



**Village of Westmont
Planning & Zoning Commission
November 8, 2017 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, November 8, 2017 at 7:00 p.m., at the Westmont Village Hall located at 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, Secretary Wallace Van Buren, Commissioners Craig Thomas, Doug Carmichael, Janis Bartel, Christopher Lavoie, Community Development Director Jill Ziegler, Village Planner Joseph Hennerfeind, Village Attorney John Zemenak, Village Engineer Noriel Noriega

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 Minutes of the October 11, 2017 regular meeting**

MOTION to approve October 11, 2017 minutes.

Motion by: Thomas

Second by: Bartel

Voting A

Van Buren: Yes
Carmichael: Yes
Bartel: Yes
Thomas: Yes
Lavoie: Yes
Pill: Yes
Sharp: Absent

Motion Passed



- 8. Open Forum
- 9. Review of Public Hearing Procedures
- 10. Open Hearing

New Business

PZ 17-023 James Lesko regarding the property located at 410 North Washington Street (north lot), Westmont, IL 60559 for the following:

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

PRESENTATION: Applicant James Lesko stated that he has been a resident of Westmont for seven years. He is looking to build a home on the north lot at 410 North Washington. A variance is needed due to the fact that the lot width is 48'. Lesko stated that his children attend Miller School and they participate in the Dual Language Program. He anticipates that the popularity will grow for this school. He wants to ensure all his children are able to attend the school, so moving closer will be beneficial for his family. The lot is for sale by owner. The former owner sold 12' to the neighbor to the north. Lesko stated that his architect developed a site plan that is in keeping with the neighborhood. The proposed home fits within the parameters, including the side garage.

STAFF COMMENT: Hennerfeind stated that when the entire area was originally subdivided, the lots were 120' wide. The entire area was subsequently divided into 60' parcels. This particular lot, which is comprised with 2 parcels, was always under the same ownership. The existing house on the southern parcel sits 1' south of the lot line. When recently sold, the 48' parcel to the north was not purchased and is now on the market individually. The cause for decrease in size from 60' to 48' is unknown, but it is not uncommon for owners to deed a portion of a lot between neighbors. The applicant took measures to design a house that does not require any additional variances. There is no remedy for the house to the south that is 1' away from the property line, but the new house design specifically creates separation to minimize proximity. Pill asked when did the 12' decrease occurred. Hennerfeind responded that there was no record available that staff could find.

PUBLIC COMMENT: Matt and Heather Franklin, residents at 410 North Washington, stated that their home sits nearly on the lot line. Their biggest concern is that should any issues come up with the proposed home (i.e. fire), it could put their home in jeopardy. They stated that the integrity of their home could be compromised if any issues could not be worked out with the homeowners or the Village. They do not want the proposed home to affect the value of their own home. However, they stated that their intention is not to put a stop to the home. Pill stated that if anyone were to purchase this lot, the same situation would come up. Matt Franklin stated that it was their own risk for not taking the opportunity to purchase the lot. He stated that a structure so close creates an inconvenience, but they are not opposing the neighbors.

Grant Buma stated that he lives in the lot to the north. He is currently in the process of building his home. He stated that he is concerned with the smaller size lot and how it could affect the character of



the neighborhood. He stated that he is also concerned with stormwater and the nature of water running off, which could present an issue. Zemenak asked if staff could touch on stormwater and the rebuild issue of the house. Lesko responded that they are intending on routing any water flow. The water should flow away from the houses since the grade goes down towards the northeast. Noriega responded that an engineering plan had not been submitted yet. However, vacant lots require stormwater management. He stated that detention will not be required for this lot. Hennerfeind stated that staff had reviewed legally conforming versus legally non-conforming in regards to the re-build issue. He stated that as soon as it becomes two lots, it becomes legal non-conforming. For this particular lot, if the home had to be rebuilt, it would need to be decided whether it should be built on the 6' mark or the 1' mark. The residents would have the option of requesting a variance. Zemenak stated that if over 50% of the house was damaged, it would need to be rebuilt in a conforming manner, but the resident could request a variance for the setback.

COMMISSIONER COMMENT:

Bartel: Stated that her biggest concern was what would happen with all the extra water, but that question had been answered. She stated she is supportive of the project.

Lavoie: Asked staff if there could be a jog on the lot line that could meet the setback requirements. He stated that this would not pose a hardship to the neighbor to the south. The lot line could jog around the building to meet the minimum standard so that if the house had to be rebuilt it would meet the setbacks and relieve the potential hardship on the property owner. Hennerfeind responded that the Village tries not to have jogs in lot lines. This change would also create a subdivision since the lot would be changing. Zemenak responded that changing the lot line would trigger the subdivision ordinance which would invoke detention. This type of change usually occurs as a private transaction between property owners and staff does not condition approval. Lavoie asked Noriega if creating a subdivision would trigger stormwater requirements since it would increase impervious area. Noriega responded that it would trigger a subdivision, but it would not be creating a new lot. This would create a hardship for the owner. He stated that since it is an existing lot, the Village would adhere to DuPage County ordinances.

Carmichael: Stated that this is a unique lot and he had no questions or comments.

Van Buren: Stated that there are many lots which are 50' x 200'. The length of this lot is much larger, so the applicant would have a lot of area. He stated that he is all for it.

Lesko stated if the neighbor's home was destroyed, he would not protest a variance. He does not want to create a hardship for anyone.

Thomas: Stated that his initial thought was how is the applicant going to get around there since the area is so tight. However, the architect did a good job and he has no issues with it.

Pill: Stated that he is impressed with the architectural drawings. He told the applicant that he assumes some risk since the value could decrease down the road. He stated that the neighborhood is a nice area and the backyards don't have many fences, which creates a huge back area. He is supportive of the



request.

FINDINGS OF FACT

To be presented at the next meeting.

MOTION A

Motion by: Carmichael

Second by: Van Buren

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Absent

Motion Passed

PZ 17-024 PH OBH Hotel Owner, LLC and WCW Landowner, LLC regarding the property located at 3500 Midwest Road, Oak Brook, Illinois, 60523 for the following:

- (A) Comprehensive Plan Amendment request to redesignate approximately 67 acres of Open Space to approximately 27 acres of General Commercial and approximately 40 acres of Single Family Detached Residential.
- (B) Map Amendment request to rezone approximately 40 acres from B-3 Special Business District to R-1 Single Family Detached Residence District.
- (C) Text Amendment request to amend various subsections of Appendix A, Section 7.06 of the Westmont Zoning Code regarding residential uses in the B-3 Special Business District.
- (D) Text Amendment request to amend Appendix A, Article XI of the Westmont Zoning Code to permit Electronic Message Board signs in the B-3 Special Business District.
- (E) Map Amendment request to rezone approximately 27 acres from B-3 Special Business District to a Planned Development Overlay District in the underlying B-3 Special Business District.
- (F) Special Use Permit request to permit residential dwelling units in the B-3 Special Business District.
- (G) Zoning Code Variance request to increase the maximum number of signs permitted in the B-3 Special Business District.
- (H) Zoning Code Variance request to reduce the total required number of parking spaces in the B-3 Special Business District.
- (I) Preliminary Concept Plan approval for the new construction of a natatorium and a multi-family residential apartment building including a phased site and landscaping plan.
- (J) Preliminary Plat of Subdivision approval.



