



westmont.illinois.gov

Community Development Department

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

Village of Westmont Planning & Zoning Commission December 13, 2017 - Minutes

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, December 13, 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, Thomas Sharp, Doug Carmichael, Janis Bartel, Christopher Lavoie, Community Development Director Jill Ziegler, Village Planner Joseph Hennerfeind, Village Engineer Noriel Noriega, Village Attorney John Zemenak

Absent: None

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 November 08, 2017 regular meeting**

MOTION to approve November 08, 2017 minutes.

Motion by: Thomas
Second by: Bartel

Voting A

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

Motion Passed

8. **Open Forum**
9. **Review of Public Hearing Procedures**



10. Open Hearing

Old Business

PZ 17-023 Approval of Findings of Fact from the November 08, 2017 public hearing regarding the property located at 410 North Washington Street(north lot), Westmont, IL 60559

FINDINGS OF FACT

1. YES=7 NO=0
2. YES=7 NO=0
3. YES=7 NO=0

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: Attorney Dan Shapiro approached the commissioners and stated that the applicants would be focusing on what was new and what changes have been made since the November 8, 2017 Planning and Zoning meeting. He stated that many of the concerns revolved around landscaping, stormwater, and architecture. The essence of the development has remained the same. There was a suggestion by staff that they should amend the text amendment request for B-3 Special Business District to no longer add new language after what was shown with the deleted language. They agree with staff's recommendation and are on the same page now. The applicant is very close to finalizing transactional documents with the Park District, including a Purchase Sale Agreement, as well as a lease. They are very optimistic and expect to finalize the documents in short order. Shapiro stated that they have also been working with staff, specifically John Zemenak, on a restricted covenant that would restrict certain uses of the front nine. That would be the portion of the golf course that the developer is conveying to the Park District and then leasing back. The developer has been working with Zemenak and staff regarding restricted uses going forward on the front nine. The intention is to balance the use as open space with some of the



neighbors nearby to make sure they are not disturbed by any of the activities. Shapiro stated that they have been working diligently on the Development Agreement, which will be ready when the project goes to the Village Board. Pursuant to the staff and commission's request, a conservation easement has been identified for the Oak Grove area on the plat of subdivision. The plat has been shifted slightly to include a detention pond with the hotel lot.

Richard Fawell, Wright Heerema, discussed the parking lots and stated that there will be enough parking spots for 1,143 cars which will accommodate all facilities. They will be 186 spots over the requirement once the garage is built. The biggest site plan change is that the hotel conference center parcel now includes a pond south of the hotel. The hotel owner will be able to take on the responsibility of the maintenance for the pond. It improved the overall Floor Area Ratio (FAR) and open space environment. A conservation easement was incorporated that will always protect the Oak Grove at the front entry. Fawell showed the proposed traffic map and stated that nothing has really changed with it. He also showed a proposed pedestrian walkway plan. There are sidewalks along Cass Avenue and Midwest Road so that people can walk all around the site. Fawell stated that staff requested that they make sure all circulation worked for emergency egress and large truck access. He showed a diagram that addresses the turning radius for all larger trucks and emergency vehicles. He also showed an existing diagram of the Oak Grove area that consists of 5.15 acres which will have a conservation easement. The overall parking went from 965 spaces up to 1,143 spaces. The handicap access that is incorporated will ensure that people do not roll through the lots. The handicap access for both buildings has vastly improved. Fawell displayed the photometric plan and stated that the average is .5 foot candles with a maximum of 4.6 and a minimum of 0. The lot lines consist of 0 foot candles. The fixtures meet the IESNA requirements for lighting in parking lots and will not spill over on the border of Willowcrest Drive or the neighbors. The cut fixtures are also included on the photometric plan. An additional 102 parking spaces will be created due to valet parking. Fawell stated that a majority of the paving around the Natatorium will be permeable pavers in the front plaza as well as around it. He stated that the Natatorium will become a community amenity in many ways. It will provide classes to the community, provide olympic training, host swim meets, etc. Bleachers will wrap around on three sides and seat roughly 1,200 people. There are windows on all the different elevations. There will be landscaping adjacent to the 5' tall retaining wall and also a landscape berm that faces the residents to the east. The landscape berm is very thick and has a variety of trees from low level to high level that will hide the building. It will provide a landscape buffer between the Natatorium and the residents. The hard walled ballroom will replace the existing tent. It will also provide golf cart storage and a maintenance room.

