

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, APRIL 12, 2021 AT 6:30 P.M. AT THE WILLOWBROOK POLICE DEPARTMENT TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

DUE TO THE COVID 19 PANDEMIC, THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING.

1. CALL TO ORDER

The meeting was called to order at 6:32 P.M. by Mayor Frank Trilla.

2. ROLL CALL

Those physically present at roll call were Village Clerk Deborah Hahn, Trustees Michael Mistele, Gayle Neal, Greg Ruffolo, and Village Administrator Brian Pabst.

Present Via conference call, due to the COVID-19 Pandemic, was Mayor Frank A. Trilla, Village Attorney Thomas Bastian, Trustees Sue Berglund, Paul Oggerino, Assistant Village Administrator Sean Halloran, Chief Robert Schaller, Deputy Chief Lauren Kasper, Director of Finance Carrie Dittman, Building Official Roy Giuntoli, Planning Consultant Ann Choi, and Municipal Service Foreman AJ Passero.

\*\*\*Trustee Sue Berglund joined via zoom at 6:49 P.M.

Absent: Trustee Umberto Davi and Christine Mardegan, Deputy Clerk.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Trustee Neal to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS

President of Lake Hinsdale Village Sandra Koutouvidis spoke on behalf of over 850 residents and reminded the Board that on April 8, 2021, she spoke to the Board regarding the residents' opposition regarding a drive-thru by Route 83 and 63<sup>rd</sup> street by the former Juicy O- Restaurant. Koutouvidis presented the Board with a 515 residents sign petition to prevent the drive-thru that and thanked the Board for their time. Mayor Trilla thanked Ms. Koutouvidis for sharing her thoughts.

5. OMNIBUS VOTE AGENDA

Mayor Trilla read over each item in the Omnibus Vote Agenda for the record.

OMNIBUS VOTE AGENDA:

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes - Special Board Meeting - March 15, 2021 (APPROVE)
- c. Minutes - Regular Board Meeting - March 22, 2021 (APPROVE)
- d. Warrants - \$412,315.32 (APPROVE)
- e. Monthly Financial Report - March 2021 (APPROVE)
- f. ORDINANCE NO. 21-0-16 - An Ordinance Extending Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6 (PASS)
- g. MOTION - Willowbrook Town Center LLC Developer Note Payment #2 Due April 30, 2021 (PASS)

Mayor Trilla asked the Board if there were any items to be removed from Omnibus Vote Agenda.

MOTION: Made by Trustee Mistele and seconded by Trustee Ruffolo to approve the Omnibus Vote Agenda.

ROLL CALL VOTE: AYES: Trustees, Mistele, Neal, Oggerino, and Ruffolo. NAYS: None. ABSENT: Berglund and Davi.

MOTION DECLARED CARRIED

NEW BUSINESS

- 6. ORDINANCE NO. 21-0-17 AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT, INCLUDING APPROVAL OF A PRELIMINARY PLAT OF PUD, GRANTING SPECIAL USE PERMITS FOR CERTAIN USES, GRANTING CERTAIN WAIVERS FROM THE ZONING ORDINANCE, GRANTING CERTAIN VARIATIONS FROM THE SUBDIVISION REGULATIONS, GRANTING APPROVAL OF A PRELIMINARY PLAT OF SUBDIVISION, AND RELATED MATTERS PC21-03;735 PLAINFIELD ROAD PUD. (PASS)

Consultant Choi thanked Mayor Trilla.

Before you tonight is the Preliminary Plat of PUD and Subdivision approval for the 735 Plainfield Road PUD development.

It is preliminary, meaning the applicant is achieving approval of the entitlement or the zoning.

The applicant will be required to come back with final plans for review by the Plan Commission, and the Board will have another chance to review and approve an ordinance. The Final PUD plans must be in substantial compliance with approved preliminary plans, or the petition will be remanded back to the Plan Commission for a public hearing for any amendments to the preliminary plans.

You have received a very thick agenda packet, including over 280 pages of information, for this proposal. We ran through a lengthy overview of the project in the previous meeting, and I will summarize all of that information as succinctly as possible. The Board can raise specific questions on any particular aspect of the project during my presentation.

