Darien-Woodridge Fire District jurisdiction
- On July 11th -12th, the Department responded to numerous calls related to the severe weather that hit the area. There were 36 calls for service in a 24 hour period. Two of the calls involved assistance to neighboring communities for fire related incidents.
- On July 12th, the Department assisted the Brookfield Fire Department with an engine for their structure fire. Members assisted in the extinguishment of the fire and in the investigation of the cause of the fire.
- On July 16th, the Department assisted the Downers Grove Fire Department with a truck for their structure fire in a large single family residence. The Chief also responded to assist in providing coverage as a chief officer for their Village during the incident.
- On July 17th, the Department responded to a truck fire at the Hinsdale Oasis. Members found a pick-up truck fully involved in fire. The fire was extinguished with an estimate of damage at \$1,600. The cause of the fire was determined to be a mechanical malfunction.
- On July 20th, the Department responded to a report of a fire in the rear of a home in the 500 block of north Elm St. The cause of the fire was the burning of tree brush. The fire was extinguished and the resident was advised of the Village's Open Burning Ordinance.
- On July 27th -28th, the Department responded to numerous storm related calls. There were 21 calls for service in the 24 hour period. Most of the calls involved downed power lines or alarm issues due to the power outages.
- On July 29th, the Department responded to the 5800 block of south Grant for a possible attic fire. On arrival, members found a section of the attic that was involved in fire due to a lightening strike the previous evening. The fire was extinguished with limited damage. A still alarm was initiated which brought additional fire departments to assist.



***Hinsdale Fire Department
Monthly Report
July 2011***



Training/Events

In July, the members of the Hinsdale Fire Department continued their scheduled fire and EMS training.

Training highlights for the month of July consisted of:

- Members trained on techniques utilized in Rapid Intervention rescue.
- Members trained on emergency vehicle operations as part of the EMT drill and as required by State mandates.
- Department paramedics completed their monthly continuing education on advanced airway management which included a practical portion on reviewing the proper techniques for securing an airway.
- Members attended a special presentation from a local company called Independence 4 Seniors that focused on Alzheimer's training for Emergency Responders.
- Captain Votava attended the quarterly meeting of the Emergency Managers group for DuPage County.
- Members familiarized themselves with various buildings in the Village as part of our on-going update of building pre-plans.



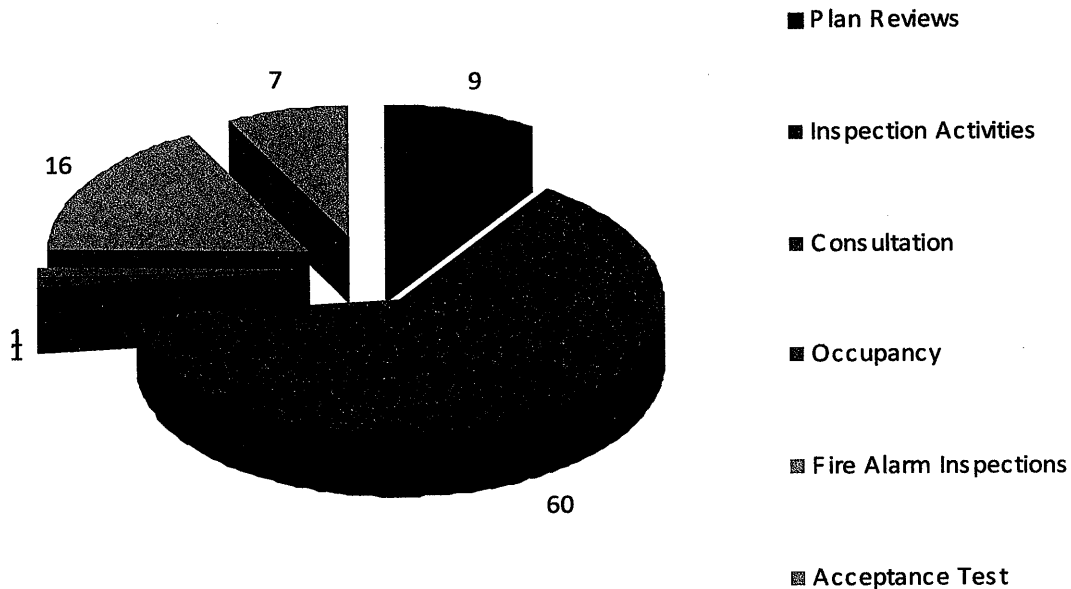
Hinsdale Fire Department Monthly Report July 2011



Prevention Activities

The fire prevention bureau is responsible for conducting a variety of activities designed to educate the public, to prevent fires and emergencies, and to better prepare the public in the event a fire or medical emergency occurs.

Prevention Activities in July



Fire Prevention/Safety Education:

- Assistant Chief McElroy worked with police representatives and District 181 staff to coordinate tabletop training with the school principals to be held prior to the opening of school in August.
- CPR classes were held on July 12th and July 16th. CPR classes are conducted for those that are in the healthcare field and also for those that are not in healthcare.
- Members assisted the Parks Department by attending their Day Camp programs on July 6th and reviewed fire safety information with the children.



***Hinsdale Fire Department
Monthly Report
July 2011***



The Survey Says...

Each month, the department sends out surveys to those that we provide service to. These surveys are valuable in evaluating the quality of the service we provide and are an opportunity for improvement.

Customer Service Survey Feedback:

We received 15 responses in the month of July with the following results:

Were you satisfied with the response time of our personnel to your emergency?

Yes- 14/15

No Answer- 1/15

Was the quality of service received-

"Higher" than what I expected- 10/15

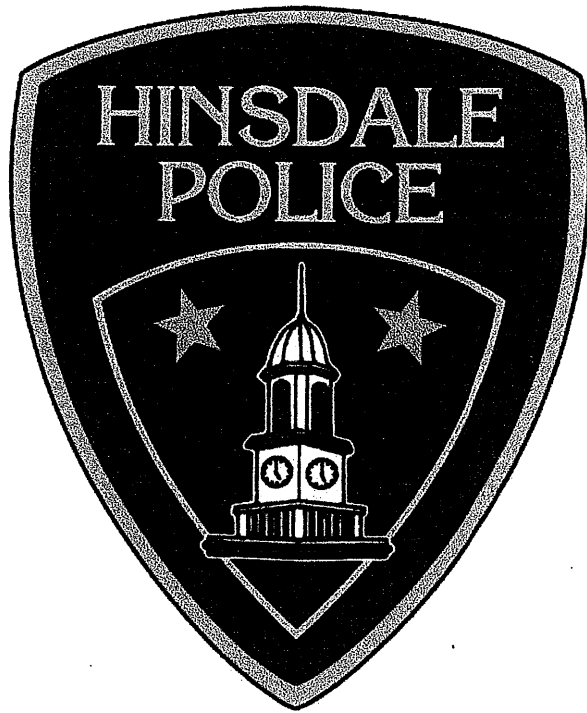
"About" what I expected- 5/15

Miscellaneous Comments:

"The young men who responded to my 9-1-1 call were kind and courteous. They were very polite and professional in everything they did for me. I thank them very much."

"Really top notch! Unfortunately, this was not my first 9-1-1 call and the response is always fast, the personnel very easy to work with and compassionate. I feel lucky to live in Hinsdale."

"Only to say that the service was excellent and they showed great respect and care for a suffering man."



POLICE SERVICES MONTHLY REPORT

JULY 2011

PRESENTATIONS

JULY 2011

From June 27 through July 1, 2011, Officer Rauen attended a Computer Forensic Class in St. Charles, entitled "IDRA 201 – Intermediate Data Recovery Analysis." The class was sponsored by the National White Collar Crime Center and provided techniques on how to analyze computer systems.

On July 4, 2011, Officer Coughlin assisted with the annual Fourth of July Parade by leading the parade through town and downtown Hinsdale.

On July 13, 2011, Officer Coughlin presented a Situational Awareness/Self-Defense class to more than 25 college freshmen girls. The class was about not putting yourself in a position to become a victim, knowing your surroundings and finally learning self-defense techniques. The girls all had a chance to practice the self-defense techniques and then were put in a situation where an offender grabs them and they have to fend him off.

On July 13 and 19, 2011, Officer Rauen was at Wheaton Court regarding an ongoing trial for an offender who was trading child pornography over the internet. Officer Rauen was at the court to explain the nature of the case and investigation. The offender pleaded guilty to Obscenity Charges.

On July 14, 2011, Officer Coughlin worked the very popular Uniquely Thursday at Burlington Park. Officer Coughlin informed attendees about not bringing alcohol into the park, checked coolers, assisted with crowd control and spoke with many residents, and handed out stickers to kids.

On July 15, 2010, Officer Coughlin visited the annual Sidewalk Sale in downtown Hinsdale. Officer Coughlin spoke with shop owners, residents, customers and kids while being visible to deter any thefts.

On July 22, 2011, Officer Rauen met with a juvenile alcohol offender and her father. Officer Rauen discussed what happened and got them set up with Peer Jury.

On July 25, 2011, Officer Coughlin attended Peer Jury at the Westmont Police Department and was bailiff for return cases.

On July 26, 2011, Officer Rauen attended a computer forensic training at the Guidance Software building in Rosemont. Discussion included doing investigations on IOS devices which are Apple products, such as iPhones as well as iPads.

On July 27, 2011, Officer Coughlin met with Burr Ridge Officer Zuccherro and Clarendon Hills Officer Talerico at our police department to put together training for District 181 Administration and Principals. The information was on the Crisis Manual, Internet Safety, Gangs in the Community and recent Drug Trends.

