



**WHEELING PLAN COMMISSION
THURSDAY, OCTOBER 11, 2018 6:30 P.M.**

**AGENDA FOR A REGULAR MEETING OF THE PLAN COMMISSION
Board Room - 2 Community Boulevard, Wheeling, Illinois**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CHANGES TO THE AGENDA**
- 5. CITIZEN CONCERNS AND COMMENTS**

*Municipal Code 2.03.060 Subjects of Orders of Business:

Citizen Concerns and Comments. Members of the public may address the Plan Commission with comments regarding only those issues that are 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 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 form prior to the commencement of the public meeting. The persons submitting a petition, concern or other comment shall be allocated five minutes to present their points.

6. CONSENT ITEMS

- A)** [Docket No. SCBA 18-39](#)
North Shore College
1400 S. Wolf Road, Suite 104
Appearance Approval of a Wall Sign
- B)** [Docket No. SCBA 18-40](#)
Ridgefield Homeowner's Association
Approximate location of 1126 Wheeling Road
Appearance Approval of a Subdivision Sign
- C)** [Docket No. SCBA 18-41](#)
Athletico
481 E. Dundee Road
Appearance Approval of a Wall Sign
- D)** [Docket No. SCBA 18-42](#)
Waukegan Roofing
250 Chaddick Drive
Appearance Approval of a Freestanding Sign

- E)** [Docket No. SCBA 18-43](#)
 Viant
 140 E. Hintz Road
 Appearance Approval of Wall and Freestanding Signs
- F)** [Docket No. SCBA 18-44](#)
 Viant
 690 Chaddick Drive
 Appearance Approval of Wall and Freestanding Signs
- G)** [Docket No. SCBA 18-45](#)
 Viant
 723 Chaddick Drive
 Appearance Approval of a Freestanding Sign
- H)** [Docket No. SCBA 18-46](#)
 KFC / Taco Bell
 150 E. Dundee Road
 Appearance Approval of Wall and Freestanding Signs

7. ITEMS FOR REVIEW

- A)** [Docket No. 2018-24A&B](#) (Continued from September 13, 2018 hearing.)
 Auto Cars Imports
 170 Shepard Avenue
 (2018-24A) Zoning Variation to Reduce the Required Parking
 (2018-24B) Special Use-Site Plan Approval for a Light Motor Vehicle Repair
 Facility
- B)** [Docket No. PC 18-16](#)
 Wille Dundee Road Resubdivision
 213 to 251 E. Dundee Road
 Approval of Final Plat of Resubdivision

8. APPROVAL OF MINUTES – none

9. OTHER BUSINESS

10. ADJOURNMENT

THIS MEETING WILL STREAM LIVE AND TELEVISED ON WHEELING’S CABLE CHANNELS 17 & 99.
IF YOU WOULD LIKE TO ATTEND A VILLAGE MEETING BUT REQUIRE AUXILIARY AID SUCH AS A SIGN
LANGUAGE INTERPRETER, PLEASE CALL (847) 499-9085 AT LEAST 72 HOURS PRIOR TO THE MEETING

**Public Hearing Information
Wheeling Plan Commission Meeting
October 11, 2018
(Attachment to Agenda)**

2018-24 Steve Vago, President of Auto Cars Imports LTD, tenant, is seeking the following for the property at 170 Shepard Avenue, which is zoned I-3 General Industrial District:

2018-24A Variation from Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19.11 General Development Standards, Section 19.11.010 Off-Street Parking and Loading, Section E Parking Standards, Subsection 1 Minimum Required Parking per Land Use Category, and associated sections to reduce the required parking for a motor vehicle (light) repair facility; and

2018-24B Special Use-Site Plan Approval as required under Chapter 19-07 Industrial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, to establish a motor vehicle (light) repair facility.

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. Casolari, Senior Planner

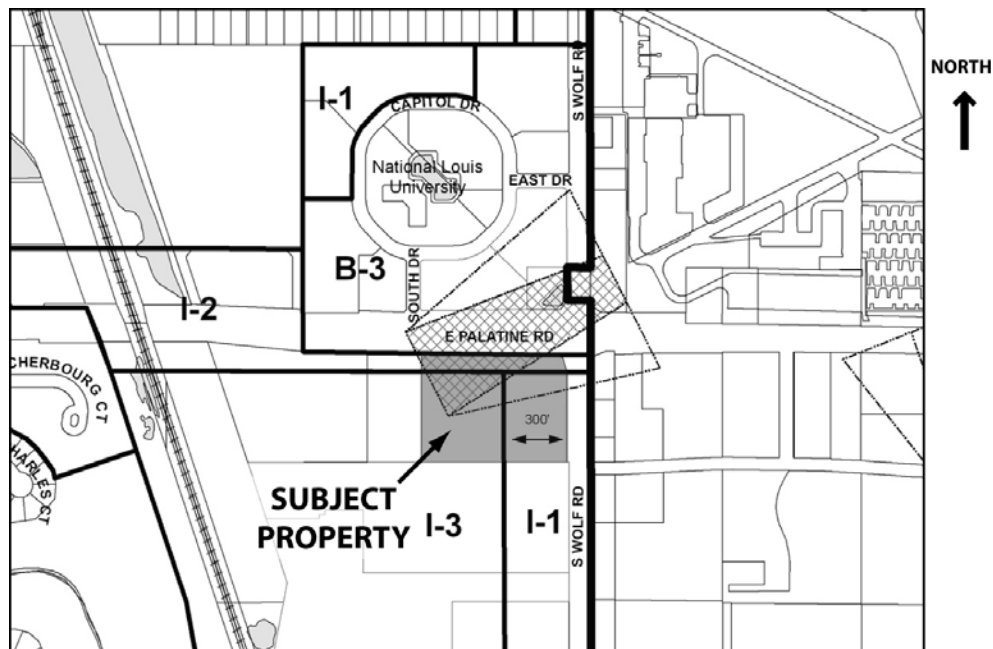
RE: Docket No. SCBA 18-39
North Shore College
1400 S. Wolf Road, Suite 104
Appearance Approval of a Wall Sign

DATE OF REPORT: October 2, 2018

DATE OF MEETING: October 11 2018

PROJECT OVERVIEW: The petitioner is requesting appearance approval to install a new wall sign for an existing college that is changing its name.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Real Neon
<u>Property Owner Name:</u>	Wheeling/Milwaukee Ave LLC
<u>Common Property Address:</u>	1400 S. Wolf Road, suite 104
<u>Common Location:</u>	Located on the west side of Wolf Road, south of Palatine Road
<u>Existing Use of Property:</u>	College or vocational school

Existing Property Zoning:

I-3 General Industrial District

Previous Relevant Zoning Action on Property:

None.

PROJECT DESCRIPTION

An existing college is requesting appearance approval to install a new business identification wall sign due to a name change.

SITE PLAN REVIEW

Sign Location: The sign is located on the front façade, facing south into the parking lot.

Sign Type, Size and Material: An internally illuminated channel letter sign that is raceway-mounted to the façade is proposed. The channel letters will have navy blue acrylic faces with white trip caps and beige returns. The sign is comprised only of the business name and has a total sign area of 20.42 sq. ft. The sign is much smaller than that allowed by the approximately 200 foot frontage of the business.

The sign meets the requirements of the Sign Code.

STAFF REVIEW

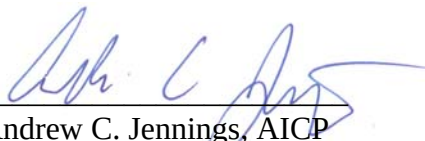
Impact on adjacent uses: No impact on adjacent uses is expected.

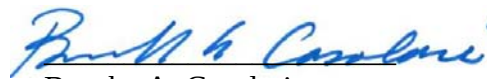
Staff Recommended Action: Staff recommends the Plan Commission approved the wall sign.

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 18-39 to permit installation of the wall sign in accordance with the sign plan submitted September 14, 2018 by Real Neon, on behalf of North Shore College, located at 1400 S. Wolf Road, suite 104, Wheeling, Illinois.


Andrew C. Jennings, AICP
Director of Community Development


Brooke A. Casolari
Senior Planner

Attachments:

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

[Proposed sign plan](#)

North Shore College – 1400 S. Wolf Road, Suite 104
Docket No. SCBA 18- 39 (Appearance Approval of a Wall Sign)



Existing conditions of subject unit (looking north)



ELECTRICAL REQUIREMENTS
(1) CIRCUIT
120 VOLT/20 AMP



INDIVIDUAL ILLUMINATED LETTERS AND LOGO MOUNTED ON RACEWAY
Fabricate and install letters of aluminum and acrylic.
Faces to be Navy blue 2050, White Trim 7508, and Biege 4660 returns



Sign: 20.42 Sq.Ft

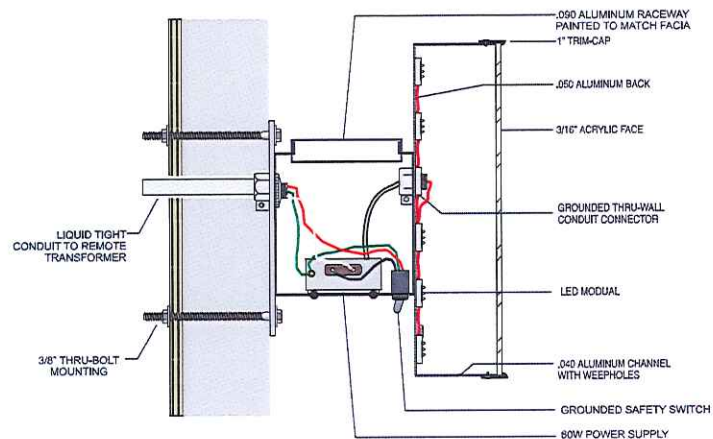


Exhibit received September 14, 2018

Typical U.L. Channel Letters with LEDs Mounted on Raceway
Not to scale

RealNeon
SIGN INNOVATIONS

226 E. ADELE CT. VILLA PARK, IL 60181
PHONE: (630)543-0995 FAX: (630)543-9776
realneon@sbcglobal.net

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
Brooke A. Casolari, Senior Planner

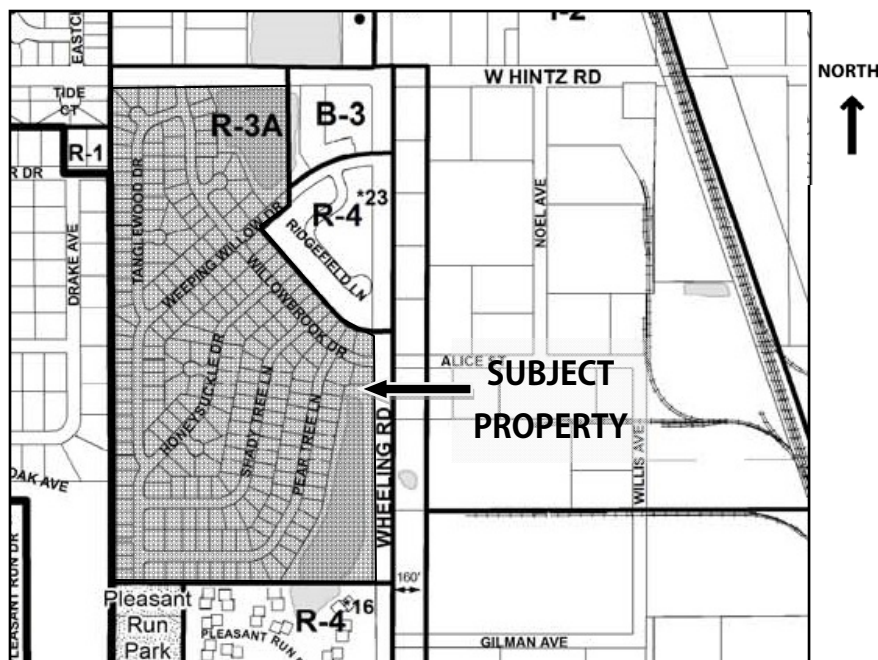
RE: **Docket No. SCBA 18-40**
Ridgefield Homeowners Association
1126 Wheeling Road
Appearance Approval of a Subdivision Sign

DATE OF REPORT: October 3, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is requesting appearance approval of a new sign for the Ridgefield Subdivision.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Signs of Distinction
<u>Property Owner Name:</u>	Ridgefield Homeowners Association
<u>Common Property Address:</u>	Approximately located at 1126 Wheeling Rd.
<u>Common Location:</u>	Located on the west side of Wheeling Road, just south of Willowbrook Drive.

Existing Use of Property: Single-Family Residential
Existing Property Zoning: R-3A Single-Family Residential
Previous Relevant Zoning Action:
None.

DESCRIPTION OF PROPOSAL

The Ridgfield Homeowner's Association, is requesting appearance approval to replace the subdivision sign that was recently removed from Wheeling Road near the retention pond. A landscape plan has also been provided.

SIGNAGE PLAN REVIEW

Signage Location: The petitioner is proposing to replace the subdivision sign, which was recently removed. The site plan indicates the location of the sign. The setback requirements are met.

Proposed Signage Size, Style and Type: The proposed single-sided, monument-style sign includes brick pillars and a sign panel. The overall height of the sign is six feet. The sign area is 32 sq. ft. The sign is non-illuminated. The sign panel includes the subdivision name and an image which are framed in a reddish border. The sign meets the size requirements of the code.

Landscaping: Two landscape plans are provided to depict the proposed plantings. The area of the landscaping exceeds the requirements of the Sign Code. The proposed landscape plans meet the species mix requirements of the Sign Code. It includes dwarf evergreens and winter interest (Dwarf Holly Bush), deciduous shrubs (Burning Bush), flowering perennials (Blue Russian Sage, Ever Blooming Hydrangea, Black-Eyed Susan), ground cover (Creeping Jenny) and annuals.

STAFF REVIEW

Impact on Neighboring Uses: No significant impact on adjacent uses is expected.

Planner's Recommendation to the Plan Commission: Staff recommends approval of the proposed signage.

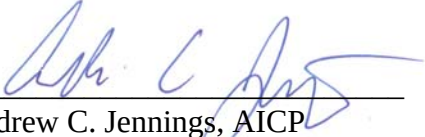
PROPOSED MOTION

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

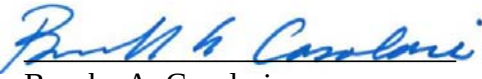
Approval of Docket No. SCBA 18-40 to permit the installation of the subdivision sign in accordance with the following plans submitted August 23, 2018 (except as noted) for the Ridgfield Homeowner's Association, located at 1126 S. Wheeling Road, Wheeling, Illinois:

- Site plan,
- Sign plan, and

- Landscape plans (2 sheets), 9.27.2018.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

Attachments:

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

[Site plan](#)

[Sign plan](#)

[Landscape plans](#)

Ridgefield Homeowners Association – Approximately 1126 Wheeling Road
Docket No. SCBA 18- 40 (Appearance Approval of a Subdivision Sign)



Existing conditions of sign location (looking west)

PLAT OF SURVEY

ORDERED BY: RIDGEFIELD HOMEOWNERS ASSOCIATION
ORDER NO. 10842

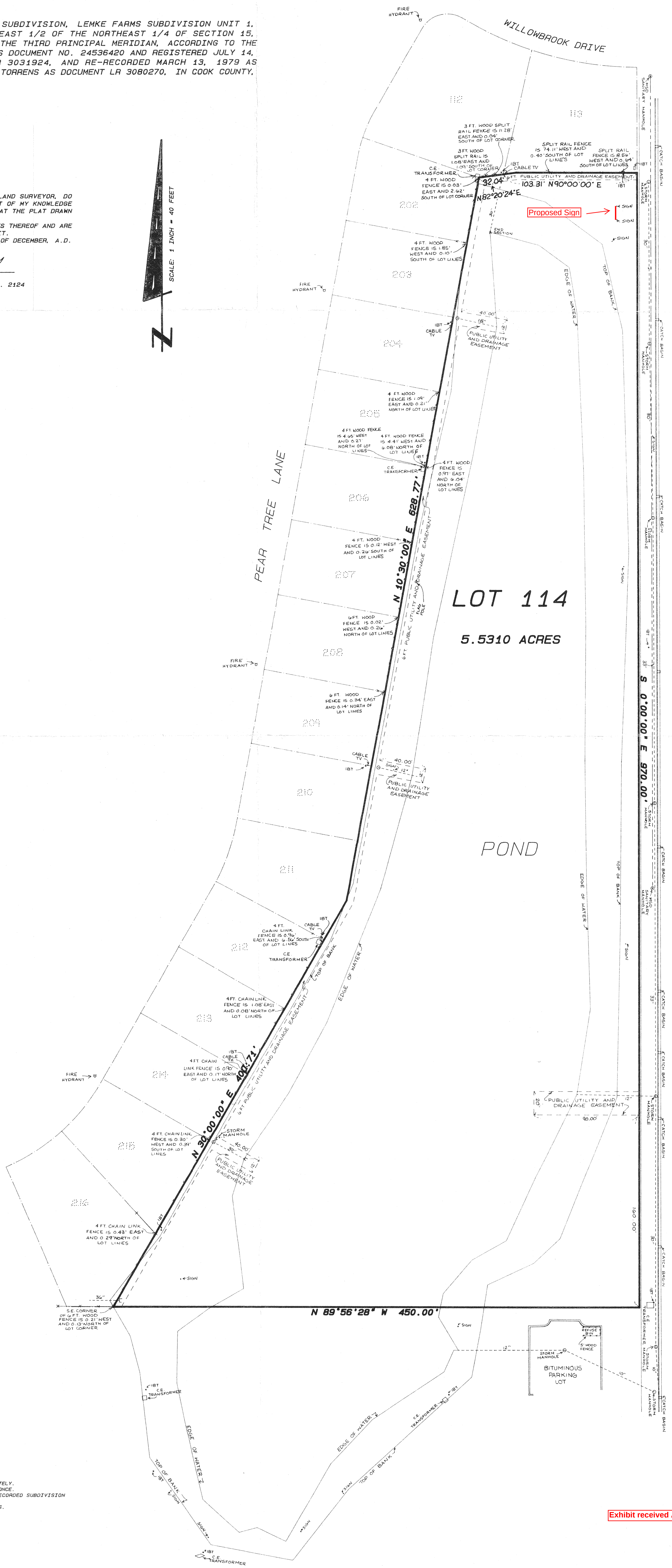
BY
DUDA SURVEYING
327 VILLAGE DRIVE
CAROL STREAM, ILLINOIS, 60188
(708) 655-0001
OF

LOT 114 IN CORRECTED FINAL PLAT OF SUBDIVISION, LEMKE FARMS SUBDIVISION UNIT 1, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 14, 1978 AS DOCUMENT NO. 24536420 AND REGISTERED JULY 14, 1978 AS TORRENS REGISTRATION NO. LR 3031924, AND RE-RECORDED MARCH 13, 1979 AS DOCUMENT NUMBER 24877455 AND FILED IN TORRENS AS DOCUMENT LR 3080270, IN COOK COUNTY, ILLINOIS.

STATE OF ILLINOIS)
) S.S.
COUNTY OF DU PAGE)

I, FRANK J. DUDA, JR., A PROFESSIONAL ILLINOIS LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT DRAWN HEREON IS A CORRECT REPRESENTATION OF SAID SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 62 DEGREES FAHRENHEIT.
DATED AT CAROL STREAM, ILLINOIS, THIS 18 TH. DAY OF DECEMBER, A.D. 1992.

Frank J. Duda, Jr.
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2124



NOTE:
1. PLEASE CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY.
2. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND REPORT AND DISCREPANCIES AT ONCE.
3. BUILDING LINES, IF ANY, SHOWN HEREON, ARE BUILDING LINES SHOWN ON THE RECORDED SUBDIVISION PLAT.
4. CONSULT LOCAL AUTHORITIES FOR BUILDING LINES ESTABLISHED BY LOCAL ORDINANCES.
5. IRON PIPES ARE PLACED AT EACH LOT CORNER UNLESS OTHERWISE SHOWN.

Exhibit received August 23, 2018



OPTION - A-1

Footings will be 42" deep

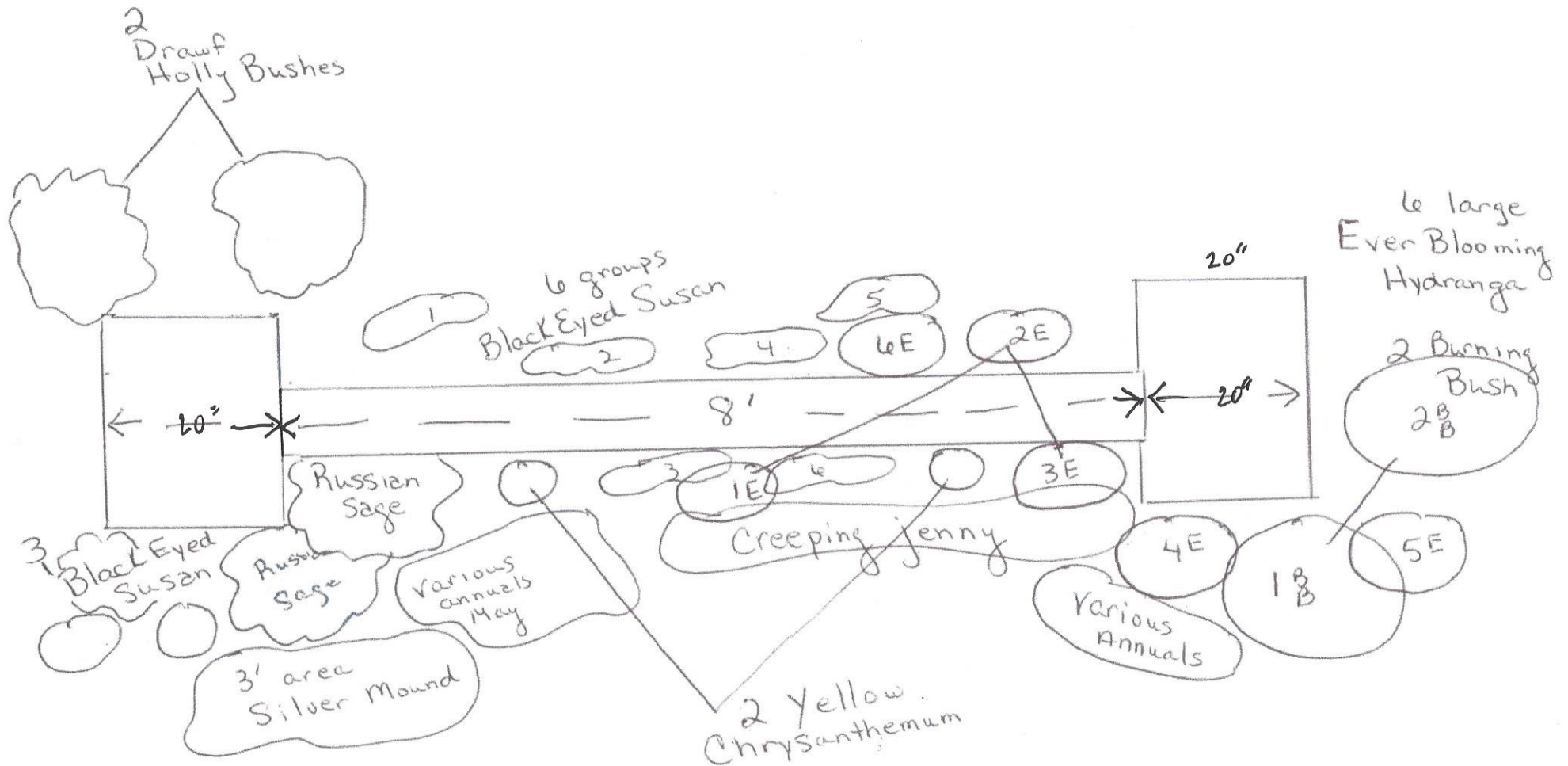
<i>Signs of Distinction, Inc.</i> Exterior and Interior Signage	165 Wheeling Rd. Wheeling, IL 60090 847-520-0787	Display Discription Exhibit received August 23, 2018	Customer and Address RIDGEFIELD HOA 0 0	Revision Notes R-1 6-11 Narrow options down and change to a Black Cherry color R-1 R-1 Date: 6-2-18 Page Number: 1 of 03
--	--	--	--	---



Signs of Distinction, Inc. Exterior and Interior Signage	165 Wheeling Rd. Wheeling, IL 60090 847-520-0787	Display Description Silver mound Yellow Chrysanthemum Fall	Customer and Address RIDGEFIELD HOA 00	Revision Notes R-1 6-11 Narrow options down and change to a Black Cherry color R-1 R-1 Date: 6-2-18 Page Number: 2 of 03
---	--	--	--	---

Exhibit received September 27, 2018

REAR



STREET VIEW

Exhibit received September 27, 2018

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Ruffatto and Members of the
Wheeling Plan Commission

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

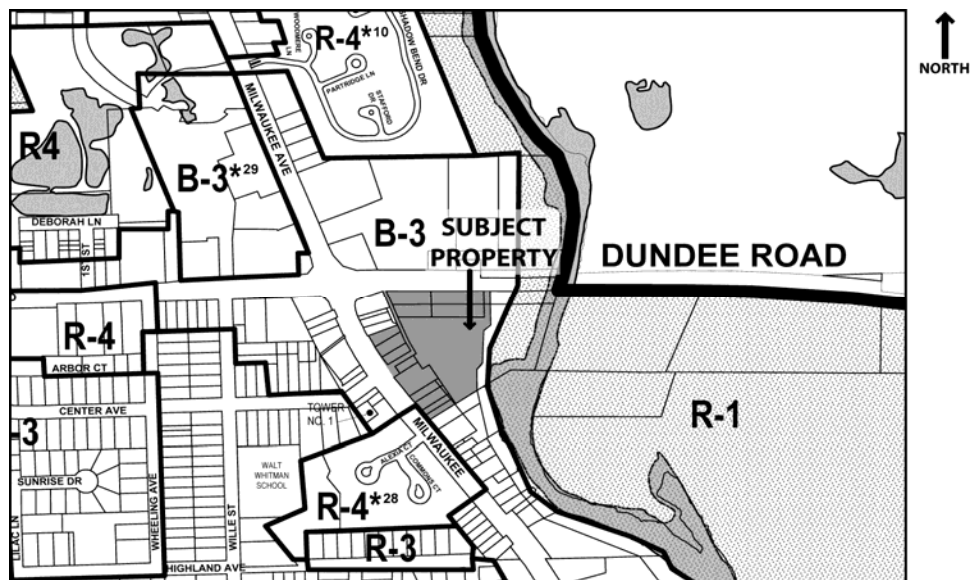
RE: Docket No. SCBA 18-41
Athletico
481 E. Dundee Road
Appearance Approval of a Wall Sign

DATE OF REPORT: October 2, 2018

DATE OF MEETING: October 11 2018

PROJECT OVERVIEW: The petitioner is requesting appearance approval to install a new wall sign for an existing business in the Riverside Plaza.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	South Water Signs
<u>Property Owner Name:</u>	Wheeling/Milwaukee Ave LLC
<u>Common Property Address:</u>	481 E. Dundee Road (Riverside Plaza)
<u>Common Location:</u>	Located on the south side of Dundee Road, just east of Milwaukee Avenue
<u>Existing Use of Property:</u>	Medical office within commercial shopping center
<u>Existing Property Zoning:</u>	B-3 General Commercial and Office District

Previous Relevant Zoning Action on Property:

None.

