

## A G E N D A

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, MARCH 25, 2024 AT 6:30 P.M., AT THE COMMUNITY RESOURCE CENTER (CRC), 825 MIDWAY DRIVE, WILLOWBROOK, IL, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. VISITORS' BUSINESS - Public Comment is Limited to Three Minutes Per Person
5. PRESENTATION OF MERITORIOUS SERVICE AWARDS
  - a. Sergeant Darren Biggs
  - b. Officer Nicholas Cledon
  - c. Officer Peter Delgado
  - d. Officer Richard Foytik
  - e. Sergeant Joseph Lavalle
  - f. Officer Claire Manley
  - g. Officer Aaron Porter
  - h. Officer Matthew Vanderjack
6. OMNIBUS VOTE AGENDA:
  - a. Waive Reading of Minutes (Approve)
  - b. Minutes - Board of Trustees Regular Meeting March 11, 2024 (APPROVE)
  - c. Minutes - Board of Trustees Special Meeting - Budget Workshop #3 March 13, 2024 (APPROVE)
  - d. Warrants \$649,884.99
  - e. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS (PASS)

## NEW BUSINESS

7. RESOLUTION NO. \_\_\_\_\_ - A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL COLLECTION SERVICES AGREEMENT WITH MUNICIPAL COLLECTION SERVICES, LLC (ADOPT)

8. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE GRANTING APPROVAL OF A PRELIMINARY PLAT OF SUBDIVISION AND GRANTING CERTAIN VARIATIONS FROM THE VILLAGE OF WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE 6134 BENTLEY AVENUE - SYRUX SUBDIVISION (PASS)
9. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE AMENDING A SPECIAL USE PERMIT AS APPROVED BY ORDINANCE NO. 89-O-52 900 75TH WILLOWBROOK PLAZA 2 - FORMERLY KNOWN AS WINGREN PLAZA (PASS)
10. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE GRANTING A CERTAIN SIGN VARIATION FROM THE WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE 900 75TH WILLOWBROOK PLAZA 2 - FORMERLY KNOWN AS WINGREN PLAZA (PASS)
11. ORDINANCE NO. \_\_\_\_\_ - AN ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE 5, ENTITLED "POLICE REGULATIONS" OF THE WILLOWBROOK MUNICIPAL CODE (PASS)

PRIOR BUSINESS

12. TRUSTEE REPORTS
13. ATTORNEY'S REPORT
14. CLERK'S REPORT
15. ADMINISTRATOR'S REPORT
16. MAYOR'S REPORT
17. EXECUTIVE SESSION

5 ILCS 120/2(c)(1) - The Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees.

18. ADJOURNMENT



## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 5.**

**DATE: March 25, 2024**

**SUBJECT:**

PRESENTATION OF MERITORIOUS SERVICE AWARDS

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Lauren Kaspar, Chief of Police  
**THROUGH:** Sean Halloran, Village Administrator

### **PURPOSE AND ACTION REQUESTED**

Approval and presentations of meritorious service awards for Sergeant Darren Biggs, Sergeant Joseph Lavalle, Officer Aaron Porter, Officer Matthew Vanderjack, Officer Claire Manley, Officer Peter Delgado, Officer Nicholas Cledon, and Officer Richard Foytik

### **BACKGROUND/SUMMARY**

Meritorious Service Awards

Officers and civilian staff shall be eligible for a Meritorious Service Award plus honorarium if they qualify under any of the following:

1. Any Willowbrook employee during his/her regular course of employment shall be eligible if at the risk of his/her personal safety attempts to save the life of another or save the person from serious personal injury.
2. Any Willowbrook employee during his/her regular course of employment shall be eligible if, in attempting to save the life of another or prevent serious injuries to another, exhibits superior efforts in a range which exceeds the common standards of performance expected of his/her profession.
3. Any Willowbrook employee not necessarily in the course of normal employment but within an adjoining municipality or adjoining unincorporated area shall be eligible for an award if at the risk of his/her personal safety attempts to save the life of another or save the person from serious personal injury.
4. Any Willowbrook employee not necessarily in the course of his/her regular employment but within an adjoining municipality or adjoining unincorporated area shall be eligible if in attempting to save the life of another or prevent serious injuries to another, exhibits superior efforts in a range which exceeds common standards of performance expected of their profession.



On February 28th, 2024, Willowbrook officers responded to the report of a suicidal subject. Upon arrival, the subject was not in the location initially believed to be, at which time the officers showcased their commitment to ensuring the safety and well-being of an individual in distress, by conducting a swift and methodical search. Officers located the subject in the 12th floor stairwell of a high-rise building, elevated 15 feet from the ground. The subject was visibly upset and threatening to cause themselves harm by jumping. Officers courageously positioned themselves on the landing and exhibited patience, empathy, and professionalism during the two-hour dialogue with the subject. The efforts to establish trust and rapport, despite the challenging circumstances, reflect the high standards of these officers. All officers involved should be commended for the exemplary service and dedication exhibited during the incident. Their actions not only saved a life but also exemplified the values of compassion, professionalism, and selflessness that define the Willowbrook Police Department.

## **FINANCIAL IMPACT**

Each recipient of a Meritorious Service Award will receive a \$100 honorarium to be paid out of the Police Department's budgeted line item for employee recognition (01-30-630-309).

## **RECOMMENDED ACTION:**

Witness and commend the Meritorious Service award and honorarium winners.

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, MARCH 11, 2024, AT 6:30 P.M. AT THE COMMUNITY RESOURCE CENTER, 825 MIDWAY DRIVE, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at 6:30 P.M. by Mayor Trilla.

2. ROLL CALL

Those physically present at roll call were, Mayor Frank Trilla, Village Clerk Deborah Hahn, Village Trustees Mark Astrella, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal and Greg Ruffolo, Attorney Michael Durkin, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga, Chief Financial Officer Lora Flori, Director of Parks and Recreation Dustin Kleefisch, Chief Lauren Kaspar, Director of Public Works Rick Valent, and Deputy Clerk Christine Mardegan.

ABSENT: Director of Community Development Michael Krol, Deputy Chief Ben Kadolph, and Deputy Chief Gerard Wodka.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Chief Kaspar to lead everyone in saying the Pledge of Allegiance.

4. VISITORS' BUSINESS.

None present and no written comments were received.

5. OMNIBUS VOTE AGENDA:

Mayor Trilla read over each item in the Omnibus Vote Agenda for the record.

- a. Waive Reading of Minutes (Approve)
- b. Minutes - Board of Trustees Regular Meeting February 26, 2024 (APPROVE)
- c. Warrants \$ 624,005.25
- d. PROCLAMATION - PROCLAIMING MARCH 11, 2024 AS MAYORS' MONARCH PLEDGE DAY
- e. ORDINANCE NO. 24-O-03 - AN ORDINANCE RESERVING AND AUTHORIZING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES AND RELATED MATTERS (PASS)
- f. RESOLUTION NO. 24-R-17- A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AFFILIATE AGREEMENT BETWEEN THE VILLAGE OF WILLOWBROOK AND THE BURR RIDGE/WILLOWBROOK GIRLS SOFTBALL ASSOCIATION, INC. (ADOPT)

Mayor Trills asked the Board if there were any items to be removed from the Omnibus Vote Agenda.

MOTION: Made by Trustee Mistele and seconded by Trustee Ruffolo to approve the Omnibus Vote Agenda as presented.

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

MOTION DECLARED CARRIED

NEW BUSINESS

6. RESOLUTION NO. 24-R-18 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF WILLOWBROOK AND THE VILLAGE OF DOWNSERS GROVE FOR THE OPERATION AND MAINTENANCE OF A PEER JURY PROGRAM FOR RESTORATIVE JUVENILE JUSTICE (ADOPT)

Chief Kaspar noted that Peer Jury is a program enacted in 2018 by DuPage County State's Attorney Robert Berlin as an alternative to criminal court for first-time juvenile offenders for non-serious offenses, such as theft, vandalism, disorderly conduct, tobacco possession or underage drinking.

The jury is comprised of high-school aged student volunteers. Juveniles must agree to the peer jury process and provide an admission of guilt to participate in the program. This cooperative effort includes Burr Ridge, Clarendon Hills, Darien, Downers Grove, Hinsdale, Oak Brook, and Willowbrook.

The Peer Jury's purpose is to provide a means for young offenders to account for their behavior to a group of their peers, and repair the harm caused to the victim and to the surrounding community. Peer Jury does not determine guilt or innocence. The net cost of the peer jury program will be shared by all participating municipalities on a case-by-case basis.

Trustee Mistele asked if this included traffic violations. Chief Kaspar indicated it is for criminal court offenses only, not traffic violations.

MOTION: Made by Trustee Davi and seconded by Trustee Berglund to adopt Resolution 24-R-18 as presented.

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

MOTION DECLARED CARRIED

7. ORDINANCE NO. 24-O-04 - AN ORDINANCE APPROVING AND AUTHORIZING THE PURCHASE OF ONE (1) NEW JOHN DEERE 410P BACKHOE LOADER, PLUS

ACCESSORIES, AT A TOTAL COST NOT TO EXCEED \$173,603.84 AND AUTHORIZING THE TRADE-IN OF SURPLUS PERSONAL PROPERTY AS PART OF THE PURCHASE PRICE (PASS)

Director Valent stated that staff is requesting the Board to authorize the purchase of one a John Deere 410 Backhoe Loader with attachments from West Side Tractor Sales in Lisle, Illinois in the amount of \$173,603.84.

Public Works currently utilizes a 2011 John Deere 410J backhoe loader for a wide variety of tasks throughout the Village. This current loader is showing signs of age, experiencing regular mechanical breakdowns, reduced hydraulic functionality, and increased maintenance costs.

Staff researched other manufacturers for a replacement and feels the John Deere brand is the best fit for the department. Replacing the loader with the same brand allows the repurposing of some existing attachments, offers the nearest proximity to a service center, provides better trade-in value for the existing unit, in addition to the brand's reliability and reputation.

In lieu of the competitive bidding process, staff utilized the expertise of Sourcewell, a cooperative purchasing entity serving local government agencies to conduct the competitive bidding process. Through Sourcewell, John Deere was selected and awarded contract 032119-JDC which the Village can take advantage of and complete the purchase through our local dealer, West Side Tractor Sales in Lisle, Illinois.

The list cost for the fully equipped backhoe loader is \$268,999.00, which was discounted to \$158,709.41. With the addition of the dealer fees, attachments, an 84 month/4,000-hour comprehensive warranty, and a 60-month/3,000-hour preventive maintenance agreement of \$48,894.43 gives an updated total of \$208,603.84. With a trade-in value of \$35,000 on the current 2011 backhoe loader the net cost is reduced to \$173,603.84, \$11,396.16 under the amount budgeted.

With the expected delivery date in May 2024, the expenses will be charged to the 2024-2025 fiscal year budget. Staff requests the Board approve the purchase of the John Deere 410 Backhoe Loader with attachments from West Side Tractor Sales in Lisle, Illinois at a cost of \$173,603.84.

MOTION: Made by Trustee Davi and seconded by Trustee Mistele to pass Ordinance No. 23-0-04 as presented.

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

MOTION DECLARED CARRIED

8. RESOLUTION NO. 24-R-19 - A RESOLUTION WAIVING COMPETITIVE BIDDING, APPROVING AND AUTHORIZING THE PURCHASE OF PARK FURNISHINGS AND FIXTURES FROM BELSON OUTDOORS, LLC AT A TOTAL COST NOT TO EXCEED \$24,288.98 (ADOPT)

Director Kleefisch explained that the items from Belson Outdoors are for the Midway Park furnishings. The furnishings are being selected at the beginning of the project to save money. The new items meet the park standards previously discussed.

Belson Outdoors is a trusted and reliable manufacturer of recycled plastic park benches, picnic tables, and trash receptacles that are aesthetically desirable, environmentally friendly, maintenance free, and provide extended life span of up to twenty years, almost twice as long as comparable steel products.

At Midway Park, there will be eight (8) park benches, eight (8) six-foot ADA picnic tables, four (4) double 32-gallon trash receptacles, and one (1) nine-bike wave rack. Staff recommend approving the purchase of the park furnishings for Midway Park from Belson Outdoors not to exceed the amount of \$24,288.98.

MOTION: Made by Trustee Astrella and seconded by Trustee Mistele to adopt Resolution 24-R-19 as presented.

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

MOTION DECLARED CARRIED

PRIOR BUSINESS

9. TRUSTEE REPORTS

Trustee Neal has no report.

Trustee Ruffolo had no report.

Trustee Mistele had no report.

Trustee Berglund had no report.

Trustee Davi had no report.

Trustee Astrella had no report.

10. ATTORNEY'S REPORT

Attorney Durkin had no report.

11. CLERK'S REPORT

Clerk Hahn had no report.

**12. ADMINISTRATOR'S REPORT**

Administrator Halloran shared with the Board the news that the Village was awarded a \$60,000 Stormwater Management Water Quality Improvement Program grant from DuPage County.

Director Kleefisch worked on applying for the grant with the consultant handling the Sawmill Creek shoreline restoration at Borse Park during Phase II of the project, Living Waters Consultants. The Village has received approximately \$700,000 in grants for this project and is awaiting the decisions for another \$500,000. The Administrator congratulated Director Kleefisch on his great job in securing these grants.

**13. MAYOR'S REPORT**

Mayor Trilla reported that the Gateway Special Recreation Gators made it to the Special Olympics Illinois State basketball tournament placing 2<sup>nd</sup> in the second highest division.

**14. EXECUTIVE SESSION**

There is no need for an Executive Session this evening.

**15. ADJOURNMENT**

MOTION: Made by Trustee Mistele and seconded by Trustee Ruffolo to adjourn the Regular Meeting at the hour of 6:46 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2024.

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Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.

MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOWBROOK FOR BUDGET WORKSHOP #3 HELD ON THURSDAY, MARCH 13, 2024, AT 5:30 P.M. AT THE COMMUNITY RESOURCE CENTER (CRC), 825 MIDWAY DRIVE, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m. by Mayor Frank A. Trilla.

2. ROLL CALL

Those physically present at roll call were Mayor Frank Trilla, Village Clerk Deborah Hahn, Village Trustees Mark Astrella, Sue Berglund, Michael Mistele, Gayle Neal and Gregory Ruffolo, Village Administrator Sean Halloran, Assistant to the Village Administrator Alex Arteaga, Chief Financial Officer Lora Flori, Director of Parks and Recreation Dustin Kleefisch, and Chief Lauren Kaspar.

Director of Public Works Rick Valent arrived at 5:39 p.m.

Present via zoom: Director of Community Development Michael Krol

Absent: Trustee Umberto Davi, Deputy Clerk Christine Mardegan, Deputy Chief Benjamin Kadolph, and Deputy Chief Gerard Wodka.

A QUORUM WAS DECLARED

3. PLEDGE OF ALLEGIANCE

Mayor Trilla asked Ms. Flori to lead the pledge of allegiance.

4. VISITORS' BUSINESS

No visitors were present.

5. BUDGET WORKSHOP #3

- a. Proposed Water Fund
- b. Proposed Business District Fund Update
- c. Proposed Motor Fuel Tax Fund Update
- d. G.O. Bonds
- e. Opportunity Fund
- f. TIF District

Administrator Halloran indicated that tonight's meeting would provide an update on the Water Fund and then provide the status of the additional funds. He indicated there were no updates for the General Fund, neither revenues nor expenditures.

He noted that this is the final budget workshop and that the public hearing would be held April 8, 2024.

As an introduction, Administrator Halloran noted that the information on the Water Fund does not include specific details on revenues and expenditures but rather an indication of the direction of the fund and the progress the Village has made in controlling expenses and changing the revenue process. The current budget does not include any major expenditures for 2024/2025.

Last year's (2022/2023) deficit was \$298,658. In 2020/2021 and 2021/2022 there was a 15% increase in overall expenditures. For the last 3 years, there has been a -11% decrease, and a 2% decrease last year, with a 2% increase projected for the coming year. Credit for reigning in expenses goes to Foreman Passero and Director Valent for examining the Village contracts and making changes in the overall process of procuring services.

Administrator Halloran explained that the first receivable after the water rate increase was received in February 2023, so the effect of the increase only applied for 3 months of the fiscal year. 2023/2024 is the first full year where the full impact is being felt. This fiscal year projection is a surplus of \$360,711, and \$196,581 for the coming fiscal year. It may not appear to be a large amount, but when viewing the overall trajectory of the fund it does indicate an operating surplus. These figures do not include any capital improvements. While the fund is on a positive path, caution is required as funds will be needed in the future for expenditures for capital improvements and infrastructure maintenance.

Mayor Trilla asked if there was a provision in the water ordinance to keep pace with the increases in the rates charged for the water supply by the DuPage Water Commission (DWC). Administrator Halloran indicated that increases are not built into the ordinance, but that it is something that staff is reviewing along with other options. Mayor Trilla indicated he was not in favor of maintaining the practice of the Village absorbing the increased rates from the DWC.

In the overall water fund expenditures, including capital projects, the largest amount, \$2.6 million, is in contractual obligations. Of the \$2.6 million, \$1.7 million is for the water costs from DWC, close to 50% of all water fund expenditures. In

the coming year, expected revenues are \$3.8 million and expenditures \$3.6 million, resulting in a surplus of \$196,000.

Regarding the Business District Fund, the expenditures are primarily for litigation issues and some minor staff costs. The higher amount last year was due to the onset of the payments to Pete's Fresh Market as part of the redevelopment agreement, with an initial payment of approximately \$300,000. Although the agreement was signed in 2018, payments did not begin until all redevelopment items agreed upon were completed, which did not take place until this year.

The Business District Fund balance of just over \$3 million this year, with a projection of \$3.2 million next, provides the Board with opportunities for economic development or improvements in the Business District.

The Motor Fuel Tax Fund revenues are relatively consistent as the payments from the state are based on population.

In 2017-2018, the state's Rebuild Illinois Bond (RBI) proceeds were distributed to Illinois communities. This money was deposited to the Motor Fuel Tax Fund although not accounted for as revenue to the fund. The monies were spent as defined by the distribution, and the expenditures were attributed to the MFT. This resulted in an indication of a deficit in the MFT Fund of \$27,000, although the costs were paid by both MFT and RBI funds.

In reviewing the MFT Fund, the fund balance is the most critical figure. While the portion comprising the RBI has been used for items such as the park renovations, staff is reviewing the MFT to cover the costs of additional items, previously paid out of the General Fund, which can be allocated to the MFT such as road salt. This will allow the MFT fund balance to steadily increase based on the guaranteed revenue stream. When the RBI funds are exhausted, the growth in the MFT fund will allow expenditures for road repaving and other items to be paid for out of the MFT funds instead of the General Fund. This allows the Village to build a strategic fund balance to cover ongoing costs.

