

1. CALL TO ORDER

Chairman Ruffatto called the meeting to order at 6:30 p.m. on Thursday, January 24, 2019.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

4. CHANGES TO THE AGENDA

Mr. Robles announced there was an addition to item 7B, Adoption of Rules and Procedures for Public Hearings Before the Village Plan Commission. There is one public hearing agenda item 7C, Docket No. 2019-1, the item is for the Plan Commission to make a motion to vote on prior to opening the public hearing.

5. CITIZEN CONCERNS AND COMMENTS

Commissioner Powers read the following statement.

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.

From the audience, Mr. Pete Perkins, 135 East Hintz Road, Wheeling came forward. He is the chief financial officer of Handifoil. They operate a 330,000 square foot facility just west and adjacent to the proposed site plan for rezoning. Handifoil is a leading manufacturer of aluminum pans and have operated in the Wheeling facility for over 30 years. Their facility employs over 650 employees across 3 daily shifts in a variety of positions. They have a long history with the

Village and their operations have expanded across the site and continues to grow at a strong pace. They have reached capacity at the facility and have recently expanded outside the Village but always looks to Wheeling as their home and want to expand further. They don't object to the rezoning of the property, but they object to the rezoning of the property at this time since they feel it is premature due to a property dispute. They want to bring a dispute to the Plan Commission's attention over the vacation of the right-of-way. They filed it in December with the Village, it's a vacation that had originally been given to Handifoil by an ordinance and then reversed. The vacation of the right-of-way is integral to the site plan and to the rezoning, so they feel at this time it is premature to approve the rezoning of the property.

Chairman Ruffatto announced the public had 5 minutes to speak.

Mr. Perkins wanted to encourage the Plan Commission to review their objections. They are not objecting the rezoning itself, but feel it is a premature review at this time because of the dispute over the vacation of the right-of-ways. They requested they take a look at the objection submitted to the Village in December.

From the audience, Mary Ann Liguori, 105 Debra Lane, Wheeling came forward. Ms. Liguori mentioned it was posted to the Village's website on Tuesday afternoon and referred to the adoption of rules and procedures for public hearings before the Plan Commission. She asked that the Commission remove C, D and E from the agenda this evening to give residents and public bodies more time to scrutinize it. She also mentioned that the adoption of rules and procedures had not been discussed. She wants to have a deeper understanding and more time to scrutinize it. She learned other municipalities give their taxing bodies 45 days to scrutinize very specifics. She believe it is the right of the residents to have more time to look at it. She referred to the mission statement of the Village to provide public services that support the evolving needs of overall safety, health and welfare. She mentioned they didn't include any environmental study and were asking to take away 9 acres of green. She didn't think it was appropriate to move ahead with the rezoning at this time since the rules had not been adopted.

Mr. Robles stated the agenda was published last Friday which is the standard publication for distribution timing of the agenda. Items 7 C, D and E were on the original agenda. The adoption of the rules and procedures for public hearings was added on Tuesday. In addition, the notice for the rezoning as required of the 250' notification range was provided 15 days prior to today's date.

Ms. Liguori disagreed when she opened up the agenda on Tuesday there wasn't any specific detail information that came along with it. She called the Village on Tuesday morning to speak with the Deputy Clerk to question why it wasn't available online. All of the information didn't get posted until 2 days prior to today's meeting. Out of respect for citizen's rights and public scrutiny, she is requesting a 45 day continuance.

Ms. Milluzzi reported that the Open Meetings Act only requires 48 hours' notice of posting of an agenda and it only requires the agenda to be posted. The Village goes above and beyond by posting its entire packet with the document. It is not required by State law to post the documents on the website. The documents were also available at Village Hall.

From the audience, Mr. Phil Taplin, 95 Fox Lane, Wheeling came forward. He agreed with Ms. Liguori. He didn't think it was right for the public not to have more notification. They need more time to scrutinize what's going on. Even though he is outside of the 250' notification, he felt he would still be impacted by the proposal. He was unsure how the development would impact house prices or pollution. He felt it would impact the entire area. He felt even though Wheeling didn't want them in the Village, they should have rights as citizens of Wheeling.