Fawell stated that the apartment complex will be nestled behind the trees off of Cass Avenue. The setback is 50' as required and 150' from the R-1 District. Fawell stated that because the site slopes as it heads west, they are taking advantage of that by placing the amenity level at the far west. It is not a basement level, but a lower level at the western part of the building. The parking also slopes. He stated that there are trash rooms located on each level and will be collected on the main floor by wheeling out the trash bins. As mentioned in the last meeting, residents will move in on their own level. The units wrap around the garage, allowing residents to also park on the level in which they reside on. The roof will contain a mechanical room and will be a green roof. The building will be LEED certified when it is complete. Fawell showed a few diagrams of the apartment complex elevations. He also showed details of the windows and how they migrate into the wall system. Each unit will also have a balcony. Fawell presented material boards and samples of the glass that will be used. Fawell also presented different viewpoints of the apartment complex from various standing areas. At the intersection of Midwest Road and Cass Avenue, the view of the apartment complex will pretty much be completely screened. On the other side of Cass Avenue, the apartment complex will pop up above the landscape, but can potentially be screened more. The third view, which is taken from the roundabout off of Cass Avenue, shows that the apartment complex will be seen, especially considering that it is relatively close to that standpoint. The fourth view takes place at Midwest



Road and shows that the apartment complex can be seen, but is also largely screened. From Oakley and Cass Avenue, the apartment complex is more visible but there is more planting in the foreground. If you are on Cass Avenue on the east side of the street, the building will be screened by a 25' tree line. There is no view of the apartments from Trinity Lane. As you come up the main entry drive, the elevation rises up to 761' above sea level. The top of the hotel is at 882' above sea level and the top of the apartments is at 848' above sea level. The apartment complex will be approximately 34' shorter than the hotel.

Ben Bussman, Webster, McGrath, & Ahlberg, Ltd., approached the commissioners to discuss the plats and civil engineering. The location of the conservation easement has been clarified. The lot size for the Natatorium has been increased in order to accommodate fire trucks around the building by providing extra lane width. Bussman stated that the easements for the sanitary line and water line for that location have been relocated. The bulk of the revisions have occurred with the stormwater on the grading plan. New impervious areas have been accommodated that detention requires for the north and south tributary areas. The north basin requires an extra $\frac{1}{2}$ of an acre foot based on the new impervious area created with the parking lot expansion. The south basin that is located south of the hotel requires about an extra two acre feet based on the new impervious area required by the Village code. Bussman stated that for final engineering, they will be studying the entire system, including the golf course ponds, to ensure that everything is accommodated.

David McCallum of David McCallum Associates, Inc., discussed the revisions that have been made on the landscaping plan based on reviews and feedback received. Additional screening has been added at the southwest area of the proposed apartment building. There will be an addition of 21 shade trees and ornamental trees in the corner of this area. Staff had also asked for the species and sequence of the trees that are in the median on Cass Avenue and that has been reflected on the revised plans. Staff had also asked for the species and sequence of the parkway trees along Cass Avenue, which has also been reflected. The area north of the entrance drive will be addressed on the next set of plans. As part of the stormwater management program, there is a new detention basin at the north section of the property. This will be planted with wetland plugs. The large parking lot area remains the same. Adjacent to the Natatorium, shade trees have been added to the berm area. The buffering has been extended further south to provide more screening. The area located south of the ponds has had an increase in tree inventory, per staff's request. Native plantings and plugs have been added to the detention area as well.

Shapiro stated that they have had meetings with staff regarding off site improvements, primarily landscaping and lighting along Cass Avenue, in addition to a 33' roadway dedication. He stated that they are happy to collaborate with the Village Engineer regarding stormwater issues.

STAFF COMMENT: Joseph Hennerfeind gave a brief summary of what changes have been made since the November 8, 2017 Planning and Zoning meeting. Previously the applicant had suggested some language for a Text Amendment request regarding residential uses in the B-3 Special Business District. Staff did not support the language that was presented and gave the applicant some recommendations. Staff is in agreement with them now that they are matching staff's recommendations. The plat has changed based on staff's recommendation. Originally the plat showed that the detention pond was on the golf course parcel and in terms of undertaking the maintenance of the property, staff felt that it should be the responsibility of lot 1. Lot 1 increased in size and lot 5, which was the golf course, decreased in size to make that accommodation. Previously the applicant had not shown the right of way improvements. Now the street trees and lighting are shown on the plans. A right of way dedication on 35th Street has also been accommodated. The planned development amendment has been submitted to the Village Attorney for review. Hennerfeind stated that at the last meeting, engineering was not recommended but it has been improved since that time. The public land dedication is a point of discussion as it is still being worked out with the Park District and the property owner. A previous concern was that if there was going to be a formalized park land dedication that was not associated with the front nine, it could make a change in the site plan. A site plan change is no longer anticipated. The land will be somewhat conveyed to the Park



District to satisfy their requirements and will likely not affect the site plan. There have been several additional documents so staff compiled some requirements, recommendations and issues that should be addressed in their presentation tonight.

