

## AGENDA

MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, JULY 13, 2022 AT 7:00 P.M. AT THE VILLAGE OF WILLOWBROOK POLICE DEPARTMENT, TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS 60527.

THE VILLAGE WILL BE PROVIDING AN OPTION TO ATTEND THE JULY 13, 2022 PLAN COMMISSION MEETING VIRTUALLY. TO JOIN THE ZOOM MEETING, USE THE LINK BELOW:

Join Zoom Meeting:

<https://us06web.zoom.us/j/86298485179?pwd=SndxMW9wK2JMbHkvYTJCNTThQ1NpUT09>

Meeting ID: 862 9848 5179

Passcode: 801105

1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
  - A. Waive Reading of Minutes (APPROVE)
  - B. Minutes of April 6, 2022 Plan Commission Public Hearing
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 22-03: Consideration of a petition to amend a previously approved special use permit to allow the relocation and enlargement of the dumpster enclosure and consideration of zoning variations from Title 9 of the Village Code. The property is the Shell Gas Station and Ducky's Car Wash located at 7000 Kingery Hwy. The applicant for this petition is David Schaefer from David A Schaefer Architects PC, 2500 S. Highland Avenue, Suite 340, Lombard, IL 60148.
  - A. PUBLIC HEARING
  - B. DISCUSSION/RECOMMENDATION
5. VISITOR'S BUSINESS
6. COMMUNICATIONS
7. ADJOURNMENT

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, APRIL 6, 2022 AT THE WILLOWBROOK POLICE DEPARTMENT, TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, ILLINOIS

DUE TO THE COVID19 PANDEMIC THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:00 p.m.

The Governor of the State of IL. has declared a Gubernatorial disaster proclamation in response to the Covid-19 Act outbreak and all the Village of Willowbrook is covered by the disaster area. In light of the ongoing Covid 19 outbreak the Mayor of the Village of Willowbrook has determined that an in-person meeting for the April 6, 2022. Plan Commission may not be practical or prudent for all persons in light of the disaster thus the Village has provided an option to attend the April 6, 2022, Plan Commission meeting remotely.

2. ROLL CALL

Those physically present at the VOW Police station were Chairman Kopp, Commissioners Kanaverskis, Walec, Kaucky, Director of Community Development Mike Krol, Planner Karen Stonehouse

Present Via Zoom COVID -19 Pandemic were Commissioners Baksay, Kaczmarek, Village Attorney Matt Holmes, and Village Consultant Planner Eunice Im. Absent: Vice Chairman Wagner

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- A. Waive Reading of Minutes (APPROVE)
- B. Minutes – Regular Meeting, January 12, 2022

MOTION: Made by Commissioner Walec seconded by Commissioner Baksay, approve the Omnibus Vote Agenda as presented, all in favor

Roll Call votes: AYES, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, and Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 22-02; Consideration of a petition to approve a special use permit to allow a 18,601 square foot, one-story addition to the exiting Gower West Elementary School building, expansion and improvements to the existing parking lots, addition of a new parking lot, addition of a new children's playground, and general site and landscaping improvements in the R-1 Zoning District; approval of a Final Plat of Subdivision to consolidate the two-lot property; and consideration of other such relief, exceptions, and variations from Title 9 and Title 10 of the Village Code. The property is located

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7650 South Clarendon Hills Road, in the Village of Willowbrook. The applicant for this petition is Gower School District 62, 7700 South Clarendon Hills Road, Willowbrook, IL 60527.

**A. PUBLIC HEARING**

Motion to open Public Hearing was made by Commissioner Baksay, seconded by Commissioner Kaucky, all in favor

Roll Call: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, and Chairman Kopp NAYS: None

**MOTION DECLARED CARRIED**

**B. DISCUSSION/RECOMMENDATION**

See Court Reporter Minutes for Discussion and Recommendation

Motion to close Public Hearing by Commissioner Kaucky and seconded by Commissioner Walec, all in favor.

Roll Call; AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, and Chairman Kopp, NAYS: None

**MOTION DECLARED CARRIED**

**MOTION:** Based on the submitted petition and testimony presented, I move that the Plan Commission approve and adopt the Standards for Variations outlined in the Staff Report prepared for PC 22-02 for the April 6, 2022 Plan Commission meeting; and that the Plan Commission recommend to the Village Board approval of a special use permit to allow the existing Gower West Elementary School, a 18,601 square foot, one-story addition to building, expansion and improvements to the existing parking lots, addition of a new parking lot, addition of a new children's playground and general site and landscaping improvements in the R-1 Zoning District; approval of a Final Plat of Subdivision to the consolidate the two-lot property; and associated variations as described in, and subject to the "Conditions of Approval" listed in the Staff Report prepared for PC 22-02 for the April 6, 2022, Plan Commission meeting.

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Made by Vice Commissioner Walec and second by Commissioner Kauck all in favor  
Roll Call Vote: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, and  
Chairman Kopp NAYS: None

MOTION DECLARED CARRIED

6. VISTOR'S BUSINESS

None

7. COMMUNICATIONS:

New Director of Community Development Mike Krol introduced himself and gave his background.  
Chairman Kopp congratulated Consultant Planner Im on a well done prestation.

8. ADJOURNMENT

MOTION: Made by Commissioner Baksay and second by Commissioner Walec to adjourn the  
meeting of the Plan Commission at the hour of 7:25 p.m. all in favor

Roll call: AYES: Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, Walec, Chairman  
Kopp NAYS: None

MOTION DECLARED CARRIED

UNANIMOUS VOICE VOTE  
PRESENTED, READ, AND APPROVED,

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Chairperson

Minutes transcribed by Building and Zoning Secretary Lisa J Shemroske

4/6/2022

**VILLAGE OF WILLOWBROOK PLANNING AND ZONING  
HEARING CASE NUMBER**

**22-02**

DONNA L. WATWOOD

VILLAGE OF WILLOWBROOK

PLANNING & ZONING

HEARING CASE NUMBER 22-02

REPORT OF PROCEEDINGS VIA ZOOM

at the meeting held before the Planning & Zoning  
Commission of Willowbrook on the 6th day of April,  
2022, at the hour of 7:00 p.m., as reported by  
Donna Watwood, Certified Shorthand Reporter in and  
for the County of Kane and State of Illinois.

## 1 APPEARANCES:

2 Daniel Kopp - Chairman

3 Catherine Kaczmarke - Member

4 Leonard Kaucky - Member

5 Maciej Walec - Member

6 Zoltan Baksay - Member

7 Ronald Kanaverskis - Member

8 Matthew Holmes - Village Attorney

9 Karen Stonehouse - Village Planner

10 Michael Krol - Director of Community

11 Development

12 Eunic Im - Planning Consultant

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1                   CHAIRMAN KOPP: I call to order the  
2 meeting of the plan commission of the Village of  
3 Willowbrook. The governor of the State of Illinois  
4 has declared a gubernatorial disaster response  
5 proclamation in response to the Covid 19 Act  
6 outbreak and all of the Village of Willowbrook is  
7 covered by the disaster area. In light of the  
8 ongoing Covid 19 outbreak, the mayor of the Village  
9 of Willowbrook has determined that an in-person  
10 meeting for the April 6, 2022, plan commission  
11 meeting may not be practical and prudent in light  
12 of the disaster.

13                   All of the members of the plan  
14 commission participating in the April 6, '22, plan  
15 commission meeting wherever there is physical  
16 limitations shall be verified and determined that  
17 they can hear one another and hear all discussions  
18 during the meeting.

19                   The village has provided an option to  
20 attend the April 6th, 2022 plan commission meeting,  
21 virtually via a zoom web link. And I ask the plan  
22 comission secretary to call the roll.

23                   MS. SHEMROSKE: Commissioner Baksay.

24                   COMMISSIONER BAKSAY: Here via zoom.

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2           MS. SHEMROSKE: Commissioner Kanaveskis?  
3           COMMISSIONER KANAVESKIS: Yes.  
4           MS. SHEMROSKE: Commissioner Kaczmarek?  
5           COMMISSIONER KACZMAREK: Here via zoom.  
6           MS. SHEMROSKE: Commissioner Kauchy?  
7           COMMISSIONER KAUCHY: Here.  
8           MS. SHEMROSKE: Commissioner Walec?  
9           COMMISSIONER WALEC: Here.  
10          MS. SHEMROSKE: Vice-Chairman Wagner is  
11 absent today. Chairman Kopp?  
12          CHAIRMAN KOPP: Here.  
13          MS. SHEMROSKE: Village Attorney Matt  
14 Holmes?  
15          MR. HOLMES: Here. Sorry about that.  
16          MS. SHEMROSKE: Village Consultant Eunic  
17 Im.  
18          MS. IM: Here.  
19          MS. SHEMROSKE: Planner Karen Stonehouse?  
20          MS. STONEHOUSE: Here.  
21          MS. SHEMROSKE: Director of Community  
22 Development, Mike Krol?  
23          MR. KROL: Here.  
24          MS. SHEMROSKE: And, for the record, I am

1 Lisa Shemroske.

2 CHAIRMAN KOPP: The next item on the  
3 agenda is the omnibus vote agenda. Will someone  
4 make a motion to approve the omnibus vote agenda to  
5 waive the reading of the minutes and to approve the  
6 omnibus?

7 MR. WALEC: I will make that motion,  
8 Walec.

9 MR. BAKSAY: Baksay second.

10 CHAIRMAN KOPP: Will the planning  
11 commission secretary call the vote?

12 MS. SHEMROSKE Commissioner Baksay?

13 COMMISSIONER BAKSAY: Yes.

14 MS. SHEMROSKE: Commissioner Kanaverskis?

15 COMMISSIONER KANAVERSKIS: Yes.

16 MS. SHEMROSKE: Commissioner Kaczmarek?

17 COMMISSIONER KCAZMAREK: Yes.

18 MS. SHEMROSKE: Commissioner Kaucky?

19 COMMISSIONER KAUCKY: Yes.

20 MS. SHEMROSKE: Commissioner Walec?

21 COMMISSIONER WALEC: Yes.

22 MS. SHEMROSKE: Chairman Kopp?

23 CHAIRMAN KOPP: Yes.

24 The next item on the agenda is a

1 public hearing for Zoning Hearing Case No. 22-02.  
2 The purpose of this public hearing is to consider a  
3 petition for a special use permit and other relief,  
4 exceptions, and variations. This may be required  
5 to allow an 19,000 square foot one-story addition  
6 to the existing Gower West Elementary School  
7 building, expansion and improvements to the  
8 existing parking lots and addition of a new parking  
9 lot, addition of a new children's playground, and  
10 general site and landscaping improvements generally  
11 located at the southwest corner of Clarendon Hills  
12 Road and Sheridan Drive.

13 The applicant for this petition is  
14 Gower West School District 62. With permission  
15 from the property owners Gower School District,  
16 Willowbrook, Illinois, notice of this public  
17 hearing was published in the March 21, 2022,  
18 edition of the Chicago Sun-Times.

19 Karen, would you like to make a  
20 presentation on this.

21 MS. STONEHOUSE: Actually, we have a  
22 surprise guest with us this evening from  
23 California, Eunice Im, who is a consultant with the  
24 village. She came on board when we were really

1 busy. She's going to make the presentation unless  
2 Michael has introductory comments.

3 MR. KROL: No, I mean just real quick.  
4 Again, my name is Mike Krol. I'm the new director  
5 of community development. I left you all my  
6 information if you have any comments or questions.  
7 But otherwise, Eunice, go ahead and take it away.

8 MS. IM: Can everybody see my screen?

9 COMMISSIONER BAKSAY: Yes.

10 MS. IM: Good evening, commissioners. My  
11 name is Eunice, and I will be presenting on behalf  
12 of Gower West School District No. 62 for the  
13 request of a special use permit, Final Plat of  
14 Subdivision, and variations for the proposed  
15 project located at the 7700 Clarendon Hills Road.

16 The school district is requesting  
17 from the Village of Willowbrook the approval of a  
18 one-story 18,601 square foot addition to the south  
19 end of existing elementary school facility, an  
20 extension to the east parking lot with additional  
21 southeast parking spaces, and new 64-foot by  
22 50-foot outdoor early childhood playground on the  
23 northerly side of the early childhood classrooms.

