

**WHEELING PLAN COMMISSION
THURSDAY, MARCH 22, 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**
 - A) [Docket No. SCBA 18-6](#)
Potbelly
1520 Lake Cook Road
Appearance Approval of Wall Signs
 - B) [Docket No. SCBA 18-7](#)
Sunny's Dulceria
105 N. Wolf Road
Appearance Approval of a Wall Sign
- 7. ITEMS FOR REVIEW**
 - A) [Docket No. 2018-5A&B](#)
Superdawg Drive-In
333 S. Milwaukee Avenue
(2018-5A) Special Use-Site Plan Amendment to Ordinance No. 4326 to Allow Alcoholic Beverages
(2018-5B) Special Use-Site Plan Approval for Packaged Liquor Sales
 - B) [Docket Nos. 2017-18-6](#)
9Round
1540 Lake Cook Road
Special Use-Site Plan Approval for a Health Club
 - C) [Docket No. 2018-3A&B](#) (continued from March 8, 2018 without discussion)
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

8. APPROVAL OF MINUTES – [Mar. 8, 2018 \(including findings for Docket No. 2017-19\)](#)

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 22, 2018
(Attachment to Agenda)**

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.

2018-5 Superdawg Drive-In, Inc., property owner, is seeking 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 Packaged Liquor Sales, at an existing restaurant at 333 S. Milwaukee Avenue, Wheeling Illinois, which is zoned B-3 General Commercial and Office Use. The petitioner is also seeking an amendment to the existing Restaurant Special Use approval that specifically prohibits sales of alcoholic beverages.

2018-6 Maureen Twohey, applicant on behalf of 9Round, is seeking Special Use-Site Plan Approval as required under Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, and Chapter 19-12 Site Plan Approval Requirements, and associated sections, to establish a Health Club at 1538 Lake Cook Road, Wheeling, Illinois, which is zoned B-1 Planned Shopping Center District.

GENERAL PROPERTY INFORMATION

<u>Neighboring Property Land Use(s):</u>	North: Single- Family Residential (Buffalo Grove) West: Commercial (Buffalo Grove) South: Commercial East: Commercial
<u>Comprehensive Plan Designation:</u>	Commercial
<u>Existing Use of Property:</u>	Restaurant
<u>Existing Property Zoning:</u>	B-1, Planned Shopping District

DESCRIPTION OF PROPOSAL

The petitioner, Potbelly, is requesting appearance approval to replace two wall signs for an existing restaurant in Schwind Plaza.

SIGN REVIEW

Sign Locations: The petitioner is proposing to replace existing signs on the east and south facades of the building.

Sign Types, Materials and Sizes:

Two identical internally illuminated wall signs are proposed. Three and one-half inch deep channel letters stating, "POTBELLY," will be mounted to an internally illuminated cabinet with rout out push through letters stating, "SANDWICH SHOP." The channel letters will have yellow faces and the push through letters will appear white. The cabinet will have a two tone green background and a yellow and brown border. The maximum allowed sign size for the primary (south facing) sign is 52.9 sq. ft. if the 50 percent graphic bonus is granted. The maximum allowed sign size for the secondary (east facing) sign is 47 sq. ft. Each sign measures 45 sq. ft. This signs meet the requirements of the Sign Code.

STAFF REVIEW

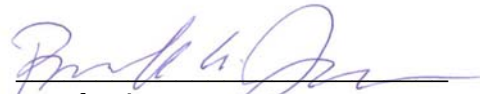
Impact on Adjacent Uses: There is no impact anticipated on adjacent uses.

Staff Recommended Action: After reviewing the proposal, staff suggests the Plan Commission approve the proposed signs.

PROPOSED MOTION

If the Plan Commission approves of the appearance of the proposed signs, an appropriate motion would be to:

Approve Docket No. SCBA 18-6, to grant appearance approval of the two signs as shown sign plans (4 sheets) submitted March 13, 2018 for Potbelly, located at 1520 Lake Cook Road, Wheeling, Illinois.


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

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

 [Sign Plans \(4 sheets\)](#)

Potbelly – 1520 Lake Cook Road
Docket No. SCBA 18-6 (Appearance Approval of Wall Signs)
Plan Commission Meeting – March 22, 2018

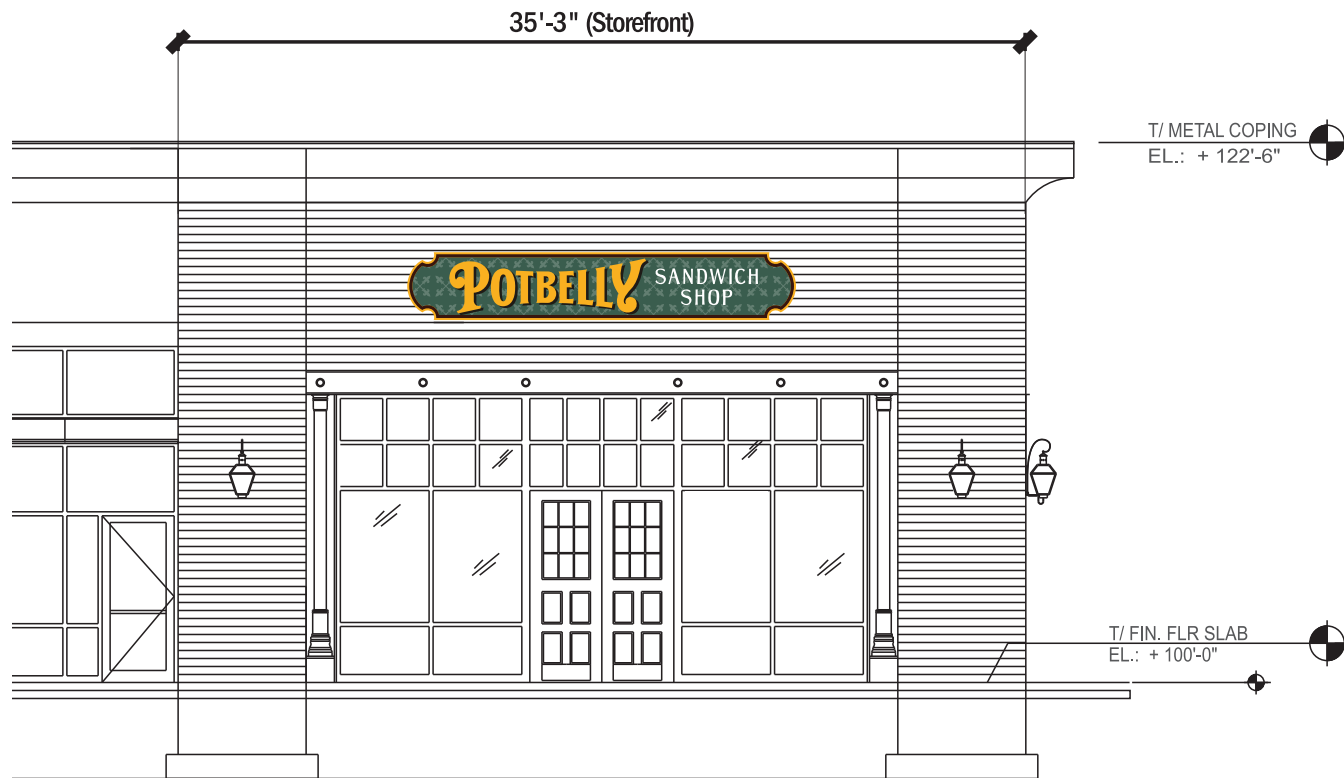


Existing conditions of south facade

Potbelly – 1520 Lake Cook Road
Docket No. SCBA 18-6 (Appearance Approval of Wall Signs)
Plan Commission Meeting – March 22, 2018



Existing conditions of east facade



45.75 Sq Ft (2) Required

Building Elevation - South

City Criteria:

One square foot of sign allowed per each lf of wall. Only one sign on one elevation allowed

A. Primary sign. One wall sign per building or unit shall be permitted, unless as specifically provided for in this section. The sign shall be located on the street frontage of the building or identify the main public entrance to the building or unit as determined by the Sign Code Board of Appeals (SCBA). Only one sign shall be considered the primary sign for the business.

B. Additional signage. Additional signs may be permitted at the discretion of the SCBA. The SCBA will consider the following criteria when reviewing the additional signage: whether the sign is necessary for the public convenience, whether the sign would create visual clutter, whether the sign will add to the visual interest of the structure, and whether the sign is appropriate for the character of the area. Additional signs shall be subject to the sign area restrictions listed in Section 21.06.500(a)3, Sign Dimensions, subsections F and G.

No signs painted on the building allowed.

The south elevation is your primary sign (it is the main entrance, faces the street, faces the main parking area).

The east elevation qualifies as an "additional sign" that I believe meets the location criteria in the sign code.

Using the 1.5x graphic bonus, the south elevation is eligible for 45.75 sf of sign.

The east elevation signage is maximized by applying the "window" rule. I measure 47' of window on the east elevation, which means your additional sign can be the same size as your 45.75 sf primary sign. The code will not allow you to have an additional sign larger than a primary sign.



Scale: 1/8"=1'-0"



Design No.:	18-00018	Contact Information:	Revisions:		
Date:	February 05, 2018	Salesman:	Todd Hefner		
Sheet:	I of 4	Designer:	Trent Schultz		
Location:	1520 E Lake Cook Rd	P817.625.4323	F817.625.2123	Exhibit received March 13, 2018	
City/State:	Wheeling, IL 60090	www.awningandsign.com			
				This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of sign.	National Awning & Sign, LLC. does not accept responsibility for obtaining accurate code information for sign size allowance. This document is the property of National Awning & Sign, LLC and may not be copied or distributed w/o expressed written consent.



Building Elevation - East

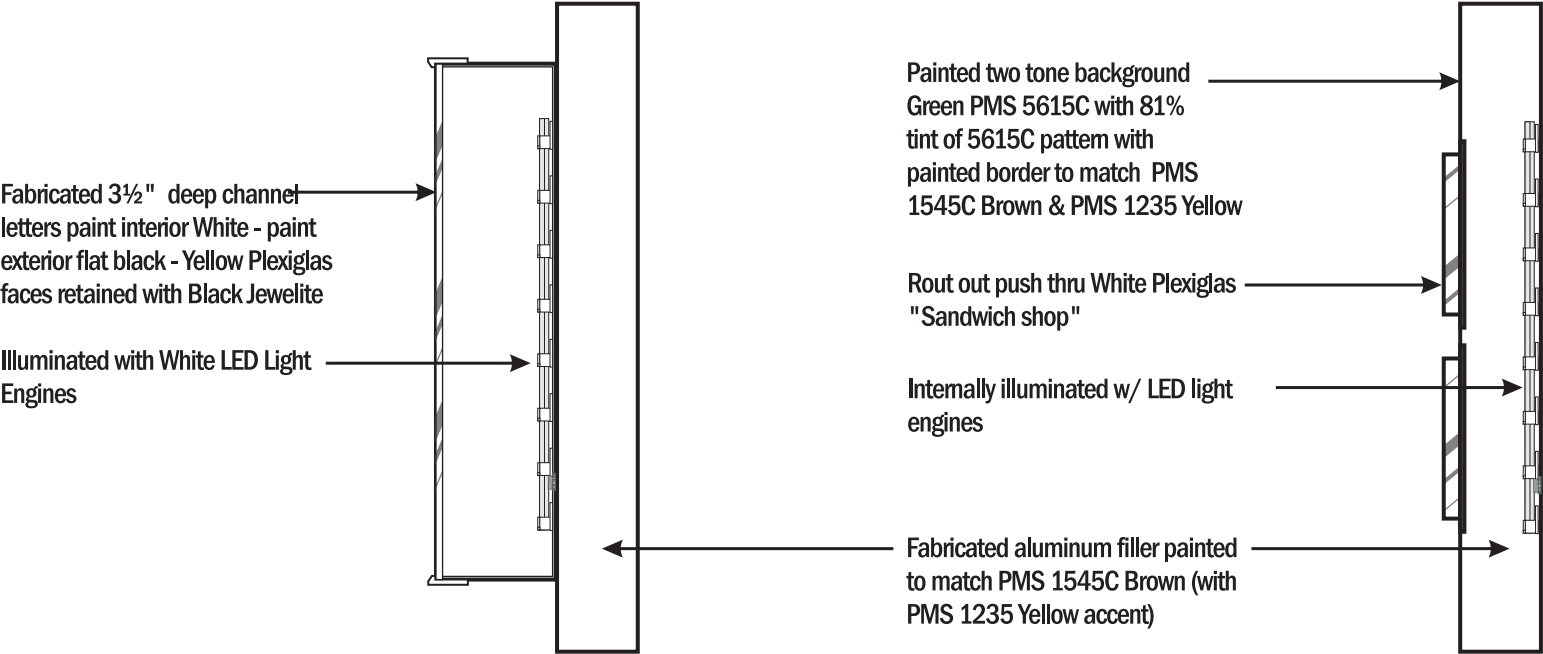
Scale: 1/8"=1'-0"



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Date:	February 05, 2018	Salesman:	Todd Hefner			
Sheet:	2 of 4	Designer:	Trent Schultz			
Location:	1520 E Lake Cook Rd	P817.625.4323	F817.625.2123	Exhibit received March 13, 2018		
City/State:	Wheeling, IL 60090	www.awningandsign.com				



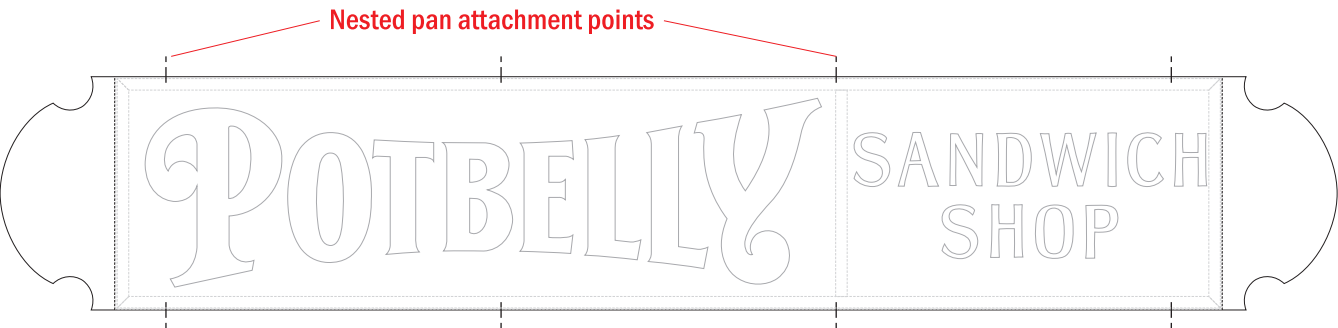
Single Face Linear Display Scale: 1/2"=1'-0"



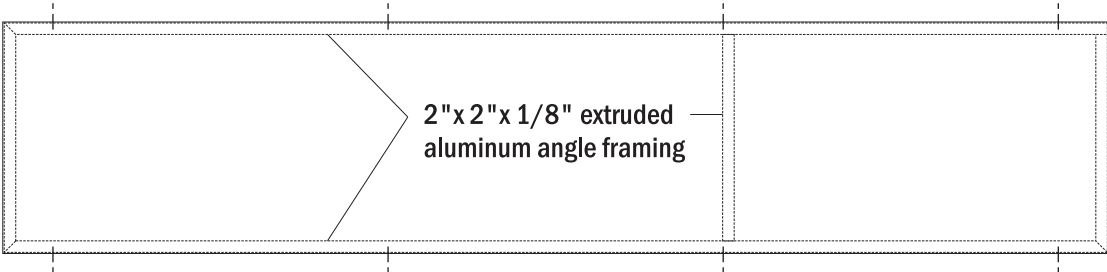
Details Thru Potbelly Thru Sandwich shop Scale: N/A



Design No.: 18-00018		Contact Information:		Revisions:	This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of sign.	National Awning & Sign, LLC. does not accept responsibility for obtaining accurate code information for sign size allowance. This document is the property of National Awning & Sign, LLC and may not be copied or distributed w/o expressed written consent.
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Location:	1520 E Lake Cook Rd	P817.625.4323	F817.625.2123	Exhibit received March 13, 2018		
City/State:	Wheeling, IL 60090	www.awningandsign.com				



