

BEFORE THE DU PAGE COUNTY  
ZONING BOARD OF APPEALS

Rezoning from R-2 to B-2, conditional)  
use for a planned development, and ) 24-053  
increase of FAR. ) XSite

July 23, 2024

6:00 p.m.

## PROCEEDINGS HAD and testimony

8 taken before the DU PAGE COUNTY ZONING BOARD OF  
9 APPEALS, taken at the DuPage County  
10 Administration Building, 421 North County Farm  
11 Road, Wheaton, Illinois, before LINDA M.  
12 CIOSEK, C.S.R. a Notary Public qualified and  
13 commissioned for the State of Illinois.

**BOARD MEMBERS PRESENT:**

MR. ROBERT KARTHOLL, Chairman.

MR. BARRY KETTER, Commissioner.

MR. JACK MURPHY, Commissioner.

MS. JANICE ANDERSON, Commissioner.

MR. CARL SCHULTZ, Commissioner.

MR. ZAIN RAHMAN, Commissioner.

MR. DENNIS MORAN, Commissioner

Zoom.

Zoom.

<p>1 ALSO PRESENT:  2 MS. JESSICA INFELISE DATZMAN, Planning &amp;  3 Zoning.  4 MR. PAUL HOSS, Planning &amp; Zoning.  5  6  7 EXHIBITS  8 Page No.  9 Petitioner's Exhibits 1 through 5 4  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24</p>	<p>Page 2</p> <p>1 matter was published in the Daily Herald on  2 July 8, 2024.  3 I have no comments or  4 objections from the various departments of the  5 county or neighboring municipalities with the  6 exception of DUDOT which requires -- and Health  7 Department, both of whom require additional  8 information, and then an objection by the  9 Stormwater Department relating to the  10 possibility of wetlands on the site.  11 The petitioner has presented  12 before the hearing commenced five exhibits,  13 those are the survey is 1, site plan is 2,  14 aerial is 3, the petitioner's narrative  15 concerning the petition is 4, and 5 is the  16 report from KLOA relating to a traffic study.  17 (Whereupon, Petitioner's  18 Exhibits 1 through 5 were  19 marked for identification.)  20 CHAIRMAN KARTHOLL: May I ask the  21 petitioner and the witnesses for the petitioner  22 to raise your hands and be sworn in.  23 (Whereupon, the oath was  24 duly administered by the</p>
<p>1 CHAIRMAN KARTHOLL: We're here this  2 evening for a meeting of July 23rd, 2024 of the  3 DuPage County Zoning Board of Appeals. I'll  4 call the meeting to order indicating that all  5 members are present, with Mr. Moran being  6 present by Zoom.  7 Do I have any public comment  8 unrelated to the petition?  9 MS. INFELISE DATZMAN: No.  10 CHAIRMAN KARTHOLL: And I presume  11 there's no one in the audience that wishes to  12 make public comment unrelated to the zoning  13 case we're to hear this evening.  14 Okay, there are no minutes  15 to approve, so I'll call our zoning case. This  16 is petition 24-053 XSite, which is a request  17 for rezoning from R-2 to B-2 General Business  18 District, and then a conditional use for a  19 planned development with a self-storage  20 facility, day care center, drive-through coffee  21 shop with the following exceptions: To  22 increase the FAR from the permitted 0.25 to  23 approximately 0.66. This is a site of almost 4  24 and three-quarter acres, Lisle Township. The</p>	<p>Page 3</p> <p>1 Notary.)  2 CHAIRMAN KARTHOLL: Okay, thank you.  3 Mr. Luetkehans, do you want  4 to go front row center and present your case if  5 you would, please.  6 MR. LUETKEHANS: So as the Chairman  7 discussed, we provided you with our exhibits.  8 I'll walk through those a little more  9 thoroughly in a second, but as he also said  10 we're proposing to rezone an R-2 to a B-2  11 General Business District with a planned  12 development, which is listed as a conditional  13 use under the B-2 Zoning classification in  14 DuPage County.  15 It's located on a 4.725 acre  16 parcel on 75th Street near Wehrli Road in  17 unincorporated Naperville, Lisle Township. In  18 this area of 75th Street is a major arterial  19 roadway, four lanes with turning lanes, as well  20 as a landscaped barrier median. The proposed  21 planned development consists of three separate  22 uses on the subject property; one would be an  23 indoor self-storage facility; two would be a  24 drive-through coffee shop; and three would be a</p>

<p>1 day care center.</p> <p>2 Mr. Brett Paul is with</p> <p>3 XSite, he's going to, if you would, please give</p> <p>4 a short kind of history of what's going on here</p> <p>5 to date, and then I'll be back to talk to you</p> <p>6 about more specifics.</p> <p>7 MR. PAUL: Thank you. My name is Brett</p> <p>8 Paul, I am president of XSite Real Estate. We</p> <p>9 are the developer here with our partners</p> <p>10 Hernandez Development. We have been working</p> <p>11 through this process for quite some time now.</p> <p>12 One of the things I want to highlight, Phil,</p> <p>13 our attorney just --</p> <p>14 CHAIRMAN KARTHOLL: Can you use the</p> <p>15 microphone.</p> <p>16 MR. PAUL: Sure. Is that better?</p> <p>17 I'll just start over. My name is Brett Paul, I</p> <p>18 am the president of XSite Real Estate. We have</p> <p>19 embarked on this development with our partner</p> <p>20 Hernandez Development. As our attorney just</p> <p>21 laid out, we are developing a little over a</p> <p>22 4-acre parcel at the intersection of 75th and</p> <p>23 Wehrli, the uses being a self-storage facility,</p> <p>24 a coffee, and a day care. I know this has been</p>	Page 6	<p>1 think Jerry who is the president of the HOA</p> <p>2 will be speaking and can hopefully reiterate</p> <p>3 what I'm saying on that point.</p> <p>4 We hope the Board looks</p> <p>5 favorably on our project and moves to approve</p> <p>6 it. Thank you.</p> <p>7 CHAIRMAN KARTHOLL: I'll find out what</p> <p>8 that project is.</p> <p>9 MR. LUETKEHANS: Well, we kind of have</p> <p>10 talked a little bit about it, but what you have</p> <p>11 is a three-story storage unit.</p> <p>12 CHAIRMAN KARTHOLL: Are you going to</p> <p>13 address the rezoning requests?</p> <p>14 MR. LUETKEHANS: Yes. Well, I'm going</p> <p>15 to go through the standards of that first, yes,</p> <p>16 if that's what you're asking.</p> <p>17 CHAIRMAN KARTHOLL: Yeah.</p> <p>18 MR. LUETKEHANS: It's now R-2, we're</p> <p>19 asking that it go to B-2 as you know.</p> <p>20 CHAIRMAN KARTHOLL: Okay, go right</p> <p>21 ahead.</p> <p>22 MR. LUETKEHANS: And we will go through</p> <p>23 the standards for that, but to give a quick</p> <p>24 overview what you have is not -- just directly</p>	Page 8
<p>1 -- a self-storage facility had been presented</p> <p>2 in the past to DuPage County. I would like to</p> <p>3 highlight some of the differences between that</p> <p>4 proposal and ours, ours being [inaudible] and</p> <p>5 the day care.</p> <p>6 CHAIRMAN KARTHOLL: I turned mine on and</p> <p>7 yours went on, so forgive me if I clear my</p> <p>8 throat while you're presenting.</p> <p>9 MR. PAUL: One of the things [inaudible]</p> <p>10 --</p> <p>11 CHAIRMAN KARTHOLL: Here, just take</p> <p>12 this. I don't want to affect your</p> <p>13 presentation, but is the difference between</p> <p>14 some prior presentation important to us?</p> <p>15 MR. LUETKEHANS: I don't think it's</p> <p>16 hugely important, so you can skip it.</p> <p>17 MR. PAUL: Okay. I would like to</p> <p>18 highlight one of, you know, our main objectives</p> <p>19 was to engage with the residents across the</p> <p>20 street at the Hobson Villa HOA. We had several</p> <p>21 meetings with them, and we have worked with our</p> <p>22 aesthetics, our site plan, and believe we have</p> <p>23 come to an agreement to, you know, help improve</p> <p>24 the property and situation for the HOA. And I</p>	Page 7	<p>1 to the east of our property is a Walgreens. We</p> <p>2 have a three-building planned development, the</p> <p>3 largest building is a self-storage facility</p> <p>4 which is three stories, the middle building is</p> <p>5 just going to be a drive-through coffee shop,</p> <p>6 no inside other than staff, there will not be</p> <p>7 sit down, it will just be a drive-through. The</p> <p>8 third is a day care center, a one-story day</p> <p>9 care center.</p> <p>10 So, if I may, and let me</p> <p>11 talk about what's there currently and then I'll</p> <p>12 talk about what is the actual B-2 request.</p> <p>13 Currently there are three modest single-family</p> <p>14 home residential buildings on the subject</p> <p>15 property, two of which are vacant, and one of</p> <p>16 which is currently occupied. In one of the two</p> <p>17 vacant parcels there was squatters, caused a</p> <p>18 fire. This has been for sale for about at</p> <p>19 least since 2016 when the prior zoning</p> <p>20 development came through the City of Naperville</p> <p>21 and through here and was denied.</p> <p>22 Besides working with the</p> <p>23 HOA, the developer has worked with the City of</p> <p>24 Naperville, and the City of Naperville, as you</p>	Page 9

<p>1 may have seen, you probably didn't, but the  2 City of Naperville last week passed their  3 resolution not to object. So they actually  4 took the step -- staff brought it when they  5 wanted to object and there was a proposal not  6 to object to this development. It is next to  7 Naperville, and it's in their planning  8 district.</p> <p>9                   The existing -- so let's  10 talk about the standards for rezoning. One is  11 existing uses of property within the general  12 area of the property in question. If you look  13 at the aerial which is Exhibit 3, the property  14 directly to the south has passive and active  15 recreational uses such as ball fields.  16 Directly to the east is a Walgreens which is  17 zoned commercial in Naperville. It's open from  18 either 7:00 a.m. in the morning until 10:00 or  19 11:00 at night, depending on the day. On the  20 east side of Wehrli going further west -- or  21 east is a small modest home backing up to an  22 SBC commercial facility. It looks like it's --  23 like they're interchanged for their  24 electronics, it's really just a station, inside</p>	<p>Page 10</p> <p>1 the uses, the zoning classifications are very  2 diverse as well. There's commercially zoned  3 parcels immediately in the east and west of the  4 subject property, there's also some detached  5 and attached residential properties along a  6 large park and a church. So, again, not just  7 uses are diverse and dissimilar, same thing  8 with the zoning in the area because you have  9 some that the commercial has been zoned -- the  10 commercial has been zoned by Naperville, and  11 the residential has just kind of sat there for  12 the most part, other than obviously the  13 townhomes.</p> <p>14                   The suitability for the  15 property in question for the uses permitted  16 under the existing zoning classification: All  17 this is really kind of in our narrative and I'm  18 trying not to repeat all of it, but R-2 under  19 -- the R-2 zoning under the Ordinance is  20 intended for single-family residences where  21 public utilities are not readily available.  22 Here the subject property's location on 75th  23 Street, the trend of development towards  24 commercial and not single-family residential,</p>
<p>1 station. And located on the northeast corner  2 of Wehrli and 75th is a church. Directly  3 across is the HO -- the Hobson Villas that you  4 heard spoke about earlier that we've been  5 working with, which is a very -- appears from  6 the outside, haven't been in, appears to be  7 very nice townhomes, higher-end townhomes, but  8 again it was across 75th Street, which is four  9 lanes and a barrier median, landscape barrier  10 median. To the west of the subject property is  11 a commercially-zoned cell tower site. Then you  12 have a residential parcel, and then you have a  13 commercially-zoned veterinarian clinic. In  14 essence, this whole area, this street, is a  15 mish mash of different zoning. There is not a  16 consistent zoning, and there has not really  17 been anything built as residential in the near  18 area it looks like for probably decades. I  19 don't know when Hobson Villas was built, but  20 other than this, nothing has gone on in this  21 area of the residential size.</p> <p>22                   Zoning number two, the  23 zoning classifications of property within the  24 general area of the property in question. Like</p>	<p>Page 11</p> <p>1 the vacancy of the homes on the subject  2 property shows the lack of suitability for the  3 use of the subject property. These properties  4 have been for sale since 2016 at least, and  5 nothing has gone on, nothing has been able to  6 be developed, and we're here asking for that  7 change because of the lack of ability to really  8 develop these as they are, as they're currently  9 zoned.</p> <p>10                   Number D is the trend of  11 development, if any, in the general area of the  12 property in question, including changes, if  13 any, which may have taken place since the  14 property in question was placed in its present  15 zoning classification. I'm pretty sure that  16 this property was placed in its current zoning  17 classification I think when we started the  18 Ordinance probably, I think that was the 50's.  19 I may be wrong, but it's been at least 50  20 years. Since that time the area has seen  21 multi-family and commercial uses developed.  22 The only relatively recent development  23 residential have been, again, Hobson Villas.  24 Given those uses, the proposed use for the</p>

<p>1 subject property is consistent with the current  2 uses, diverse zoning, and the trend of  3 development in the area, which is more  4 commercial development along 75th Street which,  5 as I said, is a major arterial road; hence,  6 it's really not something that anyone wants to  7 put residential on, even the Hobson Villas  8 backs up -- their entrance is not on 75th  9 Street, it backs up to 75th Street, and to have  10 a house with really an entrance on 75th Street  11 doesn't make a lot of sense. A new house, and  12 especially because unlike Hobson Villas, you  13 can't come in the other direction because you  14 have the ball field behind it.</p> <p>15 The length of time the  16 property has been vacant or zoned, considering  17 the context of the land development in the  18 area: I think we've kind of already talked  19 about that.</p> <p>20 The extent of which the  21 property values are diminished by particular  22 zoning restrictions: This R-2 Single-Family  23 zoning designation prohibits the subject from  24 being developed in its highest and best use.</p>	<p>Page 14</p> <p>1 there's nothing harmonious throughout it other  2 than the trend of development is commercial.  3 So, and I won't go through all that again that  4 I went through earlier.</p> <p>5 As has been shown by our  6 traffic analysis which is Exhibit 5, and I'll  7 talk about that for a second, which was done by  8 KLOA Michael Werthmann: The proposed use will  9 not cause traffic concern for this area. There  10 are 29,000 trips per day on 75th Street in  11 front of this property. This property will, as  12 he says in his report, what you have is 70  13 percent of the users of the drive-through for  14 the coffee shop are, in essence -- someone's  15 probably got a highlighted copy, I apologize,  16 because I think mine was highlighted and I  17 handed it out, but 70 percent of the users for  18 the coffee are people who are using 75th Street  19 anyway. That's what the ITE standards say.</p> <p>20 The storage facility which  21 is the biggest, largest use generates about ten  22 users a day -- or 20 users a day, excuse me, so  23 40 trips. Comparing that to 29,000 trips down  24 the road that's insignificant, if not</p>
<p>1 It's actually prohibited it from any  2 development for the past at least ten, probably  3 closer to ten years.</p> <p>4 This variety of surrounding  5 uses and its location on the major arterial R-2  6 zoning classification significantly decreases  7 the property value of the subject property;  8 hence, we think the zoning from R-2 to B-2 is  9 highly appropriate.</p> <p>10 As far as special use, as  11 you know the planned developments, and I think  12 we've all been through this a lot lately, it is  13 a special use in the B-2 District. It is  14 considered under the Living Word decision, the  15 case law is very clear on that, as most of the  16 ordinances in this county, including DuPage  17 County's, treat this as a special use.</p> <p>18 Standard number one is it in  19 harmony with the general purpose and intent of  20 this chapter, will not be injurious to the  21 neighborhood, detrimental to the public welfare  22 and in conflict with the County's Comprehensive  23 Plan. The main thing here is is it harmonious  24 with the neighborhood? This neighborhood</p>	<p>Page 15</p> <p>1 minuscule. That, hence, why Mr. --  2 And then let me also tell  3 you the changes that you may have seen on our  4 prior site plan, it has been changed slightly  5 since the one that was originally filed, these  6 changes are not significant, they deal with  7 internal site access and queuing to kind of  8 deal with DUDOT's concerns, as well as Mr.  9 Werthmann's own analysis. So those changes  10 have been made, and that's what you have in  11 front of you in Exhibit 2. And those are  12 really to make sure the queuing works and that  13 there is no problem with people being stuck not  14 being able to turn in and turn out with 75th  15 Street causing a concern there.</p> <p>16 The second standard for  17 special use is it will not impair an adequate  18 supply of light and air to adjacent property.  19 I don't think there's any doubt this will  20 impair that. The largest building is -- the  21 tallest building is the storage facility, and  22 the only things on either side that are not  23 being built are Walgreens parking lot and ball  24 fields which have a line of trees between</p>

