

## A G E N D A

MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, MARCH 6, 2024 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. Revised Minutes of October 4, 2023, Plan Commission Regular Meeting
  - C. Minutes of December 13, 2023, Plan Commission Special Meeting
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 24-01: Consider a petition for the following:
  - i. A Preliminary Plat of Subdivision to resubdivide one (1) parcel into two (2) parcels at 6134 Bentley Avenue.
  - ii. Approval of variations from Title 9 Unified Development Ordinance as part of the proposed subdivision.
  - A. Public Hearing
  - B. Discussion/Recommendation
5. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 24-02: Consider a petition requesting an amendment to previously approved special use, Ordinance 89-O-52, for the Willowbrook Plaza 2, formerly known as Wingren Plaza, for an exterior façade change to tenant space 900 75<sup>th</sup> Street.
  - A. Public Hearing
  - B. Discussion/Recommendation
6. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 24-03: Consider a petition requesting a sign variance from Title 9 of the Village Unified Development Ordinance to Section 9-6-04(A)(4) for 900 75<sup>th</sup> Street.
  - A. Public Hearing
  - B. Discussion/Recommendation
7. VISITOR'S BUSINESS
8. COMMUNICATIONS
9. ADJOURNMENT

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, OCTOBER 4, 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, Commissioner Kanaverskiss, Kaczmarek, Kaucky.  
Staff present: Michael Krol, Director of Community Development

ABSENT: Commissioner Baksay, Walec, 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 of August 2, 2023, Plan Commission Public Hearing.

MOTION: Made by Commissioner Kaucky seconded by Commissioner Kaczmarek 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.

1. 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. DISCUSSION/RECOMMENDATION

Director Krol provided a brief overview of the zoning variance request for the front yard setback and the corner/exterior side yard setback at 310 59<sup>th</sup> Street. The subject property was annexed into Willowbrook in 1987 and the home was developed prior to 1978 under DuPage County Zoning and Subdivision codes. It is believed that the front yard setback at the time the house was built was 25 feet and the corner side yard setbacks were 10 feet. There are a number of homes along 59<sup>th</sup> Street with corner yards that appear to be about 10 feet from the property line.

The property approached Village staff regarding a second-floor addition to the existing house, demolishing the existing detached three car garage and building an attached three car garage. Section 9-10-04B states that any non-confirming residential building or structure needs to be brought into compliance. Without completely demolishing the home, it cannot be brought into compliance which is why the owner is seeking the front and exterior side yard zoning variance.

Director Krol asked if the owners had any additional comments or questions.

Chairman Kopp: Does anyone from the Plan Commission have any questions? To the owner, if you would like to speak you are allowed too.

No questions or comments from the property owner.

Chairman Kopp: With that said we will close the public hearing. To me this looks like net gain and I cant image the neighbors had any objection since the garage is moving further away from the neighbors.

Director Krol: The existing house sits back from the exterior side yard 35'-1". The variance is actually for 31 feet because the new three car attached garage will be located about 5 feet closer from the current location of the detached garage. Village staff has no objection to the proposal. Similar variations have been granted in the area for side and front yard setbacks for similar situations.

Chairman Kopp read the proposed motion into the record.

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, 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 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.**

Made by: Commissioner Kaucky seconded by Commissioner Kaczmarek.

Roll Call Votes:

AYES: Commissioner Kaucky, Kanaverskis, Kaczmarek, Chairman Kopp.

NAYS: None

5. VISTOR'S BUSINESS.

None

6. COMMUNICATIONS

Director Krol, no report but can answer any questions about ongoing projects.

Commissioner Kaucky, asked about the project at 75<sup>th</sup> and 83, the Panda Express.

Director Krol, The project is still open, however the deadline for permit approval for Panda Express is November 10<sup>th</sup>. After that date there is no further extensions that can be granted by the Board, which they have granted two extensions already which is allowed by code. There are still several open items that the applicant needs to submit prior to permit issuance, two of which need Village Board approval. Part of the delay has been IEPA NFR letter from site cleanup.

Commissioner Kanaverskis, asked about the landscapers witnessed on the property. And installed concrete barriers.

Director Krol, that was requested by staff to keep up property maintenance. Tall grass and weeds were becoming too tall. The barriers were installed by property ownership to keep the semi-trucks and parked cars off the property.

Chairman Kopp, will the change in the zoning ordinance impact Panda?

Director Krol, Panda Express was granted 14 zoning variations for the property. The new UDO will apply to any new application for a Panda Express and zoning variations might be required.



Commissioner Kanaverskis, are they working at the cannabis dispensary business?

Director Krol, yes, they are working, and I don't have a timeline of project completion. They have had rough inspections completed and approved recently.

Chairman Kopp, in my neighborhood everyone was happy that the hoarder on Bentley got their front yard cleaned up.

Director Krol, there were multiple court orders for the Village to go on the property, to tow vehicles away, and cleanup and remove debris from the property. Public Works had several staff members there cleaning up debris for several hours and a tow company on site.

## 7. ADJOURNMENT

MOTION: Made by Commissioner Kaucky seconded by Commissioner Kaczmarek to adjourn the meeting of the Plan Commission at 7:11 p.m.

Roll call votes AYES: Commissioners, Kanaverskis, Kaczmarek, Kaucky, and Chairman Kopp.

MOTION DECLARED CARRIED

UNANIMOUS VOICE VOTE  
PRESENTED, READ, AND APPROVED,

October 4, 2023

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Chairman Kopp

Minutes transcribed by Director Krol

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, DECEMBER 13, 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, Commissioner Kanaverskiss, Kaczmarek, Kaucky, Walec.  
Staff present: Michael Krol, Director of Community Development.

ABSENT: Commissioner Baksay and 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 of October 4, 2023, Plan Commission Public Hearing.

- a. Commissioner Kaczmarek requested update minutes from October 4, 2023, for the next public hearing. Commissioner Kaczmarek pointed out that page 4 of the meeting minutes, Commissioner Kaczmarek asked a question about the cannabis dispensary, not Commissioner Kanaverkiss. The minutes have been updated.

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

Roll Call Votes:

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

NAYS: None

MOTION DECLARED CARRIED.

- 1. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 23-06: Consider a petition requesting a zoning variance from Title 9 of the Village Unified Development Ordinance to Section 9-3-01(A) to reduce the front yard setback in R-2 district from 40 feet to 33'-6" at 638 67<sup>th</sup> Place.

A. DISCUSSION/RECOMMENDATION

Director Krol provided a brief overview of the zoning variance request for the front yard setback at 638 67<sup>th</sup> Place. The property owner approached Village staff regarding a second-floor addition, new attached garage, and extending their front porch towards the front yard. After reviewing the Plat of Survey, it was determined that the existing home did not meet the R-2 UDO setback of 40 feet because the subject property was annexed into Willowbrook in 1981 as part of a 22 lot Willowbrook annexation. The home was constructed in 1958 under DuPage County Zoning and Subdivision codes, which required a 30-foot front yard setback at the time of construction.

Similar to other variance cases, Section 9-10-04B of the UDO states that non-conforming residential building can be enlarged if the existing residence is brought into compliance. The Village wouldn't tell a resident to demolish part of their residence to comply with Village Code. The owners are seeking a variance so they can proceed with their proposed addition.

Director Krol asked if the applicants wanted to make a statement or answer any questions.

Marius Balsys, 638 67<sup>th</sup> Place, Willowbrook, Illinois was sworn in for testimony.

Marius Balsys stated that the existing house has an existing stoop that is 6 feet from the house. The variance request is to maintain the 6-foot stoop, but extend the stoop's length down the front over the house to be converted into a covered front porch. The porch will wrap around the front corner and extend to the attached garage addition.

Director Krol added that the drawing located on the screen shows the covered porch, which is then considered part of the principal structure, which again is the reason for the variance. With that said, staff is available for questions.

Chairman Kopp, does anyone from the Plan Commission have any questions? To the owner, if you would like to speak you are allowed too.

No questions or comments from the Plan Commission.

Chairman Kopp, with that said we will close the public hearing case 23-06. This seems like a fine project. The neighborhood is changing, and this renovation will be a nice addition. The front yard looks to be in line with the other existing houses on either side of the street.

Chairman Kopp asks if staff received any objection to the variance request from neighbors?

Director Krol, I received no phone calls, emails, or formal objections to the proposal.

Chairman Kopp Does anyone from the Plan Commission have any comments?

Commissioner Walec, I don't see any issues with the proposal.  
Chairman Kopp read the proposed motion into the record.

**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 to the front yard setback in the R-2 District of the Unified Development Ordinance to allow a 33'-6" front yard setback for 638 67<sup>th</sup> Place with the condition that all construction permits must be approved and issued prior work starting and the design shall generally conform with the site plan and building elevation attached to the packet.**

Made by: Commissioner Kaucky seconded by Commissioner Walec.

Roll Call Votes:

AYES: Commissioner Kanaverskis, Kaczmarek, Kaucky, Walec, Chairman Kopp.

NAYS: None

MOTION DECLARED CARRIED

#### 5. VISTOR'S BUSINESS.

None

#### 6. COMMUNICATIONS

Director Krol, wanted to say thank you to all the Commissioner who attended the special public hearing tonight. We were trying to accommodate two cases; the second case was not present tonight as they did not submit their application and documents in time to be considered. The only other communication note was that the Panda Express approval ordinance has officially expired, and the permit was closed. The applicant for the permit did pay all the previous plan review fees dating back to 2021. I have not heard if Panda Express plans on resubmitting documents in the future.

#### 7. ADJOURNMENT

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

**Roll call votes AYES:** Commissioners, Kanaverskis, Kaczmarek, Kaucky, Walec, Chairman Kopp.

MOTION DECLARED CARRIED

Plan Commission – Public Hearing  
December 13, 2023  
Page 4

UNANIMOUS VOICE VOTE  
PRESENTED, READ, AND APPROVED,

March 6 ,2024

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Chairman Kopp

Minutes transcribed by Director Krol



## Village of Willowbrook

### Staff Report to the Plan Commission

<b>Public Hearing Date:</b>	March 6, 2024		
<b>Prepared By:</b>	Michael Krol, Director of Community Development		
<b>Case Title:</b>	Zoning Hearing Case No. PC 24-01: Preliminary Plat of Subdivision for Syrux Subdivision, located at 6341 Bentley Avenue and consideration of zoning variations to the Unified Development Ordinance.		
<b>Petitioner:</b>	Peter Ruksza & Victoria Syren, 6134 Bentley Avenue, Willowbrook, IL 60527.		
<b>Action Requested by</b>	<p>Consideration and recommendation regarding a Preliminary Plat of Subdivision for 6134 Bentley Avenue, Willowbrook, Illinois for a minor subdivision, for a lot line adjustment to resubdivide one (1) single-family residential parcel into two (2) parcels and consideration of the following zoning variations:</p> <ol style="list-style-type: none"><li>1. Section 9-07-03(B)(4)(a)(4) to increase the maximum depth to width ratio of three to one (3:1) maximum, to allow Lot 1, 90' x 314.63 and Lot 2, 75.08 x 404.28 of the proposed subdivision.</li><li>2. Section 9-07-04(D)(1) to eliminate or waive the sidewalk requirement from the subdivision proposal as no other properties on this block of Bentley Avenue have public sidewalks.</li></ol>		
<b>Location:</b>	6134 Bentley Avenue, Willowbrook IL 60527		
<b>PINs:</b>	09-15-405-024		
<b>Existing Zoning:</b>	R-2 Single Family Residence District		
<b>Proposed Zoning:</b>	R-2 Single Family Residence District		
<b>Property Size:</b>	1.36 acres		
<b>Surrounding Land Use:</b>	<b>Use</b>	<b>Zoning</b>	
North	Single Family Residential	R-2	
East	Single Family Residential	R-2	
West	Westmont Residential & Single-Family Residential	N/A	
South	Single-Family Residential	R-2	

**Necessary Action by  
Plan Commission:**

Make either a positive recommendation or negative recommendation to the Mayor and Village Board for the proposed Preliminary Plat of Subdivision and the identified zoning variations for the Syrux Subdivision.  
**A sample motion can be found on page 4.**



