

**1. CALL TO ORDER**

Chairman Ruffatto called the meeting to order at 6:30 p.m. on Thursday, February 14, 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, Mallory Milluzzi, Village Attorney, Mr. Kyle Goetzmann, Civil Engineer and Mr. Ron Antor, Fire Inspector.

**4. CHANGES TO THE AGENDA - None**

**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. Peter Perkins, Handi Foil Corporation, 135 East Hintz Road came forward. Handi Foil is located adjacent to the rezoning site. They are present to provide comments regarding the site plan and rezoning.

From the audience, Mr. Philip Taplan, 95 Fox Lane, Wheeling came forward. He is not in favor of the proposed rezoning and feels having a trucking terminal in the area would be similar to having the Queen Mary sitting in the harbor with row boats around it. He does not believe it should be put in the area and would create a nightmare for traffic. He mentioned the roadway was not large enough and would create traffic issues. The street narrows down to one lane in each direction and in the afternoon, traffic is backed up past Fox Lane. He didn't think it would work even with a stop light. He doesn't think any Commissioner would want their house in front of a warehouse. Some of the homes are less than 30' from the property line and are two story so the 6' fence would

not help. He suggested having it on Chaddick that has a large industrial area. He purchased the property 30 years ago and knew the area would be industrial but thought it would be light industrial similar to the area south.

From the audience, Ms. Maryann Ligori, 105 Debra Lane, Wheeling came forward. She was not in favor of the potential of having 24/7 trucks running in and out located next to residential. She did not think it was appropriate or compatible. She referred to the noise she would hear from the backup beepers from the trucks. She felt the plan did not respect the residents and asked the Commission to say no to the proposed. She did not want the Commission to be part of something that would cause harm to the residents. She referred to the heavy impact. She does not want the Commission to set a precedent to cut a neighborhood in half. She reiterated that the Commission would be causing physical and medical harm to the residents. She asked the Commission to vote with their heart. If the property is rezoned to industrial (I-2) and it doesn't go through because it doesn't qualify with the Cook County Board of Review, the Plan Commission would still be rezoning it for people who still live there, and they would be living in an industrial area so the Village would they need to buy them out. She did not believe the Cook County Board of Review will approve it.

From the audience, Mr. Robert Ligori, 105 Debra Lane, Wheeling came forward. He stated that it was located 20' from a residential yard and would cut a neighborhood in half. He mentioned there wasn't a buffer zone and questioned the Village's restrictions regarding noise pollution. He doesn't understand how the business could operate being located so close to residential. He doesn't think a 6' fence would make a difference. He doesn't understand how something could be located so close to residential. He felt it was a bad idea and asked the Commission to say no.

**6. CONSENT ITEMS - None**

**7. ITEMS FOR REVIEW**

- A) [Docket No. PC 18-19](#) (Continued from January 24, 2019 meeting)  
JV Global Services LLC  
150 Abbott Drive  
Minor Change to Approved Site Plan

Ms. Milluzzi referred to the parking issues that had been raised at the last meeting. She provided the Commission with some clarification on the issue. Staff confirmed the current Village Code does have a parking setback of 10' within the I-3 Zoning District. The research and review of the file found that the current parking lot was a legal, non-conforming condition or structure on the property and therefore, the parking lot did not need a variance and the parking can go to the lot line. A parking setback requirement in the I-3 District is a generally applicable requirement that applies to all uses in the I-3 District and is not tied to the use of the property. When the parking lot was poured as part of the prior development in the 80s or 90s, the parking lot was allowed to go to the lot line and there was no 10' parking setback in the I-3 Zoning District in the

Code. This was not a variation on the prior use, the Code never required a setback. As such, the parking lot is a physical condition of the property and is considered a structure on the land. The current owner hasn't altered or expanded the actual physical parking lot. If an office building had been built on the property and no changes had been made to the parking lot, the office building and user would be able to park cars up to the lot line similar for an auto repair facility. While uses can change on the property, the physical condition of the parking lot has not changed and thus remains a legal, non-confirming structure on the property. She reiterated that a parking lot was a structure and not a use. It is similar to a fence or other structures. She confirmed the building was a legal, non-confirming building. If they wanted to put an addition on the building, it would trigger them having to come into compliance. They did not change the actual physical condition of the parking lot. They did not add or tear up the parking lot.

