

Village of Round Lake Beach  
PLANNING & ZONING COMMISSION  
AGENDA

Thursday, May 2, 2019 - 7:00 p.m.

Village Hall Chambers  
1937 North Municipal Way  
Round Lake Beach, Illinois 60073

**I. OPENING PROTOCOL**

- A. Roll Call
- B. Approval of Agenda
- C. Approval of Minutes: April 4, 2019

**II. PUBLIC HEARINGS**

- A. Petition request from True North Energy for a special use permit to allow for an automotive fueling station located at the NEC of Illinois Route 83 and Hook Drive in Round Lake Beach.
- B. Petition request to consider a text amendment to certain sections in Article XXI – Alternative Energy Systems of the Village of Round Lake Beach Zoning Ordinance.
- C. Petition request from Dave’s Transmission and Thomas Collins for a rezoning of property from R-3 to C-3 and an amendment to a special use permit to allow for an expansion of an existing auto repair facility located at the NEC of Cedar Lake Road and Beachview Drive in Round Lake Beach.

**III. OTHER BUSINESS/DISCUSSION**

**IV. AUDIENCE PARTICIPATION**

**V. ADJOURNMENT**

**Distribution:** Honorable Mayor and Board of Trustees  
David Kilbane, Village Administrator  
Scott Puma, Village Attorney

Tony Breuscher, Fire Marshal  
Fire Chief

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**Commissioners:**

Mark Bailey, *Chair*  
Patrick Vargo; George Steinberg; Audrie Parker;  
Hal Davis; Lee Benedict; Jim Fisherkeller

PLANNING AND ZONING COMMISSION MINUTES  
 Thursday, April 4, 2019 at 7:00 p.m.  
 Village Hall Chambers  
 1937 North Municipal Way  
 Round Lake Beach, Illinois 60073

**I. Opening Protocol** - Chairman Bailey calls the roll.

**A. Roll Call**

	<b>Present</b>	<b>Excused</b>
Mark Bailey	x	
Patrick Vargo	x (7:09)	
Audrie Parker	x	
Hal Davis	x	
Lee Benedict	x	
George Steinberg		x
Jim Fisherkeller	x	

Also in attendance:

Chris Heinen, Senior Planner from Rolf Campbell Associates  
 David Silverman, Village Attorney

Chris Heinen introduces Jim Fisherkeller as newly appointed member of Planning Commission replacing Dick Barr's seat.

**B. Approval of Agenda**

Motion to approve the amended agenda by Audrie Parker, second by Lee Benedict - All voted in favor; none opposed. Motion approved.

**C. Approval of Minutes - March 7, 2019.**

Motion to approve the minutes by George Benedict, second by Hal Davis- All voted in favor; none opposed. Motion approved.

**II. Other Business/Discussion**

**A. Final Plat of Subdivision for Cedar Lake Road Properties.**

Mr. Heinen discussed the final plat for the consolidation of lots on Cedar Lake Road. The Village entered into an agreement with the owner of Cedar Lake Café who owns two parcels surrounded by the Village owned parcels. As part of that purchase agreement the understanding is to consolidate all into one lot so that the applicant could not sell each individual lot. Separately, this does create a more cohesive and buildable development lot for future development. We are bringing this today for your consideration and look forward to the Village Board.

Chairman Bailey: It would need to be signed before going to the Board but only needs to be approved in a scheduled meeting and does not require a hearing.

Motion to approve by Commissioner Parker, second by Commissioner Fisherkeller.

Chairman Bailey, called for voice vote - 5 Ayes - 0 Nays; motion passed.

### III. Public Hearings

#### **A. Petition request from True North Energy for a special use permit to allow for an auto-motive fueling station located at the NEC of Illinois Route 83 and Hook Drive in Round Lake Beach.**

Chairman Bailey explains the process for the public hearing a requests that notification was completed. Mr. Heinen states yes, notification was completed. Chairman Bailey swears in interested parties wishing to provide testimony.

Lindsey Lyden - Vice President of Development for True North provides a detailed introduction of their project team and True North as a corporation. With me is our Chief Operating Office, Ryan Howard. Our development partner is Terrico and the representative is Mr. Joe Goodman. Our project engineer is Tim Shoemaker of RTM Engineering Consultants. Traffic consultant is KLOA Consulting and Javier Milan is here with us today. Design Prospective is our landscape architect and with us is Todd Stanton. Ms. Lyden proceeds to show a video of the company.

Ms. Lyden explains the development proposal. As you can see the highlighted portion is the proposed site, the northeast corner of Rt3. 83 and Hook Drive. It is 2.24 acres and is in the C-3 zoning district. The comprehensive plan zones this as commercial and we are proposing no changes to the zoning. However, as was mentioned in the beginning, since we are an automotive fueling station and it that is designated as Special Use, we are requesting that Special Use Permit. We will also need a minor variance for our primary ID sign. We meet all the other set-back requirements, front yard, side yard, rear yard, landscape setbacks and parking requirements. This is another aerial view of the proposed site. What we highlight on this slide is the other commercial development in the area. There is a Home Depot across the street, National Tire and Battery to the south, larger development to the north includes the Goodwill, Discount Tire, Credit Union and a strip plaza. That being said, we understand that this site backs up to residential and in the next slides we will show the consideration we have taken into the building and site plan.