<p style="text-align: right;">Page 18</p> <p>1 Walgreens, and significant older trees, between 2 the property and the ball fields.</p> <p>3 Number three, will not 4 diminish the value of land and buildings in the 5 vicinity of the proposed conditional use.</p> <p>6 Again, important to look at the neighborhood 7 when considering this question. As we have 8 seen the proposed use is consistent with the 9 property use to the east, south is open space, 10 west you have a cell tower, and the neighbors 11 to the north are separated by a very busy major 12 arterial road.</p> <p>13 Four, will not unduly 14 increase traffic in the public streets and 15 highways. Again, I'll go back to the Exhibit 5 16 by KLOA. And we kind of already talked about 17 that.</p> <p>18 Number five, does not 19 increase the potential for flood damages to 20 adjacent property. And obviously as we all 21 know, DuPage County, our Stormwater Ordinance 22 is second to none, and no one's going to be 23 able to build without complying with those 24 stormwater ordinances. The stormwater</p>	<p style="text-align: right;">Page 20</p> <p>1 full three-quarters of a page on Living Word. 2 You've heard it from me way too many times, as 3 well as everybody else, but if you have the 4 rezoning -- if the rezoning is approved, the 5 conditional use falls under Living Word, and 6 then we would suggest that Living Word in this 7 case would require that it be approved. The 8 only time is if there's some clear and 9 convincing evidence to overcome the presumption 10 that exists, and the proposed development here 11 complies with all the special use standards.</p> <p>12 Against that backdrop, let 13 me talk about a couple other things: One is 14 wetlands. Stormwater mentioned wetlands. 15 Obviously we will have to comply with that. We 16 are working through that with wetlands, or with 17 Stormwater. In fact, I think there was 18 conversations with Mr. Heffner today about that 19 issue, and we obviously will have to resolve 20 that before we get to any building permit 21 stage.</p> <p>22 As far as sewer and water, 23 the Health Department had a comment. We will 24 be using well and an IEPA-approved sewage</p>
<p style="text-align: right;">Page 19</p> <p>1 ordinances will slow the rate of release for 2 the stormwater to comply with these regulations 3 and the amount of speed of release.</p> <p>4 Number six, will not incur 5 additional public expense for fire protection, 6 rescue or relief. There shall be no -- this 7 use should not create any additional burden for 8 fire protection, rescue or relief, and that all 9 the buildings will comply with the fire codes 10 and be built with a fire suppression system. 11 Its current state, as I said earlier, with 12 squatters, et cetera, on some of the property 13 caused the fire, that's a heck of a lot more 14 dangerous than what we are talking about trying 15 to put in here.</p> <p>16 Number seven is the property 17 will not otherwise impair the public health, 18 safety, comfort, morals or general welfare of 19 the inhabitants. Given all the actions taken 20 from a traffic standpoint, making it consistent 21 with the uses and the safety standards, there 22 will be no problem or impair the general 23 welfare of the inhabitants of DuPage County. 24 In the narrative there's a</p>	<p style="text-align: right;">Page 21</p> <p>1 system. Again, we're not going to get any 2 building permits without that, we're aware of 3 that, and we will be utilizing one of those 4 systems that do fit on this property.</p> <p>5 So, against that backdrop, 6 we believe the project meets the standards set 7 in the Zoning Ordinance for both a rezoning, as 8 well as a conditional use, and would ask that 9 you vote to recommend this to the County 10 Development Committee and the County Board.</p> <p>11 If there's any questions, 12 I'm happy to answer them, I know I went through 13 a lot real quick.</p> <p>14 CHAIRMAN KARTHOLL: Okay. First of all, 15 are there wetlands delineated on the site?</p> <p>16 MR. LUETKEHANS: We have not -- we have 17 not delineated the wetlands at this point.</p> <p>18 It's been brought up to us recently there may 19 be. No one has delineated them and we will 20 have to delineate those before we proceed.</p> <p>21 CHAIRMAN KARTHOLL: And that may change 22 your site plan?</p> <p>23 MR. LUETKEHANS: If it does, we'll have 24 to come back to you.</p>

<p>1 CHAIRMAN KARTHOLL: If there's a 2 material difference that's necessitated by the 3 existence of wetlands, you would have to have a 4 new public hearing.</p> <p>5 MR. LUETKEHANS: Correct.</p> <p>6 CHAIRMAN KARTHOLL: Because it would 7 materially change the site plan.</p> <p>8 MR. LUETKEHANS: Yes, sir.</p> <p>9 CHAIRMAN KARTHOLL: Just to my own view 10 of Living Word is, number one, it's tossed 11 around far too frequently. Essentially the 12 Court said a zoning authority should not 13 substitute its rationale for some preferred use 14 when the proposed use is enumerated as one of 15 the conditional uses within the Ordinance. It 16 says nothing about a preference for exceptions, 17 and the rationale of the particular use being 18 preferred by a zoning authority doesn't seem to 19 relate to planned developments because a 20 planned development invites numerous 21 alternative uses. So, I don't agree --</p> <p>22 MR. LUETKEHANS: Can I make --</p> <p>23 CHAIRMAN KARTHOLL: Yeah, let me just 24 finish.</p>	<p>Page 22</p> <p>1 your purview, but I don't believe that staff 2 believes 0.66 is an unreasonable number for a 3 commercial development. These are not sites 4 that we're pushing a bunch of stuff in the 5 middle. We haven't changed 0.25 for many years 6 in the County, and it's kind of become 7 obsolete.</p> <p>8 Thank you for letting me 9 respond to that.</p> <p>10 CHAIRMAN KARTHOLL: All right. Now, if 11 we were to consider a conditional use for a day 12 care center, a coffee shop, or a storage 13 facility we would have a lot of detailed 14 information about each of those proposed uses, 15 so let me just start with a few questions. The 16 first is: Is the storage facility somehow 17 separated on the site from the other uses? Is 18 it somehow fenced off and secured?</p> <p>19 MR. LUETKEHANS: It is not fenced off 20 and secured. It is an indoor storage facility, 21 and it is monitored. And like a lot of new 22 storage facilities, it will have someone there 23 from I think 8:00 to 6:00, in that range, 8:00 24 a.m. to 6:00 p.m. After that it will be</p>
<p>Page 23</p> <p>1 MR. LUETKEHANS: When you're done. I'm 2 sorry, Bob.</p> <p>3 CHAIRMAN KARTHOLL: I don't agree that 4 Living Word is just sort of a hurdle that we 5 would have to overcome; but frankly, that's for 6 the County Board to resolve with the advice of 7 the State's Attorney. Now if you want to 8 address that, go ahead, but as I started it's a 9 gratuitous remark.</p> <p>10 MR. LUETKEHANS: Yeah, let's me just say 11 for the record, and it's in our memo, there is 12 case law on this. We presented those cases 13 several months ago to the County Board. There 14 is case law that planned developments are 15 treated the same as any other conditional use 16 under Living, so we've cited those.</p> <p>17 As far as the exception FAR, 18 I should have dealt with this earlier. The 19 0.25 is a standard that has kind of gone by the 20 wayside. I don't think we're developing any 21 planned developments on these commercial sites 22 at 0.25 FAR anymore. While it hasn't been done 23 yet, it's my understanding that the County is 24 looking at changing that. I know that's not in</p>	<p>Page 25</p> <p>1 accessible. I have the hours here in front of 2 me, if I can grab them. But, again, the only 3 people that can get in are with a pass code and 4 it is locked and it is not something that -- 5 it's not the old storage, this is all indoor 6 storage, et cetera.</p> <p>7 CHAIRMAN KARTHOLL: The site would be 8 managed and supervised by an employee for 9 certain business hours?</p> <p>10 MR. LUETKEHANS: 6:00 a.m. to 8:00 p.m. 11 seven days a week.</p> <p>12 CHAIRMAN KARTHOLL: Is it lighted 13 somehow?</p> <p>14 MR. LUETKEHANS: Yes, it's lit. The 15 parking lot is lit just like it would have to 16 be under the Building Codes.</p> <p>17 CHAIRMAN KARTHOLL: Okay, but the 18 lighting standards are not shown on the site 19 plan; is that right?</p> <p>20 MR. LUETKEHANS: Correct. No, I don't 21 believe they are.</p> <p>22 CHAIRMAN KARTHOLL: Okay.</p> <p>23 MR. LUETKEHANS: But under our 24 ordinance, the building permits, the building</p>

<p>1 ordinances, they definitely have to exist and  2 there's standards with both on-site and the  3 lack of ability for them to go off-site, the  4 lighting.</p> <p>5 CHAIRMAN KARTHOLL: I think we should  6 probably have some additional detailed  7 information about that.</p> <p>8 Are the parking spaces design  9 -- I think there's 21 parking spaces on the  10 north -- to the north of the storage facility.  11 Are those for the exclusive use of the storage  12 facility?</p> <p>13 MR. LUETKEHANS: Yes, I mean honestly  14 there's no use that would need parking other  15 than the storage facility on the eastern half  16 of the parcel because you have a drive-through  17 coffee so no one can go inside this coffee  18 shop. And then as far as the day care, you  19 would be crossing over. As you know, day care  20 is kind of a drop-off, no one is going to be  21 parking over there crossing.</p> <p>22 CHAIRMAN KARTHOLL: All right. Is there  23 a fence on the perimeter of the property?</p> <p>24 MR. LUETKEHANS: There will be a fence,</p>	<p>Page 26</p> <p>1 Well, I do have one more  2 question about the storage facility. There's a  3 natural boundary that is created by the  4 detention pond. Why wouldn't you fence that in  5 at the south detention pond so as to restrict  6 access to the storage facility and thereby  7 somewhat -- to a somewhat greater degree  8 regulate your internal circulation? Does that  9 make sense, or is it just my musings?</p> <p>10 MR. LUETKEHANS: So, I'm sorry, just so  11 I understand --</p> <p>12 CHAIRMAN KARTHOLL: So to the south of  13 the detention pond -- is that dry detention or  14 wet?</p> <p>15 MR. LUETKEHANS: Dry.</p> <p>16 CHAIRMAN KARTHOLL: Well, nonetheless,  17 it serves as a barrier from the two uses to the  18 west and the storage facility, and if it were  19 somehow, I don't know, it just seems to me that  20 some consideration for security ought to be  21 given to fencing to the south of the detention  22 pond. I'll let that -- I'll let you resolve  23 that.</p> <p>24 MR. LUETKEHANS: Okay.</p>
<p>1 yes.</p> <p>2 CHAIRMAN KARTHOLL: Do we have that  3 shown on the site plan?</p> <p>4 MR. LUETKEHANS: It's not shown, but we  5 could do that. We could make that a condition.</p> <p>6 CHAIRMAN KARTHOLL: And so we're always  7 concerned about what's being stored within a  8 storage facility, and the only concern is  9 hazardous materials, with the broad definition  10 of what constitutes hazardous materials. Do  11 you have a storage facility agreement that's  12 been prepared as of yet?</p> <p>13 MR. LUETKEHANS: This is a chain of  14 storage facilities, so they have that and they  15 do not allow that kind of material to be stored  16 there.</p> <p>17 CHAIRMAN KARTHOLL: Usually we have a  18 look at the agreement, if you could, sort of a  19 a pro forma agreement.</p> <p>20 MR. LUETKEHANS: Okay.</p> <p>21 CHAIRMAN KARTHOLL: I can't think of any  22 other storage facility questions. I don't have  23 any questions as it relates to the coffee shop,  24 I see your circulation here.</p>	<p>Page 27</p> <p>Page 29</p> <p>1 CHAIRMAN KARTHOLL: Then I see a cell  2 tower. You gave some testimony about a cell  3 tower, but my understanding of the testimony  4 was that the cell tower was on a different  5 site, but you show a cell tower on your site;  6 is that right?</p> <p>7 MR. LUETKEHANS: Yes.</p> <p>8 CHAIRMAN KARTHOLL: Is that existing?</p> <p>9 MR. LUETKEHANS: That's an existing cell  10 tower.</p> <p>11 CHAIRMAN KARTHOLL: Doesn't that have to  12 be -- it seems to me that the two cell towers  13 have to be enumerated in the conditional use as  14 if they were new.</p> <p>15 MR. LUETKEHANS: Well, this isn't a new  16 cell tower.</p> <p>17 CHAIRMAN KARTHOLL: Yeah, I understand,  18 but it's a totally new use, so I don't think  19 they're grandfathered. But, like I say, I  20 could be wrong about that. It seems to me that  21 they ought to be enumerated and requested as  22 part of the conditional use, because -- and I  23 understand there's preference to cell towers as  24 well. So, could you look into that?</p>