The subject property is located on the south side of Plainfield Road, between Illinois Route 83 to the west and Adams Street to the east. The site contains about 2.79 acres and is currently improved with one building, currently vacant but formerly occupied by the Willowbrook Bowling Alley.

The Plan Commission saw several concepts for this site on the following dates:

- o In October 2018, the PC reviewed a sketch plan to repurpose the existing bowling alley into a family entertainment venue with Chase Bank as an outlet (this proposed by the current property owner);
- o In February 2020, the PC reviewed a revised sketch plan for a 3-lot PUD comprised of Chase Bank, a coffee shop with drive-through, and a 90-room hotel;
- o In November 2020, the PC reviewed a second sketch plan for a 3-lot PUD comprised of Chase Bank, a fast-food establishment with a drive-through and a car wash;
- o The applicant applied and presented this same concept with a few adjustments to the Plan Commission at their February 3, 2021, Plan Commission meeting, and public hearing.
- o The public hearing was continued to March 2021 so that the applicant could address the Plan Commission's request to reduce the proposed signage and additional studies on traffic.

- The proposal before you tonight is the preliminary PUD comprised of a three-tenant mixed-use development with a car wash on the southern portion of the property on Lot 1, a fast-food establishment with a drive-thru on the northeast portion of the property on Lot 2, and a bank on the northwest portion of the property on Lot 3. Cross access and cross parking are established throughout the overall property.
- This is an overview of the Preliminary PUD approval, meaning that at the next Board meeting, the Board will decide on zoning approval. If approved, the applicant will be required to come back with final plans for review by the Plan Commission, and the Board will have another chance to see and approve an ordinance. All final plans must be in substantial compliance with approved preliminary plans, or the applicant will be required to file an amendment to the Preliminary PUD drawings.
- The applicant intends to sell Lot 1 and Lot 3 to Encore Car Wash and Chase Bank, respectively, and self-develop and retain ownership of the fast-food establishment on Lot 2. The restaurant operator will be Guzman Y Gomez, an Australian-based, Mexican casual restaurant operator with 135 locations globally and one currently in Naperville, IL.
- Chase Bank wishes to purchase Lot 3, the 0.79-acre lot, and intends to relocate from its current facility on the north side of Plainfield Road into a new 6,660 square foot facility with three drive-thru lanes.
- The proposed development proposes the construction of a new access driveway in the approximate location of the existing access driveway and to replace the full access right-in/left-in and right-out onto Plainfield Road and to restrict it to a right-in/right-out only access. A median separation has also been added to deter left-turn movement for vehicles exiting Plainfield Road.
- The proposed development requires relocating the existing driveway with the Town Center to be shifted slightly to the south more than 20 feet. The applicant would be required to seek authorization from the Town Center to amend the Town Center PUD and the existing development agreement between the Town Center and the Village of Willowbrook as a condition of approval. The approval of the Preliminary PUD is **expressly conditioned** on the approval of an amendment to the Town Center.

- Access to the site is currently provided via two driveways: a full access driveway on Plainfield Road and full access on the internal driveway serving the Willowbrook Town Center Shopping Center. With the proposed development, access to the site will be maintained via the Willowbrook Town Center driveway, and the Plainfield Road access will be restricted to right-in/right-out only. A cross-connection easement will be investigated to the property to the east during the Final PUD phase. This will minimize impacts and conflicts on the adjacent roadway network.
- In terms of circulation, a two-way internal driveway serves as the main circulation path and runs between the proposed lots to provide separation and access to each of the three lots.
- Vehicular circulation for all three uses is much the same in that most cars will likely be arriving from the Plainfield Road driveway or the Town Center driveway and circulate in a clockwise rotation around each building.
- In terms of traffic, the Village's traffic engineer concurred with the findings that the increase in site traffic will have minimal impact on adjacent roadway operations and the traffic summary provided in the TIS and the Site Plan.
- The Village's traffic engineer also concurred with the study's recommendation to provide a southbound left-turn lane on the Willowbrook Town Center driveway at the site access and do not block driveway signing in the northbound direction along with supplemental pavement markings.
- The Village's traffic engineer also noted that the TIS adequately described the stacking availability for each of the proposed site users; but requested there should be more information to indicate the maximum and typical peak queueing expected at each of the uses based on historical data (transactions, traffic counts and/or observations) collected from existing uses (minimum of 3 locations, if feasible), as well as calculated per Village Code, as applicable. A queueing exhibit should be provided that illustrates the stacking capability of the uses (cars spaced at 20-foot intervals).

