

VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE MINUTES
Monday, September 22, 2008
Memorial Hall
7:30 p.m.

Present: Chairman Smith, Trustee Orler, Trustee Cauley

Absent: None

Also Present: Chief of Police Brad Bloom, Fire Chief Michael Kelly, Community Development Director Tim Bleuher, Building Commissioner Robert McGinnis

Minutes

The Committee reviewed the minutes from the August 25, 2008 meeting Trustee Orler motioned for approval with corrections. Trustee Cauley seconded. Motion passed unanimously.

August 2008 Monthly Reports

Chief Bloom announced that the Police and Fire Departments' annual open house would be held on October 11, 2008 from 11:00 am to 3:00 pm. Chief Bloom invited the public to walk over after the Homecoming Parade. Chief Bloom also said that the Police Department is hosting a program entitled "Police, Teens and Alcohol" on Thursday, September 25, at 7:00 pm at the Hinsdale Middle School. Topics include changes to the Operation STAAT Diversionary Program and the relationship between police and teens. Chairman Smith asked the audience if they had any questions. Mr. Alden Woulfe asked what were the results of the Police Department's efforts to get better compliance on stop sign violations? Chief Bloom indicated that the number of violations had increased from 176 last year to date compared to 329 for the same period this year.

Chief Kelly reported that in the August Monthly Report Trustee Orler questioned the decrease in call volume from July 2007 compared to July 2008 and if there was a reason for the decline. In July 2007 and again in August 2007, some significant storms moved through the area and in a 24-hour period in July 2007 the fire department responded to 31 calls for service which is approximately four times the daily average and again in August 2007 in a 24-hour period we responded to 42 calls due to a storm and that these storms accounted for some of the difference in call numbers. Chief Kelly informed the Committee that the Annual Silent Parade would be held on Friday October 10, 2008 at 7:00 pm. This parade of fire vehicles is a lights only parade to honor civilians and emergency personnel who have lost their lives to fire. The parade starts in Hinsdale and proceeds west along Chicago Avenue ending in Lisle with a short ceremony. Chief Kelly offered to answer any questions on the August Monthly Report and there were none.

Director Bleuher provided a summation of the monthly numbers and stated that the high number of inspections listed is largely due to a housecleaning effort that the department is going through in closing older files. Director Bleuher also noted his attendance with Tim Scott at a regional retail conference. Trustee Cauley asked how these revenue numbers relate to the overall

September 22, 2008

Village budget. Trustee Orler stated that they fell short as there was an expectation for some development projects to come to fruition that did not; although they do expect some upturn based on projects to start before the end of the fiscal year.

Chairman Smith asked Building Commissioner McGinnis how the pass/fail rate related to two and a half years ago. Commissioner McGinnis responded that it was approximately at a rate of 60 percent pass and 40 percent fail and vice versa two and a half years ago. Trustee Smith asked if inspectors were being more vigilant with respect to code compliance. Both Director Bleuher and Commissioner McGinnis stated yes.

Review of Local Ordinance Regulations Regarding Outdoor Music and Noise

Chief Bloom reviewed the current Village ordinance regarding noise and outdoor music contained in section 5-3-12. Chief Bloom indicated that recently the police department has cited two residents for violations. Chief Bloom stated that the practice of the police department has always been to wait for a complaint and then to inform the party that a noise complaint was received and ask for voluntary compliance. In both cases, the people cited were warned several times. Chief Bloom stated that, because the practice of holding an outdoor party with music is quite prevalent, they might wish to consider changes to the ordinance because the current ordinance prohibits noise and music if it occurs after 10:00 p.m. and is not part of a civic activity. Chief Bloom said that he discussed changes with Ms. Pieczynski, the Village prosecutor, who suggested that we use only a reasonableness test and omit specific times.

Trustee Cauley stated in summary he would like to have a specific time in the ordinance that music is allowed and that be used in conjunction with the reasonableness standard. Chief Bloom suggested that the hours mirror the curfew hours, which are 11:00 p.m. during the week and midnight on Friday and Saturday nights. The Committee asked that an ordinance be drawn up with these changes, which will be considered at the October ZPS Committee.

