

**WHEELING PLAN COMMISSION
THURSDAY, DECEMBER 21, 2017 6:30 P.M.**

**AGENDA FOR A REGULAR MEETING OF THE PLAN COMMISSION
to be held in the Board Room of the Village Hall
2 Community Boulevard, Wheeling, Illinois**

This meeting will stream live and be televised on Wheeling's Cable Channels 17 & 99

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CHANGES TO THE AGENDA**
- 5. CITIZEN CONCERNS AND COMMENTS**
- 6. CONSENT ITEMS - none**
- 7. ITEMS FOR REVIEW**
 - A)** [Docket No. 2017-18](#) (to be continued to January 25, 2018 without discussion)
Shri Swaminarayan Temple
397 Northgate Parkway
Special Use-Site Plan Amendment to Allow for a Building Addition
 - B)** [Docket Nos. 2017-19 A,B,C&D](#)
Pete's Perfection
435 S. Wheeling Road
(2017-19A) Rezoning from MXT Mixed-Use Transit Oriented District and I-4
Heavy Industrial District to I-3 General Industrial District
(2017-19B) Special Use-Site Plan Approval for Heavy Motor Vehicle Outdoor
Storage
(2017-19C) Special Use-Site Plan Approval for a Heavy Motor Vehicle Parking
Lot
(2017-19D) Special Use-Site Plan Approval for Heavy Motor Vehicle Repair
- 8. APPROVAL OF MINUTES – [November 30, 2017 and December 7, 2017](#)**
- 9. OTHER BUSINESS**
 - A)** [Approval of the 2018 Plan Commission Calendar](#)
- 10. ADJOURNMENT**

**IF YOU WOULD LIKE TO ATTEND A VILLAGE MEETING BUT REQUIRE
AUXILIARY AID SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CALL (847)
459-2600 AT LEAST 72 HOURS PRIOR TO THE MEETING.**

**Public Hearing Information
Wheeling Plan Commission Meeting
December 21, 2017
(Attachment to Agenda)**

2017-18 International Swaminarayan Satsang Organization of Chicago, Inc. property owner, is seeking Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, in order to construct a building addition to an existing religious assembly at 397 Northgate Parkway, which is zoned R-1 Single-Family Residential District, I-2 Limited Industrial District and I-3 General Industrial District.

2017-19A,B,C&D Perfection Building Corporation, property owner, is seeking the following actions for 435 S. Wheeling Road:

2017-19 (A) Rezoning the property; which is split zoned, from MXT Transit-Oriented Mixed Use District and I-4 Heavy Industrial District to a single zoning designation, I-3 General Industrial District;

2017-19 (B) Special Use-Site Plan Approval as required under Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, and Chapter 19-12 Site Plan Approval Requirements, and associated sections, in order to establish Heavy Motor Vehicle Outdoor Storage in the I-3 General Industrial District;

2017-19 (C) Special Use-Site Plan Approval as required under Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, and Chapter 19-12 Site Plan Approval Requirements, and associated sections, in order to establish a Heavy Motor Vehicle Parking Lot in the I-3 General Industrial District; and

2017-19 (D) Special Use-Site Plan Approval as required under Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, and Chapter 19-12 Site Plan Approval Requirements, and associated sections, in order to establish Heavy Motor Vehicle Repair in the I-3 General Industrial District.

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Ruffatto and Members of the
Wheeling Plan Commission

FROM: Andrew C. Jennings, Director of Community Development
Brooke A. Jones, Senior Planner

RE: **Docket No. 2017-19A,B,C&D**
Pete's Perfection
435 S. Wheeling Road
(2017-19A) Rezoning from MXT and I-4 to I-3
(2017-19B) Special Use-Site Plan Approval for Heavy Motor Outdoor Storage
(2017-19C) Special Use-Site Plan Approval for a Heavy Motor Vehicle Parking Lot
(2017-19D) Special Use-Site Plan Approval for Heavy Motor Vehicle Repair

DATE OF REPORT: December 15, 2017

DATE OF MEETING: December 21, 2017

PROJECT OVERVIEW: The petitioner is seeking multiple zoning actions at 435 Wheeling Road, which is an existing Hauling Storage Yard use. The petitioner is requesting three special uses to expand this non-conforming use onto its newly acquired property (a portion of vacated Commercial Drive). The application also includes rezoning the property from MXT and I-4 to I-3.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Justin Silva, Attorney
<u>Property Owner:</u>	Pete Aiello, Perfection Building Corporation
<u>Common Property Address:</u>	435 S. Wheeling Road
<u>Common Location:</u>	Located on the east side of Wheeling Road, at Mercantile Court
<u>Neighboring Property Land Use(s):</u>	North: Transportation & Utilities (ComEd ROW) South: Industrial West: Industrial East: Transportation & Utilities (ComEd ROW)
<u>Comprehensive Plan Designation:</u>	Industrial
<u>Property size:</u>	1.056 acres (total lot) 14,36sq. ft. (building area)
<u>Existing Use of Property:</u>	Hauling storage yard
<u>Proposed Use of Property:</u>	Heavy motor vehicle outdoor storage, Heavy motor vehicle parking lot, Heavy motor vehicle repair
<u>Existing Property Zoning:</u>	MXT Transit-Oriented Mixed Use District & I-4 Heavy Industrial District
<u>Proposed Property Zoning:</u>	I-3 General Industrial District
<u>Previous Zoning Action on Property:</u>	
2005-9	Ordinance No. 3966, passed 4.25.2005, granting Special Use Approval for a Hauling Storage Yard.
PC 05-25	Ordinance No. 4044, passed 01.10.2006, amending Ordinance No. 3966.

BACKGROUND INFO & DESCRIPTION OF PROPOSAL

The applicant is currently operating Pete's Perfection at 435 S. Wheeling Road, which was approved as a Hauling Storage Yard special use in 2005. Shortly after the special use approval, the property was rezoned from I-3 General Industrial District to MXT Mixed-Use Transit Oriented District, during a comprehensive map amendment to the Village. At the time of the rezoning, the property's use became legal, non-conforming because such use is not allowed in the MXT District. Moreover, the term "hauling storage yard" is no longer defined in the current Zoning Code. Based upon a similar use interpretation, the existing uses on the subject property may be considered "heavy motor vehicle outdoor storage," "heavy motor vehicle parking lot," and "heavy motor vehicle repair," as defined in the current Zoning Code.

Earlier this year, the Village right-of-way formerly known as Commercial Drive was vacated. The southern half of this area was acquired by Builder's Asphalt (571 S. Wheeling Road). The northern portion of the vacated Commercial Drive was acquired by the applicant. This property is zoned I-4 Heavy Industrial District. Prior to acquiring this property, the applicant executed a lease agreement

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with the Village for use of a portion of the northern half of Commercial Drive for hauling storage yard uses. This is noted in the approved special use permit. At this time, the applicant would like to expand this outdoor storage area to include the entire northern half of Commercial Drive, which it now owns.

Expansion of the special use to include additional property requires a special use amendment. However, the existing special use for the hauling storage yard cannot be amended because of its MXT zoning and its non-conforming status. As such, the applicant proposes to rezone the entire property to I-3 General Industrial District and to request special uses for interpreted similar uses to the obsolete hauling storage yard term. In other words, the applicant is requesting three new special uses (heavy motor vehicle outdoor storage, heavy motor vehicle parking lot, and heavy motor vehicle repair) to replace the former hauling storage yard special use. The new special use requests also include expansion of the property to the south to include the northern half of the former Commercial Drive.

While there are several zoning requests, the actual proposed change to the subject property is relatively minor. With the exception of new building-mounted lights, no changes to the building are proposed. No landscape modifications are proposed. Some modifications to the existing fencing is proposed. Expansion of the paved area is proposed to the south to allow for additional parking of heavy motor vehicles.

According to the cover letter, the business will continue to operate with six full-time employees during the hours of 6AM to 5PM Monday through Friday. About ten percent of the building space is for office, while the remainder of the building is used for heavy motor vehicle repair. The building has eight garage bays. The cover letter also indicates that the property currently has outdoor storage/parking for 17 heavy motor vehicles.

SITE PLAN REVIEW

Scale of Site Plan: 1" = 10'

Proposed General Site Layout: While an existing conditions plan is provided, only a partial site plan is provided to note the proposed pavement (parking) expansion. The existing conditions plan does not show existing parking configurations or amounts of existing green space. The Fire Department memo includes parking restrictions and access road requirements that may impact outdoor storage and parking of vehicles. The Plan Commission may wish to request a full site plan that notes the locations, types, and quantities of parking, prohibited parking areas and the required access road, and impervious areas/green space. This exhibit would help illustrate the proposed uses.

Proposed Floor Plan: No interior changes are proposed to the 14,360 sq. ft. building. The existing floor plan has been submitted. It shows an approximately 1,500 sq. ft. office. The remainder of the building is arranged for heavy motor vehicle repair.

Total Number of Parking Spaces: Based upon the materials submitted, it is difficult to determine the amount of parking provided. The cover letter indicates that the property currently has outdoor storage/parking for 17 heavy motor vehicles. However, neither the plat of survey, nor the existing

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conditions plan, nor the approved landscape plan show striping for parking. A response to the petitioner's special use standards indicates there will be as many as 39 trucks parked and an additional four trucks repaired each day. The partial redevelopment plan shows striping for 22 vehicles along the south property line, which is in the location of the newly acquired property. The Plan Commission may wish to ask the petitioner to provide a site plan with the location of all proposed parking.

NOTE: The location of this parking will also require a parking setback variation. The required setback for parking is 10 feet. The proposed setback for this parking is about two feet. The Plan Commission may wish to require a site plan dimensioning this exact setback.

Ownership: The property owner recently acquired the north half of the vacated Commercial Drive. See the area of the newly acquired property on the Plat of Vacation, which is shown as an exhibit to the cover letter.

Site Lighting: A photometrics plan has been provided. 15 new building-mounted LED lights are proposed. There is no existing site lighting. However, the plans do not address the entire newly acquired area. The Plan Commission may wish to discuss the need for a revised plan.

Sidewalks: There is an existing public walk along Wheeling Road.

Bicycle Parking: No bicycle parking has been provided. The Plan Commission may wish to ask the petitioner if bicycle parking for employees will be allowed indoors.

Minimum Green Space: The minimum required green space is 25%. The submittal does not address the existing or proposed amount of green space. It appears that a variation may be required. The Plan Commission may wish to ask the petitioner to provide an exhibit that shows the calculated amount of green space that will result from the parking lot expansion.

APPEARANCE REVIEW

Elevation Plan Review: No changes to the building elevations are proposed. Elevation plans for the existing building have been provided.

Landscaping Plan Review: In the cover letter, the petitioner indicates there are no proposed changes to the approved landscape plan. The approved landscape plan (per Ordinance No. 3966) is provided as an exhibit to the cover letter. The plan includes the following foundation shrubs along Wheeling Road: Peking Cotoneaster, Dwarf Juniper, and Miss Kim Lilac, yews, and Spice Bush Viburnum.

Trash enclosure: A trash enclosure is noted at the rear of the building on the approved landscape plan.

Fencing: The current special use approval allows for an 8-foot solid wooden fence surrounding the property. Fencing is noted on the existing conditions plan. A fencing quote and exhibit from Dura Bilt Fence II has been provided. From this documentation, it appears that the existing fence along the previous south property line will be relocated to the new south property line. Two additional

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locations for new fencing will be installed along the east and west property lines to link the existing fencing to the relocated fencing. The proposed new and relocated fence is 8-feet in height. The cover letter states the existing fencing varies in height from 7-feet to 13-feet. Fencing with a height greater than 8-feet requires a zoning variation. The Plan Commission may wish to have the petitioner clarify the height of the existing fencing to determine if it complies with the Zoning Code or if an additional height variation is necessary.

STANDARDS FOR REZONING

Following are standards for rezoning with the petitioner's responses. **(Staff comments are in bold.)**

1. Will the proposed rezoning comply with the intent and purpose of Title 19, Zoning? (Explain how the proposed uses allowed by the rezoning will conform to the zoning code.)

"The proposed rezoning will comply with the intent and purpose of the Village's Zoning Code.

Since approximately 2005, the Petitioner has owned and operated Pete's Perfection Plus, Inc., ("Pete's Perfection") a truck repair facility, at 435 S. Wheeling Road. Pete's Perfection currently employs 6 full-time employees and operates Monday through Friday from 6:00 a.m. to 5:00 p.m. Excluding the 0.21-acre South Parcel, discussed further below, the Property is approximately 0.85 acres and is located south of E. Dundee Road and north of W. Hintz Road. Running northeast of the Property is the Commonwealth Edison right-of-way.

On April 25, 2005, while the Property was zoned I-3, pursuant to Ordinance No. 3966, the Petitioner received a special use permit and site plan approval for a Hauling Storage Yard ("2005 SUP"), a special use type which is no longer defined under the Village's current Zoning Code. Subsequently, on January 10, 2006, the 2005 SUP was amended by Petitioner pursuant to Ordinance No. 4044 providing for additional site plan improvements and conditions.

The Property was subsequently rezoned from I-3 to MXT in conjunction with a Village-initiated comprehensive zoning map amendment. Therefore, since the rezoning, the Property's 2005 SUP is now and has been a legal nonconforming use in the MXT District.

On October 18, 2016, pursuant to Ordinance No. 5037, the Village rezoned the properties directly south of Petitioner's Property from I-2 Limited Industrial to I-4 Heavy Industrial (571-581 Wheeling Road and Commercial Drive right-of-way).

On February 21, 2017, pursuant to Ordinance No. 5075, the Village vacated the unimproved Commercial Drive right-of-way, thereby selling the north half to the Petitioner, and south half to the owner(s) of 571-581 Wheeling Road. As a result of the vacation and sale, the Petitioner acquired the South Parcel which contains approximately 9,186 sq.ft. or 0.21 acres. The Petitioner's Property, including the South Parcel, is now approximately 1.05 acres. However, since the South Parcel was rezoned to I-4 Heavy Industrial in 2016, the Petitioner's Property is now split zoned MXT (legal nonconforming) and I-4.

The Petitioner seeks conforming status for his Property under the current Zoning Code and to continue operating his business while also expanding the outdoor parking and storage area by approximately 0.2 acres. None of the prior or existing uses, nor the repair facility

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structure itself, will change. The only change occurring is the redevelopment of the 0.2 acres for HVM parking and storage. To effectively accomplish this, the Petitioner is requesting that the entire Property be rezoned back to I-3, and the proper Propose Special Uses be sought."

The proposed rezoning will establish a legal conforming use for the applicant's existing business and for expansion of the existing business. Currently, the MXT zoning does not allow for the established uses. The property has a legal, non-conforming special use permit for its operations. The proposed rezoning will allow for the existing and expanded operations to continue legally under a single zoning district.

2. Will the proposed rezoning comply with the Comprehensive Plan, Official Map and all other plans and policies adopted by the Village? If not, explain why the proposed use is in the best interest of the Village. (Explain in detail how the uses allowed by the rezoning follow the Comprehensive Plan or how a rezoning contrary to the Comprehensive Plan is appropriate.)

"The Village's Comprehensive Plan provides a Future Land Use Map. As indicated on the Future Land Use Map, the Property, and properties located to the east, west and south of the Property, are designated as Industrial. Furthermore, the properties directly south of Property were rezoned to I-4 Heavy Industrial in 2016.

While the Petitioner would ultimately prefer to rezone the entire Property to I-4 Heavy Industrial, Petitioner seeks rezoning to I-3 General Industrial District for the following reasons: First, pursuant to Section 19.07.050 (d)(1)(A) of the Zoning Code, I-4 requires that the property be no less than five acres. The Property is barely one acre and thus would not meet the minimum lot area requirement; Second, northeast of the Property is zoned MTX, and therefore rezoning to I-3 would be more desirable to the Village as this is a less intense industrial use compared to I-4, Third, the Property was originally zoned I-3 and is adjacent to I-2 and I-4."

The subject site is shown as "Industrial" on the Comprehensive Plan. The proposed rezoning to the I-3 General Industrial District is consistent with the Comprehensive Plan.

3. How have the physical or economic conditions pertaining to the subject area changed, making the existing zoning inappropriate and the proposed rezoning appropriate? (Explain why the current zoning designation is inappropriate. What specific physical or economic conditions indicate that a change in zoning is required?)

"The physical or economic conditions pertaining to the subject area have only become more industrial intense since the properties to the south were rezoned from I-2 to I-4. The Petitioner, although a legal non-conforming use in a MTX District, has been in business for almost 10 years at its current location and is trying to expand. These factors speak largely to the Property's best use as Industrial. The Petitioner is seeking rezoning not because its use has changed, rather because its use and economic conditions have largely remained constant. The proposed rezoning for the Property seeks to comply with the current Zoning Code."

The existing zoning of the MXT portion of the property is not consistent with the existing and proposed industrial uses for the property. The existing I-4 portion of the

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property allows for even more intense zoning uses than requested. The proposed rezoning will be in line with the market reality for the property.

4. How is the proposed rezoning desirable and needed in the Village? (Why is the new zoning district needed? What does the rezoning accomplish? How will it benefit the Village?)

“On October 18, 2016, pursuant to Ordinance No. 5037, the Village rezoned the properties directly south of Petitioner’s Property from I-2 Limited Industrial to I-4 Heavy Industrial (571-581 Wheeling Road and Commercial Drive right-of-way).

Further, on February 21, 2017, pursuant to Ordinance No. 5075, the Village vacated the unimproved Commercial Drive right-of-way, thereby selling the north half to the Petitioner, and south half to the owner(s) of 571-581 Wheeling Road. As a result of the vacation, the Petitioner acquired the South Parcel which contains approximately 9,186 sq.ft. or 0.21 acres. The Petitioner’s Property, including the South Parcel, is now approximately 1.05 acres. However, since the South Parcel is zoned I-4 Heavy Industrial. Therefore, the Petitioner’s Property is now split zoned MXT (legal nonconforming) and I-4.

It would be undesirable to located a MXT District adjacent to an I-4 Heavy Industrial District. The Petitioner believes it is in everyone’s best interest to rezone the Property back to Industrial, specially I-3, as explain above.”

The proposed rezoning, in conjunction with the proposed special uses, will make the zoning of the property consistent with the Comprehensive Plan and the uses of the property legal conforming.

5. How will the proposed rezoning be compatible with and not unduly depreciate the use and value of the surrounding property? (Consider the types of uses that could be permitted by the rezoning. Are these uses compatible with existing neighboring land uses? Will the potential uses have a negative impact on surrounding property values?)

“The properties directly south, east and west of the Property are zoned Industrial and are used accordingly, although the Petitioner’s Property is mostly zoned MXT, thereby making it a nonconforming use and plainly incompatible with the surrounding uses. The Petitioner has operated the Property as industrial - HVM Repair Facility, Storage and Parking - for the last 10 years. Any potential adverse impact to the immediate surrounding property values would already be evident to surrounding neighbors and the Village.”

The land use facilitated by the proposed rezoning should be configured to minimize potential negative impacts. The special use-site plan review by the Plan Commission should address the potential negative impacts.

6. How will the proposed rezoning contribute to a rational pattern of land uses which is beneficial to the Village? (Is the proposed rezoning sensible? Are intense uses that create traffic, noise, odor, light, or smoke going to be permitted along a narrow residential street?)

“The proposed rezoning addresses the Property’s current non-conforming legal status. The Property’s use as industrial property has existed for over 10 years. The Property’s location on a high traffic roadway, surrounded by other Industrial Uses – the properties directly south of the Property was rezoned from I-2 to I-4. I-4 Heavy Industrial uses provides for a

less than ideal location for MTX development.”

The proposed rezoning, combined with the proposed special uses, would establish a limited zoning framework for the use of the property. The land use facilitated by the rezoning will be configured to minimize the potential negative impacts on adjacent properties.

STANDARDS FOR SPECIAL USE

Following are standards for special use with the petitioner's responses. **(Staff comments are in bold.)**

1. State why the Special Use is necessary for the public convenience at the proposed location. (Explain how the proposed use will benefit residents, the neighborhood or the community-at-large.)

“Currently, the Property has been operating under a Special Use providing for a Hauling Storage Yard. Said use is no longer classified under the current Zoning Code and is outdated. To reflect the more appropriate similar use interpretation under the Village’s current Zoning Code, the Village has recommended that the existing uses are most akin to Heavy Motor Vehicle (“HMV”) Outdoor Storage, Parking Lot and Repair Facility (“Proposed Special Uses”). Thus, by amending the existing Special Use to include said uses, the amended Special Use would comply with the current Zoning Code. Importantly, amending the Special Use will help correct the Property’s legal non-conforming status. Further, the proposed Special Use amendment would not alter, nor change, the existing uses on the Property.”

The existing business has been in use for over ten years. The desire of the applicant to expand its use is a good indicator of the demand for the proposed special uses by the community.

2. State how the special use will not alter the essential character of the area in which it is to be located. (Explain how the proposed special use is appropriate for the neighborhood or shopping center and how the overall character will not be affected by the special use.)

“As discussed above and in the Project Description Letter dated November 21, 2017, while the Proposed Special Uses will be redefined, or for lack of a better term, renamed, the actual uses and operations on the Property will not change. However, the uses will slightly be expanded onto the newly acquired South Parcel of the Property. Additionally, the Property is and will continue to conform to surrounding industrial properties within the community. Simply put, the Proposed Special Uses will integrate seamlessly into the existing surrounding community. There will be no alteration to the essential character of area.”

The proposed special uses have been deemed similar uses to the existing use of hauling storage yard. While the applicant proposes to expand its area of use to the south, no actual change in the business operations are proposed. The proposal will not alter the character of this area.

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3. State how the location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, will be in harmony with and will not impede the normal, appropriate, and orderly development of the district in which it is to be located and the development of surrounding properties. (Explain how the proposed use will allow the surrounding area to develop appropriately. Is the use too large for the site? Will it be in a location on the lot that will cause conflicts with adjacent properties? Does the use create noise, odor, smoke, or light that will affect other properties?)

“The Property is approximately 1 acre and is surrounded by industrial uses of varying intensity. Directly south of the Property is zoned I-4 Heavy Industrial District. To the west of the Property, across Wheeling Road, is I-2 Limited Industrial District. To the east of the Property is the ComEd right-of-way which acts as a large buffer along the east Property line. The Proposed Special Uses, which are no different than what is currently occurring on the Property, will in no way conflict or cause conflict with the adjacent properties. With the inclusion of the South Parcel, the vehicle traffic to and from the Property is not expected to increase beyond what currently exists, which is 5-10 vehicles per day. However, HMV storage and parking areas are expected to increase by 22, from approximately 17 to 39 vehicles depending on truck size. Similarly, the average number of truck repairs is expected to stay the same, approximately 3-4 vehicles per day.

In short, the Proposed Special Uses will be in harmony with and not impede the normal, appropriate and orderly development of the district in which the Property is located and the development of surrounding properties.”

The Plan Commission should further discuss the operations of the proposed use with the petitioner to fully understand the impacts on the vicinity. The Plan Commission may wish to see a full site plan for the entire property that locates the specific areas for heavy motor vehicle parking to ensure the parking will be safe and orderly.

4. State how the location, nature and height of buildings, walls and fences, and the nature and extent of the landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, or will not impair the value thereof. (Explain how the proposed use will not prevent development on adjacent properties. Will the proposed use have a negative impact on existing adjacent land uses?)

“The Proposed Special Uses will not prevent development or have any negative impact to adjacent properties. Of the approximate 1 acre Property, approximately .2 acres will be redeveloped for additional parking and storage. Expanding the privacy fence and adding exterior lighting will only add value to the Property. These changes and improvements represent the only modifications to the existing uses and structure on the Property. The 15,000 sq.ft. office and repair facility will remain unchanged.”

No changes are proposed to the existing landscaping. Due to the expanding parking area, there may not be enough impervious surface to meet the minimum green space requirement. The Plan Commission may wish to confirm the green space calculation with the petitioner. The existing fencing will be modified to enclose the expanded parking area. The submittal materials are confusing and suggest a variation may be

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required for the height of the existing fencing. The Plan Commission may wish to confirm the fence height.

5. State how the parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining residential uses, entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances, and the development will not cause traffic congestion. (Is adequate parking provided? Is parking area visible from adjacent homes? Are the entrance and exit drives designed for safe access to the site? Will the special use generate so much traffic as to cause congestion? Will visitors to the special use access the site through residential streets?)

“Currently, there is enough paved asphalt to park or store (17) HMTV on the Property behind the privacy fenced. Additionally, there is adequate employee parking adjacent to the Building. However, the proposed Redevelopment Plan, which incorporates the newly acquired South Parcel, will allow for an additional (22) HMTV to be parked or stored onsite. Therefore, the proposed Redevelopment Plan, would include an area that accommodate approximately (39) HMTV storage or parking spaces. The separate ingress and egress access points off of Wheeling Road provide a safe entrance and exit to the Property. Additionally, daily traffic to and from the Property is expected to remain the same, 5-10 vehicles per day.”

A complete site plan noting the areas of outdoor parking has not been provided. The Plan Commission may wish to request such a plan to ensure the parking areas are adequate for the particular uses.

6. State how the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulation in that zone. (Other than the special use listed in this application, the proposal must meet all other requirements of the Zoning Code. Note any other exceptions.)

“The Petitioner is seeking to amend the current Special Use Permit and its uses to comply with the newly defined terms of the existing Zoning Code. Furthermore, since the Property is legally non-conforming, as a result of the Village’s rezoning, the Property cannot be expanded to utilize the recently acquired South Parcel without amending the existing Special Use Permit.”

Without the proposed special uses and rezoning, the property would remain in its existing state as a hauling storage yard, which is approved under the current special use. The expansion of operations to the south would not be permitted.

STAFF REVIEW

Fire Department Review: The Fire Department has submitted comments dated December 14, 2017. The review includes three suggested conditions of approval. Conditions #2 and #3, which relate to prohibited parking areas and a required 20-foot wide fire access route, may have impacts on the proposed parking/storage areas. As such, the Plan Commission may wish to ask the petitioner to provide a site plan that notes the restricted parking areas and fire access route.

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Engineering Division Review: The Engineering Division has provided a comment memo dated December 15, 2017. Most of the comments can be addressed at permit. Comment #3 notes a discrepancy between an existing utility easement and actual location of the Village's water main. The Engineering Division requests that this be verified by the petitioner. If the easement and water main are not aligned, a new easement will be required prior to permit issuance.