Nested Pan Panel Frame Detail



Pan Panel Frame Detail



Design No.: 18-00018		Contact Information:		Revisions:		This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of sign.	National Awning & Sign, LLC. does not accept responsibility for obtaining accurate code information for sign size allowance. This document is the property of National Awning & Sign, LLC and may not be copied or distributed w/o expressed written consent.
Date:	February 05, 2018	Salesman:	Todd Hefner	Exhibit received March 13, 2018			
Sheet:	4 of 4	Designer:	Trent Schultz				
Location:	1520 E Lake Cook Rd	P817.625.4323	F817.625.2123				
City/State:	Wheeling, IL 60090	www.awningandsign.com					

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

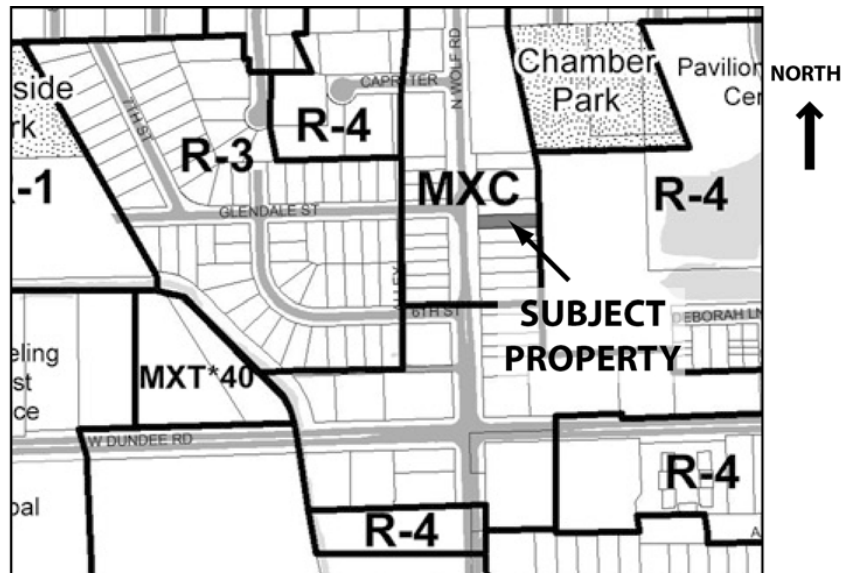
RE: **Docket No. SCBA 18-7**
Sunny's Dulceria
105 N. Wolf Road
Appearance Approval of a Wall Sign

DATE OF REPORT: March 15, 2018

DATE OF MEETING: March 22, 2018

PROJECT OVERVIEW: The petitioner is seeking appearance approval of a wall sign for a candy shop.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Signs By Tomorrow
<u>Property Owner:</u>	Maria Reyes
<u>Common Property Address:</u>	105 N. Wolf Road
<u>Common Location:</u>	Located on the east side of Wolf Road, near Glendale Street
<u>Neighboring Property Land Use(s):</u>	North: Commercial West: Multi-Family Residential South: Commercial

	East: Multi-Family Residential
<u>Comprehensive Plan Designation:</u>	Commercial-Residential Mixed Use
<u>Existing Use of Property:</u>	Retail
<u>Existing Property Zoning:</u>	MXC Mixed Use Commercial and Residential

PROJECT DESCRIPTION

The petitioner is requesting appearance approval to install a business identification wall sign for a retail candy shop.

SIGNAGE PLAN REVIEW

Sign Location: The proposed sign will be located above the storefront windows and door, facing west into the parking lot.

Sign Type and Size: The applicant is proposing to install a wall sign made of an aluminum composite material panel. The sign will not be illuminated. The sign will include the business name and a graphic and will be multi-colored. The proposed sign is 8 feet by 2 feet (16 sq. ft.). The proposed sign meets the requirements of the Sign Code.

STAFF REVIEW

Impact on Adjacent Uses: No impact on adjacent uses is expected.

Staff Recommended Action: Staff recommends approval of the proposed wall sign.

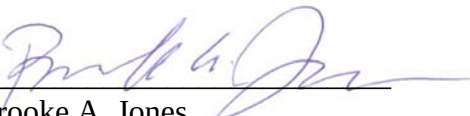
PROPOSED MOTION

If the Plan Commission finds that the petitioner has satisfied the requirements for appearance approval of the wall sign, an appropriate motion would be to:

Approve Docket No. SCBA 18-7 to permit installation of the wall sign in accordance with the sign drawing submitted March 13, 2018 for Sunny's Dulceria, located at 105 N. Wolf Road, Wheeling, Illinois.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Jones
Senior Planner

Attachment: [Photo of existing conditions \(staff\)](#)

 [Wall sign plan](#)

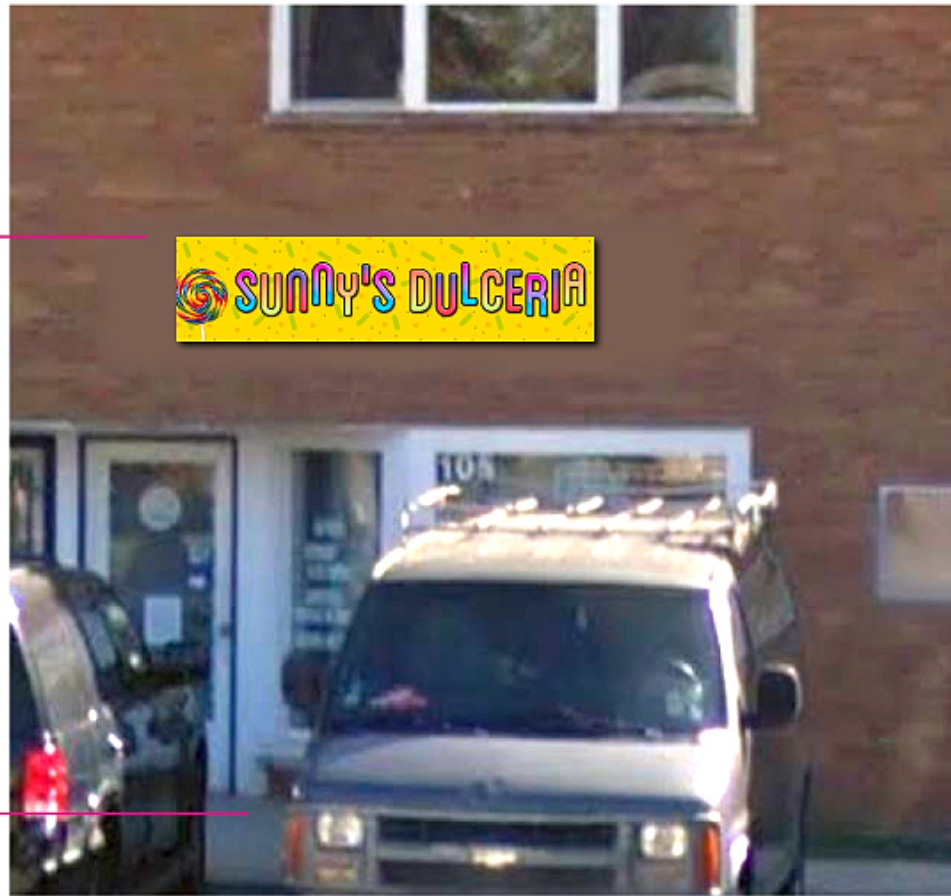
Sunny's Dulceria – 105 N. Wolf Road
Docket No. SCBA 18-7 (Appearance Approval of a Wall Sign)
Plan Commission Meeting – March 22, 2018



Existing conditions of west facade

96"

24"



12'

SIGNAGE PROOF

Client / Project Name:

Sunny's Dolceria

Estimate / Order Number:

WIP 28771

Specifications:

Material: Alum. Composite Sign

Size: 24"x96"

Mount Method: Mechanically fastened to brick with screws and anchors.

Exhibit received March 13, 2018

Date Sent To Client:

2/1/18 dp

Revision:

rev4 3/2/18 dp

CLIENT TO FILL OUT

☒ Approved:

Signature / Date

☐ Approved As Noted:

Signature / Date

☐ Revision Requested

SIGNS
BY TOMORROW
SIGNS & GRAPHICS NATIONWIDE

1315 E. Davis St., Arlington Heights, IL 60005

847.255.0123 tel • 847.255.0183 fax

arlingtonheights@signsbytomorrow.com

www.sbtarlingtonheights.com

ABOUT YOUR PROOF: Please review all colors, messages, sizes and fonts. If specific color is required, please indicate appropriate PANTONE swatch numbers. All measurements are subject to verification. Some images may appear pixelated, in this low resolution proof. Best available resolution will be utilized during production. **Production of signage will not commence without client signature on this proof, unless noted otherwise. All artwork created by Signs By Tomorrow - Arlington Heights is the property of Signs By Tomorrow - Arlington Heights and cannot be used, reproduced or shared without our permission.**

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

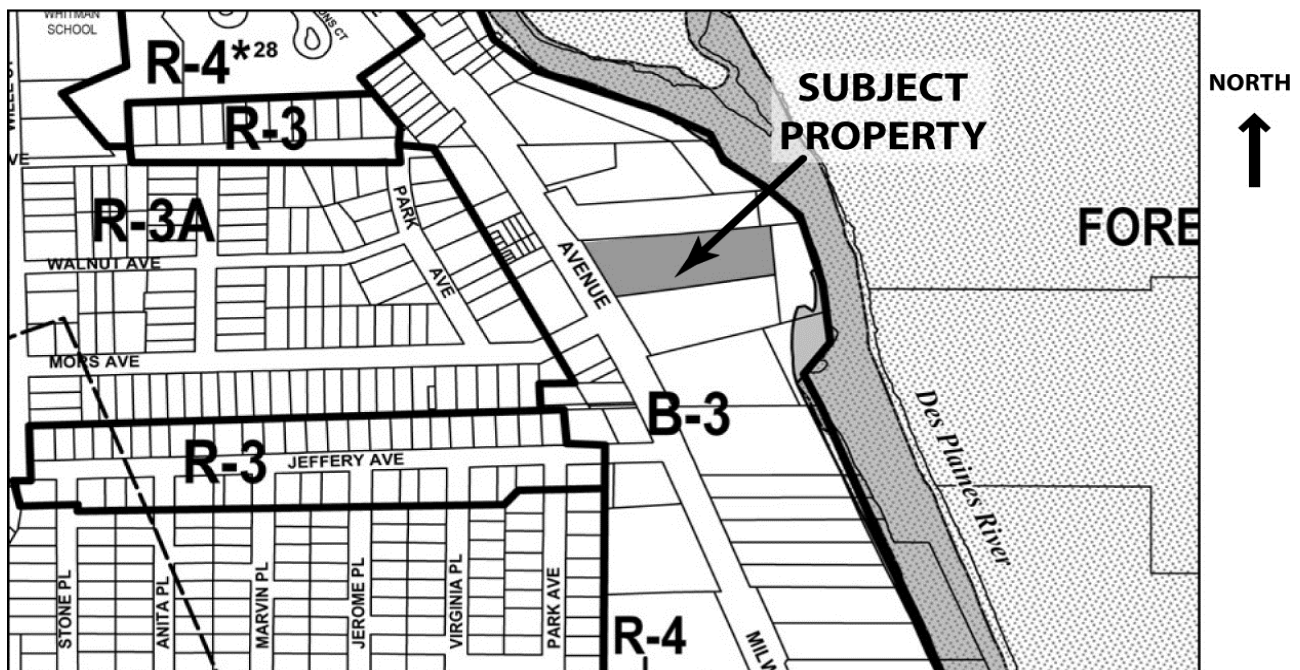
RE: **Docket Nos. 2018-5A&B**
Superdawg Drive-In
333 S. Milwaukee Avenue
(2018-5A) Special Use-Site Plan Amendment to Ordinance
No. 4326 to Allow Alcoholic Beverages
(2018-5B) Special Use-Site Plan Approval for Packaged
Liquor Sales

DATE OF REPORT: March 14, 2018

DATE OF MEETING: March 22, 2018

PROJECT OVERVIEW: The petitioner is seeking two zoning actions to allow for liquor sales at an existing drive-in restaurant. The application seeks to amend the existing special use ordinance, which specifically prohibits service of alcoholic beverages. The application also seeks special use approval for packaged liquor sales.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Scott Berman, Vice President
<u>Property Owner Name:</u>	Superdawg Drive-In, Inc.
<u>Common Property Address:</u>	333 S. Milwaukee Avenue
<u>Common Location:</u>	Located on the east side of Milwaukee Avenue north of Mors Avenue
<u>Neighboring Property Land Use(s):</u>	North: Office West: Medical office South: Restaurant (Bob Chinn's Crab House) East: Forest Preserve / Des Plaines River
<u>Comprehensive Plan Designation:</u>	Commercial
<u>Property size:</u>	1.62 acres (property) 7,530 sq. ft. (building)
<u>Existing Use of Property:</u>	Sit-down / Drive-in restaurant
<u>Proposed Use of Property:</u>	Sit-down / Drive-in restaurant & Packaged Liquor Sales
<u>Existing Property Zoning:</u>	B-3, General Commercial and Office
<u>Previous Zoning Action on Property:</u>	
2008-11A	Variations – canopy and parking setback requirements – Ord. 4325
2008-11B	Special use-site plan-building appearance approval for drive-in restaurant – Ord. 4326
2008-12	Variations – setback and height requirements for freestanding sign and rooftop signs – Ord. 4327
PC 14-23	Minor site plan and appearance approval for modifications to the pickup service and additional outdoor seating.

DESCRIPTION OF PROPOSAL

The petitioner, Superdawg Drive-In, is proposing to sell its Superdawg brand canned beer for on-site and off-site consumption. The alcoholic beverage will only be sold at the indoor dining room and not at the drive-through pickup window or at the car-hops. For on-site consumption, the restaurant employees will pour the canned beer into clear cups for customers. Six-packs of beer will also be sold at the walk-up (indoor) counter for off-site consumption.

No changes to the building or site are proposed.

The existing special use ordinance for the drive-in restaurant specifically states, “that alcoholic beverages are not served or permitted.” As such, the ordinance must be amended to approve the

current applications. Furthermore, the applicant is seeking new special use approval for packaged liquor sales of six-packs of Superdawg beer.

SITE PLAN REVIEW

Site plan: No changes are proposed to the building walls, drive-up window, parking lot, drive aisles, or car-hop stations.

Floor plan: A modified floor plan is provided that demonstrates the storage of the canned beer. Refrigerated individual cans will be located near the front counter to facilitate sales to dine-in customers. Two storage locations are provided for six-packs of beer. One location will be refrigerated and one will be unrefrigerated. Both are located among the restaurant's existing storage.

Total Number of Parking Spaces: The proposed operation changes will not impact parking.

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.)

"These Superdawg Drive-In beers have been sold at retail stores and served at bars throughout Chicago and Chicago suburbs. Superdawg's customers have requested that Superdawg serve and sell this collaboration beer. Superdawg will sell these Superdawg collaboration beers in individual refrigerated cans and in unrefrigerated 6-packs of cans. Existing Superdawg customers will enjoy Superdawg beer with their Superdawg food, and new customers will be attracted to Superdawg by the sale of Superdawg beer."

According to the petitioner, there is customer demand for the proposed uses.

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.)

"Superdawg Drive-In is in a strongly commercial area of Wheeling. Superdawg's neighbors are Bob Chinn's Restaurant (liquor licensee), D'Agostino's Restaurant (liquor licensee), Brittany Court office building, and the Cook County Forest Preserve. Across Milwaukee Avenue from Superdawg is a medical office building. Additional customers at Superdawg will not adversely affect the businesses that surround Superdawg. Residents live far from Superdawg and are not affected by Superdawg's business."

The subject property is zoned B-3 General Commercial District and is located along Wheeling's Restaurant Row. Most restaurants in the area also serve liquor. Several notable restaurants also have packaged liquor sales.

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 proposed use is in harmony with the commercial area around Superdawg. The proposed use is consistent with Superdawg's current use. The proposed use will not cause/create any adverse effect to any surrounding area of adjacent properties."

No expansion is proposed to the building or site. The proposed use will not impact adjacent properties.