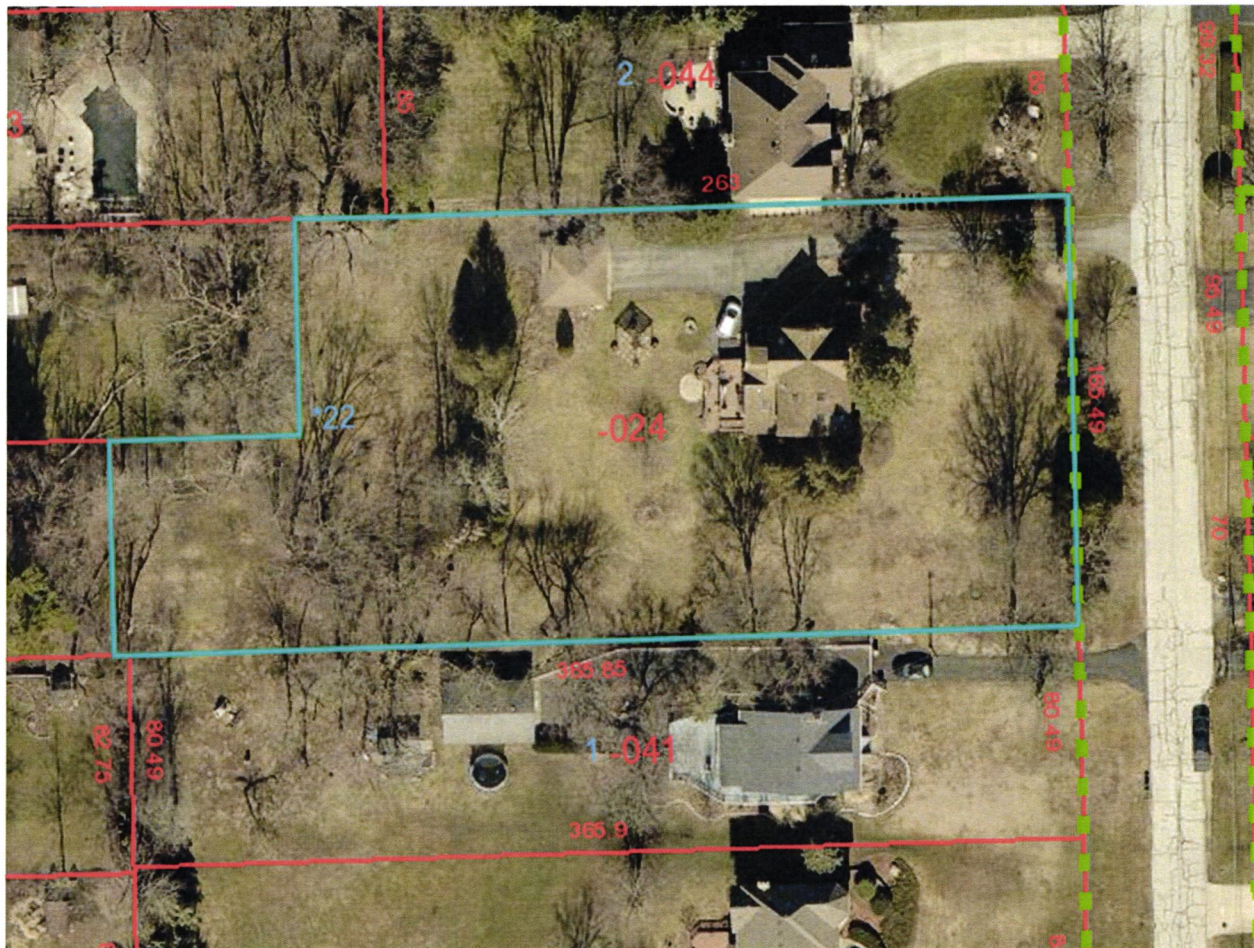


## History & Background

## Site Description

The subject parcel is 1.36 total acres with a single-family home and a detached garage on the property. The parcel was platted in DuPage County as part of The Clarendon Hills Acre Estates Subdivision from 1923 and is one of the only remaining properties on the block that have not been resubdivided from the original subdivision. The existing lot measures approximately 165' in width and 314.45 feet in depth along the north property line and 403.90 feet in width along the south property line.

### Exhibit 1: Arial View of the Subject Property



## Development Proposal

The purpose of this meeting and public hearing shall be to consider a petition requesting a review and recommendation regarding a preliminary plat of Subdivision for Syrux Subdivision located at 6134 Bentley Avenue, Willowbrook, Illinois, for a minor subdivision to resubdivide one (1) parcel into a two (2) lot subdivision. The second request for review and recommendation is approval of the following zoning variations from the Unified Development Ordinance (UDO):





1. Section 9-07-03(B)(4)(a)(4) to increase the maximum depth to width ratio of three to one (3:1), to allow Lot 1, 90' x 314.63 (ratio 1:3.49) and Lot 2, 75.08 x 404.28 (ratio 1:5.38) of the proposed subdivision.
2. Section 9-07-04(D)(1) to eliminate or waive the sidewalk requirement from the subdivision proposal as no other properties on this block of Bentley Avenue have public sidewalks.

The petitioners, Peter Ruksza & Victoria Syren, 6134 Bentley Avenue, Willowbrook, Illinois currently reside in the existing house located on the subject property. If approved, the owner intends to live in the exiting house and sell the other individual lot, which would carry the same R-2 Single-Family Residence zoning district.

Pursuant to the Subdivision Standards and Procedures of the Unified Development Ordinance (UDO), the proposed subdivision qualifies as a minor subdivision because the proposal is for under five (5) lots and requires preliminary plat approval at a public hearing with Plan Commission review and recommendation prior to Village Board consideration.

## Staff Analysis

### Appropriateness of Use

Single-family detached homes are a permitted use in the R-2 district. The bulk regulations for the R-2 district are provided in the chart below. Both proposed resubdivided lots meet all the minimum requirements, except for the maximum 3:1 lot width to depth ratio, which is a new requirement to the UDO.

Bulk Standard	R-2	Proposed		Departure
		Lot 1 – Existing House	Lot 2 – Vacant Lot	
Lot Area	11,000 sq. ft.	27,776 sq. ft.	31,551 sq. ft.	None.
Lot Width	70 ft.	90 ft.	75.08 ft.	None.
Front Yard Setback	40 ft.	83.28 ft.	40 ft.	None.
Interior Side Yard Setback	8 ft.	North - 40.53 ft. South – 8.56 ft.	8 ft.	None.
Exterior Side Yard Setback	40 ft.	N/A	N/A	None.
Rear Yard Setback	30 ft.	186.69 ft.	30 ft.	None.
Lot Depth	N/A	314.63	404.08	None.
Lot Depth Ratio 3 to 1	N/A	3.49 to 1	5.38 to 1	Yes.

The second request is for not installing a public sidewalk in front of the two-lot subdivision. No other property on the Bentley Avenue block within the Village of Willowbrook boundary, between 61<sup>st</sup> Street and 63<sup>rd</sup> Street has a public sidewalk.

### Comprehensive Plan/Compatibility

The Village of Willowbrook's Comprehensive Plan indicates that low density Single-Family Residential zoning is appropriate for this property. Another measure of appropriateness is to compare the new lot sizes with those that exist in the neighborhood. Surrounding existing lots are zoned R-2 in the area to the north, south, and east, of the subject property with similar lot widths and depths.



### **Easements**

Section 9-7-03(B)(3) of the Village Code includes side and rear yard easement requirements for interior lots within a subdivision. Pursuant to the Subdivision Standards and Procedures, five-foot (5') interior side yard easements and ten-foot (10') rear yard easements are required and are reflected in the proposed plat.

The Village's stormwater engineer, Christopher B. Burke Engineering, has made a recommendation of approval for the preliminary subdivision plans with easements as proposed. Stormwater management will be reviewed under a new single-family residential dwelling permit for the new vacant lot.

### **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 Summary**

Community Development Staff has no objection to the proposed subdivision and zoning variance requests. The subdivision request complies with the guidelines set forth in the Village's Comprehensive Plan and Village Unified Development Ordinance (UDO) regulations. The requested lot configurations should have no negative impacts on surrounding land uses.

Staff also supports the variation request to Section 9-07-03(B)(4)(a)(4) to increase the maximum depth to width ratio of three to one (3:1) maximum, to allow Lot 1, 90' x 314.63 and Lot 2, 75.08 x 404.28 of the proposed subdivision because of the hardship of the legally established lot lines and dwelling prior to annexation to the Village of Willowbrook is justification to recommend approval of the variation





request. The lot lines and dimensions existed prior to the development of the UDO 3:1 lot ratio requirement.

Secondly, staff supports the request to eliminate the public sidewalk code requirement. As mentioned in the staff analysis, there are no other properties on the Bentley Avenue block within the Village of Willowbrook boundary, between 61<sup>st</sup> Street and 63<sup>rd</sup> Street has public sidewalks.

Staff would also recommend reviewing the variation criteria included above staff recommendations before considering acceptance.

If additional time or testimony is needed, the Plan Commission may wish to continue this hearing and/or consideration 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 Preliminary Plat for 6134 Bentley Avenue, Willowbrook, Illinois for a minor subdivision, for a lot line adjustment to resubdivide one (1) single-family residential parcel into two (2) parcels and approval of the following variations:

1. Section 9-07-03(B)(4)(a)(4) to increase the maximum depth to width ratio of three to one (3:1) maximum, to allow Lot 1, 90' x 314.63 and Lot 2, 75.08 x 404.28 of the proposed subdivision.
2. Section 9-07-04(D)(1) to eliminate or waive the public sidewalk requirement from the subdivision proposal.

If the Plan Commission wishes to **deny** the proposed Unified Development Ordinance, staff recommends the following sample motion:

Based on the submitted petition and testimony presented, I move that the Plan Commission forward a negative recommendation to the Village Board for the proposed Preliminary Plat for 6134 Bentley Avenue, Willowbrook, Illinois for a minor subdivision, for a lot line adjustment to resubdivide one (1) single-family residential parcel into two (2) parcels and approval of the following variations:

1. Section 9-07-03(B)(4)(a)(4) to increase the maximum depth to width ratio of three to one (3:1) maximum, to allow Lot 1, 90' x 314.63 and Lot 2, 75.08 x 404.28 of the proposed subdivision.
2. Section 9-07-04(D)(1) to eliminate or waive the public sidewalk requirement from the subdivision proposal.

**Documents Attached:**

- Attachment 1: Public Hearing Notice (1 sheets)
- Attachment 2: Picture of Public Hearing sign (1 sheet)
- Attachment 3: Legal Description
- Attachment 4: Application (2 sheets)
- Attachment 5: CBBEL Recommendation of Approval
- Attachment 6: Plat of Survey & Topography (11x17)
- Attachment 7: Preliminary Plat of Syrux Subdivision (11x17)



Attachment 1  
Notice of Public Hearing (1 Sheet)

**NOTICE OF PUBLIC HEARING  
ZONING HEARING CASE NO. 24-01**

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 6th of March 2024 at the hour of 7:00 P.M. in the Village Boardroom, 825 Midway Drive, Willowbrook, IL 60527.

The purpose of this meeting and public hearing shall be to consider a petition requesting a review and recommendation regarding a Preliminary Plat of Subdivision for Syren Subdivision located at 6134 Bentley Avenue, Willowbrook, Illinois, for a minor subdivision to resubdivide one (1) parcel into a two (2) lot subdivision and approval of a variations from Title 9 Unified Development Ordinance as part of the proposed subdivision.

from Title 9 of the Village Unified Development Ordinance as are set forth in the petition, on the property legally described as follows:

THE WEST HALF OF THE NORTH OF LOT 22 (EXCEPT THE NORTH 82.47 FEET THEREOF AND ECEPT THE WEST 225 FEET THEREOF) IN CLARENDON HILLS ACRES ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 1923 AS DOCUMENT 163397.

AND THE EAST HALF OF THE NORTH HALF OF LOT 22, IN THE CLARENDON HILLS ACRES ESTATES, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 6134 BENTLEY AVENUE, WILLOWBROOK, ILLINOIS

PINs: 09-15-405-024

The applicant for this petition is Peter Ruksza & Victoria Syren, 6134 Bentley Avenue, Willowbrook, IL 60527.

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.

/s/ Sean Halloran  
Village Administrator  
(630) 323-6215

Published in the February 20, 2024, edition of The Chicago Sun-Times Newspaper.  
2/20/2024 #1167270





Attachment 2  
Picture of Public Hearing Sign posted on site





Attachment 3  
Legal Description

## PLAT OF SURVEY & TOPOGRAPHY

THE WEST HALF OF THE NORTH HALF OF LOT 22 (EXCEPT THE NORTH 82.74 FEET THEREOF AND EXCEPT THE WEST 225 FEET THEREOF) IN CLARENDON HILLS ACRES ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 1923 AS DOCUMENT 163397,

AND THE EAST HALF OF THE NORTH HALF OF LOT 22, IN CLARENDON HILLS ACRES ESTATES, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 6134 BENTLEY AVENUE, WILLOWBROOK  
PIN: 09-15-405-024  
AREA: 1.36 ACRES





Attachment 4  
Application (2 sheets)



*Willowbrook*

835 Midway Drive  
Willowbrook, IL 60527-5594

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

**APPLICATION FOR PLANNING REVIEW**

NAME OF PROJECT: 6134 Bentley Avenue Subdivision  
NAME OF APPLICANT(S): Peter Ruksza & Victoria Syren  
ADDRESS: 6134 Bentley Avenue  
CITY, STATE, ZIP: Willowbrook IL 60527 TELEPHONE: 6308871472 FAX: \_\_\_\_\_  
NAME OF PROPERTY OWNER(S): Peter Ruksza & Victoria Syren  
ADDRESS: 6134 Bentley Avenue  
CITY, STATE, ZIP: Willowbrook IL 60527 TELEPHONE: 6308871472 FAX: \_\_\_\_\_

**APPLICATION SUBMITTED FOR: (check all that apply)**

Site Plan Review	<input checked="" type="checkbox"/>	Annexation	<input type="checkbox"/>
Preliminary Plat of Subdivision	<input checked="" type="checkbox"/>	Annexation Agreement	<input type="checkbox"/>
Final Plat Subdivision	<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>
Preliminary PUD	<input type="checkbox"/>	Map Amendment (Rezoning)	<input type="checkbox"/>
Final PUD	<input type="checkbox"/>	Text Amendment	<input type="checkbox"/>
		Variation	<input type="checkbox"/>

**SITE INFORMATION:**

COMMON ADDRESS OR DISTANCE IN FEET & DIRECTION OF SUBJECT PROPERTY FROM CLOSEST STREET INTERSECTION:

6134 Bentley Avenue

PERMANENT INDEX NUMBER(S) (PIN #) OF SUBJECT PROPERTY: 09-15-405-024

LEGAL DESCRIPTION: ATTACH LEGAL DESCRIPTION TYPED ON SEPARATE 8.5 X 11" PAGE(S) AND SUBMIT A DIGITAL COPY.