Village Engineer, Noriel Noriega, discussed the concerns that neighboring subdivisions had regarding stormwater issues and presented a diagram to help explain their concerns. He stated that with the survey provided by the developer he was able to review where stormwater flows. The survey shows where the existing detention basins lie and how they are connected by storm sewers and which direction they flow. Using the County GIS system, Noriega was able to determine where the watershed divide was located. The proposed development is located on a hill at the top of the watershed. The different maps that Noriega showed indicated that the water flow will not affect the neighboring properties, as the water flows in a southeast direction. Zemenak stated that preliminary engineering has been submitted and there is a question as to the level of detail that is required by the engineering staff when preliminary engineering is received and reviewed versus the process of going through final engineering during the permitting stage. He asked what the Village's standard is for receiving preliminary engineering and saying, yes it can be recommended on a preliminary basis and it can meet code moving forward. Noriega responded that he feels confident enough with the preliminary engineering that was submitted and it can be reviewed in much further detail during the permitting process. He stated that he does not see anything that is significant in which he would need much more detail at this stage. Zemenak asked if this is the typical level of detail that is often received with preliminary engineering for a project of this scope. Noriega responded yes.

Ziegler stated that she would like to discuss three topics that have come up since the last meeting. The first topic was the traffic study. The revised traffic impact study was submitted to DuPage County. They are required to sign off on that since it affects DuPage County's right of way. Noriega and Ziegler met with DuPage County to discuss the project. DuPage County is in the progress of finalizing their outstanding items and concerns. Ziegler received an email today from DuPage County stating that they had five issues which needed to be addressed. Most of those items had to do with daily trips and peak events. All of the items are to be addressed or County will not issue the right-of-way permit. Ziegler has also been working closely with DuPage County to ensure that an intergovernmental agreement is in place for all right-of-way improvements, including parkway trees, street lighting, and median landscaping. In regards to lighting, the Village measures light levels using the standard foot candle. Moonlight can be less than one foot candle, whereas you could have 50 foot candles directly under a light pole in a parking lot. There are various ways in regulating light which includes having a maximum level and having an average regulating level on the lot line, depending on the zoning district. The Village requires 0 at the lot line and the photometric plan meets this at almost every instance. There are several points where it exceeds the code by about .1 or .2 and that will all be remedied by the time final engineering is approved. The lights consist of LED fixtures that are recessed and shielded when appropriate, which the Village recommends. Ziegler stated that the Village had some questions about tree preservation. A final tree preservation plan will be in place prior to any permit issuance. The entire site was walked and inspected by the Village Forester. Ziegler personally reviewed every tree that was included in the tree removal plan. Additional trees were requested to be saved per feedback from Ziegler, the Village Forester, and the Landscape Consultant. These trees are closer to the building envelope than is typically desired but the Village would rather give the oak trees a chance rather than unnecessarily removing them. Prior to construction, the Village Forester will inspect the tree protection, require root pruning, and treatments when appropriate. The developer is also required to abide by the Village's Heritage Tree



Ordinance, which will require substantial fees and replanting if the Oaks are disturbed. The plat now shows a permanent conservation easement of the Oak Grove, per staff's request.

Zemenak stated that he did draft a restrictive covenant which has been shared with the Park District, the developer, and their attorney. It has been negotiated and it provides that what is currently the front nine of the golf course will be allowed to be continued for golf course use. The developer is planning to sell the front nine to the Park District with a lease back to allow the Park District to continue to operate it as a nine hole golf course moving forward. According to the lease terms, there is a buffer area that surrounds the existing residences of Oak Brook Hills that is the entire eastern portion of the golf course east of where the residents are and 100' to the north and south of those residents. This will provide a sufficient buffer area from any future uses. Within the buffer area, the only things allowed would be golf, hiking, walking, jogging, cross-country ski trail, minimal directional signage, and ground security lighting. Once the Park District takes over ownership of the golf course, there is a list of permitted uses that the Park District can put the property to use outside of the buffer area. This would include traditional park uses such as playgrounds, picnic area, active recreational space, passive open space, minimal shelters. They do have the right to build a clubhouse on the nine hole course assuming they do not have the right to use the clubhouse in the future that is contained within the hotel property. They may also have some maintenance and equipment property provided that they serve that specific property and not any of the other Park District properties. Zemenak stated that this is still in negotiation, but he did receive approval from the Park District attorney to share the agreement with the attorney for the Oak Brook Hills residents, which is currently being reviewed. He stated that they are close to having that finalized. If for some reason the negotiations fall apart and there is no conveyance to the Park District, the land development code does state that the Village can take existing open space within a development and count that towards the park land dedication requirement. If that were to happen, the developer is willing to grant the same restrictive covenant for the front nine, stating that it can only be used for golf course purposes or passive open space, which means it cannot be used for anything else. The Village Board can say that is sufficient for park land dedication. One way or another, the golf course will essentially be preserved.

PUBLIC COMMENTS:

Attorney Scott Day stated that he previously submitted a memorandum dated November 8, 2017. Most of the items within the memo remain current including his client's support for the project and the approval for the planned unit development. Day submitted a separate letter dated December 12, 2017 that addresses stormwater. There are deficiencies that their engineer referenced with the stormwater. Day stated that they are most appreciated that the developer has documented and confirmed that addressing stormwater in the final design for this project will be accommodated and they look forward to that process. Another item that they submitted has to do with the Park District. Day stated that he did receive a copy of the draft from Attorney Zemenak. The draft is not final and he cannot speak to it at this time since he does not know enough about it at this stage. He stated that Maryann Kaufman has worked extensively with his group to sound and lighting issues associated with the Natatorium. That collaboration and cooperation is appreciated.