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 use will have no impact on adjacent properties."

No expansion is proposed to the building or site. The proposed use will not impact adjacent properties.

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?)

"The proposed use will not require any modification of the existing site or building at which Superdawg Drive-In has operated successfully without incident or complaint since January 28, 2010."

No changes are proposed to the existing access points, parking configuration or drive aisles. The proposed uses will not impact traffic or parking.

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 proposed use will make new and existing Superdawg customers happier. These customers will eat more frequently at Superdawg. The average per person Superdawg expenditure will increase. Superdawg will sell its own branded beer in Wheeling, rather than selling at package liquor stores in surrounding suburbs. Superdawg’s revenue will increase.”

The uses will need to comply with all municipal codes, including regulations of the Liquor Control Commission.

STAFF REVIEW

Fire Department Review: The Fire Department has reviewed the plans for the use changes and has no comments at this time.

Health Division Review: The Health Officer has received the plans for the use changes and has no comments at this time.

Impact on Adjacent Uses: There is no impact anticipated on adjacent uses.

Staff Recommended Action: After reviewing the proposal, Staff suggests the Plan Commission recommend approval of the requests for the special use amendment and for the new special use.

PROPOSED MOTIONS

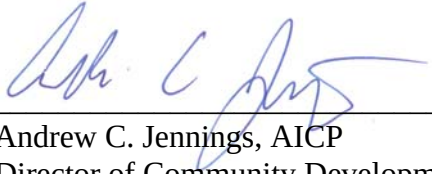
If the Plan Commission approves of the requested special use amendment and new special use for packaged liquor sales, appropriate motions would be to:

Recommend approval of Docket No. 2018-5A, granting an amendment to Special Use Ordinance No. 4326 to allow alcoholic beverages to be served, substantially in conformance with the following exhibits submitted February 21, 2018 for Superdawg Drive-In, located at 333 S. Milwaukee Avenue, Wheeling Illinois:

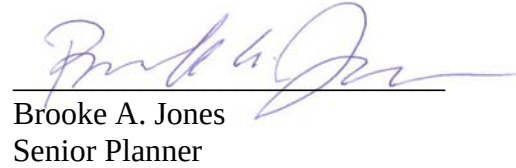
- Project description (2 sheets), and
- Floor plan.

And recommend approval of Docket No. 2018-5B, granting 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 Packaged Liquor Sales, substantially in conformance with the following submitted February 21, 2018 for Superdawg Drive-In, located at 333 S. Milwaukee Avenue, Wheeling Illinois:

- Project description (2 sheets), and
- Floor plan.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Jones
Senior Planner

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

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

[Floor plan](#)

Superdawg Drive-In – 333 S. Milwaukee Avenue

**Docket No. 2018-5A&B (Special Use-Site Plan Approval to Allow Alcoholic Beverages
& to Permit Packaged Liquor Sales)**

Plan Commission Meeting – March 22, 2018



Existing conditions of subject unit (looking northeast)



February 12, 2018

HIYA!!

"From the bottom of my pure beef heart...thanks for giving me this chance to serve you".

We're excited to request a license to sell Superdawg Drive-In, special recipe, craft beer at our Wheeling restaurant.

This is Superdawg's 70th Anniversary Year, and, to celebrate, we want events that will resonate with our customers. Above everything else, Maurie and Flaurie have always wanted to please our customers by giving our customers exceptional service and delicious, unique, special recipe food.

To answer customer demand, and to celebrate our anniversary, we're going to begin packaging and selling our delicious Superdawgs and Whoopskidawgs in grocery stores throughout Illinois.

We're also going to begin shipping our grocery products to our out-of-state fans.

As another 70th Anniversary Year celebration event, we'd like to sell our special recipe, branded "SuperBier", "Whoopskibier", "Superdawg 1948 IPA", and "SuperShake" at our Wheeling restaurant. (We'd like to sell our beers at our Chicago restaurant, however we have neither the dining room nor the storage space at our Chicago location). Since 2014, we've been collaborating with Lake Effect Brewery to brew our special recipe craft beers to pair with each of our special recipe foods. These Superdawg beers have been sold very successfully at retail stores throughout the Chicago area, and the sale and taste of these beers has created a great deal of very positive publicity. Hundreds of our customers have requested that we serve our Superdawg craft beers at our restaurant, and hundreds more have asked us to sell six-packs of our Superdawg beers at our restaurant for consumption at home.

Our carefully considered plan is as follows:

1. We will serve refrigerated beer, by the can, by pouring each can into our clear, Superdawg logo cups.
2. We do not intend to install a tap for beer.
3. We will sell unrefrigerated six-packs of cans for off-premise consumption.

Exhibit received February 21, 2018



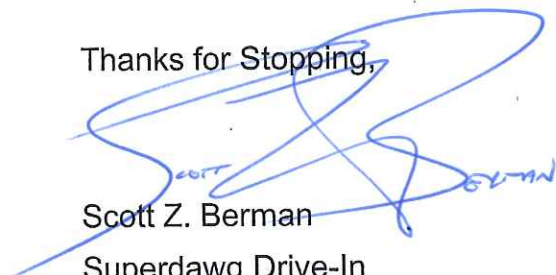
4. We will sell all beer only at our indoor dining room, walk-up counter.
5. We will not sell any beer at our drive-thru window, and no beer will be sold by car-hops at our electronic ordering stations.
6. All beer will be sold only by Basset trained managers.
7. No modification of our building or parking lot is necessary. We have adequate space for refrigerated and unrefrigerated storage of beer.

We're looking forward to celebrating our 70th Anniversary with all of our friends and customers in and around our Wheeling restaurant.

As my Mom and Dad always said, and as they, and we still print on all of our boxes:

"I'm doing my darnd'est to serve every item, every time, to every customer, in a manner to make you want to return...and bring your friends with you".

Thanks for Stopping,


Scott Z. Berman

Superdawg Drive-In

Application A-2
SPECIAL USE

SUPERDAWG BEER STORAGE

2/12/18

Application A-2

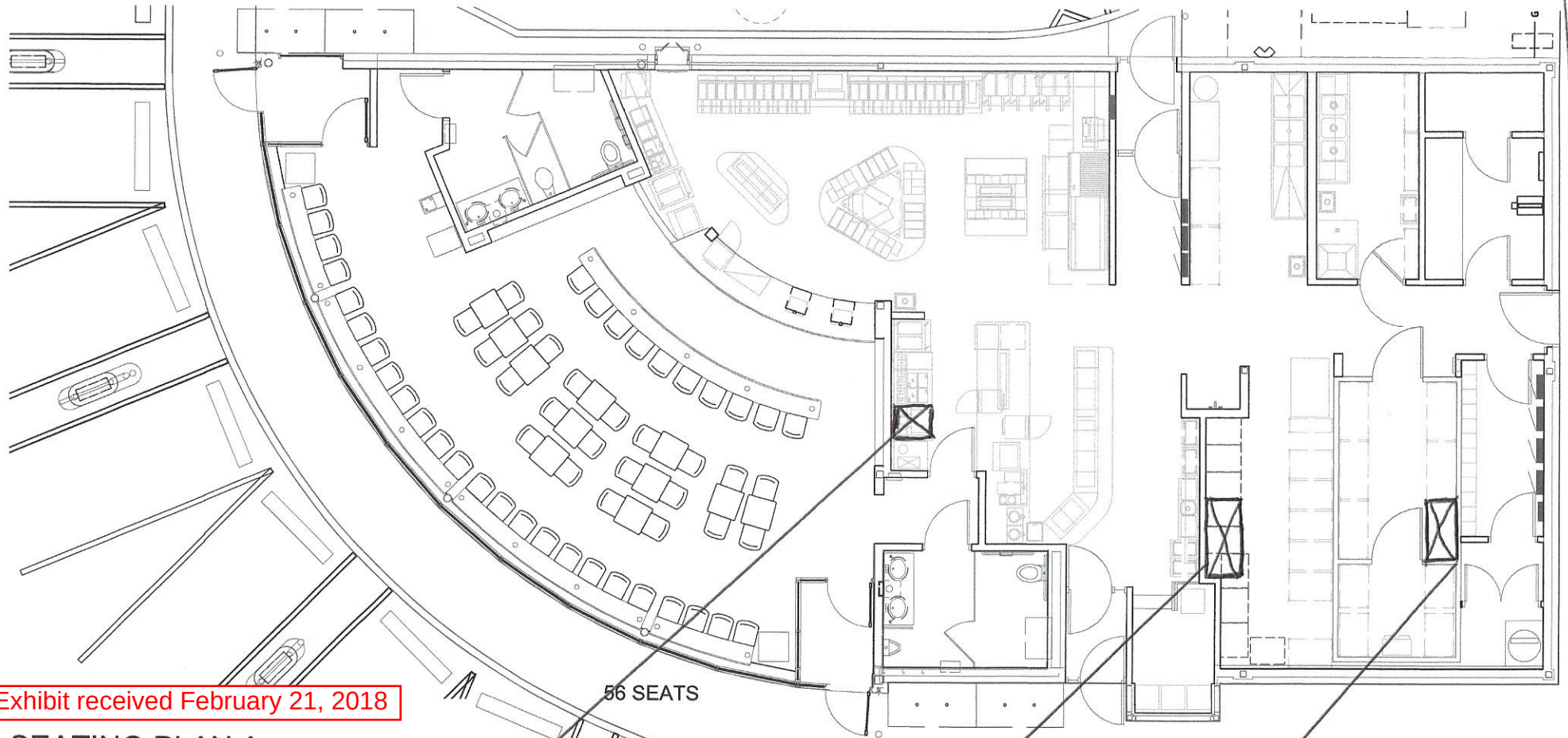
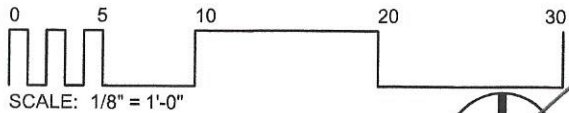


Exhibit received February 21, 2018

SEATING PLAN A



SCALE: 1/8" = 1'-0"

SUPERDAWG
WHEELING

REFRIGERATED INDIVIDUAL CANS
CAPACITY: 150 CANS
57" H x 25" W x 30" DEEP

UNREFRIGERATED 6 PACK CANS
CAPACITY: 384 CANS
82" H x 48" W x 22" DEEP

REFRIGERATED 6 PACK CANS
CAPACITY: 384 CANS
47" H x 39" W x 20" DEEP

SHAPIRO ASSOCIATES
1/12/10

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

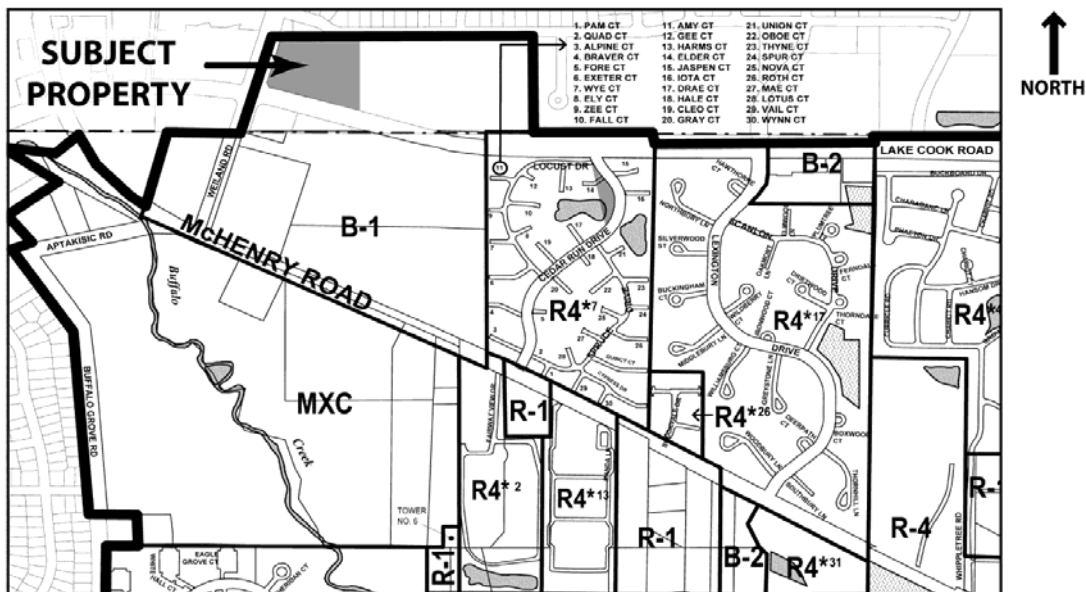
RE: **Docket No. 2018-6**
9Round
1540 Lake Cook Rd
Special Use-Site Plan Approval for a Health Club

DATE OF REPORT: March 12, 2018

DATE OF MEETING: March 22, 2018

PROJECT OVERVIEW: The petitioner is seeking special use and associated site plan approval to establish a health club in the Schwind Crossing Shopping Center.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

Applicant Name: Maureen Twohey, owner

Property Owner Name: Lake Cook Weiland, LLC

Common Property Address: 1540 Lake Cook Road

Common Location: Located at northeast corner of Lake Cook Road and Weiland Road

Neighboring Property Land Use(s): North: Single- Family Residential (Buffalo Grove)

West: Commercial (Buffalo Grove)
South: Commercial
East: Commercial

Comprehensive Plan Designation:

Commercial

Property Size:

5.39 acres for entire site;
1,433 sq. ft. for the subject unit.

Existing Use of Property:

Vacant commercial

Proposed Use of Property:

Health Club

Existing Property Zoning:

B-1, Planned Shopping District

Previous Zoning Action on Property:

2005-30 A	Special use and site plan approval for bank with drive-through facilities. Approved November 28, 2005 (Ordinance 4026).
2005-30 B	Special use and site plan approval for a sit-down restaurant, TGI Friday's. Approved January 10, 2006 (Ordinance 4046).
2005-30 C	Variations to Title 19, Zoning, relating to parking setback, required parking and number of buildings on a lot. Approved November 28, 2005 (Ordinance 4024) and January 20, 2006 (Ordinance 4045).
2005-30 D	Variations to Title 21, Sign Code, to allow freestanding signs to be located closer to each other than the required 300'. Approved November 28, 2005 (Ordinance 4025).
2006-32A	Special use and site plan approval for a sit-down restaurant with outdoor seating. Approved November 13, 2006 (Ordinance 4140).
2006-32B	Variation from Title 19, Zoning, relating to number of required parking spaces. Approved November 13, 2006 (Ordinance 4139).
2007-4A	Variation from Title 19, Zoning, relating to number of required parking spaces. Approved February 26, 2007 (Ordinance 4177).
2007-4B	Special use and site plan approval for a carry-out restaurant. Approved February 26, 2007 (Ordinance 4178).
2016-13A	Variation from Title 19, Zoning, relating to number of required parking spaces. Approved August 1, 2016 (Ordinance 5022).
2016-13B	Special use and site plan approval for a sit-down restaurant. Approved August 1, 2016 (Ordinance 5023).

DESCRIPTION OF PROPOSAL

The applicant is proposing to establish a health club that focuses on small group fitness in the form of boxing and kickboxing training. Sessions last less than an hour. There are typically five to 12 members in attendance at any given time. The facility is also staffed with one to three trainers at all times. The facility will be closed Sundays. The proposed hours of operation are:

Monday-Thursday 6am-8pm,
Friday 6am-6:30pm,
Saturday 8am-12pm.

The facility includes nine boxing stations, other workout apparatus, a reception, and employee areas. No children's area is proposed. No exterior modifications to the building or to the site are proposed.

SITE PLAN REVIEW

Scale of Site Plan: 1/8" = 1'

General Site Layout: No modifications to the site are proposed.

Floor Plan: The facility is comprised of an open floor plan gym to facilitate the training sessions. This also a reception area at the front of the unit.

Ownership: The business owner is leasing the unit.

Total Number of Parking Spaces: The parking requirement for the proposed use is 1 stall per employee plus 1 stall for every 2 clients at maximum capacity. Based on a maximum anticipated capacity of 12 clients and 3 employees, the parking requirement for the business is 9 stalls. When the 15% parking reduction for shopping centers of this size is applied, the parking requirement is calculated at 7.7 stalls. The shopping center has a total parking count of 291 stalls. Since Schwind Plaza was originally constructed, the parking requirements for shopping centers have changed. Moreover, parking was added by Café Zupas when it opened in the former drive-through bank. As such, there is now a 17 stall parking surplus at Schwind Plaza.