Update on Review of Hinsdale Middle School Traffic Safety Plan

Chief Bloom reviewed the progress of the Hinsdale Middle School Traffic and Safety Plan. Since school has begun, the police department has been evaluating traffic safety recommendations, conducting training of students and staff, and instructed and assisted students crossing Chicago Avenue at the Park Street crossing during the first two weeks of school.

Chief Bloom stated that, based on observations, we would recommend on a trial basis installing a "No Left Turn Except Buses" sign during the morning drop-off and afternoon pick-up times for northbound Garfield Street at the bus lane entrance. We have observed cars on northbound Garfield backing up while waiting to turn left into the bus lane. The left turn restriction will ease congestion and decrease the backups. The Committee was in agreement with this recommendation.

Chief Bloom stated that the Village has obtained competitive quotes for two (2) solar powered pedestrian activated flashing yellow lights to be installed at the Park and Chicago pedestrian walk. The cost is approximately \$8,900. Our original cost estimate was much lower when we met with parents to discuss this crossing in August. Since receiving the quote we have asked the school to consider covering half the cost and they are unwilling to do so. We are requesting

permission for the Village to purchase these lights. The Committee asked that a letter be sent to School District 181 formally requesting splitting the cost of the flashing light.

Lincoln and Ogden Road Closure or Turn Restrictions Due to Line of Site Intersection Obstruction

Chief Bloom stated that this matter was discussed at the August ZPS Committee meeting and at that time the Committee asked for additional collision information, traffic counts and that residents living in the affected area be notified.

Chief Bloom reviewed a traffic report from our Traffic Safety Officer Tom Lillie. The collision information shows that the tree in question located at Lincoln and Ogden was noted as causing a sight obstruction in three of the 15 crashes occurring at the intersection of Lincoln and Ogden. It should also be noted that two of the collisions were a result of cars making an illegal left-turn from northbound Lincoln to westbound Ogden Avenue. The 24-hour vehicular count on Lincoln Street is 792 vehicles, Washington Street had 480 vehicles, Grant Street had 759 and Vine Street had 613 vehicles. The average speed of vehicles on Lincoln was 13.72 miles per hour and the 85th percentile was 19.0 miles per hour. Chief Bloom reviewed the accident data at each Ogden Avenue adjacent intersection.

Ms. Denise Howe of 642 North Lincoln stated she has small children and supported a cul-de-sac on Lincoln Street.

Mr. William Bobo of 635 North Lincoln asked that the street be closed. He provided a written statement to the Committee and asked questions about the location of the traffic counters.

The following residents spoke in favor of removing the tree and not closing the street: Ms. Joan Oliver, 536 North Vine; and Mr. Sean McCarthy, 541 North Washington Street.

Mr. Alden Wolff, 570 North Lincoln stated that, if the street is closed, signs stating such should be posted at Chicago and Lincoln.

Mr. Jay Saltzman, 643 North Washington spoke in favor of removing the tree; Mr. Mark Cella also spoke in favor of removing the tree.

The Committee held a brief discussion and directed staff to send the Illinois Department of Transportation a letter appealing the removal of the tree.

Ordinance to Approve Temporary Parking Changes that Includes Shopper Only Parking, Shopper Lot, and Time Zone Changes in and Around the Central Business District

Chief Bloom stated that the temporary parking changes that the Board approved has been in place now for over a year. These changes include a simplification of the parking permit system that includes uniform hours; color-coded areas rather than specific locations, and consolidation of the commuter parking areas into one lot. Additionally, Washington Street between Hinsdale Avenue and First Street was designated as shopper only parking. The Washington Street parking lot was designated as a long-term shopper only lot controlled by a Paybox with parking up to six hours. Lastly, Chief Bloom stated that the Village added free merchant permits along Hinsdale Avenue. Chief Bloom stated that since putting these temporary measures in place we seemed to have better

September 22, 2008

utilized our parking supply. This week the Village will be offering the last seven people on the commuter waiting list permits. Our waiting list once at 970 has now been exhausted. We currently have ample permit parking available for merchants on both the north and south sides of the railroad tracks. Free merchant permits are still available for Hinsdale Avenue between Vine and Monroe.

