

VILLAGE OF GURNEE
PUBLIC HEARING OF THE
PLAN COMMISSION

PUBLIC HEARING
held
August 4, 1999
7:30 PM

GURNEE MUNICIPAL BUILDING
325 North O'Plaine Road
Gurnee, Illinois

PLAN COMMISSION:
LYLE FOSTER, Chairman
CHERYL ROSS
BRYAN WINTER
JIM SULA

ALSO PRESENT:
JON WILDENBERG
TRACY VELKOVER
BARBARA SWANSON

Reported by: SUSAN R. PILAR, CSR, RPR
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2

- 1 CHAIRMAN FOSTER: Good evening.
- 2 We're going to call this meeting of the Village

3 of Gurnee Plan Commission to order. The meeting
4 that I thought was already in order. Let's
5 proceed with the roll call, please.

6 MS. VELKOVER: McDermott. Absent.
7 Ross.

8 MS. ROSS: Here.

9 MS. VELKOVER: Finn. Absent. Papp
10 Absent. Winter.

11 MR. WINTER: Here.

12 MS. VELKOVER: Sula.

13 MR. SULA: Here.

14 MS. VELKOVER: Foster.

15 CHAIRMAN FOSTER: Here.

16 Let's have a Pledge of Allegiance
17 of the flag. Would you stand, please.

18 (Whereupon, the Pledge
19 of Allegiance was said.)

20 CHAIRMAN FOSTER: Our first item on
21 our agenda is for the approval of the July 21,
22 1999 Plan Commission minutes. I trust that the
23 Commission has had an opportunity to review the
24 minutes of their meeting. Are there any

3

1 corrections or concerned with the minutes as
2 presented?

3 MR. WINTER: I make a motion to

4 approve the minutes.

5 MR. SULA: Second.

6 CHAIRMAN FOSTER: There is a motion

7 on the floor, it has been seconded. Any

8 additional discussion?

9 (No verbal response.)

10 CHAIRMAN FOSTER: If not, let's call

11 for roll call vote, please.

12 MS. VELKOVER: Ross.

13 MS. ROSS: Aye.

14 MS. VELKOVER: Winter.

15 MR. WINTER: Aye.

16 MS. VELKOVER: Sula.

17 MR. SULA: Aye.

18 MS. VELKOVER: Foster.

19 CHAIRMAN FOSTER: Aye.

20 That motion is carried.

21 The next item on the agenda is

22 the public hearing, Mills Corporation/Gurnee

23 Mills Limited Partnership.

24 Because this is a public hearing

4

1 anyone that's going to be presenting testimony

2 tonight they will need to be sworn in whether

3 that's the Petitioner or members of the audience

4 and we will have the village corporate attorney

5 do that at this time. Would you stand, please.

6 (Witnesses sworn.)

7 CHAIRMAN FOSTER: I will ask Tracy to
8 give a staff report and then we'll go to the
9 Petitioner after that.

10 MS. VELKOVER: Bass Pro is an anchor
11 in the Gurnee Mills shopping center and the
12 Gurnee Mills mall is governed by both an
13 annexation agreement and a special use permit.

14 Per the Gurnee Mills special use
15 permit any outdoor sales areas are required to
16 achieve a special use permit or obtain a special
17 use permit.

18 In 1996 Bass Pro did receive
19 approval of a special use to allow an --
20 approximately a 43,000 square foot outdoor sales
21 area for -- for boats and recreational vehicles.
22 That outdoor sales area was near the JCPenney's
23 outlet and toward the service door entrance at
24 the site.

5

1 One of the requests before the
2 Plan Commission this evening is for approval to
3 move the outdoor boat sales area to an area
4 that's south on the Mills site for the Spiegel
5 outlet store.

6 There's an area that's located
7 between Spiegel outlet and Value City and it's
8 actually surrounded by buildings on three sides
9 and they would like to tuck the boat sales area
10 into that little alcove.

11 The area is slightly larger than
12 what was previously approved. It's 47,000 square
13 feet but again with the surrounding edge
14 buildings on three sides.

15 Signage is also regulated by the
16 Gurnee Mills annexation agreement and the special
17 use permit. The annexation agreement does allow
18 as a special use permit extraordinary signage for
19 anchor stores that meet certain criteria.

20 Bass Pro is one of the anchor
21 stores that meet the criteria and can achieve
22 extraordinary signage. In 1996 they did receive
23 a special use permit for extraordinary signage.

24 It was amended in 1997 and they

6

1 are back this evening to request a second
2 amendment to their special use permit for
3 extraordinary signage.

4 CHAIRMAN FOSTER: Thank you, Tracy.

5 If the Petitioner would like to
6 make their presentation at this time, please.

7 MR. REIFMAN: Thank you, Mr.
8 Chairman. Nice to see you again. Commissioners.
9 For the record I am David Reifman
10 from the law firm of Rudnick & Wolfe and I'm here
11 with evening with Howard Patschke who's the
12 senior project manager for Mills Corporation.

13 Let me just give you a little bit
14 of background on this before we open it up.
15 Since I know a couple of you are into the Plan
16 Commission I will put this in context.

