

**FINAL MINUTES  
VILLAGE OF HINSDALE  
ZONING AND PUBLIC SAFETY COMMITTEE  
MONDAY, FEBRUARY 24, 2014  
MEMORIAL HALL  
7:30 p.m.**

**Present:** Chairman Saigh, Trustee Haarlow, Trustee Angelo, Trustee Elder

**Absent:** None

**Also Present:** Kathleen Gargano, Village Manager, Lance Malina, Village Attorney, Robert McGinnis, Director of Community Development/Building Commissioner, Brad Bloom, Police Chief, Rick Ronovsky, Fire Chief, Mark Wodka, Deputy Police Chief, Sean Gascoigne, Village Planner

Chairman Saigh called the meeting to order at 7:40 p.m. and summarized the agenda.

**Minutes – November 2013**

Trustee Elder moved to approve the minutes as amended for the January 27, 2013 meeting. Second by Trustee Angelo. Motion passed unanimously.

**Monthly Reports – January 2013**

**Fire Department**

Chief Ronovsky limited comments concerning the monthly report for January 2014. Chief Ronovsky advised that the Fire Department was busy in January largely due to the weather. This was apparent with the 3 year average being much lower than the actual responses for this January. Chief Ronovsky asked if there were any questions from Trustees. There were no questions.

**Police Department**

Chief Bloom asked the Committee if they had any questions regarding the January 2014, Police Monthly report. The Committee did not have any questions.

**Community Development**

Robert McGinnis limited comments concerning the Community Development monthly report for January to questions from the Trustees. There were no questions.

**Discussion Items**

**Traffic Study to Consider the Installation of a Two-way Stop at Grant and Ayres Streets.**

Chief Bloom stated that the Police Department has been working with the residents in the 500 block of north Grant Street and have requested that a traffic study be completed to consider the installation of a two-way stop sign for Grant Street at Ayres.

Chief Bloom said in summary, the residents expressed concerns over the volume, speed and presence of non-local truck traffic on Grant between Ayres and Ogden. Additionally, residents were concerned that due to the presence of a two-way stop sign at Lincoln and Ayres that the absence of a similar sign at Ayres and Grant adversely affects and contributes to the traffic conditions on Grant Street.

Deputy Chief Wodka explained that he conducted a traffic study on this intersection. Additionally, traffic speeds and volumes were measured and studied on the two streets (Vine and Lincoln) that run adjacent to Grant Street. The data showed in summary, that the average volumes and speeds conducted over a three day period on the adjacent streets are comparable and in some cases less than those on Grant Street. Moreover, traffic volumes and the historic crash data which showed no crashes in the last 10 years) do not support the

installation of a stop sign as provided by the Manual on Uniform Traffic Control Devices (MUTCD) warrants. Moreover, Deputy Chief Wodka said that he located a traffic study from 1993 that showed traffic volumes on Grant Street where almost a 30% higher than current measurements.

Resident Michelle Fisher stated in summary that she regularly sees truck traffic on her street and she would like to see a stop sign placed at Grant and Ayres. Ms. Fisher further indicated that she is concerned for the safety of the children on this block. Trustee Angelo indicated that he was in favor of the installing a stop sign at the intersection due to the presence of truck traffic. Trustees Saigh, Haarlow and Elder indicated in summary that the data collected did not support the installation of a stop sign and that the Village historically not supported the installation of traffic control signs unless they have meet the MUTCD warrants.

### **Request for Board Action**

#### **Recommend Approval of an Ordinance Approving a Major Adjustment to the Site Plan/Exterior Appearance Plan at 26-32 E. First Street – Garfield Crossing**

Chairman Saigh introduced the item and asked the architect, David Kennedy to provide some background on the request.

The architect explained that they were back at Committee with an amended request for the exterior work to the Chamber building next door to their project at 26-32 E. First Street. He explained that due to the quotes they had received back since the last proposal was approved in October, they needed to come up with another more cost effective proposal. This would use veneer brick and railing and would provide a more open look.

Trustee Haarlow commented that he liked the proposal and the open look. He asked how much more it would cost to run the mansard roof through the east wall rather than just returning it around each corner.

The architect explained that they did not price it this way. He was concerned about the weight and the load that creating a parapet wall would create due to wind load, snow load, and even drifting load, but could look into it. He explained that the existing conditions did not lend themselves to any additional loads on this wall due to the cantilevered pre-cast concrete floor planks. He explained that the three piers were decorative and non-bearing. He explained that due to the structural implications of the as-built condition of this building, that their options were limited in this regard and that they were doing the best they could to come up with an architecturally appealing solution to an unfortunate and unforeseen problem.

Chairman Saigh asked about a guardrail to protect the column at the corner of the building. The architect responded that they could look into it. There was conversation about lighting and drainage in this area. The architect responded that this was not their building and that their intention was to limit any work on the Chamber building to the exterior face only.