AREA OF SUBJECT PROPERTY IN ACRES: 1.41

CURRENT ZONING CLASSIFICATION OF SUBJECT PROPERTY: R2

CURRENT USE OF SUBJECT PROPERTY: Single Family residence

PROPOSED ZONING CLASSIFICATION OF SUBJECT PROPERTY: R2

PROPOSED USE OF SUBJECT PROPERTY: Existing residence to remain and new Single Family residence to be constructed on newly created lot.

PROPOSED IMPROVEMENTS TO SUBJECT PROPERTY: New Single Family residence

**ADJACENT PROPERTIES**

CURRENT ZONING

LAND USE





NORTH OF SITE	<u>R2</u>	<u>Single Family Residence</u>
SOUTH OF SITE	<u>R2</u>	<u>Single Family Residence</u>
EAST OF SITE	<u>R2</u>	<u>Single Family Residences</u>
WEST OF SITE	<u>Westmont</u>	<u>Single Family Residences</u>

**UTILITIES - PROVIDE INFORMATION ON LOCATION, SIZE AND OWNERSHIP OF UTILITIES**

**WATER**

LOCATION: Front of house from Bentley Av SIZE: 1 inch  
OWNERSHIP: Peter Ruksza & Victoria Syren

**SANITARY SEWER**

LOCATION: Front of house from Bentley Av SIZE: 6 inch  
OWNERSHIP: Peter Ruksza & Victoria Syren

**STORM SEWER**

LOCATION: None SIZE: \_\_\_\_\_

**SCHOOL DISTRICT - INDICATE WHICH SCHOOL DISTRICT SERVES THE SUBJECT REALTY**

ELEMENTARY SCHOOL DISTRICT: Holmes  
JUNIOR HIGH SCHOOL DISTRICT: Westview  
HIGH SCHOOL DISTRICT: Hinsdale Central

**FIRE DISTRICT - INDICATE WHICH FIRE DISTRICT SERVES THE SUBJECT REALTY**

FIRE DISTRICT: Trl-State  
DISTANCE TO FIRE STATION: 1.7 mi

**CONSULTANTS**

NAME OF ATTORNEY OR AGENT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

NAME OF ENGINEER: Polena Engineering LLC 901 Liberty Drive Wheaton Illinois 60187  
ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: office@polena.com Office Phone: 6306536331 Cell: \_\_\_\_\_

NAME OF ARCHITECT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

NAME OF LANDSCAPE ARCHITECT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

With the submittal of this application, I hereby request that the Mayor and Board of Trustees of the Village of Willowbrook grant approval of this application and/or development as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

Signature of Property Owner: Peter Ruksza Date: 1/17/2024  
Printed Name: Peter Ruksza Victoria Syren



Attachment 5  
CBBEL Recommendation of Approval



**CHRISTOPHER B. BURKE ENGINEERING, LTD.**  
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823 0500 FAX (847) 823 0520

February 8, 2024

Village of Willowbrook  
835 Midway Drive  
Willowbrook, IL 60527

Attention: Mike Krol

Subject: 6134 Bentley – Syrux Subdivision  
Second Review  
(CBBEL Project No. 900144.H247)

Dear Mike:

As requested, we have reviewed the Plat of Subdivision for the above project prepared by Polena Engineering, LLC. and dated January 15, 2024. Documents were reviewed for compliance with the Unified Development Code (UDO). Our previous comments have been addressed and in our opinion the Plat is in general compliance with Village Code subject to the following:

1. Section 9-7-04(D) provides that sidewalks shall be provided on the sides of all street rights of way adjacent to and contained within the subdivision. If a waiver from the Subdivision Regulations is granted, no further action is required. If not, the applicant will be required to submit a development security for the value of the improvement as required by Village Code, in which case we can provide a development security amount.

Please feel free to contact me should you have any questions.

Sincerely,



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

DLL/DAM  
N:\WILLOWBROOK\90144\H247\H200-H299\90144H226\Adm\EL 1 020824



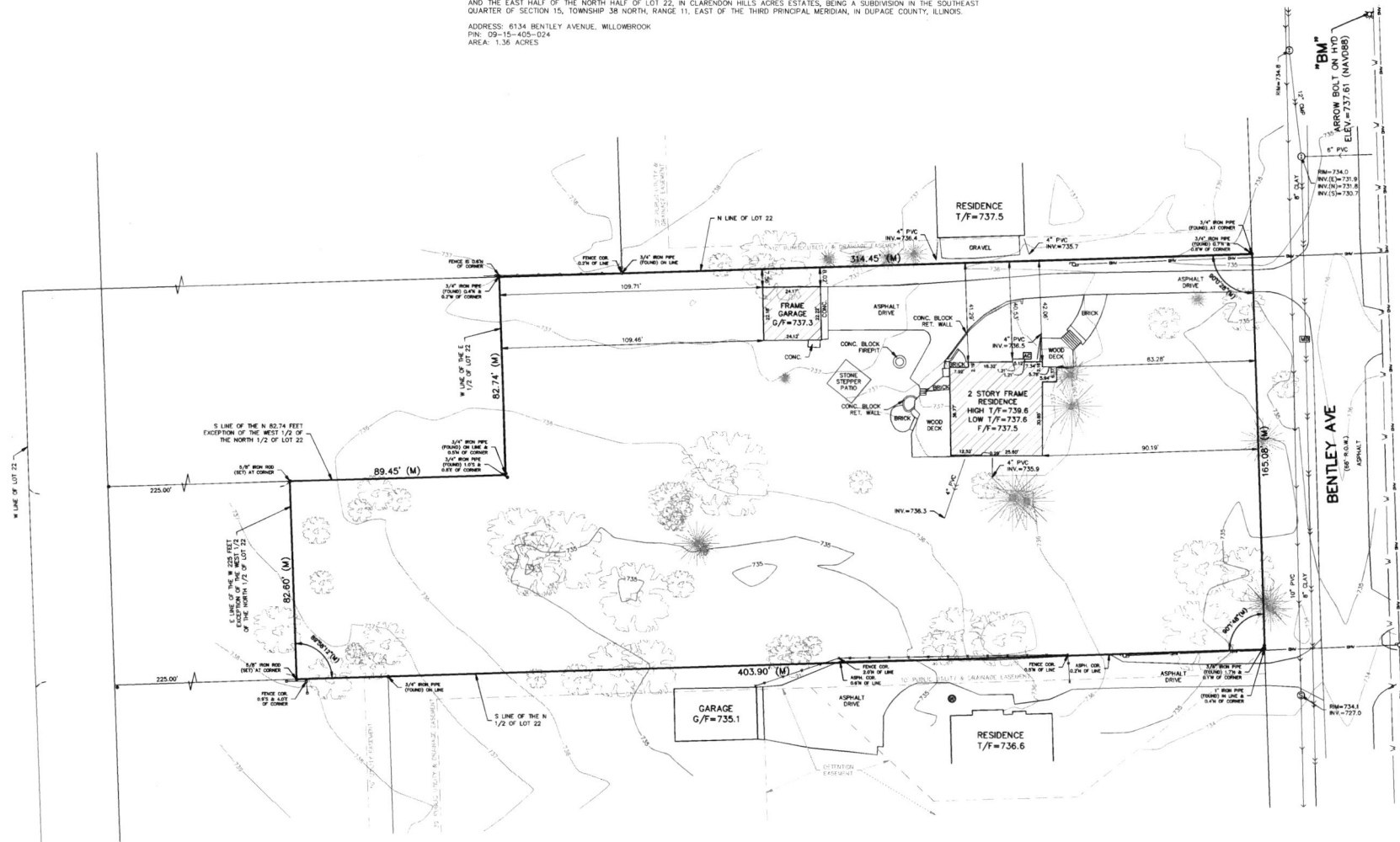
**Attachment 6:  
Plat of Survey and Topography (11x17)**

**Attachment 7:  
Preliminary Plat for Syrux Subdivision (11x17)**

# PLAT OF SURVEY & TOPOGRAPHY

THE WEST HALF OF THE NORTH HALF OF LOT 22 (EXCEPT THE NORTH 82.74 FEET THEREOF AND EXCEPT THE WEST 225 FEET THEREOF) IN CLARENDON HILLS ACRES ESTATES, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 7, 1923 AS DOCUMENT 163397, AND THE EAST HALF OF THE NORTH HALF OF LOT 22, IN CLARENDON HILLS ACRES ESTATES, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

ADDRESS: 6134 BENTLEY AVENUE, WILLOWBROOK  
P.N. 09-15-405-024  
AREA: 1.38 ACRES



LEGEND  
(M) = MEASURED DIMENSION  
(R) = RECORD DIMENSION  
T/F = TOP OF FOUNDATION  
F/F = FINISHED FLOOR  
G/F = GARAGE FLOOR

LINE LEGEND	
	PLASTIC FENCE
	WOOD FENCE
	METAL FENCE
	OVERHEAD WIRES
	WATER MAIN
	SANITARY SEWER
	STORM SEWER

SYMBOL LEGEND	
	INLET
	HYDRANT
	SANITARY MANHOLE
	WELL
	AIR CONDITIONER
	UTILITY POLE
	MAILBOX
	MONUMENTATION

STATE OF ILLINOIS  
COUNTY OF WILLOWBROOK, ILL.  
THIS IS TO CERTIFY THAT I, BRUCE SHUMWAY, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ABOVE PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, FIELD WORK COMPLETION DATE: 12/05/2023.  
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
GIVEN UNDER MY HAND AND SEAL, AT LAKE IN THE HILLS, ILLINOIS, THIS 4TH DAY OF JANUARY, A.D. 2024.  
ILLINOIS LAND SURVEYOR NO. 3201, LICENSE EXPIRES 11/30/24  
ILLINOIS DESIGN FIRM NO. 184-007240  
REFER TO DEED OF GUARANTEE POLICY FOR RESTRICTIONS.  
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.  
COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.



ORDERED BY: BRUCE SHUMWAY FILE NO. 230208



**POLENA ENGINEERING LLC**

WHEATON: 630-653-6331  
LAKE IN THE HILLS: 815-363-9200  
INFO@POLENA.COM  
WWW.POLENA.COM

ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-007240

POLENA COMPANY INCLUDES LAND TECHNOLOGY, LAMBERT & ASSOCIATES, ALAN COLEMAN, FORMER LAND CONSULTANTS, F&P REPT. DESIGN, AND MICHAEL COVINO.







**Village of Willowbrook**  
Staff Report to the Plan Commission

<b>Public Hearing Date:</b>	March 6, 2024		
<b>Prepared By:</b>	Michael Krol, Director of Community Development		
<b>Case Title:</b>	Zoning Case No. PC 24-02: A petition requesting an amendment to a previously approved Special Use, Ordinance 89-O-52, for Willowbrook Plaza 2 Shopping Center, formerly known as Wingren Plaza, 800-900 75 <sup>th</sup> Street.		
<b>Petitioner:</b>	Willowbrook Plaza, LLC. c/o Property Solutions Group, LLC. 900 S. Frontage Road, Suite 100, Willowbrook, IL 60517.		
<b>Action Requested:</b>	Consideration and Recommendation of an amendment to a previously approved Special Use for Willowbrook Plaza 2 Shopping Center, formerly known as Wingren Plaza, for an exterior façade change to 900 75 <sup>th</sup> Street.		
<b>Location:</b>	800-900 75 <sup>th</sup> Street, northeast corner of Route 83 and 75 <sup>th</sup> Street.		
<b>PINs:</b>	09-26-202-014		
<b>Existing Zoning:</b>	B – Community Shopping District		
<b>Proposed Zoning:</b>	B – Community Shopping District, with a special use amendment.		
<b>Property Size:</b>	3.59 acres		
<b>Surrounding Land Use:</b>	<b>Use</b>	<b>Zoning</b>	
North	Community Shopping District (restaurant)	B	
South	Vacant lot (former gas station)	B	
East	Community Shopping (various uses within the Willowbrook Plaza)	B	
West	Community shopping (restaurant, retail, and urgent care clinic)	B	

**Necessary Action by  
Plan Commission:**

Make either a positive or negative recommendation to the Mayor and Village Board for the proposed Amendment to previously approved special use Ordinance 89-O-52 at the Willowbrook Plaza 2, formerly known as Wingren Plaza, for an exterior façade change at 900 75<sup>th</sup> Street.