PROJECT DESCRIPTION

An existing medical office is requesting appearance approval to install a new business identification wall sign.

SITE PLAN REVIEW

Sign Location: The sign is located on the front façade, facing Milwaukee Avenue.

Sign Type, Size and Material: An internally illuminated channel letter sign that is flush-mounted to the façade is proposed. The channel letters will have white acrylic faces with blue trip caps and returns. The Athletico business name is 19.92 sq. ft. and the tag line, “Physical Therapy” is 15.22 sq. ft. for a total sign area of 35.14 sq. ft. The sign is much smaller than that allowed by the 49 foot frontage of the business.

The sign meets the requirements of the Sign Code.

STAFF REVIEW

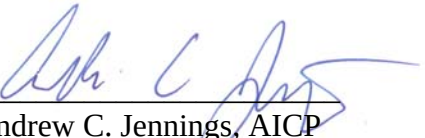
Impact on adjacent uses: No impact on adjacent uses is expected.

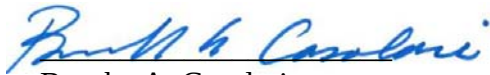
Staff Recommended Action: Staff recommends the Plan Commission approved the wall sign.

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 18-41 to permit installation of the wall sign in accordance with the sign plan submitted September 18, 2018 by South Water Signs, on behalf of Athletico, located at 481 E. Dundee Road, Wheeling, Illinois.


Andrew C. Jennings, AICP
Director of Community Development


Brooke A. Casolari
Senior Planner

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

 [Proposed sign plan](#)

Athletico– 481 E. Dundee Road

Docket No. SCBA 18- 41 (Appearance Approval of a Wall Sign)



Existing conditions of subject unit (looking east)

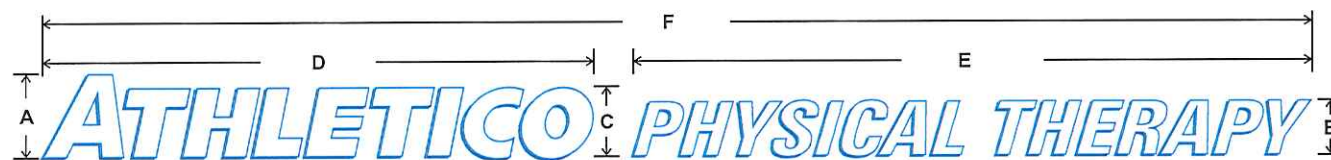
Main ID Sign - Option 1



Existing Sign



Proposed Sign



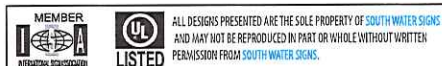
Part No.	A	B	C	D	E	F	SQ. FT
APT-L-21-W-F	21"	13-5/8"	17-1/2"	11' 4-5/8"	13' 11-3/4"	26' 2-1/4"	45.8

Colors to Match

White Faces
#7328 White Acrylic

Trim Cap - Jewelite
Intense Blue

Returns - .040 Coil
Pre-Finished Heron Blue



934 N. Church Road
Elmhurst, IL 60126
P 630.333.4900

F 630.333.4915

Revision notes:

Exhibit received September 18, 2018

ATHLETICO
PHYSICAL THERAPY

Client:	Athletico	Drawn by:	FK
Unit ID #		Checked by:	-
SWS Job#	7029732	Scale:	NTS
Title:	Main ID Sign	Revision:	-
Date:	08.17.18	Page:	3

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
Brooke A. Casolari, Senior Planner

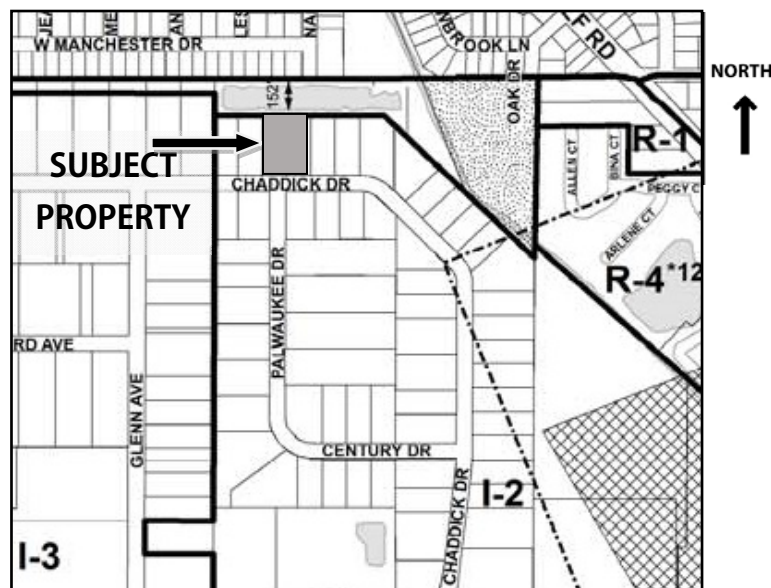
RE: **Docket No. SCBA 18-42**
Waukegan Roofing
250 Chaddick Drive
Appearance Approval of a Frestanding Sign

DATE OF REPORT: October 3, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is requesting appearance approval of a business identification sign for a new contractor's shop.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Signs of Distinction
<u>Property Owner Name:</u>	Waukegan Roofing
<u>Common Location:</u>	Located at the approximate intersection of Chaddick Drive and Palwaukee Drive

Existing Use of Property:

Contractor's Shop and Small Heavy Motor Vehicle
Parking Lot

Existing Property Zoning:

I-2 Limited Industrial District

Previous Relevant Zoning Action:

None.

DESCRIPTION OF PROPOSAL

Waukegan Roofing, which is a sales, installation and service facility for solar energy systems, has just opened at the subject property. The business wishes to modify the existing freestanding sign for their own use. The sign modifications include a landscape plan.

SIGNAGE PLAN REVIEW

Signage Location: The petitioner is proposing to reface the existing freestanding sign. The existing sign has a ten foot setback.

Proposed Signage Size, Style and Type: The applicant proposes to reface the existing double-sided, monument-style sign. New aluminum panels are proposed for each 23.33 sq. ft. sign face. The 8-inch wide side of the sign will also include a panel for the property address. No changes are proposed to the existing height of the structure. The sign meets the size requirements of the code.

Landscaping: A landscape plan and rendering are provided to depict the proposed plantings. The area of the landscaping exceeds the requirements of the Sign Code. The proposed landscape plans meet the species mix requirements of the Sign Code. It includes dwarf evergreens (Green Velvet Boxwood), winter interest (Karl Foerster Grass), deciduous shrubs (Judd Viburnum), flowering perennials (Great Expectation Hosta), and annuals.

STAFF REVIEW

Impact on Neighboring Uses: No significant impact on adjacent uses is expected.

Planner's Recommendation to the Plan Commission: Staff recommends approval of the proposed signage.

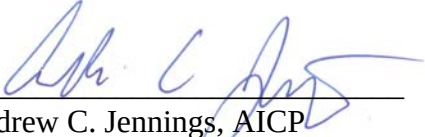
PROPOSED MOTION

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

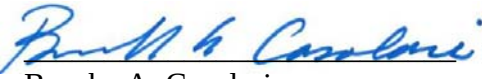
Approval of Docket No. SCBA 18-42 to permit the installation of the subdivision sign in accordance with the following plans submitted October 2, 2018 for Waukegan Roofing, located at 250 Chaddick Drive, Wheeling, Illinois:

- Site plan,
- Sign plan, and

- Landscape plans (2 sheets), 9.27.2018.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

Attachments:

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

[Site plan](#)

[Sign plan](#)

[Landscape plans](#)

Waukegan Roofing – 250 Chaddick Drive

Docket No. SCBA 18- 42 (Appearance Approval of a Freestanding Sign)



Existing conditions of sign (looking east)



Exhibit received October 2, 2018

EXACTA

ILLINOIS SURVEYORS INC.

PROPERTY ADDRESS: 250-252 CHADDICK DRIVE, WHEELING, ILLINOIS 60090
 SURVEY NUMBER: 1801.1491-01



CLIENT ORDER NUMBER: DATE: 02/21/18

BUYER: 1320 GLADSTONE LLC

SELLER:

CERTIFIED TO:
 1320 GLADSTONE LLC, FIDELITY NATIONAL TITLE INSURANCE COMPANY, PROVIDENCE BANK & TRUST, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR

PARCEL 1: LOTS 35 AND 36 IN PALWAUKEE BUSINESS CENTER UNIT TWO, BEING A SUBDIVISION IN THE SOUTH EAST 1/4 OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: A NON-EXCLUSIVE, RECIPROCAL PERMANENT EASEMENTS FOR THE BENEFIT OF PARCEL 1 AND OTHER PROPERTY, AS CREATED BY THE GRANT OF EASEMENT DATED JUNE 30, 1988, AND RECORDED JUNE 30, 1988 AS DOCUMENT NO. 85288744, FOR PURPOSES OF INGRESS AND EGRESS OVER AND UPON THE COMMON DRIVEWAY EASEMENT AREA DEPICTED ON THE PLAT OF EASEMENT OF COMMON DRIVEWAY ATTACHED AS EXHIBIT A TO SAID GRANT OF EASEMENT.

1. BUILDING COVER IS: SET BACK LINE

TO 1320 GLADSTONE LLC
 FIDELITY NATIONAL TITLE INSURANCE COMPANY
 PROVIDENCE BANK & TRUST, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(b), 8, 9, 16, & 18 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 21, 2018 DATED THIS 21ST DAY OF FEBRUARY 2018.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2871
 LICENSE EXPIRES 1/30/2018
 EXACTA LAND SURVEYORS 1805763

NOTE: THIS SURVEY WAS PREPARED USING INFORMATION PROVIDED ON ATTORNEYS' TITLE GUARANTY FUND, INC. COMMITMENT NUMBER 180019202410 WITH AN EFFECTIVE DATE OF JANUARY 04, 2018.

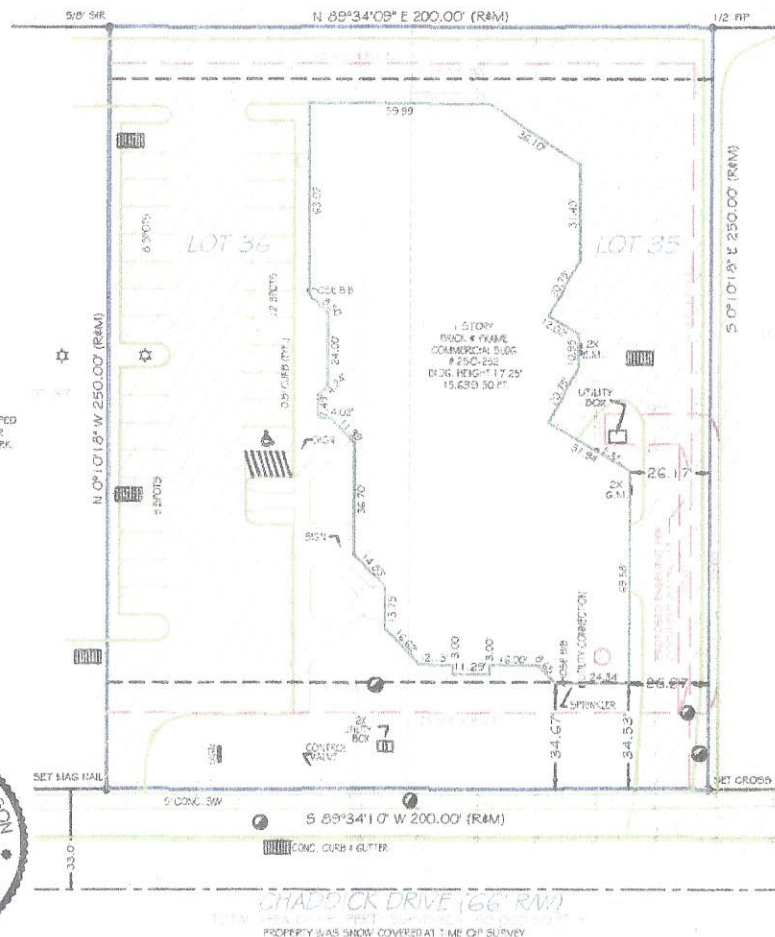
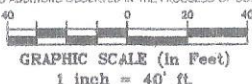
Use of this Survey other than Intended, without Written Verification, will be at the User's Sole Risk and without Liability to the Surveyor. Nothing herein shall be construed to give ANY Rights or Benefits to Anyone than those Certified.

1801149101 ALTANSIPS LAND TITLE SURVEY COOK COUNTY

PARCEL 1: LOTS 35 AND 36 IN PALWAUKEE BUSINESS CENTER UNIT TWO, BEING A SUBDIVISION IN THE SOUTH EAST 1/4 OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: A NON-EXCLUSIVE, RECIPROCAL PERMANENT EASEMENTS FOR THE BENEFIT OF PARCEL 1 AND OTHER PROPERTY, AS CREATED BY THE GRANT OF EASEMENT DATED JUNE 30, 1988, AND RECORDED JUNE 30, 1988 AS DOCUMENT NO. 85288744, FOR PURPOSES OF INGRESS AND EGRESS OVER AND UPON THE COMMON DRIVEWAY EASEMENT AREA DEPICTED ON THE PLAT OF EASEMENT OF COMMON DRIVEWAY ATTACHED AS EXHIBIT A TO SAID GRANT OF EASEMENT.

TABLE A ITEMS:
 1. NO JOINTING REPORT WAS AVAILABLE.
 2. PARKING (AS OBSERVED AT THE TIME OF FIELDWORK) - 29 TOTAL, 1 HANDICAPPED.
 3. NO EVIDENCE OF RECENT EARTH MOVING, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.



SYMBOL	DESCRIPTION
1	ALTA SURVEY
2	ADJACENT PROPERTY
3	ADJACENT PROPERTY
4	ADJACENT PROPERTY
5	ADJACENT PROPERTY
6	ADJACENT PROPERTY
7	ADJACENT PROPERTY
8	ADJACENT PROPERTY
9	ADJACENT PROPERTY
10	ADJACENT PROPERTY
11	ADJACENT PROPERTY
12	ADJACENT PROPERTY
13	ADJACENT PROPERTY
14	ADJACENT PROPERTY
15	ADJACENT PROPERTY
16	ADJACENT PROPERTY
17	ADJACENT PROPERTY
18	ADJACENT PROPERTY
19	ADJACENT PROPERTY
20	ADJACENT PROPERTY
21	ADJACENT PROPERTY
22	ADJACENT PROPERTY
23	ADJACENT PROPERTY
24	ADJACENT PROPERTY
25	ADJACENT PROPERTY
26	ADJACENT PROPERTY
27	ADJACENT PROPERTY
28	ADJACENT PROPERTY
29	ADJACENT PROPERTY
30	ADJACENT PROPERTY
31	ADJACENT PROPERTY
32	ADJACENT PROPERTY
33	ADJACENT PROPERTY
34	ADJACENT PROPERTY
35	ADJACENT PROPERTY
36	ADJACENT PROPERTY
37	ADJACENT PROPERTY
38	ADJACENT PROPERTY
39	ADJACENT PROPERTY
40	ADJACENT PROPERTY
41	ADJACENT PROPERTY
42	ADJACENT PROPERTY
43	ADJACENT PROPERTY
44	ADJACENT PROPERTY
45	ADJACENT PROPERTY
46	ADJACENT PROPERTY
47	ADJACENT PROPERTY
48	ADJACENT PROPERTY
49	ADJACENT PROPERTY
50	ADJACENT PROPERTY
51	ADJACENT PROPERTY
52	ADJACENT PROPERTY
53	ADJACENT PROPERTY
54	ADJACENT PROPERTY
55	ADJACENT PROPERTY
56	ADJACENT PROPERTY
57	ADJACENT PROPERTY
58	ADJACENT PROPERTY
59	ADJACENT PROPERTY
60	ADJACENT PROPERTY
61	ADJACENT PROPERTY
62	ADJACENT PROPERTY
63	ADJACENT PROPERTY
64	ADJACENT PROPERTY
65	ADJACENT PROPERTY
66	ADJACENT PROPERTY
67	ADJACENT PROPERTY
68	ADJACENT PROPERTY
69	ADJACENT PROPERTY
70	ADJACENT PROPERTY
71	ADJACENT PROPERTY
72	ADJACENT PROPERTY
73	ADJACENT PROPERTY
74	ADJACENT PROPERTY
75	ADJACENT PROPERTY
76	ADJACENT PROPERTY
77	ADJACENT PROPERTY
78	ADJACENT PROPERTY
79	ADJACENT PROPERTY
80	ADJACENT PROPERTY
81	ADJACENT PROPERTY
82	ADJACENT PROPERTY
83	ADJACENT PROPERTY
84	ADJACENT PROPERTY
85	ADJACENT PROPERTY
86	ADJACENT PROPERTY
87	ADJACENT PROPERTY
88	ADJACENT PROPERTY
89	ADJACENT PROPERTY
90	ADJACENT PROPERTY
91	ADJACENT PROPERTY
92	ADJACENT PROPERTY
93	ADJACENT PROPERTY
94	ADJACENT PROPERTY
95	ADJACENT PROPERTY
96	ADJACENT PROPERTY
97	ADJACENT PROPERTY
98	ADJACENT PROPERTY
99	ADJACENT PROPERTY
100	ADJACENT PROPERTY

THE cara PROGRAM

Phone 773.305.4011
 Fax 866.744.2882
 www.exactachicago.com

EXACTA
 ILLINOIS SURVEYORS

316 East Jackson Street • Morris, IL 60450

Qty (1) ss 8" x 56" direct printed .040 aluminum panel

Qty (1) 8" x 56" blank .040 aluminum panel

WAUKEGAN
ROOFING CO., INC.
SINCE 1914

2
5
0
-
2
5
2

WAUKEGAN
ROOFING CO., INC.
SINCE 1914

Qty (1) ss 60" x 56" direct printed .040 aluminum panel

Qty (1) ss 60" x 56" direct printed .040 aluminum panel

Exhibit received October 2, 2018

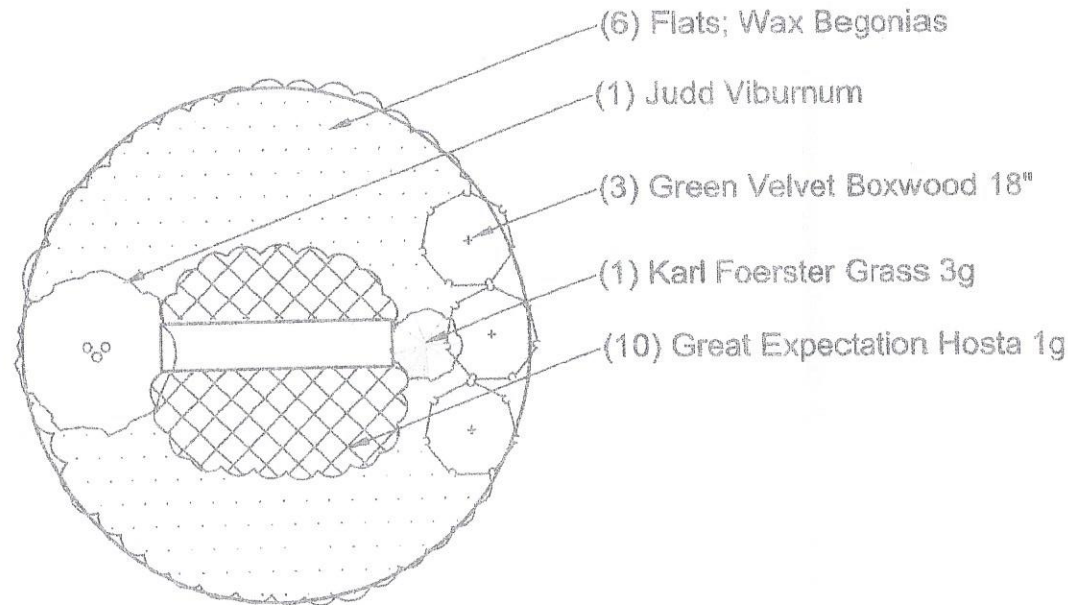


LANDSCAPE DESIGN,
CONSTRUCTION, MAINTENANCE
SNOW REMOVAL,
LIGHTING & IRRIGATION

KELLY JENK
CLIENT CARE MANAGER
KELLYJ@MILIEULAND.COM
CELL: 847-975-2812

48 EAST HINTZ ROAD
WHEELING, ILLINOIS 60090
OFFICE: 847-465-1160 X16
FAX: 847-465-1159
WWW.MILIEULAND.COM

Scale: 1" = 5'



Signage Area: 25 sf/side
Required Minimum Bed Size: 50sf
Proposed Area: 95 sf
*Exceeds minimum sq ft requirement
Removing Existing Yews

Details: Required Area / Proposed Area
Evergreen - 15 sf / 18.75 sf
Deciduous - 5 sf / 16 sf
Flowering or Other - 30 sf / 55.25 sf
Sign - 5 sf

Exhibit received October 2, 2018

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Ruffatto and Members of the
Wheeling Plan Commission

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

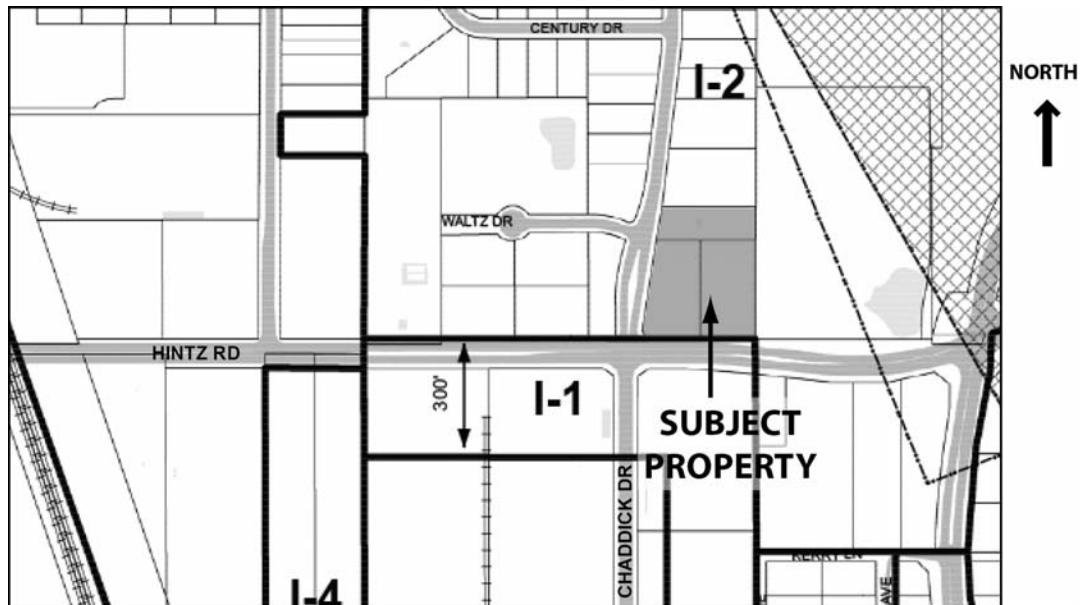
RE: **Docket No. SCBA 18-43**
Viant
140 Hintz Road
Appearance Approval of Freestanding & Wall Signs

DATE OF REPORT: October 4, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is seeking appearance approval for two freestanding signs and one wall sign for a corporate ownership change of an existing industrial business.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Signs of Distinction
<u>Property Owner Name:</u>	Viant
<u>Common Property Address:</u>	140 Hintz Road
<u>Common Location:</u>	Located at the northeast corner of Chaddick Drive and Hintz Road.
<u>Neighboring Property Land Use(s):</u>	North: Industrial

West: Industrial
South: Industrial
East: Industrial

Comprehensive Plan Designation:

Industrial

Existing Use of Property:

Industrial – Light manufacturing

Existing Property Zoning:

I-2 Limited Industrial District

Relevant Zoning Action on Property:

SCBA 15-4	Appearance approval of a wall and freestanding sign, 2/12/2015
SCBA 15-11	Appearance approval of a second freestanding sign, 3/26/2015
SCBA 17-36	Appearance approval of a freestanding and wall sign, 10/12/2017

PROJECT DESCRIPTION

The petitioner, which manufactures medical devices, is requesting appearance approval to reface two existing monument signs and to install a new wall sign.

SIGN REVIEW

Sign Locations: There are two existing freestanding signs. One is located along the Chaddick Drive frontage and the other is along Hintz Road. A new wall sign on the south façade of the building (facing Hintz) is also proposed.

Sign Types and Sizes: The 33 inch by 90 inch tenant panels of the existing double-sided freestanding sign along Hintz Road will be swapped out to accommodate the new business identity. The new panel will be aluminum with vinyl graphics. The existing structure will remain untouched. The sign is non-illuminated.

The 33 inch by 90 inch tenant panel of the existing freestanding sign along Chaddick will be swapped out to accommodate the new business identity. The new panel will be aluminum with vinyl graphics. The existing structure will remain untouched.

A new wall sign is also proposed for the south façade, which faces Hintz Road. This sign is comprised of internally illuminated channel letters applied to a white backer panel that includes the business name and logo. The panel is 6'8 1/2" by 20'4 3/8" (136.58 sq. ft.) in size. The sign meets the requirements of the Sign Code.