Alan Koren, Saddlebrook Association and member of the Committee for Responsible Development in North Westmont, stated that they are still concerned with stormwater problems that could cause stormwater runoff, traffic congestion and parking problems. They are also concerned with the protection of trees and the Oak Grove, along with soil pollution at the golf course. Koren stated that the bluff area of the back nine is approximately 776' above sea level and this is the tallest area within Oak Brook Hills and the surrounding area. The bluff area slopes mostly to the west. Koren stated that although the trees to the north and west will be preserved, this area may not be suitable for stormwater management remediation or soil remediation. The surrounding subdivisions and neighborhoods, including Royal Hills Club, Saddle Brook, Indian Trail, Midwest Club, Trinity Lakes and Covington Court are lower in elevation. Koren met with staff on December 12, 2017 and asked to see the stormwater management report but it was not available. He stated that they would like to see a copy of this report once completed and is therefore asking for a continuance until they can critically analyze it. In regards to trees, he noted that at least 50 trees have been recommended for removal due to the construction of the seven story Texas wraparound. He stated that there are 24 trees that are approximately 20' to 60' from the construction area that are likely to die because they are likely within the dripline of the tree and the protected root zone may be disturbed. Koren stated that they also believe additional oak trees will have their remote roots injured by the construction. He provided a handout from the University of Minnesota Extension that discussed protecting trees from construction damage. He stated that water drainage can also affect oak trees. Koren's final concern was the potential soil contamination of arsenic that are often associated with golf courses. He wishes to have soil tests conducted on the greens and tee box areas of the golf course and also the areas at the top of the downslope bluff with the protected Oak trees, in order to determine if the soil exceeds the Illinois Pollution Control Board's remedial objective for arsenic in soils.

Jean Doyle, resident of Indian Trails, stated that there are issues within the special use request. There are three issues that the special use request is not addressing. She stated that the stormwater issues are a serious concern for the homeowners at Indian Trail. They have had ongoing and increasing issues over the years, which the Village is well aware of. Doyle stated that one of the things she has appreciated over 18 years of being a resident in Westmont is the open space and what the golf course represents to the area. She stated that this development is seriously going to impact their property values. It is not single family homes; it is rental property. Doyle stated that when she hears parking for 1,100 cars, she stops and thinks about how much longer it will take for her to get out of Indian Trail in the morning. Not everyone is going to go to work at the same time, but there will be a large amount of people going to work at the same time. She feels that they are going to be severely impacted from this development.

Frank Gonzalez, resident at Royal Hills Club, discussed some items from the Village's Comprehensive Plan dated February 19, 2013. He went over the introduction and purpose of the Comprehensive Plan. Gonzalez read various points from the Plan from different sections that included Community Outreach, Community Workshop, Business Outreach, Village Services and Objectives, Land Use Plan - Planning Area, Land Use Plan - Single Family Detached Residential, Land Use Plan - Multi Family Residential, Residential Area Plans - Context Sensitive Development, and Residential Area Plans - Multi-Family Residential. Gonzalez brought up points from the Comprehensive Plan referencing resident concerns about the high level of rental housing in the community and that many residents did not want to see an increase in apartments or rental housing.



Karen Busche, resident of Oak Brook, stated that she appreciated the work that was done to relocate the Natatorium and it looks very nice. She stated that her area of focus is emergency management and disaster mitigation. The single point egress on the property is a concern and she stated that she is unsure how that can be justified. It is a two lane egress that flows to three lanes at Midwest Road to accommodate a right hand turn lane. She stated that the record should be correct that it is a two lane egress and not a three lane egress as stated. When there are that many cars moving out of a facility, it does make a difference. A three lane egress should be considered in order to allow for emergency vehicles. Busche stated that the average resident wants to know the safety of having a garage inside the apartment building. She stated that most Texas wraparound buildings have a separate garage and then 10' to 12' of open space around it and then the building ringed around it. It is really two separate structures and that allows for air movement. Busche asked where are the fumes going to go, especially when you have 100 people leaving for work and all the fumes from the exhaust will go right down the hallway of the building. The NFPA lays out the processes and standards. She stated that the new cars burn faster and burn hotter with all the synthetic materials that are used. If a car is going to start on fire, how are those fires going to be put out. If you have a tragedy in the garage, what is going to be done since fire trucks and ambulances cannot fit in there. Busche asked if the Village's Fire Department has a Mutual Aid Box Alarm System (MABAS) agreement. Zemenak responded that the Fire Department has a mutual aid agreement with the surrounding communities. Busche presented a powerpoint handout that was created by a Fire Department in Montgomery County in Maryland. She reported that NFPA stated that exit stair towers that are four stories or more are required to have two hour rated door assemblies. She stated that there are a whole series of rules for protecting doors. She stated that the safety of the garage needs to be addressed because it looks like a tragedy waiting to happen.