Mr. Dan Shapiro, 618 Academy Drive, Northbrook was present. He reported there had been additional research on the site plan since the last meeting and it was provided to the Commission. They were present to answer any questions.

Commissioner Johnson's questions had been covered by Ms. Milluzzi's explanation. He questioned if the Fire Department was in favor of the new configuration. Mr. Antor confirmed they were still in agreement since it hadn't changed.

Commissioner Johnson was disappointed that they needed to return long after the changes had been made instead of before they were made.

Commissioner Powers had no questions.

Commissioner Kalis had no questions.

Commissioner Blinova had no comments.

Commissioner Creech had no comments.

Commissioner Yedinak questioned if the handicapped ramp sloped west to east and questioned if there would be enough room to negotiate the ramp with a truck in the closest space. Mr. Shapiro was unsure but stated if there was a problem, they would lose the parking space.

In reply to Chairman Ruffatto's question, Mr. Shapiro confirmed the width of all of the parking spaces was 11' wide.

Chairman Ruffatto's concern was with the snow removal. He didn't think it made sense to store it near the entrance.

Chairman Ruffatto mentioned the proposed site had been a thorn for Community Development and hoped that the relationship would be improved. Mr. Shapiro agreed.

Commissioner Johnson moved, seconded by Commissioner Blinova, to approve Docket No. PC 18-19 granting a minor change to the site plan approved by Ordinance No. 5064 (Docket No. 2016-21A) and Ordinance No. 5064 (Docket No. 2016-21C), as required under Title 19, Zoning, of the

**Wheeling Plan Commission  
Regular Meeting**

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Wheeling Municipal Code and Chapter 19-12, Site Plan Approval Requirements, in order to increase the outdoor parking of trucks and contractor's vehicles for 150 Abbott Drive, Wheeling, Illinois, in accordance with the Site Dimensions plan dated January 14, 2019 and last revised January 30, 2019, and subject to the following condition:

1. The minor change to the site plan shall permit outdoor parking of trucks and contractor's vehicles not to exceed 89 parking stalls (86 in winter due to snow storage), and specifically excludes outdoor material storage and daily/hourly parking.

On the roll call, the vote was as follows:

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

There being five affirmative votes, the motion was approved.

- B)** [Docket No. 2019-1](#) (Continued from January 14, 2019 hearing)  
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 Creech moved, seconded by Commissioner Blinova to recommend approval of Docket No. 2019-1, granting Rezoning from R-1A Single-Family Residential District and I-1 Light Industrial District to I-2 Limited Industrial District as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19.14 Ordinance Administration, and associated sections, for the construction of an industrial warehouse building in accordance with the following exhibits, for the properties located at 1020, 1022, 1026, 1027, and 1030 Carol Avenue; 37 Kerry Lane; 1020 Plant Road; and 1032 S. Wolf Road, Wheeling, Illinois:

- Project Description Letter, received December 10, 2018
- Site plan, dated February 7, 2019, and
- Rezoning Exhibit, received January 14, 2019.

On the roll call, the vote was as follows:

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

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Regular Meeting**

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PRESENT: None  
ABSTAIN: None

There being seven affirmative votes, the motion was approved.

Commissioner Powers moved, seconded by Commissioner Johnson to close Docket No. 2019-1. The motion was approved by a voice vote.

- C) [Docket No. PC 19-1](#) (Continued from January 24, 2019 meeting)  
Wolf Road Industrial  
1020, 1022, 1026, 1027, and 1030 Carol Avenue; 10321 Dean Avenue; 37 Kerry Lane; and 1001 S. Wolf Road  
Site Plan-Appearance Approval of Industrial Warehouse Building

Mr. Robles stated the Staff Reports and submittals of the petitioner were part of the public record.

Mr. John Pagliari, Partner, Panattoni Development Company, 6250 North River Road, Rosemont, IL was present.

Mr. Pagliari described the proposal for an attractive industrial building with a lot of glass on all four sides of the building including three entrances. The east side faces Wolf Road with two story glass and wrapped glass around the northeast and southeast corners. They are asking for no variances on the site plan. They have a landscape and irrigation plan to screen the building to make a very attractive site.

Commissioner Creech had no questions.

