

MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
WEDNESDAY, January 23, 2008
MEMORIAL HALL
7:00 P.M.

Chairman LaPlaca called the meeting to order at 7:10 P.M. Wednesday, January 23, 2008, in Memorial Hall Board Room, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman LaPlaca, Commissioner Parsons, Commissioner Byrnes, Commissioner Geoga, Commissioner Stewart, Commissioner Moore, Commissioner Flynn, Commissioner Klucheneck, Commissioner Thacker

ABSENT: None

ALSO PRESENT: David Cook, Tim Bleuher, Sean Gascoigne, Ken Florey

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Commissioner Stewart moved to approve the minutes of the December 12, 2007 meetings. Commissioner Moore seconded. Motion carried.

Findings and Recommendations

- Grace Episcopal Church
- 8 E. First Street
- 10 E. Hinsdale Avenue

Commissioner Moore asked if the applicant had presented any landscape plans for Grace Episcopal Church. Manager Cook said to this date no plans had been submitted.

Commissioner Parsons moved to recommend approval of the three Findings and Recommendations. Commissioner Geoga seconded. Motion carried as follows:

AYES: Chairman LaPlaca, Commissioner Parsons, Commissioner Stewart, Commissioner Geoga, Commissioner Thacker, Commissioner Kluchenek, Commissioner Flynn, Commissioner Byrnes, Commission Moore

NAYES: None

ABSENT: None

Sign Permit Review

❖ **14 E. Hinsdale Avenue – Ridge Cleaners – Wall Sign**

Chairman LaPlaca stated that while the size of the sign as proposed meets the requirements of the Code, the appearance is very stark and not attractive. Commissioner Parsons asked if the font and colors could be changed and the sign could

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be made more appealing. The applicant stated he would come back and present a different sign on February 13, 2008.

❖ 26 E. Hinsdale Avenue – James Joseph Experience – Wall Sign

Chairman LaPlaca said that since the applicant was not present, they could go ahead and review the sign. Commissioner Stewart moved to approve the sign with the condition that the light fixtures satisfy the code requirements. Commissioner Moore seconded. Motion carried.

❖ 5827 S. Madison – Hinsdale Food Mart – Ground Sign

The applicant described the proposed sign. Commissioner Parsons asked the applicant to describe the base. The applicant stated the base will be a decorative base and will not be a gray concrete block. Commissioner Byrnes said he was concerned about the possibility of the sign blocking the view of traffic. The applicant stated the sign will be placed five feet from the sidewalk and should not interfere with visibility of oncoming traffic. Commissioner Parsons asked if the sign should be able to handle all the business in that strip mall. Chairman LaPlaca stated that the sign was part of this tenant's lease.

Commissioner Kluchenek moved to approve the sign as proposed. Commissioner Stewart seconded. Motion carried.

❖ 11 East First Street – Red 21 – Wall Sign

The applicant described the proposed sign. The Commission reviewed and discussed the proposed sign for 11 East First Street. Commissioner Moore questioned the amount of signs that are currently in place and asked what the size of the two signs in the windows flanking the door. The applicant stated they were more than the required one square foot. Commissioner Moore moved to approve the signs with the condition that any signs in excess of those allowed under the Code be less than one square foot. Commissioner Thacker seconded. Motion carried.

❖ 36 E. Hinsdale – Tree Top Kids – Wall Sign

The applicant described the proposed signage. Chairman LaPlaca asked if the sign was going to be off center. The applicant explained that there is a permanent engraved sign in the face of the building and a tree that blocks the whole right side of the building. Commissioner Parsons suggested the awning would look better if it was green. The applicant said he would make that suggestion to the owner. Chairman LaPlaca said the size of the sign meets the requirements of the code. Commissioner Parsons moved to approve the sign as proposed with the suggestion that the awning be replaced to match the color of the sign. Commissioner Stewart seconded. Motion carried.

