

MINUTES OF THE PUBLIC HEARING

Public Hearing to consider the petition of Danvid Corporation and Properties 3D Inc., as current property owners, and Ron and Christine Sachs, as contract purchasers, for approval of the annexation of approximately 10 acres into the Village of Gurnee. The annexation agreement contemplates the zoning of the property to R-3, Single-Family Residential, and C-2 PUD, Community Commercial District as a Planned Unit Development, with Preliminary PUD approval to allow the development of the site with residential and commercial uses, including a Special Use Permit for self-storage.

GURNEE VILLAGE HALL DECEMBER 6, 2021

Call to Order

Mayor Hood called the public hearing to order at 6:15 p.m.

Other Officials in Attendance

Patrick Muetz, Village Administrator; Jack Linehan, Assistant Village Administrator; Bryan Winter, Village Attorney; David Ziegler, Community Development Director; Heather Galan, Public Works Director/Village Engineer; Brian Gosnell, Finance Director; Christine Palmieri, Director of Human Resources; John Kavanagh, Fire Chief; Brian Smith, Police Chief; Jeremy Gaughan, Police Commander; Ellen Dean, Economic Development Director

Roll Call

PRESENT: 6- O'Brien, Balmes, Thorstenson, Woodside, Ross, Garner
ABSENT: 0- None

Mayor Hood provided those in attendance a summary of how the hearing would proceed. He stated the Administrator will give a brief summary followed by the Village Attorney who will discuss the procedural aspect. After that the petitioner will make a presentation. Following that the public will be given an opportunity to provide comment. After this public comment, the floor will be closed to the public and the Village Board will make a motion to recommend the petition to the regular Village Board meeting for consideration. This will be followed by discussion and a second vote to either approve or deny the petition. Mayor Hood stated the Trustees have read emails received and viewed the Planning & Zoning Board meeting and are aware of resident concerns. He stated if residents have new information to share or have a couple representatives to speak on behalf of those in attendance that would be helpful, however anyone who would like to speak will be allowed to do such. He stated the regular meeting will begin at 7:00PM. If the public hearing needs to go beyond 7:00PM it will be continued to the regular meeting.

Administrator Muetz stated the petitioners, Ronald and Christine Sachs have filed several applications seeking approval to develop approximately 10-acres generally located at the northwest corner of Cemetery Road and Washington Street to allow for the development of a self-storage facility. The applications include:

1. To have the property annexed and rezoned from E, Estate in unincorporated Lake County, to R-3 Single-Family Residence District, and C-2 PUD, Community Business District as a Planned Unit Development;
2. To have a Planned Unit Development (PUD) approved, so that the subject property can be used for commercial uses; and
3. To have a Special Use Permit (SUP) be issued, which would allow a self-storage facility.

Administrator Muetz stated those zoning changes were previously considered at a public hearing conducted by the Village's Planning and Zoning Board on August 18, 2021 and received a unanimous unfavorable recommendation. Members of the public were in attendance at the meeting and spoke against the proposal. Concerns expressed at the PZB hearing included the lowering of adjoining property values, stormwater & flooding issues, crime and safety concerns, compatibility with residential uses, aesthetics, lighting, noise, truck traffic and other concerns. All of the emails sent to the Village regarding this proposal have been included in the Board packet as were the petitions against the proposal. Any emails received after the packet was sent out have been copied and placed at each member's seat. Also, included in tonight's meeting packet is a very detailed memo from the Village's Planning Manager, Tracy Velkover, which covers the proposals. Staff will be

available to answer any questions during the hearing. Finally, included in your packet are crime statistics from the Police Department related to other self-storage facilities located in the Village. Administrator Muetz then asked Attorney Winter to explain the procedural aspects of the request and approval process.

Attorney Winter stated the Village Board is only considering the Annexation Agreement tonight. He stated state statute requires five affirmative votes are required to approve the Annexation Agreement. In order for the Village to vote on an Annexation Agreement, the Village Board must first conduct a public hearing. At the conclusion of the public hearing, the Board will be asked to make a recommendation essentially to itself as this matter is also an agenda item for tonight's regular meeting. At the regular meeting the Board will formally vote as to whether to approve and authorize the execution of the Annexation Agreement. Attorney Winter then stated he was prepared to swear in anyone who would be giving testimony tonight. He asked those in attendance who planned to speak to stand and be sworn in. Attorney Winter then swore them in and the Mayor stated the petitioner could begin the presentation.

