

1. CALL TO ORDER

Chairman Johnson called the meeting to order at 6:30 p.m. on May 25, 2022.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present were Commissioners Berke, Riles, Hyken, Johnson, Kasper and Sprague. Also, present were Marcy Knysz, Village Planner, Carmen Forte, Village Attorney and Fire Inspector Robert Niemiec.

4. CHANGES TO THE AGENDA - None

5. CITIZEN CONCERNS AND COMMENTS - None

6. CONSENT ITEMS - None

7. ITEMS FOR REVIEW

- A)** Docket No. PC22-09
212 S. Milwaukee Avenue
Minor Building Appearance Approval for Changes to the Exterior Façade

The petitioner is before the Commission for minor building appearance approval. The petitioner is requesting approval to paint the brick on three sides of the building. The existing colors of white and dark brown will be painted a darker and lighter brown. The renderings don't show the new colors. Staff wants to make sure the Plan Commission is agreeable to changing the brick colors from white and brown to light and dark brown along with the issue of painting the brick on the building.

Edward Schrzastowski, 212 S. Milwaukee Avenue, property owner was present.

Mr. Schrzastowski has owned the building since 1985. The original building was built in 1968. They built a building just to the south (210 S. Milwaukee Ave.) that is also dark brown, similar in color to the proposed. They've made improvements to the building including a new roof a couple of years ago and now they would like to update the appearance of the building. The existing white brick will mimic the two buildings to the south and north. It will be more of a

clay color. They still want a two tone contrasting color. They had tuckpointing done and replaced some of the cracked and chipped brick. The paint comes with a 15 year warranty on the product, so they are looking at a 10-15 year improvement of the building.

Commissioner Riles thinks the building has a distinguished/unique look which makes it recognizable. He asked if maintenance was the reason for changing the color. Mr. Schrzastowski explained it wasn't about maintenance but more for a newer look. They felt it was dated and wanted to make it more modern.

Commissioner Sprague didn't have an issue with painting the brick but expressed concern about the proposed product they will be using and prep work needed before painting. Mr. Schrzastowski looked at two companies, one named Rhino Shield which is a two-step product with a bonding primer and coating and 25 year warranty. They are also looking at two other products, one has a 10 year warranty and the other has a 15 year warranty. They want at least a 10 year warranty on the product.

In reply to Commissioner Sprague's question, Mr. Schrzastowski confirmed it will be applied professionally per the manufacturer's recommendation.

Commissioner Sprague agreed and would like the light brown and slight contrast. Mr. Schrzastowski confirmed they are painting everything. The light brick will be the clay color and the chocolate brick will be painted the coffee color which closely matches the existing.

Commissioner Hyken had no questions.

Commissioner Kasper liked the new look and had no issues with the proposed.

Chairman Johnson mentioned the Village normally doesn't like painting brick, but with the new products and warranties he doesn't have an issue as long as it is done professionally.

Chairman Johnson asked if Staff needed to see spec sheets. Ms. Knysz explained if the Plan Commission wants to make sure it is a suitable product, then a condition could be added that they submit manufacturer specifications to Staff prior to proceeding with the work. This does not require a Village permit.

Commissioner Hyken moved, seconded by Commissioner Berke to approve Docket No. PC22-09, granting building appearance approval, as required under Title 19, Zoning, of the Wheeling Municipal Code and Chapter 19-12, to permit painting all for sides of the building facade, for the property located at 212 S. Milwaukee Avenue, in accordance with the Project Description Letter dated 5/10/2022, Color Elevations prepared by Consolidated Consulting Engineers, Dated 4/21/2022 (revised 5/10/2022) and the Exterior Paint Selection Samples received by the Village on 5/12/2022 with the following condition:

1. The petitioner shall submit manufacturer's specification sheets to Staff prior to painting.

AYES: Commissioners Hyken, Berke, Sprague, Riles, Kasper, Johnson

**Wheeling Plan Commission
Regular Meeting**

May 25, 2022

NAYS: None
ABSENT: None
VACANCY: One

There being six affirmative votes, the motion was approved.

- B)** Docket No. 2022-19
The Fifty/50 Group
781 N. Milwaukee Avenue
Special Use to Permit an Adult Use Cannabis Dispensary

See Findings of Fact and Recommendation for Docket No. 2022-19.

Commissioner Hyken moved, seconded by Commissioner Berke to recommend approval of Docket No. 2022-19, 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 an adult use cannabis establishment for The Fifty/50 Group, located at 781 N. Milwaukee Avenue in accordance with the Petitioner's Project Description Letter dated 4/28/2022 and the Plans prepared by steep architecture studio last revised 4/29/2022, subject to the following conditions:

1. The special use for the operation of a cannabis dispensary does not permit the on-site consumption of cannabis and/or cannabis related products.
2. Prior to any exterior building and/or façade modifications, including but not limited to painting, shall be first reviewed by the Plan Commission. This does not apply to any landscape replacements in adherence with the approved landscape plans.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner Riles to close Docket No. 2022-19.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

- C)** Docket No. 2022-20
The Bays

**Wheeling Plan Commission
Regular Meeting**

May 25, 2022

170 Shepard, Suite D
Special Use for Recreation and Instruction Facility

See Findings of Fact and Recommendation for Docket No. 2022-20.

Commissioner Sprague moved, seconded by Commissioner Berke to recommend approval of Docket No. 2022-20, 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 recreation and instruction facility for The Bays at Car Supplies Warehouse, located at 170 Shepard Avenue, Unit D, in accordance with the Petitioner's Project Description Letter (received by the Village on 5/5/2022) and the Floor Plan (received by the Village on 3/2/2022).

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Berke moved, seconded by Commissioner Riles to close Docket No. 2022-20.

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

D) Docket No. 2022-21
Finesse Massage
737 W. Dundee Road
Special Use to Permit a Massage Establishment

See Findings of Fact and Recommendation for Docket No. 2022-21.

Commissioner Hyken moved, seconded by Commissioner Berke to recommend approval of Docket No. 2022-21, Recommend approval of Docket No. 2022-21, 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 massage establishment for Finesse Massage, located at 737 W. Dundee Road in accordance with the Petitioner's Project Description Letter (received by the Village on 4/4/2022) and the Floor Plan (received by the Village on 4/4/2022), subject to the following condition:

1. The petitioner shall submit an Application for Business License to the Community Development Department. Upon demonstrating the petitioner and the business operations complies with all requirements of Chapter 4.74 of the Wheeling Municipal Code, a Business License shall be obtained prior to operation of the massage establishment at the subject location

On the roll call, the vote was as follows:

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

There being six affirmative votes, the motion was approved.

Commissioner Sprague moved, seconded by Commissioner Riles to close Docket No. 2022-21.

On the roll call, the vote was as follows:

AYES: Commissioners Sprague, Riles, Hyken, Berke, Kasper, Johnson
NAYS: None
ABSENT: 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 May 11, 2022 (including Findings of Fact for Docket No. 2022-15, Docket No. 2022-17 and Docket No. 2022-18).

Commissioner Berke moved, seconded by Commissioner Hyken to approve the minutes dated May 11, 2022 (including Findings of Fact for Docket No. 2022-15, Docket No. 2022-17 and Docket No. 2022-18) as corrected.

On the roll call, the vote was as follows:

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

There being five affirmative votes, the motion was approved.

9. OTHER BUSINESS

The Commission welcomed new Commissioner Kasper to the Plan Commission.

10. ADJOURNMENT

Commissioner Berke moved, seconded by Commissioner Hyken to adjourn the meeting at 8:03 p.m. The motion was approved by a voice vote.