

**WHEELING PLAN COMMISSION
THURSDAY, MARCH 8, 2018 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. PC 18-4](#)
Wheeling Town Center
351 W. Dundee Road
Approval of Final Plat of Subdivision

- B)** [Docket Nos. 2017-19 A,B,C,D&E](#) (continued from January 25, 2018 without discussion)
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
(2017-19E) Zoning Variations Related to Parking Setback and Minimum Green Space

- C)** [Docket No. 2018-3A&B](#)
Mexico Mufflers and Brakes
1210 N. Elmhurst Road
(2018-3A) Special Use-Site Plan Approval for Light Motor Vehicle Repair
(2018-3B) Zoning Variations Related to Required Parking, Green Space, Building Setback, and Parking Setback

- D)** [Docket No. 2018-4](#)
Wingspan Development

889-903 W. Dundee Road

Concept Review of a Mixed-Use Retail and Residential Planned Unit Development

8. **APPROVAL OF MINUTES** – [February 22, 2018 \(including findings for Docket Nos. 2017-18 and 2018-2\)](#)
9. **OTHER BUSINESS**
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
March 8, 2018
(Attachment to Agenda)**

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.

2018-3A&B Mexico Mufflers and Brakes 4 Less 2, Inc., owner, is seeking the following for the property at 1210 Elmhurst Road, which is zoned B-3 General Commercial and Office District:

- 2018-3 (A)** Variations from Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Section 19.06.010 Commercial District General Requirements, Subsection C(1) Required Off-Street Parking, Section 19.06.040 B-3 General Commercial and Office District, Subsection D(3) Minimum Green Space, Subsection E, Minimum Principal Building Rear Yard Setback and Minimum Parking Setback, and associated sections to establish a light auto repair facility; and
- 2018-3 (B)** Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, in order to establish a light auto repair use.

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

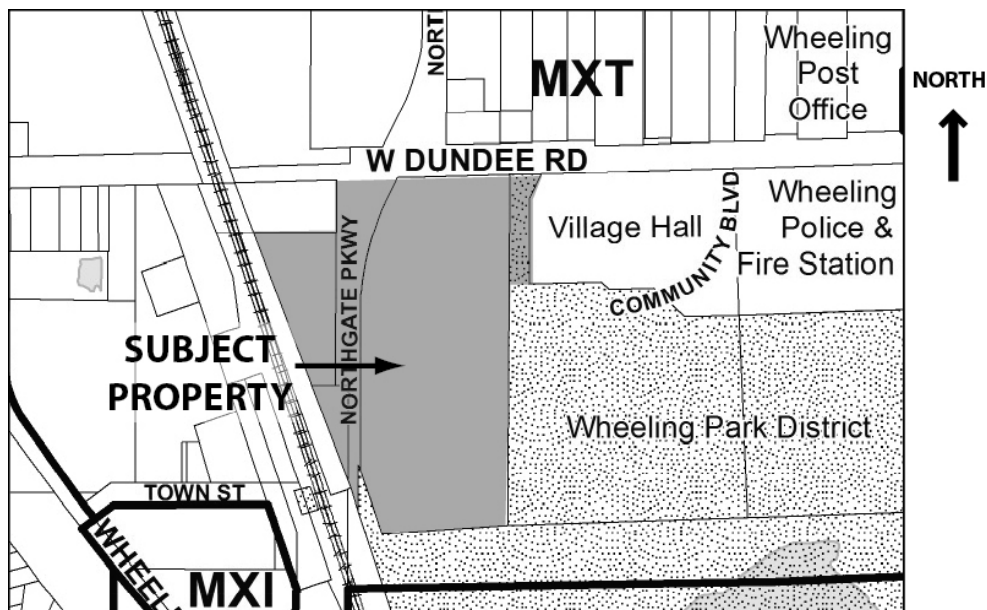
RE: **Docket No. PC 18-4**
Wheeling Town Center
351 W. Dundee Road
Approval of a Final Plat of Subdivision

DATE OF REPORT: March 2, 2018

DATE OF MEETING: March 8, 2018

PROJECT OVERVIEW: The petitioner is requesting approval of a revised Final Plat of Subdivision for the Wheeling Town Center.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Brad Friedman, WTC LLC
<u>Property Owner Name:</u>	Village of Wheeling
<u>Common Property Address:</u>	351 W. Dundee Road
<u>Common Location:</u>	The vacant parcel at 351 W. Dundee Road (former Wicke's Furniture), the commuter parking for the

	Wheeling Metra Station, and the existing right-of-way of Northgate Parkway
<u>Neighboring Property Land Use(s):</u>	North: vacant across Dundee Road & commercial adjacent to Metra lot (Burger King) West: Transportation (Railroad) South: Open Space (Heritage Park) East: Public (Village Hall and Recreation Center)
<u>Comprehensive Plan Designation:</u>	Transit-oriented mixed use
<u>Property size:</u>	Approximately 16.25 acres
<u>Existing Use of Property:</u>	Vacant; Metra parking; Northgate Parkway R-O-W
<u>Proposed Use of Property:</u>	Mixed-Use: apartments (295 units) and retail (100,000 sq. ft.).
<u>Existing Property Zoning:</u>	MXT – Transit-Oriented Mixed Use District
<u>Previous Zoning Action on Property:</u>	
2016-20A	Wheeling Town Center Final PUD, Ordinance No. 5033, passed October 17, 2016.
2016-20B	Special Use-Site Plan approval of a Theater, Ordinance No. 5034, passed October 17, 2016.
PC 16-11	Preliminary Plat of Subdivision for Wheeling Town Center, Resolution No. 16-115, approved October 17, 2016.
PC 17-3	Final Plat of Subdivision for Wheeling Town Center, Resolution No. 16-115, approved May 1, 2017.

DESCRIPTION OF PROPOSAL / BACKGROUND INFORMATION

The petitioner is requesting approval of an amended Final Plat of Subdivision for Wheeling Town Center, which includes 295 residential units and approximately 100,000 square foot of retail space. The Final PUD was originally approved by the Village Board on October 17, 2016. The Final Plat was approved May 1, 2017.

The Final Plat that was approved last year excluded Lot 7 from the subdivision because it was discovered that IDOT owned two slivers of land in what was thought to be exclusively Village controlled Northgate Parkway right-of-way. The rights to Lot 7 have now been transferred from IDOT to the developer. As such, the plat is now being modified to show single ownership of the entire Wheeling Town Center development.

STAFF REVIEW

Engineering Review: The Engineering Division has received the plat and may have comments prior to the Plan Commission meeting.

Staff Recommended Action: Staff suggests approval of the plat.

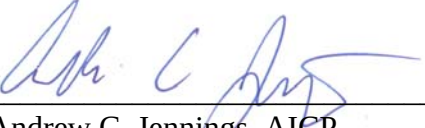
PROPOSED MOTION

If the Plan Commission finds that the petitioner has satisfied the requirements for the granting of Approval of Final Plat of Subdivision, an appropriate motion would be to:

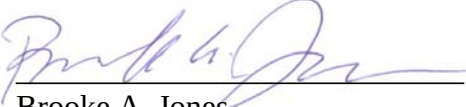
Recommend approval of Docket No. PC 18-4; Final Plat of Subdivision, which is amending the Subdivision for the Wheeling Town Center under Title 17, Planning Subdivisions and Developments as shown on the Preliminary Plat dated February 26, 2018, prepared by Gremley & Biedermann, Illinois Professional Land Surveyor No. 184-005332, on behalf of WTC LLC, for the property consisting of approximately 16.25 acres described as the vacant parcel currently known as 351 W. Dundee Road, the commuter parking lot adjacent to the Wheeling Metra Station, and the right-of-way of Northgate Parkway, located in Wheeling, Illinois,

With the following conditions:

1. That the Plan Commission Chair and Secretary sign the document and forward the recommendation to the corporate authorities for review and consideration.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Jones
Senior Planner

Attachments: [Final Plat of Subdivision, dated 2.26.2018 \(4 sheets\)](#)

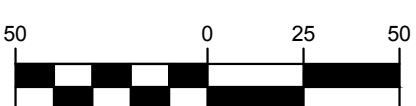


PIN:
03-11-100-021
03-11-100-048
03-10-202-002
03-10-202-003
03-10-202-006

MAIL NEW TAX BILLS TO:

MAIL PLAT TO:
VILLAGE OF WHEELING
255 W. DUNDEE ROAD
WHEELING, ILLINOIS 60090

GRAPHIC SCALE



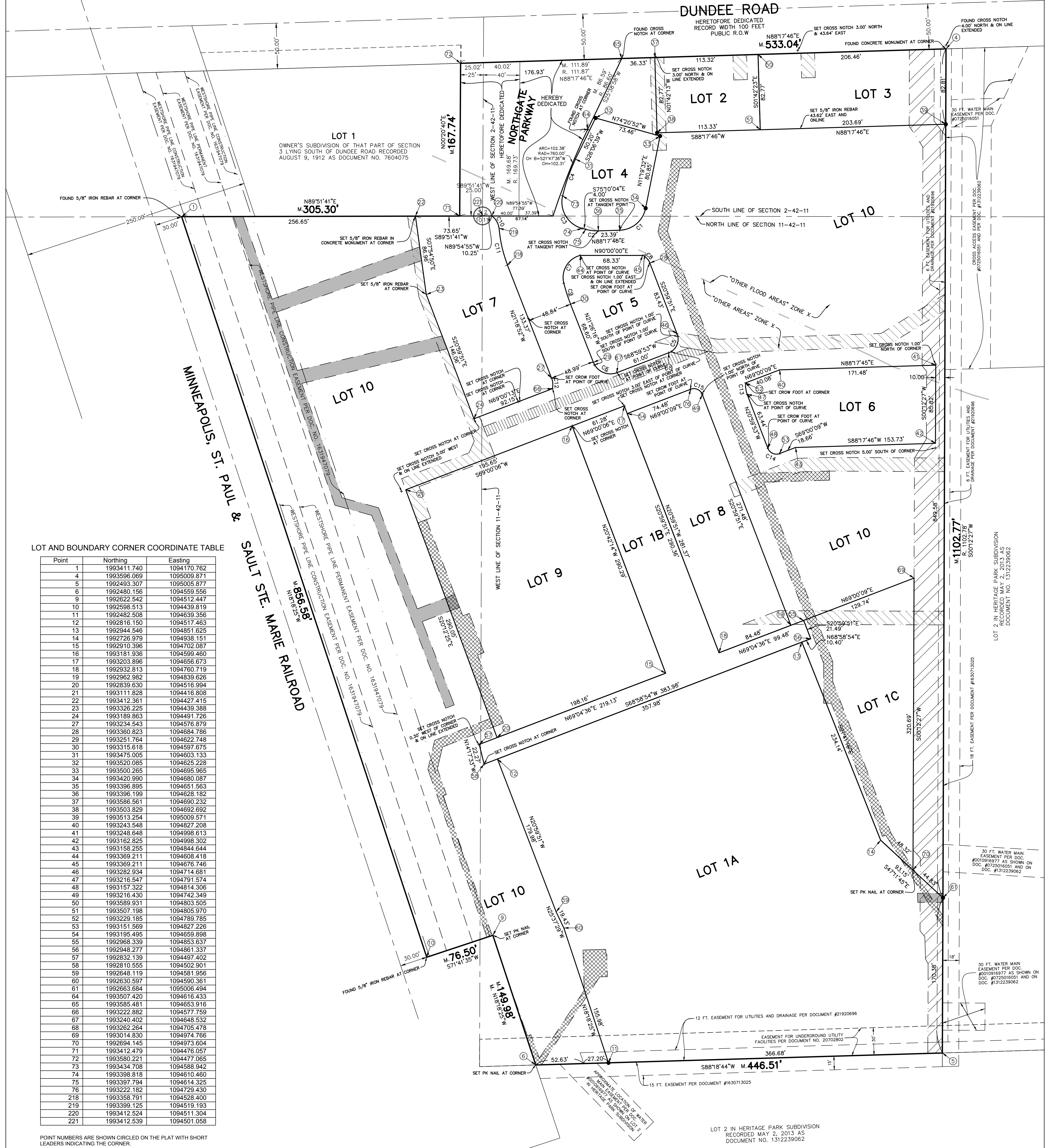
(IN FEET)
1" = 50'

Wheeling Town Center

being a Subdivision in the West 1/2 of the Southwest 1/4 Section 2 and in the East 1/2 of the Southeast 1/4 of Section 3 and in the East 1/2 of the Northeast 1/4 of Section 10 and in the West 1/2 of the Northwest 1/4 of Section 11, all in Township 42 North, Range 11, East of the Third Principal Meridian, Cook County, Illinois.

LOTS CREATED BY THIS SUBDIVISION
SEE PAGE 2 FOR EASEMENT DETAILS
SEE PAGE 3 FOR SURVEY DETAILS

RESERVED FOR THE RECORDER OF DEEDS



LOT AND BOUNDARY CORNER COORDINATE TABLE

Point	Northing	Easting
1	1993411.740	1094170.762
2	1993596.069	1095009.871
3	1992493.307	1095005.877
4	1992490.156	1094560.656
5	1992622.542	1094512.447
6	1992598.513	1094439.819
7	1992482.508	1094639.356
8	1992816.150	1094517.463
9	1992944.546	1094851.625
10	1992726.979	1094938.151
11	1992910.396	1094702.087
12	1993181.936	1094599.460
13	1993203.896	1094656.673
14	1992932.813	1094760.719
15	1992962.982	1094839.626
16	1992839.630	1094516.994
17	1993111.828	1094416.808
18	1993412.361	1094427.415
19	1993326.225	1094439.388
20	1993189.863	1094491.726
21	1993234.543	1094576.879
22	1993360.823	1094684.786
23	1993251.764	1094622.748
24	1993315.618	1094597.675
25	1993475.005	1094603.133
26	1993520.085	1094625.228
27	1993500.265	1094695.965
28	1993420.990	1094680.087
29	1993396.895	1094651.563
30	1993396.199	1094628.182
31	1993586.561	1094690.232
32	1993503.829	1094692.692
33	1993513.254	1095009.571
34	1993243.548	1094827.208
35	1993248.648	1094988.813
36	1993162.825	1094998.302
37	1993158.255	1094844.644
38	1993369.211	1094608.418
39	1993369.211	1094676.746
40	1993282.934	1094714.681
41	1993216.547	1094791.574
42	1993157.322	1094814.306
43	1993216.430	1094742.349
44	1993589.931	1094603.505
45	1993507.198	1094805.970
46	1993229.185	1094789.785
47	1993151.569	1094827.226
48	1993195.495	1094659.898
49	1992968.339	1094853.637
50	1992948.277	1094861.337
51	1992832.139	109497.402
52	1992810.555	1094502.901
53	1992648.119	1094581.956
54	1992630.597	1094590.361
55	1992603.684	1095008.494
56	1993507.420	1094618.433
57	1993585.481	1094653.916
58	1993222.882	1094577.759
59	1993240.402	1094648.532
60	1993262.264	1094705.478
61	1993014.830	1094974.766
62	1992694.145	1094973.604
63	1993412.479	1094476.057
64	1993580.221	1094477.065
65	1993434.708	1094588.942
66	1993398.818	1094610.460
67	1993397.794	1094614.325
68	1993222.182	1094729.430
69	1993358.791	1094528.400
70	1993399.125	1094519.193
71	1993412.524	1094511.304
72	1993412.539	1094501.058

POINT NUMBERS ARE SHOWN CIRCLED ON THE PLAT WITH SHORT LEADERS INDICATING THE CORNER.

SURVEY NOTES:

THIS RESUBDIVISION ADDS PROPERTY TO THE WHEELING TOWN CENTER SUBDIVISION, CHANGES THE GEOMETRY OF LOTS 2, 3 AND 10, CREATES LOT 7 AND EXTENDS THE AT&T EASEMENT OVER PROPERTY THAT WAS ADDED. THE GEOMETRY OF ALL OTHER LOTS AND EASEMENTS ARE THE SAME AS THOSE SHOWN ON THE WHEELING TOWN CENTER SUBDIVISION PLAT.

- SET 5/8" IRON REBAR AT CORNER.

MONUMENTATION AT ALL LOT CORNERS INDICATED BY SYMBOL OR NOTATION ESTABLISHED PRIOR TO PLAT RECORDATION.

5/8" IRON REBAR OR CROSS NOTCHES TO BE SET AT REMAINING LOT CORNERS AFTER PLAT RECORDATION UNLESS OTHERWISE INDICATED OR NOTED HEREON.

NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENT UPON THIS PLAT.

AREA TABLE

	SQ. FT.	ACRES
LOT 1A	154970	3.56
LOT 1B	26352	0.60
LOT 1C	23422	0.54
LOT 2	9380	0.22
LOT 4	9726	0.22
LOT 5	11891	0.27
LOT 6	16989	0.39
LOT 7	20174	0.46
LOT 8	23752	0.55
LOT 9	57132	1.31
LOT 10	322594	7.41
NORTHGATE	23273	0.53
TOTAL	716629	16.45

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	40.30'	30.00'	78°58'15"	N49°48'40"E	37.34'
C2	14.00'	48.50'	16°32'10"	S83°28'09"E	13.95'
C3	46.31'	30.00'	88°26'45"	S30°56'41"E	41.85'
C4	42.80'	200.25'	12°14'49"	N19°24'00"E	42.79'
C5	25.13'	118.00'	89°59'45"	N24°00'01"E	22.63'
C6	31.26'	20.00'	89°33'51"	N66°13'11"W	28.18'
C7	39.55'	25.00'	90°38'13"	N30°49'54"E	35.55'
C8	11.93'	15.00'	45°34'27"	N43°47'05"W	11.69'
C9	24.28'	200.00'	6°57'04"	N17°57'44"W	24.25'
C10	15.97'	20.00'	45°45'03"	S30°29'30"E	15.55'
C11	41.52'	141.33'	18°49'58"	S12°51'29"E	41.39'
C12	11.87'	20.00'	35°59'54"	S04°16'58"E	11.69'
C13	12.87'	28.50'	25°52'46"	N08°03'31"W	12.76'
C14	15.71'	10.00'	89°59'59"	S65°59'52"E	14.14'
C15	15.71'	10.00'	90°00'00"	S65°59'51"E	14.14'

NOTE: BOTH THE ARC LENGTHS AND CHORD LENGTHS ARE SHOWN FOR ALL CURVES.

REVISED: FEBRUARY 26, 2018 [RJT]

REVISED: FEBRUARY 12, 2018 [RJT]

REVISED: JANUARY 22, 2018 PER #2018-24965 [RJT]

ORDERED BY: WTC LLC
ADDRESS: WHEELING TOWN CENTER
GREGLEY & BIEDERMANN
FLCS CORPORATION
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630
TELEPHONE: (773) 685-5102 FAX: (773) 286-4184 EMAIL: INFO@FLCS-SURVEY.COM
ORDER NO. 2017-24515-001
DATE: NOVEMBER 28, 2017
SCALE: 1 INCH = 50 FEET
PAGE NO. 1 OF 4

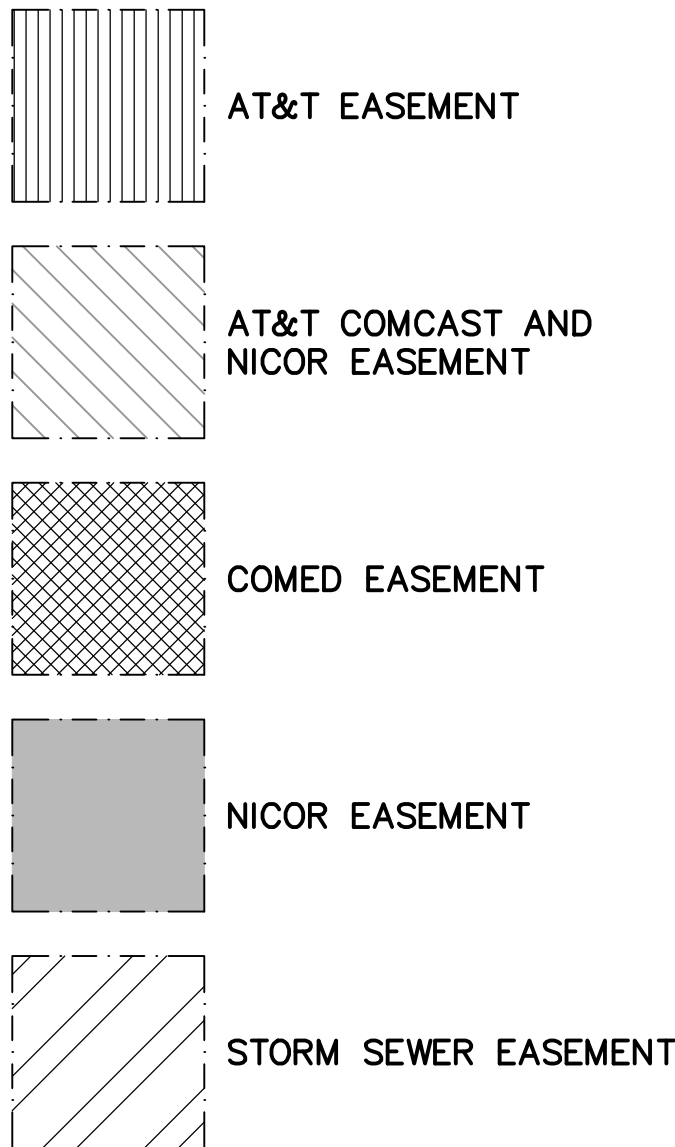
AMENDED PLAT OF
Wheeling Town Center

being a Subdivision in the West 1/2 of the Southwest 1/4 Section 2 and in the East 1/2 of the Southeast 1/4 of Section 3 and in the East 1/2 of the Northeast 1/4 of Section 10 and in the West 1/2 of the Northwest 1/4 of Section 11, all in Township 42 North, Range 11, East of the Third Principal Meridian, Cook County, Illinois.

EASEMENT DETAILS
FROM WHEELING TOWN CENTER SUBDIVISION
AND THIS RESUBDIVISION

DUNDEE ROAD

EASEMENTS GRANTED
BY WHEELING TOWN CENTER SUBDIVISION
AND THIS RESUBDIVISION



EASEMENT CORNER COORDINATE TABLE

Point	Northing	Easting
5	1992493.307	1095005.877
6	1992480.156	1094559.556
22	1993412.361	1094427.415
23	1993326.225	1094439.388
24	1993189.863	1094491.726
77	1993411.877	1094227.615
78	1993321.122	1094270.134
79	1993378.577	1094432.111
80	1993363.409	1094434.219
81	1993306.971	1094275.111
82	1993242.819	1094297.672
83	1993280.735	1094456.848
84	1993266.607	1094462.271
85	1993228.591	1094302.676
86	1993103.066	1094346.823
87	1993092.061	1094386.951
88	1992981.047	1094429.560
89	1992996.797	1094470.594
90	1992982.767	1094475.900
91	1992967.043	1094434.935
92	1992875.562	1094470.047
93	1992871.979	1094460.711
94	1993083.755	1094379.428
95	1993094.807	1094339.127
96	1993412.340	1094418.870
100	1993192.190	1094497.790
101	1993147.388	1094514.984
102	1993115.348	1094431.496
103	1993080.833	1094444.200
104	1993075.527	1094430.169
105	1993124.051	1094412.309
106	1993152.436	1094486.272
107	1993165.354	1094492.024
108	1993324.167	1094431.069
109	1992973.413	1094479.438
110	1992976.058	1094486.431
111	1992932.966	1094448.585
112	1992930.359	1094495.721
113	1992855.625	1094523.986
114	1992829.289	1094457.108
115	1992805.379	1094451.517
116	1992777.078	1094461.470
117	1992775.751	1094457.697
118	1992622.285	1094511.669
119	1992620.400	1094505.972
120	1992804.814	1094441.115
121	1992836.673	1094448.585
122	1992860.583	1094509.282
123	1992580.862	1094526.238
124	1992512.032	1094550.445
125	1992513.359	1094554.218
126	1992487.440	1094563.334
127	1992561.984	1094612.684
128	1992606.412	1094611.375
129	1992607.148	1094636.364
130	1992602.151	1094636.511
131	1992602.180	1094637.511
132	1992577.147	1094638.248
133	1992576.896	1094629.752
134	1992480.341	1094565.830
136	1993180.998	1094502.086
139	1993170.728	1094506.027
141	1993267.451	1094727.362
142	1993263.778	1094748.492
144	1993286.516	1094705.273
145	1993277.090	1094759.493
146	1993263.494	1094938.585
147	1993236.738	1095008.896
148	1993309.089	1095008.832
149	1993268.645	1094943.073
150	1993262.044	1094758.465
151	1993273.963	1094689.903
152	1993280.716	1094707.499
153	1993586.408	1094685.089
154	1993586.854	1094700.083
155	1993484.864	1094703.116

156	1993484.418	1094688.123
157	1993589.112	1094775.990
158	1993589.558	1094700.984
159	1993562.321	1094791.794
160	1993561.875	1094776.801
161	1993591.331	1094850.578
162	1993591.777	1094865.572
163	1993564.539	1094866.382
164	1993564.093	1094851.388
165	1993475.277	1094709.429
166	1993475.302	1094729.736
167	1993465.302	1094729.977
168	1993465.287	1094717.665
169	1993395.711	1094704.065
170	1993130.115	1094806.005
171	1993132.349	1094881.841
172	1993122.353	1094882.136
173	1993120.222	1094809.802
174	1992922.815	1094885.570
175	1992901.154	1094885.561
176	1992734.741	1094949.433
177	1992643.733	1095006.422
178	1992632.493	1095006.381
179	1992732.550	1094943.725
180	1992731.158	1094940.097
181	1992877.391	1094883.970
182	1992877.395	1094875.551
183	1992920.963	1094875.569
184	1993394.810	1094693.699
185	1993594.873	1094969.651
186	1993595.685	1094996.957
187	1993516.857	1094996.671
188	1993500.351	1095009.524
190	1992492.836	1094989.876
191	1992591.373	1094990.232
192	1992596.435	1094987.334
193	1992620.879	1094986.613
194	1992627.485	1094981.363
195	1992707.555	1094981.653
196	1992716.396	1094973.685
197	1993146.608	1094975.243
198	1993167.530	1094988.304
199	1993241.756	1094988.588
200	1993248.018	1094983.610
201	1993488.068	1094984.484
202	1993511.485	1094969.382
203	1992979.059	1094825.422
204	1992978.399	1095007.634
205	1992983.399	1095007.579
206	1992964.199	1094786.706

207	1992668.726	1094978.537
208	1992668.624	1095006.512
209	1992658.624	1095006.476
210	1992658.725	1094978.827
211	1993117.749	1094772.208
212	1993146.319	1094846.644
213	1993146.693	1095008.243
214	1993131.693	1095008.189
215	1993131.400	1094849.636
216	1993103.739	1094777.569
217	1993411.903	1094238.207

POINT NUMBERS ARE SHOWN CIRCLED ON THE PLAT WITH SHORT LEADERS INDICATING THE CORNER.

REVISED: FEBRUARY 26, 2018 [RJT]
REVISED: FEBRUARY 12, 2018 [RJT]
REVISED: JANUARY 22, 2018 PER #2018-24965 [RJT]

ORDERED BY: WTC LLC	CHECKED: [initials]	DRAWN: [initials]
ADDRESS: WHEELING TOWN CENTER		

GREMLY & BIEDERMANN
A Division of
FLCS CORPORATION
LICENSE NO. 184-005332
PROFESSIONAL LAND SURVEYORS
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630
TELEPHONE: (773) 685-5102 FAX: (773) 286-4184 EMAIL: INFO@FLCS-SURVEY.COM

ORDER NO. 2017-24515-001	DATE NOVEMBER 28, 2017	PAGE NO. 2 OF 4
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SCALE: 1 INCH = 50 FEET

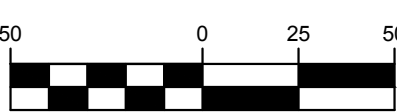
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AMENDED PLAT OF
Wheeling Town Center

being a Subdivision in the West 1/2 of the Southwest 1/4 Section 2 and in the East 1/2 of the Southeast 1/4 of Section 3 and in the East 1/2 of the Northeast 1/4 of Section 10 and in the West 1/2 of the Northwest 1/4 of Section 11, all in Township 42 North, Range 11, East of the Third Principal Meridian, Cook County, Illinois.

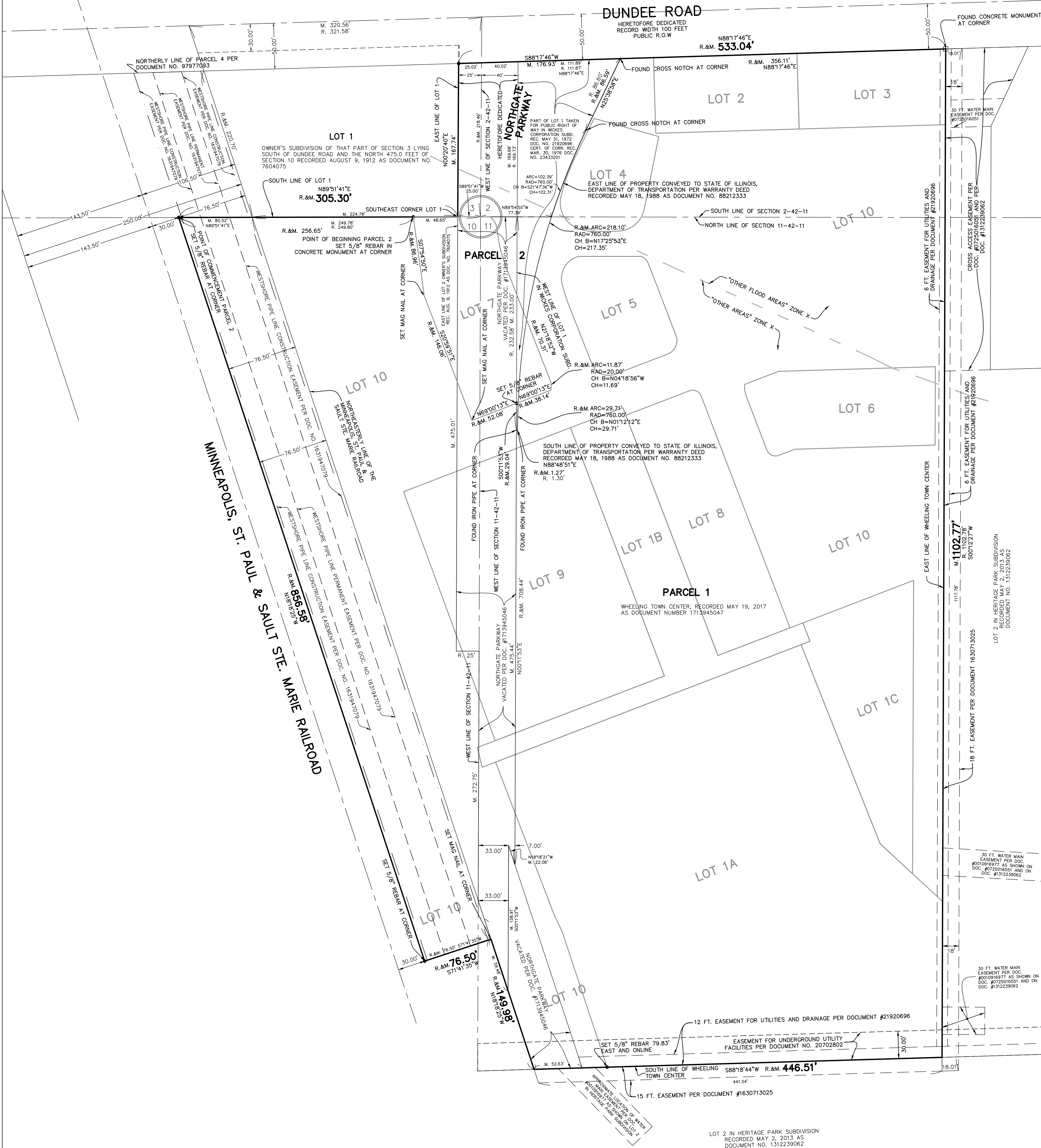
PROPERTY SURVEYED FOR THIS SUBDIVISION
SEE PAGE 1 FOR LOTS CREATED BY THIS SUBDIVISION

GRAPHIC SCALE



(IN FEET)

1" = 50'



REVISED: FEBRUARY 26, 2018 [RJT]
REVISED: FEBRUARY 12, 2018 [RJT]
REVISED: JANUARY 22, 2018 PER #2018-24965 [RJT]

ORDERED BY: WTC LLC	CHECKED: [initials]	DRAWN: [initials]
ADDRESS: WHEELING TOWN CENTER		
GREMLEY & BIEDERMANN		
PLCS CORPORATION		
LICENSE NO. 184-000332 Expires 4-30-2019		
PROFESSIONAL LAND SURVEYORS		
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630		
TELEPHONE: (773) 685-5102 FAX: (773) 286-4184 EMAIL: INFO@PLCS-SURVEY.COM		
ORDER NO.	DATE	PAGE NO.
2017-24515-001	NOVEMBER 28, 2017	3 OF 4
SCALE: 1" = 50 FEET		

G:\CAD\2017\2017-24515\2017-24515-001 pg 3-4.dwg

SURVEY NOTES:

THIS RESUBDIVISION ADDS PROPERTY TO THE WHEELING TOWN CENTER SUBDIVISION, CHANGES THE GEOMETRY OF LOTS 2, 3 AND 10, CREATES LOT 7 AND EXTENDS THE AT&T EASEMENT OVER PROPERTY THAT WAS ADDED. THE GEOMETRY OF ALL OTHER LOTS AND EASEMENTS ARE THE SAME AS THOSE SHOWN ON THE WHEELING TOWN CENTER SUBDIVISION PLAT.

- SET 5/8" IRON REBAR AT CORNER.

MONUMENTATION AT ALL LOT CORNERS INDICATED BY SYMBOL OR NOTATION ESTABLISHED PRIOR TO PLAT RECORDATION.

