

MINUTES OF THE JOINT MEETING OF THE MAYOR AND BOARD OF TRUSTEES AND PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, NOVEMBER 21, 2022, AT 5:30 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 5:30 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those physically present at roll call were Mayor Frank Trilla, Village Clerk Deborah Hahn, Village Trustees Mark Astrella, Sue Berglund, Umberto Davi, Gayle Neal, and Greg Ruffolo, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga and Director of Community Development Michael Krol.

Trustee Michael Mistele arrived at 5:55 p.m.

Members of the Plan Commission physically present: Chairman Daniel Kopp, Vice-Chairman John Wagner and Commissioners Zoltan Baksay, Ron Kanaverskis, Leonard Kaucky and Mike Walec.

Also present were Jackie Wells, Project Manager, and Samantha Lenoach from Houseal Lavigne.

Present via conference call, due to the COVID-19 pandemic: Commissioner Catherine Kaczmarek.

Absent: none.

MOTION: Made by Trustee Neal and seconded by Trustee Davi to allow Commissioner Kaczmarek to attend the meeting remotely.

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

MOTION DECLARED CARRIED

A QUORUM WAS DECLARED

3. VISITOR'S BUSINESS

None present and no written comments were received.

4. DISCUSSION - Zoning Code Update

Village Administrator Halloran introduced the topic and indicated this would be the final meeting. He thanked everyone for their time and

diligence. He indicated there will be a plan commission meeting and public hearing on December 7th and the next Board meeting on December 19th. Tonight is an opportunity to make final changes, although additional, last-minute changes could be made at the plan commission meeting as well, prior to the Board adopting the code.

Tonight, we'll be covering the changes made to the Definitions chapter, although if the Board or Commissioners have questions on any of the other chapters, tonight is a final opportunity to discuss and make changes as a group.

Ms. Wells from Houseal Lavigne began with an overview of the Definitions chapter and clarification on definitions which had been added, revised to correspond to the use tables, irrelevant definitions eliminated, and/or updates based on discussions at the previous meeting.

Further revisions that will be made:

- Definition of building height and average surrounding grade is incorrect and will be updated
- Definition of picker/junker/scavenger/scavenging will be added and added to the list of prohibited home occupations
- Definition of "Agriculture" will be updated to clarify that cannabis as a crop is not included
- Definition of firearm will be revised to match the ATF and gun control definition

With that, Ms. Wells opened the floor to questions. Vice Chairman Wagner asked for clarification on the Accessory Structure nomenclature, particularly in defining detached, attached and internal in the Definitions chapter. His concern was that with the new phrasing of the ordinance, a resident could not have both a detached garage and a storage shed. Ms. Wells indicated that there is an allowance for both an Accessory Building which would be the garage, and an Accessory Structure which would cover the shed. The ordinance allows for one Accessory Building, but multiple Accessory Structures based on a percentage of the square footage of the footprint of the primary dwelling.

Vice Chairman Wagner felt that two Accessory Buildings should be allowed with size limitations. Ms. Wells indicated that currently the size is not specifically defined, but rather requested input on whether to indicate by area of structure or percentage of home size. The consensus of the group is to allow two Accessory Buildings, remove the 900 square foot limit, and limit the overall density of the structures to 75% of the primary dwelling footprint.

The suggestion was also made to more clearly define what constitutes an Accessory Building from and Accessory Structure and what would and would not be allowed as each, e.g., shipping containers as an accessory structure. The Board and Commissioners agreed the language should be clarified.

Trustee Neal asked for clarification on allowable encroachments, particularly the meaning of "architectural entry monument", that perhaps it needed a definition. Ms. Wells indicated that definition could be added.

A question was raised on the varying heights of accessory buildings, dwellings, structures, etc. Do we want to standardize the height of those structures, or do we want to allow them to be taller? The consensus was to standardize them at 20 feet in height.

The question was asked whether cannabis would be added to the definition of agriculture to better define "crops". Ms. Wells indicated it would. After further discussion, the group felt the definition for agriculture could be removed altogether, however wording needs to be added that although gardens would be permitted, the keeping of livestock would not be permitted.

An additional question was raised on the definition of "average surrounding grade" and conflicts with the actual building height standards. Ms. Wells indicated that while they updated the building heights standards, they failed to update the corresponding definitions. She assured the group it would be updated for consistency with the chapter. Clarification was requested on the updated process for determining average height. The new regulations indicated the height is determined from the average height of the curb at the front, center point of the lot, which establishes grade. There was a strong objection to this measurement as the grade of the lot can vary considerably from the curb to the setback where the residence is built. Ms. Wells suggested that language could be added in to allow for discretionary allowances by the Village officials. She referenced Chapter 3, Section 9-3-01(D) for examples of determining height.

Overall, the group felt that the new code to use the average curb height to determine building height was the most flexible, but that language should be added to allow for variations.