Mr. Jerry Callaghan, attorney with the law firm of O'Donnell Callaghan representing the petitioner, stated he was not going to cover the Annexation Agreement in great detail, but wanted to cover a few terms which are notable. He stated the commercial part of the property will be along the eastside of the property. He stated uses that are allowed in the C-2 zoning have been excluded in the annexation agreement including hotels, restaurants and gas stations for example. He also stated that the setback for the building is enhanced in the Annexation Agreement. Mr. Callaghan then discussed the proposed extension of Churchill Lane. He stated he was surprised by the negative recommendation from the PZB in August since the petitioner address a lot of the concerns expressed in February. He said his client has worked with the Village to address concerns and make it work. Mr. Callaghan then addressed concerns such as stormwater, crime, traffic, property values, noise and lighting. He then discussed the petitions the Village received and asked the Board to temper the attention it gives to them. He reviewed inconsistencies and signatures for which the signer did not have the authority to represent that entity.

Mr. John Swierk, DDCA Architects, introduced himself as the architect working on the project. He reviewed building design, site access, landscaping, lighting, security and exterior design. Mr. Swierk then provided additional detail related to the retail space and access to the property and buildings. He then reviewed renderings of the site and building layout.

Mr. Peter Nora, President of the Illinois Self Storage Association, spoke on behalf of the petitioner. Mr. Nora shared information related to self-storage operations of today. He stated the customer base is mainly women and that customer service, location and security are key to successful operations. Mr. Nora continued to state that self-storage has evolved, the owners are regularly involved in their communities and security is extremely tight.

Mr. Callaghan stated that concludes the petitioner's presentation.

Mayor Hood stated that those in attendance that would like speak either for or against the petition are invited to the microphone.

Don Adams
6201 Brittany Court
Gurnee, IL

Mr. Adams wondered why this proposal was still being discussed when it does not meet Village code, was not recommended by the Planning & Zoning Board and is not good for the community. He then referenced various emails related to the proposed development he obtained thru the Freedom of Information Act. Mr. Adams then reviewed what he referred to as "facts" related to the development. He shared concerns regarding inaccuracies in the information provided related to crime and the number of facilities in a five-mile radius. Mr. Adams then discussed the requested zoning exceptions, stating that the applicant is the only beneficiary. He then stated if the petitioners cared about the community, they would listen to the residents that have commented and withdraw the proposal. Mr. Adams next discussed the petitions that were filed opposing the development. He stated he is the person who contacted the majority of the businesses that signed the petition and shared his

approach to obtaining signatures. He stated all the businesses he spoke with, whether they signed the petition or not, stated they were not in favor of it.

At 6:59PM the Public Hearing was recessed until the Regular Village Board meeting

Mayor Hood interjected and stated the Regular Village Board meeting would start at 7:00PM and asked Mr. Adams to pause his comments. Mayor Hood stated public comment would resume at the regular meeting when the item was called. He stated at that time Mr. Adams could continue.

It was moved by Trustee Garner, seconded by Trustee Thorstenson, to adjourn the Public Hearing.

Voice Vote: ALL AYE: Motion Carried.

Mayor Hood recessed the Public Hearing at 6:59 p.m.

At 7:15PM the Public Hearing resumed

The public hearing resumed at 7:15PM and Mr. Adams returned to conclude his comments.

**Don Adams
6201 Brittany Court
Gurnee, IL**

Mr. Adams stated he believed this proposal was getting worse by the minute. He concluded by urging the Village Board to support the Planning & Zoning Board and vote against this proposal.