<p style="text-align: right;">Page 30</p> <p>1       MR. LUETKEHANS: Yeah, I think staff had 2    looked into this, but we will double check with 3    them. I don't think it surprises staff that 4    it's there.</p> <p>5       CHAIRMAN KARTHOLL: Has that been 6    reviewed?</p> <p>7       MR. HOSS: Yes.</p> <p>8       CHAIRMAN KARTHOLL: And it's not 9    necessary to include that in the request for 10   conditional use?</p> <p>11      MR. HOSS: The cell towers are 12    considered public utilities so they're treated 13    like public utilities, they're not technically 14    uses per se on the property. We don't actually 15    regulate them on our Zoning Codes because 16    they're considered public utilities.</p> <p>17      CHAIRMAN KARTHOLL: And that changed 18    like four or five years ago?</p> <p>19      MR. HOSS: That's been changed for 20    probably 15 years.</p> <p>21      CHAIRMAN KARTHOLL: Oh, well, time 22    flies. Then I withdraw that point.</p> <p>23      Then, as I said with respect 24    to the coffee shop, just tell us the hours of</p>	<p style="text-align: right;">Page 32</p> <p>1   site plan just above the --</p> <p>2       MR. LUETKEHANS: Just to the left of lot 3    2, where it says Lot 2.</p> <p>4       CHAIRMAN KARTHOLL: Okay, I got it.</p> <p>5       And then with respect to the 6    day care center, tell us hours of operation, 7    months of the year I presume to be 12, staffing 8    and, you know, how many kids, what's the ages, 9    et cetera.</p> <p>10      And then when we're done 11    with that general stuff, we need -- to the 12    safety issue that we always inquire about is 13    drop-off and pick-up and times of drop-off and 14    pick-up.</p> <p>15      MR. LUETKEHANS: Day care hours are 6:30 16    to 6:30 p.m. I'll let Mr. Paul talk a little 17    more about the details of the day care.</p> <p>18      MR. PAUL: The operator is Little 19    Sunshine's Day Care, they have a number of 20    locations in the Chicago area. Typically they 21    have 25 to -- about 25 employees, and I believe 22    the capacity here is about 100 children, but I 23    would have to double check with the operator on 24    that as well and we can certainly get more</p>
<p style="text-align: right;">Page 31</p> <p>1   operation and the staffing.</p> <p>2       MR. LUETKEHANS: Just a second. I had 3    that a second ago. Hours of operation for the 4    coffee shop are 5:30 a.m. to 8:00 p.m., and I 5    think the staffing is just two or three people.</p> <p>6       MR. PAUL: Yeah, peak hours.</p> <p>7       CHAIRMAN KARTHOLL: Nothing is served 8    other than, like, traditional coffee shop 9    stuff?</p> <p>10      MR. LUETKEHANS: Correct.</p> <p>11      CHAIRMAN KARTHOLL: So does that include 12    any kind of food?</p> <p>13      MR. LUETKEHANS: I'm guessing there may 14    be some cold food.</p> <p>15      CHAIRMAN KARTHOLL: Like what's 16    prepared?</p> <p>17      MR. LUETKEHANS: I guess nothing.</p> <p>18      CHAIRMAN KARTHOLL: No kitchen other 19    than some way to make coffee.</p> <p>20      Garbage, are garbage 21    dumpsters shown on here someplace?</p> <p>22      MR. LUETKEHANS: I think it's the south 23    end of the parking.</p> <p>24      CHAIRMAN KARTHOLL: Oh, wait. On the</p>	<p style="text-align: right;">Page 33</p> <p>1   information.</p> <p>2       CHAIRMAN KARTHOLL: Is there an outdoor 3    playground?</p> <p>4       MR. PAUL: Yes.</p> <p>5       CHAIRMAN KARTHOLL: Yeah, do you know 6    ages?</p> <p>7       MR. PAUL: Yeah, it's, you know, all the 8    way from infant to I think four or five years 9    old.</p> <p>10      MR. LUETKEHANS: It's preschool, in 11    essence.</p> <p>12      CHAIRMAN KARTHOLL: Well, confirm all 13    that stuff in writing is fine.</p> <p>14      And then the drop-off -- is 15    the drop-off and pick-up restricted as shown in 16    the front, north of the building?</p> <p>17      MR. LUETKEHANS: Yes.</p> <p>18      CHAIRMAN KARTHOLL: That's probably the 19    biggest issue that I've raised because it 20    always goes to that safety issue.</p> <p>21      Are the hours of drop-off 22    and pick-up restricted in any way?</p> <p>23      MR. LUETKEHANS: I think just the 6:30 24    to 6:30.</p>

<p>1       MR. PAUL: Speaking as someone who has a  2 13-month old daughter, typically there's  3 obviously the drop-off in the morning or the  4 pick-up at night. You can come pick up your  5 kids really at any time. And actually the  6 front lane you see there is not really a  7 drop-off, you actually have to park your car  8 and take your kid in. You don't really park in  9 front and then take your kid out, that's not  10 how they do it, that's more of just a passing  11 lane there.</p> <p>12      CHAIRMAN KARTHOLL: I see. And that's  13 not the same with pick-up?</p> <p>14      MR. PAUL: You actually have to go park,  15 you got to go pick up the kid.</p> <p>16      CHAIRMAN KARTHOLL: So both drop-off and  17 pick-up, the parent or adult comes into the  18 building?</p> <p>19      MR. PAUL: Yeah.</p> <p>20      CHAIRMAN KARTHOLL: I see.</p> <p>21      MR. PAUL: Yeah.</p> <p>22      CHAIRMAN KARTHOLL: How do you know that  23 that's the case?</p> <p>24      MR. PAUL: Because that's the</p>	Page 34	<p>1 You've got to pull in and pull out, and then  2 you've got to go down, go either back through  3 the neighborhood, or you turn to go all the way  4 around the block. So, you know, there is no  5 increased traffic. I will love having a coffee  6 place, they can go in and grab it as opposed to  7 going down the road. So, I think there's  8 plenty of trees to -- for Hobson Villas, which  9 is very nice. And one of the big things was  10 this area has been on the County plan for a  11 while, that when we went on the County Board  12 did the Estuary Living Center, it's really  13 important for us members to look at the area  14 here, it's not a normal area, but it needs to  15 be developed. And I was very concerned about  16 the squatters there for a long time. So, no  17 other questions outside of thank you for the  18 presentation.</p> <p>19      CHAIRMAN KARTHOLL: Let's just -- does  20 anyone have questions about the petition? Does  21 any member of the Board have a question about  22 what's being asked?</p> <p>23      COMMISSIONER SCHULTZ: I do.</p> <p>24      CHAIRMAN KARTHOLL: Mr. Schultz?</p>	Page 36
<p>1 regulation. They don't take your kids out  2 because there's a liability issue.</p> <p>3       CHAIRMAN KARTHOLL: That's whose  4 regulation?</p> <p>5       MR. PAUL: Just the State, just the  6 regulation.</p> <p>7       COMMISSIONER ANDERSON: You have  8 --[inaudible].</p> <p>9       CHAIRMAN KARTHOLL: I haven't had kids  10 for a long time that are day care center age  11 eligible.</p> <p>12       I don't have any other  13 questions. Whose township is this?</p> <p>14       COMMISSIONER ANDERSON: Mine.</p> <p>15       CHAIRMAN KARTHOLL: Do you want to take  16 additional questions?</p> <p>17       COMMISSIONER ANDERSON: I just have a  18 few comments. I live fairly close to here, and  19 when -- that area has always been a rough area,  20 as the attorney pointed out, but I really think  21 this could be a good project because I like  22 what they're doing here, it's compatible to the  23 use, and there is a four-lane highway. My  24 dog's vet is just over to the west of there.</p>	Page 35	<p>1       COMMISSIONER SCHULTZ: My only question  2 is I'm looking here and I don't see a  3 deceleration lane going into there, and people  4 go zipping down 75th Street.</p> <p>5       COMMISSIONER ANDERSON: There is one.</p> <p>6       COMMISSIONER SCHULTZ: Well, when I look  7 here it looks like a shoulder you could pull  8 on, but it's not designated as driving lane.  9 So I don't know what that means in terms of the  10 quality of the road that's there and that sort  11 of thing, but there seems to be a deceleration  12 lane as you go over to the -- what I'd call the  13 east entrance where it comes down there. Is  14 there a reason why there's not?</p> <p>15       MR. LUETKEHANS: I think mostly because  16 DUDOT is not requiring it. It's really if  17 DUDOT wants it, we would have no choice, but  18 they haven't seemed to ask for it.</p> <p>19       COMMISSIONER SCHULTZ: Okay.</p> <p>20       CHAIRMAN KARTHOLL: Does any other  21 member have questions? Mr. Murphy?</p> <p>22       COMMISSIONER MURPHY: My question is you  23 said you have the capacity for the day care was  24 100 kids?</p>	Page 37



<p>1 Our first meeting with them,  2 they said that they wanted to be good  3 neighbors. We feel that they have been good  4 neighbors in that the dialogue has been very  5 productive.</p> <p>6 We've had an opportunity as  7 Hobson Villas Homeowners' Association  8 officials, Board of Directors, to talk to the  9 County officials, zoning officials. We've  10 talked to our County Board members of District  11 5 who represent us, we've talked to the City of  12 Naperville zoning officials, and what we have  13 determined is that there is a desire on the  14 part of the County to develop this property.  15 We feel that it is a real issue with the County  16 to develop this property, and the question --  17 before us is what is the most acceptable --  18 before us as homeowners of Hobson Villas, most  19 acceptable development that goes in there that  20 has the least amount of financial -- negative  21 financial impact to our subdivision, and that's  22 what we're worried about.</p> <p>23 If this development is not  24 accepted, there could be the next development</p>	<p>Page 42</p> <p>1 Naperville, and self-storage was part of that.  2 I'm not going to be up here and tell you that  3 the property shouldn't be rezoned, we would be  4 supportive of it rezoning. My question to you  5 guys is this is DuPage County, this is  6 Naperville, you have one shot to develop this  7 property. I went through the Jewel lease that  8 was cut at South Naper Boulevard that was done  9 in the 70s, typewritten, and those contracts  10 governed the property for a very, very long  11 time.</p> <p>12 The reason why I tell you  13 this is because in exchange for the  14 self-storage zoning that was given to our  15 development, we had to do a number of  16 restrictions on the self-storage, but we also  17 had to contribute up to \$100,000.00 to the  18 Hobson Oaks Homeowners' Association. We had to  19 put \$15 million into rehabbing the shopping  20 center, and we took the occupancy of that  21 shopping center from 60 to 90 percent. Now as  22 a portfolio of managing your properties in  23 Naperville, the best place to raise a family,  24 you have choice. You don't have to choose</p>
<p>1 that could house other things that would be  2 even more negatively -- that would negatively  3 impact our homeowners' association.  4 And it is the opinion that the current  5 development, while it's not perfect and we have  6 some concerns, it offers a low impact to our  7 neighborhood, our Hobson Villas homeowners'  8 association.</p> <p>9 It is with this that the  10 Hobson Villas Homeowners' Association and the  11 Board of Directors does not oppose this  12 proposal to this proposed development as  13 presented by XSite.</p> <p>14 CHAIRMAN KARTHOLL: Okay, thank you,  15 sir. Next?</p> <p>16 MR. FITZGERALD: Hi, I'm Ryan  17 Fitzgerald, last name spelled  18 F-i-t-z-g-e-r-a-l-d. I'm a resident of  19 Rockford, Illinois, and I'm the owner of Market  20 Meadows Shopping Center here. I represent that  21 I'm a partner in that development.</p> <p>22 We redeveloped the Market  23 Meadows Shopping Center in 2020, went through  24 an extensive zoning process with the City of</p>	<p>Page 43</p> <p>Page 44</p> <p>1 self-storage. I'm here to tell you the  2 self-storage facility that I'm aware of is at  3 50 percent occupancy. I'm not sure there's  4 even a demand for self-storage in this market,  5 and it's been open for some time now.</p> <p>6 So the question is not do we  7 want to take it R-2 to B-2 with excessive floor  8 area ratio variances, but how do we want to  9 develop the parcel if we're making the best use  10 of our economics, like you're getting out of  11 this 140,000 square feet of development, you're  12 getting 700 square feet of retail. 700. That  13 number should be flipped.</p> <p>14 The traffic, you know you've  15 got nearly 30,000 cars passing through this,  16 I'm sure there are more retailers that could go  17 there that could benefit you and not make an  18 impact that would require a three-story  19 building.</p> <p>20 There's also acceleration/  21 deceleration lanes that have been brought up,  22 bringing kids, you're slowing down, going in  23 there, kids and coffee come at the same time,  24 that will be up to the folks at DUDOT.</p>

<p>1                   But the big concern is for  2 we don't know if there's really a demand here  3 for self-storage based on our experience, and  4 we don't know -- we don't really know what has  5 been asked of the developer, and we're a little  6 late to the party, but for instance, we were  7 only allowed to cover 10 percent of our  8 property. All loading of the self-storage had  9 to be done inside the building, so the car had  10 to drive in a garage door, unload there, haul  11 it, do everything internal. It was limited to  12 two stories, not three stories. So all of  13 those things were done to make it more  14 palatable to the neighbors.</p> <p>15                   There is no rental of moving  16 trucks, you don't want to see moving trucks out  17 here. Do you want access to exterior storage?  18 I don't know, that's up to you guys to decide.  19 And do you want semis coming here and loading  20 and unloading? I think that will be tough.  21 They didn't allow that. They restricted our  22 hours of operation, they restricted who could  23 be there, they restricted the rental, so I  24 think you have one shot to get zoning right.</p>	<p>Page 46</p> <p>1                   CHAIRMAN KARTHOLL: All right, and then  2 one more. Two more. Would you like to be  3 next, sir?</p> <p>4                   MR. SUDAN: That works.</p> <p>5                   CHAIRMAN KARTHOLL: Works for me.</p> <p>6                   MR. SUDAN: Hi, my name is Bob Sudan,  7 I'm a resident of Harbor Woods, Illinois, but I  8 am a partner in this self-storage facility that  9 Mr. Fitzgerald was talking about. That is our  10 facility which we run as an Extra Space  11 facility. I run facilities all across the  12 country and all across the world. So, it's a  13 beautiful facility, by the way.</p> <p>14                   You know, when I go and look  15 for self-storage to build, I look for barriers  16 to entry for a competition being able to come  17 in, and so when I see something that's zoned  18 residential, that's good because it's not going  19 to be a self-storage. So, we made a  20 substantial investment in our facility, and  21 Naperville. While the City Council did not  22 write a letter in opposition, the staff did  23 oppose this, thinking this was inconsistent  24 with their plan for the area.</p>
<p>1                   This isn't consistent with the long-range plan  2 of Naperville. It was B-1, they rejected it in  3 2016, I understand they are silent on it this  4 last time. I'm disappointed I didn't get a  5 chance to speak there, but we would speak out  6 in opposition as someone who's invested \$50  7 million in this community. We've had to live  8 with the --</p> <p>9                   CHAIRMAN KARTHOLL: Can you wrap it up  10 here?</p> <p>11                  MR. FITZGERALD: Yeah, I'm sorry, I  12 thought I had three minutes.</p> <p>13                  CHAIRMAN KARTHOLL: It's three  14 and-a-half right now.</p> <p>15                  MR. FITZGERALD: Sorry.</p> <p>16                  CHAIRMAN KARTHOLL: No, no.</p> <p>17                  MR. FITZGERALD: I don't want to waste  18 your time, but the development area that we  19 developed to that 0.25, and 0.66 is, you know,  20 really liberal.</p> <p>21                  CHAIRMAN KARTHOLL: Thank you, sir. If  22 you have substantial additional comments, you  23 can send them to us.</p> <p>24                  MR. FITZGERALD: Yeah, thank you.</p>	<p>Page 47</p> <p>1                   Now, the comprehensive plan  2 for development, I believe this is in conflict  3 with the comprehensive plan for redevelopment,  4 which is a standard for going to a special use.  5 So going changing the zoning, including a  6 special use or a conditional use I think it's  7 written, and to have such massive FAR changes  8 are a very large ask of you by them. And I've  9 been them, I've been that guy asking, so I've  10 been on the other side of this so this is a  11 little awkward for me. But this is not a  12 40,000-square foot self-storage facility, this  13 is a 40,000-square foot footprint, if I'm not  14 mistaken, which would make it almost 122,000-  15 square foot self-storage facility, which is  16 much bigger than ours, which at two years is at  17 about 40 percent economic occupancy.</p> <p>18                  So, this FAR that, if you  19 look at the Lot 3 that they have here, it's a  20 1.34 FAR. That's 520 percent of what's  21 allowed. And if they're going for a  22 conditional use, all I'm saying is it's a very  23 big ask and it's in conflict with the  24 comprehensive plan for development.</p>

