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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 and Zoning Commission April 12, 2017 - Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, April 12, 2017 at 7:00 p.m., at the Westmont Village Hall, 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Gregg Pill led in the following:

(1) Call to Order

(2) Roll Call

In attendance: Chair Gregg Pill, Commissioners Craig Thomas, Thomas Sharp, Janis Bartel, Doug Carmichael, Secretary Wallace Van Buren, Planner Joe Hennerfeind, Community Development Director Jill Ziegler.

Absent: NONE.

(3) Pledge of Allegiance.

(4) Swearing in of testifying attendees and reminder to sign in.

(5) Reminder to silence all electronic devices.

(6) Approval of Minutes of the March 8, 2017 meeting.

MOTION to approve March 8, 2017 minutes.

Motion by: Thomas

Second by: Bartel

VOTING A

Van Buren--Yes

Thomas--Yes

Sharp--Yes

Bartel--Yes

Pill--Yes

Carmichael--Yes

Motion passed.

(7) Open Hearing

New Business

PZ 17-004 Hartelius Agency Services, Inc. regarding the property located at 140 North Cass Avenue, Westmont, IL 60559 for the following:

(A) Special Use Permit request to operate a business office on the ground floor in the B-1 Limited Business District.

PRESENTATION: The presenter stated that he is applying for a special use for an office use. He discussed his background of being with Allstate for the last nine years and his goal is to open an Allstate office in Downtown Westmont. His focus with Allstate over the past nine years has been on the claim side with the national catastrophe team. He and his wife are connected to Westmont and his experience with Allstate has shown him how Allstate has community involvement and the positive impact the company can have on protecting a community. The office will be a smaller office with 1-5 employees. They will plan on being very involved in the community and supporting other businesses and residents in the area. Currently the space next door is vacant so they would be adding the office to that space. The interior structure won't be changed and parking would be adequate.

STAFF COMMENT: Hennerfeind stated the Commission has seen this property before less than a year ago on the adjacent unit, and this request is similar to add office space. This use would require 4 parking spaces and there are adequate spaces, at least a dozen. He made note that the special use at the 138 property had a 90 day window before expiring, but in checking with Clerk's office it appeared that the office applied for a business license during that time, so it is possible that these units could go from both vacant to both offices being open very quickly.

PUBLIC COMMENT: None.

COMMISSIONER COMMENT:

Sharp: stated that though this was not what was originally intended for the district, the applicant's proposed business is barely over threshold where this could have been approved administratively and the spaces have been vacant a long time.

Bartel: agreed that it is better to see a business in those spaces.

Carmichael: agreed; nothing to add.

Van Buren: clarified presenter's Allstate background and if it will be a full service agency. Reply: he worked with claims both at office and corporate level, and this will be a full service agency with property, auto and retirement benefits.

Thomas: asked about display on the window. Reply: showed an example of what is intended, which is a corporate decal in window and signage above the window.

Pill: appreciated the applicant addressing the items in the finding of fact and asked about hours and the inside mock up sketch, asked about Allstate restrictions for proximity to other offices. He encouraged him to look into the Westmont Chamber of Commerce. Reply: Hours will be Mon-Thurs 9-6pm, Fri 9-5 and Sat. by appointment. There is no plan for any build out, they will use structure as is and adapt to the structure. Allstate has to vet the space which they have, must be more than one mile from next office and over 850 sq feet, which they meet.

FINDINGS OF FACT (A)

1. YES=6 NO=0
2. YES=6 NO=0
3. YES=6 NO=0
4. YES=6 NO=0
5. YES=6 NO=0
6. YES=6 NO=0

MOTION A

Motion to recommend to the Village Board of Trustees to approve to a Special Use Permit request to operate a business office on the ground floor in the B-1 Limited Business District.

Motion by: Carmichael

Second by: Sharp

VOTING A

Van Buren--Yes

Bartel--Yes

Thomas--Yes

Sharp--Yes

Carmichael--Yes

Pill--Yes

Motion passed.

PZ 17-005 Greenscape Homes LLC regarding the property located at 5937 Cumnor Road, Downers Grove, IL 60516 for the following:

(A) Preliminary Plat of Subdivision request to split one lot into two buildable lots in the R-3 Single Family Detached Residence District.

PRESENTATION: Mike Ricklefs, director of engineering for Greenscape Homes stated that they are looking to do a lot split of this property. They will be providing detention on the northern part of this parcel. They are looking to do larger lots that will fit nicely with the surrounding properties. They are improving a local depression area and turning it into an engineered stormwater management area to improve drainage in area. They will be adding over \$1 million assessed value to the area.