24 Furthermore, the project encompasses

1 improvements on the on-site drop-off and pick-up  
2 areas including a masonry dumpster enclosure to the  
3 west side of the building, a reconfiguration of the  
4 existing sports field, and general site and  
5 landscaping improvements.

6 On November 2020, Gower School  
7 District 62 was approved a fifteen million bond  
8 referendum for renovating and expanding the school  
9 district's two schools. The bond proceeds would  
10 fund building a new full-sized gymnasium, a STEM  
11 lab, new music room, art room, and new parking lots  
12 as will be shown in the upcoming slides.

13 In summary the applicant is  
14 requesting a special use permit for the elementary  
15 school use on site, a Final Plat of Subdivision for  
16 the lot consolidation in consideration of other  
17 such relief, exceptions, and variations from  
18 Title 9 and Title 10 of the Village Code.

19 The subject property is located at  
20 the southwest corner of Clarendon Hills Road and  
21 Sheridan Drive. It is located within the R-1  
22 single family residential district and is  
23 surrounded by other residential zoning such as R-5,  
24 R-3, and R-2. The site is a total of 8.58 acres

1 consisting of two separate lots. One at 1.85 and  
2 the other at 6.72 acres.

3 The existing school is a 72,050  
4 square feet building. With the addition it will be  
5 a total of 90,651 square feet. And the elementary  
6 school serves preschool through fourth-graders.

7 This is an aerial image of the site.  
8 The school is surrounded by residential uses. The  
9 applicant is proposing to expand the east parking  
10 lot and add a southeast parking lot as highlighted  
11 in the yellow area of the plan. The 18,601 square  
12 foot addition is proposed on the south elevation of  
13 the existing school structure. And it consists of  
14 the STEM lab, music room, gymnasium, art room,  
15 board, conference, work room and office.

16 Furthermore, the applicant is  
17 reconfiguring the soccer field to the west side of  
18 the property. To the north of playground  
19 approximately 64 by 50 feet is located within the  
20 front yard setback for which a variation is  
21 requested. Additional parking spaces are provided  
22 on site and a trash enclosure is proposed to the  
23 west side of the existing school building.

24 This plan depicts the current

1       vehicular circulation of the school site. Both the  
2       school bus and the parent travel paths merge on the  
3       driveway entrance from the Sheridan Drive and again  
4       for the exit out onto Sheridan Drive. The  
5       applicant is proposing a modified site plan where  
6       current traffic occurs off of Sheridan Drive, and  
7       the school bus path of travel occurs off Clarendon  
8       Hills Road. The parent traffic travel path will  
9       have multiple lanes to alleviate the traffic off  
10      the public right away. The two separate paths of  
11      travel will delineate the path for parents and  
12      buses to create an efficient and safe vehicular  
13      circulation.

14                   Furthermore, the transportation  
15      engineer has confirmed that the proposed site  
16      modification will improve site circulation,  
17      separate users increase off-street parking supply,  
18      increased parking for both buses and parents  
19      drop-off and pick-up activities and minimize  
20      conflict both on and off site.

21                   This is the proposed landscaping  
22      plan. The applicant is proposing to remove 11  
23      trees, as the majority of these trees are located  
24      within the footprint of the American flag, play

1 area, or the proposed building and will replace  
2 with 54 ornamental and shade trees and 235 shrubs.

9 Therefore, the applicant is requesting variations  
10 for the following criteria:

24 Eliminate the requirement of concrete

1 median on the driveway and the requirement for  
2 driveway storage.

3 Permit playground equipment within  
4 the front yard setback area.

5 Allow a five feet tall decorative  
6 metal and brick fencing for the early childhood  
7 playground within the front and side yard setback.

8 Allow fencing around soccer field to  
9 be 4 to 6 feet chain-link fence in lieu of the  
10 decorative fence.

11 Waiver for the preliminary plat  
12 subdivision. Waiver for curb and gutter drainage  
13 improvement along Clarendon Hills Road. Waiver for  
14 street trees along Clarendon Hills Road and Cherry  
15 Tree Lane and waiver for streetlights.

16 Findings of fact for both standards  
17 of variations are met and poses no negative impact  
18 to the community.

19 And staff has added some  
20 conditions -- recommended conditions of approval:

21 The first one being final engineering  
22 plans shall be reviewed and approved by village  
23 engineer. Second, a sign permit shall be obtained  
24 from the Willowbrook Director. Third, a fence

1        permit shall be obtained from the village. Fourth,  
2        the trash enclosure shall be consistent with the  
3        color and style of the building.

4                    Public hearing notice was published  
5        in the Chicago Sun-Times on March 21st. Signage of  
6        public hearing notice was also posted on  
7        March 21st. No public comments in support or  
8        opposition have been received to date. Staff  
9        supports the proposed project if the plan  
10      commission concurs.

11                  The following sample solution is  
12        offered for consideration. This concludes my  
13        presentation. I am available for any questions.  
14        Carol, the architect for this project, and Brian  
15        Riegler, the business manager with Gower School  
16        District, should be here this evening to also  
17        answer any questions. The planning manager and  
18        community director is here to answer any questions  
19        you may have.

20                  CHAIRMAN KOPP: First, any of the  
21        commissioners have any questions of Eunice?

22                  CHAIRMAN KOPP: I don't know if any of  
23        the representatives from the school district wish  
24        to speak. You don't have to.

1                   Do any of the commissioners have any  
2    questions for the representative of the school  
3    district?

4                   MR. HOLMES: Excuse me. Hey guys. We  
5    should take a motion to open the public hearing  
6    before we go forward.

7                   CHAIRMAN KOPP: Okay. Will someone make  
8    a motion to open the public hearing?

9                   COMMISSIONER BAKSAY: So moved, Baksay.

10                  COMMISSIONER WALEC: Second, Walec.

11                  CHAIRMAN KOPP: Would the plan commission  
12    secretary call vote?

13                  MS. SHEMROSKE: Commissioner Baksay?

14                  COMMISSIONER BAKSAY: Yes.

15                  MS. SHEMROSKE: Commissioner Kanaverskis?

16                  COMMISSIONER KANAVERSISKIS: Yes.

17                  MS. SHEMROSKE: Commissioner Kaczmarek?

18                  COMMISSIONER KACZMAREK: Yes.

19                  MS. SHEMROSKE: Commissioner Kaucky?

20                  COMMISSIONER KAUCKY: Yes.

21                  MS. SHEMROSKE: Commissioner Walec?

22                  COMMISSIONER WALEC: Yes.

23                  MS. SHEMROSKE: Chairman Kopp?

24                  CHAIRMAN KOPP: Yes.

5 MS. PARTYKA: My name is Mary  
6 Partyka, and you could swear me in because I would  
7 like to make a comment or two.

8 (Whereupon, the witness was  
9 duly sworn.)

10 MARY PARTYKA

11 having been first duly sworn, by the certified  
12 shorthand reporter testified as follows:

13 MS. PARTYKA: I live across the street in  
14 the Green Willow Condos. And my kids have gone to  
15 the school, so I have no problem with the  
16 additions. But my question is what kind of impact  
17 will it be on our complex.

22 (Inaudible audio.)

23 MS. COURT REPORTER: I am sorry. I could  
24 not hear the answer.

1 MS. PARTYKA: I am not hearing it.

2 CHAIRMAN KOPP: You can come up here.

3 MR. RIEGLER: My name is Brian Riegler.

4 I am with School District 62.

5 MS. SHEMROSKE: Donna, would you swear  
6 him in, please?

7 (Whereupon, the witness  
8 was duly sworn.)

9 BRIAN RIEGLER,  
10 having been first duly sworn, by the certified  
11 shorthand reporter testified as follows:

12 MR. RIEGLER: The answer is yes. This is  
13 in addition to the playground on the west side of  
14 the building.

15 MS. PARTYKA: Oh, okay. And I'm going to  
16 assume but I would like a verification of it. So  
17 the playground, is the playground specifically for  
18 kindergarten children?

19 MR. RIEGLER: Yes, this playground is for  
20 students -- And that's why it's going to be  
21 proposed a little bit differently and separate from  
22 the kind of the K through four, one through four  
23 playground on the west side.

24 MS. PARTYKA: Okay. The location of it,

1 is that because there classrooms are right there;  
2 is that correct?

3 MR. RIEGLER: Yes, that's correct.

4 MS. PARTYKA: Because I know the bigger  
5 kids -- I mean, we have a lot of retirees in our  
6 little group here just concerned about safety for  
7 the children and noise also for us.

8 And the other thing is the  
9 landscaping. You're removing landscaping on  
10 Sheridan Drive?

11 MR. RIEGLER: Yes. And we're adding the  
12 landscaping on Sheridan Drive.

13 MS. PARTYKA: Oh, you are adding. Okay.  
14 And the other thing is looking at the  
15 configuration, I'm just looking for confirmation;  
16 but it seems like, okay, the buses will not be on  
17 Sheridan Drive. They will pick up the children on  
18 along Clarendon Hills Road on that side, correct?

19 MR. RIEGLER: That's correct, they will  
20 be dropping off students in the morning there and  
21 picking up students in the afternoon.

22 MS. PARTYKA: And then the parents who  
23 normally line up along, I think it was Apple Tree  
24 or Cherry Tree and Sheridan, they will have

1 multiple lanes so there will be less traffic on  
2 those streets during the children's hours, correct?

3 MR. RIEGLER: That's the idea for sure.

4 MS. PARTYKA: Okay. Well, that's what I  
5 wanted to clarify. Thank you.

6 CHAIRMAN KOPP: Is there anybody else  
7 that generally have questions for the applicant or  
8 comments?

9 All right. Then I assume no more no  
10 commissioners have any questions.

11 MR. KANAVERSKIS: I have a question.  
12 They're looking for a variance to waive a  
13 decorative fence in lieu of a chain-link fence. Is  
14 that a done deal, or is that something that could  
15 be discussed?

16 MR. RIEGLER: That's what we're here for,  
17 to discuss.

18 MR. KANAVERSKIS: A chain-link fence is  
19 not really attractive. I'm kind of strong on a  
20 wrought iron fence. I have a history of being with  
21 school districts, and most school district replace  
22 a chain-link fence with a decorative wrought iron.  
23 A wrought iron fence is more aesthetically pleasing  
24 to the neighbors, and I just think the appearance

1 is better than a chain-link fence.

2 CHAIRMAN KOPP: I assume that that was  
3 considered. Do you know the details?

4 MR. RIEGLER: That was definitely I think  
5 a cost-saving measure on our end. And I would  
6 say -- and getting the supply of it. I mean, I  
7 think we were able to obtain the chain-link a  
8 little quicker and easier when it comes to  
9 installing.

10 MR. KANAVERSKIS: For safety of children  
11 wrought iron fences are a little safer than the  
12 chain-link fence. As far as the cost, you're  
13 spending a million dollars on this addition, a  
14 little bit more for a wrought iron fence I think  
15 they could find that in the budget now.

16 UNIDENTIFIED SPEAKER: Yeah, I can see  
17 your point. I mean, I don't know. Can you save  
18 your comments for after?

19 MS. COURT REPORTER: Excuse me. Who is  
20 speaking right now?

21 CHAIRMAN KOPP: I don't think we have  
22 anything else. All right.

23 Will someone make a motion to close  
24 the public hearing for Zoning Hearing Case 22-02.

1                   COMMISSIONER BAKSAY: I so move.

2                   COMMISSIONER WALEC: I second.

3                   CHAIRMAN KOPP: Would plan commission  
4 secretary call the vote?

5                   MS. SHEMROSKE: Commissioner Baksay?

6                   COMMISSIONER BAKSAY: Yes.

7                   MS. SHEMROSKE: Commissioner kanaverskis?

8                   COMMISSIONER KANAVERSKIS: Yes.

9                   MS. SHEMROSKE: Commissioner Kaczmarek?

10                  COMMISSIONER KACZMAREK: Yes.

11                  MS. SHEMROSKE: Commissioner Kaucky?

12                  COMMISSIONER KAUCKY: Yes.

13                  MS. SHEMROSKE: Commissioner Walec?

14                  COMMISSIONER WALEC: Yes.

15                  MS. SHEMROSKE: Chairman Kopp?

16                  CHAIRMAN KOPP: Yes.

17                  So far as our discussion, are we in  
18 favor of this? I assume most people are. You were  
19 given your chance to speak. The only question is  
20 about the chain-link fence. Do we want -- Assuming  
21 that we are going to recommend approval, how do we  
22 as a commission? Do we want to recommend this  
23 instead to have -- to use the decorative fence? I  
24 guess myself I think Hinsdale South has chain-link,

1 and I think Central has chain-link because I drive  
2 by that. I can't recall Maerker. I tried to use  
3 the listing of schools myself.