<p style="text-align: right;">Page 50</p> <p>1 I'm not sure about this  2 Living Word, I only heard about this a few days  3 ago. And, full disclosure, my partner has  4 talked to someone in your group, I wasn't  5 involved in that, but we have talked to them  6 about what they were doing. But, anyway, that  7 is -- oh, there are -- I believe there's  8 exterior access doors, there's 32 doors, best  9 of my count, that access from the outside,  10 whereas ours is fully enclosed interior  11 self-storage. So there will be people with  12 their doors up, and people can see that from  13 the road and stuff. So, that's all I have.</p> <p>14 CHAIRMAN KARTHOLL: Thank you, sir.  15 Last speaker?</p> <p>16 MR. COOLIDGE: Good evening. I've never  17 been good at this part of life sometimes, you  18 could get a little queasy just even walking up.  19 Is the mic good, or no?</p> <p>20 CHAIRMAN KARTHOLL: Can you spell your  21 name?</p> <p>22 MR. COOLIDGE: Name is Max Coolidge, II,  23 C-o-o-l-i-d-g-e for the last name. I've spoken  24 before when it was the other storage facility.</p>	<p style="text-align: right;">Page 52</p> <p>1 fire that just knocked out one of them a couple  2 weeks ago. Talk about squatters.  3 Now, squatters are  4 squatters, we don't want them anywhere. Who  5 wants to light a fire in somebody's house? But  6 that would be, you know, watching the property  7 or whatever. I can't predict that. But being  8 that I've been against the one that I live  9 nextdoor, let me just say -- I'm sorry, I think  10 I gave the address, but this is going to be at  11 the far end of the subdivision where I reside  12 where I've resided for my entire life.  13 So, I do believe in these  14 gentleman's contention that, yes, you get one  15 shot, why not still try to go and figure out  16 what you're doing, because in my mind there has  17 been improprieties. I can discuss them, but  18 I'm not really feeling like I need to, on how  19 that parcel that I live nextdoor to was  20 approved in the first place.  21 I will add I have been  22 waiting patiently for three years for certain  23 information, and I've even brought it to the  24 State's Attorney's Office, the public access</p>
<p style="text-align: right;">Page 51</p> <p>1 I know the neighbors that are trying or that  2 were living there that are still a part of this  3 deal. I said at one time when they were  4 against the Walgreens building next to them  5 that I would be there for them. Now they're  6 trying to be a storage, and not that I was  7 against it, it was just the way that the  8 procedures have been done around here. I still  9 believe to this day there is procedures that  10 have been incorrect in parcels that are still  11 in the Hobson Homelands Subdivision Unit 2 as  12 it is. I believe the presenter, at least in my  13 belief, may be mistaken about that the  14 veterinary animal hospital has been zoned  15 commercial. I don't believe that that is the  16 case. I believe it has been used as commercial  17 under the principal arterial zoning use. We  18 can speak with Zoning to find out if this is  19 the case or not.</p> <p>20 Now I don't know if they  21 tried to go and do that usage in the last eight  22 years in those residences, because I'm unaware.  23 I do know they've been sitting vacant for many  24 years, that's for sure. I do know there was a</p>	<p style="text-align: right;">Page 53</p> <p>1 counselor, and they have stalled for over three  2 years on providing me, or at least they will  3 provide me, I should say. I haven't received  4 the statement on whether he determined should I  5 get the information or should I not on that  6 part of it in the first place.  7 Now, it doesn't sound like  8 it's something that's out of the ordinary,  9 storage facility, they're everywhere on every  10 arterial. Why it took Naperville to have to go  11 out of their way and do a special whole  12 planning unit development to change the planned  13 unit development to allow them was a  14 substantial amount of work, I'm sure it was,  15 but this has come after the Ferri had been  16 rejected in the first place.  17 There's a lot of interesting  18 -- I certainly agree that this whole area is a  19 mish mash, I absolutely agree. You're talking  20 cell towers, animal hospitals, residential.  21 You're talking -- if we keep going, like when  22 the Walgreens was approved, I had inquired what  23 happens next, what happens next, what happens  24 next? Eventually what's going to happen? Now</p>

<p style="text-align: right;">Page 54</p> <p>1 I'm still here. And what happens when this one  2 comes in and if you do three of them, and the  3 other gentleman that lives there, he passes and  4 somebody comes in, then there's only going to  5 be one house left. So then am I no longer a  6 subdivision? I will find that interesting.  7 I'm pretty sure a subdivision still contains  8 two parcels. But, that being said, I can't  9 give you a complete positive, I couldn't give  10 anybody a complete negative because I'm still  11 stuck in trying to figure out what's going on  12 in the first place.</p> <p>13                   Thank you very much for your  14 time.</p> <p>15                   CHAIRMAN KARTHOLL: Thank you.  16                   Mr. Luetkehans, before you  17 give a concluding statement, I'm going to ask  18 for a new site plan. The comments from some of  19 the speakers indicates I'm going to need some  20 details.</p> <p>21                   So, when you present your  22 new site plan, could you show a lot more  23 detail; any signage, the light posts that might  24 be in the area, any landscaping that's required</p>	<p>1 relevant.</p> <p>2                   CHAIRMAN KARTHOLL: We have known each  3 other for a while.</p> <p>4                   MR. LUETKEHANS: Let me kind of at least  5 respond to a couple of things here, and we'll  6 provide further information. I'm not sure it  7 will be an updated site plan or different  8 documents, but we will provide those to you,  9 because often times the lighting plan will just  10 stay separate.</p> <p>11                   There's this property, and  12 if you want a condition, we're not going to  13 rent moving trucks as was concerned by the  14 other gentleman. There is no exterior storage,  15 there is an exterior access on the south and  16 the east side, the south being backing up to  17 the ball fields but will not be seen by the  18 street or by anybody because of this location.  19 And this exterior access to specific units on  20 the lot on the east just backs up to a parking  21 lot where the Walgreens is. So, that's what's  22 occurring there.</p> <p>23                   The vet hospital is zoned  24 commercial in Naperville, I looked it up on the</p>
<p style="text-align: right;">Page 55</p> <p>1 on the site, and then the dimension and height  2 of these buildings.</p> <p>3                   And then next you have some  4 boards behind you which were not referred to in  5 the presentation and don't appear to be  6 exhibits that were presented in the course of  7 the presentation, so are you withdrawing them  8 or -- I mean we don't care about renderings.  9 What are they?</p> <p>10                  MR. LUETKEHANS: Well, I'll hand this  11 back when I'm done. The four next to me are  12 all exhibits except for this thing called sign.  13 It's a zoomed-in of this, so that's really kind  14 of irrelevant. The stuff over in the back --</p> <p>15                  CHAIRMAN KARTHOLL: Are you introducing  16 it as an exhibit?</p> <p>17                  MR. LUETKEHANS: No.</p> <p>18                  CHAIRMAN KARTHOLL: Okay, fine.</p> <p>19                  MR. LUETKEHANS: And the stuff in the  20 back, that's just in case residents had an  21 issue and wanted to see what it looked like.  22 So we have not introduced any of those either  23 because those are, as you've pointed out a  24 number of times in my career, are not really</p>	<p style="text-align: right;">Page 55</p> <p>1 GIS website just so you know, the one I'm  2 talking about.</p> <p>3                   So, we will present -- we'll  4 send you something, we'll get something here  5 within the next week to everybody, or we'll put  6 it in the portal within the next week, and  7 otherwise we would just ask that you again  8 finish with your recommendation that you  9 recommend this to the County Board.</p> <p>10                  Thank you.</p> <p>11                  CHAIRMAN KARTHOLL: You have the wetland  12 issue to resolve. And to be cautious, isn't it  13 prudent to set another public hearing for -- we  14 can't consider this at our August  15 recommendation meeting, which puts us into  16 September. I don't want to set it for  17 recommendation, no further public hearing, and  18 then find out that you have to republish. So  19 isn't it prudent to set another public hearing  20 to resolve the wetland issue, and if the issue  21 requires no change, then the public hearing  22 would last about five minutes because it would  23 exclusively be for the purpose of resolving the  24 wetland issue.</p>

<p>1 MR. LUETKEHANS: I'll try and speak  2 loudly because I know I don't have a mic, but  3 my feeling is on that issue is if there is no  4 wetland concern, we're going to have a --  5 there's no need for it; okay? If there is a  6 wetland concern, I think we may have to change  7 the site plan so much that we're going to have  8 to republish anyway. I'll leave that to Mr.  9 Hoss, but --</p> <p>10 CHAIRMAN KARTHOLL: You'll have to  11 republish?</p> <p>12 MR. LUETKEHANS: Yeah, because what's  13 published is the site plan and everybody's  14 aware of the site plan. I'll let Paul talk  15 about it, but it's beyond me.</p> <p>16 CHAIRMAN KARTHOLL: Okay, the site plan  17 is not published. If you needed some  18 additional variation or whatever, then yeah,  19 you'd have to republish, but just as they say  20 in an abundance of caution, why don't we just  21 set a public hearing to assume that this can be  22 resolved in the simplest way possible?</p> <p>23 COMMISSIONER ANDERSON: Bob, {inaudible}  24 --</p>	Page 58	Page 60 1 CHAIRMAN KARTHOLL: September 5. 2 Here's my suggestion, and it's up to you. We 3 could set this for an August 12 Tuesday night 4 follow-up public hearing. If that's not 5 necessary because there's nothing else to be 6 resolved, wetland is not an issue, no further 7 variations are required, then we'll simply move 8 it to September 5. If it is necessary, we'll 9 hold a brief public hearing August 12th -- I'm 10 sorry, August 13th. So what's your preference? 11 MR. LUETKEHANS: Well, if we're going to 12 have a September recommendation meeting anyway, 13 we might as well schedule it then. 14 CHAIRMAN KARTHOLL: Exactly. So I'm 15 going to set -- I'm going to continue the 16 public hearing until Tuesday, August 13 at 17 6:00, and we'll resolve only the wetland 18 issues. And if there are changes in the site 19 plan that do not require an additional 20 republication of this case, then we'll consider 21 the matter September 5 at our recommendation 22 meeting. That will be held at 5:30 in room 23 3500-B. 24 Thank you very much. Any
<p>1 THE COURT REPORTER: I can't hear you.</p> <p>2 COMMISSIONER ANDERSON: Put it on for  3 August 1st and [inaudible].</p> <p>4 CHAIRMAN KARTHOLL: I'm not going to put  5 it on for August 1st.</p> <p>6 COMMISSIONER ANDERSON: I think --</p> <p>7 CHAIRMAN KARTHOLL: Well, okay.</p> <p>8 COMMISSIONER ANDERSON: I'm just giving  9 my opinion.</p> <p>10 CHAIRMAN KARTHOLL: It's not going to be  11 on for August 1st.</p> <p>12 COMMISSIONER ANDERSON: Is that the  13 Chairman's rule?</p> <p>14 CHAIRMAN KARTHOLL: Yeah.</p> <p>15 What do you want to do, do  16 you want to set something in mid-August or --</p> <p>17 MR. LUETKEHANS: If we're not going on  18 till September, it might as well reset it.</p> <p>19 CHAIRMAN KARTHOLL: Well, your  20 development isn't going to go until next  21 spring, so I would set this for our September  22 recommendation meeting, which is either 5 or  23 12, which is it?</p> <p>24 MR. HOSS: 5.</p>	Page 59	Page 61 1 concluding remarks? 2 MR. LUETKEHANS: No, I think that's it. 3 Thank you. 4 CHAIRMAN KARTHOLL: That's it, we'll 5 close the hearing. 6 There's no old business, no 7 new business to be considered, so we'll 8 adjourn. Thank you. 9 (Which were all the 10 proceedings had and 11 testimony taken in the 12 above-entitled cause.) 13 14 15 16 17 18 19 20 21 22 23 24

1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF DU PAGE )  
4 I, LINDA M. CIOSEK, C.S.R.  
5 No. 084-2892, duly qualified and commissioned  
6 for the State of Illinois, County of DuPage, do  
7 hereby certify that at the request of the DU  
8 PAGE COUNTY ZONING BOARD OF APPEALS, subject to  
9 the usual terms and conditions of Veritext,  
10 testimony taken at the public hearing of the  
11 above-entitled cause, and that the foregoing  
12 transcript is a true, correct and complete  
13 report of the testimony so taken at the time  
14 and place hereinabove set forth.

15

16

17

18

*Linda M. Ciosek*

19 CERTIFIED SHORTHAND REPORTER

20

21 22 My Commission Expires:

23 July 26, 2026.

24

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<b>&amp; 2:2,4</b>		<b>42</b> 41:2 <b>421</b> 1:10	<b>8</b> 4:2
<b>0</b>			<b>9</b>
<b>0.25</b> 3:22 23:19 23:22 24:5 47:19	<b>20</b> 16:22 39:19 41:6	<b>5</b> 2:9 4:15,18 16:6 18:15 42:11 59:22,24 60:1,8,21	<b>90</b> 44:21
<b>0.66</b> 24:2 47:19	<b>2005</b> 41:1,7	<b>50</b> 13:19 45:3 47:6	<b>a</b>
<b>0.66.</b> 3:23	<b>2016</b> 9:19 13:4 47:3	<b>50's</b> 13:18	<b>a.m.</b> 10:18 24:24 25:10 31:4
<b>084-2892</b> 62:4	<b>2020</b> 43:23	<b>520</b> 49:20	<b>ability</b> 13:7 26:3
<b>1</b>	<b>2024</b> 1:6 3:2 4:2	<b>55</b> 40:24	<b>able</b> 13:5 17:14 18:23 48:16
<b>1</b> 2:9 4:13,18 47:2	<b>2026</b> 62:23	<b>5:30</b> 31:4 60:22	<b>above</b> 32:1 61:12 62:11
<b>1.34</b> 49:20	<b>21</b> 26:9 41:2		<b>absolutely</b> 53:19
<b>10</b> 46:7	<b>23</b> 1:6	<b>6</b>	<b>abundance</b> 58:20
<b>100</b> 32:22 37:24	<b>23rd</b> 3:2	<b>60</b> 44:21	<b>acceleration</b> 45:20
<b>100,000.00</b> 44:17	<b>24-053</b> 1:3 3:16	<b>6:00</b> 1:6 24:23 24:24 25:10 38:22 60:17	<b>acceptable</b> 42:17,19
<b>10:00</b> 10:18	<b>25</b> 32:21,21		<b>accepted</b> 42:24
<b>11:00</b> 10:19	<b>26</b> 62:23	<b>70</b> 16:12,17	<b>access</b> 17:7 28:6 46:17 50:8,9 52:24 56:15,19
<b>12</b> 32:7 59:23 60:3	<b>28180</b> 62:19	<b>700</b> 45:12,12	<b>accessible</b> 25:1
<b>122,000</b> 49:14	<b>29,000</b> 16:10,23	<b>75th</b> 5:16,18 6:22 11:2,8 12:22 14:4,8,9 14:10 16:10,18	<b>acre</b> 5:15 6:22
<b>12th</b> 60:9		17:14 37:4 40:22 41:4,5,6 41:8	<b>acres</b> 3:24
<b>13</b> 34:2 60:16	<b>3</b> 4:14 10:13 49:19	<b>7:00</b> 10:18	<b>actions</b> 19:19
<b>13th</b> 60:10	<b>30,000</b> 45:15		<b>active</b> 10:14
<b>14</b> 41:4	<b>32</b> 50:8		<b>actual</b> 9:12
<b>140,000</b> 45:11	<b>3500</b> 60:23		
<b>15</b> 44:19			
<b>1st</b> 59:3,5,11	<b>4</b> 2:9 3:23 4:15 6:22		
<b>2</b>	<b>4.725</b> 5:15		
<b>2</b> 1:3,3 3:17,17 4:13 5:10,10 5:13 8:18,19	<b>40</b> 16:23 49:17		

