BEFORE THE ZONING BOARD OF APPEALS COMMISSION
OF THE VILLAGE OF HODGKINS, ILLINOIS
Hearing was held in the Hodgkins Village
Hall, 8990 Lyons Street, Hodgkins, Illinois, commencing
at 7:00 o'clock p.m. on the 5th day of January, 2017.
APPEARANCES:
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MR. EDWIN BELKA, Chairman MS. STEPHANIE GARDNER, Clerk
MR. ROBERT BURALLI, Commissioner MR. MARK MAYER, Commissioner
MR. ANDREW SALERNO, Commissioner MR. BILL URBAN, Commissioner
MR. JOHN O'CONNELL, Attorney for Board
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REPORTED BY LYN DOERING, CSR.

CHAIR BELKA: Meeting will come to order.

Good evening, ladies and gentlemen. My name is Edwin Belka. I am Chairman of the Hodgkins Zoning Board of Appeals.

And this evening we are dealing with a request for a variance submitted by the Village with a request to change, the purpose of hearing, the consideration of a Planned Unit Development, called a "PUD," to be located on 12 1/2 vacant acres, whose common address is generally known to be 6201 East Avenue in Hodgkins.

The property is owned entirely by the Village of Hodgkins, and there are PIN numbers associated with this, and they are 18-15-304-006-0000, 18-15-304-007-0000 and 18-15-304-012-0000.

These properties will be three lots. Lot 1 approximately 242,987 square feet or 5.58 acres approximately. Lot 2, 242,539 square feet or approximately 5.57 acres. And the last Lot No. 3, 52,272 square feet or approximately 1.2 acres. And this is to be used for water retention, the last one, Lot No. 3.

Pursuant to a redevelopment agreement Lots 1 and 2 will be conveyed to two private property

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MR. O'CONNELL: My name is John O'Connell. I am the Attorney for the Village of Hodgkins, and if I may, Mr. Chairman, it was published in the DesPlaines Valley News.

CHAIR BELKA: Oh really? The DesPlaines Valley?
MR. O'CONNELL: Yes.

CHAIR BELKA: Sorry. My mistake.

MR. O'CONNELL: In addressing the Planned Unit Development, first of all, this is the first Planned Unit Development that the Village has ever had. So all the developed projects we have had have not been as a quote "Planned Unit Development," which is defined by statute.

Before we get into that, the property that you are looking at -- and I gave everybody copies of our plat, our proposed plat -- most of this property is 8.23 acres that the Village acquired from the Dostal family pursuant to a quick take action in the Circuit Court of Cook County in 2015 over into 2016.

Approximately 3 acres, which you will see on Lot 2, which is the back portion of Lot 2, we had acquired back in 2007 when the Village had purchased from LiquidAir -- Strike that. Not LiquidAir. They used to house LiquidAir, but we bought it from Vulcan

back around 2007, which comprised the east portion of Lot 2 just below Lot 3.

On the eastern portion of Lots 1, 2 and 3 it entails -- I am sorry -- Lots 1 and 3 it entails property, about 1.2 acres of property, that the Village acquired from Vulcan about six months ago.

Mr. Urban is here.

CHAIR BELKA: Welcome, Mr. Urban.

COMMISSIONER URBAN: Sorry. Train.

MR. O'CONNELL: Lots 1, 2 and 3 now comprise about 12 1/2 acres. So we had enough, a sufficient acreage, to do the development that we had memorialized in redevelopment agreements with both Runion Equipment and Advantage Chevrolet or a subsidiary thereof.

So what the difference is by making this a Planned Unit Development -- a Planned Unit Development it's a large enough size of acreage, it's to be used by two users. We are proposing -- Pardon me?

CHAIR BELKA: Nothing. Sorry. Excuse me. Just mumbling to myself.

MR. O'CONNELL: What we are proposing that this be a Planned Unit Development, and in effect, what a Planned Unit Development is, it's a development in and of itself, which has its own -- the zoning is as we

already designated to be commercial, but in terms of the zoning regulations they would fall within the PUD, they call it, which would avoid having to come back for setbacks, for green space, for normal matters that you would have to go to the Zoning Board. They would all fall together in one Planned Unit Development.

When all everything is developed, planned, it would be addressed just to this PUD. So instead of when they come up with a site plan, setbacks, instead of coming back to the ZBA, it's all part of this PUD, Planned Unit Development, that we would approve herein tonight -- strike that -- we would recommend herein tonight.

The Board is meeting on Monday night,

January 9, and so your recommendations would be voted
on at that time.