Exterior Appearance/Site Plan Review – 631 E. Hickory – Hinsdale Adventist Academy Fence for Play Area

Chairman LaPlaca asked the applicant if the request is to replace the existing chain link fence that goes partially around the playground with a wrought iron fence around the entire perimeter of the playground. The applicant stated that was correct.

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Commissioner Parsons asked how tall the proposed fence would be. The applicant stated it would be five feet tall. Commissioner Stewart moved to approve the request. Commissioner Kluchenek seconded. Motion carried as follows:

AYES: Chairman LaPlaca, Commissioner Parsons, Commissioner Geoga, Commissioner Stewart, Commissioner Kluchenek, Commissioner Flynn, Commissioner Byrnes, Commissioner Moore, Commissioner Thacker

NAYES: None

ABSENT: None

Case A-16-2007 – 149 E. Ogden Avenue - Applicant: BP Products- AM/PM – Request: Exterior Appearance Design Review and Sign Permit

Chairman LaPlaca introduced the public hearing for Case A-16-2007 and asked the applicant to come forward. Mr. Gascoigne, Village Planner, explained the applicant was on his way from Racine, Wisconsin and was probably delayed due to weather conditions. Chairman LaPlaca said a five-minute break would be taken to allow the applicant some time to arrive

Break Taken – 7:40 p.m.

Meeting Resumed 7:45 p.m.

Chairman LaPlaca asked anybody present for the BP AM/PM public hearing be sworn in. Chairman LaPlaca explained this is a public hearing because it is located in the Design Review Area and is an exterior appearance review for some changes in color and signage.

Paul Landan, applicant for BP Products, said they are doing a corporate re-branding nationwide and they have traded a relationship with Wild Bean Café to the AM/PM brand. He went on to say they are proposing removing and replacing the Wild Bean Café sign on the side of the building, change the awning colors to an orange color, a face change on the ground sign and changing the color from green to orange and purple, which includes a bullnose change along the fascia. In addition, Mr. Landan stated there might be some advertising on the wall if that is allowable within the code.

Commissioner Stewart asked if the color changes would be replaced with new materials or painted. Mr. Landan stated the awning will be new fabric dyed in color and the bullnose will be an aluminum composite material that is applied with an adhesive and will be placed over the existing fascia and the roof will be painted yellow.

Commissioner Stewart asked if the green and yellow colors of BP would remain along with the new proposed orange, purple and blue colors. Mr. Landan said the canopy and underneath the canopy area would remain the same.

Chairman LaPlaca said the Plan Commission has the ability to make suggestions and/or conditions regarding exterior appearance reviews. Commissioner Parsons asked if it was possible for AM/PM to be comfortable with a green, white and yellow logo to become more color coordinated with BP. Mr. Landan said these issues have come up in other Chicago

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areas and have yet to be resolved, however, he said AM/PM will not go to green, yellow and white color scheme.

Chairman LaPlaca said it would be appropriate for the Plan Commission to make inquires to the applicant regarding what kind of accommodations and flexibility they could make in order to eliminate some of the colors proposed for this location. Commissioner Stewart suggested the canopy area be neutralized. Mr. Landan offered an example of an alternative color scheme from another community addressing similar concerns with the multi-colored bullnose area depicting neutral backgrounds with more solid colors, however, it does not solve the canopy/building relationship.

Chairman LaPlaca asked the applicant to come back with a design with more neutral color all over, eliminate the stripe bullnose and the branding of AM/PM and BP just being in the signage. Mr. Landan asked if there were any changes necessary for the ground sign. Chairman LaPlaca said that sign was fine. Mr. Landan asked whether the 32 square feet of poster board frames that will advertise different sales and offers for the public is permitted. Tim Bleuher, Community Development Director, said it is allowed, however, it is the discretion of the Plan Commission because it is in an Overlay District. It was the consensus of the Commission that the poster board advertising frames were not desirable and unnecessary. Mr. Landan asked if the size of the AM/PM sign on the south side of the building is appropriate. Chairman LaPlaca said the size of that sign meets the requirements of the Code.

