



**WHEELING PLAN COMMISSION
THURSDAY, APRIL 25, 2019 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 19-5](#)
Pearle Vision
727 W. Dundee Road
Appearance Approval of a Wall Sign
- B)** [Docket No. SCBA 19-13](#)
McCormick's Group
550 Palwaukee Drive
Appearance Approval of a Freestanding Sign
- C)** [Docket No. SCBA 19-14](#)
Inland Bank
337 W. Dundee Road
Appearance Approval of Wall Signs

7. ITEMS FOR REVIEW

- A)** [Docket No. PC 19-9](#)
Pearle Vision
727 W. Dundee Road
Minor Site Plan and Appearance Approval

- B)** [Docket No. PC 19-10](#)
 CMX Theater
 401 W. Dundee Road (Wheeling Town Center)
 Minor Site Plan and Appearance Approval

 - C)** [Docket No. 2019-8 A&B](#) (Petition sent back from April 15, 2019 Village Board)
 309 N. Wolf Road
 Chicago Auto Center
 2019-8A Variation to Required Parking
 2019-8B Special Use-Site Plan Approval for Light Motor Vehicle Repair Facility

 - D)** [Docket No. 2019-12](#) (Petition to be continued to May 9, 2019)
 4 Ever Dance Fitness LLC
 15 N. Elmhurst Road
 Special Use for Recreational and Instructional Facility
- 8. APPROVAL OF MINUTES – [April 11, 2019](#) (including Findings for Docket No. 2018-30 and 2019-10)**
- 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
April 25, 2019
(Attachment to Agenda)**

2019-8A&B Chicago Auto Center, Ltd., contract purchaser, seeking 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; and Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-05 Mixed use and Overlay Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, for a light motor vehicle repair facility for the property located at 309 N. Wolf Road, which is zoned MXC Commercial-Residential Mixed Use District.

2019-12 4 Ever Dance Fitness LLC, lessee, seeking a Special Use Permit as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-05 Mixed use and Overlay Districts, Chapter 19-10 Use Regulations, and associated sections, in order to permit a recreation and instruction facility located at 15 N. Elmhurst Road, which is zoned MXT Transit Oriented Mixed Use District.

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson and Members of the
Wheeling Plan Commission

FROM: Andrew C. Jennings, Director of Community Development
Steve Robles, Assistant Director of Community Development

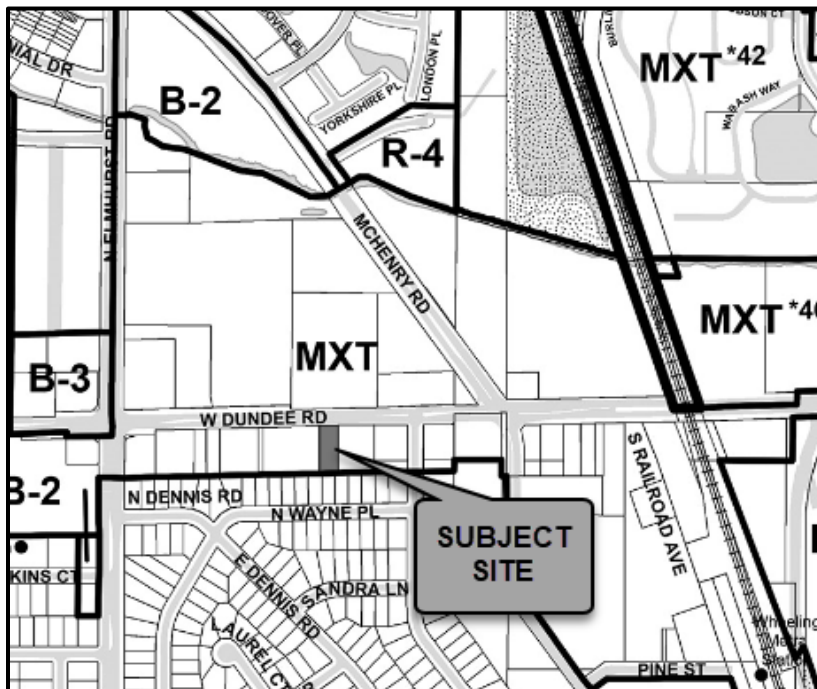
RE: **Docket No. SCBA 19-5**
Pearle Vision
727 W. Dundee Road
Appearance Approval of Wall and Freestanding Signs

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner is seeking appearance approval of a new wall sign and a new sign panel to an existing freestanding sign for Pearle Vision.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Kenneth Portnoy, Property Owner
<u>Common Property Address:</u>	727 W. Dundee Road
<u>Common Location:</u>	South side of W. Dundee Road, between N. Elmhurst Road and McHenry Road

<u>Neighboring Property Land Use(s):</u>	North: Commercial West: Commercial South: Residential East: Commercial
<u>Comprehensive Plan Designation:</u>	Transit-oriented mixed use
<u>Property size:</u>	13,266 sq. ft. (0.30 acres)
<u>Existing Use of Property:</u>	Eye glass store
<u>Proposed Use of Property:</u>	No change proposed
<u>Existing Property Zoning:</u>	MXT – Transit-Oriented Mixed Use District
<u>Previous Zoning Action on Property:</u>	No recent action

DESCRIPTION OF PROPOSAL

The petitioner is requesting appearance approval to install a new wall sign on the north building elevation and replacement sign panels to an existing freestanding sign for the eye vision store.

SIGNAGE PLAN REVIEW

Wall Sign Location, Size, Style and Type: A new wall sign is proposed on the north building elevation, facing Dundee Road to replace an existing non-conforming internally illuminated wall sign. The new wall sign will have white back panel mounted onto the mansard roof of the store. The sign copy will consist of ¼" thick dimensional aluminum letters to read "PEARLE VISION" with the corporate eyeglass logo between the two words to be painted gray. The sign will also include 1/8" dimensional aluminum letters to read "EST. 1961". The sign meets the requirements of the Sign Code based on the following:

- Proposed Sign Area: 30 square feet
- Allowable Sign Area: 31 square feet (based on a 21' wide north building façade)

The current sign is an internally illuminated box/cabinet style sign where the whole sign face is illuminated. This type of illumination is no longer permitted by the Sign Code. Since the new wall sign will no longer be illuminated, the petitioner is seeking to install 3 exterior "goose neck" light fixtures above the wall sign to provide illumination. The light fixture color will be white. The style of light fixture is shielded to prevent any light spillage and will direct the light to the sign face.

Freestanding Sign Location, Size, Style and Type: The petitioner proposes to reuse the existing freestanding sign along the north portion of the site, fronting Dundee Road. The proposed business identification sign will be double-sided 32 sq. ft. sign panels. The sign will be a vinyl face panel with green background with blackout vinyl that will prevent the internal lighting from shining through the green background. The sign copy will consist of white vinyl letters to read "PEARLE VISION" and also include the corporate eyeglass logo and "EST. 1961". The sign is currently internally illuminated and only the white letters will be illuminated at night. The proposed signs meets the size requirements of the Sign Code.

Landscaping: A landscape plan is provided for upgrade the existing landscaping in the existing planter box at the base of the freestanding sign. The area of the landscaping is approximately 144 sq. ft., which exceeds the size required by the Sign Code. The proposed landscape plans meet the species mix requirements of the Sign Code. It includes evergreens/winter interest (everlow yews), deciduous shrubs (black eyed susan), decorative grass (Karl Foerster Grass), and perennial flowers.

STAFF REVIEW

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

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

PROPOSED MOTION

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

Approve Docket No. SCBA 19-5 to grant appearance approval of the wall sign and freestanding sign, as shown on the following plans, prepared by Sign Services Incorporated, for Pearle Vision, located at 727 W. Dundee Road, Wheeling, Illinois:

- Freestanding Sign Plan, dated October 2, 2018
- Wall Sign Plan, dated January 29, 2019
- Landscape Plan, dated November 19, 2018



Andrew C. Jennings, AICP
Director of Community Development



Steve Robles, AICP
Assistant Director of CD

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

[Freestanding Sign Plan, dated October 2, 2018](#)

[Wall Sign Plan, dated January 29, 2019](#)

[Landscape Plan, dated November 19, 2018](#)

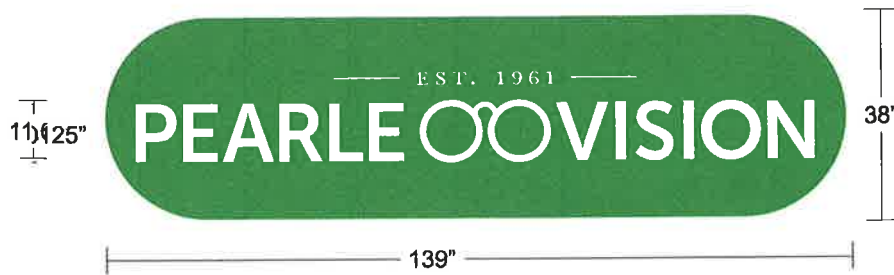


Existing conditions of wall sign (looking south)



Existing conditions of freestanding sign (looking east)

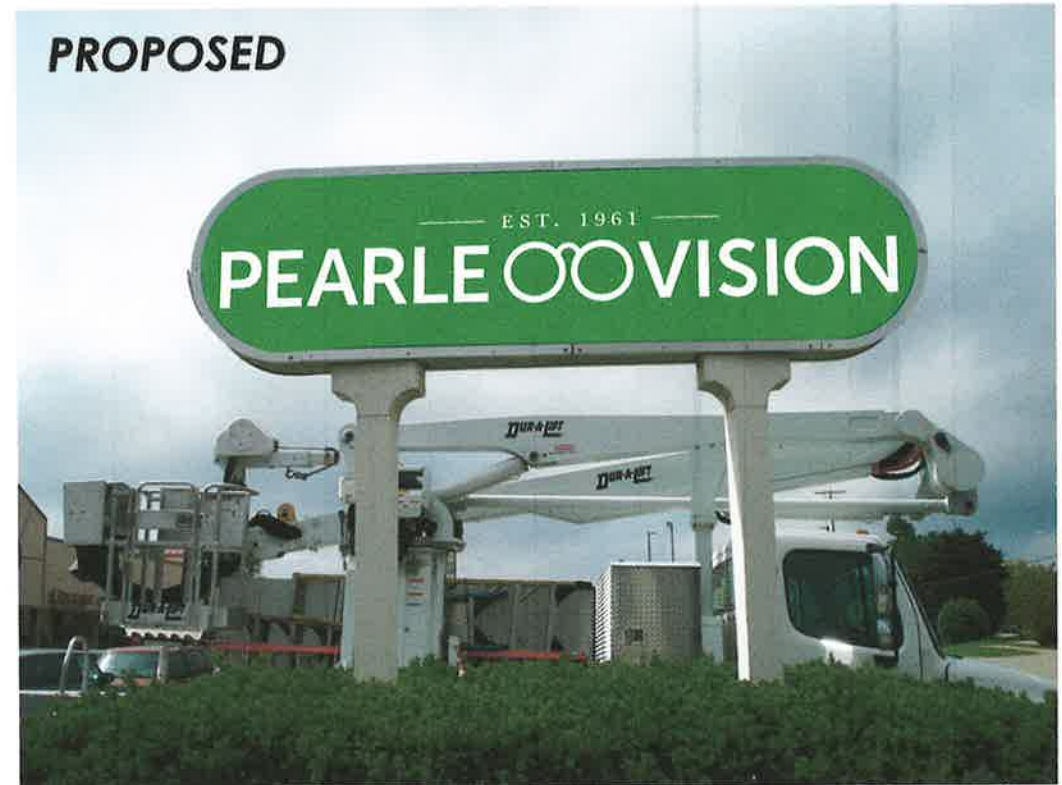
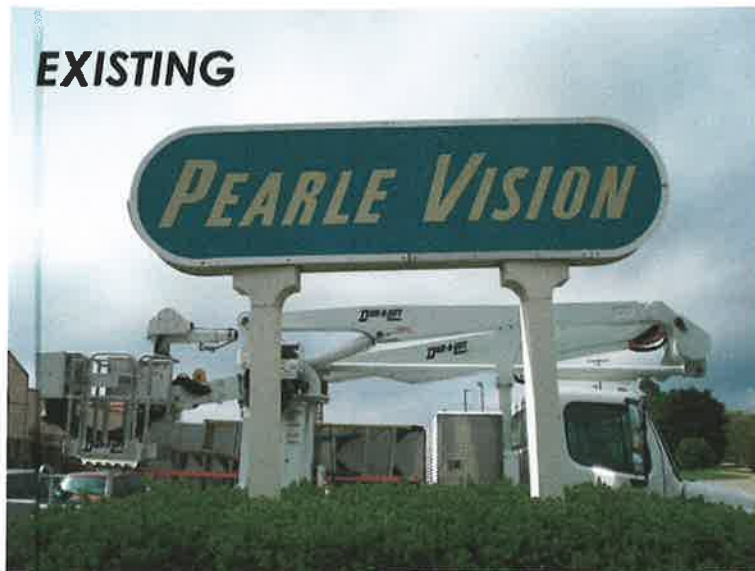
Pylon



VHLE OPENING: 34" x 135"

3M 3630-5490 CUSTOM GREEN VINYL BACKGROUND BACKED WITH BLOCKOUT VINYL TO MAKE BACKGROUND OPAQUE

STENCIL CUT CUSTOM GREEN VINYL TO SHOW WHITE
TRANSLUCENT COPY



SSI SIGN SERVICES INCORPORATED
 Sign Services Incorporated, 181 Montecito Crescent, Melville, New York, 11747
 Phone: 631-367-7315, Fax: 631-367-7319, email: shellysign@cs.com

UL LISTED
UL APPROVED AND LISTED
ELECTRICAL REQUIREMENTS
(1) CIRCUIT
120VOLT/20AMPS

Client: Pearle Vision
 Location: 727 W. Dundee Rd., Wheeling, IL
 Project: Pylon panels
 Drawn by: Laura C.
 Date: 10/2/2018

SCBA 19-5, Pearle Vision

EXISTING

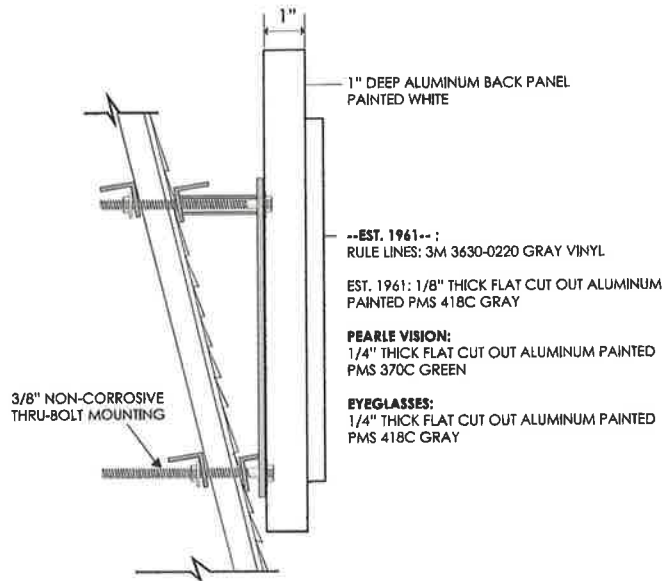


Storefront



**NON-ILLUMINATED PANEL ILLUMINATED WITH GOOSENECK LAMPS
(LAMPS PROVIDED BY OTHERS)**

PROPOSED



Flat cut out aluminum letters mounted to aluminum back panel
Not to scale

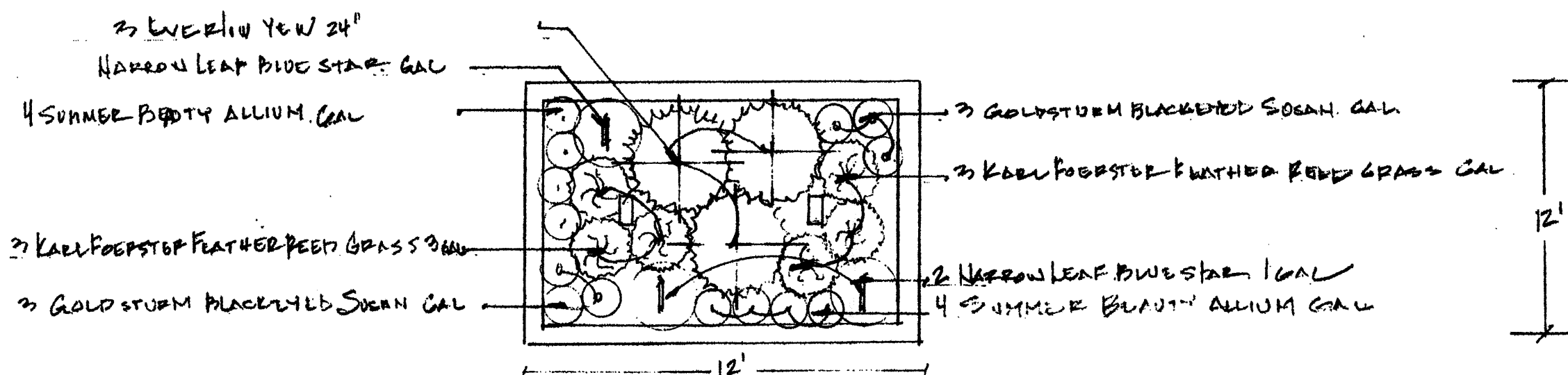
SSI SIGN SERVICES INCORPORATED

Sign Services Incorporated, 181 Montecito Crescent, Melville, New York, 11747
Phone: 631-367-7315, Fax: 631-367-7319, email: shellysign@cs.com



Client: Pearl Vision
Location: 727 W. Dundee Rd., Wheeling, IL
Project: Sign cabinet
Drawn by: Laura C.
Date: 1/29/2019

SCBA 19-5, Pearl Vision



PLANT LIST

QTY	NAME	SIZE
3	EVERLOW YEW	24" SPD
6	KARL FOERSTER FEATHER REED GRASS	3 GAL
3	NARROW LEAF BLUE STAR	GAL
8	SUMMER BEAUTY ALLIUM	GAL
6	GOLDSTURM BLACK EYED SUSAN	GAL

FLECK'S



**222 Industrial Lane
Wheeling, IL 60090-6302**

(847) 588-2100 Fax (847) 588-1400

PEARLE VISION-SIGN REHAB
727 W. DUNDEE ROAD
WHEELING, IL 60090
SCALE 1" = 4'-0"
DATE 11-19-2018

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson and Members of the
Wheeling Plan Commission

FROM: Andrew C. Jennings, Director of Community Development
Steve Robles, Assistant Director of Community Development

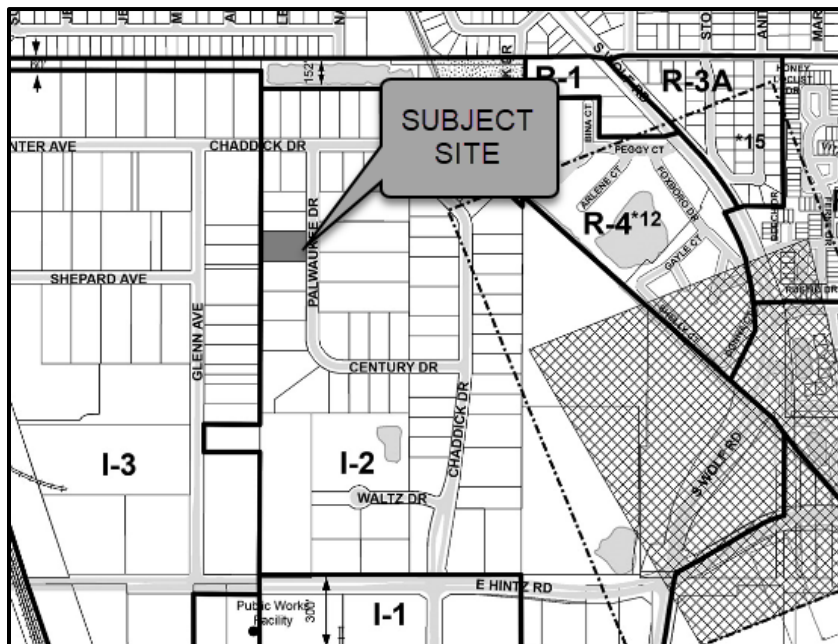
RE: **Docket No. SCBA 19-13**
McCormick's Group, LLC
550 Palwaukee Drive
Appearance Approval of a Freestanding Sign

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner is requesting appearance approval of a new sign panel to an existing freestanding sign for an existing industrial business.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	North Shore Sign Co.
<u>Property Owner Name:</u>	Andrew Plannert
<u>Common Location:</u>	Located on the west side of Palwaukee Drive, south Chaddick Drive and north of E. Hintz Road
<u>Existing Use of Property:</u>	Manufacturing and warehouse
<u>Existing Property Zoning:</u>	I-2 Limited Industrial District

Previous Zoning Action for Property: None

DESCRIPTION OF PROPOSAL

The petitioner is requesting appearance approval for a new sign panel to be installed on an existing monument identification sign for an existing industrial business that manufactures and warehousing of marching band performance products.

SIGN REVIEW

Sign Location: The petitioner proposes to reuse the existing monument sign along the east portion of the site, fronting Palwaukee Drive. The sign will be repainted with new white acrylic latex finish paint and refaced with a new sign panel.

Sign Type, Material and Size: The proposed business identification sign will be double sided with 20.3 sq. ft. sign panels. The sign will be a composite aluminum face panel painted black. The sign copy will consist of white ½" thick dimensional PVC letters to read "McCORMICK'S" and also include the address number "550". There is no illumination with the existing sign and will remain non-illuminated. The proposed sign meets the size requirements of the Sign Code.

Landscaping: A landscape plan is provided for the business identification sign to upgrade the existing landscaping. The area of the landscaping is approximately 50 sq. ft., which is over twice the size required by the Sign Code. The proposed landscape plans meet the species mix requirements of the Sign Code. It includes evergreens/winter interest (boxwood shrubs and dwarf juniper shrubs), deciduous shrubs (variegated hostas), decorative grass (Karl Foerster Grass), and perennial flowers.

STAFF REVIEW

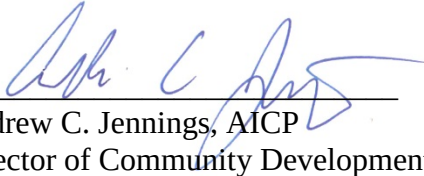
Impact on adjacent uses: No impact on adjacent uses is expected.

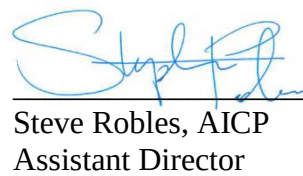
Staff Recommended Action: Staff recommends approval of the freestanding sign.

PROPOSED MOTION

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

Approve Docket No. SCBA 19-13 to grant appearance approval for the freestanding sign in accordance with the sign plans (3 sheets), prepared by North Shore Sign, last revised dated April 4, 2019, for McCormick's, located at 550 Palwaukee Drive, Wheeling, Illinois.