Impact on Adjacent Uses: Prior to making a determination regarding the impacts on adjacent uses, all required zoning variations should be identified.

Staff Recommended Action: During the application review process, staff has identified two likely zoning variations (parking setback and minimum green space) and a third possible variation (fence height). During the hearing for the rezoning and special uses, staff suggests that the Plan Commission investigate if the petitioner plans to request such variations or if they plan to revise the plans to meet zoning. If variations will be requested, then a public hearing for the zoning variations will need to be properly established after receipt of the required applications and documentation. The Plan Commission may wish to continue the rezoning and special use hearing to a date that can accommodate the petitioner's schedule for the zoning variation petition. Staff suggests January 25, 2018 would be a feasible date for continuance of Docket Nos. 2017-19A,B,C&D.

Prior to continuing the rezoning and special use hearing, staff suggests the Plan Commission open the hearing to discuss the following issues:

1. Determine if the setback of new parking requires a parking variation;
2. Determine if the minimum green space requirement will be met after the parking expansion;
3. Clarify the height of the existing fence to determine if they would require a variation;
4. Request a site plan that shows the locations, types, and quantities of parking/storage;
5. Request a revised photometric plan that addresses the newly acquired area;
6. Request a site plan that notes the restricted parking areas and required fire access route; and
7. Discuss the discrepancy between the existing utility easement and the actual utilities.

PROPOSED MOTIONS

If the Plan Commission finds that the petitioner has satisfied the requirements for the granting of the requested rezoning and three special uses, appropriate motions would be to:

Recommend approval of Docket No. 2017-19A, granting a Rezoning from MXT Mixed-Use Transit Orient District and I-4 Heavy Industrial District to I-3 General Industrial District, as illustrated on the staff exhibit "Existing vs. Proposed Zoning" dated December 21, 2017, 435 S. Wheeling Road, Wheeling, Illinois.

And Recommend approval of Docket No. 2017-19B to grant Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, in order to establish Heavy Motor Vehicle Outdoor Storage, in accordance with the following exhibits submitted November 21, 2017 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

- Cover letter and exhibits (44 sheets total),
- Location map/title sheet,

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- Existing conditions,
- Partial site plan/redevelopment plan,
- Existing floor plan,
- Existing building elevations,
- Fencing proposal and exhibit (2 sheets),
- Photometrics plans (5 sheets), and
- Plat of survey.

And with the following conditions:

1. If necessary and prior to permit issuance, a new utility easement shall be recorded that aligns with the location of the existing Village utilities;
2. A Fire Department approved Knox Box shall be provided at the south lot entrance to;
3. And others to be determined at the hearing.

And Recommend approval of Docket No. 2017-19C to grant Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, in order to establish a Heavy Motor Vehicle Parking Lot, in accordance with the following exhibits submitted November 21, 2017 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

- Cover letter and exhibits (44 sheets total),
- Location map/title sheet,
- Existing conditions,
- Partial site plan/redevelopment plan,
- Existing floor plan,
- Existing building elevations,
- Fencing proposal and exhibit (2 sheets),
- Photometrics plans (5 sheets), and
- Plat of survey.

And with the following conditions:

1. If necessary and prior to permit issuance, a new utility easement shall be recorded that aligns with the location of the existing Village utilities;
2. A Fire Department approved Knox Box shall be provided at the south lot entrance to;
3. And others to be determined at the hearing.

And Recommend approval of Docket No. 2017-19B to grant Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, in order to establish Heavy Motor Vehicle Repair, in accordance with the following exhibits submitted November 21, 2017 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

- Cover letter and exhibits (44 sheets total),
- Location map/title sheet,
- Existing conditions,
- Partial site plan/redevelopment plan,

Wheeling Plan Commission

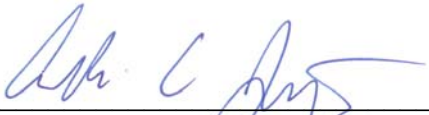
Meeting date: December 21, 2017

RE: Docket Nos. 2017-19ABC&D

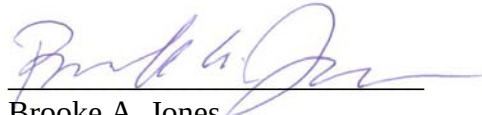
- Existing floor plan,
- Existing building elevations,
- Fencing proposal and exhibit (2 sheets),
- Photometrics plans (5 sheets), and
- Plat of survey.

And with the following conditions:

1. If necessary and prior to permit issuance, a new utility easement shall be recorded that aligns with the location of the existing Village utilities;
2. A Fire Department approved Knox Box shall be provided at the south lot entrance to;
3. And others to be determined at the hearing.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Jones
Senior Planner

Attachments:

[Fire Department comments, dated 12.14.2017](#)

[Engineering Division comments, dated 12.15.2017](#)

[Photos of existing conditions \(staff\)](#)

[Staff Rezoning Exhibit](#)

[Cover letter and exhibits \(44 sheets total\)](#)

[Location map/title sheet](#)

[Existing conditions](#)

[Partial site plan/redevelopment plan](#)

[Existing floor plan](#)

[Existing building elevations](#)

[Fencing proposal and exhibit \(2 sheets\)](#)

[Photometrics plans \(5 sheets\)](#)

[Plat of survey](#)



MEMO – Fire Prevention Bureau

TO: Brooke Jones, Village Planner
FROM: Ronald S. Antor, Fire Inspector
CC: Andrew Jennings, Director of Community Development
Keith MacIsaac, Fire Chief
FPB File
DATE: December 14, 2017
SUBJECT: Proposed Rezoning and Business Expansion – 435 South Wheeling Road, Pete's Perfection – Documents received for review by the Fire Department, November 29, 2017.

The Wheeling Fire Department has reviewed the submittals received related to the above referenced project and has the following comments:

Site Plan

1. The petitioner's proposal is primarily for the rezoning of the parcel of property to I-3 and improvements/expansion of parking on the site after acquisition of additional property.
2. There are no proposed changes to the existing structure.

Based on the Fire Department's review of this project the following conditions of approval are recommended by the Fire Department.

1. If not already present, signage for a "Fire Lane" shall be provided within 15 feet of the building's Fire Department Connection (FDC) and parking shall be prohibited in this area.
2. A fire access route around the structure shall be maintained as shown on the Sam Mormino Landscape Corporation submittal included in Village of Wheeling Ordinance No. 4044 (Driveways on north, south and east sides of the structure). This would also include Item No. 4 from Section B of Ordinance 4044. The fire access route shall be a minimum of 20 feet wide in accordance Section 503.2.1 of the International Fire Prevention Code.
3. A Fire Department approved Knox Box shall be provided at the south lot entrance gate to provide site access.

At this time there are no other Fire Department comments related to the project as presented in the documents reviewed.



MEMORANDUM

TO: Brooke Jones, Senior Planner

FROM: Kyle Goetzelmann, Civil Engineer I

COPY: Jon Tack, Village Engineer

DATE: December 15, 2017

SUBJECT: Pete's Perfection Parking Lot Expansion
435 Wheeling Rd. - Review Comments

The Engineering Division received a Project Description, Engineering Drawings, Plat of Survey and Photometric Plan for the subject project on November 29th, 2017. The Engineering Division has completed a review of the above referenced submittal and offers the following comments at this time:

1. Village of Wheeling engineering permit will be required prior to project commencement.
2. Disturbed area is less than ½ acre. No MWRD or IEPA NOI permit will be required.
3. 10' Sanitary, Water, and Utility Easement doesn't align with the documented location of the Village water main that crosses the subject site. Engineer should confirm and draft new easement if discrepancy exists. New easement will need to be approved by the Village and recorded prior to permit issuance.
4. Due to the anticipated heavy duty use of the new concrete parking lot, the Village recommends a concrete cross section 8" thick, with a 4" CA-6 grade 8 stone base. The subgrade and base of this parking lot will need to be proof rolled. This should be noted in the plans.
5. Due to location in the AE Flood Zone, any fill above existing grade will need to be compensated with detention at a 1.5:1 (storage to fill) ratio.
6. If current vacated ROW drains to the north into the existing parking lot, drainage will have to be maintained with new existing curb while still adhering to all title 22 code requirements as stated in comment 6.

Pete's Perfection – 435 S. Wheeling Road

Docket Nos. 2017-19A,B,C&D (Rezoning from MXT Mixed Use Transit Oriented District and I-4 Heavy Industrial District to I-3 General Industrial District and **Special Use-Site Plan Approval for Heavy Motor Vehicle Storage, a Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair)**
Plan Commission Meeting – December 21, 2017



Existing conditions of subject property (looking east)

Pete's Perfection – 435 S. Wheeling Road

Docket Nos. 2017-19A,B,C&D (Rezoning from MXT Mixed Use Transit Oriented District and I-4 Heavy Industrial District to I-3 General Industrial District and **Special Use-Site Plan Approval for Heavy Motor Vehicle Storage, a Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair)**
Plan Commission Meeting – December 21, 2017



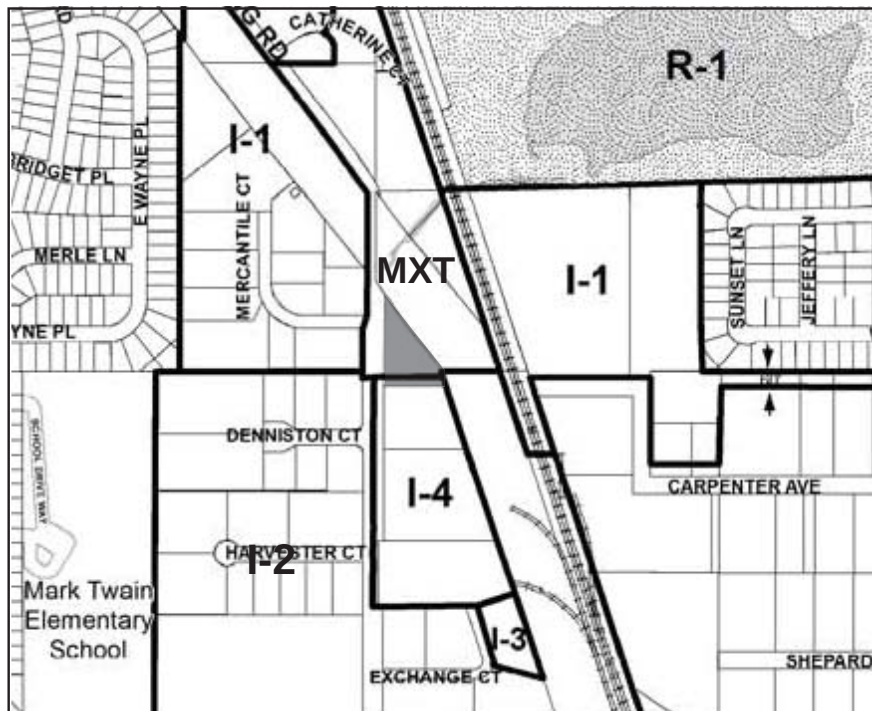
Existing conditions of subject property (looking southeast)

Pete's Perfection – 435 S. Wheeling Road

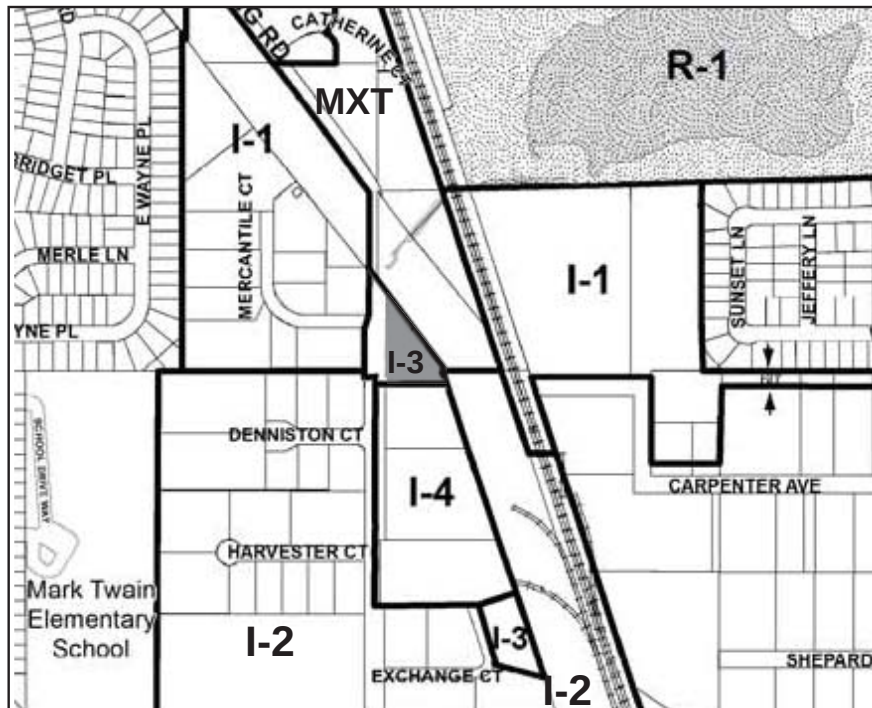
Docket Nos. 2017-19A,B,C&D (Rezoning from MXT Mixed Use Transit Oriented District and I-4 Heavy Industrial District to I-3 General Industrial District and **Special Use-Site Plan Approval for Heavy Motor Vehicle Storage, a Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair)**
Plan Commission Meeting – December 21, 2017



Existing conditions of subject property (looking east)



EXISTING ZONING (I-4 and MXT)



PROPOSED ZONING
(REZONE TO I-3)

November 21, 2017

Via E-Mail

BJones@wheelingil.gov

Mrs. Brooke Jones
Senior Village Planner
Village of Wheeling
2 Community Blvd.
Wheeling, IL 60090

**Re: Zoning entitlements requested for 435 South Wheeling Road, Illinois,
inclusive of the newly acquired north-half of the unimproved Commercial
Drive right-of way ("South Parcel") (collectively the "Property")**

Dear Brooke:

On behalf of Mr. Aiello and Perfection Building Corporation ("Pete's Perfection" or "Petitioner"), Shapiro & Associates Law is pleased to submit the enclosed applications for the Property. The applications seek the following zoning relief:

- (i) Rezoning the Property from its current split-zoning condition - Transit Oriented Mixed-Use District ("MXT") and I-4 Heavy Industrial District ("I-4") to I-3 General Industrial District ("I-3") for the entire Property;
- (ii) Amending the existing SUP (Ordinance No. 3966, a copy of which is attached hereto) to include the now South Parcel in its site plan and redefine the existing uses, previously classified as a "Hauling Storage Yard" under the prior Village Zoning Code, to reflect the more appropriate similar use interpretation under the Village's existing Zoning Code to Heavy Motor Vehicle ("HMV") Outdoor Storage, Parking Lot and Repair Facility; and
- (iii) Approval of the Redevelopment/Site Plan for the newly acquired South Parcel and irrigation waiver for the entire Property.

The Property

By way of background since 2006 the Petitioner has owned and operated Pete's Perfection Plus, Inc., ("Pete's Perfection") a truck repair facility, at 435 S. Wheeling Road. Pete's Perfection currently employs 6 full-time employees and operates Monday through Friday from 6:00 a.m.

to 5:00 p.m. Excluding the 0.21-acre South Parcel, discussed further below, the Property is approximately 0.85 acres and is located south of E. Dundee Road and north of W. Hintz Road. Running northeast of the Property is the Commonwealth Edison right-of-way. See attached Group Exhibit A, depicting Property aerials, images and views from Wheeling Road. The Property is adjacent to other industrial uses of varying intensity (I-2 Limited to I-4 Heavy) and MXT to the immediate north.

Currently, the Property is improved with a one-story brick and concrete building approximately 15,000 sq.ft. (the “Building”). The Building includes roughly 1,425 sq.ft. of office space and the remaining square footage is dedicated to the repair shop. The Building has a total of eight (8) garage bays and a height of 24 feet. There is existing parking and outdoor storage on the Property for 17 vehicles. The Property’s frontage to the west, and the north and south sides are encompassed by a varying 7 to 13-foot-tall wood privacy fence which acts as a visual buffer between the parking and storage areas, and the adjacent properties, including Wheeling Road, where the fence height is 13 feet. For more specific details, please see the Plat of Survey, Existing Conditions Plan and Floor Plan, and Building Elevations which have been included with the required application submittal documents.

Zoning History & Legal Conforming Status

On April 25, 2005, while the Property was zoned I-3, pursuant to Ordinance No. 3966, the Petitioner received a special use permit and site plan approval for a Hauling Storage Yard (“2005 SUP”), a special use type which is no longer defined under the Village’s current Zoning Code. Subsequently, on January 10, 2006, the 2005 SUP was amended by Petitioner pursuant to Ordinance No. 4044 (copies of which are attached hereto as Exhibit B) providing for additional site plan improvements and conditions.

In 2005, the Property was rezoned from I-3 to MXT in conjunction with a Village-initiated comprehensive zoning map amendment. Therefore, since the rezoning, the Property’s 2005 SUP is now and has been a legal nonconforming use in the MXT District.

In approximately April 2006, the Village, as Lessor, and the Petitioner, as Lessee, entered into a lease agreement dated April 25, 2006 (“Lease”) whereby the Petitioner leased the vacant land directly south of the property line from the Village (“Leased Premises”). A copy of the Lease is attached hereto as Exhibit C. The Leased Premises consisted of approximately a 20-foot by 155-foot area located within the now vacated Commercial Drive Right-of-Way. Pursuant to Section 4 of the Lease, the Petitioner was allowed to use the Leased Premises for parking associated with its operation. Importantly, Section 21 of the Lease provided as follows:

21. Right to Terminate. Lessor may terminate this Lease anytime and for any reason upon thirty (30) days written notice of Lessee. Lessee agrees that in the event the Lessor exercises its right to terminate this Lease, Lessee agrees to make such alterations and improvements to the Lessee’s Premises as required by and to and otherwise comply with the provisions set forth in Ordinance No. 3966 dated April 25, 2005 and Ordinance No. 4044 dated January 10, 2006.

Although many of the Property improvements included by the amending Ordinance No. 4044 where subject to the Lease termination provision above, Petitioner took it upon himself to improve the Property pursuant to the Landscape plan dated February 15, 2005, by Sam Mormino Landscape Corporation, which is now the existing landscaping. Therefore, Petitioner is provided said Landscape Plan with the 2005 SUP Exhibit as its Existing Landscape Plan. Moreover, the Petitioner contributed to the sidewalk and tree fund even though he was not obligated to do so at that time.

Acquiring the South Parcel

On October 18, 2016, pursuant to Ordinance No. 5037, the Village rezoned the properties directly south of Petitioner's Property from I-2 Limited Industrial to I-4 Heavy Industrial (571-581 Wheeling Road and Commercial Drive right-of-way). A copy of Ordinance No. 5037 is attached hereto as Exhibit D.

On February 21, 2017, pursuant to Ordinance No. 5075, the Village vacated the unimproved Commercial Drive right-of-way, thereby selling the north half to the Petitioner, and south half to the owner(s) of 571-581 Wheeling Road. A copy of Ordinance No. 5075 and the Plat of Vacation is attached hereto as Exhibit E. As a result of the vacation, the Petitioner acquired the South Parcel which includes the Lease Premises from the Village. Said area contains approximately 9,186 sq.ft. or 0.21 acres. The Petitioner's Property, including the South Parcel, is now approximately 1.05 acres. However, since the South Parcel was rezoned to I-4 Heavy Industrial in 2016, the Petitioner's Property is now split zoned MXT (legal nonconforming) and I-4.

The Petitioner's acquisition of the South Parcel was motivated by his desire to expand his HMV outdoor storage and parking lot. However, it was not until he submitted his plans to redevelop the South Parcel that he was informed by the Village that due to the Property's legal nonconforming status, he would not be able to expand without amending the 2005 SUP to include the South Parcel. Village staff advised that due to the split zoning, it would be best to rezoning the entire Property to Industrial, in addition to amending the 2005 SUP.

Request to Rezone to I-3, as opposed to I-4

While the Petitioner would ultimately prefer to rezone the entire Property to I-4 Heavy Industrial, Petitioner seeks rezoning to I-3 General Industrial District for the following reasons: First, pursuant to Section 19.07.050 (d)(1)(A) of the Zoning Code, I-4 requires that the property be no less than five acres. The Property is barely one acre and thus would not meet the minimum lot area requirement; Second, northeast of the Property is zoned MTX, and therefore rezoning to I-3 would be more desirable to the Village as this is a less intense industrial use compared to I-4, Third, the Property was originally zoned I-3 when it was purchased.

Conclusion

In closing, the Petitioner seeks conforming status for his Property under the current Zoning Code and to continue operating his business while also expanding the outdoor parking and storage area by approximately 0.2 acres. None of the prior or existing uses, nor the repair facility structure

itself, will change. The only change occurring is the redevelopment of the 0.2 acres for parking and storage. To effectively accomplish this, the Petitioner is requesting that the entire Property be rezone back to I-3, the existing Special Use Permit be amended to conform to the current Zoning Code, and the proposed newly developed storage area and parking lot be incorporated into the site plan. Additionally, beyond what is proposed in the Redevelopment/Site plan for the South Parcel, the Petitioner has proposed installing new LED exterior lighting for the entire Property and expanding the privacy fence to include the South Parcel.

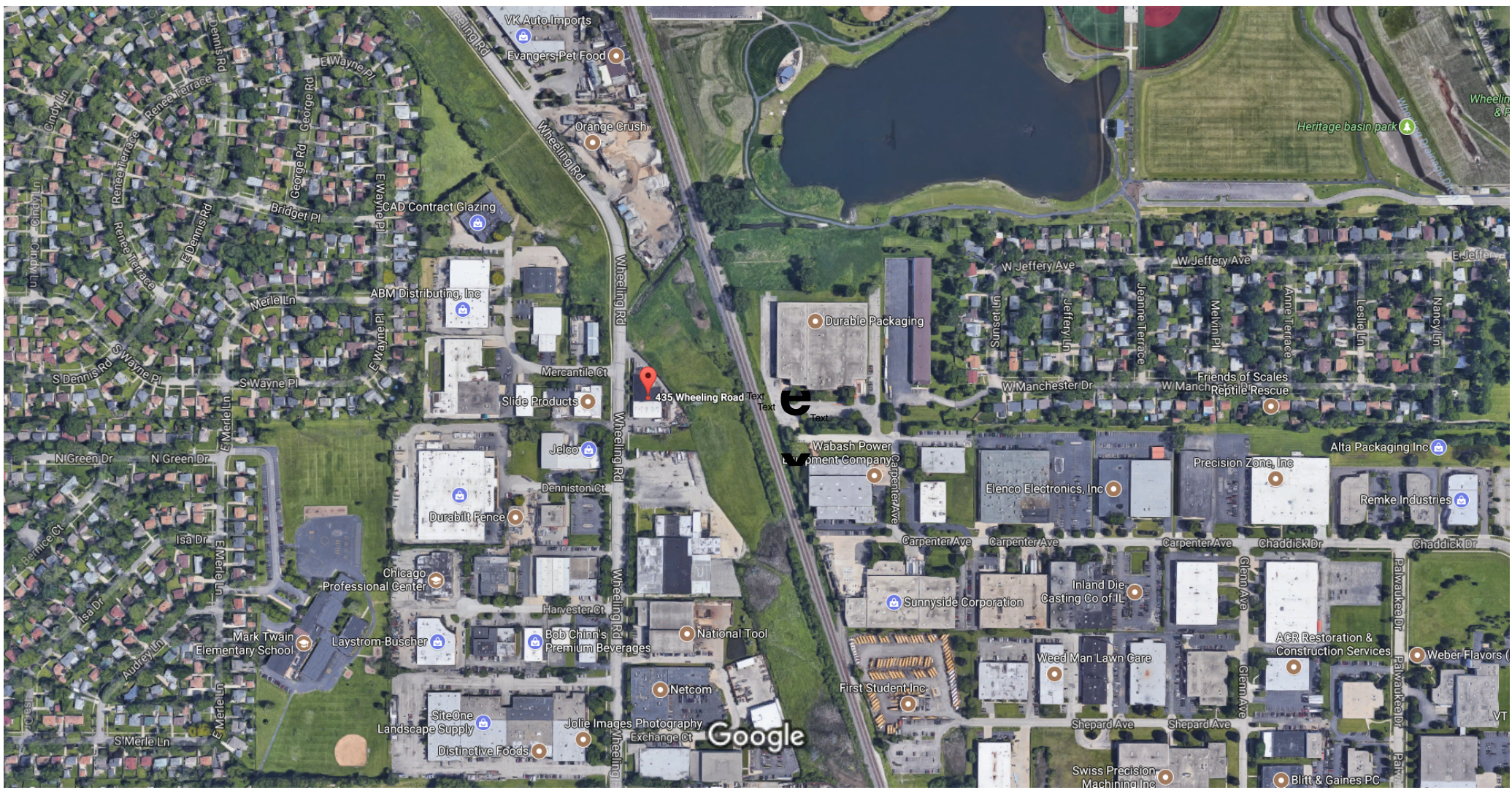
We look forward to having the opportunity to present our applications to the Plan Commission on December 21, 2017, or as soon thereafter.

Very truly yours,

SHAPIRO & ASSOCIATES LAW

By: Justin A. Silva
Justin A. Silva
One of its Attorneys

cc: Andrew Jennings
James V. Ferolo, Esq.



