

Approved:
Brody/Moore

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
DECEMBER 8, 2010
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, December 8, 2010 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Crnovich, Commissioner Stifflear, Commissioner Nelson, Commissioner Johnson, Commissioner Moore and Commissioner Brody

ABSENT: Commissioner Sullins and Commissioner Kluchenek

ALSO PRESENT: Sean Gascoigne, Village Planner

Approval of Minutes

The Plan Commission reviewed the minutes from the November 10, 2010 meeting. Commissioner Nelson motioned to approve the minutes of November 10, 2010. Commissioner Crnovich seconded. The motion passed unanimously.

Findings and Recommendations

303-315 W. 57th Street (Hinsdale Central High School) – Map Amendment from R-3, Single-Family Residential to IB, Institutional Buildings

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Moore motioned to approve the findings and recommendations for 303-315 W. 57th Street (Hinsdale Central High School) for a Map Amendment from R-3, Single-Family Residential to IB, Institutional Buildings. Commissioner Nelson seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-37-2010 – 5891-5911 County Line Road – Special Use and Site Plan/Exterior Appearance Review for Paddle Courts and Associated Structures.

Chairman Byrnes stated the public hearing would be scheduled for January 12, 2011.

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Public Hearings

A-28-2010 – 722-728 N. York Road – Map Amendment from O-2, Limited Office District to B-1, Community Business District.

Chairman Byrnes opened the public hearing, introduced the case and asked if the applicant was present.

Kim and Bob Brockman, owners of the building, introduced themselves and summarized the request.

Chairman Byrnes asked Village Planner Gascoigne to summarize how the request changed from a text amendment and special use request, to a rezoning.

Mr. Gascoigne indicated that originally the applicant had requested a text amendment to allow specific uses, as special uses, in the O-2 District per the direction of the Village Attorney. He then explained that as the applicant began the process of referring the text amendment on, the Village Board expressed concerns with the complexity of the proposed process and recommended the current request as an alternative and confirmed with the Village Attorney that the alternative was acceptable.

Chairman Byrnes questioned the history of the property.

Mr. Gascoigne indicated that he didn't have a whole lot of history on it other than the building was built by the Brockman's and has remained in the family.

Ms. Brockman provided the Plan Commission with some additional background information.

Commissioner Moore expressed some concerns regarding the parking situation, including the condition of the existing parking lot, should different users occupy the building.

Ms. Brockman indicated that the square footage of the tenant spaces, as well as other marketing factors, would not lend itself to uses that would generate the additional traffic that Commissioner Moore was concerned about.

Mr. Gascoigne indicated that the property was large enough to accommodate almost all of the required parking for these uses, and while the parking lot was not currently in the best shape, he felt that the Board's direction to rezone the property was to work with the property owner to get appropriate users in the spaces that would hopefully generate the revenue required to make some improvements to the building and the site, which would include the parking lot.

Commissioner Stifflear questioned if the rezoning would make the existing building compliant.

Mr. Gascoigne indicated that the applicant would still be required to obtain a couple of variations from the Zoning Board, but that the number of nonconforming conditions, including uses, would be reduced as a result of the rezoning.

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Commissioner Johnson asked how to address the fact that neither the O-2 nor the B-1 allow for dwelling units.

Mr. Gascoigne indicated that staff had several conversations with the Village Attorney and the existing dwelling uses would be permitted as pre-existing nonconformities, provided they didn't increase the nonconformity in any way.

Commissioner Johnson questioned the applicant as to how they could refer to their property as being contiguous to B-1, when the properties immediately north and south of the subject property are zoned O-2. She then asked what the applicant was trying to accomplish with the new zoning district, if they already have uses in place.

Mr. Brockman indicated that the desire was to be able to have flexibility with the allowed uses, should any of the existing uses cease.

Mr. Gascoigne indicated that the existing nonconforming situation does not provided the applicant the ability to fill those spaces with any retail use should they become vacant. It only provides for the existing uses and any uses outside of those would not be permitted by right unless otherwise permitted in the O-2 District.

Commissioner Moore asked what types of uses were typical in the B-1.

General discussion ensued regarding the allowed uses in the B-1 District and concerns regarding the circulation issues that may be created as a result of those allowed uses.

Commissioner Nelson confirmed that the applicant's intent was to give themselves more flexibility on the retail side.

Ms. Brockman confirmed.

Commissioner Stifflear addressed the Commission in regards to handling the concerns regarding parking and circulation. General discussion ensued.

Chairman Byrnes closed the public hearing and asked if there were any additional comments or questions.

Commissioner Brody motioned for the approval of a Map Amendment from O-2, Limited Office District to B-1, Community Business District. Commissioner Nelson seconded. The motion passed unanimously.

A-36-2010 – Village of Hinsdale – Text Amendment to Section 9-106, as it relates to projecting signs and staff review of code compliant signs.

Chairman Byrnes opened the public hearing and Tim Scott, Director of Economic Development introduced himself.