PRESENTATION: Peter Dumon of The Harp Group, gave a brief history and background on the proposed project. The development was originally presented to Planning and Zoning over a year ago, but was subject to litigation. The development plans have changed as the Natatorium and apartment complex have moved to a different location and are no longer on the parking lot. Six weeks ago, the developer acquired the 110 acre golf course. The apartment complex has been moved to the back nine of the golf course. The Natatorium has moved to the south part of the lot. The golf course will be minimized from an 18-hole course to a 9-hole course. The balance of the golf course will be zoned as R-1.

Dan Shapiro, Shapiro & Associates Law, stated that they have had several negotiation sessions over the last year and have been working closely with Village staff. The applicant has appeared before Economic Development Committee and received a positive recommendation. A Market Study was submitted by CBRE and accurately stated the market demand for the uses being proposed. Shapiro stated that it is important for the developer and the neighbors to the east to agree to a form of restrictive covenant or conservation easement for the front nine that will be in place forever. He stated that there are many benefits that will stem from this development. The Village will benefit from the creation of numerous jobs, additional tax revenues, increased housing values, and the overall appeal of the Natatorium and luxury apartments. Shapiro also stated that there will be no structures in the parking lot.

Rick Fawell, Wright Heerema Architects, presented the proposed development in more detail. He stated that ultimately there will be four overall construction projects, which include the Natatorium, hard-walled ballroom, site work, and the luxury apartments. The luxury apartments will consist of 7 levels with a total of 299 units. Tenants will have parking available on the same level in which they reside. The complex will consist of 198 one-bedroom apartments and 101 two-bedroom apartments. The units will display large windows and tall ceilings. Different amenities will include an electric car charging station, great room, fitness center, outdoor pool, barbecue pit, and jogging trail, among many others. There will also be 24-hour maintenance on site. The apartment complex will slope as it heads west, so the amenity level will be below grade.

The Natatorium will be 60,000 square feet in total and will consist of two pools. One pool will be used mainly for professional swimmers and Olympic training events. The second pool will be shallower and used primarily by the community. Fawell stated that the addition of the Natatorium in Westmont will change the way people view swimming in the area. The arena will accommodate 1,200 occupants in a bleacher format. There will be a plaza in front for large events and outdoor event space. The Natatorium will be setback 50 feet from the neighbors.

The hotel resort, which is existing, will have a few minor changes as well. Fawell stated that the existing tent will transform into a hard walled ballroom. It will also accommodate storage for the golf course equipment. The resort will also be adding two monument signs at the key entry points. They will also be keeping the Oak Grove by the entryway.

Fawell stated that because of all the changes made to the developmental plan, the impervious area has decreased by 13,000 square feet, which equavalates to roughly $\frac{1}{4}$ of an acre. The amount of pavement has decreased in order to incorporate permeable pavers from the entryway to the Natatorium. This will also encourage drivers to slow down and use caution when driving in and out of the area. The existing



ponds will be sufficient to accommodate the stormwater. In regards to parking, there are 1,143 parking spaces available and there is the option to valet 400 parking spaces if needed. Once the garage for the apartment building is built, the amount of spaces will increase to over 1,900. Zemenak asked Fawell to explain the cross sharing of parking between the apartment complex and the hotel. Dumon stated that all of the uses will be subject to an association and parking agreement. Only the apartment residents will have assigned spaces within the deck for their own unit. Every other parking space will be available for hotel use, restaurant use, golf course use, etc. He stated that he believes they are significantly overparking the development in order to cover all of the demands being requested. All of the parking obligations are being met and accommodated for. The parking variance being requested is a very short lived item. In regards to stormwater, Dumon stated that they are always trying to do things as environmentally responsible as possible. They will be utilizing permeable pavers in order to help create a safer environment. He stated that he would be happy to meet with the surrounding neighbors to discuss landscape options in order to accommodate their concerns.

Dumon stated that they are looking to create five total lots. There will be a parking garage that will accommodate 787 parking spaces for residents. The garage will also include zipcar and electric vehicle charging stations. There will be a total of 1,930 spaces on site, which includes 1,143 surface spaces in addition to the apartment parking. As stated before, Dumon believes this is a significant amount of parking spaces that will likely not all be used, especially due to an increase in services such as Uber, Lyft, etc. He stated that they have assuaged all concerns of neighbors and the Village. The parking and traffic flow is changing due to the traffic circle. The parking will be significantly more efficient for guests due to an improved traffic flow. The apartments will have a new drive created and will have an entryway into the parking deck.

Pill stated that he would like to address four particular areas, including the Park District since that is a big question mark at this point. Dumon responded that they are currently in the middle of discussions with the Park District. He had recently met with the Park Board and had discussions. They are looking to create win-win options so the Park District can get more than what they are entitled to. Dumon stated that they are looking to get the front land of the golf course into the Park District's ownership, yet still have it under the resorts control for operation of the golf course. Golf is a seasonal sport, so they are talking about winter programming such as cross country ski trails. They are working proactively to reach a creative conclusion. If a conclusion cannot be reached then they are under an obligation to the Park District. Their other options would be a land donation which would equate to roughly six acres, or a cash in lieu fee which would be around \$650,000. Dumon stated that if they cannot reach a creative conclusion then they will likely opt for the cash in lieu option. Zemenak stated that whenever there is a subdivision of land, the Village of Westmont subdivision code requires that land be dedicated for park purposes when there is residential development or a cash in lieu of land dedication requirement, if there is not land available to be dedicated. In this case, there may be some land available and the details have not been worked out yet. Dumon stated that their goal is to provide more than they are obligated to in terms of open space and work creatively when those nine holes are not in use for other Park District programs in the winter, such as an ice rink. He stated that they see the opportunity to potentially put in a rink with compressors to benefit the community and it could also be used by the resort for youth hockey tournaments. This would be another great win-win between the Park District and the developers. He stated they have also considered including a walking trail from the R-1 area to Ty Warner Park. They are



thinking proactively as to how to accommodate all obligations.

Pill asked Dumon to speak about the variance request for signage. Dumon responded that their intent is to incorporate an electronic message board which would be programmable. This would allow them to advertise events at the Natatorium, community events, etc. This type of sign allows for the ability to showcase in a way that regular signs cannot.