On July 8, 9, 10, and 15, 2011, Officer Coughlin supervised two high school students completing community service work.

Submitted by:

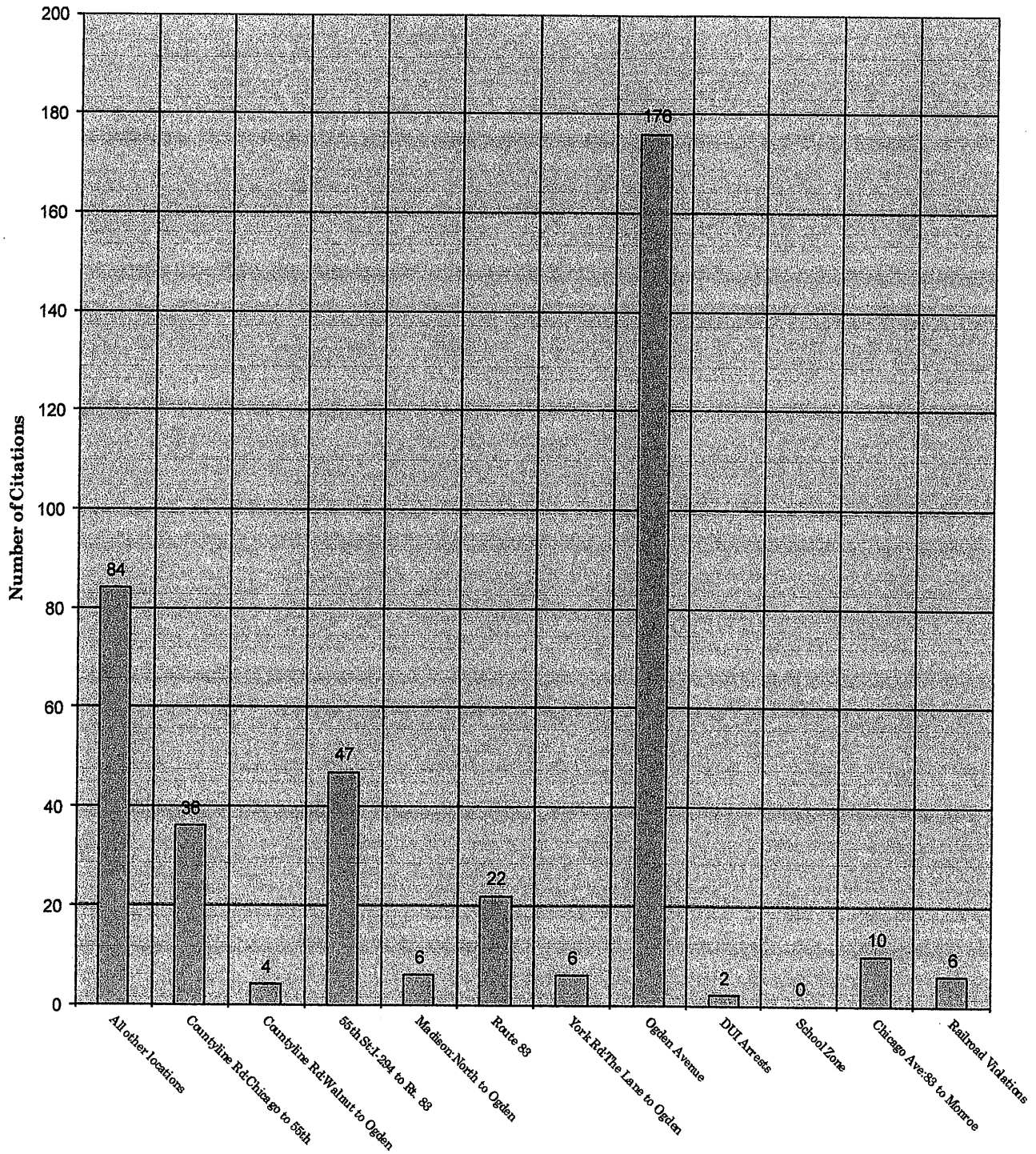
Michael Coughlin

Crime Prevention/DARE/Juvenile Officer

Joseph Rauen

Detective/Computer Forensic Examiner/Juvenile Officer

Hinsdale Police Department
Selective Enforcement Citation Activity
 July 2011



TRAFFIC ENFORCEMENT

JULY 2011

** Includes Citations and Warnings*

	This Month	This Month Last Year	YTD	Last YTD
Speeding	148	125	1099	979
Disobeyed Traffic Control Device	13	21	186	206
Improper Lane Usage	38	54	291	284
Insurance Violation	18	6	121	128
Registration Offense	36	28	200	158
Seatbelt Violation	36	13	347	207
Stop Signs	53	50	310	314
Yield Violation	13	14	79	84
No Valid License	3	0	33	28
Railroad Violation	0	2	15	16
Suspended/Revoked License	1	1	31	27
Other	76	62	675	728
Totals	435	376	3387	3159

INVESTIGATIONS DIVISION SUMMARY

JULY 2011

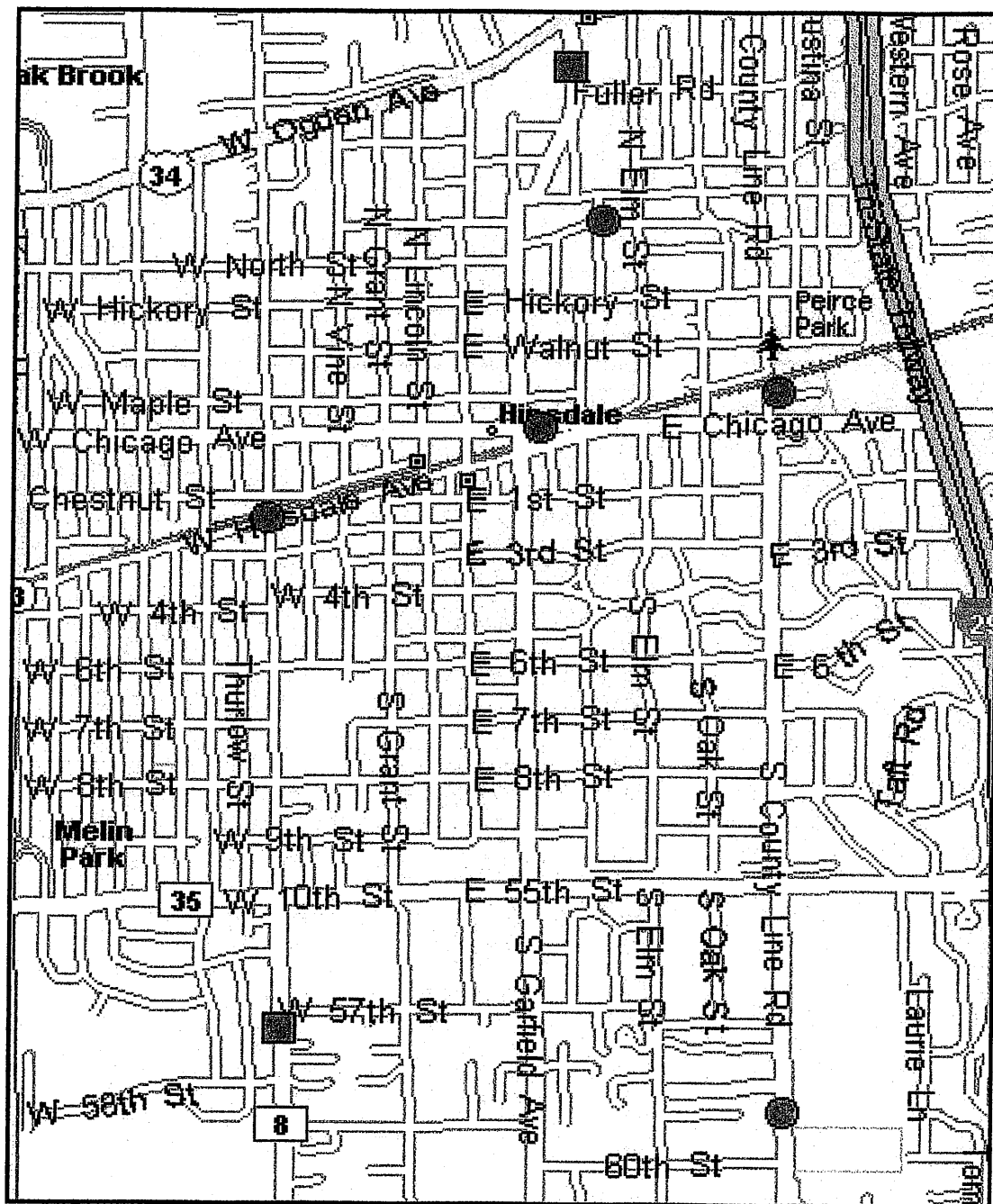
- On July 1, 2011, a 23-year-old Hinsdale man was charged with two counts of **Domestic Battery**, one count of **Assault**, and one count of **Criminal Damage to Property**. The man is alleged to have had a physical altercation with a male household member, causing injuries to the victim, after the man threatened the victim with a chair and a knife.
- On July 5, 2011, a 39-year-old Chicago man was charged with one count of **Unlawful Possession of Controlled Substance**. The male had been involved in a traffic stop back in January 2011, in which numerous pills were discovered in the vehicle. Lab results came back positive for numerous controlled substances, and a warrant was obtained. The man had surrendered himself, and was released after posting bond.
- On July 7, 2011, a 23-year-old Hinsdale man was charged with two counts of **Domestic Battery**. The man is alleged to have struck the chest of a male family member. The male was released after posting bond.
- On July 11, 2011, an 18-year-old Hinsdale man was charged with one count of **Unlawful Possession of a Controlled Substance**. The male had been wanted on a warrant following an incident back in February 2011, in which he was found in possession of numerous prescription pills and did not have a prescription for the pills. The male was released after posting bond.
- On July 12, 2011, a 35-year-old Hinsdale man was charged with one count of **Unlawful Delivery of a Controlled Substance**, one count of **Unlawful Possession of Weapons by a Felon**, and one count of felony **Theft**. Hinsdale Investigators conducted a joint investigation with the DuPage Metropolitan Enforcement Group (DUMEG) regarding drug manufacturing in the residence. The male was transported to DuPage County Jail.
- On July 14, 2011, a 21-year-old Morris woman was charged with one count of **Theft**. The woman was a former employee of a downtown business, in which repeated thefts were reported. In addition to the count of **Theft**, the woman arranged for restitution in the amount of \$6,553.50, which was paid back to the business. The female was released after posting bond.
- On July 15, 2011, a 39-year-old Clarendon Hills woman was charged with three counts of **Retail Theft**. The female had been in the same store over the last two months and had been seen on video stealing items from the store. On this date, the female had returned to the store and was questioned by police. The female acknowledged the prior thefts, and returned with detectives to her home to retrieve the stolen property. The female was released after posting bond.