Another option was brought up that the average of the lot height could be taken before the grading of the property was completed, i.e., pre-construction, to determine the maximum overall building height. This

avoids the issue of a lot on which the grade varies considerably from the curb height. The Board and Commissioners felt this option was viable.

Returning to the Definitions, a discussion was had on the term "brew pub" and how many barrels could be produced and the actual size of a "barrel". A barrel was determined to be a standard size measurement for brewing which the Mayor thought was 15½ gallons. The consensus was to remove the barrel limit and leave only the accessory use gross floor area percentage.

The suggestion was made was to remove the definition of Curb Level as it would no longer be used for the determination of building height.

Under the "F" definitions, a change will be made to "Firearms" to match the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) definition of firearms.

Regarding the definition of Habitable Elevation, a question was raised on whether "living purposes" meant for humans only. Ms. Wells stated that this definition was taken from the current code and could be updated in any manner required.

Moving on to the definitions under "O", for the term "Outdoor Storage, Permanent", the reference to "trucks" should specify that the type of truck would be one that required a Class B commercial driver's license (Class B – Single vehicle with a GVWR [Gross Vehicle Weight Rating] of 26,001 or more pounds) or greater in order to eliminate restricting pickup trucks.

The discussion continued with the letter "P", "Parking of Trailer, Boats and Other Vehicles". A question was raised on conflicting areas of the code regarding the location and duration for parking of trailers.

Ms. Wells clarified the question. Parking would be allowed on a permanent basis to the rear of the home, within buildable area of the lot. The trailer or other vehicle must be on a hard surface, such as a concrete pad or asphalt. On a temporary basis, a trailer could be parked in a driveway or other area outside the buildable area. A permit would be required for temporary parking only, for those items parked outside of the buildable area of a lot, not those parked on a permanent basis as described above. Ms. Wells also stated that they would review those sections to ensure there are no conflicting statements.

There were no further questions or comments on the balance of the definitions.

Ms. Wells indicated that she wanted to go over those areas which had been brought up in previous meetings for revision which were now incorporated.

In Chapter 3: District Specific Standards, the following revisions were incorporated:

- The original request was to "Building height measurement method updated to be measured at average grade of curb, not lot
 - *Will be further refined to explain how to measure average grade of curb*"
- This will be updated again to base the height measurement on the average height of the lot, based on the height of the four corners, prior to construction
- Existing lot averaging standards added in
- Transition standards added for infill development to ensure scale of new homes is consistent with scale of neighboring homes
 - *Related diagram will be included in the final draft*
- Short term rentals included in use table but not allowed in any district
- Community gardens eliminated from use table and use specific standards
- Portable outdoor storage devices (PODs) added to temporary use list

There were no additional questions or discussion on Chapter 3.

Chapter 4: Use Specific Standards was revised as follows:

- Food trucks included as:
 - *Accessory uses to breweries, wineries, and distilleries*
 - *Temporary uses with use specific standards (not allowed in residential districts)*
 - *Allowed as a part of special events that received a special event permit (could be allowed in a residential district)*
- Drive through separation of 400 feet from residential required unless otherwise approved through the special use permit process, stacking requirements for car washes 100+ feet long added
- List of prohibited home occupations refined and augmented
- Further revisions that will be made:
 - *Max square footage of accessory building will be added*
 - *Adult use cannabis standards will be added*

A change was requested in chapter 4, Section X, Item (D) Accessory Structures, Point (3)(a), "Not over an easement" to include "Not over an easement unless allowed by grantee."

There were no further questions or comments regarding Chapter 4.

There was some additional discussion and clarification requested for Chapter 5: Development Standards. Building Material Requirements are part of the current code. In the updated code, a percentage was added to help alleviate having a solid wall, whether brick, stone or siding, facing a street. This will apply to new development only.

Building Material Requirements

Table 9-5-06(B): Exterior Building Cladding Materials

District	Building Façade Elevation	Masonry (1)	Lap Siding, Stucco (2)	EIFS, Concrete	Architectural Metal Siding (3)	Vinyl Siding, Unfinished Concrete Block
R-4, R-5, B Districts	Front, Exterior Side	Min. 50%	Max. 50%	Max. 15%	Max. 15%	Not permitted
	Interior Side	Min. 25%	Max. 75%	Max. 25%	Max. 25%	Not permitted
	Rear	Any % allowed	Any % allowed	Max. 25%	Max. 25%	Max. 25%
LOR, M-1, I Districts	Front, Exterior Side	Min. 30%	Max 60%	Max. 30%	Max. 30%	Not permitted
	Interior Side	Any % allowed	Max. 80%	Max 40%	Max 40%	Not permitted
	Rear	Any % allowed	Any % allowed	Max. 40%	Max. 40%	Max. 40%
Notes						
(1) Masonry shall include brick, stacked stone, stone, stone masonry units, and architectural concrete masonry units.						
(2) Lap siding shall include cementitious fiber board.						
(3) Architectural metal siding shall not be corrugated.						

