

Transcript of Proceedings

VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER

24-01

March 6, 2024

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VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER
March 6, 2024

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VILLAGE OF WILLOWBROOK
PLAN & ZONING
HEARING CASE NUMBER 24-01

REPORT OF PROCEEDINGS at the
meeting held before the Plan & Zoning Commission of
Willowbrook on the 6th day of March, 2024, at the
hour of 7:00 p.m., as reported by Donna Watwood,
Certified Shorthand Reporter in and for the County
of Kane and State of Illinois.

Reported by: Donna Watwood, CSR

License No.: 0084-003686

VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER
March 6, 2024

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1 APPEARANCES:

2
3 John Wagner - Vice-Chairman

4 Catherine Kaczmarek - Member

5 Leonard Kaucky - Member

6 Maciej Walec - Member

7 Ronald Kanaverskis - Member

8 Zoltan Baksay - Member

9
10 Michael Krol - Director of Community
11 Development

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13 * * * * *

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1 VICE-CHAIRMAN WAGNER: This is the
2 meeting of the Plan Commission of the Village of
3 Willowbrook; Wednesday, March 6th at 7:00 p.m., at
4 the Village of Willowbrook Community Resource
5 Center here at 825 Midway Drive in Willowbrook.
6 And due to the expiration of the Governor's
7 Disaster Declaration, public participation/comment
8 is permitted solely by attending the meeting here
9 at 825 Midway Drive.

10 And I will call the meeting to order.
11 And the secretary will roll call.

12 MR. KROL: Commissioner Baksay?

13 COMMISSIONER BAKSAY: Present.

14 MR. KROL: Commissioner Kanaverskis?

15 COMMISSIONER KANAVERSKIS: Here.

16 MR. KROL: Commissioner Kaczmarek?

17 COMMISSIONER KACZMAREK: Here.

18 MR. KROL: Commissioner Kaucky?

19 COMMISSIONER KAUCKY: Here.

20 MR. KROL: Commissioner Walec?

21 COMMISSIONER WALEC: Here.

22 MR. KROL: Vice-chairman Wagner?

23 VICE-CHAIRMAN WAGNER: Here.

24 MR. KROL: And Chairman Kopp is absent.

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1 VICE-CHAIRMAN WAGNER: And the omnibus
2 vote agenda, is there anyone that has any
3 corrections or additions to the meeting or the
4 revised minutes for October 4th and the minutes for
5 December 13th, 2023?

6 COMMISSIONER KACZMAREK: I do for
7 October 4th. It's stated that in the packet it was
8 updated that on page four for the request that I
9 wanted to update the minutes, but it wasn't
10 updated.

11 VICE-CHAIRMAN WAGNER: Did the secretary
12 take note of that?

13 MR. KROL: Yeah, excuse me. I'm pretty
14 sure I updated it on the --

15 COMMISSIONER KACZMAREK: It is page four,
16 first line.

17 MR. KROL: Page four.

18 COMMISSIONER KACZMAREK: (Inaudible).

19 MS. COURT REPORTER: I'm sorry, I can't
20 hear you.

21 VICE-CHAIRMAN WAGNER: Could you speak
22 into the microphone?

23 COMMISSIONER KACZMAREK: Sorry.

24 MR. KROL: My apologies. Again, I know I

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1 corrected it. I must have just not -- I made the
2 incorrect copy. I'll fix that for the next one.
3 It's changed --

4 COMMISSIONER KACZMAREK: Perfect. Thank
5 you.

6 MR. KROL: It's just the wrong one.

7 VICE-CHAIRMAN WAGNER: So, can I have a
8 roll call for waiver of reading the minutes?

9 MR. KROL: We need a motion.

10 COMMISSIONER BAKSAY: I move to waive the
11 reading of the minutes.

12 VICE-CHAIRMAN WAGNER: Do I hear a
13 second?

14 COMMISSIONER WALEC: Second.

15 VICE-CHAIRMAN WAGNER: Thank you.

16 MR. KROL: Commissioner Baksay?

17 COMMISSIONER BAKSAY: Yes.

18 MR. KROL: Commissioner Kanaverskis?

19 COMMISSIONER KANAVERSKIS: Yes.

20 MR. KROL: Commissioner Kaczmarek?

21 COMMISSIONER KACZMAREK: Yes.

22 MR. KROL: Commissioner Kaucky?

23 COMMISSIONER KAUCKY: Yes.

24 MR. KROL: Commissioner Walec?

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1 COMMISSIONER WALEC: Yes.

2 MR. KROL: And Vice-Chairman Wagner?

3 VICE-CHAIRMAN WAGNER: Yes.

4 We have a hearing this evening for the
5 Zoning Committee's 24-01, which is a Preliminary
6 Plat of Subdivision for Syrux Subdivision located
7 at 6341 Bentley Avenue and consideration of the
8 zoning variations to the Unified Development
9 Ordinance.

