

VILLAGE OF GURNEE  
JOINT PUBLIC HEARING  
OF THE  
PLAN COMMISSION  
AND  
ZONING BOARD OF APPEALS

PUBLIC HEARING

held

June 17, 1998

7:30 PM

GURNEE MUNICIPAL BUILDING

325 North O'Plaine Road

1 PLAN COMMISSION:

2 DONALD RUDNY, Chairman

3 JIM SULA

4 CARL CEPON

5 LYLE FOSTER

6 BILL SMITH

7 BRYAN WINTER

8

9 ZONING BOARD OF APPEALS:

10 TOM HOOD, Chairman

11 ROBERT McDOWELL

12 BILL FINN

13 FRANK PAPP

14 ED CLARK

15

16

17 ALSO PRESENT:

18 JON WILDENBERG

19 TRACY VELKOVER

20 BARBARA SWANSON

21 BUTCH MAIDEN

22

23 Reported by: SANDRA K. SMITH, CSR, RPR

24 CSR License No. 084-003104

3

1 CHAIRMAN RUDNY: The Village of Gurnee  
2 Plan Commission and Zoning Board of Appeals meeting  
3 will now come to order. Can we have the roll call,  
4 please.

5 MS. VELKOVER: Winter.

6 MR. WINTER: Here.

7 MS. VELKOVER: Foster.

8 MR. FOSTER: Here.

9 MS. VELKOVER: Smith.

10 MR. SMITH: Here.

11 MS. VELKOVER: Sula.

12 MR. SULA: Here.

13 MS. VELKOVER: Kovarik.

14 (No response.)

15 MS. VELKOVER: Absent.

16 Cepon.

17 MR. CEPON: Here.

18 MS. VELKOVER: Rudny.

19 CHAIRMAN RUDNY: Here.

20 MS. VELKOVER: Marsinski?

21 (No response.)

22 MS. VELKOVER: Absent.

23 MS. VELKOVER: Clark.

24 MR. CLARK: Here.

4

1 MS. VELKOVER: Finn.

2 MR. FINN: Here.

3 MS. VELKOVER: Papp.

4 MR. PAPP: Here.

5 MS. VELKOVER: McDowell.

6 MR. McDOWELL: Here.

7 MS. VELKOVER: Amundsen.

8 (No response.)

9 MS. VELKOVER: Absent.

10 Hood.

11 CHAIRMAN HOOD: Yes.

12 CHAIRMAN RUDNY: Okay. The matter

13 tonight before us is a public hearing, Six Flags

14 Theme Parks, Inc. and Prism Development Company,

15 L.L.C.

16 This public hearing is to consider

17 the proposed amendment to the text Section 6.2.3 of

18 the Gurnee Zoning Ordinance entitled Special Uses

19 in the I-2 General Industrial District to add as a

20 special use, quote, indoor and outdoor theme parks

21 that are developed under a unified development plan  
22 encompassing a site of 100 or more acres which  
23 theme parks may include employee housing facilities  
24 that are accessory to and under common ownership or

5

1 unified control with such theme parks and/or for  
2 another theme park situated in a C/S-1 Outdoor  
3 Recreation District in the vicinity of the theme  
4 park for which the special use is being granted.

5 I think, Mr. Francke, would you  
6 like to explain what you're trying to do here.

7 MR. FRANCKE: Yes.

8 CHAIRMAN RUDNY: I guess before we start  
9 it is a public hearing so anyone who will be giving  
10 testimony in this matter for this particular  
11 hearing and also the floor will be open to the  
12 public so anyone who wishes to make comments or ask  
13 questions -- and I might indicate to you this is  
14 strictly on the text amendment, this isn't to  
15 approve or forward favorable or unfavorable  
16 recommendations regarding the development. It is  
17 strictly for a text amendment. It's a procedural  
18 thing.

19 But anyone who wants to make a

20 comment on it or ask a question you need to stand  
21 and be sworn in by the Village Attorney at this  
22 time.

23 UNIDENTIFIED SPEAKER: Anybody who wants  
24 to make a comment?

6

1 CHAIRMAN RUDNY: This is just on the  
2 hearing for the text amendment. We will -- at a  
3 later time we will have the presentation on the  
4 development itself, the concept and what they're  
5 trying to do. That's a different public hearing.

6 And we'll -- hopefully this will be  
7 explained. But you will have an opportunity later  
8 in the evening to make comments or ask questions  
9 regarding the proposal itself. This hearing is  
10 strictly on a text amendment.

11 It's a procedural thing. It's the  
12 way they're trying to get the zoning and the proper  
13 legalese to do this. It's the method of petition  
14 and Mr. Francke will be explaining that.

15 But if you wish to make a comment  
16 or ask a question on that particular matter you can  
17 and you can stand and be sworn in.

18 (Witnesses sworn.)

19 CHAIRMAN RUDNY: Okay. Mr. Francke,  
20 please proceed.

21 MR. FRANCKE: Thank you, Mr. Chairman.  
22 Mr. Chairman, Members of --

23 CHAIRMAN RUDNY: Could you use the  
24 microphone, please.

7

1 MR. FRANCKE: Sure.  
2 Members of the Commission, Members  
3 of the Zoning Board, Ladies and Gentlemen, thank  
4 you very much for giving me this opportunity on the  
5 floor.

6 I know that we are about to  
7 commence a potentially extended and lengthy process  
8 and as we go through the process I am sure that a  
9 number of items and issues and concepts will be  
10 discussed and there will be agreements and  
11 disagreements.

12 I'm very pleased that I'm sure one  
13 thing we can all agree with at the beginning of  
14 this hearing is that there was no game seven.

15 What I would like to say, I'm very  
16 pleased to be before you this evening on behalf of  
17 Six Flags Theme Parks, Inc. and Prism Development

18 Company, L.L.C. on a very exciting application for  
19 the Village of Gurnee.

20 This project which has already  
21 received quite a bit of attention in the press and  
22 it has been the subject matter of the citizens blue  
23 ribbon committee process has the potential to be  
24 one of the pivotal developments for the Village of

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1 Gurnee and for the history of the Village and we  
2 think it's a very exciting project and a great  
3 opportunity.

4 Believe it or not, we are trying to  
5 not do this from a legal and technical standpoint  
6 in a complicated way. But needless to say, I think  
7 if you -- if you review the notice perhaps and our  
8 substantial application materials it is easy to see  
9 how this could be perceived to be somewhat  
10 complicated but we are trying to do this in really  
11 what we perceive to be the simplest way possible.

12 As the Chairman indicated, really  
13 two public hearings have been noticed up under your  
14 Zoning Ordinance. And I'd like to, if I could,  
15 give a brief background as to what the basis is for  
16 the two public hearings.



17           The Chairman has just opened the  
18 floor to the first public hearing. And as he  
19 indicated, this is a public hearing on an amendment  
20 to the text of the Village's Zoning Ordinance. And  
21 in particular it's to the provisions of the I-2  
22 Industrial District -- I think it's Light  
23 Industrial District provisions of the Village's  
24 Zoning Ordinance.

9

1           The property that we are speaking  
2 about this evening, again I believe most people are  
3 familiar with it, is a 134 acre parcel situated to  
4 the west of the Tri-State Tollway and north of  
5 Washington. It has been commonly known over the  
6 years as Phase II or the south half perhaps of the  
7 Tri-State Industrial Park. And that property is  
8 currently zoned in the I-2 District.

9           It is the subject matter of an  
10 existing special permit for an office and  
11 industrial plan development. This is zoning that  
12 exists today on this property.

13           What we have been working on  
14 internally with our clients for a very long period  
15 of time is not just the development concept for

16 this property but the most efficient way to legally  
17 establish both the zoning entitlements for the  
18 property on behalf of the property owner and the  
19 developers of the property at -- but also the best  
20 mechanism for assuring the Village the greatest  
21 level of comfort and control and zoning regulation  
22 as this development proceeds because it is  
23 anticipated, needless to say, that this is -- this  
24 is not a typical development that approvals are

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1 granted and in two months or six months or a year  
2 it's all built and done. We anticipate that this  
3 will be built out over a period of time.

4           So we had to analyze the different  
5 possibilities for legally establishing how this  
6 development process would -- this project could  
7 proceed.

8           Again, as a matter of legal  
9 technicality, there is no one way or one right way  
10 to do it. We have proposed a way and the way that  
11 we think achieves those two goals that I mentioned,  
12 the two objectives I mentioned before, the  
13 Village's objectives and the property owners and  
14 developers' objectives and we think that is one

15 way.

16 We think it is a very clean, simple  
17 way to do it; but it's not necessarily the only  
18 way. So the first public hearing -- well, let me  
19 take a step back.

20 That way, this mechanism that we  
21 have proposed and what we have applied for is this  
22 proposed amendment to the existing regulations of  
23 the I-2 District of the existing Zoning Ordinance  
24 of the Village.

11

1 The reason that we have done that  
2 is we are also proposing that some of the uses that  
3 are contemplated by the development concept that we  
4 wish to discuss with you this evening which are  
5 really more the focus of the second public hearing  
6 cannot be established under either the existing  
7 special permit that exists for the Tri-State  
8 Industrial Park which as I indicated before  
9 currently governs this property.

10 And let me just repeat that. The  
11 uses that you've heard talked about at the blue  
12 ribbon committee meetings, that you've read about  
13 in the paper, some of those, not all of them, some

14 of those uses could be established today under the  
15 existing special permit under the existing zoning.  
16 Many of the uses can. But some of them cannot  
17 legally be established.

18 And so we have proposed initially  
19 amending the special permit, the existing Tri-State  
20 Industrial Park special permit to allow those uses  
21 as part of the zoning, if you will, for the  
22 property. So we have -- that was our initial  
23 request.

24 But from a legal technical

12

1 standpoint you can't really just amend in our  
2 opinion the special permit for the property if the  
3 underlying zoning district doesn't allow you to do  
4 that, doesn't allow you to have the types of uses  
5 we're proposing even though the specific special  
6 permit gives you that right.

7 So for as an -- let me give you an  
8 example. Everyone knows we are proposing a new  
9 theme park as part of our development concept this  
10 evening, that Six Flags has been proposing a new  
11 theme park, a water park on this property.

12 What I am -- what I am saying is I

13 don't believe it would be sufficient to simply  
14 amend the existing Tri-State special permit  
15 assuming the Village was amenable to it to just  
16 amend that special permit and say the theme park is  
17 a permitted use or a special use under the special  
18 permit for the Tri-State Industrial Park.

19           It was our understanding or it is  
20 our understanding and belief that first the  
21 underlying I-2 District would have to indicate that  
22 a water park is a possible special use and then --  
23 so they would amend the basic Zoning Ordinance  
24 provisions to make it possible and then it might or

13

1 might not be the Village's druthers on this  
2 specific piece of property to grant it.  
3           So there's two separate things that  
4 we have asked for in our application. We've asked  
5 for the amendment to make it possible and then  
6 we've asked for the site specific right to -- or  
7 we've actually asked for it as a special use.  
8           We've asked for a special use or a  
9 special permit within a special permit so to speak.  
10 And that is in effect what would be the subject  
11 matter in large part of the second public hearing.

12           Keep in mind what I said before, we  
13 believe we've done this in the simple way. So I  
14 hope that in my explanation I'm not making it sound  
15 like it's complicated, although as I'm saying it  
16 I'm beginning to think maybe you think it might be  
17 complicated.

18           But this is -- I just want to  
19 explain this is why we have proceeded in this  
20 fashion. We're trying to establish the underlying  
21 basis for it and then later on we are going to ask  
22 on the site specific basis for you to consider the  
23 granting of this special permit.

24           The first issue, that is the

14

1 amendment to the text of the special -- the  
2 amendment to the text of the I-2 District requires  
3 a public hearing before all of you. And that is  
4 the public hearing that has been called for  
5 initially. And that is what was referred to in the  
6 public notice.

7           The second public hearing which is  
8 to grant the specific special permit for this  
9 property or these special permits, these special  
10 permits for this property again is the subject

11 matter of a separate public hearing that would be  
12 within the purview of the Plan Commission. But one  
13 can't happen without the other.

14           And it seems to us as we stand --  
15 as I stand here right now that it's -- it would be  
16 very difficult for us to get into this general  
17 discussion of should the overall provisions of the  
18 I-2 District, the general provisions of the I-2  
19 District be amended as we've proposed in this text  
20 amendment without going into the details of what  
21 we're proposing in particular on our property.