STAFF COMMENT: Hennerfeind stated that what is before the commission is a two lot subdivision and this is the R3 zoning district so there are minimum standards for lot size, setbacks and lot width. There is a permitted single family home under construction on the property and the lot configuration is so that they can do the split and it would not interfere. They have done an analysis on all setbacks and lot coverages. There are no additional variances being requested if these two lots are created. Whenever you are subdividing you do need to meet the Village requirements, one of which is the stormwater. Because of the topography of the lot and existing depressional area, one of the lots will contain the entire retention area and that owner will be responsible for that area and should be disclosed to that owner. There are several lots adjacent to this stormwater area that will still be served, but it is only engineered to serve the two lots.

PUBLIC COMMENT: Steve Mihelich, owner adjacent to the northernmost area of the property, at 132 60th and Phillip Atlas at 136 60th; they both stated that they are for the project. Steve mentioned that he is an architect and has previewed plans and appreciated seeing Greenscape's plans. Steve thanked Joe and Mike and is thrilled to see that everyone is on the same page with the depressional area and the plans. He mentioned that the depressional area is a sensitive area for the existing homeowners and they have met to discuss. He did mention that his lot still holds water and does not feel his property runs off to this area. He hopes that best of intentions are great but hopes that the Village makes sure it meets what they have planned. He mentioned that Phil's lot has a lot of standing water that he is sure was not intended. Phil stated that he does have standing water and he was assured by Greenscape that his standing water will subside and the current drainage system will help as well. He stated that the property next to him was higher level and not developed so water was running to his property. Steve added that there would be a third home that would have some tie into the basin. Mike replied that the current house at 140 will bubble out 15 feet away from house and will go into land and then onto retention area.

COMMISSIONER COMMENT:

Bartel: asked if the homes were sold, asked if the second home with the basin will have a basement and make sure that they will not fill in that area. Reply: correct the homes have not been sold yet. The second home will have a basement and will have written documentation and requirements for the area including no mowing signs for native grasses. Mike stated that staff has been great to work with and Mike is making sure they are not cutting any corners.

Carmichael: it was impressive that neighbors were here in support. He asked for clarification on how the basin will improve the stormwater management for the area. Reply: Mike stated that they are enlarging the area by 50% and providing an outlet for the stored water so it will drain down and connected to a sump pump connected to a house to drain down the water.

Van Buren: had some additional stormwater comments.

Thomas: understands why the neighbors are supportive and impressed that Greenscape saw the situation with water and have dealt with it.

Sharp: asked about the detention piping going to that swale and if it is a private system. Reply: Joe stated that his understanding is that it will be a private system and not under Village jurisdiction. What is under Village jurisdiction are the easements where they can stop an owner from filling them in. Sharp stated that he appreciates the planning.

Pill: thanked speakers, mentioned lots are substantial in size and should be commended for that and asked about the sample home renderings. Reply: Mike stated that the house rendering was the proposed house for the northerly lot.

MOTION A

Motion to recommend to the Village Board of Trustees to approve to a Preliminary Plat of Subdivision request to split one lot into two buildable lots in the R-3 Single Family Detached Residence District.

Motion by: Van Buren

Second by: Thomas

VOTING A

Van Buren--Yes

Bartel--Yes

Thomas--Yes

Sharp--Yes

Carmichael--Yes

Pill--Yes

Motion passed.

PZ 17-006 Greenscape Homes LLC regarding the property located at 108 East 56th Street, Westmont, IL 60559 for the following:

(A) Zoning Code Variance request for relief from the minimum lot area for a dwelling in the R-3 Single Family Detached Residence District.

(B) Zoning Code Variance request for relief from the minimum lot width for a dwelling in the R-3 Single Family Detached Residence District.

PRESENTATION: Mike Ricklefs, director of engineering for Greenscape Homes, presented that they are requesting a variance for the minimum lot area and width for this property. The existing lot is 49-½ feet and the requirement is 50 feet. The existing structure is an older home that is non compliant and sits far back in lot in rear setbacks. Greenscape is proposing to build a new home that would meet all requirements but they are requesting the variance to redevelop a lot that is pre-existing.

STAFF COMMENT: Hennerfeind stated that applicant is requesting two separate variances. This is in the R-3 district which requires minimum lot of 7800 square feet. Current lot was platted before these requirements existed and is 4.8% deficient in square feet. He made one correction on presenter statement, the requirement is 60 feet width, but they do have an exception for lots 50-60 feet, but this property is 6" short of that exception. This would be a 17.5% deficient in lot width. The home will meet all other conditions, lot coverage, setbacks, etc.

PUBLIC COMMENT: None.

COMMISSIONER COMMENT:

Carmichael: clarified that the new home will be 35 foot setback not as deep in lot as existing structure and plans for backyard. Reply: yes, the house would be situated toward front of lot and the yard would be grass similar to rest of homes in area.