- On July 16, 2011, an 18-year-old Hinsdale man was charged with one count of **Unlawful Possession of Cannabis**. Officers were called to the area of 500 N. Vine for a possible burglary in progress. Upon arrival, officers observed the man run from them, discarding the bag of cannabis from his pocket. The male was released after posting bond.
- On July 17, 2011, a 48-year-old Hinsdale man was charged with four counts of **Domestic Battery**. Officers were called to the home for a fight between family members. Upon arrival, a male family member had been struck in the eye, and a female family member had been struck in the arm. The male was transported to DuPage County Jail for a bond hearing.
- On July 28, 2011, a 52-year-old Hinsdale man was charged with two counts of **Domestic Battery** and one count of **Attempt Unlawful Restraint**. The male had been wanted on a warrant from an incident that occurred in May 2011. The male is alleged to have detained a female victim, and held her down during a sexual encounter. The male was released after posting bond.
- On July 28, 2011, a 58-year-old Hinsdale man was charged with one count of **Disorderly Conduct**. The male is alleged to have made a threatening verbal statement to a neighbor. The male was released after posting bond.
- On July 29, 2011, a 26-year-old Berwyn woman was charged with two counts of **Unlawful Acquisition of a Controlled Substance**. The female had been under investigation for acquiring multiple prescriptions for herself, and another person, under a different name. Detectives were advised another false prescription had been called in for a controlled substance at a local pharmacy. Detectives placed the store under surveillance and were then advised the female was at the store attempting to acquire the prescription. The female was taken into custody, and was eventually transported to DuPage County Jail.

Submitted by:

Erik Bernholdt
Detective Sergeant

BURGLARIES JULY 2011



- ▲ Residential Burglaries (none)
- Burglaries
- Burglaries from Motor Vehicles

MONTHLY OFFENSE REPORT

JULY 2011

CRIME INDEX	This Month	This Mo. Last Yr.	Yr. to Date	Last Yr. to Date
1. Criminal Homicide	0	0	0	0
2. Criminal Sexual Assault/Abuse	0	0	2	0
3. Robbery	0	0	0	1
4. Assault and Battery, Aggravated	0	0	0	1
5. Burglary/Residential	2	5	14	11
6. Theft	22	23	108	113
7. Auto Theft	1	0	5	2
8. Arson	0	0	0	0
TOTALS	25	28	129	128

SERVICE CALLS—JULY 2011

	This Month	This Month Last Year	This Year to Date	Last Year To Date	% CHANGE
Sex Crimes	0	1	2	2	0
Robbery	0	1	0	1	-100
Assault/Battery	1	4	16	13	23
Domestic Violence	15	10	79	61	30
Burglary	2	0	8	4	100
Residential Burglary	0	1	6	6	0
Burglary from Motor Vehicle	6	5	15	30	-50
Theft	18	11	97	79	23
Retail Theft	0	1	7	16	-56
Identity Theft	2	2	16	14	14
Auto Theft	1	1	5	4	25
Arson/Explosives	0	0	0	0	0
Deceptive Practice	1	3	6	11	-45
Forgery/Fraud	4	7	19	18	6
Criminal Damage to Property	12	13	65	67	-3
Criminal Trespass	3	2	9	17	-47
Disorderly Conduct	0	0	6	25	-76
Harassment	8	5	50	66	-24
Death Investigations	0	0	4	8	-50
Drug Offenses	3	1	21	27	-22
Minor Alcohol/Tobacco Offenses	2	0	8	11	-27
Juvenile Problems	28	34	184	174	6
Reckless Driving	1	3	13	16	-19
Hit and Run	3	12	36	48	-25
Traffic Offenses	3	1	49	40	23
Motorist Assist	38	45	314	223	41
Abandoned Motor Vehicle	0	3	13	12	8
Parking Complaint	11	8	103	121	-15
Auto Accidents	54	44	334	361	-7
Assistance to Outside Agency	33	38	204	162	26
Traffic Incidents	0	2	8	34	-76
Noise complaints	17	13	100	52	92
Vehicle Lockout	22	30	216	187	16
Fire/Ambulance Assistance	272	224	1332	955	39
Alarm Activations	149	126	717	716	0
Open Door Investigations	3	4	20	27	-26
Lost/Found Articles	16	18	110	78	41
Runaway/Missing Persons	4	5	26	32	-19
Suspicious Auto/Person	84	57	436	369	18
Disturbance	14	8	75	75	0
911 hangup/misdial	37	42	279	182	53
Animal Complaints	46	52	236	226	4
Citizen Assists	63	68	347	179	94
School Crossings	0	0	12	207	-94
Solicitors	12	8	44	45	-2
Community Contacts	1	6	18	129	-86
Curfew/Truancy	0	1	14	19	-26
Other	94	70	483	525	-8
TOTALS	1083	990	6162	5674	9

Hinsdale Police Department

Training Summary July 2011

- All officers completed their monthly legal update. Topics covered included: **Interview & Interrogation, Custody Situations – Non-Interrogation, Custody Situations – Interrogation.**
- July 1, 2011 – Officer Rauen successfully completed the **100-hour Fast Track Program**. This training consisted of course work and practical skills that ensures a computer forensic examiner has the core competencies to investigate crimes that involve digital evidence. This was offered by National White Collar Crime from April 18 – July 1, 2011.
- July 1, 2011 – Officer Rauen successfully completed 36 credit hours of instruction in **Cybercop 201 – Intermediate Data Recovery and Analysis**. This was sponsored by United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice & Delinquency Prevention offered from June 27 – July 1, 2011.
- July 1-31, 2011 – Officer Hayes is participating in an on-line training program through Northwestern University **Supervision of Police Personnel**. The program is fully asynchronous allowing students to work at times most convenient for them. Students will be required to contribute regularly, and to submit assignments by certain deadlines, but there are no specific points at which students are required to be online and participating during the program.
- July 5 & 19, 2011 – Officers Lillie and Hayes attended their month **FIAT SWAT** training.
- July 18, 2011 – Sergeants Jirasek and Lamb, Officers Yehl, Washburn, Ruban, Davenport, Maraviglia and Holecek had roll call training conducted by The Family Shelter Service of DuPage County on **DuPage County Protocol and Orders of Protection**.
- July 19-22, 2011 – Deputy Chief Wodka attended a training class on **Patrol Staffing Levels**.
- July 20, 2011 – Sergeant Cogger, Officers Lennox, Lillie, Huckfeldt, Leuver, Kowal and Krefft had roll call training conducted by The Family Shelter Service of DuPage County on **DuPage County Protocol and Orders of Protection**.
- July 26, 2011 – Officer Krefft attended a three-hour training class on **Personal Radiation Detector**, Sponsored by Illinois Law Enforcement Alarm System.

Submitted by:

Mark Mandarin, Sergeant
Training Coordinator

July 2011 Collision Summary

All Collisions at Intersections			
LOCATION	This Month	Last 12 Months	Last 5 Years
County Line Rd. & 55th	1	4	30
County Line Rd. & Ogden	1	9	43
Elm & Ogden	1	6	20
Garfield & Hinsdale	1	6	23
Grant & 55th	2	3	17
Grant & Chicago	1	1	7
Lincoln & Hickory	1	3	13
Madison & Chicago	1	3	10
Madison & Ogden	2	3	25
Monroe & Hickory	1	1	3
Oak & Chicago	1	3	22
Oak & Walnut	1	1	7
Rt. 83 & Ogden	1	4	46
Vine & Chicago	1	2	5
York & Ogden	1	3	61
TOTALS	17	54	332

Right-Angle Collisions at Intersections <i>Collisions of this type are considered when reviewing MUTCD Warrants</i>			
LOCATION	This Month	Last 12 Months	Last 5 Years
County Line & 55th	1	3	16
Grant & 55th	2	2	9
Grant & Chicago	1	1	7
Lincoln & Hickory	1	3	12
Madison & Chicago	1	3	8
Madison & Ogden	2	2	14
Monroe & Hickory	1	1	3
Oak & Chicago	1	3	15
Oak & Walnut	1	1	6
Rt. 83 & Ogden	1	2	3
Vine & Chicago	1	2	4
TOTALS	13	23	97

Contributing Factors and Collision Types			
Contributing Factors:		Collision Types:	
Failure to yield	10	Private property	10
Improper backing	9	Hit and run	1
Failure to reduce speed	3	Crashes at intersections	17
Following too closely	2	Personal injury	13
Driving skills/ knowledge	1	Pedestrian	0
Improper passing	1	Bicyclist	1
Too fast for conditions	1	Other	4
Improper turning	3		
Disobeyed traffic control device	7		
Improper lane usage	1		
Had been drinking	0		
Weather related	0		
Vehicle equipment	1		
Unable to determine	1		
Other	6		
TOTALS	46	TOTAL CRASHES	46

Manual on Uniform Traffic Control Devices Warrants

July 2011

The following warrants should be met prior to installation of a **two-way** stop sign:

1. Intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;
2. Street entering a through highway or street;
3. Unsignalized intersection in a signalized area; and/or
4. High speeds, restricted view, or crash records indicate a need for control by the STOP sign (defined by 5 or more collisions within a 12-month period).