5/8" IRON REBAR OR CROSS NOTCHES TO BE SET AT REMAINING LOT CORNERS AFTER PLAT RECORDATION UNLESS OTHERWISE INDICATED OR NOTED HEREON.

NO DIMENSIONS SHALL BE ASSUMED BY SCALE MEASUREMENT UPON THIS PLAT.

Wheeling Town Center

being a Subdivision in the West 1/2 of the Southwest 1/4 Section 2 and in the East 1/2 of the Southeast 1/4 of Section 3 and in the East 1/2 of the Northeast 1/4 of Section 10 and in the West 1/2 of the Northwest 1/4 of Section 11, all in Township 42 North, Range 11, East of the Third Principal Meridian, Cook County, Illinois.

Owner Certificate

State of Illinois)
) s.s.
County of Cook)
The Village of Wheeling, an Illinois municipal corporation, does hereby certify that it is the owner of the property certified hereon and that it has caused the said property to be surveyed and subdivided as shown hereon.

Dated: _____, A.D. 20__.

By: _____
Patrick Horcher, Village President

Attest: _____
Elaine Simpson, Village Clerk

Nortary Certificate

State of Illinois)
) s.s.
County of Cook)
I, _____, a notary public in and for the county in the state aforesaid, do hereby certify that Patrick Horcher, Village President and Elaine Simpson, Village Clerk of said municipal corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such village president and village clerk, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said municipal corporation, as owner of the property, for the uses and purposes therein set forth. Given under my hand and notarial seal this ____ day of _____, A.D. 20__.

Notary Public

County Clerk Certificate

State of Illinois)
) s.s.
County of Cook)
I do not find any delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the tract of land described in the annexed plat.

Dated this ____ day of _____, 20__.

County Clerk

Village Collector Certificate

State of Illinois)
) s.s.
County of Cook)
I, _____, Village Collector of the Village of Wheeling, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments due against the tract of land described in the annexed plat.

Dated this ____ day of _____, 20__.

Village Collector

Village Engineer Certificate

Approved by the Village Engineer of the Village of Wheeling, Cook and Lake Counties, Illinois.

Dated this ____ day of _____, 20__.

Village Engineer

School District Certificate

THIS IS TO CERTIFY THAT _____
AS OWNER OF THE PROPERTY DESCRIBED AS _____
AND LEGALLY DESCRIBED AS THE PLAT OF THE SAME NAME, HAS DETERMINED TO THE BEST OF HIS/HER KNOWLEDGE THE SCHOOL DISTRICT IN WHICH EACH OF THE FOLLOWING LOTS LIES.

SCHOOL DISTRICTS
ELEMENTARY SCHOOL DISTRICT _____
HIGH SCHOOL DISTRICT _____

STATE OF ILLINOIS
COUNTY OF COOK; S.S.

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF COOK, IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT _____, PERSONALLY KNOWN TO ME TO BE THE _____, WHOSE NAME(S) ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND SIGNED SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT.

Given under my hand and notary seal this _____ day of _____, 20__.

My commission expires _____

Notary Public

Village Board Certificate

State of Illinois)
) s.s.
County of Cook)
Accepted and approved by the President and Board of Trustees of the Village of Wheeling, Cook and Lake Counties, Illinois.

Dated this ____ day of _____, 20__.

By: _____
President

Attest: _____
Village Clerk

Village Plan Commission Certificate

State of Illinois)
) s.s.
County of Cook)
Approved by the Plan Commission of the Village of Wheeling, Cook and Lake Counties, Illinois.

Dated this ____ day of _____, 20__.

Chairman

Secretary

Drainage Certificate

State of Illinois)
) s.s.
County of Cook)
We, the undersigned, do hereby certify that to the best of our knowledge and belief the drainage of surface waters will not be changed by the construction of this subdivision or that if they are, that adequate provisions, within acceptable engineering design standards, have been made for the collection and conveyance of such surface waters from said subdivision to public designated drainage areas, drains or open drainage channels which the subdivider has a right to use and provisions have been made to protect and safeguard adjoining property owners against damages sustained as a result of storm water drainage from said construction.

Dated this ____ day of _____, 20__.

Illinois Registered Professional Engineer No. _____

Owner or Attorney

Owner or Attorney

Illinois Department of Transportation Certificate

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to section 2 of "AN ACT TO REVISE THE LAW IN RELATION TO PLATS" as amended. A plan that meets the requirements contained in the department's "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" will be required by the department.

Dated this ____ day of _____, A. D. 20__.

District Engineer
Illinois Department of Transportation

EASEMENT PROVISIONS

An easement for serving the subdivision and other property with electric and communication service is hereby reserved for and granted to

Commonwealth Edison Company
and
SBC Telephone Company, Grantees,

their respective licensees, successors and assigns jointly and severally, to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove, from time to time, poles, guys, anchors, wires, cables, conduits, manholes, transformers, pedestals, equipment cabinets or other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sounds and signals in, over, under, across, along and upon the surface of the property shown within the dashed or dotted lines (or similar designation) on the plat and marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation), the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat as "common area or areas"; and the property designated on the plat for streets and alleys, whether public or private, together with the rights to install required service connections over or under the surface of each lot and common area or areas to serve improvements thereon, or on adjacent lots, and common area or areas, the right to cut, trim or remove trees, bushes, roots and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over Grantee's facilities or in, upon or over the property within the dashed or dotted lines (or similar designation) marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation) without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth for such term in the "Condominium Property Act", Chapter 765 ILCS 605.2(c), as amended from time to time.

The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole or as an apportionment to the separately owned lots, parcels or areas within the planned development, even though such be otherwise designated on the plat by terms such as "outlots", "common elements", "open space", "open area", "common ground", "parking" and "common area". The term "common area or areas" and "Common Elements" include real property surfaced with interior driveways and walkways, but excludes real property physically occupied by a building, Service Business District or structures such as a pool, retention pond or mechanical equipment.

Relocation of facilities will be done by Grantees at cost of the Grantor/Lot Owner, upon written request.

NICOR GAS COMPANY EASEMENT PROVISIONS

An easement is hereby reserved for and granted to NORTHERN ILLINOIS GAS COMPANY, an Illinois corporation, doing business as NICOR GAS COMPANY, its successors and assigns (hereinafter "Nicor") to install, operate, maintain, repair, replace and remove, facilities used in connection with the transmission and distribution of natural gas in, over, under, across, along and upon the surface of the property shown on this plat marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E.", "Public Utility & Drainage Easement", "P.U. & D.E.", "Common Area or Areas" (or similar designations), streets and alleys, whether public or private, and the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", together with the right to install required service connections over or under the surface of each lot and Common Area or Areas to serve improvements thereon, or on adjacent lots, and Common Area or Areas, and to serve other property, adjacent or otherwise, and the right to remove obstructions, including but not limited to, trees, bushes, roots and fences, and may be reasonably required incident to the rights herein given, and the right to enter upon the property for all such purposes. Obstructions shall not be placed over Nicor facilities or in, upon or over the property identified on this plat for utility purposes without the prior written consent of Nicor. After installation of any such facilities, the grade of the property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have that meaning set forth for such term in Section 605.2(c) of the "Condominium Property Act" (Illinois Compiled Statutes, Ch. 765, Sec. 605.2(c)), as amended from time to time.

The term "Common Area or Areas" is defined as a lot, parcel or area of real property, including real property surfaced with interior driveways and walkways, the beneficial use and enjoyment of which is reserved in whole as an appurtenance to the separately owned lots, parcels or areas within the property, even though such areas may be designated on this plat by other terms.

SURVEYORS CERTIFICATE

State of Illinois)
) s.s.
County of Cook)

I, Robert G. Biedermann, a Professional Illinois Land Surveyor, do hereby certify that I have surveyed and subdivided:

Parcel 1
Wheeling Town Center, being a subdivision in the West 1/2 of the Southwest 1/4 Section 2 and in the East 1/2 of the Southeast 1/4 of Section 3 and in the East 1/2 of the Northeast 1/4 of Section 10 and in the West 1/2 of the Northwest 1/4 of Section 11, all in Township 42 North, Range 11, East of the Third Principal Meridian, recorded May 19, 2017 as document number 1713945047, in Cook County, Illinois;

Parcel 2
That part of Sections 2, 3, 10 and 11, Together with that part of Lot 1 in Wickes Corporation Subdivision, being a subdivision of part of Sections 2 and 11, both in Township 42 North, Range 11, East of the Third Principal Meridian, recorded May 31, 1972 as document 21920696, Together with that part of Lot 2 in Owner's Subdivision of that part of Section 3 lying South of Dundee Road and the North 475.00 feet of Section 10, both lying East of the Wisconsin Central Railroad, in Township 42 North, Range 11, East of the Third Principal Meridian, recorded August 9, 1922 as document 7604075, Together with that part of the public way commonly known as Northgate Parkway lying in Sections 2, 3, 10 and 11, All in Township 42 North, Range 11, East of the Third Principal Meridian,

All taken as a tract and described as follows:

Commencing at the west most Northwest corner of Lot 10 in Wheeling Town Center, being a subdivision in the West 1/2 of the Southwest 1/4 Section 2 and in the East 1/2 of the Southeast 1/4 of Section 3 and in the East 1/2 of the Northeast 1/4 of Section 10 and in the West 1/2 of the Northwest 1/4 of Section 11, all in Township 42 North, Range 11, East of the Third Principal Meridian, recorded May 19, 2017 as document number 1713945047, in Cook County, Illinois; thence North 89°51'41" East along the North line of said Lot 10 a distance of 256.65 feet to the point of beginning; The next 11 courses being along the perimeter line of Wheeling Town Center, aforesaid; thence South 07°54'50" East 86.96 feet; thence South 20 degrees 59 minutes 51 seconds East 146.06 feet; thence North 69 degrees 00 minutes 13 seconds East 52.08 feet to a point on the west line of Lot 1 in Wickes Corporation Subdivision aforesaid; thence South 00 degrees 11 minutes 53 seconds West along the west line of said Lot 1 a distance of 29.04 feet to the Southwest corner of the property conveyed to the State of Illinois, Department of Transportation per warranty deed recorded May 18, 1988 as document no. 88212333; thence North 88 degrees 48 minutes 51 seconds East along the south line of said property conveyed to the State of Illinois 1.27 feet to the Southeast corner thereof; thence Northerly 29.71 feet along the easterly line of said property convey to the State of Illinois, being the arc of a circle having a radius of 760.00 feet concave Easterly and whose chord bears North 01 degrees 12 minutes 12 seconds East a distance of 29.71 feet; thence North 69 degrees 00 minutes 13 seconds East 38.14 feet; thence Northerly 11.87 feet along the arc of a circle having a radius of 20.00 feet concave Westerly and whose chord bears North 04 degrees 18 minutes 56 seconds West a distance of 11.69 feet; thence North 21 degrees 18 minutes 52 seconds West 70.31 feet to a point on the easterly line of said property convey to the State of Illinois; thence Northerly 218.10 feet along the easterly line of said property convey to the State of Illinois being the arc of a circle having a radius of 760.00 feet concave Easterly and whose chord bears North 17 degrees 25 minutes 53 seconds East a distance of 217.35 feet; thence North 25 degrees 38 minutes 58 seconds East along the easterly line of said property conveyed to the State of Illinois 86.59 feet to the North line of said Lot 1 in Wickes Corporation Subdivision; thence South 88°17'46" West along the North line of said Lot 1 and its Westerly extension 176.93 feet to the East line of Lot 1 in Owner's Subdivision, aforesaid; thence South 00°20'40" West along the East line of Lot 1 in Owner's Subdivision aforesaid, 167.74 feet to the Southeast corner thereof; thence South 89°51'41" West along the South line of Lot 1 in Owner's Subdivision aforesaid, 48.65 feet to the point of beginning, in Cook County, Illinois, in the manner represented on the plat hereon drawn.

Containing 716,629 square feet or 16.45 acres, more or less.

I further certify that monuments and markers shown exist as located and that all dimensions and details shown hereon are accurate.

I further certify that the property described hereon is located within the corporate limits of the Village of Wheeling, Cook County, Illinois and that the village has adopted an official plan.

I further certify that the property appears in "other areas" zone x and "other flood areas" zone x per Flood Insurance Rate Map Cook County, Illinois and Incorporated Areas, Map No. 17031C 0068J, Effective date August 19, 2008.

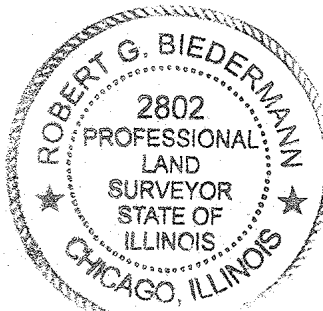
Dimensions are shown in feet and decimal parts thereof and are corrected to a temperature of 62° Fahrenheit.

Field measurements completed on January 11, 2018.

Signed on Feb. 26, 2018.

By: _____

Professional Illinois Land Surveyor No. 2802
My license expires November 30, 2018



REVISED: FEBRUARY 26, 2018 [RJT]
REVISED: FEBRUARY 12, 2018 [RJT]
REVISED: JANUARY 22, 2018 PER #2018-24965 [RJT]

ORDERED BY: WTC LLC	CHECKED: _____	DRAWN: RJT
ADDRESS: WHEELING TOWN CENTER		
GREMLEY & BIEDERMANN A Division PLCS, CORPORATION LICENSE NO. 084-003332 EXPIRES 10-30-2019 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE: (773) 685-5102 FAX: (773) 286-4184 EMAIL: INFO@PLCS-SURVEY.COM		
ORDER NO. 2017-24515-001	DATE: NOVEMBER 28, 2017 SCALE: 1 INCH = 50 FEET	PAGE NO. 4 OF 4

Note: This Subdivision is within one and one-half miles of a municipality that has a comprehensive plan.

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

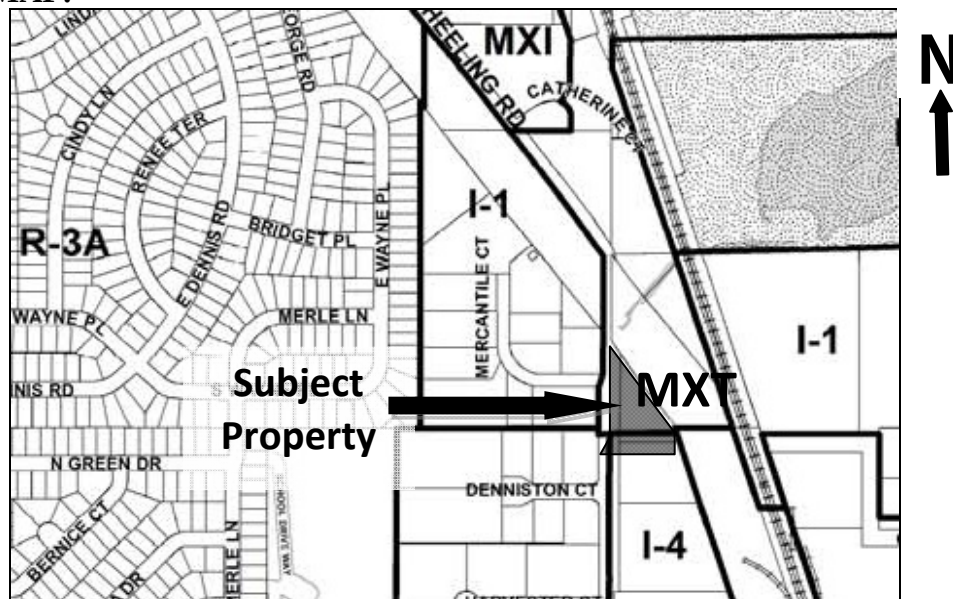
RE: **Docket No. 2017-19A,B,CD&E**
Pete's Perfection
435 S. Wheeling Road
(2017-19A) Rezoning from MXT and I-4 to I-3
(2017-19B) Special Use-Site Plan Approval for Heavy Motor
Outdoor Storage
(2017-19C) Special Use-Site Plan Approval for a Heavy Motor
Vehicle Parking Lot
(2017-19D) Special Use-Site Plan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

DATE OF REPORT: March 2, 2018

DATE OF MEETING: March 8, 2018

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 and zoning variations related to minimum green space and parking setback requirements.

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 Zoning Map. 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.

In 2017, 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 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.

DESCRIPTION OF ZONING VARIATIONS

The expansion of the paved area also requires two zoning variations. The first is related to parking setback. The required parking setback from the south property line is 10 feet, whereas 1.5 feet is proposed. Additionally, the petitioner is requesting a variation from the minimum green space requirement. The minimum required green space per development is 25%, whereas 8% is proposed. In the cover letter, the petitioner states that the proposed 8% green space will be the same amount of green space since the special use approval in 2006.

SITE PLAN REVIEW

Scale of Site Plan: 1" = 20'

Proposed General Site Layout: The site plan illustrates the site impacts, which include the new parking areas along the south property line, new heavy motor vehicle storage areas at the northwest and southeast corners of the site, and the proposed areas of green space. The plan also notes the required 20-foot fire lane that encompasses the building. Per the email from Fire Chief Macisaac on January 25, 2018, the two narrow points of the fire lane illustrated on the site plan are acceptable due to site constraints. The Plan Commission may wish to ask the petitioner to clarify the difference

Wheeling Plan Commission
Meeting date: March 8, 2018
RE: Docket Nos. 2017-19ABCD&E

between the intended uses of the heavy motor vehicle parking area at the southeast corner of the site and the adjacent heavy motor vehicle storage area.

Note: the location of the light motor vehicle parking along the south property line also requires a parking setback variation. A 10' setback is required, whereas a 1.5' setback is proposed.

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: The building is primarily used for truck repair and also includes a small office. The office space requires 6 parking stalls. The heavy motor vehicle repair use does not have a parking requirement. Therefore, the requirement should be determined by the Plan Commission. The plan calls for a total of 15 light motor vehicle stalls and 6 heavy motor vehicle parking stalls. The Plan Commission may wish to ask the petitioner how this parking is sufficient for the proposed uses.

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 proposed amount of green space is 8%. The site plan indicates that the amount of green space on the property prior to the acquisition of the south parcel is also 8%. The proposal requires a zoning variation for the lack of green space.

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 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.

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 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 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 February 8, 2018, 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.

Wheeling Plan Commission

Meeting date: March 8, 2018

RE: Docket Nos. 2017-19ABCD&E

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. Similarly, the average number of truck repairs is expected to stay the same, approximately 3-4 vehicles per day. However, the HMV Storage and Parking areas are expected to increase slightly by the additional acquired land to the south and southeast.

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 initial submittal from the petitioner indicated the proposal for heavy motor vehicle storage and parking areas was expected to increase by 22, from 17 to 39 vehicles.

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. Further, the proposed fence on the south Property line abuts an I-4 Heavy Industrial use and should in no way hinder or discourage the use of the adjacent property.

Prior to acquiring the additional south parcel, the total green space on the Property was 8%. It should be noted that the petitioner is seeking a variance which would allow for the same percentage of green space with the addition of the newly acquired south parcel. ”

No changes are proposed to the existing landscaping. Prior to the acquisition of the south parcel, the property only had 8% green space. With the proposed changes, the property will remain 8% pervious.

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 the vast majority of vehicle parking and storage occurs along the south property line and southeast corner of the property. These areas are covered in asphalt or concrete pavement. Naturally, most of the storage occurs in the southeastern corner, furthest from the building and Wheeling Road. The eastern portion of the south property line is used for employee parking and guest parking, while the remaining pavement to the west is used for HMV parking and storage. As existing, there is little delineation between the type of vehicle parking and storage. However, as provided above, and on the proposed Redevelopment/Site Plan, the petitioner has designated specific areas and stalls for HMV parking and storage, along with employee and guest parking, based primarily on how the property is currently being utilized under its legal non-conforming status.

Furthermore, the separate ingress and egress access points off of Wheeling Road provide a safe entrance and exit to the property. Daily traffic to and from the property is expected to remain the same, 5-10 vehicles per day.”

The Plan Commission should further discuss the operations of the proposed use with the petitioner to fully understand that the parking needs are met. The initial submittal from the petitioner indicated the proposal for heavy motor vehicle storage and parking areas was expected to increase by 22, from 17 to 39 vehicles.

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 #1 and #2, which relate to a fire lane and access route, have since been addressed between the petitioner and Fire Department. An email from Chief Macisaac to the petitioner clarifies how the previous concerns regarding the fire access route has been addressed.

Engineering Division Review: The Engineering Division has provided a comment memo dated February 28, 2018. 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: It does not appear that that the proposal will negatively impact the adjacent industrial properties.

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 making motions, Staff suggests the Plan Commission discuss the following issues with the petitioner:

1. Clarify the difference between the intended uses of the heavy motor vehicle parking areas and the heavy motor vehicle storage area;
2. Determine if the proposed parking layout is sufficient for the proposed uses;
3. Determine if a revised photometric plan is necessary to address the newly acquired area; and
4. 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, three special uses, and two zoning variations, 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.

Wheeling Plan Commission
Meeting date: March 8, 2018
RE: Docket Nos. 2017-19ABCD&E

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 February 8, 2018 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

- Cover letter and exhibits (46 sheets total),
- Location map/title sheet,
- Existing conditions,
- Redevelopment/site 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 gate to provide site access;
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 February 8, 2018 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

- Cover letter and exhibits (46 sheets total),
- Location map/title sheet,
- Existing conditions,
- Redevelopment/site 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 gate to provide site access;
3. *And others to be determined at the hearing.*

Wheeling Plan Commission
Meeting date: March 8, 2018
RE: Docket Nos. 2017-19ABCD&E

And Recommend approval of Docket No. 2017-19D 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 February 8, 2018 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

- Cover letter and exhibits (46 sheets total),
- Location map/title sheet,
- Existing conditions,
- Redevelopment/site plan,
- Existing floor plan,
- Existing building elevations,
- Fencing proposal and exhibit (2 sheets),
- Photometrics plans (5 sheets), and
- Plat of survey.

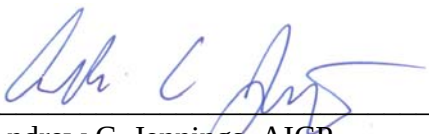
And with the following conditions:

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 gate to provide site access;
3. *And others to be determined at the hearing.*

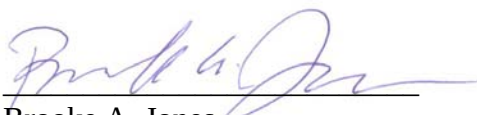
And Recommend approval of Docket No. 2017-19E to grant the following variations from Title 19, Zoning, of the Wheeling Municipal Code, which are related to the heavy motor vehicle parking, storage, and repair, as shown on the site plan submitted February 8, 2018 for Pete's Perfection at 435 S. Wheeling Road, Wheeling, Illinois:

Chapter 19-07, Industrial Districts, Section 19.07.040 I-3 General Industrial District,

1. Subsection D3, Minimum Green Space, reducing the minimum required green space from 25% to 8%; and
2. Subsection E Parking Setbacks, reducing the minimum required parking setback from the south side property line from 10 feet to 1.5 feet.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Jones
Senior Planner

Attachments: [Fire Department comments, dated 12.14.2017](#)

[Fire Department email, dated 1.25.2018](#)

[Engineering Division comments, dated 2.28.2018](#)

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

[Staff Rezoning Exhibit](#)

[Cover letter and exhibits \(46 sheets total\)](#)

[Location map/title sheet](#)

[Existing conditions](#)

[Redevelopment/site 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.

From: Keith MacIsaac <KMacIsaac@wheelingil.gov>
To: Brooke Jones <BJones@wheelingil.gov>; Andrew C. Jennings <AJennings@wheelingil.gov>
Cc: Ronald Antor <RAntor@wheelingil.gov>; Pete Aiello <petesperf@sbcglobal.net>; "kevin@igconsulting.net" <kevin@igconsulting.net>
Sent: Thursday, January 25, 2018 10:38 AM
Subject: Pete's Perfection - Plan Commission Issue (Fire Lane)

This morning I meet with Pete Aiello of Pete's Perfection and his consulting engineer, Kevin Lewis, regarding the Fire Department's issue regarding a fire lane at this location. As drawn, they will be providing a 20 foot wide fire lane completely around the building. However, there are two (2) points where the corner of the building and the adjacent drainage swale/lot line do not permit a full 20 foot width. Since there is no practical means in which to widen the fire lane to meet the 20 foot width requirement, I have agreed that in only these two (2) locations will the 20 foot width requirement be waived by the Fire Department. Mr. Aiello's consulting engineer will amend their drawings to call-out these two (2) specific locations in order to establish a permanent record of the agreement.

All other items contained within Fire Inspector Antor's review of this project remain applicable and the Fire Department has no objections with this project proceeding to the Plan Commission. If you should have any questions, please let me now.

Keith S. MacIsaac, EFO/CFO
Fire Chief
Wheeling Fire Department
499 S. Milwaukee Avenue
Wheeling, IL 60090

(847) 459-2662 – Office
(847) 980-2009 - Cell
(847) 215-4692- Fax

E-Mail: kmacisaac@wheelingil.gov

Web Page: <http://www.wheelingil.gov/264/Fire-Department>

"FIRE – its impact is costly but prevention is cheap! Practice fire safety everyday wherever you live, work, and play."



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MEMORANDUM

TO: Brooke Jones, Senior Planner

FROM: Kyle Goetzelmann, Civil Engineer I

COPY: Jon Tack, Village Engineer

DATE: February 28th, 2018

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

The Engineering Division received a resubmittal with a Proposal, Revised Engineering Drawings, Plat of Survey and Photometric Plan for the subject project on February 12th, 2018. 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 5.

Pete's Perfection – 435 S. Wheeling Road

Docket Nos. 2017-19A,B,C,D& E (**Rezoning** from MXT Mixed Use Transit Oriented District and I-4 Heavy Industrial District to I-3 General Industrial District, **Special Use-Site Plan Approval** for Heavy Motor Vehicle Storage, a Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair & **Zoning Variations**)
Plan Commission Meeting – March 8, 2018



Existing conditions of subject property (looking east)

Pete's Perfection – 435 S. Wheeling Road

Docket Nos. 2017-19A,B,C,D& E (**Rezoning** from MXT Mixed Use Transit Oriented District and I-4 Heavy Industrial District to I-3 General Industrial District, **Special Use-Site Plan Approval** for Heavy Motor Vehicle Storage, a Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair & **Zoning Variations**)
Plan Commission Meeting – March 8, 2018



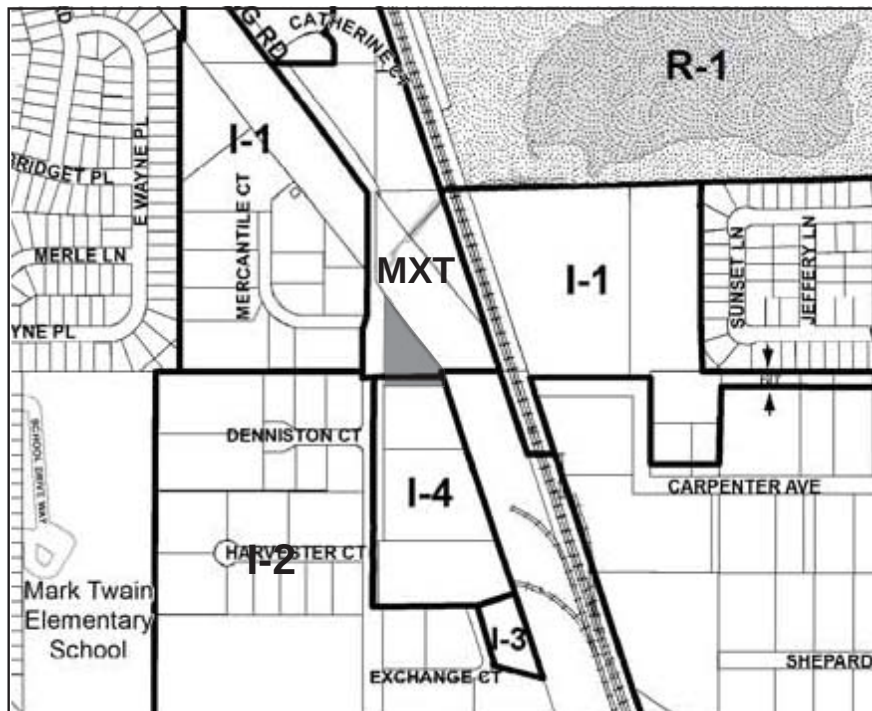
Existing conditions of subject property (looking southeast)

Pete's Perfection – 435 S. Wheeling Road

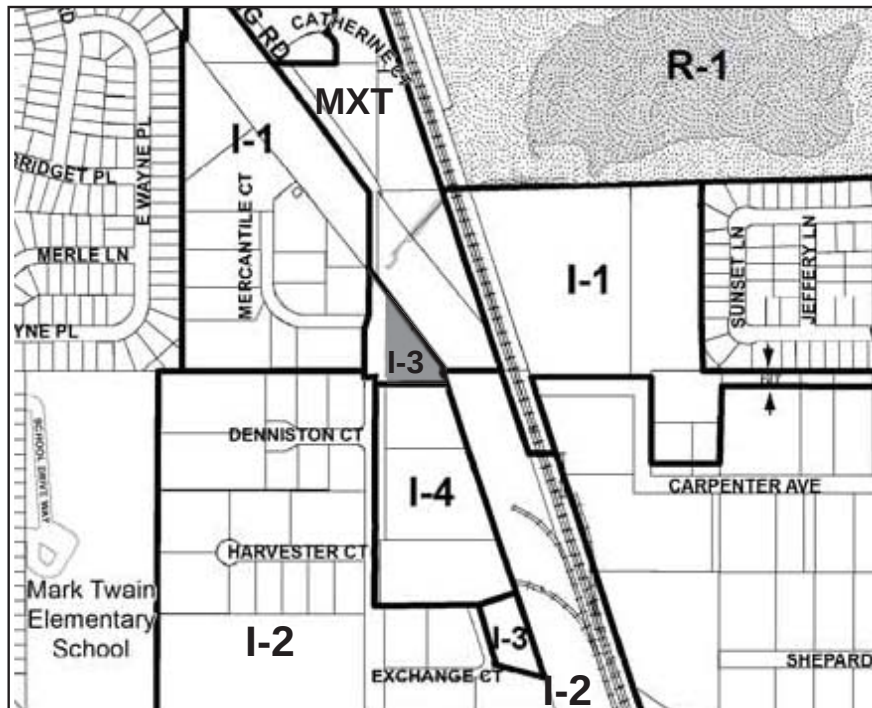
Docket Nos. 2017-19A,B,C,D& E (**Rezoning** from MXT Mixed Use Transit Oriented District and I-4 Heavy Industrial District to I-3 General Industrial District, **Special Use-Site Plan Approval** for Heavy Motor Vehicle Storage, a Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair & **Zoning Variations**)
Plan Commission Meeting – March 8, 2018



Existing conditions of subject property (looking east)



EXISTING ZONING (I-4 and MXT)



PROPOSED ZONING
(REZONE TO I-3)

February 8, 2018

Via E-Mail

BJones@wheelingil.gov

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

Re: Amended 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 this *amended* Project Narrative, and the enclosed applications for the Property, which now includes additional applications for variance requests as further provided herein. As opposed to supplementing the previously submitted documents on November 21, 2017, in an effort to avoid confusion, please find a new and amended set of applications and plans seeking 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 now include the 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 a more appropriate similar use interpretation under the Village's existing Zoning Code to Heavy Motor Vehicle ("HMV") Outdoor Storage, Parking Lot and Repair Facility;
- (iii) (2) Variance Requests:
 - 1. A variance to the parking setback along the South Parcel, from 10 feet to 1.5 feet.

2. A variance to allow for the green space to remain at 8%, as it was prior to acquiring the South Parcel.
- (iv) Approval of the Redevelopment/Site Plan for the South Parcel, with waivers for irrigation and full exterior lighting for the entire Property.

The Property

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 six (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, 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 the west and I-4 Heavy to the south) and MXT to the immediate north.

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 is 24 feet high. Per the Plat of Survey, there is existing parking and/or outdoor storage on the Property primarily south and southeast of the Building. The Property's frontage to the west, and the north and south sides are encompassed by an eight (8) foot-tall wood privacy fence which acts as a visual buffer between the parking and storage areas, and the adjacent properties, including Wheeling Road. For more specific details, please see the Plat of Survey dated November 6, 2017, Existing Conditions Plan and Floor Plan, and Building Elevations which have been included with the required application submittal documents.

Zoning History & Legal Nonconforming Status

On April 25, 2005, while the Property was zoned I-3, the Petitioner received a special use permit and site plan approval for a Hauling Storage Yard pursuant to Ordinance No. 3966 ("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. At the time Ordinance No. 4044 was approved, the Property had minimal exterior lighting affixed to the building and its total green space was eight percent (8%).

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 in the amending Ordinance No. 4044 were subject to the occurrence of 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 has provided said Landscape Plan with the 2005 SUP Exhibit as its Existing Landscape Plan. In addition, 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 Leased Premises from the Village and is approximately 9,186 sq.ft. (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 split zoned MXT and I-4.

The Petitioner's acquisition of the South Parcel was motivated by his desire to expand his existing HVM outdoor storage and parking lot for the business. However, it was not until he submitted his plans to redevelop the South Parcel that he became aware that the Property's legal nonconforming status prevented him from expanding the property without amending the 2005 SUP to include the South Parcel and seek further variances to comply with Village Code. In accordance with staff's suggestion, that due to the split zoning it would be best to rezone the entire Property to Industrial, and amend the 2005 SUP, the Petitioner is now requesting the relief described in these applications.

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

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 is more practical as this is a less intense industrial use compared to I-4, Third, the Property was originally zoned I-3 when it was purchased.