**A sample motion can be found on page 4.**



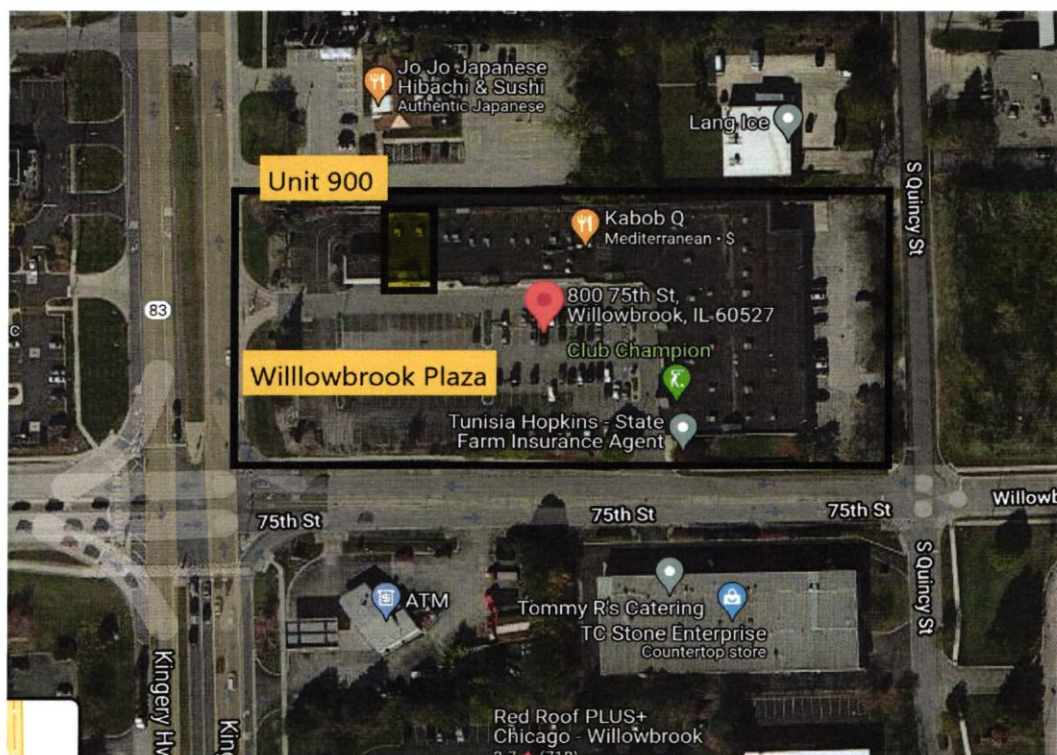
## History & Background

### Site Description

The subject property is located at the northeast corner of Illinois Route 83 and 75th Street. The subject property is zoned B Community Shopping Zoning District. Ordinance 89-O-52 was approved by the Village Board for the construction of the Wingren Plaza shopping center, now known as Willowbrook Plaza 2. The shopping center was constructed in 1990 and has a total land area of approximately 3.59 acres which houses approximately 50,000 square feet of retail and service businesses.

The west end of the of the shopping center, 900 75<sup>th</sup> Street, was granted a special use under Ordinance 22-O-02, for a 3900 square foot adult-use cannabis dispensary. The 2022 staff report for the Plan Commission and Village Board indicated no exterior changes to the building were proposed at that time.

**Exhibit 1: Arial View of the Subject Property.**



**Exhibit 2: Elevation Streetview of existing Willowbrook Plaza 2.**







### Development Proposal

Willowbrook Plaza, LLC. c/o Property Solutions Group, LLC. is requesting a special use amendment to change the exterior façade for unit 900 75<sup>th</sup> Street, the Mint Cannabis tenant space only. The original special use ordinance approval for the Wingren Plaza Shopping Center included a condition that the site must conform to the building elevation drawings prepared by Iuro and Associates. The original building elevation plan, which is attached to your packet, indicates a uniform design look that includes materials such as dryvit stucco, store front glazing, and five (5) granite store fronts for larger tenants with a peak height of 26'-2" from grade level. Exhibit 3 is a rendering of the originally approved 2022 Special Use for Mint Cannabis utilizing the existing granite façade.

**Exhibit 3:** Ordinance 22-O-02 proposed no exterior façade change.



The shopping center owner is requesting a façade change to tenant space 900 only. The proposal includes a redwood cladding vintagewood panel system over the existing granite for only Mint Cannabis as shown in **Exhibit 4**. The existing granite cladding over the masonry structure will remain. The construction plans call for plywood to be glued to the existing granite façade, followed by a Tyvek moisture barrier, then the wood panel. The construction details are attached to your packet.

**Exhibit 4:** Proposed Exterior Rendering for Mint Cannabis.

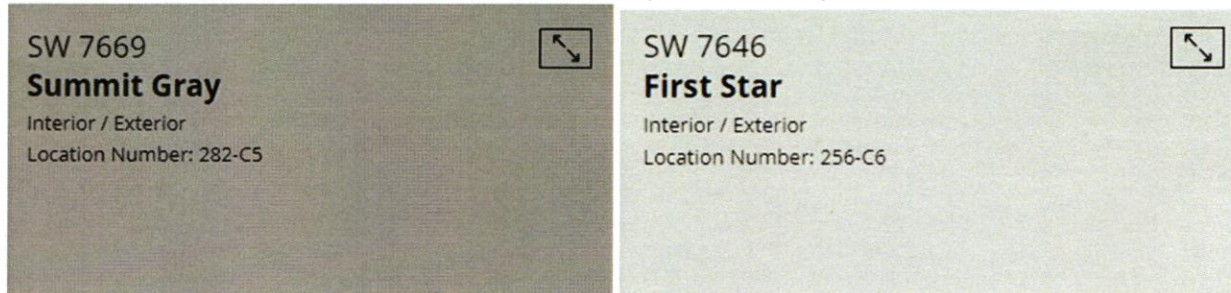






The proposed exterior has a new height of 26'-5" and will square off the peak design shown on the elevation plan. The existing dryvit system and depressed area flush with glass/aluminum will be finished with Mint Cannabis approved color #1, Sherwin Williams Summit Gray. The existing dryvit at the outer pier and upper area at the roof level will be repainted in Mint Cannabis Color #2, Sherwin Williams First Star. This is for 900 75<sup>th</sup> Street and the drive-through only. According to the store owner, the proposed exterior façade update will match his other cannabis dispensary store in Portage, Michigan.

**Exhibit 3: Sherwin Williams Paint Examples of the Proposed Exterior Colors.**



Although the existing drive-through dryvit building material will be painted, this proposal does not include any use of the drive-through by Mint Cannabis or any other business in the shopping center. A separate special use would be considered by the Plan Commission if any business wanted to utilize the existing drive-through.

The construction permit for the interior remodel was approved in June 2023. The owner submitted revised plans indicating the façade change in November 2023. Although the building code plan review has been approved by the Village building inspecting consultant, a staff zoning review revealed that additional action was required after reviewing the originally approved Ordinance 89-O-52.

## **Staff Analysis**

### **Appropriateness of Use**

The applicant is not proposing any changes to the cannabis dispensary use or approved plans associated with the previously approved Ordinance 22-O-02. The special use amendment to Ordinance 89-O-52 does not change the layout of the shopping center site, reduce the number of parking spaces, allow for a drive-through use, nor change to site landscaping. Although the height of the new façade is raised approximately 4 inches, the proposed façade change request is still under the zoning code minimum for building height in the B District. The request is for a façade and paint change to the exterior of the tenant Mint Cannabis space only located at 900 75<sup>th</sup> Street.

In the event other tenants in the Willowbrook Plaza 2 request a similar façade change to match company logo or color, the shopping center owner would need to again request a special use amendment to the originally approved ordinance.

### **Special Use Permit Review Criteria**

Although most of the review standards below don't apply to a minor special use amendment, the following standards for review shall be utilized in the review of a special use including any amendments requested and the modification standards proposed to justify those requests. The following review criteria shall be met in order for the Village Board to approve a Special Use Permit application:



- (1) 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.
- (2) 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.
- (3) 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.
- (4) Adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
- (5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) 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.

#### **Staff Conclusion:**

The proposed façade change complies with all UDO regulations. The purpose of the amendment is due to the proposed exterior façade change of the originally approved elevation plan associated with Ordinance 89-O-52. The concern is that recommending approval of façade change to one tenant, will set a future precedence for other businesses, not just in Willowbrook Plaza 2, but all Willowbrook shopping centers, to allow future façade changes to match a corporate color or create unique facades varying from the existing shopping center look.

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 amendment to previously approved special use Ordinance 89-O-52 at the Willowbrook Plaza 2, formerly known as Wingren Plaza, for an exterior façade change at 900 75<sup>th</sup> Street with the condition that the south elevation store front and drive-through shall occur generally in conformance with exterior façade plan provided by BR Design & Architecture, dated April 19, 2023.**

If the Plan Commission wishes to **deny** the proposed Unified Development Ordinance, staff recommends the following sample motion:

**Based on the submitted petition and testimony presented, I move that the Plan Commission forward a negative recommendation to the Village Board for the proposed amendment to**





**previously approved special use Ordinance 89-O-52 at the Willowbrook Plaza 2, formerly known as Wingren Plaza, for an exterior façade change at 900 75<sup>th</sup> Street.**

**Documents Attached:**

- Attachment 1: Notice of Public Hearing
- Attachment 2: Notice of Public Hearing Sign Posted
- Attachment 3: Legal Description
- Attachment 4: Application (2 pages)
- Attachment 5: Ordinance 89-O-52 (4 pages)
- Attachment 6: Mint Cannabis Façade Rendering
- Attachment 7: 1989 Elevation Plan for Wingren Plaza by Iuro and Associates (11x17)
- Attachment 8: Elevation Plan by BR Design & Architecture (11x17)

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Attachment 1  
Notice of Public Hearing

**NOTICE OF PUBLIC HEARING  
ZONING HEARING CASE NO. 24-02**

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 6th of March, 2024 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 an amendment to previously approved special use Ordinance 89-O-52 as are set forth in the petition, on the property legally described as follows:

LOT 1 IN WINGREN PLAZA SUBDIVISION, BEING A SUBDIVISION OF LOT 11 AND PART OF LOT 12 IN E. J. CHLUMSKY'S SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF WINGREN PLAZA SUBDIVISION RECORDED ON DECEMBER 5, 1989 AS DOCUMENT R89-152944, IN DUPAGE COUNTY, ILLINOIS.

PIN: 09-26-202-014

ADDRESS: 810-900 75TH STREET, WILLOWBROOK, IL 60527

The applicant for this petition is Willowbrook Plaza, LLC c/o Property Solutions Group, LLC, 900 S. Frontage Road, Suite 100, Willowbrook, IL 60517

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.

/s/ Sean Halloran  
Village Administrator  
(630) 323-8215

Published in the February 20, 2024, edition of The Chicago Sun-Times Newspaper.  
2/20/2024 #1167271



Attachment 2  
Notice of Public Hearing Sign Posted





**Attachment 3**  
**Legal Description**

**Legal Description:** Lot 1 in Wingren Plaza Subdivision, being a re-subdivision of lot 11 and part of lot 12 in E.J. Chlumsky's subdivision or part of the west ½ of the north east ¼ of section 26, township 38 north, range 11, east of the third principal meridian, according to the plat of wingren plaza subdivision recorded December 5, 1989 as document R89-152944, in DuPage County, Illinois

**ADDRESSES:** 800-900 S. 75<sup>TH</sup> STREET, WILLOWBROOK, IL 60521

**PIN:** 09-26-202-014





Attachment 4  
Application (2 pages)



*Willowbrook*

835 Midway Drive  
Willowbrook, IL 60527-5594

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

**APPLICATION FOR PLANNING REVIEW**

**NAME OF PROJECT:** Mint

**NAME OF APPLICANT(S):** Willowbrook Plaza, LLC

**ADDRESS:** c/o Property Solutions Group, LLC 900 S Frontage Road, Suite 100

**CITY, STATE, ZIP:** Willowbrook, IL 60517 **TELEPHONE:** 312-262-1499 **FAX:** \_\_\_\_\_

**NAME OF PROPERTY OWNER(S):** Willowbrook Plaza, LLC

**ADDRESS:** c/o Property Solutions Group, LLC 900 S Frontage Road, Suite 100

**CITY, STATE, ZIP:** Willowbrook, IL 60517 **TELEPHONE:** 312-262-1499 **FAX:** \_\_\_\_\_

**APPLICATION SUBMITTED FOR: (check all that apply)**

Site Plan Review	<input type="checkbox"/>	Annexation	<input type="checkbox"/>
Preliminary Plat of Subdivision	<input type="checkbox"/>	Annexation Agreement	<input type="checkbox"/>
Final Plat Subdivision	<input type="checkbox"/>	Special Use Permit	<input checked="" type="checkbox"/>
Preliminary PUD	<input type="checkbox"/>	Map Amendment (Rezoning)	<input type="checkbox"/>
Final PUD	<input type="checkbox"/>	Text Amendment	<input type="checkbox"/>
		Variation	<input type="checkbox"/>

**SITE INFORMATION:**

COMMON ADDRESS OR DISTANCE IN FEET & DIRECTION OF SUBJECT PROPERTY FROM CLOSEST STREET INTERSECTION:  
900 75th Street, Willowbrook, IL 60517

PERMANENT INDEX NUMBER(S) (PIN #) OF SUBJECT PROPERTY: 09-26-202-014

LEGAL DESCRIPTION: **ATTACH** LEGAL DESCRIPTION TYPED ON SEPARATE 8.5 X 11" PAGE(S) AND SUBMIT A DIGITAL COPY.