The following warrants should be met prior to the installation of a **Multiway** stop sign:

1. Where traffic control signals are justified, the multiway stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
2. A crash problem, as indicated by 5 or more reported crashes in a 12-month period, that is susceptible to correction by a multiway stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
3. Minimum volumes:
 - a. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and
 - b. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
 - c. If the 85th-percentile approach speed of the major-street traffic exceeds 65 km/h or exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the above values.
4. Where no single criterion is satisfied, but where Criteria 2, 3.a, and 3.b are all satisfied to 80 percent of the minimum values. Criterion 3.c is excluded from this condition.

Option:

Other criteria that may be considered in an engineering study include:

1. The need to control left-turn conflicts;
2. The need to control vehicle/pedestrian conflicts near locations that generate high-pedestrian volumes;
3. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop; and
4. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multiway stop control would improve traffic operational characteristics of the intersection.

The following warrants must be met prior to the installation of a **Yield** sign:

1. On a minor road at the entrance to an intersection where it is necessary to assign right-of-way to the major road, but where a stop sign is not necessary at all times, and where the safe approach speed on the minor road exceeds 10 miles per hour;
2. On the entrance ramp to an expressway where an acceleration ramp is not provided;
3. Within an intersection with a divided highway, where a STOP sign is present at the entrance to the first roadway and further control is necessary at the entrance between the two roadways, and where the median width between the acceleration lane; and
4. At an intersection where a special problem exists and where an engineering study indicates the problem to be susceptible to correction by use of the YIELD sign.

PARKING CITATIONS—JULY 2011

PARKING CITATIONS BY LOCATION

		This Month	This Month Last Year	YTD	Last YTD
Chestnut Lot	<i>Commuter Permit</i>	36	19	219	191
Highland Lot	<i>Commuter Permit</i>	24	7	87	73
Village Lot	<i>Commuter Permit</i>	102	36	405	293
Washington Lot	<i>Merchant Permit</i>	40	51	304	402
Hinsdale Avenue	<i>Parking Meters</i>	381	263	2,090	2,287
First Street	<i>Parking Meters</i>	335	179	2,220	1,316
Washington Street	<i>Parking Meters</i>	515	258	2,705	2,990
Lincoln Street	<i>Parking Meters</i>	36	10	237	206
Garfield Lot	<i>Parking Meters</i>	158	113	967	1,036
Other		423	478	2,916	3,929
TOTALS		2,050	1,414	12,150	12,723

VIOLATIONS BY TYPE

	This Month	This Month Last Year	YTD	Last YTD
Parking Violations				
METER VIOLATIONS	1,460	831	8,332	9,256
HANDICAPPED PARKING	8	4	29	49
NO PARKING 7AM-9AM	9	0	137	120
NO PARKING 2AM-6AM	143	114	766	692
PARKED WHERE PROHIBITED BY SIGN	79	47	436	438
NO VALID PARKING PERMIT	96	47	400	407
TOTAL PARKING VIOLATIONS	1,795	1,043	10,100	10,962
Vehicle Violations				
VILLAGE STICKER	76	80	695	621
REGISTRATION OFFENSE	61	48	460	334
VEHICLE EQUIPMENT	35	8	354	177
TOTAL VEHICLE VIOLATIONS	172	136	1,509	982
Animal Violations	20	5	96	71

Youth Bureau Summary

July 2011

- On July 5, 2011, a parent contacted our police department to advise us she believed her son was in possession of a stolen bicycle. An officer spoke with her son and he admitted to taking the bicycle from the Hinsdale Pool. The juvenile stated he was riding around on his sister's bike and wanted to upgrade it. He advised the officer he noticed an unlocked bike so he took that one. The bike was returned to the original owner and the juvenile was referred to Peer Jury.
- On July 10, 2011, at approximately 10:27pm officers were dispatched to the 800 south block of Monroe for a female in her underwear lying face down on the lawn. Upon arrival, officers spoke with the female who wasn't wearing a t-shirt and was extremely intoxicated. She was checked by the Hinsdale Fire Department and released to her father. She explained to the officers she took her shirt off because she was hot. The female juvenile was referred to Peer Jury for the offense.
- On July 15, 2011, at approximately 9:58pm, an officer was driving through the Woodlands neighborhood and observed a parked vehicle with its interior car light illuminated. When the officer approached the vehicle he noticed an opened case of Bud Light beer sitting on the floor of the vehicle. The officer stopped to speak with the four occupants and learned they were all under 21 years of age, one of which was a male juvenile. The officer searched the vehicle and the occupants and located cannabis and drug paraphernalia in the car as well. All occupants were charged and sent to Field Court. The male juvenile was also charged with Possession of Cannabis, Possession of Alcohol, and Possession of Drug Paraphernalia by a minor. He was also sent to Field Court.
- On July 16, 2011, at approximately 12:42am, all Hinsdale units were setting up a perimeter looking for a possible car burglar. The perimeter had been set up surrounding the 500 north blocks of Vine and Grant. A patrol officer was assisting with a yard-to-yard check of the houses inside the perimeter. During that search, a female juvenile emerged from within the perimeter. Upon speaking with the female juvenile, the officer could smell an odor of alcoholic beverage coming from her breath. She stated she had been at a party at a friend's house. She believed the house was on Vine. The female juvenile blew a .040 into a PBT. She was released to her sister and referred to Peer Jury as a first time offender.
- On July 28, 2011, a concerned parent contacted the police department to advise us her daughter did not come home during the night. She finally came home around 5:29am. The female juvenile spoke with a juvenile officer who advised her of curfew laws in Hinsdale and in Illinois.

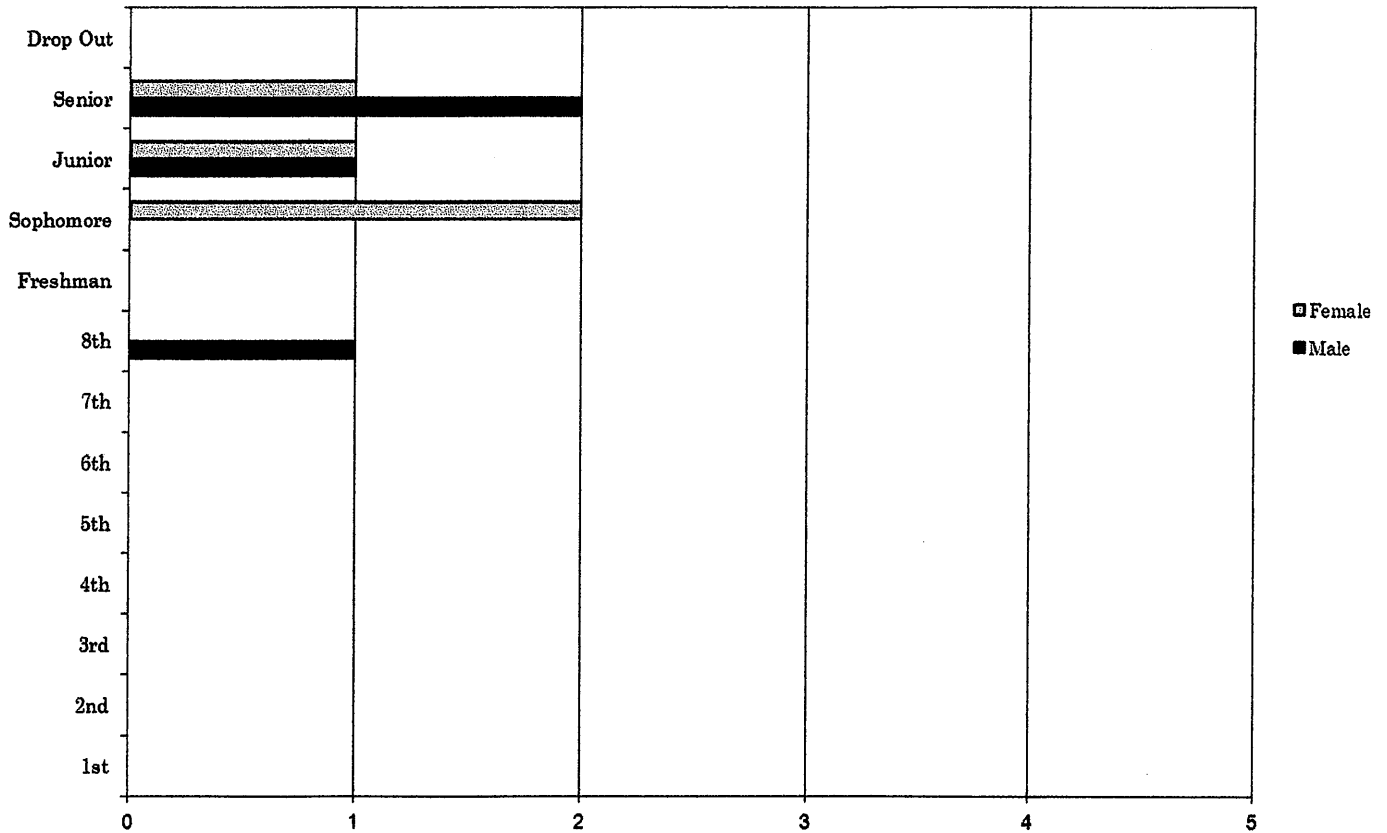
- On July 30, 2011, at approximately 9:55pm, an officer was dispatched to Cosi Restaurant, for a group of high school aged juveniles shooting an air soft gun at people from a vehicle. The responding officer caught up to the vehicle which fit the description given. At first all the juveniles would not respond to the officer's questioning regarding the air soft gun. They had each person exit the vehicle and spoke with them. When the rear seat passenger exited the vehicle the officer observed an air soft gun sitting on the floor of the vehicle where he was sitting. The male juvenile admitted to being the one shooting the air soft gun at the ground near people by Cosi Restaurant. The male juvenile was taken into custody and issued one local ordinance citation for Discharging Air Gun in the Village. He was released to his father.
- On July 30, 2011, at approximately 3:18am, a patrol officer noticed a vehicle traveling the wrong way down a one-way street. The officer stopped the vehicle and learned the driver was only 17 years of age. The juvenile driver was cited for no Valid Driver's License due to curfew and no Insurance. A female passenger was also in the car and was cited for being out past curfew.