Request to amend SUP Ordinance No. 3966 to comply with the Village's existing Zoning Code for Heavy Motor Vehicle Outdoor Storage, Parking Lot and Repair Facility

As stated, the Property is legal non-conforming, and the Petitioner has been utilizing the Property for Heavy Motor Vehicle Outdoor Storage, Parking Lot and Repair Facility since its beginning. However, at the time the existing SUP was granted, the Village Zoning Code did not have a HMV use type and therefore it was previously classified as a "Hauling Storage Yard" under the prior Zoning Code. The request to amend the SUP Ordinance in part seeks to more appropriately reclassify the existing use under the Village's existing Zoning Code from Hauling Storage Yard (no longer an identified use under the existing Code) to Heavy Motor Vehicle Outdoor Storage, Parking Lot and Repair Facility, and thus correct this non-conforming status. The zoning requests herein allows for the Property to become fully complying under the Zoning Code. If the Property remains legal nonconforming, it is subject to potential issues such as clouds on title, refinance challenges, and a complete inability to expand.

As provided in greater detail in Redevelopment/Site Plan documents, the proposal defines the location and size of the areas for HMV Parking and Storage. As illustrated on the Site Plan, there would be approximately six (6) total HMV Parking spaces, which encompass 1,800 sq.ft. In the southeast corner of the Property, there is a 3,760 sq.ft. area proposed to accommodate HMV Storage. Further, there would remain fifteen (15) onsite stripped parking spaces; six (6) for employee use ("Employee Parking"), and the remaining nine (9) for "light or regular" vehicle parking ("Additional Parking"). In total, the remaining onsite parking, which excludes HMV Parking and/or Storage, consists of 2,430 sq.ft. along the south property line.

Variance Requests and Waivers

In order to become conforming, the Petitioner is seeking two (2) variances. The first variance applies only to south Property line and relates to a reduction in parking setback Village's from 10 feet to 1.5 feet. The second variance request relates to the minimum green space requirement under the Code. The Petitioner is proposing to maintain the existing eight percent (8%) which has been the amount of green space since his ownership in 2006.

Conclusion

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. It is important to note that none of the prior or existing uses, nor the

repair facility structure itself, will change. The only change which would occur is the redevelopment of the 0.2 acres for parking and storage. Though, to effectively accomplish this, the Petitioner requests that the entire Property be rezoned back to I-3, the existing Special Use Permit be amended to conform to the current Zoning Code, the proposed newly developed storage area and parking lot be incorporated into the Site Plan, and that for variances to parking setback and green space requirements be permitted. Beyond what is proposed in the Redevelopment/Site plan for the South Parcel, the Petitioner has proposed significantly upgrading the existing exterior lighting throughout the Property by installing fifteen (15) new LED lights, as provided in the Lighting Plan, and expanding the privacy fence to include the South Parcel.

The Petitioner and his engineer, Mr. Kevin Lewis with IG Consulting, met with Chief MacIsaac on January 25, 2018 to address his concerns relative to the fire lane for the Property. While specific portions of the fire lane are not 20 feet in width, Chief MasIsaac has approved waiving these two (2) specific areas from the 20-foot requirement, as indicated on the Site Plan. A copy of Chief MacIsaac's waiver approval is attached hereto as Exhibit F.

We look forward to having the opportunity to present our applications to the Plan Commission on March 8, 2018, or as soon thereafter.

Very truly yours,

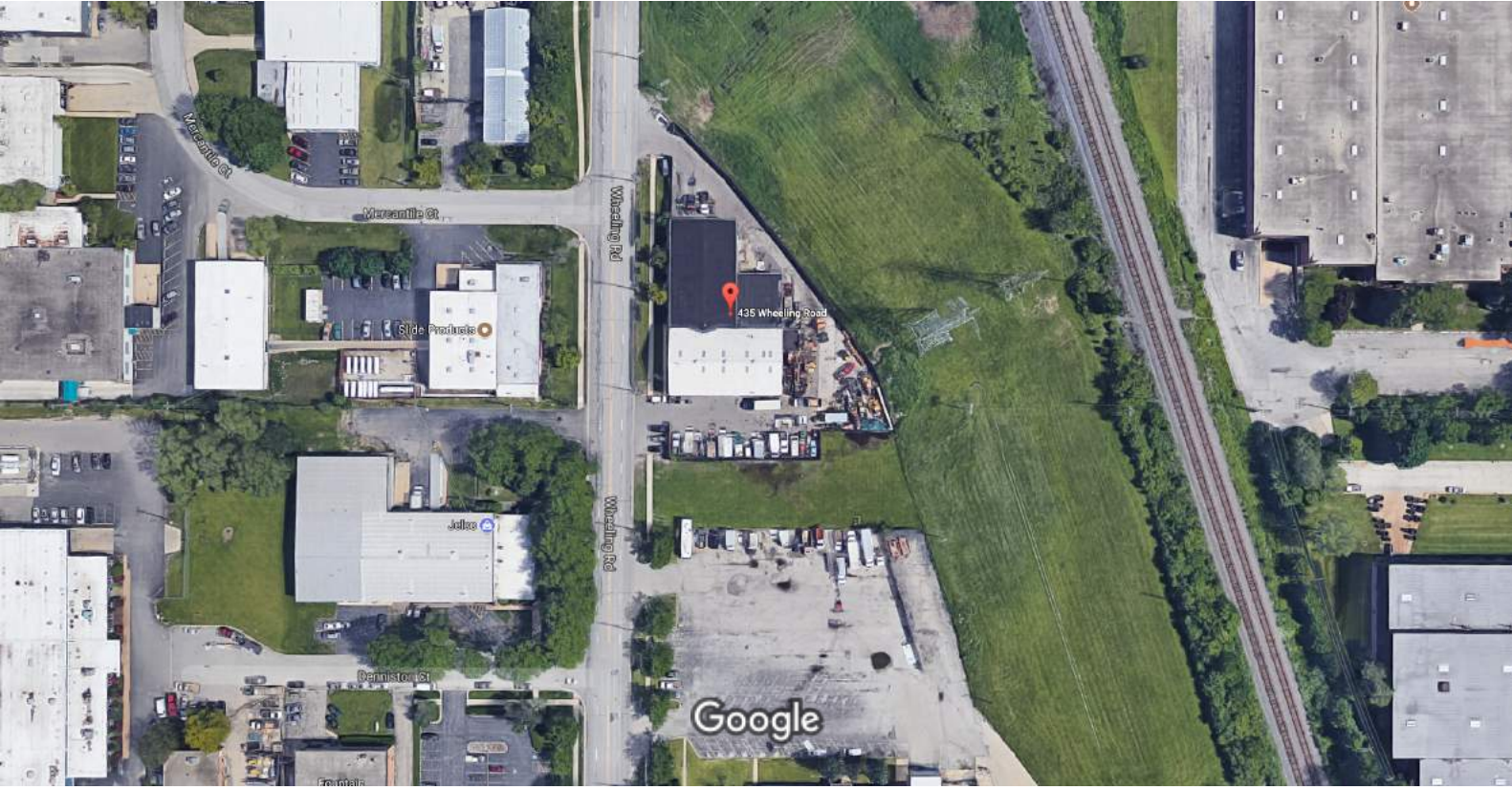
SHAPIRO & ASSOCIATES LAW

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

cc: Andrew Jennings, AICP
James V. Ferolo, Esq.



Google
Group Exhibit A



435 Wheeling Road

Google

Mercantile St

Mercantile St

Wheeling Rd

Wheeling Rd

Slide Products

Julco

Denniston St



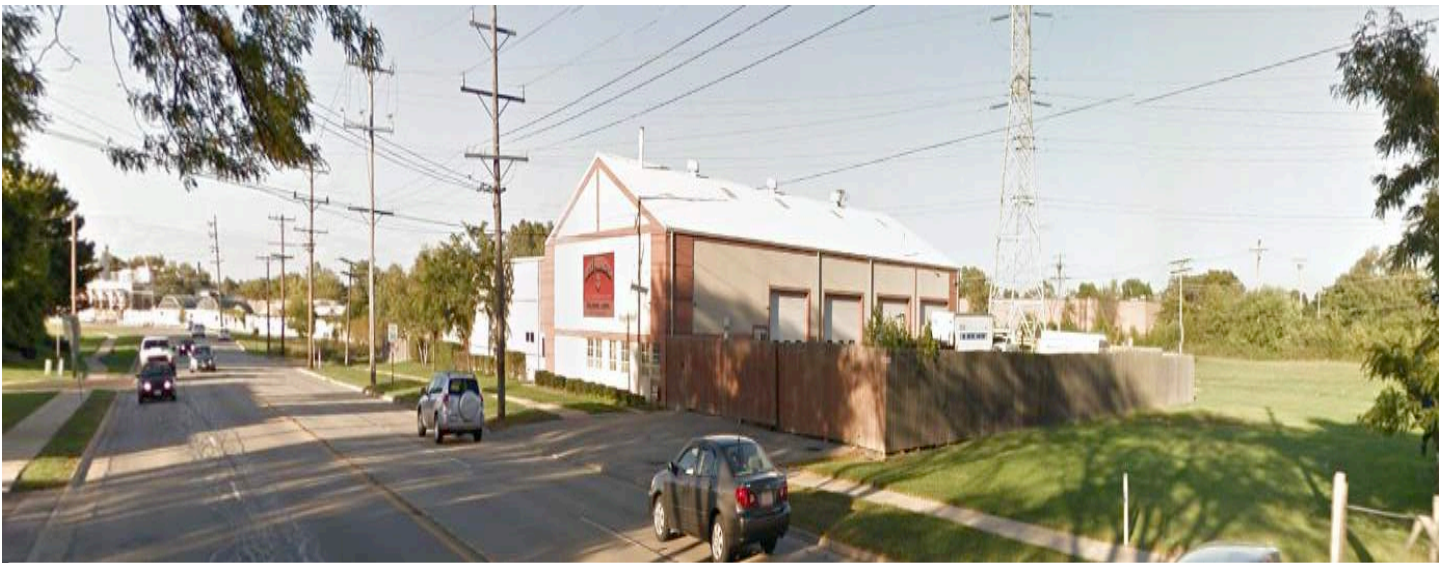
Map created on October 19, 2017.

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The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law.

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





Arket

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;

Exhibit B

- 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
Village President

ATTEST:

Christina Brady
Village Clerk



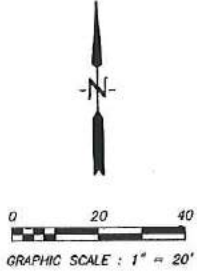
APPROVED AS TO FORM ONLY:

James V. Fardola
Village Attorney

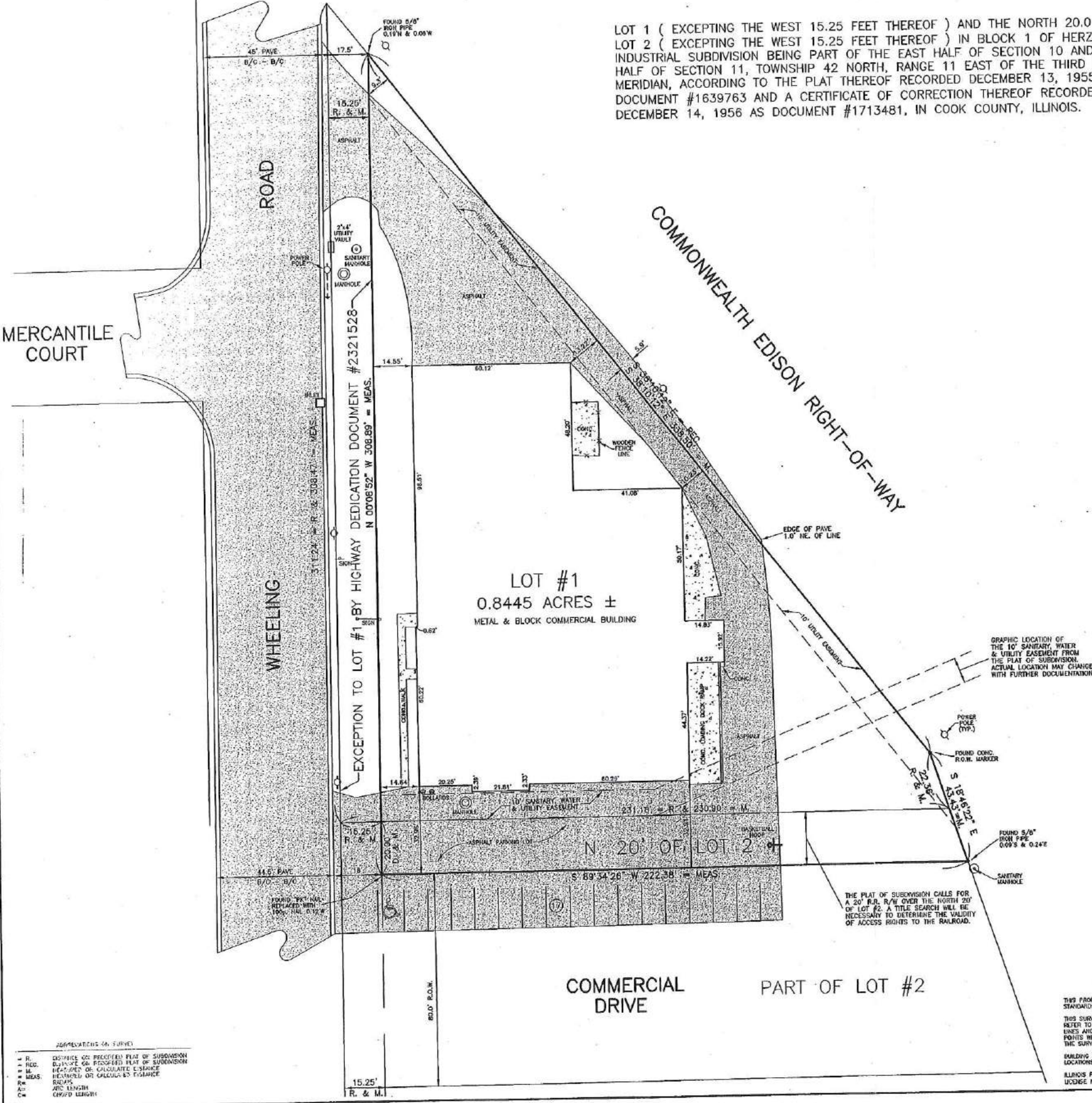
PUBLISHED in pamphlet form this 26th day of April, 2005 by order of
the Corporate Authorities of the Village of Wheeling, Cook and Lake Counties, Illinois.

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.

WITNESS MY HAND AND SEAL AT CRYSTAL LAKE, ILLINOIS
FEBRUARY 2005

CHARLES A. MIONSKE
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 1780
LICENSE EXPIRATION DATE: 11-30-2006

WASSENAAR SURVEY			
Charles A. Mionske Inc.	SURVEYING / LAND PLANNING 2024 STATE ROUTE 178 CRYSTAL LAKE, ILLINOIS 60014 (815)-455-3252	SCALE : 1" = 20'	REVISIONS
		DATE : 2-25-2005	
		DATE OF FIELD WORK: 2-23-2005	
PREPARED FOR: WASSENAAR	ADDRESS: 435 SOUTH WHEELING ROAD		
	WHEELING, ILLINOIS		
DRAWN BY: BHP	CHECKED BY: TYA	JOB NO. 2005-023	
		DISK: C:\00735 FILE: RM_0005023.DWG EASIS: 61340 PLOT: NO. 01360P	

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 (l) 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 Aye
Trustee Argiris Aye
Trustee Brady Nay

Trustee Heer Nay
Trustee M. Horcher Aye
Trustee P. Horcher Aye

APPROVED this 10th day of January, 2006.

Greg Klutecki
Village President

ATTEST:

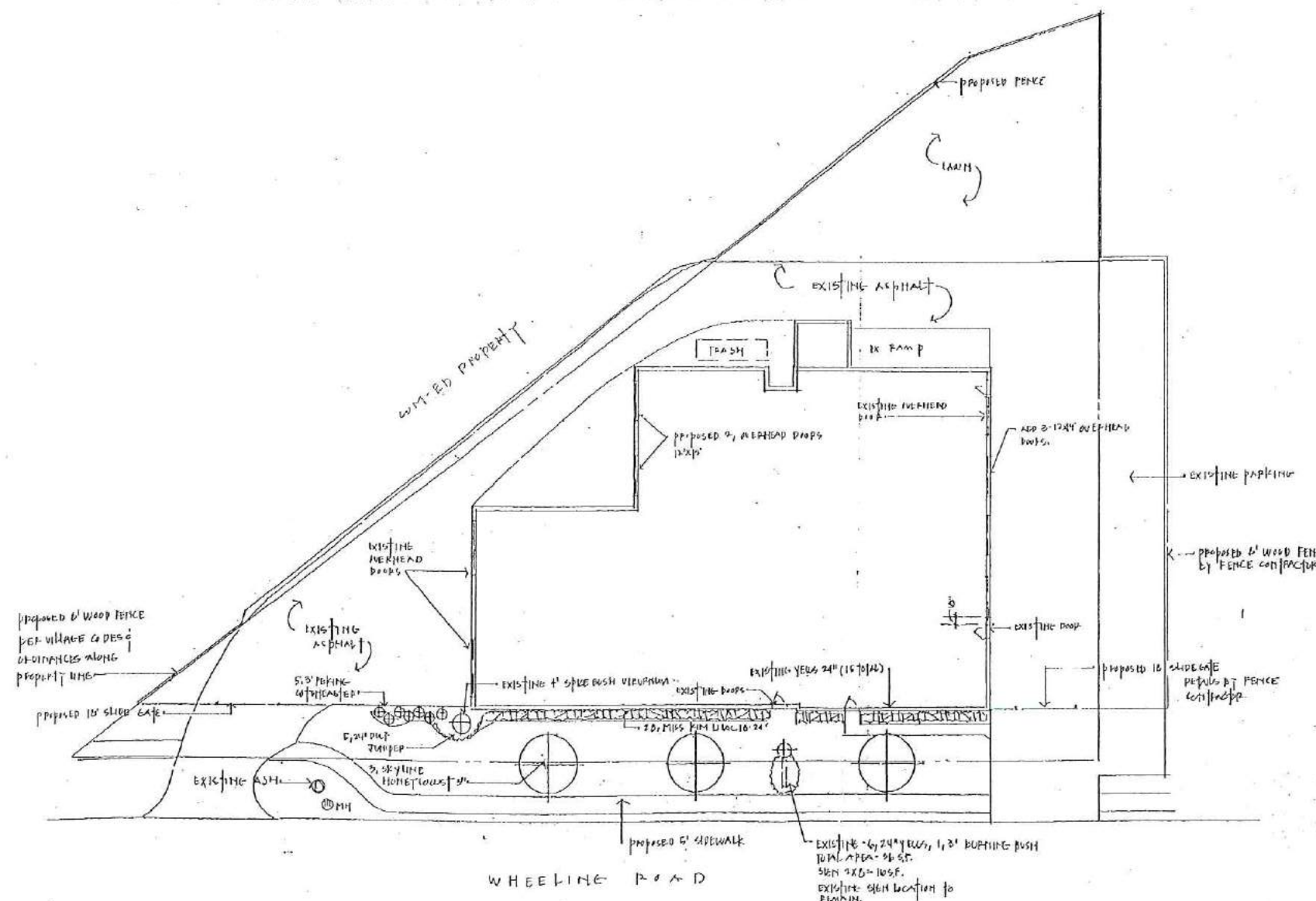
Elaine E. Simpson
Elaine E. Simpson, Village Clerk

APPROVED AS TO FORM ONLY

Janet F. Fiedler
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.



LANDSCAPE PLANTINGS

- 3, SKYLINE HONEY LOCUST 3"
- 5, PEKING COFFEE TREE 3'
- 6, DWARF JUNE 18-24"
- 20, MISS KIM HAWK 18-24"

RECEIVED
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 2-2-05
SCALE 1"=20'-0"
REV 2-16-05
ARCH

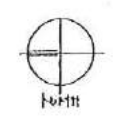
OFFICE-WAREHOUSE
435 WHEELING RD
WHEELING, IL

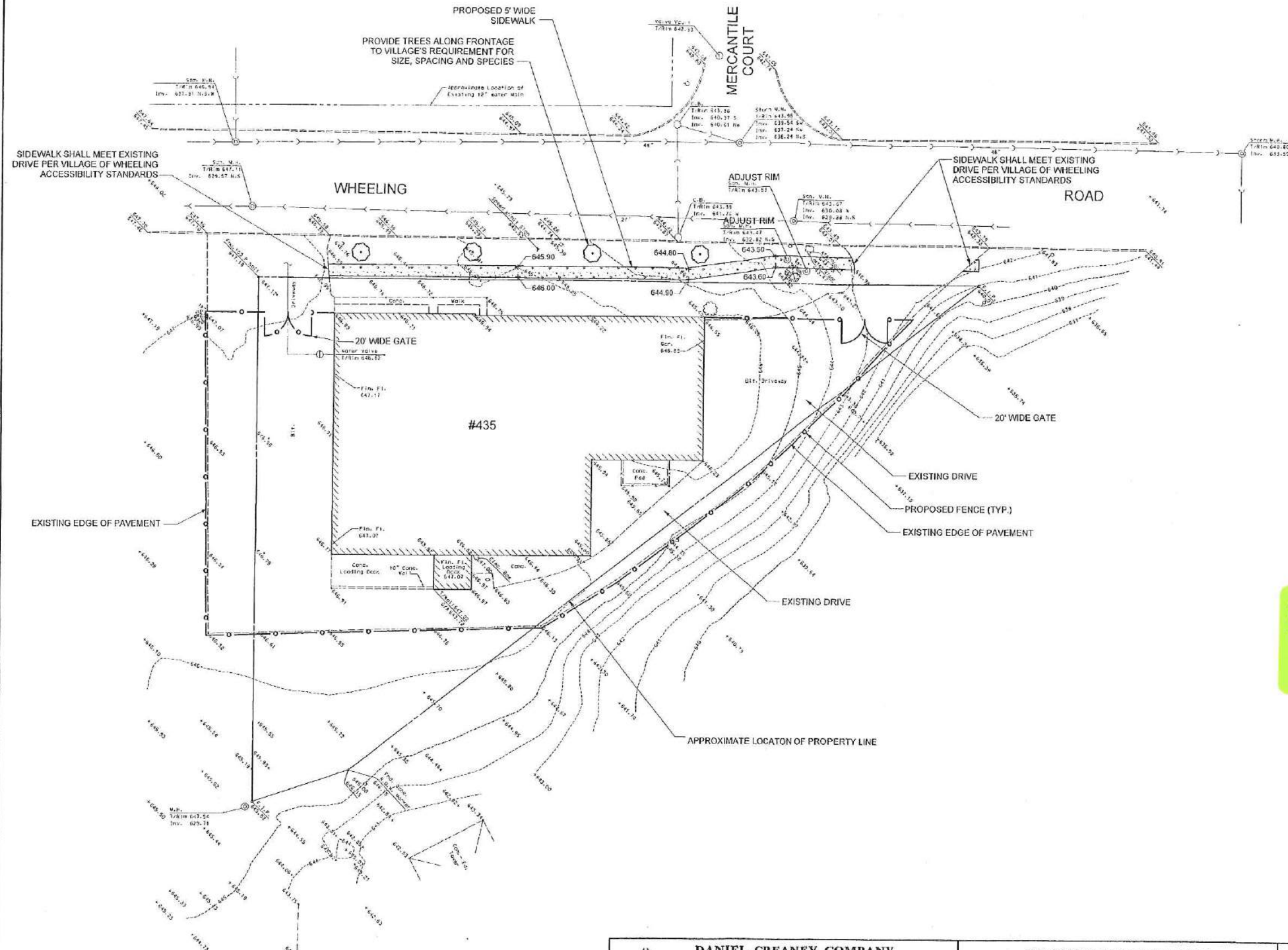


SAM MORMINO LANDSCAPE CORPORATION
LANDSCAPE ARCHITECTS & CONTRACTORS
(847) 478-0223



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





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	—

PAVEMENT LEGEND

5" P.C.C. CONCRETE SIDEWALK
4" AGGREGATE BASE

**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

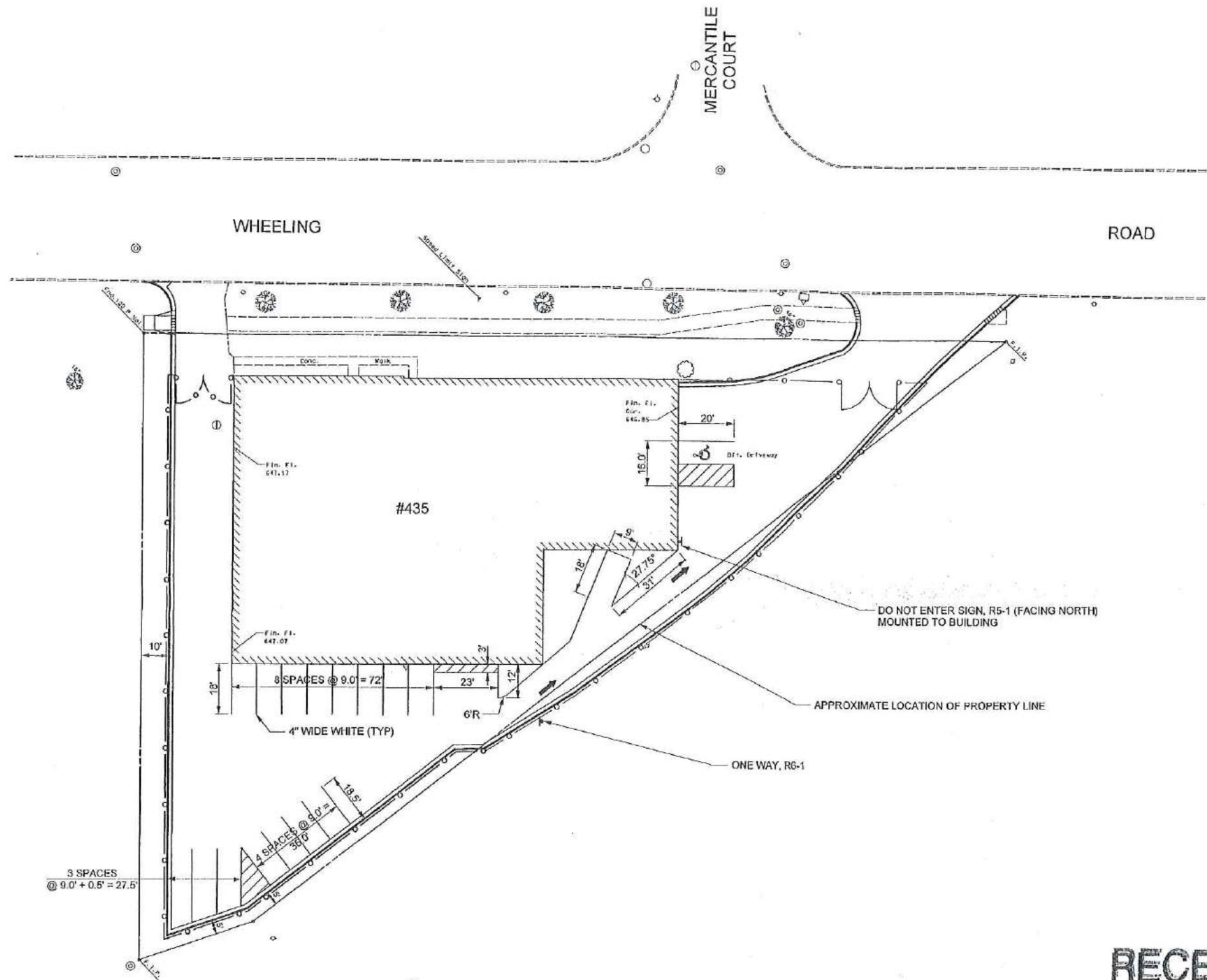
FOR REVIEW PURPOSES ONLY

DANIEL CREANEY COMPANY CONSULTING CIVIL ENGINEERS 450 SROKIE BLVD. SUITE 105 NORTHBROOK, ILLINOIS (847) 480-5757		435 SOUTH WHEELING ROAD WHEELING, ILLINOIS		SHEET 3 OF 8
DESIGNED BY: M.T. DRAWN BY: A.P.O.	CHECKED BY: D.A.C. JOB NO.: 5547	SCALE: 1" = 20' BOOK: 204	PROPOSED SITE IMPROVEMENT PLAN	
DATE: 11-08-05	BY: M.T.	REVISION: VILLAGE SUBMITTAL	DATE: 10-25-05	

PROJ. No. 5547

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

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



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.G.	SCALE: 1" = 20'			
DRAWN BY: A.P.O.	JOB NO: 5547	BOOK: 204			
FUTURE STRIPING AND SIGNING PLAN			11-08-05	M.T.	VILLAGE SUBMITTAL
			DATE	BY	REVISION
			DATE 10-25-05		

PROJ. No. 5547

LAW OFFICES
KLEIN, THORPE AND JENKINS, LTD.

SUITE 1660
 20 NORTH WACKER DRIVE
 CHICAGO, ILLINOIS 60606-2903

TELEPHONE (312) 984-6400
 FACSIMILE (312) 984-6444
 FACSIMILE (312) 606-7077

ORLAND PARK OFFICE
 15010 S. RAVINIA AVE., SUITE 17
 ORLAND PARK, IL 60462-3162
 TELEPHONE (708) 349-3888
 FACSIMILE (708) 349-1506

LANCE C. MALINA
 MICHAEL A. MARRS
 THOMAS M. MELODY
 JANET N. PETSCH
 DONALD E. RENNERT, III
 SCOTT P. UHLER
 GEORGE A. WAGNER
 ALLEN WALL
 DENNIS G. WALSH
 JAMES G. WARGO
 BRUCE A. ZOLNA

OF COUNSEL
 JAMES A. RHODES
 RICHARD T. WIMMER

JOSHUA S. ABERN
 RINDA Y. ALLISON
 TERRENCE M. BARNICLE
 JAMES P. BARTLEY
 THOMAS P. BAYER
 GERRARD E. 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. LUCANSKY

WRITER'S DIRECT DIAL
 312-984-6433

WRITER'S E-MAIL
jvferolo@ktinct.com

May 9, 2006

Mr. Michael A. Alesia
 1111 Plaza Drive
 Suite 450
 Schaumburg, IL 60173

RE: 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
 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



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.

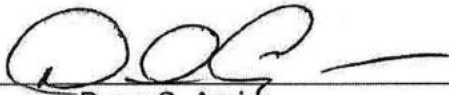
President Argiris Aye Trustee Lang Aye

Trustee Brady Aye Trustee Papantios Aye

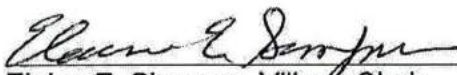
Trustee Krueger Aye Trustee Vito Aye

Trustee Vogel Aye

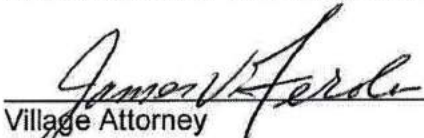



Dean S. Argiris
Village President

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 TJ

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
Reprinted On: 04/12/2017 10:08a



1710229005

Doc# 1710229005 Fee \$144.00

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**

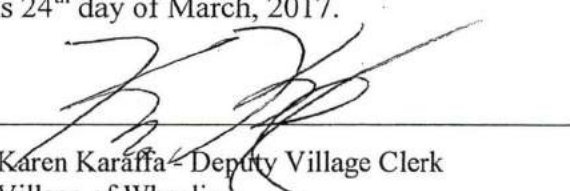
are true and correct copies of the documents presented to the President and Board of Trustees of the Village of Wheeling.

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

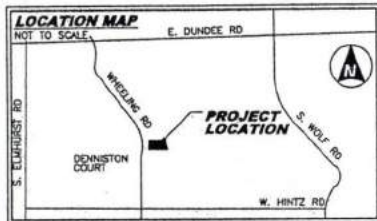
ATTEST:

[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 } SS
COUNTY OF COOK }

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 } SS
COUNTY OF COOK }

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 249.77 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AREA:

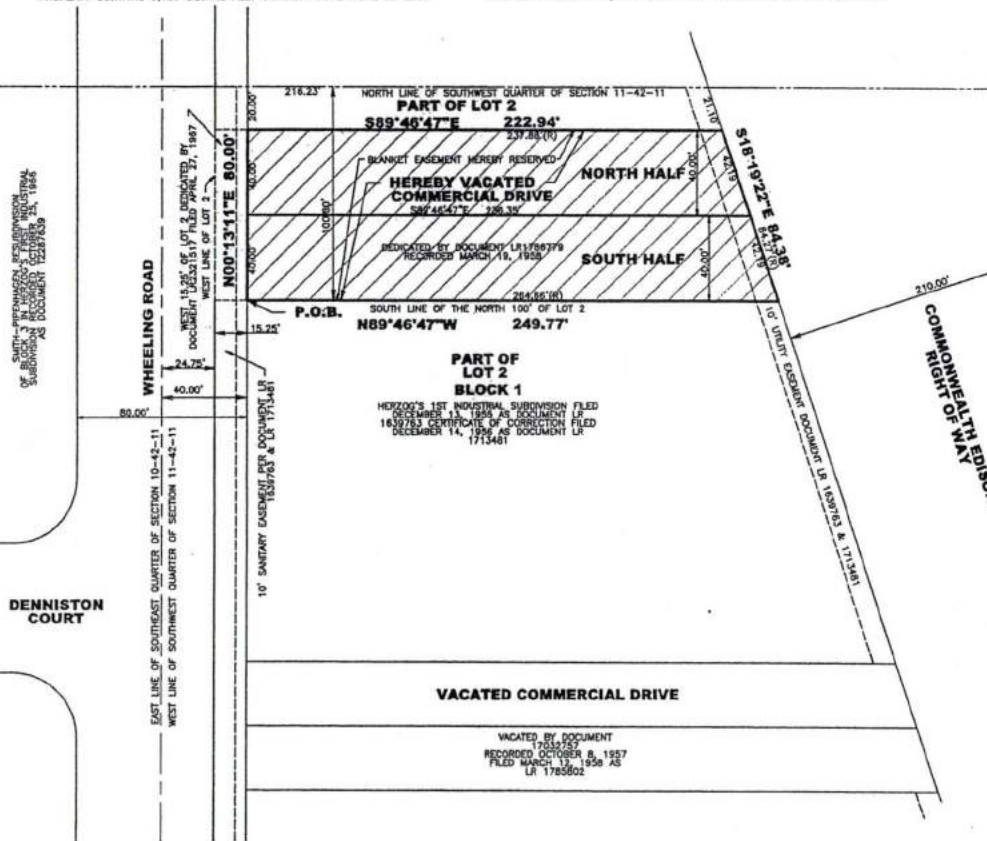
PROPERTY CONTAINS 9,186 SQUARE FEET OR 0.211 ACRE MORE OR LESS

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 249.77 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



SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } S.S.
COUNTY OF COOK }

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 March, 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
02-16-17	REVISE PER VILLAGE REVIEW	RWO	DATE 10-04-16
01-19-17	REVISE PER VILLAGE REVIEW	RWO	SCALE 1"=40'
DATE	DESCRIPTION OF REVISION	BY	

**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.

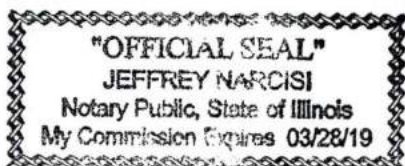
By: Sebastian S. Palumbo

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

From: Keith MacIsaac <KMacIsaac@wheelingil.gov>
To: Brooke Jones <BJones@wheelingil.gov>; Andrew C. Jennings <AJennings@wheelingil.gov>
Cc: Ronald Antor <RAntor@wheelingil.gov>; Pete Aiello <petesperf@sbcglobal.net>; "Kevin@igconsulting.net" <kevin@igconsulting.net>
Sent: Thursday, January 25, 2018 10:38 AM
Subject: Pete's Perfection - Plan Commission Issue (Fire Lane)

This morning I meet with Pete Aiello of Pete's Perfection and his consulting engineer, Kevin Lewis, regarding the Fire Department's issue regarding a fire lane at this location. As drawn, they will be providing a 20 foot wide fire lane completely around the building. However, there are two (2) points where the corner of the building and the adjacent drainage swale/lot line do not permit a full 20 foot width. Since there is no practical means in which to widen the fire lane to meet the 20 foot width requirement, I have agreed that in only these two (2) locations will the 20 foot width requirement be waived by the Fire Department. Mr. Aiello's consulting engineer will amend their drawings to call-out these two (2) specific locations in order to establish a permanent record of the agreement.

