

1. CALL TO ORDER

Chairman Johnson called the meeting to order at 6:30 p.m. on July 12, 2023.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Kasper, Hyken, Sprague, Riles, Myer and Johnson. Also present were Marcy Knysz, Village Planner, Mallory Milluzzi, Village Attorney and Fire Inspector Robert Niemiec.

4. CHANGES TO THE AGENDA

Ms. Knysz requested that Item 7A, Docket No. PSPMIN23-0016 be moved to the end of the agenda so the applicant has time to arrive to the meeting.

5. CITIZEN CONCERNS AND COMMENTS

Someone from the audience asked if the Chicago Bears had considered moving to Wheeling on the golf course. He also asked if Smith had requested a certificate of occupancy on the townhomes. Ms. Knysz confirmed they had not.

6. CONSENT ITEMS - None

7. ITEMS FOR REVIEW

- A) Docket No. PSPMIN23-0016
Warespace
301 W. Hintz Road
Request for Minor Site Plan and Appearance Approval for a Fence

Initially, the petitioner came in because he wanted to put a fence around the east part of the parking lot. They have small warehousing space. The businesses want to secure their vehicles overnight, but because there is a Fire Department connection on the east side, the Village has asked them to move the fence to the west side. The site plan shows it on the west side of the building. It will be a chain link fence with black slats (rendering was provided).

The petitioner stated they have some potential tenants that are IT companies and have expensive equipment in their service vehicles, so they want cameras and more security. There is no indoor

storage at this facility.

Commissioner Myer had no questions.

Commissioner Riles had no questions.

Commissioner Sprague asked if the dumpsters would be enclosed inside the fence. If not, how would they be accessed. The petitioner suggested putting them at the back center of the isle to make sure people maintain their parking spots. The driver will need an access card to the gate.

Commissioner Hyken asked about the plan for the tree in the front along Hintz Road. The petitioner hopes the tree will bush out, but they haven't given it much thought. He confirmed the signage was going up this week and hope they'll be getting more capital for upgrades to the landscaping in front.

Commissioner Kasper had no questions.

Fire Inspector Robert Niemiec noted the Fire Department will ask them to put their key switch on the electronic gate so they can access the lot.

Ms. Knysz reviewed the following proposed condition.

1. A Building Permit shall be obtained from the Community Development Department prior to installation of the improvements granted herein.

Commissioner Sprague moved, seconded by Commissioner Myer to approve Docket No. PSPMIN23-0016, 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, for construction of 261 linear feet of 6' tall, black chain link fence on the west side of the building for Warespace, LLC located at 301 W. Hintz Road, in accordance with the Site Plan prepared by Open Studio Architecture dated 6/23/2023, and subject to the following condition:

1. A Building Permit shall be obtained from the Community Development Department prior to installation of the improvements granted herein.

On the roll call, the vote was as follows:

AYES: Commissioners Sprague, Myer, Kasper, Hyken, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

- B)** Docket No. PSU23-0008 (continued)
May's Lounge
280 E. Dundee Road
Request for Special Use to Permit a Gaming Establishment

See Findings of Fact and Recommendation for Docket No. PSU23-0008.

Commissioner Myer moved, seconded by Commissioner Kasper to recommend approval of Docket No. PSU23-0008, granting Special Use Approval as required under Title 19, Zoning, of the Wheeling Village Code, Chapter 19-10 Use Regulations and associated sections, in order to operate a Gaming Establishment at for May's Wheeling, LLC (DBA May's Lounge), located at 280 E. Dundee Road, which is zoned B-3, General Commercial & Office District, in accordance with the Petitioner's Project Description Letter prepared by Zachary Heidner dated 3/31/2023 and the Floor Plan received by the Village on 6/5/2023, subject to the following conditions:

1. The hours of operation shall be consistent with liquor licensing.
2. Within thirty (30) days following the granting of the special use ordinance, the petitioner shall update the Wheeling Business License with the Community Development Department to reflect the change in use to gaming establishment.

On the roll call, the vote was as follows:

AYES: Commissioners Myer, Kasper, Hyken, Sprague, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner to Myer to close Docket No. PSU23-0008.

On the roll call, the vote was as follows:

AYES: Commissioners Sprague, Myer, Kasper, Hyken, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

- C)** Docket No. PSU23-0004

Kids Island Learning Center III
135 N. Milwaukee Avenue
Request for a Special Use to Permit the Operation of a Day Care Center

See Findings of Fact and Recommendation for Docket No. PSU23-0004.