Andrew C. Jennings, AICP
Director of Community Development

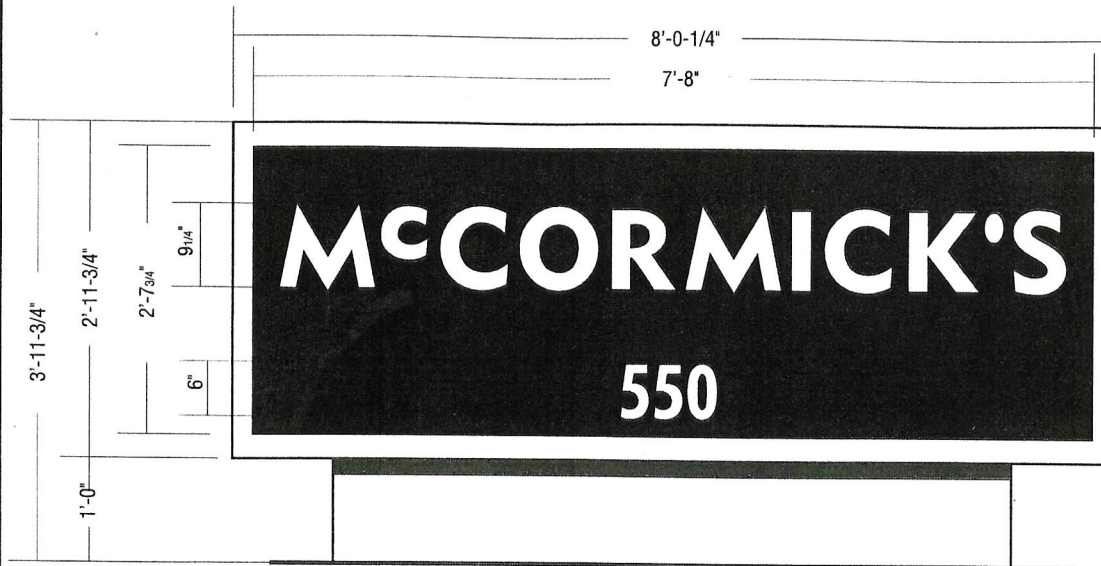
Steve Robles, AICP
Assistant Director

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

 [Monument sign plans \(3 sheets\)](#)



Existing conditions (looking north)



23.9 SQ. FT.

DOUBLE FACE FLANGE PANEL
3/4" = 1'-0"

Existing sign to be field repainted w/ new, WHITE Acrylic latex finish, and REFACED with new composite aluminum inlaid face panels approximately 2'-7-3/4" x 7'-8-1/4".

Mounted with High Bond Silicone to existing recessed backer panel.

Face panels to be .125 thick w/ have BLACK Satin finish and 1/2" thick raised dimensional WHITE PVC letters and address mounted w/ concealed fasteners drilled and tapped into backsides.

Letters to be 9-1/4" tall re: McCORMICK'S. Address to be 6" tall re: 550.



NORTH SHORE SIGN

1925 Industrial Drive Libertyville, Illinois 60048 847-816-7020

"Quality Signage Since 1930"

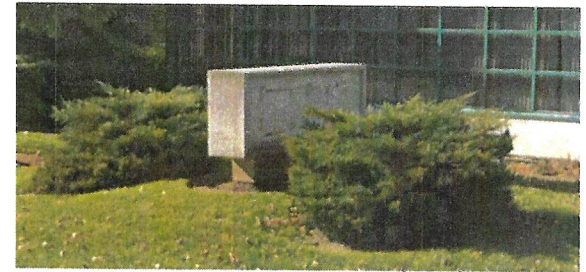


Colors depicted on this drawing are printed simulations to assist in visualizing the design. They do not accurately reflect the actual colors specified.

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EXISTING SIGN PHOTO



EXISTING LANDSCAPE PHOTO

APPROVED BY

Property Owner Printed Name:

ANDREW E. PLEWERT

Property Owner Signature:

Phone Number:

4-2-2019

Date

McCORMICK'S
550 PALWAUKEE DR. WHEELING, IL.

SCALE NOTED

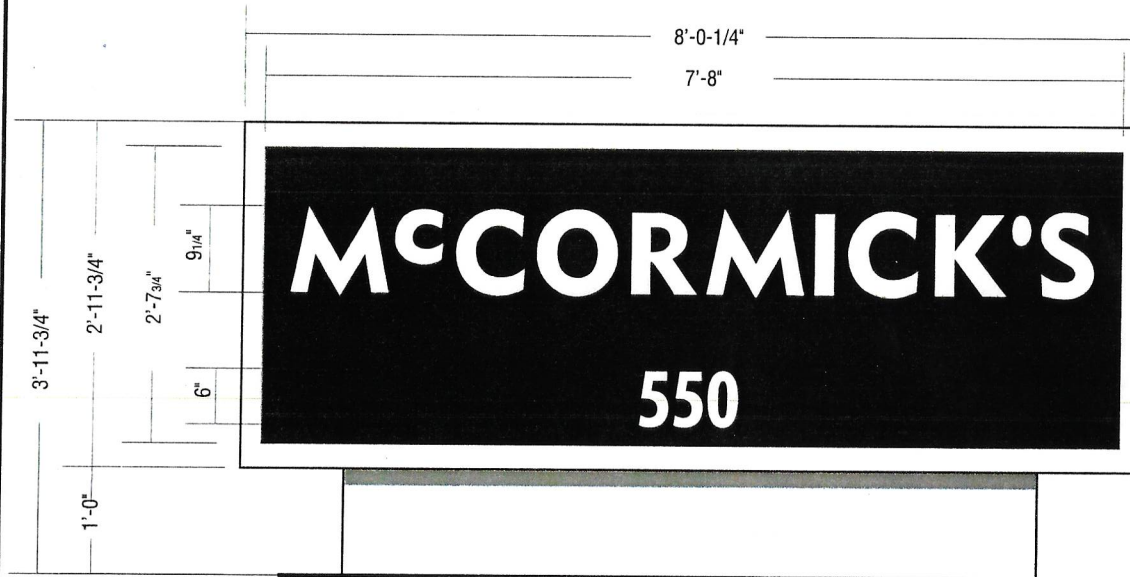
DATE 2/14/19

DRAW BY: AS

REVISED
3/26/19

SALESPERSON
JEFF

DRAWING #
11726



23.9 SQ. FT.

DOUBLE FACE FLANGE PANEL
3/4" = 1'-0"

Existing sign to be field repainted w/ new, WHITE Acrylic latex finish, and REFACED with new composite aluminum inlaid face panels approximately 2'-7-3/4" x 7'-8-1/4". Mounted with High Bond Silicone to existing recessed backer panel.

Face panels to be .125 thick w/ have BLACK Satin finish and 1/2" thick raised dimensional WHITE PVC letters and address mounted w/ concealed fasteners drilled and tapped into backsides.

Letters to be 9-1/4" tall re: McCORMICK'S. Address to be 6" tall re: 550.



NORTH SHORE SIGN

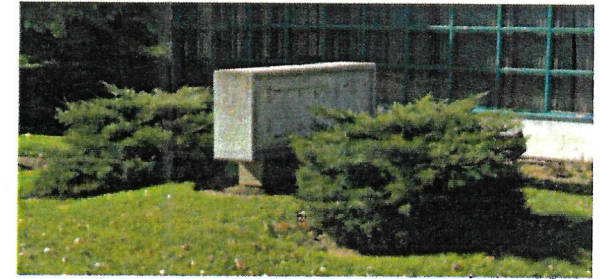
1925 Industrial Drive Libertyville, Illinois 60048 847-816-7020

"Quality Signage Since 1930"

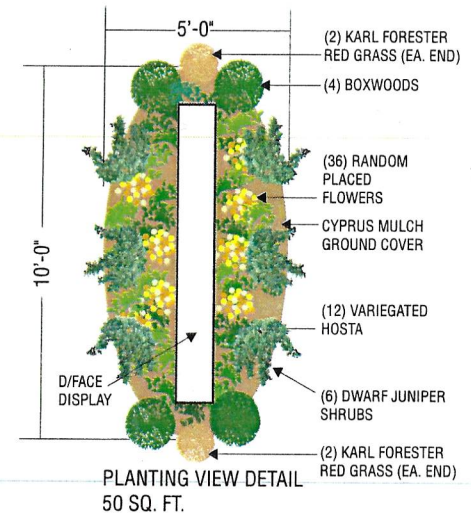


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EXISTING LANDSCAPE PHOTO



REVISED		COMMENTS
B	4/4/19	CHANGE LANDSCAPE VIEW
McCORMICK'S 550 PALWAUKEE DR. WHEELING, IL.		
SCALE	NOTED	SALESPERSON JEFF
DATE	2/14/19	
DRAW BY:	AS	DRAWING # 11726

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson and Members of the
Wheeling Plan Commission

FROM: Andrew C. Jennings, Director of Community Development
Steve Robles, Assistant Director of Community Development

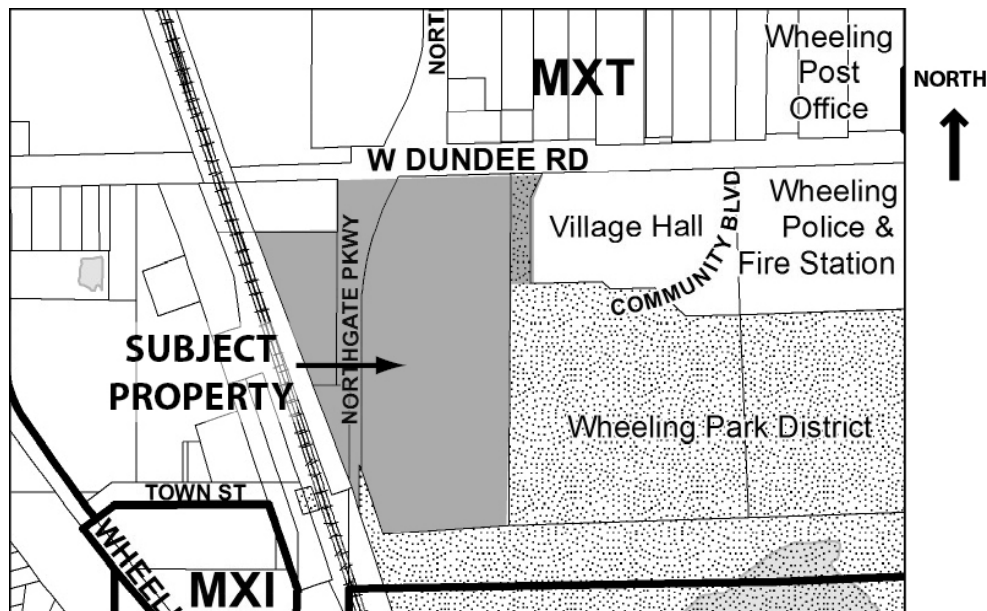
RE: **Docket No. SCBA 19-14**
Inland Bank
337 W. Dundee Road
Appearance Approval of Wall Signs

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner is seeking appearance approval for the installation of new wall signs for the Inland Bank in the Wheeling Town Center.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

<u>Applicant/Owner Name:</u>	Triangle Sign and Awning
<u>Common Location:</u>	Building B of the Wheeling Town Center
<u>Existing Use of Property:</u>	Vacant (under construction)
<u>Existing Property Zoning:</u>	MXT, Transit Oriented Mixed Use District
<u>Previous Relevant Zoning Action on Property:</u>	
2018-17	Special Use-Site Plan and Appearance Approval for Drive-Through Bank, granted by Ordinance No. 5202, passed 8/6/2018

DESCRIPTION OF PROPOSAL

The petitioner is requesting appearance approval for the installation of three new wall signs for the new Inland Bank at the Wheeling Town Center.

SIGNAGE PLAN REVIEW

Signage Locations: A total of three wall signs are proposed. The primary sign will be located on the north façade, which faces Dundee Road. The second (additional) wall sign will be located on the south façade facing the parking lot and the third (additional) wall sign will be located on the west elevation (which will also be visible from Dundee Road).

Proposed Signage Size, Style and Type: The main (primary) wall sign, which is located on the north façade, will include the bank name “INLAND BANK” and include the corporate “i” logo. The sign will be internally illuminated aluminum channel letters in white, with a black aluminum background panel. The circular logo will also be channel letter construction in red. A red stripe will be located below the sign letters of the bank name. The sign meets the requirements of the Sign Code based on the following:

- Proposed Sign Area: 24 square feet
- Allowable Sign Area: 52.5 square feet (based on a 35 wide building)

The two additional wall signs will be located on the west façade (visible from Dundee Road) and the south façade (facing the customer parking lot) and will be identical to the primary (main) wall sign on the north facade. The sign meets the requirements of the Sign Code based on the following:

- Proposed Sign Area: 24 square feet
- Allowable Sign Area: 30 square feet (on walls without a public entrance, signs cannot exceed 30 sq. ft.)

STAFF REVIEW

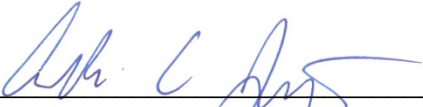
Impact on Adjacent Uses: No impact is anticipated on adjacent uses.

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

PROPOSED MOTION

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

Approve Docket No. SCBA 19-14 to permit the installation of wall signs in accordance with the Inland Bank sign plans (total of 3 pages), prepared by Triangle Sign and Awning, dated March 29, 2019, for Inland Bank, located at 337 W. Dundee Road, Wheeling, Illinois.



Andrew C. Jennings, AICP
Director of Community Development



Steve Robles, AICP
Assistant Director of CD

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

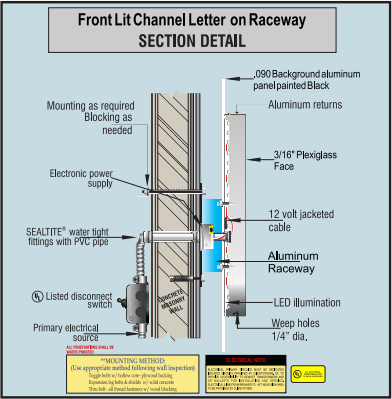
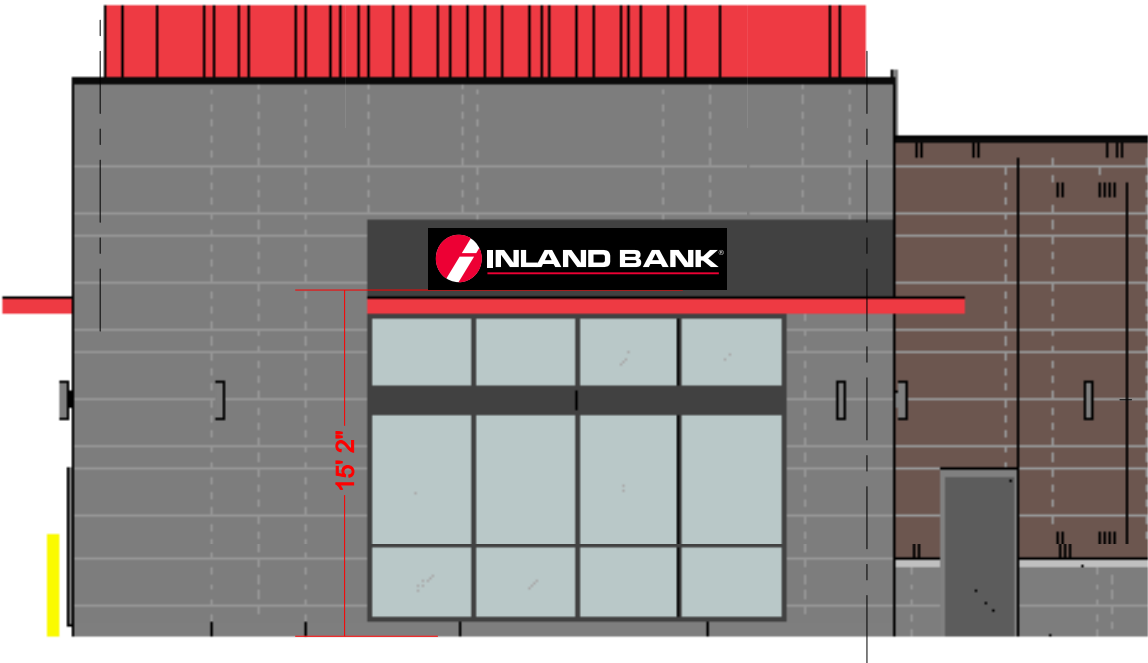
[Inland Bank Sign Plan \(3 pages total\), dated March 29, 2019](#)



Existing conditions of subject unit (looking northeast)

South Elevation

SCBA 19-14, Inland Bank



Channel letter General Specifications		
Sign Type		Front Lit Channel Letters
Illumination Type		LED
LED	Color	White
Face Material	Gauge	3/16"
Face	Color	White/Red PMS 185C
Return depth Gauge/Color	3" Wide Alum .040 White	
Back Material	Gauge	Aluminum .063
Tube Support	Type	N/A
Transformer Type / mA / vlt	LED Power Supply 12v	
Retainer screw	#4 x 0.5" Ig Hex hd	
Wire Type	UL 12V Jacketed cable	
Electrical Connectors	1/2" Greenfield	



TRIANGLE SIGN

AND AWNING INC.

888-263-6639
sales@trianglesignandawning.com
127 W. Wrightwood Ave. Elmhurst, IL 60126

CUSTOMER:Inland Bank Wheeling

LOCATION:337 W. Dundee Rd.
Wheeling, IL

Design by: Aleona S.
Date: 03/29/2019

Customer approval signature

/ /2019

Date

Landlord approval signature

/ /2019

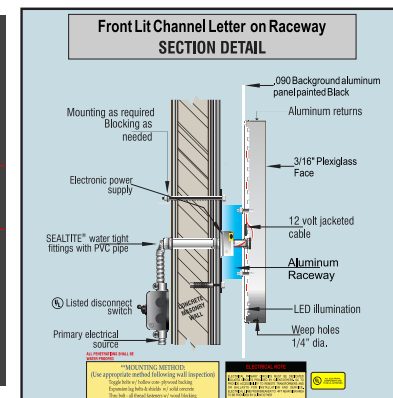
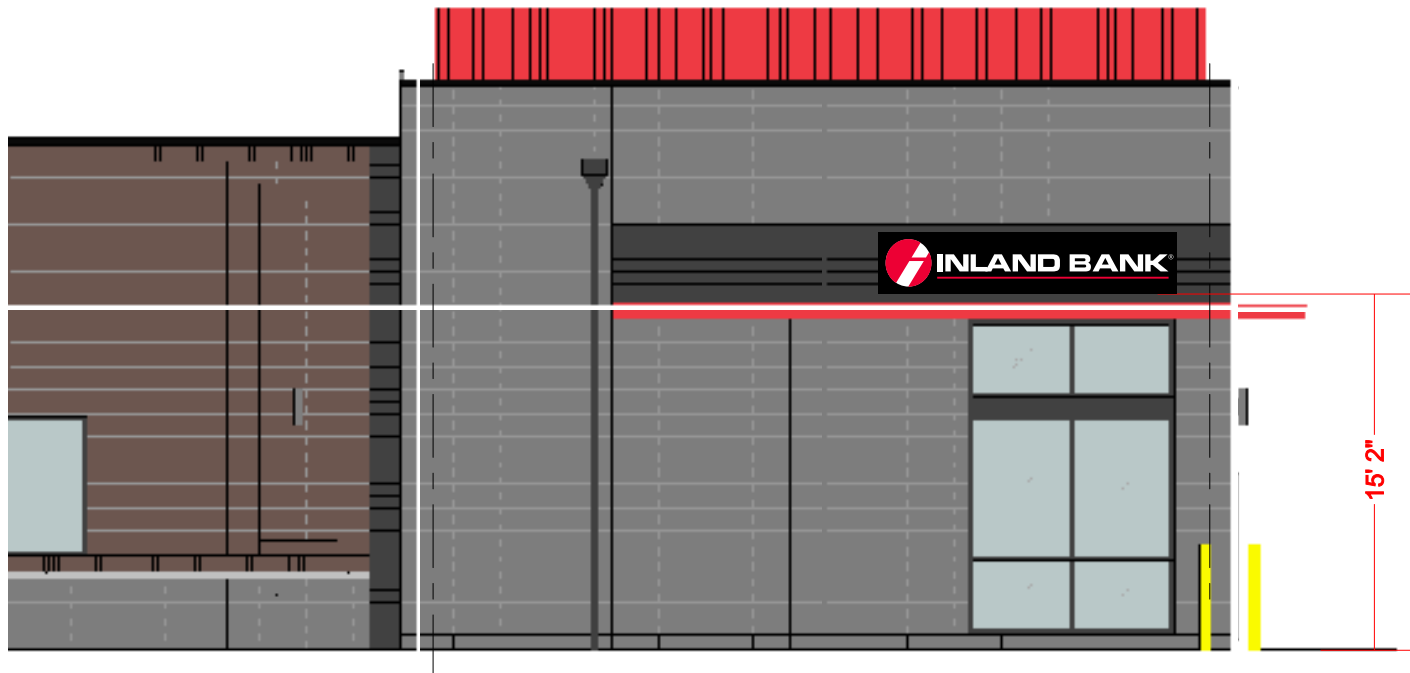
Date

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Proprietary and Confidential