Submitted by:

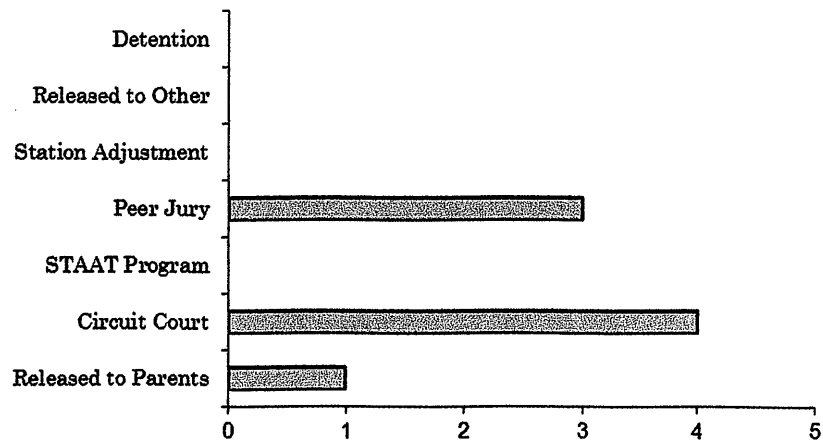
Joseph Rauen
Detective/Youth Officer

HINSDALE POLICE DEPARTMENT JUVENILE REPORT July 2011

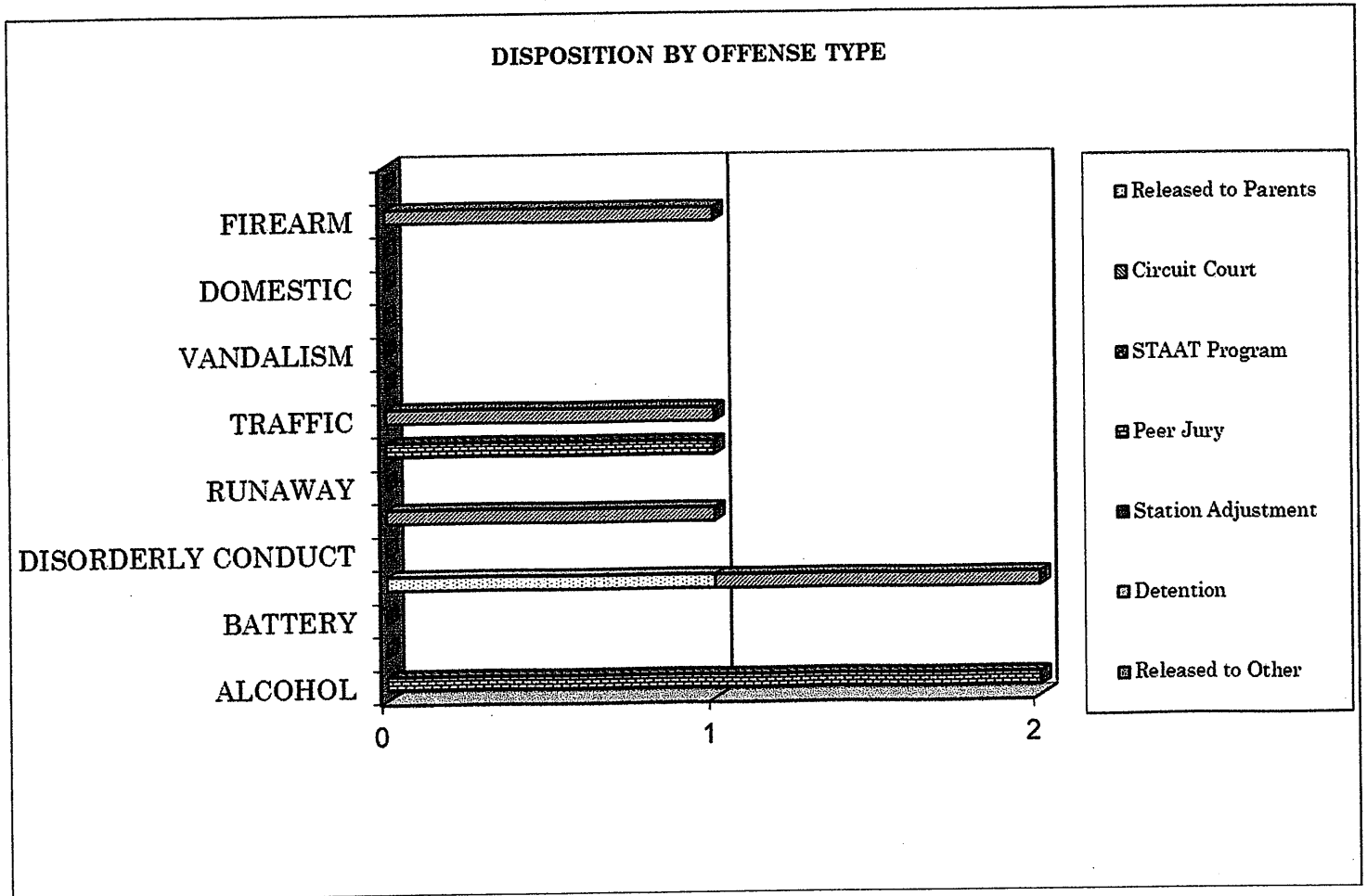
AGE AND SEX OF OFFENDERS



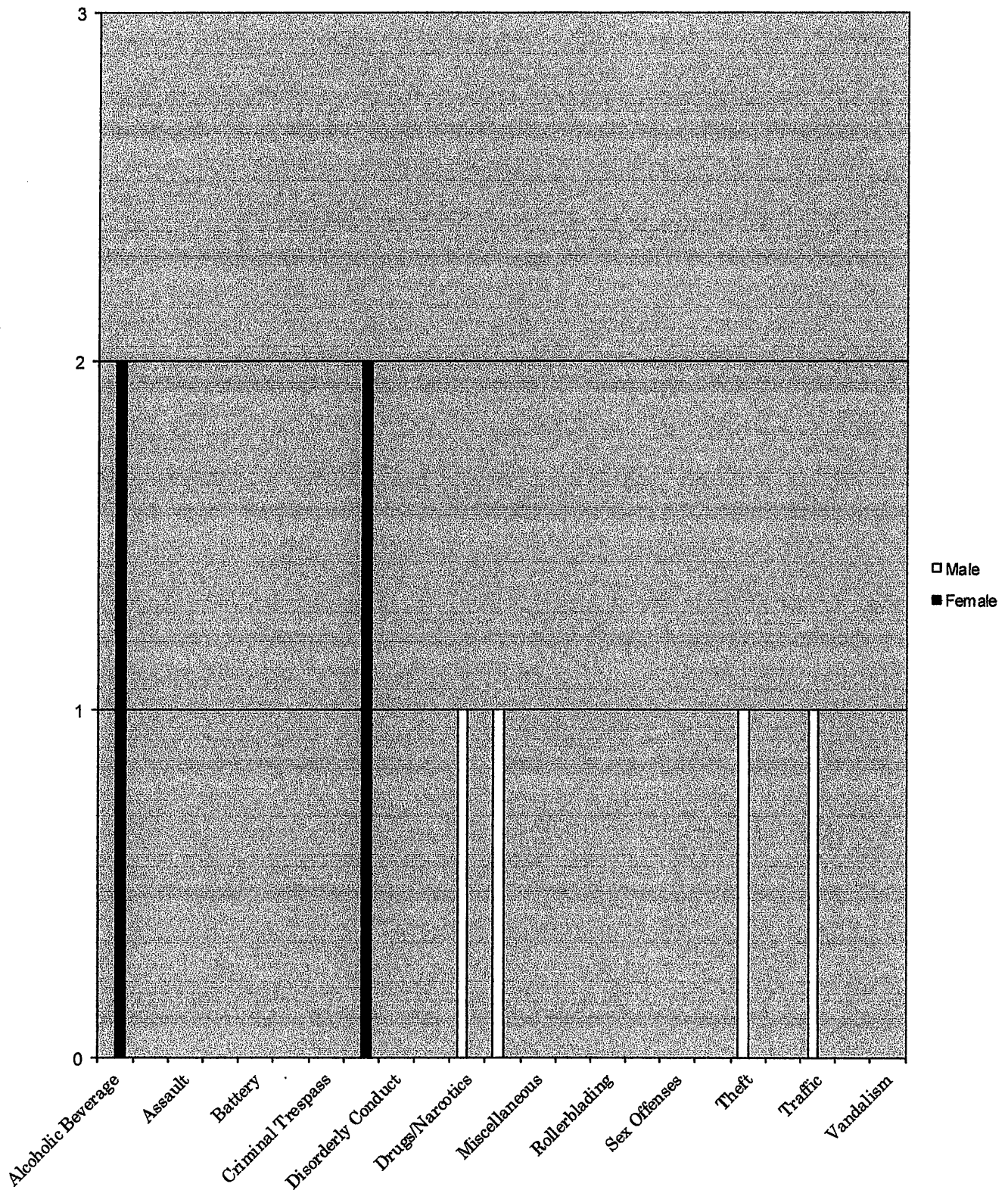
DISPOSITION OF CASES



**Hinsdale Police Department
Juvenile Monthly Report
July 2011 (continued)**



Hinsdale Police Department
Juvenile Monthly Offenses Total Offenses by Offense Type
 July 2011