Trustee Elder made a motion to recommend Approval of an Ordinance Approving a Major Adjustment to the Site Plan/Exterior Appearance Plan at 26-32 E. First Street – Garfield Crossing. Second by Trustee Angelo. Motion passed unanimously.

#### **Recommend Approval of an Ordinance Approving Site Plans/Exterior Appearance Plans for the Screening of Mechanical Equipment at 40 S. Clay Street**

Chairman Saigh introduced the item and asked if anyone was present to speak on the request.

Bill Daws, the architect for the project gave background on the request. He explained that these two buildings were constructed in the 1950's and 60's, and that his client had purchased the building and were presently making improvements to them. He stated that the Village had asked the owners to provide rooftop screen around the replacement mechanical equipment.

He stated that the rooftop screening panels were louvered and attached to the units themselves and were approximately 9' tall; just higher than the HVAC units themselves.

Trustee Angelo asked about the dissenting vote at Plan Commission and what it was regarding. The architect stated that there was a resident that had concerns over noise, but could not provide the rationale for the dissenting vote.

Julie Crnovich explained that she was the dissenting vote at Plan Commission and stated that she felt that the replacement of the HVAC units themselves should have been enough to require that the applicant come to Plan Commission and that she felt a better alternative could have been found. She felt that these units were larger than anything else in town and that alternatives should have been considered. She did acknowledge that she knew the work was already complete.

Chairman Saigh asked about the extent of screening and what equipment would be screened. The architect stated that the screening would run around the four green mechanical units themselves as well as a small air handler for a MRI.

Trustee Haarlow asked about the height of the existing screening and the height of the units themselves. The architect confirmed that the screening panels were approximately 9'7"; about 6" higher than the units themselves.

Chairman Saigh asked the architect to confirm that the only new equipment being added over and above the four replacement air handlers was that for the MRI. The architect confirmed this.

Trustee Angelo asked if other options were considered beyond placing the replacement equipment on the roof. The architect stated that due to the limited ceiling heights of the building, that the equipment needed to be on the roof to try and provide as much ceiling height as possible. He added that this is very typical.

Janice Murray, a resident living across the street from the building, stated that she had noise concerns about the HVAC units themselves that she had raised at Plan Commission and was told to bring those concerns to the Committee. She stated that while she applauded staff and the building owners for trying to shield the units from view, her primary concerns were over the sound coming from the units themselves. She stated that she heard it every hour of every day.

She stated that she did not feel that these were replacement units and that the old units did not make any noise. She stated that the specific pitch is what was bothering her the most and that she would like acoustical screening to be required.

Chairman Saigh stated that he felt that this was a bit of a catch 22 given that there were no code requirements regarding sound levels and that the request before the Committee was really about the appearance of the screening.

Robert McGinnis stated that these were replacement packaged rooftop units. They are commonplace in commercial construction today. They were being installed in the same location on the existing roof curbs and that the screening was not required per code as this was not new construction. He added that although not specifically designed for sound attenuation, that the material itself, should have some effect on sound wave transmission.

Ms. Murray stated that when she purchased her home, she "picked her sounds", and that this pitch or frequency was new and very irritating. It was not loud, like the train at 74 dB, but constantly there. A constant humming the note "A". She noted that on September 25<sup>th</sup> the maximum dB level hit 55.

Trustee Haarlow asked the architect if a sound attenuating system could be provided here. The architect stated that to do this properly would require extensive structural modifications to the building and that it would be a very invasive procedure.

Chairman Saigh asked for a motion to recommend Approval of an Ordinance Approving Site Plans/Exterior Appearance Plans for the Screening of Mechanical Equipment at 40 S. Clay Street. Motion by Trustee Elder. Second by Chairman Saigh. Motion passed 1-3 to deny the request.

**Recommend Approval of an Ordinance Approving Site Plans/Exterior Appearance Plans for the Exterior Modifications and Façade Improvements at 901 N. Elm Street**

Chairman Saigh introduced the item and asked if anyone was present to speak on the request.

The architect, Danny Fitzgerald, gave background on the request and explained the exterior changes being proposed including a new canopy, ADA ramp, and reworking the approach from the parking lot in addition to a new playground for their new anchor tenant the Village Children's Academy. They are also planning to remove several trees that are infested with Emerald Ash Borer and provide some new landscaping.

The landscape architect stated that the site was overplanted and that their intention was to thin out the existing growth and provide some new plantings to soften the parking lot.

Trustee Elder made a motion to recommend Approval of an Ordinance Approving Site Plans/Exterior Appearance Plans for the Exterior Modifications and Façade Improvements at 901 N. Elm Street. Second by Trustee Angelo. Motion passed 3-1 to approve the request.

**Recommend Approval of an Ordinance Approving a Special Use Permit for a Personal Training/Fitness Facility on the Second Floor, at the Property Located at 35 E. First Street**

Chairman Saigh introduced the item and asked if anyone was present to speak on the request.

