

**DRAFT MINUTES
VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE
MONDAY, AUGUST 26, 2013
MEMORIAL HALL
7:30 p.m.**

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

Absent: None

Also Present: Robert McGinnis, Director of Community Development/Building Commissioner, Bradley Bloom, Police Chief, Rick Ronovsky, Fire Chief

Chairman Saigh called the meeting to order at 7:30 p.m. and summarized the agenda.

Minutes – June and July 2013

Trustee Elder moved to approve the minutes as amended for the June 24, 2013 meeting. Second by Trustee Angelo. Motion passed unanimously.

Monthly Reports – June and July 2013

Fire Department

Chief Ronovsky reviewed the June and July Monthly Fire Reports indicating there were 236 emergency calls in June and 232 in July for a year to date total of 1508 calls. Chief Ronovsky mentioned that on June 24th the Fire Department responded to multiple storm calls including multiple power lines and poles down at 777 N York Road that disrupted service for several days. There were no injuries.

Chief Ronovsky reported that fire and police personnel participated in another successful year at the Safety Village of Hinsdale and that the two new Firefighter/Paramedics hired in 2012 are successfully completing their probationary period in the Fire Department.

Trustee Angelo commented on the increase in the number of ambulance responses compared to last year and asked what might have contributed to more EMS responses. Chief Ronovsky indicated that there is not one answer to the increase in EMS calls.

Police Department

Chief Bloom discussed the Police Department's recent efforts that coincide with the start of the school year in training District 181 principals and senior staff on school emergency crisis plans. Chief Bloom said that the training was done in conjunction with the Fire Department and seemed to be well received. Plans are underway to schedule lockdown drills at all of the Hinsdale schools including parochial schools.

Chief Bloom mentioned that the police will have an additional presence around the schools during the first few weeks to promote traffic and pedestrian safety. Efforts will include school speed zone enforcement as well as cell phone use in school zones.

Chief Bloom stated that the Police Department was recognized for their efforts to promote traffic and pedestrian safety receiving a first place award in the municipal category in a program sponsored by the Illinois Department of Transportation and the Illinois Chief's of Police Association. As part of the award the department received a preliminary breath test device and speed measuring equipment.

Community Development

Robert McGinnis went over the monthly reports for June and July and noted that during the month of July the department issued 132 permits including 6 permits for new homes, conducted just shy of 400 inspections, and brought in almost \$143,000 in permit revenue for the month of July.

Request for Board Action

Recommend Approval of an Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 46 Village Place

Chairman Saigh introduced the item and the unanimous vote coming from Plan Commission. Patrick McCarty, the architect, spoke on behalf of the owner and went over the planned improvements for the space. He stated that these included a new awning, light fixtures, benches, and three new signs. Trustee Elder made a motion to recommend Approval of an Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 46 Village Place. Second by Trustee Haarlow. Motion passed unanimously.

Recommend Approval of an Ordinance Approving Site Plans and Exterior Appearance Plans for the Construction of a New Cancer Treatment Center at 421 E. Ogden Avenue – Adventist Hinsdale Hospital

Chairman Saigh introduced the item and summarized the unanimous vote coming from Plan Commission and the two issues that they had made their positive recommendation conditioned upon. Jack George, the attorney representing the hospital, along with the project architect, summarized the project, layout, materials, and the issues that the Plan Commission still wanted addressed prior to final approval.

Mr. George explained the changes to the landscape plan that included both a detailed legend as well as the addition of some landscape islands that the Plan Commissioners felt would break up the parking lot a bit. He also included for the record, a letter from the Capitol Development Board that confirmed that the number of handicap parking spaces being proposed would be sufficient for this particular building.

Trustee Haarlow asked about the relocation of Spinning Wheel and how it would affect the existing parking at 7 Salt Creek. The hospital stated that they owned this property and that it was presently vacant. Steve Corcoran of Erickson Engineering responded that there was room for additional parking on site as future plans dictate and that they had no plans for the building at this time.

Trustee Haarlow asked whether the retention basin was designed to hold water. The project engineer responded that it was.

Chairman Saigh asked about the walking path around this pond and whether it was going to be installed. The project architect responded that it was not at this time, but was being included as part of the overall approval so that it could be constructed once funds were available.

Chairman Saigh also asked about a license agreement regarding access to Duncan Field. Jack George stated that there was an agreement between the hospital and the village and that it would be maintained.

Trustee Angelo read prepared comments regarding the helistop that was constructed at the hospital and stated that he had trouble believing that plans for the cancer treatment center were not completed or at least contemplated when the hospital went for their approvals for the addition to the hospital.

Trustee Elder made a motion to recommend Approval of an Ordinance Approving Site Plans and Exterior Appearance Plans for the Construction of a New Cancer Treatment Center at 421 E. Ogden Avenue – Adventist Hinsdale Hospital. Second by Trustee Haarlow. Motion passed unanimously.

Recommend Approving the Purchase of One Pierce Saber Pumping Engine from Pierce Fire Apparatus/Global Emergency Products through the Northwest Municipal Group Purchasing Agreement and our Group Purchase Cooperative for the Sum of \$435,132.00

Chairman Saigh introduced this item and summarized the Fire Department's request to purchase a new fire engine. Chief Ronovsky explained that the newest fire engine the Department has is 13 years old with another being 16 and the oldest being 26 years old. The Vehicle Replacement Program indicates that we schedule replacements at the 16 year mark.

The Fire Department Capital budget includes \$450,000 for the replacement of the 16 year old vehicle and Department further evaluating the need for three fire engines. Chief Ronovsky further explained that the Fire Department has researched and recommended the purchase of a Pierce Saber Fire Engine from Pierce Fire Equipment/Global Emergency Products for \$435,132.00. This piece of equipment is similar to current fire engines in both Hinsdale and Clarendon Hills.

Ronovsky stated that as part of the research, we were able to purchase this fire engine through the Northwest Municipal Group Purchasing Agreement and a Group Cooperative with DuPage County saving the Village an estimated \$30,000. The current 16 year old will most likely be sold when the new engine is delivered.

Trustee Harlow asked if it was in our best interest to also take advantage of the pre-payment option to save an additional \$13,340. Chief Ronovsky indicated that in working with Acting Manager Langlois it was not in our best interest to pre-pay the vehicle then make sure that it is built on time and to our specifications. Trustee Elder inquired if this engine will be red in color and that answer is it will as the Department moves to returning to red fire apparatus. Chairman Saigh asked what prices we were receiving on the purchase of the 16 year old engine. Chief Ronovsky commented that in preliminary discussions with fire equipment brokers, that engine should generate a price over \$40,000.

With no further questions, Trustee Elder made a motion to recommend the Board to approve the purchase of one Pierce Saber pumping engine from Pierce Fire Apparatus/Global Emergency products through the Northwest Municipal Group Purchasing Agreement and our Group Purchase Cooperative for the sum of \$435,132.00. Second by Trustee Angelo. Motion passed unanimously.

Recommend Approving an Ordinance Prohibiting Parking on the East Side of Phillippa Street and the West Side of Justina Street Between Bob-O-Link and Fuller Road

Chief Bloom stated that they have received inquiries from the residents in the 800 block of Phillippa and Justina Streets regarding concerns over parking and traffic congestion. In reviewing of area found that customers and employees of Whole Foods regularly park on both sides of the street making the street impassable at times.

To address this issue and alleviate parking and traffic congestion we have posted temporary no parking signs prohibiting parking on the east side of Phillippa between Bob-O-Link and Fuller Road and the west side of Justina between Bob-O-Link and Fuller Road. These temporary measures have relieved parking and traffic congestion concerns. Chief Bloom stated that staff has received positive feedback from the residents following the implementation of these temporary restrictions.

A resident from the 800 block of Justina stated that he has some concerns that employees will continue to park and hang-out in the area. He stated that he has spoken to the Whole Foods manager but the issue has not been adequately addressed. The resident suggested that a time zone be used along with the parking prohibitions as a way to keep employees from parking long term.

Chief Bloom stated that part of the parking issue may be the unavailability of the employee parking area located west of County Line due to construction.

A brief discussion was held by the Committee and the consensus was to keep the temporary measures in place and re-assess the area following the completion of County Line Road construction. The Committee also requested that the Police Department follow-up with Whole Foods management.

Recommend Approving the Purchase of Two (2) Replacement Squad Cars from Currie Motors of Frankfort in the Total Amount Not to Exceed \$51,888 Under the Terms of the Suburban Purchasing Cooperative Contract.

Chief Bloom stated that staff is seeking to replace two (2) squad cars in accordance with the Village's Vehicle Replacement Policy. Chief Bloom stated that \$140,000 was budgeted in the FY13/14 budget to purchase four (4) replacement squads. We delayed replacing squads last year pending our consolidation discussions with Clarendon Hills. In April 2013, the Board approved the purchase of the first two (2) squads and this covers the remaining two (2). Delivery is expected to take between 2-6 months. We are still awaiting delivery of the order we placed in April.

Staff is recommending the purchase of two Ford Police Interceptors Utility vehicles under the terms of the Suburban Purchasing Cooperative from Currie Motors of Frankfort IL. The cost per vehicle is \$25,944 or \$51,888 in total.

Trustee Elder moved to recommend that the Village Board purchase two (2) 2014 Ford Police Interceptor utility vehicles under the terms of the Suburban Purchasing Cooperative from Currie Motors for \$51,888. Trustee Angelo seconded. Motion carried unanimously.

Recommend Awarding a Competitive Bid to Replace Certain Exterior Doors and Windows in the Police/Fire Building to Suburban Door and Lock of Westmont in an Amount Not to Exceed \$53,272

Chief Bloom stated that \$50,000 was budgeted to replace the original exterior windows and doors at the Police and Fire Building. The current windows and doors (other than the FD entrance) are the original doors and windows installed in 1970 and their current condition requires replacement. Additionally these changes will bring us into compliance with ADA requirements.

Specifications were published, a pre-bid meeting was held and competitive bids were solicited. Five (5) vendors responded with bids ranging from \$53,372 to \$81,145.

After a review of the bid submittals and references we are recommending that the bid be awarded to the low bidder Suburban Door and Lock of Westmont. Chief Bloom said that this is over budget citing that the original vendor that help write the specifications had estimated a much lower cost and that figure was used for budgeting purposes. The budget overage will be made up from a favorable variance in the budgeted cost for police vehicle replacement.

Trustee Haarlow motioned to recommend the awarding of a competitive bid to the Village Board to purchase certain doors and windows in accordance with the bid specifications to Suburban Door and Window of Westmont for a cost not to exceed \$53,372. Trustee Angelo seconded. Motion carried unanimously.

Recommend Approval to Waive competitive Bids and Approve Payment to Kroeshell Engineering of \$22,947.50 to Make Emergency Repairs to the HVAC Systems in the Police and Fire Building

Chief Bloom stated that on Monday, August 19, 2013 the Police and Fire Building air conditioning stopped working. Building maintenance made an assessment and contacted Kroeshell Engineering for service. It was later determined that the compressor needed replacement.

Kroeshell Engineering is a trusted vendor and has maintained the HVAC system in the building for over 30 years. Obtaining additional quotes was not feasible due the work already being in progress and the unit already being dismantled and Kroeshell having significant time already into diagnosing the problem. Most importantly, internal building temperatures had reached 90 degrees rendering our booking and lock-up areas uninhabitable. Chief Bloom stated that a second vendor provided a quote for approximately \$26,000.

Kroeshell has provided a proposal repair cost of \$22,947.50 but does not include Freon or other additional parts as may be needed. Work will be performed during normal business hours.

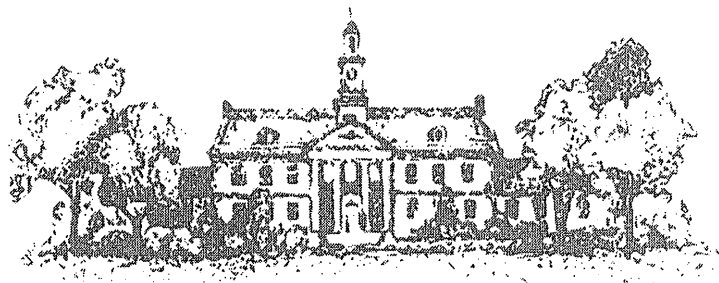
Trustee Elder moved to recommend the waiving of competitive bids and approval of an proposal by Kroeshell Engineering to preform emergency repairs on the Police/Fire Building air conditioning unit in the amount of \$22,947.50. Trustee Haarlow seconded. Motion carried unanimously.

Adjournment

With no further business to come before the Committee, Chairman Saigh asked for a motion to adjourn. Trustee Elder made the motion. Second by Trustee Haarlow. Meeting adjourned at 8:55PM.

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

August 2013



Hinsdale Fire Department Monthly Report August 2013



Emergency Response

In **August**, the Hinsdale Fire Department responded to a total of **225** requests for assistance for a total of **1733** responses this calendar year. There were **40** simultaneous responses and **zero** train delays this month. The responses are divided into three basic categories as follows:

<i>Type of Response</i>	<i>August 2013</i>	<i>% of Total</i>	<i>August 2012</i>
Fire: (Includes activated fire alarms, fire and reports of smoke)	89	39%	95
Ambulance: (Includes ambulance requests, vehicle accidents and patient assists)	96	43%	103
Emergency: (Includes calls for hazardous conditions, rescues, service calls and extrications)	40	18%	36
Simultaneous: (Responses while another call is on- going. Number is included in total)	40	18%	56
Train Delay: (Number is included in total)	0	0%	7
Total:	225	100%	234

Year to Date Totals

Fire: 629 Ambulance: 698 Emergency: 406

2013 Total: 1733

2012 Total: 1682

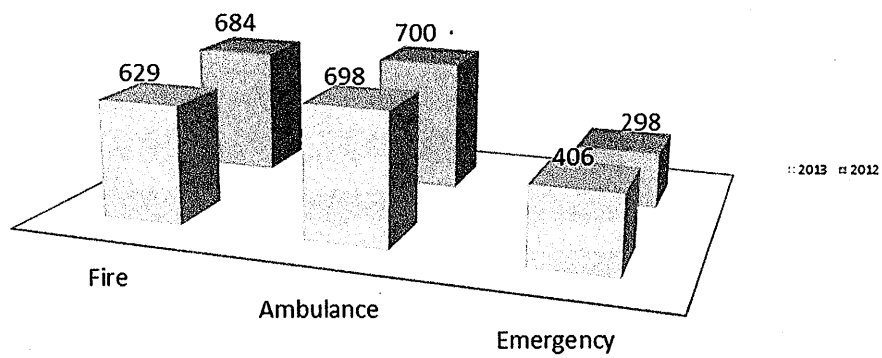


Hinsdale Fire Department Monthly Report August 2013

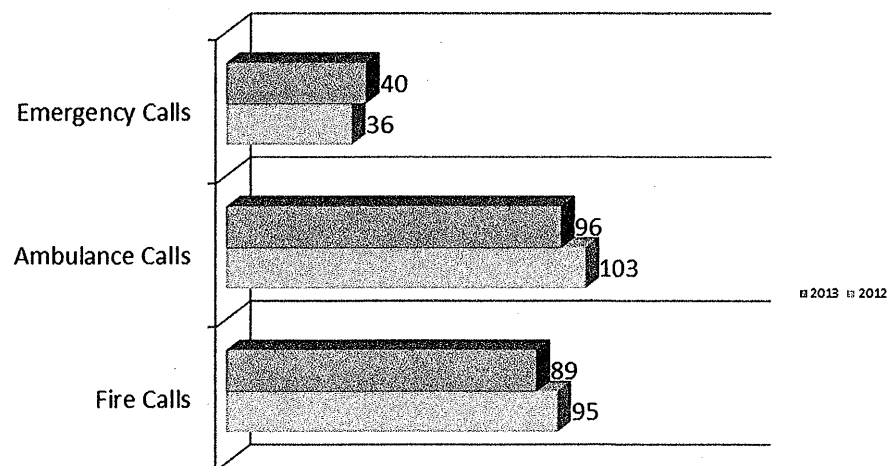


Emergency Response

**Type of Responses
Year to Date**



Total Calls for August



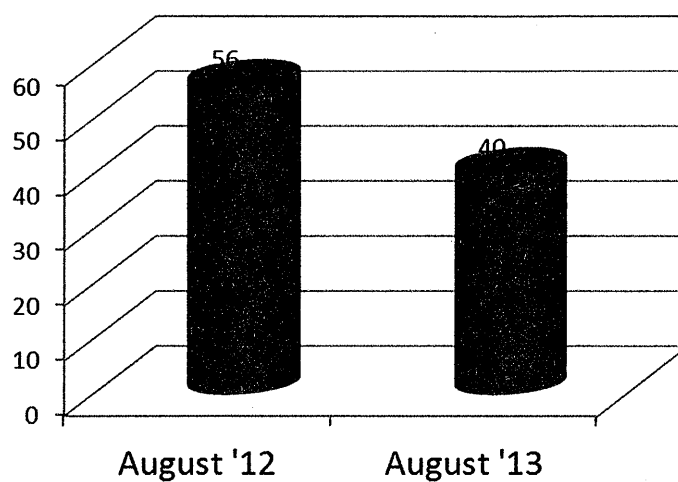


Hinsdale Fire Department Monthly Report August 2013

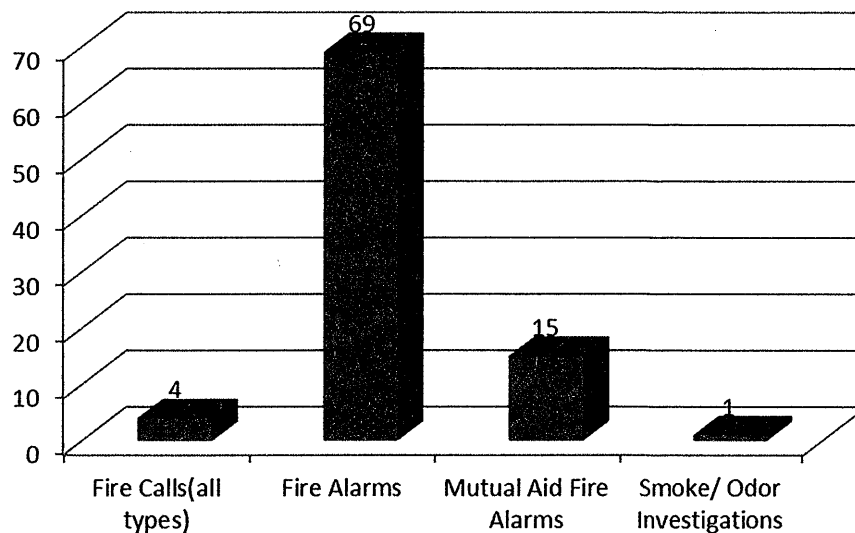


Emergency Response

Simultaneous Calls



Distribution of Fire Related Calls



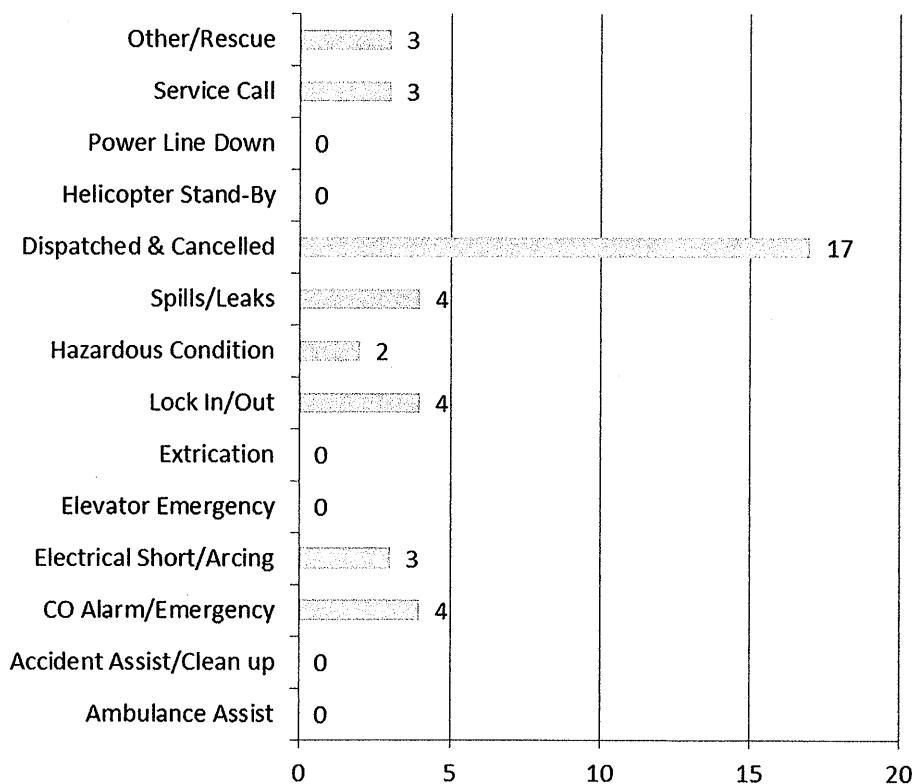


Hinsdale Fire Department Monthly Report August 2013

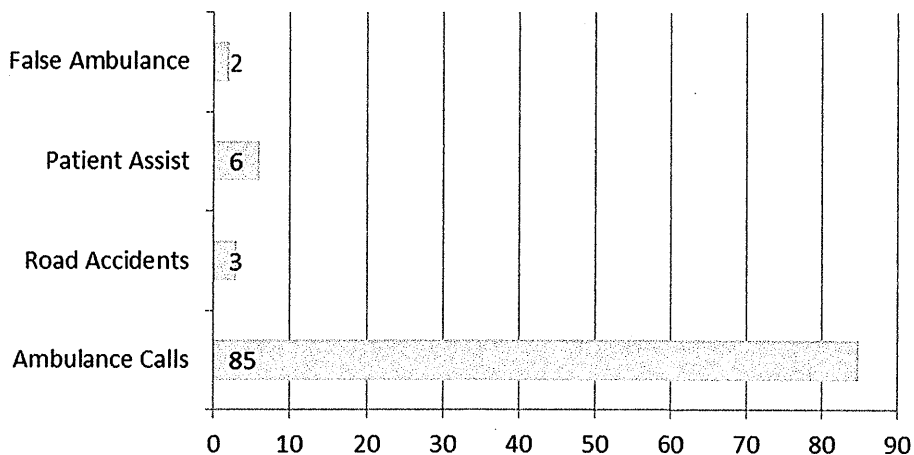


Emergency Response

Distribution of Emergency Related Calls



Distribution of EMS Related Calls





Hinsdale Fire Department Monthly Report August 2013



Incidents of Interest

- August 1st – Members responded to the 300 block of south Lincoln Street for an electrical transformer that exploded. Members secured the area and stood by for ComEd to arrive. No injuries, no damage to the surrounding homes.
- August 5th – Chief Ronovsky responded to assist LaGrange Park with a fire at the Bethlehem Woods Retirement Center. There was a small kitchen fire in one of the resident's apartments, no injuries and minimal damage. Chief assisted with incident command functions.
- August 8th – Members responded with our aerial ladder to assist Downers Grove with a house fire. Crews assisted at the scene with various assignments.
- August 19th – Members responded to the 5600 block of south County Line Road for an outside natural gas leak. Upon arrival, members found a construction crew struck a gas line. Members secured the area and stood by for NICOR to arrive. No injuries, no damage.
- August 22nd – Members responded to the 5600 block of south Elm Street for a fire on the electrical pole spreading towards a house. Upon arrival, members found a house electrical service and portions of the electrical pole on fire. Members assisted ComEd in extinguishing the fire. There was an estimated \$5000 damage to the equipment, no injuries and no damage to the house. Westmont and Oak Brook Terrace Fire Departments stood by in our fire station.



***Hinsdale Fire Department
Monthly Report
August 2013***



Training/Events

During the month of August, members conducted regular daily training in the areas of Policy and Procedure Review, Review of HAZMAT and Radiation Monitoring Devices and Kits, Drivers Training with all apparatus, Apparatus Equipment Operation and Maintenance, Ground Ladder Review.

Members had the ability to use two houses scheduled for demolition for training this month. One house was used by all shifts for a simulated fire response and the other house was used for training on hose line advancement and engineering and pumping evolutions with the Clarendon Hills Fire Department.

Paramedic Continuing Education (conducted through the Good Samaritan EMS System) was also conducted. Members reviewed NIMS and Incident Command topics relating to the delivery of EMS. This included responses to mass casualty incidents. Members also reviewed Cardiac Emergencies.

MABAS 10's Technical Rescue Team conducted their monthly training with Firefighter Ziemer in attendance. Topic was Vertical Rescue.

MABAS 10's HAZMAT and Fire Cause & Origin Teams did not conduct training in August.

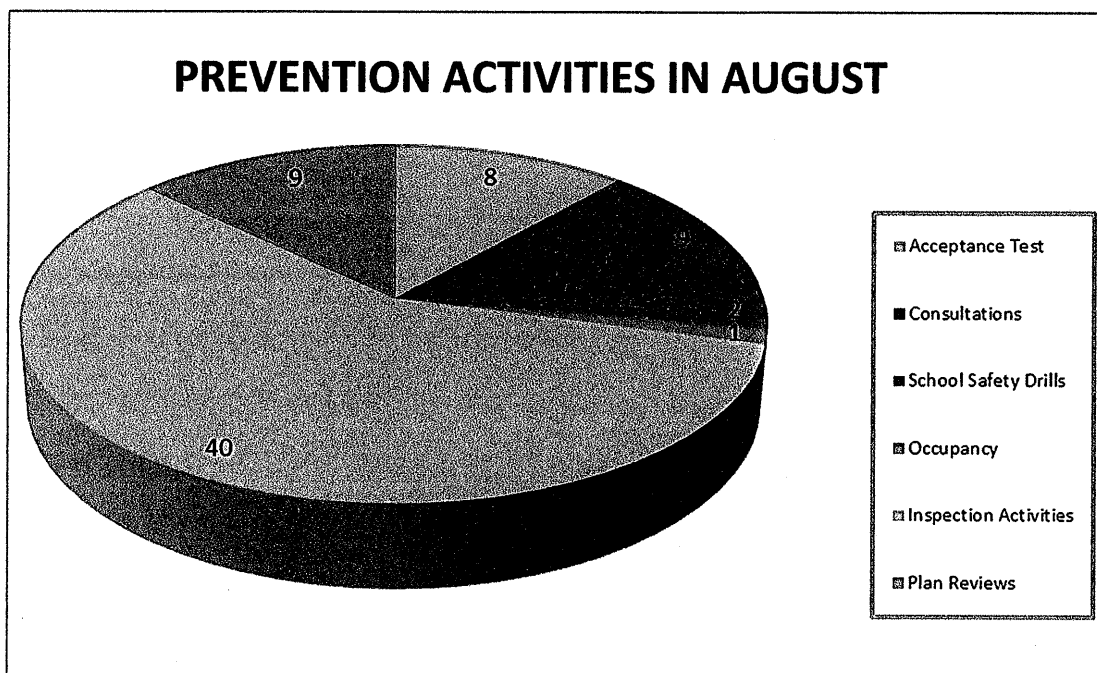


Hinsdale Fire Department Monthly Report August 2013



Public Education

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.



