

APPROVED

**Village of Gurnee**  
**Planning and Zoning Board Minutes**  
**November 7, 2018**

**1. Call to Order and Roll Call**

The meeting was called to order at 7:30 p.m.

**Planning and Zoning Board Members Present:** Chairman James Sula, Brian Baugh, Tim Garrity, Richard McFarlane, David Nordentoft, and Edwin Paff

**Planning and Zoning Members Absent:** Josh Pejsach

**Other Officials Present:** David Ziegler, Community Development Director; Tracy Velkover, Planning Manager; Clara Schopf, Associate Planner; and Bryan Winter, Village Attorney

**2. Pledge of Allegiance**

**3. Approval of the October 17, 2018 PZB Meeting Minutes**

Mr. Sula asked if there were any questions or comments regarding the minutes.

Mr. Garrity motioned, seconded by Mr. Paff, to approve the minutes for the meeting of October 17, 2018.

Voice Vote

All "Ayes," no "Nays," none abstaining

Motion carried: 6-0-0

**4. Public Hearing: Kensington Gurnee LLC, d/b/a Kensington Development Partners Inc., and Aldi Inc. are seeking the following for a 2.5-acre property located immediately west of 7500 Grand Avenue (Fifth Third Bank)**

- a. Zoning Map Amendment to rezone the subject property from GC, General Commercial in unincorporated Lake County, to C-2, Community Commercial in the Village of Gurnee;*
- b. Variances to allow:*
  - I. Encroachment of the parking lot into the Grand Avenue (front) setback;*
  - II. Reduction in the separation of a curb cut into the proposed site from an existing curb cut on W. Woodland Terrace; and*
- c. Special Use Permits to allow:*
  - I. Reduction in the transparency on the north and south elevations to less than the required 50%; and*
  - II. Reduction in the percentage of green area within the parking lot to below 10%.*

Ms. Schopf stated that Kensington Development and Aldi Inc. are seeking approval of all of the above noted petitions in order to allow the construction and operation of a 21,000 square foot Aldi's grocery store. She noted that there are also 2 Minor Sign Exceptions which do not require a public hearing and will be handled separately. The subject 2.5-acre property is a through lot with frontage on both Grand Avenue (Rt. 132) and W. Woodland Terrance. The property is located immediately west of the Fifth Third Bank building at 7500 Grand Avenue. A solid five-foot tall wood fence will be installed along

APPROVED

the west property line. Buffer landscaping will be provided along the north and west property lines. The site's lighting and landscaping plans meet code. Access will be provided via a right-in/right-out from Grand Avenue shared with the bank property and a full access from W. Woodland Terrace. Village staff reached out to both school districts that have bus stops in the area and informed them about the potential development so that they could evaluate and make adjustments should the approvals be granted.

Ms. Schopf noted the following in regards to the requested petitions.

### **Zoning Map Amendment**

She noted that the proposed zoning is consistent with the Village's Comprehensive Land Use Plan, which reflects commercial/business as the future land use for the subject parcel. The site abuts residential zoning and homes to the north and west in unincorporated Lake County, and commercial zoning to the east, and residential, commercial, and office zoning and land uses to the south and southeast. She also noted that a grocery store is a permitted use in the County's GC district.

### **Variances**

In regards to the 25-foot Grand Avenue setback, Ms. Schopf noted that the Grand Avenue property line is angled so that approximately the western half of the pavement area is setback 25 feet or more while approximately the eastern half of the pavement area fronting Grand is setback less than 25 feet.

In regards to the reduction to the separation of curb cuts on W. Woodland Terrace curb, the Zoning Ordinance requires that curb cuts be separated a minimum of 50 feet from each other. Fifth Third Bank's existing curb cut and the proposed development's curb cut onto W. Woodland Terrace are separated by approximately 10 feet. Aldi's tried to obtain approval to utilize the bank property's access drive onto W. Woodland Terrace and was unable to. Rather than have another off-set access drive, the Aldi's development proposed curb cut aligns directly opposite the intersection of N. Douglas Terrace and W. Woodland Terrace.

### **Special Use Permits**

Ms. Schopf noted that the Zoning Ordinance requires that ground floor elevations which parallel a street maintain a minimum transparency of 50%, measured between two and 10 feet in height from grade. The proposed south elevation has 38.4% transparency. The north elevation has 4.1% transparency, as this wall borders an employee-only back room space and refrigeration equipment. Opaque spandrel glass was added to both frontages in order to increase the "appearance" of glass. Although this increases the appearance of glass, code does not allow spandrel glass to be counted toward the transparency percentage.

