

A G E N D A

MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, OCTOBER 4, 2023 AT 7:00 P.M. AT THE VILLAGE OF WILLOWBROOK COMMUNITY RESOURCE CENTER (CRC) BOARDROOM, 825 MIDWAY DRIVE, WILLOWBROOK, ILLINOIS 60527.

Due to the expiration of the Governor's Disaster Declaration, public participation/comment is permitted solely by attending the meeting at 825 Midway Drive.

1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
 - A. Waive Reading of Minutes (APPROVE)
 - B. Minutes of August 2, 2023, Plan Commission Regular Meeting
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 23-05: Consider a petition requesting the following zoning variations from Title 9 of the Village Unified Development Ordinance:
 - a. Section 9-3-01(A) to reduce the front yard setback in R-2 district from 40 feet to the existing house location, 26 feet.
 - b. Section 9-3-01(A) to reduce the exterior side yard setback in the R-2 district from 40 feet to 31 feet.
 - 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, AUGUST 2, 2023, AT THE VILLAGE COMMUNITY RESOURCE CENTER (CRC) BOARDROOM, 825 MIDWAY DRIVE, WILLOWBROOK, ILLINOIS.

Due to the expiration of the Governor's Disaster Declaration, public participation/comment is permitted solely by attending the meeting at 825 Midway Drive.

1. CALL TO ORDER

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

2. ROLL CALL

Those present at CRC: Chairman Kopp, Vice Chairman Wagner, Commissioner Kanaverskiss, Kaczmarek, Kaucky, Walec.

Staff present: Michael Krol, Director of Community Development

ABSENT: Commissioner Baksay

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

A. Waive Reading of Minutes (APPROVE)

B. Minutes of July 11, 2023, Plan Commission Public Hearing

MOTION: Made by Commissioner Kaucky seconded by Commissioner Walec approve the Omnibus Vote Agenda as presented.

Roll Call Votes:

AYES: Commissioner Kaucky, Kanaverskiss, Kaczmarek, Walec, Vice Chairman Wagner, Chairman Kopp

NAYS: None

MOTION DECLARED CARRIED.

PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 23-04; A petition requesting an amendment to a previously approved Planned Unit Development for Portillo's Restaurant, a minor PUD change for the relocation of the drive-through menu board signs.

A. DISCUSSION/RECOMMENDATION

Director Krol provided a brief overview of the PUD amendment request for Portillos; Portillo's has reached out to Village staff about relocating the menu board sign location, closer to the build and replacing the current menu board with a digital reader board sign. The second part of the request is to replace the existing drive-through directional sign with also a pre-sale digital reader board sign.

Robert Whitehead of Olympik Signs, 1130 N. Garfield, Lombard, IL was sworn in. Mr. Whitehead, Portillo's will be replacing the existing menu boards, about 36 square feet with a new 21 square foot digital, changeable reader board main menu sign. Portillo's is doing this across the board at all 70 locations. This way corporate headquarters can change menu items and prices from their office instead of sending the signs out to manually be updated. The signs will be a static display, it is not a flashing element, it's a dimmable element but it is not going to flash or scroll. We are also looking to replace the existing directional sign with a 7 square foot pre-sale menu which would advertise specials. It is again static display, the sign won't flash or scroll. This is what we are seeking approval from tonight and happy to answer any questions.

Chairman Kopp: No questions from me but are there any other questions from the other Commissioners tonight? Is that all the questions for tonight?

MOTION: to close the public hearing made by Commissioner Kaucky seconded by Commissioner Walec, all in favor

Roll Call Votes:

AYES: Commissioner Kaucky, Kanaverskiss, Kaczmarek, Walec, Vice Chairman Wagner, Chairman Kopp

NAYS: None

MOTION DECLARED CARRIED

MOTION: Based on the submitted petition and testimony presented, I move that the Plan Commission recommend to the Village Board, approval of the proposed Amendment to a previously approved Willowbrook Town Center Planned Unit Development for Portillo's Restaurant, a minor PUD change for the relocation of the drive-through menu board signs.

Made by: Commissioner Kaucky seconded by Commissioner Walec.

Roll Call Votes:

AYES: Commissioner Kaucky, Kanaverskiss, Kaczmarek, Walec, Vice Chairman Wagner, Chairman Kopp

NAYS: None

5. VISTOR'S BUSINESS.

None

6. COMMUNICATIONS

Director Krol updated the Commissioners on the National Night Event where our consultant attended for public engagement on the Comprehensive Plan. We put out two poster boards; one, “I live living in Willowbrook because...” and two, “The future of Willowbrook would be better if...”. Residents were asked to put post-it notes with their comments on the board. It was a great turn out. No formal Panda Express updates. Staff is expecting several variance applications to be submitted soon.

