

1. CALL TO ORDER

Chairman Johnson called the meeting to order at 6:30 p.m. on April 28, 2021.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Berke, Johnson, Sprague, Thompson and Yedinak. Commissioner Blinova was absent with prior notice. Also present were Marcy Knysz, Village Planner and Mallory Milluzzi, Village Attorney.

4. CHANGES TO THE AGENDA - None

5. CITIZEN CONCERNS AND COMMENTS - None

6. CONSENT ITEMS - None

7. ITEMS FOR REVIEW

- A) Docket No. 2021-09
European Judo Academy, LLC
9 Huntington Lane
Special Use to Permit a Recreation and Instruction Facility

See Findings of Fact and Recommendation for Docket No. 2021-09.

Commissioner Yedinak moved, seconded by Commissioner Berke to recommend approval of Docket No. 2021-09, granting a Special Use as required in Title 19, Zoning, of the Wheeling Municipal Code, Chapter 19-06 Commercial Districts, Chapter 19-10 Use Regulations, and associated sections, in order to permit a recreation and instruction facility (European Judo Academy, LLC) located at 9 Huntington Lane, in accordance with the petitioner's project description letter (dated 3/3/2021), with the following conditions:

- 1) The petitioner shall provide flame spread and smoke generation cutsheets for the mats that will be used for the classes, and
- 2) The petitioner shall modify their business license to indicate an increase in the number of individuals above 12.

On the roll call, the vote was as follows:

AYES: Commissioners Berke, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioner Blinova
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner Berke to close Docket No. 2021-09.

On the roll call, the vote was as follows:

AYES: Commissioners Berke, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioner Blinova
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

- B)** Docket No. PC21-09
Yanni Design Studio
97 Marquardt
Minor Site Plan and Appearance Approval for Patio

The project is a minor site plan and appearance approval for modifications to the façade of the building by replacing the storefront. The site plan approvals including adding a nice entranceway and patio with landscaping. Staff had a question about the proposed landscaping interfering with the existing landscaping, so they left it up to the Plan Commission to decide. There are no proposed conditions.

Mr. Yanni Elyash, Yanni Design Studio, 97 Marquardt was present.

Mr. Elyash is a manufacturer and decorator for the event industry. The frontyard is a showcase for the business since they sell landscape. He is also building a 10,000 square foot showroom under a separate permit to be a showcase for his clients.

Commissioner Sprague expressed a concern with the proposed arborvitaes around the patio under the existing trees. Mr. Elyash preferred not planting them under the existing trees, so he provided a different design plan at the meeting for the garden area. He would like to spread out and sculpt the proposed trees in different shapes and add flowers around them. The landscaping is 18' away from the property line. The petitioner would like permission to spread them out and

agreed to move any landscaping if the Village needed to do some construction. Ms. Knysz explained the Plan Commission did not have the ability to approve it since it was the Village's right-of-way and under the direction of Public Works. The plan cannot be approved since Public Works told Staff that the landscaping needed to be moved out of the right-of-way. Chairman Johnson referred to other landscaping that is currently in the right-of-way. Mr. Elyash agreed to do whatever Staff wants but explained now was the time to plant.

Mr. Elyash explained some of the trees will be sculpted to sell them to hotels or their other customers. The first couple of years they will be left to grow to a certain size, and he will add some rose bushes or other bushes around them. Once they are 8-10' tall they will be able to be cut.

Commissioner Sprague asked if the existing trees would still be able to grow with the arborvitaes. Mr. Elyash confirmed the arborvitaes were very easy to grow and could grow up to 40' tall. He would like some to grow to 20' tall. He explained they can expand to 8-9' wide. Commissioner Sprague asked if the petitioner would trim the existing trees so the arborvitaes could grow to 20'. Mr. Elyash was not planning to trim the existing trees since he felt they were beautiful. Commissioner Sprague referred to some low branches on the existing trees. Commissioner Sprague agreed with having the arborvitaes under the trees if the petitioner was confident they would be survive under the trees.

Commissioner Berke concurred with Commissioner Sprague. He expressed concern about the height of the arborvitaes growing into the trees but was OK if he could maintain them and keep it looking nice.

Commissioner Thompson had no questions.

Commissioner Yedinak believes his condominium building has arborvitaes that are kept at 12' high so he feels the petitioner could maintain them.

Commissioner Yedinak questioned if the petitioner was planning to move the location of the main entrance. Mr. Elyash explained there will be two main entrances, one in its current location and the other will be next to the garden. He will have a separate showroom for gardening, furniture rental and manufacturing and another showroom for his floral and décor business. It will be the same company with two names.

Commissioner Yedinak liked the proposed redesign and was unsure about the objection from Public Works.

In reply to Chairman Johnson's question, Mr. Elyash was unsure about the name of the two existing large trees. He has only owned the property since March 2020 and then COVID hit and the business was closed for six months.

