

VILLAGE OF GURNEE

PLAN COMMISSION

PUBLIC HEARING

held

June 17, 1998

9:55 PM

GURNEE MUNICIPAL BUILDING

325 North O'Plaine Road

Gurnee, Illinois

1 PLAN COMMISSION:

2

3 DONALD RUDNY, Chairman

4 JIM SULA

5 CARL CEPON

6 LYLE FOSTER

7 BILL SMITH

8 BRYAN WINTER

9

10

11 ALSO PRESENT:

12

13 JON WILDENBERG

14 TRACY VELKOVER

15 BARBARA SWANSON

16 BUTCH MAIDEN

17

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

21 CSR License No. 084003104

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I N D E X

P A G E S

Final Plat: Resubdivision of Lot	6-8
11 in Victorian Village	
Public Hearing: Six Flags Theme	8-28
Parks, Inc. and Prism Development Company, L.L.C.	
Public Hearing: Olav J. Espenes	28-81

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1 CHAIRMAN RUDNY: Okay. The Village of
2 Gurnee Plan Commission meeting will now come to
3 order. Can we have roll call, please.

4 MS. VELKOVER: Winter.

5 (No response.)

6 MS. VELKOVER: Foster.

7 MR. FOSTER: Here.

8 MS. VELKOVER: Smith.

9 MR. SMITH: Here.

10 MS. VELKOVER: Sula.

11 MR. SULA: Here.

12 MS. VELKOVER: Cepon.

13 MR. CEPON: Here.

14 MS. VELKOVER: Rudny.

15 CHAIRMAN RUDNY: Here.

16 MS. VELKOVER: Winter.

17 (No response.)

18 CHAIRMAN RUDNY: Okay. The first matter
19 will be the approval of the June 3rd, 1998 Plan

20 Commission minutes.

21 MR. SULA: So moved.

22 MR. SMITH: Second.

23 CHAIRMAN RUDNY: I have some

24 corrections. Okay.

1 On Page 38 Line 11 it should read
2 looking at parcels of the property. And on Page 65
3 I think the lady's name, her name is Mrs. Thoma, it
4 says Mrs. Fall. I'm not sure, that could maybe be
5 checked out.

6 (Enter Mr. Winter.)

7 CHAIRMAN RUDNY: Then on Page 66 Line
8 14 it should read I don't know how binding that
9 agreement is rather than fine art. I don't think I
10 said anything about fine art.

11 And then this was actually a good
12 one. On Page 78 Line 11 should read can't go
13 putting this square peg in a round hole rather than
14 this bird bag around the hole. Okay.

15 So that's all the corrections I
16 have. Any other corrections or additions?

17 (No response.)

18 CHAIRMAN RUDNY: If not, we have a
19 motion by Mr. Sula, seconded by Mr. Cepon. Is that

20 who seconded that? All those in favor of the

21 motion signify by saying aye in the roll call;

22 those opposed, nay. Roll call, please.

23 MS. VELKOVER: Winter.

24 MR. WINTER: Abstain.

1 MS. VELKOVER: Foster.

2 MR. FOSTER: Aye.

3 MS. VELKOVER: Smith.

4 MR. SMITH: Aye.

5 MS. VELKOVER: Sula.

6 MR. SULA: Aye.

7 MS. VELKOVER: Cepon.

8 MR. CEPON: Aye.

9 MS. VELKOVER: Rudny.

10 CHAIRMAN RUDNY: Aye.

11 Motion carries and it is so

12 ordered. The next matter is a final plat

13 resubdivision of Lot 11 in Victorian Village. The

14 subject property is zoned R-4 PUD and is located

15 north of Grand Avenue and east of Route 21.

16 The resubdivision is requested in

17 order to adjust internal lot lines between the

18 three townhome units to line up with their building

19 patterns.

20 Tracy, did you have anything to add

21 to that?

22 MS. VELKOVER: Just that the Plan

23 Commission has seen plats of resubdivision like

24 this before. The Victorian Village townhome

1 development is north of Grand and to the east of
2 Route 21.

3 When the property was originally
4 subdivided they were set up with building pads and
5 then the townhomes were built. After the townhomes
6 were built then the property owner comes in and
7 actually sets the property lines on the internal
8 walls between the townhome units so that they can
9 coincide and that's what's being requested this
10 evening.

11 MR. FOSTER: Mr. Chairman, I would move
12 approval of the resubdivision of Lot 11 in
13 Victorian Village.

14 MR. SMITH: I'll second that.

15 CHAIRMAN RUDNY: Motion by Mr. Foster,
16 second by Mr. Smith. All those in favor of the
17 motion signify 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: Sula.
24 MR. SULA: Aye.

1 MS. VELKOVER: Cepon.

2 MR. CEPON: Aye.

3 MS. VELKOVER: Rudny.

4 CHAIRMAN RUDNY: Aye. Motion carries
5 and it is so ordered.

6 Okay. Next we have the public
7 hearing, the Six Flags Theme Park and Prism
8 Development Company, L.L.C. I read that in the
9 last meeting so I won't read it again.

10 So I think we had the presentation
11 from Six Flags and Mr. Francke.

12 MR. FRANCKE: Yes.

13 CHAIRMAN RUDNY: Did you have anything
14 to add?

15 MR. FRANCKE: If I could. I just wanted
16 to clarify that for this public hearing, first of
17 all, I would like to identify on the record as we
18 discussed in the recently adjourned public hearing
19 that we want to incorporate and adopt all of the

20 testimony of myself and Mr. Rogers and Mr. Wintrode
21 and Mr. DeFlaun into this public hearing so that
22 it's reflected in the hearing transcript that we're
23 not going to restate all of that testimony but we
24 do want to adopt it.

1 And the only other thing I wanted
2 to identify is again in our application materials
3 and for the benefit of the public the only thing
4 that we really haven't discussed already because it
5 doesn't relate at all to the text amendment that we
6 just got done discussing is that we have also asked
7 for amendment to the existing special permit for
8 the Tri-State Industrial Park.

9 And I did want to again for the
10 record and for the benefit of the public identify
11 that one of the other elements of the application
12 that we -- one of the other elements of relief that
13 we've asked for that's part of our application
14 which again is just within the purview of the Plan
15 Commission is an amendment to the special use
16 permit that exists for the existing office and
17 industrial park special permit.

18 Again, relating back to an earlier
19 question about what uses are permitted on the

20 property as of right, there is already -- as
21 Members of the Commission know -- retail uses and
22 hotels basically that are the main two that we're
23 talking about. They are permitted as permitted
24 uses in the existing special permit, OIP special

1 permit but they have restrictions on them.

2 For example, hotels are permitted
3 today on this property but there has to be 300 feet
4 of frontage to maintain a hotel. Well, our whole
5 concept of course is in effect like a zero lot line
6 concept. They're not going to -- our hotels aren't
7 going to have necessarily frontage.

8 So one of the things we've asked
9 for is an amendment to the special use to remove
10 that restriction. But hotels themselves are
11 already permitted uses on this property under the
12 existing special permit.

13 Similarly, retail sales are
14 permitted but it's identified in the existing
15 special permit that retail sales are supposed to be
16 auxiliary to or ancillary to or complementary to
17 the industrial and warehousing and office uses that
18 are on the property. I have to assume, you know,
19 the intent being that somebody has a warehouse and

20 they also have some kind of retail outlet on the

21 property.

22 So what we've asked for is again

23 retail uses are permitted but what I just described

24 doesn't work for this concept. So we've asked for

1 an amendment to eliminate that restriction that any
2 retail use has to be auxiliary to an industrial or
3 warehouse type use.

4 So I think those -- I just wanted
5 to identify again for the record that that's the
6 element of the relief and the amendment that we're
7 seeking that really have nothing to do with the
8 text amendment.

9 CHAIRMAN RUDNY: Okay.

10 MR. FRANCKE: Thank you.

11 CHAIRMAN RUDNY: Before you proceed any
12 further, this is a public hearing. It's a
13 different public hearing so anyone who wishes to
14 make a comment or ask a question in regards to this
15 petition now needs to stand and be sworn in by the
16 Village Attorney.

17 (Witnesses sworn.)

18 MR. FRANCKE: And I would like to make
19 one last comment in response to Commissioner Sula's

20 question or comment at the last public hearing on

21 something that was raised by the public because it

22 also goes to the amendment we're seeking.

23 We have also proposed as part of

24 our amendment to the special permit that provisions

1 be written into the special permit for this
2 property that require the Petitioner, the owner,
3 the developer to come back to you with plans for
4 approval on an ongoing basis as it does move from
5 what you identified as conceptual to preliminary to
6 final.

7 It is true that we did not seek to
8 go as a planned unit development. But if you go
9 back to my opening comments in the other public
10 hearing, I indicated we were trying to not just
11 achieve our objectives but to retain and achieve
12 the Village's objective which I know is always
13 control, understanding of what's going on, how it's
14 working together, all those things.

15 Our concept contemplates that.
16 Again, in a different fashion. If you look at --
17 we've gone so far as, you know, as to submit in our
18 book looking ahead to the actual amendment. We
19 have actually drafted -- obviously it's a draft and

20 it's conceptual, but we have actually put in your
21 book a proposed amendment to the special permit.