Commissioner Johnson referred to one of the parcels being used as a storage yard in the past; he questioned if there had been any environmental issues with the site. Mr. Pagliari explained they did a phase 1 environmental test of the entire property and it came back clean. If there are any “hot” spots, they would remove them per IPA standards.

Commissioner Johnson questioned if the north drive could be designated as the truck entrance and limit the south drive to only vehicles for employees. Mr. Pagliari explained it was difficult to limit the access but agreed they liked to keep the cars and trucks separate. He stated the majority of the trucks would be parked in the back on the west side. They would typically enter on the north entrance but would probably exit using the south entrance to Wolf Road. Chairman Ruffatto questioned if it could be added as a condition. Ms. Milluzzi explained it would be difficult to limit the movement of trucks without knowing the operation. Mr. Robles agreed it would also be challenging for the enforcement. Chairman Ruffatto suggested adding the request to the file including no idling when the uses come to the Village.

Commissioner Johnson questioned if the height of the fence could be increased from 6’ to 8’.

Chairman Ruffatto requested adding a berm on the south side with the fence on the berm. Mr.

Pagliari agreed and mentioned there was 26' of green space between the property line and their curb on the south side. On the north side there is much less. Mr. Goetzelmann confirmed as long as the drainage was met, you could get a 4' elevation gain as long as there are no drainage issues. Chairman Ruffatto agreed to add a condition. Mr. Pagliari agreed it would be a good idea.

Commissioner Kalis questioned if an 8' fence would be better for the neighborhood. Mr. Pagliari agreed to use an 8' fence on the berm. Commissioner Powers questioned what was used at the asphalt plant. Chairman Ruffatto thought it was 8'. Mr. Robles confirmed an 8' fence was permitted for outdoor storage. Chairman Ruffatto suggested adding it as a condition.

Commissioner Kalis referred to the proposed 16 dock doors. He questioned if they had a standard per unit. Mr. Pagliari explained they could add a few more, one per 10,000 feet was a rough number.

In reply to Commissioner Powers' question, Mr. Pagliari confirmed the environmental study included soil samples.

Commissioner Powers questioned if there would be any internal trash enclosures. Mr. Pagliari confirmed the trash enclosures would be located inside the building.

Commissioner Powers referred to the proposed Spruce trees on the lot line by the fence. He questioned if there was any way for them to protrude above the fence and berm since they grew slow (10-15' in 10 years). He suggested starting with something more mature that would go above the proposed fence and berm. Mr. Pagliari explained it gets difficult to transplant larger trees. Commissioner Powers referred to a similar situation for the car wash by Gators Pub when he asked for additional more mature screening along the fence line by residential. Chairman Ruffatto suggested adding a condition for more mature trees, to be reviewed by Staff and reported back to the Commission.

Commissioner Powers asked for input from the Fire Department. Fire Inspector Antor reported that all of the previous comments had been addressed in the current submittal.

In reply to Commissioner Powers' question, Mr. Pagliari didn't think they had done a traffic study. Mr. Robles stated they had provided a traffic study. Ms. Milluzzi explained it would be tied to the use and not the building. Chairman Ruffatto questioned if a traffic study could be required for a permitted use. Ms. Milluzzi confirmed it could not be required. If Staff feels it's necessary for a permitted use, they will ask for it. She explained that every use did not warrant a traffic study.

Commissioner Powers requested details on the retaining wall in the southwest corner and the one on the east side of the property. Mr. Pagliari confirmed the height of the brick retaining wall on the west side of the detention basin on Wolf Road is about 3-4'. Commissioner Powers questioned if the east parking lot was pavers. Mr. Pagliari confirmed it was not pavers. Commissioner Powers thought the landscape plan had it as all brick pavers. Mr. Goetzelmann referred to sheet 5 of 16 showing the front east parking lot as permeable pavers. Commissioner Powers questioned the paver color and color scheme of the building. He referred to the banding

on the building. Mr. Pagliari described the building as whiteish with a blue accent band. Commissioner Powers questioned if there were color renderings available. Chairman Ruffatto noted the provided renderings were in color.

In reply to Commissioner Powers' question, Mr. Pagliari confirmed there were no exterior gutters.

Commissioner Powers questioned the percentage of greenspace on the property. Mr. Pagliari stated it was 25%. Mr. Goetzelmann confirmed it met the Village Code.