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North Elevation

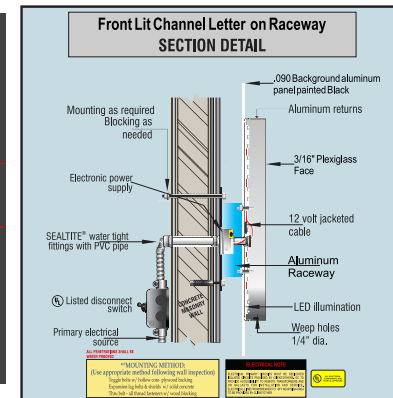
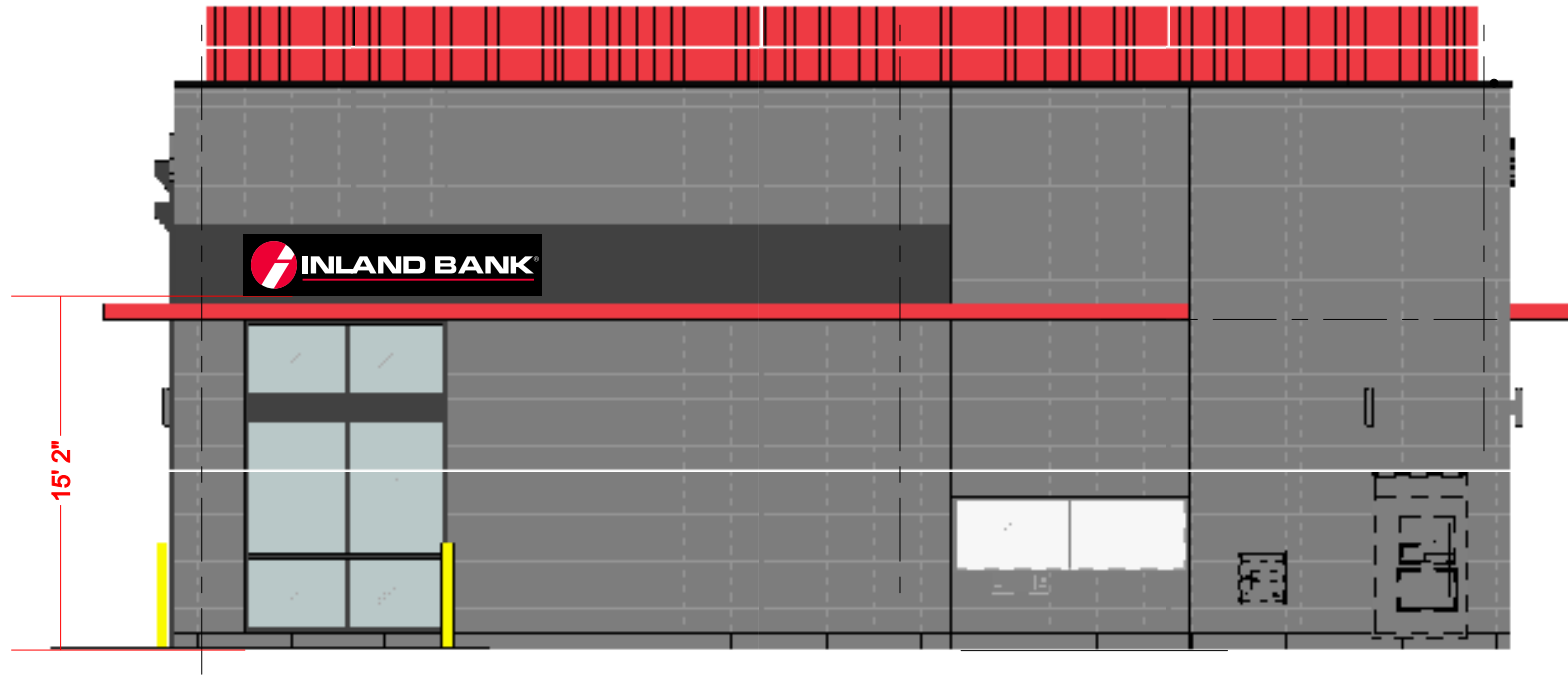
SCBA 19-14, Inland Bank



Channel Letter General Specifications			
Sign Type	Front Lit Channel Letters		
Illumination Type	LED		
LED Color	White		
Face Material	Gauge	3/16"	
Face Color	White/Red PMS 185C		
Return depth Gauge/Color	3" Wide Alum .040 White		
Back Material	Gauge	Aluminum	.063
Tube Support	Type	N/A	
Transformer Type / mA/vlt	LED Power Supply	12v	
Retainer screw	#4 x 0.5" Ig Hex hd		
Wire Type	UL 12V Jacketed cable		
Electrical Connectors	1/2" Greenfield		

West Elevation

SCBA 19-14, Inland Bank



Channel Letter General Specifications			
Sign Type	Front Lit Channel Letters		
Illumination Type	LED		
LED Color	White		
Face Material	Gauge	3/16"	
Face Color	White/Red PMS 185C		
Return depth	Gauge/Color	3" Wide Alum .040 White	
Back Material	Gauge	Aluminum .063	
Tube Support	Type	N/A	
Transformer	Type / mA / vlt	LED Power Supply 12v	
Retainer screw	#4 x 0.5" Ig Hex hd		
Wire Type	UL 12V Jacketed cable		
Electrical Connectors	1/2" Greenfield		

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson and Members of the
Wheeling Plan Commission

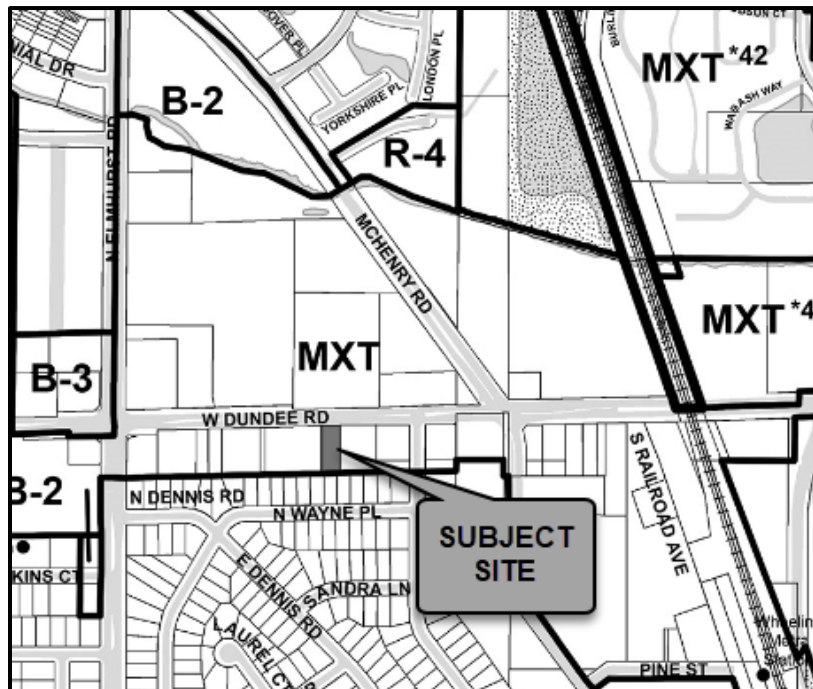
FROM: Andrew C. Jennings, Director of Community Development
Steve Robles, Assistant Director of Community Development

RE: Docket No. PC 19-9
Pearle Vision
727 W. Dundee Road
Minor Site Plan and Appearance Approval

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner requests minor site plan and appearance approval for the installation of a new fence and exterior building mounted light fixtures at the existing Pearle Vision store.



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Kenneth Portnoy, Property Owner
<u>Common Property Address:</u>	727 W. Dundee Road
<u>Common Location:</u>	South side of W. Dundee Road, between N. Elmhurst Road and McHenry Road

<u>Neighboring Property Land Use(s):</u>	North: Commercial West: Commercial South: Residential East: Commercial
<u>Comprehensive Plan Designation:</u>	Transit-oriented mixed use
<u>Property size:</u>	13,266 sq. ft. (0.30 acres)
<u>Existing Use of Property:</u>	Eye glass store
<u>Proposed Use of Property:</u>	No change proposed
<u>Existing Property Zoning:</u>	MXT – Transit-Oriented Mixed Use District
<u>Previous Zoning Action on Property:</u>	No recent action

DESCRIPTION OF PROPOSAL

Pearle Vision, petitioner and property owner, is seeking minor site plan and appearance approval to install a new 6' tall stockade wood fence to replace the current fence located at the rear (south) of the property, which adjoins single-family residential to the south. In addition, the petitioner is seeking to install 3 new exterior-mounted light fixtures to illuminate a new wall sign for the business.

SITE PLAN REVIEW

General site layout: No changes are proposed to the site layout. The new fence will be installed in the same location as the existing fence, along the south property line of the subject site.

APPEARANCE REVIEW

Fence: A new 6' tall, stockade wood fence will installed to replace the existing fence, in the same location and in the same style. New wood posts will also be installed and set in concrete.

Exterior Lights: The petitioner is seeking to replace the existing wall sign with a new wall sign (Docket No. SCBA 19-5). The current sign is an internally illuminated box/cabinet style sign where the whole sign face is illuminated. This type of illumination is no longer permitted by the Sign Code. Since the new wall sign will no longer be illuminated, the petitioner is seeking to install 3 exterior "goose neck" light fixtures above the wall sign to provide illumination. The light fixture color will be white. The style of light fixture is shielded to prevent any light spillage and will direct the light to the sign face.

STAFF REVIEW

Impact on adjacent uses: No impacts are anticipated on the adjacent uses.

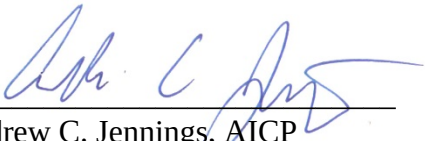
Staff Recommended Action: Staff recommends approval of the minor site plan and appearance approval.

PROPOSED MOTION

If the Plan Commission finds that the minor site plan and appearance of the fence and exterior light fixtures for Pearle Vision is acceptable, an appropriate motion would be to:

Approve Docket No. PC 19-9 granting minor site plan and appearance approval, as required under Title 19, Zoning, of the Wheeling Municipal Code and Chapter 19-12, Site Plan and Building Appearance Approval Requirements, in order to install a new 6' tall, stockade wood fence and three exterior light fixtures for Pearle Vision, 727 W. Dundee Road, in accordance with following exhibits:

- Site Plan, received April 11, 2019
- Stockade Fence Photo and Installation Quote, dated March 7, 2019
- Light Fixture Specification Sheet, received April 11, 2019



Andrew C. Jennings, AICP
Director of Community Development



Steve Robles, AICP
Assistant Director

Attachments:

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

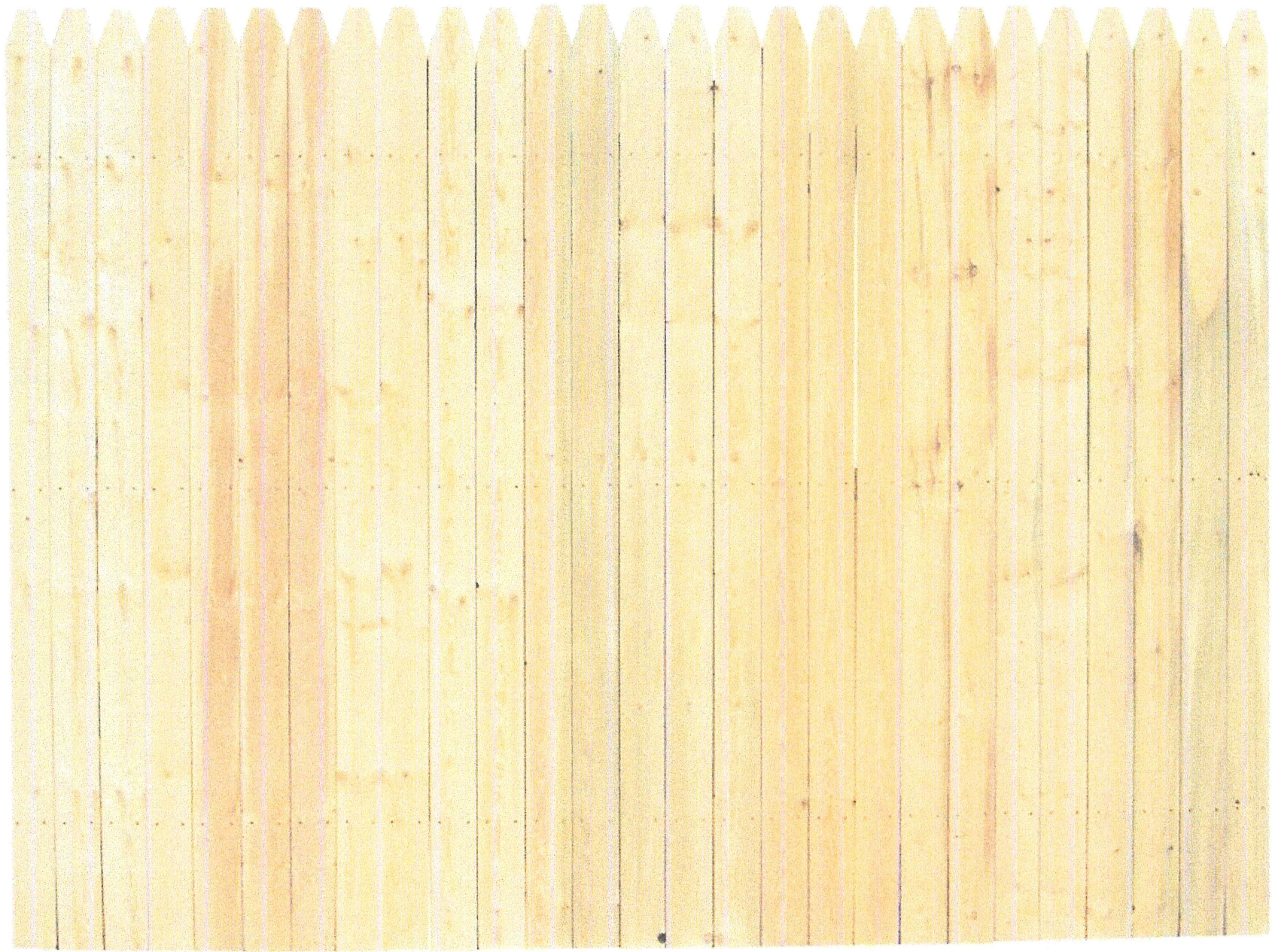
[Site Plan, received April 11, 2019](#)

[Stockade Fence Photo and Installation Quote, dated March 7, 2019](#)

[Light Fixture Specification Sheet, received April 11, 2019](#)



Existing conditions of subject fence (looking south)



PC 19-9, Pearle Vision Fence



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

PROPOSAL SUBMITTED TO: Pearle Vision	PHONE: 847-372-4477	DATE: 3-7-19
STREET: 727 E. Dundee Road	EMAIL:	
CITY, STATE AND ZIP CODE: Wheeling, IL 60090	JOB NAME:	
ATTENTION: Dr. Ken Portnoy	JOB LOCATION:	

We hereby submit specifications and estimates for the following:

Remove & Replace 75 LF of 6' Tall SPF Stockade Wood Fence

Posts- Western Red Cedar

Posts Set 42" Deep in Concrete

Haul Away Old Fence

Total: \$1,600.00

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

One Thousand Six Hundred Dollars (\$1,600.00)

Payment to be made as follows: Net Due Upon Completion

Note: There is a 3.5% Additional Charge for All Credit Card Transactions

ALL PERMITS MUST BE OBTAINED BY OWNER

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

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

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

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

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

Date of acceptance: _____

Signature: _____

[PRODUCTS](#) / [SIGN & DISPLAY](#) /

SIGN 27

PN: 27



INDOOR OUTDOOR LED CRI 80 CF
MH INC DIMMING EMERGENCY

Diameter: 10"
Lamping: 100W inc., 26W-42W CF, 70W-100W MH or 19W LED
Color temp.: 3000K, 3500K or 4000K
Voltage: 120v, 277V or 347V
Ballast/Driver: Wall mount or remote indoor/outdoor
Finish: Painted
Dimming: 0-10V
Emergency: Integral or remote... CF: CF cold pack, or LED: LED cold pack

Sign 27 is ideal for illuminating signage at close or medium range. It also provides adequate night time security lighting.

RELATED PRODUCTS



HAILEY PENDANT



CAFE



HAILEY WALL



SIGN 12



PC 19-9, Pearle Vision Light Specification, Received 4/11/2019

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson and Members of the
Wheeling Plan Commission

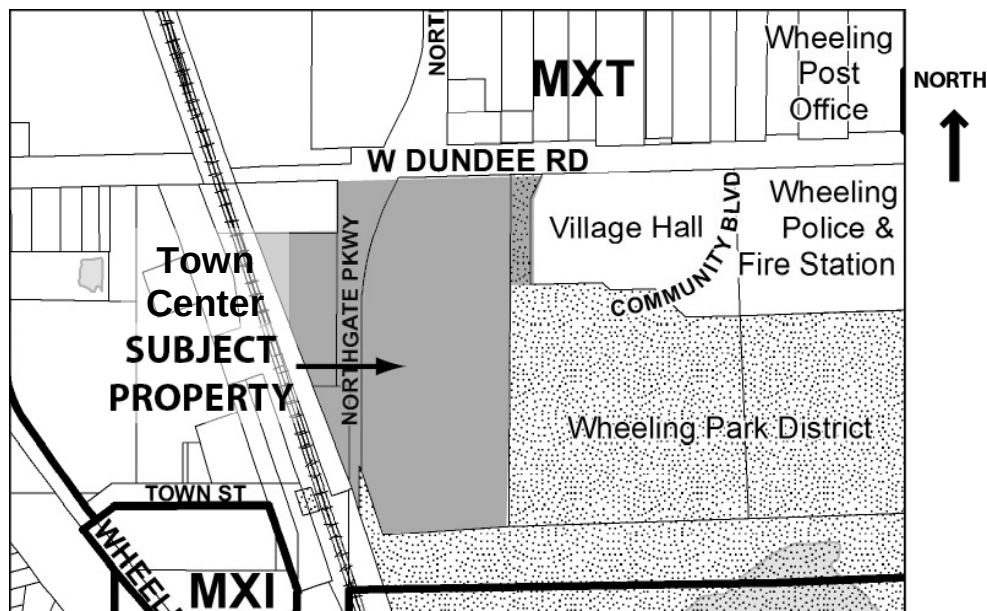
FROM: Andrew C. Jennings, Director of Community Development
Steve Robles, Assistant Director of Community Development

RE: Docket No. PC 19-10
CMX
401 W. Dundee Road
Minor Site Plan and Appearance Approval

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner requests minor site plan and appearance approval to modify the location of the exterior trash enclosure for the CMX movie theater building in the Town Center development.



GENERAL PROPERTY INFORMATION

<u>Applicant Name:</u>	Brad Friedman, The Lynmark Group
<u>Property Owner Name:</u>	Village of Wheeling
<u>Common Property Address:</u>	401 W. Dundee Road
<u>Common Location:</u>	Wheeling Town Center Subdivision
<u>Neighboring Property Land Use(s):</u>	North: Commercial (Burger King) West: Transportation (Railroad)

	South: Open Space (Heritage Park) East: Public (Village Hall and Recreation Center)
<u>Comprehensive Plan Designation:</u>	Transit-oriented mixed use
<u>Property size:</u>	Approximately 16 acres
<u>Existing Use of Property:</u>	Vacant – Under construction
<u>Proposed Use of Property:</u>	As approved by the Final PUD for the Town Center
<u>Existing Property Zoning:</u>	MXT – Transit-Oriented Mixed Use District
<u>Previous Zoning Action on Property:</u>	
2016-20A	Wheeling Town Center Final PUD, Ordinance No. 5033, passed October 17, 2016.
2016-20B	CMX Special Use-Site Plan Approval for a Theater Use, Ordinance No. 5034, passed October 17, 2016.
PC18-2	CMX Site Plan & Appearance Approval of Building and Site Modifications, Ordinance No. 5154, passed February 20, 2018.
PC 19-5	CMX Special Use Revision to Modify Restaurant Operations and Floor Plan, Ordinance No. 5250, passed March 4, 2019.

DESCRIPTION OF PROPOSAL

CMX, the anchor tenant to the Wheeling Town Center Development, is seeking minor site plan and appearance approval to relocate the exterior trash enclosure to serve the CMX Theater (Building J) in the Wheeling Town Center. The request also includes the final design of the enclosure. The original enclosure location was approved by Docket No. 2016-20B, which granted Special Use-Site Plan Approval for the theater. In the approved 2016 plans, the exterior trash enclosure area was located immediately west of the theater building and shared a wall with the theater building (see attached site plan/floor plan). As the Plan Commission may recall, CMX returned in 2018 (Docket No. PC-18-2) seeking site plan and appearance approval of several building and site modifications. While the 2018 site plan/floor plan (attached) provided by the petitioner illustrated an “area” within the parking aisle at the northwest corner of the theater building, this “area” was not identified as a new trash enclosure location nor were any elevation details provided for Plan Commission approval. As a result, Staff has determined that the approved trash enclosure for CMX remains the initial 2016 approval.

SITE PLAN REVIEW

General site layout: The site layout will be modified to accommodate the new location of the trash enclosure, which will be located at the southwest corner of the building, within the row of parking immediately west of the theater. In recognizing the adjacent residential rental units of The One, immediately to the south of CMX, the petitioner has distanced the trash enclosure from the residential units.

Parking spaces: Three parking spaces will be removed to accommodate the enclosure area, which will allow adequate space for the enclosure and a buffer on each side to allow space for vehicle door openings and pedestrian access from the parking lot to the sidewalk along the theater building. Although parking spaces are being removed, this number is consistent with the 2018 plans, which also removed three parking spaces, thus the total parking provided is not affected by this request.

APPEARANCE REVIEW

Elevation plans: The CMU block used for the trash enclosure will be slightly different from the block used on the rear (west elevation) of the CMX building. Split-faced CMU block in a dark charcoal grey color is proposed for the 6' tall enclosure walls. The gates will be metal panels also in the dark charcoal grey finish. The proposed materials and color will be consistent with the current materials of the CMX building and will allow the enclosure to blend with the dark charcoal grey color scheme at the ground level.

STAFF REVIEW

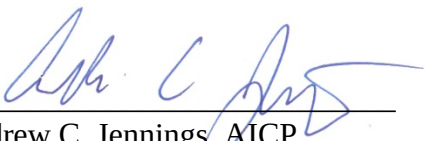
Impact on adjacent uses: No impacts are anticipated on the adjacent uses.

Staff Recommended Action: Staff recommends approval of the minor site plan and appearance approval.

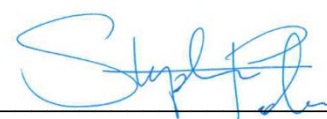
PROPOSED MOTION

If the Plan Commission finds that the minor site plan and appearance of the trash enclosure for the CMX theater is acceptable, an appropriate motion would be to:

Approve Docket No. PC 19-10 granting minor site plan and appearance approval, as required under Title 19, Zoning, of the Wheeling Municipal Code and Chapter 19-12, Site Plan and Building Appearance Approval Requirements, in order to construct an exterior trash enclosure for CMX, 401 W. Dundee Road (Building J within the Wheeling Town Center development), in accordance with the Trash Enclosure Design Submittal, dated April 8, 2019.



Andrew C. Jennings, AICP
Director of Community Development



Steve Robles, AICP
Assistant Director

Attachments:

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

[Trash Enclosure Design Submittal, dated April 8, 2019](#)

[2016 Approved CMX Floor Plan, per Ordinance No. 5034](#)

[2018 Approved CMX Floor Plan, per Ordinance No. 5154](#)



Existing conditions of site – Rear of CMX Building (looking north)

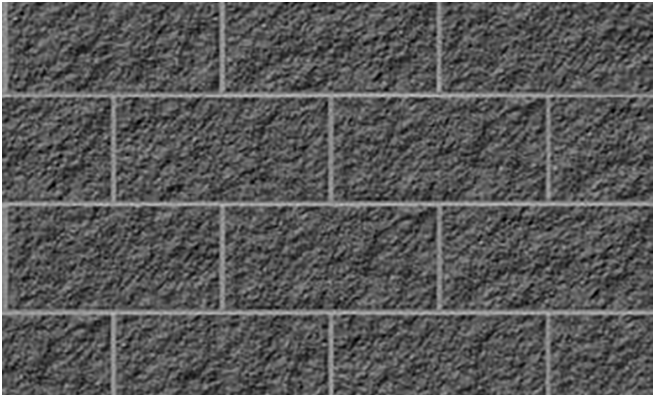


Existing conditions of site – Rear of CMX Building (looking north)

Summary

- The design intent of the Trash Enclosure is to be simple, discreet and not detract from the main Cinema building.
- The proposed materials for the Enclosure are split-face CMU and Metal Panel Gates, painted dark charcoal grey to match the Fiber Cement Panels at the base of the Cinema building.
- The Enclosure is located four and half parking stalls away from the Apartment building. Occupying three spaces, the Enclosure is two spaces wide, leaving a half space of clearance to each side.