Pill asked Dumon to have his engineer and landscape architect discuss the preliminary review comments. Ben Bussman, the consulting engineer, stated that they were trying to supplement the site with as much square footage of permeable pavers in order to avoid detention. A final stormwater management report will be completed. Bussman stated that the existing ponds on the golf course could be used for storage and accommodate for stormwater. Zemenak stated that there is a residential development to the east that maintains wetlands. They have had issues maintaining the wetlands and may have concerns with stormwater flowing into their wetlands. He asked Bussman to address those issues. Bussman responded that the stormwater will flow north to south. The apartment complex will flow south of the hotel to an existing pond. The Natatorium and east side of the parking lot will drain in the same direction. There may be a small area along the parking lot that could potentially drain to the east but a majority of the stormwater will flow to the south into existing ponds. Village Engineer Noriel Noriega responded that the latest submittal showed a change in numbers for the amount of asphalt in the parking lots and the creation of permeable areas, which would reduce the impermeable area. DuPage County would provide credits for this, but the Village of Westmont does not. The Village does not allow a number of void spaces in the permeable areas to be counted towards detention unless there is a way to confirm that this volume will exist in the future. Underground detention with storage volume can be confirmed by accessing manholes and this could be accounted for the void ratio between the stones. This can be worked out during the design process. As submitted today, there is no detention modification to the existing ponds and they are showing the volume to be detained in the permeable areas which is something we do not allow in Westmont. Bussman responded that they are not intending on storing the stormwater in the voids. They are using that strictly as a permeable impervious area reduction as County code states that you are not required to do detention unless you exceed 2500 sf of net new impervious. They would like to work this out through final permits to accommodate the volume in the ponds.

David McCallum, landscape architect, stated that there is an existing grove of oaks which will remain as is. This area will be fenced off during construction. The plan proposes over 500 shade trees which include evergreens and ornamental grasses. McCallum stated that there will be over 1,500 shrubs and 2,000 perennials. Along Cass Avenue, the median will consist of shade trees, perennials, and ornamental grasses. Foundation plantings will be included, along with shade trees and flowering shrubs in the parking lots. There will be a screen of evergreen trees to provide a buffer from the parking lot and the street. The Natatorium area will have a berm 5' in height, evergreen trees, and foundation plantings. Pill asked if the landscaping will be irrigated to the east side around the berm area. McCallum responded that it is not irrigated at this point. Pill stated that someone will obviously have to maintain that so the plants survive to maturity. McCallum responded that someone will be maintaining the landscaping on site. Zemenak stated that typically there is a requirement that trees shown on a landscape plan be continuously maintained and replaced as necessary. If trees were to die off there would be a requirement to replace them.



Zemenak stated that the other issue that needed to be addressed was traffic and volume since there is a signalized intersection in the area. Luay Aboona, traffic engineer, stated that his firm completed the traffic study. They studied the traffic flow in the morning, evening, and Saturday hours along Cass Avenue. The study showed that the traffic at the intersection at Cass Avenue and Willowcrest would continue to operate at the acceptable level of service. They are recommending left turn arrows for Willowcrest and 35th Street. The delays for the left turn would reduce if the left turn signal was added. The traffic study has been submitted to DuPage County. Private money will fund the recommended changes.

Bob Fleck stated that the Park District is about open space and recreation. They have had recent conversations with Mr. Dumon and one of the things they are looking at doing is to accept 59 acres and title to the front 9 golf course. If that would work out, the Park District would waive the fee for the cash donation. In terms of 59 acres versus 6 acres, the Park District is thinking long term. Westmont does not have large parcels of open space, so they would like to make this transaction happen. Zemenak asked if an agreement was reached, would there be a prohibition of Park District structures of a certain type that might interfere with open space designations. A park pavilion or playground would be okay, but a Park District Building, health club, etc. would not be consistent with the open space designation. Fleck responded that they have had restrictions with other properties so it is something they are familiar with.

STAFF COMMENT: Hennerfeind stated that he would discuss the items that have changed from the first time this development went through Planning and Zoning. Last time the development was proposed, they were land locked due to the golf course. The golf course was not under the developer's ownership at that time. Now that the developer is in control of 127 acres, all 127 acres can be included for required bulk calculations. The main difference is that they now have control over a much bigger piece of property. The scope of the project has moved outside of the parking lot, and now the developer wants to build the apartment complex and Natatorium in areas that are technically recreational spaces. Additionally, the applicant proposes to convert 40 acres of the golf course for single family residences. This is currently in conflict with the Village's comprehensive plan. Since a comprehensive plan amendment is requested, staff asked for a "clean-up" of the land uses so that the only remaining open space is shown for the front nine of the golf course. The developer is asking to rezone 40 acres to single family residential and convert it to R-1 residential, which is the least dense residential zoning in code. A future developer / purchaser could ask to rezone this area. They are also requesting to overlay lots 1-3 of the B-3 as a planned development. Additionally, a B-3 text amendment is requested. This is a clean up to make sure the B-3 text supports the development that is being proposed. The language that is proposed by the applicant is not supported by staff and Zemenak stated that the developer has withdrawn some of the text amendment. Residential dwelling units are currently prohibited in any existing recreation or open space. Although not required for approvals, staff has alternatively proposed the text could be stricken since the apartments are now being requested in the current location. Part of the open space will be rezoned as R-1 and the other part would be considered a restrictive covenant or conservation easement. Hennerfeind discussed the request for the text amendment regarding the electronic message board signage. He stated that they will still have the same regulations as far as how often the message can change, etc. The ability to communicate to someone pulling into the property will be beneficial when directing people where to go. There is also a variance to request additional signage. Most of the signs are



internal and will not be seen unless you are actually in the site. There is a variance request to reduce the total required number of parking spaces in the B-3 District. In the previous submittal, there was not a phased site included to accommodate when one building was being built. This was originally an issue because it was questioned as to how a Certificate of Occupancy could be issued without parking. Staff encouraged the applicant to submit a phasing plan, which they did. Staff determined that if Phase I, which includes the Natatorium and parking lot, was completed but the apartments fell through, the overall parking would be short over 100 spaces. If the apartment buildings do get built, they will have a surplus of over 200 spaces. In regards to the site and landscaping plan approval, staff is concerned that it could change from what was currently being presented due to outstanding engineering issues. Staff does not have plans in front of them for any potential modifications of the pond, which was requested in review comments. Staff is requiring something very firm in protecting the Oak Grove and the front nine. Staff would prefer a Plat of Easement as a secure document. When this development was built in the mid 80's this area was supposed to be conserved. There is one drawing that states Conservation Area but there is nothing that states the area is fully protected.

Zemenak stated that ultimately, the decision for the Park District land dedication versus the cash in lieu, is the Village Board's decision with input from the Park District. It is a population based formula so when considering the R-1 Development, as that is not platted with site plan and number of houses and potential population, at this point that would be excluded from any calculation. There is also a provision that does provide the option for credit for private open space and recreation areas, provided their satisfactory guarantees and permanency of the use and maintenance are enforceable by the Village. There is some ability to consider existing private recreation spaces.