Ms. Schopf noted that the Zoning Ordinance requires 10% of the parking lot area to be green (pervious). The current plan by Aldi's reflects 9.3% of green area interior to the parking lot, or .7%, (353 sq. ft.), below the minimum. Aldi's has several areas that are paved versus green in order to allow trucks to maneuver into the loading dock. They also have more parking than required by code, but the number of stalls is consistent with corporate Aldi's goal.

Mr. Sula took a moment to explain the procedure that would be followed throughout the evening. He noted that the Petitioner will present, followed by the Board asking questions and discussing what was presented. Next, the floor will be opened to the public for questions/comments that will be addressed to the Board. After all public comments/questions have been received, the petitioner

## APPROVED

and/or staff will answer those that are related to the petition. After that, the Board members will discuss the petition further prior to making any recommendation. He stressed that the PZB's recommendation to the Village Board will be related only to the five considerations falling under its purview. He asked that anyone wishing to speak this evening be sworn-in.

Mr. Winter conducted the swearing-in. Mr. Sula then opened the floor to those representation the Petitioner.

John Schoditsch, Kensington Development Partners (Oak Brook, Illinois), stated that Kensington is the developer of the project. He stated that Tom Howald, Director of Real Estate for Aldi's (Oak Creek, Wisconsin), is also in attendance. Mr. Schoditsch started by thanking Village staff for their assistance in understanding the Village's codes and ordinances in order for them to develop their proposed plans. He began a Power Point Presentation. He stated that Aldi's has been interested in establishing a store in Gurnee, and has been searching for a location for about eight to ten years. The site proposed is on the northwest quadrant of Grand and Hutchins, about 2.5 acres in size, and is zoned General Commercial in unincorporated Lake County, which would allow a grocery store by right. He said they have been in discussion with staff about annexation into the Village. He turned the presentation over to others, adding that it is Aldi's intent to be a good neighbor to surrounding residents.

Mr. Howald gave a brief description of Aldi Stores, focusing in particular on their growth during a time in which many other retailers are actually closing locations. He added that this proposed store in Gurnee is expected to be a high-volume location with hours of operation from 9:00 am to 8:00 pm 7 days a week.

Mr. Xavier Millan, Senior Consultant with KLOA (Rosemont, Illinois), explained that his firm has been retained by Aldi's to conduct the traffic study for the proposed development. He stated that the 21,000 square foot development will have 98 off-street parking spaces available, in a lot accessed from Grand Avenue through a reciprocal cross-access agreement with the owners of the Fifth Third Bank's site. Full access would also be available via W. Woodland Terrace. He noted that Grand Avenue is restricted to a right-in/right-out. He added that Grand Avenue is a state highway under control of the Illinois Department of Transportation (IDOT) and, as a designated Strategic Regional Arterial (SRA), another access point will not be granted for Aldi's from Grand Avenue. He stated that Aldi's was able to secure a reciprocal cross-access agreement with the owner of the bank property to allow their use of the Grand Avenue right-in/right-out. While it's apparent that the property was designed with such an agreement in mind, it was not actually recorded. Mr. Millan went on to discuss the traffic study that was performed, noting that the bank to the east of the Aldi site generates 5 or less cars that utilize Woodland Terrace during the peak hour, which will result in minimal conflicts with turning vehicles into the Aldi site. He stated that the proposed Aldi access point on Woodland Terrace does not meet the separation requirement in Gurnee's code; the access point will be directly lined up with Douglas Terrace, which is a good planning practice. In regards to traffic from deliveries, he cited the average Aldi's receives about eight to ten trucks per week. He stated that delivery trucks would approach the site from Grand Avenue (most from the Tollway) and that they would enter and exit the site via Hutchins Road, which is a signalized intersection with Grand Avenue. Mr. Millan stated that Aldi's will also inform all suppliers of the truck route to ensure that delivery trucks not circulate through the neighborhood and will also install signs prohibiting trucks from traveling on Woodland Terrace east of the site. He also noted that the number of new trips to the area will be reduced due to pass-by or diverted traffic from existing Grand Avenue traffic. The study area intersections have sufficient reserve capacity to accommodate the traffic projected to be generated by the proposed