Additional revisions incorporated in Chapter 5 include:

- EV charging station parking spaces allowed to count toward minimum but not required nor incentivized
- Bicycle parking requirements eliminated
- Interior parking lot landscape requirements revised to require end caps only - no islands or medians
- Maximum driveway width revised to 33 feet (current allowance) and garage access drive eliminated
- Existing surfacing requirements for driveways included but revised per Village staff recommendation
- Fence standards revised
 - Front Yard: 4-foot max height, 7-foot setback from property line, 50% opaque

- Exterior Side Yard: 6-foot max height, 7-foot setback from property line, 100% opaque
- Chain-link removed as allowed fence material in front and exterior side yards
- Vegetation removed as allowed fence material in all yards
- Wind resistance standards enhanced for fences taller than 6 feet
- 8-foot fence allowance removed for properties adjacent to 63rd St
- Clear Sight Triangle standards added
- Sidewalk requirements section added

Administrator Halloran had additional comments regarding sidewalk requirements. Having met with the Mayor, Commissioner Wagner, and Trustee Neal, there is some concern over mandating sidewalks, not for new subdivisions, but rather for new individual residences. Rather than requiring a new sidewalk be built, or fee in lieu, where it might be the only stretch of sidewalk on a block, mandate a fee for future public improvements within the Village. No decision needs to be made on just how to implement this tonight, but rather change the code so it is initially published with just the mandatory fee, not a sidewalk building requirement.

A discussion ensued about the sidewalk options available to a new home builder. The consensus of the Trustees and Commissioners appeared to favor leaving the option for an individual home builder to install a sidewalk or pay the fee in lieu.

In Chapter 6: Sign Standards, the following requested revisions were incorporated:

- Feather signs removed as allowed sign type and included in prohibited signs list
- Searchlights added as prohibited sign type
- Ground mounted banner signs revised to:
 - *Ground mounted temporary sign*
 - *Max sign area of 32 square feet*
 - *Max height of 8 feet*
- Permanent sign copy area of monument signs with electronic message boards (EMB) revised from 1/3 to 2/3s of total sign area (permanent and EMF combined)

The Mayor questioned whether the sign ordinance was made broader or whether it is about as restrictive as it was. Ms. Wells indicated it appears to be slightly less restrictive. The number of signs per business was increased but the square footage of the signage was kept the same. Ms. Wells also indicated that there is a process for appeal in the code to

submit a request for a variance of the sign ordinance that would allow greater flexibility.

Commissioner Baksay noted that the code includes restrictions on "attention getting" signage, but that phrase is not included in the definitions. Ms. Wells indicated that there is a standard definition which could be included in the code.

In Chapter 7: Subdivision Standards and Procedures, the revisions incorporated include:

- Committee of the Whole removed from the review and approval process for Major Subdivisions
- Sidewalk specifications removed from this section and included in Development Standards section - requirement for sidewalks still included in subdivision section

Based on the previous discussion of sidewalks, this section may be revised as well. Ms. Wells will provide an update.

Chapter 8: Planned Development Standards and Procedures includes the following revisions:

- Affordability eliminated as modification standard
- Committee of the Whole removed from PD approval process

The revisions included in Chapter 9: Zoning Procedures are:

- Building height removed as allowed administrative exception
- Committee of the Whole removed from all zoning procedures
- Comprehensive Sign Plan process revised to require a public hearing with the Plan Commission and approval by the Village Board

The only revision included in Chapter 10: Nonconformities is:

- Reconstruction of nonconforming single family detached homes destroyed by fire, or other act of God, allowed if rebuild process initiated with the Village within 12 months of incident

In addition to the zoning code revisions, a revision was made to the Village zoning map. One area previously zoned R1 was changed to an R2 area.

Ms. Wells asked for any additional questions or concerns. She reminded the group that the Plan Commission will hold the public hearing on December 7th, then present the ordinance to the full Board at the regular meeting

on the 19th. Before those meetings, Houseal Lavigne will incorporate the revisions made tonight.

Mayor Trilla made the suggestion that the regular Board of Trustees meeting be moved from December 19 to December 12. Administrator Halloran indicated that to make a change to a scheduled regular meeting, a motion would need to be made at the next Board meeting, on the 28th, to cancel the meeting on the 19th and approve a special meeting on the 12th. The Board agreed that if it was feasible to add it to the agenda on the November 28th meeting, it should be done.

Trustee Davi wanted to know why the Pledge of Allegiance wasn't said at the beginning of the meeting. Mayor Trilla indicated Trustee Davi was correct, it should have been done, and he would make a note of it.

5. ADJOURNMENT

MOTION: Made by Trustee Ruffolo and seconded by Trustee Neal to adjourn the Joint Meeting at the hour of 7:23 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

_____, 2022.

Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.