Regarding the General Obligation (G.O.) Bond Fund, these monies have been allocated by the Board over 2022, 2023, 2024 for various Capital Improvement Program (CIP) projects. Staff estimates the fund balance at the end of 2024/2025 to be \$2.1 million. Some projects included in the 2024/2025 proposed budget have not yet been brought to the Board, but staff is aware of

several large water infrastructure projects which will need to occur in the near future. Rather than using the Water Fund for these projects, to allow it to continue to grow, the use of G.O. Bond funds might be more practical.

Last year, the Board made a transfer to the Opportunity Reserve Fund of \$6.1 million, and this year the Board authorized a transfer of surplus funds of around \$543,000, making the current balance over \$6.6 million. There are no plans for expenditures shown in the 2024/2025 budget, as any expenditures must be pre-approved by the Board. It would also be premature to propose revenues to the fund until December 2024 or January 2025 when a potential surplus would be better known based on the fiscal year spending.

The TIF District was approved in 2022 and the first payment of \$152,000 was received last year from the County. Again, revenue projections are hard to pinpoint for this fund as it is not a tax levied by the Village and is based off an unknown increment. Staff has made a conservative rough estimate of \$152,000 for 2024/2025, resulting in a new fund balance of \$305,000.

No expenditures have been estimated for the TIF District Fund as any spending must come at the Board's direction. With a modest balance, it would be premature to plan spending as the fund develops. This fund could potentially be used for economic development, economic incentives, recruitment, or acquisitions.

#### 6. ADJOURNMENT

MOTION: Made by Trustee Mistele and seconded by Trustee Berglund to adjourn the Special Meeting at the hour of 5:53 p.m.

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

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

\_\_\_\_\_, 2024.

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Frank A. Trilla, Mayor

## W A R R A N T S

March 25, 2024

GENERAL CORPORATE FUND	-----	\$ 187,302.38
WATER FUND	-----	\$ 117,534.26
MOTOR FUEL TAX FUND	-----	\$ 90.00
CAPITAL PROJECT FUND	-----	\$ 339,958.35
17 SERIES 2022 BOND	-----	\$ 5,000.00
TOTAL WARRANTS	-----	\$ 649,884.99

Lora Flori, Director of Finance

## APPROVED:

Frank A. Trilla, Mayor

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
03/12/2024		APCH	101588	UNITED STATE POSTAL SERVICE	PRINTING & PUBLISHING	550-302	20	2,084.75
03/19/2024		APCH	101589	THE GREAT BOODINI	ACTIVE ADULT PROGRAM	590-517	20	300.00
03/25/2024		APCH	101590	AARON PORTER	EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024		APCH	101592	ADMINISTRATIVE CONSULTING SPECIA	FEES/DUES/SUBSCRIPTIONS	455-307	10	2,083.33
03/25/2024		APCH	101593#	AT & T MOBILITY II LLC	PHONE - TELEPHONES TELEPHONES	455-201 710-201	10 35	168.92 288.67
					CHECK APCHK 101593 TOTAL FOR FUND 01:			457.59
03/25/2024		APCH	101594	BESTWAY CHARTER TRANSPORTATION,	ACTIVE ADULT PROGRAM	590-517	20	968.00
03/25/2024		APCH	101595	BESTWAY CHARTER TRANSPORTATION,	ACTIVE ADULT PROGRAM	590-517	20	1,000.00
03/25/2024		APCH	101596	BROWNELLS, INC.	FIRING RANGE	630-245	30	164.20
03/25/2024		APCH	101597	BURR RIDGE PARK DISTRICT	SPECIAL RECREATION ASSOC PROGRAM DUES	590-518	20	5,680.00
03/25/2024		APCH	101598	BUTTREY RENTAL SERVICE, INC.	MAINTENANCE - BUILDING MAINTENANCE - BUILDING MAINTENANCE - BUILDING	630-228 630-228 630-228	30 30 30	511.81 418.00 423.50
					CHECK APCHK 101598 TOTAL FOR FUND 01:			1,353.31
03/25/2024		APCH	101599	CERVANTES DESIGN	CONTINGENCIES	490-799	10	2,280.00
03/25/2024		APCH	101600	CHERYL STEWART	ACTIVE ADULT PROGRAM	590-517	20	150.00
03/25/2024		APCH	101601*#	CHRISTOPHER B. BURKE	CONTINGENCIES	490-799	10	415.50
03/25/2024		APCH	101602	CLAIRE MANLEY	EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024		APCH	101604	COLLEGE OF DUPAGE	AMMUNITION	630-346	30	3,010.00
03/25/2024		APCH	101605	COMED	MAINTENANCE - TRAFFIC SIGNALS	745-224	35	1,936.84
03/25/2024		APCH	101606#	CONNECTA SATELLITE SOLUTIONS LLC	PHONE - TELEPHONES PHONE - TELEPHONES	455-201 630-201	10 30	72.79 72.79
					CHECK APCHK 101606 TOTAL FOR FUND 01:			145.58
03/25/2024		APCH	101607	DARREN BIGGS	EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024		APCH	101608	DUPAGE CNTY CHIEFS OF POL.ASSN.	FEES/DUES/SUBSCRIPTIONS	630-307	30	125.00
03/25/2024		APCH	101610	DUPAGE COUNTY ANIMAL CARE & CONT	ANIMAL CONTROL ANIMAL CONTROL	650-268 650-268	30 30	150.00 150.00

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
					CHECK APCHK 101610 TOTAL FOR FUND 01:			300.00
03/25/2024	APCH	101613	FOX TOWN PLUMBING INC		MAINTENANCE - BUILDING	466-228	10	567.00
03/25/2024	APCH	101615	HEARTLAND BUSINESS SYSTEMS, LLC		PHONE - TELEPHONES	630-201	30	112.50
03/25/2024	APCH	101616	HOLLY SINE-RAMSDELL		ACTIVE ADULT PROGRAM	590-517	20	487.50
					ACTIVE ADULT PROGRAM	590-517	20	520.00
					CHECK APCHK 101616 TOTAL FOR FUND 01:			1,007.50
03/25/2024	APCH	101617*#	HOME DEPOT CREDIT SERVICES		MAINTENANCE - BUILDING	466-228	10	62.04
					STORM WATER IMPROVEMENTS MAINTENANCE	750-381	35	179.97
					CHECK APCHK 101617 TOTAL FOR FUND 01:			242.01
03/25/2024	APCH	101618	HOUSEAL LAVIGNE ASSOCIATES LLC		SPECIAL PROJECTS	810-305	40	2,577.50
03/25/2024	APCH	101619	ILLINOIS ASSSOCIATION OF PARK DI		FEES DUES SUBSCRIPTIONS	455-307	20	696.74
03/25/2024	APCH	101620	INDUSTRIAL ELECTRICAL SUPPLY		OPERATING SUPPLIES & EQUIPMENT	710-401	35	57.99
03/25/2024	APCH	101621	JOSEPH LAVALLE		EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024	APCH	101622	KING CAR WASH		FUEL/MILEAGE/WASH	630-303	30	300.00
03/25/2024	APCH	101623*#	KLOEPFER CONSTRUCTION, INC.		STORM WATER IMPROVEMENTS MAINTENANCE	750-381	35	2,945.80
03/25/2024	APCH	101625*#	LAUTERBACH & AMEN LLP		FINANCIAL SERVICES	620-252	25	12,540.00
03/25/2024	APCH	101628	MATTHEW VANDERJACK		EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024	APCH	101630	METROPOLITAN EMER RESP & INV TEA		FEES/DUES/SUBSCRIPTIONS	630-307	30	6,500.00
03/25/2024	APCH	101631	MICHELLE GIBBONS PRESENTS		ACTIVE ADULT PROGRAM	590-517	20	350.00
03/25/2024	APCH	101633#	MULTISYSTEM MANAGEMENT COMPANY		MAINTENANCE - BUILDING	466-228	10	1,222.50
					MAINTENANCE - BUILDING	466-228	10	14,520.00
					MAINTENANCE - EQUIPMENT	570-411	20	640.00
					MAINTENANCE - BUILDING	630-228	30	1,222.50
					CHECK APCHK 101633 TOTAL FOR FUND 01:			17,605.00
03/25/2024	APCH	101634	NICHOLAS CLEDON		EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024	APCH	101635	NJ RYAN TREE & LANDSCAPE LLC		SNOW REMOVAL CONTRACT	740-287	35	13,860.00
					SNOW REMOVAL CONTRACT	740-287	35	12,810.00

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
					SNOW REMOVAL CONTRACT	740-287	35	24,150.00
					SNOW REMOVAL CONTRACT	740-287	35	21,840.00
					SNOW REMOVAL CONTRACT	740-287	35	22,050.00
					CHECK APCHK 101635 TOTAL FOR FUND 01:			94,710.00
03/25/2024	APCH	101636	NORTH EAST MULTI REGIONAL TRNG.		SCHOOLS/CONFERENCES/TRAVEL	630-304	30	255.00
					SCHOOLS/CONFERENCES/TRAVEL	630-304	30	175.00
					CHECK APCHK 101636 TOTAL FOR FUND 01:			430.00
03/25/2024	APCH	101638	ORBIS SOLUTIONS		CONSULTING SERVICES - IT	460-306	10	6,862.75
03/25/2024	APCH	101639	PETER DELGADO		EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024	APCH	101640	QUADIENT LEASING USA, INC.		POSTAGE & METER RENT	455-311	10	707.49
03/25/2024	APCH	101641	RATHS, RATHS & JOHNSON, INC.		ENGINEERING SERVICES	820-262	40	938.25
					ENGINEERING SERVICES	820-262	40	142.50
					CHECK APCHK 101641 TOTAL FOR FUND 01:			1,080.75
03/25/2024	APCH	101642	RAY O'HERRON CO., INC.		FIRING RANGE	630-245	30	630.00
					OPERATING EQUIPMENT	630-401	30	59.94
					OPERATING EQUIPMENT	630-401	30	161.96
					CHECK APCHK 101642 TOTAL FOR FUND 01:			851.90
03/25/2024	APCH	101643	RICHARD FOYTIK		EMPLOYEE RECOGNITION	630-309	30	100.00
03/25/2024	APCH	101644	SECURITAS TECHNOLOGY CORPORATION	FEES/DUES/SUBSCRIPTIONS		455-307	10	491.40
03/25/2024	APCH	101645	STALKER RADAR APPLIED CONCEPTEPS I	OPERATING EQUIPMENT		630-401	30	3,280.00
03/25/2024	APCH	101646	STREICHER'S		AMMUNITION	630-346	30	1,019.50
					AMMUNITION	630-346	30	1,249.60
					CHECK APCHK 101646 TOTAL FOR FUND 01:			2,269.10
03/25/2024	APCH	101647	SUBURBAN DOOR CHECK & LOCK SERVI	MAINTENANCE - BUILDING		466-228	10	21.60
03/25/2024	APCH	101648	THE GOODMAN THEATRE	ACTIVE ADULT PROGRAM		590-517	20	1,930.00
03/25/2024	APCH	101649	THOMAS J BRESCIA	FEES - FIELD COURT ATTORNEY		630-241	30	2,243.75
03/25/2024	APCH	101651*#	UNDERGROUND PIPE SOLUTIONS	STORM WATER IMPROVEMENTS MAINTENANCE		750-381	35	3,237.50
03/25/2024	APCH	101653	WEST CENTRAL MUNICIPAL CONF.	FEES/DUES/SUBSCRIPTIONS		410-307	05	240.00

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 01 GENERAL FUND								
03/25/2024		APCH	101654	WEX HEALTH, INC	FEES/DUES/SUBSCRIPTIONS	455-307	10	50.00
03/25/2024		APCH	101655#	WLBK BURR RIDGE CHAMBER OF COM	SCHOOLS/CONFERENCES/TRAVEL	410-304	05	105.00
					SCHOOLS/CONFERENCES/TRAVEL	455-304	10	35.00
					CHECK APCHK 101655 TOTAL FOR FUND 01:			140.00
					Total for fund 01 GENERAL FUND			187,302.38

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 02 WATER FUND								
03/25/2024		APCH	101591	ACI PAYMENTS, INC	FEES DUES SUBSCRIPTIONS	401-307	50	89.38
03/25/2024		APCH	101611	FACTORY CLEANING EQUIPMENT	VEHICLE MAINTENANCE	401-350	50	290.90
03/25/2024		APCH	101612*#	FALCO'S LANDSCAPING INC	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	2,200.00
					WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	1,500.00
					WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	2,500.00
					SPOILS HAULING SERVICES	430-280	50	4,500.00
					SPOILS HAULING SERVICES	430-280	50	3,000.00
					SPOILS HAULING SERVICES	430-280	50	5,000.00
					SPOILS HAULING SERVICES	430-280	50	4,000.00
					STREET IMPROVEMENTS SERVICES	430-281	50	1,080.00
					CHECK APCHK 101612 TOTAL FOR FUND 02:			23,780.00
03/25/2024		APCH	101614	HACH CHEMICAL COMPANY	MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	3,288.00
03/25/2024		APCH	101617*#	HOME DEPOT CREDIT SERVICES	VEHICLE MAINTENANCE	401-350	50	569.85
					VEHICLE MAINTENANCE	401-350	50	298.26
					MATERIALS & SUPPLIES- STANDPIPE/PUMPH	425-475	50	244.76
					OPERATING EQUIPMENT	430-401	50	147.41
					MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	1,283.76
					CHECK APCHK 101617 TOTAL FOR FUND 02:			2,544.04
03/25/2024		APCH	101623*#	KLOEPFER CONSTRUCTION, INC.	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	7,512.79
					WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	5,777.38
					CHECK APCHK 101623 TOTAL FOR FUND 02:			13,290.17
03/25/2024		APCH	101624	LA FASTENERS INC	VEHICLE MAINTENANCE	401-350	50	50.51
					VEHICLE MAINTENANCE	401-350	50	40.78
					VEHICLE MAINTENANCE	401-350	50	59.54
					VEHICLE MAINTENANCE	401-350	50	4.66
					VEHICLE MAINTENANCE	401-350	50	41.52
					CHECK APCHK 101624 TOTAL FOR FUND 02:			197.01
03/25/2024		APCH	101625*#	LAUTERBACH & AMEN LLP	FINANCIALS SERVICES	401-309	50	8,360.00
03/25/2024		APCH	101632	MID AMERICAN WATER	MATERIAL & SUPPLIES - DISTRIBUTION	430-476	50	2,839.00
03/25/2024		APCH	101650	TWIG TECHNOLOGIES & RUETTIGER,	GIS	460-213	50	34,876.80
03/25/2024		APCH	101651*#	UNDERGROUND PIPE SOLUTIONS	WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	3,500.00

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Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 02 WATER FUND								
					WATER DISTRIBUTION REPAIRS/MAINTENANC	430-277	50	2,975.00
					GIS	460-213	50	19,775.00
					CHECK APCHK 101651 TOTAL FOR FUND 02:			26,250.00
03/25/2024		APCH	101652	VARIVERGE LLC	PRINTING & PUBLISHING	401-302	50	896.06
					POSTAGE & METER RENT	401-311	50	832.90
					CHECK APCHK 101652 TOTAL FOR FUND 02:			1,728.96
					Total for fund 02 WATER FUND			117,534.26

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Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 04 MOTOR FUEL TAX FUND								
03/25/2024		APCH	101637	NOVOTNY ENGINEERING	ROCK SALT	410-371	56	90.00
					Total for fund 04 MOTOR FUEL TAX FUND			90.00

Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 10 CAPITAL PROJECT FUND								
03/25/2024		APCH	101601*#	CHRISTOPHER B. BURKE	LANE COURT BRIDGE REPAIRS	600-349	55	2,953.50
03/25/2024		APCH	101603	COLLEGE OF DUPAGE	OFFICER SAFETY	600-321	55	3,600.00
03/25/2024		APCH	101609	DUPAGE COUNTY	BORSE PARK PHASE II	600-347	55	48.00
03/25/2024		APCH	101612*#	FALCO'S LANDSCAPING INC	BORSE PARK IMPROVEMENT PROJECT	600-340	55	6,500.00
					MIDWAY PARK UPGRADE	600-342	55	9,855.00
					MIDWAY PARK UPGRADE	600-342	55	6,500.00
					CHECK APCHK 101612 TOTAL FOR FUND 10:			22,855.00
03/25/2024		APCH	101627	MARTAM CONSTRUCTION, INC.	RESURFACING	600-313	55	238,071.98
03/25/2024		APCH	101629	MAURO SEWER CONSTRUCTION, INC.	BORSE PARK IMPROVEMENT PROJECT	600-340	55	71,029.87
03/25/2024		APCH	101651*#	UNDERGROUND PIPE SOLUTIONS	RESURFACING	600-313	55	1,400.00
					Total for fund 10 CAPITAL PROJECT FUND			339,958.35

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Check	Date	Bank	Check #	Payee	Description	Account	Dept	Amount
Fund: 17 SERIES 2022 BOND								
03/25/2024		APCH	101626	MALLON AND ASSOCIATES, INC.	OTHER PROFESSIONAL SERVICE (WEDP)	540-425	80	5,000.00
					Total for fund 17 SERIES 2022 BOND			5,000.00
				TOTAL - ALL FUNDS				649,884.99

'\*' - INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND

'#' - INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT



# Village of **WILLOWBROOK**

[Return to Agenda](#)

**Community  
Development**

## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 6.e.**

**DATE: March 25, 2024**

**SUBJECT:**

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Michael Krol, Director of Community Development  
**THROUGH:** Sean Halloran, Village Administrator

#### **PURPOSE AND ACTION REQUESTED**

The 2024 updated zoning map includes minor cleanup to addresses and a district title change. The biggest change to the zoning map is the addition of lot line adjustments with addresses for the Bentley Woods Subdivision, which has been approved for final engineering plans.

Staff recommends approval of the attached ordinance updating the Village zoning map.

#### **BACKGROUND/SUMMARY**

In accordance with 65 ILCS 5/11-13-19, the Village is required to publish its Zoning Map by March 31<sup>st</sup> of each year if there have been any map amendments (i.e., re-zonings, subdivisions, annexations, and/or special use permits) during the preceding calendar year. The attached map has been prepared to reflect all changes through the year 2023.

#### **FINANCIAL IMPACT**

There is no financial impact on this item.

#### **RECOMMENDED ACTION:**

Staff recommends approval of the ordinance for the updated zoning map of the Village of Willowbrook.

**ORDINANCE NO. 24-O-\_\_**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE  
VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS**

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

**SECTION 1:** That Ordinance 23-0-7 of the Village of Willowbrook, as passed and approved on the 27<sup>th</sup> day of March, 2023, is herewith and now comprehensively amended by the provisions contained in this Ordinance.

**SECTION 2:** That the Zoning Map contained in the 2023 Village of Willowbrook Zoning Ordinance, as subsequently amended, is herewith and now amended by a new Zoning Map dated March 25, 2024, which shall be entitled, "Zoning Map, Village of Willowbrook", a copy of which shall be on file with the Village Clerk of the Village of Willowbrook, and which zoning map is hereby incorporated herein by this reference.