Fire Prevention/Safety Education:

School Crisis Plan meetings and training conducted with Hinsdale Police Officer Coughlin:

- District 181 administrative staff and principals, August 7
- Individual planning meetings with principals from Monroe, Madison Elm, Oak, HMS, St. Isaac Jogues and Hinsdale Adventist Academy
- District 181 Crisis Plan review and updating for upcoming school year, August 21
- Safety presentation at Oak School held on August 20th
- Members conducted various Public Education Programs in CPR, Fire Station Tours, and attended numerous block parties and Hinsdale Hospital's annual Ice Cream Social
- Attended class on elevator systems and emergency operations, August 22, 2013



Hinsdale Fire Department Monthly Report August 2013



The Survey Says...

Each month, the department sends out surveys to those that we provide service. 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 ten responses in the month of August with the following results:

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

Yes – 10 / 10

Was the quality of service received:

“Higher” than what I expected – 10 / 10

“About” what I expected – 0 / 10

“Somewhat lower” than I had expected 0 / 10

Miscellaneous Comments (direct quotes):

“Responders very professional, patient, kind.”

“The service was great, compassionate and professional.”

“We have lived in Hinsdale 42 years. The Fire & Police Depts have always & continued to have high standards and outstanding service.”

“The paramedics recommended going to the hospital. Initially I refused, thinking it was too much fuss. They knew I was probably in shock and explained why it was in my best interest. I am so glad they helped me. The impact included a sprained left ankle, a dislocated right knee and a damaged right elbow. The swelling and pain increased throughout the overnight hospital stay. Their knowledge and promptness were invaluable.”

“Very professional, alleviated my fears, courteous.”



POLICE SERVICES MONTHLY REPORT

August 2013

CRIME PREVENTION ACTIVITY

AUGUST 2013

D.A.R.E. (DRUG ABUSE RESISTANCE EDUCATION)

August 29	5 classes	Hinsdale Middle School
August 30	6 classes	Hinsdale Middle School

The Junior High D.A.R.E Program is a ten-lesson program that is presented in all eighth grade classrooms in Hinsdale Public and Parochial Schools. Topics include making good decisions, consequences, decision-making, drug, alcohol, tobacco awareness and resistance.

On August 5 & 6, 2013, Officer Coughlin worked in the patrol division covering the street from 6am-6pm.

On August 7, 2013, Officer Coughlin, Assistant Fire Chief McElroy, and Burr Ridge Officer Zucchero presented Crisis Training to all District 181 Principals and Administration Personnel.

On August 7, 2013, Officer Coughlin presented a Situational Awareness/Self –Defense class to a group of college-age females. The class topics included how to avoid becoming a victim, knowing your surroundings, and self-defense techniques. The girls all had a chance to practice the self-defense techniques by pretending they were in a situation where an offender grabs them, and they have to fend him off using the new self-defense techniques.

On August 9, 2013, Officer Coughlin presented the Alive at 25 Defensive driving course at the Hinsdale Police Department. The 4-½ hour class is dedicated to improving decision making by identifying behaviors which can lead to traffic crashes. The course includes videos, group work and facilitated discussion.

On August 12, 2013, Officer Coughlin met with Assistant Fire Chief McElroy to discuss upcoming school crisis trainings, lockdown and severe weather drills, and updating the crisis manual.

On August 13, 2013, Officer Coughlin served as Peer Jury Bailiff at the Hinsdale Police Department for 28 returning alcohol cases.

On August 14, 2013, Officer Coughlin visited Hinsdale Adventist Academy at the beginning of the first day of school for the high school students. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 14, 2013, Officer Coughlin met with the Executive staff at Hinsdale Public Library. Officer Coughlin and went over lockdown procedures, evacuation drills and shelter-in-place procedures. He also assisted them with coming up with their own crisis plans.

On August 15, 2013, Officer Coughlin participated in videotaping lockdown drill and shelter-in-place information for new staff members and substitute teachers in District 181 to view.

On August 15, 2013, Officer Coughlin and Fire Inspector McElroy met with Oak School Principal Walsh to discuss safety issues and to set dates for lockdown and fire drills.

On August 15, 2013, Officer Coughlin and Fire Inspector McElroy met with Hinsdale Middle School Principal Pena, Assistant Principal Henrickson, and Dean May to discuss safety issues and to set dates for lockdown and fire drills.

On August 16, 2013, Officer Coughlin met with staff at Robert Crown Health Center to show them how a lockdown drill works, and to assist them with a crisis plan.

On August 16, 2013, Officer Coughlin and Fire Inspector McElroy met with Madison School Principal McMahon to discuss safety issues and to set dates for lockdown and fire drills.

On August 19, 2013, Officer Coughlin visited Hinsdale Adventist Academy at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 19, 2013, Officer Coughlin and Burr Ridge Officer Zucchero presented crisis training to the District 181 staff at Elm School. Topics covered were evacuation plans, shelter in place and lockdown procedures.

On August 20, 2013 Officer Coughlin visited Hinsdale Adventist Academy at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 20, 2013, Officer Coughlin and Assistant Fire Chief McElroy presented crisis training to the staff at The Lane School. Topics covered were evacuation plans, shelter in place and lockdown procedures.

On August 20, 2013, Officer Coughlin gave a station tour and a ride along to three thirteen-year-olds who had won an auction at Monroe School.

On August 21, 2013, Officer Coughlin attended a District 181 Safety and Crisis meeting at Elm school.

On August 21, 2013, Officer Coughlin and Fire Inspector McElroy met with Monroe School Principal Horne to discuss safety issues and to set dates for lockdown and fire drills.

On August 22, 2013, Officer Coughlin visited Monroe School on the first day of school at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 22, 2013, Officer Coughlin visited Hinsdale Middle School after school to make sure students were not walking N/B on Garfield or crossing in the middle of the block due to construction at First/Garfield.

On August 23, 2013, Officer Coughlin visited Hinsdale Middle School at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 23, 2013, Officer Coughlin visited The Lane School at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 23, 2013, Officer Coughlin attended the quarterly I.J.O.A. meeting at the Tinley Park P.D. Topics covered were forming new committees, scholarships, newsletter, juvenile trainings, new members, and the upcoming juvenile training conference in June 2014.

On August 23, 2013, Officer Coughlin and Deputy Chief Wodka trained four Madison School fifth grade classes in Safety Patrol. Students were taught about paying attention to younger kids, always setting a good example, opening doors for students entering or exiting the building, making sure students walk their bikes, reporting for duty on time, trying to prevent accidents, obeying the teachers, reporting dangerous student practices and earning the respect of fellow students.

On August 23, 2013, Officer Coughlin visited Hinsdale Middle School after school to make sure students were not walking N/B on Garfield or crossing in the middle of the block due to construction at First/Garfield.

On August 26, 2013, Officer Coughlin visited Oak School at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 26, 2013, Officer Coughlin visited Hinsdale Middle School after school to make sure students were not walking N/B on Garfield or crossing in the middle of the block due to construction at First/Garfield.

On August 26, 2013, Officer Coughlin and Assistant Fire Chief McElroy met with the staff at Nurturing Wellness Academy to discuss safety issues and to set dates for lockdown, severe weather, and fire drills.

On August 27, 2013, Officer Coughlin visited Madison School at the beginning of the school day. He was there to be visible, to make sure that students were safe, and to make sure drivers were not on cell phones in school zones. He also spoke with and gave high fives to many students.

On August 27, 2013, Officer Coughlin coordinated a school lockdown drill at Hinsdale Adventist Academy. The drill went very smoothly with a few minor issues that were addressed with Safety Director Jeff Currie.

On August 27, 2013, Officer Coughlin visited Hinsdale Middle School after school to make sure students were not walking N/B on Garfield or crossing in the middle of the block due to construction at First/Garfield.

On August 28, 2013 Officer Coughlin assisted Assistant Fire Chief McElroy with a fire drill evacuation at Hinsdale Middle School.

On August 28, 2013, Officer Coughlin met with the staff at Grace Episcopal Church Pre-School. Officer Coughlin walked through all classrooms and gave suggestions on where to take cover in case of a lockdown or severe weather. Then he presented information on evacuation, shelter in place and lockdown procedures.

On August 29, 2013, Officer Coughlin coordinated a school lockdown drill at Madison School. The drill went very smoothly with one minor issue that was addressed with Principal McMahon.

On August 29, 2013, Officer Coughlin assisted School District 181 and State Farm Insurance with a Bicycle Safety Rodeo at The Lane School. Officer Coughlin assisted with bike registrations, bike inspections, and bike licenses.

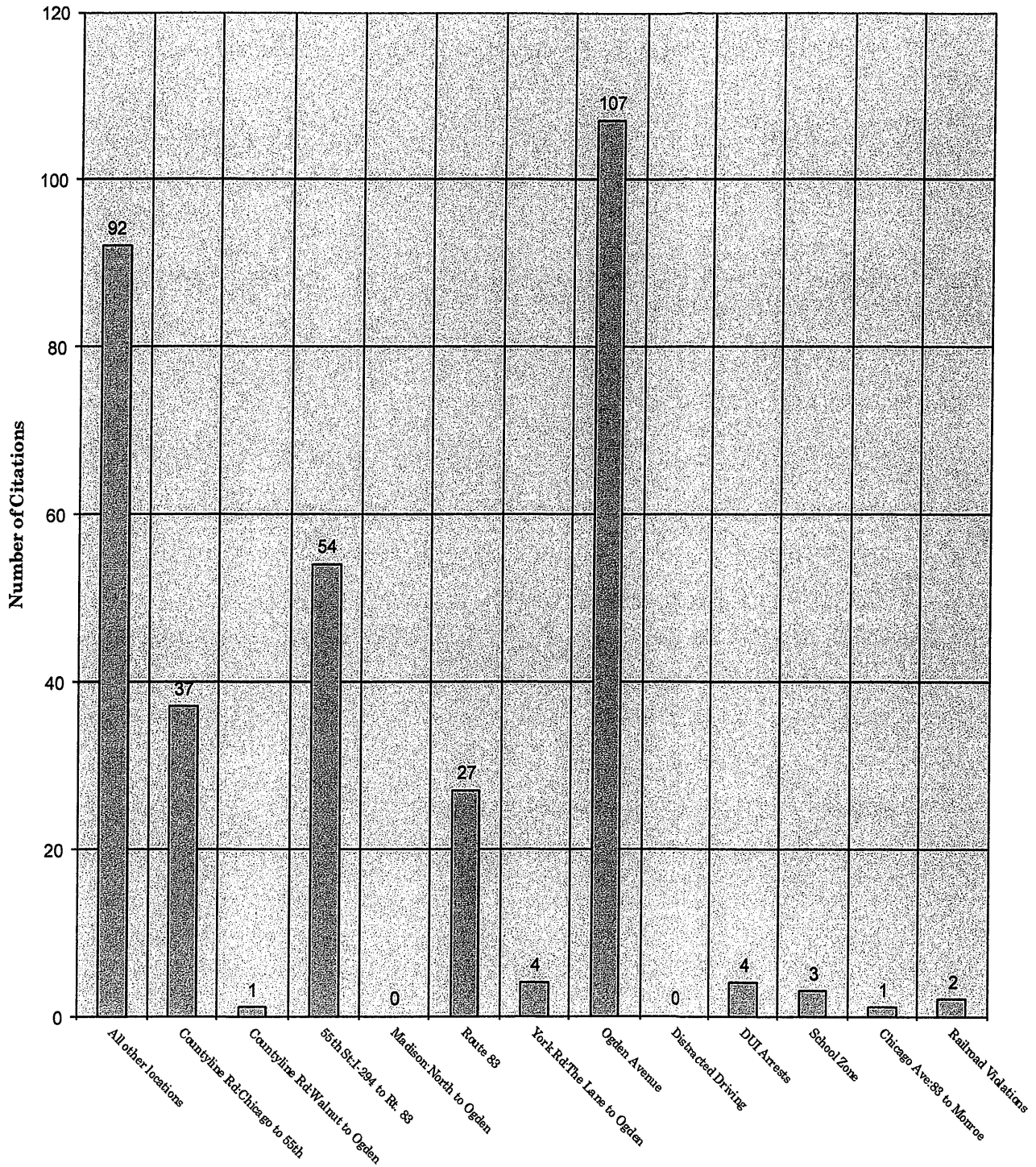
On August 23 & 30, 2013, Officer Coughlin walked the Business District monitoring the behavior of middle school students. He spoke with teens, shoppers, business owners and handled any incidents related to the students.

On August 14, 15, 16, 2013, Officer Coughlin supervised two high school students completing community service work.

Submitted By:

Officer Michael Coughlin
Crime Prevention/DARE/Juvenile Officer

Hinsdale Police Department
Selective Enforcement Citation Activity
 August 2013



TRAFFIC ENFORCEMENT

August 2013

<i>* Includes Citations and Warnings</i>	This Month	This Month Last Year	YTD	Last YTD
Speeding	120	116	921	1,058
Disobeyed Traffic Control Device	19	29	153	164
Improper Lane Usage	22	35	186	359
Insurance Violation	22	20	121	150
Registration Offense	24	29	203	305
Seatbelt Violation	67	133	342	464
Stop Signs	24	40	263	353
Yield Violation	6	16	92	120
No Valid License	8	5	29	26
Railroad Violation	0	1	6	7
Suspended/Revoked License	5	10	44	42
Other	68	78	577	741
TOTALS	385	512	2,937	3,789

Investigations Division Summary

August 2013

On August 10, 2013, a 50-year-old Willowbrook man was charged with one count of **Violation of Order of Protection**, one count of **Harassment by Telephone**, one count of **Possession of Cannabis 30 grams and Under** and one count of **Possession of Drug Equipment** after sending threatening messages by electronic communication to a family member. The subject also was found in possession of cannabis. The man was transported to the DuPage County Jail for a bond hearing.

On August 13, 2013, an 18-year-old Hinsdale man was charged with one count of **Domestic Battery** and one count of **Unlawful Interference with the Reporting of Domestic Violence** after having a fight with a family member. The man was transported to the DuPage County Jail for a bond hearing.

On August 13, 2013, Hinsdale Investigators assisted DUMEG with a "buy-bust" of a 21-year-old Western Springs male who was involved in the felony delivery of **Cannabis**.

On August 14, 2013 a 33-year-old Chicago man was charged with one count of **Driving with a Suspended License**, one count of **Expired License plate sticker** and one count of **Operating a Uninsured Motor vehicle** after a routine traffic stop. The man was released on an I-bond.

On August 16, 2013, a 26-year-old Glendale Heights man was charged with one count of **Theft under \$500.00**. The man had been a hired worker in a residence and stole a silver bracelet. The man was released after posting bond.

On August 16, 2013, a 23-year-old Hinsdale man was charged with **Unlawful Delivery of a Controlled Substance (MDMA, Ecstasy)**, **Unlawful Delivery of Cannabis**, **Unlawful Possession of a Controlled Substance (LSD)**, **Unlawful Possession of a Controlled Substance (MDMA)**, and **Unlawful Possession of a Controlled Substance (Psilocyn AKA mushrooms)**. This investigation began back in January of 2013, in which the department originally began a Residential Burglary investigation. This case involved the service of a search warrant, coordination with the FIAT Computer Forensics lab, assistance from DUMEG, and testing from the DuPage County Crime Lab, and coordination with the DuPage County States Attorney's Office.

On August 20, 2013, a 24-year-old Stickney man was charged with one count of **Driving with a Suspended License**, one count of **Possession of Drug Equipment**, one count of **Operating an uninsured Motor vehicle** and one count of **No Seatbelt** after a routine traffic stop. The man was released on an I-bond.

On August 27-28, 2013, Hinsdale Investigators assisted DUMEG and the DEA with the apprehension 49 targets after 29 felony arrest warrants were obtained through the DuPage County States Attorney's Office. This case was a six month investigation regarding heroin trafficking and sales in DuPage and Cook Counties. This investigation focused around the new State of Illinois Rico statute.

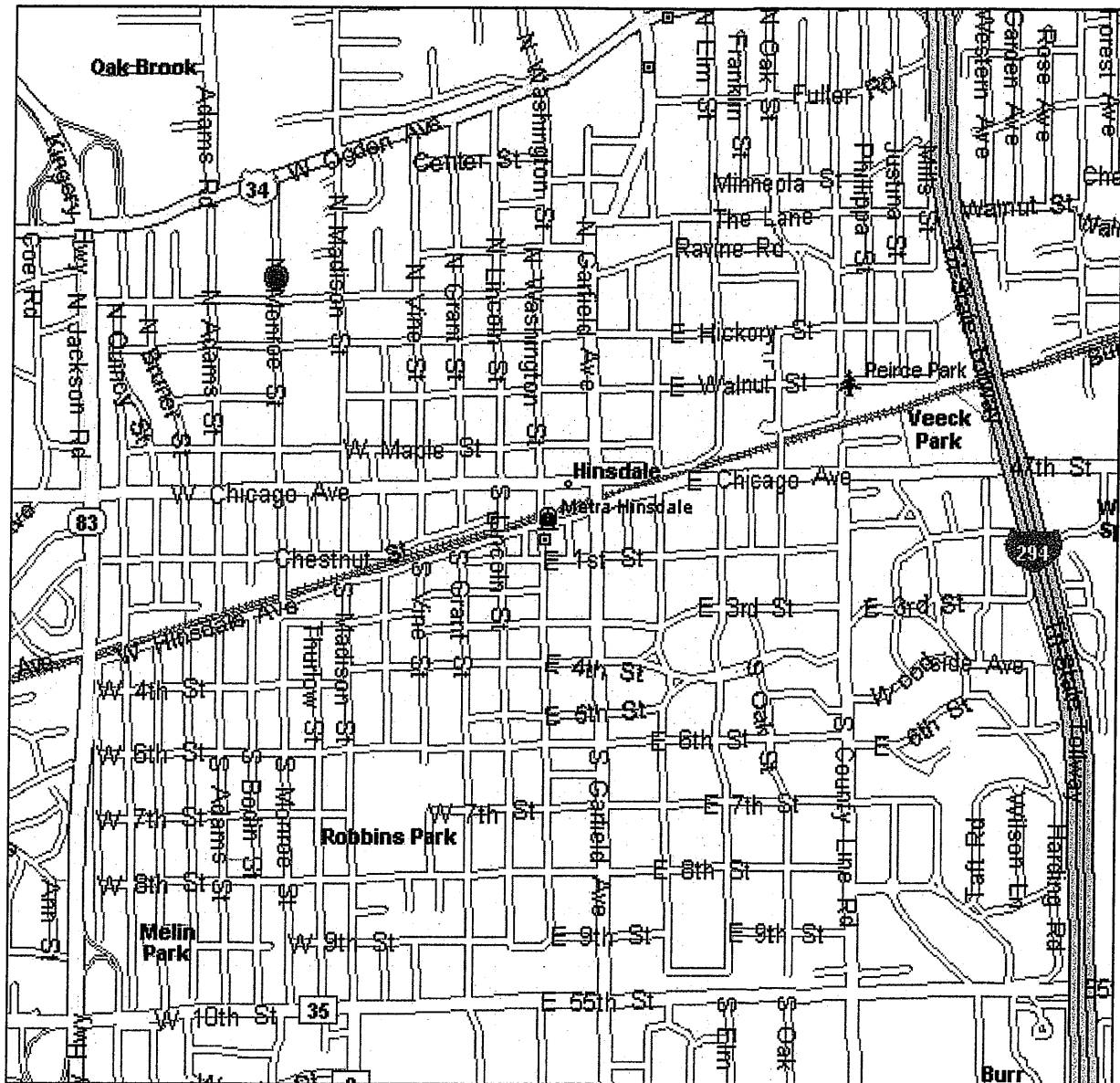
On August 29, 2013, Sergeant Bernholdt responded to the Burr Ridge Police Department in regards to a shooting and subsequent homicide investigation. Sergeant Bernholdt is the Commander of the FIAT Major Case Unit and coordinated the activation, assistance, and investigative leads of twenty FIAT Investigators. Detective Susmarski was one of the twenty investigators who assisted.

Submitted by:

Erik Bernholdt
Sergeant of Investigations

BURGLARIES

August 2013



Burglaries



Burglaries from Motor Vehicles

MONTHLY OFFENSE REPORT

August 2013

CRIME INDEX	This Month	This Mo. Last Year	Year To Date	Last Year To Date
1. Criminal Homicide	0	0	0	0
2. Criminal Sexual Assault/Abuse	0	0	1	0
3. Robbery	0	0	0	1
4. Assault and Battery, Aggravated	0	1	1	1
5. Burglary	0	3	20	19
6. Theft	13	20	84	102
7. Auto Theft	1	0	2	0
8. Arson	0	0	0	0
TOTALS	14	24	108	123

SERVICE CALLS—AUGUST 2013

	This Month	This Month Last Year	This Year to Date	Last Year To Date	% CHANGE
Sex Crimes	0	0	1	3	-67
Robbery	0	0	0	1	-100
Assault/Battery	1	2	24	15	60
Domestic Violence	14	8	70	72	-3
Burglary	0	1	7	5	40
Residential Burglary	0	1	10	11	-9
Burglary from Motor Vehicle	1	1	12	18	-33
Theft	14	18	88	110	-20
Retail Theft	0	2	7	6	17
Identity Theft	4	3	32	21	52
Auto Theft	2	0	5	5	0
Arson/Explosives	0	0	0	0	0
Deceptive Practice	3	1	10	12	-17
Forgery/Fraud	2	6	27	19	42
Criminal Damage to Property	7	5	64	52	23
Criminal Trespass	0	0	5	5	0
Disorderly Conduct	1	1	10	6	67
Harassment	1	3	26	30	-13
Death Investigations	0	0	0	1	-100
Drug Offenses	0	2	9	19	-53
Minor Alcohol/Tobacco Offenses	1	5	6	17	-65
Juvenile Problems	18	20	149	147	1
Reckless Driving	1	2	8	7	14
Hit and Run	11	10	67	55	22
Traffic Offenses	12	10	59	46	28
Motorist Assist	40	41	346	368	-6
Abandoned Motor Vehicle	1	2	12	15	-20
Parking Complaint	22	15	191	138	38
Auto Accidents	50	52	383	411	-7
Assistance to Outside Agency	3	6	23	19	21
Traffic Incidents	5	5	62	38	63
Noise complaints	16	17	80	110	-27
Vehicle Lockout	32	36	244	231	6
Fire/Ambulance Assistance	171	184	1,328	1,244	7
Alarm Activations	127	117	1,035	979	6
Open Door Investigations	2	4	28	32	-13
Lost/Found Articles	22	7	134	96	40
Runaway/Missing Persons	2	3	21	23	-9
Suspicious Auto/Person	44	43	318	443	-28
Disturbance	6	8	74	48	54
911 hangup/misdial	122	111	915	675	36
Animal Complaints	32	29	263	261	1
Citizen Assists	72	44	453	411	10
Solicitors	6	12	48	91	-47
Community Contacts	15	9	33	34	-3
Curfew/Truancy	0	2	5	15	-67
Other	96	144	793	817	-3
TOTALS	979	992	7,485	7,182	4

**Hinsdale Police Department
Training Summary
August 2013**

- Officers completed their monthly legal update. Topics included: Landlord-Tenant Disputes – Investigating Complaints; Vehicle Checkpoints.

- August 27, 2013, Sergeant Bernholdt and the FIAT SWAT negotiators assisted the Hammond Indiana Police Department during role play scenarios and recertification for their negotiators. The training was held in Hammond, Indiana.

Submitted by:

Erik Bernholdt, Sergeant
Training Coordinator

AUGUST 2013 COLLISION SUMMARY

All Collisions at Intersections			
LOCATION	<i>This Month</i>	<i>Last 12 Months</i>	<i>Last 5 Years</i>
Bruner St & Seventh	1	1	1
County Line Rd. & 55th	1	5	29
County Line Rd. & Ogden	1	7	40
Lincoln & Third	1	2	8
Madison & 55th	1	3	18
Madison & Chicago	1	3	13
Monroe & Chicago	1	4	22
Monroe & Ogden	1	5	34
Rt. 83 & 55th	1	6	29
Rt. 83 & Ogden	1	8	26
Salt Creek & Ogden	1	2	4
York & Ogden	1	5	32
TOTALS	12	51	256

Right-Angle Collisions at Intersections			
<i>Collisions of this type are considered when reviewing MUTCD Warrants</i>			
LOCATION	<i>This Month</i>	<i>Last 12 Months</i>	<i>Last 5 Years</i>
Bruner St & Seventh	1	1	1
County Line Rd. & 55th	1	2	16
County Line Rd. & Ogden	1	4	16
Lincoln & Third	1	2	8
Madison & 55th	1	1	8
Monroe & Chicago	1	2	19
Monroe & Ogden	1	4	21
Rt. 83 & 55th	1	5	20
Salt Creek & Ogden	1	1	2
York & Ogden	1	2	17
TOTALS	10	24	128

Contributing Factors and Collision Types			
<i>Contributing Factors:</i>		<i>Collision Types:</i>	
Failure to Yield	7	Private Property	15
Improper Backing	11	Hit & Run	5
Failure to Reduce Speed	14	Crashes at Intersections	12
Following too Closely	5	Personal Injury	7
Driving Skills/Knowledge	0	Pedestrian	0
Improper Passing	1	Bicyclist	1
Too Fast for Conditions	2	Other	15
Improper Turning	1	TOTAL CRASHES	55
Disobeyed Traffic Control Device	1		
Improper Lane Usage	3		
Had Been Drinking	0		
Weather Related	0		
Vehicle equipment	0		
Unable to determine	8		
Other	2		
TOTALS	55		

Manual on Uniform Traffic Control Devices Warrants

August 2013

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.