Van Buren: noticed that there are some big trees that will need to be taken down. Reply: Mike stated that they will have to take some trees down but they will meet the requirement to plant new trees.

Thomas: reviewed property over weekend and realized trees would have to be removed to have new house constructed, and moving house forward will suit neighborhood and supports development.

Sharp: in support.

Bartel: surprised to see tree growing out of porch and probably best that a new home will be built. Asked about sidewalks. Reply: Mike stated that they will be installing sidewalks and as neighboring properties develop they will connect.

Pill: in support and clarified that all 9 trees on property will have to go and just commented that they be generous in replacing landscaping since it will be a big loss.

FINDINGS OF FACT (A & B)

1. YES=6 NO=0
2. YES=6 NO=0
3. YES=6 NO=0

MOTION A

Motion to recommend to the Village Board of Trustees to approve to a Zoning Code Variance request for relief from the minimum lot area for a dwelling in the R-3 Single Family Detached Residence District.

Motion by: Bartel

Second by: Carmichael

VOTING A

Van Buren--Yes

Bartel--Yes

Thomas--Yes

Sharp--Yes

Carmichael--Yes

Pill--Yes

Motion passed.

MOTION B

Motion to recommend to the Village Board of Trustees to approve to a Zoning Code Variance request for relief from the minimum lot width for a dwelling in the R-3 Single Family Detached Residence District.

Motion by: Bartel

Second by: Sharp

VOTING B

Van Buren--Yes

Bartel--Yes

Thomas--Yes

Sharp--Yes

Carmichael--Yes

Pill--Yes

Motion passed.

PZ 17-007 Village of Westmont regarding a Zoning Code text amendment for the following:

(A) Amend Appendix A, Sections 7.03 and 7.07 of the Westmont Zoning Code regarding Theaters as a special use in the B-1, B-2 and C-1 Business Districts.

PRESENTATION: Hennerfeind presented that it has recently come to staff's attention that the zoning code that allows for indoor theaters but places no special conditions on them. An example would be traffic patterns, where a theater could have heavy traffic patterns and have an affect on neighboring businesses and residences. Currently there are 4 basic commercial districts, B-1 which is downtown, B-2

which most of commercial districts in village tend to fall under, B-3 which is the Hilton property and C-1 which is mostly 63rd. They are recommending only 3 of the districts. The B-3 district cannot make any changes such as adding a theater without needing to come before the village board. The other districts are currently a use by right and they would be looking particularly at the traffic conditions.

STAFF COMMENT: None.

PUBLIC COMMENT: None.

COMMISSIONER COMMENT:

Van Buren: asked if there was a reason prompting this amendment. Reply: staff determined it would be a good idea to review the code.

Thomas: good job in reviewing the code. Reply: Joe stated that village often receives phone calls questioning certain aspects of code or what is allowed.

Sharp: he thinks it is great whenever changes to code are presented and appreciates it being refined and made better. Reply: this is a change that can be made individually without breaking the code in any way.

Bartel: very supportive

Carmichael: kudos to be proactive.

Pill: thinks it is a good idea and begs the question are there any other larger scale businesses such as sports venues that would warrant review. Reply: they did review other venues and did not feel there were any others that would fall into this same situation.

Sharp: chart of surrounding areas is always helpful. Reply: we always want to maintain that we are comparable and not discourage new businesses with over-regulation.

MOTION A

Motion to recommend to the Village Board of Trustees to approve to Amend Appendix A, Sections 7.03 and 7.07 of the Westmont Zoning Code regarding Theaters as a special use in the B-1, B-2 and C-1 Business Districts.

Motion by: Bartel

Second by: Sharp

VOTING A

Van Buren--Yes

Bartel--Yes

Thomas--Yes

Sharp--Yes

Carmichael--Yes

Pill--Yes

Motion passed.

(8) Misc. Items

Ziegler thanked everyone for attending the joint Village Board/ Planning and Zoning Commission meeting the previous week. She passed out the Economic Development summary sheet and stated if anyone has any questions please let her know. She shared a quick overview of Village owned sites. Over the past few years the Village has been purchasing properties for stormwater and economic development types of use. She shared pictures of lots that were purchased on Warwick for stormwater and on Grant and Traube for a larger detention basin. There are properties in the downtown for parking in the future, and a site near 61st and Cass purchased for stormwater.

Joe mentioned that he will try to add to next month's information projects that have been approved so Commissioners can check on the projects if they would like.

Chairman Pill wished everyone a Happy Easter.

(9) Motion to adjourn.

Motion by: Thomas

Second by: Van Buren

Meeting adjourned 8:07 p.m.