22           So what I would like to request, if  
23 it is acceptable to you, all of you, is that we do  
24 what I would consider to be better and perhaps

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1 better for the public which is to walk through the  
2 specifics of our development proposal.

3           In effect, adjourn -- not conclude  
4 and not continue, but adjourn the public hearing on  
5 the text amendment which again is a public hearing  
6 before all of you, in effect put it aside  
7 temporarily, temporarily and open the public  
8 hearing on the specific proposal that we have made  
9 for the property so that when you bring back the

10 consideration of the text amendment it's within the  
11 context of what we have been proposed as opposed to  
12 a philosophical discussion of should this text  
13 amendment be approved.

14           Let me state what is perhaps also  
15 obvious. We are not looking for any vote on either  
16 issue or as a result of either public hearing this  
17 evening. We understand that this is a very  
18 significant project. We understand that it has  
19 very complicated issues and that both public  
20 hearings are in effect dovetailed together and  
21 connected to each other.

22           We understand that and that is why  
23 they are in our book in one application. We  
24 understand that.

16

1           So we look forward tonight and we  
2 look forward in our future meetings -- and we  
3 anticipate, we fully anticipate that there are  
4 going to be additional meetings. We look forward  
5 to your input. We look forward to the citizen  
6 input in each of these meetings.

7           What I would like to do if it would  
8 be acceptable to all of you is, as I said, adjourn



9 this part, this public hearing to open -- so that  
10 we can open up the other public hearing and start  
11 walking through the details, the real details of  
12 our project and then bring back, reconvene, if that  
13 is the correct term, reconvene the other public  
14 hearing either at the end of the discussion tonight  
15 on the other public hearing if you deem it  
16 appropriate or again at that point reconvene it  
17 simply for purposes of continuing it to the point  
18 in time when you do feel it's appropriate to  
19 discuss that text amendment.

20 CHAIRMAN RUDNY: You know what, I  
21 thought of something while you were talking here.

22 If you feel that the testimony  
23 regarding the concept, the presentation that you're  
24 going to make tonight, if you feel that that's

17

1 necessary background or testimony for the first  
2 public hearing, can't you present that in the first  
3 public hearing?

4 MR. FRANCKE: Well, we could. And I  
5 suppose the other -- the answer is yes, we could.

6 At the same time, the same  
7 testimony is going to be relevant to the other

8 public hearing so that I suppose technically you'd  
9 have to give it all over again.

10 CHAIRMAN RUDNY: I see.

11 MR. FRANCKE: So maybe the answer is  
12 for -- at least for purposes of tonight is to  
13 consolidate the public hearings and have it as one  
14 public hearing for the purposes of testimony -- for  
15 the purposes of testimony.

16 CHAIRMAN RUDNY: I guess we'd have a  
17 problem in participation because the Zoning Board  
18 of Appeals would only be participating in the text  
19 amendment portion of it so that really should be a  
20 separate thing and then they would know when they  
21 could ask questions and what subject matter they  
22 could ask questions on.

23 So I suppose probably I'd have to  
24 get some input from the other Members regarding the

18

1 adjournment, but I suppose if we were going to have  
2 the presentation done first then the only -- I  
3 think the only other alternative would be to  
4 adjourn this public hearing and then open the Plan  
5 Commission meeting.

6 But I'll take input from the other

7 Commissioners and Zoning Board of Appeal Members.

8 Jim, we talked about that earlier and it sounds

9 like that might be the appropriate -- I think we

10 should take the floor questions in case there's any

11 objections to that, at least hear what would be

12 said. Open the floor to the public and see if --

13 MR. McDOWELL: See if anybody has got

14 any doubts about this at this point that may be

15 relevant.

16 CHAIRMAN RUDNY: The other thing I'd

17 like to point out is I take it your presentation is

18 going to be an hour to an hour and a half. So that

19 means there's an hour, hour and a half there. Plus

20 we're going to open the floor to the public to ask

21 questions and make comments. The Plan

22 Commissioners are going to have some comments.

23 You're going to probably have some responses.

24 We may be talking about two to

19

1 three hours from now before we would reopen the

2 joint meeting.

3 CHAIRMAN HOOD: The point is that is

4 that we need to hear a general presentation,

5 everybody has to hear it. So why can't they give

6 that general presentation.

7 MR. FRANCKE: We can.

8 CHAIRMAN HOOD: And at that point we can  
9 handle each meeting separately all having heard the  
10 same pieces of information. It's just a procedural  
11 item that we would take care of after they have  
12 presented their case.

13 CHAIRMAN RUDNY: But would we need to  
14 adjourn the meeting then or are you suggesting  
15 keeping the meeting open to make the presentation?

16 CHAIRMAN HOOD: I would keep it open and  
17 let the testimony be taken because it's a public  
18 meeting and subject to all the rules.

19 MR. FRANCKE: That's fine.

20 MR. SULA: I think we're cutting right  
21 to a conclusion here and I'm little concerned.

22 I'm not convinced that we need a  
23 text amendment. I'm a little concerned about doing  
24 a broad based text amendment to I-2 zoning in

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1 general when we're really talking about a very  
2 specific project.

3 And it would seem to me that the  
4 essence of the project doesn't need a text

5 amendment or whatever actions the Village needs to  
6 take. So I'm not necessarily sure that I buy the  
7 position. I'd like some input in general.

8 CHAIRMAN RUDNY: Can I respond to that  
9 because I agree with you, Jim. In fact, I  
10 discussed that with the Petitioner.

11 I don't think that this is the way  
12 to do it, but they have a right to request that and  
13 they would like to do that and bring it before all  
14 of the Members and then we can discuss it.

15 Now they feel it's important to  
16 make their presentation on the plan itself. I  
17 happen to agree with you. I don't think that it's  
18 a good idea to make that general text amendment,  
19 but I think that's something we need to discuss as  
20 a full committee.

21 And the question is what input does  
22 the committee need in order to make that decision.  
23 The Petitioner feels that the committee needs this  
24 presentation on the concept itself in order to make

1 that. So he can -- I mean it's his right, he can  
2 make that presentation right now.

3 And I think Tom's suggestion is a

4 good one. Let's put aside our thoughts on whether  
5 it's going to be a text amendment or a zoning  
6 change or anything like that. Let's hear the  
7 presentation. Let's then open or discuss the pros  
8 and cons of this procedure, let them make their  
9 presentation.

10 MR. SULA: But I still come back to the  
11 fundamental issue that the text amendment relates  
12 to the Village at large and I don't know if it's  
13 appropriate that we're basing judgment on the  
14 Village at large based on one specific proposal. I  
15 have a problem with that.

16 CHAIRMAN RUDNY: I agree with you and  
17 you could make that statement after they make their  
18 presentation. And, you know, you'll probably have  
19 the same conclusion and you can make it then.

20 Is everybody in agreement with  
21 that? I think it might be a good idea if we do  
22 open the floor to the public just to get some input  
23 to see if there's an objection.

24 If you could state your name and

22

1 address for the record and please address the  
2 subject that we're talking about.

3 MS. COURSHON: Mary Courshon, 55 Silo  
4 Court. The Petitioner has alluded to that there  
5 are uses in his proposal that are already  
6 sanctioned by the I-2 zoning and I would like him  
7 to enumerate what those specific uses are at this  
8 time.

9 CHAIRMAN RUDNY: He's going to go  
10 through that. In fact, I'm going to ask the  
11 question because he said many of the uses. I  
12 happen to disagree with that. I happen to think  
13 there's not too many that can be done in the I-2 as  
14 it's zoned at this point.

15 We're going to get into that. I  
16 guarantee it. Does anyone else have a -- yes, sir.

17 MR. SAUNDERS: John Saunders, 238  
18 Hillendale Court. I sort of have the complementary  
19 question to hers which is what proposed uses are  
20 illegal under the current Zoning Ordinance because  
21 you're saying some are legal and some aren't.

22 Just from reading the proposed  
23 amendment I was wondering why 100 or more acres is  
24 explicitly included in the wording.

1 What if some uses of the proposed

2 development were approved and some not and the  
3 unimproved uses caused the development to fall  
4 under 100 acres, could we be subject to some kind  
5 of bundling here where oh, yeah, we really want to  
6 approve a park but we don't want to approve another  
7 park but since we've stated it's a hundred or more  
8 acres we either have to take it all or leave it.

9           And the other explicit wording here  
10 seems to talk about employee housing facilities  
11 which I assume is one of the currently unapproved  
12 uses and I was wondering if that was true.

13           CHAIRMAN RUDNY: Okay. We're -- see  
14 those, we're going to get into that. We're going  
15 to open the floor and accept questions in regards  
16 to all of the uses.

17           The only thing I'd like comments on  
18 or questions on now would be this idea that we're  
19 going to hear the proposal during this portion of  
20 the meeting. If anybody has got any objection to  
21 that I'd like to hear it now. Yes, ma'am.

22           MS. COURSHON: Well, it's a follow-up,  
23 the name stayed the same.

24           As a follow-up if in fact in this



1 portion of the program prior to adjourning it  
2 because we're considering a text amendment for a  
3 package deal for a special use permit if there are  
4 some uses that are already approved in the I-2  
5 zoning that he does not have to seek a text  
6 amendment to accomplish then we should hear those  
7 during this meeting before we adjourn it because  
8 that's germane to the issue without changing text.

9 CHAIRMAN RUDNY: We will hear this.  
10 We're not going to adjourn. The decision seems to  
11 be now that we're not going to adjourn the meeting.

12 We're going to hear the  
13 presentation on the project. We will then discuss  
14 the text amendment and the -- whether the text  
15 amendment makes sense or whether there are other  
16 ways to do this. And I can assure you we're going  
17 to discuss everything.

18 I will open the floor again in this  
19 meeting to the public so that you can ask questions  
20 or make comments at that time. So I think with  
21 that in mind why don't you go ahead and proceed  
22 with your presentation.

23 MR. FRANCKE: I would like to proceed.  
24 I understand the comments that were made and I

1 agree that we should proceed with the presentation.

2 But let me say before doing that I  
3 understand the concerns that some of you may have.  
4 That is why we want to, you know, make our case the  
5 best that we can. I understand the questions that  
6 some of you are already raising. There are fair  
7 questions. Hopefully we can answer them through  
8 our presentation or respond to them at a later  
9 date.

10 I would like to clarify in response  
11 to the last question, however, from the audience  
12 because it does go to the heart of the public  
13 hearing on the text amendment. The only reason the  
14 text amendment is being sought is to authorize the  
15 theme park and the employee housing as authorized  
16 or possible uses.

17 I can -- I will clarify for  
18 everybody that those right now are not authorized  
19 in the I-2 District. That's the only thing that  
20 the text amendment goes to.

21 With that, again, I would like to  
22 briefly then identify what we will try to do in the  
23 consideration of the text amendment. In order to  
24 consider the text amendment I do feel it is

1 important for everybody to fully understand what we  
2 are proposing and how we came to be here this  
3 evening with this proposal.

4           So what we plan on doing, and I  
5 believe as a Chairman Rudny indicated that it is --  
6 it may take us approximately 45 minutes to an hour  
7 to walk through the presentation because I'd like  
8 to briefly summarize what you will hear tonight,  
9 who you will hear from, and then hopefully bring it  
10 back to this fundamental issue about the text  
11 amendment.

12           You will hear first from a  
13 representative of Prism Development Company this  
14 evening. You will also hear directly from a  
15 representative of Six Flags. And then you will  
16 hear from the architect and the person who has  
17 developed the conceptual plans for this project  
18 this evening.

19           And then we will talk in some  
20 detail about what we perceive to be or what we  
21 believe to be the justifications for the text  
22 amendment that we are proposing.

23           We will be talking about some of  
24 the -- let me clarify that some of the issues that

1 are again site specific and that people may have  
2 for our project--the traffic, fiscal impact,  
3 stormwater for our specific project--now again  
4 would not technically be the subject matter of this  
5 part of the public hearing or this public hearing.

6           So we -- I just -- I want to make  
7 that point so that members of the audience and  
8 perhaps Members of the Commission don't feel  
9 frustrated that they're not getting more specific  
10 detail at this time while they are hearing of the  
11 project. I don't want anyone to be frustrated that  
12 they're not hearing more specific detail in that  
13 regard.

14           Having said all of that, I would  
15 like to introduce to you John Rogers from Prism  
16 Development. He has appeared numerous times before  
17 the BRC and has taken primary responsibility for  
18 working on this project through today's date with  
19 the Village.

20           We've met a couple of times with  
21 the staff and I would like to introduce you at this  
22 time to John Rogers. Thank you.