The unit was last occupied by a retail store, which required 5.7 parking spaces. While the actual parking requirement for the proposed use is 2.0 more stalls than the previous use, staff believes a parking variation is not required due to the surplus of parking in the overall shopping center.

Bicycle Parking: There are existing bike racks for the shopping center.

Trash: Existing trash enclosures are located at the rear of the building.

Site Lighting: No changes are proposed. There are existing pole-mounted light fixtures in the parking lot that provide adequate lighting for pedestrians and vehicles.

Landscaping: No changes are proposed. The existing landscaping for the shopping center includes shrubs and some mature trees that line the perimeter of the parking lot and parking islands with shade trees.

STANDARDS FOR SPECIAL USE

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

1. State why the Special Use is necessary for the public convenience at the proposed location.

“9Round offers a fast, effective, and convenient workout to improve the health of community members.”

As noted by the petitioner’s description above, the proposed use will provide community members an opportunity to improve their health and fitness.

2. State how the Special Use will not alter the essential character of the area in which it is to be located.

“Health and fitness is a positive addition to the overall character of any neighborhood.”

The proposed health club will be located in an existing shopping center, which allows for a mix of retail, restaurant, service, and office uses. The proposed use will complement the existing commercial uses.

3. State how 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 not impede the normal, appropriate and orderly development of the district in which it is to be located and the development of surrounding properties.

“9Round will not interfere with other properties.”

The existing parking is adequate for the facility. Due to the relatively low number of clients and employees, there will be very low impacts on traffic in the vicinity. However, the Plan Commission may wish to consider adding a condition of approval that additional insulation be added to the unit to reduce noise from disturbing neighboring tenants.

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.

“There will not be any exterior elements that will impede the development of adjacent properties.”

No exterior modifications are proposed.

5. State how the parking areas will be of adequate size for the particular use, properly located and suitably screened from adjacent 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.

“There are 272 parking spaces available and three possible entryways for vehicles. 9Round members spend about 40 minutes at the facility. Because there are no class times, members arrive and leave at various times.”

With the recent changes to the Café Zupas portion of the site, there are now 291 parking stalls in Schwind Plaza. No change to the existing parking lot is proposed. There is adequate parking for the proposed special use.

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.

“The special use allows members to come in on their own schedule and not wait to achieve their fitness goals. It also allows for enough trainers to be available for those members to receive the best service possible.”

Without approval of the special use, the business will be limited to a maximum capacity of 12 occupants (clients and staff combined).

STAFF REVIEW

Fire Department Review: The Fire Department has provided a memo dated March 14, 2018.

Engineering Division Review: The Engineering Division has no comments at this time.

Impact on adjacent uses: No impact on adjacent uses is expected.

Staff Recommended Action: Prior to recommending approval of the proposed special use for a health club, staff suggests the Plan Commission consider if additional insulation shall be added to the unit to reduce noise from neighboring tenants. A draft condition of approval has been added to the motion.

PROPOSED MOTION

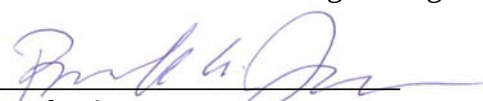
If the Plan Commission finds that the petitioner has satisfied the requirements for the granting of special use and associated site plan approval, an appropriate motion would be to:

Recommend approval of Docket No. 2018-6, Special Use-Site Plan Approval as required under Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, to permit a Health Club in accordance with the project description and floor plan submitted on February 20, 2018 by 9Round, to be located at 1540 Lake Cook Road, Wheeling, Illinois,

And with the following condition of approval:

1. Additional insulation shall be added to the unit to reduce noise from neighboring tenants.


Andrew C. Jennings, AICP
Director of Community Development


Brooke A. Jones
Senior Planner

Attachments: [Fire Department comments, dated 3.14.2018](#)
 [Photo of existing conditions \(staff\)](#)
 [Project Description](#)
 [Floor 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: March 14, 2018
SUBJECT: Proposed Fitness Facility – 1538 Lake Cook Road – 9Round – Plans received for review by the Fire Department, February 13, 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 changes to the existing site. Based on the proposed use and the existing site conditions the Fire Department has no comments related to the site for the proposed use.

1538 Lake Cook Road – Proposed Fitness Center

1. The petitioner is proposing to remodel and occupy an existing vacant tenant space at 1538 Lake Cook Road. They would then occupy the tenant space as a new tenant and business. There would be a change in Use Group from the existing (M) Mercantile Use Group as defined in the 2012 Edition of the International Building Code (IBC) and Fire Prevention Codes (IFC) to an (A-3) Assembly Use Group occupancy.
2. All construction within the tenant space would need to comply with the Village's Building and Fire Prevention Codes (2012 Editions of the International Building Code & International Fire Code – with amendments).
3. As noted in Comment #2, the proposed tenant buildout will need to comply with the Village's Building and Fire Prevention Codes. Some of the items that this would include and would need to be addressed during the permitting process are:
 - a. The building has an existing sprinkler system that will require modifications.
 - b. The building has an existing fire alarm system that will require modifications.

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

9Round – 1540 Lake Cook Road

Docket No. 2018-6 (Special Use-Site Plan Approval for a Health Club)

Plan Commission Meeting – March 22, 2018



Existing conditions of subject unit (looking north)

To whom it may concern:

KETgroup, LLC is applying for a Special Use in order to do business as a 9Round club located at 1538/1540 E. Lake Cook Road. 9Round was founded in 2008. Our workout is a total-body fitness program. It consists of nine boxing and kickboxing stations. With our circuit format, we are able to deliver the average person a quick and fun avenue of exercise on their own schedule. By providing a certified trainer during each session, we're able to make sure every member gets the best possible workout every time they walk through our doors.

Our facilities are clean and welcoming. 9Round signage is installed on the exterior of the location with no other outside structures or landscaping. The equipment used includes various punching bags, free standing hanging bags, hand weights and medicine balls.

The club is staffed with one to three trainers to assure that all members receive optimal guidance. Members stay an average of 40 minutes and there are typically 5 to 12 in attendance at any given time.

Location hours are as follows:

Monday-Thursday 6am-8pm

Friday 6am-6:30pm

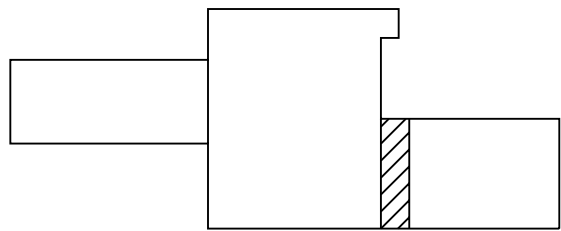
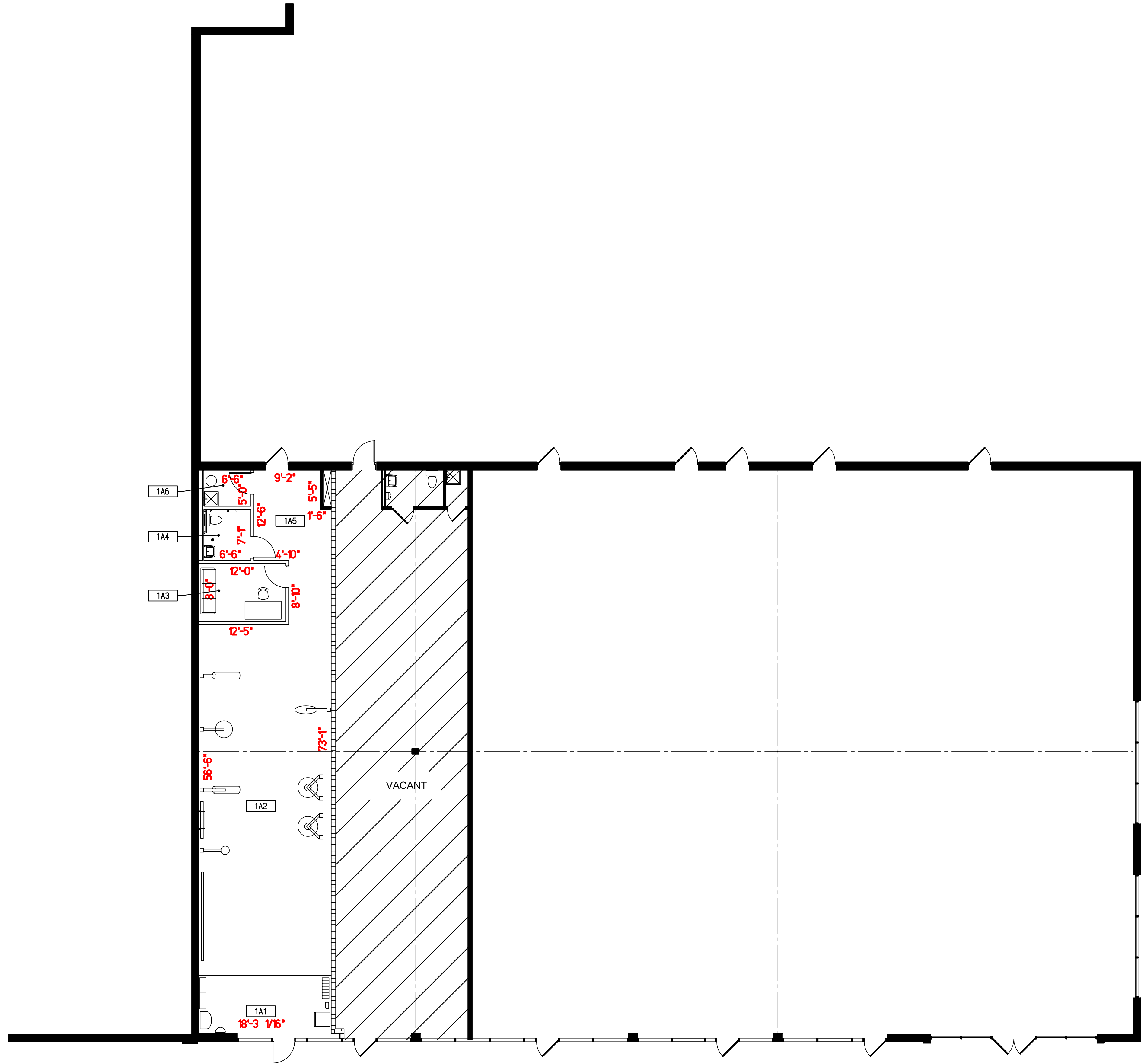
Saturday 8am-12pm

Sunday closed

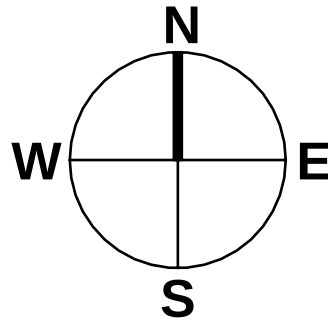
Thank you for your consideration.

Sincerely,

Maureen Twohey
Manager, KETgroup, LLC



KEY PAN



SCOPE DOCUMENTS
THESE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF THE ARCHITECTURAL DESIGN CONCEPT OF THE SPACE AND THE MAJOR ARCHITECTURAL ELEMENTS. AS SCOPE DOCUMENTS THESE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL THE WORK REQUIRED FOR FULL PERFORMANCE AND/OR COMPLETION OF ALL REQUIREMENTS OF THE CONTRACT DOCUMENTS. ON THE BASIS OF THE GENERAL SCOPE INDICATED OR DESCRIBED, THE CONTRACTOR SHALL BE RESPONSIBLE TO FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK. THE GENERAL CONTRACTOR SHALL ASSUME THE RESPONSIBILITY FOR PROPER COORDINATION OF EACH OF THE TRADES WORK AS RELATED TO THE SCOPE OF WORK REQUIRED FOR A COMPLETE PROJECT.

GENERAL NOTES

1. All furniture and equipment on this plan is shown for general orientation purposes only and is not in the general contract for construction except as noted otherwise.

DRAWN BY: TLF
CHK'D BY: [blank]
DATE: 2-12-18

SCALE: 1/8"=1'-0"
JOB NO.: 1801-D

DRAWING NO.: 1A-A3

9GROUND
KICKBOX FITNESS
1540 E. LAKE COOK ROAD
WHEELING, IL.

Exhibit received February 20, 2018

SCHWIND CROSSING
Lake Cook Rd.
Wheeling, IL.
FOREFRONT PROPERTIES, LLC
1s450 Summit Ave.
Oakbrook Terrace, IL.
Suite 150
Phone: 224-436-4557

NO	REVISION / ISSUE	DATE
1	ISSUED FOR PERMIT AND REVIEW	2-5-18

Featherstone Consulting, Inc.
Architects & Planners
32 Fawcett Ridge Drive
Oakbrook Hills, IL 60063
Phone: 647-462-8120
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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

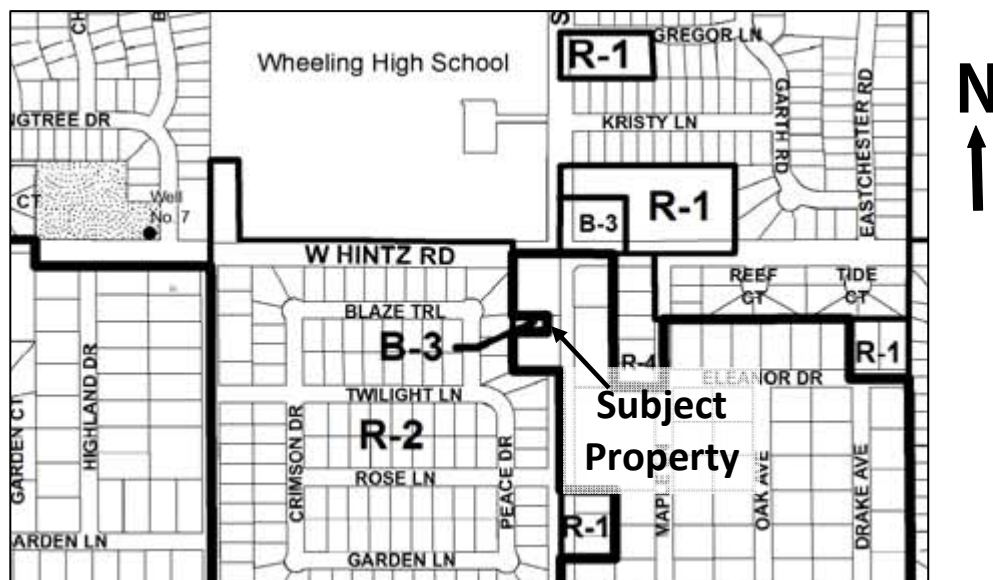
RE: **Docket No. 2018-3A&B**
Mexico Mufflers and Brakes
1210 Elmhurst Road
(2018-3A) Zoning Variations Related to Required Parking,
Green Space, Building Setback, and Parking
Setback
(2018-3B) Special Use-Site Plan Approval for Light Motor
Vehicle Repair

DATE OF REPORT: March 15, 2018

DATE OF MEETING: March 22, 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.

Common Property Address: 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 minimum required rear yard building setback from 25'0" to 17'11".
2. Reduction in the minimum required parking setback from 10'0" to 0'.
3. Reduction in the minimum required 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.

Planner's 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.

Staff also has concern that if in the future the subject property is not under the same operations as the auto repair shop at the adjacent 1212 Elmhurst Road, then future operations of the subject property

would be inconsistent with the current proposal for light motor vehicle repair. For example, if the subject property were operating autonomously, then customers would be coming to and from the subject property, which has limited parking. As such, staff recommends the following condition, which has been added to the motion for special use approval:

- In the event that the Special Use is no longer owned or operated in tandem by the light auto motor vehicle repair business at 1212 Elmhurst Road, the Village shall be notified immediately. This change in ownership, management, or operation will require the petitioner to obtain approval of a revision of the Special Use after review by the Plan Commission and consideration by the Village Board pursuant to Section 19.10.030(I) of the Village's Zoning Code. If such revision is not approved, the Special Use shall automatically terminate without a revocation hearing.