10 The petitioner is Peter Ruksza and
11 Victoria Syren at 6134 Bentley Avenue in
12 Willowbrook, Illinois.

13 And the document was published -- I don't
14 think I see a publication for this.

15 MR. KROL: Page six.

16 VICE-CHAIRMAN WAGNER: Page six.

17 COMMISSIONER BAKSAY: February 20th of
18 2024, Vice-Chairman.

19 VICE-CHAIRMAN WAGNER: Okay. And it was
20 published in what?

21 COMMISSIONER BAKSAY: The Chicago
22 Sun-Times newspaper.

23 VICE-CHAIRMAN WAGNER: Thank you.

24 Tonight is the consideration and

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1 recommendation regarding a Preliminary Plat of
2 Subdivision for the address of 6134 Bentley. It is
3 a minor subdivision for a lot adjustment and
4 re-subdivision of a single family parcel into two
5 parcels and consideration following the zoning
6 ordinance:

7 Number 1, Section 9-07-03(B)(4)(a)(4) to
8 increase the maximum depth-to-width ratio of 3:1 to
9 allow for a Lot 1 90 feet by 3314.63 and Lot 2
10 75.08 by 404.28 feet of the proposed subdivision.

11 And, also, Number 2,
12 Section 9-07-04(D)(1) to eliminate and waive the
13 sidewalk requirements from the subdivision proposal
14 as no other properties on the block of Bentley
15 Avenue have public sidewalks.

16 And would you like to give us an update
17 on that?

18 MR. KROL: Yes. Thank you, Vice-Chairman
19 Wagner. I'll give a brief overview of this
20 proposal. The subject parcel is 1.36 acres. It
21 currently has a single family home and a detached
22 garage on the property.

23 I have met with the owner who wished to
24 subdivide several months ago from one parcel into

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1 two -- And as you read through the zoning
2 variations.

3 -- one, to allow a greater than 3:1
4 depth-to-width ratio. That's because in the 2022
5 UDO update that was the first time this code was
6 entered.

7 So the ratio for Lot 1 would be 1 to 3.49
8 and Lot 2, 1 to 5.38. And that's utilizing the
9 existing lot lines when the lot was platted, I want
10 to say, yeah, back in 1923 under the Clarendon
11 Hills Acres Estate Subdivision.

12 The second zoning variance, again, is to
13 waive the sidewalk requirements. There's no
14 sidewalks on either side of Bentley between 61st
15 and 63rd that are in the Village of Willowbrook.
16 So the staff feels that is enough justification for
17 both variations.

18 The applicant is present tonight. If you
19 want to add anything that I may have missed or
20 answer any questions?

21 MR. RUKSZA: I have nothing at this time.

22 MR. KROL: Okay. Nothing from the
23 applicant, so back to Vice-Chairman Wagner.

24 VICE-CHAIRMAN WAGNER: Do any of the

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1 commission members have any questions concerning
2 this?

3 COMMISSIONER KACZMAREK: No.

4 COMMISSIONER KANAVERSKIS: No.

5 VICE-CHAIRMAN WAGNER: The only thing I
6 would like to bring up -- And I know it's been
7 discussed, and I know we haven't changed -- and
8 maybe haven't changed is in our planning
9 procedures.

10 -- but we've talked before about public
11 improvements being waived and the economic things
12 that we waive. Whether this is being considered as
13 a contribution to the Village, has that been
14 considered in this.

15 MR. KROL: It has been. That's being
16 discussed with the attorneys as far as ethically if
17 that's allowed per state statute. So it's being
18 reviewed.

19 VICE-CHAIRMAN WAGNER: Thank you.

20 Does the applicant have anything to say?

21 MR. RUKSZA: No.

22 VICE-CHAIRMAN WAGNER: Thank.

23 MR. KROL: I believe there's members of
24 the public. Any members of the public who wish to

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1 make a comment or question, please come to the
2 podium, identify yourself, and you'll be sworn in.

3 (No response.)

4 VICE-CHAIRMAN WAGNER: Okay. Hearing
5 none.

6 COMMISSIONER BAKSAY: I would like to
7 make a comment, if I may.

8 VICE-CHAIRMAN WAGNER: Commissioner
9 Baksay.

10 COMMISSIONER BAKSAY: So, one of the
11 reasons we revised the UDO and one of the
12 discussion points on this length-to-width ratio of
13 the lots and the subdivision allowances was to
14 prevent kind of what we kind of colloquially
15 referred to as bowling alley lots with, you know,
16 potential for, you know, future subdivision
17 opportunities and things of that nature.

18 So, this is the first time that I'm aware
19 of that this particular ordinance has come before
20 the Plan Commission. And so I would just like to
21 reference that, what I think is a very solid body
22 of work done by the joint commission on revising
23 the UDO.

24 VICE-CHAIRMAN WAGNER: Okay. Any other

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1 comments or questions?

2 (No response.)

3 VICE-CHAIRMAN WAGNER: With that, I think
4 we can have a motion to close the public hearing.

5 COMMISSIONER BAKSAY: So moved.

6 COMMISSIONER KAUCKY: Second.

7 VICE-CHAIRMAN WAGNER: Could we have a
8 roll call?

9 MR. KROL: Commissioner Baksay?

10 COMMISSIONER BAKSAY: No.

11 MR. KROL: Commissioner Kanaverskis?

12 COMMISSIONER KANAVERSKIS: Yes.

13 MR. KROL: Commissioner Kaczmarek?

14 COMMISSIONER KACZMAREK: Yes.

15 MR. KROL: Commissioner Kaucky?

16 COMMISSIONER KAUCKY: Yes.

17 MR. KROL: Commissioner Walec?

18 COMMISSIONER WALEC: Yes.

19 MR. KROL: And Vice-Chairman Wagner?

20 VICE-CHAIRMAN WAGNER: Yes.

21 Now that the hearing is closed, are there
22 any questions or considerations to be discussed?
23 Should we go through the other items on the agenda
24 first or should we make a motion for this?