Shapiro stated that if a Conservation Easement or Restrictive Covenant is requested, they will put that in a Planned Development Agreement. Zemenak responded that in the previous Planned Development Agreement, they defined parking requirements for large scale events and how to deal with it. It required the applicant to come up with a plan that was suitable for the Village Board. After the event, the applicant would come back to the Village Board and we would analyze how the parking actually went and they would have to either continue with that parking plan for future large scale events or modify it if we encountered parking issues. This was meant to eliminate parking and traffic conflicts and provide protection to surrounding property owners so that there would not be cars parked up and down residential streets. Ziegler stated that while the Village appreciates the Planned Development Agreement addressing the Oak Grove, if it is not included as a conservation easement on the plat of subdivision, she will not be recommending approval to the Village Board.

PUBLIC COMMENT:

Scott Day of Day, Robert & Morrison, stated that he represented the Association for the Residences of Oak Brook Hills. Day stated that when the developer first submitted the project over a year ago, his client was against it and voiced their concerns to the Village. They asked the Planning and Zoning Commission and Village Board to encourage any apartment complex to be built on the Cass Avenue frontage. The Association holds ingress / egress rights over the hotel parking lot, so when the developer originally submitted plans for construction on the parking lot, the Association filed a lawsuit, which is still pending. The new plan is a significant improvement and would eliminate all ingress / egress issues with the



parking lot. The Association has expressed their thanks for working towards the land use and concerns of the residents. However, they believe that any development for the portion of the existing golf course should be accompanied by a statutory conservation right enforceable against the entire front nine of the golf course. This would protect the property values of each resident and will protect the property values of the homes to the east and the north outside of the resort. The Association urges that extreme care and comprehensive vetting of the DuPage County Stormwater ordinance and Village Code be taken care of. The relocation of the Natatorium is a significant improvement of the site plan. Three specific condominium units will be located near the east wall of Natatorium. Care and adequate vetting will be essential, such as landscaping and drainage. The Association has submitted a detailed landscaping plan to Village staff. It works off of the landscaping plan that was created by the developer. The traffic study indicates an increase of traffic at the front entryway. The front entrance road is the sole access to the condominiums, hotel, proposed apartment complex and proposed Natatorium. This entrance road is currently private. In 1985 a Cost Sharing Agreement was established that places 25% of the maintenance costs on the residences of the condominiums. The new plan will more than double the traffic use of this road. It is unfair to place this cost on the residents if they represent less than 5% of the traffic. The developer has stated they would look into roadway cost sharing on the basis of actual usage, which should equate roughly 5%. The Association believes the Village should take responsibility of the maintenance costs for the front entrance road, including street lights. The Association asks if the project receives approval, that all prior submissions be voided, stormwater be addressed, development anywhere on the golf course be prohibited until a conservation easement is in place, revise the cost sharing, and ensure proper setback in close proximity to the Natatorium.

Alan Koren, Board Member of Saddlebrook, stated that he represents the Committee for the Responsible Development of North Westmont. He read a statement from the Committee addressed to the Planning and Zoning Commission. Koren stated that Royal Hills Club is located across the street from the proposed apartment complex. They currently have flooding issues. Replacing the permeable soil and turf with concrete would increase flooding. The water mitigation details have not been viewed by the residents. The value of some of the homes in Midwest Club will be adversely affected by the development of the apartment complex. Indian Trail is located to the south and also experiences an excessive amount of flooding. The residents of Indian Trail are concerned that they will experience more flooding once the back nine of the golf course is developed. They believe the development of the apartment complex will affect the value of their homes. They are within 1,200 feet of the development proposal. The east pond near the corner of Saddlebrook has already been a concern due to flooding. The pond is located in an area with a higher elevation and the residents believe it may need to be dredged. The residents are concerned that flooding will increase when the permeable soil is replaced due to the construction of the apartment complex, since Saddlebrook is located downhill from the development. The increased traffic flow from the developments will cause their property values to decrease. Midwest Chase Homes are located across 35th Street from Saddlebrook and are under the same association as Saddlebrook and therefore will have legal standing through Saddlebrook. Northeast of the development is Trinity Lakes, which also has several ponds. Koren stated that the increased traffic will cause the property values to decrease. Further east on 35th Street is Covington Courts. They are located in the front nine of the golf course and will likely experience a loss in property value due to increase of traffic. Koren asked if the Village of Westmont is interested in obtaining the site survey or preliminary engineering plan for the development of the back nine which is being rezoned as R-1, prior to approval of the rezoning. Zemenak



responded that at this point the request is just to rezone the property. There is no development request at this time. He stated that at some future date, the Village would want to see development plans. However it is impossible to have engineering plans for an unplanned development. Koren asked what is the Village's position on the back nine. He asked what would happen if R-1 is approved and something happens and that development does not take place. He asked if the Village would remain committed to the R-1 zoning change for the back nine. Zemenak responded that the purpose of the public hearing is to gather evidence and make a recommendation to the Village Board. Based on their recommendation, it will be up to the Village Board if they decide to approve the rezoning to an R-1. He stated that there is no development plan so even if it is approved by the Village Board, it will stay R-1 whether development occurs or not unless the owner decides to change the zoning, in which it would have to go through a public hearing again.

Alan Hanzlik, resident at Midwest Club, stated that he is also a member of the Committee for the Responsible Development of North Westmont. He stated that they support the responsible development of 3500 Midwest Road, the Natatorium, and the front nine. His concerns center around two issues which include the proposed location, height, and size of the apartment complex. He stated that it will be almost three times the size of Costco. Hanzlik presented images of buildings similar in size to the proposed apartment complex to compare how large the complex will appear. He stated that the artistic renderings of the trees shown on the proposed apartment complex plans are not to scale. Hanzlik stated that the Village should consider either two 3-story buildings or placing the apartment complex towards the back nine. He stated that a major concern is the increased flow of traffic into the one entryway, which is already prone to traffic accidents. He stated that if a catastrophic event were to occur, first responders would run into congestion, traffic, etc. and they request a second point of entry. Hanzlik stated that they are requesting the Village to have the developer modify their plan to include two three-story apartment complexes or move the proposed apartment complex off of Cass Avenue.

Joan Gagen, President of Indian Trail Townhomes, stated that she shares the concerns of her fellow committee members. She stated that they are not opposed to the Natatorium, but they do have concerns about increased traffic. Gagen stated that their biggest concern is the proposed apartment complex and how large the development is going to be. While it will be surrounded by trees off of Cass Avenue, the residents of Indian Trail will have an open view of the large complex. She stated that there are berms being put up for the other side of the property, but nothing is being done on their side. Gagen asked why the developer is building apartments and not condominiums. She stated that there are more renters than homeowners in Westmont, and that goes against the Village's strategic plan. Gagen stated that they already have traffic problems on Cass and there are times when making a left turn from their entryway is impossible. Traffic has even begun to back up on Ogden, making it difficult to turn right. She asked what happens if there is a big swim meet or a big function causing a traffic back-up. She stated that their final concern is stormwater since they already have stormwater issues at Indian Trail. They are adjacent to Liberty Park detention area and recently the Village had to pump water out for two days. They are concerned since they are already experiencing stormwater problems and would like to know where the water is going to go once the development is constructed.