22 And in that you'll notice it has
23 provisions that tie us to this plan. That say
24 we'll come back, you know, for plans, approvals and

1 limit our parameters so to speak, our conditions.

2 And so again, I'm not trying to
3 diminish anything we just got done talking about.
4 We are happy to sit down with staff and talk
5 through this whole concept. I wanted to make it
6 clear that I don't think we're really talking
7 differently or that we're far apart conceptually.
8 We've approached it from different ways. Thank
9 you.

10 CHAIRMAN RUDNY: Okay. I have a number
11 of comments and questions about the -- about this
12 proposal regarding the comp plan and the RFP but I
13 think given the late nature here I'm going to put
14 mine off until next time and I may come up with
15 some other questions anyway.

16 And I maybe would suggest the
17 Commissioners do the same thing. What I'm going to
18 suggest is I know the people in the public have
19 been here a while and some of them may like to say

20 something in regards to the proposal here so I'm
21 going to suggest that we open the floor to the
22 public, get public comment and probably at that
23 point continue the meeting to probably July 15th
24 where you'll have another opportunity at that point

1 we'll open the floor to the public as well.

2 But at that time we'll try to
3 answer the questions and concerns and maybe also
4 address the Commissioners' questions and concerns
5 at that time.

6 Does that seem acceptable to the
7 Commissioners?

8 MR. SULA: Yes.

9 MR. CEPON: Yes.

10 CHAIRMAN RUDNY: So at this time I'm
11 going to open the floor to the public and take
12 public comment.

13 And now you can comment on your
14 thoughts regarding the concept here. Now keep in
15 mind that we're going to have in the future, there
16 will be separate meetings to address traffic,
17 fiscal impact, engineering. So I would appreciate
18 it if you don't ask any questions regarding that.

19 Don't ask any questions at this

20 point regarding traffic. That will be addressed in
21 another meeting and you'll have an opportunity at
22 that point to ask questions on that particular
23 subject.

24 I would like everyone to keep their

1 questions to the point of the concept of the plan
2 and the things that were presented in that last
3 public hearing. So with that in mind anyone who
4 wishes -- so with that in mind, whoever wants to
5 ask a question or make a comment may do so at this
6 time.

7 Yes, ma'am. You look
8 familiar.

9 MS. COURSHON: Obviously a high point in
10 my life.

11 CHAIRMAN RUDNY: We need your name and
12 address again.

13 MS. COURSHON: Mary Courshon, 55 Silo
14 Court, Gurnee.

15 Something that is also specified on
16 the agenda for this portion of the meeting to be
17 discussed is the special use permit to allow for
18 employee housing.

19 As presented earlier in the

20 testimony, initially it was described as being
21 seasonal housing because of the financial impact to
22 Great America for bussing people from Wisconsin and
23 et al., other locations.

24 But also represented in that

1 testimony was difficulty in obtaining retail help,
2 et cetera, et cetera. If in fact this particular
3 plan concept is to be a year round village is this
4 employee housing in fact dormitory style or
5 apartment style to accommodate year round living of
6 possibly more than one person in a room, you know,
7 or two people like dormitory style.

8 CHAIRMAN RUDNY: We're not -- you know
9 what, we're not going to answer the questions
10 tonight. But that's a good question and I think
11 the Petitioner can take that under advisement.

12 And I think at the next meeting
13 they should make a more detailed presentation on
14 the employee housing and how that's going to affect
15 this site and the entire village. That's a good
16 question, thank you.

17 Anyone else? Yes, sir.

18 MR. BELSCHNER: Dale Belschner, 6183
19 Old Farm lane, Gurnee.

20 Water parks have a tendency to be
21 very, very noisy. And I happen to be in the
22 Southridge development which is right across from
23 that area and I really don't care for that kind of
24 noise affect.

1 What do they propose to do to avoid
2 the noise impact on the surrounding developments?

3 COURT REPORTER: Sir, could you spell
4 your last name?

5 MR. BELSCHNER: B-e-l-s-c-h-n-e-r.

6 CHAIRMAN RUDNY: Okay, thank you.

7 Like I said, we're not going to
8 answer the questions tonight. They're being
9 recorded on the record and either the Petitioner or
10 our staff, whoever is in a best position to answer
11 it will do so, but it will be at the next meeting.

12 MR. SILHA: Gary Silha, 6180 Indian
13 Trail Road. I'd just like to make note of the fact
14 that in all the presentations tonight it wasn't
15 stated once that this development was residentially
16 beneficial.

17 There were a lot of things stated
18 about the development but nothing in terms of what
19 the benefits of the development are to the

20 residents of this Village. We keep talking about
21 bringing people into the Village and obviously
22 there's a tax advantage there, but as a residence
23 -- as a resident I would really like to know how am
24 I going to gain.

1 We are the ones, we being the
2 residents, are going to have to put up with the
3 hundreds of thousands of people on Washington
4 Street. For us to go across town to a soccer game
5 it's going to be a tremendous task when all these
6 people are coming in for this water park. And
7 that's a real concern of mine.

8 I really feel that it's the
9 Commission's responsibility to take a look at this
10 from a big picture viewpoint and try to decide
11 whether it's in the best interest of this Village
12 to be a residential village or a commercial village
13 because I think this development really changes the
14 nature of what we term our village.

15 Are we a village with housing and
16 which is supplemented by commercial activity or are
17 we a commercial village with some housing? I think
18 that's really what we have to focus on here. Just
19 a comment.

20 CHAIRMAN RUDNY: Okay. Thank you. I'd
21 have to say I'm -- as I indicated, I'm going to be
22 addressing some issues regarding our comprehensive
23 plan and how this affects the overall balance of
24 our community.

1 So that will be addressed at the
2 next meeting. And I might add, too, if you ask a
3 question and it is answered at the next meeting and
4 you don't have the opportunity to be here we have a
5 court reporter so everything will be recorded.
6 Those minutes will be available to the public.
7 They will be put on the Internet.

8 So if you have Internet access, you
9 can access the transcript and read it and find out
10 what the answer is. And if you don't feel it's
11 been answered there's always going to be another
12 meeting. This is going to go on I think probably
13 for a number of meetings.

14 Yes, sir. Go ahead.

15 MR. SAUNDERS: John Saunders,
16 S-a-u-n-d-e-r-s, 238 Hillendale Court.

17 Just a question. The smaller
18 structures that will be built along Washington, the
19 question is what specific process will there be for

20 approval of what goes in there. It's been
21 identified as a retail or restaurant space. As a
22 resident I feel differently about a Taco Bell than
23 a Bob Chinn seafood.
24 And so the question is what control

1 will the Zoning Board have over what specifically
2 goes in there. That's the question.

3 CHAIRMAN RUDNY: That's a good question.

4 That was one of my questions, too.

5 Anyone else? Go ahead.

6 MS. COURSHON: Mary Courshon,
7 C-o-u-r-s-h-o-n. Something to be addressed,
8 there's an awful lot of hotel rooms that are being
9 talked about putting into this complex.

10 And being a resident of Southridge
11 I drive down Cemetery Road so it seems to me the
12 impact on like the Holiday Inn, for instance, they
13 don't have a lot of folks there year round.

14 So I'm concerned about what do we
15 need all the hotel rooms for if it's only going to
16 be for ice skating there is the only proposed
17 winter activity that's been at least identified at
18 this tentative stage.

19 So, you know, if there's a hotel

20 survey with Comfort Inn and Budgetel and everybody

21 else has rooms all winter long why do we need

22 another 750 I think is the number that's around

23 here somewhere.

24 CHAIRMAN RUDNY: Okay. That's a good

1 question, too. That was on my list, too.

2 MS. THOMA: Barbara Thoma, 1883

3 Gatewood Wingate. It's T-h-o-m-a.

4 I was a member of the blue ribbon
5 committee. And Mr. Rogers made quite a few
6 references to our committee's recommendations.

7 I just want the Planning Commission
8 to be aware that a lot of our own recommendations
9 -- or excuse me, my own recommendations, my own
10 opinions, my own votes in the committee were based
11 on the overall package that we were presented
12 meaning that included Phase II, that included
13 phase -- the traffic decisions that we made, the
14 economic impacts, everything that we made such as
15 the -- excuse me -- I made were based on the
16 overall package we were given not just on Phase I
17 and Phase II. Thank you.

18 CHAIRMAN RUDNY: Okay. Thank you.

19 MS. FRISELLI: Kris Friselli

20 (phonetic), P.O. Box 236, Gurnee. In regard to the
21 plan I just want to point out that, you know, there
22 is an already existing retail corridor that's huge
23 in Gurnee and that's what you would be basically
24 turning Washington into now if you put this into a

1 retail space, retail hotel.

2 I'd also like to point out that
3 there was a lot of lip service paid to quality of
4 life. And I believe that this would definitely
5 compromise the quality of life to an awful lot of
6 people in Gurnee. Basically turning Washington
7 into a freeway.

8 And the last thing that I wanted to
9 say was that the plan was put together to keep a
10 diversity of needs met in Gurnee including retail,
11 including manufacturing and industrial.

12 And if we take such a divergence
13 from the plan then what's the point of putting
14 together the plan in the first place? I mean that
15 obviously was planned as industrial for a reason.