CITATIONS—August 2013

CITATIONS BY LOCATION

		This Month	This Month Last Year	YTD	Last YTD
Chestnut Lot	<i>Commuter Permit</i>	35	23	217	242
Highland Lot	<i>Commuter Permit</i>	12	18	108	166
Village Lot	<i>Commuter Permit</i>	42	66	392	488
Washington Lot	<i>Merchant Permit</i>	43	24	289	327
Hinsdale Avenue	<i>Parking Meters</i>	208	462	2,390	2,649
First Street	<i>Parking Meters</i>	148	366	1,897	2,405
Washington Street	<i>Parking Meters</i>	240	621	2,932	3,776
Lincoln Street	<i>Parking Meters</i>	14	51	167	300
Garfield Lot	<i>Parking Meters</i>	117	217	1,345	1,346
Other	<i>All Others</i>	334	514	3,183	3,441
TOTALS		1,193	2,362	12,920	15,140

VIOLATIONS BY TYPE

	This Month	This Month Last Year	YTD	Last YTD
Parking Violations				
<i>METER VIOLATIONS</i>	739	1,775	9,088	10,850
<i>HANDICAPPED PARKING</i>	5	4	32	22
<i>NO PARKING 7AM-9AM</i>	23	23	259	183
<i>NO PARKING 2AM-6AM</i>	85	108	808	876
<i>PARKED WHERE PROHIBITED BY SIGN</i>	55	46	488	411
<i>NO VALID PARKING PERMIT</i>	39	60	299	438
Vehicle Violations				
<i>VILLAGE STICKER</i>	91	97	720	818
<i>REGISTRATION OFFENSE</i>	57	41	391	466
<i>VEHICLE EQUIPMENT</i>	66	123	366	452
Animal Violations	10	12	81	74
All Other Violations	23	73	388	550
TOTALS	1,193	2,362	12,920	15,140

Youth Bureau Summary

August 2013

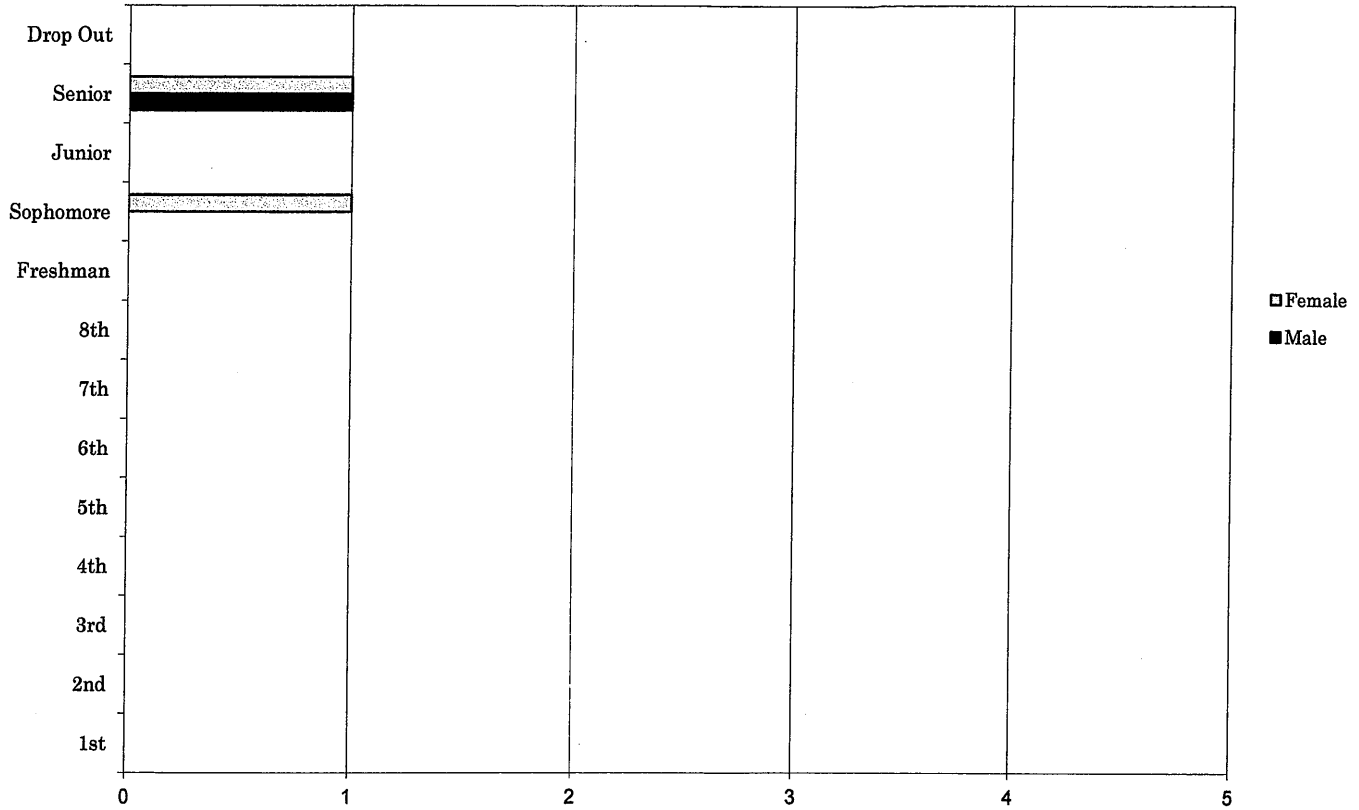
On 8/14/2013 at approximately 12:19pm, officers were dispatched to a residence for domestic trouble between a mother and daughter. Reports were taken upon arrival and no visible injuries were observed. The daughter was transported to the police station and **Released to Her Father. No further action was taken.**

On 8/15/2013 at approximately 11:00am, officers were dispatched to a residence for a domestic battery call. After talking to all parties involved, **No Arrest** was made and the case was **Direct Filed.**

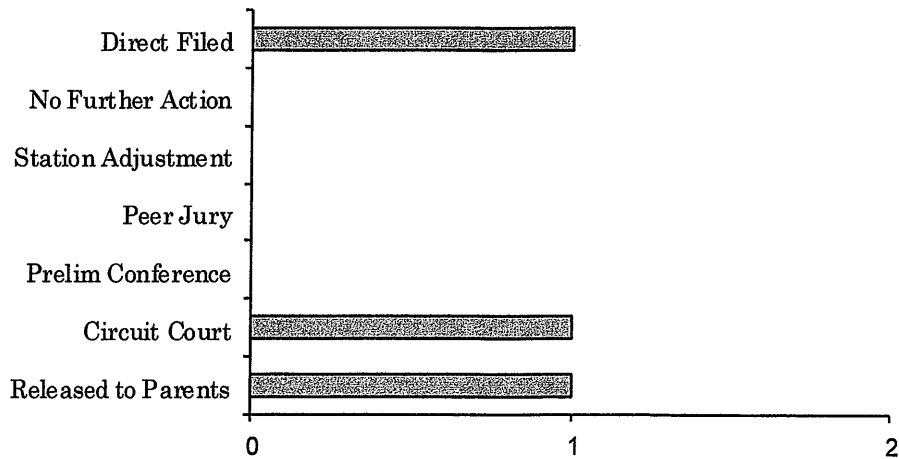
On 8/27/2013 at approximately 12:30pm, a 17-year-old HCHS student was charged with **Unlawful Possession of Alcohol** after it was discovered that she had added liquor to her soda bottle. The student was ordered to appear in **Field Court.**

Hinsdale Police Department JUVENILE MONTHLY REPORT August 2013

AGE AND SEX OF OFFENDERS

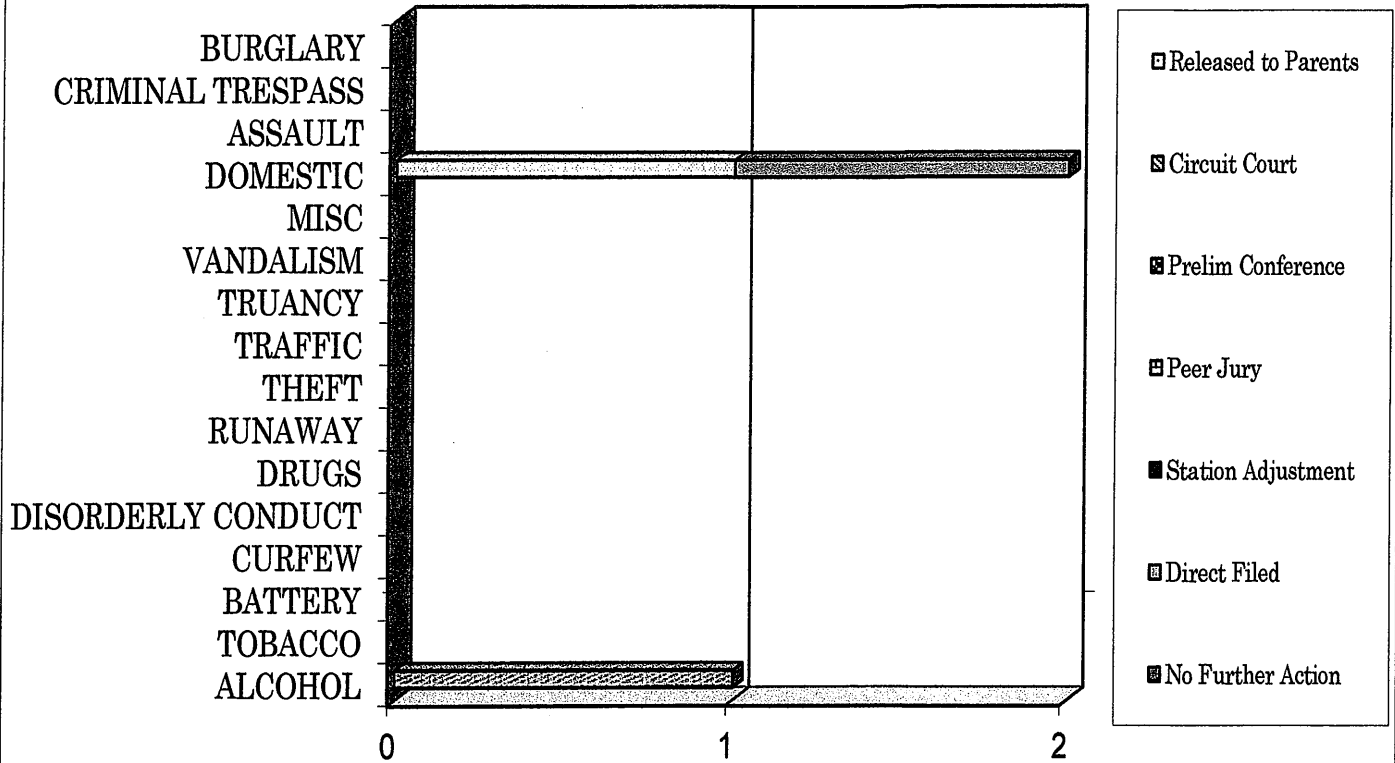


DISPOSITION OF CASES

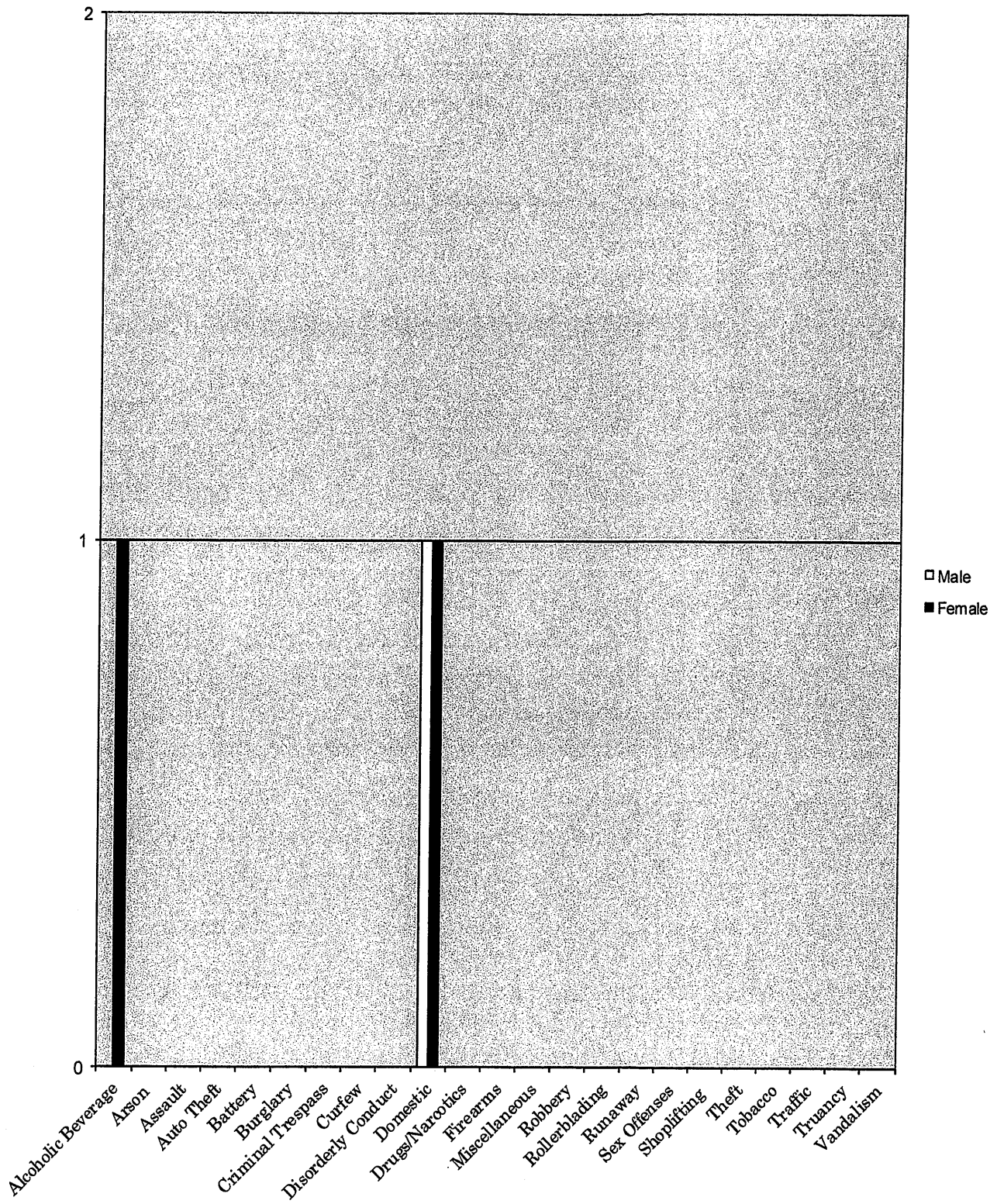


Juvenile Monthly Report August 2013 (cont.)

DISPOSITION BY OFFENSE TYPE



Hinsdale Police Department
Juvenile Monthly Offenses Total Offenses by Offense Type
 August 2013

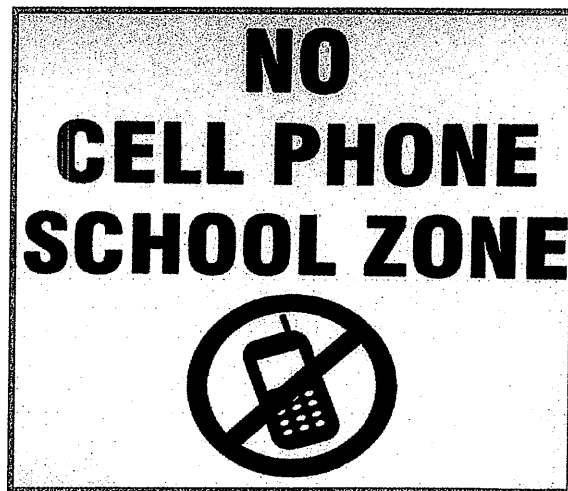


Social Networking Monthly Status Report

August 2013

The **Hinsdale Police Department** continues to publicly advocate its community notification via social media. During the past reporting period, posts were disseminated on the following topics:

- Updates for the on-going study: “Innovative Parking Strategies for Hinsdale” by the Chicago Metropolitan Agency for Planning. Website link provided.
- Reminder issued for drivers that school has resumed. Watch for pedestrians and bicyclists, and be aware of school zones.
- Hinsdale Police Department will be implementing the annual Illinois “Drive Sober or Get Pulled Over” crackdown this Labor Day weekend.



Number of Followers:

facebook: 373

twitter: 364

Memorandum

To: Chairman Saigh and Public Safety Committee

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

Date: September 10, 2013

Re: **Community Development Department Monthly Report-August 2013**

In the month of August the department issued 113 permits including 3 demolition permit and 2 permits for new single family homes. The department conducted 412 inspections and revenue for the month came in at just over \$74,000.

There are approximately 72 applications in house including 24 single family homes and 9 commercial alterations. There are 23 permits ready to issue at this time, plan review turnaround is running approximately 4 weeks, and lead times for inspection requests are running approximately 2 days.

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, 117 inspections were performed for the month of August by the division. This does not include inspection and oversight of any capital projects.

We currently have 35 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.

COMMUNITY DEVELOPMENT MONTHLY REPORT -August 2013

PERMITS	THIS MONTH	THIS MONTH LAST YEAR	FEES	FY TO DATE	TOTAL LAST FY TO DATE
New Single Family Homes	2	7			
New Multi Family Homes	0	0			
Residential Addns./Alts.	13	18			
Commercial New	0	0			
Commercial Addns./Alts.	6	4			
Miscellaneous	45	24			
Demolitions	3	7			
Total Building Permits	69	60	\$ 59,968.00	\$ 362,334.00	\$ 299,275.00
Total Electrical Permits	19	23	\$ 4,485.00	\$ 24,756.00	\$ 26,061.50
Total Plumbing Permits	25	33	\$ 9,690.00	\$ 43,293.00	\$ 39,335.00
TOTALS	113	116	\$ 74,143.00	\$ 430,383.00	\$ 364,671.50

Citations			\$750		
Vacant Properties	35				

INSPECTIONS	THIS MONTH	THIS MONTH LAST YEAR			
Bldg, Elec, HVAC	203	152			
Plumbing	30	11			
Property Maint./Site Mgmt.	62	67			
Engineering	117	141			
TOTALS	412	371			

REMARKS:

VILLAGE OF HINSDALE - AUGUST 6, 2013 COURT CALL/RESULT

Name	Ticket NO.	Location	Violation	No show
IL Poggiolo Ristorante, Ir	9931	Kelly 18 E. 1st St.	Erecting illegal signage	750
Somerset Development	9938	Kelly 5611 S. Elm	Violation of work hours	

Fines assessed: 750

STOP WORK ORDERS ASSESSED

Date SWO Issued to Address Reason

SWO assessed:

MONTHLY TOTAL: 750

DATE: September 23, 2013

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-22-2013 - Applicant: Zion Lutheran - Location: 201-205 S. Vine - Zion Lutheran Church - Request: Map Amendment from IB, Institutional Buildings to R-4 Single-Family Residential	APPROVAL

REQUEST

On October 10, 2012, the Plan Commission considered an amendment to the existing Planned Development for Zion Lutheran, to permit two additional uses for the school property at 125 S. Vine. During those discussions, certain Commissioners expressed concerns with the residential homes at 201 and 205 S. Vine being part of the Planned Development and as such, indicated their general support to see those properties removed from the Planned Development and returned to residential zoning. The applicant acknowledged the suggestion and is now requesting to accomplish this with one of the steps being a Map Amendment from IB, Institutional Buildings to R-4, Single-Family Residential. On June 24th, the Zoning and Public Safety Committee unanimously moved to recommend approval of the required Major Adjustment, with all necessary waivers required to accomplish the removal of the two lots. On July 16th, 2013, the Village Board approved the Major Adjustment to the Planned Development, with all necessary waivers, subject to the approval of the Map Amendment by the Plan Commission.

At the Plan Commission meeting of September 11, 2013, it was recommended, unanimously (6-0) that the map amendment for 201-205 S. Vine be approved.

In addition to the rezoning, it was mentioned previously that the Applicant would also require a Subdivision that will leave the rear 70 feet of one of the existing residential lots behind to be consolidated with a lot remaining within the PD. The portion of the residential lot being left behind in the Planned Development is existing parking. While all necessary waivers related to this were approved, the applicant still needs to have the plat approved with the rezoning request. Typically all subdivision requests would go before the EPS Committee however since the rezoning is already being heard through the ZPS and any related waivers have already been approved through the Major Adjustment process, staff felt it was appropriate to keep the requests together in the interest of time and scheduling.

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

MOTION: Move that the request be forwarded to the Board of Trustees to approve "A Resolution Approving and Accepting a Plat of Resubdivision to Resubdivide the Properties Commonly Known as 205 S. Vine Street and _____ in the Village of Hinsdale, County of DuPage".

MOTION: Move that the request be forwarded to the Board of Trustees to approve an "Ordinance Amending the Official Zoning Map of the Village of Hinsdale Relative to the Rezoning of Properties Located at 201 and 205 S. Vine Street".

APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
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DRAFT

VILLAGE OF HINSDALE

RESOLUTION NO. _____

**A RESOLUTION APPROVING AND ACCEPTING
A PLAT OF RESUBDIVISION TO RESUBDIVIDE THE PROPERTIES
COMMONLY KNOWN AS 205 S. VINE STREET AND _____ IN THE
VILLAGE OF HINSDALE, COUNTY OF DUPAGE**

WHEREAS, the owner of those properties commonly known as 205 S. Vine Street and _____, legally described in **Exhibit A** attached hereto and incorporated herein (hereinafter "Subject Property"), has petitioned the Village of Hinsdale (hereinafter "Village") to approve a Plat of Resubdivision to resubdivide the Subject Property; and

WHEREAS, a Plat of Resubdivision has been prepared and filed with the Village depicting the resubdivided Subject Property, and a copy of the Plat of Resubdivision is attached hereto and incorporated herein as **Exhibit B**; and

WHEREAS, the President and Board of Trustees have determined to approve and accept the Plat of Resubdivision attached as **Exhibit B**.

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

Section 1. Recitals Incorporated. The above recitals are incorporated into this Resolution and shall have the same force and effect as though fully set forth herein.

Section 2. Plat of Resubdivision Approval. The Plat of Resubdivision, dated September __, 2013, and attached as **Exhibit B**, is hereby approved and accepted.

Section 3. Execution and Recordation. The Village President and Village Clerk are hereby authorized to execute and record the Approved Final Plat of Resubdivision as provided by State law and the Village Code of Hinsdale; provided, however, that they shall not do so until after the Approved Plat has been executed by all other required parties, the Owner has deposited with the Village funds sufficient to pay all Village costs of recording the Plat, and all administrative details relating to the Plat have been completed.

Section 4. Severability and Repeal of Inconsistent Resolutions and Ordinances. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of

this Resolution. All resolutions and ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

PASSED this ____ day of _____, 2013.

AYES:

NAYES:

ABSENT:

APPROVED this _____ day of _____, 2013.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

LOT 3 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J.I. CASE'S
ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE
NORTHWEST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF
THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE
COUNTY, ILLINOIS.

AND

PIN: 09-12-111-003 & _____

EXHIBIT B

PLAT OF RESUBDIVISION

DRAFT

VILLAGE OF HINSDALE

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF HINSDALE RELATIVE TO THE REZONING OF PROPERTIES LOCATED AT 201 AND 205 S. VINE STREET

WHEREAS, an application (the "Application") to amend the Official Zoning Map of the Village of Hinsdale by changing the zoning of properties located at 201 and 205 S. Vine Street from IB Institutional Buildings Zoning District to R-4 Single Family Residential Zoning District (the "Proposed Map Amendments") has been filed with the Village by Zion Lutheran Church (the "Applicant") pursuant to Section 11-601 of the Hinsdale Zoning Code; and

WHEREAS, the Application was referred to the Plan Commission of the Village for consideration and a hearing, and has otherwise been processed in accordance with the Hinsdale Zoning Code, as amended; and

WHEREAS, the properties to be rezoned through the Proposed Map Amendments (the "Subject Properties") are generally described as the two long-existing residential lots located at 201 and 205 S. Vine Street, with the exception of the rear seventy (70) feet of 205 S. Vine, which has been subdivided pursuant to a Plat of Subdivision separately approved by the Village (the "Subdivision"). The Subject Properties are legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Subject Properties are currently part of a Planned Development originally approved in 2004 by Ordinance No. 2004-15, and are being removed from the Planned Development concurrent with this rezoning, pursuant to an Ordinance Approving a Major Adjustment to the Planned Development previously approved by the Board of Trustees that was conditioned on approval of this Rezoning and of the Subdivision; and

WHEREAS, on September 11, 2013, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean*, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Proposed Map Amendments by a vote of 6 in favor, 0 against and 1 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-22-2013 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on September 23, 2013, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

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

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

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

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

Section 3: Map Amendments. Pursuant to the authority granted under Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.) and the Hinsdale Zoning Code, the President and Board of Trustees of the Village of Hinsdale approve the Proposed Map Amendments, and the Official Zoning Map of the Village of Hinsdale, DuPage and Cook Counties, Illinois, as amended, is further amended by changing the zoning classification of the Subject Properties described in **Exhibit A** from IB Institutional Buildings Zoning District to R-4 Single-Family Residential Zoning District.