23           MR. WINTER: Mr. Chairman, I have a  
24 point of order. I just want to make sure that we

1 are proceeding at this point with the consolidated  
2 meeting and I'd make a motion to formally open the  
3 Plan Commission meeting so that it's understood on  
4 the record that this testimony will be going in for  
5 both purposes.

6 CHAIRMAN RUDNY: Okay. So you feel we  
7 should vote on this? Did you say you make a  
8 motion?

9 MR. WINTER: I think we should open it  
10 up. If it requires a vote. But I don't want to  
11 have to duplicate anything that we're going to hear  
12 tonight. It's going to go for both purposes is my  
13 understanding, correct?

14 MR. CEPON: He's going to do more  
15 because the traffic and all the other concerns are  
16 not part of that.

17 CHAIRMAN RUDNY: I think the  
18 presentation that's going to be strictly on the  
19 concept. I think once we open the Plan Commission  
20 meeting there can be additional discussion.

21 I think it's on the record that all  
22 the Plan Commissioners who are present are present  
23 and the Plan Commission is taking this testimony

24 under advisement so.

29

1 MR. FRANCKE: Perhaps when we open the  
2 Plan Commission public hearing there would be a way  
3 later to adopt the testimony so as Commissioner  
4 Winter said we don't have to literally repeat it.

5 CHAIRMAN RUDNY: Yeah, that sounds like  
6 that makes sense that maybe we should have a vote  
7 once we open the Plan Commission meeting to adopt  
8 testimony that was given in this public hearing.

9 MR. SULA: But the Plan Commission  
10 hearing was set for 8:30.

11 CHAIRMAN RUDNY: It doesn't say. It  
12 says 8:30 or at the conclusion of the first meeting  
13 so I think we're okay on that.

14 Okay. Please proceed.

15 MR. ROGERS: My name is John Rogers.  
16 I'm a principal at Prism Development. I'm here  
17 tonight to present to you a brief overview of our  
18 development process. It's been a long process.  
19 It's been over two years. And it started back in  
20 July of 1996.

21 At that time the Village Board  
22 issued a request for proposal to local and national

23 developers that was seeking interest to develop,  
24 analyze and build a full service hotel and events

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1 center and to have this development reenforce the  
2 existing business community and to provide a  
3 positive tax revenue with minimal cost to the  
4 Village.

5 In late November of that year Prism  
6 Development was awarded the RFP. A Village  
7 resolution at that time in late November identified  
8 five defined objectives that the Village wanted us  
9 to pursue.

10 The first was to provide additional  
11 commercial and recreational services to the  
12 community with this development. The second was to  
13 create a planned development aimed at reducing  
14 traffic. The third, that the project increase the  
15 Village tax base.

16 And four, that the development team  
17 work with local, regional and state officials in  
18 planning and designing this project. And number  
19 five was to provide to the Village a quality of  
20 life environment.

21 To further incorporate this large

22 project into the fabric of this community the  
23 Village Board also required us to work with an  
24 appointed blue ribbon advisory committee. This was

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1 a 26 member advisory board of local citizens that  
2 reviewed our traffic studies, our engineering  
3 studies, our design work over a six month period.

4 I believe we had approximately six  
5 or seven meetings during that period. What  
6 happened was as we went through this process it  
7 became apparent that there was both pros and cons  
8 from the Village residences (sic) to this project.

9 And as we -- as we worked with them  
10 and got into the details of the traffic and the  
11 design and the environmental we came up with some  
12 consensus with the blue ribbon committee.

13 From that one of the things that we  
14 did with this process was to split the project into  
15 two phases. The first phase of the project  
16 contained a hotel or hotels, themed entertainment,  
17 a water park and employee housing. The second  
18 phase contained a 12,000 seat event center.

19 The result of the BRC after this  
20 process supported the Phase I development concept



21 which was everything but the event center. On the  
22 traffic level they believed that this development  
23 could be used as a leverage to improve the existing  
24 roadways within this part of the community.

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1 Specifically they cited Washington  
2 Street as in major need of improvement. They also  
3 supported the concept of an interchange at I-94 and  
4 Washington Street and they knew that this would be  
5 needed if and when we decided to do a Phase II or  
6 the event center project.

7 And lastly, this project  
8 demonstrated a substantial economic benefit to the  
9 community and they were very favorably responsive  
10 to our studies. Even though they felt parts of it  
11 were overstated, overall they felt that it was in  
12 line with what we were charged with through the  
13 RFP.

14 Also, as a request by the blue  
15 ribbon committee they asked us for community  
16 endorsements. And what we have been doing over the  
17 last three to four months is to do exactly that.  
18 We've met with the superintendents of schools,  
19 we've met with the library, we've met with the park

20 district, the local business groups and on the  
21 whole we have achieved a very favorable response to  
22 our project.

23           It will be our intention, as Hal  
24 said, that we will go into details at a further

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1 date on all these issues as we talked about. And  
2 as a result of all this two things really kind of  
3 emerged from this process.

4           The actions taken in response to  
5 the BRC. Their primary concern was the events  
6 center. There was a lot of misunderstandings.  
7 There was a lot of concerns as far as traffic  
8 generation, as to the viability and need of this  
9 type of facility within the Village itself.

10           So we made a decision in coming in  
11 front of you that we would use the events center as  
12 a -- literally a holdoff and come in front of you  
13 without it because we believe that the blue ribbon  
14 committee was correct. We need to put that on hold  
15 and that because of its size and scope deserved a  
16 whole new attention not only from a new blue ribbon  
17 committee but from the committee people yourselves.

18           So that was our process as we went

19 through it. Overall as we've been working with the  
20 Village it's really been a three-way effort. It's  
21 ourselves, the Village staff, and Six Flags in  
22 trying to create something that is very much of a  
23 permanent and not a temporary facility within this  
24 community. And I'm going to have Rick DeFlaun come

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1 through and -- no, I'm sorry, Jim Wintrode come  
2 through and talk about the Six Flags viewpoint on  
3 this.

4 MR. FRANCKE: Thank you, John.

5 MR. WINTRODE: My name is Jim Wintrode.  
6 I'm the general manager of Six Flags Great America.  
7 Our company acquired this property under review in  
8 February of 1995. The property was acquired in  
9 order to provide future expansion for our park.

10 Competitive analysis clearly shows  
11 that for us to continue to grow and be prosperous  
12 into the next century we need to add new things  
13 every year as we do in our current theme park.

14 An analysis also anticipated the  
15 current shortage of seasonal workers being  
16 experienced nationwide for retail and service  
17 oriented businesses. As you all know, or many of

18 you do, we appeared before this Board in 1994  
19 seeking permission to add employee housing to our  
20 current property.

21           There was a lot of discussions over  
22 a number of meetings, a lot of concerns about the  
23 residents and at that time because of their  
24 concerns we withdrew that proposal.

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1           Our request now that we have this  
2 new property which is remote from the residential  
3 areas we felt it was time to come back and put that  
4 proposal back on the table along with the other  
5 proposals that we have including the water park.

6           While we were evaluating our  
7 development options the Village of Gurnee was  
8 evaluating viability of a destination hotel and  
9 arena type facility for convention and conference  
10 capabilities to support area business growth. Our  
11 mutual interest in hotel expansion and destination  
12 tourism led to the issuance of an award of the RFP  
13 document previously discussed by Mr. Rogers.

14           Our company has been a resident of  
15 Gurnee since 1974 when the theme park was  
16 originally developed. We feel that we have always

17 been very receptive and responsible and cooperative  
18 with the Village. We view the entertainment  
19 village as a joint effort of the Village, Six Flags  
20 and Prism to meet the objectives set out in the RFP  
21 and to also fulfill the necessary business goals  
22 for which the property was purchased by Six Flags.

23           The Six Flags entertainment village  
24 fulfills the RFP identified objective for hotel and

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1 conference facilities, for a proposal which would  
2 support and reenforce current businesses,  
3 especially Six Flags and Gurnee Mills. By creating  
4 a world class entertainment venue we will enhance  
5 the tourism and local business currently and --  
6 tourism that local business currently thrives on,  
7 excuse me.

8           Six Flags entertainment village  
9 fulfills the RFP identified objective for a  
10 proposal that would have a positive economic  
11 impact on the Village of Gurnee while minimizing  
12 potential cost to the Village.

13           The Six Flags entertainment village  
14 meets the need for expansion defined by our company  
15 and the Six Flags entertainment village fulfills

16 the Six Flags objective for employee housing which  
17 is convenient to the theme park but distant from  
18 residential areas.

19 Our interests are most closely  
20 allied with the complementary theme park or water  
21 park and the employee housing facilities.

22 Our company evaluated several theme  
23 park alternatives before deciding on the water park  
24 as the best alternative that fits our needs. All

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1 major competitive theme parks in the midwest have  
2 water parks associated with them including Kings  
3 Island, Cedar Point, World of Fun, Valley Fair,  
4 Kentucky Kingdom and the Wisconsin Dells.

5 Competitive analysis demonstrates a  
6 lack of competitive water theme park product in our  
7 core markets including Milwaukee and Chicago.  
8 Market research reported a very high approval  
9 rating for the water park concept and an equally  
10 high intent to visit response.

11 Since our last effort to develop  
12 employee housing in 1994 employment rates in both  
13 Illinois and Wisconsin have continued to drop to  
14 record low levels. Media reports of retail labor

15 shortages and municipalities unable to open  
16 recreational facilities for lack of labor are  
17 commonplace. And a good example in terms of the  
18 service levels in other theme parks, Cedar Point  
19 specifically has actually had to reduce its  
20 operating season because of lack of availability of  
21 seasonal help.

22           We continue to rely more heavily  
23 from other areas including other countries for the  
24 seasonal help. Reliance on imported labor is

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1 becoming a standard practice within the industry,  
2 both the theme park industry and the hospitality  
3 industry. Every Six Flags park currently relies on  
4 imported labor.

5           While we have had success in  
6 finding labor by going to other states and  
7 countries we have had increasing difficulty in  
8 finding acceptable places to house the labor. We  
9 currently use dormitories in Wisconsin in Carthage  
10 College and University of Wisconsin Parkside. Both  
11 those facilities are approximately a 40 to 50  
12 minute bus ride from our park.

13           As noted in 1994, this space is not

14 available during critical months in the spring and  
15 the fall when demand for staffing is very high and  
16 we continue to have extreme shortages in both the  
17 spring and the fall. We have resorted to  
18 contracting for local hotel space in order to  
19 retain some, and I say some of the staffing needs  
20 during the spring and the fall but we cannot rely  
21 on the availability or the cost of these  
22 facilities.

23           The lack of space to economically  
24 house seasonal workers is the largest single threat

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1 to our company's continued financial health.

2           Our average seasonal pay rates are  
3 significantly above the minimum levels and we will  
4 not hire just anyone to work for us. I will repeat  
5 that we have solved the problem of where to find  
6 quality labor. We need your assistance in  
7 developing places for these employees to live  
8 during our operating season.

9           In conclusion, I would like to  
10 affirm that our new owners, Premier Parks, Inc. who  
11 actually acquired us just within the last few  
12 months and officially May 1st have expressed



13 complete support to the Six Flags entertainment  
14 village project. Their foremost desire is to have  
15 a new water theme park in operation by June 1st of  
16 the year 2000. With the continued cooperation  
17 between Six Flags, the Village of Gurnee and Prism  
18 Development I think we can make this a reality.

19 Thank you very much for your  
20 attention. I'm going to turn it back over to John  
21 Rogers.

22 MR. FRANCKE: We're going to set up some  
23 boards now really quick.

24 CHAIRMAN RUDNY: Okay. If some of you

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1 can't see you'll have to move over to the other  
2 side of the room.

3 MR. DEFLAUN: Can you all see both of  
4 those?

5 CHAIRMAN RUDNY: Pardon me?

6 MR. DEFLAUN: Can you all see both of  
7 these boards?

8 CHAIRMAN RUDNY: We also have copies of  
9 those in our packet.

10 MR. ROGERS: Rick is going to talk  
11 about the design obviously, Rick DeFlaun is the

12 principal at Devine and Yeager, our architects for  
13 the project.

14 I thought I'd give you a two minute  
15 overview on something else. And that is when we  
16 went through this project and this process, which  
17 has again started for us two years ago, the concept  
18 itself were centered on five community ideas.

19 And the first one -- reiterated by  
20 the RFP, by the way. The first one was the quality  
21 of life. And it's an easy word to say but how do  
22 you translate it into architecture and thought and  
23 design.

