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Community Development Department

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6250 Fax: 630-968-8610

Village of Westmont Planning & Zoning Commission November 17, 2021 - Approved Minutes

The Village of Westmont Planning and Zoning Commission held its special meeting on Wednesday, **November 17, 2021 at 7:00 p.m.**, at the Westmont Village Hall located at 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Doug Carmichael led in the following:

1. **Call to Order**
2. **Roll Call**

In Attendance: Chair Doug Carmichael, Commissioners Wallace Van Buren, Craig Thomas, Chris Lavoie, Matt Scales, Alison Clemens, Village Attorney John Zemenak, Community Development Director Bruce Sylvester, and Deputy Director of Community Development - Planning Joseph Hennerfeind

Absent : Thomas Sharp

3. **Pledge of Allegiance**
4. **Swearing-in of testifying attendees**
5. **Reminder to silence all electronic devices**
6. **Reminder to sign-in for any public testimony**
7. **Approval of the Minutes of the September 8, 2021 special joint meeting with the Village Board**
8. **Approval of the Minutes of the October 13, 2021 regular meeting.**

MOTION to approve the special joint meeting minutes on September 8, 2021.

Motion by: Thomas

Second by: Scales

The motion passed on a voice vote. All in favor. Commissioner Lavoie and Clemens abstained.

MOTION to approve the regular meeting minutes on October 13, 2021.

Motion by: Clemens

Second by: Lavoie

The motion passed on a voice vote. All in favor.

9. **Open Forum - No one spoke during Open Forum.**
10. **Review of Public Hearing Procedures**
11. **Open Hearing**



New Business

PZC 128-2021 Request from Robert Borucki, regarding the property located at 319 North Lincoln Street, Westmont, IL 60559 for the following:

- (A) Zoning Code Variance request to allow a driveway to encroach into the required side yard setback.

Presentation: Homeowners Robert and Ryan Borucki asked the Commission for a variance to allow their driveway to encroach into the 3ft side yard setback in order to provide parking. The lot currently does not have a driveway, and if they were to adhere to the current setbacks, the driveway would be too narrow.

Staff Comment: Deputy Director of Community Development - Planning Joseph Hennerfeind commented that that area in town has very narrow lots, as little as 50 feet wide which is substandard to the current zoning code. Hennerfeind stated that the lot is unique in the sense that it does not currently have a driveway. The southside of the lot would be the most logical place to install a driveway with 13ft from the house to the lot line, but given the 3ft setback, it would be too close to the house. Hennerfeind noted that the adjoining neighbor to the south provided a letter in support, and that staff had no objections to the request.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie had no questions or concerns.

Carmichael : Commissioner Carmichael thought the request was reasonable and had no further comments.

Thomas : Commissioner Thomas was in support of the request.

Sharp : Absent

Scales : Commissioner Scales had no questions or concerns.

Van Buren : Commissioner Van Buren had no objections.

Clemens : Commissioner Clemens noted she was familiar with similar situations, and acknowledged that overtime it can change with different owners. Clemens was in support of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to allow a driveway to encroach into the required side yard setback.

Motion by: Lavoie

Second by: Clemens



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VOTING A

Van Buren: Yes
Carmichael: Yes
Thomas: Absent
Lavoie: Yes
Sharp: Yes
Scales: Yes
Clemens: Yes

Motion Passed

PZC 152-2021 Request from the Village of Westmont, regarding the following:

(A) Text amendment to Section 4.05(E), "Permitted accessory structures and uses in yards," of the Zoning Ordinance regarding Public Utility Buildings.

Presentation: Hennerfeind discussed two text amendments brought on by the Village being approached with an initial request that the zoning code couldn't accommodate. After extensive research as to what the best methodology would be in terms of moving forward, text amendments were the best way to accommodate the initial and future requests. The first amendment would be to the accessory structure table. The current table only defines where various accessory structures can be located on a lot. The proposed text amendment would now include parameters.

The initial request that lead to the proposed text amendments came from AT&T proposing to build a small utility building on an easement in order to vacate some of the other buildings on the lot, and to eventually sell. With the amendment, the accessory building would need to be screened with landscaping to hide the structure since it would be close to 63rd Street. The building would not be in the front yard setback, but still in the standard buildable area.

Historically, accessory structures including storage sheds and garages on commercial lots were not permitted.

The proposed amendment would allow utility buildings in easements subject to the new parameters.

Staff Comment: See above.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie was supportive of the request but commented that the zoning code in general needed improvement and suggested amending all at once.

Village Attorney John Zemenak added that staff has had internal discussions about updating and revising the entire zoning code but given the volume of work and current staffing levels, it may be best to tackle this project chapter by chapter.