Trustee Orler motioned to recommend approval by the Village Board that the temporary parking changes be incorporated into the Village Ordinances. Trustee Cauley seconded. Motion carried unanimously.

Ordinance to Allow “Neighborhood Vehicles” to Use Village Roadways

Chief Bloom stated that the Police Department was recently approached by a resident regarding use of a “neighborhood vehicle” on village streets. A “neighborhood vehicle” is defined as a self-propelled, electronically powered four-wheeled vehicle; or a self-propelled gasoline powered four-wheel vehicle with an engine displacement less than 1,200 cubic centimeters which is capable of attaining in one mile a speed of more than 20 mph but not more than 25 mph and conforms to specific federal regulations. The vehicle must be operated by a licensed driver and must be equipped with headlights, taillights, turn signals and seatbelts. One popular brand of neighborhood vehicles is manufactured by Global Electric Motors (GEM) which produces an electric battery powered vehicle capable of traveling up to 30 miles on a six to eight-hour battery charge. The cost for an entry-level GEM car is approximately \$6,500.

Chief Bloom stated that the legislature recently passed Public Acts 94-298 and 95-414 that allows a municipality to enact rules to allow for the use of neighborhood vehicles on Village streets. The attached ordinance is in compliance with these Public Acts, which allows for local usage but does not allow the vehicles to use or even cross roadways under the control of other jurisdictions (55th Street, Ogden Avenue, etc). In compliance with the Public Act local signs would need to be erected providing notice to drivers that neighborhood vehicles may be on local streets.

Chief Bloom stated that only drawback to allowing these vehicles that we are aware of is they lack some of the safety features of traditional cars (air bags, bumpers) and the higher probability of injury if involved in an accident with a traditional vehicle.

Trustee Cauley stated he is concerned about the safety of neighborhood vehicles particularly in the winter and that no communities in Illinois allow such vehicles. Chief Bloom stated that he would attempt to get this data from Wisconsin communities where neighborhood vehicles are more prevalent.

Trustee Orler motioned to recommend that the Village Board approve an “Ordinance amending Title 6, Chapters 2 and 4 of the Village Code of Hinsdale to Permit the Operation of Neighborhood Vehicles on Village Roadways. Trustee Smith seconded. Motion passed by a 2-1 vote with Trustees Smith and Orler voting yes and Trustee Cauley voting no.

Ordinance Amending Title 9 (“Building Regulations”), Chapter 1 (“Administrative Provisions”), Section 1 (“Permits Required”) of the Village Code of Hinsdale

Commissioner McGinnis explained that this was a request to amend section 9-1-1 of the Municipal Code to require a Food Service Permit for those food establishments in Cook County.

September 22, 2008

He went on to say that the request was driven by the Cook County Sanitarian who stated that the issuance of a formal permit as is presently done in DuPage County will give the Village additional leverage in cases where a food service operator chooses not to comply with the provisions of a quarterly food service inspection. Additionally, the fee charged for this item will help the Village cover the cost of the part time Sanitarian. After very little discussion Chairman Smith asked for a motion to approve the request.

Trustee Cauley moved to approve the Ordinance. Trustee Orler seconded. Motion passed unanimously.

Ordinance Amending Title 9 (“Building Regulations”) of the Village Code of Hinsdale by Adding a New Chapter 15 (“Vacant Buildings”)

Building Commissioner McGinnis said this would create a new chapter in Title 9 with the approval of an ordinance creating a Vacant Property Registry. He went on to say this request was driven by staff in an effort to proactively address the potential blighting problems created by vacant properties. Commissioner McGinnis said the ordinance would require that owners of vacant properties register those addresses with the Village and provide ownership information and emergency contacts. He stated that having this information would save staff time on enforcement and aid the fire department should they be called out to a structure fire.

A resident stated that he had concerns over process, the associated costs, and felt that this was six pages of information that did not need to be part of the code. He additionally stated that the information that would be required on the application was already available. Building Commissioner McGinnis responded stating that although the information could be accessed from other sources, having the information readily available would help to keep enforcement costs down and the mandate would push bank owned property to completion sooner.