17 Gurnee Mills opened up here in
18 1991 as a regional mall and is a significant
19 generator of economic activity for the village.
20 Since that time the original Mills concept and
21 the retail marketplace itself has continued to
22 evolve and Mills itself is one of the retailers
23 who is considered the most responsive to this
24 ever changing climate.

7

1 And what Mills is attempting to
2 do and has attempted to do with many moves its
3 made throughout the years is to continue to
4 enhance the viability in a very dynamic retail
5 market.

6 There's been several different
7 responses that Mills has had to this -- you know,

8 these changes. One of the things that you've
9 noticed here are more destination entertainment
10 uses that diversify the visit so that over time
11 we have added movie theaters here, Planet
12 Hollywood, Rain Forest Cafe. This is a part of
13 the entertainment, you know, feature of retail
14 today.

15 Another significant boost
16 different from those is Bass Pro's decision to
17 locate here in 1996. We indicated in our
18 presentation in the Plan Commission back then we
19 didn't know that Bass Pro was the single largest
20 tourist attraction in Missouri where it really
21 had its only major shop and now they are -- they
22 are located here. They used to be only mail
23 order and this is a significant enhancement,
24 significant contributor to Mills and to the

8

1 village itself.

2 In 1996 in recognition of these
3 extraordinary benefits that Bass Pro brought to
4 the village the Board and the Plan Commission
5 took several steps to ensure and promote Bass
6 Pro's ability to thrive here, and as Tracy
7 mentioned a couple specific things, one was a
8 special use for outdoor sales which there is a

9 overall special use for Gurnee Mills which was
10 began in 1998.

11 Under that we can do a separate
12 special use for outdoor sales. That's what was
13 granted in 1996. Howard will show us the
14 original plan in a minute over by the JcPenney
15 and Stearns Road. We're suggesting a relocation
16 of that outdoor sales area.

17 So the one out by the north
18 parking lot will go away, that area will become
19 parking again and the outdoor sales will go on a
20 pad that's actually designated for retail use so
21 there will not be a loss of parking.

22 Also certain extraordinary
23 signage again which is visible -- most of which
24 is visible -- this is what they improved in

9

1 1996 -- visible basically from the tollway and
2 the internal ring road and specifically not
3 visible from any of the other roads.

4 This is something you wanted to
5 be sure of and that continues to be true and we
6 amended the annexation agreement and this whole
7 package is adjusted slightly from 1997.

8 We're here this evening to
9 request some additional refinements to this

10 plan. Again, recognizing the very important role
11 that Bass Pro plays and the necessity to continue
12 to give as much exposure as is reasonable.

13 One, we're going to move the
14 outdoor boat sales area with your concurrence we
15 hope. This will be a relocation. As I
16 mentioned, we are giving up the other location.
17 This will not be a service center. Only a sales
18 center.

19 And there is potential for a
20 small outdoor sales office which we could
21 establish here but would not be a trailer. It
22 would be hooked up to sewer and water and it
23 would be a permanent type of thing if that's
24 done.

10

1 Office uses themselves are
2 permitted uses in this development. And then
3 additional signage. There's a few purposes for
4 the signage.

5 One is for the outdoor sales area
6 itself to make sure that it's appropriately
7 visible from the tollway and the ring road and
8 not from Grand or Stearns School and then add
9 some slightly unique but visible interior signage
10 to the pond and ring road just to get people

11 moving towards Bass Pro.
12 I want to point out just a couple
13 quick things before Howard kind of shows you the
14 details.

15 First, there are no new impasse
16 from what's there. There's no traffic that's
17 generated by this, there's no stormwater issues.
18 All of these things are well within the
19 parameters of what has been approved and
20 engineered and so forth here. It's only to
21 refine and strengthen the previous relief for
22 this location.

23 The last thing is I'm going to
24 pass out and just -- you know, you can read at

11

1 your convenience. This is an article that
2 appeared in the Tribune on July 11th and talks
3 about the changing retail environment.

4 It specifically talks about
5 Gurnee Mills and how Mills Corporation has made
6 these kinds of transitions noting about 21
7 million people visited Gurnee Mills last year and
8 that -- the role that Bass Pro continues to play
9 in that development.

10 So I -- if you don't have any
11 questions for me I'll have Howard give you some

12 of the details on the signage and the outside
13 sales area.

14 MR. PATSCHKE: Thank you, Dave.

15 I'm going to work off the board
16 so I assume you can hear me and you can pull
17 these up if you like. Also, we have handouts
18 which are duplicates of the -- of the boards.

19 Dave, maybe you can hands these
20 out.

21 MR. REIFMAN: Sure.

22 MR. PATCHSKE: It might be a little
23 bit easier to follow along with those.

24 First just for some orientation I

12

1 think that most of you are familiar with the
2 site. The outdoor sales area is currently
3 approved for this area north of JCPenney, Stearns
4 School Road being here, the tollway here, Grand
5 Avenue here.

6 The proposal is to relocate that
7 into this area down here between Spiegel and
8 Value City. We think it's a better location from
9 the standpoint it's much easier controlled, we
10 can handle it better from a aesthetic standpoint
11 and it'll look like it's part of the mall as
12 opposed to being tucked out with boats out here

13 at the periphery. So that location would be
14 proposed to be relocated to here.