## APPROVED

development and all intersections are projected to continue operating at acceptable levels of service. The store will generate a low volume of daily truck traffic and that delivery trucks will be restricted/prohibited from turning left (west) from the site onto W. Woodland Terrace. To improve the operations and safety of the proposed cross-access at the internal intersection, the following modifications are recommended: 1) stop signs and painted stop bars installed on all approaches except the inbound approach from Grand Avenue; 2) southbound approach from the drive-through should be narrowed via restriping in order to better align southbound traffic at the proposed 4-legged intersection; and 3) one-way and do-not-enter signs should be provided at the drive-through exit lanes.

Matt Carey, Civil Engineer from Pinnacle Engineering Group (Brookfield, Wisconsin), discussed the parking lot setback along Grand Avenue, for which a variance is needed. He noted that approximately half of the frontage exceeds the required 25-foot setback by about 5 feet. However, because the property line angles to the northeast and because the Aldi's site, with cross access from the bank, needs to align their drive aisle with the bank's, the eastern half of the setback lessens to approximately 19.5 feet. On average, the front setback is approximately 25 feet. He also discussed the request for a Special Use permit in regards to green space interior to the parking lot, explaining that code requires 10% of green space interior to the parking lot and that the proposed plan provides 9.3%. He noted that the intent of the plan is to make the best use of the property and maximize parking. Because of circulation needs for trucks to maneuver on-site into the recessed truck dock, areas that typically could be left green are to be paved to allow for these truck maneuvers. He also detailed the location, operation, and discharge patterns of the 2 detention facilities; the dry detention basin at the north end of the site and the underground chamber under the parking lot south of the building. He noted that storm water accumulates along the west property line and that the work proposed will alleviate this nuisance. Lastly, he explained the proposed layout for utility access on the property.

Mike Davis, Landscape Architect from Insite Landscape Design, Wauwatosa, Wisconsin, stated that his firm tried to be cognizant of the property's close proximity to residential neighborhood. He elaborated that the focus was on layered landscaping that would mask the structures while adding attractiveness and help sustain wildlife using different types of plant materials with various textures. He explained that this layering was especially used to the north and west, where the parcel was adjacent to residential. A 5-foot tall solid wood fence is proposed along the entire west property line. He also explained the lighting plan, noting that the focus was on public safety while also respecting neighboring residents. All lighting will be accomplished with LED that meets the Village's lighting code and is substantially less than the foot-candles allowed by code, both interior to the site and at all property lines. Lighting after business hours will be limited to building lights over the building's entrances.

Mr. Howald wrapped up the presentation by giving an overview of the signage and architecture planned for the store. He stated that the building will have two wall signs (one on the south wall and one on the east wall), each approximately 75 sq. ft. The signs will be opaque backing with internally illuminated lettering/logo. He noted that his team has worked with staff to meet the architectural design requirements, but that they did request a Variance for transparency. He stated that the building will be constructed of modular and split-face brick. He noted that in addition to transparent glass windows, spandrel glass windows were added in an effort to increase the appearance of transparency. Spandrel glass is used where the wall corresponds with interior restrooms or employee-only sections of the building.

## APPROVED

At the conclusion of the presentation, those present on behalf of the Petitioner welcomed any questions/comments on the project.

Mr. Sula first detailed the specific items that the Board will be making recommendations on.

*Request to rezone from General Commercial in unincorporated Lake County to C-2 Community Commercial in the Village.*

- Mr. Garrity asked how long the property has been zoned commercially in the County.
- Staff did not have this specific information, although it was noted the commercial zoning is not recent.
- Mr. McFarlane stated that the request for commercial zoning was appropriate for a number of reasons including, location on at State Highway, zoning in the County, designation on the Village's Comprehensive Land Use Plan, and surrounding land uses to the east and south.

*Request for the variance to allow the parking lot to encroach into the required 25-foot setback to the Grand Avenue property line.*

- Mr. Sula and Mr. Nordentoft indicated that they supported the requested variance due to the uniqueness of this particular property in regards to the angled south property line and need to align the Aldi's drive with the bank's drive to the east as a result of the shared access drive.
- Mr. Sula and Mr. Nordentoft believed the request was not unreasonable.