16 And if it's not beneficial to the
17 corporation who owns it right now to develop it as
18 industrial shouldn't we leave some space in the
19 future for future generations to decide what their

20 needs are going to be instead of throwing a plan

21 out the window because I thought that was a

22 long-term plan. That was just my comment.

23 CHAIRMAN RUDNY: Okay. Thank you. The

24 next meeting I plan on going through the

1 comprehensive plan and how this complies with it so
2 we'll be addressing that.

3 MR. SILHA: Jerry Silha, 6180 Indian
4 Trail Road. As a follow-up to Barb's comments, I
5 too was on the blue ribbon commission.

6 The recommendation made by that
7 committee was based on a slightly different
8 scenario, Phase I and Phase II.

9 So I think we have all to be
10 careful about how we read that recommendation. One
11 thing that that does come through very clearly,
12 though, if you read that, is that it is the opinion
13 of the blue ribbon committee -- and, Jim, maybe you
14 could support me on this, if you would -- that
15 Phase I should not be accepted unless there is an
16 interchange at Washington that will support Phase
17 II traffic volume.

18 It was the goal of that committee
19 to obtain an improvement in the traffic problem on

20 Washington through this development. So any
21 proposal made on this issue that does not include
22 right in the start an interchange at Washington, if
23 this Planning Commission truly represents the
24 residents of the Village of Gurnee which the blue

1 ribbon committee was made up of should not be
2 approved in any way.

3 I cannot see why this Commission
4 would even consider a proposal that does not
5 include that interchange at the start.

6 CHAIRMAN RUDNY: Okay. Thanks. That's
7 one of the things we'll be discussing in the
8 traffic phase.

9 Anyone else? Yes, ma'am.

10 MS. JOHNSTON: Laurie Johnston, 96
11 Foxboro Lane.

12 My concerns with employment, one of
13 the things mentioned earlier is that they're unable
14 to get enough employees for other similar projects
15 in other areas. My question is if we put in a
16 theme park like this how are they going to afford
17 to get the employment that's needed.

18 And also if we do keep it more
19 industrial, it provides more high paying jobs for

20 the people in the community and opportunities for
21 people in the community than having retail and
22 theme parks that provide more low paying jobs for
23 people in the community.

24 CHAIRMAN RUDNY: Okay. Thank you.

1 Anyone else? Yes, ma'am.

2 MS. PIETROWSKI: Hi, my name is Susan
3 Pietrowski. I live at 6153 Utral (phonetic) Road.
4 I'm in the Southridge subdivision.

5 My main concern is for the safety
6 of our community. Traffic being one and the safety
7 of our children with bringing in a large group of
8 people. You don't know what type of people these
9 may be and it may increase the crime rates and risk
10 to the children of the area.

11 And I want that to be -- I would
12 like that to be considered in the plan.

13 CHAIRMAN RUDNY: Thank you. Anyone
14 else?

15 (No response.)

16 CHAIRMAN RUDNY: Okay. At this time
17 I'll close the floor to the public and unless some
18 of the Commissioners have some comments I would
19 recommend that we continue this to the 15th.

20 Mr. Cepon.

21 MR. CEPON: I had one question on the

22 ownership of this land. Not the owner per se right

23 now but didn't originally -- maybe Jon can answer

24 this or maybe through the next meeting we can get

1 an answer.

2 Wasn't originally when Six Flags or
3 Marriott bought this they owned this property?

4 MR. WILDENBERG: I believe the Marriott
5 Corporation did.

6 MR. CEPON: Now was that -- at that time
7 was that sort of planned for this type of
8 development that, you know, in the the future or
9 was that always zoned like the industrial, et
10 cetera? I was curious.

11 MR. WILDENBERG: I believe that was
12 zoned industrial when --

13 MR. CEPON: It was from the beginning
14 even though they owned that section of the
15 property, that section of the industrial park.

16 MR. WILDENBERG: And they also reserved
17 the ability on this part of the Tollway to possibly
18 put a hotel in.

19 MR. CEPON: That's what I thought. Like

20 I said, that was what, 25 years ago or something

21 like that so.

22 CHAIRMAN RUDNY: Okay. Mr. Sula.

23 MR. SULA: I just had one comment.

24 I'm sure there's going to be a lot

1 of reference to the blue ribbon committee during
2 the course of this process.

3 And I sat on the blue ribbon so
4 I've got some firsthand knowledge in terms of what
5 happened there. I think it would be beneficial for
6 Jon or somebody to give the rest of the Plan
7 Commission a pretty good debriefing because a lot
8 of what I've heard already was taken out of
9 context.

10 There were clearly some mainstream
11 ideas and there were some minority opinions and I
12 think it's very important that we not be quoting
13 what happened in the blue ribbon committee out of
14 context because I don't think that's fair to the
15 Plan Commission.

16 CHAIRMAN RUDNY: Now we have a copy of
17 the blue ribbon committee report in the packet so.

18 MR. SULA: Right. I still think it
19 would help to hear some verbalization.

20 CHAIRMAN RUDNY: Okay. Any other
21 comments?

22 (No response.)

23 CHAIRMAN RUDNY: I would entertain a
24 motion.

1 MR. SMITH: I would make a motion that
2 we continue it to the July 15th meeting.

3 MR. WINTER: Second.

4 CHAIRMAN RUDNY: Second by Mr. Winter.

5 All those in favor of the motion signify by saying
6 aye in the roll call; those opposed, nay. Roll
7 call, please.

8 MS. VELKOVER: Winter.

9 MR. WINTER: Aye.

10 MS. VELKOVER: Foster.

11 MR. FOSTER: Aye.

12 MS. VELKOVER: Smith.

13 MR. SMITH: Aye.

14 MS. VELKOVER: Sula.

15 MR. SULA: Aye.

16 MS. VELKOVER: Cepon.

17 MR. CEPON: Aye.

18 MS. VELKOVER: Rudny.

19 CHAIRMAN RUDNY: Aye. Motion carries

20 and it is so ordered.

21 We still have a meeting going on

22 so keep it quiet until you get out in the lobby.

23 We'd appreciate that.

24 Okay. The next matter is a public

1 hearing, Olav J. Espenes petition. The subject
2 property is an outlot of Gurnee Mills Mall B-1A and
3 is located north of the Condell Medical Facility
4 and Max & Erma's restaurant and south of
5 Kindercare.

6 The Petitioner is requesting
7 approval of a special use permit to allow the
8 establishment and operation of an automobile sale
9 and service facility. A Saturn car dealership is
10 proposed.

11 Now let me ask the Commissioners --
12 I suppose I should ask the Petitioner, is the
13 Petitioner here?

14 MR. ESPENES: Yes, sir, I am.

15 CHAIRMAN RUDNY: Okay. How long is your
16 presentation going to be?

17 MR. ESPENES: Sir, I'm going to keep
18 this as brief as I can this evening. My name is
19 Olav Espenes.

20 CHAIRMAN RUDNY: You have to wait. It's
21 a public hearing so anyone with the Petitioner who
22 is going to give testimony or also anyone from the
23 public who wishes to make a comment or ask a
24 question on this hearing needs to stand and be

1 sworn in by the Village Attorney.

2 (Witness sworn.)

3 CHAIRMAN RUDNY: Please proceed.

4 MR. ESPENES: Good evening, ladies and
5 gentlemen. My name is Olav Espenes, please call me
6 Jon. The name of my company is The Jon Espenes
7 Company. We're construction managers, design build
8 contractors and for the past several years we have
9 had the honor of building several dealerships for
10 Mr. Robert Rohrman whom I'm representing tonight
11 and placing his petition before you for a special
12 use permit.

13 I'll be as brief as possible. Our
14 project is small compared to the one that you've
15 just looked at. I'm going to move a couple of
16 these boards around here.

17 While my young intern here performs
18 his task let me introduce some of the people that I
19 have with me tonight. I have Nick Nickatakous

20 (phonetic). He sold us the property. Mr. Scott
21 Digilio. He's our civil engineer for the project.
22 Mr. Ron Moyer, he's the general manager of our
23 Saturn store in Waukegan. And we have Mr. Jerry
24 Diehl from our office and Mr. Brent Wompler, our

1 lighting consultant.

2 Can everybody see our boards? Do
3 you want us to pull them out a little bit?

4 The parcel that we're talking about
5 tonight is a peripheral parcel of the Mills
6 Corporation development. To our north we have the
7 Kindercare center. To our south we have a bank,
8 Max & Erma's, and the Condell Medical facility is
9 over here.

10 We purchased the property in 1995
11 and have done several layouts of two car
12 dealerships. When we purchased the property as
13 part of our warranty deed the Mills Corporation
14 believed that we were going to put in a Saturn
15 store and a Lexus store.

16 However, upon several meetings with
17 the Mills Corporation and several submittals to the
18 Mills Corporation we've developed our site where
19 we've almost restricted the property to a one

20 dealership usage.

21 However, we don't want to restrict

22 ourselves from coming back to this Board and asking

23 for a second dealership or a smaller building on

24 the site at a later date.

1 If you notice in your packet I've
2 dotted a line in this area right in here which
3 would be the area required to do the second
4 building. The parcel has been developed in
5 accordance with the standards set forth by the
6 Mills development.