Commissioner Moore asked if the monument sign counts as two different signs or one sign and if it is considered all one sign, there may be too many colors. Director Bleuher stated it is considered one sign, therefore limited to three colors not including black and/or white background.

Mr. Landan said he would come back with two or three different design issues based on the feedback given during the meeting. Commissioner Stewart asked the applicant to provide renderings of the whole property and not just the building with no canopies.

Chairman LaPlaca continued the public hearing to the February 13, 2008 meeting date.

Case A-13-2007 Applicant - Sedgwick of Hinsdale (55th Street and County Line Road) – Request: Special Use Permit, Planned Development, Map Amendment, Subdivision and Site Plan/Exterior Appearance Review

Witnesses Sworn

Chairman LaPlaca explained that as a result of recommendations and suggestions from the Plan Commission at the last public hearing, the applicant would present a revised proposal with the modifications that were discussed. Chairman LaPlaca said there would be opportunity for public comment and asked that comments be limited to the current revised plan only.

Tom Burney, attorney for applicant, made an opening statement stating the notice requirements have been satisfied. Mr. Burney stated the presentation will show they have softened the density, reduced the number of duplexes, provided more parkland, a

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trail system of walking and jogging, reduced the number of front-loaded garages, provided a well to supply the pond.

Mr. Burney said that since this public hearing was closed on November 28th, it was determined that notice was required again and he would like to request that prior issues not be re-visited and the discussion be limited to the amended application that will be presented and that the Plan Commission deliberate and pass on the recommendation to the Village Board this evening.

Warren James, applicant, summarized the revised proposal stating a decrease from 67 units to 61 units, decrease the duplex homes by 18 and increased the number of single-family homes by 12 resulting in overall shift in the development of 31 single-family detached homes and 30 single-family attached homes excluding the two existing single family homes from the Planned Development but included in the rezoning, which was a recommendation taken from the last Plan Commission hearing. Mr. James went on to say they reverted the original roadway in the northwest corner to increase the size of the central green space by 60 percent, added pedestrian paths and the new total is 2,192 feet exclusive of the public sidewalks. He also said the access to KLM is widened to 20 feet and increased the width of the path to 8 feet, and improved the connectivity of the paths, the minimum driveway length was increased to 24 feet and 11 front load garages were eliminated. Mr. James said the revised plan proposes 3.1 units per acre, 61 total units, which is the closest to the R-3 density and is very consistent to the surrounding adjacent land uses. Mr. James said the population estimate for the R-5 Planned Development estimates 126 total residents and \$500,000 annually in surplus revenue going to District 181 and \$221,000 to District 86. Mr. James stated there will be substantially less total traffic as a result of the R-5 Planned Development.

Mr. James stated the community benefits are as follows: meets a community need for empty-nester housing that is not available today and includes master bedrooms on the first floor with fee simple ownership; the location is a naturally logical location; the age-restriction ensures few if any school-age students, decreases the total population and increases the surplus revenues to schools; the open space and recreational amenities has been increased, decreased the traffic; and maintained a low-density pattern. Mr. James stated this project is less dense than most of the single-family homes in Hinsdale.

Mr. O'Donnell, attorney for Rare Land, said that for the record, a number of the basis for the objections to the previous proposal applies to the amended proposal presented by Mr. James today. Mr. O'Donnell went on to state that for this particular development, the application of the 20-acre rule or the perimeter landscape open space would require a 35 foot perimeter landscape open space buffer and should not be confused with the 25 foot rear yard set back, which would also apply, which would require the developer to maintain 60 feet from the lot line to the structures and the largest setback in the amended proposal is 50 feet and often times less and the proposed amended plan does not satisfy that requirement.