7. ADJOURNMENT

MOTION: Made by Commissioner Walec seconded by Commissioner Kanaverskiss to adjourn the meeting of the Plan Commission at 7:09 p.m.

Roll call votes AYES: Commissioners, Kanaverskiss, Kaczmarek, Kaucky, Walec, Vice Chairman Wagner, and Chairman Kopp.

MOTION DECLARED CARRIED

UNANIMOUS VOICE VOTE
PRESENTED, READ, AND APPROVED,

August 2, 2023

Chairman Kopp

Minutes transcribed by Director Krol



Village of Willowbrook
Staff Report to the Plan Commission

Public Hearing Date:	October 4, 2023	
Prepared By:	Michael Krol, Director of Community Development	
Case Title:	Zoning Hearing Case No. PC 23-05: A petition requesting the following zoning variations from Title 9 of the Village Unified Development Ordinance for the property address 310 59 th Street, Willowbrook, Illinois: <div><div>1.</div><div>Section 9-3-01(A) to reduce the front yard setback in R-2 district from 40 feet to the existing house location, 26 feet.</div><div>2.</div><div>Section 9-3-01(A) to reduce the exterior side yard setback in the R-2 district from 40 feet to 31 feet.</div></div>	
Petitioner:	Arnel & Clarita Ramos, 310 59 th Street, Willowbrook, Illinois, 60517.	
Action Requested by	Consideration and Recommendation for the proposed zoning variations to the Unified Development Ordinance R-2 setbacks for the subject property as part of a new garage and second floor addition project.	
Location:	310 59 th Street, northwest corner of 59 th and Alabama Avenue	
PINs:	09-15-218-020	
Existing Zoning:	R-2 Moderate Density Single-Family Detached District	
Proposed Zoning:	R-2 Moderate Density Single-Family Detached District	
Property Size:	0.22 acres	
Surrounding Land Use:	Use	Zoning
North	Single Family Residential	R-2
South	Single Family Residential	R-2
East	Single Family Residential	R-2
West	Single Family Residential	R-2

Necessary Action by Plan Commission:	Make either a positive or negative recommendation to the Mayor and Village Board for the proposed zoning variance requests to the front and exterior side yard setbacks in the R-2 District of the Unified Development Ordinance to allow a 26-foot front yard setback and a 31-foot exterior side yard setback for the subject property. A sample motion can be found on page 4.
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History & Background
Site Description

The existing single-family dwelling was annexed into the Village of Willowbrook in 1987 as part of a fourteen-lot annexation, under Ordinance 87-O-31. The existing house, along with the rest of the residential neighborhood was constructed and developed, prior to 1978, under unincorporated DuPage County Zoning and Subdivision codes. The original lots were platted in 1894. These smaller platted lots had lower front and exterior side yard requirements when developed than the current R-2 District setbacks in the UDO, which is forty feet (40').

Exhibit 1: Zoning and Aerial View of the Subject Property



Variance Proposal

The property owners contacted Village staff regarding a second-floor addition and new attached garage project. Per the Section 9-10-04(B) of the Unified Development Ordinance (UDO), a nonconforming residential building or structure which is nonconforming only as to bulk regulations (setbacks), may be added to or enlarged, provided such additions or enlargements conform to all regulations of the district in which it is located. The existing single-family residence does not comply with the UDO front or exterior side setback requirement of forty feet (40') and is seeking a zoning variance in order to construct the proposed addition to the house. The proposed setbacks are as follows:

1. Section 9-3-01(A) to reduce the front yard setback in R-2 district from 40-feet to the existing house location, 26-feet.
2. Section 9-3-01(A) to reduce the exterior side yard setback in the R-2 district from 40-feet to 31-feet.

Staff Analysis

Appropriateness of Use

Attached to your packets are a proposed site plan and elevation, which indicate demolition of the existing three car detached garage, adding a second floor to the existing one-story house, and adding a three car attached garage. Since the subdivision, property, and single-family dwelling were legally established by DuPage County Zoning and Subdivision Codes and does not conform to the regulations of the UDO, the owner is seeking a front and exterior yard variation to the property for the proposed addition.



