

Transcript of Proceedings

VILLAGE OF WILLOWBROOK PLAN COMMISSION

22-05

January 11, 2023

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VILLAGE OF WILLOWBROOK PLAN COMMISSION
January 11, 2023

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VILLAGE OF WILLOWBROOK

PLAN COMMISSION

HEARING CASE NUMBER 22-05

REPORT OF PROCEEDINGS at the
meeting held before the Plan Commission of the
Village of Willowbrook on the 11th day of January,
2022, at the hour of 7:00 p.m., at 17760 Quincy
Street, Willowbrook, Illinois, and virtually
through Zoom, as reported by Donna Watwood,
Certified Shorthand Reporter in and for the County
of Kane and State of Illinois.

* * * * *

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1 APPEARANCES:

2 John Wagner - Vice-Chairman

3 Catherine Kaczmarek - Member

4 Leonard Kaucky - Member

5 Maciej Walec - Member

6 Zoltan Baksay - Member

7 Ronald Kanaverskis - Member

8 Michael Krol - Director of Community
9 Development

10 Matt Holmes - Village of Willowbrook
11 Attorney

12 Jackie Berg - Houseal Lavigne Associates
13 Practice Lead

14 Sean Halloran (via Zoom) - Village
15 Administrator

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1 VICE-CHAIRMAN WAGNER: I call to order
2 the regular meeting of the Plan Commission for
3 January 11, 2023. Let's see. We'll need a roll
4 call, please.

5 MR. KROL: Commissioner Baksay?

6 COMMISSIONER BAKSAY: Present.

7 MR. KROL: Commissioner Kanaverskis?

8 COMMISSIONER KANAVERSKIS: Here.

9 MR. KROL: Commissioner Kaczmarek?

10 COMMISSIONER KACZMAREK: Here.

11 MR. KROL: Commissioner Kaucky?

12 COMMISSIONER KAUCKY: Here.

13 MR. KROL: Commissioner Walec, absent.

14 Vice-Chairman Wagner?

15 VICE-CHAIRMAN WAGNER: Here.

16 MR. KROL: And Chairman Kopp is absent.

17 VICE-CHAIRMAN WAGNER: May we have a
18 motion to approve the omnibus vote agenda?

19 COMMISSIONER KAUCKY: So moved.

20 COMMISSIONER KACZMAREK: Second.

21 VICE-CHAIRMAN WAGNER: Is there anyone
22 that has anything that they would like to add or

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1 comment on the omnibus vote agenda and reading of
2 the minutes from our December 7th, 2022 hearing?

3 (No response.)

4 VICE-CHAIRMAN WAGNER: Hearing none. So
5 we have a roll call to vote on that.

6 MR. KROL: Yes.

7 Commissioner Baksay?

8 COMMISSIONER BAKSAY: Aye.

9 MR. KROL: Commissioner Kanaverskis.

10 COMMISSIONER KANAVERSKIS: Yes.

11 MR. KROL: Commissioner Kaczmarek?

12 COMMISSIONER KACZMAREK: Yes.

13 MR. KROL: Commissioner Kaucky?

14 COMMISSIONER KAUCKY: Yes.

15 MR. KROL: And Vice-Chairman Wagner?

16 VICE-CHAIRMAN WAGNER: Yes.

17 We need to open the public hearing or a
18 motion for it.

19 MR. HOLMES: We would reopen the public
20 hearing that continued from December 7th.

21 VICE-CHAIRMAN WAGNER: Correct. We'll
22 open the public hearing from January 11th -- Excuse

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1 me.

2 -- from December 7th, 2022, and it's
3 continued hearing tonight to January 11th, 2023.

4 The Plan Commission of the Village of
5 Willowbrook, DuPage County, Illinois, will conduct
6 a public hearing -- or continue a public hearing
7 for the regular meeting of the Plan Commission on
8 today's date at 7:00 p.m. in the Willowbrook County
9 Police Department Training Room at 7760 South
10 Quincy Street, Willowbrook, Illinois.

11 And due to the Covid-19 pandemic, the
12 Village will be utilizing a Zoom webinar. Members
13 of the public can attend the meeting via Zoom
14 webinar by video or audio. If a member is using
15 Zoom, please use either your phone or computer, not
16 both. And do we need --

17 MR. HOLMES: Well, we need a motion to
18 open the continued hearing from December 7th.

19 VICE-CHAIRMAN WAGNER: Can I have a
20 motion, please, to open that hearing?

21 COMMISSIONER KAUCKY: So moved.

22 COMMISSIONER KACZMAREK: I'll second.

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1 MR. HOLMES: Roll call.

2 MR. KROL: Commissioner Baksay?

3 COMMISSIONER BAKSAY: Yes.

4 MR. KROL: Commissioner Kanaverskis?

5 COMMISSIONER KANAVERSKIS: Yes.

6 MR. KROL: Commissioner Kaczmarek?

7 COMMISSIONER KACZMAREK: Yes.

8 MR. KROL: Commissioner Kaucky?

9 COMMISSIONER KAUCKY: Yes.

10 MR. KROL: Vice-Chairman Wagner?

11 VICE-CHAIRMAN WAGNER: Yes.

12 MR. HOLMES: For technical reasons that
13 meeting was re-noticed, which means we are going to
14 close the hearing that was from December 7th now so
15 you need a motion to close the December 7th
16 meeting. And then we're going to reopen it as the
17 next agenda item. That's why it's on there twice.

