

## **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

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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

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10 Michael Krol - Director of Community  
11 Development

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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 KANAVERSISKIS: 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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1 MS. SYREN: Thank you very much.  
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1 STATE OF ILLINOIS )  
2 ) SS:  
2 COUNTY OF KANE )

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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 Watwood*  
DONNA L. WATWOOD, C.S.R.  
License No. 084-003686  
Kane County, Illinois



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## **Transcript of Proceedings**

### **VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**

**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

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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 22-0-02 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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3 MR. GOULD: Brian Gould.

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

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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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10

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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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11

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 89-0-52,  
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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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12

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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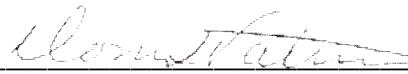
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**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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13

1 STATE OF ILLINOIS )  
2 ) 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   
15 DONNA L. WATWOOD, C.S.R.  
16 License No. 084-003686  
17 Kane County, Illinois



21  
22  
23  
24

## **Transcript of Proceedings**

### **VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**

**24-03**

**March 6, 2024**

**Metro Reporting Service, Ltd.**  
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Fax (630)588-9866  
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**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
**March 6, 2024**

1

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**  
**March 6, 2024**

2

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 \* \* \* \* \*

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

3

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?

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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4

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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER  
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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.

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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6

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

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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7

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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER  
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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?

13 MR. KROL: I think most of them are.

This would be the only tenant with two wall signs.

15 COMMISSIONER KACZMAREK: Okay.

16 MR. GOULD: Could I answer that?

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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9

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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10

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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11

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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13

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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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14

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?

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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15

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?

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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16

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

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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17

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.

**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
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18

1                   MR. KROL: Commissioner Kaucky?  
2                   COMMISSIONER KAUCKY: Yes.  
3                   MR. KROL: Commissioner Walec?  
4                   COMMISSIONER WALEC: Yes.  
5                   MR. KROL: And Vice-Chairman Wagner?  
6                   VICE-CHAIRMAN WAGNER: Yes.  
7                   Thank you all for coming.

8                   \* \* \* \* \*

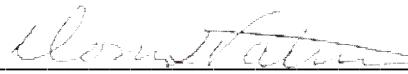
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**VILLAGE OF WILLOWBROOK PLAN & ZONING HEARING CASE NUMBER**  
**March 6, 2024**

19

1 STATE OF ILLINOIS )  
2 ) 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   
15 DONNA L. WATWOOD, C.S.R.  
16 License No. 084-003686  
17 Kane County, Illinois



21  
22  
23  
24