24 On a very economic way we defined

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1 quality of life as providing a strong tax dollar to  
2 the community type of development that does not  
3 strain the public infrastructure. The public  
4 infrastructure is not only the roads and the  
5 bridges and the water systems, et cetera but also  
6 on the school systems.

7 And so as we went through and  
8 defined as in urban planning the highest and best  
9 use, that was a very much of a focal point for us.

10 And another aspect of a quality of

11 life is to design something that is what we would  
12 call a quality development and our firm has been  
13 known to build very high quality projects  
14 nationwide. And from that we wanted to ensure that  
15 the architecture really flowed in to the community,  
16 that it really did fit into the fabric.

17           Another major point was family  
18 orientation. This all came due to the fact that we  
19 would be associated with the Six Flags theme park,  
20 Six Flags Great America where family orientation is  
21 their primary focus so we wanted to create an  
22 environment that was inviting to the public.

23           Thirdly, we were looking at a  
24 destination location. And a destination location

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1 to us was a spring board to the hotel conference  
2 center that could bring people here and capture  
3 them which we felt was very important and to do it  
4 on a year-round basis. Not just do it on a  
5 seasonal basis but a year-round basis to provide  
6 that viability.

7           As we had discussions with various  
8 groups, one of them the Lake County Convention and  
9 Visitors Bureau, they identified lost opportunities

10 over the years by not having Lake County capturing  
11 extended stay visits. And that mostly occurs, as  
12 you may or may not know, during the winter and  
13 spring months.

14 So we feel that by creating such an  
15 environment as we just discussed we could do  
16 something on a year-round basis. And that was part  
17 of our overall master planning from I guess Six  
18 Flags and Prism Development, their charge to the  
19 architects.

20 And with that I'll turn this over  
21 to Rick DeFlaun.

22 MR. DEFLAUN: Good evening. It's  
23 really nice to be here. I have the pleasure of  
24 presenting a design, if you will, that's not just

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1 me. It's a design that was prepared through a lot  
2 of conversations with a lot of people and we're  
3 really proud of it.

4 We think that it takes a lot of the  
5 input from the blue ribbon committee and a lot of  
6 other people who we've talked to and so tonight I'm  
7 really talking about a lot of work that's been done  
8 by a lot of people.

9 I'm going to start a little bit at  
10 the beginning. Some of it may be new information.  
11 Some of it may be redundant. I see a lot of  
12 familiar faces here that have been at some of our  
13 previous meetings so bear with me as I set the  
14 stage for some of the design that we've done.

15 This drawing that you see right  
16 here for those of you who don't know exactly where  
17 the site is, it's bounded by the Tri-State  
18 Industrial Park here, the Tri-State Tollway on the  
19 east. This drawing is oriented with north to the  
20 left of the drawing. This direction.

21 Washington Street on the south and  
22 what ultimately became a fairly nice buffer  
23 boundary on the west side which is a conservation  
24 area that falls within our site.

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1 We started with approximately 134  
2 acres on the site. The first thing we did was do a  
3 site analysis. We looked at the site and we said  
4 what is there about this site that we ought to  
5 know. We looked at issues such as topography,  
6 ingress and egress, wind, noise, all sorts of  
7 issues that might have some impact on the site,

8 views to and from the site, geography of the site.  
9 All of those sorts of issues. Any kind of  
10 constraints that we might have to consider during  
11 the design of the project.

12           What we found from that were  
13 several interesting things. Some things that some  
14 of us here in the community might not even know  
15 about the site. We found that there was some  
16 fairly significant topography on the site. Most  
17 people that go by this site probably drive by on  
18 the Tollway at 60 miles an hour and you sort of  
19 look at it and it looks like some trees and grass  
20 over there.

21           But there really is a lot of fall  
22 to the site, a lot of topography. There's a high  
23 point in the site right here and then it drops down  
24 to a low point and basically becomes a drainage

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1 through the site.

2           Another significant point that we  
3 found out about the site was that ingress and  
4 egress, that is where cars come to and from the  
5 site primarily needed to be along Washington  
6 Street.

7           There was an access here from the  
8 north but it was basically looked on to be an  
9 access that was for emergency ingress and egress  
10 only. So we really found that we needed to load  
11 the site from the south.

12           Another thing that we found that  
13 was fairly significant was, as I said earlier, that  
14 there's a conservation area that's set aside on the  
15 site. About 27 acres, as I recall from memory,  
16 that as you see on this drawing is in this green  
17 color here and another one on the south.

18           We really took those and turned  
19 them into somewhat we think are positives in terms  
20 of buffering everything on the site to the west.  
21 We had a natural buffer of the Tollway to the east,  
22 Washington Street to the south, the industrial park  
23 here, and this became a fairly nice buffer to the  
24 west. So we really had a usable area on the site

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1 that's kind of in this colored area in the center.

2           From that we really developed a  
3 master plan that was we think taking advantage of  
4 all those things that we found good about the site.  
5 One of the significant things that we found about

6 this site was that it just happens that the Tollway  
7 bends just beyond the site to the north and just  
8 beyond the site to the south.

9           What it means is that people  
10 driving down the Tollway both from the north and  
11 from the south really focus on this particular  
12 site. So if you drive up and down the Tollway it  
13 sort of struck us that this is really kind of a  
14 focal point right here of the Tollway as it goes  
15 north and south. It sort of crooks right there.  
16 It really gives us some opportunities for views  
17 into the site and certainly from the site.

18           From that site analysis and the  
19 things we found out that were good and bad we  
20 developed this plan. The plan is really oriented  
21 around -- we looked at several different options.  
22 We looked at ways to put the desired uses on this  
23 site in several different ways.

24           What we ultimately concluded was

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1 that we were going to organize this around a  
2 village concept. We were going to put the planned  
3 uses sort of in the center of the site. We were  
4 going to distribute parking around the site where



5 they needed to be to serve those uses. We were  
6 going to organize them along a sort of organizing  
7 spine and all of those uses then would have some  
8 fairly interesting views to and from the site  
9 organized along this spine and centrally located on  
10 the site.

11           With the terrific sort of buffer  
12 here to the west with the conservation area and  
13 placing some of the uses on the site related to the  
14 Tollway particularly on the east side of the site.

15           The uses that we've included here  
16 are -- I think as you've heard before, I'll go  
17 through them again quickly -- the theme park  
18 approximately 20 acres, employee housing that we've  
19 located here in the corner. Approximately 435,000  
20 square feet on a couple of levels of entertainment,  
21 retail, theater, restaurant sort of space as sort  
22 of the heart of the village. A destination hotel  
23 conference center of approximately 500 rooms and  
24 then support hotels here of approximately 200 to

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1 250 rooms apiece.

2           We've also provided for four pad  
3 sites outlying along Washington Street that really

4 fall sort of on the other side of this conservation  
5 area as it works its way around the site.

6           There are shown on the design today  
7 approximately 4,500 spaces. They're not one big  
8 sea of parking on the site. We wanted to make sure  
9 that we didn't accomplish something negative with  
10 that so we've distributed it so that it can really  
11 be related to each of the different uses.

12           Some of it is in fact underground  
13 beneath the hotel. We've taken advantage of that  
14 topography that I talked about before so that we  
15 can keep the scale of the buildings low. Primarily  
16 these are two story buildings through here. These  
17 buildings then take advantage of the fall of the  
18 site so that the overall feel of the entire  
19 development is fairly low lying.

20           I want to talk just a little bit  
21 now about the architecture and the design in  
22 general. It was important to us to create what I  
23 use consistently in a lot of designs the charm, the  
24 character and the intimacy of this project.

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1           We think that it's important for us  
2 to create a regionally sensitive development,

3 something that is complementary certainly to Six  
4 Flags across the street, certainly to the Village  
5 of Gurnee encountering even a complementary use to  
6 other specific uses like Gurnee Mills. There's  
7 sort of a three-way sort of location right here in  
8 this part of the city with this development, Six  
9 Flags and Gurnee Mills.

10           So we took that into account every  
11 step of the way as we developed this project  
12 wanting to be complementary in every way. We  
13 wanted to create a family oriented atmosphere. We  
14 wanted to create a development that was human  
15 scale, sort of a low rise development.

16           And we think a lot of the success  
17 that's going to be necessary to do that is going to  
18 be in the details of the project. Those details  
19 range from everything from the look of the  
20 building, the size of the building, how you touch,  
21 feel and experience those buildings as you walk up  
22 to them, what it sounds like, what it smells like,  
23 are there things going on in this development.  
24 John mentioned earlier that one of our charges was

1 to make this a year-round development and how do we

2 do that.

3 I want to talk just a little bit  
4 about that architecture and to do that I want to  
5 shift to this drawing. One of the first things we  
6 talk about is scale. And I've said it at least  
7 four times tonight, I've said it too many times,  
8 but that human scale. We don't want people to walk  
9 up to the place and feel like it's big. We want  
10 people to really be invited in. We want to create  
11 places within the development that are inviting.  
12 We want to create places that are very different  
13 that may be very small in some cases or very large  
14 in others.

15 We've oriented it around a sort of  
16 central development which is in this case a water  
17 feature and we think that water feature might be  
18 real critical to that year round use in the spring,  
19 summer and fall. That's in fact water in the  
20 winter time, it's ice. We've sized it and we've  
21 located it so they could have skating. It might  
22 even have a hockey rink inside so that right from  
23 the very core of the development we're doing  
24 something with it that can be year round use.

1           If you want to talk about those  
2 uses and how they're used. Remember I talked about  
3 things as mundane as even the sounds. We have  
4 water here. We're going to create water that might  
5 move out in other areas throughout the development.  
6 You sort of hear that and you see the landscaping,  
7 all the details related to that.

8           The landscaping works differently  
9 in the summer and the fall and the spring than it  
10 does in the winter. The very buildings themselves  
11 and the intersection of those buildings with  
12 covered walkways become extremely important if  
13 we're going to truly make this a year round use.  
14 We want to create some consistency with the design.  
15 We don't want this to be a themed design, if you  
16 will.

17           We want it to really feel like a  
18 village. It's not a three-quarter scale village.  
19 This is the real thing. We're not going to walk  
20 through here and sort of feel like we're in a fake  
21 environment. We want these buildings to have a  
22 scale that's comfortable. People perceive that if  
23 it's a sort of half scale, they kind of feel like  
24 they're in a model. This is not a model.

1           We want the buildings at the same  
2 time to have some of their own character and I'll  
3 show you in a second rendering here in just a  
4 second what that means.

5           I talked about the space and the  
6 form, the use of those different kinds of spaces,  
7 some very constricted spaces that become intimate,  
8 bring you into and out of shops, if you will; but  
9 some other larger spaces that might be used for  
10 outdoor entertainment or other kinds of events,  
11 might be Oktoberfest in the fall, might be Fourth  
12 of July. We really want it to function as a  
13 village.

14           We want to talk about the lighting.  
15 It needs to work day and night just as it does  
16 winter and summer. This thing, it's not going to  
17 close down at night. We don't want the sidewalks  
18 to roll up. We want people to be invited here. We  
19 want them to feel secure. We want them to feel  
20 like it's a fun place. We want them to see it from  
21 the Tri-State, see it from the surrounding roads.

22           We want to create an environment  
23 where people can really come there and work, play,  
24 shop, eat. Particularly if we're talking about

1 inviting those visitors that John talked about a  
2 minute ago to this environment that as we view it  
3 is complementary to the folks across the street and  
4 complementary to Gurnee Mills. What a place to  
5 stay and go out around the community, stay here, go  
6 somewhere else, or stay somewhere else, go here.

7           Finally, I want to talk about the  
8 soil and the traffic a little bit. Again, I said  
9 earlier that the details of the facility like this  
10 or a development like this are extremely important.  
11 We don't want people to come here and not find  
12 their way around. The signage has to be extremely  
13 clear, concise. You need to know if you're wanting  
14 to go to the theme park how to get there. You need  
15 to know if you're wanting to go to the theater how  
16 to get there, how to get to a restaurant. We need  
17 to make it simple right from the time you enter the  
18 development. That's an important part of it.

19           But we also want it to be  
20 consistent. We don't want it to jump out at you.  
21 It's not neon stuff. It's sort of pointing this  
22 way, come on in. We want it to be consistent with  
23 the development.

24           I want to change this drawing just

1 for a minute to this drawing. This is a view, if  
2 you will, to the sort of town center. That water  
3 element there happened to be a bridge, remember I  
4 talked about in the central spine comes through the  
5 center of the development here of the village.