4                   Does anybody else have an opinion?

5 All right?

6                   All right. Nobody else wants to say  
7 anything.

8                   Will someone make a motion that based  
9 on the submitted -- I'm going to read the motion  
10 without the --

11                  UNIDENTIFIED SPEAKER: Not the  
12 standard response.

13                  CHAIRMAN KOPP: Would someone make a  
14 motion that based on this submitted petition and  
15 testimony provided, I move that the plan commission  
16 approve and adopt the Standards for Variation  
17 outlined in the Staff Report prepared for PC 21-02  
18 for the April 6, 2022 plan commission meeting. And  
19 the plan commission recommend to the village board  
20 approval of a special use permit to allow the  
21 existing Gower West Elementary School a 18,601  
22 square foot one-story addition to building,  
23 expansion, and improvements to the existing parking  
24 lots, addition of a new parking lot, addition of a

1 new children's playground, and general site and  
2 landscaping improvements in the R-1 Zoning  
3 District; approval to the Final Plat of Subdivision  
4 to consolidate the two-lot property and associated  
5 variations as described and that subject to  
6 Conditions of Approval listed in the staff report  
7 prepared for PC 22-02 for the April 6, 2022 plan  
8 commission meeting.

9 UNIDENTIFIED SPEAKER: So moved.

10 CHAIRMAN KOPP: Anyone want to second the  
11 motion?

12 COMMISSIONER WALEC: I'll second the  
13 motion.

14 CHAIRMAN KOPP: Second.

15 Would the plan commission secretary  
16 call the vote?

17 MS. SHEMROSKE: Commissioner Baksay?

18 COMMISSIONER BAKSAY: Yes.

19 MS. SHEROSKE: Commissioner Kanaverskis?

20 COMMISSIONER KANAVERSKIS: Yes.

21 MS. SHEMROSKE: Commissioner Kaczmarek?

22 MR. KANAVERSKIS. Yes.

23 MS. SHEMROSKE: Commissioner Kaucky?

24 COMMISSIONER KAUCKY: Yes.

1 MS. SHEMROSKE: Commissioner Walec?

2 COMMISSIONER WALEC: Yes.

3 MS. SHEMROSKE: And Chairman Kopp?

4 CHAIRMAN KOPP: Yes.

5 That's it. Thank you. All right.

6 The next item on the agenda. I think  
7 we (inaudible audio) --

8 The next item on the agenda is  
9 visitor's business. Are there any visitors that  
10 want to raise something with the plan commission?

11 If not, the next item on the agenda  
12 is communications. Michael, I don't know if you go  
13 by Mike. Mike, do you want to introduce yourself  
14 to the plan commission as a whole?

15 MR. KROL: Sure. I can stand up and say  
16 something.

17 UNIDENTIFIED SPEAKER: You can go over  
18 there.

19 MR. KROL: Good evening again, everybody.  
20 My name is Mike Krol. I've been hired as the  
21 Community Development Director for the Village of  
22 Willowbrook. I've been here about a month and a  
23 half so far. This is my first plan commission  
24 hearing.

11 And my information is in front of  
12 you. I'm available to answer any questions about  
13 upcoming projects, about upcoming cases. Anything  
14 you drive by and you see going on in the village,  
15 feel free to reach out. And I'm happy to be here.

16 CHAIRMAN KOPP: Thank you.

17 MR. KROL: Thank you.

18 CHAIRMAN KOPP: The instruction they had  
19 dropped off, and I was going to say again you did a  
20 good job because it was kind of a complicated  
21 package. So it was not easy.

22 (Inaudible audio.)

23 MS. STONEHOUSE: We'll fast forward over  
24 that.

1                   CHAIRMAN KOPP: I was afraid it was going  
2 to be two hours.

3                   Any questions any other commissioners  
4 have? This is usually where we finish up and take  
5 this opportunity for that. All right.

6                   Would someone make a motion to  
7 adjourn?

8                   COMMISSIONER BAKSAY: So moved,  
9 Mr. Baksay.

10                  UNIDENTIFIED SPEAKER: Also so moved.

11                  CHAIRMAN KOPP: Would the plan commission  
12 secretary call the vote?

13                  MS. SHEMROSKE: Commissioner Baksay?

14                  COMMISSIONER BAKSAY: Yes.

15                  MS. SHEMROSKE: Commissioner Kanaverskis?

16                  COMMISSIONER KANAVERSISKIS: Yes.

17                  MS. SHEMROSKE: Commissioner Kaczmarek?

18                  COMMISSIONER KACZMAREK: Yes.

19                  MS. SHEMROSKE: Commissioner Kaucky?

20                  COMMISSIONER KAUCKY: Yes.

21                  MS. SHEMROSKE: Commissioner Walec?

22                  COMMISSIONER WALEC: Yes.

23                  MS. SHEMROSKE: Chairman Kopp?

24                  CHAIRMAN KOPP: Yes.

1 Thank you.

2 Matt, a quick question for you.

3 MR. HOLMES: Sure.

4 CHAIRMAN KOPP: Lisa asked me the  
5 question. Am I supposed to also take a vote to  
6 open the public hearing?

7 MR. HOLMES: Yes. You take a vote to  
8 open the public hearing, and then you take a vote  
9 to close the public hearing. I think honestly if  
10 you didn't you do it, you probably wouldn't have  
11 anyone complain about it. But to do it correctly,  
12 you should take a vote to open it and a vote to  
13 close it. Because technically you are going in and  
14 out of plan commission and into public hearing and  
15 back again.

16 (Inaudible audio.)

17 MR. HOLMES: Is the meeting adjourned?

18 CHAIRMAN KOPP: Meeting adjourned.

19 (Whereupon the hearing

20 was concluded at 7:26 p.m.)

\* \* \* \*

1  
2 STATE OF ILLINOIS )  
3 COUNTY OF K A N E ) SS.  
4

5 I, DONNA L. WATWOOD, being first duly  
6 sworn on oath says that she is a certified  
7 shorthand reporter doing business in the County of  
8 Kane and State of Illinois; that she reported in  
9 shorthand the testimony given at said hearing  
10 aforesaid; that the foregoing is a true and correct  
11 transcript of her shorthand notes so taken as  
12 aforesaid, and contains all the testimony so given  
13 at said hearing.

14 *Donna L. Watwood*



15  
16  
17 Donna L. Watwood  
18 Kane County, Illinois  
19 CSR# 084-003686  
20  
21  
22  
23  
24



## Village of Willowbrook

### Staff Report to the Plan Commission

| <b>Plan Commission Date:</b>               | July 13, 2022   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
|--|---|--------|-----|--------|-------|--|-----|-------|--|-----|-----------|--|-----|--|----------------|--|-----------|---|-----|-----------|--|-----|
| <b>Prepared By:</b>                        | Michael Krol, Director of Community Development   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Case Title:</b>                         | <b>Ducky's/Shell Gas Station Dumpster Enclosure Relocation</b>  |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Petitioner:</b>                         | David Schaefer (and Maqpoon Management Inc. as property owner)<br>2500 S. Highland Avenue, Lombard, IL 60148  |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Action Requested:</b>                   | Consideration of a petition requesting approval of an amendment to a special use permit within the B-2 Community Shopping District zoning classification, including certain variations from Title 9 of the Village Code, to enlarge and relocate the dumpster enclosure.  |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Purpose:</b>                            | To relocate the dumpster enclosure from next to the car wash entrance to the north side of the property, in the side yard, and enlarge the enclosure to 144 square-feet.  |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Location:</b>                           | 7000 S. Kingery Highway. Northwest corner of Illinois Route 83 and Plainfield Road.   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>PINs:</b>                               | 09-23-310-024 and 09-23-310-025   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Existing Zoning:</b>                    | B-2 Community Shopping District   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Proposed Zoning:</b>                    | B-2 Community Shopping District (No change to zoning)   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Existing Land Use(s):</b>               | Automobile Service Station (Gas Station), Convenience Food Store and Automobile Washing and Cleaning Facility   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Property Size:</b>                      | 1.147 Acres   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Surrounding Land Use:</b>               | <table><thead><tr><th></th><th>Use</th><th>Zoning</th></tr></thead><tbody><tr><td>North</td><td>General Business (Willowbrook Plaza Shopping Center)</td><td>B-3</td></tr><tr><td>South</td><td>Wendy's fast food restaurant, City of Darien</td><td>B-1</td></tr><tr><td>Northeast</td><td>Community Shopping (The Willows – Pete's Fresh Market)</td><td>B-2</td></tr><tr><td></td><td>BP Gas Station</td><td></td></tr><tr><td>Southwest</td><td>Regional Stormwater Basin, City of Darien</td><td>R-2</td></tr><tr><td>Southeast</td><td>Community Shopping (Willowbrook Town Center)</td><td>B-2</td></tr></tbody></table> |        | Use | Zoning | North | General Business (Willowbrook Plaza Shopping Center) | B-3 | South | Wendy's fast food restaurant, City of Darien | B-1 | Northeast | Community Shopping (The Willows – Pete's Fresh Market) | B-2 |  | BP Gas Station |  | Southwest | Regional Stormwater Basin, City of Darien | R-2 | Southeast | Community Shopping (Willowbrook Town Center) | B-2 |
|  | Use   | Zoning |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| North                                      | General Business (Willowbrook Plaza Shopping Center)  | B-3    |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| South                                      | Wendy's fast food restaurant, City of Darien  | B-1    |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| Northeast                                  | Community Shopping (The Willows – Pete's Fresh Market)  | B-2    |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
|  | BP Gas Station  |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| Southwest                                  | Regional Stormwater Basin, City of Darien   | R-2    |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| Southeast                                  | Community Shopping (Willowbrook Town Center)  | B-2    |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |
| <b>Necessary Action by Plan Commission</b> | Open Public Hearing, accept testimony, and approve a recommendation to the Village Board.   |        |     |        |       |  |     |       |  |     |           |  |     |  |                |  |           |   |     |           |  |     |



## Documents Attached:

- Attachment 1:** Notice of Public Hearing (2 pages)
- Attachment 2:** Findings of Fact, Standards for Special Use (2 pages)
- Attachment 3:** Findings of Fact, Standards for Variations (2 pages)
- Attachment 4:** Legal Description
- Attachment 5:** Plat of Survey, prepared by Professional Land Surveying, Inc., and bearing a revision date of 12/18/2019 (1 Sheet)
- Attachment 6:** Site Plan, Sheet A1, prepared by David A. Schaefer Architects PC, and bearing a revision date of 5/16/2022 (1 Sheet 11x17)
- Attachment 7:** Enlarged Site Plan, Sheet A1
- Attachment 8:** Enlarged Dumpster Enclosure Details, Sheet A1
- Attachment 9:** Landscape Plan, Sheet L1 (11x17) provided by Kestrel Design.
- Attachment 10:** Tree Preservation Plan, Sheet L2 (11x17) provided by Kestrel Design.
- Attachment 11:** Engineering Plans, Sheet Nos. C1-C2, prepared by Bono Consulting Inc., and dated 04/22/2022 and revised 06/16/22 (2 Sheets 11x17)
- Attachment 12:** Engineering Review Letter, prepared by Christopher B. Burke Engineering Ltd., and dated 06/17/2022.
- Attachment 13:** Tri-State Fire Protection District Review Letter dated 06/01/22.



## Background

### Description of Site

The subject property is located at the northwest corner of Illinois Route 83 and Plainfield Road. The subject property has a total land area of approximately 49,988 square feet, or approximately 1.147 acres. The subject property is currently located in the B-2 Community Shopping Zoning District and consists of Lots 11, 12, 13 and 14 in the Tri-State Village Unit Number 5 Subdivision. The subject property is highly irregular in shape and is subject to multiple 100-foot special setback requirements from Illinois Route 83 to the east and Plainfield Road to the south. The subject site is currently occupied with a gas station, a convenience store, and a recently constructed car wash. A wetland detention pond and woodland area are located off-site to the west of the subject property. The project area is located within the Sawmill Creek sub-watershed and Des Plaines River watershed.