*Request for a variance to allow a reduction in the separation of curb cuts on W. Woodland Terrace from 50 feet to 10 feet.*

- Mr. Paff asked why the access point can't be shared from W. Woodland.
- Mr. Ziegler responded that Aldi's was not able to secure permission from the owner of the bank property to use this access drive.
- The access drive into Aldi's was aligned opposite the street intersection as aligning curb cuts is generally safer than slightly off-setting curb cuts.

*Request for a special use permit to allow a reduction in the transparency for both the north and south building wall from the required 50%.*

- Mr. Paff asked for a description of "spandrel glass".
- Ms. Schopf stated that spandrel glass is glass that is designed to be opaque in order to help hide features behind (store rooms, wires, etc.).
- The north wall is proposed to maintain 4.1% transparency, as this wall borders an employee-only back room space and refrigeration equipment. The addition of spandrel glass to this elevation to make it appear as if there is more transparency increases the "transparency" to 25.7%.
- The south wall has 38.4% transparency. The addition of spandrel glass to an area where the restrooms are located increases the appearance of "transparency" to 42.3%.
- Mr. Sula asked the purpose of the (transparency) requirement.
- Ms. Velkover stated that it is a new feature in the updated Zoning Ordinance and its purpose is aesthetics. However, she noted that the actual use of this provision has become of concern to staff and something that is targeted for proposed amendment in the future.

*Request for a special use permit to allow a reduction in the percentage of green space interior to the parking lot.*

## APPROVED

- Mr. McFarlane asked if the cross-hatch spaces by Woodland Terrace could be a green space.
- Mr. Schoditsch explained that this space is needed for trucks maneuvering in and out of the locking dock area.

Mr. Sula then opened the floor to the public, reminding those wishing to speak to address the Board, and that questions/comments will be addressed after all have spoken.

Cindy Kraft, 36195 N. Douglas Terrace, stated concern that the right-in from Grand Avenue is not safe due to the speed of vehicles passing through the signalized intersection with Almond/Hutchins. She fears cars driving on the road's shoulder and stated that this needs to be addressed. She also asked where a second truck would wait on the property should two delivery trucks overlap.

Maria Westphal, 18391 Linda Lane, asked if there would be fencing on the property. She also asked if there would be a reduction in speed limit in the area. She commented that customers of the two nearby restaurants often park on the residential streets, and expressed concern that Aldi's customers may do so as well.

David Day, 36119 N. Douglas Terrace, stated that there must be a right-turn lane at the Hutchins/Grand intersection. He also complained that trucks have driven up into his grass when delivering to businesses already in the area. He noted that his property is at the northwest corner of Hutchins and W. Woodland Terrace. He expressed concern about the increase in traffic and noise, noting that a disabled child lives in the area and that his wife works as a nurse on the night shift. He also stated that people love the landscaping on his unfenced property, but that he will now have to install a fence. He asked who is going to pay for that.

Herb Messner, 36151 Edgewood Drive, stated that his big concern is storm water run-off. He stated that there has been an increase in flooding in the area due to development. He asked how often the dry basin will stay dry, expressing concern over stagnant water attracting mosquitos and weeds, which he claims is already an issue with the bank's presence.

Nancy Tomaszewski, 18254 Woodland Terrace, using the pronoun "we," read off a list of requests from "neighbors" in the area including that 1) Aldi pay for a designated bus stop that would include a pad. She stated that Woodland Terrace has become a diversion for traffic by those hoping to avoid the traffic light and Grand and Hutchins, and that traffic will only be further increased with this new development. She stated that the bus stop for students with special needs is along Woodland, and that those students will now be at risk; 2) a berm be put in place on the north side of the property; 3) lighting on the property avoid spillage, distributed evenly—not be directed towards the residential properties—and be energy efficient; 4) delivery schedules be modified to forbid deliveries on weekends and limited before 8:00 am on weekdays; 5) a study done to assess drainage issues (claiming that there has been increased flooding in the area due to development); 6) no parking spaces be modified for compact cars with the intent to increase the total number of parking spaces, and—that there be bike racks in the parking lot; 7) screening from all sides of the rooftop units, utilizing a metal rooftop mounting system; 8) carts be maintained in cart corrals similar to that of Mariano's; 9) neighbors should have a say in what plant species are used in landscaping; 10) parking islands have proper irrigation; and 11) there be no overnight parking or idling of trucks. She then asserted that the neighborhood is opposed to this project, and that it is wreaking havoc in the area.