Exhibit 2: Zoning Table in the R-2 District

	R-2 Standards	Proposed	Variation Required	
Front (ft)	40'	26'-7 ½"	Yes	Existing
Exterior Side (ft)	40'	31'-1 ½"	Yes	New Garage
Interior Side (ft)	8'	10'-1 ½"	No	Existing
Rear (ft)	30'	34'-9 ½"	No	Existing
Building Height (ft)	35'	22'-11"	No	Second Floor
Impervious Surface Coverage (ft)	40%	32.7%	No	Includes New Garage

The table above highlights the two variation requests, which are rounded down to the nearest foot, but also indicates that existing single-family dwelling complies with all the other bulk and dimensions standards in the R-2 District. The existing dwelling is located 35'-1 ¾" from the exterior side property line however the zoning variation request is for additional 4-feet because of the proposed attached garage location.

Standards for Review for a Variation (9-9-04)

The variation process is designed to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this UDO that create practical difficulties or particular hardships.

The Plan Commission shall not recommend, and the Village Board shall not grant variations from the regulations of this UDO unless an affirmative finding of facts shall be made as to all of the review criteria established below, which findings of fact shall be based upon evidence provided by the applicant and the information provided in this report.

- (1) 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.
- (2) 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.
- (3) The alleged hardship has not been created by any person presently having a proprietary interest in the premises.
- (4) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
- (5) 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.
- (6) The proposed variation will not alter the essential character of the locality.
- (7) The proposed variation is in harmony with the spirit and intent of this UDO.

Staff Recommendation

The Community Development Department staff have no objection to the proposed zoning variations to the front and exterior side yard setback. It is the staff's opinion that a hardship of the legally established lot and dwelling prior to annexation to the Village of Willowbrook is justification to recommend approval of the variation request. Other residential properties in the area have been granted similar variations to the front and exterior setback regulations due to the nonconformities of the established subdivision.



If additional time or testimony is needed, the Plan Commission may wish to continue this hearing and/or consideration of the proposed petition. If the Plan Commission’s work is completed, the following sample motion is provided for the Plan Commission’s use:

Sample Motion:
Based on the submitted petition and testimony presented, I move that the Plan Commission recommend to the Village Board, approval of the proposed zoning variance requests to the front and exterior side yard setbacks in the R-2 District of the Unified Development Ordinance to allow a 26-foot front yard setback and a 31-foot exterior side yard setback for the subject property.

- Documents Attached:
- Attachment 1: Notice of Public Hearing

Attachment 2: Notice of Public Hearing Sign Posted

Attachment 3: Legal Description

Attachment 4: Site Plan dated 6.9.2023 (11x17)

Attachment 5: New elevation plan (11x17)

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Attachment 1
Notice of Public Hearing

VILLAGE OF WILLOWBROOK
310 59TH STREET, WILLOWBROOK
ADORDERNUMBER: 0001162175-01
PO NUMBER: 310 59TH STREET, WILLOWBR
AMOUNT: 406.00
NO OF AFFIDAVITS: 1

Chicago Sun-Times
Certificate of Publication

NOTICE OF PUBLIC HEARING
ZONING HEARING CASE NO. 23-05

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 4th of October, 2023 at the hour of 7:00 P.M. in the Village Community Resource Center (CRC) Boardroom, 825 Midway Drive, Willowbrook, IL 60527.

The purpose of this meeting and public hearing shall be to consider a petition requesting zoning variations from Title 9 of the Village Unified Development Ordinance as set forth in the petition on the property legally described as follows:

LOTS 22, 23, AND 24 IN BLOCK 15, IN OSCAR H. SECRIST'S SUBDIVISION OF BLOCKS 1, 2, 7, 8, 9, 10, 15, AND 18 IN SECRIST'S SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID OSCAR H. SECRIST'S SUBDIVISION RECORDED NOVEMBER 20, 1983 AS DOCUMENT 5380, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 310 59TH STREET, WILLOWBROOK, ILLINOIS
PIN: 09-15-218-020

The applicant for this petition is Amel & Cynthia Ramos.

Copies of the application and related documentation are on file in the Office of Community Development, Village of Willowbrook, 825 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, 825 Midway Willowbrook, IL 60527, or call (630) 520-2262 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 day being scheduled.

s/ Sean H. Moran
Village Administrator
(630) 323-8215

Published in the September 19, 2023, edition of The Chicago Sun-Times Newspaper
9/19/2023 #1162175

State of Illinois - County of Cook

Chicago Sun-Times, does hereby certify it has published the attached advertisements in the following secular newspapers. All newspapers meet Illinois Compiled Statute requirements for publication of Notices per Chapter 715 ILCS 5/0.01 et seq., R.S. 1874, P728 Sec 1, EFF. July 1, 1874. Amended by Laws 1959, P1494, EFF. July 17, 1959. Formerly Ill. Rev. Stat. 1991, CH100, PL.

