

1. CALL TO ORDER

Chairman Johnson called the meeting to order at 6:30 p.m. on March 11, 2020.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Creech, Johnson, Sprague, Thompson and Yedinak. Commissioners Kalis and Blinova were absent with prior notice. Also present were Steve Robles, Assistant Director, Community Development, Mallory Milluzzi, Village Attorney, Ron Antor, Fire Inspector and Kyle Goetzelmann, Civil Engineer.

Commissioner Creech volunteered as the Pro Tem Secretary for the meeting.

4. CHANGES TO THE AGENDA - None

5. CITIZEN CONCERNS AND COMMENTS – None

6. CONSENT ITEMS

- A) Docket No. SCBA 20-8
XO Restaurant
Installation of a wall sign
1057 W. Lake Cook Road

Commissioner Sprague moved, seconded by Commissioner Yedinak to approve the following consent item.

Approve Docket No. SCBA 20-8 to permit the installation of one wall sign in accordance with the sign plans prepared by DK Signs & Graphics Inc. (received by the Village on 3.4.2020), located at 1057 W. Lake Cook Road.

On the roll call, the vote was as follows:

AYES: Commissioners Creech, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioners Blinova and Kalis
PRESENT: None

ABSTAIN: None

There being five affirmative votes, the motion was approved.

7. ITEMS FOR REVIEW

- A) Docket No. PC 20-5
BBKUP
Minor Site Plan Approval
1960 S. Wolf Road

Mr. Robles provided an overview of the proposal. The petitioner is a new tenant of an existing shopping center and is seeking to open a new restaurant within a previously occupied restaurant space. The prior restaurant operator had been in business for a long time and had a trash container without an enclosure. There are older properties within the Village constructed prior to the current Code requirement that require trash containers to be in enclosures. Since this is a new incoming restaurant, the Zoning Code and Health Division requirements require that the new trash container be located within an enclosure. Staff has worked with the petitioner and had originally wanted to move it away from the building, but it conflicted with fire emergency access along the rear, so the enclosure was moved back toward the building. There is only a small area where the enclosure can be located because of utilities and other elements. Staff is recommending approval of the request.

Mr. Dennis Chung, representing Mr. J. Lee, 1960 S. Wolf Road was present.

Mr. Chung explained they were proposing the addition of a trash enclosure since the previous business did not have one.

Commissioner Sprague questioned the material of the enclosure. Mr. Chung confirmed it would be treated white pine. Commissioner Sprague questioned if he had considered using a composite material instead of wood. Mr. Chung did not prefer to use a recycled material. Commissioner Sprague explained he was suggesting a composite material because it was less maintenance and lasted longer. Mr. Chung explained they had a \$3,000 budget for the trash enclosure and the quote he received for a wood enclosure was \$3,400.

Commissioner Thompson had no questions.

Commissioner Yedinak questioned if the angled spaces north or east of the enclosure were parking spaces. Mr. Robles explained they were land banked parking areas from the original site plan approval. There is no parking within the rear area.

Commissioner Creech questioned why the trash enclosure couldn't be placed on the west property line. Mr. Robles explained the trash enclosure at the north end did not interfere because of the widened triangular shape and it did not interfere with maneuvering in the area. The west area was tight and would be directly into the service lane for delivery and fire emergency vehicles.

**Wheeling Plan Commission
Regular Meeting**

March 11, 2020

Commissioner Creech did not believe the proposed trash enclosure was similar to the designs/construction discussed for future enclosures. He questioned if the petitioner had discussed the design with Village Staff. Mr. Chung confirmed he had e-mailed and called the Village's Health Inspector who did not have an issue with the design. He also spoke with Marcy who was also not against the design. Commissioner Creech felt the proposed design was inadequate for the use. He did not believe it would hold up for more than a couple of years. Mr. Chung explained the structure was reinforced by four stainless steel posts at each corner. Commissioner Creech could not see the posts in the picture that was provided. He reiterated that he did not believe the proposed design was adequate for a trash enclosure and he was totally against the design.