Carmichael : Commissioner Carmichael was in support of the request

Thomas : Commissioner Thomas had no comments.

Sharp : Absent

Scales : Commissioner Scales had no questions or comments.

Van Buren : Commissioner Van Buren was in support of the request.

Clemens : Commissioner Clemens was in support of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Text amendment to Section 4.05(E), "Permitted accessory structures and uses in yards," of the Zoning Ordinance regarding Public Utility Buildings.

Motion by: Clemens

Second by: Thomas

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed

PZC 131-2020 Request from Exp Us Services, Inc. and AT&T regarding the property at 200 West 63rd Street in Westmont, IL 60559, for the following:

- (A) Site and Landscaping Plan approval for an accessory Public Utility Building in the C-1 Commercial Business District.

Presentation: John Scanlon, Senior Project Manager for AT&T Real Estate, described the site and it's various buildings which include a two story training center, and a garage that is primarily dispatch for fiber optic work and storage. He also noted that there are a number of telephone cables underground running along 61st through the west side of the property down to 63rd street. Scanlon proposed to install a 10x20 utility structure on 63rd Street in order to reduce their real estate footprint. Air dryers would be stored in this utility hut. Scanlon described the site plan, elevations and landscaping.



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Staff Comment: Hennerfeind stated that AT&T has accommodated the code that staff felt was appropriate.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie asked the petitioner where the power source would come from . Scanlon replied that the utility hut was located along 63rd Street because it was conducive with the underground telephone cabling and would be an optimal spot for them to pick up a commonwealth edison feeder. Lavoie also asked about maintenance and exterior lighting details.

Carmichael : Commissioner Carmichael had no further questions.

Thomas : Commissioner Thomas confirmed with the petitioner that whoever buys the property would understand that the utility structure is permanent.

Sharp : Absent

Scales : Commissioner Scales asked staff if they are currently approving the easement with the site plan. Hennerfeind replied that the easement is not part of the approval at this time. The easement will be defined as a public utility easement reserved for AT&T but the creation of the easement will be done on private property which they have the right to do.

Van Buren : Commissioner Van Buren had no further questions.

Clemens : Commissioner Clemens' only concern was the site line. Hennerfeend replied that the code for corner vision triangles only applies when it's at an intersection of streets.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Site and Landscaping Plan approval for an accessory Public Utility Building in the C-1 Commercial Business District.

Motion by: Van Buren

Second by: Lavoie

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed



PZC 151-2021 Request from the Village of Westmont, regarding the following:

(A) Text amendment to Article XIV(B), "Definitions," of the Zoning Ordinance to create a definition for Bowling Alleys.

Presentation: Hennerfeind provided the commission with background information for the business Suburbanite Bowling which has been in existence for over 60 years. The code requires any bowling alley in the B-2 district to have a special use approval. Suburbanite Bowl predates that zoning code requirement, meaning it is considered a legal non-conforming use. Hennerfeind commented that Suburbanite Bowl was looking to obtain legal status by obtaining a special use permit, but staff discovered that bowling alleys were not defined in the code.

Hennerfeind notes that one of the requests that was being asked for, which was subsequently withdrawn, was that Suburbanite Bowl had a restaurant tenant that was leasing part of the space and had an outdoor activity that included a smoker for barbeque. Hennerfeind stated that the code allows very few business-related items that are allowed to exist outside with some exceptions. In working with the applicant, staff determined that a definition should be created that addresses all the uses that the bowling alley currently had. The definition would include restaurant and bar, billiards and certain things that happen there; bocce ball for example.

Hennerfeind stated that this particular text amendment is to define a bowling alley and read the language to the Commission which had been slightly revised based on discussions with the Village Attorney.

Staff Comment: See above.

Public Comment: Linda Hervac who represented Suburbanite Bowl provided the commission with an overview of the business history. Hervac was supportive of the amendment.

Commissioner Comments:

Lavoie : Commissioner Lavoie asked the Village Attorney if they were comfortable with the language to which Zemenak replied that he was. Lavoie had no further comments.

Carmichael : Commissioner Carmichael was supportive of the request.

Thomas : Commissioner Thomas was supportive of the request.

Sharp : Absent

Scales : Commissioner Scales was supportive of the request.

Van Buren : Commissioner Van Buren was supportive of the request.

Clemens : Commissioner Clemens thought the amendment made sense and was supportive of the language.



MOTION A

Motion to recommend to the Village Board of Trustees to approve a Text amendment to Article XIV(B), "Definitions," of the Zoning Ordinance to create a definition for Bowling Alleys.