15 As Tracy mentioned the area is
16 just slightly larger than what was originally
17 proposed but by just -- but not very many square
18 feet. So that would be the proposed relocation.

19 The -- the design of this area is
20 shown on this other board and you've got a copy
21 of that, also. It is -- as Tracy mentioned it is
22 enclosed on three sides by buildings and only one
23 side is exposed to the parking lot.

24 There will be a certain --

13

1 service area to the north of it which currently
2 exists and the front of it would then be -- would
3 look like this rendering up here.

4 It is basically in the same
5 architectural theme as on the Bass Pro building
6 with some of the same features that you see over
7 there, the same type of wood and so forth.

8 It is signed with a signage in
9 the center boat and RV center. These signs are
10 internally illuminated and the tracker and the
11 nitro signs are externally illuminated by some
12 gooseneck type of lamps that actually shine light
13 back onto the sign.

14 They cannot be seen from -- from
15 the parking lot or from the roadways and the
16 maximum illumination is like 250 watt bulbs and
17 so forth.

18 It's surrounded on the front with
19 a wrought iron fence with a sliding gate. The
20 wrought iron fence then returns back 75 feet and
21 then from there continues on with a -- a vinyl
22 green fence. The fence is eight foot high,
23 landscape in the front and it'll look -- look
24 very nice.

14

1 The sign -- the top peaks are --
2 are 33 feet, which is within the building
3 limitation height that we have to work with. So
4 that's the -- the first signage that we would --
5 that we are requesting approval.

6 The -- a couple of other signs
7 were mentioned this evening. One is a site
8 monument sign and it would occur down at this
9 location about where the hotels are. Just beyond
10 this -- this last hotel and it's basically a
11 directional sign, orientation sign similar to
12 what you see out there around the ring road now.

13 It's about that size. It's ten
14 feet high and it would have the Bass Pro logo and

15 style. And that would be proposed for that
16 location.

17 The third sign that we're talking
18 about is -- was previously proposed and at one
19 time was approved. It's in the -- in the
20 detention pond right off of Grand Avenue down in
21 this location down here.

22 It would be a floating sign. It
23 would have light -- it would light up on it. You
24 wouldn't see the light source on this one either

15

1 and it would be like a little pontoon floating
2 out in the lake anchored and -- and illuminated.

3 None of these signs really are
4 seen from -- from the adjoining areas. You
5 really have to get onto the site before you see
6 those. So I think that's pretty much it unless
7 there are some questions.

8 CHAIRMAN FOSTER: Okay. Thank you
9 very much.

10 At this time if there are members
11 of the Commission who would like to ask the
12 Petitioner specific questions about their
13 presentation we will do that now.

14 Mr. Winter.

15 MR. WINTER: With regards to the signs

16 what is the purpose for the one in the wetlands?
17 MR. PATSCHKE: It's a directional
18 sign. It provides some early identification for
19 people who would -- who would come to -- to the
20 site off of Grand Avenue.

21 MR. WINTER: Well, I guess my concern
22 is that this would be the third time -- or at
23 least the second time -- I know the second time
24 that I've looked at the sign -- signage at this

16

1 location and I'm concerned that, you know, this
2 would increase the amount of signage.

3 And looking at the pictures it's
4 not directional in the sense that there's any
5 arrow on the sign. It's on the other side of
6 where the stores are and so I -- I had a hard
7 time being convinced that that would be somehow
8 directional.

9 MR. REIFMAN: What I think we're
10 trying to establish here is Bass Pro is a little
11 bit around the way when you come in off of Grand
12 Avenue and when someone comes in -- I mean
13 clearly in terms of overall economic impact Bass
14 Pro is a major, major anchor of Gurnee Mills.

15 We want people to be aware that
16 it's there right away. So whether they have to

17 ask themselves the question or whether or not by
18 making the turn ahead when you're coming in left
19 or right they see signs to heads towards the
20 right to see Bass Pro.

21 That's what we're trying to
22 emphasize. It's not so direct -- we don't want
23 it to be so ostentatious that Bass Pro this way,
24 but we want it -- you know, to move people around

17

1 to that end if they, you know, otherwise wouldn't
2 know that Bass Pro is there. Again, it simply
3 reinforces that particular location.

4 MR. WINTER: Again, the fact that
5 it's on the other side of where the stores are it
6 seems -- you know, one logic to looking at this
7 would be that the person would be looking towards
8 the stores for the signs and not on the other
9 side.

10 And that's -- with respect to the
11 other directional sign -- or it's been presented
12 as a directional sign that doesn't really -- it's
13 not really going to line up with the outdoor
14 area, right? It's going to be beyond the hotel?

15 MR. REIFMAN: Right. It's not
16 intended to be that direct. It's also again
17 located in a pond in the wetlands to -- again, to

18 make the association of the outdoor world, that
19 type of thing.
20 So it's simply an indirect
21 attempt to enhance people's awareness of where
22 Bass Pro is and to, hopefully, move them towards
23 that area of the property.
24 MR. WINTER: Thank you.