AREA OF SUBJECT PROPERTY IN ACRES: 3.5858

CURRENT ZONING CLASSIFICATION OF SUBJECT PROPERTY: B-2 Community Shopping

CURRENT USE OF SUBJECT PROPERTY: Community Shopping Center

PROPOSED ZONING CLASSIFICATION OF SUBJECT PROPERTY: No Change - uses are approved

PROPOSED USE OF SUBJECT PROPERTY: No Change - uses are approved

PROPOSED IMPROVEMENTS TO SUBJECT PROPERTY: End Cap facade upgrade

**ADJACENT PROPERTIES**

**CURRENT ZONING**

**LAND USE**



NORTH OF SITE	<u>B-4</u>	<u>Restaurant and offices and ice manufacturing</u>
SOUTH OF SITE	<u>B-2 and MI</u>	<u>Community Shopping Center and Industrial</u>
EAST OF SITE	<u>MI</u>	<u>Industrial and vacant land</u>
WEST OF SITE	<u>B-4</u>	<u>Community Shopping Center and restaurant</u>

**UTILITIES - PROVIDE INFORMATION ON LOCATION, SIZE AND OWNERSHIP OF UTILITIES**

**WATER**

LOCATION: Existing SIZE: \_\_\_\_\_  
OWNERSHIP: \_\_\_\_\_

**SANITARY SEWER**

LOCATION: Existing SIZE: \_\_\_\_\_  
OWNERSHIP: \_\_\_\_\_

**STORM SEWER**

LOCATION: Existing SIZE: \_\_\_\_\_

**SCHOOL DISTRICT - INDICATE WHICH SCHOOL DISTRICT SERVES THE SUBJECT REALTY**

ELEMENTARY SCHOOL DISTRICT: Gower West  
JUNIOR HIGH SCHOOL DISTRICT: Gower Middle  
HIGH SCHOOL DISTRICT: Hinsdale South

**FIRE DISTRICT - INDICATE WHICH FIRE DISTRICT SERVES THE SUBJECT REALTY**

FIRE DISTRICT: TriState Fire Protection District Station 2  
DISTANCE TO FIRE STATION: 1 mile

**CONSULTANTS**

NAME OF ATTORNEY OR AGENT: N/A

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

NAME OF ENGINEER: N/A

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

NAME OF ARCHITECT: BR Design & Architecture

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: br@brdesignarchitecture.com Office Phone: 708-508-7281 Cell: \_\_\_\_\_

NAME OF LANDSCAPE ARCHITECT: N/A

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

With the submittal of this application, I hereby request that the Mayor and Board of Trustees of the Village of Willowbrook grant approval of this application and/or development as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

Signature of Property Owner(s):  Date: 1.16.2024

Printed Name: Roxanne Gardner, Property Solutions Group, LLC as agent for Willowbrook Plaza, LLC



Attachment 5  
Ordinance 89-O-52 (4 pages)

ORDINANCE NO. 89-O- 52

AN ORDINANCE REZONING CERTAIN TERRITORY -- WINGREN  
PLAZA SUBDIVISION -- AND GRANTING A SPECIAL USE  
PERMIT AND CERTAIN VARIATIONS -- NORTHEAST CORNER  
OF ILLINOIS ROUTE 83 AND 75TH STREET

WHEREAS, on or about August 14, 1989, Walter W. Morrissey, as applicant, filed an application for the rezoning of the property legally described on Exhibit "A" attached hereto, which is by this reference, incorporated herein (the "SUBJECT REALTY"); Said application also requested the issuance of a special use permit and the grant of certain variations from the Zoning Ordinance of the Village of Willowbrook; and,

WHEREAS, Notice of Public Hearing was published on or about August 25, 1989 in the Doings newspaper, being a newspaper having general circulation within the Village of Willowbrook, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, pursuant to said Notice, the Plan Commission and the Zoning Board of Appeals of the Village of Willowbrook conducted a joint Public Hearing on or about September 13, 1989, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, at said Public Hearing, the applicant presented testimony in support of said application, and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission forwarded its recommendations to the President and Board of Trustees on or about September 19, 1989, a copy of which is attached hereto as Exhibit "B" and which is, by this reference, incorporated herein; and,





WHEREAS, the Zoning Board of Appeals forwarded its recommendations to the President and Board of Trustees on or about September 13, 1989, a copy of which is attached hereto as Exhibit "C" which is, by this reference, incorporated herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Willowbrook, Du Page County, Illinois, as follows:

SECTION ONE: That the SUBJECT REALTY be and the same is hereby rezoned from the B-4 Highway and Service Business District to the B-2 Community Shopping District of the Village of Willowbrook.

SECTION TWO: That the Zoning Map of the Village of Willowbrook be amended to reflect the granting of a special use permit for the following uses on the SUBJECT REALTY:

- A. A bank drive-in facility.
- B. A bicycle sales, rental and repair facility.
- C. A garden supply store.
- D. An electrical and household appliance sales and repair facility.
- E. A fast food establishment.

SECTION THREE: That, pursuant to Section 9-10-5(H) of the Zoning Ordinance of the Village of Willowbrook, a ten percent (10%) reduction of the minimum off-street parking requirements is hereby granted and approved with respect to the number of off-street parking spaces which would otherwise be required on the SUBJECT REALTY under Section 9-10-5(L) of the Zoning Ordinance of the Village of Willowbrook.





SECTION FOUR: That Section 9-3-7(A)1 of the Zoning Ordinance of the Village of Willowbrook, establishing a minimum required setback for lots or parcels abutting Illinois Route 83, be varied with respect to the construction of a canopy for a drive-in banking facility by reducing same from sixty seven feet (67') to fifty four feet (54').

SECTION FIVE: That Section 9-6B-3(E)3 of the Zoning Ordinance of the Village of Willowbrook, establishing a minimum exterior side yard, be varied by reducing same from sixty feet (60') to thirty feet (30').

SECTION SIX: That Section 9-10-4(G) of the Zoning Ordinance of the Village of Willowbrook, establishing a minimum number of off-street loading berths, shall be varied by reducing same from two (2) to zero.

SECTION SEVEN: That the granting of the special use permit, reduction in parking requirements and variations contained in Sections Two through Six of this Ordinance are expressly subject to the condition that all construction on and improvement of the SUBJECT REALTY shall be in conformance with the following:

1. "The Site Plan for Wingren Plaza" as prepared by Marchris Engineering, Ltd., Job No. 89-100, Sheet 1 of 1, dated August 14, 1989, and bearing the latest revision date of October 16, 1989.
2. "The Landscape Plan for Wingren Plaza", as prepared by Wingren, Inc. and the Regional Development Company, Job No. 89-101, Sheet 2 of 2, dated August 14, 1989, and bearing the latest revision date of October 11, 1989.
3. "The Building Elevation Drawings for Wingren Plaza" as prepared by Iuro and Associates, consisting of two (2) sheets and undated.



4. "The Engineer's Opinion of Cost for Public Improvements" in the amount of Sixty Six Thousand One Hundred Eighty and no/100ths Dollars (\$66,180.00) as prepared by Marchris Engineering, Ltd., consisting of three (3) pages and dated October 16, 1989.
5. The applicant shall convey whatever interest he holds in the forty foot (40') wide easement situated immediately to the south of the subject property as per E.J. Chlumsky's Subdivision recorded February 13, 1952, as Document Number 644698, to the Village of Willowbrook by Quitclaim Deed.

SECTION EIGHT: That the Village Clerk is hereby instructed to note the zoning grants made by this Ordinance upon the Official Zoning Map of the Village.

SECTION NINE: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION TEN: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED and APPROVED this 27th day of November, 1989.

APPROVED:

Eugene Moose  
President

ATTEST:

Patrick T. Spatafore  
Village Clerk

ROLL CALL VOTE: AYES: 5 Conklin, Pretzer, Kujat, Seick, LaMontagne

NAYS: 0 None

ABSTENTIONS: 0 None

ABSENT: 1 McCabe



Attachment 6  
Mint Cannabis Façade Rendering







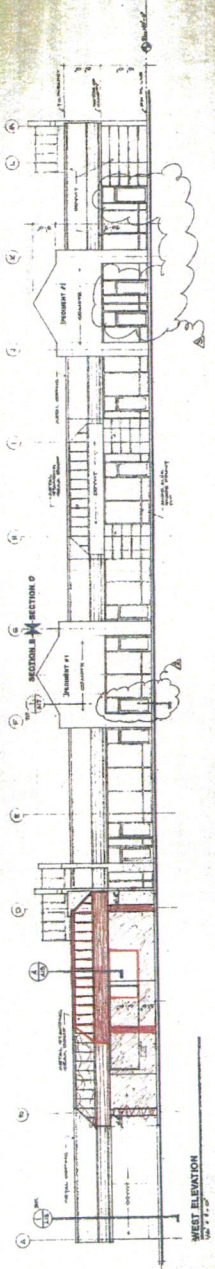
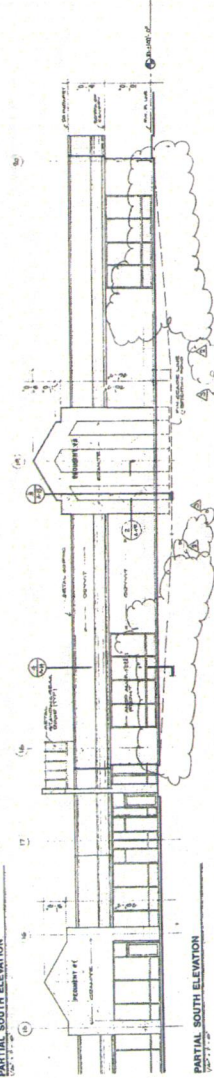
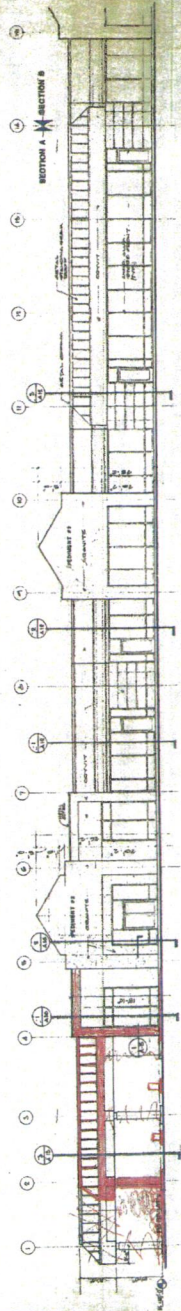
**Attachment 7**

**1989 Elevation Plan for Wingren Plaza by Iuro and Associates (11x17)**

**Attachment 8**

**Proposed Elevation Plan by BR Design & Architecture (11x17)**

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



BUILDING ELEVATIONS  
12-11-77  
WINGREN PLAZA  
1000 G ST. N.W. WASHINGTON, D.C. 20001  
Designed by Wingren & Associates, Inc.  
Architects and Engineers

A-8

WINGREN & ASSOCIATES  
architects • engineers • consultants



Scale	1/4" = 1'-0"
Notes	1. See General Notes
Revised	12-11-77
Drawn by	J. Smith
Checked by	J. Smith
Designed by	J. Smith
Project No.	W-1234

SHEET NUMBER:  
**A-1.0** OF





## Village of Willowbrook

### Staff Report to the Plan Commission

<b>Public Hearing Date:</b>	March 6, 2024										
<b>Prepared By:</b>	Michael Krol, Director of Community Development										
<b>Case Title:</b>	Zoning Case No. PC 24-03: A petition requesting a sign variance for Mint Cannabis located at 900 75 <sup>th</sup> Street.										
<b>Petitioner:</b>	Willowbrook Plaza, LLC. c/o Property Solutions Group, LLC. 900 S. Frontage Road, Suite 100, Willowbrook, IL 60517.										
<b>Action Requested:</b>	Consideration and Recommendation for a proposed sign variance to Section 9-6-04(A)(4) to increase the secondary wall sign maximum size from 50% to 100% of the primary wall sign, allowing a secondary wall sign to match the dimensions of the primary wall sign as proposed, facing Kingery Hwy. for 900 75 <sup>th</sup> Street.										
<b>Location:</b>	900 75 <sup>th</sup> Street, western most tenant space in the Willowbrook Plaza 2 Shopping Center.										
<b>PINs:</b>	09-26-202-014										
<b>Existing Zoning:</b>	B – Community Shopping District										
<b>Proposed Zoning:</b>	B – Community Shopping District.										
<b>Property Size:</b>	3.59 acres										
<b>Surrounding Land Use:</b>	<table><tr><th>Use</th><th>Zoning</th></tr><tr><td>North Community Shopping District (restaurant)</td><td>B</td></tr><tr><td>South Vacant lot (former gas station)</td><td>B</td></tr><tr><td>East Community Shopping (various uses within the Willowbrook Plaza)</td><td>B</td></tr><tr><td>West Community shopping (restaurant, retail, and urgent care clinic)</td><td>B</td></tr></table>	Use	Zoning	North Community Shopping District (restaurant)	B	South Vacant lot (former gas station)	B	East Community Shopping (various uses within the Willowbrook Plaza)	B	West Community shopping (restaurant, retail, and urgent care clinic)	B
Use	Zoning										
North Community Shopping District (restaurant)	B										
South Vacant lot (former gas station)	B										
East Community Shopping (various uses within the Willowbrook Plaza)	B										
West Community shopping (restaurant, retail, and urgent care clinic)	B										

#### Necessary Action by Plan Commission:

Make either a positive or negative recommendation to the Mayor and Village Board for a proposed sign variance to Section 9-6-04(A)(4) to increase the secondary wall sign maximum size from 50% to 100% of the primary wall sign, allowing a secondary wall sign to match the dimensions of the primary wall sign as proposed, facing Kingery Hwy. for 900 75<sup>th</sup> Street.