In response to Chairman Johnson's question, Mr. Chung confirmed the height as 6' and the space 8' x 9'. Chairman Johnson questioned if it was large enough for the trash and grease containers. Mr. Chung confirmed they had measured it and they would both fit. Chairman Johnson was confused since the drawings showed it as 6" high and the posts were 42' deep with 4 feet of gravel and 6' of concrete. He also noted there were no details provided about the gate. The isometric drawing had two horizontal bands on the inside and outside. The elevation view showed three horizontal rails that appeared to be on the outside. He was unsure if it needed to be redone prior to permitting.

Chairman Johnson suggested making the enclosure three sided up against the building which would make it cheaper using better materials.

Chairman Johnson wants more detail on the gate and hardware and confirmation if the rails were on the inside or outside. He also wants the petitioner to investigate if it could be built with three sides using composite material which holds up better than wood.

Chairman Johnson's recommendation was for the petitioner to return with a fresh drawing including more details. Mr. Chung agreed to return with more details.

Commissioner Creech also wants to see the gates on separate posts.

Commissioner Yedinak moved, seconded by Commissioner Sprague to continue Docket No. PC 20-5.

On the roll call, the vote was as follows:

AYES: Commissioners Creech, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioners Blinova and Kalis
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

- B)** Docket No. PC 20-1
Builder's Asphalt
Major Site Plan Approval
435 & 571 S. Wheeling Road

Mr. Robles explained the petitioner was requesting a major site plan approval to expand their facilities to the north and occupy the property currently occupied by Pete's Perfection at 435 S. Wheeling Road. The expansion includes additional access to the operation as well as storm water detention which will create more room on the existing asphalt plant property. None of the actual asphalt plant operation will be expanded beyond its current operation.

There are two items for Plan Commission consideration. The proposal includes paving the southeast corner which is their current detention. The proposal includes a note stating that the pile will be a maximum of 20' high as well as a setback of 20' from the property line. The asphalt payment extends all the way to the property line and Staff is concerned that it would allow for encroachment beyond the 20' since there isn't an actual barrier. Staff has suggested that the Plan Commission consider how to reinforce the 20' setback. Staff is seeking additional details about the current driveway to access the plant for trucks. There is a notation on the plan that indicates that it would be closed off but remain for emergency access. Staff would like additional clarification if it will be gated, closed off or etc.

Mr. Tim Winter, PAL Group Inc., 321 Center Street, Hillside, IL was present.

Mr. Winter explained they have always been in communication with the owner of Pete's Perfection about possibly expanding. They like that it pushes their driveway farther north which gives more stacking for trucks coming for the operation on their property and not on Wheeling Road. It will allow for another 15-20 truck stacking on their property. Having the extra yard space on Pete's Perfection's property did not suit them because of the skinny detention basin along their north property line. They are not looking to change anything except that the drivers will have more storage on site. The frontage along Wheeling Road is going to be consistent with the wood fence and landscaping. The back side will still have the chain link fence. The existing driveway has a sliding gate which will remain closed unless it needs to be left open for fire emergency.

Mr. Antor explained the current gate is powered with a knox key that opens the gate so it will remain the same.

In reply to Chairman Johnson's question, Mr. Winter confirmed the driveway by Pete's Perfection will be landscaped.

Commissioner Sprague questioned if the petitioner was willing to keep storage 20' away from the property line. Mr. Winter didn't like it, but agreed to it. Commissioner Sprague questioned what would keep the material from encroaching into the areas. Mr. Winter explained their yard person would make sure vehicular traffic could always get around it. Commissioner Sprague asked about using a barrier. Mr. Winter explained they could do it, but it would limit their loading area which is near the recycling area.

Commissioner Sprague questioned if the new basin was large enough for the new property. Mr. Winter confirmed they almost have the MWRD permit which governs storm water and the size of the basin is not an issue. Mr. Goetzelmann confirmed it was almost through the MWRD permitting. With the removal of the existing basins and the upsizing of the area, there should be no detention concerns.

Commissioner Thompson had no questions.

Commissioner Yedinak questioned how they were moving the storm water basin to the other side of the property and how the water would go where they wanted and not to the original location. Mr. Winter explained it was with the use of pipes, but the engineer was present and explained it in more detail.

Mr. Kevin Tray, Mackie explained the pictures didn't show the component of the storm water detention facility which used underground detention pipes. Currently, there are pipes along the east property line that are buried that are also filling up with storm water under a rain event that are connecting the south basin with the north basin. As they replace the north basin with the larger basin, the connection still remains.