Exhibit 1 Aerial of the Subject Property



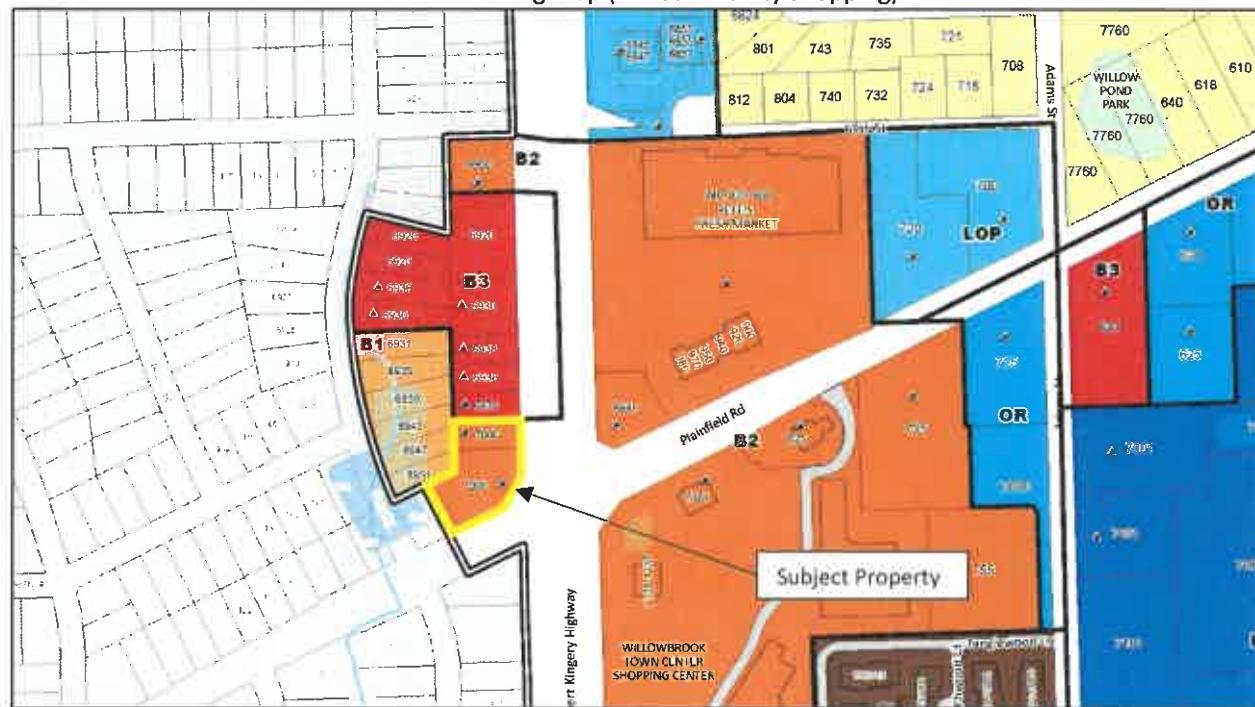
Exhibit 2 Google 3D View of the Subject Property (Looking Northwest)



### **Surrounding Zones and Uses**

Surrounding zoning and uses include a shopping center (Willowbrook Plaza Shopping Center) including a martial arts school, a cabinetry store, a Domino's Pizza restaurant, and associated parking lot in the B-3 zoning district to the north, the Willows shopping center including Pete's Fresh Market and associated parking lot in the B-2 zoning district to the northeast, the Willowbrook Town Center in the B-2 zoning district to the southeast, lots zoned for neighborhood convenience shopping uses to the south (City of Darien), and lots zoned in the R-2 zoning district to the west (City of Darien). The lot immediately to the west of the subject property is zoned R-2 but there is no residential structure on this lot and has been used as a regional storm water basin. The Village of Willowbrook's Comprehensive Plan designates the site for "Community Commercial" uses, which corresponds to the B-2 Community Shopping Zoning District.

**Exhibit 3 Zoning Map (B-2 Community Shopping)**



## Existing Streets and Circulation

Illinois Route 83/Kingery Highway is designated as a Regional Arterial and forms the eastern boundary of the site with a required right-of-way width of 200 feet. A right-in/right-out access drive on IL Rt. 83 is located approximately 170 feet north of Plainfield Road. The access drive provides one inbound lane and one outbound lane restricted to right-turn movements by the median on IL Rt. 83.

Plainfield Road is designated as a Major Arterial and forms the southern boundary of the subject property with a required right-of-way width of 100 feet. A full movement access drive on Plainfield Road is located approximately 170 feet west of IL Rt. 83. The access drive provides one inbound lane and one outbound lane divided by a landscape median. It should be noted that as part of ongoing construction at the intersection of IL Rt. 83 with Plainfield Road, the inbound lane of this intersection is blocked, and the westbound lane is operating as an inbound and outbound lane.



## History

### Prior Zoning Request

The previous ordinances regulating this facility are as follows:

- Ordinance No. 77-O-14 – Original special use ordinance establishing the use, but without specific bulk standards.
- Ordinance No. 78-O-43 – Amended original special use to provide for signage and construction of a canopy within required IL Rt. 83 front yard, without specific standards.
- Ordinance No. 80-O-40 – Amended most recent ordinance to permit a canopy encroachment along the IL Rt. 83 front yard to 6'-6" and permit a canopy height of 16'-10".
- Ordinance No. 84-O-12 – Amended previous ordinance to revise the bulk standard setback for a canopy to 51 feet along both IL Rt. 83 and Plainfield Road, revise transition yard setback to 30 feet and the accessory use setback to 15 feet for the construction of a car wash facility, and the upgrading of site signage to conform to Village standards.
- Ordinance No. 94-O-29 – Further amended previous ordinance to revise the specific setbacks and bulk standards for a canopy to 20' and gasoline pump dispenser islands to 29'-6" along IL Rt. 83; revise the bulk standards for a canopy to 26'-10" and gasoline pump dispenser islands to 36'-4" along Plainfield Road; reduce the minimum lot area from three (3) acres to one and 147/1000th hundred (1.147) acres; reduce the rear yard setback to 29'-7" for the existing car wash, 25' feet for the existing attendant kiosk, and 30'-4" for the food mart; revise the transition yard setback to 70' for the refuse storage area, reduce the required screening to a 4' berm with the existing single row of evergreens, 6' in height spaced 5' on center, and the remainder of the transition yard screened with a double row of evergreens, 3' in height spaced 3' on center; reduce the parking area setbacks to 1' for the impervious surface setback; reduce the minimum number of stacking spaces for automobile laundries to 10 stacking spaces; reduce the required minimum access driveway curb radius for two-way driveways intersecting with IL Rt. 83 from 30' to 15'; reduce the minimum separation requirement between an access driveway entrance and an adjoining lot line from 70' to 68'; reduce the minimum access driveway spacing for separate driveways on a lot from 85' to 75'; reduce the minimum access driveway separation from the adjoining street on a corner lot from 85' to zero feet for the access driveway along Plainfield Road, and to 12' for the access driveway along IL Rt. 83; reduce the minimum building height for a sign which projects from the face of the wall upon which it is mounted from 7'-6" to 2'-6"; and reduce the minimum separation for detached accessory buildings from the principal building from 10' to 3'.
- Ordinance No. 20-O-16 – Amended the previous approved ordinance to modernization and enlargement of the existing car wash with the construction of a one-story, 1,351 square-foot automated car wash tunnel, including six (6) new vacuum stations, a new attendant kiosk, and various site and landscaping improvements.

## Overview

### Dumpster Relocation Proposal

The existing car wash has been operating since the mid-1980s. The property owner, Maqpoon Management Inc. acquired the property in 2019 and was approved to modernize the existing car wash which is over 30 years old.



The property owner is requesting an amendment to the previously approved special use to relocate the dumpster enclosure and requests two (2) variations from Title 9 of the zoning code.

The proposed dumpster enclosure will be located on the north side of the property, in the side yard, near the car wash exit. The size of the enclosure will increase from 8' x 8'-4" to 12' x 12'. In order for the dumpster enclosure to be relocated to the north side of the property, two (2) zoning variations have been requested:

1. Section 9-12-2 to decrease the refuse bin permitted encroachment from ten feet (10') to the property line to seven feet (7') from the property line.
2. Section 9-12-2 to allow a refuse bin permitted encroachment into the side yard setback of a B-2 zoning district.

According to the applicants' standards for variation letter, the owner has identified patron experience and safety concerns with the existing enclosure location. The existing dumpster enclosure limits the sight lines for car wash patrons as they move around the accessory structure, essentially blocking the view of automobiles waiting in line for car wash services. The site's buildable area doesn't include many options for a new location. To minimize site impact, the proposed location for the dumpster enclosure, on the north side of the property has been identified where the grade change is less of a challenge and there are no visual impacts for patrons.

The existing dumpster enclosure will be removed entirely and replaced with a curb and expanded planting area with a variety of existing and new landscape shrubs and plantings. The proposed dumpster location has existing landscaping, which was approved by the 2020 landscaping plan. Attached to your packet, is an updated landscaping plan that indicates existing plantings that will be relocated to the current dumpster enclosure location along with several new plantings. A concrete curb will be installed to create the landscape island.

The car wash will still operate its normal hours, 8:00 A.M. to 7:00 P.M. Monday through Sunday. There will be no other changes to car wash circulation, stacking, vacuum positions, or location and number of parking spaces.

#### **Requested Action:**

Approval of an amendment to a special use permit within the B-2 Community Shopping District zoning classification, including certain variations from Title 9 of the Village Code, to relocate the existing dumpster enclosure with associated landscape improvements.

#### **Staff Analysis**

##### **Appropriateness of Use**

The appropriateness of use is something that is considered with each special use. It evaluates the impacts of the use as it pertains to site improvements, but also whether there should be any operational considerations. The current uses on the subject property are a gas station, convenience food mart, and a car wash, and the proposed uses are not changing. The special use amendment requested is only to relocate the dumpster enclosure for the purposes of safety and visibility. The gas station, food mart, and car wash have existed on the subject property for decades, and nothing regarding the property use is changing.