18 VICE-CHAIRMAN WAGNER: May we have a
19 motion to close this meeting -- public hearing?

20 Excuse me.

21 COMMISSIONER KAUCKY: So moved.

22 COMMISSIONER KANAVERSKIS: Second.

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1 VICE-CHAIRMAN WAGNER: And hearing --

2 MR. HOLMES: Roll call.

3 VICE-CHAIRMAN WAGNER: -- do we need a
4 roll call for that?

5 MR. KROL: Yes.

6 Commissioner Baksay?

7 COMMISSIONER BAKSAY: Yes.

8 MR. KROL: Commissioner Kanaverskis?

9 COMMISSIONER KANAVERSKIS: Yes.

10 MR. KROL: Commissioner Kaczmarek?

11 COMMISSIONER KACZMAREK: Yes.

12 MR. KROL: Commissioner Kaucky?

13 COMMISSIONER KAUCKY: Yes.

14 MR. KROL: Vice-Chairman Wagner?

15 VICE-CHAIRMAN WAGNER: Yes.

16 MR. HOLMES: And with the housekeeping
17 out of the way, you can basically go now.

18 VICE-CHAIRMAN WAGNER: All right.

19 COMMISSIONER KANAVERSKIS: Thank you.

20 VICE-CHAIRMAN WAGNER: So now we need a
21 motion to open a public hearing for replacing in
22 its entirety the current Village of Willowbrook

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1 Municipal Code, Title 9, Chapter 1 through 17, and
2 the Village of Willowbrook Municipal Subdivision
3 Regulations, Title 10, Chapter 1 through 8, and
4 with the Village of Willowbrook Unified Development
5 Ordinance as proposed and also amend the current
6 Village of Willowbrook zoning map adopted and
7 approved by the Village of Willowbrook March 28,
8 2022, with the proposed zoning map for the Village
9 of Willowbrook dated December 19, 2022.

10 Let's see. That was all published --

11 Does anyone have the information?

12 MR. HOLMES: The date that it was in the
13 paper?

14 VICE-CHAIRMAN WAGNER: Yes.

15 MR. KROL: It could be found on page five
16 of your packet. It was advertised in the Sun-Times
17 December 27, 2022.

18 VICE-CHAIRMAN WAGNER: Thank you.

19 Also, due to the Covid-19 pandemic the
20 Village will be utilizing a Zoom webinar. Members
21 of the public can attend via Zoom webinar by video
22 or audio. If a member is using Zoom, please either

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1 use the phone or computer, not both.

2 (Whereupon, Commissioner Walec
3 entered the proceedings.)

4 VICE-CHAIRMAN WAGNER: So can I have a
5 motion to open the hearing?

6 COMMISSIONER KAUCKY: So moved.

7 COMMISSIONER WALEC: Second.

8 VICE-CHAIRMAN WAGNER: And the roll call,
9 please.

10 MR. KROL: Commissioner Baksay?

11 COMMISSIONER BAKSAY: Yes.

12 MR. KROL: Commissioner Kanaverskis?

13 COMMISSIONER KANAVERSKIS: Yes.

14 MR. KROL: Commissioner Kaczmarek?

15 COMMISSIONER KACZMAREK: Yes.

16 MR. KROL: Commissioner Kaucky.

17 COMMISSIONER KAUCKY: Yes.

18 MR. KROL: Commissioner Walec?

19 COMMISSIONER WALEC: Yes.

20 MR. KROL: And Vice-Chairman Wagner?

21 VICE-CHAIRMAN WAGNER: Yes.

22 Would staff like to make a presentation

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1 for this hearing?

2 MR. KROL: Yes, I will begin.

3 Thank you, Vice-Chairman Wagner. And
4 good evening, Plan Commission Members.

5 The public hearing tonight is for a
6 village-wide zoning code update and zoning map
7 amendments.

8 People in the audience and online will be
9 given the opportunity to be heard this evening. I
10 ask when we get to this portion that you raise your
11 hand virtually, and you'll have to be sworn in by
12 Vice-Chairman Wagner this evening.

13 Tonight before you is the completed draft
14 of the proposed zoning code, also known as the
15 Unified Development Ordinance or UDO. I'll give a
16 quick background on the UDO, and then I will let
17 our consultant Houseal Lavigne take over and go
18 through each article of the proposal.

19 Back in 2021 the Village Board approved
20 the contract with Houseal Lavigne & Associates for
21 a comprehensive update to the zoning code. As the
22 Plan Commission is aware, this is the first -- this

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1 has never been comprehensively done since the
2 Village's founding in 1960.

3 In the recent past, the Village had
4 proposed several text amendments throughout the
5 years for code cleanup allowing uses, variations,
6 setbacks, things like that. This is somewhat of a
7 code cleanup. There's some updates to zoning code
8 terms, definitions where we reviewed all of the
9 permitted special uses and prohibited uses.

10 Since the Village Board approval, the
11 contract staff and the steering committee have been
12 working with representatives from Houseal Lavigne
13 to review and provide guidance.

14 The Plan Commission and Village Board, as
15 you all know, have met several times jointly to
16 review each article that will be proposed tonight.

17 Just a quick background on that. Back on
18 July 12th, we reviewed Article 1, General
19 Provisions; Article 2, Establishment of Districts;
20 Article 3, District Standards; and Article 4,
21 Use-Specific Standards. On September 13th we
22 reviewed Article 5, General Development Standards,

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1 and Article 6, Signs. On October 25th we reviewed
2 Subdivision Standard, that's Article 7; Plan Unit
3 Development Standards, Article 8; Article 9 was
4 Zoning Procedures; and 10, Nonconformities.

5 And at our last meeting on November 21st,
6 the joint meeting, members discussed the
7 definitions and any outstanding comments pertaining
8 to Articles 1 through 10.

9 At each meeting the Plan Commission and
10 Village Board had discussions, proposed changes,
11 and provided staff and Houseal Lavigne input on
12 each article of the zoning code update and
13 subdivision regulations, which is again before you
14 this evening.