Mr. Howard shows a video of the proposed development. First and foremost, we try to pull everything on the side as far forward as possible. The site is not deep which creates a challenge. We pulled the forecourt as far forward as we could, the building has buffering area in the back through both the ground water detention as well as landscaping and fence. When we designed this

site and looking at the area we believe there is a demand for a carwash. Prior to us being involved in this site it was proposed to be a carwash. I am unsure if this proposal made it this far but this was being talked to with the current landowner. The reason we took this off the table was in consideration to the adjacent residents that we would be abutting. Carwashes are louder which can be troublesome and the carwash is no longer a part of the development proposal. We just elected to go with a convenience store and fueling center. In addition, we try to locate the fuel tanks as close to the street as possible so they are not close to residential. With today's LED light technology, we can control the lights and this has been taken in to consideration as we have spillage of lighting. Initially, our lightening folks had very minute spillage of light over the property line, which was within the Ordinance of the Village. Again, in recognition of the neighboring properties we said we do not want any light to go over that line and our plan includes zero spillage past that east property line back to the adjacent property owners. Our next slide shows the renderings of our facility which may be different that seen in the video. The video is one year old and has not been updated. This is what we call our next generation building. Many retailers including McDonald's, Starbucks and others have updated their image to remain contemporary and relevant within the marketplace and we did the same. What we are proposing with this development is what we call our next generation building. I would like to give you a fly around on this through a video and I will point out some aspects. All of the materials we will be using are natural materials and everything on the back side of the building, trash enclosure is brick. We do not sacrifice and use any other material to save money. The entire surface area that is driven on is concrete, we do not use asphalt. This costs more upfront but we feel we recuperate those costs through maintenance and it provides our customers a better all fit. We also brick the canopy columns which is a nice aspect. Typically, you will see steel canopy columns at most gas station/convenient store developments. With eight multiproduct dispensers, sufficient parking up front. Another design aspect was instead of wrapping parking around the building which is typically done, we kept all parking up front so we were not encroaching the neighboring residential properties. One thing our competitors do are outside retailing displays and mulch, etc. We realize there is a buck to be made by doing that but we do not engage in that as we like to keep an upscale image. Those practices do not align with our brand promise. You will notice there is no curbing on the front sidewalk, we protect that will bollards and we have adapted to that style because of ADA and being cognizant of that which works out nicely. This is our proposed development. Lastly, I will point out it is mostly brick with stone on the entry way, a nice sign that is not large or gaudy. It is a nice look.

Mr. Howard continues, additional highlights that we touched upon as they were in the staff report and we took those comments seriously. First of all, traffic that we understand is an area of interest. Tonight we have KLOA. I wanted to point out from what we are proposing in terms of access was supported by our own traffic study through KLOA and supported by the

Village' traffic study through Gewalt Hamilton. We are proposing right in and right out on Rte. 83 and full access on Hook Road and the traffic studies support both of those. The sidewalk was inadvertently left off the plan. We certainly will have a sidewalk that will be incorporated into our plan both on Rte. 83 and Hook Drive. Staff has asked that we make a dedication of right away on Hook Road to align with the residential to line that up and we will make that dedication of additional right of way along Hook Drive. There was comment around the vacuum and we realize that is louder than other normal things going on and we have removed any vacuum. We do not have a carwash and the vacuum was removed completely. Again, I mentioned earlier that we have revised the photometrics and there will be no light spillage across the east property line back towards the residents. I had mentioned the brick canopy columns and we will add brick under the primary ID as the base to be consistent from the building to the canopy columns and out to the primary ID sign. The last thing we request of the light variance is to allow for placement of primary ID sign. As commented many times we tried to pull the development as far forward as possible to keep our spacing and we do not have space to meet the 20' required setback of the sign and we are requesting that one variance.

In terms of fiscal impact to the Village and hours of operation and liquor there is tax revenue for Round Lake Beach and we estimated based on our third year mature proforma which would be around \$100,000.00 annually. This is based on Round Lake Beach 1% share of State Sales Tax and then .5% of the Home Rule Tax. In addition to that when we develop the property there will be additional property taxes assessed and other taxes. Our operational commitment and ask is for 24 hours a day at 7 days a week. Our business requires this. We also request the ability to sell beer and wine to compete with other Round Lake Beach and surrounding community retail offerings. Obviously with hours of operation would be within the applicable law. To address the beer and wine limit further, we understand that beer and wine is a privilege to sell and not a right. We take this very seriously and understand that if sold in the wrong ways and to the wrong people it can be dangerous. We hold over 100 liquor licenses in Illinois and Ohio. We have great standards when it comes to making sure that we are doing the right things. That starts with creating a culture, hiring the right people, proper training and making sure that we are enforcing our policies. We have a "We Card" policy and we card anyone that appears to be under 40 years of age. We have never had an issue where someone was over 21 but did not look like they were 40. We also do the Illinois Bassett training for our employees selling beer and wine. Another thing we do is engage a third party called BARS, Be A Responsible Server. They do mystery shops and send customers in that look to be close to the 21 or 18 for cigarettes age to make sure our employees are carrying out our policies. This is not required but it is something we do to make sure we are performing and doing the right things and that our policies are being carried out the right way. We have zero tolerance for selling under age. If someone is caught selling age restricted product to an underaged