Landscaping: The existing landscaping for the freestanding sign along Hintz Road and Chaddick Drive appears to be compliant with the approved landscape plans, which have been provided by staff. This plans includes an appropriate mix of dwarf evergreens (Mugo Pine), other winter interest (Karl Foerster Grass), deciduous shrubs (Knockout roses), ground cover (sedum) and other flowering perennials (catmint and daylilies). It appears that some plants have been cut back for the season.

STAFF REVIEW

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

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

PROPOSED MOTION

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

Approve Docket No. SCBA 18-43 to permit modifications to two existing freestanding signs and installation of a wall sign in accordance with the following exhibits submitted September 26, 2018 (excepted as noted) by Signs of Distinction, on behalf of Viant, located at 140 Hintz Road, Wheeling, Illinois:

- Monument sign plan for Hintz Road,
- Monument sign plan for Chaddick Drive,
- South façade wall sign plan,
- Previously approved landscape plan for sign along Hintz Road, 2.3.2015, and
- Previously approved landscape plan for sign along Chaddick Drive, 3.20.2015.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

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

[Monument sign plan for Hintz Road](#)

[Monument sign plan for Chaddick Drive](#)

[South façade wall sign plan](#)

[Previous landscape plan for sign along Hintz Road, approved 2.12.2015](#)

[Previous landscape plan for sign along Chaddick Dr, approved 3.26.2015](#)

Viant – 140 E. Hintz Road

Docket No. SCBA 18-43 (Appearance Approval of a Wall & Freestanding Signs)



Existing conditions of freestanding sign along Hintz Road (looking east)

Viant – 140 E. Hintz Road

Docket No. SCBA 18-43 (Appearance Approval of a Wall & Freestanding Signs)



Existing conditions of façade along Hintz Road

Viant – 140 E. Hintz Road

Docket No. SCBA 18-43 (Appearance Approval of a Wall & Freestanding Signs)



Existing conditions of freestanding sign along Chaddick Drive (looking northeast)

S1

Replacement Face (Qty. 2)

Remove existing faces from d/f monument. Install (2) new 3/16" white polycarbonate faces decorated first surface with vinyl as shown.

Verify VO and cut sizes.



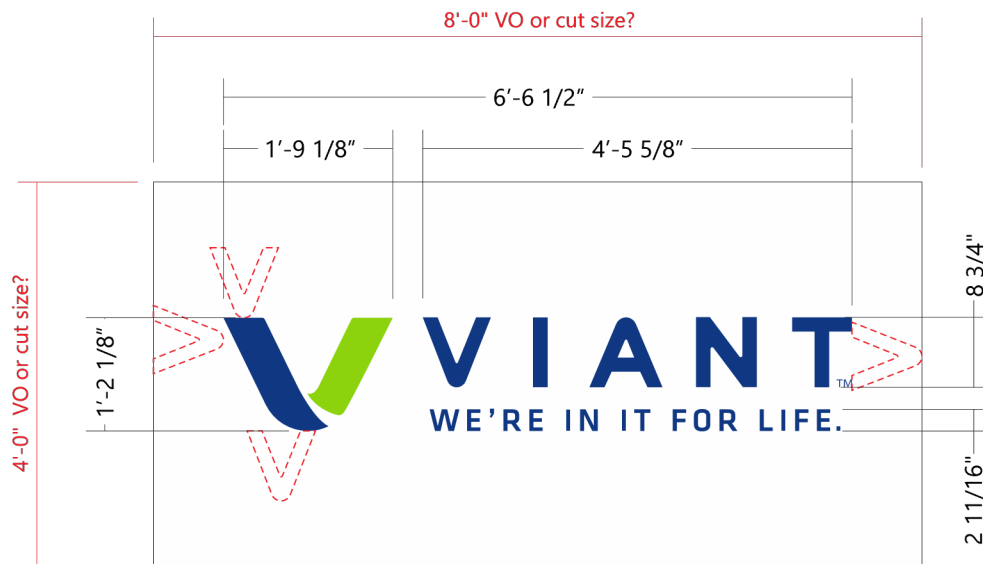
Avery A9592-T Blue vinyl



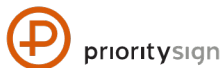
Avery A9634-T Green vinyl



3/16" white polycarbonate



Scale | 1/2" = 1'



Revisions:	X
Tag	
X	Exhibit received September 26, 2018
X	
X	

File Location:	STND
Drive/Clients/	CSTM
AS	CR
EN	

Date: 08/24/2018

Designer: KB PM: DE

City/State: Wheeling IL

Address: 140 East Hintz Road

Drawing #

Site Name

C58299

Wheeling IL (140)

S1.2a

Replacement Face

Remove existing face from monument. Install new .125 aluminum panel, painted white, with vinyl graphics applied.

Dimensions to be determined.



Avery A9592-T Blue vinyl



Avery A9634-T Green vinyl



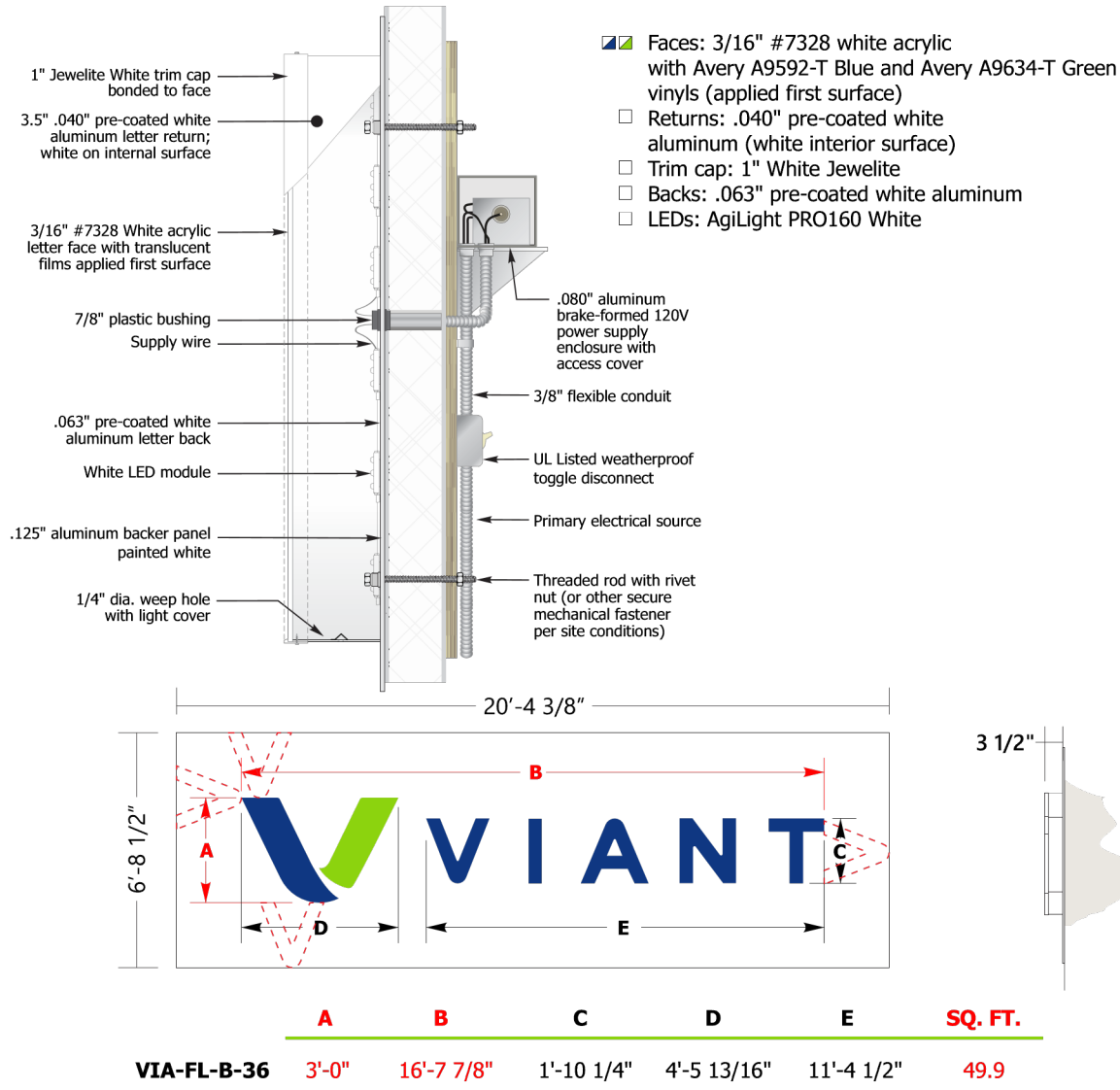
.125" aluminum painted white



Face-Lit Letterset w/Backer Panel | Full Color

Remove existing sign from fascia. Patch and repaint holes as needed.
Install new face-lit letterset on backer panel in same place as existing.

NOTE: Verify that existing sign is illuminated.



Before



After



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

② FLATS OF 24 - SEDUM HYBRIDUM 'IMMERGRÜNCHEN'
EVERGREEN GROUND COVER - YELLOW FLOWERS - ORANGE IN FALL

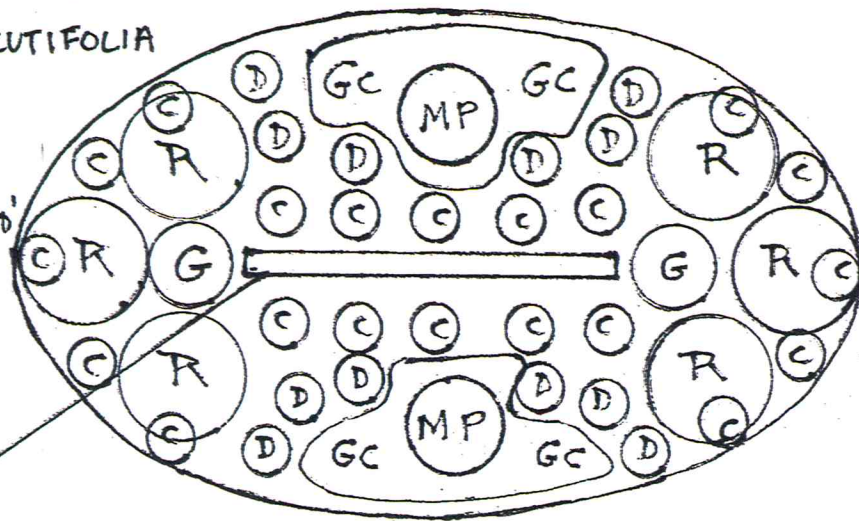
⑥ ROSA KNOCKOUT™ 'RADRAZZ'
HOT PINK SINGLE ROSES - BLOOM JUNE - OCTOBER
LOVELY FALL COLOR - ROSE HIPS WINTER INTEREST

② CALAMAGROSTIS X ACUTIFOLIA
'KARL FÖRSTER'
FEATHER-REED GRASS
WINTER INTEREST

② PINUS MUGO 'SLOWMOUND'
DWARF MUGO PINE

②① NEPETA RACEMOSA
'BLUE WONDER'
SHORT CATMINT

①②
↓
SIGN
HEMEROCALLIS 'HAPPY RETURNS'
PALE YELLOW REBLOOMING DAYLILIES



← 140 HINTZ
N PROPOSED BED
AROUND SIGN
1/4" = 1' © PLANTHEADS
2015

Gc = GROUND COVER
(SEDUM)
MP = (DWARF) MUGO PINE
R = KNOCKOUT™ ROSE
G = ('KARL FÖRSTER')
GRASS
C = ('BLUE WONDER')
CATMINT
D = ('HAPPY RETURNS')
DAYLILY

SIZES INDICATED
ARE FULL-GROWN,
(AFTER 3+ YEARS)

Exhibit received February 3, 2015

② FLATS OF 24 - SEDUM HYBRIDUM 'IMMERGRÜNCHEN'
EVERGREEN GROUND COVER - YELLOW FLOWERS - ORANGE IN FALL

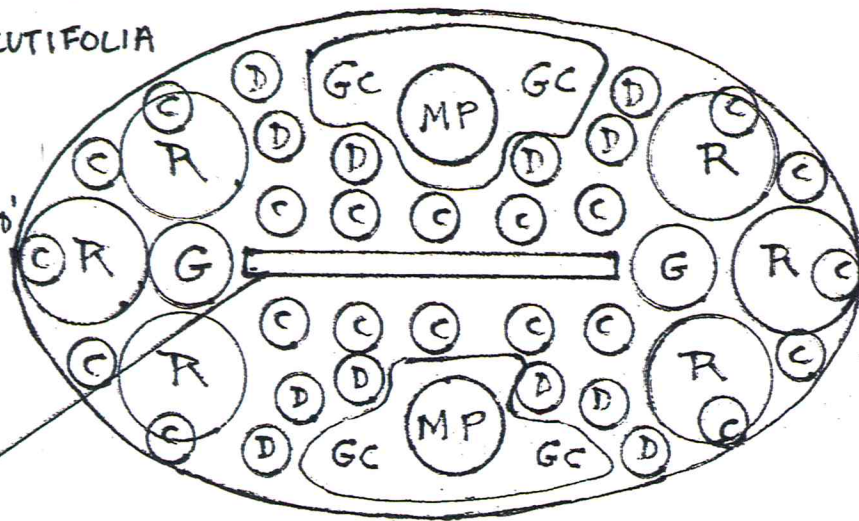
⑥ ROSA KNOCKOUT™ 'RADRAZZ'
HOT PINK SINGLE ROSES - BLOOM JUNE - OCTOBER
LOVELY FALL COLOR - ROSE HIPS WINTER INTEREST

② CALAMAGROSTIS X ACUTIFOLIA
'KARL FÖRSTER'
FEATHER-REED GRASS
WINTER INTEREST

② PINUS MUGO 'SLOWMOUND'
DWARF MUGO PINE

②① NEPETA RACEMOSA
'BLUE WONDER'
SHORT CATMINT

①②
↓
SIGN
HEMEROCALLIS 'HAPPY RETURNS'
PALE YELLOW REBLOOMING DAYLILIES



← 140 HINTZ
N PROPOSED BED
AROUND SIGN
 $\frac{1}{4}'' = 1'$ © PLANTHEADS
2015

Gc = GROUND COVER
(SEDUM)
MP = (DWARF) MUGO PINE
R = KNOCKOUT™ ROSE
G = ('KARL FÖRSTER')
GRASS
C = ('BLUE WONDER')
CATMINT
D = ('HAPPY RETURNS')
DAYLILY

SIZES INDICATED
ARE FULL-GROWN,
(AFTER 3+ YEARS)

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. Casolari, Senior Planner

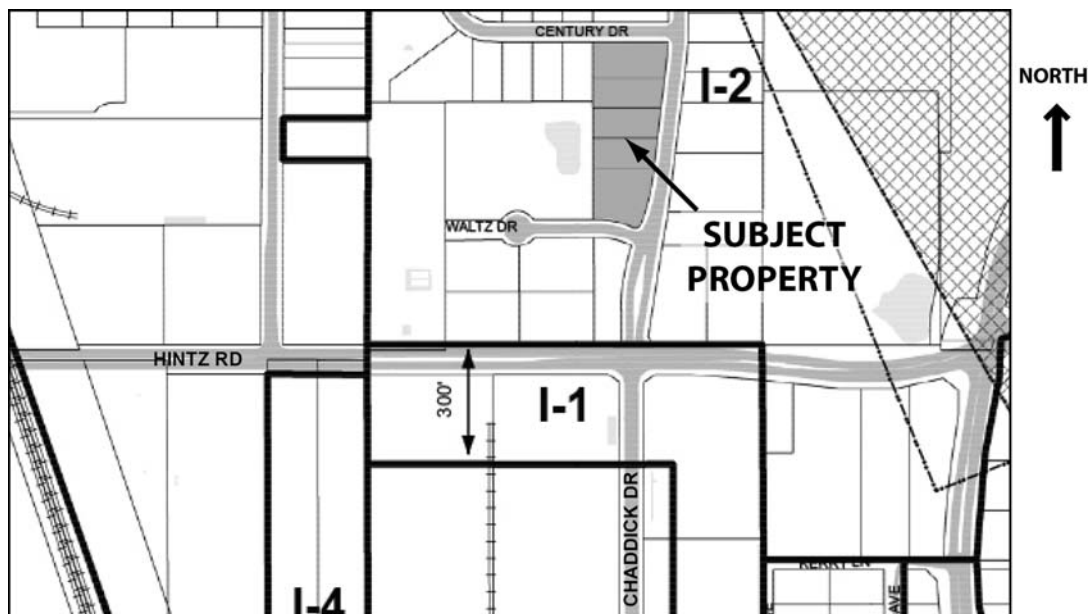
RE: **Docket No. SCBA 18-44**
Viant
690 Chaddick Drive
Appearance Approval of Freestanding & Wall Signs

DATE OF REPORT: October 4, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is seeking appearance approval for one freestanding sign and one wall sign for a corporate ownership change of an existing industrial business.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Signs of Distinction
<u>Property Owner Name:</u>	Viant
<u>Common Property Address:</u>	690 Chaddick Drive
<u>Common Location:</u>	Located at the northwest corner of Chaddick Drive and Waltz Drive.
<u>Neighboring Property Land Use(s):</u>	North: Industrial

West: Industrial
South: Industrial
East: Industrial

Comprehensive Plan Designation:

Industrial

Existing Use of Property:

Industrial – Light manufacturing

Existing Property Zoning:

I-2 Limited Industrial District

Previous Zoning Action on Property:

SCBA 06-36 Appearance of a freestanding sign, 6/8/2006
SCBA 15-6 Appearance approval of a wall and freestanding sign, 2/12/2015
SCBA 17-34 Appearance approval of a freestanding and wall sign, 10/12/2017

PROJECT DESCRIPTION

The petitioner, which manufactures medical devices, is requesting appearance approval to reface an existing monument sign and to replace the existing wall sign.

SIGN REVIEW

Sign Locations: The existing freestanding sign is located along the Chaddick Drive frontage. A replacement wall sign at the east façade of the building is also proposed.

Sign Types and Sizes: The 33 inch by 90 inch tenant panel of the existing freestanding sign will be swapped out to accommodate the new business identity. The new panel will be aluminum with vinyl graphics. The existing structure will remain untouched. The sign is non-illuminated.

A new wall sign is also proposed for the east façade, which faces Chaddick Drive. This sign is comprised of internally illuminated channel letters applied to a white backer panel that includes the business name and logo. The panel is 5'7" by 16'11 9/16" (94.69 sq. ft.) in size. The sign meets the requirements of the Sign Code.

Landscaping: The existing landscaping appears to be compliant with the approved landscape plan, which has been provided by staff. This plan includes an appropriate mix of dwarf evergreens (Mugo Pine), other winter interest (Little Bunny Dwarf Fountain Grass), deciduous shrubs (Knockout roses), ground cover (sedum) and other flowering perennials (catmint).

STAFF REVIEW

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

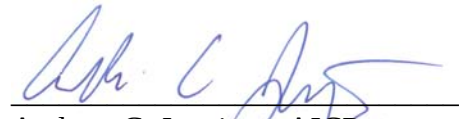
Staff Recommended Action: Staff recommends approval of the proposed freestanding sign.

PROPOSED MOTION

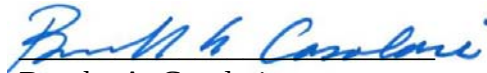
If the Plan Commission finds that the petitioner has satisfied the requirements for appearance approval of the signs, an appropriate motion would be to:

Approve Docket No. SCBA 18-44 to permit modifications to an existing freestanding sign and installation of a wall sign in accordance with the following exhibits submitted September 26, 2018 (excepted as noted) by Signs of Distinction, on behalf of Viant, located at 690 Chaddick Drive, Wheeling, Illinois:

- Monument sign plan,
- East façade wall sign plan, and
- Previously approved landscape plan, 2.3.2015.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

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

[Monument sign plan](#)

[East façade wall sign plan](#)

[Previously approved landscape plan](#)

Viant – 690 Chaddick Drive

Docket No. SCBA 18-44 (Appearance Approval of a Wall & Freestanding Sign)



Existing conditions of façade along Chaddick Drive (looking west)

Viant – 690 Chaddick Drive

Docket No. SCBA 18-44 (Appearance Approval of a Wall & Freestanding Sign)



Existing conditions of freestanding sign along Chaddick Drive (looking northwest)

S11

Monument Panel Overlay (Qty. 1)

Remove existing face from s/f monument. Install new .125" aluminum face painted white with vinyl graphics applied first surface as shown. Screw mount to monument.
Verify if monument is illuminated.



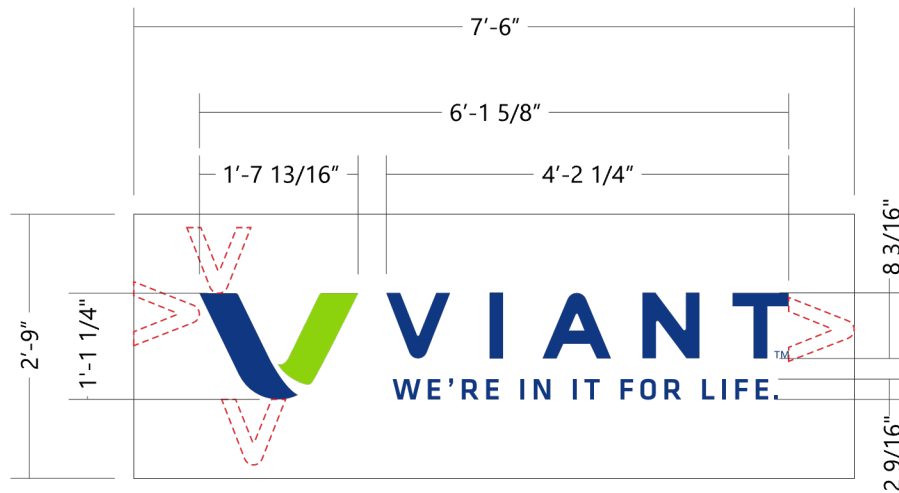
Avery A9592-T Blue vinyl



Avery A9634-O Green vinyl



Paint N202SP White

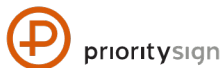


Before



After

Scale | 1/2" = 1'



Revisions:	X
To	Exhibit received September 26, 2018
X	
X	

File Location:	STND
Drive/Clients/	CSTM
AS	CR
EN	

Date:	08/24/2018
Designer:	KB
PM:	DE

City/State:	Wheeling IL
Address:	140 East Hintz Road

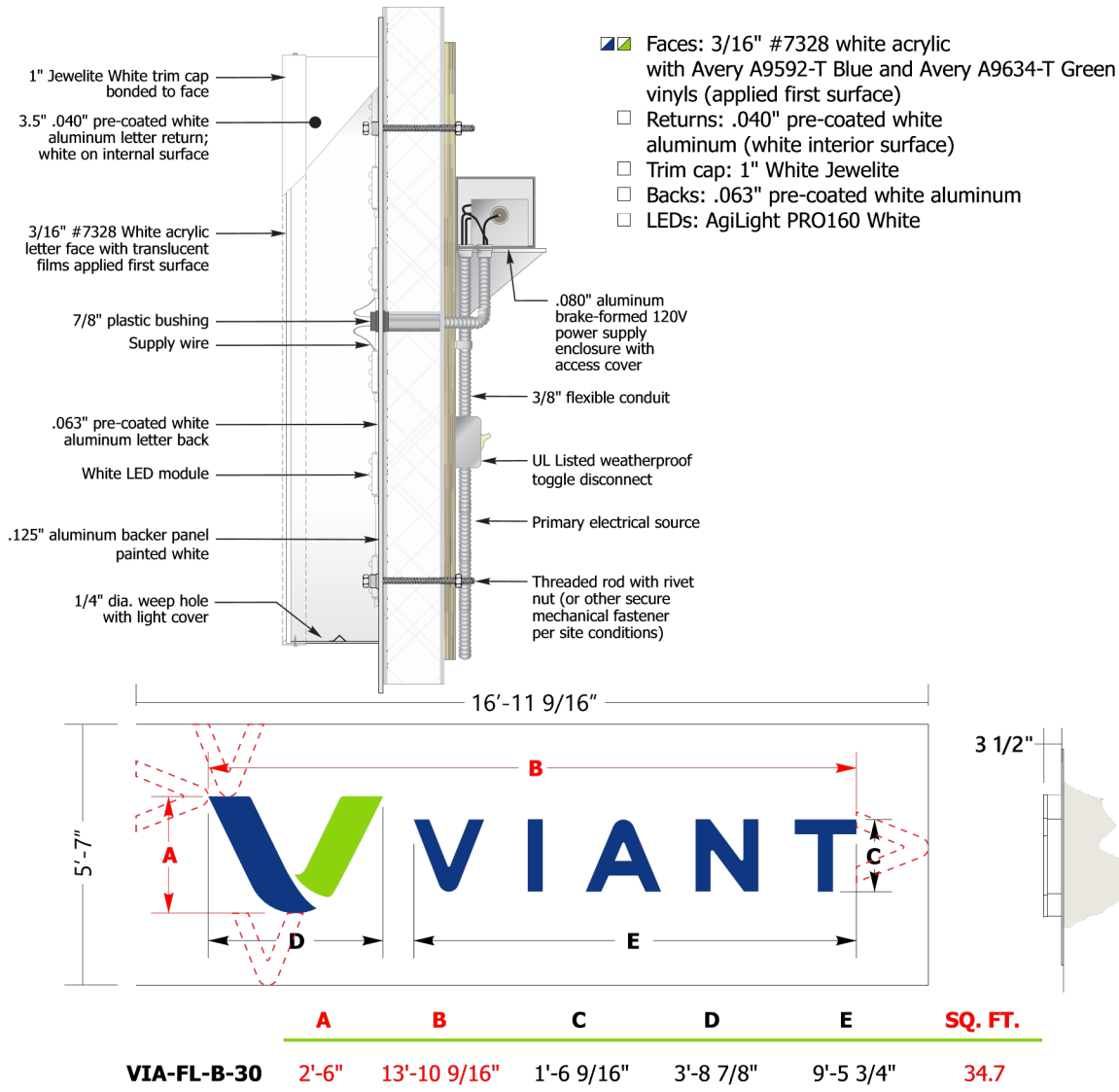
Drawing #	C58299
Site Name	Wheeling IL (140)

S12

Face-Lit Letterset w/Backer Panel | Full Color

Remove existing sign from fascia. Patch and repaint holes as needed.
Install new face-lit letterset on backer panel in same place as existing.