Commissioner Myer moved, seconded by Commissioner Hyken to recommend approval of Docket No. PSU23-0004, granting Special Use, as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-10 Use Regulations, and associated sections, in order to permit a day care facility for Kids Island Learning Center III, located at 135 N. Milwaukee Avenue, in accordance with the Petitioner's Project Description Letter (received by the Village on 4/19/2023), Floor Plans prepared by RED Architects, dated 12/22/2022 and Site Plan prepared by RED Architects, dated 12/3/2022, and subject to the following conditions:

1. Minor Site Plan and Building Appearance Approval by the Plan Commission is required for the outdoor playground, fencing, and any other site modifications (including upgrades to the exterior lighting and landscaping) and must be obtained prior to any installation/construction of said improvements and prior to the issuance of a Wheeling Business License.
2. A Wheeling Business License must be obtained from the Community Development Department before the day care begin operations.
3. The petitioner shall obtain DCSF approval prior to the Village releasing the business license.

On the roll call, the vote was as follows:

AYES: Commissioners Myer, Hyken, Kasper, Sprague, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

Commissioner Myer moved, seconded by Commissioner Riles, to close Docket No. PSU23-0004.

On the roll call, the vote was as follows:

AYES: Commissioners Myer, Riles, Kasper, Hyken, Sprague, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

- D)** Docket No. PTA23-0001
West Town Bakery
781 N. Milwaukee Avenue
Request for a Text Amendment to Title 19 Zoning, of the Wheeling Municipal Code, Chapter 19 Zoning and Associated Chapters and Sections, in Order to Include Farmers Market as a Permitted Use Within the MXC, Commercial/Residential Mixed Use Zoning District

See Findings of Fact and Recommendation for Docket No. PTA23-0001.

Commissioner Kasper moved, seconded by Commissioner Myer to recommend approval of Docket No. PTA23-0001, amending Title 19 Zoning, of the Wheeling Municipal Code, 19.01.010 – Appendix A – Use Table, to modify zoning regulations to include Farmers’ Market as a permitted Special Use within the MXC, Commercial/Residential Mixed Use Zoning District.

On the roll call, the vote was as follows:

AYES: Commissioners Kasper, Myer, Hyken, Sprague, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One4

There being six affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner to Myer to close Docket No. PTA23-0001.

On the roll call, the vote was as follows:

AYES: Commissioners Sprague, Myer, Kasper, Hyken, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

- E)** Docket No. PSU23-0009
West Town Bakery
781 N. Milwaukee Avenue
Request for a Special Use to Permit the Operation of a Farmers Market

See Findings of Fact and Recommendation for Docket No. PSU23-0009.

Commissioner Myer moved, seconded by Commissioner Riles to recommend approval of Docket No. SU23-0009, granting Special Use, as required under Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-10 Use Regulations, and associated sections, in order to permit the operation of a Farmers' Market for The Fifty/50 Group, DBA West Town Bakery, located at 781 N. Milwaukee Avenue in accordance with the Petitioner's Project Description Letter prepared by Scott Weiner (dated 5/19/2023) and Site Plan, subject to the following conditions:

1. A Temporary License shall be obtained from the Community Development Department prior to the start of the market events.
2. The open permits for OKAY Dispensary and/or West Town Bakery, including all associated permit fees, shall be completed with the Community Development Department prior to the issuance of any Temporary License for the operation of a farmer's market at the subject site.

On the roll call, the vote was as follows:

AYES: Commissioners Myer, Riles, Kasper, Hyken, Sprague, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner Myer to close Docket No. PSU23-0008.

On the roll call, the vote was as follows:

AYES: Commissioners Sprague, Myer, Kasper, Hyken, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

8. APPROVAL OF MINUTES

- A) Approval of Minutes of the Regular Meeting of June 28, 2023 (including the Findings of Fact for Docket No's PSU23-0007, PSU23-0008, PV23-0005, PV23-0006, PSU23-0003)

**Wheeling Plan Commission
Regular Meeting**

July 12, 2023

Commissioner Sprague moved, seconded by Commissioner Myer to approve the Minutes of the Regular Meeting of June 28, 2023, (including the Findings of Fact for Docket No's PSU23-0007, PSU23-0008, PV23-0005, PV23-0006, PSU23-0003) as amended.

On the roll call, the vote was as follows:

AYES: Commissioners Sprague, Myer, Kasper, Hyken, Riles, Johnson
NAYS: None
ABSENT: None
ABSTAIN: None
VACANCY: One

There being six affirmative votes, the motion was approved.

9. OTHER BUSINESS - None

10. ADJOURNMENT

Commissioner Myer moved, seconded by Commissioner Riles, to adjourn the meeting at 8:00 p.m. The motion was approved by a voice vote.