All other items contained within Fire Inspector Antor's review of this project remain applicable and the Fire Department has no objections with this project proceeding to the Plan Commission. If you should have any questions, please let me now.

Keith S. MacIsaac, EFO/CFO
Fire Chief
Wheeling Fire Department
499 S. Milwaukee Avenue
Wheeling, IL 60090

(847) 459-2662 – Office
(847) 980-2009 - Cell
(847) 215-4692- Fax

E-Mail: kmacisaac@wheelingil.gov

Web Page: <http://www.wheelingil.gov/264/Fire-Department>

"FIRE – its impact is costly but prevention is cheap! Practice fire safety everyday wherever you live, work, and play."



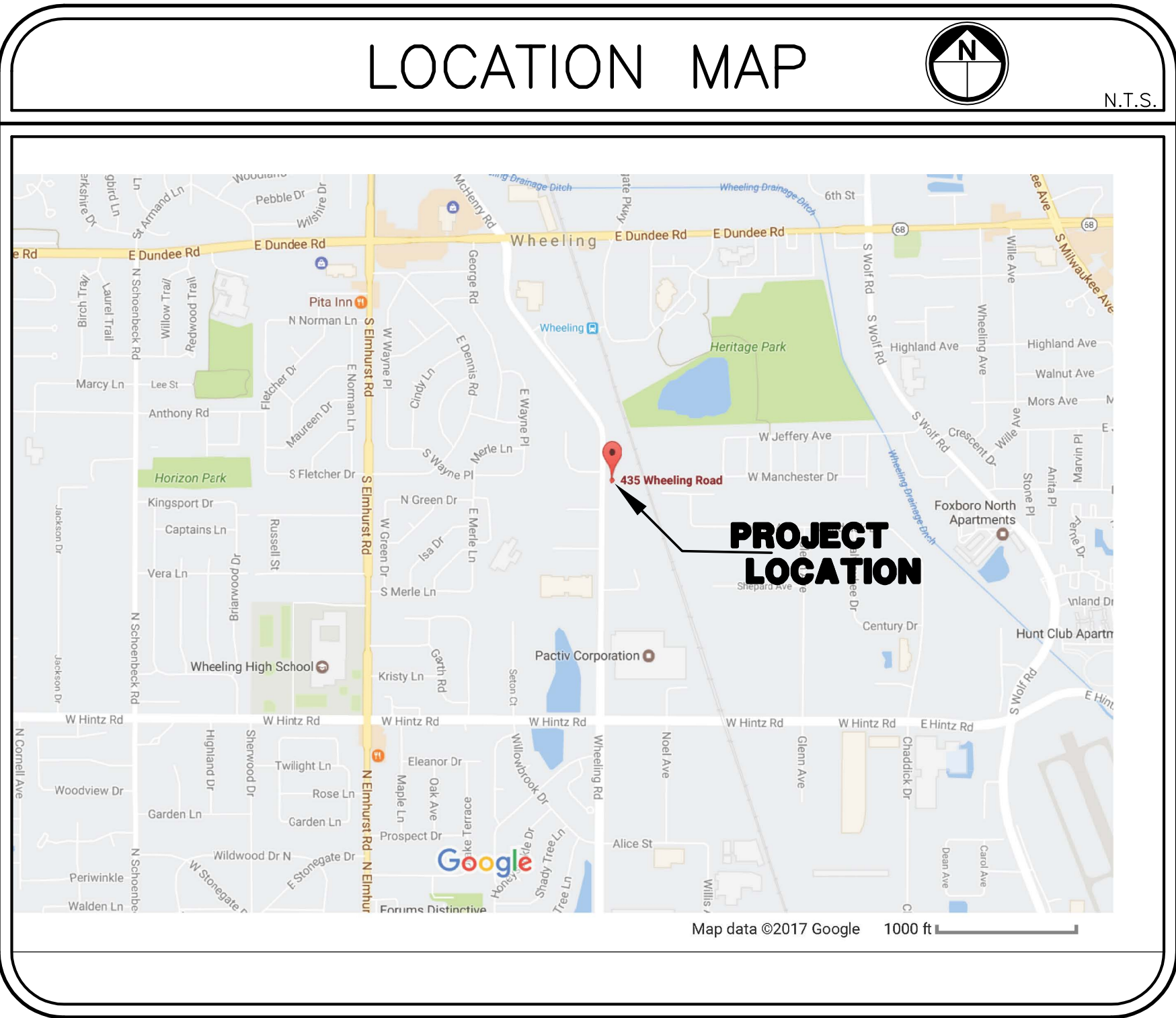
IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient of it. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

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

2017

GENERAL NOTES:

- 1) It shall be the responsibility of the developer (owner) and the contractor to abide by, adhere to and perform all work in accordance with the requirements, specifications, standards, practices, policies and codes of the Village of Wheeling which includes but is not limited to labor, materials, procedures and safety.
- 2) Underground construction shall comply with the applicable ordinances and requirements of the Village of Wheeling and the Illinois Department of Transportation "Specifications for Road and Bridge Construction", latest edition, and the Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition. All construction shall conform to the Illinois Recommended Standards for Sewerage Works, latest edition, published by the Illinois Environmental Protection Agency (i.e.p.a.) except for conflicts with the Metropolitan Water Reclamation District of Greater Chicago (m.w.r.d.g.c.) Sewer Permit and Manual of Procedures Ordinances. In case of a conflict the most restrictive standards and requirements shall govern.
- 3) All piling and excavation work shall comply with the applicable ordinances of the Village of Wheeling and the Illinois Department of Transportation "Specifications for Road and Bridge Construction" latest edition. In case of a conflict, the most restrictive standards and requirements shall govern.
- 4) The contractor shall field check and verify all existing utility locations, dimensions and elevations in the field prior to the commencement of construction of the improvements or proposed work. All existing utility locations on the plans have been shown based on best available information. Notify the engineer immediately if discrepancies are found.
- 5) Any changes, revisions or substitutions to the plans, specifications, materials, requirements or work shall be submitted to the Village Engineer, in writing, with written approval by the Village Engineer received prior to beginning said work. All materials and construction whether implicitly or explicitly stated or covered within the requirements, codes or specifications, shall be approved by the Village Engineer, prior to commencing the installation and construction.
- 6) The contractor must contact J.U.L.I.E. at 1-800-892-0123 at least 48 hours prior to starting work. All other agencies shall also be notified as required.
- 7) The contractor shall notify the Village of Wheeling Engineering Division at (847) 459-2820 and the Metropolitan Water Reclamation District of Greater Chicago (708) 588-4055 two (2) business days prior to the start of construction.
- 8) It shall be the responsibility of the contractor to call the Village at (847) 459-2820 at least 48 hours in advance and set up the necessary and proper inspection(s) for all work to be performed. One set of stamped approved plans shall be on site at all times during construction of the project.
- 9) It is the responsibility of the contractor to maintain and keep at the job site, an up to date set of "Record Drawings" showing all changes from the original plans. The contractor shall deliver the "Record Drawings" to the engineer at the conclusion of the project, prior to any final inspections. The engineer will transfer the information to the original plans by incorporating the Village of Wheeling As-Built requirement list and furnish the Village three (3) sets of complete "Record Drawings," and, if required, one (1) set of electronic version of the Record Drawings and Site Information at the completion of the project.
- 10) The location of all service connections for sanitary sewer, storm sewer and water shall be shown from the closest manhole or valve vault. All B-boxes and cleanouts must be shown with tied dimensions. The elevation of all rims and inverts shall be verified by the contractor and shown on the "Record Drawings".
- 11) OSHA rules, regulations and requirements shall be strictly adhered to during the execution of all work to be performed under the approved drawings.
- 12) The contractor shall provide video tape(s) or still pictures as required by the Village Engineer prior to the commencement of work.
- 13) The contractor shall restore all disturbed off-site areas to at least a condition that existed prior to construction.
- 14) All unpaved areas of the right-of-way are to be sodded. Restore right-of-way with six (6) inches of topsoil and sod.
- 15) All existing field drainage tiles encountered or damaged during construction are to be restored to their original condition, properly rerouted and/or connected to the storm sewer system.
- 16) Storm and sanitary sewer lines shall be cleaned of all construction debris and silt prior to Village inspection.
- 17) All independent testing to be paid for by the developer. Testing to be conducted at the discretion of the Village.
- 18) All obstructions that are not approved by the Village and which currently exist in the right-of-way shall be removed, which include all rocks and boulders.
- 19) All septic and/or well abandonment's shall be in accordance with the requirement of the Village of Wheeling.
- 20) The contractor shall refer to mitigation or landscape plans for complete information regarding planting locations, wetlands, walkways, walls, and stream and pond shorelines, if applicable.
- 21) An iron pipe shall be found and located or set at each lot corner.
- 22) All elevations are based upon NAVD 88 datum.
- 23)



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

DATE

ILLINOIS REGISTRATION NO. 062-055368 EXPIRATION DATE: 11-30-2019

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 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
11/21/17	PER CLIENT REVIEW	S.R.M.
12/26/17	PER CLIENT REVIEW	S.R.M.

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

DRAFTING: S.R.M.

DATE: 11/06/17

SCALE: N/A

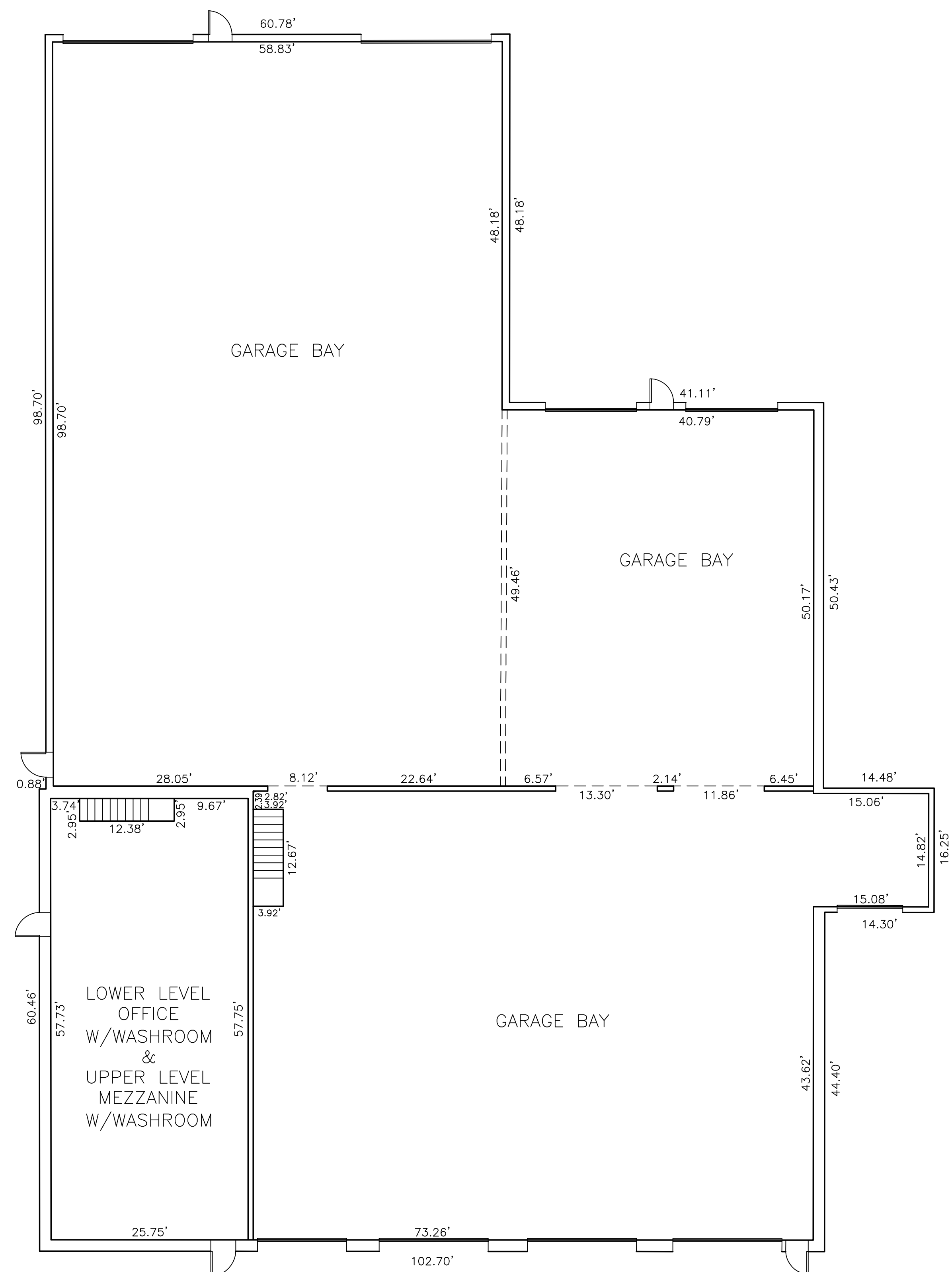
TITLE SHEET
& GENERAL NOTES

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

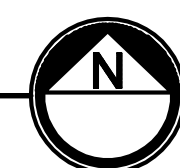
PROJECT No.
17259

1 of 5





EXISTING FLOOR PLAN



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

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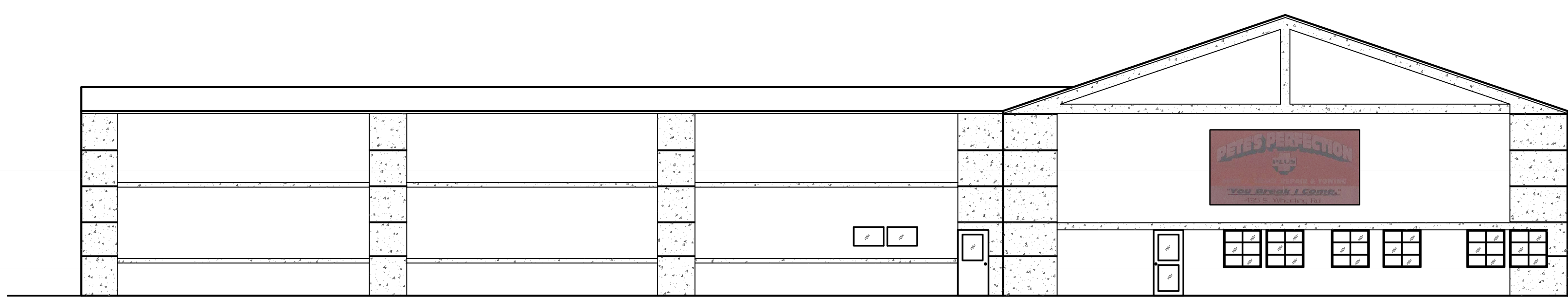
EXISTING FLOOR PLAN	DESIGN: C.K.
	SCALE: 1"=10'

DRAFTING: S.R.M.
DATE: 05/24/17

[illegible]

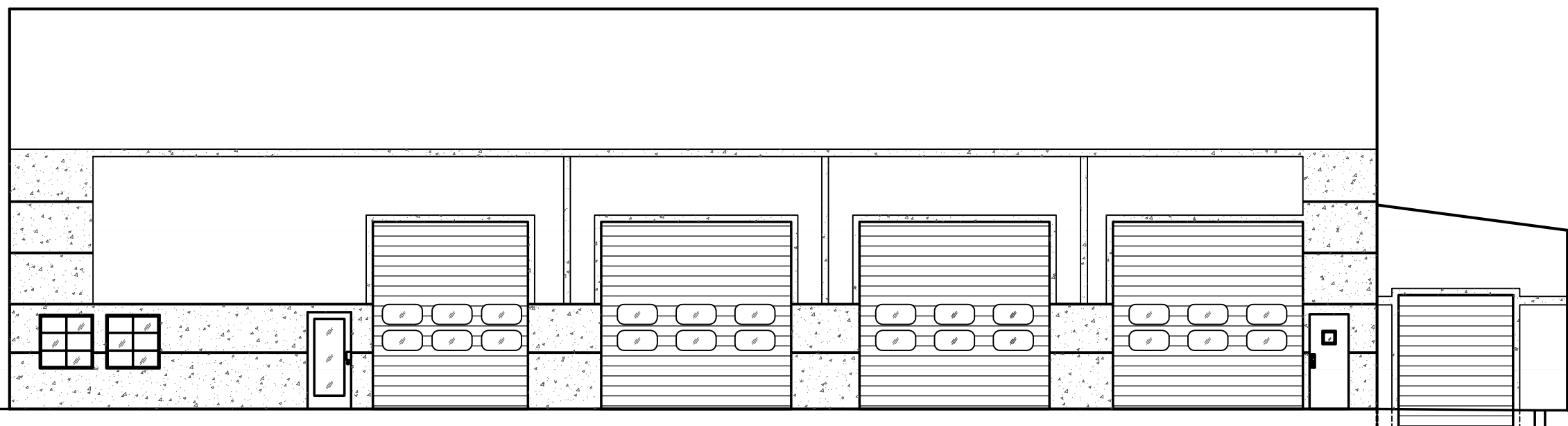
PROJECT No.
17259

4 of 5



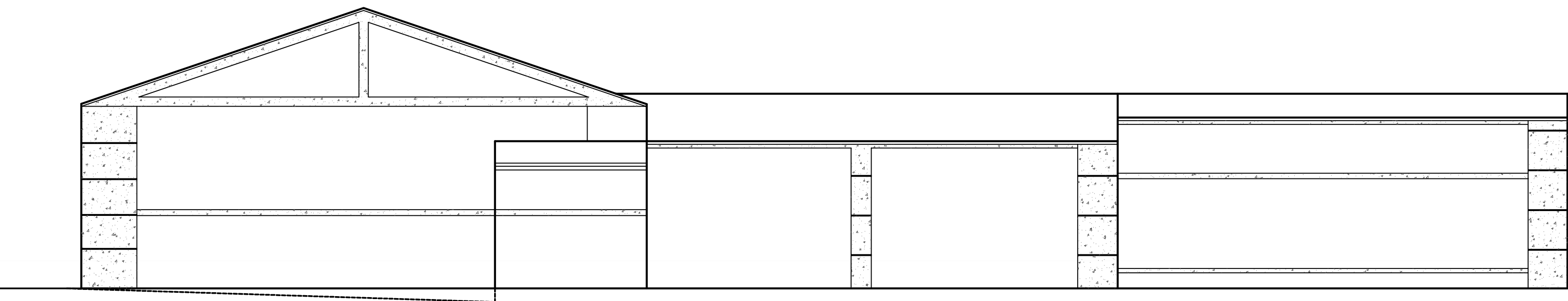
WEST ELEVATION

SCALE: 1"=10'



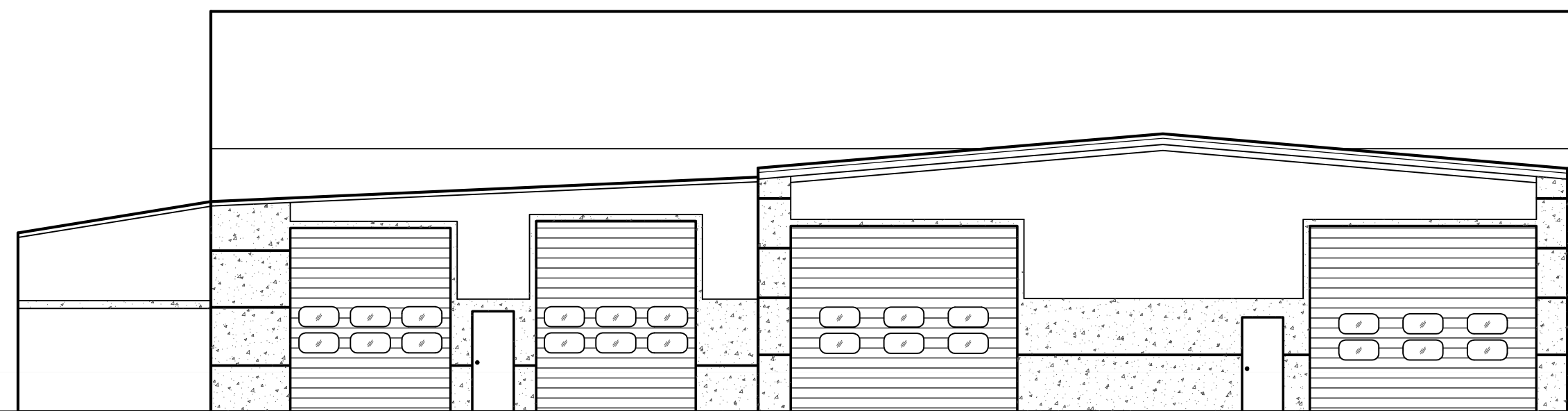
SOUTH ELEVATION

SCALE: 1"=10'



EAST ELEVATION

SCALE: 1"=10'



NORTH ELEVATION

SCALE: 1"=10'

BUILDING ELEVATIONS



ELEV.=677.06

ELEV.=647.03

ELEV.=677.06

ELEV.=647.03

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

PROJECT No.
17259

5 of 5

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INFRACON & GEOCON
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300 MARQUARDT DRIVE WHEELING, ILLINOIS 60090 PH. (847) 215-1133 FAX (847) 215-1177

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

REVISIONS

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

FIRM NO. 184-001330

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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



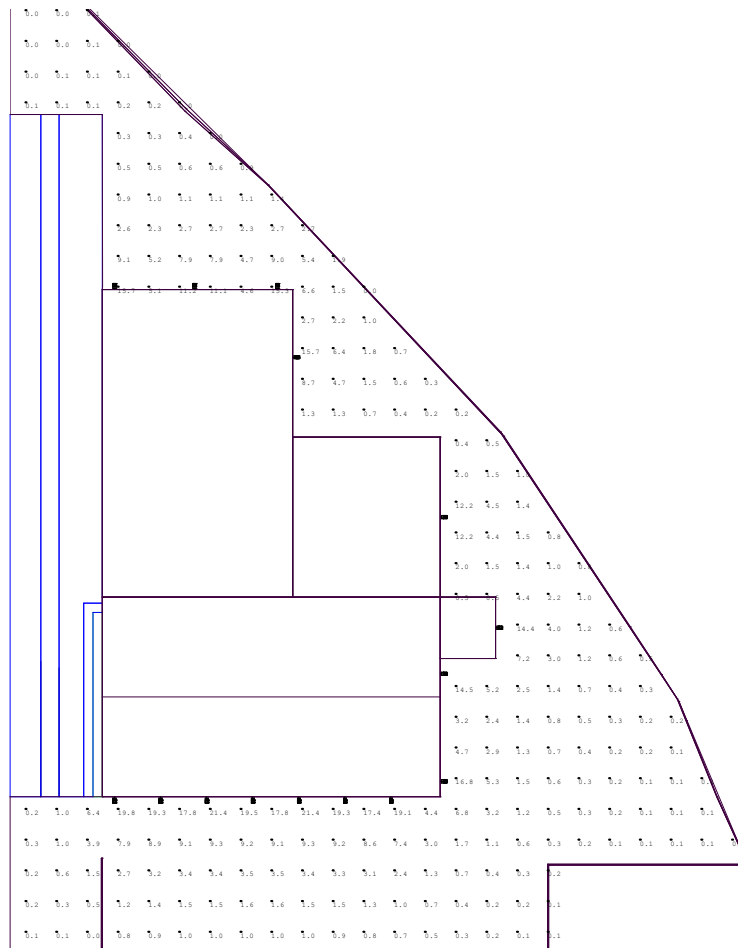
Luminaire Location Summary

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
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 COMMERCE, CA 90040

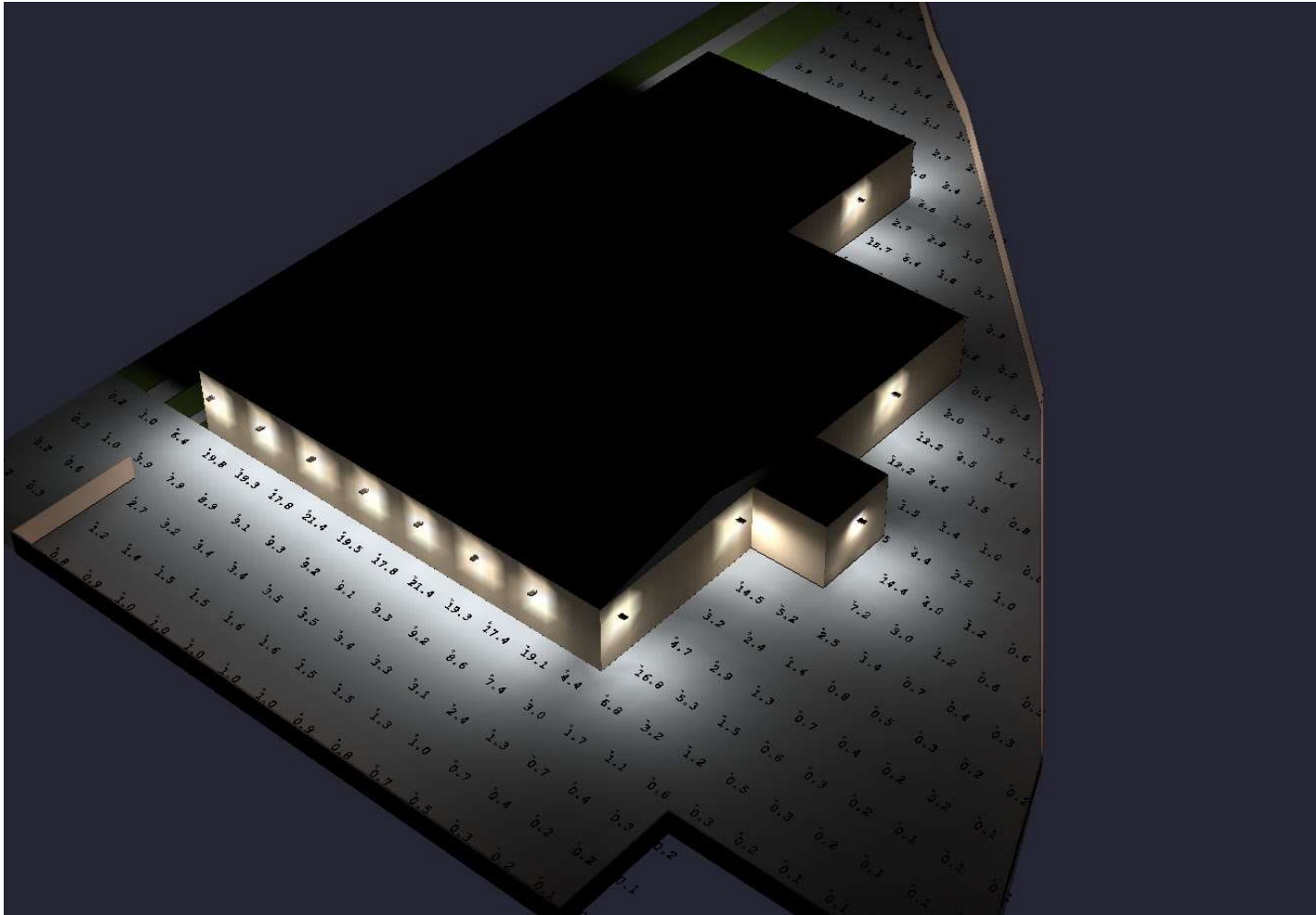




435 S WHEELING RD-WHEELING IL
PROPOSED DEVELOPMENT
65 W LED 4K IV WM WITH 10° TILT

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 COMMERCE, CA 90040





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

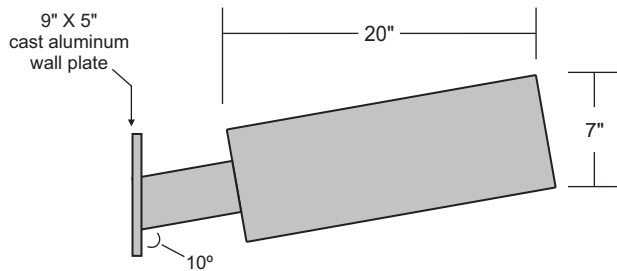
ECHO LIGHTING INC
5618 EAST WASHINGTON BLVD
COMMERCE, CA 90040





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.

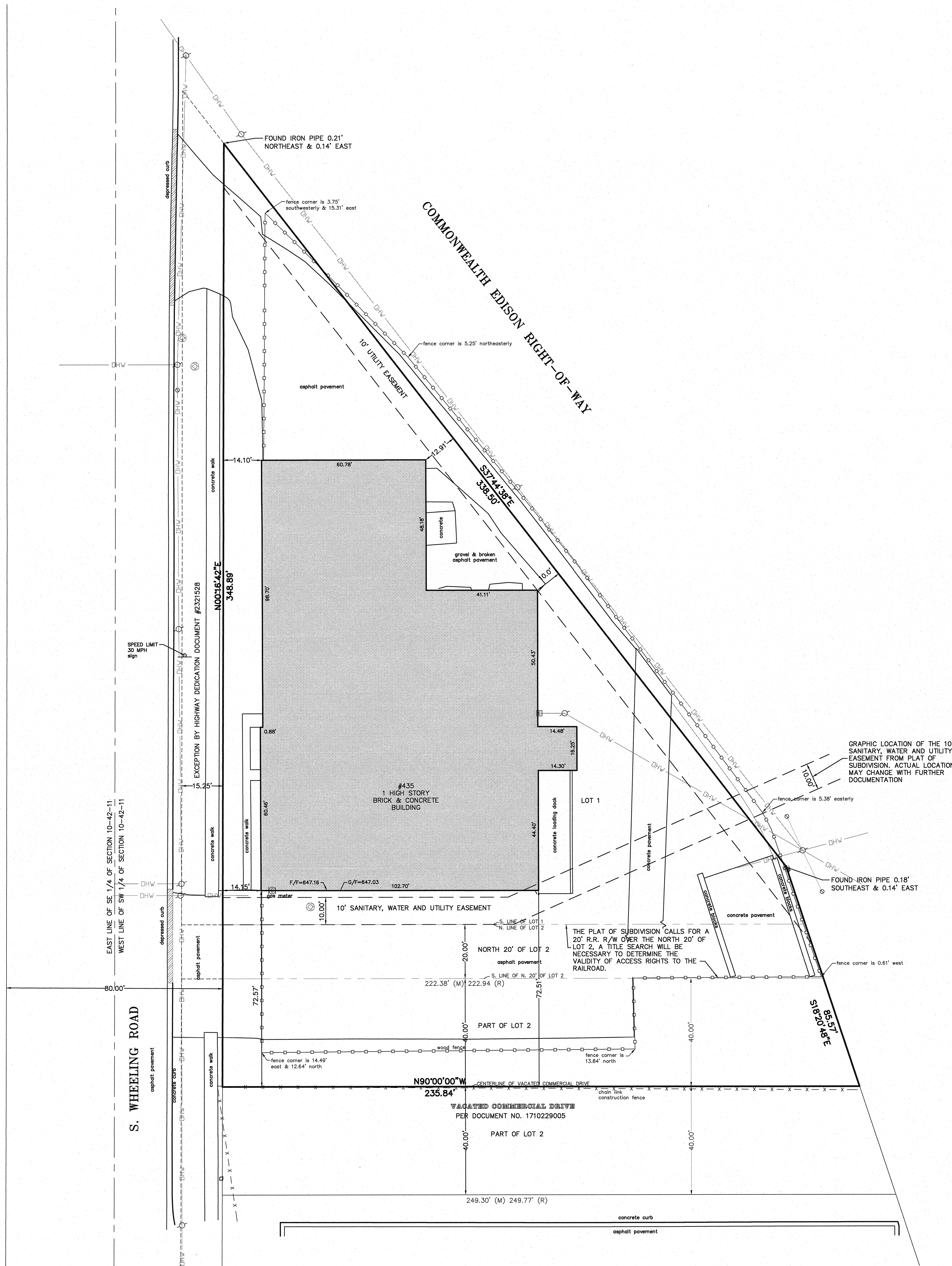


ECHO LIGHTING INC.
5618 E. Washington Blvd.
Commerce, CA 90040
PH: (323) 890-9008 • FAX (323) 890-1981
Website: www.echolightingla.com

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

PROJECT NUMBER
17259

PLAT OF SURVEY
PETE'S PERFECTION PLUS
435 S. WHEELING ROAD
WHEELING, ILLINOIS

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*

FIRM NO. 184-001330

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: *KEVIN C. LEWIS*
ILLINOIS PROFESSIONAL LAND SURVEYOR #3681
LICENSE EXPIRES NOVEMBER 30, 2018



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

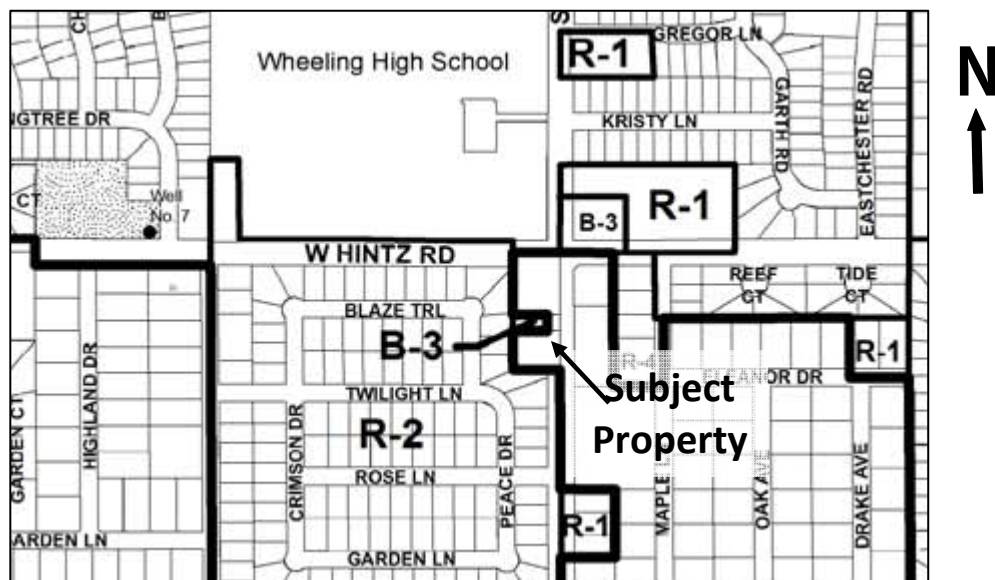
RE: **Docket No. 2018-3A&B**
Mexico Mufflers and Brakes
1210 Elmhurst Road
(2018-3A) Zoning Variations Related to Required Parking,
Green Space, Building Setback, and Parking
Setback
(2018-3B) Special Use-Site Plan Approval for Light Motor
Vehicle Repair

DATE OF REPORT: March 1, 2018

DATE OF MEETING: March 8, 2018

PROJECT OVERVIEW: The petitioner is seeking multiple zoning actions at 1210 Elmhurst Road, which was previously used as a light auto repair facility, but has since gone vacant. The petitioner is requesting special use-site plan approval to re-establish light auto repair. The application also includes several zoning variations related to the existing conditions of the property.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

Applicant Name: Thomas Budzik, architect

Property Owner: Mexico Mufflers and Brakes 4 Less 2, Inc.