I will say that there has been discussions among several trustees that have come up to me that Lot 3, which is the retention -- so there is 1.2 acres of retention for all of this property -- that originally the engineer and myself had talked about this retaining by the Village, thinking that there wouldn't be much maintenance, that instead of giving all of it to one or two, Runion or Advantage, the Village Trustees

suggested a very practical point, and that is leave the ownership of the retention to both the private users, that is Runion and Advantage, and we can accommodate that by having the ownership of Lot 3 retention be in tenants in common with both Runion and Advantage.

So one of the things that I think the ZBA should discuss and ask questions about is whether you would agree that Lot 3, instead of being owned by the Village, let the two users of the property use -- own Lot 3.

One of the items that was brought up is that Lot 3 is going to be a dry retention, but there will be water upon a rain. But Runion, their equipment is designed for crane lifts, things of that nature, that maybe there might be a little liability issue there, because they are going to take those cranes down below, and perhaps there should be joint ownership with Advantage and Runion to actually own Lot 3.

It won't change the schematics of this, it would still be the same, but the ownership will be by Runion and Advantage. We won't have to change anything on this plat. It's simply a matter of by making that conveyance to -- well, when we finally do the conveyance -- part of the conveyance from the Village

to these two entities would include Lot 3.

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The second part of what I wanted to discuss is that once we, the Village, finally come up with this site plan, the next step would be for the Village to convey to both Runion and Advantage the property as described herein. I hope to have that done by the end of February. At that point in time we are getting close to spring season, when they in fact can start the actual construction of the property.

So I have rambled on, but there might be questions.

CHAIR BELKA: I have a question.

Is there any other private entity or group of private entities that manage or handle any retention in the Village at this point that you are aware of?

MR. O'CONNELL: Private entities, yes. The California State Teachers Retirement System owns retention in the Quarry Shopping Center. There is retention on River Road for the Industrial Condominium which I own, and I own that and manage that.

The only retention that the Village owns is for the retention off of 63rd Street and East Avenue, and that's the only.

COMMISSIONER SALERNO: John, do you believe that

there will be an issue that more of the retention is on 1 2 Lot 2 than Lot 1? 3 MR. O'CONNELL: I don't think so, only because the 4 retention is essential. The Lot 2 established by Advantage was sufficient for what they need. 5 6 COMMISSIONER SALERNO: Okay. 7 MR. O'CONNELL: Yeah. 8 COMMISSIONER URBAN: My name is William Urban. 9 Both lots are essentially the same size, if you just divide up the square foot to carry a load 10 11 equally. 12 MR. O'CONNELL: Yeah, each has --13 COMMISSIONER URBAN: The same acreage. 14 MR. O'CONNELL: -- 5.57, yeah. 15 CHAIR BELKA: Mr. O'Connell, my name is Edwin 16 Is there any particular advantage to having the Belka. 17 Village not maintain Lot 3? 18 MR. O'CONNELL: Well, the maintenance on this 19 detention is not significant, but the one advantage to 20 the Village would be that we have worked for five years 21 putting all this together. 22 CHAIR BELKA: Uh huh. MR. O'CONNELL: We haven't charged -- We haven't 23 demanded any significant dollar investment for the 24

land, none, for both users, so we have done our part, and it's an opportunity for us to basically walk away, hope that everything works out well, and we would be at ease, knowing that these two responsible entities could take care of that property, and we wouldn't have any obligation.

And I think that's -- that's a significant benefit for the Village. We set it up. Let them do it. We did that with Quarry Shopping Center. We did that with Menards. So there is no reason why we can't do the same with this.

CHAIR BELKA: You are confident then, since this is along East Avenue and a number of families and children walk up and down that way, there would be no problems with safety during or after a rain, with water in the retention area, that could cause a problem?

The entities for Lots 1 and 2 would maintain that for all safety concerns as well. You see no issue with that?

MR. O'CONNELL: I don't see that as an issue. For an individual they would have to cross the entire lot lines of both these properties to get to that location.

When the rain is there, it still will not be -- it will be a gravel base. We will have pipelines

that will take the water from Lot 3 to the south that would go down our pipelines to enter into East Avenue sewer water -- waterlines -- storm sewer lines down East Avenue, so it will not be a hazard.

CHAIR BELKA: Okay. Very good.

Concerning Lots 1, 2 and Lot 3 as well, there does not appear to be any issues with emergency vehicles, utility access or anything else of that concern?

Is there someone here who might want to -MR. O'CONNELL: We have someone here from
Pleasantview.