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1 MR. KROL: We'll make the motion for
2 this. The other two cases we'll have to go back
3 through the public hearing. So we would reopen it
4 at each case and close it.

5 So this is just the discussion, comments,
6 questions, or go right to a vote.

7 (No response.)

8 VICE-CHAIRMAN WAGNER: Okay.

9 Hearing no questions or comments, I would
10 like to hear a motion. Based on the submitted
11 petition and testimony presented, I would move that
12 the Plan Commission recommend to the Village Board
13 approval of proposed Preliminary Plat for 6134
14 Bentley Avenue in Willowbrook, Illinois, for a
15 minor subdivision for a lot adjustment and
16 re-subdivision of one single family residential
17 parcel into two parcels and approval of the
18 following variations:

19 Number 1, Section 9-07-03(B)(4)(a)(4) to
20 increase the maximum depth-to-width ratio to 3 --
21 of 3:1, maximum to allow a Lot 1 90 feet by
22 314.63 feet and Lot 2 of 75.08 feet by 404.28 feet
23 of the proposed subdivision.

24 And, Number 2, Section 9-07-04(D)(1) to

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1 eliminate or waive the public sidewalk requirement
2 from the subdivision proposal.

3 Do I hear a second?

4 COMMISSIONER WALEC: I'll make that
5 motion.

6 COMMISSIONER BAKSAY: Second.

7 VICE-CHAIRMAN WAGNER: Roll call.

8 MR. KROL: Commissioner Baksay?

9 COMMISSIONER BAKSAY: Yes.

10 MR. KROL: Commissioner Kanaverskis?

11 COMMISSIONER KANAVERSKIS: Yes.

12 MR. KROL: Commissioner Kaczmarek?

13 COMMISSIONER KACZMAREK: Yes.

14 MR. KROL: Commissioner Kaucky?

15 COMMISSIONER KAUCKY: Yes.

16 MR. KROL: Commissioner Walec?

17 COMMISSIONER WALEC: Yes.

18 MR. KROL: And Vice-Chairman Wagner?

19 VICE-CHAIRMAN WAGNER: Yes.

20 Thank you for coming to our meeting. If
21 you would like to stay, you can. But this will be
22 sent on to the Board of Trustees with our positive
23 recommendations.

24 MR. RUKSZA: Thank you.

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MS. SYREN: Thank you very much.

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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF KANE)

3
4 DONNA L. WATWOOD, being a Certified Shorthand
5 Reporter, on oath says that she is a court reporter
6 doing business in the county of Kane and State of
7 Illinois, that she reported in shorthand the
8 proceedings given at the taking of said cause and
9 that the foregoing is a true and correct transcript
10 of her shorthand notes so taken as aforesaid; and
11 contains all of the proceedings given at said
12 cause.

13
14 *Donna L. Watwood*
15 DONNA L. WATWOOD, C.S.R.
16 License No. 084-003686
17 Kane County, Illinois
18
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24



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24-02

March 6, 2024

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VILLAGE OF WILLOWBROOK
PLAN & ZONING
HEARING CASE NUMBER 24-02

REPORT OF PROCEEDINGS at the
meeting held before the Plan & Zoning Commission of
Willowbrook on the 6th day of March, 2024, at the
hour of 7:00 p.m., as reported by Donna Watwood,
Certified Shorthand Reporter in and for the County
of Kane and State of Illinois.

Reported by: Donna Watwood, CSR

License No.: 0084-003686

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1 APPEARANCES:

2
3 John Wagner - Vice-Chairman

4 Catherine Kaczmarek - Member

5 Leonard Kaucky - Member

6 Maciej Walec - Member

7 Ronald Kanaverskis - Member

8 Zoltan Baksay - Member

9
10 Michael Krol - Director of Community
11 Development

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1 VICE-CHAIRMAN WAGNER: We also have
2 another Plan Commission Hearing this evening,
3 Zoning Case 24-02.

4 It is consideration of a petition
5 requesting an amendment to a previously approved
6 special use, Ordinance 89-0-52 for the Willowbrook
7 Plaza 2, formerly known as Wingren Plaza, for
8 exterior facade change, tenant space 900 on 75th
9 Street.

10 And we'll go ahead and open the public
11 hearing for that. Is there a staff report on this,
12 or would you like us to --

13 MR. KROL: Yes.

14 VICE-CHAIRMAN WAGNER: -- have --

15 MR. KROL: There's a report that you all
16 have in front of you. I can give a brief overview.

17 The petitioner is the owner of the
18 shopping center this evening, Willowbrook Plaza,
19 LLC, c/o Property Solutions Group.

20 Back in 1989 at the northeast corner of
21 Route 83 and 75th Street there was an ordinance to
22 approve the construction of the Wingren Shopping
23 Center, now known as Willowbrook Plaza 2. The
24 shopping center was constructed in 1990. It has a

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1 total land area of 3.59 acres and has 50,000 square
2 feet of retail and service business space.