<b>actually</b> 10:3 15:1 30:14 34:5,7,14	<b>agree</b> 22:21 23:3 41:6 53:18,19	<b>appear</b> 55:5 <b>appears</b> 11:5,6 <b>appropriate</b> 15:9	<b>assume</b> 58:21 <b>attached</b> 12:5 <b>attorney</b> 6:13 6:20 23:7 35:20
<b>add</b> 52:21	<b>agreement</b> 7:23 27:11,18,19	<b>approve</b> 3:15 8:5	<b>attorney's</b> 52:24
<b>additional</b> 4:7 19:5,7 26:6 35:16 41:17 47:22 58:18 60:19	<b>ahead</b> 8:21 23:8	<b>approved</b> 20:4 20:7,24 52:20 53:22	<b>audience</b> 3:11 39:2
<b>address</b> 8:13 23:8 38:12 39:17 52:10	<b>air</b> 17:18	<b>approximate</b> 38:2	<b>august</b> 57:14 59:3,5,11,16 60:3,9,10,16
<b>adequate</b> 17:17	<b>allow</b> 27:15 46:21 53:13	<b>approximately</b> 3:23	<b>authority</b> 22:12 22:18
<b>adjacent</b> 17:18 18:20	<b>allowed</b> 46:7 49:21	<b>alternative</b>	<b>available</b> 12:21
<b>adjourn</b> 61:8		<b>area</b> 5:18 10:12 11:14,18,21,24	<b>aware</b> 21:2 45:2 58:14
<b>adjustments</b> 38:11		12:8 13:11,20 14:3,18 16:9 32:20 35:19,19	<b>awkward</b> 49:11
<b>administered</b> 4:24 40:4		36:10,13,14 45:8 47:18	<b>b</b>
<b>administration</b> 1:10		48:24 53:18 54:24	<b>b</b> 1:3 2:7 3:17 5:10,13 8:19 9:12 15:8,13 40:17 45:7 47:2 60:23
<b>adopted</b> 39:5,5		<b>arterial</b> 5:18 14:5 15:5	<b>back</b> 6:5 18:15 21:24 36:2 41:3,5 55:11 55:14,20
<b>adult</b> 34:17		18:12 51:17 53:10	<b>backdrop</b> 20:12 21:5
<b>advice</b> 23:6		<b>asked</b> 36:22 46:5	<b>backing</b> 10:21 56:16
<b>aerial</b> 4:14 10:13		<b>asking</b> 8:16,19 13:6 49:9	<b>backs</b> 14:8,9 56:20
<b>aesthetics</b> 7:22		<b>association</b> 40:8,11,18,20	
<b>affect</b> 7:12		41:22 42:7	
<b>age</b> 35:10		43:3,8,10	
<b>ages</b> 32:8 33:6		44:18	
<b>ago</b> 23:13 30:18 31:3 41:7 50:3 52:2			

<b>ball</b> 10:15 14:14 17:23 18:2 56:17	57:9 62:7	<b>burden</b> 19:7 <b>business</b> 3:17 5:11 25:9 61:6 61:7	<b>causing</b> 17:15 <b>caution</b> 58:20 <b>cautious</b> 57:12 <b>cell</b> 11:11 18:10 29:1,2,4,5,9,12 29:16,23 30:11 53:20
<b>barrier</b> 5:20 11:9,9 28:17	<b>boards</b> 55:4 <b>bob</b> 23:2 48:6 58:23	<b>bottlenecked</b> 38:8	<b>busy</b> 18:11 <b>c</b>
<b>barriers</b> 48:15	<b>boulevard</b> 44:8	<b>c</b> 40:20 50:23	<b>center</b> 3:20 5:4 6:1 9:8,9 24:12 32:6 35:10 36:12 43:20,23 44:20,21
<b>barry</b> 1:16	<b>boundary</b> 28:3	<b>c.s.r.</b> 1:12 62:3	<b>certain</b> 25:9 52:22
<b>based</b> 46:3	<b>brendel</b> 40:9,12 40:15,17	<b>call</b> 3:4,15 37:12	<b>certainly</b> 32:24 41:12 53:18
<b>beautiful</b> 48:13	<b>brett</b> 6:2,7,17	<b>called</b> 55:12	<b>certified</b> 62:20
<b>belief</b> 51:13	<b>brief</b> 60:9	<b>capacity</b> 32:22 37:23	<b>certify</b> 62:6
<b>believe</b> 7:22 21:6 24:1 25:21 32:21 49:2 50:7 51:9 51:12,15,16 52:13	<b>bringing</b> 45:22	<b>car</b> 34:7 46:9	<b>cetera</b> 19:12 25:6 32:9
<b>believes</b> 24:2	<b>broad</b> 27:9	<b>care</b> 3:20 6:1 6:24 7:5 9:8,9 24:12 26:18,19	<b>chain</b> 27:13
<b>benefit</b> 45:17	<b>brought</b> 10:4 21:18 45:21 52:23	32:6,15,17,19 35:10 37:23 55:8	<b>chairman</b> 1:15 3:1,10 4:20 5:2 5:6 6:14 7:6,11 8:7,12,17,20
<b>best</b> 14:24 44:23 45:9 50:8	<b>build</b> 18:23 48:15	<b>career</b> 55:24	21:14,21 22:1 22:6,9,23 23:3 24:10 25:7,12 25:17,22 26:5
<b>better</b> 6:16	<b>building</b> 1:10 9:2,3,4 17:20 17:21 20:20	<b>carl</b> 1:19	26:22 27:2,6 27:17,21 28:12
<b>beyond</b> 58:15	21:2 25:16,24	<b>cars</b> 38:5,21,22 45:15	28:16 29:1,8
<b>big</b> 36:9 46:1 49:23	25:24 33:16 34:18 41:2	<b>case</b> 3:13,15 5:4 15:15 20:7 23:12,14 34:23 39:3 51:16,19	29:11,17 30:5
<b>bigger</b> 49:16	45:19 46:9	55:20 60:20	30:8,17,21
<b>biggest</b> 16:21 33:19	51:4	<b>cases</b> 23:12	31:7,11,15,18
<b>bit</b> 8:10	<b>buildings</b> 9:14 18:4 19:9 41:2	<b>casey</b> 40:20	
<b>block</b> 36:4	41:3 55:2	<b>cause</b> 16:9 61:12 62:11	
<b>board</b> 1:1,8,14 3:3 8:4 21:10 23:6,13 36:11 36:21 39:1,5,6 42:8,10 43:11	<b>built</b> 11:17,19 17:23 19:10 41:1,7	<b>caused</b> 9:17 19:13	
	<b>bunch</b> 24:4		

31:24 32:4 33:2,5,12,18 34:12,16,20,22 35:3,9,15 36:19,24 37:20 38:24 40:6,10 40:13 43:14 47:9,13,16,21 48:1,5 50:14 50:20 54:15 55:15,18 56:2 57:11 58:10,16 59:4,7,10,14,19 60:1,14 61:4	<b>choose</b> 44:24 <b>church</b> 11:2 12:6 <b>ciosek</b> 1:12 62:3 <b>circulation</b> 27:24 28:8 <b>cited</b> 23:16 <b>city</b> 9:20,23,24 10:2 42:11 43:24 48:21 <b>clarification</b> 39:8 <b>classification</b> 5:13 12:16 13:15,17 15:6 <b>classifications</b> 11:23 12:1 <b>clear</b> 7:7 15:15 20:8 <b>clinic</b> 11:13 <b>close</b> 35:18 61:5 <b>closer</b> 15:3 <b>code</b> 25:3 <b>codes</b> 19:9 25:16 30:15 <b>coffee</b> 3:20 5:24	<b>cold</b> 31:14 <b>come</b> 7:23 14:13 21:24 34:4 41:9 45:23 48:16 53:15 <b>comes</b> 34:17 37:13 54:2,4 <b>comfort</b> 19:18 <b>coming</b> 38:5,6 38:6,22 46:19 <b>commenced</b> 4:12 <b>comment</b> 3:7 3:12 20:23 39:2,3 <b>comments</b> 4:3 35:18 38:10 39:10,12 47:22 54:18 <b>commercial</b> 10:17,22 12:9 12:10,24 13:21 14:4 16:2 23:21 24:3 51:15,16 56:24 <b>commercially</b> 11:11,13 12:2 <b>commission</b> 62:22 <b>commissioned</b> 1:13 62:4 <b>commissioner</b> 1:16,17,18,19 1:20,21 35:7	35:14,17 36:23 37:1,5,6,19,22 38:3,14 58:23 59:2,6,8,12 <b>committee</b> 21:10 <b>community</b> 40:24 41:9 47:7 <b>comparing</b> 16:23 <b>compatible</b> 35:22 <b>competition</b> 48:16 <b>complete</b> 54:9 54:10 62:12 <b>complies</b> 20:11 <b>comply</b> 19:2,9 20:15 <b>complying</b> 18:23 <b>composed</b> 41:1 <b>comprehensive</b> 15:22 49:1,3 49:24 <b>concern</b> 16:9 17:15 27:8 46:1 58:4,6 <b>concerned</b> 27:7 36:15 56:13 <b>concerning</b> 4:15 41:14 <b>concerns</b> 17:8 39:21 41:23
<b>chairman's</b> 59:13 <b>chance</b> 47:5 <b>change</b> 13:7 21:21 22:7 53:12 57:21 58:6 <b>changed</b> 17:4 24:5 30:17,19 <b>changes</b> 13:12 17:3,6,9 49:7 60:18 <b>changing</b> 23:24 49:5 <b>chapter</b> 15:20 <b>check</b> 30:2 32:23 <b>chicago</b> 32:20 <b>children</b> 32:22 <b>choice</b> 37:17 44:24	<b>classifications</b> 11:23 12:1 <b>clear</b> 7:7 15:15 20:8 <b>clinic</b> 11:13 <b>close</b> 35:18 61:5 <b>closer</b> 15:3 <b>code</b> 25:3 <b>codes</b> 19:9 25:16 30:15 <b>coffee</b> 3:20 5:24	<b>commercial</b> 10:17,22 12:9 12:10,24 13:21 14:4 16:2 23:21 24:3 51:15,16 56:24 <b>commercially</b> 11:11,13 12:2 <b>commission</b> 62:22 <b>commissioned</b> 1:13 62:4 <b>commissioner</b> 1:16,17,18,19 1:20,21 35:7	

43:6	<b>context</b> 14:17	<b>couple</b> 20:13	51:9
<b>concluding</b> 54:17 61:1	<b>continue</b> 41:24 60:15	38:23 52:1 56:5	<b>days</b> 25:11 50:2
<b>condition</b> 27:5 56:12	<b>contracts</b> 44:9	<b>course</b> 41:17 55:6	<b>deal</b> 17:6,8 51:3
<b>conditional</b> 1:3 3:18 5:12 18:5 20:5 21:8 22:15 23:15 24:11 29:13,22 30:10 49:6,22	<b>contribute</b> 44:17	<b>court</b> 22:12 59:1	<b>dealt</b> 23:18
<b>conditions</b> 62:8	<b>conversations</b> 20:18	<b>cover</b> 46:7	<b>decades</b> 11:18
<b>confirm</b> 33:12 38:2	<b>convincing</b> 20:9	<b>create</b> 19:7	<b>deceleration</b> 37:3,11 45:21
<b>conflict</b> 15:22 49:2,23	<b>coolidge</b> 50:16 50:22,22	<b>created</b> 28:3	<b>decide</b> 46:18
<b>consider</b> 24:11 57:14 60:20	<b>copy</b> 16:15	<b>crossing</b> 26:19 26:21	<b>decision</b> 15:14
<b>consideration</b> 28:20	<b>corner</b> 11:1 40:22	<b>current</b> 13:16 14:1 19:11 43:4	<b>decreases</b> 15:6
<b>considered</b> 15:14 30:12,16 61:7	<b>correct</b> 22:5 25:20 31:10 62:12	<b>currently</b> 9:11 9:13,16 13:8	<b>definitely</b> 26:1
<b>considering</b> 14:16 18:7	<b>council</b> 48:21	<b>cut</b> 44:8	<b>definition</b> 27:9
<b>consistent</b> 11:16 14:1 18:8 19:20 47:1	<b>counselor</b> 53:1	<b>d</b>	<b>degree</b> 28:7
<b>consists</b> 5:21	<b>count</b> 50:9	<b>d</b> 13:10 40:17 43:18 50:23	<b>delineate</b> 21:20
<b>constitutes</b> 27:10	<b>country</b> 48:12	<b>daily</b> 4:1	<b>delineated</b> 21:15,17,19
<b>contains</b> 54:7	<b>county</b> 1:1,8,9 1:10 3:3 4:5 5:14 7:2 15:16 18:21 19:23	<b>damages</b> 18:19	<b>demand</b> 45:4
<b>contention</b> 52:14	18:21 19:23 21:9,10 23:6 23:13,23 24:6 36:10,11 39:5	<b>dangerous</b> 19:14	46:2
	42:9,10,14,15 44:5 57:9 62:2 62:5,7	<b>date</b> 6:5	<b>denied</b> 9:21
	<b>county's</b> 15:17 15:22	<b>datzman</b> 2:2 3:9	<b>dennis</b> 1:21
		<b>daughter</b> 34:2	<b>department</b> 4:7
		<b>day</b> 3:20 6:1,24 7:5 9:8,8 10:19 16:10,22,22	4:9 20:23
		24:11 26:18,19 32:6,15,17,19 35:10 37:23	<b>departments</b> 4:4
			<b>depending</b> 10:19
			<b>desig</b> 26:8
			<b>designated</b> 37:8
			<b>designation</b> 14:23
			<b>desire</b> 42:13
			<b>detached</b> 12:4

<b>detail</b> 54:23	49:2,24 53:12	<b>diverse</b> 12:2,7	<b>e</b>
<b>detailed</b> 24:13	53:13 59:20	<b>14:2</b>	<b>e</b> 2:7 40:17,17
26:6	<b>developments</b>	<b>documents</b>	40:20 43:18
<b>details</b> 32:17	15:11 22:19	56:8	50:23
54:20	23:14,21	<b>dog's</b> 35:24	<b>earlier</b> 11:4
<b>detention</b> 28:4	<b>dialogue</b> 39:7	<b>doing</b> 35:22	16:4 19:11
28:5,13,13,21	41:24 42:4	50:6 52:16	23:18
<b>determined</b>	<b>difference</b> 7:13	<b>door</b> 46:10	<b>east</b> 9:1 10:16
42:13 53:4	22:2	<b>doors</b> 50:8,8,12	10:20,21 12:3
<b>detrimental</b>	<b>differences</b> 7:3	<b>double</b> 30:2	18:9 37:13
15:21	<b>different</b> 11:15	32:23	56:16,20
<b>develop</b> 13:8	29:4 38:19	<b>doubt</b> 17:19	<b>eastern</b> 26:15
42:14,16 44:6	41:7 56:7	<b>drive</b> 3:20 5:24	<b>economic</b> 49:17
45:9	<b>dimension</b> 55:1	9:5,7 16:13	<b>economics</b>
<b>developed</b> 13:6	<b>diminish</b> 18:4	26:16 46:10	45:10
13:21 14:24	<b>diminished</b>	<b>driving</b> 37:8	<b>eight</b> 51:21
36:15 47:19	14:21	<b>drop</b> 26:20	<b>either</b> 10:18
<b>developer</b> 6:9	<b>direction</b> 14:13	32:13,13 33:14	17:22 36:2
9:23 46:5	41:20	33:15,21 34:3	55:22 59:22
<b>developing</b>	<b>directly</b> 8:24	34:7,16	<b>electronics</b>
6:21 23:20	10:14,16 11:2	<b>dry</b> 28:13,15	10:24
<b>development</b>	40:23	<b>du</b> 1:1,8 62:2,6	<b>eligible</b> 35:11
1:3 3:19 5:12	<b>directors</b> 42:8	<b>dudot</b> 4:6	<b>embarked</b> 6:19
5:21 6:10,19	43:11	37:16,17 38:10	<b>employee</b> 25:8
6:20 9:2,20	<b>disappointed</b>	45:24	<b>employees</b>
10:6 12:23	47:4	<b>dudot's</b> 17:8	32:21
13:11,22 14:3	<b>disclosure</b> 50:3	<b>duly</b> 4:24 40:4	<b>enclosed</b> 50:10
14:4,17 15:2	<b>discuss</b> 41:9	62:4	<b>engage</b> 7:19
16:2 20:10	52:17	<b>dumpsters</b>	<b>entire</b> 52:12
21:10 22:20	<b>discussed</b> 5:7	31:21	<b>entitled</b> 61:12
24:3 40:24	<b>dissimilar</b> 12:7	<b>dupage</b> 1:9 3:3	62:11
41:10 42:19,23	<b>district</b> 3:18	5:14 7:2 15:16	<b>entrance</b> 14:8
42:24 43:5,12	5:11 10:8	18:21 19:23	14:10 37:13
43:21 44:15	15:13 42:10	44:5 62:5	<b>entry</b> 48:16
45:11 47:18			