Commissioner Powers questioned the snow removal. Mr. Pagliari explained there was 18' from the south curb to the fence and 8-10' between the building and parking lot against the building. Each corner of the site (northwest and southwest) had large greenspace and 10' on both the north and west sides of the building. Commissioner Powers requested that they designate the areas on the site for snow storage prior to going to the Village Board. Mr. Pagliari mentioned they may also dump some of the snow into the pond. He stated that all the green space would be available for snow removal.

Commissioner Powers referred to the stain proposed for the band on the building and requested that something be done to prevent the sun from ruining it.

Commissioner Blinova had no comments.

Commissioner Yedinak questioned the lighting proposed on the south side. He expressed concern that it didn't spill out to the residents. Mr. Pagliari confirmed they were using all building mounted lights and no poles. The lights would be pointed down and would not spill out. Mr. Goetzelmann explained there were minimums based on the mounting heights identified on the photometric lighting plan. The wall mounted lights would be mounted 17' vertical so they will not be at the very top. The fixtures will also be shielded.

Chairman Ruffatto questioned how outdoor storage could be prevented when a use came before the Plan Commission. Mr. Robles explained it was permitted by zoning with provisions in terms of how much (limited to no more than 400 square feet). There is no outdoor storage on the site plan so if the occupant wanted it in the future, they would need to come in for a minor site plan approval.

Chairman Ruffatto questioned if the petitioner would be part of the group that leases it out. Mr. Pagliari confirmed he would since he is part owner of the building. Chairman Ruffatto asked the petitioner to please keep the residents and other businesses in mind when they were going through the use and to be respectful of them. Mr. Pagliari agreed and mentioned he would be present for the showings and wanted everyone to be happy.

Chairman Ruffatto questioned the type of signage. Mr. Pagliari explained they may come back with a monument sign but explained it would depend on the tenants. Chairman Ruffatto didn't think there was room for a monument sign. Mr. Pagliari explained monument signs weren't that large (4' high x 8' wide) and would be located near the front entrance.



Commissioner Johnson questioned if the petitioner had any other spec buildings they maintained. Mr. Pagliari agreed to provide addresses to Village Staff. He mentioned buildings in Elk Grove and Skokie. The Elk Grove building is very similar to the proposed and is an airport freight forwarding company and light assemblers in Skokie.

Commissioner Powers moved, seconded by Commissioner Kalis to recommend approval of Docket No. PC 19-1, granting Site Plan-Appearance Approval as required under Title 19, Zoning, of the Wheeling Municipal Code, and Chapter 19-12 Site Plan Approval Requirements, in order to construct an industrial warehouse building, in accordance with the following exhibits, for Panattoni Development Company:

- Project Description Letter, received December 10, 2018
- Site plan, dated February 7, 2019,
- Building Elevations, dated January 7, 2019,
- Landscape Plan (2 sheets), dated January 28, 2019
- Photometrics, dated January 29, 2019,
- Preliminary Site Improvement Plans (16 sheets), dated January 14, 2019
- Line of Site Plans (4 sheets), received January 29, 2019

And with the following conditions of approval:

1. The trash collection areas shall be indicated on the floorplan prior to the issuance of a permit for the construction of the building;
2. A berm shall be added along the south property line and the fence shall be added on top of the berm;
3. The fence height shall be increased to 8' in height;
4. The tree planting height shall be increased within the south yard and to work with Staff on the final design which shall be reported back to the Plan Commission; and
5. Any outdoor storage shall require review by the Plan Commission for minor site plan revision.

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.

- D)** [Docket No. PC 19-2](#) (Continued from January 24, 2019 meeting)  
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 Wolf Road Industrial

Mr. Robles explained the proposal is for preliminary plat of subdivision since the property is comprised of multiple individual lots. The petitioner is seeking to consolidate the lots. The petitioner must demonstrate that they meet compliance with the Code requirements for plats of subdivisions. Staff has verified that it met the Code requirements for a preliminary plat of subdivision. Upon a recommendation from the Plan Commission, the preliminary plat will be forwarded to the Village Board for final decision. The Village Board confirms the final plat is in substantial compliance with the preliminary plat. The final plat will be the actual article that will be recorded for the lots to be combined into one developable lot. There is a condition on the plat that is noted in the Staff Report, the Village Board's consideration of the final plat of subdivision, shall also include a plat of vacation for the three Village rights-of-ways, to be prepared by the petitioner.