Alan Hanzlik, resident of Midwest Club, stated that this development is going to be an upscale apartment complex that will be the home for over 500 residents, but yet there is no open space or green space. He stated that originally staff required 3.09 acres for children. He is concerned that this is not the correct way to approach the apartment. Hanzlik stated that the apartment complex is 40% larger than the hotel. It is a massive structure in a residential neighborhood. He stated that normally a building of this size would require 29 acres around it. Because there is a golf course there, which will eventually be sold and developed, the Village is allowing this massive structure to be put on 9 acres of property, not 29. Hanzlik stated that he has ongoing concerns about the Oak Grove. It was mentioned that the developer is taking great mitigation methods, but the reality is that the apartment complex will be critically close to the roots of these trees that have been here for over 200 years. Hanzlik stated that he entered a letter into public record from the company that takes care of the trees in the Midwest Club. The arborist noted in the letter that it should be expected that the Oaks will not survive with construction this close. Hanzlik stated that his final concern is safety. He does not think that Westmont is approaching this project in the safest manner in the following areas - road traffic and congestion, providing first responders the quickest and safest access to a catastrophe with one ingress and egress, and allowing one of the highest structures in Westmont to be on one of the highest points in the area. This building is seven stories and the Village is allowing it to be placed in the middle of a residential area. Hanzlik stated that they have an alternative and shared a diagram that suggests if the complex was moved slightly east and slightly south and also rotated, it would accomplish several things. The topography of that land runs 10' - 25' below where this building is projected to be at this point. For the neighbors, lowering the building by 10' to 25' would be an immediate benefit.



This would remove the building completely away from the Oak trees and would also destroy fewer trees. This would also allow for the three acres of the open land that should exist for an upscale apartment that is going to have children residing there. He stated that people are not going to want to send their children to a golf course to play. Hanzlik stated that most importantly, the Oak trees only have leaves six months of the year so how will it shield the building the other six months. He also has concerns of the building attracting lightning due to the height of the building and its location. There is also the concern of a potential fire and the impact on neighbors and about the lack of potential first class response times in a new structure.

Beth Marquetti, Executive Director of the DuPage Convention and Visitors Bureau, represents tourism in the County. She stated that they went through a strategic plan about two years ago and one of the outcomes was a sports study, which they are in the midst of right now. Marquetti stated that they had looked at the County fairgrounds as a potential property for sports. DuPage County is primed to be a sports leader since the local sports venues are all being used. The Natatorium would provide a world class sports facility for many organizations. Tourism in DuPage County is currently a \$2.5 billion industry. Sports has seen a 10% growth in the last year so it is a huge recession proof business. Since 2014 the DuPage CVB has assisted in booking more than 60 events, which represents 60,000 visitors and \$12 million. This development would be a driver for economic vitality in DuPage County. Marquetti stated that we are losing market shares to competitors in Indiana and Wisconsin. She stated that she is in support of the Natatorium. There are about 115 hotels in DuPage County so to have this world class property would be able to lure events that would help fill those hotel rooms. She stated that there was recently a weight lifting event in May in Lombard. These are the kind of events that can be brought to the area that are the road to the Olympics.

Peter Dumon stated that he knows the Westmont Police Department and Fire Department is up to the task to making sure the building is built to the existing codes to ensure everything is safe. In terms of the code, there is a two hour fire wall between the garage and the apartments. There is concrete on most of the exterior. The apartments and garage are sprinklered. With respect to stormwater arsenic, there are all kinds of local, state and federal regulations that they are required to follow. Dumon stated that in respect to Mr. Hanzlik's comment about rotating the complex ninety degrees, that would make it significantly worse for Midwest Club and the townhome community next to them. He stated that this solution would only shield it from Oak Brook and not from Westmont. Dumon stated that the building faces the way it does so that residents have a view of the beautiful Oak Grove and the back nine of the golf course. He stated that Mr. Hanzlik's solution would have half of the building facing the Oak Brook Hills parking lot and that is not good in terms of quality of life or in generating rent. The location of the complex was set up for aesthetic and economic reasons. The suggestion is inferior to what is already in place. In terms of whether there will be children residing in the apartments, there will likely be some children there. The vast majority of people who are going to spend the kind of rent that will be charged for a two-bedroom, would likely afford a mortgage and there is great housing stock in Westmont and the downtown area that would be phenomenal. Dumon stated that by design the apartment complex is not necessarily perfect for families, but there is the putting course, walking trails, sidewalks to Cass and Midwest and parks such as Ty Warner for residents to embrace. The developer wants this property to be renter's by choice in a luxury community and is not necessarily intended for children. That would also be a burden on schools. The schools get a large economic tax benefit from the apartments with likely a very negligible impact on student population, so it



should be a win for them as well.