7 We believe it's a good plan. The
8 plan that we have here in front of us is the
9 landscape plan showing buffers, how we've buffered
10 the Kindercare center to the north where we use
11 deciduous trees, flowering plants. To the west
12 there was an existing buffer and we've added
13 several trees to that buffer.

14 There was also in the southwest
15 corner a tree preservation area which we are
16 allowed to do some development within that area;
17 however, not to remove any trees.

18 On the southern side of the
19 property we have buffered with coniferous trees.

20 In the beginning we had planned to use deciduous
21 trees. However, the Mills Corporation recommended
22 that we come back with a Serbian spruce.
23 Our parcel has been set up for one
24 store. It would be a Saturn facility. I'm going

1 to briefly go to a floor plan here or if I can take
2 this board down.

3 There is kind of a front elevation
4 of it. It's been designed to meet the Saturn
5 guidelines by the Saturn Automobile Corporation.
6 The outside of the building is Drive-it which I
7 have a sample of our Drive-it color here. Our red
8 band which is on the building right here.

9 The back sides of the service area
10 are constructed from split faced block and painted
11 to match the Drive-it finish.

12 We have our standard glass curtain
13 wall. In the front areas of our site we have
14 exposed aggregate walkways. And I'll go back to
15 this site plan here real quick.

16 Our exposed aggregate walkways run
17 from the front door out to our parking areas and
18 our front display areas and then we have these
19 little Saturn circles that are a combination of

20 exposed aggregate walkways and planters that are
21 built in.

22 I'll come back to those Saturn

23 circles here in a second. Our front display area,

24 which are these two areas right here, are all

1 paving bricks. And here is the sample of our
2 paving brick. The Mills Corporation has worked
3 with us on developing this front area. They've
4 made some concessions and some recommendations.

5 And the normal display has been
6 able to be brought forward to the 25 foot line
7 without having the hicks-u screenage which is
8 typical for the other parcels to come across the
9 front of our display area. In lieu of that, our
10 hicks-u runs behind the front display and then we
11 have more fountain grass and other live plantings
12 of flowers that come through the front here.

13 So the front display area for our
14 facility should be pretty nice. It will pop out,
15 it will be very flowery in the springtime. We've
16 used a good combination of trees with their
17 changing foliage in the fall. And I'm pretty
18 excited about the way that the landscape plan has
19 come together.

20 A real brief overlay of the
21 building. It is a three -- it is basically a three
22 story building. We have a full basement in it.
23 Our full basement has parts and a place for
24 storage. Our mechanics restrooms are down in the

1 basement.

2 On the main floor we have a service
3 area. We have a quick lube. We have a service
4 ride up drive. Our service writers, file space, a
5 place for our service manager and our warranty
6 clerk, our parts department. Office space for our
7 sales personnel, finance and insurance offices.
8 Bathrooms. And then our general display area right
9 through here.

10 We have a living room function and
11 a kind of a contemplation area which is new to
12 Saturn. In fact, we'll be the first store in
13 Chicagoland to go with these two areas. This new
14 design is called Red Two and it's for the year 2000
15 where they're redesigning the interior of the
16 Saturn store to be more customer friendly.

17 One of their focuses here is to put
18 less cars on the floor of the showroom, bring the
19 customer into the showroom, acquaint them with the

20 product and then take them to the display area out
21 in the front of the parcel.

22 This area up front here is our new
23 car delivery area. This is where every new car is
24 delivered out to the customer. The customer is

1 explained how everything works for a final time
2 before he drives out the door.

3 We have an entrance canopy to
4 shelter the customers coming into the facility.
5 And we have a carwash along the south side of the
6 building. This carwash is not a public carwash.
7 This is for our employees to drive customer cars
8 through and to bring them back and detail them in
9 the building.

10 We've gone to a reclamation system
11 for the carwash so that we are actually only using
12 three gallons of fresh water with every wash. So
13 we have a reclamation pit and other mechanical
14 means of reusing the water.

15 Back here in the service area we
16 have a reconditioning area for used and new cars.
17 On the second floor we have our general office. We
18 have an elevator that services all three floors.
19 We have a conference training area and we have a

20 kitchenette for all our employees along with
21 restrooms and again another unimproved space that
22 would be for future parts.
23 That's pretty much the building
24 here. I'd like to turn it over to Scott Digilio to

1 talk to you a little bit more in detail on the site
2 and answer any of your questions that you might
3 have on the site development. That's a very quick
4 synopsis. I don't know how I could make this go
5 faster for you folks.

6 MR. DIGILIO: Hello, my name is Scott
7 Digilio. I'm a licensed professional engineer
8 employed by C.E. Design, Ltd.

9 This will be very brief because I'm
10 allowed to do this brief because the engineering is
11 very simple on this site. This lot has been set up
12 as an outlot for the Gurnee Mills development and
13 thus all the utilities and stormwater detention has
14 already been provided for this site.

15 There is a sanitary sewer and water
16 main which is adjacent on our side of the street to
17 this site and stubbed to our property. And there's
18 also a storm sewer on Prairie Center Drive where
19 the water drains down to the southeast.

20 So all the utilities are right
21 there in front of our site to connect onto.
22 There's no stormwater detention that's needed on
23 the site. It's already provided within the
24 development itself. That's engineering in a

1 nutshell on this site.

2 Other than that, the traffic flows
3 are very simple with the two main entrances, one
4 off of Gurnee Mills Circle and one off of Prairie
5 Center Drive which enables circulation of the
6 traffic.

7 And that's all I have as far as
8 engineering goes. Thank you.

9 MR. ESPENES: Thank you, Scott. Going
10 back to the traffic here, I attended some of the
11 hearings for the other car dealerships that were
12 planning on constructing dealerships here in Gurnee
13 Mills. And I wanted to come here and be prepared
14 to address some of their concerns.

15 Number one, truck transports
16 delivering cars. Our truck transports are set to
17 enter here along this Prairie Drive. And they have
18 two options once they enter into the site.

19 They can pull through here and

20 unload right in this area here or they can work
21 around to the back here and unload in that area.
22 If they come this area here, we bring them out,
23 bring them out across the street here and back out
24 to Hunt Club Road and back to Grand Avenue.

1 If they come in this way here, we
2 can bring them around the building back out, back
3 out on Gurnee Mills Circle west and back to Grand
4 Avenue this way.

5 We've also worked through this site
6 plan with the fire department and made sure that
7 all the fire trucks and equipment will be able to
8 circulate the site.

9 We also have a test drive route
10 that we've established for both our new and used
11 car sales and our mechanics to use when testing
12 automobiles. Our plan is to exit the dealership on
13 Gurnee Mills Circle west, come out to Grand Avenue,
14 take Grand Avenue down to the Tri-State here. Come
15 down the Tri-State, exit off of 21, turn around and
16 come back on the Tri-State, back on up and back
17 over to the dealership.

18 And this would be mandated of each
19 and every employee that works for Mr. Rohrman.

20 There will be no test drives in the mall. There
21 will be no test drives in residential areas. This
22 actually will be -- I think we've even signed an
23 affidavit to the fact that this would be the
24 guaranteed route that we will take.

1 As far as traffic with respect to
2 our neighbors, I've taken a look at what the Saturn
3 of Waukegan has done in the last three or four
4 years and kind of put together a traffic study
5 based on what they have sold and sold as far as new
6 and used vehicles and their business as far as
7 related to the service customers which was
8 presented in the packet to you.

9 I know it's a little confusing, but
10 it boils down to about 17 cars on an average. Over
11 a years' time 17 cars per hour enter and leave this
12 facility. And this is taking into consideration
13 that we would double our growth of where we are at
14 Libertyville -- or excuse me, at Waukegan
15 presently.

16 If we have 17 cars leaving this
17 facility every hour, we really shouldn't have any
18 impact on any of our neighbors. A worse case
19 scenario that I looked at was maybe I think a 35

20 car level at peak hours between 2 and 3 or 3 and 4

21 in the afternoon and early in the morning.

22 We have no intention for this

23 entrance here from the Kindercare to be an entrance

24 to the facility. We've left that entrance there

1 strictly for emergency vehicles. It could be
2 closed at the Board's discretion, it wouldn't
3 bother us. But I kept it open at this time.

4 The bank which is down here,
5 certainly we would not be bothering them. I don't
6 believe we'd be bothering Max & Erma's. They
7 obviously have to host more than 17 cars an hour to
8 make a business. And the Condell Medical facility
9 is back in the back. We do own this road right
10 here as part of our parcel and we share it with our
11 neighbors.

12 This -- if we keep this open this
13 exit would be posted for emergency vehicles only.
14 Our entrance and exit through the site would be
15 these two main entrances.

16 Other things that we've addressed
17 here. We do not use paging systems, outside paging
18 systems. Each salesman has a little pocket pager
19 and if he gets a call when's out on the lot the

20 pocket pager goes off and it reads what number to
21 call in or what phone to go to, what courtesy phone
22 to go to and he gets his calls that way.
23 Our hours of operation are from
24 7:30 in the morning until 9 o'clock at night Monday

1 through Friday. On Saturday they're from 7:30 in
2 the morning until 6 o'clock at night. Sunday we're
3 closed. Sunday is probably our biggest day for
4 traffic on the site, believe it or not. That's
5 when nobody is around, customers come in and feel
6 free to go through our whole lot.