Mr. John Pagliari, Partner, Panattoni Development Company, 6250 North River Road, Rosemont, IL was present.

Commissioner Kalis questioned if it gets approved, do all the property lines get erased. Mr. Robles confirmed it would be an entirely new process for any future subdivisions.

Commissioner Creech moved, seconded by Commissioner Blinova to recommend approval of Docket No. PC 19-2, granting Preliminary Plat of Subdivision Approval of Wolf Road Industrial as required under Title 17, Planning, Subdivisions and Developments, of the Wheeling Municipal Code, and Chapter 17.20.030 Preliminary Plat Approval requirements, to consolidate 13 parcels into one parcel in order to construct an industrial warehouse building, in accordance with the following exhibits, for Panattoni Development Company:

- Preliminary Plat (3 sheets), dated February 6, 2019

And with the following condition of approval:

1. The Village Board's consideration of the final plat of subdivision shall also include a plat of vacation for the three Village rights-of-way, to be prepared by the petitioner.

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.

The Commission took at a break at 8:10 p.m. and reconvened at 8:15 p.m.

**E) [Docket No. PC 19-5](#)**

CMX Theater  
401 W. Dundee Road (Wheeling Town Center)  
Request for Special Use Revision

Mr. Robles explained this was unique since the Plan Commission typically sees revisions to site plans, elevations or modifications. With the CMX movie theater, part of the Wheeling Town Center development, the site plan and everything exterior was already approved. The proposal is for a change to the interior operation of the CMX use which did receive a Special Use approval. As a result, there is a procedural item in the Code that addresses it. It is a request for a Special Use revision and comes in front of the Plan Commission for a recommendation and then precedes to the Village Board for a final decision with a new ordinance to reflect that decision. He confirmed it is not a Public Hearing.

Mr. Davidson, CMX Theater, 3832 Turtle Creek Drive, Dallas, TX was present.

Mr. Davidson reported they operate two kinds of theaters. One is a theater where you go to a counter to pick up the concession items and take them directly to the seat. Another type is where they bring the items to the seats which is what they are proposing for Wheeling. This is the only change they are making but it did require some changes to the kitchen.

Mr. Robles referred to the previously approved plan with the counter service. The proposed is a full service element where the previous market area becomes kitchen service. The full service restaurant has an expanded bar and lounge. The change does take up space of a previous auditorium which has been redistributed. The previously proposed included 8 auditoriums and the current proposal now has a total of 7 auditoriums to gain the space for the full service kitchen.

Commissioner Kalis questioned the reason for the change. Mr. Davidson confirmed they had been doing both concepts but after looking at the markets and receiving feedback, they feel the full service is better for this market.

Commissioner Kalis questioned the type of food that would be served. Mr. Davidson thought it would be American food. They will serve everything from chicken fingers, club sandwiches to steaks. It is user friendly and easy to eat in a semi-dark auditorium. Commissioner Kalis questioned how it would impact the other restaurants. Mr. Davidson thinks it helps people save time.

Commissioner Blinova had no questions.

In reply to Commissioner Powers' question, Mr. Davidson confirmed that the same food is served in both the restaurant and theater.

Commissioner Powers questioned if the change impacted the parking. Mr. Robles explained it was a redistribution of parking. A revised parking study was done to account for some of the more recent changes. The fast casuals that were recently discussed, the change of CMX and the

Learning Experience redistributed the parking from full retail to a mixture of uses that have different demands. Based on the revised parking study, the parking demand for CMX based on seats has increased, but overall the Town Center parking has actually decreased due to the mix of uses. The total parking required for the Town Center was previously 1,011 spaces and the total required now is 994 spaces. 816 parking spaces was being provided and now it is 803 spaces based on changes in the site. The total provided is still within the range that has always been the case from the beginning.

Commissioner Powers questioned the location of the trash for this use. Mr. Robles confirmed the original version included it within the center portion of the rear of the building. The intent was to have it in another location that wasn't identified in 2018 with the most recent CMX revision. It wasn't identified or discussed, the original approval of the trash enclosure still remained in the original location. An item will need to be returned to the Commission to discuss the details of the enclosure and technically approve the minor revision to the PUD to formally authorize the trash location.