Motion by: Scales

Second by: Thomas

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed

PZC 094-2021 Request from Suburbanite Bowl, Inc., regarding the property located at 201 West Ogden Avenue in Westmont, IL 60559 for the following:

- (A) Special Use Permit request to operate a bowling alley in the B-2 General Business District.
- (B) Special Use Permit request to allow limited outdoor activities for Nuka BBQ.
- (C) Special Use Permit request to operate a seasonal outdoor sales lot for Clover's Garden Center.

Item (B) was withdrawn from the request.

Presentation: Hennerfeind reiterated that the first item, which is to operate a bowling alley in the B-2 District, is to make the already existing business conforming and legal. The second item was withdrawn because the business itself has not moved forward. Hennerfeind noted that the third request is for Clover's Garden Center which has received approvals since the 1990's for an open sales lot, and they are looking to obtain a Special Use Permit that would renew annually as to avoid repeated visits.

Jim from Clover's Garden Center spoke and stated he felt welcomed in the community and would appreciate the streamlined process.

Staff Comment: See above.

Public Comment: None.



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Commissioner Comments:

Lavoie : Commissioner Lavoie was supportive of the request.

Carmichael : Commissioner Carmichael was supportive of the request.

Thomas : Commissioner Thomas had no issues with the request.

Sharp : Absent

Scales : Commissioner Scales was supportive of the request.

Van Buren : Commissioner Van Buren was supportive of the request.

Clemens : Commissioner Clemens thought the requests made sense and that the businesses were an asset to the community.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a bowling alley in the B-2 General Business District.

Motion by: Clemenes

Second by: Scales

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed

MOTION C

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a seasonal outdoor sales lot for Clover's Garden Center.

Motion by: Thomas

Second by: Clemens



VOTING C

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed

PZC 107-2021 Request from Jason Han and Danielle and Jerrald Smits regarding the property at 538 65th Street, Willowbrook, IL 60527, for the following:

- (A) Map Amendment request to rezone from R-1 Single Family Detached Residence District to R-3 Single Family Detached Residence District.
- (B) Preliminary Plat of Subdivision to establish two buildable residential lots in the R-3 Single Family Detached Residence District.

Presentation: Project Engineer and surveyor Jinn-Guang Lin and property owners Jason Han and Danielle Smits spoke before the commission to request a rezoning of the property from R-1 to R-3, and to subdivide the lot into two lots. Currently there is a single family residence on the lot that is in disrepair and this would be demolished. Lin described the surrounding area in terms of zoning and felt R-3 would be the most appropriate. Lin stated that from a site design standpoint, they proposed a dry bottom detention basin running in the backyard of the two properties. Lin also proposed a new concrete public walk along the entire frontage of the property along with parkway trees.

Jason Han and his wife Danielle Smits discussed purchasing the property with the intent to build on one of the lots, and for Danielle's Uncle Jerry to build on the second lot once subdivided.

Staff Comment: Hennerfeind commented that the re-zone felt appropriate given the lot size and surrounding area. Hennerfeind mentioned that there are no established heritage trees. In terms of maintaining the detention basin, there would be language on the plat that would include where the storm detention easements are, and how they would need to be maintained. Hennerfeind noted that the Village is requiring a public walk to be installed, but not curb and gutter at this time. Typically the Village would take cash in lieu for the curb and gutter so that if and when the Village does install curb and gutter, there would be funds to do that.

Public Comment: None

Commissioner Comments:

Lavoie : Commissioner Lavoie had some concerns related to the release pipe location and stormwater but his comments were addressed after speaking with the Village Engineer.

Carmichael : Commissioner Carmichael was supportive of the request.



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Thomas : Commissioner Thomas was supportive of the request and thanked staff for being so helpful.

Sharp : Absent

Scales : Commissioner Scales had no further comments.

Van Buren : Commissioner Van Buren was supportive of the request.

Clemens : Commissioner Clemens was supportive of the request.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Map Amendment request to rezone from R-1 Single Family Detached Residence District to R-3 Single Family Detached Residence District.

Motion by: Scales

Second by: Clemens

VOTING A

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Preliminary Plat of Subdivision to establish two buildable residential lots in the R-3 Single Family Detached Residence District.

Motion by: Van Buren

Second by: Scales

VOTING B

Van Buren: Yes

Carmichael: Yes

Thomas: Yes

Lavoie: Yes

Sharp: Absent

Scales: Yes

Clemens: Yes

Motion Passed



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Old Business

11. Miscellaneous Items -

- A) Hennerfeind updated that board that while he was a temporary planner at the last meeting, he is now the Deputy Director of Planning for Community Development and that he will still be the commissions liaison. Hennerfeind addressed Lavoie's concerns and stated that text amendments would be prioritized by sections that need the most work, and they would be taken on comprehensively.

12. Adjourn

Motion by: Van Buren

Second by: Thomas

Meeting adjourned at 8:19pm