**A sample motion can be found on page 4.**



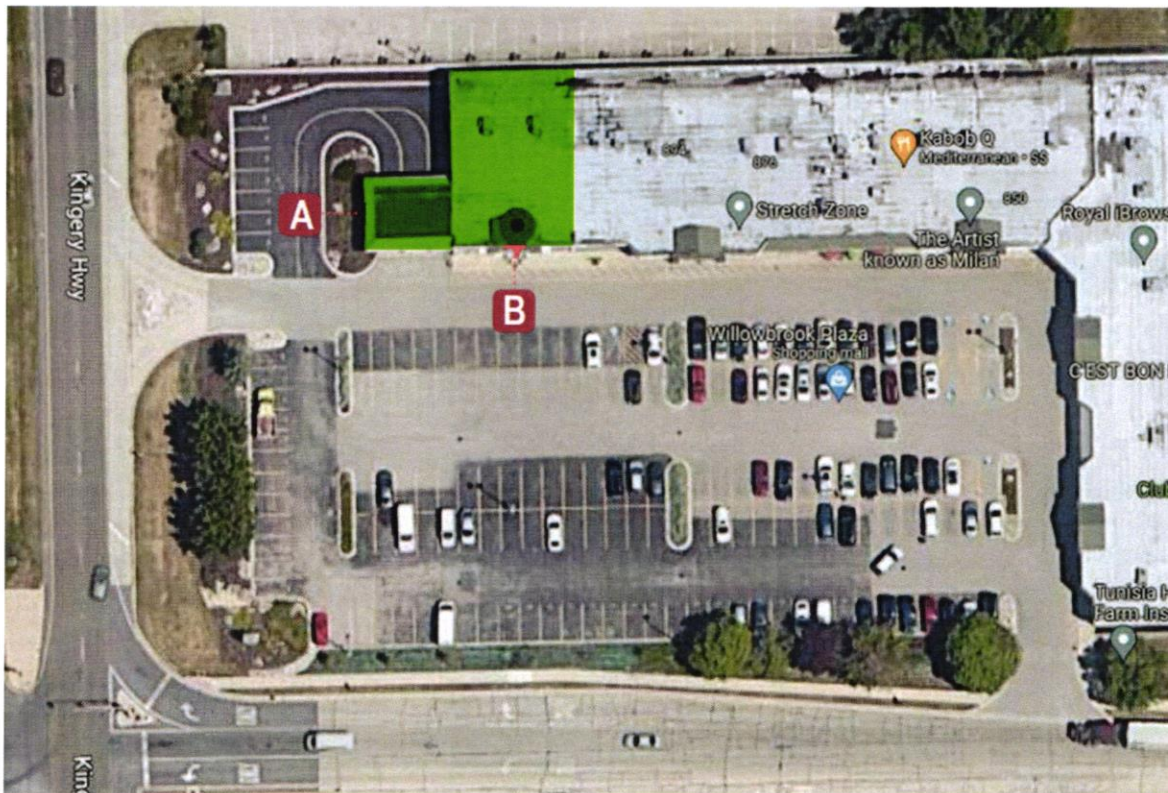
## History & Background

### Site Description

The subject property is located at the northeast corner of Illinois Route 83 and 75th Street. The subject property is zoned B Community Shopping Zoning District. Ordinance 89-O-52 was approved by the Village Board for the construction of the Wingren Plaza shopping center, now known as Willowbrook Plaza 2. The shopping center was constructed in 1990 and has a total land area of approximately 3.59 acres which houses approximately 50,000 square feet of retail and service businesses.

The west end of the of the shopping center, 900 75<sup>th</sup> Street, within the subject property was granted a special use under Ordinance 22-O-02, for a 3900 square foot adult-use cannabis dispensary.

**Exhibit 1:** Aerial View of the Subject Property.



### Variance Proposal

Mint Cannabis contacted Village staff about allowable wall signage, requesting a wall sign above the main entrance, labeled B and a secondary wall sign mounted on the west elevation of the existing drive-through, facing Kingery Hwy, labeled A in the aerial view above.

The proposed wall signage for both signs is 54.11 square feet, measure 14'-3" wide by 45.5 inches (3'-10" in height) will be illuminated. The sign labeled B over the main entrance will be 18 feet from grade to the top of the sign. Wall sign labeled A will be mounted above the drive-through canopy and will not extend higher than the mansard roof according to the submitted sign plan.





**Exhibit 2: West Elevation View of the Proposed Second Wall Sign.**



**Exhibit 3: Proposed Entry Signage**



In a separate zoning case, the shopping center owner is proposing a redwood cladding vintagewood panel system over the existing granite for only Mint Cannabis as shown in **Exhibit 3** and not related to this sign variance case. If the exterior façade is not approved, the proposed entry sign would be mounted to the existing granite.

The applicant has provided the following statement as part of their findings of facts:

“An integral part of our business success is being able to target vehicular traffic coming North and South bound on Route 83 / Kingery Highway. While our primary sign will be visible for customers heading North on Route 83, our issue to draw customers in from traffic heading South is limited. Customers are not able to see our primary sign and being able to see our secondary sign visibly is critical to our success for a number of reasons. One, due to the nature of our industry and state and federal restrictions, we are limited in how we can market our business. For instance, social media accounts constantly are closed, no ability for direct mailing, unable to market on TV or Radio are some of our limitations. Secondly, any marketing we can do in compliance with state and federal laws, we are not able to deduct those marketing costs like other businesses. We are bound by 280E tax code which only allows cost of goods sold to be a deducted business expense. Because of this, our tax burden can reach greater than 70% - limiting profitability. This challenges us





to yield a reasonable return on our investment.” Attachment 5 highlights additional hardship reasoning for the Comprehensive Sign Plan and variance application.

### Staff Analysis

A code section was included in the adopted Unified Development Ordinance (UDO), pertaining to signage and zoning action. Section 9-9-07 Comprehensive Sign Plan provides an alternative procedure under which signs can be designed, constructed, and erected with innovation, imagination, and creative architecture. The objective of the comprehensive sign plan is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable sign regulations. Any building or development can submit a Comprehensive Sign Plan for Plan Commission and Village Board review and approval.

Section 9-6-05(A)(4) provides criteria for primary and secondary wall signs. This code section states that a secondary wall sign is permitted, up to 50% of the primary sign. Section 9-6-05(A)(1) maximum sign area of wall signs shall be ten (10) percent of the total area of the face of the wall to which the sign is to be affixed. In this case, the maximum allowable signage per code for 900 75<sup>th</sup> Street is 54.25 square feet for the primary wall sign, making the maximum allowable sign for a secondary wall sign 27.05 square feet.

The applicant provided a Comprehensive Sign plan that includes two proposed wall signs at 54.11 square feet, making the variance request to increase the maximum secondary wall sign allowance of 100% to match the primary wall sign. The wall sign regulations are below.

**Exhibit 4: Wall Sign Regulations**

	Proposed Signage:	Variance Required:
<b>Primary Wall Sign:</b>	54.11 Square Feet	
Area: Less than 10% of wall face	Yes	No
Higher than Roofline	No	No
Clearance of 10 feet	Yes	No
<b>Secondary Wall Sign:</b>	54.11 Square Feet	
Distance from Primary: 20 feet	Yes	No
Max. of 50% of Primary Sign	No, requesting 100%	Yes

### 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 Conclusion

The Community Development Department staff has no objection to the proposed sign variance or to the Comprehensive Sign Plan provided. It is staff's opinion that a hardship of the State of Illinois limiting advertisement methods for specifically adult-use cannabis dispensary businesses to justify the request of increasing the secondary wall sign to match the size of the primary sign.

Per the UDO, a second wall sign is allowed, however the concern is that recommending approval of signage on the existing drive-through canopy, that is not associated with the business, might send the impression that the cannabis store offers drive-through service for their business.

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 a proposed sign variance to Section 9-6-04(A)(4) to increase the secondary wall sign maximum size from 50% to 100% of the primary wall sign, allowing a secondary wall sign to match the dimensions of the primary wall sign as proposed, facing Kingery Hwy. for 900 75<sup>th</sup> Street with the condition that the both wall signs conform with sign plan provided by Davis Signs, dated January 31, 2024.**

If the Plan Commission wishes to **deny** the proposed Unified Development Ordinance, staff recommends the following sample motion:

**Based on the submitted petition and testimony presented, I move that the Plan Commission forward a negative recommendation to the Village Board for the proposed sign variance to Section 9-6-04(A)(4) to increase the secondary wall sign maximum size from 50% to 100% of the primary wall sign, allowing a secondary wall sign to match the dimensions of the primary wall sign as proposed, facing Kingery Hwy. for 900 75<sup>th</sup> Street.**



**Documents Attached:**

- Attachment 1: Notice of Public Hearing
- Attachment 2: Notice of Public Hearing Sign Posted
- Attachment 3: Legal Description
- Attachment 4: Application (2 pages)
- Attachment 5: Applicant Standards for Variations
- Attachment 6: Landlord Letter of Authorization
- Attachment 7: Ordinance 22-O-02 (4 pages)
- Attachment 8: Mint Cannabis Sign Package (5 Pages)

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Attachment 1  
Notice of Public Hearing

<p><b>NOTICE OF PUBLIC HEARING ZONING HEARING CASE NO. 24-03</b></p> <p>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 6th of March 2024 at the hour of 7:00 P.M. in the Village Community Resource Center (CRC) Boardroom, 825 Midway Drive, Willowbrook, IL 60527.</p> <p>The purpose of this meeting and public hearing shall be to consider a petition requesting a zoning variation from Title 9 of the Village Unified Development Ordinance as are set forth in the petition, on the property legally described as follows:</p> <p>LOT 1 IN WINGREN PLAZA SUBDIVISION, BEING A SUBDIVISION OF LOT 11 AND PART OF LOT 12 IN E. J. CHLUMSKY'S SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF WINGREN PLAZA SUBDIVISION RECORDED ON DECEMBER 5, 1989 AS DOCUMENT R89-152944, IN DUPAGE COUNTY, ILLINOIS.</p> <p>PINs: 09-26-202-014</p> <p>ADDRESS: 900 75TH STREET, WILLOWBROOK, IL 60527</p> <p>The applicant for this petition is Mint IL, LLC, 900 75th Street, Willowbrook, IL 60527.</p> <p>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.</p> <p>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.</p> <p>/s/ Sean Halloran Village Administrator (630) 323-8215</p> <p>Published in the February 20, 2024, edition of The Chicago Sun-Times Newspaper. 2/20/2024 #1167272</p>
--



Attachment 2  
Notice of Public Hearing Sign Posted





**Attachment 3**  
**Legal Description**

Legal Description: Lot 1 in Wingren Plaza Subdivision, being a re-subdivision of lot 11 and part of lot 12 in E.J. Chlumsky's subdivision or part of the west ½ of the north east ¼ of section 26, township 38 north, range 11, east of the third principal meridian, according to the plat of wingren plaza subdivision recorded December 5, 1989 as document R89-152944, in DuPage County, Illinois

ADDRESSES: 800-900 S. 75<sup>TH</sup> STREET, WILLOWBROOK, IL 60521

PIN: 09-26-202-014





Attachment 4  
Application (2 pages)



*Willowbrook*

835 Midway Drive  
Willowbrook, IL 60527-5594

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

**APPLICATION FOR PLANNING REVIEW**

**NAME OF PROJECT:** Mint IL Signage  
**NAME OF APPLICANT(S):** Mint IL, LLC  
**ADDRESS:** 900 75th St  
**CITY, STATE, ZIP:** Willowbrook, IL 60527 **TELEPHONE:** 312.285.9122 **FAX:** \_\_\_\_\_  
**NAME OF PROPERTY OWNER(S):** Willowbrook Plaza, LLC  
**ADDRESS:** c/o Property Solutions Group, LLC 900 S Frontage Road, Suite 100  
**CITY, STATE, ZIP:** Willowbrook, IL 60517 **TELEPHONE:** 312.285.9122 **FAX:** \_\_\_\_\_

**APPLICATION SUBMITTED FOR: (check all that apply)**

Site Plan Review	<input type="checkbox"/>	Annexation	<input type="checkbox"/>
Preliminary Plat of Subdivision	<input type="checkbox"/>	Annexation Agreement	<input type="checkbox"/>
Final Plat Subdivision	<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>
Preliminary PUD	<input type="checkbox"/>	Map Amendment (Rezoning)	<input type="checkbox"/>
Final PUD	<input type="checkbox"/>	Text Amendment	<input type="checkbox"/>
		Variation	<input checked="" type="checkbox"/>

**SITE INFORMATION:**

COMMON ADDRESS OR DISTANCE IN FEET & DIRECTION OF SUBJECT PROPERTY FROM CLOSEST STREET INTERSECTION:  
900 75th Street, Willowbrook, IL 60517

PERMANENT INDEX NUMBER(S) (PIN #) OF SUBJECT PROPERTY: 09-26-202-014

LEGAL DESCRIPTION: **ATTACH** LEGAL DESCRIPTION TYPED ON SEPARATE 8.5 X 11" PAGE(S) AND SUBMIT A DIGITAL COPY.

