

**VILLAGE OF HINCKLEY
ZONING BOARD OF APPEALS
&
PUBLIC HEARING
MEETING MINUTES
DECEMBER 5, 2022**

CALL TO ORDER:

The meeting was called to order by Chairman Pritchard at 7:00PM

ROLL CALL:

Chairman Robert Pritchard, Sharlene Thomason, Rebecca Von Drasek, Jennifer Klambauer, John McFarland, Steve Kreitzer, Matt Bish, Quorum Established.

ABSENT:

None

ALSO PRESENT:

Attorney Tate Lundgren, and members of the Public.

PLEDGE OF ALLEGIANCE:

The Pledge of allegiance to the flag was recited.

APPROVAL OF THE AGENDA:

Chairman Pritchard asked for an amended agenda so the minutes from the November 7, 2022 Public hearing may be approved. Rebecca Von Drasek made the motion to approve the modified agenda which was seconded by Jennifer Klambauer.

ROLL CALL:

Robert Pritchard- Aye, Sharlene Thomason- Aye, Rebecca Von Drasek- Aye, Jennifer Klambauer- Aye, John McFarland- Aye, Steven Kreitzer- Aye, Matt Bish- Aye, Motion Carried

APPROVAL OF THE ADMENDED NOVEMBER 7, 2022 MINUTES

Chairman Pritchard asked for a motion to approve the corrected minutes, Rebecca Von Drasek made the initial motion and was seconded by Steven Kreitzer.

ROLL CALL:

Robert Pritchard-Aye, Sharlene Thomason-Aye, Rebecca Von Drasek-Aye, Jennifer Klambauer-Aye, John McFarland-Aye, Steven Kreitzer-Aye, Matt Bish-Aye, Motion Carried

PUBLIC COMMENT (On Non - Agenda Items)

None

A REQUEST FOR A ZONING VARIANCE SPECIFIC TO REQUIRED PARKING SPACES PER APENDIX A, ARTICLE 9, SEC D OF THE VILLAGE OF HINCKLEY ZONING CODE. VARIANCE REQUEST SPECIFIC TO THE FOLLOWING PROPERTY LOCATED IN HINCKLEY, ILLINOIS 60520:

PIN 15-1440003

Legally described as: LOT 2 – HINCKLEY BUSINESS PARK – UNIT 2A (EX ROW)

Petitioner: Hinckley DG, LLC, James Kirk Farrelly

PROCEDURE:

i: Open Hearing

Chairman Pritchard opened the hearing by detailing the location and the variance requested where he advised Travis Munn will speak on behalf of the Dollar General.

Travis Munn:

The Dollar General is proposing a 10640 SQ ft. retail store. Village Code requires 53 total parking spaces, Dollar General is seeking 40 total parking spaces. Dollar General has conducted market research and believes 40 spaces would be sufficient for a store of this size & the demographics of the area. Dollar General is requesting a deduction because they do not need the parking spaces and to reduce the amount of asphalt.

ii: Comments from Village Staff

Deputy Clerk Weibler advised the Village received an email which will be read by Clerk Losiniecki during the public comment

iii: Public Comment

Clerk Losiniecki read an email she received from resident Tim Badal. Mr. Badal's email (in summary) related that he does not support the Dollar General in Hinckley for a few reasons (1) Number of stores in the neighboring towns, (2) creation of an oversaturation on the community for grocery needs (3) Unfair competition due to a large corporation with no local ties to the community.

Tim Hannan:

Owner of Hinckley Fresh Market, Mr. Hannan is not against competition, but questions how the Dollar General Engineers experience would override the judgement of previous village boards on parking spaces. Chairman Pritchard asked Mr. Hannan if in his experience does he need all the store's parking spaces. Mr. Hannan advised he could use fewer parking spaces, but during Covid he needed the extra spaces & understands why the parking ordinance is in existence.

Dale Quindt:

Mr. Quindt advised he has seen Dollar General in smaller communities where they are a benefit, but the benefit will not be felt in a village the size of Hinckley. Mr. Quindt feels the board should reject the variance request.