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:

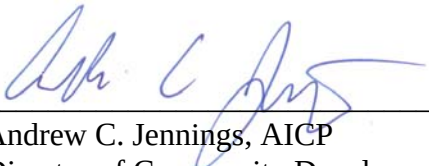
- Project (2 sheets),
- Site plan,
- Landscape plan,
- Photometrics plan,
- Floor plan,

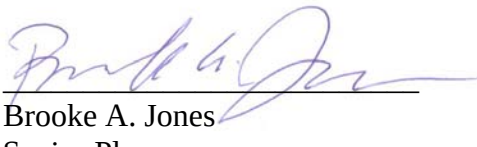
Wheeling Plan Commission
Meeting date: March 22, 2018
RE: Docket Nos. 2018-3A&B

- East elevation plan,
- West elevation plan,
- North elevation plan, and
- South elevation plan.

And with the following conditions:

1. Prior to occupancy, the parking lot shall be resurfaced and restriped; and
2. In the event that the Special Use is no longer owned or operated in tandem by the light auto motor vehicle repair business at 1212 Elmhurst Road, the Village shall be notified immediately. This change in ownership, management, or operation will require the petitioner to obtain approval of a revision of the Special Use after review by the Plan Commission and consideration by the Village Board pursuant to Section 19.10.030(I) of the Village's Zoning Code. If such revision is not approved, the Special Use shall automatically terminate without a revocation 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 22, 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 22, 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 22, 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).

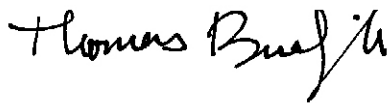
The parking spaces at the 1210 location will be reserved for the employees so as to maximize the number of available customer spaces on the 1212 side. That being said, a number of the applicant's employees do use public transportation to get to work.

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

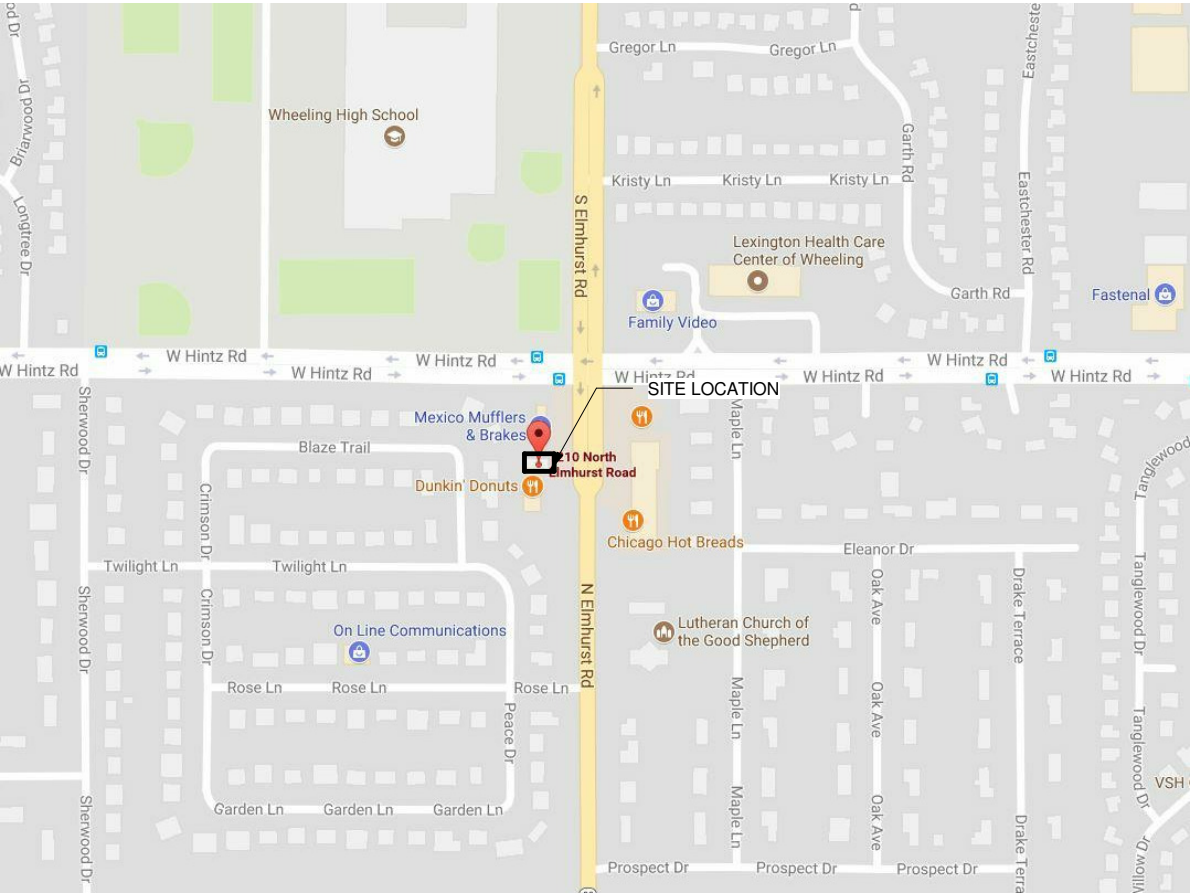
GOVERNING CODES
ALL WORK SHALL BE IN COMPLIANCE WITH,
BUT NOT LIMITED TO THE REQUIREMENTS
OF THE FOLLOWING AND ANY OTHER STATE
AND LOCAL CODES HAVING JURISDICTION:

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

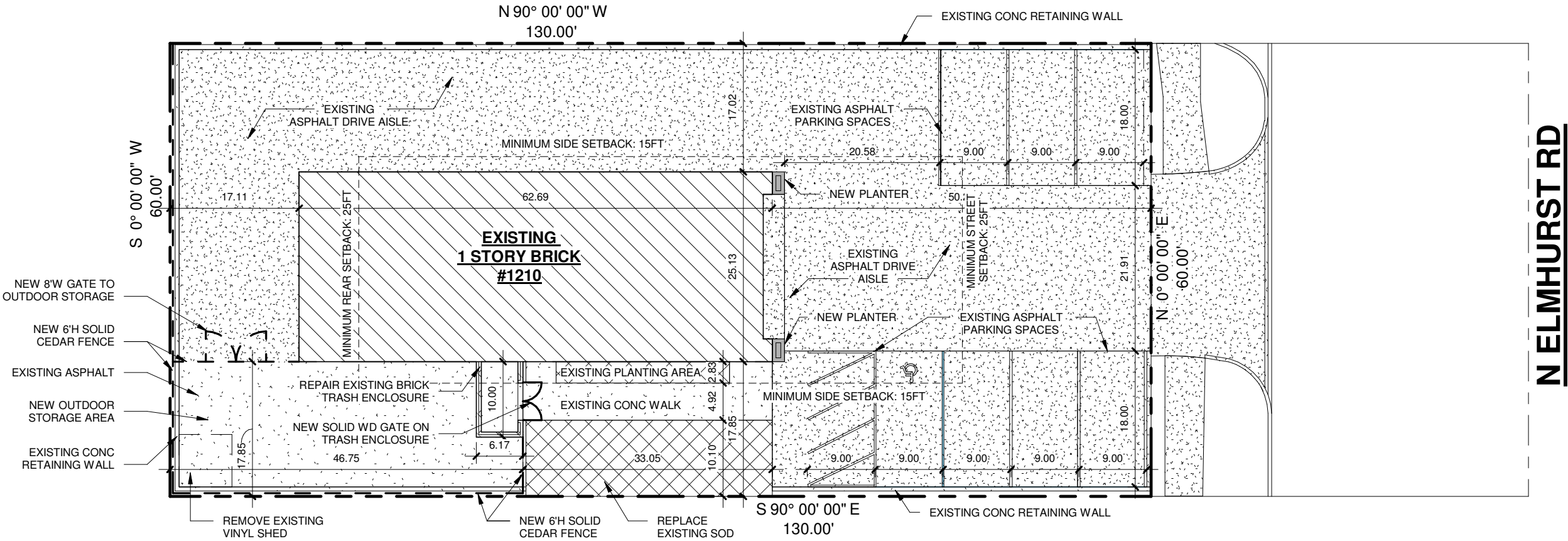
LOCATION MAP



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

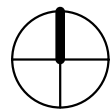
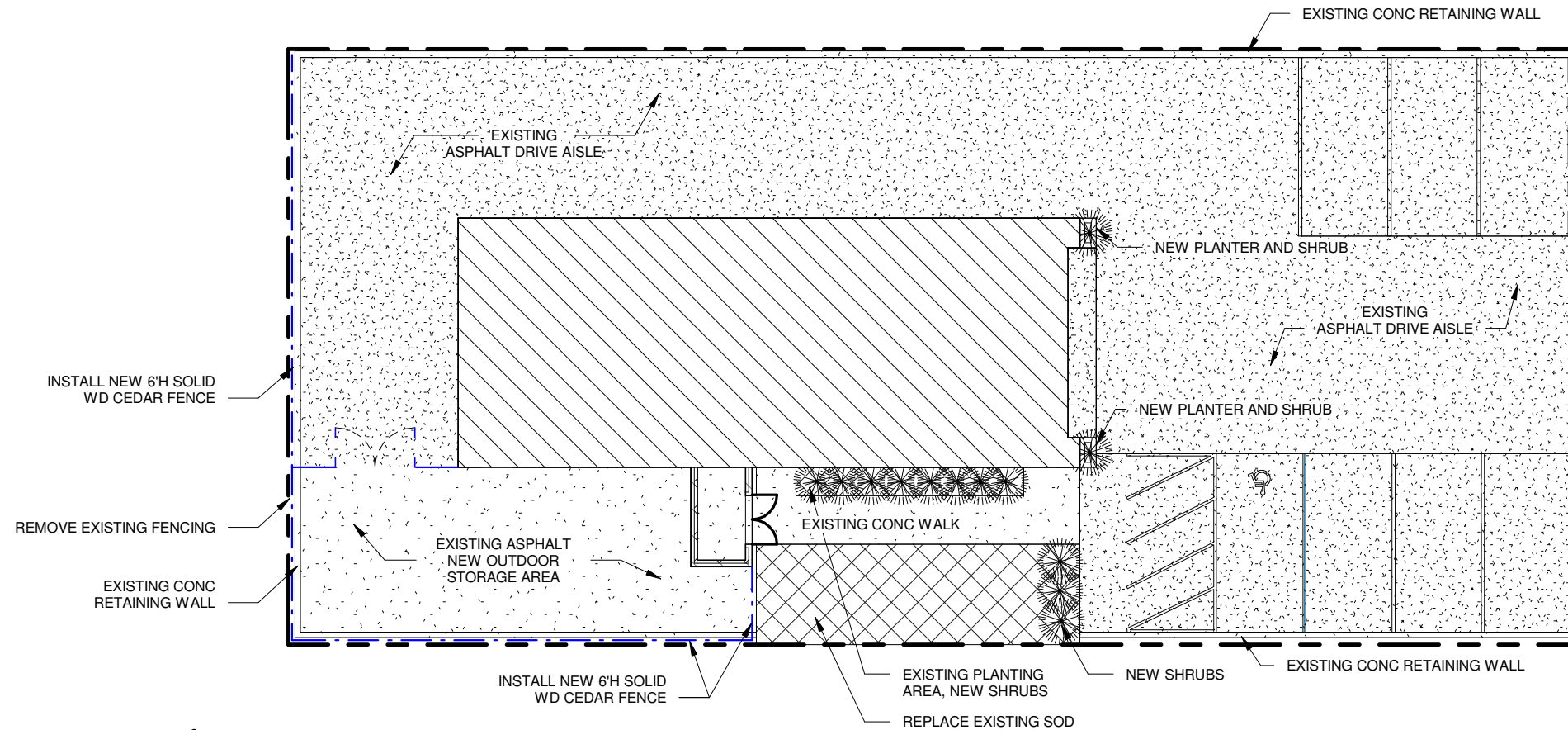


1 SITE PLAN
1/16" = 1'-0"

Exhibit received January 29, 2018

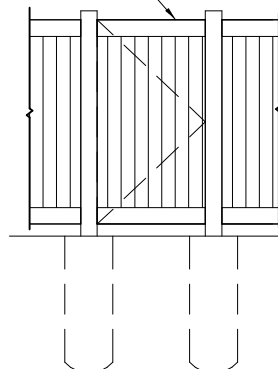
THOMAS ARCHITECTS
211 S MAPLE LN
PROSPECT HTS, IL
O: 877.205.3799
F: 877.260.7209
THOMAS @ THOMASARCH.COM