Note: Notice appeared in the following checked positions.

PUBLICATION DATE(S): 09/19/2023

Chicago Sun-Times

IN WITNESS WHEREOF, the undersigned, being duly authorized,
has caused this Certificate to be signed

By

Robin Munoz
Manager | Recruitment & Legals

This 19th Day of September 2023 A.D.

VILLAGE OF WILLOWBROOK
7760 S QUINCY ST
WILLOWBROOK, IL 60527-5532



Attachment 2
Notice of Public Hearing Sign Posted





Attachment 3
Legal Description

LOTS 22, 23, AND 24 IN BLOCK 15, IN OSCAR H. SECRIST’S SUBDIVISION OF BLOCKS 1, 2, 7, 8, 9, 10, 15, AND 16 IN SECRIST’S SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID OSCAR H. SECRIST’S SUBDIVISION RECORDED NOVEMBER 20, 1893 AS DOCUMENT 53901, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 310 59TH STREET, WILLOWBROOK, ILLINOIS.

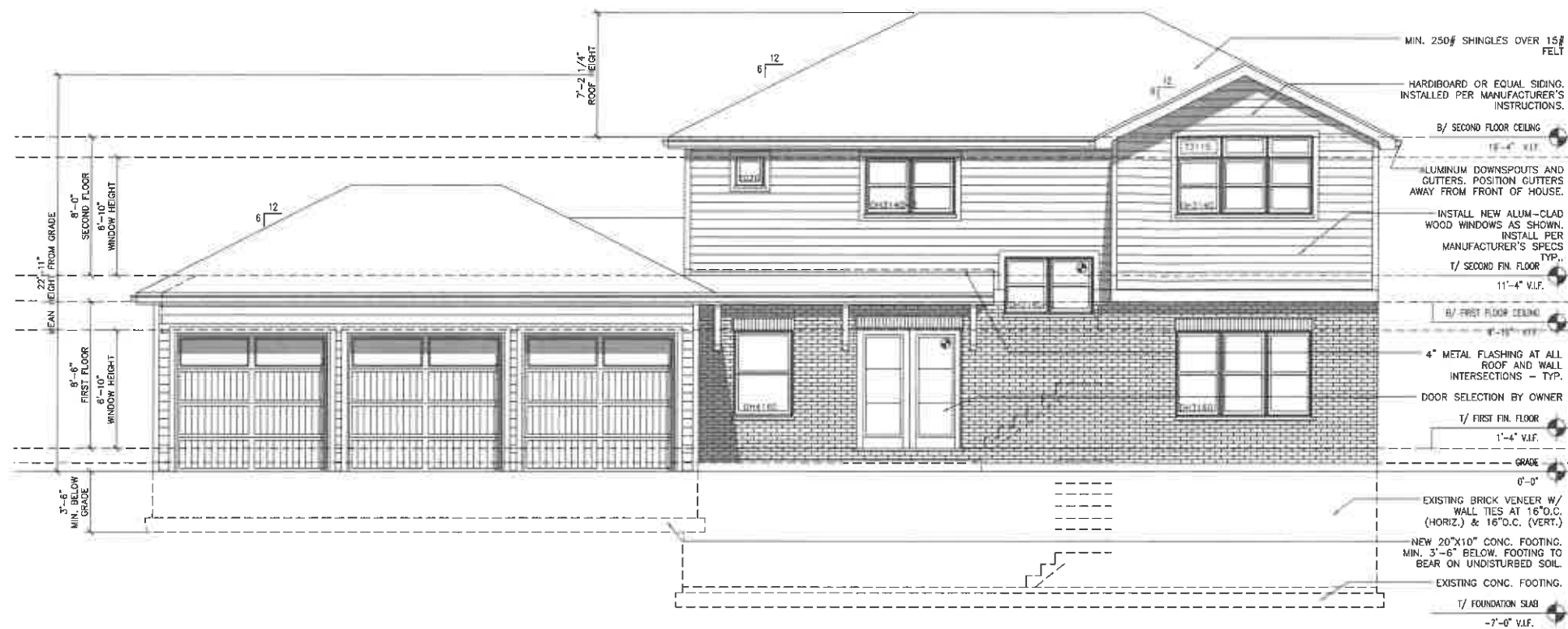
PIN: 09-15-218-020



Attachment 4
Site Plan dated 6.9.2023 (11x17)