Mr. Kracower, planning and real estate consultant, said he had some suggestions and recommendations as to how many issues can be resolved in order to move on with this development. He went on to say the change requested from R-2 Single Family to R-5

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Multi-Family is a dramatic change and cannot even be considered. Mr. Kracower said the most important standard in the code is the extent, if any, to which property is diminished by the existing zoning classification and there has been no testimony that this is the case with the subject property. He went on to state that by granting the change in zoning, a precedent would be set to re-zone the adjacent RML property in the future.

Mr. Kracower recommended the property retain the R-2 Single Family zoning classification and to amend the text of the zoning ordinance to permit single family planned developments as a special use with the R-2 District on a controlled basis. He also recommended amending the text to permit a maximum reduction of 25 percent of the minimum lot area in the R-2 District for planned developments of 20 acres or more from 20,000 square feet to 15,000 square feet to be more in line with the surrounding zoning districts. He also suggested amending the text to permit a minimum reduction of 10 percent in lot width from a 100-foot width to a 90-foot width to provide a better streetscape and a better quality of planned development. Mr. Kracower stated that the current rear yard requirement is 50 feet and the landscape buffer is 35 feet, which is a total of 85-foot rear setback. He recommended reducing the rear yard setback to 30 feet and the landscape buffer to 15 feet for a total rear setback is 45 feet, which is reasonable and the developer does not have to request a variance for the front yard. Mr. Kracower said he believes the land should comply with the land dedication and contribution standards, eliminate the driveway accesses, require far more detailed landscape plan and architectural building façade than has been submitted to date. Mr. Kracower said he would recommend the Village, engineer, planner and attorney should evaluate all plans, prepare a written report and make an oral presentation to the Plan Commission and the Village Board.

Mr. Kracower said the merit of the recommendations he has made moves the project forward into a direction that gives the developer a little more intensity of use, the property remains R-2 and there is no change in precedent, the property remains single-family and the property complies with the intent of the Village Ordinance.

Break Taken at 10:00 p.m.

Meeting Resumed at 10:15 p.m.

Chairman LaPlaca invited members of the community to offer comments and asked that comments be limited to the amended plan presented tonight.

Sagita Balzikas, 521 Pamela Circle and represents Rare Land, said they are interested in exploring alternatives for this property, but strongly feel these solutions lie outside of the constraints of the flawed R-5 plan presented. Ms. Balzikas said she believes their suggestions provide a rational alternative to the developer's high-density plan. Ms. Balzikas went on to say that the Village staff could have contributed to help everyone understand what would be the highest and best use of this parcel.

Amy Louis, resident, said her family is heavy users of the parks, schools and parks and she questions what the public benefit of this project would be to the community as a whole as opposed to just residents of Sedgwick.

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Mary Angelo, 525 E. Third Street, said Hinsdale is one of the leading premier communities and asked that Hinsdale be kept green by supporting low-density housing and uphold the Code. She went on to say that by showing an R-4 plan the developer has shown he has some other options and that he can do better by giving a significant amenity to the Village such as a playing field or a park.

Jane Hardies, 514 Pamela Circle, submitted 1,577 petitions signed by Hinsdale Residents to keep the southeast corner of 55th and County Line zoned R-2 Single-Family.

Dr. Schuller, 5544 S. County Line Road, said the people of this town do not want this proposal to go through and the developer is here to turn a profit only and he respectfully asked the Commission to listen to the people of this community. Dr. Schuller went on to say the philosophical interpretation of their zoning code and usually other communities utilize and employ the strictest interpretation of their zoning code because it is there to protect the people and their unique needs.

Dee Dee Miller, 745 S. Oak Street, said she would like the Village staff to submit reports on the new plan and have those reports made public to see how the zoning code is applied toward this proposal. Ms. Miller went on to say the Village should be the first concern and asked the Commission to take their time and utilize all resources before making a decision.

Bill Grossman, resident, asked what the rear setbacks would be under this plan along 55th Street and County Line Road.

Mr. James said the rear setback under this plan would be a minimum of 35 feet and typically 50 feet.