435 Wheeling Road

Google

VK Auto Imports

Evangers Pet Food

Orange Crush

CAD Contract Glazing

ABM Distributing, Inc

Slide Products

Jelco

Durability Fence

Chicago Professional Center

Mark Twain Elementary School

Laystrom-Buscher

SiteOne Landscape Supply

Distinctive Foods

Jolie Images Photography Exchange Ct

Bob Chinn's Premium Beverages

Netcom

National Tool

Durable Packaging

Wabash Power Equipment Company

Sunnyside Corporation

First Student Inc

Elenco Electronics, Inc

Inland Die Casting Co of IL

Weed Man Lawn Care

Swiss Precision Machining Inc

Precision Zone, Inc

ACR Restoration & Construction Services

Blitt & Gaines PC

Alta Packaging Inc

Remke Industries

Weber Flavors

Heritage basin park

Wheeling & P

VT



Google

435 Wheeling Road

Wheeling Rd

Wheeling Rd

Mercantile Ct

Mercantile Ct

Denniston Ct

Fountain

Jelco

Slide Products



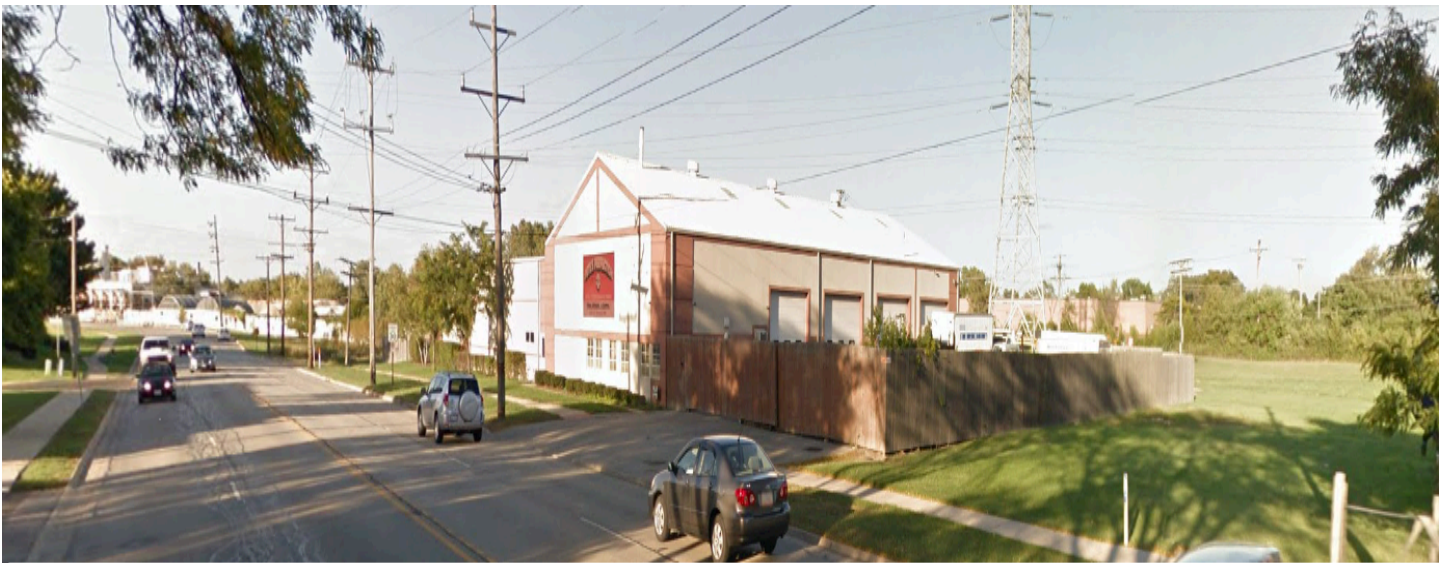
Map created on October 19, 2017.

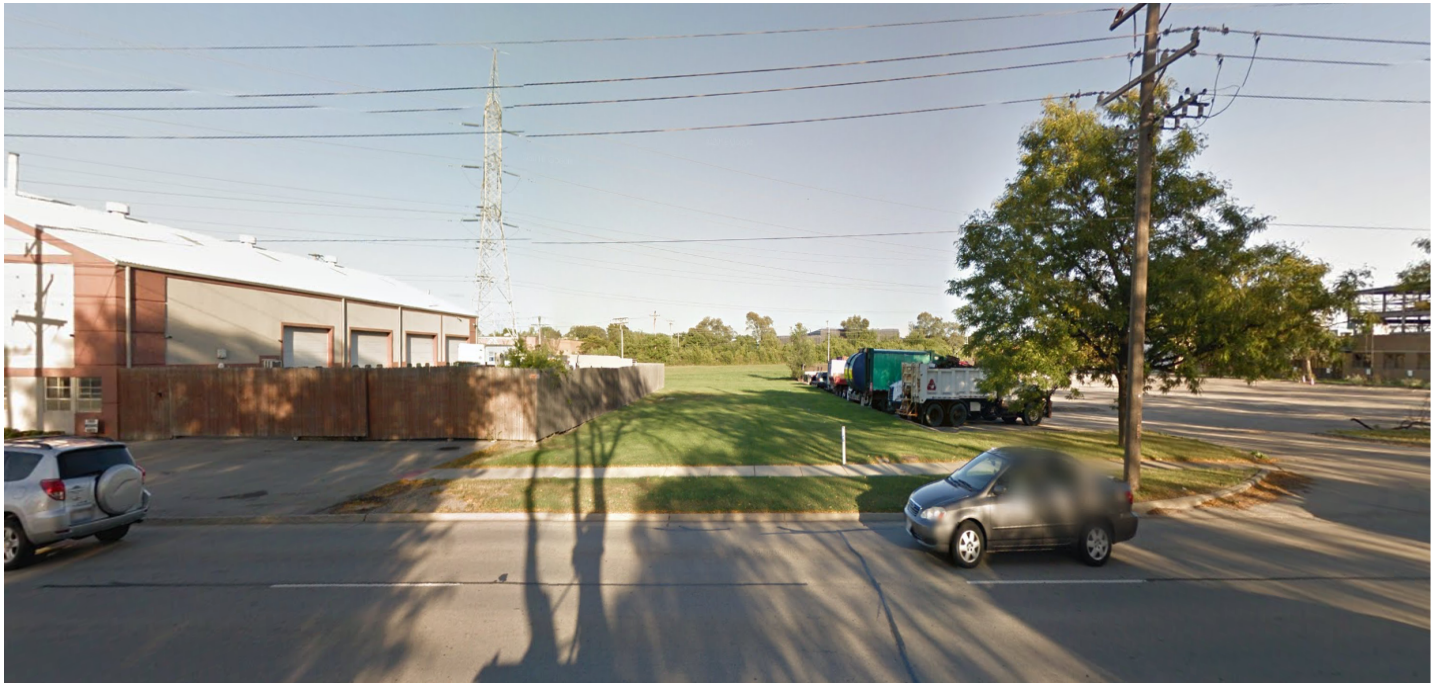
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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

401 Wheeling Rd
Wheeling, Illinois
Google, Inc.
Street View - Sep 2016





Archie

Docket No. 2005-9

ORDINANCE NO. 3966

**An Ordinance Granting Special Use-Site Plan Approval
For a Hauling Storage Yard
(435 South Wheeling Road)**

WHEREAS, the Plan Commission of the Village of Wheeling has held a public hearing, duly noticed, to consider a request for special use and site plan approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Section 19.60.040 Special Uses in the I-3 General Industrial District, and 19.60.025 Site Plan Standards for a hauling storage yard at 435 South Wheeling Road, Wheeling, Illinois, hereinafter legally described below and zoned I-3; and

WHEREAS, the Plan Commission has submitted its Findings of Fact and Recommendation to the President and Board of Trustees, recommending denial with a vote of 0 ayes and 7 nays; and

WHEREAS, the President and Board of Trustees deem it to be in the best interests of the Village to grant petitioner's request, subject to conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

Section A

This Board of Trustees, after considering the Findings of Fact and Recommendation of the Plan Commission and other matters properly before it, hereby finds:

- That the special use as requested will not alter the essential character of the area in which it is to be located;
- That the location and size of the special use, the nature and intensity of the operation involved in or conducted with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, will be in harmony with and will not impede the normal, appropriate, and orderly development of the district in which it is located and the development of the surrounding properties;
- That the special use requested will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted nor diminish or impair property values of surrounding properties;

- That the parking areas will be of adequate size for the particular use, properly located, and suitably screened from adjoining residential uses, entrance and exit drives shall be laid out as to prevent traffic hazards and nuisances; and
- That the special use requested will conform to all applicable regulations and standards of the zoning district in which it is to be located.

Section B

A Special use is hereby granted under Title 19, Zoning, of the Wheeling Municipal Code, Section 19.60.040 Special Uses in the I-3 General Industrial District, for a hauling storage yard located on the property legally described below:

LOT 1 (EXCEPTING THE WEST 15.25 FEET THEREOF) AND THE NORTH 20.0 FEET OF LOT 2 (EXCEPTING THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION BEING PART OF THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1955 AS DOCUMENT #1639763 AND A CERTIFICATE OF CORRECTION THEREOF RECORDED DECEMBER 14, 1956 AS DOCUMENT #1713481, IN COOK COUNTY, ILLINOIS.

(The above described property is located at 435 South Wheeling Road, Wheeling, Illinois, and is zoned I-3)

Section C

Site Plan Approval is hereby granted under Title 19, Zoning, of the Wheeling Municipal Code, Section 19.60.025 Site plan standards in the I-3 General Industrial District, and as approved the site shall be substantially in conformance with the survey dated February 25, 2005, and the landscape plan/site plan dated February 15, 2005, prepared by Sam Mormino Landscape Corporation, herein attached and made part of, for Pete's Perfection located on the property legally described in Section B of this Ordinance.

Section D

Special Use and Site Plan Approval granted in Sections B and C of this ordinance are subject to the following conditions:

1. That the petitioner enters into a lease agreement with the Village for the continued use of the parking area to the south of the building; and
2. That a landbanked parking area be shown on the site plan that could replace the existing parking should the Village improve Commercial Drive; and

3. That the special use would terminate if the petitioner sold his property; and
4. That if the petitioner leased out space, the renter could not add any material outside and the petitioner would be responsible for the condition of the entire property.

Section E

This Ordinance shall be in full force and effect from and after its passage and approval, according to law.

Trustee P. Horcher moved, seconded by Trustee Abruscato,
that Ordinance No. 3966 be passed.

PASSED this 25th day of April, 2005.

Trustee Abruscato Aye Trustee M. Horcher Aye

Trustee Argiris Nay Trustee P. Horcher Aye

Trustee Heer Nay Trustee Simpson Aye

APPROVED this 25th day of April, 2005.

President Klatscki Nay
Greg Klatscki

Greg Klatscki
Village President

ATTEST:

Christina Brady
Village Clerk



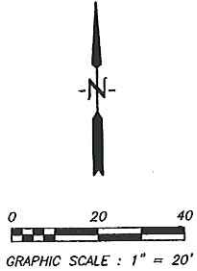
APPROVED AS TO FORM ONLY:

James V. Ferda
Village Attorney

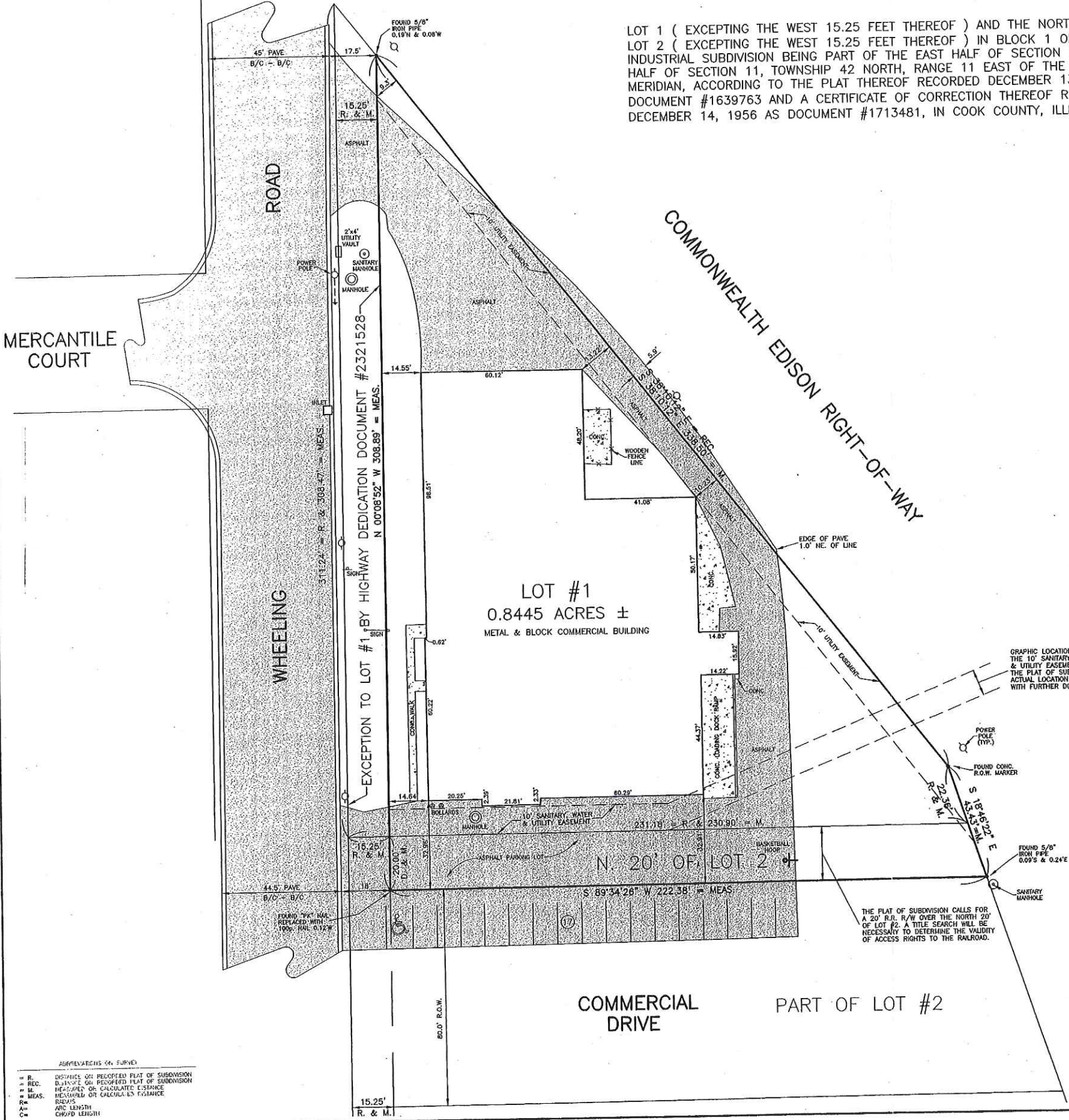
PUBLISHED in pamphlet form this 26th day of April, 2005 by order of
the Corporate Authorities of the Village of Wheeling, Cook and Lake Counties, Illinois.

PLAT OF SURVEY

LOT 1 (EXCEPTING THE WEST 15.25 FEET THEREOF) AND THE NORTH 20.0 FEET OF LOT 2 (EXCEPTING THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1st. INDUSTRIAL SUBDIVISION BEING PART OF THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1955 AS DOCUMENT #1639763 AND A CERTIFICATE OF CORRECTION THEREOF RECORDED DECEMBER 14, 1956 AS DOCUMENT #1713481, IN COOK COUNTY, ILLINOIS.



RECEIVED
MAR - 1 2005
COMMUNITY DEVELOPMENT DEPT.



ATTACHMENT 1 of 2 (SURVEY) TO
ORD. 3966 PASSED 4-25-05

DOCKET COPY (2005-9)

DOCKET 2005-9 & PC05-5
435 S WHEELING RD

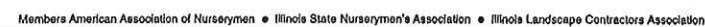
STATE OF ILLINOIS S.S.
COUNTY OF McHENRY

WE, CHARLES A. MIONSKE, INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT DRAWN IS A REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.

CHARLES A. MIONSKE, INC.
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 1790
LICENSE EXPIRATION DATE : 11-30-2006

25th DAY
FEBRUARY 2005
Charles A. Mionske

WASSENAAR SURVEY			
Charles A. Mionske Inc.	SURVEYING / LAND PLANNING 2024 STATE ROUTE 176 CRYSTAL LAKE, ILLINOIS 60014 (815)-455-3252	SCALE : 1" = 20'	REVISIONS
		DATE : 2-25-2005	
		DATE OF FIELD WORK: 2-23-2008	
PREPARED FOR: WASSENAAR	ADDRESS: 435 SOUTH WHEELING ROAD		
	WHEELING, ILLINOIS		
DRAWN BY: BHP	CHECKED BY: TVA	JOB NO. 2005-023	DISC: 0500235 FILE NO. 000235R DESIGN: 01340 PAC. NO. 01350P



ORDINANCE NO. 4044

**An Ordinance Amending Section C of Ordinance No. 3966
Which Granted Special Use-Site Plan Approval for a Hauling Storage Yard
(435 South Wheeling Road)**

WHEREAS, on April 25, 2005, the President and Board of Trustees, by a vote of 4 to 2, passed Ordinance No. 3966 granting special use-site plan approval for a hauling storage yard at 435 South Wheeling Road, Wheeling, Illinois; and

WHEREAS, one of the conditions of Ordinance No. 3966 required the petitioner illustrate on the site plan a landbanked parking area to show how parking and access would be provided in the event that the Village improves Commercial Drive; and

WHEREAS, on November 15, 2005, petitioner submitted a site improvement plan and a contingency plan to account for the loss of the Commercial Drive right-of-way; and

WHEREAS, the Plan Commission of the Village of Wheeling has held a public meeting to consider petitioner's proposed plans and has made a recommendation to the President and Board of Trustees to deny petitioner's request by a vote of 2 ayes to 5 nays;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

Section A

Section C of Ordinance No. 3966 is hereby amended to read as follows:

Site Plan Approval is hereby granted and as approved the site shall be substantially in conformance with the following plans, herein attached and made part of, for Pete's Perfection at 435 South Wheeling Road:

- Landscape plan dated February 15, 2005 prepared by Sam Mormino Landscape Corporation
- Sheet 3, Proposed Site Improvement Plan prepared by Daniel Creaney Company dated November 8, 2005, received November 15, 2005
- Sheet 6, Future Striping and Signing Plan prepared by Daniel Creaney Company dated November 8, 2005, received November 15, 2005

Section B

Site Plan Approval granted in Section A of this ordinance is subject to the following conditions:

1. That the petitioner submit a copy of the lease agreement with Commonwealth Edison for use of the Commonwealth Edison right of way, that has been approved by the Village Attorney prior to issuance of building permits or a business license;
2. That the landscaping indicated on the plans approved on April 25, 2005, through Ordinance 3966 be added to both the Proposed Site Improvement Plan (sheet 3) and Future Striping and Signing Plan (sheet 6);

3. That the petitioner contribute to the sidewalk and tree fund;
4. That upon termination of the Com Ed lease the fire access to the east side must be maintained;
5. That the petitioner change one of the 12' wide overhead doors to 14' wide.
6. In the event that the Commonwealth Edison lease is terminated for any reason, the Village will be notified immediately. The termination of the Commonwealth Edison Lease will require the petitioner to obtain approval of a revision of the Special Use after review by the Plan Commission and consideration by the Village Board pursuant to Section 19.10.030 (I) of the Village's Zoning Code. If such revision is not approved, the Special Use granted herein shall automatically terminate without a revocation hearing.

Section C

Those sections or parts of sections of Ordinance No. 3966 not expressly amended in this ordinance are hereby re-enacted and re-affirmed.

Section D

All ordinances or parts of ordinances passed by the Village pertaining to this property and are in conflict herewith are hereby repealed.

Section E

This Ordinance shall be in full force and effect from and after its passage and approval, according to law.

Trustee M. Horcher moved, seconded by Trustee P. Horcher, that Ordinance No. 4044 be passed.

PASSED this 10th day of January, 2006.

Trustee Abruscato <u>Aye</u>	Trustee Heer <u>Nay</u>
Trustee Argiris <u>Aye</u>	Trustee M. Horcher <u>Aye</u>
Trustee Brady <u>Nay</u>	Trustee P. Horcher <u>Aye</u>

APPROVED this 10th day of January, 2006.

Greg Klatecki
Village President

ATTEST:

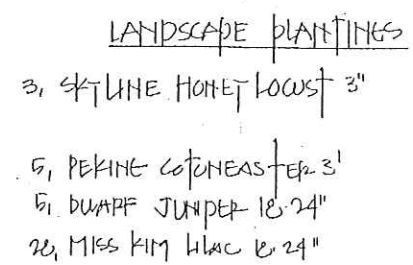
Elaine E. Simpson
Elaine E. Simpson, Village Clerk

APPROVED AS TO FORM ONLY

Janet F. Fierda
Village Attorney



PUBLISHED in pamphlet form this 9 day of February, 2006, by order of the Corporate Authorities of the Village of Wheeling, Cook and Lake Counties, Illinois.



MAR 1 2005

COMMUNITY DEVELOPMENT DEPT

ATTACHMENT 2 of 2 (LANDSCAPE/
SITE PLAN) TO ORD. 3966 PASSED
4-25-05

DOCKET COPY (2005-9)

**ATTACHMENT 1 of 3 (PREVIOUSLY
APPROVED LANDSCAPE PLAN)
TO ORD. 4044 PASSED 1-10-06**

DOCKET COPY

DOCKET 2005-9 & PC05-5
435 S WHEELING RD



DATE 2.3.05
SCALE 1"=20'0"

REV 2-15-05
ARCH

OFFICE-WAREHOUSE

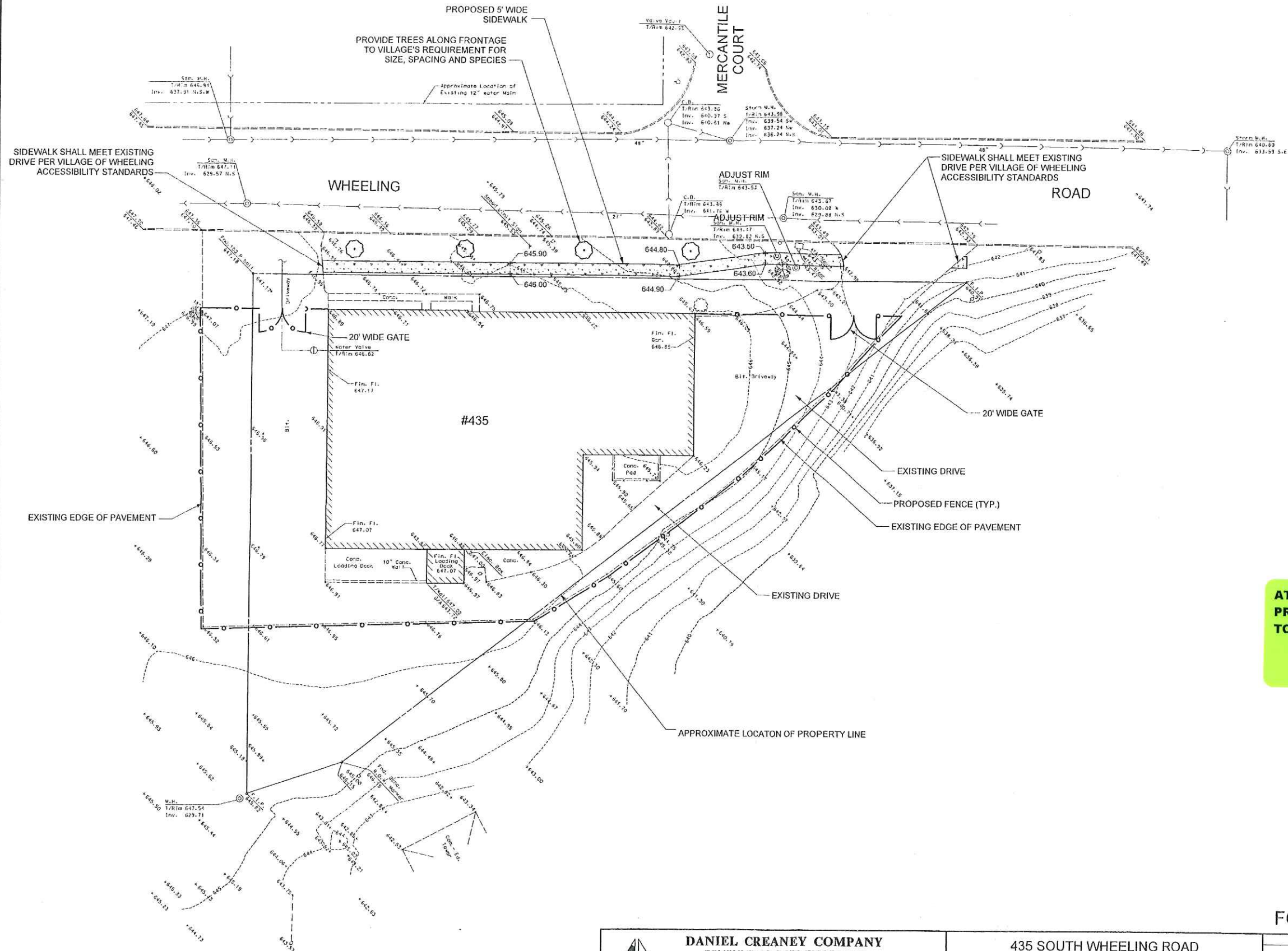
435 WHEELING PD

WHEELING, IL



(847) 478-0223

Members American Association of Nurserymen • Illinois State Nurserymen's Association • Illinois Landscape Contractors Association



**ATTACHMENT 2 OF 3 (SHEET 3,
PROPOSED SITE IMPROVEMENT PLAN)
TO ORD. 4044 PASSED 1-10-06**

DOCKET COPY

RECEIVED

NOV 15, 2005

COMMUNITY DEVELOPMENT DEPT.

