

VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE MINUTES
Monday, January 5, 2009
Memorial Hall
7:30 p.m.

Present: Chairman Smith, Trustee Orler, Trustee Follett, Trustee Cauley

Absent: None

Also Present: Village Manager Dave Cook, Police Chief Bloom, Fire Chief Michael Kelly, Community Development Director Tim Bleuher,

Minutes

The Committee reviewed and approved the minutes from the November 24, 2008 meeting with a minor addition by Chairman Smith regarding additional comment on the proposed First and Garfield Development and associated legal fees to the Village.

Fire Department Monthly Report

Chief Kelly informed the Committee that the Fire Department had received a \$6,000.00 grant from the Illinois Department of Public Health to purchase Automatic External Defibrillators (AED's). Six AED's have been purchased with two (2) units going to the Police Department, two (2) units going to Parks and Recreation and two (2) remaining with the Fire Department. Chief Kelly also informed the Committee that a large portion of training for the month of November was devoted to the new ladder truck.

Case A-13-2008 – Applicant: Michael-James Development, LLC – Location: 230 E. Ogden: Map Amendment and Subdivision Approval

Chairman Smith provided an overview of the proposed lot consolidation and rezoning. Trustee Cauley noted that the request was too speculative at this point based on the fact that there were no detailed plans indicating the complete build out of the subject building and overall site plan.

Mike LeBeaux, applicant and general contractor for the project, explained the process of development up until this point noting that they did not want to incur the cost of creating final plans if the Village would not support the additional rezoning and lot consolidation.

Director Bleuher made a point that the applicant would have final drawings when they went before the Plan Commission in February which would include final build-out and detailed site plan.

Trustee Follett stated that she would prefer a restrictive covenant tied to the new proposed plat of consolidation, which would ensure the rear lot remains in perpetuity as a surface parking area. Trustee Follett made motion to approve with Trustee Cauley seconding. The motion passed on unanimous vote.

- ❖ **Approval of an Ordinance for Site Plan and Exterior Appearance Plans for Modifications to a Commercial Building at 48 S. Washington Street**
- ❖ **Approval of an Ordinance for Site Plan and Exterior Appearance Plans for Modifications to a Commercial Building at 63 Village Place**
- ❖ **Approval of an Ordinance for Site Plan and Exterior Appearance Plan Modifications to a Commercial Building at 950 N. York Road**

Chairman Smith noted that these three items had come before this Committee recently as well as the Village's Plan Commission and each voted unanimously for approval. In each case Trustee Follett made motion for approval with Trustee Orler seconding. Motion passed on unanimous vote for each applicaton.

Approval of an Ordinance for Site Plan and Exterior Appearance Plans for Modifications to an Office Building at 534 W. Chestnut

Mike LeBeaux, applicant and general contractor, explained their process up until now and noted that the only remaining discussion point between his client and some neighbors was the proposed fence along the west property line. He went on to state that the owners agreed with the Plan Commission's recommendation for a four to six-foot high, open fence. Lastly, Mr. LeBeaux noted that his clients were looking at a decorative metal fence.

Trustee Cauley noted that at the Plan Commission meeting where this was last heard, Mr. LeBeaux had referenced a letter provided by his client's insurance provider advocating for the subject fence for safety purposes. Trustee Cauley asked Mr. LeBeaux to provide said letter. Mr. LeBeaux confirmed that he would supply staff with a copy.

Some residents spoke on concerns dealing with existing and proposed landscaping, potential traffic patterns and allowed work time and days.

Chairman Smith stated that he would advocate that this application be postponed until the fencing issue is worked out with the applicable residents. The Committee asked that the applicant meet with the affected neighbors to come to an agreement on the placement and design of the subject fence.

Approval of an Ordinance Amending Article VII (Special Districts), Part II (Open Space District), Section 7-205 (Special Use Requirements) and Section 7-210 (Bulk, Space and Yard Requirements), Subsection E (Exceptions and Explanatory Notes), Subsection 1 (Height Exceptions) of the Hinsdale Zoning Code.

Chairman Smith provided an overview of the application and a brief summation of the subject discussion item at the last Plan Commission meeting.

Dave Cook, Village Manager, noted that the ordinance before the Committee included the changes recommended by the Plan Commission.

Trustee Cauley recommended that existing non-conformities be grandfathered in and that the definition of buildings include "lighting" be sent on separately to the Zoning Code Rewrite Task Force.

Mr. Cook responded by stating that this new definition is only a clarification within the Open Space Districts.

Trustee Follett said that she felt the first proposal by Parks and Recreation to require Site Plan and Exterior Appearance Approval was the most appropriate process thus far and that the current recommendation to require a text amendment was too burdensome to future applicants.

Trustee Follett did state that she did not like to vote against the recommendation of the Plan Commission.

Trustee Cauley conversely believed that the requirement for a text amendment was best suited for lighting proposals and that the standards were more applicable. Trustee Follett stated that the end product in either scenario still brings about the same results.