Materials/Colors

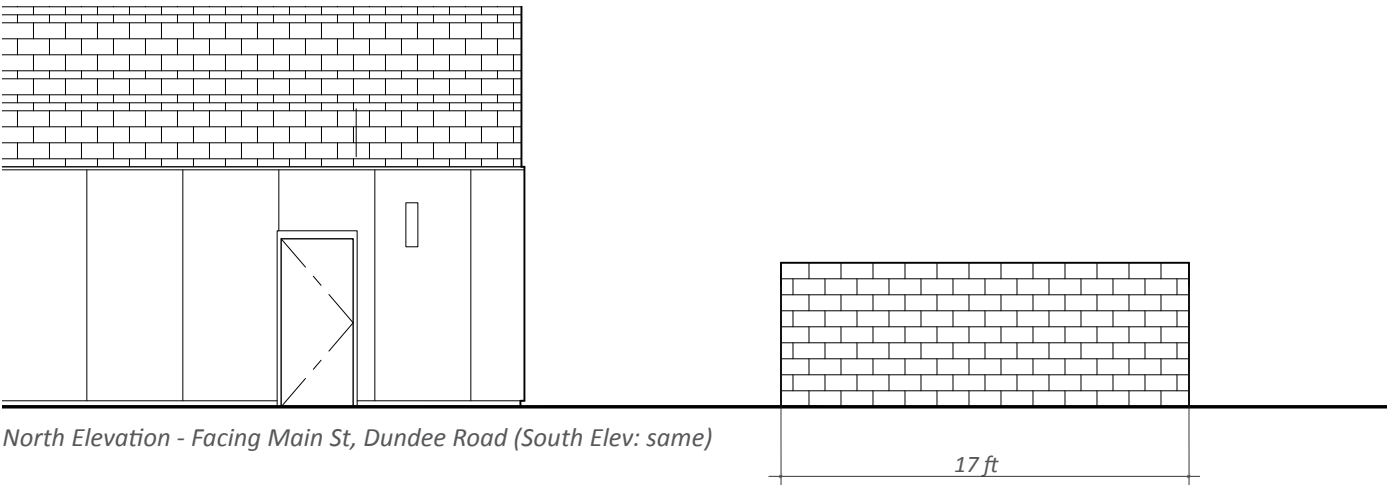
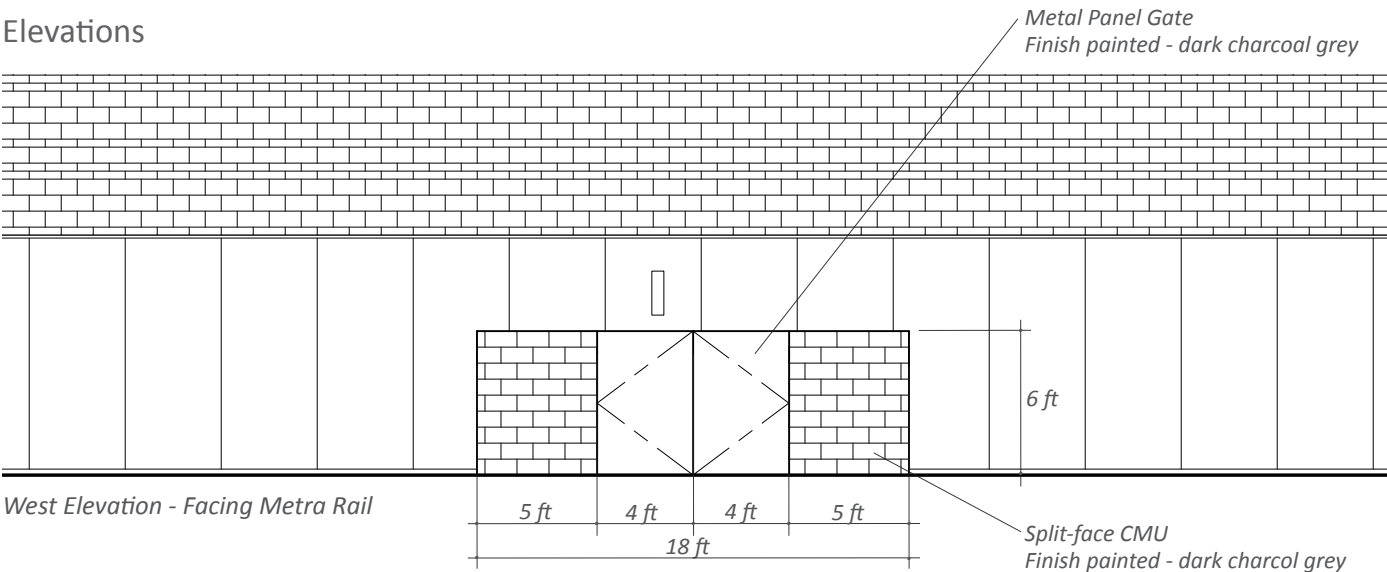


Split Face CMU - Dark Charcoal Grey

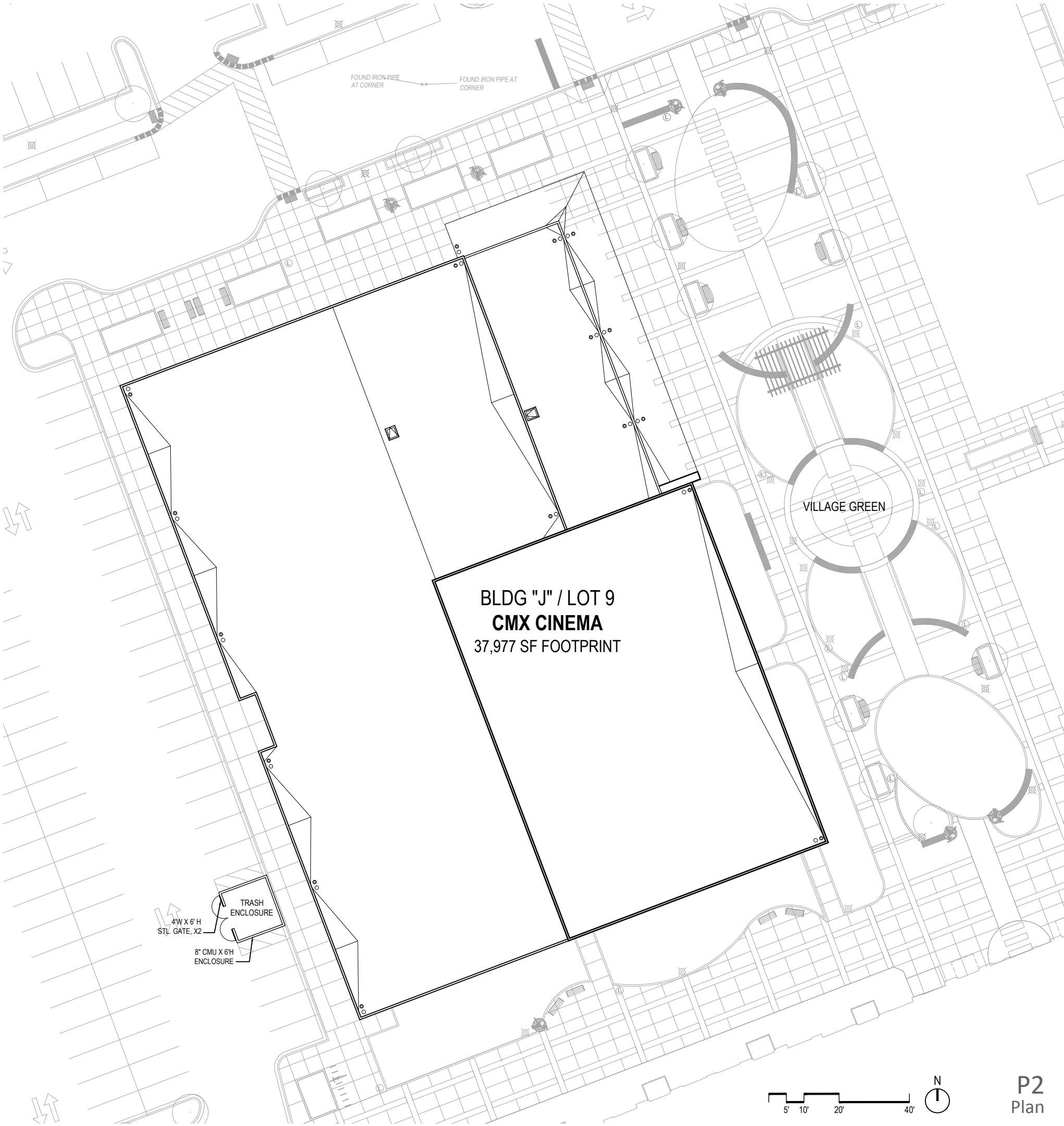


Metal Panel Gate - Dark Charcoal Grey

Elevations



P1
Summary, Materials, Elevations

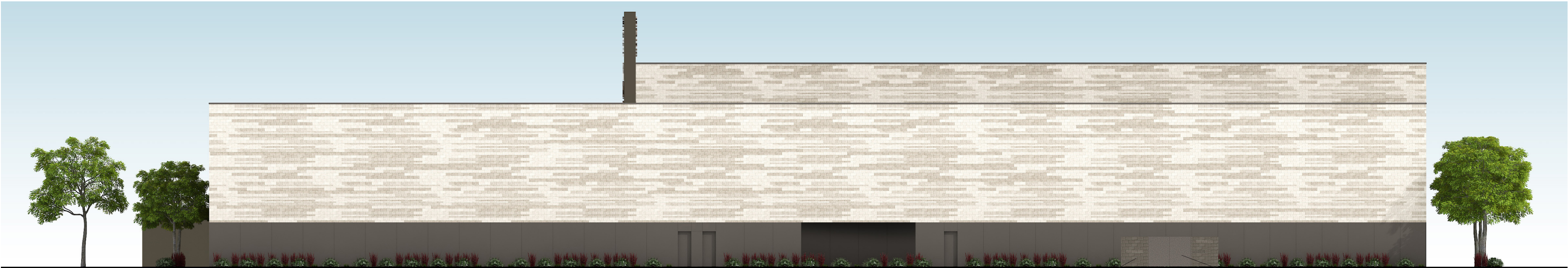




North Elevation Facing Main Street, Dundee Road

Trash Enclosure

6 ft high Split-face CMU
Finish painted - dark charcoal grey



West Elevation Facing Metra Rail

6 ft high Split-face CMU
Finish painted - dark charcoal grey

Trash Enclosure

4 ft wide Metal Panel Gate
Finish painted - dark charcoal grey



6 ft high Split-face CMU
Finish painted - dark charcoal grey

Trash Enclosure

South Elevation Facing Apartment Building



LOCATION:
WEST DUNDEE ROAD STREET, WHEELING, ILLINOIS 60090

SYMBOL LEGEND

F.F.L. FINISH FLOOR LEVEL
S.S.L. STRUCTURAL SLAB LEVEL
F.C.L. FINISH CEILING LEVEL
S.F.L. STRUCTURAL FLOOR LEVEL
L.S.L. LOWER SLAB LEVEL
P.L. PARAPET LEVEL
F.R.L. FINISHED ROOF LEVEL

1.22 [4'] DIMENSIONS IN METERS
[4'] DIMENSIONS IN FEET

Exhibit received September 1, 2016

GENERAL NOTES

1. Dimensions & levels in meters and feet.
2. All the levels are referred to level 0.00, which represents the access level to cinema.
3. Levels & measures must be verified at site before any kind of work. Any discrepancy must be communicated to the manager in charge.
4. Any change must be reported and approved by the manager.
5. Level FFL ± 0.00 of the cinema corresponds to the FFL 0.007 of the complex.

COMPLEX DATA

BUILT UP AREA sq.m	38,172.93
CONSTRUCTION sq.m	2053.17
CONSTRUCTION sq.ft	43500.32
# SEATS	796

Designer
Project Leader: VP Architect
Project Manager: CMX - Alexandra Trasca

0

CINEMEX
WHEELING
MARKET
10 THEATERS

ARCHITECTURE

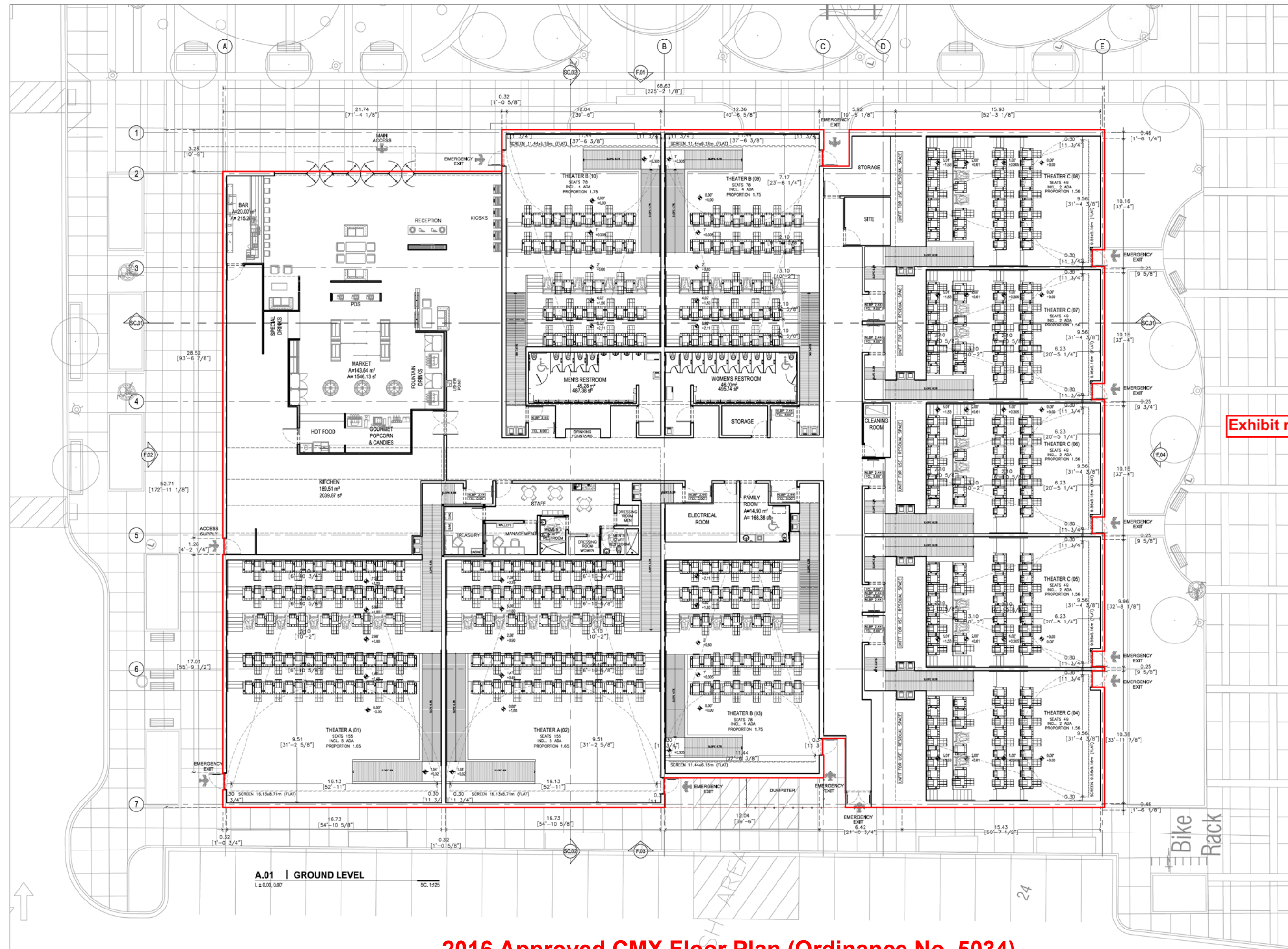
GROUND LEVEL

Final PUD Submittal

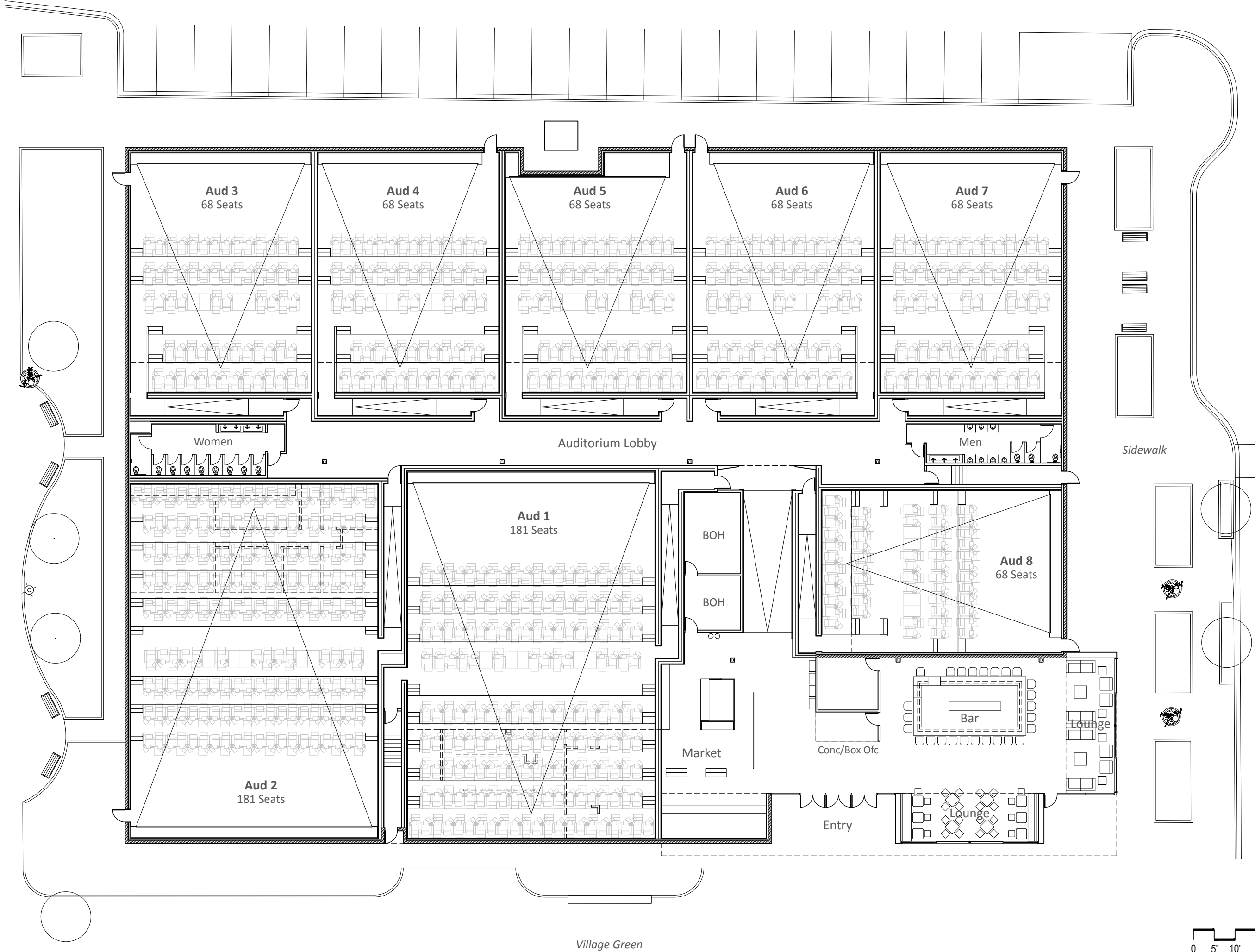
Scale: 1:125

Date: 09/01/16

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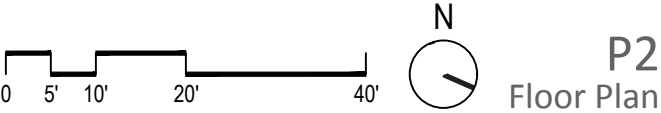


CMX WHEELING TOWN CENTER CINEMA
Major Appearance Change Review January 2018



Seating Summary

Auditorium 1	181 Seats
Auditorium 2	181 Seats
Auditorium 3	68 Seats
Auditorium 4	68 Seats
Auditorium 5	68 Seats
Auditorium 6	68 Seats
Auditorium 7	68 Seats
Auditorium 8	68 Seats
TOTAL	760 Seats



REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson and Members of the
Wheeling Plan Commission

FROM: Andrew C. Jennings, Director of Community Development
Steve Robles, Assistant Director of Community Development

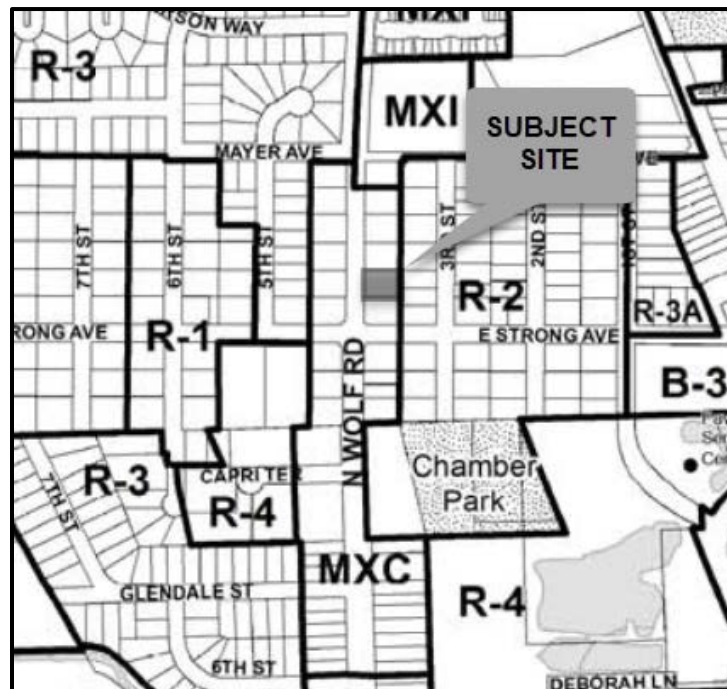
RE: **Docket No. 2019-8A&B**
Chicago Auto Center, Ltd.
309 N. Wolf Road
(2019-8A) Variation from Title 19, Zoning, Regarding
Required Parking
(2019-8B) Special Use-Site Plan Approval of a Light
Motor Vehicle Repair Facility

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner requests special use-site plan approval for a light motor vehicle repair facility and a zoning variation to reduce the required amount of off-street parking at an existing light industrial building at 309 N. Wolf Road.