Commissioner Yedinak mentioned the area was part of the station area plan and it didn't conform with the long-range plan for the property so he questioned if it was a disservice by approving more development in the area that was countered to future plans. Mr. Robles explained the existing property and use didn't conform with the tenant change of the station area plan. The current asphalt operation was not part of a relocation plan. The current concrete plant and the former asphalt plant were identified in the station area plan as redevelopment or relocation. Mr. Robles confirmed the petitioner's asphalt plant was part of the station area plan, but the station area plan does recognize existing uses and when the time comes for redevelopment, the plan has suggestions for it. The plan does not focus on this particular property to be addressed in the current or near future. The current plan expands green space further north, so it's not really taken away any developable area. The likelihood of the property to the north being redeveloped is minimal given its size so this would take an industrial use away and open a green area that could benefit for the long term. Commissioner Yedinak felt the long-term plan for 571 South was housing, recreation or parkland. He questioned if having the petitioner put more money into expanding the property put a burden on the Village for relocation in the future. Mr. Robles explained it was not a focused area of the station area plan for immediate effort on changing land uses or seeking a difference in what's currently present. There are other areas in the plan that were critical and needed to be addressed. Mr. Robles mentioned that long-term might mean 20 or 40 years. The proposal is not expanding the asphalt operation itself but is centralizing storm water detention and increasing green space. Commissioner Yedinak's concern was that the petitioner was investing money.

Ms. Milluzzi explained the petitioner just relocated to the site. The old plant was located much closer to the critical area of the station area plan.

Commissioner Yedinak doesn't think the proposed will change the area and agreed it would add more green space.

Commissioner Creech had no questions.

Chairman Johnson asked about the traffic flow through the site. Mr. Winter explained all the traffic would arrive at one entrance with the majority of trucks going straight to the silos to get loaded with asphalt and would then exit on Wheeling Road. Some will come back behind the building by the aggregate bins and would then exit. He confirmed there is only one entrance and exit.

In reply to Chairman Johnson's question, Mr. Robles confirmed the greenspace increased.

Commissioner Sprague moved, seconded by Commissioner Thompson to recommend approval of Docket No. PC 20-1 granting major site plan 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 a detention basin on 435 S. Wheeling Road, fill in two detention basins on 571 S. Wheeling Road, and related site improvements for Builder's Asphalt, LLC located at 571 S. Wheeling Road and 435 S. Wheeling Road, in accordance with the Site Plan prepared by Mackie Consultants, dated 2/5/2020, Landscape Plan prepared by Rolf Campbell & Associates, dated 2/3/2020, and Final Engineering Plans prepared by Mackie Consultants, dated 2/5/2020.

On the roll call, the vote was as follows:

AYES: Commissioners Creech, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioners Blinova and Kalis
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

- C) Docket No. 2019-26A
Westin Outlot B
Amendment to the Westin North Shore Hotel/Retail Planned Unit Development
751 N. Milwaukee Avenue

See Findings of Fact and Recommendation for Docket No. 2019-26A.

Commissioner Thompson moved, seconded by Commissioner Yedinak to recommend approval of Docket No. 2019-26A, granting an Amendment to the Westin North Shore Hotel/Retail Planned Unit Development, granted by Ordinance No. 2004-3942, as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-09 Planned Unit Developments, and associated sections to allow for a Substantial Change to the approved development plans for Outlot B (Restaurant B) in accordance with the Concept Design Plans prepared by Ware Malcomb (dated 2.13.2020), Preliminary Engineering Plans prepared by Cage Civil Engineering (dated 6.26.19, last revised 2.14.2020) and the Landscaping Plan prepared by LG Workshop, LLC (dated 6.25.19, last revised 2.14.2020), with the following conditions:

1. Prior to the construction of the trash enclosures, elevation details need to be provided for Plan Commission review.
2. Minor site plan approval by the Plan Commission shall be required prior to the installation of fencing, bollards, site furniture and prior to the use of any outdoor seating areas.
3. The bike rack at the central parking island shall be located further north to be in closer proximity to the speculative sit-down restaurant.