**SECTION 3:** 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.

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**SECTION 4:** That this ordinance shall be in full force and effect from and after its passage, approval and publication, in the manner as provided by law.

PASSED and APPROVED this 25<sup>th</sup> day of March, 2024 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Deborah A. Hahn, Village Clerk

**EXHIBIT "A"**

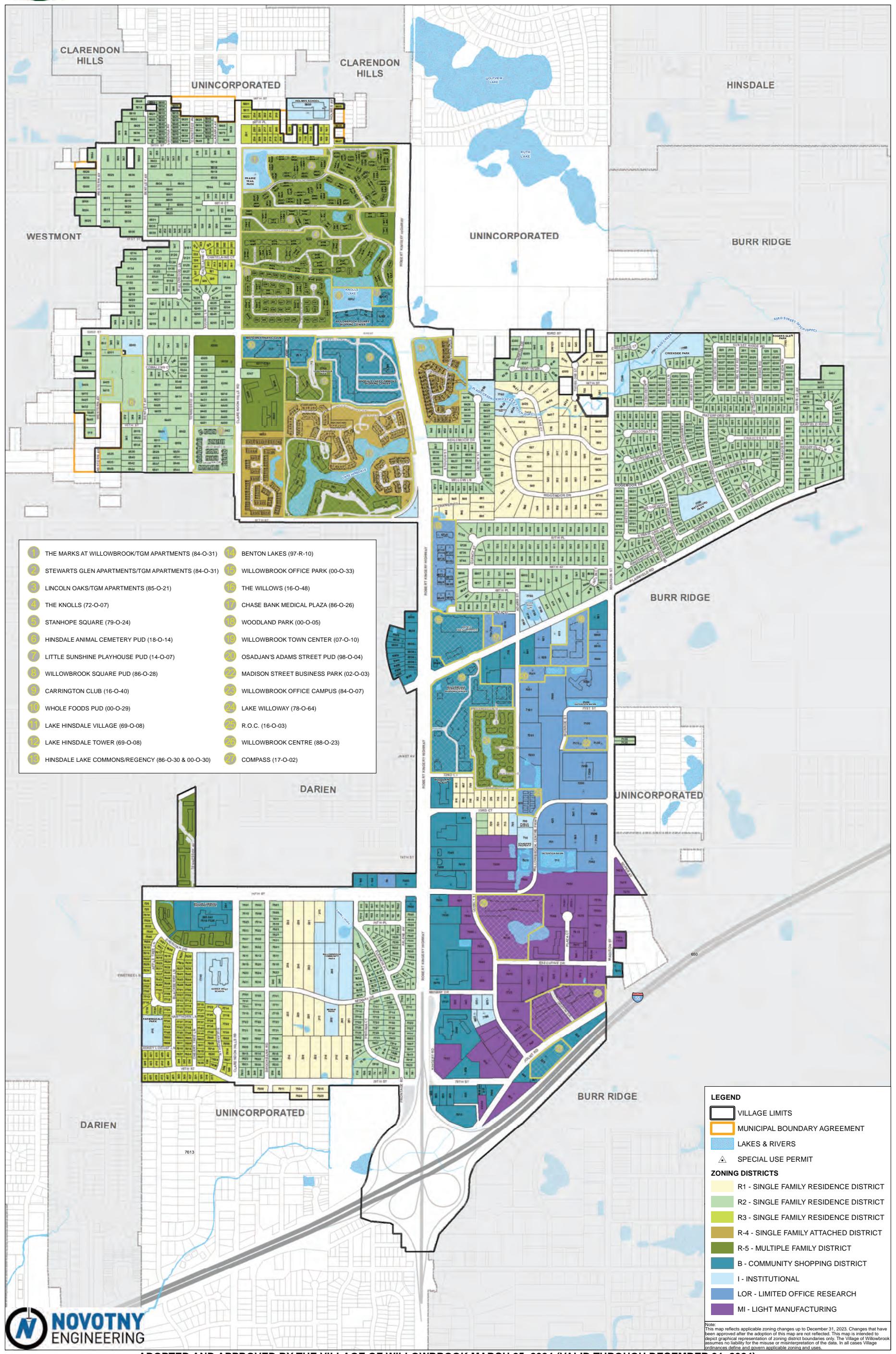
**2024 VILLAGE OF WILLOWBROOK OFFICIAL ZONING MAP**



# VILLAGE OF WILLOWBROOK 2024 ZONING MAP



1 INCH = 600 FEET  
SCALE BASED ON 24" X 36" PLOT





## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 7.**

**DATE: March 25, 2024**

**SUBJECT:**

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL COLLECTION SERVICES AGREEMENT WITH MUNICIPAL COLLECTION SERVICES, LLC

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Alex Arteaga, Assistant to the Village Administrator  
**THROUGH:** Sean Halloran, Village Administrator

#### **PURPOSE AND ACTION REQUESTED**

Staff is seeking Board approval of an agreement with Municipal Collection Services (MCS) for providing collection services.

#### **BACKGROUND/SUMMARY**

Staff is proposing an enhanced revenue stream regarding collection services. The prior three-year contract for collection services with Sonnenschein Financial Services, Inc. was executed on 9/14/2020 and is no longer in effect.

Staff sought 5 collection services proposals from the following firms: MCS Collection Services, Municipal Collections Services, LLC, First Credit Services, Credit Collection Partners, and PayCourt.

After conducting an analysis of the responsive firms, staff is recommending the Village enter into a 3-year agreement with Municipal Collection Services (MCS). MCS has extensive municipal experience and has the ability to integrate with the DACRA Adjudication software portal seamlessly, thereby saving administrative staff time.

#### **FINANCIAL IMPACT**

While the Village will not be paying MCS any specific dollar amount for the agreement, below is an overview of the fee and payment structure between the Village and MCS on any debts that are sent to collections:

- Village Fee: VOW to add 25-28% to each debt.
- Payment Structures:

**When a collection fee has not been added (Contract Section 3.02):**

- MCS will be entitled to any costs awarded by a court in the collection of DEBTS. If no additional expense amount is awarded for such costs, this Section 3.02.1 will not apply.
- Twenty eight percent (28%) of the balance of the amount collected on each DEBT, unless the payment is received from the IOC (Illinois Office of the Comptroller).



- MCS's fee for any services relating to the Local Debt Recovery Program and for DEBTS collected through the IOC shall be fifteen percent (15%) of the amount received by THE MUNICIPALITY.

**When a collection fee has been added:**

- Twenty-five and 93/100 percent (25.93%) of the balance of the amount collected on each DEBT.
- MCS's fee for any services relating to the Local Debt Recovery Program and for DEBTS collected through the IOC shall be twenty-five and 93/100 percent (25.93%) of the amount received by THE MUNICIPALITY."

**RECOMMENDED ACTION:**

Staff recommends the Village Board adopt the resolution to retain MCS to provide collection services.

**RESOLUTION NO. 24-R-\_\_\_\_\_**

**A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A  
PROFESSIONAL COLLECTION SERVICES AGREEMENT  
WITH MUNICIPAL COLLECTION SERVICES, LLC**

**WHEREAS**, Village staff procured proposals from professional collection agencies to provide collection agency services to the Village to collect unpaid violations and debts due and owing to the Village; and

**WHEREAS**, of the proposals received and reviewed, Village staff have determined that Municipal Collection Services, LLC is best suited to serve the needs and requirements of the Village.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, that the proposal of Municipal Collection Services, LLC is hereby accepted and approved.

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**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized and directed to execute, and the Village Clerk is hereby directed to attest to said signature, on behalf of the Village of Willowbrook, that certain Professional Collection Services Agreement with Municipal Collection Services, LLC, in substantially the same form attached hereto as Exhibit "A", as approved by the Village Attorney.

PASSED and APPROVED this 25<sup>th</sup> day of March, 2024 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Deborah A. Hahn, Village Clerk

**EXHIBIT “A”**

**VILLAGE OF WILLOWBROOK/  
MUNICIPAL COLLECTION SERVICES, LLC**

**COLLECTION SERVICES AGREEMENT**

# PROFESSIONAL COLLECTIONS SERVICES AGREEMENT

---

AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ by and between Municipal Collection Services, LLC, a Delaware limited liability company (hereinafter referred to as MCS), and the Village of Willowbrook, Illinois (hereinafter referred to as THE MUNICIPALITY).

## **WITNESSETH**

**WHEREAS**, MCS is a duly licensed collection agency in the State of Illinois, and;

**WHEREAS**, THE MUNICIPALITY wishes to place certain debts owed to THE MUNICIPALITY with MCS for collection, and;

**WHEREAS**, MCS possesses the personnel, experience, expertise and equipment to effectively aid the MUNICIPALITY in collecting its debts through an effective collection process and court actions, if necessary, and;

**WHEREAS**, THE MUNICIPALITY, pursuant to the terms and provisions of the Illinois compiled Statutes, has adopted certain ordinances and resolutions to establish a system of local administrative adjudications for automated traffic enforcement violations, building code violations and ordinance violations, and;

**WHEREAS**, the statutes, ordinances and regulations, as aforesaid, allow for the imposition of fines/sanctions for municipal code violations, assessing costs incurred in collecting fines assessed for such violations, and for the rendering of civil judgments in favor of THE MUNICIPALITY.

**NOW, THEREFORE**, in consideration of the mutual and several promises and covenants herein, the parties do hereby agree as follows:

## **1.0 DEBTS PLACED FOR COLLECTION**

**1.01** THE MUNICIPALITY agrees that all of its unpaid finds for municipal violations which have been issued and processed pursuant to its administrative adjudication system where Final Determinations Liability orders" have been entered by THE MUNICIPALITY's Administrative Hearing Officers, will be placed for collection with MCS. THE MUNICIPALITY may place other debts or fines including, but not limited to water bills, compliance violations and parking violations, for collection with

MCS, during the term of this Agreement, and any fines or other debts placed for collection shall be hereinafter collectively referred to as “DEBTS”.

- 1.02** THE MUNICIPALITY agrees that the DEBTS will be collected and administered pursuant to all of the terms and conditions contained in this Agreement.
- 1.03** All DEBTS will be forwarded to MCS, using the forms and procedures that are designated by MCS, from time-to-time.
- 1.04** Upon written request of MCS, THE MUNICIPALITY will provide certified copies of documents necessary for use of MCS in collection of the DEBTS. THE MUNICIPALITY and MCS agree that in order for MCS to effectively collect the DEBTS and provide accurate records of collection activity, to THE MUNICIPALITY, including, but not limited to, amounts collected, accounts closed, and other dispositions of DEBTS, MCS requires access to THE MUNICIPALITY’s administrative adjudication database. THE MUNICIPALITY hereby agrees to allow MCS such access, subject to reasonable security measures.
- 1.05** MCS will acknowledge receipt of any DEBTS placed for collection within five days after receipt by MCS.

## **2.0 COLLECTION OF DEBTS**

- 2.01** MCS agrees to use its best efforts and any lawful means, which in its sole judgment and discretion, that it believes will result in the collection of DEBTS.
- 2.02** MCS will pursue court action to obtain/perfect civil judgments, upon agreement by THE MUNICIPALITY, when in its sole judgment and discretion, it believes that such actions are advisable and will aid in collection of the DEBTS. THE MUNICIPALITY will provide any additional documents which may be necessary for such court action and will cooperate with MCS, as necessary, to pursue court action.
- 2.03** In compliance with Illinois law, no DEBT will be referred to an attorney for court action without five days prior written notice to THE MUNICIPALITY of MCS’s intention to do so and written notice of approval by THE MUNICIPALITY.
- 2.04** If requested by THE MUNICIPALITY, and in its efforts to collect DEBTS, MCS will assist THE MUNICIPALITY in managing the Local Debt Recovery Program implemented by The Illinois Office of the Comptroller (IOC). MCS, or its designated

technology partner, will prepare and, if allowed to do so by the IOC, will perform the weekly upload of the “add”, “change” and “delete” files.

### **3.0 COMPENSATION**

**3.01** No fees will be payable to MCS by THE MUNICIPALITY until such time as any money is collected on a DEBT(s). THE MUNICIPALITY may add a collection fee, pursuant to 65 ILCS 5/1-2-1, to each DEBT placed for collection, and said collection fee shall be included as part of the DEBT.

**3.02** At such time as any money is collected, MCS shall be paid as follows:

For debts where a collection fee has not been added:

**3.02.1** MCS will be entitled to any costs awarded by a court in the collection of DEBTS. If no additional expense amount is awarded for such costs, this Section 3.01.1 will not apply.

**3.02.2** Twenty eight percent (28%) of the balance of the amount collected on each DEBT, unless the payment is received from the IOC.

**3.02.3** MCS’s fee for any services relating to the local Debt Recovery Program and for DEBTS collected through the IOC shall be fifteen percent (15%) of the amount received by THE MUNICIPALITY.

For debts where a collection fee has been added:

**3.02.4** Twenty-five and 93/100 percent (25.93%) of the balance of the amount collected on each DEBT.

**3.02.5** MCS’s fee for any services relating to the local Debt Recovery Program and for DEBTS collected through the IOC shall be twenty-five and 93/100 percent (25.93%) of the amount received by THE MUNICIPALITY.

### **4.0 COLLECTION AND PAYMENT**

**4.01** MCS shall have the exclusive right to collect the DEBTS until such time as it chooses, in its sole discretion, to return any DEBT to THE MUNICIPALITY, or THE MUNICIPALITY, in its sole discretion, requests the return of the violation to THE MUNICIPALITY. MCS will not be entitled to any fee, fine or DEBT returned to THE MUNICIPALITY. Any inquiries received by THE MUNICIPALITY

concerning any DEBT; including attempts to make payments thereon, shall be referred at the earliest possible time to MCS.

- 4.02** MCS will deposit any money collected in a separate bank trust account established for that purpose.
- 4.03** After deduction of its fees and costs allowable by this Agreement, MCS will forward to THE MUNICIPALITY, its share of any amounts collected. Remittance to THE MUNICIPALITY will be made by the 17<sup>th</sup> of the month for any amounts collected by the last day of the preceding month.
- 4.04** In the event that any funds are paid to, or collected by THE MUNICIPALITY on any DEBTS, THE MUNICIPALITY will report such collections to MCS daily for accounting under this Section, and MCS may deduct its fees and allowable costs, on those DEBTS, from the amount that would otherwise be due to THE MUNICIPALITY under Section 4.03.

## **5.0 SETTLEMENT OF DEBTS**

- 5.01** THE MUNICIPALITY hereby authorizes MCS to compromise, or reach negotiated settlements on any DEBT. However, unless otherwise authorized by THE MUNICIPALITY in writing, any such settlement shall be in conformance with the minimum amounts set forth herein. The parties agree that no DEBT will be settled, negotiated or compromised for less than fifty percent (50%) of the amount due, unless mutually agreed upon, in writing, between MCS and THE MUNICIPALITY.
- 5.02** Should THE MUNICIPALITY make any settlement or otherwise take any action in derogation of MCS's exclusive right to collect DEBTS, then MCS shall be entitled to payment of its fee in full, as delineated in this Agreement based on the full amount of the DEBT, as placed.

## **6.0 INDEMNIFICATION**

- 6.01** MCS agrees to indemnify and hold THE MUNICIPALITY harmless against any and all liability, costs and expenses including reasonable attorney fees, occasioned by claims or suits for loss or damages arising out of the acts, or omissions of the officers, agents, servants or employees of MCS during the term of this Agreement. MCS shall defend, indemnify and hold harmless THE MUNICIPALITY, its officers, employees, agents, and elected officials from any claim or action arising out of MCS's performance or non-performance of its obligations under this Agreement including,

but not limited to, any violations of the Fair Debt Collection Practices Act of 2019 (15 U.S.C. 1692, *et seq.*), as amended, or similar state law, any law dealing with the credit rating of any individual and other applicable laws arising out of the acts or omissions of MCS, its officers, agents, employees or subsidiaries. Conversely, THE MUNICIPALITY agrees to indemnify and hold MCS harmless against any and all liability, costs and expenses including reasonable attorney fees, arising out of THE MUNICIPALITY'S performance or non-performance of its obligations under this Agreement including, but not limited to claims or suits for loss or damages arising out of the acts, or omissions, of THE MUNICIPALITY, its officers, agents, servants or employees.

**6.02** Further, THE MUNICIPALITY warrants and represents to MCS that any Debt placed for collection will be a legal and valid debt owed to THE MUNICIPALITY that has not been discharged in bankruptcy. THE MUNICIPALITY also warrants and represents that it will immediately notify MCS of any notice of bankruptcy received relative to any DEBT and that it will also immediately inform MCS of any payments of DEBTS received by THE MUNICIPALITY. In addition to the indemnities listed above, any payments of DEBTS received by THE MUNICIPALITY. In addition to the indemnities listed above, any payments of DEBTS received by THE MUNICIPALITY. In addition to the indemnities listed above, THE MUNICIPALITY agrees to indemnify and hold MCS harmless against any and all liability, costs and expenses including reasonable attorneys' fees arising out of THE MUNICIPALITY'S performance or non-performance of its obligations under this Agreement including, but not limited to, claims or suits under the Federal "Fair Debt Collection Practices Act", the Illinois "Collection Agency Act", the Federal Bankruptcy Code, or any other similar consumer protection law, due to the breach of these warranties and representations.

## **7.0 INSURANCE**

**7.01** Before commencing work, MCS shall submit to THE MUNICIPALITY for approval a Certificate of Insurance meeting the requirements specified herein, to be in effect for the full contract period. THE MUNICIPALITY, its employees agents and officials shall be listed on the Certificate of Insurance as an additional insured.

**7.02** MCS shall notify THE MUNICIPALITY in writing at least thirty (30) calendar days prior to any change or cancellation of said policy or policies. THE MUNICIPALITY reserves the right to terminate this Agreement if MCS fails to maintain the required insurance as herein provided.

**7.03** Cancellation or modification of said policy or policies of insurance shall be considered a default and THE MUNICIPALITY shall have the right to terminate this Agreement.

**7.04** Any policy or policies of insurance provided by MCS to satisfy its responsibilities shall include contractual liability coverage, and shall be in the following type and minimum amounts:

Type of Coverage	Occurrence
<u>Aggregate</u>	
1. Comprehensive General Liability	\$1,000,000

**7.05** MCS's Insurance carrier shall, at all times, be A rated or better by A.M. Best.

## **8.0 TERM**

**8.01** The term of this Agreement is for a period of 36 months from the date first written above ("Initial Period"). However, this Agreement shall automatically renew, under the same terms and conditions, for additional periods of 12 months ("Extension Period(s)") unless either party gives written notice to the other, at least 60 days prior to the end of the Initial Period or any Extension Period, that the party is terminating this Agreement at the end of the Initial Period or the then current Extension Period.

**8.02** Notwithstanding a notice of termination given by either party, THE MUNICIPALITY's obligation to list DEBTS with MCS for collection shall continue until the termination of this Agreement.