LOCATION MAP:



GENERAL PROPERTY INFORMATION

Applicant Name: Chicago Auto Center, Ltd.

Property Owner: Eric Matye

<u>Common Location:</u>	Located on the east side of N. Wolf Road, north of Strong Street
<u>Neighboring Property Land Use(s):</u>	North: Residential West: Commercial/N. Wolf Road South: Residential East: Residential
<u>Comprehensive Plan Designation:</u>	Commercial/Residential Mixed Use
<u>Property Size:</u>	13,171.67 sq. ft. (property) 5,286 sq. ft. (building)
<u>Existing Use of Property:</u>	Vacant (former printing and copy facility)
<u>Proposed Use of Property:</u>	Light Motor Vehicle Repair Facility
<u>Existing Property Zoning:</u>	MXC Commercial-Residential Mixed Use District
<u>Previous Zoning Action on Property:</u>	None

SUMMARY OF MARCH 28, 2019 PLAN COMMISSION REVIEW

At the March 28th Plan Commission meeting, the Commission discussed the special use request and parking variation for the proposed light motor vehicle repair facility. Following the Plan Commission's discussion, both the special use and parking variation failed to receive enough positive votes. Prior to the May 15th Board meeting, the petitioner requested the Village Board send both items back to the Plan Commission so that they can present more specific information regarding how the proposed use would occupy the existing building and how to provide additional parking.

The petitioner has prepared the attached revised site plan and interior renderings, dated April 16, 2019, that adds one additional parking space in the western parking aisle of the parking lot (fronting Wolf Road). This will result in a total of 14 exterior parking spaces available at the site. This will be accomplished by restriping the parking lot and reducing the existing 10' wide parking stalls to the code minimum 9' stall width, and using the excess portions of pavement adjacent to the stalls in this aisle. The addition of the parking space will reduce the parking variance from an 18 space deficiency to 17 spaces. The interior renderings have been prepared to demonstrate how they will utilize the interior space of the existing building for the proposed auto repair use.

In addition, the petitioner has submitted the attached project description letter, dated April 15, 2019, identifying that they are under contract to purchase 313 N. Wolf Road (neighboring property to the north) and will use the property only for employee parking only during the hours of operation, 8 AM to 6 PM, Monday-Friday, and 8 AM to 3 PM Saturdays. Four employee parking spaces are required based on the maximum number of employees. The petitioner proposes to use the adjacent property for the 4 employee parking spaces, which would "open" 4 spaces on the subject property for customers since employee parking will be provided next door.

The letter indicates the long term plan is to demolish the existing home and expand the parking area. If the petitioner is to purchase the neighboring property, they would be allowed to use the property for any use permitted in the MXC District, which could include an office for the proposed auto repair use and associated parking. While the demolition of the adjacent home could provide more options to

support the business, the petitioner is not yet able to commit to the demolition. If the use of the neighboring property for employee parking is acceptable to the Plan Commission, staff recommends the Commission consider a deadline for when the petitioner shall submit a site plan for the demolition of the home and expansion of the parking lot.

The petitioner has also reached out to the Christiana Rios Agua Viva Church at 345 N. Wolf Road to use the church's parking lot during business hours. However, the petitioner has indicated that they have not received confirmation from the Church regarding a parking agreement. Additionally, the number of parking spaces to be allocated to this use from the Church has not been identified. As a result, there isn't sufficient information for staff to recommend the Plan Commission consider any shared parking with the Church at this time.

DESCRIPTION OF PROPOSAL

Chicago Auto Center is an auto repair shop seeking to relocate to the subject property, which requires the following 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 purchase the subject property, pending the granting of the requested zoning actions. A total of five vehicle lifts for vehicle repair are proposed on the floor plan, along with office space, customer waiting area, and storage areas. No outdoor storage is planned. Outdoor parking is available on the east side of the building, in front of the building. All auto repair work will be conducted indoors. The hours of operation are Monday through Friday, 8am to 6pm, and Saturday, 8am to 3 pm, with a total of four employees.

SITE PLAN REVIEW

General site layout: There are no changes proposed to the property or the building's exterior. There are 14 parking stalls in the existing parking lot, which is located on the east half of the property and the existing 5,286 sq. ft. building is located on the west half of the property. A single overhead roll-up door is located on the west façade at the north end of the building, which will remain to allow customer vehicle access inside the building for repair/service.

The existing setbacks for the parking lot and building do not comply with the current MXC District requirements; however, the building's construction pre-dates the current zoning standards and is legal non-conforming. The existing setbacks are allowed to remain as long as there are no substantial changes/modifications to the parking lot and/or building.

Floor plan: The applicant has submitted a new internal floor plan illustrating how the interior of the building will be used for the proposed auto repair use. As shown, there will be 5 vehicle lifts for repair and 7 indoor parking spaces for overnight vehicle storage. The office, customer waiting area, restrooms and storage room are located at the southern end of the building. A drive aisle will be located within the center of the building to allow maneuvering for vehicles.

During the March 28th hearing, the Commission expressed concern that the existing building could not provide adequate storage for the tools and equipment needed for auto repair. In response, the petitioner has provided various scaled renderings to illustrate how the interior space would be used.

Total Number of Parking Spaces: There are 13 existing outdoor parking stalls on the property. The provided plat of survey identifies 15 existing spaces; however, the two spaces at the northeast corner of the parking lot cannot be count toward required parking since one space is located in front of the overhead door and the other is located in front of an ingress/egress door. Based on the staff prepared floor plan, an additional 5 parking spaces can be located inside the building. All parking stalls comply with the Village's parking stall dimensions.

Auto repair uses require parking at 6/1,000 sq. ft. plus one space for each employee during peak shift (4). Based on the existing 5,286 sq. ft. building, a total of 36 parking spaces are required. In addition to the existing 13 exterior parking stalls, the proposed use can accommodate a total of 10 spaces inside the building (5 auto repair lifts and 5 indoor stalls), resulting in 23 available parking stalls. The parking variation for the proposed auto repair use is 13 parking stalls.

Bicycle parking: There is no existing or proposed bicycle parking. The applicant may elect to locate employee bicycle storage inside the building.

Trash Enclosure: The site plan does not identify an exterior trash enclosure area; however an existing trash container is located in the parking lot without a dedicated enclosure area. The petitioner has indicated they will locate the trash container inside the building.

Landscaping: A landscape plan is not provided; however the applicant's project description letter identifies mulch will be added and the existing landscape will be cleaned up. As identified in the attached Property Survey, there is very limited space for any substantial landscaping. The Plan Commission may wish to discuss if any additional landscaping should 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.)

"As the neighborhood is continuing to develop, with new residential housing and business re-development projects, it will be creating an increase need for vehicle service. We believe that this location is easily accessible to residents, business owners and their employees. Since we are an independent owned and operated family business, we can accommodate our neighbors and business owners in a professional and personal way allowing custom customer service. We offer more affordable prices vs. large chains and dealerships. We are ASE certified mechanics and enjoy problem solving difficult vehicles."

Staff concurs with the petitioner's response.

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

“The essential character of the area will not be alter in any negative way. Having a family operated small repair business, makes this business more of a neighborhood staple for help with all your car service needs.”

The existing building is a light industrial building that limits how the building can be reused; any more intensive uses would be not be suitable at the subject property.

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 location and size works perfectly to accommodate vehicles to be driven directly inside to be serviced. The property has its own parking lot with entrance on Wolf Road which allows direct access to business parking lot. Therefore, not creating any negative flow of traffic for surrounding area. The parking lot is private and will not cause any issues with any future developments or surrounding properties.”

The proposed use would utilize an existing building and parking lot, with all auto repair occurring inside the building. However, the size of the site in relation to the proposed use may not be sufficient for the parking demands of the proposed use, as a result for the need of the parking variation. The applicant has the ability to help mitigate parking by managing customer volume through appointments to alleviate the on-site parking deficiencies.

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 building and landscaping will not be altered. It will remain the same. Therefore, it will not hinder or discourage any use of adjacent land or buildings.”

The existing building and parking lot will remain unchanged. There is limited landscaping on site, and limited area for additional landscaping.

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

“The property consists of a private parking lot of approx. 6200 square ft. There are spaces in lot for employee/owners parking and any visitors. We will also be utilizing the interior of shop area to keep customer cars inside until repairs are completed and vehicle is picked up. There is a private driveway entrance/exit off of Wolf Road that leads you directly into the business parking lot location. There is no need for use of residential streets to access. We do not expect any congestion or traffic.

A parking variation is required for the proposed special use. There is a parking deficiency of 13 spaces based on the proposed use. The applicant has the ability to help mitigate parking by managing customer volume through appointments to alleviate the on-site parking deficiencies.

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.)

“We are currently under contract to purchase property located at 309. N. Wolf Road. This is a contingency in the contract to be able to purchase and obtain a Special Use Permit to operate as a light motor vehicle repair facility. Without permit being granted, we would not be able Purchase property to operate our business. This would cause great hardship on us and also to the seller.”

The existing building was constructed for light industrial use. There are relatively few uses allowed in the MXC district that could utilize the existing structure.

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.

“Without the zoning variation we cannot purchase property located at 309 N. Wolf, Wheeling, Illinois 60090 to operate our business. The purchase is contingent upon approval of permits and zoning.”

There is no opportunity to build additional parking on the site. As proposed, 10 additional parking spaces would be provided inside the building for secure parking/car storage, but still results in the need for 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.

“Our business and the way we operate it, will not cause any conflicts with parking as we have control over the volume of cars serviced with appointment scheduling. This will allow us to address any concerns regarding parking. We cannot answer as to how other businesses zoning

requirements differ from ours, but what we can say is that our circumstances are unique as to the type of service we provide.”

The variation is based on the proposed light auto repair use, the property is improved with an existing parking lot. There is no opportunity to build additional parking on the site.

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

“The difficulty/hardship is not created by the property in itself, but by the require parking spaces needed by zoning to operate such business. We have the ability to counter the parking issues with vehicles inside for storage and scheduling. We have 25 years of experience in dealing with the day to day operation of our repair business, which allows us the ability to control number of vehicles which we service daily by appointment.”

Light motor vehicle repair facilities require a high parking demand by Village Code, which the site was not originally constructed for such use.

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.

“Without the variation, we will not be purchasing property located at 309 N. Wolf, Wheeling, Illinois 60090. No improvements will be made at property and it will remain vacant and for sale.

Staff concurs with the petitioner’s response.

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

“If granted variation, there will not be any issues with construction, as we will not be changing the exterior of structure or its essential character. The private parking lot and indoor shop area is adequate to accommodate day to day operation of business. No street parking is to be used in any case. No encroachment on adjacent property line. We repair cars daily and except them picked up same day.”

Staff concurs with the petitioner’s response.

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.

“The parking variation will not cause any changes to light or air to adjacent property. No congestion is to arise from us occupying property. We have a private entrance with private parking lot on premises. No negative impact or encroachment on adjoining properties. No street parking is allowed or will be used. Our responsibility is to keep customer cars safe while in our possession, will mean cars are to be kept inside.”

Staff concurs with the petitioner’s response.

STAFF REVIEW

Fire Department Review: The Fire Department has reviewed the submitted plans and identified items which will be confirmed at the time of building permit review.

Engineering Division Review: The Engineering Division has reviewed the plans and has indicated there are no comments at this time.

Impact on Adjacent Uses: The Plan Commission should discuss how parking will be managed and if it the proposed light automotive repair facility can be accommodated at the site.

Staff Recommended Action: The existing building lends itself for the proposed light motor vehicle repair use; however, the Zoning Code requires a high number of parking spaces for such use in order to provide sufficient parking for employees, customers, and vehicles waiting repair. Staff suggests that the Plan Commission consider the following:

- Decide if additional landscaping should be required;
- Consider if the petitioner should provide further detail on the business operations on how parking will be managed; and
- Consider whether the new materials adequately address the Commission's previous concern regarding the available space within the building.

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:

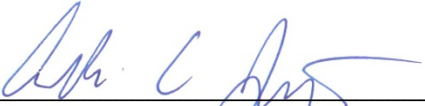
Recommend approval of Docket No. 2019-8A, granting a variation from Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19.11 General Development Standards, Chapter 19.11 General Development Standards, Section 19.11.010 Off-Street Parking and Loading, Section E Parking Standards, Subsection 1 Minimum Required Parking per Land Use Category, and associated sections, to reduce the required parking for the proposed light motor vehicle repair facility, from 36 to 25), which consists of an 13 parking stall variation, for Chicago Auto Center, to be located at 309 N. Wolf Road, Wheeling Illinois.

And recommend approval of Docket No. 2019-8B to grant special use-site plan approval for a light motor vehicle repair facility in accordance with the following exhibits submitted by Chicago Auto Center to be located at 309 N. Wolf Road, Wheeling, Illinois:

- Project Description Letter, February 1, 2019
- Site/floor plan, prepared by Community Development staff titled "Staff Floor Plan Exhibit"
- Plat of Survey, March 7, 2019

And with the following conditions of approval:

1. *Any additional conditions as determined at the hearing...*



Andrew C. Jennings, AICP
Director of Community Development



Steve Robles, AICP
Assistant Director of Community Development

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

[Project Description Letter, dated 2/1/2019](#)

[Project Description Letter, dated April 15, 2019](#)

[Site/floor plan, received 3/17/2019](#)

[Revised Site Plan and Interior Renderings, dated April 16, 2019](#)

[Plat of survey, dated 3/7/2019](#)

[Staff Floor Plan Exhibit \(staff\)](#)



Existing conditions of site (looking east)



Existing conditions of site (looking east)



Existing conditions of site (looking south)

February 1, 2019

Chicago Auto Center, Ltd.
224-628-5396
Chicagoautocenter@yahoo.com

Village of Wheeling
Planning Division/Community Development
2 Community Blvd.
Wheeling, Illinois 60090

Re: Special Use Permit
309 N. Wolf, Wheeling, Illinois 60090

To whom it may concern,

I, Adam Rizos am requesting the Planning commission departments approval to allow Special Use Permit to operate a light motor vehicle repair facility at: 309 N. Wolf, Wheeling, Illinois 60090.

I currently own and operate a family automotive repair business in the West Loop since 1997. We will be relocating and are currently under contract to purchase 309 N. Wolf, Wheeling, Illinois 60090 with the intent to operate such business pending approval of Special Use Permit.

The Auto repair facility will provide maintenance and repair for foreign and domestic vehicles with specialized work in European imports as follows: brakes, clutches, transmissions, fuel systems, exhaust, electrical, steering, drive lines, suspension, heating/cooling systems, schedule maintenance, etc. We are an independent repair shop and can offer personal service and greater discounts vs large chains and dealerships.

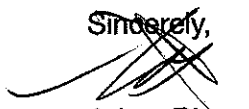
Hours of operation will be Monday thru Friday 8:00am to 6:00 pm. Saturday 8:00am to 3:00pm. With a staff of 3-4 employees.

The exterior of the property will not be changed. There is (approximately 6200 feet of exterior space) used as a private parking lot for facility. There is (approximately 5400 square feet of interior space) that is already used as a shop work area with offices, lunch/ break room area along with customer waiting area. Vehicles will be serviced and stored inside facility, until customer is able to pick-up.

The landscaping already consists of bushes all along the front of the parking lot with small tree and a large pine on the side. We will be adding fresh mulch and trimming any existing landscaping.

Thank you kindly for your time and should any additional information be needed, please do not hesitate to contact us.

Sincerely,



Adam Rizos
President

April 15, 2019

Chicago Auto Center, Ltd.
224-626-5397

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

Re: Special Use Permit/Zoning Variation

To whom it may concern,

This letter is being written to address zoning variance and special use permit, in regards, to operating the Light Automotive Repair facility at 309 N. Wolf Rd. Wheeling, IL 60090. Currently, we have been able to implement 1 additional parking space in the parking lot and have drawn up detailed specifications showing all dimensions, including equipment placement with sizes of interior of property.

In hopes, that in good faith you will allow us to utilize the additional 5 interior parking spaces towards the parking variance.

We also have a contract pending to purchase neighboring property 313 N. Wolf Rd., Wheeling, Illinois. To utilize for ourselves as private parking and employee parking. This will alleviate part of the zoning variance parking by 4 spaces. Parking will only be used during our business hours from 8 to 6 M-F and Saturdays 8 to 3, no vehicles will be left overnight. We understand that the property at 313 N. Wolf, Wheeling, Illinois will only be temporary. As our plan is to Tear down home on property and expand parking area.

If the plan Commission allows the 1 additional parking space in parking lot, the 5 additional spaces inside property and the 4 spaces on 313 N. Wolf Rd. property towards the variance, it will be reduce to shortage to 8 spaces. This will not cause any issues as we have explained prior that scheduling cars for repairs is a very effective way of controlling volume.

Currently our business has been closed as of February 28, 2019 due to sale of property. We have all equipment in storage and we are in urgent need of opening our location. We are under contract to purchase both properties at 309 N. Wolf Rd. & 313 N. Wolf Rd. Wheeling, Illinois. We need to obtain permits and licensing before contracts due diligence period expires.

Also, we have also spoken to the Christiana Rios Agua Viva Church located at 345 N. Wolf Rd. Wheeling to see if they would allow shared parking with us, since they do not utilize their lot during the day. As of today we have not received confirmation.

We ask that you please consider allowing the zoning variation and special use permit allowing us to move forward.

Thank you,

Adam Rizos

N00°07'34"W
(R) 100.00'
(M) 99.89'

- 52.91

COND.
WALL.

over
head
door

10 and

60 Feet

HIGH 1 STORY
BUILDING
309
AREA= 6,200 SQ. FT.
HEIGHT= 12.40 FT.

LOT 76

ASPHALT DRIVE
AND PARKING AREA

10x20
spaces

Office
Exit
S
aved
advise

44X18

Storage

$$12 \times 7 = 84$$

84 Feet 12 x 18 spaces each

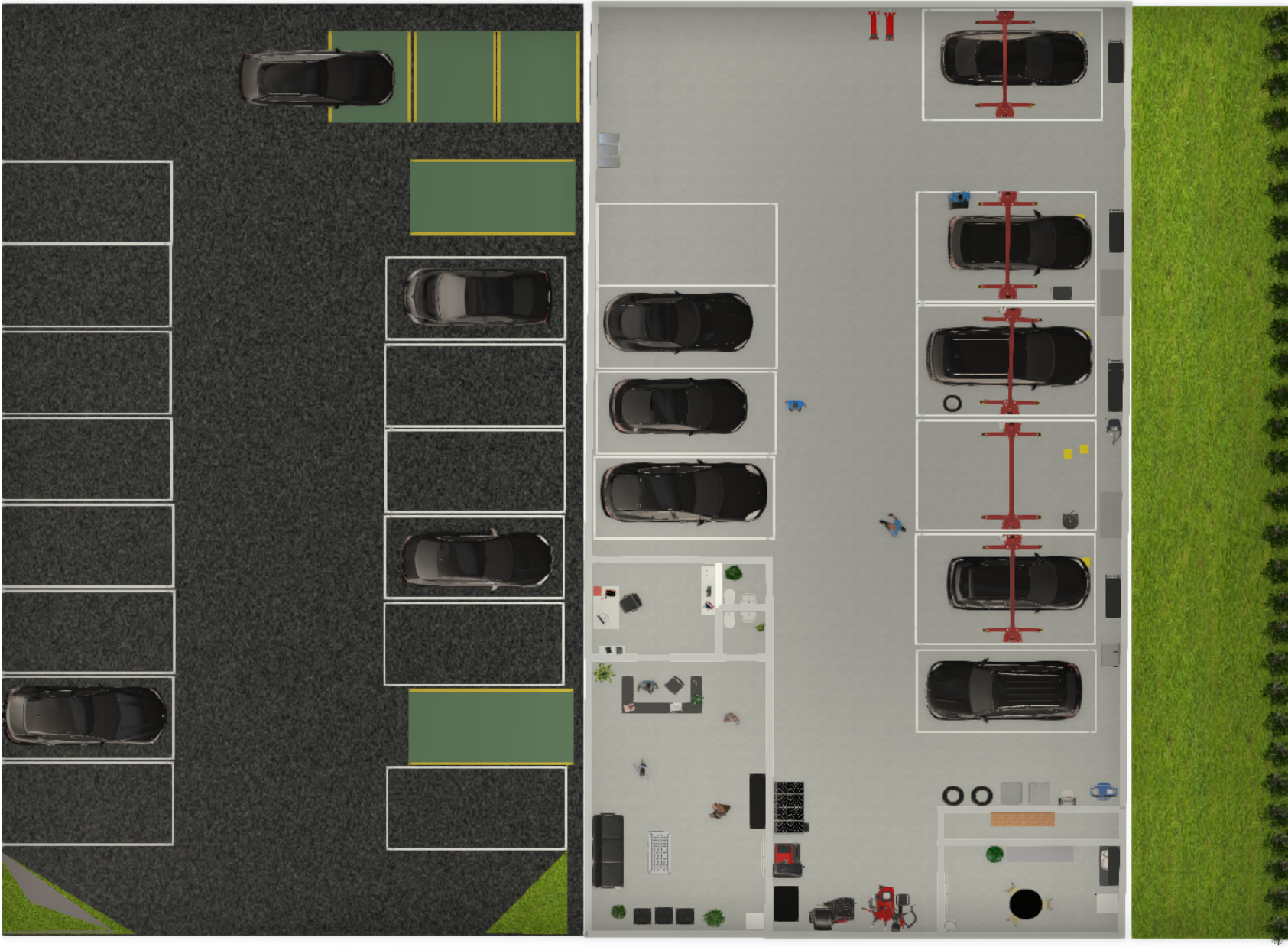
$$84 + 16 = 100$$

16 Feet

62.07

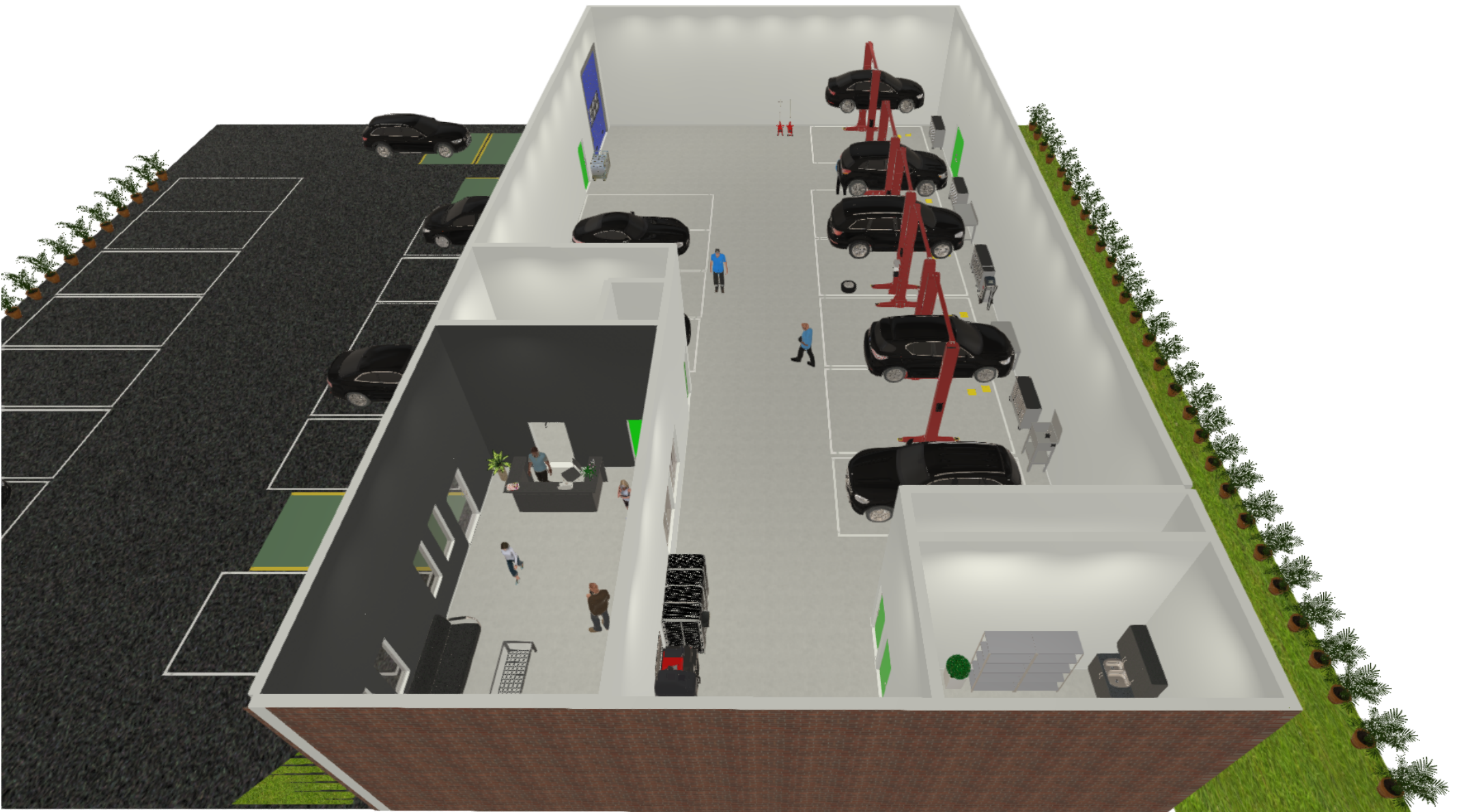
-131.87" 52.91

2019-8A&B, Chicago Auto Center, 309 N. Wolf Rd



APPROXIMATION OF FLOOR AND PLANNING AREA

Floor Plan measurements are approximate and are for illustrative purposes only. While we do not doubt the floor plans accuracy, we make no guarantee, warranty or representation as to the accuracy and completeness of the floor plan. You or your advisors should conduct a careful, independent investigation of the property to determine to your satisfaction as to the suitability of the property for your space requirements.