Mr. O'Donnell said his presentation spoke to the application of the 20 acre rule to the current proposed R-5 planned development and their interpretation would require 35 feet of the perimeter open space buffer and 25 feet for the rear yard setback, which is a total of 60 feet, He went on to say that Mr. Kracower's presented a proposed amendment for a planned development under the R-2 with 35 feet plus 50 feet, which is 85 feet.

Chairman LaPlaca said that is a suggested amendment to the Code and is not on the table nor within their jurisdiction,

Mr. Grossman said after hearing what has been presented tonight, it is clear to him that the developer has clarified there is no economic detriment to him by going with any of the three plans that they have. He went on to say the only public benefit would be to require larger setbacks off 55th Street or County Line Road and he does not feel that public benefit will outweigh whatever the risks there are to the builder.

Chairman LaPlaca asked commissioners if they had any questions.

Commissioner Byrnes asked Mr. Kracower if he had looked at the R-4 plan that was submitted and if he could comment on it. Mr. Kracower said he looked at it only to the extent of the lot sizes and it had the same minimum lot size as the R-5. He went on to

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say that it raises the same problems as R-5 with about the same number of units and same intensity of use.

Commissioner Parsons asked Mr. Kracower about the trends of development with the surrounding zoning districts being single family and if this development could meet the design criteria of R-3 residential that that would also be keeping with the trends of development. Mr. Kracower said an argument could be made for R-3. Commissioner Parsons asked if the proposed development approached R-3 more than any of the other samples presented. Mr. Kracower said R-3 requires 15,000 square foot lots. Commissioner Parsons said on lot area per residence it is closer to the R-3 numbers and matching density is in keeping with the R-3 zoning district.

Commissioner Parsons asked Mr. Kracower how proposing five or six text amendments protect the other R-2 districts better than a single planned development on a specific site because if they amend the text, it will apply to all the R-2 districts within the Village. Mr. Kracower said he would recommend qualifying it for properties of 20 acres or more. Commissioner Parsons asked Mr. Kracower if text amendments were more complex to get through than a planned developments application. Mr. Kracower said it is a yes and no answer because Hinsdale's planned development ordinance is lacking and outdated and the only way to move this ahead somewhere near the R-3 is to make certain text amendments.

Commissioner Parsons said he could not find anywhere in the Code where the perimeter landscape buffer and the rear setback requirements are additive and can't be the same ground. Mr. O'Donnell said he checked with the Village planner and was told one is added to the other. Chairman LaPlaca asked for clarification from staff. Mr. Gascoigne, said he has not talked to Mr. O'Donnell at all. Mr. O'Donnell clarified and indicated it was Director Bleuher he spoke with. Director Bleuher stated he did not recall that conversation and noted a section within the Code that clearly stipulates that open space would consist of rear yard and landscape buffer. Dave Cook, Village Manager, said Section 12-206 states open space and rear yard requirements are inclusive. Commissioner Parsons said that would mean that Mr. O'Donnell's contention that there are 60 non-compliant lots is not accurate and in fact there is only one non-compliant lot, which is the lot remaining in the R-2.District. Mr. O'Donnell said if the landscape perimeter open space buffer is to include the rear yard setback then the purpose of the landscape buffer is eviscerated since it is to be created with reference to the greater of the district to which that property sits or abuts. Commissioner Parsons said he does not think the Code states that and asked for some clarification from staff because it makes a big difference in how many non-compliant lots are in the proposal.

Chairman LaPlaca asked Mr. James to explain their position on the 20-acre rule is tenable considering Rare Land's position under the definitions of the code. Mr. James stated they do not own the right-of-way and it is already dedicated and that Lots 1 and 2 are already platted and approved lots and is excluded from the planned development and that takes them under the 20 acres.

Commissioner Parsons asked Mr. James if the amended proposal is the same exterior architectural style and landscaping as the first proposal. Mr. James said yes, it is an

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addendum to the original proposal. Mr. James also stated Lot 2 which is excluded from the planned development does comply with the zoning requirements of R-2 and R-5 and does not require any variations required or requested.