NOTE: Verify that existing sign is illuminated.



Scale: 1/4" = 1'-0"

Before



After



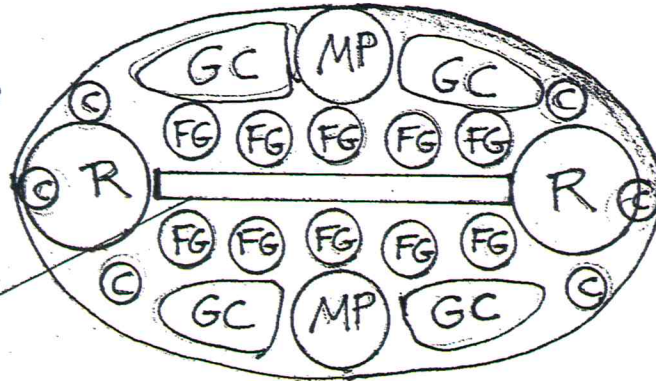
② FLATS OF 24- SEDUM HYBRIDUM 'IMMERGRÜNCHEN'
EVERGREEN GROUND COVER - YELLOW FLOWERS - ORANGE IN FALL

② ROSA KNOCKOUT™ 'RADRAZZ'
HOT PINK SINGLE ROSES - BLOOM JUNE - OCTOBER
LOVELY FALL COLOR - ROSE HIPS WINTER INTEREST

⑩ PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'
DWARF FOUNTAIN GRASS
WINTER INTEREST

② PINUS MUGO 'SLOWMOUND'
DWARF MUGO PINE

⑥ NEPETA RACE MOSSA
'BLUE WONDER'
SHORT CATMINT
SIGN



↗
N
 $\frac{1}{4}'' = 1''$

690 CHADDICK
PROPOSED BED
AROUND SIGN
© PLANTHEADS
2015

GC = GROUND COVER
(SEDUM)

MP = (DWARF) MUGO PINE

R = KNOCKOUT™ ROSE

FG = ('LITTLE BUNNY')
FOUNTAIN GRASS

C = ('BLUE WONDER')
CATMINT

SIZES INDICATED
ARE FULL-GROWN,
(AFTER 3+ YEARS)

Exhibit received February 3, 2015

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. Casolari, Senior Planner

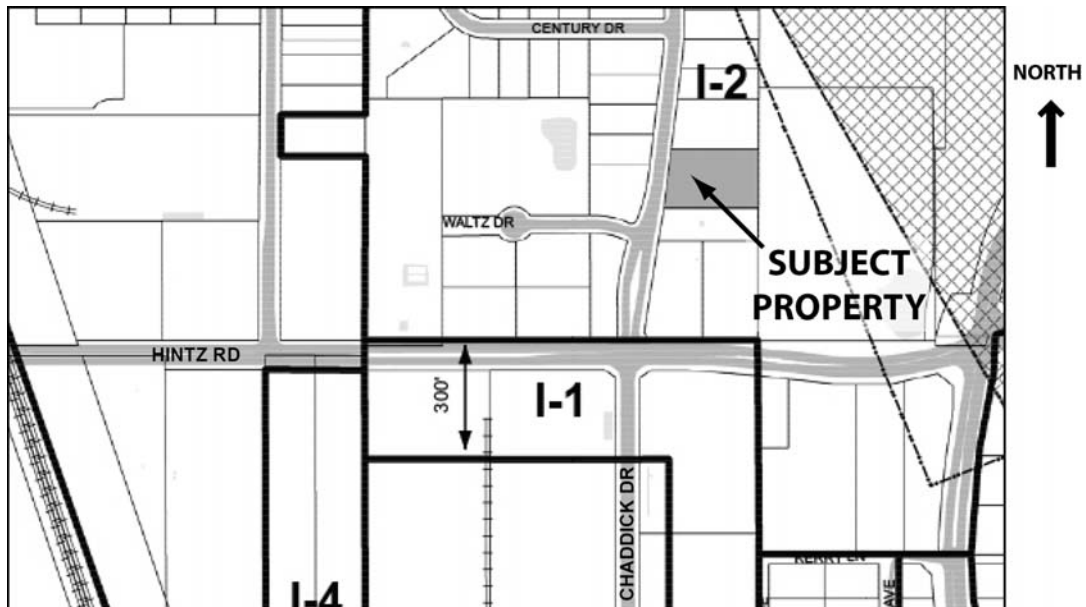
RE: **Docket No. SCBA 18-45**
Viant
723 Chaddick Drive
Appearance Approval of a Freestanding Sign

DATE OF REPORT: October 4, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is seeking appearance approval for one freestanding sign for a corporate ownership change of an existing industrial business.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Signs of Distinction
<u>Property Owner Name:</u>	Viant
<u>Common Property Address:</u>	723 Chaddick Drive
<u>Common Location:</u>	Located on the east side of Chaddick Drive, north of Waltz Drive and south of Century Drive.
<u>Neighboring Property Land Use(s):</u>	North: Industrial

West: Industrial
South: Industrial
East: Industrial

Comprehensive Plan Designation:

Industrial

Existing Use of Property:

Industrial – Light manufacturing

Existing Property Zoning:

I-2 Limited Industrial District

Relevant Zoning Action on Property:

SCBA 03-14	Appearance approval of a freestanding sign, 3/27/2003
SCBA 15-5	Appearance approval of a freestanding sign, 2/12/2015
SCBA 17-35	Appearance approval of a freestanding sign, 10/12/2017

PROJECT DESCRIPTION

The petitioner, which manufactures medical devices, is requesting appearance approval to reface an existing monument sign.

SIGN REVIEW

Sign Location: The existing freestanding sign is located along the Chaddick Drive.

Sign Type and Size: The 33 inch by 90 inch tenant panels of the existing double-sided freestanding sign will be swapped out to accommodate the new business identity. The new panel will be aluminum with vinyl graphics. The existing structure will remain untouched. The sign is non-illuminated.

Landscaping: In 2015, the existing monument sign was approved for modifications by the Plan Commission. At that time, a landscape plan was not provided. However, the petitioner described the existing landscaping as having two Emerald Gaiety Wintercreeper (evergreen winter interest), at least ten catmint plants (flowering perennials), and a few ornamental grasses. All of the plants were located in an oval edged bed with brown mulch. To provide additional color, at staff's suggestion, the Plan Commission approved the existing landscaping with the following condition of approval: "Two additional knockout rose plants shall be installed at the base of the sign." It appears that the existing landscaping is in compliance with the 2015 approval of the Plan Commission.

STAFF REVIEW

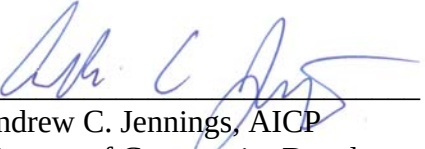
Impact on Adjacent Uses: No impact on adjacent uses is expected.

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

PROPOSED MOTION

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

Approve Docket No. SCBA 18-45 to permit modifications to an existing freestanding sign in accordance with the following plan submitted September 26, 2018, by Signs of Distinction, on behalf of Viant, located at 723 Chaddick Drive, Wheeling, Illinois:



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

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

 [Monument sign plan](#)

Viant – 723 Chaddick Drive

Docket No. SCBA 18-45 (Appearance Approval of a Freestanding Sign)



Existing conditions of freestanding sign along Chaddick Drive (looking north)

S5

Monument Panel Overlay (Qty. 2)

Remove existing faces from d/f monument. Install new .125" aluminum faces painted white with vinyl graphics applied first surface as shown. Screw mount to monument.

Verify if monument is illuminated.



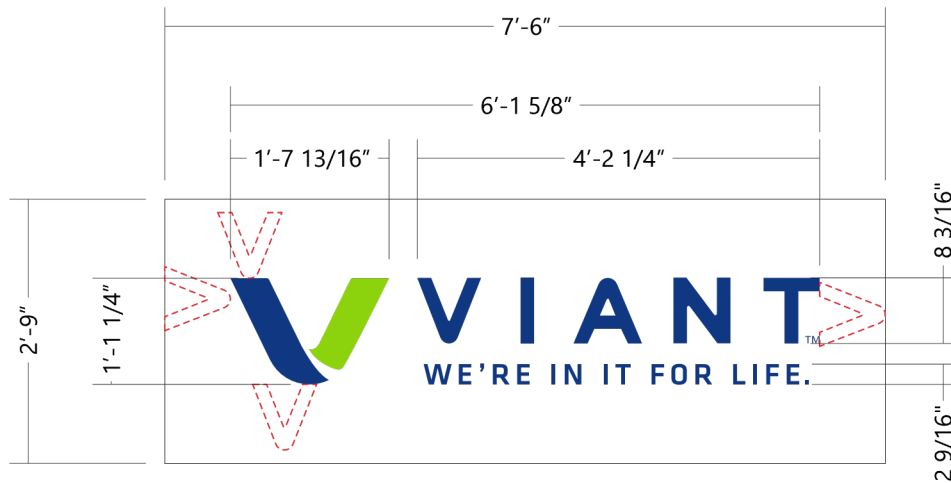
Avery A9592-T Blue vinyl



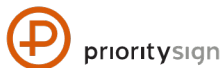
Avery A9634-O Green vinyl



Paint N202SP White



Scale | 1/2" = 1'



Revisions:	X
Tagline	
X	Exhibit received September 26, 2018
X	
X	

File Location:	STND
Drive/Clients/	CSTM
AS	CR
EN	

Date: 08/24/2018

Designer: KB PM: DE

City/State: Wheeling IL

Address: 140 East Hintz Road

Drawing #

Site Name

C58299

Wheeling IL (140)

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. Casolari, Senior Planner

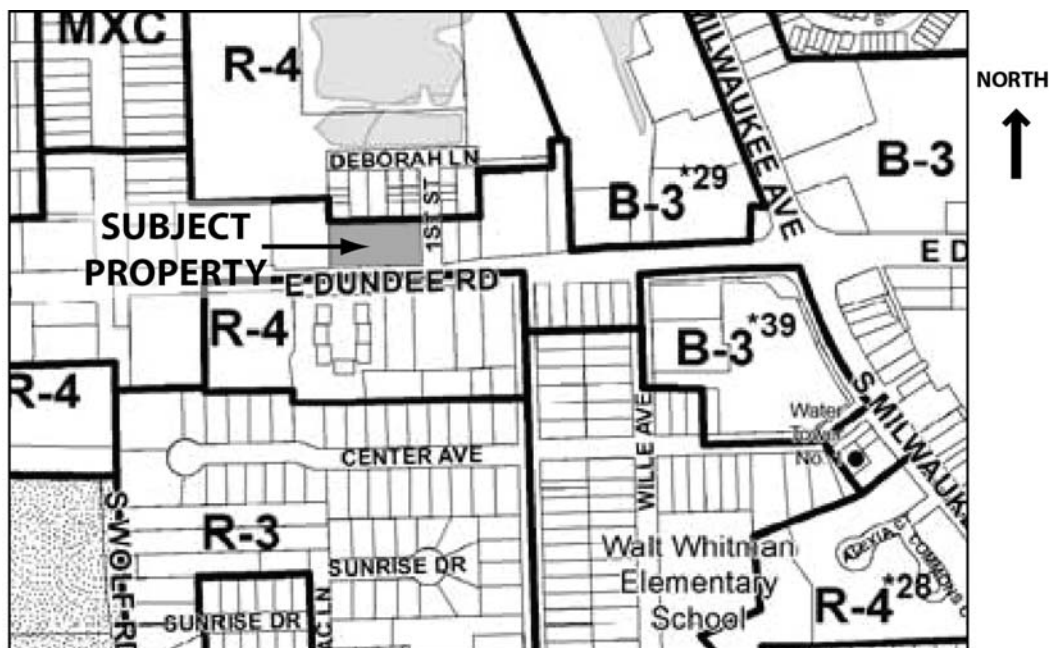
RE: **Docket No. SCBA 18-46**
KFC / Taco Bell
150 E. Dundee Road
Appearance Approval of Wall and Freestanding Signs

DATE OF REPORT: October 4, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is seeking appearance approval for modifications for new wall signs and freestanding signs for the existing KFC and Taco Bell, which are located at 150 E. Dundee Road.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Development Name:</u>	KFC / Taco Bell
<u>Applicant/Owner Name:</u>	Design Group Signage
<u>Common Location:</u>	North side of Dundee Road, west of First St.
<u>Existing Use of Property:</u>	Restaurant / fast food with drive-through
<u>Existing Property Zoning:</u>	B-3, General Commercial District

Previous Relevant Zoning Action on Property:

PC 18-8 Minor site plan and appearance approval of site and building modifications (5.24.2018).

DESCRIPTION OF PROPOSAL

Interior and exterior renovations to the existing drive-through restaurant are currently underway. The site accommodates both Taco Bell and KFC. The Plan Commission recently approved minor site plan and appearance modifications to the building and site. At this time, the petitioner is requesting appearance approval of new signs that will match the rebranding of the site.

SIGNAGE PLAN REVIEW

Signage Locations: Two wall signs are proposed. One sign will be located on the west façade, which faces the parking lot, and the other will be located on the south façade facing Dundee Road. The existing monument sign, which is located along Dundee Road, will also be modified.

Proposed Signage Size, Style and Type: Two different types of wall signs are proposed. The first sign, which is located on the west façade, will be for KFC and will be a painted stencil. The size of the sign is a 17.72 sq. ft. circle. The south facing sign, the primary sign, will include business identification for KFC and Taco Bell. The south sign includes internally illuminated channel letters only. The Taco Bell sign will appear black in daylight and will be illuminated as white at night. The Taco Bell sign has an area of 10.72 sq. ft. The KFC sign has red faces and is 14.21 sq. ft. in area. The total area of the primary sign is 24.93 sq. ft.

The applicant is also proposing to reface the existing monument sign. The double-sided sign has 45.70 sq. ft. tenant panels for each face. The sign represents both restaurants.

The proposed signs meet the size requirements of the code.

Landscaping: A landscape plan is provided for the modifications to the existing monument sign. The area of the landscaping exceeds the requirements of the Sign Code. The proposed landscape plans meet the species mix requirements of the Sign Code. It includes dwarf evergreens and winter interest (dense yew), deciduous shrubs (Knockout Rose), ground cover (Periwinkle), and annuals. There are many other existing shrubs in the vicinity of the sign.

STAFF REVIEW

Impact on Adjacent Uses: No significant impact is anticipated on adjacent uses.

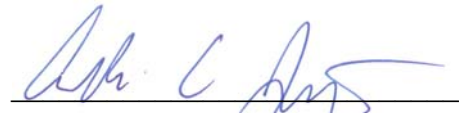
Staff Recommended Action: Staff recommends approval of the proposed wall and freestanding signs.

PROPOSED MOTION

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

Approve Docket No. SCBA 18-46 to permit the installation of the wall and freestanding signs in accordance with the following exhibits submitted August 31, 2018 (except as noted), for KFC and Taco Bell, which are located at 150 E. Dundee Road Wheeling, Illinois:

- Elevation sign plan,
- KFC west sign plan,
- KFC south wall sign plan,
- Taco Bell south wall sign plan, and
- Landscape plan, 9.28.2018.



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

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

[Elevation sign plan](#)

[KFC west sign plan](#)

[KFC south wall sign plan](#)

[Taco Bell south wall sign plan](#)

[Landscape plan](#)

Taco Bell / KFC – 150 E. Dundee Road

Docket No. SCBA 18-46 (Appearance Approval of Wall and Freestanding Signs)



Existing conditions of front façade – looking north

Taco Bell / KFC – 150 E. Dundee Road

Docket No. SCBA 18-46 (Appearance Approval of Wall and Freestanding Signs)



Existing conditions of freestanding sign – looking east

Taco Bell / KFC – 150 E. Dundee Road

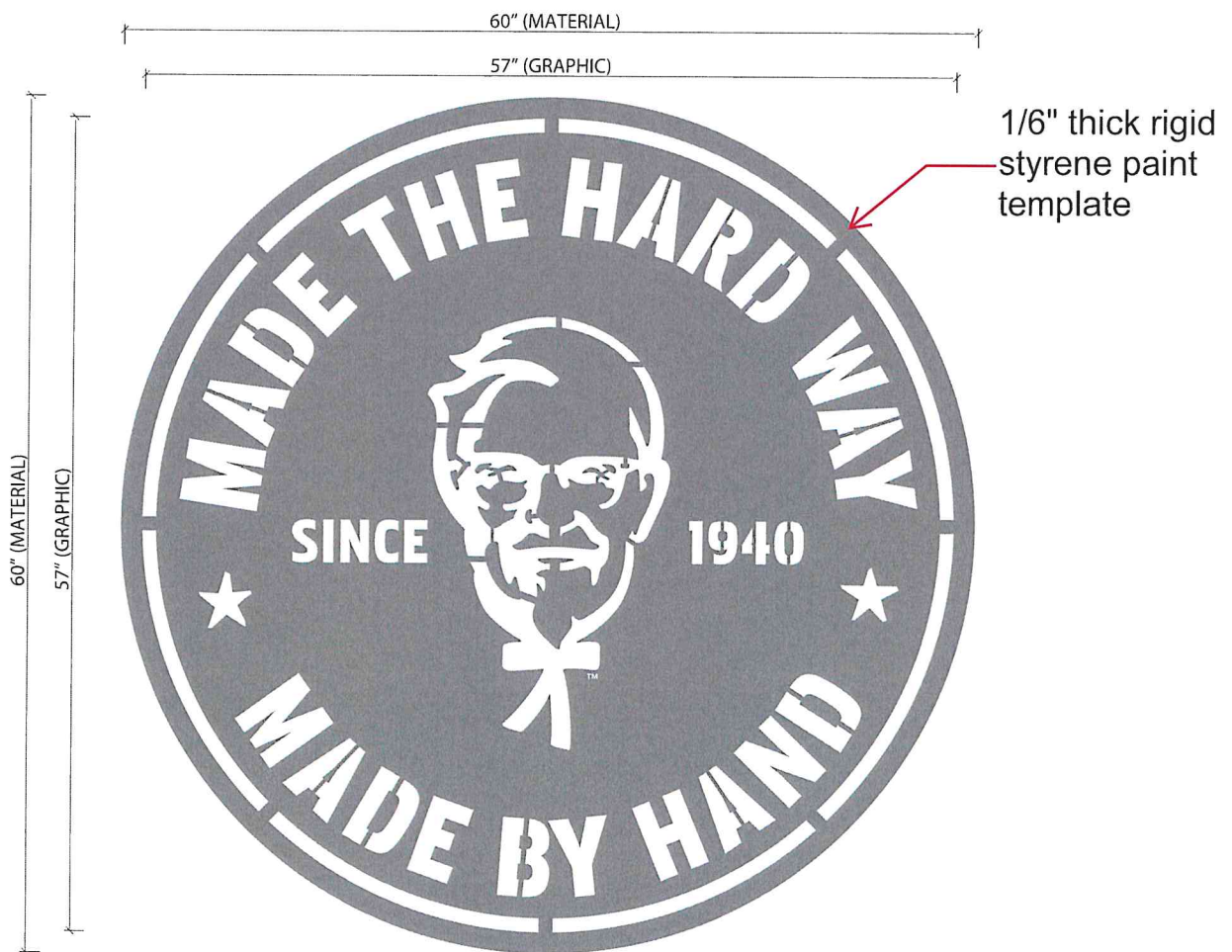
Docket No. SCBA 18-46 (Appearance Approval of Wall and Freestanding Signs)



Existing conditions of side façade – looking east



57" DIA. ROUND GRAPHIC - NTS



PAINT TEMPLATE - NTS

Exhibit received August 31, 2018

NOT FOR CONSTRUCTION
JULY 2015





SIGN SPECIFICATIONS

Materials

- .118" #7328 White acrylic w/ 3/4" trim cap; KFC Gray Alum. channel 5" deep w/ KFC Gray finish

Decoration

- 3m 3630-53 Rich Red Vinyl

Accesses

- Remove sign face

Area

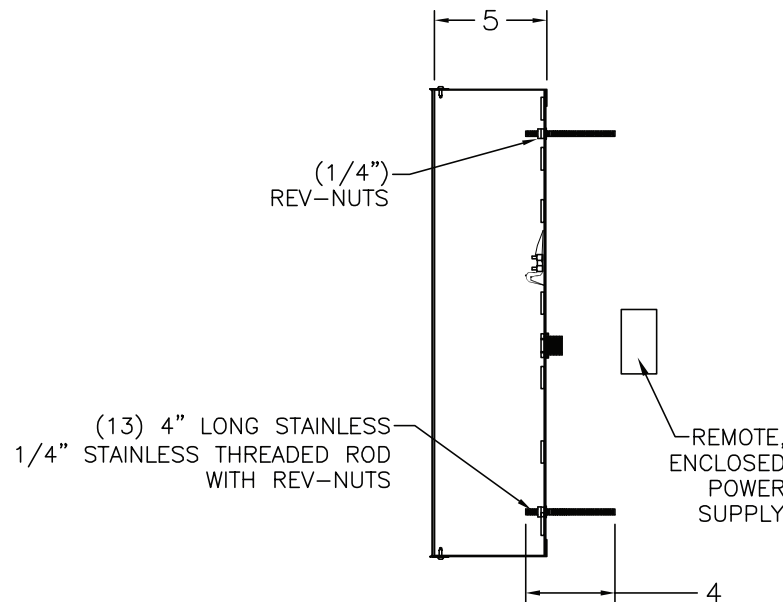
- Squared: 14.2 Sq.Ft.

Weight (Est.)

- 156 lbs. (Crated)
- 41 lbs. (Uncreated)

Wind Load

- 110 MPH wind speed 3 second gust - exposure C.



ELECTRICAL SPECIFICATIONS

Lighting

- Red LEDs

Power supply

- (1) LED 60 watt; 12 volt

Line Load

- .9 Amps @ 100-277v
- (1) 20 Amp circuit, 60 Hz UL 48 & NEC Compliant

COLOR SPECIFICATIONS

Interior: Paint white

Exterior: Paint KFC Gray

Graphic & Color Specifications

Color	PMS	3M
Rich Red		3630-53
KFC Gray		

These product sheets are the exclusive property of Everbrite LLC. Use of this property in any manner without express written permission of Everbrite LLC is prohibited. Drawings are for graphic purposes only and not intended for actual construction. For more specific manufacturing detail, please refer to engineering specifications and install drawings.



Everbrite LLC
4949 S 110th Street, Greenfield, WI 53220
Phone: 414-529-3500 • Fax: 414-529-7191
Website: www.everbrite.com

Part No: E007028B

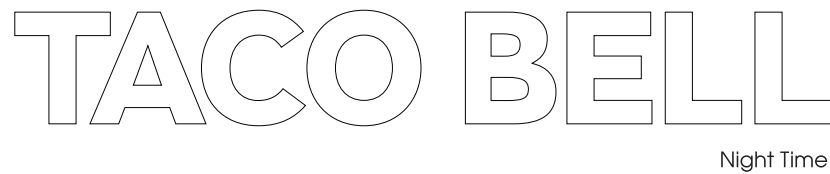
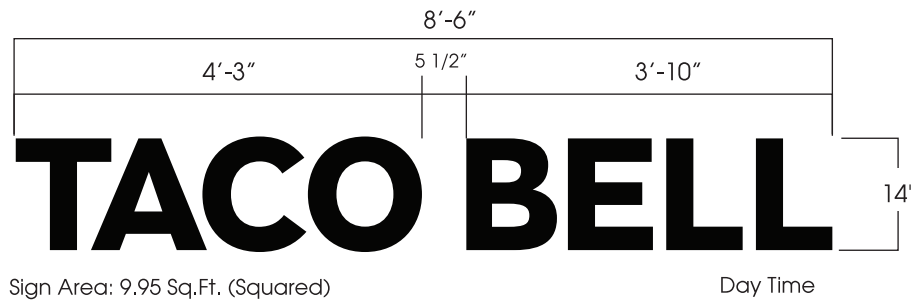
Description:
24" Pin Mounted LED Channel Letter Set

Project No: 334827

Date: 9/10/15

Exhibit received August 31, 2018



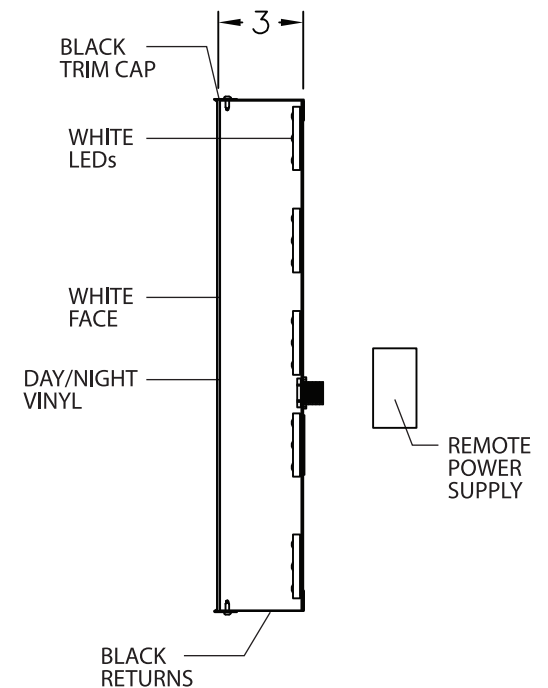
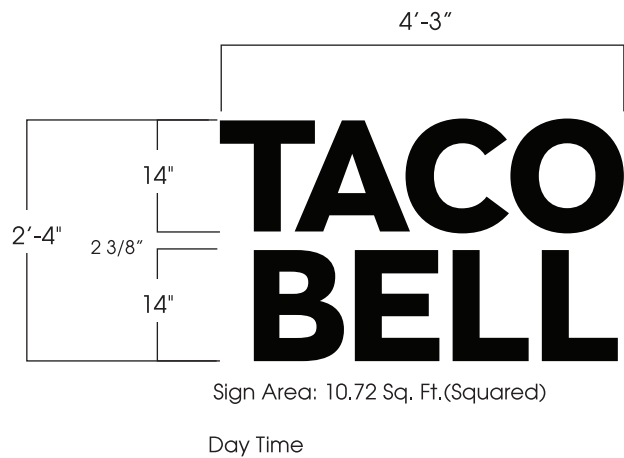


GENERAL SPECIFICATIONS:

3" aluminum returns & trim cap w/
black finish
Internally illuminated w/ white LEDs

COLORS (Letters):

Black/White - Day/Night acrylic faces



These product sheets are the exclusive property of Everbrite LLC. Use of this property in any manner without express written permission of Everbrite LLC is prohibited. Drawings are for graphic purposes only and not intended for actual construction. For more specific manufacturing detail, please refer to engineering specifications and install drawings.