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Chairman Byrnes confirmed that the text amendment contained two parts.

Mr. Scott indicated that it was one text amendment with two components. He stated that the proposed amendment was a result of comments he had received personally and those that President Cauley and the Chamber of Commerce had received over a period of time.

Mr. Scott began his presentation and introduced the slides as he went through them, including samples of projecting signs. He explained that we currently permit projecting signs, just not for businesses on the first floor.

Mr. Scott then moved into slides identifying the proposed changes to the text in the ordinance.

Chairman Byrnes gave specific examples for Mr. Scott to apply the proposed guidelines so that he could better understand how the regulations would apply to multi-tenant buildings.

Mr. Scott explained using the former Schoen's building as an example and discussion ensued regarding how the proposed changes would impact the current code and how they could potentially impact the number of permitted signs.

Mr. Scott confirmed that the potential number of signs would not increase with the newly proposed language.

Commissioner Stifflear asked Mr. Scott to elaborate on the proposal to allow and increased square footage and confirmed that it would be very rare that it would actually happen.

Mr. Scott confirmed and then proceeded to his presentation regarding the process. He indicated that this came about as a result of trying to be more business friendly. He then provided slides identifying examples of where staff approval could apply.

Commissioner Stifflear asked Mr. Scott to explain the current process from a business owner's perspective so that he could better understand all of the steps that they would go through.

Mr. Scott explained and then stressed that in addition to the Plan Commission meeting itself, there are submittal deadlines and production time after the approval that could be significantly shortened if certain signs could utilize this process.

Chairman Byrnes identified additional time constraints that arise when meetings get cancelled.

Mr. Scott continued with his presentation and explained how the proposed process could work and the different options.

Commissioner Johnson confirmed that no sign would get approved without at least the Chair approving it.

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Mr. Scott confirmed and continued with his presentation. He emphasized that the purpose of this text amendment was for the purpose of procedure and not enforcement as that is handled at a different level.

John Karstrand, Chair of the Economic Development Commission introduced himself and expressed their support of the proposed changes due to the challenges they face with prospective businesses and the need to make things easier for them.

Chairman Byrnes closed the public hearing and asked which part they would like to discuss first.

Commissioner Moore indicated she would begin the discussion on the blade signs and expressed her frustrations with businesses that get a sign approved and then put up several other window signs without approval.

Mr. Scott responded and questioned if Ms. Moore's concerns would be lessened if the Village could somehow step up enforcement.

Commissioner Nelson indicated he thought it would because he would hate to take away a tool to make a business successful due to the fear that someone is going to misuse or abuse the tool. He then asked what the enforcement procedure was.

Mr. Scott explained enforcement procedures as best he could but indicated that unfortunately his understanding was limited because enforcement is handled by our Building Department as opposed to himself or Mr. Gascoigne.

Commissioner Johnson suggested this be continued until next month when that could be better explained.

Commissioner Crnovich concurred and indicated she liked the idea of the blade signs but didn't like all of the temporary signs.

Mr. Scott agreed that there was certainly a proliferation of signs and explained that their concerns regarding enforcement could be passed along to the Village Board.

Commissioner Johnson indicated that while she liked the idea, she would like to hear how these and all other signs were going to be enforced.

Commissioner Crnovich expressed her comfort with Neale approving signs, and gave examples of different communities and how they approve signage.

Mr. Scott indicated that there were several examples across the country where historical areas have their signage approved at a staff level.

Commissioner Stifflear confirmed his support of the blade signs but also didn't want to lose track of the enforcement aspect.

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Commissioner Nelson indicated that he would be in support of moving the blade signs forward with the stipulation that code enforcement needed to be enhanced.

Commissioner Brody concurred.

Commissioner Stifflear wanted to clarify that at the risk of back tracking, that he supported the other Commissioners who believed this should be continued until the next meeting. He then asked Mr. Karstrand if the process could afford a 30 day delay.

Mr. Karstrand indicated that with this proposal's remaining process, the timing was such that the delay would end up being greater than 30 days. He appreciated the Commission's concerns but indicated that he would like to see this move forward. He indicated that the Village Board was going to look very closely at the Plan Commission's recommendation so if they formulated their recommendations as to detail all of their concerns, those could also be addressed at those levels.

Commissioner Nelson stated that due to all the vacant stores downtown he felt that the risk was far outweighed by the potential gain.

Commissioner Johnson agreed with Commissioner Nelson but felt that there has been such a lack of diligence in enforcement and that now was the opportunity to try and correct that.

Commissioner Crnovich and Moore concurred with Commissioner Johnson.

Chairman Byrnes addressed the staff review and Chair approval process and identified his support for it.

Chairman Nelson indicated it made perfect sense and that he had absolutely no objections to it.

Commissioner Brody concurred as did several other Commissioners.

Commissioner Stifflear agreed but felt that some of the language could be tightened up.