customer there are no questions asked and they are immediately terminated from our company. We furthermore hold our management team accountable and if one of their CSRs is found to have sold to an underage customer, they lose their quarterly bonus. The manager may not be present at that time so why are they held accountable. We make sure they are watching video and they know if employees are carding properly and when the managers are present, they overhear and can see when employees are carding and when they are not. We hold management accountable even though they may not be there when that infraction took place. Again, we are very responsible and have a great deal of experience dealing with age restricted items.

Chairman Bailey: Anyone have questions for the Petitioner from the Planning Commission?

Commissioner Vargo: Do you have any relationship to the Shell Oil on Rte 83 and Grand Ave?

Mr. Howard: That is a Circle K.

Commissioner Vargo: Okay. Could you explain your business model because that Shell Station is slightly over 2 miles from this location and then about 1 mile north of that we have two gas stations. Is there another need for a gas station?

Mr. Howard: The gasoline convenience business is just that convenient. It has to be high convenient. If someone has to go a slight amount out of their way, then we have lost them. This is something that people do not want to spend a lot of time doing, they want to get in and get out. We actually saw a gap within the marketplace. Certainly, there is a gap within Round Lake Beach, if people are fueling up at those locations they are doing this outside the Village which is a leakage of tax revenue. We feel confident there is a need for gasoline and a convenient store. We are putting our money where our mouth is regarding this development. As Lindsey mentioned, Shell Oil is our partner in the venture from an equity standpoint. They have nine of these around the country and we are generally recognized as the best capital allocators of their 9 partners. We have a good track record of knowing where to put our stores.

Commissioner Davis: With your construction, how many local contractors and do you buy your product locally or do you truck it in?

Mr. Howard: We would use local contractors and use local contractors in Cleveland or where we build. We do not bring people in from the outside. We hire from within the area as well. We would not be bringing people in from Ohio, etc.

Commissioner Davis: Did you look at many other locations similar to this in the area?

Mr. Howard: We are developing another location about 1.5 miles to the south in Grayslake at Rte 83 and Lake Street. The NW corner which will capture southbound traffic and the RLB location will be capturing traffic going northbound. We will be starting the Grayslake project this year.

Mr. Howard: It is a signalized intersection and we feel with the right in and right out traveling northbound that would be our primary traffic flow. There will be some traffic that makes the turn at the signalized intersection and comes in off of Hook Road, but again in our business things are so dependent on convenience and that is why we are developing these two locations only 1.5 miles apart. It is two different traffic patterns.

Commissioner Fisherkeller: The access road going through the Goodwill into your station, do you work with the local business there since there will be more traffic coming through on maintaining that the roads going in or out.

Mr. Howard: I spoke today to the adjacent property landowner, Goodwill, and he expressed the concern that we would be bringing traffic potentially by Tire Discounters and Goodwill into our facility. We had a very respectful conversation but we did not agree. In our experience we do not agree that people do that much. Again, I do not think we will get a lot of the southbound traffic and the southbound traffic that we do get will use the signalized intersection at Hook Drive, make the left and make the left in. I think to make the left up by Tire Discounter's, come across that property, across the Goodwill property and to our property, I do not see much of that happening. On the contrary, I do see people that are going northbound on Rte. 83 that might be accessing the Goodwill using our intersection ingress/egress point because it is on the way. People will be more likely to make the right and left through to Goodwill. Again, I think that more of Goodwill's traffic will be coming across our property than our traffic going across their property. That is my personal opinion. Again, today we reached out to Goodwill but were unable to speak.

Commissioner Parker: The intersection of Hook Drive and Rte. 83 is very busy. You said there will be full access to Hook Drive from your property. How do you propose people get out to turn left onto Hook Drive? Because it gets very congested at that light.

Mr. Howard: As Lindsey said, we had a full team and one of our assistants Javier from KOLA and I will let him address that question.