Commissioner Stewart asked staff to explain clearly their position on the requirement to add landscape buffer setbacks to rear and side yard setbacks.

Ken Florey, Village Attorney, stated when determining the open space measurement, the required yard is included and that is based on the definition of Open Space.

Chairman LaPlaca closed the public hearing and deliberations began. Chairman LaPlaca stated the deliberation would focus on the revised R-5 plan and not any other plan that has been suggested as a comparative plan. She went on to say she felt the applicant did a good job at responding to the comments that were made at the last meeting and the different product mix in this proposal the marketing would possibly be more successful than having a single product because there are different housing options, sizes and price points available.

Chairman LaPlaca stated that the rezoning is a fundamental issue for many people and the zoning of the existing property is not necessarily instructive by the Village or by their predecessors that that is what they wanted on that piece of property, but rather protective zoning to give them the opportunity to carefully consider what they would allow developed on that property. She went on to say this proposal is not an extreme R-5 project and there is reverter language that would tie the zoning to the planned development, which give the Village protection and can be put in the ordinance.

Commissioner Geoga said there needs to be a compelling reason to support a significant cluster development of duplexes that could not be addressed by any other means. Commissioner Geoga said he remains unconvinced that there is a demand for this amount of empty-nester housing of this type at these prices levels to serve the pent up demand of long-term current Village residents and he does not think it is in the interest of the Village to provide empty-nester housing for other demanders of that empty-nester housing. Commissioner Geoga said the alternatives they have been shown suggests there is a way to fashion a plan that will provide sufficient empty-nester housing for long-term Village residents that does not require re-zoning, planned development and that does not contain a large number of duplexes. He went on to state the developer should work on a different plan that does not involve such radical re-zoning and without the need for a planned development.

Commissioner Parsons said he thought they did a good job responding to the suggestions, however, he stated he does not see anywhere on the plan adequate guest parking. Commissioner Parsons said they did a good job providing more open green space and more accessibility to the lake. He went on to say this project would generate \$750,000 annually in surplus income for the Village and will not overtax the infrastructure or the schools is an overall benefit for the good of the community. Commissioner Parsons stated this is really an R-3 density with a lot of green space compared to 50 percent of the lots in town, it has its own stormwater, it is self-contained and has many things that the rest of the Village does not have. He went on to say that there is a need for this type of housing

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and this project has come a long way since initial submittal in 2002 and it is because of the process that everyone has been a part of.

Commissioner Moore said the issue for her is the re-zoning and she is not convinced this is the best possible use and the best possible plan for this property. She went on to say the excluding Lots 1 and 2 from the planned development is trying to have it both ways and if a new development is accepted than the whole property needs to be considered. No matter what is already built.

Commissioner Parsons said he agrees that the whole piece of property should have uniform zoning. Commissioner Moore said if they are the same zoning classification, but not part of the planned development future development of very dense project on those two lots. Commissioner Thacker said the same deed restrictions that are going to be in the planned development could be added to those two parcels with reverters and it would be enforceable.

Commissioner Byrnes said he is concerned with the price point as all the data from the surveys they have seen indicated that the selling price might be too high. He went on to say he does not feel the standard for public demand has been met. Commissioner Byrnes said he still has concerns with the density.

Commissioner Flynn said she agrees to keep the two parcels included in the rezoning and the planned development. She went on to say the project has come a long the way and the revised proposal offers choices and there is a lot she likes about it compared to where it was in the past.

Commissioner Kluchenek said he is willing to defer to the developer with respect to the public need for this type of housing; however, he remains concerned about the density and the number of duplexes. He went on to say he remains concerned about precedent in terms of the rezoning. Commissioner Kluchenek said he does think the alternate R-4 plan is a significant step in the right direction.