3 Located at the end of the shopping
4 center, the westernmost tenant space, 900 75th
5 Street, this tenant was granted a special use,
6 Ordinance 22-O-02 for a 3900 square foot adult-use
7 cannabis dispensary.

8 In 2022 the staff report did state at the
9 time there was going to be no changes to the
10 exterior. After reviewing the originally approved
11 ordinance from 1989, the elevation plan you see in
12 front of you was included as part of the condition
13 of approval.

14 So what that means is if there's going to
15 be any exterior changes to the facility; whether
16 the facade, landscaping, reduction of parking, an
17 amendment to the originally approved ordinance,
18 special use ordinance is required.

19 So, in your packet is a couple of
20 pictures of what is proposed. In front of you is
21 the -- on the screen here is the elevation plan
22 where there's an existing granite peak. There's
23 five of them on the property that is an entrance
24 for five different larger tenant spaces.

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1 This particular unit will only be
2 affected, 900 75th Street, and that is for the Mint
3 Cannabis Dispensary.

4 They want to change the exterior facade
5 for this space only. They would cover the existing
6 granite. They're not removing it. They're
7 covering it with plywood, vapor barrier, and then
8 this -- this wood facade. I guess, wood panel
9 facade.

10 I've also included in the packet the two
11 colors that are referenced on the plan that will be
12 painted around the rest of the area that's not
13 going to be the wood cladding exterior. This does
14 not change the use itself, the size of the space,
15 eliminate any parking, nor anything like that.

16 So, that all said, the applicant is here
17 this evening -- or I believe on behalf of the
18 applicant tenant is here with their team. If you
19 wanted to come and add anything to the presentation
20 and answer any questions about the project itself,
21 please come up. And we'll have you sworn in.

22 VICE-CHAIRMAN WAGNER: Would you state
23 your name and be sworn, please?

24 MR. FAKHOURI: Omar Fakhouri.

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1 (Whereupon, Mr. Fakhouri was
2 duly sworn.)

3 MR. GOULD: Brian Gould.

4 (Whereupon, Mr. Gould was duly
5 sworn.)

6 MR. GOULD: I am Brian Gould with BR
7 Designs & Architecture. I'm the architect
8 representing the client.

9 MR. FAKHOURI: So thank you for your
10 consideration for this request. Really our goal is
11 to provide, you know, essentially an improvement to
12 the facade of the building there. We really think
13 we've designed this in a way that will stand out in
14 a positive way. You know, I think the improvement
15 meshes with our brand and our stores and other
16 markets as well. It's been really a positive
17 feedback that we have received.

18 So we definitely appreciate your
19 consideration. And Brian can give you any feedback
20 on our design itself if there's any question.

21 MR. GOULD: One thing I wanted to add was
22 in regards to the material. You'll see in your
23 packet there, the material that we're putting on
24 this, there is a comment about it being wood.

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1 I just wanted to clarify it definitely is
2 not wood. It is a composite material. You're
3 pretty used to seeing that around a lot of the new
4 shopping centers now. It's basically a cladding
5 system that will be on the exterior to create that
6 look.

7 So we're going to have the wood look that
8 will be over the existing monument right now. And
9 then there will be colors that will be added --
10 painted colors to the existing dryvit system as
11 well as material added to the existing
12 drive-through as well. So it's creating a uniform
13 look.

14 So the wood, the composite wood, will
15 create that accent and then the coloring system
16 will kind of tie-in as you see it. It's a grayer
17 color that will tie-in to those existing monuments
18 that are left over.

19 VICE-CHAIRMAN WAGNER: Do any of the
20 commissioners have any questions or comments?

21 COMMISSIONER KANAVERSKIS: Commissioner
22 Kanaverskis.

23 Is there any plans for doing the rest of
24 the granite? I know it's not their responsibility.

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1 But the rest of the granite entranceway just so
2 they all blend in.

3 MR. KROL: No. Right now it's only this
4 unit. In the future if there was going to be
5 another change, another special use amendment would
6 be required for Plan Commission and Village Board
7 consideration.

8 COMMISSIONER KANAVERSKIS: I don't think
9 it -- It would look nice if it all matched up if
10 you are going to do it.

11 VICE-CHAIRMAN WAGNER: Is there anyone
12 from the public that has any questions or comments?

13 (No response.)

14 VICE-CHAIRMAN WAGNER: Hearing none.

15 I wanted to also add that this was --
16 this public hearing was published February 20th of
17 2024, also for the record, and signage was placed
18 on the property concerning this evening's public
19 hearing.

20 Is there any other information we need
21 to --

22 MR. KROL: Go ahead.

23 VICE-CHAIRMAN WAGNER: I'm sorry?

24 MR. KROL: Commissioner Baksay has a

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1 question.

2 VICE-CHAIRMAN WAGNER: I'm sorry.

3 COMMISSIONER BAKSAY: Just a comment.

4 You know, one concern I have, gentlemen,
5 is, you know, the design looks beautiful. From my
6 perspective, it sets a precedent for the Village of
7 Willowbrook where in any of the other shopping
8 centers any individual tenant could modify the look
9 and feel of a particular unit, customize it to
10 their company logo. And my concern with that is we
11 would have kind of a hodgepodge, if you will --
12 Sorry for having you spell that.

13 -- a hodgepodge of our look in our
14 shopping centers and kind of, you know, malls, if
15 you will. So that's my concern with this proposed
16 change.