Mr. Millan: I am a senior consultant of KLOA, Inc. and we conducted the traffic study. In regard to your question on the actual proposed access drive, we analyze intersections and we use feeder cameras to observe the traffic

and backups that you see. The backups happen in the PM with a heavy movement westbound coming from Hook Drive. More often than not they do backup beyond the proposed access drive, however, they also clear with every green cycle light. There is also an overlap phase and what do I mean by that. With the north and south electric arrows go we have the overlap. Because of that it is our professional opinion that the full access drive will work in those instances in which it clears. It was mentioned in the traffic study that we recommended putting a do not block intersection sign that you can see very often where may be a fire station or other intersections. Typical of these facilities estimation they are very longitude to the convenience of movements. What I mean by that is right in and right out. As you mentioned, the gas station to the south at Rte. 83 and Lake Street will be capturing the southbound traffic. It is a convenience movement. Very seldom do you have a lot of traffic that wants to make a left and then a left out as it is not convenient. The majority of traffic movements will be right in and right out. That is typical of any gas station, not just this one. Due to that convenience we believe this will work. If this is a problem there could be restrictions for turns during peak hours. This was recommended by your traffic consultant.

Commissioner Parker: There are people who may be heading southbound who may want to use your gas station?

Mr. Millan: That is correct. So if they are heading southbound they would make a right on Hook Drive and go south on Rte. 83. Again, the majority of gas station trips are convenience. So if it is not convenient to make a left a turn they are likely not to, not saying some will want to make a left.

Commissioner Parker: To go southbound from your station they would have to go left.

Mr. Millan: To go south when the exit onto Hook Drive, they make a right and get into the left lane.

Commissioner Parker: Then they would have to go left at the light.

Mr. Millan: Correct. Yes.

Commissioner Parker: There will be people blocking that intersection. You could put signs up that say do not block the intersection but there is a fire department near and that intersection is not to be blocked. There will be a lot of intersections and traffic is going to backup to points where you cannot block this intersection and again this intersection and again this intersection. Around 5:00 pm that road is quite busy. And in the morning it is quite busy.

Mr. Millan: Correct and we have the volume. In the morning is not that busy going west.



Commissioner Parker: Not in the westbound direction in the morning, correct.

Mr. Millan: Again, the analysis is to show that it clears and allows traffic to go in and out.

Commissioner Parker: So you are saying that intersection clears every light?

Mr. Millan: Typically clears every light.

Chairman Bailey: Does anyone else have questions for the Petitioner from the Planning Commission? Chris?

Mr. Heinen: I wanted to touch on a few other items regarding the signage. They are going for a variance for the setback. The applicant does need to work out the easement language where the JAWA project has gone through to verify that sign can go in that easement. They are aware of that and working on that. In addition to the 20' setback they are also requesting a variance in the height. Maximum height in this area is 20' and they are requesting 26'. That is another variance they are requiring as part of the signage package. I would like the applicant to touch more on the landscaping provided to the properties to the east.

Mr. Stanton: Owner of Design Prospectives Landscape Architect in the State of Illinois. In terms of the landscaping between our project and the neighborhood, a majority of our landscaping on the plan is focused in that area. It is a substantial landscape buffer that exceeds the recommendations of your ordinance. There is a variety of plant types, shade trees ornamental trees, evergreen trees and large shrubs. A good mixture of traditional buffer in terms of plants. There will be seasonal interest and it will provide a nice backdrop in addition to the 6' wooden fence separating our property from the neighborhood.

Chairman Bailey: When we approved Great Lakes Credit Union one of the issues was the orientation of their drive-thru because headlights, if aimed east, would shine into the residential neighborhood. Is your fencing and landscaping adequate to prevent headlights from shining across the property into the residential areas in the evenings and early mornings?

Mr. Stanton: I won't address the site plan circulation but if you look at the slide before you there is a substantial distance between the parking and the lights that would be shone to the neighborhood to the east. We have an extensive landscape buffer that has a wide variety of heights in terms of the installation and the mature height of the landscaping. We have landscaping along the parking which is shrub height. As you proceed to the east you go across the naturalized basin and from there we have a series of staggered shrubs with ornamental trees that would get up to 15' high, evergreen trees that will get up to 30' high and 3-4 Spruces in the middle of the site. Those

are the mature heights that would be grown overtime. In addition, we have shade trees that would get up to 45-50' high. In addition to that we have a 6' high wooden fence that runs the entire property. In terms of light shining in people's backyards, I feel confident that landscaping will provide more than the ordinance would ever allow.

Chairman Bailey: Ten years ago I would have bought that. Most recently when I am driving the biggest issue I have is idiots with the high intensity headlights which can be blinding from 300' away. I think we would want to see more indication of what the light pattern might be. We might want to talk about whether the fence could be made higher. This would need to be worked out with the Economic Development Department. I think the maximum allowable is 8'. Isn't it Chris? We reoriented Great Lakes for just that reason.

Mr. Heinen: For business, commercial industrial they have a maximum height of 84".

Chairman Bailey: Which is 7'. I think that would bear some looking at. I am not saying it is a problem but possibly could be.

Mr. Stanton: It is 7' from finish grade so there is a 3' berm that the fence could sit on top of, so there is a way to increase the height of the buffer by using some of the grading at the back of the property.

Chairman Bailey: This is basically what I am suggesting needs to be investigated. Chris please continue.