Trustee Cauley made a motion to approve the recommendation of the Plan Commission. There was no second to the motion so it failed. Chairman Smith told the audience that this item would be discussed at the January 20th Board of Trustees meeting.

Approval of an Ordinance for a Special Use Permit for a Planned Development with a Lifestyle Housing Component for 111 S. Lincoln

Chairman Smith opened discussion of the application by stating that he was not in agreement with staff that the approved Planned Development expired and that he was unable to locate the specific section of the code referencing the three-month submittal requirement of final plans.

Trustee Cauley stated that he felt adding the waiver for the required loading area only further complicated the matter and should not be added to the list of already approved waivers. Trustee Cauley also noted concern that eliminating one of the two lifestyle units erodes the essence of the Planned Development. He did state that the change in use could be accommodated to better serve the building owner and proposed local tenant.

Director Bleuher provided and read the section of the zoning code that the village attorney was initially citing. Director Bleuher also responded that this would be a new Planned Development as the former expired.

Trustees Follett and Cauley recommended an amendment to the existing Planned Development to allow a dentist office in place of one of the lifestyle housing units.

Matt Klein, attorney for the applicant/property owner, provided an explanation of the process up until now and the issues related to the building's current vacancies.

Trustee Follett made a motion to approve only section "I" of the proposed ordinance to allow the replacement of one lifestyle unit with a medical/dental office. Trustee Cauley seconded the motion. Motion passed unanimously.

Trustee Orler left the meeting at 9:25 p.m.

Consideration of Regional Transit Authority (RTA) Downtown Planning Grant and Required Village Contribution

Chairman Smith clarified that the amount that the Village would have to provide in order to obtain the grant from the RTA was \$25,000.

Trustee Cauley stated that, in light of the present budget and overall economy, that this was not prudent at this time as the Village needs to be accountable for every dollar of its resources. Trustee Cauley went on to say that the Village did not need further plans but actual deliverables. Chairman Smith agreed.

Trustee Follett disagreed in not taking advantage of this opportunity as long as an actual working document resulted in the endeavor and cited examples of scopes of work to include but not be limited to the pedestrian crossings at the railroad tracks, the commuter parking lots, Pace bus shelter and Metra station.

Director Bleuher stated that because this grant comes from a transit organization, a large component of the end product has to focus on transit resources.

Trustee Cauley made a motion to defer the item until money becomes more readily available. Trustee Follett seconded the motion. Motion passed unanimously.

Ordinance to Install Yield Signs at the Intersection of Fourth and Thurlow Streets

Chairman Smith stated that he reviewed the traffic study and supported the installation of Yield signs for northbound and southbound Thurlow and Fourth Streets. Chairman Smith made a motion to recommend that the Village Board approve an ordinance amending Section 6-12-4 of the Village Code to install a Yield sign for Northbound and Southbound Thurlow Street at Fourth Street. Trustee Cauley seconded. Motion passed unanimously.

Ordinance Declaring Vehicles as Surplus and to be Sold on E-Bay

Chief Bloom stated that they are requesting that three seized vehicles awarded to the Village be sold at auction on E-Bay. Chairman Smith motioned to recommend approval of the request. Trustee Cauley seconded. Motion passed unanimously.

Consideration of an Ordinance to require permit fees for the installation and testing of fire pumps

Chief Kelly introduced a request for Board Action on an Ordinance to require permit fees for fire pump installations and the associated annual re-inspection/tests. The Committee approved this request unanimously.

Discussion of penalty fee increase for work done without a permit

Chairman Smith provided an overview of the discussion item related to penalty fee increases.

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Trustee Follett directed staff to move forward with the item but list typical violations cited in the next report

Presentation of Reorganization and Revisions to Section 11-603, "Planned Developments", of the Village Zoning Code

Jeff Finlay, Zoning Code Rewrite Task Force, and Arista Strungys, Camiros Planning Consultant, provided a presentation highlighting the proposed reorganization of the Planned Development article of the overall zoning code. Proposed new elements that were covered included process, standards, timing and required meetings.

Both Mr. Finlay and Ms. Strungys stated that the effort is to ratchet up specific standards and create a transparent process in order to reach Village goals and needs. Additionally, they said that the new process would minimize cost to prospective applicants while still addressing resident's concerns and goals.

Trustees Cauley and Follett made mention that the current process and provisions allow too many opportunities for mistakes and that it is currently largely based on one's own interpretation.

Chairman Smith asked Ms. Strungys how this article of the overall code compared to other municipalities that she has worked in. Ms. Strungys responded that this proposed process is more stringent in that they are proposing requirements, pre-application meetings for example, as opposed to recommendations.

Ms. Strungys and Mr. Finlay discussed other areas of the zoning code being worked on and expected overall output and timing.

The Committee thanked both for their due-diligence and effort and stated that their work appeared very thoughtful.

Trustee Follett motioned to adjourn and Trustee Cauley seconded. Motion carried and the meeting was adjourned at 10:34 p.m.

Respectfully Submitted,

Timothy Bleuher
Director of Community Development