17 VICE-CHAIRMAN WAGNER: Any other comments
18 or questions?

19 (No response.)

20 VICE-CHAIRMAN WAGNER: I would then have
21 a motion to close the public hearing for Public
22 Hearing 24-02.

23 COMMISSIONER BAKSAY: So moved.

24 COMMISSIONER WALEC: I'll second that.

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1 VICE-CHAIRMAN WAGNER: Roll call, please.

2 MR. KROL: Commissioner Baksay?

3 COMMISSIONER BAKSAY: Yes.

4 MR. KROL: Commissioner Kanaverskis?

5 COMMISSIONER KANAVERSKIS: Yes.

6 MR. KROL: Commissioner Kaczmarek?

7 COMMISSIONER KACZMAREK: Yes.

8 MR. KROL: Commissioner Kaucky?

9 COMMISSIONER KAUCKY: Yes.

10 MR. KROL: Commissioner Walec?

11 COMMISSIONER WALEC: Yes.

12 MR. KROL: And Vice-Chairman Wagner?

13 VICE-CHAIRMAN WAGNER: Yes.

14 I think we'll hold off making a motion on
15 this until we have our next public hearing.

16 MR. KROL: It's a separate case to be
17 considered. It should be looked at as separate.

18 COMMISSIONER BAKSAY: Yes.

19 VICE-CHAIRMAN WAGNER: All right.

20 MR. KROL: So we would vote on this
21 particular item. Although, the second case or the
22 third case is for the particular applicant, it's
23 still considered a separate vote.

24 VICE-CHAIRMAN WAGNER: Okay.

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1 Now that the public hearing is closed, is
2 there any additional comment or question from any
3 of the commissioners?

4 (No response.)

5 VICE-CHAIRMAN WAGNER: Hearing none, I
6 would ask for a motion based on the submitted
7 petition and testimony presented. I would move
8 that the Plan Commission recommend to the Village
9 Board approval of the proposed amendment to a
10 previously approved special use, Ordinance 89-O-52,
11 at the village -- at Willowbrook Plaza 2, formerly
12 known as Wingren Plaza, for an exterior facade
13 change at 900 75th Street with a condition that the
14 south elevation of the store front and
15 drive-through shall occur generally in conformance
16 with the exterior facade provided by BR Design &
17 Architectural dated April 19, 2023.

18 I would like someone to make that motion.

19 COMMISSIONER WALEC: I'll make the
20 motion.

21 COMMISSIONER KACZMAREK: I'll second.

22 VICE-CHAIRMAN WAGNER: Roll call.

23 MR. KROL: Commissioner Baksay?

24 COMMISSIONER BAKSAY: No.

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1 MR. KROL: Commissioner Kanaverskis?

2 COMMISSIONER KANAVERSKIS: Yes.

3 MR. KROL: Commissioner Kaczmarek?

4 COMMISSIONER KACZMAREK: Yes.

5 MR. KROL: Commissioner Kaucky?

6 COMMISSIONER KAUCKY: Yes.

7 MR. KROL: Commissioner Walec?

8 COMMISSIONER WALEC: Yes.

9 MR. KROL: Vice-Chairman Wagner?

10 VICE-CHAIRMAN WAGNER: Yes.

11 * * * * *

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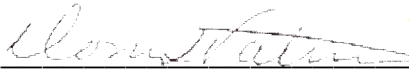
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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF KANE)

4 DONNA L. WATWOOD, being a Certified Shorthand
5 Reporter, on oath says that she is a court reporter
6 doing business in the county of Kane and State of
7 Illinois, that she reported in shorthand the
8 proceedings given at the taking of said cause and
9 that the foregoing is a true and correct transcript
10 of her shorthand notes so taken as aforesaid; and
11 contains all of the proceedings given at said
12 cause.

13
14 
15 DONNA L. WATWOOD, C.S.R.
16 License No. 084-003686
17 Kane County, Illinois
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Transcript of Proceedings

VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER

24-03

March 6, 2024

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VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER
March 6, 2024

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VILLAGE OF WILLOWBROOK
PLAN & ZONING
HEARING CASE NUMBER 24-03

REPORT OF PROCEEDINGS at the
meeting held before the Plan & Zoning Commission of
Willowbrook on the 6th day of March, 2024, at the
hour of 7:00 p.m., as reported by Donna Watwood,
Certified Shorthand Reporter in and for the County
of Kane and State of Illinois.

Reported by: Donna Watwood, CSR

License No.: 0084-003686

VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER
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1 APPEARANCES:

2
3 John Wagner - Vice-Chairman

4 Catherine Kaczmarek - Member

5 Leonard Kaucky - Member

6 Maciej Walec - Member

7 Ronald Kanaverskis - Member

8 Zoltan Baksay - Member.

9
10 Michael Krol - Director of Community
11 Development

12
13 * * * * *

VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER
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1 VICE-CHAIRMAN WAGNER: We have a third
2 public hearing this evening, 24-03, which is a
3 petition requesting a sign variance for Mint
4 Cannabis located at 900 75th Street.

5 The petitioner is Willowbrook Plaza, LLC,
6 c/o Property Solutions Group, LLC, at 900 South
7 Frontage Road, Suite 100, Willowbrook, Illinois,
8 605 -- it should be correct to be -- 27.