7 Our lot is laid out for easy access
8 for handicapped straight to the store. Our door is
9 here, sliding glass doors, state of the art. The
10 inside of the dealership -- I don't know if any of
11 you have been to a Rohrman dealership, but he
12 spends a lot of money making the place look very
13 homey. Like the interior of a mall, he uses the
14 ceramic tile floors, wall coverings.

15 There's furniture in there where
16 you sit like in a Lazy Boy at your own home.
17 There's desks where you can come in and work on
18 your laptop computer while your cars are being
19 serviced or you're waiting for some part for your

20 car.

21 I can let Mr. Moyers tell you a

22 little bit more about the inside of the facility if

23 you'd like to hear more on that.

24 The final issue I think that

1 everybody wants to know is our lighting so I kind
2 of saved that until last. We've redesigned the
3 lighting I don't know how many times and I think
4 we've come up with a plan that would be acceptable
5 to the Village. And I'm going to let Brent answer
6 your questions here.

7 I would like to point out that we
8 have used only 400 watt light fixtures. All of our
9 perimeter light fixtures here have light shields,
10 cutoff shields on them. I have used poles in the
11 front row that the poles are 20 feet on a 2 foot
12 base and the poles in the back of the lot I think
13 are 16 feet on a 2 foot base.

14 And Mr. Wompler can tell you a
15 little bit more about it. The purpose of this
16 chart here, the blue line here depicts our property
17 line and this pink line here, that is the one-half
18 foot candle of light trespass. So we have a little
19 bit of light trespass on Kindercare at that point

20 and just we're a little bit right here on the road

21 of light trespass, this road we own.

22 Down here on Condell's property we

23 have a little bit of light trespass here and here,

24 but that's our level.

1 I want to come back to signage, but
2 briefly, Brent, would you like to tell us a little
3 more about the lighting.

4 MR. WOMPLER: I appreciate the
5 opportunity to talk to you.

6 One of the lights that we're using
7 just having been before this Board a couple other
8 times on similar projects, we're using a flat lens
9 so there's cutoff so all the light is directed
10 downward as Jon mentioned.

11 And Jon is real excited about the
12 lighting since we're on revision number twelve.
13 The lighting cuts itself off because of the house
14 side shields that were incorporated. As you
15 notice, not having used any building lighting as
16 has been done on other projects, we've eliminated
17 all building lighting altogether.

18 And this was done using just the
19 400 watt heads as was done on other projects with a

20 thousand. But we've taken the levels and dropped
21 them even lower to be in line with the surrounding
22 facilities as well as limiting any kind of
23 intensity issues that might result.

24 Using the state-of-the-art vertical

1 lamp and incorporating the flat lens you get a very
2 even illumination. That's one of the issues that
3 was brought up was the fact that the certain
4 intensity to the light.

5 Well, in reducing the wattage and
6 going with the vertical lamp the uniformity is
7 greatly enhanced and improved so whatever intensity
8 you do have as you need in a car dealership,
9 because of the uniformity, because of the evenness
10 of the lighting it doesn't appear to be very bright
11 at all.

12 And we've looked at all the
13 facilities involved and the requirements and
14 incorporated this so that we'd maintain this
15 half-foot candle around the property line to keep
16 it well within the guidelines as established by the
17 community.

18 COURT REPORTER: Could I have your name?

19 MR. WOMPLER: Brent Wompler.

20 MR. ESPENES: Also along with this I'd

21 like to put up one more chart here.

22 Your professional staff asked for a

23 photometrics drawing of the vertical photometrics

24 at a three and a half foot level off the deck and

1 we have this chart. We've also presented you folks
2 with a plan of that.

3 If you notice that three and a half
4 foot off the deck you can see all the zeros.
5 They're just right through here. And I don't
6 believe there's any light trespass on the vertical
7 level. If it is, it's very minimal and it would be
8 right here.

9 I would like to go back once now to
10 signage. We're requesting that we be granted two
11 monument signs. The monument signs here are shown
12 in your packet. The name brand sign is on this
13 side of the entrance and our used car sign is on
14 this side of the entrance.

15 The monuments are built in
16 accordance with Gurnee Mills standards. However,
17 they are slightly wider than the ones that are on
18 the other peripheral packages. Slightly being
19 about a foot.

20 The reason that that was done was
21 that was the sizes that Plastoline had already in
22 stock for this type of monument sign. If
23 necessary, we could cut that back and go to a
24 custom sign for that -- for those two signs there.

1 Our building signs, we have our
2 name brand sign saying Saturn of Gurnee Mills and
3 our logo. That is a lit sign. We also have an
4 unlit sign underneath that that says a member of
5 the Bob Rohrman Auto Group.

6 We also have two unlit signs, one
7 saying express lube and one saying service
8 entrance. The reason why these two are necessary
9 is that we would not want to bring a service
10 customer who was coming in to have a tire rotated
11 into the express lube area. Our express lube is
12 below grade.

13 The signs overall comply with the
14 Village requirements as far as the square footage.
15 However, the extra signs here do not comply with
16 the number of signs. So what we're asking for is
17 your consideration of a redistribution of the
18 amount of signage allowed as long as we remain
19 under the 120 square foot level.

20 I believe the Ordinance reads you
21 can have a fascia sign, two fascia signs of 16
22 square foot each. The total of all of ours I think
23 is 111 square feet. I don't have that total real
24 close but -- do you have it? Do you have the

1 signage?

2 That would be our only variation
3 that we're requesting. That and a peek at these
4 two signs here.

5 If these signs are granted then we
6 will not be using any of our signs that are already
7 there for us out on Hunt Club Road and Grand Road,
8 on Grand Avenue, excuse me.

9 That is about as quick as I could
10 make this. I know you folks are getting tired. I
11 would like to turn this probably over to the Board
12 and let them address questions.

13 CHAIRMAN RUDNY: Okay. I have a couple
14 questions.

15 That area that's in the -- I guess
16 that would be the western portion behind, yeah, is
17 that going to be for car storage? Is there going
18 to be ability for customers to go out there and
19 look at cars?

20 MR. ESPENES: It's mostly for car
21 storage but we'll have customers out there looking
22 at cars.
23 CHAIRMAN RUDNY: Okay.
24 MR. ESPENES: We have a limited amount

1 of car storage on this lot. That's one of the
2 reasons why at this time we're not -- we elected to
3 go with a single dealership on this site.

4 CHAIRMAN RUDNY: I drove by there today
5 and I see there there's a lot of mature trees back
6 there.

7 Now I'm a little confused, on my
8 plan shows it looks like there are a lot more trees
9 than on your plan. Are there trees being removed?

10 MR. ESPENES: There's one tree being
11 removed from the -- from this -- from the tree
12 preservation area and that lays somewhere in here.
13 And we've mitigated that tree with this tree over
14 here.

15 In addition to the trees that we
16 had lined out here on the site to be planted under
17 the guidelines of the Mills Corporation, your
18 professional planning staff came back to us and
19 said we need 22 more trees for the trees that

20 you're taking out.

21 The trees that we're taking out

22 here that I really hate to lose are there's some

23 nice conifers over here but they're too big to

24 transplant or otherwise we'd consider that. And

1 then there's some scrubby trees in here. And a
2 walnut tree actually that we found in here that we
3 are going to replant.

4 We are taking some trees out of the
5 entrance here and replanting them. We are also
6 taking some trees out of the median and they are
7 being replanted back in the back.

8 I believe we've got a ton of trees
9 on here. Probably more than we probably need to
10 have for growth in the future. In 10 or 12 or 15
11 years from now these trees are about 20 feet apart
12 and their crowns are going to be growing together.
13 It's very densely wooded on the periphery of the
14 project in my opinion.

15 CHAIRMAN RUDNY: I have to compliment
16 you. I like the idea that the -- you're really
17 servicing this off of the interior of Gurnee Mills
18 which is nice.

19 So you're -- you know, if you could

20 maintain the buffer zone there it's almost like
21 because my understanding is you're not going to
22 have any signage out on Hunt Club, right?
23 MR. ESPENES: No, no. If we're granted
24 that little extra there on these two and those are

1 gone. Watch us come back six months from now.

2 CHAIRMAN RUDNY: So, you know, so from
3 the interior of the site --

4 MR. ESPENES: I didn't say that. Is
5 that on the record?

6 I will not come back, somebody
7 else will come back. But no, it's not in our plans
8 right now. Those signs that were actually
9 dedicated to for our use for this parcel A-1B,
10 somebody else has already used those signs.
11 However, there are other signs available to us out
12 there.

13 But if you will read the Mills
14 letter that came back, they suggested that if we
15 use these signs that we not get the signs out on
16 the highway. Which is fine with us.

17 CHAIRMAN RUDNY: Well, I'd have to say I
18 like the layout of this. I think the layout is
19 good. I guess the only question that I have is on

20 the lighting.

21 My understanding is that are you

22 familiar with our -- it's just a draft ordinance

23 right now, I don't believe it's been approved yet

24 by the Village Board.

1 Have you reviewed that or has the
2 lighting engineer reviewed that?

3 MR. ESPENES: No, sir, I haven't. Brent
4 has reviewed it and I've looked at what the other
5 dealers have been granted in the other areas.