Wheeling Plan Commission
Meeting date: March 8, 2018
RE: Docket Nos. 2018-3A&B

<u>Common Property Address:</u>	1210 Elmhurst Road
<u>Common Location:</u>	Located on the east side of Elmhurst Road, midblock between Hintz Road and Rose Lane.
<u>Neighboring Property Land Use(s):</u>	North: Auto Repair (Prospect Heights) South: Gas Station/Restaurant (Prospect Heights) West: Single-family residential East: Retail/service/restaurant (Prospect Heights)
<u>Comprehensive Plan Designation:</u>	Commercial
<u>Property size:</u>	7,800 sq. ft. (total lot) 1,553. ft. (building area)
<u>Existing Use of Property:</u>	vacant light motor vehicle repair
<u>Proposed Use of Property:</u>	Light motor vehicle repair
<u>Existing Property Zoning:</u>	B-3 General Commercial and Office District
<u>Proposed Property Zoning:</u>	no change
<u>Previous Zoning Action on Property:</u>	
AC 80-30	Appearance approval of architectural design and landscaping
2002-32	Ordinance No. 3684, passed 10.15.200, granted sign variation (wall sign area)
2003-34	Ordinance No. 3783, passed 9.22.2003, granted sign variations (freestanding sign setback and sign landscaping)

BACKGROUND INFO & DESCRIPTION OF PROPOSAL

The subject property was originally developed as a light auto repair facility in 1980. Special use approval was not required at that time. Recently, the auto repair shop lost its legal, non-conforming status because it was closed for over six months. In order to reopen as a light motor vehicle repair shop, it must first receive special use-site plan approval. The applicant is also seeking several zoning variations which will be addressed in the section below.

The petitioner, Mexico Mufflers and Brakes, is proposing to re-establish light auto repair on the subject property. The petitioner owns the adjacent auto repair shop, just north of the subject property, at 1212 Elmhurst Road, which is located in Prospect Heights. The intent is to operate both properties as a single business. According to the project description, all customers will be directed to park and enter at the 1212 property. The subject property, 1210, will be used for repairs and for employee parking. Employees will move customer vehicles between the two properties, as needed. The 1210 property will have the same hours of operation as 1212, which is 8am to 6pm Monday through Friday and 7am to 5pm on Saturdays.

The current application for special use approval will include the following property improvements:

1. Painting of the building,
2. New banding on façade,
3. Repairs to existing trash enclosure,

4. New rear privacy fence,
5. New landscaping, and
6. New building mounted lights fixtures.

DESCRIPTION OF ZONING VARIATIONS

The petitioner is seeking four zoning variations, which are related to the existing conditions of the property:

1. Reduction in the rear yard building setback from 25'0" to 17'11".
2. Reduction in the parking setback from 10'0" to 0'.
3. Reduction in the minimum green space from 25 % to 5.2%.
4. Reduction in the required number of parking spaces from 12 to 7.

SITE PLAN REVIEW

Scale of Site Plan: 1/16" = 1'

Proposed General Site Layout: No changes are proposed to the general site layout. The building remains with garage door access on the front (east) and rear (west) facades. Parking is limited to the existing seven spaces at the front of the lot. The existing parking has a 0' setback on the sides and along the front property line, whereas a 10' setback is required. The petitioner is seeking a parking setback variation for these existing conditions. There is a side drive to the rear of the building. Fenced outdoor storage is limited to the southwest corner of the site. The building has an existing non-conforming rear setback of 17'11", whereas 25' is required. The petitioner is seeking a setback variation for this existing condition.

Proposed Floor Plan: Very little is changing on the interior layout. There are a total of four services bays: two in front and two in the rear.

Total Number of Parking Spaces: The parking requirement for an auto repair facility is 6 spaces per 1,000 sq. ft. plus one space for each employee. Since the facility is 1,553 sq. ft. in size, this requires 10 spaces. Two additional spaces are required for the two proposed employees of the building. Therefore the required parking for the property is 12. However, only the 7 existing parking spaces can fit on the property. The petitioner is seeking a parking variation of 5.

Ownership: The property is owned by the same owner/operator as that of the adjacent Mexico Mufflers facility at 1212 Elmhurst Road. The applicant plans to operate the two auto repair facilities as a single business.

Site Lighting: A photometrics plan has been provided. New building-mounted fixtures are proposed.

Trash Enclosure: There is an existing brick enclosure on the south side of the building. It is made of brick and will be repaired, as needed. A new gate is proposed, with details provided on the landscape plan. The Fire Department suggests that a sliding gate be used to eliminate the building

entry obstruction created when the gates are open. The Plan Commission may wish to discuss this option with the petitioner.

Fencing: It appears that the existing chain link fencing is being removed from the site. A new six-foot solid cedar fence is proposed for the rear property line (as required adjacent to residential property) and surrounding the outdoor storage area at the southwest corner of the site. The outdoor storage will be gated in the rear of the property. A fence detail is provided on the landscape plan.

Sidewalks: There is an existing public walk along Elmhurst Road. Due to the existing concrete retaining wall on the north property line, there is not accessible route through the subject property to 1212 Elmhurst Road. One must walk out to the public walk to enter the site.

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 existing amount of green space on the site is 5.2 %. The applicant is seeking a zoning variation for the lack of green space.

APPEARANCE REVIEW

Elevation Plan Review: The existing brick building exterior appears in disrepair. The front brick façade has been painted in the past. The petitioner plans to repaint the front façade in three new colors: light beige on top, light grey in the middle band, and dark grey for the first ten feet from ground level. The existing overhead garage doors and side entry doors will remain. Two new horizontal bands are proposed on the front façade. It appears that the existing bands are made of aluminum. The proposed bands are EIFS.

Material Samples: Color samples for the proposed painted brick should be provided at the meeting.

Landscaping Plan Review: There is one existing planting area along the south side of the building. No plant material is currently in this area. "New shrubs" are proposed for this area. New planters with shrubs are also proposed for the front corners of the building. The Plan Commission may wish to know the proposed plant species and quantities for the proposed plantings. There is also a small area of existing sod, just south of the walkway to the side entry of the building. This area will be resodded.

STANDARDS FOR VARIATION

Following are standards for variation with petitioner's responses. *The petitioners' response to the following questions has been shown in italics.* **Staff comments are in bold.**

1. State how the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a practical difficulty or particular hardship upon or for the owner, lessee or occupant, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

“This is an existing building. The petitioner is not seeking to make any material changes to the building, simply to allow for auto repair use on the site. Strict adherence to the ordinance to meet the setback requirements would require substantial remodel and demolition of the existing structure. The existing site is nearly 100% impervious as is. Adding green space to meet the 25% requirement would not be feasible while maintaining access to the existing rear overhead door. In order to provide additional parking spaces on the site to meet the 12 space requirement, a substantial portion of the existing building would need to be demolished. It is the size of the existing lot along with the fact that this is an existing building which results in a practical hardship for the petitioner.”

The subject property is very small and has three non-conforming conditions with regard to rear building setback, green space and parking setbacks. The building could not be reused if not for granting of these variations. An auto repair use could not occupy the building without a parking variation because there is no additional land for additional parking spaces.

2. Indicate how the hardship is due to unique circumstances that do not generally apply to the other properties or uses.

“This hardship is due specifically to the size of the lot and the siting of the existing building. Most properties in the B-3 District are generally larger and/or are not restricted on both sides by another municipality. Also given the layout of the existing building, the front two service bays will be the ones in general use. This effectively reduces the usable area of the building considerably.”

The uniqueness of this circumstance is that the property was previously used for light auto repair and the existing building and site is setup to accommodate the proposed use.

3. Describe how the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

“The petitioner has recently purchased the property and was in no way involved in its original construction or last known use.”

The property was originally developed over 35 years ago. The current property owner acquired the property last year.

4. State how the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.

“If the variations were not granted there would need to be substantial redevelopment of the property. There are no other spaces on the property to provide code compliant parking. The only manner to do so would be a combination of reducing the size of the building and adding additional parking spaces. As seen in the layout of the building, this would require eliminating 50% of the capacity of the building (from 4 service bays down to 2). The other alternative would be complete demolition and redevelopment of the property. Again, given the size of the lot and being ‘land locked’ by an adjoining municipality, this is also not practical.”

Without the setbacks, green space, and parking variations, the property will likely remain vacant.

5. State how the granting of the variation will not alter the essential character of the locality.

“Although the exact origins of this use at this location are not clear, it has functioned in the past as an auto repair use. Given the related auto repair shop to the north and the petitioners leasing of that property, the use of this building as an auto repair shop will not alter the existing character of the neighborhood. Additionally, the petitioner is proposing to make aesthetic improvements to the property as part of this project.”

There is no likely impact on the character of the area related to the variations.

6. Describe how the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

“As an existing building it will have no additional impact on the light and air to adjacent property, increase the danger of fire, endanger public safety or diminish property value. As discussed above, given the nature of the petitioner’s business, they feel that the number of existing parking spaces provided will be sufficient to adequately serve the number of customers they expect to have at this location.”

Provided that the employees can safely transport vehicles between the two properties, there is no apparent public safety issue with granting the proposed variations.

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.)

“There is local demand for an auto repair shop at this location based on the volume of work at the adjoining property. The petitioner currently leases space from the adjoining building for his auto repair business and based on his volume of work is looking to expand into the subject property with his business.”

The existing adjacent business has been in operation for years. The desire of the applicant to expand its use from 1212 Elmhurst Road to also include the subject property is a good indicator of the demand for the proposed special use 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.)

“The last known use of the existing building is an auto repair shop. There are few material changes to the actual building. The site will be improved as indicated on the plans to be more compatible with the neighborhood.”

The site is located between two existing auto related uses (auto repair and auto refueling station). The proposed use is in character with the area.

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?)

“There are no proposed changes to the site or general configuration of the auto repair shop. The building currently has 4 service bays and 7 existing parking spaces. The nature of the petitioner’s business is such that the majority of work will be light auto repair handled out of the two front service bays. The rear service bays will be reserved for overnight storage of vehicles, if necessary. The petitioner is also proposing limited outdoor storage off of the rear of the building that will free up space in the building.”

The Plan Commission should investigate what materials will be stored outdoors. Special attention should be given to its proximity to the residential property to the rear.

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?)

“There are no material changes to the existing building. A solid wood fence shall be provided to screen the residential properties to the west. Additional landscaping and planters shall be provided at the front and south sides of the property. The drive aisle on the north side shall be maintained to allow for a possible access easement to the property to the north.”

Due to the concrete curbing on the shared property line, vehicular or accessible pedestrian access between the properties is not possible. All access between the two properties will occur at the front property line.

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?)

“There are 7 existing parking spaces all located in the front of the property with an existing curb cut in the middle of the property. The zoning ordinance requires 10 customer parking spaces plus 1 space per employee for this size of the building. The front 2 service bays will be the ones that are primarily in use, limiting the actual number of customers. Secondly, the nature of their business is such that most customers make appointments for their service or are otherwise turned around in a short period. (Large scale repairs, engine re-build, transmissions, etc. are not being performed.) The petitioner’s employees also generally use public transportation to get to and from work limiting the amount of employee spaces needed. Finally, as the petitioner currently leases space at the north adjoining property, their employees have space available there.”

A parking variation of 5 stalls is required for the proposed use. As stated in the project description, customers will park and enter the business on the adjoining property (1212). Only employees will access the subject property for auto repair work or to transport vehicles between the two properties.

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.)

“This is a particular unique property in that it is surrounded to the north and south by Prospect Heights. Short of annexing the property into Prospect Heights, new development on this site would be severely limited. The building would be significantly smaller due to the lot size and parking configuration.”

Without the proposed special use, the property would likely remain vacant and underutilized.

STAFF REVIEW

Fire Department Review: The Fire Department has submitted comments dated February 27, 2018. The review includes a suggestion that the proposed trash enclosure gate be replaced with a sliding gate to eliminate pedestrian obstructions. As such, the Plan Commission may wish to ask the petitioner to consider such alternate gate.

Engineering Division Review: The Engineering Division has provided a comment memo dated March 1, 2018. The memo states that the parking lot is in disrepair. A condition of approval is suggested that the lot be resurfaced and restriped. A condition of approval has been added to the motion.

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: Prior to making motions, staff suggests the Plan Commission discuss the following issues with the petitioner:

1. Consideration for a sliding gate on the trash enclosure to eliminate obstructions;
2. Color samples for the building paint;
3. Identification of plant species and quantities identified in landscape plan;
4. Determination of materials to be stored outdoors and impacts on residential neighbors; and
5. The requirement to resurface the parking lot prior to occupancy.

PROPOSED MOTIONS

If the Plan Commission finds that the petitioner has satisfied the requirements for the granting of the requested special use and zoning variations, appropriate motions would be to:

And Recommend approval of Docket No. 2018-3A to grant the following variations from Title 19, Zoning, of the Wheeling Municipal Code, which are related to the light motor vehicle repair redevelopment, as shown on the site plan submitted January 29, 2018 for Mexico Mufflers and Brakes, to be located at 1210 Elmhurst Road, Wheeling, Illinois:

Chapter 19-06, Commercial Districts, Section 19.06.040 B-3 General Commercial and Office District,

1. Subsection D3, Minimum Green Space, reducing the minimum required green space from 25% to 5.2%;
2. Subsection E Setbacks of the Principal Building, reducing the minimum required rear yard setback from 25 feet to 17'11";
3. Subsection E Parking Setbacks, reducing the minimum required parking setback from the front and side property lines from 10 feet to 0 feet; and

Chapter 19-11, General Development Standards, Section 19.11.010, Off-street Parking and Loading, Subsection E1 Minimum Required Parking Per Land Use Category, reducing the total required parking from 12 stalls to 5 stalls.

And Recommend approval of Docket No. 2018-3B to grant Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, in order to establish Light Motor Vehicle Repair, in accordance with the following exhibits submitted January 29, 2018 for Mexico Mufflers and Brakes, to be located at 1210 Elmhurst Road, Wheeling, Illinois:

- Project (2 sheets),
- Site plan,
- Landscape plan,
- Photometrics plan,
- Floor plan,
- East elevation plan,
- West elevation plan,
- North elevation plan, and
- South elevation plan.

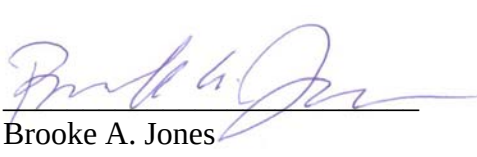
Wheeling Plan Commission
Meeting date: March 8, 2018
RE: Docket Nos. 2018-3A&B

And with the following conditions:

1. Prior to occupancy, the parking lot shall be resurfaced and restriped; and
2. *Others to be determined at hearing.*



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Jones
Senior Planner

Attachments: [Fire Department comments, dated 2.27.2018](#)

[Engineering Division comments, dated 3.01.2018](#)

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

[Project Description \(2 sheets\)](#)

[Site plan](#)

[Landscape plan](#)

[Photometrics plan](#)

[Floor plan](#)

[East elevation plan](#)

[West elevation plan](#)

[North elevation plan](#)

[South elevation plan](#)



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: February 27, 2018
SUBJECT: Proposed Special Use Permit and Zoning Variation for an Automotive Repair Facility – 1210 North Elmhurst Road, Mexico Mufflers – Documents received for review by the Fire Department, February 5, 2018.

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 shows no significant changes to the site, including Fire Department access.
2. A sliding gate would be recommended for the trash enclosure. This would eliminate the obstruction created for the exiting from the structure when the gates are open and block the sidewalk.
3. There are no proposed changes to the existing structure.

1210 North Elmhurst Road – Mexico Mufflers

1. The Use Group for the building is identified as a B (Business Use Group) on the petitioner's site plan submittal. Based on the use of the structure as an automotive repair garage, the more appropriate Use Group would be a S-1 (Storage) Use Group as defined in Section 311.2 of the International Building Code.
2. Emergency lighting shall be provided for all exits from the building at the egress doors.
3. A Fire Department approved Knox Box shall be provided for access to fenced in areas restricting Fire Department access to the building.

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: March 1st, 2018

SUBJECT: Mexico Muffler – Special Use
1210 S. Elmhurst Rd - Review Comments

The Engineering Division received a Project Description and Architectural Site Plan for the subject project on February 5th, 2018. The Engineering Division has completed a review of the above referenced submittal and has the following comments:

1. The Engineering division has reviewed the condition of the parking lot and has determined it to be in a state of disrepair. It should be added as a condition of approval that the parking lot be resurfaced and restriped according to the Village Code. An engineering permit will be required to perform this work.

Mexico Mufflers and Brakes – 1210 Elmhurst Road

Docket No. 2018-3A&B (Special Use-Site Plan Amendment for a Light Motor Vehicle Repair & Zoning Variations Related to Setbacks, Parking & Green Space)

Plan Commission Meeting – March 8, 2018



Existing conditions of building front (looking west)

Mexico Mufflers and Brakes – 1210 Elmhurst Road

**Docket No. 2018-3A&B (Special Use-Site Plan Amendment for a Light Motor Vehicle Repair
& Zoning Variations Related to Setbacks, Parking & Green Space)**

Plan Commission Meeting – March 8, 2018



Existing conditions of south side of building (looking west)

Mexico Mufflers and Brakes – 1210 Elmhurst Road

Docket No. 2018-3A&B (Special Use-Site Plan Amendment for a Light Motor Vehicle Repair
& Zoning Variations Related to Setbacks, Parking & Green Space)

Plan Commission Meeting – March 8, 2018



Existing conditions of both Mexico Mufflers properties along Elmhurst Road



THOMAS ARCHITECTS

www.thomasarch.com

01/15/2018

Village of Wheeling
Planning Division / Community Development
2 Community Boulevard
Wheeling, IL 60090

**RE: Project Description
 Mexico Mufflers
 1210 N Elmhurst Rd, Wheeling, IL**

Dear Brook Jones,

Below please find the project description for the Special Use and Zoning Variation Applications for the Auto Repair Building located at 1210 N Elmhurst Road, Wheeling, IL prepared on behalf of the applicant, Mexico Mufflers. We appreciate your consideration in this matter.

Project Description

The project includes a Special Use Permit to allow for auto repair use within a B-3 zoning district and associated Zoning Variations including setback reductions and parking count reduction. This is an existing auto repair shop which has been vacant for more than 12 months. The proposed improvements include minor façade changes, additional landscaping, new fencing and changes to the exterior lighting on the building. There are no material changes to the interior configuration of the building.

The zoning variations requested are as follows:

- Reduction in the Rear Yard Setback from 25'-0" to an existing rear setback of 17'-11"
- Reduction in required Minimum Green Space from 25% (1,950 SF) to an existing of 5.2% (405 SF)
- Reduction in required Minimum Parking Setback from 10'-0" to an existing of 0'-0"
- Reduction in required Minimum Parking Spaces from 12 spaces to 7 spaces.

The property owner / applicant currently runs his business out of the adjacent (north) auto repair shop located at 1212 N Elmhurst Road where he is a tenant. The applicant just signed a 5 year lease (with a 5 year option) at this location which includes 6 existing service bays and office. The adjacent property is located in incorporated Prospect Heights. Due to his success and growing demand, the applicant

2800 S River Rd, Suite 105
Des Plaines, IL 60018
O | 877 . 205 . 3799
F | 877 . 260 . 7209

Exhibit received January 29, 2018

purchased the building at 1210 N Elmhurst with the intent to run one business, Mexico Mufflers, out of both buildings.

The hours of operation at the applicant's existing business is 8am – 6pm, Mon – Fri and 7am to 5pm on Saturdays. They are closed on Sundays. They will hold the same hours of operation at the 1210 location. There will be a maximum of 2 employees per shift working at the 1210 location. The applicant's intent is to direct all customers to the parking lot at the 1212 location. His employees will physically move cars as necessary from 1212 to 1210. Accordingly, the work being performed at the 1210 location will focus more on longer length repairs (brakes, transmission) as opposed to regular maintenance (oil change).

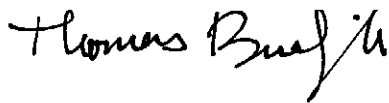
The parking spaces at the 1210 location will be reserved for the employees so as to maximize the number of available customer spaces on the 1212 side. That being said, a number of the applicant's employees do use public transportation to get to work.

The applicant is very experienced in the auto repair business. He currently operates at 14 total locations in Illinois, Indiana and Wisconsin under the Mexico Mufflers, Amerimex & Villasquez brands. As mentioned earlier, it is because of their growing demand that they have purchased the adjacent building. They are well aware that the existing building at 1210 will be difficult to run self-sufficiently. Should their lease at 1212 expire, they would have no choice but to make some other accommodations for the 1210 location (either sell or redevelop). This matter is further complicated by the fact that the neighboring property is actually in a different municipality. We have made some outreach to Prospect Heights to determine their willingness to annex 1210 into their city limits, as this would ultimately seem to be the most logical outcome. In the meantime, the applicant is anxious to make use as best as possible the building he purchased to meet the growing demand for his business.

Please feel free to contact Thomas Architects with any further comments or questions that you may have in regard to this project.

Sincerely,

Thomas Architects

A handwritten signature in black ink that reads "Thomas Budzik". The signature is written in a cursive, flowing style.

Thomas Budzik, AIA

2800 S River Rd, Suite 105
Des Plaines, IL 60018
O | 877 . 205 . 3799
F | 877 . 260 . 7209

Exhibit received January 29, 2018

PROJECT DATA

PROJECT NAME
INTERIOR AND EXTERIOR ALTERATIONS

PROJECT ADDRESS
1210 N ELMHURST RD, WHEELING, IL 60070

PIN
03-15-100-011-0000

USE
B - BUSINESS (OFFICE)

ZONING
B-3 GENERAL COMMERCIAL AND OFFICE

LOT AREA
7,800 SQ FEET

MAX LOT COVERAGE
2,730 SQ FEET (35%)

PROPOSED LOT COVERAGE
1,552.56 SQ FEET (20%)

MIN GREEN SPACE
1,950 SQ FEET (25%)

PROPOSED GREEN SPACE
405 SQ FEET (5%)

MAX BUILDING HEIGHT
50 FT / 4 STORIES

PROPOSED BUILDING HEIGHT
18 FT 11 INCHES

PARKING REQUIREMENTS
6 PER 1,000 SF + 1 FOR EA EMPLOYEE

10 SPACES BY AREA
MAX 2 EMPLOYEES / SHIFT

12 SPACES REQUIRED
7 SPACES PROVIDED

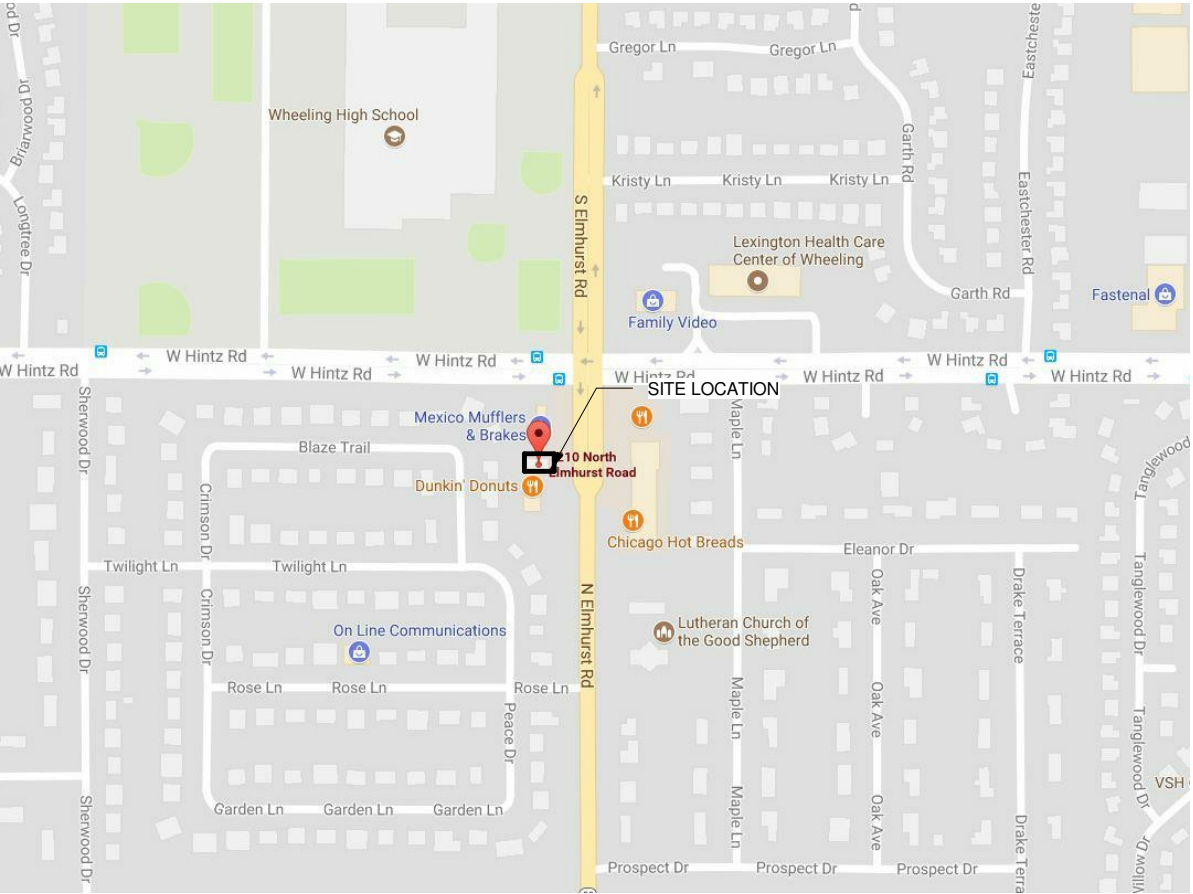
GOVERNING CODES
ALL WORK SHALL BE IN COMPLIANCE WITH,
BUT NOT LIMITED TO THE REQUIREMENTS
OF THE FOLLOWING AND ANY OTHER STATE
AND LOCAL CODES HAVING JURISDICTION:

2012 INTERNATIONAL BUILDING CODE
2012 INTERNATIONAL MECHANICAL CODE
2012 INTERNATIONAL FUEL GAS CODE
2012 INTERNATIONAL ENERGY CONSERVATION CODE
2012 INTERNATIONAL FIRE CODE
2012 LIFE SAFETY CODE, NFPA 101
2011 NATIONAL ELECTRICAL CODE
2014 ILLINOIS PLUMBING CODE
ILLINOIS ACCESSIBILITY CODE, LATEST EDITION
ALL AS AMENDED
VILLAGE OF WHEELING CODE OF ORDINANCES

OWNER
MEXICO MUFFLERS

ARCHITECT
THOMAS BUDZIK ARCHITECTURE PC
THOMAS BUDZIK
2800 S RIVER RD, SUITE 105
DES PLAINES, IL 60018
847-235-6815
THOMAS@THOMASARCH.COM

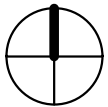
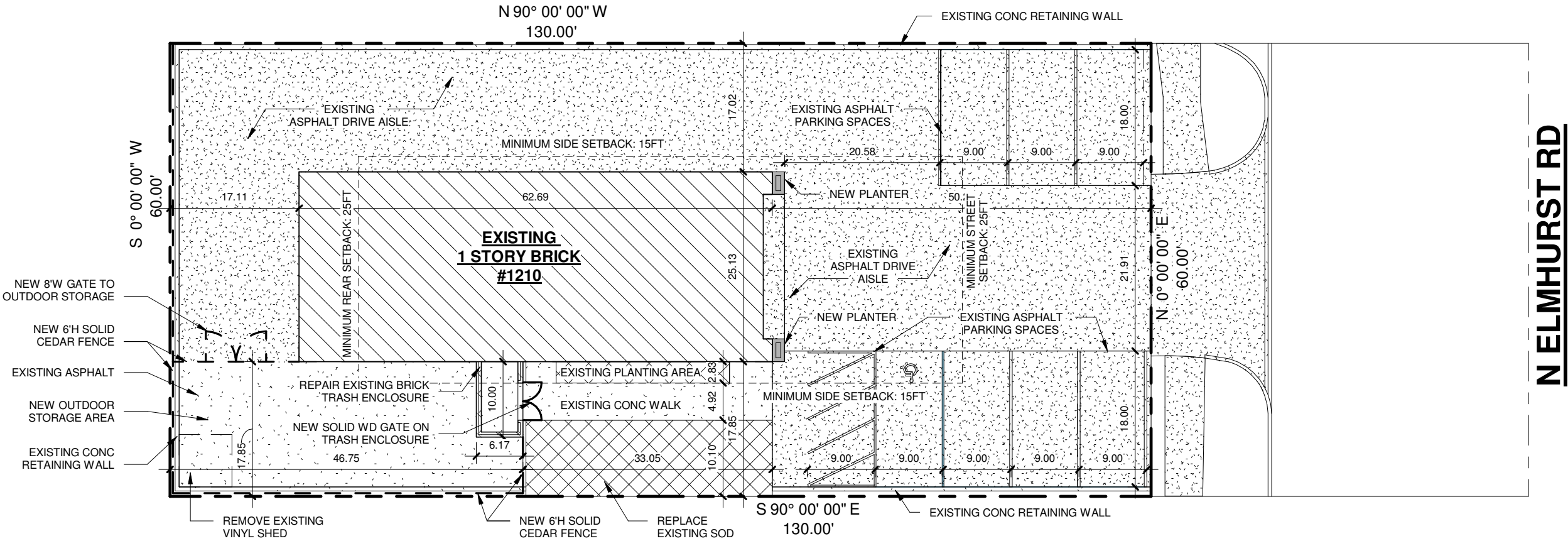
LOCATION MAP



SHEET INDEX

- D-1.0 SITE PLAN
- D-1.1 LANDSCAPE PLAN / DETAILS
- D-1.2 PHOTOMETRICS
- D-2.1 FLOOR PLAN
- D-3.1 EAST (FRONT) ELEVATION
- D-3.2 WEST (REAR) ELEVATION
- D-3.3 NORTH (SIDE) ELEVATION
- D-3.4 SOUTH (SIDE) ELEVATION