He felt that before the Chairman made a decision, the signs should be distributed to the Commission for comments before approval. He also indicated that he thought it would be helpful to provide a complete packet at every Plan Commission meeting of the signs that were approved since the previous meeting. His final thought was to identify a time frame in which the Chair had to approve a sign, before it automatically gets sent on.

Chairman Byrnes expressed his thoughts.

General discussion ensued regarding the concept and concerns regarding the distribution of all sign applications to the remainder of the Commission.

Mr. Karstrand expressed his concerns with the distribution to all Commissioners.

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Chairman Byrnes agreed and expressed some additional concerns.

Commissioner Stifflear clarified his points and general discussion ensued.

Commissioner Moore asked if the intent was to only forward on the small percentage that could potentially be an issue or all of them.

The Commission discussed different options as to how to accomplish these objectives and concurred that the next step was to present this issue to the Village Attorney.

Chairman Byrnes expressed his support for the text as it is written and if the Commission felt at any time that it was not working, they could revisit it.

The Commission further discussed specifics on the language.

Commissioner Stifflear asked Mr. Scott what his thoughts were on the Commission's concerns and Mr. Scott provided his thoughts.

Chairman Byrnes expressed his desire to bring this to a vote tonight and offered some additional thoughts which included a discussion item on the agenda for each month's administratively approved signs.

Mr. Gascoigne identified his concern with discussion signs that had already been approved.

The Commission agreed with Mr. Gascoigne and indicated that staff could just put a packet of the approved signs in their monthly packet for informational purposes only.

Commissioner Brody agreed with staff's position and stated that bringing these case back up for discussion would defeat the purpose of the administrative approval.

Commissioner Crnovich questioned whether putting the signs up on the Village website for review by the Commissioners rather than circulating them through e-mail would be a violation of the Open Meetings Act.

Discussion ensued regarding suggestions for circulating the information and how to ensure appropriate decisions are being made under future administrations. While there was a general comfort level regarding the current decision makers, concern was raised as to how the checks and balances would work in the future.

Mr. Karstrand indicated that providing the Commission with a monthly packet of the approved signs would minimize the possibility of that happening.

Mr. Gascoigne summarized the concerns and provided the options for moving forward.

The Commission continued to deliberate on how to best proceed.

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Discussion ensued and the Commission identified the allowances with the Open Meetings Act and enforcement of signage as the two areas to get resolution on for next month's meeting.

Chairman Byrnes appreciated the Commissioner's concerns regarding enforcement but indicated that the Commission is not responsible for enforcement and he couldn't see using that to hold up this process.

Discussion ensued regarding the Open Meetings Act.

Commissioner Brody stated that he felt there were enough safe guards to move the text amendment on tonight.

Commissioner Nelson concurred.

Chairman Byrnes expressed his agreement with Commissioners Nelson and Brody, but indicated that he would like to send it forward with a positive vote.

Commissioner Moore indicated her support of the administrative review but expressed her concerns with the approval of the blade signs.

Mr. Scott provided a suggestion of producing written records summarizing the Commissions concerns with enforcement to the ZPS and Village Board to ease the concerns of some members.

Commissioner Johnson questioned the urgency and indicated that she didn't feel that 30 days was that substantial to make sure it was something they could all support.

Mr. Scott clarified Commissioner Johnson's comments.

Commissioner Johnson stated that she would like to see a revised ordinance taking into account the comments made tonight.

Commissioner Stifflear indicated his desire to be pro-business, but that he too felt it was in the Commission's best interest to take their time so that nothing is missed.

Commissioner Crnovich concurred.

Chairman Byrnes stated that he was still not clear on how those looking to continue the proposal to next month would modify the language.

Discussion ensued regarding what the Commission would like to see happen and which Commissioner's were in favor of moving the request forward and those that would prefer to see it continued.

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Chairman Byrnes stated that as much as he would like to see it moved forward tonight, they would continue it and that he would be remiss to not include thoughts from the absent Commissioners.

Mr. Karstrand approached and summarized what he believed the Commission was in support of and those items which needed clarification before the next meeting.

General discussion ensued regarding brackets for the blade signs.

Mr. Gascoigne indicated that staff had originally began an initiative to standardize brackets however variations to the building scales and architecture in the downtown made it impossible to pick a consistent bracket style and size for every building.

Discussion ensued regarding brackets and general sign allowances in the current code.

Commissioner Moore expressed her support of the blade signs provided the Findings and Recommendations adequately reflected the concerns she had with enforcement.

Discussion ensued regarding an appropriate window of time for administrative approval with 10 or 14 business days being the suggested timeframe.

Discussions continued regarding outstanding items that still needed to be addressed before the next Plan Commission meeting.

Commissioner Moore made a motion to continue Case A-36-2010 to January 12, 2011. Commissioner Brody seconded and the motion passed unanimously.

Adjournment

Commissioner Brody moved to adjourn. Commissioner Nelson seconded and the meeting adjourned at 9:29 p.m. on December 8, 2010.

Respectfully Submitted,

Sean Gascoigne
Village Planner