On the roll call, the vote was as follows:

AYES: Commissioners Creech, Johnson, Thompson, Yedinak
NAYS: Commissioner Sprague
ABSENT: Commissioner Blinova and Kalis
PRESENT: None
ABSTAIN: None

There being four affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner Thompson to close Docket No. 2019-26A. The motion was approved by a voice vote.

- D)** Docket No. 2019-26B
Westin Outlot B
Special Use for a Sit-Down Restaurant
751 N. Milwaukee Avenue

See Findings of Fact and Recommendation for Docket No. 2019-26B.

Commissioner Yedinak moved, seconded by Commissioner Thompson to recommend approval of Docket No. 2019-26B granting a Special Use 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 sit-down restaurant at 751 N. Milwaukee Avenue, which is located in the MXC Commercial-Residential Mixed Use Area in accordance with the Concept Design Plans prepared by Ware Malcomb (dated 2.13.2020), Speculative Floor Plan received by the Village on 12.12.19, Preliminary Engineering Plans prepared by Cage Civil Engineering (dated 6.26.19, last revised 2.14.2020) and the Landscaping Plan prepared by LG Workshop, LLC (dated 6.25.19, last revised 2.14.2020), with the following condition:

1. The speculative floor plan for the sit-down restaurant shall be incorporated into the authorizing ordinance. Prior to the issuance of a building permit for the restaurant operator, the interior floor plan shall be generally consistent with the speculative floor plan. Any substantial deviations, as determined by the Zoning Administrator, shall require the special use to be amended at a public hearing with the Plan Commission.

On the roll call, the vote was as follows:

**Wheeling Plan Commission
Regular Meeting**

March 11, 2020

AYES: Commissioners Creech, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioners Blinova and Kalis
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

Commissioner Yedinak moved, seconded by Commissioner Thompson to close Docket No. 2019-26B. The motion was approved by a voice vote.

- E)** Docket No. PC19-23
Westin Outlot B
Major Site Plan & Appearance Approval
751 N. Milwaukee Avenue

Commissioner Thompson moved, seconded by Commissioner Yedinak to approve Docket No. PC 19-23, granting a major site plan 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 permit a one-story multi-tenant retail/restaurant building configured to accommodate a drive-through lane for the tenant space on the north end at the property located at 751 N. Milwaukee Avenue, in accordance with the Concept Design Plans prepared by Ware Malcomb (dated 2.13.2020), Preliminary Engineering Plans prepared by Cage Civil Engineering (dated 6.26.19, last revised 2.14.2020) and the Landscaping Plan prepared by LG Workshop, LLC (dated 6.25.19, last revised 2.14.2020), with the following conditions:

1. Prior to the construction of the trash enclosures, elevation details need to be provided for Plan Commission review.
2. Minor site plan approval by the Plan Commission shall be required prior to the installation of fencing, bollards, site furniture and prior to the use of any outdoor seating areas.
3. The bike rack at the central parking island shall be located further north to be in closer proximity to the speculative sit-down restaurant.

On the roll call, the vote was as follows:

AYES: Commissioners Creech, Johnson, Thompson, Yedinak
NAYS: Commissioner Sprague
ABSENT: Commissioners Blinova and Kalis
PRESENT: None
ABSTAIN: None

There being four affirmative votes, the motion was approved.

8. APPROVAL OF MINUTES

- A)** Approval of Minutes of the Regular Meeting of February 26, 2020 (including Findings of Fact for Docket No. 2020-2)

Commissioner Yedinak moved, seconded by Commissioner Thompson to approve the minutes dated February 26, 2020 as revised.

- Correct the spelling of Commissioner Thompson

On the roll call, the vote was as follows:

AYES: Commissioners Creech, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioners Blinova and Kalis
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

9. OTHER BUSINESS

Commissioner Sprague questioned if signs and/or trash enclosures would be discussed at the next meeting. Mr. Robles confirmed trash enclosures was on the agenda for the next meeting. A date had not yet been determined for the discussions about signs.

10. ADJOURNMENT

Commissioner Thompson moved, seconded by Commissioner Yedinak to adjourn the meeting at 8:12 p.m. All were in favor on a unanimous voice vote and the meeting was adjourned.