01/15/18 D-1.0



1 SITE PLAN
1/16" = 1'-0"

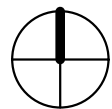
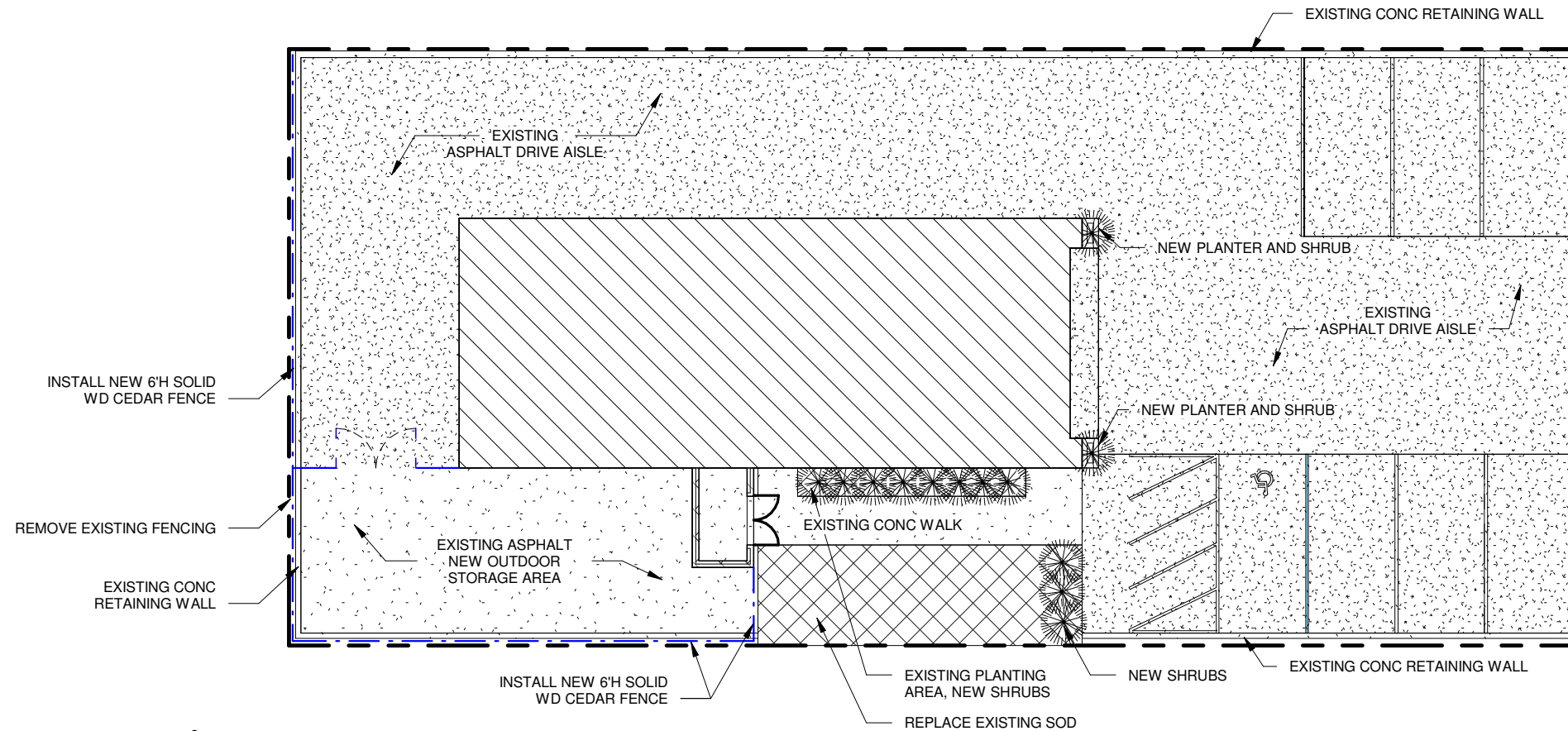
SITE PLAN

1210 N ELMHURST RD, WHEELING, IL 60070

17124

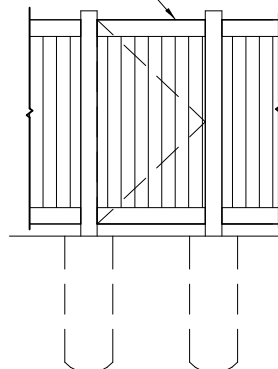
THOMAS ARCHITECTS
211 S MAPLE LN
PROSPECT HTS, IL
O: 877.205.3799
F: 877.260.7209
THOMAS @ THOMASARCH.COM

Exhibit received January 29, 2018

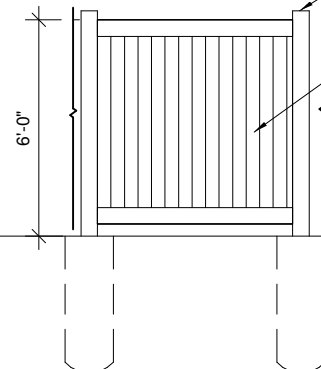


1 LANDSCAPE PLAN 1/16" = 1'-0"

3"W CEDAR FENCE
GATE & LATCH



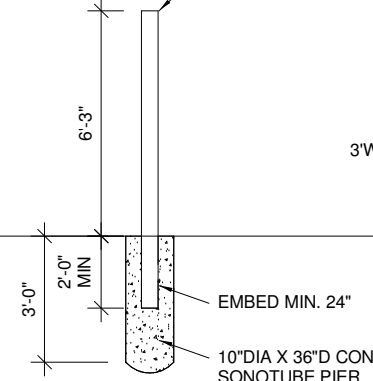
GATE ELEVATION



TYP ELEVATION

4" X 4" CEDAR
POSTS - SEAL

6'H. CEDAR WD
50% SOLID
FENCE - SEAL



SECTION

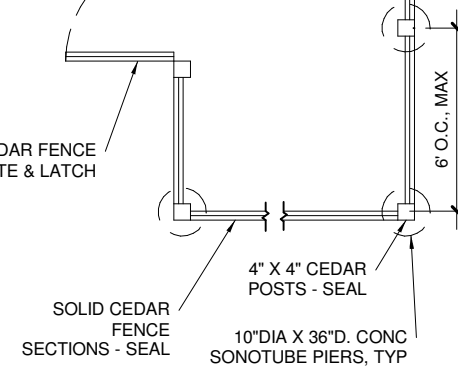
4" X 4" CEDAR
POSTS - SEAL

3"W CEDAR FENCE
GATE & LATCH

SOLID CEDAR
FENCE
SECTIONS - SEAL

4" X 4" CEDAR
POSTS - SEAL

10"DIA X 36"D. CONC
SONOTUBE PIERS, TYP

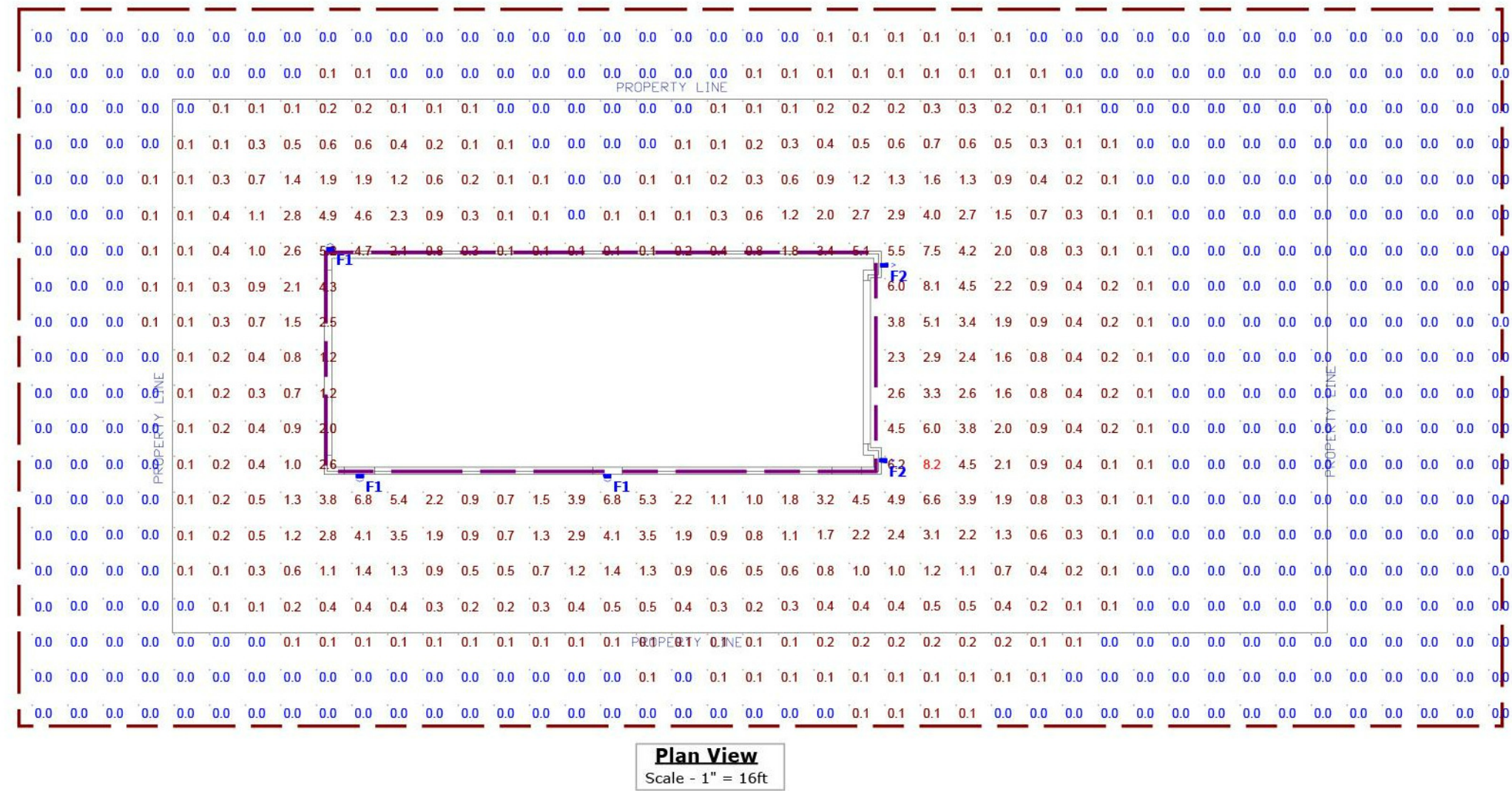


PLAN

FENCE NOTES:

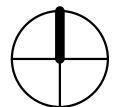
- 1) ALL FENCES TO BE CEDAR WOOD - SEALED
- 2) FENCE TO BE SOLID FACE PICKET - 50% OPEN
- 3) FINISH FACE TOWARDS NEIGHBORS

Exhibit received January 29, 2018



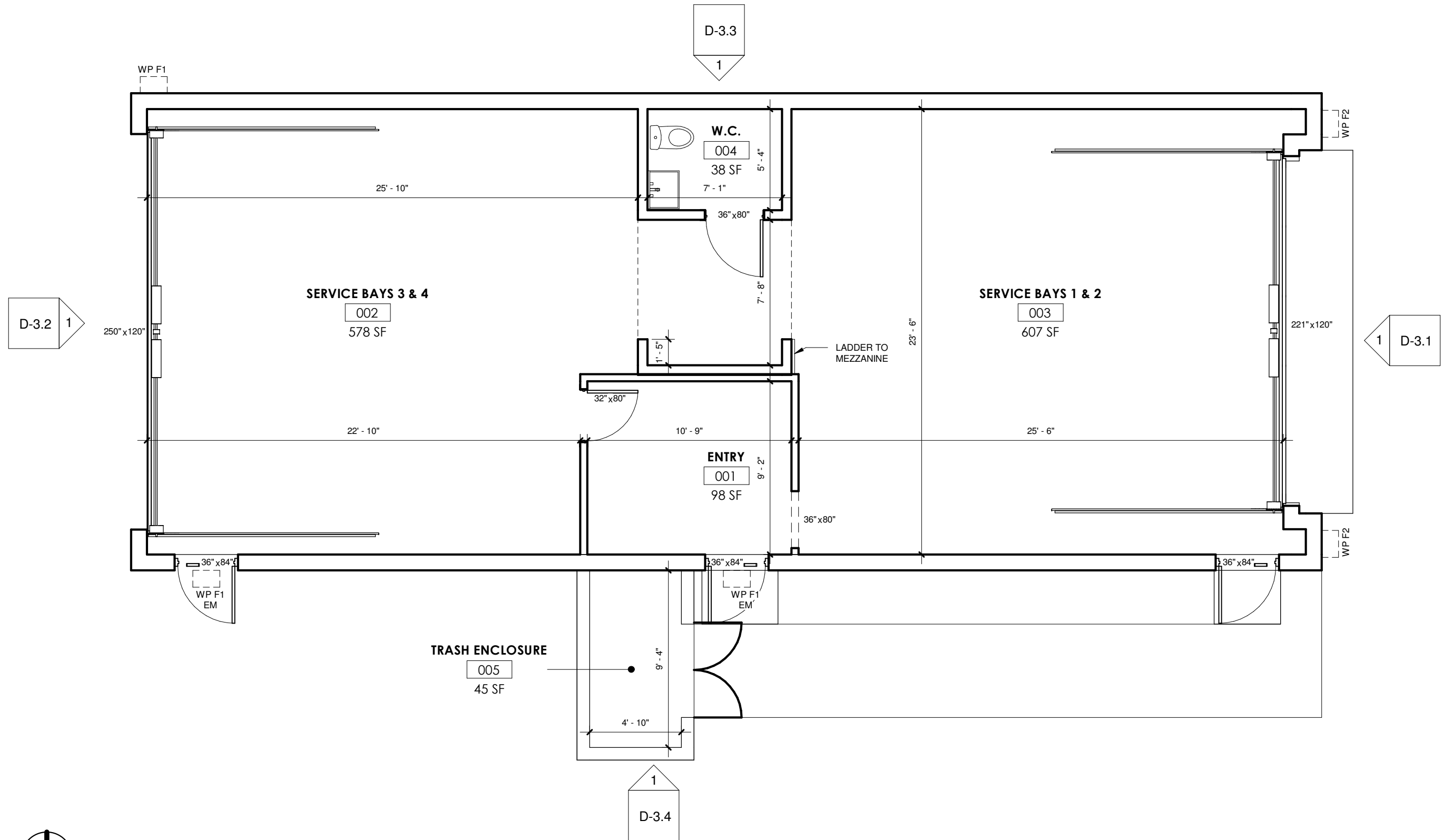
Exterior Light Fixture Schedule									
Symbol	MARK	QTY	MFG	Catalog Number	Description	Lamp	Number Lamps	Lumens Per Lamp	Wattage
	F1	3	Lithonia Lighting	WSTM 26TRT MD	MINIATURE TRAPEZOID ARCHITECTURAL SCNCE, 26-WATT TRIPLE TUBE, MEDIUM DISTRIBUTION, HYDROFORM REFLECTOR. CLEAR, FLAT GLASS LENS	ONE 26-WATT TRIPLE TUBE COMPACT FLUORESCENT, HORIZONTAL POSITION	1	1800	28.4
	F2	2	Lithonia Lighting	WSTM 42TRT MD	MINIATURE TRAPEZOID ARCHITECTURAL SCNCE, 42-WATT TRIPLE TUBE, MEDIUM DISTRIBUTION, HYDROFORM REFLECTOR CLEAR, FLAT GLASS LENS MEETS THE 'NIGHTTIME FRIENDLY' CRITERIA	ONE 42-WATT TRIPLE TUBE COMPACT FLUORESCENT, HORIZONTAL POSITION	1	3200	44

Exhibit received January 29, 2018



1

1st FLOOR - PROPOSED
3/16" = 1'-0"



FLOOR PLAN

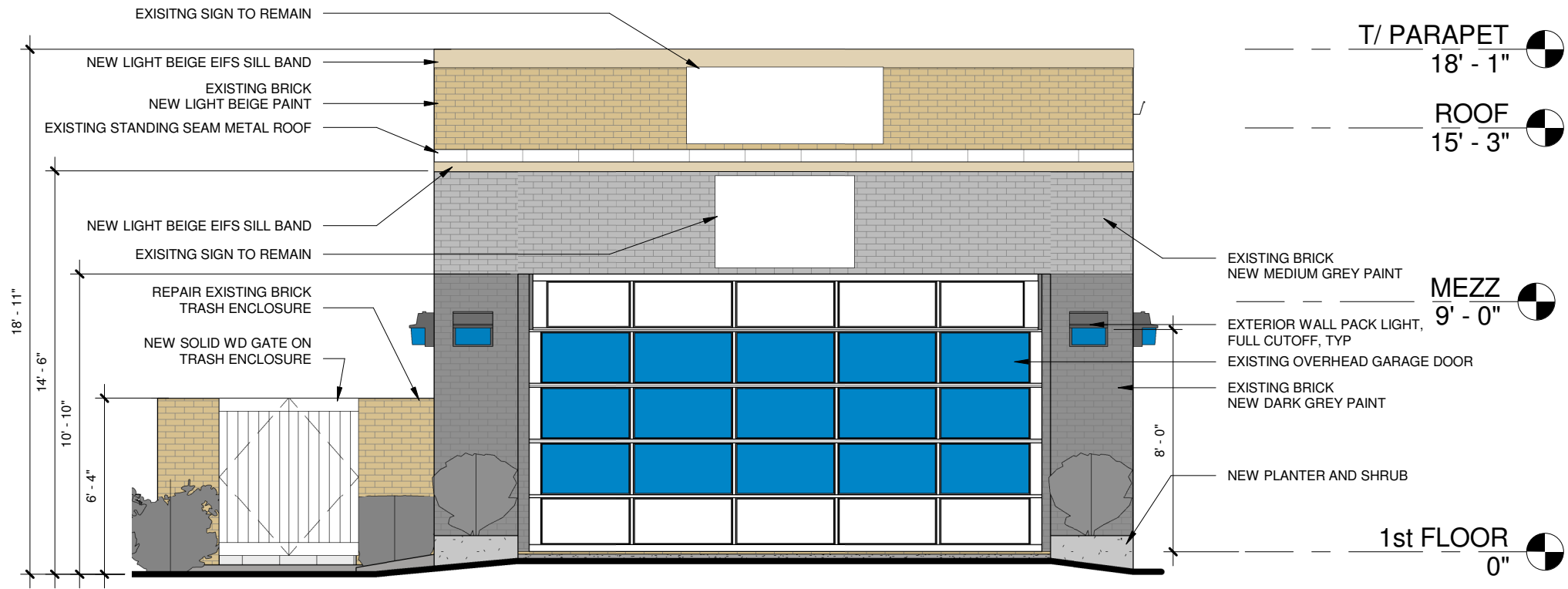
1210 NELMHURST RD, WHEELING, IL 60070

17124

01/15/18

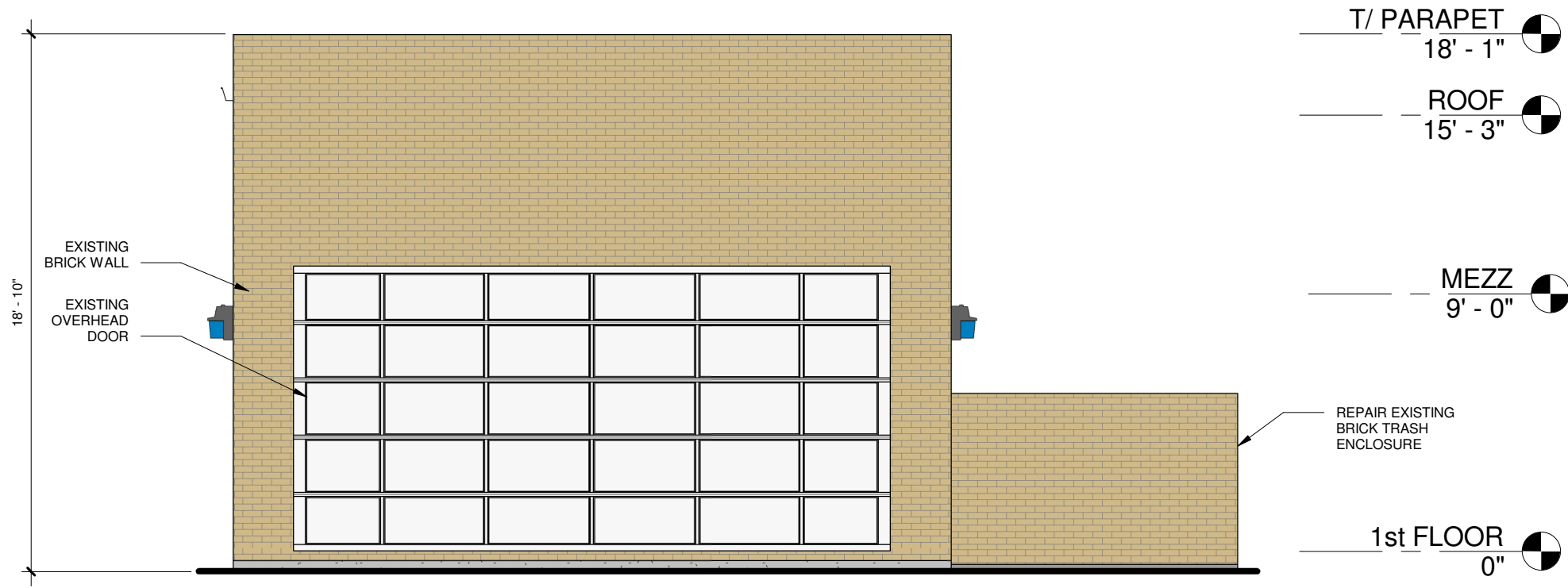
D-2.1

Exhibit received January 29, 2018



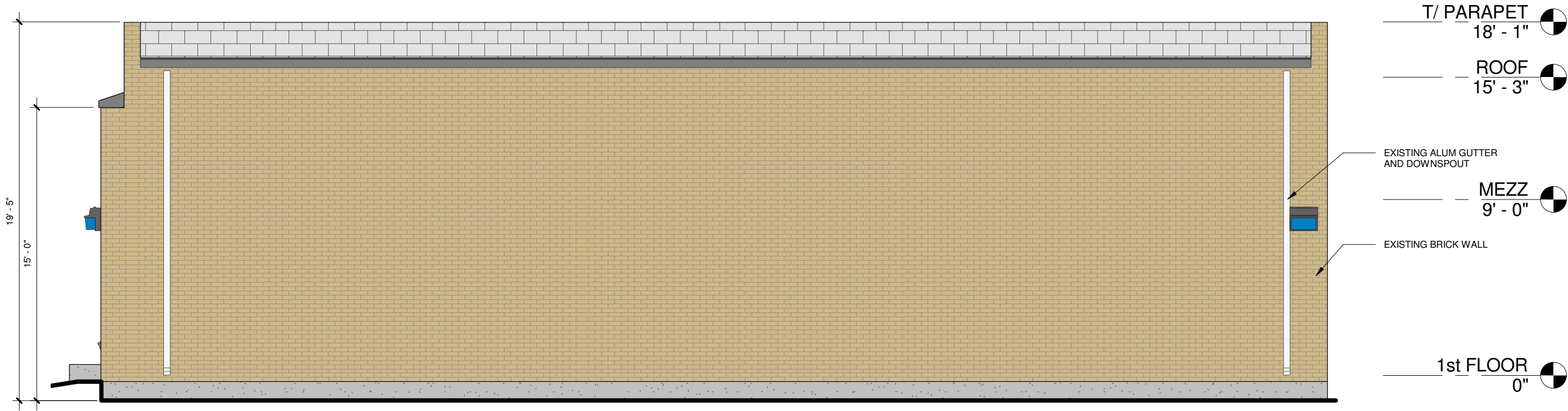
1 FRONT (EAST) ELEVATION
3/16" = 1'-0"

Exhibit received January 29, 2018

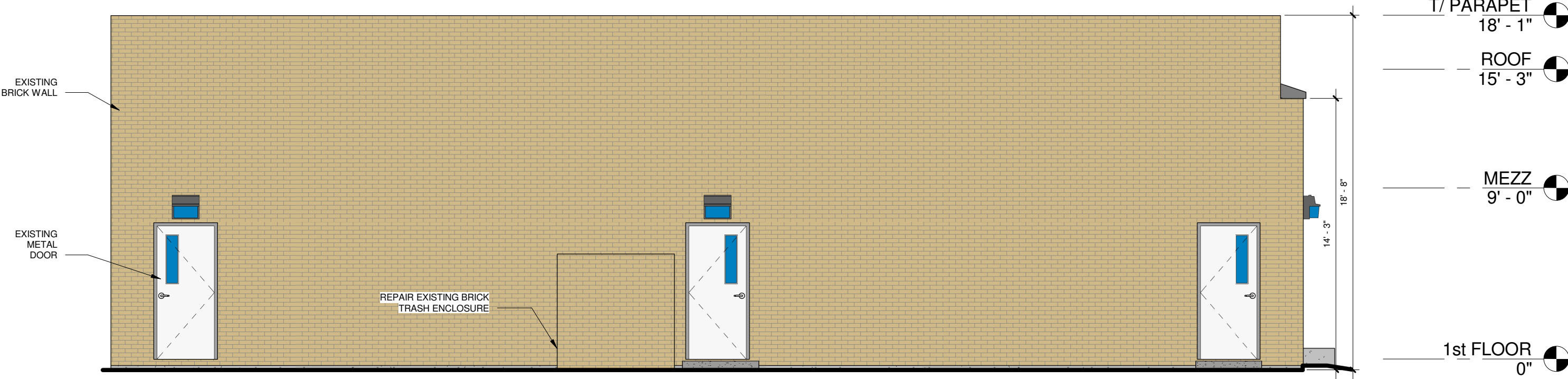


1 REAR (WEST) ELEVATION
3/16" = 1'-0"

Exhibit received January 29, 2018



1 SIDE (NORTH) ELEVATION
3/16" = 1'-0"



1 SIDE (SOUTH) ELEVATION
3/16" = 1'-0"

Exhibit received January 29, 2018



MEMORANDUM

TO: Chairperson Ruffatto and Members of the Wheeling Plan Commission

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

DATE: March 2, 2018

SUBJECT: **Concept Discussion**
Dundee Plaza Redevelopment into Mixed Use Planned Unit Development
889-903 W. Dundee Road

On January 15, 2018, the developer, Wingspan Development Group, presented a concept to the Village Board for a mixed-use development at 889-903 W. Dundee Road (currently Dundee Plaza). This mix-use project includes 55 townhome units and 35,750 sq. ft. of retail space. The purpose of this memo is to provide direction to the Plan Commission for the March 8th concept review.

Wingspan Development Group is proposing a mixed use development at 889-903 W. Dundee Road (Dundee Plaza). The project includes 11.5 acres and is situated just east of London Middle School and just west of Dunhurst Plaza. The proposal is to redevelop the former IF Gallery, Sunrise Indian Market, and Always Amazing site and adjacent greenspace into a mixed use site with 35,750 sq. ft. of retail space along Dundee Road and 55 townhome units at the rear (south end) of the site. The townhome community will have access from Jenkins Court. The retail component will include three buildings with multiple units for retail and/or restaurant space.

Staff Comments and Suggested Discussion Points

Staff has reviewed the concept plans for the development and had provided the following discussion points to the Village Board for its concept review. The consensus of the Board is that the project should proceed to the Plan Commission. The Plan Commission has received the same concept review materials as the Village Board. The Plan Commission may wish to discuss the following items with the developer to prepare for the next stage of the review process (Preliminary PUD):

1. **Development Character.** The proposed general concept of retail along Dundee Road and townhomes at the south end of the site appears to be compatible with the land uses in the area.

2. **Commercial Component.** The development appears to be designed with flexibility for future uses. The depth of the buildings labeled as B and C is a common general retail depth, and the development includes several drive through units.
3. **Residential Component.** The developer intends to construct a residential product similar to the Northgate Crossing town home in a configuration somewhat similar to the Astor Place development. The elevation plans include an option for a building that has three stories above grade and an option with 2.5 stories above grade. As the engineering plans are developed, the intention is that both versions of the home would be used, depending on the grading around each building.
4. **Traffic and coordination with IDOT.** Staff has discussed onsite traffic flow concerns as well as concerns with the Dundee Road access points with the developer. The developer has already adjusted the plans to address many of Staff's previous comments (conflicts with the Building A drive through, traffic control signage preventing cut-through traffic on the extension of Jenkins Court). If the project is to move forward in the PUD review process, Staff would like to ensure that there are adequate cross access provisions (both with the town home area and the shopping center to the east), and encourage the developer to work with IDOT to construct a Dundee Road access drive that is centered between buildings B and C.
5. **Stormwater management.** The development concept includes an underground detention area and a detention area between the shopping center and town home elements. Staff has also discussed existing drainage issues at the southwest corner of the site with the developer, and had asked the developer to consider solutions as the plans evolve.
6. **Parking.** The parking for the retail component appears to be adequate (6.7 stalls / 1000 sq ft) and is distributed evenly. The resident parking in the town home area includes two garaged spaces and two spaces in the motor court between the units. The guest parking is divided between a small 7-stall lot at the southwest corner and four cut-outs for three spaces each near the buildings.

Engineering Comments

The Engineering Division of Public Works provided the following additional comments:

1. Permits will need to be acquired from all necessary permitting agencies including, but not limited to: MWRD, IEPA, IDOT, and Village of Wheeling.
2. All road and utility improvements will be private.
3. Final plat to provide easements to allow our public works department access for storm, sanitary, and water mains, copies of the easement language to be provided.
4. All infrastructure improvements will need to adhere to our manual of practice and Village ordinances.
5. Due to location of property in the flood zone, all construction must adhere to Title 22 of the Village Code in relation to developing in the flood zone. A letter of map revision will need to be provided.
6. Haeger will be completing the engineering plan review for this project. Developer will need to sign the retainer agreement with Haeger.

Attachments: [Concept introduction letter and statistical sheet](#)

[Site photos](#)

[Vicinity map](#)

[Site plan](#)

[Elevation plan for retail building](#)

[Elevation plans for townhomes](#)

[Floor plans for townhomes](#)

899 – 903 W. Dundee: Dunhurst Plaza Planned Unit Development Concept 12.27.17

The subject property is approximately 11.5 acres located on the south side of Dundee Road immediately east of Jack London Middle School, currently zoned MXT. This property is identified in the Comprehensive Plan as part of the Dundee Road Subarea and is located in the Towncenter II TIF District.

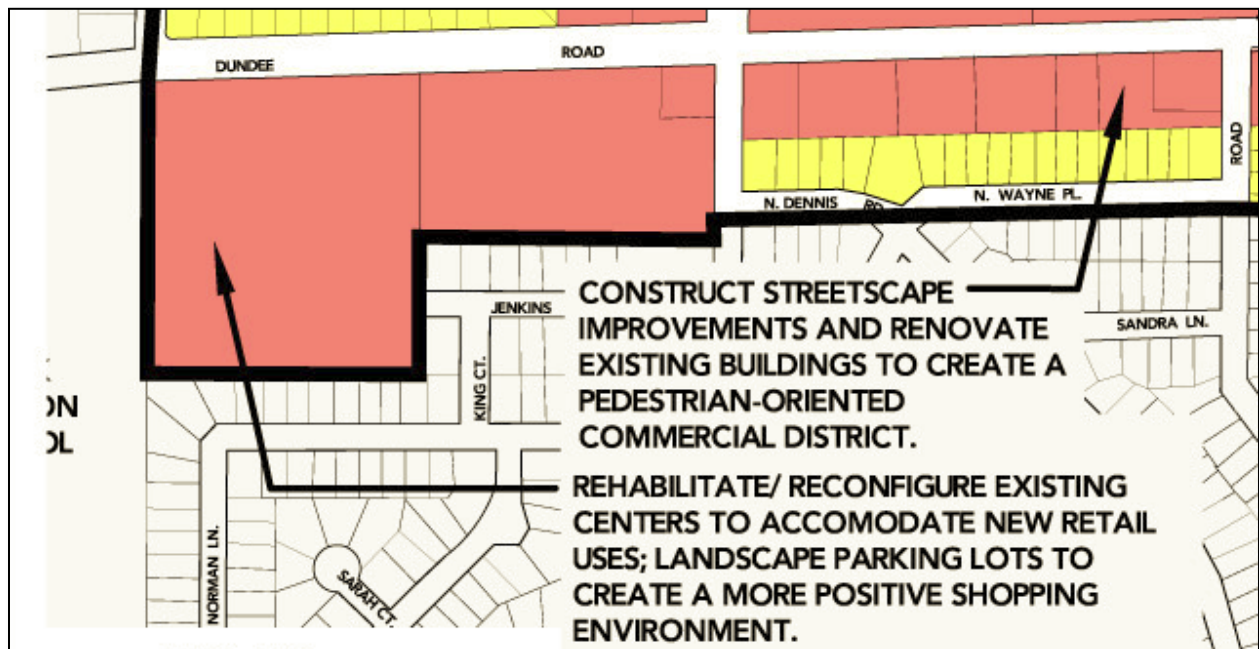
The property is bounded by Dundee Road to the north, commercial retail to the east, London Middle School to the west and single family homes to the south.

The concept plan re-develops the north +/- 7.0 acres with approximately 35,000 sq ft of new retail in three buildings. These buildings are dimensioned and sited appropriately to better suit today's retail tenants and each building includes drive-through flexibility to accommodate quick serve restaurants.

The south +/- 4.0 acres will be re-developed with 55 rear-loaded row homes of approximately 1,800 to 1,900 square feet of living area, each with a two car garage and the ability to park 2 cars behind each garage. Primary access to the row homes will be off Jenkins Court with egress out to the commercial. Access to the row homes from the commercial area will be controlled with signage. These attractive row homes will create a desirable transition between the single family homes on Norman Lane and the commercial use on Dundee Road. A landscaped berm will separate the row homes from the commercial buildings.

The retail redevelopment will seek appropriate support from the underlying TIF.