**8.03** Subject to Article 4.01, in the event of termination of this Agreement by either party MCS shall retain its exclusive right to collect any DEBTS placed prior to the end of this Agreement, until such time as it elects to return any such DEBTS to THE MUNICIPALITY, as provided under the terms of this Agreement; and the terms of this Agreement shall remain in full force and effect with respect to collection by MCS of these retained DEBTS.

**8.04** At least once per year, MCS will return to THE MUNICIPALITY such DEBTs which it determines, in its sole judgment and discretion, to be uncollectible.

## 9.0 ASSIGNMENT

**9.01** MCS shall not assign, transfer, convey or subcontract this Agreement or any portion hereof, to any person, firm, or corporation without the prior written consent of THE MUNICIPALITY, but in no case shall such contract relieve MCS from its obligations or change in terms of the Agreement.

## 10.0 DEFAULT

**10.01** This Agreement may be cancelled or terminated by THE MUNICIPALITY in whole or in part by written notice of default to MCS upon non-performance, violation of contract terms, existing law, delivery failure, bankruptcy or insolvency, or the making of assignment for the benefit of creditors. THE MUNICIPALITY reserves the right to grant MCS specified cure period during which to cure or remedy the default, which cure period shall be included in the written notice to default. If default is not cured within the specified time, if any, THE MUNICIPALITY may deem the Agreement terminated without further notice.

## 11.0 NOTICES

**11.01** Any notices to be given pursuant to this Agreement shall be deemed as served when placed in the United States Mail, with postage prepaid, sent by certified mail, return receipt requested, to the addresses designated, in writing, by either party. Until such time as a difference address is designated, notices shall be sent as follows:

If to MCS: Municipal Collection Services, LLC  
7330 College Drive, Suite 204  
Palos Heights, Illinois 60463

## 12.0 RELATIONSHIP OF THE PARTIES

**12.01** MCS shall, at all times, be considered an independent contractor and the terms of this Agreement shall not be construed to create an employer/employee relationship, partnership or joint venture between THE MUNICIPALITY and MCS.

### **13.0 ENTIRE AGREEMENT**

**13.01** This Agreement and the contractor's certifications attached hereto as Exhibit "A", expressly incorporated herein and made a part of this Agreement, contain the entire agreement between the parties hereto and supersedes any prior agreements or understandings between the parties. This Agreement may only be altered or modified by written instrument signed by both parties.

IN WITNESS WHEREOF, the parties have signed this Agreement effective as of the date first above written.

Village of Willowbrook, IL

MUNICIPAL COLLECTION SERVICES,  
LLC, an Illinois Corporation

By:

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Mayor (PRINT)

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Mayor (SIGNATURE)

Attested:

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Clerk (PRINT)

---

Clerk (SIGNATURE)

Date: \_\_\_\_\_, 20 \_\_\_\_.

By:

---

Chief Strategy Officer (PRINT)

---

Chief Strategy Officer (SIGNATURE)

Attested:

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Secretary (PRINT)

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Secretary (SIGNATURE)

Date: \_\_\_\_\_, 20 \_\_\_\_.

## **EXHIBIT “A”**

### **MUNICIPAL COLLECTION SERVICES, LLC**

### **VILLAGE OF WILLOWBROOK COLLECTION SERVICES AGREEMENT**

### **CONTRACTOR’S CERTIFICATION**

The assurances hereinafter made by Municipal Collection Services, LLC (the “Contractor”) are each a material representation of fact upon which reliance is placed by the Village of Willowbrook in entering into the contract with the Contractor. The Village of Willowbrook may terminate the contract if it is later determined that the Contractor rendered a false or erroneous assurance, and the surety providing the performance bond shall be responsible for the completion of the contract.

I, \_\_\_\_\_, hereby certify that I am the Chief Strategy Officer of Municipal Collection Services, LLC, and, as such, hereby represent and warrant to the Village of Willowbrook, a municipal corporation that the Contractor and its shareholders holding more than five percent (5%) of the outstanding shares of the corporation, its officers and directors are:

1. Not delinquent in the payment of taxes to the Illinois Department of Employment Security or the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1;
2. Not barred from contracting as a result of a violation of either Section 33E-3 (bid-rigging) or 33E-4 (bid-totaling) of the Criminal Code of 2012 (720 ILCS 5/33E-3 and 5/33E-4);
3. Not in default, as defined in 5ILCS 385/2, on an educational loan, as defined in 5ILCS 385/1.

In addition, the Contractor hereby represents and warrants to the Village of Willowbrook, as a condition of any agreement with the Village of Willowbrook, that the Contractor is under no legal prohibition on contracting with the Village of Willowbrook, has no known conflicts of interest and further specifically certifies that:

1. The Contractor is not delinquent in any obligation to the Illinois Department of Employment Security;
2. The Contractor maintains and will maintain a drug-free workplace in accordance with the Drug Free Workplace Act (30 ILCS 580/1, *et seq.*) by:
  - A. Publishing a statement:

(1) Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance including cannabis, is prohibited in the Contractor's workplace;

(2) Specifying the actions that will be taken against employees for violations of such prohibition;

(3) Notifying the employee that, as a condition of employment on this Contract, the employee will:

- a. Abide by the terms of the statement;
- b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;

B. Establishing a drug-free awareness program to inform employees about:

- (1) The dangers of drug abuse in the workplace;
- (2) The Contractor's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance program; and
- (4) The penalties that may be imposed upon employees for drug violations;

C. Making it a requirement to give a copy of the statement required by Subsection A to each employee engaged in the performance of the Contract, and to post the statement in a prominent place in the workplace;

D. Notifying the Village of Willowbrook within ten (10) days after receiving notice under Paragraph 2.A.3(b) from an employee or otherwise receiving actual notice of such conviction;

E. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by 30 ILCS 580/5;

F. Assisting employees in selecting a course of action in the event drug counseling treatment and rehabilitation is required and indicating that a trained referral team is in place; and

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

3. The Contractor provides equal employment opportunities in accordance with the Illinois Human Rights Act (775 ILCS 580/1, *et seq.*) and is in compliance with 775 ILCS 5/2-105(A)(4) requiring a written sexual harassment policy.

4. The Contractor at the time it submitted a Proposal for this contract, had an Illinois Department of Human Rights pre-qualification number or had a properly completed application for an Illinois Department of Human Rights pre-qualification number on file with the Illinois Department of Human Rights, as provided for in 44 Illinois Administrative Code 750.210.

5. No Village of Willowbrook officer, spouse or dependent child of a Village of Willowbrook officer, agent on behalf of any Village of Willowbrook officer or trust in which a Village of Willowbrook officer, the spouse or dependent child of a Village of Willowbrook officer or a beneficiary is a holder of any interest in the Contractor; or, if the Contractor's stock is traded on a nationally recognized securities market, that no Village of Willowbrook officer, spouse or dependent child of a Village of Willowbrook officer, agent on behalf of any Village of Willowbrook officer or trust in which a Village of Willowbrook officer, the spouse or dependent child of a Village of Willowbrook officer or a beneficiary is a holder of more than one percent (1%) of the Contractor, but if any Village of Willowbrook officer, spouse or dependent child of a Village of Willowbrook officer, agent on behalf of any Village of Willowbrook officer or trust in which a Village of Willowbrook officer, the spouse or dependent child of a Village of Willowbrook officer or a beneficiary is a holder of less than one percent (1%) of the Contractor, the Contractor has disclosed to the Village of Willowbrook in writing the name(s) of the holder of such interest.

6. No officer or employee of Village of Willowbrook has solicited any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from the Contractor in violation of the Code of Ordinances of the Village of Willowbrook, Illinois adopted by the Village pursuant to the requirements of the Illinois State Gift Ban Act.

7. The Contractor has not given to any officer or employee of Village of Willowbrook any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer in violation of the Code of Ordinances of the Village of Willowbrook, Illinois adopted by the Village pursuant to the requirements of the Illinois State Gift Ban Act.

8. Neither the Contractor nor any of its principals, shareholders, members, partners, or affiliates, as applicable, is a person or entity named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of a Specially Designated National and Blocked Person and that the Supplier and its principals, shareholders, members, partners, or affiliates, as applicable, are not, directly or indirectly, engaged in, and are not facilitating, the transactions contemplated by this Contract on behalf of any person or entity named as a Specially Designated National and Blocked Person.

If any certification made by the Contractor changes or any term or condition on which a certification is based changes, which then renders the certification to be no longer valid, the Contractor shall so notify the Village of Willowbrook in writing within seven (7) days.

Dated: \_\_\_\_\_, 2024

Contractor:

Municipal Collection Services, LLC

By: \_\_\_\_\_

\_\_\_\_\_, Chief Strategy Officer



## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 8.**

**DATE: March 25, 2024**

**SUBJECT:**

AN ORDINANCE GRANTING APPROVAL OF A PRELIMINARY PLAT OF SUBDIVISION AND GRANTING CERTAIN VARIATIONS FROM THE VILLAGE OF WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE 6134 BENTLEY AVENUE – SYRUX SUBDIVISION

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Michael Krol, Director of Community Development  
**THROUGH:** Sean Halloran, Village Administrator

#### **PURPOSE AND ACTION REQUESTED**

The petitioner and property owner, Peter Ruksza & Victoria Syren, of 6134 Bentley Avenue, Willowbrook, Illinois, request Public Hearing Case 24-01: consideration of a petition requesting a preliminary plat of Subdivision for Syrux Subdivision located at 6134 Bentley Avenue, Willowbrook, Illinois, for a minor subdivision to re-subdivide one (1) parcel into a two (2) lot residential subdivision. Currently zoned R-2 Single Family Residence, the two (2) new parcels comply with the minimum lot requirements of the R-2 Zoning District in the Unified Development Ordinance (UDO).

The second request of the petition is a request to approve 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 of the subdivision to be 90' x 314.63 (ratio 1:3.49) and Lot 2 to be, 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.

#### **BACKGROUND/SUMMARY**

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 re-subdivided 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.

Community Development Department staff have no objection to the proposed preliminary subdivision and two (2) zoning variances as proposed because the lot and dwelling were legally established prior to annexation to the Village of Willowbrook. A public hearing was held on Wednesday, March 6, 2024, before the Plan Commission, which voted unanimously 6-0 in favor of the proposed petition, as proposed, to forward a positive recommendation to the Village Board.

#### **FINANCIAL IMPACT**

There is no financial impact to the Village of this item.

#### **RECOMMENDED ACTION:**

Staff recommends approval of the ordinance based on the Plan Commission recommendation.



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

**Public Hearing Date:** March 6, 2024

**Village Board Receive & Vote:** March 25, 2024

**Prepared By:** Michael Krol, Director of Community Development

**Case Title:** Zoning Hearing Case No. PC 24-01: Preliminary Plat of Subdivision for Syrinx Subdivision, located at 6341 Bentley Avenue and consideration of zoning variations to the Unified Development Ordinance.

**Petitioner:** Peter Ruksza & Victoria Syren, 6134 Bentley Avenue, Willowbrook, IL 60527.

**Action Requested:** Consideration and approval 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:

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 sidewalk requirement from the subdivision proposal as no other properties on this block of Bentley Avenue have public sidewalks.

**Location:** 6134 Bentley Avenue, Willowbrook IL 60527

**PINs:** 09-15-405-024

**Existing Zoning:** R-2 Single Family Residence District

**Proposed Zoning:** R-2 Single Family Residence District

**Property Size:** 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 Village Board:** Consider approval of the attached ordinance.



## 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:** Aerial 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 Syrinx 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 consideration 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 for approval of 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.

### **Discussion at the March 6, 2024, Plan Commission Meeting**

The Plan Commission conducted a public hearing on this petition held at the March 6, 2024, meeting. The following members were in attendance: Vice Chairman Wagner, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, and Walec. Chairman Kopp were absent. There were several members of the public in attendance, however no public member objected or spoke during the public hearing and no public comments/questions were received prior to the meeting.

Director Krol made the proposed resubdivision and variance request presentation to the Plan Commission, and the petitioners were present and available for questions. No questions or concerns arose from the Plan Commission.

### **Motion**

The following motion made by Commissioner Walec was seconded by commissioner Baksay and approved unanimously, a 6-0 roll call vote of the members present:

**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.**



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<b>Documents Attached:</b>	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)
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Attachment 1  
Notice of Public Hearing (1 Sheet)

<p><b>NOTICE OF PUBLIC HEARING ZONING HEARING CASE NO. 24-01</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 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 review and recommendation regarding a Preliminary Plat of Subdivision for Syrus 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.</p> <p>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>THE WEST HALF OF THE NORTH OF LOT 22 (EXCEPT THE NORTH 82.47 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,</p> <p>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.</p> <p>ADDRESS: 6134 BENTLEY AVENUE, WILLOWBROOK, ILLINOIS</p> <p>PINs: 09-15-405-024</p> <p>The applicant for this petition is Peter Rukcsa &amp; Victoria Syren, 6134 Bentley Avenue, Willowbrook, IL 60527.</p> <p>Copies of the application and related documentation are on file in the office of Community Development, Village of Willowbrook, 825 Midway, Willowbrook, Illinois, and are available for public inspection. Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook should contact Michael Krol, Village of Willowbrook, 825 Midway, Willowbrook, IL 60527, or call (630) 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>Is/ 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 #1167270</p>
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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](http://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

Annexation

Preliminary Plat of Subdivision

Annexation Agreement

Final Plat Subdivision

Special Use Permit

Preliminary PUD

Map Amendment (Rezoning)

Final PUD

Text Amendment

Variation

**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	R2	Single Family Residence
SOUTH OF SITE	R2	Single Family Residence
EAST OF SITE	R2	Single Family Residences
WEST OF SITE	Westmont	Single Family Residences

**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: Tri-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: 6308536331 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 Jr & Victoria Syren Date: 1/17/2024  
Printed Name: Peter Ruksza & Victoria Syren



Attachment 5  
CBBEL Recommendation of Approval



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

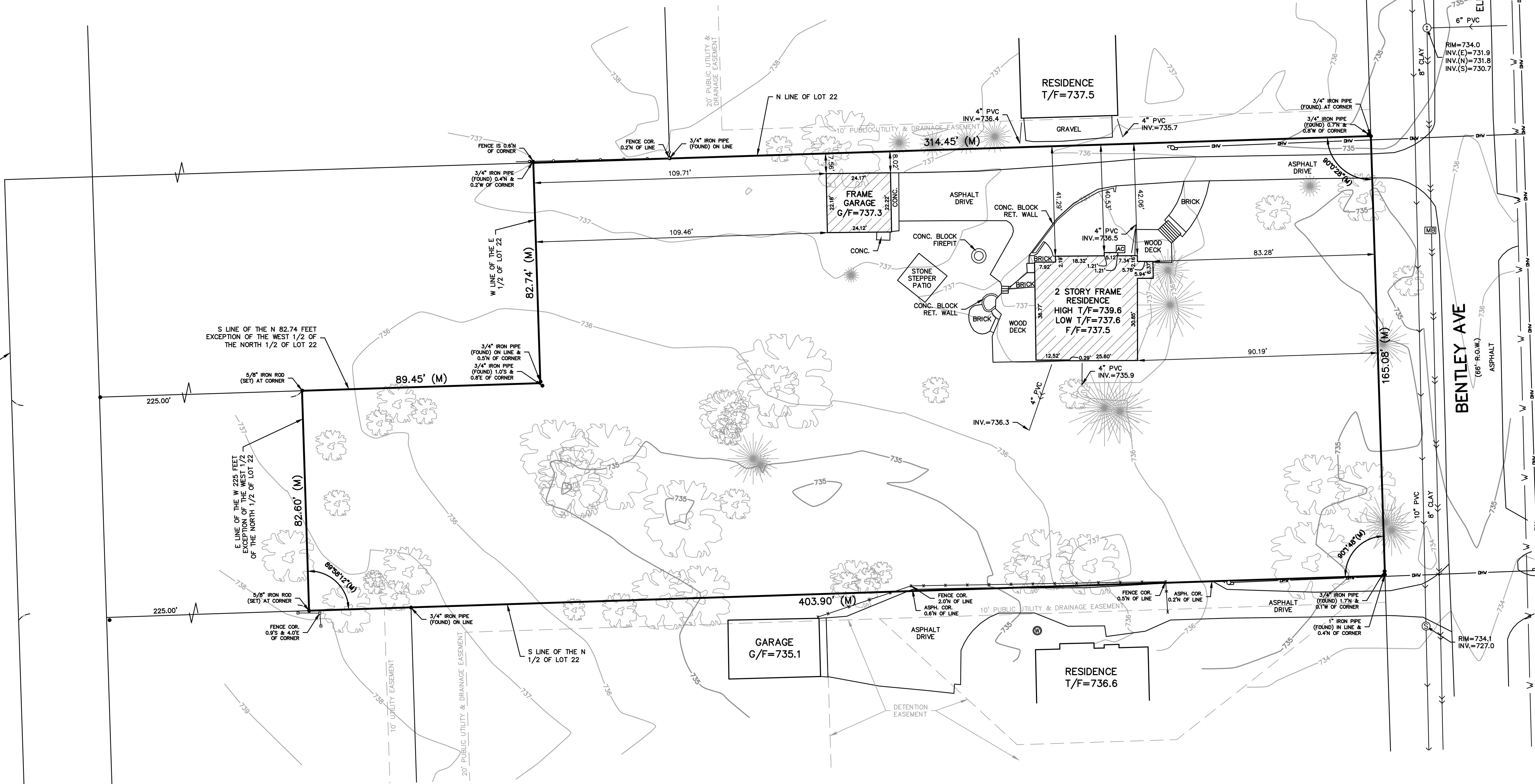
**Attachment 7:**  
**Preliminary Plat for Syrux Subdivision (11x17)**

# 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  
PIN: 09-15-405-024  
AREA: 1.36 ACRES



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

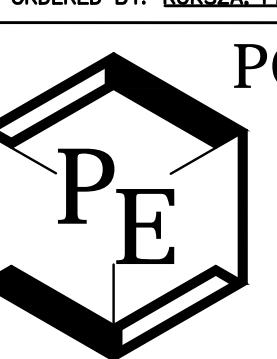
LINE LEGEND	
— * —	PLASTIC FENCE
— ○ —	WOOD FENCE
— ○ —	METAL FENCE
— DW —	OVERHEAD WIRES
— W —	WATER MAIN
—>—	SANITARY SEWER
—>>—	STORM SEWER

SYMBOL LEGEND	
①	INLET
☒	HYDRANT
Ⓐ	SANITARY MANHOLE
ⓧ	WELL
Ⓐ	AIR CONDITIONER
□	UTILITY POLE
Ⓜ	MAILBOX
●	MONUMENTATION

STATE OF ILLINOIS  
COUNTY OF MCHENRY } S.S.  
THIS IS TO CERTIFY THAT BRIAN SMOLINSKI, LAND  
SURVEYOR, HAS SURVEYED THE PREMISES DESCRIBED ABOVE AND  
THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAD  
SURVEY. FIELD WORK COMPLETION DATE: 12/20/2023.  
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. 2020  
\_\_\_\_\_  
ILLINOIS LAND SURVEYOR NO. 3281; LICENSE EXPIRES 11/30/24  
ILLINOIS DESIGN FIRM NO. 184-007260  
REFER TO DEED OF GUARANTEE POLICY FOR RESTRICTIONS  
NOT SHOWN ON SURVEY.  
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.  
COMPUTE ALL POINTS BEFORE BUILDING AND REPORT ANY  
APPARENT DISCREPANCIES TO THE SURVEYOR.