9 Consideration and recommendation for a
10 proposed sign variance to 9-6-04(A)(4) to increase
11 the secondary wall sign maximum size from
12 50 percent to 100 percent of the primary wall sign
13 allowing a secondary wall sign to match the
14 dimensions of the primary wall sign proposed facing
15 Kingery Highway for 900 75th Street.

16 This was published, again, I believe
17 on --

18 COMMISSIONER BAKSAY: February --

19 VICE-CHAIRMAN WAGNER: -- February 20th
20 in the same publication. Also, a sign was placed
21 on the property advising us of this Plan Commission
22 Hearing this evening.

23 And we need to -- Can we get a staff
24 review on this, please?

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1 MR. KROL: Yes, sir. Thank you.

2 This particular sign variance is for
3 specifically 900 75th Street. Again, they are part
4 of the Wingren Plaza, formerly known as Willowbrook
5 Plaza 2.

6 You can see on your screen it is the
7 highlighted unit at the westernmost part of the
8 shopping center. The Mint Cannabis store owner had
9 approached the Village about wall signage.

10 Per code you're allowed 10 percent of the
11 exterior facade for a sign where a wall sign would
12 go. With that said, the maximum allowable sign for
13 the entry for the primary sign is 54.11 feet. And
14 with that said, the secondary wall sign per code is
15 you're only allowed up to 50 percent per
16 Section 9-6-05(A)(4), which would only allow 27.05
17 square feet.

18 I will let the applicant speak on the
19 hardships, but the village staff doesn't really
20 have much of a concern for the signage to put the
21 same sign facing Kingery as the front of the store.

22 Again, Omar would you want to go into the
23 hardships and the request.

24 MR. FAKHOURI: Yes.

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1 VICE-CHAIRMAN WAGNER: Could you be sworn
2 again since this is a separate public hearing.

3 (Whereupon, Mr. Fakhouri was
4 duly sworn.)

5 MR. FAKHOURI: Again, thank you for your
6 consideration. Yeah, just to re-emphasize, we are
7 permitted two signs. So the primary sign in the
8 front of the building, and we are allowed a second
9 sign. We're just looking for our secondary sign to
10 be to the same size as our primary sign.

11 And speaking regarding our hardship. So
12 due to the unique category of our industry, it
13 being cannabis, there are certain federal and state
14 restrictions in terms of how we can market
15 ourselves. So, for instance, social media, you
16 know, our social media platform gets shut down
17 regularly. So certain social media gets shut down
18 a lot. We can't do TV, radio. So there are other
19 state restrictions that really hinder our ways to
20 connect with customers due to that.

21 So our branding, our sign, is really
22 critical to being able to letting people know that
23 we're there and reflect our brand. And that's why,
24 you know, we've kind of approached the Village for

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1 the secondary sign. Primarily because, you know,
2 potential customers coming south on Route 83 don't
3 have visibility of the primary sign. And that, you
4 know, being on 50 percent of that sign is really
5 small. It's not really visible. I think we're
6 like over a hundred feet off the street. So that's
7 kind of, you know, the reason and the hardship that
8 we face.

9 I guess the last thing I'll mention, and
10 it's related to kind of the profitability of our
11 company and our industry. So we have what we call
12 a 280E tax code. So as a business in our industry,
13 we are limited to our business deductions. So we
14 can only deduct our cost of goods sold. So, our,
15 you know, staff, labor, those are not deductions we
16 can take. So being able to maximize our sales and
17 generate revenue is really critical to making it a
18 sustainable business.

19 So I'm happy to answer any questions.

20 COMMISSIONER KAUCKY: Excuse me. That
21 sign, is it like a neon sign or is there like light
22 shining in front of it to illuminate it?

23 MR. KROL: The screen in front of you is
24 what the sign will look like. It is an illuminated

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1 sign. So that would be lit up. It isn't a flash,
2 scroll, it's not a reader board. It's just your
3 typical wall sign.

4 VICE-CHAIRMAN WAGNER: Is it backlit?

5 MR. KROL: It is backlit. It's
6 illuminated, yes. So it's backlit.

7 VICE-CHAIRMAN WAGNER: The only other
8 question I had is does Willowbrook Plaza, or the
9 previously known as Wingren Plaza, does it have a
10 monument sign in the front; and if so, is your name
11 also on that?

12 MR. FAKHOURI: So our name is currently
13 not on that. I think they do have a monument sign
14 where we would place a small placard. So it's
15 limited visibility. And, yeah, there is a monument
16 sign that we can place a small brand there.

17 VICE-CHAIRMAN WAGNER: Would that be
18 compliant with our zoning code on that?

19 MR. KROL: Yes. That would also require
20 a permit. He could apply to have the monument
21 sign -- a panel sign is what we refer to it. It's
22 about six inches in height and maybe two to
23 three feet wide. It just depends on the size of
24 the monument sign.

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1 But, yeah, in addition to the variance,
2 if granted, he could also apply for panel signs.