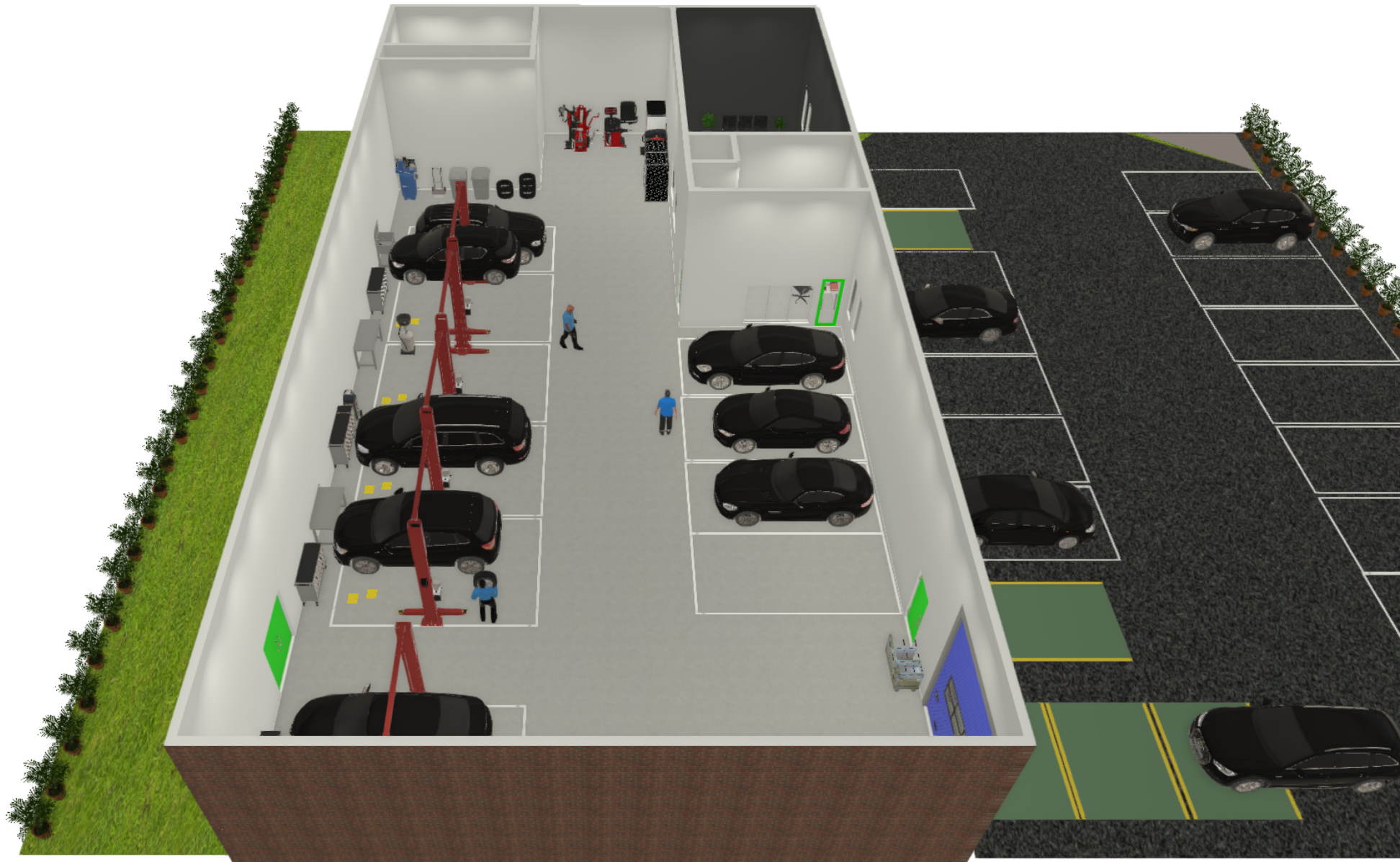
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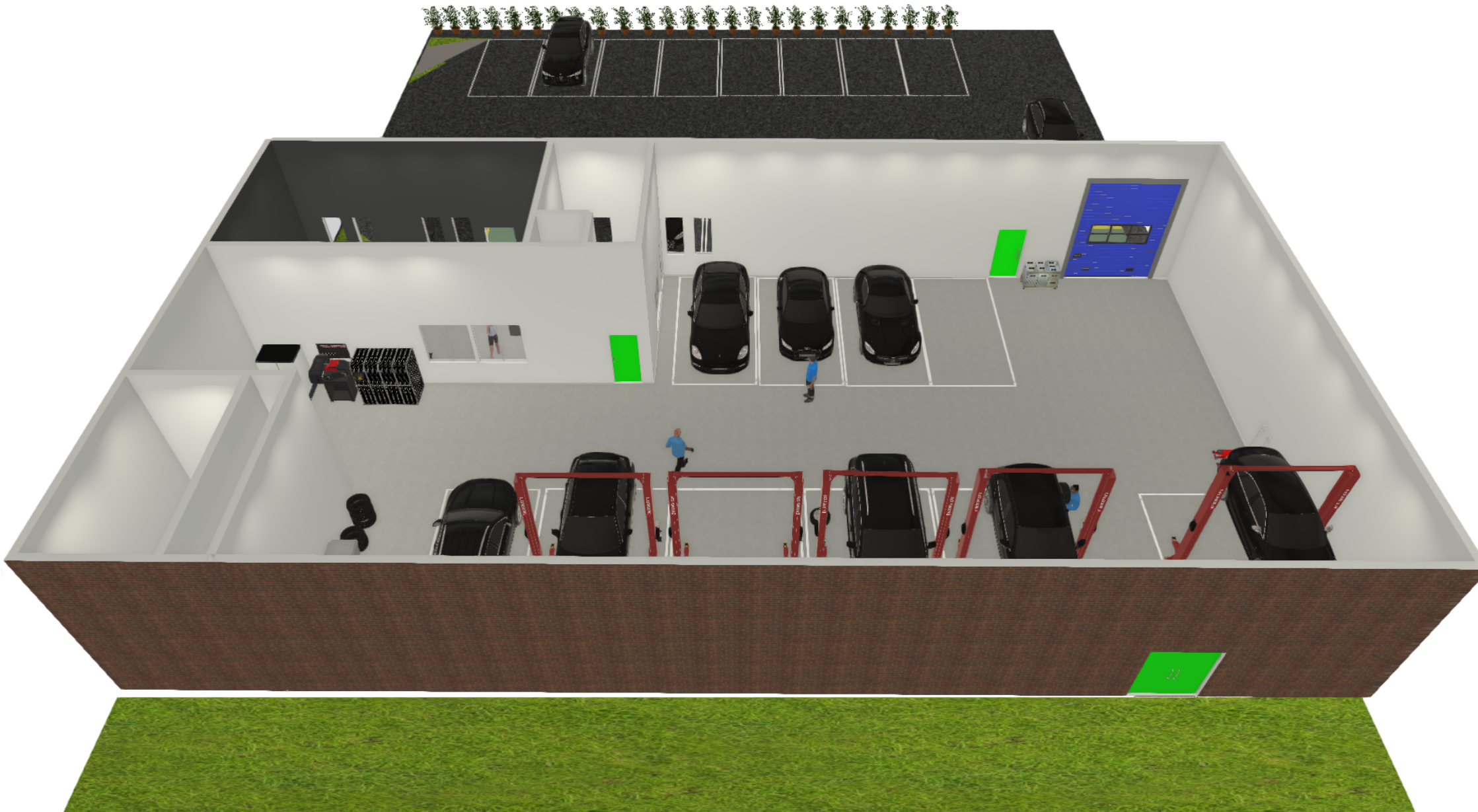
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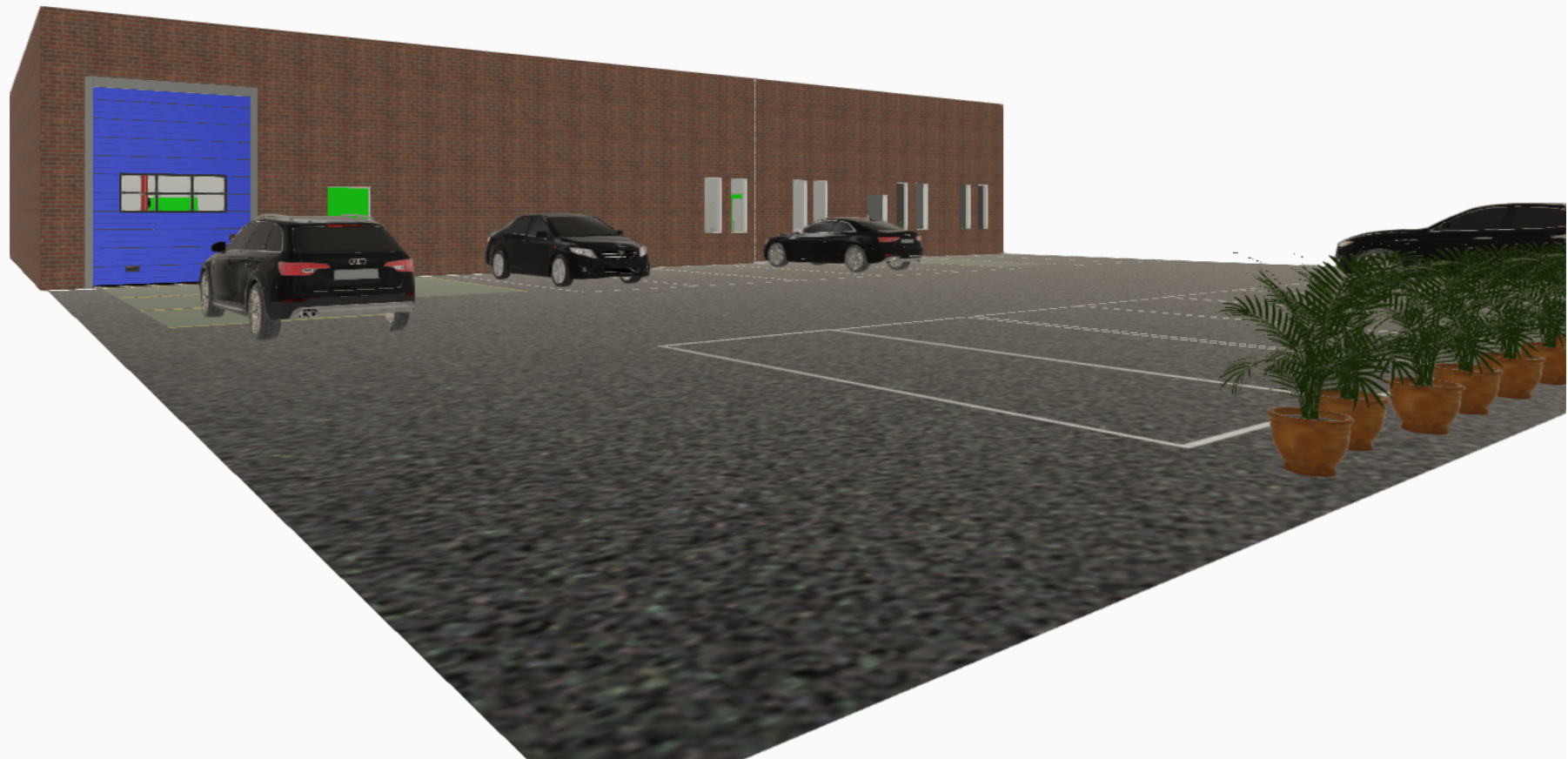


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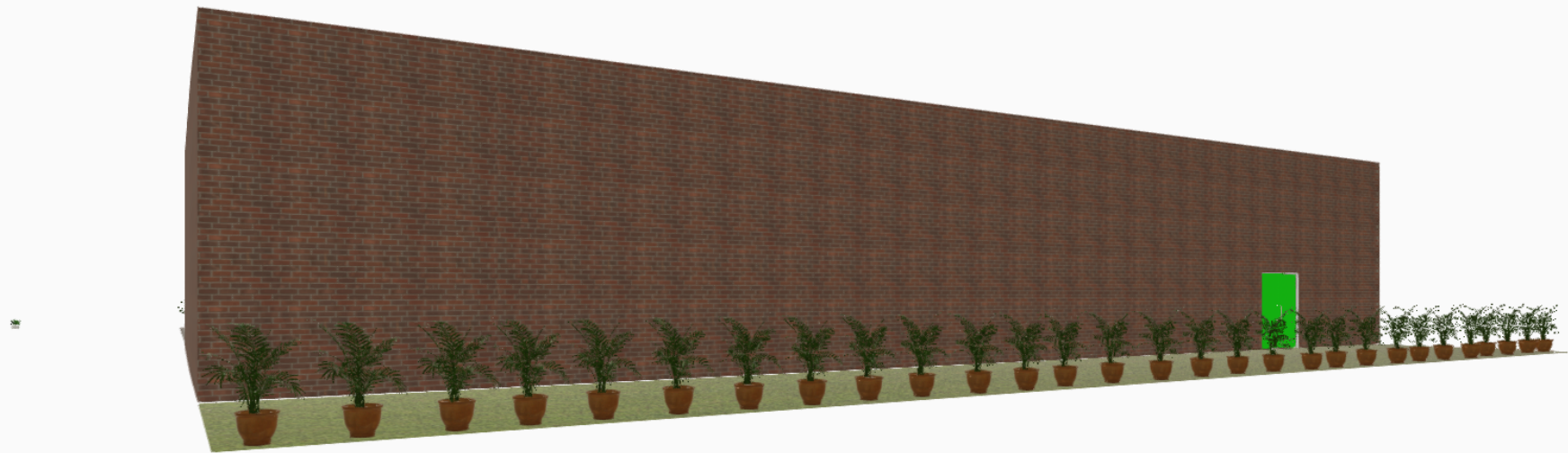
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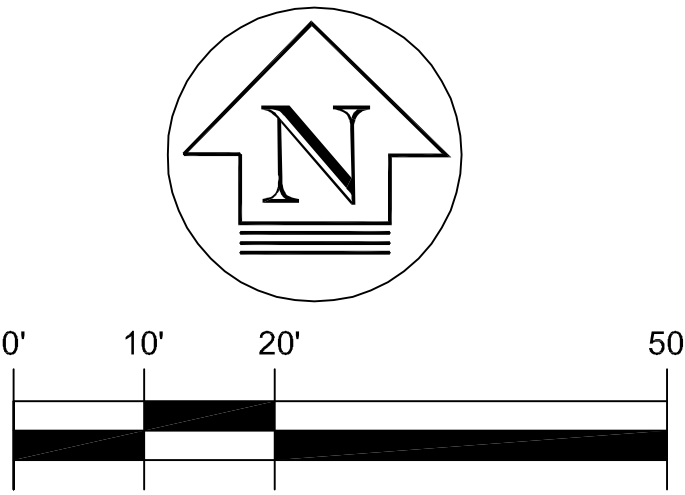
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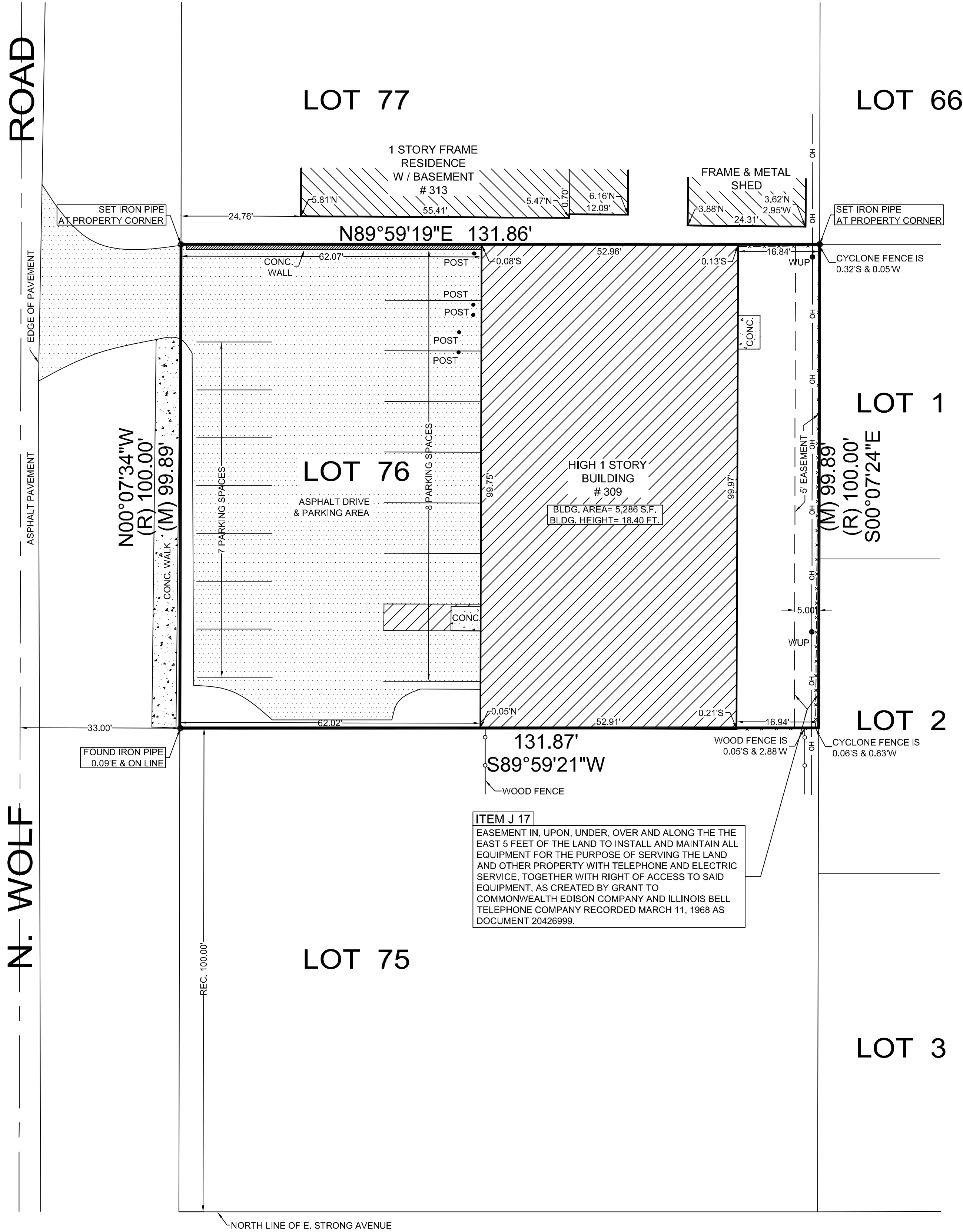
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ROAD

N. WOLF

66' R.O.W. HERETOFORE DEDICATED AS FOR PUBLIC STREET PURPOSES

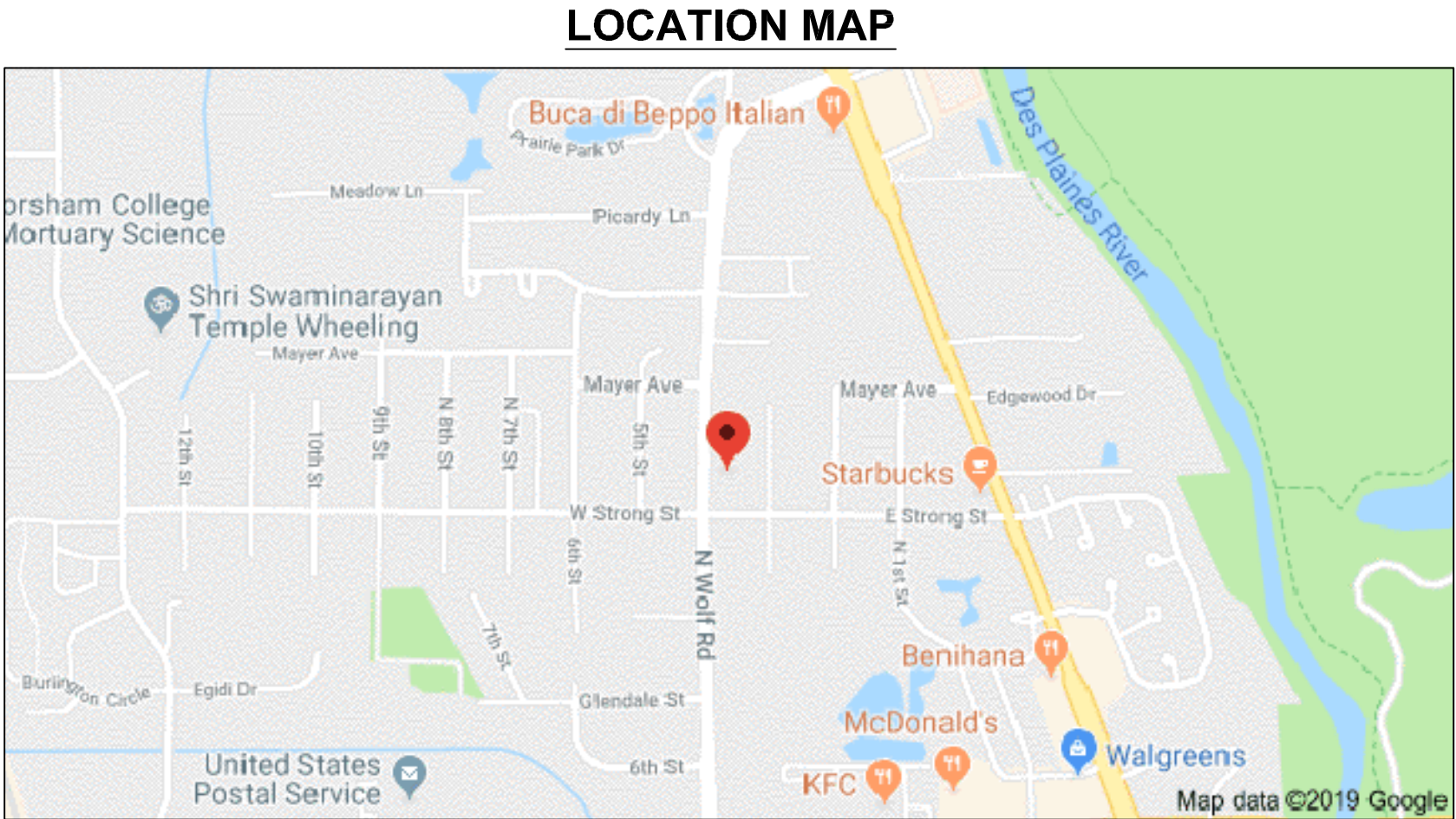


LEGEND ABBREVIATIONS	
	WOOD UTILITY POLE
	METAL GUARD POST

ORDERED BY: ERIC MATYE		
SCALE : 1" = 15'		
DATE : FEBRUARY 27, 2019		
FILE No.:		
2019 - 26586	DATE	REVISION

FLOOD STATEMENT:
SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP 17031 C 0068 J, WITH A DATE OF IDENTIFICATION OF AUGUST 19, 2008, FOR COMMUNITY NUMBER 170173 0068 J, IN COOK COUNTY, STATE OF ILLINOIS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

2019-8A&B, Chicago Auto Center, 309 N. Wolf Rd



NOTES:

-THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET KNOWN AS N. WOLF ROAD

-THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT;

-THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME;

-THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS;

- ELECTRIC, GAS, TELEPHONE AND WATER UTILITY AND STORM AND SANITARY SEWER SYSTEMS ACCESS THE PROPERTY IN LEGALLY DEDICATED RIGHTS OF WAY THAT BENEFIT THE PROPERTY.

