

**VILLAGE OF HINSDALE
ZONING AND PUBLIC SAFETY COMMITTEE MINUTES
Monday, JULY 27, 2009
Memorial Hall
7:30 p.m.**

Present: Trustee LaPlaca, Trustee Angelo, Trustee Schultz, Trustee Williams

Absent: None

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

Meeting was called to order at 7:32 p.m.

Minutes

The Committee reviewed the minutes from the June 22, 2009 meeting. Trustee LaPlaca moved to approve minutes as written. Trustee Angelo seconded. Motion passed unanimously. .

Monthly Reports – June 2009

❖ **Police and Fire Departments- June 2009**

Chief Bloom noted that the 2008 Annual Police Report indicated a significant reduction in Part 1 and Part 2 Crimes. Reductions occurred in almost all categories except for deception and fraud that was almost 20%. Chief Bloom also stated that the variance reduction was greater than seen in previous years. Chief Bloom stated that the new Police Department Volunteer Program has been successful in attracting three very qualified village residents. Volunteers are currently being trained and once complete will be working in the lobby area as greeters and will be given other non-sensitive assignments. A brief discussion was held on the Village's false alarm billing program from residential and commercial alarms.

❖ **Community Development –June 2009**

Director Bleuher highlighted the total revenue for the month of June at just over \$122,000 which was notable with respect to current economic conditions. Director Bleuher also mentioned that he and staff had met on specific sites within the village for potential commercial development which was another good sign with respect to the economy.

Trustee Alpaca and Chairman Williams brought up discussion on the vacated property registration noting that there was some deference brought to their attention by affected property owners but that the registration fee was quite reasonable with respect to surrounding communities. Director Bleuher responded by stating that the amount of dedicated time and man hours applied toward vacant properties was much more costly without the aid of registration and that it was an essential asset in property management and tracking of violations.

❖ **Ordinance Amending Articles V and XII, Sections 5-105 (Special Uses), 5-109 (Special Development and Use Regulations) and 12-206 (Definitions) of the Hinsdale Zoning Code to Allow Drive Thrus Associated with Drug Stores and Pharmacies as Special Uses in the B-1 Community Business District**

Chairman Williams asked Director Bleuher to provide an overview of the request for a text amendment. Director Bleuher noted that while the code allowed for drive-through facilities for both restaurants and financial institutions, it did not address the current need for this service for pharmacies as is the trend. Director Bleuher also mentioned that the request was limited to the B-1 Zoning District and that it would be allowed as a Special Use thereby allowing the Board to add conditions to the approval and the ability to call the item back into discussion if any issues should arise in the future. No discussion. Trustee Angelo motion to recommend approval of the above request. Trustee Schultz seconded. Motion passed unanimously.

❖ **Ordinance Approving A Special Use Permit, Site Plans and Exterior Appearance Plans to Allow the Installation of a Drive Thru Associated with a Pharmacy or Drugstore in the B-1, General Business District and Exterior Façade Modifications on the Property Located at 15 Grant Square**

Chairman Williams asked Director Bleuher to describe the process of the application for a special use, site plan and exterior appearance approval for the applicant, Walgreen's. Director Bleuher went through the process from initial staff meetings, traffic studies and analyzation, architectural additions and landscaping improvements that were recommended by staff and Plan Commission which the application team agreed to. Director Bleuher also noted that the process was seamless in working with the development team and that there was good discussion and negotiation between staff and the team.

Tom Burney, attorney for the applicant, Ted Theodore, architect, Bill Grieves, transportation engineer and Julie Larson, attorney from Walgreen's all introduced themselves to the Committee. Mr. Burney thanked the chairperson for moving them up on the agenda tonight. No discussion. Trustee Angelo moved to recommend approval of the request above. Trustee Schultz seconded. Motion passed unanimously.

❖ **Referral to the Plan Commission for Review and Consideration of a Text Amendment to Section 5-110A(1)(a) and (b) as it Relates to Overall Building Height in the B-2 Central Business District**

Chairman Williams asked Director Bleuher to explain the request for the fee waiver by the applicant for the text amendment and how this would affect the costs associated with the application and past cases where this type of request has been granted. Director Bleuher responded by clarifying the amount, the application cost and explained that there could be additional costs associated to the request as the entitlement process ensued such as legal consultation or other professional consultation related to the request. Village Manager Dave Cook added that it is stipulated within the Code that his

position has the discretion to request additional monies from the applicant to cover these sorts of additional costs and related similar situations to past applications where costs were above and beyond the initial application fee.

Trustee Schultz had remarked that this type of issue was discussed and resolved by the Plan Commission and Board in 2004 with a village-driven text amendment to lower the height in the downtown district from 40-feet to 35-feet and asked why they needed to go through this process again. Trustee Schultz went on to note that with the current Village budget that this type of controversial issue could run well over the application cost and that there were more pressing issues that needed to presently be addressed under the current budgetary constraints.

