

**MINUTES  
VILLAGE OF HINSDALE  
ZONING AND PUBLIC SAFETY COMMITTEE  
MONDAY, JUNE 23, 2014  
MEMORIAL HALL  
7:30 p.m.**

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

**Absent:** None

**Also Present:** Robert McGinnis, Director of Community Development/Building Commissioner, Kathleen A. Gargano, Village Manager

Chairman Saigh called the meeting to order at 7:35 p.m. and summarized the agenda.

**Minutes – April 2014**

Trustee Elder moved to approve the minutes as amended for the May 19, 2014 meeting. Second by Trustee Angelo. Motion passed unanimously.

**Monthly Reports – April 2014**

**Fire Department**

No report.

**Police Department**

No report.

**Community Development**

The Committee had no questions for Robert McGinnis on the Community Development monthly report.

**Referral to Plan Commission**

**Recommend that Case A-15-2014, 5601 S. County Line Road be Referred to the Plan Commission for Review and Consideration of a Map Amendment.**

Chairman Saigh introduced the item and asked if anyone was present to speak on the item. Ken Pavola of RML introduced himself and provided background on both RML in general and the request before the Committee. He stated that this process generally started with a request for more on-site parking, but that due to the fact that they were zoned R-2, there was no way that staff could approve the request as they would be increasing the degree of non-conformity.

Mr. Pavola stated that the history of how the property came to be R-2 is unclear. He stated the property was annexed in 1977, but that there was apparently no annexation agreement. He stated that his best guess is that the TB District owned the property at the time of rezoning and that they felt that they did not have to comply with any of the zoning regulations of the time. In 2006 the TB District was dissolved and the property reverted back to Cook County. RML took over in 2007 and has a long term lease on the property.

Mr. Pavola then provided background on the hospital itself and described their operation.

Mr. Pavola stated that the immediate need was for additional parking and that they do not meet the minimums per code now due to Cook County selling off a portion of the property to Sedgwick.

Mr. Pavola stated that the building is outdated and that under the current rules they cannot expand or modernize the facility.

Mr. Pavola stated that after consulting with Staff, they had three options available to deal with these issues; a Map Amendment, a Variation, or a Text Amendment. He stated that they felt the Map Amendment was the most straight forward means to handle this and why they felt a Variation or Text Amendment would not be appropriate or approved.

Trustee Angelo asked about the sale of the land to the developer and whether they were involved in any of the discussions.

Jim Prister of RML introduced himself and stated they did have discussions with Cook County about acquiring a portion of the land that was sold to the developer, but that the County was not interested in selling any portion of that property to the hospital. They did not have an opportunity to bid on it nor is the County interested in selling the hospital the property it is occupying now.

Trustee Elder asked about the parking problem now and what steps have been taken to try and address it.

Mr. Pavola stated that they had been issued permits for parking in the past, but that this time it was denied. He stated that they have an alternative parking agreement with KLM.

Chairman Saigh asked if they had been working with a parking consultant about alternatives.

Mr. Pavola stated that they had not and that they had only been working with a contractor to date.

Ron Cope introduced himself as the attorney representing RML. He stated that trying to meet the R-2 standards here is impossible. He stated that it meets none of the standards. This makes it almost impossible for the hospital to do anything in the way of improvements. He stated that it makes no sense to try and meet those standards when the appropriate designation is HS. He stated that even the process makes no sense. He stated that the issue goes beyond just the parking. It limits their ability to make any improvements and is like try to fit a square peg in a round hole. He stated that he did not want to focus solely on the parking.

Chairman Saigh asked about prior approvals for parking and the KLM lot.

Mr. Pavola stated that the last time any paving work was done was six or seven years ago and that they have people park at KLM a couple times a year.

Trustee Angelo asked if it was fair to state that the parking problems were exacerbated with the recent affiliations with other hospitals and clinical rotations.

Mr. Pavola stated that most of the parking problem is tied to students from area hospitals and that the congestion issues were pretty routine.

Trustee Elder asked about their overall plans for improvements at the site and what changes would happen to the building.

Mr. Pavola stated that their grand plans were not approved and that they were resigned to making interior improvements.

Robert McGinnis stated that under the non-conforming section of the code, that the applicant would be limited to ordinary repairs.

Trustee Elder stated that remapping for something like this would be like letting the horse out of the barn and that once it was zoned to HS, that they would lose an opportunity to weigh in on something and that they needed to be cognizant of that.

Trustee Angelo stated that under the HS district regulation they could build up to 70' and build parking garages which would be a huge expansion there.

Mr. Pavola stated that although this was one side of the coin, the other is that if the hospital found that they could not survive there and had to relocate, that the big empty building would revert back to County and that they could do whatever they wanted to with it.

Trustee Angelo stated that he was very leery of a request for a Map Amendment when the immediate need was for a solution to a parking problem.

Mr. Prister stated that it was their opinion that this was the only way to get the parking approved.