15 The Village zoning map is updated
16 annually on or before March 31st as required by the
17 Illinois Municipal Code. The proposed zoning map
18 amendment is again a comprehensive zoning map
19 update proposed by Houseal Lavigne based on revised
20 established zoning districts and classifications
21 within the proposed UDO.

22 Proper notice was sent out again on

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1 December 27th, 2022, to over 500 property owners
2 within the Village of Willowbrook. Since then I
3 would say staff received about a dozen phone calls,
4 several e-mails, and at least one person inquired
5 in person.

6 And then from here, I will turn it over
7 to Jackie from Houseal Lavigne.

8 MS. BERG: Thanks so much, Mike.

9 Good evening everyone. It's fantastic to
10 be in front of you again this evening for the
11 public hearing for the code.

12 So I'm going to go through each chapter.

13 VICE-CHAIRMAN WAGNER: Excuse me. I
14 think we need to have you sworn before you testify.

15 (Whereupon, Ms. Jackie Berg
16 was duly sworn.)

17 VICE-CHAIRMAN WAGNER: Thank you.

18 MS. BERG: So I'm going to --

19 COMMISSIONER BAKSAY: Vice-Chairman
20 Wagner, this is Commissioner Baksay. Is there any
21 way to the get the speaker closer to the
22 microphone? It's pretty difficult to hear

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1 virtually.

2 VICE-CHAIRMAN WAGNER: Sure. We'll give
3 that a try. One moment.

4 MS. BERG: Is this any better?

5 COMMISSIONER BAKSAY: Slightly better.

6 MS. BERG: How about this?

7 COMMISSIONER BAKSAY: Much better. Thank
8 you so much.

9 MS. BERG: Awesome.

10 So I'm going to go through -- Sorry, this
11 is a bit awkward.

12 -- a high-level overview of the proposed
13 changes for each article. So these are just the
14 high level major changes. There are throughout
15 cleanup to text, trying to make things more user
16 friendly, easier for folks to understand, to be
17 able to navigate the document. So I won't be going
18 through all of those changes. I would be here all
19 evening. This is really meant to be a high-level
20 overview.

21 So our proposed structure for the new UDO
22 includes eleven chapters. We start off with the

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1 most high level broad information, all of the
2 districts that are in the community and then what
3 you can do within those districts.

4 Then we get a little more detailed. We
5 have specific rules for uses, generals about
6 industry standards, and signs. And then we get
7 even more detailed with our standards and
8 procedures for subdivisions, community
9 developments, and general zoning. And then the
10 very kind of smallest doughnut there, we've got
11 nonconformities and definitions.

12 So the structure is really meant to help
13 walk people through the ordinance, so you're not
14 having to flip back and forth when you're looking
15 for what you can and cannot do with your property.

16 So starting with Chapter 1, our General
17 Provisions. So this section establishes the
18 purpose and intent of the entire UDO.

19 It really sets up the difference of the
20 UDO regulations. There are no major changes
21 proposed to the content of this section. Really,
22 it's just carrying forward and then consolidating

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1 the language that exists currently for your zoning
2 ordinance and your subdivision ordinance.

3 Next we have Chapter 2, Establishment of
4 Districts. So this section establishes all of the
5 proposed districts in the village. As we are
6 proposing some changes to the village zoning
7 districts, these are primarily be proposed, one, to
8 minimize nonconformities.

9 A non-conformity is a parcel or a
10 building or a use that was legally established but
11 along the way some of the rules changed. And that
12 lot, building, or use no longer complies with the
13 standards. There was quite of a bit of that,
14 especially when there were properties that were
15 annexed in from the county. The lots were
16 different sizes than what Willowbrook's zoning
17 regulation said. So there were some inadvertent
18 nonconformities that we wanted to clean up so that
19 people could reinvest in their property and not
20 have to come for a variance because their side yard
21 is too narrow and they want to put in a porch, for
22 example.

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1 We're also proposing to focus much more
2 on form and external impact over use. That's
3 especially true for your commercial areas.

4 Currently, you have several commercial
5 districts, several office districts that really
6 have the same type of uses, the same types of
7 development; but they were being distinguished
8 based on the type of uses.

9 You might have one commercial district
10 that's only for your services, so salons and spas
11 and banks, and another one that's just for your
12 retail establishments where, really, they're all
13 along the same corridor. The developments all look
14 the same. So we are proposing to consolidate those
15 and help streamline the ordinance overall.

16 And we're hoping that this new district
17 structure helps to improve user friendliness. So
18 it's much more clear the difference between the
19 districts and what applies.

20 So what are we proposing to change? The
21 R-1A; the LOP, which is the Limited Office
22 Professional; and the RO, which is the Office

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1 Research District. We're proposing that these be
2 eliminated.

3 The R-1A parcels, we did an assessment of
4 those. And some of them were more in line with the
5 R-1 District. Others were more in line with the
6 R-2. So we properly distributed those to those two
7 districts based on lot size and other
8 characteristics and, again, to help minimize any
9 nonconformities.

10 Then for the business district, we're
11 proposing to consolidate all of those into one, a
12 new B District and, again, so the style and
13 development of the types of uses that we see along
14 our commercial corridor is all very consistent.

15 Moving into Chapter 3, the District
16 Specific Standards. So the first part of this
17 chapter includes the bulk and dimensional
18 standards. So this is the required lot area and
19 width for a parcel per district. The yard setbacks
20 that you're required to have, so on the front,
21 side, and rear. And then the maximum height lot
22 coverage, etc. So all of the things that you need

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1 to know to develop on your property and then also
2 uses.

3 So there's a big table at the end of the
4 chapter that details what is a permitted and
5 special use and a temporary use accessories or
6 prohibited use in the community.