18

1 CHAIRMAN FOSTER: Any additional
2 questions?
3 Mr. Sula.
4 MR. SULA: I kind of go a little bit
5 with what Bryan -- Mr. Winters is saying about
6 the signage. The pond sign first. I mean
7 granted it is next to a highly commercialized
8 area. It is a natural wetlands area.
9 Putting a sign in the middle of a
10 pond seems a little contrary to what's supposed
11 to be more of a natural looking atmosphere and
12 I'm having a hard time with that one.
13 With regard to the other
14 directional sign I think it's -- it's pretty
15 clear when you first come in off of Grand Avenue
16 that there's all kinds of signs that point arrows
17 which lead you to Bass Pro as well as the other
18 areas within Gurnee Mills and I think -- I think

19 the other signs of Bass Pro are again just
20 really -- really good signage and I think it does
21 a really good job of attracting their customers
22 to Bass Pro and I -- I do have a hard time with
23 that monument sign as well.

24 My next comments are more

19

1 questions. Right now the areas that's proposed
2 to be the outdoor storage appears to me to be an
3 area where there are dumpsters stored for trash
4 collection for Value City and Spiegel as well as
5 the western wall -- I guess it's their eastern
6 wall -- to the west of the site there's access
7 doors for the tenants that are in that row
8 between Value City and Spiegel.

9 Is staff satisfied that there's
10 proper access and egress for those needs?

11 MR. WILDENBERG: They will have to
12 maintain access per fire code. That's something
13 that is not part of the special use permit
14 consideration. Their final installation will
15 have to provide safe and adequate access per fire
16 code.

17 MR. SULA: So if we go along with
18 that they'll have to comply with all those?

19 MR. WILDENBERG: Oh, yes.

20 MR. SULA: Okay. And just a
21 question. If -- if another tenant were to put a
22 similarly sized operation within this area how
23 much signage would they be allowed?

24 MR. WILDENBERG: Well, that's a tough

20

1 question to answer because the way the Gurnee
2 Mills agreement and the special use permit is
3 structured is it allows for extraordinary signage
4 considerations for an anchor that meets certain
5 criteria.

6 At this point in time Bass Pro is
7 the only anchor that meets those criteria and
8 would be allowed to ask for extraordinary
9 signage. A typical anchor I believe is allowed
10 to have up to three wall signs up to 200 square
11 foot per sign.

12 But, again, this unique use and
13 this unique project are specifically set up for
14 these types of considerations. It's pretty hard
15 to forecast exactly what the needs of a retailer
16 like this are going to be.

17 So the special use process is put
18 in place to allow for this type of analysis and
19 review and input.

20 MR. SULA: So, Jon, in my

21 interpretation of what you just said if they were
22 to eliminate say the pond signs and just go with
23 the signage right in the area that they're
24 proposing as proper storage we would probably

21

1 allow that with out very much hesitation at all
2 as a totally separate --

3 MR. WILDENBERG: Well, I don't know
4 if you've got exactly an apples to apples
5 comparison there.

6 MR. SULA: You don't think so?

7 MR. WILDENBERG: Another anchor is
8 pretty much going to be a building. A solid
9 building.

10 MR. SULA: Because this is outdoors --
11 I'm stretching a little bit --

12 MR. WILDENBERG: Yeah.

13 MR. SULA: -- but in terms of the
14 floor space that they're using, the signage that
15 they're putting on the outdoor storage area per
16 se isn't unreasonable compared to the rest of the
17 development?

18 MR. WILDENBERG: I -- well, that
19 becomes a lit bit of a subjective opinion.
20 That's something that you need as a group to come
21 to a consensus to. At first blush I wouldn't say

22 that it would be out of -- out of proportion or
23 out of -- you know, out of style --

24 MR. SULA: Uh-huh.

22

1 MR. WILDENBERG: -- with what you
2 have.

3 MR. SULA: Thank you.

4 CHAIRMAN FOSTER: I want to ask Tracy.
5 I thought the Petitioner mentioned something
6 about that sign the wetlands area coming close to
7 four. I thought we had -- could you comment on
8 that, Tracy?

9 MS. VELKOVER: Yeah. In 1996 Bass
10 Pro did come before you and ask for a special use
11 permit for extraordinary signage and at that
12 point they were requesting a pond sign. At that
13 time it was a V-shaped pond sign and it was
14 actually a 250 square foot per phase pond sign
15 for a total of 500 square feet.

16 That pond sign was eliminated
17 when they came in in 1997 and requested an
18 amendment to their special use. They removed
19 that one and I believe one or two of the ring
20 road monuments in exchange for some additional
21 wall signage. So yes, you have seen this before.

22 CHAIRMAN FOSTER: Okay. I have a

23 couple questions for the Petitioner just so that
24 I make sure I'm understanding this correctly.

23

1 Now, in general this -- this is
2 an outdoor area that is generally seasonal; is
3 that correct? Or what happens to this during the
4 winter months?

5 MR. PATSCHKE: No. It's -- it would
6 be -- it would be year round. I mean I would
7 think that in the winter months the -- the boat
8 sales would -- would go down somewhat as opposed
9 to in better weather but yes, it would be.