Docket No. PC 05-25
435 South Wheeling Road

FOR REVIEW PURPOSES ONLY

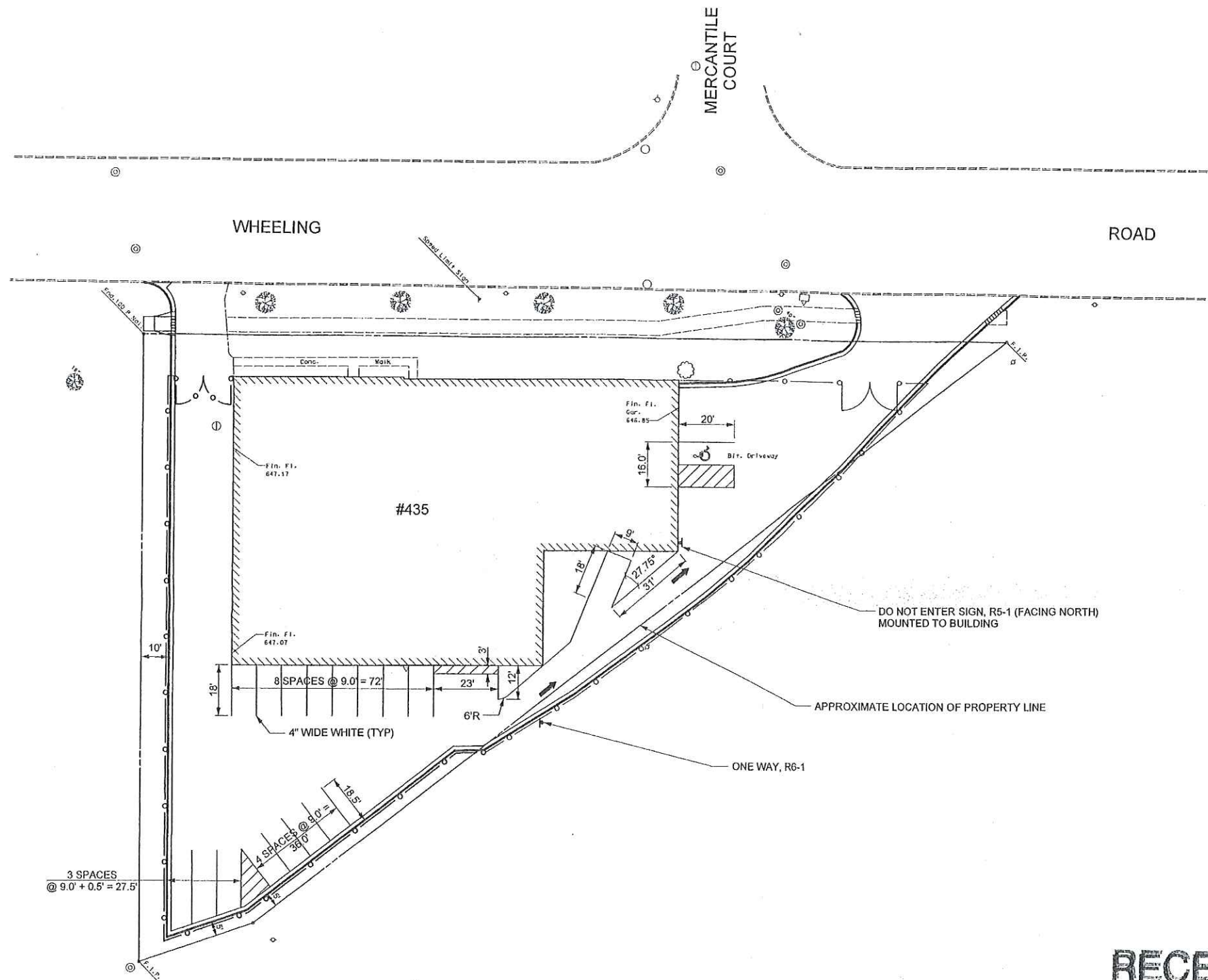
DATE		BY	REVISION	SHEET 3 OF 8 DATE 10-25-05
11-08-05	M.T.	VILLAGE SUBMITTAL		

J:\DCC\5547\CA0\03_PROPOSED SITE IMPROVEMENT PLAN.dgn 11/10/2005

BENCHMARK
ARROW BOLT ON FIRE HYDRANT
#13-009 AT THE SOUTHWEST CORNER OF
MERCANTILE AND WHEELING ROAD
ELEV. = 646.18

DANIEL CREANEY COMPANY CONSULTING CIVIL ENGINEERS 450 SKOKIE BLVD. SUITE 105 NORTHBROOK, ILLINOIS (847) 480-5757		435 SOUTH WHEELING ROAD WHEELING, ILLINOIS	
DESIGNED BY: M.T.	CHECKED BY: D.A.C.	SCALE: 1" = 20'	PROPOSED SITE IMPROVEMENT PLAN
DRAWN BY: A.P.O.	JOB NO.: 5547	BOOK: 204	

PROJ. No. 5547



SCALE: 1" = 20'		
EXISTING	GRADING	PROPOSED
	DRAINAGE STRUCTURE	
	DRAINAGE SUMMIT	
	DIRECTION OF FLOW	
	SPOT ELEVATION	
	CONTOUR	
	OVERFLOW ROUTE	
	TREE	
UTILITY		
	STORM SEWER	
	SANITARY SEWER	
	WATER MAIN	
	MANHOLE	
	CATCHBASIN	
	INLET	
	FIRE HYDRANT	
	VALVE VAULT	
	FLARED END SECTION	
	LIGHT POLE	
	UTILITY POLE	

ATTACHMENT 3 OF 3 (SHEET 6,
FUTURE STRIPING & SIGNING PLAN
TO ORD. 4044 PASSED 1-10-06

DOCKET COPY

RECEIVED

NOV 15, 2005

COMMUNITY DEVELOPMENT DEPT.

Docket No. PC 05-25
435 South Wheeling Road

FOR REVIEW PURPOSES ONLY

BENCHMARK
ARROW BOLT ON FIRE HYDRANT
#13-009 AT THE SOUTHWEST CORNER OF
MERCANTILE AND WHEELING ROAD
ELEV. = 646.18

 DANIEL CREANEY COMPANY CONSULTING CIVIL ENGINEERS 450 SKOKIE BLVD. SUITE 105 NORTHBROOK, ILLINOIS (847) 480-5757			435 SOUTH WHEELING ROAD WHEELING, ILLINOIS			SHEET 6 OF 8								
DESIGNED BY: M.T. CHECKED BY: D.A.C. SCALE: 1" = 20'			FUTURE STRIPING AND SIGNING PLAN											
DRAWN BY: A.P.O. JOB NO.: 5547 BOOK: 204														
			11-08-05			M.T.			VILLAGE SUBMITTAL			DATE 10-25-05		
			DATE			BY			REVISION					

PROJ. No. 5547

11/10/2005 J:\000\5547\04\06_FUTURE STRIPING & SIGNING PLAN.dgn

LAW OFFICES

KLEIN, THORPE AND JENKINS, LTD.

SUITE 1660

20 NORTH WACKER DRIVE
CHICAGO, ILLINOIS 60606-2903TELEPHONE (312) 984-6400
FACSIMILE (312) 984-6444
FACSIMILE (312) 606-7077ORLAND PARK OFFICE
15010 S. RAVINIA AVE., SUITE 17
ORLAND PARK, IL 60462-3162
TELEPHONE (708) 349-3888
FACSIMILE (708) 349-1506JOSHUA S. ABERN
LINDA Y. ALLISON
TERRENCE M. BARNICLE
JAMES P. BARTLEY
THOMAS P. BAYRA
GERARD S. DEMPSEY
MICHAEL J. DUGGAN
JAMES V. FEROLLO
E. KENNETH PRIKER
BRIAN M. PUNK
CYNTHIA S. GRANDFIELD
KATHLEEN T. HENN
EVERETTE M. HILL, JR.
MICHAEL T. JURUSIK
JACOB H. KARACA
PATRICK A. LUCANSKYLANCE C. MALINA
MICHAEL A. MARRS
THOMAS M. MELODY
JANET N. PETSCHE
DONALD E. RENNERT, III
SCOTT P. UHLER
GEORGE A. WAGNER
ALLEN WALL
DENNIS G. WALSH
JAMES G. WARGO
BRUCE A. ZOLNAOF COUNSEL
JAMES A. RHODES
RICHARD T. WIMMERWRITER'S DIRECT DIAL
312-984-6433WRITER'S E-MAIL
jvferolo@ktincl.com

May 9, 2006

Mr. Michael A. Alesia
1111 Plaza Drive
Suite 450
Schaumburg, IL 60173RE: Pete's Perfection

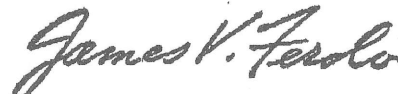
Dear Mike:

Enclosed please find an executed Village lease. Please forward a check to the Finance Director, Michael Mondschain, in the amount of \$516.66 to cover the rent for May of 2006. All subsequent checks which are due on the first day of each month, should be forwarded to the Finance Director.

Further, please send the executed ComEd lease.

Very truly yours,

KLEIN, THORPE AND JENKINS, LTD.


James V. Ferolo

JVF/an

Enc.

cc: Michael Mondschain (w/enc.)

Andrew Jennings (w/enc.)

#173818

LEASE

This Lease is made between Village of Wheeling ("Lessor") and Pete's Perfection Plus, Inc. ("Lessee") dated this 21 day of April, 2006

Lessee hereby leases from Lessor the real property with dimensions of approximately 20 feet by 155 feet located along the south property line of Lessee's property commonly known as 435 Wheeling Road, Wheeling, Illinois ("Lessee's Premises"), and legally described as follows:

(See Exhibit A attached hereto for legal description)

The property being leased by Lessee from Lessor shall be referred to herein as the Leased Premises. A plat of survey is attached hereto and a made a part hereof as Exhibit B which identifies the Leased Premises.

1. **Term and Rent.** Lessor demises the Leased Premises to Lessee for a term of ten (10) years, beginning on the "Commencement Date" (as defined herein) and terminating on the tenth anniversary of the Commencement Date, or sooner as provided herein. The annual Rent shall be \$6,200.00, payable in equal monthly installments in the amount of \$516.66 in advance, on the first day of each month for that month's rental. All rental payments shall be made to the Village of Wheeling, 255 West Dundee Road, Wheeling, Illinois 60090, unless Lessor notifies Lessee of any change of address.

The Commencement Date shall be the date of execution hereof by the Lessor. If the Commencement Date is any date of other than the first day of the month, Lessee's first monthly payment shall be prorated from the Commencement Date to the last day of the month.

2. **Condition of Premises.** Lessee acknowledges that it has inspected the Leased Premises and acknowledges that it is in good condition. No promise of Lessor to alter, remodel or improve the condition of the Leased Premises have been made by Lessor to Lessee.

At the termination of this Lease by lapse of time or otherwise, Lessee shall return the Leased Premises in as good condition as on the Commencement Date, ordinary wear and loss by casualty, third parties and Lessor excepted.

3. **Care and Maintenance of Premises.** Lessee shall, at its own expense and at all times, maintain the Leased Premises in good condition.

4. **Use.** Lessee shall be permitted to use the Leased Premises only for parking associated with Pete's Perfection Plus. Lessee's use shall comply with all statutes, ordinances, requirements and laws (including environmental laws and regulations) of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the Leased Premises.

5. **Alterations.** Lessee shall not, without first obtaining the written consent of Lessor, make any alterations, additions, or improvements, to the Leased Premises. Lessor may review plans,

specifications and list of contractors and suppliers before granting consent for alterations. All alterations and additions to the Leased Premises, whether temporary or permanent in character and whether made or paid for by Lessee or Lessor, shall, without compensation to Lessee, become Lessor's property upon installation on the Leased Premises and shall, unless Lessor requests their removal, be relinquished to Lessor in good condition, ordinary wear and tear and loss by casualty, third parties and Lessor excepted, at the termination of this lease by lapse of time or otherwise.

Alterations shall be installed in a workmanlike manner with quality, high-grade materials. Lessee shall pay for all alteration work. Upon completion of all alteration work, Lessee shall pay all costs for said alterations and furnish Lessor with full and final waivers of lien and receipts for bills, covering all labor and materials expended and used to complete said alterations. Lessee shall not permit any mechanic lien to be filed against the Leased Premises and agrees to indemnify and hold Lessor harmless against any such liens and all damages, costs, expenses and attorney's fees in connection therewith.

Lessee covenants and agrees to protect and save and keep the Lessor forever harmless and indemnified against and from any and all liabilities, costs, expenses or damages that may arise out of or be connected in any way with the alteration work. Lessee shall furnish Lessor with certificates of insurance from all contractors performing labor or furnishing materials in connection with said alteration work, insuring Lessor against any and all liabilities that may arise out of or be connected with said alteration work, including but not limited to workers' compensation insurance and general liability, which shall name Lessor as an additional insured.

6. **Assignment and Subletting:** Lessee may not assign or sublet this Lease without prior written consent of the Lessor. Any assignment or subletting without Lessor's consent will be void. In the event Lessee sublets the Leased Premises with the consent of the Lessor, Lessee shall remain liable for all Rent if any assignee or sublessee breaches any term of this Lease.

7. **Entry and Inspection.** Lessee shall permit Lessor or Lessor's agents to enter upon the Leased Premises at reasonable times and upon reasonable notice, for the purpose of inspecting the same.

8. **Indemnification of Lessor.** Lessee covenants and agrees that it will protect and save and keep the Lessor forever harmless and indemnified against and from any penalty or damages or charges imposed for any violation of any laws or ordinances, whether occasioned by the neglect of Lessee or those holding under Lessee, and that Lessee will at all times protect, indemnify and save and keep harmless the Lessor against and from any and all loss, cost, damage or expense, arising out of or from any accident or other occurrence on or about the Leased Premises, causing injury or death to any person or property whomsoever or whatsoever and will protect, indemnify and save and keep harmless the Lessor against and from any and all claims and against and from any and all loss, cost, damage or expense arising out of any failure of Lessee in any respect to comply with and perform all the requirements and provisions hereof.

9. **Insurance.** Lessee, at its expense, shall maintain public liability insurance including bodily injury and property damage insuring Lessee and Lessor with minimum coverage as follows:

Public Liability Insurance:	\$1,000,000 per person/\$3,000,000 per occurrence
Property Damage:	\$100,000.000 per occurrence

Lessee shall provide Lessor with a Certificate of Insurance showing Lessor as additional insured. The Certificate shall provide for a ten-day written notice to Lessor in the event of cancellation or material change of coverage. To the maximum extent permitted by insurance policies which may be owned by Lessor or Lessee, Lessee and Lessor, for the benefit of each other, waive any and all rights of subrogation which might otherwise exist.

10. **Commonwealth Edison Lease.** Lessee, at its own expense, as a condition precedent to this Lease, shall enter into a Right Of Way Lease for that certain tract of land adjacent to the rear of the Lessee's Premises shown on and legally described on Exhibit C which is attached hereto and made a part hereof.

11. **Default.** Each of the following acts or omissions of Lessee or occurrences shall constitute an "Event of Default":

- a. Failure or refusal by Lessee to timely pay Rent or any other sum when due hereunder; or
- b. Failure or refusal by Lessee to comply with any of the obligations of Lessee set forth in this Lease; or
- c. The entry of a decree or order for relief by a court having jurisdiction over Lessee in an involuntary case under the federal bankruptcy, insolvency or other similar law, or appointing a receiver, liquidation, assignee, custodian, trustee, or any guarantor of Lessee's obligations hereunder; or
- d. The commencement by Lessee of a voluntary case under the federal bankruptcy laws, or any other applicable federal or state bankruptcy, insolvency or other similar law; or
- e. Termination of the Commonwealth Edison Right of Way Lease or failure to submit to the Village an executed lease with Commonwealth Edison on or before May 15, 2006.

12. **Lessor's Remedies on Default.** If Lessee defaults in the payment of Rent or defaults in the performing of any of the other covenants of conditions hereof, or in the occurrence of any Event of Default, Lessor shall give Lessee notice of such default and if Lessee does not cure any such default within fifteen (15) days after the giving of such notice (or if such default is of such nature that it cannot be completely cured with such period, if Lessee does not commence such curing within fifteen (15) days and thereafter proceeds with reasonable diligence and in good

faith to cure such), then Lessor may terminate this Lease. Upon termination of the Lease, Lessee shall quit and surrender the Leased Premises to Lessor.

13. **Holding Over.** Lessee will, at the termination of this Lease by lapse of time or termination pursuant to paragraph 21 herein, yield up immediate possession to Lessor, and failing to do so, will pay as liquidated damages, for the whole time such possession is withheld, a sum equal to 150% of the monthly amount last due by Lessee; but the provisions of this clause shall not be held as a waiver by Lessor of any right of re-entry as set forth herein; nor shall the receipt of said Rent or any part thereof, or any other act in apparent affirmance of tenancy, operate as a waiver of the right to forfeit this Lease and the term hereby granted for the period still unexpired, for a breach of any of the covenants herein.

14. **Rights Cumulative:** The rights and remedies of Lessor under this Lease are cumulative. The exercise or use of any one or more thereof shall not bar Lessor from exercise or use of any other right or remedy provided herein or otherwise provided by law, nor shall exercise nor use of any right or remedy by Lessor waive any other right or remedy.

15. **Attorney's Fees:** In case suit should be brought by Lessor for recovery of the Leased Premises, or for any sum due hereunder, or because of any act which may arise out of the possession of the Leased Premises, the Lessor shall be entitled to all costs incurred in connection with such action, including reasonable attorneys' fees.

16. **Option to Renew:** Provided that Lessee is not in default in the performance of this Lease. Lessee shall have the option to renew the Lease for an additional term of five (5) years commencing at the expiration of the initial lease term. All of the terms and conditions of the Lease shall apply during the renewal term except that the Rent shall be renegotiated at the current market rate. The option shall be exercised by written notice given to Lessor not less than 180 days prior to the expiration of the initial lease term.

17. **Notices.** Any notice which either party may or is required to give, shall be given by mailing the same, by United States Registered or Certified Mail, postage prepaid, to Lessee at the Leased Premises, or Lessor at the address where Rent is paid, or at such other places as may be designated by the parties from time to time. In the event that Lessee is served by Commonwealth Edison with any notice of default or termination of the Commonwealth Edison Right Of Way Lease, Lessee shall serve a copy of said notice to Lessor within one (1) day of receipt.

18. **Heirs, Assigns, Successors.** This Lease is binding upon and insures to the benefit of the heirs, assigns and successors in interest to the parties.

19. **Severability.** Wherever possible, each provision of this Lease shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Lease shall be prohibited by or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Lease.

20. **Entire Agreement.** The foregoing constitutes the entire agreement between the parties and may be modified only by a writing signed by both parties.

21. **Right to Terminate.** Lessor may terminate this Lease anytime and for any reason upon thirty (30) days written notice to Lessee. Lessee agrees that in the event the Lessor exercises its right to terminate this Lease, Lessee agrees to make such alterations and improvements to the Lessee's Premises as required by and to and otherwise comply with the provisions set forth in Ordinance No.3966 dated April 25, 2005 and Ordinance No. 4044 dated January 10, 2006.

IN WITNESS WHEREOF, the parties hereto have executed this instrument effective as of the dates set forth below.

Lessor:

Lessee:

VILLAGE OF WHEELING

PETE'S PERFECTION PLUS, INC.

By: [Signature]

By: [Signature]

Its: Village President Its: Pres.

Date: 5-3-06

Date: 4/25/06



[Signature]
Village Clerk

ORDINANCE NO. 5037

AN ORDINANCE GRANTING A REZONING FROM I-2 LIMITED INDUSTRIAL DISTRICT TO I-4 HEAVY INDUSTRIAL DISTRICT FOR 571-581 WHEELING ROAD AND COMMERCIAL DRIVE

WHEREAS, the Plan Commission of the Village of Wheeling has held a public hearing, duly noticed, on September 22, 2016, to consider a rezoning petition of 571 Wheeling LLC, owner, for the property known as 571-581 Wheeling Road and the right-of-way known as Commercial Drive legally described herein, zoned I-2 Limited Industrial District to I-4 Heavy Industrial District; and

WHEREAS, the Text Amendment petition of Builders Asphalt, under Docket No. 2016-14A, is contingent on approval of the rezoning described in this Ordinance; and

WHEREAS, the Special Use petition of Builders Asphalt, under Docket No. 2016-14C, is contingent on approval of the rezoning described in this Ordinance; and

WHEREAS, the Plan Commission of the Village of Wheeling has reported its Findings of Fact and Recommendation to the President and Board of Trustees, recommending that the petitioner's request be granted with a vote of 5 ayes, 0 nay, 0 abstaining and 2 absent; and

WHEREAS, the President and Board of Trustees deem it to be in the best interest of the Village to grant the requested rezoning;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WHEELING, COUNTIES OF COOK AND LAKE, STATE OF ILLINOIS:

Section A

This Board of Trustees, after considering the Findings of Fact and Recommendation of the Plan Commission and other matters properly before it, hereby finds:

- That the requested rezoning will comply with the intent and purpose of Title 19, Zoning;
- That the requested rezoning will comply with the comprehensive plan, official map, and all other plans and policies adopted by the Village;
- That there are physical or economic conditions pertaining to the subject area which have changed and which make the existing zoning inappropriate and the proposed rezoning appropriate;
- That the proposed rezoning is desirable and needed in the Village;
- That the proposed rezoning is compatible with and would not unduly depreciate the use and value of surrounding properties; and

- That the proposed rezoning will contribute to a rational pattern of land uses which is beneficial to the Village.

Section B

The Zoning Ordinance and the Official Map are hereby amended to revise the zoning classification of the property known as 571-581 Wheeling Road, hereinafter legally described, and the right-of-way of Commercial Drive, from I-2 Limited Industrial District to I-4 Heavy Industrial in accordance with the Staff exhibit "551-581 Wheeling Road Existing and Proposed Zoning" dated September 15, 2016, for the property legally described below:

Legal Description:

PARCEL 1:

LOT 2 (EXCEPT THE NORTH 100 FEET THEREOF AND EXCEPT THE WEST 15.25 FEET THEREOF) AND THAT PART OF LOT 3 LYING NORTH OF A LINE DRAWN PARALLEL WITH AND 320.18 FEET SOUTH OF THE NORTH LINE OF LOT 3 (EXCEPTING FROM SAID PART OF LOT 3 THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST ½ OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST ½ OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT T-1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT NO. T-1713481, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF VACATED COMMERCIAL DRIVE LYING SOUTH OF THE SOUTH LINE OF LOT 2, NORTH OF THE NORTH LINE OF LOT 3, EAST OF THE EAST LINE OF WHEELING ROAD (AS WIDENED BY PLAT OF DEDICATED REGISTERED AS DOCUMENT LR 2321517 AND LYING WEST OF THE EASTERLY LINE OF LOT 2 EXTENDED SOUTHERLY TO THE NORTHEASTERLY CORNER OF LOT 3 AFORESAID, IN BLOCK 1, IN HERZOG'S 1ST INDUSTRIAL SUBDIVISION OF PART OF THE EAST ½ OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST ½ OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON DECEMBER 13, 1955 AS DOCUMENT LR 1639763 AND CERTIFICATE OF CORRECTION

THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT LR 1713481.

(PINS: 03-11-300-013-0000; 03-11-300-021).

(The above described property is commonly known as 571 Wheeling Road, Wheeling, Illinois. The property is currently zoned I-2 Limited Industrial District.)

THAT PART OF LOT 3, IN BLOCK 1 OF HEAZOG'S 1ST INDUSTRIAL SUBDIVISION, HEREINAFTER DESCRIBED, LYING SOUTH OF A LINE DRAWN PARALLEL WITH AND 320.18 FEET SOUTH OF THE NORTH LINE OF LOT 3 IN HEAZOG'S 1ST INDUSTRIAL SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES ON DECEMBER 13, 1955 AS DOCUMENT T-1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT NO. T-1713481, ALL IN COOK COUNTY, ILLINOIS. (PIN: 03-11-300-014-0000).

(The above described property is commonly known as 581 Wheeling Road, Wheeling, Illinois. The property is currently zoned I-2 Limited Industrial District.)

Section C

All ordinances or parts of ordinances that are in conflict herewith are hereby repealed.

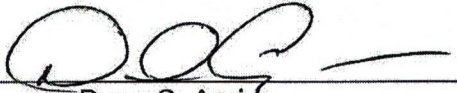
Section D

This Ordinance shall be in full force and effect from and after its passage and approval, according to law.

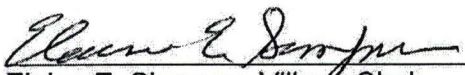
Trustee Vogel moved, seconded by Trustee Papantios, that Ordinance No. 5037 be passed this 17th day of OCTOBER, 2016.

President Argiris <u>Aye</u>	Trustee Lang <u>Aye</u>
Trustee Brady <u>Aye</u>	Trustee Papantios <u>Aye</u>
Trustee Krueger <u>Aye</u>	Trustee Vito <u>Aye</u>
	Trustee Vogel <u>Aye</u>

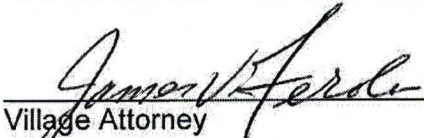



Dean S. Argiris
Village President

ATTEST:


Elaine E. Simpson, Village Clerk

APPROVED AS TO FORM ONLY:


Village Attorney

PUBLISHED in pamphlet form this 18th day of OCTOBER, 2016, by
order of the Corporate Authorities of the Village of Wheeling, Cook and Lake Counties,
Illinois.

VILLAGE OF WHEELING

ORDINANCE NO. 5037

AN ORDINANCE Granting a Re-zoning from I-2 Limited Industrial District to I-4 Heavy Industrial District for 571-581 Wheeling Road and Commercial Drive

**APPROVED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF
WHEELING THIS 17th DAY OF OCTOBER 2016**

Published in pamphlet form by authority of the Corporate Authorities of the Village of
Wheeling, Cook and Lake Counties, Illinois, this 18th day of October 2016

K T J

KLEIN, THORPE & JENKINS, LTD.
Attorneys at Law

20 N. Wacker Drive, Ste 1660
Chicago, Illinois 60606-2903
T 312 984 6400 F 312 984 6444

15010 S. Ravinia Avenue, Ste 10
Orland Park, Illinois 60462-5353
T 708 349 3888 F 708 349 1506

312-984-6433
jvferolo@ktjlaw.com

www.ktjlaw.com

April 13, 2017

Mr. Pete Aiello
Pete's Perfection Plus
435 Wheeling Road
Wheeling, IL 60090

RE: Vacation of Commercial Drive-Wheeling, IL

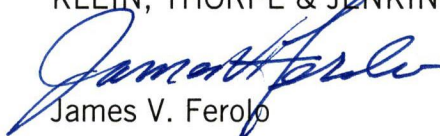
Dear Mr. Aiello:

Enclosed please find Wheeling's recorded Ordinance vacating an unimproved area of Commercial Drive. Pursuant to this Ordinance, title to the north half of the vacated property vests in owner of 435 S. Wheeling Road, title to the south half of the vacated property vests in the owner of 571-581 Wheeling Road.

If you have any questions, please contact the undersigned.

Very truly yours,

KLEIN, THORPE & JENKINS, LTD.


James V. Ferolo

JVF/an
Enc.
cc: Andrew Jennings (w/enc.)