SITE PLAN
1210 N ELMHURST RD, WHEELING, IL 60070
17124

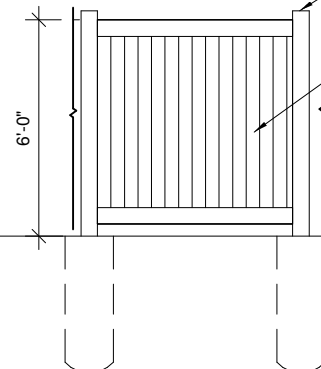


1 LANDSCAPE PLAN
1/16" = 1'-0"

3"W CEDAR FENCE
GATE & LATCH



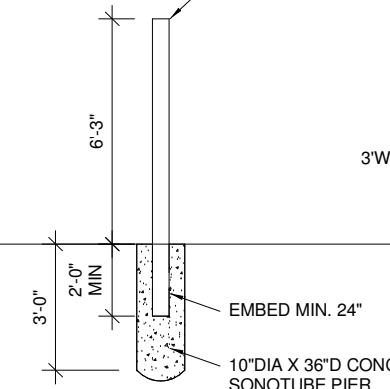
GATE ELEVATION



TYP ELEVATION

4" X 4" CEDAR
POSTS - SEAL

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



SECTION

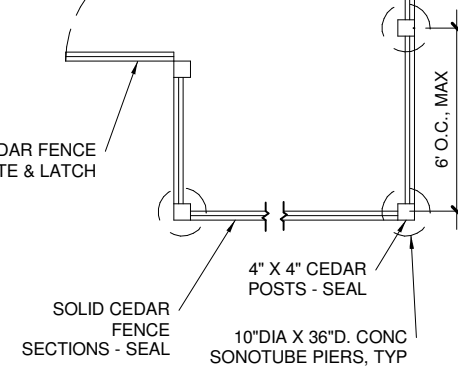
4" X 4" CEDAR
POSTS - SEAL

EMBED MIN. 24"
10"DIA X 36"D CONC
SONOTUBE PIER

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



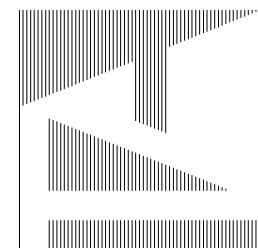
PLAN

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

THOMAS
ARCHITECTS
211 S MAPLE LN
PROSPECT HTS, IL
O: 877.205.3799
F: 877.260.7209



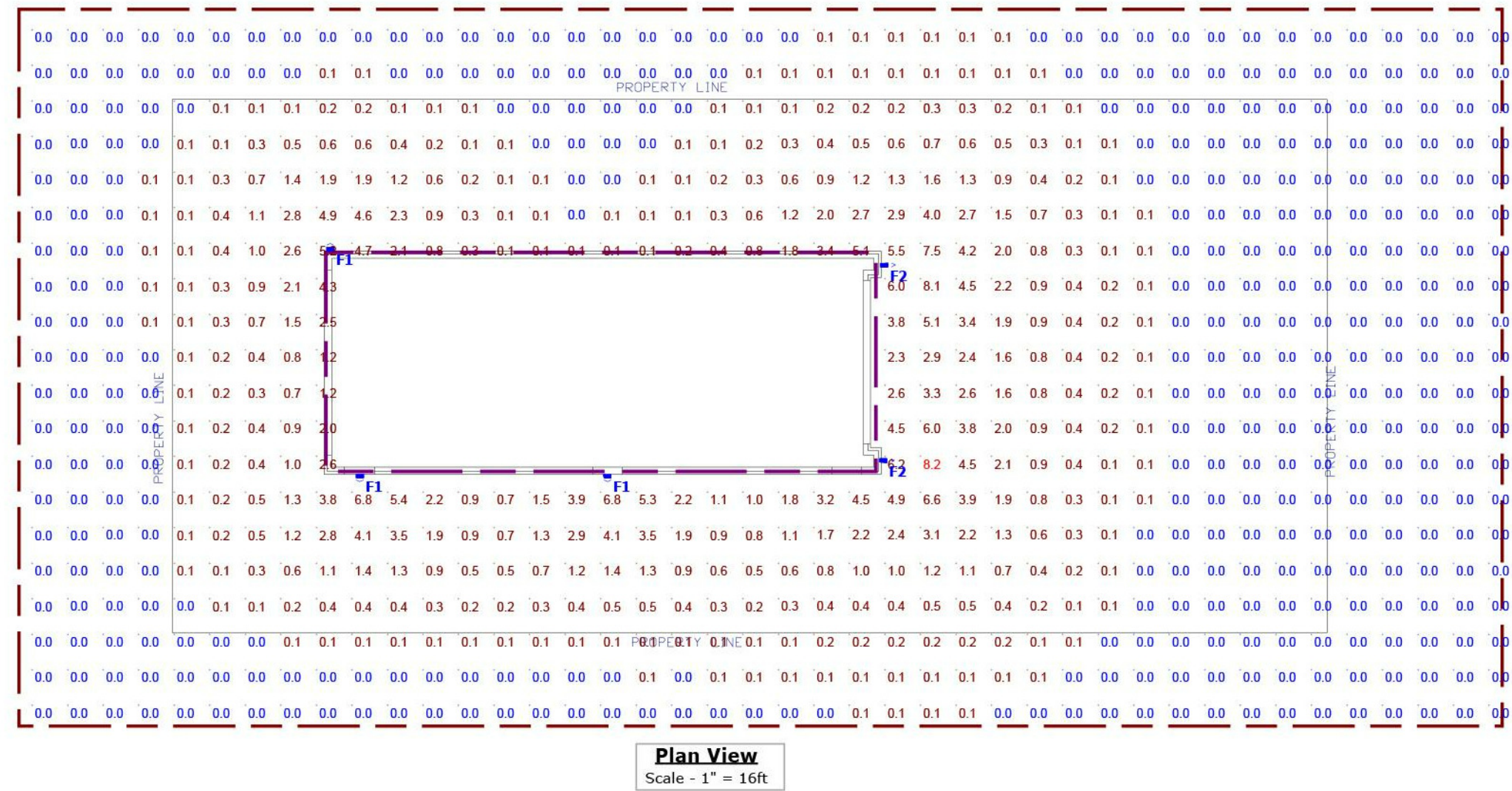
LANDSCAPE PLAN / DETAILS

1210 N ELMHURST RD, WHEELING, IL 60070

17124

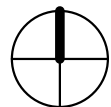
01/15/18

D-1.1



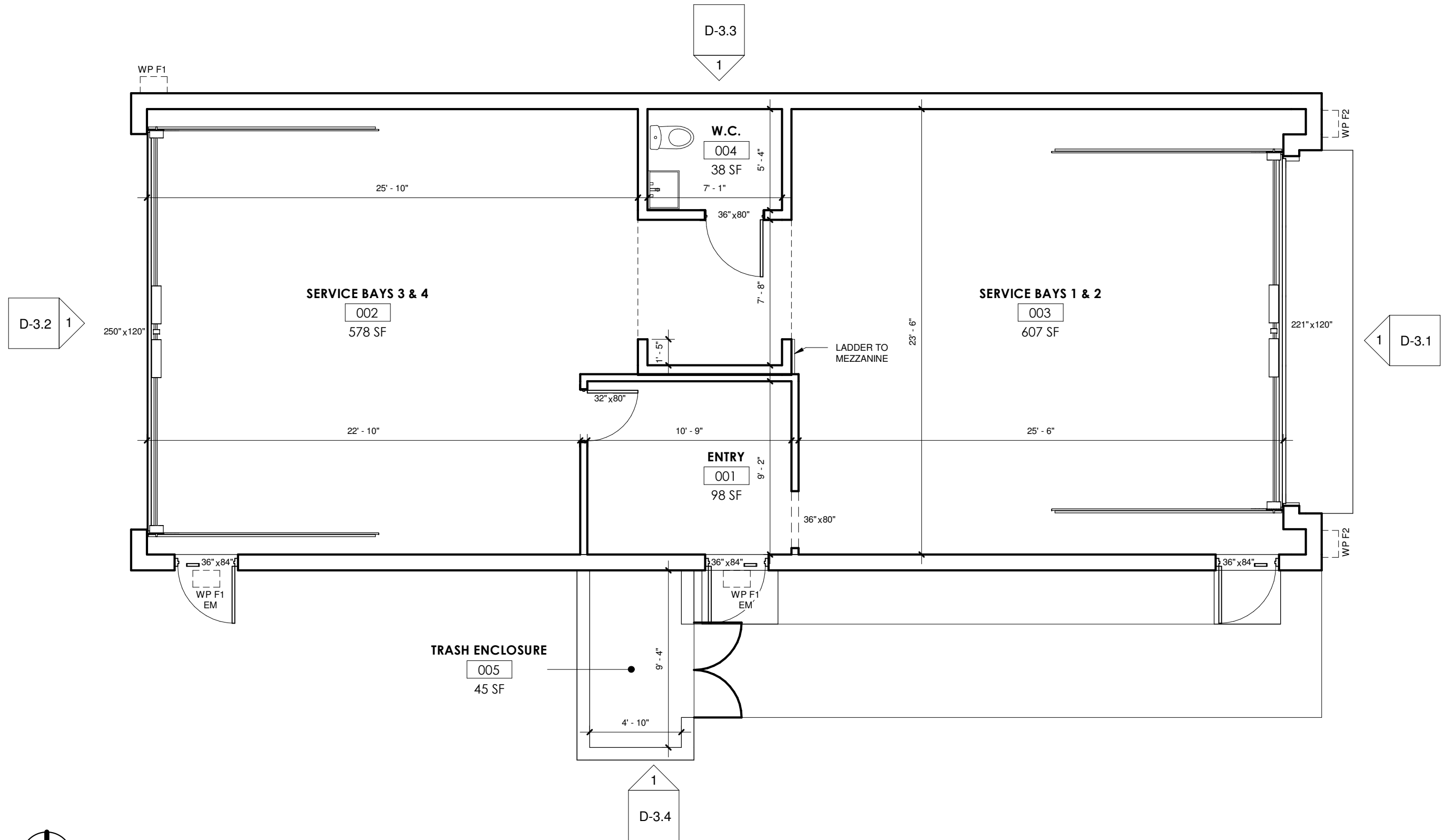
Exterior Light Fixture Schedule									
Symbol	MARK	QTY	MFG	Catalog Number	Description	Lamp	Number Lamps	Lumens Per Lamp	Wattage
	F1	3	Lithonia Lighting	WSTM 26TRT MD	MINIATURE TRAPEZOID ARCHITECTURAL SCNCE, 26-WATT TRIPLE TUBE, MEDIUM DISTRIBUTION, HYDROFORM REFLECTOR. CLEAR, FLAT GLASS LENS	ONE 26-WATT 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

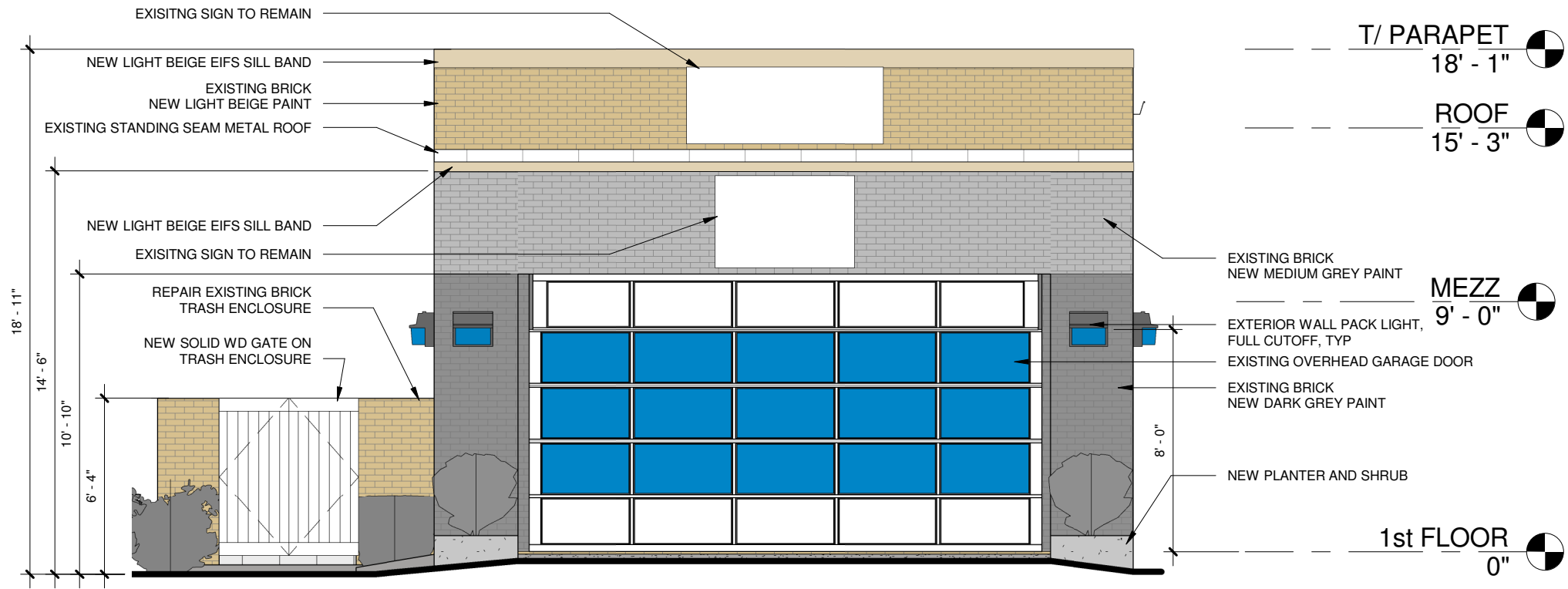
1210 NELMHURST RD, WHEELING, IL 60070

17124

01/15/18

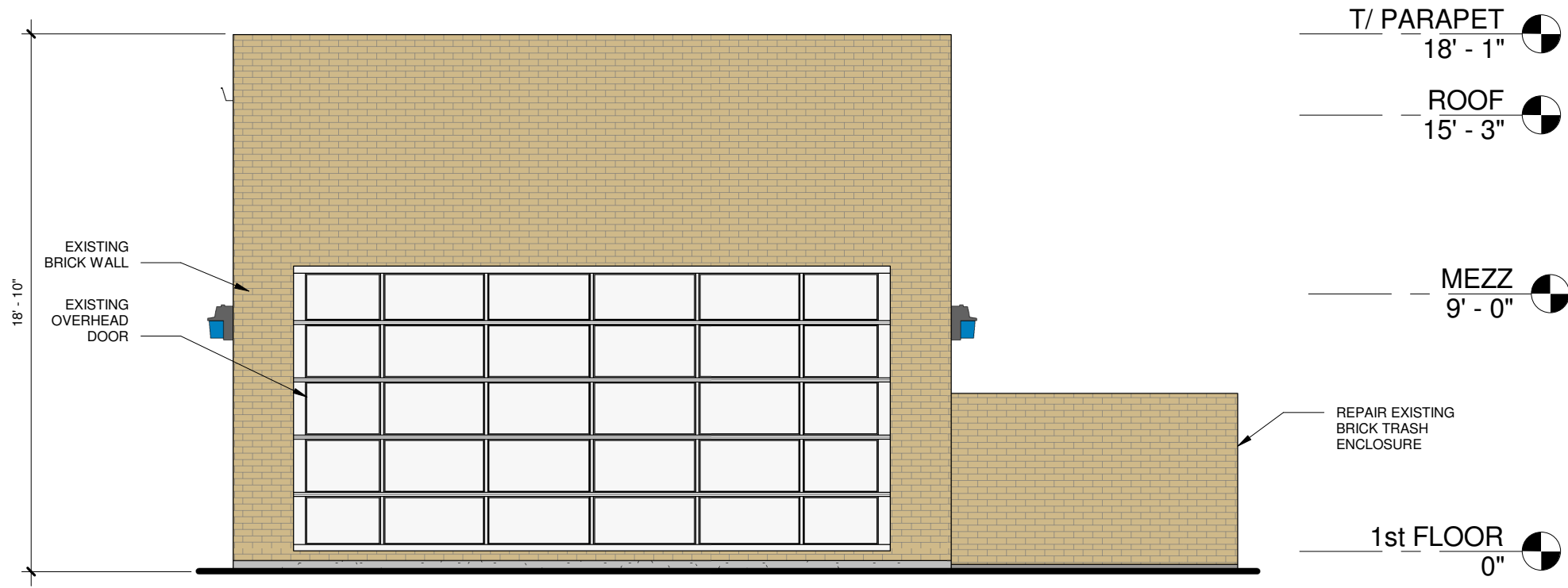
D-2.1

Exhibit received January 29, 2018



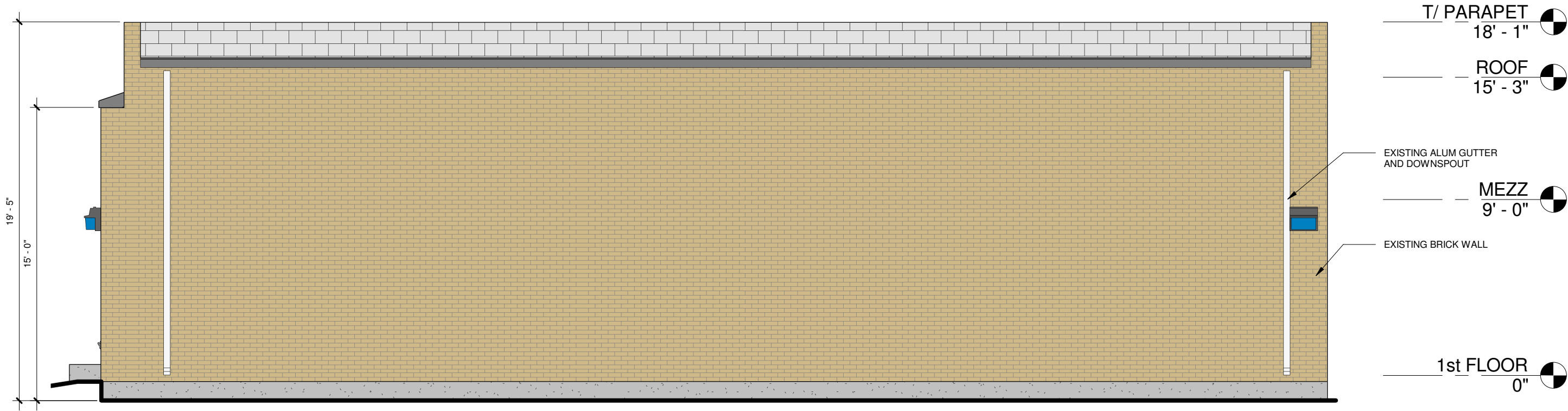
1 FRONT (EAST) ELEVATION
3/16" = 1'-0"

Exhibit received January 29, 2018

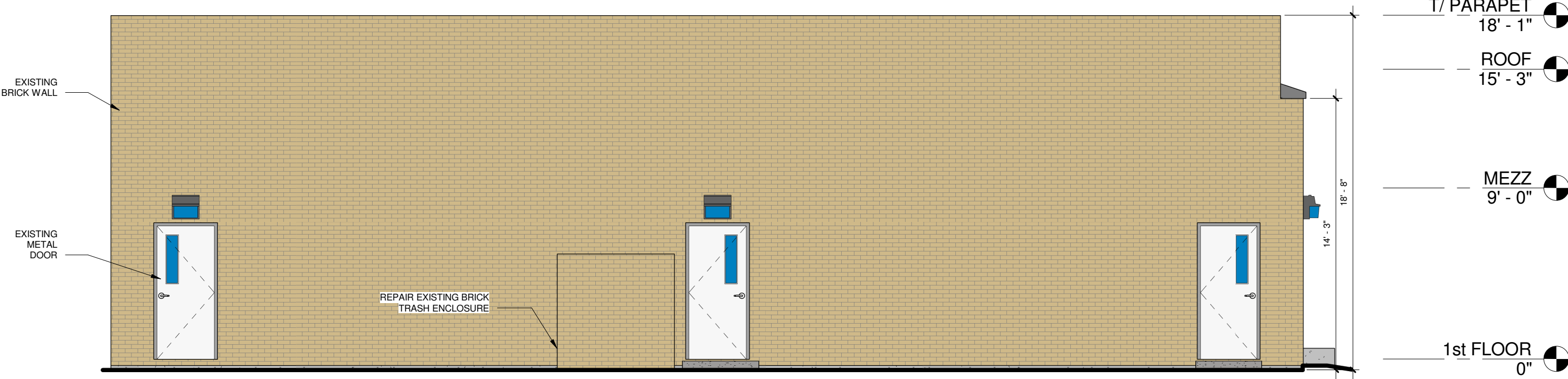


1 REAR (WEST) ELEVATION
3/16" = 1'-0"

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

1. CALL TO ORDER

Chairman Pro Tem Johnson called the meeting to order at 6:30 p.m. on Thursday, March 8, 2018.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Blinova, Creech, Dorband, Johnson, Kalis and Powers. Commissioner Ruffatto was absent with prior notice. 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

Ms. Jones reported that the petitioner for Item 7C, Docket No. 2018-3A&B, Mexico Mufflers and Brakes, 1210 N. Elmhurst Road has requested that the docket be continued to March 22, 2018. They would like to continue without discussion this evening.