ORDERED BY: RUKSZA, PETER FILE NO. 231258  
WHEATON: 630-653-6331  
LAKE IN THE HILLS: 815-363-9200  
INFO@POLENA.COM  
WWW.POLENA.COM  
ILLINOIS PROFESSIONAL DESIGN FIRM No. 184-007260  
POLENA COMPANIES INCLUDE LAND TECHNOLOGY, LAMBERT & ASSOCIATES, ALAN J COULSON,  
HERITAGE LAND CONSULTANTS, PAF SEPTIC DESIGN, AND MIONSKIE SURVEYING



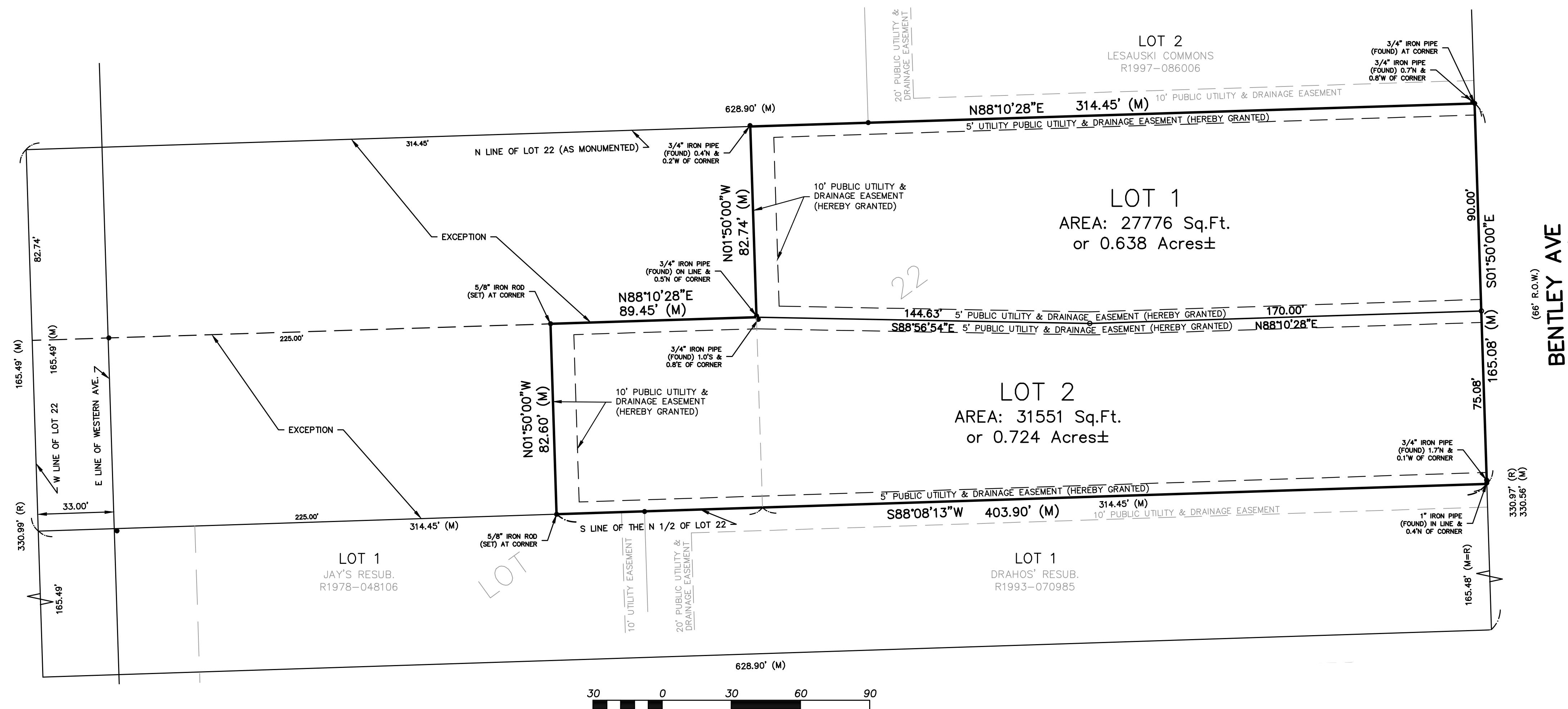
ADDRESS: 6134 BENTLEY AVENUE, WILLOWBROOK  
P.I.N.: 09-15-405-024

PRELIMINARY PLAT

OF

SYRUX SUBDIVISION

OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, IN DUPAGE COUNTY, ILLINOIS.



NOTE: EACH LOT SHALL COMPLY WITH VILLAGE STORMWATER REGULATIONS AT THE TIME OF DEVELOPMENT OR REDEVELOPMENT

Scale 1" = 30'

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) S.S.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND THAT HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THIS IS TO CERTIFY, AS OWNER OF THE PROPERTY DESCRIBED HEREIN AND LEGALLY DESCRIBED ON THE PLAT, THAT I HAVE DETERMINED TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT EACH OF THE SUBJECT LOTS LIE WHOLLY WITHIN

GRADE SCHOOL DISTRICT: DISTRICT 60  
HIGH SCHOOL DISTRICT : DISTRICT 86  
COMMUNITY COLLEGE DISTRICT: COLLEGE OF DUPAGE 502 (425 FAWELL BLVD., GLEN ELLYN, IL)

DATED THIS DATE OF \_\_\_\_\_ 20\_\_\_\_

OWNER OWNER

NOTARY'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) S.S.  
I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE SID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ WHO IS(ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS(ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE(SHE)(THEY) SIGNED AND DELIVERED THE SAID INSTRUMENTS AS HIS(HER)THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE ) S.S.  
THIS IS TO CERTIFY THAT BRUCE SMOLINSKI, AN ILLINOIS REGISTERED LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING

DESCRIBED PROPERTY:  
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. AS SHOWN BY THE ATTACHED PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

I, FURTHER STATE THAT THIS SUBDIVISION IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF WILLOWBROOK, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I, FURTHER STATE THAT THE PROPERTY INCLUDED IN THIS SUBDIVISION IS ZONE "X" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS SET FORTH ON THE FLOOD INSURANCE RATE MAP, PANEL NO. 17043C0189, EFFECTIVE DATE AUGUST 1, 2019. ZONE X (UNSHADDED).

GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF JANUARY, A.D. 2024.

ILLINOIS REGISTERED SURVEYOR 35-4003



PRELIMINARY PLAT

OF

SYRUX SUBDIVISION

OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, IN DUPAGE COUNTY, ILLINOIS.

LOT 2  
LESAUSKI COMMONS  
R1997-086006

3/4" IRON PIPE  
(FOUND) 0.47" &  
0.2W OF CORNER  
3/4" IRON PIPE  
(FOUND) 0.77" &  
0.8W OF CORNER

N88°10'28"E 314.45' (M) 10' PUBLIC UTILITY & DRAINAGE EASEMENT

5' UTILITY PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED)

20' PUBLIC UTILITY & DRAINAGE EASEMENT

3/4" IRON PIPE  
(FOUND) 0.47" &  
0.2W OF CORNER

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(FOUND) 0.57" &  
0.5W OF CORNER

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**ORDINANCE NO. 24-O- \_\_\_\_\_**

**AN ORDINANCE GRANTING APPROVAL OF A PRELIMINARY PLAT OF  
SUBDIVISION AND GRANTING CERTAIN VARIATIONS FROM THE VILLAGE OF  
WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE  
6134 BENTLEY AVENUE – SYRUX SUBDIVISION**

---

**WHEREAS**, on or about January 17, 2024, Peter Ruksza and Victoria Syren, as applicants and owners of 6134 Bentley Avenue, filed an application with the Village of Willowbrook with respect to the property legally described on Exhibit "A" attached hereto, which is, by this reference, incorporated herein ("SUBJECT REALTY"). Said application requested that the Village grant certain variations from the requirements of the Village Unified Development Ordinance; and

**WHEREAS**, the Village maintains a Unified Development Ordinance which is found in Title 9, entitled "Unified Development Ordinance", of the Willowbrook Municipal Code (the "UDO"); and

**WHEREAS**, a Preliminary Plat of Subdivision has been submitted with respect to the SUBJECT REALTY; and

**WHEREAS**, a public notice for the public hearing was published in compliance with Section 9-9-03(B)(3)(c) of the UDO, in the Chicago Sun-Times newspaper on February 20, 2024, which date is more than fifteen (15) days, but less than thirty (30) days, prior to the date of the public hearing date; a notice of the public hearing was mailed to all adjacent owners within two hundred-fifty (250) feet in each direction of the location of the SUBJECT REALTY via first class mail, more than fifteen (15) days, but less than thirty (30) days, prior to the public hearing date in compliance with Section 9-9-03(B)(3)(a); and public notice of the public hearing was further provided by posting on the SUBJECT REALTY a sign visible to the general public complying

with the requirements of Sections 9-9-03(B)(3)(b) of the UDO, for at least fifteen (15) consecutive days prior to the public hearing date; and

**WHEREAS**, pursuant to the public notice, the Plan Commission of the Village of Willowbrook conducted a public hearing on or about March 6, 2024, all as required by the statutes of the State and the ordinances of the Village; and,

**WHEREAS**, at the public hearing, the applicant provided testimony in support of the proposed variation from the Unified Development Ordinance and the Preliminary Plat of Subdivision, attached hereto as Exhibit "C" and made a part hereof by reference, and all interested parties had an opportunity to be heard; and

**WHEREAS**, the Mayor and Board of Trustees of the Village of Willowbrook (the "Corporate Authorities") received the recommendation of the Plan Commission, pursuant to a memorandum dated March 25, 2024, a copy of which is attached hereto as Exhibit "B", which is by this reference, incorporated herein.

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

**SECTION ONE:** That pursuant to Title 9 entitled "Unified Development Ordinance", Chapter 9 entitled "Zoning Procedures", Section 9-9-04 entitled "Variation", of the Village Code, the following variations from the provisions of the Unified Development Ordinance be and the same are hereby granted:

- A. 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.

B. Pursuant to Section 9-07-04(D)(1) to eliminate or waive the sidewalk requirement from the subdivision proposal as no other properties on 6100 of Bentley Avenue have public sidewalks.

The Board of Trustees makes the following findings with respect to the above variations:

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 variations 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 variations will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
5. The proposed variations 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 variations will not alter the essential character of the locality.
7. The proposed variations are in harmony with the spirit and intent of the Unified Development Ordinance.

**SECTION TWO:** That passage of this Ordinance shall constitute approval of the Preliminary Plat of Subdivision for the Syrux Subdivision, as prepared by Polana Engineering, Inc., consisting of one sheet, and dated February 3, 2024, and attached hereto as Exhibit "C".

**SECTION THREE:** That the relief granted in Sections One and Two of this Ordinance are expressly conditioned upon the SUBJECT REALTY at all times being constructed, used, operated and maintained in accordance with the following terms, conditions and provisions:

A. 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.

B. The subdivider shall provide a mylar of the Final Plat of Subdivision with all required signatures (other than those of the Village officials) within sixty (60) days of approval by the Village Board.

**SECTION FOUR:** 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 FIVE:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**PASSED** and **APPROVED** this 25<sup>th</sup> day of March, 2024 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

---

Frank A. Trilla, Mayor

ATTEST:

---

Deborah A. Hahn, Village Clerk

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF SUBJECT REALTY**

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.

PIN NO.: 09-15-405-024

Commonly known as: 6134 Bentley Avenue, Willowbrook, IL 60527

**EXHIBIT B**

PLAN COMMISSION RECOMMENDATION



# Village of WILLOWBROOK

## Mayor

Frank A. Trilla

## Village Clerk

Deborah Hahn

## Village Trustees

Mark L. Astrella

Sue Berglund

Umberto Davi

Michael Mistele

Gayle Neal

Gregory Ruffolo

## Village Administrator

Sean Halloran

## Chief of Police

Lauren Kaspar



Proud Member of the  
Illinois Route 66 Scenic Byway

## MEMORANDUM

MEMO TO: Frank A. Trilla, Mayor  
Board of Trustees

MEMO FROM: Dan Kopp, Chairman, Plan Commission

DATE: March 25, 2024

SUBJECT: **Zoning Hearing Case 24-01:** 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:

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 sidewalk requirement from the subdivision proposal as no other properties on this block of Bentley Avenue have public sidewalks.

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

At a regular meeting of the Plan Commission held on March 6, 2024, the above referenced application was discussed, and the following motion was made:

**MOTION:** Made by Commissioner Walec and seconded by Commissioner Baksay that 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.

**ROLL CALL:** AYES: Vice Chairman Wagner, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, and Walec;

NAYS: None.

ABSENT: Chairman Kopp.

**MOTION DECLARED CARRIED**

Should any member of the Board have any questions regarding this matter, please do not hesitate to contact me.

DK:mk

**EXHIBIT C**

**PRELIMINARY PLAT OF SYRUX SUBDIVISION**

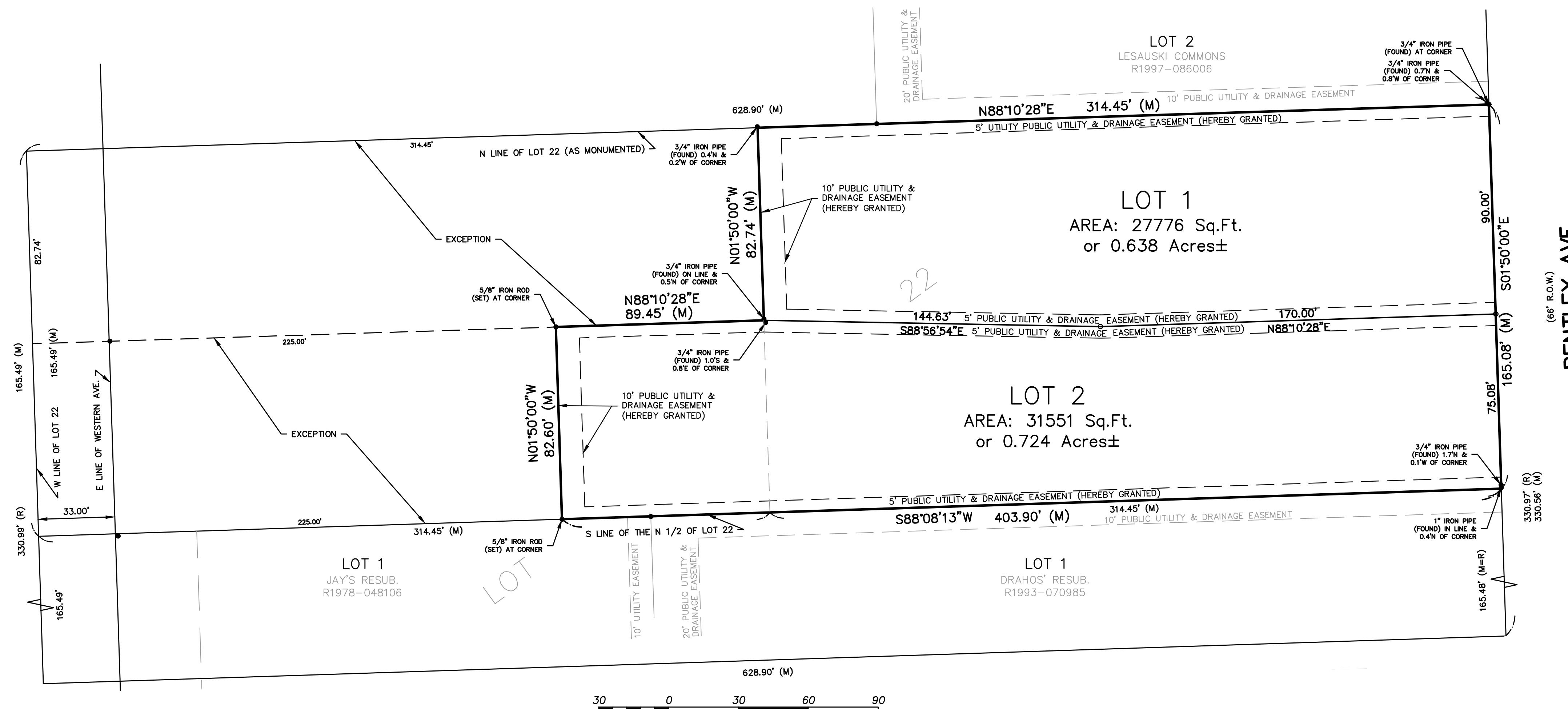
ADDRESS: 6134 BENTLEY AVENUE, WILLOWBROOK  
P.I.N.: 09-15-405-024

PRELIMINARY PLAT

OF

SYRUX SUBDIVISION

OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, IN DUPAGE COUNTY, ILLINOIS.



NOTE: EACH LOT SHALL COMPLY WITH VILLAGE STORMWATER REGULATIONS AT THE TIME OF DEVELOPMENT OR REDEVELOPMENT

Scale 1" = 30'

STATE OF ILLINOIS  
COUNTY OF DUPAGE) S.S.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND THAT HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THIS IS TO CERTIFY, AS OWNER OF THE PROPERTY DESCRIBED HEREIN AND LEGALLY DESCRIBED ON THE PLAT, THAT I HAVE DETERMINED TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT EACH OF THE SUBJECT LOTS LIE WHOLLY WITHIN

GRADE SCHOOL DISTRICT: DISTRICT 60  
HIGH SCHOOL DISTRICT : DISTRICT 86  
COMMUNITY COLLEGE DISTRICT: COLLEGE OF DUPAGE 502 (425 FAWELL BLVD., GLEN ELLYN, IL)

DATED THIS DATE OF \_\_\_\_\_ 20\_\_\_\_

OWNER OWNER

NOTARY'S CERTIFICATE

STATE OF ILLINOIS  
COUNTY OF DUPAGE) S.S.  
I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE SID COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ WHO IS(ARE) PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS(ARE) SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE(SHE)(THEY) SIGNED AND DELIVERED THE SAID INSTRUMENTS AS HIS(HER)THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202\_\_\_\_

NOTARY PUBLIC COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS  
COUNTY OF DUPAGE) S.S.  
THIS IS TO CERTIFY THAT BRUCE SMOLINSKI, AN ILLINOIS REGISTERED LAND SURVEYOR, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

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. AS SHOWN BY THE ATTACHED PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

I, FURTHER STATE THAT THIS SUBDIVISION IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF WILLOWBROOK, WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I, FURTHER STATE THAT THE PROPERTY INCLUDED IN THIS SUBDIVISION IS ZONE "X" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS SET FORTH ON THE FLOOD INSURANCE RATE MAP, PANEL NO. 17043C0189, EFFECTIVE DATE AUGUST 1, 2019. ZONE X (UNSHADDED).

GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF JANUARY, A.D. 2024.

ILLINOIS REGISTERED SURVEYOR 35-4003



PRELIMINARY PLAT

OF

SYRUX SUBDIVISION

OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 38 NORTH, RANGE 11, IN DUPAGE COUNTY, ILLINOIS.

LOT 2  
LESAUSKI COMMONS  
R1997-086006

3/4" IRON PIPE  
(FOUND) 0.47" &  
0.2W OF CORNER  
3/4" IRON PIPE  
(FOUND) 0.77" &  
0.8W OF CORNER

N88°10'28"E 314.45' (M) 10' PUBLIC UTILITY & DRAINAGE EASEMENT

5' UTILITY PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED)

144.63' 5' PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED) 170.00'

S88°56'54"E 5' PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED) N88°10'28"E

LOT 1  
AREA: 27776 Sq.Ft.  
or 0.638 Acres±

10' PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED)

3/4" IRON PIPE  
(FOUND) 0.47" &  
0.2W OF CORNER

3/4" IRON PIPE  
(FOUND) 0.57" &  
0.5W OF CORNER

10' PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED)

3/4" IRON PIPE  
(FOUND) 0.47" &  
0.2W OF CORNER

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(FOUND) 0.47" &  
0.2W OF CORNER

10' PUBLIC UTILITY & DRAINAGE EASEMENT (HEREBY GRANTED)

3/4" IRON PIPE<br/



## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 9.**

**DATE: March 25, 2024**

**SUBJECT:**

AN ORDINANCE AMENDING A SPECIAL USE PERMIT AS APPROVED BY ORDINANCE NO. 89-O-52 900 75TH WILLOWBROOK PLAZA 2 - FORMERLY KNOWN AS WINGREN PLAZA

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Michael Krol, Director of Community Development  
**THROUGH:** Sean Halloran, Village Administrator

#### **PURPOSE AND ACTION REQUESTED**

The petitioner and property owner is Willowbrook Plaza, LLC. c/o Property Solutions Group, LLC. 900 S. Frontage Road, Suite 100, Willowbrook, IL 60517. Public Hearing Case 24-02: Consideration of a petition requesting 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.

#### **BACKGROUND/SUMMARY**

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. In 1989, 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 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.

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 approving the façade change to one tenant, will set a future precedent for other businesses, not just in Willowbrook Plaza 2 shopping center, 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.

A public hearing was held on Wednesday, March 6, 2024 before the Plan Commission, which voted 5-1 in favor of the proposed petition, as proposed, to forward a positive recommendation to the Village Board.

#### **FINANCIAL IMPACT**

There is no financial impact of this item.

#### **RECOMMENDED ACTION:**

There is no recommended action on this item from staff. As mentioned previously, the Plan Commission approved this item 5-1.



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

<b>Public Hearing Date:</b>	March 6, 2024															
<b>Village Board Receive &amp; Vote:</b>	March 25, 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 of approval for 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>	<table><thead><tr><th></th><th><b>Use</b></th><th><b>Zoning</b></th></tr></thead><tbody><tr><td>North</td><td>Community Shopping District (restaurant)</td><td>B</td></tr><tr><td>South</td><td>Vacant lot (former gas station)</td><td>B</td></tr><tr><td>East</td><td>Community Shopping (various uses within the Willowbrook Plaza)</td><td>B</td></tr><tr><td>West</td><td>Community shopping (restaurant, retail, and urgent care clinic)</td><td>B</td></tr></tbody></table>		<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
	<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 Village Board:** Consider approval of the attached ordinance.



## 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 Summary:**

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.

### **Discussion at the March 6, 2024, Plan Commission Meeting**

The Plan Commission conducted a public hearing on this petition held at the March 6, 2024, meeting. The following members were in attendance: Vice Chairman Wagner, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, and Walec. Chairman Kopp was absent. There were several members of the public in attendance and no public comments/questions were received prior to the meeting.

Director Krol made the proposed special use amendment presentation to the Plan Commission, and the petitioners were present and available for questions. The applicant provided additional information pertaining to the proposal. Commissioner Baksay brought up a concern that approving the proposal will set a future precedence for other businesses in all Willowbrook shopping centers, that anyone in the future can come before the Plan Commission and seek a façade change to match a corporate color or create unique facades varying from the existing shopping center look. There was no public comment or objection and no additional concerns arose from the Plan Commission.

### **Motion**

The following motion made by Commissioner Walec and was seconded by commissioner Kaczmarek and approved with a 5-1 roll call vote of the members present:



**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.**

**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 I 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 60527-5694

Phone: (630) 323-8215 Fax: (630) 323-0787 [www.willowbrookil.org](http://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	B-4	Restaurant and offices and ice manufacturing
SOUTH OF SITE	B-2 and MI	Community Shopping Center and Industrial
EAST OF SITE	MI	Industrial and vacant land
WEST OF SITE	B-4	Community Shopping Center and restaurant

**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):

A handwritten signature in black ink.

Date: 1/16/2024

Printed Name: Rosemarie Krol, Rosemarie Krol, Property Solutions Group, LLC as agent for Willowbrook  
Properties, 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. 89-101, 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

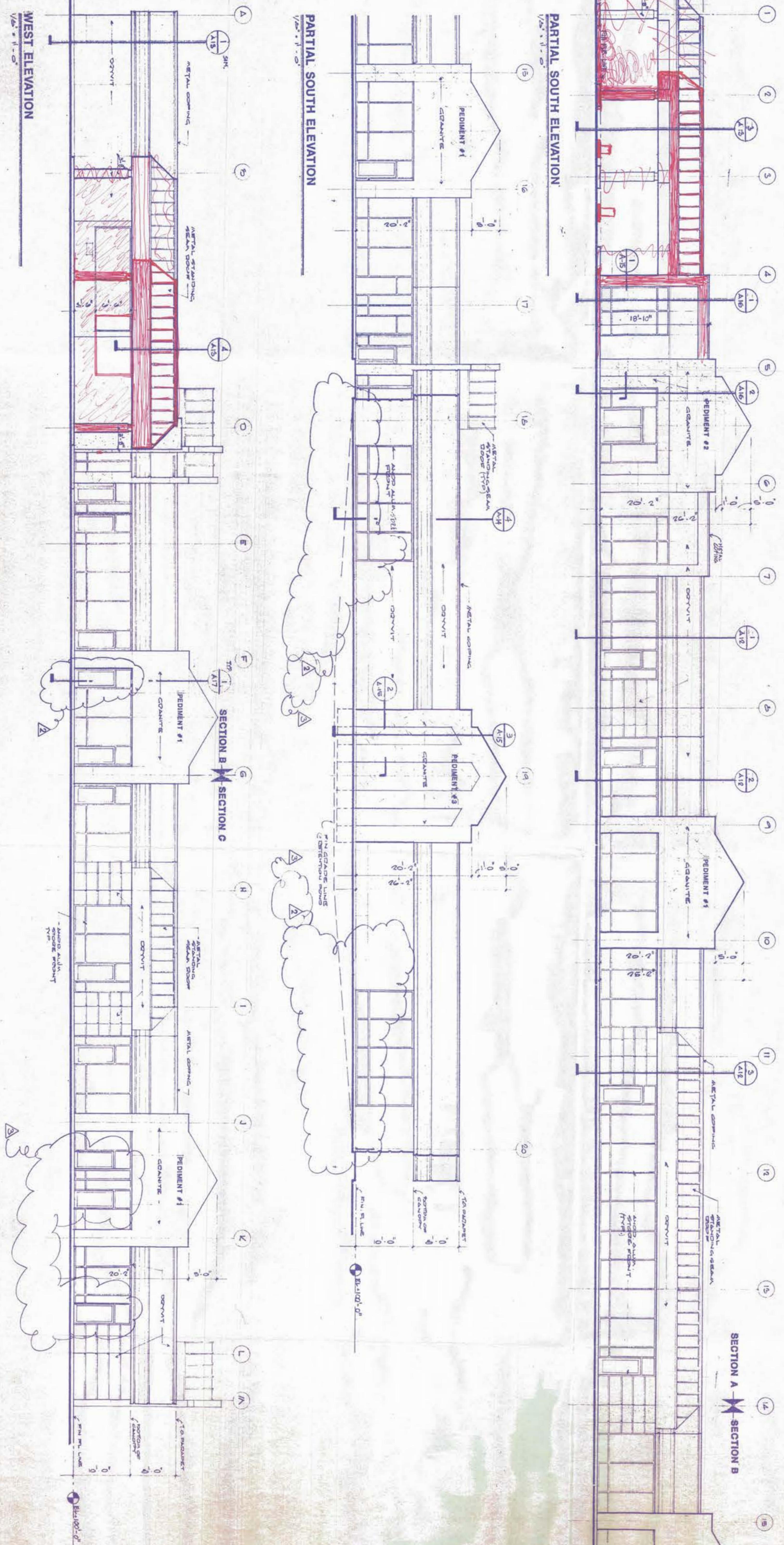




**Attachment 7**  
**1989 Elevation Plan for Wingren Plaza by Iuro and Associates (11x17)**

**Attachment 8**  
**Proposed Elevation Plan by BR Design & Architecture (11x17)**

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BUILDING ELEVATIONS	
Job Title ROUTE 83 & 75th STREET, WILLOWBROOK, ILLINOIS Regional Development Company	WINGREN PLAZA

DRAWN BY A. BURGESS	REVISIONS 1-1-94 - 1000 RSP 2-11-94 - 1000 RSP
CHECKED BY P. MC	
APPROVED BY P. MC	
DATE CHECKED 2-11-94	
JOB NO. 8933	
SHEET NO. A-8	
OF 17	

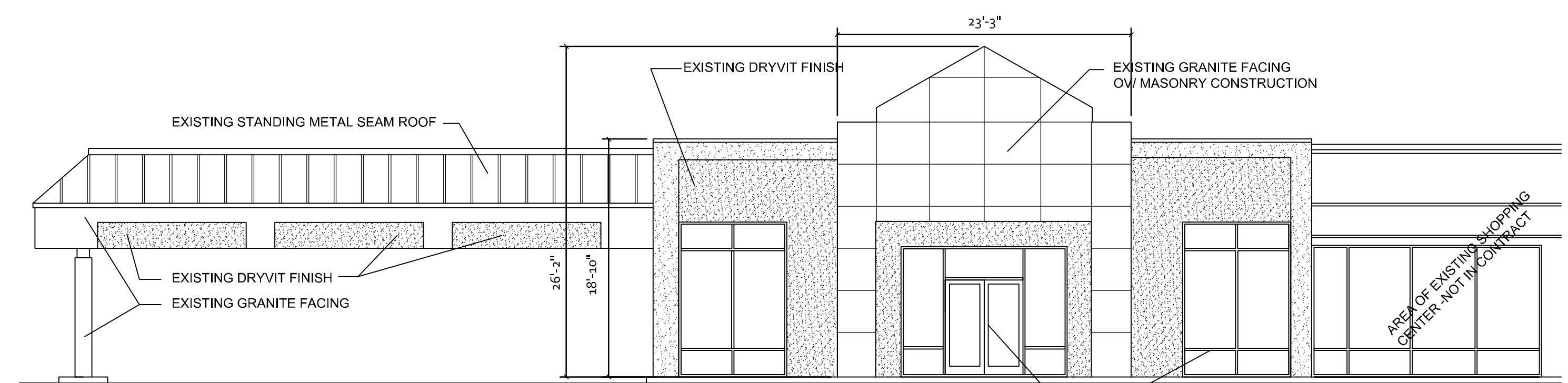


**IURO and associates**  
architects • engineers • consultants

5390 McDermott Drive, Berkeley, Illinois 60163 Phone: (312) 449-7230

REVISIONS  
1-1-94 - 1000 RSP  
2-11-94 - 1000 RSP

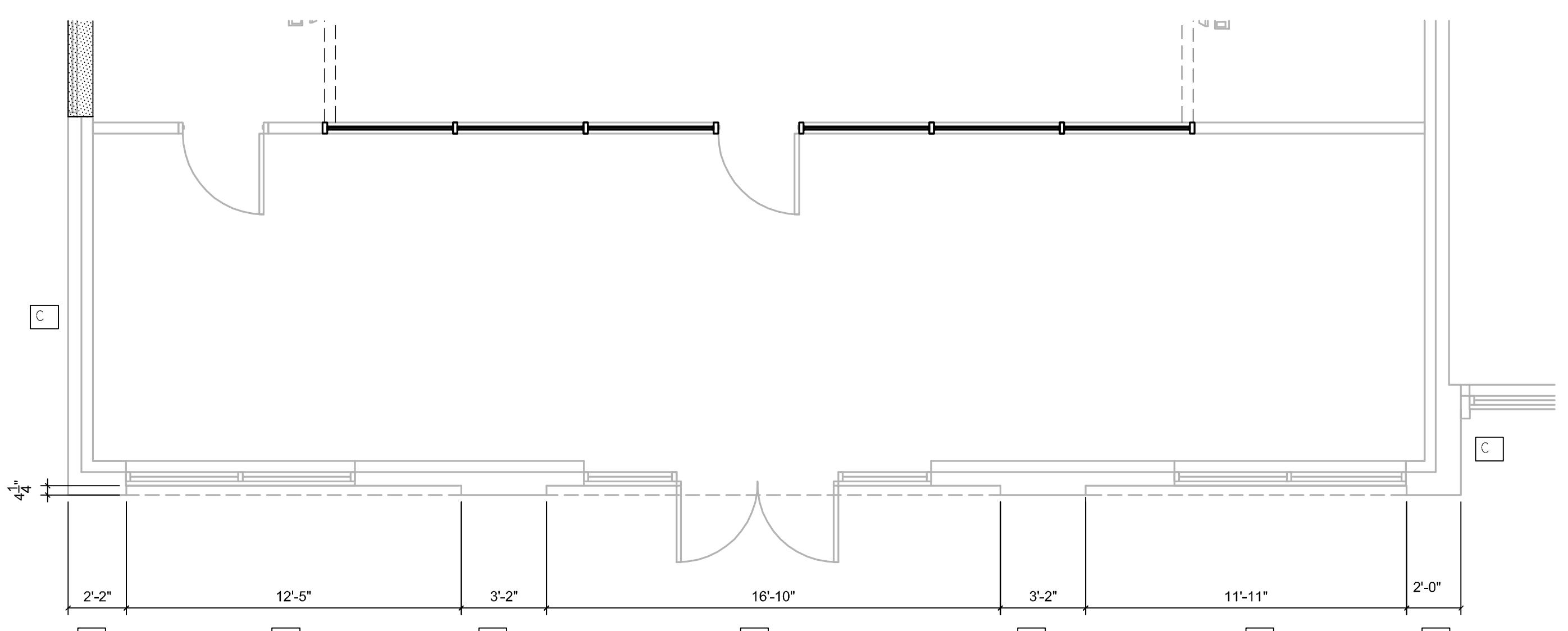
REVISIONS  
1-1-94 - 1000 RSP  
2-11-94 - 1000 RSP



N  
E1 EXISTING BUILDING ELEVATION  
1/8" = 1' - 0"

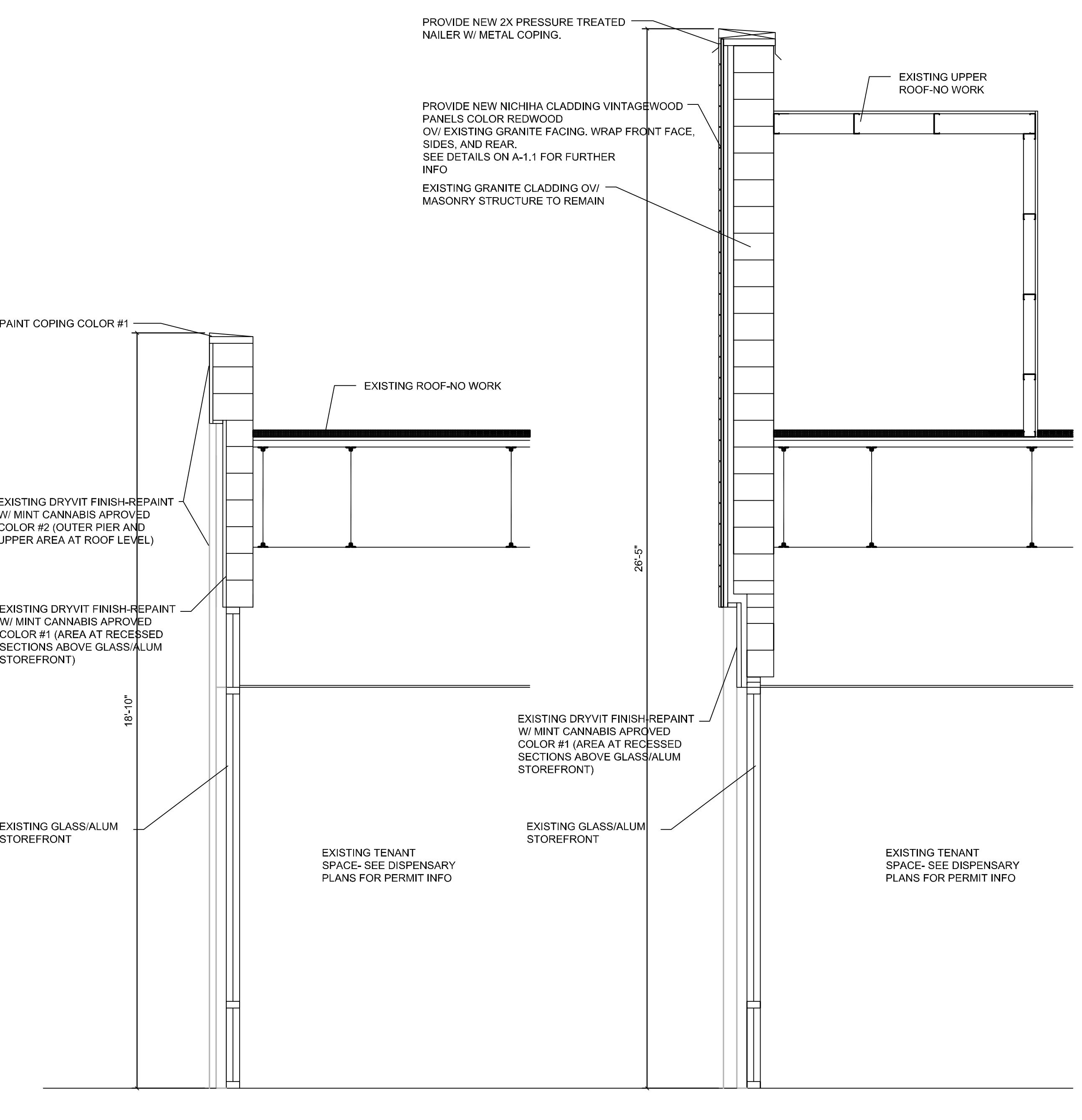


N  
E2 PROPOSED BUILDING ELEVATION  
1/8" = 1' - 0"



N  
1 PARTIAL FLOOR PLAN  
1/4" = 1' - 0"

- [A] EXISTING DRYVIT SYSTEM (DEPRESSED AREA FLUSH WITH GLASS/ALUMINUM- PAINT PER MINT CANNABIS APPROVED COLOR #1 SUMMIT GRAY SW7669)
- [B] EXISTING GRANITE MONUMENT SURFACE TO BE RE-FACED WITH NEW NICHIA CLADDING SYSTEM- VINTAGEWOOD PANELS- COLOR REDWOOD
- [C] EXISTING DRYVIT SYSTEM (OUTER PIERS AND UPPER SURFACE)- PAINT PER MINT CANNABIS APPROVED COLOR #2 FIRST STAR SW7646



1 TYPICAL WALL SECTION-DRYVIT  
1/2" = 1' - 0"

2 TYPICAL WALL SECTION-MONUMENT  
1/2" = 1' - 0"

©BR Design & Architecture 2023  
Copyright, 2023, BR Design & Architecture. These plans are protected under copyright laws of the United States and foreign countries, and are to be used only for the construction and repair and remodeling of the structure or structures defined in the contract between the Architect and the Owner. Any use of these plans to construct, remodel or repair additional structures constitutes a violation of the Architect's copyright of these plans and is prohibited.