<b>enumerated</b> 22:14 29:13,21	18:15 55:16	48:8,10,11,13 48:20 49:12,15 50:24 53:9	<b>find</b> 8:7 51:18 54:6 57:18
<b>especially</b> 14:12	4:12,18 5:7 55:6,12	<b>fact</b> 20:17	<b>fine</b> 33:13 55:18
<b>essence</b> 11:14 16:14 33:11	<b>exist</b> 26:1	<b>fairly</b> 35:18	<b>finish</b> 22:24 57:8
<b>essentially</b> 22:11	<b>existence</b> 22:3	<b>falls</b> 20:5	<b>fire</b> 9:18 19:5,8 19:9,10,13
<b>estate</b> 6:8,18	<b>existing</b> 10:9 10:11 12:16	<b>family</b> 9:13 12:20,24 13:21	52:1,5
<b>estuary</b> 36:12	<b>exists</b> 20:10	<b>far</b> 1:4 3:22	<b>first</b> 8:15 21:14 24:16 39:24
<b>et</b> 19:12 25:6 32:9	<b>expense</b> 19:5	15:10 20:22	40:14 42:1
<b>evening</b> 3:2,13 50:16	<b>experience</b> 46:3	22:11 23:17,17	52:20 53:6,16 54:12
<b>eventually</b> 53:24	<b>expires</b> 62:22	23:22 26:18	<b>fit</b> 21:4
<b>everybody</b> 20:3 39:13 57:5	<b>expressed</b> 41:22	49:7,18,20 52:11	<b>fitzgerald</b> 43:16,17 47:11 47:15,17,24 48:9
<b>everybody's</b> 58:13	<b>extensive</b> 43:24	<b>farm</b> 1:10	<b>five</b> 4:12 18:18 30:18 33:8
<b>evidence</b> 20:9	<b>extent</b> 14:20	<b>favorably</b> 8:5	57:22
<b>exactly</b> 60:14	<b>exterior</b> 46:17	<b>feel</b> 42:3,15	<b>flies</b> 30:22
<b>except</b> 55:12	50:8 56:14,15	<b>feeling</b> 52:18 58:3	<b>flipped</b> 45:13
<b>exception</b> 4:6 23:17	56:19	<b>feet</b> 45:11,12	<b>flood</b> 18:19
<b>exceptions</b> 3:21 22:16	<b>extra</b> 48:10	<b>fence</b> 26:23,24 28:4	<b>floor</b> 45:7
<b>excessive</b> 45:7	<b>f</b>	<b>fenced</b> 24:18,19	<b>flow</b> 38:7,11,13
<b>exchange</b> 44:13	<b>facilities</b> 24:22 27:14 39:21 48:11	<b>fencing</b> 28:21	<b>folks</b> 45:24
<b>exclusive</b> 26:11	<b>facility</b> 3:20 5:23 6:23 7:1	<b>ferri</b> 53:15	<b>follow</b> 60:4
<b>exclusively</b> 57:23	9:3 10:22	<b>field</b> 14:14	<b>following</b> 3:21
<b>excuse</b> 16:22	16:20 17:21	<b>fields</b> 10:15 17:24 18:2	<b>food</b> 31:12,14
<b>exhibit</b> 10:13 16:6 17:11	24:13,16,20 26:10,12,15	56:17	<b>foot</b> 49:12,13 49:15
	27:8,11,22 28:2,6,18	<b>figure</b> 52:15 54:11	<b>footprint</b> 49:13
	41:15 45:2	<b>filed</b> 17:5	
		<b>financial</b> 42:20 42:21	

<b>foregoing</b> 62:11	<b>gentleman's</b> 52:14	56:12 58:4,7 59:4,10,17,20 <b>getting</b> 45:10 45:12	<b>haul</b> 46:10 <b>hazardous</b> 27:9 27:10
<b>forgive</b> 7:7	<b>gis</b> 57:1	<b>good</b> 35:21 42:2,3 48:18 <b>give</b> 6:3 8:23 54:9,9,17	<b>health</b> 4:6 19:17 20:23
<b>forma</b> 27:19	<b>given</b> 13:24 19:19 28:21 44:14	50:16,17,19 <b>governed</b> 44:10 <b>grab</b> 25:2 36:6	<b>hear</b> 3:13 59:1 <b>heard</b> 11:4 20:2 50:2
<b>forth</b> 62:14	<b>grandfathered</b> 29:19	<b>grandfathered</b> 29:19	<b>hearing</b> 4:12 22:4 57:13,17
<b>four</b> 5:19 11:8 18:13 30:18 33:8 35:23 39:4 55:11	<b>giving</b> 59:8	<b>gratuitous</b> 23:9	57:19,21 58:21
<b>frankly</b> 23:5	<b>go</b> 5:4 8:15,19 8:20,22 16:3 18:15 23:8 26:3,17 34:14	<b>greater</b> 28:7	60:4,9,16 61:5 62:10
<b>frequently</b> 22:11	34:15 36:2,2,3 36:6 37:4,12	<b>group</b> 40:7,8 50:4	<b>heck</b> 19:13
<b>front</b> 5:4 16:11 17:11 25:1 33:16 34:6,9	38:18 39:1 40:14 45:16 48:14 51:21	<b>guess</b> 31:17	<b>heffner</b> 20:18
<b>full</b> 20:1 50:3	52:15 53:10 59:20	<b>guessing</b> 31:13	<b>height</b> 41:14 55:1
<b>fully</b> 50:10	<b>goes</b> 33:20 42:19	<b>guy</b> 49:9	<b>held</b> 60:22
<b>further</b> 10:20 39:8 56:6 57:17 60:6	<b>going</b> 6:3,4 8:12,14 9:5 10:20 18:22 21:1 26:20 36:7 37:3 38:7 38:8 39:13 44:2 45:22	<b>guys</b> 44:5 46:18	<b>help</b> 7:23
	48:18 49:4,5 49:21 52:10 53:21,24 54:4 54:11,17,19	<b>h</b>	<b>herald</b> 4:1
<b>g</b>	<b>h</b> 2:7	<b>half</b> 26:15 47:14	<b>hereinabove</b> 62:14
<b>g</b> 43:18 50:23	<b>goes</b> 33:20 42:19	<b>hand</b> 40:2 55:10	<b>hernandez</b> 6:10 6:20
<b>garage</b> 46:10	<b>going</b> 6:3,4 8:12,14 9:5 10:20 18:22 21:1 26:20 36:7 37:3 38:7 38:8 39:13 44:2 45:22	<b>handed</b> 16:17	<b>hi</b> 43:16 48:6
<b>garbage</b> 31:20 31:20	48:18 49:4,5 49:21 52:10 53:21,24 54:4 54:11,17,19	<b>hands</b> 4:22	<b>higher</b> 11:7
<b>general</b> 3:17 5:11 10:11 11:24 13:11 15:19 19:18,22 32:11		<b>happen</b> 53:24	<b>highest</b> 14:24
<b>generates</b> 16:21		<b>happens</b> 53:23 53:23,23 54:1	<b>highlight</b> 6:12 7:3,18
<b>gentleman</b> 54:3 56:14		<b>happy</b> 21:12	<b>highlighted</b> 16:15,16
		<b>harbor</b> 48:7	<b>highly</b> 15:9
		<b>harmonious</b> 15:23 16:1	<b>highway</b> 35:23
		<b>harmony</b> 15:19	<b>highways</b> 18:15

<b>history</b> 6:4	<b>house</b> 14:10,11 43:1 52:5 54:5	<b>including</b> 13:12 15:16 49:5	<b>interesting</b> 53:17 54:6
<b>ho</b> 11:3	<b>hugely</b> 7:16	<b>inconsistent</b> 48:23	<b>interior</b> 50:10
<b>hoa</b> 7:20,24 8:1 9:23	<b>hundred</b> 38:5 38:20	<b>incorrect</b> 51:10	<b>internal</b> 17:7 28:8 38:15 46:11
<b>hobson</b> 7:20 11:3,19 13:23 14:7,12 36:8 40:18,21 42:7 42:18 43:7,10 44:18 51:11	<b>hurdle</b> 23:4	<b>increase</b> 1:4 3:22 18:14,19	<b>intersection</b> 6:22
<b>hold</b> 60:9	<b>hurry</b> 39:14	<b>increased</b> 36:5	<b>introduced</b> 55:22
<b>home</b> 9:14 10:21	<b>i</b>	<b>incur</b> 19:4	<b>introducing</b> 55:15
<b>homelands</b> 51:11	<b>identification</b> 4:19	<b>indicates</b> 54:19	<b>invested</b> 47:6
<b>homeowners</b> 40:7,11,18,19 41:22 42:7,18 43:3,7,10 44:18	<b>iepa</b> 20:24	<b>indicating</b> 3:4	<b>investment</b> 48:20
<b>homes</b> 13:1	<b>ii</b> 50:22	<b>indoor</b> 5:23 24:20 25:5	<b>invites</b> 22:20
<b>honestly</b> 26:13	<b>illinois</b> 1:11,13 43:19 48:7 62:1,5	<b>infant</b> 33:8	<b>involved</b> 50:5
<b>hope</b> 8:4	<b>immediately</b> 12:3	<b>infelise</b> 2:2 3:9	<b>irrelevant</b> 55:14
<b>hopefully</b> 8:2	<b>impact</b> 42:21 43:3,6 45:18	<b>information</b> 4:8 24:14 26:7 33:1 52:23 53:5 56:6	<b>issue</b> 20:19 32:12 33:19,20 35:2 38:12
<b>hospital</b> 51:14 56:23	<b>impair</b> 17:17 17:20 19:17,22	<b>inhabitants</b> 19:19,23	42:15 55:21
<b>hospitals</b> 53:20	<b>important</b> 7:14 7:16 18:6 36:13	<b>injurious</b> 15:20	57:12,20,20,24
<b>hoss</b> 2:4 30:7 30:11,19 58:9 59:24	<b>impressed</b> 41:19	<b>input</b> 41:21	58:3 60:6
<b>hours</b> 25:1,9 30:24 31:3,6 32:6,15 33:21 38:23 41:16,16 46:22	<b>improprieties</b> 52:17	<b>inquire</b> 32:12	<b>issues</b> 60:18
	<b>improve</b> 7:23	<b>inquired</b> 53:22	<b>ite</b> 16:19
	<b>inaudible</b> 7:4,9 35:8 58:23 59:3	<b>inside</b> 9:6 10:24 26:17 46:9	<b>j</b>
	<b>include</b> 30:9 31:11	<b>insignificant</b> 16:24	<b>jack</b> 1:17
		<b>instance</b> 46:6	<b>janice</b> 1:18
		<b>intended</b> 12:20	<b>jerry</b> 8:1 40:16
		<b>intent</b> 15:19	<b>jessica</b> 2:2
		<b>interchanged</b> 10:23	<b>jewel</b> 44:7
			<b>july</b> 1:6 3:2 4:2 62:23

<b>k</b>	<b>kind</b> 6:4 8:9 12:11,17 14:18 17:7 18:16 23:19 24:6 26:20 27:15 31:12 38:12 55:13 56:4 <b>kitchen</b> 31:18 <b>kloa</b> 4:16 16:8 18:16 38:16 <b>knocked</b> 52:1 <b>know</b> 6:24 7:18 7:23 8:19 11:19 15:11 18:21 21:12 23:24 26:19 28:19 32:8 33:5,7 34:22 36:4 37:9 38:18 39:19,22 45:14 46:2,4,4 46:18 47:19 48:14 51:1,20 51:23,24 52:6 57:1 58:2 <b>known</b> 56:2  <b>l</b>	<b>landscape</b> 11:9 <b>landscaped</b> 5:20 <b>landscaping</b> 54:24 <b>lane</b> 34:6,11 35:23 37:3,8 37:12 <b>lanes</b> 5:19,19 11:9 45:21 <b>large</b> 12:6 49:8 <b>largest</b> 9:3 16:21 17:20 <b>late</b> 46:6 <b>lately</b> 15:12 <b>law</b> 15:15 23:12,14 <b>lease</b> 44:7 <b>leave</b> 58:8 <b>left</b> 32:2 54:5 <b>length</b> 14:15 <b>letter</b> 48:22 <b>letting</b> 24:8 <b>liability</b> 35:2 <b>liberal</b> 47:20 <b>life</b> 50:17 52:12 <b>light</b> 17:18 52:5 54:23 <b>lighted</b> 25:12 <b>lighting</b> 25:18 26:4 41:15 56:9 <b>limited</b> 39:10 46:11	<b>linda</b> 1:11 62:3 <b>line</b> 17:24 <b>lisle</b> 3:24 5:17 <b>listed</b> 5:12 <b>lit</b> 25:14,15 <b>little</b> 5:8 6:21 8:10 32:16,18 46:5 49:11 50:18 <b>live</b> 35:18 39:19 47:7 52:8,19 <b>lives</b> 54:3 <b>living</b> 15:14 20:1,5,6 22:10 23:4,16 36:12 50:2 51:2 <b>loading</b> 46:8,19 <b>located</b> 5:15 11:1 40:21 <b>location</b> 12:22 15:5 56:18 <b>locations</b> 32:20 <b>locked</b> 25:4 <b>long</b> 35:10 36:16 44:10 47:1 <b>longer</b> 54:5 <b>look</b> 10:12 18:6 27:18 29:24 36:13 37:6 38:9 48:14,15 49:19 <b>looked</b> 30:2 55:21 56:24
<b>keep</b> 53:21 <b>ketter</b> 1:16 <b>kid</b> 34:8,9,15 <b>kids</b> 32:8 34:5 35:1,9 37:24 45:22,23	<b>l</b> <b>1</b> 40:17 43:18 50:23 <b>15</b> 30:20 <b>lack</b> 13:2,7 26:3 <b>laid</b> 6:21 <b>land</b> 14:17 18:4		