From the audience, Bob Liguori came forward. He wants more time. He felt the Commission wasn't interested in looking at their pictures and were very disrespectful. He referred to the 6' fence and didn't feel it was appropriate being located across from someone's property.

From the audience, Kurt Latsky, 1030 Carol Avenue, Wheeling came forward. He lives in one of the properties being purchased. He has lived in his house longer than anyone present. He believes everyone knew what was going on with the neighborhood in the future. It is all around the neighborhood and everyone knew it would happen. He believes it is a great opportunity for the area and mentioned the purchaser gave him a very good offer for his house.

6. CONSENT ITEMS

- A) [Docket No. SCBA 18-52](#)
Destaco
1444 S. Wolf Road
Appearance Approval of Freestanding Signs

- B) [Docket No. SCBA 19-2](#)
Kiki's Monte Carlo Café
1201 W. Dundee Road, Unit B
Appearance Approval of a Wall Sign

Commissioner Powers moved, seconded by Commissioner Johnson to approve the following consent items.

Approve Docket No. SCBA 18-52 to grant appearance approval for the freestanding signs in accordance with the sign plans (3 sheets) submitted January 7, 2019, on behalf of Destaco, located at 1444 S. Wolf Road, Wheeling, Illinois.

Approve Docket No. SCBA 19-2 to grant appearance approval for the wall sign in accordance with the sign plans (2 sheets) submitted January 10, 2019, on behalf of Kiki's, located at 1201B W. Dundee Road, Wheeling, Illinois.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

7. ITEMS FOR REVIEW

- A) [Docket No. PC 18-19](#)
JV Global Services LLC
150 Abbott Drive
Minor Change to Approved Site Plan

As noted in the Staff Report, Mr. Robles stated the property owner received prior approval in 2016 to allow for 78 parking spaces. Through the repaving and other improvements to the site, the restriping was done to increase the spacing to allow more vehicles. They have provided the attached site plan, demonstrating fire truck maneuvering and relocation of employee parking to be located near the office. There are three small spaces noted on the plan located in the southeast corner of the property which has been identified for the new snow storage to be located.

Mr. Dan Shapiro, 618 Academy Drive, Northbrook was present. Since December, they have met with the Fire Department and have also provided plans that the Fire Department has found to be appropriate. They are asking for minor sit plan approval which provides for snow and turning for larger trucks and vehicles. The other items have all been taken care of but for a small portion of the northern fence due to weather.

Commissioner Johnson questioned if the site was ever striped the way it was approved. He felt they used the new pattern even though it wasn't approved. Mr. Shapiro understood the concern. The neighbors to the south were in a very critical stage regarding their capacity. They did a mistake and accommodated them and gave them 20 cars. They acknowledged their mistake. Commissioner Johnson felt that would have been the time to come before the Commission. Mr. Shapiro agreed he was right and admitted their error and explained it was not done out of malicious intent. They were trying to accommodate the situation to the south. Commissioner Johnson questioned if it happened right after the Commission approved the other plan. Mr. Shapiro stated it was 6 months later.

From the audience, Ashley Zinger, 150 Abbott Drive. She confirmed it happened when they changed their shifts and had issues with parking. One of the managers reached out for help. They followed the original plan and all of the stripes were done the way it was approved. When they were approached, they helped them out. She admitted it was their mistake. Commissioner Johnson questioned if the Village was aware if it had been restriped. Mr. Robles confirmed it was striped, then the site was repaved and then they went to the new pattern.

Commissioner Creech questioned the zoning on the property. Mr. Robles stated it was I-3, General Industrial. Commissioner Creech questioned the required setbacks for this particular property. He felt the parking on the north property line went all the way to the fence. Mr. Robles explained for setbacks it would be structure setbacks. The office building meets the setback requirements when they constructed it. Parking is at the determination of the Plan Commission. Commissioner Creech questioned if there were setback requirements for parking. Mr. Robles explained the setbacks that relate to parking and landscaping can be determined by the Plan Commission in regard to the side yard for the parking. Commissioner Creech felt it would be the rear yard setback. Mr. Robles agreed and confirmed that there was nothing in the Code that determined it. Mr. Shapiro confirmed the parking in the far north had not changed from the original plan. Commissioner Creech disagreed and mentioned the original plan had 15-25' all the way up to the fence. He thought a setback was required on all sides of properties in the Village. Commissioner Creech mentioned it was going from 25' to nothing and was not a minor change.