Commissioner Thacker said the product that is going to be sold with the deed restrictions, reverter clause and homeowners association limitations will protect what would be the traditional objections to an R-5 zoning. He went on to say he likes the economic impact it will have on the Village. Commissioner Thacker said if it does go on to the Village Board level, it will require more detailed landscape plans, building façade, material boards and things of that nature.

Commissioner Moore asked if the deed restrictions were separate from the reverter clause. Commissioner Thacker said he remembered Mr. James saying if they didn't sell a certain number of units by a certain time, it would revert back to R-2. Mr. James indicated that what he said was if they did not proceed with the planned development within a certain specified time frame, then it would revert.

Commissioner Stewart said they are dealing with an R-5 issue because according to the Code that is the only option they have when dealing with a planned development, so the R-5 issue is not something that can be avoided and with the safeguards discussed such as

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deed restrictions and reverter clause it is the best way to deal with that fear. He went on to say Hinsdale is not made up of gated communities and this development did resemble a gated community, however, the developer has done a great job opening it up and making it accessible with this amended plan. Commissioner Stewart said the gist of requiring setbacks in a more dense developments usually translates to height and these buildings are not even as tall as an average home in Hinsdale and they are lower profile and will have the effect of a greater setback because you will not see a looming roofline from the street.

Chairman LaPlaca said the concern regarding adjacent property and the trend of development and there already exists different types of housing adjacent to this property such as Chanticleer, which is R-5 and town homes on Laurie Lane. She went on to say she is concerned about the R-4 plan because many people opposing this plan oppose that plan as well. Chairman LaPlaca said there are public benefits in terms of open space, the empty-nester housing need and the funds to the schools with little impact on the schools cannot be discounted.

Commissioner Byrnes asked Mr. Burney if it is possible to change the age-restricted covenant in the future. Mr. Burney said it would be included in the ordinance and is a condition of the special use. Mr. James said there are three hooks that hold that in place, the buyer who relies upon it; the development agreement that says they do not have the right to come back and try and change this, and the zoning ordinance itself.

Commissioner Parsons asked who writes the covenants and how do they get approved. Mr. Florey said they are in the development agreement that is a negotiated process, which ultimately the Village Board decides on the terms.

Chairman LaPlaca asked if the two lots excluded were brought into the planned development, would that bump the proposal over the 20 acres. Mr. James said it depends on how you interpret the ordinance. Chairman LaPlaca said they could say that the numbers need to be firmed up and the determination of what the setback needs to be has to be clarified and conformed to.

Commissioner Parsons said this is 61 units total and there is over 6,000 houses in Hinsdale and it is one percent of the housing stock and it is not changing the basic fabric of the community and it is adding an element to the community that does not currently exist.

Commissioner Geoga said the character and fabric of the community changes one piece at a time.

Commissioner Moore said the money to the schools from having an empty-nester community is a bonus, however, the dollars are there whether it is single family or attached duplexes. Commissioner Stewart said the dollars are there, but the usage goes up with single-family homes.

Chairman LaPlaca read the standards for map amendment from Section 11-601(e) of the Hinsdale Zoning Code.

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Commissioner Moore moved to recommend a map amendment for the entire parcel including the two single-family homes from R-2 Single Family to R-5 Multiple-Family. Commissioner Parsons seconded.

Commissioner Thacker asked if the deed restrictions need to be subject to the re-zoning. Mr. Florey said that is part of the planned development.

AYES: Commissioner Parsons, Commissioner Stewart, Commissioner Thacker, Chairman LaPlaca, Commissioner Flynn

NAYES: Commissioner Moore, Commissioner Byrnes, Commissioner Kluchenek, Commissioner Geoga

Motion is approved five to four.

Chairman LaPlaca read the standards for Special Use Permit from Section 11-602(e) of the Hinsdale Zoning Code.

Commissioner Parsons moved to recommend a Special Use Permit for this application. Commissioner Thacker seconded.