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

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

ADOPTED this _____ day of _____, 2013, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2013, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

DESCRIPTION OF PROPERTIES BEING REZONED

LOT 2 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS, ALSO;

LOT 3 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TWONSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known As: 201 and 205 S. Vine Street, Hinsdale, Illinois.

P.I.N.s: 09-12-111-001 & -003

EXHIBIT B

FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION

(ATTACHED)

DRAFT

HINSDALE PLAN COMMISSION

RE: 201-205 S. Vine Street – Zion Lutheran Church – Map Amendment

DATE OF PLAN COMMISSION REVIEW: September 11, 2013

DATE OF COMMITTEE REVIEW: September 23, 2013

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Zion Lutheran Church, (the “applicant”), represented by Keith Larson submitted an application to the Village of Hinsdale for the property located at 201 and 205 S. Vine Street (the “subject property”).
2. The subject properties are currently zoned IB, Institutional Buildings and are currently being occupied by two single-family homes that were part of a Planned Development.
3. On July 16th, 2013, the Village Board approved a Major Adjustment to the Planned Development, for the removal of these two lots from the Planned Development, including all necessary waivers, subject to the approval of the requested Map Amendment.
4. The applicant is proposing to rezone the two properties from IB, Institutional Buildings District to R-4 Single-Family Residential.
5. The Plan Commission heard a presentation from the applicant which included testimony that the Plan Commission had previously suggested their desire to see these two lots removed from the Planned Development and returned to R-4 single-family.
6. The Commission agreed that this request was appropriate given the surrounding zoning classification and confirmed that they would prefer to see these two lots rezoned to R-4 single-family residential, as indicated by the applicant. As such the Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of six (6) “Ayes”, zero (0) “Nays”, one (1) “absent”, recommends to the President and Board of Trustees of the Village of Hinsdale to approve the map amendment at 201 and 205 S. Vine Street – Zion Lutheran Church.

THE HINSDALE PLAN COMMISSION

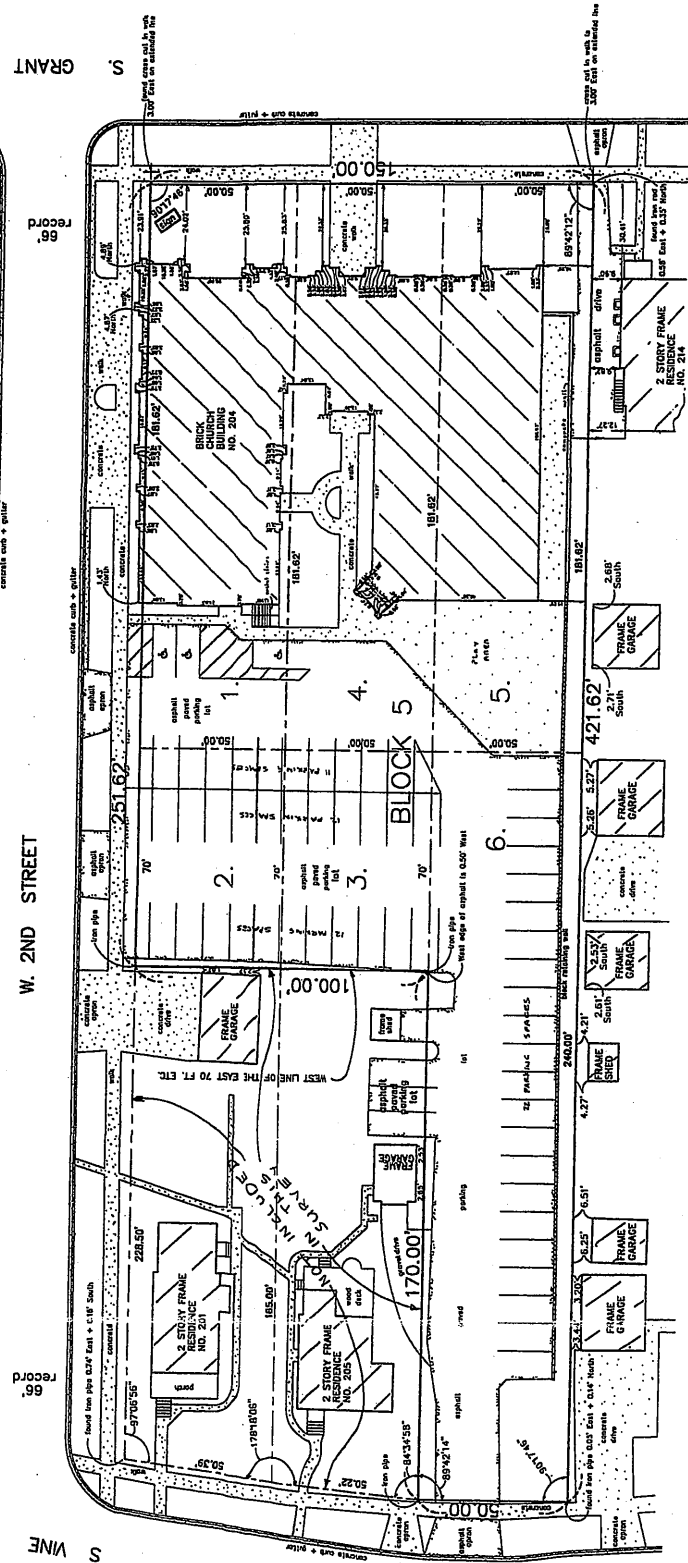
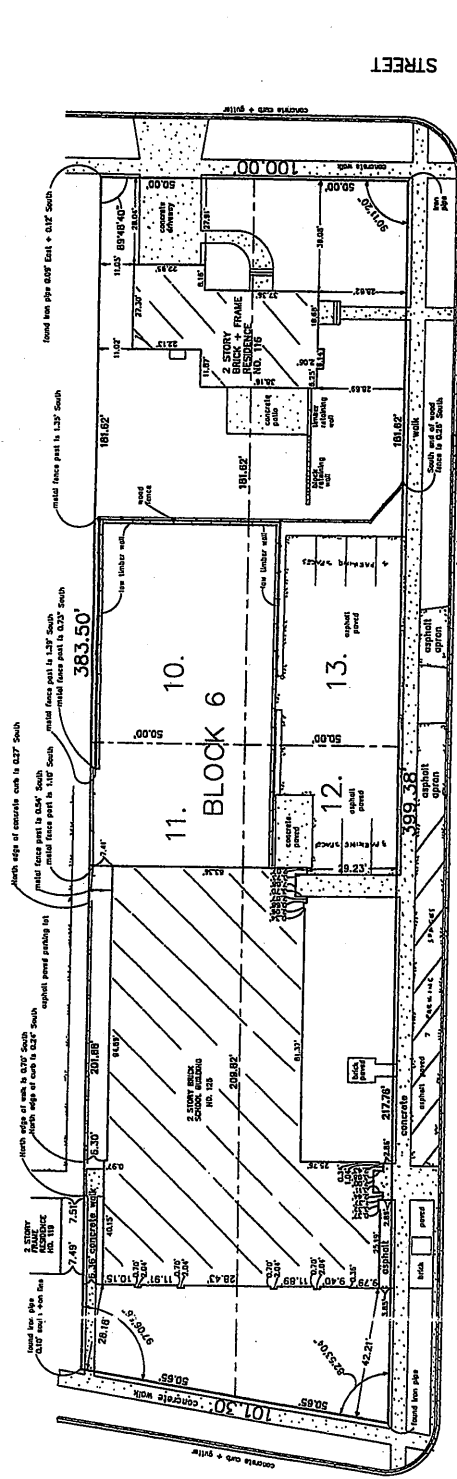
By: _____
Chairman

Dated this _____ day of _____, 2013.


Plat of Survey

LOT 1, THE EAST 70.00 FEET OF LOTS 2 AND 3 AND ALL OF LOTS 4, 5 AND 6 IN BLOCK 5, ALSO, LOTS 10, 11, 12 AND 13 IN BLOCK 6, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1972 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

1"=20'
 50.00' S
 60.00' S
 60.00' S
 60.00' S
 39444 Sd.R.

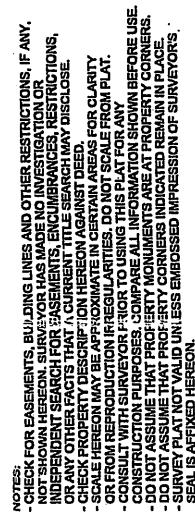


Plat of Survey



1"=200'

8087 S



THIS PROFESSIONAL SERVICE CONFORMS TO THE CUR-
RENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

DATE: APRIL 5, 20th A.D.

Joseph M. De Crae

ILLINOIS LAND SURVEYOR NO. 2478

L.C. EXP. 11-30-2014

ORDERED BY: LARSON

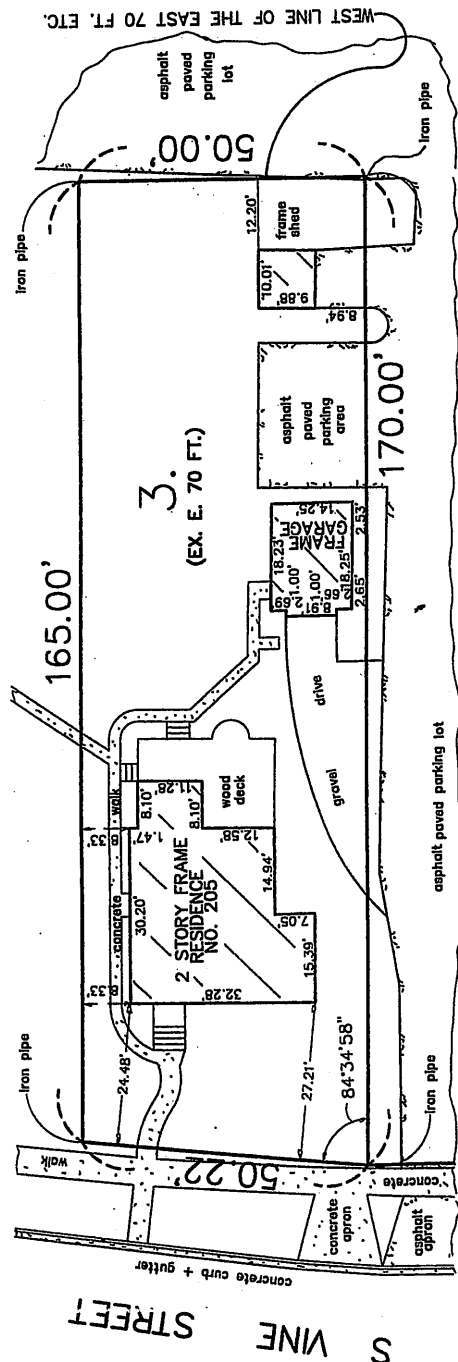
ORDER NO: 130205-201 VME

© COPYRIGHT 1st=20th JOSEPH M. DE CRAE

JOSEPH M. DE CRAENE
ILLINOIS LAND SURVEYOR
8710 SKYLINE DRIVE
HINSDALE, IL 60527
PHN 630-789-0898
FAX 630-789-0697

LOT 3 (EXCEPT THE EAST 70 FEET THEREOF) IN BLOCK 5 IN J. I. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

1"=20'
8375 Sq.ft.



NOTES: CHECK FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS, IF ANY, NOT SHOWN HEREON. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCLAVE SEARCH, MAY DISCLOSE. CHAIN PROPERTY DESCRIPTION HEREON AGAINST DEED. SCALE HEREON MAY BE APPROXIMATE IN CERTAIN AREAS FOR CLARITY OR FROM REPRODUCTION IRREGULARITIES. DO NOT SCALE FROM PLAT. CONSULT WITH SURVEYOR PRIOR TO USING THIS PLAT FOR ANY CONSTRUCTION PURPOSES. COMPARE ALL INFORMATION SHOWN BEFORE USE. DO NOT ASSUME THAT PROPERTY MORNINGS INDICATED REMAIN IN PLACE. SURVEY PLAT NOT VALID UNLESS EMBOSSED IMPRESSION OF SURVEYOR'S NAME IS APPEARED HEREON.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATE: APRIL 5, 2013 A.D.

ILLINOIS LAND SURVEYOR NO. 2478

UIC. EXP. 11-30-2014

ORDERED BY: LARSON

ORDER NO. 130205-205 VINE

1"=20'





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

Must be accompanied by completed Plan Commission Application

Is this a: Map Amendment ☒ Text Amendment ☐

Address of the subject property 201 and 205 S. Vine St.

Description of the proposed request: Remove both subject residential properties from previously approved Plan Development (Please see concurrent companion Applications, Site Plan & Keith Larson letter of February 15, 2013), and rezone the two lots from IB to R-4 District.

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 subject properties were classified as IB District prior to their inclusion in the PUD in 2004. However, their pre-Code uses were single-family residential, those uses did not change when both lots were included in the PUD in 2004, and their proposed uses are consistent with R-4 uses. Inclusion of both lots in the R-4 District meets all Code purposes.

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

The nearest lots to East, South and West of the subject properties are in the R-4 District. It is unknown why the Village designated 201 and 205 S. Vine as IB District when the Zoning Code was adopted in 1989. The location of the subject properties is highlighted in the attached copy of the Zoning Map.

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.

Since 2004, the area in proximity to the subject properties has remained R-4 and has been developed by R-4 uses. Applicant proposes to do the same. The redevelopment of 201 and 205 S. Vine with new single family residences would comply with all applicable R-4 district Zoning Code standards.

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

If the subject properties remain in the current planned development in the IB District, they could not be redeveloped and revitalized with new single family residences.

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 public benefit offset by the subject properties remaining in the IB District as part of the PUD.

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

They would be enhanced by the redevelopment of the subject properties with new single family residences.

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

They would potentially be increased in value. There would be no decrease in value, and the subject properties could not be developed with IB District uses if they are designated in accordance with their historical single family detached residence use in the R-4 District.

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

It would not be affected. Applicant's lot to the south and adjacent to 205 S. Vine would remain in the PUD, its current uses would be maintained, and it would continue to serve the water drainage needs of surrounding properties.

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

At present, the subject properties are not suitable for development of new IB District uses without potential detriment to surrounding residential properties.

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.

Access to and from the subject properties is unaffected, and there would be no effect on 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.

If the subject properties were developed by new IB District uses, the impact on utilities and public services is unknown. If developed by R-4 District uses, utilities and public services are unaffected and are adequate.

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.

Replenishment and upgrading of residential uses are among the stated objectives of the Zoning Code, particularly in the case of more affordable single family residences.

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



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Please Note: You MUST complete and attach all appropriate applications and standards applicable to your specific request to this application.

Applicant

Name: Keith R. Larson, as property manager for owner
Address: 701 N. York Road
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 476 / 2418
E-Mail: keith@keithlarsonarchitect.com

Owner

Name: Zion Lutheran Church
Address: (Principal) 204 S. Grant Street
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 343 / 0384
E-Mail: (please see applicant's e-mail address)

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

Name: Keith R. Larson
Title: Architect
Address: (please see above)
City/Zip: _____
Phone/Fax: () /
E-Mail: _____

Name: Norman V. Chimenti
Title: Attorney
Address: 2100 Manchester Road, Suite 1700
City/Zip: Wheaton, IL 60187
Phone/Fax: (630) 668 / 9100
E-Mail: nchimeriti@clausen.com

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: 116, 204, 208 and 212 S. Grant St., and 125, 201, 205 and 209 S. Vine St.*

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

Brief description of proposed project: (see attached letter from Keith Larson to Village, dated 2/15/13) Major adjustment to the exiting planned development to sever the 201 and 205 S. Vine residential properties from the planned development, and to replat 205 S. Vine so that the rear portion of the 205 S. Vine St. lot remains a part of the planned development.

General description or characteristics of the site: membership organization (church and church-related uses) ; school and playground; parking and other accessory uses; and institutional use residences and detached garages

Existing zoning and land use: IB (PUD) R-4 (201 and 205 S. Vine St.)

Surrounding zoning and existing land uses:

North: 0-1 (office)

South: R-4 (single family)

East: 0-1 (office) and R-4

West: R-4

Proposed zoning and land use: no change, except as noted above

Existing square footage of property: 101,849 square feet (PUD)

Existing square footage of all buildings on the property: 49,470 square feet (PUD)

* The property consists of a single zoning lot (for zoning code administration purposes only) containing multiple street addresses, lots of record and parcels, and is approved as a planned development by the Village. (Please see attached Village Ordinance Nos. 2004-15, 02012-32 and 02012-53.)

** 09-12-110-006 09-12-111-004
09-12-110-007 09-12-111-010
09-12-110-014 09-12-111-011
09-12-110-015 09-12-111-012
09-12-111-001
09-12-111-002
09-12-111-003

TABLE OF COMPLIANCE (PUD**)

Address of proposed request: (Multiple; Principal address: 204 S. Grant St., Please see Sec. II, Site Information)

The following table is based on the IB Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	80,000 sq. ft.	85,378 sq. ft. **
Minimum Lot Depth	250 ft.	383.5 ft.
Minimum Lot Width	200 ft.	250 ft.
Building Height	40 ft	40 ft.
Number of Stories	2	2
Front Yard Setback	35 ft.	28 ft (existing)
Corner Side Yard Setback	35 ft.	20 ft. (existing)
Interior Side Yard Setback	25 ft.	7.41 ft (existing)
Rear Yard Setback	25 ft.	38 ft.
Maximum Floor Area Ratio (F.A.R.)*	0.50	0.537 ***
Maximum Total Building Coverage*	N/A to PUD	-
Maximum Total Lot Coverage*	N/A to PUD	-
Parking Requirements	63 (maximum, per PUD approval)	74
Parking front yard setback	35 ft.	140 ft.
Parking corner side yard setback	35 ft.	0 ft (existing)
Parking interior side yard setback	25 ft.	6 ft (existing)
Parking rear yard setback	25 ft.	39 ft. <i>2020 ELA</i>
Loading Requirements	1	1
Accessory Structure Information	n/a	(2 detached garages and storage shed to be excluded from planned development)

* 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: *With the exception of PUD F.A.R. and 205 S. Vine lot dimensions, existing nonconformities are either previously approved by the Village or are legal nonconformities under Village Codes, and may be continued. The Village has authority to approve the changed F.A.R. of 0.537 for a planned development; and such F.A.R. is in the range of approved P.U.D. F.A.R.'s for other Hinsdale churches. Also, the Village has authority to approve the proposed lot dimensions for 205 S. Vine.*

** Following severance of the 201 and 205 S. Vine residential lots from the planned development, and the replating of 205 S. Vine.

*** 42,689 sq. ft. gross floor area is permitted after the severance of 201 and 205 S. Vine from the PUD. The actual remaining proposed gross floor space will be 45,820 sq. ft. The F.A.R. for the Union Church PUD is 0.59 and for the St. Isaac Joques PUD is 0.52.

TABLE OF COMPLIANCE

Address of proposed request: 201 S. Vine Street

The following table is based on the R-4 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development (Lot)
Minimum Lot Area	10,000/7,000 sq. ft.	8,125 sq. ft.
Minimum Lot Depth	125/100 ft.	162.5 ft. (avg.)
Minimum Lot Width	80/50 ft.	50 ft.
Building Height (elevation)	35.5-48/34.44 ft.	27.5 ft. (existing)
Number of Stories	3	2 (existing)
Front Yard Setback	20-35 ft.	30 ft. (avg.; existing) **
Corner Side Yard Setback	35/15 ft.	8 ft. (avg; existing) **
Interior Side Yard Setback	8/6 ft.	15.6 ft (existing)
Rear Yard Setback	25 ft.	82.5 ft. (existing)
Maximum Floor Area Ratio (F.A.R.)* 0.25 + 1,100 sq. ft.	3,131.25 sq. ft.	2,245.5. sq. ft. (existing)
Maximum Total Building Coverage* 25% & 10%	2,031.25 sq. ft (principal) 812.5 sq. ft (accessory)	1,226 sq.ft. (existing) 571 sq. ft. (existing)
Maximum Total Lot Coverage* (50%)	4,875.sq. ft.	2,909 sq. ft.
Parking Requirements	N/A	--
Parking front yard setback	N/A	--
Parking corner side yard setback	N/A	--
Parking interior side yard setback	N/A	--
Parking rear yard setback	N/A	--
Loading Requirements	N/A	--
Accessory Structure Information	detached garage 812.5 sq. ft.	571.sq. ft (existing)

* 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:

**Pre-code structure legal nonconformity

TABLE OF COMPLIANCE

Address of proposed request: 205 S. Vine St.

The following table is based on the R-4 Zoning District.

	Minimum Code Requirements	Proposed/Existing Development (Lot)
Minimum Lot Area	10,000/7,000 sq. ft.	8,375 sq. ft.
Minimum Lot Depth	125/100 ft.	167.5 ft. (avg.)
Minimum Lot Width	80/50 ft.	50 ft.
Building Height	35.5-40/34.44 ft.	28 ft. (existing)
Number of Stories	3	2 (existing)
Front Yard Setback	20-35 ft.	25.4 ft. (avg; existing) **
Corner Side Yard Setback	N/A	N/A
Interior Side Yard Setback	8/6 ft.	8.33/9.4 ft (existing)
Rear Yard Setback	25 ft.	105 ft. (existing)
Maximum Floor Area Ratio (F.A.R.)* 0.25 +1,100 sq. ft.	3,193.75 sq. ft.	1,881.3 sq. ft (existing)
Maximum Total Building Coverage* 25% & 10%	2,093.75 sq. ft. (principal) 837.5 sq. ft (accessory)	945 sq. ft. (existing) 261 sq. ft (existing garage)
Maximum Total Lot Coverage*	5,025. sq. ft.	2,113 (existing)***
Parking Requirements	N/A	--
Parking front yard setback	N/A	--
Parking corner side yard setback	N/A	--
Parking interior side yard setback	N/A	--
Parking rear yard setback	N/A	--
Loading Requirements	N/A	--
Accessory Structure Information	detached garage & shed 837.5 sq. ft.	261 sq. ft. (existing)

* 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:

**Pre-code structure legal nonconformity

*** Includes parking area of 560 sq. ft. to be removed.

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. (To the extent not waived or reduced by the Village.)
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 10 day of June, 2013, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature]
Signature of applicant or authorized agent

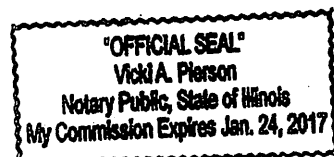
KEITH R. LARSON
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 10 day of
June, 2013.

[Signature]
Notary Public



Keith R. Larson –Architect
701 N. York Road
Hinsdale, IL 60521
keith@KeithLarsonArchitect.com
630-47-2418

2/15/13
Village of Hinsdale Building Department
Attn: Mr. Sean Gascoigne
Mr. Robert McGinnis MCP

Re: Major PUD Adjustment Application to Be Filed By Zion Lutheran Church

Dear Sean and Robb:

We are furnishing this outline as you suggested at our meeting on February 12, 2013.

As urged by the Plan Commission at a public hearing last fall, and as a matter of economic necessity for the Church, Zion Lutheran seeks to modify its existing PUD approved by the Village in 2004 to return the lots located at 201 and 205 S. Vine St. to their original status of individual buildable lots in the R-4 Residential District for sale and redevelopment purposes. Those lots had been included in the PUD because their uses were integrated into the school and church (membership organization) principal uses of the PUD established with Village approval in 2004, and their zoning had changed from R-4 to IB District because at the time the Village thought it was appropriate for all lots of record encompassed by the PUD to be classified in the IB District.

The 201 and 205 S. Vine residential lots no longer serve the PUD's principal uses, except to the extent that a portion of the rear of the 205 S. Vine lot contains parking and circulation aisle elements which would remain a part of the PUD as accessory to the school and church uses. The PUD is and would remain fully compliant with Village off-street parking requirements. Preservation of current parking and circulation features will require a reconfiguration of the lot lines of 205 S. Vine to accommodate or benefit PUD principal uses. The resultant lot area of 205 S. Vine will be consistent with that of 201 S. Vine, and consistent with or larger than the lot areas of neighboring R-4 residential lots. No other changes in the configuration of the PUD or of the two lots to be segregated from the PUD would occur, and no change would occur in any existing structure.

By restoring the two residential lots to their pre-2004 PUD standing, the visual appearance of the PUD and the residential properties will not change, and there will be no increase in any currently existing legal nonconformity previously permitted by the Zoning Code or approved by the Village, with two relatively minor exceptions. The 205 S. Vine lot will become smaller in area than its pre-2004 PUD size (to benefit the PUD and consistent with the neighborhood, as stated

above), and the FAR of the structures located in the adjusted PUD will increase marginally to 0.536. Such an FAR is consistent with the current FAR of the St. Isaac Joques PUD (0.52) and less than the current FAR for the Union Church PUD (0.59). Repeating, there would be no visual change in the PUD as a result of the adjustment.

You have advised that to accomplish the contemplated major adjustment in the Zion Lutheran PUD, the following applications submitted to the Village would be required: Major Adjustment to Planned Development, General Application, Application for Certificate of Zoning Compliance and Application for Zoning Map Amendment. It is our understanding that these companion applications may be submitted as a package, and that it is likely they would be considered all at once by the ZPS Committee of the Board of Trustees as the components of what amounts to a single adjustment to the PUD established in 2004. Inasmuch as such an adjustment would have no impact on surrounding properties and merely seeks to reestablish the pre-PUD status quo, and given that the Plan Commission and the general public have already expressed their views in a prior public hearing in connection with a previous Zion Lutheran PUD adjustment, we discussed the possibility that the ZPS Committee and the Board of Trustees would deem it unnecessary to refer this matter to the Plan Commission for another public hearing. Zion Lutheran Church would be pleased to participate in such a public hearing, of course, but the Church would receive a needed and greatly appreciated time and expense benefit if another public hearing were to be deemed unnecessary.