6 CHAIRMAN RUDNY: But I guess the
7 Ordinance kind of reflects what we're hoping that
8 future developments will adhere to.

9 But Jon or Tracy, is there -- where
10 do they deviate from the draft ordinance? Is there
11 anything that's significant?

12 MR. WILDENBERG: Tracy can handle that.

13 MS. VELKOVER: They meet the spillage of
14 the property lines under the draft ordinance on
15 both vertical and horizontal.

16 There's -- the draft ordinance
17 allows only 250 watt fixtures within the first 40
18 feet, first 40 feet of the property and they do
19 have 400 watt fixtures throughout the site so there

20 are some fixtures that are in that 40 foot
21 perimeter around the site that exceed the 250 watt
22 requirement.

23 CHAIRMAN RUDNY: Would 400 be allowed as
24 a special use?

1 MS. VELKOVER: Correct.

2 CHAIRMAN RUDNY: Okay.

3 MS. VELKOVER: And then the one other
4 area where they do not meet the draft ordinance is
5 that we have a maximum internal foot candle reading
6 allowed by right of fifteen -- of less than
7 fifteen. Less than fifty requires a special use
8 permit and greater than fifty requires both a
9 special use permit and a variation.

10 And their maximum foot candle
11 reading on-site is 137 so they would need a special
12 use plus a variation.

13 CHAIRMAN RUDNY: Okay. I guess I'd ask
14 the lighting guy is there any way that you can --
15 I kind of just briefly looked at some of the
16 readings.

17 Is there some way that you could
18 comply at least with the special use levels that we
19 have in our --

20 MR. WOMPLER: One of the things that
21 we've done is we've met an average of 17.2. And,
22 you know, numbers in themselves don't really give a
23 true picture.

24 What you try to do as far as the

1 total light levels, this being a car dealership, is
2 try to keep a maximum to minimum so that you don't
3 have real dark spots and real bright spots and
4 we've tried to do that in this kind of a scenario.

5 Part of the layout with the spacing
6 of the islands creates a situation so from an
7 economic standpoint we're limited to height so some
8 of the levels as they have gotten up to 137 if you
9 look on the site and you look at the different
10 variations here you'll see, for example, around the
11 perimeter there's 20 foot candles and we drop off
12 where we've got -- where we've hit the higher
13 levels is a combination of probably, and I'd have
14 to look at the specific point, but --

15 MR. ESPENES: They're hidden by the
16 heights.

17 MR. WOMPLER: They're hidden by the
18 lights. What it is, it's kind of a computer
19 generated point by point. What happens is you

20 might get a specific spot that hits that. A
21 variation of six inches one way or the other could
22 lower it so it would be more in line with what the
23 special use requirements are.
24 Raising the pole height puts us out

1 of line with what they'd like to have as far as
2 levels, but it would also even it out as far as the
3 high intensity of one spot. Literally 137 foot
4 candles if you look at the -- I guess the text of
5 what we're trying to do here could be one specific
6 point and generally we're well within that.

7 Our average, if you look, is only
8 17.2. And our light levels that fall off of the
9 site are much less than that.

10 CHAIRMAN RUDNY: Any other questions by
11 the Commissioners?

12 Mr. Foster, do you have any?

13 MR. FOSTER: I just want to say I'm
14 disappointed you don't have a Lexus. Not that I
15 would be an immediate customer.

16 I do want to ask a question in
17 terms of the building itself. Is this your new
18 design that has the garage doors in front or do you
19 have that in the other --

20 MR. ESPENES: Yes, sir, this is part of
21 the Red Two. Red Two being redesigned. That's all
22 I can come up with.
23 Actually, this is so new that we
24 had the drawings for the building done back in

1 August and Mr. Rohrman went to one of the annual
2 meetings that Saturn put on and they brought out
3 the Red Two package and the interior was enhanced
4 and the exterior was enhanced and he saw that thing
5 and he said well, heck, I'm going to spend all this
6 money, we should bring this up to the Red Two
7 standards.

8 And so the architectural firm that
9 Saturn works with at the conceptual level would
10 come up with an elevation of the front, for
11 example, and so we'd put it on our drawings and we
12 actually made a submittal to site signatures with
13 that conceptual front.

14 And they had signage here, here,
15 they had this big piece up over the front door with
16 the big Saturn logo that was, I don't know, almost
17 7 feet by 7 feet.

18 And then that was changed and then
19 they came out with a little canopy over the front

20 and it was changed. And as of two weeks ago this

21 is -- this is it. This is their final front.

22 And we made the changes and

23 presented them back to the Village and that's where

24 they're going with it.

1 The inside complies with all their
2 redesign. We have no idea what furniture package
3 yet that we are purchasing. We do know when we
4 look at the interior of the building that this is
5 their layout that they're looking for.

6 This living room area, so to speak,
7 has got a fireplace in it. We're not planning on
8 having a fireplace in this. We will have a
9 fireplace that's there that does nothing, but
10 that's what they wanted to do.

11 There's desk units, vending is up
12 in here. There's places for people to come in and
13 use their computers here. This is more of a
14 contemplation area over here or to be with the
15 family while --

16 MR. FOSTER: While you do the crying
17 phase.

18 MR. ESPENES: Yeah, the crying phase.
19 The kids area here originally down here, now it's

20 all glassed in over here. They also have -- one of
21 the things that we do not have is they also have a
22 kids area now back near the F&I offices and we have
23 a third F&I office here, that's finance and
24 insurance, that we can turn into a kids area which

1 really doesn't affect the special use.

2 But the exterior of the building
3 has been set. The interior of the building still
4 will need some fine tuning in the next couple of
5 months.

6 Going back to the interior finish
7 I'd like to just kind of draw your eye here. Mr.
8 Rohrman ceramic tiles his service drives, they look
9 real nice when you come in.

10 MR. FOSTER: Have you had any
11 discussions with the proprietors of the Kindercare
12 in terms of them having any concerns with the
13 automobile dealer being next door in terms of
14 traffic or --

15 MR. ESPENES: No, sir. No, sir, I
16 haven't. I have gone over and introduced myself to
17 the people at the Condell Medical facility. They
18 didn't seem too interested in wanting to talk to
19 me.

20 I did introduce myself to the
21 people at the Kindercare center and they didn't
22 seem to have too many concerns. Now I did promise
23 them that I would come back before construction and
24 show them what we were planning on doing in hopes

1 that maybe they would be here tonight.

2 MR. FOSTER: What is your proposed
3 timetable?

4 MR. ESPENES: We would like to begin
5 construction within 30 days if granted the special
6 use permit.

7 We have our site drawings in to the
8 engineering department for review. They've issued
9 us comments. We're planning on addressing all
10 those comments by early next week and getting them
11 back into the engineer's office.

12 The building permit, we're ready to
13 apply for the building permit. We're just waiting
14 to go through the formality here of a special use
15 permit and see if you have any blessing on what
16 we're doing or if you think there's corrections to
17 whatever you think we should do here with it.

18 It's a fast track situation. We're
19 behind on our construction schedule. We would have

20 liked to open this facility this year. Next year
21 is it, correct me, is it April Saturn is coming out
22 with a larger car and the parent corporation would
23 like us to have this store up and functioning by
24 February, which is now a physical impossibility at

1 this point.

2 So we will fast track it. It's
3 been out for bid. We've narrowed it down to three
4 contractors, one of them being a local contractor,
5 Henderson & Son. So which obviously they do very
6 good work so.

7 CHAIRMAN RUDNY: Mr. Winter, I think you
8 had your hand up first.

9 MR. WINTER: This might be a question
10 for staff. With the submission we have an
11 affidavit that sets forth the lighting points that
12 the owner would be willing to abide by.

13 As far as enforcement -- and I
14 don't know if this is for Butch or Tracy -- what
15 mechanism of enforcement do we have specifically,
16 you know, for the eight items that are listed here?

17 This is where they prohibit signs,
18 applicable signs, banners, flags, they're willing
19 to not have loudspeakers, exterior loudspeakers.

20 How would there be an enforcement mechanism for
21 these things?

22 CHAIRMAN RUDNY: These are going to be
23 conditions of the special use.

24 MR. WILDENBERG: Correct.

1 MR. WINTER: But what happens once
2 they're built and something comes on, what do you
3 guys do?

4 MR. WILDENBERG: If a condition arises
5 that's contrary to what's in the special use
6 permit, bring it to attention of the owner and give
7 him time to correct it. And if it's not corrected
8 then you move on to the next step after that.

9 It would be a condition of the
10 zoning.

11 MR. WINTER: But as a practical matter I
12 mean what happens, what if they don't do anything?

13 MS. VELKOVER: There is a procedure in
14 the Zoning Ordinance that addresses the revocation
15 of a special use permit. So there is that
16 procedure in the Zoning Ordinance.

17 And if they did not rectify the
18 situation that procedure could be gone through.

19 MR. WILDENBERG: We can also prosecute

20 it through the local court system.

21 MR. WINTER: Well, I was thinking that

22 there has to be some fine mechanism. You're not

23 going to revoke --

24 MR. WILDENBERG: That would be up to a

1 Judge if we get before a Judge.

2 MR. WINTER: I mean I think these are --
3 I just hate for these to get lost in the shuffle
4 that there's some -- that doesn't sound very
5 practical to me for enforcing these.