Everbrite

Everbrite LLC
4949 S 110th Street, Greenfield, WI 53220
Phone: 414-529-3500 • Fax: 414-529-7191
Website: www.everbrite.com

Part No: E009592

V-941

Project No: 350970-1

Description:
14" Channel Letter Set

Date: 12/2/16

Exhibit received August 31, 2018



PLANT SCHEDULE

Key	Botanical Name	Common Name	Quantity	Size	Condition	Remarks
EVERGREEN SHRUBS TM	TAXUS X MEDIA 'DENSIFORMIS'	DENSE YEW	10	24 in	#5 CONT.	18" ON CENTER
DECIDUOUS SHRUBS RR	ROSA 'RADRAZZ'	RADRAZZ KNOCKOUT ROSE	19	24 IN	#3 CONT.	24" ON CENTER
ANNUAL FLOWERS VI	VIOLA X WITROCKNIA	PANSY	44 SF	12 IN	3.5" POT	8" ON CENTER
GROUND COVER VM	VINCA MAJOR	PERIWINKLE	10	12 IN	#1 CONT.	18" ON CENTER

LEGEND OF EXISTING FEATURES

---	PROPERTY LINE	+	BENCHMARK
---	RIGHT-OF-WAY LINE	o	MONUMENT
---	SETBACK LINE	Δ	SECTION CORNER
---	EASEMENT	T	TRANSFORMER
---	SECTION LINE	E	ELECTRIC METER
---	CENTERLINE	⊗	ELECTRIC MANHOLE
---	INTERMEDIATE CONTOUR	⊗	POWER POLE GUY WIRE
---	INDEX CONTOUR	☆	LIGHT POLE
---	TELEPHONE UNDER GR.	⊗	PARKING LOT LIGHTS
---	TELEPHONE OVERHEAD	⊗	TELEPHONE PEDESTAL
---	FIBER OPTIC SERVICE	⊗	TELEPHONE MANHOLE
---	GAS SERVICE	⊗	FIBER OPTIC PEDESTAL
---	POWER UNDERGROUND	⊗	TRAFFIC POLE MANHOLE STOP LIGHT
---	POWER OVERHEAD	⊗	GAS METER
---	WATER SERVICE	⊗	GAS VALVE
---	SANITARY SEWER	⊗	STORM MANHOLE
---	STORM SEWER	⊗	SANITARY MANHOLE
---	POND NORMAL POOL	⊗	STORM INLETS
---	EX. FLOWLINE	⊗	STORM ENDSECTION
---	CHAIN LINK FENCE	⊗	CLEAN-OUT DOWNSPOUT
---	FARM FENCE	⊗	FIRE HYDRANTS
---	WOOD FENCE	⊗	FIRE VALVE
---	IRON FENCE RAILING	⊗	WATER METER
---	BUILDING STRUCTURE	⊗	WATER VALVES
---	EX. BUILDING OVERHEAD	⊗	POST INDICATOR VALVE
---	RIM ELEVATION	⊗	FIRE DEPARTMENT CONN.
---	INVERT ELEVATION	⊗	SIGNS
---	FINISHED FLOOR ELEVATION	⊗	MAILBOX
---		⊗	ADA PARKING
---		⊗	PARKING COUNT
---		⊗	TREES
---		⊗	SHRUB
---		⊗	SPOT GRADE

LANDSCAPE LEGEND - PROPOSED

---	HARDWOOD MULCH	⊗	EVERGREEN TREE
---	PERMANENT SEEDING	⊗	DECIDUOUS TREE
---	SOD	⊗	DECIDUOUS TREE
---	PERENNIAL PLANTINGS	⊗	ORNAMENTAL TREE
---	LANDSCAPE EDGING	⊗	ORNAMENTAL TREE
---	DECIDUOUS SHRUB	⊗	ORNAMENTAL TREE
---	DECIDUOUS SHRUB	⊗	ORNAMENTAL TREE
---	EVERGREEN SHRUB	⊗	MULTI-STEM TREE
---	ORNAMENTAL GRASS	⊗	
---	PLANT TAG	⊗	

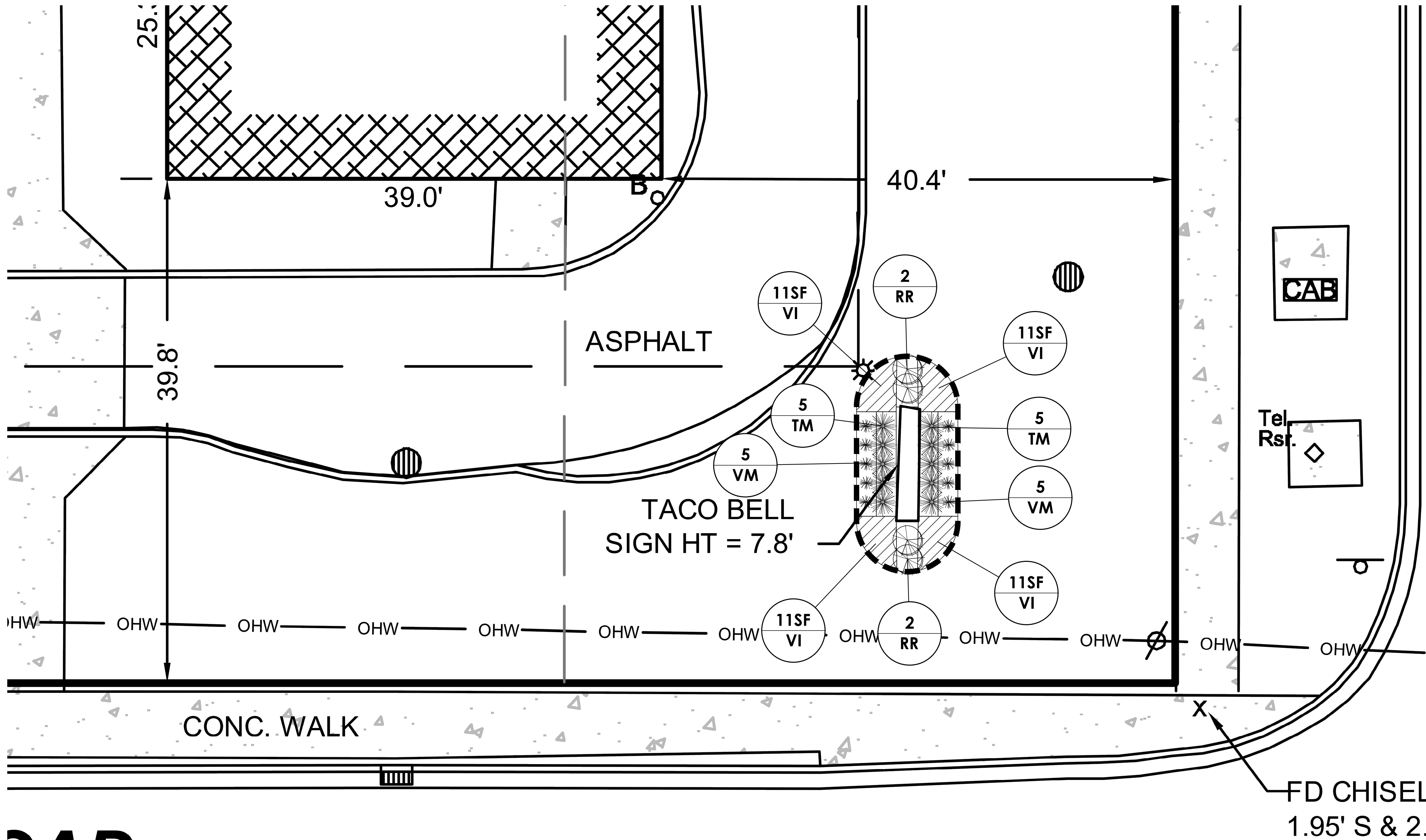


Exhibit received September 28, 2018

DATE
09-11-2018

DRAWN BY
TCW

CHECKED BY
TCW

HAMILTON
DESIGNS
A LIMITED LIABILITY COMPANY

11988 Fishers Crossing Drive, Suite 154
Fishers, Indiana 46038
P: (317) 570-8800
www.hamilton-designs.com

CONSTRUCTION PLANS FOR:
TACO BELL | WHEELING
150 E DUNDEE ROAD
WHEELING, IL 60090

BELL AMERICAN GROUP, LLC
8930 Bath Street, Suite 1
Indianapolis, Indiana 46256

PROJECT NO.
2018-265

DATE
09-11-2018

SCALE
1" = 5'

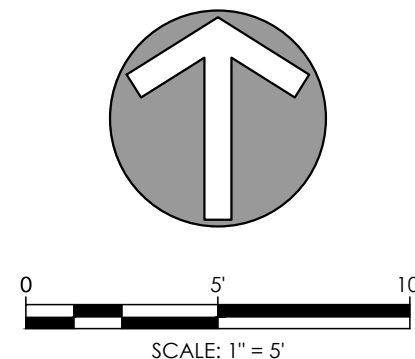
SHEET NAME
**LANDSCAPE
PLAN**

SHEET NO.

LP-101



Know what's below.
Call before you dig.



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. Casolari, Senior Planner

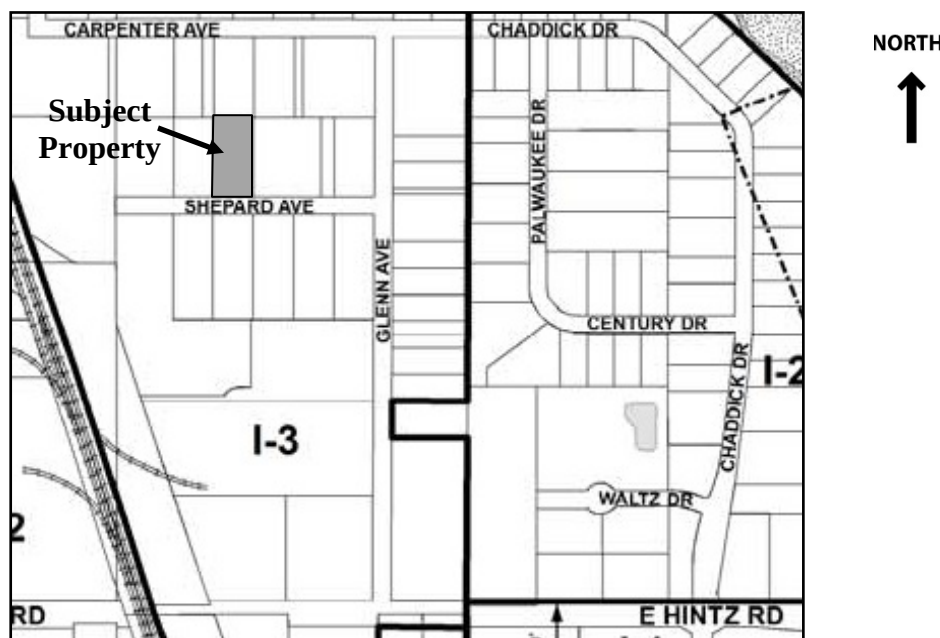
RE: **Docket No. 2018-24A&B**
Auto Cars Imports
170 Shepard
(2018-24A) Variation from Title 19, Zoning, Regarding
Required Parking
(2018-24B) Special Use-Site Plan Approval of a Light
Motor Vehicle Repair Facility

DATE OF REPORT: October 5, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is seeking multiple zoning actions to establish a light motor vehicle repair shop at an existing multi-tenant industrial building at 170 Shepard Avenue. The petitioner requests special use approval for a light motor vehicle repair facility and is seeking a zoning variation to reduce the required amount of parking for the proposed use. The hearing was continued on September 13th to October 11th.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

Applicant Name: Auto Cars Imports LTD.

Property Owner: Ryan McNaughton, Court Appointed Receiver

<u>Common Location:</u>	Located on the north side of Shepard Avenue, which is west of Glenn Avenue
<u>Neighboring Property Land Use(s):</u>	North: Industrial West: Industrial South: Industrial East: Industrial
<u>Comprehensive Plan Designation:</u>	Industrial
<u>Property Size:</u>	44,850 sq. ft. (property); 21,000 sq. ft. (building); 10,200 sq. ft. (subject unit).
<u>Existing Use of Property:</u>	Vacant
<u>Proposed Use of Property:</u>	Light Motor Vehicle Repair Facility
<u>Existing Property Zoning:</u>	I-3 General Industrial District
<u>Previous Zoning Action on Property:</u>	Ord. No. 2490 granted a zoning variation for the height of a cell tower structure (11/7/1988). Ord. No. 2491 granted a special use for a cell tower (11/7/1988). Ord. No. 3498 granted a zoning variation for the height of a cell tower structure (10/16/2000). Ord. No. 3542 granted a special use for a cell tower (4/9/2001).

DESCRIPTION OF PROPOSAL

The tenant, Auto Cars Imports, which is an auto repair shop that is relocating from Northbrook, is seeking two zoning requests:

1. Special use-site plan approval for a light motor vehicle repair facility; and
2. A zoning variation to reduce the amount of required parking for a light motor vehicle repair facility.

The applicant intends to occupy approximately half of the building. A total of eight vehicle lifts for vehicle repair are illustrated on the floor plan. No outdoor storage is planned. Outdoor parking is available on the west side of the building and in front of the building. All auto repair work will be conducted indoors. The hours of operation are Monday through Friday, 8am to 6pm. There are eight employees. At this time, additional parking is also proposed on the east side of the building and within the building.

SUMMARY OF SEPTEMBER 13TH PLAN COMMISSION REVIEW

On September 13th the Plan Commission reviewed the proposal and continued the hearing so that the petitioner could revise and clarify plans. The following is a list of suggestions from the Plan Commission with staff updates provided in bold:

1. Revise floor plan based upon desired design and intended use. **A revised floor plan is provided that indicates reconfiguration of the southern half of the building for 15 indoor parking stalls. The Fire Department has concerns that the proposed configuration does not comply with the exiting requirements of the Fire Prevention**

Code. Planning staff has concerns that the lift and indoor parking configuration is not operational.

2. If additional parking is planned outdoors, provide an accurate, scaled and dimensioned plan to show location and size of parking stalls. **The proposed angled outdoor parking does not meet the minimum drive aisle and parking stall dimensions of the Village Code. While the Engineering Division suggests this area may be striped to accommodate some parallel parking, the Fire Department recommends against all parking on the east side of the building because it would potentially block building exiting and access to the utilities.**
3. Describe in writing your willingness to make property improvements upon ownership of property. **In the cover letter, the petitioner describes future improvements such as blacktopping and re-striping.**
4. Designate location of trash. **A floor plan has been provided that indicates indoor storage of the container at the southwest corner of the building.**

SITE PLAN REVIEW

Scale of site plan: 1 = 20'

General site layout: New parking is designated on the east side of the building. However, based upon the Fire Department comments, which indicate the parking will block building exits and utilities, staff suggests not allowing parking on the east side of the property. No other exterior site changes are proposed.

Floor plan: The floor plan submitted for the September 13th hearing identifies a mix of uses within the unit including office, warehouse, and auto repair. A total of eight auto repair lifts are included in the facility. Staff had computed the total uses of the unit as follows:

- Auto repair – 5,800 sq. ft.
- Warehouse – 3,600 sq. ft.
- Office – 800 sq. ft.

Since September 13th, the applicant has attempted to revise the floor plan to condense auto repair space and to create indoor parking. Two new floor plans are provided. One shows the new indoor location of the trash enclosure. This plan also indicates the new locations of the eight proposed lifts. Parking is shown in several southern portions of the unit. The floor plan was then refined to show the exact indoor parking configuration. However, on this parking plan, the lifts and other uses of the building are not shown. The overhead garage doors in the northern part of the unit, which is where the vehicle lifts are located, are no longer shown on the two new floor plans. Staff has noticed that the two lifts proposed for the east side of the building are located in front of the overhead garage doors.

Staff believes that the revised floor plans are not operationally feasible for the following reasons:

- Two lifts are now located in front of overhead garage doors, blocking access;
- Four parking stalls are located at the southeast corner of the building, but have no access from overhead garage doors; and

- The Fire Department has indicated that the proposed indoor parking configuration does not comply with the exiting requirements of the Fire Prevention Code. A minimum of three feet of spacing is required to comply with the exiting requirements.

Total Number of Parking Spaces: Staff has no updates to the parking analysis since September 13th. Since the proposed plans do not appear operational or consistent, staff cannot provide a new tally of the number of parking spaces that will be provided by the new plans.

Analysis from September 13th: There are only 24 outdoor parking stalls on the property. The notes on the site plan indicate that all outdoor parking is shared, except for two stalls that are specifically allocated to units. Six are located in the front yard and the remaining 18 stalls are located on the west side of the property. The rear and east side of the building must remain clear as a fire lane. There is one existing tenant and a vacant unit in the building. These non-auto repair units are counted at a parking ratio of 2/1,000 sq. ft., which is the parking requirement for spec industrial and for manufacturing uses. For a total of 10,800 sq. ft., these other units at the subject property require 22 spaces by code.

An auto repair shop is proposed for the remaining 10,200 sq. ft. of space. The specific uses of the subject unit have been identified under the floor plan section of the staff report. Auto repair requires parking at 6/1,000 sq. ft. plus one space for each employee (eight) during peak shift. This equates to 42.8 spaces. The warehouse portion of the subject unit requires parking at 1/1,000 sq. ft., which equates to 3.6 spaces. The office portion of the subject unit requires parking at 4/1,000 sq. ft., which equates to 3.2 spaces. The total parking requirement for the subject unit is 50 parking stalls.

In addition to the existing 24 on-site parking stalls, the proposed use includes eight auto repair lifts. If these lifts are counted as parking stalls, as they can absorb one vehicle each, then the total available parking spaces for the subject property is 32.

In sum, the subject property requires 50 spaces for the proposed auto repair business and 22 spaces for the remaining units, which totals 72 parking stalls. A total of 32 parking stalls will be provided. Therefore, the total required parking variation for the proposed use is 40.

Bicycle parking: There is no existing or proposed bicycle parking.

Lighting: No changes are proposed to the existing site lighting. Since no site changes are proposed, it is likely that the existing lighting is adequate for the proposed use.

Trash Enclosure: A plan is provided that indicates the trash enclosure will be stored indoors.

Landscaping: A landscape plan is not provided. The cover letter indicates general maintenance to the site landscaping will be the responsibility of the applicant. In addition, the cover letter from September 13th states the applicant “will beautify the property with seasonal flowers and plants.” The Plan Commission may wish to discuss if a landscape plan shall be required.

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.)

“Auto Cars Imports has been a family owned business with top ratings and reviews for over 50 years. Our services would benefit and support the nigh number of residents and employees of the community, who utilize one or more vehicles. The business brings experienced automotive mechanics that have been with the company for many years.”

As noted by the petitioner’s description above, the proposed tenant will provide an experienced light auto repair facility for the residents and businesses of Wheeling.

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.)

“Auto Cars Imports has great respect for their customers and neighbors alike, business or residential. We do not utilize tools or machines that disrupt in any way. Our customers who utilize our waiting area are able to have a quiet peaceful experience, no less our neighbors outside the building. We will not alter the character of the area but will work with the Village, our neighbors, the residents to only make it better. The business will be in an industrial area with the proper zoning.”

The immediate vicinity is all zoned I-3 General Industrial District with a mix of light, medium and heavy industrial uses. Provided the applicant demonstrates adequate parking is provided, the proposed vehicle repair facility will be complementary to the existing uses.

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 Special Use Permit will not hinder any development of the surrounding area. We have found a property that isn’t too small for our business but a property that we believe will fit the business perfectly, with room to grow and advance. We do not anticipate any conflicts with the adjacent properties, matter of fact we expect quite the opposite and welcome any feedback to work hand in hand with our neighbors. When shop noise is created, it is only during business hours and kept to a minimum with no outside distractions.”

Prior to making a determination that this standard is met, the Plan Commission should discuss if the size and intensity of the proposed use is met by adequate parking for customers, employees, and vehicle storage.

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 existing structure of the building will not be altered. The property will be well maintained (i.e. landscaping, snow removal) regularly. The business will not prevent the development of adjacent property or any other business.”

There is limited landscaping on site. The Plan Commission should discuss if additional landscaping is required.

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 no homes for parking to be a concern. Adequate parking is within this property. The driveways are assigned for safe access, in and out of the business property. No congestion will be caused from the day to day operations of the business as we have a system in place for vehicle drop-off and pick-up service. No visitors nor employees will need to access the site through residential streets.”

A substantial parking variation is required for the proposed special use. The proposed use has a parking requirement of 50. However, there are only 32 parking spaces provided. These 32 spaces must also be shared with the remaining 10,800 sq. ft. of tenant space.

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.)

“Per Village requirements, a special use permit is required for automotive repair. Therefore, without the permit our business could not operate.”

In addition to the proposed special use, the petitioner is requesting a variation from the required amount of parking for a light motor vehicle repair facility.

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.

"The hardship of not having a special use permit would mean that Auto Cars Imports could not operate as a business at this location. This would be more than inconvenience; it is a hardship on the business. Our business would fail at this location with the special use permit because we could not open the doors to the business and operate the day to day tasks."

There is very little open space on the property to build additional parking. At best, perhaps four additional parking spaces could be built in the front yard. But this would still result in the necessity of a parking variation for the proposed use.
2. Indicate how the hardship is due to unique circumstances that do not generally apply to the other properties or uses.

"Auto Cars Imports is a specialty business that requires a Special Use Permit and a parking variation, without it we are unable to do business at this location. It would be a hardship to the business not to be granted a Special Use Permit. Other companies in the area are industrial also but do not require special use permits due to zoning already allowing their businesses to operate and not being a specialty business that needs a permit."

As described in the cover letter by the applicant, the business services an average of no more than 10 vehicles per day. Assuming parking is needed for the 10 customers that drop-off and pick-up their vehicles, the 10 vehicles serviced daily, and for the eight employees, the total demonstrated parking demand for the proposed use is 28, not 50 as required by code. However, this would still result in parking deficit for the property.
3. Describe how the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

"There is no difficulty or hardship created by any person presently having an interest in the building/property located at 170 Shepard. The hardship is due to the specific business, automotive repair which requires a special use permit. Without the permit, we are unable to assist our customers and open our doors to the business."

The hardship is two-fold: First, the hardship was created by the original development of the property, which was likely intended for warehouse use (based upon its limited parking). Second, the hardship is created by the petitioner's desire to establish a light motor vehicle repair facility, which has a high parking demand.
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.

"The property located at 170 Shepard will be unable to perform the day to day business without a special use permit, therefore not yielding a reasonable return or any return without it."

If the variation is not granted, the petitioner will not be able to establish its proposed light motor vehicle repair use. As such, the subject unit will likely remain vacant.

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

“Granting the variance will not alter the essential characteristics of the locality. There is no construction or other use of the property that will change the appearance of the neighborhood or area. This property is located in an industrial area zoned for automotive repair and does not and will not affect the residential neighborhood what so ever.”

The applicant indicates the remaining parking on the property is adequate to accommodate the use. If this is not true, then vehicles may be parked haphazardly, perhaps encroaching onto the neighboring property or obstructing a fire lane. If on-site parking is not adequate, customers or employees of the subject unit or the neighboring units may also park on the street.

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.

“There is already parking in place for this building and it will not be changed or altered. No structural changes will be made inside or outside the building. This is no concern for the safety of the public or our neighbors. No negative impact will be made on surrounding properties. The rear of the building (north side) will stay open and clear for emergency vehicles to pass through as needed. There will be no external noise, odor, light, or smoke from the everyday business. The only possible changes that we may want to improve on is the striping of the parking lot spaces in the future.

As noted above, if the parking is not adequate to support the operations of the proposed auto repair facility, then cars may be parked in areas that obstruct the fire lane, encroach onto the neighboring property, or on the public street.

STAFF REVIEW

Fire Department Review: The Fire Department has submitted comments dated October 5, 2018. The Fire Department memo recommends against the outdoor parking plan for the east side of the building and the proposed indoor parking. Based upon the limited space on the east side of the building, the potential to block building exits, and the potential to block utilities, the Fire Department does not recommend approval of the new outdoor parking. As configured, the Fire Department recommends against the indoor parking because it does not demonstrate the 3-foot minimum parking aisles required for exiting.

Engineering Division Review: The Engineering Division has submitted comments dated October 2, 2018. This memo indicates the proposed angled parking on the east side of the building does not meet the minimum drive aisle and parking stall dimensions of the Village Code. While this memo indicates parallel parking may be feasible in terms of dimensional requirements, the Fire Department memo recommends against parking on the east side of the building altogether.

Impact on Adjacent Uses: The Plan Commission should discuss with the petitioner how parking will be managed and if it will have impacts on adjacent uses. Of notable concern is that there should also be available parking for the remaining 10,800 sq. ft. of tenant space on the subject property.

Staff Recommended Action: Staff's biggest concern is related to the size of the parking variation. Based on the review of the materials provided, Staff does not believe that the petitioner meets the standards for a variation. The use would need to be reduced in size or intensity in order for the parking demand to allow for the use of the remaining units in the building. Therefore, the operation would also need to be reduced in size/intensity to meet the standards for a Special Use.

Update: The revised plans do not demonstrate that additional parking can be conducted indoors or outdoors in the proposed configurations while also meeting other aspects of the Fire Prevention Code or Village Code.

If the Plan Commission desires, they can make a motion on the plans that were presented at the September 13th hearing. Due to the lack of detail or conflicting information in the revised plans, staff does not recommend the Plan Commission make a motion on the plans presented for the October 11th hearing.

PROPOSED MOTIONS

If the Plan Commission approves of the requested special use for a light motor vehicle repair facility and a parking variation, appropriate motions would be to:

Recommend approval of Docket No. 2018-24A, granting a variation from Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19.11 General Development Standards, Chapter 19.11 General Development Standards, Section 19.11.010 Off-Street Parking and Loading, Section E Parking Standards, Subsection 1 Minimum Required Parking per Land Use Category, and associated sections, to reduce the required parking for the proposed light motor vehicle repair facility, from fifty (50) to ten (10), for Auto Cars Imports, to be located at 170 Shepard Avenue, Wheeling Illinois.