AREA OF SUBJECT PROPERTY IN ACRES: 3.5858

CURRENT ZONING CLASSIFICATION OF SUBJECT PROPERTY: B-2 Community Shopping

CURRENT USE OF SUBJECT PROPERTY: Community Shopping Center

PROPOSED ZONING CLASSIFICATION OF SUBJECT PROPERTY: No Change - uses are approved

PROPOSED USE OF SUBJECT PROPERTY: No Change - uses are approved

PROPOSED IMPROVEMENTS TO SUBJECT PROPERTY: Signage on the West side of Building

**ADJACENT PROPERTIES**

**CURRENT ZONING**

**LAND USE**



NORTH OF SITE	<u>B-4</u>	<u>Restaurant and offices and ice manufacturing</u>
SOUTH OF SITE	<u>B-2 and MI</u>	<u>Community Shopping Center and Industrial</u>
EAST OF SITE	<u>MI</u>	<u>Industrial and vacant land</u>
WEST OF SITE	<u>B-4</u>	<u>Community Shopping Center and restaurant</u>

**UTILITIES - PROVIDE INFORMATION ON LOCATION, SIZE AND OWNERSHIP OF UTILITIES**

**WATER**

LOCATION: Existing SIZE: \_\_\_\_\_

OWNERSHIP: \_\_\_\_\_

**SANITARY SEWER**

LOCATION: Existing SIZE: \_\_\_\_\_

OWNERSHIP: \_\_\_\_\_

**STORM SEWER**

LOCATION: Existing SIZE: \_\_\_\_\_

**SCHOOL DISTRICT - INDICATE WHICH SCHOOL DISTRICT SERVES THE SUBJECT REALTY**

ELEMENTARY SCHOOL DISTRICT: Gower West

JUNIOR HIGH SCHOOL DISTRICT: Gower Middle

HIGH SCHOOL DISTRICT: Hinsdale South

**FIRE DISTRICT - INDICATE WHICH FIRE DISTRICT SERVES THE SUBJECT REALTY**

FIRE DISTRICT: TriState Fire Protection District Station 2

DISTANCE TO FIRE STATION: 1 mile

**CONSULTANTS**

**NAME OF ATTORNEY OR AGENT:** N/A

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

**NAME OF ENGINEER:** N/A

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

**NAME OF ARCHITECT:** BR Design & Architecture, Davis Signs

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

**NAME OF LANDSCAPE ARCHITECT:** N/A

ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP: \_\_\_\_\_

E-mail: \_\_\_\_\_ Office Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

With the submittal of this application, I hereby request that the Mayor and Board of Trustees of the Village of Willowbrook grant approval of this application and/or development as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

Signature of Property Owner(s): [Signature] Date: 2/1/24

Printed Name: Property Solutions Group, LLC  
agent for owner Willowbrook Plaza, LLC





## Attachment 5 Applicant Standards for Variations

### **Standards for Variation – Applicant Input**

The applicant is seeking a sign variance to allow for our secondary sign to be the same size as the applicant's Primary sign. The zoning code does allow the applicant to have both a primary and secondary sign, however, the code per 9-6-04(A)(4), allows the secondary sign to be a maximum of 50% the size of the primary sign. We are seeking a variance to allow the secondary sign to be the same size as the primary sign.

- A) An integral part of our business success is being able to target vehicular traffic coming North and South bound on Route 83 / Kingery Highway. While our primary sign will be visible for customers heading North on Route 83, our issue to draw customers in from traffic heading South is limited. Customers are not able to see our primary sign and being able to see our secondary sign visibly is critical to our success for a number of reasons. One, due to the nature of our industry and state and federal restrictions, we are limited in how we can market our business. For instance, social media accounts constantly are closed, no ability for direct mailing, unable to market on TV or Radio are some of our limitations. Secondly, any marketing we can do in compliance with state and federal laws, we are not able to deduct those marketing costs like other businesses. We are bound by 280E tax code which only allows cost of goods sold to be a deducted business expense. Because of this, our tax burden can reach greater than 70% - limiting profitability. This challenges us to yield a reasonable return on our investment.
- B) Due to the location of our suite faces and the unique nature of our business creates material hardship. Because our suite faces South, visibility of our primary sign on Route 83 is non-existent. Route 83 is obviously the major thoroughfare that we depend on for traffic and having signage that is visible on the West side of our suite is critical. Other suites and / or properties in the area do face West, allowing for full visibility for traffic moving in both directions on Route 83. Being allowed signage that is only 50% of our primary sign will not be visible enough as customers heading south on Route 83 will have traffic heading northbound that will block visibility. Having a sign that is the same size as our primary sign would give us some relief and more visibility. Additionally (as mentioned previously), **we face the unique hardship versus other commercial businesses in that we are significantly limited in how we can market to customers. Signage is critical to our success.**
- C) The hardships have not been created by any person presently having a proprietary interest in the premises.
- D) The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood. We are only seeking that the secondary sign to be the same size as our primary sign.
- E) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, substantially increase the danger of fire, or endanger public safety.
- F) The proposed variation will not alter the essential character of the locality. The signage is the same design and size as our primary sign.
- G) The proposed variation is in harmony with the spirit and intent of Title 9 of this Code.





Attachment 6  
Landlord Letter of Authorization

**LETTER OF AUTHORIZATION**

<u>Owner / Agent Address</u>	<u>Location Site Address</u>
Willowbrook Plaza, LLC	
c/o Property Solutions Group, LLC	
900 S. Frontage Rd., Suite 100	
Woodridge, IL 60517	
Contact Name	
Phone (& Fax)	
312 262 1499	
E-mail	
service@psgre.com	

.....

Steve Hawkins, Property Solutions Group, LLC AFO Willowbrook Plaza, LLC  
I, (print) \_\_\_\_\_, as owner / agent for  
(location) 900 75th St., Willowbrook IL \_\_\_\_\_ property, give  
(business name) Mint IL, LLC dba Mint Dispensary \_\_\_\_\_ authorization to  
install (type of) Channel \_\_\_\_\_ signage at the above mentioned location.  
Mint IL, LLC dba Mint Dispensary  
This letter shall also serve as authorization for \_\_\_\_\_ to act as our agent  
when applying for the necessary municipal approvals and permits.

Owner / Agent: Steve Hawkins, Property Solutions Group, LLC AFO Willowbrook Plaza, LLC  
Signature: \_\_\_\_\_ Date: 1/31/23  
Legal Description / Parcel Number 09-26-202-014 \_\_\_\_\_



Attachment 7  
Ordinance 22-O-02 (4 pages)

ORDINANCE NO. 22-0-02

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AN ADULT-USE  
CANNABIS DISPENSING ORGANIZATION IN TENANT SPACE 900  
IN THE WILLOWBROOK PLAZA SHOPPING CENTER  
(PREVIOUSLY WINGREN PLAZA)

---

**WHEREAS**, on or about December 21, 2021, Mint IL, LLC, D/B/A Mint Cannabis ("APPLICANT"), with approval of property owner, Willowbrook Plaza, LLC, filed an application with the Village of Willowbrook, requesting that the Village grant a special use permit with respect to the property legally described in Exhibit "A" attached hereto, which is, by this reference, incorporated herein ("SUBJECT REALTY"); and

**WHEREAS**, Applicant specifically requested the Village grant the special use permit for an Adult-Use Cannabis Dispensing Organization in Tenant Space 900 of the Subject Realty, as identified in Exhibit "B" attached hereto, which is, by this reference incorporated herein ("SUBJECT TENANT SPACE"); and

**WHEREAS**, Notice of Public Hearing on said application was published on or about December 28, 2021 in a newspaper having general circulation within the Village, to-wit, the *Chicago Sun-Times* newspaper, all as required by the statutes of the State of Illinois and the ordinances of the Village; and



**WHEREAS**, pursuant to said Notice, the Plan Commission of the Village of Willowbrook conducted a Public Hearing on or about January 12, 2022, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

**WHEREAS**, at said Public Hearing, the Applicant presented testimony in support of said application and all interested parties had an opportunity to be heard; and

**WHEREAS**, the Plan Commission forwarded its recommendation, attached hereto as Exhibit "C", including its Findings of Fact, attached hereto as Exhibit "D" to the Mayor and Board of Trustees on or about January 21, 2022, which is, by this reference, made a part hereof.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, as follows:

**SECTION 1:** That the Zoning Map of the Village of Willowbrook be amended to reflect the granting of a special use permit in SUBJECT TENANT SPACE on the SUBJECT REALTY, pursuant to Sections 9-14-5 and 9-6B-2 of the Zoning Ordinance of the Village of Willowbrook, to allow the operation of an adult-use cannabis dispensing organization.





**SECTION 2:** That the Findings of Fact made by the Plan Commission in its recommendation attached hereto as Exhibit "D" are hereby adopted by the Mayor and Board of Trustees.

**SECTION 3:** That the relief granted in Section One of this Ordinance is expressly conditioned upon the SUBJECT TENANT SPACE and SUBJECT REALTY at all times being constructed, used, operated and maintained in accordance with all of the following conditions:

1. The special use shall comply with all statutory requirements of the Cannabis Regulation and Tax Act and that the operator of the cannabis business establishment provide a copy of the State-approved license and license application documentation required by the Act to the Planning and Development Department.
2. A separate sign permit shall be obtained for the proposed building signage, pursuant to the Village Code.
3. The special use permit for the proposed development shall be null and void if construction for the proposed use is not commenced within eighteen (18) months of the date of any approval of the special use by the Village Board.

**SECTION 4:** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.



**SECTION 5:** That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED and APPROVED this 24th day of January, 2022.

APPROVED:

  
Mayor

ATTEST:

  
Village Clerk

ROLL CALL VOTE:

AYES: Astrella Berghand Davi Mustel Neal Ruffalo  
NAYS: Ø  
ABSTENTIONS: Ø  
ABSENT: Ø





**Attachment 8**  
**Mint Cannabis Comprehensive Sign Plans (5 Pages)**

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PROOF PRESENTED BY:



PREPARED FOR:



**MINT**  
**CANNABIS**

Planning & Consultation

Design & Fabrication

Installation & Removal

Maintenance & Repair

OFFICE:

746 N. Harrisville Rd.

Ogden, UT 84401

801-823-3100

[www.DavisSignsUtah.com](http://www.DavisSignsUtah.com)

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OUT TEAM:

SALES:

Blake Davis

480-636-6223

[Blake@davissignsutah.com](mailto:Blake@davissignsutah.com)

DESIGN:

[design@davis-signs.com](mailto:design@davis-signs.com)



LOCATION:

900 75th St.

Willowbrook, IL 60527



CONTACT:

Evan



NOTES:

Customer is responsible for providing a dedicated electrical circuit within 6 feet of each sign location and any desired electrical timing devices.