Mr. Heinen: I think the applicant covered a majority of the site plan. The only other comment that the Village would make is in regard to storm water and drainage. The Village engineer has reviewed preliminary reports and preliminary engineering for the site. Until the final engineering comes out and the Village engineer feels that the site is adequate for storm water management, retaining anything onsite, but until final engineering is approved which would be a condition of the Special Use Permit, they are adequate in terms of storm water management.

Chairman Bailey: Anyone else have questions for Chris?

Chairman Bailey opens the meeting for public comment.

Brian Zick, 872 E Amber Prairie Court. I appreciate you letting us talk. I have been in the Village and had my house build 20 years ago and have watched our neighborhood go down with all the commercial property being built. I run a \$200 million high school. It is a great show that they are putting on with the videos but LED lighting is the brightest light that you can install and there will be feedback going into the second floor of the homes backed

up. It will not affect me that much, I am in the midst of retiring and will be selling my home. I am having my home appraised now and when that gas station built my appraisal goes down I hold someone responsible to pay for that. I have already lost money with Goodwill to the back of my house that I have to sit 7 days a week listening to swearing, smoking, cars running all hours of the night, people stealing stuff from the back and we have to watch because there is no police force that takes care of it. I came here calm but after listening to this and like I said I deal with \$114 million construction, this all looks fine on paper, mature trees are they being installed mature? Or do they have to grow? They will have to grow and there will be a lot of years where lights are being shone directly into the homes. I don't know how the Village is going to okay this. I saw the property being cleaned and there is no way that Hook Drive...I would like to see how long they took the cameras and picture of the traffic. I live there and I am up at 5:00 am and we still have traffic at that time. Like you said, there is no way that people can go across that street but that is what is going to happen. There will be accidents and everyone will say it their fault. There should not be a entrance on Hook Drive. My biggest concern is how many True North live in that neighborhood. Is there anyone that lives in that area? Is this going to lower my taxes? My taxes go up every year even though we are building all these commercial properties? My taxes when up again this year. I am being forced out. I pay more in taxes than I do for my mortgage. I don't think anyone on the board lives in that neighborhood. I do not understand how certain people are allowed to make this decision mostly by putting gas in the ground. There is no guarantee on gas tanks when they are installed into the ground that they will never leak out gas. I am here for my neighborhood, the people how live right against that and I think this is wrong. I totally am against it and I wanted to get this on record. Is this being videoed and will we will be able to see the notes on this meeting? Thank you, that is all I had to say.

Janet Taylor, 2018 N Amber Prairie Way. Brian is my next-door neighbor. Mr. Howard, you stated that there were no fuel stations nearby. I present to you Meijer, Walmart which is the Murphy, Thornton's, Clark on Cedar Lake, Shell in Lake Villa, Citgo at Cedar Lake and Rollins. We have all expressed concerns in regard to traffic exiting onto Hook. I present to you Orchard and Thornton's. You can see how bad that gets backed up with the exit from Thornton's onto Orchard and how dangerous that intersection is especially for pedestrians. In a residential neighborhood I ride my bike there all the time. I really don't want to get hit by a car.

Ms. Lyden you stated that there were commercial businesses in the area, absolutely. Not one of them that you mention or refer to on the slide is open 24/7. You are presenting yourself as being open 2/47 and that will negatively impact people's homes and lives. There are children in this neighborhood and you will negatively impact us for business. Rte. 83 at that intersection narrows down from two lanes into one lane as you go past the Goodwill. That is a terrible bottleneck right there and it will only get significantly worse. It is

not going to improve. I do not know what was studied with the traffic studies but we all have seen how bad that area gets backed up. I noticed that some of my neighbors and myself received certified letters to make us aware of this. You said you did a traffic study. What I found interesting is that your information said Hook and Rte. 83 but your letter says Old Rollins Road and Rte. 83. My question to you is that incompetence or deceit? You are trying to present yourself as building a station at Old Rollins Road and Rte. 83. It has not been Old Rollins Road since I have lived there for the past 14 years. Not only that but when you sent the letter you sent it to 2018 N. Amber Prairie Way, Round Lake Beach. My mailing address is Lake Villa. If you do a simple google search will pull up Lake Villa.

Chairman Bailey: Did you get the letter? The Post Office has its own rules about what they call an area.

Janet Taylor: I did eventually get the letter slightly more than one week late. Incorrect address was stamped on the envelope that I have. Yes, I understand that but a simple google search would have provided that information. We talked about other stores that are nearby and whether or not they are 24/7 and none of them are, at least the ones pointed out by Ms. Lyden. Outside of tax dollars, what benefit is this to the community? How do we help make our community that much better? Does this make our community better? Does this strengthening our neighborhood ties? Another gas station when we already have a glut of them in the neighborhood? I am also concerned about noise impact. It is bad enough with the Goodwill but that is tolerable. Fuel trucks at all hours, noise coming in and out and believe me that the people who go to a convenience store at 3:00 am are not the quiet and peaceful people that you think they are. They are loud, rowdy I was a teenager once and I was the loud and rowdy person at the convenience store at 3:00 am. That is what we will have and it will be in our backyard. I pay taxes in this community and I love living here. I do not want this in my backyard. Please, I am asking you Mr. Davis, Mr. Silverman, Mr. Bailey, Mr. Vargo, Ms. Parker, Mr. Benedict and Mr. Fisher-Keller, please, please, please do not put this in my backyard. Thank you I appreciate your time.