## APPROVED

Lyla Chandy, 36133 Douglas Terrace, stated that for the past 28 years she has enjoyed the peace, quiet, and safety of the neighborhood and does not want to walk out of her house and see a store. While acknowledging that the property is zoned as a commercial property, she said that she considers it a residential property. She also expressed concern over the loss of value to her property and asked that that safety be considered over economics. She stated that this project will create an atmosphere of insecurity in the neighborhood. She also questioned why another grocery store is needed in the area.

Michael Westphal, 18391 Linda Lane, stated the he is also concerned over the intersection of Grand Avenue and Hutchins Road. In particular, he is concerned that the store traffic will jeopardize the safety of schoolchildren using that intersection to get to and from school. He also asked for clarification as to whether or not it is to be "right turn only" or "left turn only" exiting out of the parking lot onto W. Woodland Terrace.

Norman Gatto, 18349 Linda Lane, asked if there were any tax benefits for Grandwood Park if the property were to be annexed. He also asked if any decisions could be appealed. In regards to entrance/exit points, he noting that Auto Zone has made one access point work for many years. Since the State will not allow any more access points, he questioned how the Board could. Lastly, he asserted that as he does not understand the annexation process and asked if Lake County should decide on annexation, rather than Gurnee. He questioned how the Village can make the decision on the curb cut on W. Woodland Terrace as it is not a Village road. He then lamented that the bank looks like a "jail", and that this new building, with the use of "fake glass," will look similar. Lastly, he requested a full list of reliefs and concessions made for both the developers and Aldi in regards to this project.

Joe Ruman, 36158 Douglas Terrace, also expressed concern over the bus stops in the neighborhood, particularly those nearest to the entrance/exit to the property. He asked why an agreement made between developers made when the bank was originally constructed is not still in effect. He also asked if the traffic study has been updated since the bank's remodeling (which he confirmed with Mr. Sula to have been completed about two months ago) as the new location of the ATM machines is significant to the practicality and safety of shared access.

George Kuhn, 36147 N. Douglas Terrace, stated that he has lived in the area for about 30 years. He expressed concern over trucks that come off of Hutchins and make a left-hand turn onto W. Woodland Terrace. He asked who is going to pay for the rivets left behind. He also expressed concern over the safety of bus stops, noting a child with special needs lives in the neighborhood. He also wants to know why they cannot obtain ingress and egress onto Grand Avenue, similar to the neighboring bank. He noted problems with a truck that had been left idling in the neighborhood in the past, and questioned why another grocery store is necessary. He asked if the Board would want a store in their neighborhood, adding that he does not. He said that he would like to see a children's park on the property. Lastly, he again asked the Board to think about whether or not they would want this project in their neighborhood.

Maria Guadalupe, 18257 Linda Lane, lamented about the safety of the children in the neighborhood, expressing how many there are in the neighborhood. She added that people work hard to find a nice and beautiful neighborhood in which to live, and questions if she will still have that, or--if she will have

## APPROVED

to move now. She stated that there are many parents with the same concerns, but they were not able to be at this meeting because they have been working all day long. She said she is sad that this is “all about the money” and that she likes Aldi’s, but would rather drive another five minutes to one. Lastly, she suggested that those not affected by this project trade homes with her.

Ms. Tomaszewski spoke again, asking why Gurnee could not offer Aldi some incentives to move into some abandoned property already zoned for commercial use that are starting to look “not good” and “trashy.”

Ms. Westphal spoke again, this time asking who would be paying for plowing the street in front of the store, and whether or not the area would be kept “clean.” She asked who would take care of the property if the trees were “abandoned,” and suggested that raccoons and other wildlife will flock to the dumpsters with food in them.

Pat Ruman, 36158 Douglas Terrace, agreed that plowing is a concern, as the plowing is now done by Warren Township, which she claimed does a great job, and—should the property be annexed, the plowing would be done by Gurnee, whose plowing she called “unimpressive” along Grand Avenue. She also noted that she and her husband have lived in the area for about 31 years, and that her husband discovered that the property was zoned for commercial use about 25 years ago. She added that she would not want to buy property around commercial areas, out of concern over property values. She then stated that it’s nice to live in a quiet neighborhood, and asked if it will not always be lit up.