Chief Kelly added that the vacant building registry would be a valuable tool for the fire department and that knowing that a building is vacant or in various stages of completion would help in deciding what tactics would be utilized in a fire situation.

Trustee Orler moved to approve the motion. Trustee Cauley seconded. Motion passed unanimously.

Ordinance Approving Site Plans/Exterior Appearance Plans for an Existing Parking Lot Located at 5811-5827 S. Madison Street

Director Bleuher noted the unanimous Plan Commission vote on the item and the project architect gave a summary of the improvements to be made at the property, which included the addition of parking spaces, installation of landscaping and construction of a monument sign for the retail center. No discussion amongst members. Trustee Cauley motioned for approval. Trustee Orler seconded. Motion passed on unanimous vote.

Ordinance Approving Major Adjustment to the Hinsdale Club Planned Development Pursuant to Section 11-603 of the Village of Hinsdale Zoning Code

Chairman Smith provided an overview of the past concerns about the proposed changes from the Committee and that the item was sent on to Plan Commission for further discussion. Bruce Goldsmith, attorney for the property owner, gave a summary report of the proposed changes which include the elimination of a 116 space underground parking garage and the second and third story office components to be eliminated from “building F.”

Trustee Cauley asked the attorney to confirm that the underground parking was specifically tied to the office components. Mr. Goldsmith confirmed this point and presented the fact that economics now directly altered the scope of the proposed project driving the elimination of these subject components.

Trustee Cauley asked Mr. Goldsmith to confirm the revenue to the Village related to what has been approved and what is now being proposed. Mr. Goldsmith did so and also stated that it was a difference of just over one thousand dollars.

Chairman Smith reiterated the points of contention that Trustee Follett raised at the last meeting; those being the relationship of the building to the overall development, the missed opportunity long-term with respect to the underground parking and the fact that this is a gateway site to the Village and should be developed as such with respect to people’s first impressions. Furthermore, Chairman Smith raised the point that the three-story and now one-story building was relative to the entire development and not just seen as a specific sight line from Ogden Avenue. He believed that the Plan Commission did not fully investigate this relationship and that there was a constant rushing of the project by the property owner to assure that certain retail tenants can move in and now changes are requested with the possibility of more changes in the future, which would further diminish the overall project.

Chairman Smith made the observation that this now appeared to be a monolithic strip mall along Ogden Avenue with an “everywhere America” anchor retail tenant. Mr. Goldsmith responded that many of the changes to the overall development were the result of a lawsuit. Chairman Smith asked why the current request not accompanied those changes then. Mr. Goldsmith did not reply.

Trustee Orlor stated that there was a major concern with respect to scale and context as it related to the proposed changes. Mr. Goldsmith presented the architectural elevations confirming that the style and materials remained the same and that it was designed with the intent of attracting high-end retail users. Chairman Smith stated that he did not agree as a nationally recognized pharmacy is not considered as high-end and as the main anchor will drive similar-type retailers.

Peter Brennan, property owner, presented the comparison architecturally of the approved and proposed elevations and the difference in height. Chairman Smith and Mr. Brennan disagreed on the architectural merits of the development. Mr. Brennan stated that the changes were related to economic changes in the market largely due to cost of construction and materials.

ZPS Minutes

September 22, 2008

Julie Crnovich, resident, stated that she was confused by the current proposal as she understood that the development would have high-end retailers and that she did not consider a national pharmacy as high-end. Crnovich also stated that these proposed changes did not seem to meet the goals and expectations of the Ogden Avenue Corridor Plan and that the underground parking would serve the hotel as well.

Karl Weber, resident, provided exhibits depicting the Village's water and sewer lines and presented how they related to the subject development. Mr. Weber stated that because of the increased capacity needed to serve the overall development, the developer should contribute toward the Village's system.

Trustee Orler made a motion for approval; no seconding of the motion. Motion failed.

With nothing further to discuss, meeting was adjourned at 10:04 p.m.

Respectfully Submitted,

Tim Bleuher
Community Development Director