Have you had a chance, Mr. Lyons, to look at the --

LIEUTENANT LYONS: I haven't looked at the site plan, but I don't think we are going to have an issue with it.

MR. O'CONNELL: There will be room for emergency vehicles to get to Lot 3, and certainly there will be room. The whole project has been designed so that access of emergency equipment will be available.

CHAIR BELKA: All right. At this point I would like to open this up to discussion. Anyone who has any issues or comments, complaints, observations, please

announce your name and ask your question or state your concern to the Village.

And feel free to do so. This is open to public discussion at this point. So please step forward and state any concerns, issues or complaints or suggestions.

TRUSTEE RICE: My name is Larry Rice.

You know what we did with Target, and Water House we have up there, we put that all under ground. Would that save you any money by doing anything like that with this outfit?

MR. O'CONNELL: That was Menards. We put Menards underground, and that cost \$750,000.

TRUSTEE RICE: Okay. Yeah, right. I thought maybe it would save some -- you know, if we could put it underground and maybe build on it or something and put a parking lot on it.

MR. O'CONNELL: The cost is prohibitive.

TRUSTEE RICE: Okay. All right.

CHAIR BELKA: Is there anyone else?

MR. O'CONNELL: How about that young man sitting next to Lieutenant Lyons? Would you like to say anything?

MAYOR CUMMINGS: I would like to say a few words.

MR. O'CONNELL: I said "the young man."

CLERK GARDNER: Mr. Cummings.

MAYOR CUMMINGS: I want to say I feel that we are so lucky, all of us working together. Here we go with our team, that we have got two perfect, I think, companies that's going to be coming in here for that location.

So thank each and every one of you here and everybody for working together. That's how we have accomplished what we have got is everybody working together. And I keep saying that. I know I sound like a broken record, but how well we have worked together and to bring in companies.

And companies know this. They know that we try to implement wherever we possibly can to make our business as successful as possible here in Hodgkins, and that's the reason they want to come here.

So hopefully this will work here. I am sure it will, if all of us work together as a team. Thank you.

CHAIR BELKA: Just to add a couple words to what
Mayor Cummings said. I think everyone here in the
Village, whether they realize it or not, owes a debt of
gratitude to those who have come before us who have

helped to develop and make our Village what it is in the way of business and a really wonderful place to live.

Do we have any other thoughts, questions, suggestions concerning this variance?

TRUSTEE STRUVE: I could clarify the reasons I am for Lot 3.

CHAIR BELKA: State your name please, Mr. Struve.

TRUSTEE STRUVE: Paul Struve, Trustee for the

Village of Hodgkins.

There's a lot of things that happen when you have retention ponds. We have ditches and things the Village is already responsible for, for cleaning, and it gets to be a pretty good job to keep up with all of those things.

But when you have a retention like this is going to be, which this is going to be open, as opposed to the covered ones, which Mr. Rice mentioned before, is that when they do their snow removal, things like that, debris usually ends up in those ponds and stuff like that, and if that's the entity who is putting the snow in there, if it's their facility to begin with, they have to maintain those things.

If the Village owns that, we would have to go

and probably clean up or argue with whoever it is to make sure the stuff is cleaned and maintained properly -- the cutting of the grass, the cutting of the weeds, those things like that.

If it belongs to them, it's their responsibility, and that's where I believe the responsibility really belongs. So I just wanted to clarify some of the reasons why I felt it should become part and parcel with 1 and 2 parcels, Lot 3. Thank you.

CHAIR BELKA: Thank you, Mr. Struve.

Anyone else?

INSPECTOR KOVEL: Tim Kovel, Building Inspector for the Village of Hodgkins. I have one comment that doesn't pertain to this hearing, sir.

Today I was at my dentist's office over in -it's right off of 31st Street, and he is a prominent
dentist. He lives in Hinsdale. He had been reading
the DesPlaines Valley Times, and he may be interested
in buying a lot in Hodgkins.

So I think that anybody who is affiliated with Hodgkins and what we have done here, for somebody of that type of prominence -- he lives in Hinsdale right now, as we speak, and he was considering buying a

lot here, and he was speaking to me about what a great 1 town we live in, and he has heard such good things 2 about it. I wanted everyone here to know that. 3 4 MR. O'CONNELL: Is he a good dentist? 5 INSPECTOR KOVEL: Oh, yeah. 6 7 Village, if there was more residential in the Village. 8 9 10 11 speak up. Blessed silence. 12 13 14 just stated?