Chairman Johnson asked if a condition could be added about the proposed landscaping change if Public Works agreed. Ms. Knysz explained Staff's concern was not about the height of the arborvitaes, but the edge of the canopy of the trees where the root systems extend. When you dig a large area within the drip line, the roots are being dug up of the existing tree which could

potentially kill the existing tree. Mr. Elyash explained his landscapers will see the roots from the existing trees and can always plant the arborvitaes accordingly to avoid killing the roots.

Ms. Knysz asked if a condition could be added to move the trees onto Public Works property. Ms. Milluzzi confirmed a condition could be added without having the petitioner return.

Chairman Johnson asked if the Commission agreed to give the petitioner some latitude to move the arborvitaes into the right-of-way if Public Works agrees. No objections from the Plan Commission.

Commissioner Thompson moved, seconded by Commissioner Yedinak to approve Docket No. PC 21-09, granting a minor site plan and building appearance approval, as required under Title 19, Zoning, of the Wheeling Municipal Code and Chapter 19-12, Site Plan and Building Appearance Approval Requirements, associated with exterior improvements for 97 Marquardt Drive, in accordance with the Petitioner's Response Letter dated 4/16/2021, Landscape Plan prepared by Studio SAF, LTD, dated 12/9/2020 (last revised 3/29/2021), Exterior and Interior New Elevations prepared by Studio SAF, LTD, dated 4/7/2021, and the Site Plan prepared by Studio SAF, LTD, dated 4/7/2021 with the following condition:

1. If Public Works allows the arborvitae to be planted within the right-of-way, the petitioner may modify the landscape plan in accordance with the revised plan submitted during the Plan Commission meeting.

On the roll call, the vote was as follows:

AYES: Commissioners Berke, Johnson, Sprague, Thompson, Yedinak
NAYS: Noe
ABSENT: Commissioner Blinova
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

- C) Docket No. PC21-10
Fox De Luxe
274 E. Hintz Road
Major Site Plan and Appearance Approval for Building Addition

The petition is for a major site plan and building appearance approval for a building addition for a cooler and warehouse on the southside of the existing Fox De Lux building. Normally major site plans need a concept review at the Village Board but the proposed received a waiver of the concept review and went straight to the Plan Commission for a recommendation.

Ms. Knysz referred to a new condition – One new looped water main section connecting the south Wolf Road water main and the looped water main for 135 E. Hintz Road shall be provided

along the south end of the parking lot east of the addition. A fire hydrant shall also be provided along this main by the southeast corner of the parking lot by the new truck and trailer parking area.

Mr. Frank Georgekos, representative of the owner was present.

Mr. Georgekos explained that Fox De Luxe had another location in the City of Chicago which closed and was moved entirely to the Wheeling facility. The petitioner needs more room for their chicken. They are proposing to build a huge walk-in cooler for production and storage. Building samples were provided. They are using the same manufacturers who did the building so the proposed color should match.

Commissioner Yedinak had no questions.

Commissioner Thompson had no questions.

Commissioner Sprague had no questions.

Commissioner Berke had no questions.

Chairman Johnson had no questions.

Commissioner Yedinak moved, seconded by Commissioner Thompson to recommend approval of Docket No. PC 21-10, granting major site plan and building appearance approval, as required under Title 19, Zoning, of the Wheeling Municipal Code and Chapter 19-12, in order to permit a building addition and expansion of off-street parking for Fox De Luxe, located at 274 E. Hintz Road, in accordance with the Plat of Survey prepared by Murry and Moody, Ltd., dated 9/30/2016 and Development Plans prepared by Ray H.C. Fang, dated 11/15/2020 (last revised 3/30/2021), subject to the following condition:

1. The minimum caliper size of the proposed crab apple tree shall be 3” at time of planting.
2. One new looped water main section connecting the south Wolf Road water main and the looped water main for 135 E. Hintz Road shall be provided along the south end of the parking lot east of the addition. A fire hydrant shall also be provided along this main by the southeast corner of the parking lot by the new truck and trailer parking area.

On the roll call, the vote was as follows:

AYES: Commissioners Berke, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioner Blinova
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

8. APPROVAL OF MINUTES

- A) Approval of Minutes of the Regular Meeting of April 14, 2021 (including the Findings of Fact for 2021-05 and 2021-09).

Commissioner Yedinak moved, seconded by Commissioner Thompson to approve the minutes dated April 14, 2021 as presented.

On the roll call, the vote was as follows:

AYES: Commissioners Berke, Johnson, Sprague, Thompson, Yedinak
NAYS: None
ABSENT: Commissioner Blinova
PRESENT: None
ABSTAIN: None

There being five affirmative votes, the motion was approved.

9. OTHER BUSINESS

Ms. Knysz announced there were a lot of building and business license applications in the Village. The meeting on May 12th will include six Public Hearings so she hoped everyone could attend.

Commissioner Thompson shares the enthusiasm for a river walk and hopes to hear more about it.

Commissioner Yedinak agrees with the idea of a river walk.

Chairman Johnson heard there were some potential candidates to fill the opening on the Commission.

10. ADJOURNMENT

Commissioner Sprague moved, seconded by Commissioner Berke to adjourn the meeting at 7:16 p.m. The motion was approved by a voice vote.