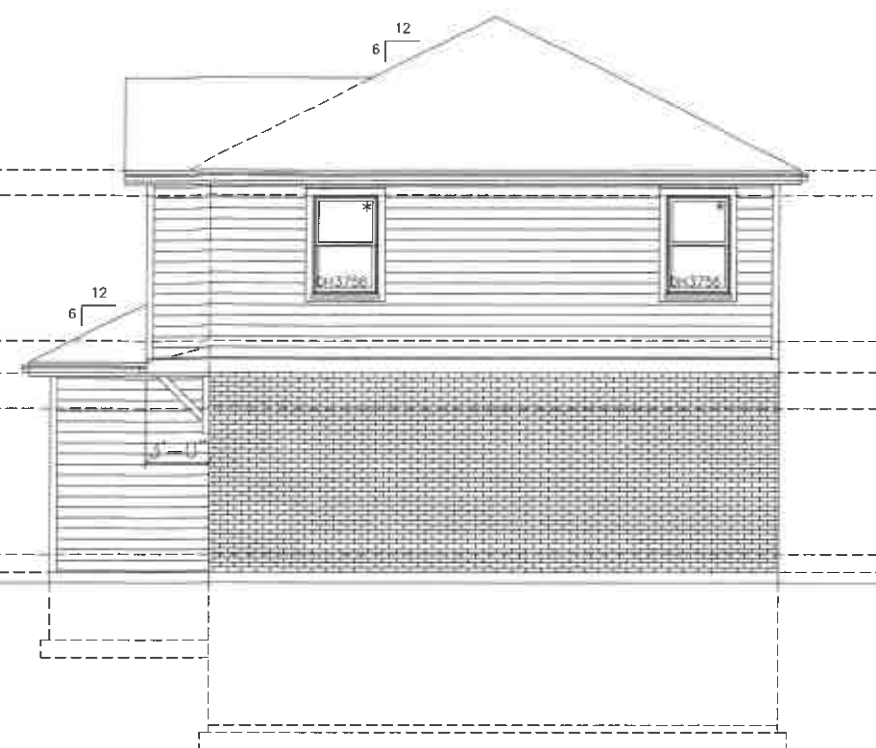
Attachment 5
New elevation plan (11x17)

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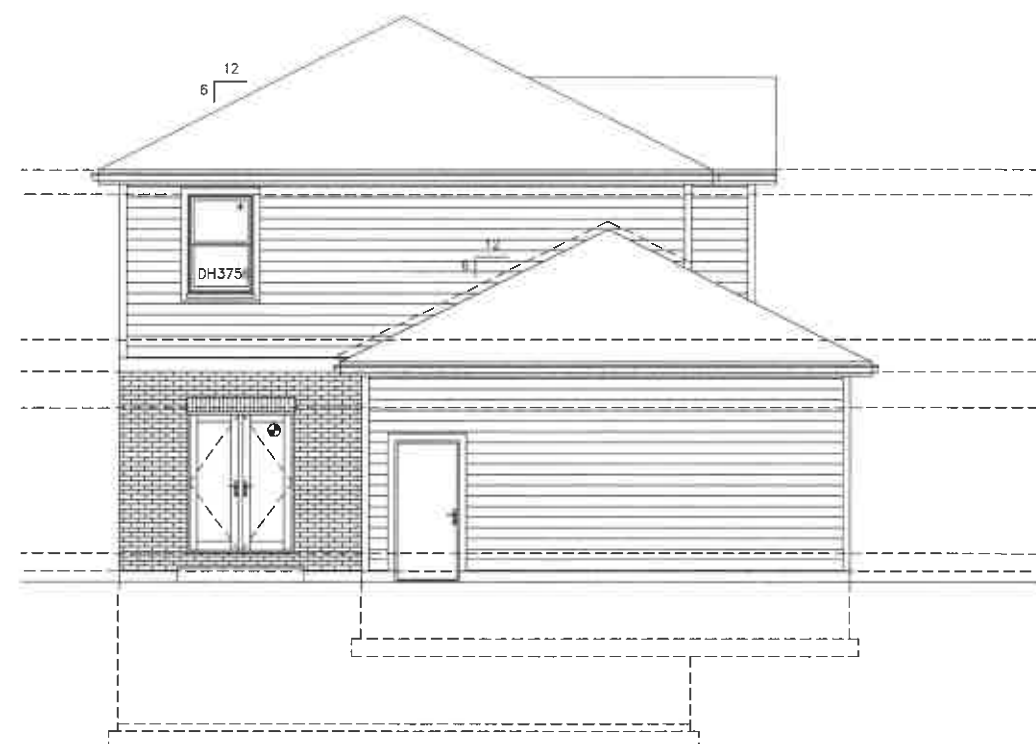
FRONT ELEVATION