- THERE ARE NO VISIBLE EVIDENCE OF CEMETERIES, GRAVE SITES OR BURIAL GROUNDS LOCATED ON THE PROPERTY.

- **ITEM # 8 FROM TABLE A**
ALL SUBSTANTIAL FEATURES OBSERVED ON THE PROPERTY HAVE BEEN PLOTTED.

- **ITEM # 9 FROM TABLE A**
THERE ARE 15 STRIPED PARKING SPACES ON THE PROPERTY.

- **ITEM # 10 FROM TABLE A**
THERE ARE NO PARTY WALLS (ALL WALLS ARE INDEPENDENT).

- **ITEM # 11 FROM TABLE A**
ALL VISIBLE UTILITIES ARE PLOTTED.

- **ITEM # 14 FROM TABLE** DISTANCE TO THE NEAREST INTERSECTING STREET KNOWN AS W. STRONG AVENUE IS 100.00 FEET.

- **ITEM # 16 FROM TABLE A**
AT THE TIME OF THIS SURVEY, NO VISIBLE RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS WERE NOTED.

- **ITEM # 17 FROM TABLE A**
AT THE TIME OF THIS SURVEY, THERE IS NO EVIDENCE OF CHANGES IN RIGHT OF WAY EITHER COMPLETED OR PROPOSED AND RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

- **ITEM # 18 OF TABLE A**
THERE ARE NO WETLANDS LOCATED ON THE PROPERTY.

- **ITEM # 20 FROM TABLE A**
RELATING TO PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$ 1,000,000 TO BE IN EFFECT THROUGHOUT THE CONTRACT TERM. CERTIFICATE OF INSURANCE TO BE FURNISHED UPON REQUEST.

VILLAGE OF WHEELING
2 COMMUNITY BOULEVARD
WHEELING, IL 60090
PH: (847) 459-2600

ZONING REQUIREMENTS:

DEVELOPMENT STANDARDS.
THE BASE ZONING REGULATIONS FOR ALL MIXED USE DISTRICTS SHALL BE AS FOLLOWS:

(A) - PORTIONS OF A DEVELOPMENT THAT ARE COMPLETELY COMMERCIAL IN NATURE SHALL BE CONSIDERED WITH RESPECT TO THE B-3 DISTRICT REGULATIONS.

MXC = COMMERCIAL-RESIDENTIAL MIXED USE AREA.

FLOOR AREA RATIO:
THE MAXIMUM FLOOR AREA RATIO= 0.90

19-06-040-E FRONT SETBACKS.
25 FEET OR THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER

19-06-040-E REAR SETBACKS.
25 FEET OR THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER

19-06-040-E SIDE SETBACKS.
15 FEET OR THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER

19-06-040-E MINIMUM PARKING SETBACK
ALL SIDES 10 FEET

19-06-040-E MAXIMUM BUILDING HEIGHT.
50 FEET, NOT TO EXCEED FOUR STORIES

PARKING REQUIREMENTS
3 SPACES PER 1,000 SQ FT

UNITED SURVEY SERVICE, LLC
CONSTRUCTION AND LAND SURVEYORS
7710 CENTRAL AVENUE RIVER FOREST, IL 60305
TEL.: (847) 299 - 1010 FAX : (847) 299 - 5887
E-MAIL: USURVEY@USANDCS.COM

ALTA / NSPS
LAND TITLE SURVEY
OF

LOT 76 IN WILLIAM ZELOSKEY'S MILWAUKEE AVENUE ADDITION TO WHEELING IN SECTION 2, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: **309 N. WOLF ROAD, WHEELING, ILLINOIS**

PERMANENT INDEX NUMBER: 03 - 02 - 401 - 005 - 0000

AREA = 13,171.67 SQ.FT. OR 0.302 ACRE

NOTE:
THIS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT AND ANY EXCEPTIONS HAVE BEEN NOTED HEREIN.

PARKING SPACE TABLE	
TYPE OF SPACE	TOTAL EXISTING
REGULAR	15
HANDICAP	0
TOTAL	15

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.: 19GSA299020LP
EFFECTIVE DATE: FEBRUARY 6, 2019

ITEMS CORRESPONDING TO SCHEDULE B, PART II:

ITEMS 1 - 16.
NOT SURVEY RELATED.

ITEM J 17.
EASEMENT IN, UPON, UNDER, OVER AND ALONG THE THE EAST 5 FEET OF THE LAND TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY RECORDED MARCH 11, 1968 AS DOCUMENT 20426999.
(PLOTTED ON THE DRAWING)

ITEMS 18.
NOT SURVEY RELATED.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, **ROY G. LAWNICZAK**, A REGISTERED LAND SURVEYOR, LICENSE NO. 35-2290, IN AND FOR THE STATE OF ILLINOIS AND LEGALLY DOING BUSINESS IN COOK COUNTY, DO HEREBY CERTIFY TO:

- **LINK LETTERS INVESTMENTS, INC.**

- **CHICAGO TITLE INSURANCE COMPANY**

AND TO THEIR SUCCESSORS AND ASSIGNS, THAT:

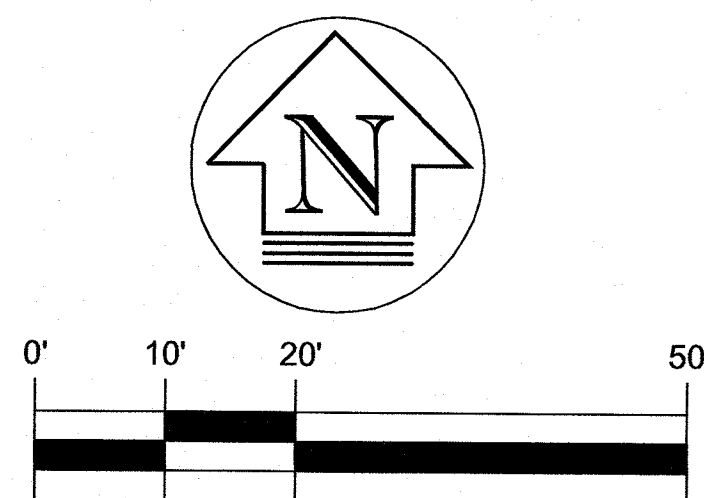
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(a), 14, 16, 17, 18 AND 20 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON FEBRUARY 27, 2019.

DATE OF PLAT: MARCH 7, 2019.

BY:
ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290
LICENSE EXPIRES: NOVEMBER 30, 2020
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576
LICENSE EXPIRES: APRIL 30, 2021





ROAD

66' R.O.W. HERETOFORE DEDICATED AS FOR PUBLIC STREET PURPOSES

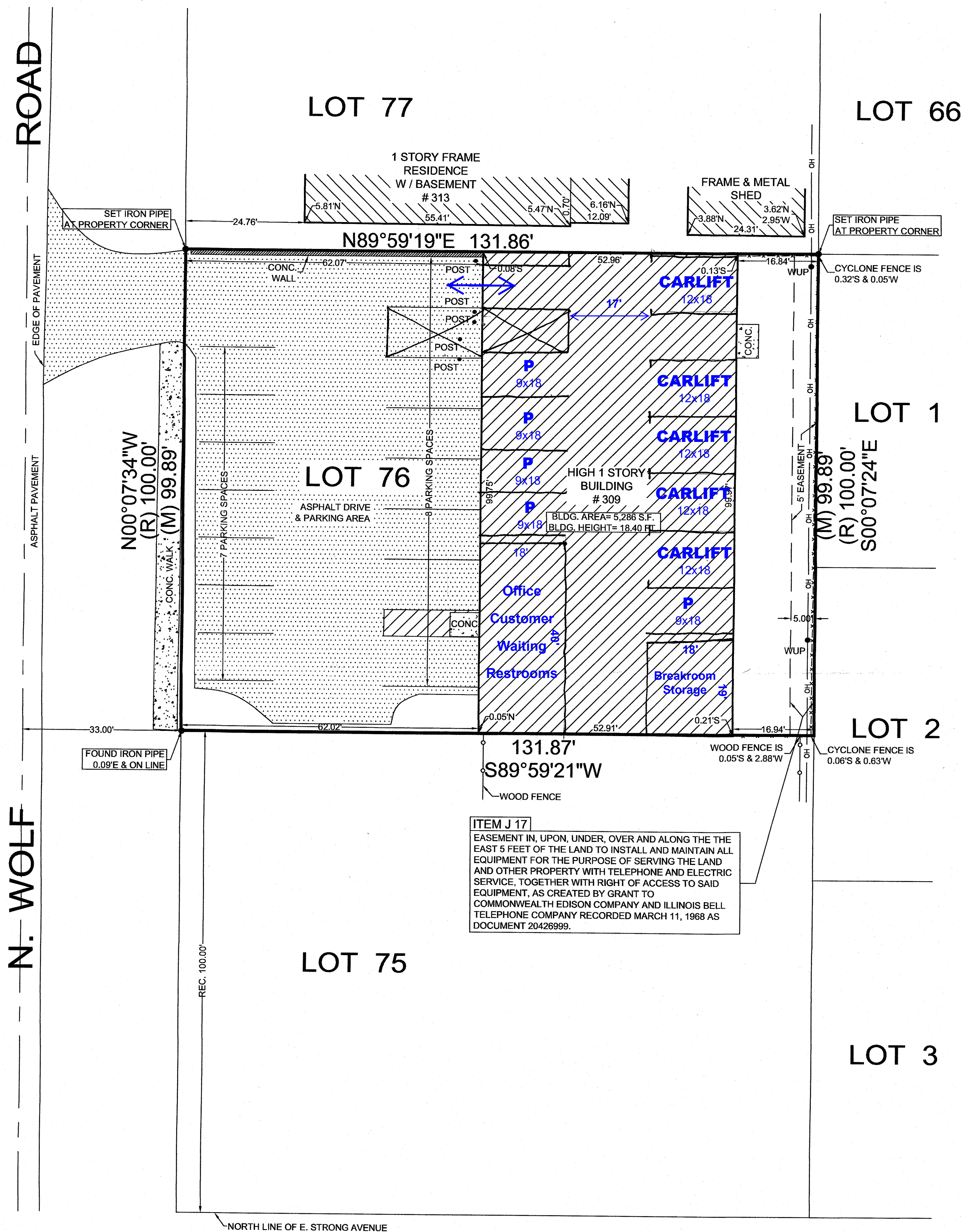
N. WOLF

LEGEND	ABBREVIATIONS
WUP	WOOD UTILITY POLE
POST	METAL GUARD POST

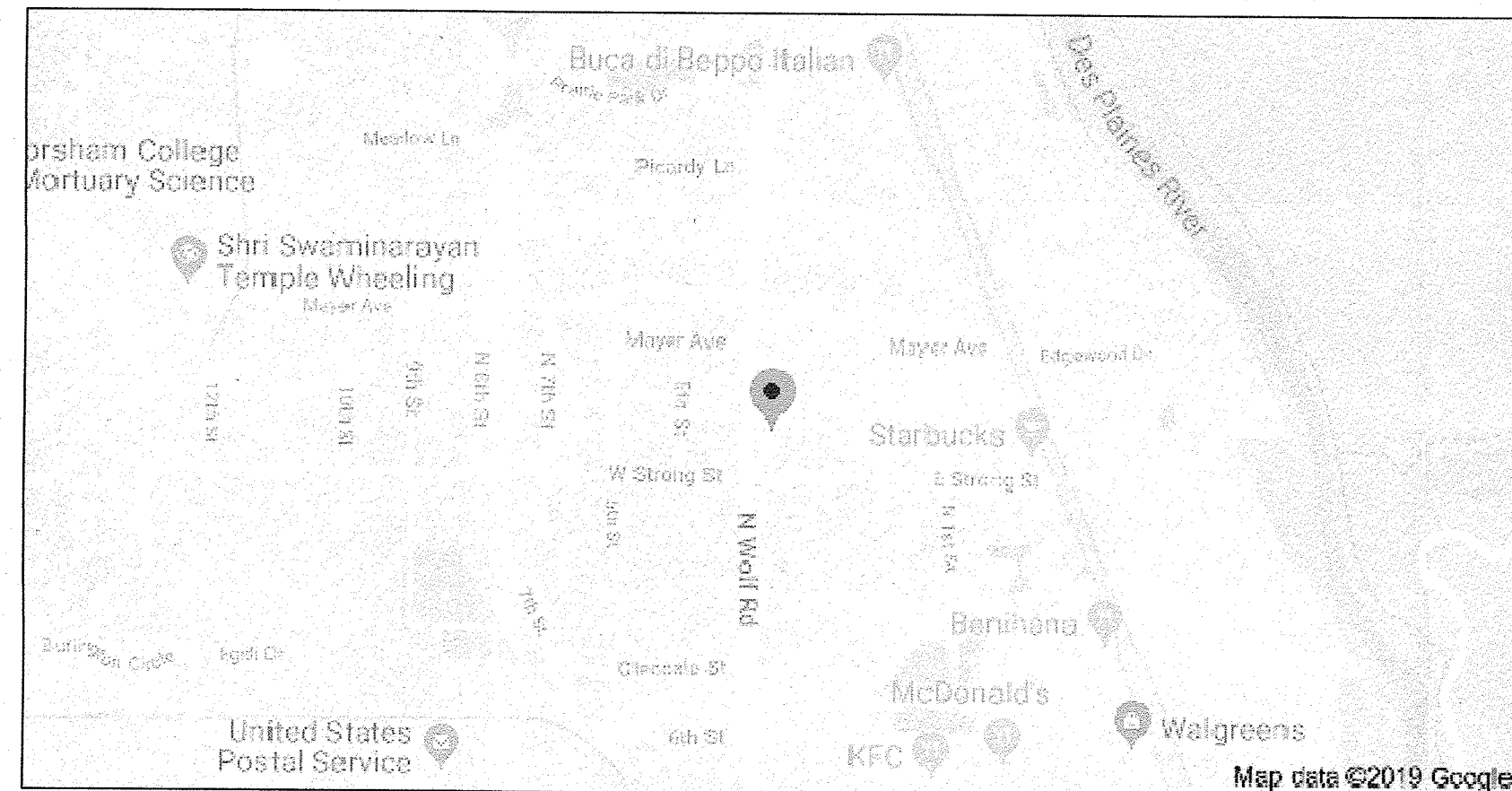
ORDERED BY:		
ERIC MATYE		
SCALE : 1" = 15'		
DATE : FEBRUARY 27, 2019		
FILE No.:		
2019 - 26586	DATE	REVISION

FLOOD STATEMENT:

SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP 17031 C 0068 J, WITH A DATE OF IDENTIFICATION OF AUGUST 19, 2008, FOR COMMUNITY NUMBER 170173 0068 J, IN COOK COUNTY, STATE OF ILLINOIS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.



LOCATION MAP



NOTES:

- THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET KNOWN AS **N. WOLF ROAD**
- THE SURVEY AND THE INFORMATION, COURSES AND DISTANCES SHOWN THEREON ARE CORRECT;
- THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME;
- THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS;
- ELECTRIC, GAS, TELEPHONE AND WATER UTILITY AND STORM AND SANITARY SEWER SYSTEMS ACCESS THE PROPERTY IN LEGALLY DEDICATED RIGHTS OF WAY THAT BENEFIT THE PROPERTY.
- THERE ARE NO VISIBLE EVIDENCE OF CEMETERIES, GRAVE SITES OR BURIAL GROUNDS LOCATED ON THE PROPERTY.
- ITEM # 8 FROM TABLE A**
ALL SUBSTANTIAL FEATURES OBSERVED ON THE PROPERTY HAVE BEEN PLOTTED.
- ITEM # 9 FROM TABLE A**
THERE ARE 15 STRIPED PARKING SPACES ON THE PROPERTY.
- ITEM # 10 FROM TABLE A**
THERE ARE NO PARTY WALLS (ALL WALLS ARE INDEPENDENT).
- ITEM # 11 FROM TABLE A**
ALL VISIBLE UTILITIES ARE PLOTTED.
- ITEM # 14 FROM TABLE A** DISTANCE TO THE NEAREST INTERSECTING STREET KNOWN AS W. STRONG AVENUE IS 100.00 FEET.
- ITEM # 16 FROM TABLE A**
AT THE TIME OF THIS SURVEY, NO VISIBLE RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS WERE NOTED.
- ITEM # 17 FROM TABLE A**
AT THE TIME OF THIS SURVEY, THERE IS NO EVIDENCE OF CHANGES IN RIGHT OF WAY EITHER COMPLETED OR PROPOSED AND RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- ITEM # 18 OF TABLE A**
THERE ARE NO WETLANDS LOCATED ON THE PROPERTY.
- ITEM # 20 FROM TABLE A**
RELATING TO PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE MINIMUM AMOUNT OF \$ 1,000,000 TO BE IN EFFECT THROUGHOUT THE CONTRACT TERM. CERTIFICATE OF INSURANCE TO BE FURNISHED UPON REQUEST.

VILLAGE OF WHEELING
2 COMMUNITY BOULEVARD
WHEELING, IL 60090
PH: (847) 459-2600

ZONING REQUIREMENTS:

DEVELOPMENT STANDARDS.
THE BASE ZONING REGULATIONS FOR ALL MIXED USE DISTRICTS SHALL BE AS FOLLOWS:

(A) - PORTIONS OF A DEVELOPMENT THAT ARE COMPLETELY COMMERCIAL IN NATURE SHALL BE CONSIDERED WITH RESPECT TO THE B-3 DISTRICT REGULATIONS.

MXC = COMMERCIAL-RESIDENTIAL MIXED USE AREA.

FLOOR AREA RATIO:
THE MAXIMUM FLOOR AREA RATIO= 0.80

19-06-040-E FRONT SETBACKS.
25 FEET OR THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER

19-06-040-E REAR SETBACKS.
25 FEET OR THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER

19-06-040-E SIDE SETBACKS.
15 FEET OR THE HEIGHT OF THE BUILDING, WHICHEVER IS GREATER

19-06-040-E MINIMUM PARKING SETBACK
ALL SIDES 10 FEET

19-06-040-E MAXIMUM BUILDING HEIGHT.
50 FEET, NOT TO EXCEED FOUR STORIES

PARKING REQUIREMENTS
3 SPACES PER 1,000 SQ FT

UNITED SURVEY SERVICE, LLC

CONSTRUCTION AND LAND SURVEYORS
7710 CENTRAL AVENUE, RIVER FOREST, IL 60305
TEL.: (847) 299 - 1010 FAX : (847) 299 - 5887
E-MAIL: USURVEY@USANDCS.COM

**ALTA / NSPS
LAND TITLE SURVEY**
OF

LOT 76 IN WILLIAM ZELOSKEY'S MILWAUKEE AVENUE ADDITION TO WHEELING IN SECTION 2, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: **309 N. WOLF ROAD, WHEELING, ILLINOIS**

PERMANENT INDEX NUMBER: 03 - 02 - 401 - 005 - 0000

AREA = **13,171.87 SQ.FT. OR 0.302 ACRE**

NOTE:
THIS LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT AND ANY EXCEPTIONS HAVE BEEN NOTED HEREIN.

PARKING SPACE TABLE	
TYPE OF SPACE	TOTAL EXISTING
REGULAR	15
HANDICAP	0
TOTAL	15

CHICAGO TITLE INSURANCE COMPANY

COMMITMENT NO.: 19GSA299020LP
EFFECTIVE DATE: FEBRUARY 6, 2019

ITEMS CORRESPONDING TO SCHEDULE B, PART II:

ITEMS 1 - 16.
NOT SURVEY RELATED.