CHAIR BELKA: Just to reiterate what Mr. Kovel said, I also know people who would love to move to the

Do we have anyone else? Any other suggestions, comments, observations? Feel free to

Mr. O'Connell, could you give us a quick overview, a synopsis, brief synopsis of what you have

MR. O'CONNELL: This plat that everybody has before them features three lots. We discussed what we want to do with Lot 3.

Lots 1, 2 and 3 is a -- has been a collective effort over the past five years to make a development out of -- a commercial development out of property that sat idle and vacant for 50 years. So this is a major, major development for Hodgkins, that matches anything that we have done in the prior 30 years.

So what you are looking at and what you are

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voting on is essentially the final -- almost the final development along East Avenue, which is what our Comprehensive Plan had envisioned 30 years ago, is that, do something about the east side of East Avenue, and this is a major stepping stone to achieving the goals of our Comprehensive Plan.

CHAIR BELKA: So if I understand correctly, the only issue that might be in question is Lot 3, which, instead of having the Village own it or maintain the retention, it would be retained by the property owners of the Lots 1 and 2; correct?

MR. O'CONNELL: That is absolutely correct, Mr. Chairman.

And it does not change the PUD that you would be voting on for recommendation. That is something that we would have to deal with the owners, but as far as the recommendation vote that the ZBA would be making tonight, it really doesn't matter.

CHAIR BELKA: Very good. Thank you, Mr. O'Connell.

Once again, do we have any other comments?

All right. At this time I would like a recommendation to bring this to a vote.

MR. O'CONNELL: We need a motion.

1	CHAIR BELKA: Can someone here recommend
2	MR. O'CONNELL: We need a motion.
3	CHAIR BELKA: Oh, a motion. I would like a motion
4	to bring this to a vote please.
5	COMMISSIONER SALERNO: I will first.
6	CHAIR BELKA: Very good. Do I have a second?
7	COMMISSIONER URBAN: I will second.
8	CHAIR BELKA: All right. Very good. We will go
9	ahead and bring this to a vote, whether or not to
10	approve or disapprove of this recommendation.
11	Just to let people know, this is a
12	recommendation which we make to the Trustees of the
13	Village. This is not a final vote. We make this
14	recommendation to the Trustees, whether yea or nay, and
15	the Trustees have the final vote of approval.
16	All right. Can we go ahead and proceed with
17	the vote?
18	CLERK GARDNER: Mr. Belka?
19	CHAIR BELKA: Yes.
20	CLERK GARDNER: Mr. Buralli?
21	COMMISSIONER BURALLI: Yes.
22	CLERK GARDNER: Mr. Mayer?
23	COMMISSIONER MAYER: Yes.
24	CLERK GARDNER: Mr. Salerno?

1	COMMISSIONER SALERNO: Yes
2	CLERK GARDNER: Mr. Urban?
3	COMMISSIONER URBAN: Yes.
4	CHAIR BELKA: We have it then. It is unanimous
5	with the Zoning Board of Appeals that we recommend that
6	this go ahead and proceed forth, as is stated by
7	Mr. O'Connell.
8	Do we have any other comments, questions
9	before the Zoning Board of Appeals at this point?
10	Very good. If there are no other comments,
11	could I have a motion that we close this proceeding?
12	COMMISSIONER MAYER: Motion to close.
13	COMMISSIONER SALERNO: Second.
14	CHAIR BELKA: We have voted to recommend what
15	Mr. O'Connell here has suggested for Lots 1 and 2, with
16	the Lot 3 being maintained by the property owners of
17	Lot 1 and 2.
18	Have a good evening. We are closed. Thank
19	you
20	MR. O'CONNELL: Thank you.
21	CHAIR BELKA: for your participation.
22	MR. O'CONNELL: Thank you.
23	(Proceedings concluded at
24	7:33 p.m.)

I, LYN DOERING, Certified Shorthand Reporter 1 and Notary Public in and for the State of Illinois do 2 3 hereby certify that the foregoing proceedings were reported stenographically by me, was thereafter reduced 4 to a printed transcript by me, and constitutes a true 5 record of the testimony given and the proceedings had; 6 7 That I am not a relative or employee or attorney or counsel, nor a relative or employee of such 8 attorney or counsel for any of the parties hereto, nor 9 interested directly or indirectly in the outcome of 10 11 this action. 12 IN WITNESS WHEREOF, I do hereunto set my hand at Chicago, Illinois, this 23rd day of January, 2017. 13 14 15 16 17 and Reporter State of Illinois 18 CSR License No. 084-003037 19 20 21 22 23 24

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