10 CHAIRMAN FOSTER: Okay. And I guess
11 I'm trying to get a sense of how the operations
12 would take place. I mean would there be people
13 kind of standing out there or how does that
14 function?

15 MR. PATSCHKE: Really it's -- the
16 sales would still take place pretty much in
17 the -- their main facility. They -- they are
18 requesting -- we are requesting that the option
19 to -- to put an office out there at some point or
20 a little sales office of about a thousand square
21 feet be approved. That's not being proposed to
22 happen right away.

23 What happens is the number of

24 boats that they can put in the store limits them

24

1 so that they can't really display their full
2 lines and so it -- it hinders their ability to
3 sell as many boats as they normally could or
4 stock as many.

5 They feel that if they have a
6 better inventory like a car lot that has a lot of
7 cars usually does better than one that has just a
8 few cars. So this expands their ability to show
9 more boats.

10 CHAIRMAN FOSTER: Okay. And I guess
11 what -- your comments and where the rest of my
12 concern may be and you mentioned about having
13 perhaps some kind of outdoor office and you used
14 the word car lot.

15 Because I think I am also trying
16 to ask the question about what is the precedent
17 of, you know, other counties of where maybe a
18 mall such as this would have an outdoor sales set
19 up similar to this.

20 And I'm just trying to think of
21 any kind of examples I can come up with and I
22 can't think of any at the moment and if that's
23 something else that the Mills Corporation has in
24 other states or if you can think of other

1 examples. I'm just trying to also think of how
2 this would look --

3 MR. REIFMAN: It is pretty unique and,
4 again, what we're really doing is moving it from
5 a -- you know, a more noticeable location really
6 out in the open to a more, you know, secreted
7 location, you know, on the side.

8 I mean it's out there today, but
9 this is relatively unusual use with some unusual
10 need so I don't think you'll see a lot of it. We
11 don't expect to put car dealerships there and I
12 don't think we can.

13 CHAIRMAN FOSTER: Well, I guess part
14 of my concern is you drive around Gurnee Mills it
15 does look like there is a car lot up there.
16 Boats there.

17 Now the existing boats that are
18 kind of right in front of the store will they be
19 consolidated into this area or will they still be
20 there in addition to that?

21 MR. PATSCHKE: I think they'll always
22 have some boats around the -- around the store,
23 yeah.

24 CHAIRMAN FOSTER: Okay.

1 MR. PATSCHKE: They need -- they need
2 more inventory. To be able to display more
3 inventory.

4 CHAIRMAN FOSTER: Okay. That's my
5 questions for right now.

6 Any other questions? Yes. Mr.
7 Winter.

8 MR. WINTER: How is it going to be
9 coordinated for pedestrian traffic from the
10 existing store to this new outlet store? Is the
11 intention that they'll go inside the mall to get
12 to this new area or will they take a path
13 outside? And are there adequate sidewalks to do
14 that?

15 MR. PATSCHKE: There is no real easy
16 way from the inside. It would be the outside.
17 There is a continuous sidewalk that you can get
18 there or if people are driving or parking there,
19 but it -- it's another reason why putting it in
20 that -- this location is in closer proximity to
21 their main building which helps also.

22 MR. WINTER: I think this is a
23 superior location as well, but I'm just -- is
24 there any concern -- it looks like there's a

1 loading ramp by Value City -- people being able
2 to maneuver that area?

3 MR. PATSCHKE: Value City's loading is
4 actually on -- not in this area. Value City's
5 loading occurs on the east side of their building
6 and is accessed from the north.

7 MR. WINTER: Well, I'm thinking of
8 pedestrians are going to have to walk past that
9 loading area.

10 MR. PATSCHKE: I understand, yeah.

11 MR. WINTER: Wouldn't they?

12 MR. PATSCHKE: They would.

13 MR. WINTER: Okay.

14 MR. PATSCHKE: However, that is not
15 a -- that is not an unsafe -- because it's a very
16 long driveway if you're familiar with it and
17 trucks really don't -- don't get into that area
18 very much. You don't see them.

19 MR. WINTER: Will there be some
20 additional signing or something so they know
21 there's pedestrian traffic?

22 MR. PATSCHKE: We can do striping.
23 Certainly signing or striping. We could do that
24 for -- for safety and control, certainly. We --

1 that hasn't been fully worked out yet but

2 certainly we would look at that.

3 CHAIRMAN FOSTER: Miss Ross.

4 MS. ROSS: I just wanted to get back

5 to the floating monument sign. That says

6 stationary. Could you just explain it to me.

7 How do they go about putting it in and how does

8 it disturb the wetland?

9 MR. PATSCHKE: Well, that area is not

10 in the wetlands. The detention pond is outside

11 of the defined wetlands. Because it is a -- the

12 wetlands are kind of north. It's contiguous to

13 the wetlands, but it's really not -- that pond is

14 really not part of it.

15 It's stationary. It's anchored

16 and there's an anchoring device that would keep

17 it in -- in one position. Was that your

18 question?

19 MS. ROSS: Yes.

20 MR. PATSCHKE: It will not be floating

21 around.