Thank you for the Village's consideration. We have put our application drafting on hold pending receipt of the Village's advice regarding the manner in which it desires Zion Lutheran to proceed. It is the Church's hope to place this matter on the ZPS Committee's agenda for review as soon as is reasonably possible.

Sincerely,

Keith Larson
Project Architect and Consultant to the Applicant

VILLAGE OF HINSDALE**ORDINANCE NO. 02004-15****AN ORDINANCE APPROVING A MAP AMENDMENT, SPECIAL USE
PERMITS, PLANNED DEVELOPMENT, SITE PLANS,
AND EXTERIOR APPEARANCE PLANS
FOR A BUILDING EXPANSION PROJECT
(Plan Commission Case A-04-2004)**

WHEREAS, Zion Lutheran Church, LLC (the "Applicant") is the legal title owner of several parcels of property totaling approximately 2.34 acres in area and commonly known as 116 South Grant Street, 204 South Grant Street, 208 South Grant Street, 212 South Grant Street, 125 South Vine Street, 201 South Vine Street, 205 South Vine Street, and 209 South Vine Street (the "Subject Property"), which Subject Property is legally described on Exhibit A attached to and made a part of this Ordinance by this reference; and

WHEREAS, the Subject Property is improved with four single family detached dwellings, a membership organization building, and a private school; and

WHEREAS, the membership organization, private school, and two of the single-family residences are currently classified in the IB Institutional Buildings District pursuant to the Hinsdale Zoning Code; and

WHEREAS, the Applicant proposes the development of a planned development, which would encompass the Subject Property and would also include a 14,000-square-foot building addition onto the existing membership organization building, including associated parking, landscaping, and other improvements on the Subject Property; and

WHEREAS, the Applicant also desires to establish child day care services operated by a membership organization on the Subject Property; and

WHEREAS, the Applicant seeks (i) a Zoning Map amendment to reclassify the portions of the Subject Property commonly known as 116 South Grant Street, 208 South Grant Street, 212 South Grant Street, and 209 South Vine Street into the IB Institutional Buildings District from their current classification in the R-4 Single-Family Residential District; (ii) a special use permit and planned development approval authorizing a membership organization, a private school, a planned development, and child daycare services operated by a membership organization on the Subject Property, (iii) modifications of certain regulations in the

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Hinsdale Zoning Code to accommodate the existing and proposed building expansion, (iv) site plan approval, and (v) exterior appearance approval; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing and deliberated on the application on March 10, 2004, pursuant to notice thereof properly published in the Hinsdale Doings and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for PC Case No. A-04-2004; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees, at a public meeting on March 22, 2004, considered the Application, the Findings and Recommendations of the Plan Commission, and all of the facts and circumstances related to the Application, and made its recommendation to the President and Board of Trustees; and

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

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

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

Section 2. Approval of Zoning Map Amendment. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-601 of the Hinsdale Zoning Code, hereby amends the Hinsdale Zoning Map to reclassify the portions of the Subject Property commonly known as 116 South Grant, 208 South Grant, 212 South Grant and 209 South Vine into the IB Institutional Buildings District.

Section 3. Approval of a Special Use Permit for a Membership Organization, Private School, Planned Development, and Child Day Care Services. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Sections 11-602 and 11-603 of the Hinsdale Zoning Code, hereby approves a special use permit authorizing a membership organization, a private school, a planned development, and child daycare services operated by a

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membership organization on the Subject Property, and approves the planned development detailed plan prepared by Larson-Kramer Architects and dated January 16, 2004 in the form attached to, and by this reference incorporated into, this Ordinance as Exhibit B (the "Approved Detailed Plan"). The approvals granted in this Section 3 are subject to the conditions stated in Section 7 of this Ordinance.

Section 4. Approval of Site Plans. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-604 of the Hinsdale Zoning Code, hereby approves the site plans for the proposed development in the form attached to and by this reference incorporated into this Ordinance as Exhibit B (the "Approved Site Plans"), subject to the conditions stated in Section 7 of this Ordinance.

Section 5. Approval of Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-606 of the Hinsdale Zoning Code, hereby approves the exterior appearance plans for the proposed development in the form attached to and by this reference incorporated into this Ordinance as Exhibit C (the "Approved Exterior Appearance Plans"), subject to the conditions stated in Section 7 of this Ordinance.

Section 6. Modifications of Certain Zoning Code Regulations. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Subsections 11-603H of the Hinsdale Zoning Code, hereby modifies the following provisions of the Hinsdale Zoning Code, subject to the conditions stated in Section 7 of this Ordinance:

A. Minimum Yards and Setbacks.

1. The minimum front yard on Vine Street for the school shall be 28 feet.
2. The minimum front yard on Grant Street for the membership organization shall be 23 feet.
3. The minimum corner side yard on Second Street for the membership organization shall be 1.4 feet.
4. The minimum interior side yard (south lot line) for the membership organization shall be 16 feet.
5. The minimum interior side yard (south lot line) for the surface parking lot shall be six feet.
6. The minimum interior side yard (north lot line) for the school shall be six feet.

All other yards and setbacks on the Subject Property shall comply with the provisions of Subsection 7-310 of the Hinsdale Zoning Code. No development of the Subject Property, except only in strict accordance with the Approved Detailed Plan and the Approved Site Plans, shall be

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permitted within any yard or setback required by Subsection 7-310 of the Hinsdale Zoning Code. No reduction or any other change shall be permitted to any required yard or setback except only as provided in this Subsection 6A or by ordinance adopted by the Board of Trustees in accordance with Paragraph 11-603K2 or Subsection 11-603L of the Hinsdale Zoning Code.

- B. The minimum number of off-street parking spaces required to be located within the Subject Property for the project approved by this Ordinance shall be 63 spaces.
- C. The minimum lot size for the Subject Property shall be 101,849 square feet.
- D. The minimum drive aisle width in the existing parking lot shall be 19 feet.
- E. The maximum building height for the existing membership organization building shall be 48 feet.

Section 7. Conditions on Approvals. The approvals granted in Sections 2, 3, 4, 5, and 6 of this Ordinance are granted expressly subject to all of the following conditions:

- A. No Authorization of Work. This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Engineering Plans. Prior to the issuance of any building permit for any work on the Subject Property, the Applicant shall submit to the Village Engineer detailed final engineering plans, including among other things drainage plans satisfying all applicable stormwater management requirements (the "Engineering Plans"). After approval by the Village Engineer, the Engineering Plans shall, automatically and without further action by the Village, be deemed to be incorporated in and made a part of the Approved Site Plans.
- C. Performance Security. Prior to the issuance of any building permit for any work on the Subject Property, the Applicant shall file with the Village a letter of credit in a form satisfactory to the Village Manager

and in the amount of 110 percent of the cost of all public improvements related to the project as estimated by the Village Engineer. No building permit shall be issued until after such letter of credit has been filed and has been reviewed and approved by the Village Manager and the Village Attorney.

- D. Compliance with Codes, Ordinances, and Regulations. Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.
- E. Compliance with Approved Plans. All development within the Subject Property shall be undertaken only in strict compliance with the Village-approved planned development plans, including without limitation the Approved Site Plans, the Approved Exterior Appearance Plans, and other Village-approved plans.
- F. Building Permits. The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.
- G. Easement Agreement. Prior to the issuance of any building permit for any work on the Subject Property, the Applicant shall prepare and submit a permanent easement agreement (the "Easement Agreement") between the Applicant and the owner of the property commonly known as 214 South Grant Street (the "214 South Grant Owner") to allow the 214 South Grant Owner to use the driveway and curb cut located on the Subject Property until the property at 214 South Grant Street is redeveloped. The Easement Agreement shall be subject to the review and approval of the Village Manager and shall be recorded at the expense of the Applicant with the office of the DuPage County Recorder.

Section 8. Violation of Condition or Code. Any violation of (i) any term or condition stated in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

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Section 9. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

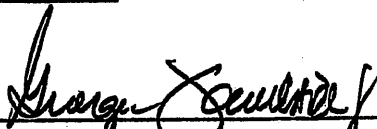
PASSED this 6th day of April 2004.

AYES: TRUSTEES LENNOX, WILLIAMS, JOHNSON, BLOMQUIST, WOERNER AND ELLIS.

NAYS: NONE

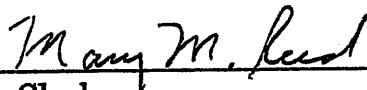
ABSENT: NONE

APPROVED this 6th day of April 2004.



George L. Faulstich, Jr., Village President

ATTEST:



Village Clerk



#1783434_v1

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**EXHIBIT A
LEGAL DESCRIPTION**

116 South Grant Street: LOTS 10 AND 13 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

204 South Grant Street: LOT 1 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

208 South Grant Street: LOT 4 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

212 South Grant Street: LOT 5 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

125 South Vine Street: LOTS 11 AND 12 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

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201 South Vine Street: LOT 2 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

205 South Vine Street: LOT 3 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

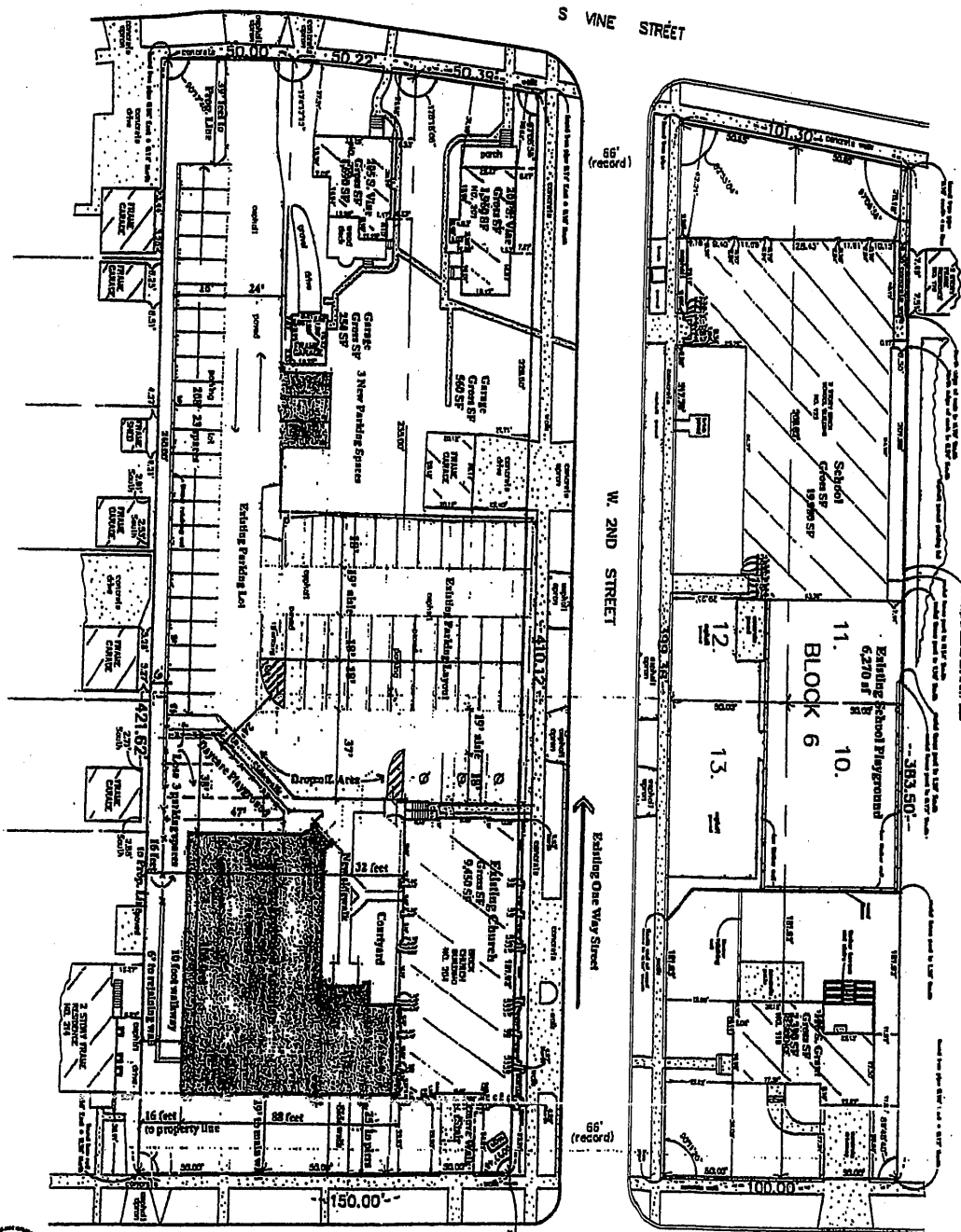
209 South Vine Street: LOT 6 IN BLOCK 5 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS.

Exhibit B Detailed Plan Site Plan

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Plat of Survey

THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL PLAT OF SURVEY, AS THE SAME WAS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF COOK, ILLINOIS, ON THE 15TH DAY OF JANUARY, 1904, IN BOOK NO. 11, PAGE 10. THE ORIGINAL PLAT OF SURVEY IS ON FILE IN THE OFFICE OF THE CLERK OF THE COUNTY OF COOK, ILLINOIS.



Larson-Kramer & Associates - A
701 York Road
Evanston, IL 60201

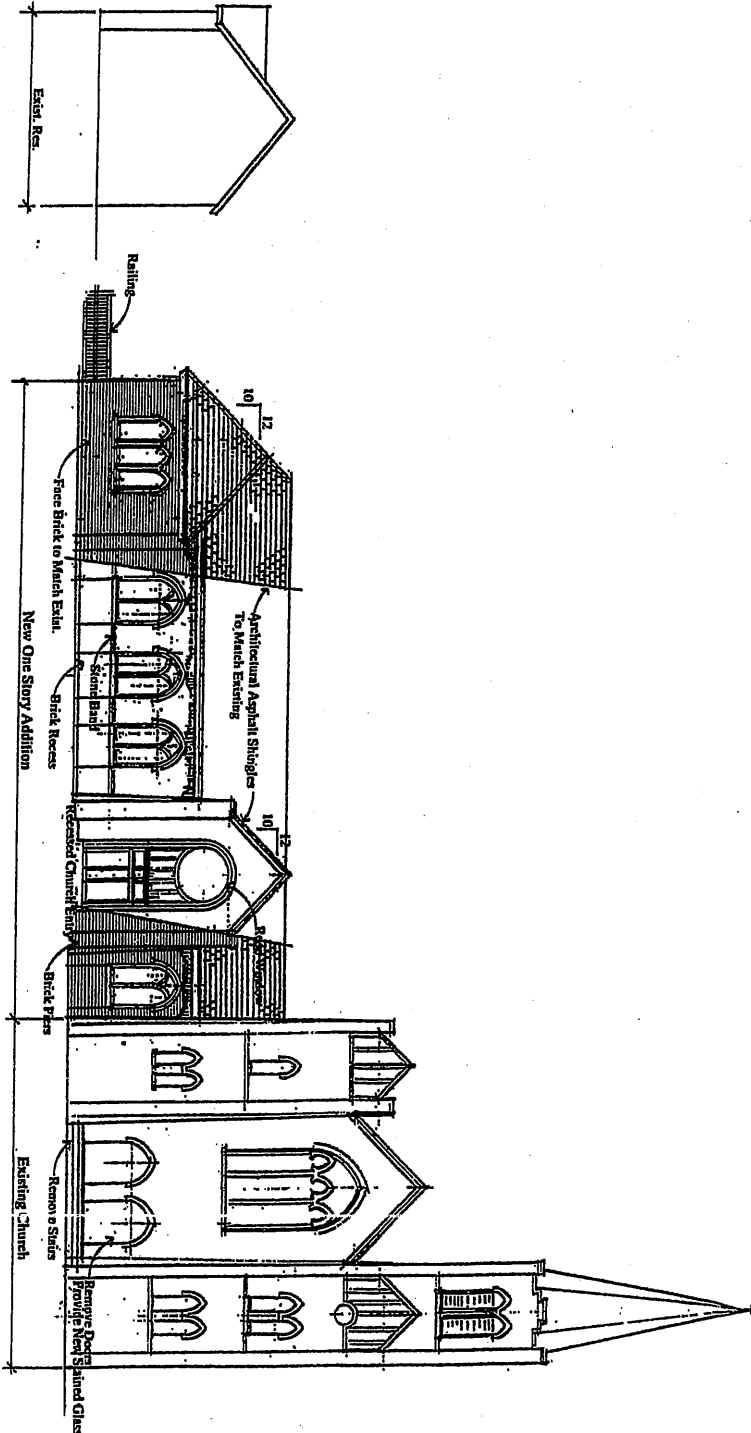
Surveyor
Larson-Kramer & Associates
701 York Road
Evanston, IL 60201
Survey No. 10110

S. GRANT STREET

EXHIBIT B
SITE PLAN
January 16, 2004

Exhibit C "1"

Exterior Elevations



Grant Street Elevation

EXHIBIT C
ELEVATION-1
January 16, 2004

Exhibit C "2" Exterior Elevations

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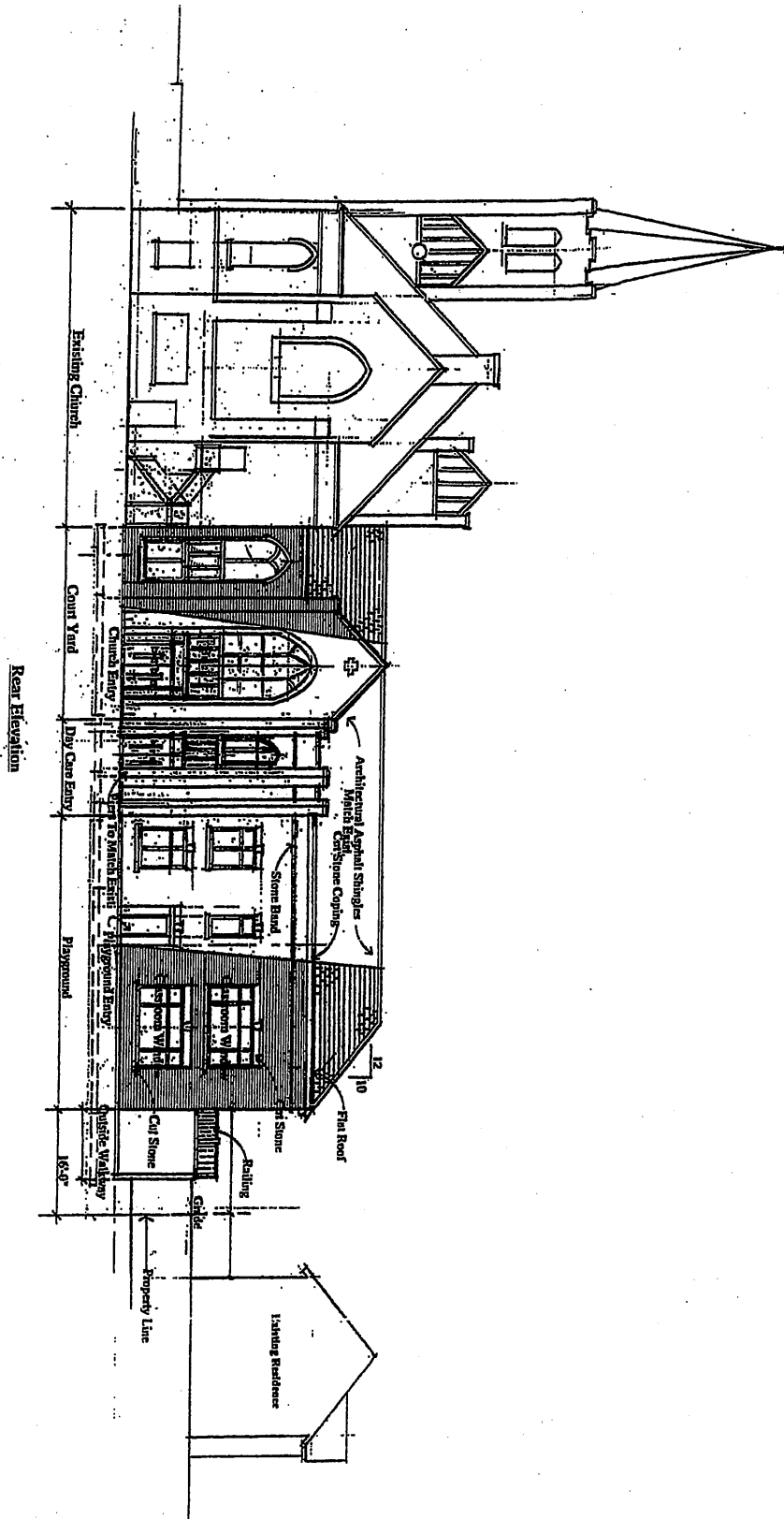
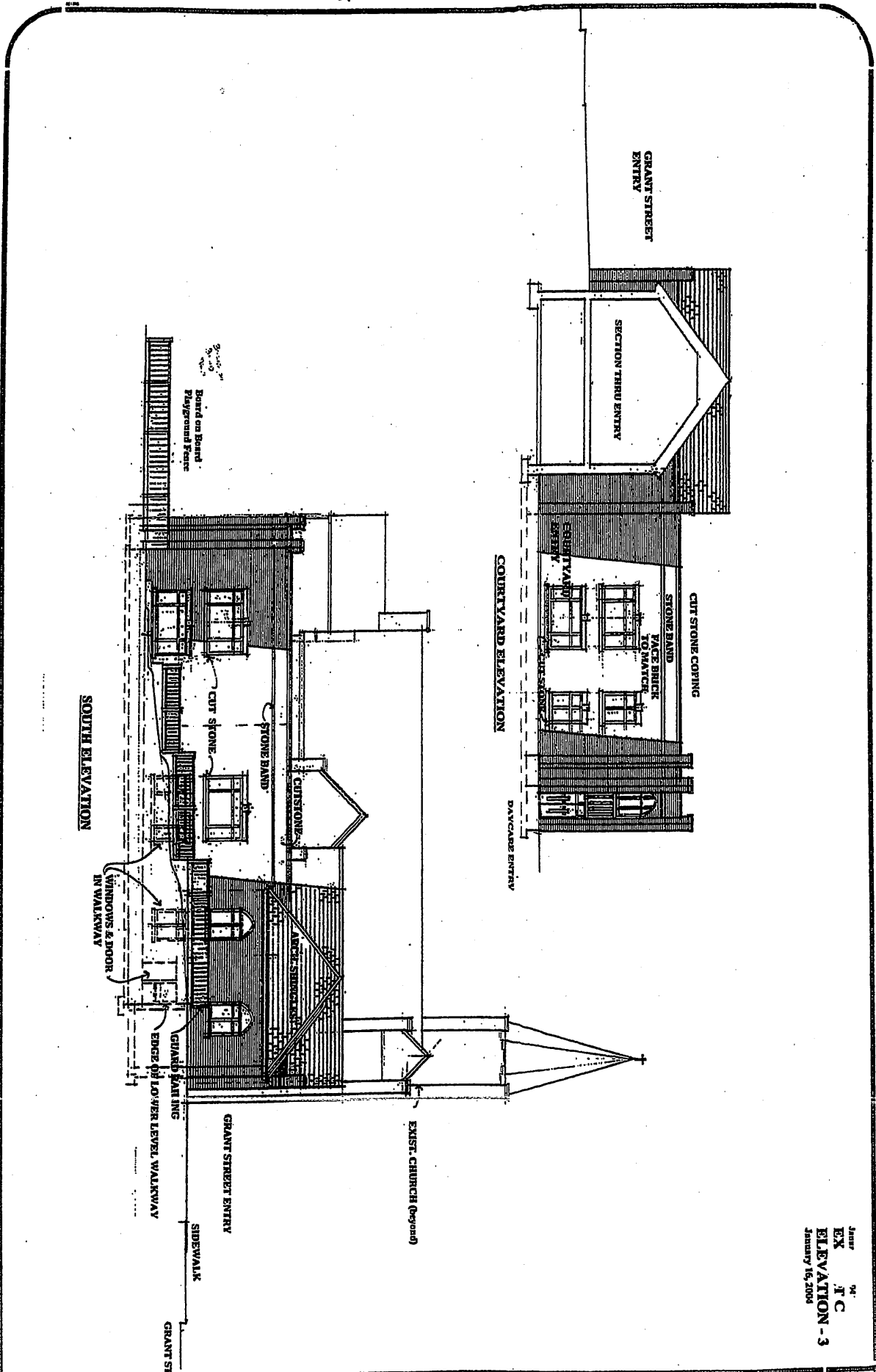


EXHIBIT C
ELEVATION-2

January 16, 2004

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Exhibit C "3" Exterior Elevations



VILLAGE OF HINSDALE

ORDINANCE NO. O2012-32

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A PRIVATE
MIDDLE SCHOOL AT 125 S. VINE STREET
(Plan Commission Case No. A-15-2012)**

WHEREAS, an application seeking a special use permit to operate a private school in the existing school building located at 125 S. Vine Street, Hinsdale, Illinois, (the "Subject Property"), in the IB Institutional Buildings Zoning District, was filed by Petitioner Nurturing Wisdom with the Village of Hinsdale; and

WHEREAS, a special use for a private school on the Subject Property had previously been approved as one aspect of a planned development in Ordinance No. 2004-15, but had lapsed due to the school use having been discontinued for a period in excess of six (6) months; and

WHEREAS, the Subject Property, which is improved with an existing school building, is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the application has been referred to the Plan Commission of the Village and has been processed in accordance with the Hinsdale Zoning Code ("Zoning Code"), as amended; and

WHEREAS, on June 13, 2012, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean* on May 24, 2012, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of 4 in favor, 0 against, 1 abstention, and 4 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-15-2012 ("Findings and Recommendation"), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on June 25, 2012, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation of approval to the Board of Trustees, subject to there being a maximum enrollment under the special use of fifty (50) students; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 11-602 of the Zoning Code relating to special use permits.

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

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

Section 2: Approval of Special Use for a Private School. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves a special use permit for a private school in the IB Institutional Buildings Zoning District in the existing school building on the Subject Property located at 125 S. Vine Street, legally described in **Exhibit A**, subject to the condition that enrollment at the private school shall not exceed fifty (50) students.