ISSUES AND REVISIONS:	
NC: 1	BY: BG DATE: 5-19-23 DESCRIPTION: PLAN REVIEW/WILLOWBROOK

NOTE TO BUILDING DEPARTMENT:  
THESE DOCUMENTS (PLANS & SPECIFICATIONS) ARE VALID FOR PERMITS ONLY WHEN THE ARCHITECT'S ORIGINAL SEAL AND SIGNATURE APPEARS AND IS AFFIXED, AND UNLESS OTHERWISE PROVIDED IN WRITING ARE INTENDED AS A PERMIT SUBMITTAL FOR ONE (1) BUILDING ONLY.  
©BR Design & Architecture 2023

**MINT CANNABIS DISPENSARY-EXTERIOR FACADE IMPROVEMENT**  
900 75TH STREET  
WILLOWBROOK, IL 60527

**BR** DESIGN & ARCHITECTURE  
ONE TRANS AM PLAZA DRIVE SUITE #120  
OAKBROOK TERRACE, IL 60181  
PHONE: 708-508-7281

PROJECT ARCHITECT: DATE: 9-18-23  
DRAFTPERSON: SCALE: AS NOTED  
APPROVED: BRIAN L. GOULD  
PREPARED FOR: MINT CANNABIS  
LOCATION: STATE OF ILLINOIS  
JOB NUMBER: EXP:11/30/24

SHEET NUMBER:  
**A-1.0** OF

**ORDINANCE NO. 24-O-\_\_\_\_\_**

**AN ORDINANCE AMENDING A SPECIAL USE PERMIT  
AS APPROVED BY ORDINANCE NO. 89-O-52  
900 75<sup>TH</sup> WILLOWBROOK PLAZA 2 -  
FORMERLY KNOWN AS WINGREN PLAZA**

---

**WHEREAS**, on or about January 16, 2024, Willowbrook Plaza, LLC, as applicant and owner of Willowbrook Plaza 2, filed an application with the Village of Willowbrook (“VILLAGE”) for the property legally described on Exhibit “A”, attached hereto, which is, by this reference, incorporated herein (“SUBJECT REALTY”). Said application requested that the Village approve an amendment to the Special Use Permit granted by Ordinance 89-O-52 to permit a façade upgrade and to increase the elevation of the SUBJECT REALTY at 900 75<sup>th</sup> Street, from twenty-six feet, two inches (26', 2") to twenty-six feet, five inches (26', 5"); and

**WHEREAS**, a public notice was published in compliance with Section 9-9-03(B)(3)(c) of the Willowbrook Unified Development Ordinance on February 20, 2024, in the Chicago Sun-Times newspaper, which date is more than fifteen (15) days, but less than thirty (30) days, prior to the public hearing date; a notice was mailed, via first class mail, by the Village Zoning Officer to all property owners within two hundred-fifty (250) feet in each direction of the SUBJECT REALTY, more than fifteen (15) days, but less than thirty (30) days prior to public hearing date, in compliance with Section 9-9-03(B)(a) of the Willowbrook Unified Development Ordinance; and public notice was provided by posting on the property a sign, visible to the general public, complying with the requirements of Sections 9-9-03(B)(b) of the Willowbrook Unified Development Code, for at least fifteen (15) consecutive days prior to the public hearing date; and

**WHEREAS**, pursuant to the public notice, the Plan Commission of the Village of Willowbrook (the “Plan Commission”) conducted a public hearing on March 6, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

**WHEREAS**, at the public hearing, the applicant provided testimony in support of the proposed amended special use to the Unified Development Ordinance, and all interested parties had an opportunity to be heard; and

**WHEREAS**, the Plan Commission forwarded its recommendations, including its Findings of Fact, to the Mayor and Board of Trustees on or about March 25, 2024, a copy of which is attached hereto as Exhibit "B" which is, by this reference, made a part hereof as if fully recited herein; and

**WHEREAS**, the Mayor and Board of Trustees of the Village of Willowbrook received the recommendation of the Plan Commission, pursuant to that memorandum dated March 25, 2024.

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

**SECTION ONE**: The recitals set forth in the preamble are hereby found to be true and correct and are incorporated herein by reference and made a part of this Ordinance, as if fully recited herein.

**SECTION TWO**: That the Findings of Fact made by the Plan Commission, in its recommendation attached hereto as Exhibit “B”, are hereby adopted by the Mayor and Board of Trustees of the Village of Willowbrook.

**SECTION THREE**: That the Special Use Permit, passed and approved by Ordinance No. 89-O-52, is hereby amended so as to permit façade upgrades and to permit an increase in the building elevation from twenty-six feet, two inches (26', 2") to twenty-six feet, five inches (26',

5”), all as depicted on the Elevation Plan submitted by BR Design & Architecture, attached hereto as Exhibit “C” and made a part hereof, as if each term and finding was repeated verbatim, and the façade improvements shall be constructed in accordance with that plan.

**SECTION FOUR:** That the several terms and conditions contained in the Special Use Permit, as passed and approved by Ordinance No. 89-O-52 shall, to the extent not expressly modified by the terms and conditions of this Ordinance, remain in full force and effect as therein provided.

**SECTION FIVE:** 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.

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**SECTION SIX:** 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 25<sup>th</sup> day of March, 2024 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

---

Frank A. Trilla, Mayor

ATTEST:

---

Deborah A. Hahn, Village Clerk

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SUBJECT REALTY**

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 NO.: 09-26-202-014

**EXHIBIT “B”**

**PLAN COMMISSION FINDINGS OF FACT AND RECOMMENDATIONS**



# Village of WILLOWBROOK

**Mayor**

Frank A. Trilla

**Village Clerk**

Deborah Hahn

**Village Trustees**

Mark L. Astrella

Sue Berglund

Umberto Davi

Michael Mistele

Gayle Neal

Gregory Ruffolo

**Village Administrator**

Sean Halloran

**Chief of Police**

Lauren Kaspar



Proud Member of the  
Illinois Route 66 Scenic Byway

**MEMORANDUM**

TO: Frank A. Trilla, Mayor  
Board of Trustees

FROM: Dan Kopp, Chairman, Plan Commission

DATE: March 25, 2024

SUBJECT: **Zoning Hearing Case 24-02:** 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.

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

At a regular meeting of the Plan Commission held on March 6, 2024, the above referenced application was discussed, and the following motion was made:

**MOTION:** Made by Commissioner Walec and seconded by Commissioner Kaczmarek that 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.

**ROLL CALL:** AYES: Vice Chairman Wagner, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, and Walec;  
NAYS: Baksay  
ABSENT: Chairman Kopp

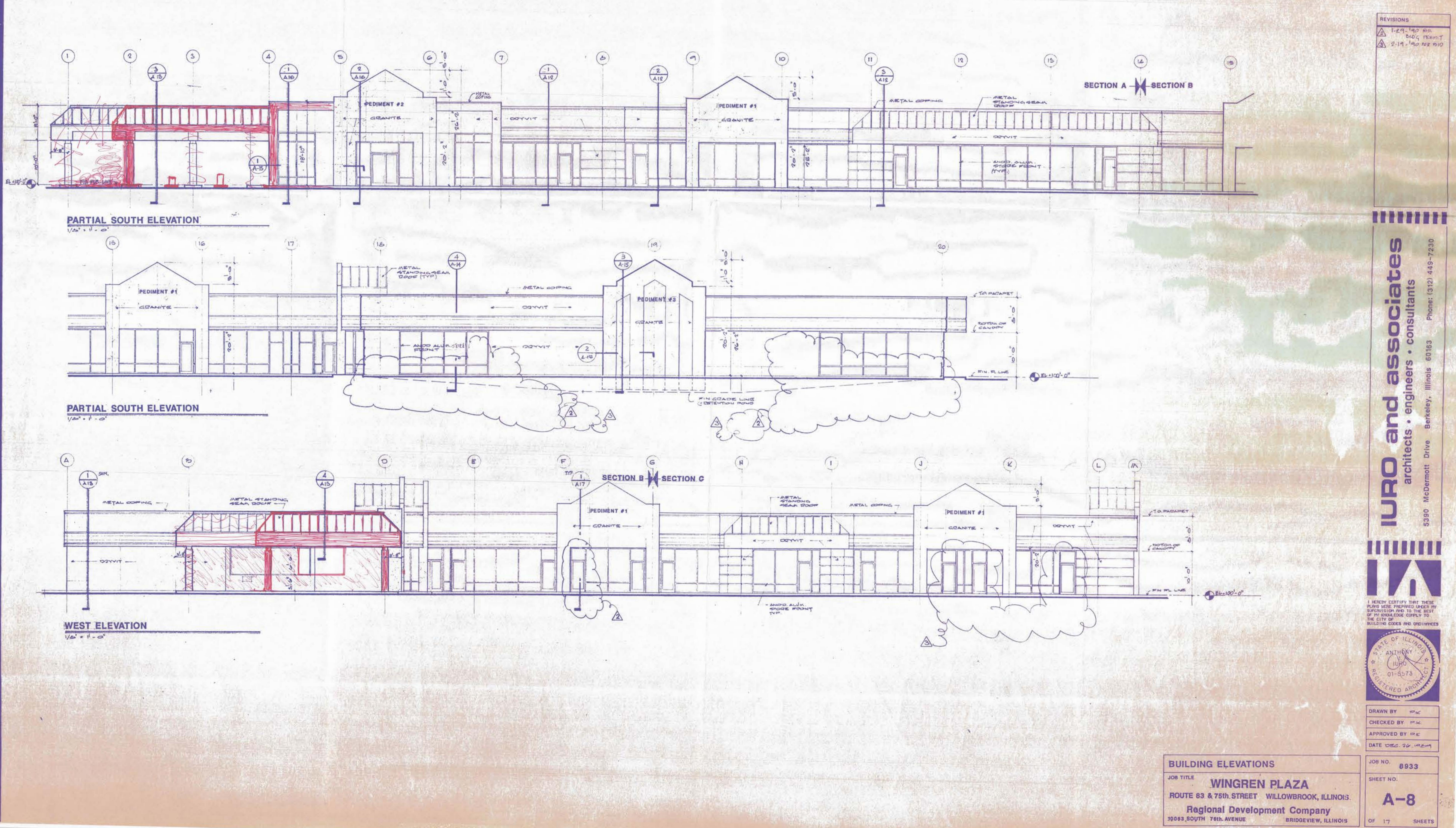
**MOTION DECLARED CARRIED**

Should any member of the Board have any questions regarding this matter, please do not hesitate to contact me.

DK:mk

**EXHIBIT “C”**

ELEVATION PLAN SUBMITTED BY BR DESIGN & ARCHITECTURE





# Village of **WILLOWBROOK**

[Return to Agenda](#)

**Community  
Development**

## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 10.**

**DATE: March 25, 2024**

**SUBJECT:**

AN ORDINANCE GRANTING A CERTAIN SIGN VARIATION FROM THE WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE 900 75TH WILLOWBROOK PLAZA 2 – FORMERLY KNOWN AS WINGREN PLAZA

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Michael Krol, Director of Community Development  
**THROUGH:** Sean Halloran, Village Administrator

### **PURPOSE AND ACTION REQUESTED**

The petitioner and tenant of the subject property is Mint IL, LLC, 900 75<sup>th</sup> Street, Willowbrook, IL 60527. Public Hearing Case 24-03: Consideration of a petition for a 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 Highway for 900 75<sup>th</sup> Street.

### **BACKGROUND/SUMMARY**

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. In 1989 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 shopping center, 900 75<sup>th</sup> Street, within the subject property, was granted a special use under Ordinance 22-O-02, for a 3,900 square foot adult-use cannabis dispensary.

A public hearing was held on Wednesday, March 6, 2024, before the Plan Commission, which voted 5-1 in favor of the proposed petition, as proposed, to forward a positive recommendation to the Village Board.

### **FINANCIAL IMPACT**

There is no financial impact to the Village for this item.

### **RECOMMENDED ACTION:**

Pass the ordinance to allow a sign variance as approved by the Plan Commission with a vote of 5-1.



## Village of Willowbrook

### Staff Report to the Plan Commission

<b>Public Hearing Date:</b>	March 6, 2024															
<b>Village Board Receive &amp; Vote:</b>	March 25, 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>	The applicant for this petition is Mint IL, LLC. 900 75 <sup>th</sup> Street, Willowbrook, IL 60527.															
<b>Action Requested:</b>	Consideration of approval 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><thead><tr><th></th><th><b>Use</b></th><th><b>Zoning</b></th></tr></thead><tbody><tr><td>North</td><td>Community Shopping District (restaurant)</td><td>B</td></tr><tr><td>South</td><td>Vacant lot (former gas station)</td><td>B</td></tr><tr><td>East</td><td>Community Shopping (various uses within the Willowbrook Plaza)</td><td>B</td></tr><tr><td>West</td><td>Community shopping (restaurant, retail, and urgent care clinic)</td><td>B</td></tr></tbody></table>		<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
	<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 Village Board:

Consider approval of the attached ordinance.



## 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, specifically for 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.

## **Discussion at the March 6, 2024, Plan Commission Meeting**

The Plan Commission conducted a public hearing on this petition held at the March 6, 2024, meeting. The following members were in attendance: Vice Chairman Wagner, Commissioners Baksay, Kanaverskis, Kaczmarek, Kaucky, and Walec. Chairman Kopp was absent. There were several members of the public in attendance and no public comments/questions were received prior to the meeting.

Director Krol made the proposed special use amendment presentation to the Plan Commission, and the petitioners were present and available for questions. The Plan Commission discussed that previous zoning regulations allowed for a second wall sign, and it was noted that another tenant in the shopping center has two wall signs, Club Champion. No questions or concerns arose from the public and there were not additional comments or concerns from the Plan Commission.

## **Motion**

The following motion made by Commissioner Walec was seconded by commissioner Kaucky and approved, a 5-1 roll call vote of the members present:

**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.**



**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 style="text-align: center;"><b><u>NOTICE OF PUBLIC HEARING</u></b> <b><u>ZONING HEARING CASE NO. 24-03</u></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 style="text-align: center;">/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>
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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  $\frac{1}{2}$  of the north east  $\frac{1}{4}$  of section 26, township 38 north, range 11, east of the third principal meridian, according to the plat of wingren plaza subdivision recorded 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

Annexation

Preliminary Plat of Subdivision

Annexation Agreement

Final Plat Subdivision

Special Use Permit

Preliminary PUD

Map Amendment (Rezoning)

Final PUD

Text Amendment

Variation

**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	B-4	Restaurant and offices and ice manufacturing
SOUTH OF SITE	B-2 and MI	Community Shopping Center and Industrial
EAST OF SITE	MI	Industrial and vacant land
WEST OF SITE	B-4	Community Shopping Center and restaurant

**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): A handwritten signature in black ink.

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**

**Owner / Agent Address**

Willowbrook Plaza, LLC  
c/o Property Solutions Group, LLC  
900 S. Frontage Rd., Suite 100  
Woodridge, IL 60517

**Location Site Address**

\_\_\_\_\_

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) \_\_\_\_\_ property, give

(business name) \_\_\_\_\_ 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-O-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.

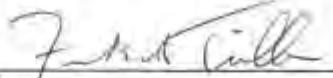
**SECTION 4:** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.