And with the following condition of approval:

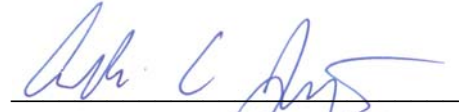
1. That the parking variation may be increased by one stall in order to meet the Fire Department fire lane requirements.

And recommend approval of Docket No. 2018-24B to grant special use-site plan approval for a light motor vehicle repair facility in accordance with the following exhibits submitted by Auto Cars Imports to be located at 170 Shepard Avenue, Wheeling, Illinois:

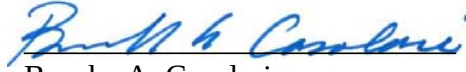
- Cover letter, August 9, 2018
- Site plan, August 2, 2018
- Floor Plan, August 13, 2018
- Cover letter, September 25, 2018
- Trash enclosure floor plan, September 25, 2018
- Indoor parking plan and written explanation, September 27, 2018
- Partial site plan, September 25, 2018

And with the following conditions of approval:

1. *To be determined at the hearing...*



Andrew C. Jennings, AICP
Director of Community Development



Brooke A. Casolari
Senior Planner

Attachments: [Fire Department comments, 10.05.2018](#)

[Engineering Division comments, 10.02.2018](#)

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

Materials submitted for September 13th hearing:

- [Cover letter](#)
- [Site plan](#)
- [Floor plan](#)
- [Plat of survey](#)

Materials submitted for October 11th hearing:

- [Cover letter](#)
- [Trash enclosure floor plan](#)
- [Indoor parking floor plan and written explanation \(2 sheets\)](#)
- [Partial site plan](#)



MEMO – Fire Prevention Bureau

TO: Brooke Casolari, Village Planner
FROM: Ronald S. Antor, Fire Inspector
CC: Andrew Jennings, Director of Community Development
Keith MacIsaac, Fire Chief
FPB File
DATE: October 5, 2018
SUBJECT: Proposed Auto Repair Facility (Revised Submittal) – 170 Shepard Avenue – Auto Cars Imports – Plans received for review by the Fire Department, October 1, 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 proposed plans in this submittal show additions of parking spaces on the east side of the building as discussed at the previous Plan Commission hearing on this project. The Fire Prevention Bureau completed a site visit of the property to observe the actual field conditions. After reviewing the site conditions the Fire Department would recommend against allowing parking on this side of the structure for the following reasons:
 - a. Insufficient space provided to maintain a minimum 20 foot width fire access route on the east side of the structure.
 - b. The proposed parking would potentially block exiting from required exit doors on the east side of the structure.
 - c. The proposed parking would potentially block access to utilities located on the east side of the structure.
2. The drive along the north side of the building shall be posted as a "Fire Lane".
3. The parking space in front of the building's Fire Department Connection (FDC) shall be striped out and posted as a "Fire Lane" with parking prohibited in this area.

170 Shepard Avenue – Auto Cars Imports – Proposed Auto Repair Facility

1. Based on the documents submitted for review, the petitioner's proposal is for conversion of existing warehouse and office space within an approved multi-tenant industrial building into an automotive repair facility. The petitioner's proposed use would be classified as a (S) Storage Use Group occupancy as defined in the 2012 Editions of the International Building (IBC) and Fire Prevention Codes (IFC).

Ms. Brooke Casolari

SUBJECT: Proposed Auto Repair Facility (Revised Submittal) – 170 Shepard Avenue – Auto Cars Imports – Plans received for review by the Fire Department, October 1, 2018.

October 2, 2018

Page 2

2. The petitioner's tenant space is within an industrial warehouse building with an existing fire sprinkler system. The sprinkler system for this tenant space shall be installed/modified as required during the build-out of this tenant space in accordance with the 2012 Editions of the International Building and Fire Prevention Codes as amended by the Village of Wheeling.
3. The petitioner's tenant space is within an industrial warehouse building with an existing fire alarm system. The fire alarm system for this tenant space shall be installed/modified as required during the build-out of this tenant space in accordance with the 2012 Editions of the International Building and Fire Prevention Codes as amended by the Village of Wheeling.
4. All construction related to the remodeling shall comply with the Village's Building and Fire Prevention Codes (2012 Editions of the International Building Code & International Fire Code – with amendments).
5. The petitioner and their tenant space will be required to comply with the Village's Fire Prevention Code, specifically Section 2311 relating to Repair Garages.
6. The petitioner's current submittal shows a proposed parking diagram for 15 vehicles to be parked within the structure. Their explanation of the diagram includes a statement that "approximately 2 feet" of space is provided between the vehicles. A minimum of 3 feet of space would be required for these aisles to comply with the exiting requirements in the Fire Prevention Code.
7. This review is not a review for issuance of a building permit and additional comments will be forthcoming in the permitting process.

Fire Department Recommendations

1. The Fire Department does not recommend approval of the petitioner's proposed additional parking shown in the current submittals (See Site Plan Comment #1 and Proposed Auto Repair Facility Comment #6).

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



MEMORANDUM

TO: Brooke Casolari, Senior Planner

FROM: Kyle Goetzelmann, Civil Engineer I

COPY: Jon Tack, Village Engineer

DATE: October 2nd, 2018

SUBJECT: **Auto Cars Import – Special Use**
170 Shepard Ave. - Review Comments

The Engineering Division received a revised project description, site plan, and floor plan, for the subject project on October 1st, 2018. The Engineering Division has completed a review of the above referenced submittal and has the following comments:

1. Section 19.11.010(c)(7)(A) of the Village Code dictates minimum drive aisle and parking stall dimensions. According to the submitted plat of survey, the distance from the east edge of the building to the east property line is approximately 27ft. The minimum allowable single row and aisle width for angled parking is 35ft (45 degree angle). Parallel parking is allowed within these space confinements however. Parking stall configuration will need to be redesigned to meet these requirements.
2. Any new parking stall configuration must adhere to the dimensional requirements set forth in the previously mentioned ordinance [19.11.010(c)(7)(A)]

Auto Cars Imports – 170 Shepard Avenue

Docket No. 2018-4A&B (Special Use-Site Plan Approval of a Light Motor Vehicle Repair Facility & a Zoning Variation to Reduce the Amount of Required Parking)



Existing conditions of property along Shepard Ave. (looking north)

Auto Cars Imports – 170 Shepard Avenue

Docket No. 2018-4A&B (Special Use-Site Plan Approval of a Light Motor Vehicle Repair Facility & a Zoning Variation to Reduce the Amount of Required Parking)



Existing conditions of west side of subject unit (looking northeast)

Auto Cars Imports – 170 Shepard Avenue

Docket No. 2018-4A&B (Special Use-Site Plan Approval of a Light Motor Vehicle Repair Facility & a Zoning Variation to Reduce the Amount of Required Parking)



Existing conditions of west side of subject unit (looking southeast)

Auto Cars Imports – 170 Shepard Avenue

Docket No. 2018-4A&B (Special Use-Site Plan Approval of a Light Motor Vehicle Repair Facility & a Zoning Variation to Reduce the Amount of Required Parking)



Existing conditions of east side of subject unit (looking southwest)

AUTO CARS IMPORTS

ADMIN@AUTOCARSIMPORTS.NET

847-724-4404

08/09/2018

To Whom it May Concern

Auto Cars Imports has been in business for over 50 years, servicing Chicago & the Northshore. We service both foreign and domestic vehicles. We deliver quality auto repair & maintenance services by professional & experienced technicians. We strive to offer exceptional service by communicating effectively with our customers.

The hours of operation for Auto Cars Imports are Monday thru Friday 8am-6pm. The current number of employees is 8.

There are no elevation plans or exterior changes being proposed.

Auto Cars Imports services an average of 8-10 vehicles per day. Parking for the business is sufficient as we are continuously rotating vehicles. Once service is completed on a vehicle, the customer either picks up their vehicle or it is delivered to their home or place of business.

Attached is a floor plan which has been labeled and color coded to visually differentiate the space within the building, warehouse, auto, & office space. Furthermore, I have listed the overall footage for each category and the space needed for each suite.

No outside automotive repair work is done outside of the building.

Landscaping will be kept up by Auto Cars Imports for the whole building, as the face of our business represents who we are. We will keep the bushes trimmed, the grass cut, and will beautify the property with seasonal flowers & plants. During the winter months, we will also take care of any snow removal. As of this point, we cut back the bushes and cleaned up some debris on the property. We will continue to remove the pallets by Suite B & debris to ensure that the property stays neat and organized.

The rear of the building (North side) will stay clear as a pass through from one side of the building to the other (East to West) for emergency vehicles and such.

If there are any further questions we can answer for you, please let us know.

Sincerely,

Steve Vago, President

Auto Cars Imports

Exhibit received August 9, 2018

REAR N

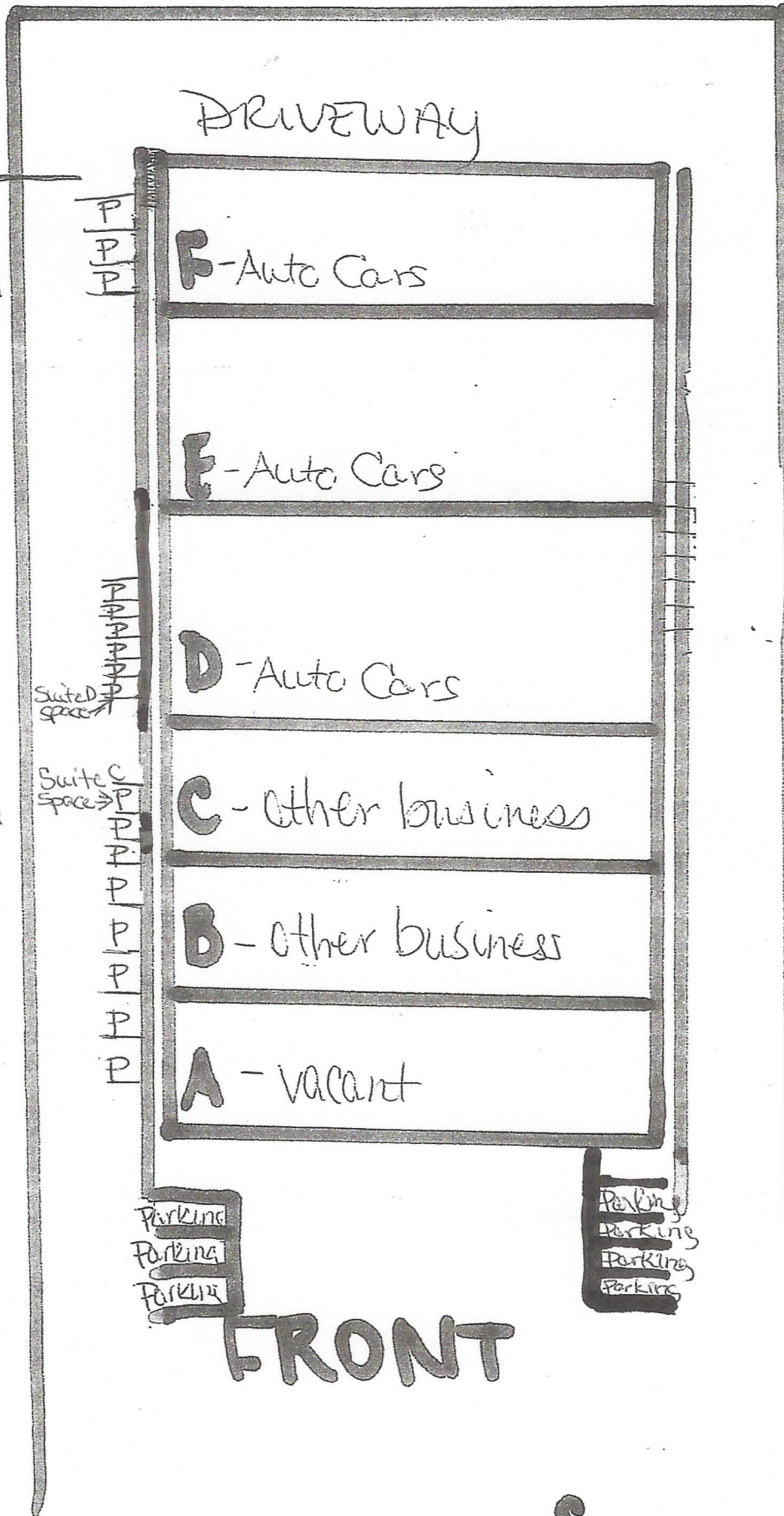
refuse container
2 cu yards
Steel covered
container
keeping
placement
as is)

W

P = Parking
Spot

Parking is open
to all suites
EXCEPT 2 spaces
marked, 1 for
Suite C & 1 for
Suite D

NEIGHBOR



E

NEIGHBOR

S



CHICAGOLAND SURVEY COMPANY INC.

PROFESSIONAL DESIGN FIRM LICENSE NO: 184-005262 EXPIRES 04/30/2019

6501 W. 65TH STREET CHICAGO, ILLINOIS 60638 (773) 271-9447
CHICAGOLANDSURVEY@SBCGLOBAL.NET

PLAT OF SURVEY

PARENT PARCEL

A TRACT OF LAND BEING ALL OF LOT 9 IN BLOCK 3 IN AMERRLINE SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 3, 1964 AS DOCUMENT NO. 19062053, IN COOK COUNTY, ILLINOIS.

LEASED PREMISES

THAT PART OF LOT 9 IN BLOCK 3 IN AMERRLINE SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 3, 1964 AS DOCUMENT NO. 19062053, IN COOK COUNTY, ILLINOIS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00°17'44" EAST, A DISTANCE OF 88.50 FEET; THENCE NORTH 89°42'16" WEST, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°42'16" WEST, A DISTANCE OF 11.95 FEET; THENCE NORTH 00°17'44" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89°42'16" EAST, A DISTANCE OF 11.95 FEET; THENCE SOUTH 00°17'44" WEST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

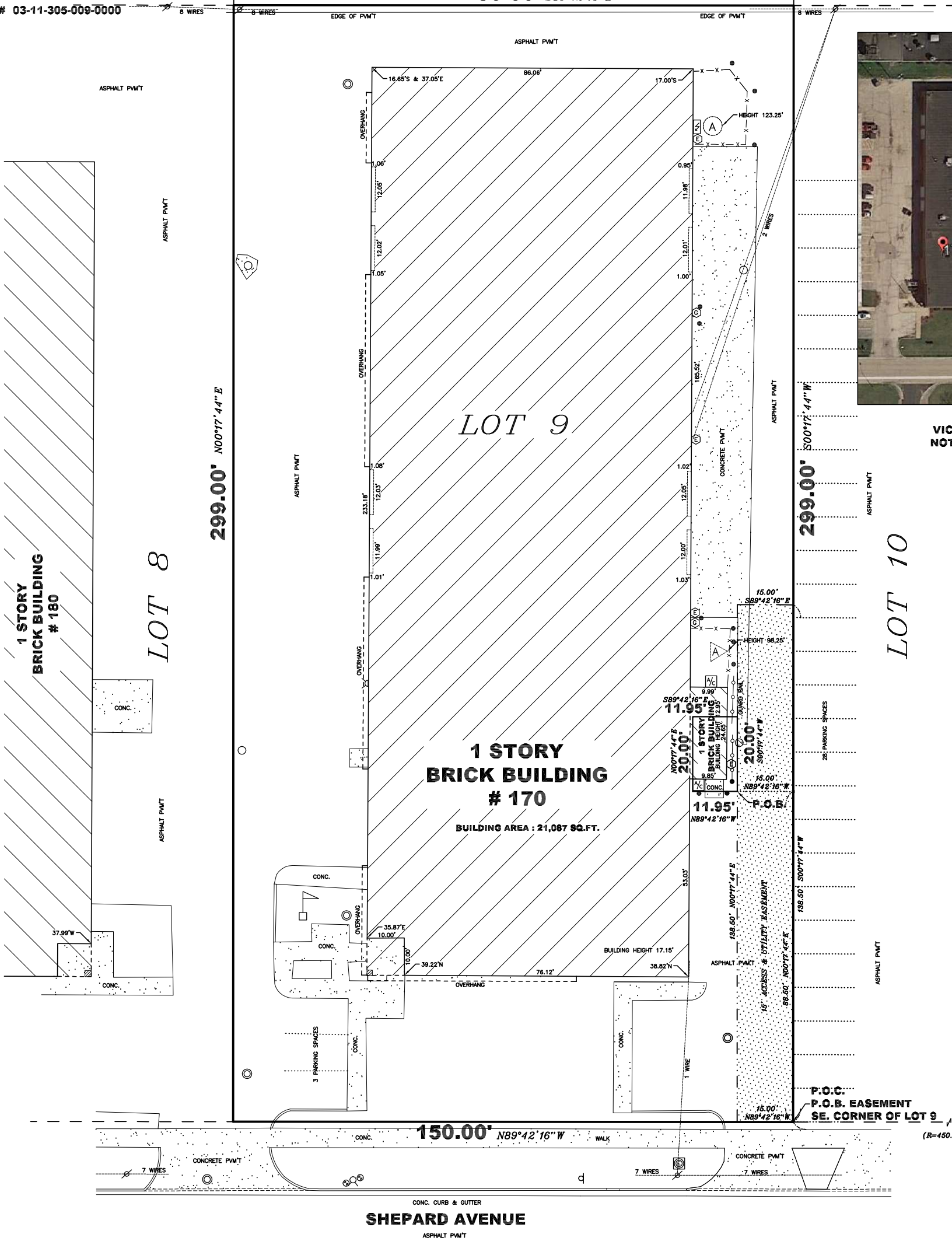
ACCESS AND UTILITY EASEMENT

THAT PART OF LOT 9 IN BLOCK 3 IN AMERRLINE SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 3, 1964 AS DOCUMENT NO. 19062053, IN COOK COUNTY, ILLINOIS BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 89°42'16" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 00°17'44" EAST, A DISTANCE OF 138.50 FEET; THENCE SOUTH 89°42'16" EAST, A DISTANCE OF 15.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 9; THENCE SOUTH 00°17'44" WEST ALONG THE EASTERLY LINE OF SAID LOT 9, A DISTANCE OF 138.50 FEET TO THE POINT OF BEGINNING.

PROPERTY KNOWN AS: 170 SHEPARD AVENUE, WHEELING, ILLINOIS.

P.I.N.# 03-11-305-009-0000

LOT 4
150.00' S89°42'16" E

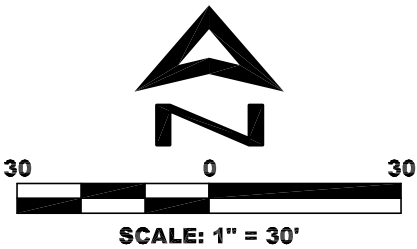


VICINITY MAP
NOT TO SCALE

LEGEND:

- | | |
|-------|------------------|
| N | NORTH |
| S | SOUTH |
| E | EAST |
| W | WEST |
| O.L. | ON LINE |
| ⊙ | MANHOLE |
| ⊙ | CATCH BASIN |
| ⊙ | POWER POLE |
| ⊙ | SIGN POLE |
| ⊙ | GUARD POST |
| ⊙ | GAS METER |
| ⊙ | WATER METER |
| ⊙ | ELECTRIC METER |
| ⊙ | ELECTRIC MANHOLE |
| ⊙ | ANTENNA |
| — | WOOD FENCE |
| -X-X- | CHAIN LINK FENCE |
| — | GUARD RAIL |
| — | PROPERTY LINE |
| — | LOT LINE |
| — | EASEMENT |
| — | EASEMENT AREA |
| — | FLAG POLE |
| — | SPRINKLER |

PROPERTY AREA= 44,850 SQ. FT. OR 1.0296 ACRES



ORDERED BY: STEVE VAGO
FILE NO.: 134-17/A

UPDATED 8/03/2018
FIELD WORK COMPLETED 7/30/2018



LICENSE EXPIRES
11/30/2018

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

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE BY ME, OR BY PERSONS UNDER MY DIRECT SUPERVISION AND CONTROL. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 6 TH. DAY OF AUGUST 2018.

BY:

Roger P. Jacob

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3384

AUTO CARS IMPORTS

ADMIN@AUTOCARSIMPORTS.NET

847-724-4404

09/19/2018

To Whom it May Concern,

Thank you for your feedback during our first meeting in September.

In response to the concerns that were addressed, I would like to answer them in order.

#4 ... Revise floor plan based upon desired and intended use.

All the lifts are planned to be installed in the north half of the building, leaving the majority of the north end of the building AUTOMOTIVE. The other space is divided by OFFICE, WAREHOUSE, & PARKING (see diagram).

#5...If additional parking is planned outdoors, provide an accurate scaled and dimensioned plan to show location and size of parking stalls.

We are proposing additional parking on the east side of the building. The proposal is for 6 cars total. The additional parking will be 4 diagonal parking with spaces being 17x10 and two parallel, parking with spaces being 20x10. (southeast corner). The southeast corner parking spaces are already there with minimal line sight.

. #6 ... Describe your willingness to make property improvements upon ownership of property.

If/when we purchase 170 Shepard Ave in Wheeling we will work hand in hand with the Village to make several improvements to the property (ie: blacktop; restripe, etc) and eventually add a sign on the building and possibly in front of the property. As for now, as tenants of the building we will fill in the holes in the parking lot, not just for visual but for ourselves and our customers safety. We will keep the property neat and manicured as stated previously.

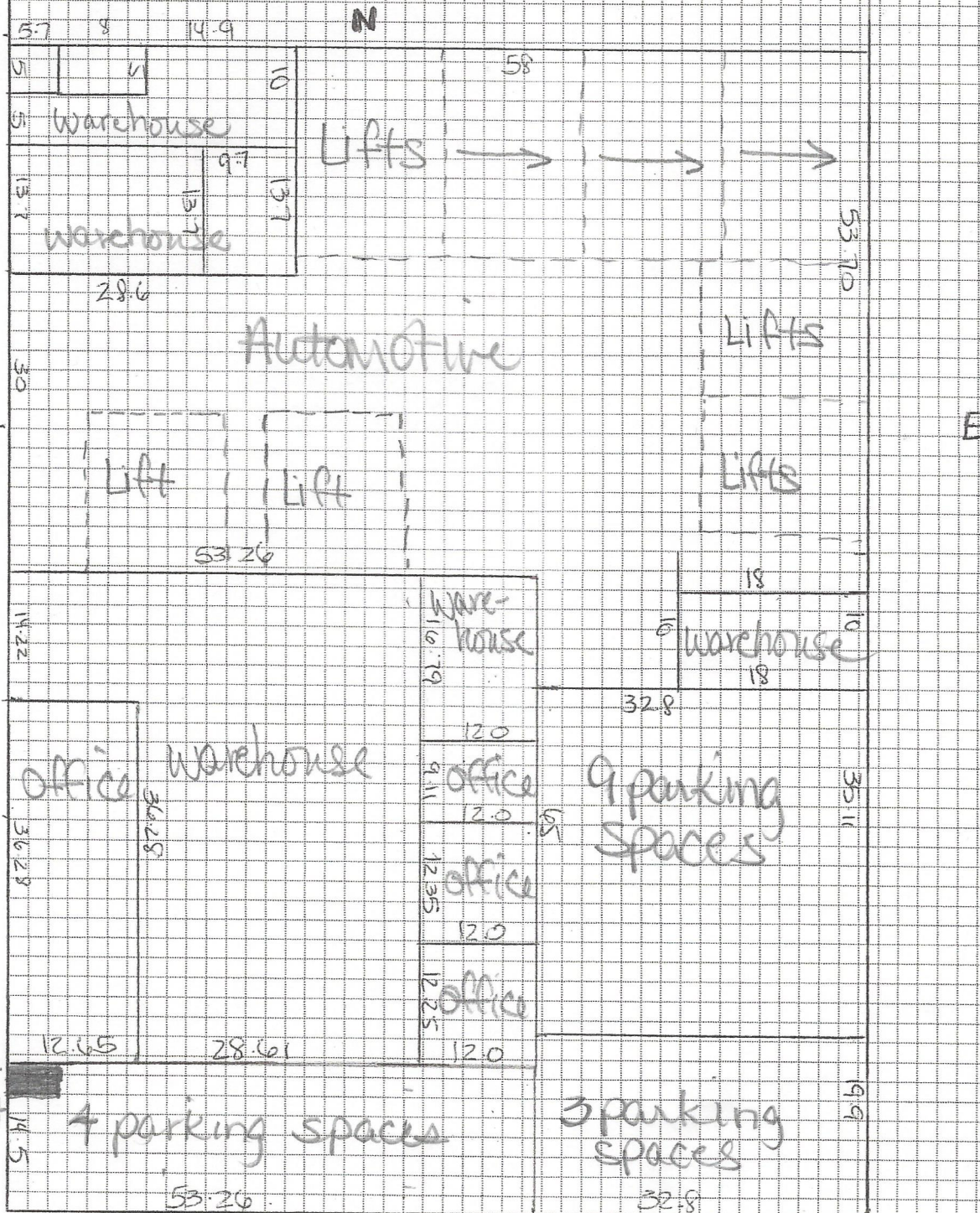
#7 ... Designate location of trash

On the first diagram with the floor plan, the southwest corner is where the trash container will be located, indoors.

Steve Vago, President
Auto Cars Imports

Exhibit received September 25, 2018

2 ft. per square



AUTO CARS IMPORTS

ADMIN@AUTOCARSIMPORTS.NET

847-724-4404

Explanation of floor plan diagram:

Southwest corner of building has a 12 foot over head door. This space is just over 53 feet long by almost 15 feet wide. There is space for 4 vehicles to be parked/stored in that space with excess space.

The Southeast corner of the building has space for 4 vehicles to be parked/stored along the South wall. There is enough room for the vehicles to have approximately 2 feet in between them for access in and out. These spaces are not for customers to park, therefore only experienced employees will maneuver the vehicles indoors.

The last 7 parking/storage spaces just north will be reserved for smaller more compact vehicles. As you can see there are 2 over head doors to pull the cars in and out through. Again, the vehicles will not be moved by anyone except experienced employees and also have approximately 2 feet in between.