3 VICE-CHAIRMAN WAGNER: But that hasn't
4 been applied for; is that correct?

5 MR. KROL: No. That would be permitted.

6 VICE-CHAIRMAN WAGNER: Thank you.

7 Any other questions or comments from the
8 Plan Commission?

9 COMMISSIONER KACZMAREK: I have one,
10 Commissioner Kaczmarek. So can you remind me if
11 any other tenants in that area have signs that are
12 illuminated at night or are they just --

13 MR. KROL: I think most of them are.
14 This would be the only tenant with two wall signs.

15 COMMISSIONER KACZMAREK: Okay.

16 MR. GOULD: Could I answer that?

17 MR. KROL: Yes, of course. He should be
18 sworn in.

19 VICE-CHAIRMAN WAGNER: Yes, please.

20 (Whereupon, Brian Gould was duly
21 sworn.)

22 MR. GOULD: Brian Gould again with BR
23 Design. Excuse me.

24 One thing I just wanted to add, you know,

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1 because that was a good question that you just
2 brought up. So I just wanted to jump in real
3 quick. If you look at this right now, you're
4 noticing it's one sign across, you know, a hundred
5 and some feet of facade.

6 You asked if there's other people that
7 are nearby or tenants that have multiple
8 illuminated signs. If you go less than an eighth
9 of a mile to the north, one location that has
10 probably over ten illuminated signs would be
11 Portillo's. So they have multiple signs. They
12 actually have two very large signs at their front
13 entrance, a very large sign facing 92nd Court, and
14 then multiple illuminated signs facing Route 83.

15 So, you know, from a standpoint
16 architecturally and visually, you know, we -- it's
17 very small in the scale of the facade that we're --
18 that we're asking for.

19 And, again, Omar brought up the points of
20 signage is key. The other commissioner brought up
21 the -- Commissioner Wagner brought up the
22 possibility of that monument sign, but it is a
23 small monument sign. It's not a very large
24 monument sign. It's more of a directional sign

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1 once you're into the plaza so. That is a signage
2 piece we didn't apply for. It really doesn't help
3 too much as where that's located.

4 We're trying to, obviously, create
5 signage for the maximum amount of people as they're
6 going down Route 83. And as we all know too, it's
7 a busy intersection. So, we want to make sure that
8 we create some signage that everyone can see
9 without causing any safety issues where it's a
10 small sign or they're trying to find out where to
11 turn which direction. So being able to see that,
12 especially in that center, as you know guys know,
13 it is a lot lower than the street level. So we're
14 trying to kind of compensate a little bit on that
15 regard. That's all.

16 MR. KROL: One thing, if I could,
17 Vice-Chairman Wagner. I want to correct myself. I
18 said that there was no other tenant in this
19 shopping center that have multiple wall signs.
20 Club Champion does, and they're the same size.
21 They have two main wall signs.

22 VICE-CHAIRMAN WAGNER: I have an
23 additional question, and it's part of your packet
24 for the previous public hearing is a -- the

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1 question I have is the front facade of the old
2 drive-up, is that being enclosed?

3 MR. GOULD: No, sir, absolutely not. No.

4 VICE-CHAIRMAN WAGNER: Maybe I'm looking
5 at this incorrectly. So the drive-up would appear
6 to be the same as it does today?

7 MR. GOULD: Correct. Yes, with the
8 change of color.

9 VICE-CHAIRMAN WAGNER: Okay.

10 MR. GOULD: Yes.

11 VICE-CHAIRMAN WAGNER: Any other
12 questions or comments? Commissioner Baksay?

13 COMMISSIONER BAKSAY: So I appreciate the
14 facts of, you know, there's another store front in
15 that Willowbrook Plaza 2 or Wingren Plaza that has
16 signs on both sides. They're the same size. Those
17 were, obviously, there prior the UDO changes as
18 were the signs at Portillo's.

19 And one of the questions I have for you,
20 Omar, is is there any -- I'll call it objective
21 evidence.

22 -- that you would be able to be provided
23 to the Plan Commission that Mint Cannabis would not
24 be able to provide a reasonable return without this

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1 second sign variance?

2 You know, I heard the -- you know, the
3 hardships and some of the challenges, obviously,
4 you know, that go into you know the cannabis
5 industry. You know, what -- you know, I think one
6 of the qualifiers for us to approve variances to
7 the UDO is, you know, there would not be a
8 reasonable return without such a variance.

9 MR. FAKHOURI: Yes, it's a good question.

10 I guess what I'll say is this is our
11 first store in the State of Illinois. So I can't
12 speak specifically how the store will perform. I
13 think once which get this open, we'll get a feel
14 for the others. But every time we identify a
15 location, we really focus on the visibility,
16 traffic, because we understand how limited we are
17 to being able to market.

18 You know, I will say this. If you look
19 at a lot of the publicly-traded companies in our
20 industry, a lot of them are losing money. Not
21 necessarily because of signage explicitly, but it
22 is a very, very competitive -- I don't want to say
23 cutthroat, but it is a hard industry to succeed in.
24 So you have to maximize your opportunities to get

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1 to the customer because of those federal
2 restrictions.

3 Now, has there been a study done that I
4 could reference, no. But speaking, you know, from
5 my experience in the industry for six years, the
6 tax implications and our ability to get to the
7 customer are number one on our mind outside of
8 safety and, you know, being a good neighbor to the
9 community. That's essentially, you know, a key to
10 our success so far and how we're able to survive.

11 COMMISSIONER BAKSAY: Thank you.

12 VICE-CHAIRMAN WAGNER: I think one of the
13 things I thought about this was similar was why do
14 we need so much signage. And I would think that
15 the Route 83 signage is almost more important than
16 the frontage of the building just because you're
17 visible then from 75th Street at that intersection.
18 You're also visible on 83 from both directions.