Mr. Day spoke again, stating that the point made about garbage was relevant, and that Aldi will have a lot of garbage, and—the wind is very strong in the area. He also expressed concern that a truck will have to back up eventually, and questioned where the docks will be on the property. He also questioned how traffic and noise will be controlled. He wrapped up by asserting that he knows they can’t do anything to stop progress before exclaiming, “Location, location, location...”

Mr. Gatto spoke again, asking that a huge “Aldi” sign be avoided at the entrance of their neighborhood.

Mr. Messner spoke again, expressing concern over storm water run-off.

Tracy Reaves, 17831 W. Salisbury Drive, stated that she grew up in Greenwood Park, and that she has seen a lot of cars try to divert traffic by running through the neighborhood. She asked what the weight restriction is for trucks that drive through the neighborhood. She questioned whether or not these issues would be considered if members of the Board lived in this neighborhood, claiming all she is hearing is money and Aldi. She expressed that she feels a store is being shoved into this property and that the property seems to be a “golden goose.” She also questioned why another grocery store needed, and why the store can’t be placed in an existing vacant building. She expressed that the children in the neighborhood must be considered, and that it will weigh on someone’s shoulders when a child gets killed.

Ms. Chandy asked what trucks are allowed in this area.

Mr. Sula then closed the floor to the public, and stated that the questions/comments would be addressed accordingly.



## APPROVED

As most questions/comment from the public were in regards to traffic, Mr. Sula then turned the floor over to Mr. Millan.

Regarding the children and school bus stops, Mr. Millan pointed out that Aldi does not open until 9:00 am, so there will not be much traffic in the morning when children are being picked up for school. Addressing the potential of travelers continuing on through the right-turn lane at the intersection, he stated that--should it become a problem—it can be addressed by requesting pavement markings by the State. As for the timing of the traffic study, he confirmed that it was done after the remodeling of the bank. Citing State regulations, he noted that trucks are allowed to use local roads to access commercial properties, but that he would have to get back to us with the specifics in regards to weight restrictions. In regards to whether trucks turning onto W. Woodland Terrace from Hutchins would travel onto residential lots to make the turn, Mr. Millan stated that truck turning radius plans were provided that show that trucks can make other “tighter” turns, so that the turn from Hutchins onto W. Woodland Terrace shouldn’t be a problem. However, he noted that they could run a truck turning plan for this intersection.

Mr. Sula confirmed with Mr. Ziegler that, should the intersection be inadequate in allowing room for trucks to turn, it would be up to Aldi’s to modify the intersection.

Mr. Schoditsch addressed that two trucks could possibly end up on the property at the same time, but that they control deliveries efficiently to prevent or limit this from happening as a sitting truck is costing money. As for idling trucks, their delivery trucks deliver and then immediately leave the site. Deliveries will be during normal business hours. He also addressed concerns over lighting throughout the night by explaining that the lights in the parking lot are set to go off shortly after the last of the employees leave for the night (about an hour after the store closes). Only building lighting over entrance/exit points will remain on after the close of the store.

Mr. Sula added that the lighting plan meets the very strict Village code requirements for on-site foot-candle levels, as well as foot-candle levels at all property lines.

Mr. Schoditsch addressed the concern over trash blown around by the wind by explaining that the dumpster is located in the recessed loading dock area, is screened by the building and has a solid door. He also addressed noise by explaining that trucks will not idle while deliveries are being made. The loading dock area also has a solid 6-foot tall masonry wall to the north. In regards to wildlife being attracted to garbage, he explained that there should not be much food waste in the dumpsters, and dumpsters will be locked and emptied regularly. They also contract with a pest control company.

Mr. Sula confirmed with Mr. Ziegler that overnight parking would not likely be an issue for this particular property.

Mr. Sula stated that he didn’t see off-site parking being much of an issue in the dead-end cul-de-sac as there would be a solid 5-foot tall fence preventing anyone from accessing the site along the entire west property line.

Mr. Schoditsch stated that a berm along Woodland Terrace would not be possible because it would block water from collecting in the detention basin. He stated that a fence could be considered if that is what neighbors facing the property want.

## APPROVED

Mr. Sula then deferred questions regarding drainage to the civil engineer.

Mr. Carey pointed out a small depression that will limit the amount of run-off and direct it towards Grand Avenue. He also added that they will detain the water, not retain it. He added that these plans were made working with the Village Engineer and meet the Village's ordinance requirement. The site currently does not detain storm water.