COMMISSIONER COMMENTS:

Carmichael: Stated that most of his questions had been answered throughout the discussion. He stated that he would like to see more of Karen Busche's comment about the three lane egress and how the departure is not really three lanes. Carmichael asked if they would consider widening the egress lane. Dumon responded that he thinks it is perfectly safe and as stated at the last meeting, the ingress / egress for the building was designed for 750,000 sq ft of office. What they are doing is significantly less than what it was designed for. Dumon stated that he has been at the resort many times and the two lane egress does transition to three. He stated that there is extra land there for widening but their expert traffic study says it is completely unnecessary. Carmichael stated that most of his concerns in the latest round have been with the landscaping. He is happy to see that the conservation easement has been put in place for the Oak Grove. The retaining wall on the east side of the Natatorium was an extra effort on the developer's part to protect the townhouses on the east side of the Natatorium. He stated that the applicant has made sincere and extensive efforts to accommodate the various complaints regarding additional plantings, the restrictive covenant with the Park District, and the buffer zone with the townhouses. Carmichael stated that this is a major impact on the area, but he is satisfied and believes it is ready to go to the Village Board.

Van Buren: Stated that he appreciates all the time that staff has put into this and also the response from the Homeowner Associations and the petitioner. He asked if there was a fire in one of the cars in the garage, water sprinklers won't be much help, and what would it cost to incorporate an ansul system (i.e. fire extinguishers). Ansul would do the job to suppress the fire, whereas water sprinklers would not. Fawell responded that typically that is something on site that could be handled by a professional. Many people may carry a fire extinguisher in their car. The entire garage is a two-hour rating along the perimeter. He stated that they use the NFPA code for every building and garage that they build. There will be carbon monoxide sensors that will trigger if the levels get relatively high. As far as the fumes, the garage is essentially open air, so it will be open to the exterior. There should not be any accumulation of the fumes. Fawell stated that if there is an incident in which the car starts on fire, the Fire Department would be called and they could put it out. Everything will be done to NFPA code, which is standard procedure and typical for any garage in the area. Van Buren asked staff if there is any reason that the commissioners may not be prepared or should not make a decision. Noriega responded that from an engineering perspective, they are already making a recommendation to move forward. Hennerfeind responded that all the responses for planning and zoning have been made but there are still things that need to be considered such as the parking variance, that staff cannot comment on. In general staff is satisfied with all the responses that have been received.

Thomas: Asked what would happen if there is a fire in the garage. The response of calling the Fire Department to put it out was too casual and he would like to hear from the Village's Fire Department or the architect about this concern. Dumon responded that they have designed this to the same standard that Oak Brook would. Thomas responded that he does not care about Oak Brook. Dumon responded that it is a fully sprinklered parking deck. It meets every requirement that the Fire Department requires. He stated that he always meets with the Fire Department to ask them what they want. They are going to meet the code and if the Fire Department wants



anything on top of that, they will give it to them as long as it's reasonable. He stated that the Village has experts and there are also codes that they must follow that have been developed due to tragedy. This is not a wood framed building. It is concrete and steel. Dumon stated that inside the apartment is more important than inside the garage. Thomas asked if there will be a situation where smoke is being sucked down the hallways. Dumon responded no. There is a two hour fire wall which means the fire can burn on one side of the wall for two hours. The smoke will go up. With the open air, it will go up. There is natural ventilation and a fan system. Ziegler stated that she would like to express her full confidence in the Village's Fire Department ability to meet with developers in advance to discuss safety considerations, which have occurred multiple times to review plans. The Fire Prevention Bureau Director is a Master Building Code Professional and will be seeing all of the plans throughout the permit process and will require appropriate fire suppression. The Village has stricter local building code requirements for proposed apartment buildings in comparison to other local communities. Thomas stated that he may not have liked the way it was presented, but if our staff is satisfied, then he is satisfied. Ziegler responded that the Village's professionally trained Fire Department staff is very sufficient to handle this. Thomas asked what the County needs for the ingress / egress and traffic light. He asked if any changes are required for the traffic light per the County's requirements. Ziegler responded that they will likely change the transition times but the actual light will not be changing. Noriega responded that the County recommended that no major improvements are needed at the intersection itself. However they did comment that they may look at the cycle timing of the traffic signal. At this point the recommendations sound good and they do have some comments that will be reviewed. Thomas asked if DuPage County made any comment on the ingress / egress. Noriega responded that they made no comment.

Sharp: Stated that he will be recusing himself due to personal conflicts.