Official Receipt for Recording in:

Congratulations Chicago Cubs!
Cook County Recorder of Deeds
118 N. Clark
Chicago, Illinois 60602

Issued To:
DELAY B-VILLAGE OF WHEELING
2 Community Boulevard

WHEELING IL 60090

Recording Fees

Document Description	Number	Book/Page	Recording Amount
PLAT	1710229005		\$144.00
			\$144.00

Collected Amounts

Payment Type	Amount
Charge Account	\$144.00
	\$144.00

Change Due : \$.00

Thank You
KAREN A. YARBROUGH - Recorder of Deeds

By: Michael Magness

Receipt# Date Time
29080107 04/12/2017 10:07a

Reprinted By: Michael Magness
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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 04/12/2017 10:06 AM PG: 0

STATE OF ILLINOIS }
 }
COUNTIES OF COOK AND LAKE }

I, **KAREN KARAFFA**, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Wheeling, Cook and Lake Counties, IL.

I **DO FURTHER CERTIFY** that I am the keeper of the records, journals, entries, resolutions, ordinances and documents of the said Village of Wheeling.

I **DO FURTHER CERTIFY** that the annexed and foregoing document

Ordinance No. 5075
AN ORDINANCE VACATING A CERTAIN PORTION OF UNIMPROVED
COMMERCIAL DRIVE RIGHT OF WAY

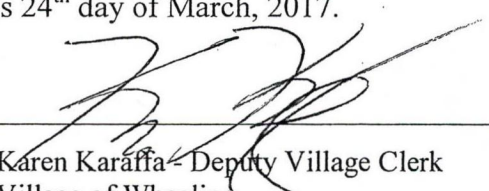
are true and correct copies of the documents presented to the President and Board of Trustees of the Village of Wheeling.

I **DO FURTHER CERTIFY** That the original document, of which the foregoing is a true copy, is entrusted to my care for safekeeping and I am the keeper of the same.

I **DO FURTHER CERTIFY** that Ordinance No. 5075 was published in pamphlet form on February 22nd, 2017, by order of the Corporate Authorities of the Village of Wheeling.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Wheeling, this 24th day of March, 2017.




Karen Karaffa - Deputy Village Clerk
Village of Wheeling
Cook and Lake Counties, IL.

ORDINANCE NO. 5075

AN ORDINANCE VACATING A CERTAIN PORTION OF THE UNIMPROVED
COMMERCIAL DRIVE RIGHT OF WAY

WHEREAS, a part of that certain dedicated public right-of-way known as Commercial Drive (herein "Street To Be Vacated"), legally described below and shown upon the plat attached hereto and made a part hereof as **EXHIBIT A** entitled "Plat of Vacation", Wheeling, Illinois is not now being used as a public right-of-way; and

WHEREAS, the owners (collectively herein "Owners") of the lots described below which abut upon a portion of said Street To Be Vacated have requested that the Street To Be Vacated be vacated by the corporate authorities of the Village of Wheeling; and

WHEREAS, the President and Board of Trustees of the Village of Wheeling have determined that the said Street To Be Vacated is not now and will not be required for public right-of-way and that the public interest will be served by vacating the same in that the public relief from the further burden and responsibility of maintaining the Street To Be Vacated.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Wheeling, Cook and Lake Counties, Illinois, in the exercise of its home rule powers, as follows:

SECTION ONE: The President and Board of Trustees of the Village of Wheeling hereby determine:

- A. The Street To Be Vacated lies entirely within the corporate limits of the Village of Wheeling.
- B. The appraised fair market value of the Street To Be Vacated is Fourteen Thousand and 00/100 Dollars (\$14,000.00).
- C. Pursuant to 65 ILCS 5/11-91-1, an ordinance vacating a right-of-way can provide that it shall not become effective until the owner(s) of the property abutting the right-of-way, or the owner(s) of a particular parcel of property abutting the right-of-way, to be vacated, pay(s) compensation to the municipality in an amount which, in the judgment of the corporate authorities, shall be the fair market value of the property acquired or of the benefits which will accrue to the municipality by reason of the vacation.
- D. The public interest will be served by vacating the Street To Be Vacated in that there will be relief to the public from the further burden and responsibility of maintaining the Street To Be Vacated as Street; the Street To Be Vacated, will be placed back on the tax rolls of Cook County and taxable by local taxing jurisdictions as private property; and compensation will be paid.

- E. That the part of the street known as Commercial Drive designated herein as the "Street To Be Vacated" is shown on the Plat attached hereto and made a part hereof as **EXHIBIT A** and legally described as:

NORTH HALF:

THE NORTH 40.00 FEET OF THAT PART OF COMMERCIAL DRIVE, DEDICATED BY DOCUMENT LR 1786779 RECORDED MARCH 19, 1958 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID COMMERCIAL DRIVE, BEING THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 100 FEET OF LOT 2 AND THE EAST LINE OF THE WEST 15.25 FEET OF SAID LOT 2 IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT LR 1639763, AND CERTIFICATE OF CORRECTION FILED DECEMBER 14, 1956 AS DOCUMENT LR 1713481; THENCE NORTH 00 DEGREES 13 MINUTES 11 SECONDS EAST, A DISTANCE OF 80.00 FEET ALONG SAID EAST LINE OF THE WEST 15.25 FEET OF LOT 2 TO THE NORTH LINE OF SAID COMMERCIAL DRIVE; THENCE SOUTH 89 DEGREES 46 MINUTES 47 SECONDS EAST, A DISTANCE OF 222.94 FEET ALONG SAID NORTH LINE TO THE EASTERLY LINE OF SAID COMMERCIAL DRIVE, BEING THE WESTERLY LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH 18 DEGREES 19 MINUTES 22 SECONDS EAST, A DISTANCE OF 84.38 FEET ALONG SAID EASTERLY LINE TO THE SOUTH LINE OF SAID COMMERCIAL DRIVE; THENCE NORTH 89 DEGREES 46 MINUTES 47 SECONDS WEST, A DISTANCE OF 249.77 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SOUTH HALF:

THAT PART (EXCEPT THE NORTH 40.00 FEET THEREOF) OF COMMERCIAL DRIVE, DEDICATED BY DOCUMENT LR 1786779 RECORDED MARCH 19, 1958, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID COMMERCIAL DRIVE, BEING THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 100 FEET OF LOT 2 AND THE EAST LINE OF THE WEST 15.25 FEET OF SAID LOT 2 IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD

PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT LR 1639763, AND CERTIFICATE OF CORRECTION FILED DECEMBER 14, 1956 AS DOCUMENT LR 1713481; THENCE NORTH 00 DEGREES 13 MINUTES 11 SECONDS EAST, A DISTANCE OF 80.00 FEET ALONG SAID EAST LINE OF THE WEST 15.25 FEET OF LOT 2 TO THE NORTH LINE OF SAID COMMERCIAL DRIVE; THENCE SOUTH 89 DEGREES 46 MINUTES 47 SECONDS EAST, A DISTANCE OF 222.94 FEET ALONG SAID NORTH LINE TO THE EASTERLY LINE OF SAID COMMERCIAL DRIVE, BEING THE WESTERLY LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH 18 DEGREES 19 MINUTES 22 SECONDS EAST, A DISTANCE OF 84.38 FEET ALONG SAID EASTERLY LINE TO THE SOUTH LINE OF SAID COMMERCIAL DRIVE; THENCE NORTH 89 DEGREES 46 MINUTES 47 SECONDS WEST, A DISTANCE OF 249.77 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

F. The Owners are the title holders of record of parcels of property adjacent to and to the north and south of the Street To Be Vacated which properties ("Abutting Properties") are legally described as:

1. Abutting Property to the North of the Street To Be Vacated - 435 Wheeling Road, Wheeling, IL ("North Property")

LOT 1 (EXCEPTING THE WEST 15.25 FEET THEREOF) AND THE NORTH 20.0 FEET OF LOT 2 (EXCEPTING THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION BEING PART OF THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1955 AS DOCUMENT #1639763 AND A CERTIFICATE OF CORRECTION THEREOF RECORDED DECEMBER 14, 1956 AS DOCUMENT #1713481, IN COOK COUNTY, ILLINOIS.

(PIN: 03-11-100-038)

2. Abutting Property to the South of the Street To Be Vacated - 571-581 Wheeling Road, Wheeling, IL ("South Property")

PARCEL 1:

LOT 2 (EXCEPT THE NORTH 100 FEET THEREOF AND EXCEPT THE WEST 15.25 FEET THEREOF) AND THAT PART OF LOT 3 LYING NORTH OF A LINE DRAWN PARALLEL WITH AND 320.18 FEET SOUTH OF THE NORTH LINE OF LOT 3 (EXCEPTING FROM SAID PART OF LOT 3 THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF

HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST ½ OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST ½ OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT T-1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT NO. T-1713481, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF VACATED COMMERCIAL DRIVE LYING SOUTH OF THE SOUTH LINE OF LOT 2, NORTH OF THE NORTH LINE OF LOT 3, EAST OF THE EAST LINE OF WHEELING ROAD (AS WIDENED BY PLAT OF DEDICATED REGISTERED AS DOCUMENT LR 2321517 AND LYING WEST OF THE EASTERLY LINE OF LOT 2 EXTENDED SOUTHERLY TO THE NORTHEASTERLY CORNER OF LOT 3 AFORESAID, IN BLOCK 1, IN HERZOG'S 1ST INDUSTRIAL SUBDIVISION OF PART OF THE EAST ½ OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST ½ OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON DECEMBER 13, 1955 AS DOCUMENT LR 1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT LR 1713481.

(PINS: 03-11-300-013-0000; 03-11-300-021).

THAT PART OF LOT 3, IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, HEREINAFTER DESCRIBED, LYING SOUTH OF A LINE DRAWN PARALLEL WITH AND 320.18 FEET SOUTH OF THE NORTH LINE OF LOT 3 IN HERZOG'S 1ST INDUSTRIAL SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES ON DECEMBER 13, 1955 AS DOCUMENT t-1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT NO. T-173481, ALL IN COOK COUNTY, ILLINOIS.

(PIN: 03-11-300-014-0000)

and only such Owners, having requested that the Street To Be Vacated be vacated, shall pay compensation to the Village in the amount of Fourteen Thousand and 00/100 Dollars (\$14,000.00).

SECTION TWO: This Ordinance shall be subject to the following conditions:

- A. Owners shall deposit with the Village the amount estimated by the Village to cover the recording costs of this Vacation Ordinance and all third party fees necessary to complete the vacation process, including attorney and engineering fees.
- B. Owners shall deposit with the Village Seven Thousand and no/100 Dollars (\$7,000.00) each.
- C. The retention of a drainage and utility easement over and under the Street To Be Vacated as shown on the plat, attached hereto as **EXHIBIT A**, with the final language to be approved the engineer.

SECTION THREE: That, in accordance with §5/11-91-1 of Chapter 65 of the Illinois Compiled Statutes, upon the recording of a certified copy of this ordinance and the Plat of Vacation, attached hereto as **EXHIBIT A**, legal title to the North Half of Street To Be Vacated shall vest in the Owner of the North Property legally described as follows:

435 S. Wheeling Road, Wheeling, IL

LOT 1 (EXCEPTING THE WEST 15.25 FEET THEREOF) AND THE NORTH 20.0 FEET OF LOT 2 (EXCEPTING THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION BEING PART OF THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1955 AS DOCUMENT #1639763 AND A CERTIFICATE OF CORRECTION THEREOF RECORDED DECEMBER 14, 1956 AS DOCUMENT #1713481, IN COOK COUNTY, ILLINOIS.

(PIN: 03-11-100-038)

And legal title to the South Half of the Street To Be Vacated shall vest in the Owner of the South Property, legally described as follows:

571-581 Wheeling Road, Wheeling, IL

PARCEL 1:

LOT 2 (EXCEPT THE NORTH 100 FEET THEREOF AND EXCEPT THE WEST 15.25 FEET THEREOF) AND THAT PART OF LOT 3 LYING NORTH OF A LINE DRAWN PARALLEL WITH AND 320.18 FEET SOUTH OF THE NORTH LINE OF LOT 3 (EXCEPTING FROM SAID PART OF LOT 3 THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST ½ OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD

PRINCIPAL MERIDIAN, AND PART OF THE WEST ½ OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT T-1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT NO. T-1713481, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF VACATED COMMERCIAL DRIVE LYING SOUTH OF THE SOUTH LINE OF LOT 2, NORTH OF THE NORTH LINE OF LOT 3, EAST OF THE EAST LINE OF WHEELING ROAD (AS WIDENED BY PLAT OF DEDICATED REGISTERED AS DOCUMENT LR 2321517 AND LYING WEST OF THE EASTERLY LINE OF LOT 2 EXTENDED SOUTHERLY TO THE NORTHEASTERLY CORNER OF LOT 3 AFORESAID, IN BLOCK 1, IN HERZOG'S 1ST INDUSTRIAL SUBDIVISION OF PART OF THE EAST ½ OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST ½ OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON DECEMBER 13, 1955 AS DOCUMENT LR 1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT LR 1713481.

(PINS: 03-11-300-013-0000; 03-11-300-021).

THAT PART OF LOT 3, IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, HEREINAFTER DESCRIBED, LYING SOUTH OF A LINE DRAWN PARALLEL WITH AND 320.18 FEET SOUTH OF THE NORTH LINE OF LOT 3 IN HERZOG'S 1ST INDUSTRIAL SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES ON DECEMBER 13, 1955 AS DOCUMENT t-1639763 AND CERTIFICATE OF CORRECTION THEREOF REGISTERED DECEMBER 14, 1956 AS DOCUMENT NO. T-173481, ALL IN COOK COUNTY, ILLINOIS.

(PIN: 03-11-300-014-0000)

SECTION FOUR: That the Owners are in agreement with the terms and conditions of this Ordinance, as evidenced by the Owners' execution of the Consents and Waivers attached hereto as Exhibit B.

SECTION FIVE: That, in the event that the conditions stated in Section Two above are not met within sixty (60) days of the approval date of this Ordinance, this Ordinance shall be null and void and of no further effect, the recording as referenced in Section Six below shall not take place, and the Corporate Authorities of the Village shall take the appropriate action to formally repeal this Ordinance.

SECTION SIX: That, upon the Village's determination that all conditions stated in this Ordinance have been met, the Village Engineer is hereby directed to record the original of this Ordinance and a certification by the Village Clerk as to the Ordinance being the original Ordinance, with the Cook County Recorder of Deeds.

SECTION SEVEN: That this Ordinance shall be in full force and effect from and after its passage by a three-fourths (3/4ths) vote of the Trustees holding office, and approval, as required by law.

SECTION EIGHT: That the Village Clerk of the Village of Wheeling be and is directed hereby to publish this Ordinance in pamphlet form.

Trustee BRADY moved, seconded by Trustee VDGEZ, that Ordinance No. 5025 be passed.

President Argiris Agc

Trustee Papantos Agc

Trustee Brady Agc

Trustee Vito Agc

Trustee Krueger Agc

Trustee Vogel Agc

Trustee Lang Agc

APPROVED this 21st day of FEBRUARY, 2017.

[Signature]
Dean Argiris, Village President

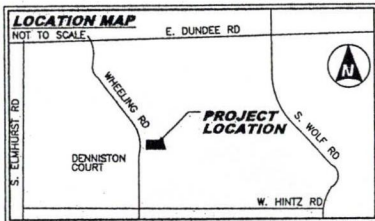
ATTEST:

[Signature]
Elaine E. Simpson, Village Clerk



Published in pamphlet form FEBRUARY 22nd, 2017.

PLAT OF VACATION-EXHIBIT A



LEGEND:

- BOUNDARY LINE
- PROPOSED LOT LINE
- BUILDING SETBACK LINE (BSL)
- EASEMENT LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- UNDERLYING LOT LINE
- SECTION LINE
- (R) RECORD
- HEREBY VACATED

SPACE RESERVED FOR COOK COUNTY RECORDER CERTIFICATE:

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF WHEELING,
COOK AND LAKE COUNTIES, ILLINOIS, AT A MEETING HELD THIS _____
DAY OF _____ A.D., 20____

CHAIRMAN _____

SECRETARY _____

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

ACCEPTED AND ACCEPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF WHEELING, COOK AND LAKE COUNTIES, ILLINOIS,
THIS _____ DAY OF _____ A.D., 20____

BY: _____
PRESIDENT

ATTEST: _____
VILLAGE CLERK

DATE _____ CHAIRMAN _____

GENERAL NOTES:

- ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
- NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENTS.
- BEARINGS BASED ON ILLINOIS EAST STATE PLANE COORDINATE SYSTEM.



Mackie Consultants, LLC
9575 W. Higgins Road, Suite 500
Rosemont, IL 60018
(847)696-1400
www.mackieconsult.com

PROPERTY DESCRIPTION: NORTH HALF

THE NORTH 40.00 FEET OF THAT PART OF COMMERCIAL DRIVE, DEDICATED BY DOCUMENT LR 1786779 RECORDED MARCH 19, 1958, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID COMMERCIAL DRIVE, BEING THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 100 FEET OF LOT 2 AND THE EAST LINE OF THE WEST 15.25 FEET OF SAID LOT 2 IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT LR 1639763, AND CERTIFICATE OF CORRECTION FILED DECEMBER 14, 1956 AS DOCUMENT LR 1713481; THENCE NORTH 00 DEGREES 13 MINUTES 11 SECONDS EAST, A DISTANCE OF 80.00 FEET ALONG SAID EAST LINE OF THE WEST 15.25 FEET OF LOT 2 TO THE NORTH LINE OF SAID COMMERCIAL DRIVE; THENCE SOUTH 89 DEGREES 46 MINUTES 47 SECONDS EAST, A DISTANCE OF 222.94 FEET ALONG SAID NORTH LINE TO THE EASTERLY LINE OF SAID COMMERCIAL DRIVE, BEING THE WESTERLY LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH 18 DEGREES 19 MINUTES 22 SECONDS EAST, A DISTANCE OF 84.38 FEET ALONG SAID EASTERLY LINE TO THE SOUTH LINE OF SAID COMMERCIAL DRIVE; THENCE NORTH 89 DEGREES 46 MINUTES 47 SECONDS WEST, A DISTANCE OF 248.77 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AREA:

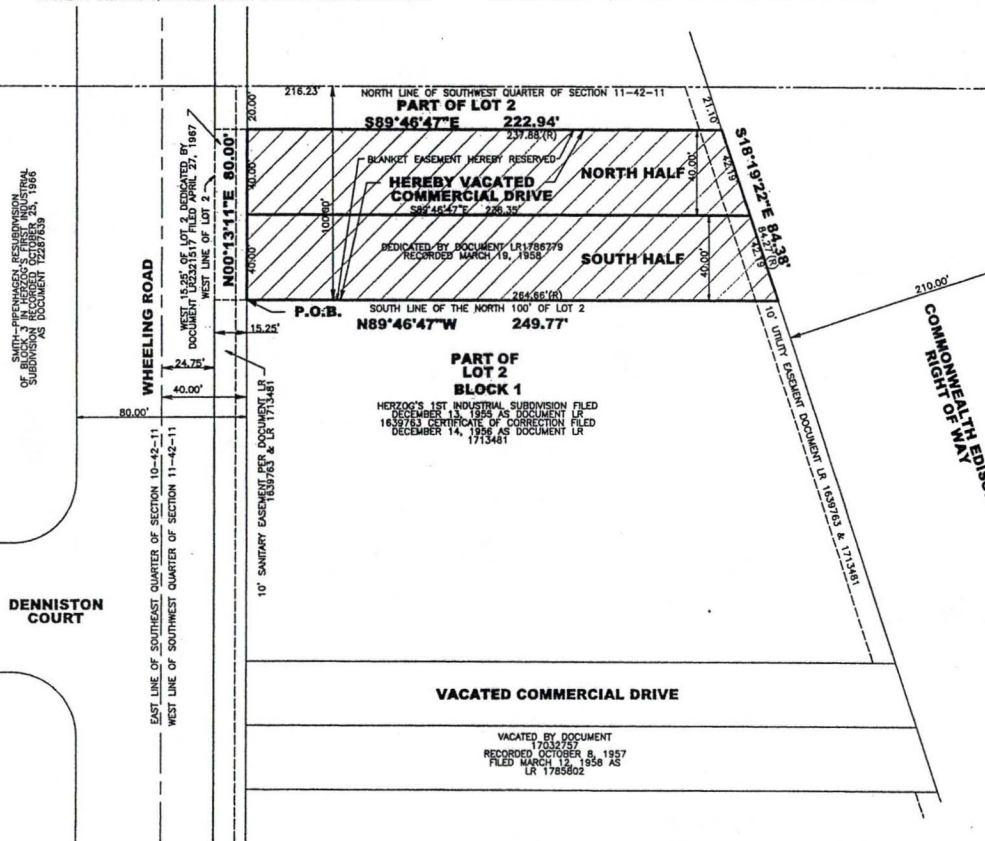
PROPERTY CONTAINS 9,186 SQUARE FEET OR 0.211 ACRE MORE OR LESS

PROPERTY DESCRIPTION: SOUTH HALF

THAT PART (EXCEPT THE NORTH 40.00 FEET THEREOF) OF COMMERCIAL DRIVE, DEDICATED BY DOCUMENT LR 1786779 RECORDED MARCH 19, 1958, DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID COMMERCIAL DRIVE, BEING THE INTERSECTION OF THE SOUTH LINE OF THE NORTH 100 FEET OF LOT 2 AND THE EAST LINE OF THE WEST 15.25 FEET OF SAID LOT 2 IN BLOCK 1 OF HERZOG'S 1ST INDUSTRIAL SUBDIVISION, A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF FILED DECEMBER 13, 1955 AS DOCUMENT LR 1639763, AND CERTIFICATE OF CORRECTION FILED DECEMBER 14, 1956 AS DOCUMENT LR 1713481; THENCE NORTH 00 DEGREES 13 MINUTES 11 SECONDS EAST, A DISTANCE OF 80.00 FEET ALONG SAID EAST LINE OF THE WEST 15.25 FEET OF LOT 2 TO THE NORTH LINE OF SAID COMMERCIAL DRIVE; THENCE SOUTH 89 DEGREES 46 MINUTES 47 SECONDS EAST, A DISTANCE OF 222.94 FEET ALONG SAID NORTH LINE TO THE EASTERLY LINE OF SAID COMMERCIAL DRIVE, BEING THE WESTERLY LINE OF THE COMMONWEALTH EDISON RIGHT OF WAY; THENCE SOUTH 18 DEGREES 19 MINUTES 22 SECONDS EAST, A DISTANCE OF 84.38 FEET ALONG SAID EASTERLY LINE TO THE SOUTH LINE OF SAID COMMERCIAL DRIVE; THENCE NORTH 89 DEGREES 46 MINUTES 47 SECONDS WEST, A DISTANCE OF 248.77 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AREA:

PROPERTY CONTAINS 9,723 SQUARE FEET OR 0.223 ACRE MORE OR LESS



VACATED COMMERCIAL DRIVE

VACATED BY DOCUMENT
17032757
RECORDED OCTOBER 8, 1957
FILED MARCH 19, 1958 AS
LR 178802

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID
CURRENT GENERAL TAXES DELINQUENT SPECIAL ASSESSMENTS
OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE
STREETS AND ALLEYS INCLUDED IN THE ABOVE PLAT.

David P. Olson
COUNTY CLERK
APR 11, 17

BLANKET EASEMENT PROVISIONS

A BLANKET EASEMENT FOR EXISTING AND FUTURE PUBLIC AND PRIVATE UTILITIES, EXISTING AND FUTURE DRAINAGE, AND WATERMAIN WITHIN COMMERCIAL DRIVE RIGHT-OF-WAY TO BE VACATED IS HEREBY RESERVED FOR CONTINUING PUBLIC SERVICE AND FOR MAINTENANCE AND/OR SERVICE OF PUBLIC AND PRIVATE UTILITIES AND DRAINAGE.

MINNEAPOLIS,
ST. PAUL & SALT STE. MARIE RAILROAD
(CANADIAN PACIFIC RAILWAY)



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

WE, MACKIE CONSULTANTS, LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NUMBER 184-002694, DO HEREBY CERTIFY THAT WE HAVE SURVEYED AND PLATTED FOR THE OWNER THEREOF THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF VACATING A PUBLIC STREET AND THAT THE PLAT HEREIN DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND PLAT.

GIVEN UNDER MY HAND AND SEAL THIS 27TH DAY OF
MAY, 2017 IN ROSEMONT, ILLINOIS,

Russell W. Olsen
RUSSELL W. OLSEN
EMAIL: rolsen@mackieconsult.com
ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 035-002718
LICENSE EXPIRES: NOVEMBER 30, 2018

DESIGNED	DAS
DRAWN	RWO
APPROVED	DAG
DATE	10-04-16
SCALE	1"=40'

**PLAT OF VACATION
COMMERCIAL DRIVE
WHEELING, ILLINOIS**

SHEET

1 OF 1

PROJECT NUMBER: 2820
© MACKIE CONSULTANTS LLC, 2017
ILLINOIS FIRM LICENSE 184-002694

EXHIBIT B

CONSENT AND WAIVER

Peter Aiello, being the Owner of the property located at 435 Wheeling Road, Wheeling, IL, (PIN: 03-11-100-038) one of the "Owners" referred to herein, hereby voluntarily agrees to be bound by the terms and conditions of this Ordinance, relative to the vacation of the Street To Be Vacated, and hereby further agree that the terms and conditions of this Ordinance shall constitute a covenant running with the land and shall be binding upon the Owner's successors in any manner in title to the Land. The Owner further agrees to maintain the Street To Be Vacated in accordance with all applicable codes and to pay all property taxes assessed upon the Street To Be Vacated in a timely manner. The Owner further agrees to waive any and all claims against the Village related to the condition of the Street to be Vacated or the status of title arising out of this Vacation Ordinance.

By: [Signature]
Its: _____



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named Peter Aiello, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the signed instrument as their free and voluntary act, and as the free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal, this 10 day of March, 2017.