Ms. Zinger explained they bought it from a company that used the parking for parking trailers. They have not touched the curbs. Commissioner Creech did not state the previous owners were doing it correct. He did not feel it was a minor change and should come back with more. Mr. Shapiro didn't think the determination had yet been made. Commissioner Creech referred to the standard 17' setback. Mr. Robles confirmed the 17' is correct for the principle building. He is still looking for a parking lot. Commissioner Creech didn't think going up to a fence was allowed. He had never seen it permitted in any industrial area. Chairman Ruffatto explained the Commission may want to continue it, if there was a question. Commissioner Creech read a minimum parking setback for all sides of 10'. Ms. Milluzzi noted "F" was relating to a detached accessory building. Mr. Shapiro suggested if the Commission wanted to make a decision subject to Staff's final determination on setback issue instead of having them come back. Chairman Ruffatto explained it was currently a minor change which doesn't go to the Board and if it changes, it becomes something other than minor and that requires something more than just Community Development. It can be continued for it to be resolved and then they would return.

Commissioner Creech wants to see the rest of the dimensions between the parking spaces and for the overall site plan. It appears the aisles are smaller than the original plans. Mr. Shapiro explained the intent of the plans were to show both trucks and fire equipment but agreed they would accommodate whatever was required.

In response to Commissioner Johnson's question, Mr. Shapiro confirmed they've had the unapproved layout for 1.5 years.

Chairman Ruffatto wants to continue the docket but asked for input from the other Commissioners.

Commissioner Kalis referred to the 2016 view with 70' of aisle size but the current plan does not indicate the aisle size. He questioned how they were adding another row? He wants to see the actual numbers. Mr. Shapiro agreed.

Commissioner Powers had the same concerns. He noticed the parking in the front near the office had changed. He felt it looked cramped and wanted to see dimensions.

Chairman Ruffatto questioned how they would manage the snow storage area near the entrance? Mr. Shapiro confirmed whatever snow can't be stored would be taken off the site. Chairman Ruffatto was skeptical of it happening and mentioned the location of the trash enclosure. He suggested looking at it.

Commissioner Powers moved, seconded by Commissioner Johnson to continue Docket No. PC 18-19.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

The Commission took a break at 7:05 p.m. and reconvened at 7:13 p.m.

B) [Adoption of Rules and Procedures for Public Hearings Before the Village Plan Commission](#)

Ms. Milluzzi explained the Village has had public hearing procedures pursuant to the law for years, but it had never been formalized. This is to formalize the approach the Plan Commission already uses with a little more formality when it comes to the public's right to speak.

Commissioner Creech moved, seconded by Commissioner Kalis to approve the Adoption of Rules and Procedures for Public Hearings before the Village Plan Commission.

On the roll call, the vote was as follows:

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

**Wheeling Plan Commission
Regular Meeting**

January 24, 2019

NAYS: None
ABSENT: None
PRESENT: None
ABSTAIN: None

There being six affirmative votes, the motion was approved.

- C) [Docket No. 2019-1](#)
Wolf Road Industrial
1020, 1022, 1026, 1027, and 1030 Carol Avenue; 10321 Dean Avenue; 37 Kerry Lane; and 1032 S. Wolf Road
Rezoning to the I-2 Limited Light Industrial District

See Findings of Fact and Recommendation for Docket No. 2019-1.