The architect was there on behalf of the tenant, Scott Grove, to provide background on the request. She stated that the bulk regulations in the B-2 zoning district do not allow training facilities as a permitted use. She offered the floor to the applicant who offered to answer any questions the Trustees had.

Chairman Saigh asked if there were washrooms available, if separate office space was needed, and if there would be heavy equipment used in the facility. The applicant explained that bathrooms were readily accessible and located down the hallway. He stated that they did not need separate office space and that there would be no heavy fitness equipment needed; only pads.

Trustee Elder made a motion to recommend Approval of an Ordinance Approving a Special Use Permit for a Personal Training/Fitness Facility on the Second Floor, at the Property Located at 35 E. First Street. Second by Trustee Angelo. Motion passed unanimously.

**Approve an Ordinance Approving Site Plans/Exterior Appearance Plans for the Expansion of an Existing Parking Lot at 125 West Second Street**

Chairman Saigh introduced the item and gave some brief background on the request. He then asked the applicant to speak on the request.

The architect provided background stating that his client wanted to be able to provide some on-site parking for her clients. He explained that the request went first to the Plan Commission and Zoning and Public Safety for building improvements and subsequently on to the Zoning Board of Appeals for consideration of a revised and much reduced parking lot proposal than from that which was first contemplated.

He summarized the presentation and negative recommendation from the Plan Commission and stated that their opposition to the request was primarily focused around the location of the proposed parking lot rather than the aesthetics of it.

He discussed their request at the Zoning Board of Appeals and the precedent and the number of buildings in the O-1 zoning district that had parking lots in front or corner side yards and that this request was very consistent with relief granted in the past for this type of request. He stated that the request was unanimously approved at the ZBA and that members commented on the smaller, revised request and the efforts that were made to address concerns from the neighbors with the revised proposal.

The owner of the property at 119 S. Grant immediately north of the subject property spoke in support of the request, stating that on-street parking has always been a problem in this area, and that they felt it appropriate to provide off-street parking in this location.

Chairman Saigh stated that he lived in the immediate area and received the notice. He stated that while he appreciated the steps that were taken by the applicant to reduce the size and impact of the parking lot, he was concerned about this changing the character of the area.

He raised comments received via email from a neighbor immediately to the south of the property and relayed his concerns. He stated that his concerns were primarily tied to the modification of the existing driveway and the creation of a parking pad that would be created by virtue of the modification.

He raised concerns about the need to back out onto the street from the handicapped parking space.

He raised concerns about drainage due to the grading changes made to the site. MR. Kolber stated that a full grading and drainage plan would be required by the Engineering department before approval was granted to do this work.

The applicant talked about the dense landscaping and retaining wall that was being proposed in conjunction with the request. He stated that the goal was to drop the grade as much as was needed on the south side of the building in order to facilitate an ADA compliant entrance.

Trustee Angelo stated that he felt that this was a thoughtful design and that he felt the results of the CMAP study would show an increased need for on-street parking and intended to vote for it. Chief Bloom added that there were presently some vacancies downtown that would also have an impact on available on-street parking in the future.

Trustee Elder stated that he shared many of Chairman Saigh's concerns and asked what the purpose of the parking pad along the east property line would be once the parking lot was completed. Mr. Kolber responded that this area, abutting the SBC lot would be reserved for the doctor and maybe an assistant as well as serving as an area to store their garbage cans.

The applicant stated that the maximum peak load would be 10-12 people total in the building and that this was primarily an upscale boutique type practice.

Trustee Elder stated that he had verified that the parking lot was not going to be visible from the Clarke property and that he was primarily concerned about the increased number of cars that would otherwise be parked on the street and that he intended to vote for it.

Trustee Haarlow stated that he echoed many of Trustee Elders concerns and that this proposal seemed to do a fairly decent job of balancing the concerns over increased traffic while maintaining the residential character and feel of the house on Second Street. He stated that he felt the evergreen screen was critical and that need was being met here.

Chairman Saigh stated that his concern was over intensity and the creating of a parking pad on the east lot line. He added that this was taking up green space. Mr. Kolber stated that this area was existing and would not see more than 2 cars parked there.

Kendra Olson stated that given the proposal for the building has already been approved; talking about parking impact now would be like shutting the door once the horses are already out.

Trustee Angelo made a motion to approve an Ordinance Approving Site Plans/Exterior Appearance Plans for the Expansion of an Existing Parking Lot at 125 West Second Street. Second by Trustee Elder. Motion passed 3-1 to approve the request.

### **Adjournment**

With no further business to come before the Committee, Chairman Saigh asked for a motion to adjourn. Trustee Elder made the motion. Second by Trustee Angelo. Meeting adjourned at 10:05PM.

Respectfully Submitted,

Robert McGinnis, MCP  
Director of Community Development/Building Commissioner