



## Village of Hanover Park Administration

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### VILLAGE OF HANOVER PARK DEVELOPMENT COMMISSION REGULAR MEETING Municipal Building, Room 214 Hanover Park, IL Thursday, February 12, 2015 7:00 p.m.

**1. CALL TO ORDER: ROLL CALL**

Chairperson Wachsmuth called meeting to order at 7:01 p.m.

PRESENT: Commissioners: Arthur Berthelot, Scot Neil, Patrick Watkins,  
Mark Mercier, Chairperson Virginia  
Wachsmuth

ABSENT: Commissioners: James Aird, Gary Rasmussen

ALSO PRESENT: Director Shubhra Govind, Village Planner  
Katie Bowman, Secretary Kathleen  
Arnold, Inspector Tom Hatzold

**2. PLEDGE OF ALLEGIANCE:**

**3. ACCEPTANCE OF AGENDA:**

Motion by Commissioner Berthelot, seconded by Commissioner Mercier.

**Voice Vote:**

**All AYES.**

**Motion Carried:** Agenda Accepted.

**4. PRESENTATIONS/REPORTS:** None.

**5. APPROVAL OF MINUTES:**

**5-a.** Regular meeting Minutes of December 11, 2014.

Motion by Commissioner Berthelot to approve the Minutes of December 11, 2014,  
seconded by Commissioner Mercier.

**Voice Vote:**

**All AYES.**

**Motion Carried:** Approved the Minutes of December 11, 2014.

6. **ACTION ITEMS:**

- 6-a. **Public Hearing:** to consider a request by Padraic O'Neil, of Physician's Immediate Care, for a Variance from the Village of Hanover Park Zoning Ordinance requirements to allow the addition of a tenant panel to Menard Center's southern monument sign on Irving Park Road – for said tenant located at 7425 Barrington Road, Hanover Park, Illinois. – **Application Withdrawn**

**Village Planner Bowman:** Application withdrawn. Request will be submitted for a future meeting.

- 6-b. **Public Hearing:** to consider a request by the Village of Hanover Park for a text amendment to the Zoning Ordinance related to regulations pertaining to pawnbrokers, payday loans, title loans, Cash for Gold and other similar uses, throughout the Village.

**Chairperson Wachsmuth:** Entertained a motion to Open the Public Hearing. Motion by Commissioner Berthelet to open the Public Hearing, seconded by Commissioner Neil.

Voice Vote:

All AYES.

Motion Carried: Public Hearing Opened.

**Village Planner Bowman** presented a summary of the request before the Commission. Proposed new regulations, a map of locations of current businesses, table containing a survey of regulations in surrounding communities, past ordinances, and Draft Findings of Fact were presented to the Commission.

The Public Notice was published in the *Daily Herald* on January 29, 2015.

**Chairperson Wachsmuth** invited any attendees up to the podium to speak on this subject: None present.

**Commissioner Berthelet** read a prepared statement to commission: See attached Exhibit 4. In addition to his statement, he noted that he finds the concentration of these businesses to be a good thing, as it will encourage that they have more competitive rates and offer customers more choices. Feels the operations of the businesses should be regulated, rather than their locations.

**Commissioner Neil** no questions or comments.

**Co- Chair Mercier** confirmed the current zoning classification of the businesses being discussed. Questioned whether property title loans were offered in addition to payday loans.

**Commissioner Watkins** questioned what the reasoning is for the 1,000 ft distance separation. Staff responded that the separation was to prevent the geographic concentration of the businesses in an area.

**Chairperson Wachsmuth** questioned if this would impact existing businesses. Stated that the regulations are not a bad idea for concentration purposes. Staff responded that the regulations would apply to new businesses and expanding businesses.

Commissioners Watkins and Wachsmuth noted that they supported the way in which the proposed regulations do not prohibit these uses, but ensure that they are not concentrated in an area and provide the special use process to address their impacts.

Staff also asked Commissioners for any feedback on whether the total number of ‘alternative loan’ businesses should be limited and whether additional business license fees should be charged. It was noted that while such matters are not a part of Zoning Regulations or under the purview of the Development Commission, the Board may consider these types of regulations.

The majority of Commissioners did not find that a maximum number of businesses are necessary. They did not have any feedback on permit fees.