Carolyn Rooney:

Ms. Rooney advised she has seen documentary's where Dollar General put small grocery stores out of business and is not in favor of a dollar General in Hinckley

Larry Menz:

Mr. Menz advised it is unsafe without sidewalks and crosswalks. Only one driveway will make it unsafe Due to semi-trucks entering the parking lot. Mr. Menz further related the Dollar General will put the local Grocery store out of business, will not increase sales tax revenue & will not support local events .

Nicholas Kliese:

Mr. Kliese related he enjoys living in this community and does not see a benefit of a Dollar General in Hinckley.

Andy Hayward:

Mr. Hayward stated he is confused on whether the topic is Dollar General coming into the village or parking spaces. The village should provide a safe passage i.e. Sidewalks, crosswalks, & installing lights if needed.

Tricia Troyer:

Stated she would like the village to compare Dollar General stores to the Hinckley Fresh Market; Dollar General is sloppy and messy.

William Badal:

Is The Owner of 5B's Catering and moved the catering company to Hinckley due to the local grocery store. Mr. Badal owned an IGA store in Waterman and when Casey's moved into Waterman he had to close the store. Mr. Badal believes that due to his experience the Dollar General will put the local grocery store out of business.

Travis Munn:

Stated he respects & understands all the public comments. Mr. Mun advised there is only one driveway due to the subdivision plat. Every property is required to share access with the adjacent property. The reduction is based on market research due to quick in & out customers. Dollar General is attempting to be good stewards of design and expansion of excess asphalt.

Rebeca asked if Dollar General provided storm water management plans, Mr. Mun advised they have not a completed storm water design, they wanted to apply for the variance first. Rebecca asked if the village engineer reviewed any plans, then asked if a photometric plan had been provided. Mr. Munn advised that would be in the next step with the site plan review. Rebeca asked why the parking stalls are larger than required. Mr. Munn advised the larger parking spaces are due to larger vehicles & Dollar General internal code. Mr. Munn advised that the zoning is B-3 and a "by right" use and the parking is the only variance requested; if Dollar General did not request the variance, they would have gone to a site plan review. Mr. Mun advised the storm water features have been constructed for the entire development and drains easterly to a detention pond behind 84 lumber which is a shared basin and a document does exist that states they will assist in the maintenance of the basin.

Tim Hannan:

Stated the parking lot is not only for customers it's also used for vendors.

iv: Close Hearing

Hearing Closed

v: Questions and Comments from ZBA Members

Steven Kreitzer stated that the issue is parking spaces and as a board we do not have a right authorize them opening or not opening. If the board grants the variance other business will be asking for variances as well. McFarland stated when he was at Michael's (Hinckley Fresh Market) were people left their vehicles in the parking lot while they went on a field trip. He also stated that the amount of money that stays in the community with the Hinckley Fresh Market may be higher than that of the dollar general. And the amount of people employed and hourly payrate should also be considered. Rebecca Von Drasek stated she does not care for the site design, there's no landscaping, lighting information and nothing in the design that details a hardship other than the expense. Rebecca wants to see the overall site plan, which may require additional variances & does not trust the storm water management that was constructed in 2002. Rebecca further related that most of the comments were not relevant to the variance, but it is important for the community think about future development. Jennifer Klambauer understands the variance is only about parking spaces but she wants Dollar General to understand and hear the citizens of Hinckley.

vi: **Action for Recommendation of ZBA**

Chairman Pritchard asked for a motion To Approve a request for a zoning variance specific to the required parking spaces per Appendix "A" Article "9" Section "D" of the Village of Hinckley Zoning Code, from 5 spaces to 4 spaces per 1000 sq feet. Steven Kreitzer made the motion which was seconded by John McFarland

ROLL CALL:

Robert Pritchard-Nay , Sharlene Thomason- Nay, Rebecca Von Drasek- Nay, Jennifer Klambauer- Nay, John McFarland- Nay, Steven Kreitzer- Nay, Matt Bish- Abstained, Motion Failed

Adjournment:

Chairman Pritchard asked for a motion to adjourn which was made by Rebecca Von Drasek and seconded by Jennifer Klambauer with an all-in favor vote to adjourn.

Robert Pritchard, Chairman

John P. Weibler, Deputy Clerk