6           That's a view standing on what's  
7 essentially a bridge at this point looking back to  
8 that what we call the boardwalk at the  
9 entertainment -- at the retail sort of the village.  
10 You can see that we envision a true town center.

11           Every building isn't the same but  
12 they're all consistent in terms of making you feel  
13 comfortable. We also have some organizing elements  
14 throughout the village. This one happens to be a  
15 lighthouse. You can see that from lots of  
16 different ways throughout the building.

17           It gives you a sense of place. It  
18 gives you a sense of security about where you are  
19 and how you get to and from things.

20           We also look at how those views go  
21 out of the site. This particular case that we said  
22 we want to be complementary to Six Flags. You can  
23 get a vista down through this space between the  
24 buildings of the roller coaster across the street.



1           So we really believe that we've  
2   created a village that people are going to be  
3   comfortable in. They're going to feel secure in,  
4   they're going to want to come to stay, eat, sleep,  
5   drink, have a great time, bring their family. We  
6   really want to create something that is real. It's  
7   not fake. It's not a shopping mall. It really  
8   isn't something that is different than sort of your  
9   hometown.

10           And we think it's compatible with  
11   what we've got a feel for the Village of Gurnee  
12   over the past several months working. I'm really  
13   excited about it. They told me I should not talk  
14   quite so much so I'm going to turn it back over to  
15   John, to Hal Francke to finish up.

16           And I would be happy to answer any  
17   questions, but that's the architecture.

18           MR. FRANCKE: Thank you, Rick. If I  
19   could now, and I appreciate everyone's patience and  
20   cooperation in letting us proceed in this manner to  
21   talk about some of the specifics of the project in  
22   sort of a general way.

23           I would like to now having done

24 that, we've provided that foundation, bring us back

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1 to the discussion that we started to have at the  
2 beginning of what we identified as the initial  
3 public hearing which is the question of the text  
4 amendment.

5 Let me say for starters that I  
6 believe that if the Village is prepared, is  
7 desirous of embracing the uses that are  
8 contemplated again by the text amendment we've  
9 proposed, and as I indicated earlier the response  
10 to the question that was raised the uses that are  
11 related to the text amendment are only the theme  
12 park that has been discussed this evening and the  
13 employee housing.

14 And it's my belief and I believe  
15 that your staff and your consultants would confirm  
16 that a text amendment is necessary if the Village  
17 is to embrace those uses.

18 It may not be the text amendment  
19 we're proposing. You may decide as you have -- as  
20 one of you has indicated or two of you have  
21 indicated that you have some real concerns or  
22 questions about the text amendment as we've

23 proposed it, but I want to make it very clear that  
24 if the Village seeks to embrace these two uses,

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1 seeks to pursue them in a manner that you deem  
2 acceptable a text amendment will be necessary.

3           Some amendment because the --  
4 well, for most importantly the employee housing  
5 right now is not permitted as a permitted use as we  
6 envision it, the employee housing is not a  
7 permitted use or a special use in any zoning  
8 district.

9           While theme parks are obviously  
10 permitted in some of your districts, the C/S-1  
11 District contemplates this as a permitted use, the  
12 overall concept of what we're proposing as a  
13 combined use with the complementary retail and the  
14 theme park and the employee housing that in that  
15 manner in the way we are proposing is not  
16 necessarily authorized in any district. So again  
17 we believe that a text amendment is necessary.

18           How did we get to the text  
19 amendment we've proposed. We did it really in a  
20 pretty simple manner.

21           If you look at the I-2 Zoning

22 District regulations of your Ordinance -- and again  
23 this property is already zoned I-2 -- there are  
24 some recreation and social facilities that are

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1 already identified as authorized special uses.  
2 They're not permitted as of right, but they're  
3 shown -- they're identified on a list as being  
4 something that someone who has a piece of property  
5 zoned I-2 has a right to come in to you and ask for  
6 the right to establish as a special use the  
7 recreation and social facilities that are  
8 identified.

9           And I'm not trying to compare these  
10 in any way, shape or form to what we are proposing  
11 and saying that this justifies what we're doing.  
12 But the ones that are identified are go-cart  
13 racetracks and driving ranges. In other words, the  
14 concept of social and recreational uses as a  
15 special use already appears in the Village's Zoning  
16 Ordinance in the I-2 District.

17           Very similarly, the I-2 District  
18 provisions already identify as authorized special  
19 uses residential uses. What type of residential  
20 uses, residences of people who are basically

21 on-site attending to other uses that are on the  
22 property as permitted uses, industrial uses.  
23           Again, I don't think that that  
24 necessarily would help us under the existing zoning

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1 because what we're proposing is not an industry use  
2 but conceptually the concept of having people  
3 living on the property who are in effect serving  
4 the other uses that are on the property is already  
5 in the Zoning Ordinance in the I-2 District.

6           Again, I'm -- I'm trying to  
7 explain to you our thinking for going down the path  
8 that we chose. We didn't think we were entirely  
9 blazing new territory here. Your existing I-2  
10 District provisions already contemplate some level  
11 of recreational uses and employee and residential  
12 uses in the I-2 District as special uses and again  
13 that's what we have petitioned for.

14           We have not asked to have the  
15 employee housing uses or the theme park approved in  
16 the Ordinance as a permitted use. And again, as  
17 all of you know, the benefit by having these  
18 identified as a special use is that it requires  
19 in-depth review and consideration by your bodies

20 and by -- and the opportunity to establish  
21 conditions that are unique -- that are justified  
22 because of the unique location and condition of the  
23 property and of surrounding properties.

24 So that was our concept was to

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1 identify these as additional authorized special  
2 uses, again always putting you in a position if you  
3 are comfortable with the uses of incorporating them  
4 into a permit, if you will, that establishes the  
5 conditions that you think are necessary to  
6 guarantee protection of the public health, safety  
7 and welfare.

8 That is why, for example, in our  
9 book that we have submitted to you we have  
10 identified a possible forward looking permit, if  
11 you will, or Ordinance which establishes both a  
12 plan of development that would govern the property  
13 and a list of conditions that would also have to be  
14 satisfied.

15 Again, that was the concept behind  
16 what we have petitioned for under your Ordinance.  
17 If one is to propose a text amendment what is being  
18 proposed has to be obviously something that right

19 now you can't do unless the text amendment is  
20 established, approved.

21           Again, I think that that's fairly  
22 obvious from what I've read in the Ordinance we  
23 don't think that we could do it without the text  
24 amendment. It is supposed to be -- the text

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1 amendment is supposed to be something that furthers  
2 the well-being of the community as a whole and we  
3 have identified in our materials and as we go  
4 through the other public hearing in greater detail  
5 we will identify in greater detail how we believe  
6 this benefits the community as a whole in many,  
7 many respects.

8           But we believe that by doing this  
9 text amendment you will be benefiting the community  
10 as a whole and that the proposed text amendment is  
11 consistent with the Village's planning objectives  
12 and with the comprehensive plan.

13           If I could, I'd like to focus very  
14 briefly on some aspects of the comprehensive plan  
15 because I think that's critical to the question of  
16 is this a text amendment that's appropriate. And  
17 you all know your comprehensive plan better than I

18 or anybody on our team because you just adopted a  
19 new update to the comprehensive plan recently.

20 So what I would like to do is to  
21 just focus on some of the things that are -- some  
22 of the things that are in your recent comprehensive  
23 plan that we looked at when we said is the text  
24 amendment the route to go.

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1 And if you look in your  
2 comprehensive plan there are specific references to  
3 regional centers. The plan identifies that Gurnee  
4 obviously is blessed with two major regional  
5 centers, one being Gurnee Mills and one being Great  
6 America.

7 The plan speaks repeatedly of the  
8 importance of these regional centers and their  
9 continuing viability to the community. The plan  
10 also talks about this area being part of what your  
11 plan refers to as subarea four and to not only  
12 doing what is necessary to further their ongoing  
13 existing viability but to look to future expansion  
14 opportunities.

15 Your plan specifically identifies  
16 if there is going to be further regional centers



17 focusing on parcels that are at least a hundred  
18 acres in size. Again, this is one of the reasons  
19 we went down this route. We have a parcel that's  
20 134 acres in size.

21           You may put this into the I-2  
22 District as a special use through a text amendment  
23 but it is not something that we envision applying  
24 to every property owner who has a piece of land

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1 that's zoned I-2. It's specifically geared towards  
2 these larger parcels of land and it's not to say  
3 that this could or would be the only one.

4           There are other parcels down the  
5 road that would qualify which would put them in a  
6 position of being able to ask. It doesn't mean  
7 they would necessarily obtain it but it would give  
8 them the opportunity, the foundation to ask for  
9 their approval.

10           So we've looked at this, the  
11 concept of regional 100 acre parcels. We've looked  
12 at the additional provisions in your comprehensive  
13 plan that talks about the possibility of a regional  
14 conference facility, that talks about expanding and  
15 continuing and ensuring the ongoing viability of

16 Gurnee Mills and of Great America and we believe  
17 that this text amendment furthers all of those  
18 goals.

19 I've read recently the article in  
20 the paper that said that the Village budget derives  
21 more than 50 percent of its revenues from the sales  
22 tax so it's -- you know, obviously the plan  
23 recognizes that and wants to ensure and I know the  
24 Village prides itself on keeping the -- you know,

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1 the property tax or the burden on the residents  
2 down through other sources like this.

3 Our concept behind the text  
4 amendment was to further those objectives. So I  
5 understand that there are other ways and I look  
6 forward to hearing your concerns and hopefully  
7 addressing them in greater detail. This is why we  
8 pursued the mechanism we pursued.

9 This is what we believe is the  
10 justification for the mechanism. And with that  
11 I'll conclude our presentation with respect to the  
12 text amendment. Thank you.

13 CHAIRMAN RUDNY: Okay. I'll start out.  
14 In your application, this is the application for

15 the text amendment, on Page 38 you indicate  
16 justification for proposed text amendment and  
17 number three states that the proposed text  
18 amendment will create the opportunity to establish  
19 uses which are consistent and compatible with other  
20 uses authorized in the I-2 Industrial District and  
21 with office and industrial parks.

22           And I would have to say the uses  
23 that I see here basically you're talking about  
24 outdoor recreation, employee housing, retail,

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1 hotel, restaurant uses, I can't agree that those  
2 are consistent and compatible with the general uses  
3 in the I-2.

4           I'm not going to read all the uses  
5 in the I-2, but generally speaking they're  
6 industrial uses. When they talk about retail, for  
7 example, they say retail business uses, fuel sales,  
8 heating supplies and fixtures sales, plumbing  
9 supplies and fixtures sales, retail outlet stores  
10 accessory to a manufacturing or wholesale  
11 establishment.

12           So I think you can just get the  
13 intent there that they're trying to keep the I-2 or

14 we're trying to keep the I-2 District to more  
15 industrial type uses.

16 I don't think we want to see  
17 restaurants or theme restaurants or hotels, things  
18 of that nature in an I-2 District. So that's point  
19 one.

20 Number five, it says that no  
21 substantial revisions to other provisions of the  
22 Zoning Ordinance will be required if the proposed  
23 text amendment is adopted.

24 Well, I think you do have to bring

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1 out that you do require other amendments to the  
2 Zoning Ordinance which is the special use and the  
3 Special Use Ordinance is the Zoning Ordinance and  
4 that's not -- I realize that's not going to be held  
5 at this meeting but you're asking for an amendment  
6 to the existing special use for the Grand Tri-State  
7 Business Park.

8 And specifically you're asking for  
9 hotels and motels and restaurants and retail uses  
10 to be listed as permitted uses which is now going  
11 to open up that special use for any -- excuse me,  
12 not special use but permitted uses of hotels and

13 restaurants. So, you know, I think that that  
14 should be brought out because I think that's  
15 problematic as well.

16 I think to me if there wasn't a  
17 zoning district that applied to the use you're  
18 trying to bring in I probably would agree with you  
19 you're going to have to make some text amendment if  
20 we want to bring something in it like that. If we  
21 don't have a zoning district that addresses it I  
22 would agree with you, but we have the C/S-1 Zoning  
23 District which is outdoor recreation district.

24 Now I agree that if we want to

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1 entertain employee housing coming into our  
2 community there isn't any zoning district that  
3 addresses employee housing. And I would agree that  
4 then you need to consider a text amendment. But I  
5 would consider it only in the C/S-1 District. We  
6 maybe need consider a text amendment if we see that  
7 we want to allow that kind of use.