Craig and Terry Austin, 1976 Amber Prairie Way, Lake Villa. We moved in 20 years ago and there were weeds, etc. which acted a buffer from Rte. 83. Just by cutting that down and exposing things, along with the Home Depot sign coming into our yard. We try to enjoy our yard at night. There is no way with the lights, you will know the gas station will be there because two miles down the road you can see those lights at 3:00 am. As far as coming off Hook Drive, that is crazy. We cannot even get off Amber Prairie Road as it bottlenecks as stated and Hook Drive is backed up all the way past Amber Prairie, past the Fire Department. I cannot and do not want to go out at night because of the congestion there. I don't want to go to Jewel which is 1.5 blocks away. They say there is no gas stations close by, but they are building one 1 mile down the road. I don't need the lights coming into the yard all night

long. Home Depot comes into our bedrooms. We are the second house in from Hook Drive. We are the closest to it. For the few years we have put in a new driveway, a new roof and constantly upgrading our home. We continuously improve everything we own including fencing around the property, a deck, pool. This will ruin our backyard experience. My wife has fibromyalgia and we have a spa in the yard that she sits in to relieve her pain. She is in 24/7 pain and we will now have to contend with this. I have high blood pressure and have had brain surgery due to the high blood pressure. Now they are throwing this at us too. The lights as well as traffic on Hook Drive will be insane. I have been in construction my entire life and am a licensed plumber at Local 130 out of Chicago. I have built steel mills, Sears Center, IKEA and I know construction. This construction will destroy my home, my backyard and we will have noise. The taxes I pay is a mortgage right now. My son lives two blocks over is paying 25% of what I am paying in taxes. We are going to contend with all this and we will not be able to sell our home for what it is worth because of the station. We will get our appraisal now and if this continues on through we will sell too. We will get a place where we can relax, enjoy our lives. I have worked 40 years to enjoy this in our old age, have our grandchildren over and play in our yard. I thought we had a right to enjoy life peacefully. I thought it was in the constitution of the US. This is just not the right place for it. Thank you.

Douglas Wons, 1986 N Amber Prairie Way, Lake Villa. We have heard about the lights, scenery all that. My concern is that I have children at home that are 4 years old and 8 years old. I am concerned about the airborne carcinogens that will be released from this gas station. It is proven that benzene is released from gas stations and it is proven that benzene causes cancer, mainly leukemia in children. That is my number one concern. Now, most of the civilized world has as 90 meters, not 90 feet, a 90 meter distance between residential areas and a gas station. The City of Chicago has an ordinance that you cannot have a gas station built within 46 meters of a residence without approval. So, that seems a lot less than one football field, to me. Where I want to raise my kids, now I don't want to if this comes in and is there anyone here from the daycare that is down the street? Has that business been talked to? I believe there is EPA regulation that there is a certain distance that childcare facilities have to be from a gas station. Has anyone looked at that? Thank you.

Dan Michael, 13003 Grande Pines Blvd., Plainfield, IL I am here representing Goodwill. Our issue at Goodwill is, we have been in the Village for nine years we came in in 2010. By the way, my office was never informed of this meeting. We found this on our own and I am glad I am able to be here. Our issue is with the ingress/egress that would be connecting the two properties. We have about 50% of our customers are people with children that come into our stores. We have a lot of customer who are elderly also and they are walking in and out of the store. The way we see it, is the traffic that is coming from the north heading south will use that side street to cut through

our parking lot. To do that, they will avoid the stoplight and the extra turns that would be in their path. I want to believe that people are good but...

Chairman Bailey: Please run that by me again.

Dan Michael: As a car is heading south from the north.

Chairman Bailey: If they are heading south from the north they cannot turn into your property and they cannot turn into the gas station.

Dan Michael: Just before you get to Goodwill there is an access road that is right there.

Chairman Bailey: There is a light at that access road. The Goodwill road is a right in only.

Dan Michael: They will take that left as they are heading from the south.

Chairman Bailey: To get to your place from the south they have to go onto Mill Stone. Yes, if they are going to go through they would have to go onto Mill Stone, go past the Tire and Auto and Great Lakes Credit Union and then the Goodwill Store. Do you think there will be a lot of traffic like that?

Dan Michael: I wish I could sir, but I just know people and we have 69 different locations where we have had different properties come up near us, we have seen the cutting through of individuals. As stated here with all the traffic and backups you already have, I can see that happening. But, if you want to go and say it is not going to happen, then I would ask you to look at the 83 and Lake that is supposed to capture all the traffic that is heading down south and if that is truly what the intent of that location, then you don't need that ingress/egress at the Goodwill. It will not be needed if they are capturing that traffic already.