7 We are proposing to clarify how building
8 height is calculated here in the village. To just
9 clarify that that happens, we measure height before
10 any grading activity occurs. So if someone came in
11 and bought a parcel, did some grading work, and
12 then decided to measure from ten feet below the
13 sidewalk level because, hey, they graded the land,
14 they would get a much taller building. This new
15 rule would help to clarify that that's not how we
16 would measure height.

17 We are also proposing to consolidate all
18 of your current use lists into an easy-to-reference
19 table that will allow you to compare and contrast
20 what you can do in terms of uses between your
21 districts.

22 And then we're also establishing a

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1 general use categories. So currently your code is
2 hyper specific on all of the different types of
3 retail establishments there may be. I think there
4 were like telegraph repair services and habituaries
5 (phonetic) and lots of old uses that we really
6 don't see anymore.

7 So we're proposing to get rid some of
8 those old uses, those really specific uses, and
9 establish general use categories like general
10 retail or general services. That would capture
11 your habituaries and your telegraph repair services
12 but also more modern uses so the Village doesn't
13 have to go through a text amendment every time a
14 new unique use comes to the Village.

15 Next we have our Use-Specific Standards.
16 So in the table itself at the end of Chapter 3,
17 there are several cells that have a gray color to
18 them. Those uses have additional standards that a
19 developer or a resident would need to comply with
20 in order to establish here in the village.

21 So some of the high level Use-Specific
22 Standards that are being proposed first is a

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1 requirement for drive-throughs are to have a
2 certain distance and separation as well as
3 screening if they are next to residential uses.

4 We clarified the prohibited home
5 occupations list. So now things like landscape
6 contracting are not allowed as home occupations.

7 We've established standards for food
8 trucks in three different circumstances. One would
9 be as a temporary use like you might see in a
10 parking lot of a big box store. Another might be
11 as an accessory use to something like a brewery.
12 And then last but not least would be as a special
13 event; a block party is happening and you want to
14 bring a food truck to serve the block, then that
15 would be allowed as a special event.

16 We're also proposing to refine your
17 accessory building and structure standards just to
18 clarify the difference and ensure that sufficient
19 accessory buildings and structures are allowed on
20 each parcel.

21 Moving into Chapter 5, our Development
22 Standards. So this section establishes standards

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1 that are applicable of regardless of the district
2 the development is happening in. So parking,
3 landscaping, outdoor lighting, all of those good
4 topics that they are controlled and help -- have
5 high standards for development in the community.

6 So one major change we're proposing is to
7 establishing a parking maximum. Right now there is
8 a parking minimum, and we're proposing to carry
9 that forward. A parking minimum establishes the
10 number of parking spaces a developer has to have
11 for a certain type of use. And the maximum says
12 you have to have this much but you can't have more
13 than this much. And that helps to ensure that we
14 just don't have seas of parking that go unused
15 except maybe on Black Friday.

16 We're also proposing to allow EV charging
17 stations, electric vehicle charging stations, to
18 count towards the total amount of required parking
19 to help encourage the installation of those
20 throughout the community.

21 We're proposing new landscape standards.
22 These are meant to be much easier to understand and

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1 to apply to a property. There's no confusing point
2 system or difficult math that you need to perform
3 but will help to establish a streamlined and
4 consistent appearance throughout the community.

5 We've also updated your fence standards
6 and your established clear-sight triangle and
7 sidewalk requirements.

8 So clear-sight triangle is if you get to
9 an intersection or you're pulling out of your
10 driveway and there's a big bush right there and you
11 can't see over it, and it really creates a
12 dangerous situation. Those clear-sight triangle
13 standards will help to minimize any of those
14 issues.

15 Moving into Chapter 6, our Sign
16 Standards. So this section establishes all of the
17 rules for permanent and temporary signs that are on
18 private property throughout the village.

19 So we really did a big reorganization of
20 this section. We eliminated any content specific
21 standards. So if it was a different standard for a
22 real estate sign versus a garage sale sign versus

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1 a, you know, holiday potluck sign, they all have
2 had different standards. We clarified all of
3 those, eliminated the difference between them, and
4 established content neutral sign types; so a yard
5 sign, a post sign, a banner sign. So we're not
6 talking about what's on the sign, what the sign is
7 saying, just what the sign looks like, how tall it
8 is, where it's located, how long it's displayed
9 for.

10 We established some new temporary sign
11 types and then also established standards for
12 electronic message boards, which are the LED types
13 of signs to have a minimal allowance for new
14 electronic message boards in the community.

15 Moving into Chapter 7, the Subdivision
16 Standards. So this section establishes all of the
17 requirements for the assemblage or subdivision of
18 land in the community.

19 So currently the Village only has one
20 subdivision process, and it was great when big
21 subdivisions were happening in the community and
22 that was a really regular occurrence.

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1 These days there aren't so many great big
2 subdivisions happening. So we're proposing a minor
3 subdivision process, which is a bit more
4 streamlined. So folks are able to utilize -- get
5 through that process more quickly if they are only
6 doing five or fewer parcels in their subdivision.

7 Moving into Chapter 8, Plan Development
8 Standards and Procedures. So this section
9 establishes requirements for planned developments.
10 A planned development is a process by which an
11 applicant can request flexibility from the
12 requirements of the ordinance in exchange for
13 providing a real tangible benefit to the community.

14 So let's say I want to do a residential
15 subdivision but a significant portion of my
16 property is in the floodplain making it really
17 difficult to really develop the whole thing. Well,
18 I might come in for a planned development to
19 request smaller lots in exchange for the
20 preservation of some nice open space, perhaps
21 activation as a recreation area for the residents.