In conclusion, Staff has previously highlighted the benefits and shortcomings of the proposed development. Staff indicated that the proposed uses are allowed in the underlying zoning district as a combination of permitted

and special uses. Chase Bank will be relocated from its existing location across the street, and there will be a concentration of banks along the south side of Plainfield Road (TCF, Chase, and PNC). There are several car washes associated with gas stations in town, including a car wash expansion that was approved early last year at the northwest intersection of Kingery and Plainfield Road. The proposed development also presents some challenges as the site will need to accommodate, at a minimum, two high-intensity uses on less than three acres, and the project as proposed includes nearly 60 waivers, which may be an indication that the site may not accommodate a combination of uses of this intensity. However, the other end of the argument is the site has sat vacant for some time; the proposed development will bring increased foot traffic, some additional tax revenue to the Village, and additional traffic calming measures on Town Center Drive and Plainfield Road.

The draft ordinance before you tonight incorporated a modification to Condition No.7 originally recommended for approval by the Plan Commission. After consideration and additional conversation with the Village attorney pertaining to the requirement of off-site streetlights, the condition was modified to give more teeth to the condition that in the event that off-site streetlights are feasible, that the applicant will be required to provide plans in compliance with DuDOT standards:

That concludes my report. I am here to answer any questions and the applicant from GW Properties are Alex Katz and Mitch Goltz is here to answer any questions as well.

Mitch Goltz from GW Properties thanked the Board and Ann for their time. This is a project that has been worked on for over a year. This project would bring many great businesses to Willowbrook.

Trustee Mistele stated that this seems to be a dense location with only one entrance at the NE corner with limited access to the site.

Trustee Ruffolo and Trustee Neal agree with Trustee Mistele in that the area is too dense and overused.

MOTION: Made by Trustee Oggerino and seconded by Trustee Neal, failed to pass Ordinance No. 21-0-17 as presented.

ROLL CALL VOTE: AYES: None. NAYS: Trustees, Berglund, Mistele, Neal, Oggerino, and Ruffolo. ABSENT: Davi.

MOTION DECLARED CARRIED

7. ORDINANCE NO. 21-0-18 AN ORDINANCE AMENDING SECTION 5-2-1 ENTITLED "DEFINITIONS" AND SECTION 5-2-6 ENTITLED "PROHIBITED ANIMALS" OF CHAPTER 2 ENTITLED "ANIMALS AND FOWL" OF TITLE 5 ENTITLED "POLICE REGULATIONS" OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS. (PASS)

Assistant Administrator Halloran shared, on March 8, 2021, the Law and Ordinances Committee staff presented a proposed redline version of an enhanced amendment to Chapter 2 – Animals and Fowl regulations. After a review and discussion of the recommendations, staff is proposing the following updates to the existing ordinances:

"(A) It shall be unlawful to keep or maintain cattle, swine, sheep, goats, mule, bull, ox, cow, calf, hog or other livestock or any poultry or fowl of any kind in the Village. No other animals may be kept or maintained in the Village for any purpose other than as pets, except in pet shops, licensed research facilities, animal hospitals, animal shelters, and educational institutions."

(B) EXCEPTION: Residential property owners residing on lots of at least three-quarters (3/4ths) of an acre in size and who have kept and maintained hens for no less than five (5) years

prior to the effective date of this ordinance, may keep and maintain no more than four (4) hens, only as follows:

1. All such hens shall be entirely confined in a pen, coop, building, or other escape-proof enclosure at all times;
2. No structure housing hens shall be erected or maintained within one-hundred (100) feet of any neighboring residence;
3. All pens, coops, buildings, yards, or enclosures for hens shall be kept clean, sanitary, and free from all refuse. All refuse shall be disposed of in a clean and sanitary fashion; and
4. All feed for hens shall be kept in rodent-proof containers.