In regards to plowing, Mr. Sula noted that the State is responsible for plowing Grand Avenue, so the work done does not reflect the quality of plowing done by the Village. He also confirmed with Mr. Ziegler that Hutchins will still be plowed by Lake County DOT, while Woodland Terrace will continue to be plowed by Warren Township.

Mr. Sula confirmed with Mr. Ziegler that the State maintains the limits to curb cuts along Grand Avenue after buying access rights through the Strategic Regional Arterial Program. IDOT will not allow any additional curb cuts into this site from Grand Avenue.

Lastly, Mr. Sula confirmed with Mr. Ziegler that the weight limit for trucks on Woodland Terrace is six tons. Addressing the decision to annex, Mr. Sula explained that such decisions are really between the property owners and the entities with which they choose to annex.

Mr. Winter added that there is due process to be followed once annexation is petitioned for.

Mr. Sula also confirmed with Mr. Winter that there are no tax incentives being offered in this project, but that matters of taxes do not fall under the purview of the Planning and Zoning Board anyway. Mr. Sula also stated that it is not the PZB's purview to suggest alternative locations, but rather to respond to the requests before them, given the standards to evaluate each request.

Mr. Sula confirmed with staff that the petitioner made multiple attempts to share access off of W. Woodland Terrace with the bank, but that permission from the adjoining property owner could not be obtained.

Mr. Sula addressed the question of signage off of W. Woodland Terrace by noting that there were no plans for a sign in that location.

Mr. Ziegler elaborated with Mr. Sula on the issue of weight restrictions for trucks in that area by confirming Mr. Millan's statement that trucks will be allowed to use the local roads to gain access to the commercial properties in the area.

As for transparency, Mr. Sula explained that the PZB will make recommendations to the Village Board, which will have final say in the matter. Transparency lies in the openness of the proceedings of both this hearing and when the matter is presented to the Village Board.

In regards to bus stops, Mr. Sula explained that they are the purview of the respective school boards. Staff contacted the appropriate school districts to let them know of the possible development so that they could take any actions that they feel appropriate, including relocating bus stops.

Mr. Sula asked Mr. Howald to explain the maintenance of shopping carts within a typical Aldi location.

APPROVED

Mr. Howald stated that shopping carts are all maintained up by the store and that a quarter is required to obtain a cart and that the quarter is returned to the customer once the cart is returned to the secure area. They also have employees routinely scout the lot for any rogue carts, but that rogue carts are not typical at their stores. He also stated that bike racks are a consideration that could be made.

After all questions/comments were addressed, Mr. Sula clarified that separate motions need to be made on each item.

Mr. Nordentoft stressed the uniqueness of this particular situation. He feels that commercial zoning is appropriate but acknowledged that this property requires a little more consideration because it is a through lot with its primary access point off of a mostly residential road. He noted that there are commercially zoned and developed lots next to residential properties up and down Grand Avenue, but the fact that this is a through lot does add to the concern. Mr. Garrity conferred, pointing out similarities in his own neighborhood with the Pinewood Crossing development.

Mr. Paff further stressed that, ultimately, the subject property is already commercially zoned and that a grocery store could locate there by right in the County.

Mr. Sula asked if there were any more questions/comments from the Board, and stated that—if not—a motion would be in order.

Mr. McFarlane motioned, seconded by Mr. Paff, to forward a favorable recommendation to the Village Board on the petition of Kensington Gurnee LLC, for a Zoning Map Amendment to rezone the subject property from GC, General Commercial in unincorporated Lake County, to C-2, Community Commercial in the Village of Gurnee.

Mr. Sula asked if there was any discussion on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 6-0-0

Mr. Baugh motioned, seconded by Mr. Garrity, to forward a recommendation to the Village Board on the petition of Aldi Inc., for a Variance to allow the encroachment of the parking lot into the Grand Avenue setback, as presented.

Mr. Sula asked if there was any discussion on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 6-0-0

APPROVED

Mr. Garrity motioned, seconded by Mr. Paff, to forward a favorable recommendation to the Village Board on the petition of Aldi Inc., for a Special Use Permit to allow the reduction in transparency on the north and south elevations to less than the required 50%, as presented.