22 So the Village would assess plan

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1 development applications against a set of
2 modification standards and standards of review to
3 ensure that any flexibility that's given to
4 development really is a benefit to the community;
5 that it's not just letting developers do whatever
6 they want. It's providing flexibility to support
7 an innovation, higher level of design, and some
8 benefit to the community as well.

9 Now, we get into Chapter 9, Zoning
10 Procedures. So this section includes everything
11 you need to know to get a permit approved, a
12 development approved. So here we're proposing some
13 new administrative review and approval processes.
14 So these are processes that could be approved by
15 Village staff rather than by your elected or
16 appointed officials.

17 This includes that zoning compliance
18 permit and administrative exception which is like a
19 small variance or a minor variance.

20 So variances, if you need to request a
21 deviation from the ordinance because of some
22 hardship, you have to go in front of the Plan

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1 Commission to get that approved. An administrative
2 exception would allow you a much quicker process of
3 just getting an approval from staff.

4 And our temporary use permit and special
5 event permits are meant to just keep track of and
6 regulate those temporary uses in the community.

7 We've also clarified general application
8 and administrative review and approval procedures,
9 really laid out step by step exactly what an
10 applicant should expect.

11 We've eliminated the applicability and
12 restrictions that are currently in place for
13 variations. They set some unnecessary boundaries
14 on what a variation can be or couldn't be approved.

15 So instead of having those really strict
16 parameters on a variation, we have then established
17 review criteria so the Plan Commission and the
18 Village Board can consider things on a case-by-case
19 basis.

20 We've also included a comprehensive sign
21 plan process. So if a large development comes in
22 and they have specific sign needs, they could come

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1 forward in front of the Village Board and get a
2 specific plan approved very similar to a planned
3 development but it would be seen as an entire
4 package.

5 Next we have nonconformities. So, again,
6 a nonconformity is a use, a lot, or a building that
7 was legally established but the rules changed and
8 is no longer compliant with the regulations.

9 So we have standards on when a
10 nonconforming use, lot, or building would need to
11 be eliminated. But we have made the section a bit
12 more lenient by allowing a rebuild option for
13 single-family properties.

14 So currently if you have a single-family
15 home that is nonconforming and it burns down or for
16 some other reason is destroyed, they're not able to
17 rebuild it on the exact same footprint. If for --
18 Say, the front yard setback wasn't deep enough, you
19 would have to move the house back to meet that
20 front yard requirement which could be a lot more
21 cost and time to make that happen. So the
22 single-family rebuild option would allow you to

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1 build your exact same home all over again
2 regardless of it not being conforming.

3 We've also eliminated the amortization
4 requirements that are included at the end.

5 Last but not least we have our
6 definitions. So this section establishes
7 definitions for all of the terms of art that are
8 utilized in the UDO. So terms of art are things
9 that are specific phrases or terms that are used
10 within the ordinance that we want to ensure
11 everyone has the same understanding of.

12 We added new definitions to correspond to
13 the use table so every single use in the use table
14 has a corresponding definition. We refined
15 existing uses as necessary and then eliminated any
16 definitions that no longer were relevant.

17 All right. I'll turn it back over to
18 staff for questions.

19 MR. KROL: Thank you, Jackie.

20 If the Plan Commission members have any
21 questions for Houseal Lavigne, Jackie, or myself.

22 VICE-CHAIRMAN WAGNER: I would just add

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1 too that if you're going to ask a question, please
2 identify yourself so the web people or the Zoom
3 meeting knows who's speaking. Thank you.

4 If there's nothing additional, we'll open
5 this for public comment. And would you, please,
6 identify yourself, state your address, and then
7 you'll have to be sworn by the court reporter.

8 Thank you. Is there anyone that would
9 like to say anything? Yes, sir.

10 MR. O'MALLEY: My name is Bill O'Malley,
11 and I live on 330 61st Street in Willowbrook.

12 VICE-CHAIRMAN WAGNER: Would you, please,
13 be sworn by the court reporter.

14 (Whereupon, Mr. Bill O'Malley
15 was duly sworn.)

16 VICE-CHAIRMAN WAGNER: Please, continue.

22 VICE-CHAIRMAN WAGNER: That may be a

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1 possibility.

2 MR. KROL: That is correct.

3 VICE-CHAIRMAN WAGNER: What is your
4 specific address?

5 MR. O'MALLEY: Well, I'm concerned about
6 there's some vacant land that's near me. And if
7 they change it from R-1 to R-2, they're going to be
8 able to build a number of houses there which I
9 don't have a problem with the owner developing his
10 property, but I would like to see it stick to the
11 zoning that's been there for the 35 years that
12 we've been there.

13 And to say that the zoning doesn't apply
14 anymore I think is a little bit superficial. It
15 works for our neighborhood. I don't know if
16 anybody lives in that area or if anybody here knows
17 what I'm talking about, but they're larger lots.
18 And this particular property that I'm concerned
19 about by changing it to R-2 and then further
20 reducing the lot width to 70 feet -- Because R-2
21 right now is 75 feet --

22 MR. KROL: Sure.

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1 MR. O'MALLEY: -- and you want to go even
2 smaller.

3 And then you're going to have a high
4 density property development in there that is not
5 really characteristic of the neighborhood.

6 And one of my biggest concerns is they
7 built -- I don't know how long you have all been on
8 the committee, but they built 15 or 16 houses
9 across the street from me called Willowood.

10 And they had absolutely no provision
11 there for water retention. So consequently it
12 comes across the street, across 61st Street, and
13 the lot next to me floods. Any decent rain and
14 snow melt and so forth, it gets flooded.

15 And so I think they kind of knew that
16 when they developed that. And I'm not pointing
17 blame or anything. It just is what it is. And
18 it's certainly something that they're going to have
19 to be aware of.

20 So you take a property that's now a
21 hundred foot wide requirement and you crunch it
22 down to 75 or 70, then it allows you to put more

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1 houses in there.