22 MS. ROSS: And how do they do it? I

23 mean --

24 MR. PATSCHKE: Well, it -- there are

1 weights that -- that go down and it has to have a

2 sliding device because as the pond elevates and

3 goes down with water it has to be able to go up
4 and down. So but it's -- it's anchored to the
5 bottom.

6 MS. ROSS: So -- --

7 MR. PATSCHKE: Those are details that
8 have to yet be worked out.

9 MS. ROSS: -- as I look at the
10 picture, though, you're saying that the wetlands
11 are separate from the detention pond, that
12 there's land -- I mean you can see between those
13 two or is it all one in the same?

14 MR. PATSCHKE: Well, the -- it's in
15 the area that -- that is -- that catches the
16 storm -- stormwater runoff from the parking lot.
17 The wetlands -- we're prohibited from putting any
18 stormwater from the parking lot into wetlands
19 because those are controlled wetlands that have
20 special plants and things in them.

21 So most of that occurs north of
22 there as they run together, but it's a typical
23 detention pond.

24 MS. ROSS: Does that detention pond

30

1 ever get dry?

2 MR. PATSCHKE: It has not since it was
3 built.

4 CHAIRMAN FOSTER: Jon.

5 MR. WILDENBERG: Point of
6 clarification. I think maybe on your exhibit it
7 does seem to indicate that that sign is located
8 in the wetland area but actually it's going into
9 the detention pond which is south and west of the
10 wetlands area.

11 CHAIRMAN FOSTER: So you're saying
12 that this sketch -- it's different -- different
13 than what is on the sketch?

14 MR. WILDENBERG: Yeah. You may need
15 to move that -- that sign to the south.

16 CHAIRMAN FOSTER: Just be further
17 south?

18 MR. WILDENBERG: Right.

19 CHAIRMAN FOSTER: Okay.

20 MR. WILDENBERG: That could be a
21 source of confusion.

22 CHAIRMAN FOSTER: Okay. Any other
23 comments or questions from members of the board
24 at this point? Mr. Sula.

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1 MR. SULA: Just one follow up. Just a
2 comment on the wetlands versus pond. We're
3 talking in terms of a technical engineering
4 definition here, but I think the casual observer

5 doesn't really know the difference between a
6 detention pond and wetland and I think it boils
7 down to the question of whether or not we want to
8 commercialize the pond.

9 And I -- I would hate to see a
10 precedent that we have Spiegel and Rain Forest
11 and Planet Hollywood all wanting to put their
12 signs in the middle of the ponds and --

13 MR. REIFMAN: They would not be
14 eligible, though, Commissioner.

15 MR. SULA: Well, I mean they can make
16 a petition for a special use just like you all
17 are and I personally don't want to deal with the
18 precedent.

19 Second question -- this is a
20 follow-up question. Is this additional area, is
21 it really an outdoor showroom or is it a storage
22 area?

23 MR. PATSCHKE: It is not -- it's a
24 sales -- it's a sales -- it's a sales area and

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1 it -- it -- it handles -- well, it's not storage
2 of boats per se. They're not just storing them
3 there. They will actually take customers out and
4 show boats, which would make it a sales area.

5 MR. SULA: So these would be unique

6 boats to the ones that are on display in the
7 front of the store or are they extra models of
8 the same boats that are in front of the store?

9 MR. PATSCHKE: Well --

10 MR. SULA: I mean I'm trying to
11 understand whether it's inventory or whether it's
12 displays.

13 MR. PATSCHKE: They cannot display all
14 of the models and styles that they have. They
15 don't have enough room. And so this -- this
16 affords them that opportunity to do so which
17 would enhance their sales.

18 CHAIRMAN FOSTER: If there are no
19 other comments from the members of the Commission
20 I would like to open the floor to the members of
21 the public who would like to make any comments at
22 this time.

23 Please state your name and
24 address for the record and if there are any

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1 specific questions that you have we will -- you
2 can direct them to us, the Commission, and we
3 will ask those of the Petitioner.

4 MS. THOMA: Barbara Thoma, 1883
5 Gatewood.

6 I just have to ask can customers

7 just walk into the sales area or do they have to
8 go to the store first and get a salesman to bring
9 them? I mean is this like a gated thing that the
10 store has to especially open up for a customer.

11 And the other thing I would like
12 to -- in addition to Commissioner Winter's
13 comment about pedestrian traffic would the
14 Petitioner be willing to add say like stop signs
15 so there would be like a safety -- for safety
16 factor as far as a crosswalk of some sort for the
17 parking lot?

18 Like say the Grand Hunt -- Hunt
19 Club site has like stop signs so people can
20 actually walk across the parking lots. Thank
21 you.

22 CHAIRMAN FOSTER: Okay. Thank you. I
23 guess we can ask the Petitioner.

24 MR. REIFMAN: We can answer.

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1 MR. PATSCHKE: As far as the second
2 question was concerned regarding stop signs,
3 certainly we can add stop signs. We're very
4 safety conscious certainly and crosswalks we can
5 do that and we can put -- put signs at that
6 location to protect pedestrians.

7 We have -- we have several stop

8 signs around now at various strategic locations
9 and if there's an issue of safety certainly we
10 always would do that.