SAFETY GLAZED
* EGRESS WINDOW
1/4" = 1'-0"



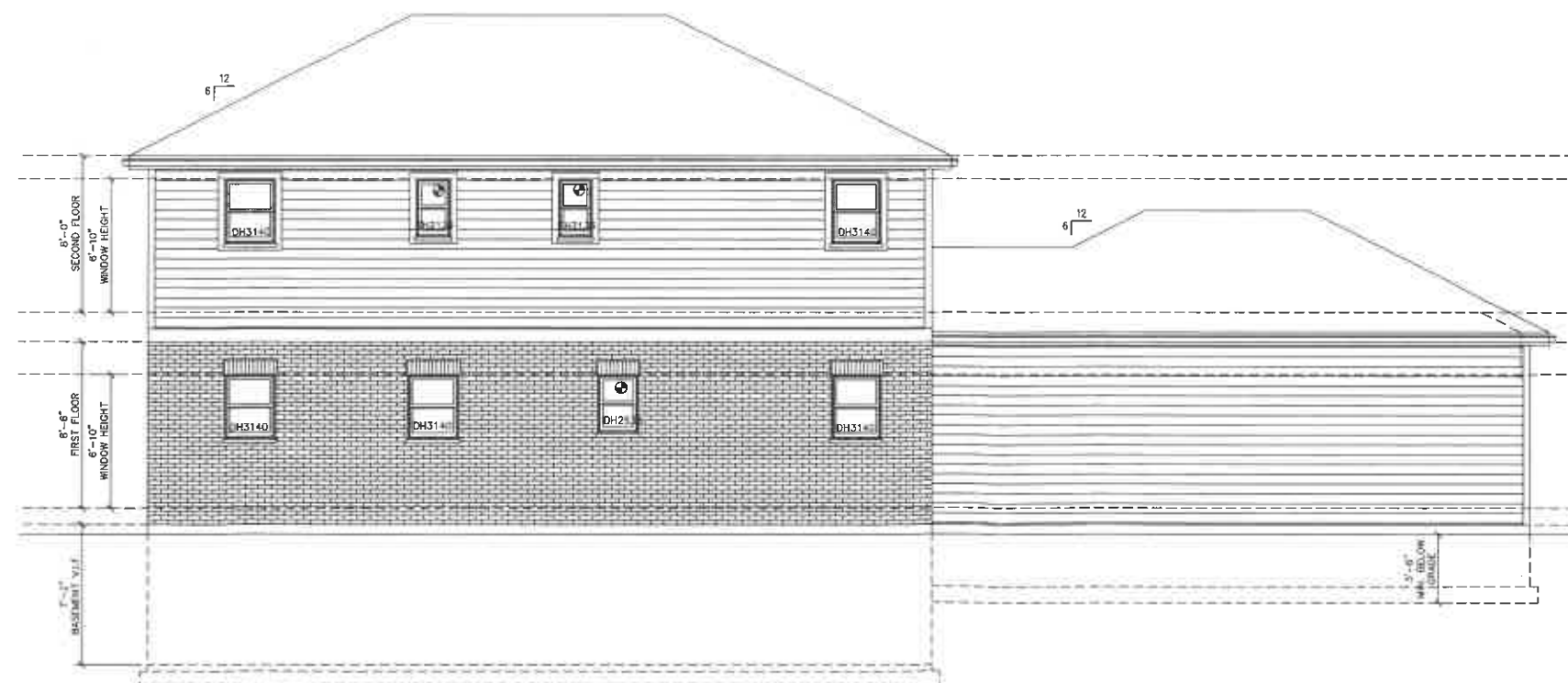
REAR ELEVATION

SAFETY GLAZED
* EGRESS WINDOW
1/4" = 1'-0"



LEFT ELEVATION

SAFETY GLAZED
* EGRESS WINDOW
1/8" = 1'-0"



REAR ELEVATION

SAFETY GLAZED
* EGRESS WINDOW
1/4" = 1'-0"