**Chairperson Wachsmuth** entertained a motion to close the Public Hearing. Motion by Commissioner Berthelot, seconded by Commissioner Mercier.

Voice Vote:

All AYES.

Motion Carried: Public Hearing Closed.

**Village Planner Bowman** presented the Draft Findings of Fact and recommendations to the Commission.

**Chairperson Wachsmuth** entertained a Motion to approve the Draft Findings of Fact, as amended to note Commissioner Berthelot’s written statement, Motion by Commissioner Berthelot, seconded by Commissioner Watkins.

**Roll Call Vote:**

AYES:	Commissioners:	Berthelot, Neil , Mercier, Watkins, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Aird, Rasmussen

**Motion Carried:** Approved the Draft Findings of Fact as amended.

**Chairperson Wachsmuth** entertained a Motion to recommend approval of request for a text amendment to the Zoning Ordinance related to regulations pertaining to pawnbrokers, payday loans, title loans, Cash for Gold and other similar uses, throughout the Village, as approved in the Draft Findings of Fact and conditions as per staff report, and forward to the Village Board for their consideration.

Motion by Commissioner Mercier to recommend approval of a text amendment to the Zoning Ordinance forward to the Village Board for their consideration, seconded by Commissioner Watkins.

**Roll Call Vote:**

AYES:	Commissioners:	Mercier, Watkins, Chairperson Wachsmuth
NAYS:	Commissioner:	Berthelot, Neil
ABSENT:	Commissioners:	Aird, Rasmussen

**Motion Carried.** Recommend approval.

- 6-c. **Public Hearing:** to consider a request by the Village of Hanover Park for a text amendment to the Zoning Ordinance Section 110-5.9 B-2 Local Business District by adding gymnastic schools as permissible use, throughout the Village.

**Chairperson Wachsmuth:** Entertained a motion to Open the Public Hearing. Motion by Commissioner Berthelet to open the Public Hearing, seconded by Commissioner Neil.

Voice Vote:

All AYES.

Motion Carried: Public Hearing Opened.

**Chairperson Wachsmuth** invited any attendees up to the podium to speak on this subject: None present.

**Director of Community & Economic Development Govind** presented a

summary of the request before the Commission and Draft Findings of Fact.

The Public Notice was published in the *Daily Herald* on January 29, 2015.

**Chairperson Wachsmuth** entertained a motion to close the Public Hearing. Motion by Commissioner Berthelot, seconded by Commissioner Mercier.

Voice Vote:

All AYES.

Motion Carried: Public Hearing Closed.

**The Commissioners had no questions or comments and were supportive of the proposed text amendments.**

**Chairperson Wachsmuth** entertained a Motion to approve the Draft Findings of Fact. Motion by Commissioner Berthelot, seconded by Commissioner Watkins.

**Roll Call Vote:**

AYES:	Commissioners:	Berthelot, Mercier, Neil, Watkins, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Aird, Rasmussen

**Motion Carried:** Approved the Draft Findings of Fact.

**Chairperson Wachsmuth** entertained a Motion to recommend approval of a text amendment to the Zoning Ordinance Section 110-5.9 B-2 Local Business District by adding gymnastic schools as permissible use, throughout the Village and forward to the Village Board for their consideration.

Motion by Commissioner Berthelot to recommend approval of a text amendment to the Zoning Ordinance and forward to the Village Board for their consideration, seconded by Commissioner Neil.

**Roll Call Vote:**

AYES:	Commissioners:	Berthelot, Neil, Mercier, Watkins, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Aird, Rasmussen