**Christine Blessing
6189 Brittany Court
Gurnee, IL**

Mrs. Blessing expressed concerns about the proximity of the proposed facility to her property. She stated the proposal and the zoning request are not in alignment and rather the petitioner should have requested C-3 zoning which is not compatible with the area. Mrs. Blessing then referenced the proposed property and the Village's Comprehensive Land Use Plan. She then discussed the petition that has been submitted to the Village Board protesting the proposal, stating the signatures and their meaning cannot be minimized. Ms. Blessing continued to state that she is concerned about the negative impacts this facility will have on the surround area. She stated the number of exceptions being requested are proof it is not a good fit and she is concerned that the petitioners will "set it and forget it." She clarified that her primary concern is the compound of garages backing up to her home. She concluded by expressing concerns with noise, lighting, development size, material used, proposed hours, limited employees and landscaping. She ended by stating she supports residential-friendly businesses on this property; the proposed development is not that.

**Perry Howard
369, 451, 34693 &
34739 Cemetery Rd
Gurnee, IL**

Mr. Howard stated he sent information including pictures to the Village Board showing stormwater issues in the area. He is concerned the amount of water coming from the property will be problematic due to more impervious surface. Mr. Howard stated current catch basins cannot handle stormwater run-off and this project will only make it worse. He stated he does not feel the property should be rezoned and that the proposal does not meet the Village's 2040 Comp Plan. Mr. Howard stated if the project is approved, he feels a lift station should be installed to convey the water to Washington Street and away from the eastside of Cemetery Road. He concluded by stating another location should be found for this development and that if it is approved it will have a negative impact on the surround area.

**Brian Blessing
6189 Brittany Court
Gurnee, IL**

Mr. Blessing stated the proposed Building #2 would be 90 feet from his home and is concerned about the impact it will have on his family and the community. He then compared the proposed Gurnee development to a facility in Beach Park that is owned by the petitioners, focusing on its distance from nearby residential. Mr. Blessing then discussed the public benefits presented by the petitioner, which he does not agree with. He continued to discuss crime statistics and information he obtained from the Lake County Sherriff's Department, which included 28 calls to a facility on Washington Street outside the Village's corporate limits. Mr. Blessing then referenced the crime stats provided by the Gurnee Police Department and shared information from the report. He then questioned the effectiveness of security cameras as a crime deterrent. Mr. Blessing then expressed concerns about potential crime spilling over into his neighborhood. He concluded by stating he hopes the Village Board will not support the request.

Pawel Parada
412 Churchill Lane
Gurnee, IL

Mr. Parada stated the use is not appropriate based on the proposed zoning. He stated it is not a mixed-use development as it only has a very small section of retail. Mr. Parada stated there is ample self-storage already in the area and additional storage is not needed. He continued to state the Village should not bend the rules for this development and rather a neighborhood-friendly proposal should be submitted.

Peter Stolcers
6186 Brittany Court
Gurnee, IL

Mr. Stolcers stated self-storage facilities are not attractive and that is why they are zoned for C-3. He stated the exception requested should not be approved.

Sara Schroeder
729 Strawberry Flds
Gurnee, IL

Ms. Schroeder stated the petition that was submitted should be taken seriously and not discounted. She stated it is important to listen to the residents of Gurnee.

Dan Weyerhaeuser
6298 Winchester Ct
Gurnee, IL

Mr. Weyerhaeuser stated he is the President of the Winchester Estates Homeowners Association. He stated the level of response from the neighborhood illustrates the concern of the residents. He stated he does not like to tell someone how to use their property. While he is grateful for the concessions that have been made since the project was originally introduced, he is concerned about changes that could be made in the future.

Carol Schlevensky
6213 Brittany Court
Gurnee, IL

Mrs. Schlevensky stated this proposal is not a benefit to the community and rather is detrimental. She stated residents dedicated a lot of time to investigating this proposal and she hopes the Village Board takes all of that information into consideration. She concluded by stating she hopes the Board denies this request.

Daniel Schlevensky
6213 Brittany Court
Gurnee, IL

Mr. Schlevensky stated that small business at this location is good, but self-storage is bad. He then listed businesses that he believes are neighborhood-friendly and would be a good fit for this location. He concluded by stating he hopes the Board denies this request.