11 The first question was?

12 MS. THOMA: Can customers just walk --

13 MR. PATSCHKE: I wish we had a Bass
14 Pro representative here tonight who could answer
15 that better than I can. Will they have a person
16 out there. I would say that if -- if -- at the
17 point that they add an office -- sales office out
18 there they would have someone out there but --
19 but probably not a hundred percent of the time.

20 MR. REIFMAN: She's asking can someone
21 just walk -- are the boats just there and someone
22 just walk in or do they have to be taken there by
23 a salesperson?

24 MS. THOMA: Is the gate going to be

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1 closed?

2 MR. REIFMAN: We don't necessarily
3 know specifically how they do that, but Bass Pro
4 has an interest to make sure that their boats are
5 going to be safe, somebody is not going to go
6 vandalize them or steal them. So they will not
7 just be, you know, a no man's land and someone
8 would have some kind of control.

9 Bass has got tens of thousands of
10 dollars of boats out there. Hundreds of
11 thousands of dollars of boats out there so --

12 CHAIRMAN FOSTER: I'm trying to -- I
13 asked earlier is this going to be an outdoor
14 store or is it more just a display area that you
15 have to go find a salesperson to come and assist
16 you.

17 I guess this is akin to my
18 question earlier. I guess what you're saying is
19 you're not completely sure yet, but there may be
20 a sales office located there?

21 MR. REIFMAN: Right. They have
22 asked to establish that in the future. Makes
23 sense in the future, especially in the summer, to
24 do it right there.

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1 CHAIRMAN FOSTER: Do any other members
2 of the public wish to comment at this time?

3 (No verbal response.)

4 CHAIRMAN FOSTER: If not I will close
5 the floor to public comments and I will again ask
6 the members of the Plan Commission if they have
7 further discussion or, if not, is anyone prepared
8 to make a motion at this time?

9 Mr. Winter.

10 MR. WINTER: Well, I would lead off
11 with some comments. I agree with the Petitioner
12 that Bass Pro shop has been a great addition to
13 the Mills and it's helped distinguish Gurnee
14 Mills from other retail centers.

15 But, having said that, I think
16 even Bass Pro shop has to be satisfied with
17 over -- even if we allow the signs for the --
18 the -- immediately on the facade for the retail
19 area it would appear that you would have signage
20 in excess of 1,500 square -- 500 square feet.

21 And that's in a mall that I think
22 the other anchors -- I understand that they're
23 not similar to Bass Pro shop, but they typically
24 only have approximately 700 square feet. So

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1 you're more than double.

2 And for that reason I think that
3 to be consistent with the decisions that have
4 been rendered in the past where essentially the
5 original special use was very close to the
6 neighborhood of 1,500 square feet.

7 I have difficulty understanding
8 how the pond sign or the ring road sign would be
9 consistent with how the Commission has made
10 recommendations in the past and, quite frankly, I

11 really have trouble understanding how they're
12 really going to be directional signs because of
13 their location.

14 For that reason I would be
15 inclined to make a motion to approve everything
16 except those two signs.

17 CHAIRMAN FOSTER: Okay. Are you
18 making that -- putting that as a motion on the
19 floor now?

20 MR. REIFMAN: Two signs or one sign?

21 MR. WINTER: The two signs, the pond
22 sign and the ring road sign. Those two.

23 CHAIRMAN FOSTER: Are you making that
24 as a motion? Because it would seem that there

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1 are two different things being requested.

2 MR. WINTER: Sure. I'd make a motion
3 to pass on a favorable recommendation excluding
4 the pond sign and the ring road sign.

5 CHAIRMAN FOSTER: Mr. Winter, just so
6 that I'm clear I'm understanding there were two
7 motions, one around the outdoor sales area, the
8 second motion around the additional signage.

9 So I would take your motion to be
10 around the different signage; is that correct?

11 MR. WINTER: Right.

12 CHAIRMAN FOSTER: Okay. There is a
13 motion on the floor. Is there a second?

14 MR. SULA: I'll second that.

15 CHAIRMAN FOSTER: There is a motion on
16 the floor with a second. Is there any discussion
17 around the motion?

18 (No verbal response.)

19 CHAIRMAN FOSTER: Would you restate
20 your motion so it will be clear.

21 MR. WINTER: Okay. I make a motion to
22 pass a favorable recommendation for the
23 establishment of additional signage for the Bass
24 Pro shop that it would include -- or that it

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1 would allow the additional wood facade signs on
2 the outdoor sales event area, that it would allow
3 for the pennants but that it would not allow for
4 the additional ring road sign or the wetland
5 slash pond sign. That those would not be
6 allowed.

7 CHAIRMAN FOSTER: I guess it's
8 discussion time. I probably agree with some of
9 your concerns -- Commissioner Winter's concerns
10 about the sign on the detention pond.

11 I probably have a stronger
12 concern about the second sign which you had

13 motioned. I probably feel that Bass Pro is a
14 significant anchor and I'm trying to be sensitive
15 to the fact that they probably have some unique
16 needs and I'm always concerned that some of the
17 major anchors there to the community to get the
18 support is important so that that shopping center
19 may be a success.

20 Having said that, you know, we
21 have a motion on the floor and -- and there is a
22 second so we will call for a quorum.