Social Networking Monthly Status Report

July 2011

On June 27, 2011, the Hinsdale Police Department officially launched its Facebook and Twitter account(s). This has been an endeavor that has been implemented to complement the existing forms of community notification methods that are already in place through media sources, email notification, and phone notification.

The short term goals of this notification method are to solicit "likes" and "followers" in an effort to establish a foundation of users that will use this tool for receiving important information from the police department. In meeting this goal, the agency will continue to send out multiple weekly announcements and informational notices in so that followers will share their experience with other users and persuade them to sign-up.

During the past reporting period, posts were disseminated on the following topics:

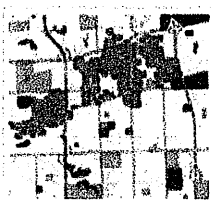
- Crime Prevention Alert for Motor Vehicle Burglaries
- Announcement of a Personal Safety for College Students Class
- National Weather Service Watches/Warnings for Hinsdale
- Updates on power outages and expected restoration times from ComEd.
- Notification of Outdoor Warning Siren activation, followed by additional information on precautions should be taken and an advisory message that there is no "All Clear" signal
- Request for voluntary participation in refraining from Water Sprinkling
- Precautionary measures to take during Heat Warnings
- Crime Prevention Tips while being away on vacation
- Notification of Railroad Gate Closure at Monroe Street
- Safety Tips for the 4th of July Holiday

The highest frequency of use of the Social Networking has been to provide updates on power outages and expected times of restoration. Below is an example of a post which includes a map of areas where power has been interrupted.



Village of Hinsdale Police Department

As of ComEd reports at 4:46pm, the number of customers without power has again increased to approximately 864, and now includes areas along Garfield /York Road between Chicago Avenue and Ogden Avenue. The central business district is reported as being without power again. See map.



Wall Photos

164 Impressions · 0% Feedback

June 30 at 5:01pm · Like · Comment · Share

TOTAL 8/1/2011	
	Followers
facebook	101
twitter	72

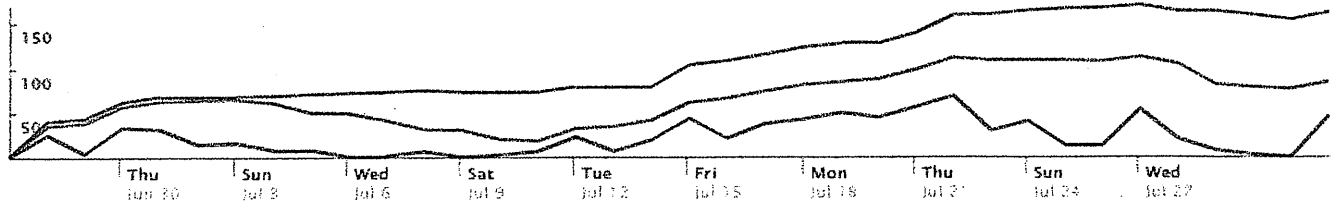
The following data provides more feedback on the use of Facebook, and the data has been taken from the "Insights" module that is integrated with Facebook.

Users [See Details](#)

New Likes? **84** ↑ 8,300% Lifetime Likes? **101**

Active Users?

☒ Daily Active Users ☒ Weekly Active Users ☒ Monthly Active Users

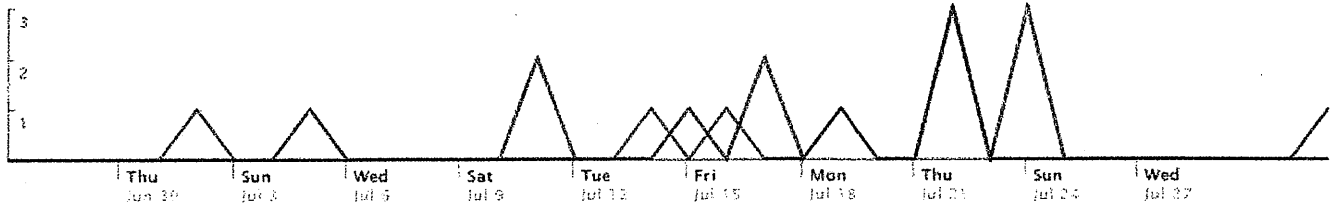


Interactions [See Details](#)

Post Views? **8,155** Post Feedback? **21**

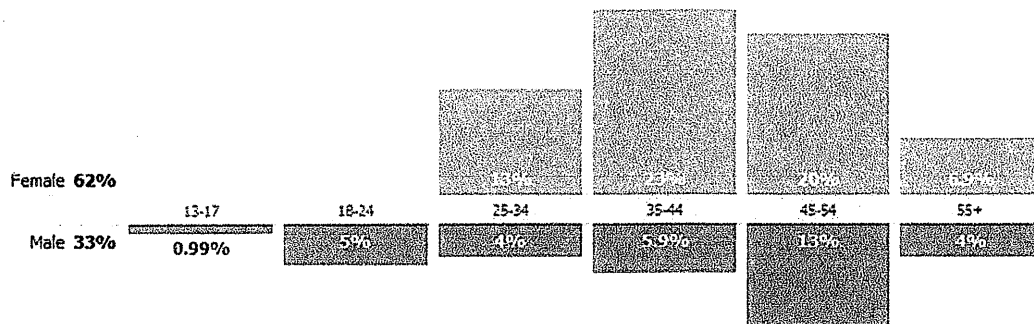
Page Content Feedback?

☒ Likes ☒ Comments



Demographics

Gender and Age?



Memorandum

To: Chairman Saigh and Public Safety Committee

From: Robert McGinnis MCP, Community Development Director/Building Commissioner 

Date: August 17, 2011

Re: **Community Development Department Monthly Report-July 2011**

In the month of July the department issued 94 permits and conducted 393 inspections. Revenue for the month came in at just under \$58,000. Plan review is currently running about four weeks for the larger projects at this time as we try to get the smaller jobs (irrigation, fences, driveways, landscaping, patios, etc.) issued.

There are approximately 68 applications in house including 10 single family homes and 5 commercial alterations. There are 25 permits ready to issue at this time.

The Engineering Division has continued to work with the Building Division in order to complete site inspections, monitor current engineering projects, support efforts to obtain additional state and federal funding, and respond to drainage complaint calls. In total, 123 inspections were performed for the month of July by the division.

We currently have 43 vacant properties on our registry list. The department continues to pursue owners of vacant and blighted properties to either demolish them and restore the lots or come into compliance with the property maintenance code.

The Hamptons of Hinsdale is moving forward again and showing some progress. They are working on finishing up the first townhouse building, doing interior mechanical work in the condominium shell, and putting the finishing touches on the sales center. We expect that final inspections will be set for the balance of the townhouse units and for the sales center in the near future. We understand that they will be applying for another townhouse building in September.

The Hospital is on track to finish up in early spring 2012. They are drywalling and installing interior finishes at this time and plan to install the drive and approaches to Oak Street this fall.