Section 3: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

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

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

PASSED this 17th day of July 2012.

AYES: Trustees Angelo, Geoga, LaPlaca, Saigh

NAYS: None

ABSENT: Trustees Elder and Haarlow

APPROVED by me this 17th day of July, 2012, and attested to by the Village Clerk this same day.



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

Christine M. Bruton
Christine M. Bruton, Village Clerk

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

Alyssa De Cesaris

By: Director
Its: Alyssa De Cesaris

Date: July 17, 2012

EXHIBIT A

LOTS 11 AND 12 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE, DUPAGE COUNTY, ILLINOIS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS

COMMONLY KNOWN AS: 125 S. VINE STREET, HINSDALE, ILLINOIS

HINSDALE PLAN COMMISSION

Re: Case A-15-2012 – Nurturing Wisdom – 125 S. Vine Street - Request: Special Use Permit to Operate a Private Middle School

DATE OF PLAN COMMISSION REVIEW: June 13, 2012

DATE OF ENVIRONMENT & PUBLIC SERVICES REVIEW: June 25, 2012

FINDINGS AND RECOMMENDATION**I. FINDINGS**

1. The Applicant, Nurturing Wisdom, submitted an application for a Special Use to operate a private middle school at 125 S. Vine Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing school where a private elementary school operated previously. Middle schools are listed as a Special Use.
3. The Plan Commission heard testimony from the applicant regarding the proposed request, including proposed hours and class sizes, at the Plan Commission meeting of June 13, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which confirmed, among other things, that the facility would not be doing tutoring from this location.
5. The Commissioners agreed that the proposed use was a good fit for the location.
6. The Plan Commission specifically finds that based on the Application and the evidence presented at the public hearing, the Applicant has satisfied the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit. Among the evidence relied upon by the Plan Commission is the fact that the school will be located in an existing building specifically designed for school use, that a school has operated at this location in the past, that adequate public facilities to serve the school are already in place, and that adequate parking to serve the proposed school use exists.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of four (4) "Ayes," 0 "Nay," one (1) "Abstention" and four (4) "Absent", recommends that the President and Board of Trustees approve the Application for a special use permit to allow the operation of a private middle school at 125 S. Vine Street.

THE HINSDALE PLAN COMMISSION

By: _____

Chairman

Dated this 11th day of July, 2012.

VILLAGE OF HINSDALE

ORDINANCE NO. 02012-53

**AN ORDINANCE APPROVING A MAJOR ADJUSTMENT
TO A PLANNED DEVELOPMENT TO ALLOW A MUSIC SCHOOL AND TUTORING
SERVICE - 125 S. VINE STREET - ZION LUTHERAN CHURCH**

WHEREAS, a Planned Development for Zion Lutheran Church (the "Applicant") at 125 S. Vine Street (the "Subject Property") was originally approved by Ordinance No. 2004-15 (the "Planned Development"); and

WHEREAS, the Subject Property, improved with, among other things, an existing school building, is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, among the various uses approved as part of the Planned Development was a private school use, which was later discontinued. A special use for a private school on the Subject Property was recently reapproved and a private school is again operating on the Subject Property; and

WHEREAS, the Applicant has now submitted an application for a major adjustment to the Planned Development to allow for a music school and tutoring service (the "Proposed Uses") within the private school building on the Subject Property, during hours when the private school is not operating (the "Application"); and

WHEREAS, as the Proposed Uses are uses which would not otherwise be permitted in the IB Institutional Buildings Zoning District, a major adjustment to the Planned Development is required to be approved by the Village Board pursuant to Subsection 11-603(K)(2) of the Hinsdale Zoning Code in order for the Proposed Uses to operate; and

WHEREAS, the President and Board of Trustees, upon initial consideration of the Application, sent it back to the Plan Commission so that nearby residents of the Subject Property could be notified of the Proposed Uses and have an opportunity to register their approval or disapproval; and

WHEREAS, following notice to nearby residents, the Plan Commission, on October 10, 2012, held a meeting at which the Application was discussed. No residents were present to comment on the Application or Proposed Uses, and one commented through a written submission. Following presentations and discussion, the Plan Commission recommended approval of the Application

on a vote of 7 ayes, 0 nays, and 2 absent. The Findings and Recommendation of the Plan Commission are attached hereto as Exhibit B and made a part hereof; and

WHEREAS, the Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 11-603 of the Zoning Code relating to major adjustments to planned developments.

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

SECTION 1: Recitals. The foregoing recitals are incorporated into this Ordinance by this reference as findings of the Board of Trustees.

SECTION 2: Approval of Major Adjustment to the Approved Planned Development. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and pursuant to Subsection 11-603(K)(2) of the Hinsdale Zoning Code, approve the major adjustment to the previously approved Planned Development, to allow a music school and tutoring service to operate in the private school building on the Subject Property. The Planned Development, is hereby amended to the extent provided, but only to the extent provided, by the approval granted herein.

SECTION 3: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance, the Ordinance approving the Planned Development, any previous amendments thereto, or of any applicable code, ordinance, or regulation of the Village shall be grounds for rescission by the Board of Trustees of the approvals set forth in this Ordinance.

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

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

PASSED this 20th day of November 2012.

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

NAYS: None

ABSENT: Trustee Haarlow

APPROVED this 20th day of November 2012.



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

Christine M. Bruton
Christine M. Bruton, Village Clerk

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

By: _____

Its: _____

Date: November 21, 2012

EXHIBIT A

**LOTS 11 AND 12 IN BLOCK 6 IN J.I. CASE'S ADDITION TO HINSDALE,
DUPAGE COUNTY, ILLINOIS, BEING A SUBDIVISION OF PART OF THE
NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH,
RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO
THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT
NUMBER 15440, IN DUPAGE COUNTY, ILLINOIS**

COMMONLY KNOWN AS: 125 S. VINE STREET, HINSDALE, ILLINOIS

EXHIBIT B

**FINDINGS OF FACT
(ATTACHED)**

HINSDALE PLAN COMMISSION

Re: 125 S. Vine Street – Zion Lutheran Church - Request: Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street

DATE OF PLAN COMMISSION REVIEW: October 10, 2012

DATE OF ZONING & PUBLIC SAFETY REVIEW: October 22, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, Zion Lutheran Church, submitted an application for a Major Adjustment to a Planned Development to allow a music school and tutoring service at 125 S. Vine Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing school where a private elementary school operated previously.
3. The Plan Commission heard a presentation from the applicant regarding the proposed requests, including proposed hours, days and class sizes for the two uses, at the Plan Commission meeting of October 10, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which included the church's long term goals and intentions for the school building.
5. Certain Commissioners expressed concerns with the residential homes being part of the Planned Development and while the applicant did not identify any immediate plans for those lots, they indicated their general support to see those lots removed from the Planned Development and returned to residential zoning.
6. The Commissioners agreed that the proposed uses were a good fit for the location and indicated they didn't see any need to restrict the time, day or hours of operation for either use.
7. The Plan Commission specifically finds that based on the Application and the evidence presented at the public meeting, the Applicant has satisfied the standards in Section 11-603 of the Zoning Code applicable to approval of a major adjustment to Planned Developments. Among the evidence relied upon by the Plan Commission is the fact that the uses will be located in an existing building specifically designed for school uses, that a school has operated at this location in the past and that generally, the requested uses are appropriate for this location.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of seven (7) "Ayes," 0 "Nay," two (2) "Absent", recommends that the President and Board of Trustees approve the Application for a Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street

THE HINSDALE PLAN COMMISSION

By: _____

NBA Benjamin

Chairman

Dated this 14th day of Nov., 2012.

DATE: September 23, 2013

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Applicant: Fullers Tap and Grill – Location: 35 E. First Street – Request: Exterior Appearance and Site Plan Review for the Construction of a Second Floor Balcony and Façade Improvements.	APPROVAL

REQUEST

The applicant is requesting approval of exterior appearance and site plans to allow for exterior modifications and facade improvements to the existing building at 35 E. First Street. The site is improved with a two-story commercial building in the B-2 Central Business District.

The applicant is proposing a new two-story restaurant in the existing building on the subject property. The restaurant would occupy a portion of the south half of the existing hardware store. Based on the information provided by the applicant, the building is a total of 19,262 square feet. Approximately 10,410 square feet will remain as a hardware store, leaving 8,851 square feet devoted to the new restaurant. The exterior modifications include a new outdoor balcony for seating, new accordion style doors on the south elevation and two new wall signs. The largest change would be the construction a new second story balcony on the east elevation for outdoor dining, accessed by a new door proposed in this same location, as depicted on the attached illustrations. In addition to providing outdoor dining for the restaurant on the second floor, the balcony would also function as an open-aired canopy or shelter for customers on the patio at Dips n' Dogs. The applicant intends to install a seasonal enclosure during the inclement months, to provide a conditioned seating area for customers. As many will recall, this was accomplished in previous years with a temporary use permit for a tent that the applicant applied for annually. The applicant feels that by enclosing the shelter, it provides a cleaner look without having to come back year after year for approval of a tent. It should also be noted that the only first floor access to the restaurant would be on First Street and there would be no access to the restaurant from the Dips n' Dogs patio.

Section 9-104D(1) provides exceptions for minor additions and establishes that an applicant can increase square footage of a building by up to 10% before additional parking is required. Based on the numbers provided by the applicant's architect, the aggregate increase of the balcony is well under the 10% permitted and as such, the addition of the second floor balcony would not require additional parking.

At the September 11, 2013 Plan Commission meeting the commission reviewed the application submitted for 35 E. First – Fuller's Tap and Grill, and unanimously recommended approvals (6-0, 1 absent) of the requests for site plan and exterior appearance for the second story balcony and requested façade modifications, subject to the following conditions:

- The applicant provides four season vines to the Garfield side of the dumpster enclosure to soften the appearance.
- The applicant be required to mirror the requirements for Fox's outdoor seating area, which stipulated that:
 - All Live Entertainment involving instrumental, electronic or mechanical accompaniment shall take place within the confines of the building rather than on the outdoor patio or other exterior areas of the tenant space comprising the Subject Property.
 - No speakers may be placed on the outdoor patio or in other exterior areas of the tenant space comprising the Subject Property.

Review Criteria



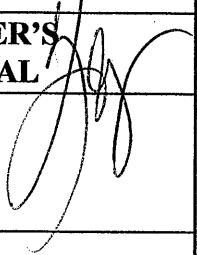
In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:

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

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

Should the Committee and Board find the request to be acceptable, the following motion would be appropriate:

MOTION: Move that the request be forwarded to the Board of Trustees to approve an "Ordinance Approving Site Plans and Exterior Appearance Plans for Modifications to a Commercial Building at 35 E. First Street", subject to the above stated conditions.

APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:				
BOARD ACTION:				

DRAFT

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING SITE PLANS AND EXTERIOR APPEARANCE
PLANS FOR MODIFICATIONS TO A COMMERCIAL BUILDING AT
35 E. FIRST STREET**

WHEREAS, the Village of Hinsdale has received an application (the "Application") for site plan approval and exterior appearance review for construction of a second story balcony and façade improvements at property located at 35 E. First Street, Hinsdale, Illinois (the "Subject Property"), from applicant Doug Fuller d/b/a Fuller's Tap and Grill (the "Applicant"); and

WHEREAS, the Subject Property is located in the Village's B-2 Central Business Zoning District and is currently improved with a multi-story commercial building. The Applicant proposes to improve the building with a new two-story restaurant occupying a portion of the south half of the existing hardware store. The specific request includes bi-fold accordion-style doors on the south elevation, the construction of a new second story balcony on the east elevation for outdoor dining (which would double as an open-air canopy/shelter for customers on the patio and Dips n' Dogs) and two new wall signs. Seasonal enclosures of the open-air shelter and south elevation are also part of the request. Collectively, the various improvements are referred to herein as the "Proposed Improvements" and are depicted in the site plan and exterior appearance plans attached hereto as **Exhibit A** and made a part hereof; and

WHEREAS, the Application was considered by the Village of Hinsdale Plan Commission at a public meeting held on September 11, 2013. After considering all of the matters related to the Application, the Plan Commission recommended, on a vote of six (6) in favor, zero (0) against, and one (1) absent, approval by the Board of Trustees of the Exterior Appearance Plan and Site Plan relative to the Proposed Improvements, subject to certain conditions. The recommendation for approval and a summary of the related proceedings are set forth in the Plan Commission's Findings and Recommendation in this matter ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the President and Board of Trustees find that the Application satisfies the standards established in Sections 11-604 and 11-606 of the Hinsdale Zoning Code governing site plans and exterior appearance plans, subject to the conditions stated in this Ordinance.

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

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

SECTION 2: Approval of Site Plan and Exterior Appearance Plan. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Sections 11-604 and 11-606 of the Hinsdale Zoning Code, approves the site plan and exterior appearance plan attached to, and by this reference, incorporated into this Ordinance as **Exhibit B** (the "Approved Plans"), relative to the Proposed Improvements, subject to the conditions set forth in Section 3 of this Ordinance.

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

- A. **Vines Required.** The Applicant is to provide four-season vines to the Garfield side of the dumpster enclosure to soften the appearance.
- B. **Outdoor Seating.**
 - 1. All Live Entertainment involving instrumental, electronic or mechanical accompaniment shall take place within the confines of the building rather than on the outdoor patio or other exterior areas of the tenant space comprising the Subject Property; and
 - 2. No speakers may be placed on the outdoor patio or in other exterior areas of the tenant space comprising the Subject Property.
- C. **Compliance with Plans.** All work on the Subject Property shall be undertaken only in strict compliance with the Approved Plans attached as **Exhibit A**.
- D. **Compliance with Codes, Ordinances, and Regulations.** Except as specifically set forth in this Ordinance or as otherwise specifically authorized by the Village, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern all development on, and improvement of, the Subject Property. All such development and improvement shall comply with all Village codes, ordinances, and regulations at all times.
- E. **Building Permits.** The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

SECTION 4: Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance, or of any applicable code, ordinance, or regulation

of the Village, shall be grounds for rescission by the Board of Trustees of the approvals set forth in this Ordinance.

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

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

ADOPTED this _____ day of _____, 2013, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2013, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

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

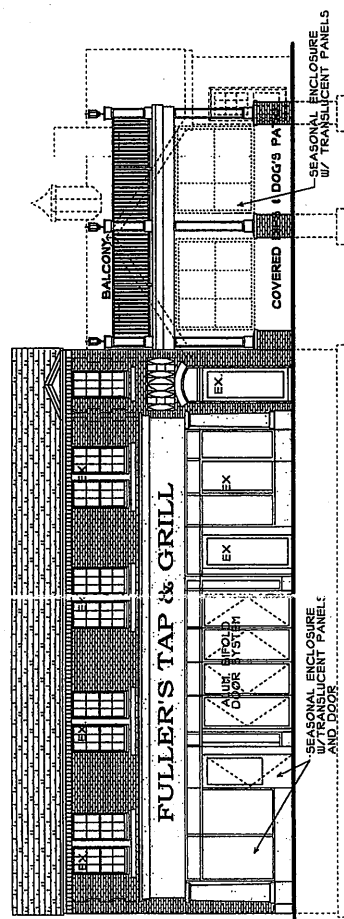
By: _____

Its: _____

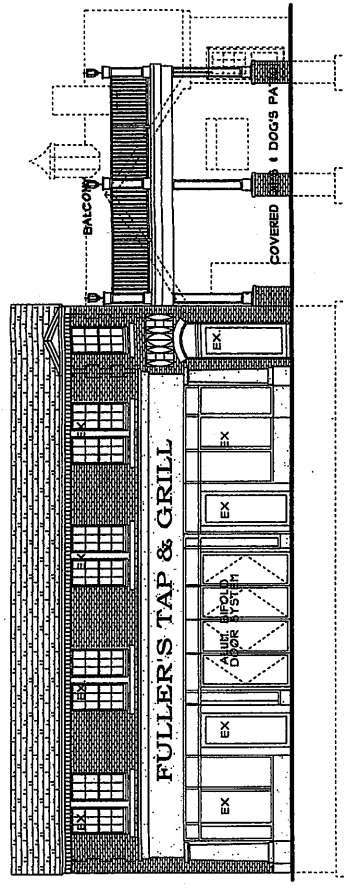
Date: _____, 2013

EXHIBIT A

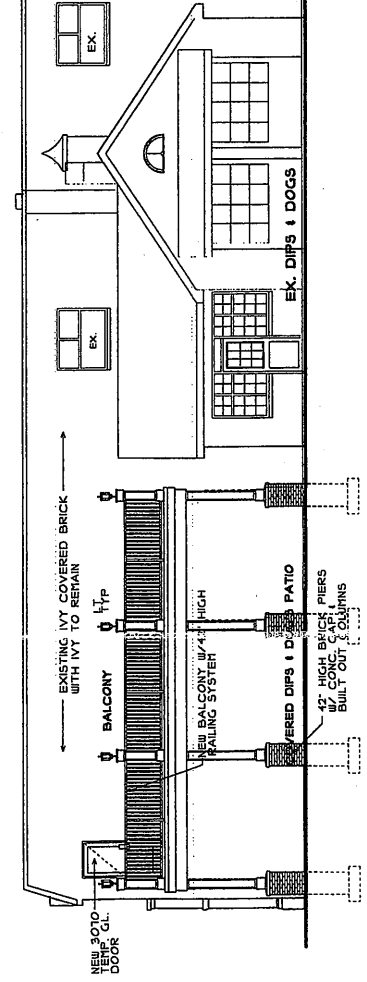
**APPROVED SITE PLAN AND EXTERIOR APPEARANCE PLAN
(ATTACHED)**



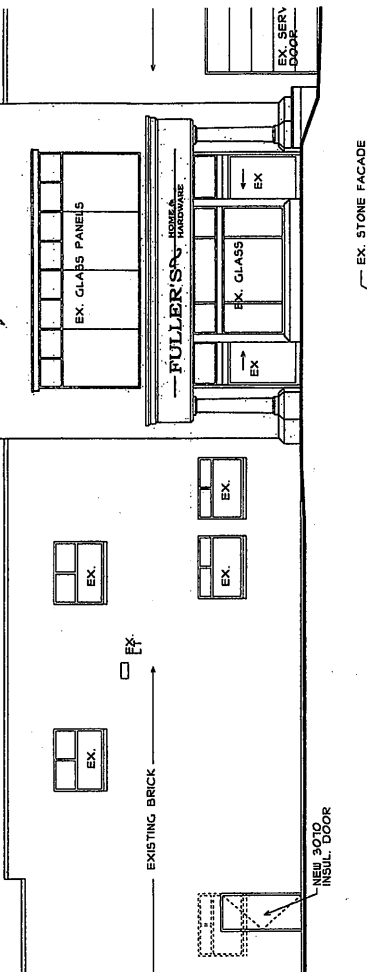
SOUTH ELEVATION
SCALE 3/32" = 1'-0"



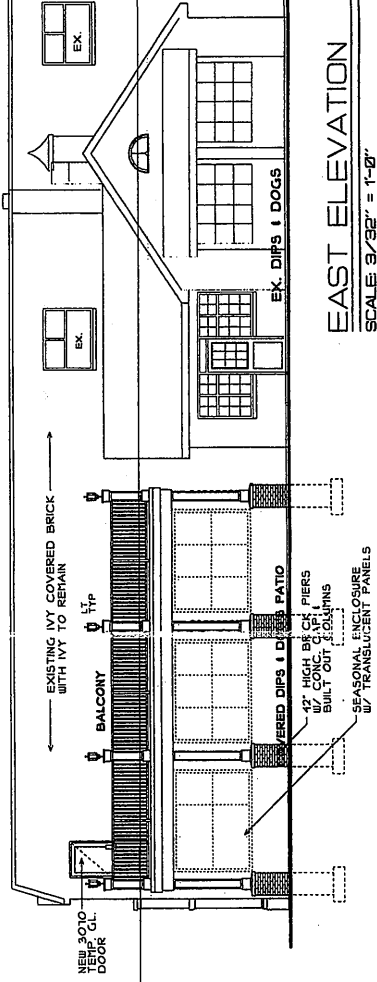
SOUTH ELEVATION
SCALE 3/32" = 1'-0"



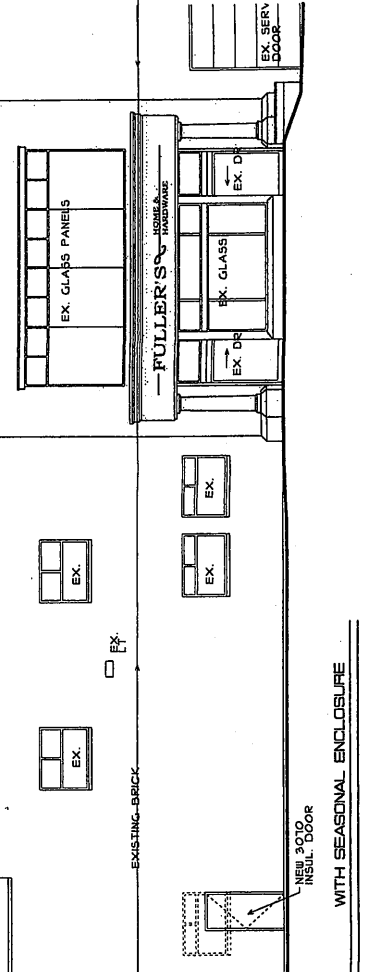
EAST ELEVATION
SCALE 3/32" = 1'-0"



EAST ELEVATION
SCALE 3/32" = 1'-0"



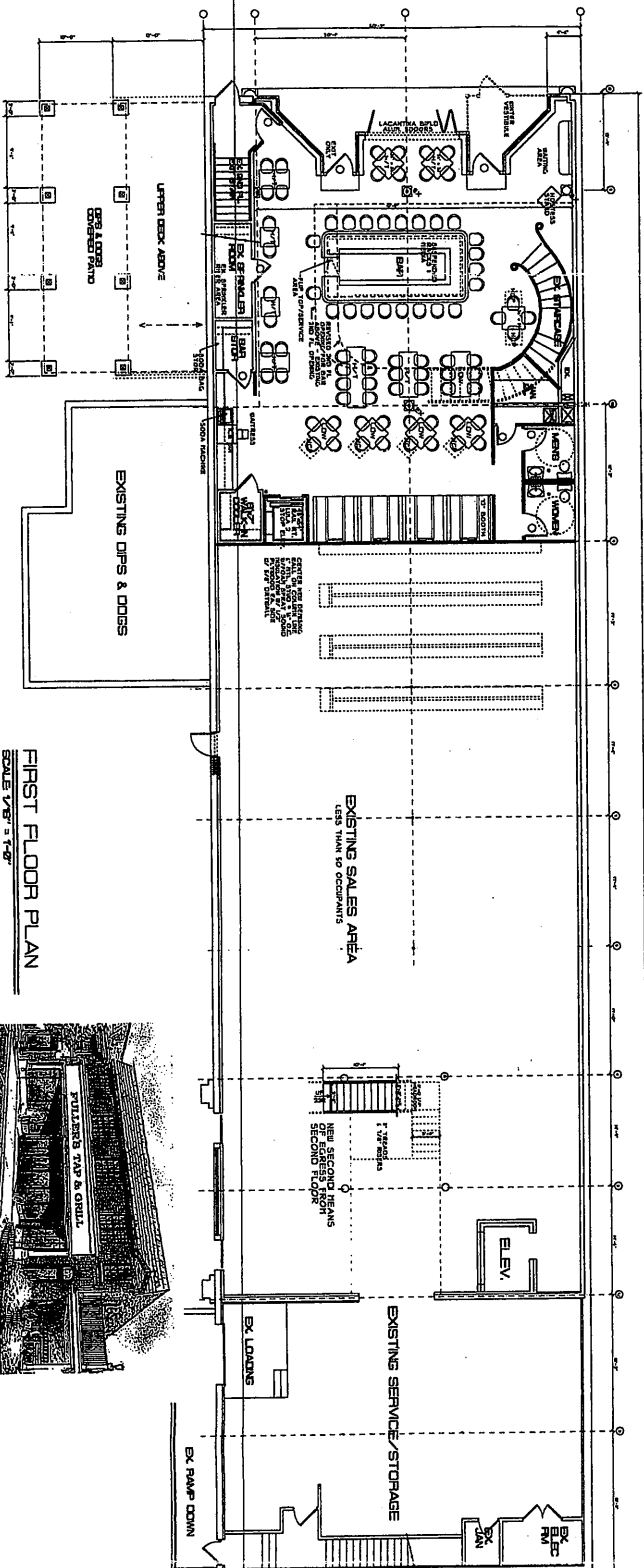
EAST ELEVATION
SCALE 3/32" = 1'-0"



EAST ELEVATION
SCALE 3/32" = 1'-0"

[illegible]

FULLER'S TAP & GRILL
35 EAST FIRST STREET HINSDALE, ILLINOIS

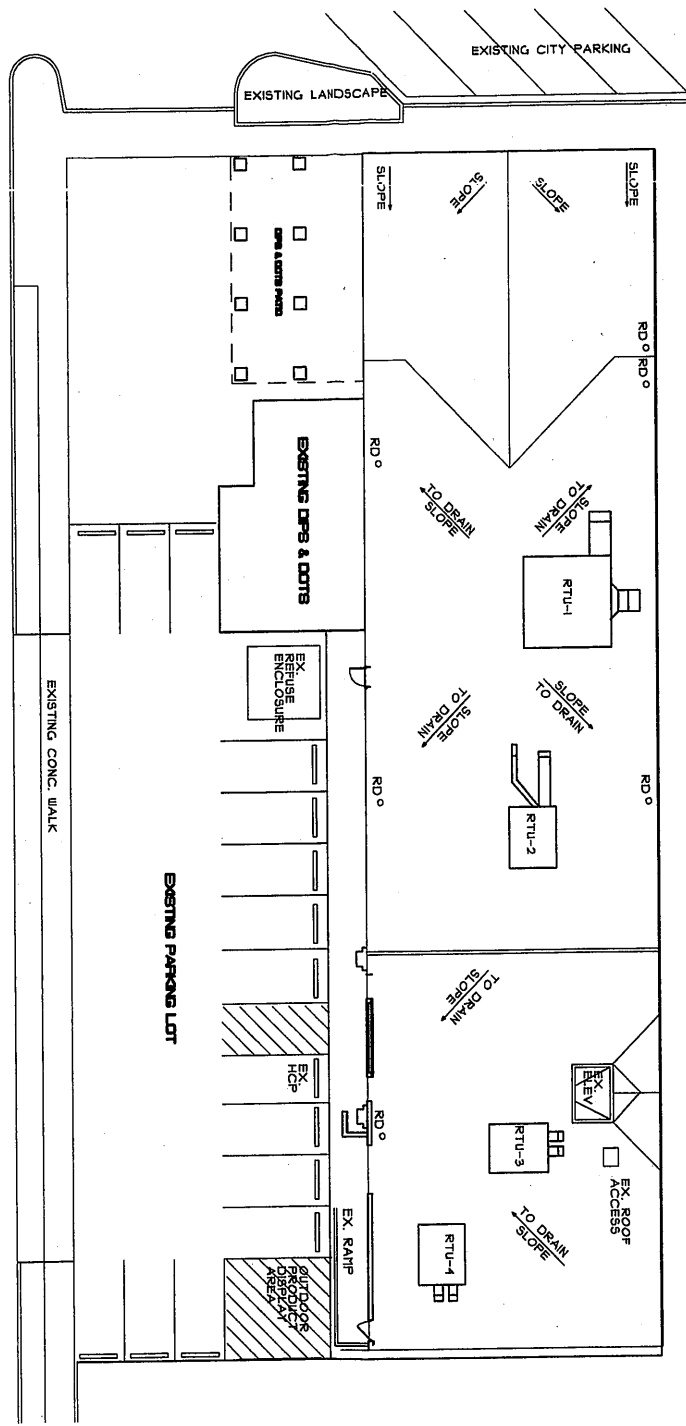
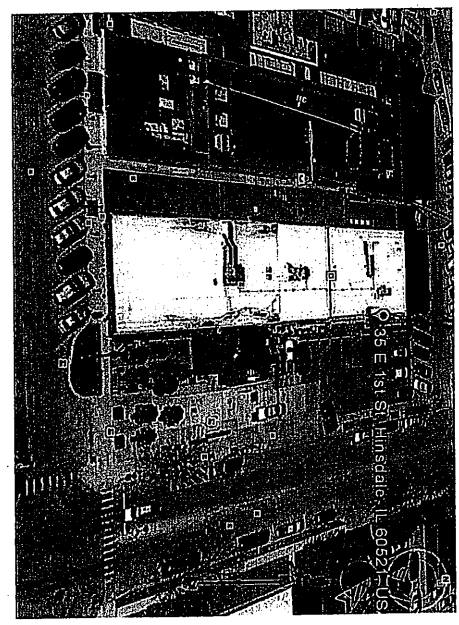


A detailed black and white illustration of a large, multi-story building with a complex roofline, including a prominent chimney. A large sign on the front of the building reads "FULLER'S TAP & GRILL". The building has many windows and decorative architectural elements. The illustration is oriented vertically on the page.