[Signature]
Notary Public

CONSENT AND WAIVER

571 Wheeling, LLC being the Owner of the property located at 571-581 Wheeling Road, Wheeling, IL, (PINS: 03-11-300-013-0000; 03-11-300-021; 03-11-300-014-0000) one of the "Owners" referred to herein, hereby voluntarily agrees to be bound by the terms and conditions of this Ordinance, relative to the vacation of the Street To Be Vacated, and hereby further agree that the terms and conditions of this Ordinance shall constitute a covenant running with the land and shall be binding upon the Owner's successors in any manner in title to the Land. The Owner further agrees to maintain the Street To Be Vacated in accordance with all applicable codes and to pay all property taxes assessed upon the Street To Be Vacated in a timely manner. The Owner further agrees to waive any and all claims against the Village related to the condition of the Street to be Vacated or the status of title arising out of this Vacation Ordinance.

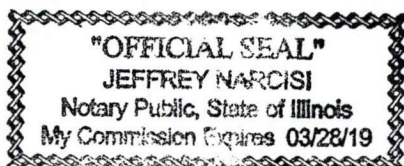
By: Sebastian S. Palumbo

Its: Sebastian S. Palumbo, Manager

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that the above-named SEBASTIAN S. PALUMBO personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the signed instrument as their free and voluntary act, and as the free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal, this 14th day of MARCH, 2017.



Jeffrey Narcisi
Notary Public

PETE'S PERFECTION PLUS
435 S. WHEELING ROAD
WHEELING, ILLINOIS

2017

LOCATION MAP



SECTIONS 11, TOWNSHIP 42 N, RANGE 11 E.

THE CONTRACTOR MUST CALL J.U.L.I.E
FOR THE LOCATION AND STAKING OF
EXISTING UNDERGROUND UTILITIES
(GAS, ELECTRIC, TELEPHONE, ETC.) AT
1-800-892-0123 48 HOURS PRIOR
TO DIGGING.

ENGINEER: KEVIN C. LEWIS

11/21/17
DATE

ILLINOIS REGISTRATION NO. 062-055368 EXPIRATION DATE: 11-30-2017

THESE PLANS OR ANY PART THEREOF SHALL BE CONSIDERED VOID
WITHOUT THE SIGNATURE, SEAL, AND EXPIRATION DATE OF THE
SEAL OF THE ENGINEER.



INDEX

- 1 TITLE SHEET AND GENERAL NOTES
- 2 EXISTING CONDITIONS
- 3 REDEVELOPMENT/SITE PLAN
- 4 EXISTING FLOOR PLANS
- 5 EXISTING BUILDING ELEVATIONS

LEGEND

EXISTING		PROPOSED
	SANITARY SEWER	
	STORM SEWER	
	WATER MAIN	
	STORM MANHOLE	
	SANITARY MANHOLE	
	CLEAN OUT	
	PAVEMENT	
	FENCE	
	DRAINAGE FLOW	
	PAVEMENT to GROUND ELEVATION	
	CONTOURS	
	TOP OF FOUNDATION ELEVATION	
	FIRST FLOOR ELEVATION	
	GARAGE FLOOR ELEVATION	
	EXISTING TREE	
	TREE TO BE REMOVED	
	SILT FENCE	
	TREE PROTECTION FENCE	

BENCHMARK:
ARROW BOLT ON FIRE HYDRANT
#13-009 AT THE SOUTHWEST CORNER OF MERCHANTILE AND
WHEELING ROAD.
LELVATION=646.18

SITE BENCHMARK:
CUT CROSS IN CONCRETE WALK IN 2.75' NORTHWEST OF THE
SOUTHWEST CORNER OF SUBJECT PROPERTY.
ELEVATION=647.45

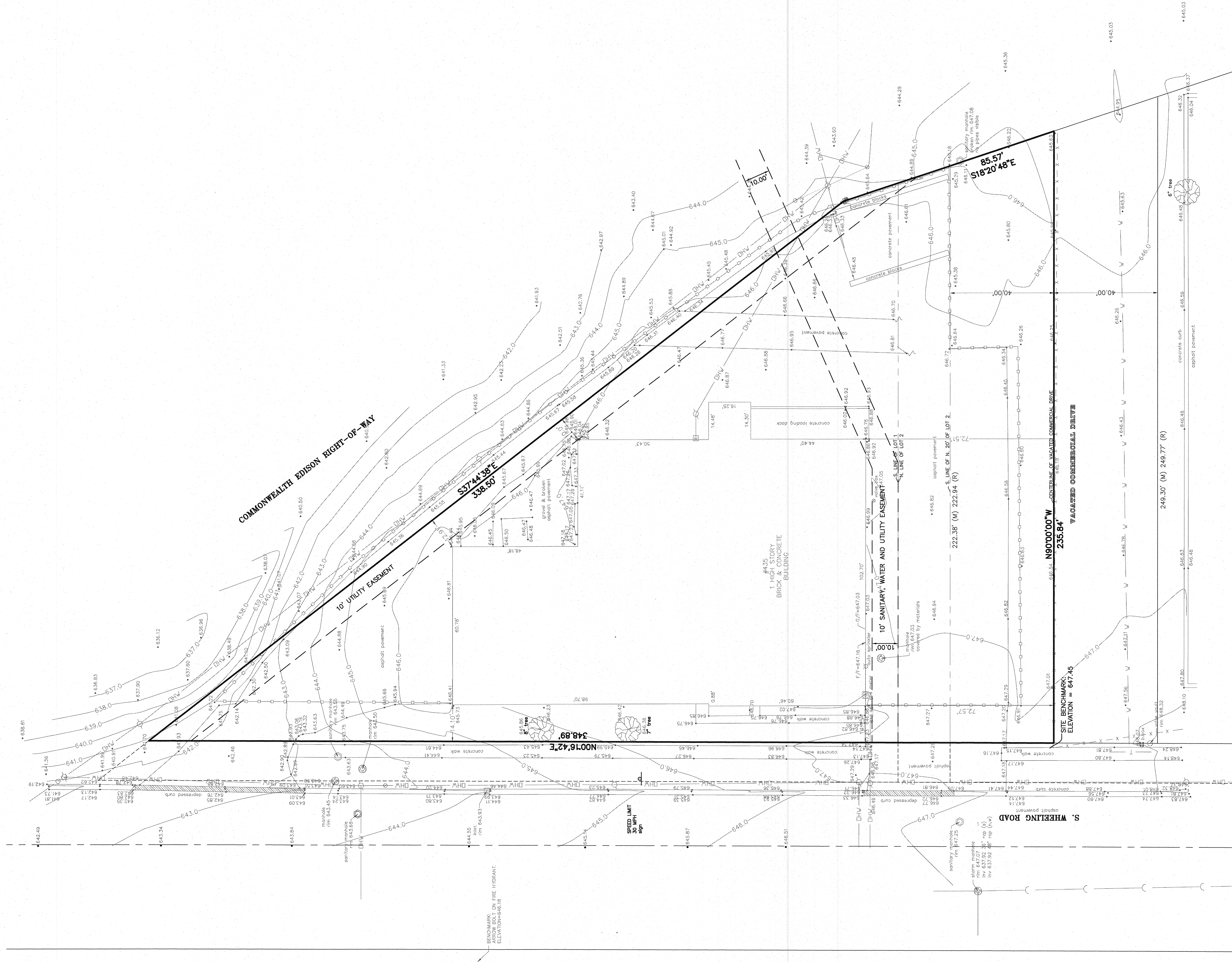
REVISIONS			
DATE	DESCRIPTION	DRAWN BY	S.R.M.
11/21/17	PER CLIENT REVIEW		

ig CONSULTING, INC.
e-mail: ig@igconsulting.net
INFRACON & GEOCON
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS
300 MARQUARDT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 FAX (847) 215-1177
DESIGN: K.C.L. DRAFTING: S.R.M. DATE: 11/06/17
TITLE SHEET & GENERAL NOTES SCALE: N/A

PETE'S PERFECTION PLUS
435 S. WHEELING ROAD
WHEELING, ILLINOIS

PROJECT No.
17259

1 of 5



BENCHMARK:
ARROW BOLT ON FIRE HYDRANT
#13-009 AT THE SOUTHWEST CORNER
OF MERCHANTILE AND WHEELING ROAD.
LEVATION=646.18

SITE BENCHMARK:
CUT CROSS IN CONCRETE WALK IN
2.75' NORTHWEST OF THE SOUTHWEST
CORNER OF SUBJECT PROPERTY.
ELEVATION=647.45

EXISTING CONDITIONS

1. TOPOGRAPHY PREPARED BY IG CONSULTING INC.,
300 MARQUARDT DRIVE, WHEELING, ILLINOIS, (847) 215-1133 JOB# 17259

PROJECT No.
17259

2 of 5

PETE'S PERFECTION PLUS
435 S. WHEELING ROAD
WHEELING, ILLINOIS

IGCONSULTING, INC.
INFRACON & GEOCON
CONSULTING CIVIL ENGINEERS, PLANNERS & LAND SURVEYORS
300 MARQUARDT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 FAX (847) 215-1177

EXISTING CONDITIONS

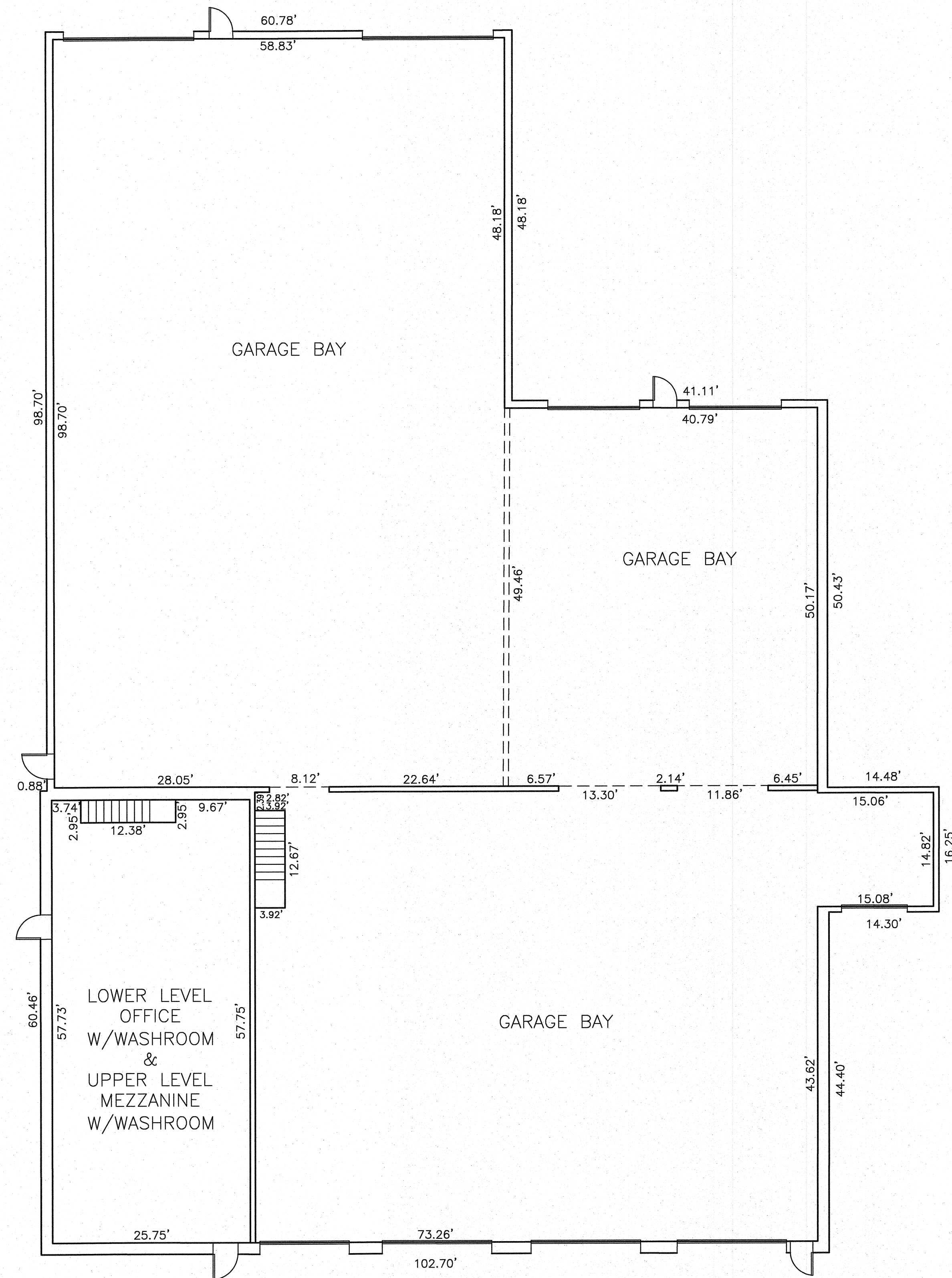
DESIGN: K.C.L.

DRAFTING: S.R.M.

SCALE: 1"=20'

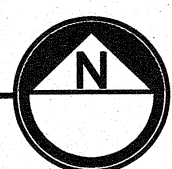
DATE: 11/06/17

DATE	DESCRIPTION	DRAWN BY
11/21/17	PER CLIENT REVIEW	S.R.M.

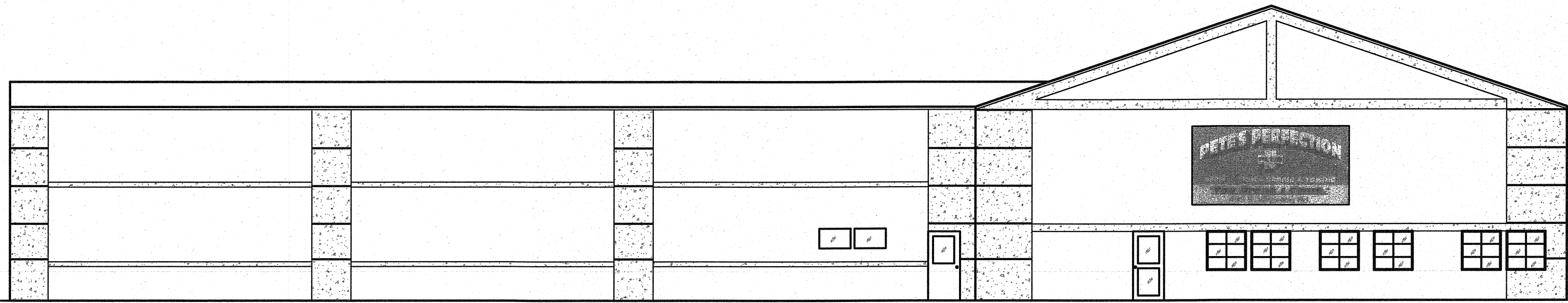


EXISTING FLOOR PLAN
SCALE: 1"=10'

EXISTING FLOOR PLAN

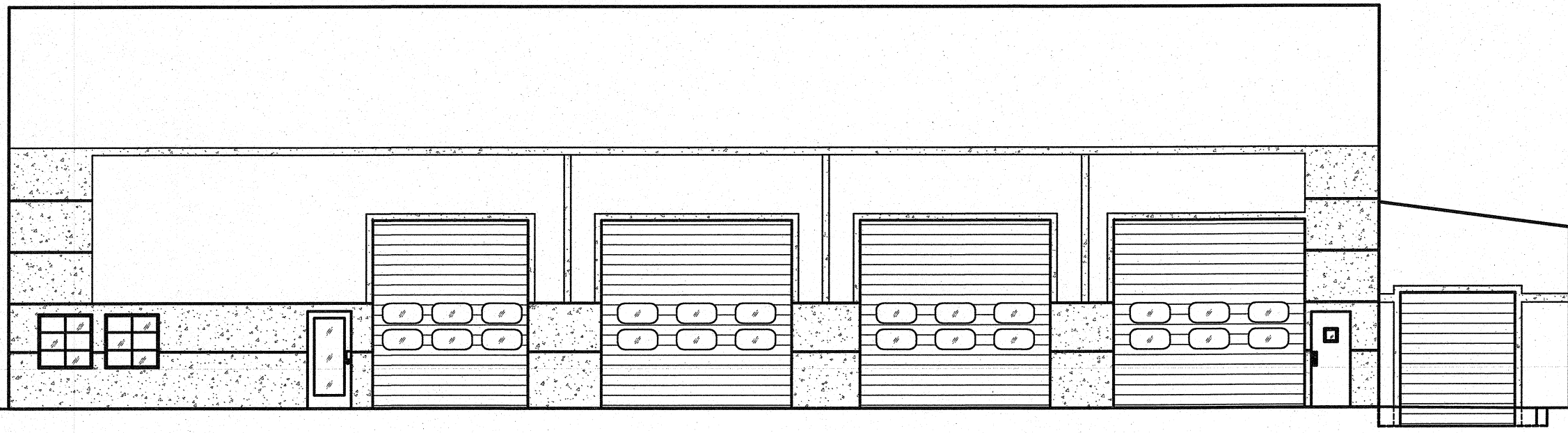


REVISIONS		
DATE	DESCRIPTION	DRAWN BY
11/21/17	PER CLIENT REVIEW	S.R.M.



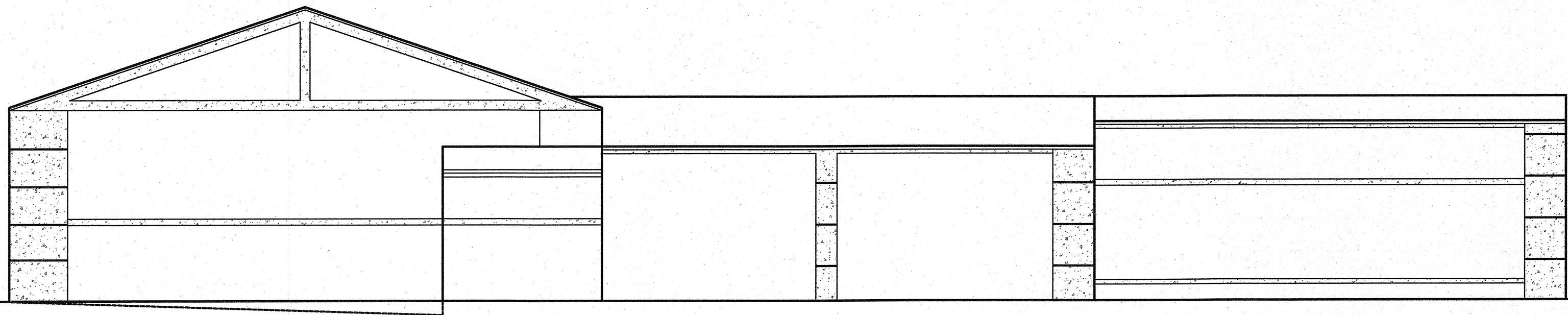
WEST ELEVATION

SCALE: 1"=10'



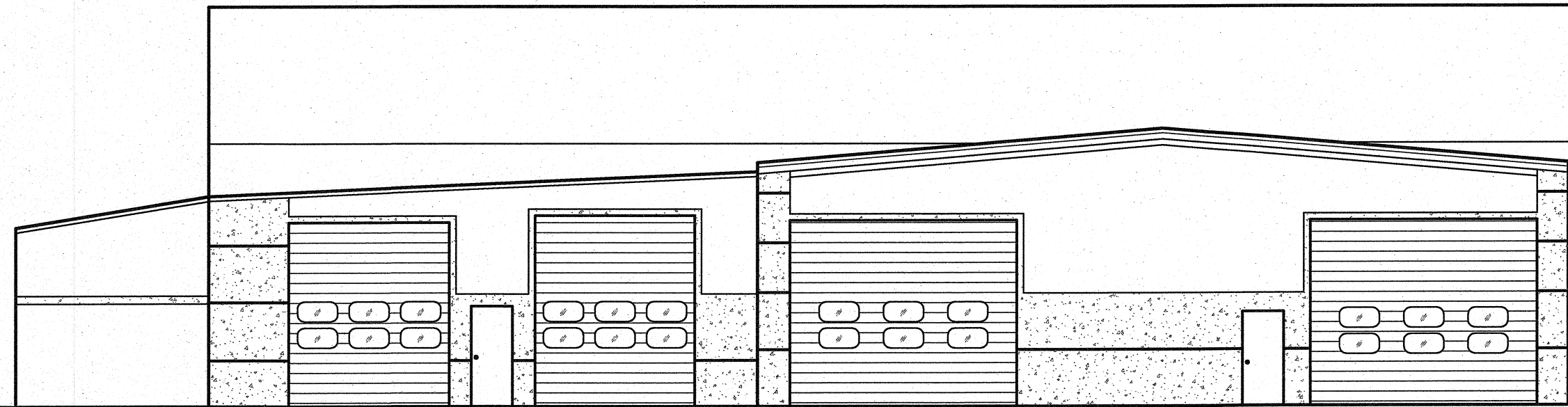
SOUTH ELEVATION

SCALE: 1"=10'



EAST ELEVATION

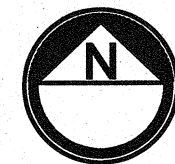
SCALE: 1"=10'



NORTH ELEVATION

SCALE: 1"=10'

BUILDING ELEVATIONS



REVISIONS		
DATE	DESCRIPTION	DRAWN BY
11/21/17	PER CLIENT REVIEW	S.R.M.

**ig CONSULTING, INC.**
INFRACON & GEOCON
CONSULTING CIVIL ENGINEERS, PLANNERS & LAND SURVEYORS
300 MARQUARDT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 FAX (847) 215-1177
e-mail: ig@igconsulting.net

EXISTING BUILDING ELEVATIONS
SCALE: 1"=10'
DESIGN: C.K.
DRAFTING: S.R.M.
DATE: 11/06/17

PETE'S PERFECTION PLUS
435 S. WHEELING ROAD
WHEELING, ILLINOIS

PROJECT No.
17259

5 of 5

DURA BILT FENCE II, INC.

433 Denniston Ct.
Wheeling, IL 60090
847-520-5880 Fax: 847-520-4885

PROPOSAL SUBMITTED TO: Pete's Perfection	PHONE:	DATE: 11-7-17
STREET: 435 South Wheeling Road	FAX:	JOB PHONE:
CITY, STATE AND ZIP CODE: Wheeling, IL 60090	JOB NAME: Fence Extension	
ATTENTION: Pete	DATE OF PLANS:	JOB LOCATION:

We hereby submit specifications and estimates for the following:

Labor & Material for the following:

Temporary Fence Rental: 58 L.F.

- **East Fence Line:** 13 L.F.

- **West Fence Line:** 45 L.F.

Temporary Fence Details:

- **Terminal Posts:** 2 1/2" x 11' Driven 36" into the ground (includes all necessary hardware)
- **Line Post:** 1 5/8" x 11' Driven 36" into the ground (post spacing not to exceed 8' on center)
- **Wire:** 8' 2 1/4" x 12.5ga w/ Green Privacy Screen installed
- **Duration:** 8 Months from install date

Panel Installation Details:

- **Line & Terminal Posts:** 11' Postmasters (same as existing)
- **Panels:** (8) Fence panels to be saved and re used for final installation
- **Cover Board:** (10) 1x6x8 Dog Eared Cover Boards will be provided

*** Quality Materials Provided & Professional Workmanship Guaranteed !**

*** All NEW Posts to be set a minimum of 36" Deep in Concrete!**

Total: \$3,060.00

***Exclusions: bonds, permits, fees, licenses and removals**

We Propose hereby to furnish material and labor - complete in accordance with the above specifications, for the **sum of:**

Three Thousand Sixty Dollars (\$3,060.00)

Payment to be made as follows: **40% Down (\$1,224.00) & Balance Due Upon Completion (\$1,836.00)**

ALL PERMITS MUST BE OBTAINED BY OWNER

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner, on a regular time basis according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by workman's compensation insurance.

Customer hereby assumes full responsibility for the location of the line upon which said materials are to be installed and locate any and all private cables to include sprinkler systems, electric, septic fields, gas lines, grills, lighting, etc. Durabilt Fence to call J.U.L.I.E.

Authorized Signature: _____ Note: This Proposal may be withdrawn by us if not accepted within 15 days.

I, THE UNDERSIGNED, HEREBY AGREE THAT IN THE EVENT OF DEFAULT IN THE PAYMENT OF ANY AMOUNT DUE, AND IF THIS ACCOUNT IS PLACED IN THE HANDS OF AN AGENCY OR ATTORNEY FOR COLLECTION OR LEGAL ACTION, TO PAY AN ADDITIONAL CHARGE EQUAL TO THE COST OF COLLECTIONS INCLUDING AGENCY AND ATTORNEY FEES AND COURT COSTS INCURRED AND PERMITTED BY LAWS GOVERNING THESE TRANSACTIONS. ALL PAST DUE ACCOUNTS WILL BE CHARGED AT THE RATE OF 1.5% ON UNPAID MONTHLY BALANCE

Acceptance of Proposal: the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of acceptance: _____

Signature: _____



Luminaire Schedule						
Symbol	Qty	Label	Description	Arrangement	Lumens	LLF
	15	EC8-65W LED 4K IV-L02170	EC8-65W 4K IV WM	SINGLE	N.A.	0.950

Numeric Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	3.08	21.4	0.0	N.A.	N.A.