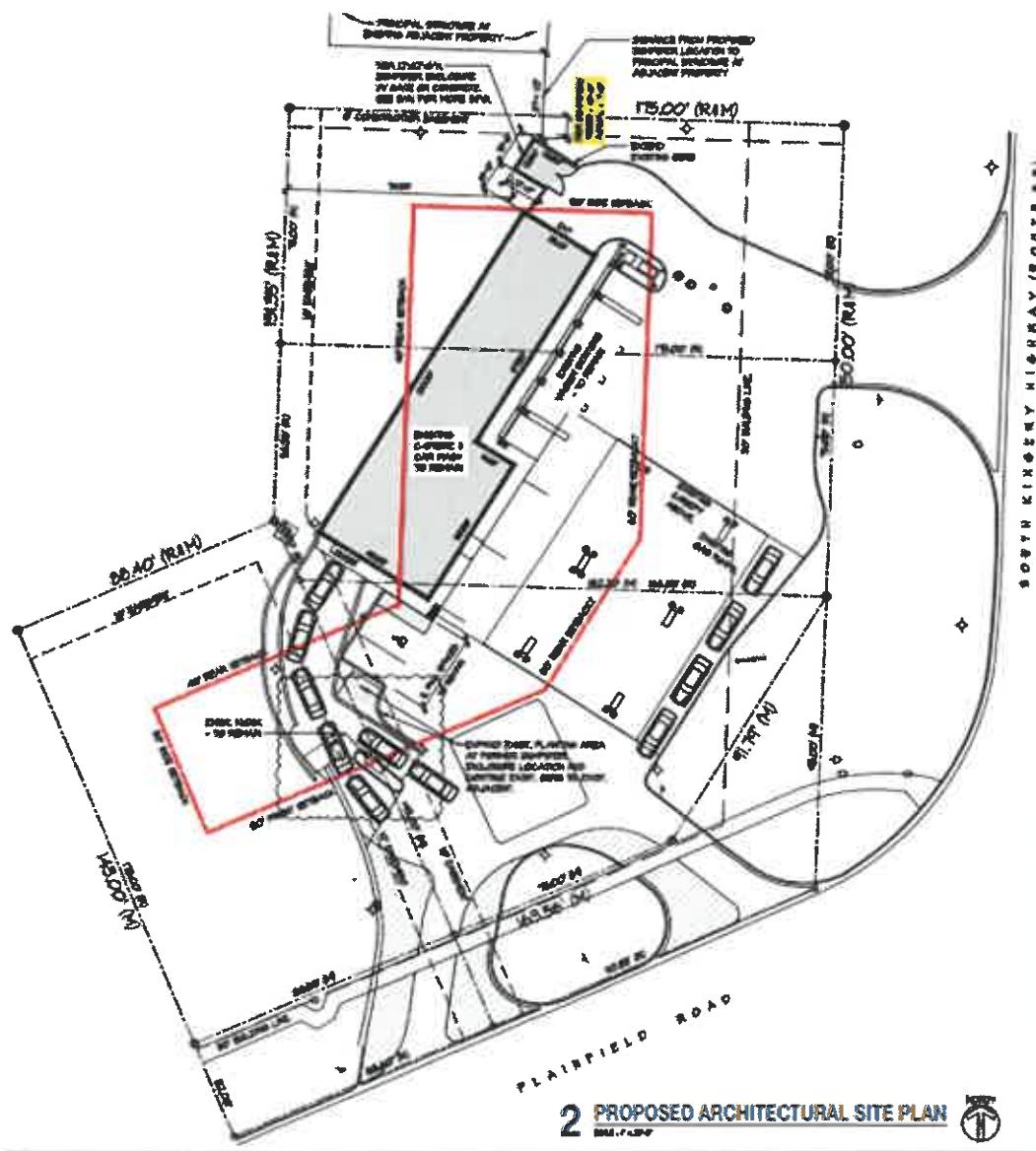


## Site Plan

The petitioner has submitted a site plan depicting the location of the enlarged dumpster enclosure as shown in **Exhibit 4** below. **See attachment 6 & 7 for enlarge site plan.** The proposed location of the 12' x 12' dumpster enclosure will be in the side yard and seven feet (7') from the property line. In addition to amending the previously approved special use to alter the previously approved site plan, the applicant has requested two (2) zoning variations for the proposed location, referenced above.

Section 9-12-2 lists permitted encroachments for accessory structures. Refuse bins are required to be ten feet (10') from the property line and located in the rear yard. One other requirement noted in the code is that all refuse bins are required to be twenty feet (20') from the principal structure on the adjacent property. The property to the north is the Willowbrook Plaza Shopping Center and the new dumpster location is approximately twenty-seven feet (27') from the principal building on the adjacent property.

## **Exhibit 4 Site Plan**

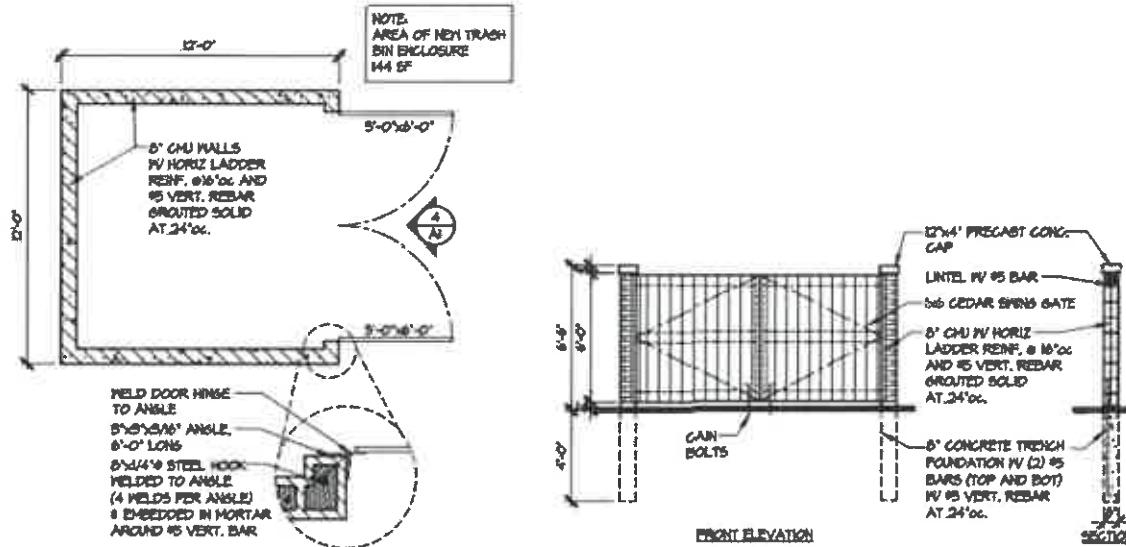




### Dumpster Enclosure Plans

The proposed dumpster enclosure complies with Section 9-12-11 pertaining to the accessory structure itself. The refuse containers will be screened on three (3) sides by a brick wall, six feet, six inches (6'-6") in height with two swing gates and cain bolts to prevent the gates from swinging open, as depicted in **Exhibit 5** below. See attachment 8 for enlarge dumpster enclosure details. The refuse bins area will sit on a new concrete slab. If approved, a permit is required for the construction of the dumpster enclosure and the concrete slab.

**Exhibit 5** Trash Enclosure Plan



**3 TRASH BIN ENCLOSURE PLAN**  
SCALE 1/4" = 1'-0"

**4 TRASH ENCLOSURE ELEVATION**  
SCALE 1/4" = 1'-0"

### Parking & Loading

There are no proposed changes to the existing parking lot. No parking spaces will be added or removed by relocating the dumpster enclosure. The number vacuum positions located on the east side of the car wash tunnel will not be affected either.

### Landscaping

The proposed landscaping is shown in **Attachment 9**. The plan proposes filling in the existing enclosure area with variety of plantings, trees, and shrubs. Most of the site landscaping will remain. The existing woodlands located along the western exterior side yard and rear yards will remain. The existing landscaping where the dumpster is proposed will be relocated to the south entrance/exit off Plainfield Road and in the original dumpster location. Since the request is a minor change, the proposal appears to provide sufficient landscaping.

### Signage

No new signage has been proposed with this application. Any future signage shall comply with the Village Code.

### Engineering

The engineering drawings have been reviewed by the Village's civil engineer consultant, Christopher B. Burke Engineering, Ltd. (CBBEL) who reviewed 50 square feet of impervious surface addition for the installation of a concrete slab. The first review comments from CBBEL included only minor plan clean up comments. The



applicant resubmitted the plans and were approved by CBBEL with no comments. CBBEL will review the permit plans for compliance if the proposal is approved.

### Tri-State Fire District Review

The Tri-State Fire District reviewed the proposed site plan and did not find any significant issues with the proposed site plan.

### Traffic Impact Study

A traffic impact study is not required for the proposal as site traffic will not be impacted by relocating a dumpster enclosure.

---

## Findings of Fact

### Standards for Special Use Permit

Section 9-14-5(B) of the Willowbrook Zoning Ordinance establishes seven (7) standards for a Special Use Permit that must be evaluated by the Plan Commission and Village Board. Recommendations may include conditions of approval if appropriate to mitigate any negative impacts created by the special use permit. The applicant's responses are provided in **Attachment 2**.

### Standards for Variations

Section 9-14-4(E) of the Willowbrook Zoning Ordinance establishes seven (7) standards for variations that must be evaluated by the Plan Commission and Village Board. Recommendations may include conditions of approval if appropriate to mitigate any negative impacts created by the variations. The applicant's responses are provided in **Attachment 3**.

## Summary of New Variations Requested

The purpose of this public hearing is to consider a petition requesting approval of an amendment to an existing special use with the following variations:

- 1) Approval of a variation from Section 9-12-2 to decrease the refuse bin permitted encroachment from ten feet (10') to the property line to seven feet (7') from the property line.
- 2) Approval of a variation from Section 9-12-2 to allow a refuse bin permitted encroachment into the side yard setback of a B-2 zoning district.

## Recommended Conditions of Approval

Based on plans submitted by the petitioner, Staff recommends the following conditions to be included in a motion for this case.

1. A permit for the construction of the dumpster enclosure is required.
2. Final engineering and building plans shall be reviewed and approved by the Village review consultants prior to issuance of a building permit by the Village of Willowbrook.
3. The site shall occur generally in conformance with the site plan, Sheet A1, provided by David A. Schaefer Architects, dated April 28, 2022, revised May 16, 2022.
4. The landscape areas shall occur generally in conformance with the landscape plans, Sheet L1 and L2 provided by Kestrel Design.
5. The trash enclosure shall be constructed to look like masonry and shall appear similar to the color and style of the building.



## Staff Recommendation

Staff supports the requested special use amendment and two (2) variations as proposed with the recommendations listed and recommends the Plan Commission approve the following sample motion:

### Sample Motion

Based on the submitted petition and testimony presented, I move that the Plan Commission forward its Findings of Fact to the Mayor and Village Board for the special use amendment and variations as described in Staff Report prepared for the July 13, 2022, Plan Commission Public Hearing for PC 22-03, and recommend approval of an amendment to the existing special use and requested variations with the Recommended Conditions of Approval listed in the Staff report:

1. A permit for the construction of the dumpster enclosure is required.
2. Final engineering and building plans shall be reviewed and approved by the Village review consultants prior to issuance of a building permit by the Village of Willowbrook.
3. The site shall occur generally in conformance with the site plan, Sheet A1, provided by David A. Schaefer Architects, dated April 28, 2022, revised May 16, 2022.
4. The landscape areas shall occur generally in conformance with the landscape plans, Sheet L1 and L2 provided by Kestrel Design.
5. The trash enclosure shall be constructed to look like masonry and shall appear similar to the color and style of the building.



**Attachment 1**  
**Notice of Public Hearing**  
**(2 pages)**

**NOTICE OF PUBLIC HEARING**  
**ZONING HEARING CASE NO. 22-03**

NOTICE IS HEREBY GIVEN that the Plan Commission of the Village of Willowbrook, DuPage County, Illinois, will conduct a public hearing at a regular meeting of the Plan Commission on the 13th of July 2022 at the hour of 7:00 P.M. in the Willowbrook Police Department Training Room, 7760 S. Quincy St, Willowbrook, IL 60527. However, due to the current circumstances concerning Covid-19, this meeting will be available virtually. Internet address and access instructions will be provided on the Village of Willowbrook's Plan Commission website once available:

<https://www.willowbrookil.org/Archive.aspx?AMID=44>

The purpose of this public hearing shall be to consider a petition requesting approval of an amendment to a special use permit within the B-2 Community Shopping District zoning classification, including certain variations from Title 9 of the Village Code. The applicant seeks to relocate and enlarge the dumpster enclosure with associated site improvements at the property legally described below, located at the northwest corner of the intersection of Illinois Route 83 and Plainfield Road.

LOTS 11, 12, 13 AND 14 IN BLOCK 46 IN TRI-STATE VILLAGE UNIT NUMBER 5, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 23 AND PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1944 AS DOCUMENT 465114, IN DUPAGE COUNTY, ILLINOIS, EXCEPTING THEREFROM ALL THOSE PORTIONS GRANTED, CONVEYED AND DEDICATED TO THE STATE OF ILLINOIS PER DOCUMENTS R61-19732 AND R61-21445.

Described Property Contains 1.147 Acres

PINs: 09-23-310-024 and 09-23-310-025

ADDRESS: 7000 S. KINGERY, WILLOWBROOK IL 60527

The applicant for this petition is David Schaefer, for the property owner Maqpoon Management, Inc. (Mahboob Abbas).

Copies of the application and related documentation are on file in the office of Community Development, Village of Willowbrook, 835 Midway, Willowbrook, Illinois, and are available for public inspection. Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook should contact Michael Krol, Village of Willowbrook, 835 Midway, Willowbrook, IL 60527, or call (630) 920-2262, Monday through Friday, between 8:30 A.M. and 4:30 P.M., within a reasonable time before the meeting. Requests for sign language interpreters should be made a minimum of five working days in advance of the meeting.

All persons desiring to be heard in support or opposition to the application shall be afforded an opportunity and may submit their statements orally, in written form, or both. This hearing may be recessed to another date if not concluded on the evening scheduled.