Comprehensive Plan excerpt



Sample retail rendered concept



Sample row home rendered concept



Front Elevation



SITE SUMMARY

CURRENT ZONING: MXT - TRANSIT
ORIENTED MIXED
USE

PROPOSED ZONING: PUD

LOT 1 AREA	6.9± 6AC
LOT 2 AREA	4.± AC
TOTAL AREA	11.5± AC

COMMERCIAL:

BUILDING SUMMARY

BUILDING A	3,750 SF
BUILDING B	16,000 SF
BUILDING C	16,000 SF
TOTAL	35,750 SF

PARKING SUMMARY

STANDARD STALLS	233
ADA STALLS	7
TOTAL STALLS	240

PARKING RATIO 6.7

RESIDENTIAL:

BUILDING SUMMARY

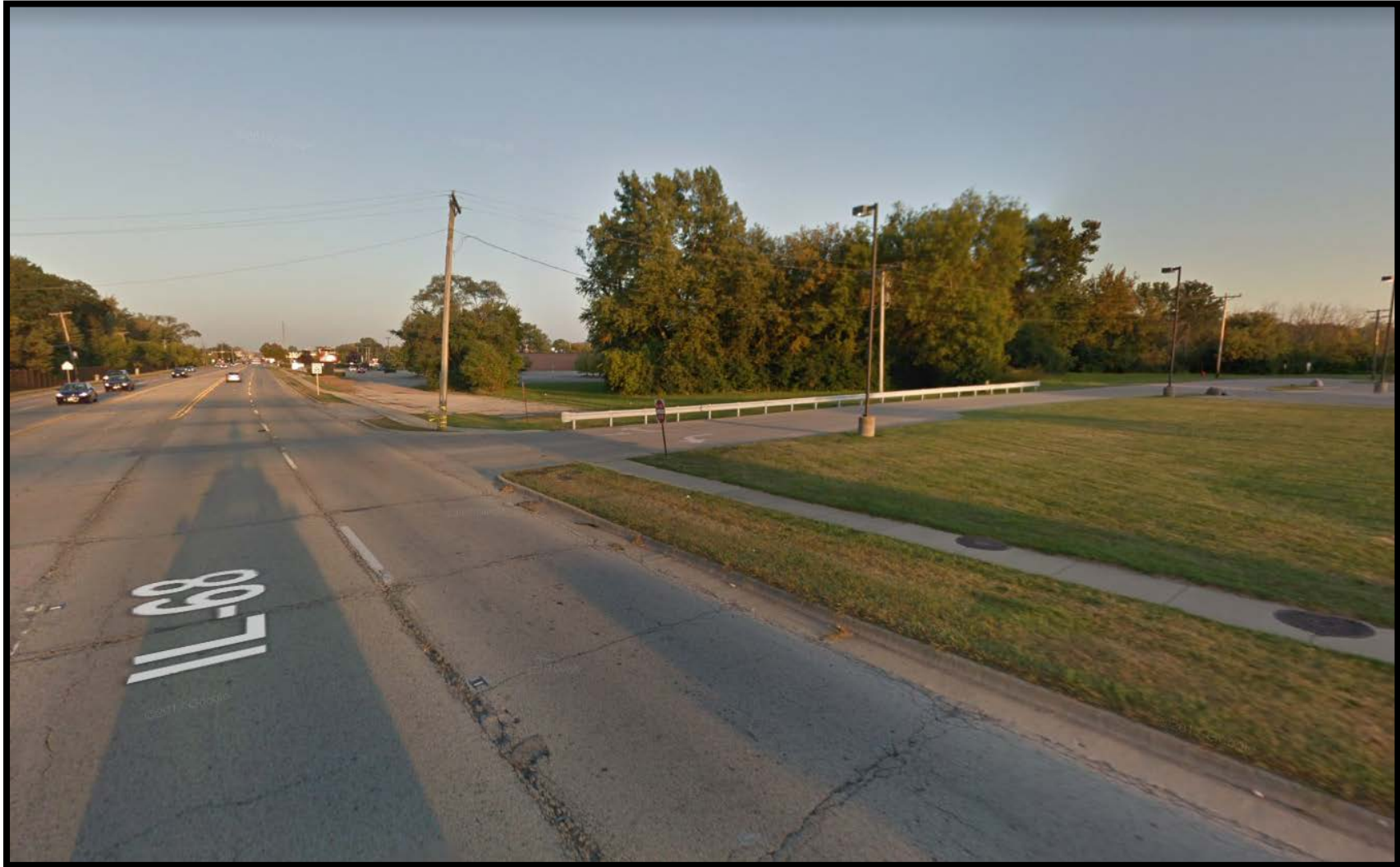
5 UNIT BUILDINGS	11
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TOTAL UNITS 55
(5 x 11)

PARKING SUMMARY

GARAGE SPACES (55 2-CAR GARAGES)	110
TANDEM SPACES	110
STANDARD STALLS	18
ADA STALLS	1
TOTAL STALLS	239

Area Photos



East View on Dundee Road

photo courtesy of Google

Area Photos



South View on Dundee Road

photo courtesy of Google

Area Photos



West View on Dundee Road

photo courtesy of Google

Area Photos



West View on Jenkins Court

photo courtesy of Google

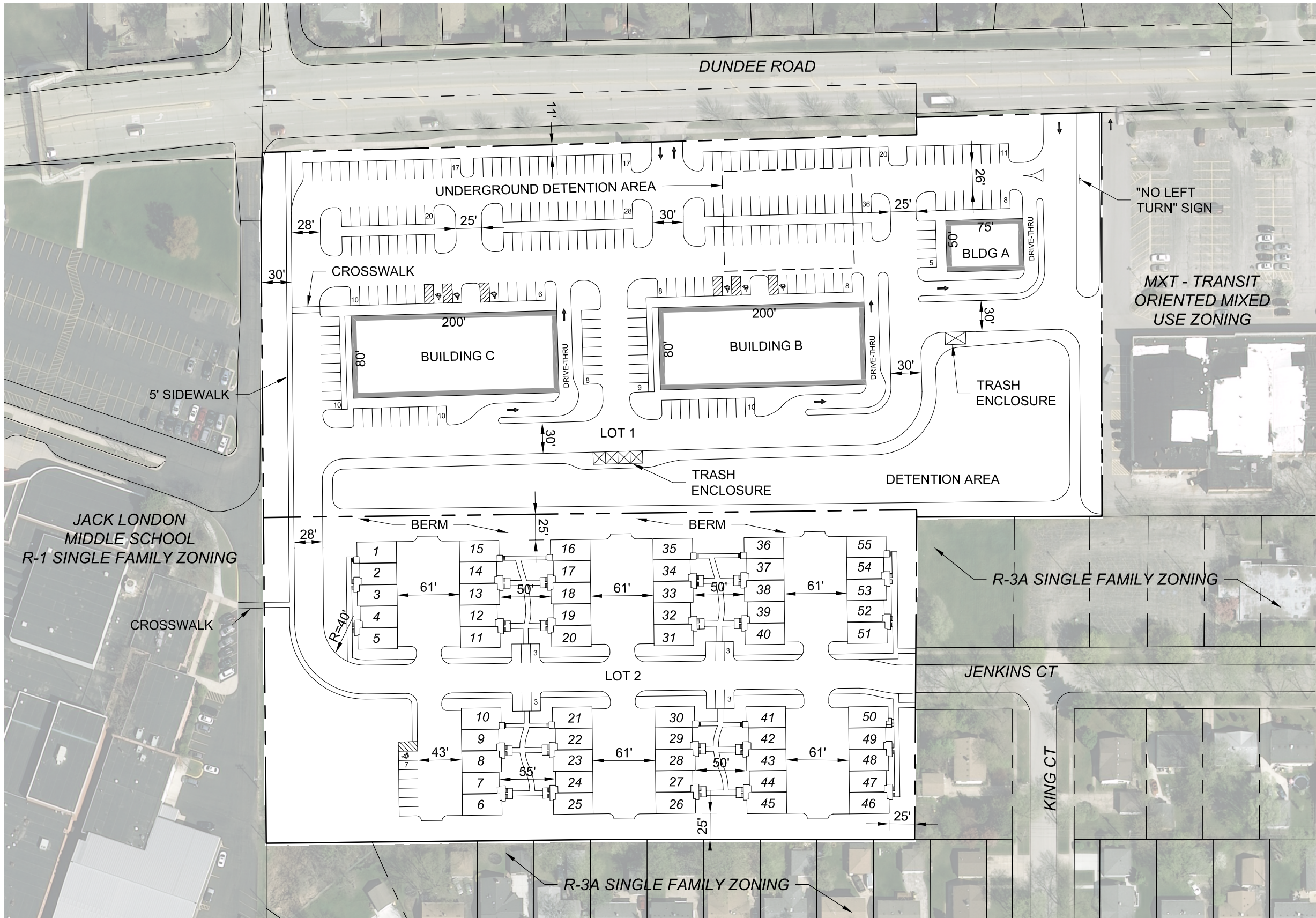
Area Photos



Aerial View Looking South
photo courtesy of Google

Vicinity Map





SITE SUMMARY

CURRENT ZONING: MXT - TRANSIT ORIENTED MIXED USE

PROPOSED ZONING: PUD

LOT 1 AREA 6.9± 6AC
LOT 2 AREA 4.± AC
TOTAL AREA 11.5± AC

COMMERCIAL:

BUILDING SUMMARY

BUILDING A 3,750 SF
BUILDING B 16,000 SF
BUILDING C 16,000 SF
TOTAL 35,750 SF

PARKING SUMMARY

STANDARD STALLS 233
ADA STALLS 7
TOTAL STALLS 240

PARKING RATIO 6.7

RESIDENTIAL:

BUILDING SUMMARY

5 UNIT BUILDINGS 11

TOTAL UNITS 55
(5 x 11)

PARKING SUMMARY

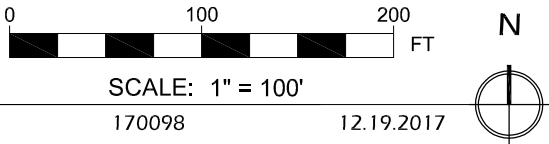
GARAGE SPACES 110
(55 2-CAR GARAGES)
TANDEM SPACES 110
STANDARD STALLS 18
ADA STALLS 1
TOTAL STALLS 239



CONCEPTUAL SITE PLAN
901 W. DUNDEE ROAD
WHEELING, ILLINOIS

Conceptual Site Plan A2

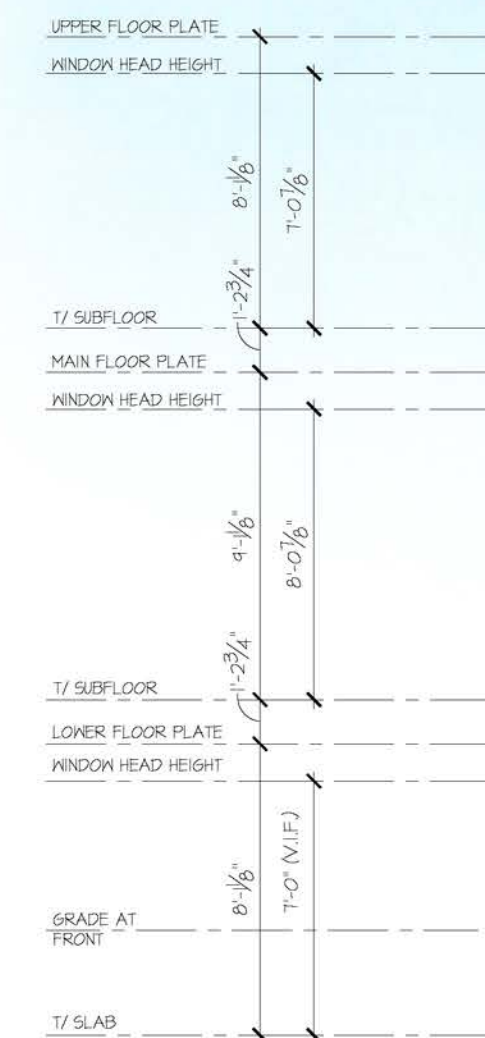
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C.1

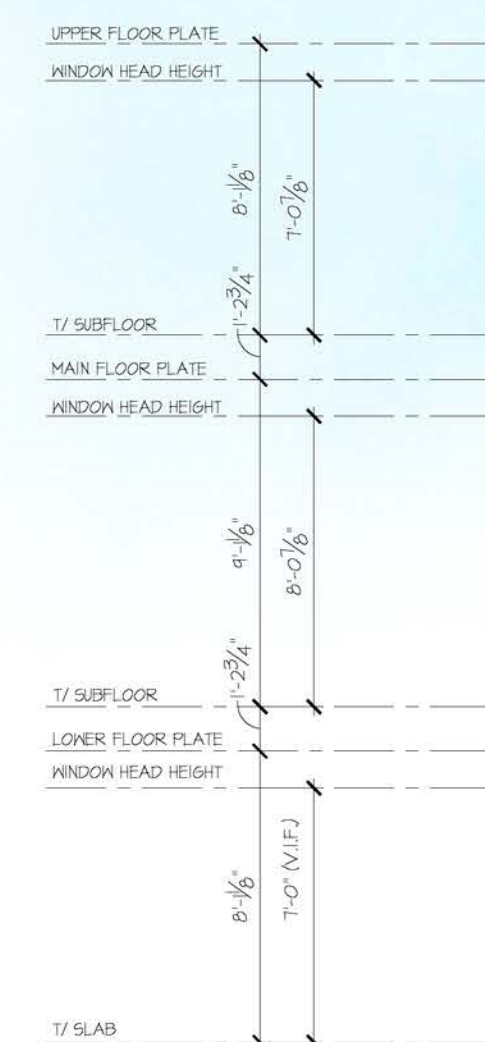






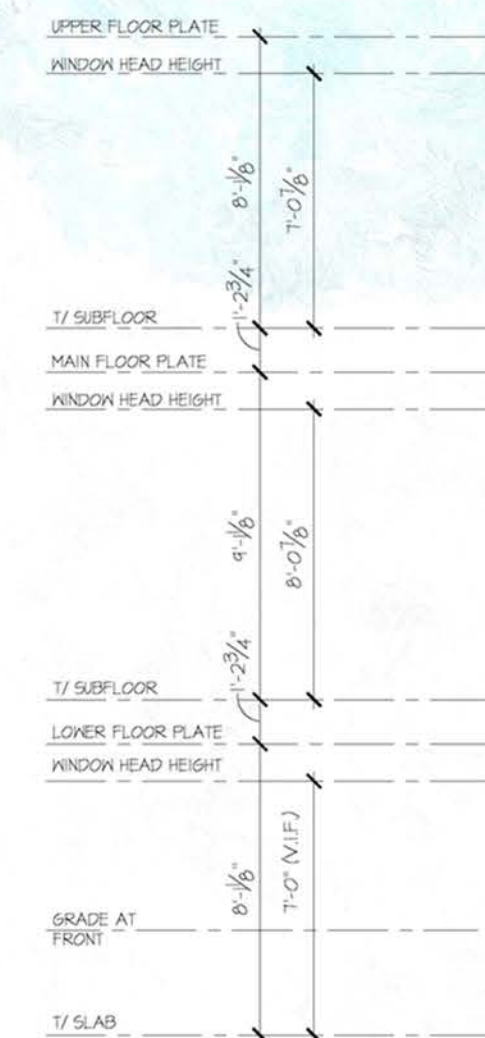
Front Elevation

SCALE: 3/16"=1'-0"

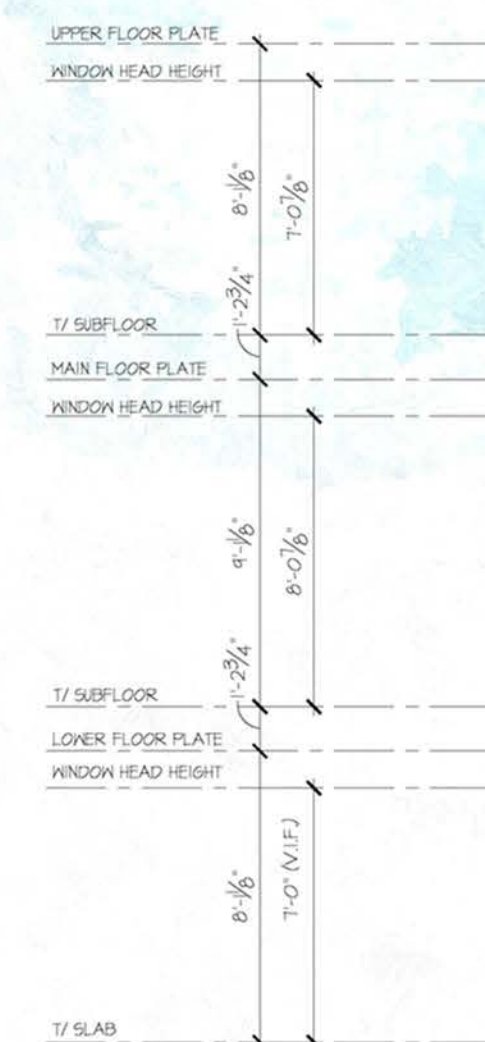


Front Elevation

SCALE: 3/16"=1'-0"



Front Elevation
SCALE: 3/16"=1'-0"



Front Elevation
SCALE: 3/16"=1'-0"

Wingspan Development Group
Glenview, IL

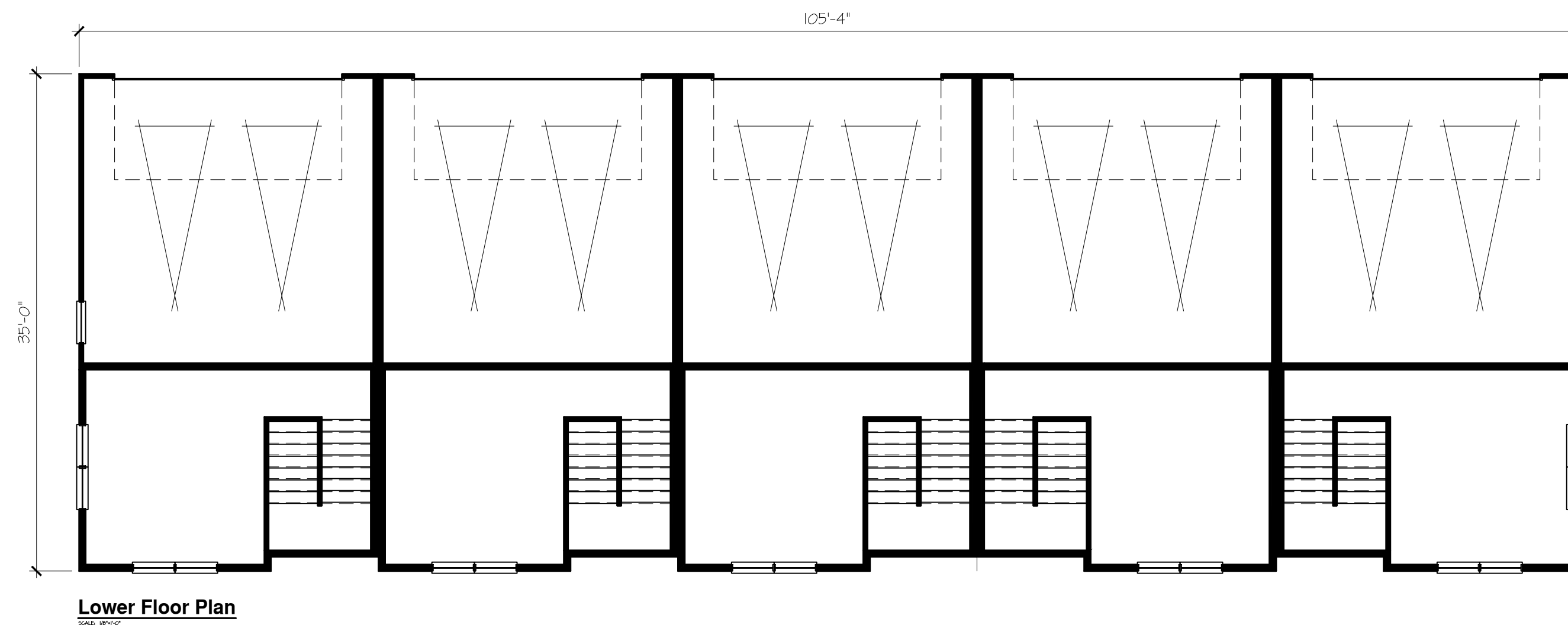
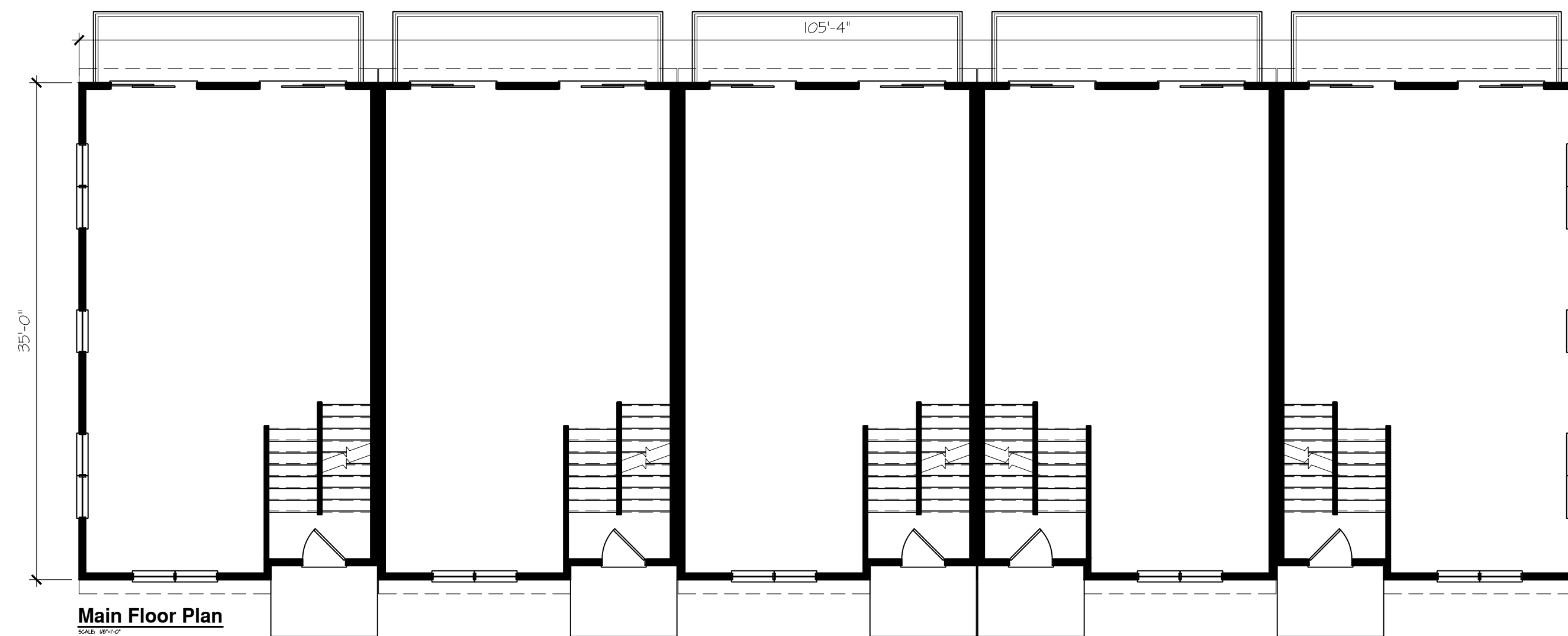
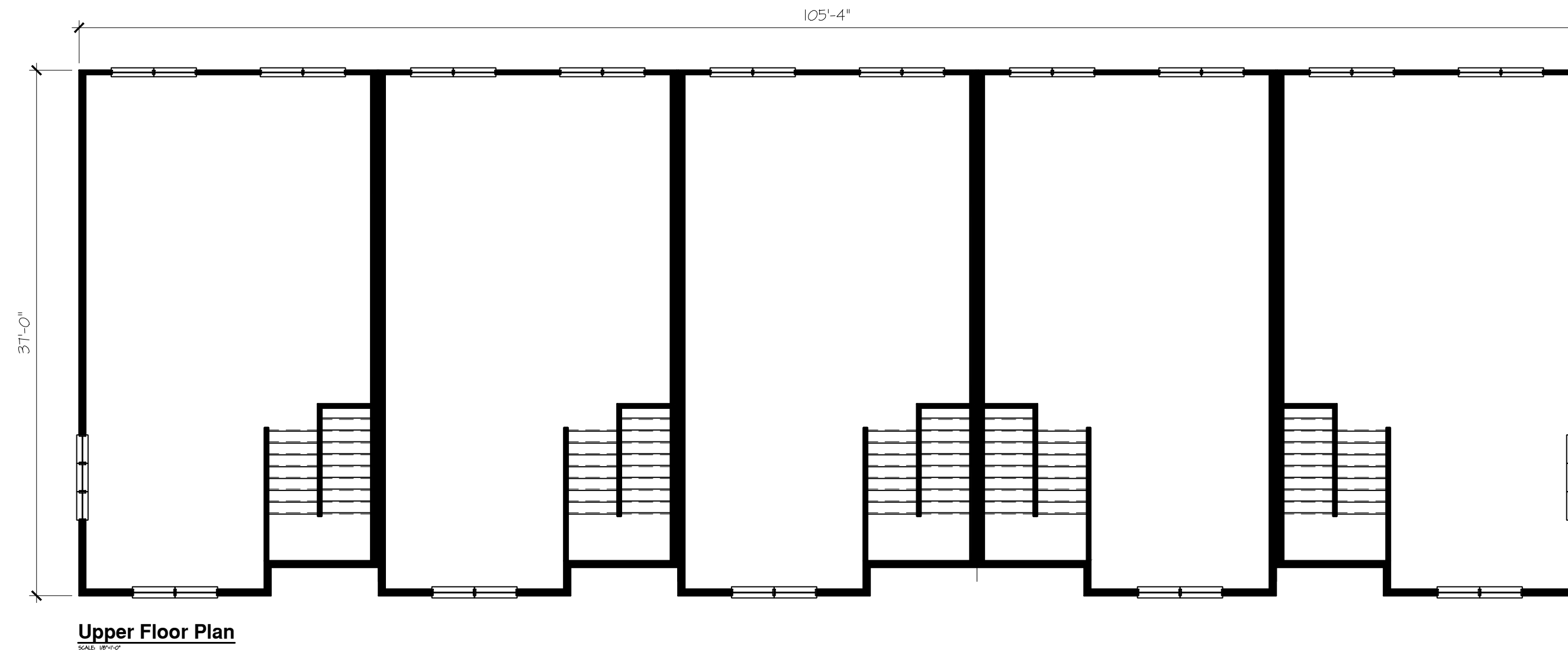
Assembly Plans

TH Concept
Wheeling, IL



The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.) © 2017 BSB Design, Inc.

November 16, 2017



Wingspan Development Group
Glenview, IL

Assembly Plans

TH Concept
Wheeling, IL

1. CALL TO ORDER

Chairman Ruffatto called the meeting to order at 6:30 p.m. on Thursday, February 22, 2018.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Blinova, Creech, Dorband, Johnson, Kalis, Powers and Ruffatto. Also present were Brooke Jones, Senior Planner, Mallory Milluzzi, Village Attorney, Ron Antor, Fire Inspector and Kyle Goetzelmann, Civil Engineer.

4. CHANGES TO THE AGENDA - none

5. CITIZEN CONCERNS AND COMMENTS

6. CONSENT ITEMS

- A) [Docket No. SCBA 18-5](#)
Mr. Roof & Remodeling
529 N. Wolf Road
Appearance Approval of a Wall Sign

Commissioner Dorband moved, seconded by Commissioner Powers to approve the following consent item.

Approve Docket No. SCBA 18-5 to permit installation of the wall sign in accordance with the sign drawing submitted February 2, 2018 by Mr. Roof & Remodeling, located at 529 N. Wolf Road, Wheeling, Illinois.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

7. ITEMS FOR REVIEW

- A) [Docket No. PC 18-3](#)
Amm's Limousine Service
2160 S. Foster Avenue
Minor Site Plan & Appearance Approval of Landscaping

Mr. Tony Douvliis, 2160 Foster Avenue was present.

Mr. Douvliis provided a color rendering of the proposed landscaping.

In response to Commissioner Dorband's question, Mr. Douvliis confirmed he had already removed the existing landscaping. Commissioner Dorband thanked the petitioner for providing the color rendering.

Commissioner Johnson questioned the plans for landscaping on the sides. Mr. Douvliis confirmed the sides would be trimmed. One of the bushes had been removed per the Fire Department's request.

Commissioner Kalis thanked the petitioner for providing the color rendering.

Commissioner Dorband moved, seconded by Commissioner Johnson to approve Docket No. PC 18-3 granting minor site plan and appearance approval of the landscape plan and plant list submitted January 26, 2018 for the existing large ground transportation service use at 2160 S. Foster Avenue, Wheeling, Illinois.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

- B) [Docket Nos. 2017-18 and SCBA 18-4](#) (continued from January 25, 2018 hearing)
Shri Swaminarayan Temple
397 Northgate Parkway
(2017-18) Special Use-Site Plan Amendment to Allow for a Building Addition
(SCBA 18-4) Appearance Approval of a Freestanding Sign

See Findings of Fact and Recommendation for Docket No. 2017-18 and SCBA 18-4.

Commissioner Johnson moved, second by Commissioner Kalis to recommend approval of Docket

No. 2017-18 to grant an amendment to Special Use Ordinance No. 3880, in accordance with the following exhibits submitted February 8, 2018 (except as noted) by Haeger Engineering for Shri Swaminarayan Temple, located at 397 Northgate Parkway, Wheeling, Illinois:

- Project description, 1.10.2018
- Updated response letter
- Aerial parking exhibit, 1.10.2018
- Landscape plans (2 sheets), 2.12.2018
- Irrigation plan, 2.12.2018
- First floor plan, 2.12.2018
- Second floor plan, 2.12.2018
- Basement floor plan, 2.12.2018
- South/west elevations plan, 2.12.2018
- East/north elevations plan, 2.12.2018
- Typical detail elevation plan, 2.12.2018
- Trash enclosure/sign plan, 2.15.2018
- Engineering plans (5 sheets)
- Bike path extension plan
- Photometric plan, 2.9.2018
- Lighting fixtures details (4 sheets)
- Plat of survey (2 sheets), 1.10.2018.

And with the following conditions:

1. Prior to permit issuance, a plat of easement for the looping water main shall be approved by the Village and recorded by the County;
2. The drive aisle along the west boundary of the building is partially on Village property; An easement from the Village shall be provided prior to permit issuance;
3. The 14,500 square foot future building addition is subject to site plan and appearance approval by the Plan Commission. This submittal shall include elevation plans and floor plans.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Johnson to Approve Docket No. SCBA 18-4, to grant appearance approval of the proposed freestanding sign as shown on the sign plan submitted February 15, 2018 for Shri Swaminarayan Temple, located at 397 Northgate Parkway, Wheeling, Illinois.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Commissioner Dorband moved, seconded by Commissioner Powers to close Docket No. 2017-18. The motion was approved by a voice vote.

- C) [Docket No. 2018-2](#) (continued from February 8, 2018 hearing)
Uptown 500
501 W. Dundee (address to be changed to 500 W. Dundee)
Amendment to the Planned Unit Development to Allow for an Additional Story
on the Mixed-Use Retail and Residential Building

See Findings of Fact and Recommendation for Docket No. 2018-2.

Commissioner Dorband moved, seconded by Commissioner Powers to recommend approval of Docket No. 2018-2; Granting an Amendment to Final Planned Unit Development Ordinance No. 5126, as required under Chapter 19-05, Mixed-Use and Overlay Districts, Chapter 19-09 Planned Unit Developments, Chapter 19-10 Use Regulations, and Chapter 19-12 Site Plan Approval Requirements, to allow for a sixth story and other development modifications as shown on the following plans/exhibits submitted on January 25, 2018 (except as noted) for the Uptown development to be located on the property to be known as 500 W. Dundee Road, Wheeling, Illinois:

- Project description (5 sheets),
- Unit mix chart,
- Zoning statistical summary (2 sheets) 1.26.2018,
- Parking data analysis 1.26.2018,
- Site plan with parking data 1.26.2018,
- Floor plans (7 sheets) 2.01.2018, and
- Dundee / Northgate elevation plan,
- North / west elevation plan, and
- Courtyard elevation plan, 2.15.2018.

Including the following amended relief from the Wheeling Municipal Code:

1. Increase the maximum allowed building height from four stories and 50 feet to six stories and 68'4" for the main building and 78'0" for the rooftop stair tower (Section 19.06.040 E);
2. Increase the maximum residential unit density from 20 units per net acre to 42 (Section 19.04.060 H); and

3. Reduce the required parking count for the residential use from 619 stalls to 474 stalls, including reduction of the unreserved guest parking from 62 stalls to 32 stalls (Section 19.11.010 E(1)c).

On the roll call, the vote was as follows:

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

There being five affirmative votes, the motion was approved.

Mr. Anthony Licata, Taft, Stettinious & Hollister came forward and was sworn in. Mr. Licata referred to item #1 on page 5 in the Staff Report that indicated “from 4 stories and 50’ to 5 stories” he requested that it be corrected to 5 stories to 6 stories. Ms. Jones confirmed it had been corrected in the record.

Commissioner Powers moved, seconded by Commissioner Johnson to close Docket No. 2018-2. The motion was approved by a voice vote.

8. **APPROVAL OF MINUTES** – January 25, 2018 (including partial findings for Docket No. 2017-18) & February 8, 2018 (including findings for Docket No. 2018-1 and partial findings for docket No. 2018-2)

Commissioner Johnson moved, seconded by Commissioner Powers to approve the minutes dated January 25, 2018 as presented. The motion was approved by a voice vote. Commissioners Kalis and Creech abstained.

Commissioner Johnson moved, seconded by Commissioner Blinova to approve the minutes dated February 8, 2018 as presented. The motion was approved by a voice vote.

9. OTHER BUSINESS

A) Policy discussion regarding special use and site plan approvals

Ms. Milluzzi referred to the recent workshop and questions that had followed about appropriate conditions to place on Special Use approvals. She clarified the Village requires site plan and appearance approval for all new construction. Any revisions to approved plans in most circumstances, the site plan approval gets wrapped up with Special Use approval. When the Plan Commission approves a Special Use, it is both Special Use and site plan. Most of the conditions that the Plan Commission adds relate to the site plan itself and not to the actual Special Use. A handout was distributed.

Ms. Milluzzi explained when looking at a Special Use, conditions would be to mitigate any adverse affects of the use on public, health, safety and welfare. She explained if a condition was added to a Special Use, it should be if that condition didn't exist the standard would not be met. The condition is added to mitigate the affect of the Special Use on the Village or one of the standards.