6 Maybe, you know, I know we've --
7 these things have come up before so this is a
8 general question and maybe staff could look at
9 that.

10 MR. WILDENBERG: Excuse me, could you
11 say that again? I missed that.

12 MR. WINTER: In terms of enforcement
13 whether there's something that there could be some
14 process laid out as part of the agreement that
15 there's some enforcement measures as part of the
16 agreement so that the owner knows that in addition
17 to our general provisions that may exist for
18 revocation of a special use permit.

19 MR. WILDENBERG: We have to follow

20 basically state law as far as any enforcement
21 proceedings against this particular property as it
22 relates to the special use permit.
23 There are procedures available to
24 us to do that if the conditions of the property go

1 beyond the parameters of the special use.

2 MR. WINTER: I mean they could have --
3 if they signed this affidavit saying they're going
4 to do these things I think there could be an
5 enforcement mechanism as part of this that they
6 would have to agree to that we would come up with
7 in addition to what we have just to make sure these
8 things are followed.

9 CHAIRMAN RUDNY: Maybe you could give an
10 example of what you mean by enforcement.

11 MR. WILDENBERG: I'm not sure what you
12 mean.

13 MR. WINTER: Saying, for instance, that
14 the owner understands that there would be a fine
15 imposed in addition to the existing revocation
16 process if they don't come in compliance with these
17 additional terms.

18 MR. WILDENBERG: Both of those are
19 possibilities depending on the severity, the

20 frequency of any particular occurrences.

21 As far as levying fines go, that's

22 not something that we can do unilaterally. That's

23 something that would have to be brought before a

24 Judge on an action by our Village Prosecutor.

1 As far as the revocation of the
2 special use permit, that's something we'd have to
3 probably explore a little further with our
4 prosecutor and our Village Attorney as to, you
5 know, if we have to go to that point what are the
6 exact steps we need to take to do that.

7 I would think our first course of
8 action would be, you know, aside from direct
9 contact with the property owner, see if they'll
10 voluntarily comply would be then to try to get them
11 into court to get a ruling from a Judge and
12 possibly levying fines.

13 CHAIRMAN RUDNY: You know, Bryan, I
14 think the way this generally works is, you know,
15 you have these in the special use and if there's a
16 specific problem out there, for example, that they
17 start using loudspeakers and it starts bothering
18 Kindercare usually what happens is somebody like
19 Kindercare or Gurnee Mills organization is going to

20 call the Village and say they're in violation of

21 their special use permit.

22 And then the Village can take

23 appropriate action, which probably the first thing

24 is to give a phone call over and to say what are

1 you guys doing. And that's probably going to
2 correct most of the things.

3 But I -- you know, I think the
4 enforcement and the mechanism of fines and
5 revocations of the special use permit is all
6 documented already in the -- what is it -- in the
7 statutes that are -- it must be documented some
8 place.

9 MR. MAIDEN: Now that you're a home rule
10 there may be some additional things that you might
11 want to explore with the Village Attorney, but we
12 can look into that.

13 CHAIRMAN RUDNY: I don't think we've
14 ever done anything different with anyone else. I
15 don't think we've ever done that.

16 MR. SMITH: I think convertible tops
17 have to be up -- or down, it can't be in the
18 upright position. That's the same as the hood
19 being up. If they've got used vehicles.

20 MR. ESPENES: If I could address a

21 couple of those issues.

22 CHAIRMAN RUDNY: Yeah, go ahead.

23 MR. ESPENES: Number one, we're

24 marketing Saturn automobiles here. These are

1 strictly provided at Saturn headquarters we're not
2 allowed to do any of the above. Now if that was a
3 Lexus store in there we could do that, but they do
4 not tolerate that.

5 Something else that I've heard here
6 in the last 30 days, and I don't know where I've
7 heard this, but apparently some other dealership
8 that has just developed property here in Gurnee had
9 balloons tied to their cars and the police came
10 along and cut them off and told them that if they'd
11 go back up they'd shut them down. Now I don't know
12 if that's true or not, but that's what I was told.

13 And in the past going back to
14 writing some sort of special provisions, in other
15 villages as part of the special use permit, the
16 ordinance that -- it is an ordinance that is
17 passed, correct me, I'm not an attorney.

18 But in that ordinance this
19 affidavit would become a part of that ordinance as

20 an exhibit to it and it would be enforced. Once
21 it's an ordinance, it's just strictly a matter of
22 notifying your local planner that they're in
23 violation of the zoning ordinance and at that time
24 I think your city attorney enforces it.

1 He just -- you know, I think that's
2 all there is to it. I mean I think it's very
3 simple for you to come back on the dealership if we
4 violate any of these terms. I may be wrong because
5 I'm not an attorney, but I think that's what's
6 happened in the past.

7 I know we had a store that we just
8 finished out in Westmont and we had a question on
9 these racks that you see where you drive your car
10 up on the rack. Well, this proceeding out in
11 Westmont went on for four years and it was going to
12 be two dealerships.

13 Then when I brought it back to the
14 board, when I got a hold of it we turned it to one
15 dealership on one parcel and we were granted our
16 special use permit where we could use those racks
17 but we couldn't use balloons.

18 And then some of the residents
19 surrounding there thought that those racks were a

20 part of this ordinance when in fact they weren't.

21 So the recourse was very quick. I mean they -- the

22 residents are quick to let you know when you're in

23 violation of the terms of the agreement. Yes, sir.

24 MR. CEPON: Just one quick question.

1 Do you realistically think that you
2 could get two dealerships on this lot?

3 MR. ESPENES: My personal opinion having
4 built several for Mr. Rohrman is that no, I think
5 we should limit this to one dealership.

6 But I work at his direction and
7 what kind of -- if I could put this one site plan
8 back up here. If you see these dotted lines in
9 here, we -- there was a number of square foot
10 restriction that went with this property.

11 The warranty deed says yes, we can
12 have two dealerships. But the combined square
13 footage of both dealerships had to be something
14 under 55,000 feet or something like that. This
15 dealership alone is about 36, 37 thousand feet.

16 The outline right here, that block
17 is the outline of the buildings that would put us
18 about 400 feet underneath the total that we would
19 be allowed. If we built that building we wouldn't

20 have any parking and we wouldn't have -- we would

21 have insufficient space to bring in --

22 MR. CEPON: That's exactly my point.

23 MR. ESPENES: We're already short on

24 parking here in the back because of the tree

1 preservation area.

2 I haven't denoted these stalls back
3 here because it is a storage area and these cars
4 presently are 16 feet long and we can pack them in
5 back here and rotate them up to the front areas.

6 This -- what I would like to pose
7 to the Board is I think that in the future we would
8 come back and request to build this little building
9 right here and use that as a used car stand, a
10 little used car facility.

11 Because if everything went right I
12 think we'd outgrow our facility. Let me show you
13 what we have for used cars right now in the
14 existing facility. The used car department is
15 right here. And that would be fine for right now,
16 but, you know, four or five years down the road
17 we're going to need more space for used car sales.

18 On the site plan how we have it
19 laid out this is our used car sales display area

20 and this is our new car sales display area.

21 I did want to go back real quick if

22 I could and talk about these little feature

23 circles. They're very nicely landscaped. If you

24 can see some of the plantings that -- in our

1 rendering around here and just one car sits in each
2 one of those and it's lit with ground lights.

3 CHAIRMAN RUDNY: Are they elevated?

4 MR. ESPENES: Well, they're slightly
5 elevated. They're maybe a total of a foot from
6 this part of the pavement up and down mostly for
7 drainage. If you were walking in there you
8 wouldn't notice it.

9 It may be up this far in the right
10 dead center it starts at grade and slopes up and
11 then goes back down. Because of the impervious
12 surface we want the snow to melt and run off to the
13 planting areas.

14 CHAIRMAN RUDNY: Okay. Mr. Sula.

15 MR. SULA: Just three quick questions.

16 What are your contingency plans if
17 indeed you have overflow problems for storage?

18 MR. ESPENES: We have other facilities
19 in the area where we could store cars. I don't see

20 that being a problem at this point. It would be if

21 we had a second dealership.

22 I don't know -- I get my glasses on

23 here. If somebody can run out to the car. The car

24 storage --

1 MR. SULA: You have other capabilities,
2 is what you're saying?

3 MR. ESPENES: Yes, sir, we do. We have
4 other dealerships in Waukegan.

5 MR. SULA: And the second question, do
6 you have in your traffic counts, does that include
7 the oil express facilities?

8 MR. ESPENES: Yes. Everything, sir.

9 MR. SULA: And then finally, I'm just
10 wondering if they have a practical issue here.

11 I think this is great that you got
12 your test drive on the Tollway. As one that's
13 bought a car recently it's kind of difficult to get
14 someone to take you up to speed on a car.

15 But if -- I'm wondering if you're
16 setting yourself up for failure here on Saturday
17 afternoons where the salesman is going to say it's
18 too busy out there, I'm not going to go on the
19 Toll.

20 I wonder if there should be an
21 approved backup or auxiliary route in the event
22 that the Tollway is backed up Saturday afternoons
23 in the summertime.
24 MR. SMITH: Or Saturday morning with

1 Great America.

2 MR. SULA: Any peak time where that
3 stretch of the Tollway is jammed already.

4 MR. ESPENES: That's interesting, that's
5 news to me because I'm not a resident to this area
6 and that's a good point.