Chris Ann Smith
34710 Cemetery Rd
Gurnee, IL

Ms. Smith stated this is not the right location for this proposal. She continued to state the whole process has been very stressful and urges the Village Board to vote no.

Mary O'Young
Country Meadows
Montessori School
6151 Washington St
Gurnee, IL

Ms. O'Young stated she represents the Country Meadows Montessori School and believes the proposed development will be disruptive to the area. She said the area has maintained a small-town feel and believes this development will impact that. Ms. O'Young stated her main concern is keeping children safe and this proposal raises safety concerns for her.

Myka Smith
34710 Cemetery Rd
Gurnee, IL

Ms. Smith stated she does not want to live next to the proposed development and believes there is already enough self-storage in the area.

Robert Check
Marsh Funeral Hm
305 Cemetery Road
Gurnee, IL

Mr. Check stated he was disappointed the petitioner never reached out to him. He stated he did not receive a call from the petitioner until after he signed a petition in protest to the proposal. He stated he believes this proposal would change the look of the area for the worse and feels the petitioner is trying to force the project through.

Mayor Hood stated the petitioner will now be provided an opportunity for rebuttal.

Mrs. Christine Sachs stated she is upset by many of the comments made related to the time she spends in Florida. She stated this is inappropriate. She stated he lives in Gurnee and is training her kids to take over the business. She then provided details on the proposed retail space and her desire to hold local Farmer's Markets and other events at the site. She stated the proposed development will have curb appeal.

Mr. Callaghan stated he was advised C-2 zoning through a Planned Unit Development was the most appropriate approach to the request and should not be the deciding factor. He stated the statistics provided by the Police Department show reportable crime is not a concern.

Mr. Swierk stated no garage doors will be facing residential homes. He stated stormwater cannot be pumped from one area to another, it is not allowed. Mr. Swierk stated the Comp Plan shows the property as C-2 and then he listed uses that are more intense than a self-storage facility.

Mayor Hood stated the floor is closed to comments and that it is appropriate to make a motion to recommend approval of the annexation agreement. Attorney Winter stated this is a procedural first step in order to allow discussion among the Board members and allow it to be considered

Trustee Thorstenson motioned, seconded by Trustee O'Brien, to recommend approval of the annexation of approximately 10 acres into the Village of Gurnee. The annexation agreement contemplates the zoning of the property to R-3, Single-Family Residential, and C-2 PUD, Community Commercial District as a Planned Unit Development, with Preliminary PUD approval to allow the development of the site with residential and commercial uses, including a Special Use Permit for self-storage.

Discussion

Trustee Balmes asked for clarification on the landscape survey and if the Village can require additional landscaping. Community Development Director Ziegler stated that would take place with the Final Planned Unit Development approval. He continued to state the petitioner has committed to install the full buffer requirements, but may ask for relief if the material currently onsite is in good condition. Trustee Balmes then asked about the north end of the property. Director Ziegler stated the north end includes the back of the building as well as solid fencing, which is eight feet tall.

Trustee Garner stated the Village needs to keep in mind that the Village has few vacant parcels left in town and it's very important what is developed on them.

Trustee Thorstenson stated she is concerned about items that cannot be policed such as storage of chemicals, which could create unforeseen risks.

Trustee Ross stated the Village Board typically follows the Planning & Zoning Board recommendation. She stated the Village Board only has so much power and that the property owner has power as well. She then stated the Homeowners Association has the right to buy the property and control the uses on it. She then addressed the petitioner and stated she feels like there has been a lot to tension and would have liked to see both sides work together a little better to find a common ground.

Mayor Hood stated he appreciates the civility of both the residents and the petitioner throughout the presentation.

Attorney Winter provided a point of clarification related to the motion and voting.

Mayor Hood stated this is an instance where he would vote however, he will be abstaining due to a professional relationship with the property owner.

Roll call,

AYE: 1- Balmes

NAY: 5- O'Brien, Thorstenson, Woodside, Ross, Garner

ABSTAIN: 1- Hood

ABSENT: 0- None

Motion Failed.

Adjournment

The Public Hearing was adjourned at 8:18 p.m.

**Andrew Harris,
Village Clerk**