19 And I know the dispensary in -- I believe
20 it's Westmont on Ogden Avenue.

21 -- is a very crowded little parking lot.
22 And thankfully we have a larger parking lot here.
23 But I think people need to be able to identify
24 where something is. And I think it's important.

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1 We've granted many signs in the village.
2 And I understand it may not meet the UDO today, but
3 I think it's in similar fashion.

4 Any other comments or questions from the
5 Commission?

6 (No response.)

7 VICE-CHAIRMAN WAGNER: Hearing none, I
8 would like to hear a motion to close the public
9 hearing for 24-03.

10 COMMISSIONER WALEC: I'll make that
11 motion.

12 COMMISSIONER BAKSAY: Second.

13 VICE-CHAIRMAN WAGNER: Roll call, please.

14 MR. KROL: Commissioner Baksay?

15 COMMISSIONER BAKSAY: Yes.

16 MR. KROL: Commissioner Kanaverskis?

17 COMMISSIONER KANAVERSKIS: Yes.

18 MR. KROL: Commissioner Kaczmarek?

19 COMMISSIONER KACZMAREK: Yes.

20 MR. KROL: Commissioner Kaucky?

21 COMMISSIONER KAUCKY: Yes.

22 MR. KROL: Commissioner Walec?

23 COMMISSIONER WALEC: Yes.

24 MR. KROL: And Vice-Chairman Wagner?

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1 VICE-CHAIRMAN WAGNER: Yes.

2 Are there any questions or comments from
3 the public?

4 (No response.)

5 VICE-CHAIRMAN WAGNER: Hearing none, I
6 would like to hear a motion based on the submitted
7 petition and testimony presented, I would move that
8 the Plan Commission recommend to the Village Board
9 approval of the proposed sign variance to
10 Section 9-6-04(A)(4) to increase the secondary wall
11 sign maximum size from 50 percent to 100 percent of
12 the primary wall sign allowing a secondary wall
13 sign to match the dimensions of the primary wall
14 sign as proposed facing Kingery Highway for
15 900 75th Street with the condition that both wall
16 signs conform with the sign plan provided by Davis
17 Signs dated January 31, 2024.

18 COMMISSIONER WALEC: I'll make that
19 motion.

20 COMMISSIONER KAUCKY: Second.

21 VICE-CHAIRMAN WAGNER: Roll call, please.

22 MR. KROL: Commissioner Baksay?

23 COMMISSIONER BAKSAY: No.

24 MR. KROL: Commissioner Kanaverskis?

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1 COMMISSIONER KANAVERSKIS: Yes.

2 MR. KROL: Commissioner Kaczmarek?

3 COMMISSIONER KACZMAREK: Yes.

4 MR. KROL: Commissioner Kaucky?

5 COMMISSIONER KAUCKY: Yes.

6 MR. KROL: Commissioner Walec?

7 COMMISSIONER WALEC: Yes.

8 MR. KROL: And Vice-Chairman Wagner?

9 VICE-CHAIRMAN WAGNER: Yes.

10 Let's see here. Is there any visitor's
11 business? Does anyone in the public have anything
12 to bring up?

13 (No response.)

14 VICE-CHAIRMAN WAGNER: Commissioners, any
15 questions?

16 (No response.)

17 VICE-CHAIRMAN WAGNER: Communications?

18 MR. KROL: The only thing I have is that
19 all the cases presented tonight will be on the
20 March 25th Village Board agenda. March 25th we'll
21 go to a vote.

22 The other communication is April 3rd at
23 our next scheduled hearing we'll be hearing
24 discussion from our parks and rec director

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1 regarding Borse Park. He will make a similar
2 presentation about the upcoming project answering
3 questions and go over all the changes at that time.

4 VICE-CHAIRMAN WAGNER: Any questions or
5 comments from the Commission?

6 COMMISSIONER KAUCKY: Is there any
7 activity regarding the subject of the Route 83, the
8 former Shell Gas Station?

9 MR. KROL: Not at this time, no.

10 COMMISSIONER KAUCKY: How about Bed Bath
11 & Beyond?

12 MR. KROL: Not at this time, no.

13 VICE-CHAIRMAN WAGNER: Then I would like
14 to hear a motion for adjournment. I'll make that
15 motion.

16 COMMISSIONER WALEC: Second.

17 COMMISSIONER BAKSAY: Second.

18 VICE-CHAIRMAN WAGNER: Roll call, please.

19 MR. KROL: Commissioner Baksay?

20 COMMISSIONER BAKSAY: Yes.

21 MR. KROL: Commissioner Kanaverskis?

22 COMMISSIONER KANAVERSKIS: Yes.

23 MR. KROL: Commissioner Kaczmarek?

24 COMMISSIONER KACZMAREK: Yes.

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MR. KROL: Commissioner Kaucky?

COMMISSIONER KAUCKY: Yes.

MR. KROL: Commissioner Walec?

COMMISSIONER WALEC: Yes.

MR. KROL: And Vice-Chairman Wagner?

VICE-CHAIRMAN WAGNER: Yes.

Thank you all for coming.

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) SS:
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17 Kane County, Illinois
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