Chairman Bailey: Chris, was that something we requested or something the petitioner requested?

Mr. Heinen: That is something that the petitioner requested and it should be noted when the final plat of subdivision being came through it was anticipated and cross access easement was granted for that stub to connect to this property.

Chairman Bailey: Thank you, I wanted to clarify that.

Dan Michael: Absolutely. Again, as stated in the video, twice they say their business is basically fast and friendly. That is a very, very quick and out, people are eager to get back on the road. That is something we are worried about. In my position I am supposed to make sure that my customers and

donors have a good experience as they come but ultimately make sure it is a safe one as well. This is what actually frightens me as I look at this. The potential for someone to pull off of 83, cut through our parking lot in a fast manner to get their gas so they can get back on the road. Again, anyone that would do that is trying to circumvent the extra two turns they would have to take. Additionally, I do have a letter that was addressed to Chris Heinen from David Well who is the manager and he represents the property of Goodwill. I can read or submit this, I am not sure what you would like.

Chairman Bailey: If you want it in the record it should be submitted with a copy to Chris and the Board. If you want to read it go ahead.

Dan Michael: I can read it and I will give you copies. It says: Dear Mr. Heinen: I represent the ownership entity of the property currently occupied by Goodwill and directly adjacent to the property being considered as the site for a service station at the corner of Hook Drive and IL 83. I am writing in response to the proposed use. The proposal includes an ingress/egress out of the adjacent property and into ours which is identified as the easement and restriction agreement dated on 6/28/99. While we are not opposed to development at this adjacent site, we are opposed to this particular use and would ask that the proposal in front of you from True North be denied by the Village of Round Lake Beach. The easement runs directly between the main parking lot area and Goodwill store front. We disagree with True North's opinion of how traffic will move into their service station, especially southbound traffic on IL 83. It is our opinion that many will use the Mill Stone Drive as a way to avoid the left turn at Hook Drive and IL 83. This will create significant increase in vehicle traffic between customers of Goodwill and their vehicles. Vehicle pedestrian conflict will increase substantially and we believe it will endanger our tenant's customers. We also believe that the significant increase will create safety concerns for Goodwill's patrons and eventually dissuade them from shopping at this store. This impacts Goodwill financially and ultimately the community as there will be less resources to provide services. This is not a good outcome for Goodwill or the community. We believe this proposed use which involves tremendous vehicle movement every day directly in front of the main entrance of Goodwill creates a hardship for our tenant and is inconsistent with the spirit of PUD. We strongly hope they will deny the request and seek more compatible use of this adjacent property, one that does not rely on such heavy vehicle counts for success. We also hope that you recognize that allowing this proposal to move forward will place the financial goals of a large company ahead of the safety of Goodwill shoppers most of which are from the area and are residents. This would be truly disappointing to us as well as many in the community, I am sure. Thank you for your consideration. Per request I will give you a few copies here.

Ann Wons, 1986 N Amber Prairie Way, Lake Villa Sorry. I am not dressed for this one. We just got back from our vacation. I wanted to add. I am

concerned as our ground. The ground they are using on the top is 3-4 high from our yard. So it will be like this high. I am concerned that this will affect us with flooding. The last time our basement got flooded and the City did nothing, we paid all out-of-pocket. It is because of the sewage. I am concerned that if this is going to be 3-4 foot higher than yard, is this going.

Chairman Bailey: If your backup was caused by the sewers backing up, what is going on here would not affect you. If it was caused by runoff from the property then it would be an issue that would need to be addressed.

Ann Wons: That is not the problem. The problem is my yard sometimes gets flooded. I have an 8 year old and a 4 year old that play in the back yard, baseball, soccer, etc. That is my concern.

Chairman Bailey: There is a group who works in the Village with Public Works Department who has people who are supposed to examine this and determine whether there is any significant increase in the risk of flooding or increase in runoff. That would have to be done and a report would be made before this would be approved. That is separate from what this Planning Commission does. But it is something....Because you have mentioned it, it will be brought to people's attention. Anything else? Anyone else?

Chairman Bailey: At this point I will close the public comment portion of the hearing.

Commissioner Davis: The main issue I have is the sign. I think as they said with the lights and visibility there is no need for a big sign that would increase that already. I think it would be easily visible with a smaller sign with all the lighting,

Chairman Bailey: Chris, what is the height of the Home Depot sign across the way.

Mr. Heinen: It will probably be less than, I do not think it was 26' as proposed for True North.

Chairman Bailey: Given the site lines of that intersection I do not see that it would be necessary for a sign taller than what Home Depot has put up. I can easily see the need for adjusting the setback. In fact, I believe the Home Depot was adjusted for setback also. That is something that can be negotiated. Anything else you are concerned about Hal?

Commissioner Davis: I have some concerns about the contribution to the community and how effective that is, but I will entertain everyone else's concerns and bring closure to that.