CLASSIFI

Public Hearings

Public Hearings

NOTICE OF PUBLIC HEARING  
ZONING HEARING CASE NO. 22-03

NOTICE IS HEREBY GIVEN that the Plan Commission of the Village of Willowbrook, DuPage County, Illinois, will conduct a public hearing at a regular meeting of the Plan Commission on the 13th of July 2022 at the hour of 7:00 P.M. in the Willowbrook Police Department Training Room, 7760 S. Quincy St, Willowbrook, IL 60527. However, due to the current circumstances concerning Covid-19, this meeting will be available virtually. Internet address and access instructions will be provided on the Village of Willowbrook's Plan Commission website once available:

<https://www.willowbrookil.org/Archive.aspx?AMID=44>

The purpose of this public hearing shall be to consider a petition requesting approval of an amendment to a special use permit within the B-2 Community Shopping District zoning classification, including certain variations from Title 9 of the Village Code. The applicant seeks to relocate and enlarge the dumpster enclosure with associated site improvements at the property legally described below, located at the northwest corner of the intersection of Illinois Route 83 and Plainfield Road.

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All persons desiring to be heard in support or opposition to the application shall be afforded an opportunity and may submit their statements orally, in written form, or both. This hearing may be recessed to another date if not concluded on the evening scheduled.

/s/ Brian Pabst  
Village Administrator  
(630) 920-2261

Published in the June 27, 2022 edition of The Chicago Sun-Times Newspaper.  
6/27/2022 #1145336

## LEGAL

## Public Notices

## LEGAL NOTICE

THE OHIO DIVISION OF SECURITIES, PURSUANT TO OHIO REVISED CODE CHAPTER 1707 AND CHAPTER 119, HAS ISSUED A NOTICE OF OPPORTUNITY FOR HEARING TO BOTSTMPMININGFX ON MARCH 14, 2022, UNDER DIVISION ORDER 22-003. THE NOTICE ALLEGES THAT BOTSTMPMININGFX VIOLATED THE FOLLOWING SECTIONS OF THE OHIO REVISED CODE: SECTION 1707.44(B)(4) BY KNOWINGLY MAKING FALSE REPRESENTATIONS CONCERNING A MATERIAL FACT FOR THE PURPOSE OF SELLING SECURITIES IN THIS STATE, AND SECTION 1707.44(G) BY, IN SELLING SECURITIES, KNOWINGLY ENGAGING IN ACTS WHICH WERE FRAUDULENT. BOTSTMPMININGFX IS ENTITLED TO A HEARING IN THIS MATTER AT WHICH THEY MAY APPEAR IN PERSON, BY AN ATTORNEY, OR IN WRITING, AND MAY PRESENT EVIDENCE AND EXAMINE WITNESSES. THE REQUEST FOR HEARING MUST BE RECEIVED BY THE DIVISION WITHIN 30 DAYS FROM THE LAST DAY OF PUBLICATION OF THIS NOTICE, IN ACCORDANCE WITH OHIO REVISED CODE CHAPTER 119. A COPY OF THE COMPLETE NOTICE IS AVAILABLE FROM THE OHIO DIVISION OF SECURITIES, 77 SOUTH HIGH STREET, 22ND FLOOR, COLUMBUS, OHIO 43215-6131. 6/13, 6/20, 6/27/2022 #1145036

"Notice is hereby given to DWAYNE G. A. WILSON that a suit Case #2022D230111 has been filed against you in the Circuit Court of Cook County, Domestic Relations Division. You are hereby noticed that you must file your Appearance and Response at the District 2-Skokie Court, 5600 Old Orchard Rd., Skokie, IL 60077 or before July 11, 2022. Failure will cause a default to be entered and Judgement in accordance with the prayer of said Complaint. Prepared by Jureitha Shambee (630-6145) Shambee Law Office, Ltd., 701 Main St., Ste. 201A, Evanston, Illinois 60202 (773) 741-3602".  
6/13, 6/20, 6/27/2022 #1145023

STATE OF WISCONSIN  
CIRCUIT COURT-SMALL  
CLAIMS - MILWAUKEE  
COUNTY

To: Mason Zeri  
422 Hummingbird Ln.  
Bolingbrook, IL 60440

## SMALL CLAIMS

## PUBLICATION SUMMONS

Case No. 2022SC011130  
You are being sued by Plaintiff Karademas Enterprises II, LLC in the Small Claims Court for Milwaukee County, Milwaukee County Courthouse, Courtroom 400, 901 North Ninth Street Milwaukee, Wisconsin, 53233. hearing will be held at 8:30 a.m. on July 14, 2022 before a Small Claims Commissioner. If you do not appear, a judgment may be given to the person suing you. A copy of the claim has been mailed to you at the address above.

David Karademas  
4532 N. Wilson Drive  
Shorewood, WI 53211  
(414) 383-5077  
Attorney for the Plaintiff or  
Plaintiff  
6/27/2022 #1144868

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GREAT NEW HOME

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Matt Wozny at 630.841.8373 or mwo



### Attachment 2

#### Special Use Standards and Findings for PC 22-03 Shell/Ducky's Dumpster Enclosure

##### **9-14-5(B): Standards for Special Use**

The Plan Commission shall not recommend and the Board of Trustees shall not grant a Special Use Permit from the regulation of this title unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon, that:

- (A) That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

**Applicant Finding:** The proposed new, relocated dumpster enclosure will not be detrimental nor endanger the public. When completed, this improvement will further enhance the functionality and safety of this facility.

**Staff Finding:** The Village previously approved a special use permit for a gas station on the subject property in 1977, and subsequently amended the special use permit on several occasions to approve a car wash use and food mart use in 1980, 1984, 1994, 2001 respectively. These facilities have operated on the subject property for many years without endangering the public health, safety, morals, comfort, or general welfare.

- (B) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

**Applicant Finding:** The proposed new, relocated dumpster enclosure will not be injurious nor diminish property values. The property is currently established as a gas station and car wash. We are only looking to improve the facility.

**Staff Finding:** The existing car wash has currently operated in harmony with the surrounding properties. The area to the north of the site is established as retail shops. The area northwest is zoned B-1 and is vacant, and is most likely undevelopable. Illinois Route 83 and Plainfield Road are substantial buffers to the properties located to the east and south. The area to the northeast is zone B-2 and is occupied by the Pete's Fresh Market/Willows Shopping Center, as well as the BP gas station and car wash on the northeast corner of the intersection.

- (C) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

**Applicant Finding:** The property is currently established as a gas station and car wash. We are only looking to improve the facility.

**Staff Finding:** The existing car wash has currently operated in harmony with the surrounding properties. The area to the north of the site is established as retail shops. The area northwest is zoned B-1 and is vacant, and is most likely undevelopable. Illinois Route 83 and Plainfield Road are substantial buffers to the properties located to the east and south. The area to the northeast is zone B-2 and is occupied by the Pete's Fresh Market and out-lot, as well as the BP gas station and car wash on the northeast corner of the intersection.



- (D) That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.**

**Applicant Finding:** The property is currently established as a gas station and car wash. We are only looking to improve the facility. All utilities, drainage, and facilities will comply with code.

**Staff Finding:** The site has been and will continue to be serviced by all necessary utilities and drainage facilities, which are adequate for the existing facility.

- (E) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.**

**Applicant Finding:** The property has more than adequate ingress and egress. The limited scope of this project (dumpster enclosure relocation) has no impact on public street congestion.

**Staff Finding:** There is no traffic impact on the relocation of the dumpster enclosure.

- (F) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.**

**Applicant Finding:** The proposed addition will conform to all codes and regulations.

**Staff Finding:** The special use amendment shall in all other respects conform to the applicable regulations of the district in which it is located. The dumpster relocation will comply with the regulations of the zoning ordinance, pending approval of the requested variations.

- (G) Conditions in the area have substantially changed, and at least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site. (Ord. 97-O-05, 1-27-1997).**

**Applicant Finding:** To the best of my knowledge, there have been no previous application denials within the last year.

**Staff Finding:** Conditions in the area have substantially changed due to the development of Pete's Fresh Market/Willows Shopping Center. At least one year has elapsed since any denial by the Village Board of any prior application for a special use permit that would have authorized substantially the same use of all or part of the site.



### Attachment 3

#### Variation Standards and Findings for PC 22-03 Shell/Ducky's Dumpster Enclosure

##### **9-14-4(E): Standards for Variations**

The Plan Commission shall not recommend and the Board of Trustees shall not grant variations from the regulation of this title unless affirmative findings of fact shall be made as to all of the standards hereinafter set forth, which findings of fact shall be based upon evidence adduced upon the hearing held thereon, that:

- (A) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.**

**Applicant Finding:** The facility was recently renovated to provide an improved patron experience. Since the completion of this renovation, the owner has identified a patron experience/safety concern. The existing trash enclosure limits the sight lines for patrons as they move around the trash enclosure, leaving them unable to see what is around the corner (of the trash enclosure). The owner is looking to eliminate the potential of this safety issue.

**Staff Finding:** The Village approved prior special use permit requests and numerous variations on the subject property for the food mart, gasoline pump dispensers, gas station canopy, attendant kiosk, and refuse storage area as the Village has found that the property cannot yield a reasonable return on several prior occasions.

- (B) The proposed variation will not merely serve as a convenience to the applicant but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to property within the same district.**

**Applicant Finding:** The site's buildable area and the location of the existing building on the site does not provide reasonable options for the location of a dumpster enclosure. The southwest portion of the buildable area has a steep grade change that would require the construction of a substantial retaining wall. In order to minimize impact to the site, a location towards the rear of the building, on the north side (outside of the buildable area) has been identified where the grade change is less of a challenge and there is no visual impairment for patrons.

**Staff Finding:** The subject property is highly irregular in shape and is encumbered by steep grades along the western portion of the property. The north side of the property will be less visible for patrons and eliminate the visibility concern.

- (C) The alleged hardship has not been created by any person presently having a proprietary interest in the premises.**

**Applicant Finding:** For the recent facility renovation project, site challenges were identified that required use of the Village's variance process. Since the completion of that renovation project, a patron experience/safety concern has been identified that was not originally anticipated. Therefore, no additional variation request for the approval of a better dumpster location was requested as part of the original renovation project.

**Staff Finding:** The hardship to the applicant is created by the site's irregular site configuration and relocating the dumpster to a less visible area that is set almost behind the building.



**(D) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.**

**Applicant Finding:** The proposed site enhancement will not be detrimental nor injurious to the neighborhood. When completed, this improvement will further enhance the recently renovated car washing experience for its patrons.

**Staff Finding:** The proposed dumpster enclosure relocation will not be detrimental to the public welfare nor injurious to other property or improvements in the neighborhood.

**(E) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.**

**Applicant Finding:** Adjacent neighbors are far enough away that the proposed addition will not impact their light and air nor will it substantially increase traffic or the risk of fire.

**Staff Finding:** The proposed variations will not impair the supply of light and air to adjacent properties. The proposed variations do not create any danger to public safety or increase the danger of fire.

**(F) The proposed variation will not alter the essential character of the locality. (Ord. 77-O-4, 2-14-1977)**

**Applicant Finding:** The building and use are already existing, the owner is only looking to improve patron experience and safety.

**Staff Finding:** The building and use are existing, the request is for a minor change to the dumpster location.

**(G) The proposed variation is in harmony with the spirit and intent of this title. (Ord. 97-O-05, 1-27-1997)**

**Applicant Finding:** Approval of the proposed variations will comply with the intent of Title 9 as explained above.

**Staff Finding:** The proposed variations will allow a safer patron experience of the existing use and will result in the continued use of a convenient, safe, tax-productive and aesthetic use of the property.