FIRST STREET

GARFIELD

SITE/ROOF PLAN
SCALE 1" = 20'-0"



VISION

Jim Carlstrom 847-912-8127

FULLER'S TAP & GRILL @
FULLER'S HOME HARDWARE
35 EAST FIRST STREET
HINSDALE, ILLINOIS

EXHIBIT B

**FINDINGS OF FACT
(ATTACHED)**

HINSDALE PLAN COMMISSION

RE: 35 E. First Street – Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: September 11, 2013

DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 23, 2013

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Doug Fuller (the “Applicant”) submitted an application to the Village of Hinsdale for exterior appearance and site plan review at 35 E. First Street (the “Subject Property”).
2. The Subject Property is located in the B-2 Central Business District and is improved with a multiple-story commercial building.
3. The applicant is proposing a new two-story restaurant in the existing building on the subject property where the restaurant would occupy a portion of the south half of the existing hardware store.
4. The applicant summarized the request which included bi-fold according style doors on the south elevation, the construction a new second story balcony on the east elevation for outdoor dining, which would also function as an open-aired canopy or shelter for customers on the patio at Dips n’ Dogs and two new wall signs. Both the open aired shelter and the south elevation also contained approval for seasonal enclosures as part of this request.
5. The Commission discussed how garbage will be managed and the applicant indicated they would double the size of the trash receptacle and provide vines on the existing enclosure to soften the appearance.
6. While certain Commissioners expressed concerns with the proposed bi-fold doors on the north elevation allowing unrestricted flow between First Street and the restaurant, they eventually agreed that it was acceptable.
7. The Commission discussed the idea of a more permanent style enclosure for the area under the proposed balcony however ultimately agreed that they would simply encourage the applicant to look into it in the future.
8. Certain Commissioners expressed concerns with the noise on the second story balcony and suggested that the same regulations that were applied to Fox’s balcony, be applied to this application as well.
9. The Plan Commission approved the two new wall signs.
10. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review.
11. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-606 of the Zoning Code governing exterior appearance review.

II. RECOMMENDATION

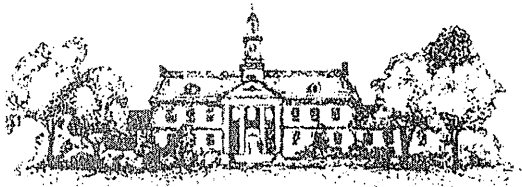
The Village of Hinsdale Plan Commission, on a vote of six (6) "Ayes," zero (0) "Nays," and one (1) "Absent" recommends that the President and Board of Trustees approve the site plan and exterior appearance plans for 35 E. First Street, subject to the following conditions:

- The applicant provides four season vines to the Garfield side of the dumpster enclosure to soften the appearance.
- The applicant be required to mirror the requirements for Fox's outdoor seating area, which stipulated that:
 - All Live Entertainment involving instrumental, electronic or mechanical accompaniment shall take place within the confines of the building rather than on the outdoor patio or other exterior areas of the tenant space comprising the Subject Property.
 - No speakers may be placed on the outdoor patio or in other exterior areas of the tenant space comprising the Subject Property.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2013.



VILLAGE
OF HINSDALE FOUNDED IN 1873

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS

I. GENERAL INFORMATION

Applicant

Name: Fuller's Tap & Grill
Address: 35 E First St
City/Zip: Hinsdale 60521
Phone/Fax: (630) 841 10054
E-Mail: da.fuller@yahoo.com

Owner

Name: Dorcas Fuller
Address: 35 E. First St
City/Zip: Hinsdale
Phone/Fax: (630) 841.0054/
E-Mail: DA FULLER AT YAHOO.COM

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

Name: Steve Klumpp
Title: Designer/Architect
Address: ARK-TEKS 300 N. Eleventh St.
City/Zip: Wheeling IL 60090
Phone/Fax: (847) 215 19214
E-Mail: arkteks@comcast.net

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: 35 E First St Hinsdale

Property identification number (P.I.N. or tax number): 09 - 12 - 129 - 012

Brief description of proposed project: Put A family-style restaurant and sports-themed bar in existing hardware store building; hardware store and The Second Floor to be downsized (but remain) in reconfigured building

General description or characteristics of the site: _____

Existing two-story commercial building at southeast corner of the central business district

Existing zoning and land use: B-2

Surrounding zoning and existing land uses:

North: B-2

South: B-2

East: B-2

West: B-2

Proposed zoning and land use: B-2

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

☒ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☐ 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: 35 E. First St.

** Existing building
no change **

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

	Minimum Code Requirements			Proposed/Existing Development (approx.)
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	3,200 13,200 SF
Minimum Lot Depth	125'	125'	125'	148'
Minimum Lot Width	50'	20'	50'	50'
Building Height	30'	30'	30'	30'
Number of Stories	2	2	2	2
Front Yard Setback	25'	0'	25'	0'
Corner Side Yard Setback	25'	0'	25'	0' / 50' REAR/SIDE OF L-SHAPED LOT)
Interior Side Yard Setback	10'	0'	10'	0'
Rear Yard Setback	20'	20'	20'	< 20'
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	1.5
Maximum Total Building Coverage*	N/A	80%	N/A	0.75 (75%)
Maximum Total Lot Coverage*	90%	100%	90%	100%
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'	N/A

* 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 _____, day of _____, 2____, I/We have read the above certification, understand it, and agree to abide by its conditions.

Daniel A. Fuller

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 23rd day of

July, 2013.

Christine M. Bruton

Notary Public

4



**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
B-2 CENTRAL BUSINESS DISTRICT QUESTIONNAIRE**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 35 E First St Hinsdale 6054

Questionnaire – B-2 Central Business District

The Hinsdale Zoning Code intends, in part, "to protect, preserve and enhance the character and architectural heritage of the Village." Recognizing that the buildings in the B-2 Central Business District are significant, reasonable considerations may be prudent to provide minimum, compatible alterations to the existing exterior. Distinctive architectural features identify the buildings uniqueness and may enhance the overall streetscape.

The purpose of this questionnaire is to transmit information to the Village concerning the proposed plans to change the exterior of the building. The completion of this questionnaire is in no way intended to be determinative on the approval or denial of the application.

1. *Impact on Historic or Architectural Significant Area.* Will the historic and/or architectural significance of the B-2 Central Business District be affected by the proposed changes to the building under review? If so, please explain how. Yes - with upper deck above steps + dogs brick patio; small addition will be compatible in appearance to existing building + neighbors
2. *Impact on Significant Features of Buildings.* State the effects of the proposed changes on the historic and/or architectural significance of the building under review, including the extent to which the changes would cause the elimination, or masking, of distinguishing original architectural features. None
3. *Replacement Rather than Restoration.* Will the changes proposed replace rather than restore deteriorated materials or features? If so, will the replacements be made with compatible materials and historically and architecturally accurate designs? No significant changes that would alter character; new accordion doors will be compatible in appearance and bring fresh/open air dining to the restaurant but in private space

4. *Future Improvements.* Are the proposed improvements to the building designed so that the architectural integrity of the building under review will not be impaired if those improvements are removed in the future? Please explain.

No it will not hurt any building if removed; improvements will be cosmetic and maintain exterior integrity

5. *Reduction of Amount of Demolition.* State the alternatives that were considered in the design to minimize the amount of demolition of the building under review.

No demolition will be caused to the building's exterior so it's appearance will be saved/preserved.



COMMUNITY DEVELOPMENT
DEPARTMENT
EXTERIOR APPEARANCE AND
SITE PLAN REVIEW CRITERIA

Address of proposed request: _____

35 E First St Hinsdale

REVIEW CRITERIA

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

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

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

1. Open spaces. The quality of the open space between buildings and in setback spaces between street and facades. Not to be affected by project
2. Materials. The quality of materials and their relationship to those in existing adjacent structures. Physical improvements to building to enable restaurant will be high quality and in keeping with neighboring buildings
3. General design. The quality of the design in general and its relationship to the overall character of neighborhood. Proposed project will enhance the building and respect surrounding structures
4. General site development. The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. No landscape/streetscape will be affected by the proposed building improvements
5. Height. The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. Existing building; no change to height

6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. Front facade elevation to remain in tact except for small two-level patio, which will be proportionate to adjacent structure
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. New accordion-style windows on First Street will be compatible to rest of the building and surrounding ones
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. New replacement windows will protect rhythm of building facade and allow fresh air in for "outdoor" dining
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. Building will remain unchanged except for cosmetic enhancements
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. New patio will sensitively meet existing building and address First Street in compatible fashion
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. Building materials to remain mostly unchanged; new windows and patio will be constructed of compatible materials
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. Existing building; patio addition does not have a roof
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. Two-level patio will feature decorative safety railings
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. Existing building; new windows will relate to others in building and neighbors
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character. Existing building; enhancements will not change directional

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

Minimal alterations will be made to existing building; when made changes will be compatible (new windows/door & two-level patio)

REVIEW CRITERIA – Site Plan Review

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

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

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

2. The proposed site plan interferes with easements and rights-of-way. *Existing building no interference with right of way*

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

Existing building that does not affect the site

4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. *Commercial use of building is similar to those around it*

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

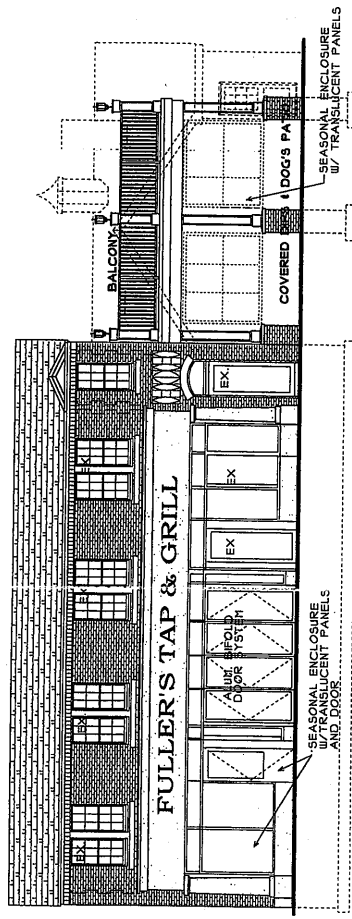
Existing building with uses similar to neighboring properties

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

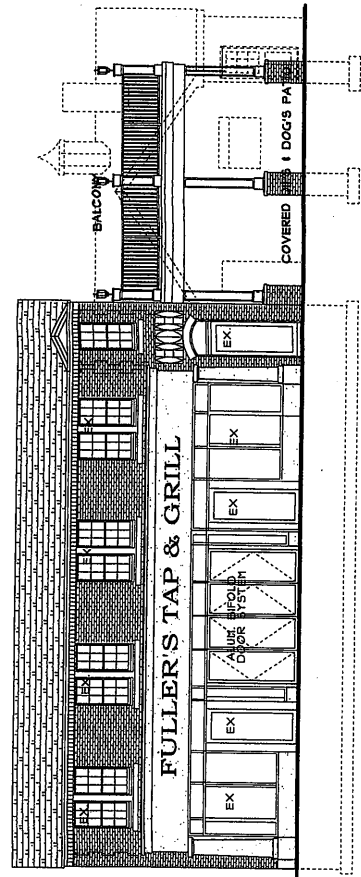
Existing building + site with neighboring buildings

7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. *Existing building that's compatible with existing neighbors*

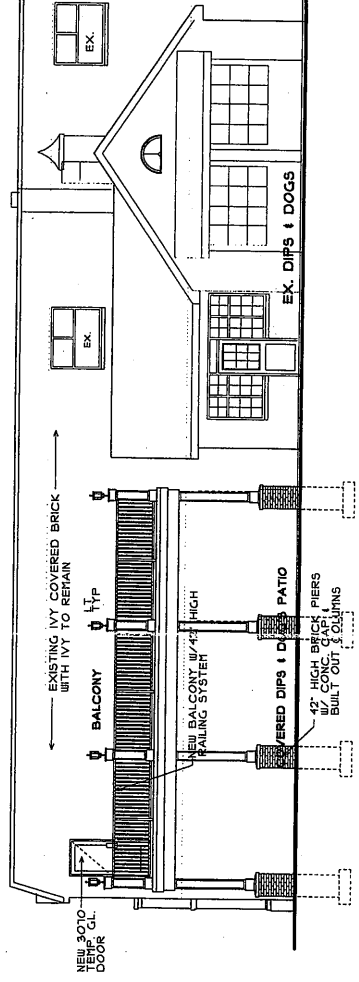
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. Existing building in CBD with established neighbors; no open space can be provided
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. Existing building & site with no change to drainage
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. Existing building, infrastructure and utilities
11. The proposed site plan does not provide for required public uses designated on the Official Map. Existing building & site
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. Existing building & site



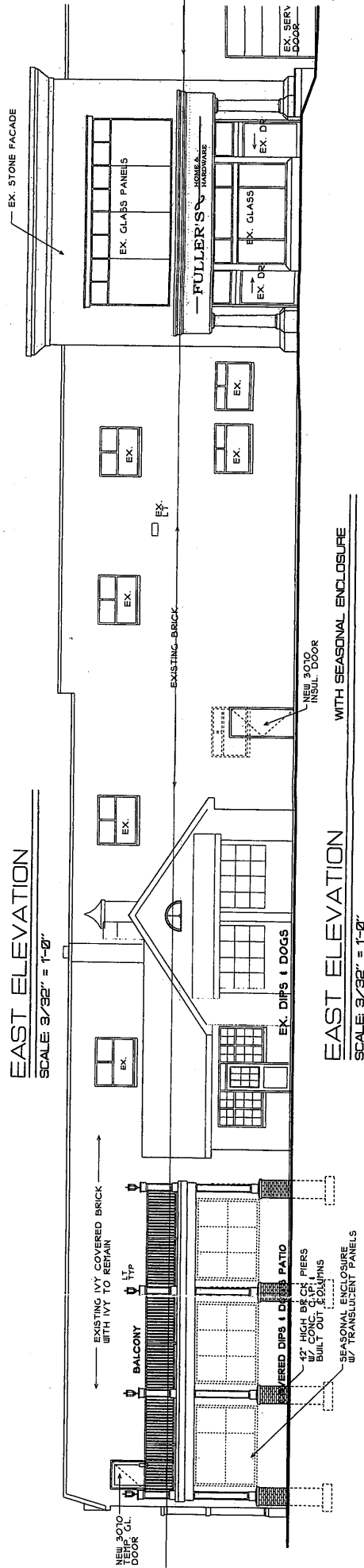
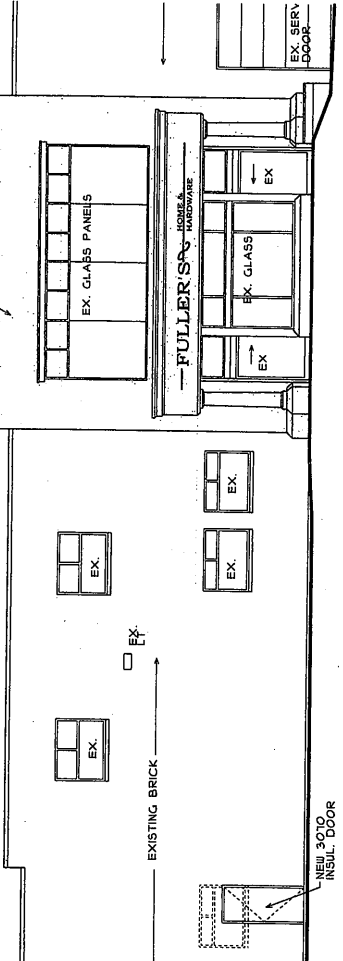
SOUTH ELEVATION
SCALE 3/32" = 1'-0"



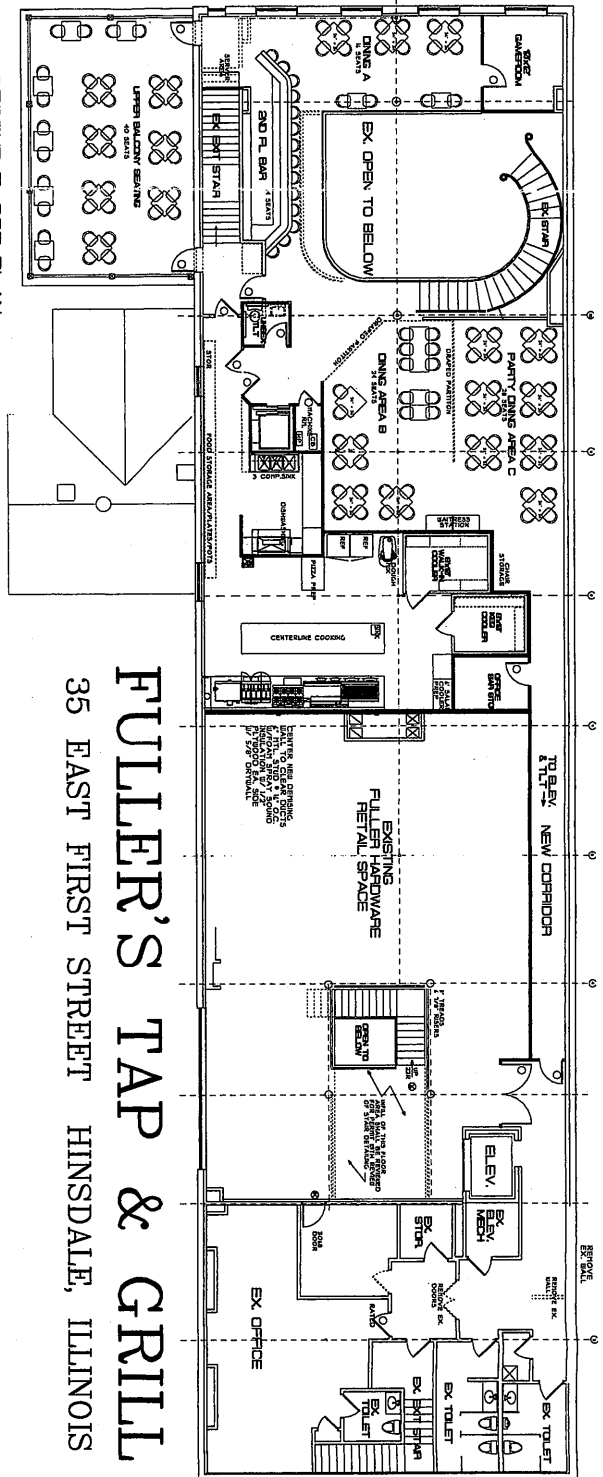
SOUTH ELEVATION
SCALE 3/32" = 1'-0"



EAST ELEVATION
SCALE 3/32" = 1'-0"



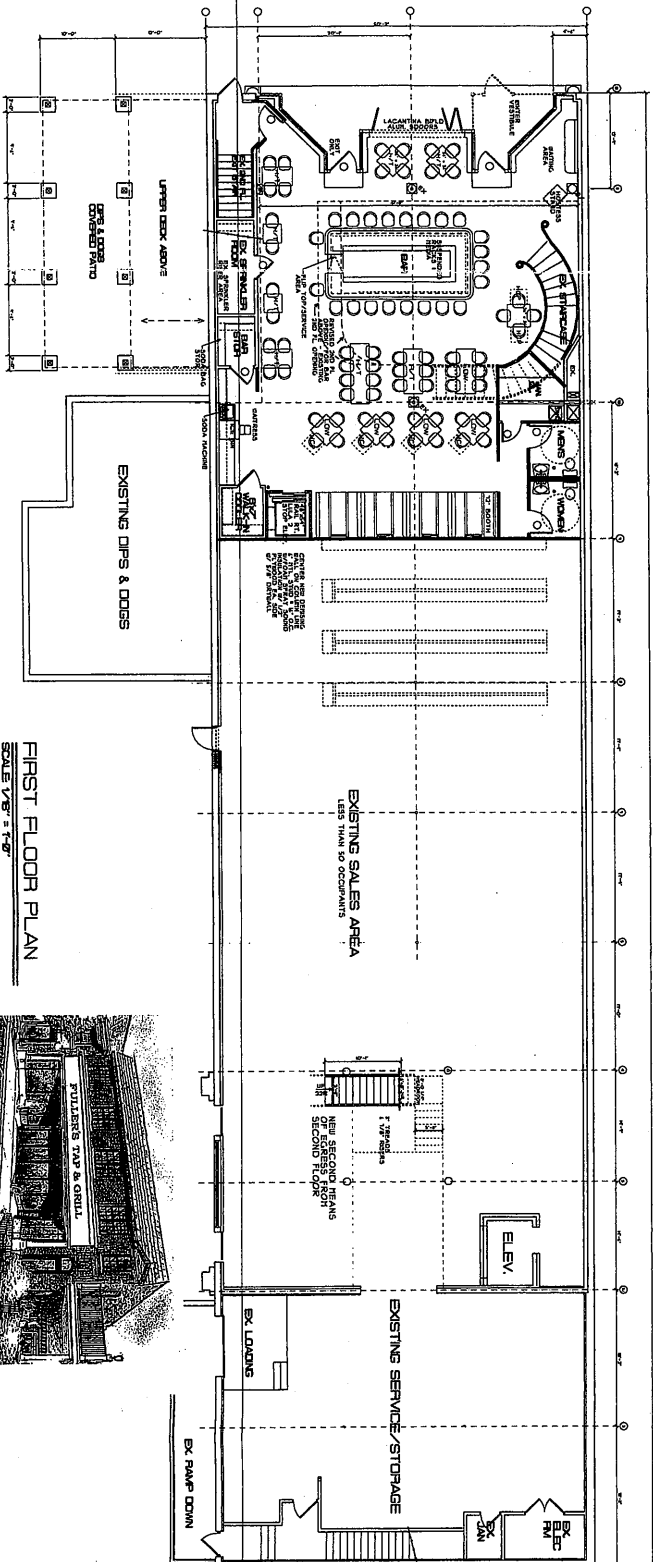
EAST ELEVATION
SCALE 3/32" = 1'-0"



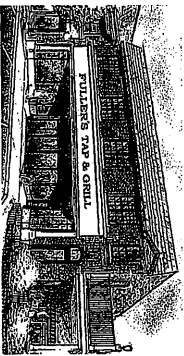
SECOND FLOOR PLAN
SCALE 1/8" = 1'-0"

FULLER'S TAP & GRILL

35 EAST FIRST STREET HINSDALE, ILLINOIS



FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"



DATE OF ISSUE
7/25/13
JOB NUMBER
PA2HNSO
DRAWN CHECKED
TFM : SPK

300 N. 11th St.
Wheeling,
Illinois
60090
email: arkitekspconcast.net
voice: (847) 215-9214
fax: (847) 215-0894
www.arkiteksp.com
**ARKITEKS
UNLIMITED, P.C.**