Frank Gonzalez, resident of Royal Hills Condominiums, stated that they are across the street from the proposed development. They have just recently undertaken a large stormwater project which the



residents have invested in. He stated that it is important that the Village not forget who lives in Westmont today and that they are not negatively impacted. Gonzalez showed a video from his phone that showcased the drainage and stormwater issues they experience at Royal Hills. He asked that if more cement and asphalt is created, what will that do to the residents at Royal Hills. He stated that when going eastbound on 35th Street, it is possible to sit at the light for over three minutes just to make a left turn. Adding the proposed apartment complex will greatly increase the problem with the traffic. Gonzalez stated that a second entrance should be incorporated. He also stated that the height of the building will be huge and trees will not block the view. Gonzalez stated that they are not opposed to the Natatorium and are only asking that the Village recommend moving the apartment complex to a different location.

Carl Manofsky, resident of Covington Courts, gave a brief history on his real estate background. He stated that one of his biggest concerns is the height of the apartment complex due to the fact that it is out of character for the Village of Westmont. Manofsky stated that a major problem is the ingress / egress with the proposed development. The traffic will be an issue and a second entrance should be considered. He stated that another problem he has is stormwater issues. He said water levels come up dramatically higher and this development could create watershed problems for those in the Mayslake area. He stated that he asks the Board to listen to the concerns of the residents before making a decision.

Dumon responded to the stormwater issues by stating that there is a significant stormwater problem that was already existing prior to the DuPage County requirements. Many of the problems are not impacted by the development of the apartment complex because the water will be flowing in a different direction. In terms of traffic, Dumon stated that incorporating a left turn signal would be beneficial for everyone. He stated that adding a second egress is not warranted at this point. County would likely not approve it, but if they did, the developer would be more than willing to add it. Dumon stated that it sounds like people just do not want the apartment complex. He responded to the question about condos by stating that it is not right for the market now. Condos are not favored right now and there is a significant demand for rental units. The economic reality is that apartment rentals are in higher demand than condominiums. In terms of the concept of shrinking the building, it would contradict the concerns of stormwater. It would create more concrete, more runoff, etc. Dumon stated that the images were not manipulated with the images of the trees. Those images were to scale and realistic. Dumon stated that the apartment complex will be an institutionally built luxury building with steel concrete.

Pill stated that he was under the impression that a good amount of water flows from Oak Brook Hills to Lake Charles. He asked Noriega to further elaborate on this topic. Noriega responded and stated that there is a network of storm sewer systems and Cass Avenue is essentially the high point. Everything west of Cass Avenue will flow west. Everything east of Cass Avenue does make its way through the development and heads east and is all tributary to sump creek watershed. There is a network of storm sewers that travel and go through the golf course and into the Oakwood subdivision and into Lake Charles. Pill asked if the entry way is blocked, what is the access for emergency vehicles and how would they get onto the property. Dumon responded that they are in compliance of all public safety requirements. The building plan will be reviewed by the fire department and police department and they will be complying with all their requests.



Vinod Srivastava, Vice President of Covington Court in Oak Brook, stated that he has been a resident there for over twenty years. He stated that they have heard many arguments as to why the apartment complex is beneficial. The only concern he has is that the apartment complex is not the right fit or the right location. The apartment complex has 680 square foot units and yet there are houses around the area that have 5,000 to 10,000 square feet. He stated that they are not opposed to the development, but they should consider finding somewhere else to build the complex. He asked the Board to consider putting themselves in the resident's shoes and how they would feel if this large complex was built so close to their homes. He stated that what is good for Westmont is good for Oak Brook and what is good for Oak Brook is good for Westmont. The only thing he is protesting is the apartment complex. Srivastava asked how much benefit will the Village get from the development of the apartment complex.

Louis Renelli, resident at 15 Indian Trail, asked how 700 square feet can be considered luxury apartments. He stated that the size of the high end luxury units are not very luxury. The drawing that the developer presented was a corner unit, which happens to be their biggest unit. Renelli asked how many people would actually be able to afford the corner unit. He stated that there was a lot said by the developer that was a good, but a seven story building with 9 foot ceilings is going to be $\frac{2}{3}$ the size of the hotel. Renelli stated he would be fine if the developer stopped building where the tree heights end. He stated that the Oak Brook McDonalds campus built their building no higher than the tallest tree. There are not many trees that are 63' tall. Renelli stated that the rentals might be good, but do we need this high of density in a very active community. He stated that the increase of traffic will be overwhelming and the curve can be scary. Renelli stated it is a good development, but it should be somewhere else. He stated that the area is a quiet neighborhood. He asked how many feet the top of the apartment building is above sea level. Renelli stated that it will appear taller than the developer is making it out to be.

Alan Hanzlik stated that Dumon questioned their logic in suggesting two three-story units. He stated that this property cannot support a seven story 300-unit complex. Maybe they should consider a three-story 150-unit complex. Hanzlik quoted that the Village of Westmont engineering recommends that this project does not go before planning and zoning and that engineering is not comfortable recommending this project go before planning and zoning without proposed water detention requirements. Hanzlik stated that as residents surrounding the proposed development, they are concerned until they see the proof. He stated that according to the Village documents, parking is inconsistent with the provided documents, architectural from Legat do not match architectural renderings. He also stated that right of way improvements are required along 35th Street. There are lots of hurdles to go through. Hanzlik stated that this is the largest complex that has ever occurred in Westmont and certainly the largest residential complex in Oak Brook. He stated that the size of the building is going to destroy the property values of the surrounding communities. In regards to the entry / exit system, Hanzlik is concerned that if a catastrophe occurs, there are no safety measures to the one entrance and exit.

Shapiro stated that the quotes Hanzlik used were from previous staff reports and those particular issues have been addressed. Dumon stated that in the B-3 District, the allowed height is 125' and the density is .8. He stated that a lot more could be added to this site by right. They could go significantly higher and add an office building if they wanted to, but they are not.

Hanzlik stated that in a previous meeting with Dumon, he said they could build a Wal-Mart there if they



wanted to. Hanzlik stated that is not the kind of give and take that is needed in order to make this work.

An unnamed resident asked if Dumon would be open to adding additional entrances and exits. Additionally, she stated that there are enough issues tonight and would the board be willing to have another meeting. Dumon responded that an additional entrance is not warranted since it is in the R-1 District and the ingress / egress off Cass Avenue is warranted. Pill responded that they will decide if the meeting will be continued after speaking with the Commissioners.