**Attachment 4**  
**Legal Description**

PINS:

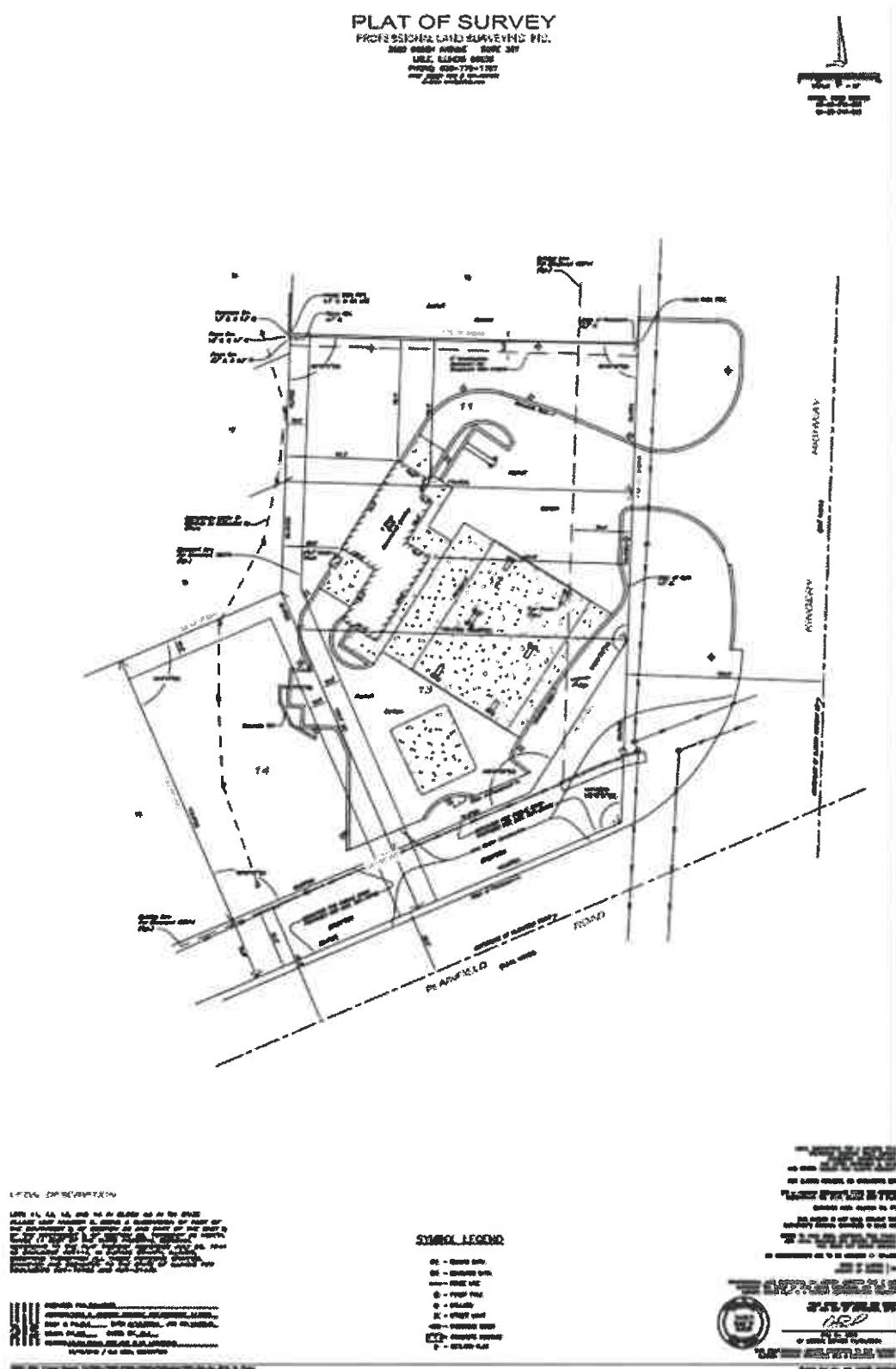
09-23-310-024  
09-23-310-025

LOTS 11, 12, 13 AND 14 IN BLOCK 46 IN TRI-STATE VILLAGE UNIT NUMBER 5, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 23 AND PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1944 AS DOCUMENT 465114, IN DUPAGE COUNTY, ILLINOIS, EXCEPTING THEREFROM ALL THOSE PORTIONS GRANTED, CONVEYED AND DEDICATED TO THE STATE OF ILLINOIS PER DOCUMENTS R61-19732 AND R61-21445.



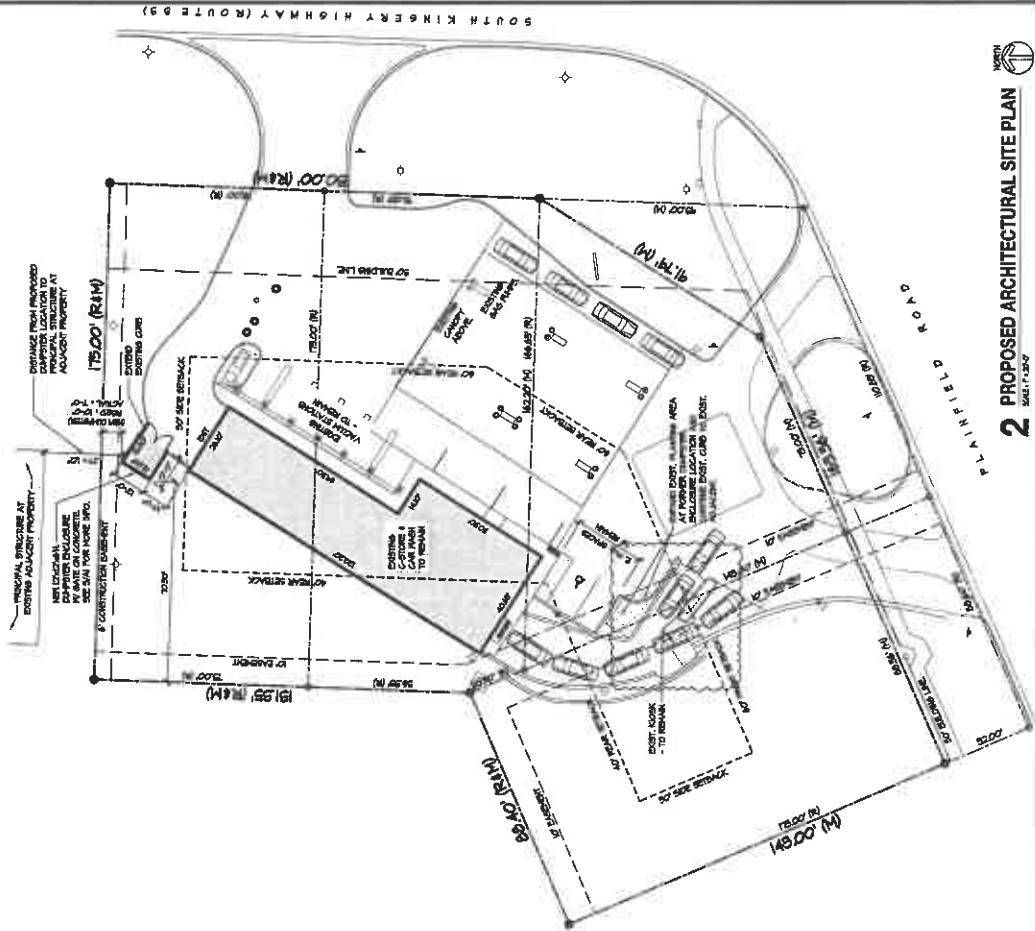
## Attachment 5

### Plat of Survey

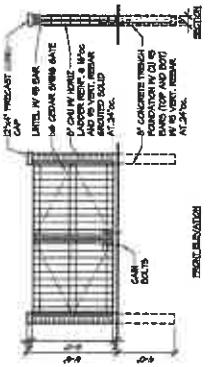




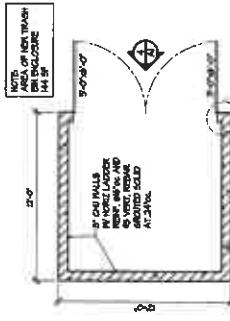
**Attachment 6**  
Site Plan  
(1 Sheet 11x17)



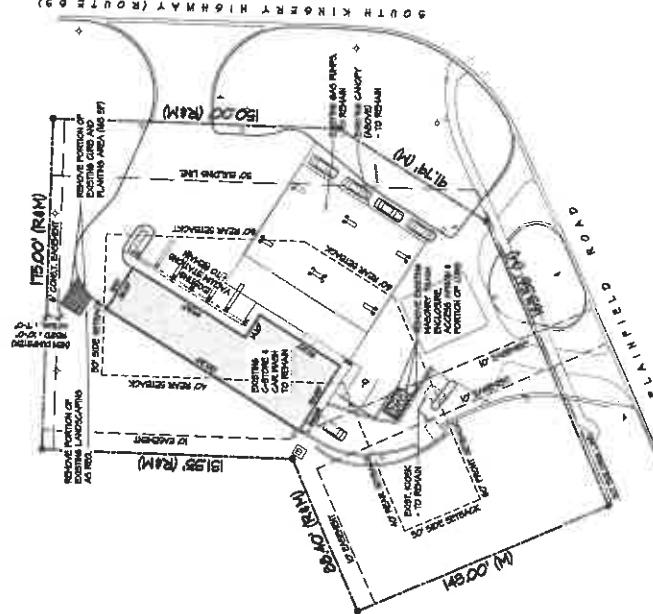
**2 PROPOSED ARCHITECTURAL SITE PLAN** scale 1:200