COMMUNITY DEVELOPMENT MONTHLY REPORT - July 2011

PERMITS	THIS MONTH	THIS MONTH LAST YEAR	FEES	FY TO DATE	TOTAL LAST FY TO DATE
New Single Family Homes	4	3	\$ 20,488.68		
New Multi Family Homes	0	0	\$ -		
Residential Addns./Alts.	18	21	\$ 6,510.40		
Commercial New	0	0	\$ -		
Commercial Addns./Alts.	5	5	\$ 5,335.25		
Miscellaneous	31	37	\$ 6,328.00		
Demolitions	2	3	\$ 6,000.00		
Total Building Permits	60	69	\$ 44,662.33	\$ 197,642.64	\$ 458,410.24
Total Electrical Permits	17	23	\$ 3,370.00	\$ 14,620.00	\$ 79,738.45
Total Plumbing Permits	17	29	\$ 9,660.00	\$ 38,882.50	\$ 74,512.95
TOTALS	94	121	\$ 57,692.33	\$ 251,145.14	\$ 612,661.64

Citations			\$1,250		
Vacant Properties	43				

INSPECTIONS	THIS MONTH	THIS MONTH LAST YEAR			
Building Insp.	160	137			
Electric Insp.	35	36			
Plumbing Insp.	35	22			
Property Maint./Site Mgmt.	40	66			
Engineering Insp.	123	149			
TOTALS	393	410			

REMARKS:

VILLAGE OF HINSDALE - JULY 12, 2011 COURT CALL/RESULT




Name	Ticket NO.	Location	Violation	
Best Advantage Constr	9912	Kelly	Violation of work hours	250
Desouza, Joan J	9903	Kelly	failure to maintan fence	250+9/7 compliance date
Fuller, Nancy C	9905	Kelly	Violation of site management stds	250
Glab, Glenn	9565	Kelly	Failure to register vacant property	No Show
Kolososki, Glenn A	9902	Kelly	failure to obtain a permit	250
Novak, John S	9583	Kelly	failure to follow approved plans	No Show
Novak, Joyce L	9584	Kelly	failure to follow approved plans	No Show
Palos Concrete Inc	9904	Kelly	Violation of site management stds	No Show
Shiny Nails	9908	Kelly	Failure to remove sign	250+8/10 sign removal
Ziby Best Construction	9577	Kelly	Violation of work hours	No Show
			Fines assessed:	1250

STOP WORK ORDERS ASSESSED

Date	SWO Issued to	Address	Reason
			SWO assessed:
			MONTHLY TOTAL:
			1250

DATE: August 22, 2011

REQUEST FOR BOARD ACTION

AGENDA		ORIGINATING DEPARTMENT														
SECTION NUMBER		Community Development														
ITEM Referral - Case A-15-2011 – Applicant: Level 4 Yoga – Request: Text Amendment to Section 5-105, to allow Yoga Instruction in the B-1 District as Special Uses.		APPROVAL														
<p>The Applicant, Power 4 Yoga, has submitted an application to amend Article V (Business Districts), Section 5-105 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Yoga Instruction (7999) in the B-1 Community Business 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 B-1, Community 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>22. Yoga Instruction (7999)</td><td>S</td><td></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 Yoga Instruction as Special Uses in the B-1 Community Business District.</p>					Section 5-105 Special Uses	B-1	B-2	B-3	C. Services:				22. Yoga Instruction (7999)	S		
Section 5-105 Special Uses	B-1	B-2	B-3													
C. Services:																
22. Yoga Instruction (7999)	S															
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 												
COMMITTEE ACTION:																
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

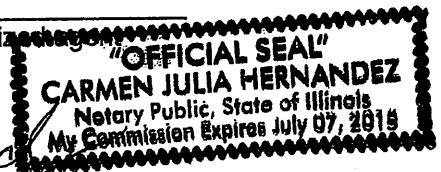
Signature of applicant or authorized agent

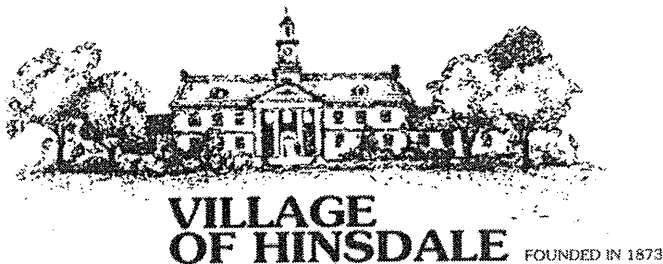
N/A
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 25 day of

July, 2011

Notary Public





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.

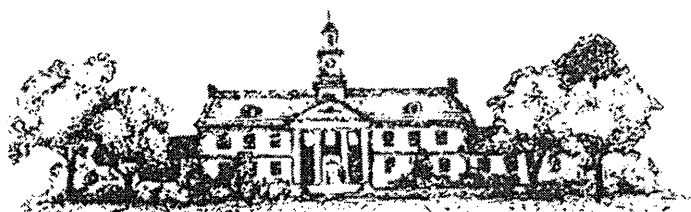
Below are the 14 standards for amendments that will be the criteria used by the Plan Commission and Board of Trustees in determining the merits of this application. Please respond to each standard as it relates to the application. Please use an additional sheet of paper to respond to questions if needed. 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:

interior side(s)

 /

 /

No change
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:

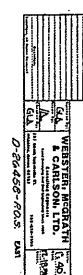
Applicant's signature

Chris Kenny

Applicant's printed name

Dated: 7/22, 2011.

AVENUE






12. NUMBER OF COPIES OF
 ISSUED PUBLICATIONS
 HC WARDENFORD THROUGH 1994

**WEBSTER, MCGRATH
& CARLSON, LTD.**
Equal Opportunity Employer
Send resume and references to:
Mr. J. B. Carlson, Director of Personnel
Webster, McGraith & Carlson, Ltd.
101 Main, Springfield, VT
01103
785-0230/7856

D-26458-P.O.S. EAST

DATE: August 22, 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> <table border="0"><tr><td>Section 5-102 Permitted Uses</td><td>B-1</td><td>B-2</td><td>B-3</td></tr><tr><td colspan="4">D. Finance, Insurance, and Real Estate:</td></tr><tr><td colspan="4">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.</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 5-102D(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.</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.			
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.													
APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 									
COMMITTEE ACTION:													
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

Signature of applicant or authorized agent

Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 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.

1. 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

2. 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: August 22, 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:																
BOARD ACTION:																



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.

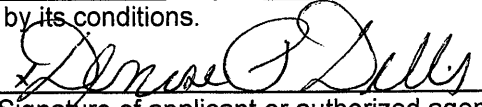
Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

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

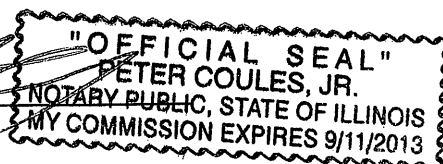
Name of applicant or authorized agent

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



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

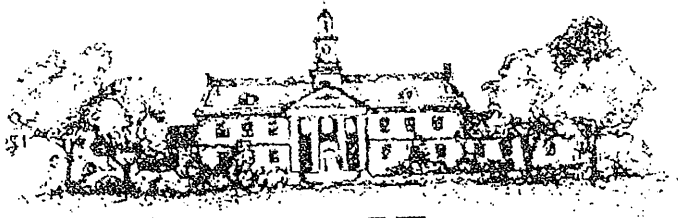
for awhile.

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

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 60514

10 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 \$ 20,000.00 will be paid as follows: Initial earnest money of \$ 20,000.00
 26 by ☒ check, ☐ cash OR ☐ note due on acceptance 20, to be increased to a total of \$ N/A
 27 by N/A, 20. The earnest money and the original of this Contract shall be held by the Listing
 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' liens 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>DAD</u>	Buyer Initial _____	Seller Initial <u>LT</u>	Seller Initial <u>LT</u>
Address <u>116 and 118 South Washington, Hinsdale,</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 (a) By personal delivery of such Notice; or
154 (b) By mailing of such Notice to the addresses recited herein by regular mail and by certified mail, return receipt requested.
155 Except as otherwise provided herein, Notice served by certified mail shall be effective on the date of mailing; or
156 (c) By sending facsimile transmission. Notice shall be effective as of date and time of facsimile transmission, provided that
157 the Notice transmitted shall be sent on Business Days during Business Hours. In the event fax Notice is transmitted
158 during non-business hours, the effective date and time of Notice is the first hour of the next Business Day after
159 transmission; or
160 (d) By sending e-mail transmission: Notice shall be effective as of date and time of e-mail transmission, provided that the
161 Notice transmitted shall be sent during Business Hours, and provided further that the recipient provides written
162 acknowledgment to the sender of receipt of the transmission (by e-mail, facsimile, regular mail or commercial overnight
163 delivery). In the event e-mail Notice is transmitted during non-business hours, the effective date and time of Notice is the
164 first hour of the next Business Day after transmission; or
165 (e) By commercial overnight delivery (e.g., FedEx). Such Notice shall be effective on the next Business Day following
166 deposit with the overnight delivery company.

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

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

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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 AB Buyer Initial _____ Seller Initial JS Seller Initial MA
Address 116 and 118 South Washington, Hinsdale, IL 60514

From: Long Realty

6308878145

07/20/2011 12:12

#018 P.007/007

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

260

261 08/20/2011262 Date of Offer263 Shirley Tolbert264 Buyer (signature)265 MANAGING PARTNER266 Buyer (signature)267 Rock Rubicon LLC268 Print Buyer(s) Name(s) [Required]

269

270 Address

271

272

273 CityStateZip

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 Realty20132280 Selling OfficeMLS #281 Bob Long211059282 Buyer's Designated AgentMLS #283 630-728-7666284 PhoneFax285 boblong@longrealty.net286 Email287 Hal Lipshutz288 Buyer's AttorneyEmail289 773-975-0030290 PhoneFax

291

292 Mortgage CompanyPhone

293

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295

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301

302

303

7-11-11Date of AcceptanceShirley TolbertSeller (signature)G.E. TolbertSeller (signature)George and Shirley TolbertPrint Seller(s) Name(s) [Required]49 Forest Gate CircleAddressOak BrookIL60523CityStateZip630-928-1644 630-319-8774Phone Number(s)

Site Solutions Real Estate Advisors / Waypoint Properties, LLC

Listing Office / co listing officeMLS #Robert Schroedter / Stuart Oseroff / John BellListing Designated AgentMLS #630-470-9948PhoneFaxrschroedter@sitesolutionre.comEmailSeller's AttorneyEmailPhoneFaxLoan OfficerFax