Commissioner Powers moved, seconded by Commissioner Johnson to continue Docket No. 2019-1 to February 14, 2019.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

- D) [Docket No. PC 19-1](#)
Wolf Road Industrial
1020, 1022, 1026, 1027, and 1030 Carol Avenue; 10321 Dean Avenue; 37 Kerry Lane; and 1001 S. Wolf Road
Sit Plan-Appearance Approval of Industrial Warehouse Building

Commissioner Johnson moved, seconded by Commissioner Powers to continue Docket No. PC 19-1 to February 14, 2019.

On the roll call, the vote was as follows:

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

**Wheeling Plan Commission
Regular Meeting**

January 24, 2019

PRESENT: None
ABSTAIN: None

There being six affirmative votes, the motion was approved.

- E)** [Docket No. PC 19-2](#)
Wolf Road Industrial
1020, 1022, 1026, 1027, and 1030 Carol Avenue; 10321 Dean Avenue; 37 Kerry Lane; and 1001 S. Wolf Road
Preliminary Plat of Subdivision Approval of Wheeling Road Industrial

Commissioner Johnson moved, seconded by Commissioner Creech to continue Docket No. 2019-2 to February 14, 2019.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

- 8. APPROVAL OF MINUTES** – [January 10, 2019](#) (including Findings for Docket Nos. 2018-31, 2019-2 and 2019-3)

STEVE – I WROTE THE MOTION TO APPROVE AS PRESENTED SINCE THE CORRECTION WAS ALREADY INCORPORATED INTO THE MINUTES.

Commissioner Powers moved, seconded by Commissioner Blinova to approve the minutes dated January 10, 2019 as presented.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

9. OTHER BUSINESS

Chairman Ruffatto referred to an e-mail from Village Staff regarding the holiday party on February 9. He asked for the Commission to RSVP.

Chairman Ruffatto referred to the discussions within the Village about gaming. He sent an e-mail to Director Jennings and Village Manager Sfondilis asking about having a workshop or getting clarification to help the Commission better understand the different categories (restaurant, taverns). He is not looking to restrict gaming. He referred to Monday's Board Meeting and there is not an appetite to restrict it so he is OK with it if that is the Village Board's desire. He asked for another category that it could fit into so that there wasn't any confusion. He hopes that it is moving forward and looks forward to seeing something in the coming months. It's important to be in sync with the Village Board as to what is being approved.

Ms. Milluzzi will work with Staff to come up with something. As an example, for the Commission, she referred to Starbucks who was approved as a restaurant. They produce food the same way as the gaming cafes with a confection oven. Commissioner Johnson mentioned that they have tables and chairs. Ms. Milluzzi explained that all of the gaming cafes had tables and chairs with the exception of one.

Chairman Ruffatto had a discussion with a businessman who had interest in gaming outside of this area and they welcome having gaming facilities located near each other. If one café is filled, they can just walk to the next one without getting into a car.

Commissioner Blinova felt it would be helpful to understand the history of the gaming and why it was banned for so long and then figure out if they should be in the same plaza. She understands that it is OK to walk from one to another one but at the same time it puts someone else who invested a lot of money at risk. Commissioner Creech felt it's not the Commission's problem and it is the risk of going into business.

Ms. Milluzzi confirmed the use is zoning, but the gaming is not part of something the Plan Commission reviews.

Commissioner Powers thinks it's a good opportunity to get the conditions down on paper.

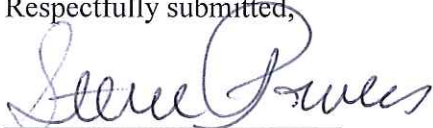
Commissioner Kalis agrees the category of a sit-down restaurant with no seating was confusing. He loves the idea of adding a different use or modifying it to include certain specifics to make it black and white.

Commissioner Creech looks forward to a workshop to discuss ideas and to work along with the Trustees and Staff. He is in favor of eliminating all conditions not only on this specific item but also a lot of other items that come before the Commission.

10. ADJOURNMENT

Commissioner Kalis moved, seconded by Commissioner Powers to adjourn the meeting at 7:30 p.m. All were in favor on a unanimous voice vote and the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steve Powers". The signature is written in dark ink and is positioned above a horizontal line.

Steve Powers, Secretary
Wheeling Plan Commission