A brief recess was conducted. After the recess, roll call was taken.

In Attendance: Chair Gregg Pill, Secretary Wallace Van Buren, Commissioners Craig Thomas, Doug Carmichael, Janis Bartel, Christopher Lavoie, Community Development Director Jill Ziegler, Village Planner Joseph Hennerfeind, Village Attorney John Zemenak, Village Engineer Noriel Noriega

Absent: Thomas Sharp

Pill asked the developer to explain approximately where the foundation is going to be in relationship to the peak point in the oak tree area. There is an enormous slope north to south and the question is where does the building sit. Dumon responded that the high point is 775 in the north east corner. The building is actually at 770 at its highest peak. If the building was going down the hill, such as the pool level, it will cut into the ground and is effectively underground. The far southwest corner has a 50 to 25 feet elevation change. The Oak Grove conservation area is a shield. As you look at the trees, you are at an angle, so they act as a shield. The "worst" perspective is coming from the south. Dumon stated that they have talked with County about doing landscaping work in the west in order to beautify that area.

COMMISSIONER COMMENT:

Lavoie: Asked the traffic engineer about the right hand turn lane on north Cass and his overview on the intersection, as far as serviceability. Aboona responded that they looked at the totality of the movements in and out of that intersection and the adequacy for the turn lanes. This intersection operates very well today. Cass Avenue is a County highway so the traffic is always moving at that intersection. All the movement onto Cass from 35th Street or into the development, will operate as a service alley, which is the best you can expect in terms of Level A service. Lavoie asked the traffic engineer to explain what Level A service means. Aboona stated that the least desirable is Level E and F. Level Service A on Cass Avenue indicates these movements are moving without significant delays. The result of that is due to the fact that the intersection is able to clear every time. The flipside of that is 35th Street and the access drive into the development, as that traffic has to wait a little bit longer. Introducing a left turn arrow will allow drivers to hit that first rather than having to wait for traffic to clear in order to turn left. Analysis shows that it will improve the intersection. Aboona stated that they do not see the need for a right turn lane and the County is in agreement to that finding. Lavoie asked Aboona to explain the criteria for warrants and how they need to be met to make an improvement. Aboona responded that the intersection is mostly related to the capacity and the delays. Since this approach is Level A at all time periods, it is a clear indication that a right turn lane is not needed. The traffic projections are not significant and are around 100 cars which does not indicate that a right turn is needed. Lavoie asked in



regards to the egress, if he sees a need for additional stacking. Aboona responded that there are three exiting lanes so people should be able to get out of the intersection quickly. Lavoie asked if there is a grand exit due to a major event, will that have an impact on the egress. Aboona responded that may require additional management with traffic control, but when there is a major event at the Natatorium, there will be no major events at the hotel. Also, it is likely those people will be staying at the hotel. Lavoie asked if Aboona looked at the circulation at the apartment building. Aboona responded that they would be happy to work with staff and the Fire Department to make sure emergency vehicles can fit and have accessibility. Lavoie asked if there is enough room in front of the building to handle several emergency vehicles. Fawell responded that there is plenty of room for most of the vehicles and there is a turnaround that they would be able to use. Revisions were made and the latest comments from the Fire Department indicated that they had no issues and details will be taken care of during final engineering.

Lavoie stated that he thought it was a good move to bury the parking inside of the corridor. He stated that it looks like the trash is incorporated inside of the garage. Lavoie asked if a garbage truck would be able to access this area or will they have to stay outside. Fawell responded that the garbage truck will stay outside and the dumpsters will be on wheels in order to move it outside. Lavoie asked if there was a garbage compactor. Fawell responded that no there is not a compactor. Lavoie asked how a resident would accomplish moving into a unit, for example, on the south side of the first floor. Fawell responded that they could use the elevator on the lowest level and move in during off peak hours or they could come in through the front door, but that is rare. Lavoie asked if they would park in front of the building. Fawell responded that they could but most will move in using vans. Lavoie asked if a van were to pull up, moving in and out, would most people come through the front door. Fawell responded that it is a management decision. Residents would have the option to come through the front door, but they could also come in through the building. If it is a semi or something large like that, then they would need to come in through the front of the building. Dumon responded that if they are moving in something larger, like a mattress, they would likely come in through the elevator. However, when residents are moving smaller items, they will park on their designated floor and move right into their unit. Lavoie stated that any unit on the south would require the resident to walk around $\frac{3}{4}$ of the building to access the parking. He asked if that was correct. Fawell responded that there will be a north and south entry from the garage. If you use the elevator you will have to go through the corridor, but there is parking close to each unit.

Lavoie stated that it looks like the sidewalk is stubbed out in terms of egress into the grass crete. Basically the sidewalk stops and the residents would be out in the grass. Fawell responded that they will have to have sidewalk or permeable pavers installed. Lavoie asked if the developer had a sample of the hardy plank panel and what does it look like. Fawell responded that it is mini precast that has a rain screen system. It attaches to the building and is prefinished. The durability is under a twenty year warranty. Lavoie asked what the maintenance is with the panels. Fawell responded that there should be none. Lavoie stated that he did have a conversation with the Fire Department and the development is a work in progress. In some areas the turn is close to the building so it may be something that needs to be looked at. Lavoie asked if there is a golf hole that is close, what happens if the golf balls hit the nearby buildings. Dumon responded that there really is no crossover or new impacts that do not exist today. They are looking to rearrange the green to move hole nine so that it does not potentially impact anything. Lavoie asked if the outside of the Natatorium is the same material. Fawell responded that it is painted precast and everything will complement each other.

Lavoie asked if there is any other design component on the exterior of the building, i.e. windows,



that are going to be noise windows that can attenuate sound. Fawell responded that the units will be insulated glass units. Lavoie asked if there would be any noise coming from the Natatorium that would be a problem to the surrounding neighbors. Fawell responded that he seriously doubts it. Lavoie asked where construction traffic is going to park, how are they going to park, and where will they be coming in from. Dumon responded that the Natatorium construction traffic will be in the parking field. In regard to the apartment complex a haul road will likely be established onto Cass Avenue for a temporary basis but that will be staged right about where the apartment complex is being built. Once the deck is done, the construction office can be moved inside the deck. Lavoie asked why the Market Study omitted two developments in Downers Grove that consisted of 100+ units when comparing neighboring developments. Dumon responded that he would have to ask the group that completed the study. Lavoie stated that it may impact the numbers as far as absorption rates. Dumon responded that he is not sure how big they are and they are viewing the Market Study as a feeding demand that has not been supplied for the last 25 years. They are really looking to the southeast / east of the area. He stated that most buildings in the area are wood framed and the proposed complex is going to be higher end in the sense that it will be constructed out of steel and concrete. The units will have high ceilings, nice bathrooms, and can make a very nice suite. Lavoie stated that some of the balconies are right next to each other and asked if there is anything they can do about that to avoid any potential issues with tenants. Dumon responded that the dimension may be misleading because the balconies are not that close and neighbors will not be able to reach over to each other. Lavoie asked Dumon to take a look at the Market Study in order to include the comparable properties that were missed.