<b>looking</b> 23:24 37:2 <b>looks</b> 8:4 10:22 11:18 37:7 <b>lot</b> 14:11 15:12 17:23 19:13 21:13 24:13,21 25:15 32:2,3 39:12 49:19 53:17 54:22 56:20,21 <b>loudly</b> 58:2 <b>love</b> 36:5 <b>low</b> 43:6 <b>luetkehans</b> 5:3 5:6 7:15 8:9,14 8:18,22 21:16 21:23 22:5,8 22:22 23:1,10 24:19 25:10,14 25:20,23 26:13 26:24 27:4,13 27:20 28:10,15 28:24 29:7,9 29:15 30:1 31:2,10,13,17 31:22 32:2,15 33:10,17,23 37:15 38:1,16 54:16 55:10,17 55:19 56:4 58:1,12 59:17 60:11 61:2	<b>m</b> <b>m</b> 1:11 62:3 <b>made</b> 17:10 48:19 <b>main</b> 7:18 15:23 <b>major</b> 5:18 14:5 15:5 18:11 <b>make</b> 3:12 14:11 17:12 22:22 27:5 28:9 31:19 38:10 39:3 45:17 46:13 49:14 <b>making</b> 19:20 38:13 45:9 <b>managed</b> 25:8 <b>managing</b> 44:22 <b>marked</b> 4:19 <b>market</b> 43:19 43:22 45:4 <b>mash</b> 11:15 53:19 <b>massive</b> 49:7 <b>material</b> 22:2 27:15 <b>materially</b> 22:7 <b>materials</b> 27:9 27:10 <b>matter</b> 4:1 60:21	<b>max</b> 50:22 <b>meadows</b> 43:20 43:23 <b>mean</b> 26:13 55:8 <b>means</b> 37:9 <b>median</b> 5:20 11:9,10 <b>meet</b> 41:18 <b>meeting</b> 3:2,4 42:1 57:15 59:22 60:12,22 <b>meetings</b> 7:21 <b>meets</b> 21:6 <b>member</b> 36:21 37:21 <b>members</b> 1:14 3:5 36:13 42:10 <b>memo</b> 23:11 <b>mentioned</b> 20:14 <b>mic</b> 50:19 58:2 <b>michael</b> 16:8 <b>microphone</b> 6:15 <b>mid</b> 59:16 <b>middle</b> 9:4 24:5 <b>miles</b> 39:20 <b>million</b> 44:19 47:7 <b>mind</b> 52:16 <b>mindset</b> 41:8 <b>mine</b> 7:6 16:16 35:14	<b>miniscule</b> 17:1 <b>minutes</b> 3:14 39:11 47:12 57:22 <b>mish</b> 11:15 53:19 <b>mistaken</b> 49:14 51:13 <b>modest</b> 9:13 10:21 <b>modified</b> 38:17 41:23 <b>monitored</b> 24:21 <b>month</b> 34:2 <b>months</b> 23:13 32:7 <b>morals</b> 19:18 <b>moran</b> 1:21 3:5 <b>morning</b> 10:18 34:3 38:4 <b>move</b> 60:7 <b>moves</b> 8:5 <b>moving</b> 46:15 46:16 56:13 <b>multi</b> 13:21 <b>municipalities</b> 4:5 <b>murphy</b> 1:17 37:21,22 38:3 38:14,17 <b>musings</b> 28:9
--	--	--	---

<b>n</b>	<b>18:6 36:3 43:7</b>	<b>o</b>	<b>old 25:5 33:9</b>
<b>n</b> 40:17	<b>neighboring</b>	<b>o</b> 50:23,23	34:2 61:6
<b>name</b> 6:7,17	4:5	<b>oaks</b> 44:18	<b>older</b> 18:1
39:16,16 43:17	<b>neighbors</b>	<b>oath</b> 4:23 40:3	40:24
48:6 50:21,22	18:10 42:3,4	<b>object</b> 10:3,5,6	<b>once</b> 39:6
50:23	46:14 51:1	<b>objection</b> 4:8	<b>one's</b> 18:22
<b>ナー</b> 44:8	<b>never</b> 50:16	<b>objections</b> 4:4	<b>open</b> 10:17
<b>ナーブル</b> 5:17	<b>new</b> 14:11 22:4	<b>objectives</b> 7:18	18:9 45:5
9:20,24,24	24:21 29:14,15	<b>obsolete</b> 24:7	<b>operation</b> 31:1
10:2,7,17	29:18 54:18,22	<b>obviously</b>	31:3 32:6
12:10 42:12	61:7	12:12 18:20	41:16 46:22
44:1,6,23 47:2	<b>nextdoor</b> 39:18	20:15,19 34:3	<b>operations</b>
48:21 53:10	52:9,19	<b>occupancy</b>	41:16
56:24	<b>nice</b> 11:7 36:9	44:20 45:3	<b>operator</b> 32:18
<b>narrative</b> 4:14	<b>night</b> 10:19	49:17	32:23
12:17 19:24	34:4 60:3	<b>occupied</b> 9:16	<b>opinion</b> 43:4
<b>natural</b> 28:3	<b>normal</b> 36:14	<b>occurring</b>	59:9
<b>near</b> 5:16 11:17	<b>north</b> 1:10	56:22	<b>opportunities</b>
<b>nearly</b> 45:15	18:11 26:10,10	<b>offers</b> 43:6	41:13
<b>necessary</b> 30:9	33:16 40:23	<b>office</b> 52:24	<b>opportunity</b>
60:5,8	<b>northeast</b> 11:1	<b>officially</b> 40:10	40:16 41:18
<b>necessitated</b>	<b>northwest</b>	<b>officials</b> 42:8,9	42:6
22:2	40:22	42:9,12	<b>oppose</b> 43:11
<b>need</b> 26:14	<b>notary</b> 1:12 5:1	<b>oh</b> 30:21 31:24	48:23
32:11 52:18	40:5	50:7	<b>opposed</b> 36:6
54:19 58:5	<b>number</b> 11:22	<b>okay</b> 3:14 5:2	<b>opposition</b> 47:6
<b>needed</b> 58:17	13:10 15:18	7:17 8:20	48:22
<b>needs</b> 36:14	18:3,18 19:4	21:14 25:17,22	<b>order</b> 3:4
<b>negative</b> 42:20	19:16 22:10	27:20 28:24	<b>ordinance</b>
54:10	24:2 32:19	32:4 37:19	12:19 13:18
<b>negatively</b> 43:2	44:15 45:13	38:24 39:4	18:21 21:7
43:2	55:24	40:6 43:14	22:15 25:24
<b>neighbor</b> 39:19	<b>numerous</b>	55:18 58:5,16	<b>ordinances</b>
15:21,24,24	22:20 41:13	59:7	15:16 18:24
			19:1 26:1

<b>ordinary</b> 53:8	44:1 50:17	<b>perfect</b> 43:5	<b>planned</b> 1:3
<b>originally</b> 17:5	51:2 53:6	<b>perimeter</b>	3:19 5:11,21
<b>ought</b> 28:20		26:23	9:2 15:11
29:21		<b>period</b> 38:23	22:19,20 23:14
<b>outdoor</b> 33:2		<b>permit</b> 20:20	23:21 53:12
<b>outside</b> 11:6		<b>permits</b> 21:2	<b>planning</b> 2:2,4
36:17 50:9		25:24	10:7 53:12
<b>overcome</b> 20:9		<b>permitted</b> 3:22	<b>plans</b> 41:24
23:5		12:15	<b>playground</b>
<b>overview</b> 8:24		<b>petition</b> 3:8,16	33:3
<b>own</b> 17:9 22:9		4:15 36:20	<b>please</b> 5:5 6:3
<b>owner</b> 43:19		<b>petitioner</b> 4:11	39:24 40:1
<b>p</b>		4:21,21 39:9	<b>plenty</b> 36:8
<b>p.m.</b> 1:6 24:24		<b>petitioner's</b> 2:9	<b>plus</b> 38:6
25:10 31:4		4:14,17	<b>point</b> 8:3 21:17
32:16		<b>phil</b> 6:12	30:22
<b>page</b> 1:1,8 2:8		<b>pick</b> 32:13,14	<b>pointed</b> 35:20
20:1 62:2,7		33:15,22 34:4	55:23
<b>palatable</b> 46:14		34:4,13,15,17	<b>pond</b> 28:4,5,13
<b>parcel</b> 5:16		<b>place</b> 13:13	28:22
6:22 11:12		36:6 44:23	<b>portal</b> 57:6
26:16 45:9		52:20 53:6,16	<b>portfolio</b> 44:22
52:19		54:12 62:14	<b>positive</b> 54:9
<b>parcels</b> 9:17		<b>placed</b> 13:14,16	<b>possibility</b> 4:10
12:3 51:10		<b>plan</b> 4:13 7:22	<b>possible</b> 58:22
54:8		15:23 17:4	<b>posts</b> 54:23
<b>parent</b> 34:17		21:22 22:7	<b>potential</b> 18:19
<b>park</b> 12:6 34:7		25:19 27:3	<b>predict</b> 52:7
34:8,14		32:1 36:10	<b>preference</b>
<b>parking</b> 17:23		47:1 48:24	22:16 29:23
25:15 26:8,9		49:1,3,24	60:10
26:14,21 31:23		54:18,22 56:7	<b>preferred</b>
56:20		56:9 58:7,13	22:13,18
<b>part</b> 12:12		58:14,16 60:19	<b>prepared</b> 27:12
29:22 42:14			31:16

<b>preschool</b> 33:10	<b>procedures</b> 51:8,9	<b>proposed</b> 5:20 13:24 16:8	<b>puts</b> 57:15
<b>present</b> 1:14 2:1 3:5,6 5:4 13:14 54:21 57:3	<b>proceed</b> 21:20 <b>proceedings</b> 1:7 61:10 62:9	<b>proceed</b> 18:5,8 20:10 22:14 24:14 40:23 41:10 43:12	<b>q</b>
<b>presentation</b> 7:13,14 36:18 55:5,7	<b>process</b> 6:11 41:10 43:24	<b>proposing</b> 5:10	<b>qualified</b> 1:12 62:4
<b>presented</b> 4:11 7:1 23:12 43:13 55:6	<b>productive</b> 42:5	<b>protection</b> 19:5 19:8	<b>quality</b> 37:10
<b>presenter</b> 51:12	<b>prohibited</b> 15:1	<b>provide</b> 53:3 56:6,8	<b>quarter</b> 3:24
<b>presenting</b> 7:8	<b>prohibits</b> 14:23	<b>provided</b> 5:7	<b>quarters</b> 20:1
<b>president</b> 6:8 6:18 8:1 40:17	<b>project</b> 8:5,8 21:6 35:21	<b>providing</b> 53:2	<b>queasy</b> 50:18
<b>presume</b> 3:10 32:7	<b>properties</b> 12:5 13:3 44:22	<b>prudent</b> 57:13 57:19	<b>question</b> 10:12 11:24 12:15 13:12,14 18:7 28:2 36:21 37:1,22 42:16 44:4 45:6
<b>presumption</b> 20:9	<b>property</b> 5:22 7:24 9:1,15	<b>public</b> 1:12 3:7 3:12 12:21	<b>questions</b> 21:11 24:15 27:22,23 35:13,16 36:17 36:20 37:21 39:1,7
<b>pretty</b> 13:15 38:20 54:7	10:11,12,13 11:10,23,24	15:21 18:14 19:5,17 22:4	<b>queuing</b> 17:7 17:12
<b>principal</b> 51:17	12:4,15 13:2,3 13:12,14,16	30:12,13,16 39:1 52:24	<b>quick</b> 8:23 21:13
<b>prior</b> 7:14 9:19 17:4	14:1,16,21 15:7,7 16:11	57:13,17,19,21 58:21 60:4,9	<b>quite</b> 6:11
<b>pro</b> 27:19	16:11 17:18	60:16 62:10	<b>r</b>
<b>probably</b> 10:1 11:18 13:18 15:2 16:15 26:6 30:20 33:18 38:21 39:9	18:2,9,20 19:12,16 21:4	<b>published</b> 4:1 58:13,17	<b>r</b> 1:3 3:17 5:10 8:18 12:18,19 14:22 15:5,8 40:17 43:18 45:7
<b>problem</b> 17:13 19:22	26:23 30:14 39:18 42:14,16 44:3,7,10 46:8 52:6 56:11	<b>pull</b> 36:1,1 37:7 <b>purpose</b> 15:19 57:23	<b>rahman</b> 1:20
	<b>property's</b> 12:22	<b>purview</b> 24:1 <b>pushing</b> 24:4	<b>raise</b> 4:22 40:2 44:23
	<b>proposal</b> 7:4 10:5 43:12	<b>put</b> 14:7 19:15 44:19 57:5 59:2,4	

<b>raised</b> 33:19	<b>referred</b> 55:4	<b>reported</b> 62:9	<b>residential</b> 9:14
<b>range</b> 24:23	<b>regard</b> 41:20	<b>reporter</b> 59:1	11:12,17,21
47:1	<b>regulate</b> 28:8	62:20	12:5,11,24
<b>rate</b> 19:1	30:15	<b>represent</b> 40:7	13:23 14:7
<b>ratio</b> 45:8	<b>regulation</b> 35:1	42:11 43:20	48:18 53:20
<b>rationale</b> 22:13	35:4,6	<b>representing</b>	<b>residents</b> 7:19
22:17	<b>regulations</b>	40:11	41:5,14,21
<b>readily</b> 12:21	19:2	<b>republication</b>	55:20
<b>real</b> 6:8,18	<b>rehabbing</b>	60:20	<b>resolution</b> 10:3
21:13 42:15	44:19	<b>republish</b>	<b>resolve</b> 20:19
<b>really</b> 10:24	<b>reiterate</b> 8:2	57:18 58:8,11	23:6 28:22
11:16 12:17	<b>rejected</b> 47:2	58:19	57:12,20 60:17
13:7 14:6,10	53:16	<b>request</b> 3:16	<b>resolved</b> 58:22
17:12 34:5,6,8	<b>relate</b> 22:19	9:12 30:9 62:6	60:6
35:20 36:12	<b>relates</b> 27:23	<b>requested</b>	<b>resolving</b> 57:23
37:16 39:11	<b>relating</b> 4:9,16	29:21	<b>respect</b> 30:23
46:2,4 47:20	<b>relation</b> 39:17	<b>requests</b> 8:13	32:5
52:18 55:13,24	<b>relatively</b> 13:22	<b>require</b> 4:7	<b>respond</b> 24:9
<b>reason</b> 37:14	<b>release</b> 19:1,3	20:7 45:18	56:5
44:12	<b>relevant</b> 56:1	60:19	<b>restrict</b> 28:5
<b>received</b> 53:3	<b>relief</b> 19:6,8	<b>required</b> 54:24	<b>restricted</b>
<b>recent</b> 13:22	<b>remark</b> 23:9	60:7	33:15,22 46:21
<b>recently</b> 21:18	<b>remarks</b> 61:1	<b>requires</b> 4:6	46:22,23
<b>recommend</b>	<b>remember</b>	57:21	<b>restrictions</b>
21:9 57:9	38:18	<b>requiring</b>	14:22 44:16
<b>recommendat...</b>	<b>renderings</b>	37:16	<b>retail</b> 45:12
57:8,15,17	55:8	<b>rescue</b> 19:6,8	<b>retailers</b> 45:16
59:22 60:12,21	<b>rent</b> 56:13	<b>reset</b> 59:18	<b>reviewed</b> 30:6
<b>record</b> 23:11	<b>rental</b> 46:15,23	<b>reside</b> 52:11	<b>rezone</b> 5:10
<b>recreational</b>	<b>repeat</b> 12:18	<b>resided</b> 52:12	<b>rezoned</b> 44:3
10:15	<b>repetitive</b>	<b>residences</b>	<b>rezoning</b> 1:3
<b>redeveloped</b>	39:12	12:20 51:22	3:17 8:13
43:22	<b>report</b> 4:16	<b>resident</b> 43:18	10:10 20:4,4
<b>redevelopment</b>	16:12 62:13	48:7	21:7 44:4
49:3			