Trustee Angelo stated that he had overarching concerns on what the HS district allowed and that he was perplexed as to why these bulk regulations were not included in the staff report and that the Committee should be informed on issues like this before the meeting.

Mr. Cope stated that he understood the concerns but asked what the hospital could possibly do in that area that could be bad. He asked what possible harm could come to the surrounding properties by rezoning the property to that which it already was. He stated that whatever they did would have to comply with the applicable district zoning regulations. He stated that it was commonplace to have residential areas around hospitals. He stated that the hospital provided a valuable service to the community.

Chairman Saigh asked if they could tailor or limit the services they provided.

Mr. Prister stated that the challenge there was economics. He stated that the cost of providing care to this particular segment was very expensive and that those costs had to be spread out over a larger population. He stated that the volume of the business was integral to their ability to stay in business.

Trustee Elder stated that he was surprised by the number of employees at 450 and asked if that was evenly split over three shifts.

Mr. Prister responded that the largest percentage of employees there were Monday thru Saturday during normal business hours.

Chairman Saigh stated that there is a real wariness when it comes to any change in zoning based on history in Hinsdale.

Ron Cope offered that conditions could be placed on zoning and that restrictions could be included to protect the Village.

Chairman Saigh asked if there was anyone else that wanted to speak on the request.

Trustee Haarlow stated that he felt the difficulties the Trustees were facing was genuine and that a wholesale change to the zoning would make certain procedural issues like the parking, easier. On the other hand, no one knows what the future holds and that they would have no particular recourse with the HS zoning in place. That the property could look far different than what anyone imagined. He stated that there ought to be a way to approve that parking without a wholesale change to the zoning and that this has nothing to do with the good work the hospital is doing now.

Chairman Saigh stated that under the code, non-conformities should ultimately be eliminated. He stated that that was something the Committee had to consider.

Mr. Pavola stated that there were other controls in place to keep any future expansion in check.

Mr. Cope stated that the code was hamstringing the hospital and that a simple parking request led them to this application and that they had spent months getting the request to this point.

Trustee Haarlow made a motion to Recommend that Case A-15-2014, 5601 S. County Line Road be Referred to the Plan Commission for Review and Consideration of a Map Amendment. Second by Chairman Saigh. The Committee voted 4-0 to deny the request.

**Recommend that Case A-17-2014 be Referred to the Plan Commission for Review and Consideration of a Text Amendment to Section 6-106 (Special Uses), to Allow Cooking Classes as Special Uses in the 0-1, Specialty Office District.**

Chairman Saigh introduced Peter Coules on behalf of the applicant.

Mr. Coules gave background on the request and stated that the request was for a text amendment and a Special Use for cooking classes in this location. It would be a low impact use and be limited to 10 students. He stated that the parking lot contained six spaces and would remain open. He stated that the classes would generally be finished by 7PM.

Trustee Elder asked about the non-classroom space and what it would be used for.

Mr. Coules responded that it would be used for meetings on nutrition and room for Mrs. Napleton's office.

Trustee Angelo made a motion to Recommend that Case A-17-2014 be Referred to the Plan Commission for Review and Consideration of a Text Amendment to Section 6-106 (Special Uses), to Allow Cooking Classes as Special Uses in the 0-1, Specialty Office District. Second by Trustee Elder. Motion passed unanimously.

**Recommend that Case A-19-2014, 543 N. Madison Street be Referred to the Plan Commission for Review and Consideration of a Map Amendment.**

Chairman Saigh introduced the item and stated that he and Trustee Elder had some familiarity with the request and had met with the developer on the proposal. He summarized the request and asked the applicant, Paul McNaughton to provide details.

Paul McNaughton stated that this was a smaller in-fill property and that the request was to rezone the property from R-2 to R-4 and subdivide the property into 4 single family lots.

Mr. McNaughton stated that there was no change in use and that the overwhelming number of lots in the area are more reflective of R-4 lots rather than R-2 lots. He stated that in the immediate area, only 4 lots actually met the standards of the R-2 district.

Mr. McNaughton stated that the trend of development dictated that people did not want a 20,000 square foot lot. He stated that the costs associated in building two houses on this property would be cost prohibitive.

Scott Shriner of Design Tec Engineering discussed the preliminary site plan and provided information on existing drainage patterns and what engineering improvements would be incorporated into the site. He stated that the goal was to force almost all of the runoff to Ogden Avenue.

Mr. Shriner went on to answer questions on the detention pond along the east side of the property.

Havier Milan of KLOA spoke on the traffic study that was provided and discussed the number of trips per day at Ogden and Madison and how many vehicles typically stack at the intersection.

He discussed the eyebrow feature that was being proposed and how it would facilitate smoother turning movements into the subdivision.

Mr. McNaughton stated that he had discussed the proposal with the neighbors and would hold additional meetings as the case moved forward.