Lavoie asked if the stormwater study will include wetland mitigation. Bussman responded that there really is only one wetland that is just off of the property and is not within the project limits. The existing ponds will serve as detention basins. There may be some wetland vegetation that can serve as detention. Lavoie asked if there is an issue with wetlands, would they be willing to mitigate according to ordinances. Dumon responded that there are more wetlands on the R-1 side and they will absolutely be mitigated. Lavoie stated that they can do that when they create the R-1 but when they start the submittal with detention requirements they will have to impact the area and if they do, that may be something in addition. Dumon stated that they will meet all Westmont and DuPage County requirements for detention and wetlands. Lavoie asked if they have to upgrade the entire property according to code. Bussman responded that they only need to upgrade the development area, not the entire property. Lavoie asked if that would exceed the 25,000 square feet of disturbance. Bussman responded that the detention threshold is 25,000 square feet of net new impervious. For example, an acre of the area can be disturbed and still meet the detention threshold requirements, as long as they are not adding more than 25,000 square feet of new impervious area. Therefore, they are under the detention requirement. Lavoie asked if they are willing to meet Best Management Practices. Bussman responded that the permeable pavers should satisfy that part of the BMPs.

Lavoie asked if they will meet the photometric requirement. Fawell responded that they did complete a photometric study but since it was not required they did not submit it. They want to make sure themselves that the layout in the parking meets the illumination standards for outdoor parking. He stated that they do have it if he wants to see it. Lavoie responded that he just wants to make sure they are willing to do everything to the code. Carmichael asked Lavoie to explain photometrics. Lavoie responded that the parking lot and surrounding lighting for the Natatorium would need to meet a standard to meet minimum and maximum requirements. Software would put the proposed light fixtures in their locations in order to measure how far the light reaches and how dim it is, if it creates dark spots



or bright spots, and if it affects people across the street. Lighting is an important matter for the residents and neighboring properties. Fawell responded that they will be using LED light fixtures that will meet the standards. Zemenak responded that the Village does have standards in place about how many lumens or foot candles can exceed property line and areas and it is a condition of permitting since a photometric plan is required. Lavoie stated that since these things were not included in the packet, he just wants to make sure the public is aware that the standards will be met. Dumon responded that he understood.

Lavoie stated that he read through some correspondence from the previous submittal that stated they will vacate some easements and he asked if they know the parties of those easements and if it has been done yet. He stated that this was the conflict between Oak Brook and Westmont on access on existing easements and part of the package includes the requirements to vacate other easements. Lavoie asked what are in those easements and do utilities need to be relocated. Dumon responded that he is not familiar with what Lavoie is talking about. Zemenak asked Lavoie if he is referring to the current package or the prior package from the original submittal. He stated that the current package contains information on the ingress / egress easement for the parking lot. Lavoie responded that he saw somewhere that other easements needed to be taken care of and he just wants to make sure that they do not run into any issues due to not vacating easements. He stated he would come back to it.

Lavoie stated that there seems to be a pretty big area along Cass Avenue on the southwest corner that the landscaping could be enhanced with berms and trees. He asked what their opinion is. McCallum responded that they currently have a lot of ornamental trees in that area. He would have to check with their Civil Engineer to see if a berm would be tolerable there due to stormwater. Lavoie stated that it looks like there is an opportunity to add a berm in that location which could add a buffer to the property. He stated the building looks much higher from the southwest corner and it looks like they have an opportunity to add more and would they be willing to look into that. McCallum responded that they could look into it. Lavoie asked if the neighboring property owner next to the proposed Natatorium is satisfied with the landscaping since there were concerns. McCallum responded that he has not seen the drawing that was submitted to the Village so he is unsure as to what it represents. Fawell responded that the topo from the Natatorium to the corner has a foot drop so if the five foot berm is consistent and does not slope, it should not be an issue. Lavoie asked if they worked with the neighboring resident. Fawell responded that yes they did through the Village. Lavoie asked if the neighbor is okay with the landscaping. Resident Greg Butler responded that the berm was part of the largest issue and the houses are relatively close to the Natatorium. Butler also had some recommendation to add shade trees in order to get higher elevations since the structure is above 40', so they would like to shield it. Pill asked if there was an agreement to the changeout of trees from evergreens to shade trees. Butler responded yes. Lavoie asked that the developer pay attention to the photometric plan due to the close proximity of the neighbors. He suggested using bollard lighting instead of wall packs. Fawell responded that they can easily do that and anything they do will be short cut-off fixtures.

Carmichael: Asked why does DuPage County give a 50% credit for permeable pavers and Westmont gives nothing. Noriega responded that the Village is stricter than the County. He stated that if the developer changes permeable aspects (concrete, asphalt), the County looks at it as completely permeable. That actually helps the developer in terms of the 2,500 square feet of net new impervious area requirements where they have to meet certain BMP aspects. Here at the Village we do not give that same credit so we will be requiring additional detention for areas that are being changed from permeable to impervious area. Carmichael asked if the new plan that was submitted did not include detention and the correction



of different plans. Noriega responded that they are changing the parking lot to permeable so by doing so they are reducing the net new impervious for the entire site so the water quality is not triggered by the County. However, you look at the permeable areas and that is considered a BMP of the County. What has changed from preliminary submittal #1 to preliminary submittal #2 is the permeable aspects of the detention, and since the County's items are not triggered, the detention area is not being triggered. However, Westmont is requiring detention as part of our requirements. They eliminated the modification of the existing pond which triggered a red flag. Carmichael asked where do things go from here. Noriega responded that they indicated in their testimony that they will be providing and adhering to all requirements. He stated he will be looking for volume control in the existing ponds or something else underground.

Carmichael stated that he agreed with the townhomes that the Village should take responsibility of the initial part of the turnabout of the public drive. He asked if that would be a whole new bucket of worms and how would that be completed. Noriega responded that Village Board would have to make that decision if they would want to take on responsibility of the road and they would need to determine if it needed to be reconstructed to our standards. The biggest question will be if the Village Board wants to manage that area. Also, is the current owner willing to give up ownership? Hennerfeind asked if it would be a substandard street since it does not have sidewalks and other amenities. Noriega responded that in its current shape, yes, it would be substandard and if the Village took ownership through a jurisdictional transfer, we would require the owner to bring it up to our current standards.