Trustee Angelo noted that he felt it would be fair for the resident's request to be discussed by the Plan Commission just as past text amendment applications have been in the past. Trustee LaPlaca made mention that this issue would be covered within a separate track under the Zoning Code Rewrite Committee and that it would be discussed at the August 11th Board meeting. Therefore, Trustee LaPlaca felt that this item should be put on hold, at no cost to the applicant, because this aspect of the rewrite would be fully vetted as the process goes through the Village's Plan Commission. Trustee LaPlaca also provided a history and the reasoning behind the 2004 text amendment to lower the height in the downtown district.

Chairman Williams asked Director Bleuher the status of the First and Garfield application as to when it would be heard again and how this application does or does not relate to that project. Director Bleuher responded by saying that there were some recommendations by the Plan Commission members at the last meeting and that the applicant would be responding to at the next regularly scheduled meeting in September and that because this application was already in the queue, the current requested text amendment would not affect it unless the Board should decide to hold the first application in order to vet out this current request.

Manager Cook noted that there is an appeal to the Zoning Board of Appeals by a separate resident that has to be heard first before the First and Garfield application can be heard at the Plan Commission level.

Trustee Schultz made a motion to discuss the item again after the August 11th Board of Trustees' meeting at this level. Trustee LaPlaca seconded the motion. Motion passed as follows:

AYES: Chairman Williams, Trustee LaPlaca, Trustee Schultz,

NAYES: Trustee Angelo

Motion passed 3 to 1.

❖ Ordinance Amending Title 9 (Building Regulations), Chapter 1 (Administrative Provisions), Section 5 (Public Property Damage Escrow), of the Village Code of Hinsdale

Chairman Williams provided an overview of the village code text amendment by village staff. Building Commissioner, Robb McGinnis, provided the fact that there were few instances where this increase in the bond amount would occur but that it was warranted based on the scale of some residential redevelopments and the potential impact of surrounding roadways.

Trustee LaPlaca read over the proposed ordinance making some additions to the language providing a cap on the estimated cost as determined by the village engineer. Trustee LaPlaca moved to recommend approval of the above ordinance with changes. Trustee Schultz seconded. Motion passed unanimously.

❖ Ordinance Amending Title 9 (Building Regulations), Chapter 1 (Administrative Provisions), Section 12 (Abatement), of the Village Code of Hinsdale

Chairman Williams turned over the application for a text amendment to the municipal code to McGinnis for an overview and the reasoning as to why the filing of a demolition order has come to be discussed at this time. Trustee LaPlaca directed McGinnis that some of the deleted language within the proposed ordinance should be kept because it provides a direct tie to the violation. Staff concurred with the recommended changes and noted that they would be completed before the hearing by the Board. Schultz motion for approval, Trustee Angelo seconded. Motion passed unanimously.

❖ Ordinance Authorizing the Sale by Auction of Personal Property Owned by the Village of Hinsdale

The Police Department is requesting that a vehicle assigned to meter enforcement that needs a major repair in excess of the value of the car be sold at an auction on E-Bay with the minimum bid of \$500.

Trustee Schultz moved to recommend the Village Board declare the attached vehicle as surplus and allow the Police Department to see this vehicle at auction held on E-Bay according to the attached Village Ordinance. Trustee Angelo seconded. Motion passed unanimously.

Intersection Study Park and Eighth Streets and Ordinance Amending Sections 6-12-3 and 6-12 replacement of Yield Signs and Stop Signs on Park at Eighth Street.

An intersection study was conducted at the intersection of Eighth Street and Park Avenue. Currently the intersection is controlled with Yield signs for northbound and southbound Park. The traffic study found that over the last five (5) there have been 12 collisions, 10 of which were right angle collisions and six (6) involved injuries with four (4) occurring in the last 15 months. Additionally, a sight obstruction exists on the southwest corner. The MUTCD warrants (section 2B-5(d)) have been met and Chief Bloom is recommending that the Yield signs be replaced with stop signs for Northbound and Southbound Park Street.

Trustee Schultz moved to recommend to the Village Board the amendment of Village Ordinance Sections 6-12-3 and Section 6-12-4 to allow for the replacement of Yield signs with Stop signs for northbound and southbound Park at Eighth Streets. Trustee LaPlaca seconded. Motion passed unanimously.

Ordinance Amending Sections 6-6-5, 6-6-7, and 6-7-6 of the Village Code to allow for fee based parking on Grant Street between 55th and 57th Street regulated with a Pay Box and approval for the purchase and installation of a Pay Box at a cost not to exceed \$13,500.

A brief discussion was held amongst Trustees regarding adding a fee based parking regulated with a pay box on Grant Street between 55th and 57th Street. Information was provided regarding different fee levels and Pay box costs. Chief Bloom indicated that he received several e-mail messages urging that this area remain fee free.

Trustee LaPlaca moved to disapprove an Ordinance Amending Sections 6-6-5, 6-6-7, and 6-7-6 of the Village Code to allow for fee based parking on Grant Street between 55th and 57th Street regulated with a Pay Box and approval for the purchase and installation of a Pay Box at a cost not to exceed \$13,500. Trustee Angelo seconded. Motion to disapprove changes passed on a vote of 3-1.

With no further business to discuss, Trustee Schulz moved to adjourn. Trustee Angelo seconded and the meeting was adjourned at 8:17 p.m.

Respectfully Submitted,

Tim Bleuher
Director of Community Development