Ms. Milluzzi re-confirmed that floor plans were not part of site plan approval. The Plan Commission normally does not get involved in the interior. Floor plans tend to be applicable when it impacts a Special Use (flow of restaurant, number of seats for parking requirements) but the Plan Commission does not usually get involved in the interior layout of a business unless it relates to the standards of a Special Use.

Ms. Milluzzi stated color renderings were only required for the front façade and not necessarily for all sides of the elevations.

Commissioner Kalis questioned why a consensus was able to be taken if the interior plan was not required. Ms. Milluzzi explained because the Plan Commission still has the discretion to ask for additional information if it will assist them further in reviewing the project. It was a specific case situation.

Commissioner Kalis questioned how it was determined that the second phase would not change the parking. Ms. Jones explained based on their testimony and the information provided, Staff determined that they would not be using the future addition for seating or any use at the same time as their maximum use of the banquet area.

Ms. Milluzzi explained if they came back in a few years with phase two and it was determined that it was drastically different and would impact the parking then they would be required to amend their Special Use or come in with an amended site plan.

Chairman Ruffatto questioned when color renderings were required. Ms. Milluzzi explained they just needed to provide material samples but petitioners usually provided the color renderings. There is discretion based on the type and the scale of the project that additional information may be required. Chairman Ruffatto was not in favor of having to make a petitioner return for another meeting in order to bring a color rendering. Ms. Milluzzi confirmed it was the Village Code. Ms. Jones explained there were different types of renderings and sometimes they were very expensive to produce.

Commissioner Creech felt the three dimensional renderings gave everyone a better idea about what the building would look like. He felt two dimensional drawings left out too many details and that was the reason floor plans were helpful. Ms. Milluzzi explained the details were on the actual exterior elevations. Commissioner Creech disagreed. Ms. Milluzzi explained elevations were required for all sides that were changing but it didn't need to be in color. There were a lot of small site plans that come before the Commission that do not have the money or capacity to give color renderings of all four sides of their small building.

Commissioner Creech felt the Commission needed more information on the larger projects. Ms. Milluzzi explained Staff and the Commission had the discretion depending on the unique nature of a

development to ask for additional information as needed.

Commissioner Ruffatto requested that the discussion be added to the next agenda for any additional questions.

Commissioner Johnson mentioned the Commission was used to seeing an interior layout and it had been helpful in certain situations. He wanted to see the interior layout as part of the required information. Ms. Jones agreed it was helpful for a lot of projects especially new construction and larger projects. She felt on other projects, it was over stepping the boundaries. Commissioner Johnson felt it was helpful for the general flow. Ms. Milluzzi cautioned the Commission on putting conditions that would make them alter their floor plan. She would be cautious on putting conditions on floor plans or requiring them to come back with a floor plan.

Commissioner Johnson announced that the Deerfield Moving and Storage building was gone.

Commissioner Johnson announced the spec building on Chaddick was enclosed.

Commissioner Dorband announced President Horcher and Mayor Helmer from Prospect Heights were holding a State of the City on March 14th. It will be held at 8:00 a.m. at the Ramada on Milwaukee Avenue. The cost is \$30 for members and \$45 for non-members.

Chairman Ruffatto announced he would not be present at the March 8th meeting.

Commissioner Kalis asked for details regarding the 60% masonry requirement. Ms. Jones explained it was part of the design guidelines, which is part of the Zoning Code.

10. ADJOURNMENT

Commissioner Dorband moved, seconded by Commissioner Kalis to adjourn the meeting at 7:47 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 03.02.2018
FOR APPROVAL ON 03.08.2018**

**DRAFT
FINDINGS OF FACT
AND RECOMMENDATION**

DOCKET NO. 2018-2

To: Village President and Board of Trustees

From: Wheeling Plan Commission/Sign Code Board of Appeal

Re: [Docket No. 2018-2](#)
Uptown 500
501 W. Dundee (address to be changed to 500 W. Dundee)
Amendment to the Planned Unit Development to Allow for an Additional Story
on the Mixed-Use Retail and Residential Building

Daniel Rezko, applicant, on behalf of UPTOWN 500, LLC, owner, is seeking an amendment to Ordinance No. 5126, which granted Final Planned Unit Development Approval of a mixed-use retail and multi-family residential development, at 501 W. Dundee Road, which is approximately 7.65 acres at the northwest corner of Dundee Road and Northgate Parkway.

Chairman Ruffatto called Docket No. 2018-2 on February 8, 2018. Present were Commissioners Blinova, Creech, Dorband, Johnson, Kalis, Powers and Ruffatto. Also present were Brooke Jones, Senior Planner and Mallory Milluzzi, Village Attorney.

Ms. Jones reported that the Staff Reports and Submittals of the petitioner were part of the public record.

Mr. Joe Maschek, BSB Design, 1540 West Dundee Road, Palatine, IL and Ms. Deena Roumeliotis, Architect were present and sworn in.

Mr. Maschek reported they were requesting an amendment to the previously approved PUD plan for Uptown 500 (previously 501). They are presenting amendments to the PUD to allow a six story building. The previous approval was for a 5 story building. The sixth story would include 59 additional units, 20 additional parking spaces and reducing the retail from 12,000 square feet to 10,500 square feet. The reason for the additional floor is because the assistance from the TIF is not as much as originally anticipated. They met with Staff and looked at ways to create a more efficient building. They are asking for additional units so they could spread the cost over the additional units. This was a good way to continue to design and create a really high quality building which includes the two story sky bridge, the amenity spaces on both the Dundee Road side as well as the three and four story amenity space in the center of the project and the pool in the courtyard. They wanted to stay on course and spread out the cost over the additional units.

The site plan, access points, parking spaces and service areas all remain the same. They are adding a sixth story to the areas around the courtyard up to above the lobby space. The original building was 5-story. The building coverage, pavement coverage and open space all remain the same on the amended plan. Within the residential component they initially had 262 units approved but they are now asking for an additional 59 units for a total of 321 units. They are all the same size and design from the previous design. There were initially 441 parking spaces for the residential (1.67 parking spaces per unit) and they are now asking for 476 parking spaces (444 in the garage and 32 on the

surface) (1.48 parking spaces per unit).

Within the retail, they initially had 12,000 square feet with 113 parking spaces and are now asking for 10,500 square feet with 98 spaces. It went from 9.4 spaces per 1,000 square feet to 9.3 spaces. Both numbers are within industry standards for restaurants.

The change in density will result in an increase in the onsite traffic by approximately 15%. This translates into approximately 30 trips in and out during the peak hours (1 trip every 2 minutes). Of that traffic, approximately 20 trips will travel through the intersection of Dundee and Northgate Parkway and when compared to the projected traffic that will travel through the intersection, the increase will amount to less than 0.5%. The minimal increase will not result in any changes to the overall operations of the intersection and will not require any additional improvements and/or modifications beyond what was already identified and approved in the initial plan. The improvements include the additional right turn lane going westbound from Northgate Parkway to Dundee Road and an additional lane on the north side of Dundee toward Northgate Parkway. The proposed access will continue to be adequate and to accommodate the site traffic and will ensure that the additional traffic is efficiently disbursed.

The parking started at 1.67 spaces per unit and is now at 1.48 spaces per unit. They did an analysis of other similar projects in the suburban area. Burlington Station is a project in downtown Downers Grove (more urban location) with a similar distance to the train. It is parked at 1 stall per unit. The Grove in Downers Grove has 1.17 spaces per unit. A development in Evanston (urban location) with a similar distance to the train has 1.46 stalls per unit. The Reserve in Glenview is parked at 1.39 stalls per unit. According to the leasing agent, the parking garage at The Reserve is about half empty. The buyer is usually a move down buyer that sold their home looking for another place with one car and two bedrooms. They are very comfortable with the proposed 1.48 stalls per unit. They anticipate that it will be a little over parked given the amount of studio, one-bedrooms and two-bedrooms.

Mr. Maschek reported that they had done a market study on what the market can handle. They are still anticipating that there is a big need in the Northwest suburbs for additional units. The concept originally came in with 265 units with a lot of smaller units. There were some concerns so they increased the size of some of the units and came up with 262 units and are now up to 321 units. All units are using the larger floor plans that were seen and approved in the last plan.

Mr. Maschek referred to the retail component. They started at about 13,000 square feet and went to 12,000 square feet and they were now at 10,500. The space is about the same size since they removed the double corridor and made the delivery and loading area on the courtyard size a little wider.

Mr. Maschek referred to the parking spaces for the retail. There is a potential to have the retail separated into up to four spaces. They initially had five spaces but looked at it and four spaces seems to be a lot more reasonable with the layout. They are parked similar to an Olive Garden. The 9.4 per thousand is based on using the whole space as a restaurant.

Mr. Maschek referred to the building. In his opinion, adding the sixth floor made a much better

profile particularly at the key intersection of Northgate and Dundee Road. They continued the existing materials that were originally proposed and pulled them up. They created areas of the cementitious panels. He felt the sixth floor on the east elevation adds additional depth and weight. Materials were all similar cementitious panels with brick bands, lap siding bands and a variation of materials and colors. They varied the color of the materials and created bands to break up the mass. They originally had vertical casement windows so when they added another floor they were concerned about the verticality of the windows so they changed it to a single hung window that brings down the mass. It also saved a little bit of money. There are aluminum sunscreens along the top to break up the elevation and add more interest. They still have the tower elements on top of the corner balcony bays.

The north elevation has six stories. It has the same bands of materials and screens for the roof equipment. Mr. Maschek referred to the courtyard. They felt it started to appear kind of heavy using the vertical bands of masonry. They put the lighter cementitious but broke it up in a more horizontal fashion.

The west elevation had originally included an error and included an additional floor on the elevation but not on the plans. The garage elevation works better with a sixth floor. The planters and greenery along the west elevation still remain.

The traffic plan remains the same.

Chairman Ruffatto opened the discussion to the public. No one came forward.

Commissioner Creech asked if there were windows in all of the hallways throughout the parking garage structure. Mr. Maschek confirmed they were just along the top floor.

Commissioner Johnson expressed concern about the additional density of the project. He questioned how the additional floor affected the sun shading. He felt there would be days when sun would not be seen with the additional floor.

Commissioner Johnson felt overall it still looked good. He felt the elevations in the courtyard could be a little more attractive. He did not have any suggestions. Chairman Ruffatto agreed it looked pretty stark.

Commissioner Blinova had no questions.

In reply to Commissioner Powers' question, Mr. Maschek confirmed the corridor was removed.

In reply to Commissioner Powers' question, Mr. Maschek confirmed they were increasing the garage space by 49 parking spaces.

Commissioner Powers questioned why they changed from the Equitone panel system and went to a hardy fiber cement board. He was surprised to see the change. He questioned if the entire courtyard was fiber cement. Mr. Maschek explained the first two floors were all masonry with a lighter material above (hardy panel).

Findings of Fact and Recommendation

DOCKET NO. 2018-2

Commissioner Powers questioned if anything had changed between the hardy panels. Mr. Maschek confirmed it was the same brick and other materials. The only change besides the window is from Equitone to another brand of hardy panel.

Commissioner Powers questioned if the courtyard views were all of the hardy paneling. Mr. Maschek explained the courtyard had brick along the bottom of the inside of the courtyard with a panelized system above. The sun is more apt to reflect off of a lighter surface rather than a dark heavy look on the inside of the courtyard. They had originally proposed a blend of lap siding, two colors of brick and then the cementitious panel. They removed all of it and cleaned it up by using brick along the lower portion and then the lighter materials on the top to essentially reduce the darkness of the courtyard.

Commissioner Powers does not have an issue with the sixth floor but has an issue with the materials. He felt some of the contrast and look and feel of the courtyard area was lost.

Commissioner Kalis questioned how parking was lost for the retail. Mr. Maschek explained they originally had 12 spaces inside the garage in the original PUD.

Chairman Ruffatto expressed concern with the courtyard. He felt the consensus of the Commission was for it to go back to the way it was with as much masonry as previously approved. Mr. Maschek suggested using a band of masonry up to the fifth floor in a couple of locations and then introduce the other materials. It would reduce the amount of masonry a little bit but would also create a little bit more of a rhythm that would match the outside.

Ms. Roumeliotis felt the percentage of brick in the courtyard was equal or greater than what was previous. She respectfully disagreed with adding 5' of brick towers to the courtyard elevations. She likes the band of brick along the first two stories. She suggested using different colors and different patterns in the upper hardy siding to create the vertical elements.

Chairman Ruffatto questioned the reason Ms. Roumeliotis wanted different applications used on the courtyard side and the outside. She explained the brick was a heavier material and with the verticality in the courtyard it would start to resemble a canyon. She agreed with using more variety with the materials.

Commissioner Johnson wanted to see more variation.

Commissioner Powers understood using single hung versus casement windows. He had an issue with not keeping the look and feel after adding the sixth floor.

Chairman Ruffatto mentioned a hardy type of material was previously used on the exterior but was a different manufacturer. He felt the look was stark on the inside. The petitioner agreed to look at it again. Chairman Ruffatto agreed the band on the sixth floor did give it some character. He questioned what could be done in the other areas. Commissioner Blinova suggested using a warmer color instead of gray. Mr. Maschek noted warm colors were used on the outside and agreed to use some in the courtyard. Chairman Ruffatto wanted to see more color in the courtyard.

**Findings of Fact and
Recommendation**

DOCKET NO. 2018-2

Chairman Ruffatto questioned if everyone was in agreement for more color in the courtyard. The consensus of the Commission was to use more color and return to the Plan Commission for review. Material samples should also be provided.

Mr. Maschek questioned if the Commission felt the density, parking, retail and other components were acceptable. No one expressed concern.

Commissioner Creech noted that the south courtyard elevation was not consistent. It did not have the brick all the way across on the first two floors. He personally wanted to see the columns in a few spots like the exterior.

Chairman Ruffatto questioned if the Commission was in agreement with reducing the parking (1.6 to 1.4). He questioned how it would be managed. The petitioner stated they were still above one space per bedroom.

Commissioner Dorband moved, seconded by Commissioner Powers to continue Docket No. 2018-2 to February 22, 2018.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Respectfully submitted,

Jim Ruffatto, Chairman
Wheeling Plan Commission/
Sign Code Board of Appeals

**DISTRIBUTED TO THE COMMISSION 02.02.2018
FOR APPROVAL ON 02.08.2018**

**DRAFT DOCKET NO. 2017-18 and SCBA 18-4
FINDINGS OF FACT
AND RECOMMENDATION**

To: Village President and Board of Trustees

From: Wheeling Plan Commission/Sign Code Board of Appeal

Re: [Docket Nos. 2017-18 and SCBA 18-4](#)
Shri Swaminarayan Temple
397 Northgate Parkway
(2017-18) Special Use-Site Plan Amendment to Allow for a Building
Addition
(SCBA 18-4) Appearance Approval of a Freestanding Sign

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.

Present were Commissioners Dorband, Johnson, Powers and Ruffatto. Commissioners Blinova, Creech and Kalis were absent with prior notice. Also present were Brooke Jones, Senior Planner, Mallory Milluzzi, Village Attorney, Ron Antor, Fire Inspector and Kyle Goetzelmann, Civil Engineer.

Commissioner Powers read the following statement aloud.

A zoning Special Use, as defined in Title 19, of the village of Wheeling (Zoning), is a use of parcel of land that requires review and consideration before approval due to circumstances or effects on the surrounding properties that may adversely affect them. In order to be considered for a special use the petitioner is required to demonstrate through testimony to the Plan Commission at the public hearing why their request meets the conditions of the village code including, but not limited to, how the proposed use will not damage the enjoyment or use of the surrounding properties. Prior to the public hearing the petitioner provides written statements meant to show that their request for a special use meets the standards established in Title 19. The Commission Chairperson will typically direct that these statements be entered into the record without a full reading of them at the hearing. Based upon the testimony and supporting materials submitted, the Plan Commission will make findings in support of, or against, the petitioner's testimony and report those findings to the Village Board.

Ms. Jones reported that the Staff Reports and Submittals of the petitioner were part of the public record.

Mr. Tim Burda, Haeger Engineering, 100 East State Parkway, Schaumburg, Mr. Rajni Patel and Mr. Suber Zumnerwala, Architect were sworn in.

Mr. Burda noted the proposed property was located off of Northgate Parkway. There are two lots,

Lot 1 and Lot 2. Lot 1 has the current temple and is located on 4.69 acres, zoned R-1. Lot 2 has the expanded parking lot and is 2.83 acres, zoned I-2 and I-3. The original Temple was constructed around 1990. In 1995, they constructed a south parking lot. In 1998, they worked with the Village to dedicate some land for the diversion channel. In 2005, they constructed the west parking lot.

They are seeking an amendment to the existing Special Use Site Plan Approval. The proposal includes two buildings. They are seeking approval for both buildings but are only constructing one of the buildings at this time. The building is approximately 25,000 square feet and will provide space for the Temple for religious holidays, Temple anniversaries, weddings and other special events. They are also proposing to construct a future building in approximately 7 years. The future building will be approximately 14,500 square feet and will provide space for lectures, video presentations, spiritual talks and displays of religious artifacts.

They are proposing a loop road around the buildings that was requested by the Fire Department. They want access to the proposed building and the future building. The loop road will also provide about 30 parking spaces. The proposed building is in the existing parking lot.

A portion of the loop drive is within the land dedicated to the Village. They will work with the Engineering Department to get an ingress/egress easement. Mr. Burda stated that with their preliminary talk with the Engineering Department, they did not seem to have any issues with it.

There is a future pedestrian path that will be constructed so people from the parking lot did not have to walk down to the bridge to get to the Temple. The path will be built in approximately 2-3 years. There is an existing 20' easement and the plans are to build the pedestrian bridge within the easement.

Detention and compensatory storage will be provided to the north. They will also provide storm sewer, sanitary sewer and water main improvements. The most notable is a loop water main that goes along the loop drive. The purpose is to service about three fire hydrants located around the building. The service to the existing building is not being changed.

Mr. Burda stated they worked with the Fire Department for a second access. There is an emergency only access proposed off of 12th Street. There will be a drop down bollard installed to keep regular vehicle access out.

An 8' wide asphalt bike path to the west is proposed. The applicant agreed to extend the bike path up to Meadow Lane.

The applicant is proposing a two-story building with a basement. They are proposing to match the existing architecture and use the existing materials for the building in order to keep the continuity. He referred to the concerns about the proposed dryvit and mentioned it was currently being used in the existing temple. They are also proposing it for the future building. He expressed concern with matching color and textures with the existing building if they couldn't use the dryvit. It could give the appearance of breaking up the building from the existing.

The proposed first floor includes a stage with a main seating area for about 550 people and the

second floor plan includes a balcony with a seating area that holds about 190 people. There is also a basement that can hold about 408 people and would be used for a seating space to serve food after prayer time and will be used for additional storage space.

The proposed trash enclosure will be enclosed with CMU walls and metal doors with a 10x10 concrete pad.

The mechanical units will be located on the roof and will be screened with walls.

The proposed building will be dry flood proofed because of the presence of the floodplain.

Landscaping will be provided around the building to match the existing.

Mr. Burda addressed the parking. He explained the Temple does not believe they will need additional parking. The purpose of the proposed and future building was not to expand the congregation but was to serve another function. The proposed building is to house special events and the future building is proposed to house lectures and spiritual talks. The timing of the lectures and the regular meeting of the congregation and the special events are staggered. A service and wedding would not be going on at the same time. They have been using tents in the east parking lot for their current special events and have had enough parking within the west and south parking lots.

Chairman Ruffatto opened the discussion to the public.

From the audience, Ms. Cheryl Klumpp, 300 North 11th Street, Wheeling. Ms. Klumpp stated she had lived in Wheeling for 35 years and the petitioner has always been a great neighbor. She questioned if the playground would be rebuilt. She questioned if the Village intended to open 11th Street to have more access to the east. Ms. Jones stated there was no intent on opening 11th Street.

From the audience, Mr. Terry Steilen was sworn in. Mr. Steilen thought the petitioner had been before the Plan Commission in the past and had made arrangements with other businesses in the area to use their parking for any overflow during special events. He questioned if the condition still existed.

Mr. Rajni Patel stated they had not yet decided about building the play area.

Mr. Patel confirmed they had a verbal agreement with a college and another business. The other business also uses their parking lot when needed. The neighbor's busy hours were not the same as the Temple.

Commissioner Johnson referred to the trash enclosure. He asked for details since they were not provided on the plans. Mr. Burda confirmed he did not have the details for the trash enclosure at the meeting.

Commissioner Johnson asked about bicycle parking. Mr. Burda confirmed the Temple will offer bicycle parking along the west side near the bike path. The location is not marked on the plans.

Commissioner Johnson referred to the pedestrian bridge. Mr. Burda confirmed the intent was to build it in 2 to 3 years. Commissioner Johnson questioned how the location was determined. Mr. Burda was unsure. Chairman Ruffatto questioned if it would come before the Plan Commission in the future. Ms. Jones explained not necessarily since the concept was shown. It would need Engineering Review and approval. As long as the Plan Commission was in general agreement that there would be a pedestrian bridge to the Lot 2 parking lot, she felt it would be enough.

Commissioner Johnson questioned if the mechanicals would be screened. He noted details were not included on the plans. Mr. Zummerwala confirmed the mechanicals would be located in the middle of the roof so they would be screened.

In reply to Commissioner Powers' question, Mr. Burda confirmed they were putting in the circular drive right away.

Commissioner Powers noticed that the irrigation plan was not indented to depict the parking. He asked if they could update the plan. Mr. Burda agreed to update the irrigation plan.

Commissioner Powers noted that the sidewalk between the two parking lots were not connected. He asked for an explanation. Mr. Burda explained it was because of the future building. He agreed to connect the sidewalk after the second building was built.

Commissioner Powers noted the entrance on the east side of building one. Mr. Burda confirmed it was a fire exit.

Commissioner Powers referred to the photometric plan and felt there was no light in the northeast corner. Mr. Zummerwala confirmed there would be lighting on the building. Commissioner Powers explained that light fixtures were normally included on the plans. Mr. Burda stated the photometric plans did not include the lights coming from the building. Chairman Ruffatto agreed details about the light fixtures on the building needed to be provided.

Commissioner Powers questioned if the monument sign would be illuminated. Mr. Zummerwala confirmed it would be illuminated by solar.

Commissioner Powers expressed concern with the dryvit material. He questioned if they looked at using any other materials that would be comparable. He suggested also using a different material for the monument sign. Mr. Zummerwala agreed to use a different material for the monument sign. Mr. Burda confirmed they could get close in color but sometimes it would still be noticeable. He explained the petitioner likes to use different styles on their building for religious purposes that can only be done using dryvit.

Commissioner Powers questioned if they had done any maintenance to the dryvit on the existing building. Mr. Zummerwala stated they have only had to paint it.

In reply to Commissioner Dorband's question, Mr. Zummerwala confirmed the landscaping by the monument sign would be irrigated. She liked the monument sign.

Chairman Ruffatto expressed a concern with the Fire Department access around the Temple since it should be one-way and there was a potential for it to be two-way because of how the parking was configured. Mr. Burda explained the drive aisle was 20' so it could accommodate two cars safely if needed. Chairman Ruffatto suggested adding additional signage. Mr. Burda was in agreement. Chairman Ruffatto suggested changing the parking to diagonal parking. Mr. Burda was in agreement.

Chairman Ruffatto felt the play area would be nice to have but explained it wasn't part of the proposal.

Chairman Ruffatto questioned if the classrooms would add to the population. Mr. Zimmerwala compared it to a Sunday school and confirmed they were currently offering it now.

Chairman Ruffatto referred to the dryvit. He explained the problem with the material was at the foundation. He questioned if it was possible to modify the material from 12-15" from the ground. Mr. Zimmerwala agreed to look at an alternate material for a 12-15" band up to the dryvit. Chairman Ruffatto mentioned that CMU was a more durable material.

Chairman Ruffatto mentioned there were a couple things missing from the plans but nothing majorly wrong with it. The missing items needed to be cleaned up before going to the Village Board.

Chairman Ruffatto reviewed the following missing items.

- Material band
- Description of trash enclosure
- Details for building lighting;
- Bike parking;
- Investigate diagonal parking for the loop;

Chairman Ruffatto visited the site and noticed a vent on the main entrance that was stained. He questioned how easy the dryvit was to clean.

Ms. Jones read aloud the proposed conditions from the Staff Report.

1. Prior to permit issuance, a plat of easement for the looping water main shall be approved by the Village and recorded by the County;
2. The drive aisle along the west boundary of the building is partially on Village property; An easement from the Village shall be provided prior to permit issuance; and
3. The 14,500 square foot future building addition is subject to appearance approval by the Plan Commission.

Chairman Ruffatto announced the docket would be continued so everything could be updated prior to going to the Village Board.

Mr. Goetzelmann stated that Engineering had reviewed the plans and noted that everything would be handled in the final engineering review/permitting. Engineering does not have any issues.

Ms. Jones reviewed the following items that needed to be incorporated into the plans.

- The sidewalk at the northwest corner of the future addition shall be constructed after the building is constructed.
- One-way signage and or pavement marking shall be installed on the looped lane.
- The 30 new parking stalls shall be angled to promote one-way traffic.
- A minimum of 12" of the exterior walls from finished grade shall be made of a more durable material than EIFS.
- A plan noting the design and materials for the trash enclosure shall be provided.
- Bike parking locations and quantities shall be noted on the plan.
- The photometric plan shall be updated to reflect the wall mounted lighting and to increase lighting and dim areas.
- Spec sheets for building lighting and pole lighting to be provided.
- Provide a new sign plan showing the masonry material.

Ms. Jones referred to the monument sign and note on the plan that all exterior material finishes, projected design and colors on the sign are to match existing. Mr. Zummerwala confirmed he was changing the sign to all masonry.

Commissioner Johnson moved, seconded by Commissioner Powers to continue Docket No. 2017-18 to February 22, 2018.

On the roll call, the vote was as follows:

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

There being four affirmative votes, the motion was approved.

February 22, 2018 Public Hearing

Chairman Ruffatto called Docket No. 2017-18 on February 22, 2018. Present were Commissioners Blinova, Creech, Dorband, Johnson, Kalis, Powers and Ruffatto. Also present were Brooke Jones, Senior Planner, Mallory Milluzzi, Village Attorney, Ron Antor, Fire Inspector and Kyle Goetzelmann, Civil Engineer.

Mr. Tim Burda, Haeger Engineering, 100 East State Parkway, Schaumburg and Mr. Rajni Patel were previously sworn in.

Mr. Burda addressed the concerns from the last meeting.

A future sidewalk connection was added to the plans on the northwest side of the future building.

The requested angled parking had been provided. One-way pavement markings had been added to the plans along the loop drive and to the parking lot to the south.

A bike rack was provided to the west of the trash dumpster. The pad is large enough for a 5 bike rack.

The elevation plans note a 16" cast concrete masonry prairie stone at the building base to address the concern over EIFS.

Details of the trash enclosure have been added. The materials will be the same materials as the base of the building of the new addition.

A revised photometric plan was provided which includes the building lights and specs.

The sign plan was revised to an all brick structure.

Chairman Ruffatto opened the discussion to the public. No one from the audience came forward.

Commissioner Johnson appreciated having all of the concerns addressed.

Commissioner Johnson questioned if the addition would be available for rental since it's a large space. Mr. Patel confirmed they would rent it if they received a request from a religious organization.

Commissioner Creech was not present at the last meeting. He noted the site was challenging considering the floodway and floodplain. He expressed concern regarding the ADA requirements. He was unsure of the requirements for having accessibility at every entrance.

Commissioner Creech thought the Code was for a 22' wide fire lane for future building sites.

Mr. Goetzelmann confirmed the building needed to be ADA accessible. He was unsure of which entrances needed to be accessible. Fire Inspector Antor confirmed the Village did not enforce the ADA requirements. It is enforced by the International Building Code. The Building Department normally reviews it during the permitting process. He thought there were a limited number of required accessible entrances that were listed in the Code section. Every entrance was not necessarily required to be accessible. It was reviewed during the permitting process.

Fire Inspector Antor confirmed the Village's Municipal Code and Fire Code require the fire lane to be 20' in width.

Commissioner Creech expressed a concern that the petitioner is going from a 10,000 square foot building to 40,000 square foot and the phase two would not be done for seven years. He was uncomfortable in approving the phase two addition without any floor plans or elevations. Ms. Milluzzi explained there was a proposed condition and it would need to return for appearance approval at the time the building was proposed to be constructed. Commissioner Creech interpreted it as a building appearance approval and not the whole addition. He was unsure on what was going

into the addition. He was very uncomfortable with not knowing the floor plan before approving it. He wants them to return for a review of the addition. He was in agreement for them to prepare the site and get the permits with MWRD and others for this to be built in the future but felt they should return with drawings and elevations.

Ms. Jones explained that typically the Plan Commission reviews floor plans relating to parking requirements. The petitioner has discussed how the building addition would be used and Staff has determined it would not require additional parking. They have stated on the record through the testimony at the hearing as well as in the cover letter on how they plan to use the building. If the Commission chooses, Staff could review the floor plan at building permit after it receives appearance approval. If the Plan Commission chooses, the floor plan could come back when they review the elevations and they could also provide the floor plans to assist the Commission in review of the elevations, if they think it is necessary.

Commissioner Creech requested getting a consensus.

In response to Chairman Ruffatto's question, Commissioner Creech explained he did not want to approve the phase two addition without knowing what it was since he didn't see anything in his packet. He didn't think it was a good idea to approve an addition when they didn't really know what it was except for what they were telling them. He thought it could change in seven years.

Ms. Jones explained if they changed something dramatically, the floor plans would indicate it and Staff would review it and require them to go back for possibly a Special Use amendment or further Plan Commission review. Commissioner Creech was not in agreement.

Chairman Ruffatto explained the site layout was being approved and not the addition elevation. They would return with the appearance and elevation. He was confused on what more could be done at this time. Commissioner Creech was not asking for anything to be done at this time. He wants them to continue with planning for phase two but they would need to return when they were ready to build it. He wants to see the floor plan and elevations.

Ms. Milluzzi stated that floor plans were not required as part of the site plan review unless there were unique circumstances. If the floor plan or use triggered an amendment to the Special Use, floor plans were typically included. She reiterated that floor plans were not required as part of the Special Use process. It is usually reviewed internally by Staff. If things change in the future, it would require them to return with more information. Ms. Milluzzi explained their current Special Use allows them to do certain amount of activities on their property.

Chairman Ruffatto needed to understand the type of poll Commissioner Creech was requesting. Commissioner Creech wants to see what the petitioner would be doing in phase two just like they showed what they were doing in phase one.

Commissioner Dorband explained that normally the Plan Commission did not get involved in the interior. She questioned if Commissioner Creech was looking for the interior design. She was confused with Commissioner Creech's question. Commissioner Creech questioned why floor plans were received on other projects. He mentioned that floor plans, elevations, wall sections,

dimensions were required on every other submittal but on this one where they have only received half of the information. He wants the rest of the information. He wants to know what is going on. He wants to know if this was a viable project. He did not think it was asking a lot.

Commissioner Blinova had no questions or comments.

Commissioner Kalis had no questions or comments.

Commissioner Powers felt the petitioner addressed everything. He appreciated seeing the lighting fixtures on the building.

Commissioner Dorband appreciated that the petitioner had answered all of the Commission's questions.

Chairman Ruffatto referred to something being stored by the south door. Mr. Patel agreed to remove it over the weekend.

Chairman Ruffatto thanked the petitioner for addressing all of the Commission's requests.

Chairman Ruffatto took a poll regarding the phase two building addition. He questioned if the Plan Commission should require a layout of the interior of the building as a condition of the Special Use approval:

Commissioner Johnson: No

Commissioner Blinova: No

Commissioner Powers: Yes, he referred to the Speers proposal when the Commission had them move their entrance because of their floor plan.

Commissioner Dorband: Yes

Commissioner Creech: Yes

Commissioner Kalis: Yes

Chairman Ruffatto's: No

The vote was 4:3 in favor of adding a condition to require the layout of the interior.

Commissioner Johnson moved, second by Commissioner Kalis to recommend approval of Docket No. 2017-18 to grant an amendment to Special Use Ordinance No. 3880, in accordance with the following exhibits submitted February 8, 2018 (except as noted) by Haeger Engineering for Shri Swaminarayan Temple, located at 397 Northgate Parkway, Wheeling, Illinois:

- Project description, 1.10.2018
- Updated response letter
- Aerial parking exhibit, 1.10.2018
- Landscape plans (2 sheets), 2.12.2018
- Irrigation plan, 2.12.2018
- First floor plan, 2.12.2018
- Second floor plan, 2.12.2018

- Basement floor plan, 2.12.2018
- South/west elevations plan, 2.12.2018
- East/north elevations plan, 2.12.2018
- Typical detail elevation plan, 2.12.2018
- Trash enclosure/sign plan, 2.15.2018
- Engineering plans (5 sheets)
- Bike path extension plan
- Photometric plan, 2.9.2018
- Lighting fixtures details (4 sheets)
- Plat of survey (2 sheets), 1.10.2018.

And with the following conditions:

4. Prior to permit issuance, a plat of easement for the looping water main shall be approved by the Village and recorded by the County;
5. The drive aisle along the west boundary of the building is partially on Village property; An easement from the Village shall be provided prior to permit issuance;
6. The 14,500 square foot future building addition is subject to site plan and appearance approval by the Plan Commission. This submittal shall include elevation plans and floor plans.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Johnson to Approve Docket No. SCBA 18-4, to grant appearance approval of the proposed freestanding sign as shown on the sign plan submitted February 15, 2018 for Shri Swaminarayan Temple, located at 397 Northgate Parkway, Wheeling, Illinois.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Commissioner Dorband moved, seconded by Commissioner Powers to close Docket No. 2017-18. The motion was approved by a voice vote.

Respectfully submitted,

Jim Ruffatto, Chairman
Wheeling Plan Commission/
Sign Code Board of Appeals

**DISTRIBUTED TO THE COMMISSION 03.02.2018
FOR APPROVAL ON 03.08.2018**