7 Basically we wanted to put them on
8 the freeway so they could see how the car
9 performed. Why don't I ask that question here to
10 Ron. Can you answer that?

11 MR. MOYER: If we could come up with a
12 backup?

13 MR. ESPENES: With a backup plan. We
14 don't want to go into any residential areas. It
15 needs to be easy on and easy off because you
16 realize the customer even though we have a
17 dealership personnel sitting there he's not
18 familiar with all the little buttons and gadgets in
19 the car so he can't be distracted, you know.

20 MR. SULA: I firmly believe there should
21 be an officially sanctioned backup as opposed to
22 each individual picking their own.

23 CHAIRMAN RUDNY: I think that's
24 something you can work on and discuss it with

1 staff, but I think it's a good point because there
2 will be times when they're not going to want to go.

3 MR. ESPENES: Traffic for people coming
4 in to the Mills.

5 MR. CEPON: And Great America.

6 MR. ESPENES: The Mills and the theme
7 park.

8 CHAIRMAN RUDNY: And Great America would
9 be the -- but also Saturday afternoons you could
10 have pretty heavy traffic flow going south from
11 Wisconsin and that could be backed up and you're
12 not going to want to go on the Tollway if it's
13 backed up.

14 MR. ESPENES: We definitely agree with
15 the cries of the residents. We don't --

16 MR. CEPON: Isn't it nice how this car
17 drives at two miles an hour.

18 MR. SMITH: I think the others gave two
19 routes. Being in the business, there are some

20 older people, you're not going to get them on the

21 Tollway. They're not going to go. I tell you

22 right now. They hate to pull out in the traffic.

23 CHAIRMAN RUDNY: I don't know that we

24 need to belabor that. I think that you guys come

1 up with an alternate plan that doesn't use the
2 Tollway. Sounds like it would be the thing to do.

3 I would trust that you guys could
4 come up with something that staff knows what we're
5 looking for there. We certainly don't want to go
6 into the residential areas and I think that's
7 something --

8 MR. ESPENES: We'll have something
9 worked out within the next 48 hours.

10 CHAIRMAN RUDNY: Any other -- do you
11 have anything else?

12 MR. SMITH: No.

13 CHAIRMAN RUDNY: Anything else?

14 (No response.)

15 CHAIRMAN RUDNY: So what's your pleasure
16 on this? Have you got a motion?

17 I'm sorry. I didn't think --

18 I didn't see anybody standing here. This is a
19 public hearing and the floor is now open to the

20 public. State your name and address.

21 MR. WALLACE: Bob Wallace, 1446

22 Kingsbury Court. For the first time I've seen a

23 dealership that I think this Village can live with.

24 I have one additional thing we

1 might ask for. I might request coming out of
2 Gurnee Mills onto Hunt Club for a trailer whether
3 it be empty or full will probably become a problem.
4 There's usually a backup coming out of the Mills at
5 that exit that is directly across from Sam's Club
6 and Walmart in the first place.

7 And if they were directed to the
8 Grand Avenue exit which has a longer light it might
9 be a more acceptable exit there. That's all.

10 CHAIRMAN RUDNY: Okay. Thank you.

11 MR. ESPENES: That certainly is a good
12 point. One of the things we did want to point out
13 is the number of trucks that we get, I think I have
14 that in the booklet there. We're getting two a
15 week. Two to three a week presently.

16 And if we grow, if we double the
17 size of our business we would be getting four a
18 week is what I've got in the report.

19 Now going back to that it was --

20 that this was our initial route and then the fire
21 department had us do some additional thinking here
22 because they wanted to make sure they could get
23 their trucks through.

24 Our preliminary route was to bring

1 them in here, unload back in here, and that's why
2 we have these kind of wide turns to bring them out
3 here and back onto this circle and come this way.

4 But since we had to do a study for
5 the fire department here we also found out that we
6 could make the turns to come in here and back out
7 this way and at this point we could come either
8 back towards Gurnee Mills Circle, that would be a
9 little bit tighter going back to Grand Avenue.

10 It would maybe be a little bit
11 easier if that way to come back this way and out
12 Hunt Club Road to Grand Avenue.

13 Certainly that's one thing that the
14 dealership personnel can do to instruct the drivers
15 on how they would like their trucks to come in and
16 out.

17 Also I'd like to point out that our
18 parts deliveries do come at night. They come
19 between midnight and four in the morning. We get

20 two scheduled deliveries a week by semi.
21 Miscellaneous parts our own drivers go out and pick
22 up if we need an oil filter for an Oldsmobile that
23 we just took in on trade or something like that or
24 the local parts store may deliver that part to us.

1 Those are minimal, shouldn't have
2 any impact on the residents.

3 CHAIRMAN RUDNY: I don't think it would
4 be unusual for semis to be coming into the Gurnee
5 Mills site.

6 MR. ESPENES: But we are doing it after
7 hours. That was my point. If we could take car
8 delivery after hours we would, but sometimes -- I
9 think we do in Lafayette, but --

10 CHAIRMAN RUDNY: I need to ask if
11 there's anyone else from the public who wishes to
12 make a comment or ask a question?

13 (No response.)

14 CHAIRMAN RUDNY: If not, the floor is
15 closed to the public. And was there -- back to our
16 motion. Was it Mr. Sula, did you say you had a
17 motion?

18 MR. SULA: I move to accept the proposal
19 as submitted with the stipulation that it is as

20 submitted and if there's any auxiliary car shacks

21 or whatever in the future that has to come in

22 for a re-vote, for a new vote.

23 MR. SMITH: Second.

24 CHAIRMAN RUDNY: Motion seconded by

1 Mr. Smith. Discussion?

2 Tracy has something to say.

3 MS. VELKOVER: I would recommend that if
4 you're going to make a motion that you include the
5 restrictions in the affidavit that they've enclosed
6 and also one of the things they did not mention was
7 anything about security lighting.

8 That's something that we've
9 addressed with all the other dealerships. So you
10 might want to include some wording in your motion
11 about security lighting.

12 CHAIRMAN RUDNY: That's a good point.
13 Can you address the security lighting?

14 MR. ESPENES: Sure. Usually what I've
15 done in the past was I've met with the local fire
16 prevention bureau and the local police department
17 and I let them tell me what lights they want on.
18 They're the people that have to go on the lot at
19 night.

20 We don't want to pay for any lights

21 that we don't need because our lighting bill is

22 large enough the way it is.

23 CHAIRMAN RUDNY: Should we ask that they

24 provide something to staff that would be -- that

1 you guys would feel acceptable and then include
2 that in the special use?

3 Tracy has something to say.

4 MS. VELKOVER: I might suggest the
5 language that we've used in all the other car
6 dealerships -- of some of the other car dealerships
7 that we have.

8 I actually have it here. It says
9 full illumination of buildings, signage and parking
10 areas shall be limited to one hour after close of
11 business. Sufficient security lighting shall be
12 permitted at all other times. This shall be
13 accomplished by turning off all but one fixture per
14 pole for every third pole spread evenly across the
15 site.

16 CHAIRMAN RUDNY: Do you have any
17 objection to that?

18 MR. ESPENES: I would suggest that we
19 would be much lower than that.

20 I was just going to say if I had to
21 pull one out from previous experience we had some
22 pretty healthy light bills and the owner always
23 looks at me and says Jon.
24 But in the back lot I would think

1 that we'd have one head, maybe two heads on that
2 pole, two heads here, two heads here, two heads up
3 in here. A head here. A head here. A head here.
4 Something like that.

5 It would be very -- it would be --
6 I think we would be well below. So I would be
7 more -- I would be inclined to accept their
8 language.

9 CHAIRMAN RUDNY: Okay.

10 MR. ESPENES: And again, I usually like
11 to let the fire department and the police
12 department tell me what they would like, you know.

13 MR. SULA: I suggest we add Tracy's
14 language to my motion.

15 CHAIRMAN RUDNY: So amend the motion to
16 reflect Tracy's statement.

17 And all those in favor of the
18 motion signify by saying aye in the roll call;
19 those opposed nay. Roll call, please.

20 MS. VELKOVER: Winter.
21 MR. WINTER: Aye.
22 MS. VELKOVER: Foster.
23 MR. FOSTER: Aye.
24 MS. VELKOVER: Smith.

1 MR. SMITH: Aye.

2 MS. VELKOVER: Sula.

3 MR. SULA: Aye.

4 MS. VELKOVER: Cepon.

5 MR. CEPON: Aye.

6 MS. VELKOVER: Rudny.

7 CHAIRMAN RUDNY: Aye. Motion carried

8 and it is so ordered.

9 MR. ESPENES: Thank you.

10 MR. CEPON: Motion to adjourn.

11 MR. SULA: I second.

12 CHAIRMAN RUDNY: Motion to adjourn and

13 second. All those in favor?

14 ("Aye" responses.)

15 CHAIRMAN RUDNY: Opposed, nay.

16 (No response.)

17 CHAIRMAN RUDNY: Meeting is adjourned.

18 (The meeting adjourned at 11:20 p.m.)

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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.

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

CSR License No. 084-003104