## 4 TRASH ENCLOSURE ELEVATION



### **3 TRASH BIN ENCLOSURE PLAN**

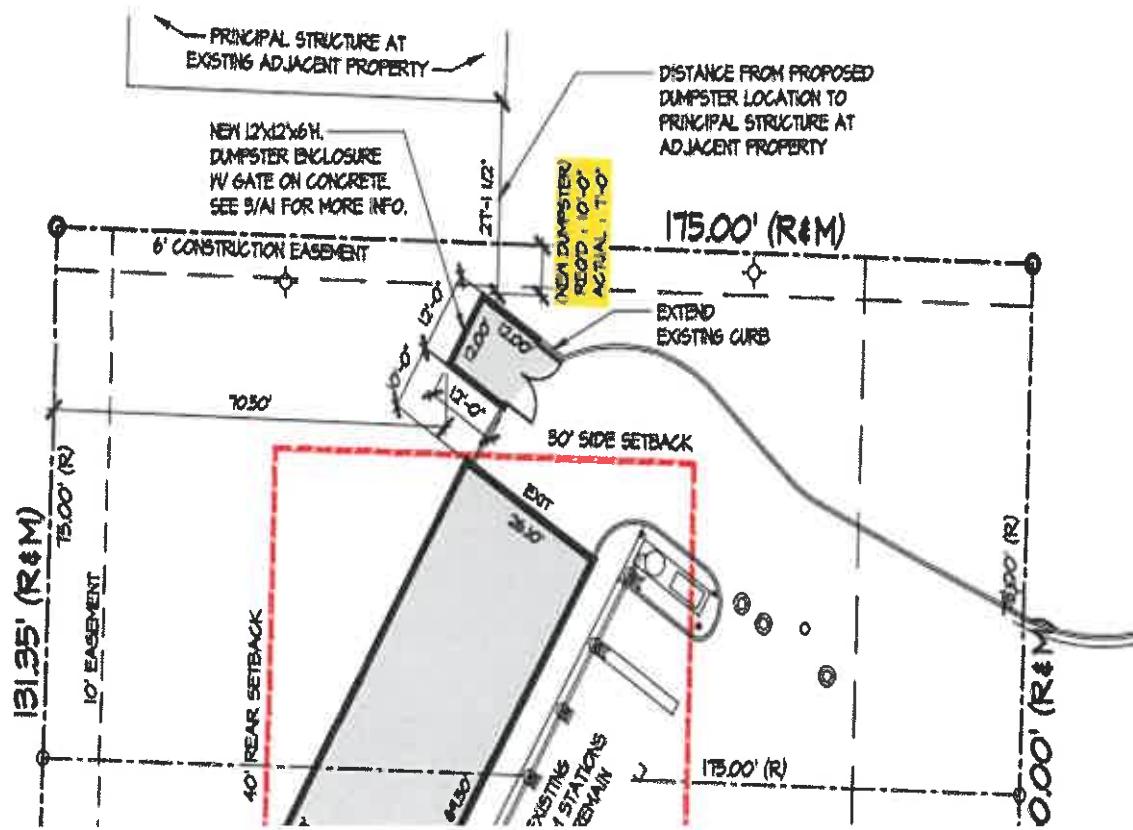


# DEMOLITION SITE PLAN

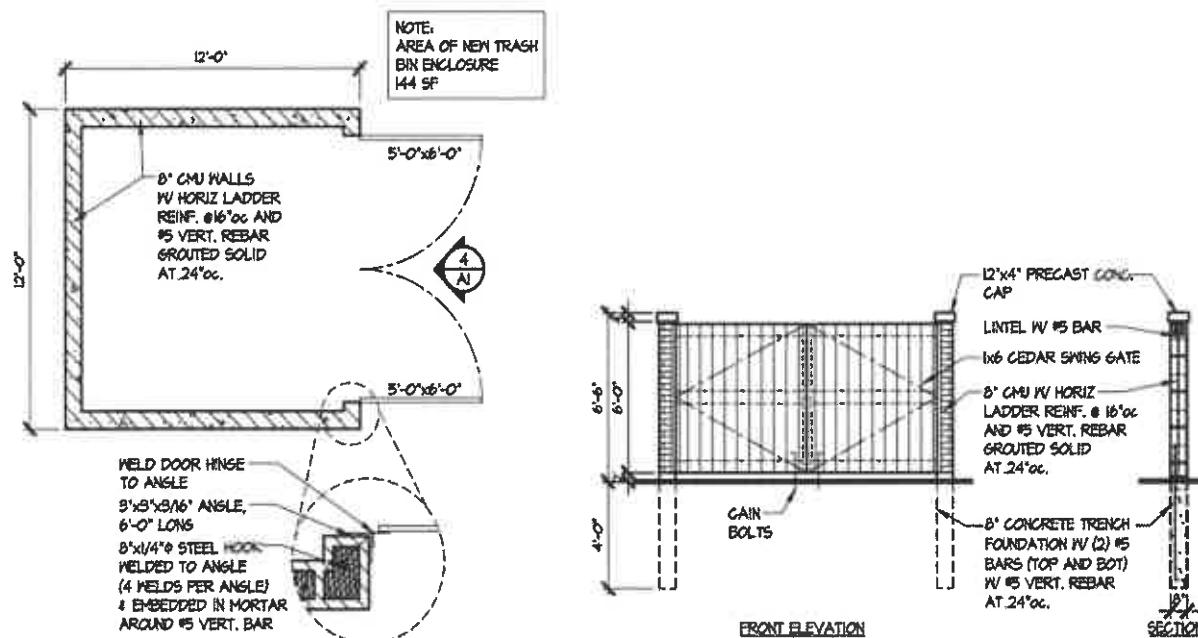


## **Attachment 7**

### **Enlarged Site Plan**

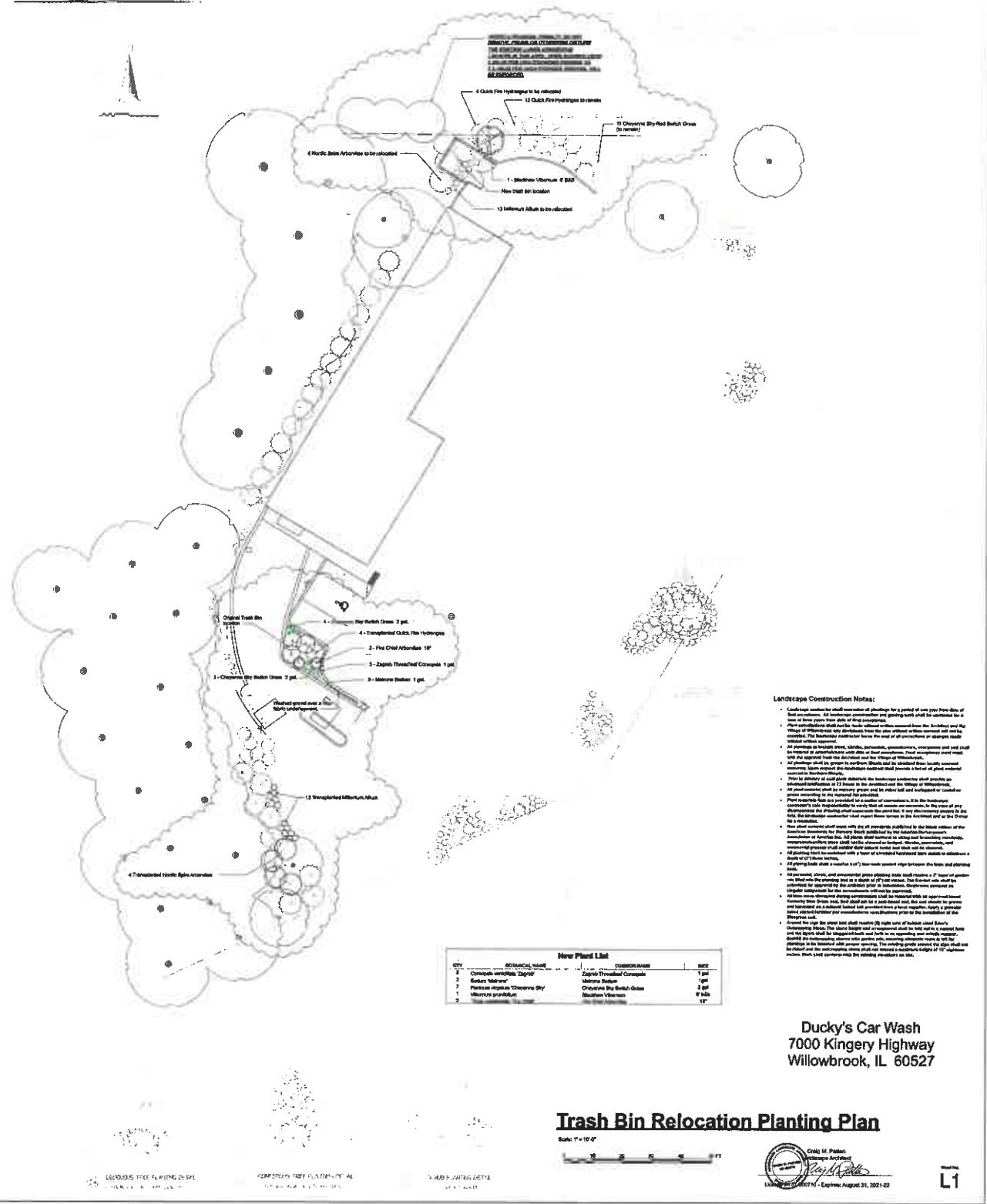


**Attachment 8**  
Enlarged Dumpster Enclosure Details



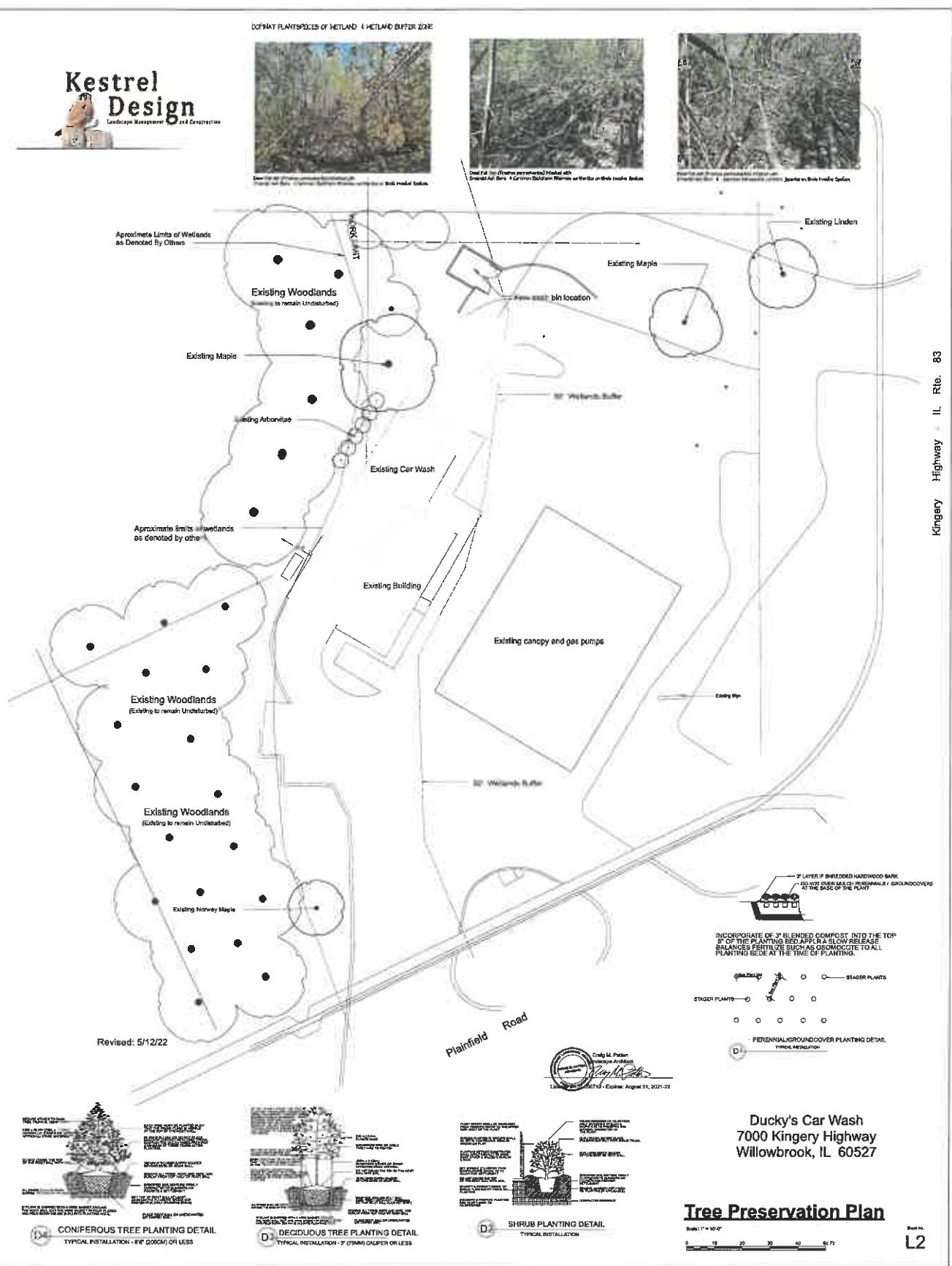


**Attachment 9**  
Landscape Plan  
(1 Sheet 11x17)





**Attachment 10**  
Tree Preservation Plan  
(1 Sheet 11x17)





**Attachment 11**  
**Engineering Plans**  
**(2 Sheets 11x17)**







**Attachment 12**  
**Engineering Review Letter**



**CHRISTOPHER B. BURKE ENGINEERING, LTD.**  
9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

June 17, 2022

Village of Willowbrook  
835 Midway Drive  
Willowbrook, IL 60527

Attention: Mike Krol

Subject: 7000 Kingery – Trash Enclosure Relocation  
(CBBEL Project No. 900144.H211)

Dear Mike:

As requested on June 17, 2022, we have reviewed the engineering plans for the above referenced property prepared by Bono Consulting, Inc. and dated June 16, 2022. Our previous comments have been addressed and we have no objection to the Village issuing a permit for the proposed project.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that appears to read 'Daniel L. Lynch'.

Daniel L. Lynch, PE, CFM  
Head, Municipal Engineering Department



**Attachment 13**  
**Tri-State Fire Protection District Review Letter**



June 1, 2022

Village of Willowbrook  
Attn: Karen Stonehouse, AICP  
835 Midway Drive  
Willowbrook, IL 60527  
630-323-8215

[planner@willowbrook.il.us](mailto:planner@willowbrook.il.us)  
[mariana@das-architects.com](mailto:mariana@das-architects.com)

**RE: Special Use Site Plan Review- Dumpster Relocation**  
Just Ducky Car Wash  
7000 Kingery Highway  
Willowbrook, IL 60527

To whom it may concern,

We have received a copy of the site plans for the dumpster relocation for the above listed project. After review, we have no comment and have no issues with this project.

Necessary inspections are to be performed along with any outstanding fees paid before occupancy is granted.

*The Bureau of Fire Prevention has been asked to review the plans, specifications or other documents submitted to see if compliance has been made with the Fire Prevention Codes and Ordinances of the Tri-State Fire Protection District. Errors or omissions by representatives of the Bureau of Fire Prevention do not constitute permission to cancel, set aside or waive any provision of any applicable Code or Ordinance of the Tri-State Fire Prevention District. Approvals by the Bureau of Fire Prevention will be in writing only.*

Sincerely,

Chris Drews  
Plan Review Specialist  
Bureau of Fire Prevention  
[cdrews@tristatefd.com](mailto:cdrews@tristatefd.com)  
630-654-6284