Commissioner Johnson expressed concerns with the impact to the restaurants that have already signed on and currently built out. From the audience, Mr. Friedman stated that the other restaurant owners had not said anything about the change.

In reply to Commissioner Johnson's question, Mr. Davidson explained the food was delivered using the hallway and main entryway. Commissioner Johnson questioned if there was a concession stand where popcorn could be purchased. Mr. Davidson confirmed there was no concession stand but felt it would be easier to first get a seat and then have it brought to him. Commissioner Johnson disagreed.

Commissioner Creech thought the restaurant and bar was a large area with only two bathrooms with one facility in each bathroom. He questioned if it would be enough since the bathrooms for the theaters required a ticket. Mr. Davidson stated they had never stopped anyone from using the theater bathrooms.

Mr. Davidson explained that the theaters have all reserved seating, so the control point is the seat, so they are not as concerned where people are going in the building since they have sold a ticket for a specific seat within a specific auditorium. Commissioner Yedinak questioned if the number of restrooms and location was acceptable to the Village Code. Mr. Robles was unfamiliar and would verify it when the interior build out permit came in. There are international building requirements that dictate the location and size of restrooms. He explained the designation of the restroom may need to change.

Chairman Ruffatto felt the proposed change was fairly large and shouldn't be considered a small change. He referred to the original movie theater concept that included a brewery. He felt if the original theater would have come in, the demographics of the other restaurants would have changed.

Chairman Ruffatto personally likes the concept.

Chairman Ruffatto questioned if they knew the percentage of patrons that would just visit the

restaurant without seeing a movie. Mr. Davidson indicated they didn't have hard data on it since it was difficult to collect. They feel they would have more people using the restaurant along with seeing a movie.

Commissioner Johnson asked about the process for ordering food. Mr. Davidson explained there were tables with servers, or the food/drink could be ordered using an app. The servers come throughout the movie. They encourage people to get to the theater before the movie starts. The service seems to be congregated in the first few minutes and within 30 minutes of the start of the feature most of the service stopped.

Commissioner Powers moved, seconded by Commissioner Kalis to recommend approval Docket No. PC 19-5, to revise the indoor theater special use in accordance with the following exhibits submitted for CMX, which is located at Building J in the Wheeling Town Center development, 351 W. Dundee Road, located in Wheeling, Illinois:

- Project Description Letter, dated February 4, 2019
- Ground Floor Plan, dated September 27, 2018
- Shared Parking Study, dated January 25, 2019

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

**8. APPROVAL OF MINUTES – [January 24, 2019](#)**

Commissioner Powers moved, seconded by Commissioner Blinova to approve the minutes dated January 24, 2019 as presented.

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.

**9. OTHER BUSINESS**

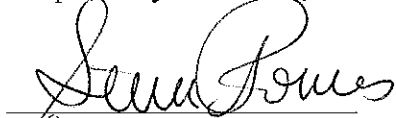
Commissioner Kalis referred to the comments from the citizens regarding voting with an opinion, heart and love. As a citizen, he would love to do it, but he questioned his role as a Plan Commissioner whose job is to uphold zoning, rules and regulations. He felt it was difficult to draw the line between the desire of what they think should happen and upholding the rules irrelevant on how they feel. He asked for clarification. Ms. Milluzzi confirmed and explained that was the reason there were clear standards for rezonings, variations and special uses so that the Commission looks at the standards and they need to be met in order to approve them. It is more of a logical approach. If they believe the petition has met the standards and if they are not met, that would be the time to add conditions or deny. Chairman Ruffatto explained that feelings shouldn't be completely eliminated, but the standards need to be met.

Commissioner Johnson referred to Kiki's Café Monte Carlo and mentioned the machines were in but were very visible from Dundee Road. The layout is similar to what they presented with a partial wall. Mr. Robles confirmed Staff had been made aware of it and were looking into what needs to be done to make sure they meet the discussion points in the findings of fact.

**10. ADJOURNMENT**

Commissioner Creech moved, seconded by Commissioner Powers to adjourn the meeting at 8:43 p.m. All were in favor on a unanimous voice vote and the meeting was adjourned.

Respectfully submitted,



Steve Powers, Secretary  
Wheeling Plan Commission