23 MR. WINTER: Well, and just to address
24 that concern and, again, because of this

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1 location, you know, I fail to see how that's --
2 it's on the other side of the road and it isn't
3 going to be in front of the -- the new area and
4 for that reason, you know, it just seems to me
5 that it's less directional and put into the big
6 picture the global concept that we're going to
7 have limits on -- on this area in general that
8 really it's -- it's far in excess, you know, of
9 what ordinarily would be allowed.

10 CHAIRMAN FOSTER: Yes.

11 MR. REIFMAN: Just a brief
12 clarification. I'm the one who used the word
13 directional signs. That's probably not

14 technically right, but what we're trying to do is
15 again, you know, enhance as much of the
16 identification of Bass Pro along this route,
17 along this area as we can.

18 I understand your concerns,
19 Commissioner Winter. Again, as you get to the
20 ring road sign it's still not yet to the point
21 where you -- you know, unless you're looking for
22 it that you know that Bass Pro is there.

23 You still have to continue around
24 the road before you pick it up, you really come

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1 to Value City and it just emphasizes to someone
2 that Bass Pro is on the way. If they didn't know
3 it then they're going to and it's only -- you
4 know, again, not every anchor would ask for or
5 get this kind of treatment. We know this is
6 special.

7 It's not like Bass Pro this way.
8 It's simply -- it's a little more subtle. So
9 when you do make your recommendation I don't want
10 someone saying you thought it was a directional.
11 That's a little bit of my speaking that's what
12 we're hoping to accomplish with the sign.

13 CHAIRMAN FOSTER: Thank you.

14 Any additional discussion?

15 (No verbal response.)

16 CHAIRMAN FOSTER: If not, let's call
17 for the question, please.

18 MS. VELKOVER: I would like to get one
19 thing clarified. I believe the information that
20 we have -- and correct me if I'm wrong -- was
21 that that site monument sign which is the ring
22 road sign was a one-sided sign and now I see on
23 your information here it's a two-sided sign. I
24 just want to clarify that.

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1 MR. PATSCHKE: The -- does it show as
2 a two -- two sided? Yeah. It is seen from
3 both -- both directions. Again, it would be
4 intended to be two sides.

5 MS. VELKOVER: I just wanted to
6 clarify that.

7 CHAIRMAN FOSTER: Thank you.

8 MR. SULA: The motion is to not want
9 that sign regardless of whether it was one sided
10 or two sided?

11 CHAIRMAN FOSTER: Correct.

12 MS. VELKOVER: Ross.

13 MS. ROSS: Aye.

14 MS. VELKOVER: Winter.

15 MR. WINTER: Aye.

16 MS. VELKOVER: Sula.

17 MR. SULA: Aye.

18 MS. VELKOVER: Foster.

19 MR. FOSTER: Nay.

20 CHAIRMAN FOSTER: That motion is
21 carried.

22 I think that we need a second
23 motion around the relocation of the outdoor sales
24 area. Is anyone prepared to make that motion at

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1 this time?

2 MR. WINTER: Mr. Chairman, I would
3 make a motion that we pass on a favorable
4 recommendation to establish an outdoor sales
5 event area at the newly proposed location in a
6 space between Spiegel and Value City as more
7 accurately set forth in the documents that we
8 have in front of us.

9 CHAIRMAN FOSTER: There is a motion on
10 the floor. Is there a second?

11 MS. ROSS: Second.

12 CHAIRMAN FOSTER: Thank you.

13 Is there any additional
14 discussion? Mr. Sula.

15 MR. SULA: One item for discussion. I
16 guess this is more of advice than anything else,

17 but I think it would be of great benefit to the
18 Petitioner if they could -- when they come before
19 the village Board if they could put a little more
20 meat on the bones as to how this is going to be
21 staffed because it is a little nebulous, if you
22 will, in terms of how it's actually going to
23 function day to day.

24 I think we're okay with the

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1 location per se, but there is a significant
2 question in terms of how the day-to-day operation
3 is going to be.

4 CHAIRMAN FOSTER: Point well taken.

5 Any additional discussion?

6 (No verbal response.)

7 MR. FOSTER: If not, let's call for
8 roll, please.

9 MS. VELKOVER: Ross.

10 MS. ROSS: Aye.

11 MS. VELKOVER: Winter.

12 MR. WINTER: Aye.

13 MS. VELKOVER: Sula.

14 MR. SULA: Aye.

15 MS. VELKOVER: Foster.

16 CHAIRMAN FOSTER: Aye.

17 That motion is carried.

18 You guys know the procedure from
19 here. We're recommending bodies to the village
20 Board.

21 And I will just remind the
22 Commission members I believe we have a workshop
23 next Wednesday. Hopefully, everybody will be
24 present for that.

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1 Unless there's something else I
2 would entertain a motion to adjourn.

3 MR. WINTER: So moved.

4 CHAIRMAN FOSTER: Okay. Thank you.

5 (End of proceedings.)

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STATE OF ILLINOIS)
) SS:
COUNTY OF LAKE)

I, SUSAN R. PILAR, 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.

SUSAN R. PILAR, CSR, RPR
Notary Public, Lake County, IL
CSR License No. 084-003432.