5. CITIZEN CONCERNS AND COMMENTS

Commissioner Powers read the following statement.

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

From the audience, Mr. Terry Steilen came forward. He was in front of the Commission a few weeks ago discussing property maintenance and the Plan Commission reported that the Commission didn't have any control over property maintenance issues or deterioration since it was covered under other ordinances, policies and procedures. He did some research and referred to Title 2, Section 54.050 under powers and duties. The first comment was that the Plan Commission shall have the following powers and duties. He reminded the Commission that they had been advised by the attorney that the word "shall" has some special meaning and it didn't mean should or could but needed to be done. He distributed a copy of the Plan Commission's responsibilities and referred to #15 that specifically stated, "To promote and encourage aesthetic growth in the community." He felt

property maintenance fell into the deterioration category. He referred to Section 2.54.070 under Reporting on Improvement Regulations which specifically states that the Director of Community Development shall furnish the Plan Commission for its consideration a copy of all ordinances, plans and data relevant to public improvements of any nature. The Plan Commission may report in relation there to if it deems a report necessary or advisable for consideration of the Village Board of Trustees. Mr. Steilen was unsure of the definition but assumed that the Director of Community Development should provide to the Commission copies of the International Standard Property Maintenance Manual. He felt it would give the Commission complete understanding of what was going on in terms of property maintenance and allow the Commission to offer suggestions as required to the Village Board on anything they feel might be different.

Mr. Steilen researched the International Standard Property Maintenance Manual and in section 304.2 it includes things like peeling, flaking and chipped paint shall be eliminated and surfaces repainted. It also states that all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. He mentioned there was a lot of peeling paint around the Village and he hoped the Plan Commission would have a discussion with Staff if they had any responsibility for looking into the deterioration of entities in the Village.

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

Mr. Brad Friedman, WTC LLC was present.

Mr. Friedman explained adjustments needed to be made in order to omit Lot 7 and a portion of Northgate Parkway from the plat in order to get their initial land conveyance to start construction. They have been working with IDOT for a longtime and have finally acquired the parcel. They will get the deed soon and have already made the payment. They need to amend the plat and reincorporate the IDOT fragment (leftover right-of-way parcel) into the amended plat of subdivision so they can build buildings F&G which is part of Lot 7.

None of the Commissioners present had any questions for the petitioner.

Ms. Jones referred to a couple of conditions that were not listed in the Staff Report. One of the conditions is related to a storm water easement (noted in the red line on an exhibit from the Village Engineer) – Modifications to the plat are subject to final review and comments from the Village Attorney and Village Engineer. Also, that the plat shall include a public storm water easement as shown in the easement exhibit provided by the Village Engineer. Mr. Friedman responded by stating that they could not do it. They spoke with their civil engineer and general contractors and unless the Village could install what they want within the next four weeks, they couldn't do it. They

are breaking ground next month and pouring the foundation for the Starbucks pad. They have delivery dates they must meet and can't have the Village go in and rip up work that would interfere with their delivery of the Starbucks pad. Mr. Goetzelmann stated that it was his understanding that the easement was outside of the building's foundation. He stated that he was not intimately involved with the project. Mr. Friedman agreed it was in the drive-thru lane for Starbucks. Mr. Friedman suggested cutting through a portion of Lot 3 and then angle the pipe across the street. He referred to their signed and executed lease and delivery dates they had to meet. He apologized that it wouldn't work but explained the Village pulled it on them at the last minute and it was not appropriate. He explained they had been working with Jon Tack on the extension of the pipe to go across Dundee and it had been the plan all along. He felt the last-minute change put a wrench on their construction schedule and interferes with the delivery dates promised to their retail tenants. Mr. Goetzelmann explained the conversation needed to be done with Jon Tack. Mr. Friedman confirmed they had conversations with Jon Tack and Mr. Ferolo.

Ms. Jones stated for the record it was Staff's Recommendation and the Plan Commission was not the final body that approves the plat. She felt it needed to move forward because of the timing. Mr. Friedman wants to work with the Village and explained that if they would have known about it a longtime ago it would have been fine. It is too late now. It impacts the delivery date of their tenant. Ms. Milluzzi wants to work it out but it is the Plan Commission's decision if they want to include it in the condition. Ms. Jones mentioned that the condition relative to the exhibit on the overhead could be removed. The condition that modifications on the plat were subject to final review and comments from the Village Attorney and Village Engineer could be left and then hopefully both parties could come to an agreement. Mr. Friedman agreed. He reiterated they could give the Village the easement for Lot 3 but not Lot 2.

Chairman Pro Tem Johnson asked for an explanation on what was being discussed. Mr. Goetzelmann explained he thought the easement had to do with the storm water pipe that goes under Dundee Road to help convey storm water comp storage credits from the developments to the north. Mr. Friedman further explained it was Plan B. If the Village couldn't get an easement from the property owner on the other side of Dundee. He was unaware that it was not finalized.

Ms. Jones felt all of options would be covered under the statement that "Modifications to the plat are subject to final review and comments from the Village Attorney and Village Engineer." Mr. Friedman agreed with the proposed condition.

Commissioner Powers moved, seconded by Commissioner Blinova 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 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; and
2. Modifications to the plat are subject to final review and comments from the Village Attorney and Village Engineer.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Dorband questioned why it was brought up at the last minute. Ms. Jones explained it came to Staff last week and Staff didn't have time for a thorough review and the comments came from the Engineering Division today.

- 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

See Findings of Fact and Recommendation for Docket No. 2017-19A,B,C,D,&E.

Commissioner Dorband moved, seconded by Commissioner Blinova 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.

On the roll call, the vote was as follows:

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

ABSTAIN: None

There being six affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Kalis to 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. Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road.

On the roll call, the vote was as follows:

AYES: Commissioners Blinova, Creech, Dorband, Johnson, Kalis, Powers

NAYS: None

ABSENT: Commissioner Ruffatto

PRESENT: None

ABSTAIN: None

There being six affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Blinova to 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. Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Kalis moved, seconded by Commissioner Blinova to 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. Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Dorband moved, seconded by Commissioner Creech to 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.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Dorband moved, seconded by Commissioner Powers to close Docket No. 2017-19A,B,C,D&E. The motion was approved by a voice vote.

- 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

Chairman Pro Tem Johnson announced the petitioner had requested a continuation to March 22, 2018.

Commissioner Powers moved, seconded by Commissioner Blinova to continue Docket No. 2018-3A&B to March 22, 2018.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

- D) [Docket No. 2018-4](#)
Wingspan Development
889-903 W. Dundee Road
Concept Review of a Mixed-Use Retail and Residential Planned Unit

Mr. Chris Coleman, 1001 Feehanville Drive, Mt. Prospect was present.

Mr. Coleman reported they had worked with Village Staff on the project known as Dundee Plaza which is approximately 500' west of Elmhurst Road on the south side Dundee Road and immediately adjacent to Dunhurst Plaza and next to London Middle School. The property has approximately 800' of frontage along Dundee and currently has two buildings. One is approximately 28,000 square feet that is partially occupied and another one is about 40,000 square feet that is totally vacant. The site is 11.5 acres and is an unusual shape with an extension further south.

Mr. Coleman provided a revised site plan after discussions with Staff. They have divided the property into two uses. The south portion of the property is designed for rear loaded townhomes for sale. They have extended Jenkins Court west and it then bends north into the parking lot. The north bend would be a one way out controlled by signage. Each of the townhome has space behind the townhome for two cars in the garage and two behind the townhome. They have additional parking along the main collector road and additional parking at the end.

Mr. Coleman stated they were in discussions with the Fire Department. They were sensitive to the lengths of the motor courts and then making sure they had room at the end for snow storage. The initial plan included a cul-de-sac but based on comments from the Fire Department and Public Safety, they determined it would be better to extend it all the way through.

The north side of the property is redesigned for retail space with three buildings. The existing buildings were designed from a different time period for different commercial users. The proposed spaces are designed for today's tenants. Each building is designed with a drive-thru so there would be three drive-thru opportunities within this development. Also, the depth of the spaces is designed at 80' which is less than the existing. They have more than adequate parking and have eliminated an access point. It is immediately adjacent to the exit from London.

Mr. Coleman explained the uniqueness of the property is that Dunhurst is to the east and Dundee Plaza to the west but they share an entrance. They worked with Staff to develop an appropriate traffic flow and restrictions so people don't try to exit building A.

The property has approximately 60,000 square feet of retail space on the exiting property. The proposed is approximately 35,000 square feet of retail. Each building is about 16,000 square feet and the single user is about 3,700 square feet as currently shown.

Mr. Coleman provided a concept rendering of the retail. It is a very attractive contemporary retail commercial design. The flexibility within the space has users that require limited space or someone that could take three spaces. The building provides much more flexibility in terms of approaching the market.

Mr. Coleman provided a concept for the rowhomes. There are two different designs. One of the designs include an English basement entering on a split foyer and a non-English basement entering at grade. The reason for the different designs is because they had not completed the engineering. They are unsure of the topography of the site so they wanted to present both designs.

The floorplan includes two garage spaces and the main living space with the bedrooms on the next level.

The property is located in a TIF district and they will be taking advantage of the TIF. It is primarily related to the soil conditions on the property and the detention. There are a couple characteristics of the soil. One has a very high moisture content based on the soil borings they did and there are also some geo technical issues related to the stability of the soil so they anticipate they will need to do some cut and fill on the western portion of the property. Some of the exiting soils look like they were filled from some time ago. They would remove the soils and replace them with structurally fill. There are also some old foundations around the mid-section on the western part of the property. The neighbor to the south has an existing condition since it is the lowest point of the property so it is a wet area. They will capture the low area and get it off the site. They will use a vault detention system in the parking lot of the revised retail. They want to solve the low area drainage issue for the exiting homeowners.

They like the site because it includes a natural transition of density. Today there are single family

homes that back directly up to commercial property. Typically, a transition of use is preferable. There is some existing vegetation along the south property line that they would like to try to keep even though the trees are not the most attractive. They are grown trees and provide some screening. If the trees can't be maintained, they will provide a landscaping buffer along the south property line. They will also put some landscaping on top of the berm to provide some screening between the townhomes and the commercial.

Mr. Coleman referred to a question from the Board. He was asked if there was one plan and he interpreted the question to mean one style of architecture. He explained within the rowhomes there will probably be three floorplans with one rowhome design.

Mr. Coleman is optimistic about the property and the prospects of redeveloping it. They can understand why it has not happened yet based on their due diligence about the soil conditions. They don't believe the redevelopment would be viable without the TIF because of the costs associated with the soil conditions.

Commissioner Dorband like the concept but she felt it was way too dense and she didn't think there was enough guest parking.

Commissioner Dorband didn't see how they addressed the storage of snow. She didn't think there was enough space for the storage of snow. She felt if they doubled the amount of guest parking, they would have a place to put snow if needed. She questioned why the location of the guest parking was not balanced. Mr. Coleman explained they exceeded the parking requirement under the zoning. They have 2 spaces in each garage for the residents with two spaces behind each rowhome. He noted the location of the other guest parking spaces. Commissioner Dorband hadn't seen all the spaces. Mr. Coleman explained the private drive was designed to Village street width. It is a 28' wide street so a guest could also park on the drive. They will include some car images when they return for the formal presentation. They feel confident that it had adequate parking. Commissioner Dorband agreed after she realized there was additional guest parking.

Commissioner Dorband questioned if the proposed garages were standard size. Mr. Coleman confirmed the garage width was between 20.5' and 22' which means the interior of the garage would be a minimum of 19.5'. He confirmed there would be enough room to pull the car in and easily open the doors. Commissioner Dorband mentioned the Village requires the trash cans to be stored inside the garage. She wants to make sure there would be enough room.

Commissioner Creech didn't have any questions. He thought it looked pretty good.

Commissioner Blinova didn't have any questions. She didn't want to see the empty plaza. She felt it would be beautiful.

Commissioner Kalis lives across the street and is very excited about the redevelopment. He felt the proposed 19.5' garage width was sufficient.

Commissioner Kalis questioned if they were dividing their property from London on the west side using landscaping. Mr. Coleman thought they discussed using a fence. They maintain a crosswalk

and there is a sidewalk that runs up to Dundee Road to capture any school children.

Commissioner Kalis had heard the proposed site was super moist and would be difficult to build on. Mr. Coleman explained the high moisture soils would be cut out and soils with compacting characteristics would be brought in to support the foundation.

Commissioner Kalis questioned if the existing homes by the low areas currently flood. Mr. Coleman didn't think the homes flooded but the area was soupy. He agreed it was a benefit to fix it for the existing homeowners.

Commissioner Kalis referred to the detention area behind building B. Mr. Coleman confirmed the area would be a low grassy area between the commercial and rowhomes. The basin would be primarily dry. They anticipate they would need more capacity so that is what prompts the underground vault.

Commissioner Kalis questioned what happened to the exiting tenant. Mr. Coleman explained they were a contract purchaser subject to the zoning. When they take title to the property, they would become their landlord and would then operate under the terms of their lease. They would negotiate with them an agreeable solution. The existing building would be demolished.

Commissioner Powers referred to the west side of the property. He questioned if a car could go to the London School lot. Mr. Coleman confirmed there was no access. Commissioner Powers questioned if they had considered sharing the driveway.

Commissioner Powers questioned if the berm on the south side would include landscaping. Mr. Coleman explained they didn't think they would put a berm on the south side. If they used a berm it would be to contain the overland water flow. They would more likely do vegetation along the south property line.

Commissioner Powers questioned if there would be any green space on the north side of the property. He questioned if they would have landscaped islands in the parking lot. Mr. Coleman explained they would have the opportunity to do landscaping in the parking aisles. Commissioner Powers requested that they keep it in mind to add some landscaping.

Commissioner Powers referred to the 50' between units 13 and 18. He asked about the surface for the parking behind the units and how they would be defined. Mr. Coleman explained the rowhomes had a 4' wide section between the garage doors behind the rowhomes. The 4' wide section was typically landscaped out to a 18-20' distance using a hardy groundcover.

In reply to Commissioner Powers' question, Mr. Coleman confirmed everyone came out onto Jenkins Court. Mr. Coleman confirmed there were two exit points onto Dundee.

Commissioner Powers expressed concern about the snow removal.

Chairman Pro Tem Johnson questioned the zoning. Ms. Jones confirmed it would be a PUD. They are meeting the parking requirement for the residential so they would not need any identified code

relief for parking. She confirmed these were the types of uses the Village is looking for in the MXT District.