Exhibit received September 27, 2018

Diagram to show indoor parking storage 15 spaces

W

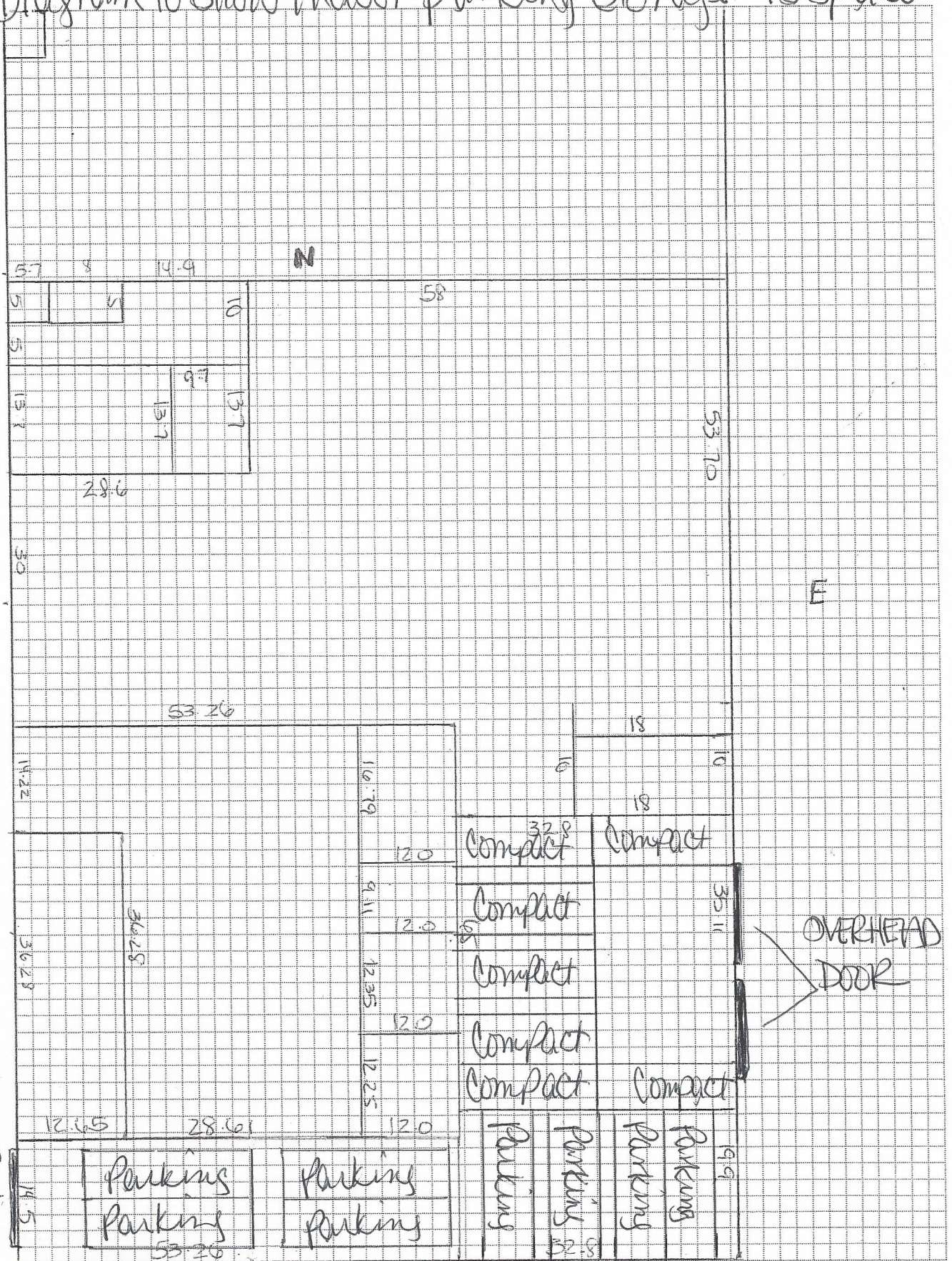
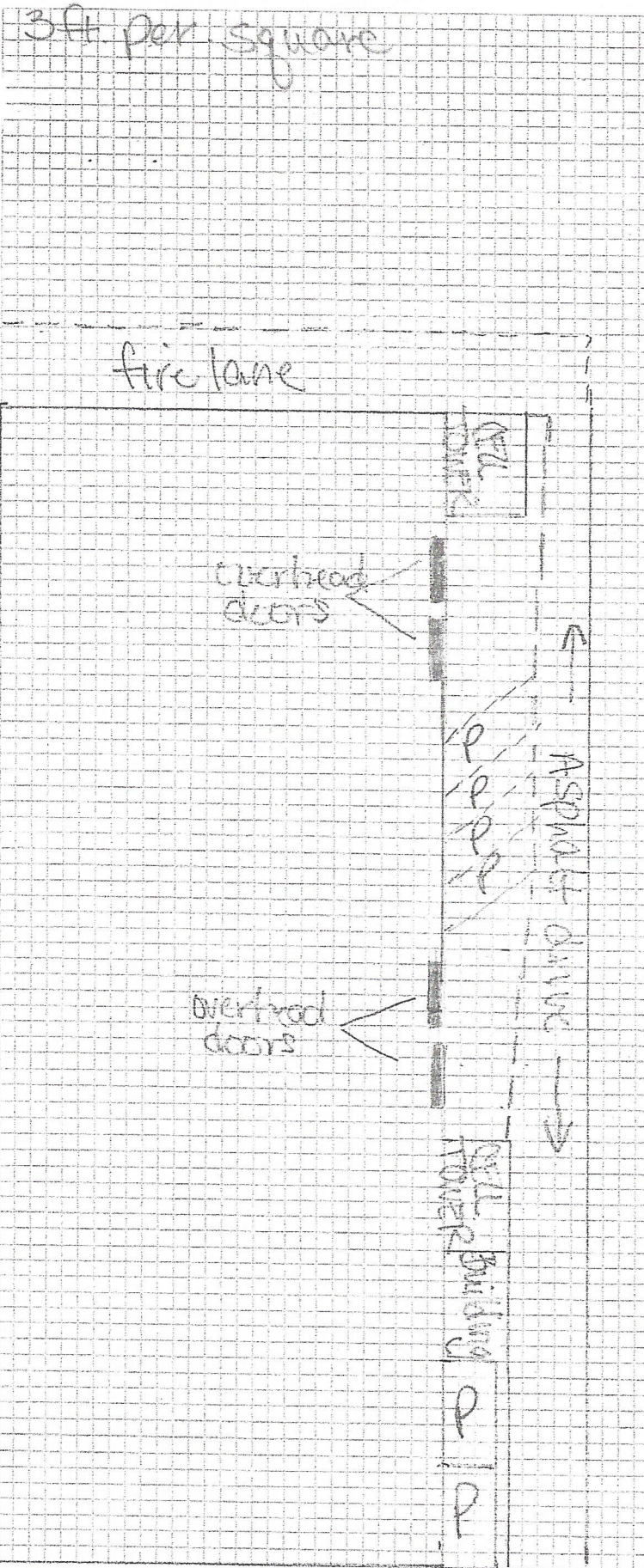


Exhibit received September 27, 2018



As shown on the Plat of Survey,
 The asphalt pavement starts wide
 on the south
 And narrows to the north.
 This enlarges the concrete pavement
 On the north and narrows it to the south.
 It splits approximately 27 feet wide pavement.

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
Steve Robles, Assistant Director of Community Development

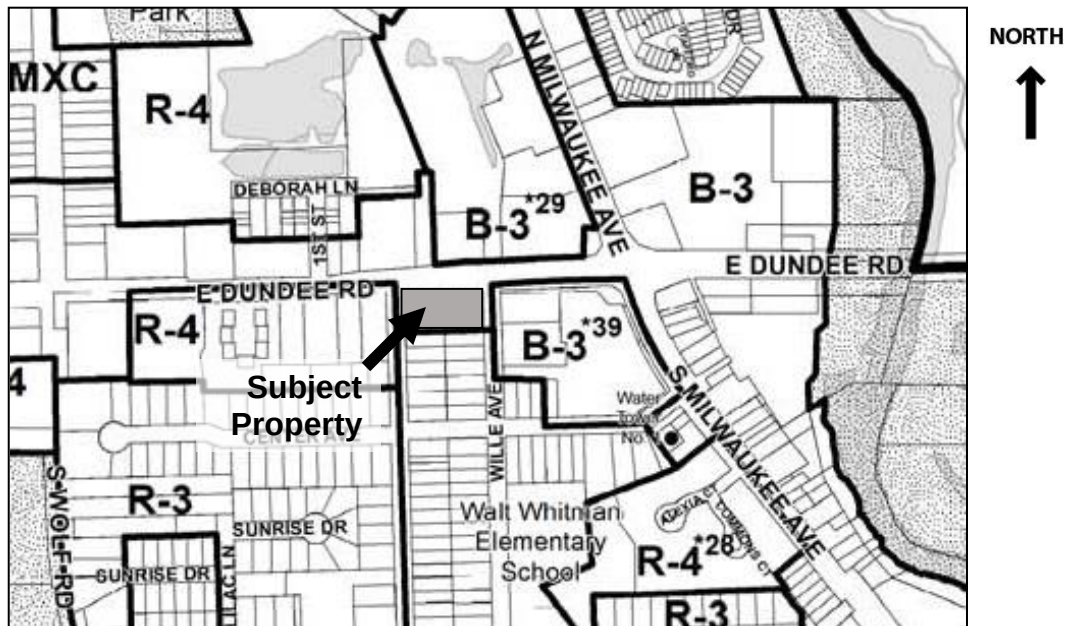
RE: **Docket No. PC 18-16**
Wille Dundee Road Resubdivision
213 to 251 E. Dundee Road
Approval of Final Plat of Resubdivision

DATE OF REPORT: October 5, 2018

DATE OF MEETING: October 11, 2018

PROJECT OVERVIEW: The petitioner is requesting approval of the final plat of subdivision for Wille Dundee Road Resubdivision.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Jon Silverberg, GW Properties, LLC.
<u>Property Owner Name:</u>	GW Property Group LLC – Series 63
<u>Common Property Address:</u>	213, 215, 227, 235, 241 and 251 E. Dundee Road
<u>Common Location:</u>	Located on the south side of E. Dundee Road between Wheeling Avenue and Wille Avenue

<u>Neighboring Property Land Use(s):</u>	North: Commercial West: Residential (Arbor Court Apartments) South: Residential East: Commercial (Chase Bank)
<u>Comprehensive Plan Designation:</u>	Commercial
<u>Property size:</u>	Approximately 1.007 acres
<u>Existing Use of Property:</u>	Restaurant – Dunkin Donuts (west 0.364 acres) 2-story commercial (east 0.643 acres)
<u>Proposed Use of Property:</u>	Dunkin Donuts (to remain on Lot 1) No use identified for Lot 2
<u>Existing Property Zoning:</u>	B-3 – General Commercial and Office District
<u>Previous Zoning Action on Property:</u>	
2006-9	Ord. 4137, passed 11/13/2006, granted variations to building and parking setback.
PC 06-08	Ord. 4138, passed 7/21/2014, granted site plan and appearance approval.

DESCRIPTION OF PROPOSAL / BACKGROUND INFORMATION

The petitioner is requesting approval of the Final Plat of Wille Dundee Road Resubdivision in order to consolidate the existing six lots and create two lots. Lot 1 will establish a single lot for the existing Dunkin Donuts restaurant/drive-thru. Lot 2 will include the existing off-street parking lot and 2-story commercial building, east of the Dunkin Donuts.

At the time of the Dunkin Donuts project, a similar plat of consolidation/subdivision was required to establish a single lot for Dunkin Donuts and provide the necessary agreement language for the shared access and parking between the drive-thru restaurant and the existing commercial building. However, the plat was never prepared until now, due to change in property ownership and renewed interest in redeveloping the eastern half of the site. The proposed subdivision will allow the petitioner to establish a new lot (Lot 2) in order to market the eastern portion of the site for future development (east of the Dunkin Donuts).

The three existing vehicular access points to the property will remain in place to provide necessary access to both lots from the adjoining streets. Additionally, internal cross-access between Lot 1 and Lot 2 will be provided for essential internal vehicle access. The shared ingress/egress and internal cross access is provided by way of an easement on the plat and a corresponding declaration of easement agreement that establishes how the access will be shared and maintained between both lots. The agreement will also allow for shared parking and utilities amongst both lots. Since there are no current development proposals for the eastern half of the site (Lot 2), there are items that will be addressed later based on the specifics of a future development proposal. However, the easement agreement sets the stage by spelling out how maintenance and parking will be shared between the lots.

STAFF REVIEW

Engineering Division: The Engineering Division has submitted comments dated October 5, 2018. The Village Engineer has identified that there are existing utilities on the subject properties which are not identified on the plat nor located in public utility easements. The inclusion of the public utility easements can be added to the plat prior to the Village Board's review and will not alter the proposed lot configuration as shown. As a result, this condition has been incorporated into the motion.

Planning Staff's Recommended Action: Staff recommends approval of the proposed final plat of subdivision.

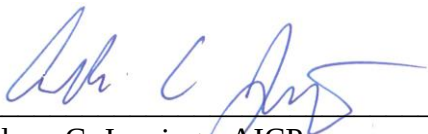
PROPOSED MOTION

If the Plan Commission finds that the petitioner has satisfied the requirements for the granting of approval of the final plat of subdivision, an appropriate motion would be to:

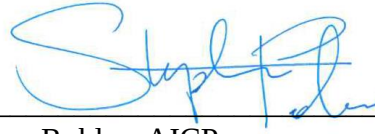
Recommend approval of Docket No. PC 18-16, approving the Final Plat of Wille Dundee Road Resubdivision under Title 17, Planning Subdivisions and Developments as shown on the Final Plat prepared by Manhard Consulting, Ltd, dated July 30, 2018, prepared by James D. Baker, Illinois Professional Land Surveyor No. 3648, on behalf of GW Properties, LLC., for the properties located at 213 to 251 E. Dundee Road, Wheeling, Illinois,

With the following condition:

1. That the Plan Commission Chair and Secretary sign the document and forward the recommendation to the corporate authorities for review and consideration.
2. Prior to the Village Board, the plat is revised to illustrate all public utility easements and corresponding easement provisions, subject to the review and acceptance of the Village Engineer.



Andrew C. Jennings, AICP
Director of Community Development



Steve Robles, AICP
Assist. Director of Community Development

Attachments: [Final Plat of Subdivision, dated 7/30/2018](#)

[Engineering Division comments, dated 10/5/2018](#)

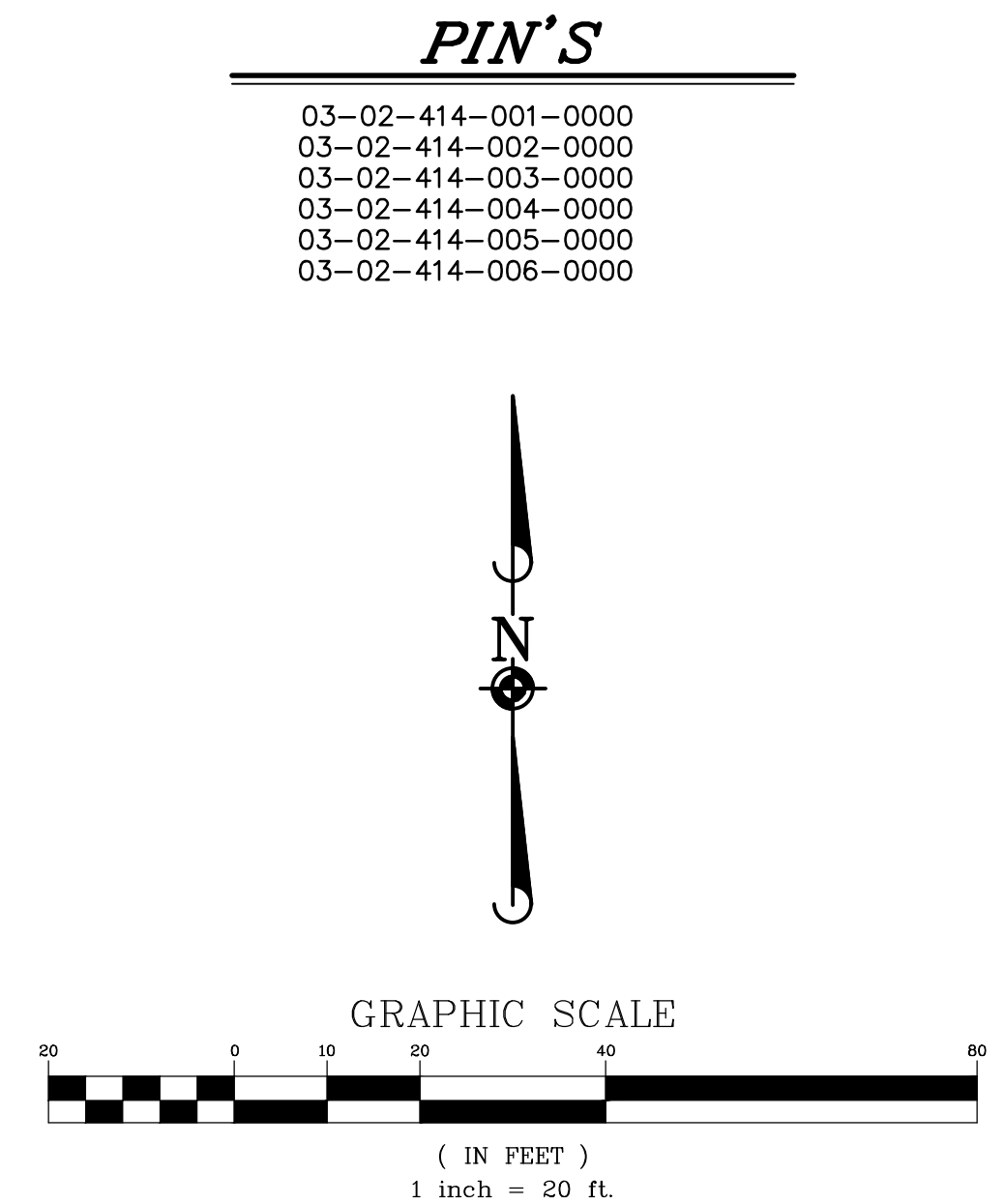
[Declaration of Easements, Covenants, Conditions and Restrictions](#)

BEING A RESUBDIVISION OF THAT PART OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 42 NORTH,
RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOCATION MAP

NOT TO SCALE

=====	= EX. PROPERTY LINE
- - - - -	= EX. EASEMENT LINE
=====	= EX. RIGHT OF WAY LINE
=====	= EX. LOT LINE
- - - - -	= EX. CENTERLINE
=====	= EX. LOT LINE PER SUBDIVISION
125.00'	= MEASURED DISTANCE
(125.00')	= RECORD DISTANCE



BEARINGS ARE BASED UPON THE CENTERLINE
OF DUNDEE ROAD AT S 88°20'00" W.

GW PROPERTIES, LLC
2211 N. ELSTON AVE., SUITE 304
CHICAGO, IL 60614

GW PROPERTY GROUP, LLC
2211 N. ELSTON AVE., SUITE 304
CHICAGO, IL 60614

LOT 1 = 15,867 SQ. FT. (0.364 ACRES)
LOT 2 = 28,018 SQ. FT. (0.643 ACRES)
TOTAL AREA = 43,885 SQ. FT. (1.007 ACRES)

3. DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (456.67") ARE RECORD OR DEED VALUES.)

4. THIS SUBDIVISION MAY BE SUBJECT TO MATTERS OF TITLE, WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT, PRE-EXISTING EASEMENTS, SETBACKS AND OTHER RESTRICTIONS WHICH MAY BE FOUND IN A CURRENT TITLE REPORT, LOCAL ORDINANCES, DEEDS OR OTHER INSTRUMENTS OF RECORD MAY NOT BE SHOWN.

5. THIS SUBDIVISION IS WITHIN ONE AND ONE-HALF MILES OF A MUNICIPALITY THAT HAS A COMPREHENSIVE PLAN.

6. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A SUBDIVISION SURVEY. MANHART CONSULTING, LTD. IS A PROFESSIONAL DESIGN FIRM, REGISTRATION NUMBER 184003350, EXPIRES APRIL 30, 2019.

SHEET 1 OF 2:	BOUNDARY INFORMATION AND NOTATIONS
SHEET 2 OF 2:	LEGAL DESCRIPTION, CERTIFICATES AND PROVISIONS

Exhibit recieved September 20, 2018

INGRESS/EGRESS EASEMENT
HEREBY GRANTED

[illegible]

Manhard
CONSULTING LTD.

600 Westcliff Parkway, Venice Hills, IL 60091 ph 815.894.5560 fax 815.894.0098 manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners

WHEELING, ILLINOIS

FINAL PLAT OF RESUBDIVISION

PROJ. MGR.: JOB
PROJ. ASSOC.: LSM
DRAWN BY: LSM
DATE: 07/30/18
SCALE: 1"=20'

SHEET

1 OF **2**

GWP.WH101



MEMORANDUM

TO: Steve Robles, Assistant Director of Community Development

FROM: Kyle Goetzelmann, Civil Engineer I

COPY: Jon Tack, Village Engineer
Brooke Casolari, Senior Planner

DATE: October 5th, 2018

SUBJECT: Willes Dundee Road Resubdivision
215-255 E. Dundee Rd. - Review Comments

The Engineering Division received a final plat of resubdivision, alta survey, and proposed site plan exhibit for the subject project on October 1st, 2018. The Engineering Division has completed a review of the above referenced submittal and offers the following comments at this time:

1. Storm sewer shall be privately owned and crosses both property lines. Easement will need to be provided and property owners in agreement about ownership and maintenance responsibilities of the existing storm sewer system.
2. Water main shall be privately owned and crosses both property lines. Easement will need to be provided and property owners in agreement about ownership and maintenance responsibilities of the existing storm sewer system. Village will provide easement language.
3. Sanitary sewer shall be privately owned and crosses both property lines. Easement will need to be provided and property owners in agreement about ownership and maintenance responsibilities of the existing storm sewer system.
4. Utility easements (gas, electric, communications, etc...) will need to be noted on the plat within a specific easement boundary or a under blanket easement if that is preferred.
5. All new infrastructure constructed under the new development will require all the appropriate easements as determined by the Village of Wheeling prior to completion of construction. This can be in the form of a plat of easement.
6. Note must be added to plat showing the Village's mail-to address for the recorded plat. This address is as follows:

Village of Wheeling
2 Community Blvd
Wheeling, IL 60090

This document prepared by and
after recording return to:

Jaffe & Berlin, LLC
111 West Washington Street,
Suite 900
Chicago, Illinois 60602
Attention: Frank W. Jaffe, Esq.

**DECLARATION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS**

THIS DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS (this “**Declaration**”) is made and entered into this ____ day of _____, 2018, by **GW PROPERTY GROUP, LLC – SERIES 63**, a Delaware limited liability company (“**Declarant**”).

RECITALS

- A. Declarant is the owner of that certain real property situated in the City of Wheeling (“**Wheeling**”), Cook County, State of Illinois, more particularly described on **Exhibit A** attached hereto and incorporated herein by this reference, which real property is made up of two (2) separate parcels, legally described on **Exhibit A** and referred to herein individually as “Lot 1” and “Lot 2.”
- B. Declarant intends to develop or allow or cause the development of Lots 1 and 2 as retail/commercial sites.
- C. Declarant desires to impose certain easements upon the Lots (as hereinafter defined), and to establish certain covenants, conditions and restrictions with respect to said Lots, for the mutual and reciprocal benefit and complement of Lots 1 and 2, and the present and future owners and occupants thereof, on the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the above premises and of the covenants herein contained, the Declarant does hereby declare that the Lots and all present and future owners and occupants of the Lots shall be and hereby are subject to the terms, covenants, easements, restrictions and conditions hereinafter set forth in this Declaration, so that said Lots shall be maintained, kept, sold and used in full compliance with and subject to this Declaration and, in connection therewith, Declarant and its respective successors and assigns, covenants and agrees as follows:

AGREEMENTS

1. Definitions. For purposes hereof:

(a) The term “**Owner**” or “**Owners**” shall mean Declarant and any and all successors or assigns of such persons as the owner or owners of fee simple title to all or any portion of the real property covered hereby, whether by sale, assignment, inheritance, operation of law, trustee's sale, foreclosure, or otherwise, but not including the holder of any lien or encumbrance on such real property.

(b) The term “**Lot**” or “**Lots**” shall mean each separately identified parcel of real property now constituting a part of the real property subjected to this Declaration as described on **Exhibit A**, that is, Lots 1 and 2, and any future subdivisions thereof.

(c) The term “**Permittee(s)**” shall mean the tenant(s), subtenant(s) or occupant(s) of a Lot, and the respective employees, agents, contractors, customers, invitees and licensees of (i) the Owner of such Lot, and/or (ii) such tenant(s), subtenant(s) or occupant(s).

(d) The term “**Plat**” shall mean that plat of subdivision of the Shopping Center Parcel attached hereto as **Exhibit B** and by reference made a part hereof. Except as may be otherwise provided in this Declaration, the Plat is for identification purposes only.

(e) The term “**Access Easement Area**” shall mean all driveways, roadways and walkways and related improvements, paving, curbing, entrances and exits located on the Lots.

(f) The term “**Parking Easement Area**” shall mean all parking areas located on the Lots.

(g) The term “**Shopping Center Parcel**” shall mean the real property legally described on **Exhibit A** attached hereto and made a part hereof, and shown on the Plat attached hereto as **Exhibit B**.