Chairman Saigh asked if there was support from the neighbors polled so far for both the site plan as presented as well as a less-dense alternative.

Jacklyn Olson of 412 Warren Terrace stated that she has significant drainage problems and does not understand how this proposal would do anything but make her problems worse. She stated that she thinks the homes should be given the land they deserve and not packed in so tightly. She went on to say that she disagreed with the notion that people do not want a 100' wide lot.

Gary Moberly of 420 Warren Terrace stated that considering zoning changes on Ogden Avenue would open a can of worms and that while he could consider an alternative, that four houses on the property was a problem and that it was too dense.

Mr. Moberly went on to discuss typical lot sizes in the area and recent sales in the area making the point that houses on larger lots were in fact, marketable.

Mr. Moberly stated that he felt that the neighbors were excited about new construction, but that four lots did not make any sense. He said that he could support three lots.

Jacklyn Olson stated that there are many times where north bound traffic on Madison backs up to Warren Terrace.

Rosanne McCarty of 409 Warren Terrace had questions on the design of the new homes being proposed at the property, how tall they would be, and where construction traffic would park.

Ted Parsons of 415 Warren Terrace asked why the Village would consider a zoning change at all. He stated that he had concerns over traffic and walkability.

Trustee Elder asked about the allowable height of homes in this area. Robert McGinnis responded that the allowable height was a function of lot size and setback and that two homes on the property could be slightly taller than four homes on the same property.

John Grock of 600 Warren Terrace stated that he was in general support of the plan but is concerned about any increase in water runoff. He stated that something ultimately needs to be done with the property.

Trustee Elder asked about construction parking.

Mr. McNaughton stated that the construction vehicles would be kept on site.

Scott Shriner discussed runoff concerns and the design of the detention pond. He stated that the goal was to try and minimize the amount of runoff to the south and to the east and drain as much as possible to Ogden.

Chairman Saigh asked about the height of the property and the overall heights of the houses.

Mr. McNaughton stated that the code had hard stops on overall height, but that the top of foundations had not been set yet.

Mr. McNaughton stated that there were good questions raised at the meeting and that some of these were questions that will be discussed as the process moves forward.

Chairman Saigh stated that he had a problem with the density and did not support the request at least as presented.

Trustee Elder stated that he could not support the request at least not without supporting a three lot alternative.

Trustee Angelo stated that he felt the developer had a point regarding the lot sizes in the area and that he could probably support a three lot alternative should that be entertained by the Plan Commission.

Trustee Haarlow stated that he appreciated the efforts made by the developer thus far. He stated that although he appreciated the work done on the plan thus far, he could not think of another case in town where an "eyebrow" feature was used anywhere in the Village and did not think it was something that Hinsdale should consider. He stated that he could not support a request to rezone the property but would consider a less dense alternative. He stated that this Board was not interested in changing zoning to make this work.

Trustee Elder made a motion to Recommend that Case A-19-2014, 543 N. Madison Street be Referred to the Plan Commission for Review and Consideration of a Map Amendment. Second by Trustee Angelo. The Committee voted 1-3 to deny the request.

### **Request for Board Action**

**Recommend Approval of an Ordinance Approving Site Plans and Exterior Appearance Plans for the construction of a New Two-Story Office Building with a Surface Lot at 330 Chestnut Street**

Chairman Saigh introduced the item and the vetting that this project received at both the Zoning Board of Appeals and the Plan Commission.

Bernie Bartelli of Culligan Abraham provided some background on the building and site plan being proposed for this site along with changes that were made to date.

Chairman Saigh asked about concerns over parking and lighting.

Mr. Bartelli stated that these concerns were taken into account and addressed during the approval process.

Trustee Haarlow asked about changes made to the south façade.

Mr. Bartelli responded that elements incorporated into this façade were done to specifically address comments received from the neighbors on the south side of the tracks.

Trustee Elder stated that the industrial look actually fit better in this area.

Trustee Elder made a motion to Recommend Approval of an Ordinance Approving Site Plans and Exterior Appearance Plans for the construction of a New Two-Story Office Building with a Surface Lot at 330 Chestnut Street. Second by Trustee Angelo. Motion passed unanimously.

### **Other Business**

Robert McGinnis stated that the Historic Preservation Commission discussed what had happened at 206 N. Washington Street at their meeting of June 10<sup>th</sup> and what safeguards might be put in place in order to try and keep something like this from happening again. They discussed a requirement for a Structural Engineer to provide a bracing and shoring plan when historic homes undergo significant renovation. Staff agreed to look into it and Robert McGinnis stated that staff had come up with an option that would provide the additional oversight all felt was important while keeping the Village out of a direct supervision role.

Mr. McGinnis stated that if the Trustees felt that this had merit, he would bring it back as a discussion item for the July ZPS meeting. The Trustees agreed and said they thought it should.

### **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 10:22PM.

Respectfully Submitted,

Robert McGinnis, MCP  
Director of Community Development/Building Commissioner