<b>right</b> 8:20 24:10 25:19 26:22 29:6 46:24 47:14 48:1 <b>road</b> 1:11 5:16 14:5 16:24 18:12 36:7 37:10 50:13 <b>roadway</b> 5:19 <b>robert</b> 1:15 <b>rockford</b> 43:19 <b>room</b> 60:22 <b>rough</b> 35:19 <b>row</b> 5:4 <b>rule</b> 59:13 <b>rules</b> 39:4,5 <b>run</b> 48:10,11 <b>ryan</b> 43:16	<b>se</b> 30:14 <b>second</b> 5:9 16:7 17:16 18:22 31:2,3 <b>secretary</b> 40:19 <b>secured</b> 24:18 24:20 <b>security</b> 28:20 <b>see</b> 27:24 29:1 34:6,12,20 37:2 46:16 48:17 50:12 55:21 <b>seeking</b> 41:21 <b>seem</b> 22:18 <b>seemed</b> 37:18 <b>seems</b> 28:19 29:12,20 37:11 <b>seen</b> 10:1 13:20 17:3 18:8 56:17 <b>self</b> 3:19 5:23 6:23 7:1 9:3 44:1,14,16 45:1,2,4 46:3,8 48:8,15,19 49:12,15 50:11 <b>semis</b> 46:19 <b>send</b> 47:23 57:4 <b>sense</b> 14:11 28:9 <b>separate</b> 5:21 56:10 <b>separated</b> 18:11 24:17	<b>september</b> 57:16 59:18,21 60:1,8,12,21 <b>served</b> 31:7 <b>serves</b> 28:17 <b>set</b> 21:6 57:13 57:16,19 58:21 59:16,21 60:3 60:15 62:14 <b>seven</b> 19:16 25:11 41:3 <b>several</b> 7:20 23:13 41:19 <b>sewage</b> 20:24 <b>sewer</b> 20:22 <b>shop</b> 3:21 5:24 9:5 16:14 24:12 26:18 27:23 30:24 31:4,8 38:4 <b>shopping</b> 43:20 43:23 44:19,21 <b>short</b> 6:4 <b>shorthand</b> 62:9 62:20 <b>shot</b> 44:6 46:24 52:15 <b>shoulder</b> 37:7 <b>show</b> 29:5 54:22 <b>shown</b> 16:5 25:18 27:3,4 31:21 33:15 <b>shows</b> 13:2	<b>side</b> 10:20 17:22 49:10 56:16 <b>sign</b> 55:12 <b>signage</b> 41:15 54:23 <b>signature</b> 62:19 <b>significant</b> 17:6 18:1 <b>significantly</b> 15:6 <b>silent</b> 47:3 <b>simplest</b> 58:22 <b>simply</b> 60:7 <b>single</b> 9:13 12:20,24 14:22 <b>sir</b> 22:8 40:14 43:15 47:21 48:3 50:14 <b>sit</b> 9:7 <b>site</b> 3:23 4:10 4:13 7:22 11:11 17:4,7 21:15,22 22:7 24:17 25:7,18 26:2,3 27:3 29:5,5 32:1 54:18,22 55:1 56:7 58:7,13 58:14,16 60:18 <b>sites</b> 23:21 24:3 <b>sitting</b> 51:23 <b>situation</b> 7:24 <b>six</b> 19:4
<b>s</b>			
<b>s</b> 2:7 40:20 <b>safety</b> 19:18,21 32:12 33:20 <b>sale</b> 9:18 13:4 <b>sat</b> 12:11 <b>saying</b> 8:3 49:22 <b>says</b> 16:12 22:16 32:3 39:13 <b>sbc</b> 10:22 <b>schedule</b> 60:13 <b>schultz</b> 1:19 36:23,24 37:1 37:6,19			

<b>size</b> 11:21	<b>special</b> 15:10 15:13,17 17:17	<b>standards</b> 8:15 8:23 10:10 16:19 19:21	49:15 50:11,24 51:6 53:9 56:14
<b>skip</b> 7:16	20:11 49:4,6	20:11 21:6	<b>stored</b> 27:7,15
<b>slightly</b> 17:4	53:11	25:18 26:2	<b>stories</b> 9:4 46:12,12
<b>slow</b> 19:1	<b>specific</b> 38:13	<b>standpoint</b>	<b>stormwater</b> 4:9 18:21,24,24
<b>slowing</b> 45:22	56:19	19:20	19:2 20:14,17
<b>small</b> 10:21	<b>specifically</b>	<b>start</b> 6:17	<b>story</b> 8:11 9:8 45:18
<b>somebody</b> 54:4	38:12	24:15	<b>street</b> 5:16,18 7:20 11:8,14
<b>somebody's</b>	<b>specifics</b> 6:6	<b>started</b> 13:17	12:23 14:4,9,9
52:5	<b>speed</b> 19:3	23:8	14:10 16:10,18
<b>someone's</b>	<b>spell</b> 39:16	<b>state</b> 1:13	17:15 37:4
16:14	50:20	19:11 35:5	40:22 41:4,5,6
<b>someplace</b>	<b>spelled</b> 43:17	39:16 62:1,5	41:8,11 56:18
31:21	<b>spoke</b> 11:4	<b>state's</b> 23:7	<b>streets</b> 18:14
<b>somewhat</b> 28:7	<b>spoken</b> 50:23	52:24	<b>stuck</b> 17:13 54:11
28:7	<b>spread</b> 38:20	<b>statement</b> 53:4	<b>study</b> 4:16
<b>sorry</b> 23:2	<b>spring</b> 59:21	54:17	<b>stuff</b> 24:4 31:9 32:11 33:13
28:10 47:11,15	<b>square</b> 45:11	<b>station</b> 10:24	50:13 55:14,19
52:9 60:10	45:12 49:12,13	11:1	<b>subdivision</b> 42:21 51:11
<b>sort</b> 23:4 27:18	49:15	<b>stay</b> 56:10	52:11 54:6,7
37:10	<b>squatters</b> 9:17	<b>step</b> 10:4 39:24	<b>subject</b> 5:22 9:14 11:10
<b>sound</b> 53:7	19:12 36:16	<b>storage</b> 3:19	12:4,22 13:1,3
<b>south</b> 10:14	52:2,3,4	5:23 6:23 7:1	14:1,23 15:7
18:9 28:5,12	<b>ss</b> 62:1	8:11 9:3 16:20	62:7
28:21 31:22	<b>staff</b> 9:6 10:4	17:21 24:12,16	<b>substantial</b> 47:22 48:20
44:8 56:15,16	24:1 30:1,3	24:20,22 25:5	
<b>space</b> 18:9	38:21 48:22	25:6 26:10,11	
48:10	<b>staffing</b> 31:1,5	26:15 27:8,11	
<b>spaces</b> 26:8,9	32:7	27:14,22 28:2	
<b>speak</b> 39:6	<b>stage</b> 20:21	28:6,18 39:21	
40:16 47:5,5	<b>stalled</b> 53:1	41:15 44:1,14	
51:18 58:1	<b>stand</b> 40:1	44:16 45:1,2,4	
<b>speaker</b> 50:15	<b>standard</b> 15:18	46:3,8,17 48:8	
<b>speakers</b> 54:19	17:16 23:19	48:15,19 49:12	
<b>speaking</b> 8:2	49:4		
34:1			

53:14 <b>substitute</b> 22:13 <b>sudan</b> 48:4,6,6 <b>suggest</b> 20:6 <b>suggestion</b> 60:2 <b>suitability</b> 12:14 13:2 <b>summary</b> 39:10 <b>sunshine's</b> 32:19 <b>supervised</b> 25:8 <b>supply</b> 17:18 <b>supportive</b> 44:4 <b>suppression</b> 19:10 <b>sure</b> 6:16 13:15 17:12 40:15 45:3,16 50:1 51:24 53:14 54:7 56:6 <b>surprises</b> 30:3 <b>surrounding</b> 15:4 <b>survey</b> 4:13 <b>susan</b> 40:20 <b>sworn</b> 4:22 40:1,2 <b>system</b> 19:10 21:1 <b>systems</b> 21:4	<b>t</b> <b>t</b> 2:7 43:18 <b>take</b> 7:11 34:8 34:9 35:1,15 45:7 <b>taken</b> 1:8,9 13:13 19:19 41:20 61:11 62:10,13 <b>talk</b> 6:5 9:11,12 10:10 16:7 20:13 32:16 41:13 42:8 52:2 58:14 <b>talked</b> 8:10 14:18 18:16 42:10,11 50:4 50:5 <b>talking</b> 19:14 38:14 48:9 53:19,21 57:2 <b>tallest</b> 17:21 <b>teachers</b> 38:6 <b>technically</b> 30:13 <b>tell</b> 17:2 30:24 32:6 39:16 44:2,12 45:1 <b>ten</b> 15:2,3 16:21 <b>terms</b> 37:9 62:8 <b>testimony</b> 1:7 29:2,3 61:11 62:10,13	<b>thank</b> 5:2 6:7 8:6 24:8 36:17 40:15 43:14 47:21,24 50:14 54:13,15 57:10 60:24 61:3,8 <b>thing</b> 12:7 15:23 37:11 39:13 55:12 <b>things</b> 6:12 7:9 17:22 20:13 36:9 41:14 43:1 46:13 56:5 <b>think</b> 7:15 8:1 13:17,18 14:18 15:8,11 16:16 17:19 20:17 23:20 24:23 26:5,9 27:21 29:18 30:1,3 31:5,22 33:8 33:23 35:20 36:7 37:15 41:5 46:20,24 49:6 52:9 58:6 59:6 61:2 <b>thinking</b> 48:23 <b>third</b> 9:8 41:4 <b>thoroughly</b> 5:9 <b>thought</b> 47:12 <b>three</b> 3:24 5:21 5:24 8:11 9:2,4 9:13 18:3 20:1 31:5 39:4,11	45:18 46:12 47:12,13 52:22 53:1 54:2 <b>throat</b> 7:8 <b>till</b> 59:18 <b>time</b> 6:11 13:20 14:15 20:8 30:21 34:5 35:10 36:16 38:23 40:1 44:11 45:5,23 47:4,18 51:3 54:14 62:13 <b>times</b> 20:2 32:13 38:19 41:19 55:24 56:9 <b>today</b> 20:18 41:8 <b>together</b> 41:9 <b>tonight</b> 40:16 <b>took</b> 10:4 44:20 53:10 <b>tossed</b> 22:10 <b>totally</b> 29:18 <b>tough</b> 46:20 <b>towards</b> 12:23 <b>tower</b> 11:11 18:10 29:2,3,4 29:5,10,16 <b>towers</b> 29:12 29:23 30:11 53:20 <b>townhomes</b> 11:7,7 12:13
--	---	--	---

<b>township</b> 3:24 5:17 35:13	<b>turning</b> 5:19 <b>two</b> 5:23 9:15 9:16 11:22 28:17 29:12 31:5 39:4 41:2 46:12 48:2 49:16 54:8	<b>unrelated</b> 3:8 3:12 <b>updated</b> 56:7 <b>usage</b> 51:21 <b>use</b> 1:3 3:18 5:13 6:14 13:3 13:24 14:24 15:10,13,17 16:8,21 17:17 18:5,8,9 19:7 20:5,11 21:8 22:13,14,17 23:15 24:11 26:11,14 29:13 29:18,22 30:10 35:23 45:9 49:4,6,6,22 51:17	<b>utilizing</b> 21:3 <b>v</b>
<b>traditional</b> 31:8	<b>typewritten</b> 44:9	<b>typically</b> 32:20 34:2	<b>vacancy</b> 13:1 <b>vacant</b> 9:15,17 14:16 51:23
<b>traffic</b> 4:16 16:6,9 18:14 19:20 36:5 38:7,11,13,15 41:17 45:14	<b>u</b>	<b>value</b> 15:7 18:4 <b>values</b> 14:21 <b>variances</b> 45:8 <b>variation</b> 58:18 <b>variations</b> 60:7 <b>variety</b> 15:4 <b>various</b> 4:4 <b>veritext</b> 62:8 <b>vet</b> 35:24 56:23 <b>veterinarian</b> 11:13	
<b>transcript</b> 62:12	<b>unaware</b> 51:22 <b>under</b> 5:13 12:16,18,19 15:14 20:5 23:16 25:16,23 51:17	<b>veterinary</b> 51:14	
<b>treat</b> 15:17	<b>understand</b> 28:11 29:17,23 47:3	<b>vicinity</b> 18:5	
<b>treated</b> 23:15 30:12	<b>understanding</b> 23:23 29:3	<b>view</b> 22:9	
<b>trees</b> 17:24 18:1 36:8	<b>unduly</b> 18:13	<b>villa</b> 7:20	
<b>trend</b> 12:23 13:10 14:2 16:2	<b>unincorporated</b> 5:17	<b>villas</b> 11:3,19 13:23 14:7,12 36:8 40:18,21 42:7,18 43:7 43:10	
<b>tried</b> 51:21	<b>unit</b> 8:11 51:11 53:12,13	<b>vote</b> 21:9	
<b>trips</b> 16:10,23 16:23	<b>units</b> 41:2,2 56:19	<b>w</b>	
<b>trucks</b> 46:16,16 56:13	<b>unload</b> 46:10 <b>unloading</b> 46:20	<b>wait</b> 31:24 <b>waiting</b> 52:22	
<b>true</b> 62:12	<b>unreasonable</b> 24:2	<b>walgreens</b> 9:1 10:16 17:23 18:1 51:4 53:22 56:21	
<b>try</b> 52:15 58:1			
<b>trying</b> 12:18 19:14 51:1,6 54:11			
<b>tuesday</b> 60:3 60:16			
<b>turn</b> 17:14,14 36:3			
<b>turned</b> 7:6			

<b>walk</b> 5:8	<b>went</b> 7:7 16:4 21:12 36:11 43:23 44:7	<b>working</b> 6:10 9:22 11:5 20:16	<b>z</b>
<b>walking</b> 50:18	<b>werthmann</b> 16:8	<b>works</b> 17:12 48:4,5	<b>z</b> 43:18
<b>want</b> 5:3 6:12 7:12 23:7 35:15 39:11,19 45:7,8 46:16 46:17,19 47:17 52:4 56:12 57:16 59:15,16	<b>werthmann's</b> 17:9	<b>world</b> 48:12	<b>zain</b> 1:20
<b>wanted</b> 10:5 42:2 55:21	<b>west</b> 10:20 11:10 12:3 18:10 28:18 35:24	<b>worried</b> 42:22	<b>zipping</b> 37:4
<b>wants</b> 14:6 37:17 52:5	<b>wet</b> 28:14	<b>wrap</b> 47:9	<b>zoned</b> 10:17
<b>waste</b> 47:17	<b>wetland</b> 57:11 57:20,24 58:4 58:6 60:6,17	<b>write</b> 48:22	11:11,13 12:2
<b>watching</b> 52:6	<b>wetlands</b> 4:10 20:14,14,16 21:15,17 22:3	<b>writing</b> 33:13	12:9,10 13:9
<b>water</b> 20:22	<b>wheaton</b> 1:11	<b>written</b> 49:7	14:16 48:17
<b>way</b> 20:2 31:19 33:8,22 36:3 48:13 51:7 53:11 58:22	<b>wishes</b> 3:11	<b>wrong</b> 13:19 29:20	51:14 56:23
<b>wayside</b> 23:20	<b>withdraw</b> 30:22		<b>zoning</b> 1:1,8
<b>we've</b> 11:4 14:18 15:12 23:16 42:6,9 42:11 47:7	<b>withdrawning</b> 55:7		2:3,4 3:3,12,15
<b>website</b> 57:1	<b>witnesses</b> 4:21		5:13 9:19
<b>week</b> 10:2 25:11 57:5,6	<b>woods</b> 48:7		11:15,16,22,23
<b>weeks</b> 52:2	<b>word</b> 15:14 20:1,5,6 22:10 23:4 50:2		12:1,8,16,19
<b>wehrli</b> 5:16 6:23 10:20 11:2 40:22	<b>words</b> 39:18		13:15,16 14:2
<b>welfare</b> 15:21 19:18,23	<b>work</b> 38:19 53:14		14:22,23 15:6
	<b>worked</b> 7:21 9:23		15:8 21:7
			22:12,18 30:15
			42:9,12 43:24
			44:14 46:24
			49:5 51:17,18
			62:7
			<b>zoom</b> 1:22 3:6
			<b>zoomed</b> 55:13