2 And that's going to also displace some of
3 the runoff area that's available. And so it's
4 going to be a problem. And so that's why I'm
5 concerned.

6 Back when -- I don't know how many years
7 ago when the McNaughton Builders came in and they
8 proposed developing that property with six lots,
9 the Plan Commission said no, come back with
10 something else. And they came back with five. And
11 then that got voted down as well. And then the
12 developer gave up.

13 And that property I think is 130 feet
14 wide off of Bentley. And it's 600 feet along 61st
15 Street.

16 So if you can picture if there were a
17 hundred foot wide lots, you could put six houses
18 there, right. But because of the water retention
19 and so forth, they just chose not to approve it.

20 So, and again, we're not dealing with
21 that property specifically. But if we're talking
22 about changing the zoning from R-2 -- or R-1 to R-2

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1 and then further shrinking the lot size to 70 for
2 R-2, that's going to be a problem.

3 VICE-CHAIRMAN WAGNER: Thank you.

4 Is there anyone else that would like to
5 discuss a subject or testimony for the hearing?

6 MR. KROL: Commissioner Wagner, I will
7 turn it over to folks online now. Because no one
8 else present has any comments.

9 So if there's anyone online who wishes to
10 make a complaint, please raise your hand virtually
11 and I can un-mute you, and then you'll be given the
12 floor.

13 Is anyone interested in making a comment
14 online?

15 MR. HALLORAN: You have one.

16 MR. KROL: Lisa, if you can hear me,
17 please un-mute, and the floor is yours.

18 MR. JAFARI: Hi. This is actually Sam
19 Jafari, Lisa's husband. I am using Lisa's Zoom
20 account.

21 I reside at 6030 Bentley Avenue in
22 Willowbrook near the corner that the previous

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1 gentleman was speaking about at 61st and Bentley.

2 VICE-CHAIRMAN WAGNER: This is
3 Vice-Chairman Wagner. Would you, please, be sworn
4 in by the court reporter before you continue?

5 MR. JAFARI: I will.

6 (Whereupon, Mr. Sam Jafari
7 was duly sworn.)

8 VICE-CHAIRMAN WAGNER: Thank you.

9 Continue, please.

10 MR. JAFARI: So as I said previously, I'm
11 at 6030 Bentley Avenue. And I just wanted to say
12 -- reiterate what the previous resident stated that
13 the significant majority of this area is zoned R-1.

14 And my current property was an old farm
15 house built in the 1920s. It was a tomato farm
16 that supplied tomatoes to Campbell's Soup. There's
17 a very rural quality about this area. And aside
18 from those aesthetics, you know, we have very
19 narrow two-way streets. And we have homes on large
20 lots.

21 Also, that the general area is -- If
22 anyone is familiar with this area, there does --

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1 there is a lot of water, standing water, around
2 here. And we're going from an R-1 to essentially
3 an R-4 zoning.

4 I know you're calling it R-2. But it's
5 actually more dense as far as more area and
6 impermeable surface area than the current R-3s I
7 think.

8 So I'm just a little concerned that this
9 isn't the way to go. If you look at the purpose
10 and intention of the Zoning Code, Title 9-1-02:

11 You know, it states that the title is
12 adopted to be had that the public health, safety,
13 comfort, morals, convenience, and general welfare
14 may be otherwise promoted;

15 Two, that adequate light, pure air, and
16 safety from fire and other dangers may be secured;

17 Three, that the taxable value of land and
18 building throughout the Village may be conserved;

19 Four, that congestion of the public
20 streets may be lessened or avoided;

21 Five, that the hazards to persons and
22 damage to property resulting from the accumulation

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1 of runoff --

2 (Discussion held outside the
3 presence of court reporter.)

4 MR. JAFARI: -- storm or water may be
5 lessened or avoided;

6 Six, that will ensure and facilitate the
7 preservation sites, areas, and structures of
8 historical, architectural, and aesthetic
9 importance;

10 And, seven, that the aesthetic values
11 throughout the village may be preserved and
12 enhanced.

13 I would say I see no reason to reclassify
14 the zoning in that area. Particularly, I mean, one
15 might argue to the taxable value of land might be
16 improved, but we know that the Village doesn't
17 receive revenue from property taxes or at least
18 residential property maybe \$80 per lot. And that's
19 just to keep the TIF funding from, you know,
20 generating another problem.

21 So really by increasing the density in
22 the area, it's not providing any benefit to the

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1 Village.

2 To the contrary, I think it's going to
3 provide determent because now instead of having to
4 go for PUD and, you know, preserve or facilitate or
5 address certain issues regarding the runoff or
6 density, people aren't going to have to do that
7 anymore, you know. And the other thing is we're
8 going to increase traffic in that area by, you
9 know, mull -- figures of -- in exponential figures,
10 you know, building additional houses in that area.
11 And it's just not conducive to this area.

12 And as you know, on one side of Clarendon
13 Hills Road, we have high density apartment
14 buildings. And on the other side of Cass, we have
15 high density. I mean, if that were all medium
16 density, I can understand the impact of meeting or
17 going through to R-3 or R-4 density. I think it's
18 just, you know, too much for that area. The
19 infrastructure just doesn't support it.

20 Maybe if the Village wanted to take care
21 of the infrastructure first and expand it and then
22 change the area, that would be another story. I

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1 still don't think it preserves the values or the
2 purpose of the zoning as stated. Thank you.

3 VICE-CHAIRMAN WAGNER: Thank you very
4 much for your comments. Is there anyone else?

5 MR. KROL: Is there anyone else on Zoom
6 who would like to participate this evening?

7 (No response.)

8 MR. KROL: This is the last call for
9 public comment.

10 (No response.)