8 So, you know, I don't understand  
9 why we need to change the general I-2 District when  
10 we really have a mechanism in place that I think is  
11 more straight forward and more applicable to this

12 particular project. So those are my concerns.

13 MR. FRANCKE: Could I respond to those  
14 at this time? Would it be okay if I --

15 CHAIRMAN RUDNY: Yeah, go ahead if you  
16 can address my concerns, fine.

17 MR. FRANCKE: And as you saw, I wasn't  
18 writing these down so I'm doing them in my mind.

19 I'm going to go backwards because  
20 the most recent memory will make it easy for me to  
21 answer any questions in reverse order.

22 CHAIRMAN RUDNY: That will be fine. And  
23 if you don't answer them I'll bring it up again.

24 MR. FRANCKE: I understand your last

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1 question about there is a district that allows for  
2 what we're proposing to do this to do the C/S-1  
3 District.

4 With respect to the theme park I  
5 would agree with you that for the theme park alone  
6 the C/S-1 District exists today. But a few minutes  
7 ago I said if we want to do overall what we're  
8 proposing to do a text amendment would be  
9 necessary.

10 Now, what did I mean by that.

11 Looking at the C/S-1 District. If you look at the  
12 C/S-1 District the only thing that's a permitted  
13 use are these recreation and social facilities and  
14 it identifies golf courses, country clubs,  
15 arboretums and botanical gardens and public  
16 education and utility uses, forest preserves,  
17 parks, and playgrounds.

18 Those are the only authorized  
19 permitted uses in the C/S-1 District. So all the  
20 retail we're talking about, the hotels we're  
21 talking about, those would not be identified as  
22 permitted uses and retail businesses and restaurant  
23 are authorized but you do have to come in as a  
24 special use.

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1 On every single one, number one.  
2 And many of the other uses that we've talked about,  
3 again hotels and motels are authorized but each one  
4 is a special use. Our concept is that some of  
5 those, you know, would be permitted uses.

6 Not that the Village wouldn't have  
7 control over future issues of landscaping or  
8 planning, but we have to be in a position where we  
9 know those are permitted uses and we -- and if that

10 were to be the case then that text would have to be  
11 amended.

12           So again I'm not saying you  
13 couldn't go down that route but you would still be  
14 confronted with a request for text amendment on our  
15 behalf so that's the answer to the third question.

16           CHAIRMAN RUDNY: Okay. But maybe we  
17 want the special use in there and when you apply  
18 what I would recommend you apply for is a zoning  
19 change to C/S-1 with special use for your project  
20 for the restaurants and hotels that you want to put  
21 in.

22           Now if you say well, we don't know  
23 if the hotel is going in here or a restaurant is  
24 going to go in there, well, maybe we want to keep

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1 that as a special use because I think we're going  
2 to want to see what that hotel or that restaurant  
3 is going to look like five years from now. And I  
4 don't think we want to give a blank check on any  
5 kind of hotel or any kind of restaurant.

6           And in fact that's one of the  
7 things I'm concerned about the whole project is  
8 that we need to have a mechanism where these things



9 are going to be defined.

10 And if they're not defined at this  
11 point then I think the special use is a good  
12 mechanism to guarantee that it at least meets the  
13 standards that you're proposing at this point.

14 MR. FRANCKE: Okay. And again, we would  
15 be happy to continue that dialogue with you and  
16 your staff and your planning consultants because,  
17 you know, again, I understand what you're saying.  
18 It's a possible point of discussion to go down in  
19 terms of the C/S-1 District.

20 I mean we believe that what we've  
21 done is, you know, one way to go. At the time it  
22 was our belief that it was a simpler way to go.

23 Which sort of gets me into the  
24 second point you raised, Mr. Chairman, about I

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1 think your second question was that we say that no  
2 substantial revisions to other provisions of the  
3 Zoning Ordinance would be required.

4 I do believe since we're talking  
5 about a text amendment that this standard which  
6 comes out of your Ordinance is that the text  
7 amendment you're proposing should not require a lot

8 of other changes to the provisions of this  
9 Ordinance, not our special permit. It's already on  
10 the property and you're reading that provision of  
11 the Ordinance as saying it shouldn't also require  
12 substantial revisions to our underlying permit.

13 And all I can say is that's not how  
14 I read that section. I believe if we meet our text  
15 amendment it would not require a substantial  
16 revision to other articles of your Zoning  
17 Ordinance.

18 CHAIRMAN RUDNY: First of all, I thought  
19 everyone should know that that would be required,  
20 though, that that Special Use Ordinance would be  
21 required to be amended.

22 MR. FRANCKE: Right, that's public  
23 hearing number one.

24 CHAIRMAN RUDNY: And I think the other

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1 way that I've suggested would require less text  
2 amendment to our Zoning Ordinance than what  
3 you're proposing.

4 MR. FRANCKE: It's possible. It's  
5 possible.

6 CHAIRMAN RUDNY: You know what, let's --

7 I probably talked too much here. Why don't we let  
8 some of the other Members speak if they would like  
9 to address this. Mr. Winter.

10 MR. WINTER: Well, just follow up on the  
11 Chair's observation.

12 I'm reading I-2 and I'm not sure  
13 that retail is a permitted use or for that matter  
14 even under the --

15 MR. FRANCKE: I-2.

16 MR. WINTER: Special use under the I-2.

17 MR. FRANCKE: Again, let me give you the  
18 benefit of our thinking on that.

19 There is a provision in the I-2  
20 District all the way at the bottom of the list of  
21 special uses that says similar and compatible uses.  
22 Right above that -- and this is sort of the  
23 response to the Chairman's first question, again  
24 working backwards.

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1 At the bottom it says similar and  
2 compatible uses and right above that it identifies  
3 as an authorized special use office and industrial  
4 parks.

5 This property already has impressed

6 upon it a special permit or an office and  
7 industrial park. Within that special permit, and  
8 this is sort of answering the question that -- I'm  
9 sorry, I forget your name, but that you asked --  
10 it's because you didn't say it twice -- the  
11 question that was asked at the beginning of the  
12 meeting, you know, what is already authorized or  
13 permitted on the property.

14           The Village has already indicated  
15 on this property and it's an I-2 zoned district  
16 that offices -- that hotels, restaurants, and  
17 retail uses are compatible and in effect permitted.

18           Now, the Chairman will quickly  
19 correct me or reign in the scope of my statement to  
20 make it clear that they are permitted if they're a  
21 certain type of restaurant, retail, hotel.

22           But this Village already has in the  
23 I-2 District those uses as authorized uses. The  
24 Village has already indicated, and this is again

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1 the answer to your first question where we've  
2 indicated that what we're proposing is compatible  
3 and consistent with what's there now.

4           The best proof of what I'm saying

5 or evidence of what I'm saying is the fact that  
6 this property has a special permit impressed upon  
7 it that identifies these types of uses as permitted  
8 uses and yet the property is zoned I-2.

9           Again, I'm just trying to give you  
10 the benefit of our thinking.

11           MR. WINTER: A follow-up. You  
12 apparently considered the possibility of rezoning  
13 to C/S-1.

14           What other disadvantages or  
15 disincentives did you discover that led you to  
16 propose what you've proposed tonight to stay under  
17 the I-2?

18           MR. FRANCKE: I'm sorry?

19           MR. WINTER: What other disadvantages  
20 are there for you other than you mention that  
21 you'll lose some permitted uses.

22           Were there any other disadvantages  
23 that led you away from seeking a rezoning of the  
24 site?

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1           MR. FRANCKE: I would say the other  
2 major factor that steered us away from the C/S-1  
3 was we made the assumption that our concept again

4 is to maintain the existing special permit and the  
5 uses and the benefits that that zoning brings to  
6 the property and to the Village.

7           And admittedly, it's consistent  
8 with your comprehensive plan. If this proposal was  
9 not before you today and this property got  
10 developed as it's zoned as the Tri-State Business  
11 Industrial Park or whatever it would be in  
12 conformance with your zoning and in conformance  
13 with your comprehensive plan and your Zoning  
14 Ordinance.

15           So the -- so the factor, the  
16 additional factor is that we wanted to maintain  
17 that zoning and maintain that opportunity so that  
18 this is what we are proposing and this is what we  
19 are hoping to proceed with as this development  
20 unfolds through, as John Rogers indicated, the  
21 first phase of development.

22           But by doing what we're doing, we  
23 are still preserving the option, the opportunity  
24 for the Village to go forward with the other types

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1 of uses that you originally envisioned for the  
2 property.

3 Do you see what I'm saying? If we  
4 zone it C/S-1, the whole property C/S-1, the  
5 opportunity subject to coming back and rezoning it  
6 all for the industrial park office campus or  
7 whatever uses is now gone. Under my proposal you  
8 have the option to do both.

9 The Village has the option, the  
10 property owner has the option. Under this straight  
11 rezoning of the whole property to C/S-1, you really  
12 defined one use or category of uses for the whole  
13 property.

14 MR. WINTER: So again, I just want to  
15 make sure there's one reason for doing this and  
16 that is to have that flexibility under the special  
17 use permit that you think you have already, that  
18 that's the reason.

19 MR. FRANCKE: It's not the one reason,  
20 it's the key reason.

21 MR. WINTER: I'm asking for what's the  
22 other reasons.

23 MR. FRANCKE: I said the other reasons  
24 are we thought this was a simpler way to go. That

1 a text amendment was going to be needed, we thought

2 this was a simpler way to go.

3 We thought that the precedent was  
4 already there with the existing special permit. We  
5 thought that this would preserve the opportunity to  
6 or the flexibility that you just referred to.

7 I mean we think there are several  
8 reasons. The other reason we did it was because we  
9 thought it was consistent with the comprehensive  
10 plan, the newly adopted comprehensive plan so we  
11 think there are a lot of reasons.

12 MR. WINTER: I'm still getting back to  
13 it just sounds to me like the one reason is you  
14 want to maintain some other uses for that property  
15 that you think you would lose if it were rezoned  
16 C/S-1.

17 MR. FRANCKE: That is definitely one.

18 MR. WINTER: Being simpler I don't think  
19 is going to impress --

20 MR. FRANCKE: That is definitely one of  
21 the reasons definitely. Absolutely correct.

22 MR. WINTER: And again can you identify  
23 some other reasons other than you think it's  
24 simpler to do it this way? Any other reasons that



1 we should be considering?

2 MR. FRANCKE: Considering this --

3 MR. WINTER: So that we understand why  
4 it is that you want to stay I-2 so that when we  
5 consider the text amendment as you've proposed it.

6 MR. FRANCKE: Again, in terms of focus  
7 on the text amendment request we want the -- we  
8 want the -- we're proposing the text amendment to  
9 the I-2 District because it facilitates that  
10 flexibility that you talked about but it also  
11 addresses the comprehensive plan.

12 It addresses the fact that the  
13 Village has already zoned this property I-2. The  
14 Village has already made a determination that this  
15 property would be zoned I-2.

16 So we were trying to address that  
17 aspect also. I mean there were a lot of reasons.  
18 It wasn't -- that is one of the reasons, the  
19 flexibility. But the Village had zoned this  
20 property -- has zoned the property I-2.

21 So we wanted to not entirely up --  
22 what's the word, you know, overturn that or up end  
23 that. Do you see what I'm saying?

24 By going the text amendment you

1 don't have to abandon the zoning that the Village  
2 has established for the property.

3 MR. WINTER: One final question. The  
4 special use permit that you identified in the  
5 packet, is that --

6 MR. FRANCKE: It's in the packet, yes.

7 MR. WINTER: Do you know what tab that  
8 is for the record?

9 MR. FRANCKE: I'd be interested in  
10 knowing whether or not your book has that. Is it  
11 in there?

12 MR. WINTER: Yeah, July 7th, 1980. This  
13 Ordinance Number 87-24?

14 MR. FRANCKE: Yes, yes. 4-B. That is  
15 the existing special permit.

16 MR. WINTER: Thank you. I have no  
17 further questions.

18 CHAIRMAN RUDNY: Bryan, are you finished  
19 or --

20 MR. WINTER: Yes.

21 CHAIRMAN RUDNY: Okay. Mr. Sula.

22 MR. SULA: I would just like to kind of  
23 reiterate the comments I made before.

24 I think it's very dangerous for us

1 to add broad permitted uses to the I-2 District  
2 because it deals with issues not just dealing to  
3 this property.

4 I think you've done a real good job  
5 of giving us a flare for the project and certainly  
6 set the foundation for ongoing discussions that  
7 will be to the Plan Commission, but I haven't heard  
8 anything compelling that would say that it's right  
9 for us to change the I-2 to allow hotels,  
10 restaurants, water parks, employee housing because  
11 it's just too broad based over the rest of the  
12 Village.