**Motion Carried:** Recommended approval.

7. **TOWNHALL SESSION:** None.
8. **OLD BUSINESS (NON-ACTION ITEMS:** None
9. **NEW BUSINESS (NON-ACTION ITEMS):**
  - 9-a. **Director of Community & Economic Development Govind**
    1. **Village adopts new Building Codes** – Building codes have been updated to the 2012, International model building codes, unless as otherwise noted.
    2. **ComEd Monopole 5881 County Farm Road** – Village Board approved request for monopole at this location with the condition that the driveway be paved, consistent with requirements on similar properties in the past.
    3. **Homes for a Changing Region** – Kick off meeting held. When updates are ready they will be sent to the Commission.
    4. **Ribbon Cuttings** – Los Comales held a ribbon cutting/grand re-opening on Monday, February 9, 2015.
    5. **Fallas Discount Stores** – Soft opening scheduled for February 12, 2015 with a ribbon cutting in several weeks.
    6. **Business After Hours** – event is this Tuesday, February 17, 2015 from 5:00 – 7:00 p.m. at Village Hall.
    7. **1850 Army Trail Road** – Old Wendy’s is getting a facelift and a new restaurant will be opening soon.
    8. **Medical Marijuana** – To date we have not received any applications only inquiries.
10. **ADJOURNMENT:**

Motion by Commissioner Berthelot, seconded by Commissioner Neil.  
**Voice Vote:**  
**All AYES.**  
**Motion Carried:** Meeting adjourned at 7:50 p.m.

Recorded and Transcribed by:



**Kathleen Arnold, Secretary**  
this 12<sup>th</sup> day of February, 2015



**Virginia Wachsmuth, Chairperson**

*Mark T. Mercer*

February 12, 2015 Development Commission Meeting

I spent the better part of this past weekend, literally hours, reading and rereading my packet in preparation for tonight's meeting. Agenda item 6-b has a stench about it that is unbecoming of our Village in general and our voting bodies in particular. In a Free America people make decisions and take risks to start their businesses based on criteria ranging from filling a particular need to demographic studies. With a few exceptions I would guess our population to be mostly middle class to poor. We are not a wealthy community. As for the former I would submit to you that there has never been a greater need for these services than during this depressed Obamaconomy period (and I lived through the Nixon/Ford/Carter era). Imagine if you will a person renting an apartment, maybe sharing expenses so as to have a little spending money left from their meager paycheck, and their car breaks down and he or she can't come up with a couple hundred extra bucks NOW to get the car back. I don't think I've ever heard of a bank making any on the spot loans.

In the first paragraph of the Discussion section on page 1 it is stated "... the proliferation of such businesses has generally been found to bring a negative image to the areas in which they are located..." I would like to see the evidence, as in documents or study results that would back up such an outrageous statement. We have building codes that regulate appearance, including signage.

On the 2<sup>nd</sup> page someone assembled a ridiculous list of 10 businesses that lends me to believe that that particular someone is trying to get rid of T-Mobile or Gamestop Inc. And then there is the very last paragraph on the same page citing "The Zoning Code" with no compelling reason to change it.

On the top of page 3 it reads Staff Recommendation. While I usually agree and go along with the recommendations, there have been a few instances of disagreement. For example the Medical Marijuana and D license plate fiascos. However, this time I feel our government has overstepped its authority and crafted a way, if passed, in which to create a precedent in order to pick and choose winners and losers in our private sector now and in the future. I believe this practice has been reserved solely for the present occupant of the White House.

Just below the middle of the page it reads "The following regulations are recommended in order to better **manage** 'alternative loan' businesses" and then goes on to add definitions and regulations which could easily be construed as hoops that I see as obstacles to ensure these very necessary businesses go away.

While it can be helpful at times to reference what other surrounding communities are doing with certain given situations it is by no means a definitive way to ascertain the best practices to handle anything. In the years that I've sat on this commission this is the first time I've ever seen the morally and financially bankrupt city of Chicago referenced. Someone had to reach into the pit of muck beyond the elbow to find the proposed 1,000 foot buffer. Let's look at a 5 suite strip mall building and we'll put in Midwest Title Loan, Diamond Jewelry & Loan, T-Mobile, Gamestop Inc., and Rerun Trading Post. Question: What's wrong with this picture? Answer: **Absolutely Nothing**. Exhibit 2 needs to be totally discarded.

I don't necessarily detect anything sinister on the part of our staff but I know it can be hard to think about things in dynamic terms. Therefore, what we are seeing here is the presentation of a government solution in search of a problem. As commissioners we are asked to make decisions that will benefit our villages' people and businesses and as such say no to dangerous intervention. On page 1 under Background there are 3 questions posed for our consideration. I urge all commissioners to vote no to all 3 and leave everything as it is presently.

Commissioner Art Berthelot