DRAWING NUMBER

230443-04

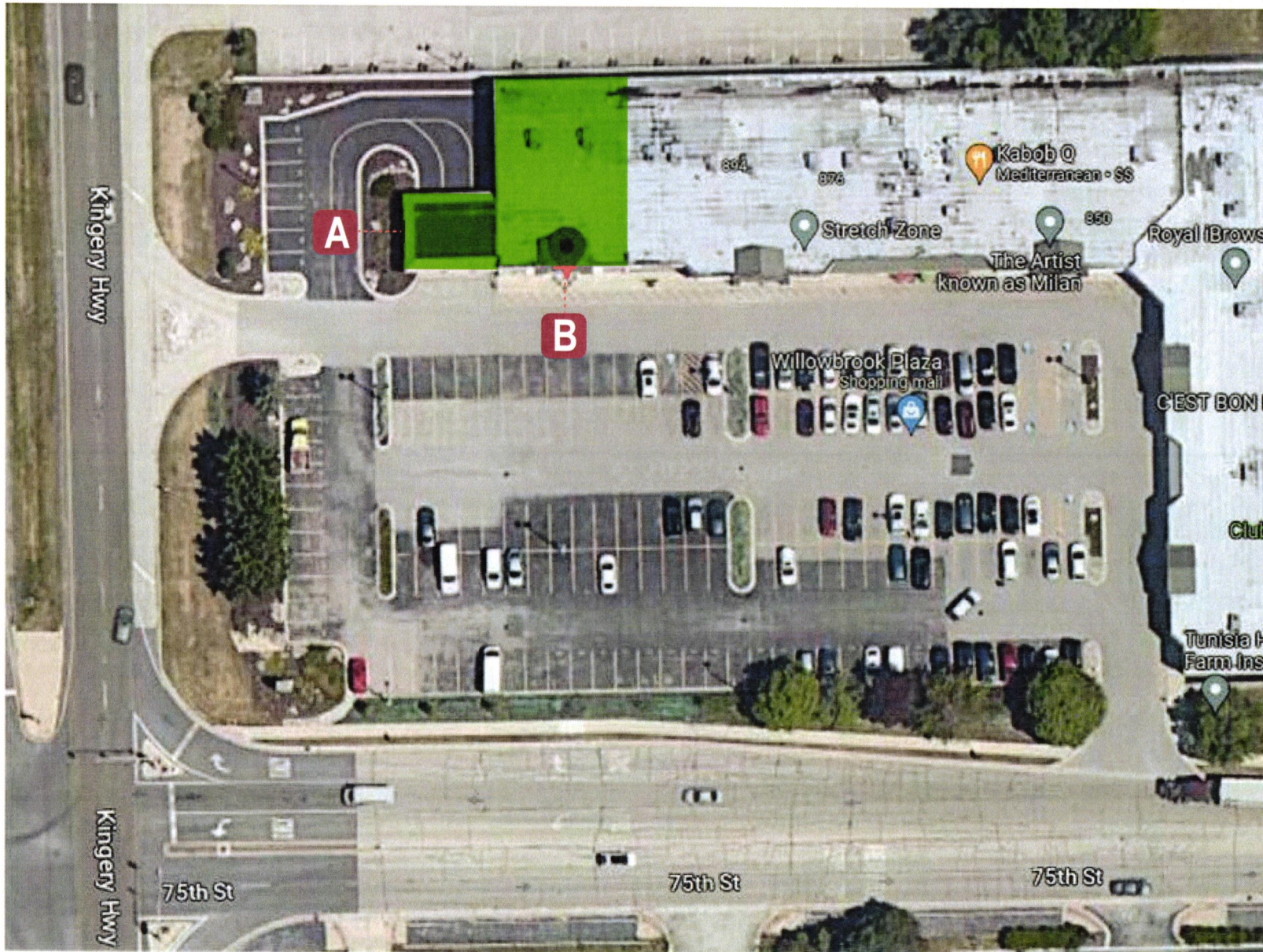
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FILE PATH:

P:\Mint Dispensary\Willowbrook IL\LAYOUTS\PROOFS







## ■ CLIENT

Mint Dispensary

## ■ LOCATION

900 75th St.  
Willowbrook, IL 60527

## ■ REVISIONS

01	07.11.23
02	10.06.23
03	12.26.23
04	01.31.24
05	
06	

## ■ APPROVAL

SIGN HERE

CUSTOMER APPROVAL

SIGN HERE

LANDLORD APPROVAL

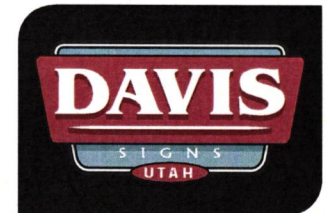
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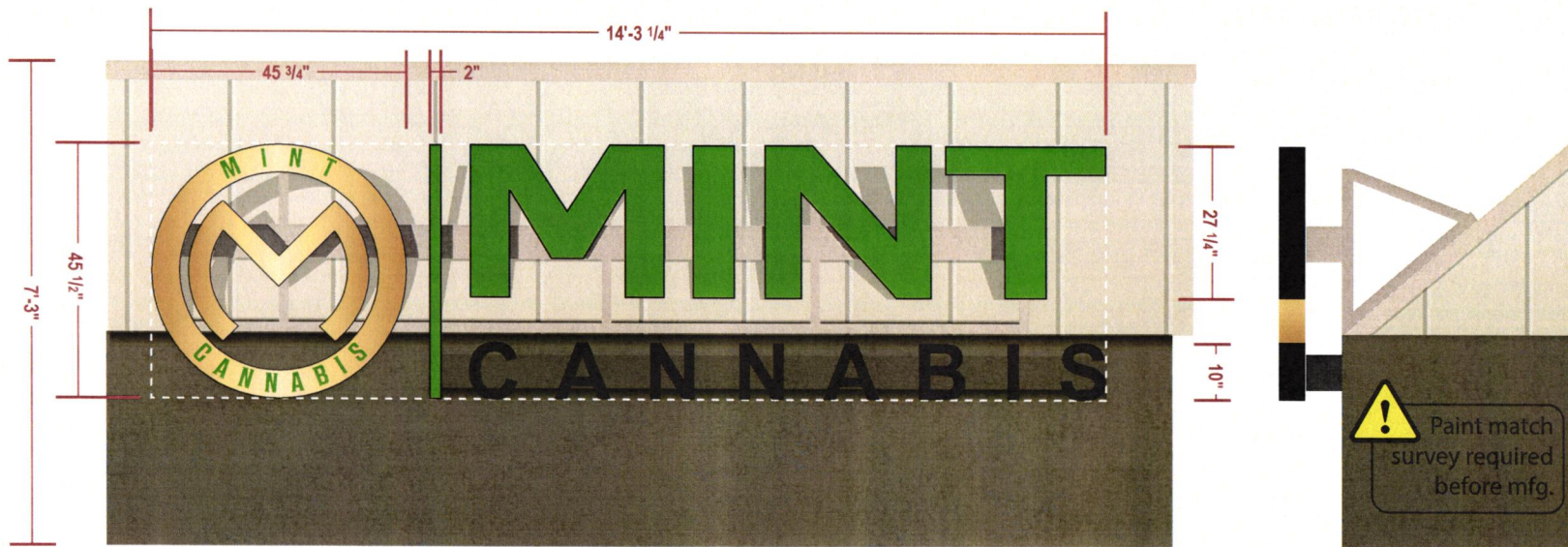


## DRAWING NUMBER

230443-04 | 01 OF 01







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Mint Dispensary

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|----|----------|
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| 06 |          |

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## DRAWING NUMBER

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## A | MANSARD RACEWAY ILLUM PAN CHANNEL DISPLAY | Scale: 3/8" = 1'-0"

### NOTE:

Fabricate and install mansard structure.  
Fabricate and install ONE (1) Set of Illuminated PC logo/letters on raceways as illustrated.

**STRUCTURE:** alum tube construction  
**RACEWAY:** 6x6 alum\*\*Paint Color  
**FACE:** 1/8" White Acrylic  
**TRIM CAP:** 1" Black  
**RETURN:** 5" Deep - .040 Aluminum

**BACKS:** 3mm ACM  
**ILLUMINATION:** White LEDs  
**INSTALL:** Flush To Wall

### FACE

1/8" White

### VINYL COLORS

- 8800-091 Gold
- 8800-087 Emerald Green
- Black perf vinyl Day/Night

TRIM CAP COLORS | PERIM: 172'

Black

RETURN COLORS | PERIM: 172'

Black

### PAINT COLORS

- Black
- PTM Awning Fascia
- PTM Metal Roof

### BACK

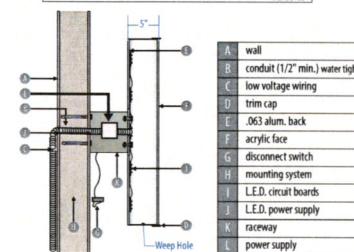
3mm ACM

### ILLUMINATION

Hanley White LEDs

### CROSS SECTION DETAILS ON RACEWAY

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 605 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. U/L LISTED



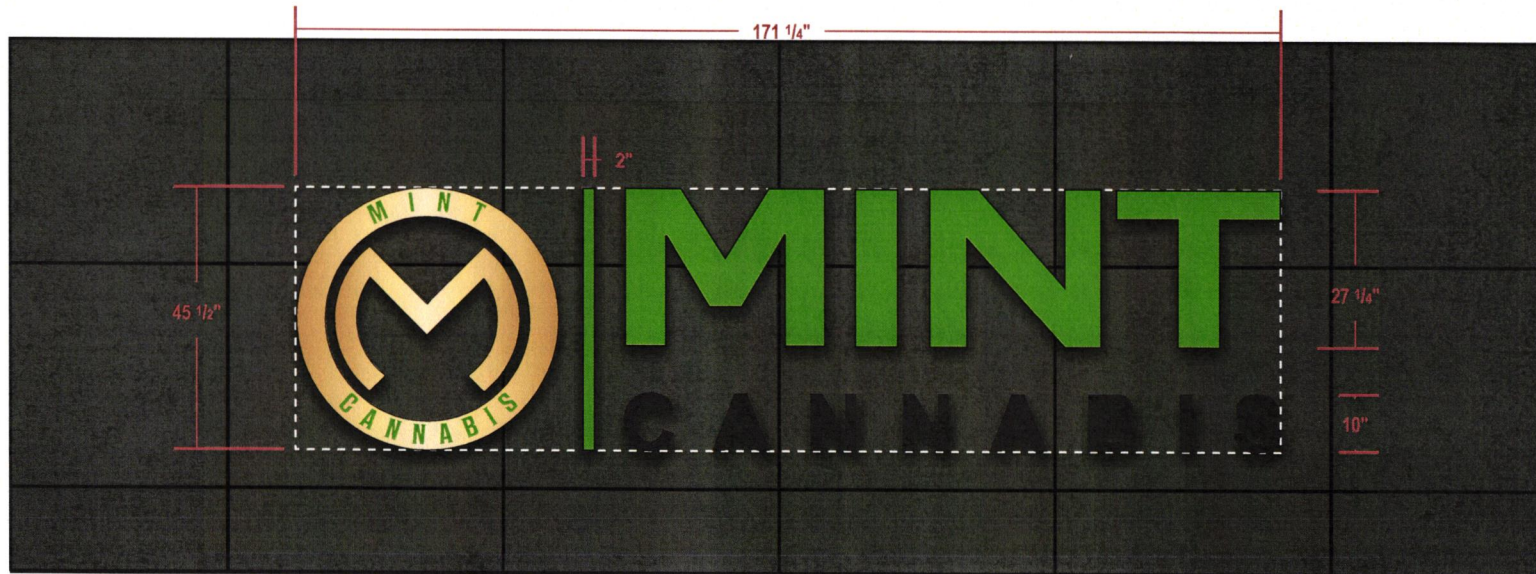
**All dimensions shall be verified before manufacture and installation.**

## PROPOSED SIGNAGE

**FRONTAGE:** 78 lin ft (1326 sf)  
**SIGN HEIGHT :** 14'-6"  
**SQUARE FOOTAGE:** 54.11 sf







## PROPOSED SIGNAGE

**FRONTAGE:** 54.25 sf  
**SIGN HEIGHT :** 18'-0"  
**SQUARE FOOTAGE:** 54.11 sf

## B | SOUTH ELEV. ILLUMINATED PAN CHANNEL DISPLAY | Scale 3/8" = 1'-0"

**NOTE:**  
 Fabricate and install Four (4) Set of Illuminated PC logo/letters as illustrated.

**FACE:** 1/8" White Acrylic  
**TRIM CAP:** 3/4" Black  
**RETURN:** 5" Deep - .040 Aluminum  
**BACKS:** 3mm ACM  
**ILLUMINATION:** White LEDs  
**INSTALL:** Flush To Wall

### ☺ | FACE

□ 1/8" White

### 🌀 | VINYL COLORS

■ 8800-091 Gold

■ 8800-087 Emerald Green

■ Black perf vinyl Day/Night

🚧 | TRIM CAP COLORS | PERIM: 172'

■ Black

🚧 | RETURN COLORS | PERIM: 172'

■ Black

### 🌀 | BACK

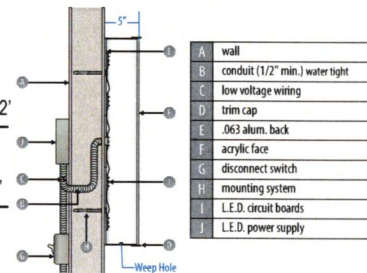
□ 3mm ACM

### ☀ | ILLUMINATION

□ Hanley White LEDs

### 🔍 | CROSS SECTION DETAILS

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN U.L. LISTED



**!** All dimensions shall be verified before manufacture and installation.



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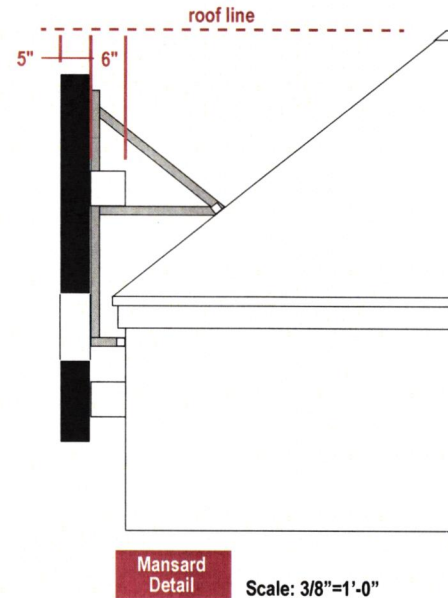
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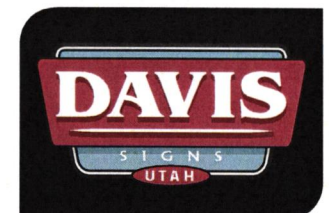
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