Bartel: Asked if there is a Fire Department access point at 35th Street and Cass Avenue. Dumon stated that the access would be at the main entry drive. Bartel asked if that location is the only entrance for a fire engine. Dumon responded yes. Bartel asked how they can be assured that the trees will be maintained and replaced as necessary. Dumon responded that if that is a concern, then it should be put into the development agreement. Ziegler asked which trees she was referring to. Bartel responded the Oak Grove and asked what would happen if the Oak trees were damaged during construction. Ziegler responded that if they are damaged they will be subject to the Heritage Tree Ordinance. Bartel asked what the timeline is if the project moves forward in 2018. Dumon responded that Maryann is way ahead of him and she has taken some level of risk, and is therefore ready to start and submit for permit if the project is approved. He stated that they are working on a phasing plan for the redevelopment of the parking lot. The apartment building is six months behind that, which would likely be late summer or early fall groundbreaking. He stated that they have made a lot of progress on the financing end. Dumon stated that he is in discussion with some builders regarding the R-1 development, but he understands that will be submitted as its own independent process. He expects to have his builder / partner selected by the end of March or early April. He stated that as the hotel owner, he is sensitive as to what the homes will look like. The average cost will likely be \$1 million for the single family residences.

Lavoie: Stated this his biggest concern was the engineering plan, but he feels that Noriel Noriega has a handle on what exactly needs to get done. He stated that he understands they are willing to cooperate and work through the



process with Village staff. Lavoie stated that as far as the public is concerned, their minds should be put to rest since the process will be done correctly and he has a lot of confidence in the engineers involved. Lavoie stated that the egress from the apartment building appears to go all around the site and not down to the rotary. He asked why that is and why the traffic would not be taken to the rotary rather than all around the site. Lavoie stated that the plan he had showed egress going towards the hotel and not towards the rotary. Dumon stated that people would take a left and head towards the rotary. Lavoie asked traffic engineer, Luay Aboona, if he had a problem with this. Aboona responded that no, there would not be a problem with the egress. Lavoie asked if there will be a need for isolating construction traffic. Dumon responded that there will be a lay-down lane that will be used for getting the debris off of the trucks and then basically they will get out using the main entrance. In terms of the apartment, depending on the timing with the R-1 development, it would make sense to put a haul road in off of Cass Avenue. With the Natatorium though, it makes sense to use the main entry. Lavoie stated that it makes sense to him too and they should consider talking to County regarding temporary access to minimize the impact of operations on the hotel. Lavoie asked if the traffic study included a gap study. Aboona responded that no they did not include a gap study because the intersection is signalized so that is not necessary. Lavoie stated that as you travel southbound on Cass Avenue, the signal at the entrance would provide a gap for points of egress going northbound out of the western side of Cass Avenue. Aboona asked if he was referring to further south where the single family area is concerned. Lavoie responded yes. Aboona responded that yes those signals would provide a gap. Lavoie stated that he wants to make sure the residents understand this.

Lavoie asked if the developer could elaborate as to where the fire room is located. Fawell responded that typically it is off the main entrance and that is where they will put it. They left room there for that area. Lavoie asked if there will be a fire room put in there. Dumon responded that there will be a fire control room put in the building and it will go wherever the Fire Chief wants it. Lavoie stated that he also reached out to the Fire Department as part of this review and they are top notch and have weighed in on this pretty heavily and are in favor. Lavoie stated that they discussed the trash for the apartment complex at the last meeting but he did not see it addressed in the current presentation. He asked if there will be a trash compactor. Fawell responded no. There will be two bins in which the garbage will come down to. The bins will be wheeled out for the garbage trucks. Lavoie asked if the garbage trucks will be entering the building. Fawell responded no they will not. Lavoie asked if the pedestrian path around the building is a paved path. Fawell asked if he was referring to the pathway around the apartment complex. Lavoie responded yes. Fawell responded that the pathway around the apartments will be permeable pavers. Lavoie asked if any other provision has been made to address the issue of moving in and moving out of the apartment complex. Fawell responded that it is pretty standard with a building like this for residents to schedule their move. They cannot just show up on a Saturday to move in. He stated that it is all scheduled and is standard. There will be management policies set up for moving in and moving out.

Lavoie asked for the valet parking to be explained in more detail. Dumon responded that valet can be parked anywhere on the property, depending on where the event is. For example, if there is a large event at the Natatorium, people could self-park close to the facility and then valet park closer to the hotel. The other way to control parking is through price. He stated that for a major event, they will likely charge for parking. This would likely encourage carpooling if people know they are going to be charged to park. Dumon stated that they have overparked by 185 spots once everything is complete. There will be a lead time and a build up with a stabilization period for the Natatorium. The first year to 18 months, by nature, are going to be a little slower. By then the apartment complex should be opened. If not, then it is a management issue and they work on a development



agreement with staff that would limit the size of the attendance within the Natatorium to a certain amount unless they have a suitable parking plan per the staff. Zemenak responded that the development agreement, which was approved last year and is going to be reapproved if this project moves forward, requires the Natatorium owner to come to the Village Board with a specific parking plan for large scale events. The Village defines what large scale events are. Even with the apartment built and even with sufficient parking for normal use for the large scale events there are some concerns. Zemenak stated that we want to prevent parking on residential streets and the Village Board will have to specifically sign off on a parking plan. There will have to be a report completed after the event to see how parking went and before subsequent events they have to come back with a revised parking plan for Village Board approval.