435 S WHEELING RD-WHEELING IL
PROPOSED DEVELOPMENT
65 W LED 4K IV WM WITH 10° TILT

ECHO LIGHTING INC
 5618 EAST WASHINGTON BLVD
 COMMERCE, CA 90040



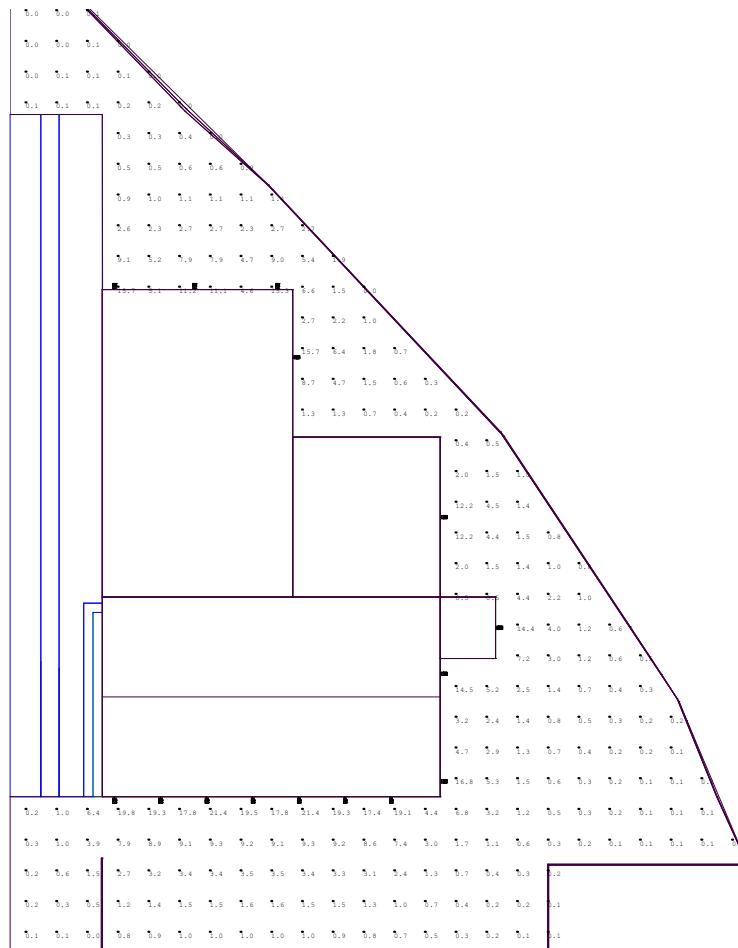
Luminaire Location Summary

SeqNo	Label	X	Y	Z	Orient	Tilt
1	EC8-65W LED 34	34	50	11	270	10
2	EC8-65W LED 49	49	50	11	270	10
3	EC8-65W LED 64	64	50	11	270	10
4	EC8-65W LED 79	79	50	11	270	10
5	EC8-65W LED 94	94	50	11	270	10
6	EC8-65W LED 109	109	50	11	270	10
7	EC8-65W LED 124	124	50	11	270	10
8	EC8-65W LED 140	140	55	11	0	10
9	EC8-65W LED 140	140	90	11	0	10
10	EC8-65W LED 158	158	105	11	0	10
11	EC8-65W LED 140	140	141	11	0	10
12	EC8-65W LED 92	92	193	11	0	10
13	EC8-65W LED 87	87	215	11	90	10
14	EC8-65W LED 34	34	215	11	90	10
15	EC8-65W LED 60	60	215	11	90	10

435 S WHEELING RD-WHEELING IL
PROPOSED DEVELOPMENT
65 W LED 4K IV WM WITH 10° TILT

ECHO LIGHTING INC
 5618 EAST WASHINGTON BLVD
 COMMERCE, CA 90040

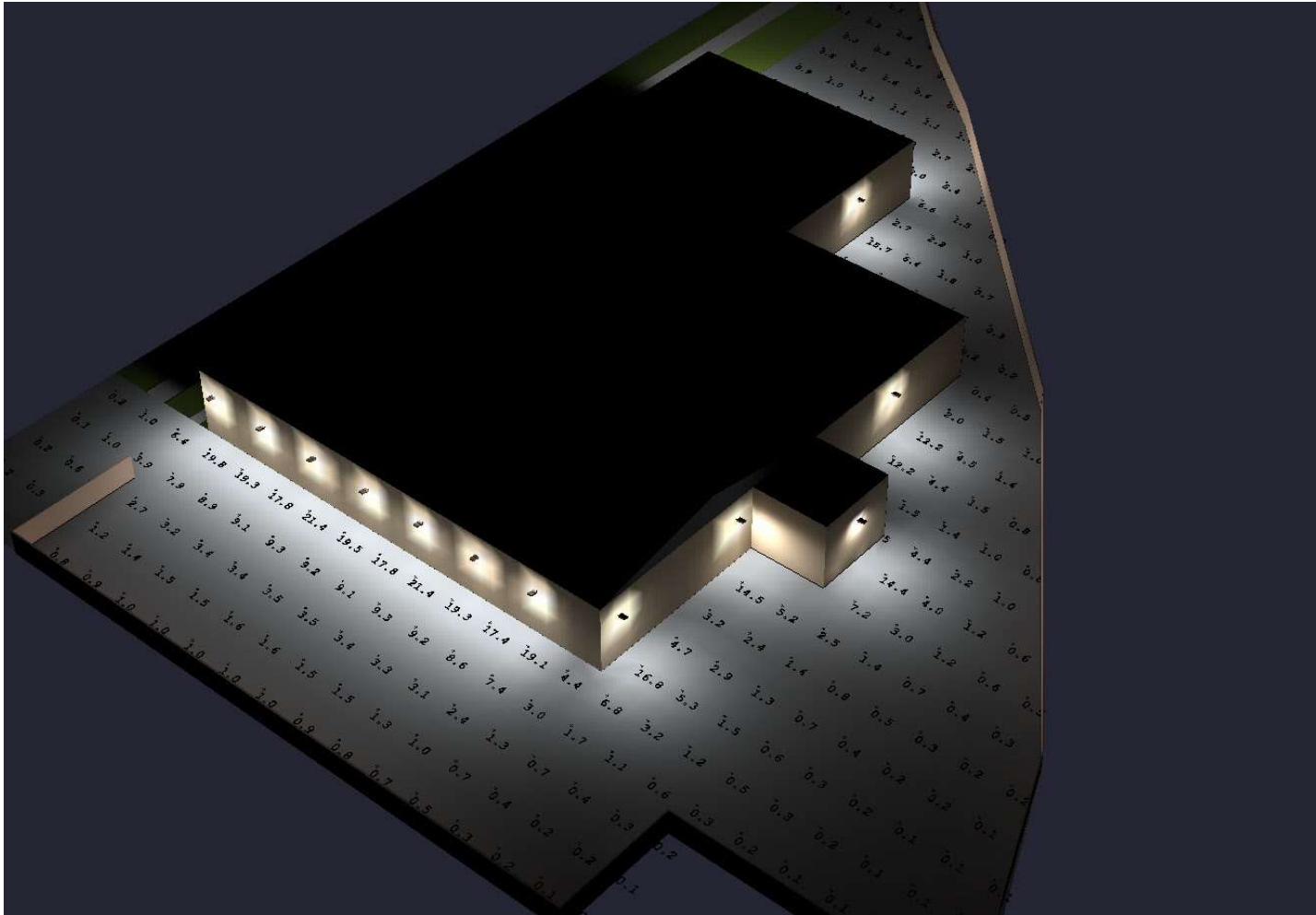




435 S WHEELING RD-WHEELING IL
PROPOSED DEVELOPMENT
65 W LED 4K IV WM WITH 10° TILT

ECHO LIGHTING INC
5618 EAST WASHINGTON BLVD
COMMERCE, CA 90040





435 S WHEELING RD-WHEELING IL
PROPOSED DEVELOPMENT
65 W LED 4K IV WM WITH 10° TILT

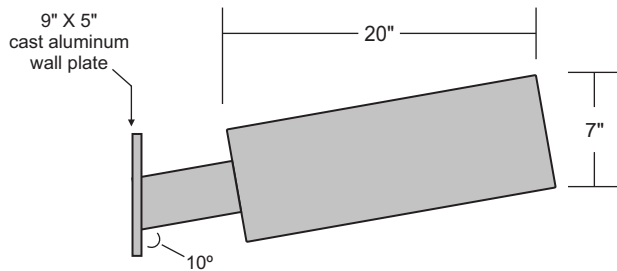
ECHO LIGHTING INC
5618 EAST WASHINGTON BLVD
COMMERCE, CA 90040





Suitable for wet locations

LED EC8 SERIES



N.T.S.

SYSTEM PERFORMANCE SPECIFICATIONS

LED:	65W
Life Hours:	50,000
CRI:	70
CCT:	4000K°
Voltage:	120V - 277V

FEATURES/BENEFITS

- . High quality LED light that meets industry norms.
- . High efficiency and energy savings.
- . Environmentally friendly.
- . Reliable and low maintenance.
- . 7 year limited warranty on system.
- . All electrical components are UL recognized.

Ordering Example: EL-EC8-65W-LED-SMT-IV-FG-WM-COLOR

SPECIFICATIONS

LUMINAIRE: Heavy gauge die-formed welded aluminum.

DIFFUSER: High impact resistant clear tempered flat glass.

OPTICS: Type IV light distribution.

DRIVER: Electronic LED driver (120V-277V).

LIGHT SOURCE: 65W LED.

MOUNTING: 5" x 9" x 1" cast aluminum wall plate mounts on to a 1/8" thk. steel back plate.

ELECTRICAL: All components are UL recognized. Luminaire is shipped complete and ready to install. Luminaire is designed for operation in wet locations.

FINISH: Powder coat. Standard colors are Black, White, Dark Green, and Dark Bronze. (Custom colors available, consult factory).

All exposed hardware shall be stainless steel.

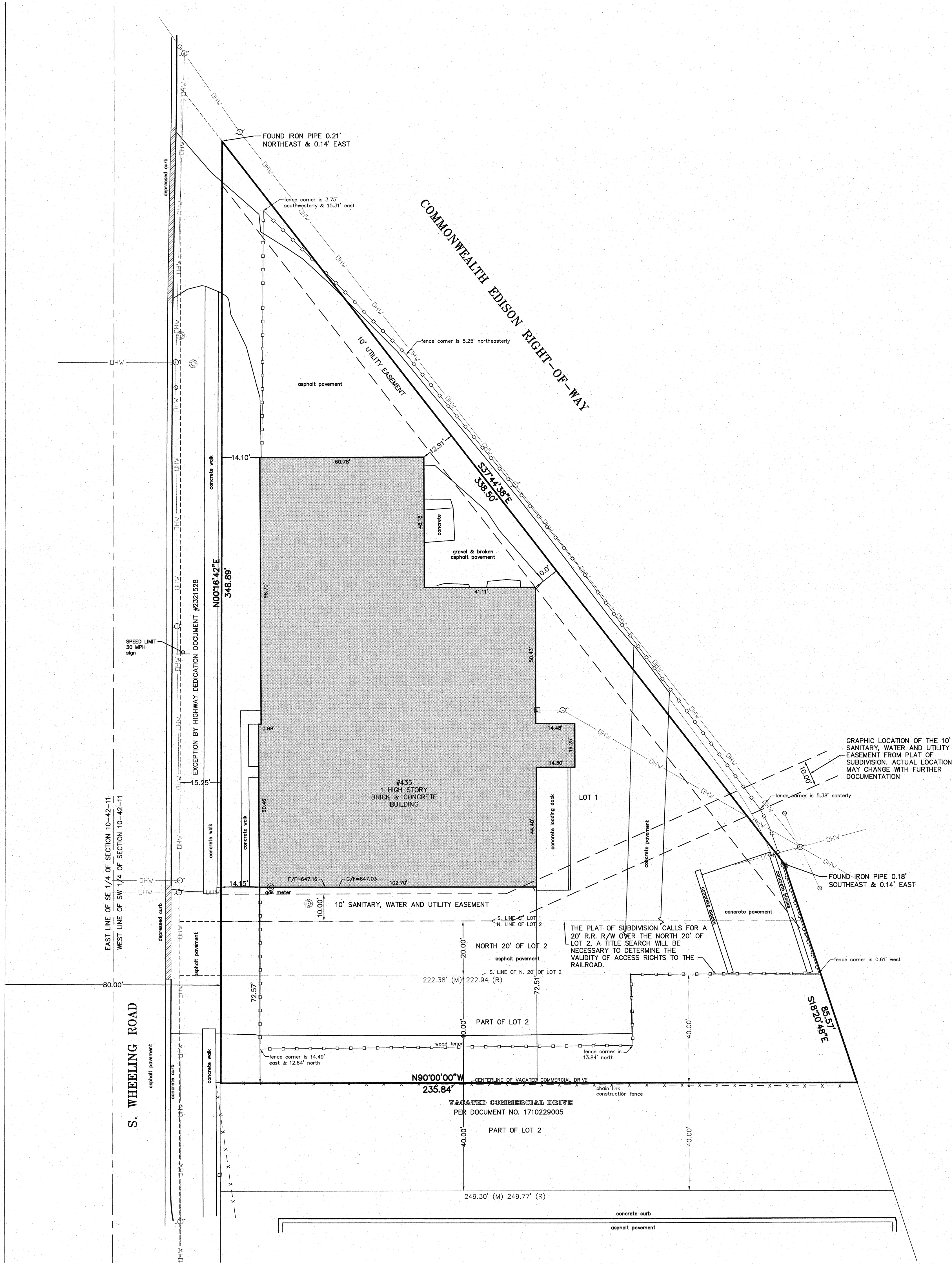


ECHO LIGHTING INC.
5618 E. Washington Blvd.
Commerce, CA 90040
PH: (323) 890-9008 • FAX (323) 890-1981
Website: www.echolightingla.com

PLAT OF SURVEY

LOT 1 (EXCEPTING THE WEST 15.25 FEET THEREOF) AND THE NORTH 20.0 FEET OF LOT 2 (EXCEPTING THE WEST 15.25 FEET THEREOF) IN BLOCK 1 OF HERZOG'S 1st INDUSTRIAL SUBDIVISION BEING PART OF THE EAST HALF OF SECTION 10 AND THE WEST HALF OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 13, 1955 AS DOCUMENT #1639763 AND A CERTIFICATE OF CORRECTION THEREOF RECORDED DECEMBER 14, 1956 AS DOCUMENT NUMBER 1713481, IN COOK COUNTY, ILLINOIS.

AND THE NORTH HALF OF VACATED COMMERCIAL DRIVE PER DOCUMENT NUMBER 1710229005 DATED APRIL 12, 2017, IN COOK COUNTY, ILLINOIS



ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF.
NO DIMENSIONS TO BE ASSUMED FROM SCALING.

COMPARE YOUR DESCRIPTION AND SITE MARKINGS WITH THIS PLAT
AND AT ONCE REPORT ANY DISCREPANCIES WHICH YOU MAY FIND.

ONLY THOSE BUILDING LINE RESTRICTIONS OR EASEMENTS SHOWN ON
A RECORDED SUBDIVISION PLAT ARE SHOWN HEREON UNLESS THE
DESCRIPTIONS ORDERED TO BE SURVEYED CONTAINS A PROPER
DESCRIPTION OF THE REQUIRED BUILDING LINES OR EASEMENTS.

LEGEND

(M) MEASURED
(R) RECORD

IG CONSULTING, INC.
e-mail: ig@igconsulting.net

INFRACON & GEOCON
CONSULTING CIVIL ENGINEERS & LAND SURVEYORS
300 MARQUARDT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 | FAX (847) 215-1177

PREPARED FOR: PETE'S PERFECTION PLUS SCALE: 1"=20'
FIELD CREW: D.J. FIELD WORK: 11/03/2017 DRAFTED BY: S.R.M. CHECKED BY: *ALL*

STATE OF ILLINOIS S.S.
COUNTY OF COOK
THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS MINIMUM STANDARDS OF
PRACTICE APPLICABLE FOR A BOUNDARY SURVEY.
WHEELING, IL. NOVEMBER 06th A.D. 2017.

BY: *ALL*
ILLINOIS PROFESSIONAL LAND SURVEYOR #3681
LICENSE EXPIRES NOVEMBER 30, 2018



1. CALL TO ORDER

Chairman Ruffatto called the meeting to order at 6:30 p.m. on Thursday, November 30, 2017.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Blinova, Creech, Dorband, Johnson, Kalis, Powers and Ruffatto. Also present were Andrew Jennings, Director of Community Development, Brooke Jones, Associate Planner and Mallory Milluzzi, Village Attorney.

4. CHANGES TO THE AGENDA - None

5. CITIZEN CONCERNS AND COMMENTS - None

6. CONSENT ITEMS - None

7. ITEMS FOR REVIEW - None

8. OTHER BUSINESS

A) Workshop Regarding the Plan Commission Role and Responsibilities and Other Planning and Zoning Topics

Mr. Jennings explained that every couple of years a workshop was held to focus on the role of the Plan Commission and Commissioners. A lot of the discussions have been on the legal background for the reviews done by the Commission and the advice from the attorneys on how to handle the reviews and findings of fact. Staff thought of a different approach for this year's workshop so they found an outside group who could help the Plan Commission with more of a practical aspect of being a Plan Commissioner.

Ms. Jones introduced the representatives from the Chaddick Institute, DePaul University, Laurie Marston, FAICP and Andy Cross. They have hosted similar workshops in dozens of communities.

Ms. Marston reported that this was the 77th or 78th workshop they had done. They started the program in 2011 and is done jointly by the Illinois Chapter of the American Planning

Association and the Chaddick Institute of DePaul University. They find the workshops are most successful if the group gets involved in the discussion. Ms. Marston referred to the three handouts that were distributed - PowerPoint presentation, general background and an anonymous evaluation.

Mr. Andy Cross introduced himself. He is a city planner in Highland Park and has been a planner for about 15 years. He started as a planner in Minnesota and has been with Highland Park for 9 years.

Ms. Marston is from the Chaddick Institute of DePaul and is a planning consultant. She spent the first 20 years of her career as a public sector planner. Her last position was the community development director for the Village of Wilmette. She also served as a citizen volunteer planner on the Evanston Plan Commission.

The Plan Commissioners introduced themselves.

Ms. Marston started the presentation.

The Comprehensive Plan is a vision for the Village's future. The difference between the Comprehensive Plan and the Zoning Ordinance is that the Comprehensive Plan will tell the general future policy and the Zoning Ordinance is much more specific and is looking at the current situation. They should be somewhat consistent but don't have to be identical.

When developing a plan, it is always important to get the public involved so they understand what is in the plan and can provide input in developing the plan. When the public is engaged in developing or amending the plan, they will feel ownership and more likely to participate and help move the Village forward.

There are different ways to implement a Comprehensive Plan. There are the big picture policy issues, attraction, retention, financial tools, TIF Districts and revising the plan when needed. A completely built up community with virtually no land available for development or redevelopment doesn't need to update the plan as often as a greenfield community. When there is a sense that the plan is no longer serving the Village's purposes, an amendment is done to the plan.

Chairman Ruffatto questioned the influence the Plan Commission has on the TIF Districts. Ms. Marston explained it was typical where the Plan Commission looks at the land uses around town and the EDC or Village Board is more involved in the financial issues. The financial tools are still a way to help implement the plan even if the Plan Commission is not intimately involved in working on the financial tools.

Commissioner Creech referred to a previous discussion regarding an amendment to the Comprehensive Plan. Mr. Jennings explained it had been discussed at the joint meeting with the Board and there was consensus from both groups to look at an update to the Town Center area. He confirmed an update was on the horizon.

Ms. Marston noted that at times the updates were done in house by staff or by hired consultants.

Mr. Cross referred to the Comprehensive Plan and explained that the development regulations help the Village. There are different layers of development regulations. The Zoning Ordinance starts broad and then the Building Code ensures safe development and structure within the Zoning Districts. Design guidelines guide the Building Codes. The goal of the regulations is to provide a clear structure for development. When there is a clear structure in place and objective codes that are applied consistently, that can help shape development and help the Plan Commission work within the framework of the development regulations. It facilitates positive development in the Village. Mr. Cross explained that predictability was huge and Staff's job is to facilitate the predictable execution of the plan and help the Plan Commission carry it out.

Mr. Cross explained the bottom line was that there was no right or wrong answer. The tools can be shaped by the Commission and Staff to be as effective as they can and respond to local concerns. There are legal limitations for development regulations but they can be catered to respond to localized needs.

The Zoning Ordinance is to protect the homeowner. It limits what the neighbor can do on their property so your property value is protected and continues to grow. The Zoning Ordinance is a protector and not a limiter.

The Zoning Code is a broad document. It regulates what can be done on land and the intensity of the use. There are different zoning districts that help developers with expectations. The Zoning Ordinance helps set expectations in the different areas. Zoning approvals include text and map amendments. When the Zoning Code doesn't reflect the Comprehensive Plan's visions, a change is done to make the tool of the Zoning Code more accurately reflect the visions of the Comprehensive Plan.

Permitted uses are allowed. Variations respect the spirit of the Zoning Code but allow it to adapt to a new scenario or new situation. When there are repeated variation requests to a part of the Zoning Code, it is time to revisit it. A Zoning Code is a living document and is meant to further the vision of the Plan Commission and the Village's leadership.

Special Uses are a way to broaden what can be done in a Zoning District but still put conditions on it.

Planned Unit Developments are a powerful tool and allow a customized Zoning Code to operate on a very case by case basis but still respecting the surrounding area.

Special Uses in Planned Developments can incorporate conditions that need to be associated with the property. Conditions can come in very handy for Special Uses to relate to the scale.

A Planned Unit Development is a great tool because it is great for the development community because they can customize the Village's Zoning Code to their project. It also gives the Village a chance to look at it to see how it can benefit the area around it. If variations are incorporated to the Zoning Code as part of a Planned Development, it gives the Plan Commission and

Village's leadership a chance to say OK but can discuss limitations.

Mr. Cross explained the Plan Commission looks at a project in light of the Zoning Code and tools. It is OK for Plan Commissioners to have feelings about a project since they are dedicated members of the community. However, when they accept the responsibility of being a citizen planner, a broader range of responsibilities is also accepted. The project should be viewed through the established tools. If the conversation becomes that the Commission just doesn't like it, it becomes a dead-end. It doesn't tell the development community where to go and it doesn't further the dialogue. If the Commission states that they are not comfortable with the density in the multi-family zoning district it's a broader discussion. It is important to keep in mind as citizen planners, the role is to use the established development regulations in place to evaluate projects and rely less on their own feelings.

It is important to discuss the land uses allowed in the Zoning District. When discussing a multi-family project, it is OK to discuss site plan but if a project is multi-family and meets the underlying land uses in the Zoning District that are allowed and it doesn't matter if it's rental or owner occupied. You can ask the developer if they plan to rent or sell them but it isn't something that should form the discussion of the standards because if the sales model doesn't work out it could change.

Chairman Ruffatto referred to maintenance issues and asked for Mr. Cross to expound on it. Chairman Ruffatto gave an example of a petitioner coming in front of the Plan Commission and is requesting a building addition but their landscape had not been kept up-to-date per their landscaping plan. Chairman Ruffatto questioned if the Commission could discuss maintenance issues. Mr. Cross explained if there were ongoing property maintenance issues on a property, there is an existing mechanism to work with it. It can be discussed as a concern of the Commission with the intent to work with Staff on an enforcement case moving forward. When discussing a variation, the standards for it don't include property maintenance or fulfilling previous obligations. The variance decision should be based on a hardship impact on neighboring properties but it can be made clear that the Commission is aware and concerned about the maintenance of the property.

Commissioner Kalis questioned if the track record of a petitioner could change a Commissioner's view on a variation. Mr. Cross confirmed it would not be the time to handle the maintenance issue. Ms. Marston explained a Plan Commissioner can state the issues and make sure it is completely reflected in the record that is being sent to the Village Board and then make the decision in front of the Commission. The Village Board could then decide to table it for another meeting or two until the owner has replanted the missing landscaping and shown good faith. The Village Board has more latitude with it than the Plan Commission.

Commissioner Johnson referred to the interior design bullet and mentioned that the Commission had reviewed interiors in the past. Mr. Jennings mentioned that Staff had discussed it with Ms. Marston prior to setting up the workshop. He explained the way the Village handled a Special Use application where there was a relationship between the interior and the standards for a Special Use. The Village has been somewhat lenient in allowing it to be part of the record that the Plan Commission is making. The Village has always adopted the philosophy that if the

interior had some concerns that were related directly to the standards of the Special Use, a review of the floor plan where it makes sense was appropriate. Some things may need to be adjusted in the future.

Ms. Marston explained sometimes the developer or the retailer may provide the interior layout. She agreed there were times where there was a connection between the interior of the building and the site plan. If there is a security issue, Staff could ask the Police Department to review it.

Commissioner Powers mentioned there were times when the seating was reviewed for a restaurant use and how it would impact parking. Ms. Marston explained the number of seats was a concern relating to the number of parking. How the restaurant laid out the seating within the restaurant was not a concern for the Plan Commission since it was more of an operational decision.

Mr. Cross questioned if there was an established Sign Code with a buy right sign program. Mr. Jennings confirmed there was an appearance review for every sign. Mr. Cross explained that signs were a huge part of municipal planning. It is important for Commissioners to protect and uphold the public realm and allow the business community to feel they will have effective signage.

In reply to Chairman Ruffatto's question, Ms. Milluzzi explained by right meant a sign was automatically approved if it met the code. The Village of Wheeling did not have it.

Chairman Ruffatto referred to the maintenance issue and explained the Commission had always looked it has a hammer to ensure that the petitioner was adhering to what had been approved in the past. Conditions have been added to the approvals that go to the Village Board. He was not in favor of stopping it.

Mr. Jennings explained the discussion of the tradeoff between density that may exceed what the Code allows and what happens on the ground was part of the PUD. Ms. Milluzzi explained it was a unique and specialized zoning procedure versus a Special Use or variation. PUDs are negotiated and not allowed by right.

Commissioner Creech believes there should be some flexibility or tradeoff.

Ms. Marston explained that some communities require a bond from the petitioner before the owner gets the building permit to make sure the landscaping gets installed and stays healthy.

Ms. Marston reiterated that the record should include that the petitioner had not done what they were suppose to do since the Village Board has a little more latitude on how they review the project. The Plan Commission is limited to the standards of review in the zoning ordinance. Mr. Cross explained it was a recommendation from the Commission to the Village Board and not a condition.

Commissioner Powers mentioned conditions of parking lots were also a big issue. Chairman Ruffatto referred to a recent Special Use for a limousine company that had a parking lot in

horrible shape. A condition was added to reseal and restripe the parking lot. Ms. Marston explained if it was a new use going into the site then it was very reasonable.

Mr. Cross explained that a lot of times it was tough to tie into the use.

Ms. Marston explained for the limousine company, the Plan Commission could say they would approve the Special Use but were directing staff not to issue the building permit until the parking lot situation was addressed. This is possible because it was clearly related to the use. She explained you need to be careful to not get into a situation that was not legally defensible.

Commissioner Johnson questioned if a lot of the current conditions should be listed as recommendations directed to the Village Board. Mr. Cross agreed unless there was a real rational nexus between the condition and the zoning petition.

Ms. Marston asked for questions. Chairman Ruffatto mentioned the issue with maintenance was usually with existing properties and not new developments. Ms. Marston explained property maintenance was ultimately a code enforcement issue and would involve staff time. If the adjudication is done in house locally it saves staff time.

The Plan Commission has the luxury of looking at more long-term horizon than anyone else in the Village. They also have the luxury of looking at the Village as a whole. The Village Board looks at public safety, public works, capital improvements, budgeting, risk management, personnel all of which is important to the running of a well managed village.

