


MEMORANDUM

TO: Chairman Landefeld and the Design Review Commission
FROM: Robert McGinnis MCP, Building Commissioner 
DATE: September 23, 2009
RE: **Residential Design Guidelines**

On September 23, 2009, Tim Bleuher, Sean Gascoigne, and I met with Arista Strungys of Camiros, Ltd., the consulting firm working with the Village to rewrite the zoning code, and Chairman Landefeld to determine the best way to proceed forward with implementation of the Residential Design Guidelines (the "Guidelines") as they have been currently drafted by the Design Review Commission. Given that the Village Board recently authorized Camiros to move forward to the Plan Commission with the zoning code as it has been rewritten, it was the consensus of those gathered that it was premature to move the Guidelines on for review and comment given that the incentive (to eliminate the Floor Area Ratio limitation) to participate in the voluntary based design review program has been proposed to be eliminated as part of the overall zoning code rewrite.

There are several related issues to our effort that will need to be addressed as the overall zoning code rewrite is vetted during the Plan Commission meetings. These include the incentives to participate as previously mentioned, the process, language, and authority necessary to grant those waivers to the bulk zoning regulations if that, indeed is the incentive. Staff has asked Camiros to look at alternatives to Floor Area Ratio as an incentive and to incorporate the Guidelines into the overall zoning code rewrite discussion at Plan Commission rather than asking the Village Board to review and comment on the two documents separately. It is our hope that this will help minimize confusion, avoid contradictions, and create better integration of the Residential Design Guidelines into the new zoning code. April, 2010 is the target date to have the new rewritten zoning code fully approved and implemented.

Cc: President and Board of Trustees
David Cook

CAMIRÓS

TO: Village of Hinsdale, Illinois
FROM: Arista Strungys, AICP
DATE: September 30, 2009
SUBJECT: Residential Design Guidelines

There are a number of options available to the Village to implement the residential design guidelines, as well as establish the role of the Design Review Commission. This memorandum outlines these various options. No recommendation is made as to the preferred method of implementation.

Option 1: Mandatory Review. This is the strictest application of the design guidelines. Any residential building permit, both for new construction and additions, would require review and approval by the Design Review Commission for compliance with the design guidelines. The design guidelines would remain a document separate from that of the Zoning Code, though the Design Review Commission and the required review would be stated within the Code.

Option 2: Key Elements in Zoning Code. Some of the key design guidelines can be included within the Zoning Code, converting them from guidelines to standards. It is only recommended that the most important elements, with the least amount of subjectivity in interpretation, be included in the Zoning Code. Other design guidelines can be referenced within the Code as guidelines where the applicant is encouraged to comply. The role of the Design Review Commission in this option would be to maintain the design guidelines; staff would be responsible for determining compliance with guidelines contained in the Code.

Option 3: Reference Within Zoning Code. This is the most lenient application of the design guidelines. The Zoning Code, within the residential districts, would include a reference to residential design guidelines document, encouraging applicants to comply with the guidelines. Because the document is only referenced, compliance is not mandatory. The role of the Design Review Commission in this option would be to maintain the design guidelines.

Option 4: Require Review With Zoning Relief Applications. Another option to implement the guidelines is to require review and approval by the Design Review Commission of any residential building permit (new construction or additions) that requires a variance. While variances are atypical for new construction, they are occasionally required for additions. Many times, additions to existing structures can be done out of scale or character, therefore design review can prove beneficial in these circumstances. The design guidelines would remain a document separate from that of the Zoning Code, though the Design Review Commission and the required review would be referenced within the Code.

Option 5: Expedited Review With Design Review. Many communities offer expedited review of building permits when certain additional criteria are complied with voluntarily. Many communities, like the City of Chicago, utilize this method for encouraging LEED-certified or “green” buildings. However, this is contingent on a number of administrative factors. First, there must be enough staff to review permits in order to create a second track of expedited review. Second, staff conducting the reviews must be trained in how the design guidelines are applied to residential development and what would constitute compliance. Third, the design guidelines themselves must be more objective standards rather than subjective, so that they can be consistently applied. In the example of Chicago, which encourages “green”

building via expedited review, the standards are set measurements that determine compliance with standards rather than interpretations of guidelines. The role of the Design Review Commission in this option would be to maintain the design guidelines.

Option 6: Zoning Bonuses for Voluntary Design Review. A final option is to allow for zoning bonuses – in terms of bulk standards – when an applicant voluntarily submits to design review by the Design Review Commission. For example, the Design Review Commission has recommended a slightly higher floor area ratio (FAR) be allowed for residential building permits that undergo design review. There are a number of issues with such permissions. Specifically, one issue with an FAR bonus is that the technical review of the current Zoning Code has recommended elimination of FAR as it does not sufficiently control the volume of a structure; rather, the recommendation is that other bulk regulations be refined to better control the scale and volume of residential development. Second, by allowing slightly larger structures, even though they are subject to design review, this may create areas where new development is out of scale with surrounding structures. It is important to note that “base” standards cannot be lowered so that development is only feasible if the review process is followed to obtain the bonus. The Village would face legal challenges in such a case.

If a bonus system is implemented, the design guidelines would remain a document separate from that of the Zoning Code, though the Design Review Commission and the required review would be stated within the Code as well as bonus allowances. It is important to note that there may be some legal issues to resolve before implementing such a system. The Design Review Commission must be given authority to grant a zoning bonus, allowing the applicant to proceed to the building permit process with approved plans. The Village Attorney should be consulted as to the proper establishment of the Design Review Commission, the process and how to grant the Commission the required authority.