Lavoie asked if they have any intention of any significant regrading on the site outside of the purview of the apartment building and the Natatorium. Also, what is their intention for stormwater excavation and fill material. Dumon responded that ultimately the remaining nine holes need to be renovated and the R-1 development will impact the site. Between those two items, there is at least 100 acres and they intend to try and keep all fill on site. Dumon stated that they are going to try and balance this with the golf course. Their golf course architect has been working with Fawell and the civil team on how much haul off they are going to have. At this time they do not know how much the R-1 development will have but in a perfect world that will all happen within one summer and then they can balance everything simultaneously. There is no significant excavation or regrading since the property is already at grade. He stated that the amenity level of the apartment complex is basically a walkout as you go down the slope. Lavoie asked if they will be seeing the golf course renovation plan in the future. Dumon responded that yes of course they will. Lavoie stated that he appreciates the changes that have been made to the plans and believes they have a better plan today than when they first submitted. He stated that his biggest thing is to make sure there is cooperation between the different parties and to make sure issues are addressed with the neighboring properties.

Pill: Thanked everyone who has spent countless hours on the project and also the residents who have provided their input over all the meetings. Many ideas have been presented from all of the input. Pill stated that he has spent countless hours reviewing the stormwater for the project and has had numerous discussions with the Village Engineer. He stated that it is pretty clear that the stormwater moves away from many perimeter residential areas. There are obviously stormwater problems at some neighboring properties that already exist and the proposed development will not make it worse since the water will be flowing in the other direction. That is the way it has been designed and it is going to be enhanced another notch between now and final engineering. Pill stated that he appreciates that the Oak Grove and preservation of the front nine is going to occur. Those were "no deal" points and he is glad to see they were taken care of. In the end, there will be plenty of parking at the property. Pill stated that he spent some time in the south end of Westmont, where there is a 399 unit apartment building, which is about 100 units bigger than the proposed development. The 399 unit building is located on a residential side street. He stated that he has been there in the morning and has not seen any problems with traffic and they actually have a four way stop without a traffic light. He stated that as someone who is at 35th and Cass everyday, he never has problems getting in and out. Pill stated he is also very comfortable with the Fire Prevention Bureau. There is no perfect situation, but with Fire Department coordination, all safety measures are going to be taken into account.



westmont.illinois.gov

Community Development Department

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

MOTION A

Motion to recommend to the Village Board of Trustees to approve 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.

Motion by: Bartel

Second by: Thomas

VOTING A

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Map Amendment request to rezone approximately 40 acres from B-3 Special Business District to R-1 Single Family Detached Residence District.

Motion by: Van Buren

Second by: Thomas

VOTING B

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

MOTION C

Motion to recommend to the Village Board of Trustees to approve a 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.



westmont.illinois.gov

Community Development Department

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

Motion by: Bartel
Second by: Carmichael

VOTING C

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

Motion Passed

MOTION D

Motion to recommend to the Village Board of Trustees to approve a 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.

Motion by: Carmichael
Second by: Van Buren

VOTING D

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

Motion Passed

FINDINGS OF FACT

1. YES=6 NO=0 RECUSE=1

MOTION E

Motion to recommend to the Village Board of Trustees to approve a 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.

Motion by: Bartel



westmont.illinois.gov

Community Development Department

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

Second by: Thomas

VOTING E

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

FINDINGS OF FACT

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

MOTION F

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to permit residential dwelling units in the B-3 Special Business District.

Motion by: Bartel

Second by: Thomas

VOTING F

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

FINDINGS OF FACT

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



3. YES=6 NO=0 RECUSE=1

MOTION G

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to increase the maximum number of signs permitted in the B-3 Special Business District.

Motion by: Carmichael

Second by: Van Buren

VOTING G

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

FINDINGS OF FACT

1. YES=6 NO=0 RECUSE=1

2. YES=6 NO=0 RECUSE=1

3. YES=6 NO=0 RECUSE=1

MOTION H

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to reduce the total required number of parking spaces in the B-3 Special Business District.

Motion by: Van Buren

Second by: Carmichael

VOTING H

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed



westmont.illinois.gov

Community Development Department

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

MOTION I

Motion to recommend to the Village Board of Trustees to approve a 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.

Motion by: Bartel

Second by: Thomas

VOTING I

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

MOTION J

Motion to recommend to the Village Board of Trustees to approve a Preliminary Plat of Subdivision.

Motion by: Thomas

Second by: Lavoie

VOTING J

Van Buren: Yes

Carmichael: Yes

Bartel: Yes

Thomas: Yes

Lavoie: Yes

Pill: Yes

Sharp: Recuse

Motion Passed

Pill stated that this item will be presented at the Village Board meeting on Thursday, December 21, 2017 at 6:00 PM.

11. Miscellaneous Items

Staff wished everyone Happy Holidays. The next Planning and Zoning meeting is scheduled for Wednesday, January 10, 2018 at 7:00 PM.

12. Adjourn



westmont.illinois.gov

Community Development Department

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

Motion by: Bartel
Second by: Thomas

Meeting adjourned at 9:53 p.m.