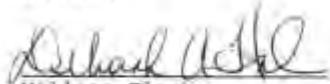
SECTION 5: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

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

APPROVED:

  
Mayor

ATTEST:

  
Village Clerk

ROLL CALL VOTE:

AYES: Astrella Berglund Dave Musto Neal Ruffolo  
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

OFFICE:

746 N. Harrisville Rd.

Ogden, UT 84401

**801-823-3100**

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

License - Bonded - Insured

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**

FILE PATH:



P:\Mint Dispensary\Willowbrook IL\AYOUTS\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**

■ RECITALS



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Davis Signs Utah | 801-823-3100  
746 N. Harrisville Rd., Ogden, UT 84404

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Licensed, Bonded and Insured



DRAWING NUMBER

230443-04

01 OF 01





### 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 BACKS: 3mm ACM

RACEWAY: 6x6 alum\*\*Paint Color ILLUMINATION: White LEDs

FACE: 1/8" White Acrylic

INSTALL: Flush To Wall

TRIM CAP: 1" Black

RETURN: 5" Deep - .040 Aluminum

#### 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

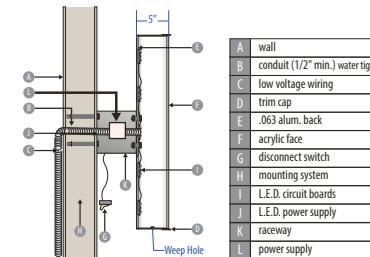
3mm ACM

#### ILLUMINATION

Hanley White LEDs

#### CROSS SECTION DETAILS ON RACEWAY

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



### 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

### RECITALS



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Davis Signs Utah | 801-823-3100

746 N. Harrisville Rd., Ogden, UT 84404

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Licensed, Bonded and Insured

**! 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

### DRAWING NUMBER

230443-04

01 OF 01



**■ 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****■ RECITALS**

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746 N. Harrisville Rd., Ogden, UT 84404

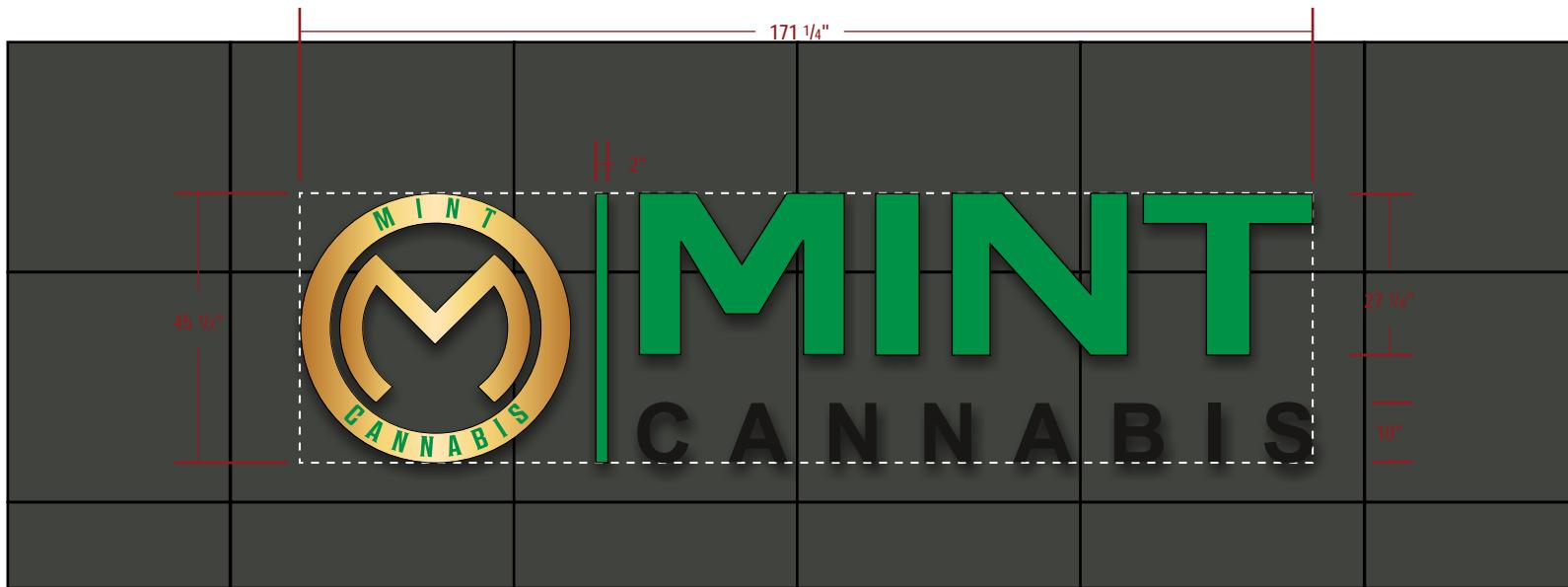
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**DRAWING NUMBER**

230443-04

01 OF 01

**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**

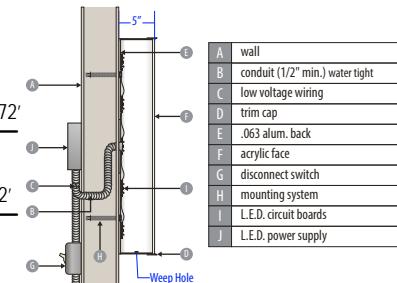
3mm ACM

**💡 | 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.**

**DRAWING NUMBER**

230443-04

01 OF 01

■ 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

■ RECITALS



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DRAWING NUMBER

230443-04

01 OF 01

**ORDINANCE NO. 24-O-\_\_\_\_\_**

**AN ORDINANCE GRANTING A CERTAIN SIGN VARIATION FROM THE  
WILLOWBROOK UNIFIED DEVELOPMENT ORDINANCE 900 75<sup>TH</sup>  
WILLOWBROOK PLAZA 2 – FORMERLY KNOWN AS WINGREN PLAZA**

---

**WHEREAS**, on or about February 1, 2024, Mint IL, LLC, as applicant and tenant of 900 75<sup>th</sup> Street, Willowbrook, Illinois, filed an application with the Village of Willowbrook (“VILLAGE”) of the property legally described on Exhibit “A”, attached hereto, which is, by this reference, incorporated herein (“SUBJECT REALTY”). Said application requested that the Village grant a variation from the requirements of the Willowbrook Unified Development Ordinance (“UDO”), Section 9-6-04(A)(4), of the Village to permit a secondary wall sign to match the dimensions of the primary wall sign 900 75<sup>th</sup> Street; and

**WHEREAS**, a public notice of the meeting was published in compliance with Section 9-9-03(B)(3)(c) of the Willowbrook Unified Development Ordinance on February 20, 2024, in the Chicago Sun-Times newspaper, which date is more than fifteen (15) days, but less than thirty (30) days, prior to the public hearing date; a notice was mailed, via first class mail, by the Village Zoning Officer to all property owners within two hundred-fifty (250) feet in each direction of the SUBJECT REALTY, more than fifteen (15) days, but less than thirty (30) days prior to public hearing date, in compliance with Section 9-9-03(B)(a) of the Willowbrook Unified Development Ordinance; and public notice was provided by posting on the property a sign, visible to the general public, complying with the requirements of Sections 9-9-03(B)(b) of the Willowbrook Unified Development Code, for at least fifteen (15) consecutive days prior to the public hearing date; and

**WHEREAS**, pursuant to the public notice, the Plan Commission of the Village of Willowbrook (the “Plan Commission”) conducted a public hearing on March 6, 2024, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

**WHEREAS**, at the public hearing, the applicant provided testimony in support of the proposed sign variation and all interested parties had an opportunity to be heard; and

**WHEREAS**, the Plan Commission forwarded its recommendations, including its Findings of Fact, to the Mayor and Board of Trustees on or about March 25, 2024, a copy of which is attached hereto as Exhibit "B" which is, by this reference, made a part hereof; and

**WHEREAS**, the Mayor and Board of Trustees of the Village of Willowbrook received the recommendation of the Plan Commission, pursuant to a memorandum dated March 25, 2024.

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

**SECTION ONE**: The recitals set forth in the preamble are hereby found to be true and correct and are incorporated herein by reference and made a part of this Ordinance, as if fully recited herein.

**SECTION TWO**: That the Findings of Fact made by the Plan Commission, in its recommendation attached hereto as Exhibit "B" and made a part hereof, are hereby adopted by the Mayor and Board of Trustees of the Village of Willowbrook as if fully recited herein.

**SECTION THREE**: That pursuant to Title 9, Chapter 6, Section 9-9-04 of the Village Unified Development Ordinance, the following variation from the provisions of the Village Unified Development Ordinance be, and the same are hereby granted, for the SUBJECT REALTY:

1. Approval of a variation from Section 9-6-04(A)(4) to increase the dimensions of the maximum size of secondary wall sign at 900 75<sup>th</sup> Street to one hundred percent (100%) of the primary wall sign.

**SECTION FOUR**: 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 FIVE:** 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 25<sup>th</sup> day of March, 2024 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

---

Frank A. Trilla, Mayor

ATTEST:

---

Deborah A. Hahn, Village Clerk

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SUBJECT REALTY**

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 NO.: 09-26-202-014

**EXHIBIT “B”**

**FINDINGS OF FACT BY THE PLAN COMMISSION**



# Village of WILLOWBROOK

## **Mayor**

Frank A. Trilla

## **Village Clerk**

Deborah Hahn

## **Village Trustees**

Mark L. Astrella

Sue Berglund

Umberto Davi

Michael Mistele

Gayle Neal

Gregory Ruffolo

## **Village Administrator**

Sean Halloran

## **Chief of Police**

Lauren Kaspar



Proud Member of the  
Illinois Route 66 Scenic Byway

## **MEMORANDUM**

MEMO TO: Frank A. Trilla, Mayor  
Board of Trustees

MEMO FROM: Dan Kopp, Chairman, Plan Commission

DATE: March 25, 2024

SUBJECT: 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.

The applicant for this petition is Mint IL, LLC. 900 75<sup>th</sup> Street, Willowbrook, IL 60527.

At a regular meeting of the Plan Commission held on March 6, 2024, the above referenced application was discussed, and the following motion was made:

**MOTION:** Made by Commissioner Walec and seconded by Commissioner Kaucky that 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.

**ROLL CALL:** AYES: Vice Chairman Wagner, Commissioners Kanaverskis, Kaczmarek, Kaucky, and Walec;

NAYS: Commissioner Baksay

ABSENT: Chairman Kopp

MOTION DECLARED CARRIED

Should any member of the Board have any questions regarding this matter, please do not hesitate to contact me.

DK:mk



## **BOARD OF TRUSTEES MEETING**

**AGENDA ITEM NO: 11.****DATE: March 25, 2024****SUBJECT:**

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE 5, ENTITLED “POLICE REGULATIONS” OF THE WILLOWBROOK MUNICIPAL CODE

### **STAFF REPORT**

**TO:** Mayor Trilla and Board of Trustees  
**FROM:** Lauren Kaspar, Chief of Police  
**THROUGH:** Sean Halloran, Village Administrator

#### **PURPOSE AND ACTION REQUESTED**

An Ordinance amending Section 5-1-1.1, entitled “Patrol Officer, Minimum Eligibility Requirements,” of Chapter 1, entitled “Police Department,” of Title 5, entitled “Police Regulations,” and an ordinance amending Section 5-1-14, entitled “Lateral Hiring of Police Officers,” of Chapter 1, entitled “Police Department,” of Title 5, entitled “Police Regulations,” of the Willowbrook Municipal Code.

#### **BACKGROUND/SUMMARY**

In September of 2020, the Village Board adopted an ordinance allowing for the hiring of lateral transfer police officers. Due to recruitment and retention issues that many law enforcement agencies were facing nationwide at that time, it was determined that the option for lateral hires provided the Village with an additional recruitment tool that was essential for succession planning. As we fast forward to today, recruitment and retention issues remain a focus for law enforcement agencies nationwide. As staff progressed through the last few hiring pools of both initial eligibility and lateral applicants, several problems arose surrounding educational requirements.

Staff approached the Board of Police Commissioner with a possible solution to attract more candidates by updating the educational language to be more consistent with modern degrees offered by accredited colleges or universities. The previous language was restrictive and required a bachelor’s degree from an accredited college/university; OR an associate’s degree in criminal justice or law enforcement from an accredited college/university. This language eliminated candidates who were working towards a bachelor’s degree or had achieved an associate’s degree in any discipline other than law enforcement or criminal justice. The new language proposed is as follows:

-Possess an associate’s degree or completed at least sixty (60) semester hours or at least ninety (90) quarter hours of credit from an accredited college/university

This language is more consistent with other agencies in our area and does not eliminate the college requirements for entry-level candidates. There were no changes made to the military exemptions for the higher education requirement. Other changes to the eligibility criteria were made to be consistent with state statute requirements on citizenship.



Additionally, staff are suggesting changes to 5-1-14, Lateral Hiring of Officers, to aid in maintaining a constant candidate pool for lateral hires. With these changes, we will now be utilizing the same testing company, National Testing Network, to conduct written exams and rank candidates. This will provide more integrity to our current lateral application process and provide better record keeping, while attracting more candidates.

## **FINANCIAL IMPACT**

Open continuous posting of lateral hire application through National Testing Network will be \$500 annually, however advertisement costs should be reduced by at least that amount by maintaining a continuous list of candidates.

## **RECOMMENDED ACTION:**

Adopt the ordinance to amend Section 5-1-1.1 and Section 5-1-14 of Title 5 Police Regulations in the Village Code of Ordinances.

**ORDINANCE NO. 24-O- \_\_\_\_\_**

**AN ORDINANCE AMENDING CERTAIN PROVISIONS  
OF TITLE 5, ENTITLED "POLICE REGULATIONS"  
OF THE WILLOWBROOK MUNICIPAL CODE**

---

**WHEREAS**, recent legislation adopted by the Illinois General Assembly eliminated the requirement to be a citizen of the United States in order to apply to become a police officer; and

**WHEREAS**, the corporate authorities of the Village of Willowbrook desire to modify certain other requirements to become a sworn police officer in the Village of Willowbrook.

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

**SECTION ONE:** Section 5-1-1.1, entitled "Patrol Officer, Minimum Eligibility Requirements," of Chapter 1, entitled "Police Department," of Title 5, entitled "Police Regulations," of the Willowbrook Municipal Code is hereby amended as follows:

**5-1-1.1: PATROL OFFICER, MINIMUM ELIGIBILITY REQUIREMENTS:**

In order to be eligible for the position of patrol officer with the Willowbrook Police Department, at the time of original appointment to the Police Department, a person must meet each of the following minimum requirements in addition to any other requirements imposed by law or ordinance:

- (A) Must be a minimum of twenty-one (21) years of age, and a maximum of thirty-five (35) years of age, unless already a certified police officer;
- (B) Eyesight correctable to 20/20 in each eye, normal depth perception and no color blindness that would prevent an individual from performing the essential functions of the job;
- (C) United States citizen, or an individual who is not a citizen but who is legally authorized to work in the United States under federal law or is an individual against whom immigration action has been deferred by the U.S. Citizenship and Immigration Services under the federal Deferred Action for Childhood Arrivals (DACA) process, subject to the individual being authorized under federal law to obtain, carry, or purchase or otherwise possess a firearm;

(D) No felony convictions involving moral turpitude, as specified in 65 Illinois Compiled Statutes 5/10-2.1-6;

(E) Possess a valid driver's license; and

(F) Possess an Associate's degree or having completed at least sixty (60) semester hours or at least ninety (90) quarter hours of credit from an accredited college/university; OR be qualified as a "lateral hire," pursuant to Section 5-1-14 hereafter. The advanced education requirement may be waived if one or more of the following applies: (1) the applicant has served for twenty four (24) months of honorable active duty in the United States Armed Forces and has not been discharged dishonorably or under circumstances other than honorable; or (2) the applicant has served 180 days of active duty in the United States Armed Forces in combat duty recognized by the Department of Defense and has not been discharged dishonorably or under circumstances other than honorable.

**SECTION TWO:** Section 5-1-14, entitled "Lateral Hiring of Police Officers," of Chapter 1, entitled "Police Department," of Title 5, entitled "Police Regulations," of the Willowbrook Municipal Code is hereby amended as follows:

**5-1-14: LATERAL HIRING OF POLICE OFFICERS:**

In accordance with Section 5-1-1.1(F) hereinabove, eligible police applicants who have been employed for at least two (2) years as a full-time, sworn officer of a regular police department in any municipal, county, state or Federal law enforcement agency, and who have been certified by the Illinois Law Enforcement Training Standards Board or who are qualified to take the Illinois Law Enforcement Training and Standards Board "Out of State Reciprocity" examination (a "lateral hire"), may be hired by the Chief of Police, pursuant to this Section 5-1-14. Whether to employ a police officer utilizing this Section 5-1-14, rather than Section 2-4-6 of the Willowbrook Municipal Code, shall be determined on a rotating basis by resolution by the Village Board of Trustees, with the first employment of a police officer after the adoption of this Section to be accomplished by utilizing the procedures set forth in this Section 5-1-14, and the second employment of a police officer to be accomplished by the Board of Police Commissioners, as provided by Section 2-4-6 of this Code, and continuing such rotation thereafter. Notwithstanding the above, at any time, the Village Board of Trustees may deviate from such rotation and direct that either the provisions of this Section 5-1-14 or the provisions of Section 2-4-6 of this Code be utilized for the employment of a police officer(s).

(A) Each applicant for lateral hire shall, in addition to the eligibility requirements set forth in paragraphs (B) through (E) of Section 5-1-1.1 of this Code:

1. Agree to comply with all requirements of the position and have the ability to pass all examinations and training requirements.
2. Be in good standing with the agency in which the applicant currently serves or has separated from in good standing, with no adverse employment action.
3. Be eligible to be granted a waiver of basic training from the Illinois Law Enforcement Training & Standards Board (ILETSB).
4. Be able to furnish, upon request, a copy of the following, to the extent applicable: a resume; professional licenses; training certificates; documents confirming work experience; birth certificate; high school diploma or GED certificate; transcripts of higher learning; naval or military service board and discharge papers (DD-214/Copy 4); last two (2) employee evaluations; two (2) police reports demonstrating best work and any other employment related material as requested or required.
5. Agree to comply with all requirements regarding Tattoos and Body Art Restrictions contained in the Rules and Regulations of the Willowbrook Police Department.

(B) The process for making a lateral hire pursuant to Section [5-1-1.1](#) of the Code shall be as follows:

1. The Police Department shall publish a notice for candidates to submit an application for lateral hire. The application period shall remain open indefinitely, until a deadline is published by the Chief of Police.
2. Upon application, each applicant will be subjected to a written examination, and candidates will be ranked by their scores on the written examination.
3. The Chief of Police shall periodically select a number of applicants (the number to be determined by the Chief of Police) based upon the order of ranking following the written examination, for the purpose of submitting to an oral interview.
4. Qualified applicants who pass the oral interview shall be placed in a lateral hire candidate pool. Candidates in the lateral hire candidate pool that is established will be ranked and appear in the order of the candidates' scores on the written examination. The Chief of Police may periodically add names to the lateral candidate pool following their passing the oral interview, with all members of the pool ranked based upon their ranking following the written examination.
5. A copy of the lateral hire candidate pool shall be posted in a prominent location in the Police Department. Candidates will be removed from the lateral hire candidate pool one year after the date of first posting of their name in the list of candidates in the pool. Whenever the lateral hire candidate pool falls below three (3) candidates, the process for adding new lateral hire candidates to the pool, as set forth in paragraph (B) hereinabove, shall be commenced, provided that any applicants who remained in the lateral hire candidate pool when it fell below three (3) candidates shall remain on the updated lateral hire candidate pool, without the

need to reapply for the remainder of one year from the date of their first posting on the lateral hire candidate list. Any candidates who were members of the lateral hire candidate pool upon expiration of their one year eligibility shall be required to reapply for eligibility to become a lateral hire candidate for any updated lateral hire candidate pool.

6. The Chief of Police shall have the authority to select a candidate from the top three candidates in the lateral hire candidate pool. The selection shall be based upon the relative excellence of the applicants, their qualifications, the needs of the Department, and the applicant's experience, as determined by the Chief of Police.

7. The selected candidate shall then be subject to a background investigation, which may include a polygraph examination.

8. If the candidate passes the background investigation, then a conditional offer of employment to such lateral hire candidate shall be made, subject to the candidate's successful completion of post-offer examinations, which shall include a psychological assessment, a medical examination, and a drug screening.

**SECTION THREE:** Section One of this Ordinance shall become in full force and effect upon the expiration of the current patrol officer eligibility list. Section Two of this Ordinance shall become effective upon passage and approval of this Ordinance as provided by law.

**PASSED** and **APPROVED** this 25<sup>th</sup> day of March, 2024 by a ROLL CALL VOTE as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

---

Frank A. Trilla, Mayor

ATTEST:

---

Deborah A. Hahn, Village Clerk