Commissioner Parker: I really have heartache over this one. It is a beautiful building, it looks like it would be a really great business for the Village, and however, I really feel for these neighbors. A 24 hour business that backs up against residential, it gives me heartburn. I think that we could have a better use of that land with a different type of business. I would love to see a restaurant or something like that at this property. The access road between the businesses, I see that being a problem but I could also see that being a convenience that would be great if that gas station was there I would use all three businesses in the row. I do go to Goodwill and I do go to the tire place and it would be nice to have that convenience but I can see the traffic issues that he is bringing up. But not having that it I could see how that could be cumbersome for the use of all those buildings. I don't know. I do agree with his comments about the airborne issues.

Commissioner Vargo: In regard to the airborne, new news to me. I would ask the petitioner to validate that statement as far as the distances from building to residential. As someone who comes down Hook from work, I am very experienced with that intersection. I would say that the light does clear but I would also say that the fact that 83 goes from two lanes down to one lane as you get towards the Goodwill creates a bottleneck mess, without a doubt. I love the facility, I love the layout and the look of this facility. I just don't think that location is the right spot for something that is going to be 24 hours. If 83 was two lanes all the way I would probably feel differently, but again I travel this all the time. I truly love the facility, the look and layout. I just don't feel it is the right location.

Commissioner Benedict: I am absorbing what everyone is saying. I agree with Mr. Vargo as far as the traffic pattern on 83. I know they did a comprehensive study on it but I am not completely sold on it yet. The building is attractive, the landscaping is attractive and nice. I think True North needs to listen to what the residents are saying and see if there are any modifications that can be done to their plan if this were ever to go through. Everyone has valid points in the audience and I have absorbed what everyone has said. I also realized that we are here to fact find and look for safety issues, etc. I am glad don't make the final decision on this. It is not in our lap. I do respect the residents. The lighting is a concern also and I agree with comments on that. I think this needs to be looked at more and a get a better study to make sure that if this were ever to go forward what would the impact actually be. I am open now and not decided yet.

Commissioner Fisherkeller: I do agree with comments on the lights. Also, I know off of Hook Road you cannot turn left into the Home Depot. I would like to see if there could be signage that you could not turn left during certain/peak hours of the day into the station. That may help during the peak hours. I am also aware of the resident's issues and the concerned about the lights as well.

Chairman Bailey: I have major issues with the lights, particularly the site lines for the cars pulling in especially in the evening since they will be operating 24/7. As far as the site lighting goes, yes LED's are very bright. They also lend themselves to very sharp cutoff fixtures. I have worked with these over the years and I am a little more sanguine about that. I think we have enough issues here that maybe we want to give True North a chance to consider them and come back with alternative plans. The big thing I think to start with is would be whether or not they have to have the easement connection onto the Goodwill property. I think most of the concern about interior traffic problems comes from that link. What will happen on the City streets is a separate issue. We have never had a development yet that has not had that as an issue. If we were going to let it be the only thing we were guided by we would still be nothing but a bedroom community. Sometimes it is a serious issue and sometimes it is not. As far as clearing out space particularly with the fire station, I live two blocks off the corner of Cedar Lake and Rollins and the fire station there has all kinds of fun with it too even though they have a section painted that say don't stop here. It is something you end up having to live with. Not saying it is optimum. Lighting, traffic orientation, I think the idea of a no left turn during certain hours is a good thing but they are not in the position to put that in, that would have to be put in by the Village? Correct Chris?

Mr. Heinen: You can still make that a condition of the Special Use.

Chairman Bailey: I think those are the high points, they are worried about the traffic, the tie-up at the intersection, lights spillage and to an extent the issue about possible fugitive vapor emission. Most gas stations have gotten good about that especially with the recovery nozzles. It is not zero and I think we would want more information on that before we could consider this as something to stop it but we need more information. Unless someone disagrees, I would propose this be tabled for one month and True North be given a chance to evaluate whether or not they can rework things to address some of the concerns and major high points. Does True North have a problem with that idea?

Mr. Howard: No, we are fine with that.

Chairman Bailey: Unless someone thinks we are ready for a vote tonight, that is what I would like to have a motion do is to table to continue to the next regular scheduled meeting.

May I please have a Motion to continue this hearing to the next regularly scheduled meeting of the Planning Commission? So moved, Mr. Benedict. Second Mr. Fisherkeller. Do I need a roll call vote? Roll Vote called: 5 - Aye, 1 - Nay

Chairman Bailey: Audrey your opinion is valued and you have a right to it. Okay, with that being said we are continued to the next regularly scheduled

meeting of the Planning Commission which is the first Thursday in May. This issue will be taken up at that time unless the Petitioner asks for more time. Anyone who wants to can call the Village and find out if it is going to be on the agenda and we look forward to seeing some of you here next time.

#### **IV. Adjournment**

Commission Parker motions to adjourn. Seconded by Commissioner Vargo.

All voted in favor; none opposed. Motion approved.

Meeting was adjourned at 8:32 p.m.