AYES: Commissioner Parsons, Commissioner Stewart, Commissioner Thacker, Chairman LaPlaca, Commissioner Kluchenek, Commissioner Flynn,

NAYES: Commissioner Geoga, Commissioner Byrnes, Commissioner Moore

Motion is approved six to three.

Chairman LaPlaca read the standards for a Planned Development from Section 11-603(e) of the Hinsdale Zoning Code. Chairman LaPlaca said the applicant has requested in the planned development some modifications, which would include front yard setbacks being reduced from 35 feet to 20 feet and corners side yard setbacks reduced from 35 feet to 20 feet. She went on to say the application does not include Lot 1 and Lot 2 and asked if there were any comments on that issue or the age-restrictions, deed restrictions or the reverter clause.

Commissioner Moore asked about the request to increase the minimum driveway length to 24 feet and how that is different than front yard setbacks. Commissioner Stewart said it was to create enough room to park a vehicle without overlapping the sidewalk.

Commissioner Kluchenek moved to recommend the planned development with the modifications as stated: waivers to reduce certain front and corner side yards from 35 feet to 20 feet; a 55-year old age restriction for at least one homeowner; a reverter clause no less restrictive than the one presented by the developer with the condition the Village agree to the tolling of that time period during the duration of any lawsuit initiated against the applicant; the two lots would have to have reverter language similar to the reverter language in the ordinance and the development agreement and this is condition the applicant voluntarily agreeing to a deed restriction with that reverter language for

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those two lots; stipulating that all driveways will be a minimum 24 feet from the sidewalk to the face of the garage door. Commissioner Flynn seconded.

Commissioner Moore asked why some driveways are showing at 20 feet, not 24 feet. Mr. James said they are stipulating to that condition and the architecture must provide there is 24 feet from the sidewalk to the garage door.

AYES: Commissioner Parsons, Commissioner Stewart, Commissioner Thacker, Chairman LaPlaca, Commissioner Kluchenek, Commissioner Flynn,

NAYES: Commissioner Geoga, Commissioner Byrnes, Commissioner Moore

Motion is approved six to three.

Chairman LaPlaca read the standards for Site Plan review from Section 11-604(f) of the Hinsdale Zoning Code.

Commissioner Stewart moved to disapprove the site plan as proposed.

AYES: Commissioner Geoga, Commissioner Moore

NAYES: Commissioner Parsons, Commissioner Stewart, Commissioner Thacker, Chairman LaPlaca, Commissioner Kluchenek, Commissioner Flynn, Commissioner Byrnes

Motion to approve the site plan is seven to two.

Chairman LaPlaca read the standards for Exterior Appearance Review from Section 11-605(e) of the Hinsdale Zoning Code.

Commissioner Parsons moved to recommend approval of the Exterior Appearance of this application. Commissioner Stewart seconded.

AYES: Commissioner Geoga, Commissioner Moore

NAYES: Commissioner Parsons, Commissioner Stewart, Commissioner Thacker, Chairman LaPlaca, Commissioner Kluchenek, Commissioner Flynn, Commissioner Byrnes

Motion to approve the site plan is seven to two

Commissioner Flynn moved to recommend the Subdivision Plat. Commissioner Thacker seconded.

AYES: Commissioner Geoga, Commissioner Moore

NAYES: Commissioner Parsons, Commissioner Stewart, Commissioner Thacker, Chairman LaPlaca, Commissioner Kluchenek, Commissioner Flynn, Commissioner Byrnes

Motion to approve the site plan is seven to two

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Chairman LaPlaca asked staff to provide information regarding uniformity in the bracket signs located downtown. Director Bleuher said staff has been working on it and will have some literature available at the next meeting.

Chairman LaPlaca said the next meeting will be held Wednesday, February 13, 2008 at 7:00 p.m.

Commissioner Moore moved to adjourn. Commissioner Byrnes second and the meeting was adjourned at 12:15 a.m.

Respectfully Submitted

Kerry L. Warren
Community Development Secretary

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