2. Easements.

2.1 Grant of Reciprocal Easements. Subject to any express conditions, limitations or reservations contained herein, the Declarant hereby declares that the Lots, and all Owners and Permittees of the Lots, shall be benefited and burdened by the following nonexclusive, perpetual and reciprocal easements which are hereby imposed upon the Lots and all present and future Owners and Permittees of the Lots:

- (a) **Access Easement.** An easement for access, ingress and egress over the paved driveways, roadways and walkways as presently or hereafter constructed and located on the Access Easement Area on the Shopping Center Parcel, for access, ingress, egress and for vehicular and pedestrian traffic between the Lots, to and from adjacent streets and right of way. Such easement shall not be construed to constitute a public dedication of the Shopping Center Parcel.
- (b) **Parking.** A non-exclusive easement for parking on all parking spaces in the Parking Easement Area. No Owner shall have the right to designate any parking spaces within the Parking Easement Area to any specific Permittee without the prior written consent of the Owner of the other Lot.
- (c) **Utility Easement.** An easement (“**Utility Easement**”) to transmit through, use and maintain utility lines, including but not limited to water supply lines, sanitary sewer, storm sewer, electrical, gas, telephone, cable television and water lines (“**Utility Lines**”) within the areas indicated as Utility Easement on **Exhibit B** attached hereto. All such systems, structures, mains, sewers, conduits, lines and other utilities shall be installed and maintained below the ground level or surface (except for such parts thereof that cannot and are not intended to be placed below the surface). Each Owner (and/or its Permittee), at its sole cost and expense, shall maintain and repair (or cause to be maintained and repaired) the Utility Lines (wherever located) which only service its Lot.
- (d) **Storm Water Discharge Easement.** An easement (“**Storm Water Easement**”) over, across and through the storm sewer lines and for discharge into the storm water facilities, as part of the Utility Lines, located on the Shopping Center Parcel and parking areas located on the Shopping Center Parcel, for the purpose of permitting the discharge of storm water and naturally occurring surface water run-off from the Shopping Center Parcel into the storm lines, storm water detention structures and over and across the paved driveways, roadways, and parking areas located on the Shopping Center Parcel. Each Owner (and/or its Permittee), at its sole cost and expense, shall maintain and repair (or cause to be maintained and repaired) the storm sewer lines and storm water detention structures (wherever located) which only service its Lot.
- (e) **Maintenance and Self-Help Easement License.** The Owners and Permittees shall have an easement over the Shopping Center Parcel to the extent reasonably necessary to perform the maintenance required pursuant to Section 3 of this Declaration. In addition, each Owner shall have an easement over the Shopping Center Parcel to the extent reasonably necessary to cure any other Owner’s breach hereunder pursuant to Section 9.02 of this Declaration.

2.2 Indemnification. Each Owner (“**Indemnifying Owner**”) having rights with respect to an easement granted hereunder shall indemnify, defend and hold the Owner whose Lot is subject to the easement and its Permittees harmless from and against all claims, liabilities and expenses (including reasonable attorneys' fees) relating to accidents, injuries, loss, or damage of or to any person or property arising from the negligent, intentional or willful acts or omissions of such Indemnifying Owner, its Permittees, contractors, employees, agents, or others acting on behalf of such Indemnifying Owner and any claims of liens for work performed, materials or supplies furnished arising out of or in connection with the use by the Indemnifying Owner of the easements granted hereunder or the exercise by such Owner of the rights granted to it herein, or the performance by such Owner of its obligations.

2.3 Reasonable Use of Easements.

(a) The easements hereinabove granted shall be used and enjoyed by each Owner and its Permittees in such a manner so as not to unreasonably interfere with, obstruct or delay the conduct and operations of the business of any other Owner or its Permittees at any time conducted on its Lot, including, without limitation, public access to and from said business, and the receipt or delivery of merchandise in connection therewith.

(b) The Owner of each Lot served by such Utility Lines shall not unreasonably withhold its consent to the reasonable relocation of such Utility Lines requested by the Owner of a Lot where such Utility Lines are located, at such requesting Owner's sole cost and expense, so long as the use and capacity of the Utility Lines are not diminished or interrupted and the remaining provisions of this Section 2.3 are complied with and the Utility Lines are to be relocated on the Lot owned by the Owner that is requesting that the Utility Lines be relocated.

(c) Once commenced, any construction undertaken in reliance upon an easement granted herein shall be diligently prosecuted to completion (consistent, however, with Wheeling's approved building permits and construction phasing approvals), so as to minimize any interference with the business of any other Owner and its Permittees. Except in cases of emergency, the right of any Owner to enter upon a Lot of another Owner for the exercise of any right pursuant to the easements granted herein, or to prosecute work on such Owner's own Lot if the same interferes with utility or drainage easements or easements of ingress, egress or access to or in favor of another Owner's Lot, shall be undertaken only in such a manner so as to minimize any interference with the business of the other Owner and its Permittees. In such case, no affirmative monetary obligation shall be imposed upon the other Owner, and the Owner undertaking such work shall with due diligence repair at its sole cost and expense any and all damage caused by such work and restore the affected portion of the Lot upon which such work is performed to a condition which is equal to or better than the condition which existed prior to the commencement of

such work. In addition, the Owner undertaking such work shall pay all costs and expenses associated therewith and shall indemnify and hold harmless the other Owner and its Permittees from all damages, losses, liens or claims attributable to the performance of such work.

3. Maintenance.

3.1 General. Each Owner shall maintain (or caused to be maintained) its Lot in a clean and neat condition and shall take such measures as are necessary to control grass, weeds, blowing dust, dirt, litter or debris and such maintenance shall be consistent with all applicable rules, regulations, terms and conditions imposed by any permit or other operative document issued by Wheeling or other body having jurisdiction over the Shopping Center Parcel and the environmental impact generated by the development of the Shopping Center Parcel. Notwithstanding any provision of this agreement, no Owner shall take any action which does not comply with any such applicable rule, regulation, term or condition, nor shall any Owner take any action which jeopardizes the compliance of the Shopping Center Parcel with any such applicable rules, regulations, terms or conditions.

3.2 Buildings and Appurtenances Thereto. Each Owner and/or its Permittee covenants to keep and maintain, or cause to be kept and maintained, at its sole cost and expense, the building(s) located from time to time on its respective Lot in good order, condition and repair. Once constructed, in the event of any damage to or destruction of a building on any Lot, the Owner of such Lot shall, at its sole cost and expense, with due diligence either (a) repair, restore and rebuild (or cause to be repaired, restored or rebuilt) such building to its condition prior to such damage or destruction (or with such changes as shall not conflict with this Declaration), or (b) demolish and remove (or cause to be demolished and removed) all portions of such damaged or destroyed building then remaining, including the debris resulting therefrom, and otherwise clean and restore the area affected by such casualty to a level, graded condition. Nothing contained in this Section 3.2 shall be deemed to allow an Owner to avoid a more stringent obligation for repair, restoration and rebuilding contained in a lease or other written agreement between an Owner and such Owner's Permittee.

3.3 Parking and Driveway Areas. Each Owner shall at all times during the term of this Declaration to operate and maintain or cause to be operated and maintained at their expense the parking, driveways, sidewalks and landscaping located on its Lot in good order, condition and repair. Lots should have snow removed in a manner consistent with a first class shopping center. Following the construction of improvements thereon, maintenance shall include, without limitation, maintaining and repairing all sidewalks and the surface of the parking and roadway areas, removing all papers, debris, snow and ice removal and other refuse from and periodically sweeping all parking and road areas to the extent necessary to maintain the same in a clean, safe and orderly condition, maintaining appropriate lighting fixtures for the parking areas and roadways, maintaining marking, directional signs, lines and striping as needed, maintaining landscaping, maintaining signage in good condition and repair, and performing any and all such other duties as are

necessary to maintain such areas in a clean, safe and orderly condition. Each Owner reserves the right to alter, modify, reconfigure, relocate and/or remove the parking and driveway areas on its Lot and to construct, expand or relocate any building on its Lot, provided, with respect to any change to the driveway and parking areas on Lots 1 or 2, (i) the reciprocal easements between the Lots pursuant to Section 2.1(a) and (b) shall not be closed or materially impaired; (ii) the driveway located on the Access Easement Area shall not be so altered, modified, relocated, blocked and/or removed without the express written consent of all Owners (which the Owners may withhold in their sole discretion); (iii) the number of parking spaces located on any Lot shall not be reduced without approval of the other Owner; (iv) the same shall not violate any of the provisions and easements granted in Section 2; and (v) Wheeling approves such revisions to the Plat.

3.4 Utilities. Each Owner shall at all times during the term of this Declaration construct, operate and maintain or cause to be constructed, operated and maintained, in good order, condition and repair, at its sole expense, any utility or other installations which are located on the Lot of such Owner.

3.5 Storm Water. Each Owner shall at all times during the term of this Declaration operate and maintain or cause to be operated and maintained, in good order, condition and repair, at its sole expense, any storm water, storm sewer lines, storm water detention structures or other installations which are located on the Lot of such Owner.

4. Construction of Improvements. Every building, now or in the future constructed on the Lots shall be constructed in a good and workmanlike manner, free and clear of liens so that the same is in compliance with all applicable laws, ordinances, rules and regulations and so as not to unreasonably interfere with, obstruct or delay the conduct and operations of the business of any other Owner or its Permittees at any time conducted on its Lot.

5. Restrictions.

5.1 General. Each Lot shall be used for lawful purposes in conformance with all restrictions imposed by all applicable governmental laws, ordinances, codes, and regulations, and no use or operation shall be made, conducted or permitted on or with respect to all or any portion of a Lot which is illegal.

5.2 Prohibited Uses. The Lots shall not be used for any of the following uses:

- (1) Any use which is a public or private nuisance.
- (2) Any use which produces noise or sound that is objectionable due to intermittence, high frequency, shrillness or loudness.
- (3) Any use which produces obnoxious odors; provided the foregoing does not prohibit operations of an outdoor patio for a restaurant.

- (4) Any use which produces noxious, toxic, caustic or corrosive fuel or gas.
- (5) Any use which produces dust, dirt or fly ash in excessive quantities.
- (6) Any use which produces fire, explosion or other damaging or dangerous hazard (including the storage, display or sale of explosives or fireworks) but excluding outdoor fireplaces.
- (7) Any warehouse or storage facility.
- (8) Any assembling, manufacturing, industrial, distilling, refining, smelting, agriculture or mining operation.
- (9) Any establishment selling or exhibiting pornographic materials; provided, however, that a Blockbuster or other nationwide chain video store shall be permitted.
- (10) The business of selling "adult" materials, including, without limitation, magazines, books, movies, videos, and photographs; provided, however, that a Blockbuster or other nationwide chain video store shall be permitted.
- (11) Any mortuary, funeral home, crematorium, cemetery or similar facility.
- (12) Any movie theater, skating rink, bingo parlor, bowling alley, game room (unless incidental to a restaurant), pool or billiard parlor or room, game arcade or amusement center.
- (13) Any lounge (unless incidental to a restaurant), nightclub, disco, discotheque, or strip show.
- (14) Pawn shops.
- (15) Any flea market.
- (16) Any carnival, amusement park or circus.
- (17) Off-track betting sites.
- (18) Any gymnasium, sport or health club.
- (19) Any sale of new or used motor vehicles, trailers or mobile homes.
- (20) Any banquet hall, auditorium or other place of public assembly.

- (21) Any use for a governmental body or subdivision or agency of a governmental body.
- (22) Any gas station, oil lube center, tire store or car wash.
- (23) Any use which violates Wheeling zoning and/or building codes subject to any variations which may be approved by Wheeling.
- (24) A "Good Will" or "Salvation Army" type store.
- (25) A distilling, refining, smelting, industrial, agricultural, drilling or mining operation;
- (26) Any junk yard, stock yard or animal raising operation.
- (27) Any establishment which stocks, displays, sells, rents, or offers for sale or rent any merchandise or material commonly used or intended for the use with or in consumption of any narcotic, dangerous drug, or other controlled substance, including, without limitation, any hashish pipe, water pipe, bong, pipe screens, rolling papers, rolling devices, coke spoons or roach clips

5.3 **Exclusive Uses.** [TBD]

- 6. **Insurance.** Throughout the term of this Declaration, each Owner shall procure and maintain (or cause to be procured or maintained) general and/or comprehensive public liability and property damage insurance against claims for personal injury (including contractual liability arising under the indemnity contained in Section 2.2 above), death, or property damage occurring upon such Owner's Lot, with single limit coverage of not less than an aggregate of Two Million Dollars (\$2,000,000.00) including umbrella coverage, if any, and naming each other Owner (provided the Owner obtaining such insurance has been supplied with the name of such other Owner in the event of a change thereof) as additional insureds. Notwithstanding the foregoing, any Owner, tenant or occupant of a Lot may elect to self-insure (so long as it has a net worth in excess of \$100,000,000) and/or carry insurance required hereunder under master or blanket policies of insurance. All insurance required to be maintained (excluding self-insurance) shall be maintained by insurance companies authorized to do business the State of Illinois having a current A.M. Best rating of no less than A-/VII.
- 7. **Taxes and Assessments.** Each Owner shall pay, or cause to be paid, all taxes, assessments, or charges of any type levied or made by any governmental body or agency with respect to its Lot.
- 8. **No Rights in Public; No Implied Easements.** Nothing contained herein shall be construed as creating any rights in the general public or as dedicating for public use any

portion of Lots 1 and 2. No easements, except those expressly set forth in Section 2 shall be implied by this Declaration.

9. Remedies and Enforcement.

9.1 All Legal and Equitable Remedies Available. In the event of a breach or threatened breach by any Owner or its Permittees of any of the terms, covenants, restrictions or conditions hereof, the other Owner(s) and Permittees shall be entitled forthwith to full and adequate relief by injunction and/or all such other available legal and equitable remedies from the consequences of such breach, including payment of any amounts due and/or specific performance.

9.2 Self-Help. In addition to all other remedies available at law or in equity, upon the failure of a defaulting Owner to cure a breach of this Declaration within thirty (30) days following written notice thereof by an Owner (unless, with respect to any such breach the nature of which cannot reasonably be cured within such 30-day period, the defaulting Owner commences such cure within such 30-day period and thereafter diligently prosecutes such cure to completion), any Owner (and/or its Permittees to the extent its Permittees have self-help rights under their lease(s) with an Owner) shall have the right to perform such obligation contained in this Declaration on behalf of such defaulting Owner and be reimbursed by such defaulting Owner upon demand for the reasonable costs thereof together with interest at the prime rate charged from time to time by Bank of America (its successors or assigns), plus two percent (2%) (not to exceed the maximum rate of interest allowed by law). Notwithstanding the foregoing, in the event of (i) an emergency, (ii) blockage or material impairment of the easement rights, and/or (iii) the unauthorized parking of vehicles, an Owner (and/or its Permittees to the extent its Permittees have self-help rights under their lease(s) with an Owner) may immediately cure the same and be reimbursed by the other Owner upon demand for the reasonable cost thereof together with interest at the prime rate, plus two percent (2%), as above described.

9.3 Lien Rights. Any claim for reimbursement, including interest as aforesaid, and all costs and expenses including reasonable attorneys' fees awarded to any Owner in enforcing any payment in any suit or proceeding under this Declaration shall be assessed against the defaulting Owner in favor of the prevailing party and shall constitute a lien (the "**Assessment Lien**") against the Lot of the defaulting Owner until paid, effective upon the recording of a notice of lien with respect thereto in the Cook County Recorder of Deeds, Illinois; provided, however, that any such Assessment Lien shall be subject and subordinate to (i) liens for taxes and other public charges which by applicable law are expressly made superior, (ii) all first mortgage liens, whenever recorded, and all liens recorded in the Cook County Recorder of Deeds, Illinois prior to the date of recordation of said notice of lien, and (iii) all leases entered into, whether or not recorded, prior to the date of recordation of said notice of lien. All liens recorded subsequent to the recordation of the notice of lien described herein (except first mortgage liens) shall be junior and subordinate to the Assessment Lien. Upon the timely curing by the defaulting Owner of any default for which

a notice of lien was recorded, the party recording same shall record an appropriate release of such notice of lien and Assessment Lien.

9.4 Remedies Cumulative. The remedies specified herein shall be cumulative and in addition to all other remedies permitted at law or in equity.

9.5 No Termination For Breach. Notwithstanding the foregoing to the contrary, no breach hereunder shall entitle any Owner to cancel, rescind, or otherwise terminate this Declaration. No breach hereunder shall defeat or render invalid the lien of any mortgage or deed of trust upon any Lot made in good faith for value, but the easements, covenants, conditions and restrictions hereof shall be binding upon and effective against any Owner of such Lot covered hereby whose title thereto is acquired by foreclosure, trustee's sale, or otherwise.

9.6 Irreparable Harm. In the event of a violation or threat thereof of any of the provisions of Section 2, 3, 4 or 5 of this Declaration, each Owner agrees that such violation or threat thereof shall cause the nondefaulting Owner and/or its Permittees to suffer irreparable harm and such nondefaulting Owner and its Permittees may not have adequate remedies at law. As a result, in the event of a violation or threat thereof of any of the provisions of Sections 2, 3, 4 or 5 of this Declaration, the nondefaulting Owner, in addition to all remedies available at law or otherwise under this Declaration, shall be entitled to injunctive or other equitable relief to enjoin a violation or threat thereof of Sections 2, 3, 4 or 5 of this Declaration.

10. Term. The easements, covenants, conditions and restrictions contained in this Declaration shall be effective commencing on the date of recordation of this Declaration in the office of the Cook County Recorder of Deeds, Illinois ("**Effective Date**") and shall remain in full force and effect thereafter in perpetuity, unless this Declaration is modified, amended, canceled or terminated by the written consent of all then record Owners of Lots 1 and 2 in accordance with Section 11.2 hereof.

11. Miscellaneous.

11.1 Attorneys' Fees. In the event a party institutes any legal action or proceeding for the enforcement of any right or obligation herein contained, the prevailing party after a final adjudication shall be entitled to recover from the non-prevailing party its costs and reasonable attorneys' fees incurred in the preparation and prosecution of such action or proceeding.

11.2 Amendment. The Owners agree that the provisions of this Declaration may be modified or amended, in whole or in part, or terminated, only by the written consent of all record Owners of Lots 1 and 2, evidenced by a document that has been fully executed and acknowledged by all such record Owners and recorded in the official records of the Cook County Recorder of Deeds, Illinois. In addition this Declaration may not be modified or

amended in whole or in part, or terminated, without reasonable Village of Wheeling timely review and reasonable approval.

11.3 Consents. Wherever in this Declaration the consent or approval of an Owner is required, unless otherwise expressly provided herein, such consent or approval shall not be unreasonably withheld or delayed. Any request for consent or approval shall: (a) be in writing; (b) specify the section hereof which requires that such notice be given or that such consent or approval be obtained; and (c) be accompanied by such background data as is reasonably necessary to make an informed decision thereon. The consent of an Owner under this Declaration, to be effective, must be given, denied or conditioned expressly and in writing.

11.4 No Waiver. No waiver of any default of any obligation by any party hereto shall be implied from any omission by the other party to take any action with respect to such default.

11.5 No Agency. Nothing in this Declaration shall be deemed or construed by either party or by any third person to create the relationship of principal and agent or of limited or general partners or of joint venturers or of any other association between the parties.

11.6 Covenants to Run with Land. It is intended that each of the easements, covenants, conditions, restrictions, rights and obligations set forth herein shall run with the land and create equitable servitudes in favor of the real property benefited thereby, shall bind every person having any fee, leasehold or other interest therein and shall inure to the benefit of the respective parties and their successors, assigns, heirs, and personal representatives.

11.7 Grantee's Acceptance. The grantee of any Lot or any portion thereof, by acceptance of a deed conveying title thereto or the execution of a contract for the purchase thereof, whether from an original party or from a subsequent owner of such Lot, shall accept such deed or contract upon and subject to each and all of the easements, covenants, conditions, restrictions and obligations contained herein. By such acceptance, any such grantee shall for himself and his successors, assigns, heirs, and personal representatives, covenant, consent, and agree to and with the other party, to keep, observe, comply with, and perform the obligations and agreements set forth herein with respect to the property so acquired by such grantee.

11.8 Separability. Each provision of this Declaration and the application thereof to Lots 1 and 2 are hereby declared to be independent of and severable from the remainder of this Declaration. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Declaration. In the event the validity or enforceability of any provision of this Declaration is held to be dependent upon the existence of a specific legal description, Declarant agrees to promptly cause such legal description to be prepared. Ownership of both Lots by the same person or entity shall not

terminate this Declaration nor in any manner affect or impair the validity or enforceability of this Declaration.

11.9 Time of Essence. Time is of the essence of this Declaration.

11.10 Entire Agreement. This Declaration contains the complete understanding and agreement of the parties hereto with respect to all matters referred to herein, and all prior representations, negotiations, and understandings are superseded hereby.

11.11 Notices. Notices or other communication hereunder shall be in writing and shall be sent certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery. Notice shall be deemed given upon receipt or refusal to accept delivery. Each party may change from time to time their respective address for notice hereunder by like notice to the other party. The notice addresses of Declarant are as follows:

Declarant: GW Property Group, LLC – Series 63
2211 N. Elston Avenue, Suite 304
Chicago, Illinois 60614
Attention: Mitch Goltz

with copies to: Jaffe & Berlin, LLC
111 West Washington Street,
Suite 900
Chicago, Illinois 60602
Attention: Frank W. Jaffe, Esq.

11.12 Governing Law. The laws of the State in which the Lots are located shall govern the interpretation, validity, performance, and enforcement of this Declaration.

11.13 Estoppel Certificates. Each Owner, within twenty (20) days of its receipt of a written request from the other Owner(s), shall from time to time provide the requesting Owner, a certificate binding upon such Owner stating: (a) to the best of such Owner's knowledge, whether any party to this Declaration is in default or violation of this Declaration and if so identifying such default or violation; and (b) that this Declaration is in full force and effect and identifying any amendments to the Declaration as of the date of such certificate.

11.14 Bankruptcy. In the event of any bankruptcy affecting any Owner or occupant of any Lot, Declarant agrees that this Declaration shall, to the maximum extent permitted by law, be considered an agreement that runs with the land and that is not rejectable, in whole or in part, by the bankrupt person or entity.

11.15 Counterparts. This Declaration may be executed in any number of counterparts, each of which will for all purposes be deemed to be an original, and all of which are identical.

11.16 Mortgage Subordination. Any mortgage or deed of trust affecting any portion of any Lot shall at all times be subject and subordinate to the terms of this Declaration, and any party foreclosing any such mortgage or deed of trust, or acquiring title by deed in lieu of foreclosure or trustee sale, shall acquire title subject to all the terms and conditions of this Declaration.

11.17 Village of Wheeling. Declarant, through this Declaration, hereby grants to Wheeling, its agents and employees, a license in perpetuity, which license shall solely allow but not require Wheeling to enter onto the Shopping Center Parcel for the express and specific purposes of repairing, maintaining or replacing any and all Utility Lines within the Utility Easement and Storm Water Easement, as set forth in Sections 2.1(c) and (d) above, located on the Shopping Center Parcel. The license granted herein allows Wheeling entry onto and the right to undertake the activities noted herein, but does not require Wheeling to do so. Wheeling may undertake the rights granted herein, only after reasonable notice to any Owner of the Shopping Center Parcel, and failure of any Owner of any Lot to undertake the necessary repairs or maintenance within a reasonable time. If Wheeling determines that there is the need to undertake maintenance, repairs or replacement of the Utility Lines after any Owner of any Lot has been afforded reasonable time to make such repairs, Wheeling shall be allowed to file a lien against the Shopping Center Parcel for the costs it has expended on the activities undertaken on the Shopping Center Parcel.

11.18 Recording of Plat. Declarant shall have the right to cause the Plat to be recorded. Declarant covenants that the Plat will not materially or adversely affect the Lots or access to the Lots.

[Remainder of page intentionally left blank; signatures to follow.]

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first written above.

DECLARANT:

GW PROPERTY GROUP, LLC- SERIES 63, a Delaware limited liability company

By:_____

Name:_____

Its:_____

NOTARIAL ACKNOWLEDGMENTS

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that _____, personally known to me to be the _____ of **GW PROPERTY GROUP, LLC – SERIES 63**, a Delaware limited liability company, appeared before me this day and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free, voluntary and duly authorized act of said company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this ____ day of _____, 2018.

Notary Public

My commission expires:_____

Exhibit A

Legal Descriptions of Lots 1 and 2; Shopping Center Parcel

PARCEL 1:

LOTS 1, 2, 3, 4, AND 5 IN BLOCK 1 IN WILLES DUNDEE ROAD ADDITION TO WHEELING, BEING A SUBDIVISION OF THAT PART OF LOT "A" OF WILLES CONSOLIDATION OF LANDS IN SECTIONS 1, 2, 11 AND 12, IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, FALLING IN A TRACT OF LAND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE CENTER LINE OF DUNDEE ROAD, 547.6 FEET SOUTH 88 DEGREES 20 MINUTES WEST OF A STONE AT THE INTERSECTION OF THE CENTER LINE OF DUNDEE ROAD AND MILWAUKEE ROAD, THENCE SOUTH 88 DEGREES 20 MINUTES WEST ALONG THE CENTER LINE OF DUNDEE ROAD, 358.52 FEET, THENCE SOUTH 1 DEGREE 40 MINUTES EAST 1341.3 FEET TO THE SOUTH LINE OF LOT "A", THENCE EASTERLY ALONG SAID SOUTH LINE 358.52 FEET, THENCE SOUTH TO A POINT OF BEGINNING (EXCEPTING THE EAST 50 FEET OF THE NORTH 183 FEET OF THAT PART THEREOF LYING SOUTH OF THE CENTER LINE OF SAID DUNDEE ROAD, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE NORTH 150 FEET OF THE EAST 55 FEET OF THAT PART OF LOT "A" LYING WEST OF A LINE DRAWN AT RIGHT ANGLES TO THE CENTER OF DUNDEE ROAD FROM A POINT 547.6 FEET WEST OF THE CENTER OF MILWAUKEE ROAD OF WILLE'S CONSOLIDATION OF LAND IN SECTIONS 1, 2, 11 AND 12 IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Exhibit B

Plat

See attached.

LENDER CONSENT

The undersigned, the beneficiary under that certain Mortgage dated as of _____, 20____, and recorded by the Cook County Recorder of Deeds on _____, 20____, as Document No. _____, as the same may be amended or supplemented from time to time (the “**Mortgage**”), which Mortgage encumbers Lots 1, 2, and 3, which are subject to the Declaration, hereby consents to and approves (but does not subordinate its lien or any rights to) the Declaration. The Declaration, shall not be extinguished, limited or affected to any extent by any foreclosure of the Mortgage.

By: _____
Name: _____
Title: _____

STATE OF ILLINOIS)
) ss:
COUNTY OF COOK)

The foregoing Lender Consent was acknowledged before me this ____ day of _____ 2018, by _____ as _____ of _____.

Witness my hand and official seal.

My commission expires: _____.

Notary Public

Lender Consent