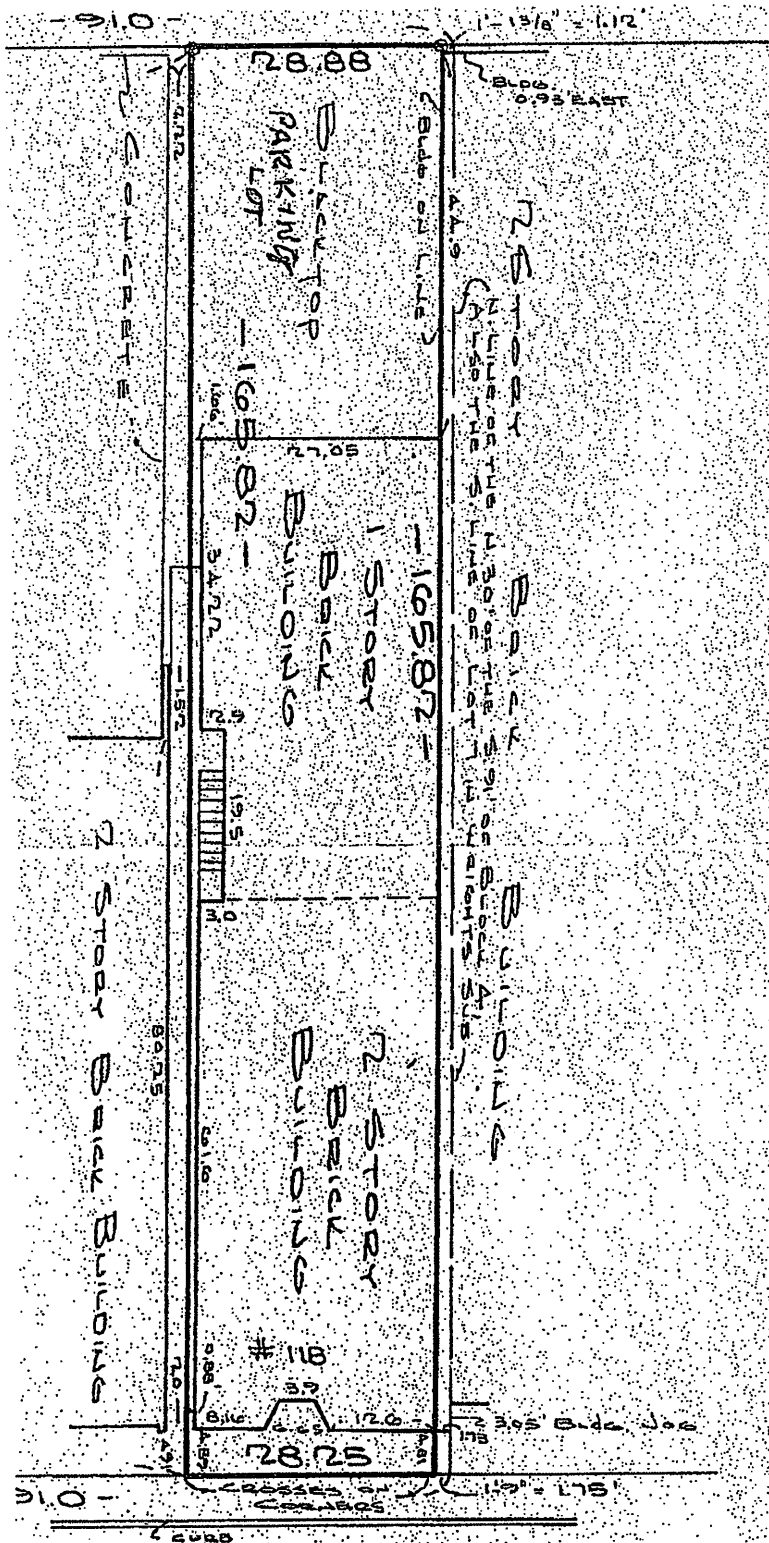
Approved by the following organization - DuPage County Bar Association.

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

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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' 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 BALDROAD 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.



(BLACKTOP PAVING)

GT ON

STREET

From: Long Realty

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
		** COUNTY **		
.0932	252.02	COUNTY OF DU PAGE	.0997	253.98
.0203	54.89	PENSION FUND	.0215	54.77
.0314	84.90	COUNTY HEALTH DEPT	.0323	82.28
.0105	28.39	PENSTON FUND	.0124	31.58
.1138	307.72	FOREST PRESERVE DIST	.1215	309.52
.0079	21.35	PENSION FUND	.0106	27.00
.0148	40.02	DU PAGE AIRPORT AUTH	.0158	40.25
		** LOCAL **		
NO LEVY		DU PAGE WATER COUN	NO LEVY	
.0245	66.25	DOWNERS GROVE TWP	.0268	68.27
.0011	2.97	PENSION FUND	.0013	3.31
.0308	89.51	DOWNERS CR TWP RD	.0309	101.64
.0014	3.78	PENSION FUND	.0021	5.34
.1473	398.31	VLG OF HINSDALE	.1597	508.73
.1345	363.70	PENSION FUND	.1180	300.60
.1068	288.79	VLG HINSDALE LIBRARY	.1211	308.50
.0138	37.31	PENSION FUND	.0150	38.21
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
1.0871	2,885.54	HIGH SCHOOL DIST 86	1.1707	2,982.35
.0277	74.90	PENSION FUND	.0309	77.44
.2127	575.24	COLLEGE DU PAGE 502	.2348	588.51
3.9679	10,720.60	TOTAL	4.4080	11,231.94

Mail To:

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

Property Location:

WASHINGTON ST
HINSDALE, 60521

Township:

DOWNERS GROVE
630-719-6830

Tax Code:

9059

Property Index Number:

09-12-122-013

Back Taxes: NO

TIF Frozen Value	
Fair Cash Value	
Land Value	69,140
+ Building Value	185,610
= Assessed Value	254,750*
x State Multiplier	1.0000
= Equalized Value	254,750
- Residential Exemption	
- Senior Exemption	
- Senior Freeze	
- Disabled Veteran	
- Disability Exemption	
- Returning Veterans Exemption	
- Housing Abatement	
= Net Taxable Value	254,750
x Tax Rate	4.4090
= Total Tax Due	11,231.94

* S OF A FACTOR .94210

1st INST PAID MAY 31, 2011

2nd INST DUE ON SEPT 1, 2011

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



2010 DuPage County Real Estate Tax Bill
Gwan Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187

Office Hours - 8:00 am-4:30 pm, Mon-Fri
Telephone - (630) 407-5900

DATE: August 22, 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

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.

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:

Section 4-112

B. Minimum Lot Area and Dimensions:

2. Lot Area Per Unit (square feet)

f. Nursing or Personal Care Facility⁽³⁾

g. Planned Development⁽³⁾

R-5

R-6

2,000

1,500

5,000

3,000

G. *Exceptions and Explanatory Notes.*

3. *Density adjustment for senior citizen housing and personal care facilities.*

(b) Maximum permissible adjustment.

No such adjustment shall reduce the lot size per dwelling unit requirement to less than 2,000 square feet 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.

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:

BOARD ACTION:



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.**

PROPOSED TEXT AMENDMENT

This proposed amendment seeks to adjust the exceptions and explanatory notes from within Section 4-112 of the 1989 Hinsdale Zoning Ordinance.

Section 4-112

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

G. Exceptions and Explanatory Notes.

3. *Density adjustment for senior citizen housing and personal care facilities.*

(b) Maximum permissible adjustment.

No such adjustment shall reduce the lot size per dwelling unit requirement to less than 2,000 square feet 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.

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



**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**

☐ **Design Review Permit 11-605E**

☐ **Exterior Appearance 11-606E**

☐ **Special Use Permits (2) 11-602E.**

☐ **Map and Text Amendments 11-601E**

Amendment Requested: Please see attached.

☐ **Planned Development 11-603E**

☐ **Development in the B-2 Central Business District Questionnaire**

☐ **Major Adjustment to Final Plan**

PLEASE NOTE THAT APPLICANT SEEKS APPROVAL OF A MAJOR ADJUSTMENT TO THE EXISTING SPECIAL USE FOR PLANNED DEVELOPMENT. THIS IS EXPLAINED IN EXHIBIT C.

TABLE OF COMPLIANCE

Address of subject property: 10 North Washington Street, Hinsdale, Illinois 60126

This table will be submitted shortly

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 18th 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

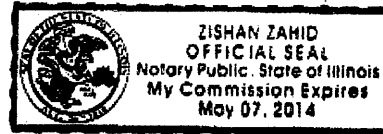
Signature of applicant or authorized agent

Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 18th day of
August, 2011.

Zishan Zahid
Notary Public



VILLAGE OF HINSDALE

CERTIFICATION OF PROPER NOTICE

REGARDING APPLICATION FOR PUBLIC HEARINGS AND MEETINGS

I, Michael Hublet, 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:

Michael Hublet

940 W. CORDON TERRACE, CHICAGO IL 60603

[TO BE PROVIDED]



Subscribed and sworn to before me

This 18th day of August, 2011.

By:

Notary Public

Zishan Zahid

PROPOSED TEXT AMENDMENT

This proposed amendment seeks to adjust the exceptions and explanatory notes from within Section 4-112 of the 1989 Hinsdale Zoning Ordinance.

Section 4-112

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

G. Exceptions and Explanatory Notes.

3. *Density adjustment for senior citizen housing and personal care facilities.*




(b) Maximum permissible adjustment.

No such adjustment shall reduce the lot size per dwelling unit requirement to less than 2,000 square feet 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.

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

DATE: August 22, 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:				
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) 841-0054

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 wn. We are in the early stages of a more permanent structure that we will present in 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