ITEM J 17.
EASEMENT IN, UPON, UNDER, OVER AND ALONG THE THE EAST 5 FEET OF THE LAND TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY RECORDED MARCH 11, 1968 AS DOCUMENT 20426999.
(PLOTTED ON THE DRAWING)

ITEMS 18.
NOT SURVEY RELATED.

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, **ROY G. LAWNICZAK**, A REGISTERED LAND SURVEYOR, LICENSE NO. 35-2290, IN AND FOR THE STATE OF ILLINOIS AND LEGALLY DOING BUSINESS IN COOK COUNTY, DO HEREBY CERTIFY TO:

- **LINK LETTERS INVESTMENTS, INC.**

- **CHICAGO TITLE INSURANCE COMPANY**

AND TO THEIR SUCCESSORS AND ASSIGNS, THAT:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA / NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(a), 14, 16, 17, 18 AND 20 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON FEBRUARY 27, 2019.

DATE OF PLAT: MARCH 7, 2019.

BY:
ROY G. LAWNICZAK, REGISTERED ILLINOIS LAND SURVEYOR NO. 35-2290
LICENSE EXPIRES: NOVEMBER 30, 2020
PROFESSIONAL DESIGN FIRM LICENSE NO.: 184-004576
LICENSE EXPIRES: APRIL 30, 2021



**Staff Floor Plan Exhibit
2019-8A&B**

REQUEST FOR PLAN COMMISSION ACTION
STAFF PROJECT REVIEW

TO: Chairperson Pro-Tem Johnson 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. 2019-12**
4 Ever Dance Fitness LLC
15 N. Elmhurst Road
Special Use for Recreational and Instructional Facility

DATE OF REPORT: April 19, 2019

DATE OF MEETING: April 25, 2019

PROJECT OVERVIEW: The petitioner requests special use approval for recreational and instructional facility for an existing dance fitness studio located at 15 N. Elmhurst Road.

REQUESTED ACTION

Due to improper notice, this item must be continued to the May 9, 2019 Plan Commission meeting in order to allow the petitioner time to provide sufficient notice as required by the Zoning Code. A full staff analysis of the request will be provided for the May 9th meeting.

1. CALL TO ORDER

Chairman Ruffatto called the meeting to order at 6:30 p.m. on Thursday, April 11, 2019.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Blinova, Creech, Johnson, Kalis, Powers, Ruffatto and Yedinak. Also, present were Steve Robles, Assistant Director of Community Development and Mallory Milluzzi, Village Attorney.

4. CHANGES TO THE AGENDA - None

5. CITIZEN CONCERNS AND COMMENTS - None

6. CONSENT ITEMS

- A) [Docket No. SCBA 19-11](#)
AT&T
335 W. Dundee Road
Appearance Approval of Wall Signs

Commissioner Kalis moved, seconded by Commissioner Johnson to approve the following consent item.

Commissioner Kalis moved, seconded by Commissioner Johnson to approve Docket No. SCBA 19-11 to permit the installation of the wall signs in accordance with the AT&T sign plans (total of 10 pages), prepared by ICON, dated October 25, 2018, and last revised March 28, 2019 for AT&T, located at 335 W. Dundee Road, Wheeling, Illinois.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

7. ITEMS FOR REVIEW

- A)** [Docket No. 2018-30](#) (Petition sent back from March 18, 2019 Village Board)
House of Rental
318 N. Milwaukee Avenue
Special Use-Site Plan Approval of Tool/Equipment Rental Facility with Outside
Display or Storage

See Findings of Fact and Recommendation for Docket No. 2018-30.

Commissioner Creech moved, seconded by Commissioner Johnson to recommend approval of Docket No. 2018-30, Special Use-Site Plan Approval as required under Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, to permit Tool/Equipment Rental Facility with outdoor storage or display in accordance with the following exhibits submitted November 16, 2018 (except as noted), by House of Rental, located at 318 N. Milwaukee Avenue, Wheeling, Illinois:

- Cover letter,
- Fence Letter, received April 1, 2019
- Floor plan,
- Site plan, received December 20, 2018
- Landscape plan.

On the roll call, the vote was as follows:

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

There being one affirmative vote, the motion was denied.

Commissioner Powers moved, seconded by Commissioner Creech to close Docket No. 2018-30. The motion was approved by a voice vote.

- B)** [Docket No. 2019-10](#)
Village of Wheeling
Text Amendment to Sign Code

See Findings of Fact and Recommendation for Docket No. 2019-10.

Commissioner Powers moved, seconded by Commissioner Yedinak to continue Docket No. 2019-10 to May 9, 2019.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

8. APPROVAL OF MINUTES – [March 28, 2019 \(including Findings for Docket No. 2019-4A&B, 2019-7, and 2019-8A&B\)](#)

Commissioner Powers moved, seconded by Commissioner Johnson to approve the minutes dated March 28, 2019 with the following correction:

- Chicago Auto Center – Page 6 – correct the spelling of interpreted

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

9. OTHER BUSINESS

Chairman Ruffatto referred to the water tracking system (Aquahawk) that was presented to the Commission by the Finance Department about a year ago. Chairman Ruffatto explained it can be accessed on the Village of Wheeling's website and can monitor water usage. He was recently contacted by the Village of Wheeling about his higher usage and they suggested there could be a leaky toilet. He checked the toilets and found the source of the leak and after fixing it, his water bill went down immensely.

Chairman Ruffatto announced it might be his last meeting as a Chairman of the Plan Commission. On Monday, he is being recommended to fill the position of Trustee Ken Brady. If it does occur, he would like to thank Staff, Brooke, Steve, Andrew and all past and present Commissioners. He thanked everyone and knows that the Plan Commission will continue to provide the quality has been presented to the Board. As a Trustee, he will always look to this

Commission has the leader to what is being done in the Village.

Commissioner Blinova felt it would be a great fit for Chairman Ruffatto.

Commissioner Kalis congratulated Chairman Ruffatto on the opportunity.

In response to Commissioner Kalis' question, Ms. Milluzzi explained the Chairman position is appointed by the Village President with the consent of the Village Board.

Commissioner Kalis questioned details about the continuation of the amendments to the Sign Code. Chairman Ruffatto asked that questions be submitted to Steve. He reminded the Commission to always send questions to Staff in advance for all petitioners.

Commissioner Powers will miss Chairman Ruffatto and thanked him for everything he has done.

Commissioner Johnson echoed all the comments.

Commissioner Yedinak is confident Chairman Ruffatto will get the appointment so he prematurely congratulated him. He will miss his leadership in the short time he's been on the Commission.

Commissioner Creech thanked Chairman Ruffatto for his wisdom and is rooting for him.

10. ADJOURNMENT

Commissioner Yedinak moved, seconded by Commissioner Powers to adjourn the meeting at 7:45 p.m. All were in favor on a unanimous voice vote and the meeting was adjourned.

Respectfully submitted,

Steve Powers, Secretary
Wheeling Plan Commission

**FINDINGS OF FACT
AND RECOMMENDATION**

To: Village President and Board of Trustees

From: Wheeling Plan Commission/Sign Code Board of Appeal

Re: [Docket No. 2018-30](#)
House of Rental
318 N. Milwaukee Avenue
Special Use-Site Plan Approval of Tool/Equipment Rental Facility with Outside Display or Storage

House of Rental, lessee, is seeking Special Use-Site Plan Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, in order to establish a Tool/Equipment Rental Facility with Outside Display or Storage at 318 N. Milwaukee Avenue, which is zoned B-3 General Commercial and Office District.

Chairman Ruffatto called Docket No. 2018-30 on April 11, 2019. Present were Commissioners Blinova, Creech, Johnson, Kalis, Powers, Ruffatto and Yedinak. Also, present were Steve Robles, Assistant Director of Community Development and Mallory Milluzzi, Village Attorney.

Commissioner Kalis moved, seconded by Commissioner Powers to reopen Docket No. 2018-30.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Mr. Robles reported the docket was last presented to the Plan Commission at the February 28th meeting. Based on the discussion, the motion failed to receive enough positive votes. The standard protocol was that the motion and petition gets forwarded to the Village Board for the final decision. Prior to that time, the petitioner requested that they return to the Plan Commission to present some additional information regarding the fencing and other options/material. The Village Board remanded it back to the Plan Commission.

Ms. Milluzzi explained the Plan Commission already had a full public hearing and heard all the evidence related to the Special Use petitioner and site plan and made a recommendation. The petitioner asked to come back and reopen the hearing for the limited purpose of the information that they will be presenting which relates to the fencing and screening. There is no need to rehash the old material and just consider whether the new information changes the Plan Commission's opinion or if they feel it meets the standards based on the new information of the

Special Use.

Mr. Chris Wright, owner of House of Rental, 318 North Milwaukee Avenue, Wheeling was present and previously sworn in. Mr. Allen Levin, Attorney was present and sworn in.

Mr. Wright explained they decided the best option was to replace the entire fence with a new 6' chain link fence instead of doing repairs. They have received an estimate of \$10,500 for a complete replacement. If they want to add mesh screening, the total project would come to \$11,750. He believes the solution is following the Wheeling Zoning Ordinance requiring the fencing permits. They spoke with their neighbors and have received written permission for the proposed fence. He offered to present copies of the letters regarding the neighbor's consent of the mesh material. The neighbors requested that the fence material be green. Mr. Wright stated they were ready to get the work done as soon as possible and have the project finished in two weeks. Chairman Ruffatto reminded the petitioner that regardless of tonight's vote, the petitioner still needs to go to the Village Board.

Mr. Levin referred to a statement that had been made at the previous meeting which stated the Village Ordinance required a wood fence. He did not find anything in the Code that would require a wood fence. Chairman Ruffatto was unsure of the exact wording in the Code but explained a wood fence was their preference for appearance and the standard for the Village. It also relates to whether it meets the standard for screening.

Commissioner Creech felt the petitioner brought back the exact same type of fencing and screening which does not provide enough adequate screening for the type of product on their property. He explained the Plan Commission wanted a wood fence, so he did not feel the petitioner presented anything different at this meeting. Mr. Wright explained there were 18 different types of series of the proposed product. The proposed is a 500-level series which has a lifespan of 7-10 years. The product is a vinyl coated poly and meant to be used outdoors in all conditions. It has a 80% privacy blockage which still gives air flow but also has acceptable blockage. Commissioner Creech explained it needed to be acceptable to the Village. Mr. Wright felt it needed to be acceptable to the neighbors. Commissioner Creech explained it was discussed previously and was not up to the Village's standards. He felt the petitioner was bringing back the same argument. Mr. Wright explained last time it was to repair the existing fence and he was now proposing to provide a brand new fence.

Chairman Ruffatto explained the Commission's other concern was the material of the screening which none of the Commissioners were in favor of it.

Commissioner Johnson referred to the price of \$10,500 for the new fence but noted the quote provided was \$7,980. Mr. Wright explained the quote did not include the removal of the existing fence.

Commissioner Johnson referred to the previous suggestion of using a wood fence on the Strong side between the business and the residential. The Commission was not as concerned about the north side except for cleaning it up.

Mr. Wright mentioned the proposed product was \$27 a square foot versus wood at \$44.50 a square foot which was almost double the cost of a fence.

Commissioner Johnson is against the mesh fence.

Commissioner Powers appreciated the fence replacement but was still not in favor of the screen. He questioned if the petitioner investigated using slats for the fence. Mr. Wright investigated it and the cost was \$14 a foot. Commissioner Powers felt it would only be an additional \$1,400. He felt slats would be a little better than mesh. He did not know of any place in the Village except baseball fields that used the mesh and he was not in favor of it.

Commissioner Kalis had no questions.

Mr. Wright agreed to use a vinyl slat option in green from Starbucks, Strong and residential. Chairman Ruffatto will take a poll after hearing from all the Commissioners.

Commissioner Yedinak explained last time he voted in favor of the fence because he did not want to deny a longstanding business the right to operate in the Village, but he was not in favor of the mesh screening. He appreciated that the petitioner was looking at replacing the entire fence, he questioned if the petitioner received quotes for any other options that would be more aesthetically pleasing. He was surprised the petitioner did not present any other options since the Commission was not in favor of a chain link at the last meeting. Mr. Wright explained he did look at other options, but wood and other products didn't hold up for security reasons. Commissioner Yedinak did not agree with that argument. He was only proposing a 6' fence without barbed wire so it wouldn't be 100% secured. Mr. Wright didn't believe a wood fence would hold up. Commissioner Yedinak questioned if he had received quotes for a wood fence. Mr. Wright confirmed he did receive quotes, but they were higher than the estimates they already had.

Commissioner Blinova had no questions.

Chairman Ruffatto was not in favor of a mesh fence but agreed the entire fence needed to be replaced and should have been done before now. He explained mesh was not an adequate screening the Village desires.

Chairman Ruffatto referred to Commissioner Powers' suggestion of using slats. He explained if the Commission was in favor of using slats, they would need to see it before voting on it.

Chairman Ruffatto took a poll if the Commission was in favor of the petitioner substituting slats instead of the mesh.

Mr. Wright confirmed the existing slats were metal.

Commissioner Creech: not in favor

Commissioner Yedinak: in favor

Commissioner Johnson: not in favor

**Findings of Fact and
Recommendation**

DOCKET NO. 2018-30

Commissioner Powers: not in favor
Commissioner Kalis: not in favor
Commissioner Blinova: not in favor
Chairman Ruffatto: not in favor

The vote was 6:1 not in favor of using slats.

Commissioner Powers questioned if there were composite material fences in the Village. Mr. Robles explained there may be some residential fences that were constructed out of composite that would be reviewed by the Building Department. Mr. Robles explained the trash enclosures for Arbor Court were made of low-quality vinyl.

Mr. Levin explained his client had presented two alternatives which were both being denied. One alternative was the chain link fence with mesh and the second alternative was the chain link fence with the vinyl slats. Chairman Ruffatto explained the motions were made around approvals so he was uncertain how it could be done. Ms. Milluzzi explained the motion would be on the proposal on the presentation that was submitted on the record (vinyl) and a consensus was taken if there was interest in the slats. If the petitioner wanted to change the proposal to show the slats it would need to be supplemented in the record but there was no actual depiction of it with information. The motion will include the mesh and the Special Use.

Commissioner Creech moved, seconded by Commissioner Johnson to recommend approval of Docket No. 2018-30, Special Use-Site Plan Approval as required under Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, Chapter 19-12 Site Plan Approval Requirements, and associated sections, to permit Tool/Equipment Rental Facility with outdoor storage or display in accordance with the following exhibits submitted November 16, 2018 (except as noted), by House of Rental, located at 318 N. Milwaukee Avenue, Wheeling, Illinois:

- Cover letter,
- Fence Letter, received April 1, 2019
- Floor plan,
- Site plan, received December 20, 2018
- Landscape plan.

On the roll call, the vote was as follows:

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

There being one affirmative vote, the motion was denied.

Commissioner Powers moved, seconded by Commissioner Creech to close Docket No. 2018-30.

**Findings of Fact and
Recommendation**

DOCKET NO. 2018-30

The motion was approved by a voice vote.

Respectfully submitted,

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

**DISTRIBUTED TO THE COMMISSION 4-19-2019
FOR APPROVAL ON 4.25.2019**

**FINDINGS OF FACT
AND RECOMMENDATION**

To: Village President and Board of Trustees

From: Wheeling Plan Commission/Sign Code Board of Appeal

Re: [Docket No. 2019-10](#)
Village of Wheeling
Text Amendment to Sign Code

Village of Wheeling, applicant, seeking a Text Amendment to Title 21 Signs, of the Wheeling Municipal Code, Chapter 21.07 Special Use Signs, to add “institutional uses” to the list of uses permitted to install an electronic message center sign.

Chairman Ruffatto called Docket No. 2019-10 on April 11, 2019. Present were Commissioners Blinova, Creech, Johnson, Kalis, Powers, Ruffatto and Yedinak. Also, present were Steve Robles, Assistant Director of Community Development and Mallory Milluzzi, Village Attorney.

Mr. Steve Robles, Assistant Director of Community Development was sworn in.

Mr. Robles reported Staff had presented some sample electronic message centers (EMC). Staff is proposing modifications to the sign regulations that would permit religious assembly uses to install the electronic message center ground signs. EMC signs are signs that use a series of lights (typically LED) that can be individually lit to form copy, images or graphics in place of a static sign. EMCs are currently permitted through two different sections of the Sign Code. The first section is regulations for freestanding signs for properties that are zoned commercial or industrial. The second option for EMCs is for regulations pertaining to signs for approved Special Uses regardless of the Zoning District (government buildings, convention centers, schools). Staff was recently contacted by an existing church seeking to install an EMC sign. Staff’s assessment of the Code in looking through the regulations, the regulations omit religious assembly uses from the included list of uses that can install an EMC. However, in reviewing the uses allowed to have an EMC sign Staff feels there are comparisons between religious assembly uses, schools and government buildings. Their signage needs are similar in that they need to convey multiple messages to the community or their users due to the variety of services offered. From a signage need standpoint, Staff feels they are comparable. As a result, all of the regulations would remain the same but would just add religious assembly the opportunity to install an electronic message center.

Chairman Ruffatto opened the discussion to the audience.

From the audience, Terry Steilen, 473 Briarwood Drive, Wheeling, IL was sworn in. Mr. Steilen had a problem with the proposed Sign Code text amendment. He did not have the opportunity to look into the docket to see the particulars. He stated the Plan Commission had approved many religious assembly uses over the past 40 years. However, there is one use that was made many years ago that bothers him. It was a small residential house near Route 83 and McHenry Road that was approved as a church. They only had a congregation of six people and was on a ½ or

full acre with room for parking for the congregation of six. They were approved and received property tax relief and held services once a week. He questioned if any of the Commissioners' houses could be declared a church since many churches were located in a residential area surrounded by residential houses on all sides. He questioned if the Village really wanted to have a permitted electronic reader board sign. He questioned if there were any restrictions on the size of the sign. He questioned if restrictions could be added to a permitted use to limit size, color, brightness or text. He questioned if the text could advertise other businesses. He questioned the limits of a permitted Special Use on the facility. He questioned if congregation, building, sign, property sizes should be considered. He questioned the types of restrictions that could be put on a permitted Special Use. He mentioned schools, churches and government buildings were typically large parcels.

Commissioner Powers questioned if the proposal was to add religious assembly use into the grouping with everyone else. He questioned if they would have the same privileges for signs as the other uses. Mr. Robles confirmed that by adding the use to the list of uses then they would qualify for signs and would need to meet the sign limitations of the Code including setbacks. There are also requirements on the duration of the message being displayed (no less than 10 seconds). The signs can't have any strobing and or sounds. They would be subject to the same regulations of these signs as the other uses that are currently allowed.

Commissioner Powers questioned if a sign could be denied if it met the Code. Mr. Robles explained if it met all of the criteria of the Code, signs that come before the Plan Commission are for appearance review, so the Commission could comment on the appearance of it.

Commissioner Powers questioned how the content of the sign was controlled. He questioned the enforcement.

Commissioner Kalis questioned if Code restricts a residence from becoming a school. Mr. Robles explained that any property applying for a Special Use would be required to meet the standards for the Special Use as well as the minimum requirements (lot size, parking requirement) of the use. For religious assembly use, there are parking requirements based on the number of seats so the use would need to demonstrate that they provide sufficient parking. If a private residence wanted to do it, they would need to demonstrate that they were able to not only meet the standards for the Special Use but also the Code standards.

Commissioner Kalis was unsure how one could be treated differently than the other. He believes it needs to be equivalent for schools, government and religious uses. Ms. Milluzzi explained the Commission should not distinguish on the uses but should be on the Zoning District.

Commissioner Johnson had an idea about what church was asking and he was surprised they weren't in the same zoning as the synagogue.

Commissioner Johnson did not have a problem with electronic message boards unless they would affect someone living nearby. He looked at the map of churches in Wheeling and the only questionable one is Evergreen Presbyterian by Holmes. He was unsure if they would ever invest in a sign since there isn't much traffic. He did not have a problem with it since all the other

churches were on main or secondary streets.

Commissioner Creech had no concerns.

Commissioner Blinova had no concerns. She explained that the Village needs to be inclusive when it comes to religion and not disrespectful but should be cautious.

Commissioner Yedinak agreed with Commissioner Kalis that if the signs were allowed for some groups, religious groups should not be excluded. In general, he is not in favor of electronic signs because of the aesthetics. He lives next door to AmVets and the electronic sign is very bright and obnoxious. He felt the content couldn't even be read. Commissioner Yedinak suggested reviewing the Code for electronic signage to regulate the brightness. He could not object adding it to the group but wants to know how the aesthetics for electronic message signs could be regulated.

Chairman Ruffatto explained most of the text amendments have come before the Commission when the petitioner is present. This time there is time to discuss since there isn't a petitioner before the Commission asking for it.

Commissioner Creech thought there was a brightness Code for signage. Mr. Robles explained there were limitations for brightness and light at property lines. The challenge with electronic message signs is that they cast more visual light because of the brightness.

Commissioner Creech questioned if there was a way to check the brightness of the VFW sign. Mr. Robles confirmed it can be addressed. He explained that a lot of communities were requiring ambient light sensors.

Chairman Ruffatto didn't think he was on the Plan Commission for the small church on 83. He expressed the same concern for schools that are located in residential areas and would have a bright sign that would shine into the residential homes. He referred to the school located near his home. He expressed concern how they could be treated and questioned if the hours could be limited. Chairman Ruffatto mentioned that a school could also go into a home. He knows of a house in his neighborhood that has people gathering for religious services.

Chairman Ruffatto suggested looking at the Code for the uses (schools, governmental buildings) in residential areas. He thinks there needs to be a little more investigation and questioned if display hours could be limited.

Chairman Ruffatto called Mr. Steilen back to the podium. Mr. Steilen added there were a number of entities within town that had electronic reader boards that were installed and granted installation by the Village but were not part of the Code. He referred to the synagogue as an example. Ms. Robles explained if it was a commercially zoned property, by right they are permitted to have an EMC regardless of the use. Mr. Steilen thought most of the signs were installed as part of a variation request and not as part of a permitted/not permitted use. He thought for the small number of churches that want to take on the expense, a variation might be a viable alternative since it could be controlled.

Chairman Ruffatto suggested making an EMC in a residential area a Special Use. Commissioner Johnson thought it was a good option. Chairman Ruffatto requested that Staff look into it.

Commissioner Yedinak found a definition of religious assembly in the Code and he thought maybe it needed to be reviewed. He felt it was pretty broad. Chairman Ruffatto explained they would need to formerly request to be a religious assembly. Ms. Milluzzi explained in order to be eligible to receive an electronic message center sign, there already needs to be the Special Use approval for the religious assembly or government building or school. A bible study at someone's house would not automatically qualify for a sign.

Commissioner Powers moved, seconded by Commissioner Yedinak to continue Docket No. 2019-10 to May 9, 2019.

On the roll call, the vote was as follows:

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

There being seven affirmative votes, the motion was approved.

Respectfully submitted,

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

**DISTRIBUTED TO THE COMMISSION 4/19/2019
FOR APPROVAL ON 4.25.19**