13 With regard to employee housing,  
14 I've got to say you're really stretching by citing  
15 the industrial with the residential use that's in  
16 the I-2.

17 The I-2 specifically says residents  
18 of the proprietor caretaker or watchman of an  
19 industrial use clearly geared toward necessity and  
20 not convenience. And I think that's a real stretch  
21 to try to sit on that one.

22 My other concern, too, is the  
23 project is very much conceptual at this stage and  
24 as one of the people that sat on the BRC I -- from

1 my point of view, the key reason that the events  
2 center didn't really come to any consensus was that  
3 I don't think the developers really knew what it  
4 was going to be either and we couldn't get our arms  
5 around it as a committee.

6 And to get a blanket allowing all  
7 kind of uses out there really takes control away  
8 from the Plan Commission in terms of really being  
9 able to really see what is being executed is what  
10 we are being presented with today.

11 And I would say it's wrong to put  
12 all those amended uses into -- all those permitted  
13 uses into I-2.

14 CHAIRMAN RUDNY: Anyone else?

15 MR. PAPP: It's already covered.

16 CHAIRMAN RUDNY: Bob.

17 MR. McDOWELL: I'm in agreement with  
18 that and if the C/S-1 is the only approach that  
19 makes the most of it --

20 CHAIRMAN RUDNY: There's another aspect  
21 to this and I think maybe we need to look toward  
22 Butch for some advice, but I don't know if anybody  
23 realized it but the method that they're using would  
24 basically be utilizing the Special Use Ordinance in

1 order to set the parameters for this project.

2           It's not going to -- you're not  
3 proposing that this be a PUD, right?

4           MR. FRANCKE: That is correct.

5           CHAIRMAN RUDNY: And I think -- more  
6 recently I think the Village and I know the Plan  
7 Commission has always looked toward developments to  
8 need PUDs.

9           And I think to address Jim's  
10 concerns the PUD works out better because you have  
11 those stages of the PUD. You have the conceptual  
12 stage. And from what I've seen you're in the  
13 conceptual stage. You're nowhere near a  
14 preliminary plat.

15           And so I think that that mechanism  
16 would be a lot easier for our staff and for the  
17 Plan Commissioners as we move along on this project  
18 in the near term and in the long term that the PUD  
19 is the better mechanism to handle that.

20           Now, Butch, I know I talked to you  
21 about this and you indicated that there is a  
22 possibility if we wanted -- the Village wanted to  
23 have the I-2 zoning not totally dissolved on this

24 property, there is a mechanism. I know we've done

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1 that on other parcels where we had a if you want to  
2 call it a dual zoning PUD.

3 Can you elaborate on that?

4 MR. MAIDEN: I believe the property on  
5 Washington and Route 41, the northwest quadrant we  
6 used that method and zoned the property both I-2  
7 and C/B-2 with a planned development because we  
8 knew working with the developer as to what the  
9 general concept was as to the road network and how  
10 it may fit, but we didn't know how the individual  
11 lots may be subdivided and which ones may have some  
12 commercial use or some office or industrial use.

13 So we actually put that into two  
14 zoning districts with a planned unit development  
15 that then had standards as to how you could develop  
16 portions of the property. And there may be some  
17 advantages. It will be good as we get comments  
18 from the public but also from other taxing bodies.

19 Some of the taxing bodies, the  
20 school districts and others, may be concerned about  
21 losing this amount of property to an outdoor  
22 recreational district versus an industrial

23 district.

24 I think as the one Plan Commission

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1 Member indicated, this is still at the conceptual  
2 level. If it doesn't proceed and it's zoned  
3 outdoor recreation, what does that mean as far as  
4 their tax base for the other taxing bodies. So  
5 they may have some concerns.

6 So I think this is one alternative  
7 that you have before you. The other alternative as  
8 you've mentioned of rezoning it to the C/S-1  
9 District or an alternative of possibly a combined  
10 district with a planned unit development is another  
11 alternative.

12 And there may be some additional  
13 alternatives after you get public comments and  
14 additional comments. But it's something, like I  
15 say, that you want to explore all of these options.

16 CHAIRMAN RUDNY: Let me ask the Members  
17 of the panel, is there anyone here who feels that  
18 what is proposed here is something that they would  
19 like to see or see pursued or are we generally in a  
20 consensus of --

21 MR. WINTER: Not necessarily. I don't

22 know yet. I mean I think we have to have some more  
23 information and that's why I was asking, you know.

24 Obviously they proposed it this way

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1 for a reason. And, you know, I guess we all need  
2 to be convinced that this is the best way to  
3 approach it. I'm not sure.

4 You know, there are some  
5 limitations with the C/S-1 that may pre-empt going  
6 that route.

7 CHAIRMAN RUDNY: Well, I only bring that  
8 up because I want to get some discussion because I  
9 think the Petitioner needs to have some direction  
10 as to what to do.

11 And if you need more information,  
12 specifically what information are you looking for  
13 and whether it be from our staff or from the  
14 Petitioner I think we need to kind of move this  
15 along to find out where we want to go.

16 Mr. Sula.

17 MR. SULA: I'm kind of feeling that it's  
18 kind of premature to resolve what these text issues  
19 are.

20 I'm wondering if it's not a good



21 idea to defer this later in the process after we've  
22 had a chance to rule on and observe the project and  
23 then figure out how the paperwork has to be done to  
24 accommodate the project, assuming that we get to

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1 that point.

2 I'm not trying to pre-judge what  
3 we've got to do, but I don't know that I can ask  
4 all the questions now to put an intelligent text  
5 amendment together.

6 CHAIRMAN RUDNY: Here is the problem,  
7 though, is that when they come before the Plan  
8 Commission with the project they have to request  
9 something.

10 And they -- what they're proposing  
11 on requesting is an amendment to the special use  
12 permit. That's what they want to do right now.

13 But in order to do that they first  
14 have to have the text amendment in the I-2  
15 District. Otherwise, they can't proceed along  
16 those lines.

17 Now if they want to come before the  
18 Plan Commission and ask for a zoning change or  
19 something of that nature then they don't need -- I

20 suppose you would need to pass the text amendment  
21 regarding the employee housing in the C/S-1.

22 MR. FRANCKE: I'm sorry, as I -- we  
23 would probably look at additional text amendments  
24 to the C/S-1 for the reasons I mentioned before.

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1 CHAIRMAN RUDNY: Well, you have to ask  
2 for a text amendment on the employee housing no  
3 matter what you do.

4 MR. FRANCKE: Right, right.

5 CHAIRMAN RUDNY: I mean they need to  
6 have some direction. Otherwise, you just can't  
7 come to the Plan Commission and say we're going to  
8 have hearings on this but we don't really know what  
9 we're asking for.

10 MR. WINTER: Well, I would propose that,  
11 you know, Butch has mentioned this combined zoning.  
12 I don't know whether that's something that -- how  
13 difficult that is to orchestrate, to get a proposal  
14 and I guess I'd ask the Petitioner.

15 I mean there certainly are a lot of  
16 questions about trying to go forward under I-2 on  
17 this. I know for myself I'd have to be convinced  
18 that the C/S-1 -- I mean there's some real road

19 blocks there to go any further so that we can't  
20 even hear more about the plan.  
21           And the same thing about the  
22 combined zoning. You know, is that something that  
23 you want to try to spell out at a subsequent  
24 meeting to say no, we don't want to go down that

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1 route and these are, you know, all the reasons and  
2 try to convince us of that. Or do you want to stop  
3 at this point and say I-2 isn't going to make it.

4           MR. FRANCKE: Are you saying I haven't  
5 convinced you yet? I think --

6           MR. SULA: Which part did you miss?

7           MR. FRANCKE: Let me say this. I think  
8 the direction I hear the Chair going, and I don't  
9 have a problem with this, is if you would like us  
10 to discuss the whole concept and which direction we  
11 should be going further with Mr. Maiden and your  
12 staff, you know, we're happy to do that.

13           And then as you say, Commissioner  
14 Winter, there are a lot of different aspects and a  
15 lot of different issues, some of which perhaps  
16 we've talked about tonight, some perhaps we  
17 haven't.

18 I have absolutely no problem  
19 continuing with that -- obviously continuing this  
20 hearing and then continuing that dialogue.  
21 I would like to, though, pick up on  
22 the Chairman's comments of making sure that when I  
23 sit down with them they have received what they  
24 deem to be sufficient input from all of you so that

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1 if we do come back we're not doing this dance  
2 again, so to speak, to quote the last dance. You  
3 know, that we're not doing it all over again.  
4 So we're happy to sit down with the  
5 staff and with Mr. Maiden. I would just like to  
6 echo the Chairman's comments that, you know, they  
7 have some sense of direction from all of you.

8 CHAIRMAN RUDNY: First of all, let's see  
9 if there are any other comments from the  
10 Commissioners.

11 Bob, did you have something?

12 MR. McDOWELL: I wanted to follow up on  
13 something. Your question a moment ago was that you  
14 were asking as far as an entertainment village, our  
15 thoughts about that. Was that your original  
16 question?

17 CHAIRMAN RUDNY: No. We really have to  
18 just address this text amendment. We can tell the  
19 audience that we'll open the floor to the public in  
20 a moment here, but all of the comments and  
21 questions really have to be in regards to  
22 specifically this text amendment.

23 We're going to still have to have a  
24 Plan Commission meeting after we adjourn this

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1 meeting. And at that point we'll have an  
2 opportunity then to discuss the plan itself and the  
3 concept and then you can bring up questions about  
4 that.

5 So I apologize for this dragging  
6 out so long, but it's kind of a technical thing  
7 that has to be ironed out first. So, Bob, have you  
8 got some comments strictly on this text amendment  
9 and the procedure of their petition? That's what  
10 I'm looking for.

11 MR. McDOWELL: I go with the direction  
12 that we --

13 CHAIRMAN RUDNY: I'm sorry?

14 MR. McDOWELL: I agree that when you get  
15 into the text amendment you might open a can of

16 worms with that so it's not --

17 CHAIRMAN RUDNY: Frank.

18 MR. PAPP: I was just going to ask if we  
19 were to consider the text amendment for this  
20 entertainment village would that be a special use  
21 under the I-2?

22 CHAIRMAN RUDNY: It would be -- what  
23 they would do is that they would -- first there  
24 would be a text amendment in the I-2 and then in

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1 the next meeting their presentation basically would  
2 focus on amending the Special Use Ordinance that  
3 already exists on that I-2 property.

4 And that would be they would be  
5 asking for hotels and retail to be a permitted use  
6 but they would also ask for -- not a special use,  
7 it would be permitted so they would be basically  
8 allowed to put whatever hotels and retail they  
9 want.

10 MR. PAPP: Okay. Thanks.

11 CHAIRMAN RUDNY: But that's a separate  
12 issue on that, the special use amendment. Tom.

13 CHAIRMAN HOOD: I just think that the  
14 Petitioner at this point could be directed to speak

15 with staff. Staff has heard the comments from both  
16 the Commissions. They know our concerns.

17 I think that possibly in coming  
18 back the Petitioner might have possibly two options  
19 to present and we'll be able to go from there as  
20 opposed to coming back and then we don't like that  
21 option and present that to us.

22 And then at that point I think that  
23 the first time around we are just, you know, we  
24 don't like your proposal obviously and at this

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1 point we'd like to see a different proposal.

2 But without it being worked out  
3 without you having had a chance to prepare we can't  
4 go further. So I think we'll just give you the  
5 direction to talk to staff.

6 Staff has heard us already and  
7 hopefully will be able to resolve that at the next  
8 meeting. So that would be my suggestion.

9 MR. WINTER: I'd second that motion.

10 CHAIRMAN RUDNY: I think that sounds  
11 like a good idea. This is a public hearing and I  
12 will open the floor to the public, but I really ask  
13 if you can keep it on this point of the text

14 amendment.

15 We don't want any discussion on the  
16 details of the project. Yes, ma'am. Go ahead.

17 MS. COURSHON: Mary Courshon, 55 Silo  
18 Court, Gurnee.

19 It was alluded to by one of the  
20 members of the staff here about the zoning  
21 affecting tax bodies and taxability. And so if  
22 changing the zoning out of I-2 or if leaving it  
23 I-2, how does that affect taxes?

24 I don't understand why that comment

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1 was made so that I can then address whether or not  
2 I would, you know, voice an opinion regarding the  
3 text amendment because if it does in fact affect  
4 taxing bodies we should know how that impact works.