The role of the Plan Commission was to prepare plans for the future of the community and preserve property values. A developer sometimes has to go through three separate bodies to get approval and in Wheeling it is normally just one Plan Commission meeting. Part of the roll is also to keep informed about the Village's issues and to keep up with current tools and techniques. Ms. Marston mentioned that the National APA had a lot of publications and Webinars. She suggested that the Commission go back and look at a project after completion to help with similar projects in the future.

The elected officials in Wheeling are the final authority on the land use matters. They provide policy direction from time-to-time. They also appoint qualified members to the Commission.

CMAA is the regional planning agency. It addresses regional issues - rails, roads, air quality, water supply, etc. GO TO 2040 is the current regional plan with an expectation to adopt GO TO 2050 in 2018. CMAA can only make recommendations. The authority for land use issues is at the municipal level. Chairman Ruffatto mentioned that the Commission had used CMAA a couple of times.

The role of the planner works with citizens to explain the process of planning and can guide them through the codes and hearings.

The Staff Report provides information to the Commission regarding the basic facts of the case, any background issues, Comprehensive Plan objectives, Zoning Ordinance requirements and the

standards of review.

Mr. Jennings referred to the role of the Staff recommendation. He explained that over the years they have gone back and forth between the Staff making recommendations that were purely neutral and the Plan Commission may wish to review the following. There have been time periods where the Staff recommendation had been much stronger...Staff recommends this should be denied/approved and then there have been times Staff stays neutral. He asked if there was a best practice. Ms. Marston confirmed it was an issue everywhere so there has been a lot of debate within the profession about how to do it best. Some people say since the Staff are the professionals, there should be a positive or negative recommendation in the Staff Report. The other side is if Staff recommends approval of a project and ultimately if the Village Board denies it and the applicant decides to litigate, Staff would be the first to be called to the witness stand. Mr. Cross mentioned the best and most powerful tool is that the Staff recommends and the Plan Commission considers the project on its merits and refers to the standards above. Ms. Marston and Mr. Cross both agree that phone conversations with the Village Staff can be helpful.

Mr. Cross noted that the Village Attorney was a great resource. It is not the Commission's role to make everybody happy. He explained that meetings at times can get unruly but it was imperative that courtesy be shown.

Developer's Role – Development in the Village was not done by the city very often. It is done by the outside development community. The development needs to provide good information. Staff planners work to get the information out there. Some developers are not good at providing it or unwilling to provide it. Information received the day of the meeting or brought to the meeting will not work. Mr. Cross explained the Chair can accept it but the Commission should not take time to review it at the meeting. He suggested if new information was brought to a meeting it was OK to say that the Commission wants Staff to review it and bring it to the next meeting. The Commission can then request Staff to give a report on it at the next meeting. If the Commission was not comfortable with the answers they were getting from the developers, it was OK to say that they were not comfortable with the answers they were getting.

Commissioner Creech questioned if a Commissioner could inform the Chairman that they were uncomfortable with something coming up at the last minute or didn't understand something. Mr. Cross agreed a Commissioner could refer to the Chair or explain their concerns to the developer and tell them that they were uncomfortable and wanted more information.

The developer is responsible for knowing the Village's rules and coming to the Village informed about their code. It is not up to Village Staff to inform a petitioner of all of the rules.

Developers work in different communities so having information online and accessible was helpful and necessary.

It is part of the Plan Commission and Staff's job to help a development be successful and help a profit be reasonable in a return on investment but at the same time look out for the public interest.

Mr. Jennings referred to the Plan Commission's joint meeting with the Village Board. The gap in this process is currently being addressed. Mr. Jennings wants to know how to fix the PUD process to insert some predictability so that the finance side doesn't walk away halfway through. The Village of Wheeling does not have the Staff time available to analyze it and make a thorough recommendation. How can enough predictability be added to the density side of the land use review process so that the financial side stays in through the whole 6-9 month PUD. Mr. Cross explained that when a multi-family zoning district allows a certain density that should be the expectation of the developer but it should also be the expectation of the Plan Commission to allow the density.

Mr. Jennings explained the Village had an issue that was somewhat unique to Wheeling. The issue is how to determine predictability when developments were going to need roads. Wheeling does not have a grid. He referred to a panel he was on at Chaddick along with a planner from Oak Park and two developers. The developer's take on predictability of density in a development was he called the town to determine the number of units he could get and closed on the financing immediately and built the development. It compares to a year long discussion at the Village of Wheeling. He wants to be able to figure out how to take a large site with no streets and turn it into predictability so they can attract the caliber of developer that was easily navigating the code elsewhere.

Ms. Marston provided an example when a developer comes to the Village and provides the amount of money they paid for the land and tells the Village the number of units they need but it was higher than the Code allows. She suggested responding with "The value of the land is determined by the market and zoning and if they chose to go ahead and overpay for the land ignoring the zoning, they're sorry but the large variation would not be granted." Ms. Milluzzi stated the example in Wheeling was a PUD.

Mr. Jennings reported the Mixed Use Districts is where all of the developments were currently being built. The MX Districts have a PUD requirement at a certain acre. Everything is a PUD in the Town Center area. There is the demand for it but he questioned how to handle the demand. It is a challenge for the Village.

Responsibilities of members of the Commission – The Commissioners should read the packet prior to the meeting. Ms. Marston suggested visiting the site. Know the ordinance and call Staff with any questions prior to the public hearing. Make sure the Commission understands the proposal prior to voting on it. If it is not clear, keep asking questions. All comments should be on the record made at the Public Hearing so that everybody in the room understands the reason the decision was made. A comment does not need to be repeated if another Commissioner had already made it. Discussions with the members of the Commission should only happen at the public hearing. There should be no discussion prior to the meeting. It needs to be on the record. The Chair is the most important person at the meeting. Make sure people at the meeting are given the opportunity to provide their comments. Focusing the discussion on the topic at hand and not allowing comments that were not relevant to the petition.

Mr. Cross mentioned that the Chair in Highland Park announces that they will limit comments to 3-5 minutes and doesn't allow any repetitive comments. Ms. Marston suggested being flexible

on the timeframe if someone speaking is representing a group or if they are speaking as an expert. Chairman Ruffatto explained the public is required to sign in prior to the Plan Commission meetings in Wheeling. Ms. Milluzzi reported that only in the case of anticipated large hearings have rules been adopted.

Ms. Marston suggested having the Chair explain the process and rules at the beginning of a big meeting. There should be a set procedure for the meeting. Sometimes the petitioner or staff will go first, then the public will provide testimony or questions and then the Commission members will ask their questions of the developer and then discuss amongst themselves on the record. Just before the vote, the Chair very briefly restates the request. Mr. Jennings explained the way the Village of Wheeling's Plan Commission runs a hearing. The practice of the Commission has been for the Commission discussion and questions to happen after the public has had their opportunity. Ms. Milluzzi stated the hearing is not closed until after the vote in case additional questions come up. The public portion is closed after they have made their comment. Ms. Marston confirmed the Village of Wheeling's process was perfectly OK.

Mr. Cross asked if the Commission had completed the Open Meetings Act training. Ms. Milluzzi reminded the new Commissioners to complete it.

Mr. Cross warned the Commission to be aware of talking about items on an agenda outside of a meeting.

Ms. Milluzzi reminded the Commission not to reply to all in e-mails. Two can talk about Plan Commission business without being an Open Meetings Act violation. More than two, will be a violation. Mr. Cross suggested blind copying the Commission. Ms. Milluzzi confirmed that is also done in Wheeling.

Findings of Fact – Ms. Jones confirmed there was a response to the standards in the Staff Report. The Findings of Fact include the standards and the summary minutes taken by the Staff Secretary. Mr. Cross stated the best way to memorialize the Plan Commission's recommendation to the Village Board is through the Findings of Fact.

Ms. Marston referred to a case (LaSalle National Bank) in Illinois from 60 years ago that went to the Illinois Supreme Court and it involved Cook County. The Supreme Court of Illinois found that zoning was constitutional and can't be arbitrary and capricious and it has to relate to the health, moral, safety and general welfare of the public.

Special Uses were OK to have in a particular Zoning District but the Plan Commission should review certain things about them because it could have an impact on surrounding properties. One of the standards for a Special Use is "It will not impact the essential character of the locality". Ms. Marston provided a hypothetical example – There is a new use going into an existing space and an existing shopping center. The shopping center already has adequate utilities, parking and access and the particular retail use is compatible with the other retail restaurant and office uses in the center.

Ms. Marston referred to one of the standards for Special Use – Parking areas shall be of adequate

size and for the particular use, properly located, and suitably screened from adjoining residential uses and the entrance and exit drives shall be laid out to prevent traffic hazards and nuisances. Ms. Marston provided a hypothetical example – The place of worship had been in the area for many years but the new parking lot will remove parked cars from the public street and worshippers will not have to cross the busy street to get to the place of worship. The parking lot would be adequately screened with landscaping and the lighting will be correctly aimed and shielded from the adjacent residential properties.

Variations provide relief from the requirements in the Zoning Ordinance. It typically relates to a number. Use variations are prohibited. A single family neighborhood with a use that is permitted and someone wants to build a car wash, a use variation cannot be granted because the use would be changing in the Zoning District. The only way a use can be changed is to amend the Zoning Ordinance. Mr. Cross agreed and mentioned that land use can't be changed on a variation.

Ms. Marston referred to the first standard of Wheeling's Zoning Ordinance that relates to present actual physical conditions on the piece of land being discussed and it creates a difficulty or hardship as distinguished from an inconvenience. It is often hard for the petitioner to understand that it is just an inconvenience and not a difficulty or hardship. Ms. Marston provided a hypothetical example – There is a stand of mature oak trees on a particular property involved so the petitioner because of the oak trees cannot put their addition in a conforming location. Having a whole stand of mature oak trees is unusual and unique and creates a difficulty or hardship for the petitioner.

Ms. Marston referred to another standard – the conditions are exceptional, extraordinary and are unusual that would not apply to a bunch of other lots in the particular zoning district. A hypothetical example – There is a property with a rear yard is sloping down to a creek that adjoins the Forest Preserve District. There is not enough flat land on the particular lot to actually build the house so the Commission might grant a small front yard variation to allow the house to be a little closer to the street than normally would be allowed.

Ms. Marston referred to another standard – the conditions that were creating the difficulty or hardship were not caused by the applicant. A hypothetical example – A person bought the house, the house was built before the current Zoning Ordinance and so now the house was currently non-conforming. In order to build their addition, they would need a variation. They are not doing it because it was just an inconvenience but there was something that happened on the lot before they owned it that was creating the difficulty or hardship.

Mr. Cross explained that a financial concern was not a hardship.

Conflicts of Interest – Mr. Cross explained that sometimes there was a gray area. When in doubt, discuss it with Staff. Mr. Cross explained if there was a conflict of interest, the Commissioner would recuse themselves. It is standard and not a sign of weakness. Mr. Cross stated that perception was everything. Commissioner Kalis questioned if he could excuse himself during the middle of a meeting if he recognized someone. Mr. Cross explained there were standards for a conflict of interest. Just because you know someone, doesn't make it a

conflict of interest. Commissioner Kalis mentioned he may know some of the developers because of his business as a realtor. Mr. Cross suggested announcing the relationship on the record but stating that there was no financial interest.

When is it not a conflict of interest - Mr. Jennings asked about "Request from organization in which you are a member versus a homeowner association where you are a part owner". Ms. Marston explained there would be a conflict if you were an employee or someone building the particular building. She felt there may not be a financial gain for a homeowner association. Ms. Milluzzi felt if the Commissioner was a board member in the homeowner association thus making the decisions she would advise to recuse.

Ethics – Ms. Marston reported that the State statute and information in the Village Code controls the ethics. Both apply to elected officials and appointed officials. They limit gifts and certain political activities. There are times when petitioners or staff may have confidential information. The Commissioners are prohibited from disclosing the confidential information or using the information for personal gain.

Ms. Marston reported that EPA has a short document on ethical principals in planning. The National EPA website is planning.org.

Ms. Marston personally felt it was terrific that the Village makes sure that the Village Attorney attends the meetings. She mentioned there were many communities that don't do it.

Open Meetings Act – Ms. Marston warned the Commission to be careful if texting during a meeting. If something happens and there is a lawsuit, they can ask to see all of the texts that were sent during a public hearing.

There is a difference between a public hearing and a public meeting. The workshop is a public meeting but when discussing a particular case for a specific parcel of land it is a public hearing. Both are covered by the Open Meetings Act.

Ms. Marston provided a list of websites. She mentioned Pete Pointner who is an architect, engineer and planner and is well recorded in the professional field. Mr. Jennings thought the Village's law firm had used him in the past.

The Commission thanked the guests.

9. APPROVAL OF MINUTES - None

10. ADJOURNMENT

Commissioner Johnson moved, seconded by Commissioner Powers to adjourn the meeting at 8:50 p.m. All were in favor on a unanimous voice vote and the meeting was adjourned.

**Wheeling Plan Commission
Special Meeting**

November 30, 2017

Respectfully submitted,

Steve Powers, Secretary
Wheeling Plan Commission

**DISTRIBUTED TO THE COMMISSION 12.15.2017
FOR APPROVAL ON 12.21.2017**

1. CALL TO ORDER

Chairman Ruffatto called the meeting to order at 6:30 p.m. on Thursday, December 7, 2017.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Blinova, Creech, Dorband, Powers and Ruffatto. Commissioners Johnson and Kalis were absent with prior notice. Also present were Brooke Jones, Senior Planner and Mallory Milluzzi, Village Attorney.

4. CHANGES TO THE AGENDA

Ms. Jones reported letters B, C and D under “Items for Review” were all related to the Town Center project. Staff received the submittals late for each of the projects and they all had inconsistencies. Staff had concerns and is recommending that each of the Special Uses associated with the dockets be continued to a later date and that the item related to site plan and appearance review be tabled.

5. CITIZEN CONCERNS AND COMMENTS

Commissioner Powers read the following statement aloud.

Members of the general public may address the Plan Commission with concerns or comments regarding issues relative to the Plan Commission’s agenda or topics that the Plan Commission has the authority pursuant to the Village Code to address. The Chairperson or his or her designee shall strictly restrain comments to matters that are relevant to the Plan Commission’s business and shall not permit repetitious comments or arguments. Members of the general public who wish to address the Plan Commission must sign the request to speak from the forum prior to the commencement of the public meeting. The person submitting a petition, concern or other comment shall be allowed 5 minutes to present their points.

From the audience, Mr. Terry Steilen, 473 Briarwood Drive, Wheeling came forward. Chairman Ruffatto reminded Mr. Steilen that he had 5 minutes to speak.

Mr. Steilen mentioned he was the president of the Wheeling Historical Society. He reminded the citizens of the Village that Lollipop Lane was open through Sunday, December 10th. It is open from 6:00 – 8:00 p.m. during the week and from 2:00 – 5:00 p.m. on Saturday and Sunday. There is no charge.

Mr. Steilen mentioned that he was a former Plan Commissioner for 30+ years. He provided commentary about the history of the Plan Commission. He mentioned that 30 years ago the Plan Commission didn’t do recommendations, requirements or conditions. They stated what they wanted

and requested that the plans were updated. Over time, it got to be business unfriendly since it took the petitioner a long time to redo the plans so the Plan Commission decided to start making recommendations. The recommendations were OK but after a year, they discovered nothing was done with all of the recommendations that were made. The minutes didn't always include the recommendations. The Plan Commission changed course over time and started doing requirements.

They mandated that the requirements be documented in the minutes. Unfortunately, they found out along the way that the requirements were not enforceable even if the petitioner was in agreement. The Plan Commission then had the petitioner sign the requirements but it wasn't too enforceable. The Plan Commission then moved on to conditions per the request of Village Attorney Jim Ferolo. The conditions are signed and should be made as part of the ordinance submitted to the Village Board.

Chairman Ruffatto gave Mr. Steilen an additional 2 minutes after the 5 minutes had ended.

Mr. Steilen explained that his point was that it took 30 years to come up with a system that worked. It was his understanding that there was recent discussion of getting away from conditions. He recommended that the Plan Commission consider discussing about it.

Chairman Ruffatto agreed to address it under "Other Business".

6. CONSENT ITEMS

- A) [Docket No. SCBA 17-45](#)
Hawk Research Labs
7150 Capitol Drive
Appearance Approval of a Wall Sign
- B) [Docket No. SCBA 17-46](#)
Promise and Fulfillment Church
5260-6300 Capitol Drive
Appearance Approval of Wall Signs
- C) [Docket No. SCBA 17-47](#)
ATR Transmission
1910 Noel Avenue
Appearance Approval of a Wall Sign

Commissioner Dorband moved, seconded by Commissioner Creech to approve the following consent items.

Approve SCBA 17-45, granting appearance approval for a wall sign as indicated in the sign plan submitted November 21, 2017, for Hawk Research Labs, located at 7150 Capitol Drive, Wheeling, Illinois.

Approve SCBA 17-46, granting appearance approval for two wall signs as indicated in the sign plans submitted November 27, 2017, for Promise and Fulfillment Church, located at 5260-6300 Capitol Drive, Wheeling, Illinois.

Approve SCBA 17-47, granting appearance approval for a wall sign as indicated in the sign plan submitted November 22, 2017, for ATR Transmission Remanufacturing, Inc., located at 1019 Noel Avenue, Wheeling, Illinois.

On the roll call, the vote was as follows:

AYES: Commissioners Blinova, Creech, Dorband, Powers, Ruffatto
NAYS: None
ABSENT: Commissioners Johnson and Kalis
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

7. ITEMS FOR REVIEW

- A) [Docket No. PC 17-20](#)
Allstate
100 E. Palatine Road
Minor Site Plan & Appearance Approval of a Canopy

Mr. Jeffrey Schroeder, Sr. Manager, Architect, Allstate, 3075 Sanders Road, Northbrook, IL and Mr. Donn Boekeloo, Chesterfield Awning were present.

Mr. Schroeder stated that the building located at 100 E. Palatine Road was used for agent training. They are proposing the canopy for weather protection for the agents.

Mr. Boekeloo explained they were building an aluminum welded frame structure that will have a vinyl fabric. It will include 2" posts at the shed frame with 3" posts used at the gable.

Ms. Jones provided a sample of the vinyl fabric. She confirmed the data sheets had been provided to the Fire Department for review.

Commissioner Blinova had no comments or questions.

Commissioner Powers questioned the material for the posts. Mr. Boekeloo confirmed they will be 2" square aluminum. They have precast fittings that will be drilled into the sidewalk and anchored with 3/8" lag shields and anchor bolts.

Commissioner Dorband had no comments or questions.

Commissioner Creech questioned if sprinkling was required for the canopy. Ms. Jones confirmed the Fire Department's memo indicated that fire sprinkling was required. Mr. Boekeloo was not aware of the requirement and stated that they had been doing exterior awnings for a long time and had never come across that an outdoor canopy required sprinkling. Chairman Ruffatto noted it was the Village's Fire Code and was included in the Staff Report. Ms. Jones stated it was not up for

debate.

Commissioner Creech questioned if lighting would be provided underneath the canopy. Mr. Boekeloo stated that he had been working with the petitioner's maintenance department and they are going to move the existing building lights below the canopy to illuminate the walkway.

Commissioner Powers moved, seconded by Commissioner Dorband to approve Docket No. PC 17-20 to grant minor site plan and appearance approval to install a canopy in accordance with the following exhibits submitted November 20, 2017 for Allstate, located at 100 E. Palatine Road, Wheeling, Illinois:

- Canopy sketch, and
- Elevation and site plans, Sheet A100.

And subject to the following condition of approval:

1. That the construction of the canopy shall comply with the Village's Building and Fire Prevention Codes, which includes fire sprinkler protection.

On the roll call, the vote was as follows:

AYES: Commissioners Blinova, Creech, Dorband, Powers, Ruffatto
NAYS: None
ABSENT: Commissioners Johnson and Kalis
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

- B)** [Docket No. 2017-16](#)
 City Works Eatery and Pour House
 Lot 8 (Building H1) of the Wheeling Town Center Subdivision (address to be
 determined)
 Special Use-Site Plan Approval for a Sit-Down Restaurant

Commissioner Creech moved, seconded by Commissioner Powers to continue Docket No. 2017-16 to January 11, 2018.

On the roll call, the vote was as follows:

AYES: Commissioners Blinova, Creech, Dorband, Powers, Ruffatto
NAYS: None
ABSENT: Commissioners Johnson and Kalis
PRESENT: None
ABSTAIN: None

December 7, 2017

C) [Docket No. 2017-17](#)
Starbucks
Lot 2 (Building A) of the Wheeling Town Center Subdivision (address to be determined)
Special Use-Site Plan Approval for a Drive-Through Restaurant

AYES: Commissioners Blinova, Creech, Dorband, Powers, Ruffatto
NAYS: None
ABSENT: Commissioners Johnson and Kalis
PRESENT: None
ABSTAIN: None

D) [Docket No. PC 17-19](#)
Wheeling Town Center
Various Lots within the Wheeling Town Center Subdivision (addresses to be determined)
Site Plan & Appearance Approval of Building and Site Modifications

AYES: Commissioners Blinova, Creech, Dorband, Powers, Ruffatto
 NAYS: None
 ABSENT: Commissioners Johnson and Kalis
 PRESENT: None
 ABSTAIN: None

5 of 6

9. OTHER BUSINESS

Ms. Jones reported in light of the recent workshop, Staff had discussed the use of conditions and recommendations. Staff is working on guidelines on how they should be used and how they could be addressed more properly in line with what was learned at the Plan Commission workshop last week.

Chairman Ruffatto mentioned there was a concern that conditions would be completely eliminated. Ms. Jones confirmed they were not being eliminated. Ms. Milluzzi explained the workshop focused a lot on Special Use approval and variations and not site plan. Staff will present better guidelines to the Plan Commission at the next couple of meetings.

Ms. Jones announced that the December 21st meeting will be the final meeting of the year. She will provide the Plan Commission a draft calendar for the 2018 year. The plan is to move back to the regular scheduled meetings on the second and fourth Thursdays of the month until the 2018 holiday season.

Chairman Ruffatto echoed Mr. Steilen's comments about Lollipop Lane. He agreed it was a wonderful setting and the Historical Society did a great job.

10. ADJOURNMENT

Commissioner Dorband moved, seconded by Commissioner Blinova to adjourn the meeting at 6:50 p.m. All were in favor on a unanimous voice vote and the meeting was adjourned.

Respectfully submitted,

Steve Powers, Secretary
Wheeling Plan Commission

**DISTRIBUTED TO THE COMMISSION 12.15.2017
FOR APPROVAL ON 12.21.2017**

Village of Wheeling Public Hearing Calendar - 2018

APPLICATION DEADLINE	PLAN COMMISSION HEARING DATE	VILLAGE BOARD VOTE
December 14, 2017 December 28, 2017	January 11, 2018 January 25, 2018	February 5, 2018 February 5, 2018
January 11, 2018 January 25, 2018	February 8, 2018 February 22, 2018	February 20, 2018 (Tues) March 5, 2018
February 8, 2018 February 22, 2018	March 8, 2018 March 22, 2018	March 19, 2018 April 2, 2018
March 15, 2018 March 29, 2018	April 12, 2018 April 26, 2018	May 7, 2018 May 7, 2018
April 12, 2018 April 26, 2018	May 10, 2018 May 24, 2018	May 21, 2018 June 5, 2018
May 17, 2018 May 31, 2018	June 14, 2018 June 28, 2018	July 2, 2018 July 16, 2018

See reverse for July through December

January

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	⑧	9	10	11	12	13
14	⑮	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February

S	M	T	W	T	F	S
				1	2	3
4	⑤	6	7	8	9	10
11	12	13	14	15	16	17
18	19	⑳	21	22	23	24
25	26	27	28			

March

S	M	T	W	T	F	S
				1	2	3
4	⑤	6	7	8	9	10
11	12	13	14	15	16	17
18	⑱	20	21	22	23	24
25	26	27	28	29	30	31

April

S	M	T	W	T	F	S
1	②	3	4	5	6	7
8	9	10	11	12	13	14
15	⑮	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May

S	M	T	W	T	F	S
		1	2	3	4	5
6	⑦	8	9	10	11	12
13	14	15	16	17	18	19
20	⑳	22	23	24	25	26
27	28	29	30	31		

June

S	M	T	W	T	F	S
					1	2
3	④	5	6	7	8	9
10	11	12	13	14	15	16
17	⑱	19	20	21	22	23
24	25	26	27	28	29	30

- Village Board - regular meeting
- Village Board - workshop meeting (no voting items)

□ Plan Commission meeting

All dates subject to change. Attendance is mandatory at Plan Commission and Board Meetings. Projected schedule based on minimum notice requirement for newspaper and required mailings. Minimum of one week required to process Plan Commission recommendation for Board review.

Village of Wheeling Public Hearing Calendar - 2018

APPLICATION DEADLINE	PLAN COMMISSION HEARING DATE	VILLAGE BOARD VOTE
June 14, 2018 June 28, 2018	July 12, 2018 July 26, 2018	August 6, 2018 August 6, 2018
July 12, 2018 July 26, 2018	August 9, 2018 August 23, 2018	August 20, 2018 September 4, 2018 (Tues)
August 16, 2018 August 30, 2018	September 13, 2018 September 27, 2018	October 1, 2018 October 15, 2018
September 13, 2018 September 27, 2018	October 11, 2018 October 25, 2018	November 5, 2018 November 5, 2018
October 4, 2018 October 18, 2018	November 1, 2018 November 15, 2018	November 19, 2018 December 3, 2018
November 8, 2018 November 20, 2018	December 6, 2018 December 20, 2018	December 17, 2018 January 7, 2019

See reverse for January through June

July

S	M	T	W	T	F	S
1	②	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August

S	M	T	W	T	F	S
			1	2	3	4
5	⑥	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September

S	M	T	W	T	F	S
						1
2	3	④	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October

S	M	T	W	T	F	S
	①	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November

S	M	T	W	T	F	S
				1	2	3
4	⑤	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December

S	M	T	W	T	F	S
						1
2	③	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- Village Board - regular meeting
- Plan Commission meeting
- ⊖ Village Board - workshop meeting (no voting items)

All dates subject to change. Attendance is mandatory at Plan Commission and Board Meetings. Projected schedule based on minimum notice requirement for newspaper and required mailings. Minimum of one week required to process Plan Commission recommendation for Board review.