DATE REVISION

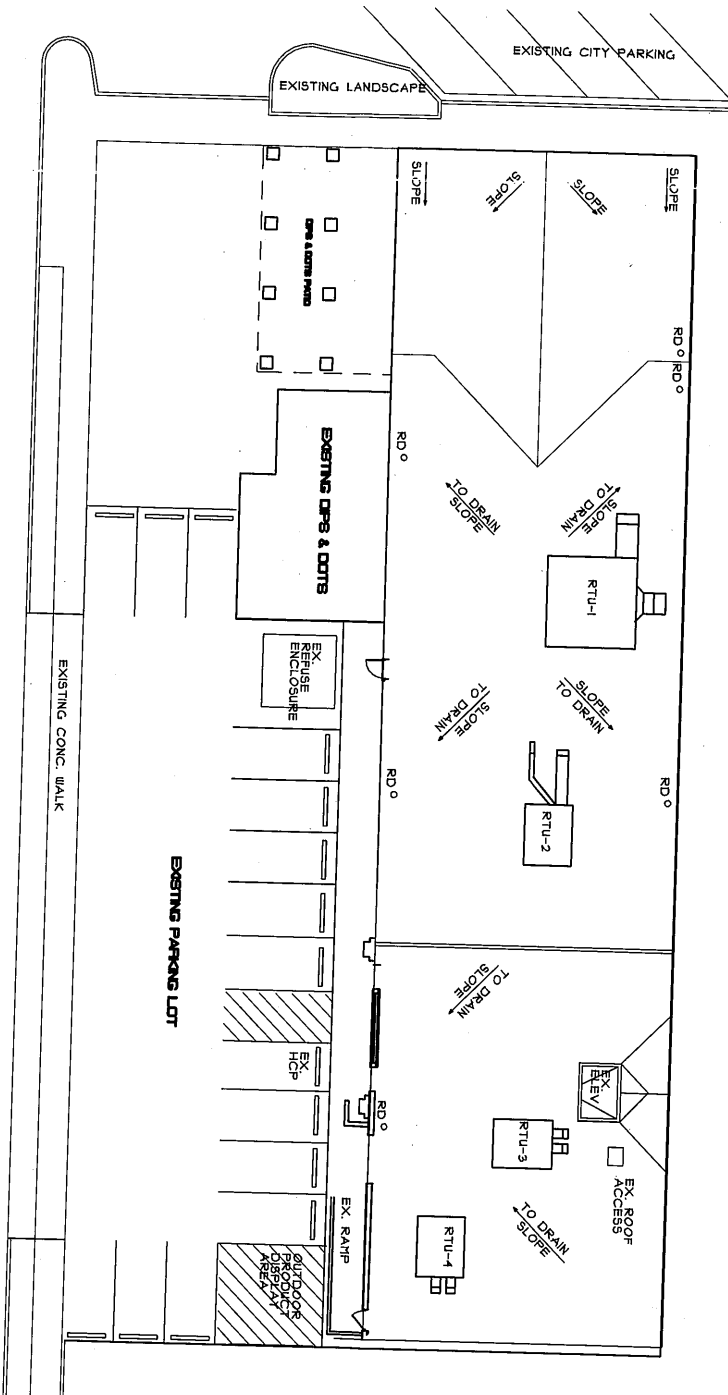
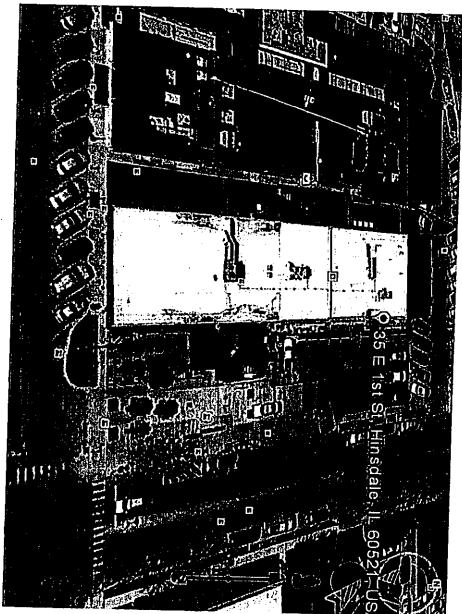
Jim Carlstrom 847-912-8127

FULLER'S TAP & GRILL ©
FULLER'S HOME HARDWARE
35 EAST FIRST STREET
HINSDALE, ILLINOIS

FIRST STREET

SITE/ROOF PLAN
SCALE 1" = 20'-0"

GARFIELD



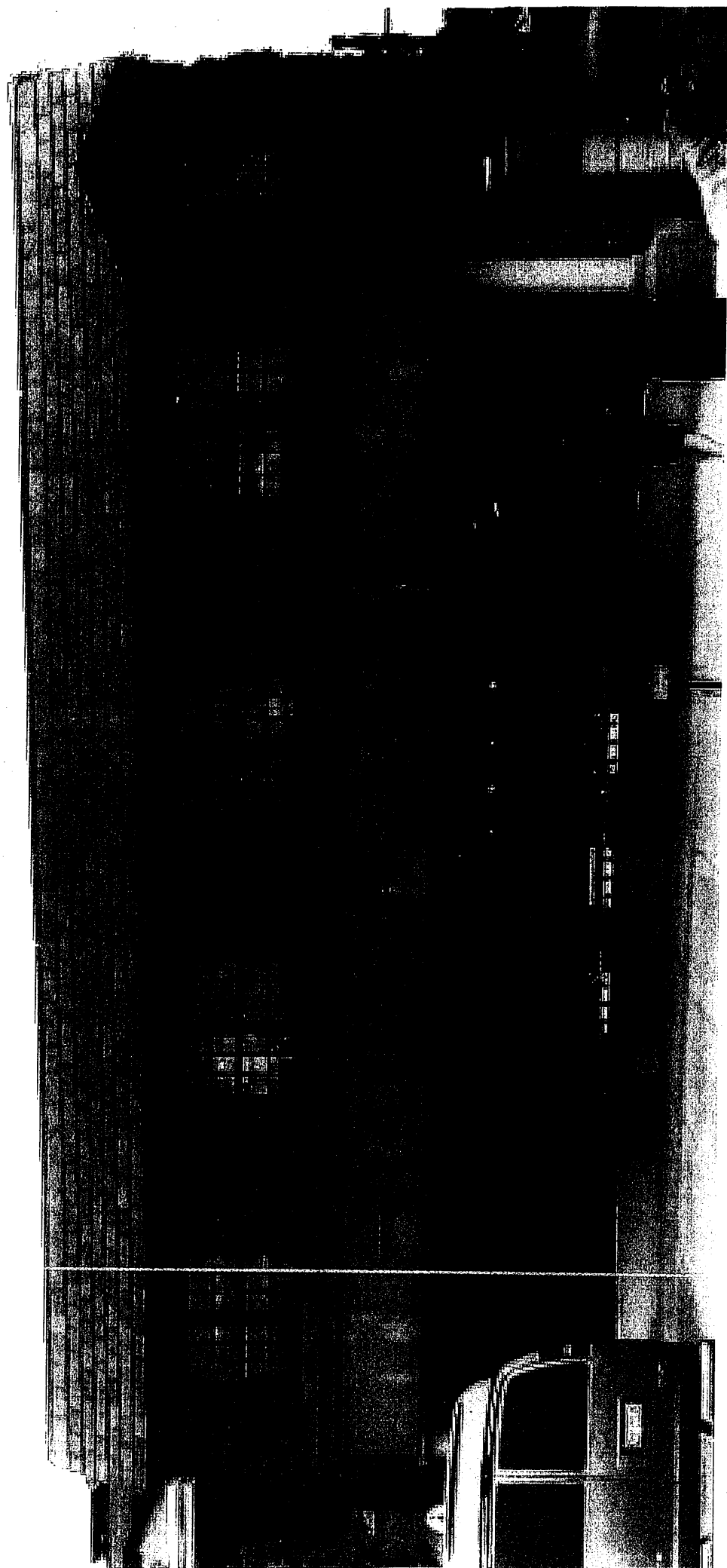
VISION:

Jim Carlstrom 847-912-8127

FULLER'S TAP & GRILL @
FULLER'S HOME HARDWARE
35 EAST FIRST STREET
HINSDALE, ILLINOIS







DATE: September 23, 2013

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-18-2013 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 11-103 (Plan Commission), as it relates to Term Limits.	APPROVAL

On April 3, 2012, the Village Board passed Ordinance No. O2012-14 removing term limits for specific Commissions within the Village. While the direction of the Board was to also remove term limits for the Plan Commission, these administrative responsibilities were codified in the Zoning Code as a result of Ordinance No. O2001-39, and were therefore required to be amended as a text amendment to the Zoning Code. In addition to the requirement for term limitations, the section also poses several requirements for appointments of Commissioners in years past that include dates that have since expired and are no longer applicable to this section of the code.

At the Plan Commission meeting of September 11, 2013, the Plan Commission unanimously recommended approval for the Text Amendment to Section 11-103 (Plan Commission), as it relates to Term Limits and deletion of the outdated language on appointments. Subsequently, the Village Attorney has noted that Section 11-103 also contains language concerning appointments of Plan Commission members that is inconsistent with State law: State law provides for appointment by the Village President with confirmation by Board of Trustees, rather than appointment by the President and Board, voting jointly, as our Zoning Code currently provides. He has therefore recommended that the Ordinance be clarified to make the appointment of Plan Commission members consistent with State law.



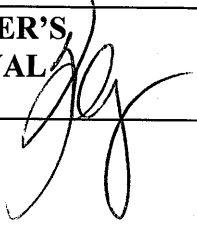
As such, staff is recommending that Section 11-103(A) be amended relative to appointments and the removal of term limits for the Plan Commission as follows:

A. Creation; Membership: The plan commission shall consist of nine (9) members appointed by the president and, with the advice and consent of the board of trustees, voting jointly. All members shall be residents of the village. ~~All members appointed by the president and board of trustees on or before May 1, 2001, shall serve for a term of four (4) years and until their successors have been appointed and have qualified for office. Of the four (4) appointments scheduled to be made in the year 2003, three (3) shall be for a term of three (3) years and one shall be for a term of four (4) years. Of the five (5) appointments scheduled to be made in the year 2005, two (2) shall be for a term of two (2) years and three (3) shall be for a term of three (3) years. In all such cases, such terms shall continue until a successor has been appointed and has qualified for office. A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the president and, with the advice and consent of the board of trustees, voting jointly. Commencing in the year 2006, all appointments of successors upon the expiration of any term of any member shall be for a period of three (3) years and until a successor has been appointed and has qualified for office. A member shall be eligible for reappointment; provided, however, that no member shall serve more than the greater of: 1) two (2) consecutive terms that were full terms at the time of service or 2)~~

~~six (6) years. Service of a portion of an unexpired term shall not be counted toward the two (2) term limit.~~ All members of the commission shall serve without compensation.

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

MOTION: Move that the request be forwarded to the Board of Trustees approve an “An Ordinance Amending Article XI (“Zoning Administration And Enforcement”), Section 11-103 (“Plan Commission”) Of The Hinsdale Zoning Code As It Relates To Plan Commission Appointments And Terms.”

APPROVAL 	APPROVAL 	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:				
BOARD ACTION:				

VILLAGE OF HINSDALE

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE XI ("ZONING ADMINISTRATION AND ENFORCEMENT"), SECTION 11-103 ("PLAN COMMISSION") OF THE HINSDALE ZONING CODE AS IT RELATES TO PLAN COMMISSION APPOINTMENTS AND TERMS

WHEREAS, the Village of Hinsdale (the "Village") has filed an application pursuant to Section 11-601 of the Hinsdale Zoning Code ("Zoning Code") for an amendment to the text of Section 11-103(A) of the Zoning Code relative to terms and appointment of Plan Commission members (the "Application"); and

WHEREAS, one purpose of the Application for proposed text amendments is to delete the term limit provision from the Plan Commission section of the Zoning Ordinance to conform with action taken by the Board of Trustees last year to eliminate term limits for certain other commissions in the Village; and

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

WHEREAS, on September 11, 2013, the Plan Commission held a public hearing on the Application pursuant to notice thereof properly published in *The Hinsdalean*, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of amendments to the Village's Plan Commission provisions, by a vote of 6 in favor, 0 against and 1 absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-18-2013 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit A** and made a part hereof. The amendments include deleting the provision on term limits of Plan Commission members, and deletion of an provision concerning Plan Commission appointments in years past that includes dates that have since expired and are no longer applicable; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village, at a public meeting on September 23, 2013, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees. Said recommendation included an additional change clarifying how appointments to the Plan Commission are to be made, so as to ensure that the provisions Section 11-103(A) of the Hinsdale Zoning Code conform to State law on Plan Commission appointments; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission,

recommendation of the Zoning and Public Safety Committee, the factors set forth in Section 11-601(E) of the Hinsdale Zoning Code and all of the facts and circumstances affecting the Application.

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

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

Section 2: Findings. The President and Board of Trustees, after considering the Findings and Recommendation of the Plan Commission, recommendation of the Zoning and Public Safety Committee and other matters properly before it, adopts and incorporates the Findings and Recommendation of the Plan Commission as the findings of this President and the Board of Trustees, as completely as if fully recited herein at length. The President and Board of Trustees also adopt the additional text recommendation of the Zoning and Public Safety Committee clarifying how appointments to the Plan Commission are to be made. The President and Board of Trustees further find that the proposed text amendments set forth below are demanded by and required for the public good.

Section 3: Amendment. Article XI (Zoning Administration and Enforcement), Section 11-103 (Plan Commission), subsection (A) (Creation; Membership) of the Hinsdale Zoning Code be and is hereby amended to read in its entirety as follows:

A. *Creation; Membership*: The plan commission shall consist of nine (9) members appointed by the president ~~and, with the advice and consent of the board of trustees, voting jointly~~. All members shall be residents of the village. ~~All members appointed by the president and board of trustees on or before May 1, 2001, shall serve for a term of four (4) years and until their successors have been appointed and have qualified for office. Of the four (4) appointments scheduled to be made in the year 2003, three (3) shall be for a term of three (3) years and one shall be for a term of four (4) years. Of the five (5) appointments scheduled to be made in the year 2005, two (2) shall be for a term of two (2) years and three (3) shall be for a term of three (3) years. In all such cases, such terms shall continue until a successor has been appointed and has qualified for office. A vacancy that may occur shall be filled for the balance of the unexpired term by appointment of the president and, with the advice and consent of the board of trustees, voting jointly. Commencing in the year 2006, all appointments of successors upon the expiration of any term of any member shall be for a period of three (3) years and until a successor has been appointed and has qualified for office. A member shall be eligible for reappointment; provided, however, that no member shall serve more than the greater of: 1) two (2) consecutive terms that were full terms at the time~~

~~of service or 2) six (6) years. Service of a portion of an unexpired term shall not be counted toward the two (2) term limit. All members of the commission shall serve without compensation.~~

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

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

ADOPTED this _____ day of _____, 2013, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2013, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

EXHIBIT A

FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION

(ATTACHED)

DRAFT

HINSDALE PLAN COMMISSION

RE: Case A-18-2013 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 11-103 (Plan Commission), as it relates to Term Limits.

DATE OF PLAN COMMISSION REVIEW: September 11, 2013

DATE OF ZONING & PUBLIC SAFETY REVIEW: September 23, 2013

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, the Village of Hinsdale, submitted an application to Section 11-103 (Plan Commission), as it relates to Term Limits.
2. The Plan Commission heard testimony from Village Staff regarding the proposed text amendment at the Plan Commission meeting of September 11, 2013.
3. The Commission understood the need for the amendment and expressed support.
4. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of six (6) “Ayes”, zero (0) “Nays” and one (1) “Absent” recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended as proposed.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2013.



VILLAGE
OF HINSDALE

FOUNDED IN 1873

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

Name: Village of Hinsdale

Address: 19 E. Chicago Ave.

City/Zip: Hinsdale, Il. 60521

Phone/Fax: (630) 789-7030 /

E-Mail: _____

Owner

Name: N/A

Address: _____

City/Zip: _____

Phone/Fax: () _____ /

E-Mail: _____

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

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: () _____ /

E-Mail: _____

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: () _____ /

E-Mail: _____

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

1) Robert McGinnis, Director of Community Development/Building Commissioner

2) Sean Gascoigne, Village Planner

3) _____

II. SITE INFORMATION

Address of subject property: N/A

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

Brief description of proposed project: Text Amendment to Section 11-103 of the Hinsdale Zoning Code as it relates to Term Limits for Plan Commissioners.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A South: N/A

East: N/A West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the property: _____ square feet

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

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☒ Map and Text Amendments 11-601E
Amendment Requested: Section 11-103 as it relates to Plan Commission Term Limits.

☐ 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: N/A

The following table is based on the N/A Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	<div style="border: 1px solid black; padding: 10px; text-align: center;"> Text Amendment: Not Applicable </div>	
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 8th day of August, 2013, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature]

Signature of applicant or authorized agent

Darrell Langlois

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 8th day of

August, 2013

OFFICIAL SEAL

CHRISTINE M BRUTON

NOTARY PUBLIC - STATE OF ILLINOIS

MY COMMISSION EXPIRES: 03/30/14

[Signature]
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: Text Amendment to Section 11-103, as it relates to term limits for the Plan Commission.

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 proposed text amendment is recommended by the Village Board of Trustees to allow Commissioners that have exhausted the existing allowance of a two-term limit (6 years), to remain on the Commission in an effort to minimize the number of vacancies and quorum issues currently being experienced on many of the other Commissions.

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

N/A

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

N/A

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

N/A

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

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

N/A

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

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

N/A

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

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

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

N/A

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

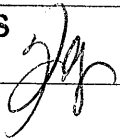
13. The community need for the proposed amendment and for the uses and development it would allow.

N/A

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
-
-

DATE: September 19, 2013

REQUEST FOR BOARD ACTION

AGENDA SECTION Zoning & Public Safety		ORIGINATING DEPARTMENT Police Department		
ITEM: Ordinance to Declare Surplus and Sell or dispose of Personal Property owned by the Village.		APPROVAL Chief Bradley Bloom B9B		
<p>We are seeking to have two (2) surplus police squad cars and miscellaneous computer and electronic parts declared as surplus and disposed of. The surplus squad cars contain additional aftermarket equipment and are in such a condition that it is not cost effective to repurpose them within the Village's fleet. The items that have value will be sold at auction using the Internet auction site E-Bay. Items not having value will be properly disposed of.</p> <p>Items to be disposed of are listed on the attached "Exhibit A, Inventory Form"</p> <p>Motion: To recommend that the Village Board approve an ordinance declaring property as surplus and approving the sale of the surplus property at the Internet website E-bay by public auction and disposal of items having no value.</p>				
APPROVAL	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL 
COMMITTEE ACTION:				
BOARD ACTION:				

Village of Hinsdale
Ordinance No. _____

**An Ordinance Authorizing the Sale by Auction
Or Disposal of Personal Property Owned by the Village of Hinsdale**

WHEREAS, in the opinion of at least a simple majority of the corporate authorities of the Village of Hinsdale, it is no longer necessary or useful to or for the best interests of the Village of Hinsdale, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the President and Board of Trustees of the Village of Hinsdale to sell said property on the E-Bay Auction website (www.ebay.com) open to public auction to be held on or after the week of October 7, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HINSDALE:

Section One: Pursuant to 65 ILCS 5/11-76-4, the President and Board of Trustees of the Village of Hinsdale find that the personal property listed on the form attached (Exhibit A) to this Ordinance and now owned by the Village of Hinsdale, is no longer necessary or useful to the Village of Hinsdale and the best interests of the Village of Hinsdale will be served by its sale or disposal.

Section Two: Pursuant to said 65 ILCS 5/11-76-4, the Village Manager is hereby authorized and directed to sell or dispose the aforementioned personal property now owned by the Village of Hinsdale on the E-Bay Auction website (www.ebay.com) open to public auction, on or after Monday, October 7, 2013, to the highest bidder on said property.

Section Three: The Village Manager is hereby authorized and may direct E-Bay to advertise the sale of the aforementioned personal property in a newspaper published within the community before the date of said public auction.

Section Four: No bid which is less than the minimum price set forth in the list of property to be sold shall be accepted except as authorized by the Village Manager or his agent.

Section Five: The Village Manager is hereby authorized and may direct E-Bay to facilitate an agreement for the sale of said personal property. Property determined to not have value may be disposed of as authorized by the Village Manager. Items sold on E-Bay will charge an administrative fee, which will come out of the proceeds from the sale of surplus vehicles and equipment.

Section Six: Upon payment of the full auction price, the Village Manager is hereby authorized and directed to convey and transfer title to the aforesaid personal property, to the successful bidder.

Section Seven: This Ordinance shall be in force and effect from and after its passage, by a simple majority vote of the corporate authorities, and approval in the manner provided by law.

PASSED this ____st day of ____ 2013.

AYES:

NAYS:

ABSENT:

APPROVED this ____st day of ____ 2013.

Village President

ATTEST:

Village Clerk

**EXHIBIT A
INVENTORY FORM***

Municipality: Hinsdale

Contact Person: Bradley Bloom

Phone Number : (630) 789-7088


FAX Number: (630) 789-1631

YEAR	ITEM/MAKE	MODEL/STYLE	VIN NUMBER	MINIMUM BID
2008	Ford	Crown Victoria Police Inter	2FAFP71V08X101745	\$1,000.00
2008	Ford	Crown Victoria Police Inter	2FAFP71V88X106059	\$1,000.00
	19" Monitor	Acer AL1912	ETL230202245000D51ED31	No value
	Optiplex GX520	Dell	9RJX891	No value
	Dimension 8300	Dell GX520	51MC241	No value
	Electronic Door Security Panels	Northern Access (ADT)	inc. power supply for each panel	No value
	Toughbook CF-29	Panasonic	6FKSA46939	No value
	Optiplex GX520	Dell	8RJX891	No value
	Summit Gold Gas Grill	Weber		\$100.00
	Trackball Explorer Mouse	Microsoft		\$10.00
	Trackball Optical Mouse	Microsoft		\$10.00

*This Inventory Form, the Response Form, and copies of titles must be returned to reserve space. Items are accepted on a first-come, first-served basis.

MEMORANDUM

TO: Chairman Saigh and the Zoning and Public Safety Committee

FROM: Robert McGinnis MCP, Director of Community Development/Building Commissioner 

DATE: September 18, 2013

RE: **Temporary Ice Rinks**

Attached is a copy of a letter that was hand delivered to those residents that constructed ice rinks in their front or corner side yards two years ago. This was prompted by a complaint received by the department. A decision was made at that time to have the Police Department handle those isolated complaints on a case by case basis rather than to try and regulate them via the code and make people dismantle them. The fact that the Village never regulated them nor issued any sort of permit was a factor in our decision to handle them as we did.

As we head into winter, Staff would like some direction on which way to handle these temporary ice rinks moving forward. If the Committee feels that these are a problem and want to regulate them for the few months they are up, we will try and catch them before they are erected rather than after. We understand that these cost several thousand dollars to erect and going after them once they are up will undoubtedly generate complaints. If the Committee is happy with the way it was handled for the last two years, Staff will stay the course and continue to have the Police Department handle those isolated complaints on a case by case basis.

Cc: President and Board of Trustees
Kathleen A. Gargano, Village Manager

January 26, 2012

To Whom It May Concern,

Please be advised that the Village has received complaints regarding ice skating rinks and recently discussed the issue at Committee. The decision was made to not regulate the ice rinks that people erected in their yards this year, but to rather educate those that had them and address those complaints received on a case by case basis for this season.

Ice skating rinks, though temporary in nature, are by definition either a Recreational Device or Recreational Facility. As such, they are only permitted to be located in a rear yard. Though the Village has chosen not to regulate these at this time, the requirements in the zoning code still apply, at least with respect to location. Bear in mind that these seem to be prolific in nature, and that an increased number of complaints may ultimately lead to a change in the way the Village handles these structures.

Staff would be happy to review proposed locations with you for next season. Simply bring in a Plat of Survey and we will let you know where the rink can be located.


Should you have any questions on this, please feel free to contact me directly at (630) 789-7036.

Respectfully,
VILLAGE OF HINSDALE

Robert McGinnis CBO, MCP,
Director of Community Development/
Building Commissioner

MEMORANDUM

TO: Chairman Saigh and the Zoning and Public Safety Committee

FROM: Robert McGinnis MCP, Director of Community Development/Building Commissioner 

DATE: September 19, 2013

RE: **Lagging Construction Projects**

There have been a handful of cases of construction projects that go on for years, moving either at a very slow pace, or ceasing to move forward at all. The two most recent examples have been at 330 S. County Line and 448 E. Fourth. In both cases, the permits are being kept active, but the projects are taking years to complete.

We have a local ordinance that ties a one year term to permits. Prior to 2006, the department charged \$100 per inspection once the one year term was reached in order to cover costs for any inspection needed prior to final occupancy. After 2006, the then Village Manager directed staff to charge full fees for a permit renewal after the initial one year term was hit. In 2008 provisions were added to the code to afford a permit applicant the ability to apply for a 90 day permit at 50% of the original fee amount. This was done in response to complaints received by permittees that had projects fairly close to completion being required to renew the permit for full fees. In many cases, the fees are in the thousands-of-dollars range, and it did not seem fair or reasonable to assess that kind of fee for the couple inspections left to be done on the project.

Though the code does not specifically state it, the then Village Manager directed staff to offer permittees the choice of either renewing for a full year at full fees, or renewing with a 90 day term at 50% of the full fee number depending on the amount of work left to complete. This has worked well in the majority of cases.

In the case of these two isolated projects on Fourth and County Line, we have notified the permittees that we will only issue 90 day renewals moving forward, and then only on a conditional basis predicated on benchmarks being met.

In these isolated cases, we are essentially doubling the fees as an incentive to get the projects completed. We are not aware of any other community that does this, nor do we have any other suggestions that might encourage those permittees that do not find money to be a motivator, to get their projects completed any faster. We have spoken to our attorney about this and will keep the committee apprised of any suggestions that they are able to come up with that we may incorporate as a non-home rule unit of government.

Cc: President and Board of Trustees
Kathleen A. Gargano, Village Manager