Mr. Sula asked if there was any discussion on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 6-0-0

Mr. Nordentoft motioned, seconded by Mr. Baugh, to forward a favorable recommendation to the Village Board on the petition of Aldi Inc., for a Special Use Permit to allow the reduction in the percentage of green area within the parking lot to below 10%, as presented.

Mr. Sula asked if there was any discussion on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 6-0-0

Mr. Nordentoft motioned, seconded by Mr. Garrity, to forward a favorable recommendation to the Village Board on the petition of Aldi Inc., for a variance to allow a reduction to the separation between the curb cuts on W. Woodland Terrace to less than 50 feet, as presented.

Mr. Sula asked if there was any discussion on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: Baugh, Garrity, McFarlane, Nordentoft, Paff, and Sula

Nays: none

Abstain: none

Motion carried: 6-0-0

Mr. Sula again explained that the PZB is an advisory body and that these recommendations will be forwarded to the Village Board for final determination. He advised anyone interested in following this to the Village Board to either contact staff to find out the date of that meeting or watch the Village Board agendas, which are posted on the Village's web site.

**5. Minor Sign Exception: Doyle Signs, on behalf of Aldi's, is seeking the following Minor Sign Exceptions for a ground sign on property located immediately west of 7500 Grand Avenue (Fifth Third Bank):**

- a. Increase in the overall height of the monument sign from 12 feet to 16 feet (33.3%); and*
- b. Increase in the overall sign of the monument sign from 90 sq. ft. to 111.5 sq. ft. (23.9%).*

APPROVED

Ms. Schopf stated that Doyle Signs, on behalf of Aldi, is seeking a Minor Sign Exception to allow a 33.3% increase in the overall height of the monument sign from 12 feet to 16 feet. They are also requesting a Minor Sign Exception to allow a 23.9% increase in the overall size of the monument sign from 90 sq. ft. to 111.5 sq. ft. The Aldi's store will sit approximately 9 feet above the Grand Avenue roadway elevation and the location of the ground sign is approximately 4 feet above the Grand Avenue roadway elevation. The PZB has the final decision making authority on Minor Sign Exception petitions. The petitioner is in attendance to present their plans and answer any questions the board may have.

Mr. Howald described the design and materials to be used in creating the sign, and explained that visibility was the intent in applying for these minor exceptions, including the fact that the bank's sign will impact the visibility of the Aldi's sign.

Mr. Garrity asked if the sign would be illuminated after hours.

Mr. Howald explained that illumination for the sign would be turned off automatically shortly after the store closes.

Mr. Sula stressed that it is the height and size of the sign that is to be considered.

As a point of reference, Mr. Paff asked for clarification in regards to the signs utilized by car dealerships along Grand Avenue.

Ms. Velkover stated that these signs existing in the area are either allowed by a Special Use Permit or Planned Unit Development, or legal non-conforming as they were installed under the previous sign ordinance provisions.

Mr. McFarlane expressed concern over approving a sign this height and size after efforts of writing the new sign ordinance to reduce the height and size of many of the signs in the area.

Mr. Paff motioned, seconded by Mr. Garrity, to approve the Minor Sign Exceptions allowing for an increase in both height and area of the monument sign as presented.

Mr. Sula then asked if there was any discussion on the motion. As there wasn't any, a vote was taken.

Roll Call Vote:

Ayes: Paff and Sula

Nays: Baugh, Garrity, McFarlane, and Nordentoft

Abstain: none

Motion Failed: 2-4-0

## **6. Next Meeting Date: December 5, 2018**

Ms. Schopf stated that there will likely be a Public Hearing on the agenda of the next meeting.

## **7. Public Comment**

Ms. Tomaszewski, Ms. Westphal, and others from the public asked about following up and/or appealing this evening's decisions. Mr. Sula stated that the PZB is an advisory board and that no decisions were made tonight. The Board made recommendations that the Village Board will consider. He encouraged everyone present to either keep in contact with staff or watch the Village's website in order to find out when this matter will be before the Village Board.

APPROVED

Mr. Winter explained how the process would continue on with the Village Board.

**8. Adjournment**

Mr. Garrity motioned, seconded by Mr. Nordentoft, to adjourn the meeting.

Voice vote:

All "Ayes," no "Nays," none abstaining

Motion carried: 6-0-0

The meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

Joann Metzger,  
Recording Secretary, Planning and Zoning Board