11 MR. KROL: Vice-Chairman Wagner, no one
12 else has indicated that they wish to participate
13 right now.

14 And if I could make a comment to the
15 stormwater management. DuPage County Stormwater
16 Management Ordinance has been significantly
17 upgraded in the past twenty years or so.

18 Our civil engineers do review every plan;
19 that it is in conformance with this DuPage County
20 Stormwater Ordinance. You're no longer allowed to
21 not account for any kind of stormwater. In fact,
22 now if you move up to 2500 square feet and more,

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1 you trigger the ordinance, and you must comply with
2 everything DuPage County has in their stormwater
3 ordinance. And then that's reviewed by our
4 engineers for approval. So any proposed
5 development will go through a rigorous plan review
6 process to avoid any flooding, causing flooding on
7 surrounding property owners, and things like that.

8 So I just wanted to touch on that really
9 quick.

10 VICE-CHAIRMAN WAGNER: Thank you.

11 Also, I would like to comment that the
12 zoning process or rezoning or sub-divisioning of
13 lots, simply because the zoning ordinance says that
14 the lot width has been reduced in a specific
15 district doesn't allow someone to simply split a
16 lot in half and build two houses.

17 One would have to go through the entire
18 subdivision process, which there are many safeties
19 within that process for review for stormwater that
20 has been mentioned and also has to meet all of the
21 requirements of the ordinance to be able to
22 accomplish that.

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1 So simply by having the zoning say a
2 different number or a different district doesn't
3 immediately allow someone to use their property in
4 a greater way without going through a very
5 substantial process.

6 I hope that answers your question. Also,
7 I would say to you that many of the members of the
8 Plan Commission have been on the board for quite a
9 number of years. And we know that the area of the
10 village that you're talking about is a very
11 sensitive area for flooding and so forth. And the
12 Plan Commission has always been very careful with
13 that process, and we've also relied on the county
14 ordinances to govern that.

15 Is there any --

16 MR. O'MALLEY: Can I ask a question?

17 VICE-CHAIRMAN WAGNER: State your name,
18 please.

19 MR. O'MALLEY: MY name, again, is Bill
20 O'Malley. My question is how many actual
21 properties are out there that will be developed in
22 the Village of Willowbrook that this is going to be

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1 meaningful to other than the one that I can think
2 of and the one I'm familiar with?

3 VICE-CHAIRMAN WAGNER: I would say to you
4 that there are virtually no open properties within
5 the Village of Willowbrook anymore like, you know,
6 ten acre tracts or five acre tracts that could
7 simply be easily subdivided.

8 What we've been seeing over the last few
9 years is the subdivision of a combination of lots
10 where an owner might buy one or two lots, combine
11 them, and then be able to meet the subdivision
12 requirements, go through that entire process, and
13 then have to meet all of the new regulations.

14 So I don't think you're going to see any
15 large developments that have not ever happened.
16 You're seeing a redevelopment of properties that
17 have been built in the '50s and '60s. And then
18 they're being combined and re-subdivided.

19 MR. O'MALLEY: Well, that property I was
20 referring to earlier, the Willowood property, what
21 happened was that people had 600 foot deep lots.
22 And then they sold off the back 300. And then

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1 somebody was willing to sell their whole house, so
2 they were able to do a street that came in off of
3 61st and emptied out onto Bentley.

4 When they put all these houses there, 15
5 or 16 houses -- And they turned out to be nice
6 homes, and they look attractive, but it does create
7 that flooding problem that I talked about.

8 VICE-CHAIRMAN WAGNER: Well, I would only
9 assure you that it has been stated that the county
10 ordinances have become more and more restrictive.
11 And I know that the Village of Willowbrook relies
12 on that, and I know the Plan Commission has always
13 been very sensitive to flooding.

14 Do any of the plan commissioners have any
15 additional questions or comments?

16 No response. Staff?

17 COMMISSIONER BAKSAY: This is
18 Commissioner Baksay. On the draft UDO that we
19 received by the date of November 30th, I believe --
20 just a recommendation, not a question.

21 -- there's, I'll call it, down
22 pagination, pagination for the entire document and

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1 then pagination for each chapter. I think it's a
2 little bit distractive.

3 So just a recommendation for
4 consideration is for Houseal Lavigne is just remove
5 to the page XX of 165 or whatever the current total
6 tally is.

7 That's all. Thank you.

8 VICE-CHAIRMAN WAGNER: Thank you.

9 Are we ready --

10 MR. HOLMES: We should clarify one thing.
11 I noticed when presentation was made, the
12 amortization language from the prior code is still
13 in here. I'm not sure if it was intended to be in
14 here or if we were -- it was supposed to be
15 stricken and it was just in the draft that was
16 circulated to the Plan Commission.

17 MS. BERG: I believe it was originally
18 proposed to be stricken and was reintroduced.

19 MR. HOLMES: Okay. I was just making
20 sure.

21 MS. BERG: Yeah, so there was an error in
22 representation not an error in the text.

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1 MR. HOLMES: I just wanted to clarify.

2 That was all.

3 VICE-CHAIRMAN WAGNER: Then we should
4 continue.

5 MR. HOLMES: You can have a motion to
6 close the public hearing.

7 VICE-CHAIRMAN WAGNER: All right. May I
8 have a motion?

9 COMMISSIONER KAUCKY: So moved.

10 COMMISSIONER WALEC: I'll second.

11 VICE-CHAIRMAN WAGNER: Roll call, please.

12 MR. KROL: Commissioner Baksay?

13 COMMISSIONER BAKSAY: Yes.

14 MR. KROL: Commissioner Kanaverskis?

15 COMMISSIONER KANAVERSKIS: Yes.

16 MR. KROL: Commissioner Kaczmarek?

17 COMMISSIONER KACZMAREK: Yes.

18 MR. KROL: Commissioner Kaucky?

19 COMMISSIONER KAUCKY: Yes.

20 MR. KROL: Commissioner Walec?

21 COMMISSIONER WALEC: Yes.

22 MR. KROL: And Vice-Chairman Wagner?

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1 VICE-CHAIRMAN WAGNER: Yes.