5 CHAIRMAN RUDNY: Butch, do you want  
6 to -- I think you were the one that made that  
7 comment. Maybe you can elaborate.

8 MR. MAIDEN: It may not affect the  
9 taxing bodies, but I'm saying the taxing bodies may  
10 have a concern that they may look at it now it is  
11 presently 130 some acres zoned I-2. They may have  
12 a concern if it is changed to the C/S-1 Outdoor



13 Recreation District.  
14                   Whether the Assessor truly changes  
15 anything on the value of the land or not, I can't  
16 speak to that; but I'm just saying that I think if  
17 you go this direction you may want additional input  
18 from those taxing bodies to see if they do have a  
19 concern.

20           CHAIRMAN RUDNY: Okay. Is there  
21 anything else?

22                   (No response.)

23           CHAIRMAN RUDNY: Okay. At this point --  
24 sir or ma'am. Somebody raised their hand. Yes,

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1 ma'am.

2           MS. FRISELLI: My name is Kristine  
3 Friselli, (phonetic), P.O. Box 236, Gurnee.

4           My question is the other theme park  
5 that you're speaking of in the proposed text  
6 amendment, is that Great America that you're  
7 speaking of --

8           MR. FRANCKE: Yes.

9           MS. FRISELLI: -- in the amendment?

10           And also how would we be guaranteed  
11 that this text amendment does not open the door for

12 the Phase II which was decided would not be  
13 something that was going to be discussed.  
14 I don't see anything in here about  
15 12,000 seat event centers in here and I want to  
16 know that this text amendment would not open the  
17 door for something like that where we couldn't go  
18 back and say no, we don't want that.

19 CHAIRMAN RUDNY: Okay. That's a good  
20 question.

21 MR. FRANCKE: First of all, the text  
22 amendment again relates only to the theme park and  
23 the employee housing.

24 We were never proposing as part of

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1 the text amendment that the events center would be  
2 also added as part of the text amendment. But I  
3 will -- I will tell you this, we wouldn't need to  
4 do that because again the events center conference  
5 center exhibition hall is already authorized on  
6 this property as a special use.

7 The existing zoning on this  
8 property identifies the events center basically as  
9 an authorized special use.

10 When I say that, authorized special

11 use, it means we'd have to come ask for the special  
12 use. It is not a permitted use where if you comply  
13 with all zoning you can walk in and pull a building  
14 permit, okay.

15           So if we wanted to, as an example,  
16 as John Rogers indicated, the original concept  
17 incorporated the events center. If that were still  
18 a part of our application today we would need no  
19 text amendment to ask for that. We would still  
20 need to ask for a special use permit for the events  
21 center but we would not need a text amendment today  
22 on this property for the events center.

23           CHAIRMAN RUDNY: Now, Mr. Francke.

24           MR. FRANCKE: Yes.

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1           CHAIRMAN RUDNY: Where is that?

2           MR. FRANCKE: It's I believe --

3           CHAIRMAN RUDNY: Is that in the --

4           MR. FRANCKE: It's in the list.

5           CHAIRMAN RUDNY: In the I-2?

6           MR. FRANCKE: No, it's not in the I-2.

7           It's in the special permit for the Tri-State

8           Industrial Park. It identifies, I believe it says

9           exhibition halls and conference, convention.

10 Right.

11 MR. SULA: It's on Page 7.

12 CHAIRMAN RUDNY: Oh, under  
13 miscellaneous, okay.

14 MR. FRANCKE: Right.

15 CHAIRMAN RUDNY: Okay. Thanks. Okay.  
16 Anything else? Yes, sir.

17 MR. LAKE: Fred Lake, 6104 Indian Trail.

18 CHAIRMAN RUDNY: You're going to have to  
19 go to the microphone because it's being recorded.

20 MR. LAKE: My name is Fred Lake, 6104  
21 Indian Trail. Just two quick comments.

22 Number one, I echo Mr. Sula's  
23 concern. Number two, if I understand it correctly,  
24 the main issue about the text amendment is the

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1 on-site housing for employees.

2 And I think it was pointed out that  
3 Six Flags had requested that in the past and the  
4 Board had already decided that it was not a good  
5 idea. So it seems like it would not be a good idea  
6 at this point in time either.

7 Am I wrong about that?

8 CHAIRMAN RUDNY: Well, the second part,

9 they had requested it on their existing parcel on  
10 the east side of the Tollway and there were  
11 different circumstances.

12 The location that was requested I  
13 think was the key. I don't know if it was denied,  
14 but certainly there was a negative response from  
15 the Plan Commission.

16 I was on there at the time and that  
17 was strictly because of its location. So this -- I  
18 don't think we ever voted. I think they withdrew  
19 that petition.

20 But the point is that this is a  
21 separate issue. There's nothing to say that they  
22 wouldn't get another negative response. We haven't  
23 really discussed that yet.

24 So but the answer to your first

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1 question, this is more than just the employee  
2 housing. It's also the outdoor recreation area  
3 which includes the water park.

4 And then as I indicated before, the  
5 special use for that property has to be amended,  
6 the special use permit has to be amended to allow  
7 for a permitted use of hotels and retail.

8           So there's much more than just the  
9 employee housing involved with this.

10          MR. LAKE: Okay. I guess I  
11 misunderstood that, but at any rate --

12          CHAIRMAN RUDNY: I'll tell you what. If  
13 you want, I can give you my phone number and you  
14 can call me and I'll be glad to try to clarify  
15 everything for you because it really is a complex  
16 issue.

17                 I spent a lot of time going over  
18 this trying to figure out exactly the ramifications  
19 of this and what exactly they were trying to do.  
20 So I understand it's a difficult thing to  
21 understand and I would represent if somebody wants  
22 to understand it more than you can through this  
23 meeting that you contact one of our staff or I'm --  
24 you're welcome, I'll give my phone number to you

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1 after the meeting, you're welcome to give me a call  
2 and I can try and explain it to you.

3          MR. LAKE: That's fine. I don't think  
4 I have any other comment other than the fact that  
5 he also indicated that it would be a burden on the  
6 Village to zone it and then have to rezone it back.

7           And I can't see why that would be a  
8 burden for the Village. We rezone things all the  
9 time.

10          CHAIRMAN RUDNY: I don't know if he  
11 meant it would be a burden to the Village. I think  
12 it would probably be more of a burden to the  
13 Petitioner. And he's got the possibility that it  
14 might not revert back to the original zoning  
15 depending on when they ask for that.

16          So once it's been rezoned they have  
17 now lost the original zoning unless they come back  
18 and get it rezoned back to the I-2.

19          MR. LAKE: But wouldn't it be true that  
20 the Village and the Board would have more control  
21 over zoning as opposed to, you know, if they  
22 granted this variance?

23          CHAIRMAN RUDNY: Well, that's something  
24 I think our staff has to look at.

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1           And I think what we're recommending  
2 here is that the Petitioner meet with our staff  
3 because our staff wants to make sure that the  
4 Village has controls on this that are the easiest  
5 for them to handle as well not just for the Plan

6 Commission but later on down the road when they  
7 need to review plans or review some additions to  
8 the project we want to make sure that the Village  
9 has the means to control that to the extent that we  
10 legally can.

11 MR. LAKE: That's all the comments I  
12 have about this section.

13 CHAIRMAN RUDNY: Okay. Thank you.

14 Okay. I'll close the floor to the  
15 public now. And I think Tom's suggestion is a good  
16 one that we continue this and have the Petitioner  
17 meet with staff and come up with some kind of  
18 alternatives at the next continued meeting.

19 So with that in mind as far as the  
20 Plan Commission is concerned I'll entertain a  
21 motion to continue this to what date, Jon?

22 MR. WILDENBERG: Preferably a Wednesday  
23 night.

24 CHAIRMAN RUDNY: July 15th?

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1 MR. WILDENBERG: We have been kind of  
2 reserving the second meeting of the month for this  
3 to be the main topic of that meeting as we proceed.

4 CHAIRMAN RUDNY: So we would have to do



5 the same thing then, have a joint meeting. And  
6 then if the Plan Commission meeting gets continued  
7 have that after the joint meeting.

8 MR. WILDENBERG: It could be set that  
9 way.

10 CHAIRMAN RUDNY: Okay. So is that  
11 acceptable, July 15th?

12 MR. FRANCKE: That's fine.

13 MR. SMITH: So moved, Mr. Chairman.

14 MR. CEPON: Second.

15 CHAIRMAN RUDNY: Motion by Mr. Smith,  
16 seconded by Mr. Cepon. All those in favor of the  
17 motion significant by saying aye in the roll call;  
18 those opposed, nay. Roll call, please.

19 MS. VELKOVER: Winter?

20 MR. WINTER: Aye.

21 MS. VELKOVER: Foster.

22 MR. FOSTER: Aye.

23 MS. VELKOVER: Smith.

24 MR. SMITH: Aye.

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1 MS. VELKOVER: Sula.

2 MR. SULA: Aye.

3 MS. VELKOVER: Cepon.

4 MR. CEPON: Aye.

5 MS. VELKOVER: Rudny.

6 MR. RUDNY: Aye.

7 CHAIRMAN RUDNY: Motion carries and it  
8 is so ordered.

9 CHAIRMAN HOOD: Preference of the Zoning  
10 Board of Appeals? Is there a similar motion?

11 UNIDENTIFIED SPEAKER: Moved.

12 CHAIRMAN HOOD: A second?

13 UNIDENTIFIED SPEAKER: Second.

14 CHAIRMAN HOOD: Roll call, please.

15 MS. VELKOVER: Clark.

16 MR. CLARK: Aye.

17 MS. VELKOVER: Finn.

18 MR. FINN: Aye.

19 MS. VELKOVER: Papp.

20 MR. PAPP: Aye.

21 MS. VELKOVER: McDowell.

22 MR. McDOWELL: Aye.

23 MS. VELKOVER: Hood.

24 CHAIRMAN HOOD: Aye. Motion carries.

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1 CHAIRMAN RUDNY: Okay. I'll entertain a  
2 motion for adjournment. Motion and second. All

3 those in favor, say aye.

4 ("Aye" responses.)

5 CHAIRMAN RUDNY: Opposed, nay.

6 (No response.)

7 CHAIRMAN RUDNY: Meeting adjourned.

8 MR. FRANCKE: Mr. Chairman, could I

9 clarify something before?

10 Was this a motion -- I don't recall  
11 going back now two hours or whatever, was that all  
12 as to the first public hearing?

13 CHAIRMAN RUDNY: Yes.

14 MR. FRANCKE: Okay. And the second  
15 public hearing that was noticed up for tonight, was  
16 that ever formally opened is my question?

17 CHAIRMAN RUDNY: No, we have not. We're  
18 going to have that meeting next and that's -- I'm  
19 going to explain this.

20 MR. FRANCKE: Next tonight you mean?

21 CHAIRMAN RUDNY: We're going to have it  
22 tonight, okay. Because all these people came and  
23 I'm sure they want to make some comments on your  
24 proposal so what we're going to do now is just take

1 a short break.

2           The Zoning Board of Appeals, if  
3 they want to stay they can sit in the audience or  
4 they can leave. And we're going to call the Plan  
5 Commission meeting to order. And at that meeting  
6 you will have an opportunity to discuss this plan  
7 if you have some comments.

8           Now I might also point out that  
9 tonight the only thing that was presented was the  
10 concept. There are going to be other meetings  
11 where they're going to be talking about fiscal  
12 impact, engineering, traffic.

13           We're going to break it down into  
14 sections and the only thing we're discussing  
15 tonight is the general concept, the history of how  
16 this developed and kind of the makeup of the  
17 project, the basic concept. And you'll all have an  
18 opportunity at the next meeting, which is going to  
19 be -- well, we'll give you about five minutes here.  
20 We'll say quarter to ten we will open that meeting  
21 and you'll have an opportunity to speak.

22           (Whereupon, the hearing was  
23 continued to July 15, 1998  
24 at 7:30 p.m.)

STATE OF ILLINOIS )  
 ) SS:  
COUNTY OF L A K E )

I, SANDRA K. SMITH, do hereby  
certify that I am a court reporter doing business  
in the County of Lake and State of Illinois; that I  
reported by means of machine shorthand the  
testimony given at the foregoing Report of  
Proceedings, and that the foregoing is a true and  
correct transcript of my shorthand notes so taken  
as aforesaid.

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SANDRA K. SMITH, CSR, RPR  
Notary Public, Lake County, IL  
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