Carmichael asked what would need to be done to record the Oak Grove as a conservation easement. Noriega responded that there would be language added onto the plat of subdivision and easement provision. The limits would be defined on the plat. Zemenak responded that it could be a comprehensive restrictive covenant or easement agreement. If the Park District were to take over the golf course under a restrictive covenant or easement agreement, there would need to be limits as to what could occur on the property and that may not all fit on a plat of subdivision. Staff's concern is to make sure the document is recorded and this protection can occur with a stand alone agreement that is part of the planned development agreement that gets approved by the Village Board and would have to get recorded. Carmichael asked if the Park District Board would have to have a specific agreement that states what they are and are not allowed to do on the property. Zemenak responded that the land development code states that it is ultimately up to the Village Board, whether to require a land dedication, cash in lieu, or some combination to that. The Park District Board does not make the sole determination on how to handle that. Zemenak asked the Commissioners to determine if they have a recommendation to make for the Village Board, whether it is something to work out with the Park District with the front nine holes, dedicate approximately 3 acres for open space, cash in lieu, or some combination. Lavoie stated that their decision may impact the site plan. Zemenak responded that if the Commissioners do not feel comfortable enough to make that decision yet, continuing the meeting could be an option. If they were to say here is our general recommendation and work it out with the Park District, and it does not work out and the site plan would have to change, the Village Board would refer it back to Planning and Zoning. The meeting would again get published and there would be a new public hearing for the revised site plan showing the open space.

Carmichael asked the developer if they are considering one car per apartment unit, in terms of parking. Dumon responded that they used the Village requirements. Hennerfeind responded that Village requirements are 1-½ cars for one bedrooms and 2 cars for two bedrooms, which means they would be required to accommodate for 499 parking spaces. Carmichael asked if the tenants are going to pay



additional rent for their vehicle. Dumon said yes that is typical since not everyone has a car. Carmichael asked if there will be a lot of extra parking spaces and will they be used for valet parking then. Dumon responded yes, and it will depend on where the event is and how many people are going to attend. He stated that employees may also be able to use them as well. He responded that incorporating valet parking may help bring the hotel from a 3-½ star to 4 star hotel. Carmichael asked if visitors would be able to park in any unmarked spots. Dumon responded yes, they would be able to. Carmichael stated that the new submittal is an improvement and the neighbors' biggest objection is the size of the apartment complex. He asked if they would consider downsizing the size of the apartment complex. Dumon responded that they would not consider downsizing since they have already made the investment for the land and need the extra units to make this deal work.

Van Buren: Asked the staff if there is anything that is still up in the air that should be concluded or that they have concern over. He asked if there are any issues in particular. Ziegler responded that the engineering department did not recommend approval at this point and we do not have the plans to support it. Noriega responded that plans are not available to show the detention that would actually need to be approved. He stated that they did see preliminary modification area in the first submittal which has now been removed on the second submittal, but he is pretty confident that it could be changed but as submitted it does not show such.

Thomas: Gave his congratulations to both teams for getting together and working out the issues.

Bartel: Stated that her questions have been answered. Many changes have been made that are positive. Bartel asked about the waterflow adequacy. Noriega asked if she was referring to the waterflow pressure. Bartel responded yes. Noriega stated that the Village does receive a few complaints of peak times regarding low pressure. There may need to be additional measures provided within their development to help the pressure within their facility. Bartel stated that there really should be more than one entrance in terms of traffic amounts and emergencies.

Pill: Asked if there was any disagreement on preserving the Oak Grove. Dumon responded that they are completely agreeable on that as it is the best part of the property. Pill asked if the apartment complex will have the rooftop garden. Dumon responded that it has a green roof and they are trying to determine if they can still do that. He stated that in the previous submittal they were originally going to use the rooftop for activity space, but now that they have extra land, it just comes down to choice and cost. It would be something that they could partner with the schools for field trips. They would be able to use everything they produce with their kitchen staff. They are committed to a green roof. Pill asked if they understood that some kind of agreement will need to be finalized with the Park District and Village Board. Dumon responded that he is not a legal expert but he does understand.

Pill responded that he feels very strongly about the front nine being preserved. Dumon stated that they are open to that. Pill asked if they still plan on redoing the front nine of the golf course. Dumon responded that yes they will and it would be closed for a season. They are currently working with an architect and believe they will financially do better with a nine hole course rather than an eighteen hole course. Dumon stated that there is a movement in America for phenomenal nine hole golf courses. They are talking with their architect to incorporate green complexes and possibly change the name. There will also be a putting course that will be incorporated since not everyone wants to play a round of golf. Pill



asked if they will reconstruct a second tent someplace else. Dumon responded that the permanent hard walled ballroom will replace that. The ballroom itself will be about 6500 square feet. If a new tent was installed it would be more temporary. Pill asked what the actual color is of the apartment complex. Fawell responded that it is meant to be white and contemporary. Pill stated that the berm on the east side of the Natatorium needs to extend at the full level the entire way. Pill stated that he believes that area should be irrigated so that it stays in good shape. Dumon responded that in terms of irrigating the landscaping, he disagrees because they will have a maintenance staff on site and will be taking care of the landscaping.

Pill stated that the commission has a couple options. One would be to move ahead. However, since there are a couple pending issues, including engineering and the Park District, they could continue the meeting to next month. Lavoie stated that since the solution to the Park District could impact the site plans that we have not seen yet, it would be difficult to move forward. He also stated that he believes staff is not satisfied yet to make the recommendation to the Board. The conservation easement is a critical component and should be right before moving forward. Lavoie stated that Scott Day's memo had a lot of criteria to it that should be addressed and a continuance should be sought.

Van Buren stated that if staff does not feel comfortable enough to recommend it to Village Board, it should be continued.

Thomas stated he would be comfortable voting tonight. He asked when the continuance meeting would take place. Zemenak responded that they did look at special meeting dates but the next Wednesday would be right before Thanksgiving and the following Wednesday Commissioner Pill will be out of town. It seems that December 13th would make the most sense and would allow enough time for staff to review and make a recommendation to Village Board. Thomas responded that he does not have a problem waiting so they can get all their ducks in a row.

Carmichael stated that he was fine with continuing the meeting until next month.

Pill stated there are a lot of loose ends including the Park District and engineering so it makes sense to continue the meeting until next month. Pill made a motion to keep the public hearing open and continue on December 13th, 2017.

Motion by: Bartel

Second by: Lavoie

Zemenak confirmed that this is a motion to continue the public hearing until the December 13th, 2017 Planning and Zoning meeting.

Lavoie stated he wants to make sure everything is itemized so that the developer knows what needs to be done. There are landscaping issues, issues with the neighboring communities, information that needs to be addressed from Scott Day's memo, color and sample of the building should be looked at. The Park District's solution is critical to design so they need time to see all of this.



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VOTING A

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Absent

Motion passed.

11. Miscellaneous Items

Pill stated that the Veterans Day Ceremony will be held at Ty Warner Park on Saturday, November 11th at 11:00 AM. He also wished everyone a Happy Thanksgiving.

12. Motion to Adjourn

Motion by: Thomas

Second by: Van Buren

Meeting adjourned at 12:01 AM.