2 VICE-CHAIRMAN WAGNER: I want to go back
3 to our regularly scheduled meeting.

4 MR. HOLMES: No, you would have a
5 discussion if there's any decision with the Plan
6 Commission. And then you would have a vote to -- a
7 motion as was written out there to either recommend
8 or deny the proposed act.

9 VICE-CHAIRMAN WAGNER: Okay. Is there
10 any additional discussion by any members of the
11 Plan Commission or?

12 (No response.)

13 VICE-CHAIRMAN WAGNER: Hearing none, is
14 there any additional discussion from the public?

15 (No response.)

16 VICE-CHAIRMAN WAGNER: All right. I
17 would ask for a motion based on the submitted
18 petition and testimony presented.

19 I would move that the Plan Commission
20 recommend to the Village Board approval of the
21 proposed Unified Development Ordinance, UDO,
22 presented on page 1 through 165 and the approval of

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1 the Village of Willowbrook Zoning Map on page 6 of
2 the staff report for PC Case No. 22-05 --

3 Is that correct?

4 MR. KROL: Yes.

5 VICE-CHAIRMAN WAGNER: Okay.

6 -- in its entirety and the current
7 Village of Willowbrook Municipal Code, Title 9,
8 Chapter 1 through 17, and the Village of
9 Willowbrook Municipal Subdivision Regulations,
10 Title 10, Chapter 1 through 8, and the current
11 Village of Willowbrook Zoning Map adopted and
12 approved by the Village of Willowbrook on March 28,
13 2022.

14 And along with such, the code amendments
15 as may be required to effectuate these text
16 amendments.

17 Is there a motion to approve that?

18 COMMISSIONER KAUCKY: So moved.

19 COMMISSIONER WALEC: I'll second that.

20 VICE-CHAIRMAN WAGNER: And a roll call
21 vote, please.

22 MR. KROL: Commissioner Baksay?

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1 COMMISSIONER BAKSAY: Yes.

2 MR. KROL: Commissioner Kanaverskis?

3 COMMISSIONER KANAVERSKIS: Yes.

4 MR. KROL: Commissioner Kaczmarek?

5 COMMISSIONER KACZMAREK: Yes.

6 MR. KROL: Commissioner Kaucky?

7 COMMISSIONER KAUCKY: Yes.

8 MR. KROL: Commissioner Walec?

9 COMMISSIONER WALEC: Yes.

10 MR. KROL: And Vice-Chairman Wagner?

11 VICE-CHAIRMAN WAGNER: Yes.

12 I would like to just say thank you to all
13 of the staff, all of the consultants for the long
14 work that's gone into this. Trustee Neal and I had
15 worked with the staff and consultants to get this
16 done. And especially Trustee Neal had done a lot
17 of research and work on this. So I would like to
18 thank them. And I would like to thank all of you
19 for attending the dual meetings and so forth.

20 And I think we've come up with a product
21 that will help direct the Village in the future
22 here.

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1 Is there any other business or discussion
2 from the Village on any topics that need to be up
3 to date on?

4 COMMISSIONER KAUCKY: I do have a
5 question for Michael.

6 What's going on with 75th Street and
7 Route 83, the break with the former gas station?
8 It seems like there's been zero progress going on.

9 MR. KROL: There is somewhat zero
10 progress being made on the Panda Express you're
11 referring to. I actually spoke with the architect
12 and developer last week.

13 They are still trying to get the NFR
14 letter by the IEPA for the site. And once the NFR
15 letter is approved and we receive it, it is
16 believed that's when IDOT will submit their
17 approval and that the Red Roof Inn cross-access
18 agreement will be received.

19 It's basically everything is being held
20 up by the NFR letter, which, again, I've been told
21 is in the final stages.

22 COMMISSIONER KAUCKY: Okay.

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1 VICE-CHAIRMAN WAGNER: Well, that takes
2 care of communications. Is there anyone else?

3 (No response.)

4 VICE-CHAIRMAN WAGNER: Is there any
5 additional visitor's business that is available for
6 discussion tonight of anyone?

7 (No response.)

8 VICE-CHAIRMAN WAGNER: Not hearing any, I
9 would ask for a motion to adjourn the regular
10 meeting of the Plan Commission.

11 COMMISSIONER KAUCKY: So moved.

12 COMMISSIONER WALEC: I'll second that.

13 VICE-CHAIRMAN WAGNER: Roll call.

14 MR. KROL: Commissioner Baksay?

15 COMMISSIONER BAKSAY: Yes.

16 MR. KROL: Commissioner Kanaverskis?

17 COMMISSIONER KANAVERSKIS: Yes.

18 MR. KROL: Commissioner Kaczmarek?

19 COMMISSIONER KACZMAREK: Yes.

20 MR. KROL: Commissioner Kaucky?

21 COMMISSIONER KAUCKY: Yes.

22 MR. KROL: Commissioner Walec?

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1 COMMISSIONER WALEC: Yes.

2 MR. KROL: Vice-Chairman Wagner?

3 VICE-CHAIRMAN WAGNER: Yes. Thank you

4 all for coming.

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January 11, 2023

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

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

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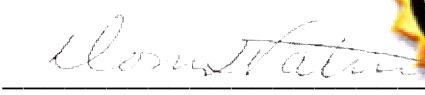
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Donna L. Watwood
Kane County, Illinois
CSR# 084-003686