Chairman Pro Tem Johnson questioned if the drive on the west end would be one-way. Mr. Coleman confirmed it would be one-way controlled by signage. Chairman Pro Tem Johnson questioned if the homeowners would need to drive out onto Dundee to use one of the drive-thrus in the commercial area. Mr. Coleman explained they were trying to eliminate people that were lost. If a homeowner wanted to stop at the center before going home, they would most likely violate the rules. Chairman Pro Tem Johnson suggested rethinking it. Mr. Coleman suggested doing something that made it more obvious. They don't anticipate a lot of traffic going south. Ms. Milluzzi questioned if the road would still be the width of two cars. Mr. Coleman agreed.

Commissioner Kalis questioned why they were making it a one way when most people would not be driving into the neighborhood if they didn't live there. He thought it was strange. Chairman Pro Tem Johnson thought they should want the homeowners to be using the shopping center.

Chairman Pro Tem Johnson referred to the drive-thru at Building A. He thought it would be tough to do. Mr. Coleman explained they would have the curb continue so the cars would need to turn left.

Chairman Pro Tem Johnson suggested moving the proposed sidewalks away from the curb.

Chairman Pro Tem Johnson questioned if there was a sidewalk by the trash enclosure that runs behind the retail. Mr. Coleman confirmed the markings on the plan were for a curb and landscaping.

In reply to Chairman Pro Tem Johnson's question, Mr. Coleman confirmed the units would offer 2-3 bedrooms and then the lower level would have a den that could possibly be used as a guest room.

Chairman Pro Tem Johnson thought the development was very attractive. He expressed concern about having another strip mall in the Village since there were already many empty storefronts. Mr. Coleman mentioned they had a similar development in Arlington Heights that has a Sherman Williams and a couple of smaller retailers and a Culvers as the outlot. They are moving their buildings closer to a street that has 25,000 cars a day on Dundee Road and the existing building is so far back from the street that it can't be seen when approaching from the west. They are moving their buildings closer to the street so it would also be visible from Route 83. He agreed there was a lot of retail in the Village but not a lot with drive-thrus. They believe the end caps would make a significant difference in terms of the success of those businesses.

Commissioner Powers questioned how they would handle the residential mail delivery and trash pick up. Mr. Coleman explained the trash containers will be stored in the garages and then the trash would be put out by the garage and the garbage truck would backup into the motor courts. The postal service mandates every new development to have a common box. They would typically be mounted by the curb for easy access for the carrier.

Commissioner Dorband explained she puts her garbage cans on the sidewalk in her development. She was unsure how it would work in this development. She felt the garbage cans would block a driveway.

Commissioner Kalis questioned if they had considered the selling price of the townhomes. Mr. Coleman stated that preliminary they anticipate they would be in the high 290s or low 300s to start.

Commissioner Creech questioned if the exit to Dundee Road would be a right in and right out. Mr. Coleman confirmed the exit in the center was a full access and the second one was an in only.

Commissioner Creech questioned if the detention was a dry basin. Mr. Coleman confirmed it was traditionally considered a dry basin with a natural grass but it needs to be hardier since it would be wet longer. Commissioner Creech questioned if it would be maintained. Mr. Coleman was unsure that it would be cut. He explained it would be clearly defined when they go through the engineering process.

Chairman Pro Tem Johnson took a poll if the Commission agreed for the concept to move forward.

Commissioner Creech: in favor
Commissioner Kalis: in favor
Commissioner Dorband: in favor
Commissioner Blinova: in favor
Commissioner Powers: in favor
Commissioner Johnson: in favor

The vote was 6-0 in favor of moving forward with the concept.

8. APPROVAL OF MINUTES – [February 22, 2018 \(including findings for Docket Nos. 2017-18 and 2018-2\)](#)

Commissioner Powers moved, seconded by Commissioner Blinova to approve the minutes dated February 22, 2018 as presented. The motion was approved by a voice vote.

9. OTHER BUSINESS

Commissioner Creech questioned the status of the old Garden Fresh site. He felt it had been torn down for a longtime and the concrete pad was remaining and unsightly. Ms. Jones stated there were no applications on file.

Commissioner Dorband announced the State of the Village is on March 14th with guest speakers President Horcher and Mayor Helmer. It is at the Ramada at 1090 Milwaukee Avenue. Tickets are available at the Chamber of Commerce.

Commissioner Blinova congratulated women for International Women's Day.

Commissioner Powers announced he would not be present at the March 22nd meeting.

Chairman Pro Tem Johnson announced work started again at the Whitley.

10. ADJOURNMENT

Commissioner Dorband moved, seconded by Commissioner Powers to adjourn the meeting at 8:30 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 03.16.2018
FOR APPROVAL ON 03.22.2018**

**FINDINGS OF FACT
AND RECOMMENDATION**

To: Village President and Board of Trustees

From: Wheeling Plan Commission/Sign Code Board of Appeal

Re: [Docket Nos. 2017-19 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

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.
- 2017-19 (E)** Variations from Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-07 Industrial Districts, Section 19.070.040 General Industrial District, Subsection D(3) Minimum Green Space and Subsection F Setbacks & Height Restrictions regarding minimum parking setback, and associated sections, in order to establish Heavy Motor Vehicle Outdoor Storage, Heavy Motor Vehicle Parking Lot, and Heavy Motor Vehicle Repair in the I-3 General Industrial District.

Chairman Pro Tem Johnson called Docket No. 2017-19 on March 8, 2018. Present were Commissioners Blinova, Creech, Dorband, Johnson, Kalis and Powers. Commissioner Ruffatto was 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 statements.

A zoning variation is intended to be a method of adjustment to equalize regulations where Title 19 of the Village of Wheeling (Zoning) has created an unnecessary hardship. A variation is designed to allow affected property owners the same rights and privileges that others enjoy in the same zoning district. In order to be granted a variation a 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 their individual situation is unique or unusual. Prior to the public hearing the petitioner provides written statements meant to show that their request for variation 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.

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.

Mr. Pete Aiello, Perfection Building Corporation, 435 South Wheeling Road, Wheeling, IL, Mr. Justin Silva, Attorney, Shapiro & Associates, 618 Academy Drive, Suite B, Northbrook, IL, Mr. Kevin Lewis, IG Consulting, 300 Marquardt Drive, Wheeling, IL and Mr. Dan Shapiro, Shapiro & Associates were present and sworn in.

Mr. Silva described the proposed property at 435 South Wheeling Road, south of Dundee Road and north of Hintz Road. It runs perpendicular to the Common Wealth easement power lines. The property is approximately 1 acre and improved with a 15,000 square foot building that is largely a repair garage with some office space in front. The property is surrounded by I2 to the west, MXT to the north and I4 to the south which is recently rezoned.

Mr. Silva explained the petitioner received a Special Use for the property in 2005. Under the Zoning Ordinance at that time it was referred to as hauling and storage yard which no longer exist. The property was also zoned I3 at that time as well. As part of the Special Use, there were conditions

that he fulfilled such as landscaping and adding fences. At that time, there were also some conditions on the property including 8% greenspace on the property. The property was under an acre so it was .85. As part of the condition to the Special Use, the petitioner leased a portion of property from the Village as part of a condition to use it as storage and parking. The lease was on the Commercial Drive right-of-way. The petitioner leased the property from 2005-2016 and operated the business using the property and paying lease payments to the Village. After receiving the Special Use, the property was rezoned to MXT via a Village comprehensive map amendment which made it a legal, nonconforming use. The petitioner has been operating the property as a legal, nonconforming use under MXT (industrial type of use). As a result, he has been nonconforming ever since which is why they were present. In 2016, the property to the south was rezoned to I-4 and when that happened, a portion of the right-of-the way was also rezoned to I-4 as well. It was a vacated, unimproved right-of-way that was not used by the Village but was rented out by the petitioner. In 2017, the Village vacated the right-of-way and the petitioner purchased 50% of the right-of-way to the north and the owners of the south property purchased the remaining southern portion of the right-of-way. They are trying to utilize the portion of the right-of-way they purchased (roughly .2 acres) and continue to operate his business. Since he is legal, non-conforming they are unable to expand the property. The petitioner had discussions with Village Staff and Staff explained they would first need to rezone the property since it is split zoned. They settled on rezoning to I-3 because they felt it was an appropriate buffer between MXT to the north, I-4 to the south and I-2 to the west. The size of the property was also a factor for not rezoning to an I-4.

Mr. Silva explained they were seeking to amend the Special Use to allow for uses at the time didn't occur under the Code. Staff felt the most similar use to hauling was heavy motor vehicle repair storage and parking which are all separate Special Uses. They are also seeking two variances, reduction to the green space and the setback for parking.

Mr. Lewis provided an overall site plan of the property. The building sits in the middle and the area along the south property line is part of the area that was previously leased from the Village and recently purchased. They are proposing to create the area as part of the subject property combining it into the one zoning area. The idea is that they would pave the area and make it a functioning part of the yard. They worked with the Fire Department and have worked through how the fire lane would work. They are defining the areas of the property that are heavy motor vehicle use storage and heavy motor vehicle use parking. There are six employees on the subject property and they have provided for both employee and guest parking along the south property line.

Mr. Aiello stated that he had owned the property for 11 years and needs the space for more parking and more organization. He is not impressed on the current condition of the property. He explained it would flow so much better with having the corner piece. He did not expect the business to grow as it did, the trucking companies in Wheeling have grown so it impacts his business. When he started he had 4 employees and now he has 6. The hours are from 6:00 a.m. to 5:00 p.m. They are no longer doing road service at night.

Chairman Pro Tem Johnson opened the discussion to the audience. No one came forward.

Commissioner Creech questioned the type of use for the proposed heavy motor vehicle storage area in the southwest corner. Mr. Silva explained the Code defines a difference between heavy motor

vehicle parking and heavy motor vehicle storage. The difference is if the vehicle is present for more than 48 hours it is technically considered storage. When they originally submitted their first submittal the designation was not clear on the site plan. They provided a plan that showed the areas that would be used for storage and parking since they are different Special Uses.

Commissioner Creech questioned what would be stored on the pad. Mr. Lewis explained the business is for diesel mechanic where the petitioner does repairs on diesel vehicles (trucks, buses). The repairs on the vehicles are done in the building and then are parked in the yard until someone picks it up. Mr. Lewis also mentioned there were times when a vehicle would be kept on the site so the parts could be used to service other vehicles. Commissioner Creech expressed concern on the condition of the site with tires, equipment and abandoned parts that seem to be all over his site. He noted the difference between storage and parking. If there are vehicles up to the east fence, then it would not be considered storage it would be considered parking. Ms. Milluzzi explained that vehicles could be stored if they were there for longer than 48 hours. She confirmed that parts or a truck could be stored under the definition.

Commissioner Creech questioned if rental spaces were part of the vehicle storage. Mr. Lewis confirmed it was not part of the program. He explained storage was in defined areas.

Commissioner Creech liked the proposal because the petitioner could be more organized. He did not want to see stuff stored all over the place as it is currently being done. He thinks the petitioner will need to comply better than he has done in the past. Mr. Lewis agreed and explained it was the goal of the plan and was the reason they designated certain areas. The storage for the heavy vehicle is in the corner furthest away from Wheeling Road. The parking for heavy motor vehicle is closer to the garage doors and Wheeling Road since those were the vehicles that would be moving more often.

Commissioner Blinova expressed the same concerns. She felt it was a fine line between vehicle storage and a junkyard for used parts. Her concerns were addressed.

Mr. Silva apologized and excused himself to attend another hearing. Mr. Shapiro will fill in on Mr. Silva's behalf.

Commissioner Powers questioned if the areas for the storage and parking were individually fenced off. Mr. Shapiro confirmed the areas were not fenced in because it would not be practical. It was an area identified on the site plan which they intend to be an area of separation.

Commissioner Powers questioned if there was a distinction between a light motor vehicle and heavy motor vehicle. Mr. Shapiro confirmed a heavy motor vehicle was 6 wheels or more a light motor vehicle would be less.

Commissioner Powers questioned the status of the fencing around the property. Mr. Shapiro explained they were working with Staff. He did not believe there was an intent to do any new fencing. Ms. Jones referred to an exhibit that notes the red area for the new fenced area. Mr. Aiello explained the fence broke in the 45 LF area. The neighboring property to the south put a temporary fence. He closed off the fence. The neighbor is putting up a wood fence and he will meet up to it with his wood fence.

Commissioner Powers asked if the Fire Department was OK with the proposed fire lane. Fire Inspector Antor explained it was an existing condition because of the constraints of the site. The condition is 20' except for the two identified areas which were fine. Commissioner Powers questioned if the identified areas were in the back of the building. Fire Inspector Antor explained it was pretty consistent 20' through the back except for two bump out corners of the building.

Commissioner Powers questioned the location of the proposed setback. Mr. Shapiro reminded the Commission that the two variations were existing conditions. Mr. Aiello noted it on the plan.

Commissioner Powers questioned the location for bicycle parking. Mr. Aiello confirmed bikes could be stored inside the building.

Commissioner Dorband was present when the petitioner originally came before the Commission. She had a real concern when the petitioner first came before the Commission on how it would look from Wheeling Road. She stated that the petitioner had really taken care of the property and it looked clean and she appreciates it. She expressed concern about the aerial view. She questioned the petitioner's plans to clean it up. Mr. Aiello explained if he could move the fence over on the proposed property, it would give him so much more parking so it would be organized. Commissioner Dorband questioned if he was planning an additional storage area for the parts. Mr. Aiello explained the indoor space for the mechanics was not an issue. He explained the issue was waiting for the parts. He explained the vehicles were not easy to push around. Commissioner Dorband asked the petitioner to promise to clean it up. Mr. Aiello agreed to clean it up.

Commissioner Dorband questioned Staff's recommendation for the Plan Commission to ask the petitioner how the parking was sufficient for the proposed uses. Mr. Aiello explained that Mr. Lewis wanted it all separated which was hard for him to do because the trucks were different lengths. He explained the longer trucks were parked toward the back so they were not seen from the road as easy. The trucks that don't run are parked farther away so they can get inside to be worked on and the trucks that run were put in the stalls in front.

Commissioner Dorband questioned what the petitioner could do about adding some landscaping. Mr. Aiello explained the only location would be the front. He referred to the line of bushes he put in 10 years ago. He was unsure what else he could do since putting up tall trees would create a vision issue when they pull out. He explained any new trees in front would need to be put behind the sidewalk. He thinks he could add 2-3 more of the same trees if needed. Commissioner Dorband doesn't want to create an issue with the sightline but wants to soften it up a little. Mr. Aiello agreed to add the same type of tree behind the sidewalk. He also agreed to add three or four bushes and a tree in front of the new 13 feet of fence along Wheeling Road.

Commissioner Kalis agreed the aerial shot was alarming but he did not have an issue from the street view. He wanted to make sure the petitioner wouldn't stack items above the fence height.

Commissioner Kalis agreed the site could be organized better with the purchase of the additional land. Commissioner Kalis is excited for the petitioner to have more space.

Mr. Aiello referred to a comment about a different size fence height. He was unsure where the information came from since he received approval for an 8' fence. Ms. Jones explained the original submittal had conflicting language but she clarified the fence was one height.

Chairman Pro Tem Johnson referred to Commissioner Dorband's request for more landscaping. Ms. Jones drafted the following condition: Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road. Mr. Aiello agreed. He will match the existing. The entire Commission was in agreement.

Commissioner Dorband was glad the petitioner was expanding and staying in the Village. Commissioner Powers echoed Commissioner Dorband's comments.

Commissioner Dorband moved, seconded by Commissioner Blinova 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.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Kalis to 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. Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Blinova to 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. Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Kalis moved, seconded by Commissioner Blinova to 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. Provided vision is not obstructed for trucks exiting the site, additional shrubs and a tree shall be added in front of the new 13 linear feet of fencing along Wheeling Road.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Dorband moved, seconded by Commissioner Creech to 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.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Dorband moved, seconded by Commissioner Powers to close Docket No. 2017-19A,B,C,D,E. The motion was approved by a voice vote.

Respectfully submitted,

Don Johnson, Chairman Pro Tem
Wheeling Plan Commission/
Sign Code Board of Appeals

**DISTRIBUTED TO THE COMMISSION 03.16.2018
FOR APPROVAL ON 03.22.2018**