The exception provided in subsection (B) of this section shall not be transferrable to subsequent purchases or properties and shall not run with the land."

The Law and Ordinances Committee's consensus was to recommend the attached updated ordinance for Village Board consideration at their March 22, 2021 meeting.

MOTION: Made by Trustee Neal and seconded by Trustee Berglund to pass Ordinance No. 21-0-18 as presented.

ROLL CALL VOTE: AYES: Trustees Berglund, Mistele, Neal, Oggerino, and Ruffolo. NAYS: None. ABSENT: Davi.

MOTION DECLARED CARRIED

8. ORDINANCE NO. 21-0-18 AN ORDINANCE AMENDING SECTION 5-2-1 ENTITLED ORDINANCE NO. 21-0-19 ORDINANCE - An Ordinance Amending Section 3 12-5 Entitled "Classifications," of Chapter 12 Entitled "Liquor," of Title 3 Entitled "Business" of the Village Code of Ordinances of the Village of Willowbrook, DuPage County, Illinois(PASS)

Assistant Administrator Halloran stated this ordinance is to increase the number of liquor licenses from eleven (11) to twelve (12) to allow JoJo's Steak House, located at 7409 Kingery Highway, to obtain a liquor license. Please disregard Compass Arena that was listed on the cover sheet; it is a typo. Staff is recommending passing this Ordinance.

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to pass Ordinance No. 21-0-19 as presented.

ROLL CALL VOTE: AYES: Trustees Berglund, Mistele, Neal, Oggerino, and Ruffolo. NAYS: None. ABSENT: Davi.

MOTION DECLARED CARRIED

9. RESOLUTION NO. 21-R-20 A Resolution Accepting a Proposal and Authorizing the Mayor and the Village Clerk to Execute an Agreement for the Lease of Two (2) Flock Safety ALPR Cameras. (ADOPT)

Chief Schaller stated, during January 25, 2021, Public Safety

Meeting, the committee discussed the implementation of Automatic License Plate Readers (ALPR) within the Village of Willowbrook. These ALPR would target hotspot locations that additional law Enforcement resources would benefit. ALPR'S leverage NCIC databases to quickly alert Law Enforcement. Research conducted identified FLOCK Safety as an ALPR provider that provides cutting edge technology not only for Law Enforcement applications but also Homeowner Associations. Numerous municipalities in the surrounding area utilize FLOCK Safety which increases the network to connect and collaborate with adjacent agencies and nearby privately-owned cameras in neighborhoods to extend our reach and multiply the search capacity. This is not a budgeted item, but we have funding for it.

A discussion was had on how many other communities and HOA are utilizing Flock Safety ALPR Cameras.

MOTION: Made by Trustee Oggerino and seconded by Trustee Neal to adopt Resolution No. 21-R-20 as presented.

ROLL CALL VOTE: AYES: Trustees Berglund, Mistele, Neal, Oggerino, and Ruffolo. NAYS: None. ABSENT: Davi.

MOTION DECLARED CARRIED

#### PRIOR BUSINESS

##### 12. TRUSTEE REPORTS

Trustee Neal shared that traffic dolly has had a positive response from residents.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund was not present.

Trustee Davi was not present.

Trustee Oggerino had no report.

##### 13. ATTORNEY'S REPORT

Attorney Bastian had no report.

14. CLERK'S REPORT

Clerk Hahn had no report.

15. ADMINISTRATOR'S REPORT

Administrator Pabst had no report.

16. MAYOR'S REPORT

Mayor Trilla: we were notified by a mosque that there were vaccines to share with the community. The Village set up a civic announcement to let the community know about the vaccines. I would like to thank Anjumna-e-Safiee and his church for sharing this news/vaccines with us.

17. CLOSED SESSION

Mayor Trilla advised there was no need for a closed session at tonight's meeting.

18. ADJOURNMENT

MOTION: Made by Trustee Berglund and seconded by Trustee Ruffolo to adjourn the Regular Meeting at the hour of 7:17 P.M.

ROLL CALL VOTE: AYES: Trustees Berglund, Mistele, Neal, Oggerino, and Ruffolo. NAYS: None. ABSENT: Davi.

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2021.

Frank A. Trilla, Mayor